



**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*

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**January 7, 2013**  
**Agenda Item No. 7b (Action)**

January 2, 2013

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer  
Brendon Freeman, Analyst

**SUBJECT: Proposed Annexation of 1101 Grandview Drive to the City of Napa**

The Commission will consider a proposal from the City of Napa to annex approximately 1.1 acres of unincorporated territory located at 1101 Grandview Drive (043-091-013). Staff recommends approval of the proposal with two discretionary amendments to expand the proposed annexation boundary to include an additional 0.1 acre portion of adjacent right-of-way and concurrent detachment of the affected territory from County Service Area No. 4. Standard conditions are also recommended.

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Local Agency Formation Commissions (LAFCOs) are responsible under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 to regulate the formation and development of local governmental agencies and their municipal services. This includes approving or disapproving proposed changes of organization, such as boundary changes, consistent with adopted policies and procedures pursuant to California Government Code (G.C.) Section 56375. Two or more of these actions in a single proposal are referred to as a reorganization. LAFCOs are authorized with broad discretion in amending and conditioning change of organizations or reorganizations as long as the latter does not directly regulate land uses or subdivision requirements.

**A. Discussion**

*Applicant Proposal*

LAFCO of Napa County (“Commission”) has received a proposal from the City of Napa (“City”) requesting the annexation of approximately 1.1 acres of unincorporated territory. The proposed territory to be annexed is an undeveloped lot located at 1101 Grandview Drive in the Hilton Subdivision. The County Assessor’s Office identifies the subject lot as 043-091-013. The underlying and immediate purpose of the proposal is to facilitate the future development of the subject lot to include one single-family residence as allowed under City land use policies.

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Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Commissioner  
Councilmember, City of American Canyon

Juliana Inman, Alternate Commissioner  
Councilmember, City of Napa

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

Bill Dodd, Commissioner  
County of Napa Supervisor, 4th District

Mark Luce, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Brian J. Kelly, Vice Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
Executive Officer

The City's proposal has been filed with the Commission at the request of the subject lot's landowners, Daniel and Ana Pressey. The Presseys purchased the subject lot in 2011 with the explicit intention of developing a single-family residence under the County's land use authority while establishing an outside connection to an adjacent City water line. In the course of exploring this latter option, however, it was learned the City Council had previously established by resolution a requirement that all water service connections within the Hilton Subdivision be permitted only upon completion of annexation proceedings.<sup>1</sup> The Presseys have redirected their development plans, accordingly, and will file for a building permit with the City if annexation is approved by the Commission.



### ***Possible Amendments to Proposal***

In reviewing the application materials, and in consideration of directed and adopted policies, staff has identified and evaluated the merits of three possible amendments to the proposal for Commission consideration. Two of these three possible amendments – expanding the proposal boundary to include an adjacent right-of-way portion and requiring concurrent detachment from County Service Area (CSA) No. 4 – are recommended. The third considered amendment – requiring concurrent annexation to the Napa Sanitation District (NSD) – is not recommended. Expanded justifications for the preceding amendment considerations follow.

#### ***Recommended: Expand Proposal Boundary to Include Additional Territory Comprising an Approximate 0.1 Acre Right-of-Way Portion of Grandview Drive***

The Legislature directs the Commission to consider boundary alternatives – expansions or reductions – any time it reviews change of organization or reorganization proposals to provide a more orderly and logical designation. Towards this end, it appears appropriate for the Commission to amend the annexation boundary to include the entire right-of-way portion immediately adjacent to the subject lot on Grandview Drive. The affected right-of-way portion is approximately 0.1 acres in size and its inclusion in the annexation boundary would ensure the City's jurisdiction over the lone and immediate access point to the subject lot.<sup>2</sup>

<sup>1</sup> Reference City Council Resolution No. 81-247.

<sup>2</sup> The recommended addition of the public right-of-way portion of Grandview Drive would not trigger protest proceedings. Public agencies are not defined as landowners under LAFCO law when the subject land involves highways, rights-of-way, easements, waterways, or canals under G.C. Section 56408(c).

Consideration has also been given to expanding the annexation boundary to include additional lands given the affected territory is part of a substantially surrounded unincorporated island that includes seven total properties and 9.3 acres in size.<sup>3</sup> Interest among the adjacent landowners in joining the annexation, however, is uncertain at this time given feedback to the Commission's recent survey for the area produced only a single "oppose" response.<sup>4</sup> (A more recent survey conducted by the City in the course of filing the proposal with the Commission did not generate any responses.) The lone documented opposition, nonetheless, reasonably suggests expanding the boundary to include one or certainly all of the remaining island lands would trigger protest proceedings; proceedings that would generate additional applicant costs and could potentially terminate Commission approval.<sup>5</sup> The potential for triggering protest proceedings may prove particularly problematic for the Presseys given any further delays to those already experienced may make it difficult to complete construction of a new single-family residence by October 1<sup>st</sup>; the date in which the grace period for their construction loan will end.

***Recommended: Concurrent Detachment from CSA No. 4***

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Commission policy requires all annexations to cities be reorganized to include concurrent detachment from CSA No. 4 unless waived given special circumstances.<sup>6 7</sup> The prescribed waiver involves a determination the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size. The subject lot is currently vacant with no physical improvements and the landowners' stated intent is to develop a single-family residence. These factors substantiate there is no existing or expected tie between the affected territory and CSA No. 4's role in providing public farmworker housing services in Napa County.

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<sup>3</sup> The island is 81% surrounded by the existing City limits. This amount exceeds the 66.6% threshold adopted by the Commission with respect to defining a substantially surrounded island.

<sup>4</sup> The Commission surveyed the "Foster/Grandview" island on January 3, 2012 as part of the agency's island annexation program. The lone response to the Commission survey was an oppose submittal from the landowners at 1131 Grandview Drive.

<sup>5</sup> Protest proceedings – also known as conducting authority proceedings – are required any time the Commission approves a boundary change without notice and consent of landowners and, if applicable, registered voters unless a waiver is specifically authorized. Protest proceedings would initially involve the Executive Officer holding a separate noticed hearing no sooner than 21 days and no later than 60 days following Commission approval of the underlying boundary change in order to receive any filed letters of opposition among the affected landowners or registered voters. Assuming there are 12 or more affected registered voters, approval of a boundary change without 100% consent would be outright terminated if protest proceedings generate filed opposition from either 50% or more of the registered voters or landowners of properties representing 50% or more of the total assessed value within the area. An election would be required if protest proceedings generate filed opposition from 25% to 50% of registered voters or landowners of properties representing 25% to 50% of the total assessed value. Approval of an expanded annexation boundary would be confirmed and not require an election if less than 25% of registered voters or landowners representing less than 25% of the total assessed value file written opposition. G.C. Section 56375.3 allows the Commission to waive protest proceedings for island annexations if – among other considerations – the proposal has been filed by the annexing city and involves the entire island.

<sup>6</sup> CSA No. 4 was formed in 2002 and includes all unincorporated territory along with certain incorporated territory located within the Cities of Calistoga, Napa, St. Helena, and Yountville. The intent and function of CSA No. 4 is to sponsor a voter-approved assessment on all assessor parcels within its jurisdiction containing one acre or more of planted vineyards for the purpose of funding farmworker housing services.

<sup>7</sup> Commission General Policy Determination VII/D/3(a).

***Not Recommended: Concurrent Annexation to NSD***

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Commission policy requires all annexations to the City be reorganized to include concurrent annexation to NSD if the affected territory lies in the District's sphere of influence and sewer service is available unless waived given special circumstances. The subject lot does lie within NSD's sphere of influence, but is over 1,000 feet away from the nearest sewer line located at Foster Road and Canterbury Drive. The estimated cost to extend the sewer line to the subject lot would be a minimum amount of \$100,000.<sup>8</sup> This estimated cost appears substantially prohibitive for the landowner to assume and therefore staff believes it would be appropriate to waive the concurrent annexation requirement to NSD.

**B. Analysis**

G.C. Section 56375 delegates LAFCOs the responsibility to approve or disapprove, with or without amendment, proposals for change of organization or reorganization consistent with its adopted written policies, procedures, and guidelines. LAFCOs are also authorized to establish conditions in approving proposals as long as they do not directly regulate land uses or subdivision requirements. Underlying LAFCOs' determination in approving or disapproving proposals for change of organization or reorganization is to consider the logical and timely development of the affected agencies in context with statutory objectives and local circumstances.

