



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

June 2, 2014

Agenda Item No. 7a (Action)

May 22, 2014

TO: Local Agency Formation Commission

FROM: Brendon Freeman, Analyst

SUBJECT: Orchard Avenue No. 4 Annexation to the Napa Sanitation District

The Commission will consider a proposal to annex approximately 7.0 acres of incorporated territory to the Napa Sanitation District. The proposed annexation encompasses one entire parcel with no situs address and one portion of a parcel located at 1121 Orchard Avenue in the City of Napa. The purpose of the proposed annexation is to facilitate the subdivision of the parcels as contemplated in the applicant's tentatively approved development project. The City of Napa serves as lead agency under CEQA and has prepared an initial study and mitigated negative declaration for the underlying development project. The recommended action is for the Commission to approve the proposal with one amendment to include an adjacent 0.7 acre incorporated parcel located at 4461 Solano Avenue.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. LAFCOs are authorized to exercise broad discretion in establishing conditions in approving changes of organization as long as they do not directly regulate land use, property development, or subdivision requirements.

A. Recommendation

Staff recommends approving the proposed annexation of a 6.5 acre portion of 1121 Orchard Avenue (035-042-045) along with an entire adjacent parcel with no situs address (035-042-020) to the Napa Sanitation District (NSD) with one amendment to include an entire adjacent parcel located at 4461 Solano Avenue (035-042-017) for purposes of providing for a more logical and orderly District boundary. Standard approval conditions are also recommended and are outlined in the draft resolution included as Attachment One to this staff report.

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Brian J. Kelly, Chair
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Laura Snideman
Executive Officer

B. Background

LAFCO of Napa County (“Commission”) has received a proposal from Mayacamas Estates requesting the annexation of approximately 7.0 acres of incorporated territory in the City of Napa (“City”) to NSD. The proposed annexation territory comprises one entire 0.45 acre parcel with no situs address and one 6.5 acre portion of a parcel located at 1121 Orchard Avenue near the intersection of Autumn Run Way and Luke Drive. Existing development is limited to 1121 Orchard Avenue and includes a 2,338 square foot single-family residence with three bedrooms built in 1977. 1121 Orchard Avenue does include a segment dedicated to a private road that extends beyond both the City’s and NSD’s respective spheres of influence and thus the proposal only contemplates the territory within each agency’s sphere. The County Assessor’s Office identifies the parcels as 035-042-020 (entire parcel) and 035-042-045 (portion). An aerial map of the proposed annexation territory follows.



C. Discussion

Agency Profile

NSD was formed in 1945 as a dependent enterprise district to provide public sewer service for the City and the surrounding unincorporated area. NSD provides sewer service to most of Napa along with several surrounding unincorporated areas, including Silverado, Napa State Hospital, and the Napa County Airport. NSD currently serves 31,830 residential customers with an estimated resident service population of 86,896.¹

Proposal Purpose

The underlying purpose of the proposal before the Commission is to facilitate the subdivision of the subject parcels to include up to a total of 18 single-family residential lots as contemplated under the City Zoning Ordinance and the applicant's tentatively approved development project. The proposed annexation would also help facilitate the extension of a public right-of-way portion of Luke Drive to improve access to the territory and improve overall traffic circulation for the surrounding area. Consideration of the service needs and related impacts associated with the future potential development of the subject parcels are incorporated into the following analysis section.

D. Analysis

The analysis of the proposal is organized into three sections. The first section considers the proposal relative to the factors prescribed for consideration under local policy with specific focus on whether amendments are merited to comply with the established preferences in implementing LAFCO law in Napa County. The second section considers the proposal relative to the factors mandated for review by the Legislature anytime LAFCOs review boundary changes. The third section considers issues required by other applicable State statutes in processing boundary changes including making a determination on environmental impacts.

Local Policies / Discretionary Amendments

A review of the submitted application materials relative to the Commission's adopted policies indicates that the Commission should consider one discretionary amendment that would expand the boundary of the proposed annexation. The proposed annexation is for two of three parcels comprising a "special district pocket" surrounded on all sides either by NSD's sphere of influence or jurisdictional boundary.² The remaining parcel is located at 4461 Solano Avenue and would represent a completely surrounded "special district pocket" if the Commission were to approve the proposal without amendment.

¹ The resident service projection based on the 2014 California Department of Finance population per household estimate (2.73) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (31,830). NSD also serves 4,409 non-residential customers, including industrial and commercial users.

² "Special district pocket" is not defined under CKH.

This third parcel is 0.68 acres in size and identified by the County Assessor's Office as 035-042-017. Current land uses at 4461 Solano Avenue include one single-family residence that receives sewer service through a private onsite septic system. Although public sewer service is not needed immediately, staff recommends amending the proposal to include 4461 Solano Avenue to eliminate the pocket. This recommended amendment is not required by statute or policy as it is for eliminating islands within cities, but would provide a more orderly boundary for the District.³ There are currently no known plans to further develop 4461 Solano Avenue. However, and subject to separate approval from the City, 4461 Solano Avenue could potentially be further developed in the future to include up to three total residential lots as contemplated in the City Zoning Ordinance.⁴ NSD and the landowner of the remaining parcel have provided their consent to staff's recommended amendment following the official filing of the proposal.

Legislative Policies / Mandated Factors for Consideration

G.C. Sections 56668 and 56668.3 require the Commission to consider 16 specific factors anytime it reviews proposals for change of organization or reorganization involving special districts. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs in considering boundary changes in context to locally adopted policies and practices. Staff has incorporated into the review the recommended amendment as detailed in the preceding section. Consequently, references to the "affected territory" hereafter include the entire parcel with no situs address, a 6.5 acre portion of 1121 Orchard Avenue, and all of 4461 Solano Avenue.

(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.

The affected territory lies within a rural residential area predominately consisting of low to moderate density housing and part of a neighborhood designation under the City General Plan known as "Linda Vista." The affected territory is partially developed with two single-family residences. The current assessment value of the affected territory totals \$835,076.⁵

The affected territory is legally uninhabited given there are under 12 registered voters based on the most recent list provided by County Elections. Topography within the affected territory slopes upward to the northwest with a peak elevation of 108 feet above sea-level. There are no natural drainage basins near the affected territory.

³ G.C. Section 56375.3 outlines streamlined procedures for cities to propose annexations for purposes of eliminating entirely or substantially surrounded islands. Commission policies also include directives to modify city annexation proposals for eliminating islands when possible. These statutes and policies do not apply for special districts.

⁴ The City has assigned a zoning standard of *Residential Single – 10* to 4461 Solano Avenue which specifies a minimum lot size of 0.23 acres. Therefore, 4461 Solano Avenue could potentially be further developed in the future to include up to a maximum of three total residential lots.

⁵ Individual property assessed values are as follows: 1121 Orchard Avenue (APNs 035-042-020 and 035-042-045) at \$422,888 and 4461 Solano Avenue (APN 035-042-017) at \$412,188.

Proposal approval is expected to facilitate the future development of 1121 Orchard Avenue to include 18 residential lots based on the applicant's tentatively approved development project. While there are currently no development plans associated with 4461 Solano Avenue, the parcel could potentially be further developed – subject to separate approval from the City – to include up to three lots based on the City Zoning Ordinance. The affected territory therefore has the potential to be further developed to include a maximum of 21 lots and produce an estimated buildout population of 57.⁶

(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.

The present need for municipal services within the affected territory is limited given that the two existing single-family residences currently receive sewer service through private onsite septic systems. Annexation to NSD would provide permanent public sewer service to the affected territory going forward. Core municipal services already provided or available to the affected territory directly or indirectly by the City include water, fire, emergency medical, police, roads, and garbage collection; all at levels deemed adequate given current and planned uses.

There is expected to be additional demand for municipal services in the future as a result of the buildout of the affected territory to include a total of 21 lots as contemplated in the applicant's tentatively approved development project and City zoning. Most notably, and in addition to sewer, this includes elevated water, fire protection/emergency medical, and law enforcement services. An analysis of the availability and adequacy of these core municipal services needed to accommodate and support current and probable future needs within the affected territory follows.

- *Sewer Service*

The affected territory currently receives sewer service through private onsite septic systems. It is estimated the current daily sewer flow generated from the affected territory is 420 gallons on average and increases by two and one-half to 1,050 gallons during peak periods. These current flow estimates represent less than one one-hundredth of a percent of NSD's current system demand. Furthermore, if developed as contemplated in the applicant's tentatively approved development project and City zoning to include 21 total lots, the estimated daily sewer flows would only increase to 4,410 gallons on average and 11,025 gallons during peak periods. These buildout estimates would have negligible impacts on NSD's sewer system as depicted in the following table.

⁶ The estimated buildout population for the affected territory assumes a per unit factor of 2.72 based on calculations performed by the California Department of Finance specific to the City.

NSD Baseline Without Annexation of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,705,130	33,712,825	126,200,000

NSD Adjusted With Annexation/Buildout of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,709,540	33,723,850	126,200,000

- * Assumes the buildout of the affected territory will result in 21 total single-family residences with combined average and peak day demands at 4,410 and 11,025 gallons, respectively.
- * Capacity during peak-day incorporates 340 acre-feet (110,806,000 gallons) of adjacent pond storage.

- **Water Service**

The affected territory currently receives water service from two onsite wells. However, the affected territory is eligible to receive water service from the City. If developed to its maximum allowance under the City Zoning Ordinance, the estimated daily average water demand at buildout – and assuming current usage patterns – would total 5,250 gallons.⁷ These buildout estimates would have negligible impacts to Napa’s existing water system infrastructure as measured by supply, storage, and treatment capacities as discussed in the following subsections.

Water Supply and Demand

Napa’s water supplies are derived from three distinct sources: Lake Hennessey, Milliken Reservoir, and the State Water Project. These three sources collectively provide Napa with 31,340 acre-feet of raw water for treatment during normal year conditions based on historical patterns. These historical patterns also indicate Napa’s annual water supply decreases during multiple and single dry year conditions to 19,896 and 13,533 acre-feet, respectively. Conversely, Napa’s most recently recorded annual water demand totals 13,877 acre-feet; an amount representing an average daily use of 38 acre-feet. These current demands result in an available supply surplus during normal and multiple dry year conditions. Further, the existing shortfall projected during single dry years is relatively minimal and would be likely offset by voluntary and mandatory water conservation measures that could be adopted by the City Council consistent with their Urban Water Management Plan (UWMP).

⁷ This projected daily water demand would be the equivalent of 5.9 acre-feet per year.

