



LAFCO MEETING AGENDA

May 7, 2007

4:00 P.M.

**Board Chambers, County Administration Building
1195 Third Street, Room 305
Napa, CA**

Jack Gingles, Chair
Brad Wagenknecht, Vice-Chair
Bill Dodd, Commissioner
Juliana Inman, Commissioner
Brian J. Kelly, Commissioner
Cindy Coffey, Alternate Commissioner
Mark Luce, Alternate Commissioner
Gregory Rodeno, Alternate Commissioner

Keene Simonds, Executive Officer
Jacqueline Gong, Commission Counsel
Tracy Geraghty, Analyst
Kathy Mabry, Secretary

1. CALL TO ORDER; ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

Minutes of April 2, 2007

4. PUBLIC COMMENT

In this time period, anyone may comment to the Commission regarding any subject over which the Commission has jurisdiction, or request consideration to place an item on a future Agenda. No comments will be allowed involving any subject matter that is scheduled for hearing or discussion as part of this Agenda. Individuals will be limited to a three-minute presentation. No action will be taken by the Commission as a result of any item presented at this time.

5. CONSENT CALENDAR

Staff recommends approval of all items on the consent calendar without discussion. Proposed changes of organization or reorganization appearing on the consent calendar meet the provisions of applicable sections of the California Government Code that allow the Commission to waive subsequent protest proceedings.

a) *McCormick Lane No. 3 District Annexation to the Napa Sanitation District (Action)*

The Commission will consider an application to annex approximately 0.72 acres of incorporated territory to the Napa Sanitation District. The annexation is intended to provide sewer service to an existing single family residence as well as a planned new single family residence. (Assessor Parcel Numbers: 050-292-024 and 050-292-025)

b) **Amendment to Policy for the Performance Review of the Executive Officer (Action)**

The Commission will consider amending its policy to coordinate the Executive Officer's eligibility for salary increases with his periodic evaluations.

c) **Third Quarter Budget Report for Fiscal Year 2006-2007 (Receive and File)**

The Commission will receive a third quarter budget report for the 2006-2007 fiscal year. The budget report provides an overview of LAFCO expenses through the first nine months of the fiscal year and is being presented to the Commission to receive and file.

6. PUBLIC HEARING ITEMS

No public hearing items have been scheduled.

7. COMMISSION ACTION ITEMS

a) **Adopted Fee Schedule: Comprehensive Update**

The Commission will review a report from staff evaluating the current fee schedule. The report includes a recommendation to revise the fee schedule as part of a comprehensive update and is being presented to the Commission for discussion and preliminary action.

COMMISSION ACTION ITEMS CONTINUED...

b) **Comments on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report**

The Commission will consider authorizing the Chair to sign a letter commenting on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report.

8. COMMISSION DISCUSSION ITEMS

a) **Growth and Development Trends**

The Commission will receive a draft report on recent trends in residential development in the City of Napa with a focus on potential related activities under the authority of LAFCO. The draft report is being presented for information and discussion.

b) **Biennial Strategic Workshop**

The Commission will consider providing direction to staff with respect to scheduling a workshop in July 2007.

c) **Report from the CALAFCO Legislative Committee**

The Commission will receive a verbal report from the Executive Officer regarding the current activities of the CALAFCO Legislative Committee.

9. EXECUTIVE OFFICER REPORT

The Commission will receive an oral report from the Executive Officer regarding staff activities, communication, studies, and special projects. This includes the following items:

- 2007-2008 Budget
- California Government Code 56133
- American Canyon Fire Protection District Sphere of Influence Review
- CALAFCO Workshop

10. INFORMATION ITEMS

Information items are provided for the Commission to receive and file. The Commission may choose to discuss individual items or to receive and file the entire calendar.

a) **Current Proposals**

The Commission will receive a report from staff regarding current status of proposals that have been submitted to LAFCO.

b) **Circle Oaks County Water District**

The Commission will receive an status report from staff regarding the recent activities of the Circle Oaks County Water District.

11. CLOSED SESSION

No closed sessions have been scheduled.

12. COMMISSIONER COMMENTS; REQUEST FOR FUTURE AGENDA ITEMS

13. ADJOURNMENT

Adjournment to next regular meeting scheduled for June 4, 2007.

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the Napa County Clerk of the Board's Office 24 hours prior to the meeting at (707) 253-4196.



Local Agency Formation Commission
LAFCO of Napa County

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May 7, 2007
Agenda Item No. 5a

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Tracy Geraghty, Analyst

SUBJECT: *McCormick Lane No.3 District Annexation to Napa Sanitation District (Consent – Action)*

The Commission will consider an application to annex approximately 0.72 acres of incorporated territory to the Napa Sanitation District. The purpose of the annexation is to provide sewer service to an existing single family residence as well as a planned new single family residence.

Proposed is the annexation of approximately 0.72 acres of incorporated territory to the Napa Sanitation District. The subject territory is comprised of two assessor parcels in the City of Napa. The annexation is part of a development project approved by the City of Napa and is intended to provide sewer service to an existing single family residence as well as a planned new single family residence. The District is capable of extending services to the subject territory without impact on the service levels provided to current ratepayers. The Executive Officer recommends approval of this proposal.

BACKGROUND

Applicant: Andrew Clyde and Kevin Horowitz, Property Owners.

Proposal: The applicants propose annexation of approximately 0.72 acres of incorporated territory to the Napa Sanitation District. The annexation is part of a development project approved by the City of Napa. The proposal has 100% consent from property owners and affected agencies.

Location: The subject territory is comprised of two parcels at the southern terminus of McCormick Lane in the City of Napa. The County Assessor identifies these parcels as 050-292-024 and 050-292-025. The subject territory is represented on the attached vicinity map prepared by LAFCO staff.

Jack Gingles, Chair
Mayor, City of Calistoga

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Representative of the General Public

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Representative of the General Public

Keene Simonds
Executive Officer

FACTORS FOR CONSIDERATION: ANNEXATION TO NAPA SANITATION DISTRICT

California Government Code §56668 et al provides a list of factors to be considered in the review of a proposal. The Commission's review shall include, but is not limited to, consideration of these factors. Additional information relating to these factors can be found in the attached *Justification of Proposal*.

<p>(a) 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 incorporated and unincorporated areas, during the next 10 years.</p>	<p>There is currently one uninhabited single-family residence located in the subject territory. Annexation of the subject territory to the Napa Sanitation District would facilitate the remodeling of the existing residence and the development a second residence. Based on the California Department of Finance's projection of 2.62 persons per household in Napa, the subject territory at project buildout will have a population of between 5-6 persons. This density and projected growth is consistent with adjacent areas.</p> <p>Browns Valley Creek runs just south of the subject territory. Topography within the subject area is characterized by relatively flat lands.</p> <p>The total assessed value of the subject territory is \$915,000.¹</p>
<p>(b) Need for organized community services; the present cost and adequacy of governmental 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.</p> <p>"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.</p>	<p>The annexation of the subject territory would facilitate the extension of public sewer service to serve an existing single family residence as well as a second planned single family residence. Currently, the Napa Sanitation District has an average day sewer demand of 6.9 million gallons. At an expected use rate of 210 gallons per day (gpd) per residence, the underlying project will generate a new demand of 420 gpd. With a current capacity of 15.4 mgd, the Napa Sanitation District has sufficient capacity and facilities to provide service to the subject territory without impacting the service levels of current ratepayers.</p>

¹ The annexation of the subject territory to the Napa Sanitation District t will not change property taxes. Existing Tax Rate Areas (TRAs) will be matched to new TRAs. After annexation, the District will be permitted to charge property owners for services using the County's assessment rolls.

