

**LOCAL AGENCY FORMATION COMMISSION**

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

December 13, 2006

TO: Members, Formation Commission

FROM: Martha Poyatos *M Poyatos*  
Executive OfficerSUBJECT: LAFCo File No. 06-08--Proposed Annexation of 31 & 45  
Tintern Lane, Portola Valley (Lands of Buchsbaum,  
Tidmarsh & Moulds) to the West Bay Sanitary District,  
Waiver of Conducting Authority Proceedings and  
subsequent annexation to the On-Site Wastewater  
Disposal Zone (2.03 acres)**Summary**

This application was submitted by landowner petition and requests annexation to West Bay Sanitary District of two developed, residential parcels to provide sewer service to each single-family residence and abandon existing septic systems. The annexing parcels are on Tintern Lane near Grove Road in Portola Valley. The proposal has 100% landowner consent and waiver of conducting authority proceedings is requested. Annexation to the District would also require annexation to the District's On-Site Wastewater Disposal Zone. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$2,519.698. 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 territory proposed for annexation consists of 2.03 acres. The map and legal description provided meet the requirements of the State Board of Equalization should include roadway fronting property.

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. The applicants will be required to obtain permits to abandon the existing septic tanks to the satisfaction of the San Mateo County Environmental Health Department.

Staff Report from Town of Portola Valley: The Town's General Plan designation is low intensity residential and zoning is residential estate, 1-2 acres per dwelling unit. An encroachment permit for work within public right-of-way will be required and equipment shall be painted brown in color and screening shall be provided to the satisfaction of the Town Public Works Director and Planning Manager.

Recommendation: Approval

Staff Report from West Bay Sanitary District: The project proponent will bear the cost of all construction. Applicants shall install Grinder Pump Systems on the properties to be served and construct a small diameter force main from 45 Tintern Lane to Grove and along Grove connecting to the existing gravity main at approximately 34 Grove. Annexation to the On-Site Wastewater Disposal Zone will be required. Upon completion of the annexation process, applicants will be required to submit West Bay Sanitary District deposits, permit, and connection fees and applicable reimbursement agreement fee. Upon Board acceptance of work sewer charges will be billed on property tax bill.

Recommendation: Approval

#### 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 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. As noted above, annexation of 45 requires annexation to the Zone. Approval by LAFCo at this time eliminates the need for a separate application to LAFCo upon completion of the force main.

#### Environmental Review

Annexation and sewer connection to the two existing homes on Tintern Lane requires extension of approximately 1,900 feet of sewer main from the existing main at 34 Grove to the existing homes on Tintern Lane. The West Bay Sanitary District, as lead agency, conducted environmental review for the Grove and Tintern Lane Area Sewer Construction Project and found that the project would not have a significant effect on the environment. The initial study identified 17 additional properties that could be served by the sewer main extension but all properties are

currently developed to the density allowed by the Town, are currently served by septic systems and would be subject to annexation application to connect to the sewer. The District adopted a negative declaration for the project (attached). As responsible agency under CEQA, the Commission must certify that it has considered the contents of the initial study and negative declaration prepared by the District in considering the annexation application.

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 has requested that the Commission waive the conducting authority proceedings if the proposal is approved.

Recommended Commission Action, by Motion:

Certify that the Commission has considered the Initial Study and Negative Declaration prepared by the West Bay Sanitary District as lead agency.

Recommended Commission Action, by Resolution: Approve LAFCo File No. 06-08--Proposed Annexation of 31 & 45 Tintern Lane, Portola Valley (Lands of Buchsbaum, Tidmarsh & Moulds) to the West Bay Sanitary District, Waive Conducting Authority Proceedings and approve subsequent annexation to the On-Site Wastewater Disposal Zone.

Respectfully submitted,

Martha Poyatos  
Executive Officer

Attachments:       Application, Petition, Map  
                      Negative Declaration



**APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION  
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION  
(LANDS OF LANDS OF BUCHSBAUM APN: 079-011-020)  
AND TIDMARSH AND MOULDS APN: 079-011-160)**

**A. GENERAL INFORMATION**

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

Annexation into the West Bay Sanitary District and into the On-site waste 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 sanitary sewer service from the West Bay Sanitary District.

---

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

Yes  No

5. Estimated acreage: 2.03

**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 Boundary

---

---

---

---

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>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.

