

STANISLAUS LAFCO

Stanislaus Local Agency Formation Commission

1010 – 10th Street, 3rd Floor ♦ Modesto, CA 95354

(209) 525-7660 ♦ FAX (209) 525-7643

www.stanislauslafco.org

FILING REQUIREMENTS FOR SUBMITTING APPLICATIONS

This checklist is provided as a guide for the preparation of a complete application packet to LAFCO. **You are required to consult with LAFCO staff prior to the submittal of the completed application.** If you have any questions regarding your proposal or your application packet, please contact LAFCO Staff at (209) 525-7660.

- ___ 1. Application form completed with **original signatures** and required attachments.
- ___ 2. Filing fee (deposit) payable to Stanislaus LAFCO. (See [Schedule of Fees and Deposits](#).)
- ___ 3. Vicinity Map (8½"x11" paper)
- ___ 4. Legal description and map prepared to formatting requirements. Provide an original copy, stamped by the engineer on 8½"x11" paper. (See [Legal Description and Map Requirements](#).) *A separate fee for the State Board of Equalization filing will be determined and collected at time of project approval.*
- ___ 5. Evidence of approval. Please check the appropriate items:
 - ___ A. If annexation is to a city, the resolution and map of rezoning is required. Include the CEQA Initial Study, Notice of Determination, and copy of Fish & Wildlife receipt.
 - ___ B. If annexation is to a district, resolution or copy of development approval (e.g. tentative subdivision map, use permit, conditions of approval, etc). Include the CEQA Initial Study, Notice of Determination, and copy of Fish & Wildlife receipt.
 - ___ C. If applicant is city or district, a Resolution of Application by the city council or district governing board.
 - ___ D. If application is by petition of registered voters or landowners, a [Notice of Intent to Circulate Petition](#) has been provided and a completed petition is attached. (See [Petition for Proceedings](#) template.)
- ___ 6. Plan for Services prepared pursuant to Government Code Section 56653 demonstrating the agency's ability to provide services, a financing plan, and evidence of the timely availability of water supplies adequate for projected needs (Section 56668k).
- ___ 7. Plan for Agricultural Preservation: For a sphere of influence expansion or annexation to a city or special district providing one or more urban services (i.e. potable water, sewer) that includes agricultural lands, a Plan for Agricultural Preservation must be provided, consistent with Commission Policy 22.
- ___ 8. Property Tax-Sharing Agreement resolutions adopted by affected agencies in accordance with Revenue and Taxation Code 99, if not using a master property tax sharing agreement.
- ___ 9. Two (2) sets of mailing labels for property owners and registered voters within the boundaries of the proposal and one (1) set of mailing labels for property owners and registered voters within a 300ft radius, outside the proposal area (provide a map showing this area).

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APPLICATION FOR (Check all that apply):

- ☐ Sphere of Influence Amendment
- ☐ Annexation to: City of: _____ District: _____
- ☐ Detachment from: City of: _____ District: _____
- ☐ Formation of a Special District: - Type of District: _____
- ☐ Other: _____

NAME OF PROPOSAL: _____

GENERAL DESCRIPTION OF PROPOSAL:

REASONS FOR PROPOSAL:

LOCATION AND ASSESSOR'S PARCEL NUMBERS (attach additional sheets if necessary):

APPLICANT:

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

APPLICANT'S REPRESENTATIVE:

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

LAFCO Use Only:

Submittal Date: _____ Cert. of Filing Date: _____

LAFCO Filing Fee: \$ _____ Fees Paid? _____ Yes _____ No

SBOE Fee: \$ _____ Fees Paid? _____ Yes _____ No

100% Property Owners Consent? _____ Yes _____ No

Territory Uninhabited? _____ Yes _____ No

PROPERTY OWNER(S):

If multiple property owners, please provide the names, with address information, on a separate page.

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

SUBJECT AGENCIES WITHIN PROPOSAL AREA THAT WILL GAIN OR LOSE TERRITORY:

If more than three subject agencies, please provide the names and information on a separate page.

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

AFFECTED AGENCIES WITHIN PROPOSAL AREA: (Agencies that may have overlying boundaries or sphere of influence.) If more than two affected agencies, please provide the names and information, on a separate page.

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

SCHOOL DISTRICTS: (School districts within the proposal area)

Name: _____

Address: _____

Phone: _____ Fax: _____ E-Mail: _____

Contact Person: _____ Title: _____

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

INTERESTED AGENCIES: (Other agencies which provide facilities or services to proposal area.) If more than two interested agencies, please provide the name and information, on a separate page.

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

PERSONS REQUESTING TO BE NOTIFIED:

If more than two names, please provide the names and information on a separate page.

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

Name: _____
Address: _____
Phone: _____ Fax: _____ E-Mail: _____
Contact Person: _____ Title: _____

Please respond to all items in this questionnaire and indicate N/A when a question does not apply. Any additional information that is pertinent to the application filing should be included in the application at the time of submittal.

