



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

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www.napa.lafco.ca.gov

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 7a (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer

**MEETING DATE:** June 3, 2019

**SUBJECT:** Ratification of an Outside Sewer Service Agreement Involving the Napa Sanitation District and 1027 McCormick Lane, Proposed McCormick Lane No. 4 Annexation to the Napa Sanitation District, and Associated CEQA Findings

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**RECOMMENDATION**

It is recommended the Commission take the following actions:

- 1) Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Ratification of an Outside Sewer Service Agreement Approval Involving the Napa Sanitation District and 1027 McCormick Lane making California Environmental Quality Act (CEQA) findings (Attachment One); and
- 2) Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – McCormick Lane No. 4 Annexation to the Napa Sanitation District making CEQA findings and approving the proposed annexation with standard conditions (Attachment Two).

**BACKGROUND AND SUMMARY**

Area: 0.5 acres  
APN: 050-292-002 (one parcel)  
Location: 1027 McCormick Lane  
Jurisdiction: City of Napa (incorporated)  
Sphere of Influence (SOI) Consistency:  
Yes – Napa Sanitation District (NSD)

Proposed Actions: (1) Ratification of approved outside service agreement and (2) approve annexation to NSD  
Policy Consistency: Yes  
Landowner Consent: 100%  
CEQA: Exempt

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Kenneth Leary, Vice Chair  
Councilmember, City of American Canyon

Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner  
Councilmember, City of Napa

Brad Wagenknecht, Commissioner  
County of Napa Supervisor, 1st District

Diane Dillon, Commissioner  
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Gregory Rodeno, Chair  
Representative of the General Public

Vacant, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer

The affected territory includes one single-family residence that relies on a private, onsite sewage disposal system. The County of Napa's Environmental Health Division confirmed the sewage disposal system has failed based on information provided by a licensed sewage contractor. The failure of an onsite sewage disposal system represents a threat to public health and County Environmental Health recommended the residence be connected to NSD's public sewer system as soon as possible.

Pursuant to California Government Code (G.C.) Section 56133(b), the Commission may authorize a city or special district to provide new or extended services outside its jurisdictional boundary, but within its SOI, in anticipation of a later change of organization (e.g., annexation). The Commission's adopted *Policy on Outside Service Agreements* ("the Policy") is included as Attachment Three and identifies the process for the Commission to respond to requests pursuant to G.C. Section 56133(b).

On March 27, 2019, the Executive Officer received a written request from NSD to provide public sewer service to the affected territory, included as Attachment Four.

On April 4, 2019, the Executive Officer and then-Chair Mohler reviewed NSD's request and agreed to provide conditional approval. The condition of approval requires the landowner to submit a complete application proposing annexation of the affected territory to NSD. The conditional approval letter – with then-Chair Mohler's signature – is included as Attachment Five. However, the Policy delegates approval authority to the Executive Officer, and not the Chair. With this in mind, on April 29, 2019, the Executive Officer issued a revised approval letter for the outside service agreement to ensure consistency with the Policy. The revised approval letter is included as Attachment Six.

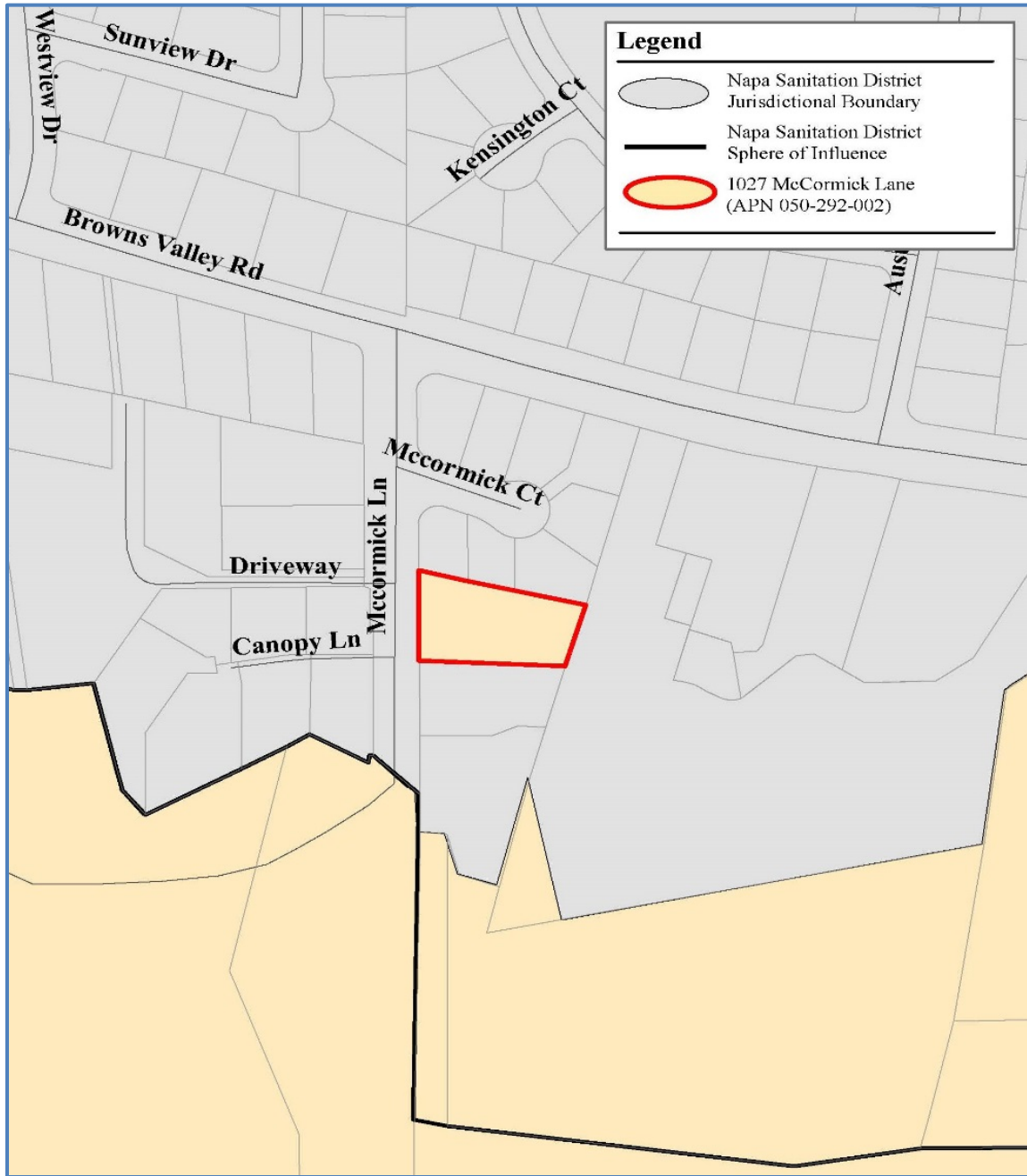
On April 5, 2019, the landowner submitted an application to annex the affected territory to NSD, which satisfied the aforementioned condition. The submitted application materials are included as Attachment Seven.

As part of this item, it is recommended the Commission take two specific actions: (1) adopt a resolution ratifying the Executive Officer's approval,<sup>1</sup> and (2) adopt a resolution approving the proposed annexation.

A map showing the affected territory, NSD's jurisdictional boundary, and NSD's SOI is provided on the following page. An aerial map is included as Attachment Eight.

