

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

March 10, 2021

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer
Rob Bartoli, Management Analyst

Subject: LAFCo File No. 21-02- Proposed annexation of 155 Grove Drive, Portola Valley (APN 079-011-080) to West Bay Sanitary District and subsequent annexation to the On-site Wastewater Disposal Zone (1.25 acres)

Summary

This proposal, submitted by landowner petition, requests annexation of 155 Grove Drive, Portola Valley to the West Bay Sanitary District and connection to the District's sewer main. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. Commission approval is recommended.

Departmental Reports

County Assessor: The total net assessed land valuation for the parcel shown in the records of the County Assessor is \$6,395,000. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has two registered voters. If the annexation is approved, the property will need to be assigned to a precinct that includes West Bay Sanitary District.

County Public Works: The map and legal description have not yet 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 work to be reviewed by Town Planning and Public Works and an encroachment permit is required. The Town also reserves the right to review landscaping requirements for any above ground infrastructure that is part of this project.

COMMISSIONERS: WARREN SLOCUM, CHAIR, COUNTY ▪ MIKE O'NEILL, VICE CHAIR, CITY ▪ HARVEY RARBACK, CITY ▪ DON HORSLEY, COUNTY
▪ JOSHUA COSGROVE, SPECIAL DISTRICT ▪ RIC LOHMAN, SPECIAL DISTRICT ▪ ANN DRAPER, PUBLIC

ALTERNATES: KATI MARTIN, SPECIAL DISTRICT ▪ DIANA REDDY, CITY ▪ JAMES O'NEILL, PUBLIC ▪ DAVE PINE, COUNTY

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ TIM FOX, LEGAL COUNSEL ▪ ROB BARTOLI, MANAGEMENT ANALYST ▪ ANGELA MONTES, CLERK

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

West Bay Sanitary District: Fees for annexation, permits and annual service charges will be required. Annexation to the On-site Wastewater Disposal Zone will be required and to construct a Grinder Pump System on the property to be served and connect to the existing force main on Grove Drive. All costs will be paid by the project proponent.

Executive Officer's Report

This proposal has been submitted by landowner petition in order to connect a developed residential parcel to public sewer to support the construction of a new assessor dwelling unit. The territory proposed for annexation is located in the Town of Portola Valley at 155 Grove Drive near Portola 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 a Zone within its jurisdiction to maintain pumping systems where gravity flow to the sewer main is not possible. Annexation of these properties 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) 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-Hertzberg (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

By resolution, approve LAFCo File No. 21-02- Proposed annexation of 155 Grove Drive, Portola Valley (APN 079-011-080) 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 155 Grove Drive, Portola Valley
- B. Vicinity Map

cc: Sergio Ramirez, General Manager, West Bay Sanitary District
Scott and Kathleen Mitic, Property Owner

**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 155 Grove Drive, Portola Valley to West Bay Sanitary District**

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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) **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: **To connect SFR and required for new ADU to be built to public sewer.**

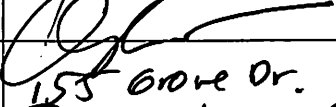
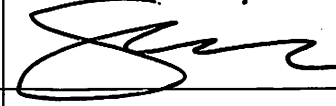
7. The proposed **annexation** is requested to be made subject to the following terms and conditions:

8. The persons signing this petition have signed as:

__ registered voters or **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*
Feb 3, 2021	Kathleen Mitic	 155 Grove Dr. Palo Alto Valley CA 94028	079-011-080
Feb 3, 2021	Scott Mitic		079-011-080

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

**APPLICATION FOR A CHANGE OF ORGANIZATION, REORGANIZATION, OR OUTSIDE SERVICE AGREEMENT
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION**

A. GENERAL INFORMATION

1. Briefly describe the nature of the proposed change of organization, reorganization, or outside service agreement.

Annexation of 155 Grove Drive to WBSD, Portola Valley

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 establish sanitary sewer and annex subject property (155 Grove Drive, Portola Valley) into WBSD sewer system required for new ADU to be built.

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

 X Yes No

5. Estimated acreage: 1.25

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 (WBSD)

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	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.

155 Grove Drive - intersects with Portola Road (approx. .2 miles) & approx. 1 mile West of Alpine Road, 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?

New ADU per plans (approx. 800 sq/ft)

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-E (Residential Estate)

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

None

8. What additional approvals will be required to proceed?

LAFCo approval, WBSD Permits, PV Building Permits, Septic Abandonment Permit, Road Encroachment Permit

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?

