

POLICY #27 – INDIVIDUAL NOTICE OF COMMISSION HEARINGS TO LANDOWNERS AND REGISTERED VOTERS (Originally Adopted February 19, 1997; Amended February 17, 1999; February 21, 2001 {legislatively required}; April 17, 2002; January 17, 2007; and May 19, 2010)

A. INDIVIDUAL NOTICE

In implementing the provisions of Government Code Section 56157, the Commission determines that LAFCO staff shall provide individual notice to all landowners and registered voters of Commission hearings within the boundaries of a proposal for change of organization, sphere of influence change, or development-related service contract. In addition, the distance requirements for providing notice to landowners and registered voters surrounding the exterior boundaries, as required by Section 56157, will be determined according to the following criteria:

<u>PROPOSAL AREA</u>	<u>DISTANCE</u>
Less than 20 acres	Four (4) parcels or 700 feet
20 acres or more	Four (4) parcels or 1,350 feet

For the periodic sphere of influence review and update program required by Government Code Section 56425, notice will be limited to the manner required by law unless specific sphere changes are identified.

PROCEDURE:

- 1) The proponents of a proposal or sphere of influence change shall be required to submit a completed "Assessor Parcel Number Listing" form for the area proposed for change.
- 2) LAFCO staff shall utilize the parcel information provided by the applicant to prepare landowner information within and surrounding the proposal for change of organization, sphere of influence change or development-related service contract through data included on the most current Assessment Roll prepared by the County Assessor's office. LAFCO staff shall also utilize the parcel information to coordinate with the Registrar of Voters office to provide information on the registered voters within and surrounding the area proposed for change.
- 3) The parameters for preparing the notice for surrounding landowners and registered voters by LAFCO staff shall include the distance requirement, or number of parcels, in a linear direction from all points of the area proposed for change.
- 4) The individual notice of Commission proceedings shall be provided for all changes of organization, sphere of influence changes or development-related service contracts. Exceptions to this requirement are noted in Items B and C below.

B. AUTOMATIC WAIVER OF INDIVIDUAL NOTICE

In implementing Government Code Section 56157, the Commission determines that for a dissolution, merger, or establishment of subsidiary district; formation or consolidation of special districts; activation or divestiture of powers for special districts; consolidation of cities; or incorporation or disincorporation of a city proposal, the individual notice requirement will be waived on the basis that such items routinely exceed 1,000 notices. As required by §56157, an 1/8th page legal ad will be placed in a newspaper of general circulation within the area of consideration.

C. WAIVER OF INDIVIDUAL NOTICE

Pursuant to Government Code Section 56167, in cases where such a change would involve mailing more than 1,000 notices, the Commission may waive the individual notice requirement and direct its staff to publish a 1/8th page legal ad in a newspaper of general circulation within the area. However, the Commission directs that individual notice to landowners and registered voters shall not be waived for city island annexations filed pursuant to Government Code Section 56375.3, even if it includes more than 1,000 notices.

PROCEDURE:

The adopted procedure for the publication of 1/8th page legal ad in lieu of individual notice to landowners and registered voters, are as follows:

1. After consultation with the applicant, if the Executive Officer has identified controversy related to the proposal, no waiver shall be granted.
2. Where no controversy has been identified by the Executive Officer, the waiver will be tentatively authorized subject to the following:
 - (a) The Executive Officer is to provide individual notice to each Commission member identifying the determination of no controversy and the preliminary determination to waive individual notice.
 - (b) If the Executive Officer receives objection from any Commissioner to the tentative determination, no waiver shall be granted.
3. Regardless of the waiver of individual notice, the requirement for completion of the Assessor Parcel Number Listing form for the proposal area will be maintained.