Baseline Conditions <u>Without</u> Annexation of the Affected Territory (Amounts in Acre-Feet)			
Category	Normal	Multiple Dry Year	Single Dry Year
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

Adjusted Conditions <u>With</u> Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)			
Category	Normal	Single Dry Year	Multiple Dry Year
Annual Supply	31,340	19,896	13,533
Annual Demand	13,883	13,883	13,883
Difference	17,457	6,013	(350)

Water Treatment and Storage

Napa operates treatment facilities for each of its three water sources. These three facilities provide a combined daily treatment capacity of 135 acre-feet.⁸ This combined treatment amount is more than three times greater than the current average day water demand (38 acre-feet) and nearly two times greater than the current estimated peak day water demand (76 acre-feet).⁹ Furthermore, Napa’s combined treated water storage capacity overlaying its five pressure zones – including clearwell tanks – is 86 acre-feet. This combined storage amount accommodates current estimated peak day water demands in Napa.

Baseline Conditions <u>Without</u> Annexation of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

Adjusted Conditions <u>With</u> Annexation/Buildout of the Affected Territory (Amounts in Acre-Feet)			
Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

⁸ The combined daily treatment capacity for Napa is divided between the Milliken facility at 4.0, Jamieson facility at 20.0, and Hennessey facility at 20.0 million gallons, respectively.

⁹ Based on recent usage records, the estimated peak day demand factor for Napa is 2.0.

- ***Fire Protection and Emergency Medical Services***
The affected territory receives fire protection and emergency medical services from the City. Annexation and buildout of the affected territory to include up to a total of 21 units would increase the need for these services moving forward. Information generated from the Commission's recent municipal service review on the Central County region noted that the City has generally developed sufficient capacities and controls to serve existing and anticipated demands for these services. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.
- ***Law Enforcement Services***
The affected territory receives law enforcement services from the City. Annexation and buildout of the affected territory to include up to a total of 21 units would increase demand for these services moving forward. The Commission's recent municipal service review on the Central County region notes that the City has developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

(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.

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 sphere of influence, marking an expectation the site would eventually develop for urban type uses and require public sewer from the region's sole service provider, the District. The recommended amendment to expand the affected territory to include an adjacent parcel would further strengthen these ties by avoiding the creation of a new "special district pocket" that is completely surrounded by NSD's jurisdictional boundary.

(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.

The proposal is consistent with the Commission's policies as codified under its General Policy Determinations. This includes consistency with urban land use designations for the affected territory under the County and City General Plans, avoidance of premature conversion of agricultural uses, and consistency with NSD's adopted sphere of influence. The affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. Specifically, the affected territory is not substantially unimproved and devoted to an open-space use under the County or City General Plan.

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

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.

The proposal as amended by staff is parcel-specific and includes all of the property identified by the County of Napa Assessor’s Office as 035-042-017 and 035-042-020 as well as a 6.5 acre portion of 035-042-045. Commission approval would include a condition requiring the applicant to submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. The submitted map and geographic description would be subject to review and possible edits by the Executive Officer before filing.

(7) Consistency with the city or county general plans, specific plans, and adopted regional transportation plan.

The proposal would provide permanent public sewer service to the affected territory. The availability of this municipal service is consistent with Napa’s General Plan, which designates the entire affected territory for moderately dense single-family residential uses (*Single-Family Residential – 2*), as well as Napa’s Zoning Ordinance, which designates the affected territory for similar residential uses (*Residential Single – 10*). The Metropolitan Transportation Commission’s regional transportation plan (RTP) was updated in April 2009 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2035. No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

The affected territory is located entirely within NSD’s sphere of influence, which was comprehensively updated by the Commission in August 2006.

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

Staff provided notice of the proposal to all subject agencies and interested parties as required under LAFCO law on February 21, 2014. No comments were received.

(10) 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.

Information collected and analyzed in the Commission's recent municipal service review on NSD concluded the District has established adequate administrative controls and capacities in maintaining appropriate service levels. This includes regularly reviewing and amending – as needed – NSD's two principal user fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) connection fees and (b) user fees. The connection fee is currently \$8,300 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 user fee for a single-family unit is currently \$458 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses.

Additional analysis performed subsequent to the filing of the proposal provides reasonable assurances NSD's fiscal resources and controls would enable the agency to provide an appropriate level of services to the affected territory relative to anticipated land uses. NSD's current operating budget includes \$13.6 million in approved expenses. NSD anticipates collecting \$19.2 million in general revenues resulting in an operating surplus of \$5.6 million. NSD's fund balance as of the beginning of the fiscal year totaled \$9.5 million.¹⁰ Markedly, this unrestricted fund balance is sufficient to cover over eight months of operating expenses.

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

Proposal approval and the probable development of the affected territory to include a maximum total of 21 single-family residences would generate new water demand for Napa. As previously referenced, Napa's available water supplies are drawn from three separate sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. Napa's most recent Urban Water Management Plan (UWMP) was adopted in 2011 and estimates the total annual water supply generated from these three sources during normal conditions and based on historical patterns is 31,340 acre-feet. These historical patterns also indicate the total annual water supply decreases to 19,896 and 13,533 acre-feet during multiple and single dry year conditions, respectively.

¹⁰ NSD expects its operating fund balance to increase at the end of the fiscal year from \$9.5 million to \$15.1 million following all budgeted transfers.

Information provided in the UWMP identifies Napa's available water supplies are more than sufficient in accommodating both current annual demands – 13,877 acre-feet – and the projected buildout demands within the affected territory – 5.9 acre-feet – during normal and multiple dry year conditions. Napa's available water supplies, however, are deficient under current estimated single dry years; a deficit that would be slightly increased with approval of the proposal along with the potential development of up to 21 total lots as contemplated in the applicant's tentatively approved development project and City Zoning Ordinance. Napa, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These factors provide reasonable assurances of Napa's ability to effectively accommodate water demands with the minimal increases tied to the affected territory in accordance with G.C. Section 65352.5.

(12) 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.

The proposal would not impact any local agencies in accommodating their regional housing needs. The affected territory is already located entirely within Napa's jurisdictional boundary, and as a result, all potential units tied to the land are assigned to the City by the Association of Bay Area Governments.

The proposal could potentially result in a benefit to Napa with respect to achieving the City's fair share of the regional housing need as a result of the eventual buildout of the affected territory to include a total of 21 lots as contemplated in the applicant's tentatively approved development project and City Zoning Ordinance.

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

The landowner of 1121 Orchard Avenue is the petitioner seeking the annexation to NSD. The landowner of 4461 Solano Avenue has provided their written consent in support of their inclusion within the affected territory.

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

See analysis on pages four and nine of this report.

(15) The extent to which the proposal will promote environmental justice.

There is no documentation or evidence suggesting the proposed annexation will have any implication for environmental justice in Napa County.

(16) 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.

Proposal approval would benefit current and future landowners as well as residents by providing permanent access to public sewer service. Establishing permanent public sewer service helps facilitate the development of up to 21 single-family residences. Public sewer service also eliminates the need for septic systems in an urbanizing area in which any failings would create a public health and safety threat for immediate and adjacent residents. Finally, establishing permanent public sewer service eliminates set-aside land requirements previously dedicated to the septic system, which will assist in intensifying future residential development opportunities within the site.

Other Considerations

- ***Property Tax Agreement***

Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.¹¹ With this in mind, staff provided notice to NSD and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings. Both agencies confirmed a master property tax agreement adopted in 1980 shall apply to the proposal if approved by the Commission. This master property tax agreement specifies no exchange or redistribution of property tax revenues will occur as a result of annexations to NSD.

- ***Environmental Review***

The City serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is responsible for approving the underlying activity: subdividing 1121 Orchard Avenue and the parcel with no situs address to include up to 18 total single-family residential lots.¹² Accordingly, the City prepared an initial study to assess the environmental impacts associated with the project. The initial study identifies the project may generate future environmental impacts, but there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent and therefore a mitigated negative declaration has been prepared. Copies of the initial study and mitigated negative declaration are attached for Commission review.

¹¹ Revenue and Taxation Code 99(b)(5) states property tax exchanges for jurisdictional changes affecting the service areas or service responsibilities of districts shall be negotiated by the affected county on behalf of the districts.

¹² It is important to note that the City serving as lead agency is not in compliance with the Commission's adopted CEQA Policy Section 4.1(1). This local policy states the Commission shall assume the lead agency role when a petitioner submits an application to LAFCO.

The recommended amendment to the proposal to annex the 4461 Solano Avenue parcel necessitates the Commission serve as lead agency for this component of the boundary change. The maximum allowable build out of this parcel is three single-family residences as contemplated in the City Zoning Ordinance. Based upon this maximum allowable construction in an urbanized area, this annexation to NSD is categorically exempt from CEQA review pursuant to 14 California Code of Regulations Section 15319(b) and 15303(a).

- ***Conducting Authority Proceedings***

The affected territory is uninhabited under LAFCO law and all landowners have consented to the proposal. NSD has also consented to the annexation. Conducting authority proceedings, accordingly, may be waived under G.C. Section 56663.

E. Alternatives for Commission Action

Staff has identified three options for Commission consideration with respect to the proposal. These options are summarized below.

Alternative Action One (Recommended):

Adopt the draft resolution identified as Attachment One approving the proposal with the recommended amendment along with standard terms and conditions.

Alternative Action Two:

Adopt the draft resolution identified as Attachment One with any desired amendments or modifications as identified by members.