Properties are located adjacent to Tintern Ln (Private street). Tintern Lane is located at the end of Grove Road in 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?

N/A

---



---

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

Residential.

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

Residential.

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?

N/A.

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?

None.

\* \* \* \* \*

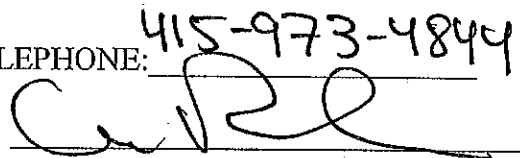
LAFCo will consider the person signing this application as the proponent of the proposed action(s). Notice and other communications regarding this application (including fee payment) will be directed to the proponent at:

NAME: Craig Buchsbaum

ADDRESS: 31 Tintern Lane, Portola Valley 94028

TELEPHONE: 415-973-4844

ATTN: \_\_\_\_\_



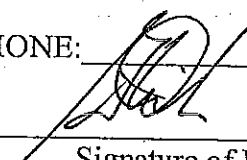
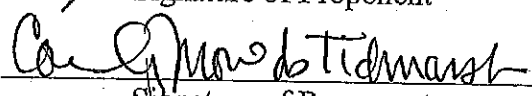
Signature of Proponent

NAME: George F. Tidmarsh and Courtney Moulds

ADDRESS: 45 Tintern Lane, Portola Valley 94028 TELEPHONE: \_\_\_\_\_

ATTN: \_\_\_\_\_

ATTN: \_\_\_\_\_

  
\_\_\_\_\_  
Signature of Proponent  
  
\_\_\_\_\_  
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.

One sanitary sewer grinder forcemain lateral for each property connecting to a new grinder forcemain in Tintern Lane.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Describe the level and range of those services.

Lateral will serve only one property.

\_\_\_\_\_  
\_\_\_\_\_

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

As soon as allowed. Construction should take no more than three months.

\_\_\_\_\_



- 
- 
- 
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.

Construction of a grinder forcemain within Tintern Lane (Private Road) and Grove Road..

---

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.)

Territory will be subject to West Bay Sanitary District connection and permit fees. The territory will also be subject to an annual sewer service charges.

Proponent will arrange and finance forcemain and lateral construction under the inspection of the West Bay Sanitary District.

---

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

Property owners want to replace a failed septic tank and leach field system.

---

---

---

This section completed by Richard Laureta, Freyer & Laureta, Inc.  
(Name)

Vice President  
(Title)

Applica\_blk.doc  
(10/6/2000)

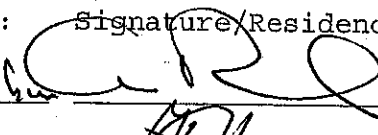
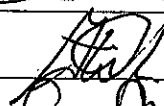
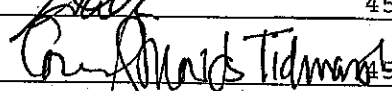
PETITION  
FOR PROCEEDINGS PURSUANT TO  
THE CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF  
2000

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:  
**ANNEXATION INTO THE WEST BAY SANITARY DISTRICT  
AND INTO THE ON-SITE WASTE DISPOSAL ZONE.**
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:  
**TO RECEIVE SANITARY SEWER SERVICE FROM THE WEST BAY SANITARY DISTRICT.**
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   X   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>28/06/06</u>	<u>Craig Beckham</u>	 31 Tintern Ln	079-011-020
<u>19/06/06</u>	<u>George Tidmarsh</u>	 45 Tintern Ln	079-011-160
<u>6/15/06</u>	<u>COURTNEY MAULDS</u>	 Tintern Ln	079-011-160

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

**PROPOSED ANNEXATION OF  
LANDS OF TIDMARSH AND MOULDS 1.03 ACRE +/- PARCEL  
INTO THE WEST BAY SANITARY DISTRICT**

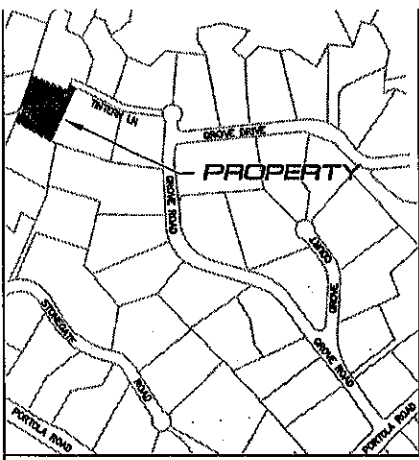
All that real property situated in the Town of Portola Valley, County of San Mateo, State of California, as shown in Instrument No. 98-129234, San Mateo County Official Records, recorded on August 14, 1998 and being portion of Lot 21, as shown on that certain map entitled "Tract No. 608 – Stonegate Subdivision of a Portion of Corte Madera Rancho" filed in the office of the County Recorder of San Mateo County, State of California, on September 29, 1948, in Volume 29 of maps at pages 31-33 being more particularly described as follows:

BEGINNING at the corner on the northwesterly line of Lot 21, said corner also being the northeasterly corner of Lot 1 of the above mentioned map; thence proceeding clockwise the following courses and distance; thence along the northwesterly property line of Lot 21 through a course North 51°17' East a distance of 537.00 feet to the TRUE POINT OF BEGINNING.

Beginning at the aforementioned TRUE POINT OF BEGINNING, thence proceeding along the northwesterly property line through a course North 51°17' East a distance of 203.94 feet, thence leaving said northwesterly property line through a course South 38°43' East a distance of 180.53 feet, thence through a course North 53°35'50" East a distance of 52.76 feet, thence through a course South 31°40'00" East a distance of 25.09 feet, thence through a course South 53°35'50" West a distance of 278.18 feet, thence through a course North 31°46'40" West a distance of 197.62 feet to the TRUE POINT OF BEGINNING.

Containing 1.03 acres more or less.

<p>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.</p>
---



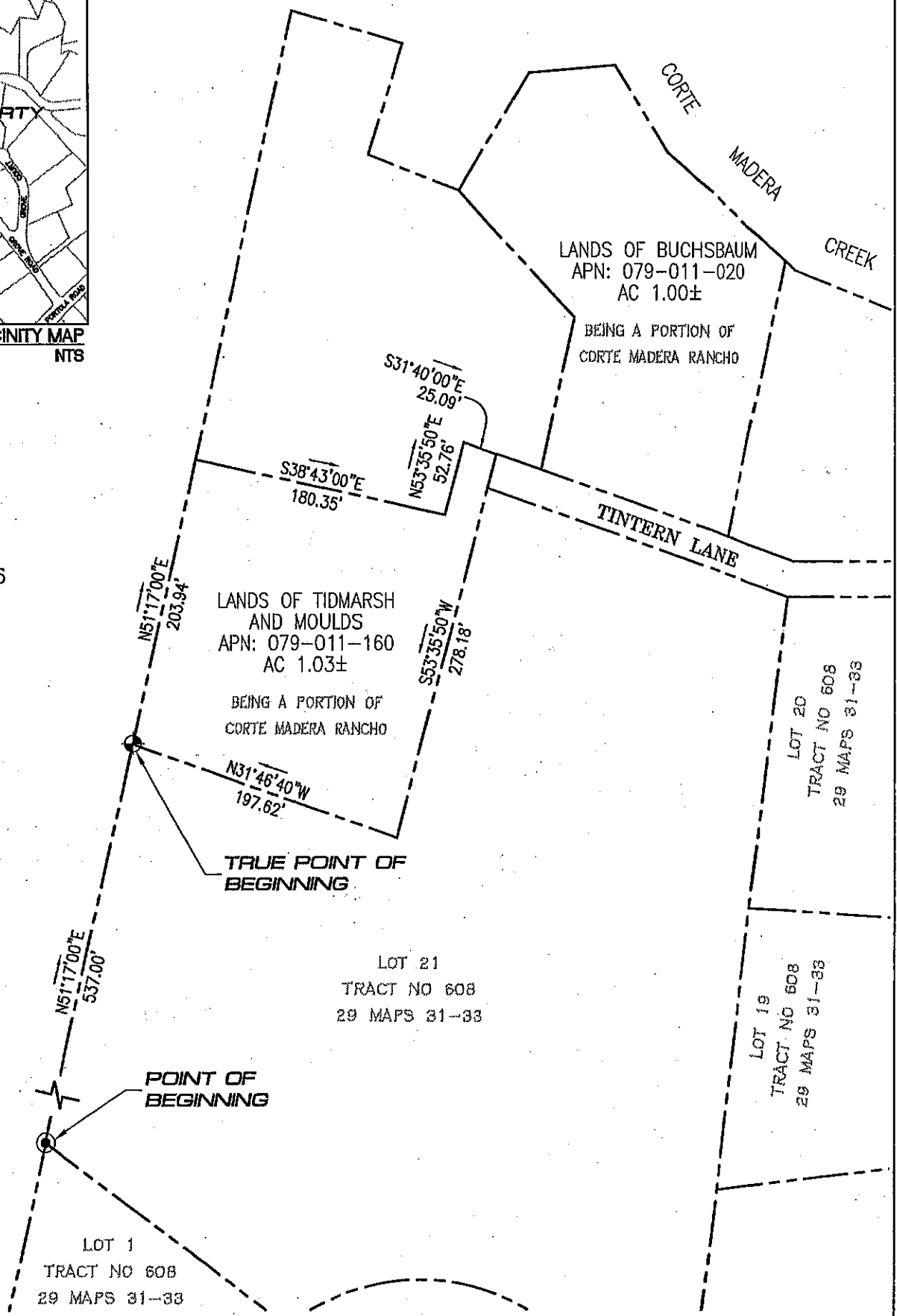
VICINITY MAP  
NTS



SCALE

1" = 100'

MAY 30, 2006  
Page 2 of 2



**F&L** Freyer & Laureta, Inc.  
 civil engineers • surveyors • construction managers  
 144 North San Mateo Drive • San Mateo, CA 94401  
 (650)344-9901 • Fax (650)344-9920 • www.freyerlaureta.com

PROPOSED ANNEXATION MAP OF THE  
 LANDS OF TIDMARSH AND MOULDS  
 INTO THE WEST BAY SANITARY DISTRICT

**PROPOSED ANNEXATION OF  
LANDS OF BUCHSBAUM 1.00 ACRE +/- PARCEL  
INTO THE WEST BAY SANITARY DISTRICT**

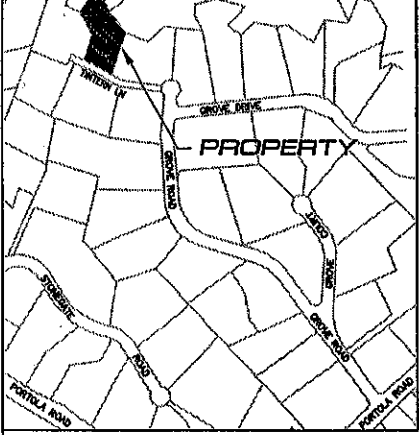
