



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

1754 Second Street, Suite C
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www.napa.lafco.ca.gov

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

Agenda Item 7a (Action)

TO: Local Agency Formation Commission
PREPARED BY: Dawn Mittleman Longoria, Assistant Executive Officer, Interim Clerk
MEETING DATE: April 3, 2023
SUBJECT: Proposed Partrick Road/Borrette Lane No. 3 Annexation to the Napa Sanitation District and Associated CEQA Findings

RECOMMENDATION

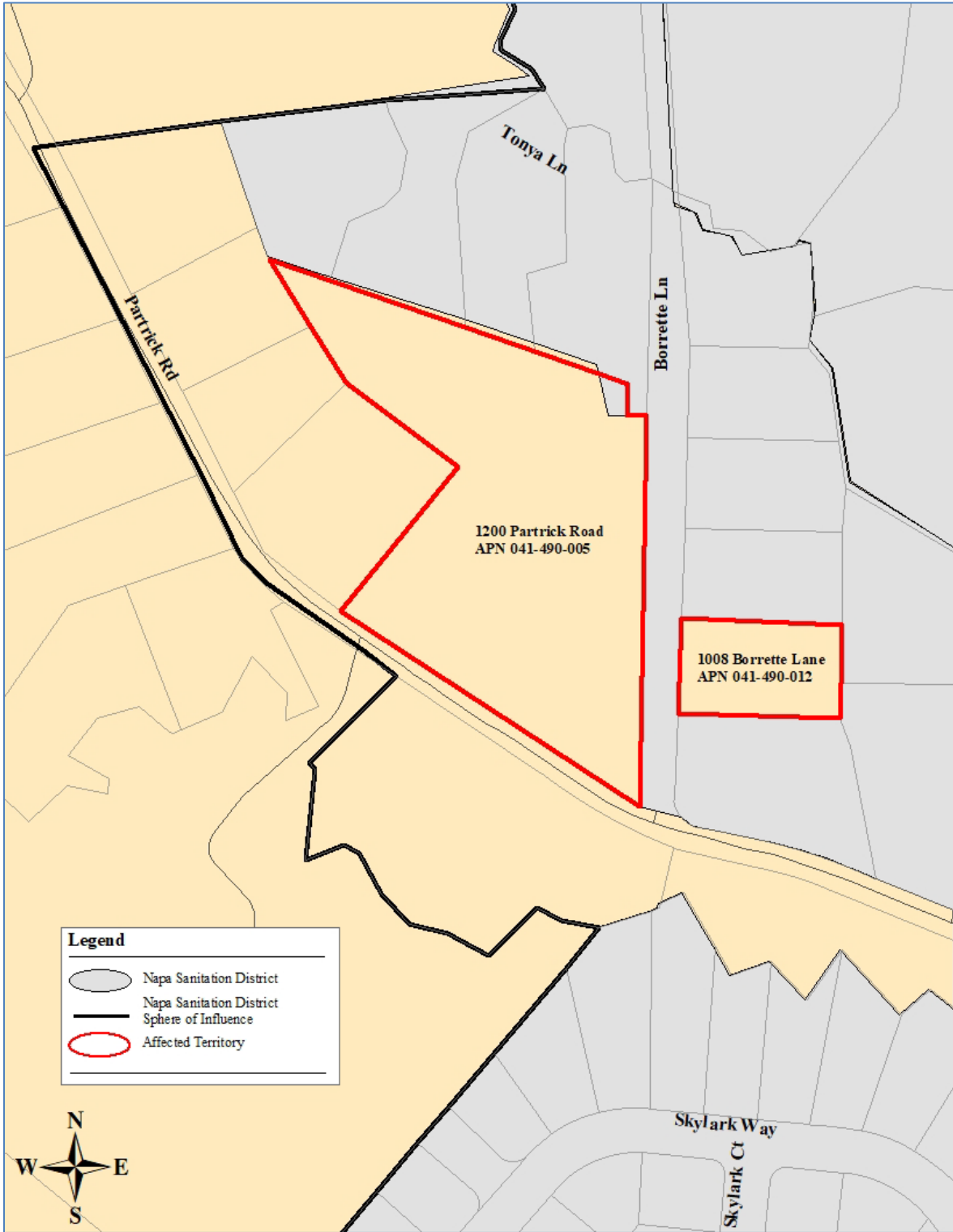
Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Partrick Road/Borrette Lane No. 3 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Numbers: 041-490-005 & 041-490-012
Location: 1200 Partrick Road & 1008 Borrette Lane
Area Size: 4.7 acres
Jurisdiction: City of Napa (“City”)
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: two single-family residences and detached garages/out buildings, vineyard

