

# NCSD's sphere of influence may shrink

By Mike Hodgson/Associate Editor

Nipomo Community Services District's sphere of influence could shrink by about 1,000 acres if the Local Agency Formation Commission approved an update recommended by its staff.

LAFCO was scheduled to consider the updated sphere of influence, as well as a municipal service review for the district, at its 9 a.m. meeting Thursday, but results were not available at press time.

A sphere of influence is the area where a jurisdiction — in this case NCSD — is reasonably expected to grow within the next 20 years.

A municipal service review is an analysis of whether that jurisdiction will have the ability to provide services to that area and is used to help develop sphere-of-influence boundaries.

LAFCO's staff is recommending that some 800 acres of land south of the Southland Wastewater Treatment Plant be removed from NCSD's sphere of influence.

The recommendation also calls for removing another approximately 200 acres of land between Highway 101 and Hetrick Avenue south of Summit Station Road.

NCSD's sphere of influence last was updated in 2004, when it grew by about 5,000 acres. The land now recommended for removal is part of those 5,000 acres, said David Church, LAFCO executive officer.

Both sections are recommended for removal because their agricultural use and designation are not likely to be converted to another use, requiring the water and sewer services supplied by NCSD within the 20-year period, according to the staff recommendation.

Most of the land targeted for removal south of the Wastewater Treatment Plant is being used to grow strawberries, a crop that in recent years has produced an average yield of \$40,000 per acre, according to the LAFCO staff.

The northern section, south of Summit Station Road, is recommended for removal because it's under the Williamson Act,

Officially known as the California Land Conservation Act, the law gives participating parcel owners a lower property tax rate based on a parcel's agricultural or open-space use rather than its development potential.

Land under the Williamson Act can't be taken out of that agricultural designation and developed for 10 years after its owner issues a notice of canceling or not renewing the nondevelopment contract.

Removing those lands from NCSD's sphere of influence is something NCSD supports.

"LAFCO looks at what's likely to be developed in the next 20 years," said Jim Harrison, president of the NCSD board. "That land has changed from basically vacant land to agricultural production.

"So (the LAFCO staff) recommended that land be taken out of our sphere of influence, and we don't oppose that. In fact, we agree with it."

Harrison said removing those lands from the sphere of influence will have no impact on the district's operation or finances.

However, it will leave an island of land — Maria Vista Estates — south of the strawberry fields that is not only within the district's sphere of influence but is also served water by NCSD.

"There have been some objections to (creating that island) — not from us, but from the community," Harrison said.

He also said the owner of a section of land near Joshua Street and Hutton Road has protested removing his parcel from the sphere of influence because the owner is considering developing the site.

But Harrison said a belief that the district planned to use the areas proposed for removal to help finance the supplemental water pipeline is in error.

NCSD is proposing an assessment district that would add approximately \$229 to annual property tax bills for single-family homes to repay the bonds that will finance the pipeline construction and cover part of the costs of purchasing water from Santa Maria.

"We can't do that, by law," Harrison said of including sphere-of-influence lands in the assessment district. "We can only use the areas that we serve."

All property owners within the district will have a chance to vote for or against their participation in an assessment district this fall.

If more than 50 percent of the votes oppose participating, the assessment district can't be formed.

LAFCO initially considered the updated sphere of influence at a May 20 public hearing but did not adopt the plan after the San Luis Obispo County Planning and Building Department staff indicated they would not support portions of the memorandum of agreement implementing the changes.

"For some reason, they thought NCSD was in support of a change in zoning for (sphere of influence) Area 7," Harrison said. "That wasn't our intention. In fact, we're opposed to a change in zoning in Area 7."

Area 7 of NCSD's sphere of influence is located west of the district's service area boundary but east of Highway 1 and the Woodlands project and south of Willow Road.

The area is generally zoned residential rural, with two smaller parcels zoned agriculture, and includes several greenhouses and a number of residential units on 5-acre and larger lots.

LAFCO staff facilitated two meetings between NCSD and County Planning and Building Department staff to hammer out memorandum of agreement provisions considered acceptable to both agencies.

All annexations to and removal of areas from a jurisdiction's boundaries must be approved by the LAFCO board, which consists of two representatives each for San Luis Obispo County, its cities and special districts and one representative of the public at-large.

The commission's goal is to discourage urban sprawl and encourage the orderly formation and development of local agencies based on local conditions and circumstances.