

LAFCO Annexation Process

1. Application submitted by:
 - a. Landowner petition
 - OR
 - b. Resolution of application by affected agency

CONTENTS OF APPLICATION

(Materials are generally submitted during and throughout the process.)

- LAFCO processing fees
 - Justification of proposal questionnaire
 - Plan for services
 - Property owner consent form(s), if applicable
 - Map & legal (metes and bounds) description approved by the County Surveyor's Office
 - CEQA documents
 - Resolutions by affected agencies agreeing to a transfer/split of the ad valorem property tax revenues generated in the affected territory
 - Pre zoning
 - Indemnification agreement signed by applicant(s) and/or real parties in interest
2. Within 30 days of submission of the application:
 - a. For landowner petitions, LAFCO issues either a Certificate of Sufficiency or a Notice of Insufficiency for the petition.
 - b. LAFCO sends the applicant a status letter notifying the applicant that the application is either complete or incomplete.
 3. Approximately 30 days after submission of the application, and after submission of a map & legal description approved by the County Surveyor's Office:
 - a. LAFCO issues notice to the County Assessor of the proposal.
 - b. The Assessor determines which Tax Rate Areas (TRAs) are involved in the proposal and calculates the total assessed valuation (AV) of the affected territory.
 - c. The Assessor issues a report with the TRAs and AV for the proposal to the County Auditor.
 - d. The Auditor determines the total ad valorem property tax revenues that are subject to negotiation as part of the proposal.
 - e. The Auditor issues a report to the affected agencies (e.g., city, county) identifying the total dollars that are subject to negotiation and notifying the agencies that

they have 60 days from the date they receive the report to reach agreement on the transfer of property tax revenues from the county to the city.

4. Upon determination by the Executive Officer that the application is complete, the Executive Officer issues, and sets a hearing date for the proposal within, a Certificate of Filing.
5. LAFCO notices and holds a public hearing on the proposal and takes one of the following actions at the hearing:
 - a. Approves the application subject to terms and conditions
 - b. Approves the application with modifications and subject to terms and conditions
 - c. Denies the application
6. If LAFCO approves the application, within 35 days of the hearing, LAFCO adopts the resolution making determinations and approving the application and sends a copy of the resolution to the applicant.
7. If LAFCO approves the application, within 30 days of the hearing, LAFCO notices and sets a date for a protest hearing, unless waived pursuant to Government Code Section 56663. From the date that the legal notice of the protest hearing is published in a newspaper, registered voters and landowners within the affected territory may file written protests with LAFCO until the close of the protest hearing. LAFCO determines the window of time protests may be submitted (21 to 60 days) at the time it approves the application.
8. LAFCO holds the protest hearing and makes a determination on the value of written protests filed and not withdrawn. LAFCO may continue the hearing to a future date to allow time to review protests. Upon making a determination on the value of written protests, LAFCO takes one of the following actions, depending on whether the territory's inhabited or uninhabited:

Uninhabited

- If a majority protest exists, terminate the annexation. For uninhabited territory, a majority protest exists if protests are filed by landowners owning at least 50% of the assessed valuation.
- If a majority protest does not exist, order the annexation.

Inhabited

- If a majority protest exists, terminate the annexation. For inhabited territory, a majority protest exists if protests are filed by at least 50% of the registered voters.

- Order an election if protests are filed by: (a) at least 25%, but less than 50%, of the registered voters; or (b) at least 25% of the number of landowners owning at least 25% of the assessed valuation.
 - Order the annexation if protests are filed by: (a) less than 25% of the registered voters; or (b) less than 25% of the number of landowners owning less than 25% of the assessed valuation.
9. If the annexation is ordered, LAFCO records a Certificate of Completion with the County Recorder's Office upon satisfaction of all terms and conditions in the resolution ordering the annexation.
 10. Upon recordation, LAFCO sends documents and fees (paid by the applicant) to the State Board of Equalization (SBE) for purposes of altering the SBE's TRAs to reflect the change of organization.