

**LOCAL AGENCY FORMATION COMMISSION**

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

December 12, 2007

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 07-14--Proposed Annexation of 10 Peak Lane (Lands of Kelly) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Wastewater Disposal Zone District (2.1 acres)

**Summary**

Submitted by landowner petition, this proposal requests annexation of a 2.1 acre parcel with a single-family home (including fronting roadway) to West Bay Sanitary District in order to abandon a failing septic system. The proposal has 100% landowner consent. The annexing territory is within the boundaries of the Town of Portola Valley at 10 Peak Lane near Cervantes. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,242,306. The boundaries of the annexation as proposed conform to lines of assessment and ownership.

County Clerk: The territory has four registered voters. Annexation would not conflict with any political subdivision boundaries.

Public Works: The territory proposed for annexation consists of 2.1 acres. The map and legal description meet requirements set forth by State Board of Equalization. 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.

On-Site Wastewater Disposal Zone (Zone)

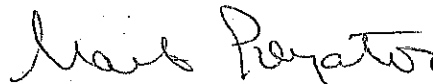
Sections 6960.3 and 6974 of the Health and Safety Code governing sanitary districts require LAFCo approval for formation of, or annexation to, an on-site wastewater disposal zone (Zone) in counties in which LAFCo has adopted Rules and Regulations Affecting the Functions and Services of independent special 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. These provisions have applied in San Mateo County since 1995 when special district members were added to the Commission and Rules and Regulations were adopted. Since that time, Commission consideration of annexations to the District that involve use of pumping systems has also included concurrent consideration of annexation to the Zone.

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 no objection is submitted from the subject 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. The landowners have requested and staff recommends waiver of conducting authority proceedings.

Recommended Commission Action, by Resolution: Approve LAFCo File No. 07-14--Proposed Annexation of 10 Peak Lane (Lands of Kelly) to the West Bay Sanitary District, waiver of conducting authority proceedings and subsequent annexation to the On-Site Waster Water Disposal Zone.

Respectfully submitted,



Martha Poyatos  
Executive Officer

APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION  
TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION  
(LANDS OF KELLY APN: 077-224-040)

A. GENERAL INFORMATION

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

Annexation into the West Bay Sanitary District and the Onsite Wastewater 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 to replace problematic septic tank and leach field.

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

- Yes  No

5. Estimated acreage: 2.1

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.

Peak Lane at the intersection of Cervantes in Portola Valley.

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

Single Family Residential

3. How are adjacent lands used?

North: Public Right of Way

South: Single Family Residential

East: Single Family Residential

West: Public Right of Way

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

N/A

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.

The construction of a grinder pump and forcemain lateral connecting to an existing grinder pump forcemain in the street.

2. Describe the level and range of those services.

Grinder pump and forcemain 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 one 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.

Street will be excavated to allow for installation of new forcemain lateral. Street will be backfilled and paved to the Town of Portola Valley Standards.

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 THE ONSITE WASTEWATER 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 TO REPLACE PROBLEMATIC SEPTIC TANK AND LEACH FIELD.**
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.

## DESCRIPTION OF 2.10 ACRE +/- PARCELS

### LANDS OF KELLY AND PORTION OF CERVANTES ROAD AND PORTION OF PEAK LANE

All that real property situated in the Town of Portola Valley, County of San Mateo, State of California, described as follows:

Being a portion of Cervantes Road, a portion of Peak Lane, and Block 2, Lot 4 as described and shown on that certain map entitled "Tract No. 758 Arrowhead Meadows Unit No. 1" in Book 48 of Maps at Page 21 through 23 recorded on February 13, 1958 in the office of the Recorder of the County of San Mateo, State of California, and being more particularly described as follow:

BEGINNING at the southerly most corner of Block 2, Lot 4; thence, proceeding clockwise the following courses and distances: (1) North 35°13'33" West, 226.25 feet to the southeasterly line of Cervantes Road; thence, (2) North 35°13'33" West, 60.04 feet to a non-tangent curve (3) concave northwesterly having a radius of 370.00 feet, whose radius bears North 33°02'05" West; thence, along said curve northerly 66.50 feet through a central angle of 10°17'54", said curve also being along the southerly line of the West Bay Sanitary District adopted March 19, 2003 by Resolution No. 950; thence leaving said southerly line, (4) North 46°40'01" East, 295.00 feet to a tangent curve (5) concave northwesterly having a radius of 20.00 feet; thence along said curve northwesterly 31.42 feet through a central angle of 90°00'00"; thence, (6) South 43°19'59" East, 80.00 feet to the southeasterly line of Cervantes Road, said southeasterly line also being the northwesterly line of West Bay Sanitary District adopted November 21, 2001 by Resolution No. 936; thence along said line, (7) North 46°40'01" East, 103.00 feet to a tangent curve (8) concave easterly having a radius of 20.00 feet; thence, along said curve southeasterly 31.42 feet through a central angle of 90°00'00" to the northeasterly line of Peak Lane; thence, (9) North 43°19'59" West, 0.73 feet to a tangent curve (10) concave northeasterly having a radius of 170.13 feet; thence, along said curve easterly 101.45 feet through a central angel of 34°09'57"; thence, along said curve to a tangent curve (11) concave southerly having a radius of 225.00 feet; thence along said curve southeasterly 102.59 feet through a central angel of 26°07'28"; thence (12) North



SCALE  
1" = 80'

ANNEXED NOVEMBER 21, 2001  
RESOLUTION 986  
BOOK 48 MAPS 21-23  
BLOCK 3, LOT 1

TRACT NO. 711  
ALPINE HILLS UNIT 2  
BLOCK 1, LOT 18

NS1°22'32"W  
(12) 7.18'

