



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
www.napa.lafco.ca.gov

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

Agenda Item 7b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
Dawn Mittleman Longoria, Analyst II
MEETING DATE: August 3, 2020
SUBJECT: Proposed Linda Vista Avenue No. 21 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Linda Vista Avenue No. 21 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
APNs: 007-231-002, 007-152-030, 007-103-004, and 007-172-023
Location: 3660, 4009, and 4213 Linda Vista Avenue and 2415 Trower Avenue
Area Size: 2.76 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence (SOI) Consistency: Yes – NSD

Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: four single-family residences and one detached second unit

The purpose of the proposal is to allow the existing single-family residences to eliminate their private onsite septic systems and connect to NSD's public sewer infrastructure. The proposal would also satisfy a condition of the Commission's previous approval of an outside service agreement, which was conditioned upon the landowner submitting a complete application to annex 3660 Linda Vista Avenue to NSD by September 23, 2020.

Notably, staff sent letters to the landowners of 16 total parcels located along or near Linda Vista Avenue inviting them to join the annexation proposal initiated by the landowner of 3660 Linda Vista Avenue. The landowners of 4009 Linda Vista Avenue, 4213 Linda Vista Avenue, and 2415 Trower Avenue agreed to join the proposal. The application materials are included as Attachment Two.

Kenneth Leary, Chair
Councilmember, City of American Canyon

Margie Mohler, Commissioner
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner
Councilmember, City of Napa

Diane Dillon, Vice Chair
County of Napa Supervisor, 3rd District

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

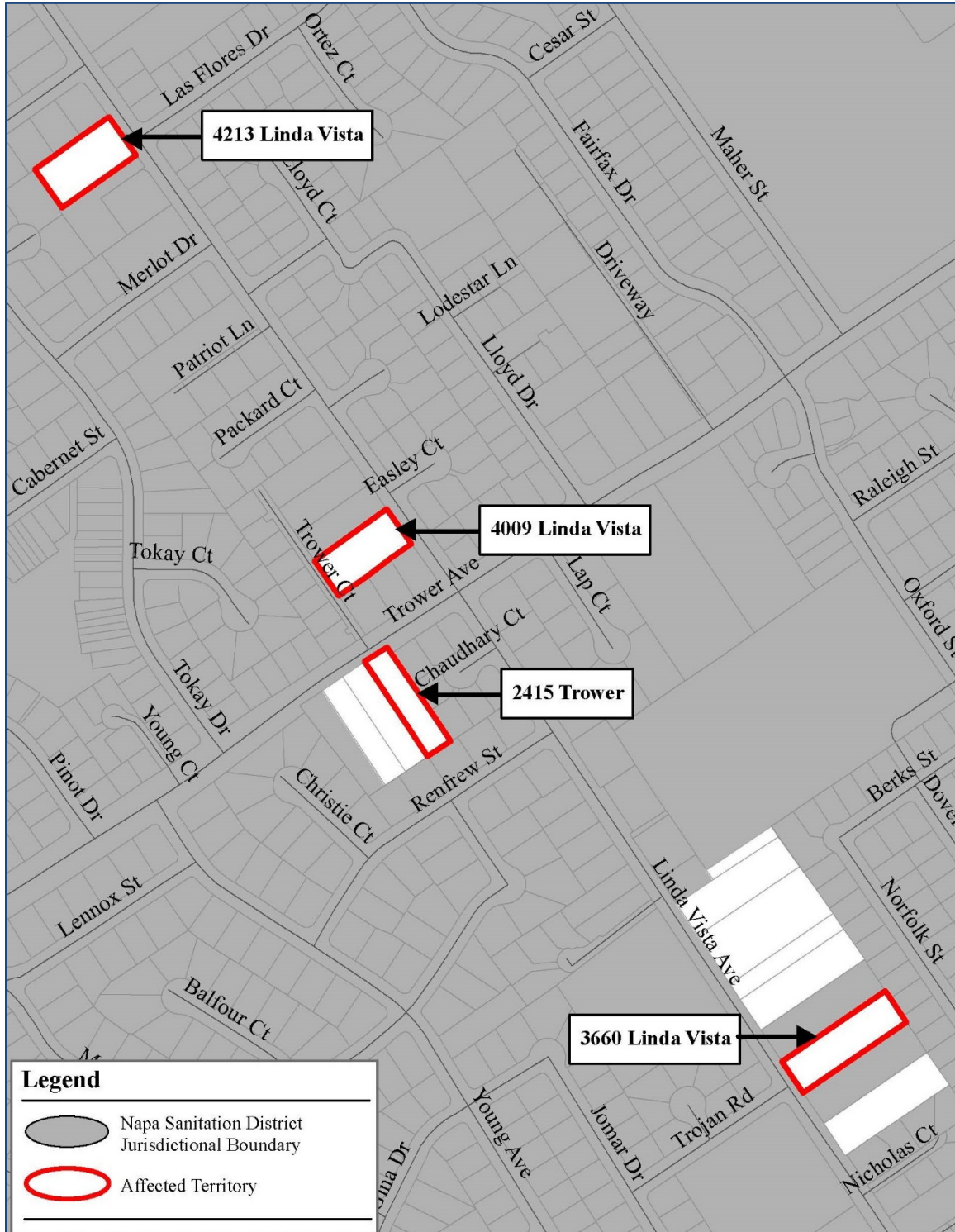
Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

Individual aerial maps of each parcel within the affected territory are included as Attachment Three. A vicinity map of the affected territory showing NSD's jurisdictional boundary is provided below.



## **DISCUSSION**

### ***Factors for Commission Determinations***

See Attachment Four for an evaluation of the mandated factors for Commission determinations.

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

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

### ***Protest Proceedings***

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is legally uninhabited (less than 12 registered voters), all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

## **ENVIRONMENTAL REVIEW**

The proposed annexation qualifies for a statutory exemption from further review under CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. Staff believes this exemption is appropriate given any existing and future residential units within the affected territory would connect to NSD by way of installing sanitary sewer main and/or laterals from existing sewer mains located in Linda Vista Avenue or Trower Avenue, which will involve less than one total mile of new pipeline.

## **ATTACHMENTS**

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Maps of Affected Territory
- 4) Factors for Commission Determinations

RESOLUTION NO. \_\_\_\_

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

**LINDA VISTA AVENUE NO. 21  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

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

**WHEREAS**, the proposal seeks Commission approval to annex approximately 2.76 acres of incorporated land to the Napa Sanitation District and represents four entire parcels located at 3660, 4009, and 4213 Linda Vista Avenue and 2415 Trower Avenue and identified by the County of Napa Assessor’s Office as 007-231-002, 007-152-030, 007-103-004, and 007-172-023, respectively; and

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

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on August 3, 2020; and

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

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

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

**WHEREAS**, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered available exemptions under CEQA, in accordance with 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 Factors for Commission Determinations provided in the Executive Officer’s written report are hereby incorporated herein by this reference and are adequate.
2. The underlying activity, annexation of the affected territory, is exempt from further review pursuant to CEQA Guidelines Section 15282(k), which exempts the installation of new pipeline as long as the project does not exceed one mile in length. The records upon which these findings are made are located at the Commission’s administrative office located at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**LINDA VISTA AVENUE NO. 21  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

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

- 13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on August 3, 2020, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

