

TOWN OF PARADISE
ANNEXATION PROCEDURES

1. Prospective applicants shall prepare an annexation application and submit along with filing fee to the Town of Paradise Community Development Department (Planning Division).
2. The application shall be reviewed by Town officials and various affected public entities. A staff analysis will be prepared and the matter will be scheduled before the Paradise Planning Commission to secure an advisory recommendation.
3. The Planning Commission's recommended action is then scheduled for public hearing before the Town Council.
4. If the Town Council adopts a resolution approving the formal submittal of the annexation application to the Butte County LAFCo, then the Planning Director or designee shall finalize its preparation and submit to LAFCo for processing. A resolution setting forth a mutual real estate tax split agreement between the Town of Paradise and Butte County shall be part of the LAFCo application. LAFCo and State Board of Equalization filing fees must also be collected for transmittal.
5. Upon written receipt of annexation approval from LAFCo, the Planning Director will prepare and present an Annexation Resolution to the Town Council for acceptance. The agenda summary shall include a review of the property to be annexed.
6. After Council approval, the Town Clerk shall transmit the Annexation Resolution to Butte County LAFCo. Note: Four (4) certified copies of the Resolution are required with official Town Clerk certification.
7. Final annexation certification from Butte County LAFCo should be received when all documents are recorded and the County of Butte receives and transmits official acknowledgement from the State Board of Equalization to the Town of Paradise.

May 27, 1992 [Revised]

This is an application to Annex Inhabited/Uninhabited Territory. (Uninhabited Territory has less than 12 registered voters in the area).

2. The undersigned property owner(s) and chief petitioner(s) do(es) hereby request that the property described below be annexed to the Town of Paradise and, in accordance with Section 35411 of the Government Code, understand that such property shall be liable for the general indebtedness of the Town existing at the time of such annexation.

Signature of
Property Owner(s)

[illegible]

- Address

(ATTACH ADDITIONAL SHEET IF NEEDED)

4. Said property is more particularly described on the attached Exhibit "A" and delineated in read on the attached Exhibit "B" (plat map). A metes and bounds description is required, unless a recorded map reference can be given. The streets and highways (with names shown on map) within and adjacent to the subject territory must be clearly delineated on the map. A north arrow and scale must be shown. The "point of beginning" of the legal description must be shown on the map. All maps are to be of professional quality.

5. The reasons for this annexation are as follows:

6. Type of anticipated land use:_____.

Describe number or intensity of use:_____.

7. Population within area:_____.

Density (population/acre):_____.

Number of registered voters:_____.

8. Does the petition have the unanimous support of property owners within the annexed territory?

Attach Petition (Petition should list all applicable names, addresses, and Assessor's Parcel Numbers), LAFCO application forms, plat map, and legal description.

If a unanimous petition is presented, the Town may request that LAFCO waive notices and hearings before the Commission and the Town Council in accordance with Section 54797.1 of the Government Code.

If a non-unanimous petition is presented, the petition must contain at least 5% of the property owners for uninhabited territory or at least 5% of the registered voters for inhabited territory before the application can be accepted and forwarded to LAFCO.

LAFCO will review the application and will vote for or against the annexation. The Town of Paradise reserves the right to deny any annexation, and another application for annexation for the described territory shall not be delivered to the Town for at least one year.

If more than 50% of the property owners of uninhabited territory or more than 50% of the registered voters for inhabited territory formally protest the annexation, annexation procedures shall cease.

APPENDIX E

Application to the Butte County
Local Agency Formation Commission

Date Filed _____

I. APPLICATION INFORMATION

A. Applicant(s) Name _____

Address _____

Signature _____

B. Project Site

Address _____

Assessor's Parcel Number(s) _____

C. Name, address and telephone number of person to be
contacted concerning this project: _____

D. List and describe any other related permits and other
public approvals required for this project, including
those required by city, regional, state and federal
agencies: _____

II. APPLICATION DESCRIPTION AND JUSTIFICATION

A. Affected city or district _____

B. Justification

1. What are the reasons for this proposal (be candid):

2. How were the boundaries of the proposal determined and why this particular area rather than a smaller or larger area? _____

