

# 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.

Name	Applicant/Agents Address	Telephone Number
Nick Tompkins	684 Higuera St., Suite B	805-541-9004 (Office)
	San Luis Obispo, CA 93401	805-478-9009 (Cell)
RRM Design Group	3765 S. Higuera St., Ste 102	805-543-1794 (Office)
	San Luis Obispo, CA 93401	805-431-7679 (Cell)

Name	Interested Parties Address	Telephone Number

E-mail Addresses	
Nick Tompkins	nick@nktcommercial.com

**Proposal Type:**

- |  |   |   |
|--|---|---|
| <input checked="" type="checkbox"/> ANNEXATION | <input type="checkbox"/> OUTSIDE USER AGREEMENT     | <input type="checkbox"/> SPECIAL STUDY          |
| <input type="checkbox"/> SPHERE OF INFLUENCE   | <input type="checkbox"/> SPECIAL DISTRICT FORMATION | <input type="checkbox"/> INCORPORATION OF CITY  |
| <input type="checkbox"/> DISSOLUTION           | <input type="checkbox"/> MERGERS                    | <input type="checkbox"/> DIVEST/ACTIVATE POWERS |
| <input type="checkbox"/> CONSOLIDATIONS        | <input type="checkbox"/> REORGANIZATIONS            | <input type="checkbox"/> DETACHMENT             |

## General Information

Name & Type of Proposal: Dana Reserve Specific Plan

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

Annexation to Nipomo Community Services District

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: Annexation to the Nipomo Community Service District (adjacent to the current boundary.) The project is within the NCSD Sphere of Influence.

4. State location of affected territory: Unincorporated County of San Luis Obispo, South County Area Plan, adjacent to the Urban Reserve Line of the Nipomo Community and the Nipomo Community Service District. APN#

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: N/A

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

10. List the cities or district(s) that will be affected by this proposal: NCSD

### **Land Use Information**

11. Total acreage: 288

APN #s    Option 1 - 091-301-073, -031, --030    Option 2 - 091-301-073, -031, -029

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

County: Dana Reserve Specific Plan - Residential, Commercial, Open Space

City: N/A

13. Describe any special land use concerns found in General Plans: \_\_\_\_\_

Canada Ranch Planning Area

14. Describe the existing land use: Vacant

15. What is the proposed land use? Residential, Commercial, Open Space, Trails.

16. Has the affected territory been rezoned?    X Yes    \_\_\_\_ No

The South County Plan lists this property as the Canada Plan Area (Pg# )

Date: \_\_\_\_\_

(Please attach ordinance)

If yes, what is the rezoning use and densities (if applicable) permitted? \_\_\_\_\_

17. Describe the specific development potential of the property: 1,289 residential units, 203,000 s.f. commercial uses, public park, pocket parks, open space and trails.

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      Draft EIR has been prepared and undergone 45 day review period. Comments due 8/1/2022

\*If yes, please attach a copy\*

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

\_\_\_\_\_ Yes      ☒ No

If yes, please explain: There has been periodic cattle grazing to keep land down

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: NCSD is not operating at or near capacity

23. Please describe the environmental setting of the site: Existing vacant land adjacent to US Highway 101, variety of vegetation types including Oak trees and variety of plant types, sandy soils

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: \_\_\_\_\_

26. Vegetation:

Has the natural vegetation already removed or altered?

☒ Yes ☐ No

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: Pismo Clarkia (Listed species), Burton Mesa Chaparral (degraded),

Spine Flower, Manzanita (special status species),



## **COST ACCOUNTING AGREEMENT**

Applicant:

**NKT Development, Inc.**

Mailing Address:

648 Higuera St. Suite B, San Luis Obispo, CA 93401

Telephone:

805-541-9004

Fax:

E-mail Address:

**nick@nktcommercial.com**

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, **Nick Tompkins**

, 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 order to implement the cost accounting provisions, please sign and date this statement indicating your agreement to the cost accounting procedure 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.