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

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

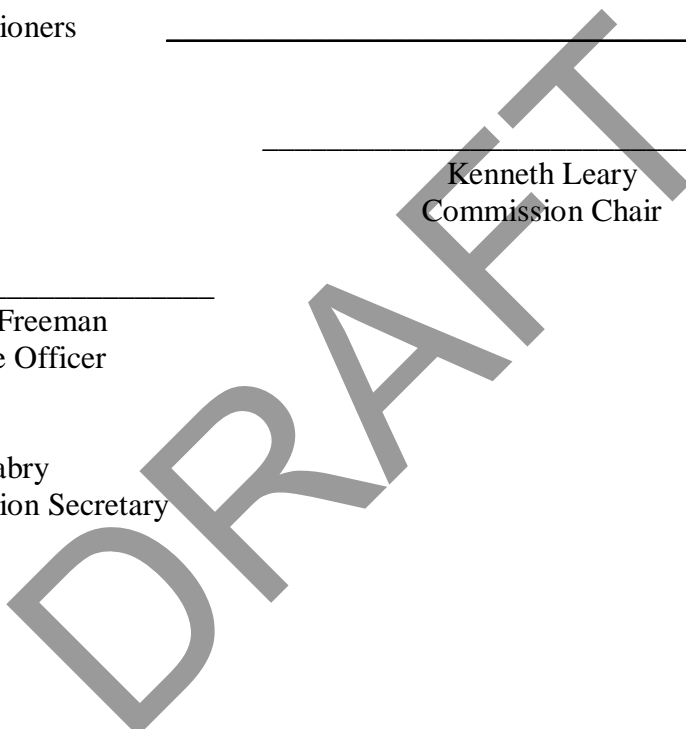
ABSENT: Commissioners \_\_\_\_\_

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

\_\_\_\_\_  
Kenneth Leary  
Commission Chair

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

Recorded by: Kathy Mabry  
Commission Secretary

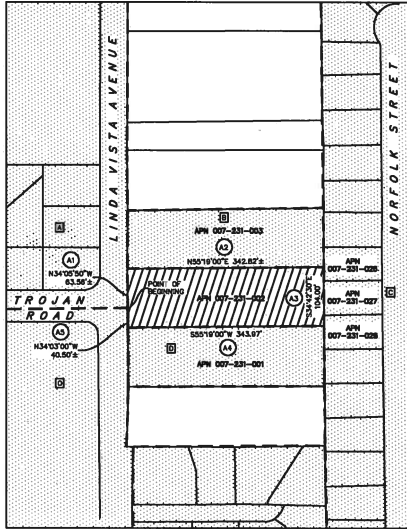
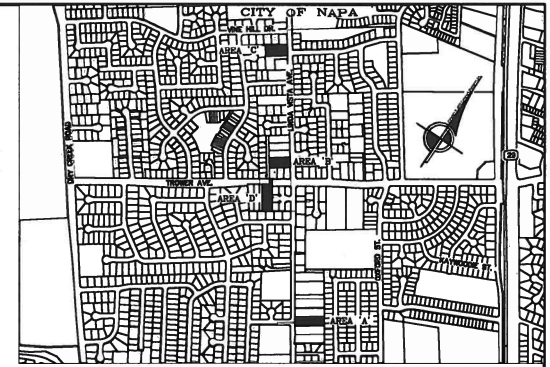
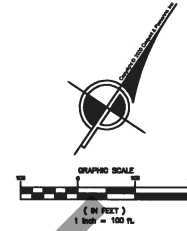


- ANNEXATION DISTRICTS**
- 1 LINDA VISTA AVENUE/TROJAN ROAD DISTRICT ANNEXATION (1983-4)
  - 2 LINDA VISTA AVENUE NO. 21 ANNEXATION (1996-4)
  - 3 LINDA VISTA AVENUE NO. 14 DISTRICT ANNEXATION (1996-4)
  - 4 REDWOOD JUNIOR HIGH SCHOOL AND NORTHWOOD SUBDIVISION ANNEXATION (JULY 25, 1987)
  - 5 LINDA VISTA AVENUE NO. 8 DISTRICT ANNEXATION (1993-8)
  - 6 SELVA ANNEXATION (1972-5)
  - 7 TROWER AVENUE ANNEXATION (1983-8)
  - 8 EARLY ANNEXATION (1977-11)
  - 9 TOWER AVENUE/LINDA VISTA AVENUE DISTRICT ANNEXATION (1988-7)
  - 10 TOKAY DRIVE ANNEXATION (1983-9)
  - 11 LINDA VISTA AVENUE NORTH ANNEXATION (1977-14)
  - 12 MALLA LAS FLORES ANNEXATION (1973-1)
  - 13 LINDA VISTA AVENUE #3 ANNEXATION (NSD RESOLUTION NO. 8487)
  - 14 FOUR OAKS PARK NO. 2 ANNEXATION (1975 NO. 4)
  - 15 LINDA VISTA AVENUE ANNEXATION (NOVEMBER 14, 1987)

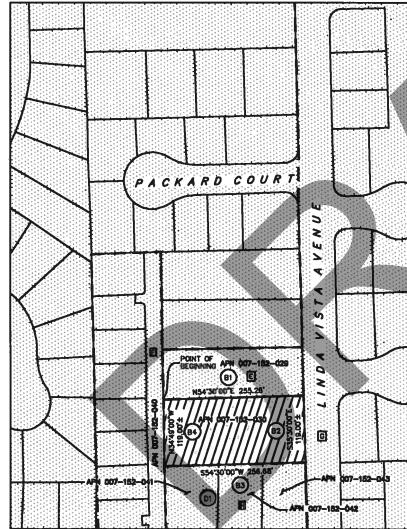
**DISCLAIMER**  
 FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS REQUIRED BY THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE LAND DESCRIBED.

**LEGEND**

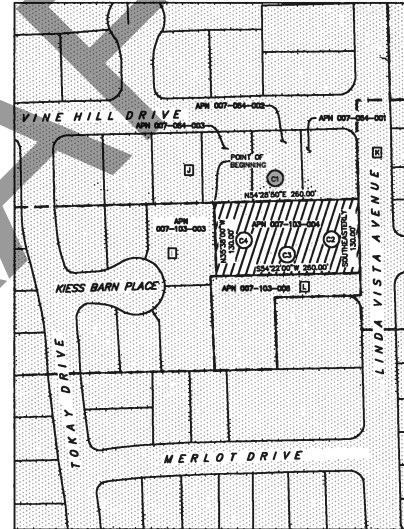
- ADJACENT ANNEXATION BOUNDARY
- ▨ PROPOSED NSD ANNEXATION
- ▨ AREA A (43.56 ACRES)
- ▨ AREA B (42.78 ACRES)
- ▨ AREA C (42.78 ACRES)
- ▨ AREA D (42.78 ACRES)
- ▨ EXISTING NSD AREA



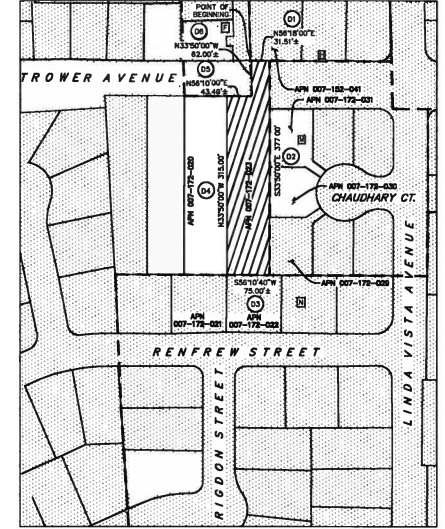
**AREA 'A'**  
 3660 LINDA VISTA AVENUE  
 APN 007-231-002



