

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 No. 20-06 - Proposed annexation of 17 Redberry Ridge, Portola Valley, to West Bay Sanitary District On-site Wastewater Disposal Zone (OWDZ)

Summary

This proposal, submitted by landowner petition, requests annexation of 17 Redberry Ridge, Portola Valley to the On-site Wastewater Disposal Zone (OWDZ) of the West Bay Sanitary District. The property is already within the boundaries of the District, but is required to be annexed to the OWDZ in order for the District to maintain the pumping system that will be constructed as part of the sewer connection. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. Commission approval is recommended.

Departmental Reports

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). Permits for the construction of a new single-family on the property have been reviewed and approved by the Town.

West Bay Sanitary District: Annexation, permit, and connections fees will be required by the district prior to the connection to the District's sewer line. The District supports the annexation of the property into the OWDZ.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to annex the parcel into the District's On-Site Waste Water Disposal Zone to allow the District to maintain the pumping system required to connect a proposed single-family residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley at 17 Redberry Ridge near Buck Meadow Drive.

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

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. In 1988 the parcel was annexed to the District (LAFCo File 88-3). However, at the time, the property was not annexed to the On-Site Wastewater Disposal Zone. The property has remained vacant and the Town recently approved permits for construction of the new residence.

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.

The annexation to the OWDZ does not constitute an annexation to the District and is not subject to District annexation proceedings. Thus, there will be no change to elections or tax rolls and no filing with the State Board of Equalization.

Approval of annexation to the Zone is recommended.

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).

Request for Waiver of LAFCo Processing Fees

The proponents are requesting a waiver of the processing fees for this application. Per the adopted LAFCo Fee Schedule, fees may be waived by the Commission if there is a financial hardship or if the application is in response to a LAFCo condition or recommendation. The applicant states in their letter to the Commission that the property was annexed to the District in 1988 which would then permit a future connection to the District’s sewer system. However, the construction of this connection now requires annexation to the Zone to allow the District to properly maintain the new connection. The annexation to the zone does not change the boundaries of the District or impact any other boundaries. Sections 6960.3 and 6974 of the Health and Safety Code requires LAFCo approval for this annexation to the OWDZ. As this does not require the analysis required by a District annexation and is not a condition imposed by LAFCo, the request to waive the processing fee is recommended.

Recommended Commission Action, by Motion

Approve waiver of \$500 fee for Zone annexation and direct the Executive Officer to send a letter memorializing the Commission approval of annexation of 17 Redberry Ridge, Portola Valley, to the West Bay Sanitary District’s On-site Wastewater Disposal Zone (OWDZ).

Attachments

A. Annexation Application and Fee Wavier Letter for 17 Redberry Ridge, Portola Valley

B. Vicinity Map

cc: Sergio Ramirez, General Manager, West Bay Sanitary District
David Yan, Property Owner

**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 into the OWDZ
Property was annexed into West Bay Sanitary District in 1988

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 into the on site waste disposal system of
WBSD
no changes to the boundaries

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

Yes No

5. Estimated acreage: 1.65

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 (example)</i>	<i>None</i>	<i>City of ... West Bay Sanitary District</i>	<i>Proponent</i>	<i>Fees</i>
			<i>Proponent</i>	<i>Fees</i>
<i>Fire</i>	<i>None</i>			
<i>Water</i>	<i>None</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.

17 Redberry Ridge Portola Valley
Cross Street Buck Meadow - Portola Valley
APN # 080 - 241 - 130

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

house under construction

3. How are adjacent lands used?

North: residential use
 South: residential use
 East: residential use
 West: residential use

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

development of house under construction

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

Residential R-3

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

Lot 13 Blue Oaks Subdivision

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

Planning Permit Approval Permit from the town of Portola Valley X914-671, 17, ASCE Approval 71414, Site development Grading, Drainage, erosion control (Public Works) 51414, Woodside fire permit R327 Geotechnical Peer Review V5034B

8. What additional approvals will be required to proceed?

West Bay Sanitary 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?

NA - this property is proposed to be developed

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: David Yan 

07/23/2020

EMAIL: alena.yan@gmail.com

ADDRESS: 177 Favonia Rd, Portola Valley, CA, 94028

TELEPHONE: 650 704 5503

ATTN: _____

**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:

- annexatio to the OWDZ

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, detachment, reorganization, etc.) is/are:
WBSD required that the property be in the OWDZ prior to sewer connection by the District

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):

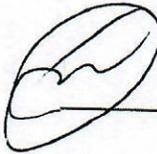
Date:	Printed Name:	Signature/Residence	APN*
07/23/2020	David Yan	Address: 177 FAVONA PORTOLA VALLEY, CA 94028	080-241-130
07/23/2020	Alena Yan	A. Yan / 177 Favona Rd Portola Valley, CA, 94028	080-241-130

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

Addendum to Application titled LAFCo File No. --
Proposed of/for (Address)

APN's (List)
to

As part of above noted application submitted by petition, the Chief Applicants, (Name of Applicants) 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.

