

**LOCAL AGENCY FORMATION COMMISSION**

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

October 10, 2007

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive OfficerSUBJECT: LAFCo File No. 07-13--Proposed Annexation of <sup>360</sup>~~420~~ Golden  
Oak (Lands of Bennicas/079-101-210) to the West Bay  
Sanitary District and waiver of conducting authority  
proceedings (1.68 acre)**Summary**

This proposal was submitted by landowner petition and requests annexation of a 1.68 acre parcel with a single-family residence 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 360 Golden Oak. Commission approval is recommended.

**Departmental Reports**

County Assessor: The net assessed valuation shown in the records of the County Assessor is \$1,371,251. The boundaries of the annexation as proposed do 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 including fronting roadway consists of 1.68 acres. The map and legal description required by the State Board of Equalization have not been reviewed. 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 to connect residence to the existing sewer main that runs in Golden Oak. Proponents are responsible for all permitting (Class 1A permit), installation and construction costs and applicable reimbursement fee. Annexation to the On-Site Waste Water Disposal Zone is not required.

Recommendation: Approval

**Report and Recommendation:**

This proposal has been submitted by landowner petition in order to abandon an inadequate septic system serving the existing home and connect to public sewer. An inspection report documenting malfunctioning septic has been provided. The territory proposed for annexation is located in the Town of Portola Valley on Golden Oak near Bear Gulch west of 280 Freeway.

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. If approved, the annexation would not be recorded until Public Works verifies that the map and legal description attached meet the specifications of the State Board of Equalization.

California Environmental Quality Act (CEQA)

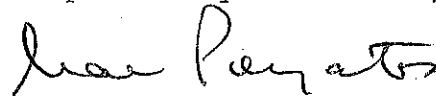
The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) because it consists of an annexation for an exempt facility (up to three single-family residences).

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 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 the 360 Golden Oak (Lands of Bannicas) to the West Bay Sanitary District and waiver of conducting authority proceedings.

Respectfully submitted,



Martha Poyatos  
Executive Officer

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 of 360 Golden Oak Dr to 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.
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 replace failed septic system with sewer*
7. The proposed sewer annexation is requested to be made subject to the following terms and conditions:
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*
<u>7/23/07</u>	<u>Georgia Bennick</u>	<u><i>Georgia Bennick</i></u>	<u>079-101-210</u>
_____	_____	_____	
_____	_____	_____	

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

**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.

Annexation of 360 Golden Oak Rd to the 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 have to sever as current septic system has failed.

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

Yes  No

5. Estimated acreage: 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.

~~Portola Valley~~ 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
<del>Police</del> (example)	<del>Co. Sheriff</del>	City Police	<del>N/A</del>	Taxes
<del>Sewer</del> (example)	<del>None</del>	<del>City of ...</del>	<del>Proponent</del>	<del>Fees</del>
Sewer	none	West Bay System <del>City of ...</del>	proponent	fees.

**C. PROJECT PROPOSAL INFORMATION**

- Please describe the general location of the territory which is the subject of this proposal. Refer to major highways, roads and topographical features.

Golden Oak Drive near Tloga, Portola Valley

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

~~garden~~ residential

- How are adjacent lands used? ~~garden~~

North: residential

South: "

East: "

West: "

- 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?

~~from back of house straight down to Golden Oak Dr~~

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

SR-1

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?

Lafco

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?

