

**LOCAL AGENCY FORMATION COMMISSION**

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

September 8, 2009

TO: Members, Formation Commission

FROM: Martha Poyatos
Executive Officer

SUBJECT: LAFCo File No. 09-06--Proposed Annexation of the Lands of Grove, Dobel et al. to the City of San Carlos (3.41 Acres)

Summary

This application submitted by landowner petition, requests annexation of 3.41 acres to the City of San Carlos. Annexation is requested in order to provide city services to five proposed single-family residences. The proposal area is within the City of San Carlos Sphere of influence in Unincorporated Devonshire, which is wholly surrounded by the City of San Carlos and the proposal area is adjacent to City boundaries. The City of San Carlos has approved pre-zoning and adopted a mitigated negative declaration and focused environmental impact report on the rezoning and annexation of the proposal area. Commission approval of the proposed annexation is recommended.

Agency and Departmental Reports

County Assessor: The net assessed valuation of the annexation area shown in the records of the Assessor is \$33,301. 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 3.41 acres. The map and legal description submitted with the proposal meet the requirements of the 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. If the sewer service will include connection of city sewer lines to the Devonshire County Sanitation District (DCSD), connection to DCSD will require upon execution of an agreement between the City of San Carlos and the Devonshire County Sanitation District.

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

County Planning and Building Division: The County's General Plan designation is Medium Density Residential and zoning is Residential, 5,000 square feet per dwelling unit (R-1/S-71/DR) or Residential Single-family, 5,000 square feet minimum lot size, Design Review). General Plan Policy 7.24 encourages cities to annex urban unincorporated areas within designated spheres of influence.

City of San Carlos:

The City of San Carlos comments include a request for conditions of annexation that include the following:

- 1) Reciprocal easement and maintenance agreement between the five lots, for road, pedestrian path, trail easement across APN # 049-020-010 and driveway interfaces.
- 2) Reciprocal easement and maintenance agreement between the five lots, for utility improvements.
- 3) Reciprocal easement and maintenance agreement to Implement Mitigation Monitoring and Reporting Plans. The applicant(s) shall comply with all mitigation measures contained in the Mitigation Monitoring and Reporting Plan for Biological Resources, adopted with Resolution 2009-28.
- 4) The Applicants shall comply with all mitigation measures contained in the Mitigation Monitoring and reporting Plan for Biological Resources, adopted with Resolution 2009-28.
- 5) A restrictive covenant shall be recorded with the County of San Mateo in order to enforce the Mitigation Monitoring and Reporting Plans approved under Resolution 2004-31 and Resolution 2009-28.
- 6) Prior to issuance of building permits for any of the lots, a Master Development Plan shall be submitted. The site plan shall be based on Option 2, as represented in the plan by MacLeod and Associates, Drawing 1709-01A dated February 20, 2003. The site plan shall show the entire project, including the road, utility and trail improvements to Chesham Avenue, and the trail dedication on parcel 049-020-010 per the Trails Master Plan.

- 7) A master grading plan and application for dirt haul permit shall be submitted per Chapters 12.08 and 15.36 of the San Carlos Municipal Code, respectively, to the satisfaction of the City Engineer and approval of the Planning Commission, to include the roadway, the driveways, and the building pads for the proposed houses.
- 8) The proposed residences shall require architectural review by and approval of the Planning Commission.
- 9) The minimum lot area for each parcel shall be 20,000 square feet as defined by Ordinance 1333 and contingent upon lot line adjustments, right-of-way abandonment, and other entitlements.
- 10) As provided for in the Settlement Agreement (resulting from San Mateo County Superior Court Action No. 438595) signed December 22, 2004, the applicant shall submit a modified development plan for road improvements, access gate and pedestrian path for approval by the City.

Report and Recommendation

Submitted by petition with 100% landowner consent, this proposal requests annexation of 3.41 acres to the City of San Carlos. The territory consists of five separately owned, undeveloped parcels ranging in size from 16,258 square feet to 34,570 square feet¹ located in unincorporated Devonshire Canyon on Winding way off Chesham. The subject parcels are part of the Unincorporated Devonshire Canyon Unincorporated Neighborhood, which is in designated by the County as an Urban Neighborhood.² As shown in the attached map, the Devonshire Unincorporated Neighborhood is substantially developed and surrounded entirely by the City of San Carlos. The entire area is in the sphere of influence of the City of San Carlos and is eligible for annexation because it is contiguous to the City of San Carlos. Adjacent incorporated lands include open space lands separating the proposal area from the Hyde Park Estates subdivisions of Kings & Queens Court (single-family residences) and the rear lot line of a 15 acre parcel developed with a single family residence.

