



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

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

August 4, 2014

Agenda Item No. 6a (Public Hearing)

July 24, 2014

TO: Local Agency Formation Commission

FROM: Brendon Freeman, Analyst

SUBJECT: Proposed West Pueblo Avenue No. 1 Annexation to the City of Napa

The Commission will consider a proposal filed by landowner petition to annex 3.34 acres of territory to the City of Napa. The proposed annexation includes five parcels located within an unincorporated island near West Pueblo Avenue. The City of Napa serves as lead agency under the California Environmental Quality Act (CEQA) and has prepared an initial study to address environmental impacts associated with the proposed annexation. Approval of the proposal would be subject to separate conducting authority proceedings absent consent from all landowners.

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

A. Recommendation

Staff recommends the Commission adopt the draft resolution included as Attachment One to this report approving the proposal as submitted with the following conditions:

- Completion of conducting authority proceedings unless 100% of all affected landowners have consented to the boundary change prior to the close of the hearing.
- Submittal of a final map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization and approved by the County Surveyor.
- Payment of any outstanding fees owed to other agencies involved in the processing of this proposal as identified in the Commission's adopted fee schedule.

Joan Bennett, Vice Chair
Councilmember, City of American Canyon

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

Brian J. Kelly, Chair
Representative of the General Public

Greg Pitts, Commissioner
Councilmember, City of St. Helena

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

Gregory Rodeno, Alternate Commissioner
Representative of the General Public

Juliana Inman, Alternate Commissioner
Councilmember, City of Napa

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

Laura Snideman
Executive Officer

B. Background

LAFCO of Napa County (“Commission”) has received a petition for proposal from a representative of an interested landowner requesting the annexation of 3.34 acres of territory to the City of Napa. The territory proposed to be annexed comprises five entire residential parcels within an unincorporated island located at 2063, 2065, 2075, 2083, and 2091 West Pueblo Avenue. The County Assessor’s Office identifies the parcels as 042-171-045, 042-171-044, 042-160-025, 042-160-026, and 042-160-024, respectively. The subject parcels are currently partially developed with a total of four single-family residences. An aerial map of the territory proposed to be annexed follows.



The interested landowner's original intent was to annex only his two parcels – 2075 and 2083 West Pueblo Avenue – for purposes of initiating a development project under the City's land use authority. In consultation with staff, it was noted that the landowner's annexation interest is expressly prohibited under California Government Code (G.C.) Section 56744, which states that territory shall not be annexed to a city if, as a result of that annexation, unincorporated territory is completely surrounded by that city. Upon surveying interest from neighboring landowners, the boundary of the proposed annexation was expanded for purposes of ensuring no new islands are created as a result of annexation. It is important to note that this expanded territory includes one landowner who has not consented to the proposed annexation. Absent consent from all landowners, approval of the proposal would be subject to separate conducting authority proceedings pursuant to G.C. Section 57000. Conducting authority proceedings for this proposal would be based on percentage assessed value of land.¹ Current assessed values for the five subject parcels suggest the annexation would successfully survive conducting authority proceedings if the proposal is approved by the Commission.

It is important to note that on May 20, 2014, the City adopted a resolution requesting LAFCO to initiate proceedings for the annexation of 2063, 2065, 2075, 2083, and 2091 West Pueblo Avenue. However, subsequent communication with the City and affected landowners resulted in all parties agreeing to transfer application responsibilities to Mr. Randy Gularte, representative of the principal landowner.

C. Discussion

Proposal Purpose

The stated purpose of the proposal is to enable the landowner of 2075 and 2083 West Pueblo Avenue – Mr. Raymond Canepa – to file a future development application with the City, which by practice does not accept project filings for lands lying outside its jurisdictional boundary. The City's existing land use policies would allow these two larger parcels to be divided into a maximum of 12 single-family residential lots less any dedications.² Mr. Canepa would presumably market an approved development plan as part of a future property sale. Towards this end, Mr. Canepa has retained Mr. Randy Gularte with Heritage Realty to represent the proposal before the Commission.

Commission Focus

The Commission included the five subject parcels in the establishment of the City's sphere of influence in 1972. The existing inclusion of the parcels in the sphere of influence reflects a standing Commission expectation the lands be annexed into the City to facilitate orderly urban development when the timing is deemed appropriate. Further, the five parcels are located within a completely surrounded unincorporated island.

¹ If landowners owning 50% or more of the total assessed value of land within the annexation territory submit written protests, annexation proceedings are automatically terminated. If landowners owning less than 50% of the total assessed value of land submit written protests, the annexation is ordered without an election.

² LAFCO law prohibits annexed territory to be rezoned by a city for 24 months following recordation unless special findings are made by the council at a public hearing.

D. Analysis

Legislature Policies / Mandated Factors

G.C. Section 56668 requires the Commission to consider 15 specific factors anytime it reviews proposals for change of organization or reorganization involving cities. The majority of the prescribed factors focus on the impacts of the proposed boundary changes on the service and financial capacities of the affected agencies. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs in considering boundary changes in context to locally adopted policies and practices.

(1) Population and population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent areas, during the next 10 years.

The affected territory lies within a developing area predominately consisting of moderate to high density housing and part of a neighborhood designation under the City General Plan known as “Pueblo.” The affected territory is legally uninhabited given there are less than 12 registered voters. Topography within the affected territory is relatively flat with a peak elevation of five feet above sea-level. There are no natural drainage basins within proximity to the affected territory. 2083 West Pueblo Avenue is 1.50 acres in size and undeveloped. 2075 West Pueblo Avenue is 1.00 acres in size and partially developed with one unoccupied single-family residence. The other three parcels are developed to their maximum allowances under either the County or City with occupied single-family residences.³ The current assessed value for the entire affected territory totals 458,469.⁴

Proposal approval is expected to facilitate the future development of 2075 and 2083 West Pueblo Avenue to include up to 12 residential lots and produce an estimated buildout population of 32 based on existing zoning.⁵ In total, the maximum buildout population for the entire affected territory is projected at 40.⁶ Development opportunities for adjacent areas to the affected territory – based on existing zoning – are limited to two incorporated parcels to the immediate south.⁷ These parcels are 1.13 acres and 1.24 acres in size and, although no development plans currently exist, could potentially be further divided to include up to 14 single-family residential lots as contemplated in the City Zoning Ordinance. All other adjacent parcels are substantially developed with single-family residences.

³ 2063 West Pueblo Avenue is 0.39 acres and occupied with two residents. 2065 West Pueblo Avenue is 0.26 acres and occupied with two residents. 2091 West Pueblo Avenue is 0.19 acres and occupied with two residents.

⁴ Individual assessed values of land within the affected territory are as follows: APN 042-171-045 (2063 West Pueblo Avenue) at \$172,314; APN 042-171-044 (2065 West Pueblo Avenue) at \$127,500; APN 042-060-026 (2075 West Pueblo Avenue) at \$19,898; APN 042-060-025 (2083 West Pueblo Avenue) at \$24,095; and APN 042-060-024 (2091 West Pueblo Avenue) at \$114,662.

⁵ The estimated buildout population for the affected territory assumes a per unit factor of 2.73 for Napa County based on calculations performed by the California Department of Finance.

⁶ City zoning allows for accessory second units - “granny units” - on residential lots subject to certain restrictions and cannot exceed 640 square feet unless permitted by special allowance.

⁷ Lands to the west, north, and east of the affected territory are developed to their maximum allowances.

(2) The need for municipal services; the present cost and adequacy of municipal services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

The core municipal services needed within the affected territory based on its planned and anticipated residential land use includes water, sewer, fire protection/emergency medical, and law enforcement. An analysis of the availability and adequacy of these municipal services relative to projected needs if the proposal is approved follows.

- **Water Service**

Three of the four existing residences within the affected territory are already connected to the City's water system through grandfathered outside service extensions with the fourth residence currently being served by a private onsite well.⁸ At full occupancy, the current estimated daily water demand on the City's water system within affected territory is 1,020 gallons, representing an approximate 1.1 acre-feet annual use. The planned and expected development of 2075 and 2083 West Pueblo Avenue to accommodate up to 12 residential lots upon proposal approval suggests the projected future water demand generated from the affected territory would increase to 5,100 gallons per day and total 5.7 acre-feet annually. This anticipated demand at buildout would have relatively minimal impacts on the City's existing water system infrastructure as measured by supply, storage, and treatment capacities as detailed in the following subsections.

Water Supply and Demand

Napa's water supplies are derived from three distinct sources: Lake Hennessey, Milliken Reservoir, and the State Water Project. These three sources collectively provide Napa with 31,340 acre-feet of raw water for treatment during normal year conditions based on historical patterns. These historical patterns also indicate Napa's annual water supply decreases during multiple and single dry year conditions to 19,896 and 13,533 acre-feet, respectively. Conversely, Napa's most recently recorded annual water demand totals 13,883 acre-feet; an amount representing an average daily use of 38 acre-feet. These current demands result in an available supply surplus during normal and multiple dry year conditions. Further, the existing shortfall projected during single dry years is relatively minimal and would be likely offset by voluntary and mandatory water conservation measures that could be adopted by the City Council consistent with their Urban Water Management Plan (UWMP).

⁸ Outside service extensions are now subject to LAFCO approval under G.C. Section 56133.

The *difference* in annual water demand associated with the annexation and buildout of the affected territory is 1,489,200 gallons or 4.6 acre-feet and would represent only 0.03% of the current demand commitments for the City. Annexation and buildout of the affected territory, accordingly, would have no measurable impact on existing or future water demands on the City as depicted in the following tables.

Baseline Without Annexation of the Affected Territory
 (Amounts in Acre-Feet)

Category	Normal Year	Multiple Dry	Single Dry
Annual Supply	31,340	19,896	13,533
Annual Demand	13,883	13,883	13,883
Difference	17,457	6,013	(350)

Adjusted With Annexation/Buildout of the Affected Territory
 (Amounts in Acre-Feet)

Category	Normal Year	Multiple Dry	Single Dry
Annual Supply	31,340	19,896	13,533
Annual Demand	13,888	13,888	13,888
Difference	17,452	6,008	(355)

Water Treatment and Storage

Napa operates treatment facilities for each of its three water sources. These three facilities provide a combined daily treatment capacity of 135 acre-feet.⁹ This combined treatment amount is more than three times greater than the current average day water demand (38 acre-feet) and nearly two times greater than the current estimated peak day water demand (76 acre-feet).¹⁰ Furthermore, Napa’s combined treated water storage capacity overlaying its five pressure zones – including clearwell tanks – is 86 acre-feet. This combined storage amount accommodates current estimated peak day water demands in Napa.

Average day water demands associated with the annexation and buildout of the affected territory – 5,100 gallons or 0.016 acre-feet – would have no measurable impact on the City’s existing water treatment and storage capacities as depicted in the following tables.

City Baseline Without Annexation of the Affected Territory
 (Amounts in Acre-Feet)

Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

City Adjusted With Annexation/Buildout of the Affected Territory
 (Amounts in Acre-Feet)

Treatment Capacity	Average Day Demand	Peak Day Demand	Storage Capacity
135.0	38.0	76.0	86.2

⁹ The combined daily treatment capacity for the City is divided between the Milliken facility at 4.0 million gallons, Jamieson facility at 20.0 million gallons, and Hennessey facility at 20.0 million gallons, respectively.

