

SAN MATEO

**LOCAL AGENCY FORMATION COMMISSION**

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

July 7, 2014

To: LAFCo Commissioners
From: Martha Poyatos, Executive Officer
Subject: LAFCo File No. 14-05—Proposed Annexation of 108 Foxwood Road to West Bay Sanitary District and waiver of conducting authority proceedings (0.30 acre)

Summary

This proposal was submitted by landowner petition and requests annexation to West Bay Sanitary District of a 0.30-acre parcel with a single-family home served by a failing septic system. The proposal has 100 percent landowner consent and requests waiver of conducting authority proceedings. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$33,626 (land) and \$93,989 (improvements) for a total valuation of \$120,615. 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 map and legal description required by the State Board of Equalization (BOE) have not yet been submitted for review.

Environmental Health: The California Water Service Company and West Bay Sanitary District provide the available water and sewer service in the area. The applicant shall abandon the existing septic system according to Environmental Health permitting and inspections.

Recommendation: Approval

West Bay Sanitary District: A District Class 3 permit (\$200 application fee and \$2,000 deposit for plan checking and inspections) and Class 1 permits (\$100 application fee and connection fee of \$7,336.20 per residential unit currently; annual sewer service charges will apply).

Reimbursement fees are estimated at \$60,000. All costs are the responsibility of the proponent.

Executive Officer's Recommendation

This proposal has been submitted by landowner petition in response to a failing septic system that cannot be repaired due to site constraints and Plumbing Code prohibition on repairing septic systems if the home is within 200 feet of a public sewer. The property is located in the Los Trancos Woods Sewer Annexation Project Area that included construction of a sewer main on Foxwood Road. At the time of the Los Trancos Woods Sewer extension, the applicants were not financially able to participate in the sewer construction and the septic system was functioning. More recently after consulting with a septic repair company, it has been determined that the leach field has failed and cannot be repaired. Connection to the sewer is subject to estimated reimbursement fees of \$60,000 to the original proponents of the sewer extension.

The annexation area is within the sphere of influence of West Bay Sanitary District as adopted by the Commission in 1984 and is consistent with the District's plans for extending service. Approval of the annexation is recommended.

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. 14-05--Proposed Annexation of the 108 Foxwood Drive to West Bay Sanitary District, and waive conducting authority proceedings.

cc: Phil Scott, West Bay Sanitary District
Thomas and Jean Schellenberg, Property Owners

APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION

RECEIVED

JUN 10 2014

A. GENERAL INFORMATION

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

Annexation of 108 Foxwood Road to 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?

Annexation is requested in order to connect a single-family home to public sewer and abandon the failing septic system

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

Yes No

5. Estimated acreage: 0.30 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

RECEIVED

JUN 10 2014

LAFCO

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
Sewer	None	West Bay Sanitary District	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.

The property address is 108 Fox Wood Road, (Near intersection with Los Trancos Road), Unincorporated Los Trancos Woods, San Mateo County

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

Single-family residential

3. How are adjacent lands used?

North: Residential

South: "

East: "

West: "

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

The property currently contains a single family residence. There are no current plans for development.

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

Medium-low Density Residential

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

R-1/S83 (Minimum 7,500 square foot) 20' front and rear set backs, 5' side set back

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 Permits, Road Encroachment Permit, Septic Abandonment Permit

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 specific development projects are planned. Application seeks one sewer connection for existing residence to abandon failed septic system. Abandonment of Septic system and leach field could facilitate future additional construction.

* * * * *

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: THOMAS SCHELLENBERG

ADDRESS: 108 FOXWOOD ROAD, PITTALA VALLEY, CA 94028 TELEPHONE: 650-851-8546

ATTN: _____

Thomas Schellenberg
Signature of Proponent

RECEIVED

JUN 10 2014

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 108 Foxwood Road 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) 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:

connect single family residence to public sewer and abandon failing septic system
7. The proposed annexation is requested to be made subject to the following terms and conditions: **waiver of reimbursement payment to "Sewers 4 Los Trancos Woods" deferring payment until property is sold and buyer would be required to pay reimbursement.**
8. The persons signing this petition have signed as:

 registered voters **or** x Owners of land (check one) within the subject territory.

