

ISLANDS HISTORY

During the late 1990s, a focus of many agencies and organizations in Orange County was the transition of unincorporated territory to municipal jurisdictions. This effort supported the County's post-bankruptcy efforts to divest itself from the provision of municipal services and instead focus on providing the County's core regional services such as social services, the courts, regional parks, health care and regional infrastructure.

Assembly Bill 1555

In January 2000, Assembly Bill 1555 (Longville) became effective and provided the opportunity for cities to annex small islands (75 acres or less in size) through a significantly streamlined annexation process.¹ This streamlined approach provided agencies with the opportunity to create an efficient process for the annexation of small, urban islands.

At its January 21, 2000 Strategic Planning Session, Orange County LAFCO identified the annexation of unincorporated County islands, for the first time, as its top Commission priority. The Commission directed staff to work with the County and Orange County cities to develop a comprehensive work program and resource plan for the countywide annexation of unincorporated islands.

The resulting work program evolved into a collaborative partnership between LAFCO, the League of Cities, Orange County cities and the County to address the transition from County to municipal jurisdiction of islands that qualify under the provisions of AB 1555. LAFCO funding for this program was augmented by the County Board of Supervisors to provide short-term staffing to "jump start" the program. Although ambitious, the goal of the three-year work program was to annex 50 small islands, with 40 islands annexed within the first two years of the program.

Successes and Challenges

A significant component of the initial 12 months of the program was dedicated to city and public education outreach efforts, compiling a demographic data base and maps of individual islands, preparing preliminary fiscal data and working with individual city staffs. During the first two years of the program, LAFCO was successful in annexing five small unincorporated islands. During 2003, an additional 20 islands were annexed by adjacent cities, bringing the three-year island annexation total to 25 islands.

¹ On January 1, 2005, the State legislature increased the 75-acre size limitation for small island annexations to 150 acres.

Along with the initial successes of the program came challenges. Some cities were not interested in pursuing island annexations due to competing priorities or concerns with potential fiscal liability. Many of the remaining islands had infrastructure deficiencies that were expensive to upgrade (e.g., no curb and gutter, private streets that did not meet city standards, septic tanks, inadequate drainage, etc.) and lacked sufficient revenue-generating potential to offset those costs. In still other cases, strong resident opposition to annexation prompted some cities to avoid pursuing a “forced” annexation against the will of residents. Still, with the consistent support of LAFCO, the League of Cities, the cities, the County and many island residents, 12 additional small islands were successfully annexed between 2004 and 2006, bringing the total to 37 small islands.

Economic Incentives

On February 8, 2008, LAFCO revived its efforts to annex unincorporated County islands through the adoption of the Unincorporated Islands Incentive Program. The program was developed to encourage cities to initiate annexation of their remaining unincorporated islands by offering the following incentives over a period of two years (September 2008 through September 2010):

- Waiver of application fees based on acreage
- LAFCO staff preparation of application materials
- Availability of LAFCO staff to conduct community meetings
- Fast tracking of application processing

Unincorporated Island Stakeholder Plan

On November 18, 2009, as a further step to encourage the annexation of the remaining unincorporated County islands, the Commission adopted a “Stakeholder Plan” to supplement the economic incentives previously approved in February 2008. While still requiring the continuing collaboration of LAFCO, the County and cities, the Stakeholder Plan clearly identifies LAFCO as managing the overall annexation islands effort. Specifically, the Plan requires to LAFCO to:

- Set up preliminary/post meetings with County and City staff to identify interest in and obstacles to annexation
- Make presentations to respective city councils on unincorporated islands
- Prepare a needs assessment of unincorporated islands including any infrastructure, public services, and/or facilities shortfalls
- Develop a fiscal model assessing the financial impacts of annexations to affected agencies

- Provide educational outreach meetings to affected agencies and residents
- Assist with and expedite island application materials to relieve city staff workload

SB 375

SB 375 is a state law enacted in 2008 relating to regional land use and transportation planning policies. Its formal name is “The Sustainable Communities and Climate Protection Act of 2008.” It is a complex law, affecting a number of regional planning activities. In the most general terms, SB 375 requires regional transportation planning agencies (e.g., SCAG, OCCOG and OCTA in our area) to carry out transportation planning with California’s statewide greenhouse gas emissions goals in mind. Each region will develop its own unique plan, known as a Sustainable Communities Strategy (SCS), for meeting its targets through a locally driven process.

SB 375 is predicated on the premise that greenhouse gas reductions from the regional land use and transportation plans required by SB 375 will result in Californians driving fewer miles as a consequence of changed land use patterns and improved transportation systems. Higher density developments in close proximity to mass transit facilities (e.g., train stations) typically generate less greenhouse emissions than single family home subdivisions more dependent on the automobile for local and regional transportation purposes.

The Orange County Sustainable Communities Strategy (OC SCS) was adopted unanimously by the OCTA and OCCOG Board of Directors in June 2011. SCAG has incorporated the OC SCS into the Draft 2012 Regional Transportation Plan/Sustainable Communities Strategy (SCS). A program level EIR was prepared for the RTP/SCS by SCAG and circulated for public review in December 2012. The public review period ended on February 14, 2012. SCAG is scheduled to consider final approval of the RTP/SCS in the Spring of 2012.