¹⁰ Statement references recent usage records, the estimated peak day demand factor for the City is 2.0.

- **Sewer Service**

All five parcels comprising the affected territory are already connected to the Napa Sanitation District (NSD) through earlier annexations. At full occupancy, the current estimated average day sewer flow generated from the affected territory and its four single-family residences is 840 gallons. The planned and expected development of 2075 and 2083 West Pueblo Avenue to accommodate a maximum of 12 residential lots upon annexation approval suggests the anticipated daily sewer flow within the affected territory would increase by 2,310 gallons to 3,150 gallons on average, and would further increase by 5,775 gallons to 7,875 gallons during peak periods. These buildout estimates – under existing conditions – would have minimal impacts on NSD’s sewer system as depicted in the following table.

NSD Baseline Without Annexation of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,709,120	33,722,800	126,200,000

NSD Adjusted With Annexation/Buildout of the Affected Territory (Amounts in Gallons)			
System Avg. Day Capacity	Average Day Demand	Peak Day Demand	System Peak Day Capacity
15,400,000	6,711,430	33,728,575	126,200,000

Capacity during peak-day incorporates 340 acre-feet (110,806,000 gallons) of adjacent pond storage.

- **Fire Protection and Emergency Medical Services**

Annexation of the affected territory would immediately transfer fire protection and emergency medical service responsibilities from the County to the City. Proximity of the affected territory, however, suggests the City is already the probable first-responder for fire protection and emergency medical service calls based on an established mutual aid agreement with the County. Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City providing fire protection and emergency medical services to the affected territory. Further, information generated from the Commission’s municipal service review on the central county region noted the City has generally developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

- **Law Enforcement Services**

Annexation of the affected territory would immediately transfer law enforcement service responsibilities from the County to the City. However, and similar to fire protection, the affected territory’s proximity suggests the City is already the probable first-responder for emergency law enforcement service calls based on an established mutual aid agreement with the County.

Approval of the proposal would eliminate any duplication and related inefficiencies associated with the City already providing law enforcement services to the affected territory. The Commission's municipal service review on the central county region also notes the City has developed sufficient capacities and controls to serve existing and anticipated demands. The municipal service review also notes no service deficiencies within the area surrounding the affected territory.

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

The proposal would have an advantageous effect with respect to memorializing existing social and economic ties between the affected territory and the City. These ties are drawn from the affected territory's standing inclusion into the sphere of influence adopted for the City; inclusion approved by the Commission in 1972 and marking an expectation the site should eventually develop for urban uses under the City's land use and service authority.

(4) The conformity of the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in G.C. Section 56377.

The proposal generally conforms with the adopted policies of the Commission and is highlighted by the affected territory lying entirely within the City's sphere of influence; a demarcation outlining the probable future service area and jurisdictional boundary of the City as determined by the Commission. The affected territory does not qualify as "open-space" under LAFCO law and therefore does not conflict with G.C. Section 56377. Specifically, the affected territory is not substantially unimproved and devoted to an open-space use under the County or City General Plan.

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

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

(6) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The proposal is parcel-specific and includes all of the property identified by the County of Napa Assessor's Office as 042-160-024, 042-160-025, 042-160-026, 042-171-044, and 042-171-045. Commission approval would include a condition requiring the applicant to submit a map and geographic description of the approved action in conformance with the requirements of the State Board of Equalization.

The affected territory lies within an existing completely surrounded unincorporated island consisting of a total of 549 parcels along with public right-of-ways that collectively total approximately 91.2 acres. Surveys of the adjacent landowners suggest expanding the annexation boundary to further reduce and/or eliminate the unincorporated island would likely trigger conducting authority proceedings that would result in the termination of the annexation. Therefore, expanding the annexation boundary to include the entire unincorporated island is not recommended.

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

The affected territory is similarly planned – albeit at different intensities – for single-family residential uses under both the County and City General Plans. The County General Plan designation is *Urban Residential* and it prescribes a minimum lot size of 1.0 acres; a threshold that precludes any new intensive development given current acreage totals for all five affected parcels. The City General Plan designation is *Single-Family Infill – 68* and it prescribes a minimum lot size of 0.2 acres; an amount that would allow 2075 and 2083 West Pueblo Avenue to be divided into a total of 12 lots minus any setback requirements.

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

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

See analysis on page eight.

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

Staff provided notice of the proposal to all subject agencies and other interested parties as required under LAFCO law on June 4, 2014. No comments were received.

(10) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

Information collected and analyzed in the Commission’s recent municipal service review on the central county region concluded the City had developed adequate financial resources and controls relative to its service commitments. The municipal service review provides reasonable assurances the City’s fiscal controls and resources would enable the agency to provide an appropriate level of services to the affected territory relative to anticipated land uses. A summary of the City’s current financial resources follows.

- **General Fund**

The City’s total available (undesignated/emergency) balance in its General Fund at the beginning of the current fiscal year totaled \$10.5 million and equals 15% of its adopted operating costs in 2014-2015. At the time of budget adoption, the City anticipated a \$0.9 million surplus for the current fiscal year and would increase the available fund balance to \$11.4 million. A summary of the General Fund reserves over the last five fiscal years follows.

Category	10-11	11-12	12-13	13-14	14-15
Legally Restricted	0.492	0.503	0.503	0.503	0.503
Operating Reserve	2.949	3.203	1.868	1.994	2.070
Emergency	7.487	7.487	7.592	7.975	8.281
Total	\$10.928	\$11.192	\$9.962	\$10.472	\$10.854

Dollars in Millions / Amounts as of July 1st

The recent economic recovery and corresponding increase in general tax revenues underlie the City’s recent structural improvement. Recent administrative measures taken by the City – including reducing employment levels by 40 fulltime positions and eliminating cost-of-living adjustments over the last four years – have helped to stabilize a previous imbalance and decrease the demand on reserves to cover annual operating costs. Markedly, and assuming these administrative controls continue to be employed going forward, the relatively minor general service demands anticipated and associated with the annexation and probable development of 2075 and 2083 West Pueblo Avenue is not expected to have an adverse fiscal impact on the City.

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

Proposal approval and buildout of 2075 and 2083 West Pueblo Avenue to include a maximum of 12 single-family residences would generate new water demand for the City. As previously referenced, the City’s water supplies are draw from three sources: 1) Lake Hennessey; 2) Milliken Reservoir; and 3) the State Water Project. The City’s most recent Urban Water Management Plan (UWMP) was adopted in 2011 and estimates the total annual water supply generated from these three sources during normal conditions and based on historical patterns is 31,340 acre-feet. These historical patterns also indicate the total annual water supply decreases to 19,896 and 13,533 acre-feet during multiple and single dry year conditions, respectively.

Information provided in the UWMP identifies the City’s available water supplies are more than sufficient in accommodating both current annual demands – 13,883 acre-feet – and the projected buildout demands within the affected territory – 5.7 acre-feet – during normal and multiple dry year conditions. The City’s available water supplies, however, are deficient under current estimated single dry years; a deficit that would be insignificantly increased with approval of the proposal along with the anticipated buildout of 2075 and 2083 West Pueblo Avenue. The City, accordingly, has established conservation efforts within its UWMP to address the projected deficiency during single dry years. These factors provide reasonable assurances of the City’s ability to effectively accommodate water demands with the minimal increases tied to the affected territory in accordance with G.C. Section 65352.5.

(12) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments.

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

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

Three of the four landowners within the affected territory have provided their written consent to annexation as of the date of this report. The consent of the remaining landowner – Mr. David Tiesso at 2063 West Pueblo Avenue – has not been received as of the date of this report.

(14) Any information relating to existing land use designations.

Expanded discussion on existing land use designations for the affected territory is provided on page nine of this report. The following table summarizes these designations and related zoning assignments.

Category	County	City
Land Use Designation	Urban Residential	Single-Family Residential - 68
- Minimum Lot Size	Between 0.06 and 1.00 acres	0.20 acres
Zoning Standard	Residential Single: Urban Reserve Overlay	Residential Infill – 7
- Minimum Lot Size	n/a	0.16 acres
- Permitted Uses	single-family residence second unit family care / day facility guest cottage private school farmworker housing	single-family residence detached second unit family care / day facility public/private school

(15) The extent to which the proposal will promote environmental justice.

Proposal approval would promote environmental justice given it would provide current and future residents within the affected territory the right to participate in City elections going forward; a right currently absent despite the substantive social ties existing between the affected territory and City. Proposal approval would also promote environmental justice with respect to prioritizing infill development projects for the City rather than promoting outward growth that could potentially jeopardize prime agricultural lands and open space resources.

Other Considerations

- ***Property Tax Agreement***

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

Staff has advised the City and the County of its intent to apply a master property tax exchange agreement adopted by both governing boards in 1980 unless otherwise informed; an agreement specifying Napa shall receive 55% of the County's existing portion of property tax revenues generated from the affected territory. The County Auditor's Office estimates the affected portion of the property tax subject to the master agreement would result in a baseline year transfer to the City of \$1,822.70. Neither agency objects to the application of the referenced agreement.

- ***Environmental Review***

The Commission has determined the annexation is a "project" subject to CEQA and serves as responsible agency pursuant to CEQA Guidelines Section 15051(b)(2). This section states that where a city prezones an area, the city will be the lead agency for any subsequent annexation of the area and should prepare the appropriate environmental document, and that LAFCO shall act as a responsible agency. The City has prezoned the affected territory *Residential Infill – 7*.

The City serves as lead agency for the proposal under CEQA.¹¹ Towards this end, the City has prepared an initial study to assess the environmental impacts associated with the project. The City's initial study for this annexation documents that the proposal will not generate any new significant effects that have not already been previously analyzed in the Final Environment Impact Report (EIR) adopted for the City General Plan, certified December 1, 1998. As documented in the initial study, the EIR adequately identifies the land use density ranges for the affected territory and adequately discusses the environmental impacts of development of the territory to the assigned density ranges, including at a program level the environmental and mitigating policies and programs for future development at assigned density ranges. The initial study is included as Attachment Three to this report for Commission review.

¹¹ The Commission's adopted CEQA Policy Section 4.1(1) states the Commission shall assume the lead agency role when a petitioner submits an application to LAFCO. However, Section 3.1.2 provides LAFCO will assume the role of responsible agency for annexations that include a prezone by a city. See also CEQA Guidelines, 14 CCR Section 15051(b)(2).

- ***Conducting Authority Proceedings***

All change of organizations and reorganizations approved by the Commission are subject to conducting authority proceedings unless waived in accordance with criteria outlined under G.C. Section 56663. If conducting authority proceedings are required, the Executive Officer will hold a separate hearing to receive written objections from the affected landowners between 21 and 60 days following Commission approval. The following thresholds would apply to the proposal:

- a) If valid written protest is filed by landowners representing less than 50% of the total assessed value of the affected territory, the boundary change will be completed subject to any other terms approved by the Commission.
- b) If valid written protest is filed by landowners representing 50% or more of the total assessed value of the affected territory, the boundary change will be terminated.

