



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 7c (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF
Dawn Mittleman Longoria, Analyst II/Interim Clerk DML
MEETING DATE: October 3, 2022
SUBJECT: Proposed Wine Country 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 – Wine Country Avenue No. 6 Annexation to the Napa Sanitation District (NSD) making California Environmental Quality Act (CEQA) findings and approving the proposed annexation (Attachment One). Standard conditions are also recommended.

BACKGROUND AND SUMMARY

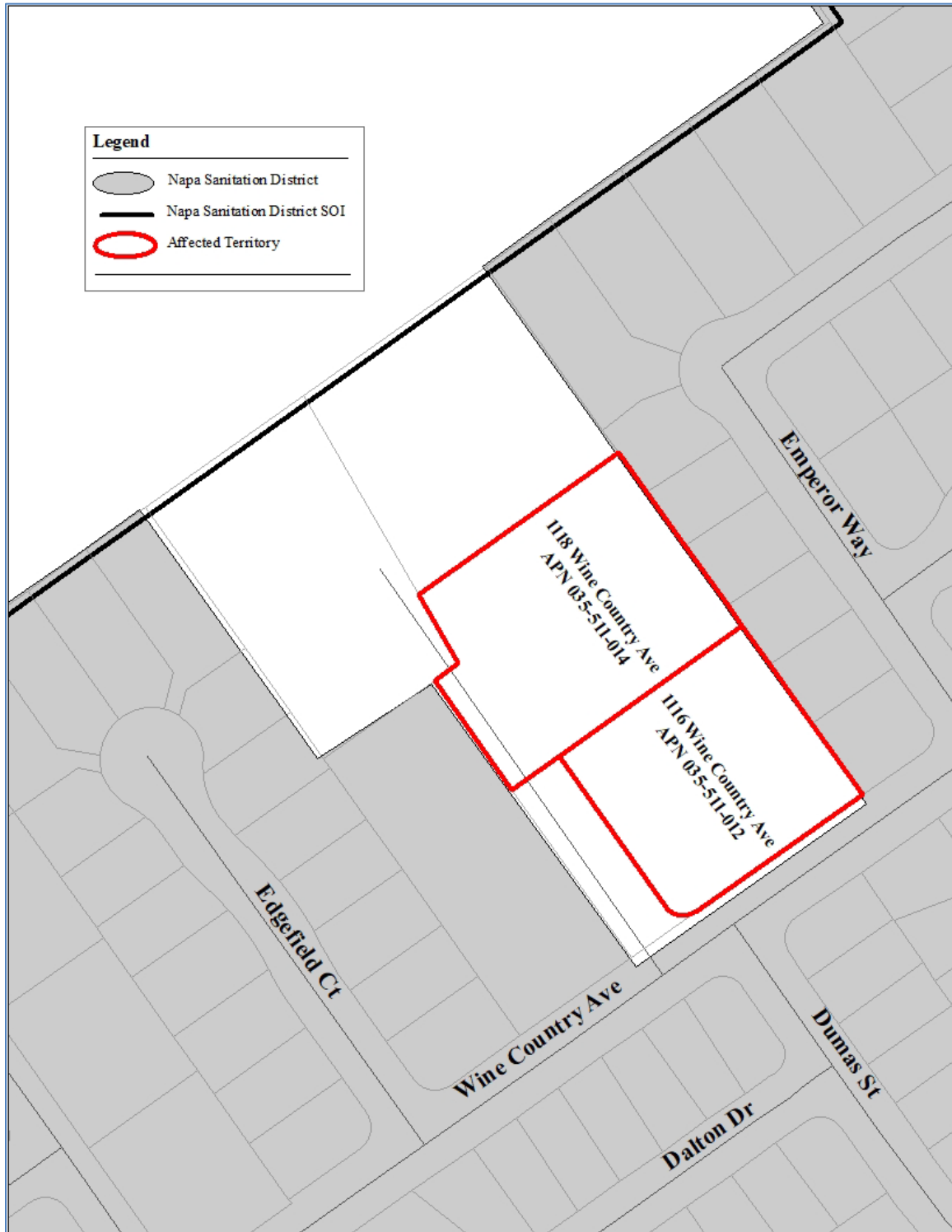
Applicant: Landowner (petition)
Proposed Action: Annexation to NSD
Assessor Parcel Numbers: 035-511-012 & 035-511-014
Location: 1116 and 1118 Wine Country Avenue
Area Size: 2.5 acres
Jurisdiction: City of Napa
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: Single-family residential

