



CITY OF ESCONDIDO ANNEXATION GUIDE

A. PURPOSE

The purpose of this document is to provide information on the process and procedure of annexation to the City of Escondido and to answer basic questions regarding the City's policies of annexing property from the County.

B. WHAT IS ANNEXATION?

Annexation is the process of changing a property's governmental boundaries. In the case of the City of Escondido, it involves unincorporated County of San Diego territory being included in the corporate boundaries of the City.

C. WHAT IS LAFCO?

The San Diego Local Agency Formation Commission (LAFCO) was established by state law and is responsible for coordinating, directing, and overseeing logical and timely changes to local governmental boundaries, including annexation and detachment of territory, incorporation of cities, formation of special districts, and consolidation, merger, and dissolution of districts. In addition, LAFCO is charged with reviewing ways to reorganize, simplify, and streamline governmental structure. A primary objective of LAFCO is to initiate studies and furnish information that contributes to the logical and reasonable development of public agencies. LAFCO must also determine and periodically update spheres of influence for local agencies. Changes of organization are governed by the Cortese/Knox/Herxberg Local Government Reorganization Act of 2000, as amended. For more information visit LAFCO's website at: www.sdlafco.org.

D. WHAT IS A SPHERE OF INFLUENCE?

LAFCO is required by state law to determine a sphere of influence for each city and special district in the County. A sphere of influence is a plan for the probable ultimate boundaries of a local agency. It guides LAFCO in making decisions on individual jurisdictional changes. Territory must be within a city's sphere before it can be annexed. When establishing a city's sphere boundary, LAFCO includes territory that is expected to require city services within a 10-15 year time period and considers information regarding land use, and public facilities and services. LAFCO reviews a city's sphere every five years for possible modification.

WHO CONTROLS ANNEXATIONS AND SPHERES OF INFLUENCE?

LAFCO is authorized to approve, with or without amendments, or disapprove proposals for annexation and spheres of influence. Prior to the City initiating boundary changes, LAFCO and City staffs review the application for compliance with City and LAFCO policy and state law. Once the boundary change is determined to be in accordance with the necessary provisions the City Council formally initiates the boundary change, directing staff to collect appropriate fees and process the application through LAFCO.

E. WHAT ARE THE CITY'S GOALS AND POLICIES FOR ANNEXATION?

The City Council adopted an updated General Plan in May 2012 containing policies regarding the consideration and processing of annexations. General Plan Annexation Policies reflect the position that new residential growth must finance its own impacts on City services. The General Plan obligates the City to provide services and facilities consistent with Quality of Life Standards that establish minimum threshold levels. Visit the General Plan online at: www.escondido.org/general-plan.aspx. All City growth, whether it is new construction or annexation of existing residences, affects the services the City must provide to its residents. As a result, fees have been adopted by the City Council to partially offset the costs incurred by the City to provide services to newly annexed properties. The City's fees can be found in the Planning Division Fee Schedule available upon request at City Hall. Other fees may be involved depending on the size of the annexation area, number of vacant properties and development potential, condition of existing infrastructure and other factors. For an online copy of Planning Division fees visit:

www.escondido.org/Data/Sites/1/media/PDFs/Planning/PlanningDivisionFees.pdf.

The General Plan goal and policies that directly relate to the annexation of unincorporated properties into the City are:

GOAL 16: Annexation of properties for the provision of municipal services whose development shall complement and be compatible with adjoining areas without placing an undue financial burden on the city.

Annexation Policy 16.1

Allow property owners to annex to the city, and actively annex unincorporated lands owned by the city.

Annexation Policy 16.2

Promote the annexation of unincorporated lands where it is determined in the city's interest to promote orderly development, implement goals and objectives, and /or to expedite facilities and services.

Annexation Policy 16.3

Demonstrate that facilities, services, and infrastructure are adequate to serve proposed annexations in accordance with city standards, acknowledging Neighborhood Maintenance & Preservation Policy 4.4 allowing more flexible public improvement requirements in the Rural and Estate I single-family residential areas.

