
Urban Expansion



Background and Setting

All property enclosed within the City Limit Line is part of the City and under the jurisdiction of the City Council. All decisions regarding land use, circulation, public services, etc. within the City limits are made by the City Council. Although the City is still part of the County, the Merced County Board of Supervisors has no direct decision-making authority regarding land use matters within the City limits for the most part and the services that each provide to their citizens are defined by the state.

Typical problems that can result from lack of coordination between city and county planning policies are:

- Development or establishment of incompatible land uses in close proximity to each other.
- Premature urban expansion without adequate supporting infrastructure or services.
- Development of low-density “suburban” type of housing in areas which could be more appropriately used for “urban” densities or uses.
- Inefficient land use and circulation patterns that can lead to increased public service costs.

The Merced County General Plan, in response to the potential problems of uncoordinated development, has adopted and implemented an “Urban Centered” concept for development in the un-incorporated areas of the County.

The Urban Centered Concept establishes a County policy of utilizing cities and unincorporated communities or centers to accomplish anticipated urban expansion needs of the County. In general, the County’s plan guides future growth into established “urban areas” based on the ability of the area to furnish public services.

The stated purpose of the Urban Centered Concept in Merced County planning is to assure that:

- Growth occurs in an orderly and logical manner;
- Land is utilized efficiently;
- Agricultural operations are not eliminated prematurely;
- The County’s planning efforts are complementary to those of the cities; and
- Urban development occurs where proper services are available.

The City of Gustine is located within the Gustine Sphere of Influence (SOI) area. The SOI designation is intended to accommodate all classifications of urban land use and are otherwise known as “urban expansion areas.” The SOI boundary is recognized as the ultimate growth boundary of the City of Gustine over the life of the plan. Merced County policy states that all land within the SOI is planned for eventual development in a mixture of urban and urban-related uses.

The City of Gustine’s General Plan builds on the County SOI policies to provide a long term growth strategy for Gustine’s future expansion.

Policies and standards of this Chapter are based on projected population growth of the City. Various methods have been utilized in projecting the City’s long term growth, however, timing of annexations within the growth area are based upon actual development demand.



The overall approach of the Gustine General Plan is to develop a strategy to accommodate future population growth in the most efficient manner possible. As a result, the policies of this chapter are primarily concerned with the density and distribution of projected future population growth.

Conservation and efficiency are the guiding philosophies of this Chapter. Like many other Central Valley cities, Gustine has its origins tied directly to agricultural production. Agriculture is, and will continue to be, a major contributor to the overall economic health of the City.

Sphere of Influence & LAFCO

Legislative Intent:

Section 56001 of the Cortese-Knox Local Government Reorganization Act of 1985 states the concern of the State Legislature with respect to urban population densities and intensive residential, commercial, and industrial development. The broad spectrum of high-level community services and controls for these growth areas the primary purpose of the Reorganization Act and the responsibility of the Merced County Local Agency Formation Commission (LAFCO).

When rural areas become urbanized to the extent that they need the full range of community services, the Reorganization Act provides a mechanism to establish priorities regarding the type and levels of services that the residents of an urban community need and desire. This prioritization process weighs the total community service needs against the total financial resources available for securing the necessary services. The process is administered by LAFCO to assure that the priorities reflect local circumstances, conditions, and the limited financial resources of local public service providers.

The state Legislature determined that, in most cases, one single governmental service agency is better able to meet modern urban service demand than a limited service entity or special district. This overall intent can be summarized in the following overall purpose of this Chapter of the City of Gustine General Plan, consistent with the mission of the Merced County LAFCO and the Reorganization Act:

- To provide for the orderly expansion of the City of Gustine.
- To guide urban growth in the Gustine Sphere of Influence away from resource and open space areas.
- To assure that adequate levels of urban services are maintained for all residents of the community.

These purposes of the law and this Chapter are addressed more specifically as follows:

Orderly Expansion

Orderly expansion is accomplished through the establishment of the Gustine Sphere of Influence within which all urban expansion of the City must occur. Within this Sphere, the City has adopted policies to assure that territory added to the City can be adequately served with City services.

Guide to Urban Growth

This Chapter of the General Plan, when combined with the other Chapters of this Plan, provides a guide to new development with respect to guiding growth and development away from resource lands and into areas best suited for urban



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uses. Specifically, the Land Use and Open Space-Conservation Chapters of the Plan identify how and where urban uses can be developed within the City's Sphere.

