



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

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

Agenda Item 7b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer BF DML
Dawn Mittleman Longoria, Analyst II/Interim Clerk
MEETING DATE: October 3, 2022
SUBJECT: Proposed Darling Street No. 7 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 – Darling Street No. 7 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 Number: 038-471-005
Location: 1239 Darling Street
Area Size: 0.65 acres
Jurisdiction: City of Napa ("City")
Sphere of Influence Consistency: Yes
Policy Consistency: Yes
Tax Sharing Agreement: Yes – master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: Exempt
Current Land Uses: one single-family residence and detached garages, max development potential is 3 total lots

Purpose: Permanent connection to sewer service
Development Plans: Yes – one additional residential unit
Application: Attachment Two
Maps of Affected Territory: Following pages

Margie Mohler, Chair
Councilmember, Town of Yountville

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

Kenneth Leary, Commissioner
Representative of the General Public

Mariam Aboudamous, Commissioner
Councilmember, City of American Canyon

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

Eve Kahn, Alternate Commissioner
Representative of the General Public

Beth Painter, Alternate Commissioner
Councilmember, City of Napa

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

Brendon Freeman
Executive Officer





DISCUSSION

Factors for Commission Determinations

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
2. Existing structures developed to density allowed in current zoning⁴
 - a. Any future development would require review and approval by the City

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)

⁴ CEQA Guidelines section 15319

RESOLUTION NO. ____

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

**DARLING STREET NO. 7
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 0.65 acres of incorporated land to the Napa Sanitation District and represents one entire parcel located at 1239 Darling Street and identified by the County of Napa Assessor’s Office as 038-471-005 along with the adjacent portion of public right-of-way on Darling Street; 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 proposed annexation also qualifies for the statutory exemption from further review under CEQA Guidelines Section 15319, which exempts annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or rezoning of either the gaining or losing environmental agency, whichever is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. 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:

**DARLING STREET NO. 7
ANNEXATION TO THE NAPA SANITATION DISTRICT**

5. The affected territory is shown on the map in the attached Exhibit “A”.
6. The affected territory so described is uninhabited as defined in California Government Code section 56046.
7. The Napa Sanitation District utilizes the regular assessment roll of the County of Napa.
8. The affected territory will be taxed for existing general bonded indebtedness of the Napa Sanitation District.
9. The proposal shall be subject to the terms and conditions of the Napa Sanitation District.
10. The Commission waives conducting authority proceedings in accordance with California Government Code section 56662(a).

11. Recordation is contingent upon receipt by the Executive Officer of the following:
 - (a) A final map and geographic description of the affected territory determined by the County Surveyor to conform to the requirements of the State Board of Equalization.
 - (b) All outstanding Commission fees.
 - (c) Written confirmation from the Napa Sanitation District that it is acceptable to record a Certificate of Completion.
12. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be recorded within one calendar year unless an extension is requested and approved by the Commission.
13. The Commission hereby directs staff to file a Notice of Exemption in compliance with CEQA.

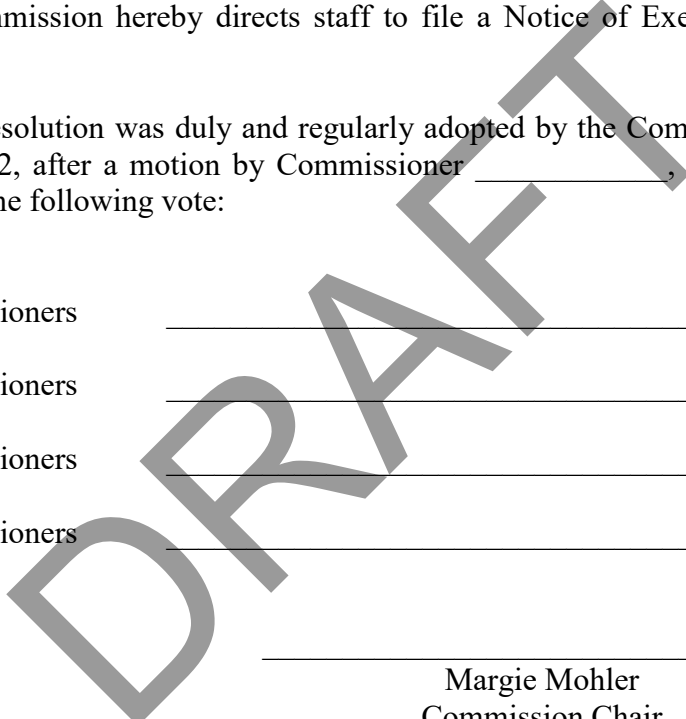
The foregoing resolution was duly and regularly adopted by the Commission at a public meeting held on October 3, 2022, after a motion by Commissioner _____, seconded by Commissioner _____, by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

