

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 81-9

RESOLUTION MAKING DETERMINATIONS AND APPROVING A REORGANIZATION
INVOLVING ANNEXATION OF TERRITORY TO THE TOWN OF TIBURON
AND RICHARDSON BAY SANITARY DISTRICT

LA CRESTA REORGANIZATION

WHEREAS, a proposal for a reorganization involving the annexation of certain territory to the Town of Tiburon and the Richardson Bay Sanitary District has been filed with the Executive Officer of this Commission; and

WHEREAS, said proposal was made in the form of Resolution No. 1131, a resolution of application adopted by the Council of the Town of Tiburon and requesting initiation of proceedings pursuant to the District Reorganization Act of 1965, Division 1 (commencing with Section 56000) of the Government Code; and

WHEREAS, said proposal contained property owner consent; and

WHEREAS, at the time and in the form and manner prescribed by law, the Executive Officer has given notice of public hearing by this Commission upon said proposal; and

WHEREAS, the Executive Officer of said Commission scheduled this proposal for a public hearing in order to allow maximum public input; and

WHEREAS, the public hearing on said proposal was held by this Commission upon the date and at the time and place specified in said notice of public hearing, and all interested persons present were afforded an opportunity to speak and be heard on the matter.

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

Section 1. In accordance with the Commission's Statement of Clarification of LAFCo Guidelines, said Commission has thoroughly studied the proposal with respect to conformity of the approved master development plan with applicable town or county general plans and Strawberry Community Plan, and finds that a material inconsistency does not exist.

Section 2. Subject to the terms and conditions hereinafter specified, the reorganization proposal, as amended, is approved.

Section 3. The boundaries of the territory for reorganization, as amended, shall be those set forth in Exhibit A, attached hereto and incorporated herein. The reorganization consists of the following changes of organization: annexation to the Town of Tiburon and annexation to the Richardson Bay Sanitary District. The territory shall be designated as the "La Cresta Reorganization."

Section 4. Said territory is found to be uninhabited.

Section 5. Any resolution ordering the reorganization approved shall provide that such reorganization is ordered subject to the following terms and conditions:

- A. That the boundary be amended to annex only the area slated for residential development with access from Via Los Altos Road as set forth in Exhibit A, attached hereto and incorporated herein.
- B. The Richardson Bay Sanitary District's terms and conditions as set forth in Exhibit ~~C~~_B, attached hereto and incorporated herein.

Section 6. Said Commission strongly encourages the Town Council to favorably consider further annexation of unincorporated areas including Bel Aire Subdivision, The Highlands, Tiburon Hills, Reedland Woods and Bel Aire School sites, and Ring Mountain recognizing that such areas are located within the Town's Sphere of Influence and that such annexation would promote a more efficient pattern for extending urban services.

Section 7. Said Commission suggests, based upon legal counsel's advice, that the Town amend its general plan to adequately apply to the La Cresta site, provided said Town determines that such action is appropriate and justified.

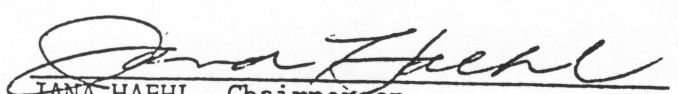
Section 8. The Town of Tiburon, pursuant to Section 56271.1 of the Government Code, is designated as the conducting agency for further proceedings, and is hereby directed to initiate such proceedings in compliance with this resolution and is authorized to take such proceedings upon said reorganization with waiver of notice, hearing, and election requirements in compliance with State law.

Section 9. In accordance with applicable provisions contained in the adopted Marin Local Agency Formation Commission's Guidelines and Procedures, the Town of Tiburon is the appropriate lead agency, has completed an Environmental Impact Report titled "Final Environmental Impact Report, Proposed La Cresta Project, Tiburon, California." This document was certified by the Town of Tiburon on September 3, 1980. The Marin Local Agency Formation Commission hereby certifies that the Commission has considered said document in reaching its decision.


Section 10. The Executive Officer is hereby authorized and directed to mail certified copies of this resolution in the manner prescribed in Section 56272 of the Government Code.

PASSED AND ADOPTED by the Local Agency Formation Commission of the County of Marin on this 12th day of February 1981 by the following vote:

- AYES: Commissioners Boessenecker, Giacomini, Violich, Wilhelm and Haehl
- NOES: None
- ABSENT: None

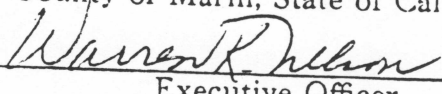

 JANA HAEHL, Chairperson
 Marin Local Agency Formation Commission

ATTEST:


 WARREN K. NELSON, Executive Officer

DATE: February 13, 1981

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

By 
 Executive Officer