

MOUNTAIN VIEW ESTATES

POTENTIAL ANNEXATION TO THE CITY OF CALABASAS

Q & A

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The purpose of this packet is to provide answers to the most pertinent questions regarding the potential future annexation of Mountain View Estates into the City of Calabasas. Sources used to compile this information include inquiries from homeowners, assistance from City staff, City and County resources, and discussions with other homeowner associations.

At the present time, annexation of Mountain View Estates is simply an idea, and no applications have been initiated, nor have any other formal actions been taken to launch annexation. The process of annexing territory is quite complex, both legally and procedurally, and the process takes a fair amount of time. For example, the Mont Calabasas annexation has been in process for approximately 18 months, and is only now moving into the home stretch. It's also important to note that there are no guarantees that annexation of Mountain View Estates would ultimately be successful since the feasibility of the proposal is determined via the process.

Every effort has been made by the City of Calabasas to provide complete and accurate information; however, you are encouraged to conduct your own research. We hope you will find this information helpful and we look forward to your questions and comments.

QUESTIONS & ANSWERS

Q. HOW WILL THE ANNEXATION OF MOUNTAIN VIEW ESTATES BE INITIATED?

A. The City of Calabasas General Plan has identified Mountain View Estates as a potential candidate for annexation for the past 14 years. The City's recently updated General Plan (adopted by City Council in December 2008) continues to include Mountain View Estates as an annexation area.

Under the California law, annexation of additional territory to a city may be initiated in either one of two ways:

1. A petition signed by at least five percent of the registered voters living within the proposed annexation territory; or,
2. Resolution of application to initiate annexation proceedings by the City.

Pending a positive response to the survey (see the enclosed post card!), the City expects that annexation would be initiated by a resolution of application.

Q. HOW DOES THE ANNEXATION PROCESS WORK? HOW LONG DOES IT TAKE? DOES THE ASSOCIATION'S MEMBERSHIP VOTE?

- A. The City of Calabasas will oversee the annexation process and has hired a consultant to assist them. The steps in the annexation process are detailed in the timeline chart below. Annexation can take anywhere from 6-9 months depending on the issues raised during the many phases of the process (and if unusual complexities arise, as did with Mont Calabasas, then the process may take longer). A protest hearing will be held by LAFCO, and any property owners not in favor of annexation can express their point of view. If more than 25% of the affected property owners object to annexation then the matter is put to a vote of the membership. If that happens, a 51% majority in favor of annexation would be required for approval. If fewer than 25% disapprove of annexation, then it is approved.

Below is a tentative schedule for annexation proceedings. It is somewhat speculative and may need "tightening up" as the City moves forward.

Proposed Annexation Schedule (as of June 2009)	
Action	Target Date (or duration)
City Council Resolution of application	Sept./Oct. 2009
City & County consult re. Sphere of Influence (SOI) expansion	Nov. 2009
Planning Commission approval of pre-zoning (public hearing)	Nov. 2009

City Council introduction of pre-zoning ordinance (public hearing)	Dec. 2009
City Council final adoption of pre-zoning ordinance	Jan. 2010
Submit complete application to LAFCO	Feb. 2010
LAFCO notifies affected agencies	Mar. 2010
Tax exchange agreement approved by County and City	Approx. 3 to 4 months
City receives and approves fiscal study	June 2010
LAFCO Commission approval (public hearing)	July/Aug 2010
LAFCO conducts protest hearing	45 to 60 days after approval
LAFCO records annexation – land is legally within the City	Following protest hearing
LAFCO files with SBE and County Assessor to change TRAs	Following recordation