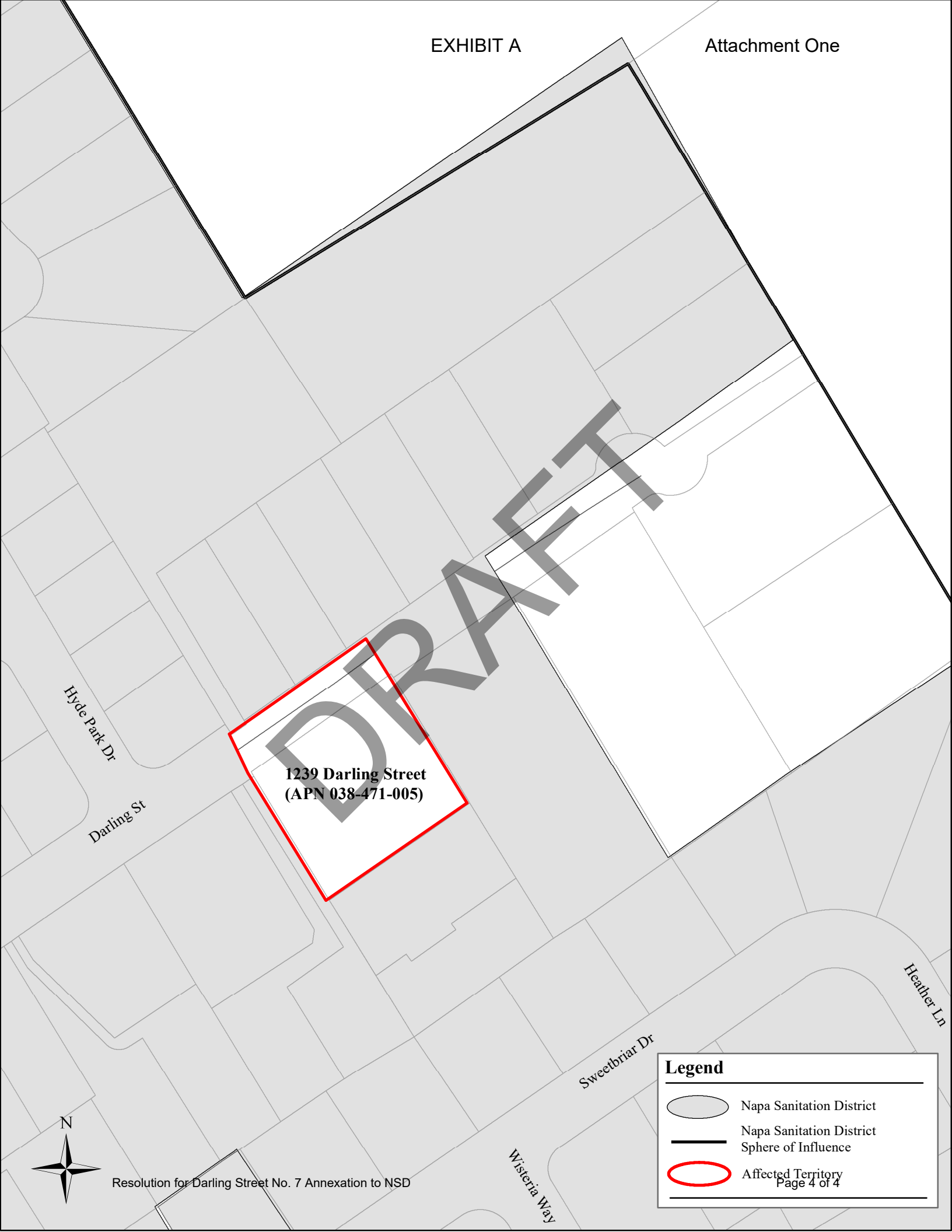
ABSTAIN: Commissioners _____



 Margie Mohler
 Commission Chair

ATTEST: _____
 Brendon Freeman
 Executive Officer




Recorded by: Dawn Mittleman Longoria
 Interim Commission Clerk



**1239 Darling Street
(APN 038-471-005)**



Legend

-  Napa Sanitation District
-  Napa Sanitation District Sphere of Influence
-  Affected Territory

Page 4 of 4

Date Filed: 7/25/22

Proposal Name: Darling St. #7 NSD

FORM D

PROPOSAL APPLICATION
Change of Organization/Reorganization



I. APPLICANT INFORMATION

A. Name:

Rene Gonzalez varquez

Contact Person

Agency/Business (If Applicable)

Address:

1238 Darling

Napa

94558

Street Number

Street Name

City

Zip Code

Contact:

707 307 2814

magic663@gmail.com

Phone Number

Facsimile Number

E-Mail Address

B. Applicant Type:
(Check One)

Local Agency

Registered Voter

Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies:

Napa Sunnyside District 1515 Soscol Ferry Road, 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)

Annexation to allow connection to public
sewer.

III. GENERAL INFORMATION

A. Location:

1239 Darling St	Napa CA 94558	.55
Street Address	Assessor Parcel Number	Acres
	Portion of right way	.01
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)		.65

B. Landowners:

(1) Assessor Parcel Number : 038-471-005 Name: Rene Gonzalez Vazquez
 Mailing Address: 1239 Darling St Napa CA 94558
 Phone Number: 707-307-2814 E-mail: _____

(2) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____

(3) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____

(4) Assessor Parcel Number : _____ Name: _____
 Mailing Address: _____
 Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

(1) Total Number of Residents: 4

(2) Total Number of Registered Voters: 2

D. Land Use Factors:

(1a) County General Plan Designation:

N/A

(1b) County Zoning Standard:

N/A

(2a) Applicable City General Plan Designation:

SFI.23

(2b) Applicable City Pre-zoning Standard:
(Required for City Annexations)

RI-7

E. Existing Land Uses:
(Specific)

One housing unit with a few detached
garages. Residential Land Use.

