



**BOARD OF SUPERVISORS  
AGENDA LETTER**

**Agenda Number:**

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** CEO  
**Department No.:** 012  
**For Agenda Of:** February 5, 2013  
**Placement:** Administrative  
**Estimated Time:** NA  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

---

**TO:** Board of Supervisors  
**FROM:** Department  
Director(s): Chandra Wallar, County Executive Officer  
  
Contact Info: Dennis Bozanich, Assistant to the CEO, 568-3400

**SUBJECT: Initiation of the Annexation of Clark Avenue Commercial Shopping Center/Key Site 4 (APN 103-750-38) (District 4)**

---

**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

1. Adopt the attached resolution initiating proceedings to annex territory, Clark Avenue Commercial Shopping Center/Key Site 4 (APN 103-750-38), to the North County Lighting District and County Service Area 5, and
2. Find that the proposed action(s) do not constitute a "Project" within the meaning of CEQA, pursuant to 14 CCR 15378 (b)(4) (creation of government funding mechanisms).

**Summary Text:**

This action proposes the annexation of the Clark Avenue Commercial Shopping Center/Key Site 4 (APN 103-750-38), to the North County Lighting District (NCLD) and County Service Area 5 (CSA 5). The resolution proposed for adoption will authorize County staff to submit the application for annexation to the Santa Barbara Local Area Formation Commission (LAFCO).

### **Background:**

The Board adopted Resolutions 94-307 and 94-308 to approve the consolidation and annexation of certain territories receiving street lighting services in the north county to the Santa Barbara North County Lighting District. The Santa Barbara Local Area Formation Commission (LAFCO) approved these actions pursuant to LAFCO Resolutions 94-7 and 94-8 respectively. These actions consolidated the Casmalia, Orcutt, and Los Alamos street lighting districts as well as annexing the street lighting functions of County Service Area 4 (unincorporated Lompoc) and County Service Area 5 (unincorporated Santa Maria), all of which are served by PG&E. Street lighting is the only service provided by this district. CSA 4 and CSA 5 also provide park and open space services (Community Services Department).

The approved Development Plan on Clark Avenue Commercial Shopping Center/Key Site 4 (APN 103-750-38), located at the southeast corner of East Clark Avenue and Stillwell Road and also known as Orcutt Key Site 4, allows for the construction of three single-story commercial buildings with total development of approximately 12,396 square feet as follows:

- **Building A** of approximately 4,580 square feet, containing as-yet unspecified neighborhood-serving commercial uses,
- **Building B** of approximately 4,847 square feet, containing as-yet unspecified neighborhood-serving commercial uses, and
- **Building C**, of approximately 2,969 square feet, containing an as-yet unspecified neighborhood serving commercial use, with an associated drive-through lane that could not be used for a fast-food restaurant.

There are currently no structures on the parcel, which is located entirely within the Orcutt Community Plan Key Site 4. The Planning Commission approved the project on July 18, 2012, and required that the site be annexed into the North County Lighting District and County Service Area 5. Additionally, the Planning Commission action required the project to annex into the Orcutt Community Facilities District (OCFD). Annexation to OCFD is through a separate process and is being initiated under a separate Board agenda item today.

### **Annexation Procedures:**

In order to minimize expenses and promote efficiency, the annexations to the NCLD and CSA 5 will be conducted in one reorganization application to the Santa Barbara LAFCO.

It will be initiated by the enclosed resolution of application and will be conducted in accordance with the procedures of the Santa Barbara LAFCO pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code.

The owners of the parcels not related to the Clark Avenue Commercial Shopping Center/Key Site 4 (APN 103-750-38) have the opportunity to convey support or opposition to the annexation at the LAFCO hearing.

### **Street lighting:**

The County's street lighting program receives revenue on the tax roll from 1% property tax allocations, benefit assessments, development specific benefit zones, or a combination of these. These revenues are used to pay for electricity and maintenance costs derived from PG&E owned and operated public use street lights. In order to collect these revenues, benefiting parcels must be within the NCLD service boundaries. The distribution of revenue from the 1% property tax is dependent on the Tax Rate Area

(TRA) annexed parcels are assigned to upon annexation. The amount of the benefit assessment may not be increased without voter approval as required by Proposition 218.

The Auditor-Controller's Office has indicated that based on the neighboring TRA of parcels already in the NCLD the portion of the parcels underlying the abandoned road right of way located in Key Site 4 would change from TRA 80-006 to TRA 80-012 upon annexation. TRA 80-012 will provide for allocation of the 1% property tax distribution to the NCLD (i.e. distribution of \$0.00007039 per \$100,000 of assessed value of each parcel to Fund 2670).

**Open Space Maintenance:**

CSA 5 provides for open space maintenance of approximately 79 acres. Funding is provided by a portion of the 1% property tax allocated to open space maintenance. As described above, annexation to CSA 5 will change the tax rate area from TRA 80-006 to TRA 80-012. TRA 80-012 currently has no (\$0.00) distribution to CSA 5 for park maintenance. (i.e. distribution of \$0.00 per \$100,000 of assessed value of each parcel to Fund 2140).

**Special Instructions:**

Request the Clerk of the Board to forward a certified minute order and completed executed copy of the resolution to:

1. Robyn Smith – Public Works Department 620 Foster Road, Santa Maria
2. Shannon Barcelona – Resource Recovery & Waste Management, Santa Barbara
3. Claude Garciacelay – Parks Department, Santa Barbara
4. Claudia Ornales, Auditor- Controller, Santa Barbara

**Attachments:**

Resolution, Area Map, TRA Table

**Authored by:**

Dennis Bozanich, Assistant to the County Executive Officer