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<sup>1</sup> The Policy states: "In the case of a request involving an existing or impending public health or safety emergency, the Executive Officer will consult with the Chair regarding the request. If the Chair agrees that the request should be granted, then the Executive Officer may approve the request. ***The Commission shall ratify the approval at the next scheduled meeting.*** If the Chair does not agree, then the request will be presented at the Commission's next meeting." (Emphasis added by staff)



## ANALYSIS

G.C. Sections 56668 and 56668.3 require the Commission to consider 18 specific factors for a change of organization involving annexation to a special district. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices. An evaluation of these 18 factors follows.

***(1) 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 areas, during the next 10 years.***

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The affected territory is within the City of Napa's jurisdictional boundary and lies within a residential area designated under the City of Napa General Plan as *Browns Valley*. The affected territory is currently developed with one single-family residence and legally uninhabited given there are fewer than 12 registered voters.<sup>2</sup> The assessed value of the affected territory totals \$557,359.<sup>3</sup>

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin. Soils within the affected territory are classified as Cole silt loam with zero to two percent slopes.

The affected territory cannot be further divided based on its existing zoning. Adjacent lands surrounding the affected territory on all sides are within the City's jurisdictional boundary as well as NSD's jurisdictional boundary. Adjacent lands to the north, west, and south are developed with residential land uses consistent with the City's General Plan. Adjacent lands to the immediate east comprise a commercial parking lot consistent with the City's General Plan. Therefore, there is no possibility of significant growth in the affected territory or adjacent lands during the next 10 years.

***(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.***

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The present need for municipal services within the affected territory is limited to public sewer. Core municipal services already provided by the City or available to the affected territory include water, fire, emergency medical, law enforcement, roads, and garbage collection; all at levels deemed adequate given current and planned uses.

Proposal approval would result in new sewer flows totaling approximately 210 gallons per day based on NSD's residential design standard. NSD has established sufficient capacities and controls to reasonably accommodate projected sewer service demands throughout its SOI, including the affected territory. This statement is predicated on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.<sup>4</sup> No service deficiencies for the area were identified in the Municipal Service Review.

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<sup>2</sup> The application materials identify four residents and two registered voters within the affected territory.

<sup>3</sup> The assessed value of the affected territory is divided between land at \$253,344 and structural improvements at \$304,015.

<sup>4</sup> The *Central County Municipal Service Review* is available online at:  
[http://www.napa.lafco.ca.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf)

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

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The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would eventually require public sewer from NSD as the region's sole service provider.

***(4) The conformity of 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 G.C. Section 56377.***

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The proposal is consistent with the Commission's adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

***(5) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by G.C. Section 56016.***

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The affected territory does not qualify as "agricultural land" under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

***(6) 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.***

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The affected territory includes all of the property identified by the County of Napa Assessor's Office as 050-292-002. The applicant has submitted a map and geographic description of the affected territory conforming to the requirements of the California Board of Equalization.

***(7) Consistency with a regional transportation plan adopted pursuant to G.C. Section 65080.***

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The Metropolitan Transportation Commission's regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.<sup>5</sup> No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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<sup>5</sup> *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

***(8) Consistency with the city or county general and specific plans.***

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Approval of the proposal would allow NSD to provide permanent sewer service to the affected territory. The availability and provision of public sewer service is consistent with the City's General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential land use.

***(9) The sphere of influence of any local agency affected by the proposal.***

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The affected territory is located entirely within NSD's SOI, which was comprehensively updated by the Commission in October 2015.

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

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Staff provided notice of the proposal and recommended modification to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

***(11) 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.***

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Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded NSD has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,624 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge for a single-family unit is currently \$676.38 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

***(12) Timely availability of water supplies adequate for projected needs as specified in G.C. Section 65352.5.***

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The City already provides public water service to the affected territory. Annual water demands total approximately 0.3 to 0.5 acre-feet, or 98,000 to 163,000 gallons. Information collected and analyzed in the Commission's *Central County Region Municipal Service Review* concluded the City has established adequate water capacities and supplies to serve current and future needs within the affected territory.



***(13) 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.***

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Approval of the proposal would be neutral with respect to regional housing needs.<sup>6</sup>

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

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The landowner of the affected territory is the petitioner seeking annexation. No comments were submitted by other owners, voters, or residents.

***(15) Any information relating to existing land use designations.***

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City of Napa General Plan: *Single-Family Residential (SFR-42)*

City of Napa Zoning Ordinance: *Single-Family Residential (RS-40)*

The City General Plan land use designation for the affected territory prescribes a range of residential development from zero to four units per acre. The City's zoning assignment for the affected territory allows for residential uses with minimum lot sizes of 40,000 square feet or 0.9 acres. Based on zoning, the affected territory cannot be further divided. The proposed annexation to NSD is consistent with existing land use designations.

***(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.***

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Proposal approval would promote environmental justice for present and future landowners and residents of the affected territory. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.

***(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.***

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The affected territory is not subject to a local hazard mitigation plan or a safety element of a general plan. The affected territory is not located in a very high fire hazard zone or a state responsibility area.

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<sup>6</sup> A report with information on local regional housing needs allocations is available online at: [http://www.napa.lafco.ca.gov/uploads/documents/6-4-18\\_5d\\_HousingUpdate.pdf](http://www.napa.lafco.ca.gov/uploads/documents/6-4-18_5d_HousingUpdate.pdf)

***(18) For annexations involving special districts, whether the proposed action will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.***

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Proposal approval would benefit present and future landowners and residents within the affected territory by providing permanent access to public sewer service. Public sewer service eliminates the need for septic systems in an area in which any failings could pose a public health and safety threat for immediate and adjacent residents.

### ***Property Tax Agreement***

California Revenue and Taxation Code Section 99(b)(6) requires the adoption of a property tax exchange agreement by the affected local agencies before LAFCO can consider a change of organization. This statute states jurisdictional changes affecting the service areas or service responsibilities of districts must be accompanied by a property tax exchange agreement, which shall be negotiated by the affected county on behalf of the districts. In 1980, the County adopted a resolution on behalf of NSD specifying no adjustment in the allocation of property taxes shall result from annexations involving the District. This resolution has been applied to all subsequent annexations involving NSD. In processing this proposal, staff provided notice to the affected agencies that the Commission would again apply this resolution unless otherwise informed. No affected agency responded with any concerns to the approach outlined by staff.

### ***Protest Proceedings***

The outside sewer service agreement is not subject to protest proceedings. Protest proceedings for the proposed annexation shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.



## **ENVIRONMENTAL REVIEW**

### ***Outside Service Agreement***

The outside sewer service agreement qualifies for an exemption from further review under Public Resources Code Section 21080(b)(4). The statute provides exemptions for “specific actions necessary to prevent or mitigate an emergency.” Further, the outside sewer service agreement qualifies for an exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. Staff believes these exemptions are appropriate given the underlying activity mitigates a public health threat and the installation of new pipeline will not exceed one mile in length.

### ***Annexation***

The annexation qualifies for an exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. Staff believes this exemption is appropriate given the affected territory would connect by way of a lateral connection to an existing sewer main located adjacent to the affected territory along McCormick Lane.

