

ANNEXATION PROCEDURES

Landscaping & Lighting Maintenance District No. 89-1-Consolidated For Tract Maps, Parcel Maps, Plot Plans, Conditional Use and Public Use Cases Conditioned to Annex to a Landscaping and Lighting Maintenance District Prior to Recordation of Map or Issuance of Building Permit

Formation Information

Landscaping and Lighting Maintenance District No. 89-1-Consolidated (L&LMD No. 89-1-C), is a countywide assessment district under the Landscaping and Lighting Act of 1972 (1972 Act) and State of California Proposition 218, the "Right to Vote on Taxes Act".

The 1972 Act permits the formation of L&LMD No. 89-1-C, and annexation to said district, to finance the installation, maintenance and servicing of landscaping, trails, fencing, irrigation, streetlights, traffic signals, bridge lights, graffiti abatement, bio-swales, and fossil filters through annual assessments on real property within the district. The annual assessment for each zone in L&LMD No. 89-1-C is based on the estimated specific benefit to each parcel, equivalent dwelling unit (EDU) or acre and not on property valuation.

The agency shall not impose an assessment if there is a majority protest. A majority protest exists if, upon the conclusion of the hearing, ballots submitted in opposition to the assessment exceed the ballots submitted in favor of the assessment. In tabulating the ballots, the ballots shall be weighted according to the proportional financial obligation of the affected property.

Each succeeding fiscal year the special assessment may be subject to an annual adjustment that is the greater of two percent (2%) or the cumulative percentage increase, if any, in the Consumer Price Index for all Urban Consumers ("CPI-U" or CPI-U for "electricity") for the Riverside-San Bernardino-Ontario California Standard Metropolitan Statistical Area ("Index") published by the Bureau of Labor Statistics of the United States Department of Labor. The annual "CPI-U" adjustment will be based on the cumulative increase, if any, in the "Index" as it stands on March of each year over the base Index for March in the election year. Any increase larger than the greater of 2.0% or the "CPI-U" annual adjustment requires a majority approval of all the property owners in the annexed zone.

Developer Responsibilities

For maps that are conditioned to annex into a landscaping and lighting maintenance district, the following procedures are to be followed:

- Obtain a petition form from the Transportation Department by calling 951-955-6263, or by visiting our website at http://www.rctlma.org/trans/land_dev_special_assessments.html;
- Submit a processing fee made payable to County of Riverside. The processing fee is on a sliding scale based on total number of expected subdivided parcels and the number of types of improvements to be annexed. (See page 2 for sliding scale);
- Submit completed petition form;
- Submit an electronic (.pdf) set of improvement plans as applicable to the service to be provided through annexation;
- Submit a copy of the prospective buyer's disclosure statement as it relates to L&LMD No. 89-1-C assessment (tract map and parcel map projects);
- Submit an electronic (.pdf) copy of the final tract map or final parcel map (if applicable);
- Submit Streetlight Authorization Form from appropriate electricity provider **(if applicable, will be required prior to final/occupancy clearances)**;
- Move Improvement Plans towards final County approval;
- Developer will construct improvements to County standards

Staff Responsibilities

- Establish number of property owners who will receive benefit from L&LMD No. 89-1-C.
- Calculate the estimated cost for annual maintenance of the service to be provided through annexation.
- Prepare a Form 11 and Resolutions ordering the Engineer’s Report declaring the intention to order the annexation of the new Zone to L&LMD No.89-1-C, giving notice of and setting the time and place of the public hearing on said proposed annexation, and ordering a mailed ballot “Special Election”.
- Prepare the Engineer’s Report.
- Appear before the Board of Supervisors seeking adoption of the above-mentioned resolutions.
- Conduct the “Special Election” by mail.
- Staff will prepare Form 11s and a Resolution recommending the Board of Supervisors open the public hearing ordering the annexation of the new Zone to L&LMD No. 89-1-C, confirming the diagram of assessment for the new Zone and levying assessments on all assessable lots and parcels of land therein for the upcoming fiscal year.
- Staff will verify and tabulate returned ballots after the end of public hearing (A 51% favorable response from the returned ballots is required for Board of Supervisors to approve the above-mentioned resolution).
- If annexation of the new Zone to L&LMD No. 89-1-C is approved by the Board of Supervisors, the County Auditor-Controller will enter the lot or parcel assessment on the upcoming County Assessment Roll and the new annual assessment will appear on the property owner’s tax bill (half of which is due December 10th of the same year).
- Developer will design and construct improvements to County standards.
- Developer must maintain improvements until L&LMD No. 89-1-C has funds available to assume the maintenance responsibility and the improvements are constructed and approved by County staff. This can occur on/after February 1st, following the December 10th collection of assessments on the property tax bill the preceding year.
- The new Zone will be accepted into L&LMD No. 89-1-C for maintenance upon completion of the improvements by the Developer and passing final inspection by County staff.

Processing Fee Sliding Scale

Total Number of Parcels	Base Fee	PLUS Per Parcel Fee	PLUS Per Type of Improvement	Total Processing Fee
1 parcel, streetlights only (STL Zone)	\$5,735	\$0	\$750 only	\$6,485
1 thru 10	\$5,710	\$100.00	\$1,000, \$500 each additional	\$6,810 and up
11 thru 150	\$6,732	\$40.00	\$1,000, \$500 each additional	\$7,172 and up
151 thru 250	\$7,751	\$25.00	\$1,000, \$500 each additional	\$12,526 and up
251 thru 500	\$8,275	\$15.00	\$1,000, \$500 each additional	\$13,040 and up
501+ parcels	\$9,257	\$10.00	\$1,000, \$500 each additional	\$15,267 and up

Example based on 5 parcels and two types of improvements

Base fee for 5 Parcels	\$5,710
Per Parcel fee (\$100.00/parcel x 5 parcels)	\$500.00
No. of Improvements (ex. Streetlights & Landscaping)	<u>\$1,500</u>
Total Processing Fee:	\$7,710