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: Georgia Benneas

ADDRESS: 360 Golden Oak Dr, Park Valley TELEPHONE: 650-854-5222

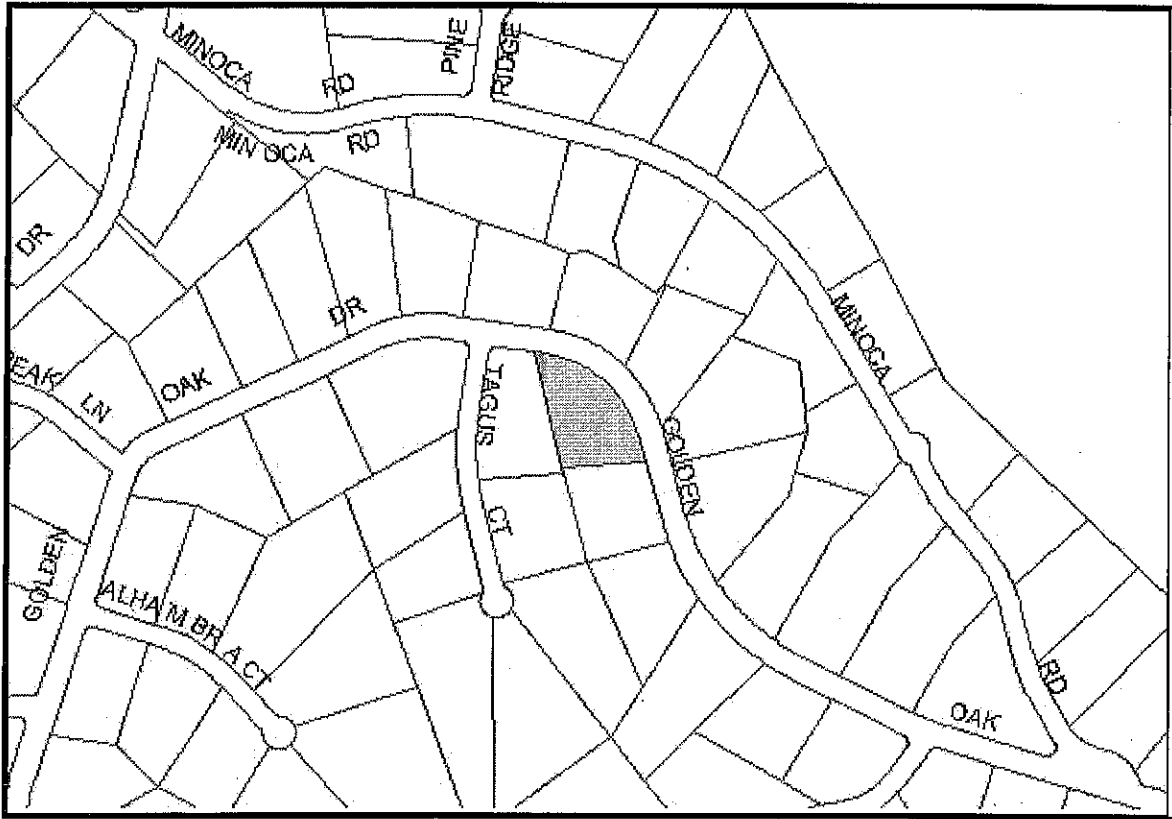
ATTN: ~~Michael Payne~~

Georgia Benneas  
Signature of Proponent



**SELECTED  
PROPERTY**

**Situs:** 360 Golden Oak Dr , Portola Valley  
**Owner:** Bennicas Georgia L N/A, 360 Golden Oak Dr, Portola Valley, CA, 94028--  
7757  
**APN:** 079101210



Date Created: Wednesday, October 10, 2007

Print

EXHIBIT "A"

LEGAL DESCRIPTION

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

PORTION OF LOT 24, BLOCK 24, AS SHOWN ON THE MAP ENTITLED, "TRACT NO. 711, ALPINE HILLS, UNIT 2 SUB., OF A PORTION OF RANCHO EL CORTE MADERA, SAN MATEO COUNTY, CALIFORNIA", FILED FOR RECORD MARCH 17, 1955, IN BOOK 41 OF MAPS, PAGES 40 TO 42, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE SOUTHWESTERLY LINE OF SAID LOT 24, DISTANT THEREON NORTH 14°30'56" WEST 19.14 FEET FROM THE MOST SOUTHERLY CORNER OF SAID LOT 24; THENCE FROM SAID POINT OF BEGINNING ON AND ALONG SAID SOUTHWESTERLY LINE NORTH 14°30'56" WEST 285 FEET TO THE INTERSECTION THEREOF WITH THE SOUTHERLY LINE OF GOLDEN OAK DRIVE; THENCE ALONG THE SOUTHERLY, SOUTHWESTERLY AND WESTERLY LINE OF GOLDEN OAK DRIVE, SOUTH 82°50' EAST 30 FEET; THENCE SOUTHEASTERLY ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 270 FEET, A CENTRAL ANGLE OF 65°30' AN ARC DISTANCE OF 308.66 FEET; THENCE SOUTH 17°20' EAST 70.65 FEET TO A POINT; THENCE LEAVING SAID WESTERLY LINE OF GOLDEN OAK DRIVE, SOUTH 85°09'14" WEST 204.17 FEET TO POINT OF BEGINNING.

APN: 079-101-210 JPN: 079-010-101-21A