



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

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

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

Agenda Item 7b (Action)

TO: Local Agency Formation Commission
PREPARED BY: Brendon Freeman, Executive Officer
Dawn Mittleman Longoria, Analyst II
MEETING DATE: August 5, 2019
SUBJECT: Proposed Imola Avenue/Coronado Avenue No. 2 Reorganization
and Associated CEQA Findings

RECOMMENDATION

Adopt the Resolution of the Local Agency Formation Commission of Napa County Making Determinations - Imola Avenue/Coronado Avenue No. 2 Reorganization (Attachment One) making California Environmental Quality Act (CEQA) findings and approving the proposed reorganization for annexation to the City of Napa ("City") and detachment from County Service Area (CSA) No. 4. Standard conditions are also recommended.

BACKGROUND AND SUMMARY

Applicant: City of Napa (resolution of application)
Proposed Actions: Annexation to the City and detachment from CSA No. 4
APNs: 046-274-012, 046-274-013, 046-274-014, and 046-274-015
Location: 1100, 1106, 1110, and 1118 Imola Avenue and adjacent right-of-way
Area Size: 1.1 acres
Jurisdiction: CSA No. 4 (unincorporated Napa County)

Sphere of Influence (SOI) Consistency: Yes - City of Napa
Policy Consistency: Yes
Tax Sharing Agreement: Yes - master tax exchange agreement
Landowner Consent: 100%
Protest Proceedings: Waived
CEQA: City of Napa General Plan FEIR
Current Land Uses: Commercial market, parking lot, four apartment units, and two single-family residences

The purpose of the proposal is to reduce annual water service costs to the landowners, allow for the full range of municipal services to be provided by the City, and resolve a dispute related to the use permit for a portion of the affected territory. The application materials from the City are included as Attachment Two.

Kenneth Leary, Vice Chair
Councilmember, City of American Canyon

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

Gregory Rodeno, Chair
Representative of the General Public

Margie Mohler, Commissioner
Councilmember, Town of Yountville

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

Vacant, Alternate Commissioner
Representative of the General Public

Scott Sedgley, Alternate Commissioner
Councilmember, City of Napa

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

Brendon Freeman
Executive Officer

A vicinity map of the affected territory is provided below. An aerial map of the affected territory is included as Attachment Three.



DISCUSSION

The following is a discussion of policy considerations that are relevant to the proposal.

Policy on Island Annexations

The affected territory lies within a developed island referred to as “Imola/Parrish” that is substantially surrounded by the City. The total island area includes 217 unincorporated parcels totaling approximately 33.1 acres with an estimated 547 residents.¹ The recommended reorganization affects four of these parcels totaling 1.1 acres.

The Commission’s *General Policy Determinations* (Attachment Four) Section VII, Subsection B(3) states, when an annexation proposal includes territory within a developed island, the Commission shall invite the affected city to amend the boundary of the proposed annexation to include the entire island. Toward this end, the Commission conducted a survey in 2012 to gauge the level of support for annexation among the landowners and residents within each unincorporated island surrounded by the City. The survey revealed 1.8% of landowners and residents within the Imola/Parrish island would support annexation to the City, while 2.8% responded in opposition to annexation. Based on the low level of support for annexation amongst landowners and residents within the island, the City chose not to expand the boundary of the proposed annexation.²

Policy on Concurrent Detachment from CSA No. 4

The affected territory is located in CSA No. 4’s jurisdictional boundary. The intent and function of CSA No. 4 is to sponsor a voter-approved special assessment on all assessor parcels in its jurisdiction that contain one acre or more of vineyards for purposes of funding farmworker housing services.

Section VII, Subsection D(3) of the *General Policy Determinations* requires all annexations to a city to include concurrent detachment from CSA No. 4, unless the affected territory contains, or is expected to contain, vineyards totaling one acre or more.

