



## **PREZONE/ANNEXATION**

This information is provided as a guide to assist you in the preparation of the **Prezone/Annexation**. It is also intended to explain the process by which the City analyzes and acts upon the application.

### **What is a Prezone/Annexation?**

The purpose of prezoning is to establish the designation of land uses for unincorporated property adjoining the city, within the sphere of influence, prior to annexation.

### **PROCESSING THE APPLICATION**

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#### **A. PRE-APPLICATION CONFERENCE**

Staff review and discussion of prezone/annexation proposal with the applicant to review applicability, availability of services, review of proposed development and discussion of potential conditions and requirements. Possible informational presentations to deciding bodies for large scale projects.

#### **B. PROCESSING COST ANALYSIS:**

Submittal of the proposal to the planning consultant for processing cost estimate. A letter is sent to the applicant discussing the cost estimate, required fee and deposit.

#### **C. APPLICATION SUBMITTAL:**

Applicant submits application with required fees.

#### **D. REVIEW FOR COMPLETENESS:**

Application is reviewed by City Staff/Planning consultant for completeness. Additional items may be requested. When all items are received, a letter is sent to the applicant stating that the application has been deemed complete.

#### **E. REVIEW PROCESS:**

Staff and consulting team begins the application review process which includes the following:

1. Start-up meetings and review of materials.
2. Development and completion of an Initial Study pursuant to CEQA requirements.
3. Environmental determination (Negative Declaration or EIR).



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4. Preparation of environmental documents.
5. Project analysis (evaluation of project, review of alternatives, drafting of conditions, etc.)
6. Preparation of fiscal analysis.
7. Planning Commission review and recommendation.
8. City Council review, resolution of application consideration.
9. LAFCO application and hearing.
10. Final adoption by Council.

#### **ACCOMPANYING MATERIALS REQUIRED:**

This application must be accompanied by the following:

1. A report which sets forth the justification for the pre-zoning/annexation and provides the information necessary to explain the proposal.
2. A detailed project submittal is required including maps, building concept designs, range of uses, street layout, etc.
3. An Environmental Information Form (attached).
4. Proof of owner(s) interest in the property(s) (copy of deed, tax bill, etc...).
5. Legal Description of property (see attached requirements).
6. Map of property indicating property lines and street rights-of-way (see attached requirements).\*
7. Location map and site plan if proposed pre-zoning involves a change to General Plan land use designations.\*
8. Required fees as per City Council Resolution.

**Annexation                                      \$ 6000.00**

**Annexation with Prezone    \$ 6000.00**

Plus the following:

- a. All Election costs, if applicable
- b. All LAFCO fees.
- c. State Board of Equalization filing fees.
- d. All required exhibits including maps and legal description in compliance with LAFCO and State Board of Equalization standards.



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e. Cost of protest hearing, if applicable.

***Applicant to pay actual consultant costs if applicable.***

9. Other items as may be required by the Community Development Director.

**Note: Should your project require an environmental review, the applicant is responsible for the environmental filing fees (effective 1-1-2023 as follows (some or all may apply):**

- Negative Declaration (ND) or Mitigated Negative Declaration (MND) \$2764.00
  - Environmental Impact Report (EIR) \* \$3839.25
  - Environmental Document Pursuant To A Certified Regulatory Program \$1305.25
  - County Clerk Processing Fee \$ 57.00
- (\* Department of Fish and Game Fees)

**Note: At least one copy of all maps, site plans, etc., must be provided as an 8½" X 11" reproducible copy.**

Please contact the Community Development Department to schedule a pre-application conference with the Director to review the above items and application procedures.

Additional information may be required during review of your application.

**Note: If the application is not complete (See Materials Required) within 30 days of receipt, the City of Patterson Community Development Department will deem the application incomplete and return the application and application fee(s) to the applicant.**

**SIGNATURE OF APPLICANT:**

I hereby apply for prezone/annexation to the City of Patterson. The above information, as well as plans and materials submitted herewith in support of this application are, to the best of my knowledge, true and correct.

**Applicant:** \_\_\_\_\_ **Date:** \_\_\_\_\_



## **PROCEDURES FOR ANNEXATION**

The following procedures are a guide for persons wishing to annex property to the City of Patterson.

