



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

1030 Seminary Street, Suite B
Napa, California 94559
Phone: (707) 259-8645
www.napa.lafco.ca.gov

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

Agenda Item 7c (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Dawn Mittleman Longoria, Analyst II DML
MEETING DATE: June 7, 2021
SUBJECT: Proposed Browns Valley Road No. 14 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 – Browns Valley Road No. 14 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
APNs: 041-170-010
Location: 3084 Browns Valley Road
Area Size: 3.5 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence (SOI) Consistency: Yes – NSD
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: one single-family residence, zoning could allow 14 additional residences

The proposed action involves a landowner petition for annexation of one incorporated parcel to NSD. The purpose of the proposal is to allow the existing single-family residence to transition from a private onsite septic system to NSD's public sewer infrastructure. The application materials are included as Attachment Two.

An aerial map of the parcel within the affected territory is included as Attachment Three. A vicinity map of the affected territory showing NSD's jurisdictional boundary and the City's jurisdictional boundary is provided on the following page.

Margie Mohler, Vice Chair
Councilmember, Town of Yountville

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

Kenneth Leary, Commissioner
Representative of the General Public

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

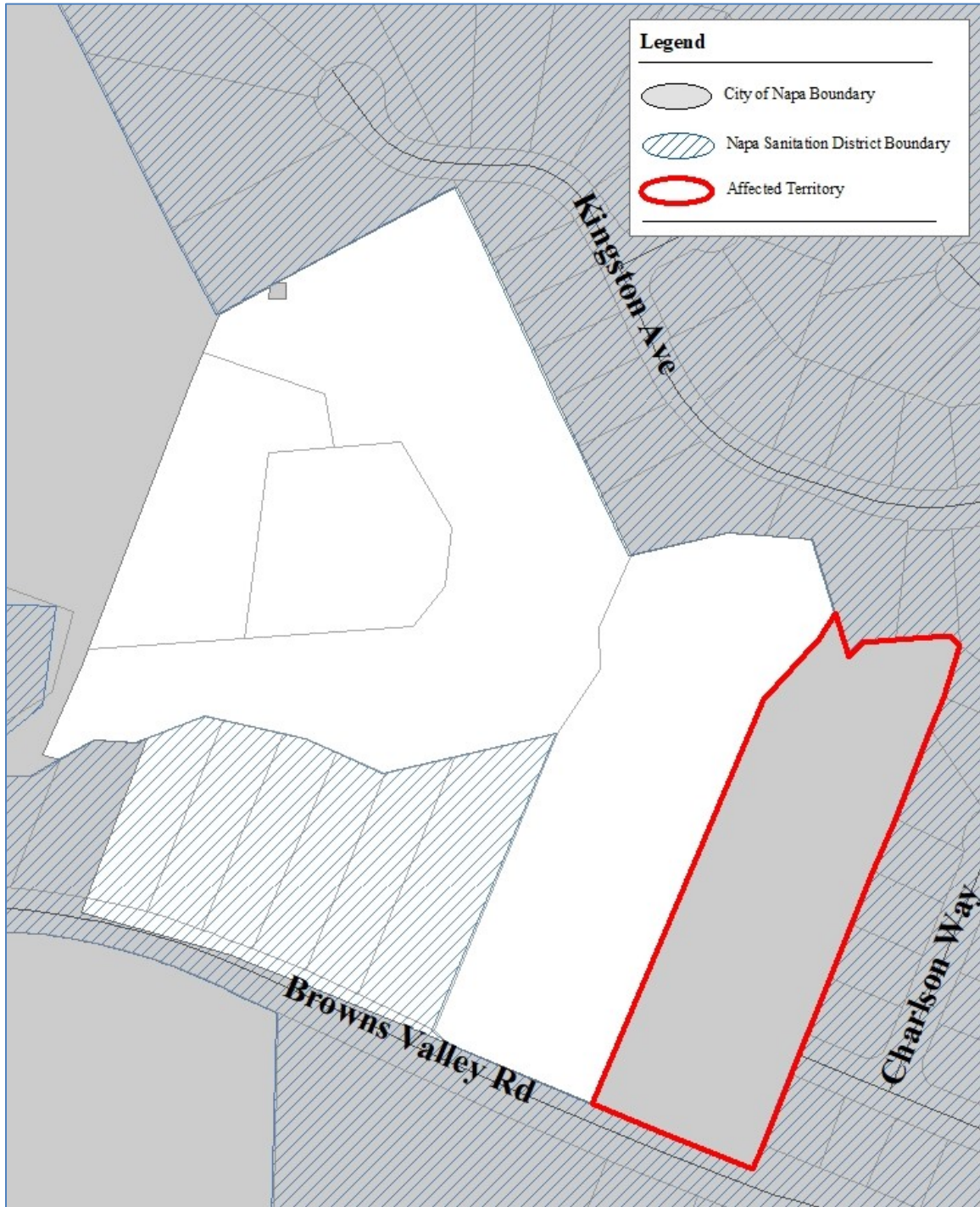
Brad Wagenknecht, Commissioner
County of Napa Supervisor, 1st District