3. Will these proposed boundaries create an island? If so, explain why that is a good idea _____

C. Project Impacts

1. Residential

a. Number of additional units _____

b. Population increase on subject property _____

2. Commercial

If commercial, indicate type, whether neighborhood, city or regionally oriented, square footage of sales area, and loading facilities _____

3. Industrial

If industrial, indicate type, estimated employment per shift, and loading facilities _____

4. Institutional

If institutional, indicate the major function, estimated employment per shift, estimated occupancy, loading facilities, and community benefits to be derived from the project _____

5. Agricultural

Type of crop or livestock _____

6. Other _____

III. PROJECT SITE - NOW

A. Physical Features

1. Land area

a. Square miles _____

b. Acres _____

2. General description of topography _____

B. Social Factors

1. Population

a. Population on project site _____

b. Number of registered voters _____

2. Housing

Number and type of housing units on site now _____

C. Economic Factors - describe present:

1. Land use and facilities (if any) on project site _____

2. Zoning on project site _____

3. General Plan designation _____

(City and County)

4. Amount of sales tax collected in subject area _____

IV. GOVERNMENTAL SERVICES

- A. Describe those governmental services that are not now provided in subject area, or which should be provided at an increased level _____

- B. Describe how your proposal meets the governmental needs of subject area, including comments on proposed new services and/or increases in the level of specific services _____

- C. If new services are provided, how will costs be met? (Property taxes, connection fees, special assessment districts, or other sources) _____

- D. Has any of the same territory been included within a proposal denied by LAFCo within the preceding year?

- E. It is desired that this proposal provide for and be made subject to the following terms and conditions: _____

ANY OTHER COMMENT YOU WISH TO MAKE:

Person completing this questionnaire:

| | |
|---------|--------------|
| _____ | _____ |
| Name | Title |
| _____ | Phone: _____ |
| Address | |

LAFCo APPLICATION PROCEDURE

1. If the application is for an annexation, check with the annexing city or district to find out their fees, requirements and procedure. If the application is for the formation of a city or special district, proceed to No. 2.
2. Prepare a petition or secure a resolution of application. A petition is used by a private individual or group. A resolution is used by interested public agencies. In any case, the petition or resolution must cover each of the points required by law (requirements attached as Exhibit A).
3. Prepare a map and legal description of the proposal.

Legal Description: A metes and bounds legal description of the perimeter of the area from a Point of Beginning located on the map.

Map: A professional quality map, including a Point of Beginning and perimeter bearings and distances, a North point, a scale, area streets or a location map, and the location of the existing boundary of the city or district if annexation is proposed.

Submit 20 copies of the map and legal description.

4. Fill out the application form (Appendix E) completely.
5. Refer to the attached Fee Schedule to determine the LAFCo filing fee.
6. Submit maps and legal descriptions, application form and LAFCo filing fee to LAFCo, c/o Butte County Planning Department, 7 County Center Drive, Oroville, CA 95965-3397.
7. Property tax negotiations:
 - A. For annexations, the County and the city or district must negotiate and agree on the terms of property tax exchange before the annexation may proceed.
 - B. For new districts, LAFCo will make a property tax determination concurrently with their decision on the project.
8. The LAFCo Executive Officer will review the application materials and the property tax exchange agreement. If the file is complete, a hearing date will be set and the applicant will be notified.

LAFCo Application Procedure
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9. At the public hearing, LAFCo will consider the application and the recommendation of the Executive Officer. If the proposal is accepted, LAFCo will adopt a resolution and forward that resolution to the conducting authority.
10. The conducting authority for city and special district annexations will be the city or special district whose boundaries are proposed to be amended. In the case of the formation of new districts the conducting authority will be the Board of Supervisors. It is generally the conducting authority's responsibility to hold the public hearing, consider any protests that are submitted against the proposal, and adopt a resolution approving the proposal unless there is sufficient public protest.
11. After approval by the conducting authority, LAFCo makes State filings, local recordings, and filing with the State Board of Equalization. The State Board of Equalization fees are the responsibility of the applicant.
12. After the completion of all filings, a set of papers which indicates the completion of the project is returned by the applicant.