



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 6a (Action Item)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Stephanie Pratt, Clerk/Jr. Analyst SP
MEETING DATE: October 7, 2024
SUBJECT: Proposed Lynn Drive Annexation to the Napa Sanitation District
and Associated CEQA Findings

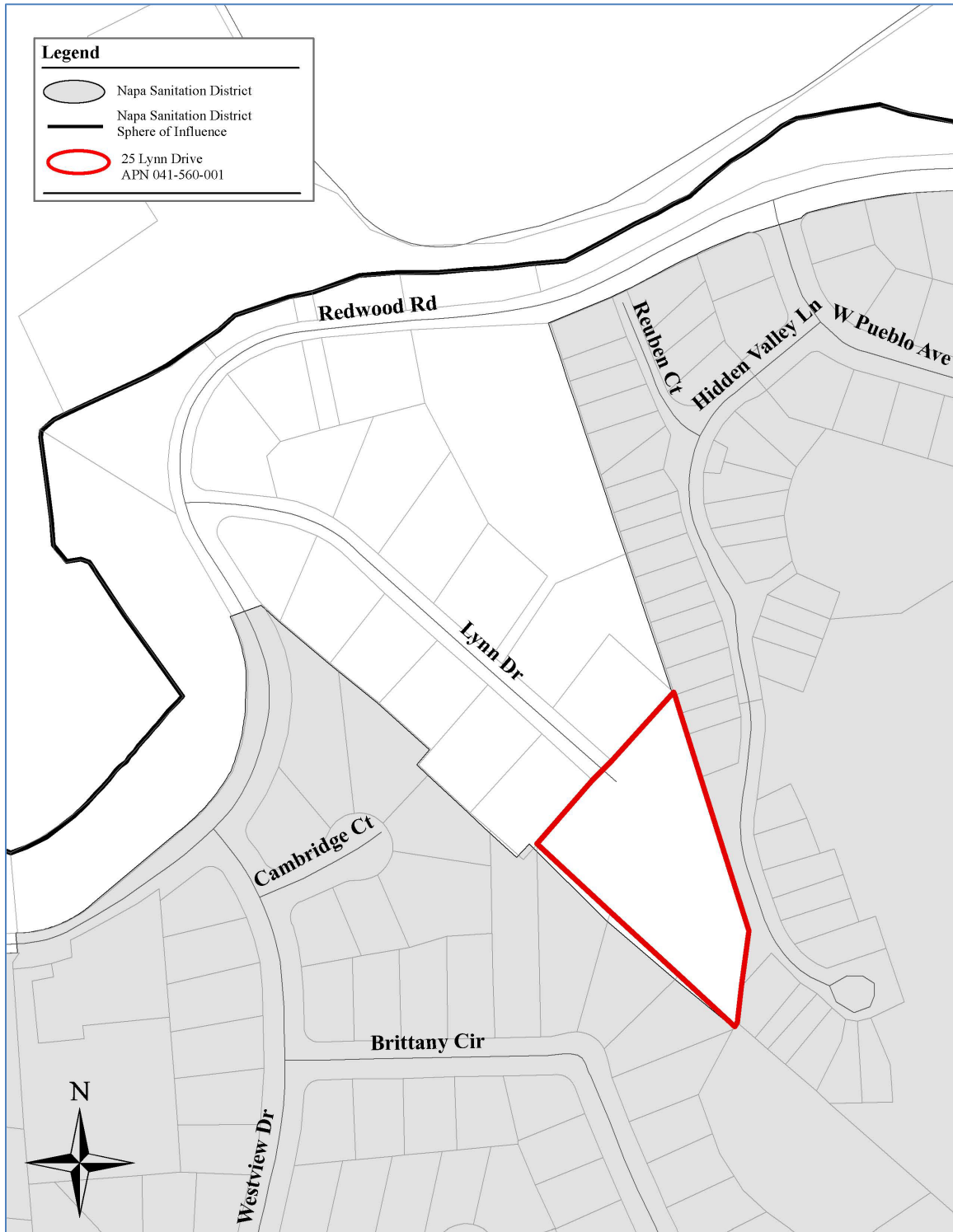
RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations for the Lynn Drive Annexation to the Napa Sanitation District, making California Environmental Quality Act (CEQA) findings and approving the proposed annexation with recommended standard conditions (Attachment 1).

