

POLICIES RELATIVE TO ANNEXATION/REORGANIZATIONS FOR CITIES AND SPECIAL DISTRICTS

A. GENERAL GUIDELINES

1. The Commission will encourage city processing of annexations and reorganizations within Urban Service Areas without LAFCO review. Pursuant to Government Code Section 56757, reorganizations within a city's urban service area may be approved by the city council without LAFCO review if the proposal meets certain conditions.
2. Urban development should take place in cities rather than in unincorporated territory.
3. Whenever possible, cities should pursue development of vacant incorporated land before annexation of fringe areas.
4. Annexations and reorganizations should result in logical and reasonable expansions for cities and special districts.
5. Cities are encouraged to pursue annexation of unincorporated islands.
6. Cities are encouraged to exchange territory between them to improve illogical boundary or service situations.
7. The Commission encourages local agencies to seek means for increasing governmental efficiency and reducing overlaps of service provisions. Specifically:
 - a. Annexation to an existing agency is favored over creation of a new agency.
 - b. Creation of subsidiary districts, and mergers or consolidation of special districts, are encouraged whenever possible.

B. ANNEXATION/REORGANIZATION POLICIES

1. LAFCO will strongly discourage city annexations of land outside Urban Service Areas until inclusion into the Urban Service Area is appropriate. However, the Commission recognizes that in some circumstances, city annexations outside Urban Service Areas will help promote preservation of agriculture, open space, and/or greenbelts. Such cases will be considered on their merits on a case-by-case basis. LAFCO will reconsider allowance of exceptions if it appears a pattern of such requests is developing.
2. Where development outside Urban Service Areas will necessitate annexations to special districts, LAFCO will consider city general plans, joint city/county plans, and land use studies, such as the South County Plan and Preservation 2020, in reviewing proposals.

3. Proponents must clearly demonstrate that the city or special district is capable of meeting the need for services.
4. Boundaries of proposals must be definite and certain, and split lines of assessment must be avoided wherever possible.
5. The boundaries of a proposed annexation or reorganization must not create or result in areas that are difficult to serve.
6. Pre-zoning is a requirement for city annexation. Where territory is pre-zoned agricultural, but has an urban use designation on the city's general plan, the applicant will be required to demonstrate why such an annexation is not in violation of the Cortese-Knox Local Government Reorganization Act, which requires LAFCO to:
 - a. Steer growth away from agricultural areas; and
 - b. Determine that annexation and development of land for non-agricultural purposes is not premature.
7. No subsequent change may be made to the general plan or the zoning of the annexed territory that is not in conformance to the pre-zoning designations for a period of two years after the completion of the annexation unless the city council makes a finding at a public hearing that a substantial change has occurred in the circumstances that necessitate the change.
8. For annexations for residential development of five acres or more, a copy of the application shall be sent to the appropriate school district(s) for the purpose of ascertaining the impact the proposal may have on the district's ability to provide educational services.
9. All applications for annexations where pre-zoning indicates that land development could cause the number of vehicle trips per day to exceed 2,000, shall be sent by the LAFCO Executive Officer to the Congestion Management Agency with the Valley Transportation Authority for comment as to impact on regional transportation facilities and services.
10. Where service providers other than the reorganizing agencies may be substantively impacted by a proposed reorganization, LAFCO shall request comments on the proposal from the affected service providers. Comments received will be a factor considered in reviewing the proposal.
11. Concurrent detachment of territory from special districts which will no longer provide service is a required condition of city annexation.
12. LAFCO will consider the applicable service reviews and discourage changes in organization that undermine adopted service review determinations or recommendations.

C. STREET ANNEXATION POLICIES

1. Cities will be required to annex entire street sections whenever possible.
2. When streets are used as a boundary for an annexation, the annexation proposal shall be designed to include a continuous section of roadway sufficient in length to allow maintenance and policing of the street by a single jurisdiction. Annexation of full-width sections normally shall be made in increments of not less than one thousand feet, or the distance between two consecutive intersections, where 50 percent or more of the frontage on both sides of the street in said increment has been or is to be included in the city. This policy shall not supercede other provisions in State law.
3. Pursuant to Government Code Section 57329, annexation of existing short segments of county maintained road to provide single-agency oversight of a full-width section of the road shall be accomplished in the most practical manner.
4. Appropriate segments of roads, freeways, highways, expressways, private roads or railroad rights-of-way, adjacent to or within the proposed annexation should be included in the city boundaries to ensure logical boundaries and efficient provision of public services.
5. When a street is the boundary line between two cities, the centerline of the street may be used as the boundary. Such street annexations shall occur in increments as described in Policy 2, above.
6. Half-street annexations will not be approved except as provided in Policies 3 and 4, above, unless otherwise provided by State law.