**AREA 'B'**  
 4009 LINDA VISTA AVENUE  
 APN 007-162-030



**AREA 'C'**  
 4213 LINDA VISTA AVENUE  
 APN 007-103-004



**AREA 'D'**  
 2415 TROWER AVENUE  
 APN 007-172-023

JOB Name: LINDA VISTA NO. 21 ANNEXATION TO THE NAPA SANITATION DISTRICT	DRAWN BY: CAF	CHECKED BY: MPA
SCALE: 1" = 100'	SHEET: 1 OF 1	JOB NUMBER: 0006-20
DESCRIPTION: ANNEXATION PLAT CITY OF NAPA, COUNTY OF NAPA PORTION OF NAPA RANCHO	DATE FILED: 08/08/2006	DATE/TIME: 04:00 - 10:00pm
CINQUINI & PASSARINO, INC. LAND SURVEYING & TOPOGRAPHIC CONSTRUCTION & SUBDIVISIONS 1824 Street Ave. #202 Napa, Ca. 94558 Phone (707) 860-8025 Fax (707) 848-2105 WWW.CINQUINIPASSARINO.COM		

## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "A"- A.P.N. 007-231-002

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most easterly corner of the Linda Vista Avenue/Trojan Road District Annexation (1985-4) to the Napa Sanitation District per District Resolution No. 6464 dated April 30, 1985, said corner also being the most northerly corner of the Linda Vista Avenue Annexation to the Napa Sanitation District per District Resolution dated November 14, 1961, said corner also being the point of intersection of the centerline of Trojan Road and the northeasterly line of Linda Vista Avenue as the same are shown on Map No. 1546 entitled "Record of Survey of the lands of Gary J. Marston et ux," filed in Book 15 of Surveys at Page 31, Napa County Records;

Thence (A1) along the northeasterly boundary of said Linda Vista Avenue/Trojan Road District Annexation, North 34°05'50" West 63.56 feet, more or less, to the most southerly corner of the Linda Vista Avenue No. 14 District Annexation (1996-4) to the Napa Sanitation District per District Resolution No. 96-077 dated September 11, 1996;

Thence (A2) along the southeasterly boundary of said Linda Vista Avenue No. 14 District Annexation, North 55°19'00" East 342.82 feet, more or less, to the most easterly corner thereof, said corner also being a point on the southwesterly boundary of the Redwood Junior High School and Northwood Subdivision Annexation to the Napa Sanitation District per District Resolution dated July 23, 1957;

Thence (A3) along said southwesterly boundary, South 34°42'30" East 104.00 feet to the most northerly corner of the Linda Vista Avenue No. 8 District Annexation (1993-8) to the Napa Sanitation District per District Resolution No. 93-140 dated December 8, 1993;

Thence (A4) along the northwesterly line of said Linda Vista Avenue No. 8 District Annexation, South 55°19'00" West 343.97 feet to the most southerly corner thereof, said corner also being a point on the northeasterly boundary of said Linda Vista Avenue Annexation;

Thence (A5) along said northeasterly boundary, North 34°03'00 West 40.50 feet, more or less, to the POINT OF BEGINNING.

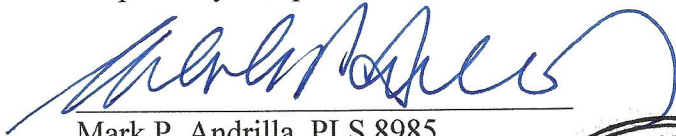
Containing 0.82 acres of land, more or less.

1804 Soscol Avenue, Suite 202, Napa, CA 94559  
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 Page 1 of 2



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

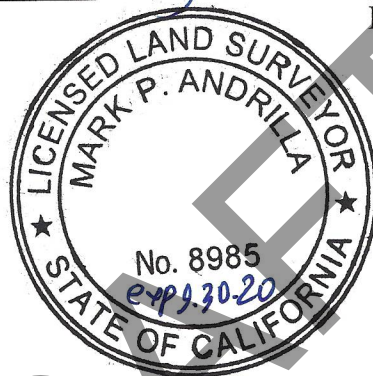
Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

6.25.20

Date



DRAFT

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CPI No.: 9008-20

## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "B"- A.P.N. 007-152-030

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most southerly corner of the Silva Annexation (1972-5) to the Napa Sanitation District per District Resolution No. 3368 dated March 14, 1972, said corner also being a point on the northeasterly boundary of the Trower Avenue Annexation (1983-5) to the Napa Sanitation District per District Resolution No. 6191 dated September 20, 1983;

Thence (B1) along the southeasterly boundary of said Silva District Annexation, North 54°30'00" East 255.26 feet to the most easterly corner thereof, said corner also being a point on the southwesterly boundary of the Easley Annexation (1977-11) to the Napa Sanitation District per District Resolution No. 4966 dated March 14, 1978;

Thence (B2) along said southwesterly boundary, South 35°30'00" East 119.00 feet, more or less, to the most northerly corner of the Trower Avenue/Linda Vista Avenue District Annexation (1988-7) to the Napa Sanitation District per District Resolution No. 7088 dated October 12, 1988;

Thence (B3) along the northwesterly boundary of said Trower Avenue/Linda Vista Avenue District Annexation, South 54°30'00" West 256.68 feet to the most westerly corner thereof, said corner also being a point on the northeasterly boundary of said Trower Avenue Annexation;

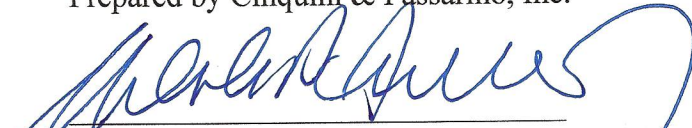
Thence (B4) along said northeasterly boundary, North 34°49'00" West 119.00 feet, more or less, to the POINT OF BEGINNING.

Containing 0.70 acres of land, more or less.

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Prepared by Cinquini & Passarino, Inc.

  
Mark P. Andrilla, PLS 8985

6.25 '20  
Date



DRAFT

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Page 2 of 2

## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "C"- A.P.N. 007-103-004

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most northerly corner of the Tokay Drive Annexation (1983-9) to the Napa Sanitation District per District Resolution No. 6281 dated March 27, 1984, said corner also being a point on the southeasterly boundary of the Linda Vista Avenue North Annexation (1977-14) to the Napa Sanitation District per District Resolution No. 5129 dated August 22, 1978;

Thence (C1) along said southeasterly boundary, North 54°28'50" East 260.00 feet to the most easterly corner thereof, said corner also being a point on the general southwesterly boundary of the Villa Las Flores Annexation (1973-1) to the Napa Sanitation District per District Resolution No. 3583 dated February 13, 1973;

Thence (C2) along said general southwesterly boundary, Southeasterly 130.00 feet to the most northerly corner of the Linda Vista Avenue # 3 District Annexation to the Napa Sanitation District per District Resolution No. 6457 dated April 9, 1985;

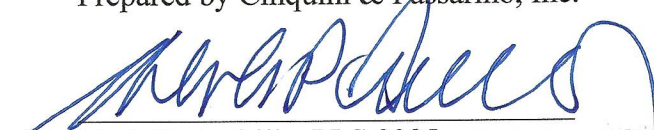
Thence (C3) along the northwesterly boundary of said Linda Vista Avenue # 3 District Annexation, South 54°22'00" West 260.00 feet to an angle point in the northeasterly boundary of said Tokay Drive Annexation;

Thence (C4) along said northeasterly boundary, North 35°38'00" West 130.00 feet to the POINT OF BEGINNING.

