



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

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

Agenda Item 6b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Dawn Mittleman Longoria, Assistant Executive Officer
Stephanie Pratt, Clerk/Jr. Analyst
MEETING DATE: February 5, 2024
SUBJECT: Proposed Trower Avenue No. 6 Annexation to the Napa Sanitation District and Associated CEQA Findings

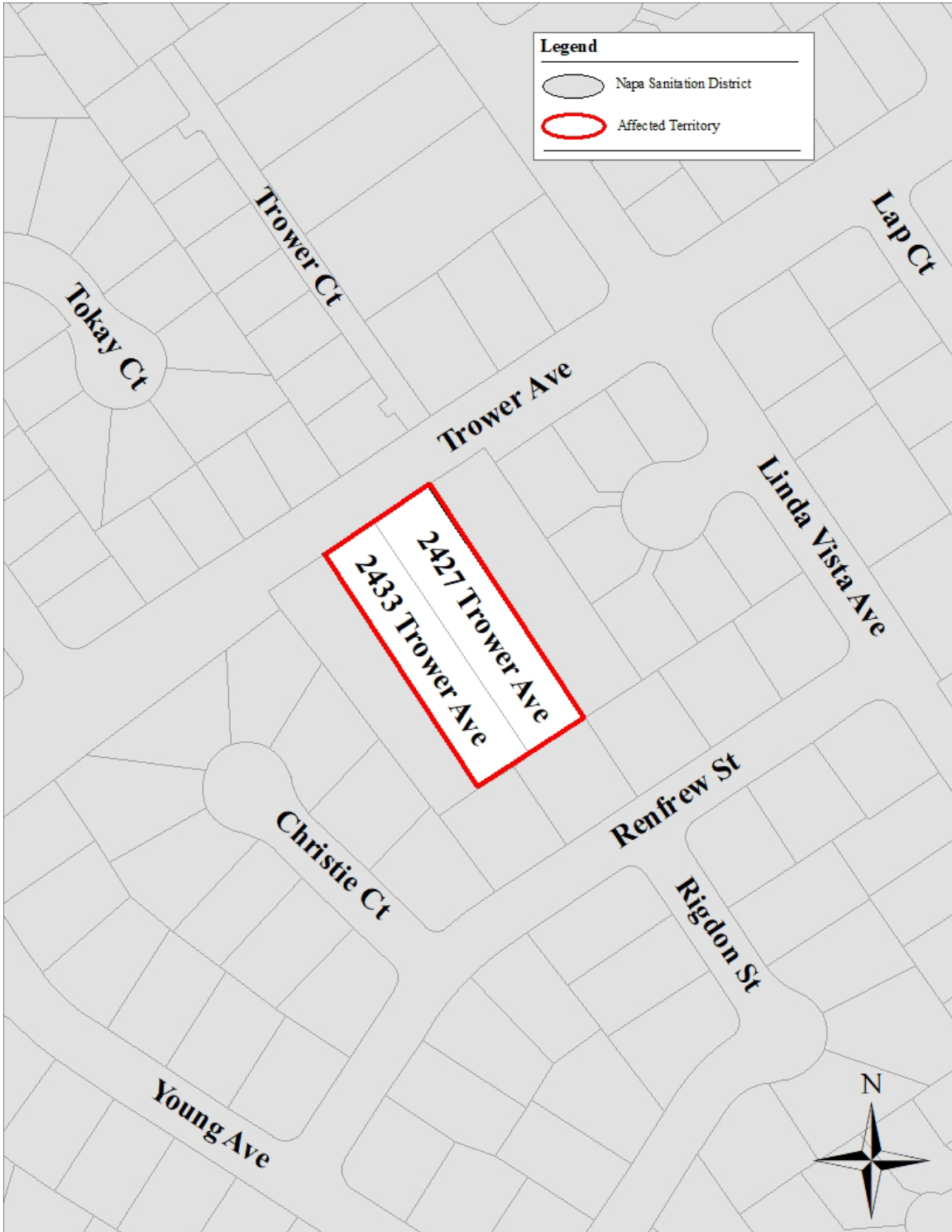
RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations for Trower Avenue No. 6 Annexation to the Napa Sanitation District, making California Environmental Quality Act (CEQA) findings and approving the proposed annexation with recommended standard conditions (Attachment One).

