

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

November 11, 2020

To: LAFCo Commissioners

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

Subject: Time Extension for LAFCo File No. 19-03 - Annexation of 252 Club Drive, Unincorporated San Mateo County (APN 049-050-050) to the City of San Carlos

Summary

On January 15, 2020, the Commission approved the annexation of 252 Club Drive to the City of San Carlos as the septic system on the property had failed and the owner wished to obtain sewer service from the City. The City of San Carlos has approved the pre-zoning of the parcel and both the City and the County have approved the required property tax exchange.

The Commission's approval was conditional upon the submittal of the map and legal description and Board of Equalization fee for the annexation and that the applicant completes all work associated with any County permits for the property. The map and legal description will need to be submitted to LAFCo for review and the applicants will need to finalize work regarding legalizing a basement conversion and the abatement of the existing septic system.

Per Government Code Section 57001, the original approval is set to expire on January 15, 2021. As allowed for by this code section, an applicant may request a time extension. The property has requested a one-year time extension to January 15, 2022 to complete the conditions of approval for the annexation (see Attachment A).

Recommended Commission Action by Resolution

By motion, approve a one-year time extension for LAFCo File No. 19-03 - Annexation of 252 Club Drive, Unincorporated San Mateo County (APN 049-050-050) to the City of San Carlos so that the annexation is completed no later than January 15, 2022.

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 ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

Attachments

- A. Email from property owner
- B. January 15, 2020 LAFCo staff report
- C. January 15, 2020 meeting minutes

cc: Henry and Maria Zuschlag, Property Owners
Jeff Maltbie, City of San Carlos
Grace Lee, City of San Carlos
Andrea Mardesich, City of San Carlos
Kanoa Kelley, San Mateo County Planning Department
John Brennan, San Mateo County Building Department
Greg Smith, San Mateo County Environmental Health Services

Rob Bartoli

From: dianarz252 [REDACTED]
Sent: Friday, October 23, 2020 9:51 AM
To: Rob Bartoli
Subject: RE: 252 Club Drive - Sewer Service (Outside Service Agreement and Annexation)

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of San Mateo County. Unless you recognize the sender's email address and know the content is safe, do not click links, open attachments or reply.

Hi there rob

Got your message n forwarded to our architect mr.devigal for help ok we moved to las.vegas but kept our house there can u give us an extension to complete it ok thanks so much just hope 2020 will soon be over thanks you so much

Maria zuschlag

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Rob Bartoli <RBartoli@smcgov.org>
Date: 10/22/20 11:58 AM (GMT-08:00)
To: Diana Zuschlag [REDACTED]
Subject: RE: 252 Club Drive - Sewer Service (Outside Service Agreement and Annexation)

Hi Maria,

I hope that you and your family are doing well. I wanted to check-in with you regarding the status of the County permits for the removal of the septic system on the property, the permit to legalize the downstairs area, and the map and legal description required to complete the annexation to the City of San Carlos. I know that these are a lot of items to work on, so I was wondering if you need a time extension to complete the annexation. Typically LAFCo has 1 year to complete everything needed for an annexation, but we can grant a time extension if it requested. How much more time do you need to complete the building permits and get the map and legal description prepared?

Thank you,

Rob



LOCAL AGENCY FORMATION COMMISSION

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

January 8, 2020

To: LAFCo Commissioners

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

Subject: LAFCo File No. 19-03 - Proposed Annexation of 252 Club Drive (APN 049-050-050) to the City of San Carlos (0.15 acres)

Summary

This proposal, submitted by landowner petition, requests annexation of 252 Club Drive, (APN 049-050-050) to the City of San Carlos. On March 20, 2019 the Commission approved an Emergency Outside Service Agreement (LAFCo File No. 19-01) to allow the City of San Carlos to serve the existing house at 252 Club Drive, as the septic system on the property had failed. A condition of approval for this Outside Service Agreement required that the property owners apply for annexation to the City of San Carlos. The City of San Carlos has approved the pre-zoning of the parcel and both the City and the County have approved the required property tax exchange. The proposal has 100 percent landowner consent and requests waiver of conducting authority proceedings. Commission approval of the proposal is recommended.

Background

252 Club Drive is developed with one single-family home that was constructed in 1936. The property is located in unincorporated San Mateo County, but it is within the Sphere of Influence of the City of San Carlos. The parcel is located in an established single-family neighborhood and abuts the City boundary line on three sides. As shown on Attachment B, 252 Club Drive is one of five parcels on this side of Club Drive that are unincorporated. On the south side of Club there are three unincorporated developed parcels and many unincorporated parcels that are not developed due to topography, lot size and lack of access.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor for 252 Club Drive is \$25,248. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

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 Clerk: The territory has one registered voter. Annexation would not conflict with any political subdivision boundaries. If the annexation was approved, the address would be changed from unincorporated to the City of San Carlos.

County Public Works: No comments. Club Drive is already within the City of San Carlos boundary.

The map and legal description required by the State Board of Equalization have not yet been submitted.

County Planning: The San Mateo County General Plan encourages the annexation of the urban unincorporated parcels needing municipal service. The property is located within the existing sphere of influence for the City of San Carlos and currently served by water and sewer providers.

