



## Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218  
805.781.7170  
[slocity.org](http://slocity.org)

February 3, 2021

Mr. David Church  
Interim Executive Officer  
San Luis Obispo Local Agency Formation Commission  
San Luis Obispo, CA 93401

*Via email to [Dchurch@slolafco.com](mailto:Dchurch@slolafco.com)*

Re: Submittal of the Froom Ranch Specific Plan Annexation Application

Dear Mr. Church:

On behalf of the City of San Luis Obispo, we are transmitting the following materials as our request for annexation of the Froom Ranch Specific Plan area into the City.

1. Resolution No. 11165 (2020 Series) of the City Council, dated September 15, 2020, approving the submittal of application for the Froom Ranch Specific Plan project
2. A completed copy of the LAFCO Application (original signed copies to follow in the mail)
3. Annexation Map
4. Legal Description (metes and bounds) for the annexation area
5. A Plan for Providing Services within the annexation area
6. Letter of Consent form (original signed copies to follow in the mail)
7. Ordinance No. 1689 (2020 Series) of the City Council, dated September 15, 2020, establishing pre-zoning of the annexation property and amendment of the City zoning map
8. The approved Froom Ranch Specific Plan (RRM Design Group)
9. The approved Froom Ranch Vesting Tentative Tract Map No. 3106
10. The City's certified CEQA Final EIR for the Froom Ranch Specific Plan project

A check in the amount of \$6,968 to cover the anticipated LAFCO fee deposits, and an additional check in the amount of \$702 made out to the County of San Luis Obispo for map checking fees, as well as original hard copy signatures on all required forms, will be delivered to LAFCO offices shortly.

Please feel free to contact us to discuss any of these submittal materials. We look forward to working with you through the completion of annexation.

Sincerely,

A handwritten signature in blue ink, appearing to read "Emily Creel".

Emily Creel  
Contract Planner

## **FEE SCHEDULE WORKSHEET**

1. **Processing Fee (depends upon proposal type):** \$5,968 \_\_\_\_\_

Annexation fees are based upon total acreage. Other types of proposals also include a processing fee. Reorganizations (two or more changes of organization) have a separate fee.

2. **Sphere of Influence Fee:** \$ \_\_\_\_\_

SOI fees are also based upon acreage and represent an initial deposit toward the proposal's processing cost.

3. **Environmental Fees:** \$1,000 \_\_\_\_\_

\_\_\_\_\_

Environmental Determination fees are required for compliance with the California Environmental Quality Act (CEQA).

4. **Other Fees:** \$ \_\_\_\_\_

**Total LAFCO Fees Due with Application Filing:** \$ \_\_\_\_\_

Checks should be made payable to LAFCO.

5. **Public Works Department Fee** \$702.00 \_\_\_\_\_

\$702.00 per application for checking maps and legal descriptions.  
A separate check made out to the County is required.

6. **State Board of Equalization (BOE) & County Clerk-Recorder Fees:** \$ \_\_\_\_\_

The BOE fees are paid after LAFCO approval has been granted. A separate check made out to the State Board of Equalization is required.

If you need help in determining your fees, please contact LAFCO staff for assistance at (805) 781-5795.

## **COST ACCOUNTING AND INDEMNIFICATION AGREEMENT**

Applicant: Michael Codron

Mailing Address: 919 Palm Street, San Luis Obispo, CA 93401

Telephone: (805) 781-7170

Fax: (805) 781-7173

E-mail Address: mcodron@slocity.org

The cost of processing an application may exceed the initial deposit required. In order to recover any additional costs associated with processing your application, the Local Agency Formation Commission, LAFCO, has found it necessary to implement a provision of the Fee Schedule that provides full cost recovery for processing an application.

I, Michael Codron, the landowner and/or responsible Applicant, agree to pay the actual costs pursuant to the Fee Schedule attached hereto, plus copying charges and related expenses incurred in the processing of this application. I also understand that if payment on any billings prior to final action is not paid within thirty (30) days, I agree that processing of my application will be suspended until payment is received. In the event of default, I agree to pay all costs and expenses incurred by LAFCO in securing the performance of this obligation, including the cost of any suit and reasonable attorney fees.

