

**SAN RAFAEL AREA SERVICE REVIEW AND  
SPHERES OF INFLUENCE**

**PUBLIC REVIEW DRAFT**

**Marin Local Agency Formation Commission**

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## SUMMARY & RECOMMENDATIONS

### A. PURPOSES OF SPHERES OF INFLUENCE ADOPTED BY LAFCO

This report is presented as part of a process mandated by Sections 56425 and 56430 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. As stated in that act, "In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, the Local Agency Formation Commission shall develop and determine the sphere of influence of each local governmental agency within the county." As used in this section, *"sphere of influence" means a plan for the probable physical boundaries and service area of a local government agency.* Establishing geographic areas around each city and local agency district to delineate where they may expand in the future is one of the primary activities of each LAFCO in the State. Having an independent commission establish future growth boundaries in advance of proposed annexations ensures plans for annexations of neighboring cities and special districts will not overlap with each other. SOIs are also meant to prevent "leap-frog" development and to provide for orderly steps in annexation and development.

In determining a sphere of influence, the Commission is required to consider and make written findings with respect to the following factors:

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.

Following adoption, spheres of influence act as a guide to LAFCO review of future proposals for changes to local government boundaries. LAFCO is required to update adopted spheres of influence every five years.

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## B. EXISTING SAN RAFAEL AREA SPHERES OF INFLUENCE

Marin LAFCO engaged in extensive study of local agency jurisdictions in 1982. The Commission's report, City of San Rafael Sphere of Influence/Urban Service Area Study, resulted in adoption of the present sphere of influence for the City of San Rafael. The City's sphere of influence currently includes the area within the city limits and the unincorporated areas of Marinwood, Lucas Valley, St. Vincent's/Silveira, Santa Venetia, Los Ranchitos, Country Club, Bayside Acres, San Rafael Rock Quarry, California Park and Upper Sun Valley.

## C. CHANGES AFFECTING SAN RAFAEL AREA SPHERES OF INFLUENCE SINCE 1982

A number of important changes have occurred in Marin County and the San Rafael area since 1982 that will have an impact on the review of existing spheres of influence:

- 1. Definition of Sphere of Influence:** The definition of "sphere of influence" in 1982 was "... a plan for the *ultimate* boundary and service area of a local government agency." The definition now reads "... a plan for the *probable* boundary and service area of a local government agency."
- 2. General Plans and Development Regulations:** The County's General Plan and Zoning Ordinance have been made more restrictive since 1982, decreasing potential growth in unincorporated areas. The City of San Rafael has removed the St. Vincent's/Silveira area from the area covered in its General Plan adopted in 2004.
- 3. Preservation of Open Space & Agriculture:** Large areas of open space and agricultural land are now permanently preserved in their present uses, restricting the outward expansion of urban land uses and reducing the potential demand for urban services in the unincorporated area.
- 4. Local Government's Financial Pressure from State:** Since the passage of Proposition 13 in 1978, the ability of property tax revenue to fund the extension of city services to developed communities has been impaired. Even in Marin County where assessed values have kept pace and sometimes exceeded inflation in the cost of municipal services, significant sales tax generating land uses would need to be present in annexing communities to avoid adverse fiscal impacts from annexation of developed communities. State legislative policies continue to favor annexation of unincorporated communities to cities, but fiscal disincentives persist. In recent years and for the short-term future, policies encouraging city annexation are undermined to the extent that the Legislature re-directs or "borrows" revenue intended to support local services (including property tax, vehicle license fees and gas tax) to resolve funding shortfalls at

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the state level. Local revenue enhancement measures have been necessary to sustain basic urban services.

#### **D. SERVICE REVIEWS**

New legislation effective in 2001 requires LAFCO to perform "service reviews" prior to updating spheres of influence. In conducting a service review, LAFCOs must review all of the agencies that provide each local service within a designated geographic area. LAFCO may use guidelines adopted by the State Office of Planning and Research in adopting a series of findings on the effectiveness of the existing local government agencies in providing each service.

Chapter II "Service Reviews" discusses wastewater, police, fire, road maintenance and park and recreation services in the study area. In general, the results of service reviews prepared as a part of this report conclude that local governments in the San Rafael area share a long history of seeking to cooperatively minimize costs and maximize service efficiency. Although the political reorganization of some special districts is possible, such reorganization is unlikely to result in significant public benefits and, in each case, would have some undesirable effects on local political responsibility. Accordingly, the findings proposed in this study make no recommendation for changing the structure of local governments in the San Rafael area at this time. Further study of the organizational alternatives for sewer service will be conducted as part of the Ross Valley Service Review and Sphere of Influence Update.

#### **E. RECOMMENDATIONS**

##### **1. Service Review Recommendations**

This report recommends that the Commission adopt the findings required by Government Code Section 56430 as published in the report. Overall, those draft findings identify problems in the funding and provision of local government services and recognize that alternatives for reorganization of local government agencies in the San Rafael area would not provide solutions to those problems.

##### **2. Sphere of Influence Recommendations**

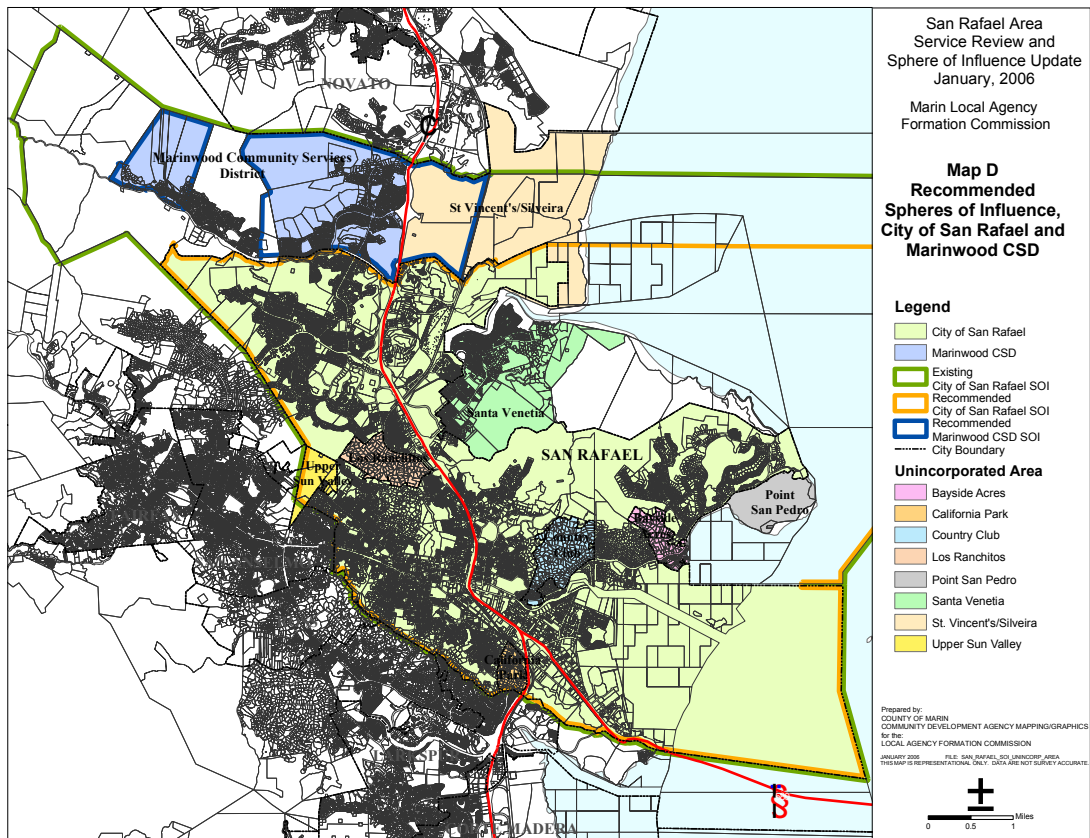
This report recommends that the Commission take the following actions with respect to the spheres of influence of the cities and special districts in the San Rafael study area:



## City of San Rafael

The map below shows the recommended sphere of influence for the City of San Rafael derived from the detailed discussion of individual unincorporated areas in Chapter III and the current definition of spheres of influence in the Cortese-Knox-Hertzberg Act. The recommended City sphere includes unincorporated areas that:

- Are partly or completely surrounded by the City's present boundaries;
- Derive access partly or completely from City streets;
- Share common drainage or other land features with City areas;
- Are isolated from other unincorporated territory and difficult for the County to serve efficiently;
- Can be logically and conveniently served by the City;
- Require or are likely to require urban services; and
- Are planned to include or already include water and sewer facilities.



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Conversely, 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 for the following reasons:

- Areas which the City is unable to efficiently provide services at the same level as other incorporated areas;
- Areas recommended for exclusion contain large tracts of open space that will not require City services (including the Luiz Ranch (611 acres), Rocking H Ranch (501 acres), Skywalker properties (230 acres) and Magruder properties (61 acres);
- Areas excluded from the City's general plan area (St. Vincent's/Silveira);
- Areas where alternative providers of urban services are available to the extent permitted by County planning policy;
- Areas with street access independent of City streets or without access to City streets;
- Areas that are not surrounded or do not share common drainage or other landforms with incorporated areas of the City.

The statutory requirement for periodic review of adopted spheres of influence every five years is intended to incorporate changes to service agreements and other local conditions in boundary plans adopted by LAFCO. Under this requirement, the City's sphere of influence will be reviewed again in 2011. Marin LAFCO has also adopted policies and procedures for reviewing sphere of influence at the request of interested parties as conditions warrant during the five-year interval between periodic reviews (see Chapter IV, Section 4 of Policies, Procedures and Guidelines).

### **Marinwood Community Services District**

Staff recommends that the sphere of influence of the Marinwood Community Services District be amended to include the portions of the St. Vincent's/Silveira area between U.S. 101 and the Northwest Pacific railroad tracks as shown the map above. The recommendation is based on the following assumptions:

- The Marinwood and St. Vincent's/Silveira areas are removed from the sphere of influence of the City of San Rafael as recommended elsewhere in this report;
- The St. Vincent's Silveira area is expected to develop with up to 500 residential units as described in alternatives listed in the Draft Countywide Plan; and
- Financial problems currently experienced by Marinwood CSD with respect to provision of fire protection service will be ultimately resolved through enhancement of the District's special assessment for fire, not through annexation of

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the area to the City of San Rafael and dissolution of Marinwood CSD.

- Marinwood CSD will not require LAFCO approval for extending its contractual agreement with the City if Marinwood, Lucas Valley and St. Vincent's/Silveira are excluded from the City's sphere of influence.

### **San Rafael Sanitation District**

Staff recommends that the sphere of influence of the San Rafael Sanitation District be amended to include the Upper Sun Valley area which would allow the annexation of territory already receiving service from the District to be annexed to the District's jurisdiction. The Commission should anticipate further study of SRSD's service relationships with other members of the Central Marin Sanitation Agency during the Ross Valley Service Review and Sphere of Influence Update later in 2006.

### **Las Gallinas Valley Sanitary District**

The main issue in review of LGVSD's sphere of influence is the continued inclusion of the Silveira Ranch and St. Vincent's property east of the Northwest Pacific Railroad tracks. These areas are unlikely to require extension of urban services under City or County general plans and have been recommended for exclusion from the City's sphere of influence elsewhere in this report. However, these areas are surrounded by areas within the Districts current boundaries (including District-owned spray fields) that may be developed in various recreational uses similar to those cited as the basis for including similar lands to the north in the sphere of influence of the Novato Sanitary District. To the south of this area, recreational land located within the boundary of the City of San Rafael (including McInnis Park) is also included in the District's sphere of influence. On balance, staff recommends that the LGVSD sphere of influence in this area remain unchanged.

On the southern boundary of LGVSD, immediately west of the Los Ranchitos area, the San Rafael Ridge/Sleepy Hollow-Terra Linda Divide open space area should be removed from the District's sphere of influence based on lack of demand for future sewer service.

### **County Service Areas #6, #9, #13, #18, #19, & #31**

The spheres of influence of County Service Areas #6, #9, #13, #19, & #31 are coterminous with their present boundaries. Staff recommends that the Commission take no action to change those spheres of influence. The sphere of influence of CSA #18

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has become obsolete. Staff recommends that the Commission amend the sphere of influence of CSA #18 to include unincorporated area only.

The full text of this report may be downloaded from the Marin LAFCO website at <http://lafco.marin.org>. Larger scale versions of the report's maps may be viewed at the offices of Marin LAFCO at 165 North Redwood Drive, San Rafael.

## CHAPTER I. INTRODUCTION

### A. PURPOSE

This report will review the spheres of influence of local government agencies in the San Rafael area. The discussion is intended to provide a basis for boundary planning decisions to be made by the Marin Local Agency Formation Commission and will include analysis and recommendations for the revision of the spheres of influence of the following local government agencies:

City of San Rafael  
San Rafael Sanitation District  
Las Gallinas Valley Sanitary District  
Marinwood Community Services District  
County Service Areas #6, #9, #13, #18, #19, & #31

### B. BACKGROUND

This report is presented as part of a process mandated by Section 56425 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. As stated in that section, "In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, the Local Agency Formation Commission shall develop and determine the sphere of influence of each local governmental agency within the county." As used in this section, *"sphere of influence" means a plan for the probable physical boundaries and service area of a local government agency.*

In determining a sphere of influence, the Commission is required to consider and make written findings with respect to the following factors:

- The present and planned land uses in the area, including agricultural and open space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.

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

While designating an area as part of an agency's sphere does not mandate that the area will be annexed or reorganized, it does signify the belief of the Commission that in the long-term, the agency is the logical and most efficient provider of municipal services. Changes to State Law effective on January 1, 2001 require LAFCOs to study the service relationships between agencies providing municipal services within different sub-regions in each county prior to the periodic review of adopted spheres of influence. "Service Reviews" for municipal services in the San Rafael area are incorporated in this study in Chapter II.

Once adopted, the sphere of influence is an important guideline in reviewing individual proposals for changes in boundaries or organization in local government agencies. However, the specific changes in boundaries or organization recommended in a sphere of influence determination must be initiated by registered voters, landowners or an affected city or special district or the county. LAFCO itself may only initiate limited types of proposals affecting the organization of special districts.

Revisions to State law, court action, changes in land use and service plans and the passage of time have made some of the established spheres of influence in Marin County outdated or otherwise insufficient. All LAFCOs in California are required to periodically review and update adopted spheres to account for such changes under Government Code Section 56425(b). Marin LAFCO adopted policies for the periodic review of spheres of influence in September 2000.

The actual effect of this or any other adopted sphere of influence will be to augment local agency plans with policy guidance on matters relating to the organization of local government. In short, the purpose of the Commission's sphere determinations is to answer the question, "What local agencies should provide which services to what geographical area as change occurs?"

### C. EXISTING SPHERE OF INFLUENCE

Marin LAFCO engaged in an extensive study of local agency jurisdictions in 1982. The Commission's report, City of San Rafael Sphere of Influence/Urban Service Area Study, resulted in adoption of the present spheres of influence for the City of San Rafael and the Marinwood Community Services District shown on Map A.

There are several notable features of the existing boundary and sphere of influence

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map. All urbanized unincorporated communities in the San Rafael area are within the

Map A  
City of San Rafael and Marinwood Community Services District  
1982 Sphere of Influence

[View Map](#)

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present sphere of influence of San Rafael. All of the incorporated and unincorporated communities are within the current boundary or service area of an agency that provides fire protection and emergency medical service. The only developed areas not provided sanitary sewer service are scattered parcels in unincorporated portions of Santa Venetia, Country Club and Bayside Acres.

Also notable but not shown on this map is the fact that the entire study area is within the boundary of the Marin Municipal Water District (except some areas west on Lucas Valley Road).

The outward expansion of urban land uses in the study area is generally constrained by the San Francisco Bay and by publicly owned lands of Marin County Open Space.

The 1982 sphere of influence for the City of San Rafael includes all of its current jurisdiction plus additional surrounding unincorporated areas of Marinwood, Lucas Valley, St. Vincent's/Silveira, Santa Venetia, Los Ranchitos, Country Club, Bayside Acres, San Rafael Rock Quarry, California Park and Upper Sun Valley as shown on Map A.

A number of important changes have occurred in Marin County and the San Rafael area since 1982 that will have an impact on the review of existing spheres of influence:

### 1. Definition of Sphere of Influence

The definition of "sphere of influence" in 1982 was "... a plan for the *ultimate* boundary and service area of a local government agency." The definition now reads "... a plan for the *probable* boundary and service area of a local government agency." The change in the definition has been part of Marin LAFCO's reasoning for reducing the spheres of influence of the cities of Novato, Mill Valley, Tiburon and Sausalito since the current series of sphere of influence updates was undertaken in 2000.

### 2. General Plans and Development Regulations

The County's General Plan and Zoning Ordinance have been made more restrictive since 1982, decreasing potential growth in unincorporated areas. As of the date of this report, the County's Draft General Plan update includes a Baylands Corridor that would include impose additional restrictions on development within portions of the San Rafael study area.



The City of San Rafael adopted a revised general plan in 2004 that excludes the St. Vincent's/Silveira area north of the City from its planning area. That exclusion would prevent the City from pre-zoning territory in St. Vincent's/Silveira as legally required prior to annexation.

### **3. Preservation of Open Space & Agriculture**

Large areas of open space and agricultural land are now permanently preserved in their present uses, restricting the outward expansion of urban land uses and limiting the potential demand for urban services in the unincorporated area. (See Chapter II, Map C.)

### **4. Local Government's Financial Pressure from State**

Since the passage of Proposition 13 in 1978, the ability of property tax revenue to fund the extension of city services to developed communities has been impaired. Even in Marin County where assessed values have kept pace and sometimes exceeded inflation in the cost of municipal services, significant sales tax generating land uses would need to be present in annexing communities to avoid adverse fiscal impacts from annexation of developed communities. State legislative policies continue to favor annexation of unincorporated communities to cities, but fiscal disincentives persist. In recent years and for the short-term future, policies encouraging city annexation are undermined to the extent that the Legislature re-directs or "borrows" revenue intended to support local services (including property tax, vehicle license fees and gas tax) to resolve funding shortfalls at the state level.

Each of the changes described above may affect the territory that LAFCO includes in the sphere of influence - boundary plan - for the city and each special district in the study area.

## **D. DESCRIPTION OF EXISTING AGENCIES & SERVICES**

Table 1 lists the City of San Rafael and special service districts described in this report and shows summary data for each. The following sections of the report discuss the services, governance and budget of each agency.

**Table 1**  
**Summary Data - City of San Rafael & San Rafael Area Special Districts**

City/District	Year Formed	Services	2000 Population	Area (sq. mi.)	Full-Time Staff	Budget (\$million)
<b>City of San Rafael</b>	1874	Police & fire protection, paramedic service, parks & recreation, road maintenance & construction, street sweeping, flood control, library and redevelopment.	68,582	16.7	400	\$59.4
<b>Las Gallinas Valley Sanitary District</b> <i>Health &amp; Safety Code 6400</i>	1955	Sewage collection, treatment and disposal; wastewater Recycling.	32,000 (08/04)	12	14	\$3.5
<b>San Rafael Sanitation District</b> <i>Health &amp; Safety Code 6400</i>	1949	Wastewater collection.	30,841 (12/04)	8,300 acres	11	\$6.77
<b>Central Marin Sanitation Agency</b> Joint Powers Authority <i>Government Code 6500</i>	1979	Wastewater collection, treatment & disposal	98,400 (10/04)	42.95	34	\$6.3
<b>Marin Municipal Water District</b> <i>Water Code 30000</i>	1914	Domestic water service, wastewater recycling.	184,818 (2000)	147	230	\$49.7
<b>Marinwood CSD</b> <i>Government Code 61000</i>	1955	Fire protection, parks & recreation, street lighting	6,000 (estimate 01/01)	1,978 acres	20	\$2.84

## **1. City of San Rafael**

San Rafael was incorporated in 1874 and became a charter city in 1913. The City has a council/city manager form of government with Marin's only elected mayor and four elected city council members who serve four-year terms. Services provided by the City include police and fire protection, ambulance service (paramedic), parks and recreation, road maintenance, flood control, library, planning and redevelopment. Total budgeted expenditures for fiscal year 2003-04 were approximately \$59.4 million. Other municipal services (water and sewer) provided by special districts are summarized in sections below. More detailed information on City services is included in the "Service Reviews" chapter of this report.

The City of San Rafael occupies 22 square miles, 17 of which are land and 5 are water and tidelands. Low coastal mountains typify the terrain with water frontage on San Pablo Bay, the northern extension of San Francisco Bay. More than 55% of the City's land is vacant, open space, parks, or public lands. It is the urban center and County seat for the County of Marin whose population is 247,289 (Census 2000). With a population of 68,582, San Rafael is the largest incorporated city in Marin.

## **2. Las Gallinas Valley Sanitary District**

The Las Gallinas Valley Sanitary District (LGVSD) is authorized under Health and Safety Code Section 6400, et seq., and may acquire, construct and operate works for the collection, treatment and disposal of garbage, storm water and sewage and operate water recycling and distribution systems. A sanitary district may include incorporated or unincorporated territory in contiguous or non-contiguous areas.

LGVSD's current service area is approximately seventeen square miles and includes the tributary areas to Miller Creek and Gallinas Creek, with the Creek tributary going to the southern portion of Lucas Valley. The District provides sewer service to a population of over 30,000 in an area that extends from the Marin Civic Center to Marinwood including Terra Linda and Santa Venetia (as shown on Map B). The formation of the Las Gallinas Valley Sanitary District in 1954 is credited to residents in Santa Venetia who were faced with a serious health problem from failing septic tanks and pollution of Gallinas Creek. The original treatment plant was constructed in 1955, with major treatment plant expansions built in 1958, 1972 and 1984.<sup>1</sup>

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<sup>1</sup> Las Gallinas Valley Sanitary District website - <http://www.lgvsd.org>

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LGVSD is governed by a five-member Board of Directors elected at large. The Board meets twice a month. Board members receive a stipend of \$231 per meeting and \$200 per month of health/dental/long-term care benefits. The District has a staff of 14 full time employees.

LGVSD operates approximately 100 miles of gravity sewer lines, 30 miles of pressure sewer lines, and 22 pumping stations, as well as treatment and disposal facilities. LGVSD's current average dry weather flow (ADWF) is 2.25 million gallons per day (MGD) with the treatment plant rated at 2.92 mgd ADWF.

The LGVSD treatment plant has a 5.8 million gallon wet weather capacity. In wet weather, the plant may receive flows of up to 15 million gallons per day. Flows in excess of 5.8 million bypasses the full treatment process and is "blended" with treated flow as permitted by LGVSD's operating permit under the authority of the San Francisco Bay Regional Wastewater Control Board. The regulation of the practice of blending is subject to further tightening by the Regional Board. The District's planned capital improvements include \$2 to \$3 million in reconditioning and/or rerouting problem areas of the collection system to reduce infiltration, improve collection system capacity and reduce wet weather flows to the treatment plant.

Remaining treatment capacity is sufficient to provide service to the District's present and future population as projected under adopted general plans under the terms of its current permit. The District may have to provide some additional plant improvements to accommodate the additional flow and work with MMWD to expand the recycled-reuse system to remain in reclamation mode for six months rather than three months if permit requirements are tightened. With future connection fee revenue, the District expects to have sufficient financial revenue to provide for the financing of these improvements.<sup>2</sup>

Since 1955, LGVSD has provided solid waste (garbage, rubbish, waster matter, refuse) and recycling services through the District's franchise service provider, Marin Sanitary Service to the entire North San Rafael, incorporated and unincorporated. In April, 2004, the City of San Rafael acted to assume responsibility for the collection of all refuse within the city boundaries including north San Rafael in order for the entire city to pay the same rates and receive the same level of service. The City's action was also intended to equalize franchise fees paid by private waste haulers for the maintenance of streets throughout the City.

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<sup>2</sup> Marin County Community Facilities Element Technical Report, 2003

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Since 1989 LGVSD has had an agreement with Marin Municipal Water District (MMWD) to provide a joint agency effort to treat the District's secondary treated wastewater through the tertiary phase and then distribute the treated wastewater throughout the District to make it available for landscape irrigation and for other purposes. MMWD distributes the treated wastewater through a dedicated distribution system ("purple pipes") to irrigate golf courses, landscaping at office and apartment buildings and along freeways, streets and parks. Car washing facilities, public laundries and restrooms also use the tertiary-treated water. This treated water is distributed throughout Marinwood, Terra Linda down to North San Pedro Road.

The terms of the District's operating permit prohibit discharge of wastewater to San Francisco Bay for three months each year. Separate facilities and irrigation areas are required for wastewater disposal during this dry weather period. The most recent improvements made to the LGVSD plant and reclamation system were the 1985 purchase and development of 383 acres of land for wastewater disposal. The project included a 20-acre wildlife marsh, 40 acres of storage ponds, a 10-acre saltwater marsh, 20 acres of irrigated landscaping and 200 acres of irrigated pasture. These ponds provide homes for over 200 species of wildlife, migrating birds, and resident birds. As part of the reclamation project, LGVSD dedicated three and one half miles of public easements along the shore of the storage ponds and around the saltwater marsh. These trails offer bird and wildlife viewing and passive recreational opportunities. The Audubon Society has catalogued over 200 species of birds within the area. <sup>3</sup>

LGVSD offers a variety of innovative public education programs focusing on the prevention of pollution. For example, LGVSD provides classroom instruction for schools to inform students of the importance of water conservation and protection of the environment. This program includes tours of the wastewater treatment plant and visits to the District's laboratory for hands-on science experiments. Students learn about the importance of water quality testing for the wildlife and birds that visit and live in the ponds. Among other examples, LGVSD also offers an annual Wetlands Day held over four days attended by over 2,000 Marin County students.

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<sup>3</sup> Las Gallinas Valley Sanitary District website - <http://www.lgvsd.org> and handout

Map B  
San Rafael Area Sewer Agencies

[View Map](#)

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### **3. San Rafael Sanitation District**

San Rafael Sanitation District (SRSD) operates a wastewater collection system for the central San Rafael area including unincorporated areas of Country Club, Bayside Acres, and California Park as shown on Map B. SRSD covers the portion of San Rafael south of Puerto Suello hill to the southerly city limit, covers an area of 12.96 sq. miles and serves a population of 30,678.

SRSD staff is provided by the City of San Rafael's Department of Public Works. Employees allocated to SRSD consist of a part-time manager (40%), a part-time director (15%), a full time administrative person and nine full-time maintenance workers. SRSD operates 32 pump stations, 126 miles of gravity sewer and 12 miles of force main.

SRSD is one of four collection-only sewer agency members of the Central Marin Sanitation Agency (CMSA), a joint-powers organization that owns and operates a single treatment plant described below. SRSD utilized approximately 4.8 of CMSA's 10 mgd dry weather treatment capacity in 2000, up from 4.6 mgd in 1999. The average dry weather flows for 2002 were 3.7 mgd, down from 4.15 mgd in 2001. <sup>4</sup>

As a County Sanitation District, SRSD is governed by a three-member appointed board of directors. One member is appointed by the County Board of Supervisors; two members are appointed by the San Rafael City Council. The City's historical practice has been to appoint the same members of the City Council to the governing boards of both SRSD and CMSA, which is responsible for SRSD's sewage treatment.

In April 2000, SRSD adopted an updated capital improvement program (CIP) that addresses the necessary improvements to both the gravity sewer and force main systems for the next ten years totaling \$15.9 million. Some of the improvements outlined in the CIP include:

- Transport system improvements consisting of upgrading nine of the District's pump stations and replacement of some force mains;
- Collection system improvements, primarily replacing deteriorating corrugated metal pipe in the Canal area and other low-lying areas;
- Miscellaneous smaller sewer rehabilitation and repair projects throughout the District;
- Interim improvements which are necessary to keep pump stations operating until they can be upgraded as a part of the program; and
- Emergency repairs which are necessary to fix collapsing sewers or other problems that occur before the facilities can be scheduled for rehabilitation.

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<sup>4</sup> Marin County Community Facilities Element Technical Report, 2003

There are no planned improvements to facilitate additional growth because the area served by the District is substantially built out, with the exception of small pockets of potential development and the isolated construction of single-family housing.<sup>5</sup>

#### **4. Central Marin Sanitation Agency**

Central Marin Sanitation Agency (CMSA) is a Joint Powers Agency (JPA) authorized under Section 6500 et seq. of the State Government Code. If authorized by their governing bodies, two or more public agencies may jointly exercise any power common to both through a joint powers agreement or contract. The agreement may set up a governing board composed of representatives of the contracting agencies. The inter-agency contract or agreement defines the governance and functions of the joint powers agency.

CMSA was formed for the purpose of constructing and operating a wastewater treatment plant for the benefit of its four members, SRSD, Ross Valley Sanitary District, the City of Larkspur and Sanitary District #2 (Corte Madera). The CMSA plant is located in San Rafael. The Agency owns and operates the sewage treatment plant, which provides modified secondary treatment, a deep-water sewer outfall line, and three transport lines from San Rafael, Larkspur and San Quentin. MSA serves the southern half of San Rafael and the Ross Valley, which includes essentially all of Corte Madera, Larkspur, Greenbrae, San Anselmo, Fairfax and a small area of unincorporated Tiburon on Paradise Drive.

The CMSA wastewater treatment facility is governed by a Board of Commissioners consisting of six Board members representing each of the joint powers member agencies as described in the Agency's Joint Powers Agreement dated October 15, 1979. All six of the Board members are appointed by the governing boards of its four member agencies. The largest members, SRSD and Ross Valley Sanitary District, appoint two members each. Sanitary District #2 and Larkspur appoint one member each. CMSA Commissioners are compensated \$100 per meeting taking place generally once a month.

In 1993, LAFCO approved the annexation of the territory of the City of Larkspur by the Ross Valley Sanitary District and the transfer of responsibility for sewer service provided by Larkspur to the Sanitary District. However, LAFCO did not attach terms and conditions of approval requiring the alteration of representation on the CMSA governing board. As a result, the City of Larkspur continues to appoint a

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<sup>5</sup> Marin County Community Facilities Element Technical Report, 2003



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representative to the CMSA board despite having no role in services provided by CMSA.

The Central Marin Sanitation Agency is publicly-owned, publicly-operated, and treats an average of approximately 11 MGD. CMSA capacities vary depending on weather conditions: during dry weather conditions it has a capacity of 10 mgd, and during wet weather, or rain-induced conditions the capacity varies from 90 - 125 mgd, depending on tidal conditions. In dry weather, flows contributed by the service area are approximately 8 mgd. Wet weather flows vary with storm events. Due to the extreme wet weather conditions, the facilities were designed with extra settling tanks, a large-capacity effluent disinfection system, and a 2-mile long, seven-foot diameter marine outfall.

The trend over the past two decades has been increasing wet weather flows from CMSA member agencies to the CMSA treatment plant. This is for the most part due to changes made by the member agencies to their wastewater transport infrastructure. Member agencies' systems mainly rely on gravity to transport wastewater to the CMSA plant. Storm events can cause these systems to overflow, thus CMSA member agencies have been increasing their pumping capacity to prevent such sewer overflows. The added flow that results from this increased pumping has placed additional strain on the CMSA plant.<sup>6</sup>

CMSA serves 52,340 equivalent dwelling units (EDUs) averaging 2.2 people per EDU or a population of approximately 115,000 (stated in EDUs) in the member agencies' combined service areas. The total operating revenue for Fiscal Year 2003-2004 was \$6,319,000.00.<sup>7</sup>

Map B shows the portions of the study area that receives public sewer service by the San Rafael Sanitation District, Central Marin Sanitation District and the Las Gallinas Valley Sanitary District.

## **5. Marin Municipal Water District**

The Marin Municipal Water District (MMWD) is a municipal water district authorized under Section 71000, et seq., of the State Water Code. A municipal water district is empowered to provide water, fire protection, emergency medical and sewer services and to operate recreational facilities associated with water service facilities. A municipal water district may include both incorporated and unincorporated territory. The governing board consists of a five-member elected board of directors elected to

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<sup>6</sup> San Rafael General Plan 2020 Draft EIR, Public Services and Utilities Section, February 2004.

<sup>7</sup> Central Marin Sanitary Agency website - <http://www.cmsa.us>

serve electoral divisions within the district's boundaries. MMWD provides only domestic water service to 147 square miles of incorporated and unincorporated land in central and eastern Marin County.

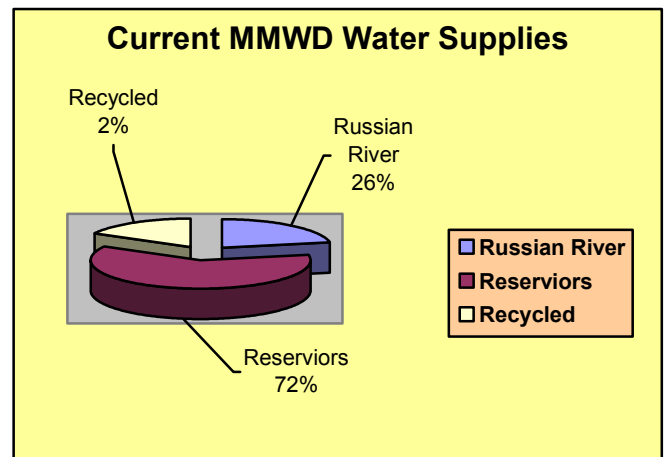
MMWD provides water for domestic use and fire flow to the entire eastern urban corridor of Marin County south of Novato, including all of San Rafael study area.

The District currently provides water service to approximately 59,000 service connections (92% residential) and to a population of approximately 182,000. The bulk of the District's sources of supply (more than 75%) are local surface waters flowing to five reservoirs. Local sources of supply are fully exploited. The balance of the District's supply is received from the Russian River through agreements with the Sonoma County Water Agency and the North Marin Water District.

The District's water distribution system consists of approximately 918 miles of pipeline; storage facilities with a tank storage capacity of 82 million gallons; three treatment plants and 146 storage tanks. The District employs a total of 230 full-time equivalent employees. The District's total budget for fiscal year 2004-05 was approximately \$63.2 million.

Calculation of water demand under buildout assumptions of city and county general plans includes successful implementation of water conservation and wastewater recycling programs. Also, future actions of regulatory agencies for environmental protection could affect total available water from Russian River sources for urban uses and conceivably reduce North Marin Water District's (NMWD) anticipated supply under the agreement. MMWD's dependence on NMWD's Russian River pipeline also adds uncertainty to the future availability of water from this source. MMWD is currently testing the feasibility of desalinating water supply at a pilot plant in San Rafael. If successful, MMWD may consider development of a desalination plant of up to 15 mgd capacity.

The residents of southern and central Marin are served by a unique water supply system. At present, the district obtains its principal supply of water from rainfall collected in five local reservoirs on the Mount Tamalpais Watershed, located in central Marin. Additional water comes from two west Marin reservoirs, augmented by water



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imported from the Russian River in Sonoma County and a small recycling facility.

The primary source of water for the district is its seven reservoirs, the most recent reservoir (Soulajule) added in 1980 (the oldest dating back to 1872). In 1982, the Kent Lake facility was expanded by raising the existing dam 45 feet. Since 1976, additional water (between 10% and 30% in any given year) has been imported from the Russian River through an agreement with the Sonoma County Water Agency (SCWA). MMWD also augments its supply through its Las Gallinas recycling facility, which accounts for about 3% of the district's total water supply.

