

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

September 14, 2022

To: LAFCo Commissioners

From: Rob Bartoli, Executive Officer

Subject: LAFCo File No. 22-08 - Proposed annexation of 350 Grove Drive, Portola Valley (APN 079-021-020) to West Bay Sanitary District

Summary

This proposal, submitted by landowner petition, requests annexation of 350 Grove Drive, Portola Valley (APN 079-021-020) to West Bay Sanitary District and connection to the District's sewer main. The property owner wishes to abandon the existing septic system and connect to sewer to service a new single family house. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. Commission approval is recommended.

Departmental Reports

County Assessor: The total net assessed land valuation for the parcel shown in the records of the County Assessor is \$4,131,000. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has one registered voter. If the annexation is approved, the property will need to be assigned to a precinct that includes West Bay Sanitary District.

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

Town of Portola Valley: The Town's General Plan designation is low-intensity residential, and zoning is residential estate, single-family (one to two acres per dwelling unit). It will be necessary for any work to be reviewed by Town Planning and Public Works and an encroachment permit is required. The Town also reserves the right to review landscaping requirements for any above ground infrastructure that is part of this project.

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 pay an application fee to Environmental Health prior to connecting to West Bay Sanitary District and

COMMISSIONERS: MIKE O'NEILL, CHAIR, CITY ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ WARREN SLOCUM, COUNTY ▪ KATI MARTIN, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT

ALTERNATES: VACANT, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: ROB BARTOLI, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ANGELA MONTES, CLERK

must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health. Currently, there is more than one septic system in use at the property. All systems will need to be abandoned under permit with Environmental Health and all structures on the parcel with connected septic systems must be connected to the sanitary sewer.

West Bay Sanitary District: Fees for annexation, permits and annual service charges will be required. Annexation to the On-site Wastewater Disposal Zone and installation of a grinder pump system will be required. The property will connect to the existing force main serving 3 Grove Court. A supplementation connection fee will apply as part of an existing reimbursement agreement to this area. All costs will be paid by the project proponent.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to connect a developed residential parcel to public sewer to service a new house on the property. The existing house and other structures on the property (guest cottage and outbuildings) are proposed to be removed as part of this new development. The territory proposed for annexation is located at 350 Grove Drive, Portola Valley, near the corner of Grove Drive and Tintern Lane. The property is proposed to connect to the existing force main located in front of the property.

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.

Annexation to the On-Site Wastewater Disposal 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 added special district members to the Commission and adopted Rules and Regulations Affecting the Functions and Services of Independent Special Districts. West Bay Sanitary District operates a Zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. Annexation of these properties to the Zone is necessary in order for the District to maintain the pumping system that will be constructed as part of the sewer connection. Staff recommends approval of annexation to the Zone.

California Environmental Quality Act

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) exempt under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities)

Waiver of Conducting Authority Proceedings

Section 56662(a) of the Cortese-Knox-Hertzberg (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 proceedings is to measure

landowner or voter protest within the affected territory. The landowners have requested, and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

By resolution, approve LAFCo File No. 22-08 - Proposed annexation of 350 Grove Drive, Portola Valley (APN 079-021-020) to West Bay Sanitary District, subsequent annexation to the On-site Wastewater Disposal Zone and Waiver of Conducting Authority Proceedings.

Attachments

- A. Annexation Application for 350 Grove Drive
 - B. Vicinity Map
 - C. Resolution
- cc: Sergio Ramirez, General Manager, West Bay Sanitary District
Jonathan Eng and Joanna Kim, Property Owners

**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:

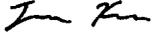
1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are: Proposed Annexation to the 350 Grove Drive, Portola Valley to West Bay Sanitary 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) X 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: Annexation is requested in order to connect the existing 2 story residence to the public sewer system. The existing residence will be demolished, and a new 2 story house will be built with a new on site sanitary sewer lateral. Annexation is also requested to reduce required septic system maintenance for the client.
7. The proposed Annexation is requested to be made subject to the following terms and conditions: None
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*
8/15/22	Jonathan Eng	 1903 350 Grove Dr, Portola Valley	079-021-020
8/15/22	Joanna Kim	 350 Grove Dr, Portola Valley	079-021-020

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

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

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization, reorganization, or outside service agreement.

Annexation of 350 Grove Drive (APN: 079-021-020) to West Bay Sanitary District, Portola Valley

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?

Annexation is requested in order to connect the existing 2 story residence to the public sewer system. The existing residence will be demolished and a new 2 story house will be built with a new on site sanitary sewer lateral. Annexation is also requested to reduce required septic system maintenance for the client.

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

Yes No

5. Estimated acreage: 2.25±

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
<i>Police (example)</i>	<i>Co. Sheriff</i>	<i>City Police</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer</i>	<i>None</i>	<i>West Bay Sanitary District</i>	<i>Proponent</i>	<i>Fees</i>

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.

