



**DRAFT**

**San Luis Obispo LAFCO**

# **Sphere of Influence Amendment Application**

**1042 Pacific Street · Suite A · San Luis Obispo, CA 93401**

**805-781-5795 · [www.slo.lafco.ca.gov](http://www.slo.lafco.ca.gov) · Updated: \_\_\_\_\_**

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## INSTRUCTIONS & INFORMATION ON THE LAFCO APPLICATION

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The following information is designed to help you understand and move your project through the various stages of the LAFCO process.

### General Step by Step Process

1. Applicant Gathers Application Materials and Meets with Staff for a Pre-Application Meeting
2. Applicant Submits Their Application to LAFCO
3. LAFCO Review Period Begins
4. 30-Day Review – Information Hold Letter or Deemed Sufficient for Filing
5. Certificate of Filing stating when the item will be taken to the Commission
6. LAFCO Hearing. LAFCO has the authority to approve, conditionally approve or deny a proposal.
7. 30-Day Reconsideration Period
8. Review requests, if any, for Petition for removal from sphere of influence (§56429)
9. Notification of Commission Action Form
10. After Condition Compliance a Certificate of Completion shall be filed with the Clerk Recorder
11. Final Notice of Completion with Affected Agencies / Interested Parties
12. LAFCO GIS Boundary Updates

### Important Tips

- Any person or local agency may file a written request with the executive officer requesting amendments to a sphere of influence or urban service area adopted by the commission. The request shall state the nature of the proposed amendment, state the reasons for the request, include a map of the proposed amendment, and contain any additional data and information as may be required by the executive officer (§56428).
- It is important to note that while a SOI amendment, may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies and may be subject to conditions of approval.

## SPHERE OF INFLUENCE APPLICATION CHECKLIST

The following information must be submitted when filing a proposal with the San Luis Obispo Local Agency Formation Commission (LAFCO); additional information may be requested during review of the proposal.

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- 1. Completed **SPHERE OF INFLUENCE APPLICATION CHECKLIST** with applicable materials (everything listed in the checklist).
  - 2. Any person or local agency may file a written request to the Executive Officer for a SOI Amendment.
  - 4. **LAFCO QUESTIONNAIRE**.
  - 4. A **MAP AND LEGAL DESCRIPTION** of the proposal territory perimeter for the proposed boundary change(s), and a reproducible parcel map
  - 4. **ENVIRONMENTAL DOCUMENTATION** to comply with the California Environmental Quality Act (CEQA); submit documents for applicable category only. For an ND, MND, or EIR, a copy of the Notice of Determination and the Environmental Filing Cash Receipt for the fee paid to the California Department of Fish and Game must be submitted.
    - (a) CATEGORICAL EXEMPTION (CE): Submit document if an agency has determined is exempt
    - (b) NEGATIVE DECLARATION (ND) or MITIGATED NEGATIVE DECLARATOIN (MND): Submit document from agency making said determination\*;
    - (c) ENVIRONMENTAL IMPACT REPORT (EIR): Submit a copy of the certified Final EIR.
    - (d) NO CEQA DOCUMENTATION: If the proposed action has not been analyzed pursuant to the requirements of CEQA, please indicate this and CEQA will be performed by LAFCO and the appropriate level of documentation will be determined, i.e. CE, ND, MND or EIR.
  - 7. **APPLICANT FINANCIAL DISCLOSURE FORM**.
  - 8. **LAFCO processing fees & COST ACCOUNTING AGREEMENT**
  - 9. **PRE-APPLICATION MEETING**. A pre-application meeting with staff is strongly encouraged due to the complexity of submittal requirements and applicable laws.

### QUESTIONNAIRE

The information provided in this application will be used to evaluate this proposal. Please complete this form to facilitate our review. Please respond to all items in this form, indicating "NA" when an item does not apply. It is important to note that while a SOI amendment, may be initiated by any person or local agency, ultimately, the affected agency must consent to the change and all parties may be required to provide information, conduct studies and may be subject to conditions of approval.

**Subject Agency(ies)**

(City or Special District):

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**Proposed Change of Organization/Action:**

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**Applicant/ Agents**

**Name**

**Email**

**Telephone**

**Mailing**

1.

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2.

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3.

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4.

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5.

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**Interested Parties**

**Name**

**Email**

**Telephone**

**Mailing**

1.

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2.

