



Lou Ann Teixeira  
Executive Officer

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County Member  
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City Member

March 10, 2010 (Agenda)

March 10, 2010  
Agenda Item 7

Contra Costa Local Agency Formation Commission  
651 Pine Street, Sixth Floor  
Martinez, CA 94553

**Sphere of Influence Updates – City of Antioch, Town of Danville and City of San Ramon**

Dear Members of the Commission:

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 requires LAFCOs to review and update each local agency’s sphere of influence (SOI) by January 1, 2008, and every five years thereafter as needed. As part of this mandate, LAFCOs must also prepare municipal service reviews (MSRs) to determine the range and adequacy of services being provided in the affected region. The collective purpose of these reviews is to inform and enable LAFCO to fulfill its legislative mandates to encourage the orderly formation and development of local agencies, preserve agricultural lands, and discourage urban sprawl.

**DISCUSSION**

Contra Costa LAFCO’s current MSR/SOI update schedule provides for preparing service-specific (countywide), sub-regional, and agency-specific reviews. The Commission has made significant progress in completing MSRs/SOI updates. Since 2006, LAFCO has completed MSRs covering 45 special districts and all 19 cities. MSRs covering an additional 15 districts are currently underway and expected to be complete by April/June 2009. The Commission has approved SOI updates for 42 special districts and 16 cities; SOI updates for the cities of Antioch, Danville and San Ramon are currently pending. ***This report provides a status report regarding the Antioch, Danville and San Ramon SOIs and recommended actions.***

*Antioch SOI Update*

In December 2008, the Commission accepted the *East County Sub-regional MSR* report and made the required determinations covering the four east county cities and several special districts. In addition, the Commission updated the SOIs for all of the local agencies covered in this MSR, with the exception of the City of Antioch.

In conjunction with the *East County Sub-regional* and *East County Water/Wastewater* MSR, the Commission authorized an environmental study relating to the proposed SOI expansions for the City of Pittsburg, Contra Costa Water District (CCWD) and Delta Diablo Sanitation District (DDSD) to coincide with the voter approved Urban Limit Lines (ULLs) for the cities of Pittsburg and Antioch. The City of Antioch was provided an opportunity to join in the environmental review, but chose not to participate due to fiscal and other reasons. As a result of the environmental review, in July 2009, the Commission approved SOI updates (expansions) for the City of Pittsburg, CCWD and DDSD. Consequently, the SOI update for the City of Antioch has remained in a pending status.

The Antioch city limits and SOI boundary are not coterminous (see Attachment 1). The *East County Sub-regional* MSR identified the following three SOI options for the City of Antioch:

- 1. Retain existing SOI** - If LAFCO determines that the existing government structure is appropriate, then the existing SOI should be retained. The City would continue to include the areas within its existing SOI and Planning Areas boundaries in its long-term facilities and capacity planning based on the adopted land uses.
- 2. Reduce SOI** to remove areas not likely to annex to the City and/or areas not likely to require services [i.e., open water areas of the San Joaquin River, areas located on the City's periphery designated as permanent open space (e.g., Contra Loma Regional Park), and areas outside the ULL including portions of Roddy Ranch].
- 3. Adjust SOI** to coincide with City's ULL to remove the open water area of the San Joaquin River, the Contra Loma Regional Park area, and that portion of Roddy Ranch which is outside the ULL, and add 200± acres (Ginochio property) with appropriate CEQA review. This will result in a net reduction to the City's SOI of 2,500± acres.

Based on the MSR report, SOI Option #3, with the appropriate CEQA review, was recommended. The City of Antioch's SOI was not included in the previously prepared environmental review, and therefore, cannot be expanded at this time. This does not preclude the City or other interested party from applying to LAFCO in the future for an SOI expansion, with adequate environmental review.

At this time, the Commission can choose to either retain the existing SOI, or reduce the SOI.

**Recommendation 1:** It is recommended that the Commission approve the attached resolution updating the City of Antioch's SOI and removing from the City's SOI the open water area of the San Joaquin River, along with that portion of Roddy Ranch which is outside the ULL. It is recommended that the Contra Loma Regional Park area remain within the SOI. Although this area is designated open space and outside the Antioch voter approved ULL, the area is within the City's corporate limits, and within the countywide voter approved ULL (see Attachment 1). Antioch staff generally agrees with these proposed SOI adjustments.