Annexation Policy 16.4

Allow annexations if it can be demonstrated that appropriate improvements as determined by the city will be financed by the property owner(s), and that such expansion of the city will not have unacceptable adverse fiscal or environmental impacts to existing city services or residents. Exceptions to this policy may be considered subject to Policy 16.2.

Annexation Policy 16.5

Provide services to unincorporated areas when there is a mutual agreement between the city and appropriate agencies, if any, provided the city is compensated for costs incurred.

Annexation Policy 16.6

Maintain an annexation procedures manual outlining the steps and city policies regarding annexations that includes, but is not be limited to, applicant's responsibilities, requirements for environmental review, requirements for development plans, and fees for annexation.

Annexation Policy 16.7

Update the Sphere of Influence as necessary concurrent with each five-year review of the General Plan.

Annexation Policy 16.8

Expand the Sphere of Influence to be coterminous with the Planning Area boundary where such expansion is deemed appropriate by the City and the Local Agency Formation Commission.

F. WHAT CRITERIA ARE USED IN EVALUATING AN ANNEXATION?

Important City and LAFCO considerations in evaluating annexations include the following factors:

1) Whether the annexation area physically contiguous with City boundaries:

To meet LAFCO requirements, annexation areas must be physically contiguous to existing City boundaries. This may involve including additional properties to meet this criterion.

2) Whether the annexation area represents a logical expansion of the City:

The annexation is evaluated for its shape and configuration on a case-by-case basis. Annexation resulting in an illogical expansion is not acceptable because it is difficult to provide services. Logical boundary expansions typically include adjacent streets, topographic features, flood control channels, etc., that 'round out' existing city boundaries.

3) Whether the annexation creates an area of unincorporated County 'island':

An area cannot be annexed into the City if, as a result, unincorporated properties are completely surrounded by the City's corporate boundaries. This makes it difficult for the County to provide services to the unincorporated area and is confusing to residents and property owners.

4) Whether the area involves a 'Disadvantaged Unincorporated Community':

California Senate Bill 244 pertaining to 'Disadvantaged Unincorporated Communities' was passed in 2012. The law addresses county islands (areas mostly surrounded by cities), fringe communities (at or near the edge of cities), and legacy communities (geographically isolated areas) with annual Median Household Incomes that are 80% or less than the statewide median. In San Diego County, this income level is \$46,166 or less based on Census information. This statute requires annexations of greater than 10 acres to be reviewed in regards to the presence of any contiguous Disadvantaged Unincorporated Communities, and includes specific requirements and restrictions when applicable. Early consultation with LAFCO and the City is strongly recommended to identify the presence of Disadvantaged Unincorporated Communities to establish the application process and ensure the timely processing of annexation applications.

5) Whether the area requesting annexation is experiencing a failed septic system:

Annexation proceedings can be expedited for areas under a health and safety order by the County of San Diego Department of Environmental Health (DEH). In such situations, evaluated on a case by case basis, LAFCO and City processing timeframes may be accelerated in order to allow for connection to City sewer service. This type of expedited processing is only applicable to existing residential units that have been determined to have a failing septic system and a letter from the County DEH has been issued. Upon annexation initiation, the City may enter into a "Temporary Connection Agreement" with a property owner to allow connection to City sewer prior to the completion of the annexation process that includes a commitment from the property owner(s) not to oppose future annexation. The City will not provide sewer service to properties outside its corporate boundaries without a pending annexation application based on a health and safety issue for an existing residence.

6) Whether the area requesting annexation is proposed for development:

LAFCO requires that a development plan (i.e. parcel map, tentative subdivision map, plot plan, etc.) be submitted concurrently when annexing vacant properties. The development plan must demonstrate the timely need for annexation in order to satisfy LAFCO's requirement to promote orderly growth and prevent sprawl.

7) Whether existing City facilities, services and infrastructure are adequate to serve the proposed annexation area:

City services are evaluated to determine if extending and/or expanding such services to serve the annexation area will be detrimental to existing residents. Because annexation is a form of City growth, providing the area with municipal services affects the City's ability to provide services to existing residents. The City's General Plan establishes thresholds for providing municipal services to existing residences.