### **1. PROPERTY OWNERS SHALL SUBMIT A PROPOSAL CONTAINING THE FOLLOWING:**

- A. Legal Description of the property (see attached requirements)
- B. Map of Property indicating property lines and street rights-of-way.
- C. Requested zoning of property and/or proposed project.
- D. Properties with Williamson Act contracts, including contract numbers.
- E. List of land owners within the project area together with assessor's parcel numbers and the area of each parcel.
- F. List of addresses of properties within the project area.
- G. Current zoning of the parcel (s).

### **2. The City will determine:**

- A. City General Plan designation.
- B. If the use proposed is consistent with the General Plan.
- C. List of registered voters.

### **NOTE:**

IF ALL OR A PART OF THE PROJECT IS NOT LOCATED WITHIN THE GENERAL PLAN AREA, THE APPLICANT MUST APPLY FOR AN AMENDMENT TO THE GENERAL PLAN. IF THE AMENDMENT IS APPROVED, IT MAY BE NECESSARY FOR THE CITY TO APPLY TO LAFCO FOR A MODIFICATION TO THE CITY'S SPHERE OF INFLUENCE. THIS PROCESS COULD TAKE FROM (4) FOUR MONTHS TO (1) ONE YEAR TO COMPLETE.

### **3. If the project is consistent with the General Plan the applicant must accomplish the following:**



- A. Obtain project approval (pre-zoning, tentative subdivision map or other project specific approvals).
- B. File Notice of Intention to Circulate Petition for Change of Organization to the City (Annexation).

**4. The City will do the following:**

- A. Evaluate the ability of the City's infrastructure to serve the project.
- B. Complete an environmental evaluation of the project.
- C. Schedule review of the project for necessary approvals (Planning Commission/and or City Council).

**5. If the City approves the project, the applicant shall provide for review by the City;**

- A. A Completed LAFCO application.
- B. Any additional environmental documentation.

**6. After review by the City, the applicant submits the application to LAFCO for consideration.**

**STANDARD POLICIES**

The City will evaluate the appropriateness of each annexation proposal to determine that the area:

- 1. Is included within the General Plan and Sphere of Influence.
- 2. Will not result in an unincorporated island or an area substantially.
- 3. Is contiguous to the City Limits.
- 4. Includes entire road rights-of-way.
- 5. Does not split parcels.



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6. Is within recognized water, sewer, fire, police, and other public service boundaries.
7. Has adequate public improvements to service the needs of the area.

In addition, the area to be annexed may be required to:

1. Form an assessment district to improve the existing public facilities within the project area.
2. Agree to an assessment for the cost of operating and maintaining public facilities, such as street lighting, storm drainage, etc.
3. Be detached from the West Stanislaus County Fire Protection District and the Patterson Water District.

### **POSSIBLE LAFCO ACTIONS**

The following is intended as information for the applicant of possible LAFCO actions and required City responses. The information is advisory and is not intended to limit the actions of either LAFCO or the City.

1. **LAFCO will hold a public hearing to receive public input on the proposal. LAFCO tends to concentrate on the following areas;**
  - A. Williamson Act properties in the area, particularly non-protested contracts;
  - B. Elimination or unincorporated islands;
  - C. The inclusion of complete properties and road rights-of-way.
  - D. The ability of the City to provide services.
2. **LAFCO can take one of four actions:**
  - A. Approve the proposal as submitted;
  - B. Approve the proposal with amendments to include additional property or street rights-of-way;



- C. Deny the proposal. In this case, the proposal may not be resubmitted for at least one year;
  - D. Deny the proposal without prejudice. This allows the application to be resubmitted within a year, possibly when the concerns of LAFCO have been resolved.
- 3. If LAFCO approves the proposal, the City must hold a Protest Hearing. There are two different possibilities, depending on whether the area to be annexed is “inhabited” or “uninhabited”.**
- A. Inhabited territory (land with 12 or more registered voters).
- 1. The City shall approve the application, without an election, if written protests have been filed and not withdrawn by:**
- a. Less than 25 percent of the land owners of record owning less than 25 percent of the assessed value of the land within the area to be annexed;
  - b. Less than 25 percent of the registered voters residing within the area to be annexed.
- 2. The City shall approve the application, subject to an election, if written protests are filed and not withdrawn by:**
- a. At least 25 percent of the number of owners of land who also own at least 25 percent of the assessed value of the land within the project area.
- 3. The City shall deny the application to annex the territory if 50 percent or more of the registered voters within the project area object, in writing, to the annexation proposal and do not withdraw their objections before the end of the protest hearing.**
- B. **Uninhabited territory (fewer than 12 registered voters within the project area):**
    - 1. The City shall approve the application if landowners owning less than 50 percent of the total assessed value of the land within the project area object, in writing, to the annexation proposal and do not remove their objections prior to the close of the protest hearing.