#### *Danville and San Ramon SOI Updates*

In September 2009, the Commission accepted the *Central County Sub-regional MSR* report and made the required determinations covering the 10 central county cities and one special district. In

addition, the Commission updated the SOIs for all of the local agencies covered in this MSR, with the exception of the Town of Danville and the City of San Ramon.

In conjunction with the MSR, LAFCO received input from the Town of Danville and the City of San Ramon regarding their respective SOIs, and in particular, the Tassajara Valley, which is currently outside the countywide ULL and the City of San Ramon Urban Growth Boundary (UGB). San Ramon requested that LAFCO expand its SOI to include either all or part of the Tassajara Valley. Also, LAFCO is aware of a pending application before the County for a proposed General Plan Amendment and rezoning (New Farm Project), also in the Tassajara Valley.

Given the complexities and competing interests in the Tassajara Valley, the Commission deferred SOI updates for Danville and San Ramon and encouraged the agencies to further discuss their respective interests.

We understand that representatives from the County and the two cities have participated in several meetings, and have reached tentative agreement regarding the Tassajara Valley. As we understand it, the two cities have agreed to scale back their SOI proposals (see Attachment 2 – Correspondence from Town of Danville); and that approximately half of the Tassajara Valley is proposed to remain outside of any city SOIs as depicted on Attachment 3.

Further, we understand that both cities are currently preparing General Plan updates and corresponding environmental reviews, and that the proposed SOI and urban limit line changes will be addressed in these documents. Also, that the City of San Ramon will prepare a Specific Plan for their area, and that further coordination between the County and two cities with regard to traffic studies and development performance standards will occur.

We understand that that the County Board of Supervisors has not taken official action on this matter.

***Recommendation 2:*** It is anticipated that the cities will come to LAFCO in the future with their respective SOI proposals. Thus, it is recommended that LAFCO defer SOI updates for Danville and San Ramon pending future action by the cities.

## **RECOMMENDATION**

Approve recommendations 1 and 2 above, or direct staff accordingly.

Sincerely,

LOU ANN TEXEIRA  
EXECUTIVE OFFICER

Attachment: Resolution  
Attachment 1 – Antioch SOI map  
Attachment 2 – Correspondence from Town of Danville re: SOI  
Attachment 3 - Danville/San Ramon/Tassajara Valley map

**RESOLUTION OF THE CONTRA COSTA  
LOCAL AGENCY FORMATION COMMISSION**

**APPROVING A SPHERE OF INFLUENCE UPDATE FOR THE CITY OF ANTIOCH**

**WHEREAS**, Government Code §56425 requires the Local Agency Formation Commission (LAFCO) to develop and determine the sphere of influence (SOI) of each local governmental agency within the County; and

**WHEREAS**, Government Code §56425(f) requires that LAFCO review and update the SOI boundaries, as necessary, not less than once every five years; and

**WHEREAS**, Government Code §56430 requires that a municipal services review be conducted prior to or in conjunction with an SOI update; and

**WHEREAS**, LAFCO conducted a review of East County general municipal services, including those provided by the City of Antioch, and adopted written determinations as required by Government Code §56430 in December 2008; and

**WHEREAS**, the MSR report identified three SOI options for the City of Antioch; and

**WHEREAS**, the City of Antioch's corporate boundary is 27.8± square miles. The City has 32± square miles within its SOI, and a Planning Area of 35± square miles. There are several areas within the City's existing SOI that extend beyond the Antioch voter approved Urban Limit Line (ULL), including open water areas of the San Joaquin River, areas located on the City's periphery designated as permanent open space (e.g., Contra Loma Regional Park), and portions of Roddy Ranch; and

**WHEREAS**, it is hereby proposed that the City of Antioch's SOI be reduced by removing open water areas of the San Joaquin River, and portions of Roddy Ranch areas which are outside the City's ULL as generally depicted on Exhibit A (Attachment 1) attached hereto; and

**WHEREAS**, it is also proposed that areas located on the City's periphery designated as permanent open space (e.g., Contra Loma Regional Park) be retained within the City's SOI as this area is within the City's corporate limits and within the countywide voter approved ULL; and

