

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

September 5, 2024 (Agenda)

LAFCO 24-02: City of Santa Barbara to provide sewer services to 0.77-acre existing single-family residence located at 898 Veronica Springs Road, Santa Barbara, CA 93108. (APN 049-072-001).

PROPONENT: Property owner Diane Kriger (“Owner”)

ACREAGE & LOCATION The proposed Out of Agency Service Agreement includes 0.77 acres located at 898 Veronica Springs Road and contains one parcel (APN 049-072-001). (**Attachment A**).

PURPOSE: The property owner, Diane Kriger, is requesting sewer hook up to the City of Santa Barbara due to a failed septic tank.

HISTORY: The septic system at 898 Veronica Springs has failed. As a result, the property is uninhabitable and the tenants have moved out of the property. Per the property owner, there is seepage occurring and the top of the tank is deteriorated and unsafe.

GENERAL ANALYSIS:

1. Description of Project

The property Owner is requesting to connect to the City of Santa Barbara’s wastewater system. The septic system at 898 Veronica Springs has failed and as a result, the property is uninhabitable, and the tenants have moved out of the property. Per the property owner, there is seepage occurring and the top of the tank is deteriorated and unsafe. The current location of the septic system is not appropriate as the seepage pit is within 2 ft of an in-ground swimming pool. Constructing a new system elsewhere on the property is proving to be difficult due to the property grading. The system would have to be installed far from the house and be fairly deep, which is not ideal considering the neighborhood is served by a small water system dependent on groundwater.

Given that the septic system failure has caused the property to be unsafe and uninhabitable, and the proximity of the property to the City and its inhabitants, City of Santa Barbara Staff recommends supporting a connection to the City's wastewater system via an Out-of-Agency Service Agreement by making the following findings per Resolution 91-143:

- The parcel is within an area recommended for annexation in the Land Use Element of the City's General Plan; and

- The health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.

The City plans to approve the Agreement for Provision of Water and Sewer Service (**Attachment B1**) at its September 10, 2024 meeting.

2. Requirement for LAFCO Approval

LAFCO regulates boundary changes and extensions of service without boundary changes. Government Code Section 56133 states that “A city or a district may provide new or extended services by contract or agreement outside its boundaries only if it first requests and receives written approval from the commission in the affected county.”

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

3. Sphere of Influence

The area proposed for the Out-of-Agency Service Agreement is within the City of Santa Barbara’s sphere of influence.

4. Plan for Services

The City currently provides water and sewer services to other properties in the surrounding area. No other water or sanitary districts operate in the vicinity of the property. An existing sewer main extension is located approximately 75 ft, away from the property.

The following plan for service is provided in the Agreement for Provision of Water and Sewer Service to Real Property Located outside City Limits (**Attachment B1**) which is agendized for approval by the Santa Barbara City Council at the September 10, 2024 meeting

1. *City will provide water sewer service to the Real Property upon the same term, conditions and requirements that apply to similar service to property located within the boundaries of the City.*
2. *Owners are responsible for acquisition of all easements and construction of all pipelines, fixtures, and facilities to connect the Real Property to the City’s sewer system. Owner shall be responsible for the cost of such connection. If extension or expansion of an existing City sewer main is required to provide service to the Real Property, Owners will pay the cost of the extension or expansion. Owner agrees to*

dedicate to City such easements and pipelines, fixtures, and facilities as may be required by the City

3. *Owner will pay sewer connection and capacity fees for each connection to the Real Property according to the City's standard fee resolution in effect at the time the connection is made to the City's water or sewer system.*
4. *Owner agrees to comply with all City laws governing the discharge of sewage. Owner agrees that City's administrative penalties and civil remedies for violation of City laws apply to violations of this paragraph of this Agreement.*
5. *Owner will establish a sewer service account upon connection of the Real Property to the City's sewer system and receiving the LAFCO approval referenced in paragraph 7. Owner agrees that in addition to any other remedy provided by law, City may discontinue sewer service to the Real Property and terminate this Agreement if Owner is delinquent in the payment of service charges for a period of more than 30 days.*
6. *Subdivision of the property is prohibited except on the written approval of the City, which approval may be denied unless the Real Property is first annexed to the City.*

5. Landowner Consent to Annex in Order to Receive Services:

Annexation is not possible at this time because the process would be very lengthy and would not resolve the current situation in a timely manner. The Agreement that is pending approval by the City and landowner includes Condition 8 wherein Owners consent to and waive the right of protest and all objections to any future annexation of the property to the City. This consent and waiver shall enure to and bind all successors in interest of the property. This condition meets LAFCO's requirement that a service agreement be conditioned on the owner's consent to future annexation and such consent shall bind all successors in interest of the property.

6. Environmental Impact of the Proposal:

A Notice of Exemption has been provided pursuant to Public Resources Code section 21000 et seq. ("CEQA") pursuant to CEQA Guidelines 15301 because it involves (i) the continued operation of a private structure (i.e., an existing single-family residence), (ii) the minor alteration and continued operation of existing public facilities (i.e., the City's wastewater collection system), and (iii) no expansion of existing use. (**Attachment D**)

Conclusion:

The City currently serves other properties within the area and City infrastructure (Sewer main and extensions) are located within reasonable distance to the property, allowing the City to best provide sewer service at this time. Given that the septic system failure at 898 Veronica Springs Road has caused the property to be unsafe and uninhabitable, and the property is within

proximity to City residents, the health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.

