

DATE: December 7, 2007

TO: Members, Local Agency Formation Commission

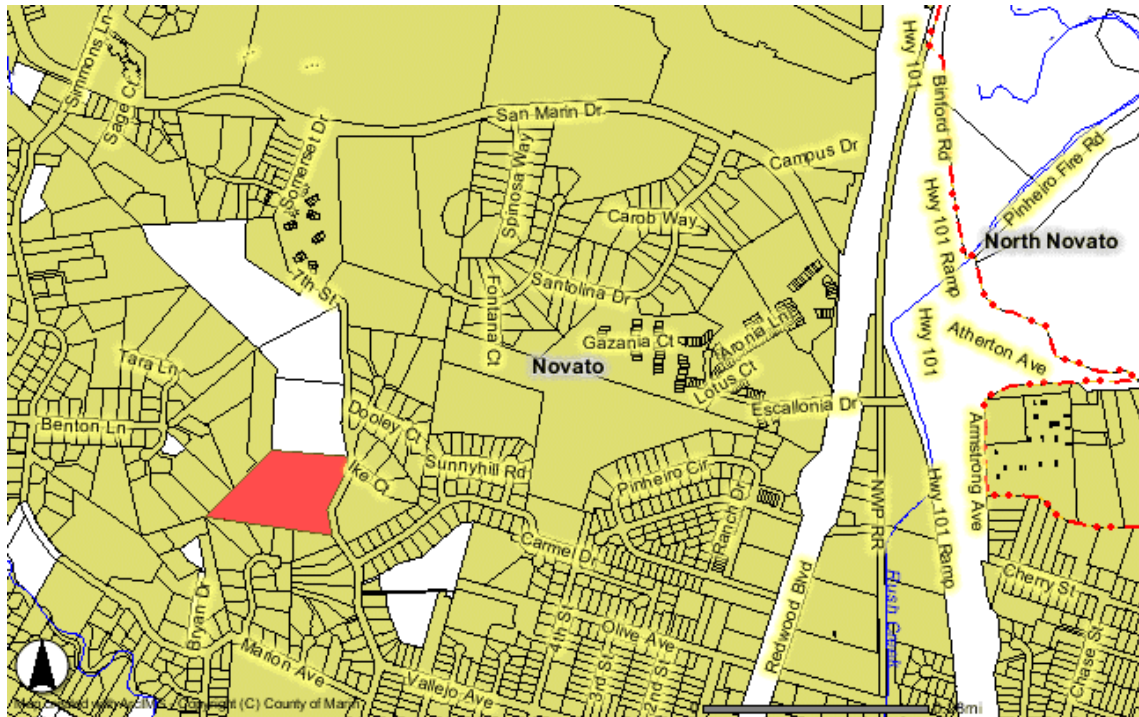
FROM: Peter Banning, Executive Officer

SUBJECT: Executive Officer's Report and Recommendation:  
**Proposed Annexation of the Lands of Ten Eyck & Keegan to Novato Sanitary District (File #1275)**

**Summary**

This proposal requests annexation of 7.4 acres to the Novato Sanitary District. The parcel is located on Seventh Street between Carmel Drive and Ike Court within the boundaries of the City of Novato. The purpose of the proposal is to connect to the sewer district for the construction of two single-family residences. The subject area is surrounded by territory already within the boundaries of the Novato Sanitary District.

Staff recommends approval.



## **General Information**

<b>Proposal Description:</b>	Annexation to Novato Sanitary District to obtain sewer service for two new single-family residences.
<b>Proposal Location:</b>	On Seventh Street between Carmel Drive and Ike Court.
<b>No. of Parcels:</b>	1.
<b>Acres:</b>	7.4 acre.
<b>Development Potential:</b>	2 units.
<b>Applicants:</b>	Jerry Ten Eyck, 434 Laurel Avenue, San Anselmo, CA 94960
<b>Consent of Property Owner(s):</b>	100%.
<b>Public Hearing Required:</b>	No.
<b>Number of Registered Voters:</b>	0.
<b>City or County:</b>	City of Novato.
<b>Assessed Value:</b>	\$637,500.
<b>Property Tax Exchange:</b>	None.

## **Current and Proposed Provision of Services**

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

#### Novato Fire Protection District

No comment.

#### North Marin Water District

No comment.

#### County Environmental Health Services (EHS)

No comment.

#### City of Novato, Community Development

City staff states the parcel is zoned RVL, Very Low Density Residential use (0.5 to 1 du/acre).

### **Discussion & Analysis**

The property owner has applied for annexation to Novato Sanitary District in order to construct two single-family homes. The Novato Sanitary District supports the proposed annexation and has submitted written consent to waiver of conducting authority proceedings.

The property proposed for annexation is currently vacant. The area proposed for annexation is located within the City of Novato near the Downtown area. Most of the residences in the surrounding area are already within the boundaries of Novato Sanitary District.

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**

The City of Novato, acting as lead agency, has prepared an Initial Study and Mitigated Negative Declaration of Environmental Impact for this project (attached). They have adopted a mitigation monitoring and reporting plan in which the staff of the City of Novato are responsible for compliance and are empowered to sanction non-compliance.

### **Recommendation**

This proposal is consistent with the sphere of influence of the Novato Sanitary District and with all other pertinent LAFCO policies. Staff recommends approval.

### **Recommended Commission Action, by Resolution:**

1. Certify that the Commission has reviewed and considered the Initial Study and Mitigated Negative Declaration of Environmental Impact prepared by the City of Novato.
2. Find that changes or alterations to the project and mitigation measures to lessen environmental effects to less than significant levels as identified in the Mitigation Negative Declaration are within the responsibility of the City of Novato and not LAFCO. The City of Novato, acting as lead agency, has adopted a mitigation monitoring and reporting plan in which staff of the City of Novato are responsible for compliance and is empowered to sanction non-compliance.
3. Adopt a resolution making determinations approving the proposed Annexation of the Lands of Ten Eyck & Keegan to the Novato Sanitary District (File #1275) subject to the following condition:
  - A. The applicant shall provide a map and legal description conforming to the standards of the State Board of Equalization as determined by the County Department of Public Works.
4. Authorize staff to initiate subsequent proceedings pursuant to Government Code §57000 and in accordance with policies and procedures adopted by the Commission.

Respectfully submitted,

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Peter V. Banning  
Executive Officer