



July 9, 2013

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 13-03--Proposed Annexation of 191 Lemoore Drive to the City of San Carlos and Concurrent Detachment from the Scenic Heights County Sanitation District (0.29 Acre)

Summary

This application submitted by landowner petition requests annexation of one existing single family residence to the City of San Carlos. The City of San Carlos has approved pre-zoning and annexation of the parcel and the City and the County have adopted resolutions of property tax exchange. The parcel proposed for annexation is the sole unincorporated parcel on Lemoore Drive, which is a cul de sac accessed via Clifford Avenue adjacent to Unincorporated Palomar Park. The proposal area is in the sphere of influence of the City of San Carlos. Annexation is requested in order to provide city services to the existing home consistent with neighboring properties. Annexation to the City of San Carlos necessitates detachment from the County-governed Scenic Heights County Sanitation District (SHCSD). 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 \$131,525. The boundaries of the proposal do not divide lines of assessment or ownership.

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

County Public Works: The map and legal description submitted with the proposal do not meet the requirements of the State Board of Equalization and require revision.

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

County Planning and Building Division: The County's General Plan designation is Low Density Residential and zoning is Residential, minimum 10,000 square foot lot size (R-1/S-91/DR). General Plan Policy 7.24 encourages cities to annex urban unincorporated areas within designated spheres of influence.

City of San Carlos:

In rezoning the territory and approving a General Plan Amendment, the City Council adopted the attached conditions of approval which include the owners submitting an annexation application to LAFCo, payment of Sewer Capacity and Connection Fees in transferring sewer service from the SHCSD to the City, payment of traffic impact mitigation fees, utility easements, compliance with City Building conditions and future City of San Carlos Fire Department conditions.

Report and Recommendation

Submitted by petition with 100% landowner consent, this proposal requests annexation to the City of San Carlos of an existing single family residence at the end of Lemoore Drive, which is a cul de sac accessed from Clifford Drive. The parcel is the only unincorporated parcel on Lemoore Drive. It shares rear lot lines with parcels on Carmel Lane and originally had a Carmel Lane address. The original access off Carmel Lane was conditional and was based on a flag lot configuration, which is not the preferred access for purposes of emergency response by today's standards. Subsequent development on Lemoore in the 1960's and 1970's approved by San Carlos created a superior access for this parcel and solved the problem of the conditional easement on Carmel.

More recently first responder confusion about the only access to the parcel being from Lemoore via Clifford Drive and not Carmel prompted a formal application for an address change. The applicants subsequently requested rezoning and annexation to be included in City boundaries consistent with surrounding properties. Annexation of the parcel to the City of San Carlos place all parcels accessing via Lemoore (a City of San Carlos street) in City jurisdiction and is consistent with State policies encouraging annexation of urbanized areas in need of or already receiving municipal services and logical city boundaries. In this regard, rear lot lines are superior boundaries for cities because they place all parcels benefiting from City streets in City jurisdiction and facilitate efficient service delivery, in particular emergency response.

As noted above, the property is in the boundaries of the County-governed SHCSD. A condition of approval by the City is that the parcel connects to the City's system which requires detachment from SHCSD. It is therefore recommended that the Commission approve the proposal, amended to include concurrent detachment from SHCSD.

The City and the County have adopted resolutions of property tax exchange 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 no opposition from 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 not expressed opposition 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 plans of the City of San Carlos and the County, as well as the LAFCo adopted sphere of influence and would 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. 13-03--Proposed Annexation 191 Lemoore to the City of San Carlos amended to concurrently detach the parcel from the Scenic Heights County Sanitation District and conditioned upon submittal of a map and legal description that meet the requirements of the State Board of Equalization.
- 2 . Waive conducting authority proceedings pursuant to Government Code Section 56663(c).

**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 191 Lemoore to the City of San Carlos

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?

The reason for annexation is to provide City of San Carlos services to an existing home, which is the only residence on this cul de sac that is not in city boundaries. Annexation will provide for more efficient service

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

Yes No

5. Estimated acreage: 0.29 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.

City of San Carlos

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>Co. Sheriff</i>	<i>City Police</i>	<i>N/A</i>	<i>Taxes</i>
<i>Sewer</i>	<i>ScenicHts. Sanitation Dist.</i>	<i>ScenicHts. Sanitation Dist.</i>	<i>N/A*</i>	<i>Fees</i>
Water	California Water Service Co.	California Water Service Company	N/A	Fees
Fire	County Fire	San Carlos Fire Department	N/A	Taxes
Parks	County	City of San Carlos		Taxes
Library	County	City of San Carlos		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.