## **ATTACHMENTS**

- 1) Draft Resolution Ratifying Approval of Outside Service Agreement and Making CEQA Findings
- 2) Draft Resolution Approving the Proposed Annexation and Making CEQA Findings
- 3) Policy on Outside Service Agreements
- 4) Application Materials from NSD for Outside Service Agreement
- 5) Chair’s Approval of Outside Service Agreement (dated April 4, 2019)
- 6) Executive Officer’s Approval of Outside Service Agreement (dated April 29, 2019)
- 7) Application Materials from Landowner for Annexation
- 8) Aerial Map of 1027 McCormick Lane

RESOLUTION NO. \_\_\_\_

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MAKING DETERMINATIONS**

**RATIFICATION OF AN OUTSIDE SEWER SERVICE AGREEMENT APPROVAL INVOLVING  
THE NAPA SANITATION DISTRICT AND 1027 MCCORMICK LANE**

**WHEREAS**, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” administers California Government Code Section 56000 et. seq., known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the Commission is responsible for authorizing cities and special districts to enter into outside service agreements in accordance with California Government Code Section 56133; and

**WHEREAS**, the Commission received an application from the Napa Sanitation District, hereinafter referred to as the “proposal”, requesting the approval of an outside sewer service agreement involving incorporated territory located at 1027 McCormick Lane in the City of Napa, identified by the County of Napa Assessor’s Office as 050-292-002; and

**WHEREAS**, Commission policy allows the Executive Officer to approve an outside service agreement to address an emergency public health threat subject to later ratification by the Commission; and

**WHEREAS**, the proposal was initially approved on April 4, 2019, and further approved by the Executive Officer on April 29, 2019, given documentation showing the septic system serving the affected territory has failed, creating a public health threat; and

**WHEREAS**, the Executive Officer prepared and presented a written report to the Commission in the manner provided by law and adopted policy for purposes of considering ratification of the Executive Officer’s approval; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented on the outside service agreement proposal at a public meeting held on June 3, 2019.

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER** as follows:

1. In accordance with the applicable provisions of the California Environmental Quality Act (CEQA), the Commission finds the proposal is statutorily exempt from further review under Public Resources Code Section 21080(b)(4), which exempts “specific actions necessary to prevent or mitigate an emergency.” The proposal also qualifies for an exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new

pipeline as long as the project does not exceed one mile in length. The records upon which these findings are made are located at the Commission's administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.

2. The Commission ratifies the Executive Officer's outside service agreement approval.
3. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on June 3, 2019, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Gregory Rodeno  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Kathy Mabry  
Commission Secretary

**RESOLUTION NO. \_\_\_\_**

**RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MAKING DETERMINATIONS**

**MCCORMICK LANE NO. 4  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed change of organization has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

**WHEREAS**, the proposal seeks Commission approval to annex approximately 0.5 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 1027 McCormick Lane and identified by the County of Napa Assessor’s Office as 050-292-002; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

**WHEREAS**, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 3, 2019; and

**WHEREAS**, the Commission considered all the factors required by law under Government Code Sections 56668 and 56668.3 as well as adopted local policies and procedures; and

**WHEREAS**, the Commission finds the proposal consistent with the sphere of influence established for the Napa Sanitation District; and

**WHEREAS**, the Commission finds that all owners of land included in said proposal consent to the subject annexation; and

**NOW, THEREFORE, THE COMMISSION DOES HEREBY RESOLVE, FIND, DETERMINE, AND ORDER** as follows:

1. The Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.

2. In accordance the applicable provisions of the California Environmental Quality Act (CEQA), the Commission finds the proposal is exempt from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**MCCORMICK LANE NO. 4  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit "A".
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of written confirmation by the Napa Sanitation District that its terms and conditions have been satisfied.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on June 3, 2019, by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Gregory Rodeno  
Commission Chair

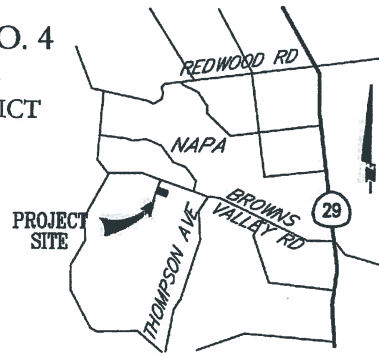
ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Kathy Mabry  
Commission Secretary

DRAFT

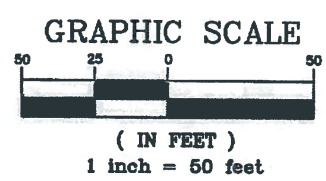
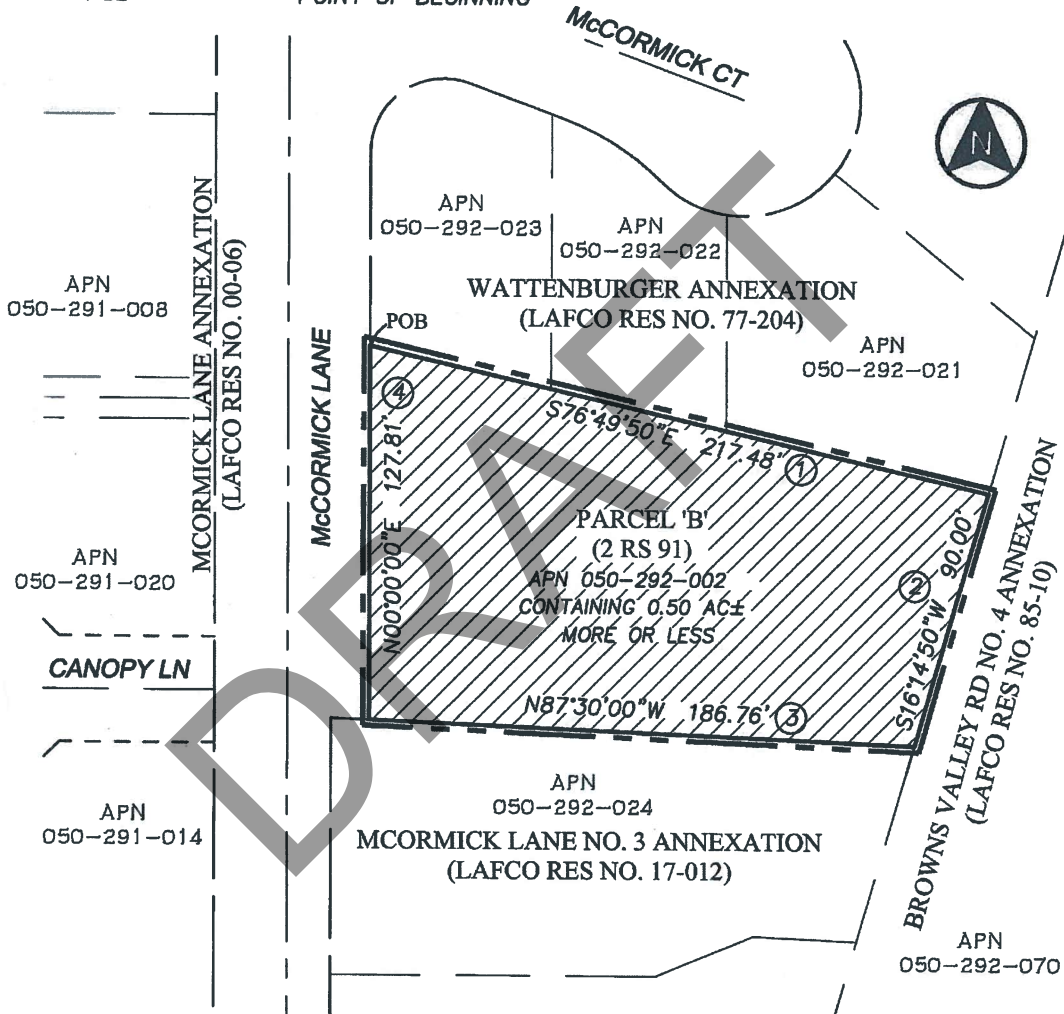
# EXHIBIT "A"

