

DATE: October 6, 2006

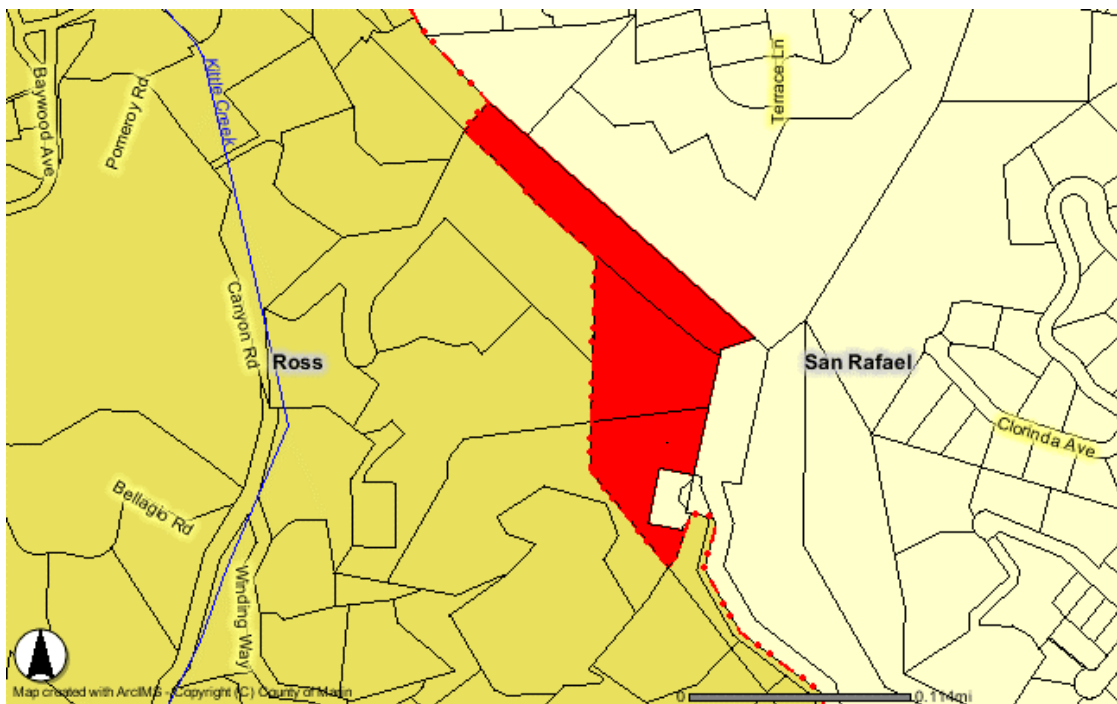
TO: Members, Local Agency Formation Commission

FROM: Peter Banning, Executive Officer
Evelyn Ellis, Assistant Planner

SUBJECT: Executive Officer's Report and Recommendation:
**Reorganization of the Lands of Glasser including detachment from
City of San Rafael and annexation to Town of Ross (File #1277)**

Summary

This proposal requests detachment of three vacant parcels totalling 6.17 acres from the City of San Rafael and annexation of the area to the Town of Ross. The proposal area is located in the incorporated area of the City of San Rafael bordering the Town of Ross on Upper Toyon Road. The purpose of the proposed reorganization is to allow future development of two single-family residences to occur in a single community rather than in multiple jurisdictions. Staff recommends approval.



General Information

Proposal Description:	Reorganization including detachment from the City of San Rafael and annexation to Town of Ross of three vacant parcels for construction of two single family residences.
Proposal Location:	End of Upper Toyon Road on ridge between San Rafael and Ross.
No. of Parcels:	3.
Acres:	6.17.
Development Potential:	Two single family residences.
Applicants:	Harvey Glasser 1020 Vallejo Street San Francisco, CA 94113
Consent of Property Owner(s):	100%.
Public Hearing Required:	No.
Number of Registered Voters:	0.
City or County:	County of Marin.
Assessed Value of Land:	\$659,622.
Property Tax Exchange:	\$54.00.