The district's present storage and production capacity is deemed insufficient to meet anticipated demand in the event of a prolonged drought or severe water shortage, such as occurred in 1976-77.

Because the water supply is limited, just as it is elsewhere in California, it's important for the district to make the best use of it. Two ways used are water recycling and demand management. Recycled water is substituted for potable water where possible and the demand for water is managed by encouraging efficient water use through various conservation programs. But conservation and recycling alone will not solve the growing water supply deficit. To protect against major economic and environmental damage in a future drought, ongoing efforts must be coupled with action to secure a reliable supplemental supply source.

Desalination is considered an option for a supplemental water source because it provides local control, reliability, and would complement the district's conservation efforts.<sup>8</sup> A pilot desalination plant has begun operations in June, 2005 to test a plant that desalts and treats water from the San Francisco Bay in hopes to determine the long term costs of running a plant locally and to get public input. In the meantime, a contract with the Sonoma County Water Agency has been renewed (July, 2005) to provide the district with long-term rights to annually draw 5,000 acre-feet of water from Sonoma's supplies, as available in addition to what they are currently drawing. This would require building a new pipeline which was endorsed by local voters in 1992. This contact secured the option to expand while testing the desalination alternative.

MMWD works with the Las Gallinas Valley Sanitary District in San Rafael to develop and distribute recycled wastewater in the northern portion of the MMWD's jurisdiction.<sup>9</sup> Further study of building a second recycling plant to be located at the CMSA plant has concluded that it would not be economically feasible without the financial participation

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<sup>8</sup> MMWD website (<http://www.marinwater.org>)

<sup>9</sup> Marin County Community Facilities Element Technical Report, 2003

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of wastewater agencies. An additional constraint is saltwater intrusion into low-lying areas of sewer collection systems that results in water too salty to use for landscape irrigation, the primary market for recycled water in this area.<sup>10</sup>

Following are the parks and landscaping in San Rafael that are using reclaimed water for irrigation.<sup>11</sup>

Bernard Hoffman Field  
Hartzel Park  
Hillview Park  
Munson Park  
Arbor Park  
Oleander Park  
Freitas Park  
Terra Linda Recreation Center  
Ranchitos Park  
Freitas Parkway Gateway landscape  
Santa Margarita Creek landscape

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10 Marin Municipal Water District, "Urban Water Management Plan 2000", February 19, 2003

11 Correspondence with John Tune, San Rafael Public Works Department, March 23, 2005

## **6. Marinwood Community Services District**

Community Services Districts are authorized under Section 61000, et seq., of the State Government Code. A community services district may be formed to provide water, sewer or garbage services, fire protection, public recreation, street lighting, mosquito abatement, police services, library services, street improvements, conversion of overhead electric and communication facilities to underground locations, ambulance services, airport facilities, flood control and transportation services. The board of directors may consist of three or five members elected at large, or may be the county board of supervisors.

Marinwood Community Services District (CSD) is located west of U.S. 101 between the northern boundary of the City of San Rafael and the southern boundary of the City of Novato. The boundaries of the Marinwood CSD include various urbanized areas, including Marinwood, Lucas Valley, Casa Marinwood, Roundtree, Miller Creek Gardens, Miller Creek Ranch, Lucas Valley Estates and Las Gallinas Ranch. The community began in 1955 when the first homes were built near Highway 101, then a four-lane undivided highway. At that time the boundaries of San Rafael were four miles to the south, at the top of Puerto Suello Hill. The boundaries of special districts of Novato were six miles to the north. There were no ready-made urban services available to the residents of the newly-developed area at that time.

Marinwood CSD provides fire protection, street lighting, open space maintenance, and parks and recreation services for the area of approximately 1,978 acres with a population of approximately 6,000. In order to maintain these services, the District employs twenty people on a full-time basis, plus regular part-time and numerous seasonal part-time employees. The full-time employees include: District Manager, Senior Administrative Assistant, Recreation Director, the Recreation Coordinator, Park and Open Space Manager, four Building and Grounds Maintenance Workers, Fire Chief, three Fire Department Shift Captains, and seven Firefighters. The unincorporated MCSD service area also receives services from the County including sheriff, community development, library, and street maintenance.

The total operating revenue for Fiscal Year 2003-2004 was \$2,839,000.00. Marinwood CSD derives a portion of its revenue from property taxes and service charges paid by property owners. State funding includes special augmentation funds and State park grant funds. Fees are also received from recreational programs such as swim pool use, rental fees for the community building, and fees from a number of recreation programs ranging from day care and summer camp, to dance lessons.

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A five-seat Board of Directors meets monthly to oversee district business. Appointed Fire and Park and Recreation Commissions also meet periodically to act as a liaison to the community, to advise the Board of Directors and to work on special projects.

Many of the services provided by Marinwood CSD extend outside of the area boundaries. Recreation programs are not limited to residents. Residents outside of the service area are encouraged to participate in order to support a wider variety of classes and recreation programs available to a larger user base. Marinwood Fire Department's service area includes the areas of Marinwood and Lucas Valley. As is customary in Marin County, the Fire Department provides services to adjacent areas when needed. It is under contract with Marin County Board of Supervisors through CSA #13 to provide for structural fire service to developed areas of Lucas Valley corridor east of Big Rock Ranch and west of Highway 101. They are also currently under a first-in response contract with the City of San Rafael for services to the northern portion of the City.

Upper Lucas Valley has remained an unincorporated community since its development in 1961 as one of Joseph Eichler's last projects, keeping itself separate from Marinwood and the San Rafael city limit boundaries. It has its own community center, pool, stables, cable TV and broadband service without any utility lines. It has strong CC&Rs that prevent second stories, "French Country" Eichlers and teardowns. It has its own zoning district to incorporate strict design guidelines to keep the architectural character of the Eichler homes preserved. Upper Lucas Valley is one of the best-preserved Eichler groupings anywhere with simplicity and near uniformity of its homes.

## **7. County Service Areas**

County Services Areas (CSAs) are entities formed and operated by the County within specific geographical areas in the unincorporated County to provide specific enhanced service levels. CSAs are a method of financing and providing for a higher level of service than would normally be provided within unincorporated areas countywide. The higher level of service is typically intended to provide urban services equivalent to what would be provided within a city. The conceptual formation and method of implementation of CSAs allow residents to decide upon service levels through approval or rejection of assessments.

There are currently seven active CSAs within the City of San Rafael Sphere of Influence. This section includes the discussion of these CSAs, which provide various services within certain unincorporated areas of San Rafael. The CSAs, which are discussed within this study, are listed in the following table.

**Table 2  
County Service Areas in San Rafael**

City/District	Year Formed	Services	2000 Population	Area (acres)	Full-Time Staff	2005 Budget (\$thousand)
County Service Area #6 Gallinas Creek Service Area	1964	Channel maintenance	1,017	286 acres	Contract services	\$726.5
County Service Area #9 Northbridge Service Area	1965	Median strip and landscape maintenance	228	46 acres	N/A	\$29.9
County Service Area #13 Upper Lucas Valley Service Area	1967	Structural fire protection and Open Space maintenance	1,005	611 acres	N/A	\$930.9
County Service Area #18 Las Gallinas Service Area	1973	Park and recreation facilities and services	9,189	4,192 acres	N/A	\$227.9
County Service Area #19 San Rafael Service Area	1974	Structural fire protection and paramedics	5,541	1,568 acres	N/A	\$3,900.9
County Service Area #31 Unincorporated Marin	1994	Structural fire protection	22,154		N/A	\$532.9

County service areas are authorized under Government Code Section 25210, et seq. County service areas may provide extended police protection; structural fire protection; park, recreation facilities and services; extended library facilities and services; television translator station facilities and services; and any other governmental services which the county is authorized by law to perform and which the county does not perform to the same extent on a countywide basis both within and without cities. Contiguous or noncontiguous unincorporated territory may be included in a county service area (i.e., the area within a County service area may include separate geographic areas).

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All or a portion of a city may be annexed to a county service area with the consent of the city council.

Each CSA is a separate entity, providing different services to different areas, and funded separately. However, all of the CSAs within the County are governed by the County Board of Supervisors. The Board is the decision-making authority regarding all CSA activities.

**County Service Area #6 (Gallinas Creek Service Area)** was formed in 1964 to provide maintenance dredging of the Las Gallinas Creek for navigation purposes. The service area boundaries follow the south fork of the creek northeast from opposite the intersection of Edward Avenue and Mark Twain Avenue in the Northbridge area, including both branches around Santa Margarita Island, to the point of discharge into the San Pablo Bay. After Proposition 13, there was a reduction in revenue sources and therefore a reduction in the frequency of dredging. The passage of Assembly Bill 218 made it more difficult to increase revenue for dredging because it requires a 2/3 majority vote of the electorate to increase taxes. Instead of a five-year dredging interval, the cycle has been over ten years with the last dredging requiring a loan to finance the work. In 1989, the Marin Lagoon development was annexed into the County Service Area to increase revenue. Currently, CSA #6 is made up of 488 parcels with a current year tax allocation of \$144,409.

**County Service Area #9 (Northbridge Service Area)** was formed in 1965 to provide parkway (median strip) pedestrian easements and landscape maintenance for the unincorporated properties in the Civic Center and Santa Venetia neighborhoods. After Proposition 13, services had to be reduced due to a 50% reduction in revenue. This district contracts with a private landscape firms for these services. The service level is adjusted each year to correspond to available funding.

**County Service Area #13 (Upper Lucas Valley Service Area)** was established in 1967 and covers a portion of the unincorporated area Lucas Valley area, located in the northwest portion of Las Gallinas Valley and including a portion of the Nunes Ranch. The service area provides structural fire protection and open space maintenance and acquisition for the area, as well as a CATV antenna constructed on the Nunes Ranch Property. The structural fire protection is provided by contract with Marinwood CSD. A portion of the funding also pays for paramedic service by the City of San Rafael. In 1971, the services were extended to include local park and recreation facility services. In 2004, services were again expanded to include erosion control and soil conservation along portions of Miller Creek. These services are provided by Marinwood Community Services District.



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**County Service Area #18 (Las Gallinas Service Area)** was formed in 1967 to provide park and recreation facilities and services for incorporated and unincorporated territory in the north San Rafael area. A \$500,000 bond issue was approved by the voters of CSA No. 18 in 1973 to pay for the acquisition of the San Pedro Ridge as open space. In 1994, Castro Field was added to the facilities maintained by CSA #18. The budget provides park maintenance services to four parks in the Gallinas Village area.

**County Service Area #19 (San Rafael Service Area)** was formed in 1974 to provide structural fire protection for certain unincorporated communities in San Rafael, which include McNear's Beach, Bayside Acres, Country Club, California Park, Sun Valley, Merrydale-Los Ranchitos, San Pablo-Tarrant Circle Area, and Santa Venetia. The service area contributed \$75,000 for the construction of the fire station located on the Marin Civic Center property and provides a share of the operating costs of the station plus a share of the costs of other fire protection services in the service area. In 1986, voters in the service area approved an extension of the contract with a formula for annual payments to the City in exchange for the City's fire protection services throughout the CSA#19 service area. This CSA is funded by a share (approximately 10%) of the 1% property tax on the value of parcels within the CSA. See also County Agreements with the City of San Rafael, page 55.

**County Service Area #31** provides structural fire protection in the unincorporated areas in Marin County served exclusively by the Marin County Fire Department (i.e. all areas outside the boundaries of cities and other special districts providing fire protection service). It is funded by a special assessment approved by the voters in 1994. Areas served within the San Rafael sphere of influence includes: St. Vincent's and Silveira properties, Pt. San Pedro, China Camp and west Lucas Valley.

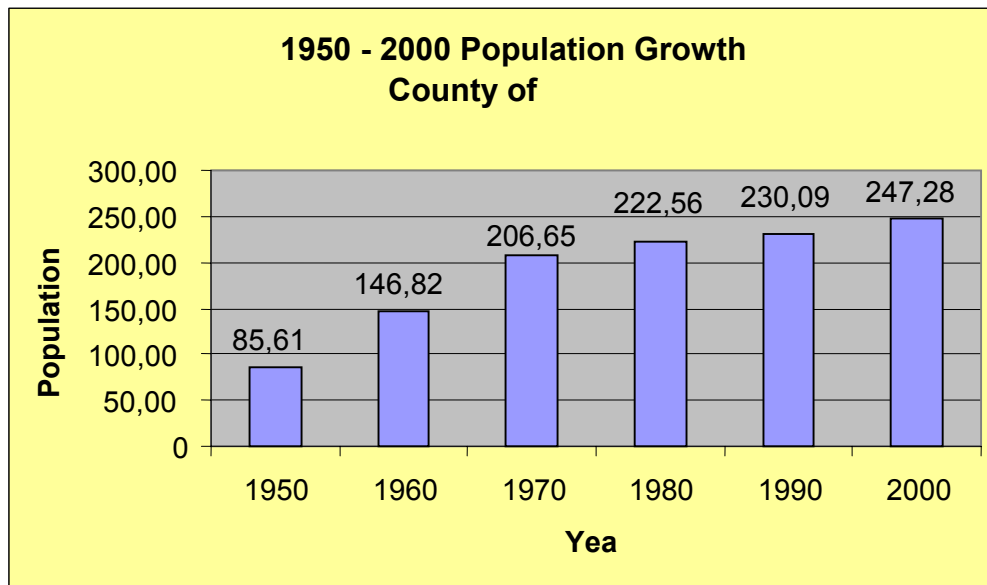
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**E. PROJECTED AREA GROWTH AND SERVICE DEMAND - POPULATION GROWTH**

**1. Marin County**

**a. Historic Growth**

Marin County has experienced progressive growth in the 1900's particularly between 1950 and 1960 when the population jumped substantially from 85,619 to 146,820, an increase of 71.5%. Compared to other Bay Area counties, Marin County experienced slow population growth from 1980 to 1990, adding only 7,500 persons (a 3.4% increase).<sup>12</sup> The following decade, the rate of population increased to 8.8%. Overall, Marin remains the slowest growing county in the Bay Area.



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<sup>12</sup> Marin Housing Workbook, February 2002, page 2-1

**Table 3**  
**Marin County Population and Employment Projections**

	2000	2005	2010	2015	2020	Changes 2000-2020
Population	247,289	251,400	258,500	268,700	275,000	27,711
Households	100,650	103,250	105,560	108,490	111,290	10,640
Average Household Size	2.46	2.43	2.45	2.48	2.47	0.01
Employed Residents	131,959	122,200	133,750	144,200	156,690	24,731
Jobs	134,180	135,610	141,770	148,490	156,060	21,880
Employed Residents/Job	0.98	0.90	0.94	0.97	1.00	0.02
Jobs/Household	0.57	0.57	0.57	0.58	0.59	0.02

Source: Projections 2005, Association of Bay Area Governments, 2005

**b. Current and Projected Population and Employment**

Marin County’s population was 247,289 in 2000, according to the Association of Bay Area Governments (ABAG). As Table 3 shows, between 2000 and 2020, ABAG projects that Marin County as a whole will grow at an average annual rate of 0.56%, adding approximately 1,385 people or roughly 500 households per year countywide. The projected population for the County in 2020 is 275,000.<sup>13</sup>

During the same period, 2000 to 2020, Marin County is expected to add 21,880 jobs and to have about 630 fewer jobs than employed residents in the year 2020.<sup>14</sup> Health, education and recreation services will account for more than one-third of new jobs. Of economic significance is the move by Lucasfilm Ltd. to the Presidio's Letterman Digital Arts Center, an 800,000-square-foot, four-building complex. About 1,500 jobs will be leaving Marin County for San Francisco starting July, 2005 - a roughly \$80 million payroll that has boosted the Marin economy. However, there is the possibility that this event will benefit the remainder of multimedia companies in Marin.<sup>15</sup>

13 Association of Bay Area Governments, Projections, 2005

14 Association of Bay Area Governments, Projections, 2005

15 “Multimedia's starring role: Small tech firms still drawn to Marin”, Marin IJ, May 3, 2005.

### c. Trends

#### **Population and Employment**<sup>16</sup>

The greatest increases in population age groups over the next 40 years are expected to be elderly and young adult households. Nearly 39 percent of the county's residents will be older than 60 by 2030. In 1980, those over 60 represented only 14 percent of the population in the county and in 2000, 18 percent. With fewer people of child-bearing age, population growth by natural increase will slow. The county's slow growth policies also have an impact, in addition to the aging population.<sup>17</sup> Finally, three out of four individuals 85 years of age or older, are expected to be women.

Growth in population in the County is currently limited by the lack of available land for development, opposition by residents to increasing the densities of their communities, and fears of increasing traffic congestion among other factors.

While slowing technology sales and reduced tourism since 2001 have hurt Marin employment, it is expected to see slight job growth beginning in 2005. While Marin's economy has become more diversified, limitations on the amount of land suggest job growth will occur more slowly than the rest of the Bay Area.

#### **Limited Land Supply & Unincorporated Area Development Potential**<sup>18</sup>

As part of the County's Housing Element update, the County completed an inventory of land available for development in the unincorporated portion of the County. Only vacant parcels as of November 2001 were included in the analysis. Ongoing investigations of infill<sup>19</sup> potential currently being conducted by the County may result in additional housing opportunity sites being identified beyond the vacant parcels identified as of 2001.

Of the 37,000 total parcels in County unincorporated lands, approximately 1,100 parcels (51,000 acres) were listed as vacant. Roughly 700 of those parcels (39,000 acres) are in permanent open space, including Federal lands, County

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16 Marin Housing Workbook, February 2002, page 2-1; Marin County Housing Element, June 3, 2003.

17 Marin IJ, "Limited Growth Forecast in Marin", Dec 15, 2004

18 Marin County Housing Element, June 2003, pages 28-32.

19 Infill is defined as housing development (subdivision, site preparation, and/or improvement construction) occurring on vacant land or land that is not developed substantially below its market potential (e.g., a parking lot on a parcel zoned for multi-family housing) where the parcel is located in an area already largely developed.

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open space, and State lands. An additional 200 vacant parcels (7,000 acres) are tax exempt and further analysis is being completed to analyze possible development potential. Of the 180 remaining parcels, most are rural areas and designated for low densities under the County's General Plan. Only 18 of these parcels are zoned for urban use.

These remaining 180 parcels are zoned mostly for between one-half and four units per acre, with a handful designated for up to 20 units per acre. Together, the 180 parcels located throughout the County would allow for approximately 5,000 residential units under current General Plan designations and zoning regulations not including under-utilized parcels, second unit potential and reuse/redevelopment potential.

### **Development Potential and Planning Policy**

Marin County is essentially an "infill" County. Unlike other counties that accommodate new development largely with conversion of open space and agricultural land to suburban or urban development, Marin County's development patterns are limited by longstanding land use regulations in the Marin Countywide Plan which channel new development to existing communities along the city-centered corridor. The Countywide Plan contains policies that protect "community separators" between communities in the city-centered corridor and reflect a high level of public interest in protecting remaining open space lands. Of Marin County's 520 square miles of land area, only 11% is developed in urban uses and only 5% of the remaining land is potentially developable under existing policies. Agricultural lands make up 36% of the County's total area, park lands 33% with the remaining 15% in public or private open space use.<sup>20</sup>

### **Jobs-Housing Balance**

The benefits of having a balance of jobs and employed residents has been well established and typically includes: less congested freeways due to shorter commutes; reduced fuel consumption; improved air quality; reduced expenditures on major transportation projects; and savings in travel time for both businesses and individuals. However, even a 1:1 ratio of jobs to housing does not guarantee that the local workforce will be employed in the County. The more important focus is to match housing costs and types to the needs and incomes of the County's workforce.

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<sup>20</sup> Marin County Issues and Trends Report, Chapter 1, page 5, [www.future-marin.org](http://www.future-marin.org).

ABAG projects that the ratio of employed residents per job in Marin County will decrease from 1.14 jobs per household in 2000 to 1.11 jobs per household in 2020, based on a projected increase of 26,700 employed residents and an increase of 27,000 jobs. However, approximately 71% of the new jobs are expected to be relatively lower paying services and retail sectors. Thus, the increase in jobs may not actually address the specific jobs/housing imbalance in Marin County.<sup>21</sup>

### Household Characteristics

Detached single-family homes are the majority of residential units in Marin County, comprising about 60% of the total housing stock. In the unincorporated area of the County, the proportion of single-family homes is higher, at 77% of total units.

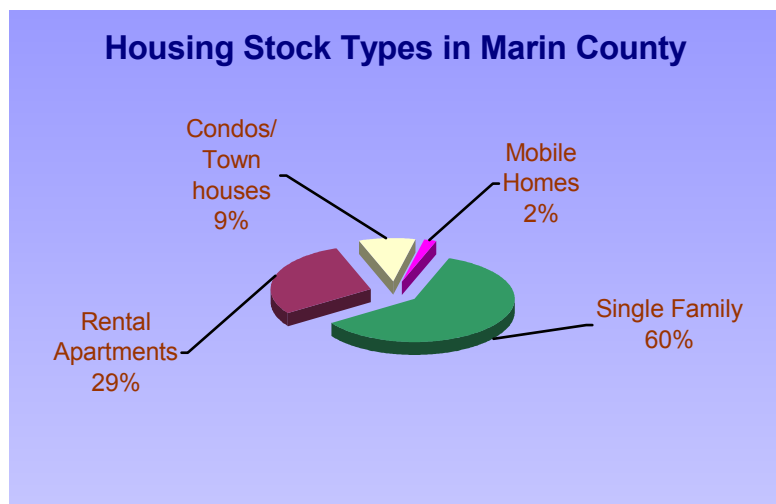
Rental apartments are the next most common types of housing, comprising about 29% of total units.

Condominiums and townhouses comprise about 9%, and mobile homes about 2%.

Between 1990 and 2000

a total of 5,500 units (550 per year) were added to the housing stock with multi-family housing comprising about 27% and single family housing comprising 63% of the total units added. Based on 2000 data from the California Department of Finance, the unincorporated area has 22,201 single family homes (82% of all housing stock) and 4,886 multi-family homes (18% of all housing stock), for a total of 27,087 homes.

The Census Bureau defines a household as all persons who occupy a housing unit, including families, single people, or unrelated persons. Persons living in licensed facilities or dormitories are not considered households. There were 100,650 households in Marin County in 2000, of which about 60 percent were families and 40 percent were non-family households. About 30% of all households were people living alone, with about one-third of those being



21 Marin County Draft Housing Element, June 2003, page 10-11.

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individuals age 65 or over – representing about 10 percent of all households.

According to the 2000 Census, the average household size in Marin County was 2.40 persons. The countywide average household size is expected to increase to 2.41 in 2005, before declining to 2.39 by 2020. Compared to the rest of the Bay Area, Marin County's average household size is lower, averaging 0.3 fewer persons per household.

Small households generate less impact on a per unit basis than larger households, although, high housing prices can force people to share living accommodations, thereby increasing household size. Marin County's aging population also reduces the occupancy rate as children move out and mortality increases. On average, renter households in Marin County (2.21 persons per household in 2000) are smaller than owner households (2.42 per household in 2000).

### **Traffic Congestion and Transportation**

Traffic in Marin County is a major issue with commuters coming from areas outside of Marin. Southbound Highway 101 is one of the most congested highways in the region, with the commute between Novato and San Rafael on U.S. Highway 101 ranking the eighth worst in the Bay Area (2001)<sup>22</sup>. Traffic congestion and how it is managed is likely to be a factor that affects the rate and location of future population growth.

From 1998 to 2002, the Congestion Management Agency studied traffic patterns and evolving community needs and used this data to develop the options outlined in CMA's publication *Moving Forward – A 25-Year Transportation Vision for Marin County*. Key findings include:

#### *Changing Traffic Patterns*

- 79% of all daily trips are made by Marin residents driving within Marin County.
- Most traffic from Sonoma County is coming *to* Marin, not *through* Marin.
- 21% of morning traffic on local roads is comprised of home-to-school trips. The percentage of school trips on Highway 101 is presumably lower than the percent on local roads.
- 70% of trips in Marin are made by people driving alone.

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<sup>22</sup> Marin County Congestion Management Agency, Marin County Board of Supervisors, Marin County Transit District, "Moving Forward - A 25-Year Transportation Vision for Marin County"

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- A growing number of Marin residents are dependent on public transit.

*Driving More, Not Growing More*

- From 1970-2000, Marin population grew a total of 18.5%, or 0.62% per year. During the same period, the number of registered cars grew 95.3%, or 3.18% per year.
- Marin residents are making more trips each day, up 10% in less than a decade, with over 80% of those trips made to destinations within Marin County.
- Over the next 20 years, traffic congestion is predicted to increase at three times the rate of population growth.<sup>23</sup>

Following are additional recent factors that affect traffic congestion:

- On November 2, 2003, the Golden Gate Transit bus system cut back services due to a severe financial shortfall, resulting in a 22 percent reduction of service overall.
- Because of the State's budget problems, money earmarked for completing the carpool lane and other transportation projects has been "borrowed" by the State to fund non-transportation programs under emergency provisions of Proposition 42 approved by California voters in 2002. Without local funding, completion of the carpool lane project on Highway 101 through San Rafael would be pushed back to 2015. Measure A passed in November 2004 election and sales taxes have increased by one-half percent since April 1, 2005. Measure A will fully fund and accelerate completion of the Highway 101 Carpool Lane Gap Closure Project through San Rafael. Measure A will also fund local transit, roadway and highway projects as well as maintaining and improving bikeways, sidewalks and pathways.
- Sonoma Marin Area Rail Transit (SMART), a regional transportation district created in 2003, was established to oversee the development and implementation of passenger rail service in Sonoma and Marin Counties. The new rail district consolidated the SMART Commission, Northwestern Pacific Railroad Authority, and the Golden Gate Bridge, Highway and Transportation District Authority into a single rail transit district. It is governed by 12 directors, appointed from Sonoma County, Marin County and the Golden Gate Bridge, Highway and Transportation District. The SMART District was charged with planning, engineering, evaluating and implementing passenger train service and corridor maintenance from Cloverdale to a Ferry Terminal that connects to San

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<sup>23</sup> Transportation Authority of Marin (<http://www.marintraffic.org/facts.htm>)



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Francisco. The SMART Train project is a proposed commuter rail service between Sonoma and Marin Counties using the public railroad right-of-way. During the detailed environmental review process, currently underway, one of the questions to be considered is the impact of the train on traffic congestion. Several studies of rail systems in other communities indicate that systems like the SMART train minimize increases in congestion on major highways like 101, and in some cases may even reduce congestion. The SMART Train is proposed as a component of a comprehensive bike, bus and pedestrian friendly land use solution to control or stop the growth of future congestion problems. A ballot measure is under consideration for November, 2006 to add a quarter-cent sales tax to provide funding for the commuter line.<sup>24</sup>

- An estimated 21 percent of a.m. peak traffic is caused by school-related traffic with 75% of students arriving to school by car. The countywide “Safe Routes to School” program is addressing this issue and may produce some mitigation.
- Both the City of San Rafael and Marin County have recently adopted Bicycle and Pedestrian Plans to help with addressing the need to provide additional safe bicycle and pedestrian routes to promote alternative modes to the single occupancy vehicle.

#### **d. Housing Demand and Development Potential**

##### **Housing Needs**<sup>25</sup>

California State Housing law requires that every housing element address how the community will meet its “regional fair share” of housing need. It is required that general plan housing elements contain policies that allow for the development of housing to levels prescribed by the local council of governments. These levels are embodied in numbers referred to as the Regional Housing Needs Determinations. It is not required that development be forced to the highest density levels permitted by the housing element. Hence, it is not required that the ability to meet housing targets materialize as actual housing units produced in a defined time period. For the unincorporated area of Marin County and other Bay Area jurisdictions, the regional housing need is determined by the Association of Bay Area Governments (ABAG), based on an overall regional

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<sup>24</sup> Sonoma Marin Area Rail Transit website, <http://www.sonomamarintrain.org>

<sup>25</sup> Sources for this section: Marin County Housing Element, June 2003.

housing need number established by the State Department of Housing and Community Development (HCD).

The housing need allocation is based on:

- The vacancy rate in each city or county and the existing need for housing it implies;
- The projected growth in the number of households;
- The local and regional distribution of income; and
- The need for housing generated by local job demand.

Marin County's fair share of the regional housing need within the unincorporated areas is a total of 521 units for the period from January 1999 to June 2007. Of this total, 85 units must be affordable to very low income households (16.3% of total); 48 units affordable to low income households (9.2% of total); 96 units affordable to moderate income households (18.4% of total); and 292 units to above moderate income households (46.0% of total). (See Table 4.) For comparison, the County estimates that 39% of all Marin County households fall in the very low and low income categories.

Table 4 summarizes the housing need determinations for all of the jurisdictions in Marin County.

**Table 4**  
**Regional Housing Needs—Marin County**

Location	Very Low	Percent Need	Low	Percent Need	Moderate	Percent Need	Above Moderate	Percent Need	Total Need	Percent of County
Belvedere	1	10.0%	1	10.0%	2	20.0%	6	60.0%	10	0.2%
Corte Madera	29	16.2%	17	9.5%	46	25.7%	87	48.6%	179	2.7%
Fairfax	12	18.8%	7	10.9%	19	29.7%	26	40.6%	64	1.0%
Larkspur	56	18.5%	29	9.6%	85	28.1%	133	43.9%	303	4.7%
Mill Valley	40	17.8%	21	9.3%	56	24.9%	108	48.0%	225	3.5%
Novato	476	18.4%	242	9.4%	734	28.4%	1,130	43.8%	2,582	39.6%
Ross	3	14.3%	2	9.5%	5	23.8%	11	52.4%	21	0.3%
San Anselmo	32	21.5%	13	8.7%	39	26.2%	65	43.6%	149	2.3%
San Rafael	445	21.3%	207	9.9%	562	26.9%	876	41.9%	2,090	32.1%
Sausalito	36	17.4%	17	8.2%	50	24.2%	104	50.2%	207	3.2%
Tiburon	26	15.9%	14	8.5%	32	19.5%	92	56.1%	164	2.5%
<b>Marin Unincorporated</b>	<b>85</b>	<b>16.3%</b>	<b>48</b>	<b>9.2%</b>	<b>96</b>	<b>18.4%</b>	<b>292</b>	<b>56.0%</b>	<b>521</b>	<b>8.0%</b>
Marin County Total	1,241	19.0%	618	9.5%	1,726	26.5%	2,930	45.0%	6,515	100.0%

Source: County of Marin Housing Element, June 2003, page 28.

The County met and exceeded its fair share responsibilities for the last planning

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period, with construction of a total of 1,073 units; 561 of these were very low, low and moderate income units. The County expects to be able to meet the current fair share of the regional housing need for the period ending in 2007.

The total housing need for all of Marin County is 6,515 housing units. Of this total, 1,241 units must be affordable to very low income households (19.0% of total); 618 units affordable to low income households (9.5% of total); 1,726 units affordable to moderate income households (26.5% of total); and 2,930 units to above moderate income households (45.0% of total).

The County and the cities expect that the total estimated housing need of 6,515 units will be built within the five-year planning period. However, it is unlikely that the requisite number of low and very low income units will be built unless local policies favoring second units are successfully implemented and these units remain affordable to low and very-low income households.

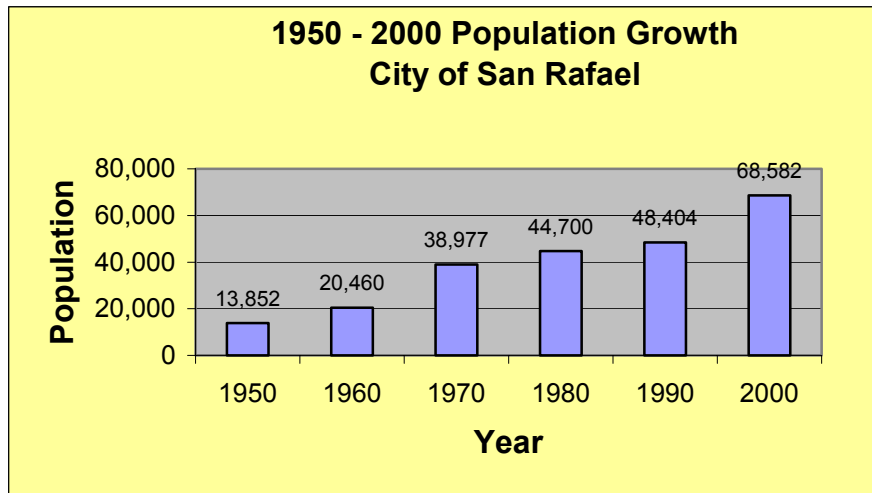
## **2. City of San Rafael**

### **a. Historic Growth**

San Rafael has experienced strong population growth since incorporation in 1874, although the growth rate has slowed in recent years. The late 19<sup>th</sup> century was a time of expansion and diversity for San Rafael. While maintaining its role as commercial and administrative hub of the County, the City also became a resort for San Franciscans. After the opening of the Golden Gate Bridge in 1937, San Rafael acquired a new role. During the next three decades, the population increased from 8,573 in 1940 to 38,977 in 1970. The central role that San Rafael played in the commercial, cultural and government life of the County continued during this same period. The City experienced steady population growth through the post-war period, typical of residential suburbs of the time. Population increased by over 180 percent between 1950 and 1970 primarily due to annexation of the neighborhoods north of Puerto Suello Hill. <sup>26</sup>

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26 Background Report p. A-7



During the 1970's and 1980's, population increased at a relatively slower pace. This slowing of population growth reflected the beginning of a new phase in the growth of San Rafael. Beginning in the mid 1970's, there was an explosive growth in local employment as San Rafael changed from a primarily residential community to a more diversified suburban center and assumed the role of a regional employment center. Between 1970 and 1980, the number of jobs in Marin increased by approximately 35 percent, with more than half of this increase occurring in the San Rafael Study Area. Employment growth continued until the recession of the early 1990s and has resumed, though at a slower pace, as the economy has recovered. San Rafael has historically been the employment center for Marin County, but, beginning in the mid 1980s, it became an employment center for Sonoma County residents as well. The 1990s has seen that trend accelerate with the City attracting ever increasing numbers of workers from outside the County from the East and North Bay communities as well as from San Francisco.<sup>27</sup>

### **b. Current and Projected Population and Employment**

According to the Association of Bay Area Governments, the total population in the San Rafael area (including unincorporated areas) in 2000 was 68,582. This represents an increase of 41.9%, or 20,278 people within a decade. This increase may be skewed due to miscalculations in the 1990 census for the Canal neighborhood. The 2000 census is assumed to be a more accurate account of this neighborhood and the City overall.