<p>(c) 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.</p>	<p>Annexation to the Napa Sanitation District would facilitate the development of the subject territory in a manner that is consistent with the surrounding area. The properties adjacent to the west and east of the subject territory are already served by the Napa Sanitation District</p>
<p>(d) The conformity of both 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 Section 56377. (Note: Section 56377 encourages preservation of agricultural and open-space lands.)</p>	<p>Annexation of the subject territory to the Napa Sanitation District is consistent with the planned, orderly, and efficient patterns of urban development within the City of Napa.</p>
<p>(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.</p>	<p>The subject territory is located within an urbanized portion of the City of Napa. Extension of sewer service to the subject territory would not result in an impact to agricultural lands.</p>
<p>(f) 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.</p>	<p>The subject territory was recently the subject of a ministerial lot-line adjustment to reconcile the existence of three legal underlying lots for the purpose of establishing two distinct assessor parcels.</p>
<p>(g) Consistency with city or county general and specific plans.</p>	<p>The proposal is consistent with the City of Napa General Plan. The City zoning standard for the subject territory is <i>Single-Family RS-7</i> under its General Plan land use designation of <i>Single-Family Residential</i>. This land use designation allows for a maximum density of six units per acre.</p>
<p>(h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.</p>	<p>The subject territory lies within the adopted sphere of influence of the Napa Sanitation District. The proposal is consistent with the sphere of influence.</p>
<p>(i) The comments of any affected local agency or other public agency.</p>	<p>The County of Napa Assessor's Office commented it prefers that assessor parcels not be split within Tax Rate Area (TRA) lines. No other substantive comments were received from any affected local agency during the review of this proposal.</p>
<p>(j) 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.</p>	<p>The Napa Sanitation District, through its resolution of consent, attests to its ability to extend sewer service to the subject territory without impact to existing ratepayers.</p>

(k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.	The subject territory is currently connected to the City of Napa's potable water system. The City's water management plan shows it is capable of delivering water to the subject territory to development levels consistent with the General Plan.
(l) 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 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.	The subject territory is located within the City of Napa. Annexation of the subject territory to the Napa Sanitation District will not impact the City or the County in terms of achieving their regional housing needs allocation.
(m) Any information or comments from the landowner or owners.	No comments were offered.
(n) Any information relating to existing land use designations.	As noted, the City of Napa General Plan zoning standard for the subject territory is <i>Single-Family RS-7</i> under its <i>Single-Family</i> land use designation.
5668.3 (a)1 Whether the proposed annexation will be for the interest of the landowners or present or future inhabitants within the district and within the territory proposed to be annexed to the district.	The proposed annexation is intended to benefit future inhabitants of the subject territory by providing access to public sewer service.

PROPERTY TAX AGREEMENT

In accordance with provisions of Revenue and Taxation Code §99, the County of Napa and the Napa Sanitation District by Resolution of the Board of Supervisors have agreed that no exchange of property taxes will occur as a result of annexation of lands to the Napa Sanitation District.

ENVIRONMENTAL ANALYSIS

In 2006, the City of Napa Community Development Department approved a lot-line adjustment and design review permit involving the subject territory. These projects, which qualify as ministerial activities under the City Municipal Code, involved 1) dividing an existing assessor parcel into two assessor parcels and 2) renovating an existing single-family residence and developing a new single-family residence. In approving these ministerial projects, City staff determined that these activities were categorically exempt from the California Environmental Quality Act under Class 5 (minor lot line adjustments) and Class 3 (up to three new single family residences). As a condition of approval, the City is requiring that the property owner annex the subject territory to the Napa Sanitation District. LAFCO has considered these determinations and believes they adequately address the impacts associated with the underlying project and the annexation of the subject territory to the Napa Sanitation District.

ALTERNATIVES FOR COMMISSION ACTION

After consideration of this report, the Commission should consider taking one of the following actions:

Option A: Adopt the form of the attached resolution approving the proposed *McCormick Lane No. 3 District Annexation to the Napa Sanitation District*.

Option B: If the Commission requires more information, continue this matter to a future meeting.

RECOMMENDATION

The Executive Officer recommends Option A: approval of the annexation proposal as submitted by the applicants.

Respectfully submitted,

Keene Simonds
Executive Officer

Tracy Geraghty
Analyst

Attachments:

- ~~1. LAFCO Aerial Map~~
- ~~2. Draft LAFCO Resolution of Approval~~
- ~~3. Justification of Proposal~~
- ~~4. NSD Resolution No. 07-007~~



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May 7, 2007
Agenda Item No. 5b

May 7, 2007

TO: Local Agency Formation Commission

FROM: Jacqueline M. Gong, LAFCO Counsel

SUBJECT **Amendment to Policy for the Performance Review of the Executive Officer (Consent - Action)**

The Commission will consider amending its policy to coordinate the Executive Officer's eligibility for salary increases with his periodic evaluations.

The Executive Officer serves at the will of the Commission and his services are contracted from the County of Napa through a Support Services Agreement (SSA). The SAA provides that LAFCO staff, as County employees, serve in accordance with County personnel policies and rules. County policy requires employees to be evaluated at six and twelve months of hire or promotion, and thereafter annually. Employees are eligible for merit salary increases upon satisfactory evaluations (e.g. at six and twelve months, and then annually); except an employee, who is hired at a salary higher than the initial salary step receives his first salary increase upon satisfactorily serving twelve months (instead of six months).

Counsel recommends the amendment of the LAFCO Policy for the Performance Review of the Executive Officer. This amendment will reconcile the timing of the Executive Officer's performance review with when he is also eligible for salary increases in accordance with County personnel rules. The Policy currently provides for an initial evaluation at six months and then at twelve months from the date of hire, and thereafter annually. The Executive Officer was hired in June 2006 at the initial salary step. He received his six-month evaluation and first salary increase in December 2006. Under the current LAFCO Policy, his next evaluation is due this June. However, under County personnel rules, he is not eligible for another salary increase until December 2007. The proposed amendment would coordinate the timing of the evaluations and salary increases. (This was not an issue for the previous Executive Officer, Dan Schwarz, as he was hired at above the initial salary step.)

Recommendation

It is recommended that the Commission adopt the Policy as amended in the attachment.

