



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

1754 Second Street, Suite C
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 7a (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Dawn Mittleman Longoria, Analyst II/Interim Clerk DML
MEETING DATE: June 6, 2022
SUBJECT: Proposed Hilltop Drive Reorganization and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations – Hilltop Drive Reorganization (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed reorganization with a boundary modification for annexation to the City of Napa (“City”) and detachment from County Service Area (CSA) No. 4. Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Actions: Annexation to the City and detachment from CSA No. 4
Assessor Parcel Numbers (APNs): 043-020-004 & 043-020-008
Location: 2991 Hilltop Drive
Area Size: 0.53 acres
Jurisdiction: Unincorporated
Current Land Uses: Apartment complex
Sphere of Influence (SOI) Consistency: Yes – City of Napa
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: City of Napa General Plan

The submitted proposal is for concurrent annexation to the City and detachment from CSA No. 4 involving one unincorporated parcel located at 2991 Hilltop Drive and identified as APN 043-020-008. The purpose of the proposal is to allow for the addition of an accessory dwelling unit under the City’s land use authority. The current land use is a nine-unit apartment complex, which represents a legal non-conforming use under the County of Napa’s land use authority. The application materials are included as Attachment Two.

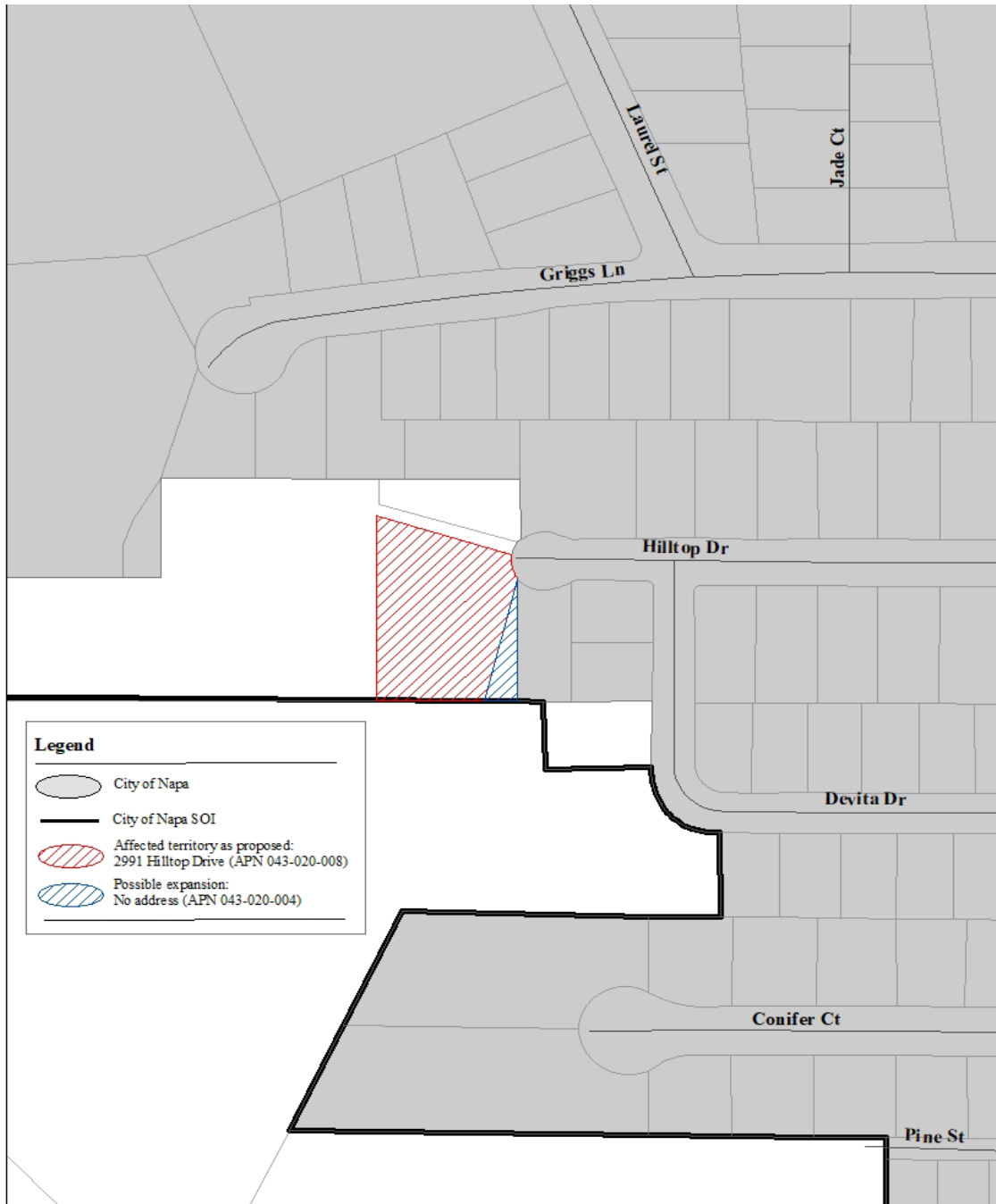
Margie Mohler, Chair
Councilmember, Town of Yountville
Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon
Beth Painter, Alternate Commissioner
Councilmember, City of Napa

Brad Wagenknecht, Vice Chair
County of Napa Supervisor, 1st District
Diane Dillon, Commissioner
County of Napa Supervisor, 3rd District
Ryan Gregory, Alternate Commissioner
County of Napa Supervisor, 2nd District

Kenneth Leary, Commissioner
Representative of the General Public
Eve Kahn, Alternate Commissioner
Representative of the General Public
Brendon Freeman
Executive Officer

Staff recommends a modification to the proposed affected territory that would expand the boundary to include an unincorporated parcel identified as APN 043-020-004. The purpose of the modification would be to provide a more logical and orderly boundary for the City. In addition, following annexation APN 043-020-004 could be combined with the parcel located to the immediate east, which shares a common landowner and is already within the City's jurisdictional boundary.