The property is located in the Pulgas Creek watershed and an upper tributary of the Creek traverses the site. Slopes range from 45 to 65 percent with the project site located on a west-facing slope.

¹ Lot line adjustments would be necessary to achieve the minimum 20,000 square feet minimum lot size required by the City of San Carlos.

² County General Plan Policy Definition 8.6: Define Urban Neighborhoods as those unincorporated areas which are primarily devoted to residential land uses and are generally functionally integrated with adjacent incorporated areas.

The project site also includes a portion of unimproved Winding Way. Improvements to serve the proposed development include sewer, road, utilities, water and drainage improvements. Project applicants also propose pedestrian access for trail connections and a gate on Winding Way as required by a 2004 Settlement Agreement.

Actions taken by the City of San Carlos include pre-zoning of the territory to R-1/L-D 20,000 square feet minimum lot size, adoption of a mitigated negative declaration, certification of a Focused EIR and Mitigation Monitoring Plan and adoption of a resolution of property tax exchange. (Please see timeline Attachment B). It should be noted that City Council actions related to development of the project are not complete in that final location of building pads, road width and other features of the development are functions of mitigation measures adopted by the council to address environmental impacts identified including but not limited to: potential impacts to dusky-footed wood rat, arcuate bush mallow, other sensitive species, and creek habitat and erosion.

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

Factors in Consideration of a Proposal

The following section addresses factors to consider in review of a proposal pursuant to Government Code Section 56668.

- (a) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

The proposal requests annexation of residentially zoned property proposed for development of five single-family homes, in proximity to other residentially developed areas of City of San Carlos and the Unincorporated Devonshire Neighborhood. The project would result in an estimated resident population of 12-15 persons based on 2.4 to 2.74 persons per household. As undeveloped land, the project site is assessed at \$33,301. The City's fiscal analysis found that there would be a net benefit in revenues to the City based on growth in assessed valuation for construction of custom homes. In regard to boundaries, the proposal area is adjacent to city boundaries on two sides and located in an unincorporated neighborhood wholly surrounded by the City. The proposal area is located in the in the Pulgas Creek watershed, an upper tributary of the Creek traverses the site and

the property is currently assessed for Pulgas Creek Drainage improvements.

- (b) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas. "Services" as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

The proposed project responds to an application to construct five single-family residences. The proposal includes funding for construction of facilities and infrastructure necessary to provide service. City of San Carlos services to the proposal area will be funded through taxes and service fees. CalWater is the water provider in the area and can provide water service.

- (c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The project is consistent with existing residential uses in the surrounding areas, including similar low-density residential development at Kings & Queens Court. The project includes measures to provide trail links and public access. Alternative actions include development on septic under the jurisdiction of the County of San Mateo which is inconsistent with County General Plan policies that favor use of sewer in urban areas and encourage annexation of lands in city spheres of influence.

- (d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

The proposed boundary change is consistent with existing service delivery patterns and urban development in adjacent areas and facilitates efficient provision of municipal services by the City of San Carlos. Boundaries provision of City service and road access would be consistent with nearby Kings Court and Queens Court, located in City of San Carlos Boundaries. Section 56377

does not apply to the Winding Way Annexation, which does not include conversion of agricultural or open space lands.³

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

There are no agricultural lands affected by the proposal.

- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundaries of the proposed annexation area are definite and certain and place all of the territory proposed for development in the jurisdiction of the City of San Carlos.

- (g) Consistency with city or county general and specific plans.

The City of San Carlos City Council as the land use authority, approved a zoning district boundary amendment and rezoning of the property on March 8, 2004 and April 12, 2004 designating the territory as R-1/LD 20,000 square foot minimum lot size, pursuant to the City's adopted General Plan. The proposal is also consistent with regional and local goals to meet regional housing needs within city spheres of influence rather than expanding spheres of influence.

