

ANNEXING TO THE CITY OF SANTA ROSA GENERAL INFORMATION

October 2006

What is an annexation?

An annexation is a change in governmental jurisdiction over properties, typically from a county to a city.

All annexations in Santa Rosa are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (California Government Code sections 56000, et seq) and City annexation policy and procedures (City Council Policy No. 200-03).

In Sonoma County, proposals for annexations must be approved by the City and by the Sonoma County Local Agency Formation Commission (LAFCO), the agency which processes and has final authority in annexations.

What is the purpose of an annexation?

Most property owners annex in order to receive City services, like water and sewer. People who wish to subdivide or develop their property in most cases must annex in order to gain City services. People who live in developed areas surrounded by the City often wish to annex when their septic system fails or when their well becomes contaminated.

What is involved in annexing to the City?

In most cases, it is necessary to apply for annexation with the city of Santa Rosa. The City rarely initiates an annexation. Applications for annexation are available at the Department of Community Development.

Following receipt of the application, the City conducts a sentiment survey to see if other people in the vicinity of the proposal are interested in annexation. The next step is setting the annexation area boundary based

upon the sentiment survey and logical extension of services. If the proposed annexation is located in a County island, the boundary may be established by the City's Annexation Officer. If the proposed annexation is not located within a County Island, the City Council sets the boundary. Once the boundary has been set, the applicant pays the required fees, submits the Plan for Services, and requests rezoning districts (see below).

What is a Plan for Services?

The Plan for Services is a requirement of LAFCO and lays out how the property will be serviced once the annexation is complete. This document must be submitted to and reviewed by the City. A Plan for Services must provide sufficient information to determine whether adequate City services can be provided to the proposed annexation area upon its full development within the City. The Department of Community Development will review the submitted Plan for Services for general accuracy and completeness, and will consult with other City departments and affected school districts.

What is Rezoning?

The next step in the process is the adoption of rezoning district(s). Rezoning is the City's commitment to what the zoning district will be if and when LAFCO approves annexation of the property to the City. Rezoning becomes the zoning district upon annexation. All rezoning must be consistent with the City's adopted General Plan. Rezoning is established through a series of two public hearings (see below).

Will the annexation require a public hearing?

There will be at least two and possibly four public hearings during the annexation process.

The first two public hearings are conducted by the City to determine the rezoning district(s) that will be applied to the subject properties. The first public hearing is conducted by the Planning Commission wherein the Commission reviews the comments received by the public regarding the annexation and the environmental documents, evaluates the Plan for Services and recommends a rezoning district to the City Council. The Commission also makes a recommendation to the Council as to whether the annexation should proceed, be modified or be terminated.

The second public hearing is conducted by the City Council. At the conclusion of this hearing the Council adopts the environmental review documents and approves the rezoning, or terminates the annexation proceedings.

Following the Council's action, the annexation sponsor files an application with LAFCO.

LAFCO takes action at regularly scheduled meetings. If there is 100 percent concurrence of owners of land within the subject territory regarding the annexation, then LAFCO generally does not conduct a public hearing, but rather takes action without a public hearing.

If there is less than 100 percent concurrence of owners of land within the subject territory regarding the annexation, LAFCO will conduct two public hearings. At the first public hearing, members of the public, property owners and registered voters inside the annexation area as well as property owners and registered voters within 300 feet of the outside boundary of the annexation area may comment on the proposal.

The Commission can deny the proposal or approve it, with or without conditions. If the proposal is approved, the law requires a second public hearing, which is usually held at the Commission's next regularly scheduled meeting. This hearing is a protest hearing at which only property owners and registered voters within the annexation area can provide written comment.

When is there an election?

At the conclusion of the protest hearing, LAFCO will evaluate the written protests to the annexation to determine if LAFCO will (1) approve the annexation, (2) terminate annexation proceedings and abandon the annexation, or (3) call for an election of registered voters to determine the outcome of the annexation.

In an "uninhabited" annexation area (which has 11 or fewer registered voters), there are no elections. LAFCO will abandon the annexation if written protests are filed (and not withdrawn) by landowners owning 50 percent or more of the total assessed value of land within the affected territory. Otherwise, LAFCO will approve the annexation.

