



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: May 12, 2006
AGENDA DATE: May 18, 2006
SUBJECT: General Plan Amendment to Include the Eastern Goleta Valley Within the City's Sphere of Influence (MST2006-00160)
TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Paul Casey, Community Development Director *PAK/BLW*
 Susan Reardon, Project Planner *SR*

I. PROJECT DESCRIPTION

The project consists of an amendment to the Land Use Element of the City's General Plan to include the eastern Goleta Valley within the City's Sphere of Influence (GPA 1-06). The amendment identifies areas which should be included within the City's Sphere of Influence as well as, existing land uses and land use designations for lands located within the eastern Goleta Valley.

II. RECOMMENDATION

That the Planning Commission recommend to the City Council that the General Plan be amended to include the unincorporated areas of the eastern Goleta Valley within the City's Sphere of Influence and that the area be pre-zoned to reflect or parallel existing County zoning in the Sphere expansion area.

III. BACKGROUND

Under State Law, a Sphere of Influence (referred to as SOI or Sphere) is described as the probable physical boundaries of a local agency, as determined by the Local Agency Formation Commission (LAFCO). Establishing a Sphere is not the actual annexation of territory to a City. The Sphere outlines what the ultimate boundaries of the City should be over time through future annexations. LAFCO is prohibited from approving an annexation request if it is inconsistent with the adopted Sphere. Therefore, the Sphere provides guidance for proposals involving jurisdictional changes.

California law establishes that each county have its own LAFCO, with statutory charges to discourage sprawl and encourage orderly development of local agencies. The LAFCO approval is required for changes in City and special district boundaries, including incorporations, annexations, and Sphere of Influence boundary changes. The Santa Barbara County LAFCO membership consists of seven regular members: two County supervisors, two members of city councils appointed by the mayors of the cities in the County, two members of special districts boards appointed by the presiding officers of the independent special districts in the County, and one public member, appointed by other commissioners. There are also four alternates, one from each category.

independent special districts in the County, and one public member, appointed by other commissioners. There are also four alternates, one from each category.

The City's Sphere once included all land between Gaviota and Rincon. In 1987, LAFCO removed most of the Goleta Valley (excluding Hope Ranch) from the City's Sphere to allow for the consideration of a Goleta incorporation effort. After that cityhood effort failed, the Sphere was not returned to its original boundaries. In 1991, LAFCO reduced the City's Sphere on the east to allow for a proposed Montecito incorporation effort. There have been only minor modifications to the City's Sphere since that time. The City's current Sphere includes the unincorporated areas of Las Positas Valley, Mission Canyon, Hope Ranch and the unincorporated pockets of land in the Northside area (Exhibit B).

Representatives from the Committee for One and West Santa Barbara Committee have been seeking an extension of the City of Santa Barbara's Sphere to the unincorporated areas of eastern Goleta Valley. On April 2, 2002 the City Council heard a presentation from the Committee for One on this proposal. At that time, the Council stated that they would support the extension of the City's Sphere if there was broad community support shown by the residents of this area. After the Council meeting, the Committee for One and the Citizens for Western Santa Barbara began a signature gathering campaign.

In December 2002, the Committee for One submitted an application to the LAFCO to amend the City's Sphere to include the eastern Goleta Valley (Exhibits C & D). The proposal would pre-zone the area to reflect or parallel existing County zoning in the Sphere expansion area.

In May 2005, the City Council received a presentation from the neighborhood representatives and accepted over 4,000 signatures in support of extending the Sphere to eastern Goleta. Based on this support, the Council gave general support to their efforts pending the receipt of the Municipal Service Review (MSR) which was being prepared by LAFCO. State law requires the preparation of a MSR in order to assist LAFCO in determining or updating a Sphere of Influence.

In August 2005, the Mayor sent a letter to the LAFCO Board supporting the extension of the City of Santa Barbara's Sphere to the unincorporated areas of eastern Goleta (Exhibit E).

The LAFCO held a hearing on September 1, 2005 on all of the MSRs prepared for the Goleta Valley and on the proposed application from the Committee for One to amend the City of Santa Barbara's Sphere. At that meeting, the LAFCO adopted an MSR for the City of Santa Barbara and the Goleta Valley but delayed a decision on the Sphere application until a public meeting could be held in the eastern Goleta Valley to gather input from affected property owners. On March 3, 2006, after a LAFCO subcommittee considered the matter and options for a public meeting, the LAFCO Board directed LAFCO staff to set a public hearing date for September or October of 2006.

On November 25, 2005 the City of Santa Barbara received a letter from the LAFCO staff asking if this proposed Sphere had been adopted in the City's General Plan (Exhibit F). Based on this letter, on April 11, 2006, the City Council initiated a General Plan amendment to incorporate the policy direction Council adopted unanimously in August 2005.

IV. DISCUSSION

A. GENERAL PLAN AMENDMENT

The proposed General Plan amendment identifies the proposed new Sphere of Influence boundary as the area envisioned being eventually included within the City boundary (Exhibit A). The proposed language describes the areas within the existing City Sphere (numbers 1-4 on page 1 of Exhibit A), and also includes the areas proposed to be included, excluding the existing mobile home parks (number 5 on page 1 of Exhibit A).

The Committee for One's application proposes that the pre-zoning of the Sphere extension area reflect or mirror the existing County zoning. Existing residential land use designations in the eastern Goleta Valley range from 1 unit per 5 or ten acres to higher density apartments and condominiums. Other land use designations include commercial, office and professional, agricultural, park/recreation/open space, scenic/buffer, public utility, and planned development. These are very similar to the zoning and General Plan land use designations within the City (i.e. E-3, 5 du/acre; P-R, open space; etc).

B. MOBILE HOME PARKS

Currently, there are five mobile home parks within the proposed eastern Goleta Valley Sphere of Influence area. The mobile home park renters have expressed great concern with being included within the City's Sphere primarily due to the fact that they could lose the protection of the County's mobile home rent control ordinance. The County's existing ordinance limits the amount that the rental fee on the park space may be increased when a resident sells its space. The ordinance also limits future rent increases while the new resident occupies the space. The City Council has consistently stated that the City has no intent of jeopardizing the rent control status of the mobile home parks. City Staff has met with the Executive Director of LAFCO and he has indicated that he could support recommending to the LAFCO Board that the existing five mobile home parks be left as unincorporated "islands" within the City's Sphere. A recent legal opinion from Mr. Alan Seltzer, Legal Counsel to the LAFCO, indicates that the LAFCO has the ability to allow annexations which result in unincorporated islands, provided the LAFCO could make specific findings relative to orderly development of the community (Exhibit G).

C. AGRICULTURAL USES

Currently, there are several agricultural areas in the proposed Sphere. The main agricultural areas are in the Patterson Avenue area. LAFCO policy is to not have active agricultural areas within cities. However, to not include these areas within the Sphere would create additional islands, which LAFCO policy also discourages. Agricultural uses are specifically allowed within the City in single family zones and all other zones through pyramid zoning subject to certain performance standards as provided in Section 28.15.030.H of the Municipal Code (Exhibit H). The Conservation Element also contains policies to preserve active agricultural land (Exhibit I). Council concurred with Staff that those areas should be included within the General Plan text to give LAFCO the flexibility on the exact location of the Sphere boundary.

With the inclusion of these areas within the City's Sphere, it is the City's intent that these areas would also retain their existing zoning designations and the use remain agriculture.

D. SPECIAL DISTRICTS

Currently, the area encompassed within the proposed Sphere is within the Goleta Water District for water service and the Goleta Sanitary District for sewer service. The City Council has stated that the intent of any future annexation would be to retain the Goleta Sanitary and Goleta Water districts as independent districts providing water and sewer services to that part of the Goleta Valley rather than expanding the City's systems to those areas. The Districts currently serve these areas effectively and efficiently and have extensive infrastructure in place.

