



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

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www.napa.lafco.ca.gov

June 4, 2012

Agenda Item No. 6c (Public Hearing)

May 30, 2012

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Brendon Freeman, Analyst

SUBJECT: Devlin Road/South Kelly Road No. 2 Annexation to American Canyon
The Commission will consider a proposal from the City of American Canyon to annex approximately 1.1 acres of unincorporated territory located southwest of the intersection of Devlin and South Kelly Roads. The affected territory comprises a portion of a legal lot owned and developed with a train track by Southern Pacific Railroad. Staff recommends approval of the proposal with a discretionary amendment to concurrently detach the affected territory from County Service Area No. 4. Staff also recommends approval of a fee waiver request.

Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 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. Two or more of these actions in a single proposal are referred to as a reorganization. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as the latter does not directly regulate land uses or subdivision requirements.

A. Discussion

Applicant

American Canyon was incorporated in 1992 as a general-law city. It is approximately 5.5 square miles in size and provides a full range of municipal services directly or through contracts with outside contractors with limited exceptions. American Canyon is the second largest municipality in Napa County and has been one of the fastest growing communities in the entire San Francisco Bay Area with an average annual population increase of 7.6% over the last 10 years. The California Department of Finance estimates American Canyon's population at 19,809 as of January 1, 2012.

Lewis Chilton, Chair
Councilmember, Town of Yountville

Joan Bennett, Commissioner
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

Brad Wagenknecht, Vice Chair
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, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Applicant Proposal

LAFCO of Napa County (“Commission”) has received a proposal from the City of American Canyon requesting approval to annex approximately 1.1 acres lying within the designated Napa County Airport Industrial Area. The affected territory was added to American Canyon’s sphere of influence as part of a comprehensive update completed in June 2010 and consists of a portion of a legal lot owned by Southern Pacific Railroad and developed with a train track extending north to St. Helena.¹ The approximate center portion of the affected territory now underlies an overcrossing of the train track as part of the recently completed Devlin Road southern extension. The underlying and immediate purpose of the proposal is to eliminate an existing unincorporated corridor substantially surrounded by American Canyon and ensure the City has full control in operating and maintaining Devlin Road south of South Kelly Road.² American Canyon also requests a fee waiver given the proposed boundary change is relatively minor in scope.

Proposed Amendment: Detachment from County Service Area No. 4

In reviewing the application materials, and in consideration of adopted policies, staff has identified and evaluated the merits of one possible amendment to the proposal for Commission consideration. The proposed amendment enforces the policy of the Commission to require all annexations to cities to be reorganized to include concurrent detachment from County Service Area (CSA) No. 4 unless waived based on specific circumstances.^{3 4} The prescribed waiver involves a determination the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size. Staff has evaluated this policy relative to the proposal and concludes the waiver does not apply give there is no indication the land has or will be used for vineyard use; all of which substantiates there is no existing or expected connection between the affected territory and CSA No. 4 in providing local public farmworker housing services.

B. Analysis

G.C. Section 56375 delegates LAFCOs the responsibility to approve or disapprove, with or without amendments, proposals for changes of organization consistent with its adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving proposals as long as they do not directly regulate land uses. Underlying LAFCOs’ determination in approving or disapproving proposed changes of organization is to consider the logical and timely development of the affected agencies in context with statutory objectives and local circumstances.

¹ The County of Napa Assessor’s Office identifies the affected lot as 057-090-057.

² Although substantially surrounded by American Canyon, the affected territory does not qualify as an “island” for purposes of expedited annexation proceedings under LAFCO law given it was created after January 1, 2000.

³ CSA No. 4 was formed in 2002 and includes all unincorporated territory along with certain incorporated territory located within the Cities of Calistoga, Napa, St. Helena, and Yountville. The intent and function of CSA No. 4 is to sponsor a voter-approved assessment on all assessor parcels within its jurisdiction containing one acre or more of planted vineyards for the purpose of funding farmworker housing services.

⁴ Commission General Policy Determination VII/D/3(a).

Required Factors for Review

G.C. Section 56668 requires the Commission to consider certain factors anytime it reviews proposed changes of organization. No single factor is determinative. The purpose in considering these factors is to help inform the Commission in its decision-making process, including whether special conditions to approval are merited. An evaluation of these factors as it relates to the proposal follows.

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

The affected territory is 1.09 acres and undeveloped with respect to no buildings or structures. The affected territory, however, does include physical improvement consisting of an active train track owned and operated by Southern Pacific Railroad and is used to transport freight within the immediate region. There is no expectation that the affected territory will be developed for any other use in the foreseeable future. Topography is relatively flat with an elevation ranging from 42 to 46 feet above sea level. Actual slope has been calculated at less than one degree. The total assessed value is \$0 given the affected territory is owned and operated by a railroad utility and is therefore exempt from property taxes.

- 2) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed 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.**

Public facilities and services currently available or provided within the affected territory are considered basic and include road and law enforcement services from the County and fire protection from the American Canyon Fire Protection District (ACFPD). The affected territory also receives basic services, directly and indirectly, from several countywide special districts relating to vector control, soil conservation, parks and open-space, and flood control.