As part of the Annexation Application, the applicant will be required to submit an overall evaluation of the entire annexation's impacts on the City's Quality of Life Standards. The evaluation shall identify:

a) The magnitude of deficiencies impacting City services;

In evaluating the proposal, staff will contact other City Departments to verify adequacy of City services. For example, the Police and Fire Departments will determine whether the proposed annexation area meets appropriate response times. The Utilities and Public Works Departments will evaluate the annexation's street system, sewer and water capacity, etc. City staff will also analyze the existing area to determine what, if any, necessary improvements need to be installed in conformance with City standards.

b) Proposed funding mechanisms to mitigate the impacts;

If a proposed annexation area does not meet City standards, the annexation may proceed only if necessary improvements will be financed to the City's satisfaction. Potential financing mechanisms could range from the applicant funding all improvements, to securing funding from the City's Capital Improvement Program, or other financial arrangement. All fees required to mitigate annexation impacts will be in addition to fees collected for processing the annexation application. Annexations determined to create unacceptable adverse fiscal or environmental impacts for City services and/or its existing residents will not be initiated for processing. An example of an "unacceptable adverse fiscal or environmental impact" would be an annexation that incurs a liability or responsibility for the City requiring extensive improvements to correct.

c) Proposed time frame by which the impacts will be mitigated;

City staff will determine the appropriateness of timeframes proposed for correcting impacts caused by an annexation. Some improvements may be listed on the City's Capital Improvements Program as an immediate project thereby alleviating potential impacts caused by an annexation. Other planned improvements might not be due to commence for several years. A third scenario might involve overriding City interests in an annexation without necessarily factoring in the magnitude of deficiencies, funding mechanisms or timeframe for mitigation.

G. HOW CAN I ANNEX TO THE CITY?

Preliminary Annexation Process

Applicants must first meet with the City staff to discuss the area being requested for annexation and to provide relevant information to staff (i.e. assessor's parcel number, address, letter describing the reason for annexation, anticipated project description, etc.). During that meeting, boundaries of the potential annexation will be delineated and may include adjacent properties that 'round-out' the annexation area to form a logical boundary expansion for the City. To the best extent possible, such 'rounding-out' of the annexation area will include as few adjacent parcels as possible to streamline the process.

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. The Planning Division will schedule the request to initiate the annexation for consideration by the City Council at a public meeting. After the City Council initiates the annexation and appropriate City processing fees are paid, the necessary applications are prepared by the applicant with the help of City staff.

Upon City Council initiation, a survey of property owners in the annexation area may be required. The applicant is responsible for canvassing the area to determine if other property owners within the proposed survey area are interested in annexing. Notification or a survey canvassing property owners within 500 feet is strongly encouraged. Instructions for canvassing, a sample survey, and annexation letter are included as Attachment A. If LAFCO determines that the annexation survey area includes a Disadvantaged Unincorporated Community, additional conditions may be required.

Results of this survey are returned to the Planning Division who will review it with LAFCO for preliminary determination of the ultimate annexation boundaries. Typically, at least 75% of the property owners within the area to be canvassed must respond favorably to the survey by signing a questionnaire or petition before the City will proceed with annexing adjacent properties. If less than sufficient support is received, the annexation area may be adjusted to include only areas of strong support.

The Planning Division will coordinate the City's evaluation of the annexation which will determine if it meets the Quality of Life Standards outlined in the General Plan based on the appropriate criteria and necessary financing mechanisms are considered.

H. WHAT HAPPENS AFTER ANNEXATION SURVEYS HAVE BEEN CONDUCTED?

Formal Annexation Process

The City will conduct environmental review pursuant to the California Environmental Quality Act (CEQA) to assess the impacts of the annexation and the proposed zoning. If a development is proposed for the property that requires a City issued building permit, the environmental review will concurrently assess all impacts of the development. If only the annexation and proposed zoning are the subject of the application an environmental determination is made and the property will be prezoned through the public hearing process (Planning Commission and City Council public hearings), which establishes the most appropriate zoning based on existing adjacent City zoning, topography, future land uses, the General Plan and City policies.

