



Planning Division

6617 Third Street
Riverbank, CA 95367

Tel: (209) 863-7138
Fax: (209) 863-7126

INFORMATION AND APPLCIATION FOR FILING A COMPLETE APPLICATION FOR ANNEXATION TO THE CITY OF RIVERBANK

Each application must contain the following information, unless specifically waived by the Community Development Director. Incomplete applications will not be processed or considered by the Planning Commission or City Council. The information described below is required for nearly all annexation applications. Some specialized applications may require additional information. Please consult with the staff of the Riverbank Planning Department as to whether additional information is required.

- APPLICANT MAY BE REQUIRED TO PAY FOR ADDITIONAL STUDIES, (IE. TRAFFIC, NOISE, ETC.).
- APPLICANT SHALL PAY FEES ON AN "AT COST" BASIS.

Applicant Shall Also Pay The Following:

ALL COST OF POSTAGE FOR PUBLIC HEARING

ALL ELECTION COSTS IF ONE IS NECESSARY

LAFCO FILING FEE AND STATE BOARD OF EQUALIZATION FEES

MAPS AND LEGAL DESCRIPTION THAT COMPLIES WITH STATE BOARD OF EQUALIZATION AND LAFCO STANDARDS

COST OF PROJECT HEARING IF REQUIRED

COST OF CEQA

Annexations involve a three-step review process and must be consistent with the adopted GP annexation strategies:

- the first is by the City of Riverbank
- the second is by LAFCO
- the third is the final action taken by the City Council to either declare the property annexed, set the annexation for election or abandon the process.

FIRST STEP: The City must complete its hearings on the annexation, pre-zoning, and detachment from the Oakdale Irrigation District and any development proposal prior to sending

the annexation to LAFCO for action. The City will determine the following:

Is the proposed rezoning and use of the property consistent with the General Plan and within our Sphere of Influence (if the rezoning is not consistent with the General Plan, the applicant shall also apply for a General Plan Amendment Application.) If the project is consistent with the General Plan, the applicant must publish and file a **Notice of intention to Circulate Petition for Change of Organization of the City of Riverbank** (annexation.)

- Is contiguous to City Limits and will not create a County island or unincorporated area substantially surrounded by the City.
- Includes rights-of-ways and whole properties
- Does City have the ability to serve the project area with City services (in addition, the area to be annexed may be required to form an Assessment District to improve the existing public facilities within the property area.)
- Review and complete an environmental evaluation of the project
- Schedule review of the project with the Environmental Review Committee, Planning Commission and City Council.

SECOND STEP: Once the City's process is complete, the applicant must submit their application to LAFCO. The Stanislaus County LAFCO will conduct a Hearing(s) and may either approve the application on its own merit, conditionally approve the application or disapprove the application.

THIRD STEP: Upon approval of the application, LAFCO will advise the City of their action. The City may be required by LAFCO to conduct a protest hearing. Upon the conclusion of the protest hearing, the City may have three options:

1. Order the property annexed, **if it is un-inhibited** (less than 12 registered voter) **or all property owners are in support;**
2. Order an election to decide annexation issue, **if 25% of the property owners have voiced a protest;**
3. Abandon the process, **if over 50% of the property owners have filed a protest.**

To minimize delay and duplication, the Planning Department encourages applicants to **apply for all the discretionary permits and approvals** needed for the review of their project(s) **at the same time.** The concurrent review of these applications will also facilitate the environmental review process. Where the same information is required for more than one (1) permit or approval, **it is not necessary to duplicate the information submitted.** If you have any questions about the information required for an application or the number of copies that must be submitted with the application, please call the Riverbank Planning Department for assistance at 863-7128.

- Completed Application Form shall include the following::

- Signature of all property owners
- Environmental Questionnaire Form
- Declaration of Posting of **NOTICE OF DEVELOPMENT PERMIT APPLICATION**
- Indemnification Form
- Hazardous Waste Form
- Payment of all application fees. Applicants are responsible for all fees and costs (other agency fees, consultants, etc.) of processing an application with the City of Riverbank. Where a deposit is required, an applicant is responsible for maintaining a positive balance with the City. A negative balance will cause an application to become incomplete and work on the application may be halted until sufficient funds are deposited with the City of Riverbank.
- One 11" x 17" map which shows specifically the boundaries of the proposal, all bearings and distances and the relationship of the boundaries of those of the existing district.
- One 11" x 17" generalized map showing the boundaries and relative size of the proposal with respect to the surrounding area.