Eve Kahn, Alternate Commissioner
Representative of the General Public

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Brendon Freeman
Executive Officer



DISCUSSION

Factors for Commission Determinations

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

Property Tax Agreement

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

Protest Proceedings

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

ENVIRONMENTAL REVIEW

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

ATTACHMENTS

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

RESOLUTION NO. ____

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

**BROWNS VALLEY ROAD NO. 14
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 3.5 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 3084 Browns Valley Road and identified by the County of Napa Assessor’s Office as 041-170-010; 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 June 7, 2021; and

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

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

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

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission considered available exemptions under CEQA, in accordance with Title 14 of the California Code of Regulations (hereinafter “CEQA Guidelines”); and

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

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

**BROWNS VALLEY ROAD NO. 14
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map and described in the geographic description in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code Section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission authorizes conducting authority proceedings to be waived in accordance with California Government Code Section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of 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) 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 June 7, 2021, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

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

 Diane Dillon
 Commission Chair

ATTEST: _____
 Brendon Freeman
 Executive Officer

Recorded by: Kathy Mabry
 Commission Secretary



March 8, 2021
#21-03-009

EXHIBIT "A"
BROWNS VALLEY ROAD NO. 14 ANNEXATION
TO THE NAPA SANITATION DISTRICT
GEOGRAPHIC DESCRIPTION

All that property situate in portion of Napa Rancho, City of Napa, County of Napa and State of California described as follows:

BEGINNING at the Northwest corner of the Robinson Lane Annexation to the Napa Sanitation District; said corner also being Southwest corner of Robinson Lane Annexation No.2 Annexation to the Napa Sanitation District;

Course 1: thence, Southerly along said Robinson Lane District boundary South 21° 47' 30" West, 651.83 feet to the existing Browns Valley Road District Annexation to Napa Sanitation District;

Course 2: thence, along above said District boundary, North 68° 00' 00" West, 225.33;

Course 3: thence, North 22° 30' 00" East, 558.50 feet;

Course 4: thence, North 42° 23' 00" East, 99.00 feet;

Course 5: thence, North 34° 53' 47" East, 52.61 feet;

Course 6: thence, South 13° 43' 00" West, 84.00 feet;

Course 7: thence, North 21° 34' 39" East, 48.48 feet;

Course 8: thence, North 84° 45' 00" East, 115.00 feet;

Course 9: thence, South 48° 47' 00" East, 22.19 feet;

Course 10: thence, South 21° 47' 30" West, 76.71 feet to the point of BEGINNING.

