

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

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

August 12, 2020

**To:** LAFCo Commissioners

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

**Subject:** LAFCo File 20-05 - Proposed Outside Service Agreement for water by the City of Redwood City to a new single-family home at APN 068-064-300, unincorporated San Mateo County, pursuant to Government Code Section 56133 (less than one acre)

## Summary

Pursuant to Government Code Section 56133, Commission approval is required for extension of service by local agencies to territory outside the agency's boundaries. This section requires that the public agency apply to LAFCo by resolution on behalf of the landowner. In this case, the City of Redwood City has applied by resolution for extension of water service to a proposed home at APN 068-064-300 on Hillcrest Way, unincorporated San Mateo County in the Emerald Lake Hills area. The project area is within the sphere of influence of the City of Redwood City and the City's water service area, but is not contiguous to the City boundary. The property owner will be conditioned to record a document consenting to future annexation of the property to the City. Commission approval is recommended.

## Departmental Reports

*County Assessor:* The net assessed land valuation shown in the records of the County Assessor is \$980,000. The boundaries of the annexation area as proposed conform to lines of assessment and ownership.

*County Clerk:* The territory has no registered voters. The Outside Service Agreement would not conflict with any political subdivision boundaries.

*County Public Works:* The property is located within the Emerald Lake Hills Sewer Maintenance District. The developer or homeowner will be responsible for obtaining a sewer connection and paying the appropriate fees. An encroachment permit will be required for any work in the public right-of-way.

**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  
MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT

**STAFF:** ANALYST ▪ ANGELA MONTES, COMMISSION CLERK

*City of Redwood City:* The City's General Plan designation is residential – low density. The Outside Service Agreement and application to LAFCo for the water connection was approved by the Redwood City City Council on July 27, 2020. The property owner will record a document consenting to any future annexation of the property to the City.

*County Planning Department:* The property is zoned RH/DR and has a General Plan Designation of low density residential - urban. Permits from County Planning and Building have been submitted for the review of construction of a new single-family house on the property (PLN2020-00139 and BLD2020-00937). County Planning recommends approval of the proposal.

*County Environmental Health Services:* The City of Redwood City and the Emerald Lake Hills Sewer Maintenance District provide the available water and sewer service in the area. Environmental Health Services recommends approval of the proposal.

### **California Environmental Quality Act**

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) under Section 15303, Class 3, as it consists of a service extension for an exempt facility (up to three single-family residences and utilities, including water, to serve them).

### **Executive Officer's Report**

This proposal has been submitted by resolution by the City of Redwood City in order to connect a proposed single-family dwelling to City water. The water extension is consistent with Section 56133 and the existing policies of San Mateo LAFCo. The subject property is within the Sphere of Influence of the City of Redwood. The parcel is not, however, contiguous to the City boundary. As such, annexation of this parcel is not feasible at this time. As required by San Mateo LAFCo policy, the property owner will be required to record an agreement consenting to future annexation to the City and waive protest of the annexation if an annexation was proposed.

### **Condition of Approval**

- 1) The applicant shall record the deferred annexation agreement with the San Mateo County Recorder's Office, and provide a copy of the recorded document to LAFCo, prior to the issuance of the approval letter for the Outside Service Agreement for APN 068-064-300.

**Recommended Commission Action**

By motion, approve LAFCo File No. 20-05 – Proposed Outside Service Agreement for water by the City of Redwood City to a new single-family home at APN 068-064-300, unincorporated San Mateo County, pursuant to Government Code Section 56133 (less than one acre) with the condition of approval.

**Attachments**

- A. Outside Service Application for APN 068-064-300
- B. Vicinity Map
- C. Copy of City of Redwood City Resolution and Draft Agreement

Distribution:                    Javier Sierra, City of Redwood City  
    Jeremy Segermeister, Applicant  
    Kanoa Kelley, San Mateo County Planning Department  
    John Brennan, San Mateo County Building Department

**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.

New construction home in San Mateo County (APN 068-064-300)

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?

I am building a new construction home for my family that did not have a prior building on it and thus needs water connection. \_\_\_\_\_

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

Yes  No

5. Estimated acreage: .2

**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.

San Mateo County & Redwood City  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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>Domestic Water</i>	<i>None</i>	<i>Redwood City</i>	<i>Owner</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.

Empty lot East of 711 Hillcrest Way

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

Empty lot

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3. How are adjacent lands used?

North: Residential Home

South: Residential Home

East: Residential Home

West: Residential Home

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

Yes, this will enable me to build a home

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

Emerald Hills

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

RH

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

Design review for the home is in progress

8. What additional approvals will be required to proceed?

None

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?

