Local Agency Formation Commission
LAFCO of Napa County

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JUNE 5, 2006
AGENDA ITEM NO. 8a

May 25, 2006

TO: Local Agency Formation Commission

FROM: Keene Simonds, Acting Executive Officer

SUBJECT: **Napa Sanitation District: Comprehensive Sphere of Influence Review**
The Commission will review an updated report regarding the comprehensive sphere of influence review of the Napa Sanitation District. The updated report includes recommendations and is being presented for a first-reading.

Staff has prepared the attached updated report regarding the comprehensive sphere of influence review of the Napa Sanitation District (NSD). The updated report revises and codifies earlier reports presented to the Commission at its December 5, 2005, February 6, 2006, and April 3, 2006 meetings. The updated report includes completed analysis and recommendations for four of the five study categories developed as part of this review. At the direction of the Commission, staff will complete its analysis and offer recommendations for the fifth study category, Study Category "C," following the completion of the current update to the County of Napa General Plan.

The updated report is being presented for a first-reading. This will include a presentation by staff providing an overview of the report and its recommendations, which are summarized on page 21. The presentation will provide an opportunity for the Commission to ask questions and provide direction to staff with regard to the review process. Staff anticipates presenting a final report and a draft resolution adopting a sphere of influence update for NSD at the Commission's August 2006 regular meeting.

Note: Staff will initiate a 30-day public comment period on the NSD sphere of influence review following today's meeting. Comments received during this period will be incorporated into the final report and presented to the Commission at its August 2006 regular meeting.

Dr. Andrew Alexander, Vice-Chair
Mayor, City of Calistoga

Bill Dodd, Chair
Supervisor, 4th District

Guy Kay, Commissioner
Representative of the General Public

Kevin Block, Commissioner
Councilmember, City of Napa

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Brian Kelly, Alt. Commissioner
Representative of the General Public

Cindy Coffey, Alt. Commissioner
Councilmember, City of American Canyon

Mark Luce, Alt. Commissioner
Supervisor, 2nd District

Keene Simonds
Acting Executive Officer

LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

NAPA SANITATION DISTRICT
COMPREHENSIVE SPHERE OF INFLUENCE REVIEW

UPDATED REPORT

JUNE 2006

LAFCO of Napa County

Committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.

Bill Dodd, Chair
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Cindy Coffey, Alt. Commissioner
Brian Kelly, Alt. Commissioner
Mark Luce, Alt. Commissioner

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INTRODUCTION

Established in 1963, Local Agency Formation Commissions (LAFCO) are responsible for administering California Government Code Sections 56000 et. seq., which is known as the Cortese-Knox-Hertzberg (CKH) Local Government Reorganization Act of 2000. CKH charges LAFCO with encouraging the orderly formation and development of local agencies in a manner that preserves agricultural and open-space lands, promotes the efficient extension of municipal services, and prevents urban sprawl. Principle duties include regulating boundary changes through annexations or detachments, approving or disapproving city incorporations, and forming, consolidating, or dissolving special districts. LAFCOs are located in all 58 counties in California.

Among LAFCO's primary planning responsibilities is the determination of a sphere of influence for each agency under its jurisdiction. California Government Code §56076 defines a sphere as "a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission." LAFCO establishes, amends, and updates spheres to indicate to local agencies and property owners that, at some future date, a particular area will likely require the level of services offered by the subject agency. The sphere designation also indicates to other potential service providers which agency LAFCO believes to be best situated to offer the services in question. LAFCO is required to review each agency's sphere every five years.

In reviewing an agency's sphere, the Commission is required to consider and prepare written statements addressing four factors enumerated under California Government Code §56425(e). These factors are identified below.

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

In addition, when reviewing a sphere for an existing special district, the Commission must also do the following:

- Require the existing district to file a written statement with the Commission specifying the functions or classes of services it provides.
- Establish the nature, location, and extent of any functions or classes of services provided by the existing district.

To help ensure that the Commission is well informed when reviewing a sphere, LAFCO is required to conduct a service review on the subject agency. The service review is a comprehensive evaluation of the subject agency's ability to provide service within a geographic area designated by LAFCO. This includes preparing written determinations addressing nine specific service factors enumerated under California Government Code §56430. These determinations, which range from infrastructure needs or deficiencies to government structure options, must be by adopted by the Commission before the sphere review of the subject agency.

Napa Sanitation District

In October 2005, LAFCO of Napa County issued the first phase of its *Comprehensive Study of Sanitation/Wastewater Treatment Providers*. This initial phase was prepared for the Commission by Cotton/Bridges/Associates and included service review profiles for the 10 agencies providing public sewer services in Napa County, including the Napa Sanitation District (NSD).[1] Based on the service review profile on NSD, LAFCO initiated the second phase of the study and prepared written determinations on the District. These written determinations were adopted by the Commission at its April 3, 2006 regular meeting.[2] In adopting written determinations, the Commission fulfilled its service review requirement for NSD.

This report represents the sphere review of NSD. The report summarizes the primary planning factors used by the Commission in establishing the NSD sphere as well as in approving subsequent amendments. The report also outlines and evaluates the criteria used in establishing five distinct study categories for consideration as part of this review. These study categories represent areas that comprise specific boundary line and land use criterion. Recommendations are offered for each study category.

The preparation of this sphere review and its recommendations are based on information collected and analyzed as part of the aforementioned *Comprehensive Study of Sanitation/Treatment Providers* and is incorporated by reference. Written statements addressing the four factors enumerated under California Government Code §56425(e) that the Commission must consider when making a sphere determination will be prepared as part of a separate resolution.

[1] A review of NSD's reclamation services was included as part of the Commission's *Comprehensive Water Service Study*. Written determinations addressing NSD's reclamation services were adopted by the Commission on October 11, 2003 (LAFCO Resolution No. 03-29).

[2] LAFCO Resolution No. 06-03.

OVERVIEW

NSD was formed in 1945 to provide public sewer service for the City of Napa (Napa) and the surrounding unincorporated area of Napa County. The formation of NSD followed an agreement between Napa and the County of Napa (County) to coordinate public sewer provision for the purpose of serving existing and planned urban development in south Napa County. NSD began providing sewer service following the construction of its first collection and treatment facility in 1949.[3] NSD presently provides sewer service to most of Napa along with several surrounding unincorporated developments, including the Silverado County Club and Estates, Chardonnay and Eagle Vines Golf Clubs, Napa State Hospital, and the Napa County Airport. In all, NSD currently serves 33,712 service connections within an estimated resident service population of 78,529.[4]

Napa Sanitation District

Date Formed	1945
Enabling Legislation	Health and Safety Code 4700 et. seq.
Services Provided	Sewer Reclaimed Water
Residential Service Connections	29,973
Estimated Residential Service Population	78,529

NSD is governed by a five-member board of directors consisting of a county supervisor, the mayor and a councilmember from Napa, and two public members. (Napa and the County appoint their own public member.) Service provision is guided by a master plan, which was adopted by the NSD Board in 1988. NSD is currently in the process of preparing an update to the master plan to codify service plans and objectives through 2030. The update will include a technical analysis of NSD's sewer capacities and will incorporate projected service demands drawn from the Napa General Plan (1998) and the current update to the County General Plan.