Q. WHAT ARE THE BENEFITS OF ANNEXATION AND BECOMING PART OF THE CITY OF CALABASAS?

A. This question has multiple answers:

1. MVE residents will have the right to vote for City officials and will have greater access to elected officials and local government. Also, residents would be eligible for City appointments to commissions, committees and work groups. This would provide an opportunity for MVE residents to participate in their local government. Many critical issues (growth & development, traffic congestion, safety, environmental, beautification programs, etc.) come before these groups for consideration, which have the potential to directly impact the MVE community.
2. Local government responses to problems such as zoning violations, pest control, traffic issues, security, etc. would be more prompt and efficient.
3. The City has a comprehensive Design Review Process for commercial developments within the City limits and for new development within designated scenic corridors. The City has strict guidelines with respect to overall aesthetic design, quality of construction, architectural and landscape design; signage and lighting (“dark skies” ordinance). Additionally, the City requires “Green” construction to prevent unnecessary waste of resources and to further protect the environment from harmful chemicals and substances.

4. The Emergency Preparedness Guide for Calabasas property owners (issued and mailed to all Calabasas property owners in June 2008; and downloadable from the City's web site) is another example of the level of customer service offered by the City.

Q. IF ANNEXED, WHAT CITY SERVICES WILL BE AVAILABLE TO MOUNTAIN VIEW ESTATES RESIDENTS THAT ARE NOT CURRENTLY AVAILABLE?

A. Following is a partial listing of services and benefits for Calabasas property owners and residents. Please check out the City's web site (www.cityofcalabasas.com) for a more comprehensive 'menu' of City services.

- "Preferred" status on membership wait list for the Tennis & Swim Center.
- Lower rates for enrollment at the Creekside Pre-School.
- Participation in the City's reverse-911 call system (called "Connect-CITY").
- Quick local response to problems/complaints about cable service (under City's local franchise agreement), and other services.
- School busing fee rebate (50% of the fee is paid by the City).
- City newsletter (quarterly) is mailed to all property owners.
- Free general transportation anywhere within the City (consult the City web site for transit routes and times of service).
- Dial-A-Ride service for senior citizens to anywhere within the City and eleven approved locations outside the City (one dollar per trip).
- Beach Bus (\$1 per trip) and Summer excursions/activities throughout the summer (schedules available online).

Q. WHAT COSTS, IF ANY, WILL THE ASSOCIATION AND/OR RESIDENTS BE REQUIRED TO PAY IF MOUNTAIN VIEW ESTATES IS ANNEXED?

A. Annexation will have zero financial impact on the association or residents:

1. Property taxes will not increase if Mountain View Estates is annexed. All residents in the State of California are assessed according to Proposition 13, which caps property taxes at 1.0% of assessed valuation plus any approved local special assessments. Annexation will not affect the status of any special assessments that may already be recorded for Mountain View Estates property owners, and therefore, property taxes will not be affected.
2. The City of Calabasas has a 5% utility tax on gas, electric and telephone utilities. The tax is not applicable to satellite, cable, trash collection or water usage. The County also charges a 5% utility tax that MVE homeowners currently pay. If the MVE community is annexed, the City's utility tax will have zero financial impact on the residents or the association because it will simply replace the County's utility tax.
3. Finally, the City of Calabasas will bear all costs to pursue annexation of the MVE community, so there will be no cost to the association or residents.

Q. IF MOUNTAIN VIEW ESTATES IS ANNEXED TO THE CITY, WHO WILL PROVIDE EMERGENCY SERVICES (FIRE PROTECTION AND LAW ENFORCEMENT) AND BASIC UTILITIES?

A. The Los Angeles County Fire Department and the Los Angeles County Sheriff will continue to provide fire protection and police protection services for Mountain View Estates area residents. (No change.) Please see full list of service providers on the City's web site.

Q. DOES THE COUNTY HAVE A HIGHER PRIORITY THAN THE CITY IF EMERGENCY SERVICES BECOME STRETCHED OR RESOURCES SUCH AS WATER AND ELECTRICITY REQUIRE ALLOCATIONS DUE TO A SHORTAGE?

A. No.

Q. IS IT TRUE THAT THE CITY AUTOMATICALLY TAKES OVER THE RESPONSIBILITY OF MAINTAINING OUR COMMON AREAS IF MOUNTAIN VIEW ESTATES IS ANNEXED?

