

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

September 1, 2022 (Agenda)

LAFCO 22-04: 806 Toro Canyon Road involving sphere of influence amendment and annexation to the Montecito Water District (Annexation No. 25).

PROPONENT: Board of Directors, Montecito Water District, by Resolution No. 2229, adopted at its regular meeting held on March 22, 2022.

ACREAGE & LOCATION The proposed sphere amendment and annexation includes 14.89 acres located at 806 Toro Canyon Road containing one vacant contiguous parcel. The parcel lies north of Toro Canyon Park. (APN 155-040-023). (**Attachment A**).

PURPOSE: Annexation to the Montecito Water District is to provide water services to a new proposed future single-family residence and detached garage with a pool. The new residence will utilize an on-site septic system for sanitary.

RECOMMENDATION:

That the Commission adopt the attached Resolution that will approve a modification to the Montecito Water District's sphere of influence and annex the 806 Toro Canyon property into the District.

GENERAL ANALYSIS:

Description of Project

At the request of the property owner, the Montecito Water District is proposing this sphere amendment and annexation. Connection to the public water will comprise of a new private easement and lateral from the property to the existing water main approximately 1,500 feet from the parcel to a group of existing water meters at the end of the water main that serve the neighboring parcels.

1. Land Use and Zoning - Present and Future:

The property includes one parcel located at 806 Toro Canyon Road (APN 155-040-023) which is vacant. The County General Plan designates the site as Residential Ranchette, R-20 within the Toro Canyon Planning Area subject to the Toro Canyon Specific Plan. Current zoning is RR-20. The proposed uses of residence would conform with this designation. No changes in land use will be facilitated by the proposed boundary change.

2. Sphere of Influence:

The site is not within the Districts' spheres of influence and it is proposed to expand the spheres to include this property. (**Attachment B**)

The parcel proposed for annexation is outside the sphere of influence of Montecito Water District. The parcel is contiguous to the District service boundary. The CKH Act requires that the following factors be addressed according to Government Code Section 56425(e) (1-5):

- Present and planned land uses in the area, including agriculture, and open space lands:

The present and planned uses for this Sphere of Influence Amendment are consistent with the County's General Plan, for Toro Canyon Planning Area approved by the County. The plan for providing services for this area include services from the Montecito Water District for water services to a future single-family residence. An on-site septic system would provide sewer services. The consultation between the owner and the County, the residential project was determined to be a ministerial approval from the County since the proposed development will meet all requirements of the current parcel zoning. Overall, the County's General Plan clearly identifies community goals, objectives, policies and standards. The policy document and development approval provide for the logical and orderly growth of the Water District. The annexation contains no agricultural resources or changes to land use as a result.

- Present and probable need for public facilities and services in the area:

The present need for public services in the proposed SOI area consist of services for a new single-family residence and associated structures. Water services would be provided by the Montecito Water District and sewer services would be provided by on-site septic system. Fire would be provided Carpinteria/Summerland Fire Protection District. The parcel already resides within the fire district service boundary. Much of the neighboring lots to the west and south are within the Water District as part of Miller Reorganization in 1994. The primary purpose is to allow for extension of public water service to the identified property. The properties are currently vacant and could only be served by a septic system and on-site well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner's desire to have a steady reliable water source to ensure the longevity of his plans to develop the site. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

- Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide:

Water services identical to other users currently within Montecito Water District could be provided within one year of annexation. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the

parcel. The District estimated it serves a population of 11,769 people with 4,633 connections. The Bella Vista Treatment plant is a 2.2 MG per day (6.7 AF per day) treatment facility that is used to treat water received from Jameson Lake and Doulton Tunnel intrusion. The Bella Vista Treatment Plant went into service in 1994 and provides up to 30% of the District's potable water supply during normal water supply conditions. Doulton Treatment Plant, a secondary 0.15 MG per day (0.46 AF per day) treatment facility, is located at the top of Toro Canyon Road used to deliver treated water to a small, isolated section of the District's customers. The Cater Water Treatment Plant has a production capacity of 37 MGD and is owned and operated by the City of Santa Barbara. The City of Santa Barbara and the Montecito and Carpinteria Valley Water Districts jointly participate in the Cater Treatment Plant. The District has a 20 percent interest in the Cater facility. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates. The Water District has stated it has the adequate capacity to provide services to the parcel.

- Existence of social or economic communities of interest in the area if the Commission determines that they are relevant to the agency:

The Sphere of Influence areas Montecito Water District are linked to the Montecito and Summerland communities social and economic interest. Residential development is proposed in the Sphere amendment and the District or surrounding areas provide places for shopping and services for the people living in the area. Areas to recreate, schools, places of worship and cultural events would also be available to the areas in the Sphere of Influence that include residential development. The district will also gain assessment advantages or water service charges with the annexation. The property will receive the same level and range of service as other properties currently served by the District.

- Present and probable need for public facilities and services of Disadvantage Unincorporated Communities:

The Montecito area has a variety of economic diversity within the community and surrounding area including within or adjacent to the Sphere of Influence. A Disadvantaged Unincorporated Community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This amendment of the Sphere of Influence is currently vacant with a proposal to construct a new single-family residence. The surrounding Toro Canyon Road area exceeds the median household income for the surrounding community and well above the average County resident income. This does not qualify as a disadvantage unincorporated community for the present and probable need for public facilities and services.

### 3. Environmental Justice:

Annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

4. Topography, Natural Features and Drainage Basins

The vacant parcel APN 155-040-023 containing 14.89 acres. The site is surrounded by residential uses to the north and agricultural uses to the east and west. The Toro Canyon Park is located to the south. There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel. The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. Slopes average approximately 25-30% in the development area.

5. Impact of Agricultural Resources

The annexation will have no impact on Agricultural Resources.

6. Population:

The parcel is uninhabited as less than 12 registered voters reside in the area. The parcel is vacant.

7. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

A water laterals would connect the property to the main water line. The District has stated it has the capacity to serve the property. The property will receive the same level and range of service as other properties currently served by the District. The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required. A group of existing water meters are at the end of Toro Canyon Park Road an 8-inch ductile iron pipe water main that serve the neighboring parcels constructed in 1973 and is approximately 1500 feet from the parcel. The property will be supplied wastewater by on-site septic system.

8. Assessed Value, Tax Rates, Indebtedness and Exchange:

The property is presently within Tax Rate Area 059034. The assessed value of the parcel 155-040-023 is \$309,170 for the land and \$0 for improvements, for a total of \$309,170. (Tax roll 2021-2022.) A property tax exchange was approved by the Board of Supervisors on July 12, 2022 which included a zero exchange with this annexation. The overall tax rate will not be affected by this change. The District has issued debt, which includes bonds and loans, to assist in the financing of its capital improvement program. The indebtedness will be repaid through water sales.

9. Environmental Impact of the Proposal:

The Montecito Water District, as the lead agency, in consultation with LAFCO, has prepared a Notice of Exemption pursuant to Public Resources Code section 21000 et seq. ("CEQA") pursuant to CEQA Guidelines section 15319(b), Class 19 Annexations of individual small parcels for facilities exempted by Section 15303 and 15061(b)(3) common-sense rule. (**Attachment D**)

10. Landowner and Annexing Agency Consent:

The landowners and the Montecito Water District have consented to the annexation in Resolution No. 2229, dated March 22, 2022. (**Attachment B**) and (**Attachment E**).

11. Boundaries, Lines of Assessment and Registered Voters:

The properties are contiguous to the District. There are no conflicts with lines of assessment or ownership. The site is uninhabited; namely, there are fewer than 12 registered voters residing in the annexation area.

The boundaries are definite and certain. The County Surveyor has approved a map and legal description sufficient for filing with the State Board of Equalization.

Public Noticing:

A 21-day public notice was sent to the required affected agencies and interested parties. A Notice of Hearing and public review period was published in a newspaper of general distribution (The Santa Barbara Press) as required by the CKH Act. The notice was also mailed directly to interested agencies and parties. The documents were also mailed directly to the Districts, interested parties and agencies. The documents are also available at the Santa Barbara LAFCO website, [www.sblafco.org](http://www.sblafco.org). The noticing requirements of the CKH Act and CEQA has been met.

Conclusion:

The area proposed for annexation will also amend the districts sphere of influence. Annexation of 806 Toro Canyon Road property owned by Bradford Sublett to the Montecito Water District represents a reasonable and logical expansion of the District. The area proposed for annexation will be amended to be within the District's sphere of influence.

The site is located in an area that allows the District to best provide water services in the future. The District serves the areas to west and south of the parcel. District infrastructure (water pipes) is located within a reasonable distance in the area. The site will be served by on-site septic system.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted the Commission should consider taking one of the following options:

**OPTION 1** – APPROVE the sphere of influence amendment and annexation as submitted.

- A. Finds the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15319(b), Class 19 Annexations of individual small parcels for facilities exempted by Section 15303, and Section 15061(b)(3) common-sense rule;
- B. Amend the Spheres of Influence of the annexing agency to include 806 Toro Canyon Road;
- C. Approve the proposal, to be known as 806 Toro Canyon Road SOI and Annexation to the Montecito Water District;
- D. Condition approval upon the annexed territory being liable for any existing indebtedness and authorized taxes, charges, fees and assessments of the Montecito Water District;
- E. Find the subject territory is uninhabited; all affected landowners have given written consent to the annexations and the annexing agencies have given written consent to the waiver of conducting authority proceedings; and.
- F. Waive the conducting authority proceedings and direct the staff to complete the proceeding.

**OPTION 2** – Adopt this report and DENY the proposal.

**OPTION 3** - CONTINUE consideration of the proposal to a future meeting.

RECOMMENDED ACTION:

Approve **OPTION 1**.



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Mike Prater  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION

ATTACHMENTS

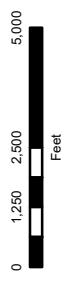
Attachment A	Maps of the Proposed SOI & Annexation
Attachment B	Board Resolutions 2229 initiating action & application
Attachment C	LAFCO Legislative Factors-Government Code Section 56668 (a-q)
Attachment D	CEQA Exemption Section 15319(b) and 15061(b)(3)
Attachment E	Consent to Waive Conducting Authority Proceedings
Attachment F	Plan for Services
Attachment G	LAFCO Resolution Approving the Sphere of Influence and Annexation

Proposed Annexation  
~14.89 ± acres  
APN: 155-040-023

Los Padres National Forest

Montecito Water District

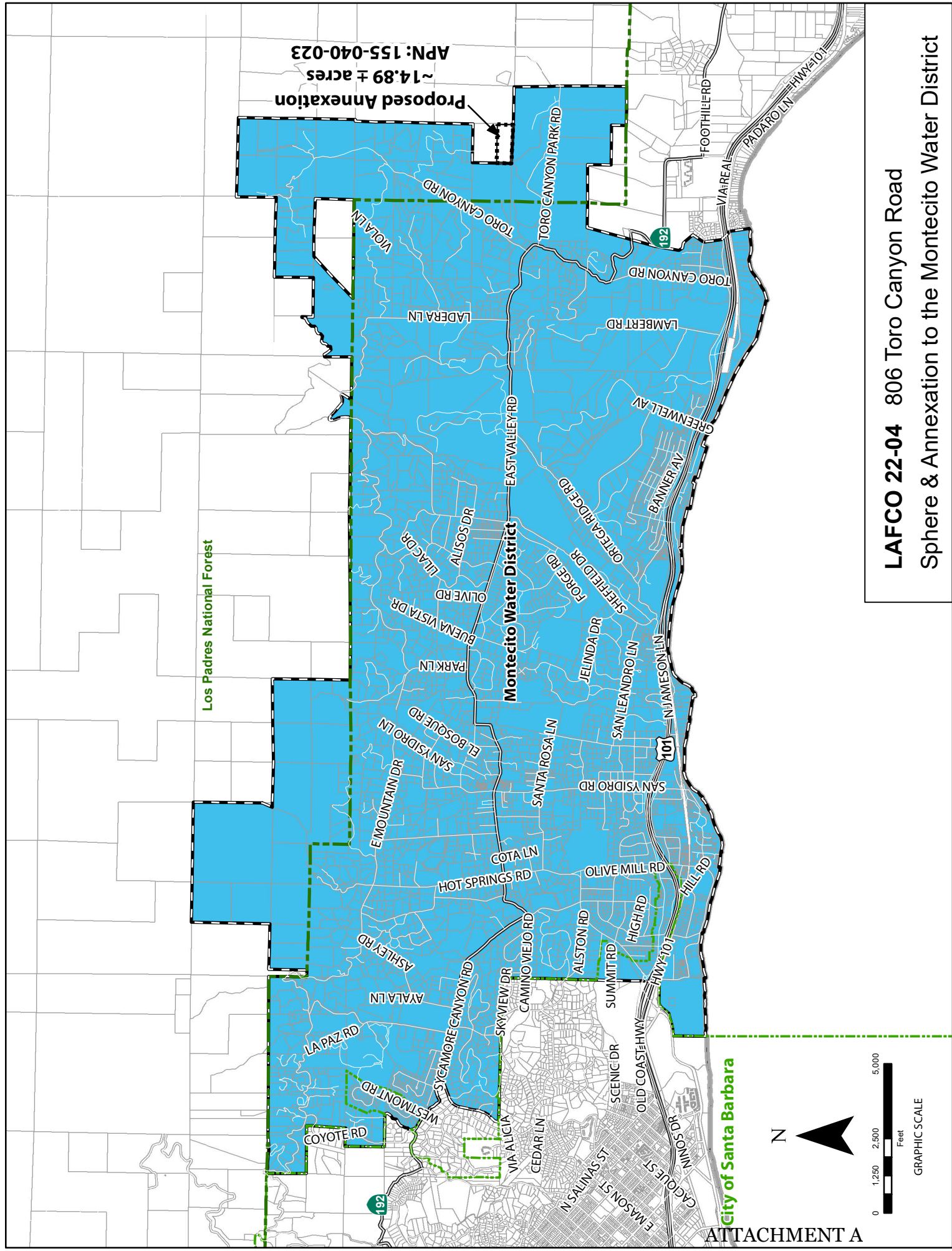
City of Santa Barbara



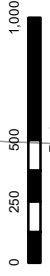
GRAPHIC SCALE

LAFCO 22-04 806 Toro Canyon Road  
Sphere & Annexation to the Montecito Water District

ATTACHMENT A







GRAPHIC SCALE

Los Padres National Forest

Proposed Annexation  
~14.89 ± acres  
APN: 155-040-023

UNNAMED ST

TORO CANYON PARK RD

Montecito Water District

TORO CANYON RD

VISTA LINDA LN

192

ATTACHMENT A

LAFCO 22-04 806 Toro Canyon Road  
Sphere & Annexation to the Montecito Water District

**RESOLUTION NO. 2229**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF MONTECITO WATER DISTRICT**  
**INITIATING PROCEEDINGS FOR AN ANNEXATION TO**  
**MONTECITO WATER DISTRICT**  
**SUBLETT ANNEXATION**

WHEREAS, the Montecito Water District (“District”) is a County Water District organized and existing under and by virtue of Water Code §§30000 – 33901; and

WHEREAS, Water Code §32400 authorizes that land not a part of the District, whether or not contiguous to it, may be included within the District; and

WHEREAS, the District has received from the proposed annexee Bradford Cameron Sublett, a request to annex parcel APN 155-040-023 to the District; the proposed annexee has been fully informed of all District conditions applicable to the annexation; and the proposed annexee consents to the annexation; and

WHEREAS, the District wishes to initiate a proceeding for the annexation of territory, and the adjustment of boundaries, as described herein and pursuant to the terms and conditions set forth herein;

**NOW, THEREFORE THE BOARD OF DIRECTORS DOES HEREBY RESOLVE THAT:**

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with §56000 of the California Government Code.
2. This proposal is an annexation of territory to the Montecito Water District.
3. Boundaries of the territory are shown on the map set forth as Exhibit “A”, attached hereto and incorporated herein by this reference.
4. It is desired that the proposal be subject to the following terms and conditions:
  - A. The territory being annexed shall be liable for any authorized, existing, extended or imposed taxes, charges, fees, assessments and rates imposed on properties presently within the District.
  - B. The territory being annexed shall be liable for payment of existing bonded indebtedness of the District in the same manner as paid by properties presently within the District.
  - C. The territory being annexed shall be subject to all Ordinances, Resolutions, policies and procedures of the District, including those currently in effect and/or adopted or modified subsequent to the annexation of territory subject to this Resolution. This includes, but is not limited to: Ordinance 82,

Ordinance 83, Ordinance 89, Ordinance 96, Resolution 2216, Resolution 2217, Resolution 2200, and the Water Availability Charge.

D. Delivery to District by the proposed annexee of payment in full for all annexation fees and expenses incurred by District in the course of processing the annexation of the subject territory.

E. In the event of annexation, any pipelines, structures, connections and other facilities required for the delivery of water to the territory being annexed from works owned or operated by District shall be constructed, provided and installed without cost or expense to District and District shall be under no obligation to provide, construct, operate or maintain such works.

F. If construction of water distribution facilities is required to properly effect water services to the territory being annexed, all such costs shall be borne by the proposed annexee and all facilities constructed shall, at the election of District, be owned, maintained, and operated by District. Design of such facilities shall be subject to pre-approval by District.

G. The adoption by the Board of Directors of District of a final resolution approving the annexation of the territory.

5. Should any of the above conditions not be met to the District's satisfaction, this Resolution No. 2229 shall have no force and effect.

6. The reason for the proposal is to provide water service to the territory to be annexed pursuant to the District's role as a water purveyor under Water Code §§30000 – 33901.

7. The territory being annexed is not within the District Sphere of Influence and it is hereby requested that the Sphere of Influence be amended to accommodate this annexation.

8. The District has determined that the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. Section 15319 and Section 15061.

9. Adoption of this Resolution includes approval of all actions necessary and appropriate to accomplish the proposed annexation and reorganization. District staff is hereby authorized and directed to take all necessary actions associated with this proposal and to effectuate this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Montecito Water District this 22 day of March, 2022 by the following roll call vote:

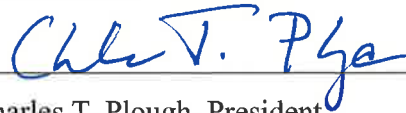
AYES: Directors Coates, Goebel, Hayman, Plough and Wicks

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



A handwritten signature in blue ink, appearing to read "Charles T. Plough", is written over a horizontal line.

Charles T. Plough, President

ATTEST:



A handwritten signature in blue ink, appearing to read "Nicholas Turner", is written over a horizontal line.

Nicholas Turner, Secretary

March 29, 2022

Executive Officer  
Santa Barbara LAFCO  
105 East Anapamu Street  
Santa Barbara CA 93101

Subject: **Proposed 806 Toro Canyon Road SOI & Annexation of APN 155-040-023 into the Montecito Water District**

Dear Mr. Prater,

The undersigned hereby requests approval of the proposal described in the attached materials. It is proposed to process this application under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.)

Enclosed in support of this proposal are the following:

1. Resolution 2229 of application adopted by the Montecito Water District (MWD) on 3/22/22.
2. Completed LAFCO Proposal Questionnaires (SOI and Boundary Change).
3. Map and legal description of the proposed district including sphere of influence change.
4. Assessor Parcel Map showing proposal area outlined in red ink.
5. Notice of Exemption Class 3 Section 15303 & Class 19 Section 15319.
6. Processing fee payable to "Santa Barbara LAFCO" for \$ 7,500.
7. Fee payable to County Surveyor for \$1,100.

Written consent has been given to this annexation by all affected property owners and it is therefore requested that the Commission waive the protest hearing requirements.

If you have any questions regarding this proposal, please contact the undersigned.