  
Applicant's Signature

**10-7-2022**

Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date

## **FEE SCHEDULE WORKSHEET**

1. **Processing Fee (depends upon proposal type):** \$ 7,680.00

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:** \$ 1,000.00

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

4. **Other Fees:** \$ 11.00

**Total LAFCO Fees Due with Application Filing:** \$ 8,691.00  
Checks should be made payable to LAFCO.

5. **Public Works Department Fee** \$ 720.00

\$720.00 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.***



**EXHIBIT A**  
**LAFCO ANNEXATION**  
**(Option 1)**  
**Legal Description**

A portion of Parcel 1 of Parcel Map CO 89-389 as shown on map filed on February 18, 1992 in Book 49 of Maps at page 25, Parcel B of Parcel Map CO 73-436 as shown on Parcel Map filed on August 15, 1974 in Book 15 of Parcel Maps at page 26 and Parcel C of Parcel Map Co 74-55 filed on August 15, 1974 in Book 15 of Parcel Maps at page 27 in the Recorder's Office of San Luis Obispo County, California described as follows;

Beginning at the most westerly corner of Parcel 1 of said Parcel Map CO 89-389, said point being a  $\frac{3}{4}$ " iron pipe with nail as shown on Record of Survey filed in Book 115 of Records of Survey at Pages 92-93 in said County Recorder's Office having the following NAD83, Zone 5 coordinates, 1991.35 epoch

    Northing    2,211,652.621

    Easting    5,809,950.699

thence

- 1) North 49°20'41" East along the Northwest Line of said Parcel 1 of Parcel Map CO 89-389 a distance of 1498.13 feet to the Southerly corner of Parcel A of Parcel Map No. CO 73-436 as shown on Parcel Map filed on August 15, 1974 in Book 15 of Parcel Maps at page 26; thence
- 2) North 49°19'51" East along the Northwest Line of said Parcel 1 of Parcel Map CO 89-389 a distance of 336.31 feet to the Southerly corner of Parcel B of said Parcel Map CO 73-436; thence
- 3) North 40°02'04" West along the Southwest line of said Parcel B of said Parcel Map CO 73-436 a distance of 882.61 feet to the west corner thereof; thence
- 4) North 49°14'28" East along the Northwest line of said Parcel B of said Parcel Map CO 73-436 a distance of 347.48 feet to the north corner thereof; thence
- 5) South 39°19'38" East along the Northeast line of said Parcel B of said Parcel Map CO 73-436 a distance of 883.34 feet to the east corner thereof; thence
- 6) North 49°19'51" East along the Southeast lines of Parcel C and D as shown on Parcel Map Co 74-55 filed on August 15, 1974 in Book 15 of Parcel Maps at page 27, records of said County a distance of 671.69 feet to the Southerly corner of Parcel A of Parcel Map No. CO 74-55; thence
- 7) North 49°18'14" East along the Southerly line of Parcels A and B of Parcel Map No. CO 74-55 a distance of 670.90 feet to the South corner of Parcel C of Parcel Map Co 74-55; thence