Government Code section 56133(b), which is that services may be extended outside of a city's or district's boundaries only if the property is within the sphere of influence in anticipation of a later change of organization. A condition of approval has been added and implemented in the approved agreement.

ATTACHMENTS

Attachment A – Map of the Proposed Out of Agency Service Area

Attachment B - City of Santa Barbara Agreement for Provision of Water and Sewer Service and OASA Application

Attachment C - City of Santa Barbara PW Report

Attachment D - LAFCO Notice of Exemption

Attachment E - LAFCO Authorization to Provide Out-of-Agency Services

Attachment F - LAFCO Out-of-Agency Service Agreement

ALTERNATIVES FOR COMMISSION ACTION

After reviewing this report and any testimony or material that are presented, the Commission can follow one of the following options:

OPTION 1 – APPROVE the request for an Out-of-Agency Service Agreement (**Attachment F**), subject to the following terms and conditions:

- a) Find the proposal to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15301.
- b) The City's provision of water and sewer services shall be limited to the 0.77 acres located at 898 Veronica Springs Road, Santa Barbara, APN 049-072-001;
- c) The landowners shall execute and record an agreement approved by the Executive Officer that consents to any future annexation of the territory, which agreement shall ensure to and bind all successors in interest to the property;
- d) Said out-of-agency service agreement is for sewer service only shall remain in effect until such time as an annexation is approved by the Commission and becomes final.

OPTION 2 –Deny the request.

OPTION 3 – Continue the item to obtain additional information

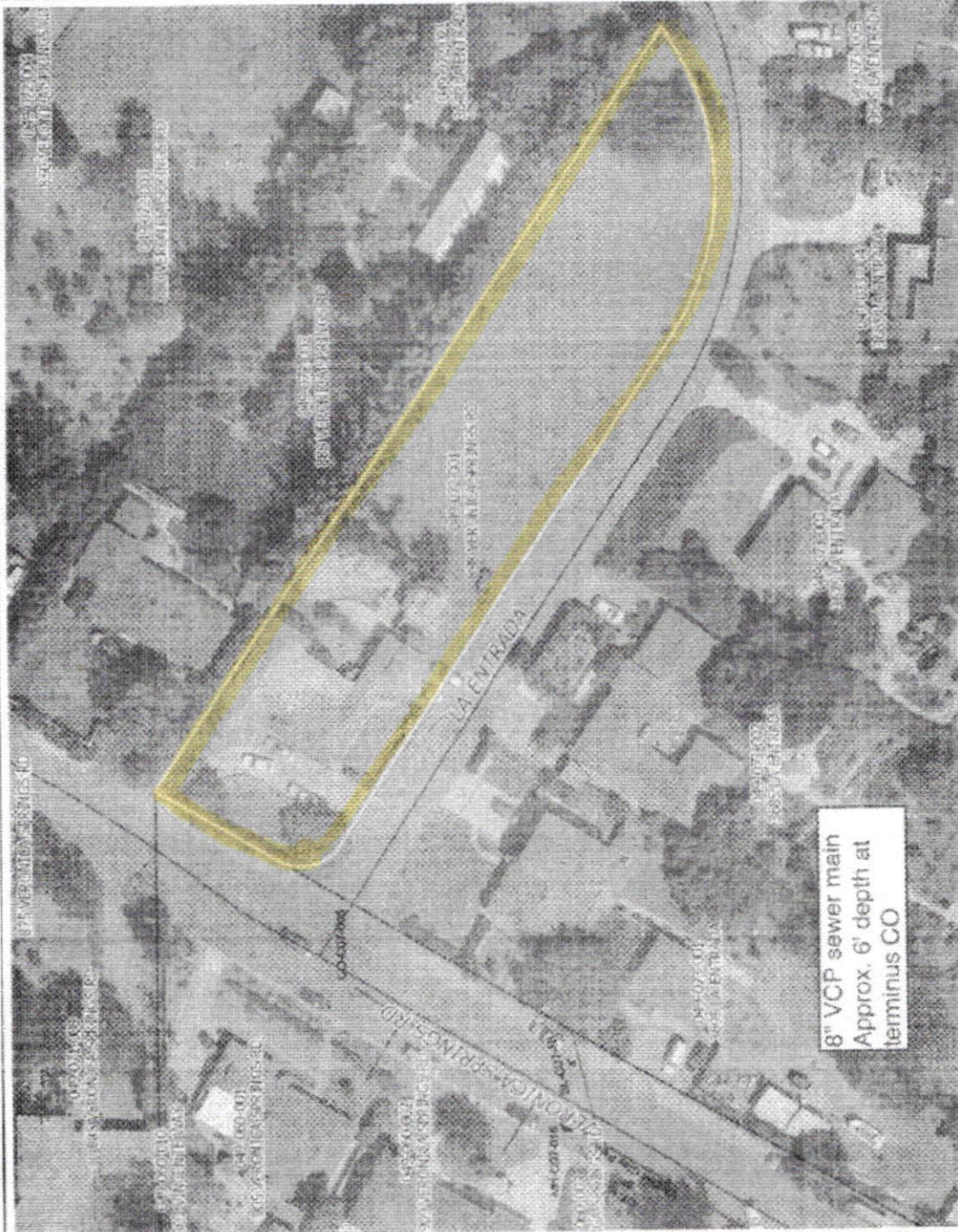
RECOMMENDED ACTION:

Approve OPTION 1

A handwritten signature in blue ink, appearing to read "M. Prater", positioned above a horizontal line.