The property has two open Building permits, one to complete the sewer connection (BLD2019-00393) and one to legalize a basement conversion (BLD2019-00487). These two permits shall be completed prior to recordation of the annexation.

County Environmental Health Services: The property is served by a domestic water and a City sewer connection. Environmental Health is supportive of the annexation.

City of San Carlos: The City of San Carlos supports the annexation proposal. The City Council approved a General Plan amendment and pre-zoning of the subject parcel, on November 12, 2019. The site is contiguous to the City boundary and City maintained Club Drive. Annexation of the parcel results in the addition of one single-family home into the City's housing stock and slight increase in the annual property tax revenue to be received. The use and nature of the existing single-family home is consistent and complimentary to the established surrounding land use pattern of other single-family homes in the adjacent City neighborhoods.

The City of San Carlos is requesting that the two associated building permits for this property that are currently open with the County be resolved prior to recording the certificate of completion for the annexation.

Existing and Proposed Land Use Designations

The property is developed with an existing single-family residence. No change to the use of the property is proposed. The current San Mateo County General Plan designation for the area is Medium Density Residential-Urban and the zoning designation is R-1/S-71 (Single Family Residential). The City of San Carlos City Council approved a General Plan designation of Single Family, Low Density and a pre-zoning designation of RS-3, Low Density to the proposal area on November 12, 2019. The City designations for both land use and zoning are consistent with neighboring parcels that are already located in the City.

Sphere of Influence

The sphere of influence of the City of San Carlos was most recently updated by LAFCo in 2011 and included the Devonshire area where 252 Club Drive is located. The subject parcel is not located within the service area or the sphere of influence of any County-governed special district.

Current and Proposed Services

Changes in service that would occur as a result of the reorganization are summarized below:

Service	Current Service Provider	Proposed Service Provider
Police	San Mateo County Sheriff	City of San Carlos (Contract with San Mateo County Sheriff)
Fire	San Mateo County Fire (CAL Fire)	City of San Carlos (Contract with Redwood City Fire Department)
Streets/Storm Water	County of San Mateo	City of San Carlos
Water	California Water Services Company	California Water Services Company
Sewer	City of San Carlos	City of San Carlos
Street Lighting	None	City of San Carlos
Parks	County of San Mateo	City of San Carlos
Library	Library Joint Power Authority	Library Joint Power Authority

No change in service delivery patterns will occur for water or sewer as the property already receives service from the California Water Services Company and the City of San Carlos respectively. Annexation to the City will result in transfer of service responsibility for police, fire, parks and recreation, and street lights and transfer of associated property tax revenue to the City of San Carlos.

Property Tax Exchange

As noted, annexation to the City will result in transfer of service responsibility and associated property tax revenue to the City of San Carlos. Both the City of San Carlos and the County of San Mateo have adopted resolutions of property tax exchange pursuant to Revenue and Tax Code Section 99.

The County and the City agreed to a tax exchange that approximates the County and City shares elsewhere in the City. The agreed upon property tax transfers in tax rate area 053-010 are summarized in the following chart.

From	To	Incremental Factor
County Fire	City of San Carlos	0.078037767
County of San Mateo	City of San Carlos	0.054962233

The total increment transferred to the City of San Carlos is 0.1330000000. The remaining tax share for the County is 0.2329735117. Based on the proposed transfers, after the annexation and amendments are complete, the City of San Carlos will receive \$109.65 based on the current value of the home.

While this does not appear to have a large fiscal impact based on the amounts noted above, if the property was sold and reassessed, it is likely that taxes would significantly increase, and the incremental tax revenues will be distributed based on the proposed incremental factors. This property tax exchange was approved by both the San Mateo County Board of Supervisor and the City of San Carlos City Council in 2019.

Applicable Factors to be Considered for Annexation (Government Code Section 56668)

a. Population and the likelihood of significant growth in the area, during the next 10 years.

The population of unincorporated Devonshire as of 2010 is approximately 2,546. The parcel is developed, and would not have an impact on the overall population of the area. The annexation is occurring in an already developed single-family neighborhood. Due to the location, size, and lack of development activity, it is not anticipated that additional growth will occur relating to this annexation.

b. The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the County.

The proposal to annex the property will allow the City of San Carlos to more efficiently provide the residents of the property with public services. The City now provides sewer service to the property and the annexation would allow the City to provide municipal service, such as fire, police, and park and recreation services. Due to the existing development on the property, the annexation of the parcel to the City would have minimal impact on municipal service demand.

The proposal is consistent with existing residential uses in the surrounding neighborhood and would have negligible, if any, impact on adjacent areas, social and economic interests, and the local government structure of the county.

c. The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development and definiteness and certainty of the boundaries of the territory, the creation of islands or corridors of unincorporated territory.

The proposal conforms with LAFCo and County General Plan policies that encourage the annexation of areas within city spheres of influence. The property is adjacent to the City boundary on three sides. The Club Drive road right-of-way is already located in the City of San Carlos.

d. Consistency with city or county general and specific plan and the sphere of influence of any local agency which may be applicable to the proposal being reviewed.

The property owner is requesting annexation in order to comply with a condition of approval for the related Emergency Outside Service Agreement. No development is proposed on the property with the exception of completing existing permits regarding the sewer connection and the legalization of a previous basement conversion.

As noted above, the proposal is consistent with both City and County General Plan policies encouraging the annexation of areas in city spheres of influence.