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- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

**A. General Information**

1. This application was initiated by:

\_\_\_\_\_

2. State reason(s) for requesting the proposed action **at this time**.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Describe the use of developed property within the proposal territory, including details about existing Structures, if applicable. Describe anticipated development of vacant property, including types of buildings, number of units, supporting facilities, etc., and when development is scheduled to occur, if applicable.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. State the location of the property and its general location in relation to communities, major freeways/highways, roads, etc. :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Describe the present and planned uses in the area, including agricultural and open space lands.

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6. Describe the present and probable need for public facilities and services in the area.

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7. Describe the present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

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8. Describe the existence of any social or economic communities of interest in the area that the Commission may determine are relevant to the agency.

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**B. Land Use Information**

1. Total acreage: \_\_\_\_\_

2. Assessor Parcel Number: \_\_\_\_\_

3. Indicate the current zoning:  
a. County: \_\_\_\_\_

b. City: \_\_\_\_\_

4. What community plan or General Plan is the territory in:  
\_\_\_\_\_

5. The County/City General Plan land use designation:  
\_\_\_\_\_

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

7. What is the proposed land use?  
\_\_\_\_\_

8. Has the affected territory been rezoned?  No  Yes

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

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9. Indicate below all permits or approvals that will be needed/ or have been granted by the County or any city to complete the project.



Type of Approval	File No.	Approval Date	Resolution attached?
Tentative Parcel Map			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
Use Permit			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
City/ County General Plan Amendment			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
City Rezoning			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
County Rezone			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
Other			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A

10. Have any of the above-mentioned approvals been appealed?  No  Yes

If yes, please state when the project was appealed and when it would get reconsidered.

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11. Is the property within Williamson Act Contract?  No  Yes

If yes, please attach the following (if applicable)

- Copy of contract
- Board of Supervisor's resolution upholding contract
- City resolution protesting contract
- City resolution succeeding to contract

12. How will the proposal assist city or county to achieve its fair share of regional housing needs as determined by its current General Plan Housing Element?

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### C. Environmental Information

1. Has an environmental determination (Negative Declaration-Environmental Impact Report) been certified by a legislative body?  No  Yes (If yes, please attach a copy)

a. Is the certified environmental documentation currently being challenged?  No  Yes

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

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Does the site contain prime agricultural land as defined in gov code sec 56064?  No  Yes

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

a. On adjacent properties?  No  Yes

b. Unincorporated?  No  Yes

5. Please describe the environmental setting of the site: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Terrain:

Level to gently rolling (0-10%)

Slopes (10-30%)

Steep slopes (over 30%)

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

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. Has the natural vegetation already removed or altered?  No  Yes

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

10. Have any endangered or threatened species been identified?  No  Yes

If yes, please explain: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I hereby certify that the statements made in this entire Sphere of Influence Amendment Application are to the best of my knowledge accurate.

\_\_\_\_\_  
PRINT name of person completing this application

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
email

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone Number

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## MAP & LEGAL DESCRIPTION REQUIREMENTS

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Map and legal descriptions should meet LAFCO and State Board of Equalization (BOE) requirements; listed below:

1. The map & legal description shall be prepared by a Registered Civil Engineer or a Licensed Land Surveyor.
2. First submittal shall be digital. Once the map and legal description have been reviewed and determined to be definite and certain you may submit four (4) copies. Map size shall be a maximum of 24" x 36" and a minimum of 18" x 26" with a minimum ½" border.
3. Applicable fees shall be paid by the applicant for County Surveyor Review and BOE filing on or after LAFCO Approval in accordance with their fee schedules.
4. Map and Legal Description examples are available on our website at <https://slo.lafco.ca.gov/applications-and-fees>.

### Written Geographic Description(s) of the Project Area(s):

5. Every written geographic description (a document separate from the maps) must stand on its own without the necessity of reference to any extraneous document; a description that relies solely on the use of secondary references will not be accepted.
6. The written description shall be of the project area only. If a complete description of the special district is filed, the project area shall be clearly identified in a separate document.
7. The geographic description shall:
  - a. State the township and range, section number(s) or rancho(s)
  - b. Have a point of beginning (POB) referenced to a known major geographic position (e.g., section corners, intersection of street centerlines, or the intersection of street centerline and an existing district boundary at the time of filing). A description will be rejected if the POB refers only to a tract map, a subdivision map or a recorded survey map. It is preferable that the POB be the point of departure from an existing district boundary (when applicable).
  - c. Be expressed as a specific parcel description in sectionalized land (e.g., "The SW 1/4 of Section 22, T1N, R1W") or by bearings and distances. When the description is by bearings and distances, all courses shall be numbered and listed individually in a consistent clockwise direction. The description shall not be written in a narrative format. All courses required to close the traverse

of the project area must be stated. All curves must be described by direction of concavity. Delta, arc length, chord, and radius shall be listed, including radial bearings for all points of non-tangency.

