

SAN MATEO



## LOCAL AGENCY FORMATION COMMISSION

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

December 12, 2018

**To:** LAFCo Commissioners

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

**Subject:** LAFCo File 18-09—Proposed Annexation of 40 Sioux Way, Portola Valley (APN 077-310-040) to West Bay Sanitary District and Subsequent Annexation to the On-site Wastewater Disposal Zone (1.7 acres)

### Summary

This proposal, submitted by landowner petition, requests annexation to connect a newly constructed single-family home to the West Bay Sanitary District sewer main. 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 40 Sioux Way near Cervantes Road. Commission approval is recommended.

### Departmental Reports

*County Assessor:* The net assessed land valuation shown in the records of the County Assessor is \$4,141,200. 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.

*County Public Works:* The map and legal description has been submitted for review of the requirements set by the State Board of Equalization.

*Town of Portola Valley:* The Town's General Plan designation is low-intensity residential and zoning is residential estate, single-family (one to two acres per dwelling unit). It will be necessary for any grinder pump or telemetry panel to be reviewed by Town Planning and Public Works and an encroachment permit is required.

*County 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 pay an application fee to Environmental Health prior to connecting to West Bay Sanitary District and

**COMMISSIONERS:** MIKE O'NEILL, CHAIR, City ▪ ANN DRAPER, VICE CHAIR, PUBLIC ▪ JOSHUA COSGROVE, Special City ▪ RICH GARBARINO, City ▪ DON HORSLEY, COUNTY ▪ JOE SHERIDAN, Special District ▪ WARREN SLOCUM, County

**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

must obtain a permit for septic tank abandonment, which shall be inspected and approved by Environmental Health.

*West Bay Sanitary District:* Annexation to the On-site Wastewater Disposal Zone (Zone) will be required and the proponent will be required to construct (1) a Septic Tank Effluent Pump (STEP) system on the property to be served, and (2) a STEP force main extension from the intersection of Holden Court and Golden Oak Drive to the property to be served. All costs to be paid by proponent. A District Class 3 permit (\$545 application fee and \$2,000 deposit for plan checking and inspections) and Class 1 permit for connecting a single-family residence to the District's main facilities (\$270 application fee and connection fees of \$8,501 per residential unit currently) are required. Annual sewer service charges will apply. All fees are to be paid at the time applications for the Class 3 and Class 1 permits are made.

### **Executive Officer's Report**

This proposal has been submitted by landowner petition in order to connect a newly constructed single-family residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley at 40 Sioux Way near Cervantes Road.

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.

### **Annexation to the 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 added special district members to the Commission and adopted Rules and Regulations Affecting the Functions and Services of Independent Special Districts. West Bay Sanitary District operates an on-site wastewater disposal zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. Annexation of this property to the Zone is necessary in order for the District to maintain the pumping system that will be constructed as part of the sewer connection. Staff recommends approval of annexation to the Zone.

### **California Environmental Quality Act**

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).

### **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 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 18-09—Proposed Annexation of 40 Sioux Way, Portola Valley (APN 077-310-040 to West Bay Sanitary District, subsequent annexation to the On-site Wastewater Disposal Zone and Waiver of Conducting Authority Proceedings.

**Attachments**

A. Annexation Application for 40 Sioux Way, Portola Valley (APN 077-310-040)

cc: Phil Scott, General Manager, West Bay Sanitary District  
Sean Lopes, Pacific Peninsula Group  
Patrick and Elizabeth Burrell, Owners

**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 40 SIOUX WAY PORTOLA 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?

ANNEXATION IS REQUESTED IN ORDER TO ABANDON EXISTING SEPTIC AND  
CONNECT TO PUBLIC SEWER FOR CONSTRUCTION OF NEW RESIDENCE  
PER REQUIREMENTS

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

Yes  No

5. Estimated acreage: 1.7 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.

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>
SEWER	NONE	W.B.S.D.	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.

40 SIOUX WAY PORTOLA VALLEY (NEAR CERVANTES ROAD)

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

RESIDENTIAL LAND USE

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3. How are adjacent lands used?