- e. The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The proposal area is already receiving water and sewer service consistent with other areas in the City of San Carlos. The City has indicated in a fiscal analysis of the proposal that the City would receive a minor net fiscal benefit and that no additional recurring service costs would be directly associated with the annexed parcel.

- f. The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments.

While there will be minimal impact to the City's regional housing need, the provision of sewer service by the City allows the residential use on the property to remain. This sewer connection allows for an increased opportunity for the development of an Accessory Dwelling Unit (ADU) on the property that would not otherwise be allowed with a septic system.

- g. The extent to which the proposal will promote environmental justice.

The project area does not include a disadvantaged unincorporated community (DUC), as defined in Section 56033.5. (i.e., residents making less than 80% of the statewide annual median household income). At the census tract level, there are no DUCs identified in San Mateo County.

- h. Information contained in a safety element of general plan, local hazard mitigation plan, and any maps that identify land as a very high fire hazard zone or state responsibility area.

Based on a review of all relevant plans and maps, the area proposed to be annexed is located in a local very high fire area. The property is developed with an existing single-family home which was constructed in 1936. The very high fire area designation is applied to all properties, both incorporated and unincorporated, in the Devonshire area. If development is proposed in the future, the City of San Carlos will apply the applicable regulations and standards for construction within the very high fire hazard 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 Government Code Section 56663 to streamline proceedings in which landowners have already given consent to an uninhabited annexation. The landowners have requested, and staff recommends, waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

The proposal is consistent with the spheres of influence of the City, General Plans of the County and the City and the service delivery patterns in the area. Staff respectfully recommends that the Commission approve the proposal by taking the following action:

By resolution, approve LAFCo File No. 19-03– Proposed Annexation of 252 Club Drive (APN 049-050-050) to the City of San Carlos and direct the Executive Officer to waive the conducting of the conducting authority proceedings subject to the following conditions of approval:

San Mateo LAFCo:

1. Submittal of the map and legal description prepared by a licensed surveyor, that meet the requirements of the State Board of Equalization along with filing fee.

City of San Carlos:

2. The applicant shall complete all work associated with any County of San Mateo permits, including BLD2019-00393 and BLD2019-00487, prior to the recording of the annexation.

Attachments

A. Annexation Application

B. Vicinity Map

C. City of San Carlos Resolutions

cc: Henry and Maria Zuschlag, Property Owners
Jeff Maltbie, City of San Carlos
Grace Lee, City of San Carlos
Andrea Mardesich, City of San Carlos
Kanoa Kelley, San Mateo County Planning Department
John Brennan, San Mateo County Building Department
Greg Smith, San Mateo County Environmental Health Services

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

RECEIVED

MAR 22 2019

LAFCO

A. GENERAL INFORMATION

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

Annexation of 252 Club Drive, unincorporated San Carlos (APN 049-050-050) to the City of San Carlos

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?

The annexation of the property is a requirement of an approved Outside Service Agreement with the City of San Carlos (LAFCo File No. 19-01) for a sewer connection.

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

Yes No

5. Estimated acreage: 0.15 acres

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.

City of San Carlos, County of San Mateo, County Fire (CAL Fire)

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</i>	<i>Co. Sheriff</i>	<i>Co. Sheriff (by contract with the City of San Carlos)</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer</i>	<i>City of San Carlos</i>	<i>City of San Carlos</i>	<i>N/A</i>	<i>Fees</i>
<i>Water</i>	<i>California Water Service – San Carlos</i>	<i>California Water Service – San Carlos</i>	<i>N/A</i>	<i>Fees</i>
<i>Fire</i>	<i>CAL Fire</i>	<i>City of San Carlos</i>	<i>N/A</i>	<i>Taxes</i>
<i>Solid Waste</i>	<i>Recology San Mateo County (under franchise agreement with San Mateo County)</i>	<i>Recology San Mateo County (under franchise agreement with City of San Carlos)</i>	<i>N/A</i>	<i>Fees</i>
<i>Storm Drain</i>	<i>City of San Carlos</i>	<i>City of San Carlos</i>	<i>N/A</i>	<i>Taxes</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.

252 Club Drive (APN 049-050-050) is located in unincorporated San Carlos (Devonshire)

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

The property is developed with an existing single-family residence.

3. How are adjacent lands used?

North: Developed with a single-family residence.

South: Club Drive roadway, across the road is a single-family residence

East: Developed with a single-family residence.

West: California Water Service water tank

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

The proposed annexation of an existing house will not result in additional development. The annexation of the property is a requirement of an approved Outside Service Agreement with the City of San Carlos (LAFCo File No. 19-01) for a sewer connection. No new development of the property is proposed at this time.

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

Medium Density Residential Urban (San Mateo County)

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

R-1/S-71/DR (San Mateo County)

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

An Outside Service Agreement for a sewer connection has been approved by the City of San Carlos and LAFCo. An application for rezoning has been submitted to the City of San Carlos.

8. What additional approvals will be required to proceed?

The City of San Carlos will need to approve the rezoning and environmental documents for the project. A property tax exchange for the annexation of the property will need to be approved by the City and County.

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?

The property does not contain agricultural preserves, sewer or other service moratorium or wetlands subject to the State Lands Commission jurisdiction.

