

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

OUT-OF-AGENCY SERVICE AGREEMENT

February 2, 2012 (Agenda)

LAFCO 128-1: Goleta Sanitary District – Jewkes

LOCATION 4510 Via Clarice, Santa Barbara (APN 153-234-018)

RECOMMENDATION Authorize the Goleta Sanitary District to provide sewer service outside its boundaries to an existing single family home and guest house.

GENERAL ANALYSIS:

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

The property where service is requested (4510 Via Clarice) is located within the District Sphere of Influence and is contiguous to the existing District boundary.

This one acre parcel is designated residential on County plans and is zoned residential. It contains a single-family home and a guest house. No change in land use is proposed as a result of the out-of-agency service extension.

The District states “This is an emergency situation because the property is being served by a private failing septic system.” On December 22, 1011 the County Public Health Department issued to the Jewkes Family Trust a “Notice to Correct Substandard Septic system” for this property noting a “Failed disposal field.”

The District indicates an application to annex the property will be submitted in the near future, however, given the current situation the landowner prefers immediate connection to the District sewer system. The property will be connected via a lateral to the existing sewer main in Via Clarice.

2. LAFCO Approval is Required

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

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

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

Commission policy states that annexations to cities and special districts are generally preferred for providing 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 where "Emergency or health related conditions mitigate against waiting for annexation." This proposal appears to meet this standard.

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

Commission policy states when property may ultimately be annexed to a city or district, approval of an out-of-agency service agreement should require the landowner to agree to annex the territory with a recorded consent to annex. The District has advised our office that landowner consent for annexation has been obtained.

5. Environmental Impact of the Proposal

The District prepared a Notice of Exemption pursuant to CEQA Guideline section 15319, "Annexations of Existing Facilities" for service to this property

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 request with specific terms and conditions.

1. Find the out-of-agency service agreement to be categorically exempt.
2. Authorize the Goleta Sanitary District to provide sewer service to the property subject to the following terms and limitations:
  - A. LAFCO's approval applies to both current and future property owners.
  - B. Service is approved only for existing structures and facilities.
  - C. Approval to extend services beyond those specifically noted herein is withheld and is subject to future LAFCO review.

**Option 2** DENY the request and require continued service by an on-site septic system.

**Option 3** CONTINUE the item to obtain additional information.

RECOMMENDED ACTION:

Approve **Option 1**.