Containing 0.76 acres of land, more or less.

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Prepared by Cinquini & Passarino, Inc.

  
Mark P. Andrilla, PLS 8985

6.25.20  
Date



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Page 2 of 2

## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "D"- A.P.N. 007-172-023

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most southerly corner of the Trower Avenue/Linda Vista Avenue District Annexation (1988-7) to the Napa Sanitation District per District Resolution No. 7088 dated October 12, 1988, said corner also being a point on the northeasterly boundary of the Trower Avenue Annexation (1983-5) to the Napa Sanitation District per District Resolution No. 6191 dated September 20, 1983;

Thence (D1) along the southeasterly boundary of said Trower Avenue/Linda Vista Avenue District Annexation, North  $56^{\circ}18'00''$  East 31.51 feet, more or less, to the most westerly corner of the Roach Property Annexation (1980 No. 4) to the Napa Sanitation District per District Resolution No. 6084 dated January 25, 1983;

Thence (D2) along the southwesterly boundary of said Roach Property Annexation, South  $33^{\circ}50'00''$  East 377.00 feet to the most southerly corner thereof, said corner also being a point on the general northwesterly boundary of the Four Oaks Park No. 2 Annexation (1975 No. 4) to the Napa Sanitation District per District Resolution No. 4281 dated December 23, 1975;

Thence (D3) along said general northwesterly boundary, South  $56^{\circ}10'40''$  West 75.00 feet, more or less, to the most southerly corner of the parcel of land described in the deed to Sabrina Wolfson recorded January 4, 2005 under Document Number 2005-0000369, Official Records of Napa County;

Thence (D4) leaving said Napa Sanitation District boundary, along the southwesterly boundary of said parcel of land described in the deed to Sabrina Wolfson, North  $33^{\circ}50'00''$  West 315.00 feet to the most westerly corner thereof, said corner also being a point on the southeasterly boundary of said Trower Avenue Annexation;

Thence (D5) along the northwesterly boundary of said Trower Avenue Annexation, North  $56^{\circ}10'00''$  East 43.49 feet, more or less, to the most easterly corner thereof;

Thence (D6) along the northeasterly boundary of said Trower Avenue Annexation (1983-5), North  $33^{\circ}50'00''$  West 62.00 feet, more or less, to the POINT OF BEGINNING.

Containing 0.59 acres of land, more or less.

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 Page 1 of 2

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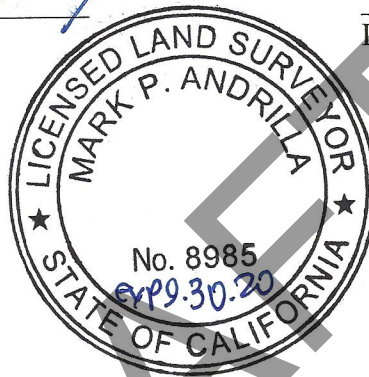
Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

6.25.20

Date



DRY

**FORM B**

Date Filed: 6/25/2020  
Proposal Name: Linda Vista Ave No. 21

**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 of four parcels to the Napa Sanitation District.

**Description of Boundaries of Affected Territory Accompanied by Map:**

The four parcels are located at 3660 Linda Vista Avenue, 4009 Linda Vista Avenue, 4213 Linda Vista Avenue, and 2415 Trower Avenue in the City of Napa.

See attached draft map and geographic description.

**Reason for Proposal and Any Proposed Conditions:**

Facilitate the transition from private septic systems to public sewer infrastructure for each parcel.

**Type of Petition:**

Landowner

Registered Voter

**Sphere of Influence Consistency:**

Yes

No



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

- 1) Name: *Tim Smyth for* Elvia Martinez  
Mailing Address: 3660 Linda Vista Avenue, Napa, CA 94558  
Assessor Parcel: 007-231-002  
Signature: *[Signature]* Date: 6/20/2020
- 2) Name: See three attached landowner consent forms  
Mailing Address: on the following pages  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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



**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  
www.napa.lafco.ca.gov

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

RECEIVED

**LANDOWNER CONSENT FORM**

JUN 12 2020

NAPA COUNTY  
LAFCO

I am the legal owner of property as described below and hereby voluntarily consent to the annexation of my land as part of the "Linda Vista Avenue No. 21 Annexation to the Napa Sanitation District" proposal proceedings. In providing consent, I acknowledge the Commission may proceed with considering the proposal without notice, hearing, or protest proceedings under Government Code Section 56662(a).

**Landowner Names:** Velma Shimel Etal Life

**Property Address:** 4009 Linda Vista Avenue, Napa, CA 94558

**Property APN:** 007-152-030

*Velma G Shimel*  
Landowner

*6-1-2020*  
Date

Kenneth Leary, Chair  
Councilmember, City of American Canyon

Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner  
Councilmember, City of Napa

Diane Dillon, Vice Chair  
County of Napa Supervisor, 3rd District

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

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

Gregory Rodeno, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer



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

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JUN 2 2020

NAPA COUNTY  
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**LANDOWNER CONSENT FORM**

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**Landowner Names: Thomas and LaDonna Harding**

**Property Address: 4213 Linda Vista Avenue, Napa, CA 94558**

**Property APN: 007-103-004**

*Thomas and LaDonna Harding*  
 Landowner

*5/29/2020*  
 Date

Kenneth Leary, Chair  
 Councilmember, City of American Canyon

Margie Mohler, Commissioner  
 Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner  
 Councilmember, City of Napa

Diane Dillon, Vice Chair  
 County of Napa Supervisor, 3rd District

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

Ryan Gregory, Alternate Commissioner  
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 Representative of the General Public

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 Representative of the General Public

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 Executive Officer

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---

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**LANDOWNER CONSENT FORM**


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**Landowner Names: Sabrina Wolfson**

**Property Address: 2415 Trower Avenue, Napa, CA 94558**

**Property APN: 007-172-023**

  
\_\_\_\_\_  
Landowner

  
\_\_\_\_\_  
Date

---

Kenneth Leary, Chair  
Councilmember, City of American Canyon

Margie Mohler, Commissioner  
Councilmember, Town of Yountville

Scott Sedgley, Alternate Commissioner  
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County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner  
Representative of the General Public

Eve Kahn, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
*Executive Officer*

FORM D

Date Filed: 6/25/2020  
Proposal Name: Linda Vista Ave No. 21

PROPOSAL APPLICATION  
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Tim Smyth (for Elvia Martinez)  
Contact Person Agency/Business (If Applicable)  
Address: 3660 Linda Vista Avenue Napa 94558  
Street Number Street Name City Zip Code  
Contact: (707) 330-0579 timothysmyth2@gmail.com  
Phone Number Facsimile Number E-Mail Address

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

II. PROPOSAL DESCRIPTION

A. Affected Agencies: Napa Sanitation District 1515 Soscol Ferry Rd, Napa, CA 94558  
Name Address  
Name Address  
Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)  
 Annexation  Detachment  City Incorporation  District Formation  
 City/District Dissolution  City/District Merger  Service Activation (District Only)  Service Divestiture (District Only)

C. Purpose Statement: (Specific)  
Annexation of four parcels to the Napa Sanitation District  
for purposes of transitioning the residences from their  
existing private septic systems to the District's  
public sewer service infrastructure.