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2. The City shall deny the application if landowners owning 50 percent or more of the assessed value of the land within the territory object, in writing, to the annexation proposal and do not remove their objections prior to the close of the protest hearing.

**NOTE: If the annexation request contains the signatures of all property owners and/or registered voters, LAFCO may waive the requirements for a protest hearing.**

FOR FURTHER INFORMATION ON LAFCO ANNEXATION PROCEDURES, CONTACT LAFCO AT (209) 525-7660.

### **ATTACHMENT**

**The following requirements have been established by the State Board of Equalization as standards for legal descriptions and maps for annexations:**

1. Every description must be self-sufficient within itself and without the necessity of reference to any extraneous document.
2. When writing a metes and bounds description of a contiguous annexation, all details of the contiguous portion(s) of the boundary may be omitted. The points of departure from the existing boundary must be clearly established.
3. A specific parcel description in sectionalized land (e.g., the SW  $\frac{1}{4}$  of Section 22, T1N, R1W) is permissible without a metes and bounds description of the perimeter boundary.
4. A parcel description making reference only to a subdivision or a lot within a subdivision is not acceptable unless all dimensions needed to plot the boundaries are given on an accompanying plat. The relationship of lot lines with street right-of-ways must be clearly indicated.
5. Every map must clearly indicate all existing streets, roads and highways within and adjacent to the subject territory, together with the current names of these thoroughfares.
6. Every map shall bear a scale and a north point. If a reduced map is to be filed, the original must have a graphic scale affixed to it before the reduction is made.
7. The point of beginning of the legal description must be shown on the map. The boundaries of the subject territory must be distinctively shown on the map without obliterating any essential geographic or political features. The use of yellow lines to highlight the boundaries is urged as this color photographs as light grey.
8. All maps must be professionally drawn or copied. Rough sketches of maps or plots will not be accepted.





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9. All maps must be professionally drawn or copied. Rough sketches of maps or plots will not be accepted.

**NOTE: If the application is not complete (See Application Submittal) within 30 days of receipt, the City of Patterson Community Development Department will deem the application incomplete and return the application and application fee(s) to the applicant.**

### **Decisions and Appeal Process**

After the Planning Commission has rendered a decision, you will receive written communication of this determination, and if approved, any conditions of the approval. Any interested party, aggrieved by the determination of the Planning Commission, may appeal this decision to the City Council, within ten (10) business days after such date of determination. Approval of the application is not in effect until the appeal period has expired, or any appeal filed has been acted upon by the City Council. Appeals must be made in written form, addressed to the City Council and accompanied by the required fee of \$605.00.

If not utilized or acted upon, Prezone/Annexations will expire one year from the date of determination. Extensions may be granted by written request to the Planning Commission accompanied by the required fee of \$210.00. Prezone/Annexations may be revoked if conditions are not met.



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## Application for Prezone/Annexation

\_\_\_\_\_  
Applicant Name

\_\_\_\_\_  
Mailing Address/City/State/Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Property Owner Name

\_\_\_\_\_  
Mailing Address/City/State/Zip

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
Email

\_\_\_\_\_  
Name of Business/Description:

\_\_\_\_\_  
Project Address/Location

\_\_\_\_\_  
Assessor's Parcel Number(s) (APN):

\_\_\_\_\_  
Existing Zoning District

### SIGNATURES:

The above information as well as the plans and materials submitted herewith in support of this application are, to the best of my/our knowledge, true and correct.

**APPLICANT:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

**OWNER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_



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## Environmental Information Form

This information is provided as a guide to assist you in the preparation of the **Environmental Information Form**. It is also intended to explain the process by which the City analyzes and acts upon the form.