The present and future need for elevated services within the affected territory is principally limited to elevated road services pertaining to the portion of the affected territory that includes the recently completed Devlin Road overpass. American Canyon appears best positioned compared to the County in providing an appropriate level of road services within the affected territory and is substantiated in the Commission's recently completed municipal service review of the south county region.

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

The proposal would strengthen the social and economic ties existing between the affected territory and American Canyon. These ties were recognized by the Commission in June 2010 in its decision to add the affected territory to American Canyon's sphere of influence as part of a comprehensive update.

- 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 priorities set forth in G.C. Section 56377.**

The Commission has previously determined American Canyon is the logical land use and service provider for the affected territory by including the affected territory within the City's sphere of influence. The annexation and development of the affected territory represents an orderly extension of American Canyon's northern jurisdictional boundary by eliminating an existing unincorporated corridor. Further, annexation is not expected to induce any new development of the affected territory within the foreseeable future nor induce, facilitate, or lead to the conversion of open-space lands as defined under G.C. Section 56377.

- 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 pursuant to G.C. Section 56016.

- 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 comprises an existing and known unincorporated corridor substantially surrounded by American Canyon. The definiteness and certainty of the affected territory is reasonably depicted in the vicinity map prepared by LAFCO staff and attached to this report. Proposal approval would be conditioned on the receipt of a map and geographic description of the affected territory prepared in accordance with State Board of Equalization requirements.

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

The American Canyon General Plan designates the affected territory as *Industrial*. This designation contemplates a broad range of intensive urban uses, including manufacturing, aviation, business parks, agribusiness, warehouses, professional offices, supporting retail, and restaurants. These contemplated land uses are consistent with the County General Plan, which also designates the entire affected territory as *Industrial*. The proposed annexation is also consistent with the County's Airport Area Specific Plan (AIASP) given American Canyon has adopted a rezoning assignment fully incorporating the document's development and design standards for the affected territory.

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. Significantly, the RTP includes the southern extension of Devlin Road through the affected territory. Annexation approval, accordingly, is consistent with the RTP and expected to improve traffic circulation in the south county region.

8) The sphere of influence of any local agency applicable to the proposal.

The affected territory was added to American Canyon's sphere of influence as part of a comprehensive update adopted by the Commission in June 2010.

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

Staff electronically circulated a summary of the applicant's proposal to annex the affected territory to American Canyon along with accompanying materials for review to all subject local agencies on April 5, 2012. The summary also noted the likelihood staff would recommend amending the proposal to include the concurrent detachment from CSA No. 4. The following comments were received:

- **County of Napa**

Board Chairman Keith Caldwell filed written support for the proposed annexation and referenced the public benefit of ensuring all of the Devlin Road extension lies within one jurisdiction.

10) The ability of the newly formed or receiving entity to provide services, including the sufficiency of revenues.

Existing and contemplated long-term use of the affected territory is not expected to generate any new substantive financial demands on American Canyon. Further, information collected and analyzed in the Commission's recent municipal service review on the southeast county region indicates American Canyon has developed adequate financial resources and controls relative to its current service commitments. Accordingly, no additional analysis appears merited.

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

Existing and contemplated long-term use of the affected territory is not expected to generate any new water demands on American Canyon. No additional analysis appears merited.

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 consistent with Article 10.6 of Chapter 3 of Division 1 of Title 7.

The proposal would not facilitate any new housing development given local land use policies and therefore will not have an impact on American Canyon or the County in meeting their future regional housing needs.

13) Information from landowners, voters, or residents of the affected territory.

The affected landowner – Southern Pacific Railroad – was provided notice of the annexation proposal by way of their parent company, Union Pacific Railroad. No comments were received.

14) Any information relating to existing land use designations.

The County and American Canyon both designate the affected territory as *Industrial*. The following table summarizes contemplated land uses and densities within these respective designations.

Category	American Canyon	County of Napa
Designation	.....Industrial	.....Industrial
Designation Uses	.....Manufacturing	.....Manufacturing
	.....Aviation	.....Warehouses
	.....Agribusiness	.....Processing Facilities
	.....Thematic Industrial	.....Administrative Facilities
	.....Business Park	.....Research Institutions
	.....Warehouses	.....Office/Commercial Uses
	.....Professional Offices	
	.....Supporting Retail	
	.....Restaurants	
	.....Financial Uses	
Lot Density	.....Minimum: N/A	.....Minimum: 0.5 to 40 Acres
Building Density	.....Maximum Coverage: 50%	.....Maximum Coverage: 50%

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

There is no documentation or evidence suggesting the proposal would have a measurable effect with respect to promoting environmental justice.

- 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.**

The proposal or any proposed amendments do not involve annexation to any special districts.