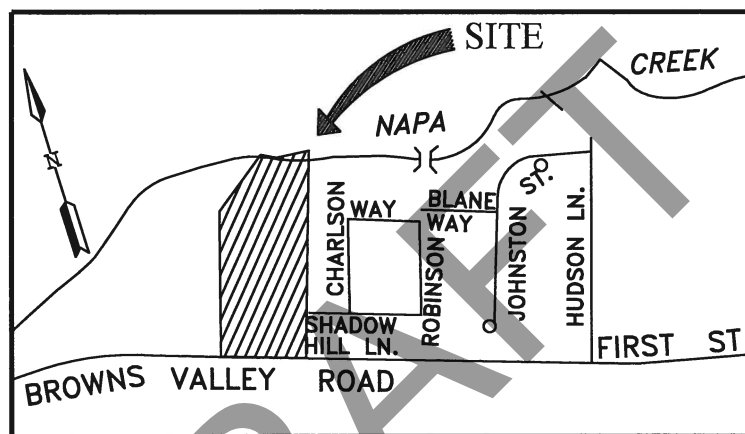
Containing 3.5 Acres ± of land more or less.

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

DISCLAIMER:

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

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



SITE SKETCH
NO SCALE

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- N.C.R. NAPA COUNTY RECORDS
- O.R. OFFICIAL RECORDS

①

COURSE NUMBER



EXISTING NAPA SANITATION DISTRICT BOUNDARY



PROPOSED AREA TO BE ANNEXED

APPLICANTS

MARIE M. GATO TRUST
3084 BROWNS VALLEY RD
NAPA, CA 14558



CHAUDHARY & ASSOCIATES, INC.

ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204

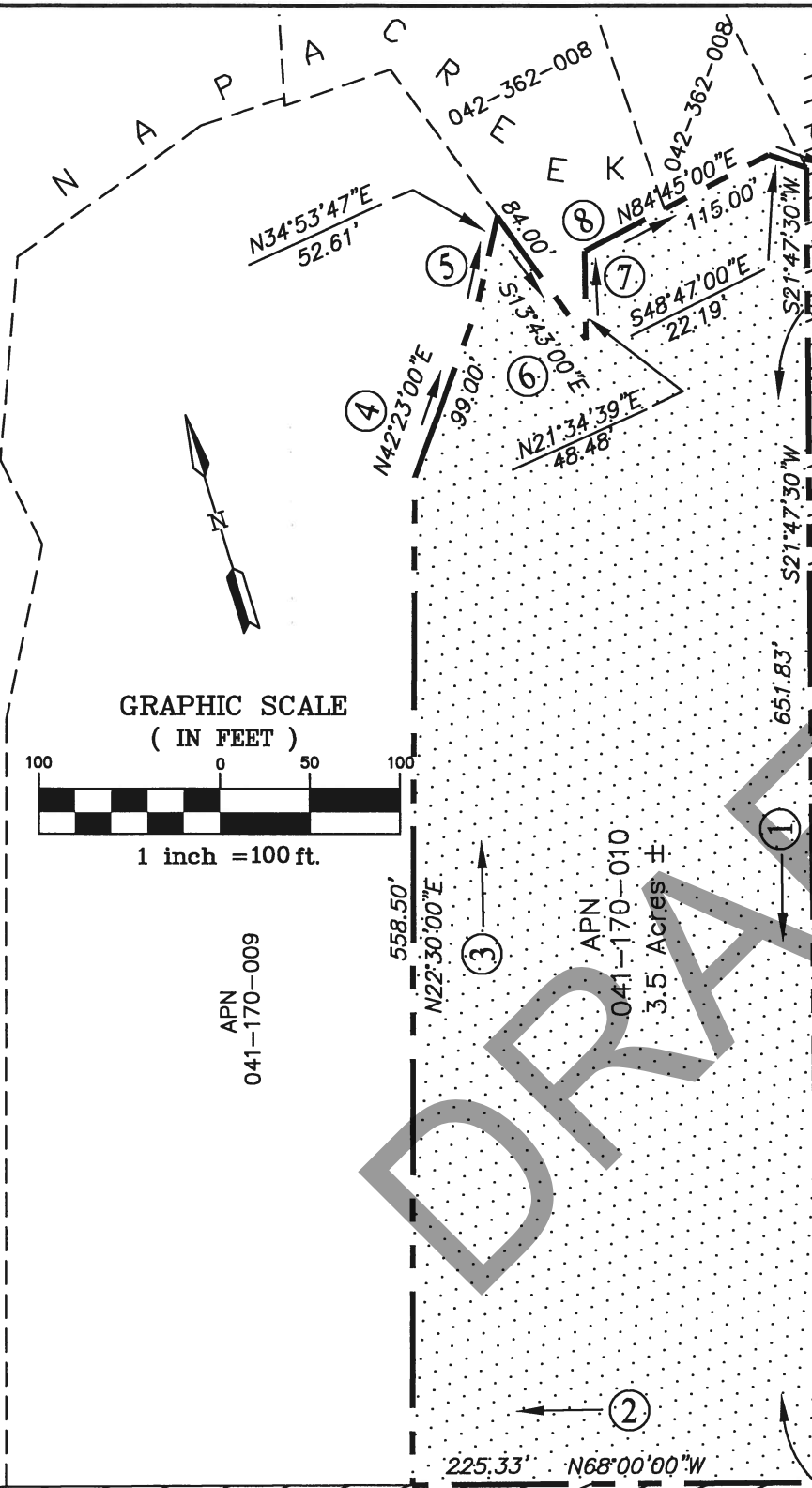
NAPA, CALIFORNIA 94558

Tel: (707) 255-2729 FAX: (707) 255-5021 WWW.CHAUDHARY.COM

EXHIBIT "B"

BROWNS VALLEY ROAD NO. 14
ANNEXATION
TO THE NAPA SANITATION DISTRICT
BEING A PORTION OF NAPA RANCHO

Robinson Lane No.2 District Annexation
Napa Sanitation District
2001-0033642
APN
041-171-028



GRAPHIC SCALE
(IN FEET)



1 inch = 100 ft.

APN
041-170-009

APN
041-170-010
3.5 Acres ±

P.O.B.
041-171-017
041-171-018
041-171-019
041-171-020
041-171-021
041-171-022
041-171-023
CHARLSON WAY
SHADOW HILL LANE

Robinson Lane District Annexation
Napa Sanitation District
1528 O.R. 469, N.C.R.

BROWNS VALLEY

Browns Valley Road District Annexation
Napa Sanitation District
Vol 1365 Page 839



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EXHIBIT "B"
BROWNS VALLEY ROAD NO. 14
ANNEXATION
TO THE NAPA SANITATION DISTRICT
BEING A PORTION OF NAPA RANCHO

FORM B

Date Filed: 3/19/2021

Received By: BF

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:

Add the property to Napa Sanitation district boundary

Description of Boundaries of Affected Territory Accompanied by Map:

The property is located on the North side of Browns Valley Rd, between Laural St and Thompson Ave

Reason for Proposal and Any Proposed Conditions:

To connect the existing home to public sewer

Type of Petition:

Landowner

Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

1) Name: Marie M. Gatto Trust
Mailing Address: 3084 Browns Valley Rd, Napa, CA 94558
Assessor Parcel: 041-170-010
Signature: *Marie M. Gatto Trust* Date: 3/8/21

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: _____

FORM D

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: Marie M. Gatto
Contact Person Agency/Business (If Applicable)

Address: 3084 Browns Valley Rd Napa 94558
Street Number Street Name City Zip Code

Contact: 408-313-3231 malmanor@icloud.com
Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One)

Local Agency
 Registered Voter
 Landowner

II. PROPOSAL DESCRIPTION

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

Name Address

Name Address

Name Address

Use Additional Sheets as Needed

B. Proposal Type: (Check as Needed)

Annexation
 Detachment
 City Incorporation
 District Formation

City/District Dissolution
 City/District Merger
 Service Activation (District Only)
 Service Divestiture (District Only)