Sincerely,

  
Autumn Malanca, Owner's Agent



Planning and Development Department

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### **Planner Consultation\***

Date: December 15, 2021

Project Name: Sublett Consult

Project Address: 806 Toro Canyon Road

APN: 155-040-023

Planner: Shelby Cramton

\* Planner Consultations are paid sessions with planning staff to answer questions about the planning process and regulations, ordinance requirements or permit procedures. This Planner Consultation IS NOT A PRE-APPLICATION MEETING. See attached brochure for more information about pre-application meetings.

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### **Questions from Agent**

Will this project require discretionary approval?

We are considering pursuing annexation from LAFCO to use MWD water. If we can determine if the project will likely be ministerial, then we can proceed with the LAFCO annexation.

Additionally, we have worked with SB County Fire who have provided verbal approval on our solution for site access. However, we are considering an alternative site access solution. Thus, water and access are the primary reason we have not yet submitted our plans for review. We are happy to share the plans we have developed so far. We would like to have a case planner assigned to our project and assist us with the preparation of our planning application.

### **Planner Response**

The proposed project involves construction of a single-family dwelling with a detached two-car garage on a vacant parcel. The 14.89-acre parcel is zoned RR-20 (Residential Ranchette). Per Table 2-7, Allowed Land Uses and Permit Requirements for Residential Zones, in the County Land Use Development Code (LUDC), single-family dwellings and accessory uses (such as a detached garage) are permitted uses in the RR zone requiring a Land Use Permit (LUP). Therefore, the project as currently proposed can be processed ministerially.

The applicant should proceed with LAFCO annexation and continue working with the County Fire Department for their approval of site access.

ATTACHMENT B

Due to the location of the project within the Toro Canyon Plan area, the project will require South Board of Architectural Review (BAR) review and approval, which requires a separate application.

In order to apply for a LUP and BAR, you will need to fill out the forms linked below. Once complete, email [front@countyofsb.org](mailto:front@countyofsb.org) and request a Box link for application submittal. Let front counter staff know when the completed forms and plans have been uploaded to the Box folder. Front counter staff will reach out to you regarding any missing information and payment of fees. Upon receipt of payment, you will be assigned a planner to process the LUP and the project will be scheduled for conceptual review at the next available BAR hearing.

**Forms:**

- LUP Application:  
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/LUP%20CDP%20BP%20ZC%20SubReqApp.pdf>
- BAR Application:  
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/BARStructureSubReqAPP.pdf>
- Agreement for Payment:  
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/Agreement%20for%20Payment.pdf>
- Authorization of Agent:  
<https://www.countyofsb.org/uploadedFiles/plnDev/Content/Permitting/Authorization%20of%20Agent%20Form.pdf>

**Smart Build Santa Barbara (SB<sup>2</sup>).** The County of Santa Barbara has a voluntary program, the Smart Build Santa Barbara Program (SB<sup>2</sup>), to promote energy-efficient building design. We strongly encourage you to take advantage of this opportunity to consult with technical experts in the area of energy-efficient building design at no cost. Benefits include expedited building plan-check, a reduction in the energy plan-check fee by 50%, a reduction in utility bills, and a potential increase in the market value of the project. For more information on SB<sup>2</sup>, please contact Kathy McNeal Pfeifer at (805) 568-2507.

**Consultation Closure**

I hope the information provided in this planner consultation form is helpful. If you would like to schedule a consultation meeting to address any remaining or newly generated questions, or if you have no further questions at this time and wish to close this project account, please email me at [cramtons@countyofsb.org](mailto:cramtons@countyofsb.org) or call (805) 568-2077.

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Proposal Justification Questionnaire for Annexations,  
Detachments and Reorganizations**

(Attach additional sheets as necessary)

1. Name of Application: (The name should match the title on the map and legal description; list all boundary changes that are part of the application)  
806 Toro Canyon Road  
Requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area.
2. Describe the acreage and general location; include street addresses if known:  
806 Toro Canyon Road, located just outside/adjacent to the MWD far easterly service boundary. The property is 14.89 Acres.
3. List the Assessor's Parcels within the proposal area:  
155-040-023
4. Purpose of proposal: (Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.)  
Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.
5. Land Use and Zoning - Present and Future
  - A. Describe the existing land uses within the proposal area. Be specific.  
Vacant parcel. There is only an unsurfaced access road that leads through the property.
  - B. Describe any changes in land uses that would result from or be facilitated by this proposed boundary change.  
This annexation would allow the Owner to proceed with his single-family home project.
  - C. Describe the existing zoning designations within the proposal area.  
This parcel is zoned Residential Ranchette (RR).
  - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning?  
No changes in zoning proposed. The proposed use conforms with current zoning.



E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning? [N/A](#)

F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements). [N/A](#)

6. Describe the area surrounding the proposal

Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table. [See Table A, at the end of this document.](#)

7. Conformity with Spheres of influence

A. Is the proposal area within the sphere of influence of the annexing agency? [No. The proposed parcel to be annexed is adjacent to the existing Montecito Water District boundary, however, it is not technically within MWD's sphere of influence.](#)

B. If not, include a proposal to revise the sphere of influence. [See separate "Questionnaire for Amending a Sphere of Influence."](#)

8. Conformity with County and City General Plans

A. Describe the existing County General Plan designation for the proposal area. [Residential.](#)

B. (For City Annexations) Describe the City general plan designation for the area. [N/A](#)

C. Do the proposed uses conform with these plans? [Yes](#) If not, please explain.

9. Topography and Natural Features

A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal.

[There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel.](#)

B. Describe the general topography of the area surrounding the proposal.

[The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. As stated above, slopes average approximately 25-30% in the development area.](#)

10. Impact on Agriculture

- A. Does the affected property currently produce a commercial agricultural commodity? **No.**
- B. Is the affected property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? **No.**
- C. Is the affected property Prime Agricultural Land as defined in Government Code §56064? **No.**
- D. Is any portion of the proposal area within a Land Conservation (Williamson) Act contract? **No.**
  - 1) If “yes,” provide the contract number and the date the contract was executed. **N/A**
  - 2) If “yes”, has a notice of non-renewal be filed? If so, when? **N/A**
  - 3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. **N/A**

11. Impact on Open Space

Is the affected property Open Space land as defined in Government Code Section 65560? **No.**

12. Relationship to Regional Housing Goals and Policies (City annexations only) **N/A**

If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs as determined by SBCAG.

13. Population

- A. Describe the number and type of existing dwelling units within the proposal area. **None.**
- B. How many new dwelling units could result from or be facilitated by the proposal?

Single-family One Multi-family N/A

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal. **Potable water service from MWD.**
- B. Describe the level and range of the proposed services. **The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required.**
- C. Indicate when the services can feasibly be provided to the proposal area. **Estimated within a year of the annexation.**

- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.  
The owner extending a lateral from the MWD line from the adjacent property to the 806 Toro Canyon Road property would be the improvement (same as “B,” above).
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. The Owner intends to finance the installation and maintenance on his own, without financing, if possible
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.  
The only alternative is to provide an onsite well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner’s desire to have a steady reliable water source to ensure the longevity of his plans to develop the site.

15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov’t Code §56668j).

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt? \_\_\_\_\_  
 If so, please describe. [Yes, see page 34 of the MWD FY2022 budget document dated 6/22/21. Here is an excerpt from that page:](#)

The District has issued debt, which includes bonds and loans, to assist in the financing of its capital improvement program. The District currently has the following outstanding debt shown in Table 7.

**Table 7**  
**NON-OPERATING EXPENSES**

	FY 2021 BUDGET	FY 2021 FORECAST	FY 2022 BUDGET	VARIANCE FAVORABLE/ (UNFAVORABLE)
<b>NON OPERATING EXPENSE</b>				
2004 DWR ORTEGA LOAN	(590,400)	(23,556)	-	23,556
2010 BOND INTEREST EXPENSE	(690,463)	(130,426)	-	130,426
AMI METER FINANCING	-	-	-	-
CATER DWR LOAN	(231,647)	(231,648)	(225,416)	6,232
CATER OZONE	(276,346)	(276,323)	(276,739)	(416)
2020 BOND INTEREST EXPENSE	-	(160,222)	(501,900)	
2020 BOND PRINCIPAL	-	(160,000)	(335,000)	
<b>TOTAL NON OPERATING EXPENSE</b>	<b>\$ (1,788,855)</b>	<b>\$ (982,175)</b>	<b>\$ (1,339,055)</b>	<b>\$ (356,880)</b>

Note: Cater DWR Loan and Cater Ozone debt service is held by the City of Santa Barbara and is therefore not included on the District's calculation of debt coverage, nor is the liability carried on the District's financials.

- B. Will the proposal area be liable for payment of its share of this existing debt? \_\_\_\_\_  
 If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.)  
[Yes. The indebtedness will be repaid through water sales.](#)
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? \_\_  
 If yes, please describe. [There is currently no debt on the property, No bonded indebtedness and / or zones. No Long term Debt.](#)
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? N/A . If yes, please describe.

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? [Montecito Water District \(MWD\)](#)

- B. What type of environmental document has been prepared?

None, Categorically Exempt -- [CCR 15319\(b\) and 15061](#)

EIR \_\_\_\_\_ Negative Declaration \_\_\_\_\_ Mitigated ND \_\_\_\_\_

Subsequent Use of Previous EIR \_\_\_\_\_ Identify the prior report. \_\_\_\_\_

- C. If an EIR has been prepared, attach the lead agency’s resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations."

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal? Parcel boundary. And no other properties should be included.
- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. N/A

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's resolution of approval.
- B. Provide any other comments or justifications regarding the proposal.
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

<u>Name</u>	<u>Address</u>
A. <u>Bradford Sublett</u>	<u>1079 N Ridgeline Road, Orange, CA 92869</u>
B. <u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., Santa Barbara, CA 93101</u>
C. <u>Adam Kanold</u>	<u>583 San Ysidro Road, Santa Barbara, CA 93108</u>

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Phone</u>
<u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., SB, CA 93101</u>	<u>805-966-2224 X108</u>


Signature  Date 2/7/22

TABLE A

Information regarding the areas surrounding the proposal area

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
East	Agriculture	Agriculture	AG-II-100
West	Agriculture	Agriculture	AG-I-20
North	Residential	Residential	RR-20
South	Recreation	Toro Canyon Park (Recreation/Open Space)	REC

Other comments or notations:

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Questionnaire for Amending a Sphere of Influence,**

(Attach additional sheets as necessary)

Sphere of Influence of the Montecito Water District (MWD)

Purpose of the proposal

1. Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.  
The Owner of 806 Toro Canyon Road is requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area. Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for a MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.

Consultation with the County (City sphere changes only)

2. Provide documentation regarding consultation that has occurred between the City and the County with regard to agreement on boundaries, development standards and zoning requirements for land in the proposed sphere as required by Government Code §56425.

Description of area to be included in the sphere

3. What area is proposed to be included in the sphere? Attach a map identifying the current sphere and the proposed addition. What is the acreage? See attachment. The acreage of the parcel is 14.89 acres.
4. Why was it decided to use these particular boundaries?
5. What are the existing land uses for the proposal area? Be specific.  
The existing land is currently vacant.
6. Are there proposed land uses for the proposal area? Be specific.  
See answer to #1 above.

Relationship to Existing Plans

7. Describe current County general plan and zoning designations for the proposal area.  
The parcel is currently zoned residential "single-family" (RR-20).
8. Describe any City general plan and rezoning designations for the proposal area.  
N/A

Sphere of Influence Questionnaire (1-20-22)

This form can be downloaded from [www.sblafco.org](http://www.sblafco.org)

Environmental Assessment

9. What is the underlying project? Who is the lead agency? What type of environmental document has been prepared for the proposed project?

See answer to #1 above. The County is the lead agency for this single-family home project. No environmental documents have been prepared, to date. The proposed improvements are well beyond the 100-foot setback of the easterly “environmental sensitive area.”

Justification

10. To assist LAFCO in making determinations pursuant to Government Code §56425, please provide information relevant to each of the following:

- A. Present and planned uses in the area, including agricultural and open-space lands. Los Alisos Ranch is adjacent to/west of the 806 Toro Canyon Road property, which supports agriculture (farming mostly avocados). The adjacent property to the east also supports agriculture. Properties to the north are residential, and the southerly property is recreational (Toro Canyon Park area).
- B. Present and probable needs for public facilities and services in the area. See answer to #1 above. There is already a water main in Toro Canyon Park Road. The Owner of 806 Toro Canyon is wanting to run a lateral from that main up to his property for potable water, utilizing a booster pump.
- C. Present capacity of public facilities and adequacy of public services the affected agency provides or is authorized to provide.
- D. Existence of any social or economic communities of interest in the area. N/A

Additional Comments

- 11. Provide any other comments or justifications regarding the proposal.
- 12. Enclose any pertinent staff reports and supporting documentation related to this proposal.
- 13. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

<u>Name</u>	<u>Address/Email</u>
-------------	----------------------

- |                     |   |
|---------------------|---|
| 1. Bradford Sublett | 1079 N Ridgeline Road, Orange, CA 92869 |
|---------------------|---|



Application to Amend Sphere of Influence  
Page Two

- 2. Autumn Malanca 115 W. Canon Perdido St., Santa Barbara, CA 93101
- 3. Adam Kanold, P.E. 583 San Ysidro Road, Santa Barbara, CA 93108

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address/Email</u>	<u>Phone</u>
Autumn Malanca	<a href="mailto:amalanca@flowersassoc.com">amalanca@flowersassoc.com</a>	806-966-2224 X108

Signature  Date 2/15/22

**EXHIBIT "A"**

**Sublett Annexation**  
**for APN: 155-040-023**  
**To the Montecito Water District**  
**LAFCO 22-xx**


A portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base & Meridian, in the County of Santa Barbara, State of California, more particularly described as follows:

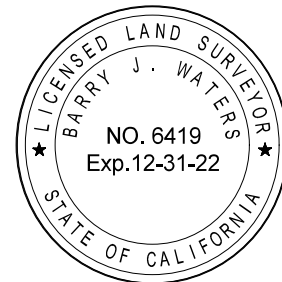
Beginning at the Southeasterly corner of Parcel "A" of Parcel Map No. 13,371 as recorded in Book 36, Pages 11 thru 13 of Parcel Maps, in the Office of the County Recorder of Santa Barbara County, said point also being an angle point in the Miller Reorganization Annexation to the Montecito Water District per LAFCO Resolution No. 94-10 Recorded August 17, 1994 as Instrument No. 94-064734 of Official Records;

- Thence 1<sup>st</sup> continuing along said Miller Reorganization Annexation and the Easterly line of said Parcel "A" North 00°03'54" West 495.00 feet to an angle point;
- Thence 2<sup>nd</sup> leaving said Miller Reorganization Annexation and said Easterly line of said Parcel "A" South 89°40'54" East 1306.95 feet to the Westerly line of Parcel "C" as shown on Record of Survey filed in Book 89, Page 9 of Records of Survey in the Office of the County Recorder of Santa Barbara County and an angle point;
- Thence 3<sup>rd</sup> along said Westerly line of said Parcel "C", South 00°13'55" East 495.00 feet to a point on the boundary line of said Miller Reorganization Annexation, said point also being the Southeasterly corner of said Parcel "C";
- Thence 4<sup>th</sup> along said Miller Reorganization Annexation, North 89°40'56" West 1307.71 feet to the Northeast corner of Parcel "B" of said Parcel Map No. 13,371;
- Thence 5<sup>th</sup> continuing along the Northerly line of Parcel "B" of said Parcel Map No. 13,371 and said Miller Reorganization Annexation North 89°47'59" West 0.68 feet to the Southeast corner of said Parcel "A" and the **True Point of Beginning**

~ End of Description ~

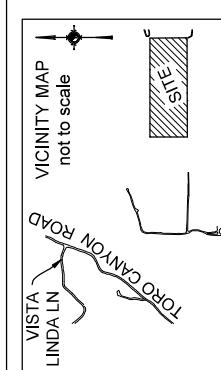
The above described area contains 14.89 Acres more or less

Prepared By:   
Barry J. Waters, P.L.S. 6419 date:

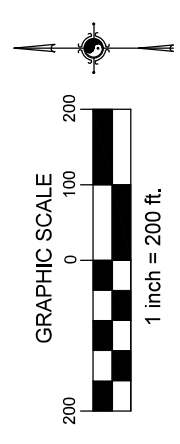
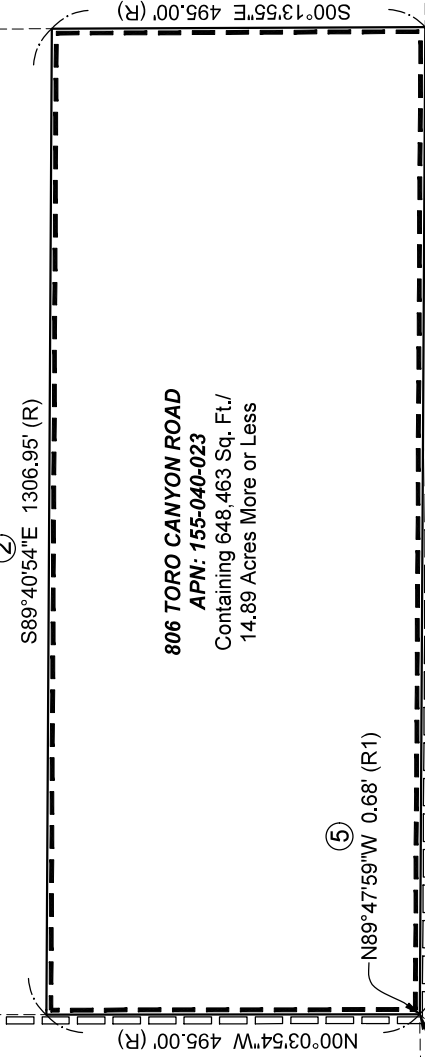


Approved as to Form and Survey Content

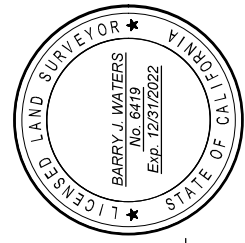
\_\_\_\_\_  
Aleksandar Jevremovic, P.L.S. 8378 date:  
County Surveyor



**LEGEND:**  
 APN : ASSESSOR PARCEL NUMBER  
 RES : RESOLUTION  
 (#) : COURSE NUMBER (TYPICAL)  
 --- : INDICATES EXISTING DISTRICT BOUNDARY  
 - - - : INDICATES PROPOSED DISTRICT BOUNDARY



**EXHIBIT "B"**  
 LAFCO 22-XX  
 SUBLETT ANNEXATION TO  
 MONTECITO WATER DISTRICT  
 COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA  
 MAP PREPARED 2/3/2022 SHEET 1 OF 1



**APPROVED AS TO FORM AND SURVEYING CONTENT.**

ALEKSANDAR JEVREMOVIC, LS 8378  
 SANTA BARBARA COUNTY SURVEYOR  
 LIC. EXP. DATE:

**PREPARED BY:**  
 WATERS CARDENAS LAND SURVEYING, LLP.  
 5553 HOLLISTER AVE, STE 7  
 GOLETA, CA 93117 (805) 967-4416

DATE

BARRY J. WATERS, PLS 6419  
 LIC. EXP. DATE: DECEMBER 2022

**SUBLETT ANNEXATION**

**Segment #1 : Line**

Course: N00°03'54"W Length: 495.000'  
North: 2668.6236' East: -2549.1648'

**Segment #2 : Line**

Course: S89°40'54"E Length: 1306.948'  
North: 2661.3623' East: -1242.2370'

**Segment #3 : Line**

Course: S00°13'55"E Length: 495.000'  
North: 2166.3663' East: -1240.2331'

**Segment #4 : Line**

Course: N89°40'56"W Length: 1307.710'  
North: 2173.6192' East: -2547.9230'

**Segment #5 : Line**

Course: N89°47'59"W Length: 0.680'  
North: 2173.6239' East: -2548.6032'

Perimeter: 3605.338' Area: 647273.04 Sq. Ft.  
Error Closure: 0.0023 Course: S05°47'42"E  
Error North: -0.00233 East: 0.00024

Precision 1: 1567538.261

**Reliable Since 1921**

583 San Ysidro Road  
Santa Barbara, CA 93108-2124

**Phone:** 805.969.2271  
**Fax:** 805.969.7261  
**Email:** info@montecitowater.com  
**Web:** montecitowater.com



**Board of Directors**  
Tobe Plough, President  
Kenneth Coates, Vice President  
Cori Hayman, Director  
Floyd Wicks, Director  
Brian Goebel, Director  
**General Manager and  
Board Secretary**  
Nick Turner

**REGULAR MEETING  
BOARD OF DIRECTORS  
MONTECITO WATER DISTRICT  
583 SAN YSIDRO ROAD, MONTECITO, CALIFORNIA**

**Attend in Person or Join by Teleconference:**

<https://us06web.zoom.us/j/87409553426?pwd=dmFIUXMvWjRuOFNLdzdqalpoQ25pZz09>

Meeting ID: 874 0955 3426; Passcode: 727 192

Tel: (669) 900 6833

**TUESDAY, MARCH 22, 2022  
9:30 A.M.**

**AGENDA**

- 1. CALL TO ORDER, ROLL CALL, DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC FORUM**

This portion of the agenda may be utilized by any member of the public to address and ask questions of the Board of Directors on any matter not on the agenda within the jurisdiction of the Montecito Water District. Depending upon the subject matter, the Board of Directors may be unable to respond at this time, or until the specific item is placed on the agenda at a future MWD Board meeting in accordance with the Ralph M. Brown Act.