As part of this application, Applicant agrees to defend, indemnify, hold harmless and release the San Luis Obispo Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on the proposal or on the environmental documents submitted to or prepared by LAFCO in connection with the proposal. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorneys' fees, and expert witness fees that may be asserted by any person or entity, including the Applicant, arising out of or in connection with the application. In the event of such indemnification, LAFCO expressly reserves the right to provide its own defense at the reasonable expense of the Applicant. If the applicant is in non-compliance with an existing agreement, the applicant shall be subject to LAFCO General Policy 20, which identifies additional steps that must be satisfied before a new application may be accepted.

In order to implement the cost accounting and indemnification provisions, please sign and date this statement indicating your agreement to the cost accounting procedure and indemnification agreement. This signed agreement is required for your application to be accepted for processing. Checks may be made payable to LAFCO and delivered or mailed to the LAFCO Office at 1042 Pacific Street, Suite A, San Luis Obispo, CA 93401. If you have questions regarding your application, please contact the LAFCO Office at (805) 781-5795.

Michael Codron  
Applicant's Signature

2/3/2021  
Date

**SAN LUIS OBISPO LAFCO**  
**Local Agency Formation Commission**

**Proposal Application**

The California Government Code requires the Commission to review specific factors in its consideration of this proposal. Please complete this form to facilitate our review.

Please provide the names and addresses of the Applicant's Agent or and/or other persons to whom copies of the Agenda, Executive Officer's report and any required notice or hearing is to be furnished.

<b>Applicant/Agents</b>		
<b>Name</b>	<b>Address</b>	<b>Telephone No./ Email</b>
Michael Codron	919 Palm Street, San Luis Obispo, CA 93406	(805) 781-7187 mcodron@slocity.org
Shawna Scott		(805) 781-7176 sscott@slocity.org
Emily Creel		(805) 539-2870 ecreel@swca.com

<b>Interested Parties</b>		
<b>Name</b>	<b>Email Address</b>	<b>Telephone No.</b>
Dennis Fernandez	djfern33@gmail.com	
Mark DeLotto	mdelotto@villaggioslo.com	
Bob Richmond	brichmond@villaggiocommunities.com	
Tim Walters	tjwalters@rrmdesign.com	
Pam Ricci	paricci@rrmdesign.com	
Vic Montgomery	VMontgomery@rrmdesign.com	

**Applicant & Property Owner E-mail Addresses**

John Madonna		John@jmadonna.com
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**Proposal Type:**

- ANNEXATION
- SPHERE OF INFLUENCE
- DISSOLUTION
- CONSOLIDATIONS

- OUTSIDE USER AGREEMENT
- SPECIAL DISTRICT FORMATION
- MERGERS
- REORGANIZATIONS

- SPECIAL STUDY
- INCORPORATION OF CITY
- DIVEST/ACTIVATE POWERS
- DETACHMENT

## **General Information**

Name & type of Proposal: Annexation of the 109.7-acre Froom Ranch Specific Plan site into the jurisdiction of the City of San Luis Obispo.

(e.g., name, type, jurisdiction)

1. This Application was initiated by:

Petition     Resolution of Application

2. Does the application include 100% written consent of each property owner in the affected territory?

Yes     No

3. State reason(s) for requesting the proposed action: Application to LAFCO for annexation is consistent with the action of the City of San Luis Obispo City Council to initiate annexation per Resolution No. 1165 (2020 Series) adopted on September 15, 2020 along with the review of a Specific Plan and other project entitlements. The Froom Ranch Specific Plan is identified in the City's Land Use Element as an expansion area designated for development and eventual annexation.

4. State location of affected territory: The project site is located adjacent to the southwestern city limit line of the City of San Luis Obispo. It is located on the west side of Los Osos Valley Road, just west of Highway 101.

5. Is the affected territory inhabited or uninhabited (less than 12 registered voters)?

Inhabited     Uninhabited

6. Do the boundaries of the district or city overlap or conflict with the boundaries of the proposed annexation?

Yes     No

If yes, justify the need for overlapping or conflicting boundaries: \_\_\_\_\_

7. Do the boundaries of the territory split lines of assessment?

Yes     No

8. Do the boundaries of the territory proposed create an island or corridor of unincorporated territory or a strip?

\_\_\_\_\_ Yes        X   No

If yes, justify the necessity for the boundaries as proposed: \_\_\_\_\_

9. If the proposed boundary follows a street or highway does it include the entire street or highway?

\_\_\_\_\_ Yes        X   No – the proposed boundary does not follow a street or highway.