C. Purpose Statement: (Specific) Connect existing residence to public sewer

III. GENERAL INFORMATION

A. Location:	3084 Browns Valley Rd	041-170-010	3.5 AC +-
	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 : 041-170-010 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
- (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: R10
- (2b) Applicable City Rezoning Standard: 10,000 SF Single Family Residential

E. Existing Land Uses:
(Specific)

There is one residence on the property

F. Development Plans:

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

(1b) If Yes, Describe Project: _____

- (1c) If No, When Is Development Anticipated? There is a possibility that the property could be subdivided in the distant future

G. Physical Characteristics:

(1) Describe Topography:
The site is flat with two structures

(2) Describe Any Natural Boundaries:
North boundary line of the site is the Center line of Napa Creek

(3) Describe Soil Composition and Any Drainage Basins:
Cole Silt Loam

(4) Describe Vegetation:
Native grasses

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 services

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

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

End of 2021

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

No

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

Private funds

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) **Lead Agency for Proposal:** Napa LAFCO
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

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: City of Napa

Mailing Address: 1600 First Street, Napa, CA 94559

E-Mail: _____

(2) Recipient Name: Napa Sanitation District

Mailing Address: 1515 Soscol Ferry Rd, Napa, CA 94558

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: 

Printed Name: Marie M. Gatto

Title: Property owner

Date: _____

Indemnification Agreement

Name of Proposal: Browns Valley Road No. 14 Annexation to the Napa Sanitation District

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant Marie M. Gatto, Trust and/or _____ (real party in interest: the landowner) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

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

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

Agency Representative Signature

Print Name

Date

Marie M. Gatto, Trust

Principal Landowner Signature

Marie M. Gatto

Print Name

3/10/21

Date



March 8, 2021

#21-03-009

EXHIBIT "A"
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TO THE NAPA SANITATION DISTRICT
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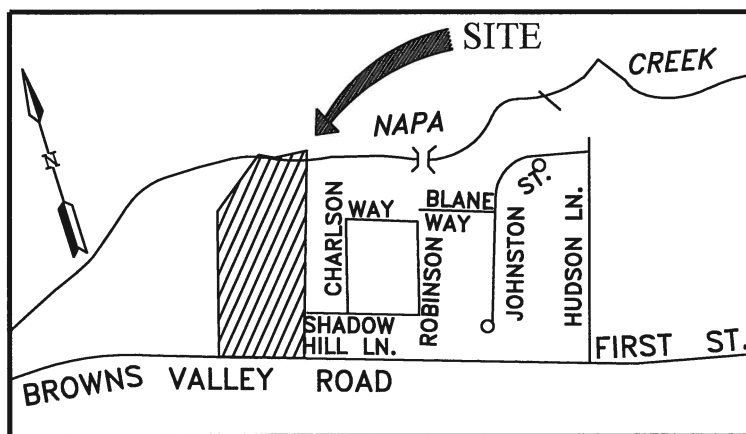
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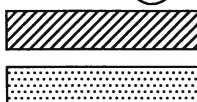
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SITE SKETCH
NO SCALE

LEGEND

- APN ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- N.C.R. NAPA COUNTY RECORDS
- O.R. OFFICIAL RECORDS
- ① COURSE NUMBER



- EXISTING NAPA SANITATION DISTRICT BOUNDARY
- PROPOSED AREA TO BE ANNEXED

APPLICANTS

MARIE M. GATO TRUST
3084 BROWNS VALLEY RD
NAPA, CA 14558



CHAUDHARY & ASSOCIATES, INC.

ENGINEERS SURVEYORS INSPECTORS

211 GATEWAY ROAD WEST, SUITE 204

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EXHIBIT "B"

BROWNS VALLEY ROAD NO. 14
ANNEXATION
TO THE NAPA SANITATION DISTRICT
BEING A PORTION OF NAPA RANCHO

Robinson Lane No.2 District Annexation
Napa Sanitation District
2001-0033642

APN
041-171-028

P.O.B.

