

**Item 2b**

September 5, 2013

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 13-10--Proposed Annexation of 500 Portola Road to the West Bay Sanitary District and waiver of conducting authority proceedings (1.15 acre)

**Summary**

This proposal, submitted by landowner petition, requests annexation a 1.15 acre parcel to West Bay Sanitary District in order to connect the existing single-family home to a 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. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,737,570. 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.

Public Works: The territory proposed for annexation consists of 1.15 acre. 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.

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 may be necessary to be reviewed and issued by the Town Engineer.

West Bay Sanitary District: The applicant will be required to connect to the sewer main in Portola Road. A District Class 1 permit (\$100 application fee and connection fees of \$7,336.20 currently), and annual sewer service charges will be apply. Annexation to the On-Site Waste Water Disposal Zone is not required. Proponents are responsible for all permitting, installation and construction costs as well as obtaining necessary easements.

**Report and Recommendation:**

This proposal has been submitted by landowner petition in order to connect the existing residence to the West Bay Sanitary District sewer in order to avoid future septic repairs. The territory proposed for annexation is located in the Town of Portola Valley on Portola Road between Alpine Road and Westridge, 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 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 Section 56663 specifies that the Commission may waive conducting authority proceedings for annexations of uninhabited territory with 100% landowner consent provided there is no written opposition 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:** Certify that annexation is exempt from the California Environmental Quality Act (CEQA) because it consists of an annexation for an exempt facility (up to three single-family residences per 15303 of Public Resources Code).

**Recommended Commission Action, by Resolution:** Approve LAFCo File No. 13-10--Proposed Annexation of 500 Portola Road to the West Bay Sanitary District and waiver of conducting authority proceedings (1.15 acre).

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 500 PORTOLA ROAD 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 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: 1.15 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  
TOWN OF PORTOLA VALLEY

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.

1 PROPERTY LOCATED AT 500 PORTOLA ROAD IN PORTOLA VALLEY BETWEEN ALPINE ROAD AND WESTRIDGE DRIVE

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

PRIVATE 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?

Residential Area- Low Land Use Intensity

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

R-E/1 (Residential-Estate-1 Acre) Zoning District

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

None, existing residence is to remain.

8. What additional approvals will be required to proceed?

None

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: Elizabeth J. Morgenthaler

ADDRESS: 500 Portola Road  
Portola Valley CA 94028

TELEPHONE: (415) 990.1001

ATTN: \_\_\_\_\_  
Elizabeth J. Morgenthaler  
Signature of Proponent

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:

*of 500 Portola Road*  
Annexation into 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. *yes*

4. The territory(ies) included in the proposal is/are: *Town of Portola Valley.*  
 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:

*allow for West Bay Sanitary Sewer service.*

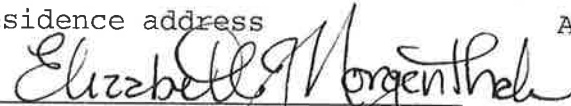
7. The proposed annexation is requested to be made subject to the following terms and conditions: *none,*

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*
_____	Elizabeth Morgenthaler		079-040-200
_____	(aka Elizabeth Meehan)	500 Portola Road	
_____		Portola Valley, CA 94028	

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



**“EXHIBIT A”**

Geographic Description  
Proposed Annexation to West Bay Sanitary District  
Lands of Morgenthaler, Parcel “A” (45 PM 3)  
500 Portola Road, Portola Valley  
(APN 079-040-200)

All that certain real property, situate in the Town of Portola Valley, County of San Mateo, State of California, being a portion of Rancho El Corte Madera, being all of Parcel “A” as shown on that certain Parcel Map filed December 14, 1978, in Volume 45 of Parcel Maps at Page 3, San Mateo County Records, more particularly described as follows:

**Beginning** at the Southwestern corner of the West Bay Sanitary District Boundary adopted October 6, 1964 by Resolution No. 20417, said point also being the Southeastern corner of said Parcel “A”;

Thence (1) along the Southerly line of said Parcel, South 79°40’00” West, 30.00 feet to the Southeastern corner of the West Bay Sanitary District boundary adopted July 17, 2002 by Resolution No. 941;