County General Plan Section 8.9 designates Devonshire as an Urban Neighborhood and the project territory is located in the Devonshire Urban Neighborhood. Policy 7.24 encourages cities to annex urban unincorporated areas within their sphere of influence. County General Plan Policy 11.5 states that the County will consider sewerage systems as the appropriate method of wastewater management in urban areas.

- (h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed

The Devonshire Canyon unincorporated area is wholly surrounded by the City of San Carlos and included in the City's sphere of

³ While the project area is undeveloped and adjacent to open space zoned lands, the lands are zoned residential by the County and are not subject to Section 56377 which applies to conversion of agricultural or open space land use designations.

influence. The proposal is therefore consistent with the sphere of influence of the City of San Carlos.

(i) The comments of any affected local agency or other public agency.

The City has submitted a set of conditions outlined above, some of which LAFCo may adopt as conditions of an annexation approval. The balance of the conditions would be enforced by the City as part of project approvals upon annexation. The conditions that could be adopted by LAFCo prior to recordation of a certificate of completion finalizing the annexation include the following in a form acceptable to the City:

1. Reciprocal easement and maintenance agreement between the five lots, for road, pedestrian path, trail easement across APN # 049-020-010 and driveway interfaces.
2. Reciprocal easement and maintenance agreement between the five lots, for utility improvements.
3. Reciprocal easement and maintenance agreement to Implement Mitigation Monitoring and Reporting Plans.

All other conditions relate to the City's discretionary project approvals including compliance with mitigation measures and location of building pads to mitigate biological and other impacts identified in the Mitigated Negative Declaration and Focused EIR.

(j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

The City of San Carlos provides general administration, community development, public works, sewer, police, fire protection, library, parks and recreation and other services within its incorporated area. The City is capable of extending services to the area proposed for annexation. The City will receive property tax revenues for general purposes and sewer revenues to fund sewer service and residents of the annexed area will contribute to the City of San Carlos sales tax and other revenues.

- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

The California Water Service Company (CalWater) serves the surrounding areas. CalWater purchases water from San Francisco Public Utilities Commission. Upon approval of the development, the project applicants would be responsible for securing permits to extend water lines and construct infrastructure. Based on CalWater's water supply assurance with SFPUC, CalWater has adequate supply to serve the proposed homes and indicates that service would be subject to locally mandated water conservation efforts.

- (l) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

Regional Housing Needs Allocation (RHNA) is a plan for a wide range of housing affordability across all communities in the state. The California Department of Housing and Community Development (HCD) determines the housing needed to accommodate projected growth in each region of the state for the established time period and the Association of Bay Area Governments (ABAG) assigns a share of the anticipated RHNA to each jurisdiction in the Bay Area. In 2007, San Mateo County cities and the county implemented a provision in the law that allows formation of a subregional organization to accept the county's RHNA from ABAG and distribute the subregional need across the county's 20 cities and its unincorporated areas. Members of the City/County Association of Governments of San Mateo County (C/CAG) agreed on and assigned the subregional distribution of housing need to each of the 20 cities and the County. The Housing Element of each land use jurisdiction must assure that land is zoned and available to accommodate the RHNA.

The proposal would contribute five units to the total of 248 above moderate housing units included in the City of San Carlos RHNA.

- (m) Any information or comments from the landowner or owners, voters, or residents of the affected territory.

The affected territory includes the lands proposed for annexation. In this case the proposal was submitted with 100%

landowner consent. Mr. Bob Dobel, a proponent of the annexation has submitted comments (attached).

Comments have also been received from interested individuals of the surrounding area. The record of proceedings of City of San Carlos and the July 16 LAFCo meeting include comments in support and opposition of the proposed annexation and development. LAFCo has received written comments (attached) from the following. Mr. Drew Shell has submitted "Issues Regarding the Winding Way Annexation/Development Proposal, A Resident's Analysis of Issues and Problems relevant to LAFCo" (fifty pages of comments plus attachments) in opposition and a letter from Ms. Diane Rahe in opposition. The City has also requested conditions of annexation and provided documentation of mitigation measures and modifications to address concerns of the City and the Devonshire Canyon Open Space Alliance (DCOSA) regarding sensitive species and protected habitat, traffic and drainage. In addition, mitigation measures are written in a manner to determine specific project design and modification to lessen identified potential impacts. Because the wood rat and the arcuate bush mallow locations are not static, mitigation measures include identifying locations at the time of construction.