Terms and Conditions

Staff proposes the Commission apply standard terms and conditions to the proposal if approved. This includes requiring the applicant to prepare a final map and geographic description identifying the approved boundary changes consistent with the requirements of the State Board of Equalization. Other standard conditions include the applicant submitting a signed indemnification agreement and paying all outstanding fees tied to the proposal. A certificate of completion would not be recorded until all terms are satisfied.⁵ No special terms or conditions are proposed.

Prezoning Assignment

G.C. Section 56375(e) requires cities prezone territory as a precondition to annexation. Accordingly, American Canyon has prezoned the entire affected territory as *SP-2 Napa County Airport Industrial Area Specific Plan*. This prezoning assignment fully incorporates the development and design standards codified in the County's AIASP, including specifying a minimum lot requirement of 5.0 acres. American Canyon may not change the zoning for the affected territory in a manner that does not conform to the prezoning at the time of annexation for a period of two years unless the City Council makes special findings at a noticed public hearing.

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 any change of organization irrespective of current values. Accordingly, American Canyon and the County have agreed by resolution of their respective boards to a property tax exchange agreement applicable to the proposed action. The agreement specifies American Canyon and the County shall each receive 47.5% of the property tax increment tied to the affected territory with the remaining 5.0% dedicated to ACFPD.

Environmental Review

Discretionary actions by public agencies are subject to the California Environmental Quality Act (CEQA) any time an underlying activity will result in a direct or indirect physical change to the environment. A lead agency has the principal responsibility for carrying out or approving a project consistent with the provisions of CEQA. This includes determining whether the underlying activity qualifies as a project under CEQA.

⁵ State law requires all terms and conditions be satisfied within one calendar year of approval unless a time extension is requested and approved by the Commission. There is no time limit on the length of the extension.

If the activity is determined to be a project, the lead agency must determine if an exemption applies or if additional environmental review is needed, such as preparing an initial study. A responsible agency is accountable for approving an associated aspect of the underlying activity and must rely on the lead agency's determination in making its own CEQA finding.

In adopting a resolution of application, American Canyon designated the County of Napa as lead agency with respect to assessing the environmental impacts tied to the proposal's underlying activity: annexation of the affected territory to the City to assume ongoing maintenance of the Devlin Road overpass. This includes American Canyon finding the underlying activity is consistent with the *Napa Commerce Center Project Initial Study/Addendum* (January 7, 2009) to the *Beringer Wine Estates / Devlin Road Facility Environmental Impact Report* (April 9, 2002). On behalf of the Commission and its duties as a responsible agency, staff has reviewed American Canyon's finding and believes the City has made an adequate determination in considering the impacts tied to the proposal. Accordingly, if the Commission approves the proposal, staff will file a notice of determination with the County Clerk-Recorder's Office.

Conducting Authority Proceedings

The affected territory qualifies as uninhabited and the affected landowner – Southern Pacific Railroad – has not provided any objection to the proposal. Importantly, the Commission is authorized to waive conducting authority proceedings (i.e., protest) for this proposal under G.C. Section 56663(c)(1) so long as the subject agencies (American Canyon and CSA No. 4) do not object and the following two factors are satisfied:

- The Commission has considered the proposal as part of a noticed public hearing.
- Southern Pacific Railroad has not submitted written opposition prior to the conclusion of the Commission's noticed public hearing.

D. Recommendation

Staff recommends the Commission approve the proposal to annex the affected territory to American Canyon with the referenced discretionary amendment to also detach the affected territory from CSA No. 4. Most notably, the recommended reorganization would provide a logical and sensible northern boundary for American Canyon and ensure the City has complete control over ongoing maintenance for the recently completed Devlin Road extension. Staff also recommends the Commission waive its application fee as requested by American Canyon. This latter recommendation is justified given the reorganization represents relatively minor boundary changes and the necessary analysis under State law and local policy has not required the same level of staff resources compared to typical proposals.

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):

Approve the proposal as submitted to annex the affected territory to American Canyon with standard conditions with an amendment to detach the territory from CSA No. 4 and waive the application fee.

Alternative Action Two:

Continue consideration of the item to a future meeting and provide direction for more information if needed.

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 agendized as part of a noticed public hearing. The following procedures are recommended with respect to Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing (mandatory); and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted,