## McCORMICK LANE NO. 4 ANNEXATION TO THE NAPA SANITATION DISTRICT



### LEGEND

- BOUNDARY
- R/W
- ADJACENT PROPERTY LINE
- CENTERLINE
- EXISTING LAFCO BOUNDARY
- POB
- POINT OF BEGINNING



BEING A PORTION OF THE NAPA RANCHO, COUNTY OF NAPA

<p>817 Arnold Drive, Ste. 50 Martinez, CA 94553 Ph: (925) 476-8499 www.apexce.net</p>	<p>EXHIBIT "A"</p> <p>McCORMICK LANE NO. 4 ANNEXATION TO THE NAPA SANITATION DISTRICT</p>	<p>SCALE: 1"=50'</p>	
	<p>CITY OF NAPA</p>	<p>COUNTY OF NAPA</p>	<p>PROJ NO: 19031</p>
			<p>DATE: 5-23-19</p>
			<p>SHEET: 2 OF 2</p>



**EXHIBIT "A"**  
**GEOGRAPHIC DESCRIPTION**

**MCCORMICK LANE NO. 4 ANNEXATION TO THE NAPA SANITATION DISTRICT**

ALL THAT CERTAIN PROPERTY, SITUATED IN THE CITY OF NAPA, COUNTY OF NAPA, STATE OF CALIFORNIA, AND BEING A PORTION OF THE NAPA RANCHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 AS SAID LOT IS SHOWN ON THE MAP OF MILLS SUBDIVISION FILED ON DECEMBER 13, 1999 IN BOOK 21 OF MAPS AT PAGE 82, THENCE ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION AND ALONG THE SOUTHERLY LINE OF THE EXISTING WATTENBURGER LAFCO ANNEXATION BOUNDARY (RES. NO. 77-204)

(1) SOUTH 76°49'50" EAST, 217.48 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE EXISTING BROWNS VALLEY ROAD NO. 4 LAFCO ANNEXATION (RES. NO. 85-10);

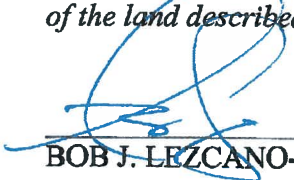
THENCE ALONG SAID WESTERLY BOUNDARY (2) SOUTH 16°14'50" WEST, 90.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF THE EXISTING MCCORMICK LANE NO. 3 LAFCO ANNEXATION (RES. NO. 17-012);

THENCE ALONG SAID NORTHERLY BOUNDARY LINE (3) NORTH 87°30'00" WEST, 186.76 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MCCORMICK LANE AND ALSO THE EASTERLY BOUNDARY LINE OF THE MCCORMICK LANE ANNEXATION (RES. NO. 00-06);

THENCE, ALONG SAID EASTERLY BOUNDARY LINE (4) NORTH 00°00'00" EAST, 127.81 FEET TO THE POINT OF BEGINNING

CONTAINING 0.50 ACRES OF LAND, MORE OR LESS.

*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.*

  
BOB J. LEZCANO-LS8514      DATE





## LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

### *Policy on Outside Service Agreements*

(Adopted: November 3, 2008; Last Amended: February 5, 2018)

#### **I. BACKGROUND**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 includes provisions requiring cities, towns, and special districts to request and receive written approval from the Commission before providing new or extended services by agreements outside their jurisdictional boundaries with limited exemptions pursuant to Government Code (G.C.) Sections 56133, 56133.5, and 56134.

The Commission may authorize a city, town, or special district to provide new or extended service outside its jurisdictional boundary, but within its sphere of influence, in anticipation of a subsequent change of organization, such as an annexation. The Commission may also authorize a city, town, or special district to provide new or extended service outside its jurisdictional boundary *and* sphere of influence (a) to address an existing or impending threat to public health or safety or (b) if the Commission makes the determinations set forth in Section V(A)(4) of this policy at a noticed public hearing.

#### **II. PURPOSE**

The purpose of these policies is to guide the Commission in reviewing city, town, and special district requests to provide new or extended services by agreement outside their jurisdictional boundaries. This includes making policy statements and establishing consistent procedures with respect to the form, review, and consideration of requests.

#### **III. OBJECTIVE**

The objective of the Commission in implementing these policies is to ensure the extension of services by cities, towns, and special districts outside their jurisdictional boundaries is logical and consistent with supporting orderly growth and development in Napa County, and to prevent the circumvention of the LAFCO process by providing services by contract instead of through the annexation of territory. The Commission recognizes the importance of considering local conditions and circumstances in implementing these policies.

From LAFCO's perspective, an Outside Service Agreement can:

- 1) Protect the public from threats to health and safety.
- 2) Impose restrictions that limit development to existing intensities.
- 3) Permit a city or town to plan for future development in an orderly manner through the use of traditional zoning or specific plans.
- 4) Discourage premature development of fringe properties.

#### **IV. DEFINITIONS**

The Commission shall incorporate the following definitions in administering this policy:

- A. “Services” shall mean any municipal service provided by a city, town, or special district unless otherwise exempted under G.C. Section 56133.
- B. “New” shall mean the extension of a service to previously unserved non-jurisdictional land.
- C. “Extended” shall mean the intensification of existing services.
- D. “Outside Service Agreement” shall mean an agreement contemplated by G.C. Sections 56133, 56133.5, or 56134.

#### **V. LOCAL CONSIDERATIONS**

##### **A. Consideration of New or Extended Services Outside a Jurisdictional Boundary and Outside the Sphere of Influence (G.C. Sections 56133(c) or 56133.5)**

When considering any proposed Outside Service Agreement pursuant to G.C. Section 56133(c) or the Pilot Program under G.C. Section 56133.5, the Commission will consider the following, which will be addressed in the Executive Officer’s written report:

- 1) The ability of the applicant to extend the subject service to the affected territory.
- 2) The application’s consistency with the policies and general plans of all affected local agencies.
- 3) The application’s effect on growth and development within and adjacent to the affected territory.
- 4) The documentation presented pursuant to G.C. Section 56133(c)(1), which must provide substantial evidence to support a finding by the Commission of an impending threat to the health or safety of the public or the residents of the affected territory.
- 5) The application’s potential impacts on prime agricultural or open space lands.
- 6) The application’s consistency with the Commission’s adopted municipal service review determinations and recommendations.
- 7) The application’s potential impacts with respect to supporting affordable or farmworker housing.

**B. Consideration of New or Extended Services Outside the Jurisdictional Boundary but within the Sphere of Influence in Anticipation of a Later Change of Organization (G.C. Section 56133(b))**

Annexations to cities, towns, and special districts involving territory located within the affected agency's sphere of influence are preferred to Outside Service Agreements. The Commission recognizes, however, that there may be instances when Outside Service Agreements involving territory within the affected agency's sphere of influence are appropriate given unique local circumstances.

When submitting an application under G.C. Section 56133(b), the city, town, or district must state with specificity the nature and timing of the anticipated later change of organization for the area affected by the potential Outside Service Agreement.

**C. Environmental Review**

The review of a proposed Outside Service Agreement will be subject to the review procedures defined in the California Environmental Quality Act (CEQA) and the Napa LAFCO CEQA Guidelines. Napa LAFCO will act as the Lead Agency under CEQA for its environmental review of any Outside Service Agreement request.

If an environmental assessment/analysis was prepared for the project associated with the service extension request (i.e. the County or agency's environmental analysis for a project) and LAFCO was afforded the opportunity to evaluate and comment during the Lead Agency's environmental review process, then LAFCO can act as a Responsible Agency under CEQA for its environmental review of an Outside Service Agreement.

A complete set of the adopted environmental documents prepared for the project, a copy of the filed Notice of Determination/Notice of Exemption, and a copy of the Department of Fish and Wildlife fee receipt must be submitted as part of the application. Completion of the CEQA review process will be required prior to action by the Executive Officer or the Commission.