***Required Factors for Review***

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G.C. Section 56668 requires LAFCOs to consider 15 specific factors anytime it reviews proposals for change of organization or reorganization involving cities. No single factor is determinative. The purpose in considering these factors is to inform the Commission in its decision-making.

An evaluation of the factors mandated for review as it relates to the proposal follows. This includes incorporating into the evaluation the two recommended amendments detailed in the preceding section that involve (a) expanding the boundary to include the adjacent right-of-way portion of Grandview Drive and (b) detachment from CSA No. 4. Lands subject to the amended proposal as recommended are referred to hereafter as "affected territory."

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<sup>8</sup> The estimated cost is based on consultation with NSD and incorporates a ratio of \$100 for every one foot of sewer line. NSD also indicates the cost to extend service to the subject lot would likely be greater given the District's preference to extend the sewer line in a manner providing service capabilities to the entire subdivision.

**1) Population and population density; land area and land use; per capita 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 currently undeveloped with no physical improvements with the exception of the paved right-of-way portion of Grandview Drive. The subject lot most recently changed ownership in 2011 and is currently assessed at \$150,000. Topography within the affected territory is relatively flat with a peak terrain point at 155 feet above sea-level. The Napa River is the closest waterway with its nearest crossing point located approximately 6,000 feet to the east of the affected territory.



The affected territory lies within a developing estate-residential subdivision with existing homes on all four adjacent lots; two of which are already in the City. Development potential within the subject lot is effectively limited to one single-family residence whether under the County or City's land use authority.<sup>9</sup> Actual development potential, however, for the subject lot is functionally dependent on accessing the City's nearby water service line given the physical limitations of accessing groundwater.<sup>10</sup> Annexation of the affected territory would not be expected to result in any new development within the adjacent lands.

**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.**

The need for elevated municipal services within the affected territory based on its planned and anticipated residential land use includes water, sewer, fire protection/emergency medical, and law enforcement. An analysis of the availability and adequacy of these core municipal services relative to projected needs if the proposal – with or without the recommended amendments – follows.

<sup>9</sup> Auxiliary uses, such as a guest cottage, may also be permitted under either land use authority.

<sup>10</sup> Buildout population of the affected territory would be 2.6 and is based on the most recent household resident estimate assigned to the City by the California Department of Finance.



**Water**

Water needs for the affected territory and specifically the subject lot upon annexation and buildout are expected to be provided by the City. Staff estimates the daily water demand to accommodate the anticipated construction of an approximate 2,500 square foot single-family residence within the affected territory is 340 gallons; an amount equivalent to 0.38 acre-feet annually. This anticipated demand within the affected territory at buildout would have negligible impacts to the City’s existing water system infrastructure as measured by supply, storage, and treatment capacities as depicted in the following subsections.

***Water Supply and Demand***

Napa’s water supplies are derived from three distinct sources: Lake Hennessey, Milliken Reservoir, and the State Water Project. These three sources collectively provide Napa with 31,340 acre-feet of raw water for treatment during normal year conditions based on historical patterns. These historical patterns also indicate Napa’s annual water supply decreases during multiple and single dry year conditions to 19,896 and 13,533 acre-feet, respectively. Conversely, Napa’s most recently recorded annual water demand totals 13,877 acre-feet; an amount representing an average daily use of 38 acre-feet. These current demands result in an available supply surplus during normal and multiple dry year conditions. Further, the existing shortfall projected during single dry years is relatively minimal and would be likely offset by voluntary and mandatory water conservation measures that could be adopted by the City Council consistent with their Urban Water Management Plan (UWMP).

The annual water demand associated with the annexation and buildout of the affected territory – 124,100 gallons or 0.38 acre-feet – would represent only one one-hundredth of the current average day systemwide water demand for the City. Annexation and buildout of the affected territory, accordingly, would have no measurable impact on existing or future water demands on the City as depicted in the following tables.

<b>Baseline <u>Without</u> Annexation of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry Year</b>	<b>Single Dry Year</b>
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

<b>Adjusted <u>With</u> Annexation/Buildout of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry Year</b>	<b>Single Dry Year</b>
Annual Supply	31,340	19,896	13,533
Annual Demand	13,877	13,877	13,877
Difference	17,463	6,019	(344)

### Water Treatment and Storage

Napa operates treatment facilities for each of its three water sources. These three facilities provide a combined daily treatment capacity of 135 acre-feet.<sup>11</sup> This combined treatment amount is more than three times greater than the current average day water demand (38 acre-feet) and nearly two times greater than the current estimated peak day water demand (76 acre-feet).<sup>12</sup> Furthermore, Napa’s combined treated water storage capacity overlaying its five pressure zones – including clearwell tanks – is 86 acre-feet. This combined storage amount accommodates current estimated peak day water demands in Napa.

Average day water demands associated with the annexation and buildout of the affected territory – 340 gallons or 0.001 acre-feet – would have no measurable impact on the City’s existing water treatment and storage capacities as depicted in the following tables.

<b>Baseline Without Annexation of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Treatment Capacity</b>	<b>Average Day Demand</b>	<b>Peak Day Demand</b>	<b>Storage Capacity</b>
135.0	38.0	76.0	86.2

<b>Adjusted With Annexation/Buildout of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Treatment Capacity</b>	<b>Average Day Demand</b>	<b>Peak Day Demand</b>	<b>Storage Capacity</b>
135.0	38.0	76.0	86.2

### Sewer

Sewer needs for the affected territory and specifically the subject lot upon annexation and buildout are expected to be accommodated through an onsite septic system; connection to the nearest public sewer service line approximately 1,000 feet in distance does not appear feasible at this time. Staff estimates the design and construction of an onsite septic system would need to accommodate average daily sewer flows of 272 gallons during dry periods and 680 gallons during wet periods. County Environmental Services confirms an onsite septic system design has been submitted by the landowners and approved for the subject lot consistent with these estimates.

<sup>11</sup> The combined daily treatment capacity for Napa is divided between the Milliken facility at 4.0, Jamieson facility at 20.0, and Hennessey facility at 20.0 million gallons, respectively.

<sup>12</sup> Based on recent usage records, the estimated peak day demand factor for Napa is 2.0.

**Fire Protection and Emergency Medical**

Annexation of the affected territory would immediately transfer fire protection and emergency medical service responsibilities from the County to the City. Proximity of the affected territory, however, suggests the City is already the probable first-responder for fire protection and emergency medical service calls based on an established mutual aid agreement with the County. Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City providing fire protection and emergency medical services to the affected territory. Furthermore, the Commission's 2005 municipal service review on countywide fire protection services noted the City has generally developed sufficient capacities and controls to serve existing and anticipated demands. This includes noting the affected territory is located within an adequately served area in which the City is reasonably expected to respond within its adopted five minute standard time. Additional analysis indicates information in the referenced municipal service review remains valid and applicable to this proposal.

**Law Enforcement**

Annexation of the affected territory would immediately transfer law enforcement service responsibilities from the County to the City. However, and similar to fire protection, the affected territory's proximity suggests the City is already the probable first-responder for emergency law enforcement service calls based on an established mutual aid agreement with the County. Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City already providing law enforcement services to the affected territory. The Commission's recently completed municipal service review on countywide law enforcement services also notes the City has developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

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

The proposal would have an advantageous effect in memorializing existing social and economic ties between the affected territory and the City. These ties are drawn from the affected territory's standing inclusion into the sphere of influence adopted for the City; inclusion approved by the Commission in 1976 and marking an expectation the site should eventually develop for urban uses under the City's land use and service authority. The recommendation to amend the proposal to concurrently detach the affected territory from CSA No. 4 would also reflect the social and economic ties underlying the District's operations. Detachment would support CSA No. 4's logical development by removing incorporated land designated for urban use that does not have a tie to the District's role in funding public farmworker housing services by taxing vineyards.