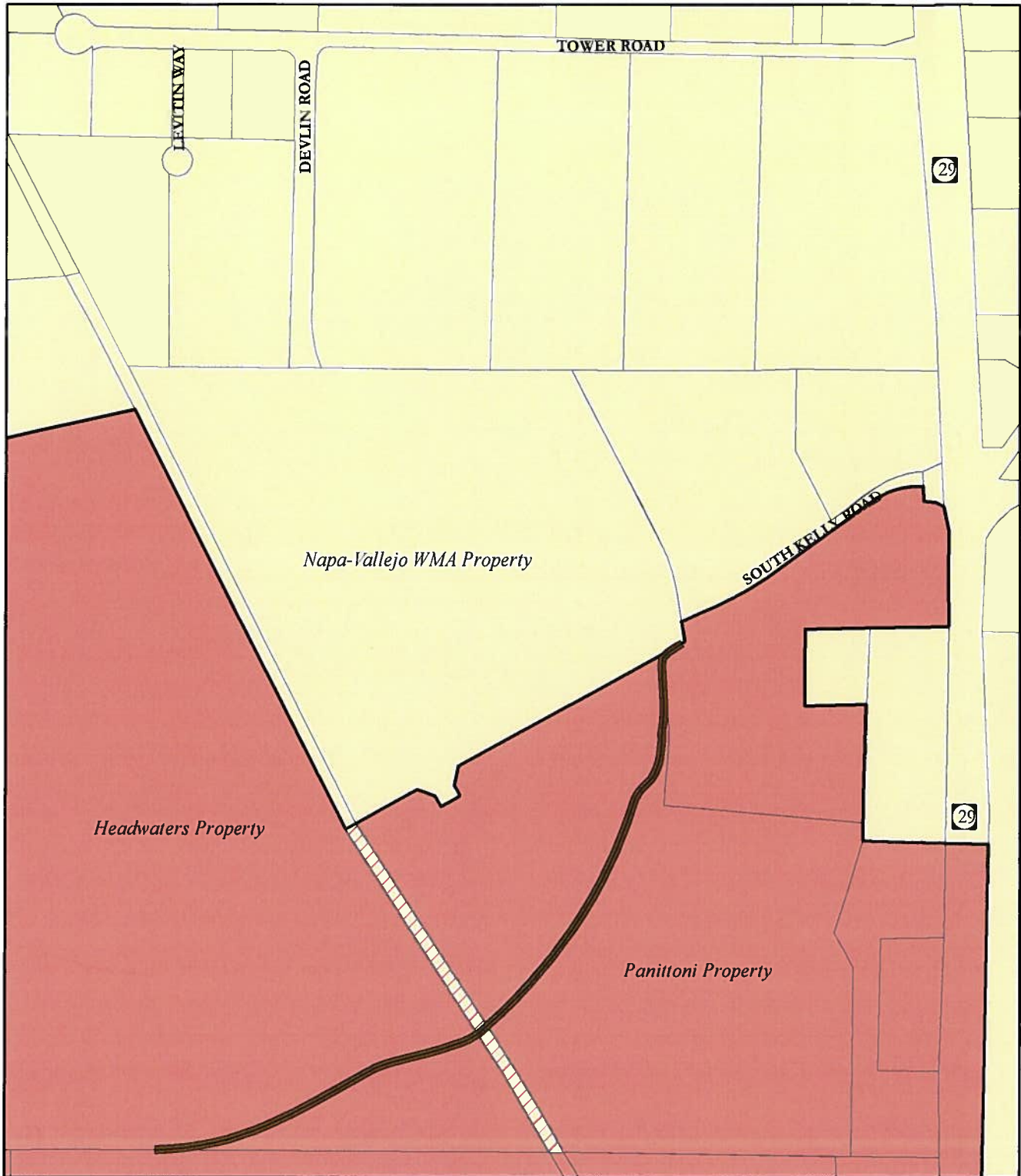
Keene Simonds
Executive Officer

Brendon Freeman
Analyst





Attachments:

- 1) Vicinity Map
- 2) Draft Resolution of Approval
- 3) Application Materials
- 4) Letter of Support from the County of Napa
- 5) Environmental Documents (electronic)

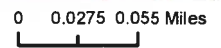
PROPOSED CITY OF AMERICAN
Portion of APN 057-090-05 /



LEGEND

-  City of American Canyon Jurisdictional Boundary
-  City of American Canyon Sphere of Influence
-  Affected Territory
-  Devlin Road Extension (Approximate Location)

Longitude/Latitude	
NW Point :	38.208655 / -122.265494
NE Point :	38.208642 / -122.265317
SW Point :	38.204665 / -122.262922
SE Point :	38.204761 / -122.26729



LAFCO of Napa County
 1030 Seminary Street, Suite B
 Napa, California 94559
www.napa.lafco.ca.gov

RESOLUTION NO. _____

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

DEVLIN ROAD/SOUTH KELLY ROAD NO. 2 REORGANIZATION

WHEREAS, the City of American Canyon, by resolution of application, has filed a proposal with the Executive Officer of the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000;

WHEREAS, the proposal seeks annexation of 1.09 acres of land to the City of American Canyon, which represents a portion of a legal lot identified by the County of Napa Assessor’s Office as 057-090-057;

WHEREAS, the Executive Officer reviewed the proposal and prepared a report with recommendations;

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 4, 2012; and

WHEREAS, the Commission considered all the factors required by law under Government Code Section 56668 and adopted local policies and guidelines.