CHARLSON WAY

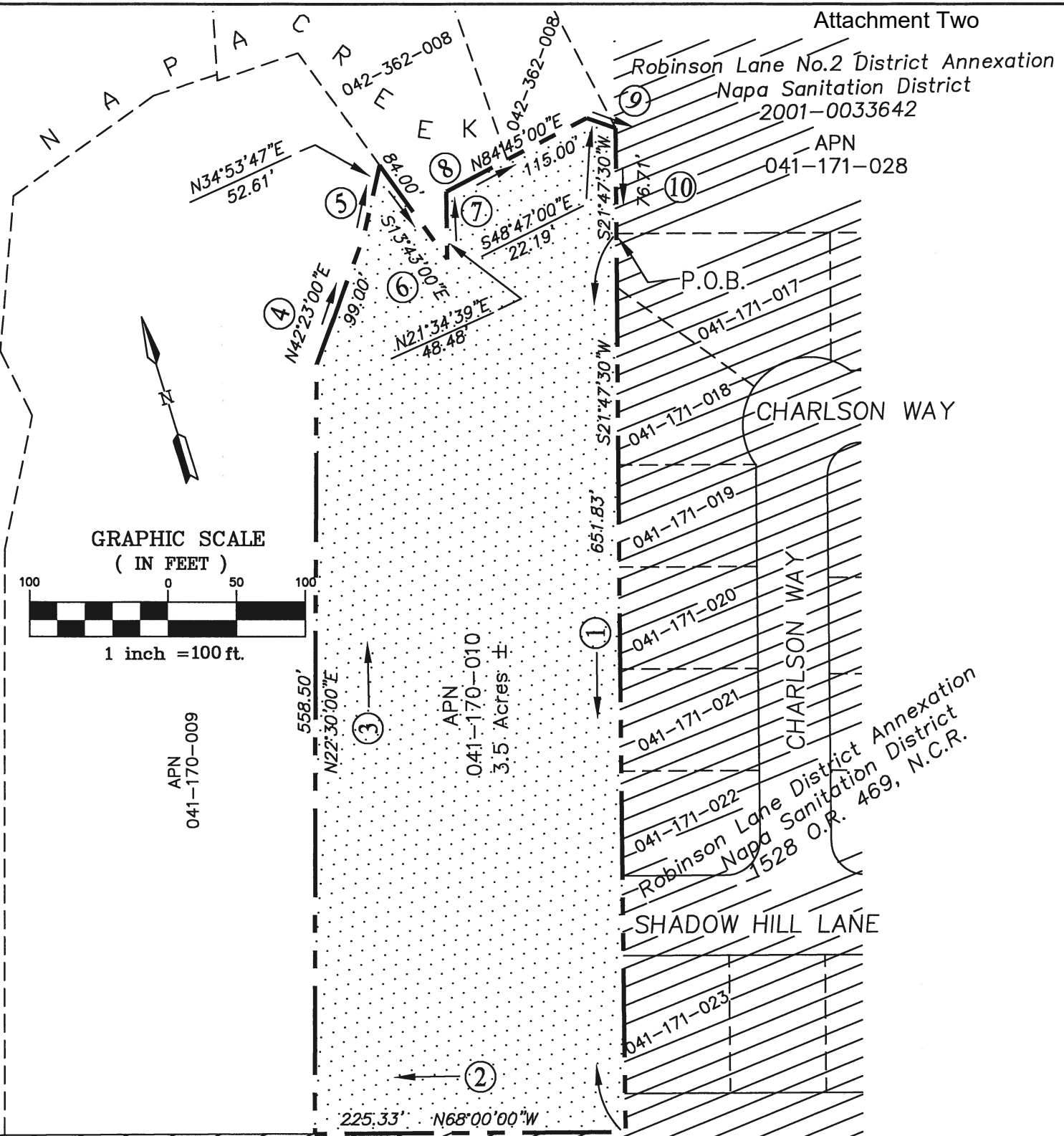
CHARLSON WAY

Robinson Lane District Annexation
Napa Sanitation District
1528 O.R. 469, N.C.R.

