

KATE McKENNA, AICP
Executive Officer

**LOCAL AGENCY FORMATION COMMISSION APPLICATION REQUIREMENTS
For a Proposal for a Sphere of Influence Amendment,
Change of Organization or Reorganization, Extension of Services by Contract,
And/or Mutual Water Company Determination.**

An application to the Local Agency Formation Commission (LAFCO) of Monterey County shall consist of the items listed below. In most cases, LAFCO prefers that applicants submit one original copy of all required materials and 35 compact discs containing electronic copies of all materials submitted. If this is not possible or practical, 35 paper copies can be submitted. (The LAFCO Executive Officer may determine that proposal's scope requires more or fewer copies of the application materials.)

1. **Pre-application meeting [Page 4 of this packet]:**
Attend a meeting with staff to discuss the proposal prior to completing the application forms.
2. **Preliminary Sphere of Influence Review:**
The applicant is encouraged to request a Preliminary Sphere of Influence Review with the Commission if a comprehensive Sphere of Influence update is proposed. This review may avoid the expenditure of significant sums of money in the development of proposals that cannot be approved.
3. **Petition [Pages 5-6 of this packet] or** **Resolution of Application:**
(One original) An application may be submitted either by: 1) a resolution of application adopted by the affected legislative body of a city or special district, or 2) a petition signed by the registered voters or property owners of the affected territory. Original signatures on the petition or certified copies of the resolution are required.
4. **Written Request for LAFCO Action:**
(One original and 35 copies) Submit a letter to request the specific action, enumerate the reasons why the action is necessary, and complete any additional information noted in this checklist.
5. **Consent to Inclusion of Property [Page 7 of this packet]:**
(One Original) While not required, the completion of this form would confirm consent of the property owners to a boundary change proposal, and may waive the need for a protest hearing.

6. **Justification of Proposal and Plan for Providing Services [Pages 8-21 of this packet]:**
 (One original and 35 copies) This form provides a description of the proposal and supporting statements. The Plan for Providing Services includes a description of the services to be provided, financing, capacity of existing systems, and other related information.
7. **Map and Legal Description:**
- Sphere of Influence:**
 (One original and 35 copies) Maps showing the proposed Sphere of Influence. Maps should be no larger than 11" x17". NOTE: THIS MAP DOES NOT NEED TO INCLUDE A LEGAL METES AND BOUNDS DESCRIPTION, NOR DOES IT NEED TO MEET BOARD OF EQUALIZATION REQUIREMENTS.
- Annexation or other boundary changes:**
 (One original and 35 copies) A map and a geographic description are to be attached as Exhibit "A" to the petition or resolution of application. The map must conform to State Board of Equalization requirements as outlined in the State Board's *"Change of Jurisdictional Boundary: Requirements for Statements, Geographic Descriptions, Maps and Fees."*
8. **LAFCO Processing and Filing Fees [Pages 22-24 of this packet]:**
 One check made out to LAFCO for processing in accordance with LAFCO fee schedule. If the proposal is not exempt from CEQA, the State Department of Fish and Game (DFG) requires an environmental review fee to be submitted with the Notice of Determination unless verification can be provided that this fee has already been paid. In addition, the State Board of Equalization (BOE) requires a filing fee. The BOE and DFG fees will be a condition of approval and must be forwarded to LAFCO before the Notice of Determination can be filed with the County.
9. **Public Notice Requirements:**
 When required by the provisions of the Government Code:
- A. Submit a list of property owners to include those within the proposal area and within 300 feet of the boundaries of the proposal area. The list must be taken from the County's current assessment roll at the time of application.
 - B. Submit a list of registered voters to include those persons within the proposal area and those within 300 feet of the boundaries of the proposal area. The names must be taken from the most current list available from the Registrar of Voters at the time of application.
 - C. A minimum of 20 separate property owners of separate parcels must be included on the combined lists. The distance beyond 300 feet must be increased equally in all directions from the proposal boundaries to add the minimum number of notices.
 - D. Stamped, addressed envelopes, without return address, must be included with the application. Duplicate envelopes are not required for voters who are also property owners. If the area contains more than 12 registered voters, please submit two sets.
 - E. Submit a diskette or other electronic transmittal containing a mailing label listing of registered voters and property owners.

