



## **ANNEXATION PROCESS**

This brochure is intended to provide a summary of the annexation process in the City of Sebastopol. 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 Sonoma County Local Agency Formation (LAFCO) staff.

### ***Background***

The City seeks to avoid urban sprawl by concentrating development within the City limits. Consistent with this objective, the 1994 General Plan reduced the size of the Sphere of Influence (SOI). The Sphere of Influence is intended to designate lands outside of the present City boundary which can reasonably be expected to be annexed to the City within an approximate 20-year planning period. Applicants interested in annexing land to the City should determine if the property in question is within the existing SOI. The current SOI was locked into place with the voters' approval of Measure O in 1996. With limited exceptions, Measure O effectively prohibits amendment of the SOI by the City Council for the 20-year planning period except by voter approval. This initiative was extended for an additional 25 years in 2016, and is now set to expire in 2041.

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 City Planning staff before proceeding, as exceptions to the annexation policy are extremely limited based on the ballot initiative.

Annexation applicants should also be aware that the City of Sebastopol has annexation impact fees charged on an acreage basis. These fees are due before the City Engineer will approve the annexation map following LAFCO approval. A schedule of the annexation fees is available at the Planning/Engineering public counter. Depending on the type of any other development which is proposed in conjunction with the annexation, there may be other fees and charges which are also applicable.

## PRELIMINARY REVIEW

The City of Sebastopol requires a Preliminary Annexation Request application to be filed as the first formal step in the annexation process. An application fee is required. 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.

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.
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- ◆ 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

City staff will determine if sufficient information has been provided for the application to be forwarded to City Council for its review. Staff will inform the applicant if additional information is needed. Once the applicant is complete, staff will prepare a brief description and analysis of the application in a report to the City Council.

Staff will schedule the preliminary annexation request for one of the regular meetings of the Council. The City Council will receive the staff report, followed by a presentation from the applicant, after which any members of the public may speak regarding the annexation request. The Council will determine if the annexation request is appropriate.

## ANNEXATION/PREZONE REQUEST

Following the preliminary review, 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.

The applicant will need to indicate the type of zoning which the property would have if the annexation were approved as proposed (rezoning). The applicant should propose the zoning designation after consultation with City staff.

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 Sonoma County Local Agency Formation Commission (LAFCO).

## LAFCO

To proceed with an annexation which has been approved 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.

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