Alternative Action Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

F. Procedures for Consideration

This item has been agenzized for action. The following procedures are recommended with respect to the Commission's continued consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from any interested audience members (voluntary); and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted,

Attachments:

Brendon Freeman
Analyst

- 1) Draft Resolution Approving the Proposal
- 2) Application Materials
- 3) Landowner Consent Form:
4461 Solano Avenue (Timothy Greathouse)
- 4) Initial Study and Mitigated Negative Declaration:
Mayacamas Vista Estates Subdivision

RESOLUTION NO. ____

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

**ORCHARD AVENUE NO. 4 ANNEXATION TO
THE NAPA SANITATION DISTRICT**

WHEREAS, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” is responsible for regulating boundary changes affecting cities and special districts under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, an application by Mayacamas Estates, landowner, proposing the annexation of territory to the Napa Sanitation District has been filed with the Commission’s Executive Officer, hereinafter referred to as “Executive Officer,” in a manner provided by law; and

WHEREAS, the proposal seeks Commission approval to annex approximately 7.0 acres of incorporated land within the City of Napa (“City”) to the Napa Sanitation District (NSD) and represents a 6.5 acre portion of a parcel located at 1121 Orchard Avenue along with one entire 0.45 acre parcel with no situs address and identified by the County of Napa Assessor’s Office as 035-042-020 and 035-042-045; and

WHEREAS, the Executive Officer reviewed said proposal and prepared a written report, including her recommendations thereon; and

WHEREAS, the Executive Officer modified said proposal to expand the affected territory to include one additional 0.68 acre parcel located at 4461 Solano Avenue and identified by the County of Napa Assessor’s Office as 035-042-017; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on said proposal on June 2, 2014; and

WHEREAS, the Commission considered all the factors required by law under Sections 56668 and 56668.3 of the California Government Code; and

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

WHEREAS, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered the determinations of the City of Napa, Lead Agency under CEQA, in its Mitigated Negative Declaration based on its initial study of environmental significance for the Mayacamas Vista Estates Project and related mitigation measures and further evaluated the environmental impact of the proposal as modified in accordance with Section 15164 of Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission makes the following findings pursuant to the California Environmental Quality Act (CEQA):
 - (a) The Commission – as responsible agency – has considered the City’s initial study assessing the environmental impacts associated with the project, including the development of 18 residential lots and this annexation. The initial study provides that Napa Sanitation District, as the wastewater treatment provider for the project, has adequate capacity to serve the project in addition to the provider’s existing commitments and thus results in no environmental impact. Based on the initial study, the City adopted a mitigated negative declaration finding that the development with identified mitigation measures will not result in significant impacts on the environment. The Commission certifies it has reviewed and considered these environmental documents for the underlying development project.
 - (b) The Commission – as lead agency – has considered the environmental impacts associated with the Executive Officer’s recommendation to expand the annexation to include 4461 Solano Avenue (035-042-017). The Commission finds the maximum allowable build out of 4461 Solano Avenue is three single-family residences as contemplated in the City of Napa’s Zoning Ordinance. The Commission determines this expansion is categorically exempt from CEQA review pursuant to 14 California Code of Regulations Section 15319(b) and 15303(a), which exempt annexations of areas with a maximum allowable construction of three single family residences in an urbanized area.
 - (c) These environmental findings are based on its independent judgment and analysis. The Executive Officer is the custodian of the records upon which these determinations are based; these records are located at the Commission office - 1030 Seminary Street, Suite B, Napa, California.
3. The proposal is **APPROVED** with the following modification:
 - a) The affected territory is expanded to include one adjacent 0.68 acre parcel located at 4461 Solano Avenue and identified by the County Assessor as 035-042-017.

4. This proposal is assigned the following distinctive short-term designation:

**ORCHARD AVENUE NO. 4 ANNEXATION TO
THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the attached map and is more precisely described 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 specified in the attached Exhibit "B."
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56663.
11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) Payment of any and all outstanding fees owed to the Commission and/or other agencies involved in the processing of this proposal.
 - (c) Written confirmation by Napa Sanitation District that its terms and conditions outlined in Exhibit "B" 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.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the June 2, 2014, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

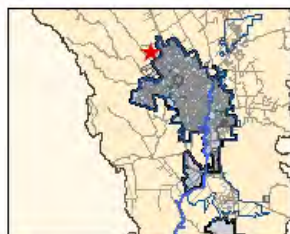
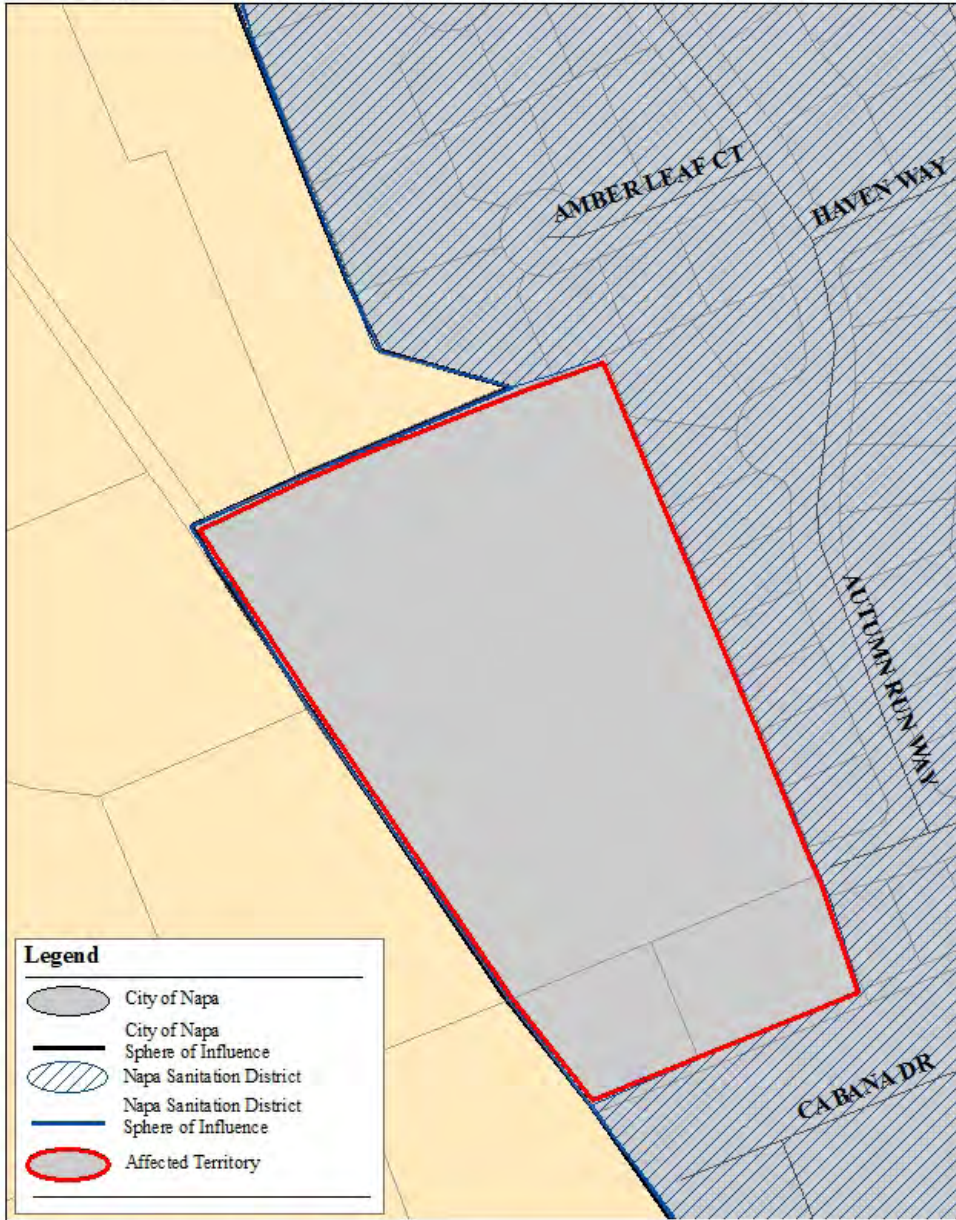
ABSENT: Commissioners

ATTEST: Laura Snideman
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

EXHIBIT A

Proposed Orchard Avenue No. 4 Annexation to NSD



Miles
0 0.01 0.02 0.04

April 15, 2014
Prepared by BF



LAFCO of Napa County
1030 Seminary Street, Suite E
Napa, California 94559
<http://www.napa.lafco.ca.gov>

EXHIBIT "B"

TERMS AND CONDITIONS

1121 ORCHARD AVENUE - DISTRICT ANNEXATION 000008

1. Upon and after the effective date of said annexation, the Territory, all inhabitants within such Territory, and all persons entitled to vote by reason of residing or owning land with the Territory, shall be subject to the jurisdiction of the Napa Sanitation District, hereinafter referred to as "the District"; shall have the same rights and duties as if the Territory had been a part of the District upon its original formation; shall be liable for the payment of principal, interest, and any other amounts which shall become due on account of any outstanding or then authorized by thereafter issued bonds, including revenue bonds, or other contracts or obligations of the District; shall be subject to the levying or fixing and collection of any and all taxes, assessments, service charges, rentals or rates as may be necessary to provide for such payment; and shall be subject to all of the rates, rules, regulations and ordinances of the District, as now or hereafter amended.
2. The property owner hereby agrees to abide by all ordinances, rules and regulations of District governing the manner in which sewers shall be used, the manner of connecting thereto, and the plumbing and drainage in connection therewith.
3. In the event that pursuant to rules, regulations or ordinances of the District, as now or hereafter amended, the District shall require any payment of a fixed or determinable amount of money, either as a lump sum or in installments, for the acquisition, transfer, use or right of use of all or any part of the existing property, real or personal, of the District, such payment will be made to the District in the manner and at the time as provided by the rules, regulations or ordinances of the District, as now or hereafter amended.
4. The property owner agrees that prior to connection to the facilities of the District; property owner will pay all applicable fees and charges to District associated with connection of the property in accordance with the computation of regular connection fees and charges in effect at the time paid. The property owner further agrees to pay the regular permit and inspection charges in effect at the time paid for the connection to be made to the District's system.
5. The property owner shall deposit with the District an annexation fee of \$250.00 to reimburse the District engineering, legal, and all other costs incurred by the District in preparing and examining maps and plans, legal descriptions, agreements and other documents associated with processing subject annexation
6. The property owner shall file with LAFCO a check in the amount of \$350 made payable to the State Board of Equalization.
7. The property owner shall pay to the County of Napa Assessor's Office a Mapping Services Fee of \$125.
8. The property owner shall pay to LAFCO of Napa County an amount of \$125 for updating the County's GIS database.

9. The property owner further agrees to pay such annual sewer service fees to the District as may be established, from time to time, by the rules and regulations of the District which are of universal application within the District. Property owner hereby authorizes the District to collect such charges on the tax roll pursuant to California Health and Safety Code section 5473 and specifically waives any right to challenge the District's ability to do so because the Property is outside of the District Boundaries.

10. No change in the facilities to be connected to the District's system shall be made without first having given written notice to the District that such change is to be made. No additional connections shall be connected to the facilities of the Napa Sanitation District without having first given written notice to the District that such additional facilities are to be connected to the system. Prior to making any such change in facilities or to the addition of any units to the District's system, the Owner shall pay to the District such additional inspection, connection and annual fees which may then be established by the Board of Directors of the District.

11. The property owner shall eliminate any privately owned sewage disposal system(s) located on the subject property to the Napa County Division of Environmental Health requirements.

12. The property owner shall enter into an Improvement Agreement with the District for construction of public sanitary sewer facilities.

13. The property owner shall install approximately 635 linear feet of 8-inch sanitary sewer main from the existing manhole at the existing terminus of Luke Drive to the north terminus of the proposed Luke Drive extension.

