

CHAPTER VI

GENERAL INSTRUCTIONS FOR APPLICANTS

## **VI. GENERAL INSTRUCTIONS FOR APPLICANTS**

The procedures provide general instructions for all applicants, including a detailed description of required proposal contents. This chapter also contains an easy reference checklist of the components required for a complete application.

### **A. APPLICANT RESPONSIBILITY SUMMARY**

#### **1. Pre-Filing Conference**

Prior to filing an application, it is suggested that the applicants schedule a pre-filing conference with the LAFCo staff to determine the level of detail needed in the application, and to help ensure that the proposal will comply with the LAFCo's standards and policies.

#### **2. Actions Required by Applicant**

Before an application is accepted, the applicant must:

- a. Complete the LAFCo application form;
- b. File a petition or a legislative resolution that meets the legal criteria described below in the Instructions for Applicants section;
- c. Include a statement of the nature of the proposal;
- d. Provide maps and, where required by the Executive Officer, a metes and bounds legal boundary description;
- e. Submit environmental documents if the LAFCo is not Lead Agency under CEQA, or if the LAFCo is Lead Agency, submit information as required under the LAFCo's environmental guidelines to facilitate the completion of the appropriate environmental review per the requirements of CEQA.
- f. Make specific responses to each applicable LAFCo standard and submit data and information necessary to support those responses. The minimum required data and information is described in the General and Specific Instructions section of this manual;
- g. A project-specific Plan for Service
- h. Provide names and addresses of three contact persons (officers of a local agency applicant, or chief petitioners); and
- i. Pay the applicable processing and petition checking fees.

An application will only be accepted as complete if it contains the data described above, and is presented in the format specified in the General and Specific Instructions. The LAFCo evaluation and hearing process will not begin until all required components of the

application have been submitted and all fees, including environmental review costs, have been paid.

## **B. GENERAL INSTRUCTIONS FOR ALL APPLICANTS**

### **1. Initiation: Petition or Resolution**

- a. A proposal can only be initiated through a petition or through legislative resolution. An application initiated through a petition must contain the required number of signatures specified in the Cortese-Knox-Hertzberg Act. An application by resolution only may be initiated by the legislative body of any affected local agency.
- b. The petition which is signed, or the resolution which is adopted, must:
  - (1) State that the proposal is made pursuant to Part 3 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56700 of the Government Code;
  - (2) Set forth a description of the boundaries of the affected territory accompanied by a map showing the boundaries. When required by the Executive Officer, the boundary description must be a metes and bounds description. A sample description is provided in Appendix B. The map shall be prepared using the format, symbols and features of the sample maps provided in Appendix C.
  - (3) Set forth any proposed terms and conditions.
  - (4) If the application is a petition, state whether the petition is signed by registered voters or owners of land.
  - (5) Designate contact persons, setting forth their names and mailing addresses. In the case of application by petition, these persons will be identified as the Chief Petitioners. In the case of application by resolution, these persons should be officers of the agency which adopted the resolution.

### **2. A Map and a Description of the Boundaries of the Subject Territory**

The LAFCo will verify the legal description provided in the petition or resolution. The legal description and any maps will be examined for consistency. Any inconsistency shall be corrected by the applicant prior to any hearing on the request.

### **3. Data and Information Required by the LAFCo**

In accordance with this section 56652 of the Cortese-Knox-Hertzberg Act, the LAFCo requires that the following information be submitted:

- a. Comprehensive Sphere of Influence Plans, including Municipal Service Reviews for the subject agency, if required, and for the subject territory, if these have not already been approved by and filed with the LAFCo.
- b. A feasibility study, which specifies and analyzes any changes to service plans which would result from the proposed change of organization or reorganization. The LAFCo executive may waive this requirement.
- c. Reference to the subject territory's inclusion, if any, in the General and/or any Specific Plans of the subject agency.
- d. Reference to the subject territory's inclusion, if any, in the General and/or any Specific Plans of the County.
- e. If extension of infrastructure or services to currently undeveloped areas will occur, the applicant must provide specific evidence of need for services, such as land use entitlement, building permits, articles of formation of an assessment district, or other indication of impending urbanization.
- f. Terms or conditions of the proposal, including proposed mitigation of any expected adverse effects resulting from the proposal.
- g. If the LAFCo is not the Lead Agency, the applicant must submit any environmental documents prepared by the Lead Agency. If the LAFCo is the Lead Agency the applicant must present:
  - (1) A description of environmental conditions in the project area including topography, agricultural land, classification, open space, environmental justice, vegetation, wildlife, land uses, traffic circulation patterns and major water courses and water bodies; and
  - (2) A description of how environmental conditions might change as a result of the project.
- h. Data or information to support responses to the requirements of the applicable LAFCo adopted standards.
- i. A Fair Political Practices Commission Party Disclosure form will be required. Disclosures should be made for partners or other parties that hold partial interest in the property. The LAFCo Commission Clerk will provide instructions regarding the completion of this form. The form is included in Appendix F.

