

SAN MATEO

**LOCAL AGENCY FORMATION COMMISSION**

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1863 • PHONE (650) 363-4224 • FAX (650) 363-4849

November 10, 2004

TO: Members, Formation Commission

FROM: Martha Poyatos *Martha Poyatos*
Executive Officer

SUBJECT: LAFCo File No. 04-14--Proposed Annexation of 10 Kiowa Court (Lands of Turner) to the West Bay Sanitary District, Annexation to the On-site Wastewater Disposal Zone and Waiver of Conducting Authority Proceedings (1.05 acre)

Summary

This proposal was submitted by landowner petition and requests annexation to West Bay Sanitary District of a 1.05 acre, residential parcel to replace septic system. The proposal has 100% landowner consent and waiver of conducting authority proceedings is requested. The annexing parcel is in the Town of Portola Valley on Kiowa Court at the intersection of Cervantes Road. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,460,548. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

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

Public Works: The territory proposed for annexation consists of 1.05 acre. The map and legal description, as revised, satisfy the requirements of the State Board of Equalization.

Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The applicants will be required to obtain a permit to abandon the existing septic tanks to the satisfaction of the Environmental Health.

Recommendation: Approval

Staff Report from Town of Portola Valley: The town's general plan designation is low intensity residential and zoning is residential estate, one to two acres per dwelling unit. An encroachment permit will be necessary to be reviewed and approved by Town Public Works Director.

Recommendation: Approval

Staff Report from West Bay Sanitary District: The project proponents will bear the cost of all construction to connect to the existing force main in Cervantes Road. Annexation to the District's On-site Waste Water Disposal Zone is required. Upon completion of the annexation process, applicant will need to apply for a Class 1A Sewer Permit with the District and pay connection fee (\$2,955) and permit fee (\$100). The District Board must approve the application before construction and accept the completed work before connecting the line to the existing main. Upon Board acceptance of work annual sewer charges for grinder pump system are \$482 and will be billed on property tax bill. Connection to the STEP System main on Cervantes will require payment of \$15,000 reimbursement fee.

Recommendation: Approval

Recommendation:

This proposal has been submitted by landowner petition and requests annexation of a 1.05 acre residential parcel on Kiowa Court in Portola Valley to West Bay Sanitary District to replace the septic system in connection with proposed remodeling of the home. The subject area is within the sphere of influence of the West Bay Sanitary District adopted by the Commission in 1984 and is consistent with the District's plans for extending service.

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) because it consists of an annexation for an exempt facility (up to three single-family residences).

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). The West Bay Sanitary District operates an on-site wastewater disposal zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. 10 Kiowa Court will require a pump system and subsequent annexation to the Zone. Staff recommends that rather than requiring West Bay Sanitary District to submit a separate application for annexation to the Zone after annexation is complete, that the Commission grant approval at the time of approval of the annexation to the District.

Waiver of Conducting Authority Proceedings

Paragraph [c] of Government Code Section 56663 specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100% landowner consent provided there is written consent from all gaining agencies. The purpose of the conducting authority proceeding is to measure landowner or voter protest within the affected territory. Paragraph [c] was added to Section 56663 to streamline annexation proceedings in which landowners have already given consent to uninhabited annexation proceedings. The landowners have requested, and the West Bay Sanitary District consents to, Commission waiver the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by Resolution: Approve LAFCo File No.04-14--Proposed Annexation of 10 Kiowa Court (Lands of Turner) to the West Bay Sanitary District, annexation to the District On-site Waste Water Disposal Zone and waive conducting authority proceedings.

