



September 12, 2007

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 07-10-Proposed Annexation of 280  
Nathhorst (Lands of Mainzer) to the West Bay Sanitary  
District, waiver of conducting authority proceedings  
and subsequent annexation to the On-Site Wastewater  
Disposal Zone (1.7 acre)

### **Summary**

This proposal, submitted by landowner petition, requests annexation a 1.7 acre parcel with a single-family home (including fronting roadway) to West Bay Sanitary District and waiver of conducting authority proceedings. The proposal has 100% landowner consent. The annexing territory is within the boundaries of the Town of Portola Valley at 260 Nathhorst. Commission approval is recommended.

### **Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,664,640. 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 1.70 acres including fronting roadway. The map and legal description submitted with the proposal do not meet the requirements of the State Board of Equalization and require modification. 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. The proposal has no adverse environmental health significance.

Recommendation: Approval

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: The project proponent will bear the cost of all construction including a lateral connecting to an existing sewer main in front of the parcel in Nathhorst. Proponents are responsible for all permitting, installation and construction costs.

Recommendation: Approval

**Report and Recommendation:**

This proposal, submitted by landowner petition, requests annexation in order to abandon the septic system serving the existing home. The territory proposed for annexation is located in the Town of Portola Valley on Nathhorst Avenue near 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).

On-Site Waster Water 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.

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 when landowners have already given consent to uninhabited annexation proceedings.

**Recommended Commission Action, by Resolution:** Approve LAFCo File No. 07-12--Proposed Annexation of 211 Nathhorst (Lands of Allen) to the West Bay Sanitary District, waive conducting authority proceedings and approve subsequent annexation to the Zone, conditioned upon submittal of a map and legal description to meet State Board of Equalization requirements.

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.

To annex into west Bay sanitary District and into west Bay sanitary District's on-site waste water disposal zone

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: 1.70

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</i> <i>(example)</i>	<i>Co. Sheriff</i>	<i>City Police</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer</i> <i>(example)</i>	<i>None</i>	<i>City of ...</i> <i>WBSD</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.

INTERSECTION OF PORTOLA ROAD  
& NATHORST AVENUE

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

Residential

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

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

\_\_\_\_\_

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

R1001A

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

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?

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: PATRICK C. WEBER PLS

LEA & BRAZE ENGINEERING, INC  
ADDRESS: 2495 INDUSTRIAL PARKWAY, WEST  
HAYWARD, CA 94545

TELEPHONE: 510-887-4084



Signature of Proponent

280 Athhurst  
Mainer

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**

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 ANNEX INTO WEST BAY SANITARY DISTRICT AND INTO WEST BAY  
SANITARY DISTRICT'S ON-SITE WASTE WATER DISPOSAL ZONE**

7. The proposed **ANNEXATION** is requested to be made subject  
to the following terms and conditions:

**N/A**

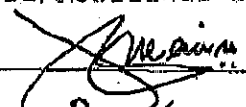
8. The persons signing this petition have signed as:

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

Petition  
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	APN*
	F.W. MAINZER	 <del>1701 BAY LAUREL DRIVE</del> MENLO PARK, CA 94025 1875 PACIFIC AVE. #201	079-071-060

\*Assessor's Parcel Number of parcel(s) proposed for annexation.  
SAN FRANCISCO, CA. 94109



**"EXHIBIT A"**

Date: August 1, 2007

Annexed to: West Bay Sanitary District

Name of Annexation: \_\_\_\_\_

**Geographic Description**

All that certain real property, situate in the City of Portola Valley, County of San Mateo, State of California, being a portion of El Corte Madera Rancho, described as follows:

**Beginning** at the Northern corner of lands of Mainzer (Doc. 2005-221922), said point being on the existing southwesterly boundary of the West Bay Sanitary District adopted June 17, 1972 by Resolution No. 604;

Thence (1) South 48° 51'02" East a distance of 210.96 feet along the existing boundary, to the Eastern corner of said lands of Mainzer;

Thence (2) South 31°29'06" West a distance of 316.12 feet to the Southwestern line of Portola Road;

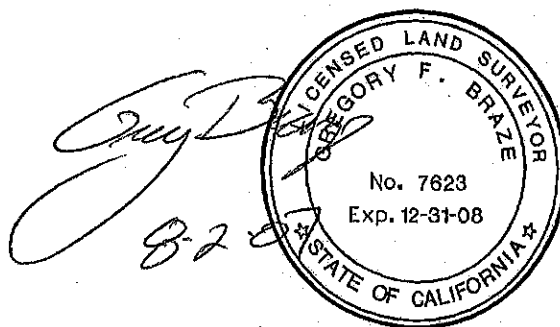
Thence (3) North 48°39'30" West a distance of 184.31 feet along said Southwestern line of Portola Road;

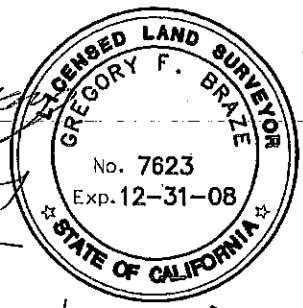
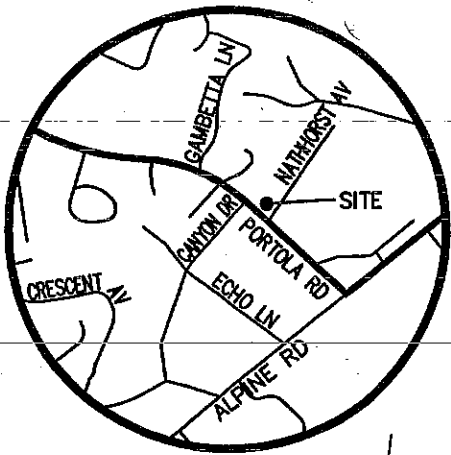
Thence (5) along a curve concave southwesterly, delta of 05°59'34", radius distance of 765.00 feet, chord distance of 79.98 feet, an arc distance of 80.01 feet along said Southwestern line of Portola Road;

Thence (6) North 41°10'46" East a distance of 314.93 feet to the **Point of Beginning**.