- 8) North  $36^{\circ}20'10''$  West along the Southwest line of Parcel C of Parcel Map CO 74-55 ad distance of 886.98 feet to the West corner of Parcel C; thence
- 9) North  $49^{\circ}21'55''$  East along the Northwest line of said Parcel C a distance of 347.32 feet to the north corner of said Parcel C; thence
- 10) South  $35^{\circ}41'31''$  East along the Northeast line of said Parcel C a distance of 887.42 feet to the East corner of Parcel C and Northwest line of Parcel 1 of Parcel Map CO 89-389; thence
- 11) North  $49^{\circ}18'14''$  East along the northwest line of said Parcel 1 a distance of 1002.84 feet to the Southwest line of State Highway 101 as shown on Cal Trans right-of-way map for District 5, at Post Mile 6.44, Route 101 Sheet 1 of 2 sheets; thence Southeasterly along said State Highway right-of-way line the following four courses
- 12) South  $48^{\circ}44'21''$  East a distance of 137.60 feet; thence
- 13) South  $41^{\circ}06'48''$  East a distance of 298.30 feet; thence
- 14) South  $36^{\circ}07'11''$  East a distance of 900.78 feet; thence
- 15) South  $34^{\circ}57'51''$  East a distance of 1310.28 feet to the East corner of said Parcel 1 of Parcel Map CO 89-389; thence
- 16) South  $49^{\circ}30'41''$  West along the Southeast line of said Parcel 1 of Parcel Map CO 89-389 distance of 4321.50 feet; thence
- 17) North  $74^{\circ}15'57''$  West along the south line of Parcel 1 of Parcel Map CO 89-389 and north line of Pomeroy Road a distance of 385.21 feet; thence
- 18) North  $16^{\circ}32'50''$  West along the west line of Parcel 1 of Parcel Map CO 89-389 and East line of Hetrick Road a distance of 1160.41 feet; thence
- 19) South  $88^{\circ}18'05''$  West along the South line of Parcel 1 of Parcel Map CO 89-389 and North line of Hetrick Road a distance of 731.47 feet; thence
- 20) North  $43^{\circ}56'00''$  West along the Southwest line of Parcel 1 of Parcel Map CO 89-389 and Northeast line of Hetrick Road a distance of 783.35 to the point of beginning.

The above described parcel contains 288.38 acres

The above-described parcel is graphically shown on Exhibit B attached hereto and made a part hereof.

Bearings and distances herein are on the State Plane Coordinate System, NAD83, Zone 0405.

To obtain true bearings, rotate bearings herein by  $-1^{\circ}25'26''$ .

To obtain ground distances, multiply distances herein by 1.00007610



\* \* \*



# EXHIBIT "B"

HIGHWAY 101

WILLOW RD.

PARCEL 1  
49 PM 25

3/4" IRON PIPE  
P.O.B.

N.C.S.D.  
CURRENT  
BOUNDARY

HETRICK RD.

POMEROY RD.

SCALE 1"=600'

**MBS**  
LAND SURVEYS

MICHAEL B. STANTON, PLS 5702  
3559 S. HIGUERA STREET  
SAN LUIS OBISPO, CA 93401  
805-594-1960

N.C.S.D ANNEXATION  
DANA RESERVE, NIPOMO

September 21, 2022

JOB #2017\1

N:\2017\17-153 Hetrick-Cherokee - Rancho Nipomo\17-153 Ro Nipomo - LAFCO ANNEXATION MAP.dwg, B.SX11 ANNEX EXHIBIT MAP, Sep 21, 2022 3:37pm, MStanton





# Parcel Map Check Report- OPTION 1

**Client:**

17-153

DANA RESERVE ANNEX

**Prepared by:**

Michael B Stanton

MBS Land Surveys

3559 S Higuera St.

Date: 9/23/2022 11:01:11 AM

---

**Parcel Name:** ANNEX-OPTION 1 - Property : 1**Description:**

Process segment order counterclockwise: False

Enable mapcheck across chord: False

North: 2,211,652.6208'

East: 5,809,950.6992'

**Segment# 1: Line**

Course: N49° 20' 41"E

Length: 1,498.13'

North: 2,212,628.6622'

East: 5,811,087.2452'

**Segment# 2: Line**

Course: N49° 19' 51"E

Length: 336.31'

North: 2,212,847.8321'

East: 5,811,342.3313'

**Segment# 3: Line**

Course: N40° 02' 04"W

Length: 882.61'

North: 2,213,523.6094'

East: 5,810,774.5942'

**Segment# 4: Line**

Course: N49° 14' 28"E

Length: 347.48'

North: 2,213,750.4712'

East: 5,811,037.7977'

**Segment# 5: Line**

Course: S39° 19' 38"E

Length: 883.34'

North: 2,213,067.1731'

East: 5,811,597.6131'

**Segment# 6: Line**

Course: N49° 19' 51"E

Length: 671.68'

North: 2,213,504.9005'

East: 5,812,107.0724'

