

SAN MATEO



LOCAL AGENCY FORMATION COMMISSION

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

September 7, 2004

TO: Members, Formation Commission

SUBJECT: LAFCo File No. 04-07-- Proposed Annexation of Old Quarry Road to the City of Brisbane (9.76 acres)

Summary

This proposal requests annexation of approximately 9.76 acres of territory known as "Old Quarry Road" to the City of Brisbane. The proposal area consists of former roadway now used as a trail that is owned by the City of Brisbane. The City has adopted plans for a trail, community garden and park on the property and requests annexation to bring all city-owned land into Brisbane city boundaries. The territory is surrounded by City of Brisbane on three sides and is within the City's sphere of influence. Commission approval is recommended.

Departmental Reports

County Assessor: As publicly owned land, the subject area is not assessed.

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

Public Works: The territory proposed for annexation consists of 9.76 acres. The map and legal description submitted with the proposal do not satisfy the requirements of the State Board of Equalization. The proposal would not necessitate removal from any special districts. Natural boundaries, drainage basins or other topographical features would not affect and would not be affected by this proposal.

Environmental Health: The proposal has no adverse environmental health significance. Approval is recommended.

Planning: San Mateo County General Plan designation is Open Space and zoning is M-2-Heavy Industrial. County General Plan Policy 7.24 encourages cities to annex urban unincorporated areas within their spheres of influence.

Report and Recommendation:

The City of Brisbane requests, by City Council resolution, annexation of 9.76 acres of City owned land. As stated above, the annexation area consists of former roadway now used as a trail that is owned by the City of Brisbane. The City has adopted plans for a trail, community garden and park on the property and requests annexation to bring all city-owned land into Brisbane city boundaries. The City of Brisbane has pre-zoned the land O-S Open Space. The territory is located adjacent to City boundaries

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and east of San Bruno Mountain and in the sphere of influence of the City of Brisbane.

The proposal is categorically exempt from the environmental review requirements of the California Environmental Quality Act because it involves annexation of a city facility and includes minor alteration of land including new gardening or landscaping (Sections 15304 and 15319 of State CEQA Guidelines).

As publicly owned land, the territory is not assessed and does not generate property tax revenue and the City and the County have therefore adopted resolutions of zero property tax exchange as required by Revenue and Tax Code 99.

The proposed annexation is uninhabited and has consent of the City of Brisbane. The Commission may therefore waive protest proceedings pursuant to Section 56663[c] of the Cortese Knox Hertzberg Act.

Recommendation:

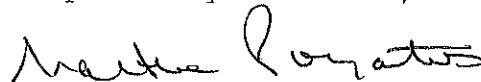
This annexation will provide for more logical boundaries and place city-owned land in the City of Brisbane's jurisdiction. Annexation will facilitate completion of a proposed public garden and park. Staff therefore respectfully recommends that the Commission certify that the proposal is exempt from the environmental review requirements of the California Environmental Quality Act under CEQA Guideline Sections 15319 and 15304 and approve the proposed annexation by taking the actions listed below.

Recommended Commission Action, by Resolution:

Approve LAFCo File No.04-07--Proposed Annexation of Old Quarry Road to the City of Brisbane and waive protest hearings pursuant to Section 56663 [c] with the following condition:

- a) Submittal of a map and legal description that meets the requirements of the State Board of Equalization.

Respectfully submitted,



Martha Poyatos
Executive Officer

**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 Brisbane of undeveloped land that is currently within the jurisdictional boundaries of the County of San Mateo. The subject property was acquired by the City of Brisbane from the State of California.

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):

<u> </u>	Landowners or registered voters, by petition
<u> X </u>	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 bring City-owned land into the jurisdictional boundaries of Brisbane and facilitate it's intended use for a public pedestrian trail, community garden, public park, and open space purposes.

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

Yes. All of the property subject to annexation is owned by the City of Brisbane.

5. Estimated acreage: **9.757 Acres, more or less.**

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.

The annexation would not change any existing service areas or responsibilities. At the present time, no utility services are being provided to this property.

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>Water (for garden area only)</i>	<i>None</i>	<i>City of Brisbane</i>	<i>General Fund</i>	<i>General Fund</i>

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 property as designated on the area map attached hereto as Exhibit "A" and more particularly described on the drawing attached hereto as Exhibit "B"

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

Former roadway, now used as a pedestrian trail. Otherwise, the property is undeveloped.

3. How are adjacent lands used?

North: **Crocker Industrial Park**

South: **Single family residential and Lipman Intermediate School**

East: **Commercial and single-family residential**

West: **County park / open space**

4. Will the proposed change of organization result in additional development? If so, how is the subject territory to be developed?

The City intends to use a small area at the eastern side of the property for a community garden and park. The existing roadway will be used as a pedestrian trail.

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

Brisbane General Plan designation is open space

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

County zoning designation unknown. The City of Brisbane has rezoned the property as "OS" open space. A copy of Ordinance No. 488, adopted on June 21, 2004, is submitted with this Application.

