

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

June 12, 2024 (Agenda)

June 12, 2024
Agenda Item 6

LAFCO 24-01 Annexation to the City of San Ramon and Detachment from County Service Area (CSA) P-6

APPLICANT The City of San Ramon adopted several resolutions relating to the subject area, including Resolution No. 2024-013 adopted February 13, 2024 to initiate LAFCO proceedings

SYNOPSIS The subject area comprises 0.13± acres (portion of Assessor Parcel Number 208-700-082-0) located on Deerwood Road in unincorporated San Ramon - see Exhibit A.

The subject area is an island. The purpose of the reorganization is to eliminate the island and allow for the extension of city services to area. The proposal also includes a corresponding detachment from CSA P-6.

DISCUSSION

In LAFCO’s review of a boundary change, the Commission must consider various factors pursuant to Government Code (GC) §56668. In the Commission’s review of these factors, no single factor is determinative. In reaching a decision, each factor is to be evaluated within the context of the overall proposal.

1. ***Consistency with the Sphere of Influence (SOI) of Any Local Agency:***

LAFCO is charged with both regulatory and planning functions. Changes of organization are a regulatory act, while establishing SOIs is a planning function. The SOI is an important benchmark as it defines the primary area within which urban development may occur. For the Commission to approve an annexation, it must be consistent with the jurisdiction's SOI. The subject area is within the City of San Ramon’s SOI, and within the City’s Urban Growth Boundary (UGB) and the County’s Urban Limit Line (ULL).

2. ***Land Use, Planning and Zoning - Present and Future:***

The Contra Costa County and City of San Ramon land use designations for the subject area are shown in the table below. Upon annexation, the City’s land use designations will apply.

	County	City
General Plan	Multiple Family Residential (MH)	Open Space
Zoning	General Agriculture District (A-2)	On December 12, 2023, the San Ramon City Council adopted Ordinance No. 524 amending the San Ramon Zoning Map to designate the approximate 0.13-acre area within the Open Space (OS-1) prezone district, effective January 12, 2024.

3. ***The Effect on Maintaining the Physical and Economic Integrity of Agricultural Lands:***

The proposal area is not within any designated agricultural lands nor is it adjacent to any designated agricultural lands. Additionally, the proposal area constitutes a 0.13-acre remainder area of existing privately-owned open space that was previously approved in 1992 as urban development that includes a variety of land uses (including, but not limited to, multi-family residential and open space).

4. ***Topography, Natural Features and Drainage Basins:***

The topography of the proposal area is generally characterized as a 0.13-acre open space hillside which ranges in elevation from 554 feet to 584 feet – a 30-foot change in elevation. There are no other significant natural features affecting the proposal.

5. ***Population:***

The subject area includes zero dwelling units. The applicable San Ramon Open Space General Plan land use designation and Open Space prezone district (OS-1) for the proposed area does not allow new dwelling units. Additionally, the proposal area is not identified in the adopted and State certified 2023-2031 Housing Element as a Housing Opportunity site.

6. ***Fair Share of Regional Housing:***

One of the factors the Commission must consider in its review of a proposal is the extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the regional council of governments. Regional housing needs are determined by the State Department of Housing and Community Development; the councils of government throughout the State allocate to each jurisdiction a “fair share” of the regional housing needs (GC §65584).

In Contra Costa County, the Association of Bay Area Governments (ABAG) determines each city's fair share of regional housing needs. Each jurisdiction is required to incorporate its fair share of the regional housing needs into the Housing Element of its General Plan. In December 2021, ABAG adopted the Final Regional Housing Needs Allocation (RHNA) Plan for the San Francisco Bay Area (2023-2031). The RHNA Plan includes the following allocations for the City of San Ramon: 1,985 above moderate-income units, 767 moderate income units, 862 low-income units, and 1,497 very low-income units housing units for a total of 5,111 units.

The applicable San Ramon Open Space General Plan land use designation and Open Space prezone district for the proposal area do not allow new dwelling units in the subject area.

