



**Local Agency Formation Commission**  
**LAFCO of Napa County**

1700 Second Street, Suite 268  
Napa, California 94559  
Telephone: (707) 259-8645  
Facsimile: (707) 251-1053  
<http://napa.lafco.ca.gov>

**October 5, 2009**  
**Agenda Item No. 8b (Discussion)**

September 29, 2009

**TO:** Local Agency Formation Commission

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

**SUBJECT: Current and Future Proposals**  
The Commission will receive a report regarding current and future proposals.  
The report is being presented to the Commission for information.

---

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 delegates Local Agency Formation Commissions (LAFCOs) with regulatory and planning duties to coordinate the logical formation and development of cities and special districts. This includes approving proposed jurisdictional boundary changes and requests to provide new or extended extraterritorial services. LAFCOs are also responsible for establishing, updating, and modifying cities and special districts' spheres of influence.

**A. Discussion**

There are currently four active proposals on file with LAFCO of Napa County ("Commission"). A summary of these active proposals follows.

**Trancas Crossing Park Annexation to the City of Napa**

The City of Napa proposes the annexation of 33.3 acres of unincorporated territory located northeast of the intersection of Old Soscol Avenue and Trancas Street. The affected territory comprises one undeveloped parcel identified by the County Assessor as 038-190-020. The parcel includes a small number of physical improvements, including a well, bridge, and gravel road. Napa recently purchased the parcel from the Napa County Land Trust through a grant award and is in the process of developing the site into a public park known as "Trancas Crossing." The affected territory is located outside the City's sphere of influence, and therefore the review of the proposal will include the merits of a concurrent amendment. Additionally, consistent with established practice, approval of the proposal, with or without modifications, would engender a reorganization to include a detachment of the affected territory from County Service Area No. 4.

**Status:** Staff's analysis of the proposal is nearly complete with the exception of awaiting the submittal of a map and boundary description of the affected territory. Staff anticipates these documents will be submitted shortly and the proposal will be presented to the Commission for consideration at its December 7, 2009 meeting.

---

Juliana Inman, Vice Chair  
Councilmember, City of Napa

Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner  
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
*Executive Officer*

### **Silverado Trail/Zinfandel Lane Annexation to the City of St. Helena**

The City of St. Helena proposes the annexation of approximately 100 acres of unincorporated territory located northwest of the intersection of Silverado Trail and Zinfandel Lane. The affected territory consists of one entire parcel and a portion of a second parcel, which are both owned and used by St. Helena to discharge treated wastewater from an adjacent treatment plant through a spray irrigation system. Both subject parcels are located outside the City's sphere of influence. Rather than request concurrent amendment, St. Helena is proposing only the annexation of a portion of the second parcel to ensure the affected territory is non-contiguous to its incorporated boundary and therefore eligible for annexation under G.C. Section 56742. This statute permits a city to annex non-contiguous land it owns and uses for municipal purposes without consistency with its sphere of influence. However, if sold, the statute requires the land to be automatically detached from the city. The two subject parcels are identified by the County Assessor as 030-240-017 (portion) and 030-250-018.

Status: Staff has completed its review of the proposal. However, the City has filed a request with the Commission to delay consideration of the proposal in order to explore a separate agreement with the County to extend the current Williamson Act contract associated with the affected territory (attached). It is staff's understanding negotiations have reached an impasse with no new discussions calendared.

### **Jefferson Street No. 9 Annexation to Napa Sanitation District**

This application has been submitted by Tom Harding to annex 0.68 acres of incorporated territory within the City of Napa to Napa Sanitation District. The affected territory consists of one parcel and an associated right-of-way portion of Jefferson Street. The subject parcel is identified by the County Assessor as 038-581-002 and includes a single-family residence that is currently dependent on an onsite septic system to hold and discharge sewage. The purpose of the proposal is to annex the affected territory into NSD to establish public sewer service for the existing single-family residence.

It is important to note the County's Environmental Management Department recently performed an onsite review of the affected territory and has determined the septic system has failed and poses a public health risk. Given annexation proceedings require a minimum of two to three months to complete, it is expected the District will soon file a request with the Commission to approve an outside service agreement. Notably, if approved by the Chair, the outside service agreement will expedite the extension of public sewer service to the affected territory while annexation proceedings are completed.

Status: Staff recently issued a request for review and comment to local agencies on the proposal. Staff anticipates completing its analysis in presenting the proposal for Commission's consideration at the December 7, 2009 meeting.