Respectfully submitted,

Jacqueline M. Gong
LAFCO Counsel

~~Attachment: as stated~~

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May 7, 2007
Agenda Item No. 5c

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Third Quarter Budget Report for Fiscal Year 2006-2007 (Consent)

The Commission will receive a third quarter budget report for the 2006-2007 fiscal year. The budget report provides an overview of LAFCO expenses through the first nine months of the fiscal year and is being presented to the Commission to receive and file.

The third quarter of the Commission's 2006-2007 fiscal year ended on March 31, 2007. Overall expenses through the third quarter totaled \$194,915, which represents 53% of the adopted operating budget (non-reserve accounts) with three-fourths of the fiscal year complete. An overview of expenses through the third quarter follows.

Salaries and Benefits:

Through the end of the third quarter, the Commission expended \$135,942 on salaries and benefits. These expenditures represent 51% of the total amount budgeted in the eight affected accounts for the fiscal year. All accounts finished the third quarter with total balances at or above 25%. It is expected that these accounts will collectively finish with an approximate surplus of \$55,000 due to the extended vacancy of the analyst position, which was not filled until December 2006.

Services and Supplies:

Through the end of the third quarter, the Commission expended \$58,974 on services and supplies. These expenditures represent 58% of the total amount budgeted in the 13 affected accounts for the fiscal year. Four accounts – professional services, property lease, publications, and training – finished the third quarter with total balances below 25%. It is expected that all four of these accounts will finish the fiscal year in a deficit. Staff also expects the legal expense account to finish in a deficit. A summary of all five of these accounts follows.

Jack Gingles, Chair
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- The professional services account covers the cost of the annual independent audit and services provided by the County Auditor-Controller's Office. Due to increased usage of the Auditor-Controller's Office, expenditures through the third quarter in this account have exceeded the budgeted amount by \$1,395. Because of the continual demand for the Auditor-Controller's Office to process payroll and journal entries it is expected that the deficit in this account will increase to approximately \$3,000 by the end of the fiscal year. Expected savings in the salaries and benefits accounts will be used to cover this shortfall.
- The property lease account is encumbered in full at the beginning of the fiscal year by the County Auditor-Controller's Office. A deficit of \$693 is reflected in this account and is the result of an amended lease agreement that was approved by the Commission following the adoption of the final budget. The amended lease agreement for office space at 1700 Second Street in Napa establishes a fixed monthly rent rate of \$2,250 through June 2009. This rent amount is \$58 more a month than projected by staff at the time the final budget was approved. Expected savings in the salaries and benefits accounts will be used to cover this shortfall.
- The publications account covers all legal notices and related expenses. Due to advertisement and noticing costs associated with the alternate public member position, expenditures through the third quarter in this account have exceeded the budgeted amount by \$297. It is expected that this account will finish the fiscal year with a total deficit of approximately \$350. Expected savings in the salaries and benefits accounts will be used to cover this shortfall.
- The training account is used for a variety of instructional activities for staff and Commissioners. Through the third quarter, the Commission has expended \$2,795 of the \$3,000 budgeted in this account. The majority of these expenditures were drawn from registration costs for the 2006 CALAFCO Annual Conference in San Diego, which was attended by two staff and four Commissioners. Additional instructional expenses are expected over the final quarter, including training for new staff, and will likely produce a small deficit in the account. Expected savings in the salaries and benefits accounts will be used to cover a shortfall.
- The legal expense account covers services provided by Council Jackie Gong. In January, LAFCO received an invoice for legal services through December in the amount of \$7,536. Ms. Gong has informed staff that she has billed 81 hours for the months of January, February, and March, which represents a charge to LAFCO in the amount of \$10,462 (\$129.17 per hour). The majority of these hours have been spent addressing the issue of outside service provision in south Napa County. In all, LAFCO has expended through the third quarter \$17,998 of the \$18,750 budgeted for legal services. It is evident that LAFCO will experience a significant shortfall in this account. Staff will closely monitor the

account and advise the Commission if the shortfall will produce an overall deficit in LAFCO's operating budget.

Reserve and Contingency Funds:

The Commission has not expended any of its operating reserve or professional service contingency funds through the third quarter.

The fourth and final quarter of the fiscal year ends on June 30, 2007. Staff will return to the Commission with a fourth quarter report in August.

Attachments:

- ~~1) General Line Item Budget: July 1, 2006 through March 31, 2007~~



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May 7, 2007
Agenda Item No. 7a

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Adopted Fee Schedule: Comprehensive Update (Action)

The Commission will review a report from staff evaluating the current fee schedule. The report includes a recommendation to revise the fee schedule as part of a comprehensive update and is being presented to the Commission for discussion and preliminary action.

California Government Code §56383 authorizes the Commission to establish a fee schedule for the costs associated with fulfilling its responsibilities under the Cortese-Knox-Hertzberg Local Government Reorganization Act. This code section specifies that the Commission's fee schedule shall not exceed the estimated "reasonable cost" of the underlying service. This code section also empowers the Commission to waive a fee if it determines that the payment would be detrimental to the public interest.

At the direction of the Commission, staff has prepared a review of the current fee schedule that includes evaluating options to improve cost recovery as part of a comprehensive update. Staff is recommending that the Commission update the fee schedule to increase the hourly staff rate used in calculating application fees from \$50 to \$90. This recommendation is identified as Option "A" in the report.

BACKGROUND

In December 2001, the Commission adopted an updated fee schedule to address its new responsibilities under the Cortese-Knox-Hertzberg Local Government Reorganization Act. Marking the update was a transition by the Commission to incorporate a flat fee schedule assessing applicants based on the average number of hours associated with processing various types of proposals. The Commission also established an hourly staff rate of \$50 that was calculated to provide partial recovery of LAFCO's processing costs while limiting the financial impact to applicants. Additionally, the fee schedule was categorized based on 1) whether an annexation or detachment proposals has 100% consent from affected property owners and agencies and 2) the type of environmental review required.

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Executive Officer

In May 2004, the Commission amended the fee schedule to no longer categorize annexation and detachment proposals based on the type of environmental review associated with the proposal. Since that time, no other substantive amendments to the fee schedule have been made. The current fee schedule is provided in Attachment One.

DISCUSSION

In January 2007, the 2007-2008 Budget Committee (Kelly and Wagenknecht) met to review the Commission's operating expenses for the upcoming fiscal year. In presenting a draft budget at the February 7, 2007 meeting, the Budget Committee recommended that the Commission revisit its fee schedule to consider whether changes are appropriate to improve cost recovery. The Commission approved the recommendation of the Budget Committee and directed staff to review and provide options with respect to updating the fee schedule for consideration at a future meeting.

Current Fee Schedule

Beginning in 2001 with the implementation of the Cortese-Knox-Hertzberg Local Government Reorganization Act, the Commission has experienced a measurable increase in its regulatory and planning responsibilities. These changes have required the Commission to address a number of new and often complex factors in fulfilling its legislative directive to plan the orderly development of local agencies in a manner that preserves agricultural and open-space lands. A tangible outcome of these changes has been a significant increase in the amount of time needed to process applicant proposals. Notably, without the benefit of offsetting these new costs by raising fees, the Commission has absorbed the additional workload as part of its annual budget, which has experienced nearly a two-thirds increase in labor and overhead expenses since 2001.

