

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

May 10, 2017

To: LAFCo Commissioners

From: Martha Poyatos, Executive Officer *M. Poyatos*

Subject: LAFCo File 17-06—Proposed Annexation of 135 Shawnee Pass, Portola Valley (APN 077-032-010) to West Bay Sanitary District and Subsequent Annexation to the On-Site Wastewater Disposal Zone (1.03 acres)

Summary

This proposal, submitted by landowner petition, requests annexation to the West Bay Sanitary District sewer main to accommodate construction of a second unit. The proposal has 100 percent landowner consent and waiver of conducting authority proceedings is also requested. The annexing territory is located in the Town of Portola Valley at 135 Shawnee Pass near Shoshone Place. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed land valuation shown in the records of the County Assessor is \$2,915,413. 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.

County Public Works: The map and legal description required by the State Board of Equalization have been submitted.

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). An encroachment permit will be necessary to be reviewed and issued by the Town Engineer. Any grinder pump or telemetry panel will be necessary to be reviewed by Town Planning and Public Works.

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

West Bay Sanitary District: Annexation to the On-Site Wastewater Disposal Zone (Zone) will be required. The proponent will be required to construct a grinder pump system on the property

COMMISSIONERS: DON HORSLEY, CHAIR, County ▪ MIKE O'NEILL, VICE CHAIR, City ▪ JOSHUA COSGROVE, Special City ▪ ANN DRAPER, Public
RICH GARBARINO, City ▪ JOE SHERIDAN, Special District ▪ WARREN SLOCUM, County

ALTERNATES: VACANT, Special District ▪ VACANT, City ▪ SEPI RICHARDSON, Public ▪ DAVE PINE, County

STAFF: MARTHA POYATOS, EXECUTIVE OFFICER ▪ REBECCA ARCHER, LEGAL COUNSEL ▪ JEAN BROOK, COMMISSION CLERK

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LAFCo File No. 17-06—Annexation of 135 Shawnee Pass to West Bay Sanitary District

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to be served as well as a grinder pump force main extension from/near 225 Shawnee Pass or 460 Cervantes Road to the property. All costs will be paid by the proponent.

A District Class 3 permit (\$500 application fee and \$2,000 deposit for plan checking and inspections) will be required. If actual costs exceed the deposit, the District will invoice the applicant for the difference. If the actual costs are less than the deposit, a credit will be made toward the required Class 1 permit which allows for the connection of a single-family residence to the District's main facilities (\$250 application fee and connection fee of \$8,501 per residential unit currently). Annual sewer service charges will apply. All fees are to be paid at the time application for the Class 3 permit is made.

Also, there is a reimbursement (Buja Agreement) fee associated with connecting to the District's existing facilities, which is currently estimated to be between \$9,500 and \$29,000 for the residential unit.

Executive Officer's Recommendation

This proposal has been submitted by landowner petition in order to connect a newly constructed single-family residence to public sewer. The territory proposed for annexation is located in the Town of Portola Valley at 135 Shawnee Pass near Shoshone Place. 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 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. 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) because it consists of an annexation for an exempt facility (up to three single-family residences).

Waiver of Conducting Authority Proceedings

Section 56663(c) of the Cortese-Knox-Herzberg (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 proceeding 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

Approve LAFCo File No. 17-06—Proposed Annexation of 135 Shawnee Pass, Portola Valley (APN 077-032-010) to West Bay Sanitary District and Subsequent Annexation to the Zone (1.03 acres) and Waive Conducting Authority Proceedings.

cc: Phil Scott, General Manager, West Bay Sanitary District
Bao Chang, Applicant

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LAFCO

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 135 Shawnee Pass, Portola Valley to 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) 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: *to abandon septic system and connect to public sewer to accommodate construction of a 2nd unit*
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.

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* |
|-----------|---------------|---|-------------|
| 3/13/2017 | Michael Chang | <i>[Signature]</i> 135 Shawnee Pass, Portola Valley | 077-032-010 |
| 3/13/2017 | BAO CHANG | <i>[Signature]</i> 135 Shawnee Pass Portola Valley | 077-032-010 |
| _____ | _____ | _____ | _____ |

*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 of 135 Shawnee Pass, Portola Valley to West Bay Sanitary District and extension of sewer main from current location in front of 185 Shawnee Pass.

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 abandon septic system and connect to public sewer to accommodate construction of a 2nd unit

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

- X Yes
No

5. Estimated acreage: 1.1 acre

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 ...</i> | <i>Proponent</i> | <i>Fees</i> |
| <i>Sewer</i> | <i>septic</i> | <i>West Bay</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.

135 Shawnee Pass near Cervantes Road, Portola Valley

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

Single Family Residential

3. How are adjacent lands used?

North: Single Family Residential

South: Single Family Residential

East: Single Family Residential

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?

Connectivity to sewer to allow construction of a guest house or 2nd unit

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?

Residential estate, single family (1-2 acres per dwelling unit)

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

Building permit with the Town of Portola Valley. Sewer connection is a condition of building permit issuance.