Adequate Levels of Urban Services

Service levels within the City's urban area are addressed within the Public Facilities Chapter of this Plan.

As part of the overall growth strategy of the City of Gustine, this Chapter of the City's General Plan addresses the specific issues that are mandated by State law and LAFCO with respect to defining the City's Sphere of Influence and processing Annexation requests.

Sphere of Influence

LAFCO under state law, is charged with the responsibility of planning and shaping the logical and orderly development and coordination of local governmental agencies. In order to carry out this mandate and to provide for the present and future needs of the County and its communities, LAFCO is required to develop and determine the "Sphere of Influence" of each local governmental agency within the County including Cities and Special or Limited Purpose Districts. In the preparation of a Sphere of Influence, LAFCO must make written statements of its determinations with respect to the following:

1. The present and probable need for public services in the area.
2. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
3. The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

This requirement of law usually results in LAFCO preparing a Sphere of Influence Study containing the necessary information for making the mandatory statements of determination. Upon completion of the study process, LAFCO adopts the study and its determination and is required to periodically review and update the Sphere of Influence. The Sphere of Influence then becomes the basis for all LAFCO determinations regarding the organization or reorganization of the City or Special District.

With respect to issues regarding:

1. Present and Probable Need for Public Services
2. Present and Probable Need for Public Facilities
3. Present Capacity of Public Facilities and Adequacy of Public Services

The Public Facilities Chapter (Chapter PF) of this Plan provides a guide to expected "*service and facility needs*" within the City's planned growth area. Chapter 5 addresses "*service needs and identifies resources that can be applied to meeting these needs in the future*".

With respect to the issue of "*Social or Economic Communities of Interest*", the City of Gustine and its immediate environs contain diverse economic and social interest groups as does most small cities in the region. These communities of interest have played an active role in shaping the City's General Plan over the years. As a result, the policies, programs and implementing strategies of this Plan address these varied community needs.



Annexations

When property is annexed, the City Limit Line is changed to include that property. To be eligible for annexation to the City, a property must be within the City's Sphere of Influence boundary and contiguous (directly adjacent) to the City Limit Line. If the City agrees to annex the property, it is agreeing to provide City services (i.e. sewer, water, police, fire, garbage, etc.) to the property.

The present Sphere of Influence (SOI) for the City of Gustine encompasses approximately 1.70 square miles, or 1088.7 acres. The City Limits area is 1.55 sq. miles or 993.1 acres.

Annexation Process

Annexation of land within the City's Sphere of Influence requires two levels of approval. First of all, the City must agree to the annexation and secondly, LAFCO must approve the City's annexation proposal. While the Sphere of Influence process determines the likely ultimate service area of the City, the Annexation process must address several questions regarding a specific annexation proposal.

Section 56841 of State law the review of an annexation proposal, State Law requires that LAFCO examine the following factors:

General Characteristics

The population, population density, land use, per capita assessed valuation, topography, natural boundaries, drainage basins, proximity to other populated areas and growth are included in LAFCO considerations. With respect to growth, LAFCO must consider the likelihood of significant growth in the area and in adjacent areas during the next ten years.

The issues of population, density, land use, topography, natural boundaries, drainage, etc are generally addressed within this General Plan. Ten-year growth needs for the City's urban area can be more difficult to define. In general, as a small community, growth projection techniques have little application. Changes in short-term economic trends, investment opportunities, etc. are major determinates of the pace of growth in an area like Merced County and the City of Gustine.

As part of the Annexation review process, the City will review and consider specific annexation proposals in light of the policies contained in this General Plan and the annexation details contained in a property-owners' development plan.

Services and Service Needs

The provision of adequate levels of public service is one of prime concerns of the Local Agency Formation process. Services refers to services and facilities provided by governmental entities such as a City, County or Special District. LAFCO is to assess the need for organized community services to an area along with the present cost and adequacy of governmental services and controls in the area. The probable future needs for services and controls along with the probable effect of the proposed annexation on existing services.

As part of the LAFCO review process, annexation proposals are required to contain a Plan for Services. This Plan is addressed specifically in Chapter PF, Public Services and Facilities.



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Social, Economic and Governmental Effects

The annexation review process must include an overall examination of the effects of an annexation on adjacent areas, mutual social and economic interests, and on the local governmental structure of the County.

Traditionally, urban services are provided through the use of special districts (fire districts, sewer & water districts, community service districts, etc.) in rural and unincorporated areas of the County. Some of these special districts exist within the planned expansion area of the City. As part of the City "reorganization" process, territory must be detached from special districts prior to the land being annexed to the City.