Adoption of Sphere of Influence

NSD's sphere was adopted by LAFCO in 1975. Principal planning factors used by the Commission in establishing the location of the sphere included recognizing the service capabilities of NSD and the adopted policies of Napa and the County with respect to existing and planned urban development. Notably, in addition to including the entire jurisdictional boundary of the NSD, the Commission designated the sphere to closely reflect Napa's adopted urban growth boundary referred to as the "Rural-Urban Limit" (RUL) line.[5] The sphere also included territory located outside the Napa RUL to recognize existing outside service provision for Kaiser Steel and the Napa State Hospital. The sphere was also configured to reflect available sewer capacity within the "Milliken Creek – McKinley Road" area.[6]

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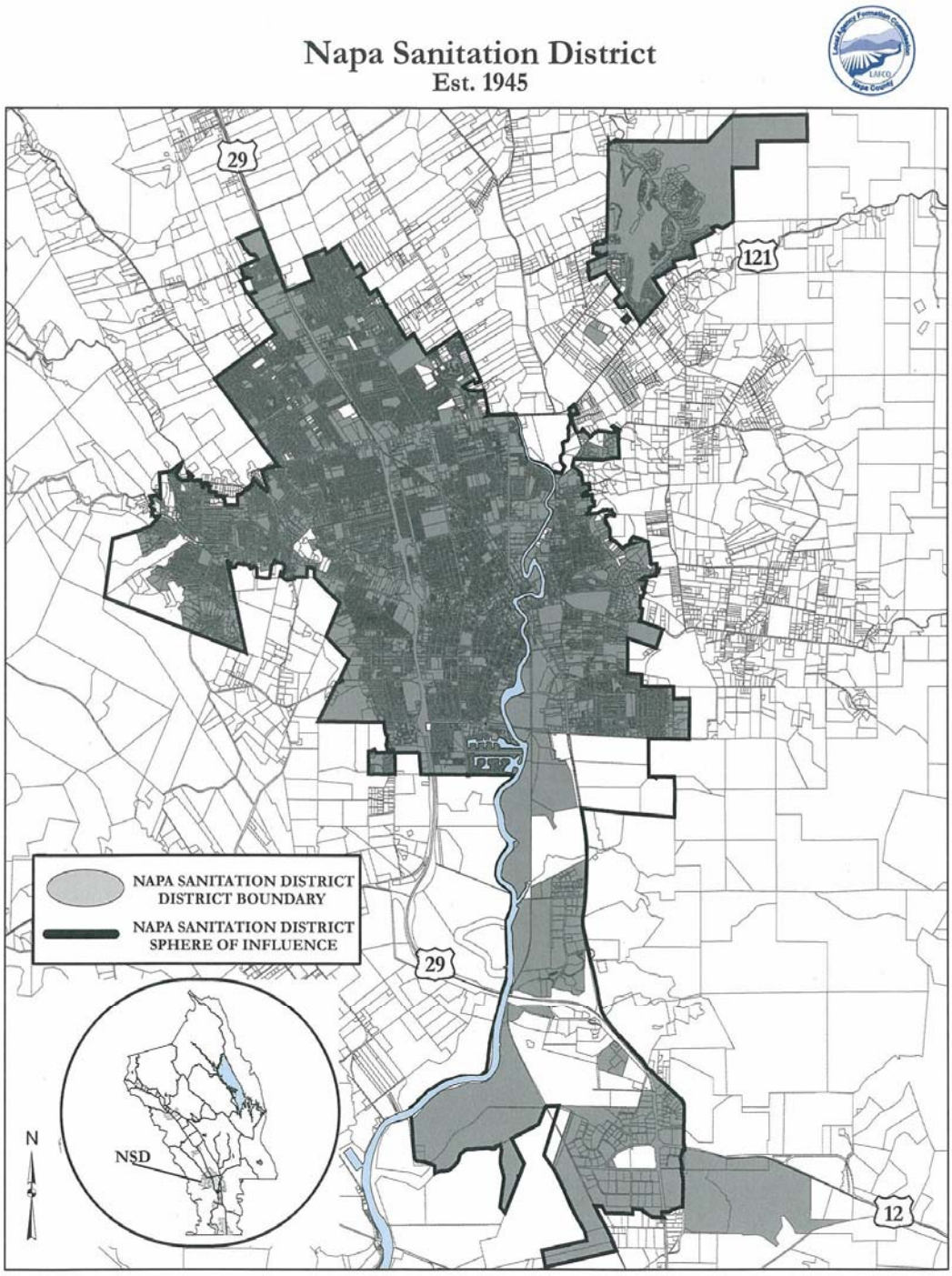
[3] NSD expanded its operations in the early 1980s to include restricted (secondary) reclaimed water service for irrigation on non-domestic crops. These reclamation services were expanded in the late 1990s to include unrestricted (tertiary) reclaimed water for irrigation of domestic crops as well as for parks, golf courses, and certain industrial and commercial uses.

[4] Projection based on the 2005 California Department of Finance population per household estimate (2.62) assigned to Napa County and multiplied by the number of residential sewer connections within NSD (29,973).

[5] A notable exception of land inside the Napa RUL that was not included into the NSD sphere involved an approximate 900-acre incorporated area commonly referred to as "Stanly Ranch." It appears that Stanly Ranch was excluded from the sphere for consistency with an earlier determination by the Commission to exclude the area from the Napa sphere as part of a policy statement against its urban development.

[6] LAFCO removed the Milliken-Creek-McKinley Road area from the NSD sphere in 1976 at the request of property owners.

Existing NSD Jurisdiction and Sphere Boundaries



Source: Napa County GIS
July 2005; KS

Amendments to Sphere of Influence

LAFCO has adopted 30 amendments to the NSD sphere since 1975. The majority of these amendments have involved territory located in the Napa RUL. The remaining portion of these amendments have primarily involved unincorporated territory located south of the Soscol Ridge and north of the City of American Canyon, including the Napa County Airport and surrounding industrial area.[7] Nearly all of these amendments have been engendered by property owners as part of concurrent annexation proposals to the NSD to serve existing or planned residential or industrial development.

Napa Sanitation District: Sphere of Influence Amendments		
Proposal Name	**Acreage**	**Date Approved**
Borrette Lane No. 6	2.4	June 10, 2004
Forest Drive	4.9	June 12, 2003
Los Robles Drive	5.9	June 12, 2003
Browns Valley Road/Thompson Avenue No. 3	5.5	October 11, 2001
Atlas Peak Road//Monticello Road Area	1.70	April 2, 1997
Partrick Road/Borrette Lane Area	3.31	April 13, 1994
Napa County Airport Area	93.0	May 12, 1993
Shurtleff Avenue/Cayetano Drive Area	10.32	January 15, 1992
Salvador Avenue/Abbey Road Area	5.05	October 9, 1991
Forest Drive/Browns Valley Road Area	1.02	June 12, 1991
Browns Valley Road/Camilla Drive Area	0.82	April 10, 1991
Atlas Peak Road/Hillcrest Drive No. 2	4.04	April 10, 1991
Hagen Road Area No. 2	0.55	March 13, 1991
Redwood Road/Forest Drive Area	1.36	October 10, 1990
Napa County Airport Industrial Area – No. 1	---[1]	October 11, 1989
Broadmoor Drive/Dartmouth Drive Area	5.0	October 11, 1989
Atlas Peak Road/Hillcrest Drive No. 1	1.08	June 15, 1988
Napa County Airport Industrial Area	650	February 18, 1988
Browns Valley Road/ Redwood Road Area	36.89	December 10, 1986
Foster Road Area	35.86	August 27, 1986
Borrette Lane Area	22.14	May 28, 1986
North Kelly Road -Jamieson Canyon Road Area	25.27	October 29, 1984
Hagen Road Area	33.60	October 14, 1982
Napa County Airport – Fagan Slough Area	64.70	November 19, 1979
Pinewood Drive – Browns Valley Road Area	75.31	March 22, 1979
Redwood Road – Arden Way Area	33.43	October 17, 1977
Redwood Road – Montana Drive Area	1.37	October 17, 1977
El Centro Avenue/Solomon Avenue No. 8	12.16	September 29, 1976
Blackwood Area	14.50	July 14, 1976
Milliken Creek – McKinley Road (removal)	900[2]	May 12, 1976

[7] The Napa County Airport and surrounding industrial area were included into the NSD sphere as part of three separate amendments between 1988 and 1993. In amending the sphere to include these areas, the Commission designated Fagan Creek as the southern boundary line for NSD. This designation recognized a formal agreement between NSD and the American Canyon County Water District (merged with the City of American Canyon upon its incorporation in 1992) to use the creek as the boundary line between their respective service areas.

[1] Technical adjustment to amend the NSD sphere to conform to existing parcel lines located along Fagan Creek.

[2] Estimate based on current GIS records for subject territory.

Current Boundaries

NSD's sphere encompasses approximately 14,744 total acres and includes 25,276 parcels.[8] Of this amount, approximately 13,183 total acres and 25,034 parcels are located inside the NSD jurisdictional boundary. This differential indicates that there are approximately 1,561 total acres (11%) and 242 parcels (10%) located inside the NSD sphere, but outside its jurisdictional boundary.