**Segment# 7: Line**

Course: N49° 18' 14"E

Length: 336.58'

North: 2,213,724.3664'

East: 5,812,362.2601'

Segment# 8: Line

Course: N49° 18' 14"E

North: 2,213,942.3588'

Length: 334.32'

East: 5,812,615.7344'

Segment# 9: Line

Course: N36° 20' 10"W

North: 2,214,656.8699'

Length: 886.98'

East: 5,812,090.1801'

Segment# 10: Line

Course: N49° 21' 55"E

North: 2,214,883.0566'

Length: 347.32'

East: 5,812,353.7532'

Segment# 11: Line

Course: S35° 41' 31"E

North: 2,214,162.3246'

Length: 887.42'

East: 5,812,871.4980'

Segment# 12: Line

Course: N49° 18' 14"E

North: 2,214,816.2234'

Length: 1,002.84'

East: 5,813,631.8298'

Segment# 13: Line

Course: S48° 44' 21"E

North: 2,214,725.4779'

Length: 137.60'

East: 5,813,735.2658'

Segment# 14: Line

Course: S41° 06' 48"E

North: 2,214,500.7355'

Length: 298.30'

East: 5,813,931.4132'

Segment# 15: Line

Course: S36° 07' 11"E

North: 2,213,773.0971'

Length: 900.78'

East: 5,814,462.4000'

Segment# 16: Line

Course: S34° 57' 51"E

North: 2,212,699.3088'

Length: 1,310.28'

East: 5,815,213.2743'



**EXHIBIT A**  
**LAFCO ANNEXATION**  
**(Option 2)**  
**Legal Description**

A portion of Parcel 1 of Parcel Map CO 89-389 as shown on map filed on February 18, 1992 in Book 49 of Maps at page 25, Parcel B of Parcel Map CO 73-436 as shown on Parcel Map filed on August 15, 1974 in Book 15 of Parcel Maps at page 26 and Parcel B of Parcel Map Co 74-55 filed on August 15, 1974 in Book 15 of Parcel Maps at page 27 in the Recorder's Office of San Luis Obispo County, California described as follows;

Beginning at the most westerly corner of Parcel 1 of said Parcel Map CO 89-389, said point being a  $\frac{3}{4}$ " iron pipe with nail as shown on Record of Survey filed in Book 115 of Records of Survey at Pages 92-93 in said County Recorder's Office having the following NAD83, Zone 5 coordinates, 1991.35 epoch

        Northing        2,211,652.621

        Easting        5,809,950.699

thence

- 1) North 49°20'41" East along the Northwest Line of said Parcel 1 of Parcel Map CO 89-389 a distance of 1498.13 feet to the Southerly corner of Parcel A of Parcel Map No. CO 73-436 as shown on Parcel Map filed on August 15, 1974 in Book 15 of Parcel Maps at page 26; thence
- 2) North 49°19'51" East along the Northwest Line of said Parcel 1 of Parcel Map CO 89-389a distance of 336.31 feet to the Southerly corner of Parcel B of said Parcel Map CO 73-436; thence
- 3) North 40°02'04" West along the Southwest line of said Parcel B of said Parcel Map CO 73-436 a distance of 882.61 feet to the west corner thereof; thence
- 4) North 49°14'28" East along the Northwest line of said Parcel B of said Parcel Map CO 73-436 a distance of 347.48 feet to the north corner thereof; thence
- 5) South 39°19'38" East along the Northeast line of said Parcel B of said Parcel Map CO 73-436 a distance of 883.34 feet to the east corner thereof; thence
- 6) North 49°19'51" East along the Southeast lines of Parcel C and D as shown on Parcel Map Co 74-55 filed on August 15, 1974 in Book 15 of Parcel Maps at page 27, records of said County a distance of 671.69 feet to the Southerly corner of Parcel A of said Parcel Map No. CO 74-55; thence
- 7) North 49°18'14" East along the Southerly line of Parcels A and B of said Parcel Map No. CO 74-55 a distance of 336.58 feet to the South corner of Parcel B of said Parcel Map Co 74-55; thence

