



LOCAL AGENCY FORMATION COMMISSION

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

Item 2b

September 5, 2013

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 13-09--Proposed Annexation of 500 Shawnee Pass to the West Bay Sanitary District, Waiver of Protest Proceedings and Subsequent Annexation to the On-site Wastewater Disposal Zone (1.007 acres)

Summary

This proposal was submitted by landowner petition and requests annexation to West Bay Sanitary District to abandon the existing septic system to accommodate an addition to an existing single family residence. The proposal has 100% landowner consent and waiver of conducting authority proceedings is requested. The annexing parcel is within the boundaries of the Town of Portola Valley on Shawnee Pass near Cervantes Drive. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$2,550,000. 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.

Public Works: The map and legal description required by the State Board of Equalization were not submitted with the application and require review to ensure compliance with State Board of Equalization requirements.

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. Owners will be required to obtain a permit to abandon the existing septic tanks to the satisfaction of the Environmental Health.

Town of Portola Valley: The Town's general plan designation is low intensity residential and zoning is residential estate, one to two acres per dwelling unit. An encroachment permit will be necessary to be reviewed and approved by Town Public Works Director. If the project requires a telemetry panel, planning staff will review and approve location and details.

West Bay Sanitary District: Annexation to the On-site Wastewater Disposal Zone will be required and the proponent will be required to construct grinder pump system on property to be served. All costs will be paid by proponent. The existing grinder pump force main are located along Shawnee Pass.

A District Class 3 permit (\$200.00 application fee and \$2,000 deposit for plan checking and inspections) and Class 1 permit (\$100.00 application fee each and connection fee of \$7,336.20 currently), and annual sewer service charges will apply. Also a reimbursement agreement for the Step system connection is estimated at \$18,000.

Recommendation: No Objections

Executive Officer's Report & Recommendation:

This proposal was submitted by landowner petition and requests annexation to connect a proposed single-family home to sewer. The subject 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.

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 independent special district membership. 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. This application includes a connection with a pumping system.

Sections 6960.3 and 6974 requiring that annexations to the District's Zone be submitted for LAFCo approval 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 involved use of pumping systems

has also included concurrent consideration of annexation to the Zone . It is therefore recommended that in approving the annexation the Commission also approve subsequent annexation to the Zone.

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 per 15303 of Public Resources Code).

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 there is no written opposition from all gaining 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.

Recommended Commission Action, by Motion:

Find that 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).

Recommended Commission Action, by Resolution: Approve LAFCo File No. 13-09-- Proposed Annexation of 230 Shawnee Pass to the West Bay Sanitary District, subsequent annexation to the On-Site Wastewater Disposal Zone and waive conducting authority proceedings conditioned upon submittal of a map and legal description that meets State Board of Equalization requirements.

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.

To Annex to the West Bay Sanitary District and the District's On-Site Water Disposal Zone

230 Shownee P288

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):

X 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?

To obtain sewer service to replace existing septic system due to addition and remodel

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

X Yes No

5. Estimated acreage: 1.007

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

230 Shawnee Pass in Portola Valley
South of Cervantes Rd, Southeast side of Shawnee Pass

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

Single Family Residential

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?

NO

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

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?

Planning approval by Town of Portola Valley

8. What additional approvals will be required to proceed?

CEQA, West Bay Sanitation District

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: Kathy Gurtner

ADDRESS: 230 Shawnee Pass
Portola Valley, CA. 94028.

TELEPHONE: 650-575-3237

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 property into the West Bay Sanitary District's On-Site Wastewater Disposal Zone

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 is/are:

To replace the existing septic system to accommodate additional square footage due to addition

7. The proposed Annexation is requested to be made subject to the following terms and conditions:

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

077-240-190
APN*

4/6/2013 Kathy Gurtner  230 Shawnee Pass, Portola Valley
4/6/2013 Geoff Gurtner  230 Shawnee Pass, Portola Valley

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

CURRENT INFORMATION



Property Use Details

SINGLE FAMILY RES (01)

Land Area (sq. ft.): 0
 Year Built: 1963
 Base Area (sq. ft.): 2810
 Total Rooms: 8
 No. of Bedrooms: 3
 No. of Bathrooms: 2.5

Summary of Property Details

APN: 077240190
Owner 1: Gurtner Geoffrey C Tr
Owner 2: Gurtner Kathryn L Tr
Care Of: Gurtner Trust
Owner Address: 901 Wing Place
 Stanford CA
 94305-
Situs Address: 230 Shawnee Pass
 Portola Valley
Legal Description: LOT 4 BLK 2 ARROWHEAD MEADOWS NO 5 RSM
 57/5 PORTOLA VALLEY SCH DIST
District: 2
Neighborhood: 061B

Secured Assessment Roll: 2013-1

Assessee Details		Assessment Values		Assessment Details	
Owner 1:	GURTNER GEOFFREY C TR	Land:	\$2,500,000	Assessment Type:	Annual
Owner 2:	GURTNER KATHRYN L TR	Temp Land:		Temp Code:	
Care Of:	GURTNER TRUST	Root:		Notice Date:	
Owner Address:	901 WING PLACE STANFORD, CA 94305	Min/Mineral:		Change #:	
Document Number:	2012130943	Improvements (Structure):	\$800,000	TRA:	019006
		Temp Improvements (Structure):		PUC:	01
		Fixtures:		PUC Description:	Single Family Residence
		Total Gross:	\$3,300,000		
		Total Temp:			
		Exemption - Home Owner:			
		Exemption - Other:			
		Net Assessed:	\$3,300,000		

Current Jurisdictions

Supervisory: 3
Congressional: 18
Assembly: 24
Senatorial: 13
Election Precinct: 3906
City Name: PORTOLA VALLEY
Zip Code: 94028
Mitigation Fee Area: None Assigned

Current Tax Rate Area #019006

GENERAL TAX RATE	GENERAL COUNTY TAX	COUNTY DEBT SERVICES
FREE LIBRARY	TOWN OF PORTOLA VALLEY	PORTOLA VALLEY DEBT SERVICES
PORTOLA VALLEY ELEM GENL PUR	PORTOLA VALLEY EL BD SER 98	PORTOLA VALLEY ELM BD SE 2001
PORTOLA VALLEY ELM BD SER 02A	PORTOLA VALLEY ELM 98A RFND SE	PORTOLA VALLEY ELM 98B RFND SE
PORTOLA VALLEY ELM 2010 RFND S	PORTOLA VALLEY EL REPAY ST LN	SEQUOIA HIGH GENRL PURPOSE
SEQUOIA HIGH BOND SER 97 A	SEQUOIA HIGH BOND SER 1998	SEQUOIA HIGH BOND SER 1999
SEQUOIA HIGH BD SER 02 A	SEQUOIA HI BOND SER 02 B	SEQUOIA HI REFUND SER 03 A
SEQUOIA UNION HI. BND SER 2005	SEQUOIA HIGH 2005 RFND BND ISS	SEQUOIA HI 2005 RFND BND ISSUE
SEQUOIA HI BOND 2005 SER B	SEQUOIA HI RFND SER 2007	SEQUOIA UNION HI BOND 2008 SER
SEQUOIA UNION HI BOND 2008 SER	SEQUOIA UNION HI BOND 2008 SER	SEQUOIA UNION HI 2011 GO REFUN
SM JR COLLEGE GEN PUR	SM JR COLLEGE BD 2002	SM JR COLL BOND SER 2005 B