Existing Outside Service Agreement due to Failed Septic: 1118 Wine Country Ave
Adjacent Parcel Included: 1116 Wine Country Avenue
Purpose: Permanent connection to sewer service
Development Plans: None at this time
Application: Attachment Two
Maps of Affected Territory: Following pages

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





DISCUSSION

Factors for Commission Determinations

Mandated Factors: Attachment Three¹

Property Tax Agreement

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

Protest Proceedings

Waived: Legally uninhabited with 100% consent of property owners²

ENVIRONMENTAL REVIEW

Exemptions:

1. Installation of new pipeline less than one mile³
 - 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

¹ California Government Code sections 56668 & 56668.3

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

³ CEQA Guidelines section 15282(k)

RESOLUTION NO. ____

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

**WINE COUNTRY AVENUE NO. 6
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 2.48 acres of incorporated land to the Napa Sanitation District and represents two entire parcels located at 1116 & 1118 Wine Country Avenue and identified by the County of Napa Assessor’s Office as 035-511-012 & 035-511-014, respectively; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

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

WHEREAS, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on October 3, 2022; 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 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:

**WINE COUNTRY AVENUE NO. 6
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 3, 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

Recorded by: Dawn Mittleman Longoria
Interim Commission Clerk

5282
Annex EX-A
06-08-2022

EXHIBIT A
WINE COUNTRY AVENUE #6 DISTRICT
ANNEXATION TO NAPA SANITATION DISTRICT
GEOGRAPHICAL DESCRIPTION

All that certain property, situated in a portion of Sections 29, Township 6 North, Range 4 West, Mount Diablo Base Meridian, Being Parcels A and B as shown on the map entitled "Record of Survey Map of Lands of Emil Priebe" filed May 15, 1964 in Book 12 of Surveys at Page 14, Napa County Records, State of California, described as follows:

Beginning at the intersection of the northwest line of the Jensen Etal – Fong Annexation District to Napa Sanitation District recorded October 24, 1978 in Book 1101 at Page 341, Official Records of Napa County, and the southwest line of Wine Country Avenue Annexation District to Napa Sanitation District recorded June 18, 1991 in Book 1827 at Page 612, Official Records of Napa County,

- (1) thence along said northwest line South 54° 38' 55" West 272.75 feet to the northeast line of Wine Country Avenue #2 Annexation District to Napa Sanitation District recorded August 1, 1991 in Book 1840 at Page 307, Official Records of Napa County;
- (2) thence along said northeast line North 35° 21' 05" West 330.00 feet;
- (3) thence leaving said northeast line North 57° 20' 05" East 28.03 feet;
- (4) thence North 29° 58' 47" West 77.04 feet
- (5) thence North 54° 38' 55" East 237.54 feet to said southwestern line of Wine Country Avenue Annexation District;
- (6) thence along said southwest line South 35° 21' 05" East 405.39 feet to the **Point of Beginning**.

Containing 2.48 Acres, more or less.

BASIS OF BEARING

Being the southeast line of Parcel A Per 12 RS 14, South 54° 39' 20" East measured as South 54° 38' 55" East

