

***SANTA YNEZ COMMUNITY SERVICES DISTRICT***

**MEMORANDUM**

**TO:** Board of Directors  
**FROM:** Jose Acosta, General Manager  
**DATE:** December 15, 2021  
**SUBJECT:** Resolution 21-15 setting forth findings, approving preliminary environmental review form, and authorizing filing notice of exemption relating to adoption of capacity fee ordinance.

**Recommendation**

Adopt Resolution 21-15, setting forth findings, approving preliminary environmental review form, and authorizing filing notice of exemption relating to adoption of capacity fee ordinance.

**Policy Implications**

The District adopted the California Environmental Quality Act (CEQA) Guidelines by Resolution 10-05. CEQA was enacted in 1970 as a system of checks and balances for land-use development and management decisions in California. In general there are three main purposes of CEQA:

- To inform public decision-makers of potential adverse environmental impacts of public or private projects carried out or approved by them.
- To provide for public participation in the environmental review process.
- To identify, and require the implementation of, feasible alternatives or measures that would mitigate (reduce or avoid) a proposed project's adverse environmental impacts.

The District's Environmental Review Committee is required to conduct an environmental review to determine if there will be an environmental impact or not.

**Background**

In March of 2016, the District awarded a contract to Ayala Boring, Inc. for the construction of an extension to the District's wastewater collection system consisting of a 10" sewer line installed under Highway 246 to make sewer service available to certain parcels of property located within the western portions of the District's territory. The project was completed on June 6, 2016 at a total cost of \$135,996. That cost was paid from District reserves. The District engineer has determined that there are 208 parcels that will benefit from the undercrossing if they are connected to the District's sewer system in the future.

The Horizon Drive Project was finalized on November 17<sup>th</sup>. Staff has gathered all the costs and Tuckfield and Associates has determined what the capacity fees will be and they will be discussed after this item.

Tuckfield & Associates prepared a report dated June 18, 2021 to update the District's current capacity fees to account for recent additions and proposed capital improvements to the District's sewer system. In August 2021, the Board adopted the capacity fees with Ordinance O-21-03 with an effective date of May 1, 2022. However, Assembly Bill 3182 ammended how capacity fees are applied to ADU's so the newly adopted capacity fees needed to be amended. Ordinance O-21-04, will revise the existing capacity fee, approve new capacity fees for Highway 246 Undercrossing and Horizon Drive Projects and amend the sewer service code.

### **Discussion**

The District's Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental review under the California Environmental Quality Act ("CEQA") pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board of Directors.

The Committee determined the proposed ordinance is exempt under CEQA. If Resolution No. 21-15 is approved by your Board, staff will file a Notice of Exemption (NOE) with the County Clerk Office.

### **Attached:**

Resolution 21-15  
Preliminary Review Form  
Notice of Exemption

**RESOLUTION NO. 21-15**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SANTA YNEZ COMMUNITY SERVICES DISTRICT SETTING  
FORTH FINDINGS, APPROVING PRELIMINARY ENVIRONMENTAL  
REVIEW FORM, AND AUTHORIZING FILING OF NOTICE OF  
EXEMPTION RELATING TO ADOPTION OF CAPACITY FEE ORDINANCE**

**WHEREAS**, at its regular meeting on December 15, 2021, the Board of Directors (the “Board”) of the Santa Ynez Community Services District (the “District”) is proposing to adopt Ordinance No. O-21-04 (the “Ordinance”) to (i) clarify certain provisions that apply to the District’s basic capacity fees, (ii) address the amendments to Government Code Section 65852.2 that were made by Assembly Bill 3182 as they apply to the District’s capacity fees for accessory dwelling units, (iii) approve a special capacity fee relating to the sewer main line extension that has been installed under Highway 246, and (iv) approve a special capacity fee relating to the sewer main line extension that has been constructed in the vicinity of Horizon Drive.

**WHEREAS**, the District’s Environmental Committee has conducted a preliminary review of the Ordinance and has concluded that the adoption thereof is exempt from environmental review under the California Environmental Quality Act (“CEQA”) pursuant to Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations. Said conclusion is set forth in the Preliminary Environmental Review form prepared by the Environmental Committee, a copy of which has been presented to and reviewed by the Board.

**WHEREAS**, the Board desires to adopt certain findings, approve the Preliminary Environmental Review form, and take other actions relating to the adoption of the Ordinance.