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?

The existing property has existing sewer and water connections and is located within an existing single-family neighborhood. Any proposed development on the property will need to conform to the general plan and zoning designations of the City of San Carlos after the property is annexed, which is highly likely to maintain the single-family character of the property.

* * * * *

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: HENRY ZUSCHLAG

EMAIL: dianariz252@gmail.com

ADDRESS: 252 CLUB DR.

TELEPHONE: (650) 339-1505

ATTN: _____

Henry R. Zuschlag
Signature of Proponent

Applica_blk.doc
(10/6/2000)

MAR 22 2019

LAFCO

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 252 Club Drive to the City of San Carlos.
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: 252 Club Drive, unincorporated San Carlos (APN 049-050-050)
 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(annexation, detachment, reorganization, etc.) is/are:

The annexation of the property is a requirement of an approved Outside Service Agreement with the City of San Carlos (LAFCo File No. 19-01) for a sewer connection.

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

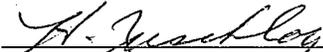
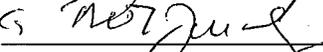
The City of San Carlos will need to approve the rezoning and environmental documents for the project. A property tax exchange for the annexation of the property will need to be approved by the City and County.

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	APN*
22 MAR 2019	H. ZUSCHLAG	 252 CLUB DR.	
20 MAR 2019	M ZUSCHLAG	 252 CLUB DR	
_____	_____	_____	

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

RESOLUTION NO. 2019 - 092

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
ADOPTING A GENERAL PLAN MAP AMENDMENT FOR THE PROPERTY LOCATED AT
252 CLUB DRIVE (APN: 049-050-050) TO A LAND USE DESIGNATION OF SINGLE
FAMILY, LOW DENSITY (3 DU/ACRE).**

WHEREAS, the San Carlos City Council has received an application from the property owners of 252 Club Drive (Assessor's Parcel Number (APN) 049-050-050) for a General Plan Map Amendment to a land use designation of Single Family, Low Density (3 DU/Acre) with the associated request for a Zoning District Boundary Map Amendment as initial steps to rezoning and annexation of the subject property from the County of San Mateo into the City of San Carlos ("Project"); and

WHEREAS, it is determined that the aforementioned property is located within the Local Agency Formation Commission ("LAFCo") adopted sphere of influence ("SOI") of San Carlos; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the City Council has determined that the application for a General Plan Map Amendment and associated Zoning District Boundary (Map) Amendment for the aforementioned property is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) Common Sense Exemption and Section 15319 Annexation of Existing Facilities and Lots for Exempt Facilities; and

WHEREAS, on October 21, 2019 the San Carlos Planning Commission conducted a public hearing to consider a recommendation to the City Council regarding a General Plan Map amendment for the aforementioned property to a land use designation of Single Family, Low Density (3 DU/acre); and

WHEREAS, on October 21, 2019 the San Carlos Planning Commission adopted Planning Commission Resolution No. 2019-09 recommending City Council approval of such, which includes the reasons for the recommendation, findings for a General Plan Amendment in Chapter 18.34 and the relationship of the proposed amendment to applicable general and specific plans; and

WHEREAS, on November 12, 2019 the City Council conducted a public hearing to receive Planning Commission Resolution 2019-09 recommending approval and to consider the application from the property owners of the aforementioned property regarding a General Plan Map amendment to a land use designation of Single Family, Low Density (3 DU/acre) in conformance with Chapters 18.27 Common Procedures and 18.34 Amendments to the General Plan of the San Carlos Municipal Code; and

WHEREAS, the City Council finds that an amendment to the General Plan Map to a land use designation of Single Family, Low Density (3 DU/acre) for the aforementioned property is consistent the San Carlos General Plan and Municipal Code.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Carlos does hereby resolve, determine and order as follows:

A. Findings

The City Council determines that the General Plan Map Amendment meets, and is consistent with, the following required General Plan policies:

1. POLICY LU-4.2 Annexation of all or portions of unincorporated residential areas shall only be permitted when public services and facilities meeting City standards are available to the lands proposed for inclusion in the city. All streets, sewage and drainage systems and police and fire protection must meet City standards. In no case shall the city taxpayer be burdened with paying for additional services for newly annexed lands. Funds for these services shall be generated through property tax revenue, the establishment of special assessment districts or they shall be paid for by the developer/property owner.
2. POLICY LU-4.5 Annexation of developed parcels shall be in substantial compliance with the following criteria:
 - a. The parcel is contiguous to parcels located in the City of San Carlos and contiguous to city streets.
 - b. The parcel is connected to the city's sanitary sewer system or can be connected to the city's sewer to the satisfaction of the City Engineer.
 - c. The structure on the parcel shall comply with the Building Codes in effect at the time the structures were constructed. A Code Compliance evaluation prepared by a licensed Civil Engineering or Architect shall be submitted to the San Carlos Building Department for review and approval prior to annexation.
3. POLICY LU-4.6 Parcels proposed for annexation to the City shall be rezoned:
 - a. (b) Other parcels proposed for annexation shall be rezoned R-1-LD Low-Density, Single-Family Residential District.
4. POLICY LU-4.7 Prior to annexation of parcels, public services and facilities meeting City standards shall be installed or provisions for their installation shall have been made to the satisfaction of the City Engineer. Public services and utilities include:
 - a. Construction and acceptance of improvements shall be completed prior to issuance of Building Permits or sewer connections.
 - b. Construction of streets meeting City subdivision street standards from the terminus of city streets currently meeting City standards to and throughout the subdivision. Where possible and appropriate and subject to environmental, health and safety considerations, rural road standards shall apply. Assessment districts may be used by the developer for installation of portions of the street which is the responsibility of the owner of abutting unimproved lands at the time their development.
5. POLICY LU-4.8 Annexation of parcels shall be in compliance with City General Plan policies.
6. POLICY LU-4.9 An environmental analysis under the provisions of the California Environmental Quality Act and a fiscal impact analysis shall be conducted.