After the City Council prezones the property and approves the annexation, the application is submitted to LAFCO for processing and a hearing before the LAFCO Commission. If LAFCO approves the annexation, a second and final hearing will be conducted by LAFCO (unless waived by the LAFCO Commission). At this time, written protest against the annexation may be filed with LAFCO. If an annexation area is uninhabited (fewer than 12 registered voters reside within the annexation area), property owners may file written protest. If protest is filed by less than 50% of the property owners owning less than 50% of the assessed value of the land, LAFCO must order (approve) the annexation. If protest is filed by property owners owning 50% or more of the assessed value of land within the annexation area, LAFCO must terminate proceedings for the annexation.

For inhabited annexations (12 or more registered voters reside within the annexation area), protests may be filed by either property owners or voters. If protest is filed by less than 25% of the voters or less than 25% of the property owners who also own less than 25% of the assessed value of land, LAFCO must order (approve) the annexation. If protest is filed by 50% or more of the voters, the annexation proceedings must be terminated. If protest is filed by at least 25% (but less than 50%) of the voters, or by at least 25% of the number of property owners who also own at least 25% of the assessed value of land in the annexation area, LAFCO must call for an election. Only registered voters within the area to be annexed may vote at the election, and a simple majority of votes cast will determine the outcome. LAFCO requires the applicant to pay the election costs.

If insufficient protest is received, or if a majority of voters favor annexation in an election, LAFCO will order (approve) the annexation. The annexation is considered complete once LAFCO has recorded it with the County Recorder and it has been recorded with the State Board of Equalization.

I. WILL ANNEXATION AND DEVELOPMENT PLANS BE PROCESSED CONCURRENTLY?

In order to meet LAFCO requirements, applicants are required to submit development plans for processing concurrent with annexation applications for vacant parcels. These development plans include parcel and subdivision maps, Conditional Use Permits, variances, and all other discretionary applications processed by the City (these applications may require separate fees). In such cases of concurrent processing, the Environmental Review would not only address annexation issues but issues pertaining to the development proposal as well. Any necessary public hearings pertaining to the development proposal can occur while that annexation is being processed. When the annexation is recorded with the County Recorder, the area is considered to be within the City and development of the subject property would be able to proceed.

J. HOW LONG IS THE ANNEXATION PROCESS?

It may take several months to complete the preliminary steps involving meeting with City and LAFCO staff, establishing an annexation boundary and canvassing adjacent property owners. After the City Council initiates the annexation and the application fees are paid, the staff processing time for environmental review and rezoning takes approximately six to eight months. LAFCO's processing time varies from two to six months. Final recordation through the State Board of Equalization takes an additional two to four months. It is not uncommon for an annexation to take between eighteen and twenty-four months to complete. It may take longer if an election must be scheduled to determine an annexation's outcome. Additional time may also be necessary when development plans are processed concurrently with annexation to allow for additional project review.

HOW MUCH DOES IT COST TO ANNEX?

Annexation applicants will be charged City fees for environmental review, rezoning, development entitlements and, annexation processing, LAFCO fees, and State Board of Equalization fees. The City fees, must be deposited with the Planning Division immediately following City Council initiation. The LAFCO and Board of Equalization fees must be deposited prior to submitting the annexation application to LAFCO. As part of the preliminary annexation process, Planning staff will determine an estimate of the required fees to be paid by the applicant. In the case that there are multiple property owners included in an annexation, the fees may be divided. If an annexation must go through election proceedings, the applicant must pay all costs.

If the City's evaluation of the annexation determines that the area does not meet established Quality of Life Standards as outlined in the General Plan, additional fees may be imposed to finance necessary improvements. These fees can be paid through a variety of financing mechanisms (assessment district, Development Agreement, Mello-Roos District, Bond Measure, etc.) which must be secured prior to the annexation receiving LAFCO consideration. A listing of the required fees is included as Attachment B.

