

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 06-07

**RESOLUTION AMENDING THE SPHERE OF INFLUENCE OF
THE SAN RAFAEL SANITATION DISTRICT**

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

Section 1. The sphere of influence of the San Rafael Sanitation District is hereby amended to include all areas currently within the sphere of influence of the District as of the date of this resolution plus the Upper Sun Valley area as shown on Attachment 1.

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

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

Present and planned land uses in the area designated as the sphere of influence of the San Rafael Sanitation District include low and medium density residential, limited agriculture (permitting residential densities of up to 1.0 units per acre), commercial, industrial and conservation uses. Present and planned land uses

within the District's current boundaries are generally similar to adjacent land uses in areas designated as within the sphere of influence of the City of San Rafael and the San Rafael Sanitation District.

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

Areas included in the San Rafael Sanitation District sphere of influence are either approaching build-out of permitted residential density under current provisions of the County's general plan and zoning ordinance or are already within the incorporated area of the City of San Rafael. Established densities and the incidence of failure of individual septic systems in these areas indicate continuing demand for sewer service.

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

The treatment facilities, trunk lines and sewer mains of the San Rafael Sanitation District are generally sufficient to provide service to the area within the designated District sphere of influence under the assumptions of City and County General Plans. Some marginal expansion of treatment capacity and extensive maintenance of collection system facilities may be required to serve the area at build-out.

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

The Commission has determined that social and economic communities of interest between areas currently within the boundaries of the San Rafael Sanitation District and the area surrounding its jurisdiction are not relevant to the determination of the District's sphere of influence.

Section 3. Pursuant to Section 15320 of the State CEQA Guidelines, the Commission finds that this amendment of the sphere of influence of the San Rafael Sanitation District is exempt from the provisions of the California Environmental Quality Act because potential changes of organization arising from the amended sphere of influence will not alter the geographic area in which previously existing local government powers are exercised.

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:

ATTEST:

JEFFRY BLANCHFIELD, Chairperson

PETER V. BANNING, Executive Officer