

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 96-01

RESOLUTION AMENDING THE NOVATO COMMUNITY SPHERE OF INFLUENCE AND  
URBAN SERVICE AREA BOUNDARIES FOR THE CITY OF NOVATO AND THE  
NOVATO SANITARY DISTRICT

RELATING TO  
TERRITORY IN THE NORTH NOVATO SPECIFIC AREA

THIS LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY  
MAKES THE FOLLOWING DETERMINATIONS AND FINDINGS:

A. This Commission is required by the Cortese-Knox Local Government Reorganization Act of 1985, as amended ("Act") to establish and periodically update the spheres of influence and the urban service area boundaries for the cities and other local agencies within Marin County.

B. In conformance with State mandates, this Commission has adopted and applied the Commission's Policy Guidelines ("Policies"), including certain criteria for the establishment and amendment of spheres of influence and urban service area boundaries for Marin local agencies. In so doing, this Commission -- recognizing that individual agency policies often will impact other local governmental service agencies -- determined that local agencies serving the Novato area (including the City of Novato ("City") and the Novato Sanitary District ("Sanitary District")), should be studied together as a whole community ("Novato Community"), rather than separately.

C. Therefore, this Commission established a sphere of influence boundary and an urban service area boundary for the City and the Sanitary District (collectively, the "SOI/USA Boundaries"), in accordance with the Act and the this Commission's Policies. Application has been made to revise the SOI/USA boundaries as set forth in Exhibit A to this Resolution ("SOI/USA Boundary Amendment"). The area subject to the SOI/USA Boundary Amendment is referred to as the "SOI/USA Territory." The SOI/USA Territory is included within the area, referred to as the "Reorganization Territory," which is the subject of a related landowner petition and City resolution to include the Reorganization Territory within the City and the Sanitary District (collectively, the "Reorganization Proposal").

D. The Executive Officer of this Commission reviewed the SOI/USA Boundary Amendment and prepared a report to this Commission making evaluations, conclusions, and recommendations regarding the SOI/USA Boundary Amendment ("Executive Officer's Report"). The Executive Officer's Report was presented to and considered by this Commission.

E. At the time and in the form and manner prescribed by the Act, the Executive Officer of this Commission has given notice of public hearing by this Commission on the SOI/USA Boundary Amendment. The public hearing on the SOI/USA Boundary Amendment was held by this Commission upon the date and at the time and place specified in that notice of public hearing. At the public hearing, the Commission considered all relevant information in the record as a whole, including without limitation the application materials and all other relevant materials for the SOI/USA Boundary Amendment and the Reorganization Proposal, the environmental impact report regarding all necessary LAFCO actions and the urban development of the Reorganization Territory, the Marin Countywide Plan, County approvals for development of the Reorganization Territory, the City's General Plan Extension from the Governor's Office of Planning and Research, the applicable City General Plan, Measure B enacted by the City voters on November 7, 1995, the Act, this Commission's Policies, the Executive Officer's Report, other environmental documents, documents referenced in the attached exhibits, communications from other public agencies, the administrative record for the Reorganization Proposal, other public records germane to this action, the written and oral evidence presented prior to and at the public hearing of this Commission, and the other evidence constituting the administrative record as a whole for this action (collectively "Administrative Record").

NOW, THEREFORE, THE LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN DOES RESOLVE, FIND, ORDER AND DETERMINE AS FOLLOWS:

1. Recitals Made Part Of This Action; Action Based On Record. The above-stated recitals are true and correct and are made a part of this action. Each of the actions taken herein by this Commission is independently reviewed, considered and based on the Administrative Record.

2. Environmental Impact Findings. Pursuant to Government Code section 56375, this Commission has no power to impose any conditions which would directly regulate land use density and intensity, property development, or subdivision requirements. To the extent that environmental review may be required, this Commission adopts the findings and statement of overriding considerations attached as Exhibit B. The contents of Exhibit B are hereby incorporated by this reference as if set forth in full at this place.

3. Commission Points of Consideration and Determination. The Act, this Commission's Policies, and aspects of the SOI/USA Boundary Amendment require or suggest that this Commission consider certain factors in approving the USA/SOI Boundary Amendment. The Commission adopts as its written statement of findings and determinations, the evaluations and conclusions of the Executive Officer's Report. The evaluations and conclusions of the Executive Officer's Report are hereby incorporated by this reference as if set forth in full at this place.

4. Approval of SOI/USA Boundary Amendment. This Commission, having considered the current service capabilities of the City and the Sanitary District, the criteria set forth in the Act, the other State mandated criteria and related laws, the Administrative Record as a whole, and all of the factors set forth in this Resolution, does hereby approve the requested

SOI/USA Boundary Amendment. The SOI/USA Boundaries for the City and the Sanitary District, as set forth in the SOI/USA Boundary Amendment, are approved as submitted and are as described in Exhibit A hereto.

