

LAFCO

**MEMORANDUM OF AGREEMENT
BETWEEN THE CITY OF PISMO BEACH AND
THE COUNTY OF SAN LUIS OBISPO
REGARDING THE SPHERE OF INFLUENCE**

This Agreement is entered into on this _____ day of SEP 9 2002, 2002,
by and between the City of Pismo Beach (hereafter "City") and the County San Luis Obispo
County (hereafter "County").

WITNESSETH

WHEREAS, the Cortese/Knox/Hertzberg Act ("the Act") requires the Local Agency
Formation Commission (LAFCO) to update the Spheres of Influence and Spheres of Service for
all applicable jurisdictions in the County every five years; and

WHEREAS, a Sphere of Influence is defined by Government Code 56076 as a plan for
the probable physical boundaries and service area of a local agency and pursuant to Government
Code 56425 has been identified by the County of San Luis Obispo and the City of Pismo Beach
as contained in Exhibit A;

WHEREAS, the Act further requires that a Municipal Service Review be conducted prior
to or, in conjunction with, the update of a Sphere of Influence and such a Municipal Service
Review has been prepared by LAFCO staff in accordance with Section 56430 of the California
Government Code as a means of identifying and evaluating public services provided by the City
of Pismo Beach and changes to the City's Spheres of Influence and Service; and


WHEREAS, the Act strongly encourages the City and County to reach agreement
regarding the boundaries (Exhibit A), development standards and zoning requirements (Exhibit
B) to ensure that development within the sphere occurs in an orderly and logical manner;

WHEREAS, the City and County have reached an agreement regarding the boundaries
(Exhibit A), development standards and zoning requirements (Exhibit B);

WHEREAS, LAFCO is required by Government Code 56425 (b) to give great weight to
this agreement in making its final determination of the city's Sphere of Influence.

NOW, THEREFORE, the parties agree as follows:

1. The Sphere of Influence boundary contained in Exhibit A provides for the orderly and logical growth for the City of Pismo Beach and represents an appropriate 20-year growth boundary based on existing information.
2. The development standards and zoning requirements contained in Exhibit B provide a framework for completing updates to the General Plans of both the City and the County for the areas in the Sphere of Influence.
3. The development standards and zoning requirements contained in Exhibit B are intended to provide the City and the County with the basis for developing specific land use policies and standards for the areas in the City of Pismo Beach's Sphere of Influence and do not supercede or limit the planning or environmental review process of either jurisdiction.



Mayor, City Council
City of Pismo Beach


SHIRLEY BIANCHI

Chairman, Board of Supervisors
County of San Luis Obispo

APPROVED AS TO FORM AND LEGAL EFFECT:



City Counsel



County Counsel

Dated: _____

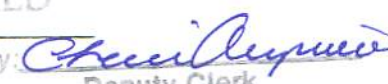
Dated: 3.28.02

ATTEST:



City Clerk

JULIE L. RODEWALD

County Clerk Recorder By: 
Deputy Clerk

Dated: 3-20-02

Dated: APR 9 2002

EXHIBIT A
SPHERE OF INFLUENCE BOUNDARY MAP

Pismo Beach - Proposed & Existing Sphere of Influence

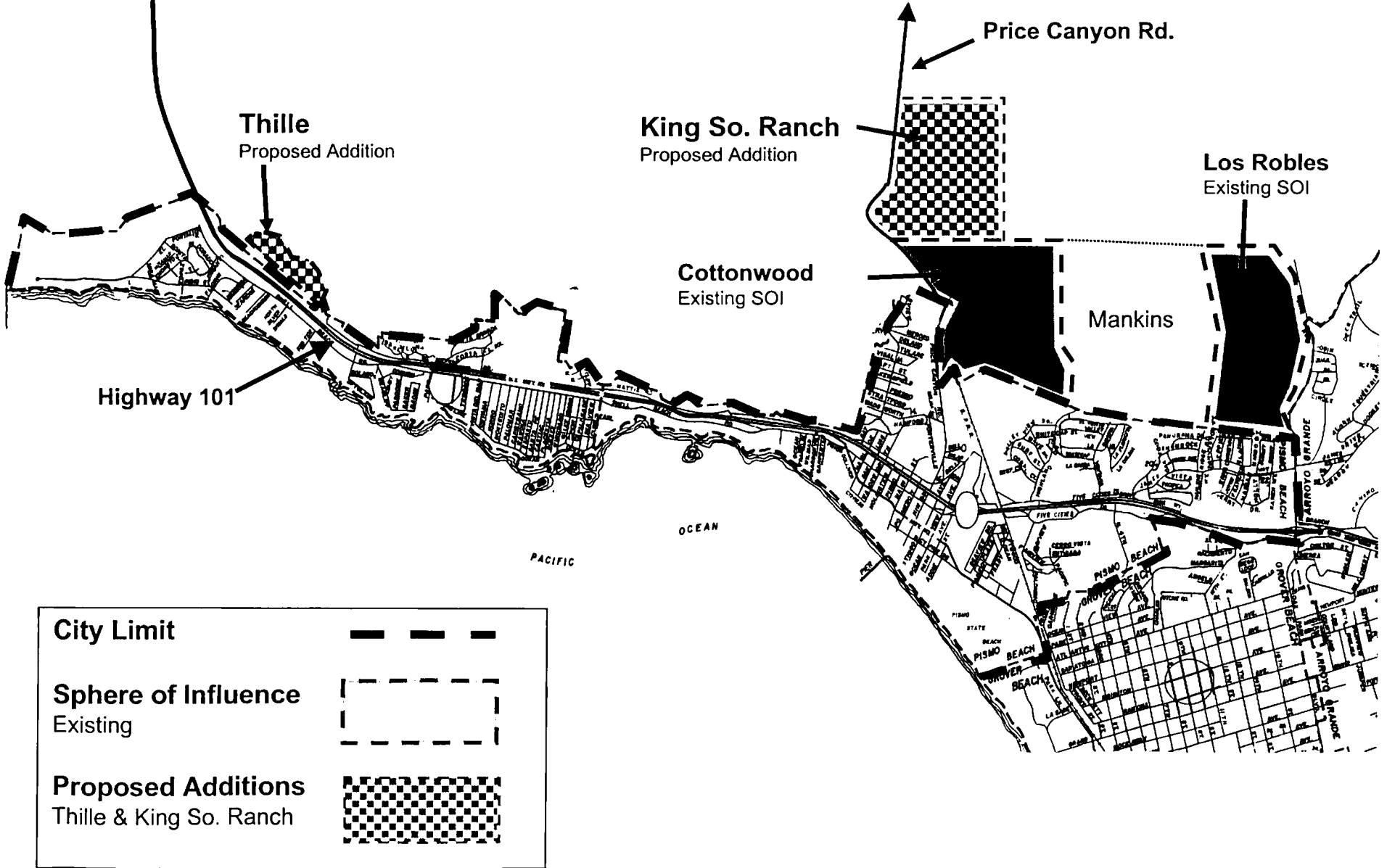


EXHIBIT B
DEVELOPMENT STANDARDS AND ZONING REQUIREMENTS

The following development standards and zoning requirements are agreed to and shall be used by the City of Pismo Beach and the County to develop the proposed Sphere of Influence as described in Exhibit A and to update their General Plans.

1. **Intent.** It is the intent of the County and the City to work cooperatively towards the goal of developing the agreed upon Sphere of Influence (SOI) as shown in Exhibit A, in an orderly and logical manner as prescribed under the Cortese/Knox/Hertzberg Act, the City and County General Plans and ordinances, the California Environmental Quality Act and any other applicable laws and regulations.
2. **Interagency Cooperation.** The City and the County shall work cooperatively on planning for land use, circulation connections, agricultural land and open space preservation by referring discretionary development projects within each agency to the other for review and comment prior to final action on a development proposal.
3. **Interim Development.** The County shall limit the development in the areas being added to the SOI to the extent allowed by the current land use designations. Rural residences and other currently allowable uses may be permitted pursuant to the land-use policies and standards of the County. It is the intent of the City to provide services to these areas when they are eventually annexed to the City. The County shall give great weight to this fact when reviewing projects in this SOI area.
4. **City/County Cooperation.** The County and City will cooperate to evaluate the creation and implementation of various assessment and financing mechanisms for the construction and maintenance of improvements, such as roads, utilities, recreation and trail improvements, historical and cultural parks, and similar improvements that could serve visitors and residents of the City and the County.
5. **Environmental Constraints.** The City and the County shall base their recommendations and decisions on environmental constraints analysis that studies resources such as, but not limited to; oak woodland habitat, 100 year flood plain areas, lands with class I or class II soils, and areas of greater than 30% slopes.
6. **Agriculture and Open Space.** To the greatest extent possible, the City and the County will work to preserve the agricultural and open space resources in the area.

7. **Land Uses.** The proposed areas being added to the SOI as described in Exhibit A may include visitor-serving and recreational uses in a manner integrated into the City's plans for annexation and development for this area.
8. **General Plan Amendment.** The City intends to complete pre-zoning, pre-annexation, and pre-general plan amendment activities prior to or concurrent with an annexation proposal being processed by LAFCO. The County intends to include any necessary amendments to its General Plan in the update of the San Luis Bay area plan.
9. **Zoning Requirements/Specific Plan.** A specific plan, which identifies land uses for the Sphere of Influence areas, shall be prepared and adopted by the City prior to the annexation of the property into the City. CEQA review of the specific plan shall include analysis of issues related to completing the annexation such as a reliable and adequate water supply and sewer capacity for the proposed project.
10. **Circulation.** Development by either the City or the County in the Sphere of Influence area should be integrated into an area wide circulation and utility plan that provides for future extension and connections into adjacent undeveloped properties whenever feasible.