**WHEREAS**, no change in regulation, land use or development will occur as a result of updating the City's SOI; and

**WHEREAS**, in the form and manner prescribed by law, the Executive Officer has given notice of a public hearing by this Commission regarding the SOI action; and

**WHEREAS**, the SOI update was duly considered at public hearings held on August 13, 2008, October 8, 2008, December 10, 2008 and March 10, 2010; and

**WHEREAS**, the Contra Costa LAFCO heard and received all oral and written protests, objections and evidence that were made, presented or filed, and all persons present were given an opportunity to appear and be heard with respect to any matter pertaining to said verification action.

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED** that the Contra Costa LAFCO does hereby:

1. Reduce the City of Antioch's SOI by removing open water areas of the San Joaquin River, and portions of Roddy Ranch areas as generally depicted on Exhibit A attached hereto.
2. Determine, as lead agency for the purposes of the California Environmental Quality Act (CEQA), that the SOI update is categorically exempt under §15061(b)(3) of the CEQA Guidelines.

3. Determine that the Commission has considered the criteria set forth in Gov. Code §56425 as follows:

a. *Present and planned land uses in the area, including agricultural and open-space lands* - The City comprises urban development, including residential, commercial and industrial, as well as agricultural and open space lands. Development areas are further defined by Measure K, which establishes a ULL for the City. The SOI update will have no effect on open space or agricultural land uses currently existing within the City or the SOI. No changes in present and planned land uses will result from this SOI update.

b. *Present and probable need for public facilities and services in the area* – The City provides a full range of municipal services, and is expected to continue to grow, with an estimated annual growth rate of 0.89%. Residential growth is limited under the City’s Residential Development Allocation Program, while commercial and industrial development is being emphasized under the 2003 General Plan. Within the existing developed areas of the City, there are 1,176± acres of vacant land which is zoned for development (residential, commercial, industrial). In addition, the City has identified 5,000± acres within eight ‘Focus Areas’ that have significant vacant land for future development. There will be a need for extension of public facilities and the provision of additional public services to new development areas. The City has developed infrastructure master plans to insure the proper size, location, and timing of infrastructure improvements. The City also charges participation fees and has established other mitigation fee programs and exactions to insure that adequate public services are available to new development. Likewise, areas within the City already receiving services are monitored for proper operation, replacement and rehabilitation, or reconstruction. No changes in public facilities or services provided by the City will result from this SOI update.

c. *Present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide* – The present capacity of public facilities, including streets, water, sewer, storm drainage, and parks is regularly monitored. There are no identified deficiencies in the City’s public facilities. There are no identified deficiencies in the City’s public services. The SOI update will not impact the present capacity of public facilities and adequacy of public services that the City provides or is authorized to provide.

d. *Existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency* – The City incorporated in 1872 and has a long history as an established community. No other competing communities have been identified. The corporate boundary separating Antioch from Pittsburg has been established, as well as the corporate boundary between Antioch and Brentwood and Oakley. The SOI update will not affect the existence of any social or economic communities of interest. The MSR report identified a number of urban islands/pockets within the City’s SOI. The City is encouraged to annex these areas as appropriate.

\*\*\*\*\*

PASSED AND ADOPTED THIS 10<sup>TH</sup> day of March 2010, by the following vote:

- AYES:
- NOES:
- ABSTENTIONS:
- ABSENT:

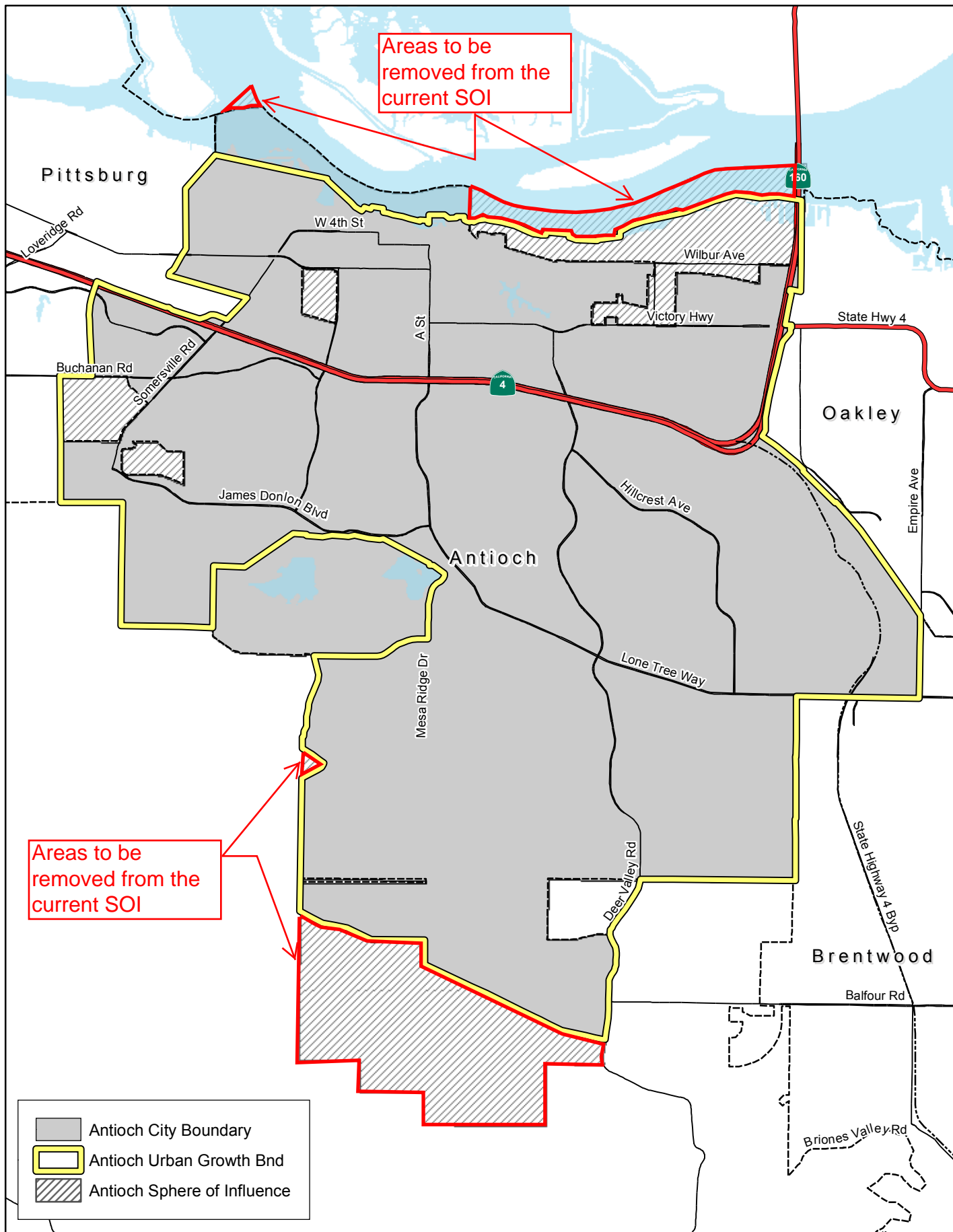
\_\_\_\_\_  
MARTIN MCNAIR, CHAIR, CONTRA COSTA LAFCO

*I hereby certify that this is a correct copy of a resolution passed and adopted by this Commission on the date stated above.*

Dated: March 10, 2010

\_\_\_\_\_  
Lou Ann Texeira, Executive Officer

# City of Antioch Boundary, SOI, and Urban Growth Boundary



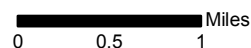
Areas to be removed from the current SOI

Areas to be removed from the current SOI

- Antioch City Boundary
- Antioch Urban Growth Bnd
- Antioch Sphere of Influence

Map created 7/13/2009  
by Contra Costa County Community Development, GIS Group  
651 Pine Street, 4th Floor North Wing, Martinez, CA 94553-0095  
37.59:48.455N 122:06:35.384W

This map was created by the Contra Costa County Community Development Department with data from the Contra Costa County GIS Program. Some base data, primarily City Limits, is derived from the CA State Board of Equalization's tax rate areas. While obligated to use this data the County assumes no responsibility for its accuracy. This map contains copyrighted information and may not be altered. It may be reproduced in its current state if the source is cited. Users of this map agree to read and accept the County of Contra Costa disclaimer of liability for geographic information.