Attachments

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESEKNOX HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF
2000

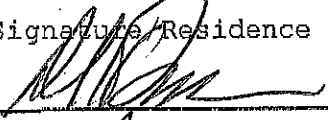
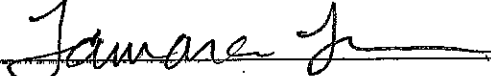
The undersigned hereby petition(s) the Local Agency Formation Commission of San Mateo County for approval of a proposed change of organization or reorganization, and stipulate(s) as follows:

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox Local Government Reorganization Act of 1985)
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc.) is/are: *Annexation into West Bay Sanitary District and the West Bay Sanitary District's On-Site Wastewater Disposal Zone.*
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:
X inhabited (12 or more registered voters) ___ 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: *Proposed connection into West Bay Sanitary Sewer District's Main on Cervantes Road.*
7. The proposed annexation is requested to be made subject to the following terms and conditions:
N/A
8. The persons signing this petition have signed as:
___ registered voters or X Owners of land (check one) within the subject territory.

Petition
Page 2 of 2

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*
10/14/04	Dan Turner		077-322-020
10/25/04	Tamarca Turner		077-322-020

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

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1668 • PHONE (650) 363-4224 • FAX (650) 363-4849

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

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization or reorganization. (LO KIWA)

To annex property into the West Bay Sanitary District and into the West Bay Sanitary Districts On-site Wastewater Disposal zone.

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):

- X Landowners or registered voters, by petition
An affected public agency, by resolution

(If this application is submitted by petition of landowners or registered voters in the affected territory, complete the petition form.)

3. What are the reasons for the proposal?

To obtain sewer service to replace existing septic system. Owner plans to remodel the existing house.

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

- X Yes No

5. Estimated acreage: 1.05

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
Town of Portola Valley
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 are given on the first two lines of the space

provided for your response.

SERVICE	PRESENT	PROPOSED	FUNDING SOURCE	
	SOURCE	SOURCE	CONSTRUCTION	OPERATING
Police	Co. Sheriff	City Police	N/A	Taxes
Sewer	None	City of ...	Proponent	Fees
Sewer	None	WBSD	proponent	Fees

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.

Intersection of Cervantes Rd (153'±) and the westerly side of Kiowa Ct (250'±) an approximate area of 1.05 Acres.

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

Residential - One story residence w/ detached 2 car garage.

3. How are adjacent lands used?

North: Residential

South: Residential

East: Residential

West: Residential

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

Yes, adding necessary sanitary sewer facilities and rerouting existing underground utilities

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

Low Density Residential, ± 2 Acre dwelling unit.

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?

Building Permit approval to remodel the existing house.

8. What additional approvals will be required to proceed?

Annexation approval from LAFCO, Annexation into West Bay Sanitary Districts
on-site wastewater disposal zone preliminary engineering design

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?

N/A

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: Dan Turner
ADDRESS: 215 Willowbrook
Portola Valley, CA 94028