F. Development Plans:

(1a) Territory Subject to a Development Project?



Yes



No

(1b) If Yes, Describe Project:

Add another dwelling to the property

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

G. Physical Characteristics:

(1) Describe Topography:

Flat parcel

(2) Describe Any Natural Boundaries:

N/A

(3) Describe Soil Composition and Any Drainage Basins:

Coombs gravelly loam,
Hare Loam, Salvador Channel local drainage

(4) Describe Vegetation:

Trees and grass

H. Williamson Act Contracts
(Check One)



Yes



No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

(1) Enumerate and Describe Services to Be Provided to the Affected Territory:

Sewer Service

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

Sufficient to provide services to two residences

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

As soon as annexation is complete

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

Existing Sewer line is sufficient. Lateral connection.

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

Land Owner

V. ENVIRONMENTAL INFORMATION

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

(1) Lead Agency for Proposal: LAFCO
Name

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

Environmental Impact Report

Negative Declaration/Mitigated Negative Declaration

Categorical/Statutory Exemption: CEQA Guidelines Section 15282(k)
Type

None

Provide Copies of Associated Environmental Documents

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: Hugo Figueroa

Mailing Address: 520 California Blvd Suite 2, Napier, CA 94558

E-Mail: hfigueroaconstruction@gmail.com

(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:

Rene Gonzalez Varquez

Printed Name:

Rene Gonzalez Varquez

Title:

owner

Date:

07-14-22

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 four (legally uninhabited)
2. Land area and land use [§56668(a)]	Consistent: 0.65 acres, one single-family residence Jurisdiction: City of Napa, <i>Vintage</i> Planning Area
3. Assessed valuation [§56668(a)]	Consistent: Land: \$708,266 Structural improvements: \$257,546
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 3 total residential lots; future subdivision would require analysis and approval by the City; landowner plans to add one more residence.
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 and facilitate development of a second residence
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 probable future needs 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

<p>10. Government services effect of proposal on cost, adequacy and controls in area and adjacent areas</p> <p>[§56668(b)]</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>11. 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>12. Effects on planned efficient patterns of urban development</p> <p>[§56668(d)]</p>	<p>Consistent: City General Plan land use designation: <i>SFI-23 (Single Family Infill, 3 to 6 lots per acre)</i></p>
<p>13. 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>14. Boundaries: logical, contiguous, not difficult to serve, definite and certain</p> <p>[§56668(f)]</p>	<p>Consistent: One parcel and adjacent portion of right-of-way, one existing residence</p>
<p>15. Conformance to lines of assessment, ownership</p> <p>[§56668(f)]</p>	<p>Consistent: One parcel: APN 038-471-005</p>
<p>16. Creation of islands, corridors, irregular boundaries</p> <p>[§56668(f)]</p>	<p>Consistent: Would eliminate an existing pocket of territory surrounded by NSD's boundary</p>
<p>17. 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>18. Consistency with city or county general and specific plans</p> <p>[§56668(h)]</p>	<p>Consistent: City General Plan designation: <i>SFI-23 (Single Family Infill, 3 to 6 lots per acre)</i> City Zoning: <i>RI-7 (Residential Infill, minimum lot size 7,000 sq. ft.)</i></p>
<p>19. Consistency with spheres of influence</p> <p>[§56668(i)]</p>	<p>Consistent: Within NSD SOI since 1975</p>

<p>20. Comments from affected agencies and other public agencies [§56668(j)]</p>	<p>Consistent: No comments received</p>
<p>21. 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>22. 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>23. Fair share of regional housing needs [§56668(m)]</p>	<p>Consistent: Development of second residence would contribute one unit towards housing needs</p>
<p>24. Information or comments from landowners, voters, or residents in proposal area [§56668(n)]</p>	<p>Consistent: 100% consent of landowners</p>
<p>25. Existing land use designations [§56668(o)]</p>	<p>Consistent: City General Plan designation: <i>SFI-23 (Single Family Infill, 3 to 6 lots per acre)</i> City Zoning: <i>RI-7 (Residential Infill, minimum lot size 7,000 sq. ft.)</i></p>
<p>26. Effect on environmental justice [§56668(p)]</p>	<p>Consistent: No documentation or evidence suggesting the proposal will have any implication</p>
<p>27. Safety Element of GP concerns; identified as very high fire hazard zone [§56668(q)]</p>	<p>Consistent: Not located in a high fire hazard zone or a state responsibility area</p>
<p>28. Special district annexations: for the interest of landowners or inhabitants within the district and affected territory [§56668.3(a)(1)]</p>	<p>Consistent: Proposal approval would benefit by providing permanent access to public sewer service, eliminating public health hazard</p>