### **Formation of the Villa Berryessa Water District**

This application has been submitted by Miller-Sorg Group, Inc. The applicant proposes the formation of a new special district under the California Water District Act. The purpose in forming the new special district is to provide public water and sewer services to a planned 100-lot subdivision located along the western shoreline of Lake Berryessa. A tentative subdivision map for the underlying project has already been approved by the County. The County has conditioned recording the final map on the applicants receiving written approval from the United States Bureau of Reclamation to construct an access road and intake across federal lands to receive water supplies from Lake Berryessa. Based on their own review of the project, the Bureau is requesting a governmental agency accept responsibility for the construction and perpetual operation of the water and sewer systems serving the subdivision.

Status: Staff is currently awaiting a response to an October 2008 request for additional information.

Staff is aware of four proposals that are expected to be submitted to the Commission in the near future. A summary of these future proposals follows.

### **Napa Sanitation District Outside Service Agreement No. 1**

Staff anticipates Napa Sanitation District will file an outside service agreement request to extend sewer service to 4220 Jefferson Street in the City of Napa. The anticipated request is intended to expedite the extension of public sewer service to an existing single family residence, which is currently dependant on a failing septic system. Approval of the request is intended to serve as a temporary measure to establish sewer service while annexation proceedings are processed as part of the aforementioned Jefferson Street No. 9 Annexation to Napa Sanitation District proposal.

Status: It is expected Napa Sanitation District will consider at its October 7, 2009 meeting adopting a resolution requesting Commission approval to enter into an outside service agreement with the affected property owner.

### **St. Regis Resort Project**

The City of Napa has initiated a planning process to develop approximately 93 acres of land comprising four parcels located along Stanly Lane in the Stanly Ranch area. The proposed project is intended to accommodate a 245-room luxury resort with a commercial vineyard. Commission approval will be needed to annex the affected territory to Napa Sanitation District for the purpose of extending public sewer service.

Status: The City is currently accepting comments on the Draft Environmental Impact Report (DEIR) prepared for the project through October 15, 2009. Staff submitted written comments on the DEIR on September 17, 2009 (attached).

### **American Canyon High School and American Canyon Middle School Project**

The Napa Valley Unified School District (NVUSD) has initiated a multi-phased planning process to construct a 2,200-student high school and 530-student middle school to serve the City of American Canyon. The project site is located at the northeast intersection of American Canyon Road and Newell Drive. NVUSD recently approved a final environmental impact report for the project. As part of the proposed project, Commission approval is required to annex the proposed high school site (45 acres) to American Canyon and the American Canyon Fire Protection District. Commission approval is also required to concurrently annex and add the proposed middle school site (17 acres) to both the City and District's spheres of influence. The Commission may also consider modifying the proposal to include the concurrent detachment of the affected territory from CSA No. 4.

Status: It appears this proposal will be brought to the Commission in phases. The first phase appears to involve NVUSD proposing annexation of the high school site to the District in the next few months. Additional phases of this project will likely be brought to the Commission over the next year.

### **American Canyon Town Center Project**

The City of American Canyon has initiated a planning process to develop approximately 100 acres of land comprising three parcels located southeast of the intersection of Highway 29 and South Napa Junction Road. The proposed project includes the development of 600 to 650 new residential units along with a mixture of commercial, retail, and public uses. Current planning activities completed to date include the preparation of a notice of preparation for a draft environmental impact report. As part of the proposed project, Commission approval is required to annex two of the three affected parcels totaling 70 acres into American Canyon. Commission approval is also required to annex one of the three affected parcels totaling 37 acres to the American Canyon Fire Protection District. The Commission may also consider modifying the proposal to include the concurrent detachment of the affected territory from CSA No. 4.

Status: The City has placed this project on administrative hold since July 2007.

## **B. Commission Review**

The Commission is invited to review and discuss any of the current or future proposals identified in this report.

Attachments:

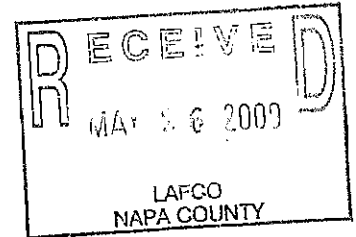
- 1) Letter from St. Helena
- 2) LAFCO comment letter on St. Regis DEIR



## City of St. Helena

*"We will conduct city affairs on behalf of our citizens  
using an open and creative process."*

1480 Main Street  
St. Helena, Ca 94574  
Phone: (707) 967-2792  
Fax: (707) 963-7748  
www.sthelena-city.com



May 20, 2009

Keene Simonds, Executive Officer  
LAFCO of Napa County  
1700 Second Street, Suite 268  
Napa, CA 94559

Re: City of St. Helena Chaix Lane Annexation

Dear Keene:

The City of St. Helena requests that LAFCO defer the notice of public hearing on the Chaix Lane spray field annexation. The City Council and the County Board of Supervisors have adopted resolutions pertaining to property tax exchange agreements, however they would like additional time to reach an agreement on the future uses of the property.