BACKGROUND AND SUMMARY

- Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Number: 041-560-001
Location: 25 Lynn Drive
Area Size: 1.67 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 - see page 4 of this report
Current Land Uses: One single-family residence
Purpose: Permanent connection to sewer service for one single-family residence and one proposed additional single-family residence
Development Plans: Yes - one additional single-family residence
Application: Attachment 2
Maps of Affected Territory: Following pages

**Vicinity map showing affected territory:**



**Aerial map showing affected territory:**



## **DISCUSSION**

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

Mandated Factors: Attachment 3

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

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

### ***Protest Proceedings***

Waived: Legally uninhabited with 100% consent of property owners<sup>1</sup>

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

The proposed annexation is eligible for the following CEQA exemptions pursuant to Title 14 of the California Code of Regulations (14 CCR):

- 14 CCR §15061(b)(3) (common sense exemption) – it can be seen with certainty that there is no possibility that this annexation may have a significant effect on the environment.
- 14 CCR §15301 (existing facilities) – this approval will result in negligible or no expansion of the existing private structure (a single-family residence) and existing public facilities (NSD’s wastewater collection system).
- 14 CCR §15303 (new construction or conversion of small structures) – this approval allows installation of small new sewage equipment for a small single-family residence, as contemplated by subsection (d) of §15303.
- 14 CCR §15319(b) (annexations of lots for exempt facilities) – this approval will result in annexation of an individual, small parcel of the minimum size for facilities exempted by §15303 (new construction or conversion of small structures).
- 14 CCR §15282(k) (other statutory exemptions) – the installation of new pipeline to connect this existing single-family residence to NSD is exempt so long as the project does not exceed one mile in length.

## **ATTACHMENTS**

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

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<sup>1</sup> California Government Code §56662(a) defines territory as “uninhabited” if fewer than 12 registered voters reside within the territory.

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

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

**LYNN DRIVE  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

**WHEREAS**, an application for a proposed change of organization 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 1.67 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 25 Lynn Drive in the City of Napa and identified by the County of Napa Assessor’s Office as Parcel Number (APN) 041-560-001; 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 noticed public meeting held on the proposal on October 7, 2024; 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 affected by the 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.

The underlying activity, annexation of the affected territory, is exempt from further review pursuant to California Code of Regulations (CCR) Title 14 section 15061(b)(3), where it can be seen with certainty that there is no possibility that this annexation may have a significant effect on the environment. The proposed annexation is exempt from further review pursuant to CCR Title 14 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 is exempt from further review pursuant to CCR Title 14 section 15301, which exempts annexations that will result in negligible or no expansion of the existing private structure and existing public facilities. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15303, which exempts new construction or conversion of small structures. The proposed annexation is exempt from further review pursuant to CCR Title 14 section 15319(b), 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.

2. The proposal is APPROVED subject to completion of item number 11 below.
3. This proposal is assigned the following distinctive short-term designation:

**LYNN DRIVE  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission 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 October 7, 2024, after a motion by Commissioner \_\_\_\_\_, seconded by Commissioner \_\_\_\_\_, by the following vote:

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

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

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

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

\_\_\_\_\_  
Anne Cottrell  
Commission Chair

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

Recorded by: Stephanie Pratt  
Clerk/Jr. Analyst

Exhibit A

**Lynn Drive**

**Annexation to the Napa Sanitation District**

Geographic Description

All that certain real property situated in the City of Napa, County of Napa, State of California, described as follows:

**Beginning** at the most Southern corner of the 11.90 acres tract of land described in the deed to Lynn Parker and wife, recorded October 7, 1952 in book 397, page 557, Official records of Napa County, said point being on the Northerly line of the Napa Sanitation District Boundary;

Thence, along said Northerly line of said District Boundary, and also along the Easterly line of said 11.90 acres tract of land the following two (2) courses and distances:

(1) North 6° 55' 00" East, 152.00 feet;

and

(2) North 19° 05' 00" West 361.53 feet, more or less, to the Southeastern line of Lynn Park as shown on the map entitled, "Final Map of Lynn Park Subdivision", filed July 14th, 1955 in book 6 of maps, at page 27 in the office of the County recorder of said Napa County;

Thence, leaving Northerly line of said District Boundary and along said Southeastern line of Lynn Park,

(3) South 41° 35' 00" West 304.75 feet, more or less, to the Southwestern line of the 11.90 acres tract above referred to and also to said Northerly line of said District Boundary;