*"Small Town Atmosphere  
Outstanding Quality of Life"*

February 16, 2010

Martin McNair, Chair  
Contra Costa Local Agency Formation Commission  
651 Pine Street, 6th Floor  
Martinez, CA 94553

Re: Town of Danville Sphere of Influence Update

Chair McNair and Commissioners:

At the September 9, 2009 Commission meeting, Danville representatives testified regarding the Central County Sub-Regional Municipal Services Review (MSR), and potential Sphere of Influence (SOI) options for the Town of Danville. At the conclusion of the meeting, the Commission postponed a SOI decision for Danville and the City of San Ramon, and asked the two agencies to meet with Supervisor Piepho to formulate a coordinated SOI proposal with respect to the Tassajara Valley area.

Representatives from the two cities, Supervisor Piepho and Contra Costa County staff have now met three times. As a result, both cities now expect to come forward to LAFCO with revised SOI requests that will not conflict or overlap with one another.

The attached February 16, 2010 Report to the Danville Town Council describes how the Town plans to moving forward with this process as part of the Town's current General Plan Update. This will allow for the appropriate level of CEQA analysis required by LAFCO to be performed and submitted along with a future SOI amendment request.

Danville appreciates the efforts of LAFCO, Supervisor Piepho, County staff and the City of San Ramon in providing clear direction and working collaboratively to keep this process moving forward.

Sincerely,

THE TOWN OF DANVILLE

Mike Doyle  
Mayor

Attachment

510 LA GONDA WAY, DANVILLE, CALIFORNIA 94526

Administration  
(925) 314-3388

Building  
(925) 314-3330

Engineering & Planning  
(925) 314-3310

Transportation  
(925) 314-3310

Maintenance  
(925) 314-3450

Police  
(925) 314-3700

Parks and Recreation  
(925) 314-3400



TO: Mayor and Town Council

February 16, 2010

SUBJECT: Resolution No. 16-2010, authorizing sending a letter to the Local Agency Formation Commission (LAFCO), updating the Commission on the status of the Town's Sphere of Influence request related to the Tassajara Valley

### **BACKGROUND**

In 2009, LAFCO undertook Municipal Services Reviews (MSR's) for all Contra Costa cities. MSR's are a prerequisite to LAFCO making determinations for Spheres of Influence (SOI). SOI's identify appropriate areas for extension of agency services in the foreseeable future. Under State law, LAFCO is required to review and update SOI's every five years as necessary. Inclusion of territory in an agency's SOI indicates that the particular agency has been determined by LAFCO to be the most logical future service provider for that area.

On September 1, 2009, the Town Council passed Resolution No. 98-2009, acknowledging receipt of the draft Central Contra Costa Sub-regional MSR and responding to Danville SOI options presented in the report. Both Danville and the City of San Ramon have asked LAFCO to consider amending their city SOI's to include all or portions of the Tassajara Valley. At their September 9, 2009 meeting, LAFCO postponed a SOI decision for both cities, and asked the two agencies to meet with Supervisor Piepho to formulate a coordinated SOI proposal. Three meetings were held for this purpose, and representatives from the three agencies developed Attachment C, illustrating the SOI boundaries to be studied by each agency moving forward.

### **DISCUSSION**

Danville has been committed to maintaining the agricultural uses and character in the Tassajara Valley. The area is currently outside of the Contra Costa County and Town of Danville Urban Limit Line (ULL). Modification of the current ULL would require voter approval. The Town proposes no modifications to the current ULL either currently or for study as part of the General Plan Update process, currently underway.

LAFCO staff has indicated that expansion of the Town's SOI would require appropriate CEQA analysis that addresses all LAFCO issues and is specific to any proposed SOI expansion. Since expansion of Danville's SOI into the Tassajara Valley was not studied within the 2009 MSR review, complete CEQA review will be required for submittal to LAFCO. Such CEQA analysis will occur as part of the current General Plan update.