5. Severance Clause. If any portion, part, section, subsection, subdivision, sentence, phrase, word, term, provision, covenant or condition of this Resolution (collectively, "portion") or the application of any portion of this Resolution to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, such portion shall be considered severed from this Resolution and the remaining portions of this Resolution, or the application of this Resolution to other situations, shall continue in full force and effect. This Commission declares that its intent is to adopt each portion of this Resolution independently and separately, and that it would have adopted each portion of this Resolution regardless of the validity or enforceability of any other portions of this Resolution.

PASSED AND ADOPTED following a duly noticed public hearing, by the Marin Local Agency Formation Commission on the 4th day of January, 1996 by the following vote:

AYES: Commissioners Burner, Giacomini, Kress, Richardson, Ware and Williams

NOES: Commissioner Thayer

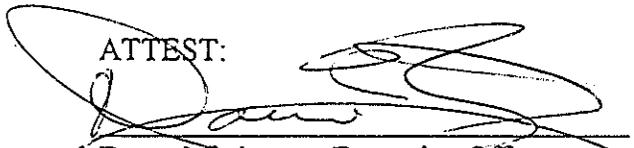
ABSTAIN: NONE

ABSENT: NONE

Erwin Williams

Erwin Williams, Chairman,  
Marin Local Agency Formation Commission

ATTEST:

  
Dawn Mittleman, Executive Officer

Dated: January 4, 1996

The foregoing instrument is a correct copy of the original on record in the office of the Local Agency Formation Commission of the County of Marin, State of California.

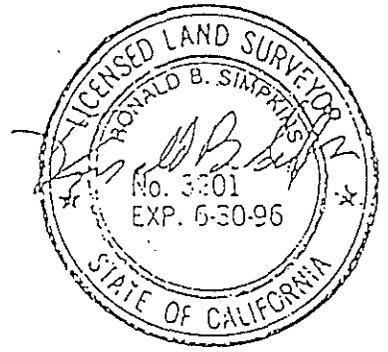
3

By 

Executive Officer

Revised: June 13, 1995  
Date: June 8, 1995  
File: S-170-030

Exhibit C  
(1 of 2 pages)



DESCRIPTION

REDWOOD BOULEVARD NORTH  
(BUCK CENTER FOR RESEARCH IN AGING)  
ANNEXATION TO CITY OF NOVATO

Mapping No. 6/95

Beginning at a point on the existing boundary of the City of Novato, said point also being the most westerly corner common to Parcels 1 and 2 as shown on the Parcel Map of "Pashberg Land Division" recorded in Book 19 of Parcel Maps, Page 23, Marin County Records;

thence along said City of Novato boundary, also being the southwesterly line of said Parcel 2, North 43°06'52" West (North 43°07'06" West 19 P.M. 23) 2,430.00 feet;

thence leaving said City of Novato boundary line North 46°53'08" East 1,100.00 feet;

thence South 71°33'40" East 2,401.16 feet to the easterly line of said Parcel 2;

thence along said easterly line South 02°06'57" East (South 02°07'14" East 19 P.M. 23) 540.00 feet to the common easterly corner of Parcels 1 and 2 as shown on said Pashberg Parcel Map (19 P.M. 23);

thence along the line of said Parcel 1 South 65°20'41" East 570.17 feet;

thence North 70°24'46" East 369.28 feet;

thence South 18°39'34" West 259.45 feet (South 18°39'36" West 259.42 19 P.M. 23);

thence South 43°23'16" West 370.97 feet;

thence South 59°45'52" East 1,133.57 feet;

thence South 28°23'45" West 93.90 feet;

thence South 34°02'38" West 529.62 feet (South 33°55'37" West 531.93 19 P.M. 23);

thence South 15°41'20" West 116.82 feet;

thence South 15°36'14" East 225.26 feet; ( South 15°36'14" East 225.28 19 P.M. 23);

thence South 10°29'03" West 152.60 feet to the existing boundary of the City of Novato;  
thence along said City boundary, also being the line of said Parcel 1, South 85°50'18" West 69.23 feet (South 85°17'01" West 69.23 19 P.M. 23);  
thence North 19°22'07" West 191.64 feet (North 19°55'24" West 191.64 19 P.M. 23);  
thence North 40°52'07" West 137.30 feet (North 41°07'25" West 137.29 19 P.M. 23);  
thence North 75°37'07" West 98.40 feet (North 75°37'21" West 98.40 19 P.M. 23);  
thence North 75°45'07" West 942.00 feet (North 75°45'21" West 939.32 19 P.M. 23);  
thence South 10°19'53" West 159.80 feet (South 10°19'39" West 156.66 19 P.M. 23);  
thence South 01°28'07" East 174.40 feet (South 01°28'21" East 174.39 19 P.M. 23);  
thence South 04°29'53" West 206.50 feet (South 04°29'39" West 206.49 19 P.M. 23);  
thence South 07°37'53" West 91.92 feet (South 07°37'39" West 90.90 19 P.M. 23);  
thence North 59°57'07" West 819.36 feet (North 59°57'22" West 819.57 19 P.M. 23);  
thence North 43°06'52" West 900.00 feet (North 43°07'06" West 900.00 19 P.M. 23), to the  
POINT OF BEGINNING.