- 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 generally conforms with the adopted policies of the Commission and is highlighted by the affected territory lying entirely within the adopted sphere of influence for the City; a demarcation outlining the probable future service area and jurisdictional boundary of the City as determined by the Commission. The recommended amendments to expand the annexation boundary to include an adjacent right-of-way portion and concurrent detachment from CSA No. 4 further enhance the conformity of the proposal relative to the directives and policies of the Commission as detailed on pages two and three. Additional amendments to expand the annexation boundary to include the remaining island properties as well as concurrent annexation to NSD would further conform with Commission policies, but are not practical and therefore unwarranted at this time.

Approximately one half of the affected territory qualifies as “open-space” under LAFCO law based on its land use designation under the County of Napa General Plan. The potential use of the affected territory for urban uses, nonetheless, appears appropriate given local conditions and circumstances. Specifically, the affected territory lies within the adopted sphere of influence for the City as well as the City’s rural-urban limit line. The affected territory also does not qualify as “prime agricultural land.” These factors signify the development of the affected territory for urban uses is appropriately planned and orderly relative to the policies and priorities outlined under G.C. Section 56377.

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

The affected territory does not qualify as “agricultural land” under LAFCO law. Specifically, the affected territory is not used for any of the following purposes: producing an agricultural commodity for commercial purposes; left fallow under a crop rotational program; or enrolled in an agricultural subsidy program.

- 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 proposal as submitted is parcel-specific and includes all of the property identified by the County of Napa Assessor’s Office as 043-091-013. The recommended amendment modifies the affected territory to also include the public right-of-way portion of Grandview Drive immediately adjacent to the

subject lot. Annexation approval of the affected territory would reduce the size of an existing substantially surrounded island as defined under Commission policy. Commission approval would include a standard term requiring the applicant submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization. The submitted map and geographic description would be subject to review and possible edits by the Executive Officer before filing with the State Board of Equalization.

**7) Consistency with the city or county general plans, specific plans, and adopted regional transportation plan.**

Development opportunities within the affected territory and specifically involving the subject lot are generally equivalent between the County and the City. Both land use authorities have established minimum lot requirements under their existing land use designations and zoning standards that preclude any further division of the subject lot. Future development opportunities of the subject lot are limited and generally oriented to the construction of one single-family residence and a detached guest unit under either land use authority.<sup>13</sup> Specific designations and zonings for the subject lot follow.

Category	County	City
<b>Land Use Designation</b>	Agriculture Watershed OS (50%) Rural Residential (50%)	Single-Family Residential - 128
<b>Zoning Standard</b>	Residential Single	Residential Single – 40
- Minimum Lot Size	10 acres	0.9 acres
- Permitted Uses	single-family residence detached second unit family care / day facility public/private school	single-family residence detached second unit family care / day facility public/private school
<b>Overlay Zoning</b>	Urban Reserve	Hillside

The Metropolitan Transportation Commission’s regional transportation plan (RTP) was last updated in April 2009 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2035. No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

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

See analysis on page nine.

<sup>13</sup> Both land use authorities would also allow small family and residential care facilities and public/private schools.

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

Staff provided notice of the proposal to all subject agencies and other interested parties as required under LAFCO law on December 14, 2012. Subsequent communications were also circulated to subject agencies in the course of the staff review. This includes providing notice of the likelihood of staff recommending the proposal be amended by the Commission to (a) expand the annexation boundary to include the adjacent right-of-way portion of Grandview Drive and (b) concurrent detachment from CSA No. 4. The following written comments were received in the course of the subject agencies' review of the proposal.

- **Napa Sanitation District**

NSD provided a written letter attesting the nearest existing sewer line is located approximately 1,000 feet north of the subject lot. NSD also commented – at the request of Commission staff – that the approximate cost to extend public sewer to the subject lot would be a minimum amount of \$100,000.

- **County of Napa / Environmental Services**

The County's Environmental Services confirmed – at the request of Commission staff – the landowners have filed and received design approval for an onsite septic system.

**10) 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 in the Commission's last municipal service review on the City concluded Napa had developed adequate financial resources and controls relative to its service commitments. Additional analysis performed subsequent to the filing of the proposal provides reasonable assurances the City's fiscal resources and controls would enable the agency to provide an appropriate level of services to the affected territory relative to anticipated land uses. A summary of the City's current financial resources follows.

*General Fund*

The City's total available (undesignated/emergency) balance in its General Fund at the beginning of the current fiscal year totaled \$7.6 million and equals 12% of its adopted operating costs in 2012-2013.<sup>14</sup> At the time of budget adoption, the City anticipated a \$4.0 million shortfall in operating costs for the current fiscal year and would – if realized – further reduce the available fund balance to \$3.6 million. A summary of the balances within the City's General Fund over the last five fiscal years follows.

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<sup>14</sup> The City's adopted general fund expenses in 2012-2013 total \$63.2 million.

**City General Fund Balance**

(Source: City of Napa)

Category	2008-09	2009-10	2010-11	2011-12	2012-13
Reserved: Reoccurring	2.127	0.509	0.509	0.509	0.509
Reserved: Non Reoccurring	--	--	0.900	0.900	0.900
Unreserved: Emergency	7.934	7.537	7.485	7.578	7.578
Unreserved: Undesignated	8.262	5.826	4.567	3.335	0.002
<i>Total</i>	<i>\$18.323</i>	<i>\$13.872</i>	<i>\$13.505</i>	<i>\$12.323</i>	<i>\$8.989</i>

*Dollars in Millions / Amounts as of July 1<sup>st</sup>*

The recent economic recession and corresponding stagnation of general tax revenues paired with increasing service costs underlie the City’s recent and ongoing structural imbalance. Recent administrative measures taken by the City – including reducing employment levels by 40 fulltime positions and eliminating cost-of-living adjustments over the last four years – have helped to stabilize the imbalance and decrease the demand on reserves to cover annual operating costs. Markedly, and assuming these administrative controls continue to be employed going forward, the relatively minor general service demands (i.e. public safety) anticipated and associated with the annexation and probable development of the subject lot is not expected to have an adverse fiscal impact on the City.<sup>15</sup>

The recommendation to amend the proposal to also include concurrent detachment from CSA No. 4 will not have any financial impact given the affected territory is not part of the District’s special assessment on vineyard properties.

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

Proposal approval and the probable development of the affected territory and more specifically the subject lot to include a single-family residence would likely generate a new water demand for the City. As previously referenced, the City’s available water supplies are draw from three separate sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. The City’s most recent Urban Water Management Plan (UWMP) was adopted in 2011 and estimates the total annual water supply generated from these three sources during normal conditions and based on historical patterns is 31,340 acre-feet. These historical patterns also indicate the total annual water supply decreases to 19,896 and 13,533 acre-feet during multiple and single dry year conditions, respectively.

<sup>15</sup> Additional services to be extended to the subject lot upon annexation and development, such as water, are self-funded through (a) connection fees and (b) usage charges. These revenue sources serve as the City’s buy-in charge for new customers to contribute their fair share for existing and future facilities necessary to receive water services as well as fund ongoing maintenance expenses. Accordingly, these other services would not generate any new unfunded demands on the City.

Information provided in the UWMP identifies the City's available water supplies are more than sufficient in accommodating both current annual demands – 13,877 acre-feet – and the projected buildout demands within the affected territory – 0.38 acre-feet – during normal and multiple dry year conditions. The City's available water supplies, however, are deficient under current estimated single dry years; a deficit that would be insignificantly increased with approval of the proposal along with the associated planned development of a single-family residence. The City, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These factors provide reasonable assurances of the City's ability to effectively accommodate water demands with the minimal increases tied to the affected territory in accordance with G.C. Section 65352.5.

- 12) 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 consistent with Article 10.6 of Chapter 3 of Division 1 of Title 7.**

The proposal would not impact any local agencies in accommodating their regional housing needs. The affected territory is already located within the City's sphere of influence, and as a result, all potential units tied to the land are assigned to Napa by the Association of Bay Area Governments.

- 13) Any information or comments from the landowner or owners, voters, or residents of the affected territory.**

The landowners of the subject lot have provided their written consent to the proposal. Notice of the recommended amendments to modify the proposal to (a) expand the annexation boundary to include the adjacent right-of-way portion of Grandview Drive and (b) concurrent detachment from CSA No. 4 were also provided to the subject agencies. No comments were received.

