

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
EXECUTIVE OFFICER'S REPORT

September 10, 2014 (Agenda)

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Agenda Item 6

<u>LAFCO 14-01</u>	<b>Sphere of Influence Amendment – Town of Danville (Blackhawk Road)</b>
<u>APPLICANT</u>	Blackhawk Meadows, LLC (landowners)
<u>ACREAGE &amp; LOCATION</u>	The applicant proposes to remove from the Town of Danville’s sphere of influence (SOI) a 12-foot wide strip of land along the northern boundary of the property located at 2500 Blackhawk Road as depicted on the attached map (Attachment 1).
<u>PURPOSE</u>	To cause the northern property line to be consistent with the northern boundaries of other parcels fronting Blackhawk Road.

SUMMARY In conjunction with the development project (SD 9321), the Town of Danville requires that the project dedicate land along the frontage of the property (i.e., the 12-foot strip) to Contra Costa County, which owns and maintains Blackhawk Road in this area. The dedication would result in a Blackhawk Road right-of-way (ROW) width which coincides with the adjacent ROW widths. There is no need for actual road widening; however, the frontage area will be improved with a pedestrian sidewalk, extending the existing sidewalk to the east, with new landscaping.

DISCUSSION The Cortese-Knox-Hertzberg Act (CKH Act) empowers LAFCO with the responsibility for developing and determining the SOI of each local agency within the County, and for enacting policies designed to promote the logical and orderly development of areas within the spheres.

An SOI is defined as a plan for the probable physical boundaries and service area of a local agency, as determined by LAFCO. The intent of an SOI is to identify the most appropriate area for an agency’s extension of services in the foreseeable future (e.g., 10-20 year horizon). Accordingly, territory included in an agency’s SOI is an indication that the probable need for service has been established, and that the subject agency has been determined by LAFCO to be the most logical service provider for the area.

Pursuant to Government Code section 56425, when amending an SOI for a local agency, LAFCO is required to consider and prepare a written statement of determinations with respect to the following:

1. ***The present and planned uses in the area, including agricultural and open space lands*** - The County’s General Plan designation for the subject area is Planned Unit (P-1); the Town’s General Plan designation is Residential - Single Family – Low Density, and the zoning is Single Family Residential (R-20). The subject area is currently an unimproved frontage facing Blackhawk Road. The future land use of the 12-foot strip will be as a small portion of the Blackhawk Road ROW. The proposed SOI amendment and pending detachment will facilitate no changes in land use and will have no impact on agricultural land or open space lands.
2. ***The present and probable need for public facilities and services in the area*** - Detachment of the 12-foot strip would place the area within the ROW of Blackhawk Road which is a public roadway serving local transportation and circulation. The detachment will cause the northern property line to be consistent with the northern boundaries of other parcels fronting Blackhawk Road.
3. ***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** - The detachment will facilitate a boundary alignment and will have no effect on public facilities or services.

4. ***The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*** - The primary social or economic community of interest is Contra Costa County, the Town of Danville, and the public who use Blackhawk Road for local circulation purposes. The SOI amendment is consistent with the County and Town of Danville General Plans, with the countywide Urban Limit Line, and reflects a logical adjustment to the Town's SOI in conjunction with this project.

**Environmental Impact of the Proposal** - The Town of Danville, as Lead Agency, has determined that the proposed SOI amendment and corresponding detachment are exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) as the LAFCO action has no potential for causing a significant effect on the environment.

#### ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report and any testimony or additional materials that are submitted, the Commission should consider taking one of the following actions:

- Option 1** Approve the proposed reduction to the Town of Danville's SOI as depicted on the attached map (Attachment 1).
- A. Determine that the project is exempt pursuant to CEQA Guidelines, Section 15061(b)(3).
  - B. Adopt this report and amend the Town of Danville's SOI described herein and shown on the attached map.
- Option 2** Adopt this report and DENY the proposal.
- Option 3** If the Commission needs more information, CONTINUE this matter to a future meeting.