No

* * * * *

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: Scott Mitic

EMAIL: SCOTTMITICEMAIL.COM

ADDRESS: 155 Grove Dr, Park/A
Valley CA
94028

TELEPHONE: 415 297 2007

ATTN: _____

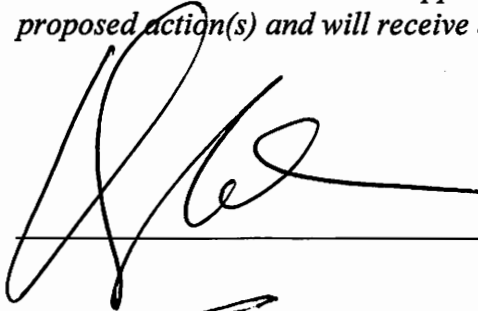

Signature of Proponent

Applica_blk.doc
(10/6/2000)

Addendum to Application titled LAFCo File No. 20-02 --
Proposed annexation for 155 Grove Drive, Portola Valley

APN's 079-011-080
to West Bay Sanitary District

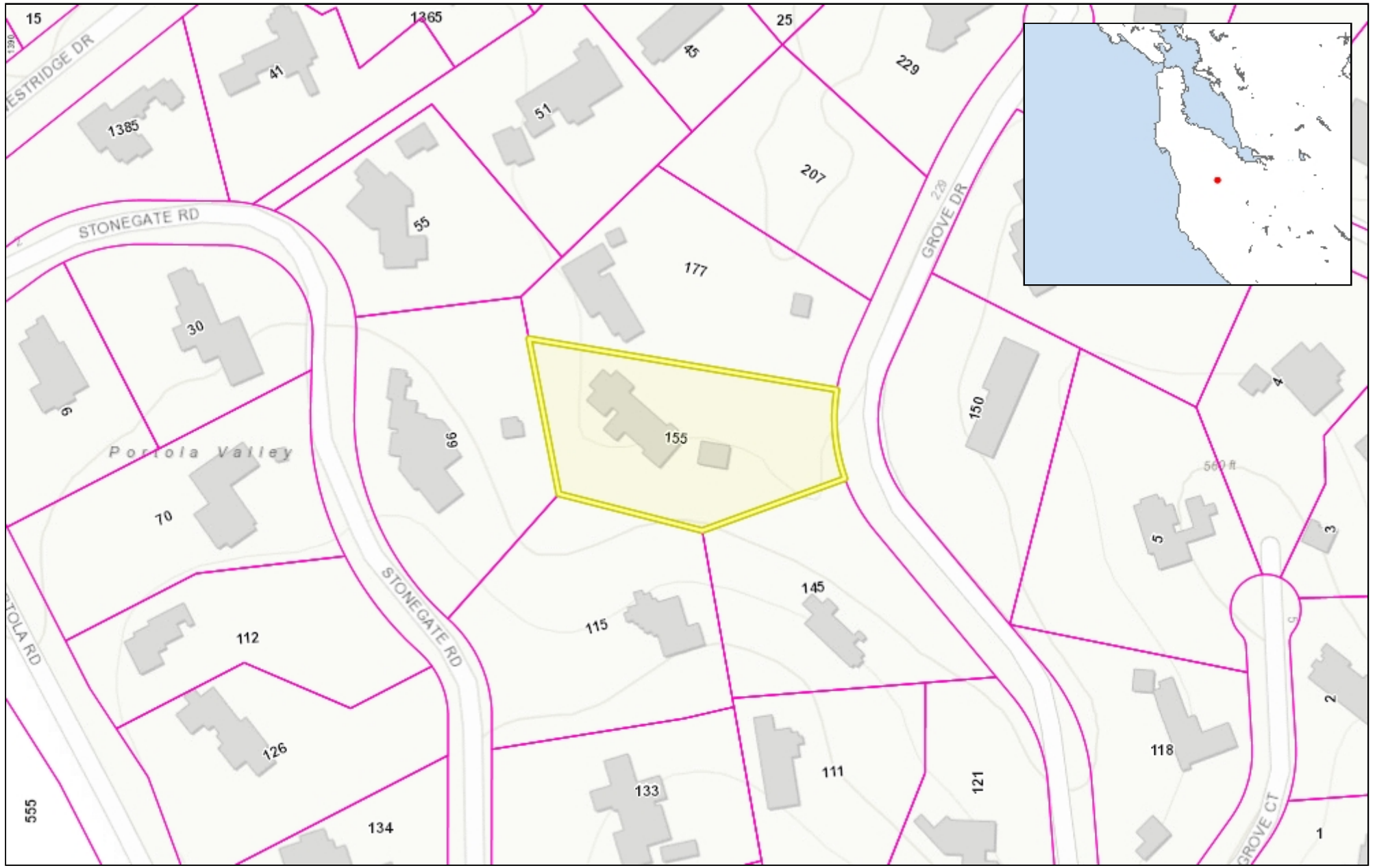
As part of above noted application submitted by petition, the Chief Applicants, **Katie & Scott Mitic** as Applicants and subject landowner(s), real parties in interest, agree to defend, indemnify, hold harmless, and release the San Mateo LAFCO, its agents, Commissioners, Executive Officer, attorneys, and employees from any claim, action, proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. This indemnification obligation shall include, but not be limited to, damages, costs, and expenses, including attorney fees. The person signing this addendum to above noted application will be considered the proponent for the proposed action(s) and will receive all related notices and other communications.


Date Feb 3, 2021


Date Feb 3, 2021

Date _____

Date _____



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