North: RESIDENTIAL LAND USE

South: RESIDENTIAL LAND USE

East: RESIDENTIAL LAND USE

West: RESIDENTIAL LAND USE

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

ANNEXATION IS A REQUIREMENT FOR CONSTRUCTION OF  
NEW SINGLE FAMILY HOME

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

ZONED LOW DENSITY RESIDENTIAL

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?

PENDING BUILDING PERMIT

8. What additional approvals will be required to proceed?

LAFCo, W.B.S.D. CLASS 1A & CLASS 3 SEWER

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

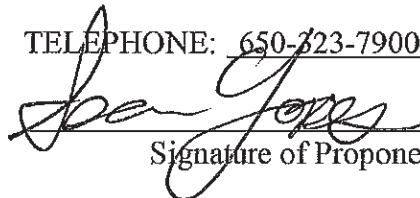
\* \* \* \* \*

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: SEAN LOPES (PACIFIC PENINSULA ARCHITECTURE)

ADDRESS: 718 OAK GROVE AVE MENLO PARK TELEPHONE: 650-323-7900 X.129

ATTN: SEAN LOPES (PACIFIC PENINSULA)

  
Signature of Proponent

Applica\_blk.doc  
(10/6/2000)



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 40 SIOUX WAY 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:

*ABANDON SEPTIC SYSTEM AND CONNECT TO PUBLIC SEWER FOR NEW SINGLE FAMILY RESIDENCE*

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

8. The persons signing this petition have signed as:

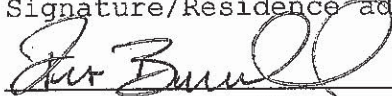
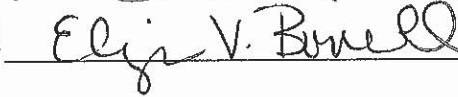
registered voters **or**  Owners of land (check one) within the subject territory.



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*
10/20/15	Pat Bunnell		077-310-040
10/20/18	Elizabeth Bunnell		077-310-040

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

**LEGAL DESCRIPTION  
ANNEXATION TO WEST BAY SANITARY DISTRICT  
40 SIOUX WAY AND A PORTION OF SIOUX WAY RIGHT-OF-WAY  
TOWN OF PORTOLA VALLEY, SAN MATEO COUNTY, CALIFORNIA  
BEING A PORTION OF THE RANCHO EL CORTE DE MADERA**

All that certain real property situate in the Town of Portola Valley, County of San Mateo, State of California, being all of Lot 8, Block 1 and a portion of Sioux Way as shown on that certain Map entitled "Tract No. 774, Arrowhead Meadows Unit No. 4", which Map was filed for record on March 17, 1959, in Book 50 of Maps at Pages 45 through 48 in the Office of the Recorder of said County and State, and being more particularly described as follows:

BEGINNING at the northwesterly corner of said Lot 8;

1. Thence along the northerly line of said Lot 8 South  $86^{\circ}35'00''$  East 397.00 feet to the northeasterly corner of said Lot 8;
2. Thence along the easterly line of said Lot 8 South  $3^{\circ}25'00''$  West 104.89 feet to an angle point in the boundary of said Lot 8;
3. Thence along the boundary of said Lot 8 South  $84^{\circ}56'17''$  West 152.15 feet to an angle point in the boundary of said Lot 8;
4. Thence along the boundary of said Lot 8 South  $61^{\circ}00'00''$  West 241.35 feet to its intersection with the northerly right-of-way line of Sioux Way as shown on said map;
5. Thence crossing said right-of-way line of Sioux Way South  $24^{\circ}31'13''$  West 50.00 feet to the southerly right-of-way line of Sioux Way and the beginning of a non-tangent curve concave to the south having a radius of 525.00 feet, a radial line from said point having a bearing of South  $24^{\circ}31'13''$  West;
6. Thence westerly along said curve and southerly right-of-way line through a central angle of  $9^{\circ}24'12''$  a distance of 86.16 feet to the northeasterly corner of the West Bay Sanitary District adopted October 26, 1987, by Resolution No. 1072;
7. Thence radial from said northeasterly corner along the westerly line of said Lot 8 and its southerly prolongation North  $15^{\circ}07'02''$  East 284.97 feet to the POINT OF BEGINNING.

