Resolution 10-05 of the
Local Agency Formation Commission
of
Nevada County, California
Making Determinations and Approving
Sphere of Influence Plan Update for the Town of Truckee

WHEREAS, California Government Code Section 56425 requires that a Local Agency Formation Commission ("LAFCo") adopt Spheres of Influence for all agencies in its jurisdiction and review those spheres for possible update every five years; and

WHEREAS, proceedings for adoption, update and amendment of a Sphere of Influence are governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act, Section 56000 et seq. of the Government Code; and

WHEREAS, Government Code Section 56425 defines the purpose of a Sphere of Influence Plan as assisting a LAFCo to carry out its responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities; and

WHEREAS, such a plan will be utilized by members of the public, public agencies, service providers and affected property owners to ascertain the timing of development and expected scope and provision of public services; and

WHEREAS, the Sphere of Influence Plan is a flexible document that may be amended to accommodate changes in development patterns and local circumstances and, further, will be reviewed in five years; and

WHEREAS, California Government Code Section 56430 requires the Commission to conduct service reviews of the provision of municipal services prior to or in conjunction with action to update or adopt a sphere of influence; and

WHEREAS, on March 17, 1994, following a public hearing, Nevada LAFCo adopted Resolution 94-02 approving a coterminous sphere of influence for the Town of Truckee; and

WHEREAS, the Commission has prepared a Municipal Service Review for Eastern Nevada County General Government Services and adopted written determinations relating to services provided by the Town of Truckee; and

WHEREAS, the Municipal Service Review process provided relevant information for the update of the Town of Truckee’s current and future service capacity; and

WHEREAS, the Commission has caused a report to be prepared which, as required by LAFCo policy, summarizes the Town’s capacity to provide municipal services to the current and future population within the recommended sphere of influence; and

WHEREAS, the Town has conferred with the County pursuant to GC Section 56425 (b) and, while no formal agreement was reached, no issues requiring further discussion were identified and no modification of the proposed boundary was requested by the County; and

WHEREAS, the Executive Officer has reviewed the report, the relevant Municipal Service Review and other pertinent documents; has prepared a report including recommendations and conditions for
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update of the Town’s sphere of influence within the time required by law; and has furnished copies of said report to the Commission and to all other persons required by law to receive it; and

WHEREAS, the Commission has also authorized the preparation and circulation of an Initial Study and Notice of Intent to Adopt a Negative Declaration to all affected and interested agencies; and

WHEREAS, at the time and in the manner provided by law, the Executive Officer gave notice of the date, time, and place of a public hearing by the Commission upon the Update of the Town of Truckee Sphere of Influence Plan; and

WHEREAS, the Commission has heard all interested parties desiring to be heard and has considered the proposal and report by the Executive Officer and all other relevant evidence and information presented at said hearing;

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County hereby determines the following:

1. The Commission’s purposes and responsibility.
   The proposed update of the Town of Truckee Sphere of Influence, including the conditions established herein, is consistent with the Commission’s policies, purposes and responsibilities for planning the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the County and its communities.

2. Considerations specified in Government Code Section 56425(e).
   The Commission has considered the documentation in this matter, including the Public Review Draft Sphere of Influence Plan Update for the Town of Truckee and comments submitted by the Town and other interested agencies and individuals as they relate to the following considerations stated in Government Code Section 56425(e): (1) the present and planned land uses in the area, including agricultural and open space lands; (2) the present and probable need for public facilities and services in the area; (3) the present capacity of public facilities and adequacy of public services which the agencies provide or are authorized to provide; (4) the existence of any social or economic communities of interest in the area, as detailed below:

   a. The present and planned land uses in the area, including agricultural and open space lands.
      Land use designations in the Town and County General Plans are consistent in that areas designated for development are intended to remain available for development. Other areas will remain as resource conservation areas or open space.

   b. The present and probable need for public facilities and services in the area.
      The plan anticipates that substantial growth is unlikely to occur in the near term, given the present economic downturn. Over the long term, additional housing opportunities in the Truckee area will be required to accommodate present needs and allow for anticipated growth. Public water and wastewater collection services in the area are provided by Truckee Donner Public Utility District and the Truckee Sanitary District; in some areas
expansion of those agencies’ service and district boundaries would be necessary to support development.

c. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.

The Town has sufficient capacity to extend its services to the proposed sphere of influence.

d. The existence of any social or economic communities of interest in the area if the Commission determines that they are relevant to the agency.

Communities of interest include three residential neighborhoods and the Truckee Tahoe Airport (and adjacent lands owned by the Truckee Tahoe Airport District) which are within or near the proposed sphere of influence. The community of Hirschdale is included in the Sphere of Influence. There are several residential neighborhoods in Placer County that are primarily accessible through the Town; under current state law these areas cannot be annexed to the Town of Truckee unless the County boundaries were to change. Therefore, these areas have not been included in the Town’s sphere of influence, but have instead been designated as “Areas of Concern” in consideration of the fact that land use and other governmental actions affecting these areas may impact indirectly or directly upon the Town. The Town and the Airport District have an MOU and have been working cooperatively on land use issues related to the Airport; these lands have not been included in the sphere in consideration of that fact. They have instead been designated as “Areas of Concern.”

NOW, THEREFORE, the Local Agency Formation Commission of Nevada County also makes the following finding and determination:

1. The Commission finds that the update of the Sphere of Influence Plan for the Town of Truckee is consistent with the land use designations of the County of Nevada and the Town of Truckee.

2. The Commission, as Lead Agency for the purposes of the California Environmental Quality Act (CEQA), hereby determines that there is no substantial evidence, in light of the whole record, that the project may have any significant effect on the environment and, based on the Commission’s independent judgment and analysis, hereby adopts a Negative Declaration for the sphere of influence update. The Negative Declaration relies, in part, upon the EIR prepared by the Town of Truckee for its General Plan and the mitigation measures adopted as part of the General Plan process. The record of proceedings for this decision is located at the offices of Nevada LAFCo and the Executive Officer is hereby designated as the custodian of the documents relating to this determination.

AND, FURTHER, the Commission resolves and orders the following:

1) The Town of Truckee Sphere of Influence Map, included herein as Exhibit A, is hereby adopted by the Commission.

2) The Town of Truckee Sphere of Influence Plan 2010 is hereby approved and adopted by the Commission, and by this reference incorporated herein.

3) All changes of organization or reorganization for the Town of Truckee must be consistent with the updated Sphere of Influence Plan and Map.
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4) All changes of organization or reorganization for Town of Truckee must be consistent with adopted LAFCo Policies and Procedures.

5) The Commission directs staff to file a Notice of Determination as lead agency pursuant to Public Resources Code Section 21152 and Section 15075 of the CEQA Guidelines.

The foregoing resolution was duly passed by the Local Agency Formation Commission of Nevada County at a regular meeting held on December 16, 2010, by the following roll call vote:

Ayes: Anderson, Beckenbach, Bender, Bergman, Norsell, Owens, Weston
Noes: 0
Abstentions: 0
Absent: Grundel

Signed and approved by me after its passage this 16th day of December, 2010.

[Signature]
Hank Weston, Chair
Nevada LAFCo

Attest:

[Signature]
SR Jones, Executive Officer
Recommended Sphere Boundary and Sphere PI

Source: Nevada County GIS (2010), ESRI World Imagery.