MARIN LOCAL AGENCY FORMATION COMMISSION (LAFCo)

APPLICATION PROCESS

INTRODUCTION

The information on these pages will familiarize you with LAFCo application process and outlines the information required to file a complete application. Applications requiring environmental review by LAFCo will take longer than applications that have already complied with the California Environmental Quality Act (CEQA).

PRE-APPLICATION PROCEDURE

Applicants are encouraged to contact Marin LAFCo staff to discuss a proposal and all related materials which must accompany the submittal to identify any issues related to your application. Application materials are available online or may be requested from the LAFCo office by e-mail at *staff@marinlafco.org* or by phone at (415) 448-5877.

An application will not be deemed complete and scheduled for processing until the LAFCo office receives the application fee and the completed petition, application questionnaire, map, and legal description. The applicant will be notified in writing if any additional information is required to complete the application.

The map and legal description will be transmitted to the Marin County Department of Public Works (Mapping/Surveys Division) for technical review. For more information regarding the requirements for the map and legal description see the State Board of Equalization link on the LAFCo website.

APPLICATION COMPLETENESS

Submittal of an application is the first formal step in the process. Within 30 calendar days of receiving an application, the Executive Officer of LAFCo will inform the applicant in writing whether the application is complete and accepted for filing. If incomplete, the written correspondence will indicate where the application is deficient and specify the additional information needed. Applications must be deemed complete by the Executive Officer before processing will begin.

ENVIRONMENTAL REVIEW

LAFCo applications are subject to environmental review, as required by the Guidelines for Implementation of the California Environmental Quality Act (CEQA). Once an application has been deemed complete by the Executive Officer, LAFCo staff will initiate the environmental review process.

New environmental documents are not usually required for the LAFCo application if the activity underlying the application has already undergone environmental review by a city, county, special district or other public agency. However, you will be required to submit copies of these environmental documents as part of your complete application.

If the activity underlying the LAFCo application has not undergone previous environmental review by another public agency or the underlying activity was not considered in the agency's environmental review, LAFCo may be responsible for preparing the necessary CEQA documents. Should LAFCo be responsible for preparing the CEQA documents, the applicant may be asked to submit additional environmental information to aid LAFCo in preparing the appropriate mandated documents. LAFCo's environmental review may include the preparation of a Notice of Exemption, Initial Study, Negative Declaration, or Environmental Impact Report. The time and professional expertise required to prepare the appropriate CEQA documents varies and could take several months. LAFCo cannot take action on the application until the requirements of CEQA have been satisfied.