I. LANDOWNER CONSENT

Have all property owners involved with the proposal given their written consent?

- ☐ YES (If yes, please attach the original signed petitions, letters or applications)
- ☐ NO (If no, please attach the petitions, letters or applications with the original signatures of those consenting and provide the name, address and APN of those property owners not consenting.)

II. REGISTERED VOTER INFORMATION

A. Number of Registered Voters residing within the proposal: _____

(This information can be obtained from the Stanislaus County Elections Office along with the mailing address information – See Checklist Item #9.)

III. LAND USE

A. Area of Proposal (Gross Acres): _____

B. Land Uses of Proposed Area:

	EXISTING	PROPOSED
Zoning	<input type="checkbox"/> City <input type="checkbox"/> County	<input type="checkbox"/> City <input type="checkbox"/> County
General Plan Designation	<input type="checkbox"/> City <input type="checkbox"/> County	<input type="checkbox"/> City <input type="checkbox"/> County
Use of Proposal Area		

C. Surrounding Land Uses:

	Describe (including specific uses)	Zoning	General Plan Designation	City or County Designation
North				<input type="checkbox"/> City <input type="checkbox"/> County
South				<input type="checkbox"/> City <input type="checkbox"/> County
East				<input type="checkbox"/> City <input type="checkbox"/> County
West				<input type="checkbox"/> City <input type="checkbox"/> County

D. Describe any public easements/oil well operations/cellular site leases, etc. that currently exist on the site:

E. Evidence of Approval -- Are there any land use entitlements involved in the project?

☐ Yes ☐ No

If yes, please provide a copy of the documentation for this entitlement. Please check those documents, which may apply:

- ☐ Tentative Map and Conditions
- ☐ Subdivision Map or Parcel Map
- ☐ Specific Plan
- ☐ Rezoning
- ☐ General Plan Amendment
- ☐ Other - (provide explanation):

IV. TOPOGRAPHY

- A. Describe the physical features of the subject parcel(s). Refer to major highways, roads, watercourses, and topographical features:
- _____
- _____
- _____
- B. Drainage and average slopes: _____

V. BOUNDARIES AND ASSESSMENT

- A. Is the property contiguous to the existing City or District boundary?: ☐ Yes ☐ No
(Contiguous is defined by Govt. Code Section 56031)
- B. Is the project co-terminus with:
- The Assessor's Parcel boundaries? ☐ Yes ☐ No
- The legal lot boundaries? ☐ Yes ☐ No
- C. Is the proposal completely surrounded by the annexing city or district? ☐ Yes ☐ No
- Explain: _____
- _____

- D. Maps and Legal Description – Attach the following:
1. A map (8½"x11") which shows specifically the boundaries of the proposal, all bearings and distances, and the relationship of the boundaries to those of the existing district or city boundaries. The map must be drawn to the [Legal Description and Map Requirements](#).
 2. A generalized/vicinity map (8½"x11") showing the boundaries and relative size of the proposal with respect to the surrounding area.
 3. A written legal description of the boundaries of the proposal. The legal description must be written clearly pursuant to the [Legal Description and Map Requirements](#).
 4. Tax Assessor Parcel Information (Use additional sheets if necessary; information can be obtained from the County Assessor's Office):

<u>Assessor's Parcel Number</u>	<u>Tax Rate Area</u>	<u>Assessed Land Value</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	Total:	_____

VI. AGRICULTURE AND OPEN SPACE

- A. Is the current zoning classification for the site: Agriculture? ☐ Yes ☐ No
Open Space? ☐ Yes ☐ No
- B. Is the current general plan designation for the site: Agriculture? ☐ Yes ☐ No
Open Space? ☐ Yes ☐ No
- C. Is the site currently used for agriculture?: ☐ Yes ☐ No
- D. Number of Acres considered Prime Agricultural Land: _____
(as defined by the CA Dept. of Conservation as being prime, unique or of statewide importance, and defined by Government Code Section 51201(c) and 56064)
- E. Number of Acres considered Agricultural Lands: _____
(as defined by Gov. Code Section 56016)
- F. Is the site under Williamson Act Contract(s)?: ☐ Yes ☐ No
If yes, please provide the following information (attach additional sheets if necessary):
Contract Number(s): _____
Date of Williamson Act contract execution: _____
Has a non-renewal been filed for the contract? _____
Date of Williamson Act contract expiration/cancellation: _____
- G. Number of Acres considered Open Space Lands: _____
(as defined by Gov. Code Section 56059)
- H. Does the site have an open space easement?: ☐ Yes ☐ No
- I. Is the site within or adjacent to an approved greenbelt?: ☐ Yes ☐ No
If yes, name/location: _____