Patterns of Urban Development

Planned, orderly and efficient patterns of urban development are an important goal of the annexation review process. The location, distribution and pattern of open space lands relative to the urban development pattern must be considered in the annexation process.

The overall pattern for open space land use within the City's Urban Planning Area and Sphere of Influence is established by the Land Use and Open Space Elements of this General Plan and the land use/open space policies of the Merced County General Plan. The location, distribution and pattern of open space lands for both the County and City are set forth in these planning documents. All annexation proposals will be required to be consistent with these two sets of land use planning provisions.

Agricultural Lands

LAFCO must address the effects of an annexation proposal on the physical and economic integrity of the agricultural lands in the region. In this context, "Agricultural Lands" include land currently used for the purpose of producing an agricultural commodity for commercial purposes.

The conversion of productive agricultural land to urban purposes is governed by the policy provisions of both the City and County General Plan Conservation Elements. A proposal to annex land to the City will be evaluated in context with the policy provisions of these two planning documents.

Urban Development Pattern

The definiteness and certainty of the annexation boundaries, patterns of land ownership, unincorporated "islands" and the overall configuration of the City Limits is a concern of LAFCO with respect to reviewing annexation proposals.

The policy guidance provided by this Chapter of the City of Gustine General Plan addresses the overall configuration of the City Limits, unincorporated "islands" and the pattern of land ownership with respect to annexation proposals.

Planning Consistency

The annexation must be consistent with the General and Specific Plans of both the City of Gustine and the County of Merced. The City and County will work closely together to coordinate plan policy between the two jurisdictions and assure that City-County conflicts are resolved.

Sphere of Influence

The annexation must be within the City's Sphere of Influence and consistent with the Sphere of Influence Study for the area. The City may entertain proposals for



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the expansion of its Sphere of Influence where it can be demonstrated that such an expansion meets the intent and purpose of state law and the policies of both the City of Gustine and the Merced County Local Agency Formation Commission.

Local Agency Concerns

The comments and concerns of other public agencies, relative to the issues of governmental services and organization, must also be considered by LAFCO in the annexation review process. The overall objective of the LAFCO review process is to assure that a high quality of public service is provided to the County/City residents in as cost-effective manner as possible.



Urban Expansion Goals, Policies and Actions

Goal 4.1 A Compact Urban Form	
Policy 4.1.1	The City Shall Promote a Compact Urban Form.
4.1.1.a	Encourage development on in-fill sites by amending the Zoning and Subdivision Ordinances to better accommodate such requests.
4.1.1.b	Continue to limit the extension of City services to areas within an established Sphere of Influence boundary.
Policy 4.1.2	The City shall control the timing, density, and location of new land uses within its Sphere of Influence boundaries.
4.1.2.a	Require that all new urban development be contiguous to existing urban areas and have reasonable access to public services and facilities.
4.1.2.b	Plan for public improvements/services to support designated land uses for all areas as they become suitable for development.
4.1.2.c	Develop systems to evaluate the cost of providing various services to new development and establish clear policy for meeting those costs.
4.1.2.d	The planning for land uses in newly developing areas should reflect a mix of land uses that will support a neighborhood, including a variety of residential densities and price ranges, neighborhood and convenience shopping facilities, and public facilities such as schools and parks.
4.1.2.e	Maintain a cooperative relationship with the County of Merced with respect to development and land use review and comment processes in areas along the City's Sphere of Influence fringe.

Goal 4.2 An Efficient Urban Service Area	
Policy 4.2.1	Designate areas for new urban development that recognize the physical characteristics and environmental constraints of the planning area.
4.2.1.a	Limit development and development related impacts on agricultural and resource lands along the City's urban fringe.
4.2.1.b	Explore techniques to preserve areas of significant agricultural soils, buffers between, scenic areas, etc. from incompatible urban development.
Policy 4.2.2	Promote incorporation of developed areas within the City's Sphere of Influence during the planning period of this General Plan.
4.2.2.a	The City should promote the annexation of unincorporated urban areas within the urban expansion boundaries that cause a duplication of public services and hinder extension of City services to new development
4.2.2.b	Review City improvement, development and land use policies and remove unnecessary obstacles to incorporation.
4.2.2.c	Provide assistance to residents of City's Sphere of Influence area to address public health and safety concerns of on-site water and sewer systems.