14. The property owner shall submit a Plan and Profile of the aforesaid sanitary sewer improvements prepared by a registered civil engineer, conforming with District standards, and post the appropriate Labor and Materials and Faithful Performance Bonds guaranteeing said installations.

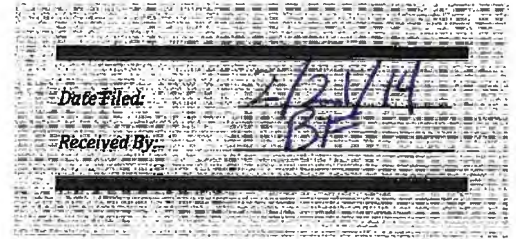
15. All sanitary sewer mains installed outside of the public right of way shall be located within 20 foot wide sanitary sewer easement centered on the mains and dedicated to the District.

16. All work sewer work performed in the public right of way shall be performed by a Class A licensed contractor who bonds the public work with the District. The contractor shall pay to the District public lateral inspection fees and sanitary sewer main inspection fees based on the inspection rates in effect at the time construction permits are issued.

17. The property owner shall pay to the District the private lateral inspection fee in effect at the time at the time of construction for each dwelling unit located on the property.

18. The property owner shall agree to conditions 1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16 and 17, and fulfill conditions 5, 6, 7 and 8 prior to the District's issuance of a letter to LAFCO authorizing recordation of subject annexation, and in no case more than 1 year after LAFCO's adoption of a resolution approving subject annexation, unless extended by LAFCO. Any extensions granted shall in total not exceed 1 year.

FORM A



NOTICE OF INTENT TO CIRCULATE PETITION
For Filing with the Local Agency Formation Commission of Napa County

Applicants shall complete and submit a notice of intention with the Executive Officer before filing a petition proposing a change of organization. The notice shall include the name and mailing address of the applicant along with a written statement no more than 500 words in length setting forth the reasons for the proposal. The petition may be circulated for signatures after the notice has been filed. The Executive Officer shall notify the affected local agencies upon receiving the notice. Applicants are encouraged to use this form.

Applicant Information:

Applicant Name: Mayacamas Estates LLC
Mailing Address: 11335 Gold Express Dr. #100, Gold River, CA
Telephone: (707) 337-6996 E-Mail: greg@bruncoinv.com

Petition Proposes:

Annexation into Napa Sanitation District

Reasons for Proposal:

To obtain sewer service for an 18 lot subdivision

Signature:

Date:

20 Feb 2014

FORM B

Date Filed: 2/2/14
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 into Napa Sanitation District

Description of Boundaries of Affected Territory Accompanied by Map:

Expansion within existing sphere of influence by 7.3 acres

Reason for Proposal and Any Proposed Conditions:

Sewer service to 18 residential lots within the city of Napa

Type of Petition:

Landowner


Registered Voter


Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

1) Name: Matt Follet
 Mailing Address: 11335 Gold Express Dr. #100, Gold River, CA 95670
 Assessor Parcel: 035-042-045
 Signature:  Date: 20 Feb 2014

2) Name: Matt Follet
 Mailing Address: 11335 Gold Express Dr. #100, Gold River, CA 95670
 Assessor Parcel: 035-042-020
 Signature:  Date: 20 Feb 2014

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: _____

FORM D



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

I. APPLICANT INFORMATION

A. Name:	Matt Follett	Mayacamas Estates LLC		
	Contact Person	Agency/Business (If Applicable)		
Address:	11335	Gold Express Dr. #100	Gold River, CA	95670
	Street Number	Street Name	City	Zip Code
Contact:	916-802-0112	mfollett@inspirecom.com		
	Phone Number	Facsimile Number	E-Mail Address	

B. Applicant Type (Check One)

Local Agency
 Registered Voter
 Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies:

<u>Napa Sanitation District</u>	<u>1515 Soscol Ferry Road, Napa</u>
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address

Use Additional Sheets as Needed

B. Proposal Type (Check as Needed)

<input checked="" type="checkbox"/> Annexation	<input type="checkbox"/> Detachment	<input type="checkbox"/> City Incorporation	<input type="checkbox"/> District Formation
<input type="checkbox"/> City/District Dissolution	<input type="checkbox"/> City/District Merger	<input type="checkbox"/> Service Activation (District Only)	<input type="checkbox"/> Service Divestiture (District Only)

C. Purpose Statement: (Specific)

Sewer service to residential development

III. GENERAL INFORMATION

A. Location:	<u>1121 Orchard Ave.</u>	<u>035-042-020</u>	<u>6.7</u>
	Street Address	Assessor Parcel Number	Acres
		<u>035-042-045</u>	<u>0.6</u>
	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 : 035-042-045 Name: Matt Follett
 Mailing Address: 11335 Gold Express Dr. #100, Gold River, CA 95670
 Phone Number: 916-802-0112 E-mail: mfollett@inspirecom.com
- (2) Assessor Parcel Number : 035-042-020 Name: Matt Follett
 Mailing Address: 11335 Gold Express Dr. #100, Gold River, CA 95670
 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 N/A
- (2) Total Number of Registered Voters _____

D. Land Use Factors

- (1a) County General Plan Designation: _____
- (1b) County Zoning Standard: _____
- (2a) Applicable City General Plan Designation: _____
- (2b) Applicable City Rezoning Standard: City Zoning RS-10

**E. Existing Land Uses
(Specific)**

Residential, Agriculture

F. Development Plans

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project: 18 Lot residential subdivision

- (1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics

- (1) Describe Topography:
Generally flat, with slight slope down from west to east

- (2) Describe Any Natural Boundaries:
None

- (3) Describe Soil Composition and Any Drainage Basins:
Existing drainage ditches north and southwest of property

- (4) Describe Vegetation:
Planted in vineyards

**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:

Sanitary Sewer Service

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

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

Immediately- Sewer has already been stubbed to the property

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

None off-site

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

Developer Installed

Use Additional Sheets As Needed

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: City of Napa
Name

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

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: _____
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

None

Use Additional Sheets As Needed

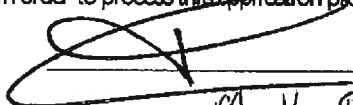
B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence
(Does not include affected landowners or residents)

- (1) Recipient Name: Matt Follett
Mailing Address: 11335 Gold Country Blvd. #100, Gold River, CA 95670
E-Mail: _____
- (2) Recipient Name: Gregory Brun
Mailing Address: 4160 Suisun Valley Road, Suisun Valley, CA 94534
E-Mail: greg@bruncoinv.com
- (3) Recipient Name: Brad Foulk
Mailing Address: 4777 Mangels Boulevard, Fairfield, CA 94534
E-Mail: brad@foukgomez.com

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

Matt Follett

Title

Date

2/20/14

Standard Indemnification Agreement

Name of Proposal: Mayacamas Estates, LLC

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 Mayacamas Estates, LLC or and/or Matt Follett (real party in interest: the landowner/registered voter) 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.

Applicant and/or real party in interest may be required by Napa LAFCO to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided under this legal indemnity.

City/District Representative

Print Name

Date



Principal Landowner Signature

MATTHEW N. FOLLETT
Print Name

20 FEB 2014
Date



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

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

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

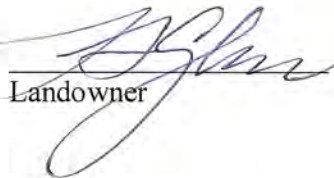
LANDOWNER CONSENT FORM

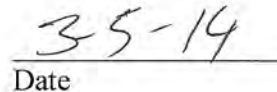
I am the legal owner of property as described below and hereby voluntarily consent to the annexation of my land to the Napa Sanitation District as part of the proposal proceedings undertaken by Mayacamas Estates LLC. In providing consent, and with the qualification that all related annexation costs be the responsibility of Mayacamas Estates LLC, I acknowledge the Commission may proceed with considering the proposal without notice, hearing, or protest proceedings under Government Code Section 56663.

Landowner Name: Timothy Greathouse & Sara Cox

Property Address: 4461 Solano Avenue, Napa, CA 94558

Property APN: 035-042-017


Landowner


Date

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

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

Brian J. Kelly, Chair
Representative of the General Public

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Bill Dodd, Commissioner
County of Napa Supervisor, 4th District

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Mark Luce, Alternate Commissioner
County of Napa Supervisor, 2nd District

Peter Banning
Acting Executive Officer

**POLICY RESOLUTION 27
STANDARD MITIGATION MEASURES FOR
MAYACAMAS VISTA ESTATES SUBDIVISION MAP #10-0066**

I. AESTHETICS

1. All new lighting on private property shall be designed to eliminate direct light spilling onto adjacent residential properties.
2. Low-level lighting shall be utilized in any parking area(s) as opposed to elevated high-intensity light standards.
3. All new utilities shall be placed underground.
4. The plans submitted for the building permit shall include a final landscape and irrigation plan designed and signed by a licensed landscape architect or landscape contractor. The final landscape plans shall specify that (1) all plant materials be certified by the Napa County Agricultural Commissioner inspection program for freedom from the glassy winged sharpshooter or other pests identified by the Agricultural Commissioner and (2) the Agricultural Commissioner's Office shall be notified of all impending deliveries of live plants with points of origin outside of Napa County so that inspection can be arranged. No improvement plans shall be approved nor building permit issued until the Planning Department approves the landscape and irrigation plan. Prior to occupancy, the licensed professional who signed the final landscape and irrigation plan shall certify in writing to the Community Development Director that he/she has inspected and approved the installation of landscaping and irrigation and has found them to be consistent with the approved plans including, but not limited to, the certifications and inspections by the Agricultural Commissioner as well as that the systems are in working order. A substitution of an alternate licensed professional may be allowed by the Community Development Director upon a showing of good cause.
5. The Developer shall secure separate design review approval for any signage for the project.

II. AGRICULTURAL RESOURCES

None.

III. AIR QUALITY

1. Grading and construction equipment shall be shut down when not in use.
2. Construction activities shall not occur during windy periods.
3. Exposed soil surfaces shall be periodically sprinkled to retard dust; no City water shall be used for this purpose.

IV. BIOLOGICAL RESOURCES

None.

V. CULTURAL RESOURCES

1. If any archeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archeologist is retained by the City to evaluate

the finds. Developer shall comply with all mitigation recommendations of the archeologist prior to commencing work in the vicinity of the archeological finds.