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

1. The Commission, as responsible agency, certifies it has reviewed and considered the environmental determinations prepared by the designated lead agency – County of Napa – concerning potential impacts associated with the proposal in accordance with the California Environmental Quality Act (CEQA). This specifically involves the County of Napa adopting the *Napa Commerce Center Project Initial Study/Addendum* (January 7, 2009) to the *Beringer Wine Estates/Devlin Road Facility Environmental Impact Report* (April 9, 2002), which assessed the environmental impacts tied to the annexation of the affected territory to the City of American Canyon to assume ongoing maintenance of the Devlin Road overpass. The adoption of the Addendum readopts the CEQA findings contained in County of Napa Resolution No. 02-72. The Commission hereby makes and incorporates by reference the environmental determinations of the County of Napa as set forth in the referenced resolution. The Commission’s findings are based on its independent judgment and analysis. The records upon which these findings are made are located at the Commission office at 1030 Seminary Street, Suite B, Napa, California.
2. The proposal is APPROVED with the following modification:

- a) The affected territory (1.09 acre portion of 057-090-057) is concurrently detached from County Service Area No. 4.
3. The proposal is assigned the following distinctive short-term designation:
- DEVLIN ROAD/SOUTH KELLY ROAD NO. 2 REORGANIZATION**
4. The affected territory is shown in the vicinity map provided in Exhibit "A".
5. The affected territory is uninhabited as defined in Government Code Section 56046.
6. The City of American Canyon utilizes the regular assessment roll of the County of Napa.
7. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the City of American Canyon. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the City.
8. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56663(c)(1).
9. The Commission waives the application fee associated with the proposal.
10. Recordation is contingent upon receipt by the Executive Officer of the following:
- (a) A map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization for annexation to the City of American Canyon.
 - (b) Payment of any outstanding fees owed to other agencies involved in the processing of this proposal.
 - (c) An indemnification agreement signed by the City of American Canyon in a form provided by the Commission Counsel.
11. The effective date shall be the date of recordation of the Certificate of Completion.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 4, 2012, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