Napa Sanitation District: Current Boundaries
(Source: County of Napa Geographic Information System; December 2005)

Sphere of Influence	Jurisdictional Boundary
14,744 acres	13,183 acres
25,276 parcels	25,034 parcels

Land Use Authorities

NSD operates under the land use authorities of Napa and the County. Close to three quarters of NSD's jurisdictional boundary is incorporated and under the land use authority of Napa. The remaining quarter of NSD's jurisdictional boundary is unincorporated and under the land use authority of the County.

Napa Sanitation District: Land Use Authorities
(Source: County of Napa Geographic Information System; December 2005)

City of Napa	County of Napa
74%	26%
9,804 acres	3,379 acres

DISCUSSION

The underlying objective of this report is to identify and evaluate areas that warrant consideration for inclusion or removal from the NSD sphere as part of a comprehensive review. In the course of identifying areas to evaluate, staff has placed an emphasis on consistency between the NSD sphere and the Napa and County General Plans with respect to planned urban development. This approach is consistent with CKH and the Commission's "General Policy Determinations," which were last revised in 2001. Consideration is also given to the service capacity of NSD, which is drawn from information collected and analyzed as part of the *Comprehensive Study of Sanitation/Wastewater Providers*.

[8] The phrase "total acres" accounts for both parcels and associated right-of-ways.

As noted earlier, California Government Code §56076 defines a sphere as "the probable physical boundaries and service area of a local agency, as determined by the Commission." Underscoring this definition is the tenet that the sphere promote the orderly development of an agency and its services while protecting against the premature conversion of agricultural and open-space lands. This includes encouraging the logical development of an agency to advantageously provide for the present and future needs of the community. The Commission's General Policy Declarations emphasizes its commitment to these concepts and includes a policy statement that urban development and services be located in areas designated for urban use in the County General Plan. The General Policy Declarations also state the Commission shall utilize the County General Plan to determine agricultural or open-space lands designations.

California Government Code requires that LAFCO review each agency's sphere every five years. It has been the practice of this Commission to establish a sphere for the subject agency that emphasizes a probable five-year service area.

STUDY CATEGORIES

Five study categories have been developed as part of this comprehensive sphere review. These study categories represent areas that comprise specific boundary line and land use criterion. Four of the five study categories represent areas that are located outside the existing NSD sphere. These study categories are identified as Study Categories "A," "B," "C," and "E" and are evaluated to consider the merits of their inclusion into the sphere. A fifth study category, which is identified as Study Category "D," represents an area already inside the existing NSD sphere. This study category is evaluated to consider the merits of its removal from the sphere.

Each study category is generally described in terms of size, location, and current land uses. Other factors addressed include the land use designations of the affected territory and the consistency between the planned uses as identified in the Napa and County General Plans. Land use densities for affected territory are also provided. Densities for the County are identified under its zoning standards with respect to minimum parcel sizes; the County does not specify maximum parcel sizes. Maximum densities for Napa are identified under its land use designation, while its zoning standards provide specificity regarding minimum parcel sizes.

As part of this review, LAFCO has relied on two distinct methods to identify land use designations for Napa and the County. Land use designations for Napa are identified using the land use map adopted as part of its General Plan, which is parcel-specific. Land use designations for the County are identified using its adopted zoning standards, which are also parcel-specific. The decision to use zoning standards to identify land use designations for the County is based on the recommendation of its Planning Department and is drawn from the lack of parcel-specificity associated with the land use map adopted as part of the County General Plan.

Study Category A

(Emphasis reflects areas that are outside the NSD sphere, but inside the Napa sphere)

This study category consists of 175 parcels representing approximately 1,370 acres. It comprises 14 distinct incorporated and unincorporated areas that are located outside the NSD sphere and jurisdictional boundary, but inside the Napa sphere and RUL. A summary of each area is as follows:

Area A-1: This area includes two incorporated parcels located near the eastern terminus of Los Robles Drive east of its intersection with Quarry Drive. It is approximately 11 acres in size and is comprised of single-family residences. As land use authority, Napa designates the area *Single-Family Residential – 183* with a maximum density of five units per acre. Napa has also zoned the area *Residential Single – 20*, which requires a minimum parcel density of 20,000 square feet (0.46 acres). These assignments are consistent with the County General Plan, which designates the area as *Cities* with no zoning standard.

Area A-2: This area includes one unincorporated parcel located near the eastern terminus of Monte Vista Drive east of its intersection with El Camino Drive. It is approximately two acres in size and is comprised of a single-family residence. As land use authority, the County designates the area *Rural Residential* with a zoning standard of *Residential Country*, which requires a minimum parcel density of 10 acres. These assignments are consistent with the Napa General Plan, which designates the area *Single-Family Residential – 106* with a maximum density of two units per existing parcel. Napa has also prezoned the area *Residential Single – 20*, which requires a minimum parcel density of 20,000 square feet (0.46 acres).

Area A-3: This area includes one incorporated parcel located along the southern side of Ashlar Drive east of its intersection with Hillside Avenue. It is approximately 1.62 acres in size and is comprised of a single-family residence. As land use authority, Napa designates the area *Single-Family Residential - 102* with a maximum density of five units per acre. Napa has also zoned the area *Residential Single - 10*, which requires a minimum parcel density of 10,000 square feet (0.23 acres). These assignments are consistent with the County General Plan, which designates the area *Cities* with no zoning standard.

Area A-4: This area includes three incorporated and five unincorporated parcels located along the eastern side of Silverado Trail south of its intersection with Hagan Road. It is approximately 15.4 acres in size and is comprised of single-family residences. Napa designates the entire area (incorporated and unincorporated) *Single-Family Residential – 101* with a maximum density of two units per acre. Napa

has also zoned and prezoned the entire area with two residential-single standards that require minimum parcel densities ranging from 10,000 square feet (0.23 acres) to 20,000 square feet (0.46 acres). These assignments are consistent with the County General Plan, which designates the entire area (unincorporated and incorporated) *Cities* with a combination zoning standard of *Residential-Single: Urban Reserve* for all five unincorporated parcels.[9] This zoning standard requires a minimum parcel density of 0.18 acres.

Area A-5: This area includes one incorporated parcel located along the northern side of Trancas Street at its intersection with Silverado Trail. It is approximately 4.95 acres in size and is undeveloped. As land use authority, Napa designates the area *Greenbelt – 98* with a maximum density of one unit per existing parcel or one unit per 20 acres by use permit. Napa has also zoned the area *Agricultural Resource*, which does not require a minimum parcel density. These assignments are consistent with the County General Plan, which designates the area *Agricultural Resource* with no zoning standard.

Area A-6: This area includes five incorporated parcels located along the northern side of Trancas Street across from the northern terminus of Soscol Avenue. It is approximately 1.85 acres in size and is comprised of commercial uses. As land use authority, Napa designates the area *Community Commercial – 443* with a maximum density of 0.4 floor area ratio of the total gross square feet. Napa has also zoned the area *Community Commercial*, which does not specify a minimum parcel density. These assignments are consistent with the County General Plan, which designates the area *Cities* with no zoning standard.

Area A-7: This area includes five unincorporated parcels located along the western side of Big Ranch Road north of its intersection with Trancas Street. It is approximately 8.16 acres in size and is comprised of single-family residences. As land use authority, the County designates the area *Cities* with a combination zoning standard of *Residential Country: Urban Reserve*, which requires a minimum parcel density of 10 acres. These assignments are consistent with the Napa General Plan, which designates the area with a mixture of single-family residential uses that have maximum densities ranging from two to four units per acre. Napa has also prezoned the area with three types of residential-single standards that require minimum parcel densities ranging from 5,000 square feet (0.11 acres) to 20,000 square feet (0.46 acres).

[9] The County does not assign zoning standards to the three incorporated parcels comprising the area.

