

ANNEXATIONS

(100% Consent, Uninhabited*)

In order for property to be considered for annexation to the Town, one of the property lines of the lot(s) proposed for annexation must be on the existing border of the Town or located within 300 feet of a Town maintained roadway.

Annexation of an unincorporated area to the Town of Los Gatos is governed by the Cortese-Knox Local Government Reorganization Act of 2000 (Division 3, Title 5, Section 56000 et. seq. of the California Government Code).

*Section 56046 of the California Government code defines "Inhabited" as "territory within which there resides 12 or more registered voters." That is to say that although the area proposed to be annexed is not vacant, it may legally be considered "uninhabited." This type of annexation is usually one to four adjacent lots that wish to annex to the Town.

APPLICATION:

1. The property owner(s) obtains a "Petition for the Annexation of Territory to the Town of Los Gatos" from the public service counter in the Community Development Department, completes the form, and signs.
2. The following items shall be submitted to the Community Development Department:
 - a. Annexation checklist completed.
 - b. Petition for annexation (completed and signed).
 - c. Four (4) copies of the description of the area to be annexed, written to California State Board of Equalization standards and prepared by a California licensed surveyor retained by annexation

petitioner. Copies must be stamped and signed by the surveyor.

- d. Four (4) copies of the Annexation Map, 8-1/2 inches by 11 inches, of the area to be annexed (prepared, stamped, and signed by licensed surveyor).
- e. Appropriate fees (see Annexation Fee sheet).

PROCESSING:

1. The Community Development Department staff submits three (3) copies of the description and map, Santa Clara County Surveyor's Office review fee and copies of adjacent annexations to the Santa Clara County Surveyor's Office for review.
2. The County Surveyor's Office will check the submittal for compliance with State and local guidelines and will notify the Community Development Department staff and the surveyor who prepared the documents of the results. This step may take up to two months.
3. At the same time the description and map are sent to the County Surveyor's Office, copies are also sent to the Santa Clara County Assessor's Office Mapping Division for review. The fee for this review is billed directly to the property owner by the County Assessor's Office, after completion of their review, based on the time spent on the review.

TOWN COUNCIL ACTION:

1. After the County Surveyor's Office has approved the annexation description and map, the annexation is placed on the next

regular Town Council agenda, usually two to three weeks. This type of annexation is placed on the "Consent" calendar and is generally acted on with other "Consent" items in a single motion near the beginning of the meeting. The property owner(s) will be sent a copy of the staff report and Council Agenda.

2. After approval of the annexation, checks for the Santa Clara County Local Agency Formation Commission (LAFCO) and the State Board of Equalization fees must be submitted to the Community Development Department.

FINAL ACTION:

1. After approval by the Town Council, the Town Clerk's office will send LAFCO certified copies of the Resolution approving the annexation, the annexation description and map, several other documents and the fees for LAFCO and the State Board of Equalization.
2. The LAFCO Executive Director will certify the annexation and have the documents recorded at the County Recorder's Office. Copies of the recorded documents and the fees are then sent to the State Board of Equalization and to the Town.
3. The Town will notify various government agencies of the approval of the annexation.

4. The State Board of Equalization will also certify the annexation; however, the annexation is considered complete once it is certified by LAFCO.

NOTE: Annexation forms are also available online at www.losgatosca.gov

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TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT



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A Brief Explanation of the
Annexation Process