8. The written description shall state the acreage for each separate single area (Special Fee Provisions for each single area as defined but the BOE) and a combined total acreage of the project area.

*Example: "Area A containing 2.50 acres, Area B containing 1.75 acres: Total computed acreage containing 4.25 acres more or less."*

9. All information stated on the description must match with the map(s), such as the name of the short title, the point of beginning, the course numbers, all the bearings and distances, and the acreage(s).

#### **Map(s)**

10. All maps shall be professionally and accurately drawn or copied. Rough sketches or pictorial drawings will not be accepted. Assessor's parcel maps will not be accepted as a substitute for the project map.
11. Original or copies of the same size project map must be submitted. Reduced maps are not acceptable and will be rejected.
12. A vicinity map shall be included. The vicinity map shall show the location of the project area in relationship to a larger geographic area that includes major streets and highways or other physical features.
13. Any portion of an existing district boundary in close proximity to the project area shall be shown and identified.
14. Every map must clearly show all existing streets, roads and highways with their current names that are within and adjacent to the project area. Additionally, every map shall indicate each township and range, section lines and numbers, or ranchos that are in proximity of the project area.
15. Every map shall bear a scale and a north arrow. The point of beginning shall be clearly shown and match the written geographic description.
16. The boundaries of the project area shall be distinctively delineated on each map without masking any essential geographic or political features. The boundaries of the project area must be the most predominant line on the map. Boundary lines that are delineated by a line that exceeds 1.5 millimeter in width will be rejected by the BOE. The use of graphic tape or broad tip marking pens to delineate the boundary is not acceptable.
17. All dimensions needed to plot the boundaries must be given on the map of the project area. Each map shall have numbered courses matching the written geographic description. Index tables may be utilized.

18. All parcels within the project area that touch the new boundary shall be clearly labeled with the assessor's parcel number. Interior parcels that do not touch the boundary need not be identified on the map.
19. If the project area has an interior island(s) of exclusion or the boundary has a peninsula of exclusion (or inclusion), that area(s) should be shown in an enlarged drawing.
20. When it is necessary to use more than one map sheet to show the boundaries of the project area, the sheet size should be uniform. A small key map giving the relationship of the several sheets shall be furnished. Match lines between adjoining sheets must be used. While the geography on adjoining sheets may overlap, the project boundaries must stop at the match lines.

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## APPLICANT FINANCIAL DISCLOSURE FORM

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LAFCOs are subject to the campaign disclosure provisions detailed in Government Code Section 84308, and the Regulations of the Fair Political Practices Commission (FPPC), Section 18438.

**Please carefully read the following information to determine if the provisions apply to you. If you determine that the provisions are applicable, the Campaign Disclosure Form must be completed and returned to San Luis Obispo LAFCO with your application.**

1. No LAFCO commissioner shall accept, solicit, or direct a contribution of more than \$250 from any party or agent while a change of organization proceeding is pending, and for three months subsequent to the date a final decision is rendered by LAFCO. This prohibition commences when your application has been filed, or the proceeding is otherwise initiated.
2. A party to a LAFCO proceeding shall disclose on the record of the proceeding any contribution of more than \$250 made to any commissioner by the party, or agent, during the preceding 12 months. No party to a LAFCO proceeding, or agent, shall make a contribution to a commissioner during the proceeding and for three months following the date a final decision is rendered by LAFCO.
3. Prior to rendering a decision on a LAFCO proceeding, any commissioner who received contribution of more than \$250 within the preceding 12 months from any party, or agent, to a proceeding shall disclose that fact on the record of the proceeding, and shall be disqualified from participating in the proceeding. However, if any commissioner receives a contribution that otherwise would require disqualification, and returns the contribution within 30 days of knowing about the contribution and the relevant proceeding, that commissioner shall be permitted to participate in the proceeding.

To determine whether a campaign contribution of more than \$250 has been made by you or your agent to a commissioner within the preceding 12 months, all contributions made by you or your agent during that period must be aggregated. Names of current LAFCO commissioners are available at <https://slo.lafco.ca.gov/the-commission>. If you have questions about Government Code Section 84308,

FPPC regulations, or the Campaign Disclosure Form, please contact San Luis Obispo LAFCO at 1042 Pacific Street Suite A, San Luis Obispo CA 93401, (805) 781-5795.

**FINANCIAL DISCLOSURE FORM**

Proposed change(s) of organization:

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Name and address of any party, or agent, who has contributed more than \$250 to any commissioner within the preceding 12 months:

1. 