Mike Prater
Executive Officer
LOCAL AGENCY FORMATION COMMISSION

898 Veronica Springs Sewer Main



8" VCP sewer main
Approx. 6' depth at
terminus CO

- Legend**
- City Limits
 - Assessor's Parcels - City
 - Street Centerlines
 - Sewer Structures
 - all other values
 - Cherout
 - Manhole
 - Lift Station Manhole
 - Sewer Laterals
 - LIVE
 - ABAN
 - Sewer Mains
 - all other values
 - LIVE - 18" - Gravity Buried
 - ABAN
 - Force Main
 - 2020 Aerial Imagery
 - Red Band_1
 - Green Band_2
 - Blue Band_3
 - World Street Map

1:1,000

Notes

5/14/24 RNF

166.667 83.33 166.667 Feet

MAP DISCLAIMER
This service has been provided to allow a visual display of City information. Every effort has been made to ensure the accuracy of the map data. However, the City of Santa Barbara does not warrant the accuracy of the information. ANY ASSOCIATED DAMAGE INCURRED WITHOUT A WARRANTY OF ANY KIND. The map was created using the City of Santa Barbara Mapping Analysis and Pricing System application.

WGS_1984_Web_Mercator_Auxiliary_Sphere
Reported on 05/15/2024 03:58 PM
© City of Santa Barbara

RECORDING REQUESTED BY)
AND WHEN RECORDED MAIL TO:)
)
City of Santa Barbara)
City Clerk)
P.O. Box 1990)
Santa Barbara, CA 93102-1990)

Agreement No. _____
Location: 898 Veronica Springs Road

No fee per GOVT. CODE 6103

APN: 049-072-001

Agreement For Provision of Sewer Service to
Real Property Located Outside City Limits
Government Code § 56133

THIS AGREEMENT, made and entered into this _____ day of _____, _____,

by and between

CITY OF SANTA BARBARA, a
municipal corporation, hereinafter
referred to as "City",

and

KRIGER FAMILY TRUST
2/28/2007, hereinafter referred to
as "Owner".

A. Owner owns real property developed with a single family home located in the unincorporated area of the County of Santa Barbara, State of California, immediately adjacent to, but outside the jurisdictional boundary of the City but within the sphere of influence. The Real Property is located at 898 Veronica Springs Road and identified under APN: 049-072-001 and further described in the attached "Exhibit A" [the "Real Property"].

B. Owner's septic system at 898 Veronica Springs Road has failed and Owner has requested permission to connect the property to the City's sewer system.

C. Owner agrees to waive any right of protest and all objections to future annexation of the Real Property to the City and to pay the annexation fee required by Chapter 4.04 of the Santa Barbara Municipal Code or any successor law in effect at the time of annexation.

D. The owner understands and agrees that pursuant to Government Code § 56133, this agreement requires approval by the Local Agency Commission (hereinafter "LAFCO") before the City can provide new or extended service to 898 Veronica Springs Road.

NOW, THEREFORE, the parties hereto agree as follows:

1. City will provide sewer service to the Real Property upon the same terms, conditions, and requirements that apply to similar service to property located within the boundaries of the City.

2. Owners are responsible for acquisition of all easements and construction of all pipelines, fixtures, and facilities to connect the Real Property to the City's sewer system. Owner shall be responsible for the cost of such connection. If extension or expansion of an existing City sewer main is required to provide service to the Real Property, Owners will pay the cost of the extension or expansion. Owner agrees to dedicate to City such easements and pipelines, fixtures, and facilities as may be required by the City.

3. Owner will pay sewer connection and capacity fees for each connection to the Real Property according to the City's standard fee resolution in effect at the time the connection is made to the City's sewer system.

4. Owner agrees to comply with all City laws governing the discharge of sewage. Owner agrees that City's administrative penalties and civil remedies for violation of City laws apply to violations of this paragraph of this Agreement.

5. Owner will establish a sewer service account upon connection of the Real Property to the City's sewer system and receiving the LAFCO approval referenced in paragraph 7. Owner agrees that in addition to any other remedy provided by law, City may discontinue sewer service to the Real Property and terminate this Agreement if Owner is delinquent in the payment of service charges for a period of more than 30 days.

6. Subdivision of the property is prohibited except on the written approval of the City, which approval may be denied unless the Real Property is first annexed to the City.

7. As a condition precedent to the City's obligations under this Agreement, Owner agrees to submit an application for and obtain approval for service under this agreement from the Santa Barbara County LAFCO in accordance with Government Code § 56133. The City's obligation under section 1 of this Agreement will only become operative upon written confirmation by the Executive Director of Santa Barbara LAFCO that this agreement has been approved in accordance with Government Code § 56133.

8. Owner waives any right of protest and all objections to future annexation of the Real Property to the City and Owner agrees to pay the annexation fee required by Chapter 4.04 of the Santa Barbara Municipal Code or any successor law in effect at the time of annexation regardless of whether the annexation is initiated by property owner

petition or by motion of the City Council. The waiver does not affect Owner's rights to participate in proceedings relating to zoning or other land use regulation of the Real Property.

