

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

May 7, 2019

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer *M. Poyatos*

Subject: LAFCo File 19-02– Proposed Annexation of 180 Bear Gulch Drive, Portola Valley (APN 079-122-270) to West Bay Sanitary District and Subsequent Annexation to the On-site Wastewater Disposal Zone (4.1acres)

Summary

This proposal, submitted by landowner petition, requests annexation to connect to the West Bay Sanitary District sewer main as the septic system on that property is not adequate for future development on the property. 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 180 Bear Gulch Drive near Golden Oak Drive. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$2,754,000. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

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

County Public Works: The map and legal description has 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 grinder pump or telemetry panel to be reviewed by Town Planning and Public Works and an encroachment permit is required.

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: ANN DRAPER, CHAIR, PUBLIC ▪ JOSHUA COSGROVE, VICE CHAIR, SPECIAL DISTRICT ▪ RICH GARBARINO, CITY ▪ DON HORSLEY, COUNTY ▪ MIKE O'NEILL, CITY ▪ WARREN SLOCUM, COUNTY ▪ RIC LOHMAN, SPECIAL DISTRICT

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ HARVEY RARBACK, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST

must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health.

West Bay Sanitary District: Annexation to the On-site Wastewater Disposal Zone (OWDZ) will be required and the proponent will be required to construct a Grinder pump system or Septic Tank Effluent Pump (STEP) System on the property to be served and connect to the existing gravity main on Golden Oak Drive. A STEP System is preferred for the connection. A fee of \$545 for annexation and \$545 for the annexation into the OWDZ with a \$2,200 publication deposit.

Also a District Class 3 permit for the main extension (\$545 application fee and \$2,000 deposit for plan checking and inspections), a District Class 1 permit for connection of the house to the District's facilities (\$270 application fee), connection fee of \$8,501.00 per residential unit, plus additional fees if there are connections to assessor dwelling units, and annual sewer service charges will be required. There are no Reimbursement Agreements associated with the gravity mains. All fees are to be paid at the time applications for the Class 3 and Class 1 permits are made.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to connect a new single-family residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley at 180 Bear Gulch Drive near Golden Oak Drive.

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 an on-site wastewater disposal zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. Annexation of this property 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 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 proceedings 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

Approve LAFCo File 19-02—Proposed Annexation of 180 Bear Gulch Drive, Portola Valley (APN 079-122-270) 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 180 Bear Gulch Drive, Portola Valley (APN 079-122-270)

cc: Phil Scott, General Manager, West Bay Sanitary District
Robert Stone, Owner

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

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A. GENERAL INFORMATION

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

Annexation of 180 Bear Gulch Drive, Portola Valley (APN 079-122-270) to the 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?

To abandon the existing inadequate onsite septic system and connect to gravity sewer main in Golden Oak Drive to accommodate a newly constructed single-family home.

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

Yes No

5. Estimated acreage: 4.10 (Lot + Frontage ROW)

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
Sanitary Sewer	Onsite Septic System	West Bay Sanitary District	Proponent	Fees to District

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.

On the south side of Bear Gulch Drive, approximately 150 ft west of the intersection of Bear Gulch Drive and Golden Oak Drive, in the Town of Portola Valley.

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

Residential single-family

3. How are adjacent lands used?

North: Residential single-family

South: Residential single-family

East: Residential single-family

West: Residential single-family

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

A new single-family residence is proposed and will be served by the new sewer connection. The existing single-family residence on the parcel will be demolished. All new construction will be permitted with the Town of Portola Valley.

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

Residential Area No. 7 – Arrowhead Meadows, Alpine Hills, Hillbrook, Stonegate, Stonegate Meadows, Corte Madera Acres, Palmer Estates, Portola Terrace, Portola Heights and Pine Ridge Subdivisions

Low Intensity Category (1-2 Acres/Housing Unit)

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

R-E/1A/SD-1a (Residential Estate / 1 ac/ Slope Density 1A)

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

None – We will apply for a building permit with the Town of Portola Valley for the new residence.

8. What additional approvals will be required to proceed?

Approval of Class 1 and Class 3 sewer permits with West Bay Sanitary District. Approval from San Mateo County Environmental Health will also be needed for abandonment of the existing septic system.

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?

A new single family residence may have been restricted by the existing septic system location, performance and/or sizing per SMCO Environmental Health requirements. Abandoning the existing septic system would reduce restrictions on the number of bedrooms allowable in a new residence.