All that real property situated in the Town of Portola Valley, County of San Mateo, State of California, as shown in Instrument No. 98-169569, San Mateo County Official Records, recorded on October 20, 1998 and being portion of Lot 21, as shown on that certain map entitled "Tract No. 608 – Stonegate Subdivision of a Portion of Corte Madera Rancho" filed in the office of the County Recorder of San Mateo County, State of California, on September 29, 1948, in Volume 29 of maps at pages 31-33 being more particularly described as follows:

BEGINNING at the corner on the northwesterly line of Lot 21, said corner also being the northeasterly corner of Lot 1 of the above mentioned map; thence proceeding clockwise the following courses and distance; thence along the northwesterly property line of Lot 21 through a course North 51°17' East a distance of 781.00 feet, thence leaving said northwesterly property line through a course South 38°43' East a distance of 207.00 feet, thence through a course North 53°35'50" East a distance of 10.09 feet, thence through a course South 31°40' East a distance of 33.24 feet to the TRUE POINT OF BEGINNING.

Beginning at the aforementioned TRUE POINT OF BEGINNING, thence proceeding counter-clockwise through the following courses and distances: thence South 31°40' East a distance of 140.06 feet, thence through a course North 51°17' East a distance of 197.72 feet to the northeasterly property line of said Lot 21, thence through a course along the centerline of Corte Madera Creek as shown in the above mentioned map North 9°31' West a distance of 113.76 feet, thence through a course North 7°30' East a distance of 71.30 feet, thence through a course North 56°12' West a distance of 60.18 feet, thence through a course South 70°26' West a distance of 96.66 feet, thence leaving said centerline of Corte Madera Creek through a course South 3°50'30" East a distance of 120.55 feet, thence through a course South 51°17' West a distance of 109.00 feet to the TRUE POINT OF BEGINNING.

Containing 1.00 acres more or less.