Mr. Shell's comments relevant to LAFCo review include concerns about CEQA, inaccurate project description, conflict with LAFCo goals, land use, road issues, and neighborhood character. Miscellaneous issues raised by Mr. Shell also include in-lieu fees, scenic/drainage easements, property rights, no legal requirement to approve proposal, widespread public opposition and opposition by current city council. In regard to CEQA, the City of San Carlos Resolution 2009-28 addresses adequacy of the environmental review including project alternatives and mitigation measures.

In regard to project description and land use, various presentation materials describe the project area as substantially developed. The project site itself is undeveloped but is part of the Devonshire Canyon Unincorporated Neighborhood, which is substantially developed with residential development. The subject annexation area is zoned residential by the County and is undeveloped with a gated, gravel road portion of Winding Way. While the property is adjacent to lands with an Open Space land use designation, as residentially zoned property, annexation or development would not constitute conversion of open space.

In regard to conflict with LAFCo goals and sprawl, while there is not a codified definition of sprawl, given that the territory in question is not on the outer (western) boundaries of the City of San Carlos but instead part of an urban neighborhood surrounded by the City and adjacent to City boundaries, sprawl

would not apply to the proposed annexation area. In regard to planned orderly growth, the proposal provides for land use planning and development within the jurisdiction of the City of San Carlos and provides for access in the same manner as the nearby Kings & Queens Court Subdivisions located within City boundaries.

(n) Any information relating to existing land use designations.

The County's General Plan designation is Medium Density Residential and zoning is Residential, 5,000 square feet per dwelling unit (R-1/S-71/DR) or Residential Single-family, 5,000 square feet minimum lot size, Design Review). As noted above, the City of San Carlos has rezoned the territory Low Density Residential consistent with the City's General Plan.

Environmental Review

The City of San Carlos, acting as lead agency under the California Environmental Quality Act (CEQA), prepared and adopted the Winding Way Annexation Project Mitigated Negative Declaration and approved pre-zoning of the project territory on April 12, 2004. Subsequently, the Devonshire Canyon Open Space Alliance (CSOSA) filed suit, that resulted in a settlement in which the Petitioners dismissed their action in exchange for preparation of a Focused Environmental Impact Report (FEIR) to evaluate and address impacts on the Dusky-Footed Woodrat, Arcuate Bush Mallow and any other sensitive or endangered species determined to be present. The City prepared and adopted the Final Focused Environmental Impact Report (FFEIR) for the Winding Way Property Zoning District Boundary Amendment/Pre-zoning and a mitigation monitoring and Reporting Program for biological resources mitigation updated in the FFEIR that supersedes mitigation for biological resources referenced in the Initial Study/Mitigated Negative Declaration. Other mitigation measures for the Initial Study/Mitigated Negative Declaration continue to apply.

In the course of the review process, the project was modified to address concerns from DCOSA regarding trail connections and access⁴. And while the City Council also specified that of the two site plans⁵ developed by the project proponents, Site Plan Option 2, dated 2/20/03 is the environmentally preferred

⁴ The project site includes unpaved Winding Way that is accessed by hikers and dog walkers.

⁵ Under both site plans, five homes are proposed. Site Plan Option 1 proposes construction of four of the five homes in an "uphill" style with the houses constructed on the side of the hill and above garage level. Site Plan Option 2 proposes construction of four of the five homes in as "downhill" dwelling units, above and away from the creek, with access from the eastern portion of Winding way and the remaining home in "uphill" style also away from the creek.

alternative, said approval is for the maximum development that could take place. Any development that takes place is subject to further discretionary approvals in addition to mitigation measures that have already been adopted by the City.

As responsible agency under CEQA, the Local Agency Formation Commission must consider the Initial Study and Mitigated Negative Declaration and Focused EIR prepared by the City and make its own findings for significant impacts identified in these documents, which relate to the annexation.

The Mitigated Negative Declaration on the project identified several potentially significant impacts that could be reduced to less than significant with mitigation in the following areas: aesthetics and visual resources; air quality; cultural resources; hazards and hazardous materials; geotechnical; public services; hydrology and water quality; noise; and transportation and traffic. In approving the project the City of San Carlos, required mitigation measures, which were found to reduce impacts to a less than significant level.