E. Alternatives for Commission Action

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

Alternative Action One (Recommended):

(1) Adopt the draft resolution identified as Attachment One approving the proposal with the earlier referenced terms and conditions along with any desired changes as requested by members. (2) Direct the Executive Officer to schedule a separate conducting authority hearing to receive written objections from the affected landowners between 21 and 60 days following today's meeting.

Alternative Action Two:

Continue consideration of the item to the next regular meeting and provide direction to staff for additional information as needed.

Alternative Action Three:

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year unless a request for reconsideration is filed and approved within 30 days of Commission action.

F. Procedures for Consideration

This item has been agenzized for consideration as part of a noticed public hearing. The following procedures are recommended with respect to the Commission's consideration of this item:

- 1) Receive verbal report from staff;
- 2) Open the public hearing and invite testimony (mandatory); and
- 3) Discuss item and – if appropriate – close the hearing and consider action on recommendation.

Respectfully submitted,

Brendon Freeman
Analyst

Attachments:

- 1) Draft Resolution of Approval
- 2) Application Materials
- 3) West Pueblo Avenue Annexation Initial Study (City of Napa)
- 4) Signed Consent Form from Landowner of 2065 West Pueblo Avenue (Mr. Robert Lockhart)
- 5) Policy on Conducting Authority Proceedings

RESOLUTION NO. ____

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

PROPOSED WEST PUEBLO AVENUE NO. 1 ANNEXATION TO THE CITY OF NAPA

WHEREAS, an application for a proposed annexation has been filed with the Local Agency Formation Commission of Napa County, hereinafter referred to as “Commission,” pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000; and

WHEREAS, the proposal seeks Commission approval to annex 3.34 acres of unincorporated land to the City of Napa and represents five entire parcels located at 2063, 2065, 2075, 2083, and 2091 West Pueblo Avenue and identified by the County of Napa Assessor’s Office as 042-171-045, 042-171-044, 042-160-025, 042-160-026, and 042-160-024, respectively; and

WHEREAS, the Commission’s Executive Officer has reviewed the proposal and prepared a report with recommendations; and

WHEREAS, the Executive Officer’s report and recommendations on the proposal have been presented to the Commission in the manner provided by law; and

WHEREAS, the Commission heard and fully considered all the evidence presented at a public hearing held on the proposal on August 4, 2014;

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

WHEREAS, the Commission found the proposal consistent with the sphere of influence established for the City of Napa; and

WHEREAS, in accordance with applicable provisions of the California Environmental Quality Act (hereinafter “CEQA”), the Commission serves as responsible agency for the annexation and has determined the annexation is a “project” subject to CEQA; and

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

1. The Commission’s determinations on the proposal incorporate the information and analysis provided in the Executive Officer’s written report.
2. The Commission serves as responsible agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The Commission has considered the City of Napa’s initial study prepared for this annexation and its determination that there is no substantial evidence that the proposed annexation of 2063, 2065, 2075,

2083, and 2091 West Pueblo Avenue will generate any new significant effects that have not already been previously analyzed in the Final Environment Impact Report (EIR) that was adopted for the City General Plan, certified December 1, 1998. The Commission has considered the EIR and finds that it adequately makes land use density ranges for the affected territory and adequately discusses the environmental impacts of development of the territory to the assigned density ranges, including at a program level the environmental and mitigating policies and programs for future development at assigned density ranges. The Commission finds the EIR adequately addresses all environmental impacts of this annexation and no new significant environmental impacts have been identified. These environmental findings are based on the Commission's independent judgment and analysis. The Executive Officer is the custodian of the records upon which these determinations are based; these records are located at the Commission office - 1030 Seminary Street, Suite B, Napa, California 94559.

3. The proposal is APPROVED subject to completion of item number 10 below.
4. The proposal is assigned the following distinctive short-term designation:

**WEST PUEBLO AVENUE NO. 1
ANNEXATION TO THE CITY OF NAPA**

5. The affected territory is depicted in the vicinity map provided in Exhibit "A".
6. The affected territory is uninhabited as defined in Government Code Section 56046.
7. The City of Napa utilizes the regular assessment roll of the County of Napa.
8. Upon effective date of the proposal, the affected territory will be subject to all previously authorized charges, fees, assessments, and taxes that were lawfully enacted by the City of Napa. The affected territory will also be subject to all of the rates, rules, regulations, and ordinances of the City of Napa.
9. The Commission is designated as the Conducting Authority for further proceedings and the Executive Officer is directed to initiate proceedings. The Commission delegates to the Executive Officer the authority to perform all responsibilities and functions of the Commission to carry out these conducting authority proceedings in accordance with this resolution, the Commission's Policy for Conducting Authority Proceedings and the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 57000 et seq.).
10. Recordation of a Certificate of Completion is contingent upon the satisfaction of the following conditions as determined by the Executive Officer:
 - (a) A map and geographic description of the affected territory conforming to the requirements of the State Board of Equalization for annexation of the affected territory to the City of Napa.

(b) Payment of any outstanding fees owed to other agencies involved in the processing of this proposal.

(c) Successful completion of Conducting Authority Proceedings.

11. The effective date shall be the date of recordation of the Certificate of Completion. The Certificate of Completion must be filed within one calendar year from the date of approval unless a time extension is approved by the Commission.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on the August 4, 2014, by the following vote:

AYES: Commissioners

NOES: Commissioners

ABSTAIN: Commissioners

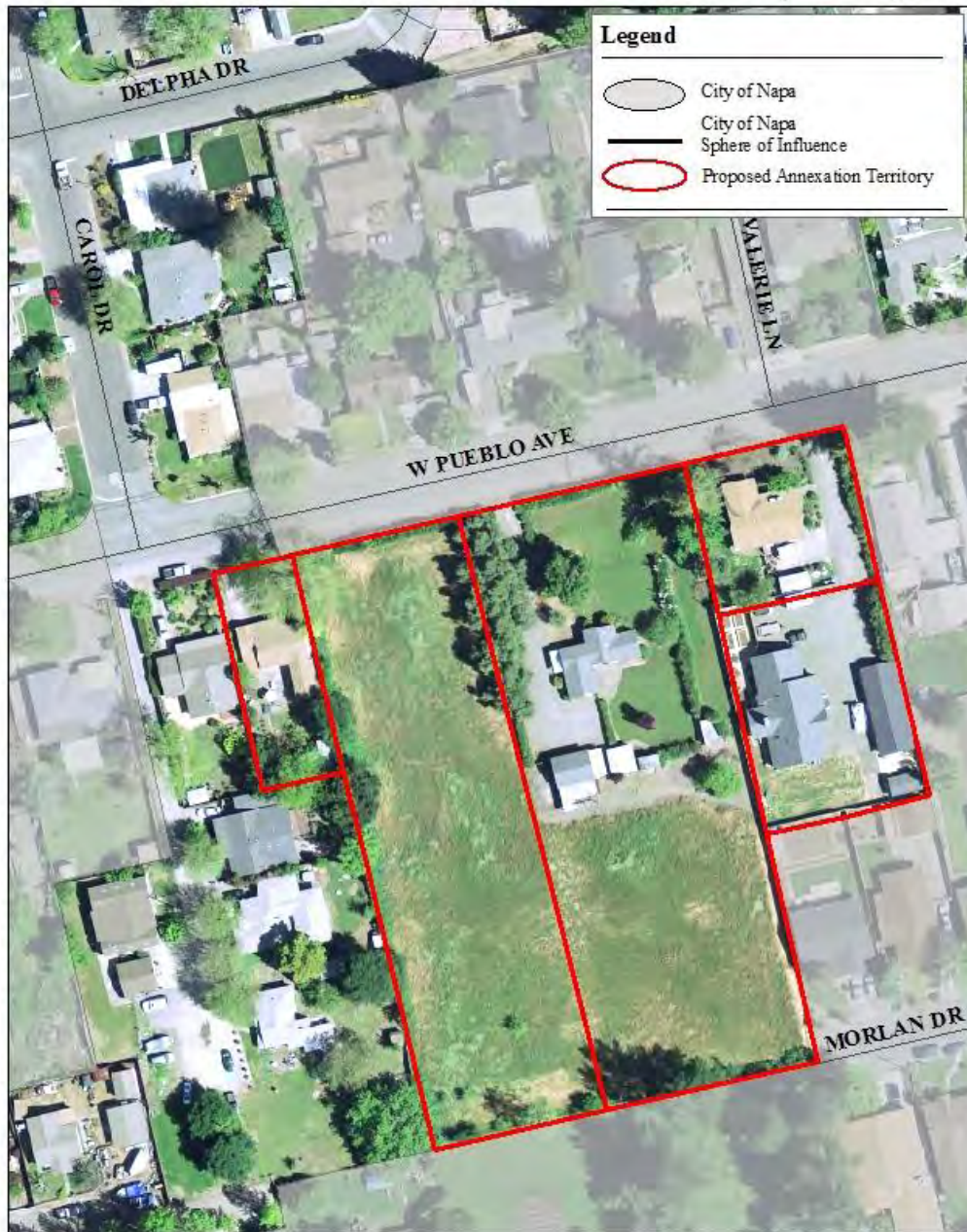
ABSENT: Commissioners

ATTEST: Laura Snideman
Executive Officer

Recorded by: _____
Kathy Mabry
Commission Secretary

EXHIBIT A

West Pueblo Avenue No. 1 Annexation to the City of Napa



0 0.005 0.01 0.02 Miles



LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
www.napa.lafco.ca.gov

April 21, 2014
Prepared by BF

FORM B

Date Filed:	6/4/14
Received By:	BF

PETITION FOR PROPOSAL

For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a landowner or registered voter shall be initiated by petition. The petition shall state the nature of the proposal and all associated proposed changes of organization. It shall also state the reason for the proposal and enumerate and include supporting information as required under Government Code Section 56700. The petition must be submitted to the Executive Officer for filing within 60 days after the last signature is affixed. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

Annex 5 parcels to allow 2 of the parcels to be developed into single Family Homes

Description of Boundaries of Affected Territory Accompanied by Map:

See Attached map

Reason for Proposal and Any Proposed Conditions:

To allow housing development

Type of Petition:

Landowner

Registered Voter

Sphere of Influence Consistency:

Yes

No

If Landowner Petition, Complete the Following:

- 1) Name: RAY CANEPA
Mailing Address: 1024 DEZERAI CT.
Assessor Parcel: 042-160-026
 Signature: Ray Canepe Date: 6-3-14
- 2) Name: _____
Mailing Address: _____
Assessor Parcel: _____
Signature: _____ Date: _____
- 3) Name: _____
Mailing Address: _____
Assessor Parcel: _____
Signature: _____ Date: _____

If Registered Voter Petition, Complete the Following:

- 1) Name: ~~_____~~ _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____
- 2) Name: _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____
- 3) Name: _____
Mailing Address: _____
Resident Address: _____
Signature: _____ Date: _____

FORM D

Date Filed: 6/4/14
Received By: BF

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name: RANDY GULARTE Realtor
Contact Person Agency/Business (If Applicable)

Address: 780 TRANCAS ST NAPA 94558
Street Number Street Name City Zip Code

Contact: 707-256-2145 707-224-4545 RAGularte@HeritageSIR.com
Phone Number Facsimile Number E-Mail Address

B. Applicant Type:
(Check One) Local Agency Registered Voter Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies: CITY OF NAPA
Name Address