Following up on the September 9, 2009 LAFCO direction to the Town, it would be appropriate to send a letter update to LAFCO:

- Advising the Commission that Danville, San Ramon and Contra Costa County have completed their discussions regarding how to coordinate future SOI requests to be presented to LAFCO;
- Indicating that the Town plans to undertake all necessary CEQA analysis related to a SOI request specific to a portion of the Tassajara Valley, and that such request will not conflict with any SOI request to be made by the City of San Ramon;
- That such CEQA analysis will address any and all areas requested by LAFCO; and that
- The Town will make a formal request for an SOI change to LAFCO at such time as the appropriate CEQA work has been completed and certified with adoption of the Town's General Plan Update.

This process will be subject to a complete public review process that will precede any Planning Commission and/or Town Council action to consider and approve the General Plan Update. Adoption of a new General Plan is expected to occur in early 2011.

#### **PUBLIC CONTACT**

Posting of the meeting agenda serves as notice to the general public.

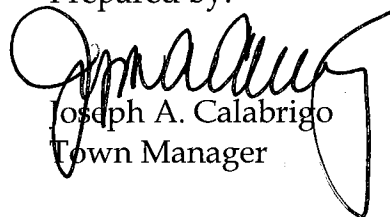
#### **FISCAL IMPACT**

None. All CEQA-related costs are included as part of the General Plan Update.

#### **RECOMMENDATION**

Adopt Resolution No. 16 -2010, authorizing sending a letter to LAFCO, updating the Commission on the status of the Town's Sphere of Influence request related to the Tassajara Valley.

Prepared by:

  
Joseph A. Calabrigo  
Town Manager

Attachments:    A - Resolution No. 16 -2010  
                      B - Draft Letter to LAFCO  
                      C - Danville Sphere of Influence Map

**RESOLUTION NO. 16--2010**

**AUTHORIZING SENDING A LETTER TO LAFCO, UPDATING THE  
COMMISSION ON THE STATUS OF THE TOWN'S SPHERE OF INFLUENCE  
REQUEST RELATED TO THE TASSAJARA VALLEY**

**WHEREAS**, LAFCO has prepared a draft Sub-Regional Municipal Services Review (MSR) report for the Central County Region, of which Danville is a part; and

**WHEREAS**, On September 1, 2009 the Town Council passed Resolution No. 98-2009, acknowledging receipt of the draft Sub-regional MSR and responding to Danville SOI options presented in the report; and

**WHEREAS**, on September 9, 2009, LAFCO conducted a public hearing to accept testimony on the draft MSR; and

**WHEREAS**, the Mayor and Town Manager attended the September 9, 2009 LAFCO meeting and presented testimony to the Commission; and

**WHEREAS**, both Danville and the City of San Ramon have asked LAFCO to consider amending their city SOI's to include all or portions of the Tassajara Valley; and

**WHEREAS**, the Tassajara Valley Area is located adjacent to Danville's current eastern SOI, and any future planning related to the Tassajara Valley Area has the potential to directly impact the Town; and

**WHEREAS**, at their September 9, 2009 meeting, LAFCO postponed a SOI decision for both cities, and asked the two agencies to meet with Supervisor Piepho to formulate a coordinated SOI proposal with respect to the Tassajara Valley; and

**WHEREAS**, Danville and San Ramon representatives have met three times with Supervisor Piepho and have agreed to submit non-overlapping SOI proposals to LAFCO with respect to portions of the Tassajara Valley; and

**WHEREAS**, the Town is currently updating the Danville 2010 General Plan and plans to utilize the General Plan Update process as an opportunity to consider options for expansion of the Town's SOI to the east, potentially including a portion of the Tassajara Valley Area; and

**WHEREAS**, the Danville 2010 General Plan update and accompanying environmental review would then serve as a basis for formally applying to LAFCO at a subsequent

date to adjust the Town SOI to the east, including an area of the Tassajara Valley; now, therefore be it

**RESOLVED**, that the Danville Town Council authorizes sending a letter to LAFCO, responding to direction provided by the Commission at the September 9, 2009 meeting and updating the Commission on the status of the Town's Sphere of Influence request related to the Tassajara Valley.