BACKGROUND AND SUMMARY

Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Number: 007-172-019 and 007-172-020
Location: 2427 and 2433 Trower Avenue
Area Size: 1.01 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes - master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: Three single-family residences
Purpose: Permanent connection to sewer service for three single-family residences and one proposed single-family residence
Development Plans: Yes - one additional single-family residence
Application: Attachment Two
Maps of Affected Territory: Following pages

**Vicinity Map showing affected territory.**



**Arial Map showing affected territory.**



## **DISCUSSION**

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

Mandated Factors: Attachment Three

#### ***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>

## **ENVIRONMENTAL REVIEW**

### Exemptions:

1. Installation of new pipeline less than one mile<sup>2</sup>
  - a. Current and future residential units would connect via sewer main and/or laterals from existing sewer main

## **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 section 56662(a): fewer than 12 registered voters

<sup>2</sup> CEQA Guidelines section 15282(k)

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

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

**TROWER AVENUE NO. 6  
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 1.01 acres of unincorporated land to the Napa Sanitation District and represents two entire parcels located at 2427 and 2433 Trower Avenue and identified by the County of Napa Assessor’s Office respectively as Parcel Numbers (APN) 007-172-019 and 007-172-020; 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 February 5, 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.
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 1754 Second Street, Suite C, Napa, California 94559.
3. The proposal is APPROVED subject to completion of item number 11 below.
4. This proposal is assigned the following distinctive short-term designation:

**TROWER AVENUE NO. 6  
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map in the attached Exhibit "A".
6. The affected territory so described is uninhabited as defined in California Government Code section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission waives conducting authority proceedings in accordance with California Government Code section 56662(a).
11. Recordation is contingent upon receipt by the Executive Officer of the following:
  - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
  - (b) All outstanding Commission fees.
  - (c) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on February 5, 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

