

SAN MATEO



# LOCAL AGENCY FORMATION COMMISSION

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

July 13, 2011

TO: Members, Formation Commission

FROM: Martha Poyatos  
Executive Officer

SUBJECT: LAFCo File No. 11-01--Proposed Annexation of 1250, 1252  
and 1254 Edgewood Road to the City of Redwood City (1.95  
Acres)

## Summary

This application submitted by landowner petition, requests annexation of 1.95 acres<sup>1</sup> to the City of Redwood City. The City of Redwood City has approved pre-zoning of the proposal area consisting of three residential properties with existing homes. The proposal area is located in the sphere of influence of the City adjacent to City boundaries. Annexation is requested in order to provide city services to two existing and three proposed residences. Commission approval is recommended, with amended boundaries to include the roadway fronting the annexation parcels.

## Agency and Departmental Reports

County Assessor: The net assessed valuation of the annexation area shown in the records of the Assessor is \$1,971,956. The boundaries of the proposal do not divide lines of assessment or ownership.

County Clerk: The territory has 8 registered voters. Annexation would not conflict with any political subdivision boundaries.

County Public Works: Edgewood Road fronting adjacent areas between Alameda de las Pulgas and the project territory is within the jurisdiction of the City of Redwood City. It is recommended that the portion of Edgewood Road fronting the annexation parcels be included in the annexation to facilitate efficient city services to the property including but not limited to road maintenance and police response.

County Environmental Health: The City of Redwood City provides water and sewer service within city boundaries and by agreement to the subject properties with the exception of 1250 Edgewood Road, which is currently on a septic system. The proposal appears to have no adverse environmental health significance.

Recommendation: Approval

<sup>1</sup> Corrected acreage from what is stated on application.

County Planning and Building Division: The County General Plan designation is Medium-Low Density Residential and zoning is Residential, 2.4 - 6 dwelling units per acre. General Plan Policy 7.24 encourages cities to annex urban unincorporated areas within designated spheres of influence.

City of Redwood City: The City has approved rezoning of the subject property. The City pre-zoning is Residential Hillside (RH) low density residential consistent with surrounding areas in the City. The City has also approved a Planned Development Permit for 1250 Edgewood Road to allow construction of three new single family homes with a shared access driveway (flag lot) and the City made findings and approved a Vesting Tentative Parcel Map for 1250 Edgewood Road that would take effect upon annexation. In making these approvals the City adopted an Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring Program as a condition of project approval. Subdivision and building permits cannot be processed and approved by the City until annexation is complete. Subdivision of 1250 Edgewood Road will result in two additional dwelling units on parcels ranging in size from 10,000 square feet to 18,000 +/- square feet. No physical improvements are proposed for 1252 or 1254 Edgewood Road. The annexation area is consistent with the boundaries established in land use element of the City's General Plan.

### **Report and Recommendation**

Submitted by landowner petition, this proposal requests annexation of three parcels totaling 1.95 acres on Edgewood Road, west of Alameda de las Pulgas. The territory is in the City's sphere of influence, contiguous to the City boundary on two sides and consists of three residentially developed parcels, each under separate ownership. The application is related to a proposal for a three lot subdivision on the rear parcel (1250 Edgewood Road) that shares access with 1252 and 1254 Edgewood Road. Pre-zoning and annexation of all three parcels is proposed because it would result in a logical and efficient boundary for city services and because 1252 and 1254 Edgewood are already receiving city sewer and water service.

As submitted for pre-zoning and annexation, only the residential parcels were identified for annexation. As noted above, San Mateo County Department of Public Works states that it is recommended that annexation also include Edgewood Road fronting the annexation parcels because city boundaries in adjacent areas between Alameda and the subject parcels the roadway is in City jurisdiction. This recommendation is consistent with LAFCo

policies encouraging that boundaries include roadway fronting parcels. Staff recommends that the annexation boundaries be amended to include Edgewood Road fronting 1252 Edgewood Road.

In regard to factors to be considered in the review of a proposal as set forth in Section 56668, there is a demonstrated need for organized municipal services to the subject properties, the City has the capacity to serve the subject area, is already providing water and sewer service to the properties and will receive property tax revenues in exchange for transfer of service responsibility [56668(b)(j)]. Annexation promotes more efficient service delivery [56668(c)]. The boundaries are definite and certain and as amended to include roadway fronting the property is consistent with LAFCo policies encouraging inclusion of roads that abut property annexed [56668(f)]. Annexation is consistent with County General Plan Policies that encourage annexation of areas in City spheres of influence [56668(g)] and the proposal is consistent with the adopted sphere of influence and adjacent city land use [56668(h)(n)].