E. CONSISTENCY WITH THE GENERAL PLAN

The General Plan encourages a regional approach to addressing regional issues such as traffic, housing, water quality and air quality. The *Land Use Element* of the General Plan currently contains Local Government Unification Goals which state:

- Short Range: Simply the present City boundaries by encouraging annexation of unincorporated islands and peninsulas of land contiguous to the City.
- Intermediate Range: Merge, under one government, the City of Santa Barbara and the residential communities of Hope Ranch and Montecito.
- Long Range: Support the establishment of the best possible government for the South Coast area, from Gaviota to the Rincon.

The proposed General Plan amendment would be consistent with these goals in that future annexation of the subject area would provide an efficient and effective government for the South Coast area and would provide direct control over local decision making.

F. CITY OF GOLETA INTERFACE

When LAFCO began the preparation of the Municipal Service Reviews (MSRs) for the Goleta area, the City of Goleta stated that it had no plans to serve areas outside of its current boundary. However, in August 2005, the City of Goleta requested that the statement in the draft MSR reflecting that position be removed. Most recently, the City of Goleta released its draft General Plan for public review. The draft Land Use Element includes a "Planning Area of Interest" and "Future Service Area" which encompasses some of the same area proposed by the Committee for One to be in the City of Santa Barbara's Sphere (Exhibit J). The draft Goleta Land Use Element identifies those areas as possible areas for future service delivery and boundary expansion by the City of Goleta, and contains policies and guidelines which they intend to apply to the lands within the planning area (Exhibit K).

G. SPHERE OF INFLUENCE BOUNDARY

As stated previously, the LAFCO establishes a local agency's Sphere. In establishing the City's Sphere, the LAFCO will take all of the above issues into consideration. The City Council continues to support the application submitted by the Committee for One which is

currently before the LAFCO Board based on the broad community support of the residents in that area. At the April 11, 2006 City Council meeting, the Council gave direction to include the entire area, excluding the mobile home parks, within the General Plan amendment to give LAFCO flexibility on the SOI boundary location.

H. ENVIRONMENTAL REVIEW

Under the California Environmental Quality Act (CEQA), the proposed actions to amend the Sphere of Influence boundary do not constitute a “project” and are not subject to environmental review prior to decision-maker action. Both the CEQA Guidelines and CEQA case law recognize that some actions of government are organizational and administrative in nature and do not themselves have the potential to result in direct or indirect physical changes in the environment¹.

The proposed amendment to the General Plan would plan for the expansion of the boundary of the City Sphere of Influence to include the eastern Goleta Valley and would “pre-zoning” the area to reflect the existing County zoning should LAFCO expand the City’s Sphere. The amendment does not involve an annexation, change any land use or zoning designation, or cause any physical development. As such, the proposed action would not involve a change in the actual or potential type, density or extent of land use that could occur within this area. This amendment to the General Plan therefore does not have the potential to result in direct or reasonable foreseeable indirect physical changes in the environment, and is not a project subject to CEQA environmental review.

I. CHARTER SECTION 1507

Charter Section 1507 states:

It is hereby declared to be the policy of the City that its land development shall not exceed its public services and physical and natural resources. These include, but are not limited to, water, air quality, wastewater treatment capacity, and traffic and transportation capacity. All land use policies shall provide for a level and balance of residential and commercial development which will effectively utilize, but will not exhaust, the City's resources in the foreseeable future. In making land use decisions, the City shall be guided by the policies set forth in this section. In furtherance of these policies, no amendments to the City's General Plan and Zoning Ordinance shall be effective unless approved by five (5) affirmative votes of the City Council. Upon such approval, General Plan and Zoning Ordinance amendments shall be conclusively presumed to comply with the policies set forth herein.

The amendment of the General Plan to identify that the eastern Goleta Valley should be included in the City’s Sphere would not result in a physical change in the environment. As

¹ (CEQA Guidelines §15378; *Simi Valley Recreation and Park District v. Local Agency Formation Commission* (2d Dist. 1975) 51 Cal.App.3d 648 [124 Cal.Rptr. 635]; *City of Agoura Hills v. Local Agency Formation Commission* (2d Dist. 1988) 198 Cal.App.3d 480 [243 Cal.Rptr. 740]; See also *Remy, et al, Guide to the Environmental Quality Act, 1999 Tenth Edition.*)

noted above, Charter Section 1507 contains guiding policies regarding environmental resources. Resources specifically mentioned in Charter Section 1507 are currently managed regionally (e.g. APCD or SBCAG), addressed in the Goleta Community Plan, and/or prior Environmental Impact Reports. Placing the subject area within the City's Sphere would give the City greater ability to comment on any proposed changes in land use or in land use designations by the County of Santa Barbara to ensure that future development would not exceed public service capacities or physical and natural resources.

V. RECOMMENDATION AND NEXT STEPS

Staff believes that the inclusion of the eastern Goleta Valley into the City Sphere of Influence is consistent with goals and policies within the City General Plan, including the Local Unification Goals currently within the City's Land Use Element. The addition of text to explain which areas should be included within the City's Sphere would further clarify those goals. Staff also recognizes the desire of the citizens in the expansion area to be included within the City of Santa Barbara's Sphere. Therefore, Planning Staff recommends that the Planning Commission receive public comment, review and comment on the proposed General Plan text amendment, and recommend approval of the amendment to the City Council.

In order for the General Plan amendment to be approved, a supermajority of Council must approve the amendment (5 affirmative votes). Council's action on the proposed General Plan amendment would be forwarded to the LAFCO Board for their consideration when acting on the application by the Committee for One for the expansion of the City of Santa Barbara's Sphere of Influence.

Exhibits:

- A. Proposed General Plan Text Amendment
- B. Map of City's existing Sphere of Influence
- C. Committee for One's LAFCO application letter
- D. Map of proposed Sphere of Influence change
- E. August 23, 2005 Letter from Mayor Blum to LAFCO
- F. November 25, 2005 Letter from LAFCO
- G. April 18, 2006 Memorandum from Bob Braitman, LAFCO Executive Officer
- H. SBMC Sections pertaining to Agricultural Uses
- I. Conservation Element Policies
- J. City of Goleta's Draft Potential City of Goleta Service Areas and Planning Area maps
- K. City of Goleta's Draft General Plan Land Use Element policies

DRAFT GENERAL PLAN TEXT AMENDMENT

(Underlined text is proposed new text,
strikethrough text is existing text proposed to be deleted from General Plan)

Sphere of Influence

Under State Law, a Sphere of Influence (Sphere) is defined as a plan for the probable physical boundaries and service area of a local agency. The Sphere's purpose is to demarcate the area which should eventually be within a city's jurisdiction. The Santa Barbara Local Agency Formation Commission (LAFCO) is responsible for establishing the City's Sphere.

The City's Sphere once included all land between Gaviota and Rincon. In 1987, LAFCO removed most of the Goleta Valley (excluding Hope Ranch) from the City's Sphere to allow for the consideration of a Goleta incorporation effort. After that cityhood effort failed, the Sphere was not returned to its original boundaries. In 1991, LAFCO reduced the City's Sphere on the east to allow for a proposed Montecito incorporation effort. There have been only minor modifications to the City's Sphere since that time. The City's current Sphere includes the unincorporated areas of Las Positas Valley, Mission Canyon, Hope Ranch and the pockets of unincorporated land in the Northside area.

In 2002, the Committee for One submitted an application to LAFCO requesting that the City of Santa Barbara's Sphere be expanded to the unincorporated areas of the eastern Goleta Valley. As part of the Committee for One's application, it is proposed that the eastern Goleta Valley be pre-zoned to reflect or mirror the existing County zoning and Comprehensive Plan land use designations. Existing County land use designations for this area include open lands, residential, community facilities, commercial, agriculture, and industrial.