**III. GENERAL INFORMATION**

<b>A. Location:</b>	3660 Linda Vista Avenue	007-231-002	0.80
	Street Address	Assessor Parcel Number	Acres
	4009 Linda Vista Avenue	007-152-030	0.67
	Street Address	Assessor Parcel Number	Acres
	4213 Linda Vista Avenue	007-103-004	0.75
	Street Address	Assessor Parcel Number	Acres
	2415 Trower Avenue	007-172-023	0.54
	Street Address	Assessor Parcel Number	Acres

Total Location Size  
(Including Right-of-Ways) 2.76

**B. Landowners:**

- (1) Assessor Parcel Number : 007-231-002 Name: Tim Smyth (for Elvia Martinez)  
Mailing Address: 3660 Linda Vista Avenue, Napa, CA 94558  
Phone Number: (707) 330-0579 E-mail: timothysmyth2@gmail.com
- (2) Assessor Parcel Number : 007-152-030 Name: Sherry Shimel  
Mailing Address: 3979 Lap Ct, Napa, CA 94558  
Phone Number: (707) 363-2599 E-mail: sherryshimel@sbcglobal.net
- (3) Assessor Parcel Number : 007-103-004 Name: Tom and LaDonna Harding  
Mailing Address: 1143 Ragatz Ln, Napa, CA 94558  
Phone Number: (707) 257-2176 E-mail: hardington@icloud.com
- (4) Assessor Parcel Number : 007-172-023 Name: Sabrina Wolfson  
Mailing Address: 1185 Jerome Way, Napa, CA 94558  
Phone Number: (415) 297-1387 E-mail: sabrinawolfson@gmail.com

*Use Additional Sheets As Needed*

**C. Population:**

- (1) Total Number of Residents: 9
- (2) Total Number of Registered Voters: 6

**D. Land Use Factors:**

- (1a) County General Plan Designation: Cities
- (1b) County Zoning Standard: N/A (City of Napa)
- (2a) Applicable City General Plan Designation: SFI-8 & SFR-4
- (2b) Applicable City Pre-zoning Standard:  
(Required for City Annexations) RI-7, RS-5 & RS-7

**E. Existing Land Uses:** One single-family residence on each of the  
 (Specific) four parcels along with one additional second  
unit at 3660 Linda Vista Avenue

**F. Development Plans:**

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

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

(1c) If No, When Is Development Anticipated? Already developed with  
single-family residences

**G. Physical Characteristics:**

(1) Describe Topography: Generally flat, 0 to 2 percent slopes

(2) Describe Any Natural Boundaries: N/A

(3) Describe Soil Composition and Any Drainage Basins: Drainage: Salvador Channel  
Soils: Clear lake clay, Cole silt loam, Haire loam

(4) Describe Vegetation: Minimal vegetation, some trees on each property

**H. Williamson Act Contracts**  
(Check One)

Yes  No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

**Public sewer service to each of the four parcels**

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

**Sufficient sewer service for four single-family residences**

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

**Immediately upon completion of infrastructure  
improvements and payment of all fees/charges**

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

**Lateral connections for each of the four properties,  
sewer main already runs in front of each property**

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

**Landowners will pay their respective fees/charges  
and finance the construction costs for lateral connections**

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**V. ENVIRONMENTAL INFORMATION**

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**A. Environmental Analysis (City annexations require pre-zoning.)**

(1) Lead Agency for Proposal: LAFCO  
Name

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

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: Categorical exemption Title 14 CCR Section 15319(a)  
Type
- None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

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

As requested by Napa County Environmental Health, the existing structures must be demolished and/or connected to the Napa Sanitation District (NSD) prior to any clearing, grubbing, or grading on any parcel. Until such time, the septic systems must be protected from damage.

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Upon connection to of the structures to NSD or demolition, the existing septic tanks must be properly destroyed under permit from the County.

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*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: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(2) Recipient Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

(3) Recipient Name: \_\_\_\_\_

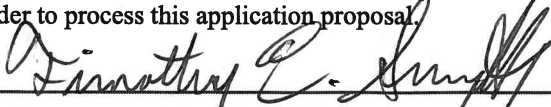
Mailing Address: \_\_\_\_\_

E-Mail: \_\_\_\_\_

**VII. CERTIFICATION**

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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: Tim Smyth (for Elvia Martinez)

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

Date: 4/20/2020


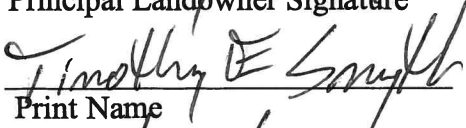
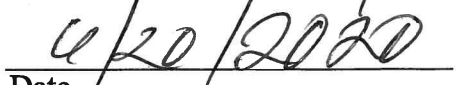
## Indemnification Agreement

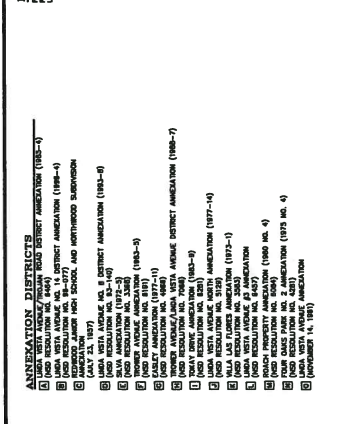
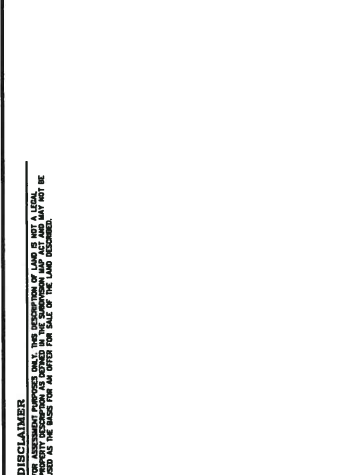
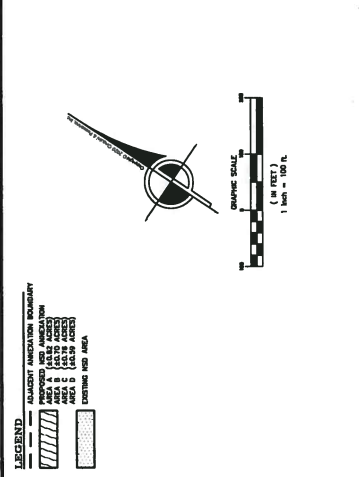
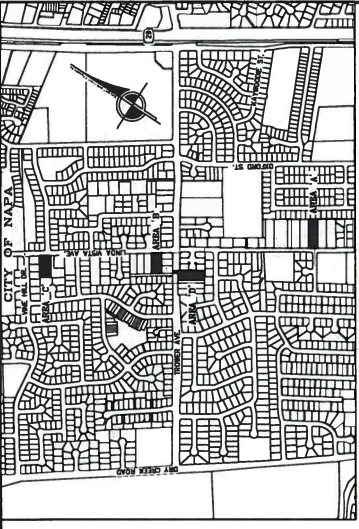
**Name of Proposal (assigned by staff):** Linda Vista Avenue No. 21 Annexation to NSD

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 Tim Smyth and/or Elvia Martinez (real party in interest: the landowner) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

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

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

  
Principal Landowner Signature  
  
Print Name  
  
Date



**DISCLAIMER**  
 THESE MAPS SHOW ONLY THE INFORMATION OF LAND IS NOT A LEGAL  
 PROPERTY INTEREST. THIS INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY.  
 THE USER OF THIS INFORMATION SHALL BE RESPONSIBLE FOR VERIFYING THE  
 ACCURACY OF THE INFORMATION FOR THE PURPOSES FOR WHICH IT IS USED.