- 14) Any information relating to existing land use designations.**

See analysis on page 10 of this report.

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

There is no documentation or evidence suggesting proposal approval would have a measurable effect with respect to promoting environmental justice. There is also no documentation or evidence suggesting the recommended amendments to also include the adjacent right-of-way portion and detachment from CSA No. 4 will measurably effect environmental justice.

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

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Revenue and Taxation Code Section 99(b)(6) requires adoption of a property tax exchange agreement by affected local agencies before the Commission can consider a proposed boundary change.<sup>16</sup> With this in mind, and upon receipt of the applicant's proposal, staff provided notice to the City and the County of the proposed jurisdictional change affecting both agencies and the need to apply a property tax exchange to the proceedings.

Staff has advised the City and the County of its recommendation to amend the proposal and intent to apply a master property tax exchange agreement adopted by both governing boards in 1980 unless otherwise informed during the 30 day noticing period; an agreement specifying Napa shall receive 55% of the County's existing portion of property tax revenues generated from the affected territory. Neither agency has responded with any concerns to the approach outlined by staff.

### ***Environmental Review***

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The City serves as lead agency for the proposal under the California Environmental Quality Act (CEQA) given it is the initiating entity with sole responsibility for approving the underlying purpose of this action: development of the subject lot. The City has determined the proposal qualifies as a "project" under CEQA, but qualifies as a categorical exemption under California Code of Regulations Section 15319(b). This section exempts annexation of an individual small parcel that can only be developed with a single family residence. On behalf of the Commission in its role as responsible agency under CEQA, staff has independently reviewed this matter and believes the City has made an appropriate determination.

### ***Conducting Authority Proceedings***

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The proposal is not subject to conducting authority proceedings under G.C. Section 56663. This section authorizes the Commission to waive protest for the proposal given all affected landowners have provided their written consent and no subject agencies have filed written opposition to the waiver. This statement applies to the proposal with or without the recommended amendments to (a) expand the annexation boundary to include the adjacent public right-of-way on Grandview Drive and (b) concurrently detach from CSA No. 4. Public rights-of-way are not defined as having landowners under LAFCO law and CSA No. 4 did not file opposition after having been provided notice of the recommended amendment.

## **D. Recommendation**

Staff recommends approving the proposal to annex the subject lot to the City with two distinct amendments to also include the adjacent right-of-way portion of Grandview Drive and concurrent detachment from CSA No. 4. Standard approval conditions are also recommended and are outlined in the attached draft resolution.

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<sup>16</sup> CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.



## **E. Alternatives for Commission Action**

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

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

Adopt the draft resolution identified as Attachment One approving the proposal with the recommended amendments along with standard terms and conditions.

### **Alternative Action Two:**

Adopt the draft resolution identified as Attachment One with the desired amendments or modifications as identified by members.<sup>17</sup>

### **Alternative Action Three:**

Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.<sup>18</sup>

### **Alternative Action Four:**

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

## **F. Procedures for Consideration**

This item has been agenzized for action. The following procedures are recommended with respect to the Commission's continued consideration of this item:

- 1) Receive verbal report from staff;
- 2) Invite comments from any interested audience members (voluntary); and
- 3) Discuss item and consider action on recommendation.

Respectfully submitted,

---

Keene Simonds  
Executive Officer

---

Brendon Freeman  
Analyst

### **Attachments:**

- 1) Draft Resolution Approving the Proposal with Recommended Amendments
- 2) Application Materials / Resolution of Application and Justification for Proposal
- 3) Letter from Landowners Requesting Commission Approval
- 4) Agency Correspondence

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<sup>17</sup> This option would be appropriate, for example, if it is the preference of the Commission to approve the proposal without the recommended amendments and/or to further expand the annexation boundary to include other properties.

<sup>18</sup> This option would be appropriate, for example, if it is the preference of the Commission for more outreach and/or information be provided with respect to expanding the annexation boundary to include other properties.

**RESOLUTION NO. \_\_\_\_****RESOLUTION OF  
THE LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY  
MAKING DETERMINATIONS****PROPOSED ANNEXATION OF 1101 GRANDVIEW DRIVE TO THE CITY OF NAPA**

**WHEREAS**, the City of Napa, by resolution of application, has filed a proposal 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 1.07 acres of unincorporated land to the City of Napa and represents an entire legal lot identified by the County of Napa Assessor’s Office as 043-091-013; 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 on the proposal have been presented to the Commission in the manner provided by law; and

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on the proposal on January 7, 2013;

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

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission, as responsible agency, certifies it has reviewed and considered the environmental determination prepared by the designated lead agency – City of Napa – concerning potential impacts associated with the proposal in accordance with the California Environmental Quality Act (CEQA). The Commission finds the City of Napa has made an appropriate determination that the proposal qualifies as a categorical exemption under Public Resources Code Section 15319(b). This section exempts annexation of an individual small parcel that can only be developed with a single family residence. The Commission’s findings are based on its independent judgment and analysis. 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 with the following amendments:
  - a) The affected territory is expanded to include an approximate 0.06 acre public right-of-way portion of Grandview Drive immediately adjacent to 043-091-013.
  - b) The affected territory is concurrently detached from County Service Area No. 4.

4. The proposal is assigned the following distinctive short-term designation:

**GRANDVIEW DRIVE NO. 1 REORGANIZATION**

5. The affected territory is depicted in the vicinity map provided in Exhibit "A".
6. The affected territory is uninhabited as defined in Government Code Section 56046.
7. The City of Napa utilizes the regular assessment roll of the County of Napa.
8. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the City of Napa. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the City of Napa.
9. The Commission authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56663.
10. Approval is contingent upon the satisfaction of following conditions as determined by the Executive Officer:
  - (a) A map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization for annexation of the affected territory to the City of Napa.
  - (b) Payment of any outstanding fees owed to other agencies involved in the processing of this proposal.
  - (c) An indemnification agreement signed by the City of Napa in a form provided by the Commission Counsel.
11. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on January 7, 2013, by the following vote:

