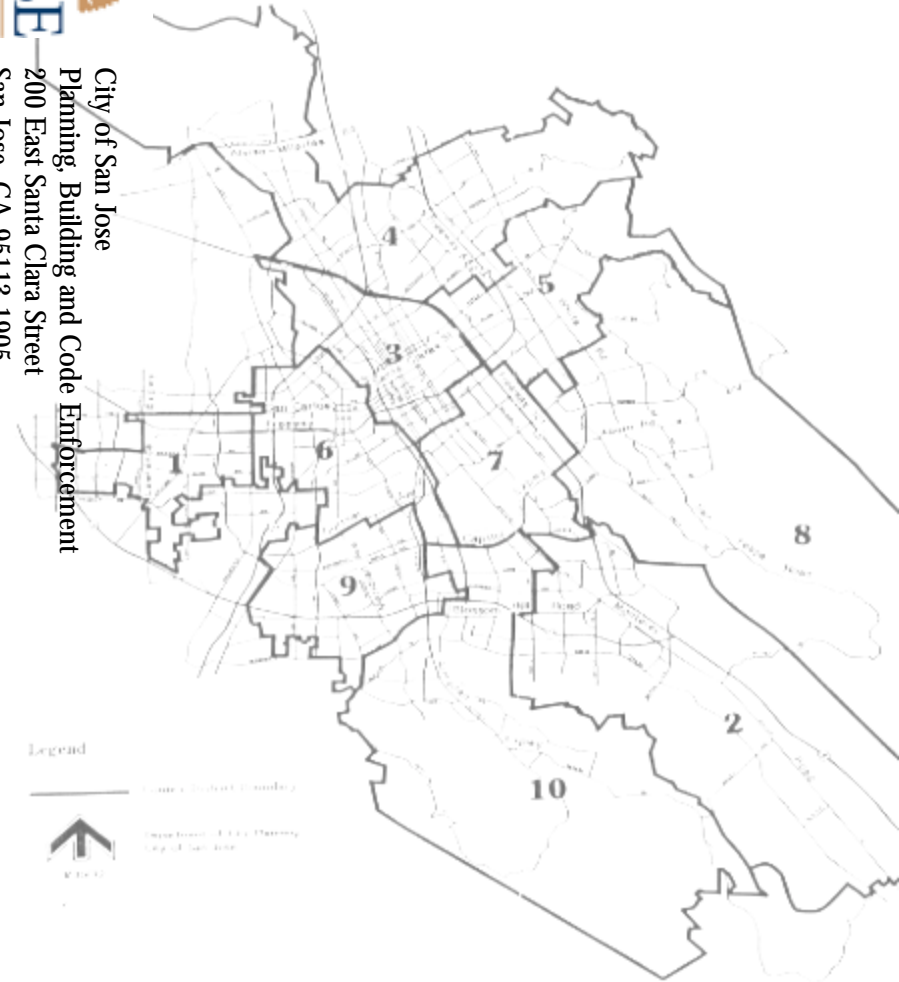


# Annexation



City of San Jose  
Planning, Building and Code Enforcement  
200 East Santa Clara Street  
San Jose, CA 95113-1905



Legend



## Definitions:

- **Annexation** - is the process of incorporating land from other jurisdictions to the City of San Jose.
- **Application for Environmental Clearance** - is the application to file if your project is not exempt and if environmental review has not been completed. The application requests information that will be used in an initial study of the environmental effects of your project.
- **LAFCO** - is the Local Agency Formation Commission which is empowered by state legislation to govern changes in the boundaries and organization of cities and special districts.
- **Prezoning** - is a procedure that establishes zoning for a parcel prior to its annexation. A prezoning does not become effective until the property is annexed to the City of San Jose.
- **Urban Service Area** - is the combined area of developed and undeveloped land where a full complement of urban services provided by the City and other public agencies is generally available, and where urban development requiring such services should be located.

Para mas informacion,  
por favor llame (408) 535-3555

For more information  
call (408) 535-3555

## ***What is Annexation?***

Annexation is the process by which real property becomes a part of the City. It entitles the property owner to the wide range of municipal services that the City can provide. The City's General Plan designates an Urban Service Area where urban services are generally available, and development requiring such services can be located.

In San Jose, annexations are typically "reorganizations". Land is annexed to the City and, simultaneously, detached from special districts, such as fire or sanitation districts.

### ***Who needs Annexation?***

Landowners of unincorporated property who want to develop their vacant land, homeowners who wish to connect to the City's sanitary sewer system and property owners who plan to improve existing structures are all candidates for annexation.

### ***What are some of the benefits of Annexation?***

- Greater control over decisions affecting your neighborhood through your vote on major City initiatives, your City Council representative and Mayor.
- Generally better fire protection based on shorter average response times, number of personnel arriving at an emergency with first alarm units and depth of fire protection resources.
- Generally better police protection based on number of field personnel.
- Ability to connect to the City's sanitary and storm sewer systems.

### ***Will Annexation cause a tax increase?***

Annexation, by itself, does not trigger a reappraisal for property tax purposes. The basic property tax rate would remain the same. Differences in the property tax will depend on the specific tax code area, within which the property being annexed is located, and existing "bonded indebtedness" for the tax area.

The City imposes a 5% utility tax on PG&E, water, and telephone bills, and a property transfer tax (currently \$3.30/1,000 of sale price). The transfer tax is levied only on the transfer or sale of the property, not annexation.

### ***What applications would have to be filed?***

A Reorganization (annexation) Petition, which includes a grant deed, a legal description and an associated map is required. Please consult the Planning Department's fee schedule for current application filing fees. Typically a Rezoning Application is also required and an associated Environmental Clearance Application.

### ***What is involved in the process?***

The City Council makes the final decision on reorganization applications. The reorganization will be reviewed by the Planning staff, who may expand the boundaries of the proposal. For this reason, you should **always** contact the Planning staff prior to submitting your Reorganization Petition. The reorganization will normally be set for a City Council hearing date after environmental clearance has been obtained and the Planning Commission has reviewed the rezoning. The annexation is effective approximately two weeks after City Council approval.

Annexations proposed outside the City's Urban Service Area (USA) require an expansion of the City's USA and a hearing before the Local Agency Formation Commission (LAFCO). Inquiries regarding an annexation, located outside the City's Urban Service Area should be addressed to the Planning Department's General Plan team.

### ***Annexation Checklist:***

Your property is a good candidate for annexation if it meets the following criteria:

- It is located inside the City's Urban Service Area.
- It is within 300 feet of the existing San Jose City limits line, measured along a public right-of-way.
- It is being annexed in its entirety and does not split lines of assessment or ownership.
- The proposed development is consistent with the City's adopted General Plan.

If you have questions about annexations, please call Planning, Building and Code Enforcement at (408) 535-3555.