**VI. FORM OF REQUEST**

The Commission encourages cities, towns, and special districts to coordinate with the Executive Officer prior to filing a request under G.C. Sections 56133 or 56134 in order to determine if the Pilot Program under G.C. Section 56133.5 or the exemptions under G.C. Section 56133(e) may apply.

Requests to authorize an Outside Service Agreement shall be filed with the Executive Officer by the affected city, town, or special district. Requests shall be made by resolution of application with a cover letter accompanying a completed application using the form provided in Attachment A. Requests shall identify any assurances that the Outside Service Agreement would not induce growth or result in the premature conversion of agricultural or open space lands to an urban use.

Requests shall include a check in the amount prescribed under the Commission's adopted fee schedule along with a copy of the proposed Outside Service Agreement. The application shall be signed by an authorized representative of the city, town, or special district.

## **VII. REVIEW OF REQUEST**

The Executive Officer shall review and determine within 30 days of receipt whether the request to authorize an Outside Service Agreement is complete. If a request is deemed incomplete, the Executive Officer shall immediately notify the applicant and identify the information needed to accept the request for filing.

## **VIII. CONSIDERATION OF REQUEST**

Once a request is deemed complete, the Executive Officer will prepare a written report with a recommendation.

In the case of a request involving an existing or impending public health or safety emergency, the Executive Officer will consult with the Chair regarding the request. If the Chair agrees that the request should be granted, then the Executive Officer may approve the request. The Commission shall ratify the approval at the next scheduled meeting. If the Chair does not agree, then the request will be presented at the Commission's next meeting.

For requests not involving an existing or impending public health or safety threat, the Executive Officer will present his or her report and recommendation at a public hearing for Commission consideration. The public hearing will be scheduled for the next meeting of the Commission for which adequate notice can be given but no later than 90 days from the date the request is deemed complete.

The Commission may approve, approve with conditions, or deny the request for an Outside Service Agreement. The Commission's determination and any required findings will be set out in a resolution that specifies the property or area to be served, the services to be provided, and the authority of the agency to provide its services outside its boundaries.

If the request is approved, the Commission's approval shall expire within one year from approval unless a contract has been executed and the construction of any needed infrastructure improvements has commenced. A one-time extension may be requested by the applicant for a period of time that is necessary to complete the Commission's conditions. Time extension requests shall include a check in the amount prescribed under the Commission's adopted fee schedule.



March 27, 2019

Mr. Brendon Freeman  
Executive Officer  
Local Agency Formation Commission of Napa County  
1700 Second Street, Suite 268  
Napa, CA 94559

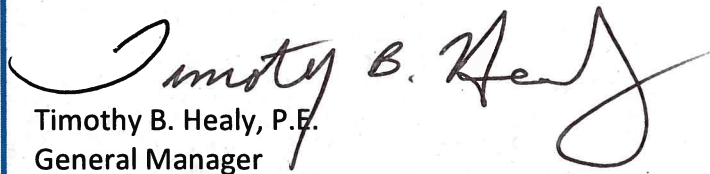
SUBJECT: Outside Service Agreement Application  
1027 McCormick Lane (APN 050-292-002)

Dear Mr. Freeman:

The Napa Sanitation District (NapaSan) requests conditional approval from the Local Agency Formation Commission (LAFCO) of Napa County to enter into an outside service agreement with the landowner at 1027 McCormick Lane (APN050-292-002) in the City of Napa pursuant to Government Code Section 56133. The affected territory currently consists of a single-family residence. The purpose of the outside service agreement is to expedite the connection to NapaSan's public sewer line given the single-family residence's septic system has failed as documented by the County of Napa Environmental Management Department. NapaSan requests LAFCO condition approval of the outside service agreement on the subject landowner first submitting an application to annex the affected territory into NapaSan.

If you have further questions, please contact me.

Sincerely,



Timothy B. Healy, P.E.  
General Manager

Attachments: Outside Service Agreement Application

NapaSan  
1515 Soscol Ferry Road  
Napa, CA 94558

Office (707) 258-6000  
Fax (707) 258-6048

[www.napaslan.com](http://www.napaslan.com)



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY**

**APPLICATION  
OUTSIDE SERVICE AGREEMENT**

**A. Applicant Information**

- 1) Agency Name: NapaSan
- 2) Contact Person and Title: Karl Ono, P.E., Associate Engineer
- 3) Contact Information: (707) 258-6013 Telephone kono@napasan.com E-Mail
- 4) Mailing Address: 1515 Soscol Ferry Road, Napa, CA 94558 Address City, State, Zip Code

**B. Type of Outside Service Agreement**

- 1) New  Extended
- 2) Water  Sewer  Other: \_\_\_\_\_

**C. Location of Territory to be Served**  
(attach additional sheets if necessary)

- 1) Assessor Parcel Number: 050-292-002 (1027 McCormick Ln.)  
Size: 0.49 ac Current Use: Residential Dwelling
- 2) Assessor Parcel Number: \_\_\_\_\_  
Size: \_\_\_\_\_ Current Use: \_\_\_\_\_
- 3) Assessor Parcel Number: \_\_\_\_\_  
Size: \_\_\_\_\_ Current Use: \_\_\_\_\_



**D. Service Information**

- 1) Describe how the agency would provide the proposed new or extended service to the subject territory. Please identify any necessary infrastructure or facility improvements and associated funding requirements necessary to provide service to the subject territory.

There is an existing 6-inch sanitary sewer main extending along McCormick Lane. A new public (street) lateral and cleanout will need to be constructed to connect the parcel to the main.

- 2) If the proposed new or extended service involves water or sewer, identify the anticipated demand in terms of use (i.e., gallons) associated with serving the subject territory.

The existing single family dwelling would generate approximately 210 gallons per day of domestic wastewater.

- 3) Does the agency have sufficient capacities to provide the proposed new or extended service to the subject territory without adversely effecting existing service levels?

Yes.

- 4) What services, if any, are currently provided to the subject territory?

None by NapaSan.

**E. Additional Information**

- 1) Identify the subject territory's land use designation and zoning standard along with the minimum parcel density requirements.

General Plan: SFR-42

Zoning: RS-7

- 2) Are there any proposed or approved, but not yet built, development projects involving the subject territory?

Yes  No

If yes, describe the proposed projects or the approved permits/land use entitlements.

None known at this time.

- 3) The Commission's action regarding this request by the agency to provide new or extended services outside its jurisdictional boundary is subject to the requirements of the California Environmental Quality Act (CEQA). Has the agency conducted any CEQA reviews for any projects associated with this application?

Yes  No

If yes, please provide copies of the environmental documentation, including the Notice of Exemption or Notice of Determination as well as proof of payment of applicable California Department of Fish & Game fees.

- 4) Is the subject territory located within the agency's sphere of influence?

Yes  No

If no, please identify whether there is an existing or impending threat to public health and safety or to the residents in support of the application.

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**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

Attachment Five

1030 Seminary Street, Suite B  
Napa, California 94559  
Phone: (707) 259-8645  
Fax: (707) 251-1053  
www.napa.lafco.ca.gov

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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April 4, 2019

Mr. Tim Healy, General Manager  
Napa Sanitation District  
1515 Soscol Ferry Road  
Napa, California 94558

**SUBJECT: Emergency Approval of an Outside Sewer Service Extension Involving  
1027 McCormick Lane (APN 050-292-002)**

Mr. Healy:

The Local Agency Formation Commission (LAFCO) of Napa County is in receipt of Napa Sanitation District's (NSD) request to approve an emergency outside sewer service extension between NSD and the landowner of 1027 McCormick Lane (APN 050-292-002); an approximate 0.5-acre incorporated property located in the City of Napa and within NSD's sphere of influence. As noted in the attached application materials, the subject territory includes a single-family residence currently dependent on a private, onsite septic system for wastewater treatment and disposal. The County of Napa's Environmental Health Division determined the septic system has failed (confirmation attached). Failure of a septic system poses a threat to public health and safety. County Environmental Health recommends connection to NSD as soon as possible.