Area A-8: This area includes seven unincorporated parcels located along the western side of Big Ranch Road south of its intersection with El Centro Avenue. It is approximately 61 acres in size and is comprised of single-family residences, planted acreage, and undeveloped uses. As land use authority, the County designates the area *Cities* with a combination zoning standard of *Residential Country: Urban Reserve*, which requires a minimum parcel density of 10 acres. These assignments are consistent with the Napa General Plan, which designates the area with a mixture of single-family residential uses that have maximum densities ranging from two to six units per acre. Napa has also prezoned the area with five types of residential-single standards that require minimum parcel densities ranging from 5,000 square feet (0.11 acres) to 20,000 square feet (0.46 acres).

Area A-9: This area includes 45 unincorporated and 21 incorporated parcels located along Redwood Road near its intersection with Forest Drive. It is approximately 60.25 acres in size and is predominately comprised of single-family residences. The County designates the entire area (unincorporated and incorporated) *Cities* with two types of combination zoning standards for the unincorporated parcels: *Residential County: Urban Reserve* and *Residential Single: Urban Reserve*. These zoning standards require minimum parcel densities of 10 and 0.18 acres, respectively.[10] These assignments are consistent with the Napa General Plan, which designates the entire area (incorporated and unincorporated) with a mixture of single-family residential uses that have maximum densities ranging from two to five units per acre. Napa has also zoned and prezoned the entire area with three residential-single standards that require minimum parcel densities ranging from 10,000 square feet (0.23 acres) to 40,000 square feet (0.92 acres).

Area A-10: This area includes two incorporated parcels located at the northern terminus of Borrette Lane north of its intersection with Tonya Lane. It is approximately 7.65 acres in size and is comprised of single-family residences and planted acreage. As land use authority, Napa designates the area *Single-Family Residential - 40* with a maximum density of two units per acre. Napa has also zoned the area *Residential Single - 40*, which requires a minimum parcel density of 40,000 square feet (0.92 acres). These assignments are consistent with the County General Plan, which designates the area *Cities* with no zoning standard.

[10] The County does not assign zoning standards to the 21 incorporated parcels comprising the area.

Area A-11: This area includes three unincorporated parcels located along the eastern side of Partrick Road near its intersection with Borrette Lane. It is approximately 1.84 acres in size and is comprised of single-family residences. As land use authority, the County designates the area *Cities* with a combination zoning standard of *Residential Country: Urban Reserve*, which requires a minimum parcel density of 10 acres. This zoning assignment is consistent with the Napa General Plan, which designates the area *Single-Family Residential – 40* with a maximum density of two units per acre. Napa has also prezoned the area *Residential Single – 40*, which requires a minimum parcel density of 40,000 square feet (0.92 acres).

Area A-12: This area includes eight incorporated parcels located south of Browns Valley Road in proximity to its intersection with Thompson Avenue. It is approximately 133.48 acres in size and is comprised of single-family residences, planted acreage, open space, and a citywide park (Westwood Hills). As land use authority, Napa designates a mixture of uses for the area, including *Single-Family Residential – 42*, *Public Serving – 823* and *860*, and *Resource Area – 116*. The two public serving designations require maximum floor area ratios ranging from 0.1 to 0.4 of the total gross square feet, while the single-family residential designation requires a maximum density of four units per acre. The resource area designation requires a maximum density of one unit per existing parcel or one unit per 20 acres by use permit. Napa's zoning standards for the area include *Residential-Single – 7* and *40*, *Park and Open Space*, and *Agricultural Resource*. These residential zoning standards require minimum parcel densities of 7,000 and 40,000 square feet (0.16 and 0.92 acres), respectively. Neither non-residential zoning standard requires minimum parcel densities. These assignments are consistent with the County General Plan, which designates the area *Cities* with no zoning standard.

Area A-13: This area includes 31 incorporated and 16 unincorporated parcels located along the western and eastern sides of Foster Road south of its intersection with Imola Avenue. It is approximately 186.98 acres in size and is comprised of single-family residences, grazing fields, auxiliary animal facilities, and undeveloped uses. Napa assigns four designations for the area that include *Single-Family Residential – 128*, *Single-Family Infill – 130*, *Multi-Family Residential – 129*, and *Corporate Park – 671*. The three residential designations provide a maximum density of two (single-family), eight (single-infill), and 20 (multi-family) units per acre, while the corporate designation allows for a maximum floor area ration of 0.25 of the total gross square feet. Napa has also zoned and prezoned the area with two standards, *Residential-Single – 40* and *Master Plan*. The residential standard requires a minimum parcel density of 40,000 square feet (0.92 acres),

while the master plan standard denotes that Napa must first approve a master or specific plan detailing land use and infrastructure standards prior to approving any development projects. These assignments are consistent with the County General Plan, which designates the area *Cities* with two combination zoning standards for the unincorporated parcels: *Residential Single: Urban Reserve* and *Agricultural Watershed: Urban Reserve*. These standards require minimum parcel densities of 8,000 square feet (0.18 acres) and 160 acres, respectively.

Area A-14: This area includes 19 incorporated parcels located south of the Soscol Ridge and partially bisected by State Highway 29. It is approximately 874.7 acres in size and is predominately comprised of vineyards and open-space uses. As land use authority, Napa designates the majority of the area *Resource Area – 210* with a maximum density of one unit per existing parcel or one unit per 20 acres by use permit. This area is zoned *Agricultural Resource*. The remaining portion of the area not designated *Resource Area* consists of a 2.6 acre parcel designated *Public Serving – 922*, which requires a maximum floor area ratio of 0.4 of the total gross square feet. This parcel is adjacent to Golden Gate Drive and is zoned *Park/Open Space*. Neither zoning standard in the area requires a minimum parcel density. These assignments are consistent with the County General Plan, which designates the entire area *Cities* with no zoning standard.

* A map depicting Study Category A is provided in Map One.

Analysis:
The majority of the study category is designated for an urban use by both Napa and the County as the affected land use authorities. Areas within the study category that are not designated for an urban use by the affected land use authority include A-5 and A-14. These areas are both incorporated and designated by Napa as *Greenbelt* and *Resource Area*, respectively. The remaining areas in the study category are generally designated for residential use by Napa and the County. Additionally, most of the unincorporated areas are assigned an overlay zoning standard by the County of *Urban Reserve*, which specifies that no additional development be allowed without annexation to Napa.

Conclusion:
With the exception of A-5 and the southeastern portion of A-12, inclusion of the study category into the NSD sphere is appropriate at this time. Inclusion would promote planned and orderly service provision for NSD in a manner that is consistent with the adopted land use policies of both Napa and the County. Inclusion would also provide for greater consistency between the policies of Napa, County, and LAFCO in terms of coordinating planned urban development. In addition, inclusion would be consistent with the past practice of the Commission to include territory located within the Napa RUL.

It is important to note that one of the areas in the study category recommended for inclusion into the NSD sphere is designated for a non urban use by Napa as the affected land use authority. This area, which is identified as A-14, is commonly referred to as Stanly Ranch and is designated by Napa as *Resource Area* with a zoning standard of *Agricultural Resource*. In 2003, Napa approved a subdivision for the area with the underlying project including the preservation of existing vineyards and open-space along with the development of a number of small wineries. Since these wineries will produce wastewater, and in recognition that water service is already provided to the area by Napa, staff believes that the extension of sewer – at a level contemplated by Napa – is consistent with the current and planned uses of the area and would not induce unplanned growth. It is also noteworthy that the extension of sewer to the area would likely be accompanied by the delivery of reclaimed water by NSD. If established, the extension of reclaimed water to the area could serve as a catalyst to extend reclamation services to adjacent agricultural lands, including the Carneros region.[11]

With respect to the two areas in the study category not recommended for inclusion into the NSD sphere, both areas (A-5 and the southeastern portion of A-12) are incorporated and have existing and planned uses that are not consistent with the extension of sewer. A-5 consists of an undeveloped parcel and is designated by Napa as *Greenbelt* with a zoning standard of *Agricultural Resource*. The southeastern portion of A-12 consists of two parcels comprising a citywide park and dedicated open-space. Napa designates both parcels as *Public Serving* with zoning standards of *Agricultural Resource* and *Park/Open-Space*. Based on the current and planned uses, the extension of sewer to these areas would promote an urban use not contemplated by the land use authority.[12]

Recommendation: Staff recommends inclusion of the study category into the NSD sphere as part of this comprehensive review with the exception of A-5 and the southeastern portion of A-12. The portion of A-12 not recommended for inclusion into the NSD sphere is identified by the affected assessor parcel numbers: 050-270-014 and 050-320-017.