B. Adoption

1. The City Council adopts an amendment to the General Plan Map with a land use designation of Single Family, Low Density (3 DU/Acre) for 252 Club Drive (APN: 049-050-050) as set forth in Exhibit "A".

* * * * *

I, Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted as a Resolution of the City Council of the City of San Carlos at a regular meeting thereof held on the 12th day of November, 2019 by the following vote:

AYES, COUNCILMEMBERS:	<u>COLLINS, MCDOWELL, PARMER-LOHAN, RAK, OLBERT</u>
NOES, COUNCILMEMBERS:	<u>NONE</u>
ABSENT, COUNCILMEMBERS:	<u>NONE</u>
ABSTAIN, COUNCILMEMBERS:	<u>NONE</u>


CITY CLERK of the City of San Carlos

APPROVED:


MAYOR of the City of San Carlos

Exhibit A: General Plan Map for 252 Club Drive

**Exhibit A to Resolution No 2019 - 092
General Plan Map Amendment for 252 Club Drive, San Carlos**



.....General Plan Map Amendment, Land Use Designation: Single Family, Low Density (3 DU/AC)

ORDINANCE NO. 1558

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS
ADOPTING A ZONING DISTRICT BOUNDARY MAP AMENDMENT FOR THE PROPERTY
LOCATED AT 252 CLUB DRIVE (APN: 049-050-050) TO ALLOW FOR PRE-ZONING OF
THE PROPERTY TO RS-3: SINGLE FAMILY, LOW DENSITY.**

The City Council of the City of San Carlos does ordain as follows:

SECTION 1:

WHEREAS, the San Carlos City Council has received an application from the property owners of 252 Club Drive (Assessor's Parcel Number (APN) 049-050-050) for a Zoning District Boundary Map Amendment to allow for a rezoning designation of RS-3: Single Family, Low Density as initial steps to annexation of the subject property from the County of San Mateo into the City of San Carlos; and

WHEREAS, the San Carlos City Council has received an associated application from the owners of the aforementioned property for a General Plan Amendment to a land use designation of Single Family, Low Density (3 DUs/Acre); and

WHEREAS, it is determined that the aforementioned property is located within the Local Agency Formation Commission ("LAFCo") adopted sphere of influence ("SOI") of San Carlos; and

WHEREAS, in accordance with the California Environmental Quality Act ("CEQA"), the City Council has determined that the application for associated Zoning District Boundary (Map) Amendment and associated General Plan Map Amendment for the aforementioned property is exempt from the provisions of CEQA pursuant to Section 15061(b)(3) Common Sense Exemption and Section 15319 Annexation of Existing Facilities and Lots for Exempt Facilities; and

WHEREAS, on October 21, 2019 the San Carlos Planning Commission conducted a public hearing for consideration of a Zoning District Boundary Map Amendment and Rezoning and Annexation for the aforementioned property to RS-3: Single Family, Low Density in consideration of a recommendation to the City Council regarding adoption of an Ordinance; and

WHEREAS, on October 21, 2019 the San Carlos Planning Commission adopted Planning Commission Resolution No. 2019-10 recommending City Council approval of a Zoning District Boundary Map Amendment and Rezoning and Annexation, which include the reasons for the recommendation, findings related to the criteria for zoning amendments in Section 18.35.080 and the relationship of the proposed amendment to applicable general and specific plans; and

WHEREAS, on November 12, 2019 City Council conducted a public hearing to consider the application from the property owners of the aforementioned property regarding a Zoning District Boundary Map Amendment and Rezoning of RS-3: Single Family, Low Density in conformance with Chapters 18.27 Common Procedures, 18.35 Amendments to the Zoning Ordinance and Map and 18.38 Rezoning and Annexation Procedure of the San Carlos

Municipal Code and to receive Planning Commission Resolution No. 2019-10 recommending approval of such; and

WHEREAS, the City finds that a Zoning District Boundary Map Amendment and Rezoning of RS-3: Single Family, Low Density for the aforementioned property is consistent with the City of San Carlos General Plan and Municipal Code.

SECTION 2:

The City Council makes the following findings:

A. Regarding Section 18.35.080 B. Zoning District Boundary Map Amendments of the San Carlos Municipal Code:

1. The change in district boundaries is consistent with the General Plan;

The site is proposed for a General Plan land use designation of Single Family, Low Density (3 DU/Acre), which is consistent and reflective of applicable General Plan policies.