The territory is location on the west side of south side of Grove Drive; approximately 150 feet west of the intersection of Grove Drive and Georgia Lane, Town of Portola Valley.

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

Residential Estate Single-Family

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?

A future 2 story residence will be proposed and be served by the newly constructed sewer connection. All construction will be permitted by the Town of Portola Valley

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

Residential Estate

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

R-E/1A/SD-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, West Bay Sanitary Permits, Septic Abandonment Permit, Road Encroachment permit

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(s) 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:

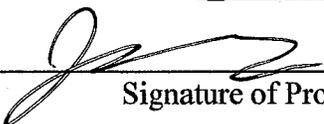
NAME: Jonathan Eng

EMAIL: jonathan.l.eng@gmail.com

ADDRESS: 350 Grove Drive, Portola Valley, CA

TELEPHONE: 626-378-7163

ATTN: _____


Signature of Proponent

NAME: Joanna Kim

EMAIL: joannakim87@gmail.com

ADDRESS: 350 Grove Drive, Portola Valley, CA

TELEPHONE: 626-378-7163

ATTN: _____

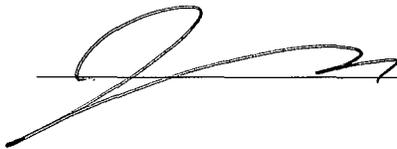

Signature of Proponent

Applica_blk.doc
(10/6/2000)

Addendum to Application titled LAFCo File No. 2L -- 08
Proposed Annexation to the West Bay Sanitary District
for 350 Grove Drive, Portola Valley

APN's 079-021-020

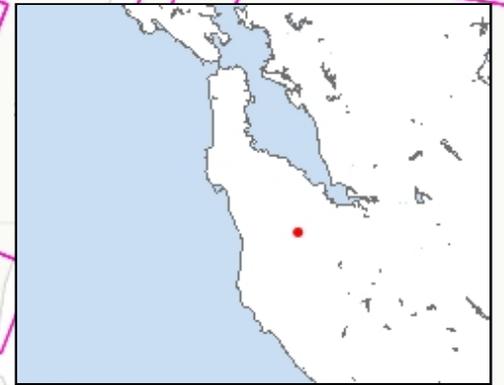
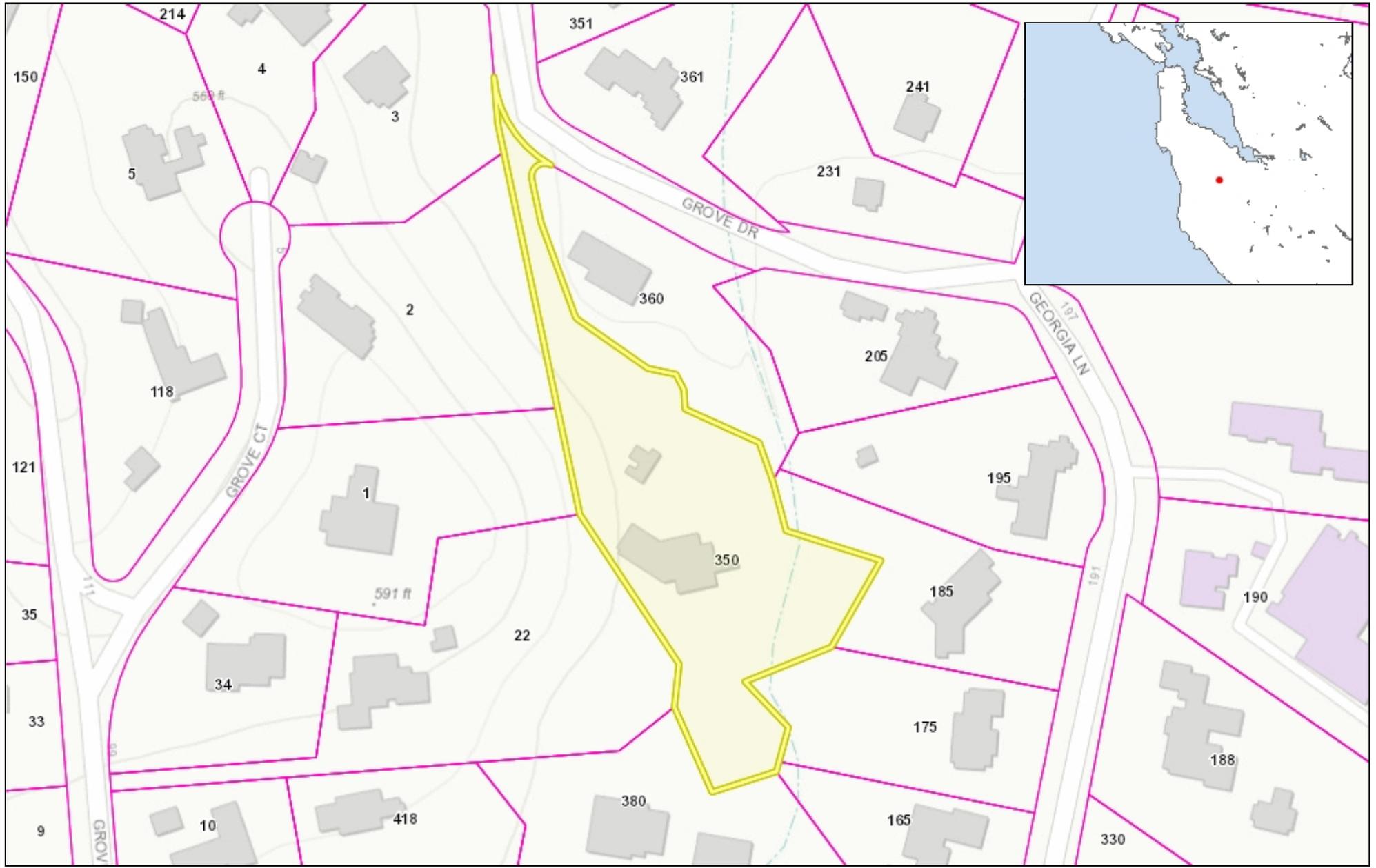
As part of above noted application submitted by petition, the Chief Applicant(s), Jonathan Eng & Joanna Kim, as Applicants and subject landowner(s), real parties in interest, agree to defend, indemnify, hold harmless, and release the San Mateo LAFCO, its agents, Commissioners, Executive Officer, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this addendum to above noted application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications.

