

**MARIN LOCAL AGENCY FORMATION COMMISSION**

RESOLUTION 17-11

**MAKING DETERMINATIONS AND APPROVING AN ANNEXATION TO  
THE MARIN MUNICIPAL WATER DISTRICT**

“Lucas Valley Road No. 1 Change of Organization – Marin Municipal Water District”  
(LAFCO File No.1324)

**WHEREAS**, Andre Souang 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 61.3 acres of unincorporated land to the Marin Municipal Water District; and

**WHEREAS**, the affected territory represents an entire lot developed with an existing single-family residence located at 1501 Lucas Valley Road and identified by the County of Marin Assessor’s Office as 164-280-35; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’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 adopted local policies and procedures.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, DETERMINE, AND ORDER** as follows:

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report presented on December 14, 2017.
2. The Commission serves as lead agency under the California Environmental Quality Act (CEQA) in considering the impacts of the proposal. The Commission independently finds the annexation of the affected territory to the Marin Municipal Water District is exempt from further CEQA review under California Public Resources Code Section 15319 given the lands cannot be further developed.
3. The proposal to annex the affected territory to the Marin Municipal Water District is APPROVED with the following boundary amendments:

- a) Modify the annexation boundary to include the entire public right-of-way adjacent to 1501 Lucas Valley Road that is approximately 6.7 acres in size.
  - b) Modify the annexation boundary to include only the approximate 27.6-acre portion of 1501 Lucas Valley Road that covers the existing single-family residence and improvements as prescribed.
4. The proposal approval is CONDITIONED on the following terms being satisfied within one calendar year – or December 14, 2018 – unless a prior written request for a time extension is received and approved by the Commission.
- a) Completion of the 30-day reconsideration period provided under Government Code Section 56895.
  - b) An indemnification agreement signed by the applicant in a form approved by Commission Counsel.
  - c) Submittal of a final map and geographic description of the affected territory as designated by the Commission conforming to the requirements of the State Board of Equalization as determined by the County Surveyor’s Office.
  - d) Receipt of a recorded agreement between the applicant and MMWD to limit the use of public water services within the annexation area to only the existing single-family residence at 1501 Lucas Valley and any authorized second unit.
5. The proposal is assigned the following distinctive short-term designation:  
“Lucas Valley Road No. 1 Change of Organization – Marin Municipal Water District”
7. The affected territory as designated by the Commission is shown in Exhibit “A”.
8. The affected territory as designated by the Commission is uninhabited as defined in Government Code Section 56046.
9. The Commission waives conducting authority proceedings under Government Code Section 56663.
10. The Marin Municipal Water District utilizes the regular assessment roll of the County of Marin.
11. Upon effective date of the proposal, the affected territory as designated by the Commission will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the Marin Municipal Water District. It will also be subject to all of the rates, rules, regulations, and ordinances of the Marin Municipal Water District.

12. The effective date shall be the date of recordation of the Certificate of Completion.

**PASSED AND ADOPTED** by the Marin Local Agency Formation Commission on December 14, 2017 by the following vote:

AYES: Blanchfield, Baker, Condon, Connolly, Murray, and Rodoni

NOES: None

ABSTAIN: None

ABSENT: McEntee



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JEFFRY BLANCHFIELD, Chair

ATTEST:



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RACHEL JONES, Interim Executive Officer

# EXHIBIT A

## AFFECTED TERRITORY AS DESIGNATED BY THE COMMISSION

