

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 13, 2020

**To:** LAFCo Commissioners

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

**Subject:** LAFCo File 19-12 - Proposed annexation of 88, 91, 96, and 99 Hillbrook Drive, Portola Valley (APN 079-074-310, 079-073-090, 079-074-300, 079-073-080) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone (4.5 acres)

## Summary

This proposal, submitted by landowner petition, requests annexation of 88, 91, 96, and 99 Hillbrook Drive, Portola Valley to the West Bay Sanitary District and connection to the District's sewer main as the septic systems are not adequate for future development on the properties. 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 valuations for the four parcels shown in the records of the County Assessor is \$8,175,303. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

*County Clerk:* The territory has nine registered voters. 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 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 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.

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

**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 ▪ ANGELA MONTES, CLERK

*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 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) may 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 force main on Meadowood 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 is also a reimbursement agreement associated with the gravity mains and the estimated reimbursement fee(s) is subject to change based on current construction costs per the agreement. 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 four developed residential parcels to public sewer to accommodate future additions or remodels to the existing structures. The territory proposed for annexation is located in the Town of Portola Valley at 88, 91, 96, and 99 Hillbrook Drive near Alpine Road.

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 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-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. 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**

By resolution, approve LAFCo File 19-12 - Proposed annexation of 88, 91, 96, and 99 Hillbrook Drive, Portola Valley (APN 079-074-310, 079-073-090, 079-074-300, 079-073-080) 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 88, 91, 96, and 99 Hillbrook Drive, Portola Valley
- B. Vicinity Map

cc: Phil Scott, General Manager, West Bay Sanitary District  
Neil Day, Applicant

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.

Annexation of 88, 91, 96, & 99 Hillbrook Drive 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 for 4 neighboring lots to abandon their existing septic system and connect to public sewer system to accommodate a remodel and possible addition.

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

Yes  No

5. Estimated acreage: 4.5 AC

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

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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>Sewer</i>	<i>None</i>	<i>WBSD</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 properties are located on the east and west side of Hillbrook drive approximately 0.4 miles northwest from the intersection of Alpine Road and Hillbrook drive just before Sausal Drive.

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

Residential Estate Single-Family

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3. How are adjacent lands used?

North: Residential

South: "

East: "

West: "

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

The houses at 88 & 91 Hillbrook are to remain as is. The property at 99 Hillbrook will be adding a new secondary unit on site with a remodel of the existing house. The property at 96 Hillbrook will be adding a new pool, site improvements with a New Additional and remodel of the existing house.

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 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: Neil Day

EMAIL: nmday@probox.com

ADDRESS: 99 Hillbrook Drive

TELEPHONE: 650 759-8700

ATTN: \_\_\_\_\_

  
Signature of Proponent

Applica\_blk.doc  
(10/6/2000)

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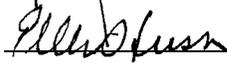
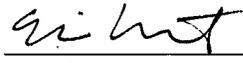
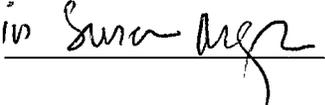
PETITION  
FOR PROCEEDINGS PURSUANT TO  
THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF  
2000

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 88, 91, 96 & 99 Hillbrook Drive 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:  
**Connect 4 single family residences to public sewer and abandon the existing septic system to accommodate a new addition/remodel.**
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.