9. This agreement is an instrument affecting the title and possession of the Real Property and shall run with the Real Property and any parcel created as a result of subdivision of the Real Property. All of the provisions herein imposed shall be binding upon and inure to the benefit of the successors in interest of Owners.

10. This Agreement shall be recorded at the Office of the Recorder of the County of Santa Barbara. Owner will pay all fees and charges for recordation if payment of fees is required by the Office of the Recorder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

CITY OF SANTA BARBARA, a municipal corporation:

Clifford M. Maurer, P.E.
Public Works Director

KRIGER FAMILY TRUST 2/28/2007:

Diane Kriger, Trustee
Diane Kriger, Trustee

930 Coyote Road

Address

APPROVED AS TO FORM:
Sarah Knecht, City Attorney

Santa Barbara, CA 93107

City, State, Zip Code

By _____
John S. Doimas
Assistant City Attorney

805-570-0056

Phone Number

[SIGNATURES MUST BE NOTARIZED, except for signatures approving as to form.]

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

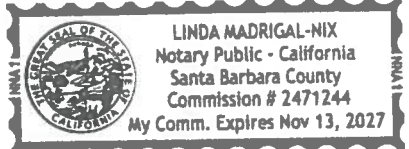
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
County of Santa Barbara }

On 08-07-2024 before me, Linda Madrigal-Nix
Date Here Insert Name and Title of the Officer

personally appeared Deane Kriger
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]
Signature of Notary Public

Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document
Title or Type of Document: agreement for provision

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____	Signer's Name: _____
<input type="checkbox"/> Corporate Officer – Title(s): _____	<input type="checkbox"/> Corporate Officer – Title(s): _____
<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General	<input type="checkbox"/> Partner – <input type="checkbox"/> Limited <input type="checkbox"/> General
<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact	<input type="checkbox"/> Individual <input type="checkbox"/> Attorney in Fact
<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator	<input type="checkbox"/> Trustee <input type="checkbox"/> Guardian or Conservator
<input type="checkbox"/> Other: _____	<input type="checkbox"/> Other: _____
Signer is Representing: _____	Signer is Representing: _____

EXHIBIT A

LEGAL PROPERTY DESCRIPTION

Real property in the unincorporated area of the County of Santa Barbara, State of California, described as follows:

THAT PORTION OF THE RANCHO LAS POSITAS Y LA CALERA, IN THE COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE CENTER LINE OF VERONICA SPRINGS ROAD, WITH THE CENTER LINE OF LA ENTRADA, AS SAID ROADS, ARE SHOWN ON THE MAP OF LAS POSITAS TRACT, RECORDED IN BOOK 28, PAGE 6 OF RECORD OF SURVEYS; THENCE NORTH 30°01'50" EAST, ALONG SAID CENTER LINE OF VERONICA SPRINGS ROAD, 109.90 FEET TO A POINT FROM WHICH A 1/2 INCH PIPE SET ON THE SOUTHEASTERLY LINE OF SAID ROAD BEARS SOUTH 56°27' EAST 20.04 FEET; THENCE SOUTH 56°27' EAST, 461.83 FEET TO A 1/2 INCH PIPE SET ON THE NORTHWESTERLY LINE OF SAID LA ENTRADA; THENCE SOUTH 32°10'30" EAST, 20 FEET TO A POINT ON THE CENTER LINE OF SAID LA ENTRADA, BEING ALSO A POINT ON THE ARC OF A CURVE CONCAVE TO THE NORTHWEST, WHOSE RADIAL CENTER BEARS NORTH 32°10'30" WEST 175 FEET; THENCE SOUTHWESTERLY AND WESTERLY ALONG SAID CENTER LINE AND THE ARC OF SAID CURVE, 201.64 FEET TO THE END THEREOF; THENCE NORTH 56°09'30" WEST, CONTINUING ALONG SAID CENTER LINE, 312.90 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM 51 PERCENT OF ALL OIL, GAS AND OTHER MINERALS, AS RESERVED IN THE DEED FROM JOHN MCWILLIAMS, JR., ET AL., TO ALEX IRVINE, ET ALL, DATED JANUARY 9, 1946, RECORDED JANUARY 26, 1946, IN BOOK 675, PAGE 141, OF OFFICIAL RECORDS.

PARCEL 2:

TOGETHER WITH THE RIGHT OF WAY TO BE USED IN COMMON WITH OTHER PRIVATE ROAD PURPOSES, AND FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES, OVER LA ENTRADA, AS SHOWN ON THE MAP OF LAS POSITAS TRACT, RECORDED IN BOOK 28, PAGE 6 OF RECORD OF SURVEYS.

APN: 049-072-001

Date: July 9, 2024

Executive Officer
Santa Barbara LAFCO
105 East Anapamu Street Room 407
Santa Barbara CA 93101

Subject: Proposed Out of Agency Service Agreement
(Kriger Family Trust)

Dear Mr. Prater,

The City of Santa Barbara hereby requests approval of the Local Agency Formation Commission for an out-of-agency service agreement as described by the attached materials. It is proposed to process this request under the provisions of the Cortese/Knox/Hertzberg Local Government Reorganization Act.