PHONE: 650-529-9296

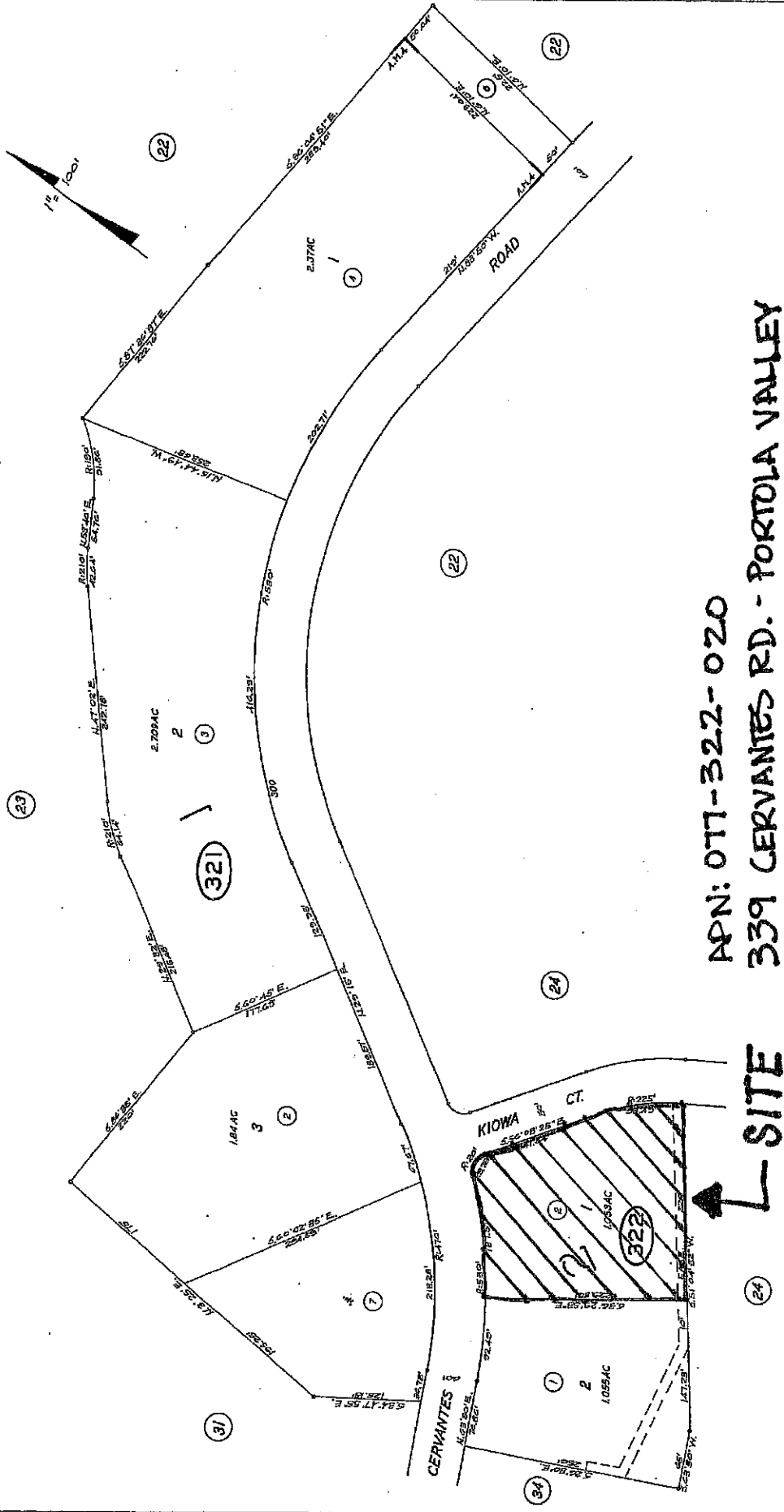
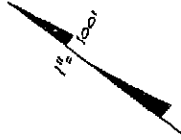
ATTN: _____


Signature of Proponent

Note: Pursuant to Government Code Sections 56700.1 and 81000 et seq. Any
person or combination of persons who directly or indirectly contribute \$1000
or more or expend \$1000 or more in support of or opposition to a change of
organization or reorganization that has been submitted to the Commission and
will require an election must comply with the reporting and disclosure
requirements of the Political Reform Act of 1974.

77-32

TAX CODE AREA



APN: 077-322-020
339 CERVANTES RD. - PORTOLA VALLEY

L-SITE

△ ARROWHEAD MEADOWS NO. 4 RSM 50 / 45-48
TOWN OF PORTOLA VALLEY

ASSASSOR'S MAP COUNTY OF SAN MATEO CALIF. 2-18-77

Legal Description

Lands of Turner

All of Lot 1, Block 2, as shown on that certain map entitled "Tract No. 774, Arrowhead Meadows Unit No. 4" recorded in Volume 50 of Maps, Page 46, San Mateo County Records, situated in the Town of Portola Valley, County of San Mateo, State of California, as shown on Exhibit "B" made a part hereof, more particularly described as follows:

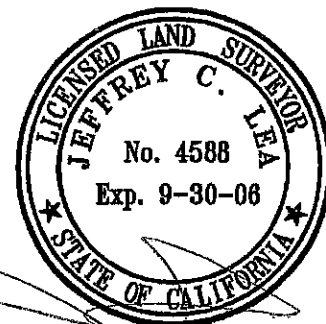
Beginning at a point on the Southeasterly line of Cervantes Road, said point being the Westerly corner of Lot 1 as said Road and Lot are shown on said map, said point being also the Northeasterly corner of that area annexed to West Bay Sanitary District January 17, 2001 by Resolution No. 921; thence leaving said district boundary and following said Southeasterly line (1) along a curve to the left having a radius of 530.00 feet, the center of which bears North $36^{\circ}30'33''$ West, through a central angle of $14^{\circ}51'58''$, an arc distance of 137.51 feet to a point of reverse curvature; thence (2) along the arc of a tangent curve to the right having a radius of 20.00 feet, through a central angle of $85^{\circ}18'25''$, an arc distance of 29.78 feet to the Southwesterly line of Kiowa Court; thence (3) along said Southwesterly line South $56^{\circ}04'06''$ East, 141.84 feet to a point of curvature; thence (4) along the arc of a tangent curve to the right having a radius of 225.00 feet, through a central angle of $23^{\circ}48'25''$, an arc distance of 93.49 feet to the most Easterly corner of said Lot 1; thence (5) along the Southeasterly line of said Lot South $51^{\circ}03'51''$ West, 220.00 feet to a point in the aforementioned district boundary; thence (6) along said district boundary and the Southwesterly line of said Lot North $36^{\circ}30'34''$ West, 229.86 feet to the point of Beginning.

Containing 1.05 acres more or less.

