

MARIN LOCAL AGENCY FORMATION COMMISSION

RESOLUTION NO. 19-09

RESOLUTION APPROVING ANNEXATION OF CERTAIN PROPERTY TO THE TOWN OF TIBURON WITH WAIVER OF NOTICE, HEARING AND ELECTION

“Annexation of 4576 Paradise Drive to the Town of Tiburon
(LAFCo File 1346)”

WHEREAS a proposal for the reorganization including annexation of certain territory to the Town of Tiburon and Corte Madera Sanitary District #2 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 a petition filed by the property owners; and

WHEREAS pursuant to Government Code section 56662(a), the territory is uninhabited, no written demand letter was submitted, and the petition is signed by all of the owners of land, which allows the Commission to make determinations without notice and hearing and may waive protest proceedings on the proposal; and

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

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

Section 1. As Lead Agency under CEQA for annexation of Assessor’s Parcel 038-142-02, to the Town of Tiburon, LAFCo finds the Project is categorically exempt from the provisions of CEQA pursuant to State CEQA Guidelines Section 15319(b).

Section 2. The boundaries, as set forth in the proposal, are hereby approved as submitted and are as described in Exhibits “A” and “B” attached hereto are subject to the following condition:

- A. Approved map and legal description to be provided by the applicant.

Section 3. The territory includes 9.575 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: “Annexation of 4576 Paradise Drive to the Town of Tiburon (LAFCo File 1346)”.

Section 4. The proposal is consistent with the adopted sphere of influence for the Town of Tiburon.

Section 5. Determines the annexation has been reviewed considering the factors for evaluation under Government Code Sections 56668 and 56668.3 as provided for in the Executive Officer's report.

Section 6. As a condition to annexation to the Town of Tiburon, that the Town prezone the property to be annexed in accordance with Government Code Section 56375(a)(7) within one year.

Section 7. The Executive Officer is hereby authorized to waive protest proceedings and complete the proceedings in the manner prescribed by the Government Code.

PASSED AND ADOPTED by the Marin Local Agency Formation Commission, on December 12, 2019, by the following vote:

AYES: Commissioners: McEntee, Murray, Rodoni, Coler

NOES: None

ABSTAIN: None

ABSENT: None

Sashi McEntee

Sashi McEntee, Chair
Marin LAFCo

ATTEST:

Jason Fried
Jason Fried, LAFCo Executive Officer

APPROVED AS TO FORM:

Malathy Subramanian
Malathy Subramanian, LAFCo Counsel

Attachments to Resolution 19-09

1. Exhibit "A" – Legal Description
2. Exhibit "B" – Map