

**LOCAL AGENCY FORMATION COMMISSION**

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

September 9, 2009

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 09-08--Proposed Annexation of 20 Toro Court (Lands of Mills/APN 079-092-220) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Waste Water Disposal Zone (1.21 acre)

**Summary**

This proposal, submitted by landowner petition, requests annexation of a 1.21 parcel in order to connect a proposed single-family home to the West Bay Sanitary District sewer main. The proposal has 100% landowner consent and waiver of conducting authority proceedings is also requested. The annexing territory is within the boundaries of the Town of Portola Valley at 20 Toro Court. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,512,417. 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 meet requirements for recordation. The proposal would not necessitate removal from any other special districts. Natural boundaries, drainage basins or other topographical features would not affect and would not be affected by this proposal.

Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area.

Recommendation: Approval

Town of Portola Valley: The Town's general plan designation is low intensity residential and zoning is residential estate (2.5 acres per dwelling unit). An encroachment permit will be necessary to be reviewed and issued by the Town Engineer.

Recommendation: Approval

West Bay Sanitary District: A District Class 3 permit (\$200 application fee and \$2,000 deposit for plan checking and inspections) and a Class 1 permit (\$100 application fee and connection fees of \$4,289.20 currently), and annual sewer service charges will be levied. The property would connect to the sewer main in Golden Oak and property owners are responsible for extension of the main from Golden Oak to the property with to meet West Bay Sanitary District specifications. Annexation is subject to the Reimbursement Agreement for the Golden Oaks Extension, which is estimated at \$39,000. Annexation to the On-Site Waste Water Disposal Zone is required. Proponents are responsible for all permitting, installation and construction costs.

Recommendation: Approval

#### **Report and Recommendation:**

This proposal has been submitted by landowner petition in order to connect a proposed new single-family residence to the West Bay Sanitary District sewer main. The territory proposed for annexation is located in the Town of Portola Valley on Toro Court near Golden Oak, west of I-280.

The annexation 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. Staff recommends approval of the annexation. The map and legal description meet the requirements for recordation.

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).

Annexation to the On-Site Wastewater Disposal Zone

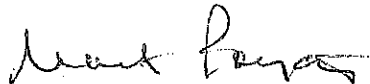
Sections 6960.3 and 6974 of the Health and Safety Code governing sanitary districts require LAFCo approval for formation of, or annexation to, an on-site wastewater disposal zone (Zone) in counties in which LAFCo has adopted Rules and Regulations Affecting the Functions and Services of independent special districts. 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. 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.

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. At the request of the landowners, the West Bay Sanitary District agrees to Commission waiver of the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by Resolution: Approve LAFCo File No. 09-08--Proposed Annexation of 20 Toro Court (Lands of Mills/APN 079-092-220) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Waste Water Disposal Zone.

Respectfully submitted,



Martha Poyatos  
Executive Officer

Attachments

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 TO WEST BAY SANITARY DIST.  
OF 20 TORO COURT

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:

with inhabited (12 or more registered voters)  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 ANNEX INTO WEST BAY SANITARY DISTRICT AND  
INTO WEST BAY SANITARY DISTRICT ON-SITE WASTE WATER  
DISPOSAL ZONE

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*
6/08/09	Luville L. Mills	L Mills 20 Toro Court Portola Valley, CA 94028	079 092 220

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

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.

TO ANNEX INTO WEST BAY SANITARY DISTRICT AND  
INTO WEST BAY SANITARY DISTRICTS ON-SITE WASTE WATER  
DISPOSAL ZONE, 20 TOPO COURT 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):

- 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 SEWER SERVICE TO REPLACE EXISTING  
SEPTIC SYSTEM

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

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... WBSD</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.

INTERSECTION OF TORO COURT AND GOLDEN OAK DRIVE

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

RESIDENTIAL

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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?

No

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

REMODEL OF RESIDENCE

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

R-E/1A

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?

WEST BAY SANITARY DISTRICT

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

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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: JPM Construction

ADDRESS: 20 Toro Court, Portola Valley, CA 94028 TELEPHONE: 650-269-2312

ATTN: John M. TIS

Signature of Proponent