Yes: \_\_\_\_\_

Attest: Keene Simonds  
Executive Officer

No: \_\_\_\_\_

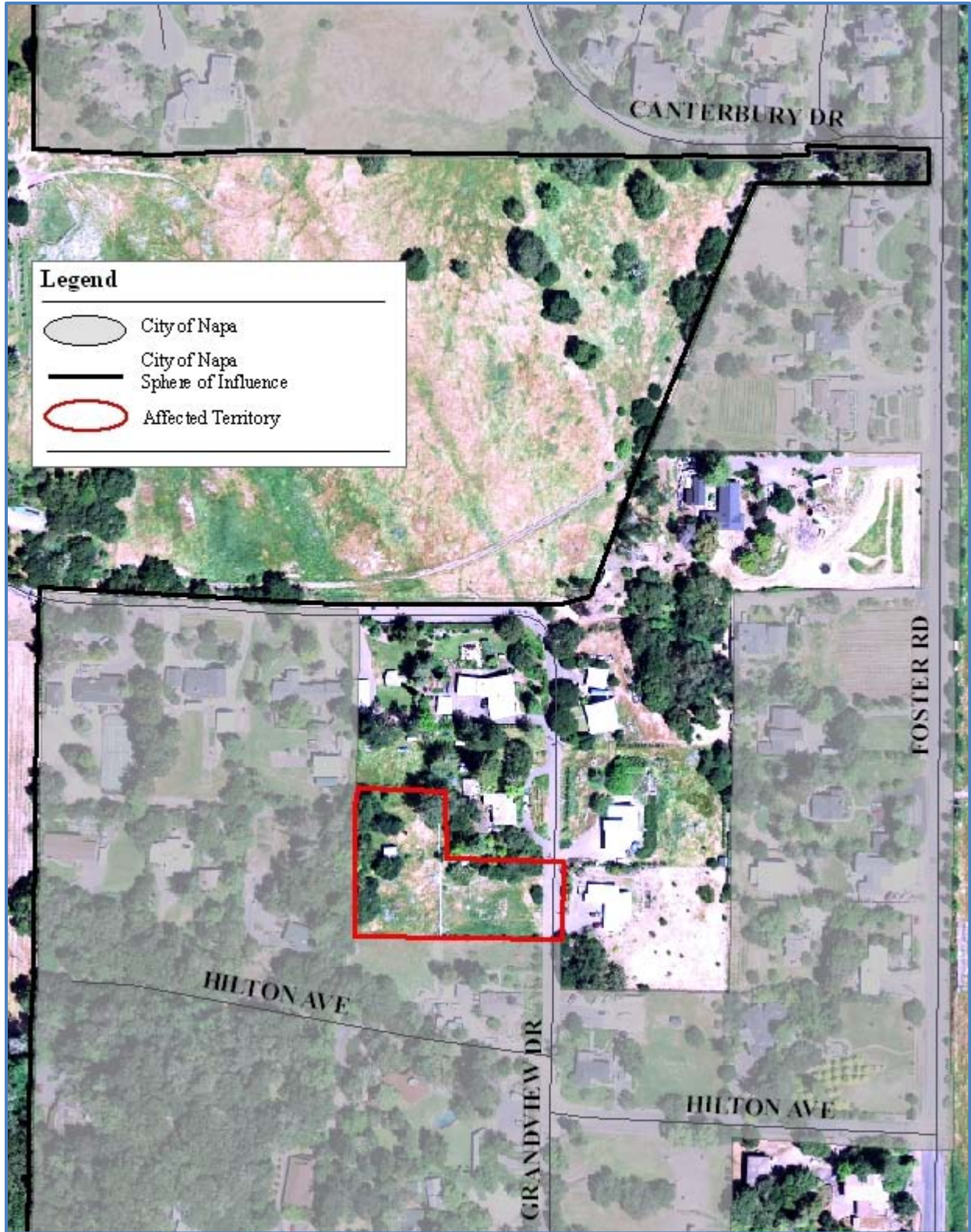
Abstain: \_\_\_\_\_

Recorded by: \_\_\_\_\_

Absent: \_\_\_\_\_

Kathy Mabry  
Commission Secretary

EXHIBIT A



RECEIVED

DEC 6 2012

NAPA COUNTY  
LAFCO

FORM D

Date Filed:	12/6/12
Received By:	BF

JUSTIFICATION OF PROPOSAL  
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: SCOTT KLINGBEIL CITY OF NAPA  
 Contact Person Agency/Business (If Applicable)

Address: 1600 FIRST ST NAPA 94559  
 Street Number Street Name City Zip Code

Contact: 257-9530 257-9522 SKLINGBE@CITYOFNAPA.ORG  
 Phone Number Facsimile Number E-Mail Address

B. Applicant Type: (Check One)

Local Agency       Registered Voter       Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies:

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)

REQUEST TO ANNEX THE 1.06 ACRE  
PROPERTY AT 1101 GRANDVIEW DR.

III. GENERAL INFORMATION

A. Location: 1101 GRANDVIEW DR 043-091-013 1.06  
Street Address Assessor Parcel Number Acres

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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) 1.16

B. Landowners:

(1) Assessor Parcel Number : 043-091-013 Name: DANIEL PRESSEY  
Mailing Address: 24079 OXBOW LANE NORTH, SONORA CA 95370  
Phone Number: 707 225-1831 E-mail: DANIELOVINES@GMAIL.COM

(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: 0

(2) Total Number of Registered Voters: 0



**D. Land Use Factors:**

- (1a) County General Plan Designation: \_\_\_\_\_
- (1b) County Zoning Standard: \_\_\_\_\_
- (2a) Applicable City General Plan Designation: SFR-128
- (2b) Applicable City Rezoning Standard: RS-40:HS

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

VACANT  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**F. Development Plans:**

- (1a) Territory Subject to a Development Project?  Yes  No
- (1b) If Yes, Describe Project: SINGLE FAMILY RESIDENCE  
\_\_\_\_\_
- (1c) If No, When Is Development Anticipated? \_\_\_\_\_  
\_\_\_\_\_

**G. Physical Characteristics:**

- (1) Describe Topography: SLOPED  
\_\_\_\_\_  
\_\_\_\_\_
- (2) Describe Any Natural Boundaries:  
\_\_\_\_\_  
\_\_\_\_\_
- (3) Describe Soil Composition and Any Drainage Basins:  
\_\_\_\_\_  
\_\_\_\_\_
- (4) Describe Vegetation: GRASSES WITH SEVERAL OAK  
TREES  
\_\_\_\_\_

**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:

CITY WATER WILL BE PROVIDED TO PARCEL

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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:

WATER HOOK UP TO BE FINANCED BY  
PROPERTY OWNER

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**V. ENVIRONMENTAL INFORMATION**

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**A. Environmental Analysis**

(1) Lead Agency for Proposal: CITY OF NAPA  
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: CLASS 19  
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:**

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

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

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

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

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

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

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

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

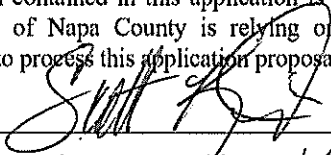
E-Mail: \_\_\_\_\_

**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:

SCOTT KLINGBEIL  
\_\_\_\_\_

Title:

SENIOR PLANNER  
\_\_\_\_\_

Date:

12/6/12  
\_\_\_\_\_

CITY OF NAPA CITY COUNCIL  
AGENDA REPORT

CONSENT HEARING  
AGENDA ITEM 26.B.  
Date: December 04, 2012

To: Honorable Mayor and Members of City Council  
From: Rick Tooker, Community Development Director  
Prepared by: Scott Klingbeil, Senior Planner  
Subject: Grandview Drive Annexation of a 1.06 acre parcel at 1101 Grandview Drive.

**ISSUE STATEMENT:**

Adopt a resolution requesting the Local Agency Formation Commission (LAFCO) initiate proceedings for the Pressey Property Annexation at 1101 Grandview Drive.

**DISCUSSION:**

Property owner Daniel Pressey has requested annexation of the 1.06 acre parcel at 1101 Grandview Drive. Mr. Pressey is requesting annexation in order to access City water service and build a single family residence. The parcel is located within an unincorporated "island" substantially surrounded by the City, within the City's Rural Urban Limit line (RUL) and the LAFCO Sphere of Influence. As is City practice, staff has surveyed the other property owners within the unincorporated "island" for their interest in being included in the annexation request. None of the additional six property owners within this unincorporated area responded to the request. Historically, the City's general policy has been to respect the interests of property owners who are unwilling to participate in the annexation process. Thus, this annexation proposal does not include any additional properties. LAFCO staff encourages the City to expand the boundaries of the annexation request and notes that LAFCO reserves the right to expand the boundaries of the annexation to include the entire island.

The proposed annexation was reviewed by City department representatives at an interdepartmental meeting on September 24, 2012, and no comments regarding the proposed annexation were received. The parcel is rezoned RS 40: HS, Single Family Residential, 40,000 sq. ft. minimum lot size, Hillside Overlay District. The Hillside Overlay District reduces densities based on hillside slopes and requires Design Review approval for a single family residence. The Hillside Overlay also includes design criteria and development standards.

The procedure to accomplish annexation of the subject territory is for the City Council to adopt a Resolution of Application requesting that LAFCO of Napa County take proceedings to complete the annexation. This is an annexation request only. Any development proposal would occur after completion of annexation.

**FINANCIAL IMPACTS:**

There would be a slight increase in City revenues due to property tax reapportionment and paramedic fees, as well as corresponding increases in City service costs associated with the proposed single family residence.

**CEQA:**

City staff recommends that the City Council determine that the Recommended Action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15319 (Categorical Exemptions, Class 19) which exempts the annexation of an individual small parcel that can only be developed with a single family residence.

**DOCUMENTS ATTACHED:**

1. Attachment 1: Resolution requesting that LAFCO take proceedings for the annexation of the Pressey property at 1101 Grandview Drive – Napa Project No. 12-0131.
2. Attachment 2: Applicant’s written statement and location map

**NOTIFICATION:**

Jesus and Patricia Romero 1110 Grandview Drive, Napa, CA 94558  
Jeffrey and Martina Cornell 1120 Grandview Drive, Napa, CA 94558  
Mary Scheidecker, 1130 Grandview Drive, Napa, CA 94558  
Steven and Mariana Barloggi, 1271 Foster Road, Napa, CA 94558  
Fred and Lisa McWilliams. 1131 Grandview Drive, Napa, CA 94558  
John Conner, 1115 Grandview Drive, Napa, CA 94558  
Napa Valley Unified School District  
Local Agency Formation Commission  
Napa County Planning  
Napa Sanitation District  
Legal notice of public hearing published in the Napa Valley Register on November 20, 2012.

