

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

OUT-OF-AGENCY SERVICE AGREEMENT

August 5, 2004 (Agenda)

LAFCO 04 -7: City of Santa Barbara - Voss

LOCATION Less than one acre located west of and adjacent to Apple Grove Lane, approximately 300 feet north of Calle Real (528 Apple Grove Lane).

RECOMMENDATION Authorize the City of Santa Barbara to provide sewer service outside of its boundaries for an existing single family home.

GENERAL ANALYSIS:

1. Present and Future Land Use, District Boundaries and Public Services

The parcel where service is requested contains a single family home

The site is within the City sphere of influence and is part of an "island" totally surrounded by the City, but is not contiguous to the current City boundary and therefore cannot be annexed at this time.

No changes in land use are proposed or will result from this approval.

Sewer service would be via a 100 foot private lateral to connect to the City sewer main in the street in front of the property.

To allow the City to provide the requested service the Commission must authorize the City to provide services to this residence located outside of its boundaries.

2. LAFCO Approval is Required

LAFCO regulates both boundary changes and extensions of service without boundary changes. Government Code §56133 states that "A city or district may provide new or extended services by contract or agreement outside of its jurisdictional boundaries only if it first requests and receives written approval from the commission"

It provides further that LAFCO ". . .may authorize a city or district to provide new or extended services outside its jurisdictional boundaries but within its sphere of influence in anticipation of a later change of organization."

3. Existing Commission Policy Regarding Out-of-Agency Services vs. Annexations

It is the Commission's policy that, "Annexations to cities and special districts are generally preferred for providing public services; however, out-of-agency service agreements can be an appropriate alternative."

The policy states that "While each proposal must be decided on its own merits, the Commission may favorably consider such agreements [if] Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.

4. Landowner Consent to Annex in order to Receive Sewer Service

As shown on the enclosed map the residential parcel to be served is located in the middle of an island of unincorporated territory that is surrounded by the City of Santa Barbara. A City sewer main is located in Apple Grove Lane fronting the property.

It is the Commission's policy that whenever property may ultimately be annexed to a city or district, approval of an out-of-agency service agreement should require the landowner to agree to annex the territory with a recorded consent to annex.

5. Environmental Impact of the Proposal

The Commission's approval is exempt from CEQA based on the logic of categorical exemption Class 19 - Annexation of Existing Facilities and Lots for Exempt Facilities. No change in land use is proposed as a result of the out-of-agency service extension.

6. Alternatives for LAFCO Actions

Alternatives available to the Commission include:

- Option 1 Continue the item to obtain additional information.
- Option 2 Deny the request, require continued service by an on-site septic system.
- Option 3 Approve the request with specific terms and conditions:

RECOMMENDED ACTION

Approve Option 3.

- Find the out-of-agency service agreement to be categorically exempt.

- Authorize the City of Santa Barbara to provide sewer service subject to the following terms and limitations:
 1. LAFCO's approval applies to both current and future property owners.
 2. Approval to extend services beyond those specifically noted herein is withheld and is subject to future LAFCO review.
 3. Before the service is provided the property owner shall record an agreement consenting to annex to the City.

BOB BRAITMAN
Executive Officer
LOCAL AGENCY FORMATION COMMISSION