



LOCAL AGENCY FORMATION COMMISSION

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

November 12, 2014

To: LAFCo Commissioners

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

Subject: LAFCo File No. 14-09–Proposed Annexation of 145 Bear Gulch Drive (APN 079-121-210) to West Bay Sanitary District and Waiver of Conducting Authority Proceedings (1.44 acres)

Summary

This proposal, submitted by landowner petition, requests annexation to connect an existing single-family home to the West Bay Sanitary District sewer main and to abandon the existing septic system. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. The annexing territory is located in the Town of Portola Valley at 145 Bear Gulch Drive. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$1,705,634. 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 map and legal description required by the State Board of Equalization have not yet been reviewed.

Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The applicant must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health.

Town of Portola Valley: The Town's general plan designation is low-intensity residential and zoning is residential estate. A building permit for the proposed additions has been applied for by the owners. An encroachment permit will be necessary to be reviewed and issued by the Town Engineer.

West Bay Sanitary District: Proponent will be required to extend the gravity line from 135 Bear Gulch Drive to 145 Bear Gulch Drive. A District Class 3 permit (\$200 application fee and \$2,000 deposit for plan checking and inspections) and Class 1 permits (\$100 application fee and

connection fees of \$7,336.20 per residential unit currently; annual sewer service charges will apply). Also, a reimbursement agreement for the gravity extension is estimated at \$83,000.

Executive Officer’s Recommendation

This proposal has been submitted by landowner petition in order to connect the existing residence to public sewer service as part of a major home remodeling project. The territory proposed for annexation is located in the Town of Portola Valley on Bear Gulch Drive near Valencia Court.

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. Approval of the annexation is recommended.

California Environmental Quality Act

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

Waiver of Conducting Authority Proceedings

Section 56663 of the Cortese-Knox-Hertzberg 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 proceeding is to measure landowner or voter protest within the affected territory. Paragraph (c) was added to Section 56663 to streamline proceedings in which landowners have already given consent to uninhabited annexation. The landowners have requested and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action by Resolution

Approve LAFCo File No. 14-09–Proposed Annexation of 145 Bear Gulch Drive (APN 079-121-210) to West Bay Sanitary District and Waive Conducting Authority Proceedings (1.44 acres), conditioned upon submittal State Board of Equalization map and legal description and payment of State Board of Equalization filing fees.

cc: Phil Scott, General Manager, West Bay Sanitary District
Dan and Sarah Wernikoff, Property Owners
Carole Borck, Town of Portola Valley

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.

Remodel and addition of single family home; connect to public sewer to accommodate the remodel.

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?

Annexation related to remodel of home; connect existing single family home to public sewer to accommodate the remodel.

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

- X Yes No

5. Estimated acreage: 1.2

B. SERVICES

1. List the name or names of all existing cities and special districts whose service area or service responsibility would be altered by the proposed change of organization or reorganization.

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
Police (example)	Co. Sheriff	City Police	N/A	Taxes
Sewer (example)	None	City of ...	Proponent	Fees
SEWER	septic	West Bay Sanitary Distret	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.

145 Bear Gulch Drive, Portola Valley CA
 cross street Golden Oak

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

private single family home privial

3. How are adjacent lands used?

North: private single family home
 South: "
 East: "
 West: "

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

NO, conversion to public sewer accomodating remodel

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

low intensity residential

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

r-e / 1 acre single family residential

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

pending building permit with

8. What additional approvals will be required to proceed?

LAFCo approval

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?

See # 4

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: Sarah Wernikoff

ADDRESS: 145 Bear Gulch Dr.
Folsom Valley CA 94028

ATTN:

TELEPHONE: 650 380 5401



Signature of Proponent

LEGAL DESCRIPTION

ANNEXATION TO THE WEST BAY SANITARY DISTRICT LANDS OF WERNIKOFF/145 BEAR GULCH DRIVE AND A PORTION OF BEAR GULCH DRIVE UNINCORPORATED SAN MATEO COUNTY, CALIFORNIA

All that real property situated in the unincorporated County of San Mateo, State of California as described in that certain Deed recorded on December 8, 2006 as Instrument No. 2006-185925 of Official Records, in the Office of the Recorder of the County of San Mateo, State of California and a portion of Bear Gulch Drive as shown on that certain map entitled "Tract No. 718 Alpine Hills Unit 3, San Mateo County California" recorded on May 24, 1955 in Book 42 of Maps at Pages 27, 28, and 29 in the Office of the Recorder of said County and being more particularly described as follows:

BEGINNING at a point which bears South 50°52' East 51.95 feet and South 43°51' East 47.91 feet from the most easterly corner of Lot 76, Map of LOS TRANCOS WOODS TRACT NO. 1, filed August 6, 1928, Book 17 of Maps, Page 14, San Mateo County Records; thence, proceeding clockwise the following courses and distances:

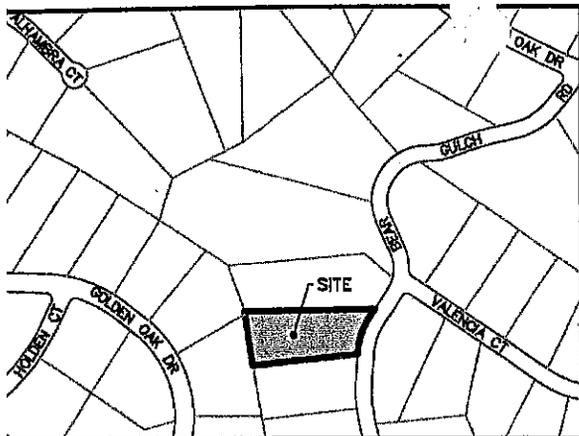
- (1) North 46°09'00" East, 40.00 feet to the northeasterly line of Foxwood Road; thence,
- (2) South 43°51'00" East, 13.52 feet along said northeasterly line to the easterly line of Foxwood Road; thence,
- (3) South 17°18'30" East, 64.98 feet along said easterly line; thence,
- (4) South 72°41'30" West, 40.00 feet to the easterly most corner of said parcel; thence,
- (5) South 55°48'00" West, 178.11 feet; thence,
- (6) North 10°05'20" West, 70.59 feet; thence,
- (7) North 48°07'00" East, 28.24 feet; thence,
- (8) North 37°13'16" East, 70.48 feet; thence,
- (9) North 81°22'00" East, 77.54 feet to the POINT OF BEGINNING.

Containing 62,606 square feet (1.44 acres) more or less.

For assessment purposes only. 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 of the land described.

DRAFT

September 15, 2014



LOCATION MAP
(NOT TO SCALE)



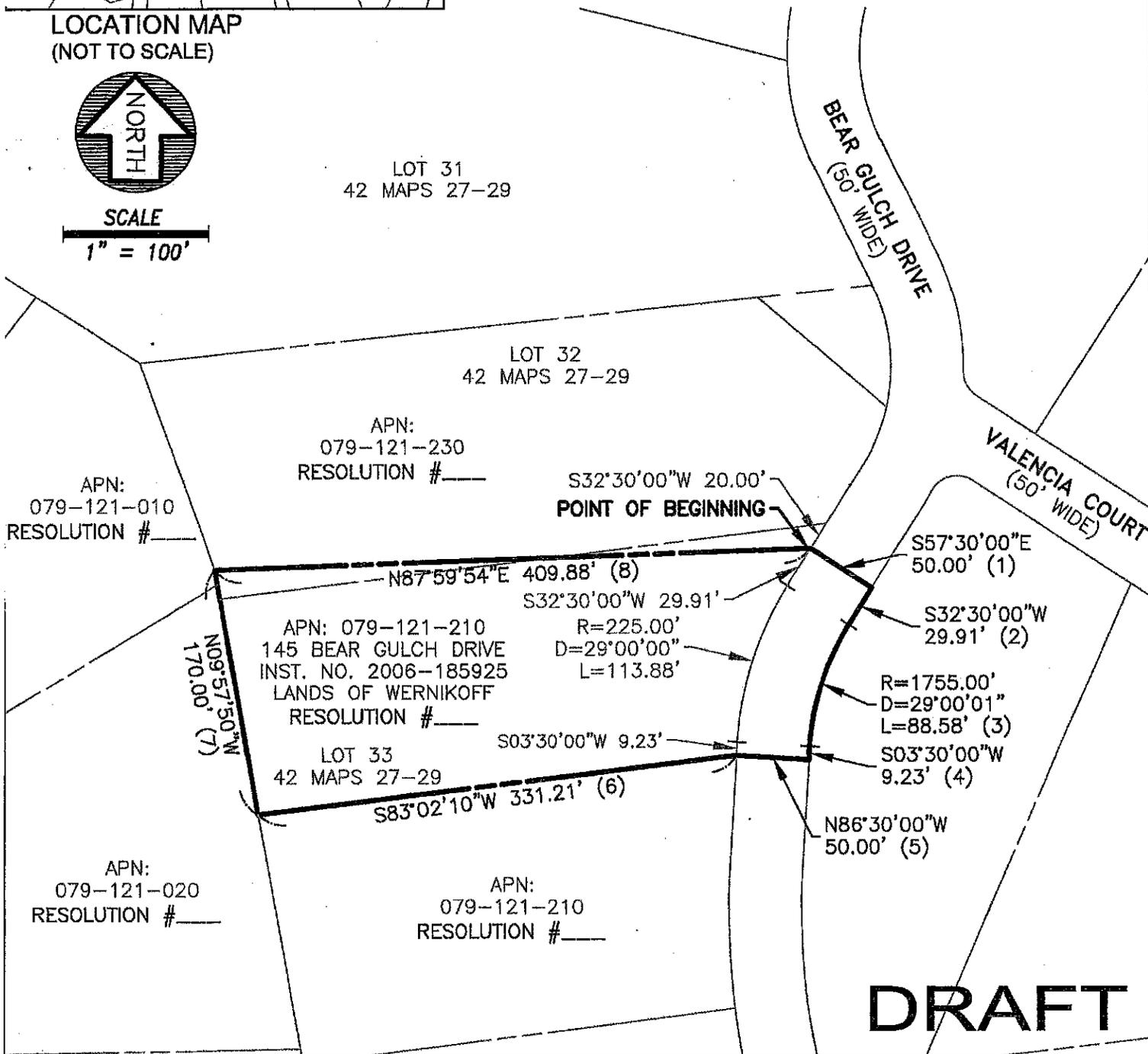
SCALE

1" = 100'

LEGEND

- PROPOSED ANNEXATION BOUNDARY LINE
- EXISTING PROPERTY LINE
- EXISTING WEST BAY SANITARY DISTRICT BOUNDARY LINE

DISCLAIMER: "FOR ASSESSMENT PURPOSES ONLY. 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 OF THE LAND DESCRIBED."



DRAFT

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 WEST BAY SANITARY DISTRICT
 LANDS OF WERNIKOFF/145 BEAR GULCH DRIVE
 AND A PORTION OF BEAR GULCH DRIVE