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

None. The proposed community garden is categorically exempt under CEQA (Guidelines, Section 15304)

8. What additional approvals will be required to proceed?

None. The property will not be developed except for recreational uses consistent with open space.

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: CITY OF BRISBANE

ADDRESS: 50 Park Place
Brisbane, CA 94005

TELEPHONE: (415) 508--2114

ATTN: Clay Holstine
City Manager

Signature 
Michael Barnes, Mayor

D. AFFECTED PUBLIC AGENCIES

Please complete this section if this application is submitted by resolution of one or more affected public agencies. Certified copies of resolutions listed below must accompany this application.

1. The names and resolutions of agencies applying for the change of organization or reorganization described above are as follows:

AFFECTED AGENCY	RESOLUTION NO.	DATE ADOPTED
CITY OF BRISBANE	2004-35	June 21, 2004

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

Yes. The entire property is owned by the City of Brisbane.

E. PLAN FOR PROVIDING SERVICES

1. Enumerate and describe the services to be extended to the affected territory.

The City will provide water service to the proposed community garden for irrigation.

2. Describe the level and range of those services.

One or more garden hose outlets.

3. Indicate when those services can feasibly be extended to the affected territory.

The water service would be installed at part of the other work to establish the community garden.

4. Indicate any improvements or upgrading of structures, roads, sewer or water facilities, or other conditions to be imposed or required within the affected territory.

Water service only will be provided to the site. Existing access to remain unchanged.

5. Describe financial arrangements for construction and operation of services extended to the affected territory. (Attach proposed operations budget if available) Will the territory be subject to any special taxes, charges or fees? (If so, please specify.)

Improvements for the community garden will be financed from the City's General Fund.

6. In as much detail as required to give a clear explanation, explain why this proposal is necessary at this time.

The subject property is owned by the City of Brisbane and is surrounded by the City. Annexation is necessary to allow the City to deal with its own property and to eliminate an irregularity in the City's jurisdictional boundaries resulting from the prior ownership of this property by the State of California.

This section completed by **Harold S. Toppel** **City Attorney**
(Name) (Title)

Applica_blk.doc
(10/6/2000)

RESOLUTION NO. 2004-35

**A RESOLUTION OF APPLICATION BY THE CITY OF BRISBANE,
COUNTY OF SAN MATEO, REQUESTING THE LOCAL AGENCY
FORMATION COMMISSION TO TAKE PROCEEDINGS FOR THE
ANNEXATION OF CITY-OWNED LANDS TO THE CITY OF BRISBANE**

RESOLVED, by the City Council of the City of Brisbane, of the County of San Mateo, State of California, that:

WHEREAS, the City of Brisbane desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the Proposed Annexation of City-owned lands to the City of Brisbane; and

WHEREAS, notice of intent to adopt this Resolution of application has not been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be annexed is uninhabited, and is shown on the map attached hereto as Exhibit "A" and more particularly described in Exhibit "B" attached hereto and by this reference incorporated herein; and

WHEREAS, the proposal is consistent with the sphere of influence of the City of Brisbane; and

WHEREAS, the reason for the proposed annexation is to bring the City-owned land into the jurisdictional boundaries of the City of Brisbane and facilitate it's intended use for a public pedestrian trail, community garden, public park and open space; and

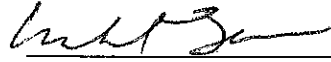
WHEREAS, this Council certifies that this proposal is exempt from the provisions of the California Environmental Quality Act under Sections 15304 and 15319 of the State CEQA Guidelines; and

WHEREAS, a proposed Application For a Change Of Organization Or Reorganization To The San Mateo Local Agency Formation Commission ("the LAFCO Application") has been presented to the City Council for review and approval,

NOW, THEREFORE, this Resolution of Application is hereby adopted and approved by the City Council of the City of Brisbane, County of San Mateo, and the Local Agency Formation Commission of San Mateo County is hereby requested to take proceedings for the annexation of the Lands of the City described in Exhibit A, in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

RESOLVED, FUTHER, that the Application is hereby approved and the Mayor of the City of Brisbane is authorized and directed to execute the Application on behalf of the City and

submit the same to the Local Agency Formation Commission together with such other documents and application fees as may be required by LAFCO.



