

DATE: January 25, 2008

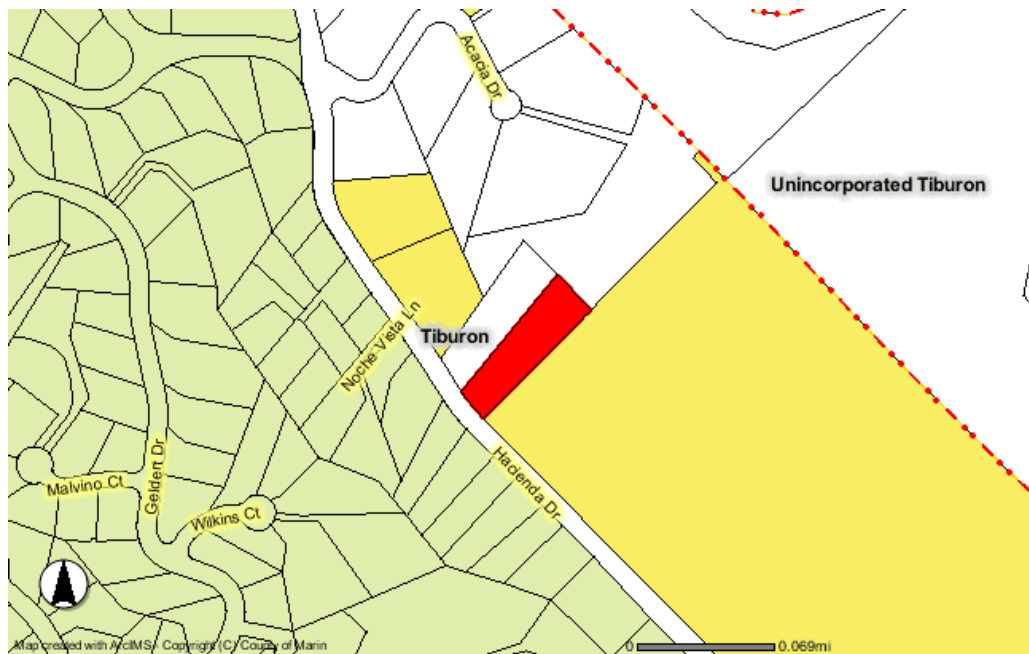
TO: Members, Local Agency Formation Commission

FROM: Peter Banning, Executive Officer

SUBJECT: Executive Officer's Report and Recommendation:
**Proposed Reorganization of the Lands of Thompson & Brooks
Including Detachment from Sanitary District #5 and Annexation to the
Richardson Bay Sanitary District (File #1291)**

Summary

This reorganization proposal requests the detachment of 1.07 acres from Sanitary District #5 and annexation of the same territory to the Richardson Bay Sanitary District (RBSD). The site is developed with one existing single-family residence. The proposal area is located in the Town of Tiburon on Hacienda Drive south of its intersection with Acacia Drive. The purpose of the proposal is to replace the on-site wastewater system of an existing residence with connection to the public sewer. The most direct and efficient connection available to the property owner is to the RBSD sewer in Wilkins Court. The proposal area is shown in red on the map below. The present service area of RBSD is shown in green, Sanitary District #5 is shown in yellow and the boundary of the Town of Tiburon is shown as a dashed red line. Staff recommends approval.



General Information

Proposal Description: Detachment from Sanitary District #5, annexation to Richardson Bay Sanitary District to obtain sewer service for one existing single-family residence.

Proposal Location: Hacienda Drive, Town of Tiburon

No. of Parcels: 1.

Acres: 1.07 acres.

Development Potential: None.

Applicants: Judith Thompson and Cynthia Brooks, 139 Hacienda Drive, Tiburon, 94920.

Consent of Property Owner(s): 100%.

Public Hearing Required: No.

Number of Registered Voters: 3.

City or County: Town of Tiburon.

Assessed Value: \$2,160,938.

Property Tax Exchange: None.

Current and Proposed Provision of Services

	<u>Current:</u>	<u>If Approved:</u>
Police:	Town of Tiburon	No Change
Fire:	Tiburon Fire Protection District	No Change

Water:	Marin Municipal Water District	No Change
Sewer:	None (not connected to San #5)	Richardson Bay San. District
Streets:	Town of Tiburon	No Change
Planning:	Town of Tiburon	No Change

Comments of Affected Agencies

Richardson Bay Sanitary District: The District has consented in writing to the proposed annexation and waived protest proceedings.

Sanitary District #5: The District has consented in writing to the proposed annexation.

Marin County Environmental Health Services (EHS): The EHS departmental report notes the failure of the septic system on a neighboring parcel and poor soils and steep slopes in the area. The applicant must obtain a permit to abandon the existing septic system.

Discussion & Analysis

The owner has applied for detachment from Sanitary District #5 and annexation to the Richardson Bay Sanitary District in order to replace an on-site wastewater system with District sewer service. The property proposed for reorganization was included in the Jansheski annexation to Sanitary District #5 last year. The property is located at the top of a ridge and can connect by gravity to either RBSD or Sanitary District #5. However, attempts to obtain access easements to connect to the new sewer in Paradise Drive have been unsuccessful. Connection to the RBSD sewer in Wilkins Court is the closest and most economical point of connection available. Annexation of this area to RBSD will not facilitate construction of additional housing units as the area is developed to the extent allowed by current zoning in the Town of Tiburon.

Both of the affected sanitary districts support the proposed reorganization and have submitted written consent and waiver of conducting authority proceedings.

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 reorganization will allow the property owners to abandon an existing on-site wastewater system and connect to the public sewer at the closest point available for connection. Staff recommends that the Commission act to amend the spheres of influence and reorganize the boundaries of Sanitary District #5 and Richardson Bay Sanitary District, detaching the affected parcel from Sanitary District #5 and annexing it to Richardson Bay Sanitary District.

Recommended Commission Action, by Resolution:

1. Transfer APN 039-121-14 from the sphere of influence of Sanitary District #5 to the sphere of influence of the Richardson Bay Sanitary District.
2. Make determinations approving the proposed Reorganization of the Lands of Thompson & Brooks Including Detachment from Sanitary District #5 and Annexation to the Richardson Bay Sanitary District (File #1291).
3. Authorize staff to initiate subsequent proceedings pursuant to Government Code §57000 without notice and hearing.

Respectfully submitted,

Peter V. Banning
Executive Officer