VII. POPULATION AND HOUSING

- A. Population: _____
- B. Number/Type of Dwelling Units within the proposed area:
- Existing: _____
- Proposed: _____
- C. Please explain the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments (Government Code Section 56668):
- _____
- _____
- _____
- _____
- _____

VIII. PUBLIC SERVICES

A. Services for the Proposal Area:

1. Is the request for a proposed development? ☐ Yes ☐ No
2. Describe what services will be provided to subject property: (Please attach any "will serve" letters for water and/or sewer services). If sewer and/or water agency annexation is also part of the request, please expand upon the agency's ability to provide services in the Plan for Services document and attach any relevant studies/master plans.
Note: Evidence must also be included to demonstrate the timely availability of water supplies adequate for projected needs of the area (Government Code Section 56668).

(A)	(B)	(C)	(D)	(E)	(F)
Service	Current Service Provider	Level & Range of Service	To be Provided by this Proposal?	If YES to (D), Approx. Date Service Will Be Available	If YES to (D), Method to Finance
WATER					
SEWER					
POLICE					
FIRE					

B. Assessment and Indebtedness of Service Areas:

1. Does the City/District/County have current plans to establish any new assessment districts in order to pay for new or extended service(s) to the proposal area? ☐ Yes ☐ No
 If yes, please describe: _____
2. Will the subject territory assume any existing bonded indebtedness upon annexation to the City/District?: ☐ Yes ☐ No
 If yes, how will indebtedness be repaid? (e.g., property taxes, assessments, fees):

3. Will the proposal area be subject to new special assessments or fees?: ☐ Yes ☐ No
 Explain: _____
4. Is the subject territory located within an existing landscape and/or lighting district or County Service Area?: ☐ Yes ☐ No
 If yes, identify which district(s): _____

C. Sewer Information:

1. Is extension of sewer service part of this application? ☐ Yes ☐ No
2. Is a developed parcel requesting annexation due to failed septic system?
☐ Yes ☐ No
If yes, please include a copy of any letters from the Dept. of Environmental Resources or a private septic system company.
3. Is the subject parcel(s) within the sphere of influence of a district or city that provides public sewer service? ☐ Yes ☐ No
If yes, which agency? _____
4. Has the agency that will be providing service issued an "Intent to Serve" or will-serve letter?
☐ Yes ☐ No (If yes, please attach letter to application.)

If no: Will the agency be prepared to furnish sewer service upon annexation?
☐ Yes ☐ No
5. Does the agency have the necessary contractual and design capacity to provide sewer service to the proposed area? ☐ Yes ☐ No
If no, please describe the agency's plan to increase capacity: _____

6. Indicate the method of financing improvements and on-going operations (e.g., general property tax, assessment district, landowner/developer fees, etc.):

7. What is the distance for connection to the agency's existing sewer system?:

D. Water Information:

1. Is extension of water part of this application? ☐ Yes ☐ No
2. Is a well or other on-site water system currently used on this property? ☐ Yes ☐ No
3. Is the subject parcel(s) within the sphere of influence of a district or city that provides public water service? ☐ Yes ☐ No
If yes, which agency? _____
4. Please list:
Wholesale Water Agency: _____
Retail Water Agency: _____
5. Has the agency that will be providing service issued an "Intent to Serve" or will-serve letter? ☐ Yes ☐ No (If yes, please attached letter to application)

If no: Will the agency be prepared to furnish water service upon annexation?
☐ Yes ☐ No

6. Does the agency have the necessary contractual and design capacity to provide water service to the proposed area? ☐ Yes ☐ No

If no, please describe the agency's plan to increase capacity: _____

7. Indicate the method of financing improvements and on-going operations (e.g. general property tax, assessment district, landowner/developer fees, etc.):

8. What is the distance for connection to the agency's existing water system?

E. Police Service

1. If annexation to a City, what are the existing police service levels provided within the City limits? _____

2. What level of police services will be provided to the area upon full development?

Will the service levels be maintained? ☐ Yes ☐ No

If yes, how will the City finance or maintain existing service levels to the area (master service plans, CIP, etc.)? Explain: _____

F. Fire Protection Service

1. If annexation to a City, what are the existing fire protection service levels provided within the City limits? _____

2. What level of fire protection services will be provided to the area upon full development?

Will the service levels be maintained? ☐ Yes ☐ No

If yes, how will the City finance or maintain existing service levels to the area (master service plans, CIP, etc.)? Explain: _____

3. What are the "Insurance Services Office (ISO)" Class ratings of the affected agencies?

City Fire _____

District _____

IX. ENVIRONMENTAL ANALYSIS

A. Lead Agency for project: _____

B. The project:

- ☐ Is exempt pursuant to CEQA section _____ and a Notice of Exemption has been prepared by the lead agency (please attach).
- ☐ Will have no significant adverse environmental impacts and a Negative Declaration was prepared. (Please attach Notice of Determination.)
- ☐ Was found to be within the scope of a Master Environmental Impact Report (EIR) pursuant to CEQA Guidelines Section 21157.1. (Please attach Notice of Determination.)
- ☐ May have significant adverse environmental impacts and in accordance with Section 15070 of the CEQA Guidelines, a Mitigated Negative Declaration (MND) has been certified by the lead agency. (Please attach Notice of Determination.)