2. The change in district boundaries is consistent with the purpose of this title to promote the growth of the city in an orderly manner and to promote and protect the public health, safety, peace, comfort and general welfare;

Annexation of this parcel is occurring in an orderly and systematic matter as City jurisdiction and services are currently immediately adjacent to the subject site would simply be extended to cover this one developed parcel. Annexation will provide clear and efficient emergency service to the site, which if left in its current state, could potentially harm the public health, safety, peace, comfort and general welfare.

3. The change in district boundaries is necessary to achieve the balance of land uses desired by the City, consistent with the General Plan, and to increase the inventory of land within a given zoning district;

Annexation of the parcel results in the addition of one new single-family home into the City's housing stock and slight increase in the annual property tax revenue to be received. The use and nature of the existing single-family home is consistent and complimentary to the established surrounding land use pattern of other single-family homes in the adjacent City neighborhoods.

B. Regarding Section 18.38.040 Annexation Regulations:

1. The site is located contiguous both to the City boundary and a City maintained street. A fiscal impact analysis has been prepared by an economic development and consulting firm, which concludes that the City will receive annual net revenue and that no additional recurring service costs are directly associated. Public services and facilities are determined to be available. The site meets the minimum lot size and density standards of the Zoning and Subdivision Ordinance.

SECTION 3: The approved Zoning District Boundary Map Amendment to prezone the property to RS-3: Single Family, Low Density is set forth in the map listed as Exhibit "A" and

with conditions of approval as set forth in Exhibit "B".

SECTION 4: Severability. That the City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that any provisions of this Ordinance are severable and, if for any reason any sentence, paragraph or section of this Ordinance shall be held invalid, such decision shall not effect the validity of the remaining parts of this Ordinance.

SECTION 5: Publication. This Ordinance shall be published and posted according to law and shall take effect and be in force from and after 30 days after its passage and adoption.

* * * * *

I, Crystal Mui, hereby certify that the foregoing Ordinance was introduced on the 12th day of November, 2019 and passed and adopted as an Ordinance of the City Council of the City of San Carlos at a regular meeting thereof held on the 25th day of November, 2019, by the following vote:

AYES, COUNCILMEMBERS: COLLINS, MCDOWELL, PARMER-LOHAN, RAK, OLBERT

NOES, COUNCILMEMBERS: NONE

ABSENT, COUNCILMEMBERS: NONE

ABSTAIN, COUNCILMEMBERS: NONE


CITY CLERK of the City of San Carlos

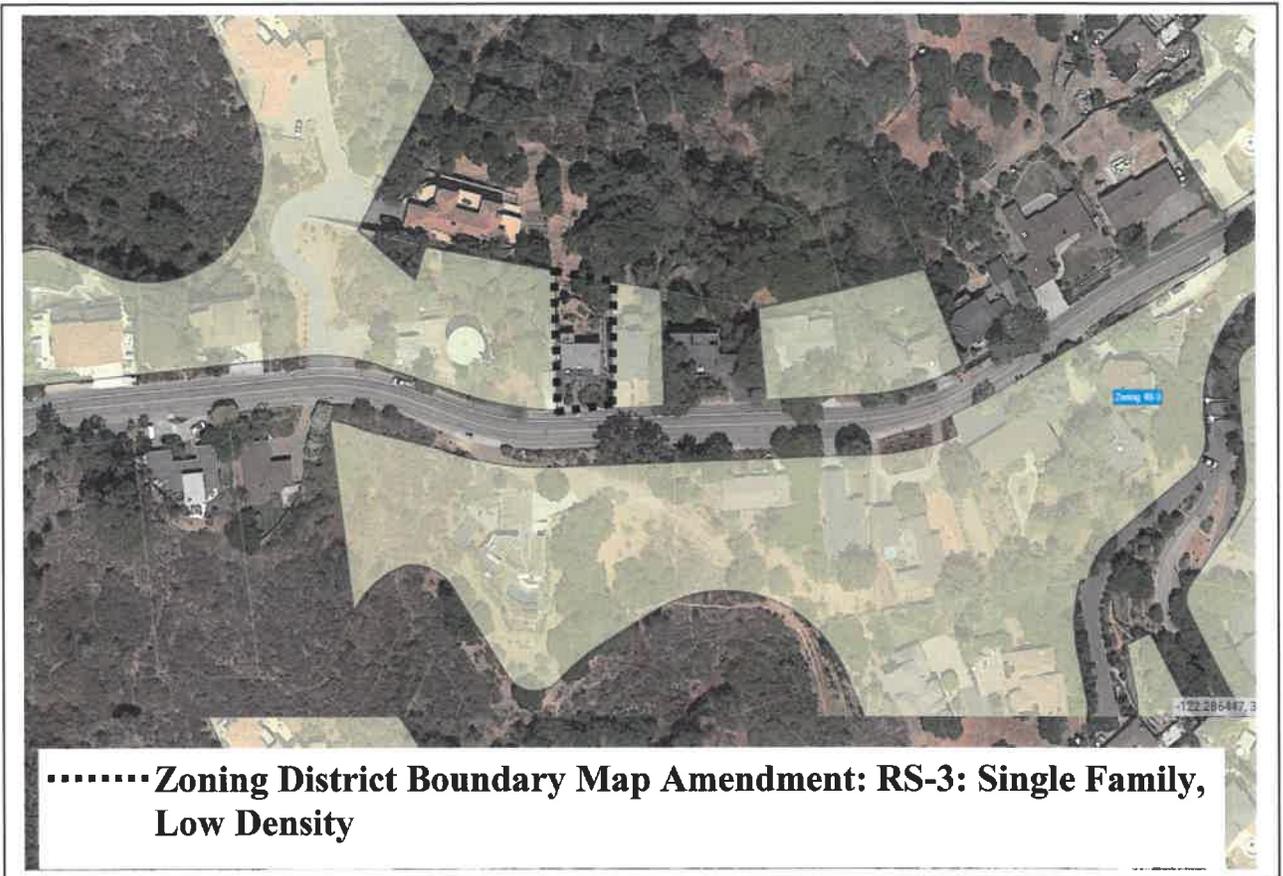
APPROVED: 
MAYOR of the City of San Carlos