Enclosed with regard to this proposal are the following:

1. Resolution of application or letter approved by the City Council on 7/3/24
2. One (1) copy of the Application for Out-of-Agency Service Agreement.
3. One (1) copy of a map or sketch of the requested service area.
4. One (1) digital PDF of all materials sent to lafco@sblafco.org.
5. A check payable to LAFCO in the amount of \$ 1500.00 to cover the processing fee.
6. A copy of all pertinent staff reports, minutes and other material concerning this proposal.
7. Signed Cost Accounting Agreement

If you have any questions regarding this proposal, you should contact Diane Kriger
805-570-0056

Sincerely,





City of Santa Barbara
Public Works Department

Memorandum

DATE: July 3, 2024
TO: Cliff Maurer, Public Works Director
FROM: Joshua Haggmark, Water Resources Manager/DH
SUBJECT: Sewer Connection for 898 Veronica Springs Road

The property owner at 898 Veronica Springs Road, located outside of, but contiguous to, City limits, is requesting connection to the City's sewer system due to a failed septic system.

Background

- Per LAFCO requirements, for a property outside City limits to receive City sewer service, the property must either annex to the City, or execute an Out of Service Area Agreement with the City where the property owner waives their right to protest future annexation. To receive service via agreement, the property must be in line with parameters established by City Council in Resolution 94-143.
- Once it is determined that the City would be supportive of service via agreement, LAFCO must also approve of connection via agreement rather than annexation.

Current Project

- The septic system at 898 Veronica Springs has failed. As a result, the property is not habitable and the tenants have moved out of the property. Per the property owner, there is seepage occurring and the top of the tank is deteriorated and unsafe.
- The current location of the septic system is not appropriate as the seepage pit is within 2 ft of an in-ground swimming pool. Constructing a new system elsewhere on the property is proving to be difficult due to the property grading. The system would have to be installed far from the house and fairly deep, which is not ideal considering the neighborhood is served by a small water system dependent on groundwater.
- The property owner could connect to the City's wastewater system via construction of a sewer main extension of approximately 75 feet.
- Annexation is a lengthy process and would not resolve the situation in a timely manner.
- The property is located in an area recommended for annexation by the Land Use Element of the City's General plan.

- Community Development staff is supportive of connecting the property via agreement rather than annexation.

Recommendation

Given that the septic system failure has caused the property to be unsafe and uninhabitable, and the proximity of the property to the City and its inhabitants, Staff recommends supporting a connection to the City's wastewater system via an Out of Agency Service Agreement by making the following findings per Resolution 91-143:

- The parcel is within an area recommended for annexation in the Land Use Element of the City's General Plan; and
- the health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.



City of Santa Barbara
Public Works Department

The following are findings regarding wastewater service at 898 Veronica Springs Road. Given that the septic system failure at 898 Veronica Springs Road has caused the property to be unsafe and uninhabitable, and the proximity of the property to the City and its inhabitants, Staff makes the following findings per Resolution 91-143:

1. The parcel is within an area recommended for annexation in the Land Use Element of the City's General Plan; and
2. The health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.

A handwritten signature in black ink, appearing to read "Clifford Maurer", is written over a horizontal line.

Clifford Maurer, P.E.
Public Works Director

7-3-2024

Date

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

Application for Out-of Agency Service Agreement

(Attach additional sheets as necessary)

1. City or District SANTA BARBARA

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

Name, address, email, and telephone: DIANE KRIGER
930 COYOTE RD
SANTA BARBARA, CA. 93108. 805-570-0056
Diane.kriger@gmail.com

2. Affected Property Owners

Names, addresses and telephones:
THE KRIGER FAMILY TRUST
898 VERONICA SPRINGS RD
805-570-0056

3. Address/location/size of property: Parcel number: 049-072-001
898 VERONICA SPRINGS RD
SANTA BARBARA, CA. 93105
.77 ACRE

Complete all relevant questions

4. Is the property within the service agency's sphere of influence? Yes No

5. What types of services are to be provided under contract?

SEWER HOOK UP

6. Discuss the justification for the service agreement. Is this an emergency health and safety situation? Why is annexation not possible at this time?
YES, HEALTH & SAFETY ISSUE. FAILED SEPTIC SYSTEM

7. Is annexation of the territory anticipated at some future time? Yes
No If yes, when? If no, why not?

THE SEPTIC SYSTEM PROPERTY IS LOCATED IN THE COUNTY. THE SANTA BARBARA CITY SEWER MAIN IS LOCATED AT THE INTERSECTION OF VERONICA SPRINGS AND I.A ENTRADA ADJACENT TO PROPERTY

Application for Out-of-Agency Service Agreement - Page two

8. What is the existing use of the site? Be specific.
SINGLE FAMILY DWELLING

9. If a change in use is proposed, provide a description of the change.

10. Describe in detail how services will be extended to the property:
 - A. Describe needed improvements including distance for connections.
LATERAL LINE APROX 80-90 FEET PER PROJECT ENGINEER

 - B. What are the costs of improvements and other start up costs?
TO BE DETERMINED

 - C. How is financing to occur, both capital costs and ongoing operations?
TO BE DETERMINED

11. What environmental review has been conducted for the project? If exempt, please provide a copy of the agency's Notice of Exemption.

