



Agenda Item 4

May 8, 2013

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 13-01--Proposed Annexation of the 60 and 68 Loma Road to the City of San Carlos (1.2 Acres)

Summary

This application submitted by landowner petition requests annexation of two existing residences to the City of San Carlos. The City of San Carlos has approved pre-zoning and annexation of the proposal area and the City and the County have adopted resolutions of property tax exchange. The proposal area is located in the unincorporated Palomar Park area in the sphere of influence of the City of San Carlos. Annexation is requested in order to abandon a failing septic system on 60 Loma Road and receive sewer and other city services from the City of San Carlos. Commission approval of the proposed annexation is recommended.

Agency and Departmental Reports

County Assessor: The net assessed valuation of the land included in the annexation area as shown reported by the Assessor is \$1,581,492. The boundaries of the proposal do not divide lines of assessment or ownership.

County Clerk: The territory has no registered voters. Annexation would not conflict with any political subdivision boundaries.

County Public Works: The territory proposed for annexation consists of 1.2 acres. The map and legal description submitted with the proposal do not meet the requirements of the State Board of Equalization and require revision. 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.

County Environmental Health: The California Water Service Company provides water in the City of San Carlos. Sewer service is provided by the City of San Carlos. The proposal appears to have no adverse environmental health significance.

LAFCo File No. 13-01--Proposed Annexation
of 60 and 68 Loma Road to the City of San Carlos (1.2 Acres)
May 8, 2013

County Planning and Building Division: The County's General Plan designation is Low Density Residential and zoning is Residential, minimum 20,000 square feet lot size (R-1/S-101/DR). General Plan Policy 7.24 encourages cities to annex urban unincorporated areas within designated spheres of influence.

City of San Carlos:

In pre-zoning the territory and approving a General Plan Amendment, the City adopted the following conditions of approval:

- 1) The applicants shall apply to LAFCo for annexation to the City of San Carlos.
- 2) The applicant shall submit a Code Compliance evaluation prepared by a Civil Engineer or Architect for review and approval by the Chief Building Official prior to annexation demonstrating that structures on the parcels shall comply with Building Codes in effect at the time the structures were constructed.
- 3) The applicant shall comply with all future conditions of the Building Division, Public Works department and Fire Department, to the satisfaction of the Chief Building Official, Public Works Director and Fire Marshal prior to annexation.
- 4) A deed restriction that prohibits further subdivision of 60 and 68 Loma Road for review and approval by the City Attorney prior to annexation. The applicant shall incur any preparation, review and/or recording fees associated with the deed restriction.
- 5) The pre-zoning shall remain the same for two years after annexation in compliance with Chapter 18.38 of the San Carlos Municipal Code.

Both parcels were pre-zoned Single-Family, Low Density which permits single-family homes at densities of up to three dwelling units per acre. Each parcel containing one single-family home with a lot area of 19,839 square feet at 60 Loma and 32,709 at 68 Loma comply with this designation. There is no request for further subdivision. Further, a condition has been added requiring deed restriction be recorded against each property prohibiting further subdivision.

Report and Recommendation

Submitted by petition with 100% landowner consent, this proposal requests annexation to the City of San Carlos of two existing residences totaling 1.2 acres (60 Loma Road fronts Loma Road and 68 Loma Road is a flag lot). The nearest cross street is La Mesa Drive. Loma Road is a cul de

LAFCo File No. 13-01--Proposed Annexation
of 60 and 68 Loma Road to the City of San Carlos (1.2 Acres)
May 8, 2013

sac created by a decades old road failure and marked by a fence separating this segment of Loma Road from a private road serving other unincorporated parcels that access their homes from unincorporated Palomar Park via Palomar Drive to Loma Road. On the portion of Loma Road on the City side of the fence there are two homes already within the City boundary, the two proposed for annexation and three residential parcels for which owners do not request annexation at this time.

The segment of road fronting adjacent 90 Loma Road is already in the City of San Carlos and maintained by the City. The segment of Loma road fronting 60 Loma Road is County maintained and the segment between 60 Loma Road and the gate as well as the other side of the gate are privately maintained and not part of the County maintain road system.

Actions taken by the City of San Carlos include pre-zoning of the territory to Residential low density, General Plan Amendment and adoption of a resolution of property tax exchange. The County of San Mateo has also adopted a resolution agreeing to an exchange of property tax revenues pursuant to Section 99 of the Revenue and Tax Code.

Environmental Review

The annexation is exempt from the provisions of the Environmental Quality Act (CEQA) pursuant to Section 15319 of Public Resources Code (Annexation of existing exempt facilities – up to three single family homes).

