



# San Luis Obispo LAFCO

## Outside Agency Agreement Application

*(Previously known as Outside User Agreement)*

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

805-781-5795 · [www.slo.lafco.ca.gov](http://www.slo.lafco.ca.gov) · Adopted 4/20/2023

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## INSTRUCTIONS & INFORMATION ON THE LAFCO APPLICATION

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. Notification of Commission Action Form
9. After Condition Compliance a Certificate of Completion shall be filed with the Clerk Recorder
10. Final Notice of Completion with Affected Agencies / Interested Parties
11. LAFCO GIS Boundary Updates

### Important Tips

- Resolutions of application by agencies must include certain required elements (§56800).
- Outside Agency Agreements can only be pursued if a later change of organization is anticipated (§56133).
- It is important to note that all parties may be required to provide information, conduct studies and may be subject to conditions of approval.

## OUTSIDE AGENCY AGREEMENT 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 **OUTSIDE AGENCY AGREEMENT APPLICATION CHECKLIST** with applicable materials (everything listed in the checklist).
- 2. A certified **RESOLUTION** from an affected city or district requesting LAFCO action.
- 3. Signed **CONTRACT BETWEEN APPLICABLE PARTIES** seeking service that stipulates the terms & conditions of extending service to the property and indicates that service is contingent on LAFCO approval
- 4. **LAFCO QUESTIONNAIRE**.
- 5. A **VICINITY MAP** of the proposal territory perimeter for the proposed Outside Agency Agreement.
- 6. **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. (Limited to 3 hours of staff time at no cost.)

## QUESTIONNAIRE

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The information provided in this application will be used to evaluate this proposal. Please complete all relevant portions 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 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): \_\_\_\_\_

**Property Address:**

\_\_\_\_\_

**Assessor Parcel  
Numbers:**

\_\_\_\_\_

### Applicant/ Agents

	Name	Email	Telephone	Mailing
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

### Interested Parties

	Name	Email	Telephone	Mailing
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

## A. General Information

1. Type of service to be provided:

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2. Project area within agency' s Sphere of Influence? No Yes

If not, a sphere amendment should be requested concurrent with this application. If an amendment is not being requested, provide documentation of existing or impending threat to public health or safety.

3. State reason(s) for requesting the proposed service agreement/contract. Explain why a jurisdictional change is not possible at this time. Indicate if this is an emergency health and safety situation:

4. Is the reorganization of the territory anticipated at a future date? No Yes If yes, when?

Possible reorganization date:

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5. If development is proposed, please provide a description of the project:

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

7. How many residents live within the proposal territory? \_\_\_\_\_

8. How many of these residents are registered voters? \_\_\_\_\_

9. Do the boundaries of the territory split lines of assessment? No Yes
10. If the project approval is discretionary, please attach all supporting development documentation and resolutions including, but not limited to:

Type of Approval	File No.	Approval Date	Resolution attached?
Tentative Map			<input type="checkbox"/> No / <input type="checkbox"/> Yes / <input type="checkbox"/> N/A
Subdivision Map or 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

11. 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.

**B. Environmental Information**

1. Has an environmental determination been certified by a legislative body? No Yes (If yes, please attach a copy or a copy of the exemption)

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

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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:



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**I hereby certify that the statements made in this entire Outside Agency Agreement Application are to the best of my knowledge accurate.**

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
email

\_\_\_\_\_  
Address

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

## 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:

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

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Date and amount of contribution:

Date: _____	Amount \$ _____
Date: _____	Amount \$ _____

Name of commissioner to whom contribution was made:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

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

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

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

## 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

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

**FEES**

<b>Item</b>	<b>Amount</b>
Outside Agency Agreement	\$2,500
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
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	\$81

**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	\$81

**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	\$ 81.00
Other Fees:	\$
TOTAL	\$

## 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