

FRESNO LAFCo ANNEXATION PROCESS

City Pre-Application Meeting

Developer(s) meet with City Annexation Staff to discuss development proposal. City Annexation Staff recommends appropriate annexation strategy to provide efficient development, square-off City boundaries, and avoid the creation of County Islands.

LAFCo Pre-Application Meeting

The City Annexation representative schedules meeting with LAFCo to review City proposal. LAFCo coordinates meeting agenda and invites the County representatives. Proposal is reviewed in respect to LAFCo policies and County Standards for Annexation (Tax Sharing Agreement).

Neighborhood Meeting

If it is determined that the area to be annexed includes 12 or more registered voters, the City Annexation Staff holds a neighborhood meeting to discuss the annexation proposal prior to filing a formal application with LAFCo. (It is recommended by LAFCo that a neighborhood meeting be held even if the area contains less than 11 voters.)

LAFCo Commission Proceedings

May be initiated by City resolution, or petition with required signature of landowners or registered voters

Application Filing

Application is filed with the Executive Officer and if determined complete is set for public hearing.

Notice of Commission Hearing

Notice given by Executive Officer by mailing, publication, and posting

Commission Hearing

At the hearing the Commission will hear staff's report and entertain public testimony prior to making determinations as required by State Law and LAFCo Policies

Commission Denies Proposal

If denied, no similar proposal may be made within one year

or

Commission Approves Proposal

Application may be approved with revisions or conditions. The Commission may designate conducting authority for further proceedings. The approval expires within one year if not completed.

FRESNO LAFCo PROTEST HEARING (CONDUCTING AUTHORITY) PROCESS

Protest Proceedings

If the Commission determines that a protest hearing is required by law, a public hearing must be held to determine whether there is enough protest to warrant an election or terminate proceedings.

Notice of Hearing

Within 35 days of the Commission action approving the proposal, notice is given by the Executive Officer per State Law.

Protest Hearing

Protest hearing is held by the Executive Officer on date and time of notice. Written Protests must be filed on an official LAFCo protest form with the Executive Officer prior to the conclusion of the hearing. The value of written protests and number of registered voters (if inhabited annexation) are determined by the Executive Officer. The Executive Officer adopts the resolution within 30 days of the hearing.

Approval of Proposal

Executive Officer must order annexation if:

1. Uninhabited (11 or fewer registered voters) and landowners owning less than 50% of the total assessed land value protest.
2. Inhabited (12 or more registered voters) and less than 25% of the registered voters or less than 25% of landowners owning less than 25% of the assessed land value protest.

Termination

Proposal will be terminated if written protests contain a majority of:

1. Landowners in opposition who maintain a majority of the land value (if uninhabited)
2. Registered voters in opposition (if inhabited)

New proposals must wait one year.
(Two years for city incorporation/consolidation.)

Call for Election

LAFCo must call for an election when an annexation is inhabited if protest is 25% - 50% of registered voters, or more than 25% of landowners who own at least 25% of the assessed land value.

Voters Approve

(Simple Majority)

Commission adopts resolution confirming it's action approving the annexation.

Voters Deny

Commission adopts a resolution to terminate the proposal. New proposal cannot be submitted for one year.

Completion of Proposal

Once all terms and conditions are complied with, a Certificate of Completion is recorded and subsequently filed with the State Board of Equalization.