A. No. Although a majority of the gated communities in Calabasas do participate in the City's Landscape Maintenance District program, participation is an **OPTION**, not a mandatory requirement.

Q. HOW DOES PARTICIPATION IN THE CITY'S LANDSCAPE MAINTENANCE PROGRAM WORK?

A. The City of Calabasas maintains a special assessment district called the Landscape Maintenance District, or LMD, which provides enhanced "special benefit" services to the four separate districts. There are currently four LMD's within the City of Calabasas. LMD funds are used for the maintenance of the landscaping, which includes mowing, weeding, trimming, fertilizing the plant material and utility costs, such as water and electricity. LMD funds may also be used for enhancement of the existing landscaping and installation or maintenance of select hardscape features, such as stamped concrete medians, concrete paseos, fencing, slump-stone borders, irrigation controllers and decorative lighting.

Each homeowner's association sets its own budget and determines the services to be included. The association can also make adjustments and changes to the budget and included services as necessary. Each homeowner receives a prorated assessment on their property tax bill. In many cases, participation in the LMD has enabled associations to maintain their common areas at a lower cost, which has in turn enabled them to lower their HOA dues.

Participation in the LMD should be explored and reviewed by the MVE Homeowners' Association based on its own merits. It will not have a direct impact on annexation or the annexation process.

Q. WHO WOULD ULTIMATELY DECIDE WHETHER OR NOT MOUNTAIN VIEW ESTATES WOULD PARTICIPATE IN THE L.M.D. PROGRAM?

A. The HOA Board of Directors would initiate the process with the City and develop the budget, subject to the Association's governing documents. The City would send ballots to all property owners to vote for or against participation. The decision is made by a 51% majority of the returned ballots.

Q. IS THERE ANY CHANCE THAT THE OPEN SPACE SURROUNDING MOUNTAIN VIEW ESTATES WILL BE DEVELOPED IF IT'S ANNEXED BY THE CITY?

A. No. In fact, the open space area surrounding Mountain View Estates will become even better protected upon annexation into the City because any property designated as Open Space in the City's General Plan cannot be re-designated for another use without first being considered by the public by way of a voter referendum.

Q. WHAT ARE THE MAJOR DIFFERENCES IN THE CITY AND COUNTY MUNICIPAL CODES?

A. The County and City codes are very similar, and in most areas have only minor differences. Below is a brief discussion of several issues about which Mont Calabasas residents expressed interest last year in anticipation of their community's annexation:

Mobile Businesses (car washing & pet grooming): The City Council recently passed an ordinance requiring mobile car wash businesses to be licensed to operate in the City. This requirement ensures that mobile car wash operators are complying with environmental protection regulations regarding waste water (recycling and proper disposal). Mobile pet grooming businesses are allowed without any special licensing requirements.

Pet Restrictions: Calabasas has no requirements above and beyond those required by the county. However, pet owners in the City are required by ordinance to pick up after their pets (e.g., clean-up of pet waste).

Secondhand Smoke Control Ordinance: Calabasas is a clean air community. Restrictions for smoking do not apply to single-family residences, however.

The restrictions apply only to the streets and any common areas in Mountain View Estates.

Building Codes, Review Process, and Costs: The City of Calabasas has not updated its fee schedule since 1991. Consequently, the City's costs are typically lower than the County's. In addition, most residential improvements can be accomplished within a short period of time, depending on the size and scope of the project. For most projects, the City's architectural review would focus on making sure additions and accessory structures are architecturally compatible with the existing primary dwelling. The City's plan check process is considerably faster than the County's, with reviews typically taking a maximum of two weeks. Finally, Calabasas is currently updating its development code as a follow-up to the general plan update. Part of the Code update includes a review of City processes to streamline review for projects at existing single-family residences.

If you would like more information regarding municipal and county codes, you can visit the City and County websites, or consult the following Code directories:

City of Calabasas:

<http://www.bpcnet.com/codes/calabasas/>

County of Los Angeles:

<http://municipalcodes.lexisnexis.com/codes/lacounty/>

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