In an "inhabited" annexation area (which has 12 or more registered voters), there are three possible actions that LAFCO can take:

- (1) Terminate the annexation if 50 percent or more of the registered voters residing in the territory file (and do not withdraw) written protests.
- (2) Order the annexation if written protests are filed (and not withdrawn) by (a) less than 25 percent of the registered voters residing in the area or (b) less than 25 percent of the landowners owning less than 25 percent of the assessed value of land within the annexation area.

(3) Order the annexation, subject to confirmation by an election of registered voters residing with the annexation area, if written protests are filed (and not withdrawn) from at least 25 percent but less than 50 percent of the registered voters in the area or by at least 25 percent of the landowners who also own at least 25 percent of the assessed value of land within the area.

In uninhabited annexations, the property owners make the decisions, weighted by the assessed value of the land in the annexation area. Improvement value is not a factor. In inhabited annexations, the registered voters may control the annexation.

What if I do not want my property annexed?

You can request that your property be removed from the annexation boundary at the City Council and LAFCO annexation hearings. You may also write a letter to the City requesting that you be excluded from annexation boundary. However, if your property is surrounded by other properties that support the annexation, it is unlikely that your property will be excluded so as to maintain a logical boundary for provision of public services.

How long is the annexation process?

Generally, annexation takes eight months to a year to complete.

COSTS OF ANNEXATION

What is the cost of the annexation process?

The City, LAFCO, and the State charge annexation fees. These fees are based on the size and complexity of the annexation. Other costs include professional costs for the preparation of a plan for services and a map of the annexation area. The following is an estimate of annexation fees:

Fees

City Processing Fee	\$6,707
City Public Hearing Fees	\$2,414
Environmental Review	\$2,097
LAFCO (range)	\$1,550 - 3,990
State Board of Equalization	\$1,000*
Plan for services	\$1,000 - 2,500*
Total	\$14,768 - 18,708*

*estimate

Additional costs may apply for engineering and legal fees.

Who will pay for these annexation costs?

The processing fees are typically paid by the annexation sponsor, the applicant who files the annexation request. The annexation sponsor may request contributions, but contributions are not required to be paid.

Will my property taxes increase?

No, as a result of State Proposition 13 (1978) annexation will not result in any changes to your property taxes.

Will my property be reassessed?

No, annexation will not cause your property to be reassessed. Your property would only be reassessed when it is sold or if you make major improvements.

Will I have any new taxes or fees?

Yes, additional taxes or fees will be charged; however, some existing costs may decrease. A summary is presented below:

- **Annual storm water management assessment.** A typical single family home on a standard size lot is about \$9 per year.
- **Utility taxes.** The City adds a 5-percent Utility Users Tax to the cost of

monthly sewer and water bills plus utilities provided by PG&E, the telephone company, and cable TV. For a house with a utility bill of \$200 per month, the utility users tax would be \$120 per year.

- Garbage/recycling services.** This service is mandatory within City limits. If you already have this service as a county resident, the cost may be a little less in the City. City garbage rates (including collection of recycling and composting materials) as of October 2006 are as follows:

	<u>Santa Rosa</u> <u>North Bay Corp</u>	<u>Sonoma County</u> <u>Empire Waste</u>
20 gallon	\$ 8.51	\$17.06
32 gallons	\$ 9.88	\$20.13
64 gallons	\$14.58	\$24.04
96 gallons	\$26.12	\$28.19

- Business Tax Certificate (Business License).** The City has a business tax which replaced the business license. The basic rate is \$50 per year for businesses that gross under \$25,000 per year. There are additional charges for business with gross receipts over \$25,000 per year. Please contact the Business Taxes (Licenses) office at 543-3170 for further information.

Will the cost of my home insurance change?

Your fire insurance may decrease. Theft and casualty insurance may also be slightly less. Please consult your insurance agent regarding your specific situation.

How will annexation affect my property value?

Generally, most real estate professionals would agree that being annexed to the City

would add to the value of your property due to the increase in services that would be available.

WHAT SERVICES WOULD BE AVAILABLE IF I AM ANNEXED TO THE CITY?

Will I be served by a different fire department?

In general, properties located within the City limits are served by the Santa Rosa Fire Department, and properties located in unincorporated County islands or County corridor areas are not served by the Santa Rosa Fire Department. One exception is the Roseland County Island. The Santa Rosa Fire Department provides fire protection, emergency medical service, rescue and hazardous materials response service to the Roseland Fire Protection District. These services have been provided by the Santa Rosa Fire Department to the Fire District since 1983 under a contractual agreement.