- ANNEXATION DISTRICTS**
- 1. JACOBI AVENUE DISTRICT ANNEXATION (1985-1)
  - 2. JACOBI AVENUE DISTRICT ANNEXATION (1985-2)
  - 3. JACOBI AVENUE DISTRICT ANNEXATION (1985-3)
  - 4. JACOBI AVENUE DISTRICT ANNEXATION (1985-4)
  - 5. JACOBI AVENUE DISTRICT ANNEXATION (1985-5)
  - 6. JACOBI AVENUE DISTRICT ANNEXATION (1985-6)
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  - 12. JACOBI AVENUE DISTRICT ANNEXATION (1985-12)
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  - 98. JACOBI AVENUE DISTRICT ANNEXATION (1985-98)
  - 99. JACOBI AVENUE DISTRICT ANNEXATION (1985-99)
  - 100. JACOBI AVENUE DISTRICT ANNEXATION (1985-100)

CITY OF NAPA

VICINITY MAP - NOT TO SCALE

VICINITY MAP - NOT TO SCALE

VICINITY MAP - NOT TO SCALE

**AREA 'D'**  
 2415 TROWER AVENUE  
 APN 007-172-023

**AREA 'C'**  
 4213 LINDA VISTA AVENUE  
 APN 007-103-004

**AREA 'B'**  
 4008 LINDA VISTA AVENUE  
 APN 007-152-020

**AREA 'A'**  
 2820 LINDA VISTA AVENUE  
 APN 007-231-002

DATE: 07/15/2011  
 TIME: 10:00 AM  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. JONES  
 SHEET 1 OF 1  
 JOB NUMBER: 0007-20  
 DATE: 07/15/2011  
 TIME: 10:00 AM  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. JONES

ANNEXATION PLAN

CINQUINI & PARTNERS, INC.  
 LAND SURVEYING & ENGINEERING  
 1000 CALIFORNIA AVE. SUITE 200  
 NAPA, CA 94930  
 PHONE: (707) 842-2000  
 FAX: (707) 842-2001  
 WWW.CINQUINIPARTNERS.COM

ANNEXATION PLAN

CINQUINI & PARTNERS, INC.  
 LAND SURVEYING & ENGINEERING  
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 WWW.CINQUINIPARTNERS.COM

## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "A"- A.P.N. 007-231-002

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most easterly corner of the Linda Vista Avenue/Trojan Road District Annexation (1985-4) to the Napa Sanitation District per District Resolution No. 6464 dated April 30, 1985, said corner also being the most northerly corner of the Linda Vista Avenue Annexation to the Napa Sanitation District per District Resolution dated November 14, 1961, said corner also being the point of intersection of the centerline of Trojan Road and the northeasterly line of Linda Vista Avenue as the same are shown on Map No. 1546 entitled "Record of Survey of the lands of Gary J. Marston et ux," filed in Book 15 of Surveys at Page 31, Napa County Records;

Thence (A1) along the northeasterly boundary of said Linda Vista Avenue/Trojan Road District Annexation, North 34°05'50" West 63.56 feet, more or less, to the most southerly corner of the Linda Vista Avenue No. 14 District Annexation (1996-4) to the Napa Sanitation District per District Resolution No. 96-077 dated September 11, 1996;

Thence (A2) along the southeasterly boundary of said Linda Vista Avenue No. 14 District Annexation, North 55°19'00" East 342.82 feet, more or less, to the most easterly corner thereof, said corner also being a point on the southwesterly boundary of the Redwood Junior High School and Northwood Subdivision Annexation to the Napa Sanitation District per District Resolution dated July 23, 1957;

Thence (A3) along said southwesterly boundary, South 34°42'30" East 104.00 feet to the most northerly corner of the Linda Vista Avenue No. 8 District Annexation (1993-8) to the Napa Sanitation District per District Resolution No. 93-140 dated December 8, 1993;

Thence (A4) along the northwesterly line of said Linda Vista Avenue No. 8 District Annexation, South 55°19'00" West 343.97 feet to the most southerly corner thereof, said corner also being a point on the northeasterly boundary of said Linda Vista Avenue Annexation;

Thence (A5) along said northeasterly boundary, North 34°03'00" West 40.50 feet, more or less, to the POINT OF BEGINNING.

Containing 0.82 acres of land, more or less.

1804 Soscol Avenue, Suite 202, Napa, CA 94559

Tel: (707) 690-9025 Fax: (707) 542-2106

www.cinquinipassarino.com

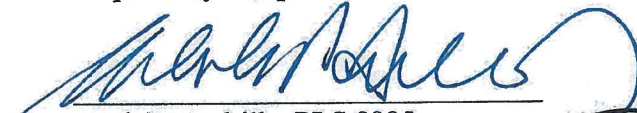
CPI No.: 9008-20

Page 1 of 2

 **DRAFT**

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

Prepared by Cinquini & Passarino, Inc.

  
Mark P. Andrilla, PLS 8985

6.25.20  
Date



PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
AREA "B"- A.P.N. 007-152-030

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most southerly corner of the Silva Annexation (1972-5) to the Napa Sanitation District per District Resolution No. 3368 dated March 14, 1972, said corner also being a point on the northeasterly boundary of the Trower Avenue Annexation (1983-5) to the Napa Sanitation District per District Resolution No. 6191 dated September 20, 1983;

Thence (B1) along the southeasterly boundary of said Silva District Annexation, North 54°30'00" East 255.26 feet to the most easterly corner thereof, said corner also being a point on the southwesterly boundary of the Easley Annexation (1977-11) to the Napa Sanitation District per District Resolution No. 4966 dated March 14, 1978;

Thence (B2) along said southwesterly boundary, South 35°30'00" East 119.00 feet, more or less, to the most northerly corner of the Trower Avenue/Linda Vista Avenue District Annexation (1988-7) to the Napa Sanitation District per District Resolution No. 7088 dated October 12, 1988;

Thence (B3) along the northwesterly boundary of said Trower Avenue/Linda Vista Avenue District Annexation, South 54°30'00" West 256.68 feet to the most westerly corner thereof, said corner also being a point on the northeasterly boundary of said Trower Avenue Annexation;

Thence (B4) along said northeasterly boundary, North 34°49'00" West 119.00 feet, more or less, to the POINT OF BEGINNING.

Containing 0.70 acres of land, more or less.