Purpose: Remove and rebuild existing home, establish permanent public sewer service
Development Plans: No, replace existing single-family home and garage
Development Potential: City General Plan would allow seven additional residential lots subject to City review and approval
Application: Attachment Two (original proposal only includes 1200 Partrick Road; staff modified proposal to also include 1008 Borrette Lane with consent of landowners)
Maps of Affected Territory: Following pages

Margie Mohler, Chair
Councillmember, Town of Yountville
Anne Cottrell, Vice Chair
County of Napa Supervisor, 3rd District
Kenneth Leary, Commissioner
Representative of the General Public
Mariam Aboudamous, Commissioner
Councillmember, City of American Canyon
Belia Ramos, Commissioner
County of Napa Supervisor, 5th District
Eve Kahn, Alternate Commissioner
Representative of the General Public
Beth Painter, Alternate Commissioner
Councillmember, City of Napa
Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District
Brendon Freeman
Executive Officer



Proposed Partrick Road/Borrette Lane No. 3 Annexation to the Napa Sanitation District

April 3, 2023

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DISCUSSION

Factors for Commission Determinations

Mandated Factors: Attachment Three¹

Property Tax Agreement

Master Property Tax Agreement: No change in allocation for annexations to NSD

Protest Proceedings

Waived: Legally uninhabited (fewer than 12 registered voters) and 100% consent of property owners²

ENVIRONMENTAL REVIEW³

Exemptions:

1. Installation of new pipeline less than one mile⁴
 - Current and future residential units would connect via sewer main and/or laterals from existing sewer main
2. New construction or conversion of small structures⁵
 - One single-family residence on each parcel
3. Existing structures developed to density allowed in current zoning⁶
 - Any future development would require review and approval by the City and be subject to separate CEQA process

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Factors for Commission Determinations

¹ California Government Code sections 56668 & 56668.3

² California Government Code section 56662(a): fewer than 12 registered voters

³ Reviewed by Napa LAFCO Legal Counsel

⁴ CEQA Guidelines section 15282(k)

⁵ CEQA Guidelines section 15303

⁶ CEQA Guidelines section 15319

RESOLUTION NO. ____

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

**PARTRICK ROAD/BORRETTE LANE NO. 3
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 4.7 acres of incorporated land to the Napa Sanitation District and represents two entire parcels located at 1200 Partrick Road and 1008 Borrette Lane and identified by the County of Napa Assessor’s Office as 041-490-005 and 041-490-012, 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 April 3, 2023; 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 statutorily 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 proposed annexation also qualifies for the categorical exemption from further review under CEQA Guidelines section 15303, which exempts construction and location of limited numbers of new, small facilities or structures, installation of small new equipment and facilities in small structures, and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The proposed annexation also qualifies for the categorical exemption from further review under CEQA Guidelines section 15319, which exempts annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing environmental agency, whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The records upon which these findings are made are located at the Commission's administrative office located at 1754 Second Street, Suite C, 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:

**PARTRICK ROAD/BORRETTE LANE NO. 3
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map 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 waives conducting authority proceedings in accordance with California Government Code section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) All outstanding Commission fees.
 - (c) Written confirmation from 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 April 3, 2023, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____
NOES: Commissioners _____
ABSENT: Commissioners _____
ABSTAIN: Commissioners _____

Margie Mohler
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Dawn Mittleman Longoria
Assistant Executive Officer,
Interim Clerk

Tonya Ln

Partrick Rd




Borrette Ln

1200 Partrick Road
APN 041-490-005

1008 Borrette Lane
APN 041-490-012

DRAFT

Legend

-  Napa Sanitation District
-  Napa Sanitation District Sphere of Influence
-  Affected Territory



Skylark Way

Skylark Ct

FORM D

Date Filed: _____

Proposal Name: _____

PROPOSAL APPLICATION
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: David Kelley
 Contact Person Agency/Business (If Applicable)

Address: 135 Tarrace Drive SF CA 94127
 Street Number Street Name City Zip Code

Contact: 415-235-7567 NA dave.kelley.sf@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 San 1515 Soscol Ferry Rd
 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) Sewer connection for new buildings.