**RECOMMENDED ACTION:**

Staff recommends that the City Council move, second and approve each of the actions set forth below, in the form of the following motion. Move to:

Adopt a Resolution requesting the Local Agency Formation Commission (LAFCO) initiate proceedings for the Pressey Property Annexation at 1101 Grandview Drive.



RESOLUTION R2012 \_\_

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION (LAFCO) INITIATE PROCEEDINGS FOR THE PRESSEY PROPERTY ANNEXATION AT 1101 GRANDVIEW DRIVE

WHEREAS, this annexation request is in accordance with applicable provisions of the California Environmental Quality Act (CEQA), pursuant to the CEQA Guidelines Section 15319 (Categorical Exemptions, Class 19) which exempts the annexation of an individual small parcel that can only be developed with a single family residence; and

WHEREAS, factors identified in Government Code Section 56668 have been identified and shall be considered by the Napa County Local Agency Formation Commission (LAFCO) in review of the proposal; and

WHEREAS, the City of Napa desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of the Pressey property at 1101 Grandview Drive, and;

WHEREAS, the territory proposed to be annexed is within the City's Rural Urban Limit and coterminous LAFCO Sphere of Influence, is uninhabited (per LAFCO law), and a description of the boundaries of the territory is set forth in the location map exhibit attached hereto as Exhibit C, and incorporated herein by reference; and

WHEREAS, the territory proposed to be annexed has been pre-zoned in accordance with the City of Napa General Plan, which land use map (portion) and Zoning Map (portion) are set forth in Exhibits A and B, attached hereto and incorporated herein by reference; and

WHEREAS, the chief petitioner for the annexation, Daniel Pressey, 24079 Oxbow Lane North, Sonoma, CA 95370, has signed the petition for annexation; and

WHEREAS, the reasons for annexation include development of land in accordance with the City's General Plan, and providing for logical boundaries and service provision in the area; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meeting of the City Council identified herein, including any supporting reports by City staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Napa as follows:

**ATTACHMENT 1**

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. This resolution of Application is hereby adopted and LAFCO is hereby requested to initiate proceedings for the annexation of territory as shown in Exhibit "C" including the following parcel at 1101 Grandview Drive, APN 043-091-013, according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

3. The City Council finds that the parcel has been rezoned and will have the RS 40: HS (Single Family Residential; Hillside Overlay Zoning District) designation upon annexation.

4. Pursuant to Government Code Section 56663, the City Council hereby consents to annexation of the subject territory as submitted.

5. This resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Napa at a regular meeting of said City Council held on the 4<sup>th</sup> day of December, 2012, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_  
Dorothy Roberts  
City Clerk

Approved as to form:

\_\_\_\_\_  
Michael W. Barrett  
City Attorney

EXHIBIT "A"

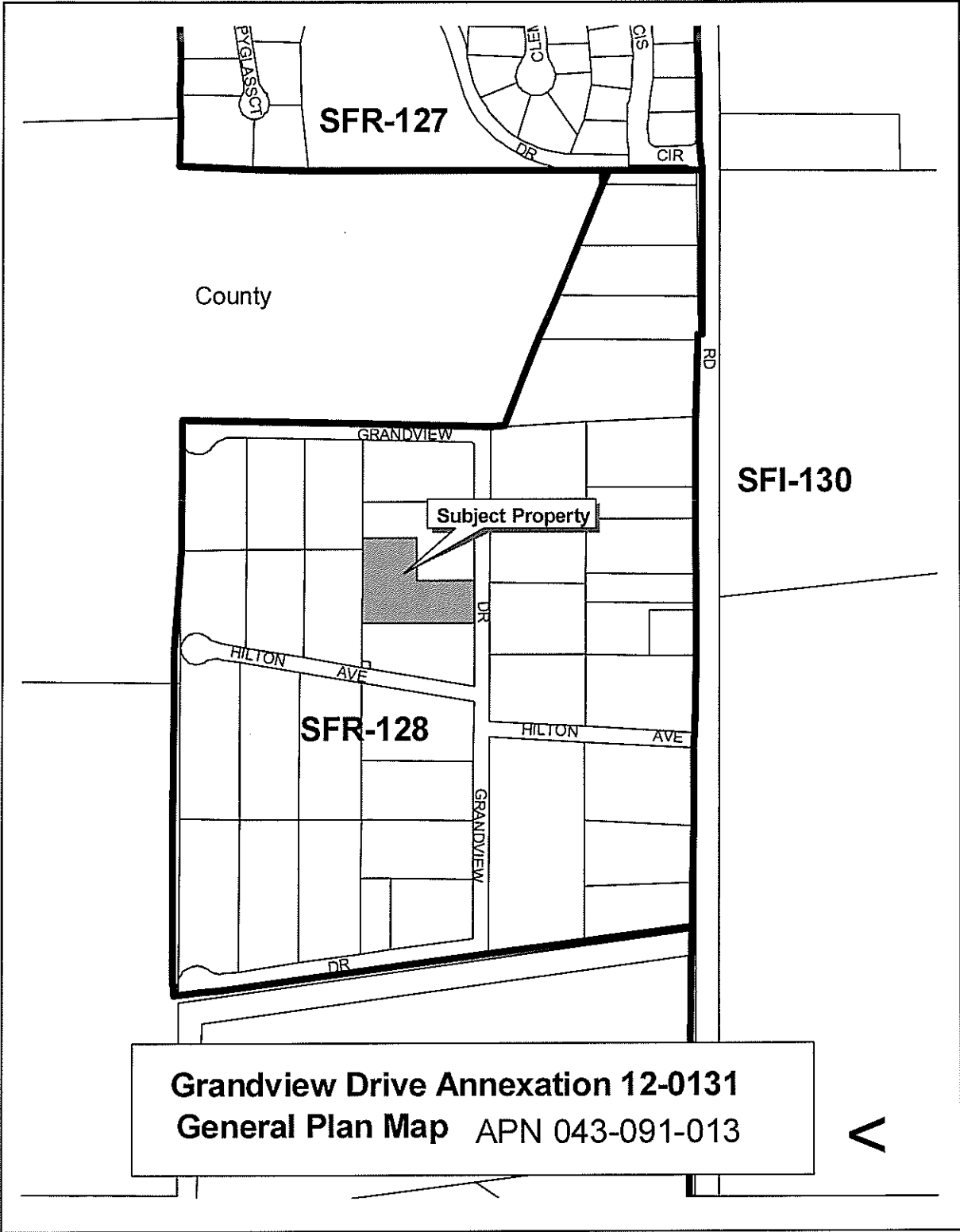


EXHIBIT "B"