K. WHAT HAPPENS TO MY PROPERTY TAXES UPON ANNEXATION?

Escondido and the County of San Diego have adopted a Master Property Tax Agreement that allows the City to recover a portion of the taxes collected by the County. These taxes are used by the City to pay for services that will be the City's responsibility. The one-percent minimum tax rate established by Proposition 13 is not changed by annexation, and properties are not re-assessed as a result of being annexed to the City unless construction is proposed.

L. WHAT HAPPENS TO MY ADDRESS UPON ANNEXATION?

Addresses are assigned at the time of development by either the County Building Department or the City of Escondido Building Division. Although it is a rare occurrence, County properties annexing into the City may be subject to an address change if it is determined by service providers that existing addresses of the surrounding area would create a confusing addressing pattern. Inconsistencies in addressing patterns may result in inefficiencies and/or a potentially life threatening situation with regard to providing services, including police, fire, mail, etc.

M. WHAT SERVICES ARE PROVIDED BY THE CITY?

1) Police:

An annexation area will be included within a police patrol "beat" and will receive regular patrols by the City's police officers. This would replace patrols by the County's Sheriff Department. The estimated response time for an Escondido police unit is less than five minutes for priority calls.

2) Fire:

An annexation area would receive service from a full-time City Fire Department. The Fire Department has seven stations within the City, and estimated response time for calls is five minutes. The City's Fire Department also operates paramedic service. Although in most cases annexation results in lower fire insurance costs, individual insurance companies make varying decisions on fire rates. Usually, in order to receive that maximum fire protection benefit, fire hydrants must be available. Installation of fire hydrants is the responsibility of the property owner requesting them. A hydrant may be installed on the waterline of any water service agency which meets the requirements of flow and pressure.

3) Water:

Within the City boundaries, water users are served from a variety of sources including the City of Escondido, Rincon Del Diablo Municipal Water District, Vallecitos Water District, Valley Center Municipal Water District, and private wells. Boundaries and agreements establish which jurisdiction serves various locations. (Contact the City Public Works Department at (760) 839-4668 for further information).

4) Sewer:

The City provides the only public sewer service in the Escondido Drainage Basin as an alternative to septic systems. It is not a requirement to connect to the sewer system upon annexation if the existing septic system is functioning properly. However, new construction must connect to the sewer if it is available and if proposed development is less than one acre in size. Annexation makes a property eligible for sewer service but does not guarantee it. The City's policy is to grant such service on a first-come, first-serve basis subject to sufficient capacity and at the property owner's expense. (Contact the City Public Works Department at (760) 839-4668 for further information).

5) Street Lighting:

In proposed developments, street lighting is required to be installed. Within established areas, there is a continuing study to determine where lighting is needed and provide it through the San Diego Gas & Electric Company.

6) Street Improvements:

The City may require that streets in annexing areas be brought up to existing City Standards at the property owner's expense. The amount of such improvements is dependent upon the construction costs. (Contact the City Engineering Department at (760) 839-4651 for further information).

7) Animal Control:

The City contracts with the Escondido Humane Society for a variety of animal control services including, dog licensing, impounding of strays and dangerous animals, and dead animal disposal.

8) Other Services:

Other services provided to City residents include library, parks, recreational facilities (swimming pools, lakes, tennis courts, ball fields, and organized athletics), senior citizen center, Boys and Girls Club, trash collection, and other services associated with municipal government.

N. WHAT ABOUT ACTIVITIES PERMITTED IN THE COUNTY BUT NOT IN THE CITY?

The questions most frequently asked are whether owners of annexing properties may continue activities that are legal in the County but may not be permitted in the City. Such uses are termed 'legal non-conforming' and may continue after annexation, even if the property is sold, providing the uses are not abandoned or discontinued for a period of six months or more. The City has an adopted ordinance detailing the provisions of non-conforming uses. Non-conforming rights only involve permitted activities occurring on the property at the time of annexation and do not include activities that may be permitted in the County but never exercised. Also, illegal activities occurring in the County are not legitimized by annexation.