Study Category B

(Emphasis reflects areas that are inside the NSD jurisdiction, but outside its sphere)

This study category consists of nine parcels representing approximately 602 acres. It comprises two distinct unincorporated areas that are located outside the NSD sphere as well as outside the Napa sphere and RUL, but inside NSD's jurisdictional boundary. A summary of each area is as follows:

[11] Approximately 5,700 acres in the Carneros region are in the Los Carneros Water District (LCWD). LCWD was formed in 1978 for the purpose of facilitating an agreement with NSD for the delivery of reclaimed water for agricultural use. Although various proposed reclamation projects have been considered with NSD over the past 25 years, none have been implemented and the District remains dormant. A principle constraint in establishing reclaimed water service remains the cost of infrastructure – specifically the cost of constructing a pipeline underneath the Napa River.

[12] A portion of the citywide park is already in the sphere and jurisdictional boundary of the NSD. This portion is identified by its assessor parcel number: 050-270-012.

Area B-1: This area includes three unincorporated parcels located along the southern side of Hedgeside Avenue east of its intersection with McKinley Road. It is approximately 20.23 acres in size and consists of single-family residences. As land use authority, the County designates the area *Rural Residential* with a zoning standard of *Residential Country*, which requires a minimum parcel density of 10 acres. The area is not designated or prezoned by Napa.

Area B-2: This area includes six unincorporated parcels located along the southern side of Jameson Canyon Road (Highway 12) near its intersection with South Kelly Road. It is approximately 582.10 acres in size and primarily consists of the Eagle Vines and Chardonnay Golf Courses. As land use authority, the County designates the area *Industrial* with a combination zoning standard of *Agricultural Watershed – Airport Compatibility*, which requires a minimum parcel density of 160 acres. The area is not designated or prezoned by Napa.

* A map depicting Study Category B is provided in Map One.

Analysis:
The entire study category is designated for an urban use by the County as the affected land use authority. The areas comprising the study category were both annexed to NSD based on special circumstances and have established sewer service. B-1 was annexed as part of two separate proposals. The last annexation occurred in 2003 and was approved by the Commission in recognition of NSD's policy to allow connections to the sewer system for parcels that are contiguous to its "Milliken Creek" trunk line.[13] (Staff did not recommend a concurrent sphere amendment for this proposal based on the appearance that the property was designated for agricultural use by the County. As part of this review, the County has informed LAFCO that parcels zoned *Residential County* are designated *Rural Residential*. This zoning standard applies to the subject area). B-2 was annexed as part of one proposal in 2003 in recognition of existing service provision; a portion of the area had already established service through an out-of-agency agreement dating back to the early 1980s. As part of the proposal, staff recommended that a concurrent sphere amendment be approved. However, the Commission decided against modifying the sphere due to concerns of inducing a change of urban use for the area.

Conclusion:
Inclusion of the study category into the NSD sphere is appropriate at this time. Inclusion would recognize the current delivery of sewer service and promote the planned and orderly development of NSD by modifying the sphere to become congruent with its jurisdictional boundary. This would be consistent with the past practice of the Commission to emphasize the availability and delivery of sewer service in determining the location of the NSD sphere. Inclusion would also be consistent with recent amendments to California Government Code emphasizing that urban services be limited to areas located within the affected agency's sphere.

[13] The first annexation involving B-1 occurred in 1971. NSD's sphere was not established until 1975.

There are two contextual issues that the Commission should consider with regard to staff's recommendation. First, the inclusion of B-1 would create a new "island" sphere boundary line for NSD. This is inconsistent with the Commission's adopted policy to establish only one sphere boundary line for each special district. However, in addition to recognizing that the current sphere boundary already comprises three non-contiguous areas, staff believes that deference should be assigned to recognizing existing service provision. Second, in approving the annexation of B-2 in 2003, the Commission decided against approving a concurrent sphere amendment due to concerns of inducing a change in urban use for the area. It appears that this concern is adequately addressed by the current zoning standard (*Agricultural Watershed: Airport Compatibility*), which makes future development of the area to a more urbanized use unlikely.

Recommendation: Staff recommends inclusion of the study category into the NSD sphere as part of this comprehensive review.

Study Category C

(Emphasis reflects areas that are outside both the NSD sphere and Napa sphere, but designated for an urban use by the County)

This study category comprises unincorporated territory that is located outside the NSD sphere and jurisdictional boundary as well as outside the Napa sphere and RUL, but designated for an urban use by the County. The study category is treated as one distinct area for the purposes of this review and includes Coombsville and the Big Ranch Road-El Centro Avenue and Milliken Creek-Monticello Road areas.

* A map depicting Study Category C is provided in Map One.

Analysis:

The entire study category is designated for an urban use by the County as the affected land use authority. The majority of the study category is designated by the County as *Rural Residential* with a zoning standard of *Residential County*, which requires a minimum parcel density of 10 acres. The prevailing use in the study category is low density residential. Notable exceptions include two moderately dense residential subdivisions in the Milliken Creek-Monticello Road area that are zoned *Residential Single*, which requires a minimum parcel density of 0.18 acres.[14] The study category also includes a sizable area south of the Napa State Hospital designated and zoned by the County as *Industrial*.

[14] These subdivisions along with a number of adjacent parcels in the Milliken Creek-Monticello Road area receive water service from Napa. Napa permits outside water service under its Policy Resolution No. 7, which allows the Public Works Director to authorize service for single-family residences that are contiguous to a public right-of-way that includes an existing water line and was of legal record as of December 31, 1982.

The inclusion of the study category into the NSD sphere is consistent with California Government Code and the Commission's General Policy Declarations.[15] A key factor supporting inclusion includes recognizing that the study category is designated for an urban use (*Rural Residential* or *Industrial*) by the County as the affected land use authority. Consequently, the extension of sewer service would not promote the premature conversion of designated agricultural or open-space lands. It is also reasonable to expect that the extension of sewer into the study category would help address a growing concern about septic systems polluting local groundwater basins. However, the determination of whether the inclusion of the study category into the NSD sphere is appropriate is a policy decision for the Commission. Underlying this policy decision is the issue of growth inducement and whether the extension of sewer service is appropriate with the present and planned uses in the study category.

It is reasonable to expect that the extension of the NSD sphere and its sewer services into the study category would induce greater sized lots through the ministerial approval of building permits. The inducement of greater sized lots would create a variable for NSD with respect to quantifying potential service demands. However, staff does not believe that the inducement of one permissible use to another permissible use under the same land use authority is the purview of LAFCO. With regard to inducing new development, the extension of sewer service does remove an obstacle to the intensification of uses, but it does not necessarily produce greater densities. The decision to change zoning densities remains the responsibility of the Board of Supervisors.

California Government Code and the Commission's General Policy Declarations emphasize land use designations in considering whether changes in jurisdictional and sphere boundaries are appropriate with present and planned uses. As noted, the present and planned uses in the study category are designated urban by the County. The County has not indicated that reclassification of the study category into a non-urban use is a consideration of the current General Plan update.

In the course of preparing this review, Napa and the County have expressed concern regarding the potential extension of the NSD sphere into the study category. Both agencies believe that the extension of sewer services into the study category is generally inconsistent with present and planned uses and would be growth inducing.[16] Both agencies have also stated that infrastructure planning associated with the extension of the NSD sphere should follow the completion of the County General Plan update. The County has requested that LAFCO defer consideration of any modifications to the NSD sphere involving this study category until the General Plan update is near completion.

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[15] The Commission's General Policy Declarations states that that location and character of a special district sphere should be responsive to its existing and planned service facilities within a ten year period. Currently, NSD does not have existing or planned facilities to serve the majority of the study category with the exception of a limited number of parcels in the Milliken Creek-Monticello Road area. However, as part of its current master plan update, NSD has begun to develop computer models to project infrastructure requirements to serve the study category. The information developed from the computer modeling will help inform NSD in preparing a capital improvement schedule for the study category in the event it is added to the sphere.