There are no vineyards currently, nor expected to be, planted within the affected territory. Detaching the affected territory from CSA No. 4 is appropriate given the discontinuity between these lands’ current and expected future use as residential development, paired with the role of the CSA No. 4 in providing public farmworker housing services.

¹ This population estimate is based on multiplying the total number of parcels in the island (217) by the persons per household estimate for unincorporated Napa County (2.52) provided by the California Department of Finance.

² The Commission’s adopted *Strategic Plan 2018-2022* contemplates a partnership with the City and County of Napa to proactively annex some or all of the islands. The City is considering island annexations as part of its ongoing efforts to comprehensively update the City’s General Plan. Staff will provide updates to the Commission on island annexations as more information becomes available.

Factors for Commission Determinations

See Attachment Five for an evaluation of the mandated factors for Commission determinations.

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.³ With this in mind, 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 during the 30 day noticing period; an agreement specifying Napa shall receive 55% of the County's existing portion of property tax revenues generated from the affected territory. Neither agency has responded with any concerns to the approach outlined by staff.

Protest Proceedings

Protest proceedings shall be waived in accordance with G.C. Section 56662(a) given that the affected territory is uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

ENVIRONMENTAL REVIEW

The Commission serves as Responsible Agency for the annexation pursuant to CEQA Guidelines Section 15051(b)(2). The City, as Lead Agency, has certified an Environmental Impact Report (EIR) for the City of Napa General Plan (City of Napa General Plan, Final Environmental Impact Report, December 1, 1998), which identifies and addresses all potential environmental impacts associated with the proposed annexation. Staff concurs with the findings of the City of Napa's EIR and recommends the Commission adopt the City of Napa's Findings adopted as Resolution No. 98-238 and Resolution No. 98-239. If the project is approved, the Commission will submit a Notice of Determination stating that it has appropriately considered the EIR prepared by the City as required by CEQA Guidelines Section 15096(i). Complete copies of the EIR and the City of Napa's resolutions including its determinations and findings are available at the Commission office at 1030 Seminary Street, Suite B, Napa, California 94559 and can be viewed by clicking the links on the following page.

³ CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

City of Napa General Plan Final EIR (Part One):

http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part1.pdf

City of Napa General Plan Final EIR (Part Two):

http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part2.pdf

City of Napa General Plan Final EIR (Part Three):

http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part3.pdf

City of Napa Resolution No. 98-238 Certifying the City General Plan Final EIR:

http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_Resolution98-238.pdf

City of Napa Resolution No. 98-239 Adopting the City General Plan:

http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_Resolution98-239.pdf

ATTACHMENTS

- 1) Draft Resolution Approving the Proposal and Making CEQA Findings
- 2) Application Materials
- 3) Aerial Map of Affected Territory
- 4) General Policy Determinations
- 5) Factors for Commission Determinations

RESOLUTION NO. ____

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

IMOLA AVENUE/CORONADO AVENUE NO. 2 REORGANIZATION

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

WHEREAS, the proposal seeks Commission approval to annex 1.1 acres of unincorporated land to the City of Napa along with concurrent detachment from County Service Area No. 4 and represents four entire parcels along with the adjacent portion of public right-of-way located at 1100, 1106, 1110, and 1118 Imola Avenue and identified by the County Assessor’s Office as 046-274-015, 046-274-014, 046-274-013, and 046-274-012, 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 meeting held on the proposal on August 5, 2019; and

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

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

WHEREAS, the Commission determined to its satisfaction that all owners of land included in said proposal consent to the subject annexation; and

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

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 City of Napa, as Lead Agency, has certified an Environmental Impact Report (EIR) for the City of Napa General Plan (City of Napa General Plan, Final Environmental Impact Report, December 1, 1998), which identifies and addresses all potential environmental impacts associated with the proposed reorganization. The Commission hereby adopts the City of Napa's Findings adopted as Resolution No. 98-238 and Resolution No. 98-239. Complete copies of the EIR and the City of Napa's resolutions including its determinations and findings are located at the Commission office at 1030 Seminary Street, Suite B, Napa, California 94559.
3. The proposal is APPROVED.
4. The proposal is assigned the following distinctive short-term designation:

IMOLA AVENUE/CORONADO AVENUE NO. 2 REORGANIZATION
5. The affected territory is depicted in the attached vicinity map and more precisely described 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 authorizes conducting authority proceedings to be waived in accordance with Government Code Section 56662(a).
10. 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.
11. The Commission hereby directs staff to file a Notice of Determination in compliance with CEQA.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on August 5, 2019 by the following vote:

AYES: Commissioners _____

NOES: Commissioners _____

ABSENT: Commissioners _____

ABSTAIN: Commissioners _____

Gregory Rodeno
Commission Chair

ATTEST: _____
Brendon Freeman
Executive Officer

Recorded by: Kathy Mabry
Commission Secretary

DRAFT

5023
06-12-2019

Exhibit "A"

Geographic Description
IMOLA AVENUE/CORONADO AVENUE No. 2 REORGANIZATION
ANNEXATION TO THE CITY OF NAPA
and
DETACHMENT FROM COUNTY OF NAPA SERVICE AREA No 4

The land referred to herein is situated in County of Napa, Tulucay Rancho State of California, and is described as follows:

Beginning at the southeast corner of the annexation entitled "Imola Avenue/Coronado Avenue – Annexation – City of Napa" recorded September 14, 1994 in Instrument Number 1994-027970 of the Official Records of Napa County; said point being on the south line of Imola Avenue as shown on the map entitled, "Final Map of Bridgeview Terrace Subdivision, Napa County, California," filed March 22, 1951 in Book 5 of Maps at Pages 51 and 52 in the office of the Napa County Recorder;

thence (1) North along the east line of said Imola Avenue / Coronado Avenue – City Annexation 163.62 feet to the northeast corner of said Imola Avenue / Coronado Avenue – City Annexation being the northwest corner of Block B, Lot 15 of said Bridgeview Terrace Subdivision;

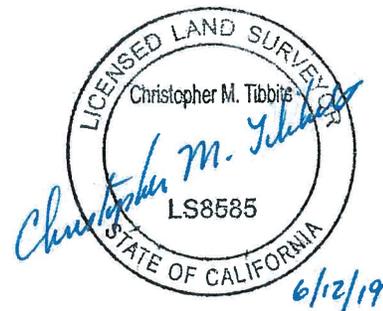
thence (2) North 89° 54' 02" East along the north lines of Block B, Lots 15, 14, 13 and 12 of said Bridgeview Terrace Subdivision, 280.41 feet to the northeast corner of Lot 12;

thence (3) South 02° 40' 38" West 173.30 feet to the southerly prolongation of the southern line of said Imola Ave. / Coronado Ave. – City Annexation – Napa;

thence (4) North 87° 08' West along said south line of Imola Avenue 272.33 feet to the **Point of Beginning**.