Containing an area of 77,513 square feet, more or less.

October 18, 2018

Page 2 of 3

The herein described annexation parcel is shown on the attached map of this legal description, Page 3 of 3, and is made a part hereof.

**Description prepared by MacLeod and Associates, Inc.**



Daniel G. MacLeod

L.S. 5304

OCTOBER 18, 2018

Date



RESOLUTION #1072

LOT 14  
BLOCK 1  
50 MAPS 45-48

LOT 9  
BLOCK 1  
50 MAPS 45-48

LOT 15  
BLOCK 1  
50 MAPS 45-48

SIoux WAY  
(50' - R/W)

(RADIAL)  
S 24°31'14" W  
50.00'

LOT 8  
BLOCK 1  
50 MAPS 45-48

#40 SIOUX WAY  
A.P.N. 077-310-040

LOT 6  
BLOCK 1  
50 MAPS 45-48

POINT OF BEGINNING

PARCEL 1  
43 PM 35-36

LOT 7  
BLOCK 1  
50 MAPS 45-48

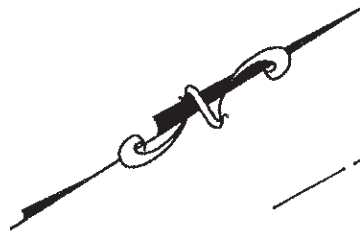
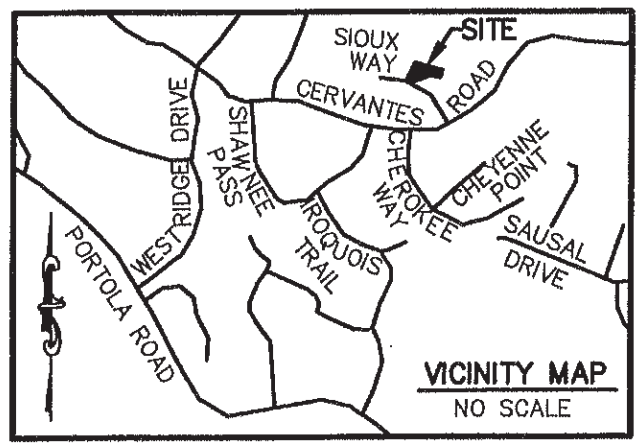
D=9°24'12"  
L=86.16'  
R=525.00'

N 15°07'02" E 284.97'  
(RADIAL)

S 61°00'00" W 241.35'

S 86°35'00" E 397.00'

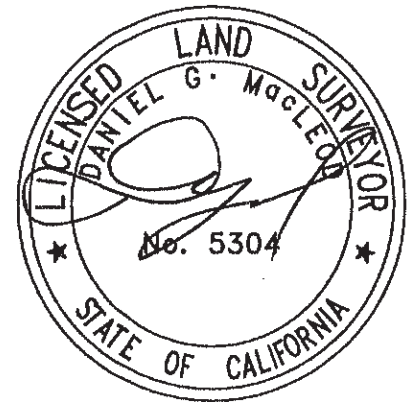
S 84°56'17" W 152.15'  
S 3°25'00" W 104.89'



Scale 1" = 80 ft

TITLE: PLAT TO ACCOMPANY LEGAL DESCRIPTION  
PROPOSED SEWER ANNEXATION  
40 SIOUX WAY; A.P.N. 077-310-040;  
BEING A PORTION OF THE RANCHO EL CORTE DE MADERA  
TOWN OF PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA

PLAT: DPM	SCALE: 1"=80'	DATE: 10-18-18	JOB #: 4404-16
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**MACLEOD AND ASSOCIATES**

CIVIL ENGINEERING • LAND SURVEYING  
965 CENTER STREET SAN CARLOS CA 94070 (650) 593-8580