Michael Barnes, Mayor

I hereby certify that the foregoing Resolution No. 2004-35 was duly and regularly adopted at the regular meeting of the Brisbane City Council on June 21, 2004, by the following vote:

AYES: Councilmembers Bologoff, Johnson, Panza, Richardson, and Mayor Barnes

NOES: None

ABSTAIN: None

ABSENT: None



Sheri Marie Schroeder, City Clerk

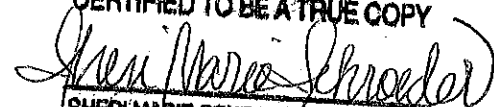
CERTIFIED TO BE A TRUE COPY

SHERI MARIE SCHROEDER
CITY CLERK

EXHIBIT "A"

1220

CANDLESTICK
PARK

C 1

T. 3 S.

SAN MATEO CANAL

BRISBANE

2

Subject Property

GUADALUPE CANAL

11

T. 3 S. R. 3

M. D. B. & M

SIERRA

HILLSIDE

OYSTER

SOUTH

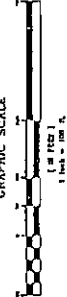
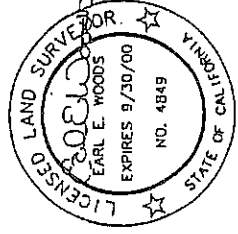
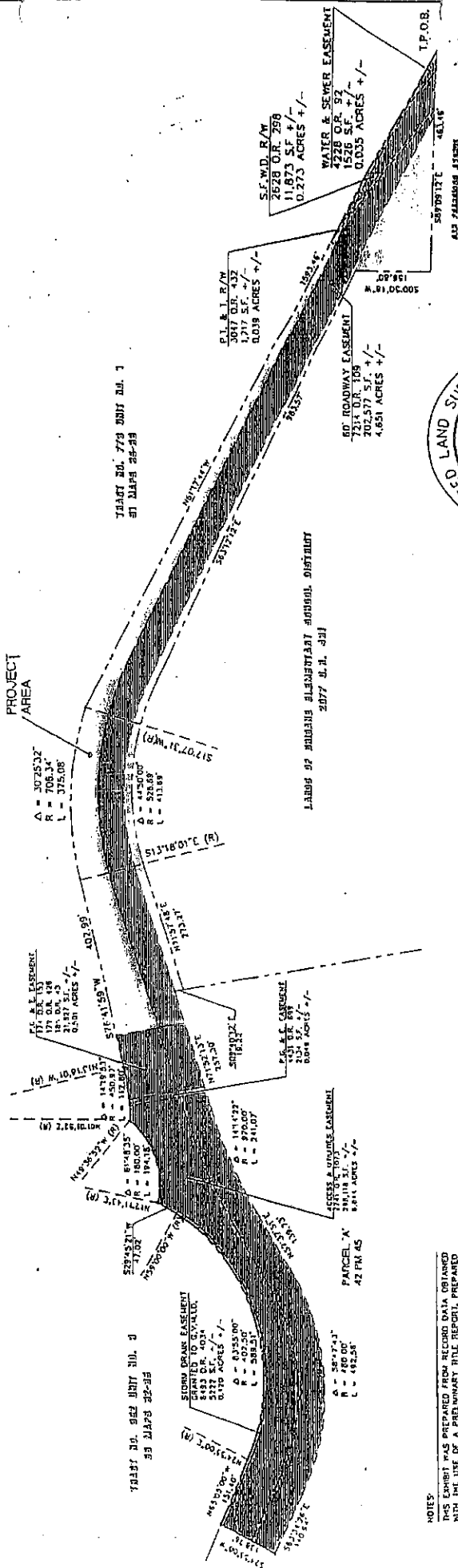
SAN FRANCISCO

Sphere of
influence

23

451

EXHIBIT "B"



NOTES:

THIS EXHIBIT WAS PREPARED FROM RECORD DATA OBTAINED FROM THE SAN MATEO COUNTY PUBLIC RECORDS DEPARTMENT BY FIRST AMERICAN TITLE COMPANY, DATED SEPTEMBER 7, 1993, SUPPLIED BY THE CITY OF BRISBANE.

THE PROJECT AREA IS THAT AREA WITHIN THE BOLD BOUNDARY.

THE AREA HATCHED WITH DOTS IS THE PROJECT AREA WHICH IS ENCUMBERED BY EASEMENTS LISTED WITHIN THE ABOVE MENTIONED TITLE REPORT.

THE PROJECT AREA CONTAINS 425,018 SQ. FT. (9.757 ACRES +/-). 300,389 SQ. FT. (6.908 ACRES +/-) OF THE PROJECT AREA (713) IS ENCUMBERED BY THE ABOVE DETAILED EASEMENTS.

DATE	BY	REVISION

SURVEYOR EARL E. WOODS LICENSED P.E. SCALE AS SHOWN DATE: 11/10/00	WRS REV FT AS SHOWN 11/10/00
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PREPARED BY E. E. WOODS LAND SURVEYORS, INC. 1155 BROADWAY BLVD., SUITE 214 OXFORD CITY, TN 37350 TEL: 615-336-1111 FAX: 615-336-1112	STATE OF CALIFORNIA SAN MATEO COUNTY VOL. 45 MAPS AT PAGES 45-46, SAN MATEO COUNTY RECORDS Map of PORTION OF PARCEL 'A' No. 4849 EXPIRES 9/30/00 LICENSED LAND SURVEYOR EARL E. WOODS	SHEET 1 OF 1
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