**4. CONSENT CALENDAR**

Following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- \* A. Meeting Minutes of February 22, 2022
- \* B. Payment of Bills for February 2022
- \* C. Investment of District Funds for February 2022
- \* D. Water Works Operations Report for February 2022
- \* E. Update of *COVID-19 Prevention and Response Plan* (Revision 5)
- \* F. Extension of Resolution 2225 authorizing remote teleconference meetings

\* indicates attachment included for this item

**ATTACHMENT B**

## **5. DISTRICT OPERATIONS AND GENERAL MANAGER REPORTS**

- \* A. BOARD ACTION: Adoption of the *2022 5-Year Strategic Plan*;
- \* B. Proposed Annexation to the Montecito Water District service area, Sublett Annexation
  - i. BOARD ACTION: Consider a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA)
  - ii. BOARD ACTION: Authorize staff to file a Notice of Exemption from CEQA with County of Santa Barbara
  - iii. BOARD ACTION: Adopt Resolution 2229 of the Board of Directors of the Montecito Water District initiating proceedings for an Annexation to the District's Service Area; Sublett Annexation
- \* C. INFORMATION ONLY: Update on progress reaching the District's 20% water use reduction target
- \* D. BOARD ACTION: Discussion on the recording of District Board of Directors and Committee meetings
- E. INFORMATION ONLY: General Manager Report

## **6. DISTRICT BUSINESS REPORT**

- \* A. INFORMATION ONLY: Unaudited Monthly Financial Reports for February 2022
- \* B. BOARD ACTION: Receive, Accept and File the Audited Financial Statements for Fiscal Year Ending June30, 2021
- \* C. INFORMATION ONLY: Proposed Schedule for FY2022/23 Budget Preparation
- \* D. BOARD ACTION: Approval of Escrow Agreement with Bank of New York Mellon in connection with the *Option Agreement for Purchase and Sale of Water* between the District and Homer LLC

## **7. DIRECTOR AND COMMITTEE REPORTS**

- A. Presidents Report: Director Plough
- B. Central Coast Water Authority: Director Coates
- C. Santa Barbara County Special Districts Association: Director Wicks
- D. Cachuma Operation and Maintenance Board: Director Hayman
- E. Cachuma Conservation Release Board: Director Plough
- F. Operations & Customer Relations Committee: Directors Wicks & Goebel
- G. Finance Committee: Directors Plough & Hayman
- H. Strategic Planning Committee: Directors Coates & Plough

## **8. LEGAL MATTERS**

- A. Recent and Pending Legal Matters Review – Oral Report
- B. CLOSED SESSION: Pursuant to Government Code 54956.9(d)(2) Conference with Legal counsel – Anticipated Litigation, 1 case
- C. CLOSED SESSION: Pursuant to Government Code §54956.9(d)(1) Conference with Legal Counsel – Existing Litigation, Central Coast Water Authority et. al. v. Santa Barbara County Flood Control and Water Conservation District, et. al, Santa Barbara Superior Court Case No. 21CV02432

## **9. DIRECTOR REQUESTS**

Requests from Directors for items other than regular agenda items for the next regular Board meeting scheduled for Tuesday, April 26, 2022 or any future meeting.

## **10. ADJOURNMENT**

**Note:** Montecito Water District has resumed in-person meetings in accordance with the Brown Act. In accordance with the State of Emergency declaration issued on March 4, 2020 by the Governor of the State of California in response to COVID-19 and Government Code 54953(e), the District also provides alternative methods of participation which permit members of the public to observe and address public meetings telephonically and/or electronically. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Water District outside display case at 5:00 p.m. on March 18, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 805-969-2271. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Agendas, agenda packets, and additional materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available on the District website.

**MONTECITO WATER DISTRICT  
MEMORANDUM**

**SECTION: 5-B**

**DATE: MARCH 22, 2022**

**TO: BOARD OF DIRECTORS**

**FROM: ASSISTANT GENERAL MANAGER / GENERAL MANAGER**

**SUBJECT: CONSIDERATION OF REQUEST FOR ANNEXATION OF PARCEL APN  
155-040-023 INTO THE DISTRICT SERVICE AREA**

---

**This item was reviewed by the Operations and Customer Relations Committee at its meeting of March 16, 2022 and the Committee concurs with the recommendation**

**RECOMMENDATION:**

1. That the Board of Directors make a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA) as set forth on the attached Notice of Exemption;
2. That the Board of Directors authorize staff to file the attached Notice of Exemption from CEQA with County of Santa Barbara Clerk of the Board;
3. That the Board of Directors approve Resolution 2229 of the Board of Directors of the Montecito Water District Initiating Proceedings for an Annexation to the Montecito Water District Service Area; Sublett Annexation.

**BACKGROUND:**

The 14.89 acre parcel requesting annexation is a vacant parcel located at 806 Toro Canyon Road and is adjacent to the current District service area. The parcel is currently undeveloped and the owner desires to develop the parcel with a single family residence. The parcel is located outside of both the Montecito Water District boundary and also the Montecito Groundwater Basin Boundary.

District staff met with Local Agency Formation Commission (LAFCO) Executive Director Mike Prater in October 2021 to discuss the process of possible annexation. Mike Prater recommended the owner consult the County of Santa Barbara (County) to determine the permitting requirements for the new development, prior to pursuing annexation through LAFCO, because permitting requirements can have an impact on the annexation process.

After consultation between the owner and the County, the residential project was determined to be a ministerial approval from the County since the proposed development met all requirements of



the current parcel zoning which is residential ranchette (RR-20). Establishing water service for the parcel is the next required step in the process for the owner.

In December 2021, the owner's agent requested the District consider annexation of the parcel into the District service area. At the regular meeting of the Board of Directors on February 22, 2022 the Board of Directors considered the annexation request and directed staff to prepare documentation required for submittal of an application to the Santa Barbara County Local Agency Formation Commission (LAFCO) for the possible annexation of APN 155-040-023 into the District service area. District staff have prepared the required documentation as described below. In early March, the owner submitted the signed letter agreement (approved for use by the Board of Directors in February 2022) and deposit to the District to cover all expenses related to the annexation, including the preparation of required documentation. The letter agreement, and draft resolution below both include language that, upon annexation, the property is subject to all District ordinances and regulations, including but not limited to:

- **Ordinance 89** – Water Use Limitations
- **Ordinance 96** – Modified Water Use Restrictions and Stage 1 Drought
- **Ordinance 83** – Backflow Prevention Program (required for this parcel)
- **Resolution 2222** – Water Availability Charge for FY2022 (for owners information - only future WAC charges apply to subject parcel)
- **Resolution 2217** - Updated Connection Capacity Fees effective July 1, 2021
- **Resolution 2216** - Updated Miscellaneous Fees and Charges effective July 1, 2021

### **District Ability to Provide Water Service**

Attendant to the annexation process, LAFCO requires a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues. The District must consider the logistics of physically connecting the parcel to the water District infrastructure, and any impacts to District finances. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the parcel. There is a group of existing water meters at the end of the water main that serve the neighboring parcels. There is also a fire hydrant at the end of the water main with approximately 115 psi of water pressure.

The owner has expressed a desire to have their water meter in the same location as the existing water meters, meaning there is no need to extend the existing water main or obtain District easements on private property. Under this scenario, the owner would be responsible for constructing his water pipe from the meter up to the home. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The elevation difference is from the existing meters to the proposed development area is approximately 300 feet. The existing hydrant and water pressure would be insufficient for fire suppression. The owner has

obtained preliminary approval from the Carpinteria Summerland Fire Protection District for an on-site fire suppression storage tank and hydrant, which would be separate from District facilities.

In summary, there are no major extraordinary improvements required by the District to serve this parcel. Additionally, if annexed into the service area, the owner would apply and pay for a new water meter under the standard District water meter application process. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

### **Dependability of Water Supply for Projected Needs**

The LAFCO annexation process requires the annexing agency to consider if the proposed annexation will result in or facilitate an increase in water usage. If so, the retail water purveyor should describe the timely availability of water supplies that will be adequate for the projected needs. If annexed, the parcel would be allowed to use up to 1 acre-foot of water per year, in accordance with Ordinance 89. This additional water demand is within future projected water demands outlined in the 2020 Urban Water Management Plan (UWMP) for the District. As explained in the UWMP, District water supplies have become more reliable in recent years with the addition of the City of Santa Barbara Water Supply Agreement in 2020 and groundwater banking in Semitropic groundwater bank. Additionally, the forthcoming State regulations on urban water use utilize acreage to calculate allowed water use. The addition of the parcel under consideration would add to the total District water sales objective to be established by the State in 2023. While the annexation may increase water demands by up to 1 acre-foot per year, District staff believe water supply conditions and state regulations on usage will not limit the District's ability to provide adequate water supply to existing customers and the proposed parcel to be annexed.

### **DISCUSSION:**

#### **California Environmental Quality Act (CEQA)**

This project would be exempt from environmental review based on categorical exemptions in the California Code of Regulations [“CCR”] since annexations of individual small parcels of the minimum size for facilities exempted by Section 15303 [CCR 15319(b)] and the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment [CCR 15061]. Upon an appropriate finding by the Board of Directors, a Notice of Exemption from the California Environmental Quality Act will be filed with the County of Santa Barbara Clerk by staff prior to the implementation of the project. The draft Notice of Exemption is provided as Attachment 7.

#### **Annexation Application Documentation**

District staff, legal counsel, and the owners agent have worked together to prepare the documents listed below. This staff report will also be provided as part of the application.

- **Plan of Service** - outlines the general plan for delivery of water to the subject property, including the availability and dependability of the water supply. *This is included in the staff report above and will be attached to the application.*
- **Attachment 1 - Application Cover Letter** – outlining the contents of the application
- **Attachment 2 – Proposal Questionnaire for Annexations** – includes basic questions about the parcel, the reason for annexation, and the ability of utilities to provide service to the parcel.
- **Attachment 3 – Application to Amend Sphere of Influence** – describes the reason for amending the sphere of influence to include the proposed annexation parcel. The District’s current sphere of influence matches the service area boundary and does not include the proposed annexation parcel.
- **Attachment 4 - Cost Accounting Agreement** – the owner is responsible for paying all fees related to annexation.
- **Attachment 5 - Consent Waiver Letters** – required by LAFCO from both the owner and District.
- **Attachment 6 - Adopting Resolution 2229** – must be adopted by the Board of Directors. The Resolution includes language that the parcel to be annexed is subject to all ordinances and resolutions of the District, among other requirements.
  - **Attachment 6, Exhibit A - Map & Legal Exhibits** describing the parcel to be annexed
- **Attachment 7 - California Environmental Quality Act (CEQA) Notice of Exemption** – as the lead agency, the District will provide LAFCO with a copy of the CEQA filing with the County of Santa Barbara. Annexations are typically subject to categorical exemptions from CEQA.

## Next Steps

If approved by the Board of Directors, District staff and owner’s agent would submit the application to LAFCO. LAFCO has a 30-day review period to determine if the application is complete. Once complete, LAFCO will initiate a 21-day public noticing period followed by an additional 30-day LAFCO review period. At the end of the 30-day review period, the LAFCO Board of Directors would consider the adoption of the annexation documents. Following LAFCO approvals and certificate of completion, the property owner would be able to submit an application for a Certificate of Water Service Availability and new meter to the District in accordance with existing ordinances and resolutions.

## **FISCAL IMPACT**

All costs related to annexation will be paid by the property owner, including all District staff and legal counsel costs and all LAFCO costs. This arrangement has been memorialized in the letter agreement to the owner, which was drafted by District legal counsel and staff, and signed by the owner in early March.

## **ATTACHMENTS:**

1. Attachment 1 - Application Cover Letter
2. Attachment 2 – Proposal Questionnaire for Annexations
3. Attachment 3 - Application to Amend Sphere of Influence
4. Attachment 4 - Cost Accounting Agreement
5. Attachment 5 - Consent Waiver Letters
6. Attachment 6 - Adopting Resolution 2229
7. Attachment 7 – California Environmental Quality Act (CEQA) Notice of Exemption for the Annexation of APN 155-040-023

March x, 2022

Executive Officer  
Santa Barbara LAFCO  
105 East Anapamu Street  
Santa Barbara CA 93101

Subject: **Proposed MWD 806 Toro Canyon Road SOI & Annexation of APN 155-040-023 into the Montecito Water District**

Dear Mr. Prater,

The undersigned hereby requests approval of the proposal described in the attached materials. It is proposed to process this application under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act (Government Code Section 56000 et seq.)

Enclosed in support of this proposal are the following:

1. Resolution 2229 adopted by the Board of Directors on March 22, 2022
2. Completed LAFCO Proposal Questionnaire (SOI and boundary change)
3. Map and legal description of the proposed district including sphere of influence change
4. Assessor Parcel Map showing proposal area outlined in red ink.
5. Notice of Exemption Class 3 Section 15303 & Class 19 Section 15319
6. Processing fee payable to "Santa Barbara LAFCO" for \$7,500.
7. Fee payable to County Surveyor for \$1,100.

Written consent has been given to this annexation by all affected property owners and it is therefore requested that the Commission waive the protest hearing requirements. If you have any questions regarding this proposal, please contact the undersigned.

Sincerely,

---

Autumn Malanca, Owner's Agent

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Proposal Justification Questionnaire for Annexations,  
Detachments and Reorganizations**

(Attach additional sheets as necessary)

1. Name of Application: (The name should match the title on the map and legal description; list all boundary changes that are part of the application)  
806 Toro Canyon Road  
Requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area.
2. Describe the acreage and general location; include street addresses if known:  
806 Toro Canyon Road, located just outside/adjacent to the MWD far easterly service boundary. The property is 14.89 Acres.
3. List the Assessor's Parcels within the proposal area:  
155-040-023
4. Purpose of proposal: (Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.)  
Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. He understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.
5. Land Use and Zoning - Present and Future
  - A. Describe the existing land uses within the proposal area. Be specific.  
Vacant parcel. There is only an unsurfaced access road that leads through the property.
  - B. Describe any changes in land uses that would result from or be facilitated by this proposed boundary change.  
This annexation would allow the Owner to proceed with his single-family home project.
  - C. Describe the existing zoning designations within the proposal area.  
This parcel is zoned Residential Ranchette (RR).
  - D. Describe any proposed change in zoning for the proposal area. Do the existing and proposed uses conform with this zoning?  
No changes in zoning proposed. The proposed use conforms with current zoning.

E. (For City Annexations) Describe the rezoning that will apply to the proposal area upon annexation. Do the proposed uses conform with this rezoning? [N/A](#)

F. List all known entitlement applications pending for the property (i.e., zone change, land division or other entitlements). [N/A](#)

6. Describe the area surrounding the proposal

Using Table A, describe existing land uses, general plans and zoning designations for lands adjacent to and surrounding the proposal area. The application is incomplete without this table. [See Table A, at the end of this document.](#)

7. Conformity with Spheres of influence

A. Is the proposal area within the sphere of influence of the annexing agency? [No. The proposed parcel to be annexed is adjacent to the existing Montecito Water District boundary, however, it is not technically within MWD's sphere of influence.](#)

B. If not, include a proposal to revise the sphere of influence. [See separate "Questionnaire for Amending a Sphere of Influence."](#)

8. Conformity with County and City General Plans

A. Describe the existing County General Plan designation for the proposal area. [Residential.](#)

B. (For City Annexations) Describe the City general plan designation for the area. [N/A](#)

C. Do the proposed uses conform with these plans? [Yes](#) If not, please explain.

9. Topography and Natural Features

A. Describe the general topography of the proposal area and any significant natural features that may affect the proposal.

[There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel.](#)

B. Describe the general topography of the area surrounding the proposal.

[The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. As stated above, slopes average approximately 25-30% in the development area.](#)

10. Impact on Agriculture

- A. Does the affected property currently produce a commercial agricultural commodity? **No.**
- B. Is the affected property fallow land under a crop rotational program or is it enrolled in an agricultural subsidy or set-aside program? **No.**
- C. Is the affected property Prime Agricultural Land as defined in Government Code §56064? **No.**
- D. Is any portion of the proposal area within a Land Conservation (Williamson) Act contract? **No.**
  - 1) If “yes,” provide the contract number and the date the contract was executed. **N/A**
  - 2) If “yes”, has a notice of non-renewal be filed? If so, when? **N/A**
  - 3) If this proposal is an annexation to a city, provide a copy of any protest filed by the annexing city against the contract when it was approved. **N/A**

11. Impact on Open Space

Is the affected property Open Space land as defined in Government Code Section 65560? **No.**

12. Relationship to Regional Housing Goals and Policies (City annexations only) **N/A**

If this proposal will result in or facilitate an increase in the number of housing units, describe the extent to which the proposal will assist the annexing city in achieving its fair share of regional housing needs as determined by SBCAG.

13. Population

- A. Describe the number and type of existing dwelling units within the proposal area. **None.**
- B. How many new dwelling units could result from or be facilitated by the proposal?  
 Single-family One Multi-family N/A

14. Government Services and Controls – Plan for Providing Services (per §56653)

- A. Describe the services to be extended to the affected territory by this proposal. **Potable water service from MWD.**
- B. Describe the level and range of the proposed services. **The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required.**
- C. Indicate when the services can feasibly be provided to the proposal area. **Estimated within a year of the annexation.**



- D. Indicate any improvements or upgrading of structures, roads, sewers or water facilities or other conditions that will be required as a result of the proposal.  
The owner extending a lateral from the MWD line from the adjacent property to the 806 Toro Canyon Road property would be the improvement (same as “B,” above).
- E. Identify how these services will be financed. Include both capital improvements and ongoing maintenance and operation. The Owner intends to finance the installation and maintenance on his own, without financing, if possible
- F. Identify any alternatives for providing the services listed in Section (A) and how these alternatives would affect the cost and adequacy of services.  
The only alternative is to provide an onsite well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner’s desire to have a steady reliable water source to ensure the longevity of his plans to develop the site.

15. Ability of the annexing agency to provide services

Attach a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues (per Gov’t Code §56668j).

16. Dependability of Water Supply for Projected Needs (as per §56653)

If the proposal will result in or facilitate an increase in water usage, attach a statement from the retail water purveyor that describes the timely availability of water supplies that will be adequate for the projected needs.

17. Bonded indebtedness and zones – These questions pertain to long term debt that applies or will be applied to the affected property.