If there is a question regarding the uses on a property and the ability to continue them after annexation, the County of San Diego Planning and Development Services Department should be contacted to determine if such uses are permitted (contact (858) 694-2960 or (800) 411-0017 for more information). Written confirmation from the County, including County obtained building permits if applicable, regarding the legality of all uses occurring on the property prior to annexation must be obtained and kept on file with the property with copies provided to the City.

O. WHAT WILL BE THE STATUS OF MY ANIMALS AFTER ANNEXATION?

The City's policy of legal non-conforming uses described above also applies to animals. Similar replacements may be kept indefinitely (i.e. if one horse is on the property, that horse, or another horse may replace the original horse). However, different types of animals may NOT be used in replacement (i.e. a cow may not replace a horse). Also, if the owner sells the property, the buyer may bring in animals of the same type and number onto the property as long as a reasonable amount of time does not elapse or the furnishings (corrals, pens, etc.) are not removed. The City's ordinance pertaining to non-conforming uses considers six (6) months reasonable time to replace one animal with another of the same category.

If an annexation applicant desires a wider variety or greater number of animals to be kept on the property similar to the County's animal provisions, the matter should be discussed with the City Planning Division. Opportunities for expanding animal provisions are possible during annexation through an 'Animal Overlay Zone' and can be considered during the rezoning public hearings. Areas that are classified as Estate or Rural in the City's General Plan are potentially eligible for this Overlay designation provided there are no adverse impacts to adjacent properties.

As with all non-conforming uses, written confirmation from the San Diego County Planning and Development Services Department must be obtained as well as information describing the exact number and types of animals existing on the property prior to annexation. This information should be provided to the City as well as kept with the property owners records. In certain areas of the City an animal overlay zone can be established upon annexation that would expand the existing animal provisions to allow the types and numbers of animals permitted in the County.

ATTACHMENT A

INSTRUCTIONS FOR CANVASSING PROPOSED ANNEXATION AREA

1. Meet with City and LAFCO staff to determine area to be canvassed.
2. Send out letters and surveys (see attached samples) with self-addressed stamped envelopes (at least two mailings should be dispatched) or use petitions and meet with property owners to obtain signatures. *If the annexation includes a Disadvantaged Unincorporated Community additional LAFCO conditions may apply.*
3. Prepare a map delineating all parcels within the annexation survey area. Upon receipt of responses returned via mailed letters or petitions, color the map as follows:
 - a. Those residents in favor of annexation* – green
 - b. Those residents opposed to annexation* – pink or red
 - c. Those residents who did not respond to the mailing or are undecided* – blank
 - d. Existing City boundaries* – blue or black

*Note: If the property owner lives off-site, information pertaining to his/her response should also be provided.

4. Attach signed surveys or petitions from each property owner who responded.
5. Return color-coded map, surveys and petitions to the Planning Division.

*Note: Canvassing results are only valid for six months from the date of the letter.

In order for the City to proceed with an annexation, 75% of the residents within the annexation area must have responded favorably to the survey.

Sample Letter

Note: This letter is to guide applicants in formulating a letter seeking property owner/resident opinion on annexation and will need to be customized to include specific information regarding the annexation. It is anticipated that additional detail will have to be provided by the application regarding any fees or costs that will be required by the property owner.

Date

Name
Street
City, Zip Code

Subject: Proposed Annexation to the City of Escondido

Dear _____:

We own (are representing the owners of) property located near you at (location) and are working with the City of Escondido regarding annexing this property. In pursing this annexation the City and LAFCO (Local Agency Formation Commission) have assisted me in drafting this letter and guiding me in the process. LAFCO is a state agency responsible for overseeing annexations ensuring that Cities expand their territories in a logical manner and can efficiently provide municipal services. Because Escondido's corporate boundaries surround your area, LAFCO has requested that you be contacted to gauge your level of interest in joining my annexation.

