

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • PHONE (650) 363-4224 • FAX (650) 363-4849

March 8, 2017

To: LAFCo Commissioners
From: Martha Poyatos, Executive Officer *M. Poyatos*
Subject: LAFCo File No. 17-01—Proposed Annexation of 109 Santa Maria Avenue, Portola Valley (APN 076-236-010) to West Bay Sanitary District (8,300 square feet)

Summary

This proposal, submitted by landowner petition, requests annexation to connect a newly constructed single-family home to the West Bay Sanitary District sewer main and abandon the existing septic system. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. The annexing territory is located in the Town of Portola Valley at 109 Santa Maria Avenue near Russell Avenue. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$953,744. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has no registered voters. Annexation would not conflict with any political subdivision boundaries.

County Public Works: The map and legal description required by the State Board of Equalization have not yet been submitted.

Town of Portola Valley: The Town's general plan designation is low/medium-intensity residential and zoning is residential estate, single-family (one to two acres per dwelling unit). An encroachment permit will be necessary to be reviewed and issued by the Town Engineer. Any grinder pump or telemetry panel will be necessary to be reviewed by Town Planning and Public Works.

County Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The applicant must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health.

COMMISSIONERS: DON HORSLEY, CHAIR, County ▪ MIKE O'NEILL, VICE CHAIR, City ▪ JOSHUA COSGROVE, Special City ▪ ANN DRAPER, Public
 RICH GARBARINO, City ▪ JOE SHERIDAN, Special District ▪ WARREN SLOCUM, County

ALTERNATES: RIC LOHMAN, Special District ▪ RAY MUELLER, City ▪ SEPI RICHARDSON, Public ▪ (VACANT), County

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ JEAN BROOK, COMMISSION CLERK

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West Bay Sanitary District: A District Class 3 permit (\$500 application fee and \$2,000 deposit for plan checking and inspections). If actual costs exceed the deposit, the District will invoice the applicant for the difference. If the actual costs are less than the deposit, a credit will be made toward the required Class 1A permit which allows for the connection of a single-family residence to the District's main facilities (\$250 application fee and connection fees of \$7,336.20 per residential unit currently). Annual sewer service charges will apply. All fees are to be paid at the time application for the Class 3 permit is made.

Also, there is a reimbursement (Buja Agreement) fee associated with connecting to the District's existing facilities, which is currently estimated to be \$219,128.23 for each new connection to the extension.

Executive Officer's Recommendation

This proposal has been submitted by landowner petition in order to connect a newly constructed single-family residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley at 109 Santa Maria Avenue near Russell Avenue.

The annexation area is within the sphere of influence of West Bay Sanitary District adopted by the Commission in 1984 and is consistent with the District's plans for extending service.

Approval of the annexation is recommended.

California Environmental Quality Act

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) because it consists of an annexation for an exempt facility (up to three single-family residences).

Waiver of Conducting Authority Proceedings

Section 56663(c) of the Cortese-Knox-Herzberg (CKH) Act specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100 percent landowner consent provided that no objection is submitted by subject property owners or voters. The purpose of the conducting authority proceeding is to measure landowner or voter protest within the affected territory. Paragraph (c) was added to Section 56663 to streamline proceedings in which landowners have already given consent to uninhabited annexation. The landowners have requested and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

LAFCo File No. 17-01—Proposed Annexation of 109 Santa Maria Avenue, Portola Valley (APN 076-236-010) to West Bay Sanitary District (8,300 square feet) and Waive Conducting Authority Proceeding, conditioned upon submittal of the map and legal description required by the State Board of Equalization.

cc: Phil Scott, General Manager, West Bay Sanitary District
Robert M. Stafford, Applicant representative

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF
2000

The undersigned hereby petition(s) the Local Agency Formation Commission of San Mateo County for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are:
of 109 Santa Maria to West BAY Sanitar, District
3. The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 inhabited (12 or more registered voters) Uninhabited
5. This proposal is is not consistent with the sphere of influence of the affected city and/or district(s).
6. The reason(s) for the proposed _____ (annexation, detachment, reorganization, etc.) is/are:
To attach to sewer.
7. The proposed *petition* is requested to be made subject to the following terms and conditions:
8. The persons signing this petition have signed as:
_____ registered voters or Owners of land (check one) within the subject territory.

Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. Of the Government Code and herewith affix signatures as follows:

Chief Petitioners (not to exceed three):

| Date: | Printed Name: | Signature/Residence address | APN* |
|---------|---------------|---|-------------|
| 7-30-17 | CTJ LLC | <i>By [Signature] / Long merger melen</i> | 076-236-010 |
| 7-30-17 | Philomena LLC | <i>By [Signature] / Long merger melen</i> | 11 |

*Assessor's Parcel Number of parcel(s) proposed for annexation.

**APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION**

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization or reorganization.

Annex property located at 109 Santa Maria Avenue into West Bay Sanitary District

2. An application for a change of organization or reorganization may be submitted by individuals in the form of a petition or by an affected public agency in the form of a certified resolution. This application is submitted by (check one):

Landowners or registered voters, by petition
 An affected public agency, by resolution

(If this application is submitted by petition of landowners or registered voters in the affected territory, complete the petition form.)