#### **4. Additional Data and Information Required by the Executive Officer**

- a. The Executive Officer may require specific additional data or information of the applicant based upon pre-filing conferences, or based upon his or her review of the application after it is received but before a certificate of filing is issued.

- b. An application may be determined incomplete and may not be accepted for filing if it lacks the data and information specified by the Executive Officer.
- c. After the application is accepted for filing, the Executive officer may require additional data and information, and the LAFCo may not complete consideration of the application without data and information requested.

## **5. Processing and Petition Checking Fees**

The LAFCo will not accept an application as complete and will not begin evaluation of an application until applicable processing and petition checking fees have been deposited with the Executive Officer. The schedule of applicable fees is attached as Appendix D.

## **C. CHECKLIST FOR APPLICANTS**

To help the applicant ensure that their application is complete, and that the LAFCo will have sufficient data and information to make its determination, a summary checklist is provided on the following page.

## SACRAMENTO LAFCo APPLICATION CHECKLIST

The following checklist contains a summary of the items that are required of applicants by the LAFCo for the completion of an application. This checklist is provided as a convenient summary for the applicant. Please refer to the appropriate section of LAFCo's Policies, Standards and, Procedures Manual regarding the individual policies and standards.

- |    | <u>Item</u>   | <u>Completed</u>         |
|----|---|--------------------------|
| 1. | Pre-filing conference with LAFCo staff.   | <input type="checkbox"/> |
| 2. | A petition or legislative resolution of application initiating the proposal.  | <input type="checkbox"/> |
| 3. | A complete application form.  | <input type="checkbox"/> |
| 4. | Required maps as described in Appendix C and a metes and bounds legal description of the boundaries of the subject territory for each proposed change of organization.  | <input type="checkbox"/> |
| 5. | The following specific data and information:  |                          |
|    | a. Comprehensive Sphere of Influence Plans, including Municipal Service Reviews for the subject agency (agencies) and for the subject territory, if these have not already been filed with the LAFCo.   | <input type="checkbox"/> |
|    | b. A Plan for Services, if appropriate, which specifies and analyzes any changes to service plans that would result from the proposed change of organization.   | <input type="checkbox"/> |
|    | c. Maps which indicate the General, and/or Specific Plans designations of any affected land use authority. The boundary of existing and proposed cities and districts should be shown on the map.   | <input type="checkbox"/> |
|    | d. Maps which show land use zones.  | <input type="checkbox"/> |
|    | e. If extension of infrastructure or services to currently unused areas will occur, specific evidence of need for services, such as land use entitlement, building permits, articles of formation of any assessment district, or other indication of impending urbanization. (Copies of staff reports from land use approvals facilitate application processing.) | <input type="checkbox"/> |

**SACRAMENTO LAFCo APPLICATION CHECKLIST  
(Continued)**

<u>Item</u>	<u>Completed</u>
f. Terms or conditions of the proposal, including proposed mitigation of any expected adverse impacts resulting from the proposal.	<input type="checkbox"/>
g. If the LAFCo is not Lead Agency under the California Environmental Quality Act (CEQA), the applicant must submit draft environmental documents prepared by the Lead Agency. If the LAFCo is Lead Agency, the applicant must provide a description of current environmental conditions in the project area, and a description of how those conditions might change as a result of the project.	<input type="checkbox"/>
h. A specific response to any other applicable LAFCo policy or standard as it applies to the proposal.	<input type="checkbox"/>
i. A Fair Political Practices Commission Party Disclosure form.	<input type="checkbox"/>
j. A map which outlines all parcels located within 500 feet of the project site. The map should include parcel numbers. A mailing label should be provided for each parcel.	<input type="checkbox"/>
k. Parcel page with the project site cross-referenced.	<input type="checkbox"/>
l. If the site is located in the unincorporated area, a copy of the comprehensive land use zone (grid map) with the site cross-referenced.	<input type="checkbox"/>
m. The State Board of Equalization fee.	<input type="checkbox"/>
6. Any additional data and information, as may be required by the executive officer, pertaining to any of the matters or factors which may be considered by the commission.	<input type="checkbox"/>
7. The applicable established processing fees and petition checking fees.	<input type="checkbox"/>
8. The required deposit toward environment processing fees, if so required.	<input type="checkbox"/>