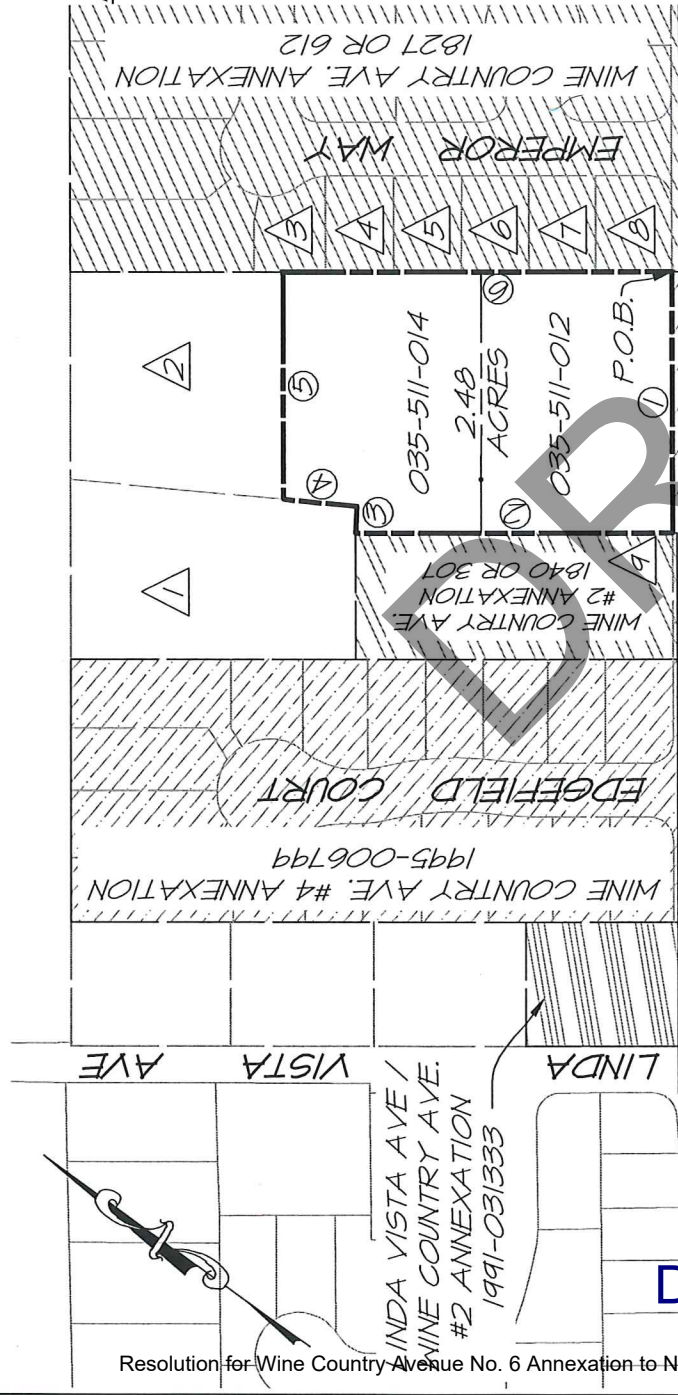
For assessment purposes only. This legal description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.



DRAFT

MAP DELINEATING THE BOUNDARY OF
WINE COUNTRY AVENUE #6
 ANNEXATION TO NAPA SANITATION DISTRICT
 BEING A PORTION OF
 SECTION 29, T.6 N., R. 4 W., M.D.B.&M.

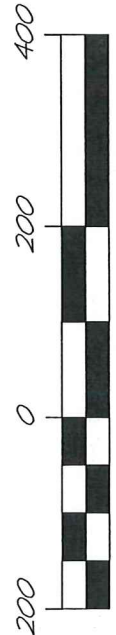
Line Table		
Line #	Length	Direction
①	272.75	S54° 38' 55"W
②	330.00	N35° 21' 05"W
③	28.03	N57° 20' 05"E
④	77.04	N29° 58' 47"W
⑤	237.54	N54° 38' 55"E
⑥	405.39	S35° 21' 05"E



WINE COUNTRY AVENUE
 JENSEN ETAL - FONG ANNEXATION
 1101 OR 341

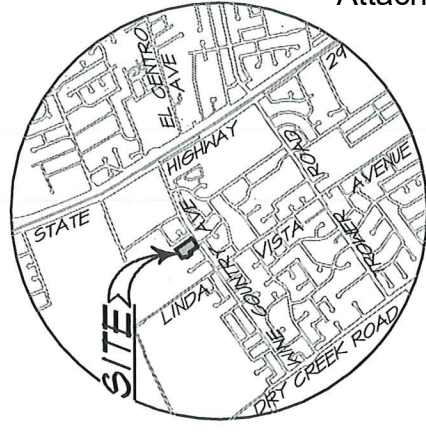
BASIS OF BEARING
 BEING THE SOUTH EAST LINE OF PARCEL
 A PER 12 RS 14, SOUTH 54° 39' 20" EAST
 MEASURED AS SOUTH 54° 38' 55" EAST

GRAPHIC SCALE



ADJOINING OWNERSHIPS

NO.	AP NUMBER	OWNER
1	035-511-016	DONNA SIMS TR
2	035-511-015	DONNA SIMS TR
3	035-512-006	STEVEN & CORDELIA VEIT-CAREY
4	035-512-007	SHERI & MANUEL TUEROS
5	035-512-008	BRIAN & SUZANNE CURTIS TR
6	035-512-009	ROBERT & JULIANNE MCCLLENHAN TR
7	035-512-010	GLEN & PATRICIA PROFITT
8	035-512-011	FRANK DAMBROSIO JR TR
9	035-511-017	GRAYSON & SHIRLEY MYERS TR



VICINITY MAP
 N.T.S.