DRAFT

# Exhibit A

## Legend

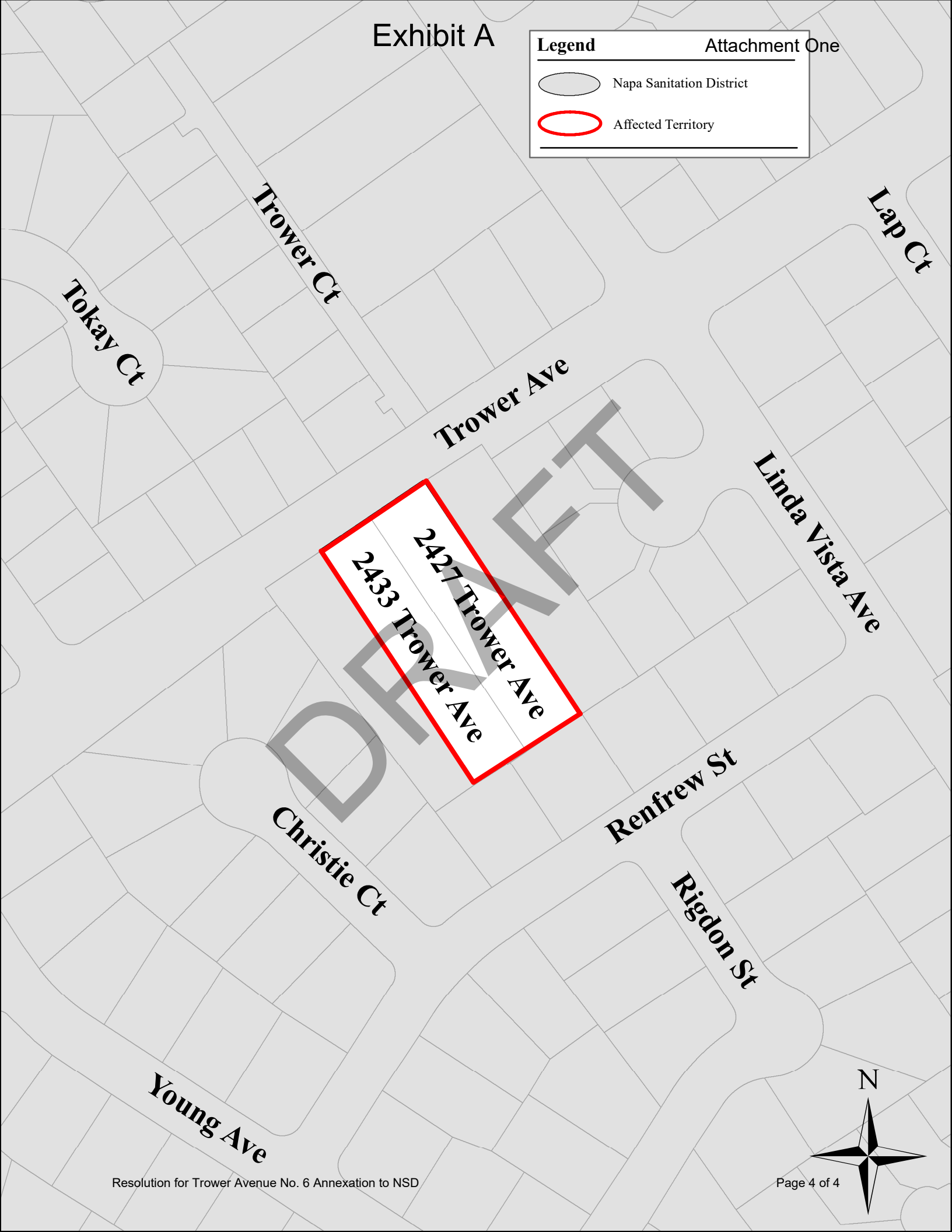
Attachment One



Napa Sanitation District



Affected Territory





**FORM D**

For Staff Use

**Attachment Two**

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 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:** Gabriel Gundling

**Title:** Owner

**Date:** 11/29/2023

### **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 5
2. Land area and land use [§56668(a)]	<b>Consistent:</b> 1.01 acres Residential, three existing homes
3. Assessed valuation [§56668(a)]	<b>Consistent:</b> \$1,018,429
4. Topography, natural boundaries and drainage basins [§56668(a)]	<b>Consistent:</b> Lots are relatively flat with slopes of less than 5%  Drainage Basin: <i>Napa River-Salvador Channel</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 residential use
7. Need for government services [§56668(b)]	<b>Consistent:</b> Existing core City services provided 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> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a>
9. Government services probable future needs and controls in area [§56668(b)]	<b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</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> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</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>Single Family Infill (minimum 8,000 square foot lot size, SI-8)</i> City Zoning: <i>Single-Family Infill (minimum 7,000 square foot lot size, RI-7)</i></p>
<p>13. Effects on maintaining physical and economic integrity of agricultural lands [§56668(e)]</p>	<p><b>Consistent:</b> City General Plan land use designation: <i>Single Family Infill (minimum 8,000 square foot lot size, SI-8)</i> City Zoning: <i>Single-Family Infill (minimum 7,000 square foot lot size, RI-7)</i></p>
<p>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain [§56668(f)]</p>	<p><b>Consistent:</b> Two parcels surrounded on all four sides by NSD's existing boundary and service area</p>
<p>15. Conformance to lines of assessment, ownership [§56668(f)]</p>	<p><b>Consistent:</b> Two parcels: APNs 007-172-019 and 007-172-020</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>Single Family Infill (minimum 8,000 square foot lot size, SI-8)</i> City Zoning: <i>Single-Family Infill (minimum 7,000 square foot lot size, RI-7)</i></p>



<p>19. Consistency with spheres of influence [§56668(i)]</p>	<p><b>Consistent:</b> NSD Sphere of Influence established 1975 and updated 2015</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> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</a></p>
<p>22. Timely availability of adequate water supply [§56668(l)]</p>	<p><b>Consistent:</b> Analysis: <a href="#">Central County Region Municipal Service Review adopted in 2014</a> and <a href="#">Napa Countywide Water Wastewater MSR Updated 10-4-21</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>Single Family Infill (minimum 8,000 square foot lot size, SI-8)</i> City Zoning: <i>Single-Family Infill (minimum 7,000 square foot lot size, RI-7)</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>