

**LOCAL AGENCY FORMATION COMMISSION**

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

July 11, 2007

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 07-09--Proposed Annexation of 385 Cervantes (Lands of Illich) to the West Bay Sanitary District, annexation to the On-Site Wastewater Disposal Zone District and waiver of conducting authority proceedings (1.44 acre)

**Summary**

This proposal was submitted by landowner petition and requests annexation a 1.44 acre parcel with a single-family home (including fronting roadway) to West Bay Sanitary District and waiver of conducting authority proceedings. The proposal has 100% landowner consent. The annexing territory is within the boundaries of the Town of Portola Valley at 385 Cervantes. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$178,803. The boundaries of the annexation as proposed do not conform to lines of assessment and ownership.

County Clerk: The territory has one registered voter. Annexation would not conflict with any political subdivision boundaries.

Public Works: The territory proposed for annexation consists of 1.44 acres. The map and legal description required by the State Board of Equalization have been reviewed. Map and legal should include portion of Cervantes lying northerly of Lot 1 and should specify original rancho in which annexation area is located. The proposal would not necessitate removal from any other special districts. Natural boundaries, drainage basins or other topographical features would not affect and would not be affected by this proposal.

Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The proposal has no adverse environmental health significance.

Recommendation: Approval

Town of Portola Valley: The Town's general plan designation is low intensity residential and zoning is residential estate (2.5 acres per dwelling unit). An encroachment permit will be necessary to be reviewed and issued by the Town Engineer.

Recommendation: Approval

West Bay Sanitary District: The project proponent will bear the cost of all construction including grinder pump system to connect residence to the existing grinder pump force main that runs in Cervantes. Proponents are responsible for all permitting, installation and construction costs. Annexation to the On-Site Waste Water Disposal Zone will also be required.

Recommendation: Approval

**Report and Recommendation:**

This proposal has been submitted by landowner petition in order to abandon the existing antiquated septic system serving the existing home and connect to public sewer in anticipation of construction of a new residence. The territory proposed for annexation is located in the Town of Portola Valley on Cervantes near Cherokee west of I-280. The annexation territory is contiguous to West Bay Sanitary District boundaries on three sides.

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

California Environmental Quality Act (CEQA)

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).

On-Site Wastewater Disposal Zone (Zone)


Sections 6960.3 and 6974 of the Health and Safety Code governing sanitary districts require LAFCo approval for formation of, or annexation to, an on-site wastewater disposal zone (Zone) in counties in which LAFCo has adopted Rules and Regulations Affecting the Functions and Services of independent special districts. The West Bay Sanitary District operates an on-site wastewater disposal zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. These provisions have applied in San Mateo County since 1995 when special district members were added to the Commission and Rules and Regulations were adopted. Since that time, Commission consideration of annexations to the District that involve use of pumping systems has also included concurrent consideration of annexation to the Zone.

Waiver of Conducting Authority Proceedings

Paragraph [c] of Section 56663 specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100% landowner consent provided no objection is submitted from the subject agencies. 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 annexation proceedings in which landowners have already given consent to uninhabited annexation proceedings. The landowners have requested and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action, by Resolution: Approve LAFCo File No.07-09--Proposed Annexation of the 385 Cervantes (Lands of Illich) to the West Bay Sanitary District, annexation to the On-Site Waster Water Disposal Zone and waiver of conducting authority proceedings.

Respectfully submitted,



Martha Poyatos  
Executive Officer

RECEIVED

JUN 18 2007

LAFGO

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:

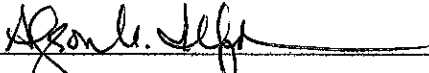
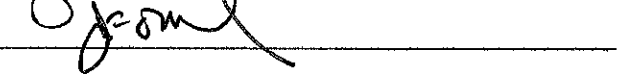
1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are:

Annexation of 385 Cervantes Road to the West Bay Sanitary District  
(Lands of \_\_\_\_\_ )

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:  
~~is~~ inhabited (12 or more registered voters)  Uninhabited
5. This proposal is x is not \_\_\_ consistent with the sphere of influence of the affected city and/or district(s).
6. The reason(s) for the proposed annexation (annexation, detachment, reorganization, etc.) is/are: replace inadequate septic system with public sewer.
7. The proposed annexation is requested to be made subject to the following terms and conditions: passage of funding mechanism to fund public sewer.
8. The persons signing this petition have signed as:  
       registered voters **or** x 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*
5.27.07	Alyson Illich		077-341-010
5.27.07	Jim Illich		
_____	_____	_____	_____

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

\* 21 Valley Forge Drive  
Houston, TX 77024

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

RECEIVED

JUN 18 2007

LAFCO

A. GENERAL INFORMATION

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

Annexation of 385 Cervantes Road to West Bay Sanitary District, Portola

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?

Existing home is served by old septic system. Annexation is requested in order to connect to public sewers in anticipation of construction of new home.

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

Yes  No

5. Estimated acreage: 1.1

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.