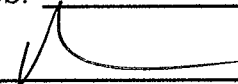
* * * * *

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(S): Robert Stone

ADDRESS: 180 BEAR GRUCH DR.
PORTOLA VALLEY, CA 94028

TELEPHONE: 650.255.9256

ATTN: 

Signature of Proponent

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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 180 Bear Gulch Drive, Portola Valley (APN 079-122-270) 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) 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 (annexation, detachment, reorganization, etc.) is/are: **abandon existing inadequate septic system and connect newly constructed single-family residence to public sewer main.**
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 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*)
<u>3/10/19</u>	<u>Robert Stone</u>	 350 180 BEAR GULCH DRIVE PORTOLA VALLEY, CA 94028

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

APN # 079-122-270

Addendum to Application Requesting Annexation of Lands of

Robert Stone, APN 079-122-270

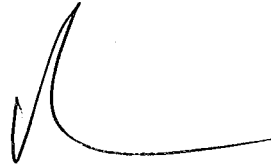
to the West Bay Sanitary District

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As part of above noted application submitted by petition, the Chief Applicant(s), Robert Stone as Applicant(s) 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.



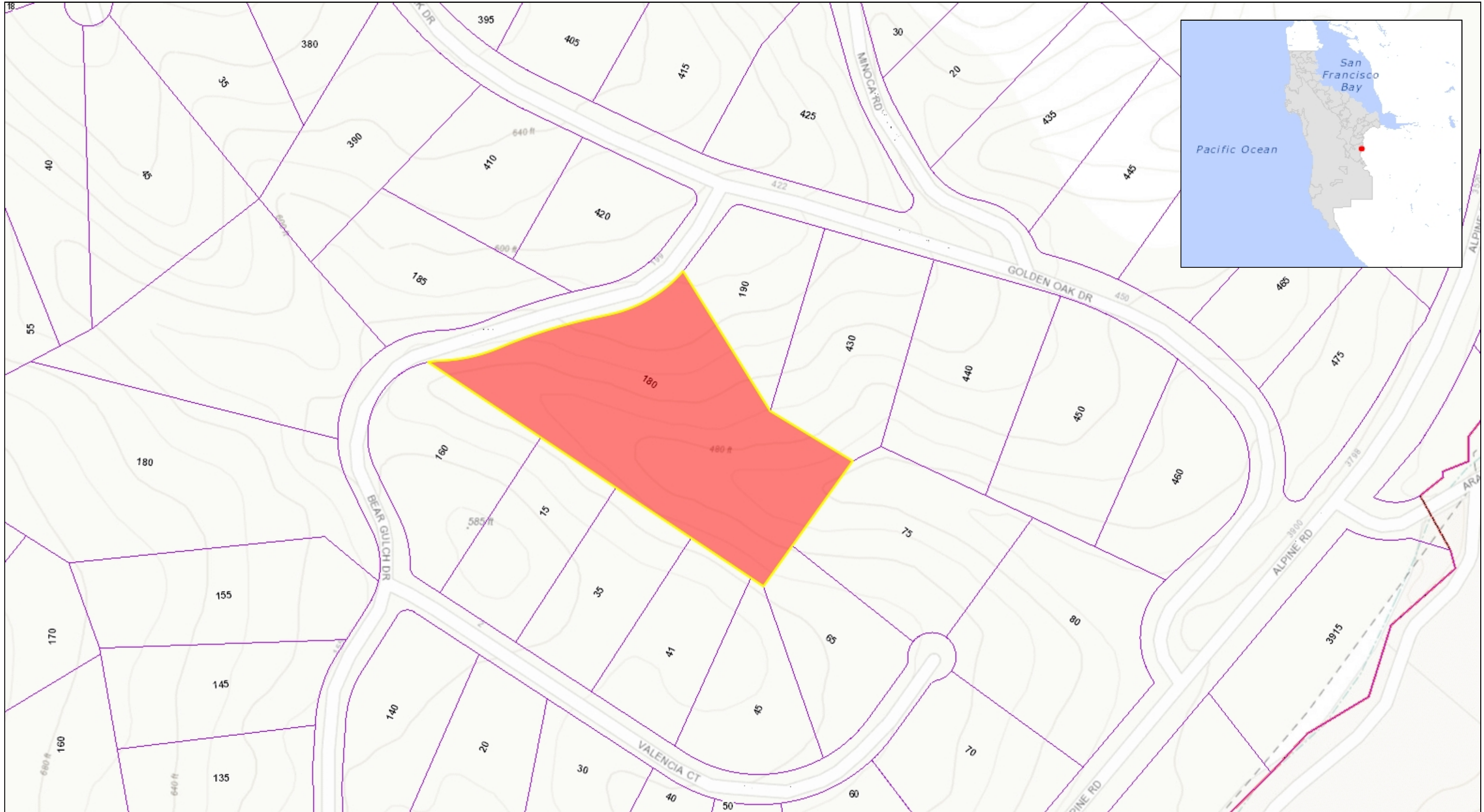
Date

3/10/19

Date

Date

Date



0.07 0 0.04 0.07 Miles

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