

**LOCAL AGENCY FORMATION COMMISSION**

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2C

September 9, 2009

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 09-09--Proposed Annexation of 35 Palmer Lane Court Oak (Lands of Luchsinger/APN 079-060-920) to the West Bay Sanitary District, waiver of conducting authority proceedings (1.36 acre)

Summary

This proposal, submitted by landowner petition, requests annexation a 1.36 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 at 35 Palmer Lane. Commission approval is recommended.

Departmental Reports

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$3,200,000. 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 1.36 acre. The map and legal description require revisions in order to 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: Comments from West Bay Sanitary District are not yet available. The following reflects verbal comments and information provided by the District to the applicant. A District Class 1 permit (\$100 application fee and connection fees of \$4,289.20 currently), and annual sewer service charges will be apply. Annexation to the On-Site Waste Water Disposal Zone is not required. The parcel would connect to the sewer main fronting 205 Cherokee Way via an easement at the rear property line. 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 connection with a residential addition remodel and building permit with the Town of Portola Valley. The territory proposed for annexation is located in the Town of Portola Valley on Palmer Lane near Sausal, 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, conditioned upon revisions to the map and legal description to meet 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).

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. 09-09-- Proposed Annexation of 35 Palmer Lane Court Oak (Lands of Luchsinger/APN 079-060-920) to the West Bay Sanitary District and waiver of conducting authority proceedings (1.36 acre).

Respectfully submitted,



Martha Poyatos
Executive Officer

Attachments

**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.

Annex 35 Palmer Lane (Portola Valley) 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?

To connect existing residence to public sewer in conjunction with remodeling.

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

Yes No

5. Estimated acreage: 1.368

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</i>	<i>None</i>	<i>West Bay Sanitary District</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.

35 Palmer Lane near Sausal in the Town of Portola Valley.

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

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?

Annexation and sewer connection are requested in connection with house addition remodel and building permit with the Town of Portola Valley. No further subdivision may take place.

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

Low Intensity Residential

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

RE-1, residential estate.

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

A building permit is under review with the Town of Portola Valley.

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?

None

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?

As noted above, annexation is related to building permit for house addition remodel

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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: Lee Brokaw

ADDRESS: 2080 Hanover Street, Palo Alto 94306

TELEPHONE: _____

ATTN: same



Signature of Proponent