

SAN MATEO

**LOCAL AGENCY FORMATION COMMISSION**

455 COUNTY CENTER, 2ND FLOOR • REDWOOD CITY, CA 94063-1663 • 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. 04-11--Proposed Annexation of 460 Golden Oak (Lands of Pooley) to the West Bay Sanitary District and Waiver of Conducting Authority Proceedings (1.21 acres)

Summary

This proposal was submitted by landowner petition and requests annexation to West Bay Sanitary District of a 1.21 acre parcel with one single family residence. Annexation is requested to replace a failed 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 Golden Oak at the intersection of Alpine Road. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$782,050. 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 1.21 acres. The map and legal description submitted with the proposal require revision in order to 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. Immediate hook up to public sewer is recommended due to failed septic system. 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 main fronting the properties in Golden Oak. Upon completion of the annexation process, applicant has already Class 1A Sewer Permit fee, connection fee and permit fee. 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 (\$278) will be billed on property tax bill.

Recommendation: Approval

Recommendation:

This proposal has been submitted by landowner petition and requests annexation of a residential parcel on Golden Oak Drive, Portola Valley to West Bay Sanitary District to replace a failed septic system. 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).

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. At the request of the landowners, the West Bay Sanitary District has requested that the Commission waive the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by Resolution: Approve LAFCo File No.04-11--Proposed Annexation of 460 Golden Oak (Lands of Pooley) to the West Bay Sanitary District and waive conducting authority proceedings.

04-11
460 Golden Oak

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 INTO THE 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) **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 RECEIVE SANITARY SEWER SERVICE FROM THE WEST BAY SANITARY DISTRICT TO REPLACE FAILED SEPTIC TANK AND LEACH FIELD.
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.

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*
<u>9-24-04</u>	<u>James Pooley</u>	<u>James Pooley 460 Golden Oak, Portola Valley</u>	<u>079-122-320</u>
<u>9-24-04</u>	<u>Laura-Jean Anderson</u>	<u>Laura Jean Anderson 460 Golden Oak Dr. Portola Valley</u>	

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

Portola Valley CA 94028

**APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION
(LANDS OF POOLEY APN: 079-122-320)**

A. GENERAL INFORMATION

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

Annexation into the 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?

To obtain sanitary sewer service from the West Bay Sanitary District to replace failed septic tank and leach field.

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

Yes No

5. Estimated acreage: 1.21

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 Boundary

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>Sewer</i>	<i>None</i>	<i>West Bay Sanitary District</i>	<i>Proponent</i>	<i>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.

Golden Oak Drive at the intersection of Alpine Road in Portola Valley.

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

Single Family Residential

3. How are adjacent lands used?

North: Public Right of Way

South: Single Family Residential

East: Public Right of Way

West: Single Family Residential

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

N/A

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

Residential.

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

Residential.

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?

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?

None.

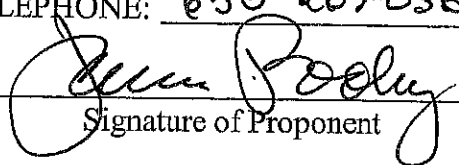
* * * * *

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: Jim Pooley

ADDRESS: 460 Golden Oak, Portola Valley 94028 TELEPHONE: 650-269-0368

ATTN: _____


Signature of Proponent

D. **AFFECTED PUBLIC AGENCIES**

Please complete this section if this application is submitted by resolution of one or more affected public agencies. Certified copies of resolutions listed below must accompany this application.

1. The names and resolutions of agencies applying for the change of organization or reorganization described above are as follows:

AFFECTED AGENCY	RESOLUTION NO.	DATE ADOPTED

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

 X Yes No (If Yes, include proof of consent.)

E. **PLAN FOR PROVIDING SERVICES**

1. Enumerate and describe the services to be extended to the affected territory.

The construction of a sanitary sewer lateral connecting to existing gravity main in the Public Right of Way.

2. Describe the level and range of those services.

Lateral will serve only one property.

3. Indicate when those services can feasibly be extended to the affected territory.

As soon as allowed. Construction should take no more than one month.

4. Indicate any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions to be imposed or required within the affected territory.

Street will be excavated to allow for installation of new gravity lateral. Street will be backfilled and paved to the Town of Portola Valley Standards.

5. Describe financial arrangements for construction and operation of services extended to the affected territory. (Attach proposed operations budget if available) Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

Territory will be subject to West Bay Sanitary District connection and permit fees. The territory will also be subject to an annual sewer service charge.

Proponent will arrange and finance lateral construction under the inspection of the West Bay Sanitary District.

6. In as much detail as required to give a clear explanation, explain why this proposal is necessary at this time.

Property owner wants to replace problematic septic tank and leach field system.