Consistent with adopted policies, the LAFCO Executive Officer has reviewed the request relative to the following factors and attests to the succeeding statements:

- **The ability of the applicant to extend the subject service to the affected land.**

NSD's application materials provide reasonable assurances it has sufficient capacities and controls to effectively extend public sewer service to 1027 McCormick Lane without adversely impacting current customers.

- **The application's consistency with the policies and general plans of all affected local agencies.**

The extension of public sewer service to 1027 McCormick Lane is consistent with NSD's sphere of influence and the residential land use assignments applied to 1027 McCormick Lane by the City of Napa.

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Margie Mohler, Chair  
Councilmember, Town of Yountville

Brad Wagenknecht, Vice Chair  
County of Napa Supervisor, 1st District

Gregory Rodeno, Commissioner  
Representative of the General Public

Scott Sedgley, Commissioner  
Councilmember, City of Napa

Diane Dillon, Commissioner  
County of Napa Supervisor, 3rd District

Erik Lawrence, Alternate Commissioner  
Representative of the General Public

Kenneth Leary, Alternate Commissioner  
Councilmember, City of American Canyon

Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brendon Freeman  
Executive Officer

April 4, 2019

Page 2 of 2

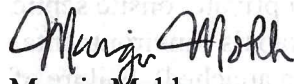
- **The application's effect on growth and development within and adjacent to the affected territory.**

1027 McCormick Lane is located on one incorporated parcel currently developed with a four-bedroom, two-bathroom, single-family residence. Connection to NSD could facilitate a parcel split resulting in the creation of one additional residential lot. Adjacent territory to the north, west, and south is developed with single-family residences. Adjacent territory to the east is developed with a parking lot and commercial uses. All adjacent territory is already connected to NSD and therefore approval would have no effect on growth and development for adjacent areas. Approval of the outside service agreement should be conditioned to require the landowner to submit a complete application to annex the property to NSD.

Upon consideration of the preceding factors, and as authorized under LAFCO policies, I hereby conditionally authorize NSD to enter into an outside service agreement with the landowner of 1027 McCormick Lane for purposes of abating the referenced threat to public health and safety. This approval is conditioned upon the receipt of a complete application from the landowner to annex 1027 McCormick Lane to NSD.

LAFCO Executive Officer Brendon Freeman will contact you once all referenced conditions have been satisfied. In the interim, if you have any questions, please contact Mr. Freeman at (707) 259-8645 or by e-mail at [bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov).

Sincerely,



Margie Mohler  
Commission Chair

Attachments: as stated

cc: LAFCO Commissioners  
Andrew Damron, Napa Sanitation District  
Karl Ono, Napa Sanitation District  
Erin Morris, City of Napa  
Tyler Cokeley, Landowner





A Tradition of Stewardship  
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210  
Napa, CA 94559  
[www.countyofnapa.org](http://www.countyofnapa.org)

David Morrison  
Director

March 28, 2019

Andrew Damron  
Napa Sanitation District  
1599 Soscol Ferry Road  
Napa, CA 94558

**Subject: Failing Septic System at 1027 McCormick Ln. APN 050-292-002**

Dear Andrew,

This office has received information from a licensed sewage contractor that the sewage disposal system located at the subject parcel has failed. It is our understanding that the property owner is initiating the process to connect to the Napa Sanitation District. As the failure of an onsite sewage disposal system creates a threat to public health, we would recommend that this parcel be connected to the Napa Sanitation District as soon as possible.

If you have any questions or concerns, I can be reached at (707) 253-4471 or by email at [cindy.worthington@countyofnapa.org](mailto:cindy.worthington@countyofnapa.org).

Regards,

A handwritten signature in cursive script that reads "Cindy Worthington".

Cindy Worthington  
Environmental Health Permit Technician

CC: Tyler Cokeley



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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April 29, 2019

Mr. Tim Healy, General Manager  
Napa Sanitation District  
1515 Soscol Ferry Road  
Napa, California 94558

**SUBJECT: Revised Emergency Approval of New Outside Sewer Service Involving the Napa Sanitation District and 1027 McCormick Lane (APN 050-292-002)**

Mr. Healy:

The Local Agency Formation Commission (LAFCO) of Napa County received the Napa Sanitation District's (NSD) request to approve an emergency outside sewer service agreement between NSD and the landowner of 1027 McCormick Lane (APN 050-292-002); an approximate 0.5-acre incorporated property located in the City of Napa and within NSD's sphere of influence.

As noted in the attached application materials, the subject territory includes a single-family residence currently dependent on a private, onsite septic system for wastewater treatment and disposal. The County of Napa's Environmental Health Division determined the septic system has failed (confirmation attached). Failure of a septic system poses a threat to public health and safety. County Environmental Health recommends connection to NSD as soon as possible.

On April 4, 2019, LAFCO conditionally authorized NSD to enter into an outside service agreement with the landowner of 1027 McCormick Lane in response to the referenced threat to public health and safety. The condition of authorization – submittal of a complete application for annexation of the affected territory to NSD – has since been satisfied. However, LAFCO's conditional authorization letter dated April 4, 2019, was erroneously signed by LAFCO's Chair. Pursuant to LAFCO's *Policy on Outside Service Agreements*, LAFCO's authorization must be provided by the Executive Officer in consultation with the Chair. With this in mind, I hereby authorize NSD to enter into an outside service agreement with the landowner of 1027 McCormick Lane in response to the referenced threat to public health and safety.

Margie Mohler, Chair  
Councilmember, Town of Yountville

Scott Sedgley, Commissioner  
Councilmember, City of Napa

Kenneth Leary, Alternate Commissioner  
Councilmember, City of American Canyon

Brad Wagenknecht, Vice Chair  
County of Napa Supervisor, 1st District

Diane Dillon, Commissioner  
County of Napa Supervisor, 3rd District

Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner  
Representative of the General Public

Erik Lawrence, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

*Emergency Approval of New Outside Sewer Service Involving NSD and 1027 McCormick Lane*

*April 29, 2019*

*Page 2 of 2*

If you have any questions, please do not hesitate to contact me at (707) 259-8645 or by e-mail at [bfreeman@napa.lafco.ca.gov](mailto:bfreeman@napa.lafco.ca.gov).

Sincerely,

  
Brendon Freeman  
Executive Officer

Attachments: as stated

cc: LAFCO Commissioners  
Andrew Damron, Napa Sanitation District  
Karl Ono, Napa Sanitation District  
Erin Morris, City of Napa  
Tyler Cokeley, Landowner



FORM B

Date Filed: 4/4/19  
Received By: BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

ANNEXATION TO NAPA SANITATION. TO CONNECT SINGLE FAMILY RESIDENCE AND POTENTIALLY CONSTRUCT A FUTURE ADU.

Description of Boundaries of Affected Territory Accompanied by Map:

SEE MAP AND DESCRIPTION PREPARED BY APEX CIVIL ENGINEERING & LAND SURVEYING.

Reason for Proposal and Any Proposed Conditions:

TO CONNECT TO NAPA SANITATION.