List impact areas in the MND that propose mitigation measures to lessen the environmental impacts to less than significant: _____

- ☐ Will have significant adverse environmental impacts and the lead agency has prepared an Environmental Impact Report (EIR). (Please attach.)

List impact areas that were found to be unmitigatable in the EIR: (Attach any Statement of Overriding Considerations, as applicable) _____

Please note: Include with the above requested attachments the complete environmental documentation (e.g., Initial Study, NOD, NOE, EIR, etc.) and copies of receipts from any filing fees paid (including Fish & Wildlife fees).

X. SPHERE OF INFLUENCE APPLICATION

For those proposals requesting a Sphere of Influence Amendment, has a [Sphere of Influence Supplemental Application](#) has been included? ☐ Yes ☐ No

XI. CERTIFICATION

I certify, under penalty of perjury, under the laws of the State of California, that the information contained in this application is true and correct. I acknowledge and agree that the Stanislaus Local Agency Formation Commission is relying on the accuracy of the information provided and my representations in order to process this application proposal.

Print Name: _____ Title: _____

Signature: _____ Date: _____

- ☐ City or District Applicant
- ☐ Property Owner Applicant
- ☐ Applicant's Representative/Agent (Proof of authority must be provided)

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INDEMNITY AGREEMENT

As part of this application, the applicant agrees to defend, indemnify, hold harmless and release the Stanislaus Local Agency Formation Commission (LAFCO), its officers, employees, attorneys, or agents from any claim, action or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul, in whole or in part, LAFCO's action on a proposal or on the environmental documents submitted to support it. This indemnification obligation shall include, but not be limited to, damages, costs, expenses, attorney fees, and expert witness fees that may be asserted by any person or entity, including the applicant arising out of or in connection with the application.

Date: _____

APPLICANT OR APPLICANT'S REPRESENTATIVE:

(Proof of authority must be provided)

Signature: _____

Name: _____

Title: _____

Agency: _____

Address: _____

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COMPLIANCE WITH POLITICAL EXPENDITURE AND CONTRIBUTION DISCLOSURE REQUIREMENTS

Effective January 1, 2008: Pursuant to Government Code Sections 56700.1 and 57009 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and 82015 and 82025 of the Political Reform Act, applicants for LAFCO approvals and those opposing such proposals are required to report to LAFCO all political contributions and expenditures with respect to the proposal that exceed \$1,000. By your signature to this application, you are binding the applicant to abide by these disclosure requirements. You are further agreeing that should LAFCO be required to enforce these requirements against you (or if the agency is the formal applicant, the real party in interest) that you will reimburse LAFCO for all staff cost and legal fees, and litigation expenses incurred in that enforcement process.

Date: _____

APPLICANT OR APPLICANT'S REPRESENTATIVE:
(Proof of authority must be provided)

Signature: _____

Name: _____

Title: _____

Agency: _____

Address: _____

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FINANCIAL DISCLOSURE STATEMENT

Consistent with the requirements of the State of California Fair Political Practices Commission, each applicant or their agent must complete and submit this Statement of Disclosure form with any application that requires discretionary action by Stanislaus LAFCO (Government Code §84308 of the Political Reform Act).

Person is defined as: "Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, receiver, syndicate, this and any other county, city and county, city, municipality, district or other political subdivision, or any other group or combination acting as a unit."

1. List the names of all persons having any ownership interest in the property involved or any financial interest in the application. (Use additional sheets if necessary.)

2. If any person identified pursuant to #1 is a corporation or partnership, list the names of all individuals owning more than 10% of the shares in the corporation or owning any partnership interest in the partnership.

3. If any person identified pursuant to #1 is a non-profit organization or a trust, list the names of any person serving as director of the non-profit organization or as trustee or beneficiary or trustor of the trust.

4. Has any person identified pursuant to #1 had \$500 or more worth of business transacted with any Commissioner or Alternate or Commission staff person within the past 12 months? ☐ Yes / ☐ No

If Yes, please indicate person's name/s:

5. Has any person identified pursuant to #1, or his or her agent, contributed \$500 or more to any Commissioner or Alternate within the past 12 months? ☐ Yes / ☐ No

If Yes, please indicate person(s) or agent(s) making contribution:

Name/s of Commissioner(s)/Alternate(s) receiving contribution:

I HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant Signature: _____

Printed Name: _____

Date: _____