Name Address

Name Address

Use Additional Sheets as Needed

B. Proposal Type:
(Check as Needed) Annexation Detachment City Incorporation District Formation

City/District Dissolution City/District Merger Service Activation (District Only) Service Divestiture (District Only)

C. Purpose Statement:
(Specific) to allow single family home development

III. GENERAL INFORMATION

A. Location: *see extra page*

Street Address	Assessor Parcel Number	Acres
<u>2075 W. Pueblo</u>	<u>042-160-25</u>	
Street Address	Assessor Parcel Number	Acres
<u>2091 W. Pueblo</u>	<u>042-160-26</u>	
Street Address	Assessor Parcel Number	Acres
<u>2065 W. Pueblo</u>	<u>042-160-24</u>	
Street Address	Assessor Parcel Number	Acres
<u>2091 W. Pueblo</u>	<u>042-171-044</u>	
Street Address	Assessor Parcel Number	Acres
<u>2065 W. Pueblo</u>	<u>042-171-044</u>	

Total Location Size
(Including Right-of-Ways) _____

B. Landowners: *- see extra page*

(1) Assessor Parcel Number : 042-160-26 Name: RAY CANEPA
 Mailing Address: 1024 Dezerai Ct. NAPA
 Phone Number: _____ E-mail: _____

(2) Assessor Parcel Number : 042-160-25 Name: RAY CANEPA
 Mailing Address: 1024 Dezerai Ct. NAPA
 Phone Number: _____ E-mail: _____

(3) Assessor Parcel Number : 042-160-24 Name: DAVID + ROBECCA BEJAR
 Mailing Address: 2091 W. Pueblo
 Phone Number: 707-225-2877 E-mail: dcbejari@gmail.com

(4) Assessor Parcel Number : 042-~~160-24~~¹⁷¹⁻⁰⁴⁴ Name: m/m Robert Lockhart
 Mailing Address: 2065 W. Pueblo
 Phone Number: _____ E-mail: _____

Use Additional Sheets As Needed

C. Population:

(1) Total Number of Residents: 6
 (2) Total Number of Registered Voters: 6

D. Land Use Factors:

- (1a) County General Plan Designation: _____
- (1b) County Zoning Standard: RS:UR
- (2a) Applicable City General Plan Designation: SFI-68
- (2b) Applicable City Prezoning Standard: R1-7

E. Existing Land Uses: 025-1 SFR with 2 car garage
(Specific) 2075 W. Pueblo 026 no other improvements

2091 W. Pueblo 024 - SFR
2065 W. Pueblo 044 - SFR
2063 W. Pueblo 045 - SFR with detached garage

F. Development Plans:

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project: not submitted yet project to be submitted upon annexation approval
- (1c) If No, When Is Development Anticipated? _____

G. Physical Characteristics:

- (1) Describe Topography: Level
- (2) Describe Any Natural Boundaries: None
- (3) Describe Soil Composition and Any Drainage Basins: UNKNOWN
- (4) Describe Vegetation: Trees

H. Williamson Act Contracts
(Check One)

Yes

No

IV. GOVERNMENTAL SERVICES AND CONTROLS

A. Plan For Providing Services:

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

water-city
Sewer-NAPA SANITATION
Utilities- P&E

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

SUFFICIENT to serve ANTICIPATED development
Approximately 12-14 SFR

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

Currently at property Lines

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

Normal INFRASTRUCTURE - street, curb, gutters
utilities

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

when development occurs

V. ENVIRONMENTAL INFORMATION

A. Environmental Analysis

(1) Lead Agency for Proposal: City of Napa
Name

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

- Environmental Impact Report
- Negative Declaration/Mitigated Negative Declaration
- Categorical/Statutory Exemption: _____
Type
- None

Provide Copies of Associated Environmental Documents

VI. ADDITIONAL INFORMATION

A. Approval Terms and Conditions Requested For Commission Consideration:

None

Use Additional Sheets As Needed

B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:

(Does not include affected landowners or residents)

(1) Recipient Name: M/M David Tresso

Mailing Address: 2063 W. Pueblo

E-Mail: _____

(2) Recipient Name: M/M Robert Lockhart

Mailing Address: 2065 W. Pueblo

E-Mail: _____

(3) Recipient Name: _____

Mailing Address: _____

E-Mail: _____

VII. CERTIFICATION

I certify the information contained in this application is correct. I acknowledge and agree the Local Agency Formation Commission of Napa County is relying on the accuracy of the information provided in my representations in order to process this application proposal.

Signature: Randy A. Gilarte

Printed Name: RANDY A. GILARTE

Title: Representing Ray Canepa

Date: 6/3/14

Standard Indemnification Agreement

Should the Local Agency Formation Commission of Napa County ("Napa LAFCO") be named as a party in any litigation (including a "validation" action under California Civil Code of Procedure 860 et seq.) or administrative proceeding in connection with a proposal, the applicant Ray Canepa and/or _____ (real party in interest: the landowner/registered voter) agree to indemnify, hold harmless, and promptly reimburse Napa LAFCO for:

1. Any damages, penalties, fines or other costs imposed upon or incurred by Napa LAFCO, its agents, officers, attorneys, and employees from any claim, action, or proceeding brought against any of them, the purpose of which is to attack, set aside, void, or annul the approval of this application or adoption of the environmental document which accompanies it. The Napa LAFCO Executive Officer may require a deposit of funds to cover estimated expenses of the litigation. Applicant and/or real party in interest agree that Napa LAFCO shall have the right to appoint its own counsel to defend it and conduct its own defense in the manner it deems in its best interest, and that such actions shall not relieve or limit Applicant's and/or real party in interest's obligations to indemnify and reimburse defense cost; and
2. All reasonable expenses and attorney's fees in connection with the defense of Napa LAFCO.

This indemnification obligation shall include, but is not limited to, expert witness fees or attorney fees that may be asserted by any person or entity, including the applicant, arising out of, or in connection with, the approval of this application. This indemnification is intended to be as broad as permitted by law.

Applicant and/or real party in interest may be required by Napa LAFCO to execute an additional indemnity agreement as a condition of approval for this application. Such an agreement in no way limits the effect of obligations provided under this legal indemnity.

City or District Application

City/District Representative

Print Name

Date

Land Owner Petition Application

Ray Canepa
Land Owner Signature - RAY CANEPA

RAY CANEPA
Print Name

6/3/14
Date

West Pueblo Avenue Annexation to the City of Napa:

Landowner Information

1. 2063 W Pueblo Ave (David Tiesso)
042-171-045
0.39 acres

2. 2065 W Pueblo Ave (Robert Lockhart)
042-171-044
0.26 acres

3. No situs address (Ray Canepa)
042-160-025
1.50 acres

4. 2075 W Pueblo Ave (Ray Canepa)
042-160-026
1.00 acres

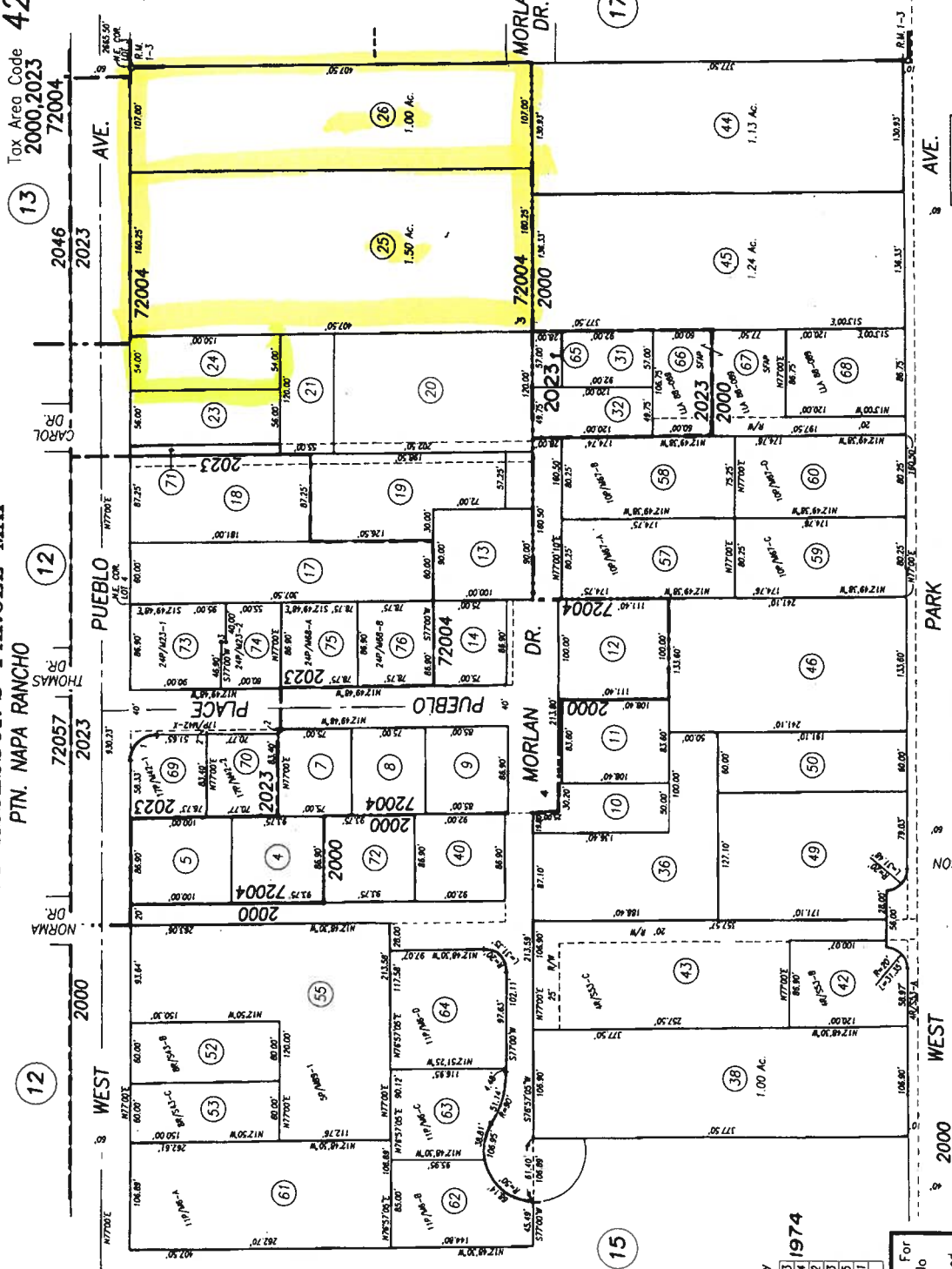
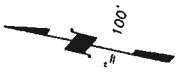
5. 2091 W Pueblo Ave (David Bejar)
042-160-024
0.19 acres

TOTAL = 3.34 acres

COUNTY ASSESSOR'S PARCEL MAP
PTN. NAPA RANCHO

Tax Area Code
2000, 2023
72004

42-16



1.	8-25	1-18-84
2.	11-20-02	3-5-02
3.	11-29-09	5-00

Assessor of Napa County

REVISION	DATE
10-20-93	
5-31-94	
160-15 TRM CHC	12-31-02
160-73 # 74 PM	11-24-03
160-75 # 76 PM	5-26-05
160-19 PM TO RD	10-25-11

NOTE: This Map Was Prepared For Assessment Purposes Only. No Liability is Assumed For The Accuracy Of The Data Delineated Hereon.