#### Uninhabited Landowner Petition Process (Non-100% Consent)

Section 56767 specifies that signature requirements for a city annexation are at least 5% of the number of landowners owning 5% of the value of land proposed for annexation. The petition is signed by owners of 1250 and 1254 Edgewood Road and represents 5 of the total 7 landowners, and ownership of \$1,446,913 of the total \$1,479,430 land value of the annexation area. While not 100% consent, the petition is therefore a valid landowner petition and while the owners of 1252 Edgewood are not applicants by petition, they have not voiced opposition to annexation.

The Cortese Knox Hertzberg Act (Act) sets forth two different procedures for annexation by petition where there are less than 12 registered voters in the annexation area.<sup>2</sup> If an annexation is submitted by 100% landowner petition, the Act allows LAFCo to waive a protest hearing following LAFCo approval. If a landowner petition application is not submitted by 100% consent landowner petition, LAFCo is required to hold a protest hearing no sooner than 30 days following LAFCo approval. The protest process allows only landowners to submit protest. In this case, even though based on landowner petition it is apparent that a 50% protest is not likely, LAFCo must hold the protest hearing. If approved by LAFCo, approval would also therefore include delegation to the

---

<sup>2</sup> The Act establishes that uninhabited annexations are defined as 11 or less registered voters and sets forth a protest process that provides for landowner protest only. Subject territory for this annexation has 8 registered voters and is therefore legally uninhabited and subject to landowner protest proceedings.

Executive Officer<sup>3</sup> to hold a notice protest hearing. At the conclusion of the protest hearing if less than 50% of the landowners submit protest, the Executive Office would finalize the annexation by recording a resolution and certificate of completion.

The County of San Mateo and the City have adopted resolutions agreeing to an exchange of property tax revenues pursuant to Section 99 of the Revenue and Tax Code.

#### Environmental Review

The City of Redwood City, acting as lead agency under the California Environmental Quality Act (CEQA), prepared and adopted the "1250, 1252 and 1254 Edgewood Road - Initial Study/Mitigated Negative Declaration" in reviewing and approving pre-zoning and a Planned Development Permit. The initial study and mitigated negative declaration evaluates the physical improvements contained in the Vesting Tentative Parcel Map for the subdivision and the provision of services to the properties following annexation. Specific impacts of home site development on 1250 Edgewood Road will be evaluated in subsequent design review as required by the City. The Mitigated Negative Declaration found that there would be no significant impacts on the environment from the project because potential impacts could be reduced to less than significant with best management practices and mitigation measures.

As responsible agency under CEQA, the Commission must consider the Initial Study and Mitigated Negative Declaration prepared by the County. If an impact is outside the responsibility of the Commission and was previously mitigated by the lead agency or another responsible agency, the Commission may make the finding that the impact is within the responsibility of another public agency and not LAFCo and that mitigation measures have been adopted by another agency or can and should be adopted by another agency.

#### Recommendation:

The subject area is unincorporated territory within the sphere of influence of the City of Redwood City and is contiguous to the City boundaries on two sides. The properties already receive city services. Annexation is consistent with the general plans of the City and the County and promotes orderly boundaries and service delivery. It is recommended that the boundaries be amended to

---

<sup>3</sup> Section 57000(c) provides that the Commission may delegate the function of conducting authority/protest hearing to the Executive Officer.

include the portion of Edgewood Road fronting the annexation area and it is respectfully recommended that the Commission approve the proposed annexation by taking the actions listed below.

**Recommended Commission Action, by Motion:**

Pursuant to Sections 15096(g) (2) and 15096(h) of the State CEQA Guidelines, the Commission has considered the Mitigated Negative Declaration for 1250, 1252 and 1254 Edgewood Road Annexation and Subdivision Project prepared by the City of Redwood City and finds as follows:

