



Lou Ann Teixeira
Executive Officer

June 14, 2023

**June 14, 2023
Agenda Item 14**

Contra Costa Local Agency Formation Commission
40 Muir Road, 1st Floor
Martinez, CA 94553

Current and Potential LAFCO Applications

Dear Members of the Commission:

SUMMARY: This report identifies active and potential LAFCO applications and is an informational item.

DISCUSSION: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 gives LAFCOs regulatory and planning duties to coordinate the formation and development of local government agencies and their municipal services. This includes approving and disapproving boundary changes, boundary reorganizations, formations, mergers, consolidations, dissolutions, incorporations, sphere of influence (SOI) amendments, and extension of out of agency services (OAS). Applications involving jurisdictional changes filed by landowners or registered voters are placed on the Commission’s agenda as information items before action is considered by LAFCO at a subsequent meeting (Gov. Code §56857).

There is currently one approved proposal awaiting completion, six current applications that are either incomplete and/or awaiting a hearing date, and several potential applications.

Current Proposals – Approved and Awaiting Completion

- ✚ Chang Property Reorganization (LAFCO 18-06)
Application filed by the landowner to annex 66.92± acres to City of San Ramon, Central Contra Costa Sanitary District and East Bay Municipal Utility District and detach from County Service Area P-6. The subject area is located at the intersection of Crow Canyon and Bollinger Canyon Roads in unincorporated San Ramon. The Commission approved the boundary reorganization in August 2017 with conditions. One of the conditions (i.e., open space easement) has not yet been met. The applicant requested and received several time extensions with the current extension to June 30, 2023 to complete the easement. A request for an extension is on the June 14, 2023 LAFCO meeting agenda.

Current Applications – Under Review

- ✚ Loreto Bay Estates - Annexation to Delta Diablo – (LAFCO 23-08)
The landowner filed an application to annex one parcel (2.88± acres) to DD. LAFCO staff is processing the application.
- ✚ Detachment from Reclamation District (RD) 800 – Pulte Group (LAFCO 23-06)
The landowner filed an application to detach 29± acres from RD 800. The parcels are located along the west bank of Kellog Creek and Highway 4 in Discovery Bay area. LAFCO staff is processing the application.
- ✚ Annexation 322 to WCWD – Scannell Properties (LAFCO 23-05)
The landowner filed an application to annex 28± acres to WCWD to develop two new warehouses. The project site is located on Parr Blvd in unincorporated Richmond. LAFCO staff is processing the application.

✚ Faria Southwest Hills – Boundary Reorganization (LAFCO 21-04)

Application filed by City of Pittsburg to annex 606± acres to City of Pittsburg, Contra Costa Water District and Delta Diablo, and detachment from CSA P-6. The project includes development of up to 1,500 residential units. The application is currently incomplete. On February 9, 2022, Contra Costa County Superior Court ruled that the City of Pittsburg violated CEQA. The Court issued a writ of mandate compelling the City to set aside the project approvals and the certification of the Final EIR, and that any further consideration of the project must comply with CEQA and be consistent with the Court’s ruling. On August 15, 2022, the Pittsburg City Council voted to repeal and set aside all approvals for the Faria/Southwest Hills Annexation Project.

On January 31, 2023, the City of Pittsburg published a Notice of a Public Hearing regarding the *Faria/Southwest Hills Annexation Project* and *Revised and Updated Final Environmental Impact Report*. LAFCO staff submitted a comment letter on February 14, 2023 reiterating our previous concerns about the project, including EIR deficiencies. The comment letter also noted staff’s concerns that the “Revised and Updated EIR” was not recirculated under CEQA Guidelines section 15088.5.

On February 14, 2023, the City’s Planning Commission held a public hearing on the project. The City’s Planning Commission recommended against approving the project’s proposed general plan and rezoning amendments, proposed master plan, and proposed development agreement.