This section completed by Richard Laureta, Freyer & Laureta, Inc.
(Name)

Vice President
(Title)

Applica_blk.doc
(10/6/2000)

DESCRIPTION OF 1.21 ACRE +/- PARCEL

LANDS OF POOLEY

That real property being Lot 21 of Block 3 as shown on that certain map entitled "Tract No. 718 Alpine Hills Unit 3, San Mateo County, California, being a portion of Rancho El Corte Madera" filed in the office of the County Recorder of San Mateo County, State of California, on May 24, 1955 in book 42 of maps at pages 27-29, being more particularly described as follows:

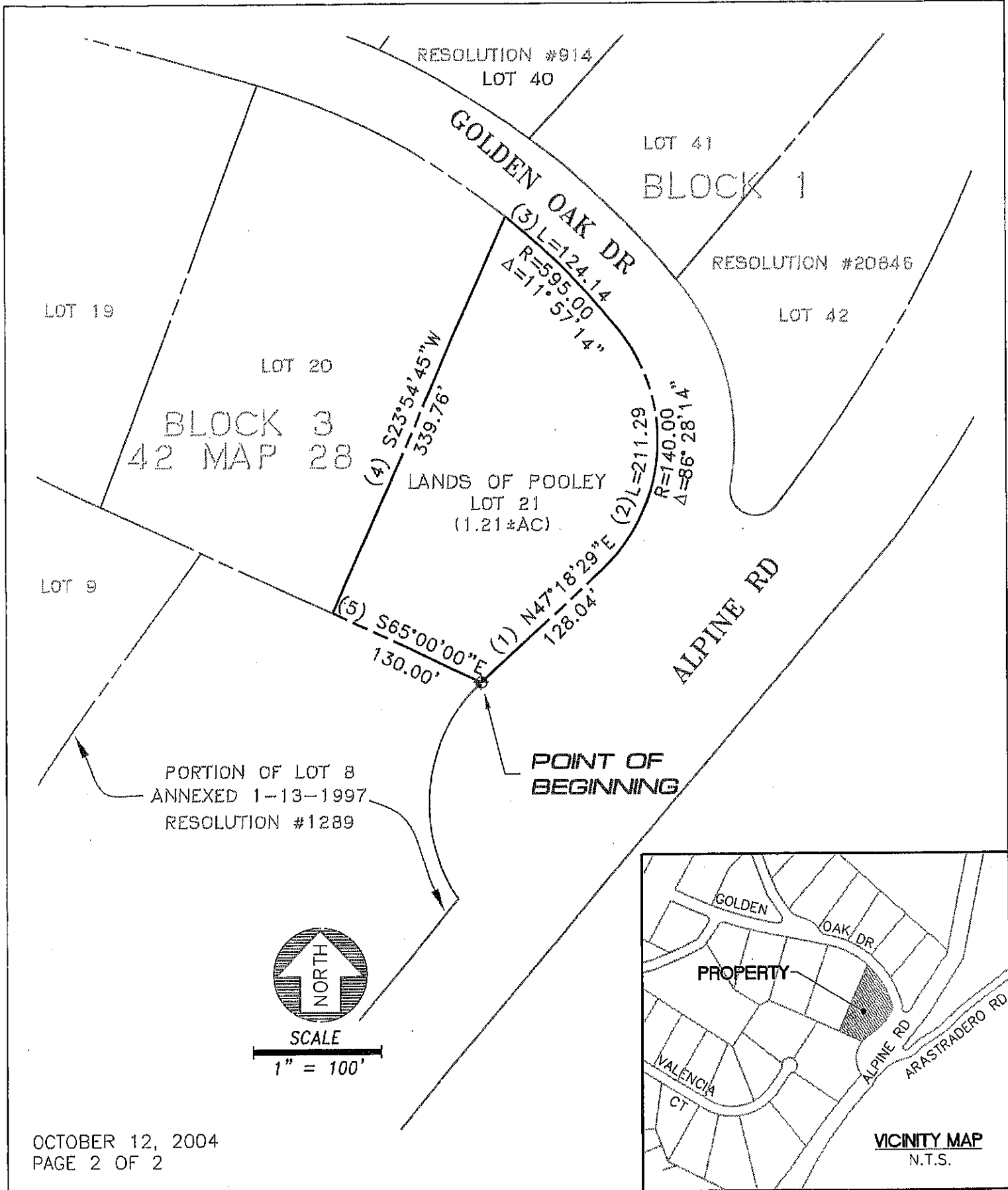
BEGINNING at a point on the Southern-most corner of Lot 21, said point also being the Northeasterly-most corner of the West Bay Sanitary District adopted January 13, 1997 by Resolution No. 1289; thence proceeding counterclockwise the following courses and distances: thence leaving said District boundary (1) North $47^{\circ}18'29''$ East a distance of 128.04 feet; thence (2) through a tangent curve to the left, having a radius of 140.00 feet, a central angle of $86^{\circ}28'14''$, and an arc length of 211.29 feet; thence (3) through a tangent curve to the left, having a radius of 595.00 feet, a central angle of $11^{\circ}57'14''$, and an arc length of 124.14 feet to the Northern-most corner of said Lot 21; thence leaving said point through a course (4) South $23^{\circ}54'45''$ West a distance of 339.76 feet to the Southwesterly-most corner of said Lot 21 to a point in the aforementioned District boundaries; thence leaving said point and continuing along said District boundaries through a course (5) South $65^{\circ}00'00''$ East a distance of 130.00 feet to the POINT OF BEGINNING.

Containing 1.21 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 the lands described herein.

October 12, 2004

Page 1 of 2



OCTOBER 12, 2004
PAGE 2 OF 2

F&L Freyer & Laureta, Inc.
civil engineers • surveyors • construction managers
144 North San Mateo Drive • San Mateo, CA 94401
(650)344-9901 • Fax (650)344-9920 • www.freyerlaureta.com

THE LANDS OF POOLEY
LOT 21 OF BLOCK 3,
TRACT NO. 718 ALPINE HILLS UNIT 3
RECORDS OF THE COUNTY OF SAN MATEO, CA
RECORDED MAY 24, 1955,
BOOK 42 OF MAPS AT PAGES 27-29