Subsequent to the LAFCO application, the Committee for One submitted approximately 4,500 signatures of affected property owners supporting the expansion of the City's Sphere. Based on the broad show of support of the affected property owners, the City Council supports the extension of the City's Sphere to include the eastern Goleta Valley. Therefore, the City's Sphere should include the following areas:

1. Unincorporated "islands and peninsulas" within the western portion of the City (Las Positas Valley and the Northside);
2. The area north of Foothill Road to the Los Padres National Forest Boundary, east of Highway 154;
3. The intersection of Highway 154 and State Street; and that part of State Street which is between the intersection and current City boundaries;
4. The Mission Canyon area between the City of Santa Barbara and the Los Padres National Forest boundary to the north;¹ and,
5. The eastern Goleta Valley, between the existing western boundary of the City of Santa Barbara and the eastern boundary of the City of Goleta and from the northern urban line to the ocean, excluding the existing mobile home parks. Lands within this area should be retained in the land use category designated by the County of Santa Barbara. An agreement should be pursued

¹ Areas included in numbers 1-4 are already within the City's Sphere. Area described in number 5 is proposed to be added. This footnote will not appear in the General Plan, it's for informational purposes only.

with the County and City of Goleta to refer major planning and land use proposals within and immediately adjacent to the City's Sphere to one another for comment.

~~City boundaries along Hope Ranch and the residential areas of Montecito represent a stable demarcation line not subject to change until future, broad local government unification programs are accepted and accomplished. The unincorporated communities of Hope Ranch and Montecito are generally well established with high development standards. They are self-contained and possess strong identities. The City boundary surrounding the commercial development along Coast Village Road should not be expanded beyond its present location. Pressure to allow annexation of adjacent residential property for commercial purposes should be resisted and discouraged. The boundary between the City and Montecito south of Highway 101 is a satisfactory one and should be maintained in its general location.~~

~~Historically, the direction of City growth has been westward toward Goleta. Prior to the final decision being made relative to the status of the Goleta area, a westerly limit for expansion should be set. An interim logical and suitable limit is offered by a "greenbelt" of publicly and privately owned land west of San Marcos Pass Road. The belt trends north to south and consists of San Marcos Golf Course, San Antonio Creek Channel, County Schools Administration Complex, refuse transfer station (proposed regional park), General Hospital and County government complex, Juvenile Hall-La Morada and County fire station complex. This greenbelt, along with the stable Hope Ranch Residential area, presents a logical and easily recognized City boundary.~~

~~Much interest has been expressed locally concerning the possible incorporation or annexation of the Goleta area. An evaluation of either course of action is beyond the scope of this General Plan. A matter of such complexity and import can only be decided after a thoroughgoing and objective study is conducted as a cooperative venture involving the City of Santa Barbara, County of Santa Barbara, State of California, Local Agency Formation Commission (LAFCO) and other local Government entities. Such a study should be commenced immediately, followed by positive action to change from its present situation.~~

Annexation

The City of Santa Barbara has grown from a land area of slightly less than four square miles in 1855 to more than eighteen square miles at present including the Airport. This process of growth involved more than seventy-five separate annexation proceedings dealing with parcels of land ranging in size from less than one acre to twenty-five hundred acres. There has been no overall policy to guide the course of annexation; rather, each case was evaluated on its own. The result of this approach has been the creation of an irregular City boundary line which in several cases has enclosed peninsulas and even islands of County land completely surrounded by City territory.

The resultant "islands" of unincorporated land along the outer fringe of the City have presented problems in serving the areas with water and sewers; jurisdictional difficulties concerning fire and police protection; as well as zoning and development standard conflicts between City and County areas. As these areas are for all practical purposes functional parts of the City, relying on Santa Barbara for cultural, social, and economic needs, it is recommended that they be encouraged to annex to the City.

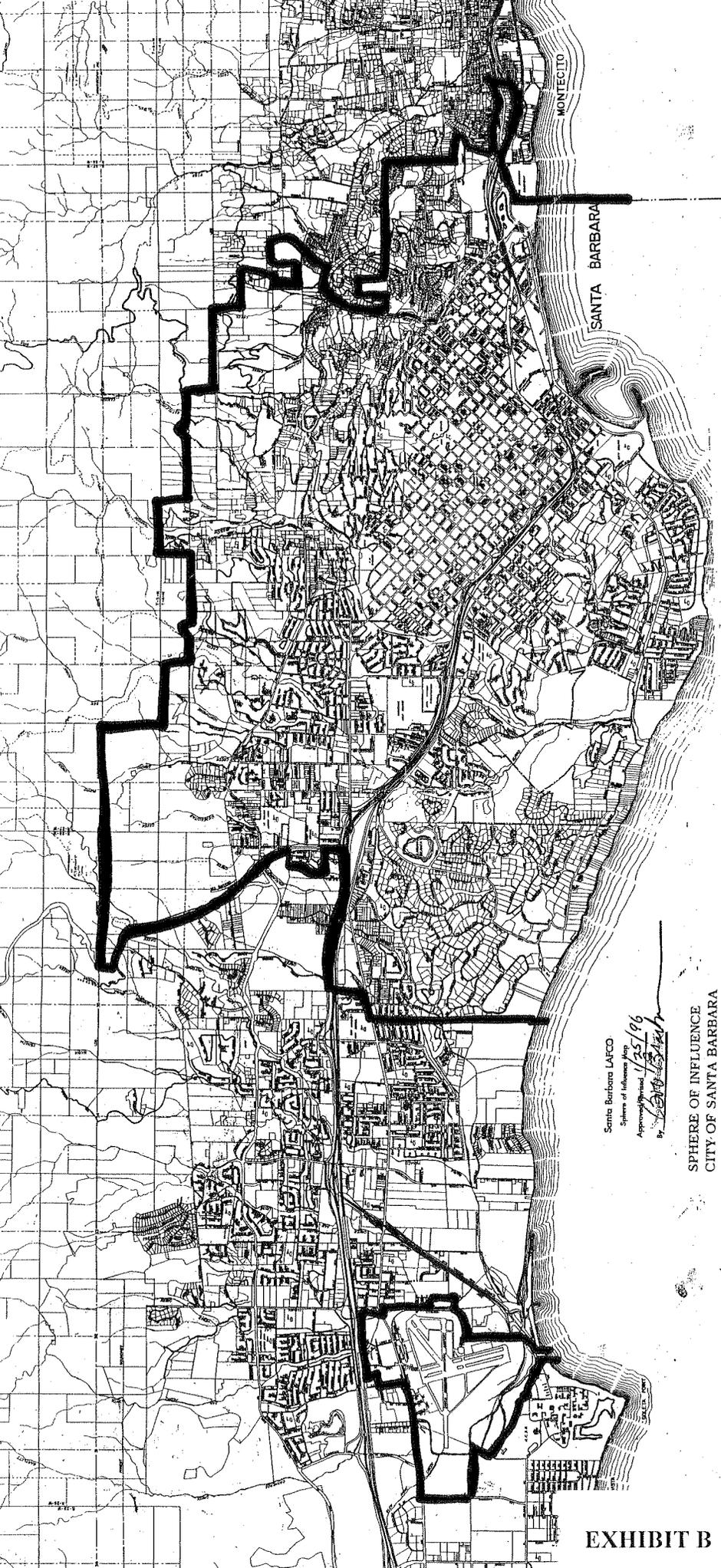
All available methods of gaining support of the residents of these unincorporated areas for annexation should be utilized. Where possible, City services should not be extended to residents of unincorporated areas which are located within the City's Sphere without a concurrent annexation of the affected properties. ~~The annexation fee should be re-evaluated in certain key areas.~~ Efforts should be made to explain the advantages of annexation, such as political participation in City affairs, increased

services, lower fire insurance rates in some areas, among others, rather than allowing the specter of higher taxes to act as the effective deterrent it now is.