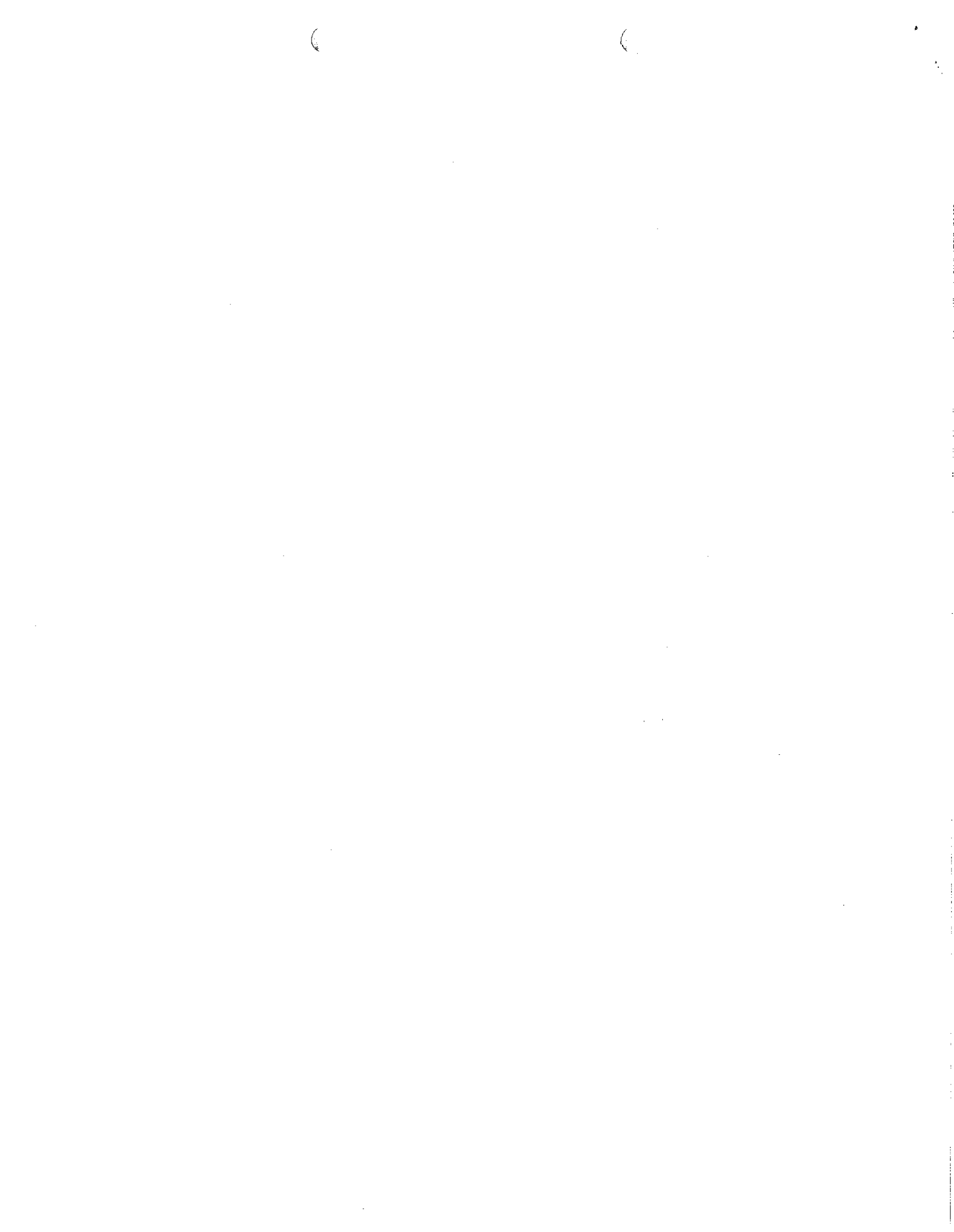
The Commission has considered findings made by the City of Redwood City for the Project pursuant to Sections 15091 and 15093 and the Mitigation Monitoring Program prepared by the City of Redwood City, and finds that such changes or alterations are within the responsibility and jurisdiction of the City of Redwood City and not LAFCo and such changes have been or should be adopted by the City of Redwood City. [CEQA Guidelines, §15091, subd. (a) (2)]

**Recommended Commission Action, by Resolution:**

1. Approve LAFCo File No. 11-01--Proposed Annexation of 1250, 1252 and 1254 Edgewood Road to the City of Redwood City, modified to include the portion of Edgewood Road that fronts the annexation territory.
2. Delegate conducting authority proceedings to the Executive Officer pursuant to Government Code Section 57000(c).

Respectfully submitted,

  
Martha Poyatos  
Executive Officer



July 20, 2011

**LEGAL DESCRIPTION FOR THE ANNEXATION TO  
THE CITY OF REDWOOD CITY  
FOR THE LANDS OF JOSEPH P. RAVELLA AND LISA RAVELLA, THE  
LANDS OF THE SANCHEZ LIVING TRUST, AND THE LANDS OF THE  
KILER TRUST;  
LYING WITHIN THE PULGAS RANCHO**

All that certain real property situate in the County of San Mateo, State of California, being all the lands described in Document No. 2008-102802, recorded September 10, 2008; Document No. 2008-029789, recorded March 19, 2008 and Document No. 95-071834 recorded July 14, 1995 in the Office of the Recorder of said County and State; more particularly described as follows:

BEGINNING at the easterly corner of said lands described in Document No. 2008-102802, said corner lying on the northwesterly line of Edgewood Road, formerly Whipple Road; also being the southerly corner of the City Limits of the City of Redwood City as established by Resolution Number 10407 adopted January 19, 1987; also being the westerly corner of the City Limits of the City of Redwood City as established by Resolution Number 10482 adopted April 20, 1987;

**Course 1.** THENCE along the southeasterly prolongation of the northeasterly line of said lands described in Document No. 2008-102802 and along the westerly line of the existing City Limits line described in said Resolution Number 10482, South 44°22'30" East, 50.04 feet to the southerly corner of said City Limits, said corner lying on the southeasterly line of Edgewood Road;

**Course 2.** THENCE leaving said City Limits along said southeasterly line of Edgewood Road, South 43°20'30" West, 134.97 feet to the southeasterly prolongation of the southwesterly line of said lands described in Document No. 95-071834;

**Course 3.** THENCE leaving said southeasterly line of Edgewood Road along said southeasterly prolongation and the southwesterly lines of the lands described in said Document Numbers 2008-102802, 2008-029789 and 95-071834, North 44°22'30" West, 566.98 feet to the existing City Limits of the City of San Carlos as established by Resolution Number 1969-56 adopted October 14, 1969;

**Course 4.** THENCE along the westerly and northerly lines of said lands described in Document 2008-102802 and along the southeasterly lines of said City Limits, North 37°38'00" West, 84.19 feet;





**Course 5.** THENCE North 12°59'30" West, 100.24 feet;

**Course 6.** THENCE North 30°51'30" East, 24.48 feet;

**Course 7.** THENCE South 72°55'30" East, 65.10 feet;

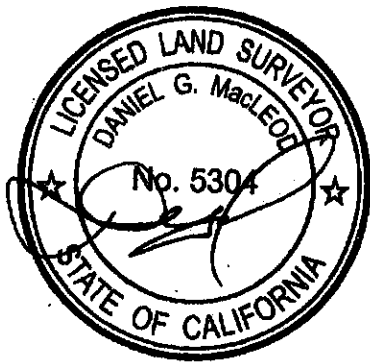
**Course 8.** THENCE North 67°16'00" East, 13.76 feet to the northeasterly corner of said lands described in Document No. 2008-102802; also being the westerly corner of the existing City Limits of the City of Redwood City as established by Ordinance Number 1007 adopted April 24, 1961;

**Course 9.** THENCE along the northeasterly line of said lands described in Document No. 2008-102802 and the southwesterly line of said City Limits, South 44°22'30" East, 279.32 feet to the southerly corner of said City Limits.

**Course 10.** THENCE along the southeasterly line of said City Limits, North 45°22'30" East, 5.20 feet to the westerly corner of the existing City Limits of the City of Redwood City as established by Resolution Number 10407 adopted January 19, 1987;

**Course 11.** THENCE continuing along the northeasterly line of said lands described in Document No. 2008-102802 and along the southwesterly line of said City Limits, South 44°22'30" East, 345.43 feet to the Point of Beginning.

Containing 2.121 acres, more or less.







**APPROVED**  
SECTION CC  
COUNTY  
WOOD CITY  
EXHIBIT A PAGE 2 OF 3



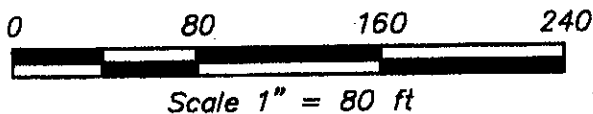
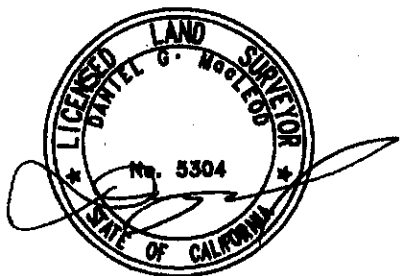
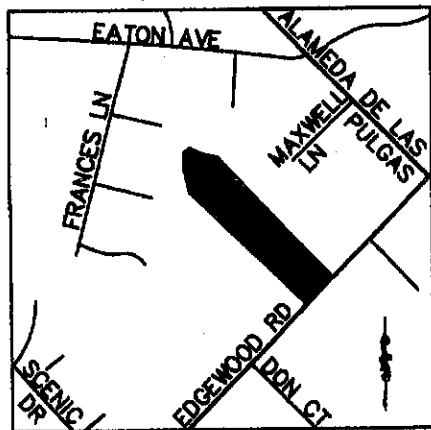
# EXHIBIT MAP

