



February 11, 2009

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 09-02-Proposed Annexation of 4860 Alpine Road (Lands of Friedman & Achermann) to the West Bay Sanitary District and waiver of conducting authority proceedings (1.17 acre)

Summary

This proposal, submitted by landowner petition, requests annexation 1.17 acre including vacant residential parcel and fronting roadway to West Bay Sanitary District and waiver of conducting authority proceedings. The proposal has 100% landowner consent. The annexing territory is located at 4860 Alpine Road 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 \$1,350,000. 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 map and legal description submitted with the proposal meet requirements of the State Board of Equalization. The proposal would not necessitate removal from any other special districts.

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 (1 to 2 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: WBSD sewer crosses the property with an easement. The project proponent will bear the cost of all construction including a lateral connecting to the existing sewer main. Proponents are responsible for all permitting, installation and construction costs.

Recommendation: Approval

Report and Recommendation:

This proposal, submitted by landowner petition, requests annexation to West Bay Sanitary District in order to serve a proposed single-family home at 4860 Alpine Road in the Town of Portola Valley on Alpine 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.

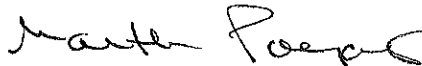
The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) because it consists of an annexation for an exempt facility (up to three single-family residences).

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 opposition from affected 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.

Recommended Commission Action, by Resolution: Approve LAFCo File No. 09-02--Proposed Annexation of 4860 Alpine Road (Lands of Friedman & Achermann) to the West Bay Sanitary District and waiver of conducting authority proceedings.

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.

This application requests that the property located at 4860 Alpine Rd in Portola Valley, California be annexed to the West Bay Sanitary District. The applicants, who are the owners of this lot, intend to construct a single family residence on it.

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?

As landowners building a single family residence on the property, we would like access to the West Bay Sanitary District services for our new residence.

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

Yes No

5. Estimated acreage: 1.2

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.

Portola Valley, California, 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>
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 lot is located on Alpine Road in Portola Valley just prior to the intersection with Willowbrook Rd. It is approximately 3 miles west of Highway 280.

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

The lot is currently vacant.

3. How are adjacent lands used?

North: Single family housing

South: Open space (not develop-able)

East: Single family housing

West: Single family housing

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

The applicants are currently designing a single family house for this lot.

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

Residential – one acre district

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

Residential – one acre district

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

None. We will be submitting our application for a site development permit in mid-January.

8. What additional approvals will be required to proceed?

Architectural approval. Building 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?

A sewer line runs through the property.

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?

* * * * *

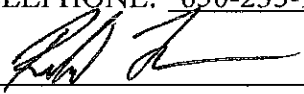
LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: Richard Friedman

ADDRESS: 351 Walsh Road, Atherton CA 94027

TELEPHONE: 650-233-9749

ATTN: _____

 1/9/2009

Signature of Proponent

D. **AFFECTED PUBLIC AGENCIES**

Please complete this section if this application is submitted by resolution of one or more affected public agencies. Certified copies of resolutions listed below must accompany this application.

1. The names and resolutions of agencies applying for the change of organization or reorganization described above are as follows:

AFFECTED AGENCY	RESOLUTION NO.	DATE ADOPTED

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

_____ Yes _____ No (If Yes, include proof of consent.)

E. **PLAN FOR PROVIDING SERVICES**

1. Enumerate and describe the services to be extended to the affected territory.

2. Describe the level and range of those services.

3. Indicate when those services can feasibly be extended to the affected territory.

4. Indicate any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions to be imposed or required within the affected territory.

5. Describe financial arrangements for construction and operation of services extended to the affected territory. (Attach proposed operations budget if available) Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

6. In as much detail as required to give a clear explanation, explain why this proposal is necessary at this time.

This section completed by _____ (Name) _____ (Title)

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(10/6/2000)

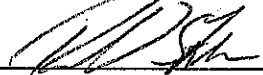
PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF
2000

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:
Annex the property located at 4860 Alpine Rd. Portola Valley CA into the 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. *See Exhibit A and Exhibit B.*
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: *Owners are constructing a single family residence on the lot.*
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*
<u>12/11/2008</u>	<u>Richard S. Friedman</u>		<u>079-140-230</u>
_____	_____	_____	
_____	_____	_____	

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

EXHIBIT A

The land referred to is situated in the County of San Mateo, City of Portola Valley, State of California, and is described as follows:

Portion of Lot 7, as designated on the Map entitled Map of the Partition of the Estate of Jose Antonio Martinez, which Map was filed in the Office of the Recorder of the County of San Mateo, State of California on November 14, 1896 in Liber "B" of Maps at Page 58, and copied into Liber 2 of Maps at Page 83, being also a portion of property conveyed by Deed from Mary E. Fitzhugh, et al, to Peninsula Title Guaranty Company, recorded February 13, 1946 in Liber 1248 of Official Records at Page 61, Records of San Mateo County, described as follows:

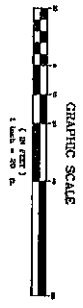
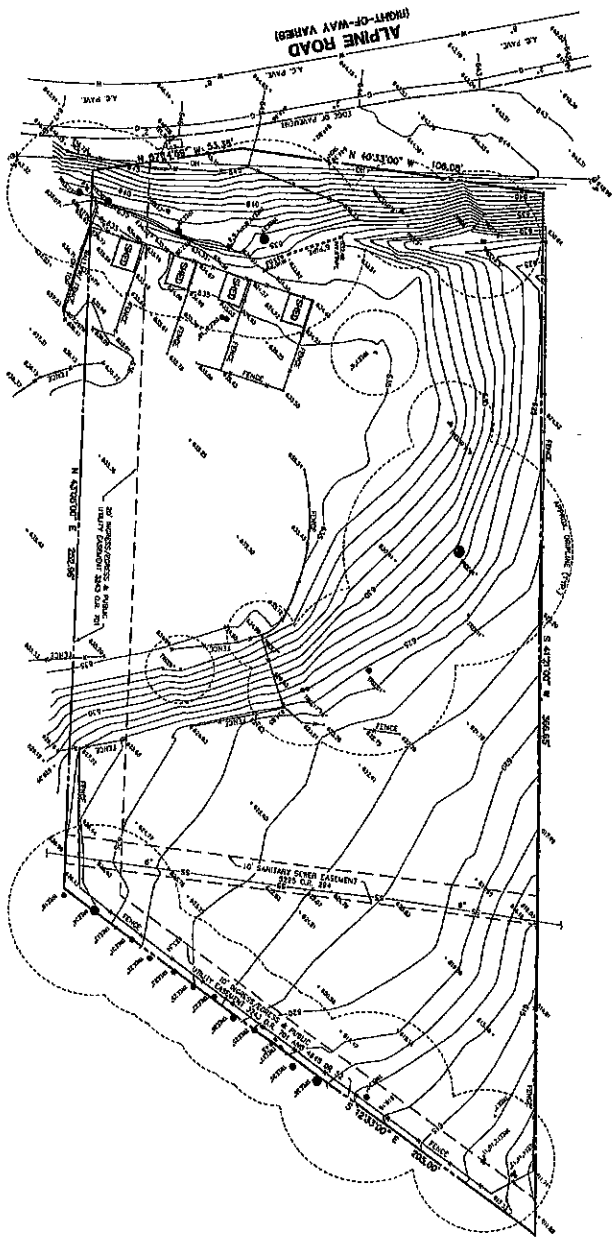
Beginning at the most Southerly corner of the lands conveyed to Vance M. Brown & Sons, Inc., by Deed recorded in the Official Records at Page 701 (64039-P); said point also being on the center line of Alpine Road; thence from said point of beginning North 43° 08' East along the Southeasterly line of the said lands of Brown & Sons, Inc., a distance of 268.38 feet; thence North 12° 33' West along the Northeasterly line of said lands a distance of 205.00 feet; thence leaving said boundary South 41° 21' West a distance of 366.65 feet to the center line of Alpine Road; thence South 40° 33' East along said center line a distance of 158.96 feet to the point of beginning.

EXCEPTING so much thereof as lies within the lands conveyed to the County of San Mateo, by that certain Deed recorded February 20, 1962 in Book 4151 Official Records of San Mateo County at Page 262 (File No. 43004-U).

APN 079-140-230

JPN 079-014-140-23A

Exhibit B.



UTILITY NOTE:
 THE UTILITIES SHOWN ON THE SURFACE AND SHOWN ON THIS DRAWING HAVE BEEN LOCATED BY FIELD SURVEY. ALL UNDERGROUND UTILITIES SHOWN ON THIS DRAWING ARE FROM RECORDS OF THE VARIOUS UTILITY COMPANIES AND THE COMPANIES INDICATED THEREON. NO FIELD SURVEY FOR THE THESE UTILITIES SHOULD BE CONSIDERED BY EXPOSING THE UTILITY.

Topographic Reference
 10' of 1" = 100' (Horizontal)
 1" = 100' (Vertical)

- LEGEND**
- ASPHALT CONCRETE PAVEMENT
 - JOINT UTILITY POLE
 - TELEPHONE
 - WARRANT
 - TOP OF WALL
 - TRAIL/SIZE/ANALOG CORNER
 - SANITARY SEWER LINE
 - OVERHEAD UTILITY LINES
 - WATER LINE

BARCEL AREA = 51,150 ± SQ. FT.
 = 1,174 ± ACRES

TOPOGRAPHIC SURVEY PLAN 4880 ALPINE ROAD A.P.N. 079-140-230		PREPARED FOR: ANNETTE ACHERMANN AND RICK FRIEDMAN	MacLEOD AND ASSOCIATES CIVIL ENGINEERING - LAND SURVEYING 965 CENTER STREET - SAN CARLOS - CA 94070 - (650) 593-8560		<table border="1"> <tr> <th>REV.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	REV.	DESCRIPTION	BY	DATE				
REV.	DESCRIPTION	BY	DATE										
SHEET 1 OF 1	PORTOLA VALLEY SAN MATEO COUNTY CALIFORNIA	DRAWING NO. 2008-1000	DATE 04-17-2008	SCALE 1" = 40'	CHECKED BY DOB	DESIGNED BY	DRAWN BY						