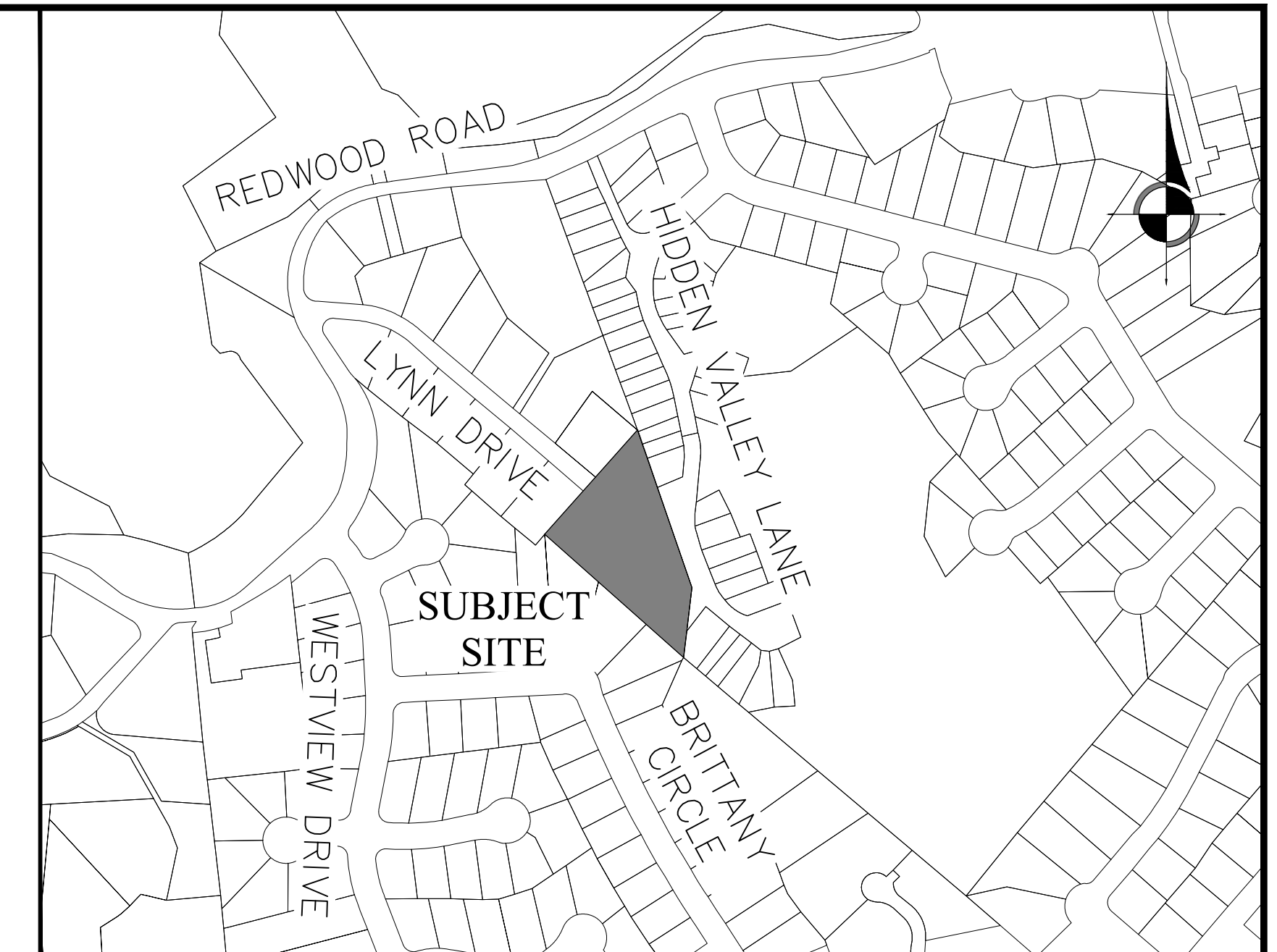
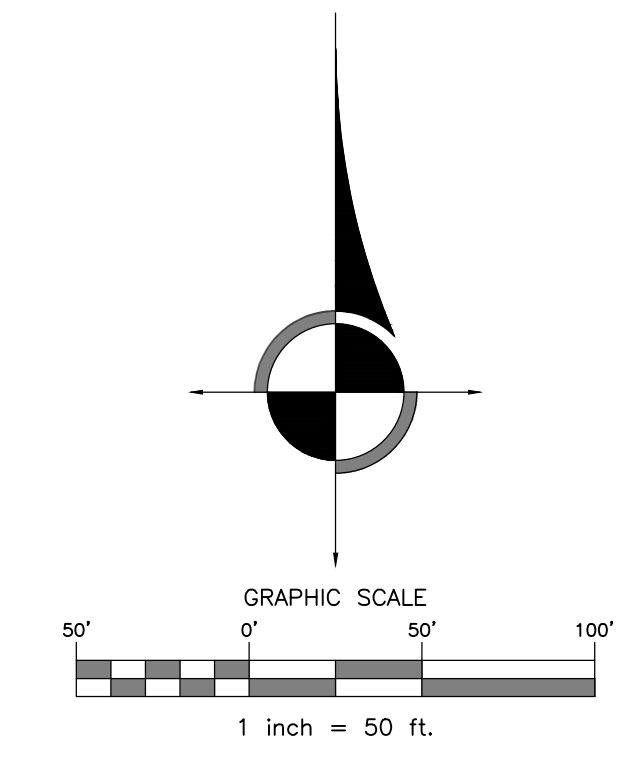
Thence, along said Northerly line of said District Boundary, and also along said Southwestern line of said 11.90 acres tract,