ANNEXATION TO THE CITY OF REDWOOD CITY FOR THE LANDS OF JOSEPH P. RAVELLA AND LISA RAVELLA, THE LANDS OF THE SANCHEZ LIVING TRUST, AND THE LANDS OF THE KILER TRUST; LYING WITHIN THE PULGAS RANCHO

## LEGEND

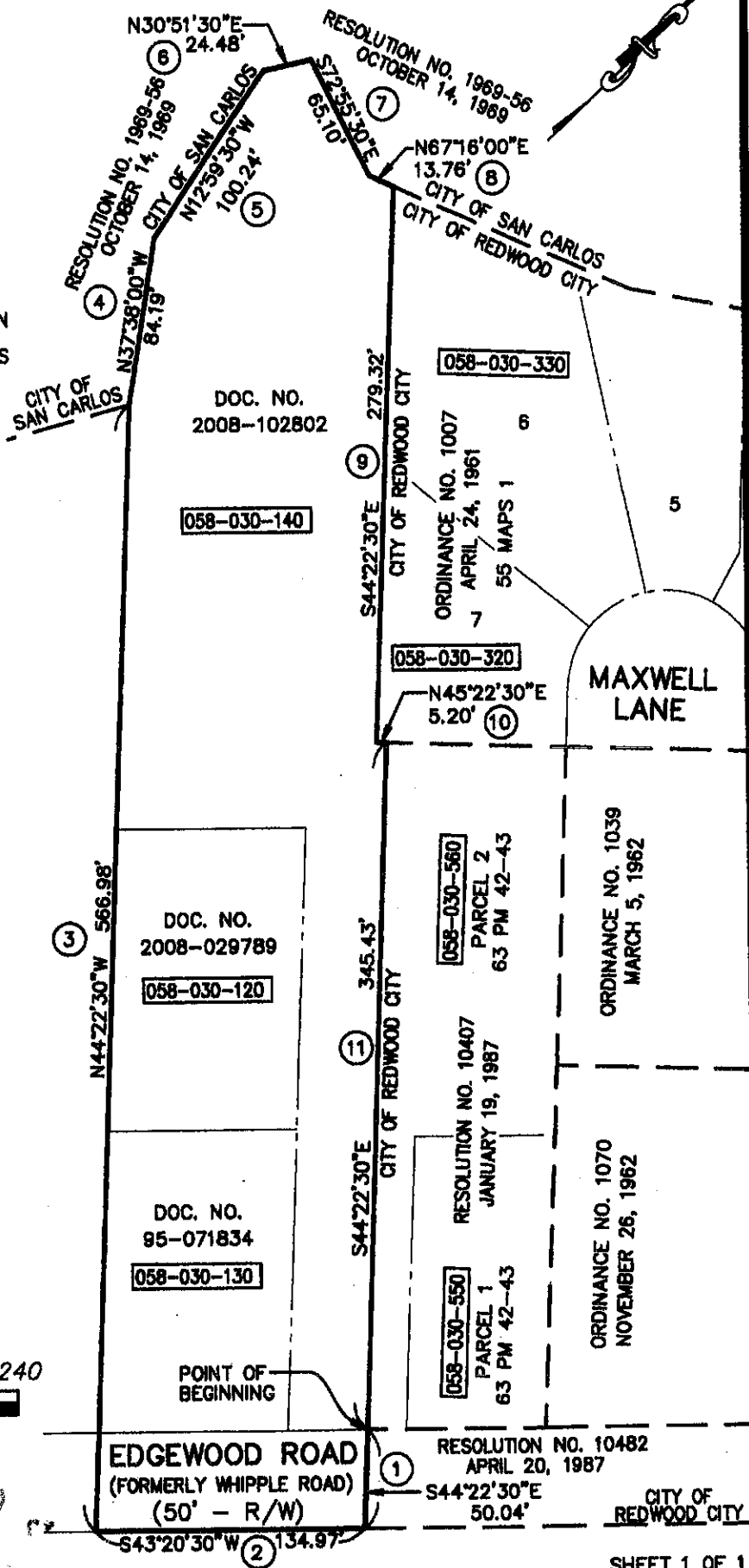
-  AREA OF PROPOSED ANNEXATION
-  LIMITS OF EXISTING ANNEXATIONS
-  ASSESSOR'S PARCEL NUMBER
-  COURSE NUMBER

## VICINITY MAP (NOT TO SCALE)



**APPROVED**  
 COUNTY CLERK  
 COUNTY

JOB #2483-05



SHEET 1 OF 1