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 by the legislature in 1993 to streamline annexation proceedings in which landowners had already given consent to uninhabited annexation proceedings. The proponents have requested that the Commission waive the conducting authority proceedings if the proposal is approved. The City has submitted consent to waiver of the protest hearing.

Recommendation:

The subject area is contiguous to City boundaries, is within the sphere of influence of the City and is only accessed from City of San Carlos streets. Annexation is consistent with the general

LAFCo File No. 13-01--Proposed Annexation
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May 8, 2013

plans of the City of San Carlos and the County and would remedy inadequate septic systems and facilitate service delivery under a single jurisdiction. Staff therefore respectfully recommends that the Commission approve the proposed annexation by taking the actions listed below.

Recommended Commission Action, by Motion:

The annexation is exempt from the provisions of the Environmental Quality Act (CEQA) pursuant to Section 15319 of Public Resources Code (Annexation of existing exempt facilities – up to three single family homes).

Recommended Commission Action, by Resolution:

- 1 . Approve LAFCo File No. 13-01--Proposed Annexation of the Lands of 60 and 68 Loma Road to the City of San Carlos conditioned upon submittal of a map and legal description the meets the requirements of the State Board of Equalization.
- 2 . Waive conducting authority proceedings pursuant to Government Code Section 56663(c).



San Mateo County Health System

February 28, 2012

APN 051-472-020

Robert D. Meyer
60 Loma Road
San Carlos, CA 94070

Dear Mr. Meyer:

**SUBJECT: SEPTIC SYSTEM, 60 LOMA ROAD, PALOMAR PARK
(UNINCORPORATED), CALIFORNIA**

I have reviewed recent septic system inspection and pumping information provided by you to Environmental Health. In addition, Environmental Health staff inspected the subject property and system on January 30, 2012. Based on my review of information and our inspection, it appears that the effluent distribution portion of the septic system is failed and in need of significant repair. However, given constraints of the property, including potentially excessive slopes, there does not appear to be space on the parcel for new distribution trenches that would conform to County Septic Ordinance requirements. Additionally, due to the proximity of the property to an existing sewer main, we cannot approve a septic repair permit. Both County Ordinance and California Plumbing Code require that when a septic system fails, if the site is within 200 feet of an existing sewer main, the site should connect to sewer rather than attempt to repair the failed septic system. It appears that there is a potential sanitary sewer connection within approximately 100 feet of your home.

Therefore, Environmental Health supports all efforts to connect the residence and all other structures served by the existing problem septic system to the sanitary sewer that is in close proximity to the subject property. In the interests of protection of public health, connection to the sanitary sewer should be made as soon as possible.

Should you have any questions, please call me at (650) 372-6279.

Sincerely,

Gregory J. Smith, PG, REHS
Supervisor Water Protection and Land Use Programs

cc: Don Gilbert, City of San Carlos, dgilbert@cityofsancarlos.org
Martha Poyatos, San Mateo County LAFCO, mpoyatos@smcgov.org
Robert Meyer, rdmeyersf@yahoo.com