Thence (2) along the Easterly line of last said District Boundary, North 10°20’00” West, 100.00 feet to the Northeastern corner of said boundary;

Thence (3) along the Northerly line of said boundary, South 79°40’00” West, 134.08 feet;

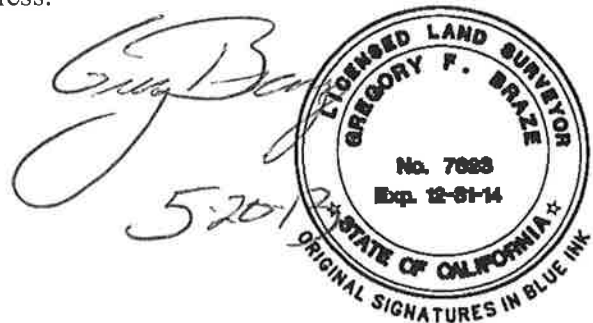
Thence (4) continuing along last said line, North 33°54’35” West, 199.31 feet to the most Northern corner of last said boundary, said point also being the most Westerly corner of said Parcel “A”;

Thence (5) along the Northwesterly line of said parcel, North 60°50’00” East, 257.59 feet to the most Northern corner of said parcel;

Thence (6) along the Easterly line of said parcel, South 10°20’00” East, 102.82 feet to the Northwestern of said District Boundary by Resolution No. 20417;

Thence (7) along the Westerly line of last said boundary and continuing along said Easterly line of said Parcel, South 10°20’00” East, 263.00 feet to the **Point of Beginning**

Total computed acreage containing 1.15 acres, more or less.  
APN: 079-040-200





LOT 14  
TRACT 608  
29 MAPS 31

APN: 079-040-020  
S10°20'00"E 102.82'  
(6)

LOT 13  
TRACT 608  
29 MAPS 31

RESOLUTION #20417  
APN: 079-040-010

POINT OF BEGINNING

S79°40'00"W 30.00'  
(1)

S10°20'00"E 263.00' (7)

LOT 9  
TRACT 608  
29 MAPS 31

APN: 079-040-080

N60°50'00"E

LANDS OF MORGENTHALER  
PARCEL A  
45 MAPS 3

N10°20'00"W 100.00'  
(2)

S79°40'00"W 134.08'  
(3)

PARCEL B  
45 PM 3

PORTOLA ROAD (80')

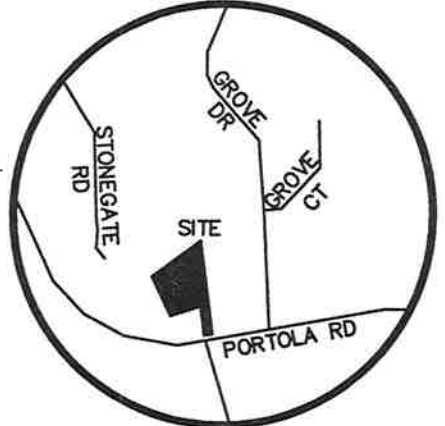
PROPOSED PARCEL TO BE ANNEXED  
APN: 079-040-200

N33°54'35"W 199.31' (4)

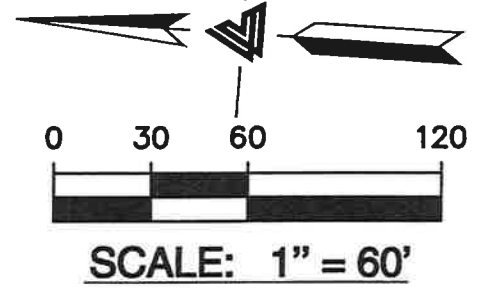
RESOLUTION #941

APN: 079-040-210

APN: 079-040-100



VICINITY MAP  
NO SCALE



**LEA & BRAZE ENGINEERING, INC.**

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**PROPOSED SEWER ANNEXATION  
PARCEL "A", OF PARCEL MAP (45 PM 3)  
TO WEST BAY SANITARY DISTRICT  
BEING A PORTION OF RANCHO EL CORTE MADERA  
PORTOLA VALLEY, CALIFORNIA  
SAN MATEO COUNTY**

APN: 079-040-200

SCALE: 1" = 60'

