

DATE: May 7, 2009

TO: Members, Local Agency Formation Commission

FROM: Peter Banning, Executive Officer

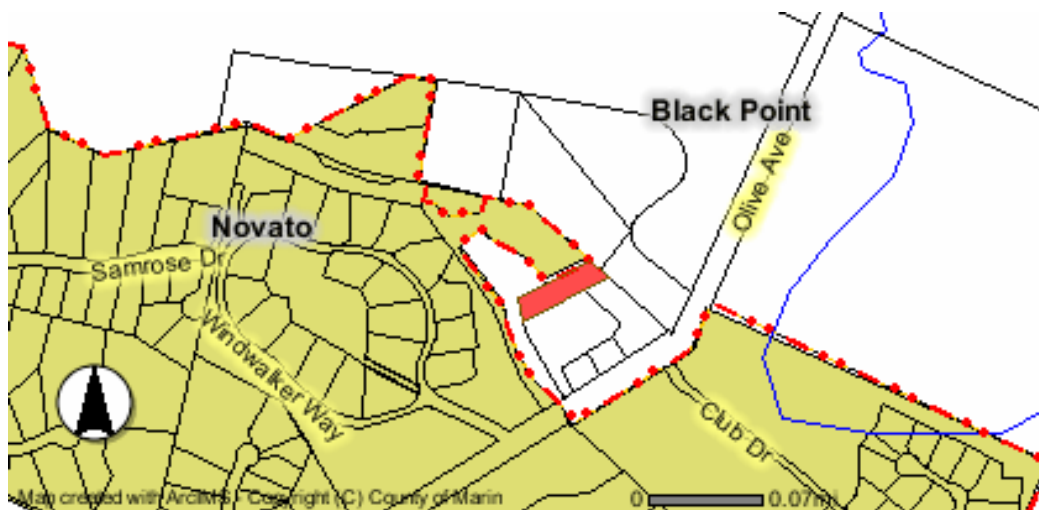
SUBJECT: Executive Officer's Report and Recommendation:
Proposed Annexation of the Lands of Harting to Novato Sanitary District (File #1297)

Summary

This proposal requests annexation of 0.49 acres to the Novato Sanitary District. The parcel is located on Olive Avenue, in the Blackpoint community plan area adjacent to the City of Novato. The purpose of the proposal is to provide sewer service to one existing single-family residence undergoing expansion and renovation. The affected area is within the sphere of influence of the Novato Sanitary District and is not within the sphere of influence of the City of Novato.

On the map below, the proposal area is shown in red, the present jurisdiction of the Novato Sanitary District is shown in yellow and the boundary of the City of Novato is shown in dashed red line. Other parcels not served by the Novato Sanitary District are shown in white.

Staff recommends approval.



General Information

Proposal Description:	Annexation to Novato Sanitary District to obtain sewer service for one single-family residence.
Proposal Location:	Olive Avenue, Blackpoint unincorporated area
No. of Parcels:	1.
Acres:	0.49 acre.
Development Potential:	None.
Applicants:	Tobias & Maria Harting, 308 Olive Avenue, Novato, 94945.
Consent of Property Owner(s):	100%.
Public Hearing Required:	No.
Number of Registered Voters:	4.
City or County:	County.
Assessed Value:	\$869,974.
Property Tax Exchange:	None.

Current and Proposed Provision of Services

	<u>Current:</u>	<u>If Approved:</u>
Police:	City of Novato	No Change
Fire:	Novato Fire Protection District	No Change
Water:	North Marin Water District	No Change
Sewer:	None	Novato Sanitary District
Streets:	City of Novato	No Change
Planning:	City of Novato	No Change

Comments of Affected Agencies

Novato Sanitary District

The District has consented in writing to the proposed boundary change and waiver of conducting authority proceedings.

County Environmental Health Services (EHS)

EHS staff reports incidences of on-site wastewater system failure in the vicinity of the proposal area. Also the affected area is within 400 feet of an existing sewer main.

North Marin Water District

No comment.

Novato Fire Protection District

No comment.

Committee on School District Organization

No comment.

City of Novato, Community Development

No comment.

Discussion & Analysis

The property proposed for annexation is currently in use as a single-family residence. The applicant seeks to replace an existing on-site wastewater system with service from Novato Sanitary District (NSD), available from the District's main in Olive Avenue. The area proposed for annexation is contiguous to the City of Novato's boundary, but is not within the City's sphere of influence. The entire area is within the sphere of influence of the Novato Sanitary District. Given these facts, this proposal is not subject to the Commission's Dual Annexation Policy and annexation to the City of Novato should not be required.

The County Community Development Agency staff reports that the County General Plan designation for the proposal area is AG-3, permitting agricultural uses, non-residential structures for agricultural operations and housing density of 1 unit per 1 to 0 acres. County zoning for the subject area is A2 (Agriculture, Limited, 2 acre minimum lot size). No further residential development could occur under the current zoning classification. Since the affected area is within 400 feet of an existing sewer,

County regulations will require connection to the public sewer if the existing residence is expanded.

The proposed annexation is consistent with the sphere of influence adopted for the Novato Sanitary District and with all other 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 exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15319 of the State CEQA Guidelines which provides exemption for annexations of small parcels where development potential would not exceed three residential units.

Recommendation

The proposed annexation is consistent with the Commission's adopted policies and spheres of influence. Staff recommends approval.

Recommended Commission Action, by Resolution:

1. Adopt a resolution making determinations approving the proposed Annexation of the Lands of Harting to the Novato Sanitary District (File #1297).
2. Authorize staff to complete subsequent proceedings pursuant to Government Code §57000 without notice and hearing.

Respectfully submitted,

Peter V. Banning
Executive Officer