Maps showing the proposed affected territory and the possible expansion follow.





## **DISCUSSION**

The following is a discussion of key considerations that are relevant to the proposal.

### ***Possible Boundary Expansion***

California Government Code (G.C.) Section 56375 directs the Commission to consider boundary modifications any time it reviews change of organization or reorganization proposals to provide a more orderly and logical designation. Toward this end, and subsequent to the submittal of the original proposal by the landowner of 2991 Hilltop Drive, staff notified the neighboring landowner of a parcel with no situs address and located to the immediate east of 2991 Hilltop Drive to assess their interest in joining the annexation. The neighboring parcel is approximately 0.04 acres in size, identified by the County Assessor as 043-020-004, and located within the City's SOI. The landowner of APN 043-020-004 agreed to join the annexation and provided a signed landowner consent form, included as Attachment Three. With this in mind, staff recommends the Commission modify the proposal by expanding the affected territory to include APN 043-020-004.

### ***Policy on Concurrent Detachment from CSA No. 4***

The affected territory with the aforementioned modification is entirely located in CSA No. 4's jurisdictional boundary. The intent and function of CSA No. 4 is to sponsor a voter-approved special assessment on all parcels in its jurisdiction that contain one acre or more of vineyards for purposes of funding farmworker housing services.

Section VI, Subsection C(3) of the *General Policy Determinations*, included as Attachment Four, requires that all annexations to a city also include concurrent detachment from CSA No. 4 unless the affected territory contains, or is expected to contain, vineyards totaling one acre or more. There are no vineyards currently, nor expected to be, planted within the modified affected territory. Further, the modified affected territory is only 0.53 acres in size. Detaching the modified affected territory from CSA No. 4 is appropriate given the discontinuity between these lands' current and expected future residential use, paired with the role of the CSA No. 4 in providing public farmworker housing services.

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

See Attachment Five for an evaluation of the mandated factors for Commission determinations for the proposal as modified to expand the affected territory.

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

Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.<sup>1</sup> With this in mind, staff provided notice to the City and the County of the proposed jurisdictional change – including the possible boundary expansion – affecting both agencies and the need to apply a property tax exchange to the proceedings. Staff has advised the City and the County of its intent to apply a master property tax exchange agreement adopted by both governing boards in 1980 unless otherwise informed during the 30 day noticing period; an agreement specifying Napa shall receive 55% of the County’s existing portion of property tax revenues generated from the affected territory. Neither agency has 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 modified affected territory is legally uninhabited (i.e., 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 City previously certified an Environmental Impact Report (EIR) for the City of Napa General Plan (City of Napa General Plan, Final Environmental Impact Report, December 1, 1998), which identifies and addresses all potential environmental impacts associated with annexation of the affected territory to the City. Complete copies of the EIR and the City of Napa’s resolutions including its determinations and findings are available at the Commission office at 1754 Second Street, Suite C, Napa, California 94559, and can be viewed by clicking the links below. Pursuant to CEQA Guidelines Section 15162, no further CEQA documentation is necessary as there have been no substantial changes due to the proposed annexation of the affected territory, there are no changed circumstances, and there are no new significant environmental effects or substantial increase in the severity of previously identified effects. Staff is directed to file a Notice of Determination relying on CEQA Guidelines Section 15162 and the prior City of Napa environmental review.

City of Napa General Plan Final EIR (Part One):

[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_FEIR\\_Part1.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part1.pdf)

City of Napa General Plan Final EIR (Part Two):

[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_FEIR\\_Part2.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part2.pdf)

City of Napa General Plan Final EIR (Part Three):

[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_FEIR\\_Part3.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part3.pdf)

---

<sup>1</sup> CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

City of Napa Resolution No. 98-238 Certifying the City General Plan Final EIR:  
[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_Resolution98-238.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_Resolution98-238.pdf)

City of Napa Resolution No. 98-239 Adopting the City General Plan:  
[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_Resolution98-239.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_Resolution98-239.pdf)

## **ALTERNATIVES FOR COMMISSION ACTION**

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

### **Alternative Action One (Recommended):**

Adopt the draft resolution identified as Attachment One approving the proposal with the aforementioned boundary modification along with standard terms and conditions.

### **Alternative Action Two:**

Adopt the draft resolution identified as Attachment One, with appropriate revisions to be determined by the Commission, approving the proposal without the boundary modification and with standard terms and conditions.

### **Alternative Action Three:**

Continue consideration of the proposal to a specified future meeting.