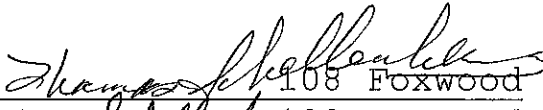
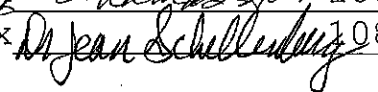
Petition -108 Foxwood

Page 2 of 2

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):

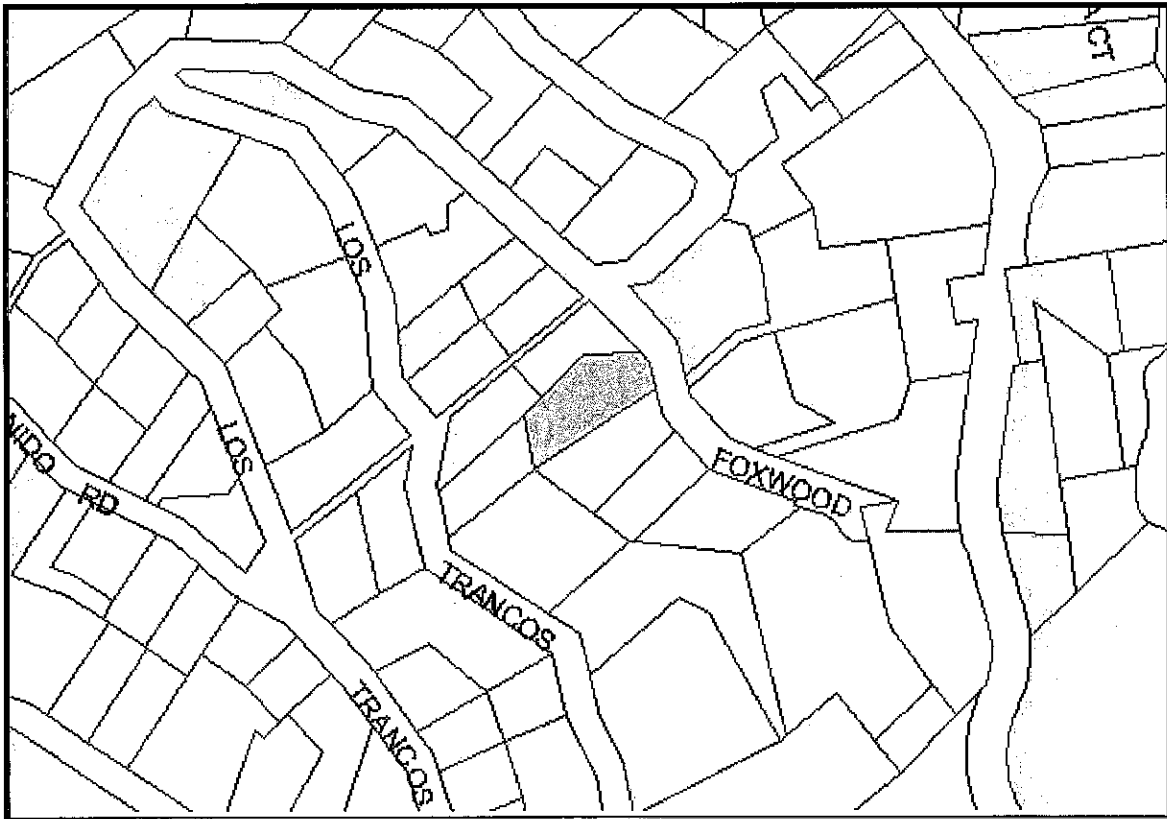
Date: Printed Name: Signature/Residence address

6-5-14	THOMAS SCHELLENBERG		108 Foxwood
6-5-14	Dr Jean Schellenberg	* 	108 Foxwood

*Assessor's Parcel Number of parcel(s) proposed for annexation is APN 080-092-030

**SELECTED
PROPERTY**

Situs: 108 Foxwood Rd , Portola Valley
Owner: Schellenberg Thomas Tr, 108 Foxwood Rd, Portola Valley, CA, 94028--
8113
APN: 080092030



Date Created: Thursday, June 5, 2014

Print

RECEIVED

JUN 10 2014