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2. 

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3. 

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Date and amount of contribution:

Date:	<hr/>	Amount \$	<hr/>
Date:	<hr/>	Amount \$	<hr/>

Name of commissioner to whom contribution was made:

1. 

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2. 

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I certify that the above information is provided to the best of my knowledge.

Printed Name: 

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Signature: 

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Date: 

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 Phone: 

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## FEE SCHEDULE

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All fees shall be paid prior to the acceptance of an application for processing. All fees should be submitted to LAFCO as a separate check to each of the agencies listed below:

### 1. LAFCO Processing Fee & Environmental Fee

Where indicated below, the fees are an initial deposit toward the actual cost of processing a proposal. The applicant shall enter into an agreement to provide for reimbursement to LAFCO for the actual costs of processing an application. A refund shall be issued for any portion of the fee not used for processing. Where fees exceed the required amount indicated below, the applicant shall be notified by the Executive Officer to pay an additional amount equal to the initial deposit. The proposal shall be suspended until such additional funds are deposited with the LAFCO Clerk. Below are the charge out rates for each LAFCO Staff member:

#### LAFCO Charge-out Rates:

Executive Officer	\$110/hour
Analyst	\$85/hour
Commission Clerk	\$50/hour
Legal Counsel	\$150/hour

### Other Charges

In addition to the fees specified herein, the Executive Officer may charge an applicant/appellant for the actual costs that are incurred as a result of processing a proposal that are not covered in the Commission's fee schedule. An applicant/appellant may appeal the decision of the Executive Officer in writing. Such appeal will be presented to the Commission at its next meeting.

Refunds for withdrawn proposals shall be based on an estimate by the Executive Officer of the total costs incurred in processing the proposal up to the date of the withdrawal request.

### Fee Waiver

The Commission, as per government code section 56382, may waive fees partially or in total upon finding that payment of fees would be detrimental to the public interest. Requests for fee waiver must be submitted in

**SLO LAFCO**  
**Sphere of Influence Amendment Application**

writing to the Commission and there is a \$500 fee. The waiver will be considered at a public meeting of the Commission.

**SPHERE OF INFLUENCE AMENDMENT FEES**

<b>Acreage</b>	<b>Amount</b>
0.01 – 4.99	\$1,500
5.00 – 9.99	\$2,500
10.00 +	\$3,500
Agency Request for Comprehensive Sphere of Influence Update or Municipal Service Review	\$5,000
Any size SOI Amendment to a California Water District	\$1,000

**OTHER FEES**

<b>Item</b>	<b>Amount</b>
Request for Reconsideration	\$1,500
Fee Waiver Request	\$500
Request for Time Extension	\$500
Study Session Request	\$2,500
Request for Fiscal Analysis or Other Studies	\$2,500
Pre-application Review	Limited to 3 hours of staff time, then actual cost
Petition Verification Fee	Minimum filing fee of \$10 + \$1.00 per signature
Postage, Mail Supplies, Photocopies, etc.	At cost

**ENVIRONMENTAL FEES | LAFCO AS A RESPONSIBLE AGENCY**

Review of ND, MND, OR EIR	\$1,000
Review of Categorical Exemption	\$500
County Clerk Recorder Filing Fee	\$50

**ENVIRONMENTAL FEES | LAFCO AS A LEAD AGENCY**

Initial Study, ND, MND	\$1,000 deposit, outside consultant to be hired, applicant pays full cost of environmental review
Categorical Exemption	\$500
Environmental Impact Report	\$5,000 deposit, outside consultant to be hired, applicant pays full cost of environmental review
County Clerk Recorder Filing Fee	\$50

**CALIFORNIA DEPARTMENT OF FISH AND GAME FILING FEE | LAFCO AS A LEAD AGENCY**

Filing for a Negative Declaration	\$2,548
Filing for a Mitigated Negative Declaration	\$2,548
Filing for an Environmental Impact Report	\$3,539.25

**FEE SCHEDULE WORKSHEET**

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

**1. Check made payable to the *San Luis Obispo Local Agency Formation Commission*:**

Processing Fee (depends upon proposal type):	\$
Sphere of Influence Fee:	\$
Environmental Fees	\$
County Clerk Recorder Filing Fee	\$ 50.00
Other Fees:	\$
<b>TOTAL</b>	\$

## COST ACCOUNTING AGREEMENT

Applicant: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

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, \_\_\_\_\_, 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 Signature	_____ Date
_____ Applicant Signature	_____ Date
_____ Applicant Signature	_____ Date