<sup>27</sup> San Rafael General Plan 2020 Background Report p. A-7

San Rafael’s population is projected to grow by less than 10 percent between 2000 and 2020. This is slower than the Bay Area as a whole, but in line with the expected growth in Marin County. Similar to current conditions, San Rafael is expected to contain about 28 percent of the county’s population and about 36 percent of the county’s jobs in the year 2020. Approximately 7,470 jobs are projected to be created by 2020 in the San Rafael Study Area, with many anticipated to be in the relatively lower paying service and retail sectors.<sup>28</sup>

**Table 5**  
**San Rafael Study Area Population and Employment Projections**

	2000	2005	2010	2015	2020	Changes 2000-2020
Population	68,582	69,000	71,100	74,300	75,800	7,218
Households	27,122	27,610	28,280	29,120	29,910	2,788
Average Household Size	2.53	2.5	2.51	2.55	2.53	0
Employed Residents	35,261	32,330	35,470	38,460	41,680	6,419
Jobs	47,660	48,790	51,350	53,570	55,130	7,470
Employed Residents/Job	0.74	0.66	0.69	0.72	0.76	0.02
Jobs/Household	1.76	1.77	1.81	1.84	1.84	0.08
% of County Population	27.7%	27.4%	27.5%	27.7%	27.6%	-0.1

Source: Projections 2005, Association of Bay Area Governments, 2005

**c. Trends**

**Population and Employment**

The general aging of San Rafael’s population will have a significant effect on schools, social services, available workforce and disposable income. Eldercare issues may become more pressing, and there may be a stronger demand for assisted living. The continued age diversity in San Rafael will mitigate some of the effects of this general trend by maintaining a supply of workforce age people to support expected job growth.

<sup>28</sup> Draft General Plan Housing Background p. 329, ABAG Projections 2005

The increase in the number of higher-income households has helped to drive housing costs up, making it difficult for lower income families to keep and find housing within their price range. As lower income households, which make up a larger percentage of San Rafael's multi-ethnic population, move to more affordable areas such as Richmond, Novato and Sonoma County, San Rafael may see a decrease in the ethnic and economic diversity of the community.<sup>29</sup>

### **Limited Land Supply**

One reason population growth is slowing is that San Rafael has little vacant land remaining for new development. Between 1986 and 1999 the amount of vacant land decreased from 6,200 acres to approximately 250 acres. Much of the decrease represents former ranch properties that have been developed with a few large residential homes with the rest of the land dedicated as permanent open space, and east San Rafael lots developed as industrial/office uses. The remaining vacant lands are at St. Vincent's, Silveira Ranch, Canalways, East San Rafael and smaller sites scattered about the community.<sup>30</sup>

The available vacant land supply is limited for all land uses, especially multifamily and nonresidential uses. The city must rely increasingly on reuse of underutilized land to meet its land use and housing needs.

### **High Cost of Land and Housing**

The limited supply of land and high demand for this land will keep the price of development sites and existing housing prices high throughout Marin County. From 1993 to 2000 the median home sales price in Marin County increased from \$314,250 to \$523,000. The median price for a single-family detached home in Marin County in January 2005 was \$850,000, a nearly 26% jump over January 2004. This median home price is the highest in the Bay Area.<sup>31</sup> Single family homes are out of reach for many people who work in San Rafael, with average housing prices now above \$600,000. Even high end moderate-income households (\$75,000-99,999 annual income) have difficulty qualifying for a mortgage for locally available housing.

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29 Trends in San Rafael, San Rafael Community Development Department, August, 2000.

30 Trends in San Rafael, San Rafael Community Development Department, August, 2000.

31 Marin IJ - "Marin Housing Market Soars", February 16, 2005 - Source: DataQuick Information Systems.

### **Jobs/Housing Balance**

San Rafael is the County seat and business center for Marin. It is expected to have more jobs than housing units compared to other suburban and rural communities in the area. According to ABAG, San Rafael's job to housing ratio is projected to increase from 1.76 jobs/household in 2000 to 1.84 jobs/household in 2020.

### **Household Characteristics**

As of January 2000, there were 22,963 housing units in San Rafael. Of these, 46 percent were single-family detached units, 9 percent were single-family attached units, 10 percent in structures of 2-4 units, and 34 percent in structures with 5 or more units. Multifamily housing comprises 44 percent of the housing stock in San Rafael.<sup>32</sup>

San Rafael has a significant diversity of household types, with 57% families, 32% single-person households, and 11% non-family households. Similar to Marin County as a whole, 24% of all households in San Rafael are age 65 or greater.

The ethnic and age make-up of the City has become more diverse over the past decade, reflecting the diversity of the Bay Area more than that of the County as a whole. The largest increase has been among the Hispanic population, which grew by 2000 to become 23.3 percent of the population. San Rafael is home for 47.8 percent of the Hispanic population of Marin County. A sizable Vietnamese population also resides in San Rafael.

San Rafael's housing conditions, costs and needs are reflective of many area-wide and nation-wide trends. People are living longer, having fewer children and forming smaller households. There are more single-parent households, especially those with a female head of household.

### **Traffic Congestion and Transportation**

The City of San Rafael and the County of Marin are strong advocates for multi-modal transportation planning as demonstrated by the policies and programs in their General Plans. Table 6 below shows the modes of transportation and the percentage of use in San Rafael. It concludes that there is a very high percentage (63.8%) of people that use the single occupancy vehicle and there is still room for

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32 City of San Rafael General Plan 2020 Housing Background Report

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improvement in using alternative modes of transportation.



**Table 6**  
**San Rafael Commuter Modes of Transportation (Workers 16 years and over)**

<b>Transportation</b>	<b>Percentage of Mode</b>
Drive Alone	63.8%
Car Pool	11.8%
Public Transportation (Bus, Ferry, Taxi)	12.4%
Work at Home	6.5%
Walk	3.2%
Bicycle or Motorcycle	1.5%
Other	0.9%

**Source: 2000 Census**

There have been many problematic areas in San Rafael that require monitoring by City and County traffic engineers. Due to the increased congestion on Highway 101, many morning commuters have diverted onto local streets, using Miller Creek Road in Marinwood as a bypass road. This has caused major problems with intercity roadway congestion and school access on Miller Creek Road and Las Gallinas Avenue. As a result, the city adopted traffic calming techniques to slow traffic on neighborhood streets, making the bypass less attractive. City traffic engineers changed the road configuration from a four-lane road to a two-lane road, and at the same time, incorporated bike lanes on both sides of Las Gallinas Avenue to connect Marinwood to Terra Linda.

Point San Pedro Road is another intercity roadway congestion zone. Due to the traffic from the San Rafael Rock Quarry and recent development at the end of the Pt. San Pedro Road, neighbors in adjacent areas are continuously concerned about excessive traffic. San Rafael's traffic engineer is frequently manipulating the traffic signals to ensure the flow of traffic is at a reasonable level of service. Heavy truck and other traffic affects adjacent neighborhoods, both inside and outside of the City's boundary.

#### **d. Land Use**

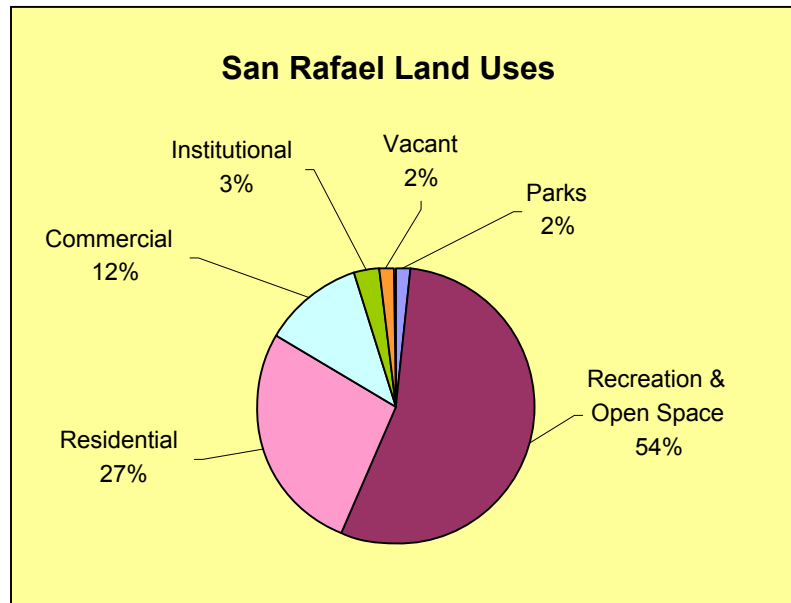
As shown in the figure below, residential use accounts for 27% of all land area in the City's sphere of influence. One and two family residential housing is found in virtually every neighborhood, while multiple family housing is found predominately in the Gerstle Park, East San Rafael, Terra Linda, Northgate, Montecito, Lincoln and Downtown neighborhoods. Developed unincorporated

areas in the City's sphere of influence tend to have a greater proportion of single family housing than areas within the City boundary.

Combined parks, recreational, and open space areas account for nearly 56% of the land in the City's sphere of influence.

Commercial land in the study area accounted for approximately 12% of the land area. There are four major business centers in the City: Northgate, which includes Northgate Regional Shopping Center, Marin County Civic Center, major offices and the Northgate Industrial Park; Downtown; commercial and industrial uses in the Francisco Boulevard West area; and commercial and industrial uses in the East San Rafael area. Specialized marine uses are concentrated on both sides of the San Rafael Canal between Harbor Avenue and the Montecito Shopping Center.

Institutional uses, including government, utility, school and childcare, and all other institutional uses, accounted for approximately three percent of the land in the Study Area.<sup>33</sup>



San Rafael Planning Department, 2000

## **e. Housing Demand and Development Potential**

### **Housing Needs**

Between 1990 and 2000, the City added approximately 1,731 housing units to its housing stock, for an average of 173 units per year. Total projected housing need according to the Association of Bay Area Governments is 2,090 additional units within the City limits between 2001 and 2007, or approximately 279 units per year.<sup>34</sup> Of the total projected need, 445 of the units are for very low-income families, 207 for low-income families, 562 for families with moderate-income levels, and the remainder, 876 for families with above-moderate incomes. The City of San Rafael has very little vacant land within its present boundary. The City's site alternatives for meeting identified housing need were reduced by the exclusion of the St. Vincent's/Silveira area from its General Plan. However, the City has identified sites and areas as having the potential to provide housing to meet local demand, as well as meet State law and regional need requirements.

The City's strategy to meet its identified housing need does not assume the annexation and development of unincorporated areas.

The City's existing incorporated area includes undeveloped or underdeveloped parcels deemed by the City to be sufficient to meet identified needs. With the exception of the St. Vincent/Silveira area, unincorporated areas currently in the City's Sphere of Influence are already developed. The City's recent policy changes excluding St. Vincent's/Silveira from its General Plan (and from its housing needs strategy) are based on its evident conclusion that development of St. Vincent's/Silveira within the City would be subject to voter referendum and would therefore constitute a costly and undependable method of pursuing its housing goals. The City has chosen a different strategy to meet its housing needs that does not depend on annexation of territory within its sphere of influence.

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<sup>34</sup> Regional Housing Needs Determination, 2001- 2007 Housing Element Cycle

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### **Limitations to Growth in the City of San Rafael**

Because San Rafael has little remaining vacant land available for large-scale development, building on smaller or underutilized sites scattered throughout the city will be of primary importance in meeting its housing needs. Encouraging new housing development at appropriate densities, promoting mixed-uses where housing can be incorporated into existing areas of commercial-only or industrial-only uses, and supporting continued development of second units will help make more intense use of land resources and help to address San Rafael's housing needs.<sup>35</sup>

**Table 7  
General Plan 2020 Growth Assumptions**

<b>Use</b>	<b>Existing (plus approved projects)</b>	<b>Projected 2020</b>	<b>% Increase</b>
Housing (units)	28,929	32,423	12%
Commercial (sq. ft)	9,030,000	9,183,000	1.7%
Office/Industrial (sq. ft)	9,031,000	9,279,000	2.7%
Lodging (rooms)	464	821	77%
Entertainment (seats)	3,010	5,010	66%

(San Rafael General Plan 2020)

### **Limitations to Growth in the San Rafael Sphere of Influence**

Within the Sphere of Influence, Urban Service Areas may also be designated to identify how growth and the extension of services will be phased within the ultimate service area boundary. The Urban Service Area defines the area within the Sphere of Influence which represents a logical, orderly expansion of urban development patterns and extension of city services.

The City of San Rafael has several policies and programs that discuss the Urban Service Area and annexation.

- Policy LU-5. (Urban Service Area.) Oppose urban development in areas adjacent to San Rafael's Urban Service Area boundary.
- Program LU-5a. (Urban Service Area Review.) Review and consider revisions to the City's Urban Service Area every five years as part of the General Plan Review, or in conjunction with a LAFCO-initiated boundary review.
- Policy LU-6 (Annexation). Prior to urban development, areas that can reasonably be served through extension of the existing service area of the City should be annexed.
  - a. Annexation of already developed unincorporated islands (Los Ranchitos, Country Club, Bayside Acres, California Park, Mt. Tamalpais Cemetery) and developed portions of the Marinwood/Lucas Valley neighborhoods should be dependent on resident interest, the cost/revenue implications of the provision of City services to the area and the availability of City services.
  - b. Developed and undeveloped areas of Santa Venetia are not expected to be annexed to the City within the time frame of the plan due to flood and seismic hazards and urban service costs associated with existing infrastructure conditions.
- Program LU-6a (LAFCO). Encourage LAFCO to adopt Urban Service Area and annexation policies for the San Rafael Planning Area consistent with adopted General Plan policies. Consistent with Council Resolution not to annex or serve the St. Vincent's and Silveira properties, work with LAFCO to remove them from the City's Sphere of Influence.

The City has shown little interest in promoting annexation of developed unincorporated areas because annexation would require substantial public investment to bring infrastructure up to the city's standards.

The City is capable of serving the growth projected within the current city boundaries. Because future development is planned to occur as infill, police, fire and wastewater collection services may be extended on an incremental basis not

requiring restructuring of existing City service departments. Many of the unincorporated pockets already receive services directly from the city through contractual arrangements with the County, special districts or through joint powers agreement.

### **City of San Rafael Plus Unincorporated Sphere of Influence**

Table 11 in Chapter III contains estimates from the County's Community Development Department of existing and potential housing units and population for San Rafael's Sphere of Influence listed by the incorporated and unincorporated areas (see page 108). This table also shows the potential population increases if the area (s) were to be annexed into the City and the distribution of development potential in the area.

According to the County's estimates, the maximum buildout population projection in the unincorporated portion of the current sphere of influence is 14,148. This number reflects an increase of 12.87% over the 2000 population of 12,535. It is also projected that the incorporated portion of San Rafael has a buildout population projection of 64,956, reflecting an increase of 15.9% over the 2000 population of 56,047. Both the Santa Venetia and Marinwood areas have a potential population increase of over 8% each if they were to be annexed into San Rafael.

The Association of Bay Area Government projects that the population within the City of San Rafael and its current sphere of influence (incorporated plus unincorporated) will reach 71,100 by 2010, an increase of 3.7% over the 2000 population of 68,582 (see page 34). Continued growth is anticipated for San Rafael's that is in line with growth expected for Marin County as a whole.

## CHAPTER II. SERVICE REVIEWS

### A. NEW REQUIREMENTS FOR SERVICE REVIEWS

In 1997, the State Legislature enacted AB 1484, establishing the Commission on Local Governance for the 21st Century (CLG). The members of the CLG were appointed by the Governor and represented a broad spectrum of constituent groups and perspectives including counties, cities, special districts, educators, industry, and elected officials. "The Commission was asked to assess governance issues and make appropriate recommendations, directing special attention to the Cortese-Knox Local Government Reorganization Act of 1985, the 57 Local Agency Formation Commissions (LAFCOs) governed by the Act, and citizen participation in local government."

The results of those efforts were published in Growth Within Bounds, which was published in January 2000. In Growth Within Bounds, the Commission reported that:

LAFCO's legislated directives imply that each LAFCO has comprehensive knowledge of the services available within its county, the current efficiency of providing service within various areas of the county, future needs for each service, and expansion capacity of each service provider. Although some LAFCOs may have access to such essentials, many do not, and the Cortese-Knox Act offers no mechanism for assisting and encouraging them to gather the basic necessary information. The Commission believes that such provision should be added to the statute.

Information on public service capacity could be gathered as part of the implementation of a new requirement for periodic service reviews. LAFCOs could conduct such reviews prior to or in conjunction with amendments to spheres of influence. A service review would encompass a comprehensive study of each identifiable public service provided by counties, special districts, and the cities in the region. The review would not focus exclusively on an individual jurisdiction to determine its future boundary or service areas. Rather, it would require LAFCO to look broadly at all agencies within a geographic region that provide a service. The review would also include a component that examines the benefits or disadvantages of consolidation or reorganization of service providers. LAFCOs should be provided flexibility in designating the geographic area to be analyzed, the timing of conducting particular reviews, and the scope of the reviews (Growth Within Bounds, pp. 98-99).

The State Legislature recognized the validity of the Commission's findings and codified a process that could be used to collect information and evaluate service provision from a broader perspective. The process for conducting service reviews is provided in Section 56430 of the Government Code. Section 56430 requires "that in order to prepare and to update spheres of influence in accordance with Section 56425, LAFCOs are required to conduct a service review of the municipal services provided in the county or other appropriate designated area. LAFCOs must include in the area designated for service review the county, the region, the sub-region, or other geographic area as is appropriate for an analysis of the service or services to be reviewed and, as noted previously, must prepare a written statement of its determination with respect to each of the following:

- Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers;
- Infrastructure needs or deficiencies;
- Growth and population projections for the affected area;
- Financing constraints and opportunities;
- Cost avoidance opportunities;
- Opportunities for rate restructuring;
- Opportunities for shared facilities;
- Evaluation of management efficiencies; and
- Local accountability and governance.

In conducting a service review, LAFCOs must comprehensively review all of the agencies that provide the identified service or services within the designated geographic area. In addition, service reviews are to be conducted before, or in conjunction with, but no later than the time it is considering an action to establish (Section 56430 of the Cortese-Knox-Hertzberg Act) or update a sphere of influence pursuant to Sections 56425 or 56426.5. The Commission on Local Governance for the 21st Century advised and recommended that: "A service review should not replace designations or updates of spheres of influence, but should be conducted in the establishment or amendment of any spheres." (Growth Within Bounds, p. 99).



## **B. LEVEL OF ANALYSIS**

For this initial set of service reviews associated with the periodic review of spheres of influence in the San Rafael area, the scope of the service review will be confined to municipal-type services provided by the County of Marin, City of San Rafael and various special districts within the San Rafael sub-region with the exception of Marin Municipal Water District. For purposes of these service reviews, "municipal-type services" will include the following broadly defined categories:

- Wastewater Collection, Treatment & Disposal
- Fire & Emergency Medical
- Police/Law Enforcement
- Street and Landscape Maintenance
- Parks & Recreation

This report will examine all categories of the above services in the San Rafael area. Domestic water and wastewater recycling will be the subjects of subsequent service reviews.

A service review should encompass a comprehensive study of all agencies that provide an identified service or services within the designated geographic area. In other words, the process does not focus exclusively on each individual jurisdiction to determine its future boundary or service areas, but takes into account other agencies that are empowered to provide the same service.

Further review of existing service provisions may also be undertaken at the request of affected agencies or individuals under LAFCO's adopted policies and procedures for amendment of spheres of influence.<sup>36</sup>

## **C. TYPES OF REORGANIZATION ALTERNATIVES**

Service review requirements often focus on discussion of government structure options, including consolidation of existing cities and special districts. Under current State law, "consolidation" has a particular meaning, but changes to the organization of cities and special districts may take on several different forms separately defined in the Cortese-Knox-Hertzberg Act. Those different types of organizational changes are described below:

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<sup>36</sup> LAFCO Policies, Procedures & Guidelines, Chapter IV, Section 4.

## **1. Functional Consolidation**

Cities and/or special districts often agree to work together to provide a service or accomplish a service objective. Examples range from simple letter agreements between managers to formal contracts adopted by resolution of agency governing boards to joint exercise of power agencies formed under Government code Section 6500. The principle behind such agreements is that two or more agencies may jointly exercise any power that each participating agency may exercise individually. Such contractual service arrangements do not alter the governance or boundaries of existing agencies and generally do not require approval by LAFCO. This report refers to these service arrangements collectively as examples of “functional consolidation” in contrast to other forms of “political consolidation” which do affect governance or boundaries of existing agencies and require LAFCO approval.

## **2. Subsidiary Districts**

“Subsidiary district means a district of limited powers in which a city council is designated as, and empowered to act as, the ex officio board of directors of the district.” (Government Code Section 56078)

Subsidiary districts are used to establish a city council as the governing board of a previously independent special district, presumably when independent governance of the district is no longer needed and the city council is able to provide adequate political accountability for provision of the service. Establishment of a subsidiary district does not require that all of the district’s jurisdictional area lie within the city’s boundary. A minimum of 70% of the affected district’s jurisdictional area and 70% of the district’s registered voters must overlap or lie within the city’s boundary. (Government Code Section 57105)

## **3. Merger**

“Merger means the extinguishment, termination and cessation of the existence of a district of limited powers by the merger of that district with a city as a result of proceedings taken pursuant to [this] division.” (Government Code Section 56056)  
The functions of the merged district then become functions of the merging city and are governed by the city council.

## **4. Consolidation**

“Consolidation means the uniting or joining of two or more cities located in the same

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county into a single new successor city or two or more districts into a single new successor district. In the case of consolidation of special districts, all of those districts shall have been formed pursuant to the same principal act.” (Government Code Section 56030)

Fire protection districts operating under Section 13800 of the Health and Safety Code may consolidate with other fire protection districts, or two municipal water districts operating under Section 71000 of the State Water Code could consolidate under the formal definition in the Cortese-Knox-Hertzberg Act. However, a municipal water district could not consolidate with a county water district because county water districts are formed under a different section of the State Water Code (Section 30000). In order for two agencies set up under different enabling statutes to become one agency, some different form of reorganization would be required as described below.

## **5. Dissolution**

“Dissolution means the dissolution, disincorporation, extinguishment, and termination of the existence of a district and the cessation of all its corporate powers, except for the purpose of winding up the affairs of the district.” (Government Code Section 56035)

Dissolution might be proposed if a special district no longer provided service or if its service functions could be undertaken by a city, the county or another special district.

## **6. Reorganization**

“Reorganization means two or more changes of organization initiated in a single proposal.” (Government Code Section 56073)

This very general concept can be employed to combine two or more change of organization. Examples might include:

- Annexation of territory to a city and dissolution of a special district that provided service to the annexing area
- Annexation of territory to a city and detachment of the same area from a special district of another city
- Consolidation of two special districts and annexation of a city’s jurisdiction to the consolidated district.

## **D. WASTEWATER COLLECTION, TREATMENT & DISPOSAL**

There are several agencies that provide for wastewater collection and treatment in the San Rafael area. Las Gallinas Valley Sanitary District provides sewage collection and wastewater treatment for the portion of San Rafael that is north of Puerto Suello Hill including several unincorporated areas as shown on Map B. Sewer service in the portion of San Rafael south of Puerto Suello Hill is operated by two entities. Sewage is collected by the San Rafael Sanitation District and flows to the Central Marin Sanitation Agency (CMSA) for treatment and disposal.

### **1. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers**

The examination of alternative organizational structures for sewer service in the San Rafael area is limited by the definition of this report's study area. Central San Rafael is served by the San Rafael Sanitation District and the Central Marin Sanitation Agency (CMSA), a joint-powers agency which includes three other partner agencies with service areas in the Ross Valley. CMSA recently conducted an internal strategic business planning effort, concluding that "... the current structure [of the JPA], does not adequately allow the [member] agencies to collectively address their needs and therefore it is not viable." Redoak Consulting was retained by CMSA to identify consolidation alternatives and facilitate CMSA's approach to defining the need for its own organizational change. The report, *Central Marin Regionalization Scenarios Evaluation* (March 2, 2005), accepted by the CMSA governing board, recommends that CMSA implement modifications to the CMSA Joint Powers Agreement while researching and moving forward toward consolidation as a single special district. However, the six-member board deadlocked 3 - 3 on any subsequent action in pursuit of the report's recommendations or further steps toward organizational change.

The study area for this report does not include the service areas of the three CMSA member agencies in the Ross Valley. Those agencies are Sanitary District #1 (Ross Valley), the City of Larkspur and Sanitary District #2, a subsidiary district governed by the Town of Corte Madera. The subsequent service review and sphere of influence update for cities and special districts in the Ross Valley will build on the exploration of organizational alternatives for sewer service in the San Rafael area below. That study is anticipated to be completed late in 2006. The organizational alternatives described below include only possible changes of organization relating to SRSD, LGVSD and the City of San Rafael.

### Status Quo - No Change

This alternative would include annexations of un-served areas within current SOIs (e.g. Country Club) and changes to contractual arrangements between existing agencies. Under current arrangements, SRSD could elect to contract with CMSA for collection system maintenance and operation rather than its current reliance on City of San Rafael Department of Public Works.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Extension of service to un-served areas, enhanced environmental protection. Exceptional public info and education programs by LGVSD.	CMSA treatment plant currently at permitted capacity for wet weather flows. Expansion or management alternatives needed.
<b>Cost Savings</b>	SRSD able to share resources with City and City staff. Possible cost savings to annexing homeowners, elimination of on-site wastewater system maintenance.	Rising costs and regulatory requirements, declining property tax revenue. Duplicative management costs between SRSD, CMSA and LGVSD. No mechanism for coordinating or combining collection system maintenance functions between agencies.
<b>Political Accountability</b>	Partial policy coordination between City of SR and SRSD through common staff & city representation on SRSD governing board. Shared city/county governance appropriate for service area combining incorporated and unincorporated areas.	Mixed and varied service arrangements & responsibilities within City of San Rafael (SRSD south, LGVSD north). Service areas of SRSD and LGVSD do not correspond to defined communities, but rather are fragments or assemblages of city & unincorporated community areas.

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## Consolidated Sanitary District

Reorganization of SRSD & LGVSD including dissolution of both districts and formation of a new independent sanitary district.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Expanded scale and coordination of collection system maintenance programs.	Sewage treatment function would be split between "in-house" plant at Terra Linda and CMSA plant under JPA control.
<b>Cost Savings</b>	Greater available economies of scale for collection system maintenance, management cost efficiencies, reduction in costs of governing boards.	Stranded management costs in San Rafael DPW. Connection between SRSD programs and City resources would be severed.
<b>Political Accountability</b>	Equal and direct political representation for incorporated and unincorporated area rate payers. Unified sanitary district would meet criteria for establishment as subsidiary district of the City of San Rafael.	Loss of City's ability to weigh competing service priorities & coordinate services through SRSD in part of its incorporated area.

### Consolidation of SRSD & LGVSD as Sanitation District

Enlargement of SRSD to include incorporated and unincorporated areas served by LGVSD, dissolution of LGVSD.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Enhanced coordination of sewer service program activities with other public works programs in north San Rafael.	Would require SRSD to assume new responsibility for operation of sewage treatment plant in addition to its joint participation in CMSA treatment plant. Separate rate zones required for each pre-existing agency's service area.
<b>Cost Savings</b>	Management and miscellaneous organizational cost savings, (legal, HR & accounting services), elimination of costs related to LGVSD governing board. Possible economies of scale in collection system maintenance.	Personnel costs likely to rise to the higher costs of the two consolidating agencies.
<b>Political Accountability</b>	SRSD governing board includes both city and county representatives (2 city, 1 county) ensuring that interests of city and unincorporated residents are properly considered.	Indirect political accountability is inherent in a sanitation district's appointed (not elected) board of directors. Perceived loss of local control and likely opposition by LGVSD Board.

### Consolidation of CMSA member organizations

"Consolidation" of four member CMSA member agencies to form a single regional sanitary district. This alternative, because it involves three agencies outside the current study area, will be examined in more detail in future studies.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Integrated responsibility for collection treatment and disposal throughout consolidated service area, simplified government structure	Separate rate zones required for each pre-existing agency's service area
<b>Cost Savings</b>	Increased availability of economies of scale, management cost savings	Stranded management costs in Corte Madera & San Rafael. Personnel costs likely to rise to the higher costs of the two consolidating agencies.
<b>Political Accountability</b>	Equal and direct political accountability for incorporated and unincorporated rate payers	Difficult to implement: multiple elections required. Lack of ability to weigh competing service priorities & coordinate services with 7 different cities included in consolidated district's service area.



## **2. Infrastructure Needs or Deficiencies**

All agencies operating sewer collection systems are now subject to new requirements of the Regional Water Quality Control Board. Where the previous regulatory system focused on the effectiveness of treatment plants, the new regulations focus on the integrity of sewer collection systems. New regulations require reporting of all sewage spills of any size and the creation of sewage system management plans (SSMPs). Required content of SSMPs effectively mandate the assessment, monitoring, and improvement of collection systems to control inflow and infiltration and other measures to assure public health and safety. Although the requirements do not set specific minimum standards of service, the result is similar in partially removing the discretion of sewer agencies to defer maintenance needs and subjecting collection agencies to litigation. Most sewer agencies in Marin County have or are planning to raise sewer service rates to cover the costs of needed capital improvements and/or enhanced maintenance procedures.

LGVSD is currently able to operate within permitted treatment capacity and the terms of its discharge permit. The District expects to spend \$2-3 million in reconditioning and/or re-routing problem areas of the collection system to reduce wet weather inflow and infiltration and to improve collection system capacity.

Treatment capacity at the CMSA plant is not sufficient to sustain existing trend toward increasing wet weather flows due to severe inflow and infiltration in member agencies collection systems. CMSA requires new management strategies and improvements to collection systems of member agencies to comply with new regulations of the Regional Water Quality Control Board.

## **3. Growth and Population Projections for the Affected Area**

Projected growth in the study area is expected to be very moderate in relation to existing population as discussed in Chapter I. While the County's population is expected to grow approximately 10% by 2020, the City of San Rafael expects population growth of approximately 12% in the same time period. The amount and rate of expected population growth in unincorporated areas within the City's sphere of influence varies significantly from area to area (see Chapter III, Table 11). General Plan build-out capacity for some areas, such as St. Vincent's/Silveira and San Rafael Quarry are subject to additional planning for development or redevelopment.



#### **4. Financing Constraints and Opportunities**

Operations, maintenance and infrastructure of wastewater systems are supported by fees set at needed levels by the governing boards of the sewer agencies. CMSA costs are supported by its member agencies which include treatment costs in their budgets. Upward pressure on sewer rates in all sewer agency jurisdictions is currently increasing due to rising personnel, insurance and regulatory costs. Although sewer service fees must directly reflect the costs of providing sewer service, the governing boards are not otherwise constrained in raising fees to required levels.

The U.S. Environmental Protection Agency and the Regional Water Quality Control Board have imposed new regulations on the operation and maintenance of wastewater collection systems. The new regulations require reporting and mitigating all sewage spills and an extensive planning process for improving the integrity of collection systems. Sewer rates throughout Marin County are expected to increase due to the costs of compliance with new regulations and the costs of improvements to collection systems with high rates of inflow and infiltration.

One challenge to the ability of sewer agencies to improve the integrity of collection systems will be how to fund the identification and repair of privately owned sewer laterals responsible for significant inflow and infiltration. LGVSD recently proposed and then decided not to adopt requirements for inspection and repair of sewer laterals when property is sold. This problem remains for all sewer collection systems in Marin and will require action as SSO and SSMP requirements take effect.

#### **5. Cost Avoidance Opportunities**

Cost avoidance opportunities that may be available to the member agencies of CMSA are not included in this study, but will be examined in a subsequent study. Cost avoidance opportunities through reorganization or enhanced cooperation between SRSD, LGVSD and CMSA are less likely to produce significant savings due to the disparate nature of the three organizations, their facilities, service areas, management and governance.

#### **6. Opportunities for Rate Restructuring**

Rates charged by LGVSD and SRSD are both expected to increase in the immediate future to fund improvements to collection systems. Both districts project moderate rate increases in the next five years to reach \$303 and \$320 per equivalent dwelling unit respectively.

## **7. Opportunities for Shared Facilities**

Opportunities for shared facilities between SRSD, LGVSD and CMSA are unlikely to produce significant advantages due to the disparate nature of the three organizations, their facilities, service areas, management and governance. SRSD is a collection-only sewer agency. CMSA operates a treatment plant only. LGVSD operates collection and treatment facilities, but with little or no opportunity for joint operations with the other two agencies. Opportunity for management cost efficiencies or other economies of scale may be greater within the membership of the four CMSA organizations and should be studied in detail as a part of the service review process for cities and special districts in Ross Valley during 2006.

## **8. Evaluation of Management Efficiencies**

Of the organizational alternatives identified for sewer service above, management efficiency of the sewer service function in the study area would probably be most enhanced by consolidation of SRSD and LGVSD to form a single sanitary district serving the City of San Rafael and all unincorporated areas within the study area. A single sanitary district would be able to pursue possible economies of scale in the maintenance of the collection systems now operated by the two separate agencies and other, more minor operational costs. These cost savings would be minor however, and would create short-term cost impacts ('stranded management costs') on the City's Department of Public Works. The ability of a single sanitary district to participate as a member agency in the CMSA joint-powers agency would not differ significantly from the participation of SRSD.

## **9. Local Accountability and Governance**

San Rafael Sanitation District's appointed governing board includes two members of the City Council of the City of San Rafael and one member of the County Board of Supervisors. The District is responsible for providing collection-only sewer service to about half of the City's jurisdiction and several unincorporated areas around central San Rafael. LGVSD provides wastewater collection, treatment, disposal and recycling to the northern part of the City of San Rafael and closely associated unincorporated areas. The governing board of LGVSD is elected independently.

The service areas of both districts will include significant unincorporated areas for the foreseeable future and the structures of their governing boards are appropriate for

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representation of both city and unincorporated area residents. Both districts employ trained professional staffs and follow established decision making processes to publish their budgets, plans and programs. LGVSD maintains well-developed public education and outreach programs directed to a variety of objectives including environmental education, inflow/infiltration mitigation and review of sewer service charges.

Of the organizational alternatives identified for sewer service above, governance of the sewer service function in the study area would probably be most enhanced by consolidation of SRSD and LGVSD to form a single sanitary district serving the City of San Rafael and all unincorporated areas within the study area. A single sanitary district with an independently elected governing board would have equal accountability to incorporated and unincorporated area residents throughout the study area.

#### **E. FIRE AND EMERGENCY MEDICAL SERVICE**

Fire protection and emergency medical services in the San Rafael Sphere of Influence are provided by the City of San Rafael, the County of Marin (County Fire), the Marinwood Community Services District (MCSD) and the California Division of Forestry (in China Camp State Park).

Each of the four agencies providing service in the study area is responsible for structural fire protection and emergency medical service within their boundaries. County fire has additional responsibility for wildland fire protection in State responsibility areas under its contract with the California Department of Forestry.

However, the locations of fire stations and the complex jurisdictional boundaries of the four agencies require them to work together to provide continuous service throughout the study area. For example, County Fire cannot provide service to the small Bayside Acres unincorporated island from any of its fire stations in southern or west Marin. Therefore, each agency has contractual agreements with one or more of the others as described below.

#### County Agreements with the City of San Rafael

In 1976, the County (and its dependent County Service Area #19) leased the site for Fire Station #7 to the City of San Rafael for a term of 30 years for \$1.00 per year. Under a related agreement, the County also provided \$75,000 for the construction of the fire station, the proceeds of property and parcel taxes within the CSA to be served by the new fire station and promised to pursue voter approval of new funding for improved hydrants and other infrastructure. Other provisions of the agreement give the City Fire

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Department the right to review and recommend fire protection features in all buildings constructed in the unincorporated territory served by CSA #19.

In exchange for the land and county funding, the City provides first response fire protection service to CSA 19, China Camp and other unincorporated areas of the San Pedro Peninsula including one squad company, two engine companies and one truck company. Funding provisions of the agreement have been periodically adjusted to reflect the effects of Proposition 13, inflation in the cost of fire protection service and some capital replacement costs.