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

1804 Soscol Avenue, Suite 202, Napa, CA 94559

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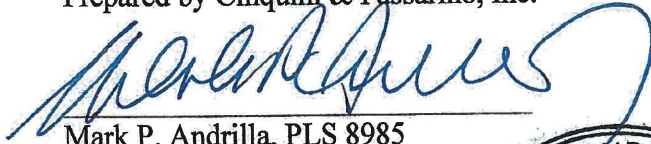
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CPI No.: 9008-20

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Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

6.25 '20

Date



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Page 2 of 2

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PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
AREA "C" - A.P.N. 007-103-004

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most northerly corner of the Tokay Drive Annexation (1983-9) to the Napa Sanitation District per District Resolution No. 6281 dated March 27, 1984, said corner also being a point on the southeasterly boundary of the Linda Vista Avenue North Annexation (1977-14) to the Napa Sanitation District per District Resolution No. 5129 dated August 22, 1978;

Thence (C1) along said southeasterly boundary, North 54°28'50" East 260.00 feet to the most easterly corner thereof, said corner also being a point on the general southwesterly boundary of the Villa Las Flores Annexation (1973-1) to the Napa Sanitation District per District Resolution No. 3583 dated February 13, 1973;

Thence (C2) along said general southwesterly boundary, Southeasterly 130.00 feet to the most northerly corner of the Linda Vista Avenue # 3 District Annexation to the Napa Sanitation District per District Resolution No. 6457 dated April 9, 1985;


Thence (C3) along the northwesterly boundary of said Linda Vista Avenue # 3 District Annexation, South 54°22'00" West 260.00 feet to an angle point in the northeasterly boundary of said Tokay Drive Annexation;

Thence (C4) along said northeasterly boundary, North 35°38'00" West 130.00 feet to the POINT OF BEGINNING.

Containing 0.76 acres of land, more or less.

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

Prepared by Cinquini & Passarino, Inc.

  
Mark P. Andrilla, PLS 8985

6.25.20  
Date



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## PROPOSED ANNEXATION TO THE NAPA SANITATION DISTRICT

**GEOGRAPHIC DESCRIPTION**  
**LINDA VISTA NO. 21 ANNEXATION TO THE**  
**NAPA SANITATION DISTRICT**  
 AREA "D"- A.P.N. 007-172-023

All that certain real property, situate in the City of Napa, County of Napa, State of California, being a portion of the Napa Rancho, more particularly described as follows:

BEGINNING at the most southerly corner of the Trower Avenue/Linda Vista Avenue District Annexation (1988-7) to the Napa Sanitation District per District Resolution No. 7088 dated October 12, 1988, said corner also being a point on the northeasterly boundary of the Trower Avenue Annexation (1983-5) to the Napa Sanitation District per District Resolution No. 6191 dated September 20, 1983;

Thence (D1) along the southeasterly boundary of said Trower Avenue/Linda Vista Avenue District Annexation, North 56°18'00" East 31.51 feet, more or less, to the most westerly corner of the Roach Property Annexation (1980 No. 4) to the Napa Sanitation District per District Resolution No. 6084 dated January 25, 1983;

Thence (D2) along the southwesterly boundary of said Roach Property Annexation, South 33°50'00" East 377.00 feet to the most southerly corner thereof, said corner also being a point on the general northwesterly boundary of the Four Oaks Park No. 2 Annexation (1975 No. 4) to the Napa Sanitation District per District Resolution No. 4281 dated December 23, 1975;

Thence (D3) along said general northwesterly boundary, South 56°10'40" West 75.00 feet, more or less, to the most southerly corner of the parcel of land described in the deed to Sabrina Wolfson recorded January 4, 2005 under Document Number 2005-0000369, Official Records of Napa County;

Thence (D4) leaving said Napa Sanitation District boundary, along the southwesterly boundary of said parcel of land described in the deed to Sabrina Wolfson, North 33°50'00" West 315.00 feet to the most westerly corner thereof, said corner also being a point on the southeasterly boundary of said Trower Avenue Annexation;

Thence (D5) along the northwesterly boundary of said Trower Avenue Annexation, North 56°10'00" East 43.49 feet, more or less, to the most easterly corner thereof;

Thence (D6) along the northeasterly boundary of said Trower Avenue Annexation (1983-5), North 33°50'00" West 62.00 feet, more or less, to the POINT OF BEGINNING.

Containing 0.59 acres of land, more or less.

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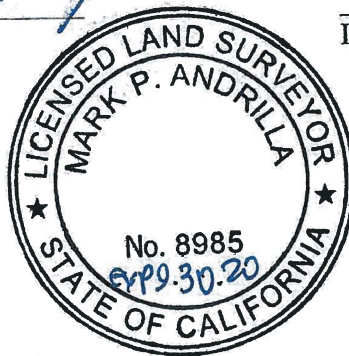
Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

6.25.20

Date



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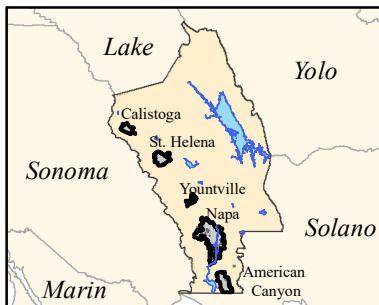
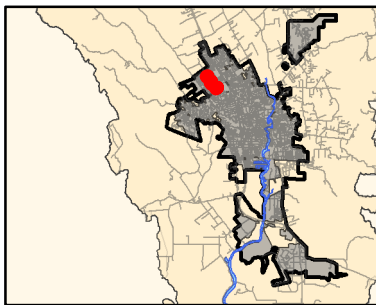
CPI No.: 9008-20

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# Linda Vista Avenue No. 21      Attachment Three

## Annexation to the Napa Sanitation District



0 0.004250.0085 0.017 Miles

August 3, 2020

Prepared by LAFCO Staff





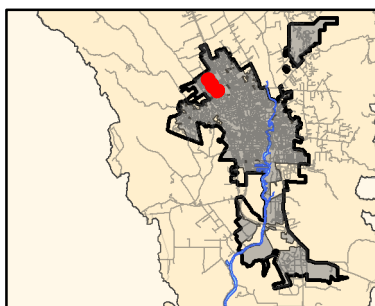
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Linda Vista Avenue No. 21 Attachment Three  
 Annexation to the Napa Sanitation District



**Legend**

-  Napa Sanitation District Jurisdictional Boundary
-  4009 Linda Vista Avenue (APN 007-152-030)



0 0.003250.0065 0.013 Miles

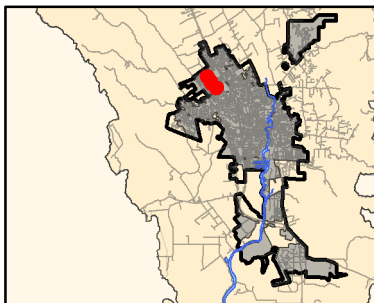
August 3, 2020

Prepared by LAFCO Staff



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Linda Vista Avenue No. 21      Attachment Three  
Annexation to the Napa Sanitation District



0 0.003750.0075 0.015 Miles

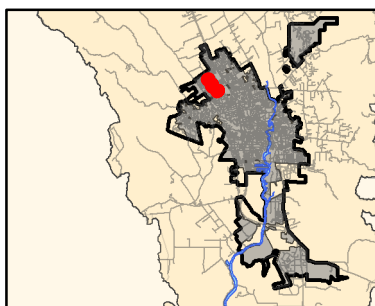
August 3, 2020

Prepared by LAFCO Staff



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Linda Vista Avenue No. 21      Attachment Three  
 Annexation to the Napa Sanitation District



0 0.003250.0065 0.013 Miles

August 3, 2020

Prepared by LAFCO Staff



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**Linda Vista Avenue No. 21 Annexation to the Napa Sanitation District (NSD)  
Factors for Commission Determinations**

California Government Code (G.C.) Sections 56668 and 56668.3 require the Commission to consider the following specific factors for a change of organization involving annexation to a special district. No single factor is determinative, and the intent is to provide a uniform baseline for LAFCOs to consider boundary changes in context with local policies.

*(1) Population and population density; land area and land use; 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.*

Total population within the affected territory is nine. The affected territory is legally uninhabited given there are fewer than 12 registered voters.