VI. GEOLOGY AND SOILS

1. All Project-related grading, trenching, backfilling, and compaction operations shall be conducted in accordance with the City of Napa Public Works Department Standard Specifications (hereinafter referred to as PWD Standard Specifications).
2. All construction activities shall meet the 2007 California Building Code regulations for seismic safety (i.e., reinforcing perimeter and/or load bearing walls, bracing parapets, etc.).
3. Developer shall provide an erosion and sediment control plan and a schedule for implementation of approved measures to the Public Works Director for approval with the first improvement plans submitted for review. No grading and excavation shall be performed except in accordance with the approved plan and schedule.
4. Hydroseeding of all disturbed slopes shall be completed by October 1; Developer shall provide sufficient maintenance and irrigation of the slopes such that growth is established by November 1.
5. The Developer shall prepare a Soils Investigation/Geotechnical Report in accordance with Section 16.36.200 of the NMC. The improvement plans shall incorporate all design and construction criteria specified in the report. The geotechnical engineer shall sign the improvement plans and approve them as conforming to their recommendations prior to parcel/final map approval. The geotechnical engineer shall also assume responsibility for inspection of the work and shall certify to the City, prior to acceptance of the work, that the work performed is adequate and complies with their recommendations. Additional soils information may be required by the Chief Building Inspector during the plan check of individual house plans in accordance with Title 15 of the NMC.

VII. HAZARDS AND HAZARDOUS MATERIALS

None.

VIII. HYDROLOGY AND WATER QUALITY

1. To insure adequate drainage control, the Developer of any project which introduces new impervious surfaces (roof, driveways, patios) which will change the rate of absorption of drainage or surface run-off shall submit a drainage and grading plan designed in accordance with Policy Resolution No. 17 and the City of Napa Public Works Department Standard Specifications to the Public Works Department for its approval.
2. If the project is in the Flood Hazard or Floodway Areas of the Napa River or its tributaries, Developer shall submit Certifications of Compliance by a registered architect or civil engineer required by NMC Chapter 17.38 to the Public Works Department at the times set forth in Chapter 17.38.
3. Side yards of each lot shall have of a minimum unobstructed width of five (5) feet. No building encroachments, door landings or mechanical equipment shall be placed in this unobstructed area without the review and approval of the Public Works Director in order to assure adequate drainage.
4. For any construction activity that results in the disturbance of one (1) acre or greater total land area, the Developer shall file a Notice of Intent with the California Regional Water Quality Control Board ("SWRCB") prior to any grading or construction activity.
5. The Developer shall ensure that no construction materials (e.g., cleaning fresh concrete from equipment) are conveyed into the storm drain system. The Developer shall pay for any required

cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.

6. All materials that could cause water pollution (i.e., motor oil, fuels, paints, etc.) shall be stored and used in a manner that will not cause any pollution. All discarded material and any accidental spills shall be removed and disposed of at an approved disposal site.
7. The Developer of an industrial facility shall file a Notice of Intent in accordance with the State General Permit with the State Water Resources Control Board prior to establishment of the use.
8. All construction activities shall be performed in a manner that minimizes, to the maximum extent practicable, any pollutants entering directly or indirectly the storm water system or ground water. The Developer shall pay for any required cleanup, testing and City administrative costs resulting from consequence of construction materials into the storm water drainage system.
9. Unless otherwise provided, all measures included in project approval pursuant to NMC Chapter 17.38 (floodplain/flood evacuation) shall be installed or carried out prior to final clearance of the building permit or concurrently with the installation of site improvements in the case of a subdivision map.
10. Developer shall meet the requirements of discharging to a public storm drainage system as required to ensure compliance by the City with all state and federal laws and regulations related to storm water as stipulated in the Clean Water Act. Developer shall meet the requirements of the National Pollutant Discharge Elimination System ("NPDES") permit in effect prior to completion of project construction for storm water discharges from the municipal storm water system operated by the City of Napa. Developer shall comply with the Storm Water Pollution Mitigation Plan ("SWPMP") submitted by Developer as part of its application as (modified and) approved by the Director of Public Works.
11. Developer shall mark all new storm drain inlets with permanent markings, which state "No Dumping—Flows to River." This work shall be shown on improvement plans.
12. Developer shall record a plan for long-term private maintenance acceptable to the Director of Public Works and the City Attorney for any structural storm water pollution removal devices or treatment control BMP incorporated as part of the project. The plan shall comply with City and SWRCB requirements including, but not limited to, a detailed description of responsible parties, inspections, maintenance procedures for the detention system, including monitoring and documentation of annual report to the Public Works Department and procedures for enforcement. Appropriate easements or other arrangements satisfactory to the Public Works Director and City Attorney necessary or convenient to ensure the feasibility of the scheme and fulfillment of maintenance responsibilities shall be secured and recorded prior to approval of the final/parcel map or issuance of a building permit, whichever comes first.

IX. LAND USE AND PLANNING

1. Developer shall comply with all requirements of federal, state, and local laws and regulations applicable to project construction and issuance of building permits.
2. Developer shall comply with the monitoring/reporting check lists development pursuant to the City of Napa Resolution 96-153 regarding CEQA implementation procedures for both standard and project specific mitigation measures.
3. Developer shall notify all employees and agents of the mitigation measures and conditions applicable to the project and shall ensure compliance with such measures and conditions. Developer shall also notify all assigns and transferees of the same.

X. MINERAL RESOURCES

None.

XI. NOISE

1. Construction activities shall be limited to specific times pursuant to NMC 8.08.025 which limits construction activities to 7:00 a.m. to 7:00 p.m., Monday through Friday and 8:00 a.m. to 4:00 p.m. on weekends or legal holidays, unless a permit is first secured from the City Manager (or his/her designee) for additional hours. The ordinance further states that there will be: no start up of machines nor equipment prior to 8:00 a.m., Monday through Friday; no delivery of materials nor equipment prior to 7:30 a.m. nor past 5:00 p.m., Monday through Friday; no cleaning of machines nor equipment past 6:00 p.m., Monday through Friday; no servicing of equipment past 6:45 p.m., Monday through Friday.
2. Construction equipment must have state-of-the-art muffler systems required by current law. Muffler systems shall be properly maintained.
3. Noisy stationary construction equipment, such as compressors, shall be placed away from developed areas off-site and/or provided with acoustical shielding.
4. Grading and construction equipment shall be shut down when not in use.

XII. POPULATION AND HOUSING

None.

XIII. PUBLIC SERVICES

1. Developer shall comply with all applicable requirements of the Uniform Fire Code the Fire Department and PWD Standard Specifications and the Fire Department "Standard Requirements for Commercial/Residential Projects," including, without limitation, the requirements for access, new construction, smoke detectors, fire extinguishers, fire hydrants, etc. Existing fire hydrants may be used to meet hydrant location requirements only if they meet or are changed to meet current hydrant specifications.
2. Properties having common ownership shall provide the Fire Department with a notarized copy of the recorded conditions, covenants, and restrictions agreement in a form satisfactory to the City Attorney ensuring that all components of fire protection system(s), and fire access roads will be maintained by a maintenance district, owner's association, or similar legally responsible entity.
3. All newly constructed buildings must have automatic sprinkler systems conforming to NFPA and City Standard Specifications, for which installation permit must be obtained from Fire Prevention. In multi-building complexes, or in buildings with three (3) or more stories, special monitoring conditions will be required. Existing habitable buildings, which are retained, shall be retrofitted.
4. The Developer of any project proposing a change in occupancy use classification (as defined in the Uniform Building Code Table 5A) in a building protected by automatic fire sprinklers shall have the sprinkler system evaluated by a licensed fire sprinkler contractor or fire protection engineer for compliance with National Fire Protection Association Installation Standards. A written report of the inspection findings shall be submitted to the Fire Department prior to final occupancy clearance. A permit is required from Fire Prevention for sprinkler system alterations.
5. The Developer of any project which proposes commercial occupancies shall secure approval from Fire Prevention and Building Departments prior to signing lease agreements and allowing

occupancy of prospective occupants that pose possible fire and life safety hazards, or are classified, or are classified by the Uniform Building Code as an H (hazardous) occupancy.

Examples of these types of occupancies are: Storage of flammable, combustible, explosive, or toxic materials, manufacturing processes involving the above, woodworking shops, fire rebuilding or storage, automotive repair, auto body repair and/or painting, factories where loose combustible fibers are present, semi-conductor fabrication facilities, bulk paint storage, etc.

6. Developer shall pay the required fire and paramedic fees for new development in accordance with Napa Municipal Code Chapter 15.78. Such fees shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 94-106 are incorporated herein. The City further finds that calculation of the fee pursuant to the formula set forth therein demonstrates that there is a reasonable relationship between the fees imposed and the cost of improvements attributable to this project.

XIV. RECREATION

1. Developer shall pay the required fees for each new dwelling unit in accordance with the Napa Municipal Code Chapter 15.68. Such fee shall be payable at the rate in effect at the time of payment for the unit involved. The findings set forth in the ordinance and Resolution 92-084 are incorporated herein. The City further finds that calculation of the fee due pursuant to the formula set forth in Section 15.68.040 of the Napa Municipal Code demonstrates that there is a reasonable relationship between the fees imposed and the cost of the improvements attributable to this project.
2. Unless project approval requires only land dedication, the Developer shall pay In-lieu Park dedication fee(s) in accordance with and for the purposes of NMC Sections 16.32.040, 15.68.010 and 15.68.090 for each residential unit authorized or allowed by project approval. Such fee(s) shall be payable at the rate in effect at time of payment. The findings set forth in the ordinances and in Resolution 92-084 are incorporated herein. The City further finds that the calculation of fees in accordance with the formula set forth in NMC Section 16.32.040D demonstrates that there is a reasonable relationship between the amount of fees imposed and the costs of acquisition attributable to this project.

XV. TRANSPORTATION/TRAFFIC

1. All required public frontage and street improvements shall be designed and built in accordance with City of Napa ordinances and the PWD Standard Specifications. Unless waived by the Public Works Director, street improvements shall include curbs, gutter, sidewalk, planting, streetlights, street trees, etc.; any additional right-of-way necessary to accommodate these improvements shall be dedicated to the City.
2. During non-working hours, open trenches shall be provided with appropriate signage, flashers, and barricades approved by the Street Superintendent to warn oncoming motorists, bicyclists, and pedestrians of potential safety hazards.
3. All road surfaces shall be restored to pre-project conditions after completion of any project-related pipeline installation activities.
4. Any pedestrian access through and/or adjacent to the project site shall remain unobstructed during project construction or an alternate route established as approved by the Police Chief and Public Works Director.
5. In order to mitigate the cumulative impact of the traffic generated by the subject project on the City's arterial and collective street system, the Developer shall pay a Street Improvement Fee in accordance with Napa Municipal Code Chapter 15.84 and implementing resolutions to pay for the traffic improvements identified therein. Such fee shall be payable at the rate in effect at the time of

payment. The findings set forth in the ordinance and implementing resolutions are incorporated herein. The City further finds that the calculation of the fees in accordance with the trip generation capacity of development demonstrates there is a reasonable relationship between the amount of the fees imposed and the cost of the street improvements attributable to this project.