**APPROVED** by the Danville Town Council at a regular meeting on February 16, 2010 by the following vote:

**AYES:** Doyle, Andersen, Arnerich, Stepper, Storer  
**NOES:** None  
**ABSTAINED:** None  
**ABSENT:** None



MAYOR

**APPROVED AS TO FORM:**



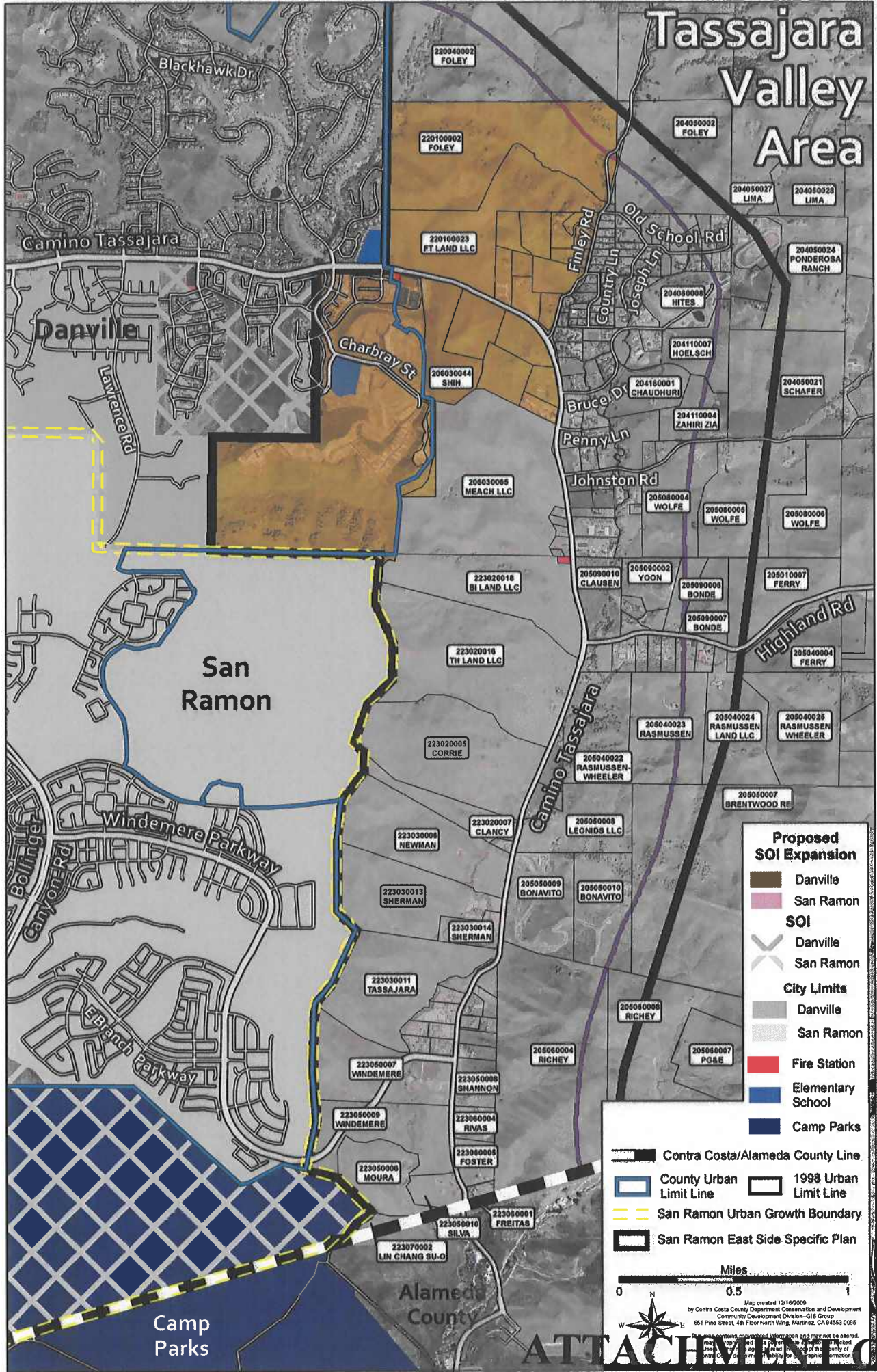
CITY ATTORNEY