Exhibit A: Zoning District Boundary Map Amendment

Exhibit B: Conditions of Approval

Exhibit A to Ordinance No.1558

Zoning District Boundary Map Amendment Map – 252 Club Drive, San Carlos



**Exhibit B to Ordinance No. 1558
Zoning District Boundary Map Amendment Conditions of Approval**

**ZONING DISTRICT BOUNDARY MAP AMENDMENT CONDITIONS OF APPROVAL
FOR ANNEXATION OF 252 CLUB DRIVE (APN: 049-050-050)**

1. The applicant shall apply to the Local Agency Formation Commission (LAFCo) for annexation to the City of San Carlos.
2. The rezoning shall remain the same for two years after annexation in compliance with Chapter 18.38 of the San Carlos Municipal Code.
3. The applicant shall comply with all future conditions of the Public Works Division, to the satisfaction of the Public Works Director, prior to annexation.
4. The applicant shall comply with any and all future conditions of the Building Division, to the satisfaction of the Chief Building Official, prior to annexation.
5. The applicant shall be responsible to obtain any and all required approvals from the San Mateo County Environmental Health Department.
6. The applicant shall comply with any and all future conditions of the Fire Department, to the satisfaction of the Fire Marshal prior to annexation.

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

Action Minutes San Mateo Local Agency Formation Commission Meeting January 15, 2020

In the Board of Supervisors' Chambers, 400 County Center, Redwood City, California, Chair Cosgrove called the Wednesday, January 15, 2020 meeting of the Local Agency Formation Commission (LAFCo) to order at 2:30 pm.

1. Roll Call

Members Present: Commissioners Rich Garbarino, Ann Draper, Don Horsley, Ric Lohman, Mike O'Neill, Vice Chair Warren Slocum and Chair Joshua Cosgrove.

Chair Cosgrove noted that Alternate Commissioner Jim O'Neill was also present in the audience.

Ms. Poyatos introduced LAFCo's new Administrative Secretary/Clerk Angela Montes who will also be working for the SFO Airport Roundtable.

Members Absent: None

Staff Present: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst
Janeth Lujan, Commission Clerk
Angela Montes Cardenas, Administrative Secretary II

2. Consent Agenda

- a. Approval of Action Minutes: November 20, 2019

Commission Action: Commissioner Mike O'Neill moved to approve the consent agenda consisting of the Action Minutes for November 20, 2019; Commissioner Garbarino seconded the motion, which passed unanimously. (Ayes: Commissioners Horsley, Lohman, Draper, Slocum, and Chair Cosgrove. Abstentions: None; Noes: None)

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 ▪ JANNETH LUJAN, CLERK ▪ ANGELA MONTES, ADMINISTRATIVE SECRETARY II

3. Public Comment for Items Not on the Agenda

None

4. Presentation – Updated on 2020 Census by Melissa Vergara, San Mateo County Office of Community Affairs

Melisa Vergara, Community Outreach Specialist from San Mateo County Office of Community Affairs gave a presentation on 2020 Census. Ms. Vergara explained to the Commission what the Office of Community Affairs does and how they are gearing up for the Census. She explained how critical it is for our communities to participate and to know the importance and value of the Census. She stated that the Census allows for redistricting, reapportion in Congress, and captures changes to levels of public services. She stressed the importance of obtaining an accurate count and the impact it has on federal funding for health services, social services, housing, education and transportation.

Ms. Vergara explained that the current Census data is now 10 years old and emphasized how much the Bay Area has changed since that time and how crucial it is to capture all voices in the community. She stated that with a growing population there is growing demand for services. She noted that participation will begin in March with the hopes of having the majority of the online self-responses completed by April 20, 2020, followed by door to door outreach for incomplete households. She also stated that the census can also be completed in different languages as well as over the phone and that the County will staff several Census centers that will allow people to ask questions about the Census.

Ms. Vergara also spoke about challenges of Census outreach. To address these issues, her office is working with community-based organizations and local governments noting that community-based organizations are trusted voices in the community. She highlighted that support and involvement from Commissioners trickles down to the County, cities, and the community. She shared a map that highlighted areas in San Mateo County that are hardest to count and less likely to respond.

Ms. Vergara shared that the County has launched a website for the Census at smccensus.org. She stated that the Census outreach is community-wide effort and noted that several water districts have mailed out inserts regarding the Census in their recent water bills.

Commissioner Mike O'Neill asked if the County has reached out to the libraries about being a resource for Census questions. Ms. Vergara shared that libraries are a designated location for these Census information centers.