Total computed acreage containing 1.70 acres, more or less.

Apn: 079-071-060



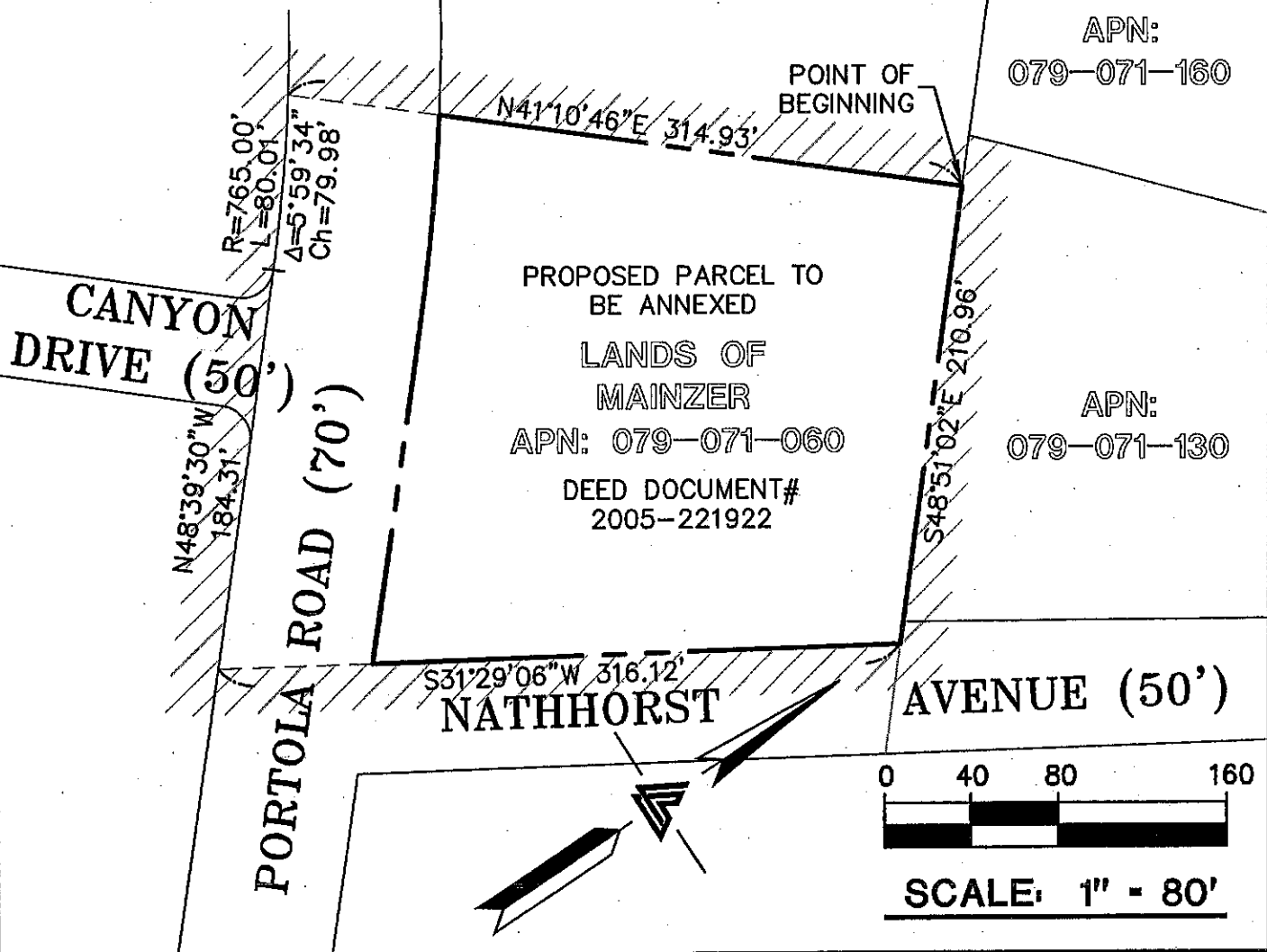


*Greg Braze*  
8.7.07

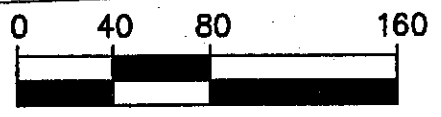
APN:  
079-071-050

**VICINITY MAP**  
NO SCALE

APN:  
079-071-160



APN:  
079-071-130



**SCALE: 1" = 80'**



**LEA & BRAZE ENGINEERING, INC.**  
CIVIL ENGINEERS • LAND SURVEYORS  
2495 INDUSTRIAL PARKWAY WEST  
HAYWARD, CALIFORNIA 94545  
(510) 887-4086  
FAX (510) 887-3019  
WWW.LEABRAZE.COM

**PROPOSED SEWER ANNEXATION**  
**280 NATHHORST DRIVE**  
**PORTOLA DRIVE, CALIFORNIA**  
**SAN MATEO COUNTY**

APN: 079-071-060

SCALE: 1" = 80'

DRAWN BY: DB

JOB NO 2070233