Current and Proposed Provision of Services

	<u>Current:</u>	<u>If Approved:</u>
Police:	City of San Rafael	Town of Ross
Fire:	City of San Rafael	Town of Ross
Water:	Marin Municipal Water District	No Change
Sewer:	Ross Valley Sanitary District #1	No Change
Streets:	City of San Rafael	Town of Ross
Planning:	City of San Rafael	Town of Ross

Comments of Affected AgenciesTown of Ross

Consent for boundary change by Ordinance No. 593 was given at the March 9, 2006 Town Council meeting.

City of San Rafael

The Community Development Director has signed the Agency Consent form stating that no formal action has taken place to terminate proceedings and that the proposal is acceptable to City management.

Ross Valley Sanitary District

No comment.

County of Marin, Community Development

County staff states that the parcels are in the planning control of San Rafael. No other information received.

County Environmental Health Services (EHS)

County EHS notes that there has been no record of failing septic systems in the vicinity of this property.

Marin Municipal Water District

No comment.

San Rafael City Schools

No comment.

Marin County Office of Education

The transfer of territory from the City of San Rafael to the Town of Ross will not automatically result in a transfer of the territory from the San Rafael City Schools District to the Ross School District. A petition must be filed with the Marin County Superintendent of Schools for this transfer to take place.

Discussion & Analysis

The property owner has applied for detachment from the City of San Rafael and annexation to the Town of Ross in order to construct two single family residences.

The properties proposed for annexation are currently vacant. The area is located at the end of Upper Toyon Road near the ridge between San Rafael and the Town of Ross. Two of the parcels are on the Ross downhill side of the ridge between Ross and San Rafael. Construction on these parcels could create servicing problems for the City of San Rafael for fire and police protection because the remaining houses along Upper Toyon Road are already in Ross and receive services from Ross.

City of San Rafael zoning for the subject area is R-2A-H and R-1A-H, Single Family Residential. The Town of Ross Council adopted an ordinance rezoning the parcels as Single Family Residential with a 5 acre minimum lot size. Annexation of this area to the Town of Ross will allow for construction of two housing units. The Spheres of Influence follow the boundary line therefore minor amendments to the SOIs are required.

The proposed annexation is consistent with applicable standards adopted by the Commission and contained in the Cortese-Knox-Hertzberg Act of 2000 as summarized in Attachment A.

Environmental Review

This proposal is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15319 (b) stating that annexations of individual small parcels of the minimum size for facilities exempted by Section 15303, New Construction or Conversion of Small Structures, are exempt. The Town of Ross, acting as lead agency, adopted Ordinance No. 593 to prezone the properties covered in this proposal on March 9, 2006.

Recommendation

The proposed annexation is contiguous to land in Ross under the same ownership. Reorganization will facilitate future site development by locating all parcels in common ownership under a single jurisdiction. If the proposal is approved, the property owner will be able to seek lot line adjustments within the Town of Ross that would not be possible under the separate jurisdictions of San Rafael and Ross.

The proposal area is located on the Ross side of the ridgeline at the end of a roadway to which Ross provides services. The parcels are already in Sanitary District #1's jurisdiction and are better served by Sanitary District #1 than by San Rafael Sanitary District because the parcels drain to Ross Valley. Approval of the proposal would require minor amendment of the sphere of influence of the City of San Rafael and the Town of Ross, but is otherwise consistent with adopted LAFCO plans and policies. Staff recommends approval of the proposal with corresponding amendments to the spheres of influence of both cities.

Recommended Commission Action, by Resolution:

1. Amend the sphere of influence of the Town of Ross to include APN 012-121-03, 012-121-21, and 012-081-07 and the sphere of influence of the City of San Rafael to exclude these parcels.
2. Adopt a resolution making determinations approving the proposed Reorganization of the Lands of Glasser including detachment from City of San Rafael and annexation to Town of Ross (File #1277) as shown on Exhibits A and B.
3. Authorize staff to complete subsequent proceedings pursuant to Government Code §57000 without notice and hearing.

Respectfully submitted,

Peter V. Banning
Executive Officer