Yes – Residential development

\* \* \* \* \*

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:

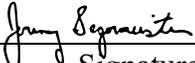
NAME: Jeremy Segermeister

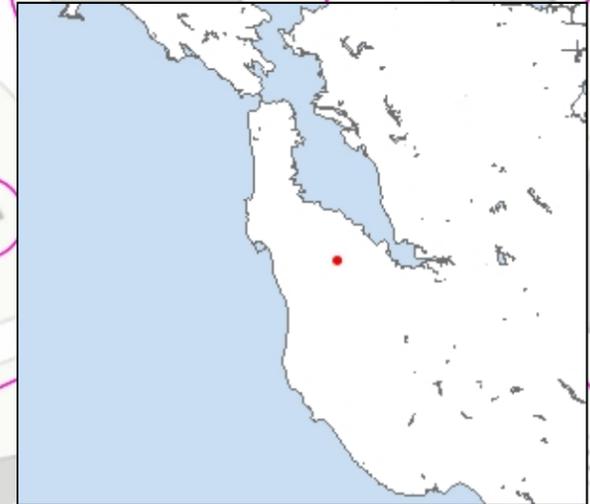
EMAIL: jeremysegermeister@gmail.com

ADDRESS: 608 Sunsweet Way, Campbell CA 95008

TELEPHONE: (908)415-0709

ATTN: Rob Bartoli

  
Signature of Proponent



0.04 0 0.02 0.04 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

1: 1,128



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

**RESOLUTION NO. 15872**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF REDWOOD CITY AUTHORIZING APPLICATION TO THE LOCAL AGENCY FORMATION COMMISSION REQUESTING APPROVAL FOR EXTENSION OF WATER SERVICES TO A NEW SINGLE FAMILY HOME ON AN UNDEVELOPED PARCEL AT 717 HILLCREST WAY (APN 068-064-300) OUTSIDE JURISDICTIONAL BOUNDARIES PURSUANT TO GOVERNMENT CODE SECTION 56133**

**WHEREAS**, the property located at 717 Hillcrest Way, APN 068-064-300 (the "Property"), Unincorporated San Mateo County, California is outside the jurisdictional boundaries of the City of Redwood City ("City"), but inside City's sphere of influence and water service area; and

**WHEREAS**, The Property is an undeveloped parcel; and

**WHEREAS**, the County of San Mateo is processing an application for approval to construct a new single family home on the Property; and

**WHEREAS**, the County of San Mateo's approval of the subdivision and building permits is conditioned upon the property owner obtaining a new water connection and service for the proposed residence from the City; and

**WHEREAS**, the property owner has requested that the City provide water services to the proposed single family home on the Property; and

**WHEREAS**, this project is categorically exempt under the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15303(d) (New Construction or Conversion of Small Structures).

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REDWOOD CITY, AS FOLLOWS:**

1. The City Manager or his designee is hereby authorized and directed to submit an application to the Local Agency Formation Commission (“LAFCO”) requesting approval of an extension of the water service outside the City’s jurisdictional boundaries and within the City’s sphere of influence and water service area to the property at 717 Hillcrest Way, Unincorporated San Mateo County, California pursuant to California Government Code Section 56133 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The water service connection proposed for the single family residence at the Property is subject to the following conditions and fees:

- a) LAFCO approval of the application for the proposed water service connection;
- b) Property owner’s payment of LAFCO fees;
- c) After approval of the construction drawings by the San Mateo County Building Department and upon application for new water service, property owner’s payment of all applicable Redwood City fees, including connection fees associated with providing proposed water service;
- d) Property owner’s payment of the city’s water service annexation fees;
- e) Property owner’s installation, or payment for the city to install, a new water service line;
- f) Property owner is responsible for the design, construction, and connection of any water main modifications or extensions necessary to provide adequate flow for domestic use and fire suppression, in accordance to City Code Section 38.26 and as determined by city;

- g) Property owner shall pay the fees for any construction permit in connection with all above improvements, and shall pay associated costs for plan review and inspections;
- h) Property owner shall adhere to all the review comments and conditions of service stated by the City; and
- i) Property owner shall submit a signed Declaration of Restriction Agreement with the City and record it with the County of San Mateo.

3. The Local Agency Formation Commission of San Mateo County is hereby requested to take proceedings in the manner provided by California Government Code Section 56133.

\* \* \*

Passed and adopted by the Council of the City of Redwood City at a  
Joint City Council/Successor Agency Board/Public Financing Authority Meeting  
thereof held on the 27<sup>th</sup> day of July 2020 by the following votes:

AYES:	Aguirre, Bain, Borgens, Hale, Masur, Reddy and Mayor Howard
NOES:	None
ABSENT:	None
ABSTAINED:	None
RECUSED:	None



Diane Howard  
Mayor of the City of Redwood City

Attest:



Pamela Aguilar, CMC  
City Clerk of Redwood City

I hereby approve the foregoing  
resolution this 30<sup>th</sup> day of July 2020.