Recognizing that annexation is a personal decision, the Escondido typically relies on applications from property owners for proposed annexations to the City. Because LAFCO has requested that you be contacted, information has been provided in this letter describing the annexation process and answering the most frequently asked question regarding annexations. A form consenting or opposing to annexation has been included with a stamped envelope in this letter for your response. Additional information may be obtained by contacting Robert Barry at LAFCO (858) 614-7788 or (Insert name of project planner) at the City of Escondido at (760) 839-_____. If the City does not receive a response from you by (insert date 2 weeks from date of letter), it will be understood that you are not interested in annexing to Escondido. (Note: If the survey area involves a Disadvantaged Unincorporated Community additional conditions will be required by LAFCO regarding obtaining property owners' responses).

HOW MUCH DOES IT COST TO ANNEX?

There are City and LAFCO processing fees associated with annexing to Escondido. (See Attachment B; City staff will assist in identifying these fees).

WHAT IF THERE IS ONLY SCATTERED INTEREST IN ANNEXING TO THE CITY?

LAFCO is responsible for ensuring 'logical boundary expansions' of cities. This includes ensuring that territory involved in annexation is physically contiguous to city boundaries and that the annexation configuration assures the efficient provision of municipal services. Although annexation boundaries are evaluated on a case by case basis, LAFCO's goal is to annex blocks of territory that 'round out' city boundaries and avoid creating unincorporated 'islands.' If the annexation survey of this area results in a scattered response of property owners favoring annexation, LAFCO may decide not to annex properties within the survey area and annex only the area requesting annexation.

HOW LONG WILL IT TAKE TO COMPLETE THE ANNEXATION PROCESS?

It will take several months to complete the environmental review and annexation process. One step in annexation is ‘rezoning,’ which designates property a preliminary zoning designation in anticipation of formally completing the annexation process. To complete the process, it will take approximately 10-12 months.

WHAT HAPPENS TO MY PROPERTY TAXES?

Property taxes collected from City residents and County residents are similar. The City and the County have adopted a Master Property Tax Agreement that allows the City to recover a portion of the taxes collected by the County. These taxes are used by the City to finance services that will be the City’s responsibility. The one-percent minimum tax rate established by Proposition 13 is not changed by annexation and properties are not re-assessed as a result of being annexed to the City.

WHAT SERVICES ARE PROVIDED BY THE CITY?

Police: An annexation will be included within a police patrol ‘beat’ and will receive regular patrols by the City’s police staff. This would replace patrols by the County Sheriff Department. The estimated response time for an Escondido police unit is less than five minutes for priority calls.

Fire: The City maintains a full-time Fire Department and paramedic staff with seven stations located within the City with an estimated response time of less than five minutes. (*Identify current fire protection service provider and describe changes to service which may occur with annexation*)

Water: Within the City boundaries, water users are serviced from a variety of sources including the City Escondido, Mutual Water Company, Rincon del Diablo municipal Water District and other districts as well as private wells. (*Identify current water service provider and describe changes to service which may occur with annexation*)

Sewer: Escondido is the only agency that provides public sewer service in this area as an alternative to private septic systems. It is not a requirement to connect to the sewer system upon annexation if the existing septic system is functioning properly. However, City policy requires a property to annex in order to connect to the City sewer system. Sewer is provided at each property owner’s expense, the City does not extend sewer trunk lines into neighborhoods unless property owners fund these improvements.

WHAT HAPPENS TO ACTIVITIES PERMITTED BY THE COUNTY BUT NOT BY THE CITY?

The questions most frequently asked are whether owners of annexing properties may continue activities that are legal in the County but may not be permitted in the City. Such uses are termed ‘legal non-conforming’ and may continue after annexation, even if the property is sold, provided the use is not abandoned or discontinued for a period of six months or more. Non-conforming rights only involve permitted activities occurring on the property at the time of annexation and do not include activities that may be permitted in the County but never exercised. Also, illegal activities occurring in the County are not legitimized by annexation. Written confirmation from the County, including County obtained building permits if applicable, regarding the legality of all uses occurring on the property prior to annexation must be obtained by the property owner and kept on file with the property with copies provided to the City.

WHAT WILL BE THE STATUS OF MY ANIMALS AFTER ANNEXATION?