<p>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.</p>
---



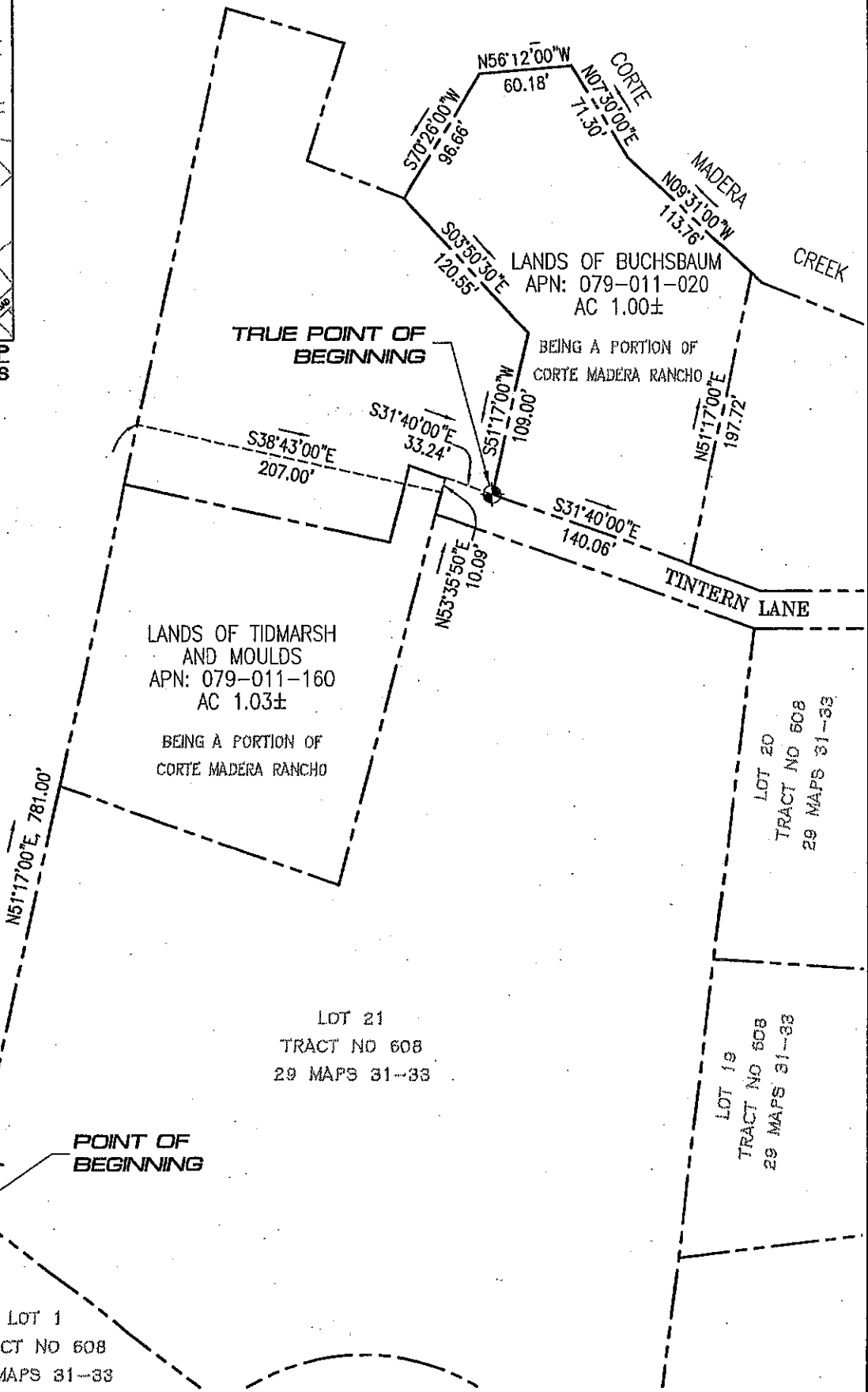
VICINITY MAP  
NTS



SCALE

1" = 100'

MAY 30, 2006  
Page 2 of 2



**F&L** Freyer & Laureta, Inc.  
 civil engineers • surveyors • construction managers  
 144 North San Mateo Drive • San Mateo, CA 94401  
 (650)344-9901 • Fax (650)344-9920 • www.freyerlaureta.com

PROPOSED ANNEXATION MAP OF THE  
 LANDS OF BUCHSBAUM INTO  
 THE WEST BAY SANITARY DISTRICT