Provide a vicinity map showing the property, the city or district boundary and sphere line and existing and proposed infrastructure as relevant to this agreement.

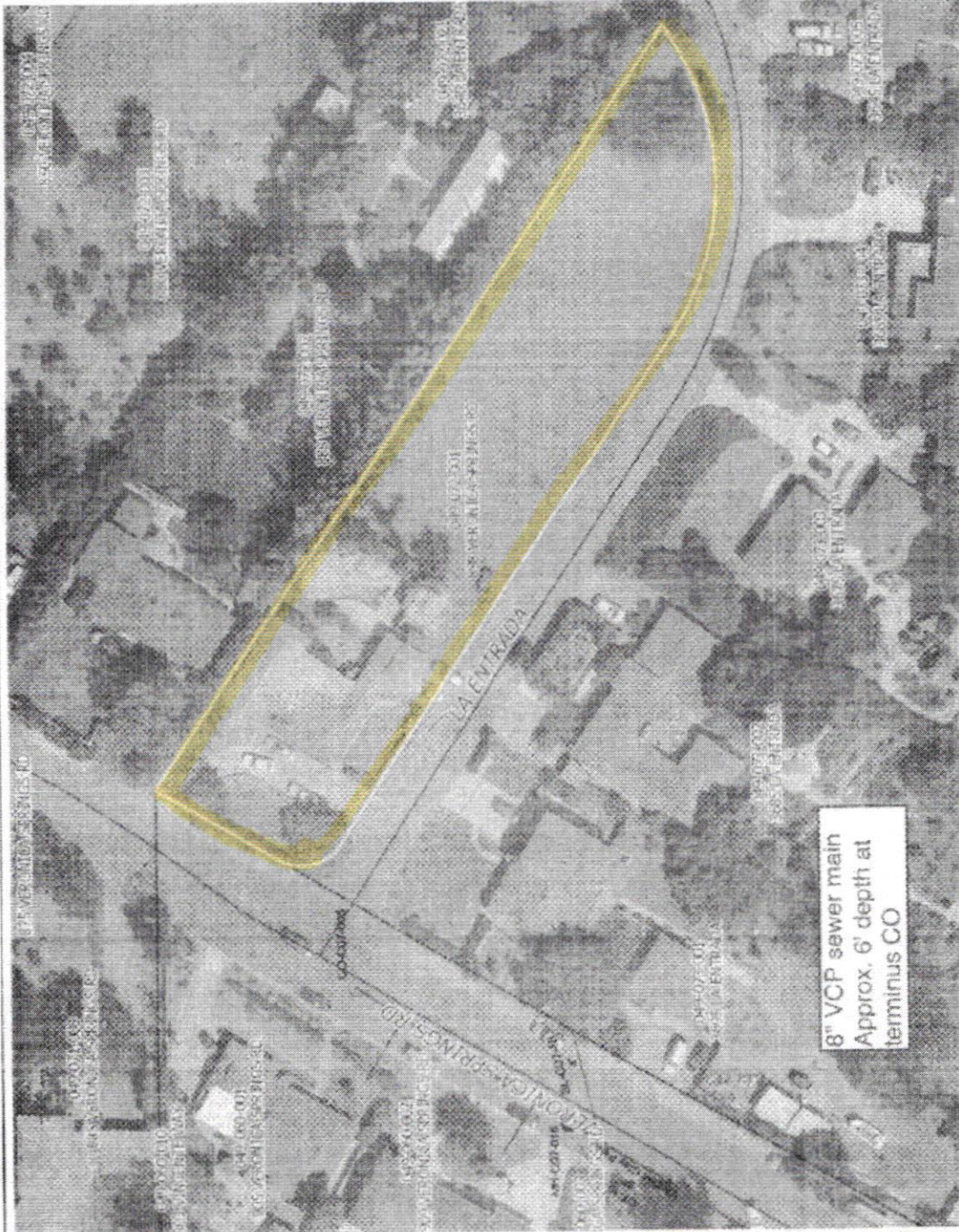
Attach a copy of the proposed services agreement and any staff reports or supporting documentation related to this application.

This request and a processing fee set forth in LAFCO's fee schedule should be submitted to:

Santa Barbara LAFCO
105 East Anapamu Street
Santa Barbara CA 93101
805/568-3391

Out-of-Agency Service Questionnaire (10-4-01)
This form can be downloaded from www.sblafco.org

898 Veronica Springs Sewer Main



6" VCP sewer main
Approx. 6' depth at
terminus CO

Legend

- City Limits
- Assessor's Parcels - City
- Street Centerlines
- Sewer Structures
 - all other values
 - Cherout
 - Manhole
 - Lift Station Manhole
- Sewer Laterals
- LIVE
- ABAND
- Sewer Mains
 - all other values
 - LIVE - 18" - Gravity Buried
 - ABAND
 - Force Main
- 2020 Aerial Imagery
 - Red Band_1
 - Green Band_2
 - Blue Band_3
- World Street Map

1:1,000

Notes
5/14/24 RNF

166.667 83.33 166.667 Feet

MAP DISCLAIMER
This service has been provided to allow a visual display of City information. Every effort has been made to ensure the accuracy of the map data. However, the City of Santa Barbara does not warrant the accuracy of the information. ANY ASSOCIATED DAMAGE INCURRED WITHOUT A WARRANTY OF ANY KIND. The map was created using the City of Santa Barbara Mapping Analysis and Pricing System application.