42-16

Graham's Subd., R.M. Bk. 2, Pg. 34

19

2000
2023

19

20

42-16

Tax Area Code
2000, 2004 42-17

2005 72057

2005 72057

2005

2005

2005

WEST

WEST

WEST

WEST

WEST

WEST

AVE.

AVE.

AVE.

AVE.

AVE.

AVE.

2005

2005

2005

2005

2005

2005

STATE

STATE

STATE

STATE

STATE

STATE

HWY

HWY

HWY

HWY

HWY

HWY

NO. 29

NO. 29

NO. 29

NO. 29

NO. 29

NO. 29

(FREEWAY)

(FREEWAY)

(FREEWAY)

(FREEWAY)

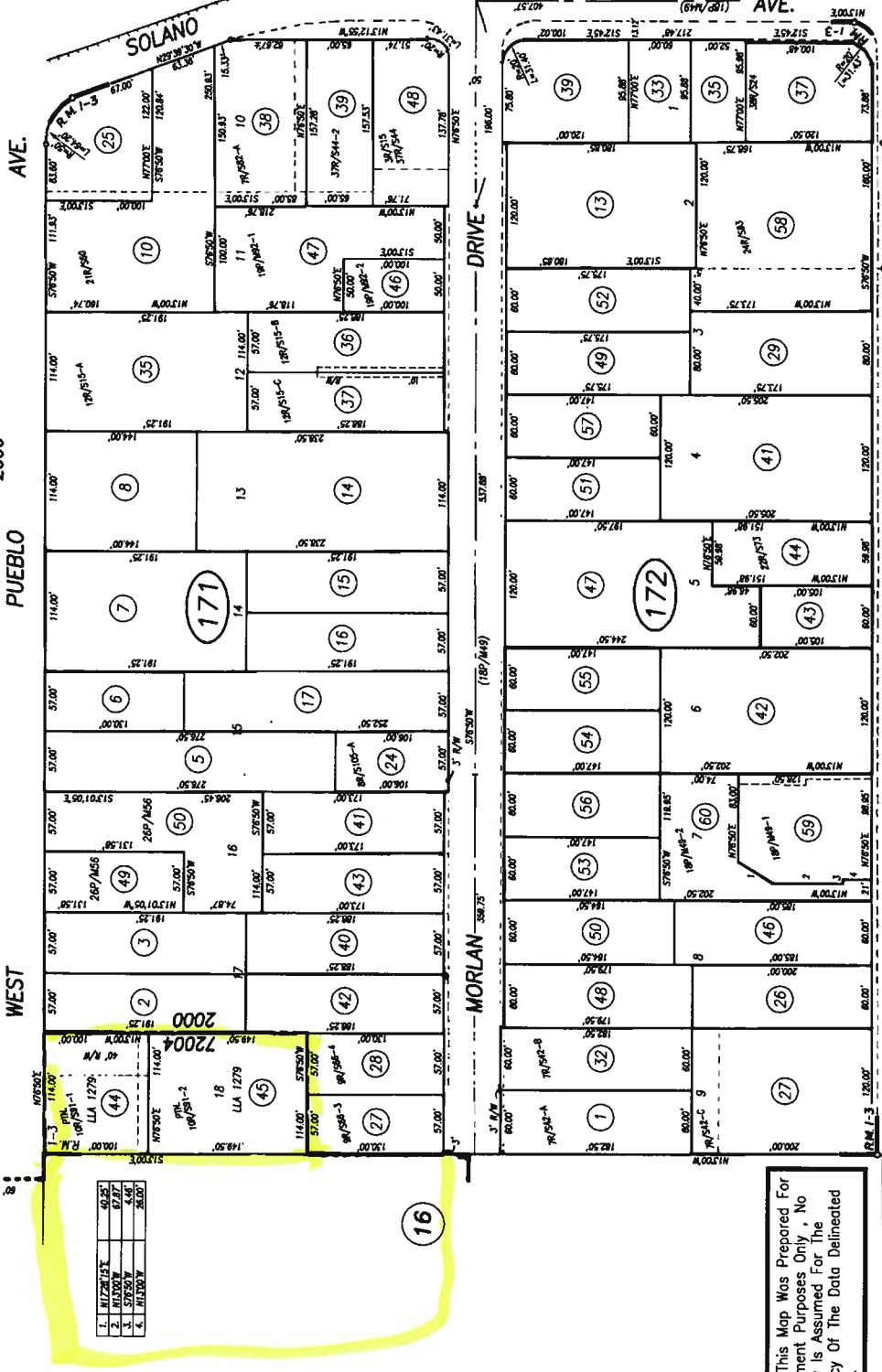
(FREEWAY)

(FREEWAY)

MYRTLE AVE.

BK. 1
02

MENLO AVE.



NOTE: This Map Was Prepared For Assessment Purposes Only, No Liability is Assumed For The Accuracy Of The Data Delineated Hereon.

171-44 & 45 LIA	4-24-02
171-12, 37, 39 RS	9-21-05
171-48 MERGER	11-3-06
PTN 172-35&37 RS	3-12-07
171-49 & 50 PM	12-30-09
REVISION	DATE

Assessor's Map Bk. 42 Pg. 17

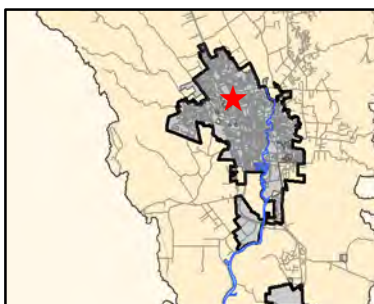
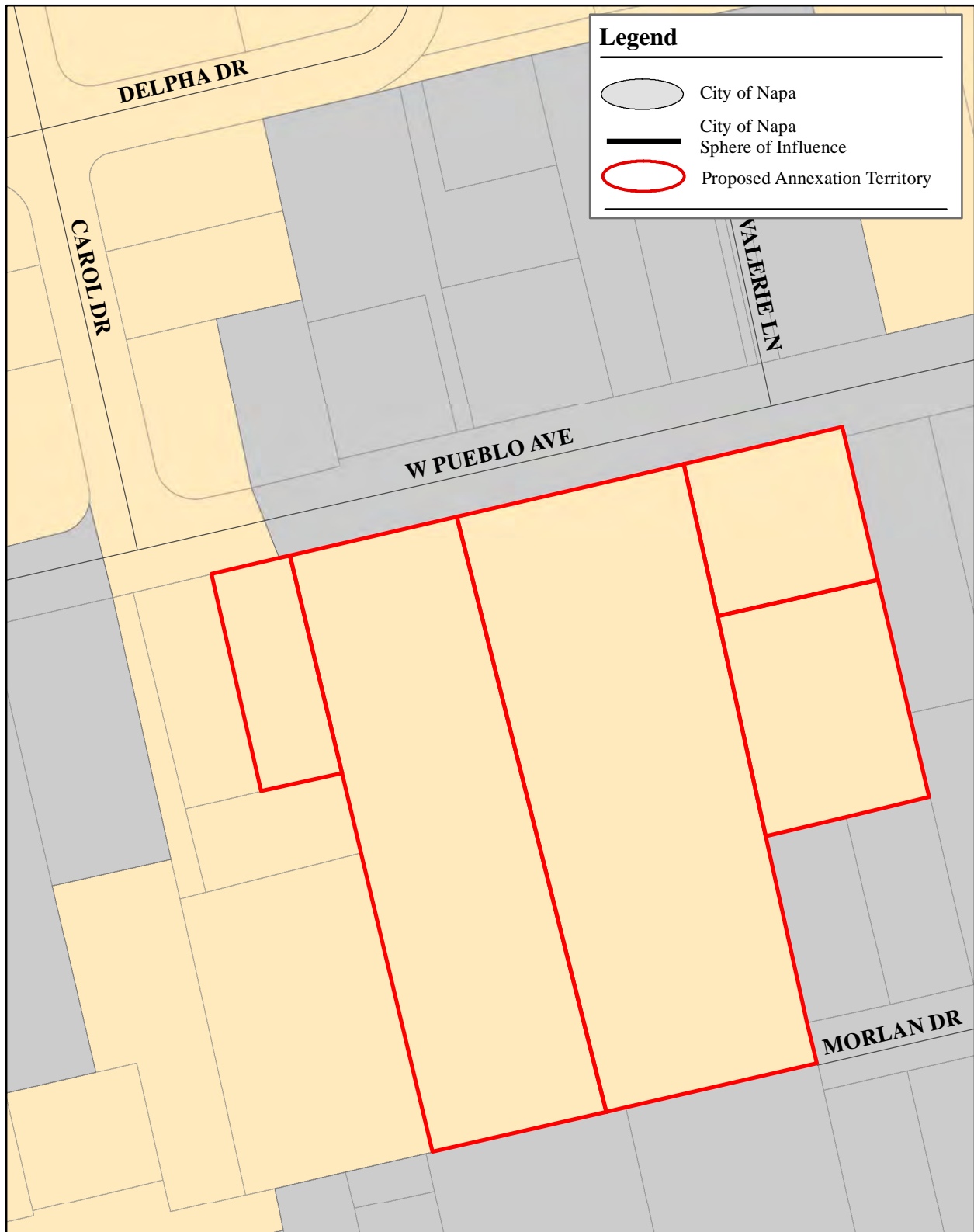
20

County of Napa, Calif.
1956

NOTE - Assessor's Block Numbers Shown in Ellipses.
Assessor's Parcel Numbers Shown in Circles.

MORLAN ACRES, R.M. BK. 1, SURV., PG. 3

West Pueblo Avenue No. 1 Annexation to the City of Napa



0 0.005 0.01 0.02 Miles

April 21, 2014
Prepared by BF



LAFCO of Napa County
1030 Seminary Street, Suite B
Napa, California 94559
www.napa.lafco.ca.gov



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

1030 Seminary Street, Suite B
Napa, California 94559
Telephone: (707) 259-8645
Facsimile: (707) 251-1053
<http://www.napa.lafco.ca.gov>

Annexation Survey
West Pueblo Avenue / Linda Vista Avenue Island

Landowner/Resident Name: David & Rebecca Bejar
Resident Address: 2091 West Pueblo Av. Napa Ca 94558
Mailing Address (if different): _____

Question One: Check the applicable response

- I am a resident and landowner within the West Pueblo Avenue / Linda Vista Avenue unincorporated island.
- I am a non-resident landowner within the West Pueblo Avenue / Linda Vista Avenue unincorporated island.
- I am a resident but not a non-landowner within the West Pueblo Avenue / Linda Vista Avenue unincorporated island.

