

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION 22-30

RESOLUTION APPROVING AN ANNEXATION OF 255 MARGARITA DRIVE TO SAN RAFAEL SANITATION DISTRICT WITH WAIVER OF NOTICE, HEARING AND PROTEST PROCEEDINGS

“Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1367)”

WHEREAS Paul Thompson, hereinafter referred to as “Property Owner,” has filed a validated landowner petition with the Marin Local Agency Formation Commission, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS the proposal seeks Commission approval to annex approximately 1.60 acres of unincorporated land to San Rafael Sanitation District; and

WHEREAS the affected territory represents an entire lot developed with an existing single-family residence located at 255 Margarita Drive and identified by the County of Marin Assessor’s Office as APN 016-011-29 (“Property”); and

WHEREAS the Commission’s staff has reviewed the proposal and prepared a report with recommendations; and

WHEREAS the staff’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS the Commission considered all the factors required by law under Government Code Section 56668 and 56668.3 and adopted local policies and procedures.

WHEREAS the proposal is for an annexation of territory that is uninhabited, and no affected local agency has submitted a written demand for notice and hearing as provided for in Government Code section 56662(a).

NOW THEREFORE, the Marin Local Agency Formation Commission **DOES HEREBY RESOLVE, DETERMINE AND ORDER** as follows:

Section 1. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described and depicted in Exhibits “A” and “B” attached hereto and by this reference incorporated herein.

Section 2. As a condition of approval of the annexation, one of the following must occur by no later than December 9, 2022: (1) Submittal of a notarized easement recorded between the owner of the Property and the property owner of 245 Margarita Drive allowing for the existing public sewer main and written confirmation from San Rafael Sanitation District (SRSD) has approved the new lateral plans and the current connection meets its standards; or (2) written confirmation from SRSD that the owner of the Property has installed the sewer lateral that complies with the original plans SRSD approved in 2015 for the temporary emergency order.

Section 3. As a condition of approval, that a compliant map and legal description are submitted to LAFCo staff no later than December 9, 2022.

Section 4. Approve the proposed annexation of 255 Margarita Drive (APN 016-011-29) to the San Rafael Sanitation District (File #1367) as shown and described on Exhibits "A" and "B" subject to the condition of approval as provided for in Section 2 being completed by no later than December 9, 2022.

Section 5. The territory includes 1.60 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: "Annexation of 255 Margarita Drive (APN 016-011-29) to San Rafael Sanitation District (LAFCo File No. 1367)".

Section 6. The proposal is consistent with the adopted spheres of influence of San Rafael Sanitation District.

Section 7. The Executive Officer is hereby authorized to waive notice and hearing, and protest proceedings and complete reorganization proceedings.

Section 8. As Lead Agency under CEQA for the proposed annexation of APN: 016-011-29 to San Rafael Sanitation District, LAFCo finds that the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319 (a).

PASSED AND ADOPTED by the Marin Local Agency Formation Commission on October 13, 2022 by the following vote:

AYES: Kious, Coler, Rodoni, Moody, Campbell, Loder

NOES: _____

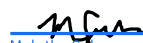
ABSTAIN: _____

ABSENT: Arnold


Lew Kious, Chair

ATTEST:

Jason Fried, Executive Officer

APPROVED AS TO FORM:

Malathy Subramanian, LAFCo Counsel

Attachments to Resolution No. 22-30

- a) Exhibit 'A' – Legal Description
- b) Exhibit 'B' – Map