The areas of unincorporated land which should be annexed at the earliest opportunity are:

1. The Las Positas Valley, extending from U.S. Highway 101 on the north, to Cliff Drive on the south;
2. Apple Grove and Golf Acres subdivisions, Earl Warren Park and unincorporated territory easterly and adjacent to La Cumbre Plaza;
3. Land generally located between Hope Avenue and La Colina Junior High School and south of Foothill Road in the Hope neighborhood; and,
4. The Mission Canyon area, extending from Mission Creek northerly to include Mission Canyon Heights and the Botanic Garden. The northerly limit of this area is taken as the probable extent of future urban development. Lauro Canyon Reservoir is included in the area because of geographical proximity to the Canyon and the fact that it is surrounded on all but one side by City territory.

In addition, the City should pursue the annexation of the land area included within the City's Sphere in the eastern Goleta Valley at an appropriate time in the future with the concurrence of the County and affected property owners. The intent of any future annexation of this area would be to retain the special districts as independent districts providing water and sewer services to that part of the eastern Goleta Valley. The City will consider annexation of urban development occurring within the Sphere at the request of property owners or as directed by LAFCO. The City Council has strong support for the County's existing mobile home rent control ordinance and does not support the annexation of the existing mobile home parks until such time that the existing rent control ordinance or another ordinance of equal effect could be maintained.



Santa Barbara LAFCO
Sphere of Influence Map
Approved: 1/25/06
By: [Signature]

SPHERE OF INFLUENCE
CITY OF SANTA BARBARA

EXHIBIT B

December 30, 2002

Santa Barbara County Local Agency Formation Commission
Mr. Robert Braitman, Executive Officer
105 East Anapamu St.
Santa Barbara, Ca. 93101

Mr. Braitman,

The Committee for One, pursuant to government code 56428 is filing a request to amend the Sphere of Influence of the City of Santa Barbara. The change in general is to include the eastern part of the Goleta Valley excluded from the formation of the City of Goleta. A more precise description is included in the accompanying text and map.

Included with this submittal are seven copies of the questionnaire, seven copies of a map showing the area to be included in the Sphere of Santa Barbara and the LAFCO processing fee check.

Sincerely,

Harriet Phillips

Harriet Phillips
Chairperson
Committee for One

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

Questionnaire for Amending a Sphere of Influence,
(Attach additional sheets as necessary)

Sphere of Influence of the City of Santa Barbara

Purpose of the proposal

1. This Sphere of Influence establishes the probable physical boundaries and service area of the City of Santa Barbara. It is a precursor to annexation if voters approve annexation. It will permit a degree of consideration in planning for the future of the area.

This proposal is a request to LAFCO to amend the Sphere of Influence of the City of Santa Barbara to include the area from the western boundary of the city of Santa Barbara, to the eastern boundary of the city of Goleta, from the northern urban line to the ocean, to the south.

In support of this request, it has been noted that residents of this area are concerned about the direction the future will take; there is a general feeling of anxiety by those that may seek annexation as well as those presently standing for status Quo due to present county conditions. The question is raised as to which governing body will express a decided interest in the future of this unincorporated area.

Over the past twenty years, through four elections, it has been the decided expression of these voters that they have no desire to be a part of the a City of Goleta. These people consider themselves part of Santa Barbara as noted by their concerns on their addresses. Recent mailings over the past three years by Goleta Roundtable, and LAFCO, the response to pursue the annexation of this area to the city of Santa Barbara, has been substantial.

This area has been very supportive to both cultural and social activities of the City of Santa Barbara; i.e., the Santa Barbara Symphony, Fiesta Days, theater, youth activities, and finds its associations trending toward downtown Santa Barbara, Paseo Nuevo, La Cumbre Plaza, rather than farther to the west.

Since the sentiment of a majority of the citizen voters in this area remains with the city of Santa Barbara, this request would reflect a satisfactory solution to this "orphan" area.

3. Enclosure B is a map of the proposed Sphere of Influence.

4. This area is the remaining unincorporated area between the City of Goleta and the City of Santa Barbara. This proposal would give it some sense of being part of a local government.
5. The land use for the area is primarily residential with some commercial and agriculture.
6. No changes are considered. The County is considering revisiting the Goleta Valley General plan since the incorporation. Since any changes will be proposed and reviewed by residents the plan will be acceptable.

Relationship to Existing Plans

7. An Assessors Map will be made available only to a government agency. An arrangement has been made to provide one to LAFCO Executive Officer upon request by the Officer.
8. There are no rezoning requirements being proposed.

Environmental Assessment

9. There is no underlying project in this proposal and as such no Environmental Document is required.

Justification

10.
 - A. No change is considered in the present and planned uses in the area, including agricultural and open-space lands.
 - B. Services for the areas are already in place.
 - C. Present capacity of public facilities and adequacy of public services the affected agency provides or is authorized to provide.

3

The listed individuals are designated as Chief Petitioners to receive copies of the notice of hearing and the Executive Officer's report on this proposal at the addresses shown.

Name

Address

1. Harriett Phillips

5337 Paseo Orlando

Santa Barbara, Ca. 93111

Signature

Harriett Phillips

2. Margaret Hamister

1141 Camino Del Rio

Santa Barbara, Ca. 93110

Signature

Margaret A. Hamister

3. Louis D. Liuag

755 Kristen ct.

Santa Barbara, Ca. 93111

Signature

L. Liuag

Contact for questions concerning this proposal should be directed to:
Harriet Phillips, 5337 Paseo Orlando, Santa Barbara Ca. 93111