Containing 180.05 acres.

DESCRIPTION

REDWOOD BOULEVARD NORTH  
ANNEXATION TO NOVATO SANITARY DISTRICT  
(BUCK CENTER FOR RESEARCH IN AGING)

Mapping No. 16/95

Beginning at a point on the existing boundary of the Novato Sanitary District, said point also being the most westerly corner common to Parcels 1 and 2 as shown on the Parcel Map of "Pashberg Land Division" recorded in Book 19 of Parcel Maps, Page 23, Marin County Records;

thence along said Novato Sanitary District boundary and the extension thereof, also being the southwesterly line of said Parcel 2, North 43°06'52" West (North 43°07'06" West 19 P.M. 23) 2,430.00 feet;

thence leaving said southwesterly line of Parcel 2, North 46°53'08" East 1,100.00 feet;

thence South 71°33'40" East 2,401.16 feet to the easterly line of said Parcel 2;

thence along said easterly line South 02°06'57" East (South 02°07'14" East 19 P.M. 23) 540.00 feet to the common easterly corner of Parcels 1 and 2 as shown on said Pashberg Parcel Map (19 P.M. 23);

thence along the line of said Parcel 1 South 65°20'41" East 570.17 feet;

thence North 70°24'46" East 369.28 feet;

thence along said Parcel 1 of 19 P.M. 23 South 18°39'34" West 259.45 feet;

thence South 43°23'16" West 370.97 feet;

thence South 59°45'52" East 1,133.57 feet;

thence South 28°23'45" West 93.90 feet;

thence South 34°02'38" West 529.62 feet;

thence South 15°41'20" West 116.82 feet;

thence South 15°36'14" East 225.26 feet;

thence South 10°29'03" West 152.60 feet;

thence South 85°50'18" West 69.23 feet;

thence North 19°22'07" West 191.64 feet;

thence North 40°52'07" West 137.30 feet;

thence North 75°37'07" West 98.40 feet to the existing boundary of Novato Sanitary District;

thence along said Novato Sanitary District Boundary and the boundary of 19 P.M. 23 North 75°45'07" West 942.00 feet;

thence South 10°19'53" West 159.80 feet;

thence South 01°28'07" East 174.40 feet;

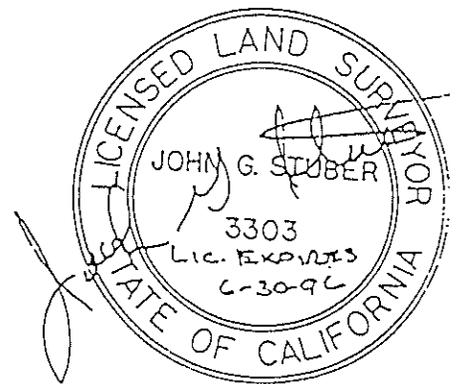
thence South 04°29'53" West 206.50 feet;

thence South 07°37'53" West 91.92 feet;