The subsequent legal settlement resulted in preparation of a report on biological impacts on dusky-footed wood-rat and arcuate bush mallow and the City prepared and adopted the Focused Environmental Impact Report (FFEIR) for the Winding Way Property Zoning District Boundary Amendment/Pre-zoning and a mitigation monitoring and Reporting Program.

Findings made by the City of San Carlos in adopting the FFEIR include the following:

The FFEIR identifies five (5) potentially significant environmental effects in the area of biological resources and recommends mitigation measures which are included in the Mitigation Monitoring Program and adopted by the City Council. The City's findings and adopted mitigation measures indicate that impacts will be mitigated to the extent feasible with respect to potential impacts to the arcuate bush mallow, dusky footed wood rat, wetlands and riparian habitat, impairment of wildlife movement. The City also adopted findings on expected benefit from the project including reduced stream sediment, inclusion of public access furthering the City's Trail connection System, economic and community benefits with a positive fiscal impact to the City and development under City regulations providing for mechanism which ensure development with surrounding city areas.

LAFCo is a responsible agency under CEQA for the annexation component of the project and relies on the environmental documents prepared by City as lead agency and makes its own

findings for the impacts identified in the environmental documents. 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.

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 on two sides, part of a larger unincorporated territory wholly surrounded by the City of San Carlos and within the Sphere of Influence of the City of San Carlos. Annexation is consistent with the general plans of the City of San Carlos and the County and would promote orderly growth and development by facilitating development and service delivery under a single jurisdiction, consistent nearby areas already in City jurisdiction. Staff therefore respectfully recommends 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 Focused EIR for the Winding Way Property Zoning District Boundary Amendment/Pre-zoning and the Winding Way Annexation Project Mitigated Negative Declaration and Mitigation Monitoring Plans prepared by the City of San Carlos and finds as follows:

The Commission has considered findings made by the City of San Carlos for the Mitigated Negative Declaration and Focused EIR for the Winding Way Annexation Project pursuant to Sections 15091 and

of San Carlos, and finds that such changes or alterations are within the responsibility and jurisdiction of the City of San Carlos and not LAFCo and such changes have been or should be adopted by the City of San Carlos. (CEQA Guidelines, § 15091, subd. (a)(2).)

Recommended Commission Action, by Resolution:

1. Approve LAFCo File No. 09-06--Proposed Annexation of the Lands of Grove, Dobel et al. to the City of San Carlos subject to the following conditions:
 - a) Reciprocal easement and maintenance agreement between the five lots, for road, pedestrian path, trail easement across APN # 049-020-010 and driveway interfaces.
 - b) Reciprocal easement and maintenance agreement between the five lots, for utility improvements.
 - c) Reciprocal easement and maintenance agreement to Implement Mitigation Monitoring and Reporting Plans
2. Waive conducting authority proceedings pursuant to Government Code Section 56663(c).

Respectfully Submitted,



Martha Poyatos
Executive Officer

Attachments:

Application
Chronology
Map: Annexation Parcel Location
Map: Road Improvements
Map: Devonshire Land Use
Map: Devonshire Canyon Undeveloped Parcels
Mitigated Negative Declaration
Biological Study
Final Focused EIR
Comment letters



LOCAL AGENCY FORMATION COMMISSION

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

March 3, 2009

TO: **San Mateo County
City of San Carlos
City of Belmont
Belmont San Carlos Fire Department
County Office of Education**

SUBJECT: **09-06 - Proposed Annexation of Lands of Grove,
Dobel, et al. to the City of San Carlos (3.41
Acres)**

Notice is hereby given that the above noted petition and application has been resubmitted to the San Mateo Local Agency Formation Commission. The application involves 3.41 acres located in unincorporated Devonshire on Winding Way. The proposal consists of the following proposed organizational changes:

City or District

Change of Organization

City of San Carlos

Annexation

The proposal application, map and legal description are attached for your information. Please submit comments to the LAFCo office by March 16, 2009 to assure your input to preparation of the Executive Officer's Report. If you have any questions about this proposal, please contact this office.

A handwritten signature in cursive script, appearing to read 'Martha Poyatos'.

Martha Poyatos
Executive Officer

APPLICATION FOR A CHANGE OF ORGANIZATION OR REORGANIZATION TO THE SAN MATEO LOCAL AGENCY FORMATION COMMISSION **LAFCO**

A. GENERAL INFORMATION

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

Annexation of 3.41 acres MOL to the City of San Carlos for construction of five (5) single family homes.