Type of Petition:

Landowner


Registered Voter

Sphere of Influence Consistency:

Yes

No

**If Landowner Petition, Complete the Following:**

- 1) Name: REBECCA & TYLER COKELEY  
Mailing Address: 952 SCHOOL ST #156 NAPA, CA 94559  
Assessor Parcel: 050-292-002  
Signature:  Date: 3 APR 19
  
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
  
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If Registered Voter Petition, Complete the Following:**

- 1) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
  
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
  
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Resident Address: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**JUSTIFICATION OF PROPOSAL**  
**Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

A. Name: TYLER COVELEY  
 Contact Person Agency/Business (If Applicable)

Address: 952 School St #156 Napa CA 94559  
 Street Number Street Name City Zip Code

Contact: (707) 418-0419 ANURA-ONLINE@NYM.HUSH.COM  
 Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One)  Local Agency  Registered Voter  Landowner

**II. PROPOSAL DESCRIPTION**

A. Affected Agencies: NAPA SANITATION 1515 SOSCUL FERRY RD NAPA, CA  
 Name Address 94558

Name Address

Name Address

*Use Additional Sheets as Needed*

B. Proposal Type: (Check as Needed)

Annexation  Detachment  City Incorporation  District Formation

City/District Dissolution  City/District Merger  Service Activation (District Only)  Service Divestiture (District Only)

C. Purpose Statement: (Specific) ANNEXATION TO NAPA SANITATION. TO  
CONNECT SINGLE FAMILY RESIDENCE  
AND POTENTIALLY CONSTRUCT A FUTURE  
ADU.

**III. GENERAL INFORMATION**

**A. Location:**

1027 MCCORMICK LANE	050-292-002	.49
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres
Street Address	Assessor Parcel Number	Acres

Total Location Size  
(Including Right-of-Ways)

**B. Landowners:**

(1) Assessor Parcel Number : 050-292-002 Name: REBECCA & TYLER COKELEY  
 Mailing Address: 952 SCHOOL ST #156 NAPA, CA 94559  
 Phone Number: (707)418-0419 E-mail: ANURA.ONLINE@NYM.HUSH.COM

(2) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

(3) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

(4) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

*Use Additional Sheets As Needed*

**C. Population:**

(1) Total Number of Residents: 4

(2) Total Number of Registered Voters: 2

D. Land Use Factors:

- (1a) County General Plan Designation: N/A
- (1b) County Zoning Standard: N/A
- (2a) Applicable City General Plan Designation: SFR-42
- (2b) Applicable City Rezoning Standard: RS-7

E. Existing Land Uses:  
(Specific)

RESIDENTIAL

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F. Development Plans:

- (1a) Territory Subject to a Development Project?  Yes  No

(1b) If Yes, Describe Project: \_\_\_\_\_

- (1c) If No, When Is Development Anticipated? APPROXIMATELY 10 YEARS TO CONSTRUCT A SECOND ADU.

G. Physical Characteristics:

- (1) Describe Topography: LEVEL .49 ACRES. SLOPE = 0-2% TO THE WEST.

- (2) Describe Any Natural Boundaries: N/A

- (3) Describe Soil Composition and Any Drainage Basins: COLE / SILT / LOAM

- (4) Describe Vegetation: TREES & SHRUBS REDWOOD (2) OAK (5)

H. Williamson Act Contracts  
(Check One)

Yes

No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

PUBLIC SEWER SERVICE FROM NAPA  
SANITATION.

(2) Level and Range of Services to Be Provided to the Affected Territory:

ENOUGH TO SERVICE EXISTING RESIDENCE  
AND POTENTIAL SECOND ADU.

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:

SERVICES WILL BE EXTENDED AS PART  
OF AN OUTSIDE SERVICE AGREEMENT.

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:

LATERAL CONNECTION

(5) Information On How Services to the Affected Territory Will Be Financed:

LANDOWNER FINANCING

**V. ENVIRONMENTAL INFORMATION**

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**A. Environmental Analysis**

(1) Lead Agency for Proposal: LAFCO  
Name

(2) Type of Environmental Document Previously Prepared for Proposal:

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: CLASS 3 ~~XXXXXXXXXX~~  
Type
- None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

---

**A. Approval Terms and Conditions Requested For Commission Consideration:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Use Additional Sheets As Needed*

**B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:**

(Does not include affected landowners or residents)

- (1) Recipient Name: N/A
- Mailing Address: \_\_\_\_\_
- E-Mail: \_\_\_\_\_
- (2) Recipient Name: \_\_\_\_\_
- Mailing Address: \_\_\_\_\_
- E-Mail: \_\_\_\_\_
- (3) Recipient Name: \_\_\_\_\_
- Mailing Address: \_\_\_\_\_
- E-Mail: \_\_\_\_\_



**VII. CERTIFICATION**

---

I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

Signature:  \_\_\_\_\_

Printed Name: TYLER COKELEY \_\_\_\_\_

Title: LANDOWNER \_\_\_\_\_

Date: 3 APR 19 \_\_\_\_\_

Indemnification Agreement

Name of Proposal: McCORMICK LANE NO. 4 *Engineer will need this*  
ANNEXATION TO THE NAPA  
SAWITATION DISTRICT

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant REBECCA & TYLER and/or COXELEY (real party in interest: the landowner) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and
2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.

\_\_\_\_\_  
Agency Representative Signature

  
\_\_\_\_\_  
Principal Landowner Signature

\_\_\_\_\_  
Print Name

June Coxley  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

3 APR 19  
\_\_\_\_\_  
Date

**EXHIBIT "A"**  
**GEOGRAPHIC DESCRIPTION**

**LAFCO 19-XX**

**MCCORMICK LANE NO. 4 ANNEXATION TO THE NAPA SANITATION DISTRICT**

ALL THAT CERTAIN PROPERTY, SITUATED IN THE CITY OF NAPA, COUNTY OF NAPA, STATE OF CALIFORNIA, TOWNSHIP 5 NORTH, RANGE 4 WEST MDB&M, AND BEING A PORTION OF THE NAPA RANCHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 8 AS SAID LOT IS SHOWN ON THE MAP OF MILLS SUBDIVISION FILED ON DECEMBER 13, 1999 IN BOOK 21 OF MAPS AT PAGE 82, THENCE ALONG THE SOUTHERLY LINE OF SAID SUBDIVISION AND ALONG THE SOUTHERLY LINE OF THE EXISTING WATTENBURGER LAFCO ANNEXATION BOUNDARY (RES. NO. 77-204)

(1) SOUTH 76°49'50" EAST, 217.48 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE EXISTING BROWNS VALLEY ROAD NO. 4 LAFCO ANNEXATION (RES. NO. 85-10);

THENCE ALONG SAID WESTERLY BOUNDARY (2) SOUTH 16°14'50" WEST, 100.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY LINE OF THE EXISTING MCCORMICK LANE NO. 3 LAFCO ANNEXATION (RES. NO. 17-012);

THENCE ALONG SAID NORTHERLY BOUNDARY LINE

(3) NORTH 87°30'00" WEST, 183.96 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF MCCORMICK LANE AND ALSO THE EASTERLY BOUNDARY LINE OF THE MCCORMICK LANE LAFCO ANNEXATION (RES. NO. 00-06);

THENCE, ALONG SAID EASTERLY BOUNDARY LINE

(4) NORTH 00°00'00" EAST, 137.53 FEET TO THE **POINT OF BEGINNING**

CONTAINING 23,495 SQUARE FEET OF LAND, MORE OR LESS.

