



LOCAL AGENCY FORMATION COMMISSION

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

December 12, 2012

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 12-10--Proposed Annexation of 10 Sioux Way to the West Bay Sanitary District and Subsequent Annexation to the On-site Wastewater Disposal Zone (1.097 acres)

Summary

This proposal was submitted by landowner petition and requests annexation to West Bay Sanitary District of a proposed single family residence and connection to public sewer. The proposal has 100% landowner consent and waiver of conducting authority proceedings is requested. The annexing parcel is within the boundaries of the Town of Portola Valley on Sioux Way near Cervantes Drive. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$49,952. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has no registered voters. Annexation would not conflict with any political subdivision boundaries.

Public Works: The map and legal description required by the State Board of Equalization were not submitted with the application and require review to ensure compliance with State Board of Equalization requirements.

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Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The proposal has no adverse environmental health significance. Owners will be required to obtain a permit to abandon the existing septic tanks to the satisfaction of the Environmental Health.

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. If the project requires a telemetry panel, planning staff will review and approve location and details.

West Bay Sanitary District: Annexation to the On-site Wastewater Disposal Zone will be required and the proponent will be required to construct Septic Tank Effluent Pumping (STEP) system on property to be served. All costs will be paid by proponent. A STEP force main and grinder pump force main are located along Cervantes Road.

A District Class 3 permit (\$200.00 application fee and \$2,000 deposit for plan checking and inspections) and Class 1 permit (\$100.00 application fee each and connection fee of \$7,336.20 currently), and annual sewer service charges will apply. Also a reimbursement agreement for the Step system connection is estimated at \$9,000.

Recommendation: No Objections

Executive Officer's Report & Recommendation:

This proposal was submitted by landowner petition and requests annexation to connect a proposed single-family home to sewer. 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.

On-site Wastewater Disposal Zone

Sections 6960.3 and 6974 of the Health and Safety Code governing sanitary districts require LAFCo approval for formation of, or annexation to, an on-site wastewater disposal zone (Zone) in counties in which LAFCo has independent special district membership. 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. This application includes a connection with a pumping system.

Sections 6960.3 and 6974 requiring that annexations to the District's Zone be submitted for LAFCo approval have applied in San Mateo County since 1995 when special district members were added to the Commission and Rules and Regulations were adopted. Since that time, Commission consideration of annexations to the District that involved use of pumping systems

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has also included concurrent consideration of annexation to the Zone . It is therefore recommended that in approving the annexation the Commission also approve subsequent annexation to the Zone.

California Environmental Quality Act (CEQA)

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 per 15303 of Public Resources Code).

Waiver of Conducting Authority Proceedings

Paragraph [c] of 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.

Recommended Commission Action, by Motion:

Find that 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).

Recommended Commission Action, by Resolution: Approve LAFCo File No. 12-09-- Proposed Annexation of 10 Sioux Way to the West Bay Sanitary District, subsequent annexation to the On-Site Wastewater Disposal Zone and waive conducting authority proceedings conditioned upon submittal of a map and legal description that meets State Board of Equalization requirements.

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

A. GENERAL INFORMATION

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

annexation of 10 Sioux Way, Pectola Valley
to West Bay Sanitary District

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?

connecting a proposed single family residence
to public sewer

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

- Yes No

5. Estimated acreage: 1.097

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 . . .</i>	<i>Proponent</i>	<i>Fees</i>
<i>sewers</i>	<i>none</i>	<i>West Bay Sanitary District</i>	<i>By Proponent</i>	<i>Sewer Fees</i>

C. PROJECT PROPOSAL INFORMATION

1. Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

*10 Sioux Way Rd near Corvantes Way,
TOWN OF Portola Valley*

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

Residential

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?

The annexation is required as part of the Building permit for the proposed single family home

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

low density residential

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

R 2 - Residential Estate ~~25 acres~~ 1 acre

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

Pending Building Permit town of Portola Valley

8. What additional approvals will be required to proceed?

N/A

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: Deirdre + Jeff Clark

ADDRESS: 149 Corte Madera Road
Portola Valley, CA 94028

TELEPHONE: 650 218 8563

ATTN: Deirdre Clark

Deirdre Clark
Signature of Proponent

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 10 Siouxway, PV to West Bay Sanitary District
3. The boundaries of the territory(ies) included in the proposal are as described in Exhibit(s) attached hereto and by this reference incorporated herein.
4. The territory(ies) included in the proposal is/are:
 inhabited (12 or more registered voters) Uninhabited
5. This proposal is is not consistent with the sphere of influence of the affected city and/or district(s).
6. The reason(s) for the proposed annexation (annexation, detachment, reorganization, etc.) is/are:
Connecting the proposed single Family Residence to public sewer
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.

Petition
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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*
10/26/12	Dendree Clark	<i>Dendree Clark, 10 Sioux Way Portola Valley, CA 94028</i>	077-310- ²¹⁰
10/26/12	JEFF CLARK	<i>Jeff Clark 10 SIOUX WAY PORTOLA VALLEY</i>	077-310-210
_____	_____	_____	_____

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