



MONTECITO SANITARY DISTRICT

Housing Development Review Policy

Background: The District provides sanitary sewer service which includes collection, treatment and disposal of treated wastewater for the entire Montecito Community. As part of proposed building or development plans, District staff is charged with the responsibility to review County of Santa Barbara Building Permit application materials to verify the proposed development complies with applicable District standards, resolutions and ordinances

Purpose: The purpose of this Housing Development Review Policy (HDRP) is to provide objective standards, which comply with all State Housing Development laws and prevent adverse impacts to District facilities.

Definitions: Unless specifically defined below, words or phrases used in this HDRP shall be interpreted so as to give them the meaning they have in common usage and to give this HDRP its most reasonable application. Some definitions provided below are referenced from Ordinance 12 (2007) which governs Connections to Sewer and Video Inspections.

- A. **“Auxiliary Structure”** is any structure that is intended for any use other than a dwelling unit (e.g. pool house)
- B. **“Accessory Dwelling Unit” (ADU)** is an attached or detached residential unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residential unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and be located on the same lot that the primary residential unit is or will be situated.
- C. **“Board”** is the Board of Directors of the Montecito Sanitary District
- D. **“Certification Letter”** is a District letter addressed to the County containing the conditions and requirements for building permit approval.
- E. **“Connection”** is the point of connection of the private sewer lateral to District sewer facilities, commonly a fitting or “wye”.
- F. **“District”** is the Montecito Sanitary District
- G. **“Dwelling Unit”** is defined as any structure/unit equipped with both food preparation (e.g. oven, cooking surface, microwave, etc.) and bathroom facilities that allows for independent living accommodations for one or more persons. Such units may exist as a house divided into more than one residence, a guest house, an attached or detached residential second unit, a studio, an apartment, a converted garage and/or any other structure attached to or separate from the principal dwelling unit on any parcel.
- H. **“Junior Accessory Dwelling Units” (JADU)** is a unit that is no more than 500 square feet in size and contained entirely within the structure of an existing or proposed single residential unit. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing or proposed single residential unit.
- I. **“General Manager”** is the General Manager of the District or his or her designee.

Exhibit A

- J. **“Lot”** is any piece or parcel of land bounded and defined or shown upon a plot or deed recorded in the Office of the Recorder of the County, as a separate or individual parcel, except that in the event any building or structure covers more than a lot, the word “lot” shall include all such pieces or parcels of land upon which such building or structure is wholly or partly located.
- K. **“Owner”** is the property owner of records at the time of application
- L. **“District Sewer”** is any main line sewer constructed in any street, public right-of-way, or easement and owned and operated by the Montecito Sanitary District
- M. **“Pump Variance Agreement”** is an agreement between the owner and the Montecito Sanitary District
- N. **“Sewer Lateral”** is a the privately owned pipe connecting a dwelling unit to the District’s public sewer system for the purposes of conveying domestic sewage, including that portion extending into the right-of-way or easement and the point of connection to the public sewer. Sewer lateral, private sewer lateral, house connection, building sewer lateral and private force main all have the same meaning.
- O. **“Sewer Service Availability Letter”** provides the District’s understanding of the proposed alteration or lot split and establishes process for obtaining District approval.
- P. **“Sewer System”** is any portion of the District’s collection system, treatment works and/or disposal system.

Underlying Principals:

1. Each Lot or parcel shall have a dedicated sewer lateral and connection for providing District sewer service to any permitted Dwelling Unit or Accessory Dwelling Unit.
2. Each Owner shall maintain the Sewer Lateral serving each Dwelling Unit on the Owner’s Lot in good working condition, free of displaced joints, open joints, root intrusion, substantial deterioration of the line, cracks, leaks, infiltration, grease and sediment deposits, or conditions likely to cause or increase the likelihood for blockage of the sewer lateral or intrusion into District sewer main.

Appeals: An owner may appeal the General Manager’s determination or application of this Policy by requesting a review of the Board. At the Board hearing, the owner may present evidence to the Board as to why objective standards do not apply to a specific building permit application. Any hearing before the Board will require the preparation of written request for a hearing within 15 days after the date of the Certification Letter. If the owner does not request the hearing within the time allowed, the right to appeal the General Manager’s determination shall be deemed waived.

