

DATE: March 3, 2006

TO: Members, Local Agency Formation Commission

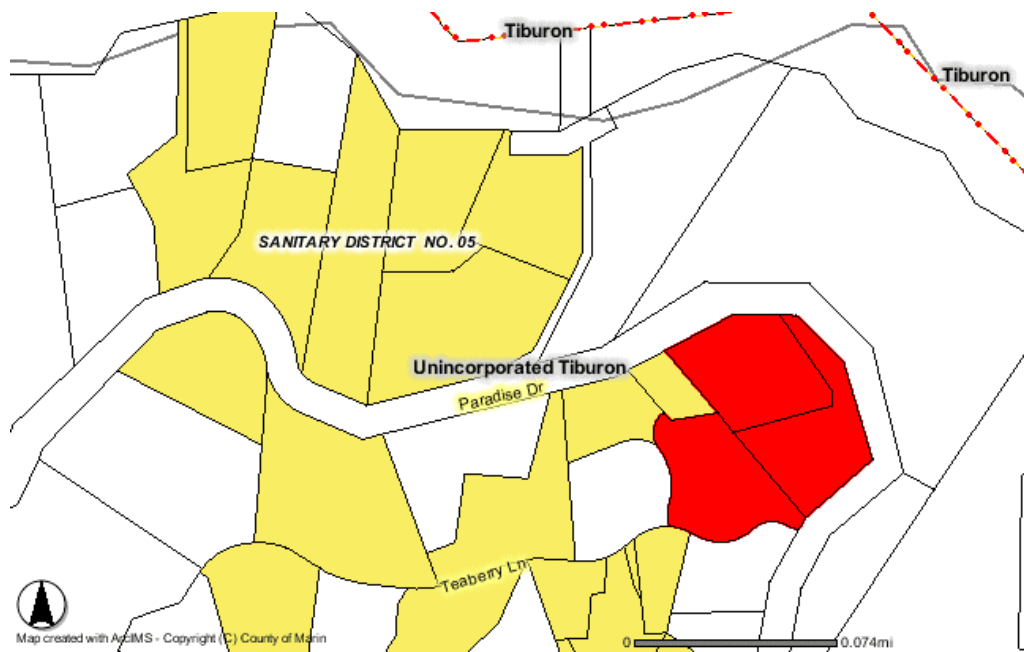
FROM: Peter Banning, Executive Officer
Evelyn Ellis, Assistant Planner

SUBJECT: Executive Officer's Report and Recommendation:
Proposed Annexation of the Lands of Keran, Ghazi & Ferris to Sanitary District #5 (File #1271)

Summary

This is a resubmission of a previous proposal dated November, 2002 (File #1235) for annexation of 2.96 acres to Sanitary District #5. The previous application was denied without prejudice due to uncertain treatment capacity at the Playa Verde treatment plant. Since then, Sanitary District #5 has verified that there is available capacity at the Playa Verde plant and consented to the boundary change.

The proposal area includes three parcels and three existing residences. The area is located in the vicinity of Paradise Lane and Teaberry Lane on the north side of the Tiburon peninsula (see below). The purpose of the proposal is to obtain sewer service from the District's sewer main in Paradise Drive to replace on-site wastewater facilities. Staff recommends approval.



General Information

Proposal Location: West of Paradise Drive (upslope) on the north side of Teaberry Lane.

No. of Parcels: 3.

Acres: 2.96 acres.

Development Potential: None.

Applicants: Michael & Helene Keran, 3215 Paradise Dr., Tiburon, 94920;
Lester & Leonore Ferris, 3201 Paradise Dr., Tiburon, 94920;
Saeed Ghazi, 3245 Paradise Drive, Tiburon, 94920.

Consent of Property Owner(s): 100%.

Public Hearing Required: No.

Number of Registered Voters: 5.

City or County: County.

Assessed Value: \$1,110,509.

Property Tax Exchange: None.

Current and Proposed Provision of Services

	<u>Current:</u>	<u>If Approved:</u>
Police:	County of Marin	No Change
Fire:	Tiburon Fire Protection District	No Change
Water:	Marin Municipal Water District	No Change
Sewer:	None	Sanitary District #5
Streets:	County of Marin	No Change
Planning:	County of Marin	No Change

Comments of Affected Agencies

Sanitary District #5 (Tiburon): Sanitary District #5 has consented in writing to the proposed boundary change and to waiver of protest proceedings.

Town of Tiburon (Community Development): The Town has already signed off on the previous proposal and they have no further comments. All of the conditions for compliance with the Dual Annexation Policy have already been met.

County Environmental Health Services

The County Division of Environmental Health Services reports failing septic systems at neighboring lot due to unsuitable soils and aging systems.

County Community Development Agency

The proposal territory is designated for Low-Medium Density Residential use (up to 1.1 units per acre) in the County's General Plan. Existing County zoning is Single-Family Residential (1.0 acre minimum). Also noted is that the area is an unincorporated island subject to LAFCO's Dual Annexation Policy.

Discussion & Analysis

The proposal area is located in an unincorporated area of the Tiburon Peninsula on Paradise Drive as shown on page 1.

The property owners have applied for annexation in order to connect these existing single-family homes to the Sanitary District. The Tiburon Sanitary District supports the proposed annexation and has submitted written consent to waiver of conducting authority proceedings.

County of Marin zoning for the subject area is R1-B4, Single Family Residential (minimum one acre lot size). Annexation of this area to Tiburon Sanitary District #5 will not facilitate construction of additional housing units as the area is developed to the extent allowed by current zoning.

Because the proposal area is within the sphere of influence of the Town of Tiburon, LAFCO's Dual Annexation Policy is applicable. Annexation of the affected area to the Town of Tiburon is not presently possible because the area is not contiguous to the Town's boundary. The affected property owners have therefore entered into agreements with the Town of Tiburon, as required for their previous proposal, providing for the future annexation of their properties to the Town when the Town determines that services may be efficiently extended. These agreements fulfill the requirements of LAFCO's policy.

The proposed annexation is consistent with the sphere of influence adopted for the Tiburon Sanitary District #5 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 involving areas developed to the density allowed by the current zoning.

Recommendation

The proposed annexation is consistent with the adopted spheres of influence of the Tiburon Sanitary District, the terms of the Commission's Dual Annexation Policy 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. Staff recommends approval.

Recommended Commission Action, by Resolution:

1. Adopt a resolution making determinations approving the proposed Annexation of the Lands of Keran, Ghazi and Ferris to Sanitary District #5 (File #1271).
2. Authorize staff to initiate subsequent proceedings pursuant to Government Code §57000 without notice and hearing.
3. Completion of annexation proceedings shall be subject to the following conditions:
 - A. A revised map and legal description shall be provided by the applicants.

Respectfully submitted,

Peter V. Banning
Executive Officer