The County does not operate any fire stations in the San Rafael area. The agreements between the City and the County for operation of Station #7 at the Civic Center allow efficient fire protection service to both incorporated and unincorporated areas in north San Rafael and sharing of costs between the City and the County.

At the end of the lease and agreement in July 2006, the County may either terminate the lease and retain full title to the fire station or extend the terms of the agreement and allow the city to take full title to the fire station. The County (at the time of this report) has undertaken preliminary planning phases of a new public safety administration building in the Civic Center area. No determination has been made by the County on retaining or ceding ownership of Station 7 in 2006.

#### Agreements between the City of San Rafael and Marinwood CSD

The City of San Rafael and the Marinwood CSD entered into an agreement in 1994 under which the City provides the CSD with funding (\$360,000 for FY 2004-05) and backup fire protection response (1 medic unit, 2 engines and 1 truck company and a battalion chief) for incidents in the CSD's service area. In return, Marinwood CSD provides first response for fire and routine calls for emergency medical service to the northern areas of the City's incorporated area closest to Marinwood CSD's fire station.

Funding from the agreement has allowed Marinwood CSD to maintain minimum staffing of 3 on all shifts and the assurance of backup in depth from the City for fire events in its service area (a minimum response team of at least 4 firefighters is required to enter a burning building). The agreement provides the City with faster response to fire and emergency medial calls in the north Terra Linda and Smith Ranch Road areas despite the closure of the City's fire station on Joseph Court in 1994.

Early in 2005, the City notified Marinwood CSD that it would terminate its agreement with Marinwood CSD in FY 2005-06 for budgetary reasons.

## Other Service Agreements

- Marinwood CSD also provides services to the County for fire protection to the unincorporated area of Upper Lucas Valley and receives compensation from CSA 13.
- Through its agreement with the California Department of Forestry, County Fire provides wildland fire protection services for State Responsibility Areas in the study area, most prominently in China Camp State Park.

### **1. City of San Rafael Fire Department**

The City of San Rafael's Fire Department was founded in 1874 as an all-volunteer organization. Since that time, it has grown to an agency with over 90 personnel who, in addition to fighting fires, provide medical response, and urban search and rescue. The department also has its own in-house training and equipment maintenance programs.

The San Rafael Fire Department provides primary fire protection to the incorporated area as well as the unincorporated communities of County Club, Bayside Acres, Los Ranchitos, the small area adjacent to the Mount Tamalpais Cemetery in Sun Valley, California Park and Santa Venetia through County Service Area #19. Additionally, the various fire departments have joint powers agreements and standard mutual aid agreements which minimize response time in fire and medical emergencies regardless of jurisdictional boundaries. The San Rafael Fire Department also provides paramedic services under a joint powers agreement to the entire sphere of influence. Every firefighter is a certified emergency medical technician; 24 firefighters are paramedic certified. These 24 paramedics along with a total of 4 ambulances ensure availability of medical transport and advanced life support services in the study area.

In general, calls for service and demand for emergency medical services have increased with population growth and an aging population.

One of the most important criteria for effective firefighting is the response time needed to reach the site of the fire. The following standards are adopted by the City Council in the City's annual budget and program objectives:

- To maintain a Code 3 service capability based on Total Reflex Time that will ensure the arrival of the first engine to all areas served within 7 minutes with a high potential for life loss, economic value and fire flow and 8 minutes to areas served with a moderate or low potential for life loss, economic value and fire flow.

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- To confine 90% of all structure fires within 45 minutes of receipt of a 911 call to area of involvement as reported by the first arriving unit, using an Effective Response Force of 15 personnel with a flow application rate of 1500 GPM.

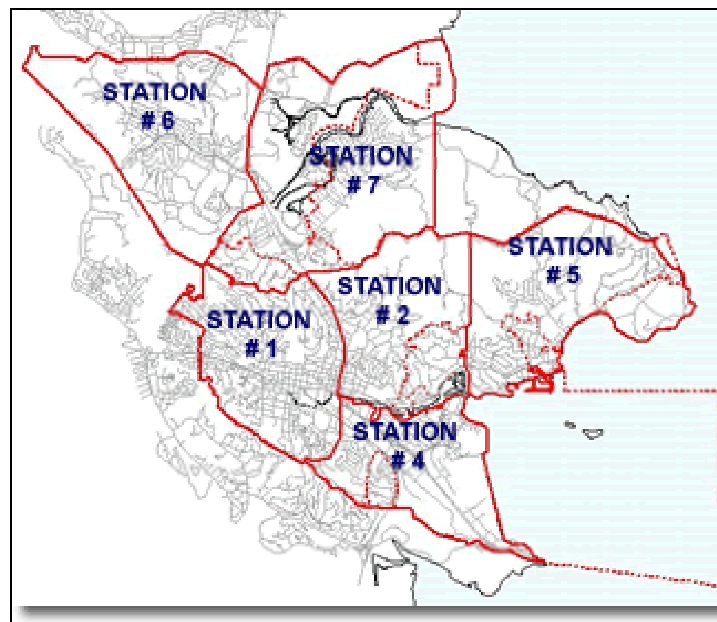


The Department's stations are located to ensure adequate service within the service area. Following is a table and map that shows the fire stations in San Rafael's Sphere of Influence:

**Table 8**  
**Fire Stations in San Rafael Sphere of Influence**

Station Name	Station Address	Areas Served
Station 1	1039 C Street between 4 <sup>th</sup> and 5 <sup>th</sup>	Western Central San Rafael including Downtown, Lincoln Avenue, West End and Sun Valley areas.
Station 2	210 Third Street	Eastern Central San Rafael including Dominican and Montecito neighborhoods.
Station 4	46 Castro Street off Francisco Blvd.	Southern San Rafael including Bret Harte, California Park, Canal and Woodland Avenue Areas.
Station 5	955 Pt. San Pedro Road	East San Rafael including Loch Lomond Area, Peacock Gap and neighborhoods along San Pedro Road Area.
Station 6	650 Del Ganado Road	Northwest Terra Linda including Northgate area and neighborhoods along Freitas Parkway
Station 7 (owned by County, operated by City)	3530 Civic Center Drive	East Terra Linda including Civic Center, Santa Venetia, Los Ranchitos and Northgate Industrial areas.
Marinwood Fire Station	775 Miller Creek Drive	Marinwood CSD, Lucas Valley

Source: San Rafael Fire Department Website (<http://www.srfd.org/>)



Source: San Rafael Fire Department website

## **2. Marinwood CSD**

The Marinwood Community Services District operates a single fire station located at Miller Creek Drive near Lucas Valley Road. The Marinwood CSD is responsible for fire protection services in the Marinwood Community Service District and, by contractual agreement, the northern area of the City of San Rafael which is most readily served by the Marinwood CSD station. Relying on this agreement and other operational adjustments, the City closed its station on Joseph Court in 1994. The City's cost savings from closure of the Joseph Court Station are estimated at approximately \$1.2 million in current year costs.

In exchange for providing service to north San Rafael, the City provides Marinwood CSD with funding equivalent to one firefighter per shift (approximately \$380,000) and various services and equipment available to a much larger organization as described below. It should be noted that personnel and equipment provided by the City to Marinwood CSD under the automatic aid agreement is critical to Marinwood CSD's ability to fight structural fires under current state safety regulations. This agreement has been altered for the current fiscal year and may be terminated. Including the City's contribution, Marinwood CSD's fire staffing consists of one fire chief, three captains, seven firefighters, and 25 volunteer on-call firefighters. Minimum Marinwood Fire Department staffing is three firefighters on duty at all times. In addition, one volunteer firefighter is on duty during regular business hours.

The San Rafael Fire Department (SRFD) provides dispatch services for Marinwood CSD and also has an Automatic Aid agreement with the District to respond to all structural fire calls in the Marinwood Community Service District with one Engine Company, one Truck Company, one Paramedic Rescue Ambulance, and one Chief Officer. For wildland fires, an additional Engine is substituted for the Truck Company.

Like many other local government agencies in California, the City of San Rafael and the Marinwood CSD are currently experiencing significant budget shortfalls stemming from rising costs and state incursions into funding sources that support local services. As part of its effort to close its current budget shortfall, the City has announced its intent to discontinue its funding-for-service relationship with Marinwood CSD. The City will no longer be able to assume automatic response from Marinwood CSD in the northern area of the City's jurisdiction. The City's level of fire protection service, as measured by response times for calls in this area, will be reduced. The City has already conducted public hearings on the impending reduction in service.

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However, the impact of the loss of the City's funding is much more significant for Marinwood CSD. The City has stated that extension of its contract with Marinwood CSD is not an option, although discussions between the City and the District continue. The District has sufficient resources to provide emergency service at current levels only for the coming fiscal year by utilizing its reserve fund. The District must therefore evaluate a range of changes to its contractual arrangements, service levels and sources of revenue. Voters in the City of San Rafael have passed Measure S, an enhancement of its sales tax, in order to address overall revenue problems. The City and the District continue to negotiate continuation of an automatic aid agreement, so far without conclusion.

### **3. Marin County Fire**

Marin County is one of a small number of California counties where the county fire department is also responsible for wildland fire protection. The California Department of Forestry is normally responsible for wildland fire protection and emergency medical service for all areas outside the boundaries of cities and special districts providing fire service. Marin County Fire provides wildland fire protection for defined "State Responsibility Areas" and structural fire protection outside the boundaries of cities and fire districts through its contractual relationship with the California Department of Forestry. The California Department of Forestry provides substantial equipment and funding for services provided by the County's fire stations at Throckmorton (Mt. Tamalpais), Woodacre, Point Reyes, Tomales and Hicks Valley.

Since the County operates no station facilities in the San Rafael area, County Fire's structural fire protection responsibilities in urbanized unincorporated areas within the City's sphere of influence are met through contractual arrangement between the City and County Fire. The unincorporated areas are within the boundary of County Service Areas #13, #19 and #31.

### **4. Determinations for Fire and Emergency Medical Service**

#### **a. Government Structure Options, Including Advantages and Disadvantages of Consolidation or Reorganization of Service Providers:**

As described above, each of the three fire service agencies in the San Rafael sphere of influence has a contractual relationship with one or more other agencies in addition to its own service responsibilities. The contractual relationships (including mutual aid and automatic aid) make up for deficiencies in station location and a generally poor relationship between the boundaries and service responsibilities of the agencies. The service agreement between the City of San Rafael and County Fire

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provides a reasonable and efficient means of providing service to small unincorporated areas within the City's sphere of influence. Many of these areas are surrounded by the City's boundary and located far from the nearest fire stations operated by County Fire. Areas such as Country Club, Bayside Acres, Los Ranchitos and Santa Venetia are served by the City's Fire Department which receives compensation from County Service Areas 13, 19 and 31.

The boundaries, service responsibilities and funding basis for fire service in northern San Rafael and Marinwood are especially problematic. The City provides paramedic service to its incorporated area, Marinwood and Lucas Valley, but contracts with Marinwood CSD in the northernmost part of its jurisdiction since the closure of the fire station on Joseph Court. The contract amount will be significantly reduced by the City in July 2005 and may be eventually terminated. The loss of contract revenue from the City will significantly affect the ability of Marinwood CSD to provide fire protection service within its own jurisdiction. Considered in isolation or without its service contract with the City of San Rafael, Marinwood CSD is not an effective and efficient provider of structural fire protection service.

The loss of \$380,000 in contract revenue will require the District to choose among several general strategies and alternatives:

- reduce minimum staffing on all shifts
- Seek voter approval for revenue enhancement through a new parcel tax
- Contract to receive fire protection service from City of San Rafael, County Fire or Novato FPD
- Reorganize to transfer fire protection responsibility to the City, the County or NFPD.

Service alternatives under discussion are summarized below including contractual services and agency reorganization.

### **Status Quo - No Change**

Current service arrangements between the City and CSAs #19 and #31 provide adequate structural fire and paramedic services and smooth transition of service responsibility as most of ten unincorporated areas gradually annex to the City. Possible exceptions to this orderly pattern are the St. Vincent's/Silveira and Marinwood areas. St. Vincent's Silveira has been excluded from the City's General Plan area. The development potential of this area - and potential demand for service - is currently undetermined.

Fire protection service provided to the Marinwood area by Marinwood CSD has recently become problematic as the City of San Rafael has announced its intention to discontinue compensating Marinwood CSD for automatic response to calls in the northeastern part of the City previously served by the City's fire station on Joseph Court. The resulting loss of funding for Marinwood CSD will affect the District's ability to maintain its current level of service within its own jurisdiction. Service levels (call response times) in northeastern San Rafael will be lengthened. The circumstances of this situation are indicators of reduced overall local government funding sources state-wide and the poor relationship between local government boundaries and services provided in the northern portion of the study area.

The City of San Rafael, Marinwood CSD, County Fire and Novato Fire Protection District are currently discussing alternative service arrangements to address funding and service imbalances as summarized below.

**Alternative: Contract with County Fire for Service to Marinwood CSD**

Marinwood CSD could negotiate with County Fire for operation of the Marinwood CSD's fire station. County Fire currently operates a fire station in Marin City which combines structural fire protection with County Fire's usual wild land fire protection service.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Ease of implementation	Stranded management costs – Gen. Mgr. Does not resolve coverage issues in northern San Rafael
<b>Cost Savings</b>	Cost savings – chief officers	Insufficient net cost savings
<b>Political Accountability</b>	Does not require LAFCO approval or permanent transfer of revenue Reversible	Loss of political accountability – service by external provider

**Alternative: Contract with City of San Rafael for Service to Marinwood CSD**

The City of San Rafael and Marinwood CSD could contract for management and operation of the District's fire station.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Unified command of fire & paramedic services Resolves coverage issues in City Ease of implementation – does not require LAFCO approval or permanent transfer of revenue.	Personnel issues: dissimilar rates of City & District compensation
<b>Cost Savings</b>	Cost savings – chief officers	Insufficient net cost savings
<b>Political Accountability</b>	Reversible	Loss of political accountability – service by external provider

**Alternative: Contract with Novato Fire Protection District for Service to Marinwood CSD**

Marinwood CSD could contract with Novato Fire Protection District for management and operation of its fire station.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Resolves coverage issues in City Ease of implementation – does not require LAFCO approval or permanent transfer of revenue.	Personnel issues: dissimilar rates of City & District compensation
<b>Cost Savings</b>	Cost savings – chief officers	Insufficient net cost savings
<b>Political Accountability</b>	Reversible	Loss of political accountability – service by external provider



**Alternative: Annexation of Marinwood to City of San Rafael, Dissolution of Marinwood CSD**

The Marinwood area (and nine other unincorporated areas) is in the sphere of influence of the City of San Rafael. If the Marinwood area is annexed to the City, Marinwood CSD would be dissolved and its service responsibilities assumed by the City's Fire and Parks departments.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>	Unified command of fire & paramedic services Resolves coverage issues in City	Personnel issues: dissimilar rates of City & District compensation
<b>Cost Savings</b>	Cost savings – chief officers & additional economies of scale	
<b>Political Accountability</b>		

**Alternative: Annexation of Marinwood to CSA 19, transfer of fire protection service from Marinwood CSD to County Fire Department.**

Under this alternative, a permanent transfer of fire protection responsibility from Marinwood CSD to County Fire would be affected through the annexation of the Marinwood CSD service area to CSA #19 or #31. Marinwood CSD would remain in operation providing park and recreation services only. Annexation proceedings would include the permanent transfer of property tax revenue and other Marinwood assets to the County to support transfer of service responsibility.

	<b>Advantages/Incentives</b>	<b>Disadvantages/Obstacles</b>
<b>Service Level, Operations, or Efficiency</b>		Does not resolve coverage issues in northern San Rafael
<b>Cost Savings</b>	Cost savings – chief officers & additional economies of scale	
<b>Political Accountability</b>	Stranded management costs – Gen. Mgr.	

## **b. Infrastructure Needs or Deficiencies**

The City is undergoing an assessment of all City properties including their fire stations and administration offices. A structural and use analysis was performed in 2003 by an engineering consultant. The City Council has established the Critical Facilities Strategies group, an assessment committee made up of citizens from the community that has confirmed the fire stations as being in critical condition and in need of major repairs and renovation. The depreciation and replacement of infrastructure has not been established over time and is being addressed under the Critical Facilities study. The outcome of the study is to identify the needs, assess a cost for replacement or upgrades and develop a funding source.

The closure of the City's Joseph Court station creates some weakness in the City's network of fire station locations that had been addressed by its contract with MCSD for coverage of the north San Rafael area. The possible demise of this contractual relationship may leave the City with the impacts of the closure of the Joseph Court facility that had previously been avoided. The City's current budgetary shortfall further complicate<sup>4s</sup> its ability to address its fire infrastructure and other capital needs.

MCSD's fire station has been recently updated and improved. The District's fire facilities are sufficient. However, questions surrounding the continuation of the District's contract with the City have disrupted the scheduled replacement of equipment. The District has delayed the purchase of a new primary response engine until these issues are resolved. The primary response engine currently in use is ten years old.

## **c. Growth and Population Projections for the Affected Area**

The aging population and changing medical environment may have an affect of future service demand for emergency medical service throughout the study area. The rate and total amount of population growth anticipated for the study area (see ...) is moderate and will not require major changes to the facilities and operations of the existing agencies.

## **d. Financing Constraints and Opportunities**

The City of San Rafael and MCSD are both experiencing budget shortfalls and both are seeking voter approval of revenue enhancement measures as existing sources of

revenue are insufficient to fund services at existing service levels.

The City has received voter approval of a ½ cent sales tax to augment its general revenues. The proceeds of the tax would be used at the discretion of the City Council for city facilities and services including fire protection.

Marinwood CSD is seeking extension of its contract with the City. The District would have to seek a 70% increase in its fire protection assessment (from \$0.10 to \$0.17 per square foot for residential structures) to replace the revenue lost if the automatic aid agreement is not renewed.

#### **e. Cost Avoidance Opportunities**

Overall, the three fire protection agencies in the study area have taken advantage of opportunities to minimize overlapping service responsibilities, redundant facilities and other costs. The contractual relationships between the City and MCSD and between County Fire and the City are examples of all three agencies pursuing available opportunities to avoid costs. However, revenue shortfalls are causing the existing mutually beneficial cost saving practices to disintegrate and threaten levels existing service levels.

Further cost-avoidance opportunities for Marin County fire agencies generally lie in their ability to spread management costs over larger and larger organizations through functional or political consolidation. Although MCSD is exploring replacement contractual arrangements with County Fire and Novato Fire Protection District, personnel and other costs within those agencies are higher than in MCSD and would be likely to require enhancement of existing District revenues.

#### **f. Opportunities for Rate Restructuring**

Fire and emergency services are funded primarily from the property tax and other general revenues. Sources of general revenue are subject to significant requirements for voter approval and other restrictions limiting the ability of local government boards to make adjustments to changing costs. As discussed above, both the City of San Rafael and MCSD are seeking voter approval of different revenue-enhancing measures. There are no significant rates for fire and emergency services that could be productively restructured to address existing service needs or revenue shortfalls.

### **g. Opportunities for Shared Facilities**

County Fire, the City of San Rafael and MCSD have a clear history of taking advantage of opportunities for shared facilities as discussed elsewhere in this report. The contractual arrangements between the three agencies make optimum use of station locations to mitigate the effects that the existing jurisdictional boundaries would otherwise have on service in the study area.

In addition to contractual arrangements for sharing of station and service areas between the County, San Rafael and MCSD, the County operates dispatch services for most of the cities in Marin County through the Dispatch Communication Center located in San Rafael. There have been discussions regarding sharing one dispatch center countywide. A central dispatch system would be an opportunity for regional cooperation and functional consolidation that would reduce cost to the taxpayers and improve services.

### **h. Evaluation of Management Efficiencies**

The process of negotiation of service relationships between the City of San Rafael and MCSD will include the option of the City providing management and other services to MCSD with the potential of reducing management costs in MCSD.

The impending expiration of the County's lease of Station 7 to the City of San Rafael (in 2006) and the County's planning process for a new public safety administrative facility in the Civic Center area will cause re-evaluation of how the County fulfills its service obligations to unincorporated areas around northern San Rafael, especially the urbanized areas of Los Ranchitos and Santa Venetia. There remain significant barriers to annexation of unincorporated pockets to the City in the cost of flood control and street maintenance such that these areas are likely to remain unincorporated for the immediate future. The City and the County will therefore be seeking an efficient means of extending their cooperation and avoiding duplication of service in northern San Rafael.

### **i. Local Accountability and Governance**

Marinwood CSD is governed by the Marinwood Board of Directors and appoints a Fire Commission which serves as an advisory body to the District's governing board. The Commission meets once a month. The District's budget and public

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issues related to fire protection and emergency are actively communicated to the public through the District's website, newsletter and public meeting schedule.

The City of San Rafael Fire Department also has a Fire Commission, appointed as an advisory body to the City Council. They meet every other month. Public information on services provided by the San Rafael Fire Department in the study area are clearly communicated to the public through regular Commission meetings, a well-developed budget process, an annual report on city and department operations, annual audits and a city and department website.

#### **F. POLICE PROTECTION & TRAFFIC ENFORCEMENT**

The San Rafael Police Department has been in existence since 1855. In its current configuration, the Chief of Police directs a staff of 76 sworn and 39 non-sworn employees. The San Rafael Police Department is directed by the Chief of Police and divided into two divisions, Operations and Support Services. A Captain heads operations with two lieutenants overseeing Day Shift, including the traffic unit, ranger/marine unit and Downtown Footbeat and Night Shift, including the Field Training Program, Field Evidence Program and Directed Patrol Unit. SWAT, a program of Patrol Support Services, is also headed by a Captain with one lieutenant overseeing Investigations and Youth Services, a civilian supervisor managing Personnel and Training, a civilian manager of Records and Property/Evidence and a civilian manager of Communications/Dispatch. <sup>37</sup>

The mission of the City of San Rafael Police Department is to reduce crime and the fear of crime through the development of partnerships with the community they serve and other public and private agencies through the utilization of all available resources. This involves continually building on the Community Oriented Public Service (COPS) strategy, which is the foundation for the department's direction and long-term goals. The Patrol efforts fulfill the COPS strategy of every resident and business owner knowing their Beat Officer and the Beat Officer knowing her/his neighborhood. They have their officers involved in the Youth Programs of Camp Chance, a summer camp for at-risk middle school students and in the Parent Project, an eighteen-week training in parenting skills. <sup>38</sup>

Due to the configuration of the City of San Rafael, it has fingers and islands of unincorporated territory within and adjoining the city limits. The Marin County Sheriff's Office is responsible for law enforcement services in the unincorporated areas

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<sup>37</sup> Police Department Survey results

<sup>38</sup> [http://www.srpd.org/about\\_us.asp](http://www.srpd.org/about_us.asp)

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of San Rafael. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. The City's Police Department does respond to calls for emergency service in unincorporated areas on a "first in" basis.

San Rafael was the first agency to activate the Marin Emergency Radio Association (MERA) communications equipment and protocol in January 2004. This radio system will be used by member agencies in the law enforcement, fire management, emergency medical, road maintenance, transit, public works, school districts, local government, and other county-based entities in Marin County. This system unifies public safety response, making it possible for members to more effectively and efficiently communicate with each other and within individual departments. It is designed to allow regional or wide area conversations between dispatch centers and mobile units operating throughout the county.

The Sheriff's Department provides preventative patrol and responds to calls for service within four sub-regional areas of the County which are each served by a substation or the Civic Center Station. The four service areas are further divided into patrol beats. The San Rafael study area is included in Patrol Service Area III, which includes unincorporated areas of San Rafael including Lucas Valley and Marinwood. The Sheriff's Office provides patrol service to open space preserves, crime prevention, investigation and other specialized services. The Sheriff's Office also operates the County's Office of Emergency Services, including its agreement to coordinate the emergency response plans of other agencies.

The County Communications Center provides dispatch services to the Sheriff's Department, the County Emergency Medical Services Program, and to fifteen other fire and police agencies in Marin County, not including the City of San Rafael, Marinwood and Santa Venetia. The Communications Division assigns a total of 45.5 full-time equivalent positions to its functions and budgets total expenditures of approximately \$3.8 million.

The Marin County Major Crimes Task Force provides a centralized investigative unit to assist local law enforcement agencies primarily in drug-related activity that no single jurisdiction can effectively deal with alone. The County Sheriff's Office, the California Highway Patrol and cities in Marin County are members of this Task Force which is organized as a joint exercise of powers agreement funded by contributions of member agencies, grants and asset forfeitures. The City of San Rafael has recently withdrawn from membership in this joint powers organization.

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For Patrol purposes, the City is divided into seven beats. The beats are designed by equal division of number of calls for service within natural geographical boundaries. For both Day and Night Shifts, the beats are staffed by one officer per beat per shift with one or two available patrol officers to freely respond to calls throughout the City. Those officers are frequently assigned to cover a specific beat when a regularly assigned officer is in training, ill, injured, on vacation, or in Court.

Prior to the passage of Measure S to enhance the City's general revenues, beat assignments were routinely operated with minimum staffing and with one car per beat or reduced to a six-beat configuration rather than the more usual seven beats.

## **1. Determinations for Police Protection and Traffic Enforcement**

### **a. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers:**

The City of San Rafael currently provides police protection services to approximately 80% of the population of the study area. The balance of the area's population is divided among ten different unincorporated enclaves, many of them entirely surrounded by the City's boundaries. City police respond to calls for emergency service in unincorporated areas within the sphere of influence. County Sheriff's personnel also respond in support of City police when requested. Organizational alternatives to the existing service arrangements are not available beyond eventual annexation of unincorporated areas to the City and alteration of existing contractual relationships.

### **b. Infrastructure Needs or Deficiencies**

Limitations of existing police facilities in the City of San Rafael impair effective service delivery to some degree. The administration, records, communications and patrol staff are housed in the ground floor of City Hall; however, lack of office space has necessitated leasing additional space in the next block to accommodate investigations, personnel, training, permits and youth services personnel. Storage needs have led to multiple rental solutions including a warehouse for traffic equipment and property/evidence; storage containers for property/evidence processing and storage, ammunitions and tactical gear storage and records retention; and storage units in public storage facilities. Off-site workspace and storage creates delays in accessing necessary resources.

No changes to capital facilities of the Police Department are budgeted currently.



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There is the possibility that the City will explore the feasibility of a bond measure or a tax initiative to fund a public safety building for both Fire and Police Departments. Measure S Funds have not been allocated to this purpose so far. The City will create a citizens' oversight committee to determine how approximately \$4.2 million will be spent over the next ten years.

**c. Growth and Population Projections for the Affected Area**

Projected population growth in the study area (as described in Chapter I) is expected to be moderate in relation to existing population, creating moderate increases in demand for service on local law enforcement agencies.

**d. Financing Constraints and Opportunities**

The City of San Rafael has had several years of revenue reduction coupled with increased expenditures. This has led to the staffing of the San Rafael Police Department being diminished by four full time patrol officers and three non-sworn positions. The passage of Measure S by San Rafael voters is expected to arrest or reverse this trend. The City has not experienced sufficient growth to create significant adverse impacts on demand for law enforcement services for either the City or the County. Should an area of significant population be annexed or a major residential project occur within the City of San Rafael, the Police Department would need to increase staffing to meet new service needs.

Measure S will serve to insulate the City to some degree from fluctuations or instability in revenue received from the State. Continuing trends toward private redevelopment and generally robust real estate values have kept pace with inflation in the cost of public services in recent years.

**e. Cost Avoidance Opportunities**

Cost avoidance opportunities in the San Rafael area would not be enhanced by anticipated proposals for changes to local government boundaries or organization or other activity undertaken by LAFCO.

**f. Opportunities for Rate Restructuring**

Police protection service is not funded by user fees or other rates that could be restructured to have an impact on current service constraints.

**g. Opportunities for Shared Facilities**

Staff has not identified any opportunities for shared facilities between City Police and County Sheriff's needs that would provide significant advantages for either agency.

#### **h. Evaluation of Management Efficiencies**

The City of San Rafael maintains reserves in its general and other funds for operations and capital projects including those pertaining to police protection services.

The City's budget for Police Protection includes specific personnel assigned to coordinate ongoing staff training and professional development of Department staff.

The City's budget process and budget document are informative on the nature of City services, allocation of resources to those services, performance measures and projections in plain language for a general audience. In addition to the budget, the City's Police Department develops and maintains extensive management information to evaluate Department operations and tracking of service information by type, beat area and sub-beat reporting district.

The City and the County maintain an effective cooperative working relationship, especially with regard to law enforcement information. The County Sheriff's Office and San Rafael Police Department both contribute to and use geographic data in a common database, the MarinMap Geographic Information System. The County and the City currently maintain geographic data through computer assisted dispatch systems.

#### **i. Local Accountability and Governance**

Public information on services provided by the City of San Rafael and the San Rafael Police Department in the study area are clearly communicated to the public through City Council meetings, a well-developed budget process with annual audits and a city and department website.

The public accountability for service provided by the County Sheriff is applied over a much broader geographic area and a much larger organization compared to a city police department. The Marin County Sheriff is an elected official. The Sheriff is

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directly accountable to the public for the activities of the Sheriff's Office within the budget set by the County Board of Supervisors. The Sheriff's Office publishes an annual report and periodically conducts surveys of the public's satisfaction with the services it provides.

## **G. STREET AND LANDSCAPE MAINTENANCE**

The Street Division of the City of San Rafael's Public Works Department performs maintenance on city's streets, sidewalks, and storm drainage system infrastructure. The current budget situation has resulted in a diminished service level as has been the case with other City departments.

Street maintenance consists of paving, pot hole repairs, traffic sign maintenance, guard rail repairs, sidewalk (including curb and gutter) repairs, sidewalk management, weed abatement, and other street maintenance activities that affect the public good. The City has 331 street lane miles with an average expenditure per lane mile of \$5,065.

The City's pavement management system and Pavement Condition Index allocates approximately one million dollars per year for pavement repair. Funding is allocated as follows: \$250,000 for bad condition, \$250,000 for poor condition, and \$500,000 for fair condition streets.

Street painting consists of maintaining the city's street markings such as stop bars, legends, fog lines, bike lanes, curb markings, Americans with Disabilities Act (ADA) markings and centerlines. The street painting crew also maintains parking lots at City buildings.

The city storm drain system consists of over 3,500 catch basins and connecting storm conduits and drainage ditches. Low lying areas of the drainage system are de-watered by a storm water pump system that consists of thirty-three pumps housed in twelve pump stations. Fixed emergency generators support seven of the twelve pump stations.

The Park Maintenance Division provides limited landscape maintenance to City owned roadway medians, roadsides, and trees. Maintenance activity is focused on providing basic maintenance to medians, roadsides, and street tree landscaping. There are approximately 24 acres of medians, 16 acres of roadside and 52,000 City-owned trees. Emergency response, hazard reduction, root cutting and pruning for minimum

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clearance of City trees are covered by private contract. Division personnel provide support services for City events and maintain the downtown corridor of Redevelopment Agency landscape improvements. The Park Maintenance Division provides routine landscape maintenance to City-owned parks and recreational facilities. Park staff is responsible for after-hours calls, winter dispatch support, and other Public Works storm support services.

The County's Department of Public Works maintains a total of 840 lane miles of road, assigning a total of 56 full-time equivalent positions and a total budget of \$12 million. The County DPW operates two corporation yards in San Rafael and Nicasio.

The County DPW staff advises that cyclical chip-sealing is currently not being undertaken for any of the County's road system due to reduced State gas tax revenue allocations even though sealing on a five to ten year cycle prevents further deterioration and emergency repairs. The allocations have been reduced approximately 50% for both cities and counties by the State Legislature and used for other budgetary priorities. In the absence of sufficient revenue, minor annual maintenance activity (including striping, signage, vegetation control and drain clearance) is performed, but significant preventative maintenance projects have not been a part of the County's road maintenance program for several years.

Cities and counties may appropriate additional funds for road maintenance from general sources of revenue, but rarely do so due to service demands in other program areas (e.g., public safety and social services). Unless and until the State legislature restores gas tax revenues to at least their former levels, deterioration of local road facilities in Marin County can be expected to continue and accelerate. Locally enacted road impact fees levied on new development by some local jurisdictions (including the County and City of San Rafael) will not be sufficient to alter this trend.

Local street and road needs are divided into two categories: 1) pavement that includes rehabilitation or reconstruction of existing roads, plus preventive maintenance to extend pavement life and 2) non-pavement that includes related roadway maintenance or such items as storm drains, traffic lights, pedestrian walkways, retaining walls, storm damage, curb cuts for wheelchair access, etc.

The 25-year pavement/non-pavement maintenance needs for Marin County is \$683 million. Projected expenditures over the same period are expected to be only \$389 million resulting in \$259 million in unfunded needs. Currently, for the City of San Rafael, there is \$1.5 - \$2 million per year of maintenance needs to maintain current

conditions and a budget for only \$1 million.

Proposition 42 was approved in 2002. This measure permanently dedicated over \$1 billion in gasoline sales tax revenue to the State's transportation needs, including allocations to cities and counties for local roads. The Governor and Legislature have invoked emergency provisions that allow suspension of Proposition 42 allocations thereby preventing adequate funding for street maintenance.

In Marin County, Measure A passed in the November 2004 election and increased sales tax by ½ percent beginning April 1, 2005. Measure A will fully fund and accelerate completion of the Highway 101 Carpool Lane Gap Closure Project through San Rafael (going south). Measure A will also fund local transit, roadway and highway projects as well as maintaining and improving bikeways, sidewalks and pathways.

#### **1. Determinations for Street and Landscape Maintenance**

##### **a. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers:**

As with other urban services in the San Rafael study area, the City of San Rafael provides the majority of street maintenance services for the incorporated areas of their sphere of influence. Special districts are not involved in this service category. Organizational alternatives to the existing service responsibilities of the City and the County are not available beyond eventual annexation of unincorporated areas to the City and possible City/County contractual relationships for maintenance of streets in unincorporated islands.

##### **b. Infrastructure Needs or Deficiencies**

The City of San Rafael requires substantial investment to its roadway system to address years of deferred maintenance due to past and present funding allocation. The decision to defer maintenance has contributed to the decline of driving conditions in San Rafael and could exponentially increase future service costs with regard to long-term road maintenance. A few of the City's arterial roadways, notably San Pedro Road, are at or near capacity use. Constraints on the capacity of San Pedro Road will significantly influence the re-use of the San Rafael Rock Quarry site in the long-term.

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Future studies should evaluate the ability of the City of San Rafael to reduce service costs and to defer non-essential capital improvements with respect to the level and quality of services.

**c. Growth and Population Projections for the Affected Area**

Projected population growth in the study area (as described in Chapter I) is expected to be moderate in relation to existing population, creating moderate increases in demand for service on local law enforcement agencies.

**d. Financing Constraints and Opportunities**

As noted above, fiscal constraints of both the City and the County have resulted in insufficient street maintenance budgets in the study area for several years. Recent passage of revenue enhancement measures will partly address a large backlog of maintenance needs in incorporated and unincorporated areas.

Funding allocations for Measure A projects include improvement projects in the following locations within the study area:

- D Street/Wolfe Grade
- Las Gallinas Avenue/Los Ranchitos Rd/Lincoln Avenue
- North San Pedro Ave. to the China Camp State Park or Sunny Oaks Drive
- Point San Pedro Ave. to the China Camp State Park Boundary or Biscayne Drive
- Red Hill Ave/4<sup>th</sup> St./2<sup>nd</sup> and 3<sup>rd</sup> Streets
- Andersen Drive

The use of other Measure A funds for general transportation programs such as Safe Routes to School, have not yet been allocated within the study area.