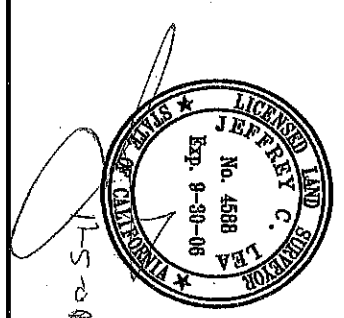
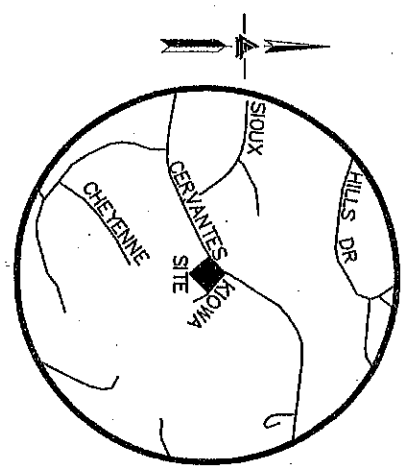
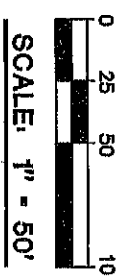
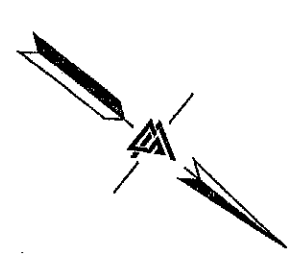
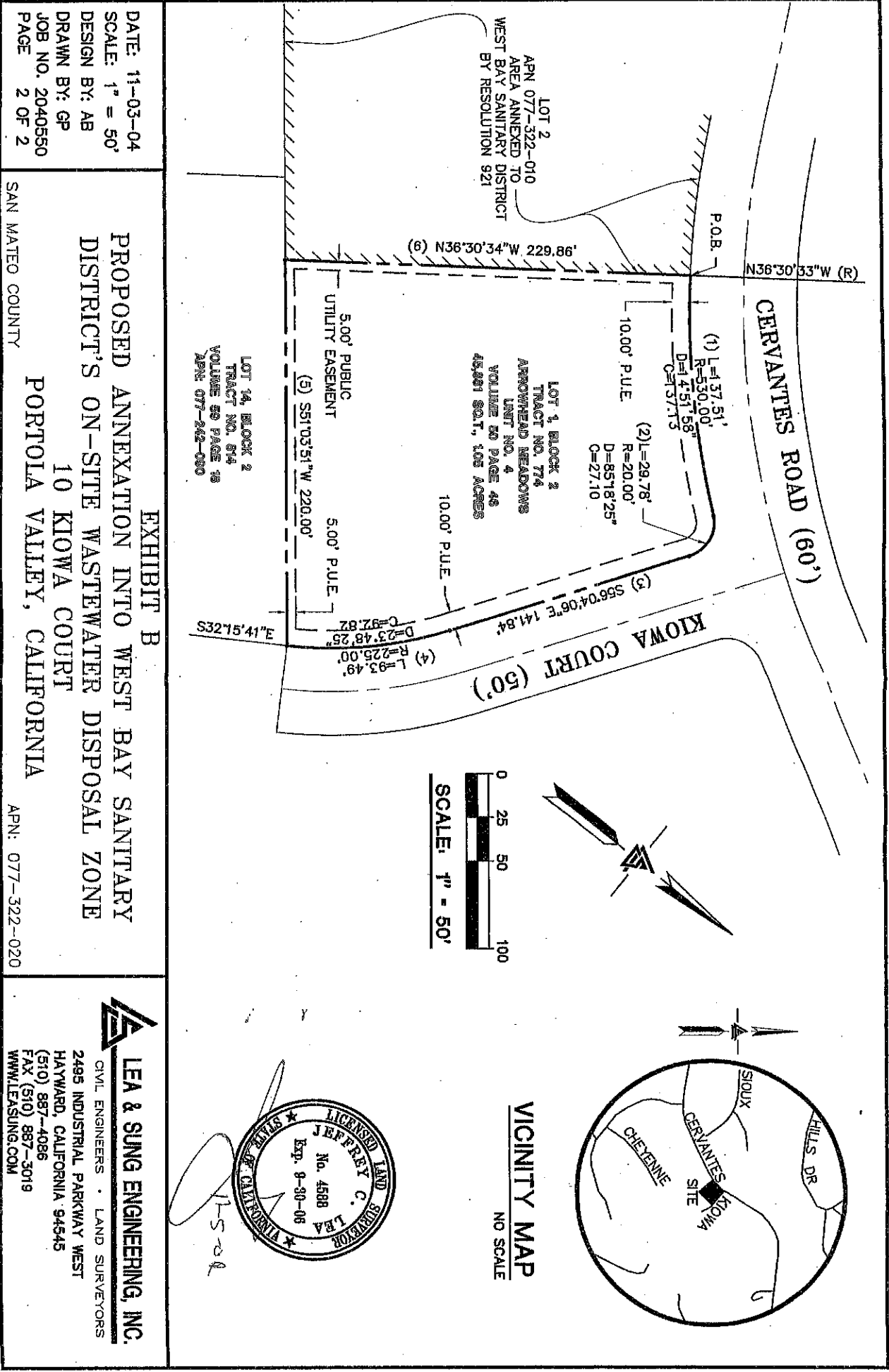
This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as the basis for an offer for sale or for the sale of lands described herein.

November 3, 2004

Exhibit "A"




11-5-04



DATE: 11-03-04
 SCALE: 1" = 50'
 DESIGN BY: AB
 DRAWN BY: GP
 JOB NO. 2040550
 PAGE 2 OF 2

EXHIBIT B
 PROPOSED ANNEXATION INTO WEST BAY SANITARY DISTRICT'S ON-SITE WASTEWATER DISPOSAL ZONE
 10 KIOWA COURT
 PORTOLA VALLEY, CALIFORNIA

SAN MATEO COUNTY
 APN: 077-322-020


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