3. What are the reasons for the proposal?

Connect an existing single family home to public sewer and abandon septic system

4. Does this application have 100% consent of landowners in the affected area?

Yes No

5. Estimated acreage: 0.19

B. SERVICES

1. List the name or names of all existing cities and special districts whose service area or service responsibility would be altered by the proposed change of organization or reorganization.

West Bay Sanitary District

2. List all changes to the pattern of delivery of local services to the affected area. For each service affected by the proposed change(s) of organization, list the present source of service (state "none" if service is not now provided), the proposed source of service and the source of funding for

construction of necessary facilities (if any) and operation. Example is given on the first two lines of the space provided for your response.

| SERVICE | PRESENT SOURCE | PROPOSED SOURCE | FUNDING SOURCE | |
|---------|----------------|-------------------|----------------|-----------|
| | | | CONSTRUCTION | OPERATING |
| Sewer | None | West Bay Sanitary | Proponent | Fees |
| | | | | |
| | | | | |
| | | | | |

C. PROJECT PROPOSAL INFORMATION

1. Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

Located at 109 Santa Maria Avenue in Portola Valley

2. Describe the present land use(s) in the subject territory.

Residential Single Family Home

3. How are adjacent lands used?

North: Residential

South: Residential

East: Residential

West: Residential

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?

Abandoning the septic system accommodates planned new building construction

5. What is the general plan designation of the subject territory?

Low-Medium Residential

6. What is the existing zoning designation of the subject territory?

R-1 (Single Family Residential Zone)

7. What rezoning, environmental review or development approvals have already been obtained for development in the subject territory?

None

8. What additional approvals will be required to proceed?

Town of Portola Valley, San Mateo County, and Regional Water Quality Control Board

9. Does any portion of the subject territory contain any of the following --agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction?

None

10. If no specific development projects are associated with this proposal, will the proposal increase the potential for development of the property? If so, how?

None

* * * * *

LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: CTJ LLC / Philomena LLC

ADDRESS: 1580 Laurel St #C
San Carlos, CA 94076

ATTN: Thomas J. Carey

TELEPHONE: 650.394.8615

Thomas J. Carey, manager
Signature of Proponent muler.

“EXHIBIT A”

Date: January 27, 2017

Annexed to: West Bay Sanitary District

Name of Annexation: West Bay Sanitary

**Geographic Description
Lands of Philomena, LLC and CTJ, LLC**

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 10, Block 3, and a portion of Santa Maria Avenue as shown on that certain map entitled “Map of Subdivision No. 1 Woodside Highlands, San Mateo County California”, filed May 13, 1926, in Book 13 of Maps at Pages 67 to 70, San Mateo County Records, more particularly described as follows:

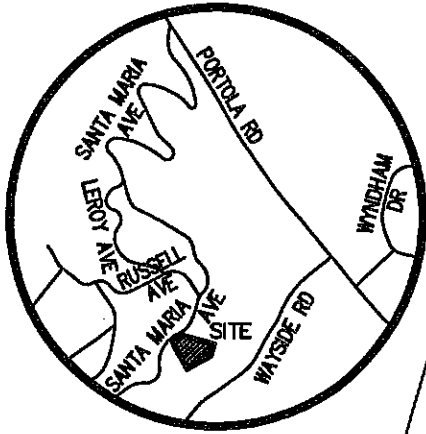
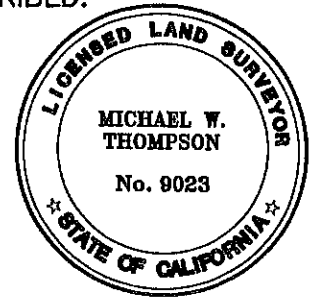
Beginning at the most Northerly corner of said Lot 10, said point being on the Easterly right of way line of said Santa Maria Avenue; thence leaving last said line and along the Northeasterly line of said lot, South 74°20’00” East, 100.00 feet to the Northeasterly corner of said lot; thence along the Easterly and Southeasterly lines of said lot, South 15°40’00” West, 40.76 feet and South 60°01’00” West, 82.26 feet to the most Southerly corner of said lot; thence along the Southwesterly line of said lot, North 29°59’00” West, 100.00 feet to the most Westerly corner of said lot, said point being on said Easterly right of way of said Santa Maria Avenue; thence leaving last said line, North 29°59’00” West, 15.00 feet to the centerline of said Santa Maria Avenue, thence along last said line, North 60°01’00” East, 26.84 feet; thence leaving last said line, South 74°20’00” East, 20.98 feet to the **Point of Beginning**.

Containing 0.20 acres, more or less.