- A. Do agencies whose boundaries are being changed have existing bonded debt? \_\_\_\_\_  
 If so, please describe. [Yes, see page 34 of the MWD FY2022 budget document dated 6/22/21. Here is an excerpt from that page:](#)

The District has issued debt, which includes bonds and loans, to assist in the financing of its capital improvement program. The District currently has the following outstanding debt shown in Table 7.

**Table 7**  
**NON-OPERATING EXPENSES**

	FY 2021 BUDGET	FY 2021 FORECAST	FY 2022 BUDGET	VARIANCE FAVORABLE/ (UNFAVORABLE)
<b>NON OPERATING EXPENSE</b>				
2004 DWR ORTEGA LOAN	(590,400)	(23,556)	-	23,556
2010 BOND INTEREST EXPENSE	(690,463)	(130,426)	-	130,426
AMI METER FINANCING	-	-	-	-
CATER DWR LOAN	(231,647)	(231,648)	(225,416)	6,232
CATER OZONE	(276,346)	(276,323)	(276,739)	(416)
2020 BOND INTEREST EXPENSE	-	(160,222)	(501,900)	
2020 BOND PRINCIPAL	-	(160,000)	(335,000)	
<b>TOTAL NON OPERATING EXPENSE</b>	<b>\$ (1,788,855)</b>	<b>\$ (982,175)</b>	<b>\$ (1,339,055)</b>	<b>\$ (356,880)</b>

Note: Cater DWR Loan and Cater Ozone debt service is held by the City of Santa Barbara and is therefore not included on the District's calculation of debt coverage, nor is the liability carried on the District's financials.

- B. Will the proposal area be liable for payment of its share of this existing debt? \_\_\_\_\_  
 If yes, how will this indebtedness be repaid (property taxes, assessments, water sales, etc.)  
[Yes. The indebtedness will be repaid through water sales.](#)
- C. Should the proposal area be included within any 'Division or Zone for debt repayment? \_\_  
 If yes, please describe. [There is currently no debt on the property, No bonded indebtedness and / or zones. No Long term Debt.](#)
- D. (For detachments) Does the detaching agency propose that the subject territory continue to be liable for existing bonded debt? N/A . If yes, please describe.

18. Environmental Impact of the Proposal

- A. Who is the "lead agency" for this proposal? [Montecito Water District \(MWD\)](#)

- B. What type of environmental document has been prepared?

None, Categorically Exempt -- [CCR 15319\(b\) and 15061](#)

EIR \_\_\_\_\_ Negative Declaration \_\_\_\_\_ Mitigated ND \_\_\_\_\_

Subsequent Use of Previous EIR \_\_\_\_\_ Identify the prior report. \_\_\_\_\_

- C. If an EIR has been prepared, attach the lead agency’s resolution listing significant impacts anticipated from the project, mitigation measures adopted to reduce or avoid significant impacts and, if adopted, a "Statement of Overriding Considerations."

19. Boundaries

- A. Why are these particular boundaries being used? Ideally, what other properties should be included in the proposal? Parcel boundary. And no other properties should be included.
- B. If any landowners have included only part of the contiguous land under their ownership, explain why the additional property is not included. N/A

20. Final Comments

- A. Describe any conditions that should be included in LAFCO's resolution of approval.
- B. Provide any other comments or justifications regarding the proposal.
- C. Enclose all pertinent staff reports and supporting documentation related to this proposal. Note any changes in the approved project that are not reflected in these materials.

21. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

<u>Name</u>	<u>Address</u>
A. <u>Bradford Sublett</u>	<u>1079 N Ridgeline Road, Orange, CA 92869</u>
B. <u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., Santa Barbara, CA 93101</u>
C. <u>Adam Kanold</u>	<u>583 San Ysidro Road, Santa Barbara, CA 93108</u>

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address</u>	<u>Phone</u>
<u>Autumn Malanca</u>	<u>115 W. Canon Perdido St., SB, CA 93101</u>	<u>805-966-2224 X108</u>

Signature  Date 2/7/22

TABLE A

Information regarding the areas surrounding the proposal area

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>
East	Agriculture	Agriculture	AG-II-100
West	Agriculture	Agriculture	AG-I-20
North	Residential	Residential	RR-20
South	Recreation	Toro Canyon Park (Recreation/Open Space)	REC

Other comments or notations:

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

**Questionnaire for Amending a Sphere of Influence,**

(Attach additional sheets as necessary)

Sphere of Influence of the Montecito Water District (MWD)

Purpose of the proposal

1. Why is this proposal being filed? List all actions for LAFCO approval. Identify other actions that are part of the overall project, i.e., a tract map or development permit.  
The Owner of 806 Toro Canyon Road is requesting that the Montecito Water District (MWD) extend their existing boundary eastward to include this adjacent property located in the Toro Canyon Park area. Owner wishes to develop the currently vacant parcel with a single-family home and detached garage, as well as a pool. He would like to apply for a MWD water/meter, but unfortunately his parcel is located just outside of the existing easterly District boundary and sphere of influence. The Owner understands he cannot submit his proposed project plans to the County for permitting until he is able to show he has water service for his project.

Consultation with the County (City sphere changes only)

2. Provide documentation regarding consultation that has occurred between the City and the County with regard to agreement on boundaries, development standards and zoning requirements for land in the proposed sphere as required by Government Code §56425.

Description of area to be included in the sphere

3. What area is proposed to be included in the sphere? Attach a map identifying the current sphere and the proposed addition. What is the acreage? See attachment. The acreage of the parcel is 14.89 acres.
4. Why was it decided to use these particular boundaries? The proposed boundaries match the parcel boundary.
5. What are the existing land uses for the proposal area? Be specific. The existing land is currently vacant.
6. Are there proposed land uses for the proposal area? Be specific. See answer to #1 above.

Relationship to Existing Plans

7. Describe current County general plan and zoning designations for the proposal area. The parcel is currently zoned residential "single-family" (RR-20).

Sphere of Influence Questionnaire (1-20-22)

This form can be downloaded from [www.sblafco.org](http://www.sblafco.org)

8. Describe any City general plan and rezoning designations for the proposal area.  
N/A

Environmental Assessment

9. What is the underlying project? Who is the lead agency? What type of environmental document has been prepared for the proposed project?  
See answer to #1 above. The County is the lead agency for this single-family home project. MWD is the lead agency for annexation. A CEQA Notice of Exemption has been prepared by MWD and is being submitted with this SOI amendment application.

Justification

10. To assist LAFCO in making determinations pursuant to Government Code §56425, please provide information relevant to each of the following:
- A. Present and planned uses in the area, including agricultural and open-space lands.  
Los Alisos Ranch is adjacent to/west of the 806 Toro Canyon Road property, which supports agriculture (farming mostly avocados). The adjacent property to the east also supports agriculture. Properties to the north are residential, and the southerly property is recreational (Toro Canyon Park area).
  - B. Present and probable needs for public facilities and services in the area.  
See answer to #1 above. There is an existing water main in Toro Canyon Park Road. The Owner of 806 Toro Canyon wants to run a private service line from that main up to his property for potable water, utilizing a booster pump. At this time, there is no known future development proposed in this area.
  - C. Present capacity of public facilities and adequacy of public services the affected agency provides or is authorized to provide.  
The 8-inch water main has sufficient pressure and flow to provide domestic and fire service to the area around the water main. The owner is only requesting a domestic service connection, since fire protection will be provided by an on site storage tank. The MWD facilities are of adequate size to meet the required domestic needs of the proposed development.
  - D. Existence of any social or economic communities of interest in the area. N/A

Additional Comments

11. Provide any other comments or justifications regarding the proposal.
12. Enclose any pertinent staff reports and supporting documentation related to this proposal.  
See MWD staff report dated March 22, 2022 with discussion of the plan of service and supply reliability.

Application to Amend Sphere of Influence  
Page Two

13. Notices and Staff Reports

List up to three persons to receive copies of the LAFCO notice of hearing and staff report.

	<u>Name</u>	<u>Address/Email</u>
1.	Bradford Sublett	1079 N Ridgeline Road, Orange, CA 92869
2.	Autumn Malanca	115 W. Canon Perdido St., Santa Barbara, CA 93101
3.	Adam Kanold	583 San Ysidro Road, Santa Barbara, CA 93108

Who should be contacted if there are questions about this application?

<u>Name</u>	<u>Address/Email</u>	<u>Phone</u>
Autumn Malanca	<a href="mailto:amalanca@flowersassoc.com">amalanca@flowersassoc.com</a>	806-966-2224 X108

Signature  Date 2/15/22



March 22, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the Montecito Water District agrees to waive protest proceeding for the Toro Canyon Annexation (Bradford Sublett) for APN 155-040-023. This is because all of the owners of the land proposed for annexation have consented to the annexation.

Sincerely,

Nick Turner, PE  
General Manager  
Montecito Water District

CC: Tobe Plough, MWD Board President  
Walt Wendelstein, Cohen & Burge LLP

**Board of Directors**

Tobe Plough  
**President**

Ken Coates  
**Vice President**

Brian Goebel  
**Director**

Cori Hayman  
**Director**

Floyd Wicks  
**Director**

**General Manager  
and Board Secretary**  
Nick Turner

583 San Ysidro Road  
Santa Barbara, CA  
931089-2124

Ph 805.969.2271  
Fax 805.969.7261

info@montecitowater.com  
www.montecitowater.com



January 31, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



---

Autumn Malanca, Project Manager

**RESOLUTION NO. 2229**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF MONTECITO WATER DISTRICT**  
**INITIATING PROCEEDINGS FOR AN ANNEXATION TO**  
**MONTECITO WATER DISTRICT**  
**SUBLETT ANNEXATION**

WHEREAS, the Montecito Water District (“District”) is a County Water District organized and existing under and by virtue of Water Code §§30000 – 33901; and

WHEREAS, Water Code §32400 authorizes that land not a part of the District, whether or not contiguous to it, may be included within the District; and

WHEREAS, the District has received from the proposed annexee Bradford Cameron Sublett, a request to annex parcel APN 155-040-023 to the District; the proposed annexee has been fully informed of all District conditions applicable to the annexation; and the proposed annexee consents to the annexation; and

WHEREAS, the District wishes to initiate a proceeding for the annexation of territory, and the adjustment of boundaries, as described herein and pursuant to the terms and conditions set forth herein;

**NOW, THEREFORE THE BOARD OF DIRECTORS DOES HEREBY RESOLVE THAT:**

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with §56000 of the California Government Code.
2. This proposal is an annexation of territory to the Montecito Water District.
3. Boundaries of the territory are shown on the map set forth as Exhibit “A”, attached hereto and incorporated herein by this reference.
4. It is desired that the proposal be subject to the following terms and conditions:
  - A. The territory being annexed shall be liable for any authorized, existing, extended or imposed taxes, charges, fees, assessments and rates imposed on properties presently within the District.
  - B. The territory being annexed shall be liable for payment of existing bonded indebtedness of the District in the same manner as paid by properties presently within the District.
  - C. The territory being annexed shall be subject to all Ordinances, Resolutions, policies and procedures of the District, including those currently in effect and/or adopted or modified subsequent to the annexation of territory subject to this Resolution. This includes, but is not limited to: Ordinance 82,

Ordinance 83, Ordinance 89, Ordinance 96, Resolution 2216, Resolution 2217, Resolution 2200, and the Water Availability Charge.

D. Delivery to District by the proposed annexee of payment in full for all annexation fees and expenses incurred by District in the course of processing the annexation of the subject territory.

E. In the event of annexation, any pipelines, structures, connections and other facilities required for the delivery of water to the territory being annexed from works owned or operated by District shall be constructed, provided and installed without cost or expense to District and District shall be under no obligation to provide, construct, operate or maintain such works.

F. If construction of water distribution facilities is required to properly effect water services to the territory being annexed, all such costs shall be borne by the proposed annexee and all facilities constructed shall, at the election of District, be owned, maintained, and operated by District. Design of such facilities shall be subject to pre-approval by District.

G. The adoption by the Board of Directors of District of a final resolution approving the annexation of the territory.

5. Should any of the above conditions not be met to the District's satisfaction, this Resolution No. 2229 shall have no force and effect.

6. The reason for the proposal is to provide water service to the territory to be annexed pursuant to the District's role as a water purveyor under Water Code §§30000 – 33901.

7. The territory being annexed is not within the District Sphere of Influence and it is hereby requested that the Sphere of Influence be amended to accommodate this annexation.

8. The District has determined that the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. Section 15319 and Section 15061.

9. Adoption of this Resolution includes approval of all actions necessary and appropriate to accomplish the proposed annexation and reorganization. District staff is hereby authorized and directed to take all necessary actions associated with this proposal and to effectuate this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Montecito Water District this 22 day of March, 2022 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

---

Charles T. Plough, President

ATTEST:

---

Nicholas Turner, Secretary

EXHIBIT "A"

Sublett Annexation  
for APN: 155-040-023  
To the Montecito Water District  
LAFCO 22-xx

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base & Meridian, in the County of Santa Barbara, State of California, more particularly described as follows:

Beginning at the Southeasterly corner of Parcel "A" of Parcel Map No. 13,371 as recorded in Book 36, Pages 11 thru 13 of Parcel Maps, in the Office of the County Recorder of Santa Barbara County, said point also being an angle point in the Miller Reorganization Annexation to the Montecito Water District per LAFCO Resolution No. 94-10 Recorded August 17, 1994 as Instrument No. 94-064734 of Official Records;

- Thence 1<sup>st</sup> continuing along said Miller Reorganization Annexation and the Easterly line of said Parcel "A" North 00°03'54" West 495.00 feet to an angle point;
- Thence 2<sup>nd</sup> leaving said Miller Reorganization Annexation and said Easterly line of said Parcel "A" South 89°40'54" East 1306.95 feet to the Westerly line of Parcel "C" as shown on Record of Survey filed in Book 89, Page 9 of Records of Survey in the Office of the County Recorder of Santa Barbara County and an angle point;
- Thence 3<sup>rd</sup> along said Westerly line of said Parcel "C", South 00°13'55" East 495.00 feet to a point on the boundary line of said Miller Reorganization Annexation, said point also being the Southeasterly corner of said Parcel "C";
- Thence 4<sup>th</sup> along said Miller Reorganization Annexation, North 89°40'56" West 1307.71 feet to the Northeast corner of Parcel "B" of said Parcel Map No. 13,371;
- Thence 5<sup>th</sup> continuing along the Northerly line of Parcel "B" of said Parcel Map No. 13,371 and said Miller Reorganization Annexation North 89°47'59" West 0.68 feet to the Southeast corner of said Parcel "A" and the True Point of Beginning

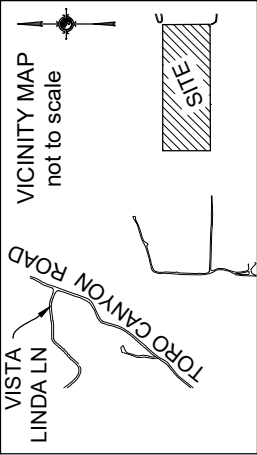
~ End of Description ~

The above described area contains 14.89 Acres more or less

Prepared By: \_\_\_\_\_  
Barry J. Waters, P.L.S. 6419 date:

Approved as to Form and Survey Content

\_\_\_\_\_  
Aleksandar Jevremovic, P.L.S. 8378 date:  
County Surveyor



**LEGEND:**

- APN : ASSESSOR PARCEL NUMBER
- RES : RESOLUTION
- (#) : COURSE NUMBER (TYPICAL)
- : INDICATES EXISTING DISTRICT BOUNDARY
- : INDICATES PROPOSED DISTRICT BOUNDARY

APN: 155-040-022

②

S89°40'54"E 1306.95' (R)

**806 TORO CANYON ROAD**

APN: 155-040-023

Containing 648,463 Sq. Ft./  
14.89 Acres More or Less

(R)= Grant Deed per Instrument No.  
2019-0008956 of Official Records.

(R1)= Miller Reorganization Annexation,  
LAFCO 94-10 Dated 06/09/1994 as  
filed in Instrument No. 94-064734 of  
Official Records.

APN: 155-040-033

③

S00°13'55"E 495.00' (R)

⑤

N89°47'59"W 0.68' (R1)

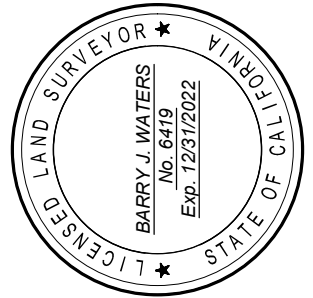
APN  
155-150-017

**TRUE POINT OF  
BEGINNING**

APN  
155-150-018

APN 155-150-013  
TORO CANYON PARK

Miller Reorganization Annexation  
LAFCO No. 94-10  
Recorded 06/09/1994  
Inst #94-064734  
Res. No. 94-10

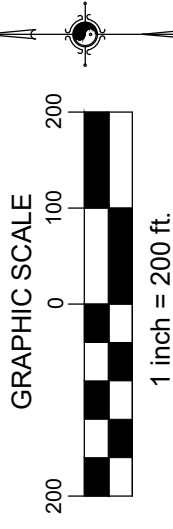


**APPROVED AS TO FORM AND  
SURVEYING CONTENT.**

**PREPARED BY:**  
WATERS CARDENAS LAND SURVEYING, LLP.  
5553 HOLLISTER AVE, STE 7  
GOLETA, CA 93117 (805) 967-4416

BARRY J. WATERS, PLS 6419  
LIC. EXP. DATE: DECEMBER 2022

ALEKSANDAR JEVREMOVIC, LS 8378  
SANTA BARBARA COUNTY SURVEYOR  
LIC. EXP. DATE:



**EXHIBIT "B"**

LAFCO 22-XX  
SUBLETT ANNEXATION TO  
MONTECITO WATER DISTRICT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

SUBLETT ANNEXATION

Segment #1 : Line  
Course: N00°03'54"W Length: 495.000'  
North: 2668.6236' East: -2549.1648'

Segment #2 : Line  
Course: S89°40'54"E Length: 1306.948'  
North: 2661.3623' East: -1242.2370'

Segment #3 : Line  
Course: S00°13'55"E Length: 495.000'  
North: 2166.3663' East: -1240.2331'

Segment #4 : Line  
Course: N89°40'56"W Length: 1307.710'  
North: 2173.6192' East: -2547.9230'

Segment #5 : Line  
Course: N89°47'59"W Length: 0.680'  
North: 2173.6239' East: -2548.6032'

Perimeter: 3605.338' Area: 647273.04 Sq. Ft.  
Error Closure: 0.0023 Course: S05°47'42"E  
Error North: -0.00233 East: 0.00024

Precision 1: 1567538.261

**Notice of Exemption****Appendix E**

**To:** Office of Planning and Research  
P.O. Box 3044, Room 113  
Sacramento, CA 95812-3044

County Clerk

County of: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**From:** (Public Agency): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Address)

Project Title: \_\_\_\_\_

Project Applicant: \_\_\_\_\_

Project Location - Specific:

Project Location - City: \_\_\_\_\_ Project Location - County: \_\_\_\_\_

Description of Nature, Purpose and Beneficiaries of Project:

Name of Public Agency Approving Project: \_\_\_\_\_

Name of Person or Agency Carrying Out Project: \_\_\_\_\_

Exempt Status: **(check one):**

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: \_\_\_\_\_
- Statutory Exemptions. State code number: \_\_\_\_\_

Reasons why project is exempt:

Lead Agency

Contact Person: \_\_\_\_\_ Area Code/Telephone/Extension: \_\_\_\_\_

**If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?  Yes  No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: \_\_\_\_\_

Signed by Lead Agency  Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.  
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: \_\_\_\_\_



**RESOLUTION NO. 2229**  
**RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF MONTECITO WATER DISTRICT**  
**INITIATING PROCEEDINGS FOR AN ANNEXATION TO**  
**MONTECITO WATER DISTRICT**  
**SUBLETT ANNEXATION**

WHEREAS, the Montecito Water District (“District”) is a County Water District organized and existing under and by virtue of Water Code §§30000 – 33901; and

WHEREAS, Water Code §32400 authorizes that land not a part of the District, whether or not contiguous to it, may be included within the District; and

WHEREAS, the District has received from the proposed annexee Bradford Cameron Sublett, a request to annex parcel APN 155-040-023 to the District; the proposed annexee has been fully informed of all District conditions applicable to the annexation; and the proposed annexee consents to the annexation; and

WHEREAS, the District wishes to initiate a proceeding for the annexation of territory, and the adjustment of boundaries, as described herein and pursuant to the terms and conditions set forth herein;

**NOW, THEREFORE THE BOARD OF DIRECTORS DOES HEREBY RESOLVE THAT:**

1. This proposal is made, and it is requested that proceedings be taken, pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with §56000 of the California Government Code.
2. This proposal is an annexation of territory to the Montecito Water District.
3. Boundaries of the territory are shown on the map set forth as Exhibit “A”, attached hereto and incorporated herein by this reference.
4. It is desired that the proposal be subject to the following terms and conditions:
  - A. The territory being annexed shall be liable for any authorized, existing, extended or imposed taxes, charges, fees, assessments and rates imposed on properties presently within the District.
  - B. The territory being annexed shall be liable for payment of existing bonded indebtedness of the District in the same manner as paid by properties presently within the District.
  - C. The territory being annexed shall be subject to all Ordinances, Resolutions, policies and procedures of the District, including those currently in effect and/or adopted or modified subsequent to the annexation of territory subject to this Resolution. This includes, but is not limited to: Ordinance 82,

Ordinance 83, Ordinance 89, Ordinance 96, Resolution 2216, Resolution 2217, Resolution 2200, and the Water Availability Charge.