- F. In cases where more than 1,000 notices would be required, the law provides that newspaper notice may be given. The cost of this notice will be charged to the applicant.
10. **Ordinance Designating Pre-zoning of Affected Property:**
(One original) For city annexations, please submit a pre-zoning ordinance adopted by the City Council.
11. **Intergovernmental Consultation for Cities:**
- Sphere of Influence:**
(One original) Government Code Section 56425 requires a City-County consultation meeting prior to submittal of the application to LAFCO. Any agreement that is reached will be given great weight by the Commission if it is consistent with LAFCO policies. Please submit any agreement reached as a result of that consultation process. If no agreement is reached, submit documentation that this requirement has been met.
- Annexation:**
Cities are encouraged to consult with affected special districts to ensure that the annexation will not adversely affect their ability to continue to provide services outside of the proposed annexation area.
12. **Environmental Documents:**
(One original and 35 copies) Please submit the following environmental documents as appropriate: the initial study, negative declaration, mitigated negative declaration, or EIR, certified by the lead agency.
13. **Tax Sharing Agreement:**
(One original) For changes of organization or reorganization, please submit a tax sharing agreement approved by: a) the City Council or District Board, and b) the County Board of Supervisors.
14. **Farmland Maps:**
(One original and 35 copies) If the proposal will lead to the urbanization of agricultural lands, please identify the area on the Important Farmland Map prepared by the California Department of Conservation and provide maps showing:
- Soil types;
 - USDA Natural Resources Conservation Service classification system; Soil types;
 - Current use of the land (livestock, fruit trees, nut trees, vines, row crops, etc.), and
 - The location of parcels in Williamson Act and Farmland Security Zones, and the status of these contracts.
15. **Additional Documents:**
Additional information and/or documents pertaining to the matters or factors the Commission must consider when making its decision on the proposal may be requested by the Executive Officer.

LOCAL AGENCY FORMATION COMMISSION
P.O. Box 1369 132 W. Gabilan Street, Suite 102
Salinas, CA 93902 Salinas, CA 93901
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www.monterey.lafco.ca.gov

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**PRE-APPLICATION MEETING
FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000**

1. The pre-application meeting was held on _____.
(Month/Day/Year)

2. The following issues were discussed:

3. Outstanding Issues to be resolved that are inconsistent with LAFCO’s mandate to preserve agricultural land and open space, discourage urban sprawl, and promote orderly growth of government agencies.

4. Other agencies that may be affected by the proposal include:

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PETITION FOR PROCEEDINGS PURSUANT TO THE CORTESE-KNOX-HERTZBERG
LOCAL GOVERNMENT REORGANIZATION ACT OF 2000

The undersigned hereby petition(s) the Local Agency Formation Commission of Monterey County for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code, commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc.) is/are:

Four horizontal lines for text entry.

3. The boundaries of the territory(ies) included in the proposal are as described in Exhibits(s) attached hereto and by this reference incorporated herein.

4. The territory(ies) included in the proposal is/are: _____ inhabited (12 or more registered voters) or _____ uninhabited.

5. This proposal is/is not consistent with the Sphere of Influence of the affected city and/or district(s).

6. The reason(s) for the proposed boundary change is/are:

Three horizontal lines for text entry.

7. The proposed boundary change is requested to be made subject to the following terms and conditions:

Four horizontal lines for text entry.