The City's Measure S funds have not yet been allocated to transportation projects. The City will create a citizens' oversight committee to determine how approximately \$4.2 million will be spent over the next ten years.

**e. Cost Avoidance Opportunities**

Staff has not identified significant cost avoidance opportunities in road maintenance activity in the San Rafael study area. Boundary changes anticipated by adopted

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spheres of influence will shift road maintenance responsibility from the County to the City.

**f. Opportunities for Rate Restructuring**

This criterion is not applicable to maintenance of roads and other public facilities, as this service is not supported by fees that could be restructured at the local level.

**g. Opportunities for Shared Facilities**

Staff has not identified significant opportunities for shared facilities for road maintenance in the San Rafael study area. The only road maintenance facilities subject to sharing would be the corporation yards operated by the City and County. Consolidation or sharing of City and County corporation yard facilities do not offer apparent cost savings or operational advantages.

**h. Evaluation of Management Efficiencies**

As described earlier in this Chapter, both the City and the County operate a variety of mechanisms for the management of reserves, training staff and communicating programs and priorities with the public. The management process specific to road maintenance is the operation of “pavement management systems (PMS)” for evaluating road condition and maximizing the effectiveness of road maintenance expenditures during each fiscal year. Both the City and County utilize PMS processes.

**i. Local Accountability and Governance**

The City of San Rafael uses a variety of measures to communicate policy and service information to the public. These efforts facilitate local accountability and contribute to public involvement in local governance. These efforts include issuing notices of public meetings, publishing newsletters, posting information on San Rafael’s website, and conducting workshops and hearings on focused topics and the appointment of citizen advisory committees as needed to help resolve particular issues.

**H. PARKS AND RECREATION SERVICE**

Within the City of San Rafael there are 25 City-owned parks totaling 140 acres, eight county parks totaling 532 acres, one State park with 1,640 acres and three community centers. Marinwood Community Services District offers two parks totaling 25 acres.

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The privately owned Lucas Valley Homeowners Association also offers a community center and associated swimming and tennis facilities. There are 20 public schools and one private school that supplement the local public recreations facilities system, providing an estimated 257 acres of hard court and playfields for organized sport activities. There are two community gardens, one at Pickleweed Park and another at the Dixie School District Offices on Nova Albion Way.

The County Department of Parks, Open Space and Cultural Services and the Open Space District provide large amounts of public open space (4,855 acres in ten preserves) for hiking, equestrian and passive recreational use, but very limited facilities for sports, leisure education and cultural enrichment. This is typical of county governments in California, which serve primarily dispersed rural or suburban populations. Residents of more rural areas of Marin County have greater access to different types of recreational opportunities (such as hiking, boating and equestrian activities) that are a part of living outside of more intensely developed areas.

There are 3,285 acres of open space within the city limits of San Rafael, or approximately 25 percent of the City's land area, which is owned in whole or in part by the City of San Rafael. There are almost 7,300 acres of combined City and County open space within San Rafael's Sphere of Influence.

Recreational services in the City of San Rafael are facilitated through a number of programs offered by the Department of Parks and Recreations with most programs being self-funded through user fees. Programs offered by the Department include youth and adult sport leagues, summer camps, childcare, senior programs and special events. The Department operates four community center facilities that provide a wide variety of public programs. They include the San Rafael Community Center, Pickleweed Community Center, Terra Linda Community Center and Falkirk Cultural Center.

San Rafael's Parks and Recreation Element of the General Plan guides planning and service standards for the Department. In conjunction with the goals and policies set forth in the Parks and Recreation Element, the Department works with the community to identify future park and recreational needs in the City.



Table 9 lists the parks and recreational facilities of the City of San Rafael, County of Marin, Marin Open Space District and Marinwood Community Services District.

**Table 9**  
**San Rafael Parks and Recreation Facilities**

<b>City-Owned Parks</b>	<b>Acres</b>	<b>Facilities</b>
Albert Park	11.5	baseball diamonds, turf field, picnic/bbq, tennis courts, play lot, community center, bocce courts
Arbor Park	0.3	shade arbor, benches
Bayside Mini Park	0.1	small sports field, benches, shoreline access
Beach Park	0.4	picnic/bbq, fishing pier, dock, volleyball
Bernard Hoffman Field	3.8	baseball diamonds, paved play yards
Boyd Park	42.0	picnic/bbq, tennis court, play lot, hiking, museum
Bret Harte Park	0.5	play lot, benches, picnic/bbq, courts
Fred Jensen Park	0.3	undeveloped, no amenities
Freitas Park	3.5	turf field, picnic/bbq, play lot, water play feature
Gerstle Park	6.0	turf field, picnic/bbq, tennis court, basketball, play lot, fire museum, open space access, group picnic
Hartzell Park	0.4	tot lot
Hillview Park	0.2	undeveloped, no amenities
Jean and John Starkweather Park	20.0	hiking, bicycling, shoreline access
Munson Park	0.4	small sports field, picnic/bbq
Oleander Park	2.0	turf field, picnic/bbq, play lot
Peacock Gap Park	7.0	turf field, tennis courts, par course, hiking, play lot
Los Ranchitos Park	2.7	playground, basketball court, ball wall, restrooms, turf area, walking paths
Pickleweed Park	17.0	turf field, picnic/bbq, courts, play lot, open space access
Riviera Park	0.5	small preschool playground, picnic table
Russom Park	7.0	part of 195 acres open space, access to open space patio, benches, waterfall
San Rafael City Park	0.2	picnic/bbq, tennis court, courts, play lot, open space access
Santa Margarita Park	5.0	picnic/bbq, tennis court, courts, play lot, open space access
Schoen Park	0.1	picnic/bbq, play lot
Sun Valley Park	2.1	turf field, picnic/bbq, basketball, play lot
Victor Jones Park	7.0	baseball diamond, picnic/bbq, basketball, play lot, volleyball, shuffleboard, hiking

<b>Community Centers</b>		
Falkirk Cultural Center		cultural center, art classes, art exhibits, events
Pickleweed Community Center		recreation center, child care, teen center, classes, community garden
San Rafael Community Center		recreation center, child care, senior center
Terra Linda Community Center		baseball diamond, turf field, picnic/bbq, swimming pool, basketball, play lot
<b>San Rafael City School District</b>	<b>Acres</b>	<b>Facilities</b>
Bahia Vista Elementary School	5.0	baseball diamonds, sports field, basketball, paved play yards, child care
Coleman Elementary School	4.0	baseball diamond, basketball, paved play yards, play lot, multipurpose room, child care
Davidson Middle School	15.3	baseball diamonds, sports field, basketball, paved play yards, play lot, music room, exercise room, gym
Gallinas Elementary School	11.2	baseball diamonds, sports field, picnic/bbq, basketball, paved play yards, play lot, gym, child care
Glenwood Elementary	24.6	baseball diamonds, sports field, tennis courts, basketball, paved play yards, play lot, gym, child care
Laurel Dell Elementary	1.2	paved play yards, play lot
McPhail Elementary (closed)	9.8	baseball diamonds, sports field, basketball
Old Gallinas Elementary	7.8	baseball diamond, basketball, paved play yards, play lot, child care
San Pedro Elementary	7.3	sports field, picnic/bbq, basketball, play lot
San Rafael High School	29.7	baseball diamonds, sports field, tennis courts, swim pool, basketball, auditorium, stage, gyms, track
Short Elementary	1.0	paved play yards, play lot
Sun Valley Elementary	5.0	sports field, basketball, paved play yards, play lot
Terra Linda High School	30.5	baseball diamonds, sports field, tennis courts, swim pool, basketball, gym, stage, weight room
<b>Dixie School District</b>	<b>Acres</b>	<b>Facilities</b>
Dixie Elementary School	11.4	baseball diamond, sports field, basketball, paved play yards, play lot, multipurpose room
Don Timoteo Elementary	10.0	baseball diamond, sports field
Lucas Valley Elementary (closed)	10.0	baseball diamond, sports field, basketball, paved play yards, play lot

Mary Silveira Elementary	9.9	baseball diamond, sports field, basketball
Miller Creek Middle School	17.0	baseball diamond, sports field, basketball
Santa Margarita	11.0	child care
Vallecito Elementary	25.0	baseball diamond, sports field, basketball, paved play yards, play lot, child care, par course, gym, music room, auditorium, outdoor amphitheatre
Nova Albion	10.4	community garden, preschool, playfield
<b>Marinwood Community Services</b>		
<b>District</b>	<b>Acres</b>	<b>Facilities</b>
Gallinas Avenue Mini Park	0.1	play lot, creekside location
Marinwood Community Center		
Marinwood Park	10.4	sports field, picnic/bbq, tennis courts, swim pool, open space access, hiking, rec center
<b>Lucas Valley HOA</b>		
	<b>Acres</b>	<b>Facilities</b>
Lucas Valley Community Center	2.0	small field, tennis courts, swim pool, play lot, rec center
<b>Marin County Parks in SOI</b>		
	<b>Acres</b>	<b>Facilities</b>
Adrian Rosel	0.7	small sports field, picnic/bbq, play lot
Candy's Park	1.5	small sports field, play lot, shuffleboard, horseshoes, rec room
Castro Field	1.5	baseball diamond, turf field
Marin Center	20.0	sports field, picnic/bbq, ply lot, lagoon, auditorium, hiking, bicycling, fishing
McInnis Park	450.0	softball fields, picnic/bbq, tennis courts, soccer/football, 9-hole golf course, driving range, miniature golf, batting cages, club house, hiking, bay access, skate park
McNear's Beach	55.0	picnic/bbq, tennis courts, swimming pool, beach change house, sailboating, hiking, shoreline access, fishing
McPhail Playfield	1.5	sports field
Pueblo Park	2.0	small sports field, picnic/bbq, tennis court, basketball court, play lot
<b>State Park</b>		
	<b>Acres</b>	<b>Facilities</b>
China Camp State Park	1,640	picnic/bbq, 31 campsites, bay access, shore fishing, boat launch, hiking, Mt. biking, vista points, historic fishing village

The Marin County Open Space District was created in 1972 and was given the power to levy a tax to acquire and maintain open space, park and recreational lands. Terra Linda hills open space was acquired in a joint venture with the Open Space District. The District now owns extensive open space preserves in unincorporated areas within the San Rafael Sphere of Influence including:

- Terra Linda/Sleepy Hollow Divide and San Rafael Ridge Open Space Preserve (1,168 acres)
- Lucas Valley Open Space Preserve (1,535.3 acres)
- Santa Venetia Marsh (32.7 acres) and Santa Margarita Island (9.1 acres) Open Space Preserves
- San Pedro Mountain Open Space Preserve (355.9 acres)

The following are the properties within the San Rafael Sphere of Influence that are dedicated open space purchased by the City, property owners, joint funding with the County or any combination of the three.

Mont Marin  
Oakhill  
San Rafael Hill  
China Camp/San Pedro Ridge  
Country Club/Loch Lomond  
Pickleweed Park

Bret Harte Ridge  
Gerstle Park  
Sun Valley Slope  
East San Rafael Wetlands

Map C  
Parks and Open Space

[View Map](#)

The Marinwood CSD open space lands, consisting of approximately 600 acres, were either purchased or dedicated to the district since 1973, and are mainly located in the hills on the northern side of the district. These open space lands are accessible to the public via trails maintained by the Marinwood CSD. Open space preserves of varying sizes are found scattered throughout the Marinwood area as well as in the Lucas Valley Estates to the west of Marinwood. There are five tennis courts – four located off of Miller Creek Road and one in Lucas Valley Estates. There are three playgrounds – one on Miller Creek Road, one on Las Gallinas Avenue and one in Lucas Valley Estates. A group picnic area, located behind Miller Creek School, is also available to rent.

The City's policy is to maintain or exceed a recreation standard of three acres of park and recreation facilities per 1,000 residents. Their park development criteria say that neighborhood parks should serve populations of at least 3,000 within a radius of one-half mile, and have a minimum size of three acres; community parks should serve a population of 10,000 to 30,000 within a radius of three to five miles, and have a size of 20 acres or more.

## **1. Determinations for Parks and Recreation Service**

### **a. Government structure options, including advantages and disadvantages of consolidation or reorganization of service providers:**

Merging of the park and recreation functions of the City and Marinwood CSD could be accomplished through the annexation of the Marinwood area to the City and the probable dissolution of Marinwood CSD<sup>39</sup>. Due to a variety of funding constraints, local governments will be increasingly challenged to adequately fund public safety and other "essential" services and levels of service for "non-essential" services such as recreation/parks are expected to temporarily decline as general fund monies are increasingly stretched. Since the voters within Marinwood CSD have clearly stated their preference for improved park and recreation services by their approval of an increase in special assessments, it would appear that a reorganization of the Parks and Recreation Department with the city might be unpopular with residents, would not result in any significant costs savings and could result in a decline in the level of service provided. Finally, no reorganization alternatives for the recreation and park function were identified which could be expected to expand funding or improve service levels.

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<sup>39</sup> Marinwood CSD could conceivably be maintained as a subsidiary district of the City of San Rafael, remaining a separate organization with separate funding and levels of service, but governed by the City Council. Annexation of the area would similarly affect fire protection service provided by Marinwood CSD.

### **b. Infrastructure Needs or Deficiencies**

San Rafael's General Plan 2020 identifies improvement and upgrade needs for its community centers, community parks and neighborhood parks as well as specifying the need of new parks. According to the Critical Facilities Committee, the Terra Linda community center is a strong candidate for replacement while the San Rafael Community Center needs relatively less renovation. In order to make these improvements and additions, however, new funding sources, such as grants and donations, would have to be developed. A review of needs will be conducted as part of the five-year update of the General Plan to reflect any changing recreational needs and resources throughout the community.

Infrastructure needs are also identified and prioritized by management staff, recommended to the City Capital Improvement Project committee and then recommended to the City Council for budget approval or emergency expenditure.

There is little land available for expansion of recreational facilities within the Marinwood community, and no funding set aside for land acquisition, except for long-term capital maintenance needs.

### **c. Growth and Population Projections for the Affected Area**

Projected population growth in the study area (as described in Chapter I) is expected to be moderate in relation to existing population, creating moderate increases in demand for service on local park and recreation facilities and programs.

### **d. Financing Constraints and Opportunities**

The City of San Rafael estimates that approval of Measure S ½ cent sales tax will generate \$4.6 million annually. The City's Measure S funds have not yet been allocated to park and recreation projects. The City will create a citizens' oversight committee to determine how new revenues will be directed to sustaining programs and services.

For modest projected new service demands, the City should be able to recover a portion of capital costs of new recreation facilities to serve new population through land exactions and impact fees paid by developers. The City currently collects slightly higher fees for participation of non-residents in its recreational programs. The City may consider higher non-resident fees as a means of generating modest

additional funding to reflect the fact that non-residents do not otherwise contribute to the cost of city facilities or programs.

**e. Cost Avoidance Opportunities**

Staff has not identified significant cost avoidance opportunities in park and recreation services in the San Rafael study area related to annexations anticipated by adopted spheres of influence or other changes in the relationships between local agencies.

**f. Opportunities for Rate Restructuring**

Increases in user fees for the recreational programs and services of the City of San Rafael and Marinwood CSD may assist both agencies in managing cost increases, but will not effect underlying fiscal problems of either agency.

**g. Opportunities for Shared Facilities**

As shown in Table 9, the City of San Rafael utilizes recreational facilities of the San Rafael School District and Dixie School District. There are also various County wide and regional parks that help account for the abundance of parks and open space land in San Rafael.

To maintain the City's public parkland-to-population ratio, developers are expected to dedicate land consistent with the City's standard. Schools contribute an additional 150 acres of existing local recreation facilities, providing most of the City's organized sports facilities. School sites may also be the only remaining land in a neighborhood suitable for intensive recreation use. To maintain levels of recreation service, it is important that the City promote retention of key school recreation facilities as schools are sold or leased.

San Rafael's General Plan 2020 has a policy in the Governance Element for collaboration with schools for use for school facilities. Also, there is a program to develop and adopt memoranda of understanding (MOUs) with Dixie and San Rafael School Districts, Marin Academy, and Dominican University governing the development, maintenance, and use of facilities for recreation, childcare and/or community events.



#### **h. Evaluation of Management Efficiencies**

The City, County and Marinwood CSD retain adequate staff to manage the broad range of programs and facilities provided by their departments. Each agency includes substantial information on their programs in their budgets and capital improvement programs that describe their service priorities and funding allocations as well as additional information available on their websites. The availability of the recreational programs of the City and Marinwood CSD to non-residents helps each agency to support a broader range of programs to the public through an expanded funding base.

#### **i. Local Accountability and Governance**

The eight-person board of the San Rafael Park and Recreation Commission holds regularly scheduled meetings and advises the City Council on park and recreation decisions. Public information on services provided by the City of San Rafael and the San Rafael Community Services Department are clearly communicated to the public through Park and Recreation Commission and Pickleweed Park Advisory Board meetings, a well-developed budget process with annual audits and the City's website. Publication of a semiannual Activity Guide informs residents of the classes, events and recreational activities offered through the Community Services Department.

Because Marinwood CSD recognizes that it needs to keep pace with demographic changes in the community, it has embarked on a community involvement "Vision Planning" process to ascertain what kinds of recreation programs and facilities the community desires. There has been one half-day, facilitated community vision planning exercise, and on the basis of the results of that meeting, subcommittees have been formed to articulate specific goals and plans of action.

## CHAPTER III. SPHERES OF INFLUENCE

### A. FACTORS AFFECTING SPHERE OF INFLUENCE DETERMINATIONS

The revised definition of sphere of influence in the Cortese-Knox-Hertzberg Act from “.... *ultimate* boundary and service area” to “.... *probable* boundary and service area” is one of several changes that have occurred since the 1980s that raise a fundamental question for this review: How *probable* is the annexation of such large areas and populations to these cities? Should the spheres of influence of San Rafael exclude Marinwood, St. Vincent’s and Silveira and Santa Venetia in the expectation that these communities will remain unincorporated indefinitely?

In the course of reviewing existing spheres of influence, LAFCO may carefully consider the logic of potential annexation of each unincorporated area based on a variety of factors including the geographic association or proximity of each area to a city and the service impacts of annexation on both the city and the County. For example, some unincorporated areas are very closely associated to a neighboring city through contiguous or surrounding boundaries and by relying on the city for street access and for local commercial services. Other areas presently within city spheres are more distant, without contiguous boundaries and having access and local shopping facilities that help to define them as separate, unincorporated communities.

Some unincorporated areas may be gradually annexed to a city without significant impacts on the services provided by either the city or the County. Special district or County services in other areas may require that the entire area be annexed at one time, creating large proportional increments to a city’s population and demand for services.

Each unincorporated area and special district sphere of influence will be discussed separately in subsequent sections of this report, but currently adopted city spheres of influence have all been affected by the following trends since 1982:

#### 1. Fiscal Stress on Cities

In recent years the State has taken a growing share of local tax revenue to help balance the state budget. San Rafael has joined with other cities to try to stop the State’s grab. There has not been an increase in revenues to the city since 2001. Like many businesses, San Rafael faces increased costs such as gas, electricity, healthcare benefits, pensions and workers compensation. San Rafael is now projecting over \$3 million budget deficit for next year (05/06) and a similar deficit each year for the foreseeable future. They

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have already reduced services and dipped into their reserves. There is nothing left to cut but city services that San Rafael residents most value. Because of the scale of San Rafael's budget shortfall and the depth of the cuts that have already been made, only two choices remain on how to deal with this deficit. San Rafael must either generate additional revenue or begin making severe reductions to essential city services. If the deficit were addressed through cuts, here is what to be expected within a year:

- Fewer police officers responding to calls and patrolling the streets and neighborhoods of San Rafael.
- Fewer on-duty firefighters and increased emergency response times, including a fire station closure.
- Additional reduction in library hours.
- Closure of one or more community centers and the Falkirk Cultural Center.
- Further reductions to street and sidewalk maintenance.
- Further delay of seismic upgrades to fire stations and other critical facilities.

The city is examining options for increasing revenue to prevent these cuts. The City Council cannot increase taxes on its own; voters must approve any tax increase. Therefore the City is proposing a 1/2¢ sales tax increase, paid both by San Rafael residents and others who shop in San Rafael, to be put before voters in the November, 2005 election.

## **2. Increased Recognition of Role of Special Districts**

The previous language of the Cortese-Knox-Hertzberg Act gave primacy to the role of cities in the provision of urban services. The revised text recognizes the fact that special districts may fill a vital role in the efficient provision of urban services in some cases. In cases where cities are small, greater efficiencies may be provided by regional special districts (serving more than one city) than could be achieved by small cities each providing the widest possible range of services. Water sewer and fire services may be examples of this conclusion in southern Marin County.

## **3. Stronger County Planning Regulations**

The County of Marin has tightened development regulations since the mid 1980's so that permitted development densities in unincorporated areas are generally equal to or less than those available from an annexing city. Annexation of unincorporated territory to cities is no longer required to assure appropriate development density.

#### **4. Closer City/County Planning Coordination**

The Community Facilities Element of the Countywide General Plan designates Urban Service Areas (USAs) within city spheres of influence adopted by LAFCO<sup>40</sup>. USAs are areas adjacent to city boundaries where services are available and development is likely to occur. When the County receives an application for development within an adopted USA, the application is referred to the adjacent city. That city is offered a “right of first refusal.” That is, if the developing area is contiguous to the city boundary and the city wishes to annex and oversee development, the County ceases processing the application and requires the applicant to seek development approvals from the city.

In areas that LAFCO has removed from city spheres of influence, the County continues to voluntarily consult with that city on development applications (rezonings and general plan amendments), as it would be required to if the area remained in the city’s sphere of influence. These areas are designated as “spheres of interest” in the Countywide Plan.

#### **5. Acquisition of Public Open Space Surrounding and Defining the Outward Growth of City Boundaries**

Large areas of open space are now permanently preserved in their present uses, restricting the outward expansion of urban land uses and reducing the potential demand for urban services in undeveloped, unincorporated areas surrounding the communities of southern Marin. The Countywide Plan continues to include policies for the acquisition of open space, particularly areas designated as upland greenbelt or community separators to define and limit the extent of urbanization within the eastern urban corridor.

#### **6. Types of Sphere of Influence Designations**

Bearing in mind the definition of sphere of influence as “... a plan for the probable boundary and service area of a local government agency,” LAFCO’s action to adopt such a plan can take one of several different forms. In every case, the Commission acts by adoption of a resolution which includes a statement of determinations. The resolution will describe the future boundary of the city or district with or without

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<sup>40</sup> “Urban service areas” are defined differently in the Cortese-Knox-Hertzberg Act. Such areas are adopted by LAFCO in recognition of the inclusion of unincorporated areas in city spheres of influence and city infrastructure investments in those areas. When adopted by LAFCO, city annexation proposals within USAs may not be denied when annexation is sought by the city.

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reference to an attached map. The statement of determinations gives the Commission's response to the four factors that it must consider in adopting a sphere of influence specified by Section 56133 of the Government Code:

- ❑ The present and planned land uses in the area, including agricultural and open space lands.
- ❑ The present and probable need for public facilities and services in the area.
- ❑ The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
- ❑ The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

A sphere of influence usually designates a planned boundary in the form of a map showing a geographic area smaller than, equal to or larger than the existing boundary of the city or special district. Mapped spheres of influence are adopted in the form of a resolution, with the map included as an attachment. In other instances, an adopted sphere of influence may take verbal form in the text of the resolution. For example, a "status quo" sphere of influence designation indicates no change from a previous adopted sphere of influence. A "coterminous" sphere of influence means that the present and planned boundaries of the agency are the same. A zero sphere of influence contains no territory and indicates that the agency for which it is adopted should be dissolved and its service responsibilities assumed by another agency.

Some of the spheres previously adopted for sanitary and fire districts in southern Marin are called "interim" spheres of influence, indicating that the planned boundary for the agency shown on a map will define an area that may annex to the district until that district is consolidated with another similar special district. The "interim" designation also provides for the assumption of the districts service responsibilities by a city or another special district through a reorganization process.

## **B. CITY OF SAN RAFAEL**

When spheres of influence were originally adopted for local agencies in the San Rafael area in 1982, City and County general plans anticipated more growth than present general plans and the definition of "sphere of influence" was much more open-ended. Since 1982, those plans have been revised to reduce anticipated growth and changes to State Law have altered the definition of "sphere of influence" from "a plan for the ultimate boundary and service area of a local government agency" to "a plan for the probable boundary and service area of a local government agency." Other important

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changes affecting the development of spheres of influence in the San Rafael area since 1982 include significantly tightened development regulations, public acquisition of open space and the continued erosion of the ability of cities to extend services to existing low density residential areas.

These important changes will be most noticeably reflected in this report's recommendations for amendments to the sphere of influence for the City of San Rafael.

### *Existing Sphere of Influence*

The San Rafael Sphere of Influence includes the incorporated areas of San Rafael and the unincorporated neighborhoods of Marinwood, Lucas Valley, St. Vincent's/Silveira, Santa Venetia, Los Ranchitos, Country Club, Bayside Acres, San Rafael Rock Quarry, California Park and Upper Sun Valley as shown on Map A.

### *Service Relationships*

The sources of municipal services in the City of San Rafael and areas within its Sphere of Influence are shown in Table 10.

**Table 10**  
**Sources of Service: San Rafael Sphere of Influence**

Service	Police/ Sheriff	Fire/Emer. Medical	Water	Sewer	Solid Waste	Comm. Development	Street Maintenance	Parks & Recreation	Library
City of San Rafael	City	City	MMWD	LGVSD/SRSD	City	City	City	City	City
Marinwood	County	MCSO	MMWD	LGVSD	LGVSD	County	County	MCSO*	County
Lucas Valley	County	CSA #13/ MCSO	MMWD	LGVSD	LGVSD	County	County	County*/ MCSO*	County
St. Vincent's/ Silveira	County	CSA #31/ City	MMWD	None	None	County	County	None	County
Santa Venetia	County	CSA #31/ City	MMWD	LGVSD	LGVSD	County	County	County*	County
Los Ranchitos	County	CSA #19/ City	MMWD	LGVSD	LGVSD	County	County	County*	County
Country Club	County	CSA #19/ City	MMWD	SRSD	SRSD	County	County	County*	County
Bayside Acres	County	CSA #19/ City	MMWD	SRSD	SRSD	County	County	County*	County
San Rafael Rock Quarry	County	CSA #31/ City	MMWD	None	None	County	N/A	N/A	County
California Park	County	CSA #19/ City	MMWD	SRSD	?	County	County	County*	County
Upper Sun Valley	County	CSA #31/ City	MMWD	SRSD	?	County	County	County*	County

\* City park and recreation facilities and programs are available to unincorporated area residents within its Sphere of Influence. Facilities and programs of MCSO are also available to non-residents of the District.

City recreational and library services are available to unincorporated area residents within its SOI and City emergency service personnel respond to emergency calls as needed.

In addition, currently, the City and Marinwood CSD have an automatic aid agreement providing MCSO response to calls for service in north San Rafael and for the City's support in depth for fire incidents in MCSO's service area.

Sewer service is provided by the Las Gallinas Valley Sanitary District to the incorporated areas of North San Rafael as well as the unincorporated areas including Lucas Valley, Marinwood, Santa Venetia, Los Ranchitos and St. Vincent's/Silveira.

Central Marin Sanitation Agency is a 'joint powers agency' or JPA formed by its

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member agencies which are special districts and municipalities in the San Rafael and Ross Valley areas of central Marin County. CMSA was formed for the purpose of constructing and operating a wastewater treatment plant located in San Rafael. Wastewater treatment in the portion of San Rafael south of Puerto Suello Hill is operated by two entities. Sewage is collected by the San Rafael Sanitation District and gets pumped to the Central Marin Sanitation Agency for treatment and disposal.

Some parcels in the south east side of Santa Venetia, in the Bayside Acres and Country Club neighborhoods are not receiving service from either provider. It is assumed this is due to properly functioning septic systems or lack of sewer service due to steep topography. The Las Gallinas Valley Sanitary District and the San Rafael Sanitation District both have treatment capacity to provide service to these areas if needed. If there is development at St. Vincent's/Silveira, there may be need for expansion of Las Gallinas Valley Sanitary District's treatment facilities.

The entire study area is within the boundaries of the Marin Municipal Water District, although the District has not constructed infrastructure to serve some portions of the area, including sections of Marinwood Open Space, Regency Estates Homeowners Association in Marinwood and unincorporated areas in Lucas Valley Environs and Open Space.

#### *Demand for Services (Overview)*

Existing and potential housing units and population for the City of San Rafael and unincorporated areas in its Sphere of Influence are shown in Table 11.



**Table 11**  
**San Rafael's Existing and Potential Housing Units and Population**

	Land Area (acres)	Population 2000	Existing Units	Potential New Units	Estimated Max. Pop.	% Potential City Population Increase
San Rafael Incorporated Area	10,688	56,047	22,963	2,583	64,956	15.90%
Marinwood	1,464	3,835	1,607	132	4,621	8.24%
Lucas Valley	3,322	2,551	807	78	2,351	4.20%
St. Vincent's/Silveira	1,929	62	2	500*	403	0.72%
Santa Venetia	1,220	4,233	1,658	258	4,719	8.42%
Los Ranchitos	230	425	166	9	381	0.68%
Country Club	298	714	301	18	716	1.28%
Bayside Acres	149	319	151	26	397	0.71%
Quarry	303	0	4	0	9	0.02%
California Park	99	396	177	66	534	0.95%
Sun Valley	148	0	8	0	17	0.03%
Total SOI	19,850	68,582	27,844	3,670	79,104	41.14%
Sources: Marin County Community Development Dept.; San Rafael General Plan 2020 Draft EIR; ABAG						

The City of San Rafael estimates combined with the County's estimates indicate that development potential at build-out for the entire Sphere of Influence is approximately 31,234 units (27,844 + 3,670).

To calculate these estimates, the County looked at their data table of "build out" housing units and multiplied the number of housing units by persons per household. If the projection year was 2020, ABAG's persons per household figure was used for that year for the particular Census Tract in which the community resides. "Build out" is an estimate of development based on General Plan and zoning designations. It is an estimate, not a projection or entitlement.<sup>41</sup>

41 Correspondence with Fred Vogler, Marin County Community Development Department, May 25, 2005.

Ability to Extend Services (Overview)

Projected demand for services to new population within the City's existing boundary should not require significant changes to city services or facilities. City departments should be able to continue to extend services to existing and projected population at existing levels of service with the possible exception of areas north of the City boundary currently in the City's SOI. See sections below for analysis of the ability to extend services to the unincorporated neighborhoods in San Rafael's SOI.

Applicable General Plan Provisions (Overview)

San Rafael's General Plan 2020 policy LU-6 (Annexation) states: "Prior to urban development, areas that can reasonably be served through extension of the existing service area of the City should be annexed.

- a. Annexation of already developed unincorporated islands (Los Ranchitos, Country Club, Bayside Acres, California Park, Mt. Tamalpais Cemetery) and developed portions of the Marinwood/Lucas Valley neighborhoods should be dependent on resident interest, the cost/revenue implications of the provision of City services to the area, and the availability of City services."

The Built Environment Element of the Countywide General Plan designates Urban Service Areas (USAs) within city spheres of influence adopted by LAFCO<sup>42</sup>. USAs are areas adjacent to city boundaries where services are available and development is likely to occur. When the County receives an application for development within an adopted USA, the application is referred to the adjacent city. That city is offered a "right of first refusal." That is, if the developing area is contiguous to the city boundary and the city wishes to annex and oversee development, the County ceases processing the application and requires the applicant to seek development approvals from the city.

In areas that LAFCO has removed from city spheres of influence, the County continues to voluntarily consult with that city on development applications (rezonings and general plan amendments), as it would be required to if the area remained in the city's sphere of influence. These areas are designated as "spheres of interest" in the

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<sup>42</sup> "Urban service areas" are defined differently in the Cortese-Knox-Hertzberg Act. Such areas are adopted by LAFCO in recognition of the inclusion of unincorporated areas in city spheres of influence and city infrastructure investments in those areas. When adopted by LAFCO, city annexation proposals within USAs may not be denied when annexation is sought by the city.

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Countywide Plan.

### **C. UNINCORPORATED AREAS IN THE SAN RAFAEL SPHERE OF INFLUENCE**

The following sections of this report examine areas that LAFCO may consider for inclusion in, or exclusion from the sphere of the City. Each area described below lies between the City's present boundary and the City's 1982 Sphere of Influence. Map D on page 137 shows staff's sphere-of-influence recommendation for the City of San Rafael based on the following discussion of each area.