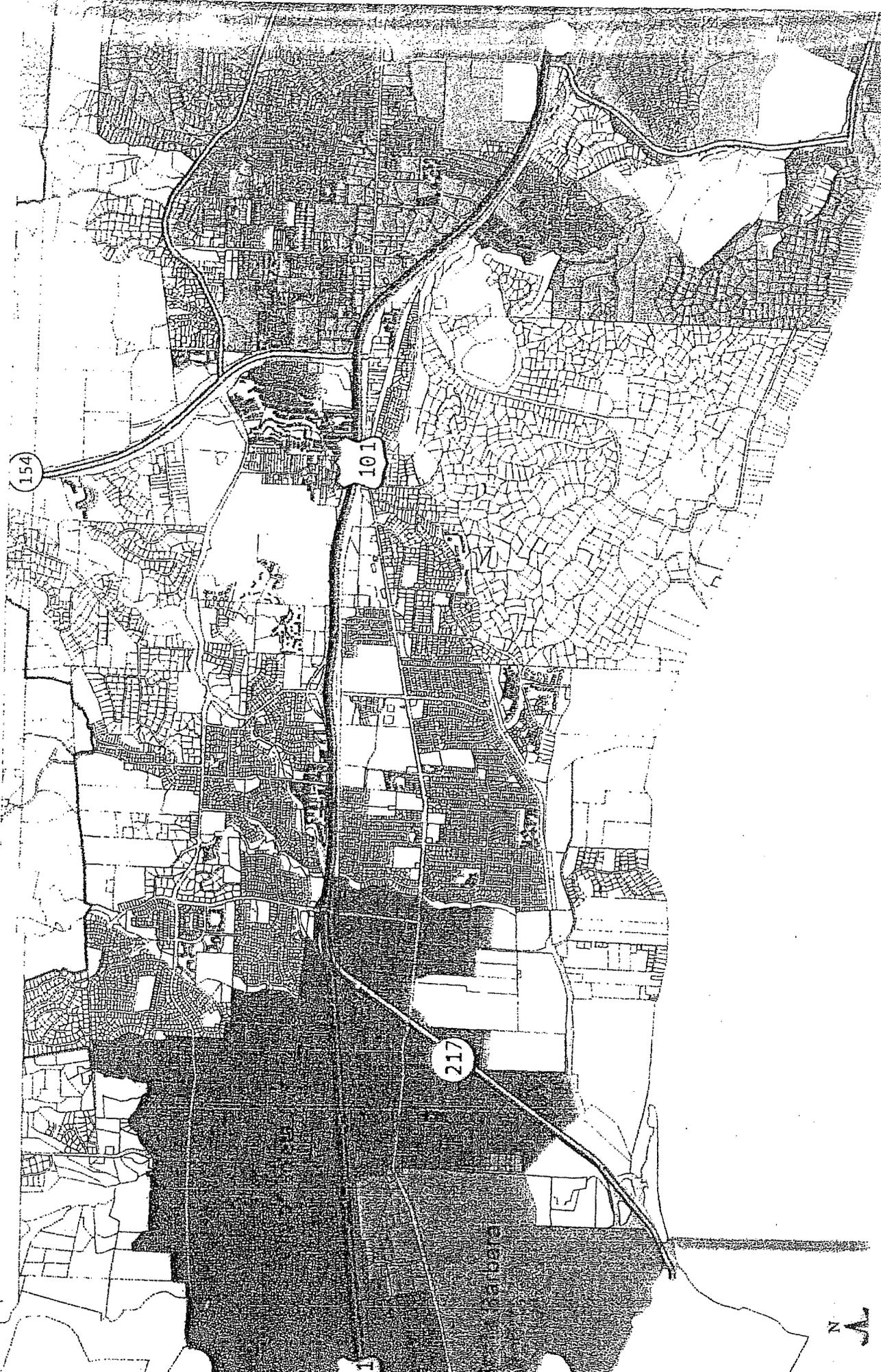
Signature

Harriett Phillips
Harriett Phillips

Date _____

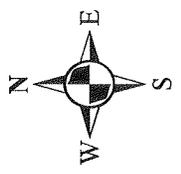
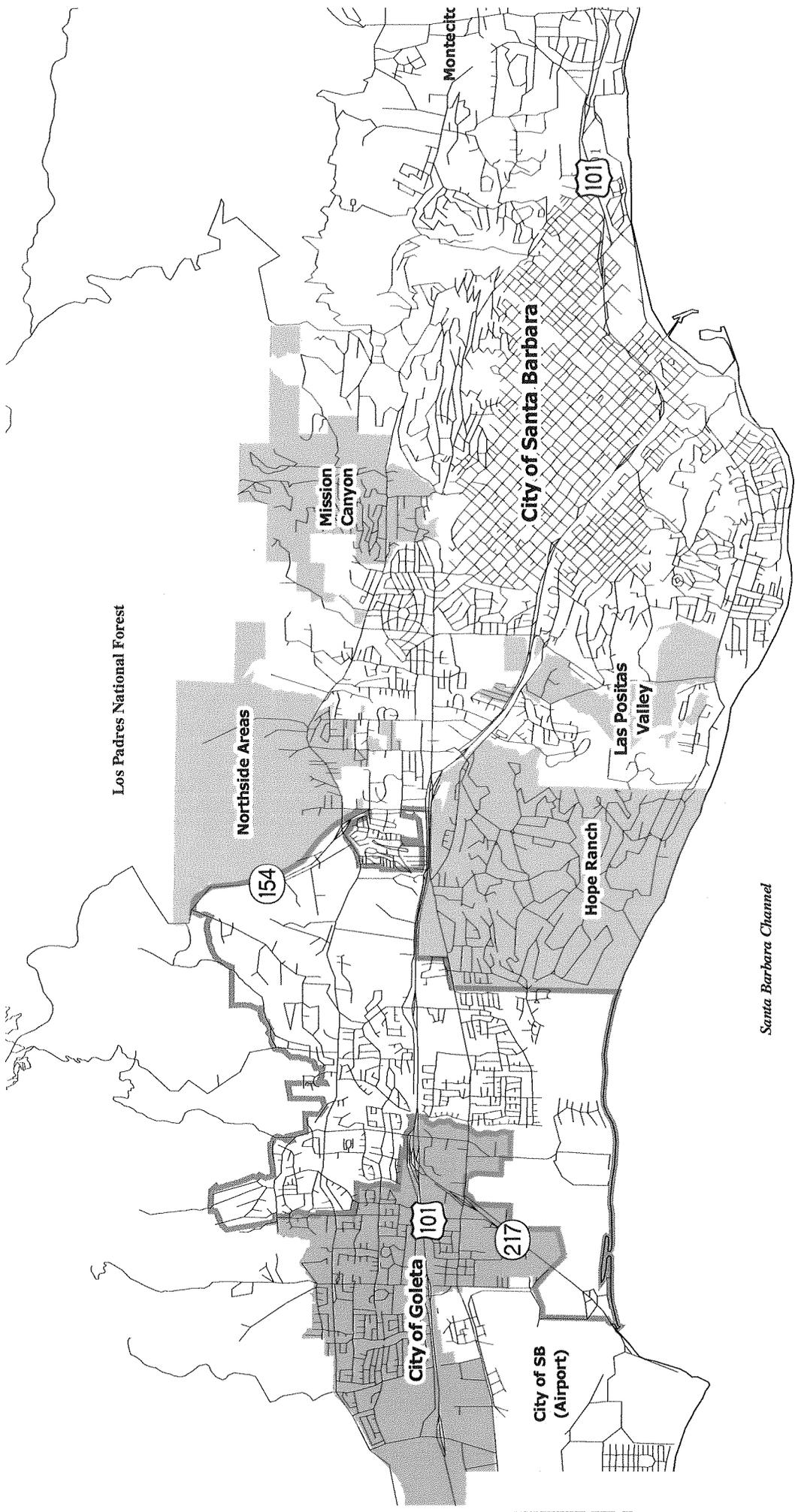
Proposed City of Santa Barbara Sphere of Influence

- Rural Boundary
- Los Padres Forest Boundary
- Cities
 - Goleta
 - Santa Barbara





City of Santa Barbara Sphere of Influence



Legend

- Mobile Homes - Excluded from Sphere
- Proposed Addition to Sphere of Influence
- City of Goleta
- Current Sphere of Influence Areas
- City of Santa Barbara

EXHIBIT D



City of Santa Barbara

Office of the Mayor

mblum@ci.santa-barbara.ca.us

August 23, 2005

Marty Blum

Mayor

Tel: 805.564.5321

Fax: 805.564.5475

City Hall

De La Guerra Plaza

PO Box 1990

Santa Barbara, CA

93102-1990

Tim Campbell, Chair
Santa Barbara Local Agency Formation Commission
105 E. Anapamu Street
Santa Barbara, CA 93101

Dear Chair Campbell:

Representatives from the Committee for One and West Santa Barbara Committee have been working towards the extension of the City of Santa Barbara's Sphere of Influence to the unincorporated areas of Eastern Goleta for the last three years. More than three years ago the City Council heard a presentation from the Committee for One on this proposal, and stated that they would be interested in supporting the proposal if there was broad community support shown by the residents of this area. On March 6, 2003 the LAFCO Board also heard their request and deferred the matter until preparation of the Municipal Service Reviews for the area.

Recently, on May 10, 2005, the City Council received a follow up presentation from the neighborhood representatives and accepted over 4,000 signatures in support of extending the sphere of influence to Eastern Goleta. Based upon this broad show of support for extending the City's Sphere of Influence, the City Council has given its support to this application and encourages LAFCO to approve the change.

The Committee for One's application to LAFCO would pre-zone the area to reflect or parallel existing County zoning in the sphere expansion area. The City of Santa Barbara is in support of this approach. The recommendation is also supported by the City's Land Use Element of the General Plan, which since 1964 has envisioned a broader City of Santa Barbara to more effectively deal with regional issues on the South Coast.

With regards to the future annexation of this area, the City's intent is to pursue an annexation at an appropriate time with the concurrence of the County. With the pending vote on a County split, among other issues, now does not seem to be the appropriate time to pursue an annexation. However, it does seem appropriate to amend the Sphere of Influence to respect what appears to be the desired wishes of the residents of this area.

