

CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
EXECUTIVE OFFICER'S REPORT

January 14, 2026 (Agenda)

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Agenda Item 6

LAFCO 25-04 Annexation to Mt. View Sanitary District (MVSD) – Bay View Estates

APPLICANT Discovery Builders, LLC (Landowner)

SYNOPSIS The Mt. View Sanitary District is an independent district, formed in 1923 pursuant to the Sanitary District Act of 1923 (Health & Safety Code §6499 et seq.). In September 2025, Contra Costa LAFCO received an application to annex property to Mt. View Sanitary District (MVSD) (APN 380-030-046). The parcel is located near Pacheco Boulevard in Martinez. The applicant intends to build 144 new single-family homes.

DISCUSSION

Government Code §56668 sets forth factors that the Commission must consider in evaluating a proposed boundary change as discussed below. In the Commission's review, no single factor is determinative. In reaching a decision, each is to be evaluated within the context of the overall proposal.

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

The parcel proposed for annexation is within MVSD's SOI, and within the Contra Costa County Urban Limit Line (ULL).

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

The County's General Plan designation for the parcel open space/new development. Zoning is *Planned Unit Development (P-1)*. The subject parcel is located within the Urban Limit Line (ULL). The land use designation is *Residential Medium Development*. No changes to the General Plan or zoning designations are proposed in conjunction with this proposal. The proposed development preserves significant open space.

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

The subject area contains no prime farmland or land covered under the Williamson Act Land Conservation agreements. There is no significant impact to open space.

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

The subject area is hillside medium density.

5. **Population:**

The subject area is currently vacant. MVSD serves an estimated population of 21,000 residents consisting of 8,930 residential and 281 commercial, industrial, and institutional sewer connections.

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

The proposed use of the subject property is construction of approximately 144 new single-family homes. The surrounding area includes single family homes.

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

An application for a change of organization or reorganization typically requires a plan for providing services within the affected territory (Gov. Code §56653). The plan for service is available in the LAFCO office at 40 Muir Road, Martinez. The plan for service includes the following information and any additional information required by the Commission or the LAFCO Executive Officer:

- (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 annexation area is served by various local agencies including, but not limited to, *Contra Costa County, Contra Costa County Fire Protection District, Contra Costa County Flood Control, County Service Area P-6, County Water Agency, Contra Costa Resource Conservation District, Contra Costa Mosquito Abatement District, Contra Costa Water District, BART, Bay Area Air Management District, East Bay Regional Park District, County Superintendent of Schools, Mt. Diablo Unified School District, and Contra Costa County Community College.*

The proposal before the Commission is to annex 78.64± acres (one parcel) for the provision of wastewater collection, treatment, and disposal services.

MVSD serves approximately 23,000 people within the MVSD and within the district's 4.7± square mile service area. The District's sphere of influence (SOI) encompasses an additional 1.6± square miles and primarily includes an area of 1.46± square miles of industrially zoned land to the north of the district's boundary as well as land within the center of the district's 0.14+ square miles that is in agricultural use. The SOI to the north of the District is designated as heavy industrial to the west of I-680 and open space and parks and recreation to the east of I-680.

The District's wastewater collection system is located in the rolling hills in and surrounding Martinez and serves three zones or watersheds. The collection system includes four pumping stations and 73 miles of sewer pipelines ranging in diameter from 6 to 24 inches.

MVSD provides wastewater collection, treatment, and disposal services for the northeasterly portion of the City of Martinez and adjacent unincorporated lands to the northeast. The plant receives approximately 1.0 million gallons per day during dry weather.

The District collaborates with the Central Contra Costa Sanitary District (CCCSD) to provide a permanent Household Hazardous Waste Collection facility and disposal services for the central portion of the county. MVSD has a franchise agreement with Republic Services to provide trash collection, recycling, and disposal services within the unincorporated area of MVSD's boundaries. The effluent is comprised of approximately 90% residential and 10% small business waste.

MVSD serves a population of approximately 21,000–22,000 residents in Martinez through approximately 7,958 to 8,930 residential connections. The district provides wastewater treatment for roughly 4.7± square miles, with residential waste making up about 90% of its total volume. There are approximately 7,958 and 8,930 residential sewer connections.

Services provided include collection, treatment, and disposal of wastewater, solid waste, and solid waste franchiser. Infrastructure includes gravity sewer pipelines and lift stations. Sewer laterals will be constructed on the parcel to connect to MVSD sewer mains. The landowners will complete construction necessary to connect to MVSD's collection system. The estimated improvement costs are approximately \$500,000. The landowner is responsible for paying all fees and costs for infrastructure improvements.