XVI. UTILITIES AND SERVICE SYSTEMS

1. Prior to trenching within existing roadway areas, the Developer's engineer shall ascertain the location of all underground utility systems and shall design any proposed subsurface utility extensions to avoid disrupting the services of such systems.
2. Water and energy conservation measures shall be incorporated into project design and construction in accordance with applicable codes and ordinances.
3. The project shall be connected to the Napa Sanitation District for sanitary sewer service. If the subject property is presently served by individual sewage disposal systems, the septic systems, set backs, and reserve areas must be protected and maintained during cleaning, grading, construction, and after connection to the District, the existing septic tank(s) shall be properly destroyed.
4. The project shall be connected to the City of Napa water system. Any existing well must be properly protected from potential contamination. If an existing well is to be destroyed, a well-destruction permit must be obtained from the Napa County Department of Environmental Management by a licensed well driller. If an existing well is not destroyed, it must be properly protected and an approved backflow prevention device installed according to the Water District's specifications.
5. The project shall be designed and built in accordance with the PWD Standard Specification regarding the adequate conveyance of storm waters.
6. All faucets in sinks and lavatories shall be equipped with faucet aerators designed to limit the maximum flow to two and two tenths (2.2) gallons per minute.
7. All showerheads shall be of a design to limit the maximum flow to two and one-half (2.5) gallons per minute.
8. The Developer shall completely offset the water requirements of this project by complying with the retrofit requirements of Napa Municipal Code Chapter 13.09.
9. During the construction/demolition/renovation period of the project, Developer shall use the franchised garbage hauler for the service area in which the project is located to remove all wastes generated during project development, unless Developer transports project waste. If the Developer transports the project's waste, Developer must use the appropriate landfill for the service area in which the project is located.
10. Developer shall provide for the source separation of wood waste for recycling. Developer shall use the franchised garbage hauler for the service area in which located for collection of such wood waste, unless the Developer transports such wood waste to a location where wood waste is recycled.

**City Of Napa – Community Development Department
1600 First Street – P.O. Box 660
Napa, CA 94559
(707) 257-9530**

INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NAME:	Mayacamas Vista Estates	FILE NUMBER:	10-0066
SITE ADDRESS:	1121 Orchard Avenue	APNs:	035-042-020 & 045
GENERAL PLAN:	SFR-002 (2-6 units an acre)		
ZONING:	RS-10		
APPLICANT:	Randy Gularte 1601 Lincoln Avenue Napa, CA 94558	PHONE:	(707) 256-2145

PROJECT DESCRIPTION: Application to subdivide a 7.28 acre property at 1121 Orchard Avenue into 18 single family residential lots. The project site is comprised of two parcels containing a single residence and several outbuildings which are proposed for demolition. Access to the subdivision will be via a new public street off of Luke Drive. Lot sizes will range from 10,664 square feet to 41,057 square feet. The application includes the proposed house plans and plotting plans for the new homes. The development proposes three single story model house plans with house sizes that range from 2,524 square feet to 3,600 square feet in size. Project approvals include: 1) a Use Permit to authorize the flag lot development standards for Lots 7, 8, 11 & 18; 2) a Design Review permit for the proposed tentative subdivision map and house plans; and 3) a Tentative Subdivision Map to divide the property into 18 single family lots.

ENVIRONMENTAL SETTING: The 7.28 acre property is generally flat and located in a residential zoned area at the western terminus of Like Drive. The site is developed with a single family residence, a several outbuildings, a vineyard and remnants of a small orchard. On-site vegetation includes grapevines, small orchard tree and some ornamental landscape trees. The site is essentially surrounded by single family residential development, with the exception of the vineyard property to the west.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. This initial study prescribes mitigation measures to reduce all potentially significant impacts to a less than significant level.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology & Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology & Water Quality |
| <input type="checkbox"/> Land Use & Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population & Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation & Traffic | <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |


CEQA DETERMINATION:

- The proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.

- Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- The proposed project MAY have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated." An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

A Notice of Negative Declaration will be prepared and posted for the period of November 11, 2010 – December 2, 2010

Prepared by:



Signature
Scott Klingbeil



Date
For: Cassandra Walker, Community Development Director
City of Napa Community Development Department

ENVIRONMENTAL CHECKLIST:

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?			X	
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	
<p>Discussion: While there would be visual changes from the existing viewing locations a change in itself would not necessarily be significant and with the imposition of the special conditions noted below, the overall impact would be reduced to less than significant. Residential development has been planned and endorsed by the community with the adoption of the 1998 General Plan, which allows for residential development. The proposed single family lots and resulting residential buildings will not have a substantial adverse effect on a scenic vista or result in substantial damage to scenic resources. Although there are views of the site from adjacent neighbors, there are no significant views of the site or from the site that are normally visible to a substantial number of people.</p> <p>Potential aesthetic impacts will be reduced to a less-than-significant level through the City's application of the standard visual mitigation measures, the design review process and conditions of approval. The City requires lighting to be confined to the site. Although the project may generate light and cause reflective glare, these potential impacts will be reduced to a less-than significant level through application of the City's standard light and glare mitigation measures, and a check of lighting plans during the City's architectural review process.</p> <p>Daylight sources of light and glare can include buildings and structures, especially if they have mirrored or reflective surfaces. The imposition of the standard mitigations in Policy Resolution #27 and the special mitigation measures noted below should reduce the potential impacts to a less than significant level.</p> <p>Mitigation Measures: Policy Resolution 27: Aesthetic Mitigation Measures 1-5.</p> <p>Special Mitigation Measures: 1. All exterior lighting for the future residences shall be properly shielded and directed downward to preclude glare conditions that might impact adjacent properties or public streets.</p>				
II. AGRICULTURAL & FOREST RESOURCES. <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?			X	
<p>Discussion: The project site is identified as Farmland of Statewide Importance; however, the proposed development does not affect new agricultural lands that were not already assessed in the 1998 General Plan Final Environmental Impact Report (FEIR) on pages 3.2-3 through 3.2-8 and on pages 4-1 through 4-2. In the General Plan FEIR, loss of small agricultural plots not on prime agricultural soils when contiguous with urban development within the RUL was not considered significant while conversion of prime soils (identified as Classes I and II) within the RUL was considered significant but offset in part by General Plan policies that focus</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p>development within the RUL, thereby protecting significant tracts of agricultural land and open space outside the RUL from development. Findings of overriding consideration were made in the FEIR regarding the loss of some prime agricultural soils within the city to allow land within the RUL to be used for urban uses to accommodate housing growth consistent with local and regional projections. A primary goal of the City's General Plan is to contain urban development within the City's Rural Urban Limit to minimize disturbance to the region's rich agricultural resources outside the RUL.</p>				
<p>The project site is currently zoned "RS-10" Single Family Residential which will remain. Under the City's Rural Urban Limit (RUL) policy, all urban development is to take place within the RUL boundaries, with lands outside the RUL boundaries protected for agricultural use. The project site is located within the RUL boundaries, and residential development of the site as proposed would not represent a conflict with the "RS-10" designation within the RUL boundaries. The project site is not zoned for agricultural use and no portion of the project site is currently under a Williamson Act contract. The project area contains no forest or timberland and is not zoned for forest land, timberland, or timberland production. The proposed subdivision will not result in the loss of forest land or conversion of forest land to non-forest use.</p>				
<p><u>Standard Mitigation Measures:</u> None <u>Special Mitigation Measures:</u> None</p>				
<p>III. AIR QUALITY. [Significance criteria established by the BAAQMD may be relied upon to make the following determinations] <i>Would the project:</i></p>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?			X	
e. Create objectionable odors affecting a substantial number of people?				X
<p>Discussion: The proposed 18 lot subdivision and future single family homes are not expected to cause or contribute to any violation of an air quality standard, because the emissions would not exceed Bay Area Quality Management District CEQA thresholds. Dust is generally emitted by the action of construction equipment and vehicles and as a result of wind erosion over exposed earth surfaces. Clearing, grading, demolition and earthmoving activities comprise the major source of construction dust emissions, although traffic and general disturbance of the soil would also generate significant dust emissions. The effects of construction activities would include increased settling of dust on horizontal surfaces in the vicinity of the project site and locally elevated levels of suspended particulate matter downwind of construction activity. Depending on the weather, soil conditions, amount of activity, and the nature of dust control efforts, these impacts could extend downwind from the project site, thereby affecting adjacent residences by increasing soiling and requiring more frequent cleaning and/or maintenance activities. These impacts would occur primarily during site grading. Since the project would be developed in a single phase the grading impacts would occur during a limited time period. Although most of the dust like material is expected to be generated during grading, construction emissions would occur throughout the construction period. Although there may be a temporary degradation of air quality during the construction of this project; with the imposition of the special mitigation measures and the standard mitigation measures contained in Policy Resolution #27 will reduce any potential impact to a less than significant level. The scale of the proposed development is too small to alter air movement or climate either locally or regionally. Based on project location, potential sensitive receptors are not expected to be exposed to any known substantial pollutant concentrations. The project is not the type of development expected to emit objectionable odors.</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p><u>Standard Mitigation Measures:</u> Policy Resolution 27: Air Quality Mitigations 1-3</p>				
<p><u>Special Mitigation Measures:</u> 1. All construction area and adjacent streets shall be swept of all mud and debris with water sweepers, since this material can be pulverized and later re-suspended by vehicle traffic.</p> <p>2. All proposed fireplaces within the development shall include a gas insert and all stoves shall be required to meet EPA certification.</p>				

IV. BIOLOGICAL RESOURCES. *Would the proposal result in:*

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?			X	
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS?			X	
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool,, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion: In regards to "a, b & c", the proposed development will convert a large under developed property to multi-family residences with ornamental landscaping. The project site has not been identified as significant habitat for sensitive or special status species. A small drainage channel is located on the northeast side of the property adjacent to the existing single family homes.

A Tree Preservation was prepared by Ed Brennan, Consulting Arborist for the project, dated August 13, 2010. A total of 78 trees were evaluated with the majority of the trees being Incense Cedar with 25 trees and Black Walnut with 20 trees. Of the 78 trees on the project site, the arborist has recommended the retention of 31 trees. The arborist recommends removal of 47 trees with 29 of the trees being removed due to their location and 18 trees due to poor suitability for preservation. New street trees and landscaping will be planted in conjunction with the development.