**Intra-Area Relationships: San Rafael Sphere of Influence  
Comparison of Areas in San Rafael Sphere of Influence  
Central San Rafael**

<b>Physical relationship to Incorporated area</b>	<b>California Park</b>	<b>Point San Pedro (Quarry)</b>	<b>Bayside Acres</b>	<b>Country Club</b>	<b>Upper Sun Valley</b>
Boundary Contiguity	Contiguous, 75%	Contiguous, 100%	Contiguous, 100%	Contiguous, 100%	Contiguous, 50%
Access	San Rafael, Larkspur	San Rafael streets only	San Rafael streets only	San Rafael streets only	San Rafael & San Anselmo
Common or different landform	Central San Rafael basin	peninsula	Central San Rafael basin	Central San Rafael basin	Central San Rafael basin
Separators	none	none	none	none	none
<b>Service Impacts</b>					
Area planning issues	Scheutzen housing opportunity	Site re-use issues	---	---	Hillside planning issues
Service & infrastructure issues	---	Road capacity	---	---	
% added city population	1%	To be determined	7%	1%	0%

<b>Community Autonomy</b>	<b>California Park</b>	<b>Point San Pedro (Quarry)</b>	<b>Bayside Acres</b>	<b>Country Club</b>	<b>Upper Sun Valley</b>
City services received	sewer, fire protection	fire protection	sewer, fire protection	sewer, fire protection	sewer, fire protection
Residential/mixed land uses	residential only	mining, industrial	residential only	residential only	residential only
Local shopping/services	None	None	none	none	none
Local governing boards	None	none	none	none	none

**Intra-Area Relationships: San Rafael Sphere of Influence  
Comparison of Areas in San Rafael Sphere of Influence  
North San Rafael**

<b>Factor</b>	<b>Lucas Valley</b>	<b>Marinwood</b>	<b>St. Vincent's/ Silveira</b>	<b>Santa Venetia</b>	<b>Los Ranchitos</b>
<b>Physical relationship to Incorporated area</b>					
Boundary Contiguity	Contiguous, 25%	Contiguous, 25%	Contiguous, 25%	Contiguous, 50%	Contiguous, 100%
Access	County Roads	City & County roads	County Roads	City streets only	City streets only
Common or different landform	Separate & distinct valley topography	Separate & distinct valley topography	Separate & distinct valley topography	Common: San Pedro Peninsula	Common: unincorporated island
Separators	Open space preserve	Lucas Valley Rd.	Separates San Rafael from Novato	State & County Parks	None
<b>Service Impacts</b>					
Area planning issues		Freeway access	Development intensity		Equestrian Land Use Issues
Service & infrastructure issues	Private recreational facilities	Fire protection	Excluded from City General Plan	Road condition, flood control	
% added city population	4%	8%	To be determined	8%	1%

<b>Community Autonomy</b>	<b>Lucas Valley</b>	<b>Marinwood</b>	<b>St. Vincent's/ Silveira</b>	<b>Santa Venetia</b>	<b>Los Ranchitos</b>
City services received	Paramedic	Paramedic	Paramedic	Fire, paramedic	Fire, paramedic
Residential/mixed land uses	Residential & open space	Residential, commercial, institutional	Rural & institutional uses	Residential, commercial and open space	Residential
Local shopping/services	Non-significant	Marinwood Plaza	None	Non-significant	None
Local governing boards	Marinwood CSD, homeowners' assn.	Marinwood CSD	None	None	None



## 1. Lucas Valley

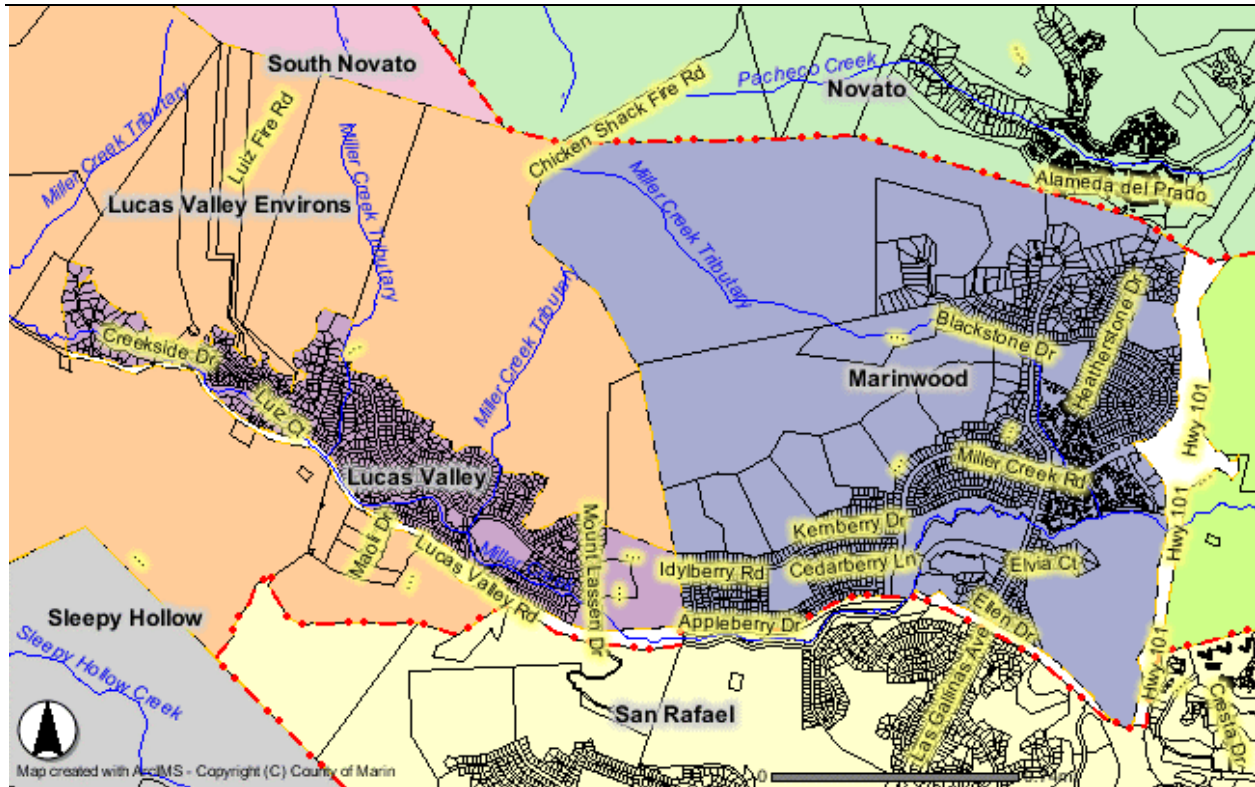
### Existing Sphere of Influence

This 3,322-acre unincorporated neighborhood is located in north San Rafael west of Highway 101 on Lucas Valley Road. This neighborhood is a separate and distinct valley area, contiguous on one side of the city limits of San Rafael and developed with single-family homes on large lots and incidental retail. This area currently has 807 existing units with a potential of an additional 78 units. The eastern portion of the Lucas Valley neighborhood is a community of well-preserved Eichler homes with its own community center, pool, stables, cable TV and broadband service provided by an active community association. The Lucas Valley Environs consists of open space areas and ranchlands that are adjacent to Nicasio town limits.

The Lucas Valley neighborhood can be accessed using county roads and U.S. 101 independently from the City of San Rafael street system. The Lucas Valley area is contiguous to the City boundary only through open space areas within the City's. The area currently has a population of 2,551 with a potential maximum population of 2,351. With more than 50 percent of the neighborhood located in an open space preserve, the population density is low at 0.77 persons per acre. If Lucas Valley were annexed to San Rafael, it would add 4% to the City's present population. The upper Lucas Valley area is within the boundary of Marinwood CSD. The portion of Lucas Valley not in Marinwood CSD relies on the private Lucas Valley Homeowners Association for recreation facilities and services as discussed below.

The most recent development proposal in this neighborhood is the Rocking "H" Ranch on the western end of the Lucas Valley area in San Rafael's SOI. The Rocking "H" Ranch Precise Development Plan was approved in May 2002, for the construction of a 14,400 square foot single-family residence and related accessory improvements. The approved project includes the applicant's offer to record a voluntary conservation easement over 441 acres of the subject property, thereby extinguishing all remaining development potential on the parcel.

The zoning and Countywide Plan land use designations on the property would have permitted up to a maximum of 50 units on the 501 acre site. Approved permits have served to extinguish a significant amount of development potential in exchange for the large home.



### City & County General Plans

There are no policies or programs in San Rafael's General Plan for the Lucas Valley neighborhood and it offers no recommendation for annexation. In the Marin Countywide Plan there is a policy to consider the removal of the unincorporated, established communities, such as Lucas Valley, from the urban service areas of San Rafael if so indicated by LAFCO's actions.

### Ability to Extend Services

Public and private agencies currently providing service to the Lucas Valley area should be able to continue to extend services to existing population at existing levels with the possible exception of fire protection in upper Lucas Valley from Marinwood CSD. Current budget and service issues in the City of San Rafael call into question the City's ability to extend fire, recreation and other services to the Lucas Valley area at current service levels without aggravating fiscal problems now experienced by the City. The City has reduced and may terminate its fire protection service relationship with Marinwood CSD. The City and Marinwood CSD continue to negotiate continuation of their automatic aid agreement and the City awaits voter approval of a sales tax increase that, if passed, will improve the

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City's ability to maintain current service levels within its present jurisdiction.

Need/Demand for Services

The Lucas Valley neighborhood is currently receiving fire protection services through the County Service Areas #13, #31 and Marinwood CSD. Lucas Valley receives sewer service from Las Gallinas Valley Sanitary District. The Marin County Sheriff's Office is responsible for law enforcement services in the Lucas Valley neighborhood except for traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations handled by the California Highway Patrol in unincorporated areas. San Rafael's police department responds to emergencies in Lucas Valley as needed. Given the steep terrain, acquisition of public open space and land use restrictions under the County's General Plan and zoning ordinance, little demand for new or additional service is likely from the Lucas Valley area.

**2. Marinwood**

Existing Sphere of Influence

Marinwood is an unincorporated area of San Rafael, located in the northwest portion of north San Rafael west of Highway 101. It is contiguous with the city boundary on its southern side and is accessible primarily by county roads and U.S. 101 independently of the City's street system. This 1,464 acre neighborhood consists of a mix of single-family homes, apartments and condominiums with some commercial and institutional uses with Marinwood Plaza providing local shopping (see map on page 116).

City & County General Plans

San Rafael's General Plan does not have any policy recommendations for the Marinwood neighborhood except for a site specific policy regarding the Daphne/Bacciocco property. This policy suggests that annexation to the City shall not be required although development must receive approval of traffic allocation from the City. Land needed for planned highway interchange improvements should be acquired, ideally through the development review process. These provisions have already been implemented through conditions of development approval for the Daphne/Bacciocco area.

In the Marin Countywide Plan there is a policy to consider the removal of the unincorporated, established communities, such as Marinwood, from the urban service areas of San Rafael if so indicated by LAFCO's actions, i.e. if LAFCO removes Marinwood from the sphere of influence of the City of San Rafael.

*Ability to Extend Services*

Potential future development in the Marinwood area and within San Rafael's SOI includes the Oakview (Daphne/Bacciocco) development, a proposed project of 28 single-family residences and a 150 unit assisted care facility. It is located on the 106.3-acre parcel at the northwest corner of Highway 101 and Lucas Valley Road.

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Marinwood area. The Marinwood area is located so closely to City facilities that the area may already be deemed to benefit them. The City of San Rafael could provide service levels which are the same as or higher than currently provided by the County and Marinwood CSD. However, for many years and even in the past year during the fire district discussions, neither the city nor Marinwood has made the suggestion of annexation.

*Need/Demand for Services*

This neighborhood currently receives paramedic services through the City of San Rafael, fire protection services through the Marinwood CSD, and sewer services through Las Gallinas Sanitary District. The Marin County Sheriff's Office is responsible for law enforcement services in the Marinwood neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Marinwood area as needed. There is a remaining development potential of 132 units and a maximum potential population of 4,621. If Marinwood were to be annexed, it would add an additional 8% to the City's population.

### **3. St. Vincent's & Silveira Properties**

#### Description

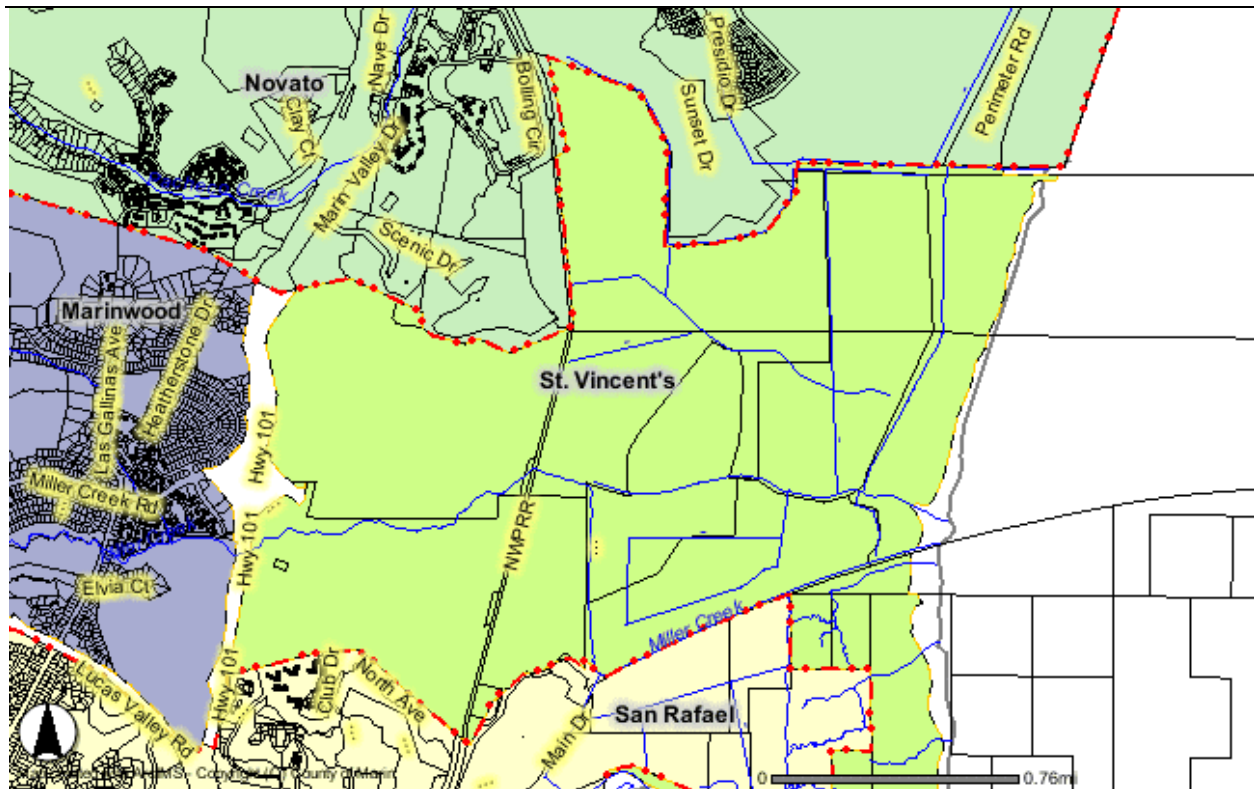
These two properties are located east of Marinwood and U.S. Highway 101, west of San Pablo Bay, north of Miller Creek and south of Pacheco Ridge in the unincorporated area of the County between San Rafael and Novato. Both of these properties are in San Rafael's current Sphere of Influence but outside the city limits.

St. Vincent's occupies approximately 836 acres – the eastern portion, approximately 522 acres, comprises the farm which yields a limited production of oat hay. The remaining 314 acres, on the west side of the property, houses the charitable institution's residential campus for at-risk boys, related support facilities and a special education school. Additionally, there is a large chapel on site, administrative offices, an auditorium, a gymnasium and open courtyards. Other community and youth-based uses occur throughout the St. Vincent's campus and property. St. Vincent's is not contiguous to the City's boundary.

Adjacent to the St. Vincent's property is the Silveira Ranch, which is approximately 344 acres. The Silveira family has operated its home ranch continuously as a dairy for approximately 100 years. The Silveira Ranch is contiguous to the northern boundary of the City of San Rafael.

The County and the City have a long history of joint planning for the future use and development of these properties. Development of the two properties have been controversial in nature due to their being one of the last large developable areas in the County's City-Centered Corridor.

The Marin Countywide Plan, first adopted in 1973, included the St. Vincent's/Silveira lands within the eastern City-Centered Corridor, in effect designating them as an urban reserve area to be considered for suburban or urban development upon eventual annexation to the City of San Rafael. San Rafael and the County have conducted three planning studies for the properties, the most recent one completed under the joint auspices of the City and the County in 2000.



Based on the consensus of the Advisory Task Force appointed by the City and the County, St. Vincent's submitted a development proposal to the City for 766 housing units and associated retail, office and other land uses. Since the site to be developed was not contiguous to the City, the proposal would necessarily have included annexation of the Silveira lands west of the railroad tracks in order to create contiguity with the City boundary. The development proposal did not involve development of the Silveira property or connection to San Rafael streets (North Redwood Drive and Silveira Parkway) presently terminating at the Silveira property.

In 2003, the City undertook updates to its General Plan which exclude St. Vincent's and Silveira from the General Plan's planning area. The City concurrently requested that LAFCO amend the City's sphere of influence to exclude St. Vincent's and Silveira. St. Vincent's has filed a lawsuit contesting the City's actions and has also requested that LAFCO retain the area in the City's sphere of influence until the litigation is concluded.

Both the City of San Rafael and the County of Marin participated in the preparation of a study of land use and environmental enhancement opportunities on these properties. Implementation recommendations regarding flood control along this reach of Miller Creek

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included: 1) re-alignment of Miller Creek east of the railroad track to approximate its historic alignment to San Pablo Bay; 2) retention and enhancement of the swale system located in the northwest portion of the St. Vincent's property; 3) reduction of flooding potential on lands west of the railroad tracks; and 4) minimization of floodplain fill and compliance with federal, state and local floodplain development standards.<sup>43</sup>

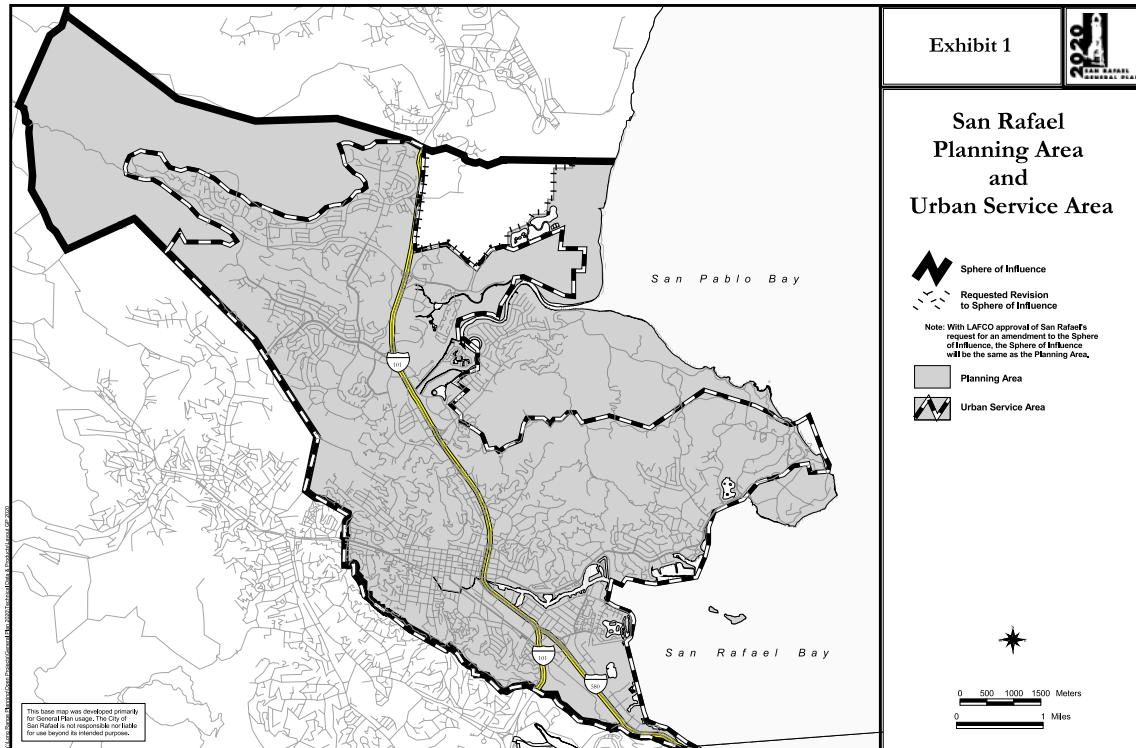
### City & County General Plans

San Rafael's General Plan 2020 recommends that the City work with LAFCO to remove St. Vincent's and Silveira properties from its Sphere of Influence in order to be consistent with the City Council Resolution not to annex or provide service to the properties. The City's adopted plan clearly does not anticipate the outcomes of the various planning efforts for the site including Task Force recommendations in 2000 occurring within its own jurisdiction. Development of St. Vincent's/Silveira that depends on annexation to the City and inclusion of the area in the City's sphere of influence are not consistent with the City's General Plan. At the same time, the City's request for revision of its sphere of influence would retain lands agricultural and open space areas to the north and east of its existing boundary which will not require urban services as shown on Exhibit 1 below:

In instances in which LAFCO receives a request for revision of a city's sphere of influence, LAFCO will identify any conflict between city and county general plans and facilitate direct negotiations between the city and the county to resolve the conflict and to establish mutually acceptable land use development standards (Government Code Section 56425[b]). This provision generally anticipates the expansion of a city's sphere of influence rather than its reduction as in the present case. While negotiations are directed by this provision, no agreement between the city and county is required. Under this provision, LAFCO staff corresponded with the City of San Rafael and County of Marin. The County declined to meet with the City, citing the unusual circumstance of the city's request to reduce its sphere of influence and other complications.

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43 San Rafael General Plan 2020 Background Report, page G-21



The County's existing and proposed land use designations for the area are aimed at discouraging new, intensified urban level of development outside of existing urban areas. 44 County policies (and LAFCO policies) encourage development requiring urban services within cities. Under the County General Plan's Built Environment Element, the area is included in the Urban Service Area of the City. Urban Service Areas are designated within city spheres of influence to delineate areas where urban development patterns can best be accommodated over the next ten years given the availability of services and close proximity to existing urban areas and facilities. Under the County's current practices, development proposals for unincorporated territory within urban service areas are referred to the relevant city for development processing on a "right of first refusal" basis on the assumption that development would best be served by city services. Since the City of San Rafael has not included St. Vincent's/Silveira in its general plan, the City would be unable to process a development application or provide pre-zoning for the project consistent with its General Plan. The City and County general plans are inconsistent in this respect, although the relevant portions of the County's general plan are under review.



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The current draft of the Built Environment Element of the County's General Plan designates the St. Vincent's/Silveira area as "Planned Designation – Agricultural and Environmental Resource Area." This designation permits uses related to agricultural, residential, educational, tourism and institutional land uses. The draft plan also offers a series of desired outcomes related to environmental protection and four options for development of the area (in addition to existing uses) while achieving those outcomes:

- ❑ Option 1: Maximum of 221 housing units of types suitable to environmental constraints and community benefits associated with higher levels of housing affordable to low and very low income persons and smaller residential unit sizes. Non-residential uses may be permitted in lieu of some dwelling units provided that traffic impacts of non-residential uses not exceed traffic impacts of residential uses.
- ❑ Option 2: Maximum of 350 housing units. A senior care facility would also be permitted with only some senior units (those with kitchens) counting toward the housing unit maximum. This option includes alternative non-residential uses under provisions identical to those of Option 1.
- ❑ Option 3: Maximum of 500 housing units with similar provisions for senior housing and non-residential uses as under Options 1 and 2.
- ❑ Option 4: A range of 221 to 500 housing units with similar provisions for senior housing and non-residential uses as under Options 1, 2 and 3.

The draft plan also specifies alternatives for designating a new Baylands Corridor. The alternative locations for the boundary of the Baylands Corridor would limit the location of developed uses within the St. Vincent's/Silveira area to different portions of the site, all of them west of the Northwestern Pacific Railroad tracks.

#### Ability to Extend Services

The City would be able to provide services except for fire protection, given participation in the development review process, properly calculated impact fees, required facilities and other exactions obtainable through the development approval process. The City currently is not able to provide fire service to the area at a level consistent with emergency service levels elsewhere in the City. A new fire station located within the St. Vincent's/Silveira area would overlap the Marinwood CSD service area.

Lack of contiguity of the St. Vincent's area with the City significantly affects the City's ability to extend its services to the area. Transportation planning programs that would

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have connected St. Vincent's to the City have been deleted from adopted plans, including a transit rail stop and more particularly the extension of McGinnis Parkway that would have connected the City's street system to St. Vincent's. Without that connection in the City street network, St. Vincent's would be physically separated from the existing incorporated area by an expanse of the Silveira agricultural lands and would be accessible by City service vehicles only on U.S. Highway 101. Development of the St. Vincent's area as proposed in 2002 would have required the formation of a Mello-Roos community facilities district or other special financing mechanism to fund both the capital and operating costs of police, fire, library and recreation services according to the City's Community Development Department.

The additional financial burden required to fund City services for significant development at the St. Vincent's site would decrease the site's suitability for construction of below-market-rate housing. Alternative sources of services are available from the County and special districts. It is not clear if development of the site as an unincorporated community would also require the same special financing mechanisms.

#### *Need/Demand for Services*

Some development of the St. Vincent's/Silveira area west of the railroad tracks is assumed, but how much has not been established by the County General Plan update (see Options, above). Only a fraction of the area (5% to 15%) in the current Sphere of Influence will be developed under any planning policy alternatives under consideration. The amount and location of development within the existing SOI and its physical relationship to the City's boundaries will continue to affect the logic of inclusion of the area in the City's SOI.

The two properties are currently in the service area of Marin Municipal Water District for water and County Service Area #31 for fire. St. Vincent's west of the railroad tracks are currently in the Las Gallinas Valley Sanitary District service area. If development were to occur, annexation of developing portions of the Silveira property to the Las Gallinas Valley Sanitary District would be required for provision of sewer service.

#### *Communities of Interest*

Under Government Code Section 56425, "communities of interest" are other physical, social or economic factors or circumstances that connect an unincorporated area to an incorporated area and should therefore be considered in LAFCO's sphere of influence decisions. Unlike other factors, LAFCO may take communities of interest into account only if LAFCO determines that they are relevant.

In this case, St. Vincent's/Silveira may be considered a physically distinct and separated community from the City of San Rafael. However, St. Vincent's representatives cite numerous social and organizational connections with the City of San Rafael including:

- Religious services for residents of San Rafael held at St. Vincent's;
- Athletic events held in St. Vincent's facilities that involve San Rafael schools or service organizations;
- Frequent use of St. Vincent's facilities for various meetings, classes, banquets, fundraisers, fashion shows, luncheons, tests, retreats, concerts, book fairs, etc. that serve residents, businesses and institutions in the City of San Rafael and elsewhere.

#### Other Considerations

Inclusion of these properties in San Rafael's SOI would clearly aid the City's ability to meet fair-share housing objectives only if the City's General Plan provided for annexation of the area.

Development of these properties would result in loss of open space, habitat and "locally significant" agricultural land as defined by the State Department of Conservation's Farmland Mapping and Monitoring Program.

#### Recommendation:

Inclusion of these properties in the San Rafael sphere of influence would aid the City's ability to meet fair-share housing objectives only if the City's General Plan provided for annexation of the area. The City's Plan, however, makes pre-zoning of St. Vincent's/Silveira impossible as explained above. The City has chosen a different strategy to meet these planning objectives and the Commission's sphere of influence determination will not affect the underlying improbability of annexation.

Exclusion of the area from the City's sphere of influence would be consistent with LAFCO policies favoring the concentration of urban development in already urbanized areas and the preservation of agricultural and open space land.

The exclusion of this area from the City's planning area makes actual annexation and extension of City services unlikely. The City of San Rafael cannot be compelled to re-amend its General Plan or approve pre-zoning suitable to the previous development proposal or agree to an exchange of property taxes with the County. These conditions contradict, to some extent, the definition of sphere of influence as a plan for the probable

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boundary and service area of a local government agency.

At least two important issues affecting St. Vincent's/Silveira are unresolved. Fire protection service in the northern San Rafael area is characterized by declining service levels in the City's jurisdiction and an inefficient scale of operations in Marinwood CSD. The dis-engagement of the two agencies fire protection relationship is likely to cause further decline in service levels and uncertainty in how MCSD will continue to provide fire protection service (see Section II. E. above) . This issue obscures the logical source of structural fire protection service in the St. Vincent's/Silveira area if the area is developed. The annexation of the Marinwood and St. Vincent's/Silveira areas to the City would be likely to resolve local emergency service issues arising from existing boundaries and allocation of revenue. However, the resolution of fire protection issues is not likely to be the deciding factor for which agency will process development applications for the area.

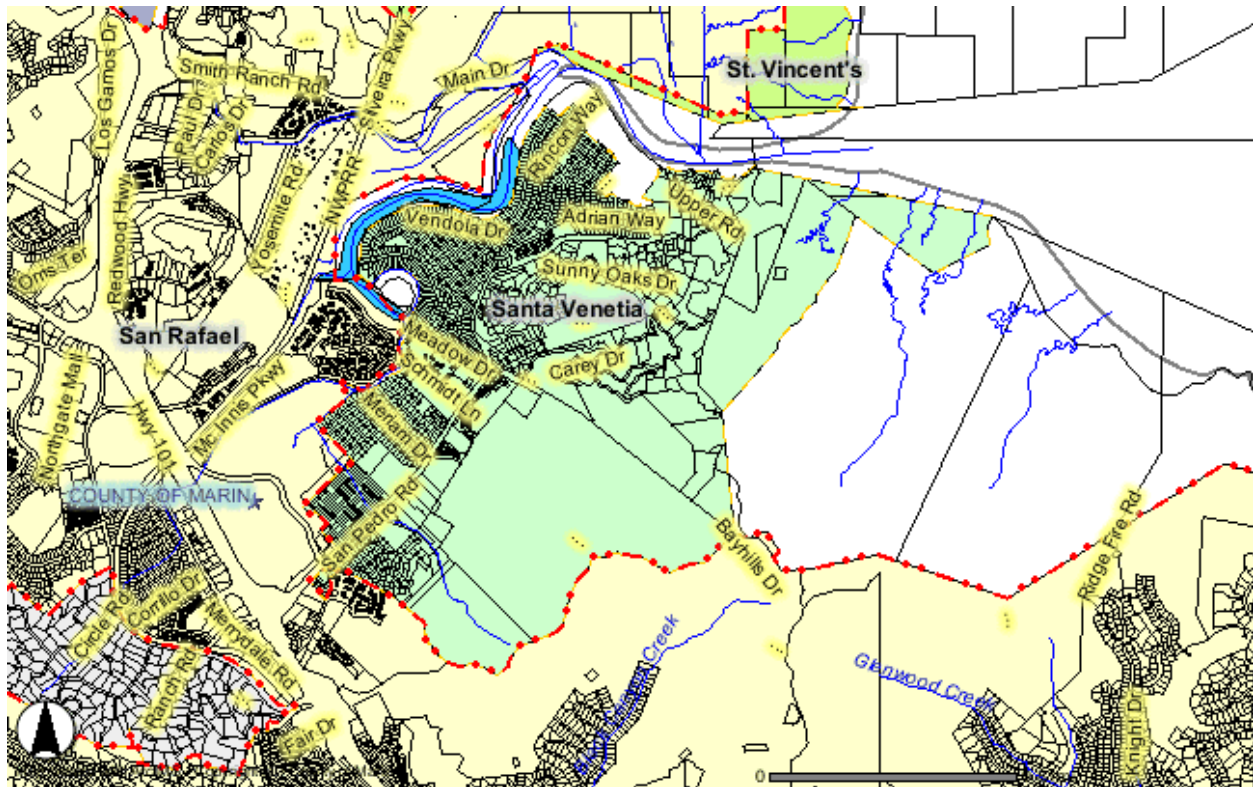
Second, the planning history of the St. Vincent's/Silveira indicates that there will be some significant amount of urban development within the area (even the relatively minimal 220 units permitted by the County's present General Plan and interim zoning) and that development will be concentrated to absorb a minimum amount of land within a much larger area left in open-space or agricultural use. Proposals for development have been initiated for St. Vincent's property only, not for Silveira properties. St. Vincent's is not contiguous with the City of San Rafael and does not have access from the City street system.

To date, the St. Vincent's project design is not well-related to existing City facilities and services and the physical relationship to the City through Silveira is unclear. In order for the City to annex the area proposed for development at St. Vincent's, the annexation proposal would necessarily include a significant amount of agricultural land that would not require urban services in order to achieve contiguity. To date, the owners of the two properties have not worked out an orderly relationship between new development and existing City boundaries and facilities.

#### 4. Santa Venetia

##### Existing Sphere of Influence

The unincorporated Santa Venetia neighborhood is located in north San Rafael east of Highway 101 on North San Pedro Road. This neighborhood is primarily developed with single-family homes, condominiums and apartments and includes a neighborhood shopping center, Gallinas School, the Jewish Community Center and three small parks within its boundaries. It is contiguous with the City limits on two sides and is accessible through city streets.



Santa Venetia is a unique neighborhood due to its abundance of open space access. It intertwines with county maintained and owned open space preserves - Santa Margarita Island, Santa Venetia Marsh and San Pedro Ridge. McInnis County Park is part of the northern boundary, China Camp State Park is on the eastern border of Santa Venetia and there are also access points to the city-owned Harry A. Barbier City Park. Santa Venetia is anticipated to remain essentially a residential area with a neighborhood school and other community institutions.

This neighborhood is 1,220 acres in area with a 2000 population of 4,233 and an estimated maximum population of 4,719. The neighborhood currently has 1,658 units with a potential of 258 new units and is predominately single-family homes with a population density of 3.47. The neighborhood is in the top quarter of neighborhoods for percentage of children (22.3%) and in the bottom quarter for percent of seniors (11%). Single-family detached dwellings dominate the neighborhood and owner occupancy is 74.5%. If this neighborhood were annexed to San Rafael, it would add approximately 8% to the city's population.

#### City & County General Plans

Policy LU-6b of San Rafael's General Plan 2020 states that "Developed and undeveloped areas of Santa Venetia are not expected to be annexed to the City within the time frame of the plan due to flood and seismic hazards and urban service costs associated with existing infrastructure conditions."

#### Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Santa Venetia area. The Santa Venetia area is located so closely to City facilities that the area may already be deemed to benefit them. However, annexation of this developed area has the potential for financial impact on the City. Annual maintenance costs and an expected multi-million dollar upgrading of street, utility and drainage facilities would exceed annual estimated revenues. In addition, there are flood and seismic hazards in the area which could result in further costs to the City. The City has made a conscious effort to avoid annexation of the Santa Venetia area.

#### Need/Demand for Services

The Santa Venetia neighborhood is currently receiving City services through the County Service Area #19 for fire protection for the developed portion of the neighborhood and through CSA #18 for undeveloped hillsides. Santa Venetia receives sewer service from Las Gallinas Valley Sanitary District. The Marin County Sheriff's Office is responsible for law enforcement services in the Santa Venetia neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Santa Venetia as needed.

### Other Considerations

There are three high priority flooding issues that still need to be addressed to provide long-term flood protection for Santa Venetia – the Las Gallinas Creek Levee, Pump Station No. 2, and Eastside Flooding.

The Las Gallinas Creek Levee consists of a wooden planter box tide barrier that was constructed atop the earthen levee over 20 years ago. This levee is now decaying and in need of replacement to maintain the same level of protection for Santa Venetia. Levee repair cost estimates are unknown, but would be more expensive than pump station project costs.

The Pump Station No. 2 is the oldest pump station in Flood Control Zone 7. This pump station has limited capacity and has structural problems due to being built as what was meant to be a temporary structure. The electrical panel is exposed to the elements and presents a dangerous working environment during power outages. The estimated cost of repair would be \$2.4 million in 2004 dollars.