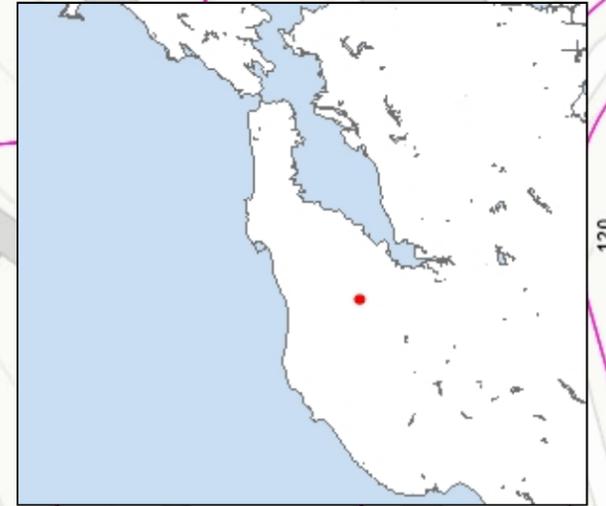
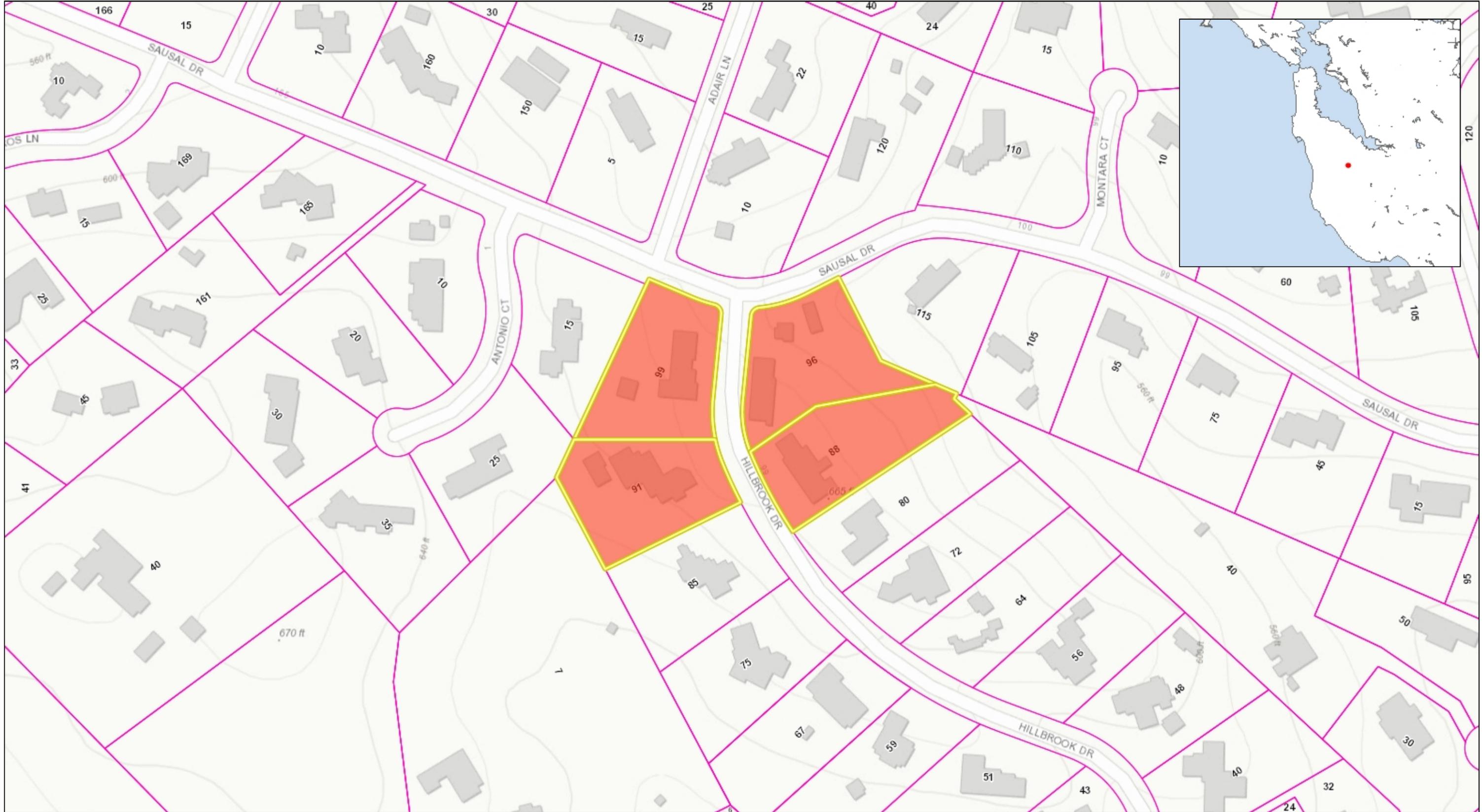
Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. Of the Government Code and herewith affix signatures as follows:

Chief Petitioners (not to exceed three):

Date:	Printed Name:	Signature/Residence address	APN*
<u>10/2/19</u>	<u>Neil Day</u>	 <u>99 Hillbrook, Portola Valley CA</u>	
<u>10/5/19</u>	<u>Ellen Lussier</u>	 <u>91 Hillbrook Dr., Portola Valley, CA 94028</u>	
<u>10/7/19</u>	<u>Chris Pouliot</u>	 <u>96 Hillbrook Dr, Portola Valley, CA.</u>	
<u>11/22/19</u>	<u>Susan McLaughlin</u>	 <u>88 Hillbrook Dr Portola Valley, CA</u>	

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

APN 079-074-310 (88 Hillbrook Dr.)  
APN 079-073-090 (91 Hillbrook Dr.)  
APN 079-074-300 (96 Hillbrook Dr.)  
APN 079-073-080 (99 Hillbrook Dr.)



0.07 0 0.04 0.07 Miles

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1: 2,257



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