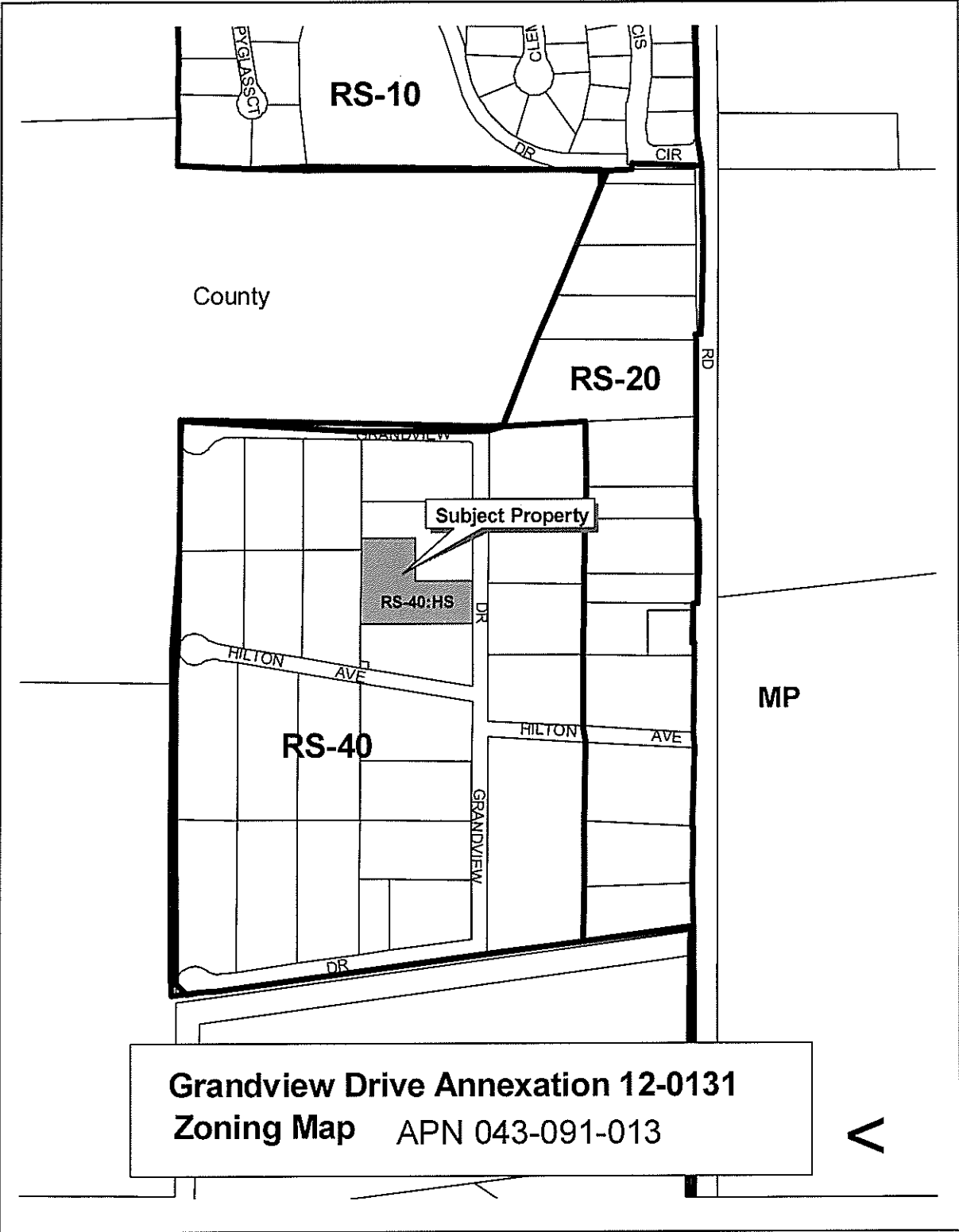
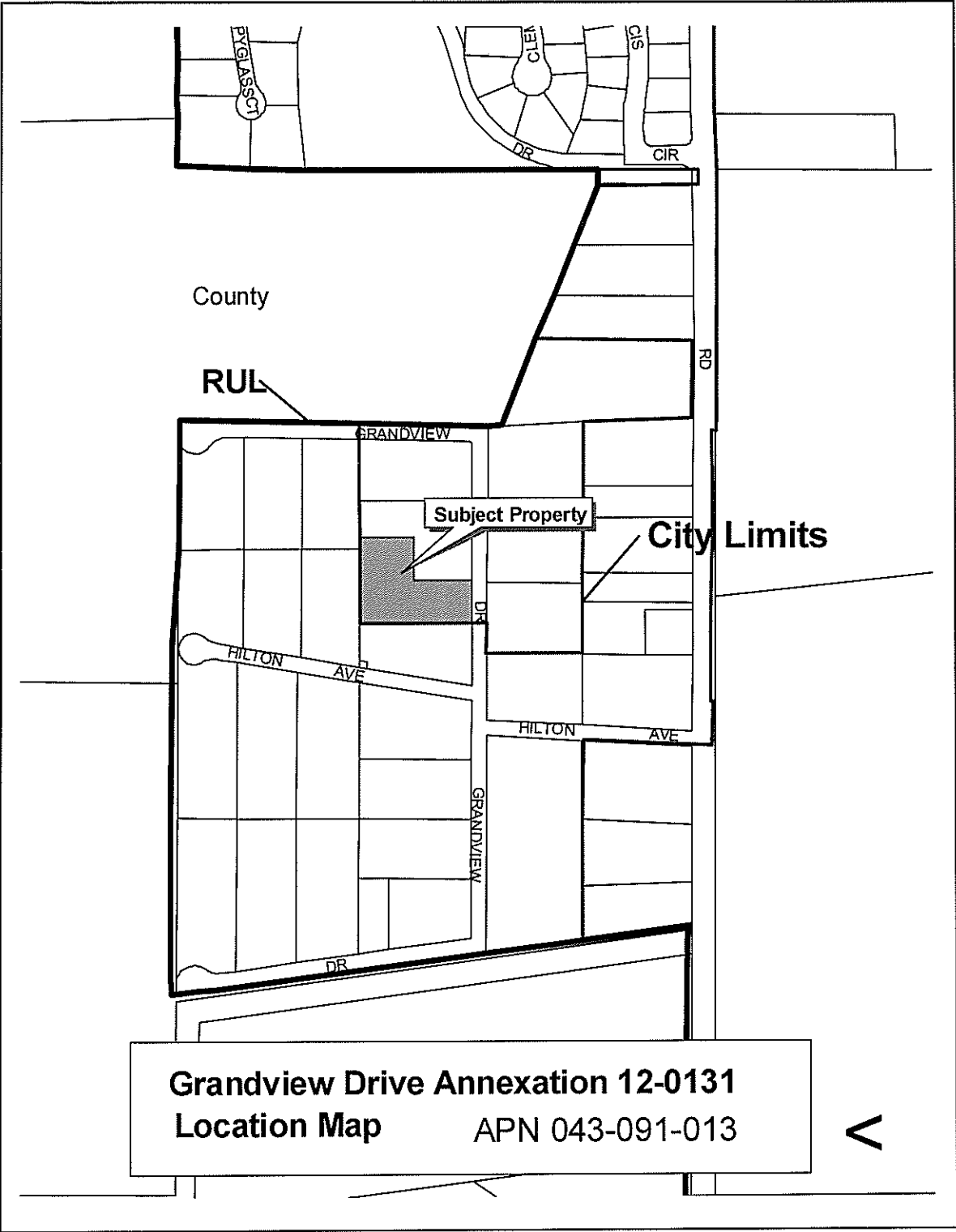


EXHIBIT "C"



1101 Grandview Dr. Napa, CA 94559

Parcel number 043091013000

1. Reasons why annexation is necessary for our parcel.

We have plans to build a single family residence at 1101 Grandview. This will be our permanent residence. Annexation is our only option to secure a water source (city water) for this particular parcel. We do not have an area that is enough distance from the neighbors parcels to put in a well. The only water source available is the city water, and the only way that we can access the water is through annexation. We have abandoned our plans with the County, and need to pursue annexation right away, and move ahead with building plans through the City of Napa.

2. City Sewer is not available at this parcel. We have plans to put in a septic system. Our plans are done, and have already been submitted.