Question Two: Check the applicable response

- Yes, I am interested and would consent to joining an annexation proposal involving the other neighboring properties to the City of Napa.
- No, I am not interested and would not consent to joining an annexation proposal involving the other neighboring properties to the City of Napa.
- Not sure. I would need more information with respect to the following:

Telephone Number: (707) 225-2877

E-mail Address: dcbejar1@gmail.com

City Of Napa – Community Development Department
 1600 First Street – P.O. Box 660
 Napa, CA 94559
 (707) 257-9530

INITIAL STUDY OF ENVIRONMENTAL SIGNIFICANCE

PROJECT NAME:	West Pueblo Annexation	FILE NUMBER: 14-0031
SITE ADDRESS:	2063, 2065, 2075, 2083 and 2091 West Pueblo Avenue	APN: 042-160-024, 025, 026 & 042-171-044 & 045
GENERAL PLAN:	SFI-068, Single Family Infill (2-5 units/acre)	
PREZONING:	RI-7, Single Family Infill District	
APPLICANT:	Randy Gularte 780 Trancas Street Napa, CA 94558	PHONE: (707) 256-2145

PROJECT DESCRIPTION: An annexation application to include the five parcels at 2063, 2065, 2075, 2083 and 2091 West Pueblo Avenue into the City limits of Napa. The total area of the proposed annexation is approximately 3.34 acres. The parcels are located within an unincorporated "island" substantially surrounded by the City within the City's Rural Urban Limit line (RUL) and the LAFCO Sphere of Influence. Four of the properties are developed with single family residences with the 1.50 acre property at 2083 West Pueblo Avenue being vacant. No physical development is proposed in conjunction with the annexation request.

ENVIRONMENTAL SETTING – The City of Napa is a 150 year old community of approximately 77,880 people (State Dept. of Finance 2010 estimate) located in the north part of the San Francisco Bay region. Napa is a largely developed city, surrounded by a Rural Urban Limit (RUL) line designed to contain urban development and protect important agricultural lands outside the city. The five properties are within the City's RUL and LAFCO Sphere of Influence, substantially surrounded by the City. The properties are located on the south side of West Pueblo Avenue approximately 1000 feet west of Solano Avenue. The area surrounding the subject properties are developed with residential uses.

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED (E.G., PERMITS, FINANCING APPROVAL, OR PARTICIPATION AGREEMENT.

The Napa Local Agency Formation Commission (LAFCO) has the authority to act on any annexation application. For this annexation to occur the City Council must pass an annexation resolution for the project, authorizing the City to submit a Boundary Change (Annexation) Application to the LAFCO. The LAFCO will review the application for consistency with LAFCO policies and procedures. A property tax sharing agreement, one requirement of the application, has already been developed between the City and the County of Napa (County). Following City Council and LAFCO approval of the Boundary Change application, and assuming a lack of majority protest, the properties will be annexed into the City.

GUIDELINES DOCUMENTS, GENERAL PLAN DOCUMENTS AS PART OF CEQA DOCUMENTATION.

CEQA Guidelines Section 15150 recognizes the desirability of reducing the volume of documentation necessary for environmental review and authorizes the use of *incorporation by reference* of any portion of relevant documents that provide general background to the environmental document. As such, this Initial Study incorporates the City of Napa *General Plan Policy Document and Background Report* (Adopted 12/1/98, as it has been most recently amended), as well as the *Final EIR SCH #95-03-3060* certified for the General Plan and the CEQA Findings (CC Reso. 98-238 and 239); the *Housing Element* General Plan Amendment and Negative Declaration, adopted 12/4/2001 (CC Reso. 2001/272-274) and amended in 2004; the *Zoning Ordinance* and Negative Declaration, adopted 8/12/2003 (CC Reso. 2003/187; Ordinance 2003 12 as most recently amended). These documents are available for review at the City of Napa Community Development Department, 1600 First Street, Napa, CA (707) 257-9530.

PURPOSE OF INITIAL STUDY

The purpose of this Initial Study is to evaluate the environmental impacts of the annexation project. This analysis incorporates analysis and conclusions from the General Plan FEIR by reference. Future development applications will require additional project level CEQA analysis.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages. This initial study prescribes mitigation measures to reduce all potentially significant impacts to a less than significant level.

- Aesthetics
- Agriculture & Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology & Soils
- Greenhouse Gas Emissions
- Hazards & Hazardous Materials
- Hydrology & Water Quality
- Land Use & Planning
- Mineral Resources
- Noise
- Population & Housing
- Public Services
- Recreation
- Transportation & Traffic
- Utilities & Service Systems
- Mandatory Findings of Significance

CEQA DETERMINATION:

- Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by:



 Signature
 Scott Klingbeil

4/22/14

 Date
 For: Rick Tooker, Community Development Director
 City of Napa Community Development Department

ENVIRONMENTAL CHECKLIST:

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
I. AESTHETICS. <i>Would the project:</i>				
a. Have a substantial adverse effect on a scenic vista?				X
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c. Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
<p><u>Discussion:</u> Visual quality is assessed in the General Plan FEIR on pages 3.6-1 through 3.6-5 and S-17. Environmental analysis and conclusions related to the aesthetic character of urban development generally, enhancement of the visual setting along key corridors, and protection of scenic resources are specifically discussed in items 1, 2 and 4 on pages 3.6-2, 3.6-3, and 3.6-5 and include references to applicable mitigating policies in the General Plan. Future projects would need to address City design policies and guidelines. Prior to development of additional uses within the undeveloped areas, the design of any new development would be subject to the architectural design guidelines and conditions of approval previously established under the City of Napa. Where applicable, new construction may be subject to the City's architectural design guidelines.</p> <p><u>General Plan Mitigating Policies and implementing programs:</u> LU-1, LU-1.2, LU-1.4, LU-1.5, LU-1.6, LU-1.8, LU-1.A, LU-1.C, LU-4.1, LU-4.5, LU-4.11, LU-4.A, , LU-4.B, LU-7.4, LU-8.A, LU-10.1, LU-10.2, LU-10.3, LU-10.4, LU-10.5, H-3.1, H-3.A, H-3.B, H-3.C, H-3.D NR 1.7, NR-1.C, NR-1.E</p> <p><u>Conclusion:</u> The proposed annexation will not result in changes in the environment. The proposed annexation (and any potential future development consistent with the General Plan) will not result in significant new aesthetic impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures and the City's Residential Design Guidelines.</p>				
II. AGRICULTURAL & FOREST RESOURCES. <i>Would the project:</i>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b. Conflict with existing zoning for agricultural use or a Williamson Act Contract?				X
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?				X
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X
<p><u>Discussion:</u> The proposed annexation does not affect new agricultural lands that were not already assessed in the General Plan FEIR on pages 3.2-3 through 3.2-8 and on pages 4-1 through 4-2. The State Farmland Mapping Program identifies the parcels as "Urban and Built Up Land". In the General Plan FEIR, loss of small agricultural plots not on prime agricultural soils when contiguous with urban development within the RUL was not considered significant while conversion of prime soils (identified as Classes I and II) within the RUL was</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p>considered significant but offset in part by General Plan policies that focus development within the RUL, thereby protecting significant tracts of agricultural land and open space outside the RUL from development. Findings of overriding consideration were made in the FEIR regarding the loss of some prime agricultural soils within the city to allow land within the RUL to be used for urban uses to accommodate housing growth consistent with local and regional projections. A primary goal of the City's General Plan is to contain urban development within the City's Rural Urban Limit to minimize disturbance to the region's rich agricultural resources outside the RUL.</p> <p><u>General Plan Mitigating Policies:</u> LU-2.1, LU-2.2, LU-3.1, LU-10.2, LU-10.5, LU-3.1, LU-3.2</p> <p><u>Conclusion:</u> The proposed annexation (and potential future development consistent with the General Plan) will not result in significant impacts related to conversion of mapped Farmland or significant impacts on prime soils that were not already evaluated in the General Plan FEIR and addressed by the mitigating policies of the General Plan as well as City Policy Resolution 27 standard conditions and mitigation measures.</p>				
<p>III. AIR QUALITY. [Significance criteria established by the BAAQMD may be relied upon to make the following determinations] <i>Would the project:</i></p>				
a. Conflict with or obstruct implementation of the applicable air quality plan?				X
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
d. Expose sensitive receptors to substantial pollutant concentrations?				X
e. Create objectionable odors affecting a substantial number of people?				X
<p><u>Discussion:</u> Air Quality is assessed in the General Plan FEIR on pages 3.10-1 through 3.10-5 and S-22-23. Impact discussion items in this section are at a program level, city-wide basis and include references to applicable mitigating policies in the General Plan. The proposed annexation (and subsequent potential development) do not alter the overall area land use assumptions used for analysis of these impacts in the General Plan FEIR.</p> <p><u>General Plan Mitigating Policies:</u> NR-5, NR-5.1, NR-5.2, NR-5.3, NR-5.4, NR-5.5, NR-5.6; T-1.1, T-5.1, T-5.2, T-5.4, T-5.12, T-5.13T-6.1, T-6.2, T-6.8, T-6.9, T-6.D, T-6.E, T-7.1, T-7.2, T-7.A, T-8.1, T-8.2, T-8.A and B, T-9.2 T-9.8, PR 5.2, PR-5.4, PR-5.7, LU-3.1, LU-3.2, LU-5.3, LU-5.7, LU-7.3, LU-7.4.</p> <p><u>Conclusion:</u> The proposed annexation (and any potential future development consistent with the General Plan) will not result in significant new air quality impacts that are not already evaluated in the General Plan FEIR and addressed by the mitigating policies of the General Plan as well as City Policy Resolution 27 standard conditions and mitigation measures.</p>				
<p>IV. BIOLOGICAL RESOURCES. <i>Would the proposal result in:</i></p>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game (CDFG) or U.S. Fish and Wildlife Service (USFWS)?				X
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFG or USFWS?				X
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool,, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d. Interfere substantially with the movement of any native resident or				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X
<p>Discussion: Biological resources are assessed in the General Plan FEIR on pages 3.7-1 through 3.7-10, S-18-19. Page 4-1 also provides discussion regarding endangered species and the potential for an unavoidable impact that may unknowingly result, regardless of mitigating policies, from future development that is enabled by the General Plan. The 2003 Zoning Ordinance updated and strengthened ordinance provisions relating to riparian habitat and wetland identification and protection to help implement these mitigating policies, and also references City native tree protection requirements. The California Native Diversity Database 1998 map for the Napa Quad does not identify any species of concern anywhere close to the site. Potential future development consistent with the General Plan will be subject to General Plan and zoning ordinance provisions, as well as CEQA requirements to address and mitigate impacts on site resources. There are no applicable habitat or conservation plans over these properties.</p> <p>General Plan Mitigating Policies: LU-10.1, LU-10.2, LU-10.3, LU-10.4, LU-10.5, NR-1.1, NR-1.2, NR-1.3, NR-1.4, NR-1.5, NR-1.6, NR-1.7, NR-1.8, NR-1.10, NR-1.11, NR-1.12, NR-1.13, NR-1.A, NR-2.1, NR-2.3, NR-2.4, NR-2.A, NR-2.B, NR-3.3, NR-4.1, NR-4.2, NR-4.4, NR-4.5, NR-4.7</p> <p>Conclusion: The proposed annexation by itself does not result in changes in the environment. The proposed annexation (and any potential future development consistent with the General Plan) will not result in significant new biologic impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures.</p>				
V. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of an historical resource as defined in Sec.15064.5?				X
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Sec. 15064.5?				X
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d. Disturb any human remains, including those interred outside of formal cemeteries?				X
<p>Discussion: Historic/cultural resources are assessed in the General Plan FEIR on pages 3.5-1 through 3.5-4 and S-16 Impact discussion items in this section are at a program, citywide level and include references to applicable mitigating policies in the General Plan. This area is outside of the Citywide survey of historic resources, but may contain buildings that are more than 50 years old. However, the annexation does not propose demolition of any structures or other physical development. A planning area-wide <i>Archaeological Sensitivity Survey</i> was compiled in 2001; this survey identifies the parcels as having low sensitivity. The environmental review for any future master planning or specific planning of the site will further evaluate site archaeological resources. No human remains or unique paleontological resources or unique geologic feature have been identified in overall city surveys near this area.</p> <p>General Plan Mitigating Policies: HR-1.1, HR-1.2, HR-1.3, HR-1.8, HR-1.15, HR-1.18, HR-1.19, HR-1.20, HR-1.B, HR-1.C, HR-1.P; HR-6.1 through 6.4.</p> <p>Conclusion: The proposed annexation will not result in changes in the environment. The proposed annexation</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
(and any potential future development consistent with the General Plan) will not result in significant new cultural resource impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs, guidelines and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures.				
VI. GEOLOGY & SOILS. <i>Would the project:</i>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Pub. 42				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b. Result in substantial soil erosion or the loss of topsoil?				X
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse)?				X
d. Be located on expansive soil, as defined in Table 18-1B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
<p><u>Discussion:</u> Geologic and soils-related impacts are assessed in the General Plan FEIR on pages 3.8-1 through 3.8-3 and S-20. Impact discussion items in this section are at a program, citywide level and include references to applicable mitigating policies in the General Plan. The sites proposed for annexation are for the most part flat. The site is not within an Alquist Priolo Earthquake Fault Zone. All of Napa is subject to earthquake risk and risks in this general area are considered moderate.</p> <p><u>General Plan Mitigating Policies:</u> HS-1.1 through 1.5, HS-2.1 through 2.</p> <p><u>Conclusion:</u> The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new geologic and soils-related impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that EIR when development is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures, including building codes for construction.</p>				
VII. GREENHOUSE GAS EMISSIONS. <i>Would the project:</i>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X
<p><u>Discussion:</u> The proposed annexation will not result in changes in the environment as it relates to greenhouse gas emissions. The site is currently developed with a single family residence and no development or construction is proposed with this project that would impact greenhouse gas emissions.</p> <p><u>General Plan Mitigating Policies:</u> None.</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<u>Conclusion:</u> No impact to greenhouse gas emissions.				
VIII. HAZARDS & HAZARDOUS MATERIALS. <i>Would the project:</i>				
a. Create a significant hazard to the public or the environment through the routing transport, use or disposal of hazardous materials?				X
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e. For a project located within an airport land use plan, would the project result in a safety hazard for people residing or working in the project area?				X
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h. Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X
<p><u>Discussion:</u> Hazardous materials-related impacts are assessed in the General Plan FEIR in the "Health and Safety" section on pages 3.12-1 through 3.12-3, S-23; fire and emergency preparedness and response impact assessments are found on pages 3.4--6, and 4-8. Impact discussion of these subjects are at a program, citywide level and include references to applicable mitigating policies from the Health and Safety Element of the General Plan. The parcels to be annexed are not near private airstrips or the Napa County Airport and are not on a hazardous materials list. These parcels are not located within a wildland-urban interface fire hazard area as identified on General Plan maps.</p> <p><u>General Plan Mitigating Policies:</u> Hazardous Materials: HS-7.1 through 7.2; Emergency Preparedness and Response: HS-8.1 through 8.19; Wildland Fire hazards: HS-5.1 through 5.3, H-5.A; Aircraft Hazards: Not Applicable.</p> <p><u>Conclusion:</u> The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new hazard/hazardous materials impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures.</p>				
IX. HYDROLOGY & WATER QUALITY. <i>Would the project:</i>				
a. Violate any water quality standards or waste discharge requirements?				X
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits				X