 _____ Date 8/15/22

 _____ Date 8/15/22

_____ Date _____

_____ Date _____



WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:2,257

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Attachment C

LAFCo File No. 22-08

RESOLUTION NO. 1296

**RESOLUTION OF THE LOCAL AGENCY FORMATION COMMISSION
OF THE COUNTY OF SAN MATEO
MAKING DETERMINATIONS, APPROVING LAFCO FILE 22-08 -
ANNEXATION OF 350 GROVE DRIVE, PORTOLA VALLEY, (APN 079-021-020)
TO THE WEST BAY SANITARY DISTRICT AND THE ON-SITE WASTEWATER DISPOSAL ZONE, AND
WAIVING CONDUCTING AUTHORITY PROCEEDINGS**

RESOLVED, by the Local Agency Formation Commission of the County of San Mateo, State of California, that

WHEREAS, a proposal for the annexation of certain territory to the West Bay Sanitary District in the County of San Mateo was heretofore 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, the Executive Officer has reviewed the proposal and prepared a report, including the recommendations thereon, the proposal and report having been presented to and considered by this Commission; and

WHEREAS, it appears to the satisfaction of this Commission that all owners of the land included in the proposal consent to the proceeding; and

WHEREAS, a public hearing by this Commission was held on the proposal and at the hearing this Commission heard and received all oral and written protests, objections and evidence which were made, presented or filed, and all persons present were given an opportunity to hear and be heard with respect to the proposal and the Executive Officer's report; and

WHEREAS, the proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under State CEQA Guidelines Section 15319(a) & (b) (Annexations of Existing Facilities and Lots for Exempt Facilities); and

NOW, THEREFORE, the Local Agency Formation Commission of the County of San Mateo DOES HEREBY RESOLVE, DETERMINE AND ORDER as follows:

Section 1. This proposal is approved, subject to the following conditions: None.

Section 2. The boundaries as set forth in the application are hereby approved as submitted and are as described in Exhibit "A" attached hereto and by this reference incorporated herein.

Section 3. The territory consists of 2.25 acres, is found to be uninhabited, and is assigned the following distinctive short form designation: Annexation of 350 Grove Drive, Portola Valley to the West Bay Sanitary District.

Section 4. Conducting authority proceedings are hereby waived in accordance with Government Code Section 56662(a) and this annexation is hereby ordered.

Section 5. Subsequent annexation to the On-Site Wastewater Disposal Zone is hereby approved.

Regularly passed and adopted this __day of_____.

Ayes and in favor of said resolution:

Commissioners: _____

Noes and against said resolution:

Commissioners Absent and/or Abstentions:

Commissioners: _____

Chair
 Local Agency Formation Commission
 County of San Mateo
 State of California

ATTEST:

 Executive Officer
 Local Agency Formation Commission

Date: _____

I certify that this is a true and correct copy of the resolution above set forth.

Date: _____

 Clerk to the Commission
 Local Agency Formation Commission