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

Pursuant to GC §56653, whenever a local agency submits an annexation application, the local agency must also submit a plan for providing services to the annexation area. The plan shall include all of the following information and any additional information required by LAFCO:

- (1) An enumeration and description of the services to be extended to the affected territory.
- (2) The level and range of those services.
- (3) An indication of when those services can feasibly be extended to the affected territory.
- (4) An indication of any improvement or upgrading of structures, roads, sewer or water facilities, or other conditions the local agency would impose or require within the affected territory if the change of organization or reorganization is completed.
- (5) Information with respect to how those services will be financed.

The City submitted a *Plan for Providing Services* which includes parks and recreation, police, fire protection, ambulance, library schools, refuse collection, recreation, community facilities, flood control, public facilities, streets and roadways. Water service is provided by East Bay Municipal Utility District (EBMUD), wastewater service is provided by Central Contra Costa Sanitary District (CCCSD), fire and emergency medical service is provided by San Ramon Valley Fire Protection District (SRVFPD). The subject area is within EBMUD, CCCSD, and SRVFPD service boundaries.

In conjunction with the proposed boundary reorganization, the City will extend City police, streets and roadways, and parks and recreation services to the subject area as described below.

Parks and Recreation – The proposal area does not include any existing dwelling units nor are any dwelling units allowed in subject area pursuant to the San Ramon land use designations. Therefore, there are no recreational services, community facilities, or additional parkland proposed for the proposal area.

Police Services – Law enforcement services are currently provided to the annexation area by the Contra Costa County Sheriff's Department. Upon annexation, police services will be provided by the City of San Ramon. The City's police department maintains a ratio of approximately 0.82 officers per 1,000 population for police services. The General Plan includes performance guidelines that include adequate standards which the City can meet. The area surrounding the proposal area is currently served by the City of San Ramon. No additional police officers are anticipated to serve the subject area.

Fire Protection – Fire and emergency medical services are, and will continue to be, provided by SRVFPD following annexation. The City's General Plan policies include service guidelines relating to fire response time (i.e. 4-5 minutes for emergency calls 90% of the time).

Fire Station No. 38 will serve as the primary fire station to serve the annexation area. Fire Station No. 38 is located approximately 1.03 miles from the annexation area and has primary responsibility for fire and emergency medical services. Fire Stations 31 and 34 will respond as secondary and tertiary stations, respectively. These Fire Stations are less than three miles from the subject area. The main access roads (routes) to the annexation area include Crow Canyon Road, Deerwood Road, San Ramon Valley Boulevard, and Alcosta Blvd.

Streets and Roadways – The annexation area is served by an adjacent collector road (Deerwood Road) and arterial roads (Crow Canyon Road and San Ramon Valley Boulevard). There are no streets or roadways directly within the area, nor are any streets or roadways required to serve the proposal area.

Wastewater Services – Wastewater service to the annexation area is provided by CCCSD, which is responsible for wastewater collection, treatment and disposal, maintenance of sewer lines, recycled water for landscape use, pollution prevention, and a permanent household hazardous waste collection facility.

CCCSD covers approximately 145 square miles and serves a population of approximately 487,329. CCCSD facilities include a wastewater treatment plant, 1,535 miles of pipeline and 18 pump stations. Treatment capacity includes 35 million gallons per day (MGD) average dry weather flow, 34 MGD average daily flow, 13 billion gallons of wastewater treated and cleaned annually. The plant can accommodate 250 MGD of wet weather flow, and 54 MGD is the design capacity of the treatment plant. Regarding recycled water,

approximately 600 million gallons per year are used for irrigation, industrial processes, and plant operations.

The City notes that the existing infrastructure to serve the proposal area is adequate for the existing open space land use. Also, the applicable San Ramon Open Space General Plan land use designation and Open Space prezone district for the proposal area would not result in new development from the existing open space land use. As a result, there is no additional wastewater demand in the proposal area.

8. ***Timely Availability of Water and Related Issues:***

Pursuant to the CKH Act, LAFCO must consider the timely and available supply of water in conjunction with a boundary change proposal.

Water service to the subject area is provided by EBMUD, which is responsible for water supply, wastewater treatment, and disposal of wastewater within areas in Alameda and Contra Costa counties. EBMUD covers approximately 232 square miles and serves approximately 159,000 accounts in Contra Costa County.

The existing infrastructure for water service to the subject area is adequate for the existing open space land use. The applicable San Ramon Open Space General Plan land use designate and Open Space prezone district (OS-1) for the proposal area will not result in new development. Consequently, there is no additional water demand in conjunction with this proposal.