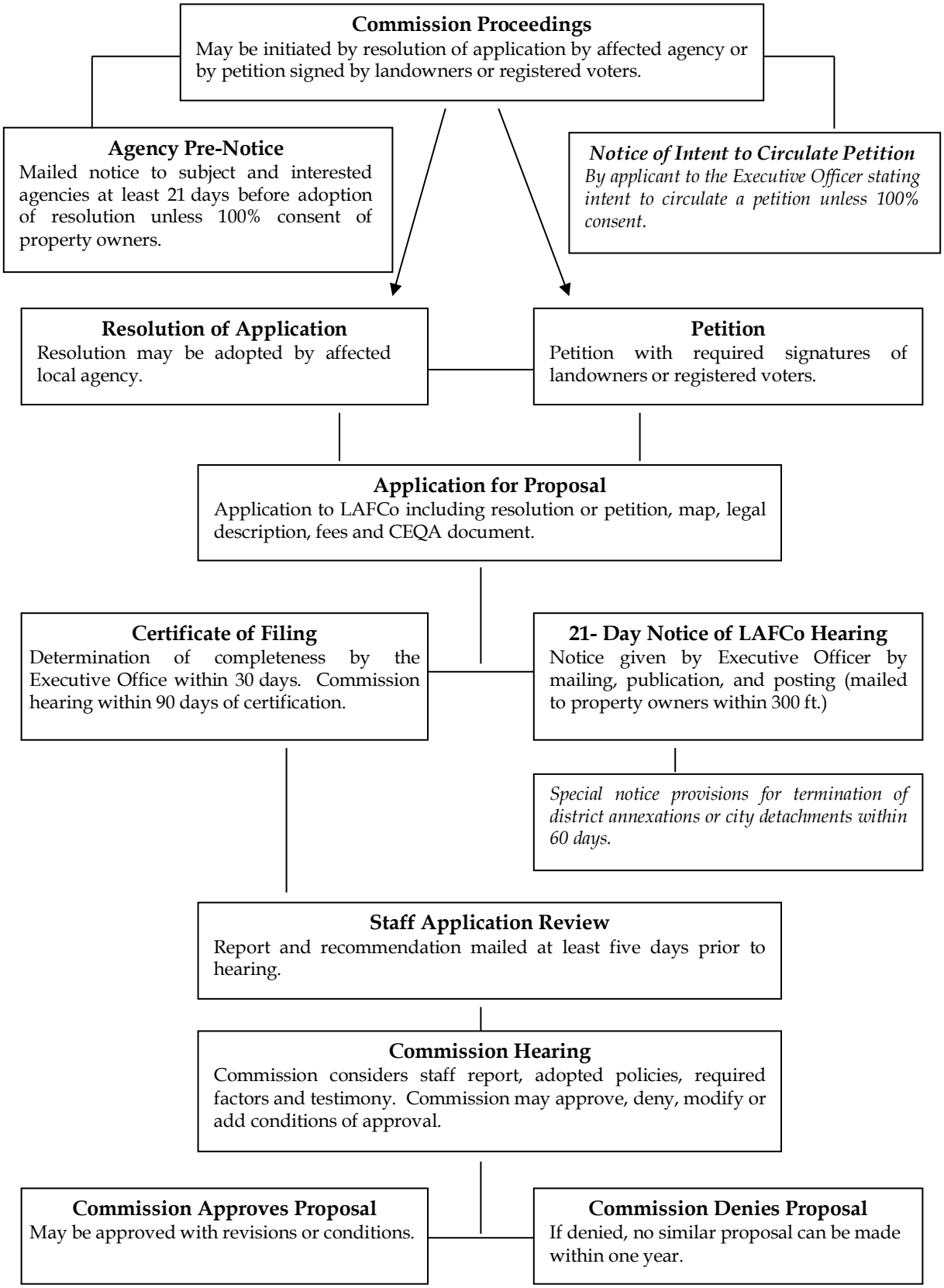
LAFCo ACTION

Once the application has been deemed complete by the Executive Officer, and assuming LAFCo does not have to prepare any environmental documents, the application will be scheduled for hearing within 90 days of the application completeness date. If LAFCo needs to prepare environmental documents to comply with CEQA, the application will be scheduled for hearing within 90 days of approval or certification of the appropriate CEQA documents.

LAFCo MEETING SCHEDULE

The Marin LAFCo meetings are held on the second Thursday of each even month, commencing at 7:00 p.m. at the Marin Clean Energy Office, Charles McGlashan Room, 1125 Tamalpais Avenue, San Rafael, California. After your application has been deemed complete and LAFCo's environmental review is completed, you will be notified of the date your application will be heard by LAFCo. You will receive a copy of the agenda and Executive Officer's Report prior to the hearing on your application. Please contact LAFCo staff to assure no changes has been made to the schedule.