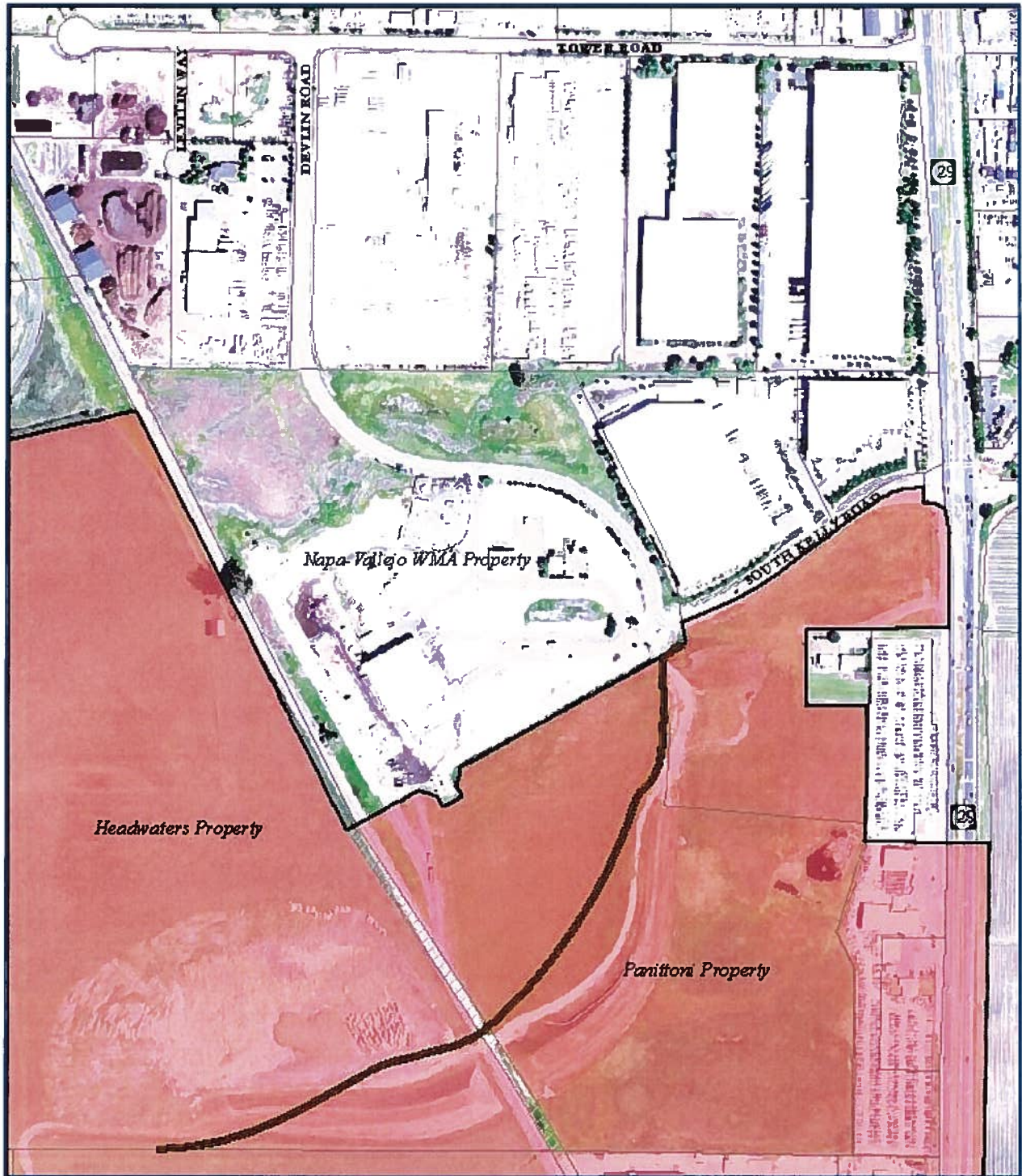
ABSTAIN: Commissioners _____

ABSENT: Commissioners _____

ATTEST: Keene Simonds
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

EXHIBIT A



DRAFT

RESOLUTION #2012- 19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON AUTHORIZING AN APPLICATION TO THE NAPA COUNTY LOCAL AGENCY FORMATION COMMISSION (LAFCO) TO ANNEX 1,200 FEET OF RAILROAD PROPERTY (APPROXIMATELY 1.09 ACRES) BISECTED BY DEVLIN ROAD IN THE NAPA AIRPORT INDUSTRIAL PARK (PORTION OF APN 057-090-057)

WHEREAS, In July 2008, the City of American Canyon and Napa County entered into an agreement whereby the City of American Canyon agreed to streamline its water service regulations in return for the County's agreement to amend the City's Rural-Urban Limit Line and support City annexation of the Panattoni, Headwaters, and Atkins properties; and

WHEREAS, the Union Pacific Railroad is located between the Headwaters and Panattoni property; and

WHEREAS, Devlin Road has been constructed across the Headwaters and Panattoni properties and an overpass has been built at the location Devlin Road crosses the railroad property; and

WHEREAS, annexation of 1,200 feet of railroad property would add 1.09 acres to the City and American Canyon Fire Protection District; and

WHEREAS, annexing the railroad property that separates the Headwaters and Panattoni property would simplify a Union Pacific Railroad agreement that allows Devlin Road to cross over railroad property by designating the City and not the County as the jurisdiction responsible for the railroad overcrossing; and

WHEREAS, Napa County has provided written support for the proposed annexation; and

WHEREAS, annexation of the railroad property is consistent with an Addendum to the Beringer Wine Estates EIR certified on 4/9/02 and 1/7/09.

NOW, THEREFORE, the City Council of the City of American Canyon does hereby RESOLVE AS FOLLOWS:

SECTION 1. ANNEXATION APPLICATION

That staff is authorized to submit an application to the Napa County Local Agency Formation Commission to request annexation of approximately 1.09 acres of Union Pacific Railroad property into the City of American Canyon (portion of APN 057-090-057).

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of American Canyon on March 20, 2012 by the following vote:

- MAYOR GARCIA:**
- VICE MAYOR COFFEY:**
- COUNCILMEMBER B. BENNETT:**
- COUNCILMEMBER J. BENNETT:**
- COUNCILMEMBER JOSEPH:**

Yes
Yes
Yes
Yes
Yes

Leon Garcia
Leon Garcia, Mayor

ATTEST:

Rebekah Barr
Rebekah Barr, MMC,
City Clerk

APPROVED AS TO FORM:

William D. Ross
William D. Ross,
City Attorney

FORM D

Date Filed: _____
Received By: _____

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: BRENT COOPER, COMMUNITY DEVELOPMENT DIRECTOR, CITY OF AMERICAN CANYON
Contact Person Agency Business (If Applicable)
Address: 4381 BROADWAY STREET, #201, AMERICAN CANYON CA 94503
Street Number Street Name City Zip Code
Contact: 707-647-4352 B.COOPER@CITYOFAMERICANCANYON.ORG
Phone Number Facsimile Number E-Mail Address

B. Applicant Type:
(Check One)

Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies: CITY OF AMERICAN CANYON / 4381 BROADWAY STREET, #201, AMERICAN CANYON CA, 94503
Name Address
AMERICAN CANYON F.P.D. / 911 DOWNSBORO WAY, AMERICAN CANYON, CA 94503
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)

AMERICAN CANYON PROPOSES THE CONCURRENT ANNEXATION OF AN APPROXIMATE 1.09 ACRE STRIP OF A CEVAL PARCEL (#057-090-057) TO THE CITY + DISTRICT TO COORDINATE PLANNING / MAINTENANCE OF THE PEVLIN ROAD EXTENSION. AFFECTED LAND IS LOCATED IN BOTH CITY + DISTRICT'S SPHERES.

