

## **Attachment F**

Resolution approving the Mitigated Negative Declaration,  
Municipal Service Review, and adopting the Sphere of  
Influence update for the City of Pismo Beach

**IN THE LOCAL AGENCY FORMATION COMMISSION**  
**COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA**

Thursday, October 20, 2011

**PRESENT:**

**ABSENT:**

**RESOLUTION NO. 2011-XX**

**RESOLUTION APPROVING THE MUNICIPAL SERVICE REVIEW, AND ADOPTING THE  
SPHERE OF INFLUENCE UPDATE FOR THE CITY OF PISMO BEACH**

The following resolution is now offered and read:

**WHEREAS**, pursuant to Government Code Section 56425 et. seq. and the Commission's duly adopted Policies for Spheres of Influence, the Commission hereby conditionally adopts the Sphere of Influence (Exhibit A), with the Conditions of Approval (Exhibit B) for the City of Pismo Beach; and

**WHEREAS**, the Executive Officer has given the notices required by law and forwarded copies of his report to officers, persons and public agencies prescribed by law; and

**WHEREAS**, the public hearing for this matter was conducted at 9:00 a.m. on October 20, 2011; and

**WHEREAS**, at said hearings, this Commission heard and received all oral and written protests, objections, and evidence which were made, presented or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said Sphere of Influence Update and Municipal Service Review for the City of Pismo Beach; and

**WHEREAS**, the Mitigated Negative Declaration, is certified as the documentation to comply with the California Environmental Quality Act (CEQA) for this Sphere of Influence Update and Municipal Service Review for the City of Pismo Beach; and

**WHEREAS**, the Commission has considered all factors required to be considered by Government Code Section 56425 (e) and adopts the determinations set forth in the Public Review Draft of the Sphere of Influence Update and Municipal Service Review with said determinations being incorporated by reference herein as though set forth in full; and

**WHEREAS**, the Commission duly considered the Sphere of Influence Update and Municipal Service Review for the City of Pismo Beach, as modified in the October 20, 2011 Staff Report and pursuant to the conditions of approval found in Exhibit B of this resolution.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** by the Local Agency Formation Commission of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct, and valid.
2. That the Mitigated Negative Declaration prepared for this proposal is complete and adequate, having been prepared in accordance with the provisions of the California Environmental Quality Act and is hereby determined to be sufficient for the Commission's actions and is incorporated by reference.
3. That the Executive Officer of this Commission is authorized and directed to mail copies of this resolution in the manner provided by law.
4. That the Municipal Service Review for the City of Pismo Beach is approved with written determinations addressing the six factors stated in the Cortese-Knox-Hertzberg Act of 2000 and are hereby incorporated by reference.
5. That the Sphere of Influence Update for the City of Pismo Beach is adopted pursuant to the map and conditions in Exhibits A and B of this Resolution.

Upon a motion of Commissioner \_\_\_\_\_ seconded by Commissioner \_\_\_\_\_,  
and on the following voice vote:

