

County of Santa Clara
Office of the County Executive
70 West Hedding Street, East Wing 11th Floor
San Jose, CA 95110
(408) 299-5119
www.sccgov.org



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Contact: Gwendolyn Mitchell/Laurel Anderson
Office of Public Affairs
(408) 299-5119

County Board Facilitates Annexation of Urban Pockets

Cities May Use Streamlined Process for Urban Islands Up to 150 Acres

SAN JOSE, CALIF.—This week, the County of Santa Clara Board of Supervisors voted 3-2 to adopt a resolution to outline actions it will take to address issues that prevent cities within the county boundaries from taking advantage of a State approved streamlined process to annex certain unincorporated areas within their city boundaries. Supervisors Kniss, McHugh and Alvarado voted in favor of the resolution. Supervisors Gage and Beall voted to oppose.

This action is consistent with the agreement between California cities and counties that originated in the 1970's to annex urban unincorporated islands, commonly referred to as urban pockets. In just over a year, the deadline the State legislature set for allowing annexations to occur through the streamlined process will expire.

“The legislature created this streamlined process because it recognized the significant disadvantages that result from retaining small unincorporated pockets,” said Supervisor Liz Kniss, Chair of the Board of Supervisors. “Not only do they create costly and inefficient urban service areas, they also divide communities and neighborhoods illogically, and deprive residents of the chance to participate fully in the local city political process.”

Prior to the enactment of State legislation to address this issue, annexation could be halted by a majority resident protest and many cities avoided annexation due to the time consuming process, costs, and the uncertainty of the outcome. Now urban pockets of up to 150 acres qualify for a streamlined, reduced cost annexation procedure.

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Earlier this year, the County of Santa Clara Board of Supervisors and the Santa Clara County Local Agency Formation Commission (LAFCO) agreed to provide financial and procedural assistance to cities that successfully complete the annexation of qualifying urban pockets within the 2005-2006 timeframe. That assistance will address concerns expressed by cities and could include the waiver of fees; payment of mapping costs and other related processing costs; and making road surface improvements.

The cities also would benefit from annexing qualifying urban pockets. Among the benefits is the chance to unify the zoning ordinance regulations for islands within a neighborhood and thereby create opportunities to have more coherent development outcomes in these areas.

“Annexation is not a new issue, it has been a part of the General Plan for more than 30 years” said Supervisor Blanca Alvarado. “For the past 10 years, many residents in District 2 have expressed the desire to annexed into the City of San Jose.”

Under state law, cities have the authority and responsibility to initiate annexation. Should the cities decide to go forward with annexation of urban pockets, they will have more logical urban service areas and increased ability to regulate development in a more consistent manner. The county would be out of the business of providing “city-type” services to those urban pockets. The communities would be able to receive city-provided services and to vote in city elections.

As a part of its action today, the Board of Supervisors expressed its intent to consider aligning development standards in the unincorporated pockets with those of the surrounding city. The resolution addresses concerns expressed by cities that less stringent County building standards may encourage people to resist annexation. There was no commitment to a specific process or timeline. A future board directive, public notice and public hearings would take place before any actions would be taken.

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