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 provide City of San Carlos services for five (5) single family homes.

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

- Yes No

5. Estimated acreage: 3.41

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
Police <i>(example)</i>	Co. Sheriff	City Police	N/A	Taxes
Sewer <i>(example)</i>	None	City of San Carlos /Special District	Proponent	Fees
Water	None	California Water Service Co.	Proponent	Fees
Fire	County Fire	Belmont, San Carlos Fire Department	N/A	Taxes
Parks	County	City of San Carlos	-	Taxes
Library	County	City of San Carlos	-	-

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.

Unincorporated San Mateo County on Winding Way near Chesham.

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

Vacant Land with neighboring single family homes.

3. How are adjacent lands used?

North: Single Family Homes

South: Single Family Homes

East: Single Family Homes

West: Single Family Homes

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed? YES, Five (5) new Homes.

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

Low Density Residential

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

R-1 / S-71 (Design Review)

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

Rezoning: Approved by City Council of City of San Carlos,
Environmental Review: Mitigated Negative Declaration, certified
by City Council of San Carlos.

8. What additional approvals will be required to proceed?

LAFCO: Annexation

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?

See C.4. Above

* * * * *

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: BOB DOBEL

ADDRESS: 948 Center Street, San Carlos, CA TELEPHONE: (650) 593-2910

ATTN: _____


Signature of Proponent

PETITION
FOR PROCEEDINGS PURSUANT TO
THE CORTESEKNOX 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 Local Government Reorganization Act of 1985)
2. The specific change(s) of organization proposed (i.e., annexation, detachment, reorganization, etc. is/are:
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.
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 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*
2-18-9	BOB DOBEL	<i>Bob Dobel</i> 951 LAKEVIEW WY RWC	049-020-010
2-18-09	Doug Cameron	<i>Doug Cameron</i> 4 LINWOOD Ln., WOODSIDE	049-141-690
2-22-09	GRANT DOBEL	<i>Grant Dobel</i> 321 G STREET RWC 94063	049-141-680
2-22-09	RONALD GROVE	<i>Ronald Grove</i> 941 LAKEVIEW WY RWC	049-141-670
2-23-9	BRET DOBEL	<i>Bret Dobel</i> 951 LAKEVIEW WAY, RWC	049-141-660

**Chronology-Winding Way Pre-zoning & Annexation
Attachment to July 14, 2009 and Sept. 8 staff report**

October, 2002: Applicants apply to City of San Carlos for pre-zoning as required first step in the annexation

March, 2004: Council certifies Mitigated Negative Declaration and mitigation monitoring plan and approves pre-zoning

April, 2004: Devonshire Canyon Open Space Alliance (DCOSA) files suit based on environmental and General Plan concerns

January 2005: Parties (DCOSA, Property Owners, City of San Carlos) execute Settlement Agreement¹.

April, 2005: Per Settlement Agreement, "Draft Focused Environmental Impact Report", prepared

October, 2005: City Planning Commission holds public hearing to receive public comments on Draft Focused EIR.

December, 2006: Per Settlement Agreement, H.T. Harvey & Associates, prepares report on biological impacts on dusky-footed wood-rat and arcuate bush mallow.