III. GENERAL INFORMATION

A. Location: 1200 Partrick 041-490-005 4.0
 Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

Street Address Assessor Parcel Number Acres

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

B. Landowners:

(1) Assessor Parcel Number : 041-490-005 Name: David Kelley
 Mailing Address: 135 Tenney Dr. SF CA 94127
 Phone Number: 415-235-7567 E-mail: dave.kelley.sf@gmail.com

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

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

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

Use Additional Sheets As Needed

C. Population:

(1) Total Number of Residents: 5
 (2) Total Number of Registered Voters: 3

D. Land Use Factors:

- (1a) County General Plan Designation: NA
- (1b) County Zoning Standard: NA
- (2a) Applicable City General Plan Designation: SFR-40 (0 to 2 units/acre)
- (2b) Applicable City Pre-zoning Standard: RS-20 (min lot size 20,000 ft²)
(Required for City Annexations)

E. Existing Land Uses:
(Specific)

Single family home + vineyard.

F. Development Plans:

(1a) Territory Subject to a Development Project?



Yes



No

(1b) If Yes, Describe Project:

owner will be demolishing existing structures and building new single family house + garage.

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

Not subdivided

G. Physical Characteristics:

(1) Describe Topography:

relatively flat with a slight slope in back of property

(2) Describe Any Natural Boundaries:

NA

(3) Describe Soil Composition and Any Drainage Basins:

Bressa - Dibbk complex
Cole silt loam

(4) Describe Vegetation:

2.0 acres of grape vines surrounding building

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:

Sewer

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

7 beds + 7 bathrooms

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

As soon as (or perhaps 5-6 months later)
annexation takes place.

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

Looking for a deferral letter for
Patrick sewer line extension.

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

Owner

V. ENVIRONMENTAL INFORMATION

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: 15319(b), 15303, and 15282(k)
Type

None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

NA

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: Deepak Patankar

Mailing Address: _____

E-Mail: deepak @ evocoarch . com

(2) Recipient Name: Emile Morales

Mailing Address: Emile @ montara drafting . com

E-Mail: _____

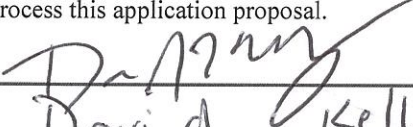
(3) Recipient Name: Joe Pridmore

Mailing Address: joe @ pridmore and co . com

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: David Kelley
Title: Owner of 1200 Partrick
Date: 12/22/22



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LANDOWNER CONSENT FORM

We are the legal owners of property as described below and hereby voluntarily consent to the annexation of our land to the Napa Sanitation District as part of the proposal proceedings titled **Partrick Road/Borrette Lane No. 3 Annexation**. In providing consent, we acknowledge the Commission may proceed with considering the proposal without notice, hearing, or protest proceedings under Government Code Section 56662(a).

Landowner Names: Thomas Gary & Cheryl A Vanscyoc

Property Address: 1008 Borrette Lane, Napa, CA 94558

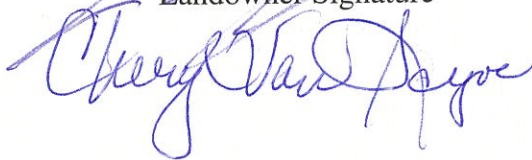
Property APN: 041-490-012



Landowner Signature



Date



Margie Mohler, Chair
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

Anne Cottrell, Vice Chair
County of Napa Supervisor, 3rd District

Belia Ramos, Commissioner
County of Napa Supervisor, 5th District

Joelle Gallagher, Alternate Commissioner
County of Napa Supervisor, 1st District

Kenneth Leary, Commissioner
Representative of the General Public

Eve Kahn, Alternate Commissioner
Representative of the General Public

Brendon Freeman
Executive Officer

FACTORS FOR COMMISSION CONSIDERATION

Government Code §56668 & §56668.3 require the review of a proposal to include the following factors:

FACTOR TO CONSIDER	COMMENT
1. Population and density [§56668(a)]	Consistent: Population seven (legally uninhabited)
2. Land area and land use [§56668(a)]	Consistent: 4.7 acres, two single-family residences Jurisdiction: City of Napa, <i>Browns Valley</i> Planning Area
3. Assessed valuation [§56668(a)]	Consistent: Land: \$1,499,142
4. Topography, natural boundaries and drainage basins [§56668(a)]	Consistent: Relatively flat: 0 to 2 percent slopes with 15-30 slopes at back of parcel Drainage basin: <i>Napa River – Browns Valley Creek</i>
5. Proximity to other populated areas [§56668(a)]	Consistent: Adjacent lands on the four sides: City of Napa – developed or have residential use designations in the General Plan
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	Consistent: City General Plan designation and zoning could allow future subdivision of 1200 Partrick Road to include up to 9 total residential lots and would require approval by the City; no current development plans.
7. Need for government services [§56668(b)]	Consistent: Existing City services provided at adequate levels: Water, fire and emergency protection, law enforcement Additional service: Connection to sewer to eliminate septic and facilitate replacement of an existing residence
8. Government services present cost, adequacy and controls in area [§56668(b)]	Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21
9. Government services probable future needs and controls in area [§56668(b)]	Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21

<p>10. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas</p> <p>[\$56668(b)]</p>	<p>Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21</p>
<p>11. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County</p> <p>[\$56668(c)]</p>	<p>Consistent: Area included in NSD SOI since 1975</p>
<p>12. Effects on planned efficient patterns of urban development</p> <p>[\$56668(d)]</p>	<p>Consistent: City General Plan land use designation: <i>SFR-40 (Single Family Residential, 0-2 lots per acre)</i></p>
<p>13. Effects on maintaining physical and economic integrity of agricultural lands</p> <p>[\$56668(e)]</p>	<p>Consistent: Within City RUL, not designated for agricultural or open space use</p>
<p>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain</p> <p>[\$56668(f)]</p>	<p>Consistent: Two existing parcels, located on city-maintained streets</p>
<p>15. Conformance to lines of assessment, ownership</p> <p>[\$56668(f)]</p>	<p>Consistent: Two parcels: APN 041-490-005, 041-490-012</p>
<p>16. Creation of islands, corridors, irregular boundaries</p> <p>[\$56668(f)]</p>	<p>Consistent: Both parcels are legally defined and located within City boundary. Annexation to sewer district would not create an unincorporated island.</p>
<p>17. Consistency with regional transportation plan</p> <p>[\$56668(g)]</p>	<p>Consistent: No specific projects in regional transportation plan (RTP), <i>Plan Bay Area 2050</i></p>
<p>18. Consistency with city or county general and specific plans</p> <p>[\$56668(h)]</p>	<p>Consistent: City General Plan designation: <i>SFR-40 (Single Family Residential, 0-2 lots per acre)</i> City Zoning: <i>RS-20 (Residential, minimum lot size 20,000 sq. ft.)</i></p>
<p>19. Consistency with spheres of influence</p> <p>[\$56668(i)]</p>	<p>Consistent: Within NSD SOI since 1975</p>

<p>20. Comments from affected agencies and other public agencies [§56668(j)]</p>	<p>Consistent: No comments received</p>
<p>21. Ability of agency to provide service including sufficiency of revenues [§56668(k)]</p>	<p>Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21</p>
<p>22. Timely availability of adequate water supply [§56668(l)]</p>	<p>Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21</p>
<p>23. Fair share of regional housing needs [§56668(m)]</p>	<p>Consistent: No impact on regional housing needs</p>
<p>24. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p>Consistent: 100% consent of landowners</p>
<p>25. Existing land use designations [§56668(o)]</p>	<p>Consistent: City General Plan designation: <i>SFR-40 (Single Family Residential, 0-2 lots per acre)</i> City Zoning: <i>RS-20 (Residential, minimum lot size 20,000 sq. ft.)</i></p>
<p>26. Effect on environmental justice [§56668(p)]</p>	<p>Consistent: No documentation or evidence suggesting the proposal will have any implication</p>
<p>27. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]</p>	<p>Consistent: Not located in a high fire hazard zone</p>
<p>28. Special district annexations: for the interest of landowners or inhabitants within the district and affected territory [§56668.3(a)(1)]</p>	<p>Consistent: Proposal approval would benefit by providing permanent access to public sewer service, eliminating potential public health hazards associated with private septic systems</p>