

# ANNEXATION

This brochure is intended to provide a summary of the annexation process in the City of Mt. Shasta. Applicants and other interested persons should review relevant ordinances and other regulations for the details of the annexation process. Prior to proceeding with annexation applications, applicants should discuss the annexation concept with affected property owners, the City Planning Department and Public Works Department staff, and Siskiyou County Local Agency Formation (LAFCO) staff. In addition, please contact LAFCO for information and application guidelines.

## ***Background***

The City seeks to avoid unplanned growth by concentrating development within the City limits. Applicants interested in annexing land to the City should determine if the property in question is within the existing Sphere of Influence (SOI). If the land in question is inside the SOI, the policy issues for an annexation are less complex. If the land is outside of the SOI, potential applicants should discuss the applicable policy issues and procedures in detail with County and City Planning staff before proceeding.

The nature of an annexation is such that it is best to contract with a professional planner or similarly qualified individual to develop the proposal, for the application requires fiscal and technical studies, mapping and multi-faceted environmental documents. Any applicant is encouraged to gain familiarity with the LAFCO process and state legislation prior to engaging with City Staff.

The City of Mt. Shasta has experienced relatively slow residential growth within the city limits in recent years. The average annual growth rate of the population within the City since 1995 has been less than one percent.

Residential growth in the planning area has been predominately in the unincorporated area outside the city limits. The 2000 U.S. Census indicated that the population in the planning area was approximately 7,291 with 3,621 people living within the City and approximately 3,670 residents residing outside the city limits.

Through strategic annexations, the City can shape itself and prevent sprawl and facilitate development where it is desired. Annexation also provides the City with an ability to apply its development regulations and standards to guide development. Annexation also carries the risk that the costs of providing City services to, and/or meeting the improvement demands of, new City residents may exceed revenues. Thus, annexation decisions should take place in an informed environment.

Annexation is not something the neither City nor LAFCO takes lightly. At a minimum, the following General Plan Policy shall be followed for all annexation projects:

## **General Plan Objectives and Programs: Annexations**

Goal LU LU-1: Consider annexation when lands are needed to accommodate the General Plan growth objectives.

Policy LU LU-1.1: Annexation shall occur only when the proposed use of the property furthers the City's economic development, housing, and/or community planning objectives.

### **Implementation Measures:**

LU-1.1(a): Prior to endorsing a proposal for annexation, the City Council shall consider the objectives of the added territory and find whether there is a public benefit that aids in achieving General Plan goals.

LU-1.1(b): Prior to endorsing a proposal for annexation, the City shall require the petitioner to submit, at a minimum, adequate factual information to determine that the proposed annexation will provide adequate revenues to offset the costs of providing services.

Goal LU LU-2: Annexed lands shall be incorporated into the City in conformance with the General Plan.

Policy LU LU-2.1: Require pre-zoning and development plans prior to completing annexation procedures.

### **Implementation Measures:**

LU-2.1(a): No action shall be taken to finalize an annexation in conformance with Siskiyou County Local Agency Formation Commission procedures until the City has approved a pre-zoning to the appropriate City zoning district.

LU-2.1(b): No action shall be taken to finalize an annexation in conformance with Siskiyou County Local Agency Formation Commission procedures until the City has approved a development plan for the petitioner's territory. (In some cases, the petitioner's property may not be the only property incorporated in the approved annexation. The City may require development plans exclusively from the petitioner(s) covering the proponent's property, if it makes a finding that it cannot force development plans from the other property owners who were not petitioners in the process. This notation is a part of this implementation measure provided for explanatory purposes and guidance.)

## **PRELIMINARY REVIEW**

The City of Mt. Shasta requires a Pre-application Meeting as the first formal step in the development approval process. An application fee of 15% of the fee for the annexation is required. The fee is non-refundable.

Applicants must describe the lands to be annexed in written and map form, describe the existing and proposed land uses, address how City services would be provided to the site, and provide proof of the consent of the affected property owner(s) with the annexation request (if applicable).

Critical issues which should be addressed by the applicant in the application include:

- Relationship of the proposal to existing General Plan policies, zoning and land uses in the County.
- Relationship of the proposal to City General Plan policies, zoning, and land uses.
- Whether the annexation will be growth-inducing, or will result in a “leapfrog” pattern of development.
- How City public services will be provided to the area in question.
- Relationship of the proposal to LAFCO policies, including preservation of agricultural lands.
- Fiscal impacts of the Annexation.

City staff will determine if sufficient information has been provided for the project. Staff will inform the applicant if additional information is needed. Once the applicant is complete, staff will begin processing the application.

Anytime during the process the City, LAFCO, and the applicant can discuss the tax agreement. The fiscal information provided by the applicant is significant and its accuracy will avoid any problems or delays.

#### **ANNEXATION/PREZONE REQUEST**

Following the pre-application meeting, an Annexation/Prezone application must be filed along with an accompanying application deposit. Actual processing charges will be tracked by City staff and the applicant will be billed for any charges in excess of the initial deposit or other arrangements may be required.

The applicant will need to indicate the type of zoning which the property would have if the annexation were approved as proposed. Once the staff determines that an application is complete, environmental review in the form of an Initial Study and Negative Declaration or an Environmental Impact Report may also be required. Following completion of any necessary environmental review, the staff will prepare an analysis of the request and schedule the matter for a public hearing before the Planning Commission. At the Planning Commission public hearing, the staff will make its report and recommendations, the applicant will also have an opportunity to advocate for the application, and interested members of the public will also be heard. The Commission will then make a recommendation on the application to the City Council. Following Planning Commission recommendations, the City Council will conduct its public hearing and act on the matter. If the Council denies the application, there is no further appeal possible. If the Council approves the application, the applicant will need to proceed to preparation of an application to the Siskiyou County Local Agency Formation Commission (LAFCO).