8. Timely Availability of Water and Related Issues:

The subject property is within the service boundary of Contra Costa Water District (CCWD) which was formed in 1936 to provide water for irrigation an industry. CCWD serves over 219± square miles with a population of approximately 550,000 people in Central and Eastern Contra Costa

County including Clayton, Clyde, Concord, Pacheco, Port Costa, and parts of Martinez, Pleasant Hill, and Walnut Creek. The primary source of water supply for MVSD is CCWD. CCWD also provides

Wholesale Water: Provides water to other entities that serve an additional 250,000 customers, including the cities of Antioch and Brentwood, and the Golden State Water Company. MVSD can adequately serve the project. CCWD delivers safe, clean water to *approximately 550,000 people* in central and eastern Contra Costa County

9. Assessed Value, Tax Rates, and Indebtedness:

The annexation area is within tax rate area 79266. The total assessed value for the annexation area is \$5,962,069 (2024-25 roll). The territory being annexed shall be liable for all authorized or existing taxes comparable to properties presently within the annexing agencies. MVSD will rely on the master tax transfer agreement for this annexation.

10. Environmental Impact of the Proposal:

In conjunction with the proposed annexation, Contra Costa County, as Lead Agency, prepared and certified an Environmental Impact Report (EIR) and Mitigation and Monitoring Reporting Program. The LAFCO Environmental Coordinator has reviewed the County's CEQA documentation and finds it adequate for LAFCO purposes.

11. Landowner Consent and Consent by Annexing Agency:

According to County Elections, there are zero registered voters in the subject area; thus, the area proposed for annexation is, by statute, considered uninhabited. The property owner/applicant consents to the proposed annexation. Therefore, if the Commission approves the annexation, the Commission may waive the protest hearing (Gov. Code §56662).

All landowners and registered voters within the proposal area(s) and within 300 feet of the exterior boundary of the subject parcel were sent notice of the LAFCO hearing.

12. Boundaries and Lines of Assessment:

The annexation area is within MVSD's SOI and contiguous to the MVSD service boundary. A map and legal description to implement the proposed boundary change was submitted and is subject to approval by the County Surveyor.

13. Environmental Justice:

LAFCO is required to consider the extent to which a change of organization or reorganization proposal will promote environmental justice. As defined by statute, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services. The proposed annexation is not expected to promote or discourage the fair treatment of minorities 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 within a DUC.

15. Comments from Affected Agencies/Other Interested Parties:

As of this writing, no comments were received from affected agencies, parties, landowners, or registered voters.

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. This proposal is consistent with *Plan Bay Area*.

ALTERNATIVES FOR COMMISSION ACTION

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

Option 1 Approve the annexation as proposed.

- A. Find that, as a Responsible Agency under the California Environmental Quality Act (CEQA), LAFCO has reviewed and considered the environmental effects of the Bay View Estates housing development project in Contra Costa County's *Environmental Impact Report and Mitigation Monitoring & Reporting Program*, and finds that all changes or alterations in the project that avoid or substantially lessen its environmental effects are within the responsibility and jurisdiction of the County and not LAFCO, and that those changes have been, or can and should be, adopted by the County as lead agency.
- B. Adopt this report, approve LAFCO Resolution No. 25-04 (Exhibit B), and approve the proposal, to be known as *Annexation to Mt. View Sanitary District – Bay View Estates* subject to the following terms and conditions:
 - 1. 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.

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 annexation as proposed.