III. GENERAL INFORMATION

A. Location:

Street Address: _____ Assessor Parcel Number: PORTION OF 057-090-057 Acres: 1.09 1/2

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 : 057-090-057 Name: SOUTHERN PACIFIC R/R
 Mailing Address: 36 BOX 2500 BLOOMFIELD CO 80038-2500

Phone Number: _____ E-mail: _____

(2) Assessor Parcel Number : _____ Name: _____

Mailing Address: _____

Phone Number: _____ E-mail: _____

(3) Assessor Parcel Number : _____ Name: _____

Mailing Address: _____

Phone Number: _____ E-mail: _____

(4) Assessor Parcel Number : _____ Name: _____

Mailing Address: _____

Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

(1) Total Number of Residents: _____ 0

(2) Total Number of Registered Voters: _____ 0

D. Land Use Factors:

- (1a) County General Plan Designation: INDUSTRIAL
- (1b) County Zoning Standard: INDUSTRIAL PARK / AIRPORT COMPATIBILITY
- (2a) Applicable City General Plan Designation: INDUSTRIAL
- (2b) Applicable City Rezoning Standard: NAPA COUNTY AIRPORT INDUSTRIAL AREA

E. Existing Land Uses:
(Specific)

ACTIVE RAILROAD TRACK

F. Development Plans:

- (1a) Territory Subject to a Development Project?

Yes

No

- (1b) If Yes, Describe Project:

THE CURRENT EXTENSION OF DEVLIN ROAD IS GOING TO PASS THROUGH AFFECTED TERRITORY THROUGH A 25 FT BRIDGE / OVERCROSSING

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

G. Physical Characteristics:

- (1) Describe Topography:

ARTIFICIALLY RAISED FROM ADJACENT LANDS BY 5-7 FEET DUE TO RAILROAD TRACK; FLAT TERRAIN NO TRACK

- (2) Describe Any Natural Boundaries:

- (3) Describe Soil Composition and Any Drainage Basins:

- (4) Describe Vegetation:

NOISE

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:

CITY + DISTRICT WILL ASSUME LAND USE + EMS
PROVISION FOR AFFECTED TERRITORY, INCLUDING
25-FOOT BRIDGE THAT WILL FLY-OVER AREA AS PART
OF THE SOUTHERN EXTENSION OF DEVLIN ROAD

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

CONSISTENT W/ EXISTING SERVICE LEVELS PROVIDED
BY CITY + DISTRICT FOR SURROUNDING LANDS

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

IMMEDIATELY UPON ANNECTION

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

THE PLANNED + CURRENT EXTENSION OF DEVLIN
ROAD WILL PROVIDE THE CITY + DISTRICT WITH
VEHICLE ACCESS TO AFFECTED TERRITORY.

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

CURRENT CONSTRUCTION OF THE DEVLIN ROAD EXTENSION -
INCLUDING 25 FT FLYOVER BRIDGE ON AFFECTED TERRITORY -
← BEING FINANCED THROUGH DEVELOPER FEES.

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: AMERICAN CANYON
Name

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

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

w/ ADDENDUM = COUNTY EIR/
BERINGER WINE ESTATES
4/1/02 + 1/7/09

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Use Additional Sheets As Needed

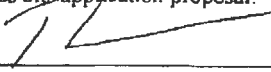
B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

- (1) Recipient Name: BREAST COOPER, CITY OF AMERICAN CANYON
Mailing Address: 1331 BROADWAY STREET, #29, AMERICAN CANYON, CA 94703
E-Mail: BLOOPER@CITYOFAMERICANCANYON.CA.GOV
- (2) Recipient Name: GLENN WEEKS, AMERICAN CANYON F.D.D
Mailing Address: 911 DOWNSON WAY, AMERICAN CANYON, CA 94703
E-Mail: GLENNW@AMCANFIRE.COM
- (3) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

VII. CERTIFICATION

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

Signature:



Printed Name:

Brent Cooper

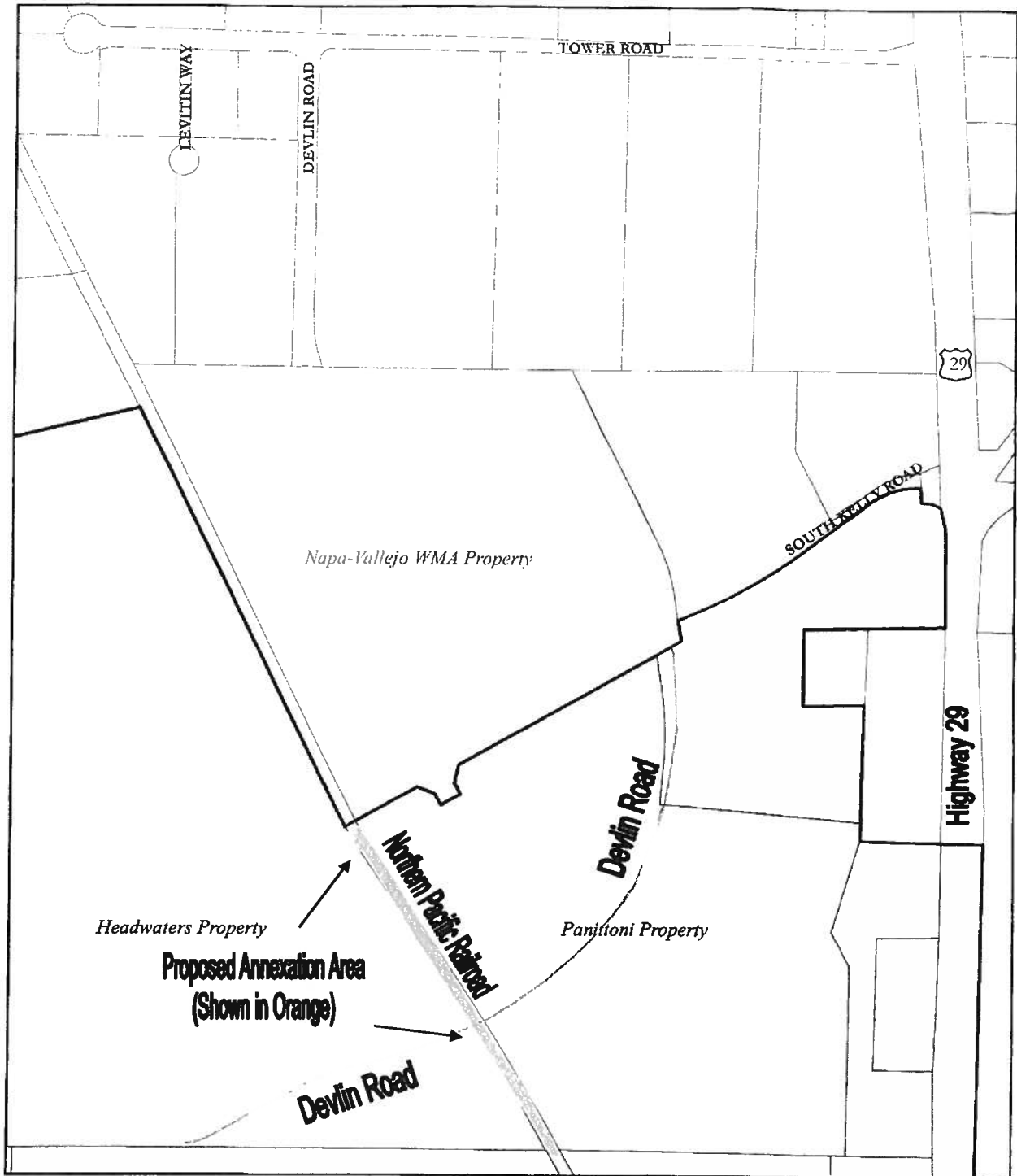
Title:

Community Development Director




Date:

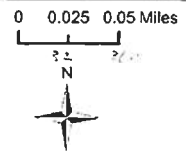
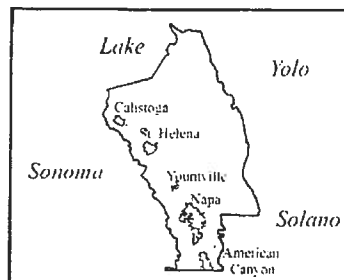
1/24/12

PROPOSED ANNEXATION Portion of APN 057-090-057



Legend

-  City of American Canyon Jurisdictional Boundary
-  City of American Canyon Sphere of Influence
-  Affected Territory



LAFCO of Napa County
 1700 Second Street, Suite 268
 Napa, California 94559
<http://napa.lafco.ca.gov>

ATTACHMENT FOUR



A Tradition of Stewardship
A Commitment to Service

Board of Supervisors
1195 Third St.
Suite 310
Napa, CA 94559
www.countyofnapa.org

Main: (707) 253-4421
Fax: (707) 253-4176

Keith Caldwell
Chairman

March 1, 2012

Ms. Dana Shigley
City Manager
4381 Broadway, Suite 201
City of American Canyon, CA 94503

Subject: Proposed LAFCO application by American Canyon to annex 1.09 acres of railroad property in the Napa Airport Industrial Park

Dear Ms. Shigley:

It has come to our attention that when the Napa County Local Agency Formation Commission (LAFCO) certified the annexation of the Headwaters and Panattoni properties in the Napa Airport Industrial Area, it excluded the railroad property that separates these two properties. Now that Devlin Road has been constructed south of South Kelley Road, the at-grade roadway is in the City, but the bridge over the railroad remains in the County. The combined city/county designation of Devlin Road complicates the roadway overpass agreement with Union Pacific Railroad Company.

To remedy this problem, we understand that the City intends to submit an annexation to LAFCO to annex approximately 1.09 acres of railroad property to eliminate the gap in city boundary between the Headwaters and Panattoni properties. We support the City's efforts to submit a LAFCO application to clean up the border between the City and County. In addition, the Board of Supervisors is scheduled on March 13 to consider a modification to the City/County revenue tax sharing agreement to include the 1.09 acres of railroad property.

If you have any questions, please contact Larry Florin, Director of Community and Intergovernmental Affairs, at (707) 253-4621.

Sincerely,

Handwritten signature of Keith Caldwell in black ink.

Keith Caldwell, Chairman
Napa County Board of Supervisors

cc: Keene Simonds, Napa County LAFCO

Brad Wagenknecht
District 1

Mark Luce
District 2

Diane Dillon
District 3

Bill Dodd
District 4

Keith Caldwell
District 5