One very important issue that must be addressed before a serious discussion of annexation can begin is the issue of mobile home rent control. The City Council

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COM DEV ADMIN

supports the existing mobile home rent control ordinance in the County, and wants to be clear that amending the City's sphere of influence will have no impact on the existing ordinance. The issue of mobile home rent control will have to be addressed before serious discussions can begin for annexation, which is a position consistent with the LAFCO staff.

In addition, the City Council has stated that the intent of any future annexation would be to retain the Goleta Sanitary and Goleta Water districts as independent districts providing water and sewer services to that part of the Goleta Valley. This is also consistent with the LAFCO staff comment in the MSR.

Thank you for your consideration of the request from the Committee for One. The volunteer efforts of these neighborhood organizations should be applauded and respected by all of us.

Sincerely,



Marty Blum
Mayor

cc: Santa Barbara City Council
Jim Armstrong, City Administrator
Paul Casey, Community Development Director

LAFCO

Santa Barbara Local Agency Formation Commission
105 East Anapamu Street ♦ Santa Barbara CA 93101
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www.sblafco.org ♦ lafco@sblafco.org

November 25, 2005

Paul Casey, Director
Community Development
City of Santa Barbara
P.O. Box 1990
Santa Barbara CA 93102-1990

City General Plan – Eastern Goleta Valley

Dear Paul:

I am unable to locate my copy of the letter from the City of Santa Barbara that endorses or supports the Sphere of Influence request submitted by the Committee for One. Could you please send me a copy; I think it might be dated August 23 and signed by the Mayor.

I also need whatever documentation you can provide that illustrates the City of Santa Barbara has amended its General Plan to include the territory between the Cities of Santa Barbara and Goleta. Is there a resolution or ordinance adopting the General Plan amendment for this area?

We have taken the firm position of not recommending a Sphere of Influence for the City of Goleta until the City adopts its General Plan that encompasses its proposed sphere and I sense I will receive a request for documentation that the City of Santa Barbara has adopted General Plan designations for the proposed sphere expansion area.

Thank you for your assistance.

Sincerely,



BOB BRAITMAN
Executive Officer

RECEIVED

NOV 30 2005

CITY OF SANTA BARBARA
COM DEV ADMIN

Commissioners: Tim Campbell, Chair ♦ Joe Centeno ♦ Dick DeWees ♦ John Fox ♦ Bob Orach ♦ Susan Rose ♦ Bernice Stableford
♦ Jack Hawxhurst ♦ Brooks Firestone ♦ Penny Leich ♦ Cathy Schlottmann ♦ **Executive Officer:** Bob Braitman

LAFCO

MEMORANDUM

SANTA BARBARA LOCAL AGENCY FORMATION COMMISSION

April 18, 2006

RECEIVED

APR 21 2006

CITY OF SANTA BARBARA
COM DEV ADMIN

TO: Each Member of the Commission

FROM: Bob Braitman *Bob*
Executive Officer

SUBJECT: **Mobile Home Parks as Unincorporated "Islands"**

Enclosed for your information is a memorandum from Legal Counsel Alan Seltzer discussing the relationship of the City of Santa Barbara sphere of influence and City annexations with regard to the existing mobile home parks in the Eastern Goleta Valley.

He concludes that the Commission has the prerogative of allowing annexations to the City of Santa Barbara that create unincorporated "islands," provided the Commission can make specific findings relative to orderly development of the community.



Office of County Counsel
MEMORANDUM

Date: April 14, 2006
To: Bob Braitman, LAFCO Executive Officer
cc: Susan Rose, LAFCO Commissioner
From: Alan Seltzer, Legal Counsel
Re: Sphere of Influence: Excluding Mobile Home Parks

ISSUE: At the April 6, 2006, LAFCO meeting, I was directed to provide you a memorandum explaining (1) applicable law related to whether mobile home parks in the unincorporated Goleta Valley may be excluded from a city sphere of influence; (2) the relationship between sphere of influence determinations and subsequent annexations. This memorandum responds to that request.

DISCUSSION: Government Code §56076 defines a sphere of influence as: "A plan for the probable physical boundaries and service area of a local agency, as determined by the commissions."¹ Section 56017 defines "annexation" to mean "... the annexation, inclusion, attachment, or addition of territory to a city or district." The relationship between the threshold sphere of influence determination and a subsequent change of organization involving an annexation is made clear by section 56375.5. This section requires that any annexation determination made by LAFCO must be consistent with the sphere of influence of local agencies affected by that determination. In other words, land cannot be annexed to a city unless it is within that city's sphere of influence.

As a separate matter, no land use authority or policy power jurisdiction is transferred to a local agency upon the adoption of the sphere of influence. It is only upon the actual change of organization that land use planning and zoning rules adopted by the annexing local agency become effective within the annexed territory. Thus, a determination to make unincorporated territory part of a city's sphere of influence would not make the city's mobile home park regulations, much less any other regulation, applicable in the unincorporated sphere of influence area without annexation.

I understand the issue prompting this memorandum is whether mobile home park areas within the unincorporated Goleta Valley should be part of an expanded City of Santa Barbara sphere of influence. First, as set forth above, expanding the City's sphere of influence to encompass the subject mobile home parks does not make the City's regulations applicable to them. Thus, this

¹ All citations are to the Government Code unless otherwise noted.

Bob Braitman, LAFCO Executive Officer

April 14, 2006

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issue could be deferred to any future annexation determination. On the other hand, while a sphere of influence determination would not make the City's mobile home park regulations apply to these mobile home parks, it begs the question whether the mobile home parks should be excluded from an expanded sphere of influence if there is no intent to annex that area in the future. Thus, it is appropriate to consider on the standards for annexation at this sphere determination stage.

Section 56744 provides:

“Unless otherwise determined by the commission pursuant to subdivision (m) of section 56375, territories shall not be incorporated into, or annexed to, a city pursuant to this division if, as a result of that incorporation or annexation, unincorporated territory is completely surrounded by that city or by territory of that city on one or more sides and the Pacific Ocean on the remaining sides.”

This section prohibits an unincorporated island of mobile home parks to be surrounded by annexed territory unless findings required by section 56375(m) can be made.

Section 56375(m) allows LAFCO:

“[t]o waive the restrictions of section 56744 if it finds that the application of the restrictions would be detrimental to the orderly development of the community and that the area that would be enclosed by the annexation or incorporation is so located that it cannot reasonably be annexed to another city or incorporated as a new city.”

Section 56744(m) requires two findings. The first requires LAFCO to find that applying the restriction against creating an island of unincorporated territory would be detrimental to the orderly development of the community. In this regard, LAFCO may consider whether annexation of “unincorporated” mobile home parks would have the effect of displacing senior and affordable housing without replacement so that it would be detrimental to the orderly development to the community. LAFCO determinations are final and conclusive in the absence of fraud or prejudicial abuse of discretion. Prejudicial abuse of discretion can be established only if a court finds that the LAFCO determination or decision is not supported by substantial evidence in light of the whole record. (See §56107(c)).

While the first finding will require the exercise of discretion based on the record before the Commission, it is clear that the second finding can be made in that the mobile home parks of concern of concern are not located so they could be reasonably annexed to Goleta or incorporated solely by themselves as a new city.

SANTA BARBARA MUNICIPAL CODE SECTIONS PERTAINING TO AGRICULTURAL USES

SBMC §28.04.035 Agriculture definition

The tilling of the soil, the raising of crops, horticulture and the harvesting, sorting, cleaning, packing and shipping of agricultural products produced on the premises preparatory to sale or shipment in their natural form including all activities or uses customarily incidental thereto, but not including a slaughter house, fertilizer works, commercial dairying, pasturage agriculture, commercial viticulture, commercial animal and poultry husbandry, retail sales, the commercial packing or processing of products not grown on the premises or operations for the reduction of animal matter or any other use which is similarly objectionable because of odor, smoke, dust, fumes, vibration or danger to life or property.