The State of California requires that most development projects submitted to the City of Patterson undergo some level of review under the California Environmental Quality Act (CEQA). CEQA is a state law that requires an analysis and public report on the potential environmental effects of any project that is carried out or approved by the City. The Environmental Information Form is used to determine whether a project needs to be reviewed under the CEQA regulations. The City of Patterson is responsible for reviewing the project to determine whether it is exempt from CEQA review.

If CEQA review is required, three types of reports are typically prepared for projects: 1) CEQA Exemption, 2) a Negative Declaration, or 3) an Environmental Impact Report. A majority of projects are either Exempt or Negative Declarations. Planning Staff will let you know what type of documentation is required based upon the type of project that is being proposed, the characteristics of the property, and other factors that are spelled out in State CEQA regulations.

### Application Submittal

The Environmental Information Form shall be filed by the property owner or their representative agent on forms prescribed for this purpose. The application shall be submitted to the Planning Department, 1 Plaza (P.O. Box 667), Patterson, CA 95363.

Additional information may be required by the Planning Director during the review of the application.



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Number of Units, Unit Size, Range of Sale Prices/Rents, and Type of Household Size expected (Residential Only)

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Type of Development (Regional, City or Neighborhood), Square Footage of Sales Area and Loading facilities (Commercial Only)

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Type, Number of Employees per Shift and Number of Loading Facilities (Industrial Only)

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Major Function Employees per Shift, Occupancy, Loading Facilities, Community Benefit of Project (Institutional Only)

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Are the following items Applicable to the project or its effects? Please explain on additional sheets all items checked 'Yes'.

- | Yes                      | No                       |   |
|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | Inconsistent with the City of Patterson's General Plan.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect the use of a recreation area or area of important aesthetic value.   |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect the functioning of an established community/neighborhood.  |
| <input type="checkbox"/> | <input type="checkbox"/> | Displace community/neighborhood residence.  |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect unique natural or man-made features in the project area  |
| <input type="checkbox"/> | <input type="checkbox"/> | Significantly affect the potential use, extraction or conservation of a scarce natural resource                         |
| <input type="checkbox"/> | <input type="checkbox"/> | Significantly affect a historical or archeological site   |
| <input type="checkbox"/> | <input type="checkbox"/> | Serve as wildlife habitat for rare/endangered plant or animal species   |
| <input type="checkbox"/> | <input type="checkbox"/> | Affect fish, wildlife or plant life   |
| <input type="checkbox"/> | <input type="checkbox"/> | Result in soil erosion of agricultural land   |
| <input type="checkbox"/> | <input type="checkbox"/> | Change the pattern, scale, or character of the general area of the project  |
| <input type="checkbox"/> | <input type="checkbox"/> | Require certification, authorization or issuance of a permit by a Local, State, or Federal environmental control agency |
| <input type="checkbox"/> | <input type="checkbox"/> | Require facilities to be constructed in a flood plain   |
| <input type="checkbox"/> | <input type="checkbox"/> | Require facilities to be constructed on land with greater than a 15% slope  |
| <input type="checkbox"/> | <input type="checkbox"/> | Require constructing facilities on an active geologic fault   |
| <input type="checkbox"/> | <input type="checkbox"/> | Generate significant amounts of dust or noise (in either the construction or operational stages)                        |
| <input type="checkbox"/> | <input type="checkbox"/> | Generate significant amounts of solid waste   |
| <input type="checkbox"/> | <input type="checkbox"/> | Substantially change existing noise or vibration levels   |
| <input type="checkbox"/> | <input type="checkbox"/> | Endanger the quality of the regional air or water resources   |
| <input type="checkbox"/> | <input type="checkbox"/> | Cause a significant change in the hydrology of the area   |



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- | Yes                      | No                       |  |
|--------------------------|--------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | One in a series of foreseeable actions that may ultimately have an impact on the environment |
| <input type="checkbox"/> | <input type="checkbox"/> | Involve the application, use or disposal of potentially hazardous waste                      |

Certification: I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this initial evaluation to the best of my ability and that the facts, statements, and information presented are true and correct the best of my knowledge and belief. **If any of the facts represented here change it is my responsibility to inform the City of Patterson.**

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_