

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

May 14, 2008 (Agenda)

<u>LAFCO 08-13</u>	DiMaggio Annexation to County Service Area (CSA) L-100
<u>PROPONENT</u>	Vincent P. DiMaggio – landowner/petitioner
<u>ACREAGE & LOCATION</u>	Approximately 10 acres located at 950 Northgate Road in the unincorporated Walnut Creek area (APN 138-200-003)
<u>PURPOSE</u>	Provide street lighting in conjunction with an upgrade to an equestrian breeding and boarding facility and to comply with a County condition of approval.
<u>SYNOPSIS</u>	

This is a proposal to annex territory into CSA L-100. A condition of approval of the land use permit requires annexation to CSA L-100, which provides street lighting services in the unincorporated area. The site is within the District's sphere of influence and inside the County Urban Limit Line.

PROPOSAL INFORMATION:

1. Land Use, Planning and Zoning - Present and Future:

The annexation area currently contains one existing single family residential unit and an equestrian facility. The landowner received approval from the County to upgrade an equestrian breeding and boarding facility.

The General Plan designation for the parcel is Single Family Residential - Very Low Density; the zoning is A-2 General Agricultural.

Surrounding land uses include an agricultural preserve (park lands) to the east, and single family and rural residential with similar equestrian uses to the west, north and south.

The existing and proposed uses are consistent with the County zoning and land use designations.

2. Topography, Natural Features and Drainage Basins:

The topography of the project site is open space and semi rural with no significant natural features.

3. Population:

Due to the nature of the proposal, no increase in population is anticipated.

4. Governmental Services and Controls - Need, Cost, Adequacy and Availability:

The plan for providing services within the affected territory, as required by Government Code §56653, is on file. The level and range of services will be similar to those provided by CSA L-100 to developed properties currently within its boundaries.

5. Assessed Value, Tax Rates and Indebtedness:

The area is within tax rate area 79048. The assessed value for the parcel is \$338,098 (current tax roll). Overall tax rates will not be changed by the annexation.

6. Environmental Impact of the Proposal:

In 2007, Contra Costa County, as Lead Agency, prepared an Initial Study and Negative Declaration for the project. This included analysis of some LAFCO related issues, but did not specifically mention LAFCO or the LAFCO actions. A copy of this document is available for review in the LAFCO office.

The LAFCO Environmental Coordinator reviewed the proposed LAFCO project to determine whether there was a potential for any adverse environmental impacts. It can be seen with certainty that the LAFCO action will have no significant impacts. For this reason, the General Rule Exemption from CEQA pursuant to Government Code Section 15061(b)(3) is recommended.

7. Landowner Consent and Registered Voters:

The property owner has given written consent to the boundary change. The annexing agency consents to the waiver of conducting authority proceedings. The territory is uninhabited, as there are fewer than 12 registered voters.

8. Boundaries and Lines of Assessment:

There are no conflicts with lines of assessment or ownership. A map to implement this change has been approved by the County Surveyor.

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 options:

Option 1 Approve the annexation as submitted.

- A. Find the proposal to be exempt from CEQA pursuant to Government Code §15061(b)(3).

- B. Adopt this report and approve the proposal, to be known as the DiMaggio Annexation to County Service Area L-100, subject to the following terms and conditions:
1. Determine that the territory being annexed shall be liable for any authorized or existing taxes, assessments and charges comparable to properties presently within the annexing agency.
 2. Prior to recordation, the applicant shall deliver an executed indemnification agreement between the applicant and Contra Costa LAFCO providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions challenging the annexation.
- C. Find: 1) the subject territory is uninhabited, 2) all affected landowners have consented to the annexation and 3) the annexing agency has consented to the waiver of conducting authority proceedings.
- D. Waive conducting authority proceedings and direct the staff to complete the proceeding.

Option 2 Adopt this report and DENY the proposal.

Option 3 If the Commission needs more information, CONTINUE this matter to a future meeting.