In terms of a regional comparison, four other Bay Area LAFCOs (Alameda, Contra Costa, Santa Clara, and Sonoma) have fee schedules that are similar to Napa.¹ All five LAFCOs assign flat fees that distinguish between annexation and detachment proposals having 100% consent from affected property owners and agencies. However, Napa is the only LAFCO within this comparison group that does not also distinguish the type of environmental review associated with the proposal. With regard to actual fees, Napa assesses applicants substantially less than the other four LAFCOs in the comparison group for annexation and detachment proposals as illustrated in the following tables.

¹ Marin, San Mateo, and Solano LAFCOs have adopted fee schedules that assign annexation and detachment fees based on the acreage of the subject territory. San Francisco LAFCO does not have a comparable fee schedule.

Proposals with 100% Consent (Categorically Exempt)	
Napa	\$500
Alameda	\$900
Sonoma	\$1,880
Contra Costa	\$2,965
Santa Clara	\$5,172

Proposals without 100% Consent (Categorically Exempt)	
Napa	\$1,000
Alameda	\$1,575
Sonoma	\$2,400
Contra Costa	\$2,965
Santa Clara	\$10,612

Proposals with 100% Consent (Negative Declaration)	
Napa	\$500
Alameda	\$1,930
Sonoma	\$2,800
Contra Costa	\$3,515
Santa Clara	\$5,353

Proposals without 100% Consent (Negative Declaration)	
Napa	\$1,000
Alameda	\$2,590
Sonoma	\$3,320
Contra Costa	\$3,515
Santa Clara	\$10,793

Proposals with 100% Consent (Environmental Impact Report)	
Napa	\$500
Alameda	\$3,135
Sonoma	\$3,500
Contra Costa	\$3,765
Santa Clara	\$5,909

Proposals without 100% Consent (Environmental Impact Report)	
Napa	\$1,000
Contra Costa	\$3,765
Alameda	\$3,800
Sonoma	\$4,775
Santa Clara	\$11,349

**Proposed Fee Schedule Update
(Option A and Option B)**

Staff has identified two separate options that retain the positive aspects of the current fee schedule along with employing different cost recovery practices as part of a comprehensive update. These options are identified as “A” and “B” and are summarized below in terms of their similarities and differences.

Similarities

Options A and B retain the Commission’s use of a flat fee schedule that assesses applicants based on an updated calculation of the average number of hours associated with processing different types of proposals. Options A and B also retain the practice of categorizing fees based on whether an annexation or detachment proposal has 100% consent from affected property owners and agencies. With regard to changes, similar to other Bay Area LAFCOs, Options A and B both expand the fee schedule to begin categorizing whether the annexation or detachment proposal involves an exemption, negative declaration, or an environmental impact report. Other similarities include:

- establishing an additional fee for annexation or detachment proposals that involve boundary changes involving two or more agencies.
- distinguishing the Commission's role as a lead or responsible agency under the California Environmental Quality Act.
- charging an "at cost" fee for establishing, amending, or updating spheres of influence and preparing municipal service reviews.
- charging an "at cost" fee for special district formations, consolidations, and dissolutions and for city incorporations and dissolutions.

Differences

The key feature that separates Options A and B are different weighted hourly staff rates that practice different levels of cost recovery with respect to labor (staff and benefits) and administrative overhead (rent, insurance, legal, supplies, and technology).² The hourly staff rate for Option A is \$90 and is calculated to provide full cost recovery. In contrast, the hourly staff rate for Option B is \$60 and is calculated to provide partial cost recovery. The inputs and methodologies used in calculating the hourly staff rates for Options A and B are provided in Attachment Two.

Impact to Applicants

Options A and B would both result in substantial increases to the fee schedule with respect to processing annexation and detachment proposals. An appropriate baseline for comparing the financial impact of Options A and B is the most common application to LAFCO, an annexation of an existing single-family residence to the Napa Sanitation District. This type of application, which has full consent and is exempt from environmental review, is currently charged \$500. Under this baseline scenario, an applicant would pay \$1,350 under Option A and \$900 under Option B. A complete listing of the application fees for annexation and detachment proposals under Options A and B are provided in Attachment Three.

ANALYSIS

It has been five years since the Commission adopted a comprehensive update to its fee schedule. Since then, while the number of applications received by the Commission each year has remained generally consistent, the length of time and the amount of staff resources dedicated to processing proposals has increased significantly.³ In addition, all six of the Commission's funding agencies (County of Napa and the Cities of American

² The hourly staff rates for Options A and B are weighted to reflect the proportional time requirements of staff in processing a typical proposal between LAFCO's three budgeted positions, Executive Officer, Analyst, and Secretary.

³ Between 2001 and 2006, the median number of annual applications received by the Commission is 15.5.

Canyon, Calistoga, Napa, St. Helena, and the Town of Yountville) have actively implemented their own cost recovery practices to address their own rising operational costs. These factors collectively make it appropriate for the Commission to adopt an updated fee schedule to provide a more accurate recovery of the costs associated with processing applications.

Recognizing that an update to the fee schedule is warranted, the key issue for the Commission is to determine the degree of cost recovery it wishes to practice. As mentioned, it has been the practice of the Commission to absorb some of the costs associated with processing applications. If the Commission wishes to continue this practice it should select Option B. However, if the Commission wishes to seek full cost recovery with regard to processing proposals it should select Option A.

RECOMMENDATION

Staff recommends that the Commission select Option A as part of a comprehensive update to the fee schedule. Option A provides the most accurate recovery of costs associated with processing applications in terms of staff and overhead expenses and maximizes the ability of the Commission to help offset the demands on its six funding agencies. The proposed update to the fee schedule is provided as Attachment Four.

In receiving this report, staff recommends that the Commission:

1. Consider the proposed update to the fee schedule and provide staff with direction with respect to any desired changes;
2. Direct staff to circulate the proposed fee schedule to all local agencies and interested parties pursuant to California Government Code §66016; and
3. Direct staff to schedule a public hearing for the Commission for final review and adoption of the proposed fee schedule update for June 4, 2007.

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- ~~1) Current Fee Schedule~~
- ~~2) Hourly Staff Rate Calculations~~
- ~~3) Estimated Staff Hours for Annexations and Detachments~~
- ~~4) Proposed Fee Schedule Update (Option A)~~



Local Agency Formation Commission
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May 7, 2007
Agenda Item No. 7b

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Comments on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report (Action)

The Commission will consider authorizing the Chair to sign a letter commenting on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report.

On February 16, 2007, the County of Napa released a Draft General Plan Update along with an accompanying Draft Environmental Impact Report for public review and comment. The Commission received a presentation on both documents at its April 2, 2007 meeting from County Planning Director Hillary Gitelman. Staff has reviewed both documents and has prepared the attached comment letter for signature by the Chair. The deadline for submitting comments is June 18, 2007.