D. Delivery to District by the proposed annexee of payment in full for all annexation fees and expenses incurred by District in the course of processing the annexation of the subject territory.

E. In the event of annexation, any pipelines, structures, connections and other facilities required for the delivery of water to the territory being annexed from works owned or operated by District shall be constructed, provided and installed without cost or expense to District and District shall be under no obligation to provide, construct, operate or maintain such works.

F. If construction of water distribution facilities is required to properly effect water services to the territory being annexed, all such costs shall be borne by the proposed annexee and all facilities constructed shall, at the election of District, be owned, maintained, and operated by District. Design of such facilities shall be subject to pre-approval by District.

G. The adoption by the Board of Directors of District of a final resolution approving the annexation of the territory.

5. Should any of the above conditions not be met to the District's satisfaction, this Resolution No. 2229 shall have no force and effect.

6. The reason for the proposal is to provide water service to the territory to be annexed pursuant to the District's role as a water purveyor under Water Code §§30000 – 33901.

7. The territory being annexed is not within the District Sphere of Influence and it is hereby requested that the Sphere of Influence be amended to accommodate this annexation.

8. The District has determined that the proposed annexation is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 14 C.C.R. Section 15319 and Section 15061.

9. Adoption of this Resolution includes approval of all actions necessary and appropriate to accomplish the proposed annexation and reorganization. District staff is hereby authorized and directed to take all necessary actions associated with this proposal and to effectuate this Resolution.

**PASSED AND ADOPTED** by the Board of Directors of the Montecito Water District this 22 day of March, 2022 by the following roll call vote:

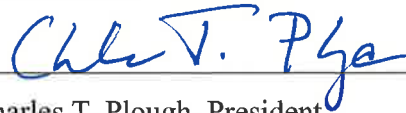
AYES: Directors Coates, Goebel, Hayman, Plough and Wicks

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



A handwritten signature in blue ink, appearing to read "Charles T. Plough", is written over a horizontal line.

Charles T. Plough, President

ATTEST:



A handwritten signature in blue ink, appearing to read "Nicholas Turner", is written over a horizontal line.

Nicholas Turner, Secretary



**The Office of Joseph E. Holland**  
 County Clerk, Recorder and Assessor  
 Registrar of Voters

- Home
- Clerk-Recorder
- Assessor**
- Elections
- Forms
- Data
- About
- Contact Us

Text size: [A](#) [A](#) [A](#)

[Assessor](#) > [Parcel Details, Value Notice and Assessor Map LookUp](#) > [Search Result](#) > [Details](#)



## Assessor Parcel Information Details

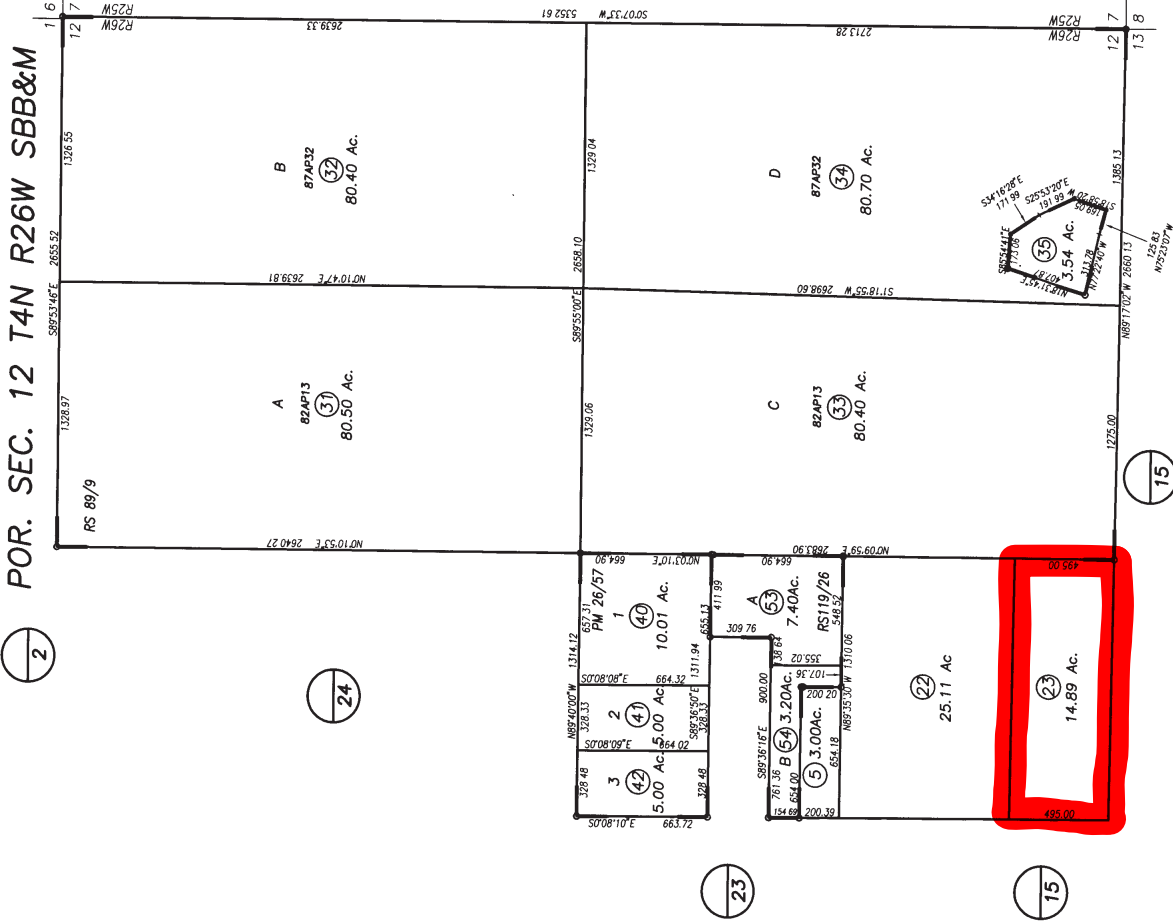
<b>Property Information</b>		
Parcel Number:	155-040-023	<b><a href="#">Value Notice</a></b>
Address:	806 TORO CANYON RD SANTA BARBARA, CA 93108	
Transfer Date:	03/07/2019	
TRA:	059034	
Document #:		
Transfer Tax Amount:	\$330.00	
<b>Property Characteristics</b>		
Use Description:	Vacant Land	
Jurisdiction:	County - Unincorporated	
Acreage:	14.89	
Square Feet:		
Year Built:		
Bedrooms:		
Bathrooms:		
Fireplaces:		
<a href="#">Assessor Map</a>		
<b>2021 Assessed Values</b>		
Land & Mineral Rights:	\$309,170	
Improvements:	\$0	
Personal Property:	\$0	
Home Owner Exemption:	(\$0)	
Other Exemption:	(\$0)	
Net Assessed Value:	\$309,170	
<b>Districts that Serve Property</b>		
District Information	<a href="#">Property Tax Breakdown for Last Equalized Roll Year</a>	
<b>Other</b>		
District and Elected Official	<a href="#">Look up District and Elected Official</a>	

155-04



1" = 600' scale

POR. SEC. 12 T4N R26W SBB&M



**NOTICE**  
 Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

Assessor's Map Bk, 155-Pg, 04  
 County of Santa Barbara, Calif.

LD/99 28-28 to pg 23



JOSEPH E. HOLLAND  
 County Clerk, Recorder and Assessor  
 105 E. Anapamu St 2<sup>nd</sup> Floor  
 Santa Barbara, CA 93101  
 (805) 568-2550

511 E. Lakeside Parkway - Suite 115  
 Santa Maria, CA 93455  
 (805) 346-8310

**SECURED PROPERTY NOTICE OF VALUES**

Assessor Parcel Number: 155-040-023  
 Situs Location: 806 Toro Canyon Rd  
 Santa Barbara 93108

This notice reflects the value of your property upon which your 2021-22 property tax bill will be calculated. You will receive your regular tax bill from the County Tax Collector's Office in October 2021.

Under California property tax law, your taxes are based on the lesser of the market value of your property as of January 1, 2021 or its factored base year value. The market value reflects market conditions existing on January 1, 2021. The Proposition 13 Factored Base Year Value means the value at the time you purchased the property and any assessable new construction after the purchase, increased by the consumer price index (CPI) as allowed under Proposition 13. A base year value is usually set by a change in ownership or new construction. For those owners who have purchased their property after January 1, 2021, the Proposition 13 Factored Base Year Value below is the prior owner's assessment. The assessment is shown for informational purposes only and is not your base year value.

YOUR TAXES WILL BE BASED ON THE VALUES SHOWN BELOW

<b>Proposition 13 Factored Base Year Value - Fiscal Year 2021-22</b>
--

Land	\$309,170
Structures	0
Living Improvements	0
Trade Fixtures	0
Personal Property	0
Mobile Home	0
<b>Total Assessed Value</b>	<b>\$309,170</b>
Less Homeowners' Exemption	0
Less Other Exemptions	0
<b>Net Assessed Value</b>	<b>\$309,170</b>

**Informal Review:** If you believe this assessment is incorrect, you have the right to an informal review with the Assessor's office. Please contact your nearest Assessor's office.

**Your right to appeal:** You also have the right to a formal appeal of the assessment which involves (1) the filing of an *Application for Changed Assessment*, (2) a hearing before an appeals board, and (3) a decision by the appeals board. An *Application for Changed Assessment* form is available from, and should be filed with, the Clerk of the Appeals Board between July 2 and November 30. The Clerk will set an assessment appeal hearing. If the applicant and the Assessor can reach an agreement prior to the hearing, a written stipulation may be filed with the Assessment Appeals Board. The Assessor, County Counsel and the applicant must sign the stipulation. The Assessment Appeals Board may, at a hearing, accept the stipulation or reject it and set a hearing date. Call the Clerk of the Board at (805) 568-2240 to request an *Application for Changed Assessment* or for help in completing the form. The Clerk of the Board is located at 105 E. Anapamu St. Room 407, Santa Barbara, CA 93101.

**THIS IS NOT A TAX BILL**

Type:IF

**ATTACHMENT B**

January 31, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



---

Autumn Malanca, Project Manager



March 22, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the Montecito Water District agrees to waive protest proceeding for the Toro Canyon Annexation (Bradford Sublett) for APN 155-040-023. This is because all of the owners of the land proposed for annexation have consented to the annexation.

Sincerely,

Nick Turner, PE  
General Manager  
Montecito Water District

CC: Tobe Plough, MWD Board President  
Walt Wendelstein, Cohen & Burge LLP

**Board of Directors**

Tobe Plough  
**President**

Ken Coates  
**Vice President**

Brian Goebel  
**Director**

Cori Hayman  
**Director**

Floyd Wicks  
**Director**

**General Manager  
and Board Secretary**  
Nick Turner

583 San Ysidro Road  
Santa Barbara, CA  
931089-2124

Ph 805.969.2271  
Fax 805.969.7261

info@montecitowater.com  
www.montecitowater.com



January 31, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,



---

Autumn Malanca, Project Manager



2012-0083043

Recorded	REC FEE	48.00
Official Records	CONFORMED COPY	0.00
County of Santa Barbara		
Joseph E. Holland		
County Clerk Recorder		
09:32AM 05-Dec-2012	HH	Page 1 of 12

Recording Requested by and  
 After Recording Return to:  
 Syndi Souter  
 Souter Land Use Planning  
 PO Box 50423  
 Santa Barbara, CA 93150

12  
CCFR

COUNTY OF SANTA BARBARA  
CONDITIONAL CERTIFICATE OF COMPLIANCE ON  
ASSESSOR'S PARCEL NO. 155-040-023

Notice is hereby filed, as a public record, that the real property described in Exhibit "A" and shown as the shaded parcel on the map marked Exhibit "B" attached hereto and made a part hereof, is incorporated herein by this reference, and that said real property and the division creating said real property comply with the applicable provisions of the State Subdivision Map Act and County Ordinances enacted pursuant thereto.

**The fulfillment and implementation of the set out conditions listed in Exhibit "C" per 12COC-00000-00001 as approved by Santa Barbara County Zoning Administrator at their hearing on 6/18/2012 pages 1 through 9 shall be required prior to subsequent issuance of a permit or other grant of approval for development of the property, pursuant to Government Code Sections 66499.34 and 66499.35.**

*This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grants of approval.*

Owners: Mary Koch, Trustee, Mary Koch Trust - by Quitclaim Deed recorded July 12, 1983 as Instrument No. 1983-0035758 of Official Records in the County of Santa Barbara, State of California.

Aleksandar Jevremovic  
 Aleksandar Jevremovic  
 County Surveyor

12/5/12  
 Date

APPROVED AS TO FORM:  
 DENNIS A. MARSHALL  
 COUNTY COUNSEL

By [Signature]  
 Kevin E. Ready, Sr.  
 Senior Deputy County Counsel



11CB52

12 CB 52

**EXHIBIT "A"**

All that certain real property situated in the County of Santa Barbara, State of California, described as follows:

The Southerly 495 feet, measured parallel and equal distance from the Southerly line of the following described real property, to wit:

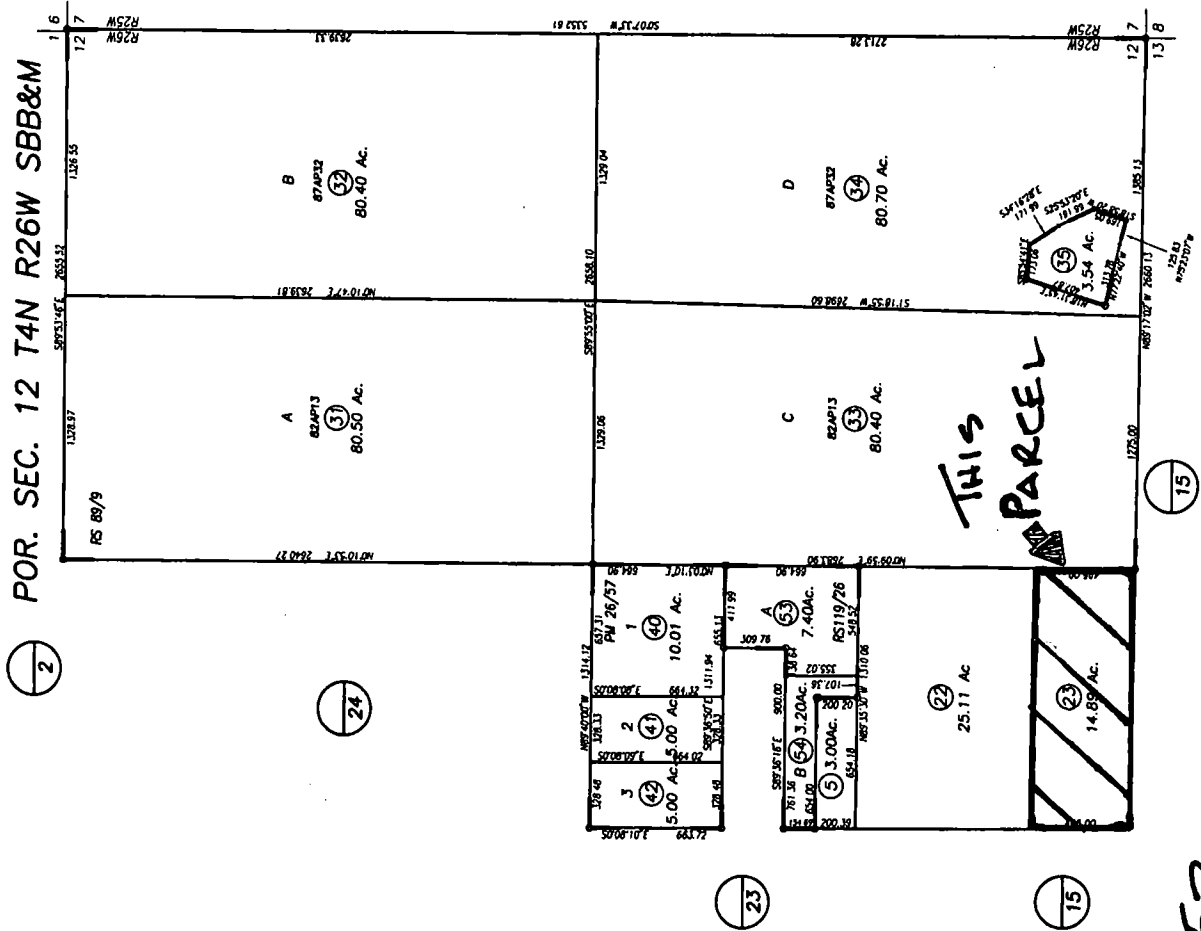
The Southeast  $\frac{1}{4}$  of the Southwest  $\frac{1}{4}$  of Section 12, Township 4 North, Range 26 West, San Bernardino Base and Meridian, in the County of Santa Barbara, State of California, according to the official map filed in the District Land Office.

APN 155-040-023

# EXHIBIT B

POR. SEC. 12 T4N R26W SBB&M

155-04



**NOTICE**  
Assessor Parcels are for tax assessment purposes only and do not indicate either parcel legality or a valid building site.

Assessor's Map Bk, 155-Pg, 04  
County of Santa Barbara, Calif.

LD/99 28-29 to pg 23

112B52



COURT HOUSE

# COUNTY OF SANTA BARBARA CALIFORNIA

## ZONING ADMINISTRATOR

COUNTY ENGINEERING BUILDING  
123 E. ANAPAMU STREET  
SANTA BARBARA, CALIFORNIA 93101-2058  
PHONE: (805) 568-2000

June 21, 2012

Mary Koch  
Mary A. Koch Trust  
6750 Long Beach Blvd.  
Long Beach, CA 90805

EXHIBIT C  
12COC-00000-00001  
11CB52

ZONING ADMINISTRATOR  
HEARING OF JUNE 18, 2012

**RE: Koch Conditional Certificate of Compliance, 12COC-00000-00001**

Hearing on the request of Syndi Souter, agent for Mary Koch, Trustee, Mary A. Koch Trust, owner, to consider case no. 12COC-00000-00001, [application filed April 2, 2012] for a Conditional Certificate of Compliance to legalize the creation of 14.89-acre parcel in compliance with Section 66499.35 of the State Subdivision Map Act in an area zoned RR-20 under the Santa Barbara County Land Use and Development Code; and to determine the project is exempt pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The Certificate of Compliance would validate the existing undeveloped parcel for purposes of sale, lease or finance. The approval of the Certificate of Compliance does not grant any right to develop the parcel and no development is proposed as part of this approval. The property is a 14.89-acre parcel zoned RR-20 and shown as assessor parcel number 155-040-023, located just north of, and adjacent to, Toro Canyon County Park in the Toro Canyon area, First Supervisorial District.