[16] Both agencies have advised LAFCO that they believe sewer service may be appropriate for two specific areas within the study category. One of these areas is commonly referred to as the "Syar/Pacific Coast Property" and is located south of the Napa State Hospital. The second area comprises a small number of parcels located along Monticello Road that have been designated by the County for affordable housing.

Conclusion:
The expansion of the NSD sphere to include the study category is consistent with California Government Code and the Commission's General Policy Declarations. The determination of whether the inclusion of the study category into the sphere is appropriate is a policy decision for the Commission. Underlying this policy decision is the issue of growth inducement and whether the extension of sewer service is appropriate with the present and planned uses in the study category.

Recommendation: The Commission has chosen to honor the request of the County to defer consideration of this study category until the County General Plan is updated. Once the update is completed, staff will complete its analysis and offer recommendations on the study category for consideration by the Commission. In the interim, staff recommends that the Commission not accept sphere amendment proposals for areas located in the study category unless it is response to a public health concern or other special circumstances.

Study Category D
(Emphasis reflects areas that are inside the NSD sphere, but outside its jurisdiction and the Napa sphere, and designated for non-urban development by the County)

This study category comprises one distinct unincorporated area consisting of four unincorporated parcels located on the western side of Silverado Trail across from its intersection with Hagan Road. The study category is located inside the NSD sphere, but outside its jurisdictional boundary as well as outside the Napa sphere and RUL, and designated for a non-urban use by the County. It is approximately 19.1 acres in size and is comprised of single-family residences, planted acreage, and undeveloped uses.

* A map depicting Study Category D is provided in Map One.

Analysis:
As land use authority, the County designates the affected territory *Agricultural Resource* with a zoning standard of *Agricultural Preserve*, which requires a minimum parcel density of 40 acres. These assignments are consistent with the Napa General Plan, which designates the affected territory *Greenbelt* with no zoning standard. None of the four parcels comprising the study category receive sewer service from NSD.

Conclusion:
Removal of the study category from the NSD sphere is appropriate at this time. Removal would encourage orderly urban service provision for NSD in a manner that is consistent with the adopted land use policies of the County and Napa. Removal would also provide for greater consistency between the policies of the County, Napa, and LAFCO in terms of guiding urban development away from designated agricultural and open-space lands.

Recommendation: Staff recommends removal of the study category from the NSD sphere as part of this comprehensive review.

Study Category E

(Emphasis reflects areas that LAFCO and/or NSD staff have received inquiries from property owners with respect to amending the NSD sphere to facilitate annexation)

This study category consists of 290 parcels representing approximately 731 acres. It comprises five distinct unincorporated areas that are located outside the NSD sphere and jurisdictional boundary as well as outside the Napa sphere and RUL. This study category reflects areas that LAFCO or NSD staff have received inquiries on over the last several years with respect to possible inclusion into the sphere to facilitate annexation. A summary of each area is as follows:

Area E-1: This area includes one unincorporated parcel located along the southern side of El Centro Avenue east of its intersection with Solomon Avenue. It is approximately 2.02 acres in size and is comprised of a single-family residence. Its western and southern border is directly adjacent to the existing NSD sphere as well as the Napa sphere and RUL. As land use authority, the County designates the area *Rural Residential* with a zoning standard of R*esidential County*, which requires a minimum parcel density of 10 acres. The area is not designated or prezoned by Napa.

Area E-2: This area includes 218 unincorporated parcels generally located along the southern side of Monticello Road in between Napa and the Silverado Estates. It is approximately 253.35 acres in size and is generally comprised of a single-family residence. The area is located in between two non-contiguous NSD sphere boundaries. As land use authority, the County designates the area *Rural Residential* with one of two zoning standards: *Residential County* or *Residential Single*.[17] These zoning standards specify a minimum parcel density of 10 and 0.18 acres, respectively. The area is not designated or prezoned by Napa.

Area E-3: This area includes one unincorporated parcel located along the western side of Solano Avenue north of its intersection with Oak Knoll Avenue. It is approximately 3.54 acres in size is comprised of a mixture of commercial uses. It is located approximately 1,800 feet north of the existing NSD sphere that comprises the northern boundary line of Napa and its RUL. As land use authority, the County designates the area *Agricultural Resource* with a zoning standard of *Commercial Limited*, which requires a minimum parcel density of one acre or one-half acre if public water or sewer is available. The area is not designated or prezoned by Napa.

[17] Three of the parcels located within E-2 also have an overlay zoning standard of *Affordable Housing*.

Area E-4: This area includes 58 unincorporated parcels located along the southern side of Orchard Avenue east of Dry Creek Road. It is approximately 436.44 acres in size and is comprised of single-family residences, planted acreage, or undeveloped uses. Its eastern and southern border is directly adjacent to the existing NSD sphere as well as Napa and its RUL. As land use authority, the County designates the area *Agricultural Resource* with a zoning standard of *Agricultural Preserve*, which requires a minimum parcel density of 40 acres. The area is not designated or prezoned by Napa.

Area E-5: This area includes 12 unincorporated parcels located along the northwestern side of North Kelly Road near its intersection with Highway 29. It is approximately 35.88 acres in size and is generally comprised of single-family residences. This area is directly north of the existing NSD sphere. As land use authority, the County designates the area as *Agriculture Watershed and Open-Space* with a zoning standard of *Agricultural Watershed: Airport Compatibility*. This zoning standard requires a minimum parcel density of 160 acres. The area is not designated or prezoned by Napa.

* A map depicting Study Category E is provided in Map Two.

Analysis:
Three-fifths of the study category (E-3, E-4, and E-5) is designated for a non-urban use by the County as the affected land use authority. The remaining two areas (E-1 and E-2) overlap with Study Category C.

Conclusion:
Inclusion of E-3, E-4, and E-5 into the NSD sphere is not appropriate at this time. Inclusion would promote the extension of an urban service in a manner that is not contemplated by the affected land use authority. Inclusion would also be inconsistent with the adopted policy of the Commission to guide urban services away from agricultural or open-space designated lands. The remaining areas that comprise this study category (E-1 and E-2) shall be evaluated as part of Study Category C.

Recommendation: Staff does not recommend inclusion of E-3, E-4, and E-5 into the NSD sphere as part of this comprehensive review. E-1 and E-2 shall be analyzed as part of Study Category C.

SUMMARY OF RECOMMENDATIONS

Study Category A: Staff recommends inclusion of Study Category A into the NSD sphere as part of this comprehensive review with the exception of A-5 and the southeastern portion of A-12. The portion of A-12 not recommended for inclusion into the NSD sphere is identified by the two affected assessor parcel numbers: 050-270-014 and 050-320-017.

Study Category B: Staff recommends inclusion of Study Category B into the NSD sphere as part of this comprehensive review.

Study Category C: The Commission has chosen to honor the request of the County to defer consideration of Study Category C until the County General Plan is updated. Once the update is completed, staff will complete its analysis and offer recommendations on the study category for consideration by the Commission. In the interim, staff advises that the Commission not accept sphere amendment proposals for areas located in the study category unless it is response to a public health concern or other special circumstances.

Study Category D: Staff recommends removal of Study Category D from the NSD sphere as part of this comprehensive review.

Study Category E: Staff does not recommend inclusion of E-3, E-4, and E-5 into the NSD sphere as part of this comprehensive review. E-1 and E-2 shall be analyzed as part of Study Category C.

* A map depicting staff's recommendation for an updated NSD sphere is provided in Map Four.

SOURCES

Agency Contacts:

- **Napa Sanitation District**
  Michael Abramson, General Manager
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- **County of Napa**
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  John McDowell, Program Planning Manager
  Howard Siegel, Community Partnership Manager

- **City of Napa**
  Richard Bottarini, Community Development Director
  Jean Hasser, Senior Planner

Documents/Materials:

- LAFCOM of Napa County, File, "Napa Sanitation District Sphere of Influence Report," December 1975.

- County of Napa General Plan, 1983

- LAFCO of Napa County (Wagstaff and Brady), File, "Napa County Airport Industrial Area Sphere of Influence: Baseline Report on the Napa Sanitation District and American Canyon County Water District," February 1988.