9. ***Assessed Value, Tax Rates, and Indebtedness:***

The annexation area is within tax rate area (TRA) 66091. The assessed value for the entire TRA is \$8,579. The area proposed for annexation has a zero assessed value. The City and County will rely on the master tax transfer agreement for this annexation.

10. ***Environmental Impact of the Proposal:***

In 2023, the City of San Ramon approved the San Ramon General Plan 2040, along with a Specific Plan Amendment, Rezone, Prezone, Mitigation Monitoring and Reporting Program, Statement of Overriding Considerations, and an Environmental Impact Report (EIR). The approval associated with this action amended the General Plan to designate the 0.13+ acres of real property as Open Space General Plan designation and amended the zoning map to designate the 0.13± acres of real property as Open Space (OS-1) prezone district. These documents are sufficient for LAFCO purposes.

11. ***Landowner Consent and Consent by Annexing Agency:***

According to County Elections, there are zero registered voters in the area proposed for annexation; thus, the area is considered uninhabited.

The landowner was notified of the June 12, 2024 LAFCO public hearing.

12. ***Boundaries and Lines of Assessment:***

The annexation area is within the City's SOI and is contiguous to the city's boundary. A corresponding detachment from CSA P-6 of the same area is also proposed. A map and legal description to implement the proposed boundary change has been received and is subject to final approval by the County Surveyor.

13. ***Environmental Justice:***

LAFCO is required to consider the extent to which a change or organization of reorganization will promote environmental justice. As defined by statute, environmental justice means “the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.” [GC § 56668(p)] The proposed boundary reorganization is not expected to promote or discourage the fair treatment of minority or economically disadvantaged groups.

14. ***Disadvantaged Communities:***

In accordance with state law, local agencies and LAFCOs are required to plan for disadvantaged unincorporated communities (DUCs). Many of these communities lack basic infrastructure, including streets, sidewalks, storm drainage, clean drinking water, and adequate sewer service. LAFCO actions relating to Municipal Service Reviews, SOI reviews/amendments, and annexations must take into consideration DUCs, and specifically the adequacy of public services, including sewer, water, and fire protection needs or deficiencies, to these communities. According to the County Department of Conservation and Development, the area proposed for annexation is not a DUC.

15. ***Comments from Affected Agencies/Other Interested Parties:***

No comments have been received to date.

16. ***Regional Transportation and Regional Growth Plans:***

In its review of a proposal, LAFCO shall consider a regional transportation plan adopted pursuant to GC §65080 [GC §56668(g)]. Further, the Commission may consider the regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or sub-regional basis (GC §56668.5). Regarding these sections, LAFCO looks at consistency of the proposal with the regional transportation and other regional plans affecting the Bay Area.

SB 375, a landmark state law, requires California's regions to adopt plans and policies to reduce the generation of greenhouse gases (GHG), primarily from transportation. To implement SB 375, the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), in July 2013, adopted Plan Bay Area as the “Regional Transportation Plan and Sustainable Communities Strategy” for the San Francisco Bay Area through 2040. Plan Bay Area focuses on where the region is expected to grow and how development patterns and the transportation network can work together to reduce GHG emissions. The Plan's key goals are to reduce GHG emissions by specified amounts; and plan sufficient housing for the region's projected population over the next 25 years.

In October 2021, ABAG and MTC adopted *Plan Bay Area 2050*, which serves as the Bay Area's official long-range plan for housing, economic development, transportation, and environmental resilience for the next four years. While prior iterations of *Plan Bay Area* focused on transportation and housing, the 2050 plan expands the scope introducing strategies for long-term economic development and environmental resilience, while meeting federal and state requirements.

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In July 2017, ABAG and MTC adopted Plan Bay Area 2040, which updates the 2013 Plan Bay Area and reaffirms the goals/targets identified in the earlier version. Plan Bay Area establishes "Priority Conservation Areas" (PCAs) and "Priority Development Areas" (PDAs) and focuses growth and development in nearly 200 PDAs. These existing neighborhoods are served by public transit and have been identified as appropriate for additional, compact development.