**ATTEST:**

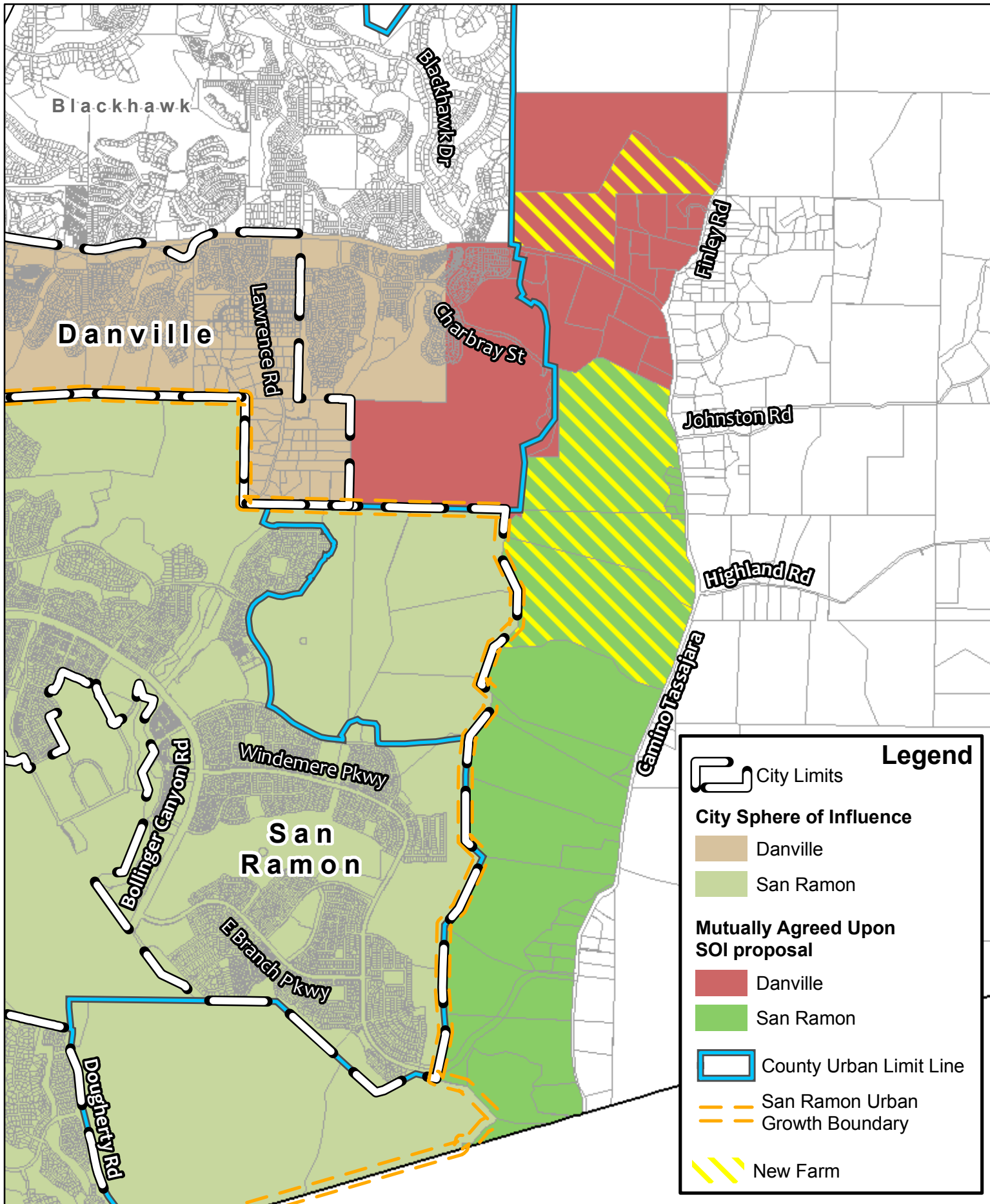


CITY CLERK

# Tassajara Valley Area



# Tassajara Valley Mutually Agreed Upon SOI proposals



**Legend**

- City Limits
- City Sphere of Influence**
- Danville
- San Ramon
- Mutually Agreed Upon SOI proposal**
- Danville
- San Ramon
- County Urban Limit Line
- San Ramon Urban Growth Boundary
- New Farm