10. List the cities or district(s) that will be affected by this proposal:   The City of San Luis Obispo.  

### **Land Use Information**

11. Total acreage:   109.7 acres  

APN #s   067-241-030 and 067-241-031  

12. Indicate the zoning. County and City rezoning of the site:

  County: Agriculture, Commercial Retail, Rural Lands (refer to EIR Figure 3.9-1)  

  City: Pre-zoned - R-3-SP, R-4-SP, CR-SP, PF-SP, & C/OS-SP  

13. Describe any special land use concerns found in General Plans:   The project is located adjacent to the City's Urban Reserve Line. The Specific Plan carefully evaluated the extent of development on the site and modified the URL based on this analysis. As part of the project, 66.2 acres of Open Space in the Irish Hills will be preserved through a permanent open space easement agreement.  

14. Describe the existing land use:   Grazing, mining operation, construction company business office and storage, stormwater management.

15. What is the proposed land use? Consistent with Pre-zoning: Medium-High Density Residential (including a Life Plan Community), High Density Residential, Commercial Retail (including potentially a hotel), Public Facility (park), and Conservation/Open Space

16. Has the affected territory been rezoned?  Yes  No

Date: October 8, 2020 (Please attach ordinance)

If yes, what is the rezoning use and densities (if applicable) permitted? Multifamily residential uses with a density range of 13-24 units, 100,000 square feet Commercial Retail, 66.2 acres Conservation/Open Space, 3.6-acre trailhead park (refer to Specific Plan Table 2-1).

17. Describe the specific development potential of the property: Primarily residential including a Life Plan Community known as Villaggio, multi-family housing, and affordable housing. Some commercial development is proposed in the northeastern part of the site adjacent to an existing shopping center (including potentially a 70,000 square foot hotel).

18. Has a Land use Permit, Conditional Use Permit, Tract Map, or Specific Plan or other land use approval been given for the property(ies)?

Yes  No If yes, please attach a copy of the approval.

### **Environmental Information**

(Please submit any environmental studies that have been completed.)

19. Has an environmental determination (Negative Declaration-Environmental Impact Report) been certified by a legislative body?

Yes  No

If yes, please attach a copy.



20. Is the site presently zoned for or engaged in agricultural use?

Yes       No      If yes, please explain: site currently supports limited horse grazing and prime agricultural land as defined by the Cortese-Knox-Hertzberg Local Government Reorganization Act (refer to EIR Section 3.2, particularly pages 3.2-6, 3.2-9, 3.2-12, 3.2-13, 3.2-16 through 3.2-19).

Prime agricultural land:

Yes       No

21. Will extension of services requested for this proposal induce growth on affected property?       Yes       No

On adjacent properties?       Yes       No

Unincorporated?       Yes       No

Both?       Yes       No

22. Will the proposal require public services from any agency or facility that is currently operating at or near capacity, i.e. sewer, water, police or fire?

Yes       No

If yes, please explain: No (refer to Specific Plan Chapters 6 and 7, and EIR Sections 3.12 and 3.14)

23. Please describe the environmental setting of the site: Site topography varies substantially across the site, by approximately 100-120 feet. Relatively flat grassland, disturbed areas, the Froom Creek channel, and wetlands occur in the lower elevations. Upper elevations of the site have steeper slopes and drainages that transition to the Irish Hills Natural Reserve to the south. Project development is predominantly proposed in the flatter grassland portion of the site. The southwestern part of the site with more biologically diverse species and steeper slopes will be retained as open space.

24. Terrain: Level to gently rolling (0-10%)     

Slopes (10-30%)     

Steep slopes (over 30%)

25. Hydrology (streams, lakes, or marshes on site)?  Yes  No

If yes, please describe: Froom Creek traverses the site in a mostly north to south direction. An approximately 5.81-acre established wetland area is located adjacent to Calle Joaquin. Three small tributaries are located in the southwestern part of the site to be protected as open space.

26. Vegetation:

Has the natural vegetation already removed or altered?

Yes – in lower portions of the site  No – in upper slopes of the site

27. Are there any endangered plant species on site?  Yes  No

28. Have any endangered or threatened species been identified?

Yes  No

If yes, please explain: The disturbed (predominantly lower) portion of the site has been used for mining and ranching activities over time which has changed natural vegetation in places. The FEIR analyzed biological impacts in detail (refer to EIR Section 3.4). In general, numerous endangered and protected plant species are known to occur or have the potential to occur in the upper terrace, proposed open space areas of the site. Froom Creek provides habitat for additional endangered or threatened species (refer to EIR Section 3.4.1.5, pages 3.4-15 through 3.4-26).