Will I be served by a different police department?

Yes. Police service would be provided by the Santa Rosa Police Department. Emergency response time varies depending on the location of the nearest officer on patrol.

The City utilizes a Neighborhood Oriented Policing Program. The goal of this program is to establish a working partnership with the community in the protection of life and property, and to improve the quality of life and feeling of safety among our citizens.

What other services will change?

In addition to police and fire services (discussed above), public works, housing, and planning services currently provided by the

County would be replaced with services provided by the city of Santa Rosa.

Will my children change school districts?

No, they will attend the same schools they now attend.

Will my address or zip code change?

No.

Can I connect to water and sewer services?

As a city resident you can connect to City water service when the services become available to your area. The cost for a single family water connection currently ranges from \$3,867 - \$12,152 depending on the size of your property, and \$150 for a water meter. Sewer connection fees range from \$7,604 to \$11,786 based on the size of the lot. The average monthly costs for sewer and water service for a family of four is estimated to be about \$70 in months without outdoor irrigation and \$90 in months with outdoor irrigation. These are costs that you will pay. You will also pay the costs of any laterals from the main to your house.

Do I have to connect to sewer and water after annexation?

If you have a health hazard and a sewer or water line exists within 300 feet of your property, you must connect to the service (as required by the Uniform Plumbing Code). Otherwise, you may retain your existing well and/or septic system.

Who pays for the sewer and water mains along my street?

You are responsible to pay your fair share (determined by lot size and frontage as a percentage) of the engineering and construction costs of sewer and water mains along your street when you connect. If the sewer and/or water lines are laid at the time that you wish to connect, you will contribute your share of the engineering and construction

costs at that time. If the sewer and/or water lines are laid prior to your desire to connect, you will be responsible to reimburse the party who originally paid for your fair share at that future time. This arrangement is made between the City and the party paying for the placement of the utility mains through a Non-Participation Agreement.

If I have more than one unit, can I hook one up now and the other(s) later?

No, if you connect one unit on your property to sewer or water, you would be required to connect all of the units.

OTHER FREQUENTLY ASKED QUESTIONS

Can I keep farm animals?

The City has several zoning districts that allow for the keeping of farm animals, including the Rural Residential Districts. So, if your City zoning district is one of these districts, you may keep animals in accordance with the district regulations.

You may also keep animals on your property, regardless of your zoning district, if you have a legal right to keep animals under the jurisdiction of the County of Sonoma. This is called a legal non-conforming use, or more commonly "grandfathering."

In a legal, non-conforming situation, you are allowed to keep the same number and type of animals in the City that you are legally keeping in the County at the time of annexation. You are not permitted to increase the intensity of a non-conforming use, so it would not be permissible to increase the number of animals or to substitute, for example, horses for chickens. We recommend that you submit to the Santa Rosa Department of Community Development documentation of the number and type of animals that you are legally keeping in the County at the time of

annexation to avoid any questions that might arise subsequently.

Once you no longer have farm animals, then the non-conforming use ceases, and you would no longer be able to keep farm animals on the property.

As a general rule, all animal keeping must be done in accordance with the requirements of the Sonoma County Health Department and applicable control animal regulations as well as any other local, state or federal law. In addition, keeping of animals falls under the general rules that such practice is not creating a public nuisance nor in violation of any other local, state or federal law.

What governs land use decisions?

All land use decisions must be consistent with the City of Santa Rosa General Plan for properties located within the City limits (or the County of Sonoma General Plan for properties within County jurisdiction). The General Plans describe the future use and development of property within their respective jurisdictions. Designated land uses may include, for example, a variety of

residential densities, retail and business service, office, park, school, business park, industrial, public, or mixed use, etc. In addition, land use decisions must be consistent with zoning codes, design guidelines and other policies adopted by the City Council or County Supervisors.

Do all violations have to be straightened out before annexation?

No. The City will work with the County to enforce pending violations, or the City will assume the responsibility for enforcement of violations.

Must I install curbs, gutters, sidewalks and street lights?

No, these improvements are not required as a condition of annexation. If a property develops consistently with the General Plan, or if the existing use is significantly intensified, then this type of improvement is required. There are other costs of development as well. These costs are paid by the developer of the property.