5. What is the general plan designation of the subject territory?  
Low intensity residential. 1-2 acres per dwelling.
6. What is the existing zoning designation of the subject territory?  
R-E/1A/SD-1A, Residential Estate, One acre minimum, Slope Density Table 1A
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?  
LAFCo approval and West Bay Sanitary Permits
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?  
No
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?  
No.

\* \* \* \* \*

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: Alyson Illich  
 ADDRESS: 21 Valley Forge Drive  
Houston TX 77024  
 ATTN: \_\_\_\_\_

TELEPHONE: 713 205 3299  
Alyson Illich  
 Signature of Proponent



Job: 07-045  
 August 3, 2007

**APPROVED**  
 SAN MATEO LOCAL AGENCY  
 FORMATION COMMISSION  
 455 COUNTY CENTER  
 REDWOOD CITY, CA 94063  
 EXHIBIT A PAGE 1 OF 3

**ANNEXATION TO WEST BAY SANITARY DISTRICT**

Lands of Illich

Being a Portion of the Rancho El Corte Madera

Situate in the Town of Portola Valley, County of San Mateo, State of California, and being the property described in the grant deed to Illich recorded March 21, 2007 in Document No. 2007-042481 in the office of the County Recorder of San Mateo County, said property being Lot 1, Block 3, as shown on that certain map entitled, "Tract No. 774, Arrowhead Meadows, Unit No. 4" filed in the office of the Recorder of the County of San Mateo, State of California, on March 17, 1959 in Book 50 of Maps at pages 45 to 48, and also being a portion of Cervantes Road as shown on said map, being more particularly described as follows:

BEGINNING at the most northwesterly corner of said Lot, also being the most northeasterly corner of the West Bay Sanitary District (Dalman-Dunn parcel) adopted November 21, 2001 by Resolution No. 936, being a point on a curve, from which point a radial line bears South 04°55'21" West;

1. thence along the northerly line of said Resolution, being a curve to the right, having a radius of 2130.00 feet, through a central angle of 02°39'25", an arc length of 98.77 feet, to the southerly extension of the westerly line of Lot 18, Block 1 (50 Maps 45-48);
2. thence along said extension, North 07°34'46" East, a distance of 60.00 feet, to the most southwesterly corner of said Lot, said point also being the most southwesterly corner of the West Bay Sanitary District adopted March 20, 2002 by Resolution No. 937;
3. thence along the curved southerly line of said Lot and Resolution, having a radius of 2070.00 feet, through a central angle of 03°19'46", an arc length of 120.29 feet;
4. thence South 85°45'00" East, a distance of 85.00 feet, to the southwesterly corner of Lot 17, Block 1 (50 Maps 45-48), being the southeasterly corner of said Annexation, said point also being an angle point on the general westerly line of the West Bay Sanitary District adopted January 08, 1990 by Resolution No. 1139(90);



5. thence along said westerly line of Resolution 1139(90), South 04°15'00" West, a distance of 60.00 feet, to the northerly line of Lot 1, Block 3 (50 Maps 45-48);
6. thence along said northerly line and along the general southerly lines of said Resolution, South 85°45'00" East, a distance of 6.62 feet;
7. thence continuing along the northerly and easterly line of said Lot, having a radius of 20.00, through a central angle of 87°00'00", an arc length of 30.37 feet, to the most northwesterly corner of the West Bay Sanitary District adopted December 17, 1986 by Resolution No. 1040(86);
8. thence along the general westerly line of said Resolution, and continuing along the easterly line of said Lot, South 01°15'00" West, a distance of 68.93 feet, to the beginning of a tangent curve to the right;
9. thence along said curve, having a radius of 200.00 feet, through a central angle of 23°03'59", an arc length of 80.52 feet, to a point of reverse curvature;
10. thence along said reverse curve, having a radius of 325.00 feet, through a central angle of 28°40'05", an arc length of 162.61 feet, to the most southeasterly corner of said Lot, at an angle point in said Resolution No. 1040(86);
11. thence along the southerly line of said Lot, South 85°38'54" West, a distance of 164.83 feet, to the most southwesterly corner of said Lot;
12. thence leaving said boundary of Resolution 1040(86), and along the westerly line of said Lot, North 12°27'11" East, a distance of 355.43 feet, to the point of beginning;

Containing an area of 63,141 square feet, more or less


END OF DESCRIPTION

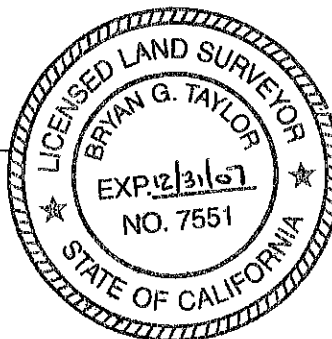
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EXHIBIT A PAGE 2 OF 3