(4) South 48° 25' 00" East 400.50 feet to the **Point of Beginning**.

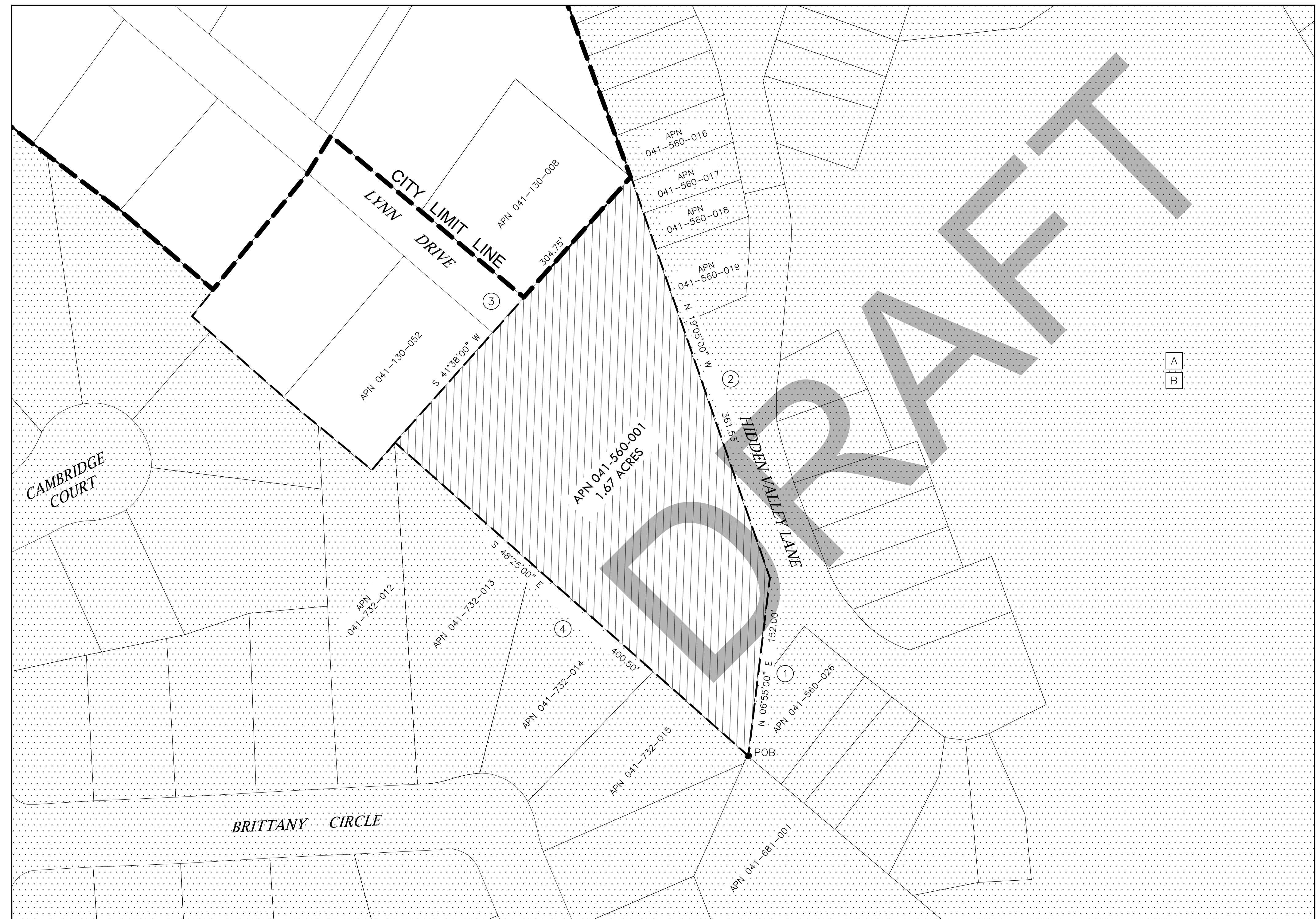
Containing 1.67 acres of land more or less