Flooding on the east side of Santa Venetia is an ongoing problem due to drainage problems during heavy rains causing recurrent flood damage to 15 homes and minor impact to 35 other homes. Currently, portable pumps provide flooding relief; however, they must be operated manually. A new pump station in this vicinity would provide permanent pumping that would run automatically. The cost of pump station construction is estimated at \$450,000 in 2004 dollars.<sup>45</sup>

## **5. Los Ranchitos**

### Existing Sphere of Influence

The unincorporated Los Ranchitos neighborhood is a contiguous island located in north San Rafael west of Highway 101 accessible from Los Ranchitos Road, a city street. This neighborhood currently has 166 units with a potential of 9 additional units and features

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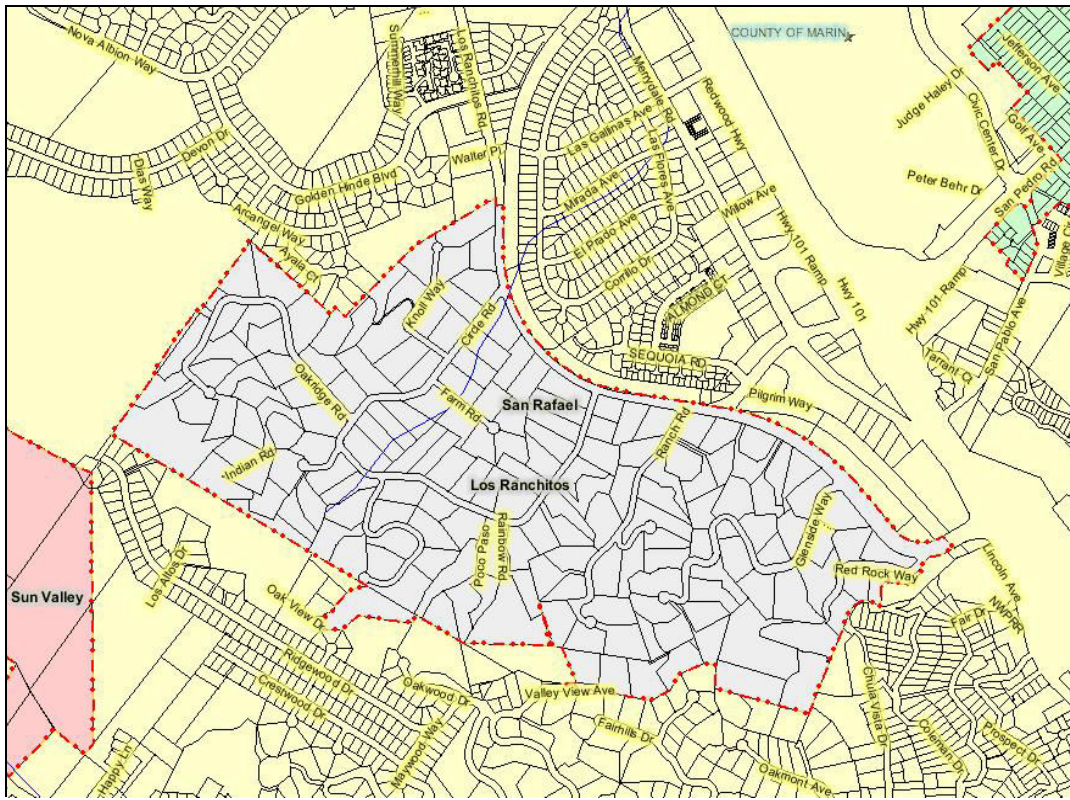
<sup>45</sup> Briefing Report prepared for Congressman Pete Visclosky, Fall, 2004 by Marin County Flood Control & Water Conservation District



single-family homes on larger lots with most lots being over an acre in size including some properties with horse quarters.

### City & County General Plans

San Rafael's General Plan offers no recommendation for annexation and if considered, there could be equestrian land use issues.



### Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Los Ranchitos area. The Los Ranchitos area, being an island, is located so closely to City facilities that the area may already be deemed to benefit them. For instance, Fire Station #7 by the Civic Center is approximately ½ mile from Los Ranchitos. The City of San Rafael would provide services and facilities at service levels which are the same as or higher than currently provided by the County.



### Need/Demand for Services

The current population is 425 within a land area of 230 acres. There is future development potential of 9 new units with a decrease in maximum population projected at 381.

The Los Ranchitos neighborhood is currently receiving City services through the County Service Area #19 for fire protection services. They receive sewer service through the Las Gallinas Valley Sanitary District. The Marin County Sheriff's Office is responsible for law enforcement services in the Los Ranchitos neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Los Ranchitos as needed.

### Other Considerations

Currently, the San Rafael General Plan/zoning does not allow horse quarters within the city limits. This may be the reasoning behind the City not considering annexation of Los Ranchitos in the past as well as little resident interest.

## **6. Country Club**

### Existing Sphere of Influence

The Country Club neighborhood is located in the Central San Rafael Basin east of Highway 101 off of Point San Pedro Road. It is a contiguous island and accessible by city streets. The unincorporated area of this neighborhood features large single-family homes on hillside lots, with incorporated portions along the San Rafael Creek that are developed with single-family homes and condominiums.

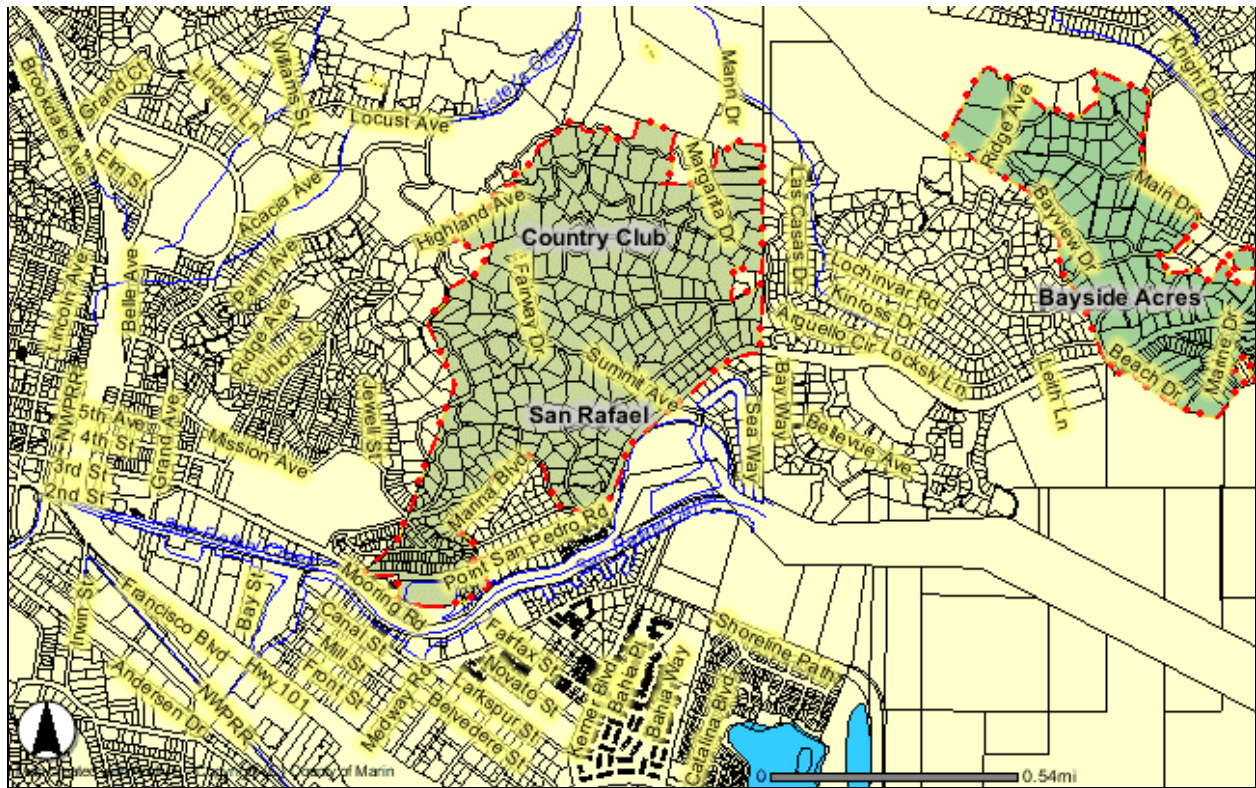
The unincorporated portion of the Country Club neighborhood has a 2000 population of 714 people. There are currently 301 units distributed over 298 acres with an estimated development potential of 18 additional units. This is one of San Rafael's older neighborhoods and not much change is expected. If annexation were to occur, the City population would increase by 1%.

### City & County General Plans

The San Rafael General Plan 2020 suggests that annexation of some properties may occur consistent with LAFCO policies.

Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Country Club area. The Country Club area, being an island, is located closely to City facilities and the area may already be deemed to benefit them. For instance, Fire Station #2 on Union Street is less than ½ mile from Country Club. The City of San Rafael could provide services and facilities at service levels which are the same as or higher than currently provided by the County.



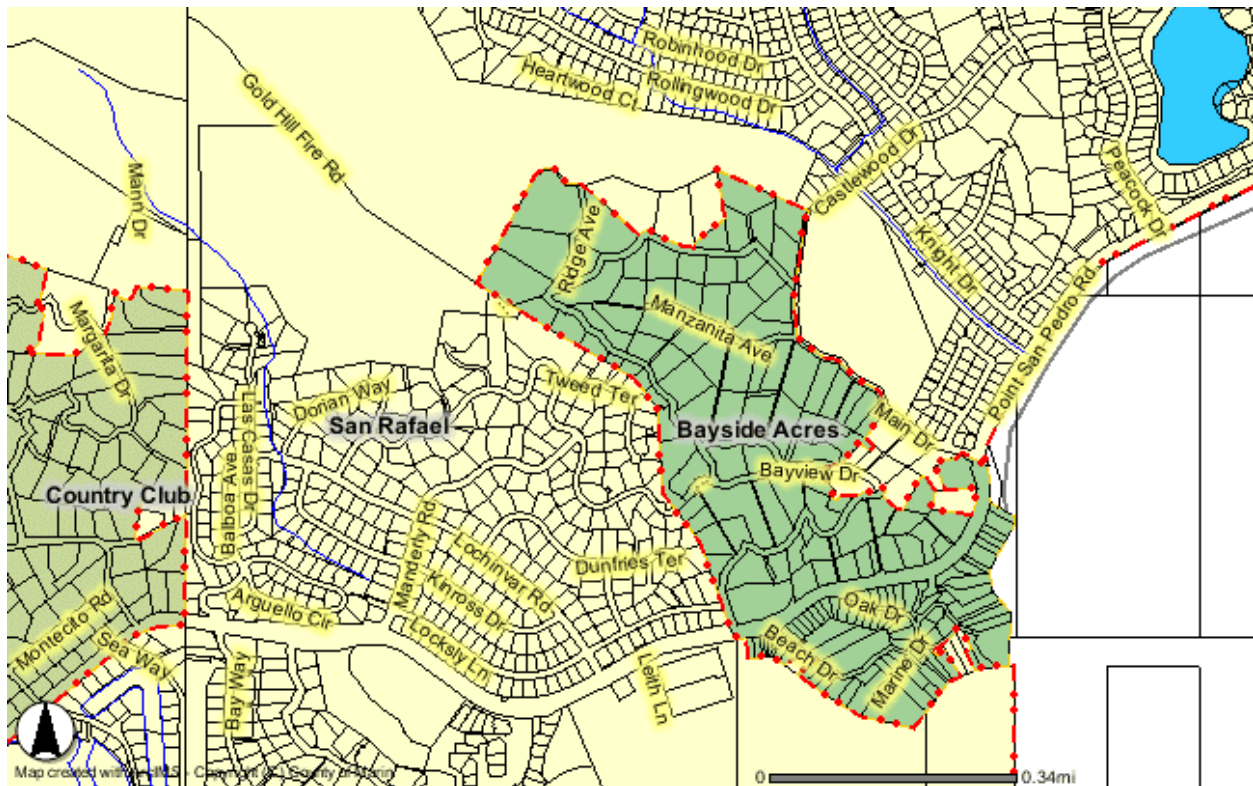
Need/Demand for Services

This neighborhood currently receives City services through the County Service Area #19 for fire protection and through San Rafael Sanitation District for sewer. However, there are some parcels still remaining on septic. The Marin County Sheriff's Office is responsible for law enforcement services in the Country Club neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Country Club area as needed.

## 7. Bayside Acres

### Existing Sphere of Influence

Bayside Acres is in an unincorporated portion of the City in the Central San Rafael Basin along Point San Pedro Road primarily developed with large single-family homes on hillside lots. It is a contiguous island and accessible by city streets. There are currently 151 units with a potential of 26 more units. Homes located west of Point San Pedro and along the Bay are developed on smaller lots. A few properties have been annexed into San Rafael in recent years and more annexation is a possibility. The neighborhood is 149 acres in area with 319 residents predominately made up of single-family residential homes with seventy five percent of units being owner occupied. With a population density of 2.14 persons per acre, Bayside Acres is one of San Rafael's less dense neighborhoods. If annexation were to occur, there would be an additional 7% added to the city's population.



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City & County General Plans

The Bayside Acres neighborhood is not expected to have much future growth. There are no policies in San Rafael's General Plan regarding this neighborhood but it states that annexation of more properties into the City will remain a possibility.

Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Bayside Acres area. Bayside Acres, being an island, is located closely to City facilities and the area may already be deemed to benefit them. For instance, Fire Station #2 on Union Street is approximately one mile from Bayside Acres. The City of San Rafael could provide services and facilities at service levels which are the same as or higher than currently provided by the County.

Need/Demand for Services

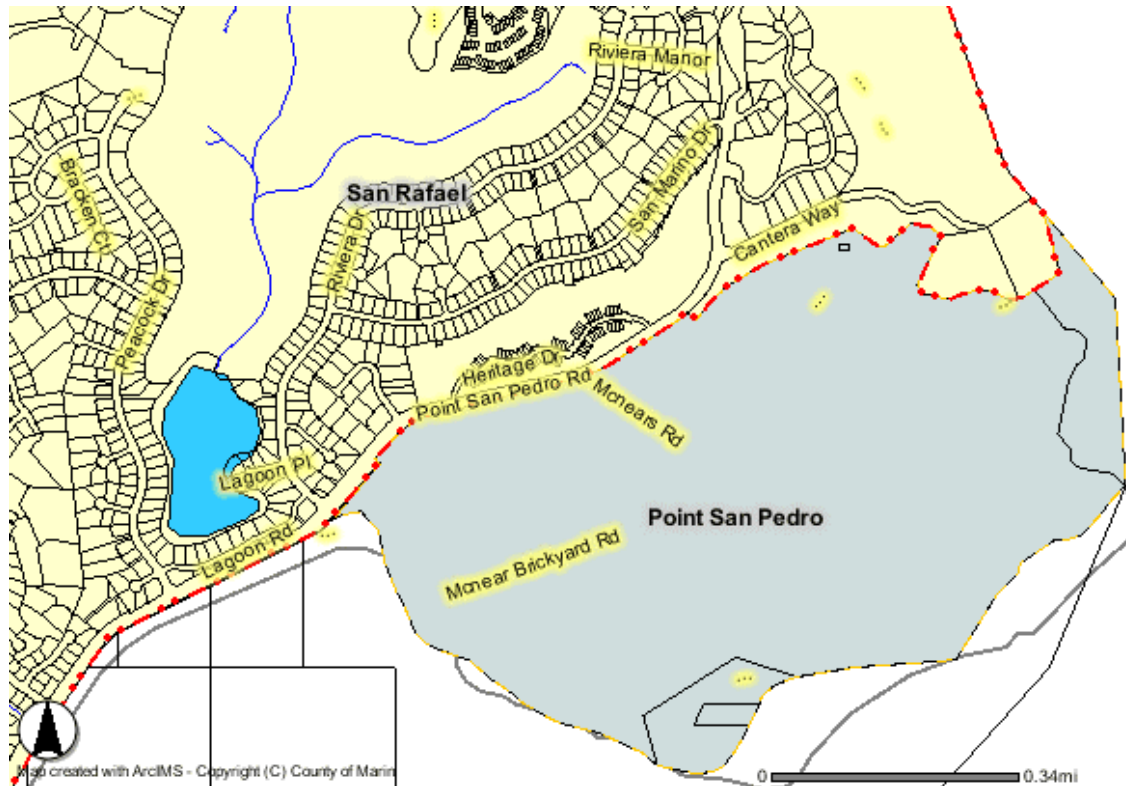
Bayside Acres is currently receiving City services through the County Service Area #19 for fire protection and sewer through San Rafael Sanitation District. However, there are some parcels not hooked up to the sewer system due to the homes remaining on septic possibly due to access constraints. The Marin County Sheriff's Office is responsible for law enforcement services in the Bayside Acres neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Bayside Acres as needed.

**8. San Rafael Rock Quarry**

Existing Sphere of Influence

The San Rafael Rock Quarry is located on the east side of Highway 101 down Point San Pedro Road along the San Pablo Bay peninsula. It is contiguous with the city on one side with the rest of the area being bordered by the San Pablo Bay. It is accessible only by city streets and receives only fire protection services from the city through CSA #31.

The quarry is currently operational and is the subject of at least seven years of controversy and legal action by neighbors upset over issues such as noise, dust, blasting and truck traffic. Since the spring of 2004, the quarry and county have been under a legal administrative process to resolve complaints and antagonism over quarry operations, permit issues and environmental impacts.



### City & County General Plans

The property owners would like to continue operations, however, if they cease, the City's General Plan policy NH-143 states that the City should consider annexation to allow for redevelopment of the rock quarry and the brickyard sites. The County is currently updating their Reclamation Plan of the Rock Quarry. The draft revised Reclamation Plan includes plans for a marina, lagoon, harbor, ferry terminal, 350 residential housing units, parks, shops and offices. The mining operations are to cease 17 years after approval of the plan. <sup>46</sup> There are potential development issues to be considered for the reuse of this site due to traffic and road capacity.

<sup>46</sup> Marin Independent Journal, "Big Plans for Quarry", January 24, 2005



### Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Rock Quarry area. The San Rafael Rock Quarry area is located closely to City facilities and the area may already be deemed to benefit them. The City of San Rafael could provide service levels which are the same as or higher than currently provided by the County.

### Need/Demand for Services

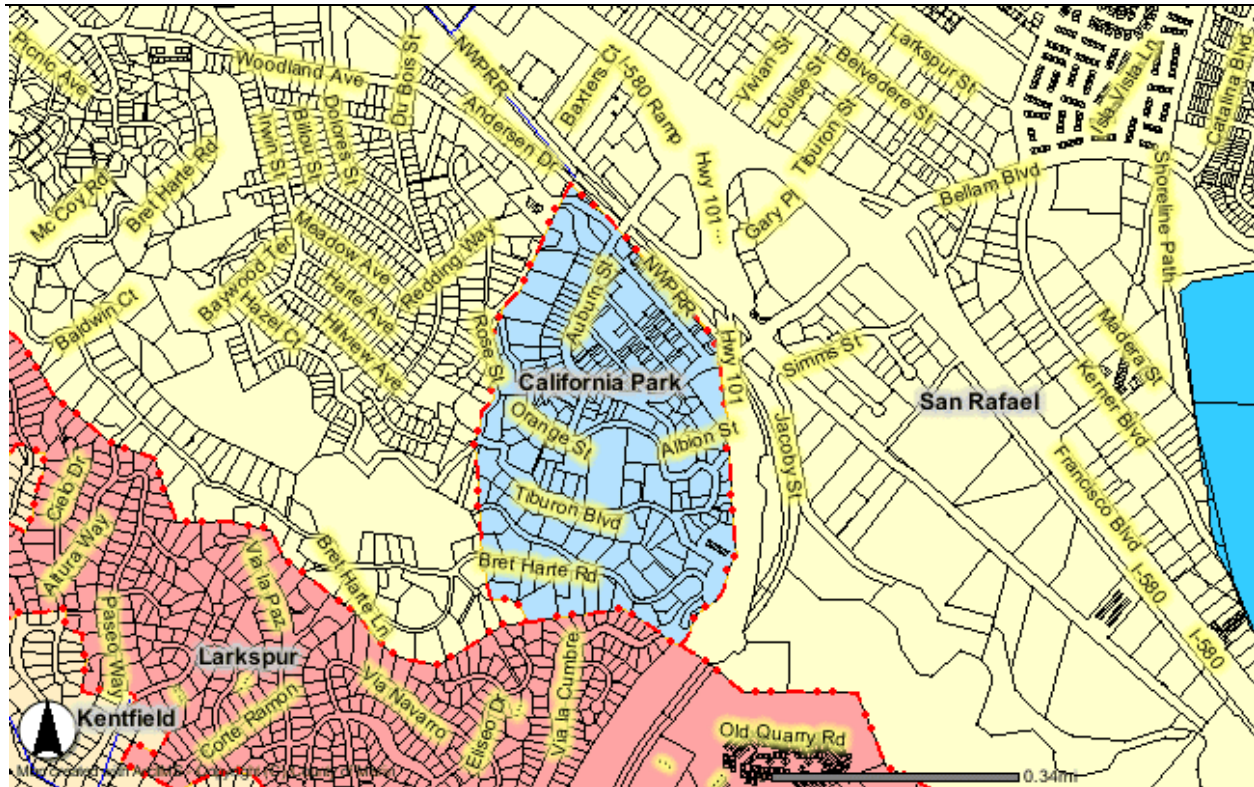
If development should occur in the future and the area was to be annexed to San Rafael, city services would be necessary. Currently, fire services are provided through CSA #31. The Marin County Sheriff's Office is responsible for law enforcement services in the Quarry area. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in the San Rafael Quarry area as needed.

## **9. California Park**

### Existing Sphere of Influence

California Park is an unincorporated area of San Rafael, east of the Bret Harte neighborhood in the southern portion of the Central San Rafael Basin west of Highway 101. It is contiguous with the city on three sides and is accessible primarily by city streets and also by access through Greenbrae from the south. The 99-acre neighborhood consists of a mix of 177 single-family homes and apartments with a remaining development potential of 66 units. Population density in California Park is 4.02, lower than the city average with the current population (2000) of 396. This neighborhood currently receives sewer and fire protection services from the City.

If California Park were to be annexed, it would add an additional 1% to the City's population. The undeveloped Scheutzen Subdivision, located along Auburn Street, consists of very small lots within a wetland area and is a potential future housing site.



### City & County General Plans

There is some potential development opportunity with protection of existing wetlands, although the City's General Plan offers no recommendation for annexation.

### Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the California Park area. The California Park area, being an island, is located closely to City facilities and the area may already be deemed to benefit them. For instance, Fire Station #4 on Castro Street is within one mile of California Park. The City of San Rafael could provide service levels which are the same as or higher than currently provided by the County.

### Need/Demand for Services

California Park is currently receiving City services through the County Service Area #19 for fire protection and through San Rafael Sanitation District for sewer. The Marin County Sheriff's Office is responsible for law enforcement services in the California Park

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neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in California Park as needed.

## **10. Upper Sun Valley (Mt. Tamalpais Cemetery)**

### Existing Sphere of Influence

This area is at the end of Fifth Avenue, below Ridgewood Fire Road. It is contiguous with the city and borders the San Anselmo city limits with access from city streets and San Anselmo. The residential portion of the Sun Valley neighborhood is incorporated into the city limits. The western part of Sun Valley neighborhood, referred to as Upper Sun Valley, is the hillside portion consisting of 148 acres that is not incorporated. This includes the Mt. Tamalpais Cemetery and other undeveloped properties. Currently the Mt. Tamalpais Cemetery is in the process of developing a master plan to include an office building.

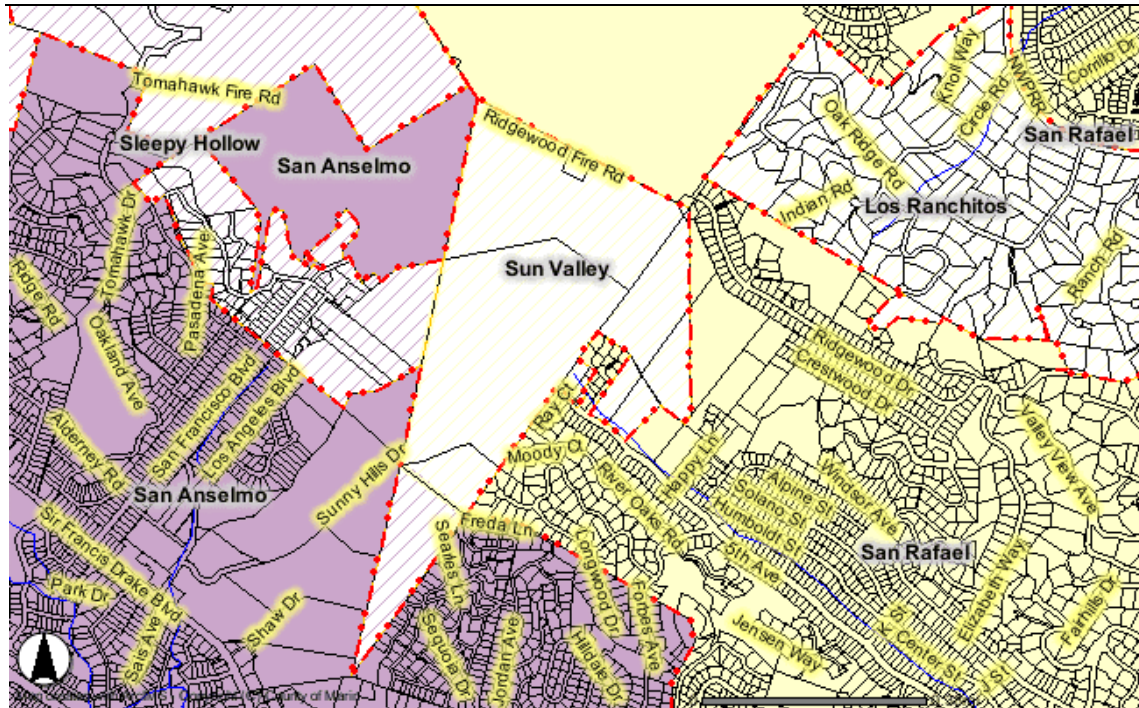
### City & County General Plans

Any potential development would have to consider possible hillside planning issues. San Rafael has a policy NH-158 that states, "Consider annexation of the Mt. Tamalpais Cemetery, which constitutes an important element in the visual backdrop of the neighborhood." Also, policy NH-156 recommends seeking annexation of the Camgros/Ducca properties if they are developed.

### Ability to Extend Services

The operating departments and public facilities of the City of San Rafael are adequate to provide city services to the Upper Sun Valley area. The Upper Sun Valley area, being adjacent to other city neighborhoods, is located closely to City facilities and the area may already be deemed to benefit them. For example, Fire Station #1 on Fifth and C Street is approximately one mile from Upper Sun Valley. The City of San Rafael could provide service levels which are the same as or higher than currently provided by the County.





Need/Demand for Services

The Upper Sun Valley neighborhood receives City services through the County Service Area #31 for fire protection. Currently, there are not any city sewer connections due to there not being any development in the area. If development were to occur, annexation to the San Rafael Sanitation District would be necessary. The Marin County Sheriff's Office is responsible for law enforcement services in the Upper Sun Valley neighborhood. The exceptions are traffic enforcement, traffic complaints, vehicle accidents, and auto theft investigations. These are all handled by the California Highway Patrol in the unincorporated areas. San Rafael's police department responds to emergencies in Upper Sun Valley as needed.

#### **D. RECOMMENDED SPHERE OF INFLUENCE- CITY OF SAN RAFAEL**

Map D shows the recommended sphere of influence for the City of San Rafael derived from the detailed discussion of individual unincorporated areas above and the current definition of spheres of influence in the Cortese-Knox-Hertzberg Act. The recommended City sphere includes unincorporated areas that:

- Are partly or completely surrounded by the City's present boundaries;
- Derive access partly or completely from City streets;
- Share common drainage or other land features with City areas;
- Are isolated from other unincorporated territory and difficult for the County to serve efficiently;
- Can be logically and conveniently served by the City;
- Require or are likely to require urban services; and
- Are planned to include or already include water and sewer facilities.

Unincorporated areas within the recommended sphere of influence are also within the County-designated urban service area for San Rafael in the Built Environment Element of the Countywide General Plan. The County's Plan designates urban service areas to identify land of importance to the general plans of incorporated cities, where public facilities and infrastructure are available and where development could be most readily accommodated in the next twenty years. These criteria are similar to LAFCO criteria for the designation of spheres of influence.

Conversely, 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 for the following reasons:

- Areas which the City is unable to efficiently provide services at the same level as other incorporated areas;
- Areas recommended for exclusion contain large tracts of open space that will not require City services (including the Luiz Ranch (611 acres), Rocking H Ranch (501 acres), Skywalker properties (230 acres) and Magruder properties (61 acres);
- Areas excluded from the City's general plan area (St. Vincent's/Silveira);
- Areas where alternative providers of urban services are available to the extent permitted by County planning policy;
- Areas with street access independent of City streets or without access to City streets;

Map D  
Recommended Spheres of Influence,  
City of San Rafael and Marinwood Community Services District

[View Map](#)

- Areas that are not surrounded or do not share common drainage or other landforms with incorporated areas of the City.

At the publication date of this report, several factors relevant to the City's sphere of influence remain unresolved, including fire service negotiations between the City and Marinwood CSD, allocation of the proceeds of City and County revenue enhancement measures and the adoption of an updated Countywide General Plan. New revenue enhancement measures are also under discussion by the Marinwood CSD governing board.

The recommendation for exclusion of the Lucas Valley, Marinwood and St. Vincent's/Silveira areas from the San Rafael sphere of influence would not impede the City and Marinwood CSD from renewing or extending their contractual relationship for fire service. Ordinarily, extension of service on a contractual basis outside of jurisdictional boundaries of a local government agency requires LAFCO approval. However, contracts for extension of service inside or outside of the City's sphere of influence would not require LAFCO approval under Government Code Section 56133 (e), which exempts service agreements between public agencies "...where the public service to be provided is an alternative to, or substitute for, public services already being provided by an existing public service provider and where the level of service to be provided is consistent with the level of service contemplated by the existing service provider."

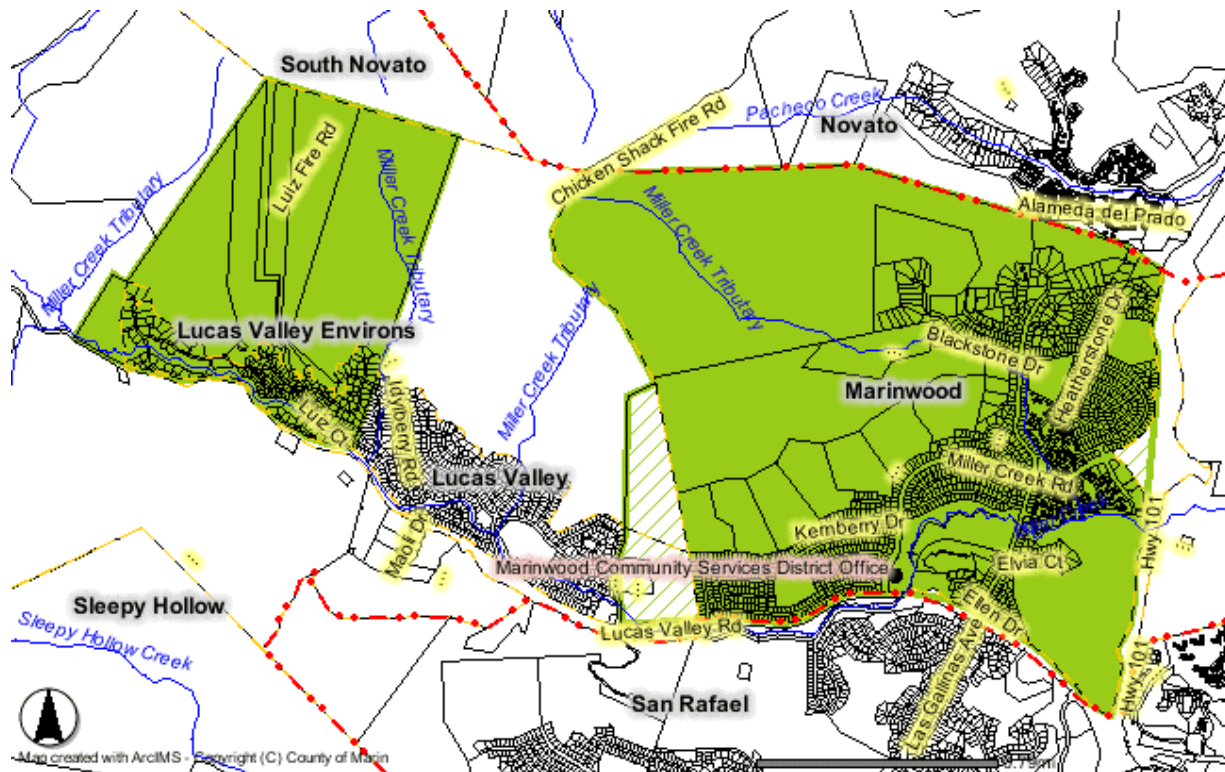
The statutory requirement for periodic review of adopted spheres of influence every five years is intended to incorporate changes to service agreements and other local conditions in boundary plans adopted by LAFCO. Under this requirement, the City's sphere of influence will be reviewed again in 2011. Marin LAFCO has also adopted policies and procedures for reviewing sphere of influence at the request of interested parties as conditions warrant during the five-year interval between periodic reviews (see Chapter IV, Section 4 of Policies, Procedures and Guidelines).

## E. SPECIAL DISTRICTS

### 1. Marinwood Community Services District

#### Existing Sphere of Influence

The existing boundary of Marinwood CSD includes Marinwood, Upper Lucas Valley, and unincorporated areas west on Lucas Valley Road (see below and Map E). Neither the existing boundary or sphere of influence includes the Lucas Valley area, which receives recreational services and facilities through the Lucas Valley Homeowners Association.



The Lucas Valley neighborhood has remained an unincorporated community since its development in 1961 as one of Joseph Eichler's last projects, keeping itself separate from Marinwood and the City of San Rafael by virtue of a private homeowners association operated under the Davis-Stirling Act. The community consists of 538 homes and a series of recreation and other facilities owned by the Lucas Valley Homeowners Association. Facilities owned and maintained by the Homeowners Association include a community

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center, pool, tennis courts, horse stables, hiking trails, landscaped grounds, underground utilities, and television cable and internet infrastructure.

The Lucas Valley Homeowners Association operates with several committees including the Architectural Review, Cable & Internet, Creek, Emergency Response, Finance, Horseowners, Legal, Pool, Recreation, Tennis, Swim Team, Open Space and Welcoming committees. The Association administers covenants, codes and restrictions that preserve the unique architectural character of the Eichler and American Housing Guild homes in the area.

The Association's activities are funded by annual dues of \$540 per home paid quarterly. The Lucas Valley area has been excluded from the boundaries and sphere of influence of the Marinwood CSD due to the presence of the Lucas Valley Homeowners Association and its successful operation of facilities that largely duplicate those of the District.

#### City & County General Plans

San Rafael's General Plan does not have any policy recommendations for Marinwood CSD except for a site specific policy regarding the Daphne/Bacciocco property. This policy suggests that annexation to the City shall not be required although development must receive approval of traffic allocation from the City. Land needed for planned highway interchange improvements should be acquired, ideally through the development review process. These provisions have already been implemented through conditions of development approval for the Daphne/Bacciocco area.

In the Marin Countywide Plan there is a policy to consider the removal of the unincorporated, established communities, such as Marinwood, from the urban service areas of San Rafael if so indicated by LAFCO's actions, i.e. if LAFCO removes Marinwood from the sphere of influence of the City of San Rafael.

#### Ability to Extend Services

Potential future development in the Marinwood area and within San Rafael's SOI includes the Oakview (Daphne/Bacciocco) development, located on the 106.3-acre parcel located at the northwest corner of Highway 101 and Lucas Valley Road. The Oakview development is well within the current emergency response range of Marinwood CSD as is the open space area shown within the District's current sphere of influence (stripe pattern area in map above).

The adequacy of the District's present fire and EMS services and its ability to continue to

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extend those services to its existing jurisdictional area are the primary issues in review of its sphere of influence. The District operates under the same disadvantages as other fire protection organizations in California – revenue transfers to the State, escalating safety standards, retirement costs etc. – which are aggravated by the District’s small size. Fire protection service provided by the District is in part dependent on the City of San Rafael. The State’s staffing requirements for entering burning buildings call for a minimum of four firefighters at the scene. Marinwood CSD’s minimum on-duty staff is three firefighters. The City provides significant and necessary backup for all fires, including incident command and other services.