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
have been granted?				
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f. Otherwise substantially degrade water quality?				X
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j. Inundation by seiche, tsunami, or mudflow?				X
<p>Discussion: Hydrology and water quality-related impacts are assessed in the General Plan FEIR on pages 3.9-1 through 3.9-3; S-20-21. Impact discussion of this subject is at a program, citywide level and includes references to applicable mitigating policies from both the Community Services and Natural Resource Chapters of the General Plan. Such policies are implemented by the City's Floodplain Management Ordinance, storm drainage master plan, drainage and best management practices programs (the National Pollutant Discharge Elimination System (NPDES) program) called for by the General Plan and Standard Policy Resolution 27 conditions and mitigation measures.</p>				
<p>General Plan Mitigating Policies: Water Quality: NR-4.1 through 4.7; Hydrology/Storm Drainage: CS-11.1 through 11.9, CS-11.A; H-3.1 through 3.9, H-4.1 and 4.2</p>				
<p>Conclusion: The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new hydrology and water quality impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when development is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures.</p>				
<p>X. LAND USE & PLANNING. Would the project:</p>				
a. Physically divide an established community?				X
b. Conflict with any applicable land use plan, policy, or resolution of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X
<p>Discussion: The proposed annexation will be carried out in compliance with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (updated 2011) and the City of Napa General Plan. The project will result in the annexation of five parcels that are currently within the City Sphere of Influence (SOI) and Rural Urban Limit. The parcels within the proposed annexation have been pre-zoned consistent</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p>with City land-use designations. The five properties have been rezoned Residential Infill District (RI-7) and will have a Single Family Infill General Plan designation. The proposed annexation will not result in any physical changes to the environment or established community. Because the properties have been developed with and are rezoned for residential uses, the annexation will not result in a conflict with land use policies or conversation plans. Annexation will allow for eventual future development consistent with land uses and intensity identified in the General Plan for this area. Project related impacts of any future development will be analyzed in conjunction with any subsequent application.</p> <p><u>General Plan Mitigating Policies:</u> All of the policies in the General Plan.</p> <p><u>Conclusion:</u> The proposed annexation (and potential subsequent development) will not result in new land use impacts not already evaluated in the General Plan FEIR and addressed by the mitigating policies of the General Plan.</p>				
<p>XI. MINERAL RESOURCES. <i>Would the project:</i></p>				
<p>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</p>				X
<p>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?</p>				X
<p><u>Discussion:</u> Based on information compiled as part of the city General Plan and its FEIR, there are no known mineral resource sites within the City or its RUL.</p> <p><u>General Plan Mitigating Policies:</u> None needed</p> <p><u>Conclusion:</u> The proposed annexation will not result in any impacts related to mineral resources as there are no known mineral resource sites in the City or its RUL.</p>				
<p>XII. NOISE. <i>Would the project result in:</i></p>				
<p>a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies??</p>				X
<p>b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?</p>				X
<p>c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project</p>				X
<p>d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</p>				X
<p>e. For a project located within an airport land use plan, would the project expose people residing or working in the project area to excessive noise levels?</p>				X
<p><u>Discussion:</u> Noise related impacts are assessed in the General Plan FEIR on pages 3.11-1 through 3.11-9 and S-23. Impact discussion of this subject is at a program, citywide level and includes references to applicable mitigating policies in the Health and Safety Chapter of the General Plan.</p> <p>The proposed annexation area has been planned for eventual urban development; ambient noise levels would in the long term be consistent with typical residential use and would not be a substantial increase over existing levels in this infill area. The site is outside of the Airport Land Use Plan area.</p> <p><u>General Plan Mitigating Policies:</u> HS-9.1 through 9.14, HS-9.A and the noise level standards shown in Table 8-1.</p> <p><u>Conclusion:</u> As with other topic areas, the proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new noise impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures, including measures</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
relating to temporary construction noise that may be anticipated with development.				
XIII. POPULATION AND HOUSING. <i>Would the project:</i>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads and other infrastructure)?				X
b. Displacing substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p><u>Discussion:</u> The General Plan identifies this area for residential use. While the annexation has no impact on population and housing; any eventual future development must occur consistent with land uses and densities called for by the General Plan. The City also carefully monitors residential development pacing as it relates to the city's "even rate of growth" policies and to date, the pace of development has been within that planned by the General Plan; if it were not, the city has a draft pacing ordinance to address that eventuality.</p> <p><u>General Plan Mitigating Policies:</u> All of the policies in the Land Use and Housing Elements of the General Plan.</p> <p><u>Conclusion:</u> The proposed annexation (and potential subsequent development) will not result in new population and housing impacts not already evaluated in the General Plan FEIR and addressed by the mitigating policies of the General Plan.</p>				
XIV. PUBLIC SERVICES. <i>Would the project:</i>				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services including:				X
i) Fire Protection?				X
ii) Police Protection?				X
iii) Schools?				X
iv) Parks?				X
v) Other Public Facilities?				X
<p><u>Discussion:</u> Public Service-related impacts are assessed in the General Plan FEIR in the "Community Services and Utilities" section on pages 3.4-1 to 4-2; 3.4-5 to 3.6 and 3.4-16 to 3.4-17. Impact discussion of this subject is at a program, citywide level and includes references to applicable mitigating policies from relative sections of the Community Services chapter of the General Plan. The proposed annexation (and any subsequent potential development) do not alter the overall assumptions used for analysis of these impacts in the General Plan FEIR.</p> <p><u>General Plan Mitigating Policies:</u> All police, fire and emergency medical policies in the Community Services Element of the General Plan CS1.1 through 1.5, CS-1.7; CS-2.1-2.2; CS-3.1-3.3; CS-4.1-4.4; CS-5.1-5.8; CS-6.1-6.8; CS-7.1-7.5; CS-8.1-8.3 and all parks policies found in the Parks and Recreation Element.</p> <p><u>Conclusion:</u> The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new public services impacts that are not already analyzed in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures, including payment of fire and paramedic, park and school fees.</p>				
XV. RECREATION. <i>Would the project:</i>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that a substantial physical deterioration of the facility would occur or be accelerated?				X
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p><u>Discussion:</u> The Parks and Recreation Element of the General Plan was carried forward in the 1988 General Plan. A separate Parks and Recreation Element EIR, referenced in the General Plan FEIR, evaluated and addressed impacts in the category of recreation, including discussion on p. S-15.</p> <p><u>General Plan Mitigating Policies:</u> All policies in the Parks and Recreation Element of the General Plan and Appendix D Trails Alignment Recommendations.</p> <p><u>Conclusion:</u> The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new recreation impacts that are not already analyzed in the General Plan FEIR and such potential impacts will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (that include implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures, including park dedication and improvement fees.</p>				
XVI. TRANSPORTATION & TRAFFIC. <i>Would the project:</i>				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersection) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity				X
g) Conflict with adopted policies supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X
<p><u>General Plan Discussion:</u> Transportation-related impacts are assessed in the General Plan FEIR on pages 3.3-1 through 3.3-15 and S-11 and 12. Impact discussion of this subject is at a program, citywide level and includes references to applicable mitigating policies from relevant sections of both the Land Use and Transportation Elements of the General Plan, including establishment of level of service standards. Any new development projects require evaluation of traffic impacts in accordance with the City's <i>Traffic Impact Analysis</i> policy guidelines. Further, city policies encourage pedestrian and bicycle connections within new development and to surrounding areas when development is proposed, and ordinances require onsite parking to meet needs of the development. The City will continue to require mitigation measures from future new development to implement major road improvements identified in the transportation section of the Plan including assessing traffic impact fees on new development sufficient to cover the fair share of that development's impacts; requiring that new developments reserve right of ways for widening projects and other road improvements, and other measures related to the specific project's impacts. In addition, City plans call for seeking additional funding for transportation system improvements.</p> <p><u>General Plan Mitigating Policies:</u> All policies in the Transportation Element of the General Plan.</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
<p>Conclusion: The proposed annexation will not result in changes in the environment and any subsequent potential development will not alter the overall area land use assumptions used for analysis of these impacts in the General Plan FEIR. The proposed annexation and any potential future development consistent with the General Plan will not result in significant new transportation impacts that are not already analyzed adequately in the General Plan FEIR. Potential impacts of any future development will be required to be avoided or mitigated in accordance with the earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (and implementing ordinances and programs, such as the City's <i>Policy Guidelines: Traffic Impact Analysis for Private Development Review</i>) as well as City Policy Resolution 27 standard conditions and mitigation measures, including traffic mitigation fees.</p>				
<p>XVII. UTILITIES & SERVICE SYSTEMS. <i>Would the project:</i></p>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g. Comply with federal, state, and local statutes and regulations related to solid waste?				X
<p>Discussion: Water supply and distribution, wastewater, and solid waste impacts are assessed in the General Plan FEIR in the "Community Services and Utilities" section on pages 3.4-2 through 3.4-15., while drainage is discussed in the hydrology and water quality section on pages 3.9-1 through 3.9-3. Impact discussion of this subject is at a program, citywide level and includes references to applicable mitigating policies from relative sections of the Community Services chapter of the General Plan. About the same time as General Plan adoption, the County approved a contract amendment with the State to accelerate the City's North Bay Aqueduct water entitlement, to provide sufficient water supplies for General Planned development through the planning period. A more recent LAFCO 2050 Napa Valley Water Resources Study confirmed sufficient supplies through 2020 and, except for a slight shortage under a single dry year scenario, through 2050. The proposed annexation (and subsequent potential development) do not alter the overall area land use assumptions used for analysis of these impacts in the General Plan FEIR.</p> <p>The Water Division and Stormwater drainage division indicated no concerns with the proposed annexation. The City of Napa Water and Drainage Divisions, NSD and solid waste companies coordinate with City Community Development to serve planned development within the City when development proposals are submitted. .</p> <p>General Plan Mitigation Policies: CS-9.1 through 9.10; CS-10.1 through 10.3; CS 11.1 through 11.9, CS-12.1 and 12.2, S-12 through 15, S-20-21</p> <p>Conclusion: The proposed annexation will not result in changes in the environment. The proposed annexation (and potential future development consistent with the General Plan) will not result in significant new utilities and service impacts that are not already analyzed adequately in the General Plan FEIR and such potential impacts</p>				