8. The persons signing this petition have signed as ____ registered voters or ____ owners of land. (Check one.)

9. If the formation of a new district(s) is included in the proposal:

(a) The principal act(s) under which said district(s) is/are proposed to be formed is/are:

(b) The proposed name(s) of the new district(s) is/are:

(c) The boundaries of the proposed new district(s) are as described in Exhibit(s) _____

10. If an incorporation is included in the proposal:

(a) The name proposed for the new city is: _____

(b) Provisions are requested for appointment of:

(i) City Manager: ____ Yes ____ No

(ii) The City Clerk and City Treasurer: ____ Yes ____ No

11. If the proposal included the consolidation of special districts, the proposed name of the consolidated district is:

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. of the Government Code and herewith affix signatures(s) as follows:

Chief Petitioners (not to exceed three):

	DATE	PRINTED NAME	SIGNATURE	RESIDENCE ADDRESS AND APN*
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

**Provide Assessor's Parcel Number if this is a landowner petition.*

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**JUSTIFICATION OF PROPOSAL
AND PLAN FOR PROVIDING SERVICES**

Revised June 1, 2011

Please provide the following information about your request. For those items that do not apply, indicate "not applicable" or "N.A." Please use additional sheets if necessary.

This information will be used by LAFCO to understand the proposal and determine its consistency with State law and local policies, including the Cortese-Knox-Hertzberg Local Government Reorganization Act and LAFCO of Monterey County's "Policies and Procedures Relating to Spheres of Influence and Changes of Organization and Reorganization."

1. GENERAL INFORMATION

- a. Describe the proposed action (annexation, detachment, Sphere of Influence amendment, formation, etc.) affecting a city or special district:

- b. Check the method by which this boundary change proposal was initiated:
Resolution of Application _____ or Petition _____

- c. List name(s) of applicant (chief petitioner/contact person):

Name

Agency

Address

Phone Number

Email Address

d. Describe the location of the subject territory, including Assessor Parcel Number(s):

e. Why has the proposed action been requested?

f. Have affected local agencies been notified? Yes _____ No _____
If yes, what was the response?

g. List any conditions proposed as a part of the proposal.

h. Do you request that the proposed area be taxed for existing bonded indebtedness or contractual obligations? Yes _____ No _____
If yes, please explain:

i. The acreage of the affected territory is _____ acres.

j. Population:

1) Estimated population in the subject area:

2) Proximity to other populated areas:

j. Have the property owners and registered voters within the subject area been contacted?
Yes _____ No _____ If yes, what are the results?

2. LAND USE AND ZONING

a. Indicate the existing land use (including residential density):

b. What is the city's general plan designation and zoning for the subject territory, if applicable?

c. Please describe the city or County's long term planned direction of growth and comment on whether the proposed action is consistent with that plan.

d. What is Monterey County's general plan designation and zoning?

e. What is the proposed future land use?

f. If the change of organization involved a city, has the city rezoned the area?

Yes _____ No _____

If so, what is the rezoning classification and when was the ordinance adopted?

g. Amount and description of publicly owned land in the area:

h. Could the proposal serve to encourage development of currently undeveloped areas or increase the intensity of development of already developed areas? Yes ___ No ___

If yes, please comment:

i. Describe any special land use concerns (airports, schools, industrial areas, etc.):

j. Is there any prime agricultural land in the proposal area?

- Has the area in question been developed or is proposed for a use other than agricultural use? _____

- Is irrigation feasible that would qualify the land for a Class I or Class II classification in the USDA Natural Resources Conservation Service classification system? _____
 - Does the area qualify for a Storie Index Rating between 80 and 100? _____
 - Does the land support livestock, with an annual carrying capacity of one animal per acre, as defined by the USDA Handbook on Range and Related Grazing Lands (July 1967)? _____
 - Is the land planted with fruit trees, nut-bearing trees, vines, bushes, or crops with a non-bearing period of less than 5 years that returns at least \$400 per acre? _____
 - Has the land returned at least \$400 per acre in 3 of the last 5 calendar years?

- k. Will the proposal result in the conversion of agricultural land to nonagricultural uses?

- l. Describe any cultivated lands adjacent to the proposal.

- m. Have local agencies (County, city, or district) adopted an agricultural preservation policy relating to this area?

- n. Does the affected area include any agricultural preserves (including Williamson Act contracts or agricultural easements)? If so, describe and include acreages.