- 8) North  $37^{\circ}10'31''$  West along the Southwest line of said Parcel B of Parcel Map CO 74-55 ad distance of 886.46 feet to the West corner of said Parcel B; thence
- 9) North  $49^{\circ}21'55''$  East along the Northwest line of said Parcel B a distance of 347.32 feet to the north corner of said Parcel B; thence
- 10) South  $36^{\circ}20'10''$  East along the Northeast line of said Parcel B a distance of 886.98 feet to the East corner of said Parcel B and Northwest line of said Parcel 1 of Parcel Map CO 89-389; thence
- 11) North  $49^{\circ}18'14''$  East along the northwest line of said Parcel 1 a distance of 1340.17 feet to the Southwest line of State Highway 101 as shown on Cal Trans right-of-way map for District 5, at Post Mile 6.44, Route 101 Sheet 1 of 2 sheets; thence Southeasterly along said State Highway right-of-way line the following four courses
- 12) South  $48^{\circ}44'21''$  East a distance of 137.60 feet; thence
- 13) South  $41^{\circ}06'48''$  East a distance of 298.30 feet; thence
- 14) South  $36^{\circ}07'11''$  East a distance of 900.78 feet; thence
- 15) South  $34^{\circ}57'51''$  East a distance of 1310.28 feet to the East corner of said Parcel 1 of Parcel Map CO 89-389; thence
- 16) South  $49^{\circ}30'41''$  West along the Southeast line of said Parcel 1 of Parcel Map CO 89-389 distance of 4321.50 feet; thence
- 17) North  $74^{\circ}15'57''$  West along the south line of Parcel 1 of Parcel Map CO 89-389 and north line of Pomeroy Road a distance of 385.21 feet; thence
- 18) North  $16^{\circ}32'50''$  West along the west line of Parcel 1 of Parcel Map CO 89-389 and East line of Hetrick Road a distance of 1160.41 feet; thence
- 19) South  $88^{\circ}18'05''$  West along the South line of Parcel 1 of Parcel Map CO 89-389 and North line of Hetrick Road a distance of 731.47 feet; thence
- 20) North  $43^{\circ}56'00''$  West along the Southwest line of Parcel 1 of Parcel Map CO 89-389 and Northeast line of Hetrick Road a distance of 783.35 to the point of beginning.

The above described parcel contains 288.35 acres



The above-described parcel is graphically shown on Exhibit B attached hereto and made a part hereof.

Bearings and distances herein are on the State Plane Coordinate System, NAD83, Zone 0405.

To obtain true bearings, rotate bearings herein by  $-1^{\circ}25'26''$ .

To obtain ground distances, multiply distances herein by 1.00007610



\* \* \*



# EXHIBIT "B"

HIGHWAY 101

350+00

340+00

330+00

320+00

310+00

BC: 347+34.74

12

13

14

15

11

10

27  
C

D

9

PM  
B

A

8

5

26  
C

D

7

4

PM  
B

A

3

2

25  
C

D

1

ANNEXATION AREA 288.35 AC

PARCEL 1  
49 PM 25

16

SANDYDALE

3/4" IRON PIPE  
P.O.B.

N.C.S.D.  
CURRENT  
BOUNDARY

HETRICK RD.

HETRICK RD.

POMEROY RD.

19

18

17

20

SCALE 1"=600'

**MBS**  
LAND SURVEYS

MICHAEL B. STANTON, PLS 5702  
3559 S. HIGUERA STREET  
SAN LUIS OBISPO, CA 93401  
805-594-1960

N.C.S.D ANNEXATION OPTION 2  
DANA RESERVE, NIPOMO

September 23, 2022 JOB #17-153

N:\2017\17-153 Hetrick-Cherokee - Rancho Nipomo\C3D 2019\17-153 Re Nipomo - LAFCO ANNEXATION MAP.dwg, 8.5X11 ANNEX EXHIBIT B - OPTION 1, Sep 23, 2022 11:29am, MStanton

