



Agenda Item 2.c

May 8, 2013

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. ~~13-05~~<sup>13-06</sup> Proposed Annexation of 214 Grove Drive (APN 079-030-150) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Waste Water Disposal Zone (1 acre)

**Summary**

This proposal, submitted by landowner petition, requests annexation in order to abandon a failing septic system and connect a 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 214 Grove Drive. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation of land shown in the records of the County Assessor is \$2,100,000. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has 3 registered voters. Annexation would not conflict with any political subdivision boundaries.

Public Works: The map and legal description have not been reviewed.

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

Recommendation: Approval

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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 and a Class 1 permit, and annual sewer service charges will be levied. 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 the existing residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley on Grove Drive east of Portola Road.

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 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.

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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 Motion: It is recommended the Commission certify that the annexation is exempt from CEQA pursuant to Section 15303 of Public Resources Code, Class 3 construction of exempt facilities.

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By Resolution: Approve LAFCo File No. ~~13-05~~ Proposed Annexation of 214 Grove Drive (APN 079-030-150) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Waste Water Disposal Zone.



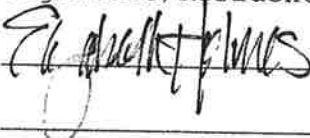
PETITION  
 FOR PROCEEDINGS PURSUANT TO  
 THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF  
 2000

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 214 Grove to West Bay Sanitary Dist.
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:  
a hook-up to West Bay Sanitary System
7. The proposed annexation & sewerage connection requested to be made subject to the following terms and conditions:  
as LAKCO puts forward, as well as West Bay Sanitation.
8. The persons signing this petition have signed as:  
 registered voters or  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*
3/29/13	Elizabeth Holmes	 / 214 Grove Drive Palo Alto Valley, CA 94028	07903 0150
_____	_____	_____	_____
_____	_____	_____	_____

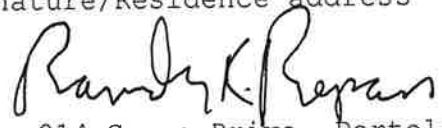
\*Assessor's Parcel Number of parcel(s) proposed for annexation.

Petition

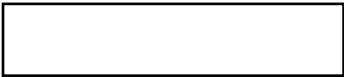
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Wherefore, petitioner(s) request(s) that proceedings be taken in accordance with the provisions of Section 56000, et seq. Of the Government Code and herewith affix signatures as follows:

Chief Petitioners (not to exceed three):

Date:	Printed Name:	Signature/Residence address	APN*
3/29/13	Randolph K. Repass	 214 Grove Drive, Portola Valley, CA 94028	APN 079 030 150

\*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.

Annexation for the sole purpose of connecting to the  
West PMW Sewage System! - present septic system has failed.

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 connect to local sewage system. The present septic  
system has failed

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

- Yes  No

5. Estimated acreage: 2.7

**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.

Portola Valley, CA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 -	None	Portola Valley West Bay Sanitary	E. Holmes / Plumber / West Bay	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.

Grave Drive is a small residential street in the center of Portola Valley off Portola Road. The area & home site are hilly. The structures sit above the (P) sewage system.

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

Residential - Single Family home & guest house - built in 1957.

3. How are adjacent lands used?

North: Street - Grave Drive  
 South: Neighbor - Single family Residence  
 East: Neighbor - Single family Residence



West: Street - Grove Drive

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

No

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

Residential

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

R-1

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

None. The development is existing

8. What additional approvals will be required to proceed?

West Bay Sanitary & San Mateo Health Dept & town of Portola Valley

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?

Yes. The existing structure would be allowed to be enlarged.

\* \* \* \* \*

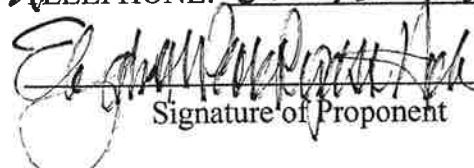
LAFCo will consider the person signing this application as the proponent of the proposed action(s).  
Notice and other communications regarding this application (including fee payment) will be directed to the  
proponent at:

NAME: Elizabeth Peck Repass Holmes

ADDRESS: 214 Grove Drive, P.V., CA 94628

TELEPHONE: 650.380.1680

ATTN: \_\_\_\_\_

  
Signature of Proponent

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

Addendum to Application Requesting Annexation of Lands of

owners → Elizabeth P.R. Holmes & Randolph K. Repass, APN 079030150  
(List Applicant, Owners names and assessor parcel numbers)

applicant → Elizabeth P.R. Holmes  
to the Portola Valley  
(Name of City or District)

and detaching said area from  
N/A

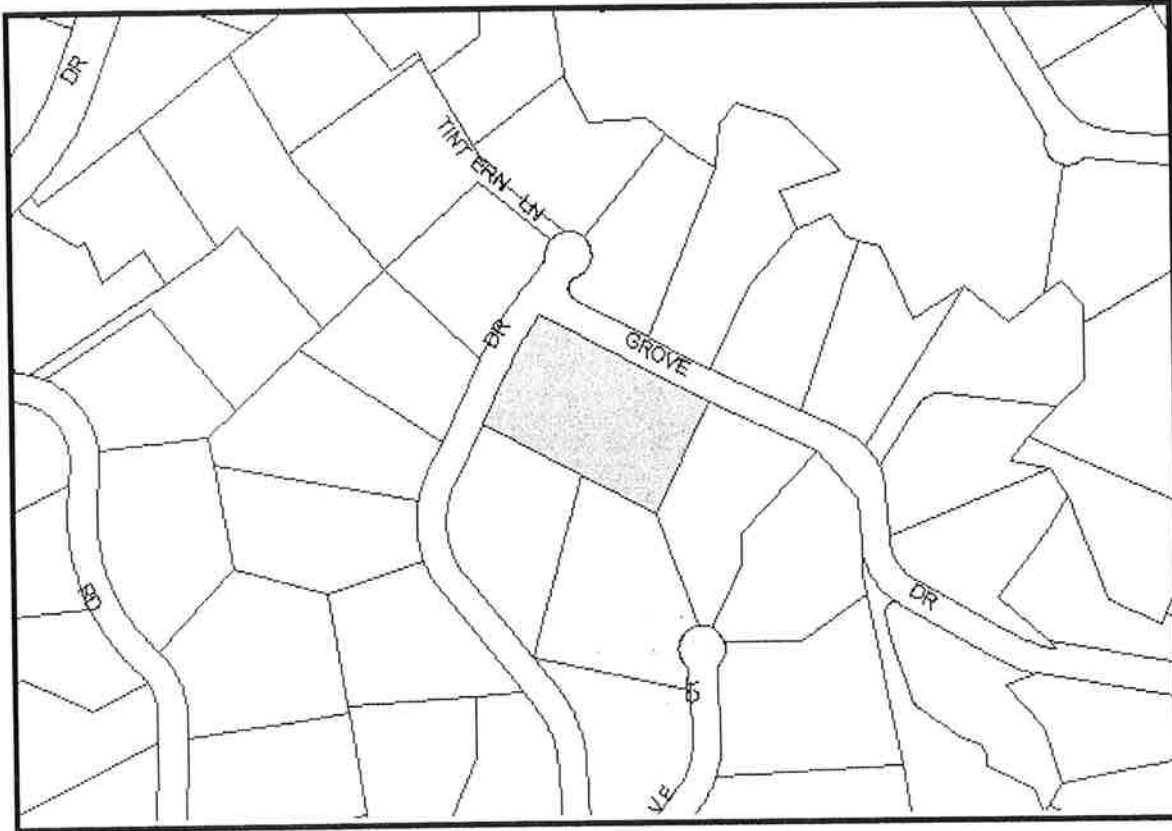
list districts from which lands will be detached

As part of above noted application submitted by petition, the Chief Applicants, E.P.R. Holmes 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.

Elizabeth P.R. Holmes Date March 29, 2013  
Elizabeth P.R. Holmes Date \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_  
\_\_\_\_\_  
Date \_\_\_\_\_

**SELECTED  
PROPERTY**

**Situs:** 214 Grove Dr , Portola Valley  
**Owner:** Repass Randolph K Tr, 214 Grove Dr, Portola Valley, CA, 94028--7641  
**APN:** 079030150



**Property Owner Summary**

**APN:** 079030150  
**Parcel ID:** 254048  
**Situs:** 214 Grove Dr  
**City:** Portola Valley  
**Owner:** Repass Randolph K Tr

**Jurisdictions**

**Supervisorial:** 3  
**Congressional:** 18  
**Assembly:** 24  
**Senatorial:** 13  
**Election Precinct:** 3906  
**City Name:** PORTOLA VALLEY  
**Zip Code:** 94028  
**Mitigation Fee Area:** None Assigned  
**Zoning:** NO DATA ASSIGNED

**Tax Rate Area# 019000**

GENERAL TAX RATE  
 COUNTY DEBT SERVICES  
 TOWN OF PORTOLA VALLEY  
 PORTOLA VALLEY ELEM GENL PUR  
 PORTOLA VALLEY ELM BD SE 2001  
 PORTOLA VALLEY ELM 98A RFND SE

GENERAL COUNTY TAX  
 FREE LIBRARY  
 PORTOLA VALLEY DEBT SERVICES  
 PORTOLA VALLEY EL BD SER 98  
 PORTOLA VALLEY ELM BD SER 02A  
 PORTOLA VALLEY ELM 98B RFND SE