This fall, ABAG and MTC are starting Plan Bay Area 2050 which will focus on four key issues the economy, the environment, housing and transportation - and will identify a path to make the Bay Area more equitable for all residents and more resilient in the face of unexpected challenges. Work with local jurisdictions is currently underway to explore new PDAs, PCAs and a new variable – Priority Production Areas (PPAs).

The area proposed for annexation is within the City's SOI and UGB and is not within a designated PDA or PCA. The annexation has been anticipated by, is consistent with, the San Ramon General Plan 2040, and does not appear to conflict with the regional growth plan.

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 reorganization as proposed including annexation to the City of San Ramon and detachment from CSAs P-6.

- A. Adopt Resolution No. 24-01, making CEQA findings and approving the proposal.
- B. Approve the proposal, to be known as **Deerwood Road Annexation to the City of San Ramon and Detachment from CSA P-6** subject to the terms and conditions in Resolution No. 24-01, including the following:

The territory being annexed shall be liable for the continuation of any authorized or existing special taxes, assessments, and charges comparable to properties presently within the annexing agency.

- C. Find that the subject territory is uninhabited. Should the Commission receive an objection from any affected landowner within the subject area, LAFCO will conduct a protest hearing. Absent any objection received before the conclusion of the commission proceedings on June 12, 2024, the Commission will waive the protest proceedings.

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: Option 1 – Approve the reorganization as proposed.

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

c: Distribution

Attachment

1 - Draft LAFCO Resolution 24-01

Exhibit

A – Map of Reorganization Area

RESOLUTION NO. 24-01

**RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING
ANNEXATION TO CITY OF SAN RAMON AND DETACHMENT FROM COUNTY
SERVICE AREA (CSA) P-6 – DEERWOOD ROAD**

WHEREAS, the above-referenced proposal was filed with the Executive Officer of the Contra Costa Local Agency Commission pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act (§56000 et seq. of the Government Code); and

WHEREAS, the Executive Officer examined the application and executed her certification in accordance with law, determining and certifying that the filing is sufficient; and

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

WHEREAS, the Executive Officer reviewed available information and prepared a report including her recommendations therein, and the report and related information were presented to and considered by the Commission; and

WHEREAS, at a public hearing held on June 12, 2024, 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 recommendations, the environmental documents and determinations, applicable General and Specific Plans, consistency with the spheres of influence, and related factors and information including those contained in Gov. Code §56668; and

WHEREAS, information satisfactory to the Commission has been presented that no affected landowners/registered voters within the subject area object to the proposal; and

WHEREAS, the applicant has delivered to LAFCO an executed indemnification agreement providing for the applicant to indemnify LAFCO against any expenses arising from any legal actions to challenge the annexation; and

WHEREAS, the Local Agency Formation Commission determines the proposal to be in the best interest of the affected area and the organization of local governmental agencies within Contra Costa County and the City of San Ramon.

NOW, THEREFORE, the Contra Costa Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

1. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, considered the environmental effects of the project as shown in the City of San Ramon's Environmental Impact Report. The Commission finds that all changes or alterations in the project that avoid or substantially lessen its significant environmental effects are within the responsibility and jurisdiction of the City of San Ramon and not LAFCO, and that changes have been, or can and should be, adopted by the City of San Ramon as the lead agency.

2. Annexation to City of San Ramon and Detachment from CSA P-6 0.13± acres (portion of APN 208-700-082-0) is hereby approved.
3. The subject proposal is assigned the following distinctive short-form designation:
ANNEXATION TO CITY OF SAN RAMON/DETACHMENT FROM COUNTY SERVICE AREA P-6
4. The boundary of the subject area is found to be definite and certain as approved and set forth in Exhibit A, attached hereto and made a part hereof.
5. The subject area shall be liable for any authorized or existing taxes, charges, and assessments currently being levied on comparable properties within the annexing agencies.
6. The subject area is uninhabited.
7. No affected landowners or registered voters within the subject area object to the proposal, and the conducting authority (protest) proceedings are hereby waived.
8. All subsequent proceedings in connection with this annexation shall be conducted only in compliance with the approved boundaries set forth in the attachments and any terms and conditions specified in this resolution.