1515 FOURTH STREET
 NAPA, CALIF. 94559
 OFFICE | 707.252.3301
 + www.RSActvll.com +

FORM D

PROPOSAL APPLICATION
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: ~~Robert Richied~~ **Jeff Richied**
Contact Person Agency/Business (If Applicable)
Address: **1118 Wine Country Ave Napa 94558**
Street Number Street Name City Zip Code
Contact: **707-718-2767 jeffrichied@comcast.net**
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) **Septic leach field failed. Napa County would not allow us to replace so had to hook up to Napa San. Now need to annex property in.**

III. GENERAL INFORMATION

A. Location:	Street Address	Assessor Parcel Number	Acres
	1118 Wine country Ave	035-511-014	1.25
	1116 Wine Country Ave	035-511-012	1.23
	Street Address	Assessor Parcel Number	Acres
	Street Address	Assessor Parcel Number	Acres

Total Location Size * 2.48
(Including Right-of-Ways)

B. Landowners:

- | | | | |
|------------------------------|-----------------------|---------|--|
| (1) Assessor Parcel Number : | 035-511-014 | Name: | Robert Richied
Jeff |
| Mailing Address: | 1118 Wine Country Ave | | |
| Phone Number: | 707-718-2767 | E-mail: | jeffrichied@comcast.net |
| (2) Assessor Parcel Number : | 035-511-012 | Name: | Jeff & Sherill Richied |
| Mailing Address: | 1116 Wine Country Ave | | |
| Phone Number: | 707-718-2767 | E-mail: | jeffrichied@comcast.net |
| (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: | <u>4</u> |
| (2) Total Number of Registered Voters: | <u>2</u> |

D. Land Use Factors:

(1a) County General Plan Designation: City of Napa

(1b) County Zoning Standard: City of Napa

(2a) Applicable City General Plan Designation: SFI-3 Single Family Infill 3.4 du/acre

(2b) Applicable City Pre-zoning Standard: RI-5 Residential Infill minimum lot size 5,000 sq ft
(Required for City Annexations)

**E. Existing Land Uses:
(Specific)**

Single Family Residence

F. Development Plans:

(1a) Territory Subject to a Development Project?

Yes

No

(1b) If Yes, Describe Project:

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

Dont know

G. Physical Characteristics:

(1) Describe Topography: Flat

(2) Describe Any Natural Boundaries: Private road and neighbors fencing

(3) Describe Soil Composition and Any Drainage Basins: clay Soil: Haire Loom Drainage basin: Salvador Channel

(4) Describe Vegetation: general landscaping

**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:

Abandon septic and connect to city sewer system

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

Sewer connection for an existing single-family home

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

Services have been extended via Outside Service Agreement; due to failed
septic system

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

Sewer lateral extended from sewer main in Wine Country Way (less than one mile)

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

Financed by property owner

V. ENVIRONMENTAL INFORMATION

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

(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: _____

None

Public Resources Code Section 21080(b)(4) statute provides
Type exemptions for "specific actions necessary to prevent or mitigate an emergency." CEQA Guidelines Section 15282(k), which exempts

Provide Copies of Associated Environmental Documents

the installation of new pipeline as long as the project does not exceed one mile in length.

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

N/A

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:

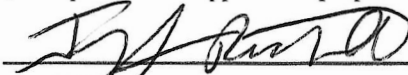
(3) Recipient Name:

Mailing Address:

E-Mail:

VII. CERTIFICATION

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: Jeff Richied
Title: Landowner
Date: 6/30/22

Wine Country Avenue No.6 Annexation to NSD
FACTORS FOR COMMISSION CONSIDERATION

Government Code §56668 requires the review of a proposal to include the following factors:

FACTOR TO CONSIDER	COMMENT
1. Population and density [§56668(a)]	Consistent: Population two (legally uninhabited)
2. Land area and land use [§56668(a)]	Consistent: 2.5 acres, two single-family residences Jurisdiction: City of Napa, <i>Linda Vista</i> Planning Area
3. Assessed valuation [§56668(a)]	Consistent: Land: \$477,543 Structural improvements: \$562,440
4. Topography, natural boundaries and drainage basins [§56668(a)]	Consistent: Relatively flat: 0 to 2 percent slopes Drainage basin: <i>Napa River – Salvador Channel</i>
5. Proximity to other populated areas [§56668(a)]	Consistent: Adjacent lands on the four sides: City of Napa – developed or have residential use designations in the General Plan
6. Likelihood of significant growth in the area, adjacent areas during next 10 years [§56668(a)]	Consistent: City General Plan designation and zoning could allow up to 14 total residential lots; future subdivision would require analysis and approval by the City; no development plans at this time.
7. Need for government services [§56668(b)]	Consistent: Existing City services provided at adequate levels: Water, fire and emergency protection, law enforcement Additional service: Connection to sewer to reduce dependence on septic, APN # 035-511-014 has approved OSA due to failed septic
8. Government services present cost, adequacy and controls in area [§56668(b)]	Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21
9. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas [§56668(b)]	Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21

<p>10. Effects on adjacent areas, on mutual social and economic interests, and on local governmental structure in the County</p> <p>[§56668(c)]</p>	<p>Consistent: Area included in NSD SOI since 1975</p>
<p>11. Effects on planned efficient patterns of urban development</p> <p>[§56668(d)]</p>	<p>Consistent: City General Plan land use designation: <i>SFI-3 (Single Family Infill, 3 to 6 lots per acre)</i></p>
<p>12. Effects on maintaining physical and economic integrity of agricultural lands</p> <p>[§56668(e)]</p>	<p>Consistent: Within City RUL, not designated for agricultural or open space use</p>
<p>13. Boundaries: logical, contiguous, not difficult to serve, definite and certain</p> <p>[§56668(f)]</p>	<p>Consistent: Two adjacent parcels, two existing residences</p>
<p>14. Conformance to lines of assessment, ownership</p> <p>[§56668(f)]</p>	<p>Consistent: Two parcels: APNs 035-511-012 and 035-511-014</p>
<p>15. Creation of islands, corridors, irregular boundaries</p> <p>[§56668(f)]</p>	<p>Consistent: Would reduce the size of an existing pocket of territory surrounded by NSD's boundary</p>
<p>16. Consistency with regional transportation plan</p> <p>[§56668(g)]</p>	<p>Consistent: No specific projects in regional transportation plan (RTP), <i>Plan Bay Area 2050</i></p>
<p>17. Consistency with city or county general and specific plans</p> <p>[§56668(h)]</p>	<p>Consistent: City General Plan designation: <i>SFI-3 (Single Family Infill, 3 to 6 lots per acre)</i> City Zoning: <i>RI-5 (Residential Infill, minimum lot size 5,000 sq. ft.)</i></p>
<p>18. Consistency with spheres of influence</p> <p>[§56668(i)]</p>	<p>Consistent: Within NSD SOI since 1975</p>
<p>19. Comments from affected agencies and other public agencies</p> <p>[§56668(j)]</p>	<p>Consistent: No comments received</p>

<p>20. Ability of agency to provide service including sufficiency of revenues [§56668(k)]</p>	<p>Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21</p>
<p>21. Timely availability of adequate water supply [§56668(l)]</p>	<p>Consistent: Analysis: Central County Region Municipal Service Review adopted in 2014 and Napa Countywide Water Wastewater MSR Updated 10-4-21</p>
<p>22. Fair share of regional housing needs [§56668(m)]</p>	<p>Consistent: Neutral until possible future subdivision; no development plans at this time</p>
<p>23. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p>Consistent: 100% consent of landowners</p>
<p>24. Existing land use designations [§56668(o)]</p>	<p>Consistent: City General Plan designation: <i>SFI-3 (Single Family Infill, 3 to 6 lots per acre)</i> City Zoning: <i>RI-5 (Residential Infill, minimum lot size 5,000 sq. ft.)</i></p>
<p>25. Effect on environmental justice [§56668(p)]</p>	<p>Consistent: No documentation or evidence suggesting the proposal will have any implication</p>
<p>26. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]</p>	<p>Consistent: Not located in a high fire hazard zone or a state responsibility area</p>
<p>27. Special district annexations: for the interest of landowners or inhabitants within the district and affected territory [§56668.3(a)(1)]</p>	<p>Consistent: Proposal approval would benefit by providing permanent access to public sewer service, eliminating public health hazard</p>