Discussion

The Draft General Plan Update identifies the County's land use and development policies through the year 2030. The document continues to reflect the policies of the current 1983 General Plan with respect to protecting and promoting agricultural uses and directing urban development to cities and already developed unincorporated areas in Napa County. In terms of notable changes, the document proposes new land use designations for Angwin and the Napa Pipe area that could facilitate additional urban development. The document also includes an urban growth boundary for the City of American Canyon that reflects its sphere of influence plus unincorporated lands to the east that fall below the 15 percent contour line of the adjacent foothills.

The Draft Environmental Impact Report (DEIR) considers five distinct planning alternatives associated with the Draft General Plan Update. These alternatives are summarized below.

Alternative "A"

Under this planning alternative the County would effectively readopt the 1983 General Plan with only a few minor revisions. The DEIR estimates that this alternative would result in the addition of 2,235 dwelling units and 5,013 residents in the unincorporated area between 2005 and 2030.

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Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Alternative “B”

Under this planning alternative the County would adopt portions of the Draft General Plan Update. This would include making minor land use changes involving Angwin as well as redesignating the Napa Pipe area as “transitional” to accommodate a mixture of future commercial, industrial, and residential uses. The DEIR estimates that this alternative would result in the addition of 3,885 housing units and 9,029 residents in the unincorporated area between 2005 and 2030.

Alternative “C”

Under this planning alternative the County would adopt most portions of the Draft General Plan Update. This would include making changes covered under Alternative B as well as redesignating land in Angwin and Pope Valley from agriculture to urban use, which would be contingent on voter approval pursuant to Measure J. The DEIR estimates that this alternative would result in the addition of 7,635 housing units and 18,063 residents in the unincorporated area between 2005 and 2030.

Alternative “D”

Under this planning alternative the County would modify the current 1983 General Plan by expanding policies relating to resource conservation. No other substantive changes would be implemented under this alternative. The DEIR estimates that this alternative would result in the addition of 1,951 housing units and 4,390 residents in the unincorporated area between 2005 and 2030.

Alternative “E”

Under this planning alternative the County would adopt portions of the Draft General Plan to allow for additional hillside residential development, reduce parcel density requirements, and make a number of transportation-related improvements. The DEIR estimates that this alternative would result in the addition of 6,535 housing units and 15,075 residents in the unincorporated area between 2005 and 2030.

* As of 2005, the DEIR states that there were 11,855 housing units and 28,600 residents in unincorporated Napa County.

Analysis

It is reasonable to assume that the implementation of the Draft General Plan Update will facilitate development projects that will require action from the Commission. Specific actions that could be engendered by the Draft General Plan Update include annexations, special district formations, and revisiting regional service needs as part of the municipal service review process. In particular, the potential intensification of urban uses in Angwin and the Napa Pipe area will likely trigger the need for new or elevated public services to accommodate additional growth within these areas.

Staff has prepared a comment letter regarding the Draft General Plan Update and Draft Environmental Impact Report for signature by the Chair. The letter discusses the potential need for new or elevated services to accommodate additional development in Angwin and the Napa Pipe area as well as suggested revisions to the Draft Environmental Impact Report.

Recommendation

It is recommended that the Commission take the following action:

1. Authorize the Chair to sign the attached letter with any desired changes commenting on the County's Draft General Plan Update and Draft Environmental Impact Report

Respectfully submitted,

Keene Simonds
Executive Officer

Attachments:

- 1) Draft Comment Letter to Hillary Gitelman, County Planning Director



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May 7, 2007

Hillary Gitelman, Planning Director
 County of Napa
 1195 Third Street, Room 210
 Napa, CA 94559

SUBJECT: Draft General Plan Update and Draft Environmental Impact Report

Ms. Gitelman:

Thank you for presenting the Local Agency Formation Commission (LAFCO) of Napa County with the opportunity to comment on the County of Napa's Draft General Plan Update and Draft Environmental Impact Report. LAFCO will use both final documents in fulfilling its regulatory and planning responsibilities under the authority of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. These duties include, but are not limited to, approving annexations, sphere of influence updates, and special district formations, consolidations, or dissolutions.

With respect to the Draft General Plan Update, LAFCO's primary consideration pertains to the Agricultural Preservation and Land Use Element. Notably, this section enumerates the goals and policies of the County with regard to future land uses in Napa County. With this in mind, LAFCO offers the following comments.

Regional Planning Issues

Policy Ag/LU-125 addresses the role of LAFCO in directing future growth and development in Napa County. This is an important addition to the County General Plan, and LAFCO welcomes the County's commitment to work with the Commission in encouraging urban-centered growth and the preservation of agricultural and open-space lands.

Angwin

The Draft General Plan Update identifies two alternatives that would make substantive changes to land use designations and zoning standards involving the unincorporated community of Angwin (pages 51-58). With minor variations, both alternatives would eliminate existing agricultural zoning standards for all

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 Executive Officer

lands designated for urban use. Both alternatives would also redesignate a number of developed properties from agriculture to urban, which is subject to a countywide vote as required under Measure J. If implemented, it is expected that both alternatives would facilitate the expansion and intensification of urban uses in Angwin. It is also reasonable to expect that the expansion and intensification of urban uses would trigger the need for a range of new or elevated public services. The Final General Plan Update and Final Environmental Impact Report would be measurably strengthened by contemplating and addressing these needs.

Napa Pipe Area

The Draft General Plan Update redesignates approximately 250 acres of unincorporated land in south Napa County from industrial to transitional use. The subject area is located immediately south of the City of Napa and includes the former site of the Napa Pipe Company. The intent of this redesignation is to provide flexibility to the County in redeveloping the area with a mixture of commercial, industrial, and residential uses. If implemented, it is expected that redevelopment would trigger the need for a range of new or elevated public services. The Final General Plan Update and Final Environmental Impact Report would be measurably strengthened by contemplating and addressing these needs.

Berryessa Estates/Berryessa Highlands

The Draft General Plan Update provides summary descriptions involving the unincorporated communities of Berryessa Estates and Berryessa Highlands (pages 57-60). The Final General Plan Update should recognize that these communities receive water and sewer services from the Lake Berryessa Resort Improvement District and the Napa Berryessa Resort Improvement Districts, respectively.