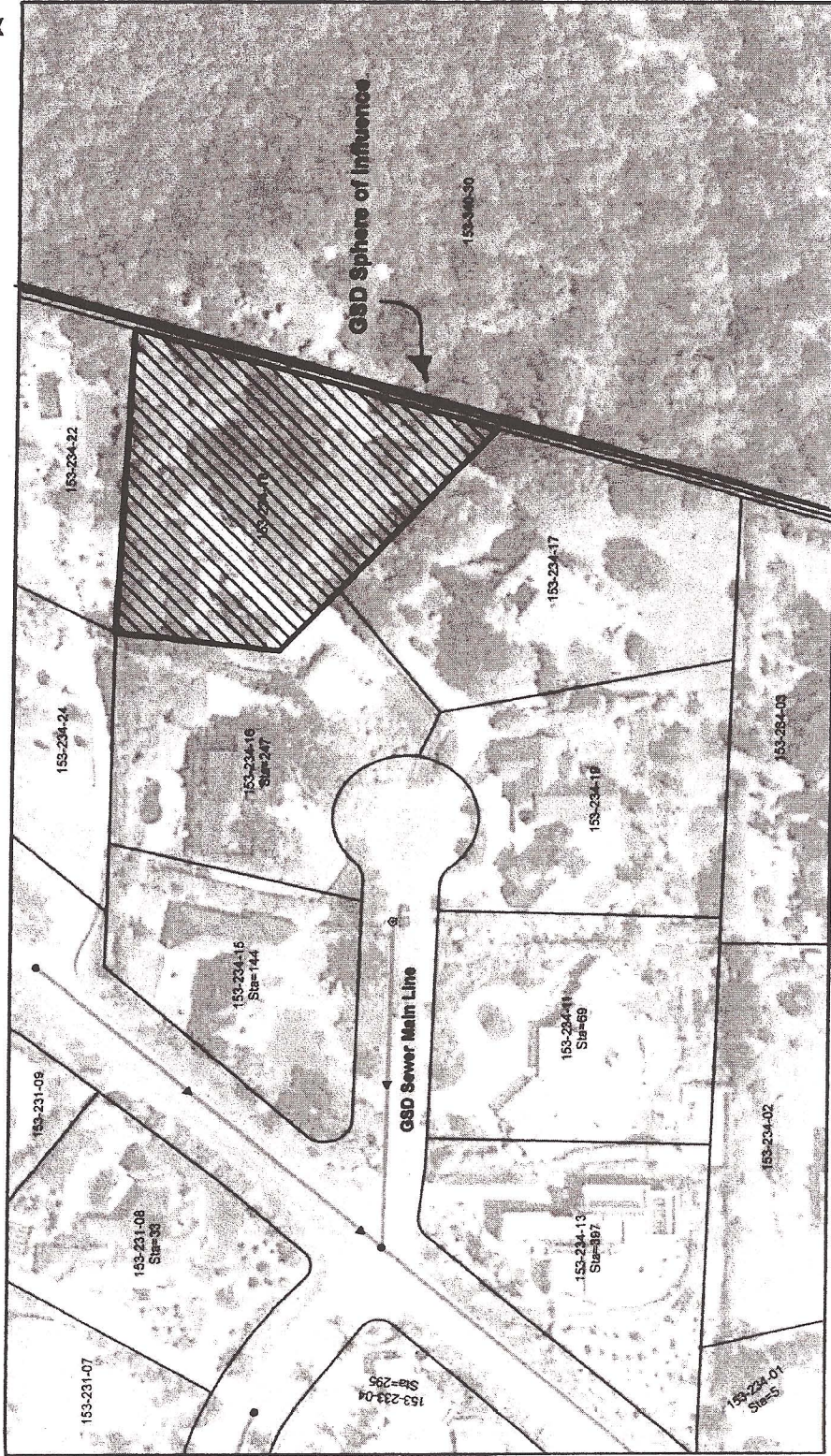


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BOB BRAITMAN  
Executive Officer  
LOCAL AGENCY FORMATION COMMISSION



Goleta Sanitary District



Application for Out-of-Agency Service  
4510 Via Clarice Santa Barbara, Ca.  
APN 153-234-018  
Near San Antonio Creek Road and San Marcos Pass Road



12-1

Elliot Schulman, MD, MPH *Director/ Health Officer*  
Michael D. Harris *Deputy Director*  
Richard Merrifield, REHS *Director of Environmental Health*

225 Camino Del Remedio ♦ Santa Barbara, CA 93110  
805/681-4900 ♦ FAX 805/681-4901  
2125 S. Centerpointe Pkwy. #333 ♦ Santa Maria, CA 93455  
805/346-8460 ♦ FAX 805/346-8485

**Notice to Correct**  
**Substandard Septic System**

December 22, 2011

Jewkes Family Trust  
Roger and Laurie Jewkes  
4510 Via Clarice  
Santa Barbara, CA 93111

SUBJECT: Septic System Located at 4510 Via Clarice, Santa Barbara

As required by the Chapter 29 of the Santa Barbara County Code, Environmental Health Services is in receipt of a Septic Tank Inspection Report dated 12/15/2011 and 10/18/2010 for the on-site sewage disposal system located on your property noted above. The code requires that copies of these reports be provided to the owner and to this office for review whenever a septic tank is pumped in the unincorporated area of the County. The code also requires this office to notify property owners of required corrections or upgrades.