PASSED AND ADOPTED THIS 12th day of June 2024, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

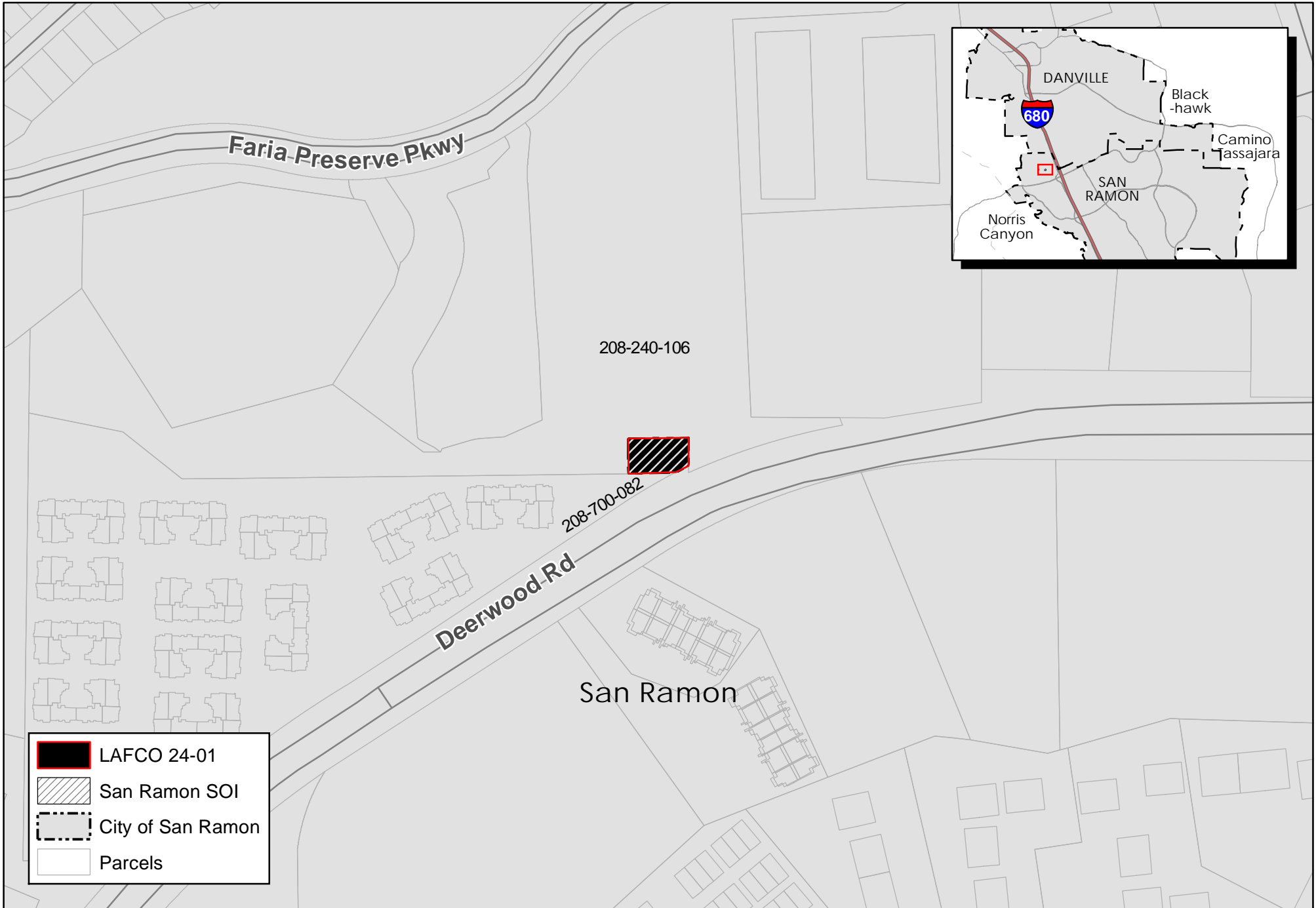
CHAIR, CONTRA COSTA LAFCO





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

Dated: June 12, 2024

Lou Ann Texeira, Executive Officer

LAFCO 24-01: Deerwood Road Annexation to City of San Ramon and Detachment from CSA P-6



	LAFCO 24-01
	San Ramon SOI
	City of San Ramon
	Parcels