### **Alternative Action Four:**

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

## **ATTACHMENTS**

- 1) Draft Resolution Approving the Modified Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Landowner Consent for APN 043-020-004
- 4) General Policy Determinations
- 5) Factors for Commission Determinations

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

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

**HILLTOP DRIVE REORGANIZATION**

**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 0.49 acres of unincorporated land to the City of Napa along with concurrent detachment from County Service Area No. 4 and represents one entire parcel located at 2991 Hilltop Drive and identified by the County Assessor’s Office as 043-020-008; and

**WHEREAS**, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations, including a recommended modification to expand the affected territory to include one additional parcel totaling 0.06 acres and identified by the County Assessor’s Office as 043-020-004; and

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

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on June 6, 2022; and

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

**WHEREAS**, the Commission found the modified proposal consistent with the sphere of influence established for the City of Napa; and

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

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

1. The Commission's determinations on the proposal incorporate the information and analysis provided in the Executive Officer's written report.
2. The City of Napa previously certified an Environmental Impact Report (EIR) for the City of Napa General Plan (City of Napa General Plan, Final Environmental Impact Report, December 1, 1998), which identifies and addresses all potential environmental impacts associated with annexation of the affected territory to the City. Pursuant to CEQA Guidelines Section 15162 no further CEQA documentation is necessary as there have been no substantial changes due to the proposed annexation of the affected territory, there are no changed circumstances, and there are no new significant environmental effects or substantial increase in the severity of previously identified effects. Complete copies of the EIR and the City of Napa's resolutions including its determinations and findings are located at the Commission office at 1754 Second Street, Suite C, Napa, California 94559.
3. The modified proposal is APPROVED, which includes annexation of the expanded affected territory to the City and detachment from CSA No. 4.
4. The modified proposal is assigned the following distinctive short-term designation:

**HILLTOP DRIVE REORGANIZATION**

5. The affected territory is depicted in the attached vicinity map and more precisely described in Exhibit "A".
6. The affected territory is uninhabited as defined in Government Code Section 56046.
7. The City of Napa utilizes the regular assessment roll of the County of Napa.
8. 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 Napa. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the City of Napa.
9. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56662(a).
10. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.
11. The Commission hereby directs staff to file a Notice of Determination in compliance with CEQA.



The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on June 6, 2022, 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

DRAFT

**EXHIBIT "A"**  
**HILLTOP DRIVE REORGANIZATION**  
**ANNEXATION TO THE CITY OF NAPA**  
**DETACHMENT FROM COUNTY SERVICE AREA NO. 4**  
**GEOGRAPHIC DESCRIPTION**

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

BEGINNING at a point on the existing City of Napa limits on Hilltop Drive right-of-way, to which a radial bears South 42° 01' 29" West from the center of said Hilltop Drive cul-de-sac;

Course 1: thence; South, 135.55 feet;

Course 2: thence; West, 125.00 feet;

Course 3: thence; North, 202.44 feet;

Course 4: thence; South 75° 13' 00" East, 129.29 feet to the existing City of Napa boundary;

Course 5: thence; along said City of Napa boundary South, 33.90 to the POINT OF BEGINNING,

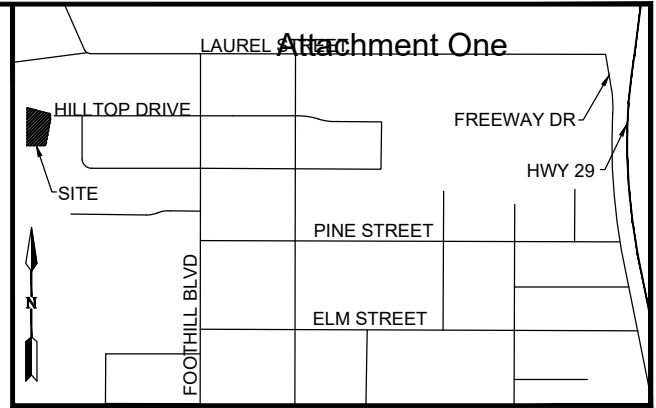
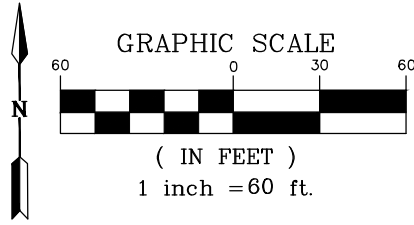
Containing 0.53 acres more or less.

For assessment purposes only. This description of land is not a legal property description as defined the Professional Land Surveyor's Act and may not be used as the basis for an offer for sale of the land described therein.

