

Attachment C

LAFCO Proposal Review Factors - Government Code 56668

Los Robles Del Mar Annexation

to the City of Pismo Beach #15 1-R-11

The Cortese-Knox Hertzberg Act requires that the following factors be considered by LAFCO in its decision making process. No one factor is to be considered more highly than another; however one factor may be more important depending on the circumstances of a proposal. These factors are to be considered by the Commission and weighed and balanced in the decision-making process.

Factor (a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

Response. Many of these factors are addressed in the Staff Report. The Los Robles del Mar project site involves 182 acres of vacant land located adjacent to and immediately west of Oak Park Boulevard and adjacent to the northern boundary of the City of Pismo Beach. The site is currently vacant and has been within the City of Pismo Beach's Sphere of Influence since 1987. The existing condition of the site is that of undeveloped grassy hillsides with a variety of vegetation and wildlife present. The three main types of vegetative wildlife habitats on the site are Chaparral, Oak Woodland and grasslands. There are also some wetland species located on the southeastern portion of the property and a small cluster of willows on the northeastern boundary of the property. The Specific Plan approved by the City proposes to change the zoning from Rural Lands in the County to the following zoning categories: High Density Residential, Low Density Residential, Open Space and Public/Semi Public in the City. This would allow for 312 units of housing with 60 of those units categorized as affordable senior housing. A private school is proposed on a separate 28 acre parcel.

The Los Robles Del Mar site is located approximately one half mile north of U.S. Highway 101 the currently unincorporated area of San Luis Obispo County. The rectangular-shaped parcel borders the eastern portion of the City of Pismo Beach and consists of two separately owned parcels referred to as Property A and Property B (see Figure 1, Vicinity Map). Property A involves a total of 154 acres comprising the northern and western portions of the site while Property B involves a total of 28 acres within the southeastern portion of the site. The project site is located on the lower slopes of the Santa Lucia foothills adjacent to the inland (northern) boundary of the City of Pismo Beach. The vacant project site is bordered by agricultural land on the west and rural residential lots on the north, both of which are currently under the jurisdiction of the County of San Luis Obispo. Areas to the east of the project site contain Oak Park Boulevard, which forms the eastern project boundary, Noyes Road and single family homes within the City of Arroyo Grande. Areas to the south of the site contain Sea Country Estates and other residential development within the City of Pismo Beach.

Factor (b) The need for organized community services, the present cost and adequacy of governmental services and controls in the area, probable

future needs for those services and controls, probable effect of the proposed incorporation, formation, annexation, or exclusion and alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

Response. The present cost and adequacy of governmental services and controls in the area is met by the County. The site is vacant and requires minimal service levels at this point in time. If the annexation is approved the area will require urban level services that can be provided by the City. The annexation would increase the costs of services commensurate with the increases in services. The City would provide a higher level of service to the site. Alternatively, if the annexation is not approved the level and cost of services will not be affected.

Factor (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

Response. The proposed action would allow the Specific Plan approved by the City to be implemented upon compliance with the conditions of approval, if any. The area would be removed from the County's unincorporated area and be within the City's incorporated service area. The eventual impact could be an increase of population for the City. The City would be responsible for providing services to the area. The new population would contribute to local businesses, social and economic interests.

Factor (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

Response. The City's Los Robles Del Mar Specific Plan provides for the planned, orderly and efficient development of the area by regulating development via standards expressed in the specific plan and approving the entitlements and environmental documentation regarding any future proposals. The City has also completed CEQA that evaluated the Tentative Tract Map impacts associated with the proposal. The following are the San Luis Obispo LAFCO Policies for City Annexations:

San Luis Obispo LAFCO Policies for City Annexations

1. The boundaries of a proposed annexation must be definite and certain and must conform to lines of assessment whenever possible.

Analysis. The boundaries are definite and certain and adhere to assessor parcel lines.

2. The boundaries of an area to be annexed will not result in any areas difficult to serve.

Analysis. The properties are adjacent to the City of Pismo Beach and are not difficult for the City to provide services.

3. There is a demonstrated need for governmental services and controls in the area proposed for annexation.

Analysis. The Specific Plan approved by the City requires that urban level services be provided to the properties.

4. The municipality has the resources capable of meeting the need for services in the area proposed for annexation and has submitted studies and information documenting its ability to serve.

