

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 06-06

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF
THE CITY OF SAN RAFAEL**

WHEREAS, the Marin Local Agency Formation Commission is required to periodically review and update adopted spheres of influence for each city and special district within Marin County under Government Code Section 56425; and

WHEREAS, the Executive Officer has conducted a study of the adopted spheres of influence of local government agencies in the San Rafael area, prepared a report, including his recommendations thereon, the report having been presented to, considered by this Commission, and adopted and incorporated by this reference into this Resolution as if fully set forth herein; and

WHEREAS, a public hearing by this Commission was held on the *San Rafael Area Service Review and Spheres of Influence* and staff's recommendations contained in that report on the date and at the time noticed thereof, and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report.

NOW, THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER**, based upon the information contained in the Executive Officer's report, correspondence from affected agencies and information received during the public hearings, as follows:

Section 1. The sphere of influence of the City of San Rafael is hereby amended to include all areas currently within the boundaries of the City of San Rafael as of the date of this resolution plus the unincorporated areas of Santa Venetia, Bayside Acres, Los Ranchitos, California Park and Country Club as shown on Attachment 1. The recommended City sphere excludes three areas (Lucas Valley, Marinwood and St. Vincent's/Silveira) that do not reflect the probable physical boundary and service area of the City.

Section 2. The statement of determinations required by Government Code Section 56425 is as follows:

The present and planned land uses in the area, including agricultural and open space lands:

Present and planned land uses in the adopted sphere of influence are governed by the General Plan of the City of San Rafael and the Marin Countywide Plan. Recent amendments to the general plan of the City of San Rafael and other policy documents state the City's unwillingness to annex or extend services to the St. Vincent's/Silveira unincorporated area. This area is currently in institutional and agricultural use. The general plan of the County of Marin provides for urban development of a portion of St. Vincent's/Silveira west of the Northwest Pacific rail line and for continued urban, suburban and open space land uses in Lucas Valley and Marinwood areas and will remain the controlling land use regulation for the area. Amendments to the sphere of influence of the City of San Rafael adopted in this resolution affect the Lucas Valley, Marinwood and St. Vincent's/Silveira areas.

The present and probable need for public facilities and services in the area:

The territories within the City boundaries are at or nearing build-out with little land available for further development. The present need for public services and facilities within the sphere of influence as amended is primarily for existing population, land uses and infill development. The probable demand for public services and facilities over the next 15 to 20 years is not expected to exceed population growth of 12% (2000 - 2020) under the terms of adopted general plans.

The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide:

The operating departments and public facilities of the City of San Rafael are adequate to provide service to the City's currently incorporated area and areas within its sphere of influence as amended. Unincorporated areas included in the sphere of influence are located closely to City facilities and may already be deemed to benefit from City services and facilities. The City of San Rafael would provide services and facilities at service levels that are the same as or higher than currently provided by the County in the currently unincorporated area of the sphere of influence. The removal of the unincorporated areas of

Lucas Valley, Marinwood and St. Vincent's/Silveira from the sphere of influence of the City of San Rafael is based on isolation of these areas from the City's existing public safety facilities and limited street access between these areas and the existing incorporated area of the City of San Rafael and on the continuing availability of municipal services from the County of Marin, County Service Areas #13, #19 and #31, Marinwood Community Services District, Marin Municipal Water District and the Las Gallinas Valley Sanitary District.

The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency:

Each of the unincorporated areas in the designated sphere is served by the same school districts and other community organizations that serve the incorporated area. Recreational and cultural programs offered by the City of San Rafael are open to, and are patronized by, unincorporated area residents. Recreational and cultural programs offered by Marinwood Community Services District and St. Vincent's School are also attended by residents of the City of San Rafael and other cities and unincorporated area residents.

Section 3. Pursuant to Sections 15064(b)(3) and 15320 of the State CEQA Guidelines and for the reasons set forth in the staff report, the Commission finds that this amendment of the sphere of influence of the City of San Rafael is exempt from the provisions of the California Environmental Quality Act. The Commission finds that the use of these exemptions is appropriate because the removal territory from the sphere of influence of the City of San Rafael will not alter the existing land use planning authority of the County of Marin and will not alter existing service availability within the affected territory. Potential changes of organization arising from the amended sphere of influence will therefore not alter the geographic area in which previously existing local government powers are exercised. Accordingly, the Commission hereby instructs staff to file the Notice of Exemption attached to this resolution as Attachment 2.

Section 4. The Executive Officer is hereby directed to mail copies of this resolution to affected local government agencies in the San Rafael area.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on this 8th day of June, 2006, by the following vote:

AYES:

NOES:

ABSENT:

JEFFRY BLANCHFIELD, Chairperson

ATTEST:

PETER V. BANNING, Executive Officer