Environmental Issue Area	Potentially Significant Impact, Unmitigated	Potentially Significant Impact, Mitigated	Less Than Significant Impact	No Impact
will be avoided or mitigated in accordance with that earlier EIR when a development project is proposed by applying mitigating policies of the General Plan (such as best management practices, drainage system master plan, drainage studies and other implementing programs and ordinances) as well as City Policy Resolution 27 standard conditions and mitigation measures.				
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				No
b. Does the project have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in conjunction with the effects of past projects, the effects of other current projects and the effects of probable future projects.)				No
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				No
<p><u>Discussion:</u> The proposed annexation does not create any changes to the environment. The proposed annexation (and subsequent potential development) do not alter the overall area land use assumptions used for analysis of these impacts in the General Plan FEIR or raise new issues related to fish and wildlife habitat, endangered plants, historic resources, cumulative impacts or environmental effects on human beings not already addressed by the prior General Plan FEIR.</p>				
<p>Submittal of this annexation application to LAFCO (and any potential subsequent development consistent with the General Plan) will not affect the application of project-specific CEQA requirements, General Plan mitigating policies and their implementing programs or ordinances, and City standards and conditions contained in Policy Resolution 27 during master planning of the site or other development project review.</p>				

SOURCES OF INFORMATION USED IN PREPARATION OF THIS INITIAL STUDY:

On file at the Planning Division:

City of Napa; *General Plan Policy Document*, Adopted December, 1998.
City of Napa; *General Plan Background Report*, Adopted December, 1998.
City of Napa; *General Plan Final Environmental Impact Report*, Adopted December, 1998.
City of Napa; *Zoning Ordinance*, 1996.
City of Napa; *Resolution 89-362* Establishing a Street Improvement Fee for all new Development within the City and subsequent Resolutions Amending this Resolution: Resolution 93-198.
City of Napa, *Water System Optimization and Master Plan*, 1997; West Yost & Associates
City of Napa; *Water System Optimization and Master Plan*; Final EIR; 1997
City of Napa; *Big Ranch Specific Plan and Specific Plan FEIR*, October, 1996; Nichols Berman
City of Napa; *Linda Vista Specific Plan and Specific Plan FEIR*; October, 1987
County of Napa; *Napa County Airport Land Use Compatibility Plan*, April, 1991
Bay Area Air Quality Management District, *CEQA Guidelines*, 1996
Bay Area Air Quality Management District, *Bay Area '97 Clean Air Plan*, December, 1997
U.S. Army Corps of Engineers, *Napa River/Napa Creek Flood Protection Project General Design Manual and Supplemental EIR/EIR*, December, 1997.
State of California, Resources Agency, *Farmland Mapping and Monitoring Program*



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

1030 Seminary Street, Suite
B
Napa, California 94559
Phone: (707) 252-8015


LANDOWNER CONSENT FORM

I am the legal owner of property as described below and hereby voluntarily consent to the annexation of my land to the City of Napa as part of the proposal proceedings undertaken by Randy Gularte. In providing consent, and with the qualification that all related annexation costs be the responsibility of Randy Gularte, I acknowledge the Commission may proceed with considering the proposal without notice, hearing, or protest proceedings under Government Code Section 56663.

Landowner Name: Robert Lockhart

Property Address: 2065 West Pueblo Avenue, Napa, CA 94558

Property APN: 042-171-044



Landowner

7/10/14

Date

RECEIVED

JUL 10 2014

NAPA COUNTY
LAFCO

Joan Bennett, Vice Chair
Councilmember, City of American
Canyon

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

Brian J. Kelly, Chair
Representative of the General Public

Greg Pitts, Commissioner
Councilmember, City of St. Helena

Bill Dodd, Commissioner
County of Napa Supervisor, 4th

Gregory Rodano, Alternate
Commissioner
Representative of the General Public



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Conducting Authority Proceedings

Adopted: April 11, 2001
Amended: December 1, 2008

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 directs the Commission to administer conducting authority proceedings for all approved changes of organization or reorganization unless waived. Commission duties in administering conducting authority proceedings are codified in Government Code Sections 57000 et. seq.

II. Objective

The objective of this policy is to guide the Commission in administering conducting authority proceedings in an orderly and consistent manner. This includes establishing procedures in (a) scheduling, (b) noticing, (c) holding, and (d) completing protest hearings.

III. Procedures

A. Scheduling

- 1) The Executive Officer shall schedule a protest hearing within 35 days after the Commission's approval of the change of organization or reorganization.
- 2) The date of the protest hearing shall not be scheduled before the expiration of the 30-day reconsideration period.

B. Noticing

- 1) The Executive Officer shall provide notice no less than 21 days and not more than 60 days before the scheduled date of the protest hearing.
- 2) The notice on the protest hearing shall be published, posted, and mailed to all affected agencies and landowners as well as interested parties. The notice shall also be mailed to all affected registered voters if the territory is inhabited.
- 3) The notice on the protest hearing shall summarize the change of organization or reorganization, including a statement of justification and a description of the affected territory's location. The notice shall clearly state the time, date, and location of the protest hearing.
- 4) The notice on the protest hearing shall be accompanied by a standard protest form as provided in Attachment One.

C. Holding

- 1) The Executive Officer shall be responsible for holding the protest hearing. At the protest hearing, the Executive Officer shall take the following actions:
 - Summarize the Commission's resolution approving the change of organization or reorganization.
 - Open the protest hearing to receive written or verbal protests.
 - Continue the protest hearing from time to time, if needed, but not to exceed 60 days from its original scheduled date.
 - Close the protest hearing.
- 2) At the close of the protest hearing, the Executive Officer shall work with the County of Napa Assessor and Registrar of Voters' Offices, as needed, in validating the written protests filed and not withdrawn.

D. Completing

- 1) Within 30 days of the close of the protest hearing, the Executive Officer shall determine the value of the written protests filed and not withdrawn on the change of organization or reorganization.
- 2) The Executive Officer shall present his or her determination regarding the value of the written protests filed and not withdrawn to the Commission at a public meeting. The Commission shall adopt a resolution confirming the value of the written protests filed and not withdrawn and take one of the following actions:
 - If the affected territory is uninhabited:
 - Terminate the change of organization or reorganization if the landowners representing 50% or more of the assessed value of the affected land have filed written protests; or
 - Order the change of organization or reorganization without election if the landowners that have filed written protests representing less than 50% of the assessed value of the affected land.
 - If the affected territory is inhabited:
 - Terminate the change of organization or reorganization if 50% or more of the registered voters residing within the affected land have filed written protests; or
 - Order the change of organization or reorganization subject to an election if more than 25% but less than 50% of the registered voters residing within the affected land have filed written protests; or

- Order the change of organization or reorganization subject to an election if at least 25% of the number of landowners who also represent at least 25% of the assessed value of the affected land have filed written protests; or
 - Order the change of organization or reorganization without election if less than 25% of the registered voters have filed written protests or less than 25% of the number of landowners representing less than 25% of the assessed value of the affected land have filed written protests.
 - If the affected territory is inhabited and a landowner-voter district:
 - Terminate the change of organization or reorganization if 50% or more of the voting power of the eligible voters have filed written protests.
- 3) If the Commission terminates the change of organization or reorganization, the Executive Officer shall prepare a Certificate of Termination of Proceedings.
- 4) If the Commission orders a change of organization or reorganization without election, the Executive Officer shall prepare a Certificate of Completion.
- 5) If the Commission orders a change of organization or reorganization subject to an election, the Executive Officer shall provide written notice to the Board of Supervisors or affected city council to conduct the election. At the conclusion of the election, the Executive Officer shall take one of the following actions:
- Prepare a Certificate of Completion for the change or organization or reorganization if approved by voters.
 - Prepare a Certificate of Termination of Proceedings for the change of organization or reorganization if disapproved by voters.



**LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY
Landowner or Registered Voter Protest Form**

Date _____

To: LAFCO of Napa County
Attn: Executive Officer
1030 Seminary Street, Suite B
Napa, California 94559

Subject: (Name of Change of Organization or Reorganization)

I hereby protest this boundary change:

As a **registered voter** within the boundary change area, registered to vote at

Street address (post office box is not acceptable)

City and Zip Code

As a **landowner** within the boundary change area whose property is located at

Street address (post office box is not acceptable)

City and Zip Code

Assessor's Parcel Number (If known)

Note: If you are both a landowner and registered voter within the boundary change, please check both boxes.

Signature

Print Name

Mailing Address