Commissioner Horsley asked about outreach to other water districts. Ms. Vergara stated that she has reached out to many of the water districts, but only heard back from the ones she previously stated.

In response to Commissioner Slocum, Ms. Vergara spoke about the online reporting application that was developed by the CA Census State Office.

In response to questions from Commissioners Horsley and Draper, Ms. Vergara stated that Census workers will go into the community and count people as well as reach out to shelters and food kitchens to collaborate and get a homeless count. She also stated that a transitory location, such as RVs, can be used to ensure everyone is counted including those without an address.

5. Consideration for Proposed Annexation of 252 Club Drive, Unincorporated San Mateo County (APN 049-050-050) to the City of San Carlos (0.15 acres), LAFCo File No. 19-03

Management Analyst Bartoli provided an oral presentation to the Commission. LAFCo File No. 19-03, submitted by landowner petition, requests annexation of 252 Club Drive, (APN 049-050-050) to the City of San Carlos. Mr. Bartoli stated that on March 20, 2019 the Commission approved an Emergency Outside Service Agreement (LAFCo File No. 19-01) to allow the City of San Carlos to serve the existing house at 252 Club Drive, as the septic system on the property had failed. He noted that a condition of approval for this Outside Service Agreement required that the property owners apply for annexation to the City of San Carlos.

Mr. Bartoli stated that the City of San Carlos has approved the pre-zoning of the parcel and both the City and the County have approved the required property tax exchange. He explained that the proposal conforms with LAFCo and County General Plan policies that encourage the annexation of areas within city spheres of influence. The property is adjacent to the City boundary on three sides and is located in an existing single-family neighborhood. The Club Drive road right-of-way is already located in the City of San Carlos.

Mr. Bartoli noted that the City has indicated in a fiscal analysis of the proposal that the City would receive a minor net fiscal benefit and that no additional recurring service costs would be directly associated with the annexed parcel. He noted that the property has two open Building permits, one to complete the sewer connection and one to legalize a basement conversion. The City of San Carlos has requested that these two permits be completed prior to recordation of the annexation.

Mr. Bartoli stated that the proposal has 100 percent landowner consent and requests waiver of conducting authority proceedings. He stated staff recommended that the Commission approve the proposal subject to the following conditions of approval:

San Mateo LAFCo:

1. Submittal of the map and legal description prepared by a licensed surveyor, that meet the requirements of the State Board of Equalization along with filing fee.

City of San Carlos:

2. The applicant shall complete all work associated with any County of San Mateo permits, including BLD2019-00393 and BLD2019-00487, prior to the recording of the annexation.

Commission Action: Commissioner Horsley moved to approve LAFCo File No. 19-03, Proposed Annexation of 252 Club Drive to the City of San Carlos; Commissioner Mike O’Neill seconded the motion, which passed unanimously. (Ayes: Commissioners Garbarino, Lohman, Draper, Slocum, and Chair Cosgrove. Abstentions: None; Noes: None)

6. Applications Received and Not Certified as Complete and Ready for Hearing (Information Only)

- a. Proposed Annexation of 88, 91, 96, and 99 Hillbrook Drive, Portola Valley to West Bay Sanitary District (4.5 acres)

Executive Officer Martha Poyatos stated that applications for annexations to districts are required to be placed on the Commission agenda for information purpose only prior to a formal hearing to give the District the opportunity to oppose the annexation. She noted that West Bay Sanitary District supports individual annexations and that this report is for information only.

7. Legislative and Policy Committee

- a. Legislative Report

Ms. Poyatos referred to the staff report dated January 8, 2020 which included the enacted changes to the Cortese Knox Hertzberg Local Government Reorganization Act. She noted that the report calls attention to AB 1628, which concerns the definition of “environmental justice” adding language regarding consideration of the impact of locating environmentally damaging facilities in or near disadvantage communities. She stated that the language revision could limit the Commission’s consideration of environmental justice only to instances that involve locating potentially environmentally damaging facilities in or near disadvantage communities. She noted that staff would work with Legislative/Policy Committee on any necessary changes to San Mateo LAFCo policies or procedures.

Commissioner Horsley asked if AB 508 (Chu) “consolidation and extension of service: domestic wells” could be used regarding CSA-11 in Pescadero. Ms. Poyatos noted that it would not apply to Pescadero. She believes that the consolidations envisioned by AB 508 will not address water supply or infrastructure issues.

8. California Association of Local Agency Formations Commissions (CALAFCO)

a. CALAFCO Correspondence

CALAFCO sent a thank you letter regarding Commissioners’ and staffs’ attendance at the 2019 CALAFCO Conference and for the Commission supporting Ms. Poyatos in her role as CALAFCO Deputy Executive Officer.

Commissioner Horsley said that the Commission is proud of all the work Ms. Poyatos is doing.

9. Commissioner/Staff Reports

Commissioner Horsley briefly updated the Commission on an effort by the County and State Water Board regarding extending County Service Area 11 water to the Pescadero High School and proposed fire station to address inadequate and contaminated wells.

On behalf of the Commission, Ms. Poyatos thanked Janneth Lujan for her assistance with LAFCo meetings and presented her with an orchid.

10. Adjournment

Chair Cosgrove adjourned the meeting at 3:08 p.m.