Environmental Health

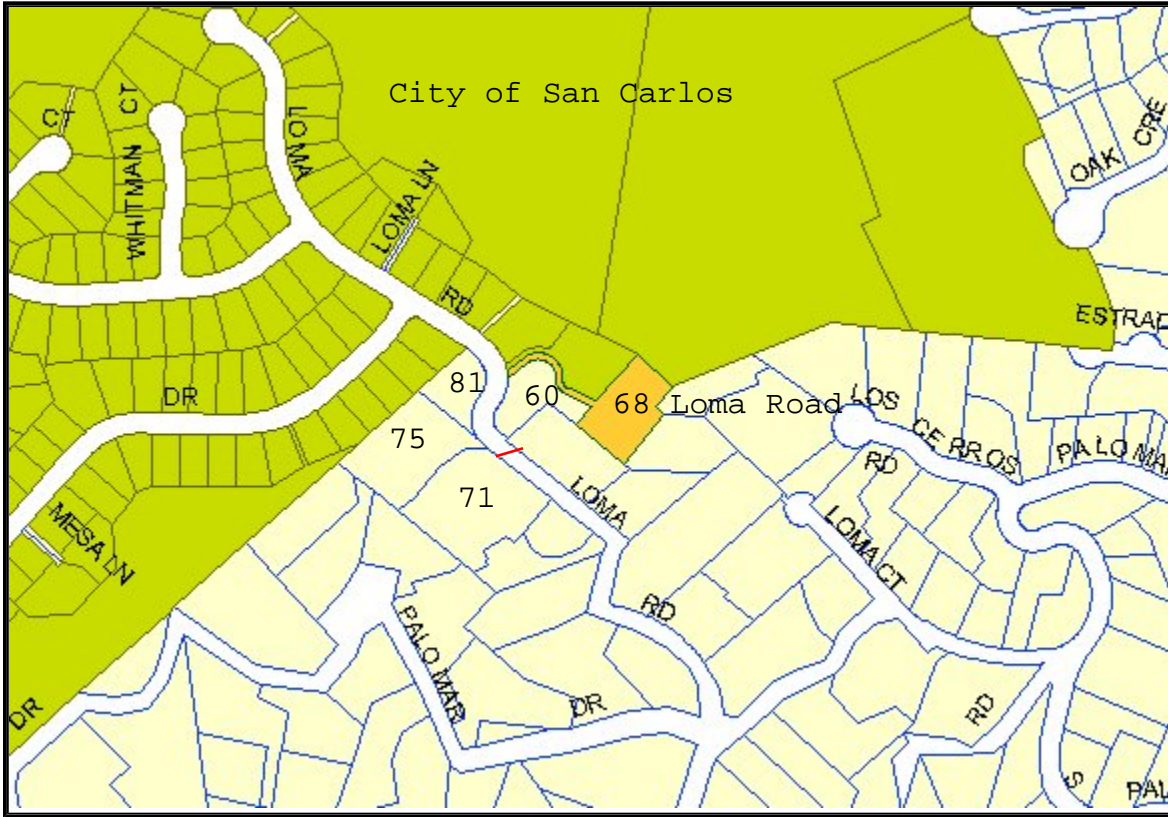
2000 Alameda de las Pulgas, Suite 100, San Mateo, CA 94403

Phone (650) 372-6200 • Fax (650) 627-8244 • CA Relay 711 • Website www.smhealth.org
Health System Chief • Jean S. Fraser

Board of Supervisors • Dave Pine • Carole Groom • Don Horsley • Rose Jacobs Gibson • Adrienne Tissier

**SELECTED
PROPERTY**

Situs: 68 Loma Rd , Redwood City
Owner: Brown Jeffrey A, 68 Loma Road, San Carlos, CA, 94070-
APN: 051472040



Date Created: Thursday, May 9, 2013

Print

— approx. location of fence
and end of paved road

**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 to the city of San Carlos and connection to sewer services

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 connect two existing residences to city sewer and receive other city services.

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

Yes No

5. Estimated acreage: 1.20 acres

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.

San Carlos

Redwood City

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>
Sewer	None	City of San Carlos	Proponent	Fees
Fire	County Fire	City of San Carlos	n/a	taxes
Roads	County	City of San Carlos	n/a	taxes

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 properties are at the end of Loma rd in the south west corner of San Carlos. They are at the top of a hill that consists of Eaton and Palomar parks. The properties are connected to the main highways by way of Crestview rd and Edgewood rd to highway 280 and Greenbriar rd and Brittan Ave to hwy 101.

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

Single family home residential

3. How are adjacent lands used?

North: Open Space

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?

No

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

RS-3, Single Family, Low Density

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

RS-3, Single Family, Low Density

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

8. What additional approvals will be required to proceed?

LAFCo

Public Works Department

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:

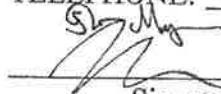
NAME: Robert Meyer
Jeffrey Brown

ADDRESS: 60 Loma Road, San Carlos CA 94070
68 Loma Rd San Carlos CA 94070

650-387-8556

TELEPHONE: 415-608-0573

ATTN:



Signature of Proponent

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:

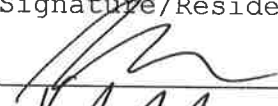

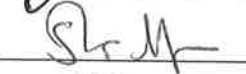

1. This proposal is made pursuant to Part 3, Division 3, Title 5 of the California Government Code (commencing with Section 56000, Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are: Annexation of 60 and 68 Loma Road to the City of San Carlos
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: Connection to sewer and to receive other city services
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** 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>1/22/2013</u>	<u>Jeffrey Brown</u>	 69 Loma Rd	#051-472-040
<u>1/22/2013</u>	<u>Kimberly Brown</u>	 68 Loma Rd	#051-472-040
<u>1/22/2013</u>	<u>Robert Meyer</u>	 60 Loma Rd	#051-472-020
<u>1/22/2013</u>	<u>Grace Francisco</u>	 60 Loma Rd	#051-472-020

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