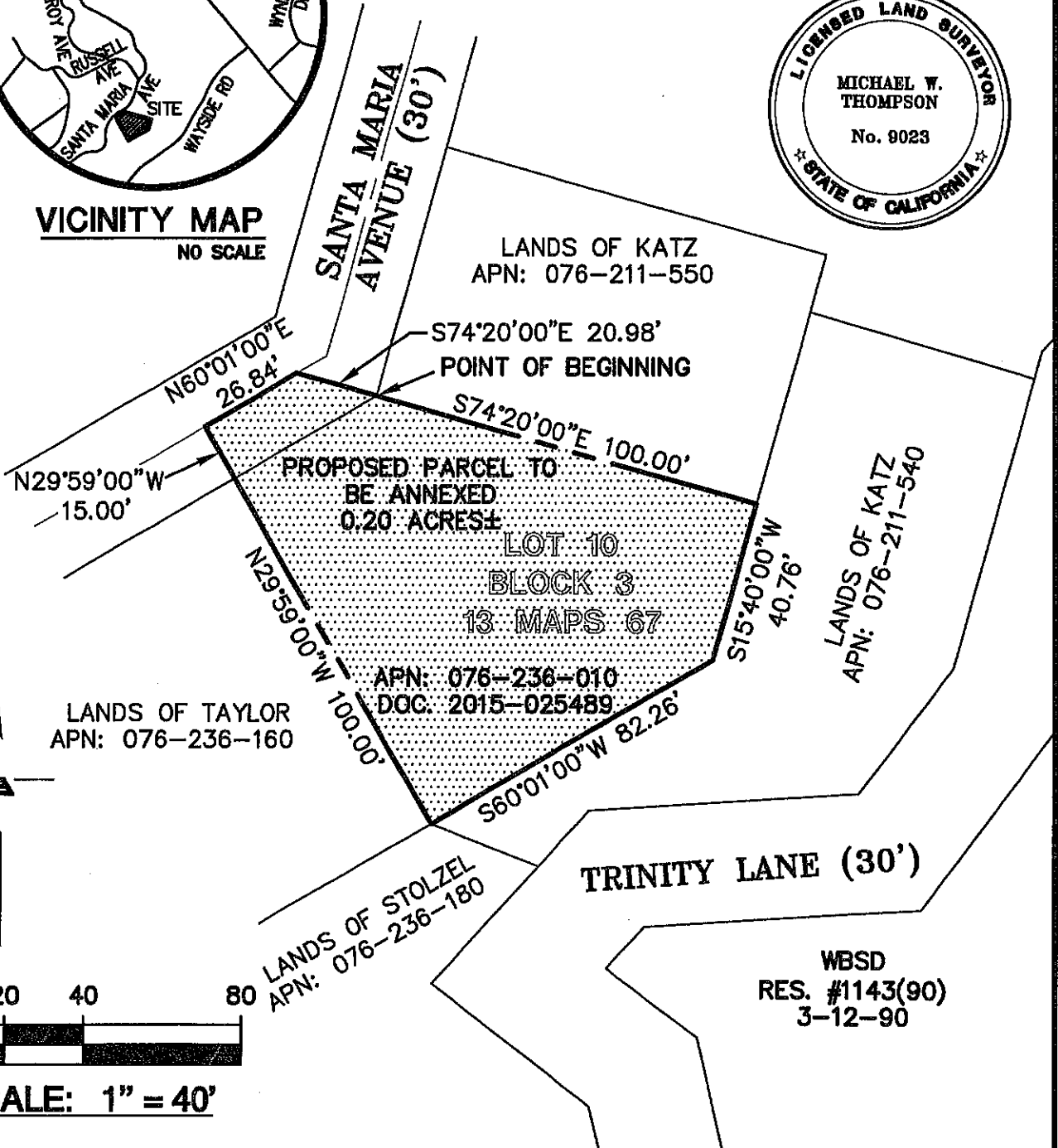
APN: 079-101-320

For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale of the land described.

DISCLAIMER:
 FOR ASSESSMENT PURPOSES ONLY. THIS
 DESCRIPTION OF LAND IS NOT A LEGAL
 PROPERTY DESCRIPTION AS DEFINED IN
 THE SUBDIVISION MAP ACT AND MAY NOT
 BE USED AS THE BASIS FOR AN OFFER
 FOR SALE OF THE LAND DESCRIBED.



VICINITY MAP
 NO SCALE



SCALE: 1" = 40'



LEA & BRAZE ENGINEERING, INC.

CIVIL ENGINEERS • LAND SURVEYORS

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 2495 INDUSTRIAL PKWY WEST
 HAYWARD, CALIFORNIA 94545
 (P) (510) 887-4086
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 WWW.LEABRAZE.COM

SACRAMENTO REGION
 3017 DOUGLAS BLVD, # 300
 ROSEVILLE, CA 95661
 (P) (916) 966-1338
 (F) (916) 797-7363

EXHIBIT "B"
PLAT TO ACCOMPANY LEGAL DESCRIPTION
PROPOSED SEWER ANNEXATION
109 SANTA MARIA AVENUE
PORTOLA VALLEY, CALIFORNIA
SAN MATEO COUNTY

JANUARY 2017

DRAWN BY: MT

JOB NO 2160039