#### **LAFCO**

To proceed with an annexation which has been reviewed by the City, the applicant must submit an application to LAFCO. LAFCO is a separate agency from the City, and has the authority to reject, approve, or condition applications which the City has approved. The applicant is responsible for all LAFCO application fees and submittal requirements. Once LAFCO has a complete application, a public hearing will be conducted and LAFCO will act on the matter. The

applicant should be prepared to make a presentation to LAFCO on the matter. In addition, a City staff member will generally represent the City's perspective on the application to LAFCO at the hearing.

### **RECORDATION OF THE ANNEXATION MAP**

Following LAFCO approval, the applicant's engineer will need to prepare a final version of the annexation map for approval of the City Engineer and LAFCO, following which it is recorded and the land is officially annexed into the City of Sebastopol. Unless otherwise approved, City annexation fees must be paid prior to the City Engineer's approval of the map.

Upon receipt of the **completed forms, site plan/maps, and filing fees**, the Planning Department will determine the completeness of the application. This review will be completed as soon as possible, but within thirty (30) days of the submittal of the application. If the application is determined to be complete, the City will begin an environmental review, circulate the project for review by agencies and staff, and then schedule the application for a hearing before the Planning Commission.

If sufficient information **has not** been submitted to adequately process your application, you will receive a notice that your application is incomplete along with instructions on how to complete the application. **Once the City receives the** additional information or revised application, the thirty (30) day review period will begin again.

Approximately five (5) days prior to the Planning Commission meeting, the Community Development Department will provide you with a staff report which will include an analysis of the project along with comments from other agencies or departments. The staff report will usually contain a recommendation for approval, conditional approval, or denial.

Since the information contained in your application is used to evaluate the project and in the preparation of the staff report, it is important that you provide complete and accurate data.

Please review and respond to each question. If a response is not applicable, N/A should be used in the space provided. Failure to provide adequate information could delay the processing of your application. You may also contact the Planning Department at (530) 926-7517

**SUPPLEMENTAL APPLICATION  
INFORMATION FORM  
ANNEXATION**

This document will provide necessary information about the proposed project. It will also be used to evaluate potential environmental impacts created by the project. Please be as accurate and complete as possible in answering the questions. Further environmental information could be required from the applicant to evaluate the project.

**PLEASE PRINT CLEARLY OR TYPE  
USE A SEPARATE SHEET, IF NECESSARY, TO EXPLAIN THE FOLLOWING:**

I. Project Characteristics:

A. Describe all existing buildings and uses of the property: \_\_\_\_\_

\_\_\_\_\_

B. Parcel size (square feet or acres): \_\_\_\_\_

\_\_\_\_\_

C. Describe surrounding land uses:

North \_\_\_\_\_

South \_\_\_\_\_

East \_\_\_\_\_

West \_\_\_\_\_

D. Describe existing public or private utilities on the property: \_\_\_\_\_

\_\_\_\_\_

E. Describe how proposal complies with the City's General Plan:

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F. Describe the objectives of the annexation and provide details indicating the public benefit. Please attaché any support information.

G. Provide factual details showing that the annexation will provide adequate revenues to off-set the costs of providing services. This shall include the current cost to the city for the services, along with the revenues that will off-set those costs.

I hereby certify, to the best of my knowledge, that the above statements are correct.

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Signature of Person Preparing Form Date Telephone Number

## **SITE PLAN REQUIREMENTS**

### **ANNEXATION**

A site plan is a scale drawing that depicts a property's size and shape, existing improvements on the property, and improvements or additions which are intended to be added. The site plan should be as complete and accurate as possible since it will be used by several City departments to check various requirements of the development application. Please place a check or N/A on the line provided in the below checklist. Submit this page along with the map and application packet.

Annexation checklist:

Submit Development Plan, consisting of at least the following:

- Detailed project description that includes all buildout information.
- Subdivision map
- Map of Annexation Area – one (1) copy 8 1/2” x 11” and 12 (20) copies 18” x 24” folded to 9” x 12”
- The boundaries and acreage of the annexation area
- North arrow and scale
- Dimensioned property lines
- Location, name, and width of adjacent streets
- Location and name of any watercourses on or adjacent to the property
- Existing and proposed public and private easements
- Property owner's name
- Name, address & telephone number of person preparing plot plan
- Preliminary Title Report dated no later than 6 months prior to the application filing date
- Fiscal Impacts, cost of services and expected revenues

### **ADVISORY RE: FISH AND GAME FEE REQUIREMENT**

Permit applicants are advised that pursuant to Section 711.4 of the Fish and Game Code a fee of \$2,525.00 for an Environmental Impact Report and \$1,825.00 for a Negative Declaration\* shall be paid to the County Recorder at the time of recording the Notice of Determination for this project. This fee is required for Notices of Determination recorded after January 1, 1991. A Notice of Determination cannot be filed and any approval of the project shall not be operative, vested, or final until the required fee is paid. This shall mean that building, public works and other development permits cannot be approved until this fee is paid.

This fee is **not** a City of Mt. Shasta fee; it is required to be collected by the County pursuant to State law for transmission to the Department of Fish and Game. This fee was enacted by the State Legislature in September 1990, to be effective January 1, 1991.

\*If the City finds that the project will not have an impact on wildlife resources,

through a De Minimus Impact Finding, the City will issue certificate of fee exemption. Therefore, this fee will not be required to be paid at the time an applicant files the Notice of Determination with the County Recorder. The County's posting and filing fees will still be required.