- o. Please describe mitigation measures applicable to the loss of agricultural lands resulting from approval of this proposal. They can include measures that require agricultural easements, agricultural buffers, or exchange of land to be preserved for land that may be urbanized.

3. ECONOMIC AND SOCIAL INTERESTS

- a. Do residents within the proposal area use facilities or programs provided by the local agency? Indicate the source of this information.

- b. Do residents within the proposal area travel to the city or boundaries of the special district for shopping, recreation, work, or other purposes? Indicate the source of this information.

- c. Do residents use city or district services or participate in local activities such as service organizations?

- d. Do the city, or area served by the district, and proposal areas share the same mailing address and zip code?

- e. Briefly describe any other factors demonstrating interdependence of the city/district and proposal area.

- f. List any related public approvals required for the project including those of local, State, and Federal agencies.

4. ENVIRONMENTAL JUSTICE

For a change in organization, LAFCO must consider “the extent to which the proposal will promote environmental justice. As defined by statute environmental justice means “the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.”

- a. Please provide information on the demographics of the proposal area, including ethnicity and income.

b. Will all residents have access to the facilities or services requested by this application?

c. Will the projected cost of such services be appropriate to the income levels of the area's population? If so, are the service costs likely to be held to this level for the long-term?

d. What measures have been taken to solicit public comment on the proposal?

e. Would this proposal result in inferior public services being provided to an area where there is a concentration of low-income or ethnic groups?

f. Are there any adjacent neighborhoods that might benefit from the agency's services that could be included in the proposal? If so, what are the demographics for this area and why were they excluded?

g. Please provide a listing of the members of the City Council or District Board of Directors and include the gender and ethnicity of each member.

5. SPHERES OF INFLUENCE

a. Indicate whether the proposal is consistent with the adopted Sphere of Influence for any of the affected local agencies.

- b. If not, describe the inconsistency and any overriding considerations.

- c. If the proposal requests an update of the Sphere of Influence for a City and an agreement was the result of the City / County consultation process, please summarize how the agreement addresses LAFCO's mandate to preserve agricultural land, discourage urban sprawl, and encourage the orderly growth in government agencies. Include a discussion of policies on regional transportation impacts and efficient development patterns. Also, please attach a copy of the agreement.

6. EXTENSION OF SERVICE REQUEST

- a. Have the affected parties authorized an agreement to provide services? If so, provide the date authorized and a copy of the agreement.

- b. Is the proposed service area within the Sphere of Influence of the service agency?

- c. Is this service request in response to an imminent public health and safety problem? If so, describe the situation and provide documentation from any public health agencies.

7. ENVIRONMENTAL INFORMATION

If a city or a district, acting as the lead agency under the provisions of the California Environmental Quality Act (CEQA), has adopted or certified a Negative Declaration or Environmental Impact Report (EIR), that document and the resolution certifying it must be submitted.

If LAFCO determines that a proposal is not exempt from CEQA, staff will complete an initial study to determine if a Negative Declaration or Environmental Impact Report will need to be prepared. In such cases, the applicant will be required to supplemental information.

8. INTER-GOVERNMENTAL RELATIONS

- a. Please describe how the proposal will impact the ability of local agencies (cities, special districts and the County) to provide services. Include any fiscal impacts.

- b. Please describe any efforts to mitigate adverse effects of the proposal on any local agency's ability to continue to provide services to its residents.

9. PROPOSAL IMPACTS

- a. Demonstrate through both quantitative and qualitative methods the relationship between the proposal and the surplus or deficiency of local and county-wide housing supply and demand and employment availability and creation.

- b. Demonstrate how the proposal's pattern of land use and transportation complements local and regional objectives and goals for the improvement of air quality and reduction of greenhouse gas (GHG) emissions and local vehicle miles traveled (VMT).

- c. For city annexations and city Sphere of Influence applications, please outline the goals, policies, and objectives in the city's General Plan that encourage mixed uses, mixed densities, and development patterns that will result in increased efficiency of land use, and that encourage and provide planned, well-ordered, efficient urban development patterns.