The City's policy of legal non-conforming uses described above also applies to animals. Similar replacements may be kept indefinitely (i.e. if one horse is on the property, that horse, or another horse may replace the original horse). However, different types of animals may NOT be used in replacement (i.e. a cow may not replace a horse). If the owner sells the property, the buyer may bring animals of the same type and number onto the property as long as a reasonable amount of time does not elapse or the furnishings (corrals, pens, etc.) are not removed. The City's ordinance pertaining to non-conforming uses considers six (6) months reasonable time to replace one animal with another of the same category. As with all non-conforming uses, written confirmation from the San Diego County Planning Department must be obtained as well as information describing the exact number and types of animals existing on the property prior to annexation. This information should be provided to the City as well as kept with the property owner's records.

The attached form indicates your consent or opposition to annex to the City of Escondido. Please fill in the appropriate information, sign your name and mail the form back to the Escondido Planning Division in the enclosed stamped envelope. Consenting to annex will commit you to paying the City \$_____ in annexation fees and \$_____ to finance list specific improvements, which will be collected at a later date once LAFCO staff reviews the responses and determines if an appropriate annexation boundary can be formed. **If the City does not receive a response from you by enter date two weeks from date letter mailed, it will be understood that you are not interested in annexing to Escondido. (Note: If the survey area involves a Disadvantaged Unincorporated Community additional conditions will be required by LAFCO regarding obtaining property owners' responses).**

If you have questions please contact Robert Barry at LAFCO at (858) 614-7788 or (insert name of project planner) at the City of Escondido at (760) 839-____.

Sincerely,

Enclosures

**CC: San Diego LAFCO, 9335 Hazard Way, Suite 200 San Diego, CA 92123
CITY PLANNING DIVISION, 201 N. Broadway, Escondido, CA 92025**

(Insert Name of Area) Annexation Survey

Please place an “X” in front of the appropriate response and mail this page back to the Planning Division in the stamped envelope provided.

- The undersigned owner(s) of property hereby give consent to their property being included in a proposed annexation to the City of Escondido.
- The undersigned owner(s) of property are *not* interested in annexing to the City of Escondido.

| | | |
|---------------------|-----------|------|
| Name (please print) | Signature | Date |
|---------------------|-----------|------|

| | | |
|---------------------|-----------|------|
| Name (please print) | Signature | Date |
|---------------------|-----------|------|

| | | |
|------------------------|--|--|
| Address (please print) | | |
|------------------------|--|--|

| | |
|---------------------------|--|
| Assessor Parcel Number(s) | |
|---------------------------|--|

| | |
|--------------|--|
| Phone Number | |
|--------------|--|

ATTACHMENT B **ESTIMATED FEES FOR ANNEXATION**

The following is a listing of fees that are commonly associated with annexation. Other fees may also be included depending on circumstances regarding the annexation. This worksheet will be completed by Planning Division staff with the applicant as part of the preliminary annexation process. A complete listing of application fees for annexation and other planning applications are identified in the Planning Division Fee Schedule, available upon request at the Planning Counter. Please submit check payable to the 'City of Escondido.'

| A. City Processing Fees | Amount |
|---|---------------|
| 1. Environmental Review | |
| a. Initial Study; or | _____ |
| b. Environmental Impact Report | _____ |
| 2. Prezoning | _____ |
| 3. Annexation Processing | |
| a. Standard Application Fee | _____ |
| b. County Health Order Fee | _____ |
| c. Annexation Impact Fee (per existing single family unit) | _____ |
| B. LAFCO Processing Fees* | _____ |
| 1. Other LAFCO Fees | _____ |
| C. State Board of Equalization* | _____ |
| D. Other Fees (infrastructure improvements, etc.) | |
| 1. _____ | _____ |
| 2. _____ | _____ |
| 3. _____ | _____ |
| Subtotal | _____ |
| TOTAL | _____ |

*LAFCO fees are estimates and are subject to change. A copy of the LAFCO and State Board of Equalization fee schedule can be found at www.sdlafco.org.