WGS_1984_Web_Mercator_Auxiliary_Sphere
Reported on 05/15/2024 03:58 PM
© City of Santa Barbara

COST ACCOUNTING AGREEMENT

Applicant: Kruger family Trust (Diane Kruger)
Mailing Address: 930 Coyote Rd
Santa Barbara, Ca 93108
Telephone: 805-570-0056
Fax: —
E-mail Address: diane.kruger@gmail.com

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, the Local Agency Formation Commission, LAFCO, has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, Diane Kruger, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule attached hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any billings prior to final action is not paid within thirty (30) days, I agree that processing of my application will be suspended until payment is received. In the event of default, I agree to pay all costs and expenses incurred by LAFCO in securing the performance of this obligation.

If the applicant is in non-compliance with an existing agreement, the applicant shall be subject to LAFCO Policy Guidelines and Standards XIV, which identifies additional steps that must be satisfied before a new application may be accepted.

In order to implement the cost accounting, please sign and date this statement indicating your agreement to the cost accounting procedure and agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to LAFCO and delivered or mailed to the LAFCO Office at 105 East Anapamu Street, Rm 407, Santa Barbara, CA 93101. If you have questions regarding your application, please contact the LAFCO Office at (805) 568-3391.

Diane Kruger
Applicant's Signature

July 9, 2024
Date



City of Santa Barbara
Public Works Department

Memorandum

DATE: July 3, 2024
TO: Cliff Maurer, Public Works Director
FROM: Joshua Haggmark, Water Resources Manager/DH
SUBJECT: Sewer Connection for 898 Veronica Springs Road

The property owner at 898 Veronica Springs Road, located outside of, but contiguous to, City limits, is requesting connection to the City's sewer system due to a failed septic system.

Background

- Per LAFCO requirements, for a property outside City limits to receive City sewer service, the property must either annex to the City, or execute an Out of Service Area Agreement with the City where the property owner waives their right to protest future annexation. To receive service via agreement, the property must be in line with parameters established by City Council in Resolution 94-143.
- Once it is determined that the City would be supportive of service via agreement, LAFCO must also approve of connection via agreement rather than annexation.

Current Project

- The septic system at 898 Veronica Springs has failed. As a result, the property is not habitable and the tenants have moved out of the property. Per the property owner, there is seepage occurring and the top of the tank is deteriorated and unsafe.
- The current location of the septic system is not appropriate as the seepage pit is within 2 ft of an in-ground swimming pool. Constructing a new system elsewhere on the property is proving to be difficult due to the property grading. The system would have to be installed far from the house and fairly deep, which is not ideal considering the neighborhood is served by a small water system dependent on groundwater.
- The property owner could connect to the City's wastewater system via construction of a sewer main extension of approximately 75 feet.
- Annexation is a lengthy process and would not resolve the situation in a timely manner.
- The property is located in an area recommended for annexation by the Land Use Element of the City's General plan.

- Community Development staff is supportive of connecting the property via agreement rather than annexation.

Recommendation

Given that the septic system failure has caused the property to be unsafe and uninhabitable, and the proximity of the property to the City and its inhabitants, Staff recommends supporting a connection to the City's wastewater system via an Out of Agency Service Agreement by making the following findings per Resolution 91-143:

- The parcel is within an area recommended for annexation in the Land Use Element of the City's General Plan; and
- the health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.



City of Santa Barbara
Public Works Department

The following are findings regarding wastewater service at 898 Veronica Springs Road. Given that the septic system failure at 898 Veronica Springs Road has caused the property to be unsafe and uninhabitable, and the proximity of the property to the City and its inhabitants, Staff makes the following findings per Resolution 91-143:

1. The parcel is within an area recommended for annexation in the Land Use Element of the City's General Plan; and
2. The health, safety or welfare of the City, or certain of its residents, requires sewer service be provided.

A handwritten signature in black ink, appearing to read "Clifford Maurer", is written over a horizontal line.

Clifford Maurer, P.E.
Public Works Director

7-3-2024

Date

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 24-02** Out of Agency Services Agreement for City of Santa Barbara to provide sewer services

PROJECT LOCATION AND DESCRIPTION:

Project Location:

0.77 acres located at 898 Veronica Springs Rd (APN 049-072-001)

Description of Nature, Purpose, and Beneficiaries of Project:

The property is already included in the City's sphere of influence is located at 898 Veronica Springs Rd, Santa Barbara, CA., which is a 0.77-acre residentially developed parcel adjacent to the City boundary. The County's land use designation for the property is RES 1.0 (Residential, 1-acre minimum parcel size). The Property is zoned 1-E-1 (Single Family Residential, 1-acre minimum lot area). Through an out of agency service agreement, the City will be authorized to provide sewer services for the property. The County of Santa Barbara will still have permit jurisdiction. The proposal is categorically exempt from the California Environmental Quality Act ("CEQA"), Public Resources Code section 21000 et seq., pursuant to CEQA Guidelines Section 15301 because it involves (i) the continued operation of a private structure (i.e., an existing single-family residence), (ii) the minor alteration and continued operation of existing public facilities (i.e., the City's wastewater collection system), and (iii) no expansion of existing use. There is no substantial evidence in the record before the City that the agreement will have 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 out-of-agency agreement into the City of Santa Barbara would be consistent with a Categorical Exemption Class 1. The approval does not involve, authorize or permit any type of development or construction activity associated with the subject property. The proposed agreement only provides sewer services from the City to the an existing SFR located at 898 Veronica Springs Rd. There is no substantial evidence in the record that the project will have a significant effect on the environment. LAFCO's approval is strictly limited to the agreement.



