

LAFCO 22-13 OUT-OF AGENCY SERVICE AGREEMENT (OASA)

AUTHORIZATION BY THE LOCAL AGENCY FORMATION COMMISSION FOR THE
SANTA YNEZ COMMUNITY SERVICES DISTRICT TO PROVIDE OUT-
OF-AGENCY SERVICES TO 2517 JANIN WAY PROPERTY
(2517 Janin Way, Solvang, CA 93463, APN 139-061-005)

WHEREAS, the Santa Ynez Community Services District (SYCSD), with the consent of the property owner, 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 SYCSD to provide services outside of its boundaries at 2517 Janin Way, Solvang, CA 93463; and

WHEREAS, Government Code Section 56133(c) authorizes the Commission to approve such out of agency service agreements provided the subject area outside the sphere of influence if the City has provided the Commission with documentation of a threat to the health and safety of the public or the affected residents; and

WHEREAS, for purposes of the California Environmental Quality Act (“CEQA”), the Santa Ynez Community Services District is the lead agency for this project. The “project” is to provide wastewater services from the SYCSD to the 2517 Janin Way.

WHEREAS, Santa Barbara County Environmental Health Services (“EHS”) has determined that 2517 Janin Way’s on-site wastewater system has been sent a Notice to Correct Substandard Septic System and a Recommendation to Correct stating that (i) the septic system serving the property is severely damaged and requires abandonment or replacement, and (ii) the septic system disposal field is not adequately absorbing the tank effluent. Pursuant to an EHS citation, 2517 Janin Way was required to submit a plan for correction to EHS. Site address 2517 Janin Way plan of correction is to connect to the SYCSD’s sewage collection system is to remedy this situation.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED by the Local Agency Formation Commission of Santa Barbara County as follows:

(1) The proposal is found to be categorically exempt from CEQA, pursuant to CEQA Guidelines Section 15301 which exempts operation, repair, maintenance, or minor alteration of existing structures or facilities not expanding existing uses, and section 15303,

which exempts construction and location of limited numbers of new and small facilities or structures; installation of new equipment and facilities in small structures.

(2) The Commission finds the Out-of-Agency service request is found necessary to respond to an existing or impending threat to the health and safety of the public or the residents of the affected area. The Commission also determined the Out-of-Agency service agreement to be in the best interests of the affected area to be served by the Santa Ynez Community Services District (SYCSD). The SYCSD has provided documentation of the threat to public health by providing the documentation from the County Environmental Health Services Department (EHS).

(3) The extension of services shall be subject to the following conditions:

a) Under this approval, SYCSD's provision of sewage collection service shall be limited to the property located at 2517 Janin Way, Solvang, CA. 93463.

b) The property owner shall execute and record an agreement approved by the Executive Officer that consents to annexation of the territory to the SYCSD, which consent and agreement shall run with the land and be binding upon the heirs, executors, administrators and successors and assigns of property owner.

c) 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.

(4) Said Out-of-Agency Service agreement is hereby approved.

PASSED AND ADOPTED this day of September 1, 2022, in Santa Barbara, California
by the following vote.

AYES: Commissioner Freeman, Geyer, Hartmann, Waterfield, Williams, and Stark

NOES: None

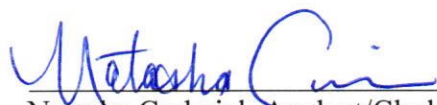
ABSTAINS: None

Dated: 9/1/2022



Stephen Shane Stark, Chair
Santa Barbara Local Agency
Formation Commission

ATTEST



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