SHADOW HILL LANE

BROWNS VALLEY

Browns Valley Road District Annexation
Napa Sanitation District
Vol 1365 Page 839



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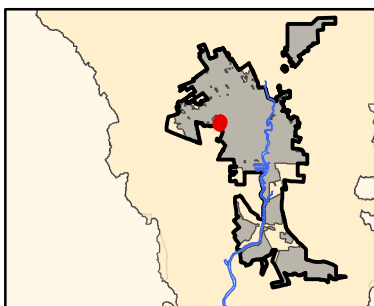
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EXHIBIT "B"

BROWNS VALLEY ROAD NO. 14
ANNEXATION
TO THE NAPA SANITATION DISTRICT
BEING A PORTION OF NAPA RANCHO

Browns Valley Road No. 14 Annexation to the Napa Sanitation District

Attachment Three



0 0.0075 0.015 0.03 Miles

June 7, 2021

Prepared by LAFCO Staff



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



Browns Valley Road No. 14 Annexation to the Napa Sanitation District (NSD) Factors for Commission Determinations

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

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

The affected territory is approximately 3.5 acres, incorporated within the City's jurisdictional boundary and lies within a residential area designated under the City of Napa General Plan as *Browns Valley*. The affected territory is legally uninhabited given there are fewer than 12 registered voters, and is currently developed with one single-family residence and an additional structure. The current assessment value of the affected territory totals \$2,142,000.¹

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin. Soil within the affected territory is classified as Cole silt loam, all with zero to two percent slopes.

Adjacent lands to the immediate south and west of the affected territory are located within both the City and NSD's jurisdictional boundaries. Adjacent lands to the immediate north and east of the affected territory are located within the City's jurisdictional boundary, but outside NSD's jurisdictional boundary.

The affected territory has City General Plan land use designation of *SFR-110 (Single Family Residential)*, and zoning standard of *RS-10 (Residential, minimum lot size 10,000 sq. ft.)*. The affected territory is currently developed with one single-family residence and one additional structure, and could potentially be further built out to include up to 14 total residential units in the future.²

Adjacent lands on the North and East sides of the affected territory are within the City's jurisdictional boundary and are developed or have residential use designations in the General Plan. Adjacent lands on the West side of the affected territory are an island of unincorporated parcels.

¹ The assessed value of the affected territory is \$1,530,000 for land and \$612,000 for structural improvements.

² At buildout, the projected resident population of the affected territory is 38 based on the California Department of Finance's population per household estimate of 2.73 for the City of Napa.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

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

The need for additional municipal services for the affected territory includes the extension of public sewer from NSD to allow the existing residential unit to connect to public sewer instead of relying on private septic systems. If the proposal is approved, septic system setback requirements will be eliminated and therefore additional residential development can occur. The maximum buildout potential of the affected territory is 14 residential units with a projected population of 38 residents. This report analyzes the proposal with potential future buildout impacts in mind.

A review of estimated demands for municipal services within the affected territory indicates the City and NSD have sufficient capacities and controls to reasonably accommodate current and future needs. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014 and *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020.³ No service deficiencies for the area were identified in the Municipal Service Reviews. Additional information regarding estimated service demands within the affected territory at buildout follows.

Water

The existing residential unit within the affected territory currently receives water service from the City. At buildout, annual potable water demands within the affected territory are projected at 3.3 acre-feet or 1,073,100 gallons. This amount is based on the City's current average daily water demands of 210 gallons per residence. The City has established adequate capacities and controls to accommodate these demands.

Fire Protection and Emergency Medical

The affected territory currently receives fire protection and emergency medical service from the City. At buildout, annual service calls within the affected territory are projected at 4.5 based on the City's ratio of 117.5 annual fire protection and emergency medical service calls per 1,000 residents over the last five completed years.⁴ The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

³ The *Central County Region Municipal Service Review* is available online at:
https://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/CountywideWaterWastewaterMSR_ApprovedFinal_11-2-20.pdf.