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





VICINITY MAP - SCALE 1" = 300'



25 LYNN DRIVE  
APN 041-560-001

**LEGEND**

- ADJACENT ANNEXATION BOUNDARY
- PROPOSED NSD ANNEXATION
- EXISTING NSD AREA
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- TPOB TRUE POINT OF BEGINNING

**DISCLAIMER**

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

**ANNEXATION DISTRICTS:**

- A** HIDDEN VALLEY PARK ANNEXATION - NAPA SANITATION DISTRICT - LAFCO RESOLUTION NO. 71-14, JULY 14, 1971
- B** HIDDEN VALLEY PARK MINOR BOUNDARY CHANGE - NAPA SANITATION DISTRICT - LAFCO RESOLUTION NO. 71-21, NOVEMBER 10, 1971

Job Name:	LYNN DRIVE ANNEXATION	CHECKED BY:	TCR
		DRAWN BY:	AHS
Description:	ANNEXATION PLAT CITY OF NAPA, COUNTY OF NAPA PORTION OF NAPA RANCHO	PROJECT NUMBER:	2024-025-NAP
		SCALE:	1" = 50'
		DATE:	AUG 21, 2024
		SHEET:	1 of 1



**RIECHERS ENGINEERING**  
5 CANOPY LANE, NAPA, CA, 94558  
TEL: 707-690-4425  
WWW.RIECHERSENGINEERING.COM

**FORM D**

For Staff Use

**Attachment 2**

Date Filed: \_\_\_\_\_

Proposal Name: \_\_\_\_\_

**PROPOSAL APPLICATION  
Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

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**A. Name:** \_\_\_\_\_  
Contact Person Agency/Business (If Applicable)

**Address:** \_\_\_\_\_  
Street Number Street Name City Zip Code

**Contact:** \_\_\_\_\_  
Phone Number Facsimile Number E-Mail Address

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

**II. PROPOSAL DESCRIPTION**

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**A. Affected Agencies:**

_____	_____
Name	Address
_____	_____
Name	Address
_____	_____
Name	Address

*Use Additional Sheets as Needed*

**B. Proposal Type:** (Check as Needed)

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

**C. Purpose Statement:** (Specific)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**III. GENERAL INFORMATION**

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**A. Location:**

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

(2) Total Number of Registered Voters: \_\_\_\_\_

**D. Land Use Factors:**

(1a) County General Plan Designation: \_\_\_\_\_

(1b) County Zoning Standard: \_\_\_\_\_

(2a) Applicable City General Plan Designation: \_\_\_\_\_

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

**E. Existing Land Uses:**

(Specific) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Development Plans:**

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

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

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

**G. Physical Characteristics:**

(1) Describe Topography: \_\_\_\_\_  
\_\_\_\_\_

(2) Describe Any Natural Boundaries: \_\_\_\_\_  
\_\_\_\_\_

(3) Describe Soil Composition and Any Drainage Basins: \_\_\_\_\_  
\_\_\_\_\_

(4) Describe Vegetation: \_\_\_\_\_  
\_\_\_\_\_

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

Yes

No

**IV. GOVERNMENTAL SERVICES AND CONTROLS**

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**A. Plan For Providing Services:**

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

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

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

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

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

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**V. ENVIRONMENTAL INFORMATION**