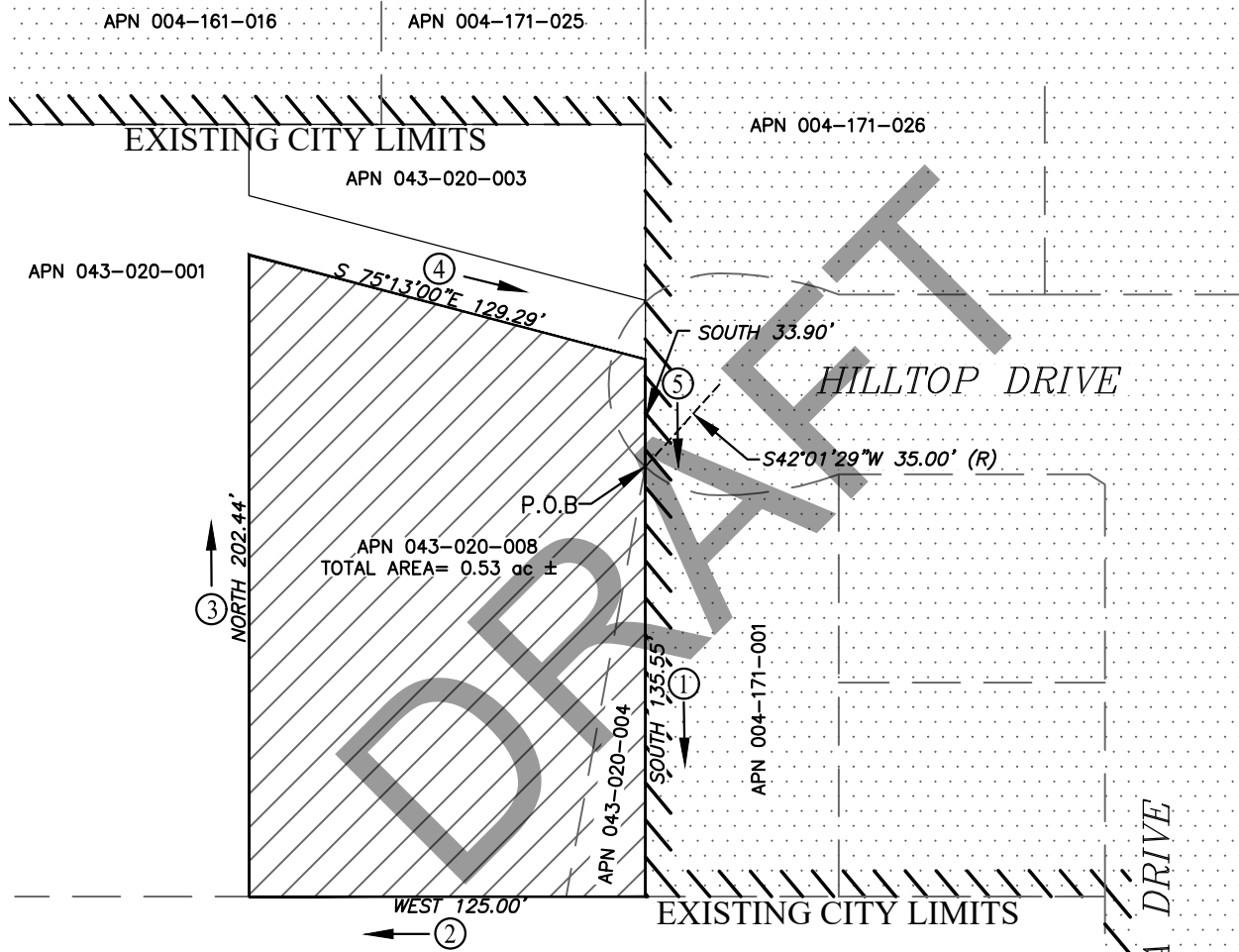
**DISCLAIMER:**

THIS EXHIBIT IS FOR ASSESSMENT PURPOSES ONLY AND MAY NOT BE USED AS THE BASIS FOR A SALE OF THE LAND SHOWN HERON.

THE EFFECTED TERRITORY IS SHOWN ON THE MAP AND DESCRIBED IN THE GEOGRAPHIC DESCRIPTION IN THE ATTACHED EXHIBIT "A"



**VICINITY MAP**  
NO SCALE



**LEGEND**

- ANNEXED AREA AS NOTED
- PROPOSED AREA TO BE ANNEXED
- N.C.R. NAPA COUNTY RECORDS
- P.O.B. POINT OF BEGINNING
- (R) RADIAL BEARING
- ① COURSE NUMBERS
- EXISTING CITY OF NAPA LIMITS

**APPLICANT**  
ROLAND STONE  
3315 GREYSTONE CT,  
NAPA, CA, 94558

**EXHIBIT "A"**  
HILLTOP DRIVE REORGANIZATION  
ANNEXATION TO THE CITY OF NAPA  
DETACHMENT FROM COUNTY SERVICE AREA NO. 4  
BEING A PORTION OF RANCHO ENTRE NAPA  
Resolution for Hilltop Drive Reorganization



**CHAUDHARY & ASSOCIATES, INC.**  
ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204  
NAPA, CALIFORNIA 94558  
Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM  
Page 5 of 5  
MAY 27, 2022

Q:\2022\22-04-012 Stone Hilltop LAFCO Annex\CADD\01EX2204012.dwg 5-27-22 01:06:44 PM

**FORM B**

For Staff Use **Attachment Two**

Date Filed: 4/12/22  
Proposal Name: Hilltop Drive Reorg

**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:**

Move property from County of Napa to City of Napa

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

Property is right on border and a section is in the City.

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

Wish to add an ADU to present apartment building. There is an existing large garage with a 13 foot high ceiling. Can add a one bedroom one bath unit that meets all legal requirements.