SBMC §38.15.030.H

H. Agriculture, as defined in Section 28.04.035 of this Title, subject to administrative guidelines necessary to monitor and carry out these standards which may be adopted and amended from time to time by resolution of the City Council and subject to the following performance standards:

1. Accessory Buildings. Accessory buildings for agricultural purposes shall not exceed five hundred (500) square feet in aggregate and shall be located a minimum of one hundred (100) feet from any property line. Accessory buildings used for agricultural purposes may be placed on a parcel without a main building. Accessory buildings shall not be placed on ridgelines or in such a manner that the peak of the roof exceeds the ridgeline elevation by more than six (6) feet. All accessory buildings shall be placed outside of the 100-year floodplain of any creeks or drainages on the property. Building siding and roof colors shall be in earth or vegetation tones to minimize visibility unless otherwise approved by the Architectural Board of Review or the Historic Landmarks Commission. If an applicant proposes an agricultural accessory building in excess of five hundred (500) square feet in area, the applicant may apply for a modification under Chapter 28.92 of this Title.

2. Storage Requirements. All flammables, pesticides and fertilizers shall be stored in accordance with the regulations of the Uniform Fire Code and Santa Barbara County Department of Health Services or successor agency. At a minimum, any area where such materials are stored shall have a continuous concrete floor and lip which is tall enough to contain one hundred and ten percent (110%) of the volume of all the materials stored in the area. No pesticides, chemical fertilizers or other hazardous materials shall be stored outside of buildings.

3. Large Vehicles. No vehicles in excess of five (5) tons shall be kept, stored or parked on the property, except that such vehicles may be on the property as necessary for completion of grading performed in accordance with a grading permit issued by the City of Santa Barbara.

4. Sanitation. Sanitary facilities shall be provided for agricultural workers as required by the Santa Barbara County Division of Environmental Health and the California Occupational Safety and Health Administration.

5. Water Meters. All agricultural operations involving an area of one-half (½) acre or greater shall be placed on "Irrigation" water meters, as defined by authorization of Title 14 of this Code.

6. Irrigation Systems. All new or retrofitted agricultural irrigation systems for agricultural uses other than those carried out in greenhouses, shall be designed in accordance with the standards of the Soil Conservation Service for water conserving irrigation.

I. Improvements and additions of 500 square feet or less to existing Public Works Facilities including, but not limited to, sewer lift stations, pump stations, water wells, pressure reducing stations, generator enclosures, minor improvements to existing water storage reservoirs and other miscellaneous structures incidental to or improving the existing use. Standard construction conditions may be imposed on the building permit as deemed appropriate by the Community Development Director.

CONSERVATION ELEMENT AGRICULTURAL POLICIES

Biological Resources Sub-goal - Encourage the conservation of existing tracts of agricultural land and provide for expansion of agricultural land uses in a manner which maximizes compatibility with adjacent land uses.

Biological Resources Policy and Implementation Strategies –

7.0 Prime agricultural lands shall be conserved wherever possible and expansion of agricultural uses shall be allowed subject to maximizing compatibility with adjacent land uses and restricting effects on the environment.

7.1 Develop a zoning mechanism for agricultural land uses which includes performance standards in the Municipal Code which maximize compatibility with adjacent land uses, including but not limited to pesticide use and storage, drainage, habitat protection, noise, operation of heavy equipment and employee parking.

One performance standard shall require that specified grasses shall be seeded in all cleared orchard areas between October 1 and November 15 after clearance. Such seeds shall be hand broadcast according to specified formulas and mowing shall occur after the seeded grass has matured each spring in order to allow continued perpetuation. Compliance shall be monitored by City staff.

7.2 Develop a program of incentives and regulations which would encourage the retention of prime agricultural land.

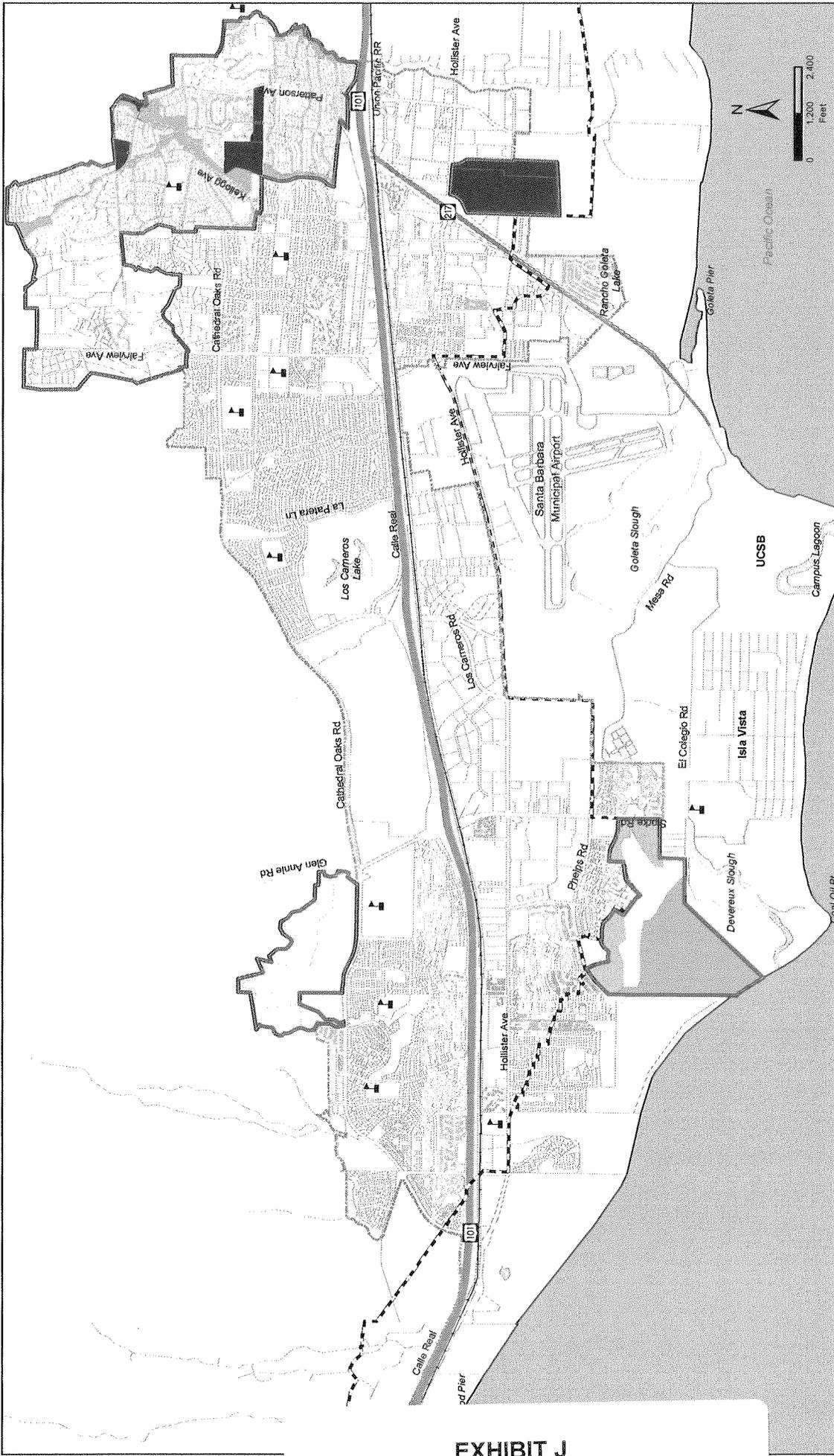


EXHIBIT J

Figure 2-4
POTENTIAL CITY OF GOLETA SERVICE AREAS

Legend

	Single Family Residential		Agriculture	Other Features		Goleta City Boundary
	Planned Residential		Open Space / Passive Recreation			Coastal Zone
	General Commercial		Recreation			Schools
			Public / Quasi-public			Future Service Area Boundary

Scale: 0, 1,200, 2,400 Feet

North Arrow

GENERAL PLAN/COASTAL LAND USE PLAN
 March 2006

GOLETA

- LU 11.5 Priority Projects.** The growth-management system may establish a list of priority projects, or categories of projects, that shall have priority for assignment of allocations of floor area each year.
- LU 11.6 Competitive Assignment of Annual Allocation.** The growth-management system shall establish a method of evaluating projects that are not exempt or in a priority category and a method for determining which projects are to be assigned allocations based upon their relative scores from the evaluation. The growth-management system may include a procedure of assigning annual allocations for larger projects that are phased over a period of several years.