The impending reduction or termination of the City’s fire protection service contract with Marinwood CSD is likely to create two possible outcomes for the District:

- MCSD will be able to remain an independent provider of fire protection service through voter approval of new special assessments; or
- MCSD will be able to develop a new contractual relationship with the City, County Fire or Novato FPD.

Marinwood CSD’s current rates of compensation and employee benefits are less than those of County Fire, the City of San Rafael or the Novato Fire Protection District. Contractual arrangements with any of these agencies to augment Marinwood CSD’s ability to extend service to its existing or an expanded service area will be more costly than its previous arrangement with the City of San Rafael. Any outcome is likely to require enhancement of Marinwood CSD’s existing revenues for fire protection.

The District’s communications with Marinwood residents explaining the District’s financial difficulty and organizational do not include mention of annexation of Marinwood to the City of San Rafael and the merging of MCSD’s functions fire and recreation functions by City departments. Amendment of the City’s sphere of influence to exclude Marinwood will preclude this alternative, but would not be an obstacle to continuation of a service contract between the City and MCSD.

#### Need/Demand for Services

The Marinwood CSD provides parks and recreation, fire service and street lighting to the unincorporated community of Marinwood, Upper Lucas Valley, and unincorporated areas west on Lucas Valley Road.

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Development of the St. Vincent's/Silveira area under the County's jurisdiction represents a new source of potential demand for Marinwood CSD services. The exclusion of St. Vincent's/Silveira from the San Rafael SOI would require both County and special district services including fire protection, EMS and recreation. Marinwood CSD currently responds to fire calls in areas of CSA 31, including St. Vincent's Silveira. If the area is developed with up to 500 residential units under alternatives in the Draft Countywide Plan, Marinwood CSD is a logical source of fire and recreation services in the absence of extension of service by the City of San Rafael.

St. Vincent's is within two miles (and four minutes) of Marinwood CSD facilities. New service demand on Marinwood CSD's fire service from new development up to 500 units as described in Draft Countywide Plan alternatives would not require acquisition of new equipment or generate a volume of calls for service in excess of the District's capacity. Paramedic service to the St. Vincent's/Silveira, Lucas Valley and Marinwood areas would remain with the City of San Rafael under the existing joint powers agreement. With no new capital investment required by the District, new property tax and special assessment revenues from development at St. Vincent's would create net fiscal benefits for Marinwood CSD if annexation were to occur.

Although previous development proposals for St. Vincent's have included extensive recreation facilities, the District's recreation facilities and programs would be available and utilized by St. Vincent's residents. The District relies on attracting the paid participation of residents of Marinwood and non-residents to broaden the financial base for its programs. New demand for the District's park and recreation services will result from development of St. Vincent's/Silveira with or without expansion of the District's sphere of influence or boundary to include the area.

#### Recommended Sphere of Influence

Staff recommends that the sphere of influence of the Marinwood Community Services District be amended to include the portions of the St. Vincent's/Silveira area between U.S. 101 and the Northwest Pacific railroad tracks as shown on Map D. The recommendation is based on the following assumptions:

- The Marinwood and St. Vincent's/Silveira areas are removed from the sphere of influence of the City of San Rafael as recommended elsewhere in this report;
- The St. Vincent's Silveira area is expected to develop with up to 500 residential units as described in alternatives listed in the Draft Countywide Plan; and



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- Financial problems currently experienced by Marinwood CSD with respect to provision of fire protection service will be ultimately resolved through enhancement of the District's special assessment for fire, not through annexation of the area to the City of San Rafael and dissolution of Marinwood CSD.
  - Marinwood CSD will not require LAFCO approval for extending its contractual agreement with the City if Marinwood, Lucas Valley and St. Vincent's/Silveira are excluded from the City's sphere of influence.

## **2. San Rafael Sanitation District**

### Existing Sphere of Influence

In November, 1984, the Marin Local Agency Formation Commission adopted a Sphere of Influence Report for the San Rafael Sanitation District. The Commission's action contained an implementation measure statement that the District should "cooperate with reorganization of existing districts into a sanitation agency". In February, 1989, LAFCO approved amendment of the SRSD Sphere of Influence to include the entirety of the State of California's China Camp State Park. The existing sphere of influence does not include the San Rafael Rock Quarry or the Upper Sun Valley areas as shown on Map B in Chapter I.

### City & County General Plans

San Rafael's General Plan 2020 has a policy for the City to work with the sanitation districts on methods to provide the most cost-efficient level of service possible and a program to support legislation to encourage consolidation of multiple jurisdictions in the San Rafael Planning Area.

The draft Marin Countywide Plan (2004) has a policy to promote alternative wastewater systems to enhance water quality and a program to urge sanitary districts to consider volumetric billing, partnering with water district to reduce the volume of wastewater that must be treated, and employing biological methods to treat sewage.

### Ability to Extend Services

San Rafael Sanitation District is a collection only sewer agency faced with limited demand for additional service. The District has the ability to provide collection service to its existing customers, limited growth anticipated within its jurisdiction and to additional areas within the sphere of influence of the City of San Rafael such as Upper Sun Valley

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and the San Rafael Rock Quarry.

Need/Demand for Services

San Rafael Sanitation District provides sewer service to the portion of San Rafael south of Puerto Suello hill to the southerly city limit and the unincorporated areas of Country Club, Bayside Acres and California Park. Remaining development potential for these unincorporated areas is approximately 110 units. There are also several parcels in Country Club and Bayside Acres that continue to use individual septic systems. It is unknown when or whether they will need sewer service in future years. Although the County is presently engaged in updating a reclamation plan for the San Rafael Quarry, the present industrial uses in the area are not expected to change to uses requiring sewer service in the next ten to fifteen years. The Upper Sun Valley area includes uses that are connected to the SRSD collection system without being included in the District's boundary.

Service relationships

San Rafael Sanitation District is a "collection only" sewer agency relying on Central Marin Sanitary Agency for treatment and disposal.

SRSD is one of four collection-only sewer agencies of the Central Marin Sanitation Agency, a joint-powers agency that owns and operates a single treatment plant. Each of the four member agencies continues to maintain a sewage collection system, all four collection systems terminating at the CMSA plant.

The District maintains a staff of a part-time manager (40%), a part-time director (15%), a full-time administrative person and nine full-time maintenance workers. The SRSD director is also the City of San Rafael's Public Works director.

Recommended sphere of influence

Staff recommends that the sphere of influence of the San Rafael Sanitation District be amended to include the Upper Sun Valley area which would allow the annexation of territory already receiving service from the District to be annexed to the District's jurisdiction as shown on Map E. The Commission should anticipate further study of SRSD's service relationships with other members of the Central Marin Sanitation Agency during the Ross Valley Service Review and Sphere of Influence Update next year.

### **3. Las Gallinas Valley Sanitary District**

#### Existing Sphere of Influence

The Sphere of Influence for Las Gallinas Valley Sanitary District adopted in 1983 includes the incorporated and unincorporated portions of San Rafael north of Puerto Suello Hill including portions of the St. Vincent's/Silveira and the Daphne/Bacciocco properties, areas north and south of Lucas Valley Road. Some parts of the Santa Venetia area and parcels on Scettrini Drive north of Vista Marin are not in the District's sphere of influence (see Map A).

#### City & County General Plans

San Rafael's General Plan 2020 contains a policy calling for the City to work with the sanitation districts on methods to provide the most cost-efficient service possible and a program to support legislation to encourage consolidation of multiple jurisdictions in the San Rafael Planning Area.

The draft Marin Countywide Plan (2004) has a policy to promote alternative wastewater systems to enhance water quality and a program to urge sanitary districts to consider volumetric billing, partnering with water district to reduce the volume of wastewater that must be treated, and employing biological methods to treat sewage.

In addition, policies and alternatives in the Draft Countywide Plan appear to rule out urban development in the St. Vincent's/Silveira area east of the Northwest Pacific Railroad track.

#### Ability to Extend Services

In December 2001, Ed Nute of Nute Engineering performed a study and concluded that the maximum buildout of the District would be 19,562 EDU (equivalent dwelling unit). In the past, the flow has been 200 gallons/day per EDU. Now, due to expense and education, the average is 156 gallons per EDU for a total of 15,100 total EDUs. Using a flow of 200 gallons per dwelling unit, the maximum buildout flow would be 3,924,000 gallons per day. Currently, the maximum capacity is 2.9 million gallons per day.<sup>47</sup>

In order to meet proposed growth, the District will have to provide some additional plant improvements to accommodate the additional flow and work with MMWD to expand the recycled-reuse system to allow LGVSD to remain in reclamation mode for six months of

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<sup>47</sup> Interview with Al Petrie, January 4, 2005.

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the year. These improvements include new lines and a major electrical upgrade.

The district is planning on spending over \$10 million over the course of two years including use of its reserve fund. The District spent \$4.2 million in 2004 in reserves on capital improvements and plans to spend another \$5.5 million in 2005-06 on new lines and a major electrical upgrade.

LGVSD is preparing to sell an \$8 million bond in fall 2005 to replenish reserve funds spent on the major capital improvements to aging equipment. Part of it will be paid for by a 107 percent rate increase that will send annual bills up from \$146 per year in 2004 to \$303 by 2008. This is the first time the district has gone into debt and the first time for original equipment replacement.<sup>48</sup>

#### Need/Demand for Services

According to the County's Community Development Department, the remaining development potential for the unincorporated areas in the service area is 697 units, well within the District's ability to provide service under current capital improvement plans.

#### Service relationships

Las Gallinas Valley Sanitary District provides sewage collection and wastewater treatment for the portion of San Rafael that is north of Puerto Suello Hill including several unincorporated areas. LGVSD also provide solid waste (garbage, rubbish, waster matter, refuse) and recycling services through the District's franchise service provider, Marin Sanitary Service for the unincorporated areas of North San Rafael. The City of San Rafael provides solid waste, also through Marin Sanitary Service, for the incorporated areas of North San Rafael.

Since 1989, LGVSD has had an agreement with Marin Municipal Water District to provide a joint agency effort to treat the District's secondary treated wastewater through the tertiary phase and then distribute the treated wastewater (approximately 650 acre feet/year) throughout the District to make it available for landscape irrigation and for other purposes. MMWD distributes the treated wastewater throughout Marinwood, Terra Linda down to North San Pedro Road.

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<sup>48</sup> "Sewer District to Sell Bond", Marin Independent Journal, May 23, 2005.

### Other Considerations

LGVSD is currently considering alternatives for lateral inspections as a response to state and federal agencies requiring sanitary districts to eliminate overflow areas that back up from blocked lines or during heavy winter rains. Approximately 70 percent of blockages occur in sewer laterals. The inspections would apply to all residential and commercial properties in the District.

### Recommended sphere of influence

The main issue in review of LGVSD's sphere of influence is the continued inclusion of the Silveira Ranch and St. Vincent's property east of the Northwest Pacific Railroad tracks. These areas are unlikely to require extension of urban services under City or County general plans and have been recommended for exclusion from the City's sphere of influence elsewhere in this report. However, these areas are surrounded by areas within the District's current boundaries (including District-owned spray fields) that may be developed in various recreational uses similar to those cited as the basis for including similar lands to the north in the sphere of influence of the Novato Sanitary District (see Map E). To the south of this area, recreational land located within the boundary of the City of San Rafael (including McInnis Park) is also included in the District's sphere of influence. On balance, staff recommends that the LGVSD sphere of influence remain unchanged in this area.

On the southern boundary of LGVSD, immediately west of the Los Ranchitos area, the San Rafael Ridge/Sleepy Hollow-Terra Linda Divide open space area should be removed from the District's sphere of influence based on lack of demand for future sewer service.

Map E  
Recommended Spheres of Influence,  
San Rafael Area Sewer Agencies

[View Map](#)

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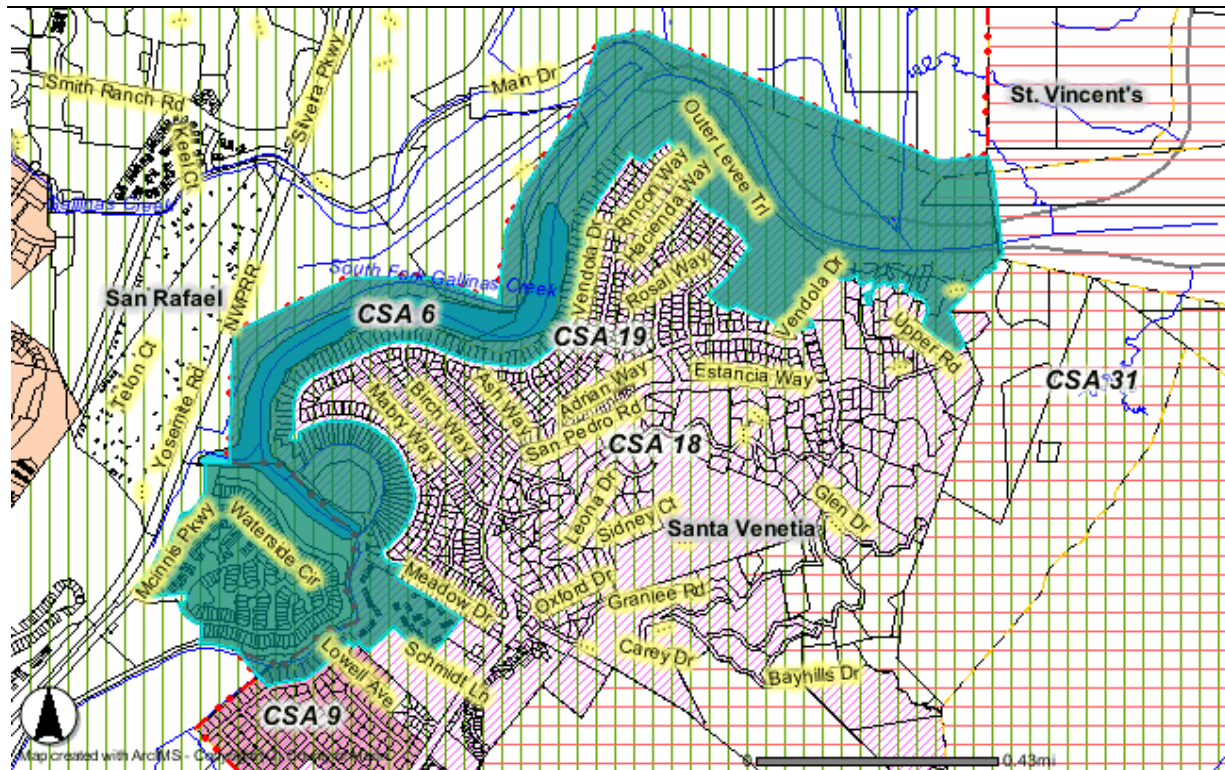
#### **4. County Service Areas**

Alternatives to the current government structure for the CSAs are limited given their relatively small size and the limited class of services they provide. In general CSAs can be reorganized as independent agencies, consolidated with other CSAs, merged with cities or dissolved. If a CSA chose to reorganize as an independent agency, it would be required to provide its own management. The CSAs may lose the efficiencies created by having one organization manage all the CSAs. No other agencies were identified that would be appropriate successor agencies for the CSAs or that could assume all the responsibilities for the services provided throughout all of the territory within the boundaries of CSAs. Another government structure option is to detach territory from a CSA by having the same territory annexed to a city. While CSA boundaries can include areas within a city provided the city council of the affected city agrees (Government Code Sec. 25210.10(a) and 25210.80(a)), the County Service Area Law requires that when territory is annexed to a city it is automatically excluded from a CSA (Government Code Sec. 25210.90).

##### **a. County Service Area #6**

County Service Area #6 provides channel maintenance to the area east of the south fork of the Gallinas Creek. Most of the area of CSA #6 is unincorporated; however, Marin Lagoon is within the boundaries of the City of San Rafael.

The boundaries of CSA #6 follow the south fork of the Gallinas Creek northeast from opposite the intersection of Edward Avenue & Mark Twain Avenue in the Northbridge area, including both branches around Santa Margarita Island, to the point of discharge into the San Pablo Bay as shown on the following map. The land area served consists of 286 acres. Currently, CSA #6 is made up of 488 parcels with a current year tax allocation of \$144,409. The annual amount allocated varies with the property tax. The extent of channel maintenance activity is limited to these property tax collections.



In 1983, a sphere of influence study was performed by Marin LAFCO studying special districts in the Richardson Bay and Las Gallinas/Lucas Valley areas. In June, 1983, the Marin LAFCO commission established a sphere of influence for CSA #6 that is coterminous with the existing agency boundary and land adjoining the northerly boundary of Gallinas Creek. In February 1989, a development known as Marin Lagoon was annexed to CSA #6.

Demand for channel maintenance service by CSA #6 will continue indefinitely, but would not logically be expanded to additional adjoining areas. If the area is eventually annexed to the City of San Rafael, the functions of County Service Area #6 would become the responsibility of the City of San Rafael.

Recommended sphere of influence

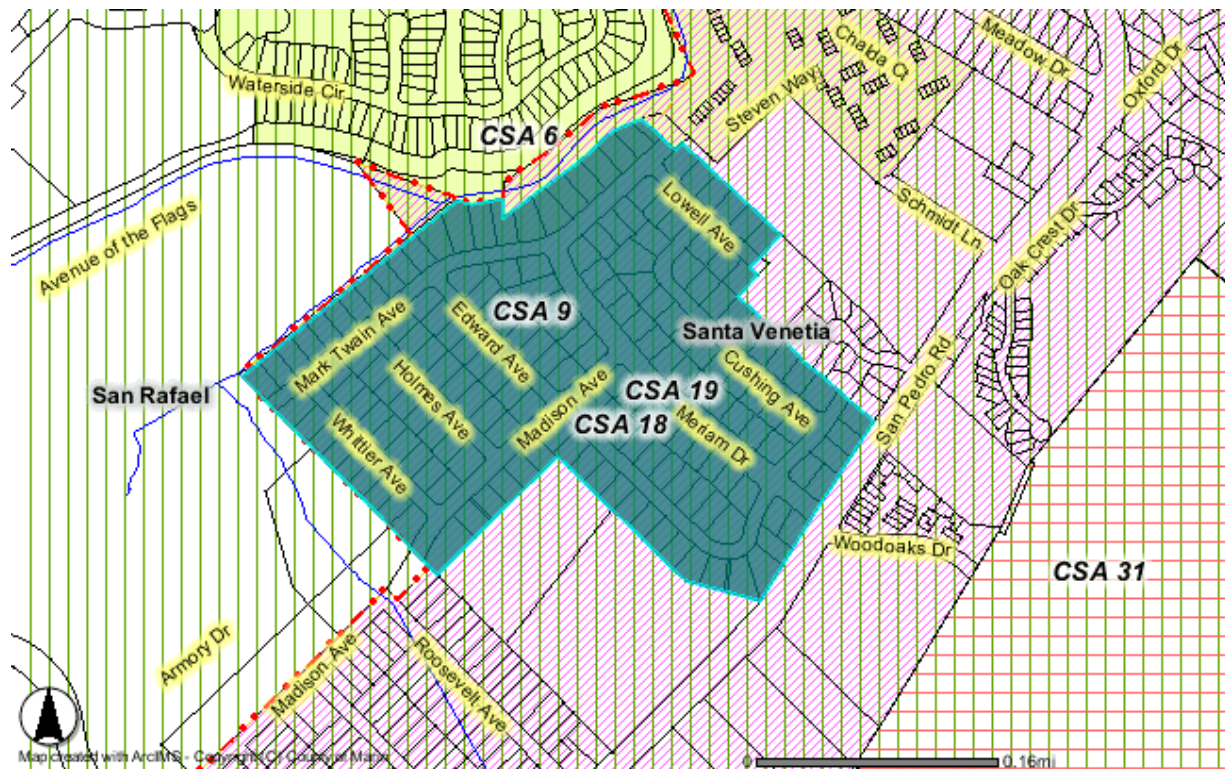
Staff recommends that the sphere of influence of CSA #6 remain coterminous with its boundaries.



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**b. County Service Area #9**

County Service Area #9 provides median strip and landscape maintenance service to the Northbridge area within unincorporated Santa Venetia east of the Civic Center as shown on the map below. Service is performed by the County Department of Public Works. The land area served consists of approximately 46 acres.



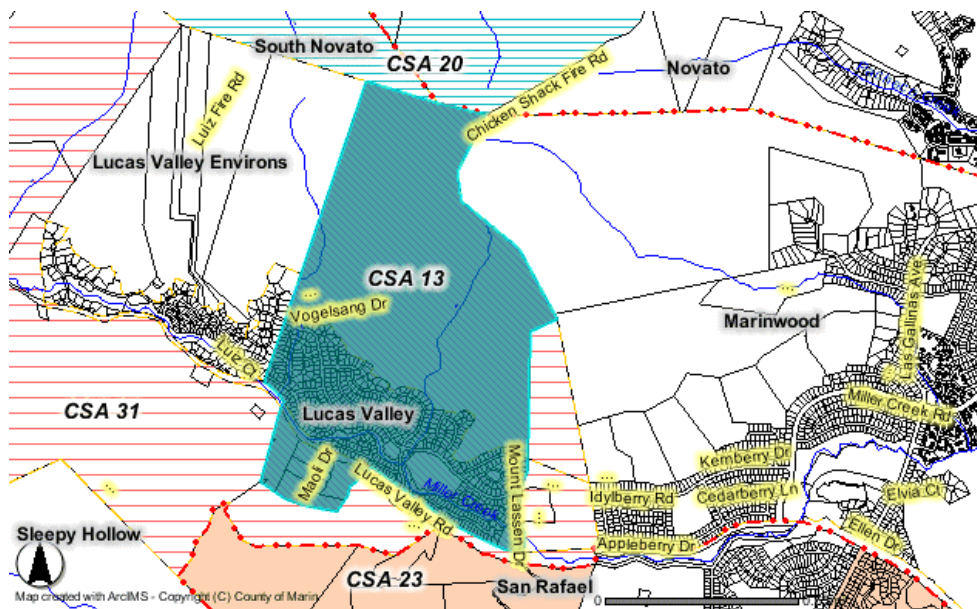
In 1983, Marin LAFCO established a sphere of influence boundary for CSA #9 coterminous with the existing agency boundary. If the area were to be eventually annexed to the City of San Rafael, CSA #9 would be dissolved and its functions assumed by the City.

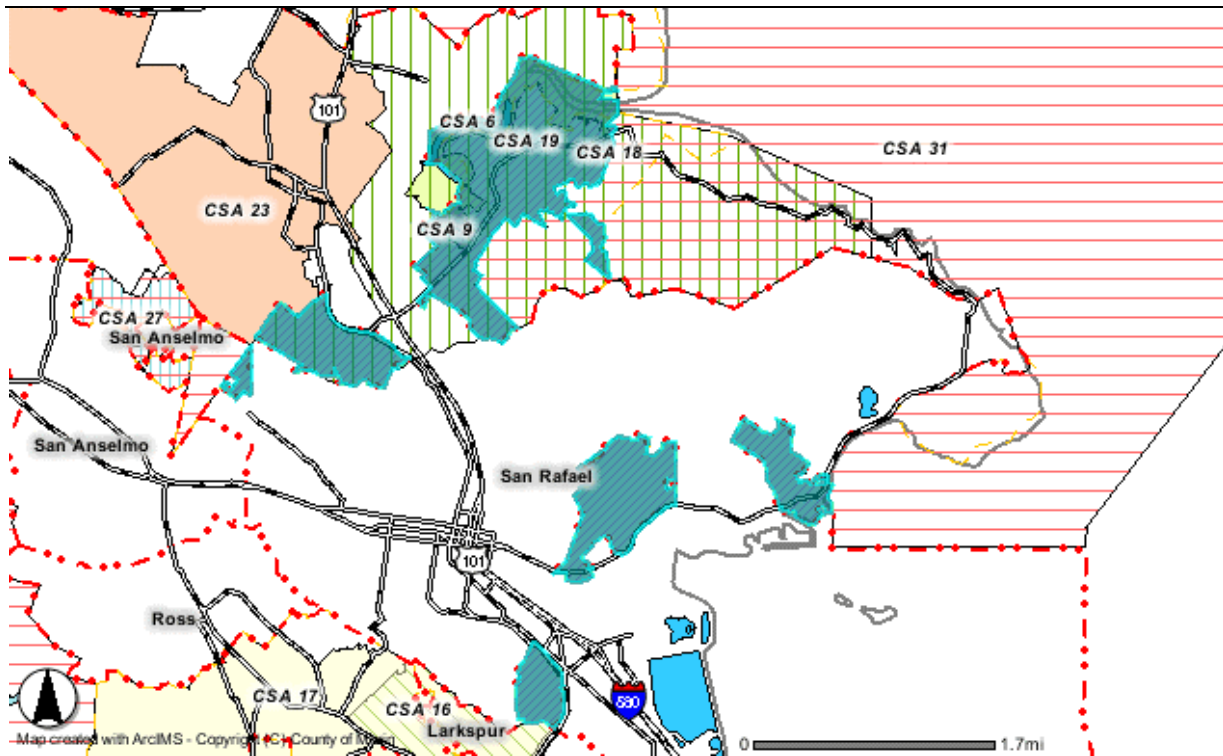
Recommended sphere of influence

Staff recommends that the sphere of influence of CSA #6 remain coterminous with its boundaries.

**c. County Service Areas #13, 19 & 31**

County Service Area #31 provides financial support for County Fire’s structural fire protection and open space maintenance in unincorporated areas of the County that are outside the boundaries of cities and other special districts providing fire protection service. CSAs #13 and #19 provide a similar financial function, with their tax revenues used to compensate Marinwood CSD and the City of San Rafael for structural fire protection to urbanized unincorporated areas in the San Rafael sphere of influence. The service areas of CSAs #13 and #19 are shown on the maps below:





Demand for structural fire protection service will continue indefinitely. As unincorporated areas served by any of the three CSDs are annexed to the City, they will be detached from the CSD. Revenues formerly flowing to the CSD for fire protection will be shifted to the City as the City's boundary and fire protection responsibility is expanded.

The existing spheres of influence of CSAs #13 and #31 are coterminous with their current boundaries as established by LAFCO in 1983. In 1984, Marin LAFCO adopted a "zero" sphere of influence for CSA #19 in order to encourage annexation of unincorporated areas surrounded by the City of San Rafael.

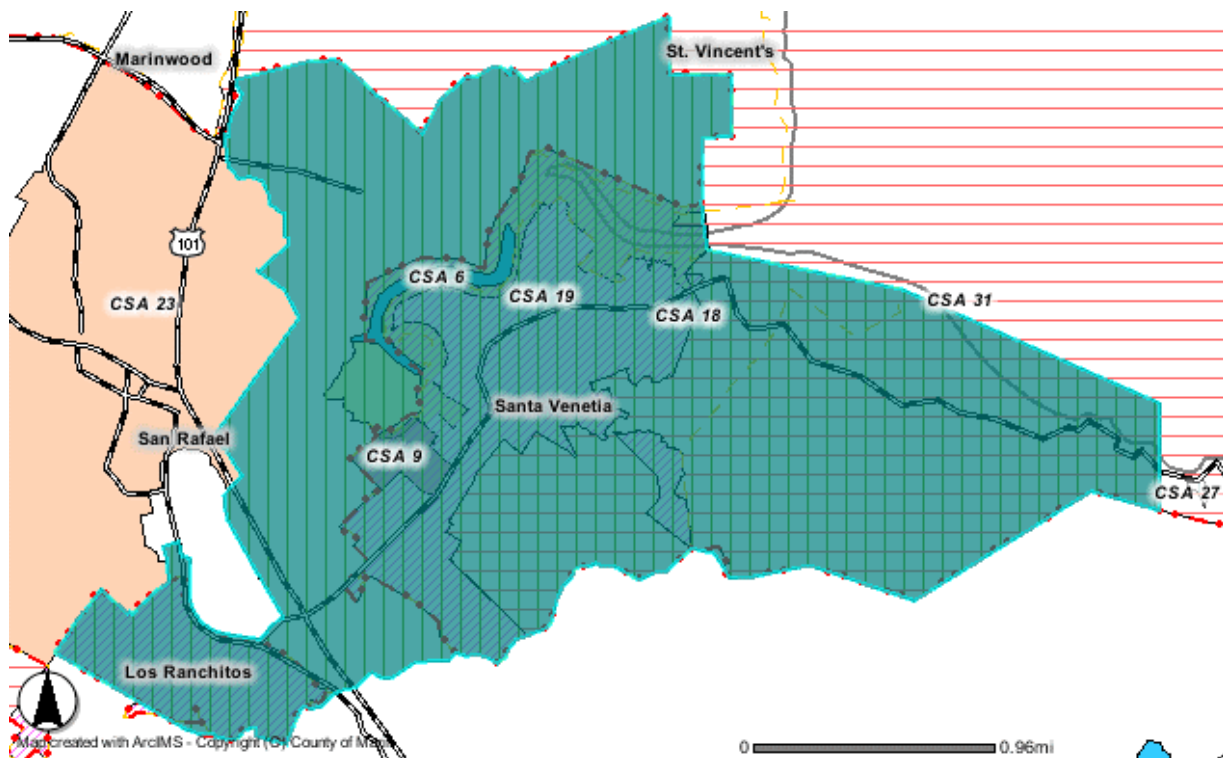
#### Recommended sphere of influence

Staff recommends that the spheres of influence of CSAs #13, and #31 remain coterminous with their current boundaries and that the zero sphere of influence adopted for CSA #19 remain unchanged.

#### d. County Service Area #18

County Service Area #18 provides park and recreation facilities and services to the incorporated and unincorporated territory in north San Rafael known as the Las Gallinas service area. CSA#18 funds the maintenance of Castro, Field, Adrian Rosal and Pueblo parks and a series of smaller pocket parks and landscaped areas. The jurisdiction of CSA#18 includes the larger McLinnis and Lagoon parks but does not contribute to their maintenance. The maintenance services provided by CSA #18 are performed by the staff of the County's Parks and Open Space Maintenance Division.

Demand for this service will continue indefinitely, but would not logically be expanded to any additional area of the City of San Rafael. The area served by CSA #18 is shown on the map below.



In 1983, Marin LAFCO established a “zero sphere of influence” for CSA #18 determining that the district should be dissolved upon payment of outstanding open space bonds and the presumed annexation the service area to the City of San Rafael. All bonds serviced by CSA #18 funding have been paid off. The Commission’s 1983 sphere of influence determination apparently did not anticipate the continuing need

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for park maintenance in unincorporated areas in the absence of annexation to San Rafael of Santa Venetia and other unincorporated areas. All the park and open space facilities maintained by CSA #18 are located in the unincorporated portion of the CSA. The City of San Rafael realizes no apparent benefits from inclusion of its incorporated territory in the CSA #18 boundary.

Recommended sphere of influence

In light of the continuing need for the maintenance services funded by CSA #18 in the unincorporated areas of the northern San Rafael area and in light of the lack of benefits to the City of San Rafael from CSA #18 services, staff recommends that the sphere of influence of CSA #18 be amended to include the unincorporated areas of CSA #18 only.

## **GLOSSARY: Common LAFCO and Planning Terms**

### **LAFCO Terms**

**Annexation:** The inclusion of territory in a city or special district.

**Change of organization:** An alteration of government structure, including: city incorporation; district formation/annexation to, or detachment from a city or district; city disincorporation; district dissolution; city or district consolidation; or merger or establishment of a subsidiary district.

**Consolidation:** The uniting or joining of two or more cities, or two or more districts located in the same county into a single new successor city or successor district.

**Contiguous:** In the case of annexation, territory adjacent to an agency to which annexation is proposed. Territory is not contiguous if the only contiguity is based upon a strip of land more than 300 feet long and less than 200 feet wide.

**Dependent special district:** A special district whose board of directors is another legislative body, such as a city council or board of supervisors. Also see special district.

**Detachment:** The exclusion of territory from a city or district.

**Dissolution:** The termination of the existence of a district.

**Formation:** The creation of a district.

**Incorporation:** The creation of a city.

**Independent special district:** A special district that has a directly elected board of directors. Also see special district.

**Inhabited territory:** Territory within which 12 or more registered voters reside.

**Initiating petition:** A document signed either by registered voters or landowners that requests LAFCO to consider a change of organization or reorganization.

**Island:** Unincorporated territory substantially surrounded by a city, or territory surrounded by a city on one or more sides and the Pacific Ocean on the remaining sides.

**Merger:** The termination of the existence of a district, and the assumption of the district's

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responsibilities by a city.

**Reorganization:** Two or more changes of organization initiated in a single proposal.

**Special district:** A local governmental agency formed pursuant to general law of the state or special act.

**Sphere of influence:** A plan for the probable physical boundaries and service areas of a city or district.

**Sphere-of-influence amendment:** The changes or updating of an adopted sphere of influence.

**Sphere-of-influence designations:** Common types of sphere of influence designations:

1. **Coterminous:** A sphere may be designated for a city or special district that is the same as its existing boundaries if there is no anticipated need for services outside the boundaries of the agency, or if there is insufficient information to support inclusion of additional territory within the sphere.
2. **Larger than:** A sphere may be designated for a city or special district that is larger than its existing boundaries if there is a need for services beyond its boundaries.
3. **Smaller than:** An agency may be designated a sphere that encompasses less territory than its existing boundaries if there is not need for services from the agency in the affected territory, or if the territory is included in the sphere of another agency.
4. **Zero:** A zero sphere which includes no territory maybe designated for an agency, usually a special district. A zero sphere assumes that the public service responsibility and function of the agency should ultimately be reassigned to another agency.
5. **Interim Sphere of Influence:** A sphere of influence designation adopted by LAFCO describing a projected maximum service area for a special district that will remain in effect until the district's service area is annexed to a city or until the district is consolidated with another special district that provides the same services.

**Sphere-of-influence determinations:** In establishing a sphere of influence, the Commission must consider and prepare written determinations related to present and planned land uses, need and capacity of public facilities, and existence of social and economic communities of interest.

**Subsidiary district:** A district of limited powers for which a city council is designated as the ex officio board of directors of the district. At least 70% of the district's land area and number of

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registered voters must be within the city limits for a district to become a subsidiary district.

**Uninhabited territory:** Territory within which less than 12 registered voters reside.

**Urban Services:** Generally those services provided by cities and special districts and required for urban development: Water, sewer, fire, police, road maintenance/public works, recreation and associated services. Urban services as used in this context do not include schools or services typically provided on a regional basis by county or state agencies, such as public health and criminal justice (courts).

### **Planning Terms**

**Community plan:** A focused planning policy document that is part of a general plan. The community plan addresses a particular region within the overall planning area of an agency and is adopted in the same manner as a general plan.

**General plan:** a document containing a statement of development policies including a diagram and text setting forth the objections of the plan. The general plan must include certain state-mandated elements related to land use, circulation, housing, conservation, open space, noise and safety.

**Pre-zoning:** (Also see zoning) A zoning action taken by a city prior to annexation of unincorporated territory. Pre-zoning is required prior to city annexation in order to identify land use regulations that would apply if annexation is completed. Pre-zoning has no regulatory effect until the property is formally annexed.

**Specific plan:** A policy statement and implementation tool that is used to address a single project or planning problem. Specific plans contain concrete standards and development criteria that supplement those of the general plan.

**Urban growth boundary or urban limit line:** A planning boundary established by a city or county that shows that limits of urban development (i.e., development greater than one residence per acre).

**Zoning:** The primary instrument for implementing the general plan. Zoning divides a community into districts or “zones” which specify the permitted/prohibited land uses.