**Type of Petition:**

Landowner

Registered Voter

**Sphere of Influence Consistency:**

Yes

No

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

- 1) Name: Roland Stone  
Mailing Address: 3315 Greystone Court, Napa, CA. 94558  
Assessor Parcel: 043-020-008-000  
Signature: *Roland Stone* Date: 11/23/2021
  
- 2) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_
  
- 3) Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Assessor Parcel: \_\_\_\_\_  
Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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

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

Date Filed:

4/12/22

Proposal Name:

Hilltop Dr. Regg

FORM D

PROPOSAL APPLICATION
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Roland Stone Owner
Contact Person Agency/Business (If Applicable)
Address: 3315 Greystone Court Napa 94558
Street Number Street Name City Zip Code
Contact: 415-885-6500 roland-stone@att.net
Phone Number Facsimile Number E-Mail Address

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

II. PROPOSAL DESCRIPTION

A. Affected Agencies:
AFCO 1754-2nd ST, Suite C, Napa, CA 94559
Name Address
City of Napa, 955 School st. Napa, 94559 (Annexation)
Name Address
County of Napa No. 4 1127 1st St. Napa, 94559 (Detachment)

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 in order to add ADU to existing building.
Presently on City water, sewer and garbage pick-up.
Part of property is within the City limits.

**III. GENERAL INFORMATION**

<b>A. Location:</b>	2991 Hilltop Drive	043-020-008-000	.59
	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 : 043-020-008-000 Name: Roland Stone  
 Mailing Address: 3315 Greystone Court, Napa, CA. 94558  
 Phone Number: 415-885-6500 E-mail: roland-stone@att.net
- (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: 18
- (2) Total Number of Registered Voters: To be determined

D. Land Use Factors:

(1a) County General Plan Designation:

Rural Residential

(1b) County Zoning Standard:

RS:UR (Residential)

(2a) Applicable City General Plan Designation:

Single Family Infill

(2b) Applicable City Pre-zoning Standard:  
(Required for City Annexations)

Residential Infill (min 5,000 sq ft)

E. Existing Land Uses:  
(Specific)

Apartment building presently on site.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. Development Plans:

(1a) Territory Subject to a Development Project?

Yes

No

(1b) If Yes, Describe Project:

\_\_\_\_\_  
\_\_\_\_\_

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

ADU addition following annexation

G. Physical Characteristics:

(1) Describe Topography:

Flat

(2) Describe Any Natural Boundaries:

None Hill behind property

(3) Describe Soil Composition and Any Drainage Basins:

Soils are Forward-Kidd complex, (11 to 60 percent slopes) Drainage is Napa River - Lower Napa City Reach

(4) Describe Vegetation:

Some trees and bushes along perimeter

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:

**None**: *already receiving full services*

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

**None**: *sufficient services as needed for ADU*

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

*following construction of ADU*

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

**None**

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

*Personally financed*

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 City General Plan FEIR
Negative Declaration/Mitigated Negative Declaration
Categorical/Statutory Exemption:
None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

Three horizontal lines for providing approval terms and conditions.

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: LAFCO
Mailing Address: 754 2nd St. Suite C Napa, CA 94559
E-Mail: bfreeman@napa.lafco.ca.gov

(2) Recipient Name:
Mailing Address:
E-Mail:

(3) Recipient Name:
Mailing Address:
E-Mail:

**VII. CERTIFICATION**

---

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

**Signature:** *Roland Stone*  
**Printed Name:** Roland Stone  
**Title:** Owner  
**Date:** 11/23/2021



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

1754 Second Street, Suite C  
Napa, California 94559  
Phone: (707) 259-8645  
www.napa.lafco.ca.gov

---

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

---

**LANDOWNER CONSENT FORM**

I am the legal owner of property as described below and hereby voluntarily consent to the annexation of my land to the City of Napa as part of the proposal proceedings undertaken by Roland Stone. In providing consent, and with the qualification that all related annexation costs be the responsibility of Roland Stone, I acknowledge the Commission may proceed with considering the proposal without notice, hearing, or protest proceedings under Government Code Section 56662(a).

**Landowner Name:** Daniel Gleason

**Property Address:** No situs address

**Assessor Parcel Number:** 043-020-004

  
Landowner

  
Date

---

Margie Mohler, Chair  
Councilmember, Town of Yountville

Mariam Aboudamous, Commissioner  
Councilmember, City of American Canyon

Beth Painter, Alternate Commissioner  
Councilmember, City of Napa

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

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

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

Kenneth Leary, 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

### *General Policy Determinations*

(Adopted: August 9, 1972; Last Amended: June 7, 2021)

#### **I. Background**

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the Commission's principal objectives are discouraging urban sprawl, preserving open-space and agricultural resources, and encouraging the orderly formation and development of cities and special districts and their municipal services based on local conditions. Regulatory duties include approving or disapproving proposals involving the formation, reorganization, expansion, and dissolution of cities and special districts. The Commission's regulatory actions must be consistent with its adopted written policies and procedures. The Commission must also inform its regulatory duties through a series of planning activities, which includes establishing and updating spheres of influence.

#### **II. General Policies**

The intent of these policies is to serve as the Commission's constitution with regards to outlining clear goals, objectives, and requirements in uniformly fulfilling its prescribed duties. The Commission reserves discretion in administering these policies, however, to address special conditions and circumstances as needed.

##### **A) Legislative Declarations**

The Commission acknowledges and incorporates into its own policies, the policies of the Legislature regarding the promotion of orderly, well-planned development patterns that avoid the premature conversion of agricultural and open-space lands and ensure effective, efficient, and economic provision of essential public services. The Commission wishes to specifically note the following declarations and policies contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

- (1) The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. (G.C. §56000)
- (2) It is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures, and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns. (G.C. §56300)

- (3) In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:
  - a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
  - b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (G.C. §56377)

## **B) Commission Declarations**

The Commission declares its intent not to permit the premature conversion of designated agricultural or open-space lands to urban uses. The Commission shall adhere to the following policies in the pursuit of this intent, and all proposals, projects, and studies shall be reviewed with these policies as guidelines.