It is anticipated that this agreement will be in place prior to the July LAFCO meeting. Please contact Carol Poole, Planning Director, or Shelly Mills, Associate Planner at 967-2792 if you have any questions pertaining to this.

Sincerely,

Del Britton, Mayor



**Local Agency Formation Commission**  
**LAFCO of Napa County**

---

ATTACHMENT TWO

1700 Second Street, Suite 268  
Napa, California 94559  
Telephone: (707) 259-8645  
Facsimile: (707) 251-1053  
<http://napa.lafco.ca.gov>

September 17, 2009

**DELIVERED BY E-MAIL**

Mr. Michael Allen, Associate Planner  
City of Napa  
1600 First Street  
Napa, California 94559  
[mallen@cityofnapa.org](mailto:mallen@cityofnapa.org)

**SUBJECT: St. Regis Napa Valley Project Draft Environmental Impact Report**

Mr. Allen:

The Local Agency Formation Commission (LAFCO) of Napa County has reviewed the City of Napa's St. Regis Napa Valley Draft Environmental Impact Report (DEIR). The DEIR evaluates the potential impacts associated with the development of an approximate 93 acre incorporated project site located in the Stanly Ranch area. The project description contemplates the site will be developed to include a 245-room luxury resort with auxiliary facilities ranging from dining to event venues. It is also contemplated the site will include a commercial vineyard and winery with a maximum annual production capacity of 25,000 cases.

LAFCO serves as a responsible agency as defined under Public Resources Code Section 21069 for the proposed project with respect to approving the annexation of the site to the Napa Sanitation District (NSD) to accommodate public sewer service. LAFCO is also responsible for overseeing the orderly and sensible development of special districts that may be impacted, directly or indirectly, by the proposed project. With these factors in mind, LAFCO offers the following comments on the DEIR:

- Section 2.3.3 states the project site is located within NSD's sphere of influence and a wastewater pipeline will be constructed connecting to the District's treatment facility. This section should be expanded to clarify the project site is located outside NSD's jurisdictional boundary and LAFCO approval is required to annex the land to the District in order to establish public sewer service.
- Section 3.2.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to agricultural resources. This section concludes installing a wastewater pipeline to connect the project site to NSD's treatment facility will not convert the adjacent areas that are identified as important farmlands into non-agricultural uses. Additional analysis is warranted to justify this conclusion given the extension of municipal services, such as sewer, is generally viewed as growth inducing.

---

Juliana Inman, Vice Chair  
Councilmember, City of Napa

Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner  
Councilmember, City of American Canyon

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

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

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

Brian J. Kelly, Chair  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
*Executive Officer*

- Section 3.8.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to hydrology and water quality. This section states existing drainage within the project site will be impacted by increasing stormwater runoff due to construction of impervious surfaces, which will be directed to a centrally located swale and wetland. The DEIR includes a mitigation measure requiring the applicant prepare a detailed drainage plan for approval before the City issues a grading or building permit for the proposed project (HYD-4). Given the project site's proximity to expansive marshlands, this mitigation measure should be expanded to also require the applicant consult with the Napa County Mosquito Abatement District in preparing a drainage plan to help control and prevent mosquito breeding grounds.
- Section 3.9.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to land use matters. This section accurately states the proposed project does not conflict with any applicable adopted LAFCO policies (LU-4). This section also provides substantive analysis of the factors LAFCO must review under Government Code Section 56668 in considering the annexation of the project site to NSD. LAFCO commends the City for including this analysis in the DEIR.
- Section 3.12.6 discusses potential impacts and mitigation measures associated with the planned development of the project site with regard to public services and utilities. Although it is referenced throughout the DEIR, this section does not evaluate any direct or indirect impacts relating to the planned extension of recycled water service from NSD to the project site. Due to its expected role in supporting the project site's development, the DEIR should include analyses assessing potential impacts with extending recycled water service to the area.

LAFCO appreciates the opportunity to comment on the DEIR. If you have any questions regarding our comments, please contact me by telephone at (707) 259-8645 or by e-mail at [ksimonds@napa.lafco.ca.gov](mailto:ksimonds@napa.lafco.ca.gov).

Sincerely,



Keene Simonds  
Executive Officer

cc: Commissioners  
Jacqueline M. Gong, Counsel  
Beth Painter, Applicant Representative  
Kevin Block, Applicant Representative