The report for this septic system notes the condition(s) checked below that may constitute a danger to public health and safety; may impair proper operation and maintenance of the system; and fail to meet the standards of the Santa Barbara County Code. Please be advised, if sewer service is available within 200 feet, homeowners must connect to the sanitary sewer when any changes to their septic system require a permit. This requirement applies to items #1-5, 7 and 8 possibly #6 depending upon necessary septic system modifications.

1.  Severely damaged septic tank requiring abandonment and replacement
2.  **Unfilled seepage pit - requires filling of void with rock or abandonment**  
**Please be advised that filling a seepage pit may effect septic system operation by reducing the effluent holding capacity. Additional disposal area may be necessary**
3.  Cesspool - requires abandonment and replacement with approved septic tank and disposal field or connection to sewer, if available
4.  **Failed disposal field - replacement disposal field must meet current standards to maximum extent feasible**
5.  System constructed, modified, or abandoned without required permit
6.  Discharge of sewage to ground surface or drainage course (includes laundry waste or other graywater)
7.  Septic tank constructed of metal or wood – requires abandonment and replacement with an approved septic tank
8.  Septic tank located under structure – requires abandonment and replacement with an approved septic tank, or removal or relocation of structure.

The County Code specifies that the repair(s) / upgrade(s) required by this notice must be completed under permit and inspection from Environmental Health Services within thirty (30) days of this notice. Permits must be signed by Environmental Health Services before work is started. Unless there is an emergency, our office must be notified at least twenty-four (24) hours in advance for inspection appointments prior to any tank destruction. Necessary work must be completed by a contractor with a valid license for sanitation systems (C-42), plumbing (C-36) or engineering (A). General contractors or handymen are not licensed for this type of work.

Enclosed is an application for the necessary permit. The permit fee for a repair is \$192.00. The permit fee for an abandonment is \$310.00 and the permit fee for a modification of a system is \$410.00. The permit fee for a new system is \$820.00. Please return the completed permit application with the permit fee to our Santa Barbara office, Attn: Septic System Inspection Program, as soon as possible in order to complete the necessary corrections in the time period allotted by the County code. If this work has already been completed or if you believe this notice is in error, please contact me as soon as possible at (805) 681-4941.

Proper operation and maintenance of your septic system will prolong its useful life, enhance safety and help protect the quality of our water resources. Your cooperation is appreciated. If you have any questions about this notice, please call our Santa Barbara office.

Sincerely,



Marilyn Merrifield, REHS  
Environmental Health Specialist

NTC-153-234-018

**Notice of Exemption**

*Appendix E*

To:  Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

From: (Public Agency) Goleta Sanitary District  
One William Moffett Place  
Goleta, CA 93117

County Clerk  
County of Santa Barbara  
105 E. Anapamu St.  
Santa Barbara, CA 93101

**Project Title:** Jewkes Annexation to Goleta Sanitary District

**Project Location – Specific:** 4510 Via Clarice, Santa Barbara, CA 93111 APN 153-234-018

**Project Location – City:** Unincorporated Santa Barbara

**Project Location – County:** Santa Barbara

**Description of Project:** Annexation to Goleta Sanitary District for purpose of providing sanitary sewer service for the private property currently used for and to continue to be used for single family residential purposes.

**Name of Public Agency Approving Project:** Goleta Sanitary District

**Name of Person or Agency Carrying Out Project:** Goleta Sanitary District

**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 Annexations of Existing Facilities
- Statutory Exemptions. State code number:


**Reasons why project is exempt:** Project is for individual utility service connection of One Existing Single Family Residence and One Existing Guest House on a parcel zoned for single family residential use. Goleta Sanitary District has existing infrastructure and capacity to treat wastewater from this property.

Lead Agency

Contact Person: Kamil S. Azoury, P.E. Area Code/Telephone/Extension: (805) 967-4519

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: 12/19/11 Title: General Manager/District Engineer

Signed by Lead Agency Date received for filing at OPR:

Signed by Applicant