- (1) Use of County General Plan Designations:  
In evaluating a proposal, the Commission will use the Napa County General Plan to determine designated agricultural and open-space lands. The Commission recognizes that inconsistencies may occur between the County General Plan and the affected city general plan with respect to agricultural and open-space designations. Notwithstanding these potential inconsistencies, the Commission will rely on the Napa County General Plan in recognition of the public support expressed in both the incorporated and unincorporated areas of Napa County for the County's designated agricultural and open-space lands through enactment of Measure "J" in 1990 and Measure "P" in 2008.
- (2) Location of Urban Development:  
The Commission shall guide urban development away from designated agricultural or open-space lands until such times as urban development becomes an overriding consideration as determined by the Commission.

- (3) Timing of Urban Development:  
The Commission discourages proposals involving the annexation of undeveloped or underdeveloped lands to cities and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city annexation proposals in which the affected lands are part of an unincorporated island.
- (4) Factors for Evaluating Proposals Involving Agricultural or Open-Space Lands:  
The Commission recognizes there are distinct and varying attributes associated with agricultural and open-space designated lands. A proposal which includes agricultural or open-space designated land shall be evaluated in light of the existence of the following factors:
- a) "Prime agricultural land", as defined by G.C. §56064.
  - b) "Open-space", as defined by G.C. §56059.
  - c) Land that is under contract to remain in agricultural or open-space use, such as a Williamson Act Contract or Open-Space Easement.
  - d) Land which has a County General Plan agricultural or open-space designation (Agricultural Resource or Agriculture, Watershed and Open-Space).
  - e) The adopted general plan policies of the County and the affected city.
  - f) The agricultural economic integrity of land proposed for conversion to urban use as well as adjoining land in agricultural use.
  - g) The potential for the premature conversion of adjacent agricultural or open-space designated land to urban use.
  - h) The potential of vacant non-prime agricultural land to be developed with a use that would then allow the land to meet the definition of prime agricultural land under the Williamson Act.
- (5) Encouragement of Reorganizations:  
The Commission encourages reorganization proposals as a means of coordinating actions of local governmental agencies involving, but not limited to, annexation of land to two or more public agencies. The Commission recognizes the usefulness of the reorganization concept as a vehicle designed to simplify and expedite such actions.

### **III. Policies Concerning the County Of Napa**

#### **A) Location of Urban Development**

- (1) Development of an urban character and nature should be located within areas designated as urban areas by the County General Plan in close proximity to a city or special district which can provide essential public services.
- (2) Urban development should be discouraged if it is apparent that essential services necessary for the proposed development cannot readily be provided by a city or special district.
- (3) The Commission shall review and comment, as appropriate, on the extension of services or the creation of new service providers to furnish services into previously unserved territory within unincorporated areas.

#### **B) Use of County Service Areas and Community Services Districts**

- (1) In those unincorporated urban areas where essential urban services are being provided by the County, the Board of Supervisors should consider the establishment of county service areas or community services districts so that area residents and landowners pay their fair and equitable share for the services received.

### **IV. Policies Concerning Cities**

#### **A) Incorporations**

- (1) The Commission discourages proposals to incorporate communities unless substantial evidence suggests the County and any affected special district are not effectively meeting the needs of the community.
- (2) The Commission discourages proposals to incorporate communities involving land that is not already receiving essential public services from a special district.
- (3) Any community proposed for incorporation in Napa County shall have at least 500 registered voters residing with the affected area at the time proceedings are initiated with the Commission as required under G.C. §56043.

### **V. Policies Concerning Special Districts**

#### **A) In Lieu of New District Creation**

- (1) Where a limited-purpose special district exists and additional services are required for an unincorporated area designated as urban by the County General Plan, the Commission encourages reorganizations to provide the extended services of the existing limited services special district.



**B) Preference for Districts Capable of Providing All Essential Services**

- (1) All new special districts proposed for formation in the unincorporated urban areas as designated under the County General Plan should be capable of providing essential urban type services which include, but are not limited to, water, sanitation, fire protection, and police protection.

**C) Establishing New Services or Divestiture of Existing Service Powers**

- (1) Commission approval is required for a special district to establish new services or divest existing service powers within all or parts of its jurisdictional boundary. Requests by a special district shall be made by adoption of a resolution of application and include all the information required and referenced under G.C. §56824.12.
- (2) The Commission incorporates the following definitions in administering these policies:
  - a) “New” shall mean activating a latent service not previously authorized.
  - b) “Divestiture” shall mean deactivating a service power previously authorized.
- (3) The Commission shall consider the effect of the proposal in supporting planned and orderly growth within the affected territory.

**VI. Policies Concerning Annexations**

**A) General Policies Concerning Annexations to a City**

- (1) Inclusion in Sphere of Influence:  
The affected territory shall be included within the affected city sphere of influence prior to issuance of the Executive Officer's certificate of filing for the subject annexation proposal. The Executive Officer may amend both a sphere of influence amendment and annexation application for Commission consideration and action at the same meeting.