Cheers,  
Daniel and Ana Pressey  
707-225-1831

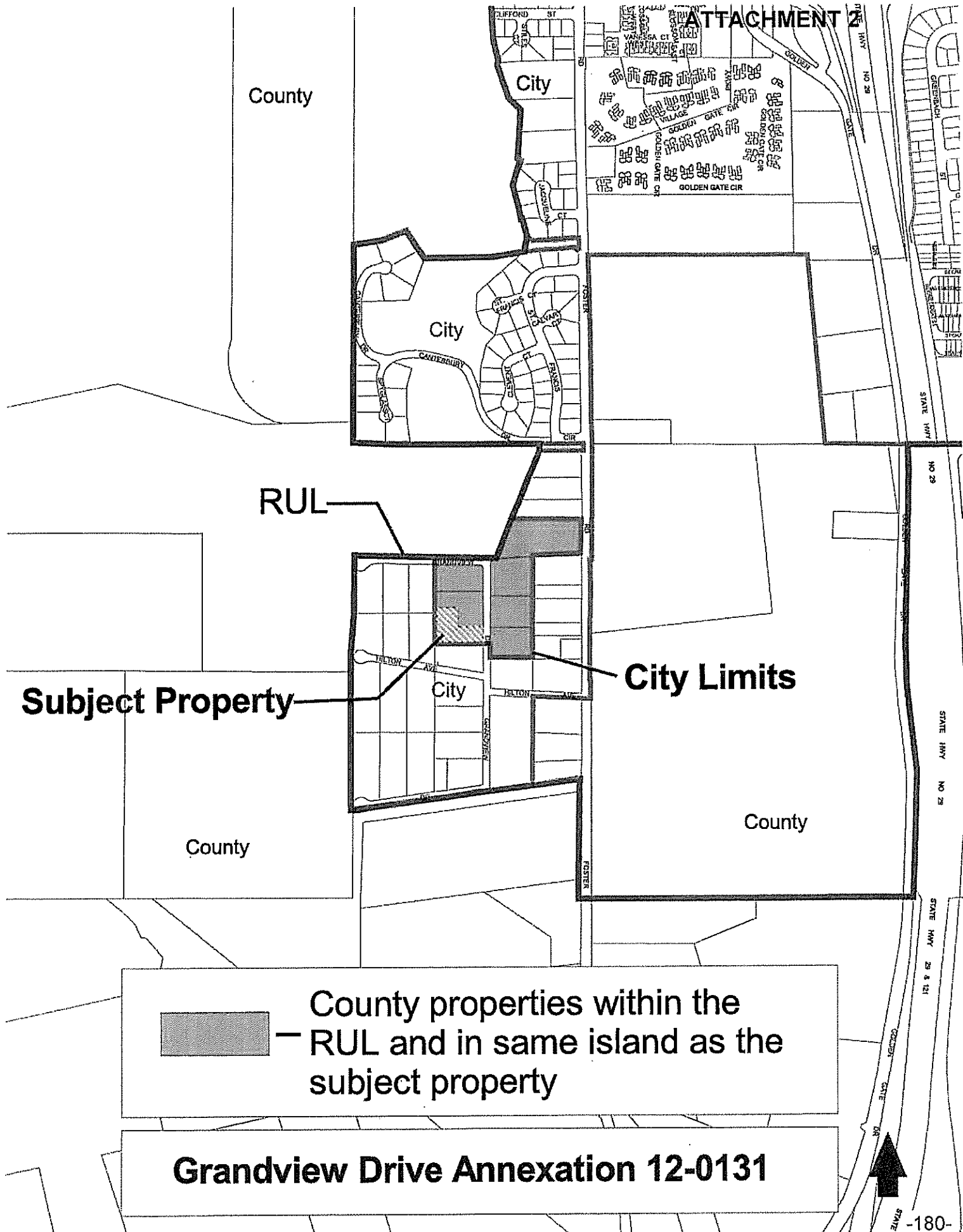
*Daniel Pressey* 9-18-12  
*Ana Pressey* 9/18/12

RECEIVED

SEP 18 2012

COMMUNITY DEVELOPMENT  
DEPARTMENT





**ATTACHMENT 2**

County

City

City

RUL

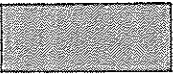
**Subject Property**

City

**City Limits**

County

County

 County properties within the RUL and in same island as the subject property

**Grandview Drive Annexation 12-0131**



Dear Lewis Chilton,

My wife and I have plans to build our permanent residence at 1101 Grandview Dr. in Napa, as soon as possible. It is crucial that we complete the annexation process for this property in order to continue with our plans to build our home. We have already closed on our construction loan, this past October. The loan allows 1 year to complete building. We are unable to obtain our city building permits, without the completed annexation. The reason annexation is mandatory for building on this parcel, is we cannot access the City Water supply at the front of the property, without being fully annexed into the city first. We can't get our building permits without the water supply, and we do not have a suitable place on the property to put in a well, and remain in the county. Our only option for building on this parcel is to get annexed into the city, and connect to the city water supply. We have had to re-locate from Napa, until our home is built, and we are looking forward to moving back as soon as possible.

Thank you very much.

Ana and Daniel Pressey

*Daniel Pressey*

707-225-1831



---

Dedicated to Preserving the Napa River for Generations to Come

---

December 13, 2012

Mr. Keene Simonds  
Executive Officer  
Local Agency Formation Commission of Napa County  
1030 Seminary Street, Suite B  
Napa, CA 94559

SUBJECT: Annexation – Request for Review  
1101 Grandview Drive (APN 043-091-013)

Dear Mr. Simonds:

The Napa Sanitation District (District) is in receipt of Notice of Review for the annexation of the subject parcel from the Local Agency Formation Commission (LAFCO) of Napa County.

The subject parcel is within the Sphere of Influence of the District but outside the District's Boundary. The nearest public sewer is over 1,000 feet away located at Foster Road and Canterbury Drive. Design and construction of public sewer main will be required prior to annexation to the District. Additional conditions of annexation may apply.

If you have further questions, please contact me at (707) 258-6000 ext 507.

Sincerely,

Andrew Damron, P.E.  
Associate Engineer

## Freeman, Brendon

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**From:** Sapoznik, Sheldon  
**Sent:** Monday, December 17, 2012 8:02 AM  
**To:** Freeman, Brendon; Secheli, Christine; Lederer, Steven  
**Cc:** Ex, Peter  
**Subject:** RE: Grandview Drive No. 1 Annexation: Question for Public Works

FYI, they have already submitted and have an approved design for an onsite system for this property.

*Sheldon Sapoznik, REHS  
Environmental Health Supervisor  
Napa County Planning, Building and Environmental Services  
1195 Third Street, Room 101  
Napa, CA 94559  
Phone: 707-253-4471  
Fax: 707-253-4545*

**From:** Freeman, Brendon  
**Sent:** Friday, December 14, 2012 11:30 AM  
**To:** Secheli, Christine; Lederer, Steven  
**Cc:** Sapoznik, Sheldon; Ex, Peter  
**Subject:** RE: Grandview Drive No. 1 Annexation: Question for Public Works

Great; thanks for the quick follow up.

**From:** Secheli, Christine  
**Sent:** Friday, December 14, 2012 11:28 AM  
**To:** Lederer, Steven; Freeman, Brendon  
**Cc:** Sapoznik, Sheldon; Ex, Peter  
**Subject:** RE: Grandview Drive No. 1 Annexation: Question for Public Works

Generally a 1.1 acre lot with City water is adequate for an on-site septic system however without seeing a map of the property or knowing the slope, and without knowing if there are any wells on adjoining lots that could impact the 1.1 acre property's ability to install a septic system I cannot say for certain. If relatively flat and no wells to impact the allowable septic area, it should be ok.

I copied our land use folks that do septic systems so they are familiar with the proposal, and if you have further questions they can probably assist as well.

Christine M. Secheli, R.E.H.S.  
Assistant Director

Napa County Department of Planning, Building and Environmental Services  
1195 Third Street, Room 101  
Napa, CA 94559  
phone: 707.253.4471  
fax: 707.299.4043

**From:** Lederer, Steven  
**Sent:** Friday, December 14, 2012 11:21 AM  
**To:** Freeman, Brendon; Secheli, Christine  
**Subject:** Re: Grandview Drive No. 1 Annexation: Question for Public Works

Septic is in PBES. Christine can help you.

**From:** Freeman, Brendon  
**Sent:** Friday, December 14, 2012 11:08 AM  
**To:** Lederer, Steven  
**Subject:** Grandview Drive No. 1 Annexation: Question for Public Works

Hi Steve,

We recently sent out a request for review for the proposed annexation of 1101 Grandview Drive to the City of Napa. The purpose of the proposal is to allow the landowners to develop a single family residence on the undeveloped lot; an action that is not available to them under the County given the site needs a public water service connection and the City's policies do not allow an outside service extension for any lands in the Hilton Subdivision.

Here is our question for your department. The lot is 1.1 acres in size. NSD reports its nearest sewer line is about 1,000 feet away. With this in mind, is it reasonable to assume the County would permit a new septic system on the lot or is there not enough land for the various requirements. Would appreciate any assistance your staff could provide.

Many thanks,

Brendon.