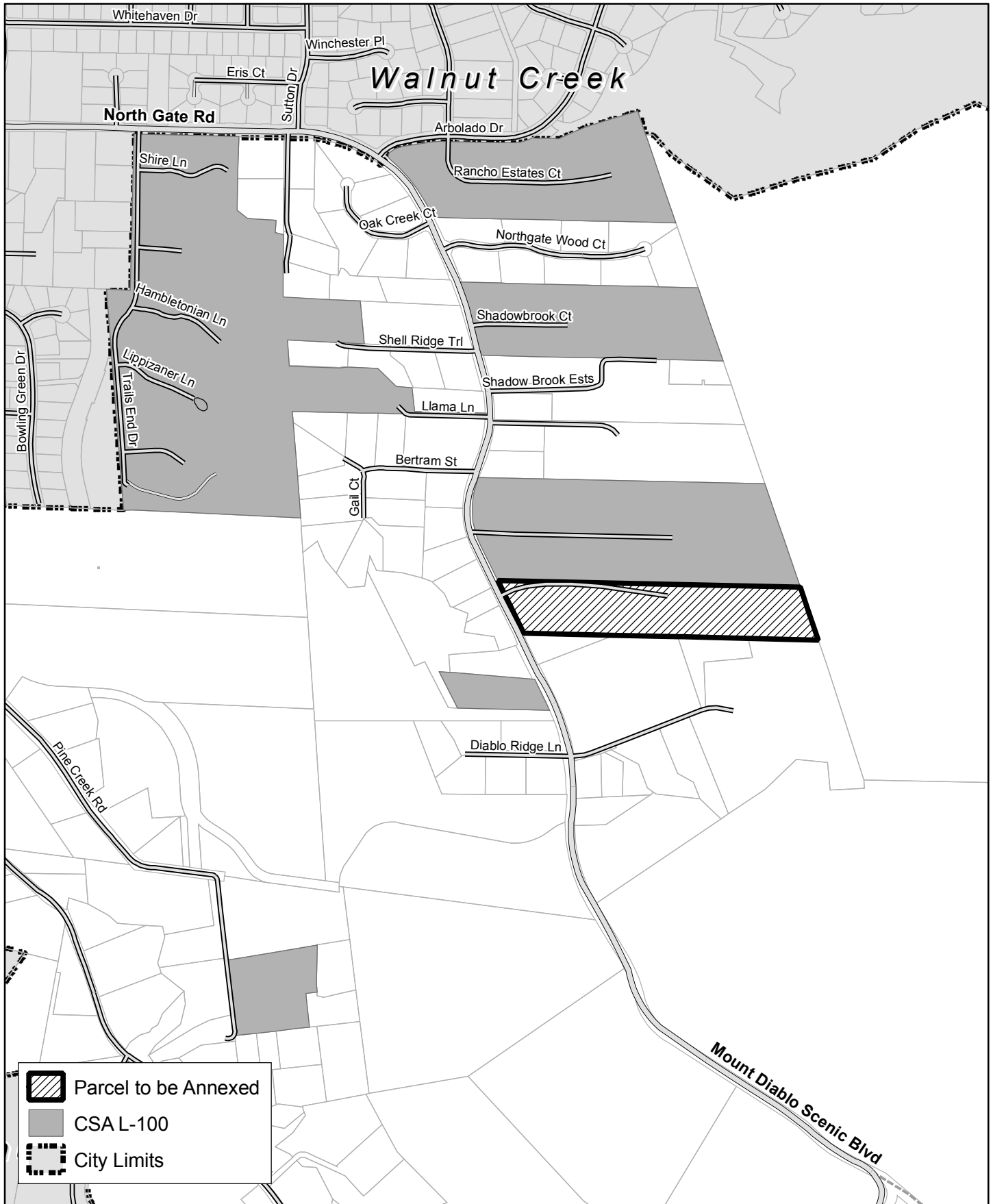
RECOMMENDED ACTION:




Approve Option 1.

LOU ANN TEXEIRA
EXECUTIVE OFFICER
LOCAL AGENCY FORMATION COMMISSION

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LAFCO 08-13: DiMaggio Annexation to CSA L-100



-  Parcel to be Annexed
-  CSA L-100
-  City Limits

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