In terms of the Draft Environmental Impact Report, the document provides a satisfactory review of the impacts associated with implementing the General Plan Update. However, the document does not address specific activities or projects that would underlie the implementation process. It is LAFCO's understanding that this approach is by design and that the County will address the impacts associated with implementing specific phases of the General Plan Update as part of separate environmental documents. However, as mentioned in the preceding section regarding Angwin and the Napa Pipe area, the Final Environmental Impact Report would be strengthened by addressing the probable need for new or elevated public services to accommodate additional growth within these areas. Other comments regarding the Draft Environmental Impact Report include:

- Mitigation Measures 4.13.3.1b and 4.13.4.1 would require that the County include a policy in the Final General Plan Update to coordinate with public and private service providers to verify the availability of adequate water and wastewater services to accommodate new development projects. These mitigation measures should be amended to also require that the County coordinate with LAFCO pursuant to California Government Code §56000 et seq.
- Figure 3.0-2 identifies Bell Canyon Reservoir as part of the water supply system of the City of Napa. Bell Canyon Reservoir is part of the water supply system of the City of St. Helena.
- Page 4.13.53 suggests that the Napa Sanitation District is an independent special district. Napa Sanitation District is a dependent special district as defined under California Government Code §56044.
- Pages 4.13.15 through 4.13.33 provide a summary of public water service operations in Napa County. The majority of information included in this section is drawn directly from LAFCO's *Comprehensive Water Service Study* (2004). LAFCO requests that the Final Environmental Impact Report identify LAFCO as the information source where appropriate.

If you have any questions, please contact the LAFCO Executive Officer Keene Simonds at ksimonds@napa.lafco.ca.gov or by phone at (707) 259-8645.

Sincerely,

Jack Gingles
Chairman



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May 7, 2007
Agenda Item No. 8a

May 7, 2007

TO: Local Agency Formation Commission

FROM: Tracy Geraghty, Analyst (TG)

SUBJECT: Growth and Development Trends (Discussion)

The Commission will receive a draft report on recent trends in residential development in the City of Napa with a focus on potential related activities under the authority of LAFCO. The draft report is being presented for information and discussion.

At the December 4, 2006 Commission meeting a request was made of staff to provide an "overview" of growth and development trends with respect to land use actions throughout Napa County with a focus on highlighting potential activities under the authority of LAFCO. Drawing from this request staff has begun reviewing recent and projected growth for all affected land use authorities in Napa LAFCO's jurisdiction. Staff has prepared the attached report discussing recent trends in residential development in the City of Napa and the potential for annexations of residential land which may come before the Commission.

The report is being presented to the Commission for discussion. Staff will provide a brief presentation highlighting the key trends and LAFCO interests discussed in the report. Future phases of this report will include reviewing growth and development trends involving the other land use authorities in Napa County.

Attachments:

- 1) Report (Draft)
- 2) Map

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Keene Simonds
Executive Officer

Review of Residential Development in the City of Napa

The City of Napa's planning policies and activities are administered by the Community Development Department (CDD). CDD is responsible for administering the land use policies codified in the City General Plan which was last updated in 1998. The City's Housing Element, a plan to accommodate state housing assignments, was updated and recertified in 2005. Per state law, the next Housing Element is due in 2009. In addition to the General Plan and Housing Element, the City's voter-adopted urban growth boundary (RUL) serves as a key planning tool in guiding future development. The RUL is generally coterminous with the City's sphere of influence (SOI) which was comprehensively updated by LAFCO in 2005.

The City currently has a resident population of approximately 74,782 and 29,433 residential units.

I. Residential Development Trends

In 1994, anticipating a General Plan update, the City of Napa estimated there were 27,098 residential units within its incorporated boundary. In adopting the General Plan, the City anticipated the development of an additional 7,840 residential units through the year 2020. If implemented on an annual basis this projected development would result in approximately 304 new residential units per year. Since 1994 the City has issued 3,422 residential building permits. This amount, which represents an annual average of 263 new residential units, reflects a development rate slightly less than what is projected in the General Plan. Notably, since 1994 there have been only two years when total new residential development has exceeded 300 units in a single year, and in six of the last ten years the City has issued fewer than 250 building permits.

In March 2007, City staff prepared a report summarizing current and planned development trends in the City. This report identified the following current and planned residential projects:

Recent Residential Projects (completed and/or in progress)

- Napa Terrace – 21 of 78 single family residences
- Oak Leaf Ranch (near Coombsville Road/Terrace) -- 18 single family residences and 3 accessory second units
- Appella (California Blvd.) – 36 of 42 single family attached residences
- Sheveland Ranch (South Jefferson) – 51 of 82 single family attached residences
- The Creek on Clay Street – 2 multifamily residences
- Hawthorne II (Solano Avenue) – 44 multifamily residences
- 5 accessory second units around town and several very small subdivisions

Several of these projects are still currently under construction and will continue to build out including Sheveland Ranch, four Terrace-Shurtleff subdivisions, and approximately 10 smaller single family home projects including Hidden Glenn in the Coombsville area. All

together these projects will create up to 194 residential units which could provide housing for 513 residents.*

Approved Residential Projects (not yet constructed)

There are another 467 residential units in 40 approved projects throughout the City. The largest 10 of these projects include:

- Hussey Ranch (Browns Valley) – 72 single family residences
- Carmel Subdivision (Carmel Drive) – 43 single family residences and 15 accessory second units
- Sciambra Bakery (Freeway Drive) – 23 multifamily residences
- Golden Gate Village (Imola) – 17 multifamily residences
- Napa Creek Condos – 26 single family attached residences and 21 second units
- River Park Townhomes (South Jefferson) – 54 single family attached residences
- Channel Riverfront (Main Street) – 50 multifamily residences
- Foothill Estates (Old Sonoma Road) – 10 single family residences
- West F Street area Subdivision – 29 single family residences in 2 subdivisions

The other 30 smaller projects approved but not yet developed may combine for an additional 122 units. All together these approved projects may create up to

- 245 single family residences,
- 87 single family attached residences,
- 97 multifamily residences, and
- 38 accessory granny units.

These 467 residential units may provide housing for 1,233 residents.

Pending Applications for Residential Projects

There are currently 22 applications for residential development pending approval at the City. The largest pending project is an expansion of the Meadows, the retirement complex in the southwest corner of Napa. The Meadows is proposing 60 new assisted living units plus a remodeling of 65 existing units to make 39 larger senior apartments (net loss of 21 units). Other notable pending applications include:

- Creek Court Townhomes (First Street) – 56 single family attached residences
- Pear Tree Terrace East (near Trancas and Soscol) – 40 single family attached residences
- Pear Tree Terrace West (near Trancas and Jefferson) 38 single family attached residences
- Silverado Villa (Villa Lane) – 20 multifamily residences
- Freeway Drive Townhomes – 18 multifamily residences
- Redwood Duets (Redwood Road) – 34 single family attached “duets” (like duplexes)

* The State Department of Finance projection of 2.64 persons per residence has been used to calculate residential population projections in this report.

An additional 15 smaller projects are pending approval which could result in 49 more residential units. There are also two pending applications for condominium conversions of existing multifamily residences at Marina Vista (38 units) and Cadillac Flats (42 units). No new units would be created with these conversions and 80 units would be taken out of the rental (and possibly “affordable”) market.

All together, these pending applications may create up to

- 26 single family residences,
- 227 multifamily residences,
- 60 new senior apartments, and
- 2 new accessory second units.

These 315 units could provide housing for 832 residents.

