

DATE: June 4, 2008

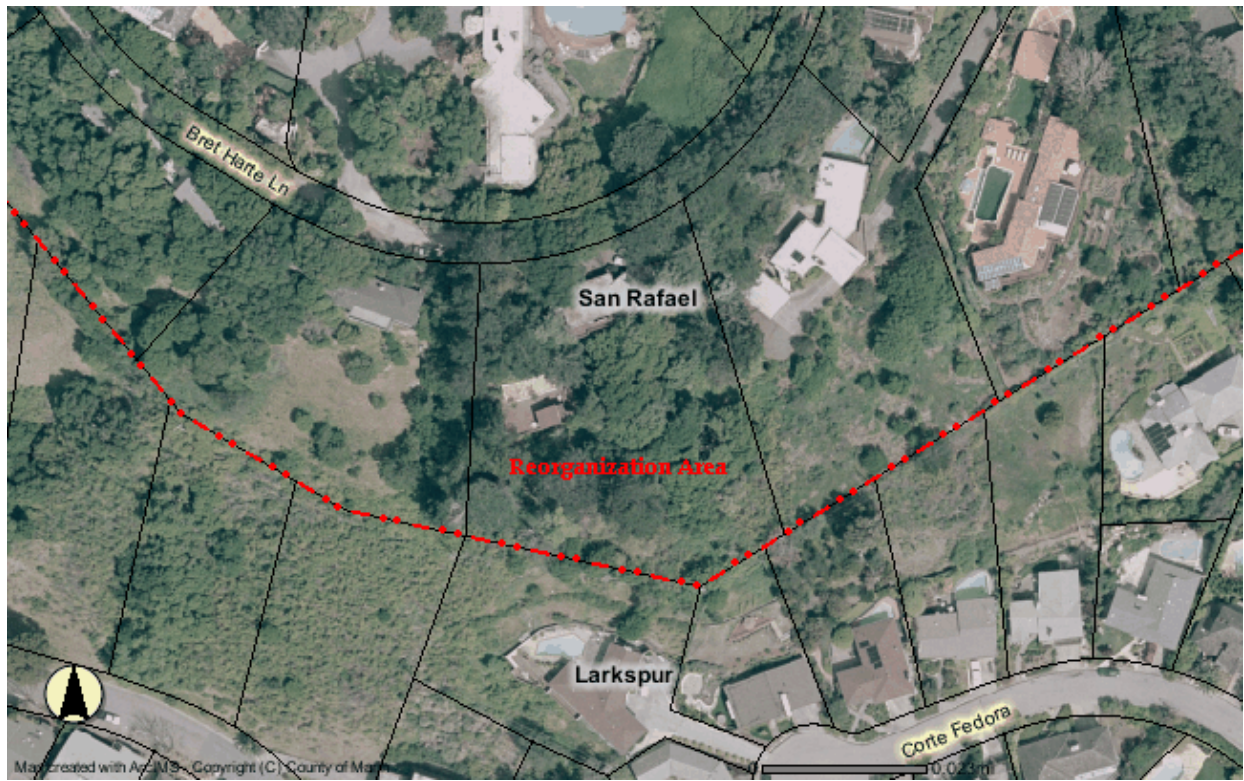
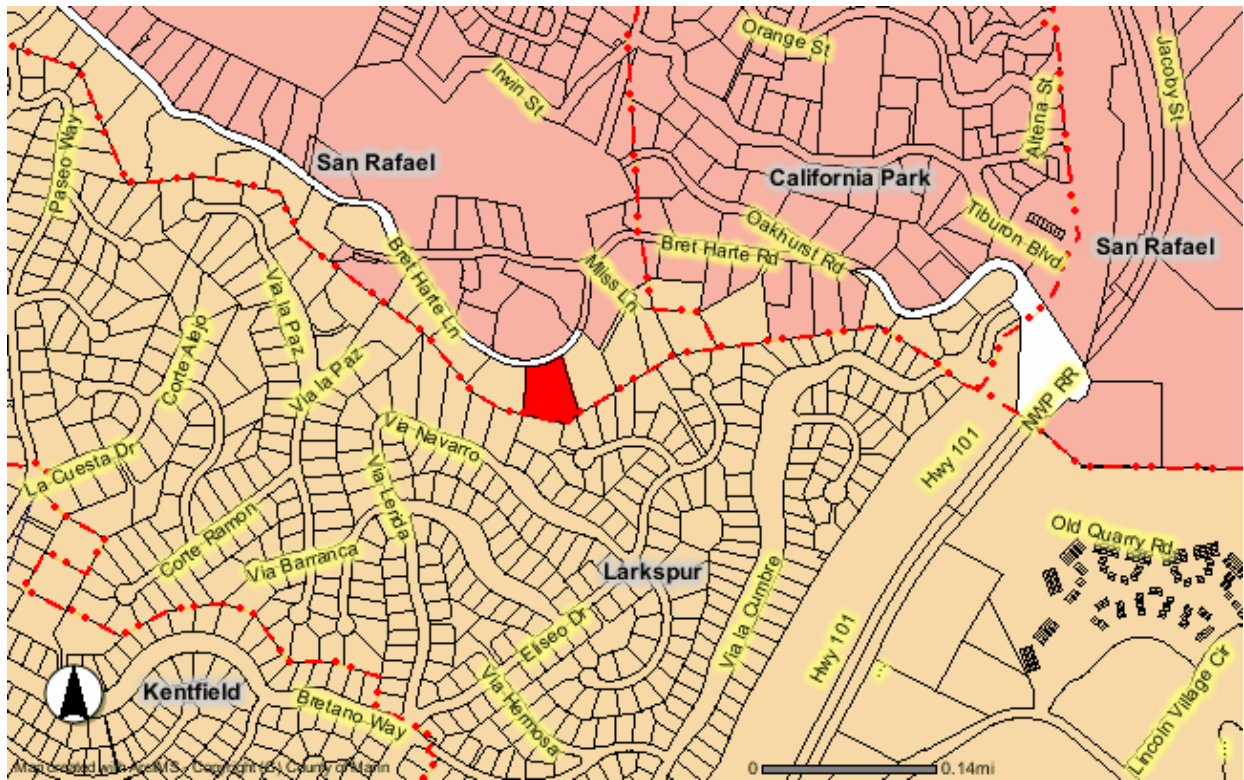
TO: Members, Local Agency Formation Commission