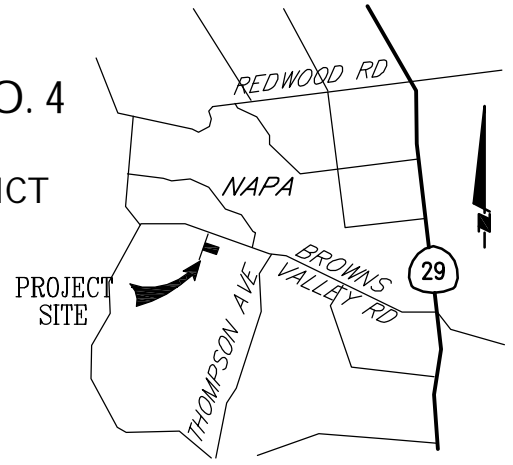
*For assessment purposes only. This description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.*

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BOB J. LEZCANO-LS8514

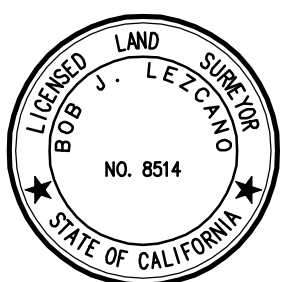
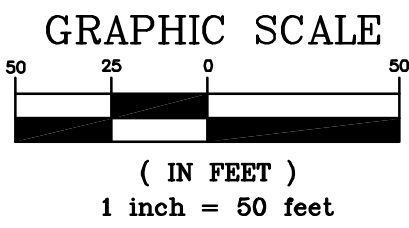
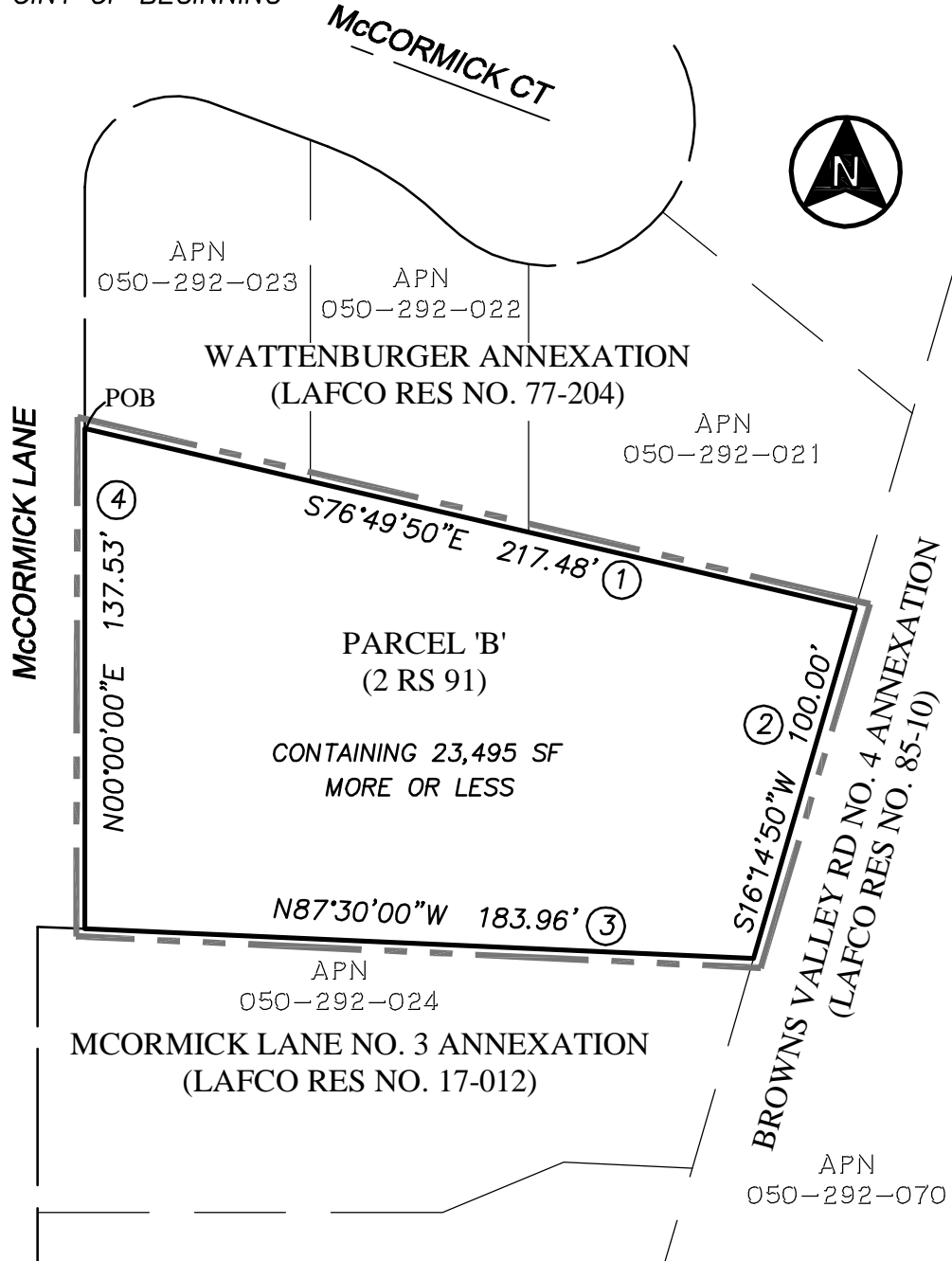
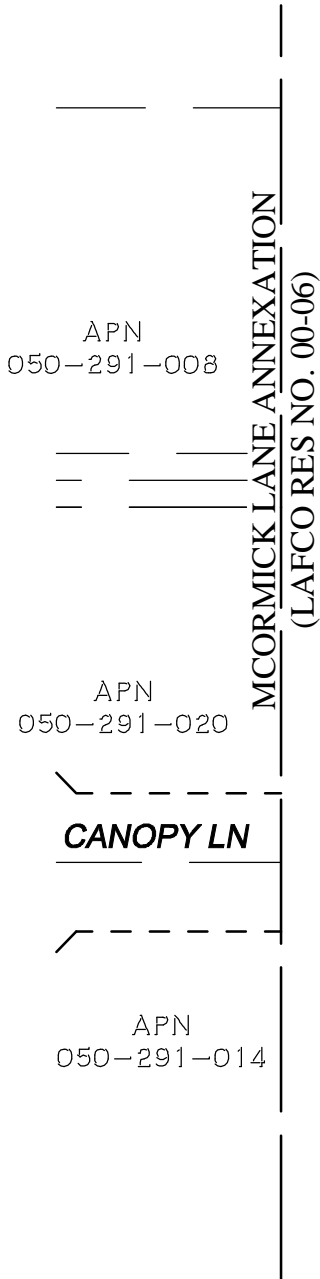
DATE

**EXHIBIT "B"**  
**LAFCO 19-XXX**  
**McCORMICK LANE NO. 4**  
**ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**



**LEGEND**

-  BOUNDARY
-  R/W
-  ADJACENT PROPERTY LINE
-  CENTERLINE
-  EXISTING LAFCO BOUNDARY
-  POINT OF BEGINNING



BEING A PORTION TOWNSHIP 5  
 NORTH, RANGE 4 WEST MDB&M,  
 AND PORTION OF NAPA RANCH,  
 COUNTY OF NAPA



817 Arnold Drive, Ste. 50  
 Martinez, CA 94553  
 Ph: (925) 476-8499  
 www.apexce.net

**EXHIBIT "B"**  
**LAFCO 19-XXX**  
**McCORMICK LANE NO. 4**  
**ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**

CITY OF NAPA COUNTY OF NAPA

SCALE: 1"=50'
PROJ NO: 19031
DATE: 4-5-19
SHEET: 1 OF 1

Attachment Eight  
1027 McCormick Lane & Napa Sanitation District



0 0.002750.0055 0.011 Miles

June 3, 2019  
Prepared by BF



**LAFCO of Napa County**  
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