**NOW, THEREFORE**, the Board of Directors of the Santa Ynez Community Services District does hereby find, resolve and order as follows:

1. The Board hereby finds that, (i) under Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations, the capacity fees set forth in the Ordinance are for the purpose of (a) purchasing equipment and materials, (b) meeting financial reserve needs and requirements, and (c) obtaining funds for capital projects necessary to maintain service within the District’s existing service area, (ii) there is no substantial evidence in the record before the District that the Ordinance or the capacity fees approved thereby will have a significant effect on the environment, and (iii) no environmental review is required.
2. The Board hereby approves the Preliminary Environmental Review form prepared by the District’s Environmental Committee.
3. The General Manager of the District is hereby authorized and directed to sign and file with the Santa Barbara County Clerk a Notice of Exemption relating to the adoption of the Ordinance.

**PASSED AND ADOPTED** this 15th day of December, 2021, by the following vote of the Board of Directors of the Santa Ynez Community Services District.

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

---

Karen Jones, President of the  
Board of Directors

**ATTEST:**

---

Wendy Berry, Secretary of the  
Board of Directors

PRELIMINARY ENVIRONMENTAL REVIEW

SANTA YNEZ COMMUNITY SERVICES DISTRICT

1070 Faraday  
P.O. Box 667  
Santa Ynez, CA 93460  
(805) 688-3008

**Name of Project:** Adoption of Ordinance No. O-21-04 revising existing capacity fee ordinances, approving new capacity fees for Highway 246 Undercrossing and Horizon Drive Projects, and amending sewer service code.

**Location:** Santa Ynez Community Services District

Entity or Person Undertaking Project: (Check appropriate box)

- Santa Ynez Community Services District
- Other: Name: \_\_\_\_\_  
Address: \_\_\_\_\_

**Environmental Committee Determination:**

The District's Environmental Committee, having undertaken and completed a preliminary review of this proposed activity in accordance with the California Environmental Quality Act Guidelines ("CEQA Guidelines") has concluded that:

- A. The activity does not require further environmental assessment because:
- 1. The proposed action does not constitute a project under CEQA Guidelines Section 15378 or is statutorily exempt. Statutory Exemption: Section 21080(b)(8) of Public Resources Code.
  - 2. The project constitutes a feasibility or planning study under CEQA Guidelines Section 15262.
  - 3. The project is an Emergency Project under CEQA Guidelines Section 15269.
  - 4. The project is a Ministerial Project under CEQA Guidelines Section 15268.
  - 5. The project is exempt under CEQA Guidelines Section 15273.
  - 6. The project involves another public agency which constitutes the lead agency. Name of Lead Agency: \_\_\_\_\_

# Notice of Exemption

---

**TO:**  Office of Planning and Research  
P.O. Box 3044  
1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

**FROM:** Santa Ynez Community Services District  
P.O. Box 667  
Santa Ynez, CA 93460-0667

or

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

**Project Title:** Adoption of Ordinance No. O-21-04 Revising Existing Capacity Fee Ordinances, Approving New Capacity Fees for Highway 246 and Horizon Drive Projects and Amending Sewer Service Code

**Project Location – Specific:** Throughout Santa Ynez Community Services District

**Project Location – City:** Unincorporated Town of Santa Ynez

**Project Location – County:** Santa Barbara

**Description of Project:** Ordinance amending Sewer Service Code to revise capacity fees for users of the District’s sewer system and approving a new capacity fee for Highway 246 and Horizon Drive

**Name of Public Agency approving project:** Santa Ynez Community Services District

**Name of Person or Agency carrying out project:** Santa Ynez Community Services District

**Exempt status:** (check one)

- Ministerial project.
- Not a project.
- Emergency Project.
- Categorical Exemption.  
State type and class number:
- Declared Emergency.
- Statutory Exemption.  
State Code section number: Section 21080(b)(8) of Public Resources Code
- Other. Explanation: Section 15273 of Title 14 of California Code of Regulations

**Reason why project is exempt:**

The exemptions contained in Section 21080(b)(8) of the Public Resources Code and Section 15273 of Title 14 of the California Code of Regulations apply and the required findings have been made. There is no substantial evidence that the ordinance or the change in fees will have a significant effect on the environment.

**Lead Agency Contact Person:** Jose Acosta

Telephone: (805) 688-3008

**Signature of Lead Agency Representative:**

**Date Received for Filing:** \_\_\_\_\_

\_\_\_\_\_  
Jose Acosta, General Manager

Dated: December 15, 2021