Policy LU 12: Land Use In Goleta's Environs (GP)

Objectives: To identify possible areas for future service delivery and boundary expansion by the City. To influence the amount and character of land use change and development in nearby areas of the Goleta Valley that are not within the city but that may result in impacts inside the city and provide guidance with respect to mitigation of those impacts.

- LU 12.1 City of Goleta Planning Area.** The City of Goleta Planning Area, shown on Figure 2-3, extends from the western sphere of influence (SOI) boundary of the City of Santa Barbara in the east to the westernmost boundary of the service area of the Goleta Water District at the El Capitan area to the west. The planning area is bounded by the Pacific Ocean on the south and Los Padres National Forest on the north. The planning area includes lands within Goleta; lands within the city of Santa Barbara, including the Santa Barbara Municipal Airport; lands within the UCSB campus subject to the jurisdiction of the University of California Board of Regents and the California Coastal Commission; and a wide array of lands in unincorporated Santa Barbara County, ranging from the densely developed community of Isla Vista to the scenic rural landscapes of the Gaviota Coast. The planning area also includes lands within the jurisdiction of a variety of special districts, including the Goleta Water District, the Goleta Sanitary District, the Goleta West Sanitary District, the Embarcadero Community Services District, the Isla Vista Recreation and Park District, the Santa Barbara County Fire Protection District, the Santa Barbara County Flood Control District, the Metropolitan Transit District, and others.

In addition to the specific guidelines or criteria set forth in subsequent sections of this policy, the following general guidelines shall apply to lands within the planning area that are outside the city boundary:

- a. Land use changes and service delivery changes within the planning area shown in Figure 2-3 are likely to have impacts on Goleta and on its residents and businesses. Such changes could affect the ability of the City to fully or effectively achieve the various objectives and purposes set forth in this plan. Consequently, the City has a strong interest in reviewing and commenting on all proposals for change in the Planning Area.
- b. The City encourages the various entities with jurisdiction over lands within the Planning Area to refer all proposals for changes to the City for its review and comments. The changes of interest to the City include, but are not limited to, the following:
 1. Proposals for development of buildings or other structures.

2. Proposals for subdivision of land, including lot line adjustments.
 3. Proposals for changes in zoning, including the map of zoning districts and text regulations applicable to the land.
 4. Proposed new plans or amendments to existing plans, including community or area plans, specific plans, the Long-Range Development Plan (LRDP) of UCSB, the Santa Barbara Airport Master Plan, resource-related plans, and other similar planning documents.
 5. Master plans and similar planning documents for services and facilities of special districts.
 6. Proposals for annexation of lands.
 7. Proposals for acquisition or disposition of real property.
 8. Proposals to extend or modify services and/or infrastructure facilities.
- c. The City encourages that proposals related to the foregoing items be referred to the City at the earliest possible time so that the City's comments may have a role in helping shape the proposal prior to its being considered for final action in formal hearings or other proceedings.
 - d. The City encourages that the Lead Agencies pursuant to the California Environmental Quality Act (CEQA) for projects situated within the Planning Area include the City in their distributions of all CEQA notices for those projects, including, but not limited to, notices of preparation and notices of public scoping meetings.
 - e. The City shall notify all agencies and governmental entities having jurisdiction within the Planning Area of all City projects or actions that could potentially affect the agency or entity. This shall include notifications regarding the items set forth in section b. above and other notifications as may be requested by the agency or entity.
 - f. Additional rural lands should not be annexed to the Goleta Water District, Goleta Sanitary District, or the Goleta West Sanitary District.
 - g. Creation of new private service systems for sewer and water in rural areas north and west of Goleta shall be opposed.

LU 12.2 City of Goleta Service Boundary/Potential Sphere of Influence. Figure 2-4 shows Goleta's probable ultimate physical boundaries and service area, including boundaries for potential future additions to Goleta's service area. The subject areas are likely to share an identity as part of the greater Goleta area and in some instances are portions of neighborhoods that are split by present (2006) city boundaries. The following guidelines shall apply to lands within these areas:

- a. Planned Land Uses. Figure 2-4 shows the land uses planned by the City within the potential areas that may be added to Goleta's service area. These land use designations, which are described in Policies LU 2 through LU 7, indicate the City's intended land uses during the time that such lands remain under the land use control of the County, as well as following any future boundary changes to incorporate such lands within the City.

- b. Service Delivery. The City has determined that it has the ability to effectively and efficiently provide municipal-type services to the land areas depicted on the map in Figure 2-4. Further, the City is willing to extend its services to the subject areas, provided that there is interest by area residents in having the City as a primary service provider. In some instances, access to the subject areas is exclusively by streets from within Goleta. In these and other instances, it is likely to be more practical for the City of Goleta to provide services rather than other governmental entities. Urban services (such as sewerage systems) should not be extended outside the land areas that are designated for land uses and densities that necessitate such services.
- c. Sphere of Influence. The City may prepare a request to the Santa Barbara County Local Agency Formation Commission (LAFCo) for adoption (or amendment) of a SOI for the City of Goleta that includes all or portions of the lands identified in Figure 2-4. The environmental impact report prepared for this plan has evaluated the potential impacts of the subject area being incorporated into the SOI, including potential impacts of future land use and service changes.
- d. Future Boundary Changes. The City of Goleta places the highest importance on self-determination by the voters and property owners within the areas identified in Figure 2-4 as to the appropriate governmental organization for the areas. Since some of the areas are "inhabited," as defined in LAFCo law, any future boundary change would require approval by a majority of the voters within a subject territory. The City encourages property owners and residents within these areas that may be interested in consideration of a boundary change to advise the City at the appropriate time. The City will provide appropriate assistance to help evaluate the merits of possible changes in governmental organization.
- e. Development Proposals. Following adoption of an SOI for Goleta, the City encourages that any future proposals for urban-type development on lands within the SOI boundary be evaluated to determine if such development should only be considered following any appropriate change in governmental organization for the subject area. These determinations should involve participation by all affected parties, including the City, the County, the affected property owner(s), and any affected residents. The City of Goleta supports the general principle that new development that is urban in nature should be confined to cities.

LU 12.3 Santa Barbara Municipal Airport. Future changes at the Santa Barbara Municipal Airport, which is located on noncontiguous territory of the City of Santa Barbara situated at the center of Goleta, are of great interest and concern to the City of Goleta and Goleta's residents. Any future changes at the airport should take into account the following:

- a. New facilities or changes to existing physical facilities, such as runways and passenger terminals, should not be approved unless the impacts of the projects on nearby areas within Goleta have been fully evaluated pursuant to CEQA, and any residual impacts following implementation of mitigations are determined to be minor or insignificant. Mitigation measures should be required that avoid or reduce impacts to the maximum extent practicable.
- b. If noise impacts are anticipated to occur as a result of planned changes to airport operations or facilities, appropriate noise mitigation measures shall be