Dear Ms. Koch:

At the regular hearing of the Santa Barbara County Zoning Administrator on June 18, 2012 Case No. 12COC-00000-00001 marked "Officially Accepted, County of Santa Barbara June 18, 2012 Zoning Administrator Attachment D" was conditionally approved, based upon the project's consistency with the Comprehensive Plan including the Toro Canyon and based on the ability to make the required findings. The Zoning Administrator also took the following action:

1. Made the required findings for approval of the project as specified in Attachment A of the staff report dated June 1, 2012, including CEQA findings;
2. Determined the project is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines, included as Attachment C of the staff report dated June 1, 2012; and
3. Approved the project subject to the Conditions of Approval in Attachment B of the staff report dated June 1, 2012.

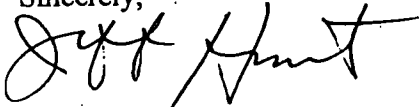
1/9

ATTACHMENT B

*The Findings and the Conditions of Approval reflect the action of the Zoning Administrator and are included in this letter as Attachment A and Attachment B.*

- The action of the Zoning Administrator to approve, conditionally approve, or deny the project may be appealed to the Planning Commission by the applicant, or an aggrieved person, as defined in Section 21-74.4 (Appeals) of Chapter 21 of the County Code, adversely affected by the decision within the 10 calendar days following the date of action by the Zoning Administrator.
- An appeal, which shall be in writing, and accompanying fee of \$603.00 shall be filed with the Planning and Development Department located at 123 East Anapamu Street, Santa Barbara, or 624 West Foster Road, Suite C, Santa Maria, prior to expiration of the appeal period specified above.
- **Public appeal period expires on Thursday, June 28, 2012 at 5:00 P.M.**

Sincerely,



JEFF HUNT AICP  
Zoning Administrator

xc: Case File: 12COC-00000-00001  
Hearing Support Zoning Administrator File  
Agent: Syndi Souter  
County Surveyor's Office  
Supervisor: Salud Carbajal, First District Supervisor  
Planner: Brian Banks

**Attachments: Attachment A – Findings  
Attachment B – Conditions of Approval**

JH:sf

G:\GROUP\PERMITTING\Case Files\COC\12 cases\12COC-00000-00001 Koch\actionletter.doc

219

## ATTACHMENT A: FINDINGS OF APPROVAL

### 1.0 CEQA FINDINGS

- 1.1 The project is exempt from CEQA pursuant to Guidelines Section 15061(b)(3), General Exemption. This section states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The validation of the existing, illegally created undeveloped lot will not create any significant environmental impacts, public health or safety hazards, and would not have a significant impact on the resources or services within this area, such as water, sanitary services, surrounding roadways and intersections, or schools. Any future development on the parcel would be subject to environmental review to address increased traffic, use of public facilities, geologic hazards, archaeological issues, biological issues, etc.

### 2.0 ADMINISTRATIVE FINDINGS

- 2.1 Pursuant to Government Code §66499.35(b), the parcel has been found to have been created without the necessary County approval in 1969. The parcel was illegally created on June 17, 1969 per instrument number 16735, Book 2274, Page 1161 (please see Attachment E, County Surveyor Letter dated February 2, 2012). The parcel was conveyed on August 1, 1969 by Evangelistic Missionary Crusades, Inc. to Richard C. Koch (deceased) per instrument number 21787, Book 2279, Page 995. The applicant did not own the property when the illegal creation of the parcel occurred on June 17, 1969, therefore the County must apply regulations that were in effect at the time the applicant acquired the parcel. The current owner, as a successor in interest, acquired the parcel in 1969; therefore conditions of approval based on zoning standards that would have been applicable to the division of the property in 1969 have been placed on this Conditional Certificate of Compliance as listed in Attachment B to the staff report dated June 1, 2012, and incorporated herein by reference. Said conditions are necessary for the protection of public health, safety and welfare and to ensure that any future development is consistent with the County's Comprehensive Plan, including the Toro Canyon Plan, and the Land Use and Development Code as described in Sections 5.0 and 6.0 of the staff report dated June 1, 2012, and incorporated herein by reference.

## ATTACHMENT B: CONDITIONS OF APPROVAL

1. **Proj Des-01 Project Description.** This Conditional Certificate of Compliance is based upon and limited to compliance with the project description, the hearing exhibits marked A-E, dated June 1, 2012 and all conditions of approval set forth below, including mitigation measures and specified plans and agreements included by reference, as well as all applicable County rules and regulations. The project description is as follows:

The project description is as follows:

**Conditional Certificate of Compliance to legalize the creation of 14.89-acre parcel in compliance with Section 66499.35 of the State Subdivision Map Act in an area zoned RR-20 under the Santa Barbara County Land Use and Development Code; and to determine the project is exempt pursuant to Section 15061(b)(3) of the State Guidelines for Implementation of the California Environmental Quality Act. The Certificate of Compliance would validate the existing undeveloped parcel for purposes of sale, lease or finance. The approval of the Certificate of Compliance does not grant any right to develop the parcel and no development is proposed as part of this approval. The property is a 14.89-acre parcel zoned RR-20 and shown as assessor parcel number 155-040-023, located just north of, and adjacent to, Toro Canyon County Park in the Toro Canyon area, First Supervisorial District.**

Any deviations from the project description, exhibits or conditions must be reviewed and approved by the County for conformity with this approval. Deviations may require approved changes to the permit and/or further environmental review. Deviations without the above described approval will constitute a violation of permit approval.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.
3. **Rules-29 Other Dept Conditions.** Prior to future development, compliance with the Departmental/Division letters shall be required:
  - a. Fire Department letter dated May 31, 2012;
  - b. Environmental Health Services letter dated May 7, 2012.
5. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project. In the event that the County fails promptly to notify the Owner / Applicant of any such claim, action or proceeding, or that the County fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.



6. **Rules-34 Legal Challenge.** In the event that any condition imposing a fee, exaction, dedication or other measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought in the time period provided for by law, this approval shall be suspended pending dismissal of such action, the expiration of the limitation period applicable to such action, or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the review authority and no approval shall be issued unless substitute feasible conditions/measures are imposed.
7. **Special Condition.** Following expiration of the applicable appeal period of the final action by the Zoning Administrator, the owner/applicant shall apply to the County Surveyor for recordation of the Conditional Certificate of Compliance with the County Recorder.

Santa Barbara County  
**PUBLIC Health**  
DEPARTMENT

Environmental Health Services

2125 S. Centerpointe Pkwy. #333 • Santa Maria, CA 93455-1340 805/346-8460 • FAX 805/346-8485

Takashi M. Wada, MD, MPH Director/Health Officer  
Anne M. Faaron Deputy Director  
Suzanne Jacobson, CPA Chief Financial Officer  
Michèle Mickiewicz, MPH Deputy Director  
Elizabeth Snyder, MHA Deputy Director

Susan Klein-Rothschild, Interim Director of Environmental Health

TO: Brian Banks, Planner  
Planning & Development Department  
Development Review Division

FROM: Paul Jenzen  
Environmental Health Services

DATE: May 7, 2012

SUBJECT: Case No. 12COC-00000-00001

Toro Canyon Area

Applicant: Mary Koch, TTE  
6750 Long Beach Blvd.  
Long Beach, CA. 90805

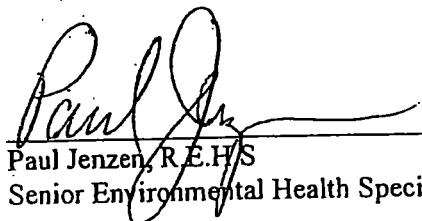
Property Location: Assessor's Parcel No. 155-040-023, zoned RR-20, located just north  
of and adjacent to Toro Canyon County Park.

Case No. 12COC-00000-00001 represents a request to legalize the creation of a 14.89-acre parcel and validate the parcel for future development. No development is proposed with this project.

Domestic water supply and sewage disposal would be provided by private water and wastewater systems at the time of development.

Providing the Planning Commission grants approval of the applicant's request, Environmental Health Services recommends the following be included as Conditions of Approval:

1. Prior to Issuance of a Building Permit, an application for an onsite wastewater treatment system (OWTS) permit and a private water system permit shall be reviewed and approved by Environmental Health Services.

  
Paul Jenzen, R.E.H/S  
Senior Environmental Health Specialist

cc: Applicant  
Agent, Syndi Souter, P.O. Box 50423, Santa Barbara, CA. 93150  
Willie Brummett, Environmental Health Services

LU-5122

6/9

ATTACHMENT B



# CARPINTERIA~SUMMERLAND FIRE PROTECTION DISTRICT

---

May 31, 2012

Mr. Brian Banks  
Planning and Development  
County of Santa Barbara  
123 East Anapamu Street  
Santa Barbara, CA 93101

Re: Case No. 12COC-00000-00001 / Koch Conditional Certificate of Compliance  
APN155-040-023 / Toro Canyon

Subject: Letter of Conditions / Approval

Dear Brian Banks:

The following items are necessary for fire protection and prior to issuance of permits for future development on this parcel, all Fire District requirements shall be met.

1. Access to all structures shall conform to the requirements for private roads and driveways set forth in the Santa Barbara County Private Roads & Driveway Standards, Section 8 and Carpinteria-Summerland Fire District Development Standard #1.
2. When access ways are gated, a Fire District approved key box shall be installed in an accessible location. Prior to installation, the Fire District shall approve the location and type. The gate must swing in the direction of entrance travel.
3. Visible street address numbers must be visible from the public street. Numbers must be posted at the driveway and on the building. Numbers shall be a minimum 4 inches high on a contrasting background.
4. Public fire hydrants supplying the required fire flow within the required driving distance from the structures shall be provided. Both the Fire District and the Montecito Water District shall approve the type of hydrant and the exact location. The new fire hydrant(s) shall be installed and in-service prior to any construction.

7/9

*"Pride in Service"*

1140 Eugenia Place, Suite A • Carpinteria, California 93013 • (805) 684-4591 Fax (805) 684-8242

ATTACHMENT B

5. All new buildings structures shall be protected by an approved automatic fire sprinkler system. For manufactured homes the fire sprinkler system may be installed by the factory manufacture or may be retrofitted. In either case, plans for the proposed fire sprinkler system shall be designed by a qualified person and submitted to the prevention bureau for approval.
6. Per 2010 California Building Code and National Electric Code, smoke detectors must be installed in all residences.
7. Per Carpinteria-Summerland Fire District Ordinance No. 2003-01 pertaining to fees and service charges, a service charge of \$205.00 is assessed on plans reviews.
8. Any future changes, including further division, intensification of use, future construction, or increase in hazard classification, will require additional review in order to comply with applicable fire district development standards.

If you need additional information on Fire District conditions, please contact me at 566-2451.

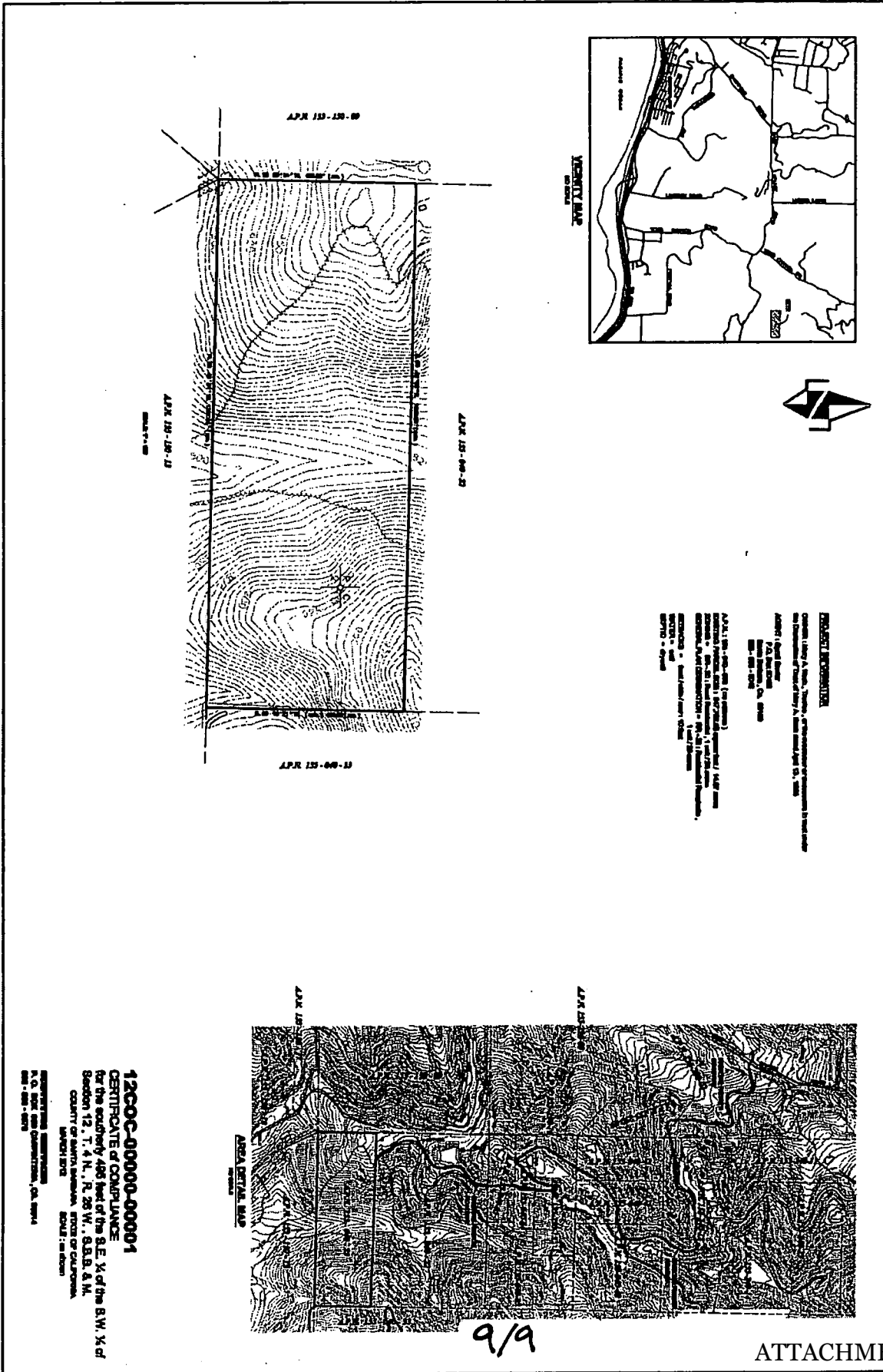
Sincerely,



Ed Foster  
Fire Marshal  
Fire Prevention Bureau

8/9

**ATTACHMENT D: PARCEL MAP**



## ATTACHMENT C

### LAFCO Proposal Review Factors - Government Code 56668 806 Toro Canyon Road Sphere and Annexation to the Montecito Water District File No. 22-04

**Factor (a)** Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

**Response.** The Toro Canyon Sphere and Annexation consist of one vacant parcel APN 155-040-023 containing 14.89 acres. The site is surrounded by residential uses to the north and agricultural uses to the east and west. The Toro Canyon Park is located to the south. The owners wish to build a new single-family residence and detached garage. There are some steep slopes in areas where development is proposed. There is a drainage through the center/easterly portion of the project, which requires 100-foot setbacks. The setbacks are easily accommodated, as the proposed development areas are at the far westerly side of the 14.89-acre parcel. The proposed development area slopes generally southerly from a small, flat area at the far northwesterly corner of the site. Slopes average approximately 25-30% in the development area.

The proposal is for residential uses. The land use designations and zoning are residential ranchette under County (Residential Ranchette, RR-20; Zoned RR-20). The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required.

The District estimated it serves a population of 11,769 people, with 1,335 living within City of Santa Barbara. The District anticipates a growth rate of less than one (1) percent a year within its boundaries in the coming years. In 2020, it was estimated that the District serves approximately 4,633 connections.

The Bella Vista Treatment plant is a 2.2 MG per day (6.7 AF per day) treatment facility that is used to treat water received from Jameson Lake and Doulton Tunnel intrusion. The Bella Vista Treatment Plant went into service in 1994 and provides up to 30% of the District's potable water supply during normal water supply conditions. Doulton Treatment Plant, a secondary 0.15 MG per day (0.46 AF per day) treatment facility, is located at the top of Toro Canyon Road used to deliver treated water to a small, isolated section of the District's customers. The Cater Water Treatment Plant has a production capacity of 37 MGD and is owned and operated by the City of Santa Barbara. The City of Santa Barbara and the

Montecito and Carpinteria Valley Water Districts jointly participate in the Cater Treatment Plant. The District has a 20 percent interest in the Cater facility.

**Assessed Valuation:** The property is presently within Tax Rate Area 059034. The assessed value of the parcel 155-040-023 is \$309,170 for the land and \$0 for improvements, for a total of \$309,170. (Tax roll 2021-2022.) A property tax exchange was approved by the Board of Supervisors on July 12, 2022 which included a zero exchange with this annexation.

**Factor (b)** The need for organized community services, the present cost and adequacy of governmental services and controls in the area, probable future needs for those services and controls, probable effect of the proposed incorporation, formation, annexation, or exclusion and alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

**Response.** The present cost and adequacy of services and controls for this property is the responsibility of the landowner under County for land use authority. The property are currently vacant and could only be served by a septic system and on-site well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner's desire to have a steady reliable water source to ensure the longevity of his plans to develop the site. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates. The owner will be responsible for extending water service from the MWD mainline from Toro Canyon Park Road to the proposed house on 806 Toro Canyon Road. MWD facilities would all be within the existing MWD easement and no water main extension is required. The District has stated it has the capacity to serve the property. There are currently no moratoriums on new water connections. The property will receive the same level and range of service as other property currently served by the District. A group of existing water meters are at the end of Toro Canyon Park Road an 8-inch ductile iron pipe water main that serve the neighboring parcels constructed in 1973 and is approximately 1500 feet from the parcel. The property will be supplied wastewater by on-site septic system.

**Factor (c)** The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

**Response.** The property will receive the same level and range of service as other property currently served by the District. The existing water line is approximately 1500 lineal feet. The owner would be responsible for constructing his water pipe from the meter up to the home. The owner would also be

responsible for obtaining easements on the neighboring parcels for his utilities, if needed. No effects of this action would alter the existing social and economic interests.

**Factor (d)** The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

**Response.** The site is subject to the County's Toro Canyon Planning Area subject to the Toro Canyon Specific Plan which provides for the planned, orderly and efficient development of the area by regulating development via standards expressed in the plans and approving the entitlements and environmental documentation regarding proposals. Santa Barbara LAFCO does not have specific Policies for District Annexations however; the following are the Santa Barbara LAFCO general Policies for providing planned orderly development:

**Policy 1.** Any proposal for a change or organization or reorganization shall contain sufficient information to determine that adequate services, facilities, and improvements can be provided and financed by the agencies responsible for the provision of such services, facilities, and improvements.

**Analysis.** The District's Plan for Services for the property outline the adequate services, facilities, and improvements. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the parcel. There is a group of existing water meters at the end of the water main that serve the neighboring parcels. There is also a fire hydrant at the end of the water main with approximately 115 psi of water pressure. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The elevation difference is from the existing meters to the proposed development area is approximately 300 feet. The existing hydrant and water pressure would be insufficient for fire suppression. The Carpinteria Summerland Fire Protection District has given preliminary approval for an onsite fire suppression storage tank and hydrant. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

**Policy 2.** All lands proposed for annexation to cities shall be pre-zoned prior to the submission of an application to the Local Agency Formation Commission. The City shall be lead agency for environmental



review in such cases, and environmental documentation shall accompany the application.