- City of Napa General Plan, 1998

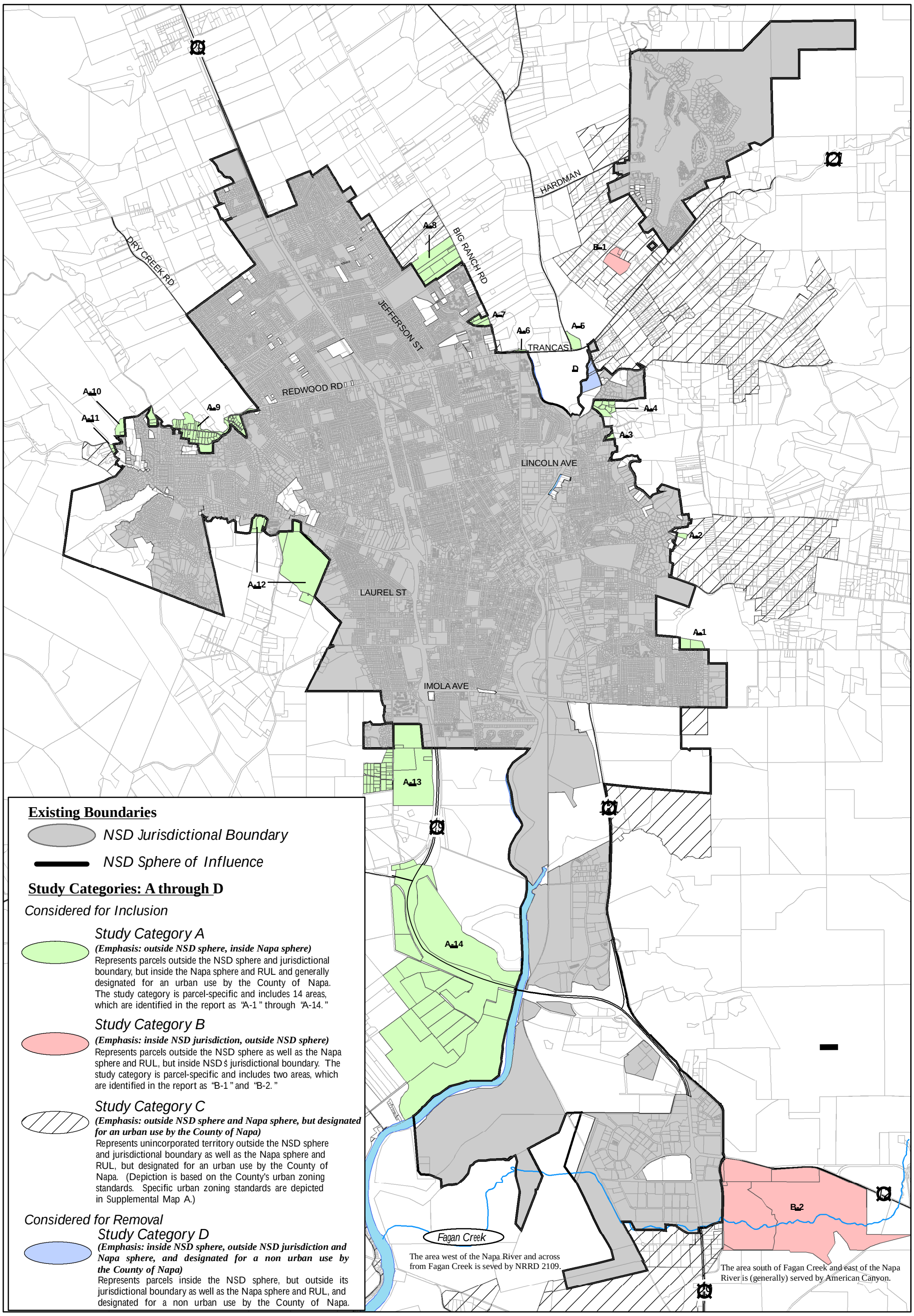
- LAFCO of Napa County, File, "Comprehensive Water Service Study," October 2004.

- LAFCO of Napa County (Tracy Geraghty), Report, "Napa Sanitation District: Options and Opportunities for Governance," December 2004.

- LAFCO of Napa County (Cotton/Bridges/Associates), File, "Comprehensive Study of Sanitation/Wastewater Providers," September 2005.

Map One

Napa Sanitation District: Sphere of Influence Update
Study Categories A through D

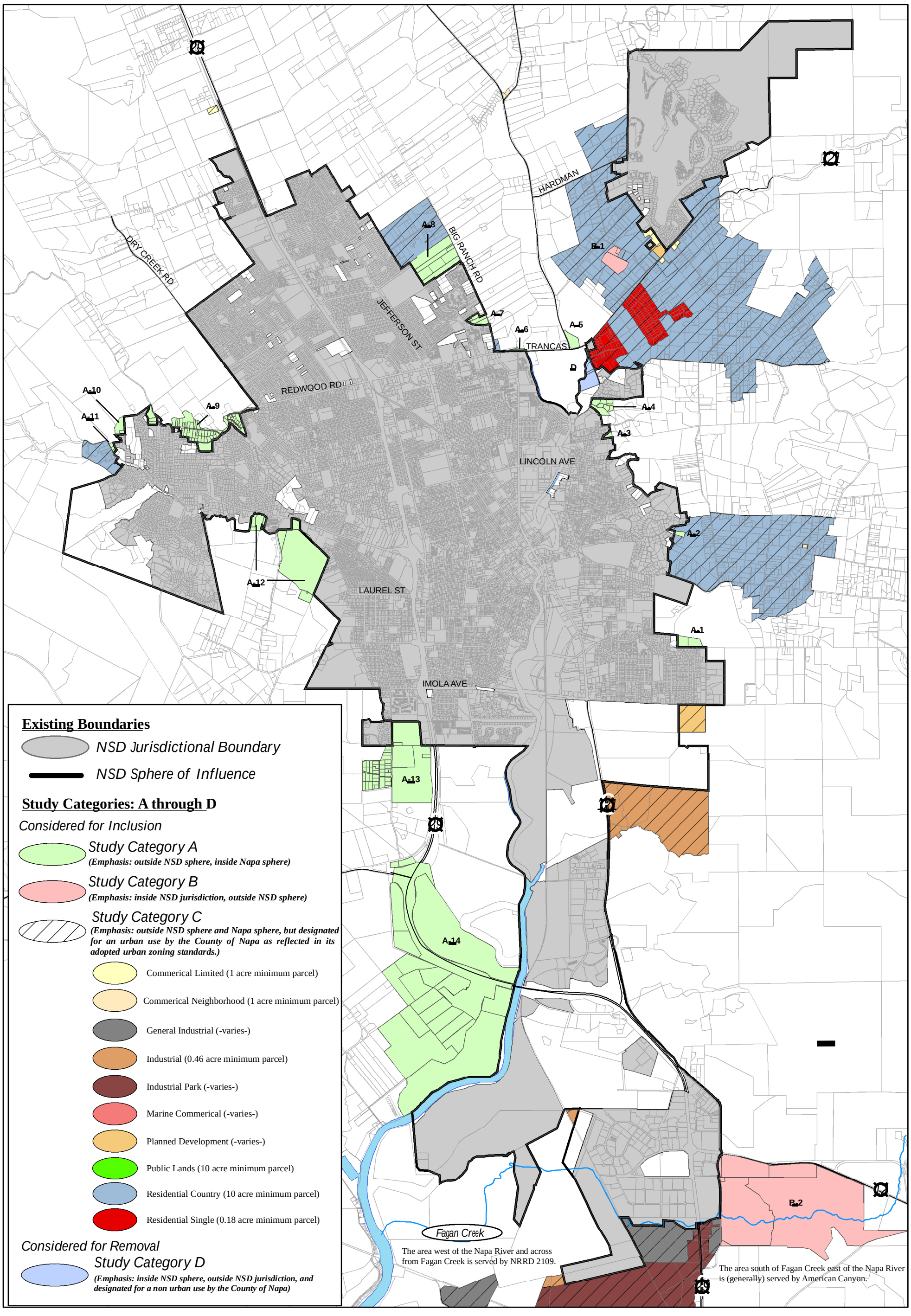


Source: Napa County GIS
June 2006; KS

Supplemental Map A

Napa Sanitation District: Sphere of Influence Update
Study Categories A through D