**B) Policies Concerning Annexation of Municipally-Owned Land**

- (1) Restricted Use Lands Owned by Public Agencies:  
The Commission shall disapprove annexation of publicly-owned land designated agricultural or open-space or subject to a Williamson Act contract unless the land will be used for a municipal purpose and no suitable alternative site reasonably exists within the affected city's sphere of influence.
- (2) Facilities Exempt from Policy:  
Municipal purpose shall mean a public service facility which is urban in nature such as water and sewage treatment facilities and public buildings, but shall not include land which is vacant or used for wastewater reclamation irrigation, a reservoir, or agricultural, watershed or open-space.

### C) Concurrent Annexation Policies

It is the intent of the Commission to promote concurrent annexations to cities and special districts whenever appropriate. The Commission may waive its concurrent annexation policies based on unique conditions or circumstances surrounding the annexation proposal which make application of the policy impractical and will not result in the annexation of lands designated agricultural or open-space by the applicable city or County General Plan.

#### (1) City of Napa and Napa Sanitation District

##### a) Annexations to the District:

All annexation proposals to the Napa Sanitation District located outside of the City of Napa shall first be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission, is located within the City Residential Urban Limit Line (RUL) as adopted by the City, and annexation is legally possible.

##### b) Annexations to the City:

All 100% consent annexation proposals to the City of Napa located outside of the Napa Sanitation District shall be required to annex to the Napa Sanitation District if the affected territory is located within the District's sphere of influence and if sanitation service is available.

#### (2) City of American Canyon and American Canyon Fire Protection District

##### a) Annexations to the District:

All annexation proposals to the American Canyon Fire Protection District located outside of the City of American Canyon shall be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission and if annexation is legally possible.

##### b) Annexations to the City:

All annexation proposals to the City of American Canyon located outside of the American Canyon Fire Protection District shall be required to annex to the District if the affected territory is located within the District's sphere of influence.

#### (3) County Service Area No. 4

##### a) Annexations to Cities:

All annexation proposals to a city shall be required to concurrently detach from County Service Area No. 4 unless the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size.



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

1754 Second Street, Suite C  
 Napa, California 94559  
 Phone: (707) 259-8645  
[www.napa.lafco.ca.gov](http://www.napa.lafco.ca.gov)

---

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

---

**Hilltop Drive Reorganization:  
 Annexation to the City of Napa and Detachment from County Service Area No. 4  
 Factors for Commission Determinations**

California Government Code (G.C.) Section 56668 requires the Commission to consider the following specific factors for a change of organization or reorganization involving annexation to a city. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices.

*(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 18. The affected territory is legally uninhabited given there are fewer than 12 registered voters.<sup>1</sup>

The affected territory comprises two unincorporated parcels totaling 0.53 acres in size and lies within a residential area that is designated under the City of Napa General Plan as *Westwood*. The parcel identified as Assessor Parcel Number (APN) 043-020-008 and totaling 0.49 acres is developed with a nine-unit apartment complex, which represents a legal non-conforming use as confirmed by the County of Napa Planning Division. The parcel identified as APN 043-020-004 and totaling 0.04 acres is undeveloped.

The current assessment value of the affected territory totals \$1,462,910.<sup>2</sup>

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin. Topography is relatively level.

The affected territory has a City General Plan land use designation of SFR-117 (*Single Family Residential, 0 to 4 units per acre*) and a zoning standard of RI-5 (*Residential Infill, minimum lot size 5,000 sq. ft.*). These designations do not allow further subdivision of the affected territory. APN 043-020-008 could be further developed to include one accessory dwelling unit following annexation to the City. APN 043-020-004 is unlikely to be developed in the future due to its size and shape. Adjacent areas to the west and south are predominantly located outside the City's sphere of influence and rural urban limit. Adjacent areas to the north and east are predominantly located within the City's jurisdictional boundary and have already been developed with residential uses. Therefore, significant growth is unlikely to occur within the affected territory and adjacent areas during the next 10 years.

<sup>1</sup> The County Assessor's Office reports there are seven registered voters residing in the affected territory.

<sup>2</sup> The assessed value of the affected territory is \$683,126 for land and \$779,784 for structural improvements.

***(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 or available to the affected territory include water, fire protection and emergency medical, law enforcement, and sewer. Buildout of the affected territory following annexation to the City would include 10 total residential and apartment units.<sup>3</sup> The following analysis assumes buildout of the affected territory.

A review of estimated demands for municipal services within the affected territory indicates the City and the Napa Sanitation District (NSD) have sufficient capacities and controls to reasonably accommodate a full range of municipal services within the foreseeable future. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014 as well as the Commission's *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020.<sup>4</sup> No service deficiencies for the area were identified in the Municipal Service Reviews. Additional information regarding estimated service demands within the affected territory follows.

### ***Water***

The 9-unit apartment located on APN 043-020-008 currently receives water service from the City through a grandfathered outside service agreement. Annual potable water demands within the affected territory at buildout are projected to total approximately 2.1 acre-feet or 689,850 gallons. This amount is based on the City's current average daily water demands of 210 gallons per single-family residence or apartment unit. The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

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

The City already provides first response to the affected territory based on an existing automatic aid agreement with the County of Napa. Annual service calls within the affected territory at buildout are projected to total approximately 3.12 based on the City's current ratio of 0.12 annual fire protection and emergency medical service calls per resident. The City has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

---

<sup>3</sup> Population at buildout of the affected territory is projected to total approximately 26 based on the California Department of Finance's estimate of 2.61 persons per household for the City of Napa.