FROM: Peter Banning, Executive Officer

SUBJECT: Executive Officer's Report and Recommendation:
Proposed Reorganization of the Lands of Clements & Banfield Including Detachment from Ross Valley Sanitary District and Annexation to San Rafael Sanitation District (File #1294)

Summary

This proposal requests the detachment of one 1.14 acre parcel from the Ross Valley Sanitary District (RVSD) and annexation of that parcel to the San Rafael Sanitation District (SRSD). The area affected by the proposed reorganization is located in the City of San Rafael on Bret Harte Lane near its intersection with Bret Harte Road. As shown on the map on page 2, neighboring properties on the south side of Bret Harte Lane are within the City of San Rafael and within the jurisdiction of RVSD. Parcels on the north side of the street are within SRSD, which maintains a sewer main in Bret Harte Lane. The property owner seeks connection to the SRSD line in close proximity to his house, rather than a more costly connection to RVSD's nearest main in Corte Fedora to the south, requiring acquisition of easements from two neighboring parcels. Staff recommends approval of the proposed reorganization and concurrent amendment of the spheres of influence of SRSD and RVSD.



General Information

Proposal Description:	Reorganization including detachment from Ross Valley Sanitary District and annexation to San Rafael Sanitation District for service to one existing single-family residence.
Proposal Location:	On Bret Harte Lane near Bret Harte Road, City of San Rafael.
No. of Parcels:	1.
Acres:	1.14.
Development Potential:	None.
Applicants:	Mark Clements and Suzanne Banfield, 37 Bret Harte Lane, San Rafael, 94901.
Consent of Property Owner(s):	100%.
Public Hearing Required:	Yes (for sphere of influence amendment).
Number of Registered Voters:	1.
City or County:	City of San Rafael.
Assessed Value of Land:	\$892,500.
Property Tax Exchange:	\$552.

Current and Proposed Provision of Services

	<u>Current:</u>	<u>If Approved:</u>
Police:	City of San Rafael	No Change
Fire:	City of San Rafael	No Change
Water:	MMWD	No Change
Sewer:	On-site system	San Rafael Sanitation District
Streets:	City of San Rafael	No Change
Planning:	City of San Rafael	No Change

Comments of Affected Agencies

Ross Valley Sanitary District: RVSD reports that the applicants' property is currently on a septic system and that applicants do not pay sewer service charges to the District. "In order to gain access to the nearest (RVSD) public sewer on Corte Fedora, the property owner would have to obtain an easement from one of the neighboring properties and would require a side sewer in excess of 400 LF." RVSD therefore consents to the proposed reorganization.

San Rafael Sanitation District: The San Rafael Sanitation District supports the proposed annexation and has submitted written consent to waiver of conducting authority proceedings.

County Community Development Agency (CDA): no comment.

Marin County Committee on School District Organization: no comment.

County Environmental Health (EHS): EHS notes record of a failed septic system on a neighboring parcel and steep slopes and poor soils in the proposal area.

City of San Rafael: no comment.

Discussion & Analysis

This proposal was originally circulated as a request for annexation to SRSD; the applicant was unaware that the affected parcel was within the boundary of RVSD. The application has been amended to request reorganization including detachment from RVSD and annexation to SRSD.

Although the affected area is in RVSD's jurisdiction and drains toward RVSD facilities in Corte Fedora, connection would require trenching approximately 400 feet, acquisition of an easement from the neighboring property owner and restoration of fencing and landscaping. Connection to SRSD's line in Bret Harte Lane could be accomplished with a 60 foot lateral in the applicant's driveway and the public right-of-way.

The area proposed for reorganization is within the boundary of the City of San Rafael. SRSD presently provides service to parcels opposite the affected area on Bret Harte Lane. The District supports the proposed reorganization. RVSD acknowledges the difficulty involved in reaching the RVSD main in Corte Fedora and also supports the application.

Annexation of this area to SRSD will not facilitate construction of additional housing units other than a second "in-law" unit of under 750 square feet. The aerial photo on page 2 shows the existing residence and a pool house, planned for demolition.

Environmental Review

This proposal is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15320 of the State CEQA Guidelines which provides exemption for changes of organization that do not alter the geographic area to which local government services are extended.

Recommendation

This proposal would facilitate the most efficient means of providing sewer service to the affected area. Approval of the reorganization would require that the spheres of influence of both RVSD and SRSD be concurrently amended. Staff recommends approval of the necessary sphere of influence amendments and the proposed reorganization.

Recommended Commission Action, by Resolution:

1. Adopt a resolution amending the sphere of influence of the Ross Valley Sanitary District to delete APN 013-263-15 and amending the sphere of influence of the San Rafael Sanitation District to add APN 013-263-15 and concurrently making determinations approving the proposed Reorganization of the Lands of Clements and Banfield (File #1215).
2. Authorize staff to initiate subsequent proceedings pursuant to Government Code §57000 without notice and hearing.

Respectfully submitted,

Peter V. Banning
Executive Officer