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

(1) **Lead Agency for Proposal:** \_\_\_\_\_  
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: \_\_\_\_\_  
Type

None

*Provide Copies of Associated Environmental Documents*

**VI. ADDITIONAL INFORMATION**

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**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:**

(Does not include affected landowners or residents)

(1) Recipient Name: \_\_\_\_\_

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

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

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

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

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

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

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

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

**VII. CERTIFICATION**

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

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

**Printed Name:** \_\_\_\_\_

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

**Date:** \_\_\_\_\_ 8/15/24

### **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)]	<b>Consistent:</b> Population 2
2. Land area and land use [§56668(a)]	<b>Consistent:</b> 1.67 acres Residential, one existing home
3. Assessed valuation [§56668(a)]	<b>Consistent:</b> \$1,744,750
4. Topography, natural boundaries and drainage basins [§56668(a)]	<b>Consistent:</b> Lot is on a small hill. Mixture of soils including Cole silt loam (0% to 2% slopes), Millsholm loam (15% to 30% slopes), and Yolo loam (0 to 10 percent slopes).  Drainage Basin: <i>Napa River-Lower Napa City Reach</i>
5. Proximity to other populated areas [§56668(a)]	<b>Consistent:</b> Incorporated residential area within the City of Napa
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	<b>Consistent:</b> Napa General Plan generates the area for very low density residential use
7. Need for government services [§56668(b)]	<b>Consistent:</b> Existing core services provided by the City of Napa at adequate levels: <i>Fire and emergency protection, law enforcement, water</i>  Additional service: <i>Annexation to NSD for sewer service</i>
8. Government services present cost, adequacy and controls in area [§56668(b)]	<b>Consistent:</b> <a href="#"><u>Napa Countywide Water &amp; Wastewater MSR</u></a>
9. Government services probable future needs and controls in area [§56668(b)]	<b>Consistent:</b> <a href="#"><u>Napa Countywide Water &amp; Wastewater MSR</u></a>



<p>10. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas [§56668(b)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>11. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County [§56668(c)]</p>	<p><b>Consistent:</b> There is no documentation or evidence suggesting any implication for environmental justice.</p>
<p>12. Effects on planned efficient patterns of urban development [§56668(d)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>
<p>13. Effects on maintaining physical and economic integrity of agricultural lands [§56668(e)]</p>	<p><b>Consistent:</b> No effect</p>
<p>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain [§56668(f)]</p>	<p><b>Consistent:</b> One parcel surrounded on three sides by NSD's existing boundary and service area. Properties to the immediate north are located outside NSD's boundary and service area but are within the sphere of influence.</p>
<p>15. Conformance to lines of assessment, ownership [§56668(f)]</p>	<p><b>Consistent:</b> One parcel: APN 041-560-001</p>
<p>16. Creation of islands, corridors, irregular boundaries [§56668(f)]</p>	<p><b>Consistent:</b> No effect</p>
<p>17. Consistency with regional transportation plan [§56668(g)]</p>	<p><b>Consistent:</b> 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 [§56668(h)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>

<p>19. Consistency with spheres of influence [§56668(i)]</p>	<p><b>Consistent:</b> Included within NSD's Sphere of Influence since it was added by the Commission in 2006 as part of a comprehensive sphere review and update.</p>
<p>20. Comments from affected agencies and other public agencies [§56668(j)]</p>	<p><b>Consistent:</b> No comments received</p>
<p>21. Ability of agency to provide service including sufficiency of revenues [§56668(k)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>22. Timely availability of adequate water supply [§56668(l)]</p>	<p><b>Consistent:</b> <a href="#">Napa Countywide Water &amp; Wastewater MSR</a></p>
<p>23. Fair share of regional housing needs [§56668(m)]</p>	<p><b>Consistent:</b> One additional residential unit planned</p>
<p>24. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p><b>Consistent:</b> 100% consent of landowners</p>
<p>25. Existing land use designations [§56668(o)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Very-Low Density Residential (0 to 2 units per acre)</i> City Zoning: <i>Single Family Residential (minimum lot size 20,000 square feet)</i></p>
<p>26. Effect on environmental justice [§56668(p)]</p>	<p><b>Consistent:</b> 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><b>Consistent:</b> Not located in a high fire hazard zone or a state responsibility area</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><b>Consistent</b> Proposal approval would benefit by providing permanent access to public sewer service, eliminating potential public health hazards associated with private septic systems</p>