**Analysis.** The property would be annexed into the Montecito Water District and not a City, pre-zoning is not required. The property will be amended to be within the Districts Sphere of Influence.

**Policy 3.** Reorganization of overlapping and competing agencies or the correction of illogical boundaries dividing agency service areas is recommended. The Commission encourages reorganizations, consolidations, mergers, or dissolutions where the result will be better service, reduced cost, and/or more efficient and visible administration or services to the citizens.

**Analysis.** The property would be made contiguous to the District. The District provides water treatment for a 15.4 square mile area located in the Montecito/Carpinteria Valley. No other competing agencies could provide water service.

**Policy 4.** In order to minimize the number of agencies providing services proposals for formation of new agencies shall be discouraged unless there is evidenced a clear need for the agency's services from the landowners and/or residents; there are no other existing agencies that are able to annex and provide similar services; and there is an ability of the new agency to provide for and finance the needed new services.

**Analysis.** An existing agency the Montecito Water District is the most logical agency to provide water services. The MWD treatment plants have permitted capacity as described above from various sources.

Government Code Section 56377 states:

56377. In reviewing and approving or disapproving proposals which could reasonably be expected to include, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:

(a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.

(b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing sphere of influence or the local agency.

**Analysis.** The annexation to the District promotes the development of lands surrounded by the District, the annexation area does not have any agriculture land located within the boundaries of the annexation.

**Factor (e)** The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

**Response.** The proposed annexation boundary does not contain lands designated or used for agricultural purposes.

**Factor (f)** The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

**Response.** The annexation boundary follows lines of assessment and would create a contiguous annexation as part of a district boundary. The parcels would remain in the unincorporated territory no changes are proposed. The proposal was reviewed and approved by the County Surveyor's for legal description and map.

**Factor (g)** A regional transportation plan adopted pursuant to Section 65080.

**Response.** The annexation of this residential apartment would not change the SBCAG RTP Connected 2050 planning document.

**Factor (h)** Consistency with appropriate City or County General and Specific Plans.

**Response.** The annexation is consistent with the County's General Plan. The County's Land Use designation for the property is Residential Ranchette Zoned RR-20. No zoning changes were required for the allowed uses.

**Factor (i)** The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed.

**Response.** The proposal site is outside of the Districts current Sphere of Influence. This proposal would amend the SOI concurrently with the annexation of the property. The last SOI update was in 2017.

**Efficient Service Provision.** The site is located in an area that allows the District to best provide services in the future. The District serves the areas to west and south. District infrastructure (water pipes) are located within a reasonable distance to the area.

**LAFCO Process.** The Sphere recognizes that an area should receive services from a particular jurisdiction and the jurisdiction should plan to serve an area. The Sphere does not grant a jurisdiction the authority to serve a particular area. For the District to serve the area either an outside service agreement or an annexation would need to be approved by LAFCO. The landowner request for annexation to serve the site with water and the District has indicated through its Resolution of Application that it has the ability to service the site. These approvals are subject to the Cortese-Knox-Hertzberg Act and local policies and procedures adopted by Santa Barbara LAFCO. LAFCO has discretion in making its decision regarding these actions. Annexation into the Montecito Water District would include the following property; Assessor's Parcel Numbers 155-040-023.

**Municipal Service Review.** The Cortese-Knox-Hertzberg Act advises that a current Municipal Service Review (MSR) be used to analyze a Sphere of Influence. The CKH Act requires LAFCO to update the Spheres of Influence for all applicable jurisdictions in the County every five years or as necessary. The MSR is a study of the Agency's service capabilities and addresses seven factors described in Section 56430 of the CKH Act. LAFCO adopted a Sphere of Influence Update and Municipal Services Review (SOI/MSR) for the Montecito Water District in 2017. A current draft MSR is underway which also indicates the district capability to serve the site.

**Factor (j)** The comments of any affected local agency or other public agency.

**Response.** No comments have been submitted by local agencies. Any comments will be addressed in the staff report.

**Factor (k)** The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

**Response.** The MWD is capable of providing services to the property within the annexation area. This is documented in the Plan for Services, Attachment E. The approved Property Tax Agreement states the exchange between Montecito Water District and County shall be zero. This is because water services are financed by connection, and fees and charges and not by property taxes.

**Factor (l)** Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

**Response.** If annexed, the parcel would be allowed to use up to 1 acre-foot of water per year, in accordance with Ordinance 89. This additional water demand is within future projected water demands outlined in the 2020 Urban Water Management Plan (UWMP) for the District. As explained in the UWMP, District water supplies have become more reliable in recent years with the addition of the City of Santa Barbara Water Supply Agreement in 2020 and groundwater banking in Semitropic groundwater bank. Additionally, the forthcoming State regulations on urban water use utilize acreage to calculate allowed water use. The addition of the parcel under consideration would add to the total District water sales objective to be established by the State in 2023. The District's water supply comes from multiple sources including Jameson Lake, Cachuma Project, State Water Project, Doulton Tunnel, Montecito Groundwater Basin and the City of Santa Barbara. In September 2020, the District effectuated a long-term Water Supply Agreement with the City of Santa Barbara, in connection with its Charles E. Meyer Desalination Facility, for delivery of 1,430 acre-feet of water annually for 50 years. This new source, which commences delivery on January 1, 2020, will provide approximately 35% of District's annual water supply needs and will significantly improve the overall water supply reliability. In addition, the District also acquires supplemental water on an as-needed basis from various water agencies throughout the State.

**Factor (m)** The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

**Response.** The parcel will remain in the county continuing to contribute to the regional housing needs. Most homes within Montecito are priced well above the average County resident income. The annexation would not affect any city or county progress towards achieving their share of the regional housing needs as established in the latest Regional Housing Needs Plan.

**Factor (n)** Any information or comments from the landowner or owners.

**Response.** The annexation application was filed by Resolution of Application at the request of the landowners.

**Factor (o)** Any information relating to existing land use designations.

**Response.** No changes in land use plans are associated with this proposal.

**Factor (p)** Environmental Justice. The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

**Response.** Annexation will have no effect with respect to the fair treatment of people of all races and income, or the location of public facilities or services.

**Factor (q)** Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

**Response.** The Toro Canyon Road Annexation site located at 806 Toro Canyon Road is identified as a low severity groundwater and liquefaction area. Fire hazard zone is very-high located immediately adjacent to the Los Padres National Forest; the 2008 Tea Fire was the most recent fire event. A moderate severity for landslide risk as identified in the Multi-Jurisdictional Local Hazard Mitigation Plan. The site is located northwest of the City of Carpinteria and within the Toro Canyon Planning Area. The Toro Canyon Plan has approximately 1,000 parcels and the following land uses: 850 residential units; 61,665 sq. ft. of commercial and industrial space; 5,236,132 sq. ft. of greenhouses and related development; 88,545 sq. ft. of institutional/educational development; and 130,399 sq. ft. of other non-residential development. Major access roads into Toro Canyon include U.S. Highway 101, Via Real and State Route 192 (East Valley Road/Foothill Road). Residential development is scattered throughout Toro Canyon, generally with larger parcels to the north and smaller parcels to the south. Southern California Edison (SCE) provides power to the Southern parts of the County. The entire county is subject to energy shortages.

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Barbara

105 E. Anapamu St, Room 407

Santa Barbara, CA 93101

From: (Public Agency): Montecito Water District
583 San Ysidro Road
Santa Barbara, CA 93108

(Address)

Project Title: Annexation of APN 155-040-023 into the Montecito Water District Service Area

Project Applicant: Montecito Water District

Project Location - Specific:

806 Toro Canyon Road (APN 155-040-023)

Project Location - City: Santa Barbara Project Location - County: Santa Barbara

Description of Nature, Purpose and Beneficiaries of Project:

The project will annex the existing 14.89 acre parcel into the Montecito Water District service area.

Name of Public Agency Approving Project: Montecito Water District

Name of Person or Agency Carrying Out Project: Adam Kanold, Assistant General Manager

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: 15319(b), 15061
Statutory Exemptions. State code number:

Reasons why project is exempt:

15319(b) - annexations of individual small parcels of the minimum size for facilities exempted by Section 15303

15061 - the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment

Lead Agency

Contact Person: Adam Kanold Area Code/Telephone/Extension: 805-969-2271

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 3-22-2022 Title: Asst General Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

## **NOTICE OF EXEMPTION**

### **Filing of Notice of Exemption in Compliance with Section 21108 of the Public Resources Code**

**TO:** County Clerk  
County of Santa Barbara  
105 East Anapamu Street  
Santa Barbara CA 93101

**FROM:** Local Agency Formation Commission  
105 East Anapamu Street, Room 407  
Santa Barbara CA 93101  
805/568-3391

**PROJECT TITLE:** **LAFCO 22-04** 806 Toro Canyon Rd Annexation into Montecito Water District

#### **PROJECT LOCATION AND DESCRIPTION:**

##### Project Location:

Area includes 14.89 acres located at 806 Toro Canyon Road containing one parcel.

##### Description of Nature, Purpose, and Beneficiaries of Project:

The Proposed Sphere and Annexation is for water service connection for a proposed new single-family residence and detached garage, as well as a pool.

A residence is allowed under County zoning of Residential Ranchette RR-20 within the Toro Canyon Planning Area. Activity is covered under existing zoning with connection to water system with no change in use. The proposal is categorically exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq. ("CEQA") pursuant to CEQA Guidelines section 15319(b), Class 19 Annexations of individual small parcels for facilities exempted by Section 15303 and Section 15061(b)(3) the activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

##### Name of Person or Agency Carrying Out the Project:

Santa Barbara Local Agency Formation Commission

**Reasons for Exemption.** LAFCO's approval of the proposed SOI and annexation into the Montecito Water District would be consistent with a Categorical Exemption Class 19 Section 15319(b) and 15061(b)(3). The new residence and associated structures will allow extension of water utility connection.

\_\_\_\_\_  
Mike Prater, Executive Officer

\_\_\_\_\_  
September 1, 2022  
Date

---

The "project" is to provide water services from the Montecito Water District to a vacant lot planned for a new residence located at 806 Toro Canyon Road, within Santa Barbara County (14.89 acres) (APN 155-040-023). This property will be connecting water laterals to an existing mainline via easement. A Categorical Exemption Class 19 section 15319(b) Annexations of individual small parcels for facilities exempted by Section 15303 and section 15061(b)(3) common-sense rule would apply.

The Santa Barbara Local Agency Formation Commission will approve the above-referenced project on September 1, 2022 and has determined it to be exempt from further environmental review under the requirements of California Environmental Quality Act (CEQA) of 1970, as defined in the State and local Guidelines for the implementation of CEQA.

Exempt Status:

- Ministerial
- Statutory
- Categorical Exemption:  
Project is sewer connections exempt from CEQA pursuant to CEQA Guidelines  
Section 15303(d) Class 3 & Section 15319 Class 19
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061 (b,3)]

By: \_\_\_\_\_  
Executive Officer

Date: 9/2/22





March 22, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the Montecito Water District agrees to waive protest proceeding for the Toro Canyon Annexation (Bradford Sublett) for APN 155-040-023. This is because all of the owners of the land proposed for annexation have consented to the annexation.

Sincerely,

Nick Turner, PE  
General Manager  
Montecito Water District

CC: Tobe Plough, MWD Board President  
Walt Wendelstein, Cohen & Burge LLP

**Board of Directors**

Tobe Plough  
**President**

Ken Coates  
**Vice President**

Brian Goebel  
**Director**

Cori Hayman  
**Director**

Floyd Wicks  
**Director**

**General Manager  
and Board Secretary**  
Nick Turner

583 San Ysidro Road  
Santa Barbara, CA  
931089-2124

Ph 805.969.2271  
Fax 805.969.7261

info@montecitowater.com  
www.montecitowater.com

January 31, 2022

Mike Prater, LAFCO Executive Officer  
105 E. Anapamu Street, Rm 407  
Santa Barbara, CA 93101

**Re: Waiver of Protest Proceedings**

Dear Mike:

Pursuant to Government Code Section 56662 & 56663 (c), the property owner, Bradford Sublett, agrees to waive protest proceeding for the Montecito Water District (MWD) annexation of his property located 806 Toro Canyon Road. I, his agent, confirm that Bradford Sublett has consented to the annexation.

Sincerely,

A handwritten signature in blue ink that reads "Autumn Malanca". The signature is written in a cursive style.

---

Autumn Malanca, Project Manager

**Reliable Since 1921**

583 San Ysidro Road  
Santa Barbara, CA 93108-2124

**Phone:** 805.969.2271  
**Fax:** 805.969.7261  
**Email:** info@montecitowater.com  
**Web:** montecitowater.com



**Board of Directors**  
Tobe Plough, President  
Kenneth Coates, Vice President  
Cori Hayman, Director  
Floyd Wicks, Director  
Brian Goebel, Director  
**General Manager and  
Board Secretary**  
Nick Turner

**REGULAR MEETING  
BOARD OF DIRECTORS  
MONTECITO WATER DISTRICT  
583 SAN YSIDRO ROAD, MONTECITO, CALIFORNIA**

**Attend in Person or Join by Teleconference:**

<https://us06web.zoom.us/j/87409553426?pwd=dmFIUXMvWjRuOFNLdzdqalpoQ25pZz09>

Meeting ID: 874 0955 3426; Passcode: 727 192

Tel: (669) 900 6833

**TUESDAY, MARCH 22, 2022  
9:30 A.M.**

**AGENDA**

- 1. CALL TO ORDER, ROLL CALL, DETERMINATION OF QUORUM**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PUBLIC FORUM**

This portion of the agenda may be utilized by any member of the public to address and ask questions of the Board of Directors on any matter not on the agenda within the jurisdiction of the Montecito Water District. Depending upon the subject matter, the Board of Directors may be unable to respond at this time, or until the specific item is placed on the agenda at a future MWD Board meeting in accordance with the Ralph M. Brown Act.

**4. CONSENT CALENDAR**

Following items are to be approved or accepted by vote on one motion unless a Board member requests separate consideration:

- \* A. Meeting Minutes of February 22, 2022
- \* B. Payment of Bills for February 2022
- \* C. Investment of District Funds for February 2022
- \* D. Water Works Operations Report for February 2022
- \* E. Update of *COVID-19 Prevention and Response Plan* (Revision 5)
- \* F. Extension of Resolution 2225 authorizing remote teleconference meetings

\* indicates attachment included for this item

**ATTACHMENT F**

## **5. DISTRICT OPERATIONS AND GENERAL MANAGER REPORTS**

- \* A. BOARD ACTION: Adoption of the *2022 5-Year Strategic Plan*;
- \* B. Proposed Annexation to the Montecito Water District service area, Sublett Annexation
  - i. BOARD ACTION: Consider a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA)
  - ii. BOARD ACTION: Authorize staff to file a Notice of Exemption from CEQA with County of Santa Barbara
  - iii. BOARD ACTION: Adopt Resolution 2229 of the Board of Directors of the Montecito Water District initiating proceedings for an Annexation to the District's Service Area; Sublett Annexation
- \* C. INFORMATION ONLY: Update on progress reaching the District's 20% water use reduction target
- \* D. BOARD ACTION: Discussion on the recording of District Board of Directors and Committee meetings
- E. INFORMATION ONLY: General Manager Report

## **6. DISTRICT BUSINESS REPORT**

- \* A. INFORMATION ONLY: Unaudited Monthly Financial Reports for February 2022
- \* B. BOARD ACTION: Receive, Accept and File the Audited Financial Statements for Fiscal Year Ending June 30, 2021
- \* C. INFORMATION ONLY: Proposed Schedule for FY2022/23 Budget Preparation
- \* D. BOARD ACTION: Approval of Escrow Agreement with Bank of New York Mellon in connection with the *Option Agreement for Purchase and Sale of Water* between the District and Homer LLC

## **7. DIRECTOR AND COMMITTEE REPORTS**

- A. Presidents Report: Director Plough
- B. Central Coast Water Authority: Director Coates
- C. Santa Barbara County Special Districts Association: Director Wicks
- D. Cachuma Operation and Maintenance Board: Director Hayman
- E. Cachuma Conservation Release Board: Director Plough
- F. Operations & Customer Relations Committee: Directors Wicks & Goebel
- G. Finance Committee: Directors Plough & Hayman
- H. Strategic Planning Committee: Directors Coates & Plough

## **8. LEGAL MATTERS**

- A. Recent and Pending Legal Matters Review – Oral Report
- B. CLOSED SESSION: Pursuant to Government Code 54956.9(d)(2) Conference with Legal counsel – Anticipated Litigation, 1 case
- C. CLOSED SESSION: Pursuant to Government Code §54956.9(d)(1) Conference with Legal Counsel – Existing Litigation, Central Coast Water Authority et. al. v. Santa Barbara County Flood Control and Water Conservation District, et. al, Santa Barbara Superior Court Case No. 21CV02432

## **9. DIRECTOR REQUESTS**

Requests from Directors for items other than regular agenda items for the next regular Board meeting scheduled for Tuesday, April 26, 2022 or any future meeting.

## **10. ADJOURNMENT**

**Note:** Montecito Water District has resumed in-person meetings in accordance with the Brown Act. In accordance with the State of Emergency declaration issued on March 4, 2020 by the Governor of the State of California in response to COVID-19 and Government Code 54953(e), the District also provides alternative methods of participation which permit members of the public to observe and address public meetings telephonically and/or electronically. These methods of participation can be accessed through the internet link provided at the top of this agenda.

This agenda was posted on the District website, and at the Montecito Water District outside display case at 5:00 p.m. on March 18, 2022. The Americans with Disabilities Act provides that no qualified individual with a disability shall be excluded from participation in, or denied the benefits of, the District's programs, services or activities because of any disability. If you need special assistance to participate in this meeting, please contact the District Office at 805-969-2271. Notification at least twenty-four (24) hours prior to the meeting will enable the District to make appropriate arrangements.

Agendas, agenda packets, and additional materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available on the District website.

**MONTECITO WATER DISTRICT  
MEMORANDUM**

**SECTION: 5-B**

**DATE: MARCH 22, 2022**

**TO: BOARD OF DIRECTORS**

**FROM: ASSISTANT GENERAL MANAGER / GENERAL MANAGER**

**SUBJECT: CONSIDERATION OF REQUEST FOR ANNEXATION OF PARCEL APN 155-040-023 INTO THE DISTRICT SERVICE AREA**

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**This item was reviewed by the Operations and Customer Relations Committee at its meeting of March 16, 2022 and the Committee concurs with the recommendation**

**RECOMMENDATION:**

1. That the Board of Directors make a determination that the project is categorically exempt from environmental review pursuant to the requirements of the California Environmental Quality Act (CEQA) as set forth on the attached Notice of Exemption;
2. That the Board of Directors authorize staff to file the attached Notice of Exemption from CEQA with County of Santa Barbara Clerk of the Board;
3. That the Board of Directors approve Resolution 2229 of the Board of Directors of the Montecito Water District Initiating Proceedings for an Annexation to the Montecito Water District Service Area; Sublett Annexation.

**BACKGROUND:**

The 14.89 acre parcel requesting annexation is a vacant parcel located at 806 Toro Canyon Road and is adjacent to the current District service area. The parcel is currently undeveloped and the owner desires to develop the parcel with a single family residence. The parcel is located outside of both the Montecito Water District boundary and also the Montecito Groundwater Basin Boundary.

District staff met with Local Agency Formation Commission (LAFCO) Executive Director Mike Prater in October 2021 to discuss the process of possible annexation. Mike Prater recommended the owner consult the County of Santa Barbara (County) to determine the permitting requirements for the new development, prior to pursuing annexation through LAFCO, because permitting requirements can have an impact on the annexation process.