The proposed project includes the removal of 11 trees that are classified as Protected Native Trees (NMC 12.45.020); with the majority of these trees being Black Walnuts from the remnants of an old orchard. Per the Napa Municipal Code, the removal of protected trees may be approved with the requirement that the developer replace the trees in one of two ways: 1) for each tree removal replant of two (2) trees of the same species 15 gallons size or larger, for each six inches or fraction thereof of the protected native tree; or 2) if the project site is inadequate to accommodate replacement trees on site, an in-lieu fee of \$300.00 per tree may be paid to the city for planting a tree on public land. Per City requirements, the applicant is responsible for planting 76 replacement trees on the site or providing the trees in the form of an in-lieu fee at 300 dollars per tree. Chapter 12.45 of the Napa Municipal Code requires on-site or off-site replacement of "protected native trees" as specified in the mitigation measure below. Compliance with these mitigations contained in the Municipal Code would reduce biological impacts associated with such tree removal to a level of insignificance. New landscaping will be installed as a condition of project approval.

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p><u>Standard Mitigation Measures:</u> None</p> <p><u>Special Mitigation Measures:</u> 1. The 31 trees identified for retention in the arborist report dated 8/13/10 shall be protected and preserved. The subdivision improvement plans submitted for review and approval to the Public Works Department shall include a tree preservation plan, prepared by a certified arborist which includes measures for protection of root structures, trunks and limbs during construction and any additional measures necessary for the continued health of the trees to remain. This report shall evaluate the status of the trees and include recommendations for the optimum location, and configuration of the improvements in the interest of creating minimal impact on the subject trees.</p> <p>2. A plan review letter shall be submitted by the tree preservation plan preparer which indicates whether or not the recommended measures have been satisfactorily included in the improvement plans of the subdivision.</p> <p>3. The tree preservation plan preparer or other certified arborist shall be retained during the construction process to make sure that the procedures specified in the preservation plan are followed. A final project review letter shall be submitted to the City by the tree preservation plan preparer, prior to the issuance of a certificate of occupancy, which reviews the final status of the trees and provides any additional recommendations for the continued protection upon occupancy of the dwelling units.</p> <p>4. In the event that any of the trees recommended to be saved are removed, the tree(s) shall be replaced or provided to the City for planting within a community area at a ratio of 10 new trees for each tree lost. The replacement trees shall be native trees and subject to the review and approval of the Community Development Department.</p> <p>5. The front yard landscaping for each single family residence shall be installed prior to issuance of a Certificate of Occupancy.</p>				
<p>V. CULTURAL RESOURCES. <i>Would the project:</i></p>				
a. Cause a substantial adverse change in the significance of an historical resource as defined in Sec.15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?			X	
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d. Disturb any human remains, including those interred outside of formal cemeteries?			X	
<p><u>Discussion:</u> The existing home and structures at 1121 Orchard Avenue are not listed on the City's Historic Resources Inventory or subject to the Historic Preservation and Neighborhood Conservation Ordinance. The cultural resources maps maintained by the City of Napa Planning Department do not identify the subject site as being a recorded archeological site and is considered in an area having medium archaeological sensitivity. Although the proposed development of the project site would not disturb any known culturally sensitive site or human remains, the site is located in a typical archaeologically sensitive area due to its location near a creek so it is possible that a culturally sensitive site or human remains may be encountered during earthmoving and other construction activity at the project site. With the imposition of the Mitigation Measures listed below the potential impact is considered less than significant. Further, the site either does not affect a listed historical resource, or does not cause a substantial adverse change in an historical resource.</p> <p><u>Standard Mitigation Measures:</u> Policy Resolution 27: Cultural Resource Mitigation Measure 1.</p> <p><u>Special Mitigation Measures:</u> 1. The project applicant shall assure that project personnel (e.g., contractor, construction workers) are informed that collecting significant historical or unique archaeological resources discovered during development of the project is prohibited by law. Prehistoric or Native American resources can include chert or obsidian flakes, projectile points, mortars, and pestles as well as dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic resources can include nails, bottles,</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
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or other items often found in refuse deposits.

2. If any archaeological materials or objects are unearthed during project construction, all work in the vicinity shall be immediately halted until a qualified archaeologist is retained by the City of Napa to evaluate the finds. The project applicant shall comply with all mitigation recommendations of the archaeologist prior to commencing work in the vicinity of the archaeological finds.

3. In the event of discovery of human remains during grading or construction, all work shall be halted in the vicinity, and the Napa County Coroner shall be informed to determine if an investigation of the cause of death is required, and determine if the remains are of Native American origin. If such remains are of Native American origin, the nearest tribal relatives as determined by the state Native American Heritage Commission shall be contacted to obtain recommendations for treating or removal of such remains, including grave goods, with appropriate dignity, as required under Public Resources Code Section 5097.98.

4. If any evidence of fossils is discovered during excavation or grading, all work shall cease within 100 feet of the find. A qualified paleontologist shall be retained and any recommendations for recordation and preservation shall be followed.

VI. GEOLOGY & SOILS. *Would the project:*

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Pub. 42				X
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?			X	
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse)?			X	
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

Discussion: According to the Geologic Hazards Map on file with the City of Napa Planning Department, the subject property is not located in an Alquist Priolo Special Studies Zone (a recognized seismic hazard area) as the site is located about 12 miles from known traces of the nearest zoned active fault (the Rodgers Creek fault). The fault-line surface rupture would not be a substantial hazard at the project site because the closest faults to the project do not present any stable risk to people or structures. All future structures would be constructed as designed to meet current CBC Chapter 16 Design Standards which include seismic upgrades.

A Geotechnical Study was prepared by RGH Consultants Incorporated dated 5/20/10 that evaluated the subsurface conditions at the site and provided geotechnical recommendations for design of the proposed development. The study concluded that from a geotechnical engineering viewpoint the proposed development may be constructed as planned, provided the design is performed in accordance with the recommendations presented in the report. There are no known geologic faults that traverse the site. Well designed structures and foundations should be able to withstand the anticipated level of potential ground shaking. Based on the relatively

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p>flat nature of the site it is not anticipated that landsliding or mudflows will be a hazard at the site. The grading/filling required by this project to construct the residential building pads, drainage swales, streets and driveways will be minimal with cuts and fills on the order of 1 to 3 feet which will not result in a significant environmental impact. With the imposition of the mitigations measures noted below the likelihood of exposure of people and property to geologic hazards is minimal.</p> <p><u>Standard Mitigation Measures:</u> Policy Resolution 27: Geology/Soils Mitigation Measures 1-5 <u>Special Mitigation Measures:</u> 1. All subsequent development shall be in compliance with the recommendations set forth in the May 20, 2010 Geotechnical Investigation prepared by RGH Consultants.</p>				
<p><u>VII. GREENHOUSE GAS EMISSIONS. Would the project:</u></p>				
<p>a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</p>			X	
<p>b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>			X	
<p><u>Discussion:</u> The project consists of an 18 unit subdivision with detached single family homes. For purposes of this analysis the project was evaluated against the following applicable plans, policies and regulations: 1) AB 32 Scoping Plan, and 2) the City's General Plan, the Zoning Ordinance and Building Code. At present, there are no other applicable local or regional plans policies or regulations pertaining to greenhouse gas emissions that apply to the project. The City of Napa Building Code requires the project to exceed the energy efficiency levels required by State Title 24 Building Energy Efficiency Standards. This action would implement an Emission Reduction Action for Energy Efficiency contained in the Scoping Plan. The project is required to use low flush toilets and low flow plumbing fixtures. This action would implement an Emission Reduction Action or water contained in the Scoping Plan.</p> <p>Because the City recognizes the need to address global climate change, the City's General Plan, Zoning Ordinance and Building Codes include several City-wide policies that will help the City reduce local emissions and thereby addressing the potential increase in greenhouse gases. The following measures are currently being implemented by the City:</p> <ul style="list-style-type: none"> ▪ Land use patterns and transportation: providing a variety of higher density land uses in proximity to each other, allowing individuals to meet daily needs without having to use a car and designed to promote ease of pedestrian and bike access. ▪ Energy sources and energy use: increasing the use of renewable energy sources, including micro-scale energy sources such as photovoltaic solar, and also reducing energy consumption. ▪ Energy efficient building practices and sustainable materials: siting and designing buildings and landscaping to reduce heating and cooling needs and provide more natural light; incorporating renewable energy and water efficiency; reducing storm runoff; using renewable, local, salvage and nontoxic building materials; improving indoor environmental [air] quality. ▪ Waste disposal and recycling: reducing use of non-recyclable materials; replacing disposable materials with reusable materials; reducing packaging and yard wastes; increasing efficiency of reuse/recycling. <p>The City considers the policies, standards and practices listed above as program level mitigation that addresses the cumulative potential for increases in greenhouse gases within the local region. Therefore, this impact would be considered less than significant.</p>				
<p><u>Standard Mitigation Measures:</u> None</p>				
<p><u>Special Mitigation Measures:</u> None</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
VIII. HAZARDS & HAZARDOUS MATERIALS. <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routing transport, use or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			X	
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
<p>Discussion: The proposed 18 lot subdivision and future single family homes will not involve routine transport, handling or disposal of hazardous materials or emit hazardous emissions. Except during construction where equipment may be used requiring various types of fuel, the project does not involve hazardous substances and should have no affect on an emergency evacuation plan. The project site is not within airport land use plan boundaries. The proposed subdivision will have no impact to any emergency response plan or emergency evacuation plan and is not located in an area that is intermixed with wild lands.</p> <p>Standard Mitigation Measures: None</p> <p>Special Mitigation Measures: 1. If any contamination is discovered during site grading/construction, the contractor shall stop work immediately and contact the registered geologist from the County of Napa Department of Environmental Management.</p>				
IX. HYDROLOGY & WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?			X	
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?				X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j. Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: The project incorporates several standard mitigation measures to meet water quality standards such as grassy swales and detention devices. The project is not in a flood hazard area. The project is not in a flood hazard area. While the project will introduce new impervious surfaces (such as roadways, roofs, and driveways) which will change the rate of absorption of drainage and surface water run-off, the amounts of impervious surfaces are not substantial in area and changes in absorption and run-off will be insignificant because the project has been designed with on-site detention so that the 10, 25 and 100 year storms post-development runoff does not exceed predevelopment runoff levels. The applicant's engineer has prepared a preliminary grading and drainage plan which has been reviewed and approved by the City Public Works Department. The plan provides for stormwater detention which will meter water out to downstream drainage at a rate not to exceed pre-project levels. Stormwater will be run through grassy swales and a biological filter to remove pollutants prior to release into downstream waters. Standard mitigation measures for erosion control and compliance with National Pollution Discharge Elimination System requirements (NPDES) would mitigate temporary and long-term water quality impacts to a level of insignificance. The project site is not in a location that would be affected by seiches or tsunamis. All projects in the City are connected to City water supplies thus do not affect nearby wells.</p> <p>Standard Mitigation Measures: Policy Resolution 27: Hydrology and Water Quality Mitigation Measures 1-12</p> <p>Special Mitigation Measures: 1. The grading and drainage plan shall include a design that allows for a 100-year overland release with all finish floor and garage slab elevations a minimum of one foot above the 100-year overland release elevation.</p> <p>2. In general, it is the City's policy to require parcels to be graded to drain independently from adjoining parcels. If surface drainage is currently passing from adjoining properties onto the subject property, the grading plan for the project shall be designed to continue to accept such drainage and easements shall be established to allow such drainage patterns to continue. All surface drainage must be collected and conveyed to a public street, storm drain or approved outfall.</p> <p>3. The overall project grading involves an area of disturbed surface soil that is greater than or equal to one acre, therefore the project property owner shall file a Notice of Intent (NOI) with the State Water Resources Control Board and prepare a Construction Storm Water Pollution Prevention Plan prior to any construction activity. Stormwater will be run through grassy swales and a biological filter to remove pollutants prior to release into downstream waters. Standard mitigation measures for erosion control and compliance with National Pollution Discharge Elimination System requirements (NPDES) would mitigate temporary and long-term water quality impacts to a level of insignificance. The project site is not in a location that would be affected by seiches or tsunamis. All projects in the City are connected to City water supplies thus do not affect nearby wells.</p>				
X. LAND USE & PLANNING. Would the project:				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or resolution of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance)				X