The District will provide a final notice of determination explaining the decision of the Board and any conditions for approval.

Exhibit A

Objective Standards for Approving ADUs and JADUs Building Permits

For proposed ADUs (regardless of attached or detached) or JADUs, plans shall indicate how ADU/JADU will be connected to District Sewer, either via connecting to the existing sewer lateral or installing a separate sewer lateral and connection to District Sewer. At a minimum, plans shall show alignment, connection point, and reference District Standard Details.

The property owner may elect to install a separate lateral to allow a separate gravity connection. Whenever possible, the District encourages gravity sewer laterals which may result in installing a separate sewer lateral and acquiring easements to connect if the lateral traverses another lot to connect to the District sewer main.

Topographic challenges and elevation of proposed ADU/JADU sometimes necessitate the installation of a private sewer pump station (also known as lift station or ejector pump). When proposed ADUs/JADUs require a pump to convey sewage from the new development, the Applicant shall complete a District Pump Variance Agreement and provide information on the emergency power source (generator, battery) and pump station sizing (wet well detention time).

Utilizing Existing Sewer Lateral to Serve ADU/JADU

Existing sewer lateral shall be inspected and the lateral shall be brought up to good working condition per Montecito Sanitary District standards (Ord. 12)

Application submittal shall include a Drainage Fixture Unit Calculation to demonstrate the existing lateral has capacity to serve both the existing primary residential unit and proposed ADU/JADU.

Fees: For conversion of existing Auxiliary Structure to ADU or Contained within the Existing Space of a Single-Family Residence, a connection fee will not be assessed.

District Administrative, Inspection and Performance Deposit fees shall be required at time of District permit issuance.

Installing a Separate Sewer Lateral and Connection

A new sewer lateral and connection shall be constructed per District Standard Details.

Fees: A connection fee (per current Fee Schedule) shall only be assessed if the proposed ADU is detached from the primary Dwelling Unit AND a separate dedicated sewer lateral and connection is installed. The connection fee shall be proportionate to the burden of the proposed ADU, based upon either its size or the number of its plumbing fixtures.

District Administrative, Inspection and Performance Deposit fees shall be required at time of District permit issuance.

Exhibit A

Objective Standards for Approving Lot Splits or Lot Line Adjustments

For proposed lot splits or lot line adjustments (via SB9 or AB803), District staff will review plans to verify dwelling units on each proposed Lot shall have a dedicated sewer lateral and connection to District sewer. If one of the resulting lots does not have a dwelling unit at the time of the lot split, the District will note this finding in the Certification Letter to the County of Santa Barbara. Any future development on the Lot will be subject to permitting and installing a separate sewer lateral and connection through County Building Permit process. The applicant would need to obtain a District Connection Permit at that time.

In the event that an existing sewer lateral must traverse another parcel as a result of the lot split or lot line adjustment, an easement agreement between the two property owners shall be recorded with the County of Santa Barbara. A copy of the recorded easement shall be provided to the District at the time of the permit application.

A connection fee in accordance with the District's current fees will be assessed at the time a new Dwelling Unit is proposed for vacant Lot.

Effective Date of this Policy

Once approval by the Board of Directors, this policy and the terms within it will be effective April 14, 2022. Any County of Santa Barbara building permit applications or developments currently under review or submitted after the effective date will be subject to the conditions included within this policy. the Montecito Sanitary District for review

Applicable Laws and Regulations:

- Government Code Section 65852.2
- Government Code Section 65852.22
- Senate Bill 1069
- Assembly Bill 2299
- Assembly Bill 2406
- Senate Bill 13
- Assembly Bill 68
- Assembly Bill 881
- Senate Bill 9 – The California H.O.M.E. Act
- Assembly Bill 803 – The Starter Home Revitalization Act of 2021 (Government Code 66499.40)

Revision Log:

Date	Version/Revisions
April 14, 2022	Initial Adoption - Resl 2022-947