Mike Prater, Executive Officer

August 7, 2024

Date

ATTACHMENT D

The "project" is to provide sewer services from the City of Santa Barbara to an existing single-family residence located at 898 Veronica Springs Rd, in the unincorporated area of the County. A Categorical Exemption Class 1 Existing Facilities with no expansion would apply.

The Santa Barbara Local Agency Formation Commission will approve the above-referenced project on September 5, 2024 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 a sewer connection exempt from CEQA pursuant to CEQA Guidelines Section 15301 Class 1
- Emergency Project
- No Possibility of Significant Effect [Sec. 15061 (b,3)]

By: _____
Executive Officer

Date: 9/5/24

LAFCO Authorization for Approval of Out of Agency Service Agreements

Government Code Section 56133 (a) A city or district may provide new or extended services by contract or agreement outside its jurisdictional boundary only if it first requests and receives written approval from the commission.

(b) The commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.

(c) If consistent with adopted policy, the commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary and outside its sphere of influence to respond to an existing or impending threat to the health or safety of the public or the residents of the affected territory, if both of the following requirements are met:

(1) The entity applying for approval has provided the commission with documentation of a threat to the health and safety of the public or the affected residents.

(2) The commission has notified any alternate service provider, including any water corporation as defined in Section 241 of the Public Utilities Code, that has filed a map and a statement of its service capabilities with the commission.

STANDARDS FOR OUT-OF-AGENCY SERVICE AGREEMENTS

Considerations for Approving Agreements:

Annexations to cities and special districts are generally preferred for providing public services, however, out-of-agency service agreements can be an appropriate alternative. While each proposal must be decided on its own merits, the Commission may favorably consider such agreements in the following situations:

1. Services will be provided to a small portion of a larger parcel and annexation of the entire parcel would be inappropriate in terms of orderly boundaries, adopted land use plans, open space/greenbelt agreements or other relevant factors.
2. Lack of contiguity makes annexation infeasible given current boundaries and the requested public service is justified based on adopted land use plans or other entitlements for use.
3. Where public agencies have a formal agreement defining service areas, provided LAFCO has formally recognized the boundaries of the agreement area.
4. Emergency or health related conditions mitigate against waiting for annexation.
5. Other circumstances which are consistent with the statutory purposes and the policies and standards of the Santa Barbara LAFCO.

Agreements Consenting to Annex:

Whenever the affected property may ultimately be annexed to the service agency, a standard condition for approval of an out-of-agency service agreement is recordation of an agreement by the landowner consenting to annex the territory, which agreement shall inure to future owners of the property.

LAFCO 24-xx

AUTHORIZATION BY THE LOCAL AGENCY FORMATION COMMISSION FOR THE CITY OF SANTA BARBARA TO PROVIDE OUT-OF-AGENCY SERVICES TO PROPERTY LOCATED AT 898 VERONICA SPRINGS ROAD

WHEREAS, the property owner, with the consent of the City of Santa Barbara, has filed a proposal 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) for the City to provide services outside of its boundaries to the property located at 898 Veronica Springs Road, 93105, in the unincorporated area of Santa Barbara County, APN 049-072-001, LAFCO Application No. 24-02 (the "Property"); and

WHEREAS, pursuant to Government Code section 56133(b), the Commission may authorize a city or district to provide new or extended services outside its jurisdictional boundary but within its sphere of influence in anticipation of a later change of organization.

WHEREAS, the City is already providing water and sewer services to other residential parcels in the neighborhood and the subject parcel is zoned under the South Coast Planning Area land use designation as RES 1.0 (Residential, 1-acre minimum parcel size).

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

- (1) The proposal is categorically exempt from the California Environmental Quality Act, Public Resources Code section 21000 et seq., ("CEQA") pursuant to CEQA Guidelines Section 15301 (Exiting Facilities with no expansion).
- (3) The Commission finds the out-of-agency service request to be in the best interests of the affected area. The project is found to be consistent with good planning and reasonable extension of sewer services to the property.
- (4) This approval is subject to the following terms and conditions:
 - a. The City's provision of sewer services shall be limited to the 0.77 acres located at 898 Veronica Springs Road, Santa Barbara, APN 049-072-001.
 - b. This approval shall not authorize connection of the property to the City

sewer systems until the property owner has executed and recorded a landowner consent approved by the Executive Officer that consents to future annexation of the territory, which consent shall inure to and bind all successors in interest to the property.

- c. Said out-of-agency service agreement is for sewer service only and shall remain in effect until such time as an annexation to the City of Santa Barbara is approved by the Commission and becomes final.

PASSED AND ADOPTED this day of September 5, 2024, in Santa Barbara, California by the following vote.

AYES:

NOES:

ABSTAINS:

Dated: _____

Chair
Santa Barbara Local Agency
Formation Commission

ATTEST

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