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

Law Enforcement

The affected territory currently receives law enforcement service from the City. At buildout, annual service calls within the affected territory are projected at 30.4 based on the City's ratio of 799.5 annual law enforcement service calls per 1,000 residents over the last five completed years.⁵ The City has established adequate capacities and controls to accommodate these demands into the foreseeable future.

Sewer

The affected territory needs sewer service from NSD. Proposal approval would result in new immediate sewer flows totaling approximately 150 gallons per day within the affected territory. This amount is based on NSD's design standard of 150 gallons per day per residence. At buildout, the affected territory would result in sewer flows totaling approximately 5,700 gallons per day. NSD has established adequate capacities and controls to accommodate these immediate and potential buildout demands into the foreseeable future.

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

The proposal would recognize and strengthen existing social and economic ties between NSD and the affected territory. These ties were initially established in 1975 when the Commission included the affected territory in NSD's SOI, marking an expectation the site would require public sewer from the District as the region's sole service provider.

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

The proposal is consistent with the Commission's adopted policies based on the affected territory's urban land use designation and consistency with NSD's SOI. Further, the affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377.⁶ Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

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

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

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

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

(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 041-170-010. The applicant has submitted a draft map and geographic description of the affected territory that are undergoing review by the County Surveyor to ensure conformance with the requirements of the State Board of Equalization. Approval of the proposal would have no impact with respect to unincorporated islands or corridors of unincorporated territory given the affected territory is located entirely within the City of Napa and the fact that annexation is to the NSD.

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

The Metropolitan Transportation Commission's regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.⁷ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

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

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

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

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

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

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

(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 *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 concluded NSD has developed overall adequate financial resources and controls relative to current and projected service commitments. This includes regularly reviewing and amending, as needed, NSD's two principal rates and fees to ensure the sewer system remains solvent and sufficiently capitalized to accommodate future demands: (a) capacity charge for new connections and (b) annual service charge. The capacity charge is currently \$9,959 and serves as NSD's buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive sewer service. The annual service charge for a single-family unit is currently \$738.60 and is intended to proportionally recover NSD's ongoing maintenance and operation expenses. The *Napa Countywide Water and Wastewater Municipal Service Review* adopted in 2020 is relied upon and sufficient for this annexation 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.

The potential future buildout of the affected territory would result in annual water demands for the City totaling approximately 3.3 acre-feet or 1,073,100 gallons. This amount is based on current average water demands within the City of approximately 210 gallons per day per residence. The City's water supplies are generated from three sources: (1) Lake Hennessey; (2) Milliken Reservoir; and (3) State Water Project. Total supplies vary according to hydrologic conditions. A table depicting the City's existing water service demands relative to supplies follows. As reflected in the following table, adequate water supplies exist for the projected needs of the City, including buildout of the affected territory.

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

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

Approval of the proposal could result in an additional 14 residences toward the City achieving its fair share of the regional housing needs since the affected territory is zoned for additional single-family residential units.⁸

⁸ A recent report with information on local regional housing needs allocations is available online at: https://www.napa.lafco.ca.gov/uploads/documents/8-3-20_6c_Housing-GeneralPlans.pdf

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

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

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

The affected territory has a designation within the City General Plan of *SFR-110 (Single Family Residential)* and a zoning standard of *RS-10 (Residential, minimum lot size 10,000 sq. ft.)*. The affected territory is currently developed with one single-family residence and one structure. The proposed annexation to NSD is consistent with these existing land use designations.

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

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

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

There is no documentation or evidence suggesting a local hazard mitigation plan or safety element of a general plan is relevant to the proposed annexation to NSD. Further, the affected territory is located in a moderate fire hazard zone. Any new development will require conformance with Chapter 7A of the California Building Code.

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

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