(11) L=102.59'  
D=26°07'28"  
R=225.00'

(8) L=31.42"  
D=90°00'00"  
R=20.00'  
N43°19'59"W  
(9) 0.73'

(10) L=101.45'  
D=34°09'57"  
R=170.13'

S46°47'29"W  
(13) 50.5'

TRACT NO. 711  
ALPINE HILLS UNIT 2  
BLOCK 1, LOT 17

(14) S46°47'29"W 315.00'

PEAK LANE

TRACT NO.758  
ARROWHEAD MEADOWS  
UNIT NO.1  
BLOCK 2, LOT 4  
077-224-040  
2.10 AC±

(5) L=31.42"  
D=90°00'00"  
R=20.00'

(6) S43°19'59"E  
80.00'

(4) N46°40'1"E 295.00'  
CERVANTES ROAD

BLOCK 5 LOT 4

ANNEXED MARCH 19, 2008  
RESOLUTION 950  
BOOK 48 MAPS 21-23  
BLOCK 5, LOT 3

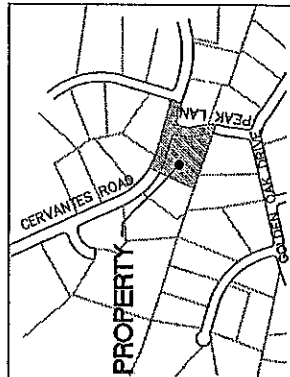
(R) N33°02'05"W  
(3) L=66.50'  
D=107°17'54"  
R=370.00'

(2) N35°13'33"W  
60.04'

(1) N35°13'33"W 226.25'

POINT OF BEGINNING

BLOCK 2 LOT 8



THE LANDS OF KELLY  
BLOCK 2 LOT 4  
TRACT 758 ARROWHEAD MEADOWS UNIT NO.1  
RECORDS OF THE COUNTY OF SAN MATEO,  
RECORDED FEBRUARY 13, 1958,  
BOOK 48 OF MAPS AT PAGE 21 THROUGH 23

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

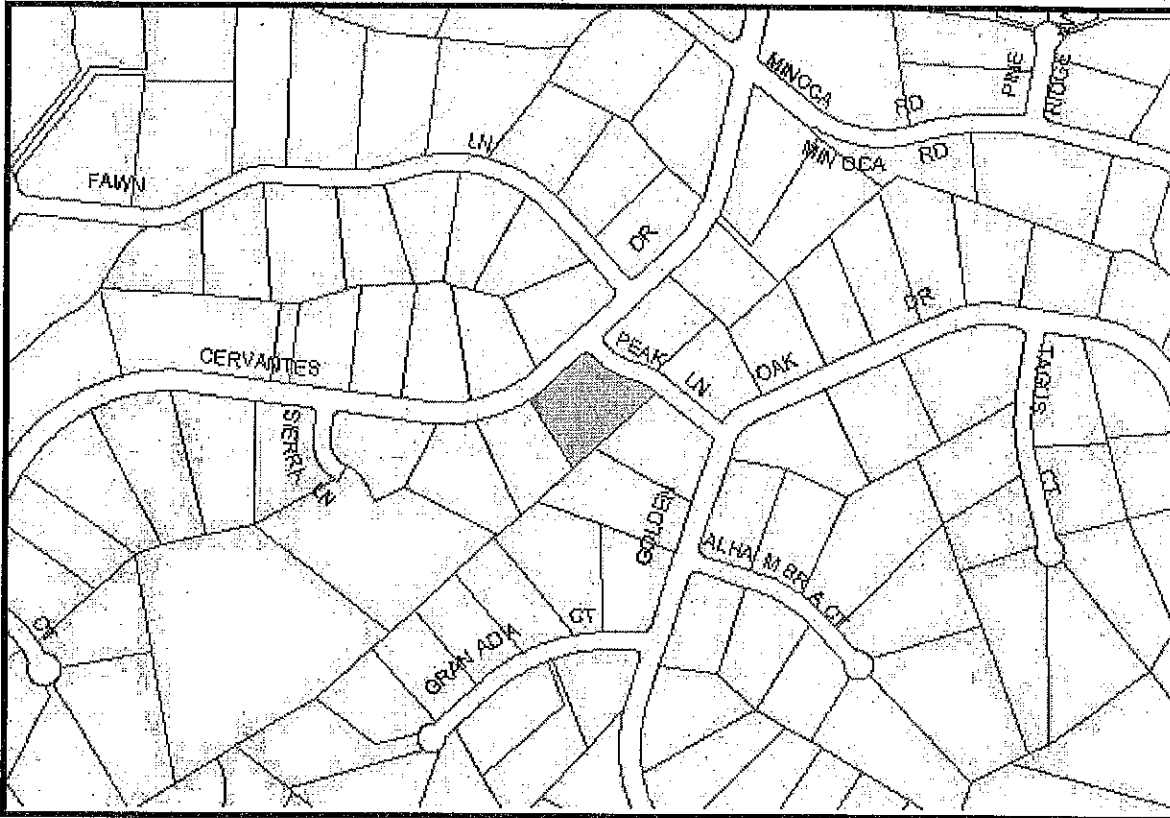


**SELECTED  
PROPERTY**

Situs: 10 Peak Ln , Portola Valley

Owner: Kelly William M & Mary Jane, 10 Peak Ln, Portola Valley, CA, 94028-7753

APN: 077224070



Date Created: Tuesday, December 11, 2007

Print