**RECOMMENDATION Option 1 – approve the SOI amendment.**

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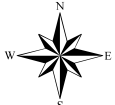
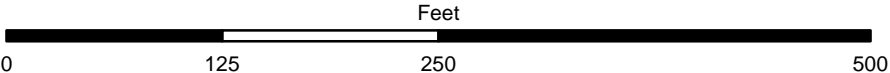
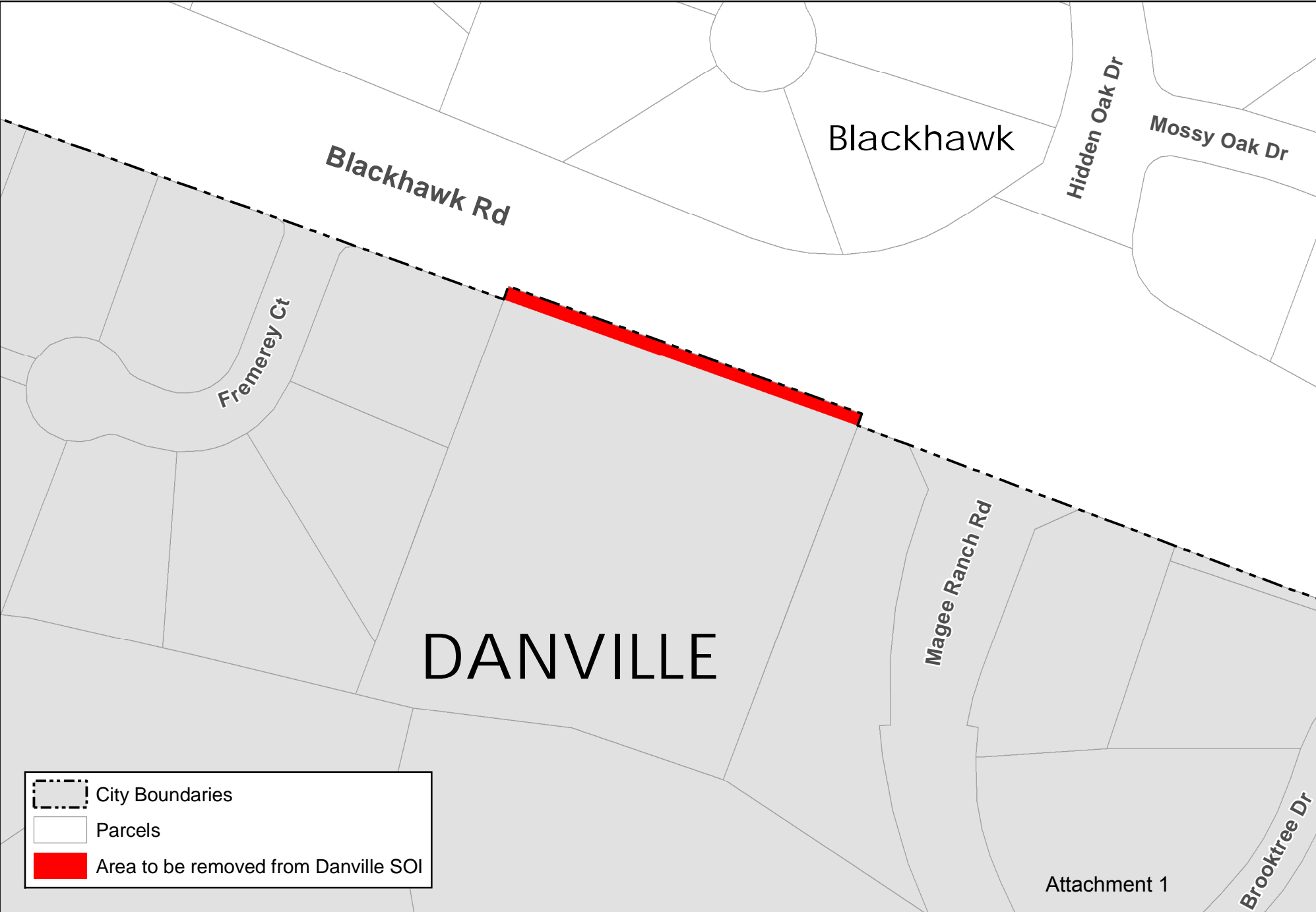
LOU ANN TEXEIRA, EXECUTIVE OFFICER  
CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION

#### Attachments

- 1 - Map – Proposed SOI Amendment – Town of Danville
- 2 - Draft LAFCO Resolution – Town of Danville SOI Amendment

c: Steven Stapley, Blackhawk Meadows, LLC  
Michael K. Brown, Brown, Church & Gee LLP  
David Crompton, Town of Danville

# Town of Danville SOI Amendment (Blackhawk Road)



SPHERE OF INFLUENCE RESOLUTION NO.14-01

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION  
 MAKING DETERMINATIONS AND REDUCING THE SPHERE OF INFLUENCE  
 OF THE TOWN OF DANVILLE – BLACKHAWK ROAD

WHEREAS, a proposal to reduce the sphere of influence (SOI) of the Town of Danville was filed by the landowner with the Contra Costa Local Agency Formation Commission (LAFCO) pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code §56425); and

WHEREAS, at the time and in the manner required by law the Executive Officer has given notice of the Commission's consideration of the proposal; and

WHEREAS, the Commission heard, discussed and considered all oral and written testimony related to the proposal including, but not limited to, the Executive Officer's report and recommendation, the environmental document or determination, SOI and applicable General and Specific Plans and all testimony, correspondence and exhibits received during the public hearing, all of which are included herein by reference.

NOW, THEREFORE, the Contra Costa LAFCO DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

1. The matter before the Commission is the proposed reduction of the Town of Danville's SOI to remove a 12-foot wide strip of land along the northern boundary of the property located at 2500 Blackhawk Road.
2. The project is exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3).
3. The Town of Danville's SOI is hereby modified in the area as shown on the attached map (Exhibit A).
4. The Commission has considered the criteria set forth in Government Code §56425 and determines as follows:

***The present and planned uses in the area, including agricultural and open space lands*** - The County's General Plan designation for the subject area is Planned Unit (P-1); the Town's General Plan designation is Residential – Single Family – Low Density, and the zoning is Single Family Residential (R-20). The subject area is currently an unimproved frontage facing Blackhawk Road. The future land use of the 12-foot strip will be as a small portion of the Blackhawk Road ROW. The proposed SOI amendment and pending detachment will facilitate no changes in land use and will have no impact on agricultural land or open space lands.

***The present and probable need for public facilities and services in the area*** - Detachment of the 12-foot strip would place the area within the ROW of Blackhawk Road which is a public roadway serving local transportation and circulation. The detachment will cause the northern property line to be consistent with the northern boundaries of other parcels fronting Blackhawk Road.

***The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide*** - The detachment will facilitate a boundary alignment and will have no effect on public facilities or services.

***The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency*** - The primary social or economic community of interest is Contra Costa County, the Town of Danville, and the public who use Blackhawk Road for

local circulation purposes. The SOI amendment is consistent with the County and Town of Danville General Plans, with the countywide Urban Limit Line, and reflects a logical adjustment to the Town's SOI in conjunction with this project.

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PASSED AND ADOPTED THIS 10<sup>TH</sup> day of September 2014, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

ROB SCHRODER, INTERIM 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: September 10, 2014

Lou Ann Texeira, Executive Officer