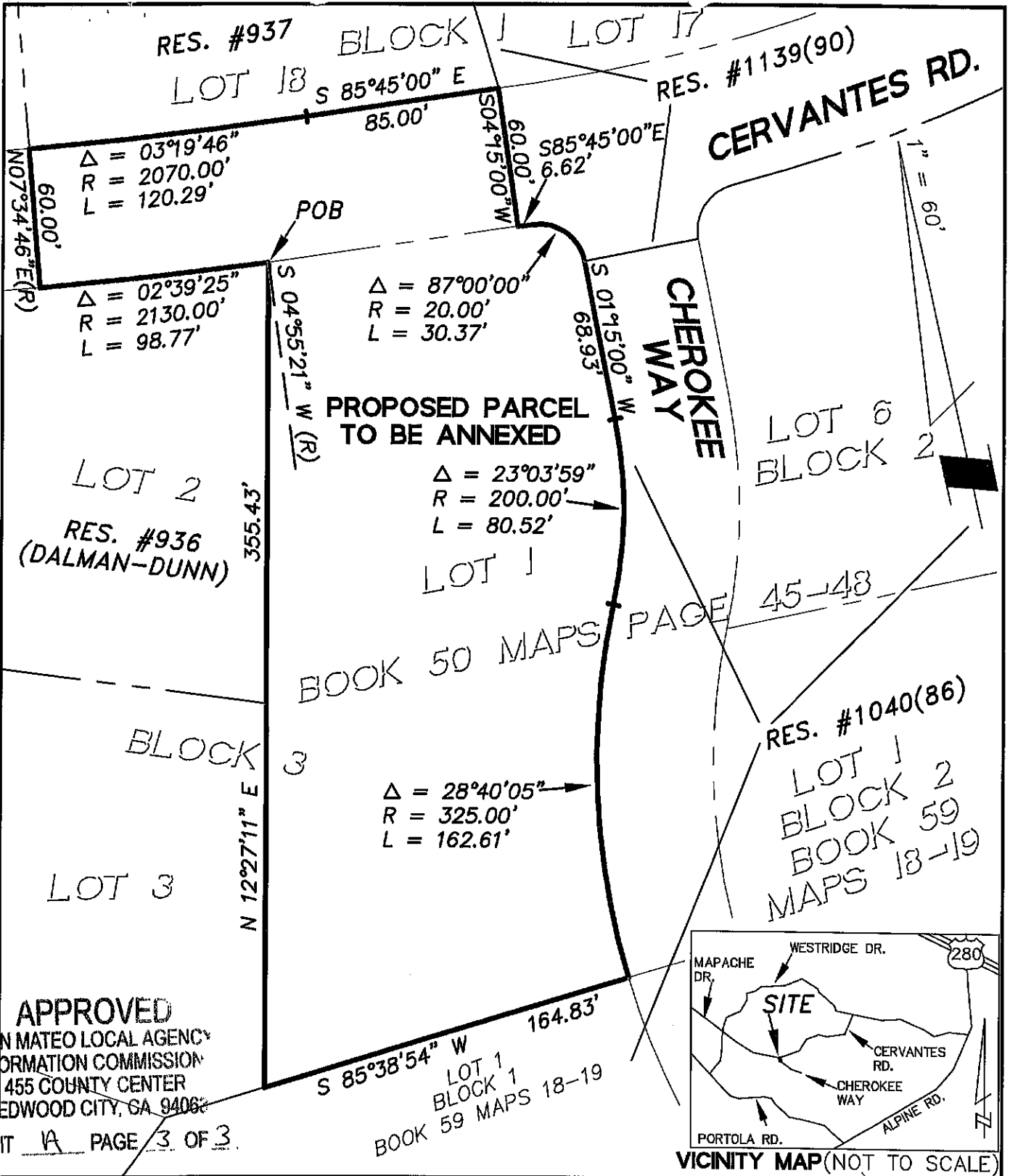
The herein described annexation parcel is shown on the attached map, Exhibit B, of this legal description, and is made a part hereof.

This description was prepared by me from record data, and shall not be used in any conveyance which may be in violation of the Subdivision Map Act.

  
 Bryan G. Taylor, PLS  
 License No. 7551, Expires 12/31/07



06 AUGUST 2007  
 Date



**APPROVED**  
 SAN MATEO LOCAL AGENCY  
 FORMATION COMMISSION  
 455 COUNTY CENTER  
 REDWOOD CITY, CA 94062

EXHIBIT A PAGE 3 OF 3

**PLAT ACCOMPANYING LEGAL DESCRIPTION PROPOSED SEWER ANNEXATION**

**BGT LAND SURVEYING**  
**BRYAN G. TAYLOR, INC.**  
 270 PELICAN COURT FOSTER CITY, CA 94404  
 TEL: 650.212-1030 FAX: 650.212-1031

<b>EXHIBIT "B"</b>	
TOWN OF PORTOLA VALLEY	SCALE SHEET 1"=60' 1 OF 1
SAN MATEO COUNTY CALIFORNIA	DATE JOB 07/07 <b>07-045</b>