

DATE: 10/05/99 AGENDA ITEM # 17a.
() APPROVED () DENIED
() CONTINUED

TO: JAMES L. APP, CITY MANAGER
FROM: BOB LATA, COMMUNITY DEVELOPMENT DIRECTOR *Bob*
SUBJECT: ALTERNATIVE APPROACHES TO SEEKING LAFCO
RECONSIDERATION OF PARCELS IN BLACK RANCH ANNEXATION
DATE: OCTOBER 5, 1999

Needs: For the City Council to consider alternative approaches to seeking LAFCO reconsideration of annexation of parcels that were deleted from the Black Ranch annexation process.

Facts:

1. On September 16, 1999 the Local Agency Formation Commission (LAFCO) considered the Black Ranch Annexation. LAFCO approved annexation of three properties (Masia, Eberle, and a City-owned parcel) but deleted the balance of the parcels from the annexation area.
2. All of the parcels in the requested annexation area are within the City's Sphere of Influence. From the City's perspective, there are strong and compelling reasons why the balance of the parcels should have been included in the annexation approved on September 16, 1999.
3. Interest in returning to LAFCO with a new annexation application has been expressed by City Council members. The purpose of this report is to outline options for Council consideration.

Analysis
and

Conclusion:

In considering the alternative approaches, the following factors would seem to apply:

1. Time: How long would it take to prepare a new application with the required supporting documentation?
2. Cost: What additional studies and environmental mitigation measures would need to be undertaken, and what would the costs be for this work?
3. Property owner support: There is documentation of property owner support for the current General Plan and Pre-Zone designation for "Agriculture". It is unknown whether there would be uniform support for alternative land use designations.

With the foregoing considerations in mind, and for the following reasons, the fastest, least expensive, and least complex approach to Annexation would seem to be a new application with the existing "Agriculture" General Plan and Zoning designation:

- The jurisdictional boundaries established by LAFCO on September 16, 1999 are inconsistent with LAFCO policies.
- The City has existing water service facilities in Airport Road.
- The properties between Black Ranch/Eberle and the City boundaries are needed to implement the City's water and sewer master plans, plus provide alternative Airport Road vehicular access to the Black Ranch property.
- The properties along Airport Road are currently split between both City and County jurisdiction (their frontages are in the City as a result of the 1990 Airport annexation, with the balance of the property in the County). Property owners along Airport Road currently receive property tax bills for two different jurisdictions and should logically be under the City's jurisdiction.
- City control over the development of the properties is important because of the proximity of the City's airport (the subject properties are in the take-off patterns of two different runways).
- Airport road is the primary access to both the Municipal Airport and nearby industrial development. It is reasonable that the City have development control over the entry corridor to the Airport.
- Maintaining the current AG designation provides an effective "holding zone" until such time as the properties are ready to develop for other purposes. To designate the properties at this time for other uses would tend to encourage speculation and/or premature development.
- Concerns about AG viability are unrealistic in light of surrounding development patterns:
 - Golf course planned to the west
 - Industrial and Airport existing to the north
 - Future resort and existing winery to the east
 - Highway 46 corridor to the south
- The County Board of Supervisors' recent action to support consideration of a General Plan Amendment from AG to Service Commercial for the Arciero property at the intersection of Highway 46 and Jardine Road is a further indication that the subject area is not viable for exclusively AG uses.

The County of San Luis Obispo had previously approved the California Youth Authority and Jardine Road area residential developments, which are marked departures from Agricultural use in the surrounding area.

Alternative/Other land use designations/approaches have the following considerations

- The existing General Plan, Pre-Zone, and Environmental Assessment is for AG. Any other land use designation would require a GPA, Zone Change, and environmental assessment (and mitigation measures) consistent with the land use.
- If the City resubmits with the current AG designation, the matter could be before LAFCO in the shortest possible time frame and at the greatest cost savings.
 - a. Application could perhaps be before LAFCO in December or January;
 - b. Costs would be limited to preparation of new legal description, map, and filing fees (estimated at less than \$10,000).

If the City seeks to establish alternative land use designation(s), the process will be complicated by additional time, cost, and property owner coordination:

- a. General Plan Amendment and Re-Zone: 3 months;
 - b. Environmental Studies to possibly support a conclusion of “no significant impact” and processing of Mitigated Negative Declaration: 4+ months;
 - c. If the process is forced into an EIR: 6+ months;
 - d. Costs could range as high as \$30,000 to \$50,000 for the required studies;
 - e. Required mitigation measures would be additional costs above and beyond the environmental studies;
 - f. Any change in land use designation would require meetings with a agreement from the property owners. The property owners may not be unified as to their goals and willingness to support an alternative to AG.
- Options for alternative land use designations:
 - a. Parks and Open Space (POS): Consistent with property to the west (possible Huer Huero Golf Course site) and east (Mundee RV Park), but would require environmental studies and mitigation measures proportionate to the potential intensity of the use of the property. The environmental studies to support a possible conclusion of “no significant impact” would take time (2-3 months minimum) and would involve additional costs for consultant studies. POS would provide additional land

use options and would avoid incompatible circumstances for the Airport and Airport entry corridor.

- b. Commercial: Consistent with the corner of Airport Road and Highway 46 East (Ernie Smith property). Environmental assessment more problematic since it would be more likely to conclude "significant impact" and result in the need for an EIR". Doing an EIR would extent the time frame for about 6 months (at best). Policy question: Does the City Council wish to support a "strip commercial" entry to the Airport?
- c. Industrial / Business Park: With adequate design controls, could provide an attractive and compatible entry to the airport. Environmental assessment more problematic/more likely to conclude "significant impact". Doing an EIR would extent the time frame for about 6 months (at best). Industrial/ Business Park development may be the most appropriate long-term use of the subject properties, but would seem premature at this time.
- d. Residential: Inconsistent with the preservation of the economic viability of the Municipal Airport.

In summary, the least time-consuming, least costly, and least complex option is to pursue reconsideration of the balance of the properties under the current General Plan and Zoning designation of AG.

Policy

Reference:

LAFCO policies, General Plan and Zoning, California Environmental Quality Act

Fiscal

Impact:

Varies as to alternative; minimum estimate at \$10,000; studies to support other alternative land use designations are estimated at up to \$50,000 (actual costs would depend on bids submitted).

Options:

- a. That the City Council direct staff to proceed with a new LAFCO application, based on the existing AG land use and zoning, as soon as feasible, and process a budget appropriation for an estimated cost of not to exceed \$10,000.
- b. Amend, modify or reject Option "a." (If more costly alternative approaches are directed, an additional funding appropriation would need to be considered.)

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