After consultation between the owner and the County, the residential project was determined to be a ministerial approval from the County since the proposed development met all requirements of

the current parcel zoning which is residential ranchette (RR-20). Establishing water service for the parcel is the next required step in the process for the owner.

In December 2021, the owner's agent requested the District consider annexation of the parcel into the District service area. At the regular meeting of the Board of Directors on February 22, 2022 the Board of Directors considered the annexation request and directed staff to prepare documentation required for submittal of an application to the Santa Barbara County Local Agency Formation Commission (LAFCO) for the possible annexation of APN 155-040-023 into the District service area. District staff have prepared the required documentation as described below. In early March, the owner submitted the signed letter agreement (approved for use by the Board of Directors in February 2022) and deposit to the District to cover all expenses related to the annexation, including the preparation of required documentation. The letter agreement, and draft resolution below both include language that, upon annexation, the property is subject to all District ordinances and regulations, including but not limited to:

- **Ordinance 89** – Water Use Limitations
- **Ordinance 96** – Modified Water Use Restrictions and Stage 1 Drought
- **Ordinance 83** – Backflow Prevention Program (required for this parcel)
- **Resolution 2222** – Water Availability Charge for FY2022 (for owners information - only future WAC charges apply to subject parcel)
- **Resolution 2217** - Updated Connection Capacity Fees effective July 1, 2021
- **Resolution 2216** - Updated Miscellaneous Fees and Charges effective July 1, 2021

### **District Ability to Provide Water Service**

Attendant to the annexation process, LAFCO requires a statement from the annexing agency describing its ability to provide the services that are the subject of the application, including the sufficiency of revenues. The District must consider the logistics of physically connecting the parcel to the water District infrastructure, and any impacts to District finances. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the parcel. There is a group of existing water meters at the end of the water main that serve the neighboring parcels. There is also a fire hydrant at the end of the water main with approximately 115 psi of water pressure.

The owner has expressed a desire to have their water meter in the same location as the existing water meters, meaning there is no need to extend the existing water main or obtain District easements on private property. Under this scenario, the owner would be responsible for constructing his water pipe from the meter up to the home. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The elevation difference is from the existing meters to the proposed development area is approximately 300 feet. The existing hydrant and water pressure would be insufficient for fire suppression. The owner has

obtained preliminary approval from the Carpinteria Summerland Fire Protection District for an on-site fire suppression storage tank and hydrant, which would be separate from District facilities.

In summary, there are no major extraordinary improvements required by the District to serve this parcel. Additionally, if annexed into the service area, the owner would apply and pay for a new water meter under the standard District water meter application process. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

### **Dependability of Water Supply for Projected Needs**

The LAFCO annexation process requires the annexing agency to consider if the proposed annexation will result in or facilitate an increase in water usage. If so, the retail water purveyor should describe the timely availability of water supplies that will be adequate for the projected needs. If annexed, the parcel would be allowed to use up to 1 acre-foot of water per year, in accordance with Ordinance 89. This additional water demand is within future projected water demands outlined in the 2020 Urban Water Management Plan (UWMP) for the District. As explained in the UWMP, District water supplies have become more reliable in recent years with the addition of the City of Santa Barbara Water Supply Agreement in 2020 and groundwater banking in Semitropic groundwater bank. Additionally, the forthcoming State regulations on urban water use utilize acreage to calculate allowed water use. The addition of the parcel under consideration would add to the total District water sales objective to be established by the State in 2023. While the annexation may increase water demands by up to 1 acre-foot per year, District staff believe water supply conditions and state regulations on usage will not limit the District's ability to provide adequate water supply to existing customers and the proposed parcel to be annexed.

### **DISCUSSION:**

#### **California Environmental Quality Act (CEQA)**

This project would be exempt from environmental review based on categorical exemptions in the California Code of Regulations [“CCR”] since annexations of individual small parcels of the minimum size for facilities exempted by Section 15303 [CCR 15319(b)] and the activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment [CCR 15061]. Upon an appropriate finding by the Board of Directors, a Notice of Exemption from the California Environmental Quality Act will be filed with the County of Santa Barbara Clerk by staff prior to the implementation of the project. The draft Notice of Exemption is provided as Attachment 7.

#### **Annexation Application Documentation**



District staff, legal counsel, and the owners agent have worked together to prepare the documents listed below. This staff report will also be provided as part of the application.

- **Plan of Service** - outlines the general plan for delivery of water to the subject property, including the availability and dependability of the water supply. *This is included in the staff report above and will be attached to the application.*
- **Attachment 1 - Application Cover Letter** – outlining the contents of the application
- **Attachment 2 – Proposal Questionnaire for Annexations** – includes basic questions about the parcel, the reason for annexation, and the ability of utilities to provide service to the parcel.
- **Attachment 3 – Application to Amend Sphere of Influence** – describes the reason for amending the sphere of influence to include the proposed annexation parcel. The District’s current sphere of influence matches the service area boundary and does not include the proposed annexation parcel.
- **Attachment 4 - Cost Accounting Agreement** – the owner is responsible for paying all fees related to annexation.
- **Attachment 5 - Consent Waiver Letters** – required by LAFCO from both the owner and District.
- **Attachment 6 - Adopting Resolution 2229** – must be adopted by the Board of Directors. The Resolution includes language that the parcel to be annexed is subject to all ordinances and resolutions of the District, among other requirements.
  - **Attachment 6, Exhibit A - Map & Legal Exhibits** describing the parcel to be annexed
- **Attachment 7 - California Environmental Quality Act (CEQA) Notice of Exemption** – as the lead agency, the District will provide LAFCO with a copy of the CEQA filing with the County of Santa Barbara. Annexations are typically subject to categorical exemptions from CEQA.

## Next Steps

If approved by the Board of Directors, District staff and owner’s agent would submit the application to LAFCO. LAFCO has a 30-day review period to determine if the application is complete. Once complete, LAFCO will initiate a 21-day public noticing period followed by an additional 30-day LAFCO review period. At the end of the 30-day review period, the LAFCO Board of Directors would consider the adoption of the annexation documents. Following LAFCO approvals and certificate of completion, the property owner would be able to submit an application for a Certificate of Water Service Availability and new meter to the District in accordance with existing ordinances and resolutions.

## **FISCAL IMPACT**

All costs related to annexation will be paid by the property owner, including all District staff and legal counsel costs and all LAFCO costs. This arrangement has been memorialized in the letter agreement to the owner, which was drafted by District legal counsel and staff, and signed by the owner in early March.

## **ATTACHMENTS:**

1. Attachment 1 - Application Cover Letter
2. Attachment 2 – Proposal Questionnaire for Annexations
3. Attachment 3 - Application to Amend Sphere of Influence
4. Attachment 4 - Cost Accounting Agreement
5. Attachment 5 - Consent Waiver Letters
6. Attachment 6 - Adopting Resolution 2229
7. Attachment 7 – California Environmental Quality Act (CEQA) Notice of Exemption for the Annexation of APN 155-040-023

RESOLUTION OF THE SANTA BARBARA LOCAL AGENCY FORMATION  
COMMISSION MAKING DETERMINATIONS AND APPROVING THE 806 TORO  
CANYON ROAD INVOLVING AMENDMENT OF THE SPHERES OF INFLUENCE  
AND ANNEXATION TO MONTECITO WATER DISTRICT

WHEREAS, the above-referenced proposal has been filed with the Executive Officer of the Santa Barbara Local Agency Formation Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (Section 56000 et seq. of the Government Code); and

WHEREAS, on July 15, 2022, the Executive Officer issued a Certificate of Filing regarding LAFCO Application No. 22-04. The application proposes annexation of the property known as the 806 Toro Canyon Road involving sphere of influence amendment and annexation to the Montecito Water District (Annexation No. 25); and

WHEREAS, at the times and in the manner required by law, the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, a staff report was prepared, and the public hearing was duly conducted under the Assembly Bill 361 meetings laws; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, Spheres of Influence and applicable General and Specific Plans; and

WHEREAS, the Commission has considered all factors required to be considered by Government Code Sections 56668 et seq.

NOW, THEREFORE, BE IT RESOLVED DETERMINED AND ORDERED by the Commission as follows:

- (1) Finds the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15319(b), Class 19 Annexations of individual small parcels for facilities exempted by Section 15303 and Section 15061(b)(3) common-sense rule;
- (2) The Commission's written determination pursuant to Government Code Section 56425(e) (1-5) include:

- a) Present and planned land uses in the area, including agriculture, and open space lands:

The present and planned uses for this Sphere of Influence Amendment are consistent with the County's General Plan, for Toro Canyon Planning Area approved by the County. The plan for providing services for this area include services from the Montecito Water District for water services to a future single-family residence. An on-site septic system would provide sewer services. The consultation between the owner and the County, the residential project was determined to be a ministerial approval from the County since the proposed development will meet all requirements of the current parcel zoning. Overall, the County's General Plan clearly identifies community goals, objectives, policies and standards. The policy document and development approval provide for the logical and orderly growth of the Water District. The annexation contains no agricultural resources or changes to land use as a result.

- b) Present and probable need for public facilities and services in the area:

The present need for public services in the proposed SOI area consist of services for a new single-family residence and associated structures. Water services would be provided by the Montecito Water District and sewer services would be provided by on-site septic system. Fire would be provided Carpinteria/Summerland Fire Protection District. The parcel already resides within the fire district service boundary. Much of the neighboring lots to the west and south are within the Water District as part of Miller Reorganization in 1994. The primary purpose is to allow for extension of public water service to the identified property. The properties are currently vacant and could only be served by a septic system and on-site well. There is no guarantee there will be adequate GPM to support a single-family residence. Site constraints also inhibit the ability to get the well drilling equipment to the site to drill the well. It is the Owner's desire to have a steady reliable water source to ensure the longevity of his plans to develop the site. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates.

- c) Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide:

Water services identical to other users currently within Montecito Water District could be provided within one year of annexation. The nearest water main is an 8-inch ductile iron pipe on Toro Canyon Park Road constructed in 1973 and is approximately 1500 feet from the parcel. The District estimated it serves a population of 11,769 people with 4,633 connections. The Bella Vista Treatment plant is a 2.2 MG per day (6.7 AF per day) treatment facility that is used to treat water received from Jameson Lake and Doulton Tunnel intrusion. The Bella Vista Treatment Plant went into service in 1994 and provides up to 30% of the District's potable water supply during normal water supply conditions. Doulton Treatment Plant, a secondary 0.15 MG per day (0.46 AF per day) treatment facility, is located at the top of Toro Canyon Road used to deliver treated water to a small, isolated section of the District's customers. The Cater Water Treatment Plant has a production capacity of 37 MGD and is owned and operated by the City of Santa Barbara. The City of Santa Barbara and the Montecito and Carpinteria Valley Water Districts jointly participate in the Cater Treatment Plant. The District has a 20 percent

interest in the Cater facility. The owner would also be responsible for obtaining easements on the neighboring parcels for his utilities, if needed. The cost for the service line and meter would be borne by the property owner through the payment of the standard meter connection and capacity charges and future water sales to the property owner would be paid in accordance with applicable District rates. The Water District has stated it has the adequate capacity to provide services to the parcel.

- d) Existence of social or economic communities of interest in the area if the Commission determines that they are relevant to the agency:

The Sphere of Influence areas Montecito Water District are linked to the Montecito and Summerland communities social and economic interest. Residential development is proposed in the Sphere amendment and the District or surrounding areas provide places for shopping and services for the people living in the area. Areas to recreate, schools, places of worship and cultural events would also be available to the areas in the Sphere of Influence that include residential development. The district will also gain assessment advantages or water service charges with the annexation. The property will receive the same level and range of service as other properties currently served by the District.

- e) Present and probable need for public facilities and services of Disadvantage Unincorporated Communities:

The Montecito area has a variety of economic diversity within the community and surrounding area including within or adjacent to the Sphere of Influence. A Disadvantaged Unincorporated Community is defined as a community with an annual median household income that is less than 80 percent of the statewide annual median household income. This amendment of the Sphere of Influence is currently vacant with a proposal to construct a new single-family residence. The surrounding Toro Canyon Road area exceeds the median household income for the surrounding community and well above the average County resident income. This does not qualify as a disadvantage unincorporated community for the present and probable need for public facilities and services.

- (3) The proposal is found to be in the best interests of the affected area and the total organization of local governmental agencies within Santa Barbara County;
- (4) The Montecito Water District's spheres of influence is revised to include the property known as 806 Toro Canyon Road as set forth in Exhibit A;
- (5) The subject proposal is assigned the distinctive short-form designation:  
"806 Toro Canyon Road Sphere and Annexation";
- (6) Said territory is found to be uninhabited;
- (7) The boundaries of the affected territory as revised are found to be definite and certain as set forth in Exhibits B and C, attached hereto and made a part hereof, subject to the condition that prior to the Executive Officer executing and recording the Certificate of Completion, the proponent shall obtain the County Surveyor's final approval of the legal description and map and submit such approval to the

Executive Office.

- (8) The proposal is subject to the terms and conditions that the annexed territory shall be liable for any existing or authorized taxes, charges, fees or assessments comparable to other properties presently within the District.
- (9) All affected landowners have given written consent to the annexations and the annexing agency has consented to waive conducting authority proceedings.
- (10) The conducting authority proceedings are waived and staff is directed to complete the proceedings, subject to compliance with all conditions of this Resolution;
- (11) All subsequent proceedings in connection with this reorganization shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this Resolution.
- (12) The Sphere of Influence amendments and annexation shall become final upon the recordation of the Certificate of Completion.

This resolution is hereby adopted this 1<sup>st</sup> day of September, 2022 in Santa Barbara, California.

AYES:

NOES:

ABSTAIN:

Santa Barbara County Local Agency  
Formation Commission

By: \_\_\_\_\_  
Shane Stark, Chair

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Natasha Carbajal, Analyst/Clerk  
Santa Barbara County  
Local Agency Formation Commission

**EXHIBIT "A"**  
**LAFCO 22-04**  
**806 Toro Canyon Road Sphere & Annexation**  
**to Montecito Water District**

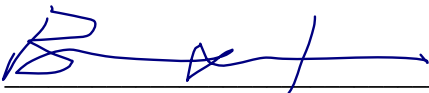
A portion of the Southeast 1/4 of the Southwest 1/4 of Section 12, Township 4 North, Range 26 West, San Bernardino Base & Meridian, in the County of Santa Barbara, State of California, more particularly described as follows:

Beginning at the Southeasterly corner of Parcel "A" of Parcel Map No. 13,371 as recorded in Book 36, Pages 11 thru 13 of Parcel Maps, in the Office of the County Recorder of Santa Barbara County, said point also being an angle point in the Miller Reorganization Annexation to the Montecito Water District per LAFCO Resolution No. 94-10 Recorded August 17, 1994 as Instrument No. 94-064734 of Official Records of said county;

- Thence 1<sup>st</sup> continuing along said Miller Reorganization Annexation and the Easterly line of said Parcel "A" North 00°03'54" West 495.00 feet to an angle point;
- Thence 2<sup>nd</sup> leaving said Miller Reorganization Annexation and said Easterly line of said Parcel "A" South 89°40'56" East 1306.95 feet to the Westerly line of Parcel "C" as shown on Record of Survey filed in Book 89, Page 9 of Records of Survey in the Office of the County Recorder of Santa Barbara County and an angle point;
- Thence 3<sup>rd</sup> along said Westerly line of said Parcel "C", South 00°13'55" East 495.00 feet to a point on the boundary line of said Miller Reorganization Annexation, said point also being the Southwesterly corner of said Parcel "C";
- Thence 4<sup>th</sup> along said Miller Reorganization Annexation, North 89°40'56" West 1307.71 feet to the Northeasterly corner of Parcel "B" of said Parcel Map No. 13,371;
- Thence 5<sup>th</sup> continuing along the Northerly line of Parcel "B" of said Parcel Map No. 13,371 and said Miller Reorganization Annexation North 89°47'59" West 0.68 feet to the Southeasterly corner of said Parcel "A" and the **Point of Beginning**


~ End of Description ~

The above described area contains 14.86 Acres more or less

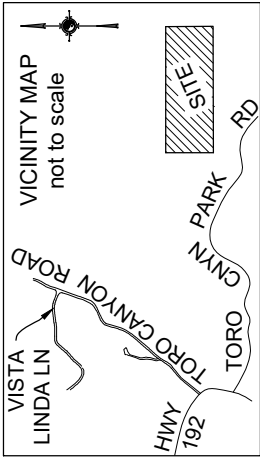
Prepared By:  05/31/2022  
Barry J. Waters, P.L.S. 6419 date:



Approved as to Form and Survey Content

 07/18/2022  
Deputy for: Aleksandar Jevremovic, P.L.S. 8378 date:  
County Surveyor





**LEGEND:**

- APN : ASSESSOR PARCEL NUMBER
- RES : RESOLUTION
- (#) : COURSE NUMBER (TYPICAL)
- : INDICATES EXISTING DISTRICT BOUNDARY
- : INDICATES PROPOSED DISTRICT BOUNDARY

(R)= Grant Deed per Instrument No. 2019-0008956 of Official Records.

(R1)= Miller Reorganization Annexation, LAFCO 94-10 Dated 06/09/1994 as filed in Instrument No. 94-064734 of Official Records.

(R2)= Record of Survey Book 89, Page 9.

APN: 155-040-022  
 ② S89°40'56"E 1306.95' (CFR)

**806 TORO CANYON ROAD**  
**APN: 155-040-023**  
 Containing 647,280 Sq. Ft./  
 14.86 Acres More or Less

S00°13'55"E (CFR2) 495.00' (R)  
 ③

90°32'59" (R2)

⑤ N89°47'59"W 0.68' (R1)

④ N89°40'56"W 1307.71' (R1)

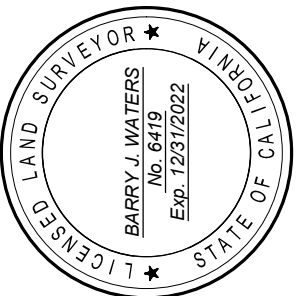
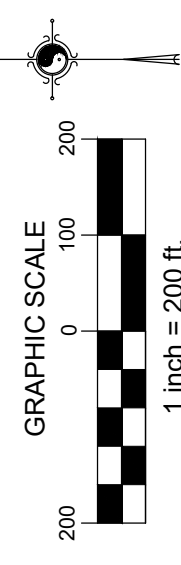
APN 155-150-013  
 TORO CANYON PARK

Miller Reorganization Annexation  
 LAFCO No. 94-10  
 Recorded 06/09/1994  
 Inst #94-064734  
 Res. No. 94-10

POINT OF BEGINNING  
 APN 155-150-017

APN 155-150-018  
 PARCEL "B"  
 (36/PM/11-13)

APN 155-150-009  
 PARCEL "A"  
 (36/PM/11-13)  
 Miller Reorganization Annexation  
 LAFCO No. 94-10  
 Recorded 06/09/1994  
 Inst #94-064734  
 Res. No. 94-10



APPROVED AS TO FORM AND SURVEY CONTENT.

*E. Tenell Matlovsky*  
 Deputy for:  
 ALEKSANDAR JEVREMOVIC, LS 8378  
 SANTA BARBARA COUNTY SURVEYOR  
 LIC. EXP. DATE: 12/31/2023

PREPARED BY:  
 WATERS CARDENAS LAND SURVEYING, LLP.  
 5553 HOLLISTER AVE, STE 7  
 GOLETA, CA 93117 (805) 967-4416  
*[Signature]*  
 BARRY J. WATERS, PLS 6419  
 LIC. EXP. DATE: DECEMBER 2022

05/31/2022  
 DATE

**EXHIBIT "B"**  
 LAFCO 22-04  
 806 TORO CANYON ROAD SPHERE  
 & ANNEXATION TO  
 MONTECITO WATER DISTRICT  
 COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA  
 MAP PREPARED 2/3/2022  
 EDITED 5/31/2022