July, 2005: City prepared a Draft Focused EIR

October, 2005: City holds Public Meeting

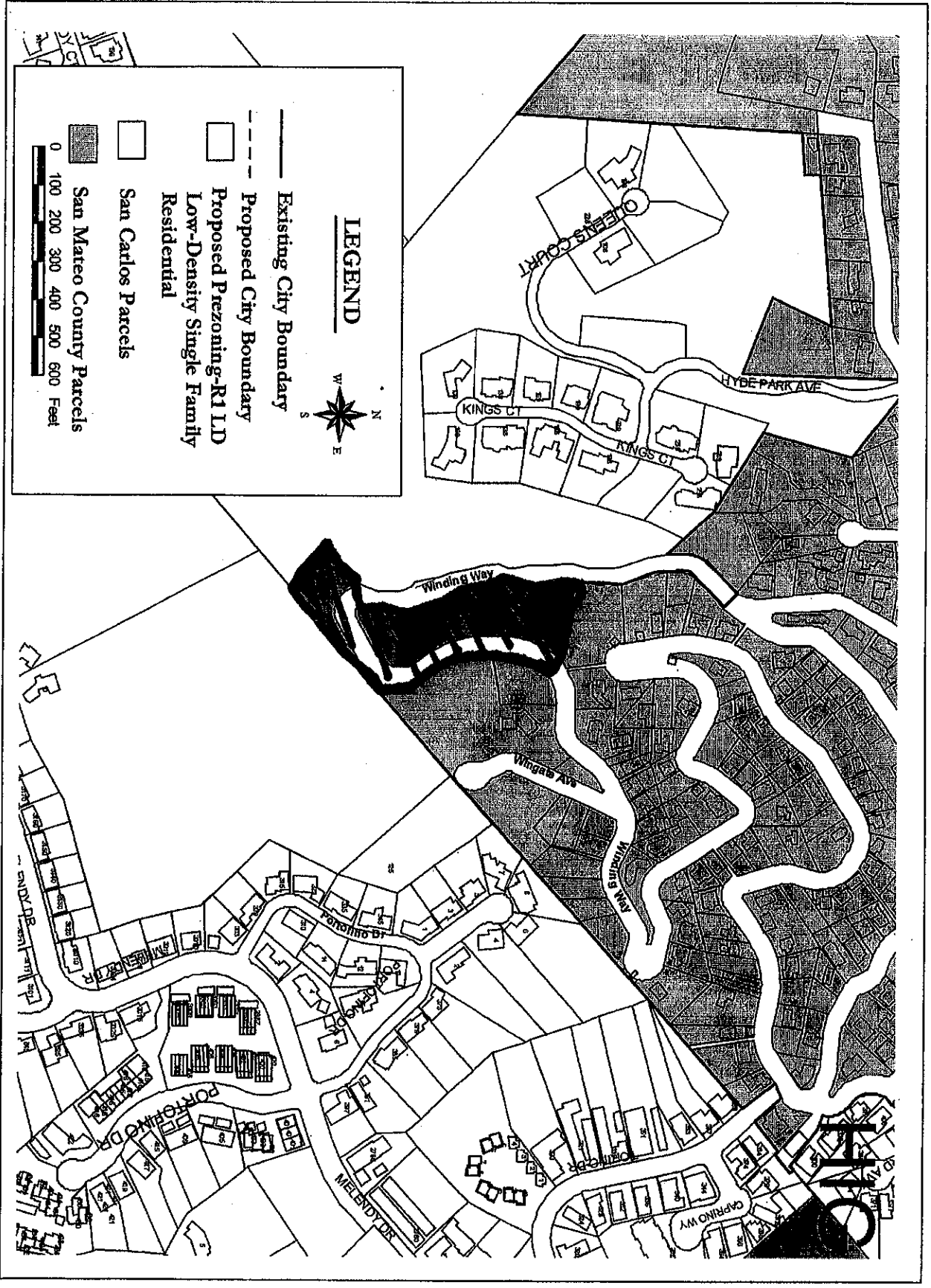
October & November 2008: Final EIR and Errata released

December, 2008: City holds Public and revised and Re-circulated Draft Focused EIR was prepared and received a 45 day review period, (RDFEIR contains an updated and revised analysis of impacts to the Dusky Footed Woodrat)

April, 2009: Final Focused Certified by City Council, Property tax exchange adopted.

¹ Settlement Agreement included: Installation of an access gate to prevent through traffic, Narrowing of Winding Way to approximately 18', crushed gravel pedestrian path, focused Environmental Impact Report to evaluate the Dusky footed Woodrat and Arcuate Bush mallow and other sensitive or endangered species.