Lou Ann Texeira

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

Exhibits

A – MVSD Annexation Map

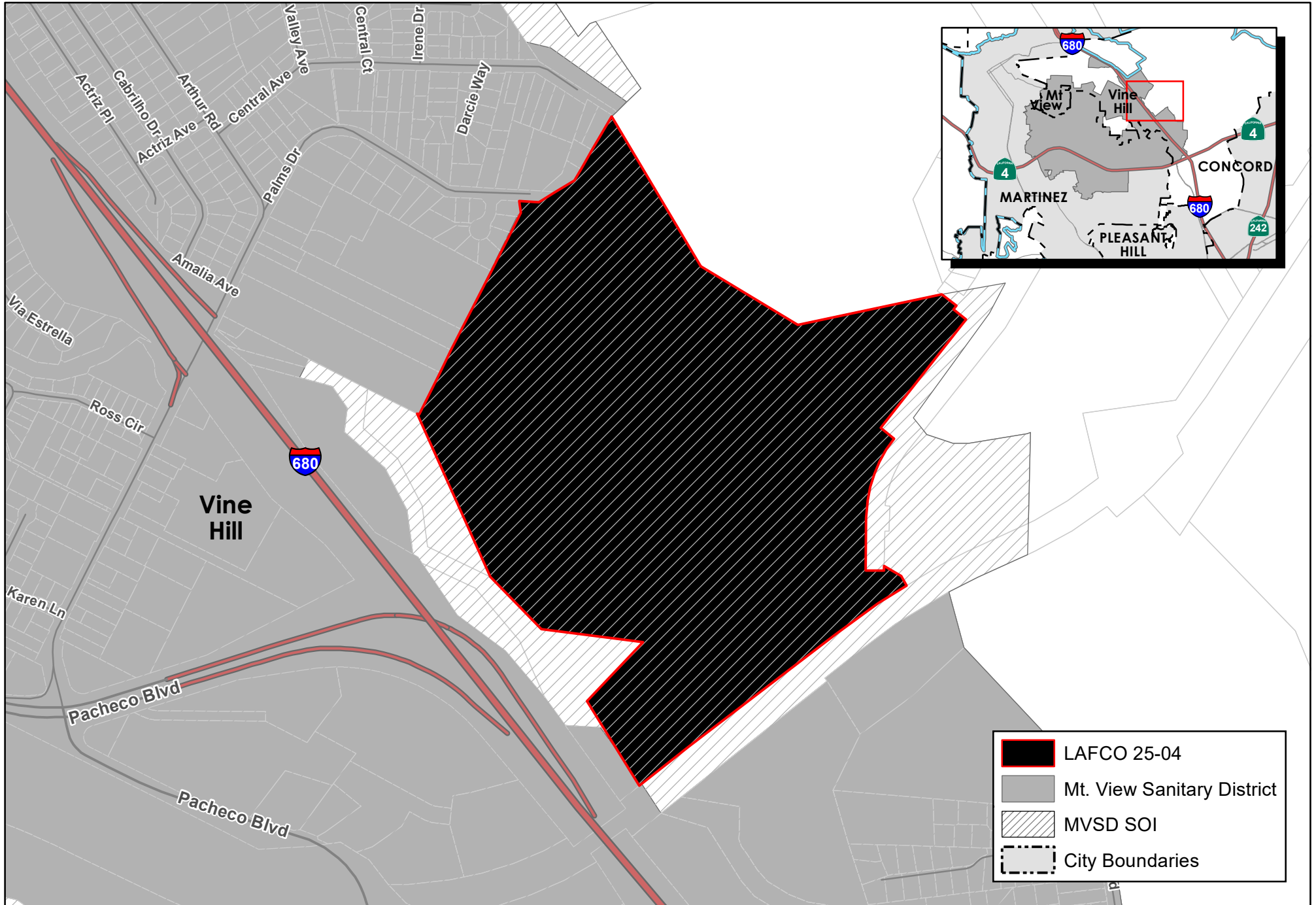
B – Draft LAFCO Resolution 25-04

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LAFCO 25-04 Annexation to Mt. View Sanitary District – Discovery Builders (APN 380-030-046)

Exhibit 6.a



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RESOLUTION NO. 25-04

RESOLUTION OF THE CONTRA COSTA LOCAL AGENCY FORMATION COMMISSION
MAKING DETERMINATIONS AND APPROVING ANNEXATION TO MT. VIEW
SANITARY DISTRICT – **BAYVIEW ESTATES – MARTINEZ**

WHEREAS, the above-referenced proposal was filed with the Executive Officer of the Contra Costa Local Agency Formation 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 have been presented to and considered by the Commission; and

WHEREAS, at a public hearing held on January 14, 2026, 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 document and determination, 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 is presented and no affected landowners or registered voters within the subject area object to the proposal; 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

WHEREAS, the applicant 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.

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

1. Contra Costa County, as Lead Agency, prepared and certified an Environmental Impact Report (EIR) which is available on the County website. The Commission is a Responsible Agency under the California Environmental Quality Act (CEQA), and in accordance with CEQA, the Commission finds the proposed annexation is categorically exempt from CEQA pursuant to California Code of Regulations Title 14, Article 19, Section 15319(b) – *Annexations of Existing Facilities and Lots for Exempt Facilities*.

2. Annexation to Mt. View Sanitary District of 78.65± acres to extend wastewater services to the subject parcel is hereby approved.
3. The subject proposal is assigned the following distinctive short-form designation:
ANNEXATION TO MT. VIEW SANITARY DISTRICT – BAYVIEW ESTATES
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 pursuant to Gov. Code §56079.5.
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 these annexations 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 14th day of January 2026, 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: January 14, 2026

Lou Ann Texeira, Executive Officer