The affected territory is approximately 2.76 acres in size, incorporated within the City of Napa's jurisdictional boundary, and lies within a residential area designated under the City of Napa General Plan as *Linda Vista*. The affected territory is currently developed with four single-family residences and one detached second unit. The current assessment value of the affected territory totals \$1,862,598.<sup>1</sup>

The affected territory is located within the Salvador Channel drainage basin. Soils within the affected territory are classified as Cole silt loam, Haire loam and Clear Lake clay, with zero to two percent slopes.

The affected territory has City General Plan land use designations of *SFI-8 (Single Family Infill)* and *SFR-4 (Single Family Residential)*, and zoning standards of *RI-7 (Residential Infill, minimum lot size 7,000 sq. ft.)*, *RS-5 (Residential, minimum lot size 5,000 sq. ft.)* and *RS-7 (Residential, minimum lot size 7,000 sq. ft.)*. The affected territory is currently developed with four single-family residences and one detached second unit, and could potentially be further built out to include up to 16 total residential units in the future.<sup>2</sup>

Adjacent lands on the all sides of the affected territory are within the City's jurisdictional boundary and are developed or have residential use designations in the General Plan.

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<sup>11</sup> The assessed value of the affected territory is divided into land at \$939,293 and structural improvements at \$923,305.

<sup>2</sup> At buildout, the projected resident population of the affected territory is 43 based on the California Department of Finance's population per household estimate of 2.73 for the City of Napa.

*(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.*

Core municipal services already provided within the affected territory by the City include water, fire protection and emergency medical, and law enforcement. These services are provided at adequate levels for the existing single-family residences and second unit.

The need for additional municipal services for the affected territory includes the extension of public sewer from NSD to allow existing residential units to connect to public sewer instead of relying on private septic systems. If the proposal is approved, septic system setback requirements will be eliminated and therefore additional residential development can occur. The maximum buildout potential of the affected territory is 16 residential units with a projected population of 43 residents. This report analyzes the proposal with potential future buildout impacts in mind.

A review of estimated demands for municipal services within the affected territory indicates the City and NSD have sufficient capacities and controls to reasonably accommodate current and future needs. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.<sup>3</sup> No service deficiencies for the area were identified in the Municipal Service Review. Additional information regarding estimated service demands within the affected territory at buildout follows.

### ***Water***

All existing residential units within the affected territory currently receive water service from the City. At buildout, annual potable water demands within the affected territory are projected at 3.8 acre-feet or 1,226,400 gallons. This amount is based on the City's current average daily water demands of 210 gallons per residence. The City has established adequate capacities and controls to accommodate these demands.

### ***Fire Protection and Emergency Medical***

The affected territory currently receives fire protection and emergency medical service from the City. At buildout, annual service calls within the affected territory are projected at 5.0 based on the City's ratio of 117.5 annual fire protection and emergency medical service calls per 1,000 residents over the last five completed years.<sup>4</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

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<sup>3</sup> The *Central County Region Municipal Service Review* is available online at:

[http://www.napa.lafco.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](http://www.napa.lafco.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf).

<sup>4</sup> The City Fire Department reports total annual fire protection and emergency medical service calls averaged 9,329.6 over the last five completed years.

### ***Law Enforcement***

The affected territory currently receives law enforcement service from the City. At buildout, annual service calls within the affected territory are projected at 34.4 based on the City's ratio of 799.5 annual law enforcement service calls per 1,000 residents over the last five completed years.<sup>5</sup> The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

### ***Sewer***

The affected territory needs sewer service from NSD. Proposal approval would result in new immediate sewer flows totaling approximately 750 gallons per day within the affected territory. This amount is based on NSD's design standard of 150 gallons per day per residence. At buildout, the affected territory would result in sewer flows totaling approximately 2,400 gallons per day. NSD has established adequate capacities and controls to accommodate these immediate and potential buildout demands into the foreseeable future.

### ***(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 SOI, marking an expectation the site would require public sewer from the District as the region's sole service provider.

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

The proposal is consistent with the Commission's adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.<sup>6</sup> Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

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

The proposal will not have an adverse effect on agricultural lands. The affected territory is located within the City of Napa Rural Urban Limit Line (RUL).

### ***(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 affected territory includes all of the property identified by the County of Napa Assessor's Office as 007-231-002, 007-152-030, 007-103-004, and 007-172-023. The applicant has submitted a map and geographic descriptions of the affected territory that

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<sup>5</sup> The City Police Department reports total annual law enforcement service calls averaged 63,459.6 over the last five completed years.

<sup>6</sup> The affected is not devoted to an open-space use under the City General Plan.

conform with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory given the affected territory is located entirely within the City of Napa.

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

The Metropolitan Transportation Commission's regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.<sup>7</sup> No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

Approval of the proposal would allow for public sewer service to be provided to the affected territory to serve existing and planned uses. The availability and provision of this municipal service is consistent with the City's General Plan land use designation and zoning assignment for the affected territory, both of which contemplate single-family residential development.

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

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

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

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

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

Information collected and analyzed as part of the Commission's *Central County Region Municipal Service Review* adopted in 2014 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,959 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge for a single-family unit is currently \$738.60 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses. The 2014 *Central County Region Municipal Service Review* is relied upon and sufficient for this annexation proposal regarding the plan for services required by G.C. Section 56653.

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<sup>7</sup> *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

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

The potential future buildout of the affected territory would result in annual water demands for the City totaling approximately 3.8 acre-feet or 1,226,400 gallons. This amount is based on current average water demands within the City of approximately 210 gallons per day per residence. The City's water supplies are generated from three sources: (1) Lake Hennessey; (2) Milliken Reservoir; and (3) State Water Project. Total supplies vary according to hydrologic conditions. A table depicting the City's existing water service demands relative to supplies follows. As reflected in the following table, adequate water supplies exist for the projected needs of the City, including buildout of the affected territory.

<b>Baseline</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry</b>	<b>Single Dry</b>
Annual Supply	39,410	26,870	18,840
Annual Demand	12,015	12,015	12,015
Total Surplus	27,395	14,855	6,825

**(13) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.**

Approval of the proposal would be neutral with respect to achieving its fair share of the regional housing needs since the affected territory is fully developed.<sup>8</sup>

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

The landowners of the affected territory are the petitioners seeking annexation. No additional information or comments were submitted.

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

The affected territory has a designation within the City General Plan of *SFI-8 (Single Family Infill)* and *SFR-4 (Single Family Residential)* and a zoning standard of *RI-7 (Residential Infill, minimum lot size 7,000 sq. ft.)*, *RS-5 (Residential, minimum lot size 5,000 sq. ft.)* and *RS-7 (Residential, minimum lot size 7,000 sq. ft.)*. The affected territory is currently developed with four single-family residences and one detached second unit. The proposed annexation to NSD is consistent with these existing land use designations.

**(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.**

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

<sup>8</sup> A recent report with information on local regional housing needs allocations is available online at: [https://www.napa.lafco.ca.gov/uploads/documents/6-3-19\\_5f\\_Housing-GeneralPlans.pdf](https://www.napa.lafco.ca.gov/uploads/documents/6-3-19_5f_Housing-GeneralPlans.pdf).

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

There is no documentation or evidence suggesting a local hazard mitigation plan or safety element of a general plan is relevant to the proposed annexation to NSD. Further, the affected territory is not located in a high fire hazard zone or a state responsibility area.

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

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