Analysis. The City has demonstrated its ability to serve the site in the certified Environmental Impact Reports completed for the project. The City completed an upgrade of their wastewater facility and has the capability to provide police and fire services. The City's has updated its Urban Water Management Plan that reflects the transfer of State Water entitlement from Pismo 98 LLC to the project proponents for the amount of 100 afy. The CEQA Addendum provided analysis that demonstrated 100 afy was adequate to serve the project. With the additional 100 afy transferred to the City water system to provide water service to the site, adequate resources exist.

5. There is a mutual social and economic community of interest between the residents of the municipality and the proposed territory.

Analysis. The proposed Specific Plan would become part of the social and economic fabric of the City of Pismo Beach.

6. The proposed annexation is compatible with the municipality's general plan. The proposed annexation represents a logical and reasonable expansion of the annexing municipality.

Analysis. The City has approved the Los Robles Del Mar Specific Plan and it is compatible with its General Plan. The properties have been in the Sphere of Influence for the City since 1987. The Sphere of Influence was updated in 2011 and the properties continued to be part of the SOI. A Sphere of Influence is the probable physical boundary of a jurisdiction.

Factor (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

Response. The parcel just west and adjacent to the proposal can continue its agricultural activities. The proposal site is not productive agricultural land is not categorized as prime agricultural lands.

Factor (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

Response. The annexation boundary follows lines of assessment and does not create an island or corridor of unincorporated territory.

Factor (g) A regional transportation plan adopted pursuant to Section 65080, and consistency with city or county general and specific plans.

Response. The annexation is consistent with the City's General Plan and Policies. The City has approved the Specific Plan, Development Plan, Tentative Tract Map and Environmental Impact Reports. The annexation is consistent with the 2010 Regional Transportation Plan prepared by SLOCOG. Over the past decade the emphasis in the US 101 corridor has been on operational improvements in the Five Cities area. Five auxiliary lane projects have been constructed between Shell Beach and Arroyo Grande providing improved traffic operations. Several Highway 101 improvements have been completed as identified in the 2010 RTP.

Factor (h) The Sphere of Influence of any local agency which may be applicable to the proposal being reviewed.

Response. The proposal site is within the City of Pismo Beach's current Sphere of Influence which was updated in 2011. The proposal does not conflict with the Sphere of Influence of any other jurisdiction.

Factor (i) The comments of any affected local agency or other public agency.

Response. Comments regarding this proposal have been received and are addressed in the Staff Report. Also, comment letters are included in Exhibit D.

Factor (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Response. The City of Pismo Beach is capable of providing services to the properties. This is documented in the Specific Plan, the previously completed EIR and recently adopted Addendum, County's certified Mitigated Negative Declaration for the school site, the Developers Agreement and other studies completed by the City. The property tax agreement has been approved by the City of Pismo beach and the County of San Luis Obispo.

Factor (k) Timely availability of water supplies adequate for projected needs.

Response. This is discussed in detail in the above sections. The City is required to document that an adequate water supply exists to serve the site prior to the annexation being finalized. The proposed project is expected to use State water to meet the domestic and landscape needs. The school site will use groundwater via the use of existing on-site wells.

Factor (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

Response. The Los Robles Del Mar Specific Plan calls for the construction of 60 affordable Senior Housing units. The required number of units called for by the General Plan is 26. The balance of the units (252) is intended to be sold at market rate prices.

The Specific Plan calls for the 60 units to comply with the City's General Plan Housing Element and the City Municipal code establishes inclusionary housing requirements and standards identified in Section 17.26.020 with the intent of increasing the production and availability of affordable housing units, which assists in implementing the Housing Element of the General Plan. The City's Housing Element policy number 22 which states in part:

The City adopted an inclusionary housing program for residential projects over five units, commercial projects exceeding 5,000 square feet, and subdivision of 10 or more residential lots.

Factor (m) Any information or comments from the landowner or owners.

Response. The LRDM property owners are in favor of the proposal.

Factor (n) Any information relating to existing land use designations.

Response. The existing land use is Rural Lands and further addressed in the staff report.

Factor (o) Environmental Justice. The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

Response. The units are available for purchase to people of all races and cultures. It can be expected that the cost of one of the residential units would be such as to preclude lower and moderate income individuals and families. The 60 Senior Housing Units will exceed the City's required number of affordable units as discussed above. With regard to the location of public facilities and the provision of public services, this project does not affect the fair treatment of people of all races, cultures and incomes. Facilities (pipeline and infrastructure) associated with development will be located within public roadways or on the site. The City services such as police and fire are capable of serving the site and have adequate resources to serve all residents of the City of Pismo Beach.