8. What additional approvals will be required to proceed?

West Bay Sanitary and LAFCo approval of annexation

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?

see #4 above

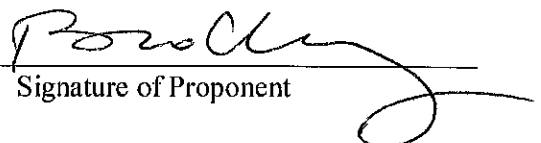
LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: BAO CHANG

ADDRESS: 135 Shawnee Pass
Portola Valley CA 94028

TELEPHONE: 650-704-9075

ATTN:


Signature of Proponent

**Wade Hammond
Land Surveyor
36660 Newark Blvd. Suite C
Newark, California 94560-3000
Tel:510-579-6112 Fax:510-991-8054 wade@whlandsurveyor.com**

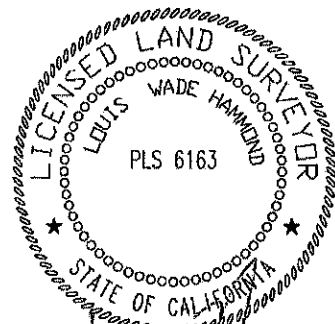
PROPOSED ANNEXATION OF 135 SHAWNEE PASS (APN:077-032-010) INTO THE WEST BAY SANITARY DISTRICT AND ON-SITE WASTEWATER DISPOSAL ZONE

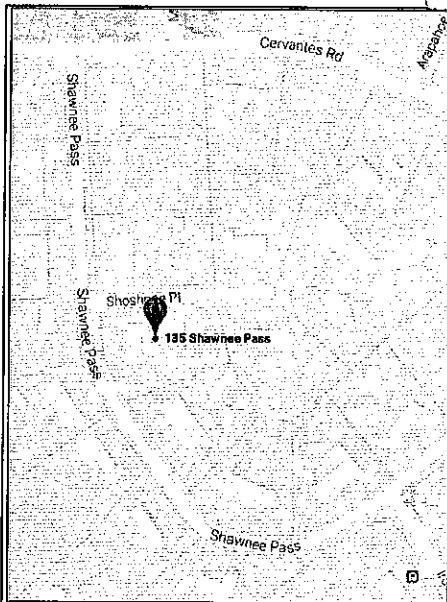
THE REAL PROPERTY BEING ALL OF LOT 1, BLOCK 5 AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT NO. 761 ARROWHEAD MEADOWS UNIT NO. 2" FILED MAY 29, 1958 IN VOLUME 48 OF MAPS AT PAGES 48 AND 49, SAN MATEO COUNTY RECORDS AND MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1, BLOCK 5, TRACT 761 THENCE S69° 09' 41"W 245.52 FEET TO THE RIGHT-OF-WAY LINE OF SAID SHAWNEE PASS; THENCE ALONG SAID RIGHT-OF-WAY LINE N35° 15' 00"W 25.03 FEET; THENCE ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 270.00 FEET, A CENTRAL ANGLE OF 31°45'00" AN ARC LENGTH OF 152.39 FEET TO A POINT OF COMPOUND CURVATURE; THEN ALONG A TANGENT CURVE TO THE RIGHT WITH A RADIUS OF 20.00 FEET A CENTRAL ANGLE OF 90°00'00" AN ARC LENGTH OF 31.42' TO A POINT ON THE RIGHT-OF-WAY LINE OF SHOSHONE PLACE AS SHOWN ON SAID MAP OF TRACT 761; THENCE ALONG SAID RIGHT-OF-WAY LINE S86°30'00" W 245.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE ALONG THE EASTERLY LINE OF SAID LOT 1, S 14°00'00" E 130.00 FEET TO THE POINT OF BEGINNING

Area: 44,913 Sq. Ft. 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.





L=31.42' R=20.00'
D=90°00'00"

0'00"W
15.00'

SHOSHONE PLACE
(50' WIDE)

S86°30'00"W
245.00'

135 SHAWNEE PASS
APN: 077-032-010
LOT 1, BLOCK 5, TR 761

1.031 ACRES
44913 SQ. FT.

SHAWNEE PASS
(50' WIDE)

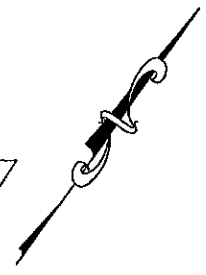
245.52'
S69°09'41"W
N35°15'00"W
25.03'

130.00'
S74°00'00"E

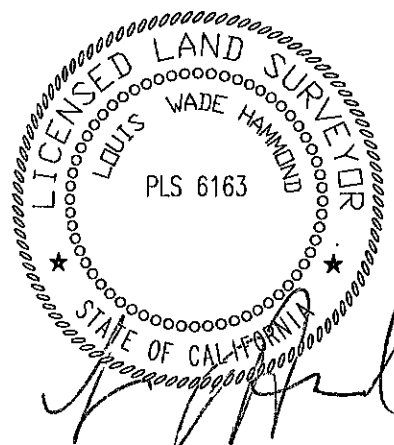
POB

165 SHAWNEE PASS
APN: 077-331-120
LOT 1, BLOCK 4, TR 774

4-6-2017
1"=70'



PROPOSED ANNEXATION
OF 135 SHAWNEE PASS
(APN: 077-032-010)
INTO THE WEST BAY
SANITARY DISTRICT
AND ON-SITE
WASTEWATER DISPOSAL
ZONE



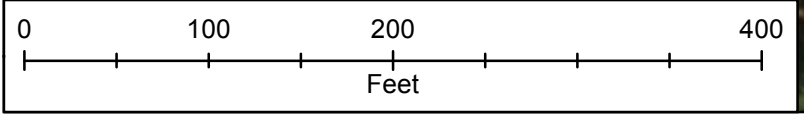
L. Wade Hammond
Licensed Land Surveyor
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Tel: (510) 579-6112 Fax: (510) 991-8054
wade@whlandsurveyor.com

**135 Shawnee Pass, Portola Valley
LAFCo File No. 17-06—Proposed
Annexation of 135 Shawnee Pass to
West Bay Sanitary District)**

077032010

SHOSHONE PL

SHAWNEE PASS



VICINITY MAP