WINDING WAY ANNEXATION PROPOSAL MAP



Proposed Road Improvements



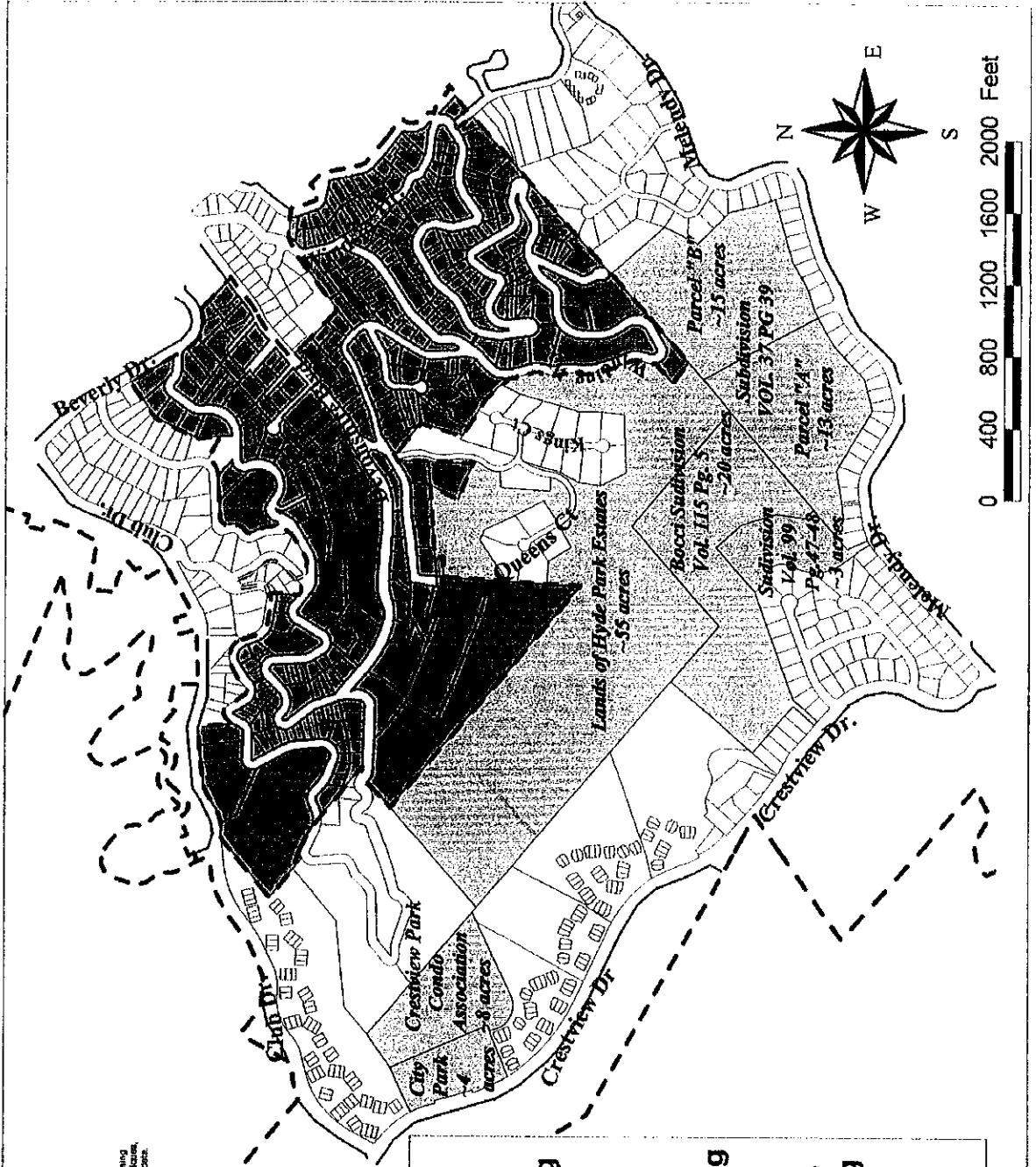


DEVONSHIRE CANYON AREA












Approximately 372 total acres



DISCLAIMER:
While we strive to produce maps with good accuracy and current accompanying data, we do not warrant the accuracy of any information hereon. This is one version and taking photographic, computer, or other technical data, and it does not represent legal boundary survey data.



LEGEND

-  City of San Carlos
-  --Residential Zoning
-  --Approx. 147 acres
-  City of San Carlos
-  --Private/Public
-  Open Space Zoning
-  --Approx. 118 acres
-  County of San Mateo
-  --Residential Zoning
-  --Approx. 107 acres
-  --- City Boundary



DEVONSHIRE CANYON AREA

Undeveloped Properties



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LEGEND

City of San Carlos

--Undeveloped Properties
without potential for
development



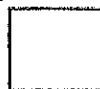
City of San Carlos

--Undeveloped Properties
with potential
for development



County of San Mateo

--Undeveloped Properties
with potential
for development



--- City Boundary