10. PLAN FOR PROVIDING SERVICES: Please complete the "General" Section and all other sections relating to this proposal.

General

a. Estimate the effect of the proposal on the cost of governmental services:

b. What improvements are necessary to extend governmental services to the proposal area:

c. What revenue will be required by the local agency to provide service to the proposed territory, and how will the agency receive this additional revenue?

d. Describe those additional governmental services which will be required that are not presently provided.

e. Will the proposal require public services from any agency or service provider which is currently operating at or above 75% of design capacity, including sanitation, police, fire, or water?

Yes _____ No _____ If yes, please explain.

Sewer Service

a. Provide a map that depicts the local agency's sewer system in the immediate area.

b. Describe the agency's sewer system, including but not limited to treatment plant(s) and number of service connections.

- c. Describe any present or proposed service agreements with other jurisdictions that would affect the area.

- d. What is the agency's present sewage treatment capacity and outfall capacity?

- e. What is the agency's projected sewage treatment capacity and outfall capacity?

- f. What major sewer facilities and/or expansion of existing facilities are being considered to meet anticipated demand within the proposal area?

- g. How will the facilities discussed above be financed?

Fire Protection and Emergency Medical Service

- a. What agency, or agencies, provide fire protection service to the proposed area?

- b. Identify the location of the nearest existing and proposed fire stations.

- c. What does the agency consider an acceptable fire response time within its jurisdiction?

- d. What are the response times to the proposal area?

- e. What is the existing Insurance Service Office (ISO) rating for the proposal area?

f. Would additional stations, equipment, and staffing be needed to serve the proposal area?
Yes _____ No _____ If yes, please explain.

g. How would these improvements be financed?

h. What automatic or mutual aid agreements or service contracts have been signed that may affect the proposal territory?

i. Describe any problems that might be encountered in providing this service to the proposal area.

j. How is ambulance service provided in the proposal area?

Water Service

a. Provide a map that depicts the water system in this area.

b. Describe the water system, including but not limited to treatment plants, storage facilities, interagency connections, and the number of service connections.

c. Describe any factors that could limit the delivery capacity of the agency, such as storage capacity, transmission lines, etc.

d. Describe any major system expansions be necessary to serve the proposal area.

e. How will any expansions be financed?

f. Does the proposal have the potential to degrade surface water, reduce water quality, or limit downstream availability?

Flood Control Service

a. Is the project within a 100-year floodplain?

b. Is the area within a zone of the Monterey County Water Resources Agency?

c. Are any major flood control facilities planned in this area? How will these items be financed?

Law Enforcement

a. Identify the location of the nearest existing and proposed police/sheriff stations.

b. What does the city of County consider to be acceptable police response time?

c. What are the response times to the proposal area?

d. Would additional stations, facilities, and staffing be needed to service the affected area?

e. How would these items be financed?

- f. Describe any problems the city or County might encounter in providing this service to the proposal area.

Circulation

- a. Describe vehicular access to the proposal area, if applicable.

- b. What major circulation improvements are needed to serve the proposal area?

- c. How would the maintenance and construction of these improvements be financed?

- d. What regional improvements are necessary for the proposal area?

- e. Will there be any other regional transportation impacts and what mitigation measures will be taken to address those impacts?

Parks and Recreation Service

- a. Describe the potential impacts of the proposal on park and recreation programs.

- b. Are any existing or proposed parklands within the proposal area?

- c. Are any lands of historical significance included within the proposal area?

Municipal Service Review

For any request that requires a major Sphere of Influence amendment, an applicant may need to coordinate with LAFCO on the preparation of a municipal services review. The study will examine all services provided in the area affected by the proposal, and determine the most feasible way of providing services. The report will be based on the Commission’s process and the Municipal Service Review Guidelines prepared by the State Office of Planning and Research. The Commission must make certain determinations in accordance with the law regarding services before approving the Sphere of Influence amendment.

11. FURTHER INFORMATION

Any further information, comments, or justification you wish to make that may be helpful in the Commission’s review of the proposal?

Prepared by: _____

Title: _____

Signed: _____

Date: _____