

ANNEXATION

The purpose of this handout is to provide a general overview of the annexation process where real property located within the unincorporated area of Alameda County receives approval to become a part of the City of Pleasanton. This is a multi-step process that involves action by the City of Pleasanton, County of Alameda, and the Local Agency Formation Commission of Alameda County (LAFCo). Prior to proceeding with annexation, applicants should discuss the annexation concept with affected property owners, as well as City of Pleasanton Planning Division and Engineering Department staff prior to making a formal submittal.

WHAT IS ANNEXATION?

Annexation is the process of changing a property's governmental boundaries. This involves property owners (or voters) within the unincorporated County of Alameda applying to be included in the boundary of the City of Pleasanton. Annexation areas must be physically contiguous to existing City boundaries.

The annexation process is a multi-step process that generally includes these steps:

1. Application by landowners (or registered voters) of area proposed to be annexed submitted first to the City of Pleasanton;
2. City of Pleasanton Planning Commission consideration at a public hearing of whether the annexation application conforms with the Pleasanton General Plan;
3. City Council consideration of the annexation application at a public hearing;
4. If approved by City, subsequent application for annexation submitted to LAFCo;
5. Property tax sharing agreement between City of Pleasanton and County of Alameda (which may require public hearing before Alameda County Board of Supervisors);
6. LAFCo public hearing on annexation application [which may require analysis under the California Environmental Quality Act (CEQA)]; and
7. If approved by LAFCo, preparation of maps of annexed areas by licensed civil engineer, as well as other administrative steps.

WHAT IS THE AFFECT OF ANNEXATION?

On and after the effective date of the annexation, the property annexed, inhabitants, and voters of the area annexed are subject to the jurisdiction of the City of Pleasanton. For example: (a) residents and property annexed to the City of Pleasanton would receive police services from the Pleasanton Police Department; (b) the property maintenance standards and domestic animal limits of the Pleasanton Municipal Code would apply; and (c) the annexed areas become responsible for bonds and previously authorized taxes of the City of Pleasanton.

WHAT / WHO IS LAFCO?

The Local Agency Formation Commission (LAFCo) is an agency created by state law that exists within each county. LAFCo's mission is to encourage orderly growth and development. The Alameda County LAFCo Commission consists of seven commissioners: two members of the Alameda County Board of Supervisors, two City Council members or Mayors, two presiding officers or board members of special districts, and one public member. For more information on Alameda LAFCo go to: <https://lafco.acgov.org>. LAFCo is responsible for coordinating logical changes to local governmental boundaries and authorized to approve, with or without amendments, proposals for annexation of territory, Out of Area service, and other boundaries changes.

HOW ARE ANNEXATIONS APPROVED?

City and LAFCo staff review your annexation application for compliance with City and LAFCo policy and state law. Once the annexation is determined to be adequate, the City Council formally initiates the boundary change, directing City staff to process the application through LAFCo (though the applicant remains responsible for LAFCo fees and costs).

Criteria Use in Evaluating an Annexation Application

City and LAFCo consideration of annexation includes the following factors:

- Whether the annexation area is physically contiguous with City boundaries;
- Whether the annexation area represents a logical expansion of the City;
- Whether the annexation creates an area of unincorporated County 'island';
- Whether the area involves a Disadvantaged Unincorporated Community¹;
- Whether the annexation will be growth-inducing; and
- Whether existing City facilities, services and infrastructure are adequate to serve the annexation.

Preliminary Review Process

The City requires a Preliminary Review application as the first step in the annexation process. Please refer to the Preliminary Review Application handout for submittal requirements. 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. Staff will identify the presence of Disadvantaged Unincorporated Communities in the area pursuant to SB 244. It will be necessary for City staff to confer with LAFCo staff regarding any additional application requirements.

Application for Annexation and Prezone

Following the preliminary review, an Annexation/Prezone application must be filed along with the application fee. 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, staff will prepare an analysis of the request and schedule a public hearing before the Planning Commission. Following Planning Commission recommendation, the City Council will conduct its public hearing and act on the matter. If the City Council denies the application, there is no further appeal possible. If the City Council approves the application, the applicant will need to proceed to preparation of an application to LAFCo.

LAFCo Application

To proceed with an annexation which has been approved by the City, the applicant must submit an application to LAFCo via the City. LAFCo is a separate agency from the City, and LAFCo has the independent authority to reject, approve, or condition annexation applications which the City has approved. The applicant is responsible for all LAFCo application fees and submittal requirements. Once LAFCo determines the application is complete, a public hearing will be scheduled and LAFCo Board will act on the matter. The applicant should be prepared to make a presentation to LAFCo. Please refer to LAFCO website at: <https://lafco.acgov.org/application.page> for application submittal and fee requirements.

Recordation of Annexation Map

Following LAFCo approval, the applicant's licensed civil engineer will need to prepare a final annexation map for approval by the City and LAFCo prior to recordation with Alameda County Recorder's Office.

¹ See Cal. Government Code sections 56033.5, 56375, 56425, 56430, 65302.10; California Senate Bill 244 (2012).