

LOCAL AGENCY FORMATION COMMISSION OF MARIN COUNTY

RESOLUTION NO. 87-20

RESOLUTION MAKING DETERMINATIONS AND APPROVING ANNEXATION  
WITH WAIVER OF NOTICE, HEARING AND ELECTION  
TO THE NOVATO SANITARY DISTRICT

"TRUMBULL AVENUE ANNEXATION 1987-2"

WHEREAS, a proposal for the proposed annexation of certain territory to the Novato Sanitary District, in the County of Marin, has been filed with the Executive Officer of this Local Agency Formation Commission pursuant to Title 5, Division 3, commencing with Section 56000 of the Government Code; and

WHEREAS, said proposal was made in the form of Resolution No. 2242, a Resolution of Application, adopted by the Board of Directors of the Novato Sanitary District; and

WHEREAS, said Resolution of Application was accompanied by written consent signed by all owners of land within the territory proposed to be annexed; and

WHEREAS, pursuant to Government Code Section 56837, when a Resolution of Application is accompanied by written consent of all owners of land within the territory proposed to be annexed, this Commission may make determinations with respect to said annexation without notice and hearing; and

WHEREAS, the Executive Officer has reviewed the proposal and prepared a report, including his recommendation thereon, the proposal and report having been presented to and considered by this Commission.

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

Section 1. Subject to the terms and conditions hereinafter specified, the proposal made by Resolution No. 2242, adopted by the Novato Sanitary District, is approved.

Section 2. Adoption of said Resolution Making Determinations approving the "Trumbull Avenue Annexation 1987-2" constitutes a variance from LAFCO's Dual Annexation Policy. Said policy requires simultaneous annexation of unincorporated lands to a city when the land is contiguous to the affected city boundary and located within its urban service area or sphere of influence, whichever is applicable. In this action, LAFCO hereby waives their Dual Annexation Policy based upon the following findings:

- A. Scale: The subject property includes only one dwelling unit of a total of approximately 375 homes located inside the Indian Valley planning area. Although the property is contiguous to Novato city limits on one side, annexation, in this case, would be considered "piecemeal" city annexation.

- B. County Plan: Sewer service is consistent with the County Specific Plan.
- C. Policy Precedent: The Commission has granted policy exceptions to your Dual Annexation Policy allowing sewer annexation without concurrent city annexation in this area. Exceptions have involved six proposals, including two in Indian Valley and four in West Novato: (1) Scholtz property; (2) Struck property (Indian Valley); (3) Sanchez Subdivision; (4) Lammer parcel; (5) Padgett property; and (6) Mohtashem property.

Section 3. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 4. The territory includes 0.72 acre, is found to be uninhabited, and is assigned the following distinctive short form designation: "Trumbull Avenue Annexation 1987-2" to the Novato Sanitary District.

Section 5. The proposal is consistent with the spheres of influence of affected local agencies.

Section 6. Any resolution authorizing the annexation approved by this resolution shall impose the standard terms and conditions of the Novato Sanitary District, as set forth in Exhibit "B" attached hereto and incorporated herein.

Section 7. The Novato Sanitary District is designated as the conducting district for further proceedings, and the Board of Directors of said District is hereby directed to initiate proceedings in compliance with this resolution and is authorized to proceed without notice, or election, pursuant to Government Code Section 56837.

Section 8. The project is categorically exempt pursuant to provisions of the California Environmental Quality Act and the Commission's Environmental Guidelines.

Section 9. The Executive Officer is hereby authorized and directed to mail certified copies of the resolution in the manner prescribed by Section 56853 of the Government Code.

PASSED AND ADOPTED by the Marin County Local Agency Formation Commission on this 8th day of October 1987 by the following vote:

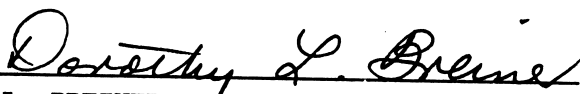
AYES: Commissioners Foote, Williams and Breiner

NOES: None

ABSENT: Commissioners Giacomini and Stockwell

ATTEST:

  
NEIL SORENSEN, Executive Officer

  
DOROTHY L. BREINER, Chairman  
Marin Local Agency Formation Commission

Dated: October 9, 1987

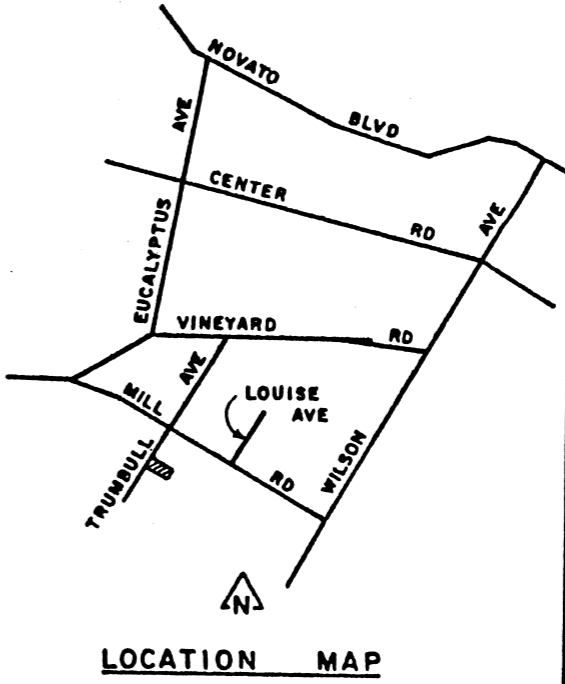
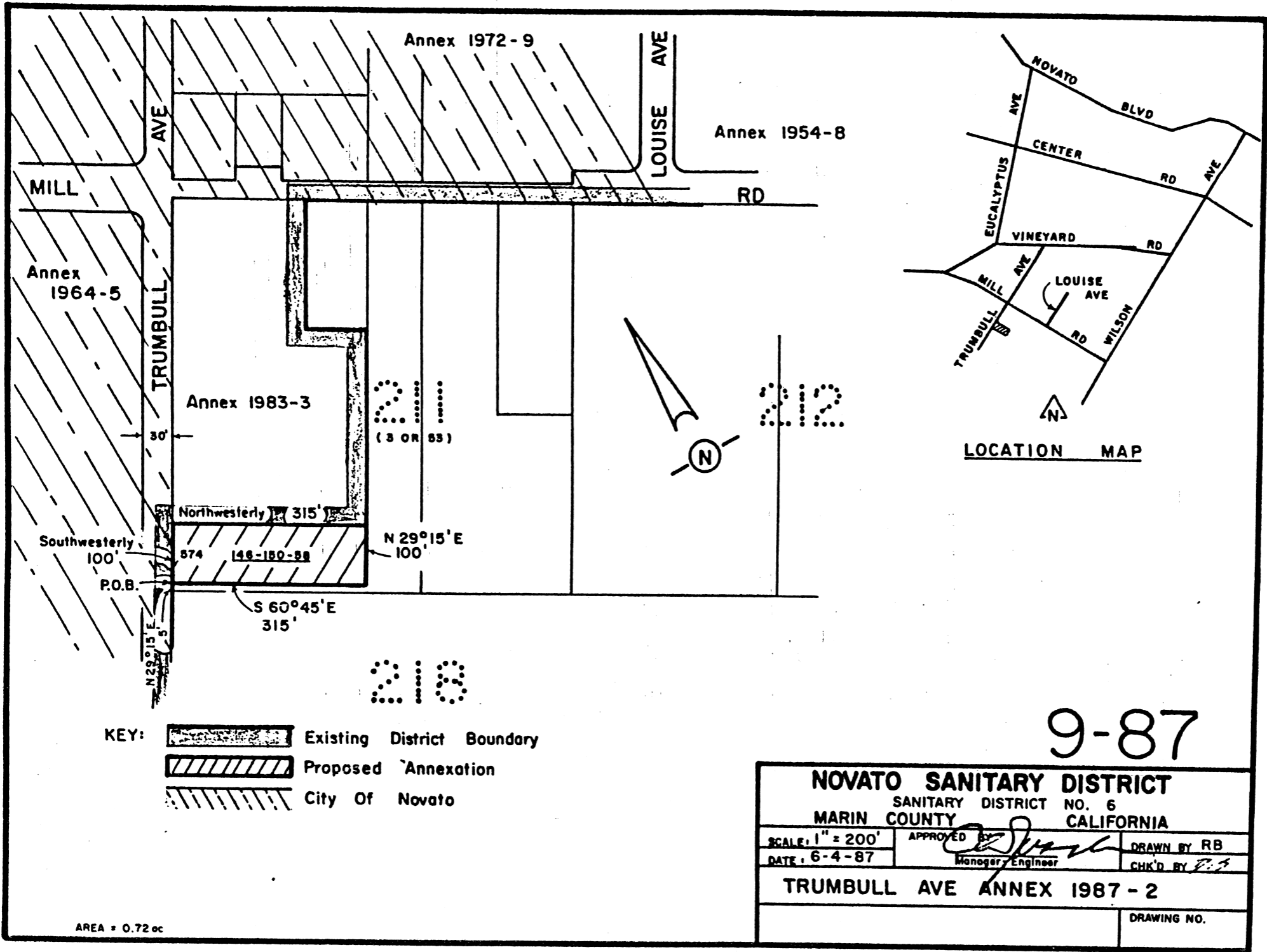
87 76018

6/3/87

NOVATO SANITARY DISTRICT  
Trumbull Avenue Annex 1987-2  
Exhibit "A"

Beginning at a point on the existing boundary of Novato Sanitary District, said point being on the easterly line of Trumbull Avenue distant thereon North 29°15' East 5 ft. from its intersection with the dividing line between Lots 211 and 218 as said Avenue and Lots are shown upon that certain map entitled, "Amended Map No. 1 of Subdivision C of the Novato Ranch, Marin County, Cal.", filed July 6, 1910, in Book 3 of Maps at Page 53, Marin County Records; thence leaving said easterly line of Trumbull Avenue and said Sanitary District boundary South 60°45' East 315 feet; thence North 29°15' East 100 feet to a point on said Sanitary District boundary; running thence along said Sanitary District boundary Northwesterly 315 feet to a point on said easterly line of Trumbull Avenue; thence continuing along said Sanitary District boundary and running along said easterly line of Trumbull Avenue Southwesterly 100 feet to the point of beginning.

Containing 0.72 Ac., more or less.



- KEY:
- Existing District Boundary
  - Proposed Annexation
  - City Of Novato

AREA = 0.72 ac

9-87

<b>NOVATO SANITARY DISTRICT</b>		
SANITARY DISTRICT NO. 6		
MARIN COUNTY CALIFORNIA		
SCALE: 1" = 200'	APPROVED BY	DRAWN BY RB
DATE: 6-4-87	Manager/Engineer	CHK'D BY P.S.
TRUMBULL AVE ANNEX 1987-2		
		DRAWING NO.

87 76018