 DAVID YAN Date 07/23/2020

A. Yan (Alena Yan) Date 07/23/2020

_____ Date _____

_____ Date _____

07/22/20

Mr. Rob Bartoli, Management Analyst

LAFCO

Dear Mr. Bartoli

I am writing to you in reference to the property located @ 17 Redberry Ridge in Portola Valley, California.

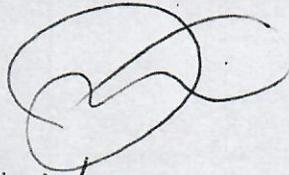
The APN# for this property is #080-241-130

Said property was annexed into the West Bay Sanitary District in 1988, however the District and State law are now requiring an additional annexation into the OWDZ as part of the development of the property with a new home.

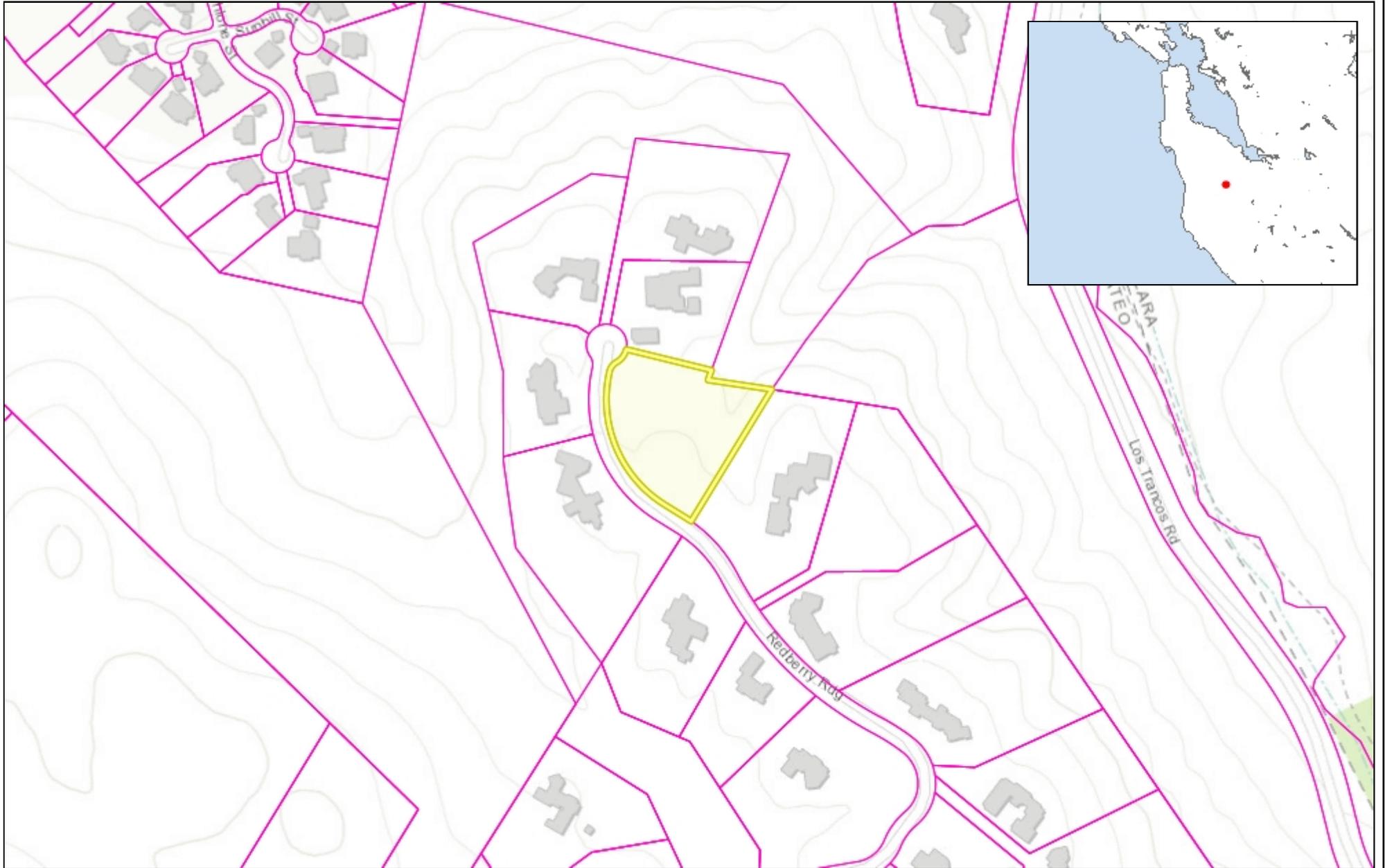
Since the proposal does not require any boundary changes or Board of Equalization filing we are requesting that the fees be waived.

We appreciate you taking our request into consideration.

Sincerely,



David Yan
7/23/2020



0.14 0 0.07 0.14 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
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1:4,514 

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