Diane Howard  
Mayor of the City of Redwood City

**RECORDING REQUESTED BY AND  
AFTER RECORDING MAIL TO:**

**LOCAL AGENCY FORMATION COMMISSION  
455 COUNTY CENTER  
REDWOOD CITY, CA 94063**

**With a copy to:  
CITY CLERK  
CITY OF REDWOOD CITY  
P.O. BOX 391  
1017 MIDDLEFIELD ROAD  
REDWOOD CITY, CA 94064**

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**SPACE ABOVE RESERVED FOR RECORDER'S USE  
Exempt from recording fee per Gov. Code § 27383.**

**DECLARATION OF RESTRICTION**

**THIS DECLARATION OF RESTRICTION** ("Declaration") is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2020, by the Property Owner(s), Jeremy and Sabrina Segermeister ("Owner").

**WITNESSETH:**

**WHEREAS**, Owner owns all that certain real property situate in the County of San Mateo, State of California, commonly known as 717 Hillcrest Way 068-064-300 (the "Property"), as more particularly described in Exhibit "A," attached hereto and incorporated herein by this reference; and

**WHEREAS**, the Property is located outside the jurisdictional boundaries of the City of Redwood City, a charter city and municipal corporation of the State of California, ("City"), and not contiguous to the City's boundary, but within the City's Sphere of Influence as determined by the San Mateo County Local Agency Formation Commission (the "Commission"); and

**WHEREAS**, the County of San Mateo is processing an application to construct a new single family home in the Property; and

**WHEREAS**, on July 27, 2020, the City Council of the City adopted Resolution No.\_\_\_\_\_, authorizing the application by the City to the Commission requesting approval for extension of water service to the new single family residence in the Property pursuant to Government Code Section 56133 and in compliance with Redwood City Municipal Code Chapter 38 (Water System Regulations); and

**WHEREAS**, as a condition to said water service connection, the Commission required the Owner to evidence consent to annexation to City and waiver of protest to such annexation in the event the Property were to be proposed for annexation to City; and

**WHEREAS**, Owner desires to evidence such consent and waiver; and

**WHEREAS**, Owner understands that any future annexation to City is subject to any and all City rights and determinations, whether legislative, quasi-judicial, administrative, or however characterized, with respect to any proposed annexation of the Property to City.

#### **A G R E E M E N T:**

**NOW, THEREFORE, Owner agrees as follows:**

1. **CONSENT**. In the event the Property shall be proposed for annexation to the City, Owner hereby consents to said annexation, and hereby waives Owner's rights to protest such annexation pursuant to the provisions of law governing such annexations.

2. **TAXES, OTHER CHARGES**. In the event annexation of the Property to City shall be duly approved by all agencies having jurisdiction thereof, Owner agrees that the Property shall be subject to any and all general, special, extraordinary, or additional taxes or assessments or any and all general, special extraordinary, or additional service charges, fees, or rates, levied against, imposed upon, or otherwise pertaining to the

Property by any and all agencies, including the City, having jurisdiction thereof in the same fashion as other like property located within the territorial limits of City.

3. **SUCCESSORS**. This Declaration and all of the terms, conditions, covenants and declarations herein contained shall be binding upon, and shall inure to the benefit of, Owner, and Owner's administrators, heirs, assigns, and transferees.

4. **RUNS WITH THE LAND; RECORDATION**. This Declaration pertains to and shall run with the Property. Upon execution, this Declaration shall be recorded in the Official Records of San Mateo County.

5. **CAPTIONS**. Paragraph headings as used herein are for convenience only, and shall not be deemed to affect the meaning or intent of the paragraph headed thereby.

**IN WITNESS WHEREOF**, Owner has executed this Declaration the date and year first hereinabove written.

**OWNERS**

Jeremy and Sabrina Segermeister

\_\_\_\_\_  
By: Jeremy Segermeister

Date: \_\_\_\_\_

\_\_\_\_\_  
By: Sabrina Segermeister

Date: \_\_\_\_\_

***[Signatures must be notarized]***

**EXHIBIT "A"**  
**Legal Description**

**APN: 068-064-300**

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE UNINCORPORATED AREA IN COUNTY OF SAN MATEO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

LOT NUMBER THREE (3), BLOCK FOUR HUNDRED AND TWO (402) AS THE SAME ARE LAID DOWN AND DELINEATED ON THAT CERTAIN MAP ENTITLED "MAP OF HIGHLANDS OF EMERALD LAKE, SUBDIVISION NUMBER FOUR (4), SAN MATEO COUNTY, CALIFORNIA", FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN MATEO COUNTY, JANUARY 19, 1927 IN VOLUME 15 OF MAPS AT PAGES 11, 12, 13 AND 14.