<sup>4</sup> The *Central County Region Municipal Service Review* is available online at: [http://www.napa.lafco.ca.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf). The *Napa Countywide Water and Wastewater Municipal Service Review* is available online at: [https://www.napa.lafco.ca.gov/uploads/documents/NapaCountywideWaterWastewaterMSR\\_Updated\\_10-4-21.pdf](https://www.napa.lafco.ca.gov/uploads/documents/NapaCountywideWaterWastewaterMSR_Updated_10-4-21.pdf).

### ***Law Enforcement***

The City already provides first response to the affected territory based on an agreement with the County of Napa. Annual service calls within the affected territory at buildout are projected to total approximately 20.8 based on the City's current ratio of 0.8 annual law enforcement service calls per resident. The City has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

### ***Sewer***

The affected territory is within NSD's jurisdictional boundary. The 9-unit apartment located on APN 043-020-008 currently receives public sewer service from NSD. Daily sewer flows within the affected territory at buildout are projected to total approximately 1,500 gallons per day. This amount is based on current average sewer demands of approximately 150 gallons per day per single-family residence or apartment unit. NSD has established adequate capacities and controls to continue accommodating these 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 the City and the affected territory. These ties were initially established in 1972 when the Commission included the affected territory in the City's SOI, marking an expectation the site would eventually develop for urban type uses and require a full range of public services from the City. These ties are further strengthened based on the affected territory's inclusion within the City's Rural Urban Limit (RUL).

The proposed concurrent detachment of the affected territory from CSA No. 4 supports mutual social and economic interests. Specifically, detaching the affected territory from CSA No. 4 would recognize the discontinuity between current and planned urban uses and the role of the District in providing farmworker housing.

### ***(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 designations under the City and County General Plans and consistency with the City'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. Specifically, the affected territory is neither substantially unimproved nor devoted to an open-space use under the County General Plan. 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 affected territory does not contain any “agricultural land” as defined by 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 includes all of the property identified by the County of Napa Assessor’s Office as 043-020-004 and 043-020-008. The applicant has submitted a map and geographic description of the affected territory in conformance with the requirements of the State Board of Equalization. Approval of the proposal would not create any new islands or corridors of unincorporated territory.

***(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 2050*, was updated in 2021 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2050.<sup>5</sup> No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

Approval of the proposal would affirm the long-term need for a full range of municipal services to the affected territory. The availability of these municipal services is consistent with the City’s General Plan, which designates and prezones the affected territory for residential land use.

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

The affected territory is located entirely within the City’s SOI, which was most recently comprehensively updated by the Commission in February 2014.<sup>6</sup>

---

<sup>5</sup> *Plan Bay Area 2050* is a long-range integrated transportation and land-use/housing strategy through 2050 for the San Francisco Bay Area. *Plan Bay Area 2050* includes the region’s Sustainable Communities Strategy and the 2050 Regional Transportation Plan.

<sup>6</sup> The *City of Napa Sphere of Influence Review and Update* adopted in 2014 is available online at: [https://www.napa.lafco.ca.gov/uploads/documents/SOI\\_Napa\\_FinalReport\\_2014.pdf](https://www.napa.lafco.ca.gov/uploads/documents/SOI_Napa_FinalReport_2014.pdf).

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

Staff provided notice of the proposal, including the possible boundary expansion, to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. The County Assessor recommended inclusion of APN 043-020-004 to allow the parcel to be combined with the parcel located to the immediate east, which shares a common landowner.

***(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 and *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 concluded the City has developed overall adequate financial resources and controls relative to current and projected water service commitments. These municipal service reviews are relied upon and sufficient for this reorganization proposal regarding the plan for services required by G.C. Section 56653.

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

Annual potable water demands within the affected territory at buildout are projected to total approximately 2.1 acre-feet or 689,850 gallons based on the City's current average daily water demands of 210 gallons per single-family residence or apartment unit. 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 the affected territory at buildout.

<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
Difference	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.***

The proposal is expected to facilitate the development of an accessory dwelling unit, which would provide a small benefit to the City with respect to achieving its fair share of the regional housing needs.

***(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 interested party seeking annexation. There are seven registered voters residing within the affected territory.

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

The County's General Plan designation for the affected territory is *Cities*, which anticipates eventual annexation to the City.

The County's zoning standard for the affected territory is *Residential Single: Urban Reserve*, which allows for residential uses to meet the housing needs of present and future population in the unincorporated area. The *Urban Reserve* classification is intended to identify properties inside the SOI of a city and a city-adopted urban limit, such as the City of Napa's RUL, whose continued or future urbanization is contingent upon annexation to the city.

The City's General Plan land use designation for the affected territory is *Single Family Residential (SFR-117)*, which prescribes a range of development from zero to four residential units per acre. This property is prezoned *Residential Infill (RI-5)*, which allows for residential development with a minimum lot size of 5,000 square feet or 0.11 acres.

The affected territory's current parcel size is 0.53 acres. Subdivision would not be allowed following annexation based on the City's General Plan and existing parcel sizes.

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

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

***(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 proposal. The affected territory is not located in a very high fire hazard zone or a state responsibility area.<sup>7</sup>

---

<sup>7</sup> The affected territory is located within a moderate fire hazard severity zone.