In summary, there are 1,493 residential units in the City of Napa either currently under construction, approved but not yet constructed, or pending approval. These units could provide housing for 3,942 residents. However, in some instances projects receive approvals but do not proceed. Once construction is underway, single family residences typically take about 6 months, and multifamily residences and condominiums 12 months to complete. Projects often take 2 or more years from *approval* dates to completion.

II. Potential Annexations

There are currently 1,001 parcels totaling 1,132 acres of unincorporated land in the City of Napa’s sphere of influence which could come before the Commission for annexation. Of these parcels, eight are outside the City’s RUL including approximately 320 acres of Napa State Hospital land and approximately 150 acres of the Syar properties. For the purposes of this analysis, this report focuses on potential development within the City’s RUL only.

Nearly two-thirds (624) of the parcels available for annexation within the City’s RUL are part of unincorporated islands either entirely or substantially surrounded by the existing City limits. These islands account for less than one-third (172) of the available acreage, and many of the parcels within the islands are already developed with single family homes. The remaining one third of the parcels (369) available for annexation fall between the City limits and RUL. These parcels constitute more than 70 percent of the acreage (418) which could be annexed, and many are not presently developed.

All residential units – potential or actual – located in “County islands” or other areas on the perimeter of the City limits, as long as they are inside the City’s SOI, have been designated for urban Reserve in both the City and County General Plans. Both the City and County have policies precluding “further urbanization” of these island lands without annexation. Therefore, the City of Napa, and not the County, uses these lands to fulfill RHND allocations in its Housing Element.

Unincorporated Islands

As mentioned, there are presently 624 parcels comprising 172 acres of unincorporated land qualifying as unincorporated islands as defined under California Government Code and Commission policy. Of these island parcels, almost 93 percent are in the City's Pueblo Planning Area. All of this unincorporated land is designated for single family residential development in the City's General Plan and many are already developed with single family residences. Based on land use designations in the General Plan, these parcels could hold between 396-803 residences for a resident population of between 1,045 and 2,120.

The remaining seven percent of unincorporated islands in the City fall in the City's Westwood and Terrace-Shurtleff planning areas. The Westwood area has two islands north of Browns Valley Road comprised of 11 and 3 parcels totaling 14.8 and 3.2 acres, respectively. Each island is designated by the City for residential development and each has several large parcels which may be subdivided to accommodate a total of between nine and 66 residences for a resident population of between 24 and 174. The Terrace-Shurtleff area is comprised of four distinct island areas totaling 31 parcels and almost 47 acres. All of this land is designated for either single family or multi family residential development. These parcels could hold between 347-677 residences for a resident population of between 916-1,787.

Unincorporated Land Outside the City, Inside the RUL

As mentioned, there are presently 369 parcels comprising 418 acres of unincorporated land between the City's existing boundary and its RUL. The majority of this unincorporated land is designated for single family residential development. Of these parcels, slightly more than two-thirds are in the City's Terrace-Shurtleff Planning Area. In this area, 254 parcels combine to create approximately 67 acres of land designated for residential development. Many of the parcels have existing single family homes, through there are still several large lots remaining which could be subdivided and further developed.

The City's Westwood Planning Area contains 23 parcels of unincorporated land totaling approximately 190 acres. More than 100 of these acres are known as the Ghisletta property and are designated for residential and commercial development, and another 32 are owned by the Horseman's Association. Three of these parcels are currently in the process of being annexed to the City. The 23 parcels in this planning area could provide approximately 750 residences for a resident population of 1,980.

The City's Browns Valley Planning Area contains 50 parcels of unincorporated land totaling approximately 46 acres. These parcels are zoned for single family residential development and could provide approximately 140 residences for a resident population of 370.

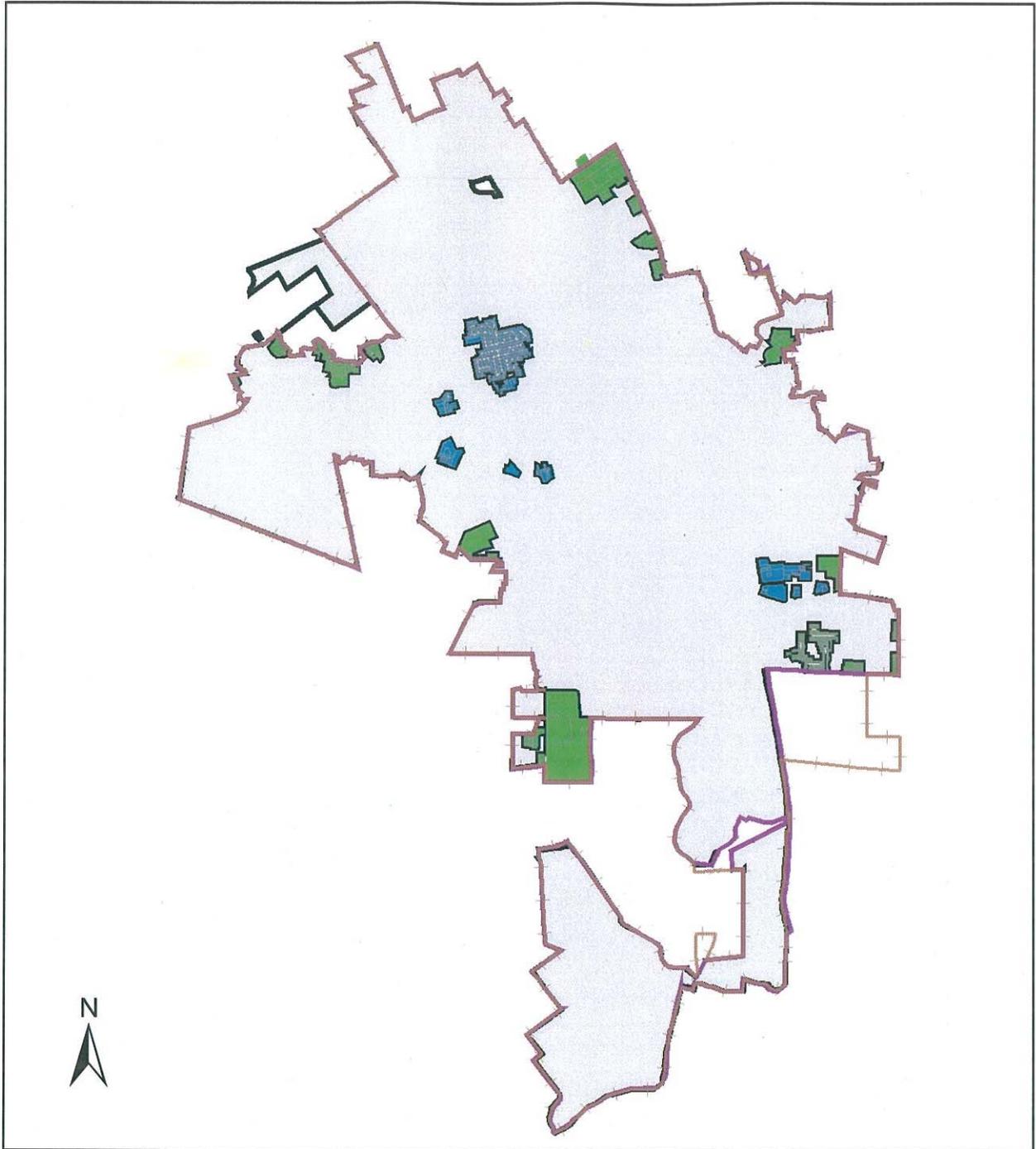
The City's Vintage Planning Area contains 31 parcels of unincorporated land totaling approximately 92 acres. Approximately half of these acres are Van Winden properties, currently active plant nurseries but zoned for residential development. All

of the parcels in this planning area are designated for single family residential development and together could provide up to 367 residences for a resident population of 967.

