

LOCAL AGENCY FORMATION COMMISSION OF THE COUNTY OF MARIN

RESOLUTION NO. 80-13

RESOLUTION MAKING DETERMINATIONS AND APPROVING A REORGANIZATION  
INVOLVING ANNEXATION OF TERRITORY TO THE  
NOVATO SANITARY DISTRICT AND THE BEL MARIN KEYS COMMUNITY SERVICES DISTRICT

BEL MARIN KEYS UNIT IV REORGANIZATION

WHEREAS, a proposal for a reorganization involving the annexation of certain territory to the Bel Marin Keys Community Services District and the Novato Sanitary District has been filed with the Executive Officer of this Commission; and,

WHEREAS, said proposal was made in the form of Resolution No. 65, a resolution of application adopted by the Board of Directors of the Bel Marin Keys Community Services District 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, 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 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. Subject to the terms and conditions hereinafter specified, the reorganization proposal is approved.

Section 2. The boundaries of the territory proposed for reorganization 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 Bel Marin Keys Community Services District and annexation to the Novato Sanitary District. The territory shall be designated as the "Bel Marin Keys Unit IV Reorganization."

Section 3. Said territory is found to be uninhabited.

Section 4. Any resolution authorizing the reorganization approved shall impose the following terms and conditions:

- A. Conditions of approval specified in Ordinance 2245, adopted by the Marin County Board of Supervisors, approving a RSP Master Plan for Bel Marin Keys Unit IV.

- B. Conditions of approval imposed by the County Planning Department in approval of the Bel Marin Keys Unit IV tentative map and development plan, including regarding District assumption of common areas' maintenance.
- C. If the developer of Unit IV is any developer other than the current developer, Home Savings and Loan Association, conditions established by the Bel Marin Keys Community Services District augmenting the District's Resolution Making Application No. 65 shall be imposed provided said conditions are in conformance with authorizations contained in Section 56470 of the California Government Code.
- D. The method of payment be established to recoup marginal costs for ongoing services provided by the Bel Marin Keys Community Services District to owners of property to be developed in Unit IV as stated in the fiscal impact report entitled "The Fiscal Impact of the Proposed Bel Marin Keys Unit 4 Development Under Annexation Alternatives" and as provided by Section 56470 of the California Government Code.
- E. The standard terms and conditions imposed by the Novato Sanitary District.
- F. Any other conditions necessary or incidental as provided by law.

Section 5. Lafco approval of the Bel Marin Keys Unit IV Reorganization represents an exception to strict application of Lafco's "Adopted Policy Guidelines" based upon the fact that the site is outside the Novato Community Urban Service Area boundary and Sphere Of Influence boundary as determined, to this date, by said Commission. Said waiver of policies results from analysis of the facts surrounding this single proposal and should not be misinterpreted to have any application to future proposals which will be judged by said Commission on a case-by-case basis.

Section 6. The Marin County Board of Supervisors, pursuant to Section 56270 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 in compliance with state law.

Section 7. The Environmental Impact Report and Environmental Impact Statement relevant to the proposed annexation have been reviewed and considered by the Commission in making its final determination. Pursuant to the California Environmental Quality Act and the Commission's Environmental Guidelines, the Commission hereby certifies the adequacy of the Environmental Impact Report with Addendum - Bel Marin Keys Unit IV - Residential and Recreational Development, dated July 1975, incorporating therein the fiscal impact report entitled "The Fiscal Impact of the Proposed Bel Marin Keys Unit 4 Development Under Annexation Alternatives."

Section 8. 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 18th day of June, 1980, by the following vote:

AYES: Commissioners Wilhelm, Giacomini, and Violich

NOES: Commissioners Haehl and Boessenecker

ABSTAIN: None

ABSENT: None

  
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JANA HAEHL, Chairperson  
Marin Local Agency Formation Commission

ATTEST:

  
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WARREN K. NELSON, Executive Officer

DATE: June 19, 1980

SANITARY DISTRICT NO. 6 OF MARIN COUNTY  
BEL MARIN KEYS UNIT 4 ANNEX

Real property situate in the County of Marin, State of California, described as follows:

Beginning at a point in the existing boundary of Sanitary District No. 6 of Marin County, California, said point being the most southwesterly corner of Bermuda Harbour, the same as shown and delineated on that certain map entitled "The Gardens at Bel Marin Keys, County of Marin, California", filed December 23, 1963 in Volume 12 of Maps at page 52, Marin County Records; thence leaving said southwesterly corner (12 Maps 52) and said boundary of Sanitary District No. 6 South  $6^{\circ}13'30''$  West, 121,816 feet; thence South  $4^{\circ}30'00''$  East, 550.00 feet; thence South  $34^{\circ}30'00''$  East, 675.00 feet; thence North  $56^{\circ}30'00''$  East, 450.00 feet; thence South  $32^{\circ}30'00''$  East, 650.00 feet; thence South  $66^{\circ}30'00''$  East, 1100.00 feet; thence South  $39^{\circ}30'00''$  East, 482.844 feet; thence North  $53^{\circ}20'15''$  East, 1402.954 feet; thence North  $28^{\circ}42'58''$  East, 544.846 feet to a point in the boundary of "Bel-Marin Keys Unit No. 3 in the County of Marin, California", filed August 26, 1965 in Volume 13 of Maps, at page 29, Marin County Records, said point also being in said existing boundary of Sanitary District No. 6; thence northwesterly along said boundary to the point of beginning.