

LOCAL AGENCY FORMATION COMMISSION
POLICIES AND GUIDELINES

3.1 APPLICATION PROCESS—Applicable section below

3.1.2 Applications shall be processed in an efficient and orderly manner that reduces hardship upon the applicant while ensuring consistency with the Cortese-Knox-Hertzberg Act of 2000. To that end, the applicant or applicant's representative shall be required to attend a pre-application submittal meeting to receive direction and advice regarding the processing needs and requirements of the specific action to be considered.

3.4 CONSISTENCY WITH LOCAL LAND USE PLANS AND POLICIES

The Commission shall view unfavorably projects that are inconsistent with the General or Specific Plans for the project area unless the following conditions are met:

- (a) The site is located in an existing developed area where if it can be clearly found that public health, safety, and welfare interests would best be served, or clear or present health or safety hazards could be mitigated, by the requested change of organization.
- (b) The site is located in an existing developed area where district facilities are present and sufficient for service and where the Commission determines that the annexation does not represent a growth inducing factor for the area.
- (c) The site is located in an existing undeveloped area and disapproval would cause the loss of service to existing service users.

3.4.1 Consistency with General and Specific Plans: For the purposes of this policy, a project is consistent if the type and level of services to be provided are consistent with and appropriate to the applicable General or Specific Plan land use designations and document text, and the applicable General or Specific Plan is legally adequate and internally consistent. The Commission will not approve projects that are inconsistent with the applicable General or Specific Plan unless the following circumstances are shown to exist:

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- (a) The site is fully developed and located in an existing developed area where district or city facilities are present and found by LAFCO to be sufficient for service and where the Commission determines that the change of organization or reorganization will not induce growth in the area.
 - (b) The site is fully developed and located in an existing developed area where LAFCO finds that the public interests of health, safety, and welfare would best be served, or that clear and present health or safety hazards could be mitigated, by the proposal.
 - (c) The site is located in an undeveloped area where disapproval would cause a loss of service to existing service users.
- 3.4.2 Consistency with ordinances requiring voter approval: For jurisdictions that have enacted ordinances requiring voter approval for the extension of any service, the Commission shall not approve a proposal unless it is consistent with such ordinances and voter approval has first been granted.
- 3.4.3 Planning and pre-zoning: All territory proposed for annexation must be specifically planned and/or pre-zoned by the appropriate planning agency. The planning or pre-zoning of the territory must be consistent with the applicable General or Specific Plan and sufficiently specific to determine the likely intended use of the property.
- 3.4.4 For city proposals, no subsequent change may be made to the applicable General Plan or zoning for the annexed territory that is not in conformance to the pre-zoning designations for a period of two years after the completion of the annexation, unless the legislative body of the city makes a finding at a public hearing that a substantial change has occurred in circumstances that necessitates a departure from the pre-zoning (§56375(e)).
- 3.4.5 Pending changes to applicable land use designations, zoning, or pre-zoning must be completed before review of the proposal.