191 Lemoore near Clifford.

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

Residential

3. How are adjacent lands used?

North: Residential

South: " "

East: " "

West: " "

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?

Single-family Residential

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

R-1/S-91/DR

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

Rezoning by City of San Carlos

8. What additional approvals will be required to proceed?

None

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: Pamela Boyle

ADDRESS: 191 Lemoore Dr.

TELEPHONE: 650-368-6821

ATTN: San Carlos, Ca. 94070

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 191 Lemoore 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) 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 provide City of San Carlos services to an existing single family home that is the only home on this cul de sac that is not in City of San Carlos boundaries.
7. The proposed 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.

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):

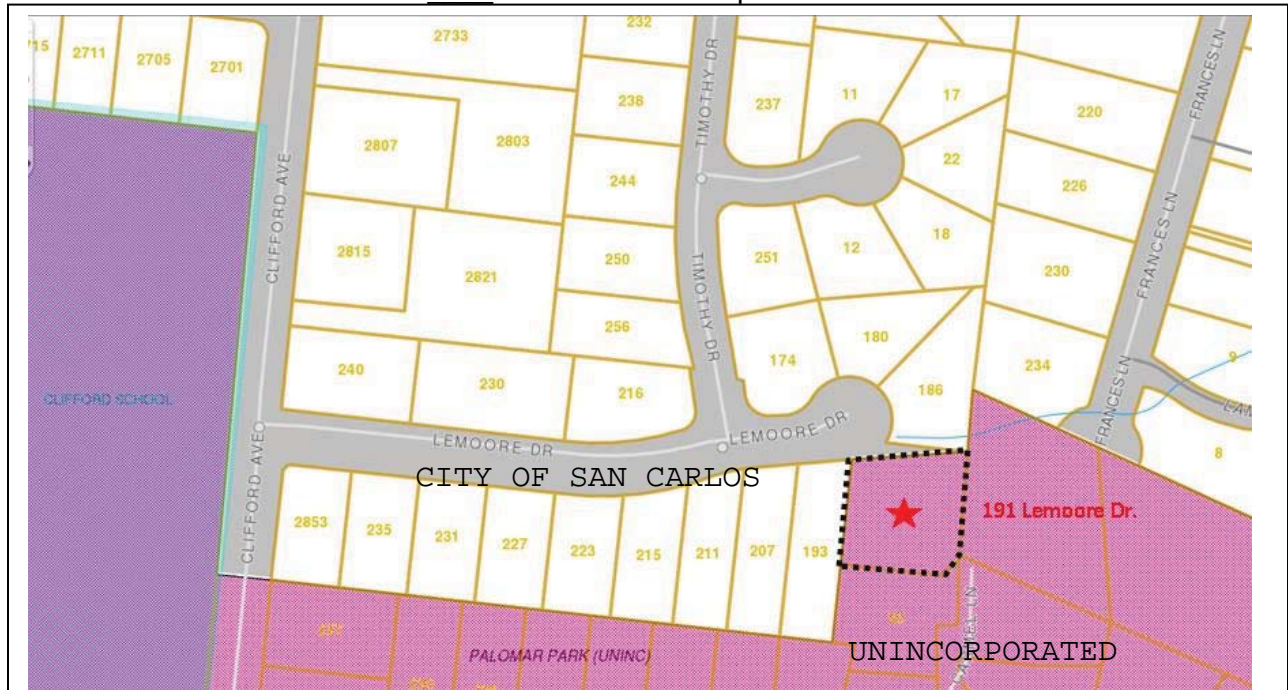
Date:	Printed Name:	Signature/ mailing address /APN* of parcel
4/1/13	Pamela Boyle	<i>Pamela Boyle</i> 191 Lemoore Dr. San Carlos, Ca. #051-161-100
4-1-13	Bruce E Boyle	<i>Bruce Boyle</i> 191 Lemoore Dr. San Carlos CA 94078 #051-161-100

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

(use additional sheet if more than three property owners)

Note: Signature of all owners of land is required in order to process at one LAFCO hearing.

Exhibit A to Resolution NO. _____ – General Plan Map Amendment



..... **General Plan Map Amendment, Land Use Designation: Single Family, Low Density (3 DU/AC)**

191 Lemoore (Formerly 45 Carmel Lane)

**SELECTED
PROPERTY**

Situs: 45 Carmel Ln , Redwood City
Owner: Boyle Bruce E, 45 Carmel Ln, Redwood City, CA, 94062--3204
APN: 051161100



Date Created: Friday, January 11, 2013