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
adopted for the purpose of avoiding or mitigating an environmental effect?				
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: The General Plan designation for the site is SFR-002, Single Family Residential, which provides for residential development at densities between 2 to 6 units per acre. The proposed development would have an overall density of 2.5 units per acre, which is consistent with density range of the SFR-002 General Plan designation. Residential development has been planned and endorsed by the community with the adoption of the 1998 General Plan, which provides for multi-family residential development on this site. The project is consistent with the adjacent residential uses and does not alter the physical arrangement of the established neighborhood. The proposed development will complete a street connection that has been identified as a future roadway improvement in the General Plan. The proposed development would not conflict with any applicable habitat conservation plans or natural community conservation plans. Standard mitigation measures assure compliance with requirements applicable to the project and CEQA implementation.</p> <p>Standard Mitigation Measures: Land Use and Planning Mitigation Measures 1-3</p> <p>Special Mitigation Measures: None</p>				
XI. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
<p>Discussion: The project site does not contain any known mineral resources and would not result in the loss of availability of any known mineral resource; as such mitigation measures are not required.</p> <p>Standard Mitigation Measures: None</p> <p>Special Mitigation Measures: None</p>				
XII. NOISE. Would the project result in:				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies??				X
b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			X	
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project			X	
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
e. For a project located within an airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?				X
<p>Discussion: The proposed 18 lot residential development would not expose people to noise levels in excess of General Plan standards or create substantial increases in background noise levels above existing levels. The project site is not within an airport land use plan area or the vicinity of any private airstrip. Any significant noise generated by this project will be limited to noise associated with construction/grading of the project. There will be a minimal increase in noise due to the replacement of the vacant site with a residential development; however, the noise increase will not create significant health impacts on surrounding neighborhoods.</p>				

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<u>Standard Mitigation Measures:</u> Policy Resolution 27: Noise Mitigation Measures 1-4 <u>Special Mitigation Measures:</u> None				
XIII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b. Displacing substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<u>Discussion:</u> This project will not significantly impact population and housing as the project is consistent with growth planned by the City's general plan and would not induce additional population growth. The number of people introduced into this area will be consistent with the anticipated population of the General Plan and is not considered to be significant. The proposed 18 lot parcel map will replace a single family residence, which does not necessitate the construction of replacement housing. <u>Standard Mitigation Measures:</u> None <u>Special Mitigation Measures:</u> None				
XIV. PUBLIC SERVICES. <i>Would the project:</i>				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including:				X
i) Fire Protection?				X
ii) Police Protection?				X
iii) Schools?			X	
iv) Parks?			X	
v) Other Public Facilities?				X
<u>Discussion:</u> All agencies referenced above have been contacted and have reviewed the proposed development plan. Adequate fire and police protection and other facilities are available to serve the project and no significant impacts have been identified by any of the above agencies. The imposition of the standard mitigation measures of Policy Resolution 27 will further reduce any impact to public services. The project is required to pay school impact fees to meet demand for new students consistent with State law. <u>Standard Mitigation Measures:</u> Policy Resolution 27: Public Services Mitigation Measures 1-6 <u>Special Mitigation Measures:</u> None				
XV. RECREATION. <i>Would the project:</i>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated?			X	
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	
<u>Discussion:</u> This project will not significantly impact the existing parks and recreational facilities. The Parks and				

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<p>Recreation element of the General Plan does not identify this area of the City as underserved with parks or recreation facilities and is not anticipated that this project population will require any new or upgraded facilities. The proposed development of residential units at the project site is within the development potential anticipated by the General Plan and Housing Element, which should not represent a "significant impact" in regard to recreation. The imposition of the standard conditions found in Policy Resolution 27 (payment of quadrant fees etc.) will further reduce any impacts to parks and recreation facilities. The project includes the construction of various recreational facilities on-site which will further reduce impacts to existing recreational facilities.</p> <p><u>Standard Mitigation Measures:</u> Policy Resolution 27: Recreation Mitigation Measures 1 & 2</p> <p><u>Special Mitigation Measures:</u> None</p>				
<p>XVI. TRANSPORTATION & TRAFFIC. <i>Would the project:</i></p>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			X	
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersection) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity				X
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<p>Discussion: The relatively small size of the project (18 lots) will not significantly impact existing roadways. The street layout for the project has taken into account the most efficient plan for overall circulation in the area. The volumes of traffic associated with the project would not result in a significant individual impact on traffic. However, the traffic generated by the project will contribute to the cumulative impact on the City's arterial and collector street system by decreasing the available capacity of existing roadways within the project area, increasing average stopped delay for drivers using the existing facilities, decreasing average travel speed, increasing vehicle operating costs, hydrocarbon emissions, and fuel consumption, and increasing traffic safety concerns. The cumulative impact of the traffic generated by the subject project on the City's arterial and collector street system will be mitigated by the developer paying a Street Improvement Fee in accordance with Policy Resolution 27 and Policy Resolution 16.</p> <p><u>Standard Mitigation Measures:</u> Policy Resolution 27: Transportation/Traffic Mitigation Measures 1-5</p> <p><u>Special Mitigation Measures:</u> None</p>				
<p>XVII. UTILITIES & SERVICE SYSTEMS. <i>Would the project:</i></p>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	

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d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X
<p>Discussion: The applicable utility companies or agencies have been contacted and have received copies of the proposed development plan. No significant impacts have been identified. Standard mitigation measures require water conservation and recycling measures, use of the city's franchised garbage hauler and appropriate stormwater design. The city has entitlements to ensure that water supplies are adequate to serve the project, and Napa Sanitation District has not notified the City of any critical wastewater capacity situation. The project will not generate an extraordinary amount of solid waste and both collection and disposal systems are available to adequately serve the proposed development.</p> <p>Standard Mitigation Measures: Policy Resolution 27: Utilities and Service Systems Mitigation Measures 1-10</p> <p>Special Mitigation Measures: None</p>				
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				No
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in conjunction with the effects of past projects, the effects of other current projects and the effects of probable future projects.)				No
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				No
<p>Discussion: In regard to "a" no such effects are associated with this project due its location within an urbanized setting. In regard to "b" the project with the appropriate mitigations achieves some long term environmental goals. In regard to "c" there are no cumulative impacts associated with this project. In regard to "d" construction related activity at the project site could have a temporary adverse effect on human beings, but these impacts are effectively mitigated to a level of less than significant through the implementation of the Standard Mitigation Measures. The project has been modified to include the Standard Mitigation Measures contained in Policy Resolution 27 and the Special Mitigation Measures identified in this Initial Study; the overall effect is that no significant impacts would occur as a result of this project.</p>				

SOURCES OF INFORMATION USED IN PREPARATION OF THIS INITIAL STUDY:

Project Specific Studies and Contacts:

- Applicants Written Project Statements
- Location Map and Aerial Photos
- Tentative Parcel Map and Grading Plans (attached)

Landscape Plans

House Plans

Tree Preservation Report dated 8/13/10 prepared by Ed Brennan, Certified Arborist (attached)
Preliminary Geotechnical Study dated 5/20/10 prepared by RGH Consultants Incorporated (attached)
Preliminary Hydrology Report dated 6/24/10 prepared by Riechers Spence Associates (on file at Planning)
Storm Water Management Plan dated 6/7/10 prepared by Riechers Spence Associates (on file at Planning)

City of Napa Policy Resolution #27 (attached)

City of Napa; *General Plan Policy Document*, Adopted December, 1998.

City of Napa; *General Plan Background Report*, Adopted December, 1998.

City of Napa; *General Plan Final Environmental Impact Report*, Adopted December, 1998.

City of Napa; *Zoning Ordinance*, 1996.

City of Napa; *Resolution 89-362* Establishing a Street Improvement Fee for all new Development within the City and subsequent Resolutions Amending this Resolution: Resolution 93-198.

City of Napa; *Water System Optimization and Master Plan*, 1997; West Yost & Associates

City of Napa; *Water System Optimization and Master Plan*; Final EIR; 1997

City of Napa; *Big Ranch Specific Plan and Specific Plan FEIR*, October, 1996; Nichols Berman

City of Napa; *Linda Vista Specific Plan and Specific Plan FEIR*; October, 1987

County of Napa; *Napa County Airport Land Use Compatibility Plan*, April, 1991

Bay Area Air Quality Management District, *CEQA Guidelines*, 1996

Bay Area Air Quality Management District, *Bay Area '97 Clean Air Plan*, December, 1997

U.S. Army Corps of Engineers, Napa River/Napa Creek Flood Protection Project General Design Manual and Supplemental EIR/EIR, December, 1997.

State of California, Resources Agency, *Farmland Mapping and Monitoring Program*