The City's Alta Heights Planning Area off Silverado Trail contains 12 parcels of unincorporated land totaling approximately 30 acres. All of these parcels are designated for single family residential development and together could provide up to approximately 90 residences for a resident population of 238.

A map depicting the City's boundary, RUL, SOI, and these potential annexation areas is provided as an attachment.

Potential Annexations to the City of Napa



Legend

-  City of Napa Boundary
-  City of Napa Sphere of Influence
-  City of Napa RUL
-  Potential Island Annexations
-  Potential Annexations Outside City Limits and Inside URL

May 2007
Prepared by: TLG



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May 7, 2007
Agenda Item No. 8b

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Biennial Strategic Workshop (Discussion)

The Commission will consider providing direction to staff with respect to scheduling a workshop in July 2007.

Beginning in 2001, it has been the practice of the Commission to schedule a workshop for each odd-numbered year to discuss and strategize its goals and objectives over the next two years. These workshops have also provided the opportunity for the Commission to address specific policy and administrative issues. In 2001, the Commission developed a set of priorities that became the basis for its inaugural work schedule for service reviews and sphere of influence updates under the Cortese-Knox-Hertzberg (CHK) Local Government Reorganization Act of 2000. In 2003, the Commission revisited its work schedule and examined its responsibilities under the California Environmental Quality Act. In 2005, the Commission discussed its role in encouraging island annexations and reviewed its operating policies that led to a number of revisions as well as the adoption of a mission statement.

Discussion

As mentioned, previous workshops have focused on specific functions of the Commission in fulfilling its regulatory and planning responsibilities under CKH. As the Commission begins to address information and proposals emerging from its inaugural schedule of service reviews and sphere updates, a workshop focused on the broader role of the Commission seems warranted. With this in mind, staff recommends that Commission consider scheduling a workshop in July that would address the following topics:

- Review the purpose and powers of LAFCO
- Develop criteria for evaluating annexation proposals
- Discuss goals and objectives for the next two years

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Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer

Recommendation

It is recommended for the Commission to take the following actions:

1. Direct the Executive Officer to prepare and schedule a workshop for the month of July; and
2. Discuss and identify topics for the workshop.

Respectfully submitted,

Keene Simonds
Executive Officer



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May 7, 2007
Agenda Item No. 10a

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer
Tracy Geraghty, Analyst

SUBJECT: Current Proposals (Information)

The Commission will receive a report from staff regarding the current status of proposals that have been submitted to LAFCO. The report is being presented for information.

Staff is currently processing four proposals for future consideration by the Commission. A summary of each proposal follows.

Wilkins Avenue City Annexation to the City of Napa

This application has been submitted by the City of Napa and proposes the annexation of approximately 0.77 acres of unincorporated territory to the City. The subject territory comprises one parcel with an existing single-family residence and is located on Wilkins Avenue south of its intersection of Shetler Avenue. The purpose of the annexation is to facilitate the future division and development of the subject territory under the land use authority of the City. (Assessor Parcel Number 046-271-023)

El Centro Avenue No. 9 City Annexation to the City of Napa

This application has been submitted by the City of Napa and proposes the annexation of approximately 6.65 acres of unincorporated territory to the City. The subject territory comprises two parcels and a right-of-way portion of El Centro Avenue and is entirely surrounded by the existing City limits. Existing uses include two single-family residences and a planted vineyard. Significantly, the agricultural use associated with the subject territory appears to meet the broad definition of "prime agricultural land under Government Code 56064(d), which is defined as land planted with fruit, nut-bearing trees, or vines that produces commercial value of not less than \$400 per acre. This definition precludes the subject territory from qualifying as an "unincorporated island." The purpose of the annexation is to facilitate the future subdivision and development of the subject territory under the land use authority of the City. (Assessor Parcel Numbers 038-361-009 and 038-091-013)

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Executive Officer

Browns Valley Road No. 11 District Annexation to the Napa Sanitation District

This application has been submitted by an interested property owner and proposes the annexation of approximately 0.77 acres of incorporated territory to the Napa Sanitation District. The subject territory comprises one parcel with an existing single-family residence and is located on Browns Valley Road near its intersection with Partrick Road in the City of Napa. The purpose of the annexation is to extend public sewer service to the existing single-family residence, which is currently served by a septic system. (Assessor Parcel Number 050-180-008)

Villa Lane No. 7 District Annexation to the Napa Sanitation District

This application has been submitted by an interested property owner and proposes the annexation of approximately 1.35 acres of incorporated territory to the Napa Sanitation District. The subject territory comprises one residential parcel and a right-of-way portion of Villa Lane in the City of Napa. The purpose of the annexation is to facilitate the subdivision and development of the subject territory into a 20-unit condominium. This underlying development project has been approved by the City and is referred to as the “Silverado Villa.” (Assessor Parcel Number 038-250-014)

Maps for each proposal will be provided to the Commission at the meeting.



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May 7, 2007
Agenda Item No. 10b

May 7, 2007

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Circle Oaks County Water District (Information)

The Commission will receive a status report advising that the Circle Oaks County Water District recently lifted its moratorium on new sewer service connections. The report is being presented for information.

At its April 19, 2007 meeting, the Circle Oaks County Water District adopted an ordinance lifting its moratorium on new sewer service connections. The moratorium was enacted by the District Board in December 2006 in response to a Cleanup and Abatement Order from the Regional Water Quality Control Board due to suspected deficiencies regarding excessive storm and groundwater intrusion into the collection system. Over the last several months, the District has worked with the Regional Water Quality Control Board in making improvements to the collection system and has determined that it is now capable of safely extending new sewer services.

It is important to note that the lifting of the moratorium on new sewer service connections represents the first time since August 2000 that the District has not operated under a service moratorium. A moratorium on new water service connections was established in August 2000 due to concerns regarding available fire storage capacity and was not lifted until December 2006.

Attachment:

~~1) Circle Oaks County Water District, Ordinance No. 07-01 (copy)~~

Jack Gingles, Chair
Mayor, City of Calistoga

Juliana Inman, Commissioner
Councilmember, City of Napa

Cindy Coffey, Alternate Commissioner
Councilmember, City of American Canyon

Brad Wagenknecht, Vice-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, Commissioner
Representative of the General Public

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Keene Simonds
Executive Officer