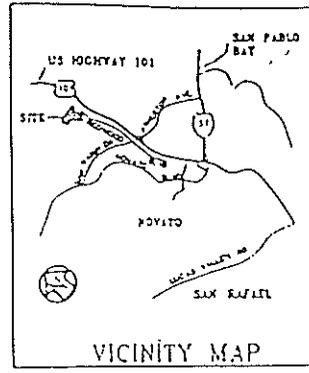
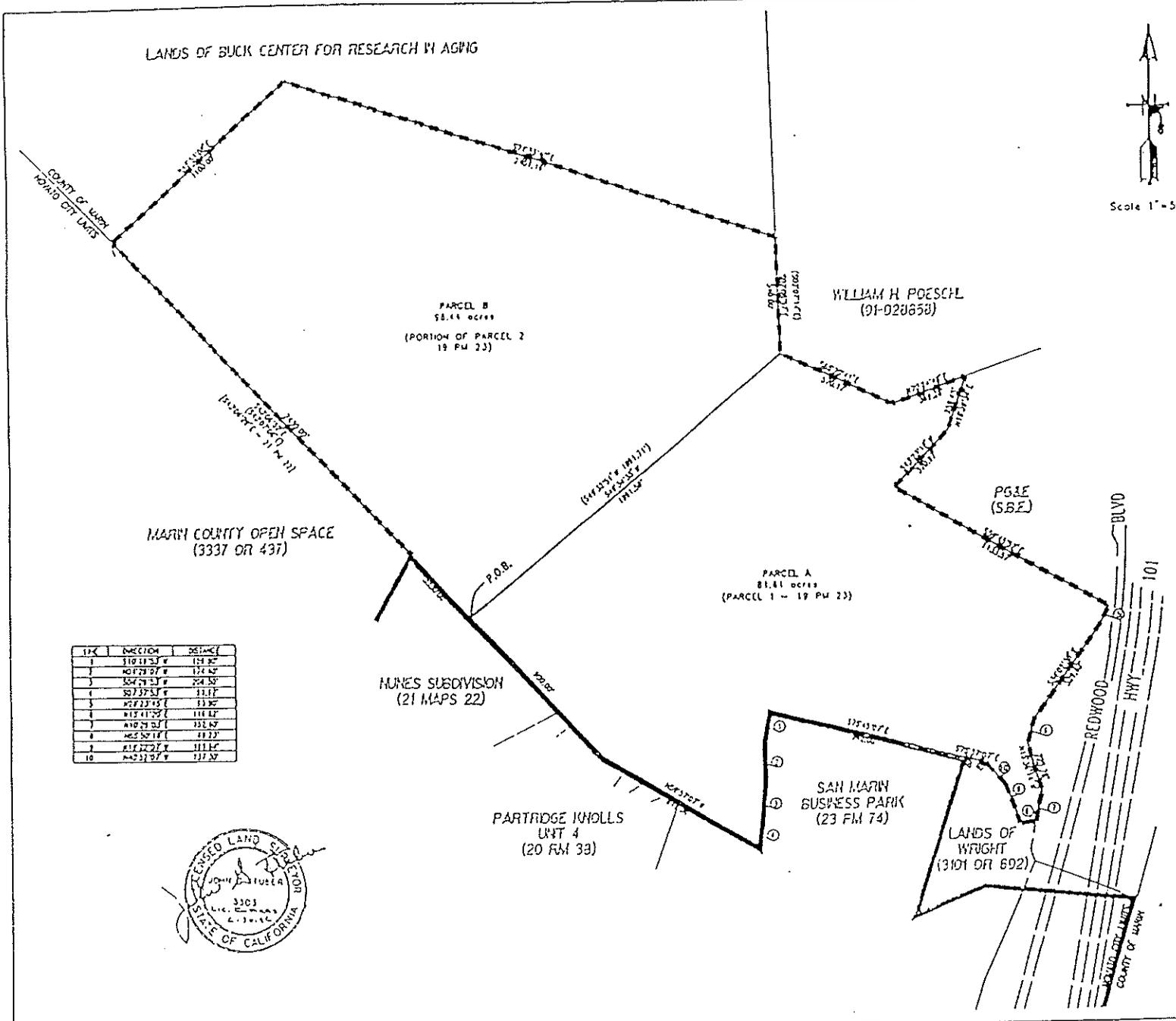
thence North 59°57'07" West 819.36 feet;

thence North 43°06'52" West 900.00 feet; to the POINT OF BEGINNING.

Containing 180.05 acres.







**LEGEND**

- ( ) INDICATES BEARING/DISTANCE SHOWN ON 19 PM 23
- EXIST. NOVATO SANITARY DISTRICT LIMITS
- PROPOSED NOVATO SANITARY DISTRICT LIMITS
- AREA = 180.05 ACRES (TOTAL)

PK	DIRECTION	DISTANCE
1	S10°11'33" W	124.82'
2	N07°29'07" W	174.62'
3	S04°29'23" W	224.30'
4	S07°33'53" E	111.11'
5	N02°23'55" E	53.92'
6	N12°41'29" E	118.42'
7	N10°21'03" E	331.62'
8	N65°50'18" E	41.22'
9	N11°22'22" E	111.11'
10	N42°33'07" W	227.32'



MAPPING NO. 16/95  
**ANNEXATION MAP**  
**REDWOOD BOULEVARD NORTH**  
 (BUCK CENTER FOR RESEARCH IN AGING)

ANNEXATION TO  
 NOVATO SANITARY DISTRICT  
 DATE: NOV. 7, 1995  
 COUNTY OF MARIN CALIFORNIA

CSW  
 [St]²  
 CSW/STUBER-STROCK  
 ENGINEERING GROUP, INC.  
 CONSULTING ENGINEERS  
 740 Colma Ave., Novato, CA 94945-3208  
 (415) 892-1753 Fax (415) 892-1562