**AYES:**

**NAYS:**

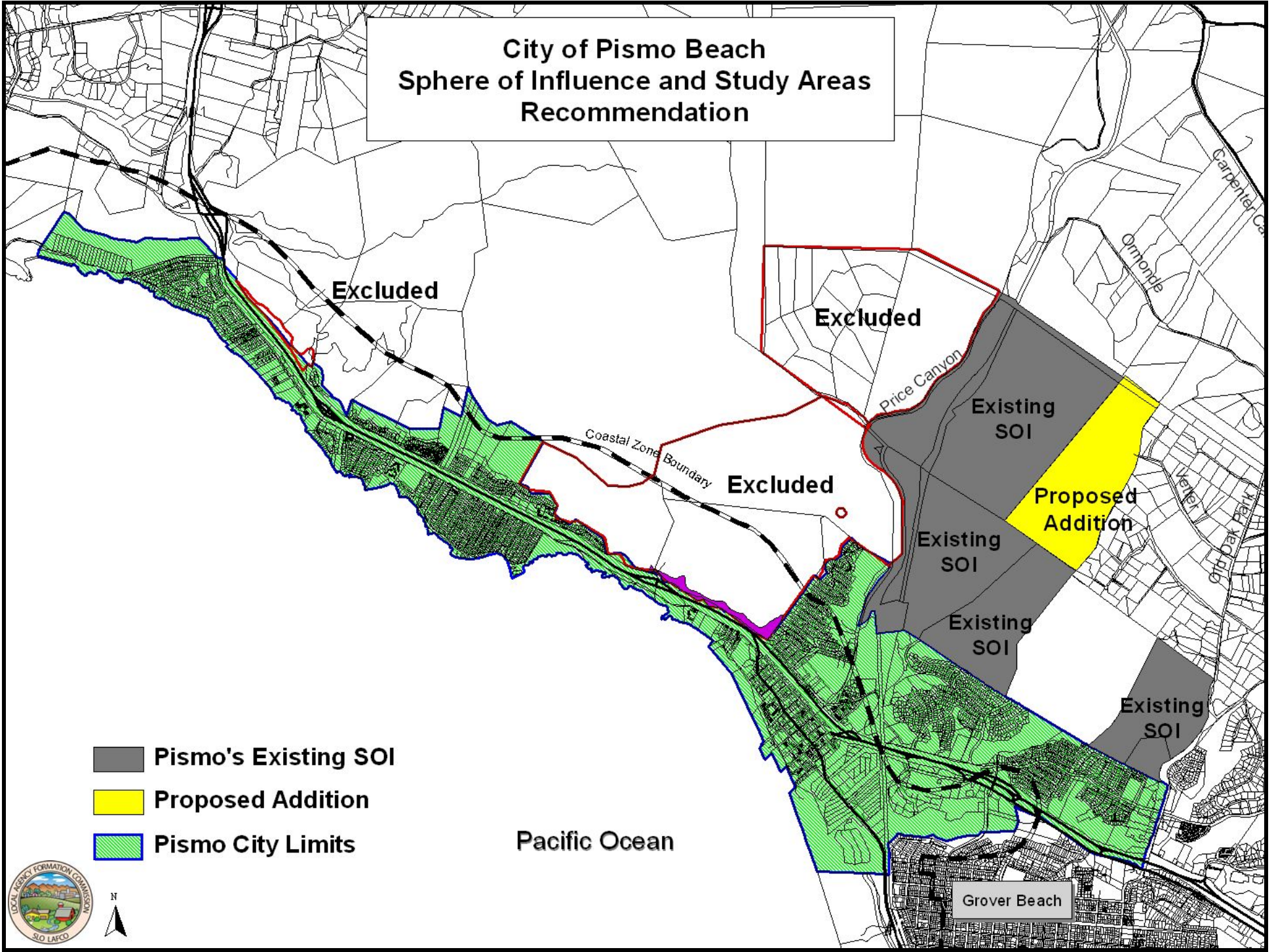
**ABSTAIN:**

The foregoing resolution is hereby adopted.

\_\_\_\_\_  
Richard Roberts, Chairman                      Date  
Local Agency Formation Commission



# City of Pismo Beach Sphere of Influence and Study Areas Recommendation



**EXHIBIT B**  
**CITY OF PISMO BEACH**  
**CONDITIONS OF APPROVAL**  
Sphere of Influence Update and Municipal Service Review  
October 20, 2011

These conditions of approval are based on the Sphere of Influence Update, Municipal Service Review, Memorandum of Agreement, the Initial Study and Mitigated Negative Declaration, and public input.

**1. Water**

- a. As a condition of an annexation application being filed with LAFCO, the City shall document with a water supply analysis that an adequate, reliable, and sustainable water supply is available and deliverable to serve the areas proposed for annexation.
- b. Future development shall be prohibited from utilizing groundwater from the Oak Park Aquifer, with the exception of Coastal Christian School which is allowed to be developed under the conditions of their County approved permit. Future annexations shall use deed restrictions, covenants or other appropriate measures to ensure that the groundwater is not pumped from this aquifer.
- c. Other groundwater basins in the area proposed for use shall document the safe yield of the basin and the future reliability of the aquifer.

**2. Phasing and Build-out**

- a. In order to avoid a "leap-frog" development pattern, encourage orderly growth in the area, and discourage urban sprawl, any proposals within the Sphere of Influence shall be phased such that properties adjacent to the existing City Limits are developed as part of the first phase of development.
- b. As a condition of an annexation application, the development on vacant or underutilized parcels already within the boundaries of the City shall be evaluated. The City shall provide LAFCO with a build-out estimate or inventory and document how it was prepared.

**3. Agriculture-Open Space**

- a. The City shall identify all agricultural and open space lands to be protected in the SOI areas when preparing a Specific Plan.
- b. Prior to LAFCO filing the certificate of completion (if an annexation is approved), conservation easement(s) shall be recorded on the deed(s) of the properties affected by the annexation specifying the areas to be protected in perpetuity.

4. **Wilde/Preserve Property** – Prior to inclusion into the City of Pismo Beach's Sphere of Influence, a Lot Line Adjustment for the 20-acre Preserve property shall be completed with the remaining land intended to be placed in a conservation easement.