Applicant shall also be required to submit to the City of Riverbank Community Development Department the proposed said Architecture and Site Plans in an electronic format (i.e. pdf)

- Assessor's Parcel Map (one) identifying the site of the proposed project.
- A legal description of the boundaries of the proposal. The legal description may change if additional property is added or deleted from the proposed annexation by either the City Council or LAFCO. If this occurs, a new legal description shall be provided by the applicant prior to the City's or LAFCO's final action on the annexation.
- Preliminary Title Report, not less than six months old, for all properties involved in the proposed subdivision.
- A list including mailing labels, of names and mailing address of each person who owns land within 300 feet of the proposed annexation area.
- Assessed value for each parcel
- Names and addresses of providers of the following services before and after the annexation. (see attached sheet)

Police Protection
Sewerage
Street lighting
Domestic water

Soil Conservation
Mosquito Abatement
Schools

Fire Protection
Street Construction
Garbage collection

Annexation versus Reorganization

Prior to submitting a request to annex to the City of Riverbank, an applicant must decide whether to submit a request for annexation only or annexation to the City and detachment from the Oakdale Irrigation District. A description of the difference is described below. The City of Riverbank has no preference regarding whether an applications an annexation or reorganization. Both types of applications will be treated equally by the City.

Annexation

Annexation to the City will result in property becoming part of the City without detaching from the Oakdale Irrigation District. If this occurs, property is still entitled to receive irrigation water from the district until development occurs.

The main argument in favor of annexation without detachment is that irrigation water will still be available for use by the property owners (especially important if the annexation includes "ranchetts" that do not intent to develop in the near future.)

The main arguments against annexation without detachment are that: (1) Oakdale Irrigation District will oppose annexation without detachment and there may be problems obtaining LAFCO approval; (2) future detachment from OID (possible as a condition of development will be as complicated and time consuming as the original annexation application.

Reorganization

Reorganization to the City will result in property becoming part of the City and detaching from the Oakdale Irrigation District. If this occurs, property within the area annexed and detached will no longer be entitled to receive irrigation water from the district. Although individual arrangements with OID are sometimes possible there is no guarantee of water.

The main arguments in favor or reorganization (annexation to the City and detachment from OID) are that: (1) the process is smoother and more likely to be approved by LAFCO as submitted; (2) if the property is going to develop in the near future, this is one less problem to deal with. (*Upon development of the property a common condition is the abandonment of irrigation rights*).

Information on Williamson Act Contracts

Stanislaus County participates in a program which reduces a farmer's taxes in return for a guarantee that the property will remain in agriculture for a period of at least 10-years. In order to take advantage of this program, a property owner must apply for a California Land Conservation Contract (commonly known as a Williamson Act Contract.) This contract is valid for an initial period of 10-years. At the first year of the contract ends, one additional year is added so that the contract is always in effect for 10-year into the future.

Whenever an owner of property within 1-mile of the City limits of a city applies for the Williamson Act, the County is required by State Law to refer the application to the city for comment. The city must decide whether or not to "protest" the application. If the city protests a contract, the application is forwarded to LAFCO who must determine whether the contract is detrimental to the ultimate growth of the city. Generally, LAFCO upholds protests that are within a city's Sphere of Influence and doesn't uphold protests outside a city's Sphere of Influence.

If a city protests an application, this does not affect whether or not the contract is approved by the Board of Supervisors. A notation is simply made in the file that the contract was protested. Similarly, it is noted whether or not LAFCO upheld the protest.

If a property which is in the Williamson Act someday wants to annex to the city, the process is much easier if the city has protested the contract and LAFCO was upheld. If both has occurred, the property can be annexed and the contract cancelled upon annexation. The property owner is then able to develop without paying any penalty.

If the city did not protest the contract, or if the city protested the contract by LAFCO did not uphold that protest, the property owners have only two ways of getting out of the contract. In the first way, the property owner(s) must decide 10-years prior to annexation that he will want to develop. He then signs a Notice of Non-Renewal which stops the County from adding a year every January. Trying to anticipate the future by 10-years can be difficult and the tax savings are not as great during the 10-year period as they would be if the property owner did not file a Notice of Non-Renewal. The second means of getting out of the contract is to cancel the contract. This is very complicated and difficult. Few contracts are eligible to be cancelled. If a cancellation is approved, the owner must pay a penalty of at least 1/8th of the market value of the property.

Assessor's Parcel No.

Contact No.

Location of property to be annexed. Please provide a map of the property to be annexed. (a copy of the Assessor's Map(s) with the parcels clearly marked is adequate.)

Location of Property: _____

Request Rezoning To: _____

If pre-zoning is to PD, explain proposed use (use separate sheet of paper.)

Assessment Number: _____

List number and use of all existing structures on the property: _____

Street Construction/maintenance: _____

Street Lighting: _____

Schools: _____

Garbage collection: _____

Domestic water: _____

After Annexation

Police Protection: _____

Soil Conservation: _____

Fire Protection: _____

Sewerage: _____

Mosquito Abatement: _____

Street Construction/maintenance: _____

Street Lighting: _____

Schools: _____

Garbage Collection: _____

Domestic Water: _____

CONSENT OF APPLICANT AND PROPERTY OWNER(S)

The consent of the applicant and property owner, if not the applicant, is required for filing an application for a land use development permit within the City of Riverbank. The signatures of the applicant and property owner below constitutes for filing of this application.

Property Owner's Signature

Date

Property Owners Signature

Date

Applicants Signature

Date