BOUNDARY CHANGE PROCEDURE DIAGRAM



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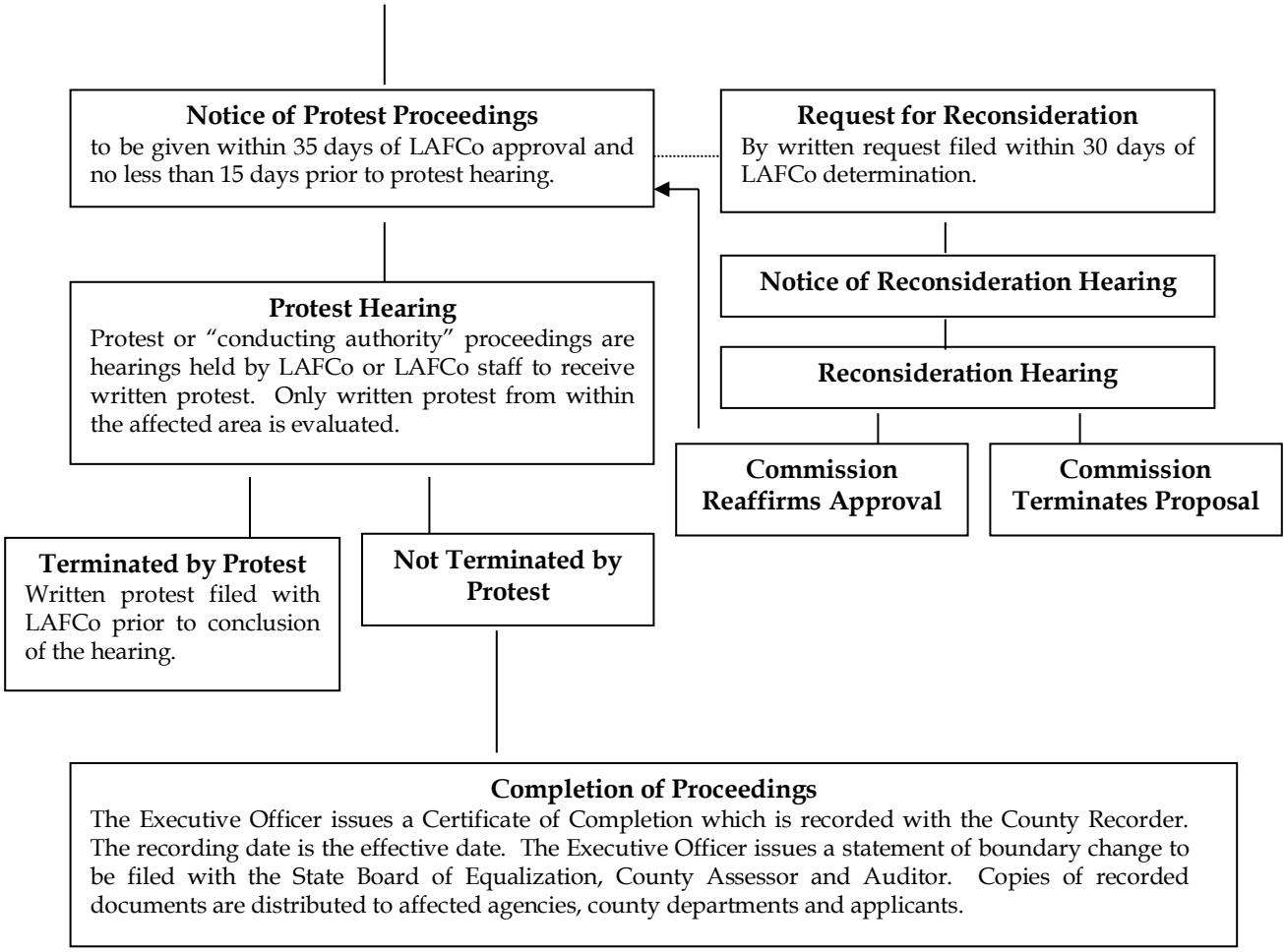
Notice of Protest Proceedings
to be given within 35 days of LAFCo approval and no less than 15 days prior to protest hearing.
Request for Reconsideration
By written request filed within 30 days of LAFCo determination.
Protest Hearing
Protest or "conducting authority" proceedings are hearings held by LAFCo or LAFCo staff to receive written protest. Only written protest from within the affected area is evaluated.
Notice of Reconsideration Hearing
Reconsideration Hearing
Commission Reaffirms Approval
Commission Terminates Proposal
Terminated by Protest
Written protest filed with LAFCo prior to conclusion of the hearing.
Not Terminated by Protest
Completion of Proceedings
The Executive Officer issues a Certificate of Completion which is recorded with the County Recorder. The recording date is the effective date. The Executive Officer issues a statement of boundary change to be filed with the State Board of Equalization, County Assessor and Auditor. Copies of recorded documents are distributed to affected agencies, county departments and applicants.