On April 17, 2023, the Pittsburg City Council held a public hearing on the project and the City Council approved the project. On May 15, 2023, the developer resubmitted an updated application which LAFCO staff is currently reviewing.

✚ Tassajara Parks Project – Boundary Reorganization (LAFCO 16-06)

The landowner filed an application to annex 30± acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD). The project includes development of 125 single-family homes. The subject area is located east of the City of San Ramon and the Town of Danville. The application is currently incomplete. The project is currently in litigation.

✚ LAFCO Tassajara Parks Project – SOI Amendments (LAFCO 16-07)

The landowner filed an application to amend the SOIs for CCCSD and EBMUD by 30± acres in anticipation of corresponding annexations. The application is currently incomplete. The project is currently in litigation.

Potential and Other Applications

On April 14, 2021, LAFCO approved the extension of out of agency water service by the City of Martinez to the Bay’s Edge Subdivision 9065 located in unincorporated Mountain View. LAFCO’s approval was conditioned on commitment from the City to annex the subject parcels to the City of Martinez by *August 31, 2022*, in the event the entirety of Mt. View is not annexed to the City prior to that date. On August 10, 2022, the Commission approved extending the deadline to August 31, 2023. The City is currently working on an application to LAFCO.

There are several potential applications that may be submitted to Contra Costa LAFCO in the near future including annexations to Byron Bethan Irrigation District and Central Contra Costa Sanitary District. Also, since completion of the 2021 *Park & Recreation Municipal Services Review*, the Commission discussed dissolving CSA R-9. The matter was continued to March 2024 to allow additional time for community input.

RECOMMENDATION – Informational item – no actions required.

Sincerely,

LOU ANN TEXEIRA
EXECUTIVE OFFICER

Attachment – Current Applications Table

**CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
CURRENT APPLICATIONS – June 14, 2023**

File #	APPLICATION NAME/LOCATION	APPLICATION SUMMARY	STATUS
16-06	Tassajara Parks Project: proposed annexations to CCCSD and EBMUD of 30+ acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to annex 30+ acres to Central Contra Costa Sanitary District (CCCSD) and East Bay Municipal Utility District (EBMUD) to support development of 125 residential lots and related improvements. On July 13, 2021, the County Board of Supervisors certified the project EIR, amend the ULL, executed a land preservation agreement, and acted on various discretionary project approvals.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
16-07	Tassajara Parks Project: proposed sphere of influence (SOI) expansions to CCCSD and EBMUD of 30+ acres located east of the City of San Ramon and the Town of Danville	Application submitted in May 2016 by the landowner to amend the SOIs for CCCSD and EBMUD in anticipation of annexation.	Application is currently incomplete. Await certified EIR, updated application, and other information. The project is currently being litigated.
21-05	Faria Southwest Hills Reorganization: proposed annexations to City of Pittsburg, CCWD and DD of 606+ acres located southwest of the City of Pittsburg	Application submitted in June 2021 by City of Pittsburg to annex 606+ acres to the City, Contra Costa Water District (CCWD) and Delta Diablo (DD) and detach from County Service Area (CSA) P-6 to support hillside estate development of up to 1,500 units.	Following litigation and approval of the project by the Pittsburg City Council on April 17, 2023, the application was resubmitted to LAFCO on May 15, 2023 and is currently under review.
21-17	Dissolution of County Service Area R-9	LAFCO initiated dissolution of CSA R-9	Pending update in March 2024
23-05	Annexation 322 to WCWD-Scannell Properties	Application submitted in April 2023 by landowners to annex 28+ acres to WCWD	Application currently under review
23-06	Detachment from Reclamation District (RD) 800 - Pulte Group	Application submitted in April 2023 by landowners to detach 29+ acres from RD 800	Application currently under review
23-08	Annexation to Delta Diablo Loreto Bay Estates	Application submitted by the landowner to annex 2.88+ acres to DD	Application currently under review