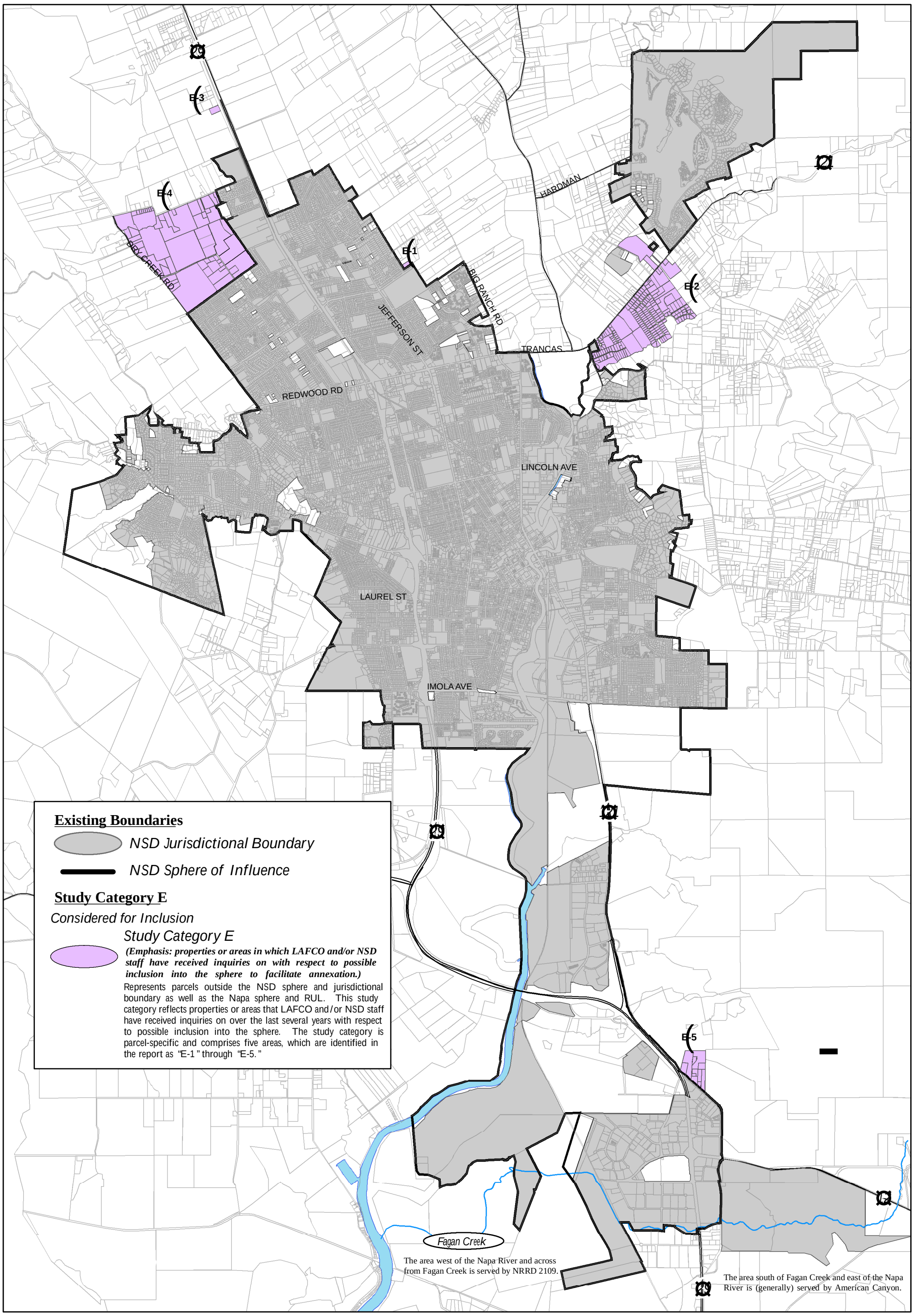
(Expanded depiction of County of Napa urban zoning standards for Study Category C)



Source: Napa County GIS
June 2006; KS

Map Two

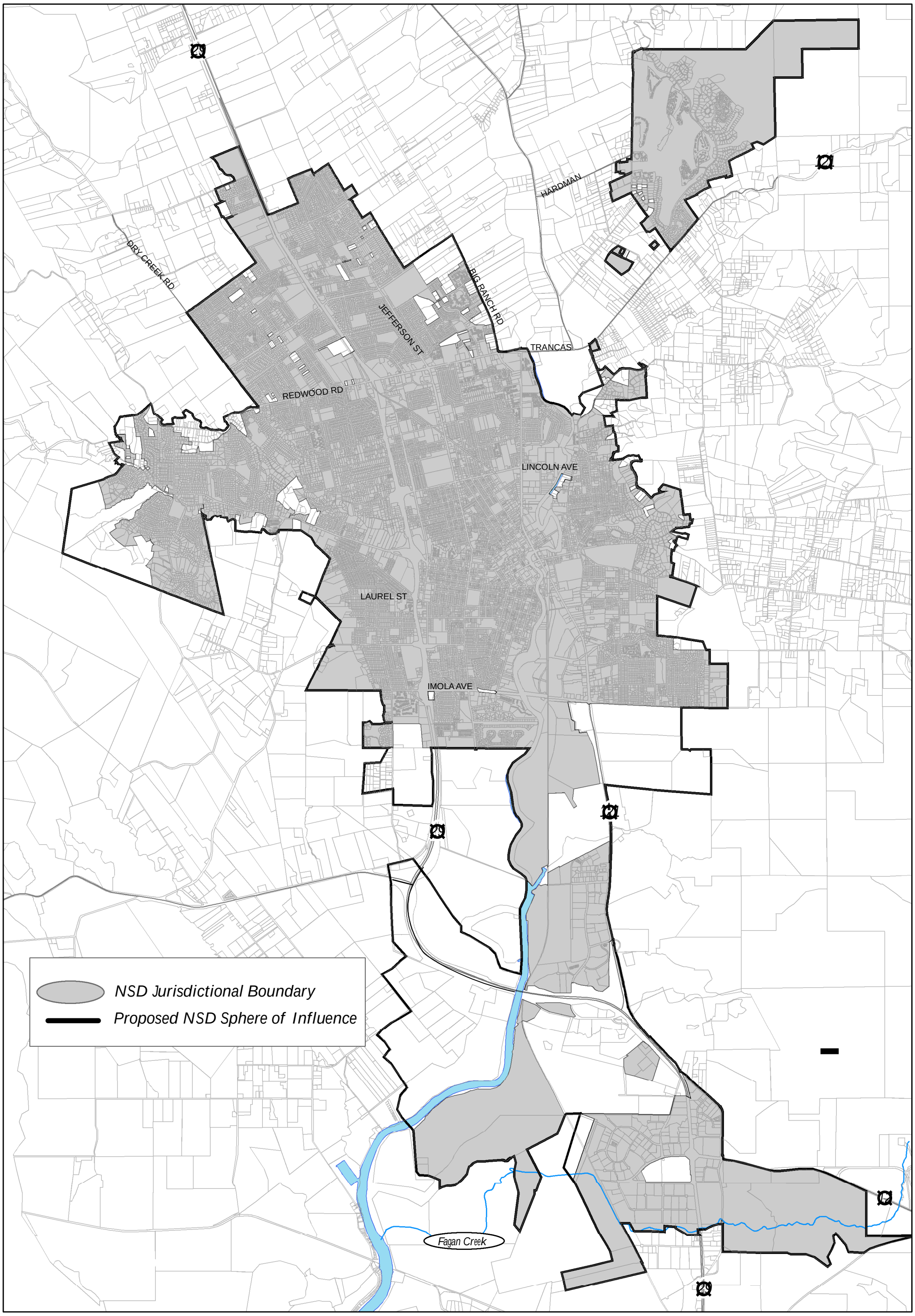
Napa Sanitation District: Sphere of Influence Update
Study Category E



Source: Napa County GIS
June 2006; KS

Map Three

Napa Sanitation District: Sphere of Influence Update
Proposed Sphere of Influence



Source: Napa County GIS
June 2006; KS