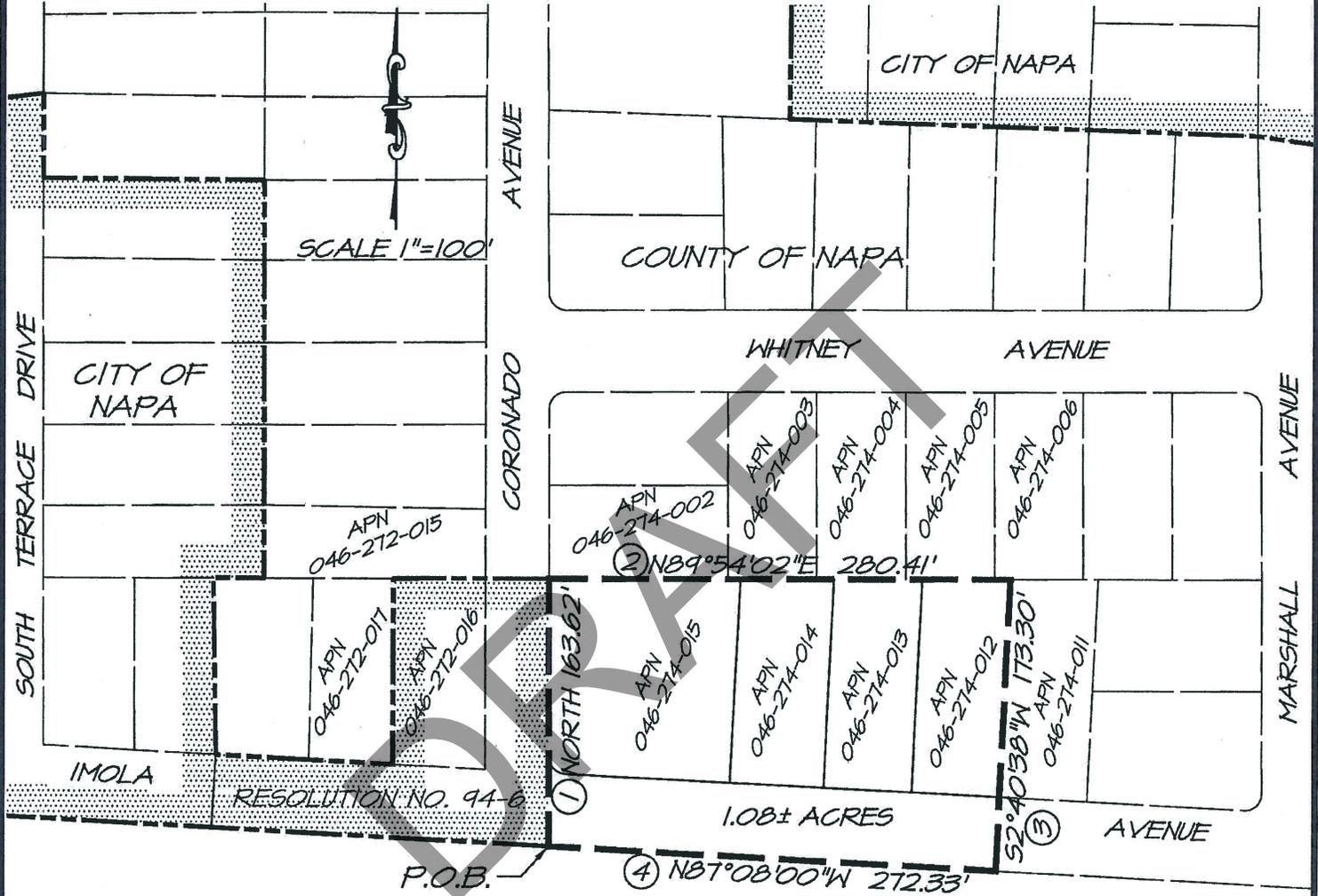
Containing 1.08 Acres of land, more or less.

For assessment purposes only. This legal description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.

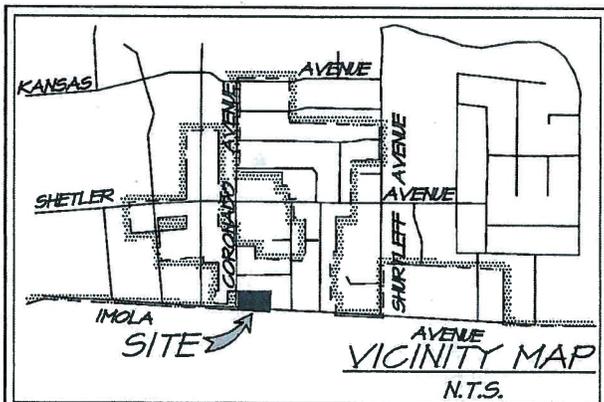


FINAL

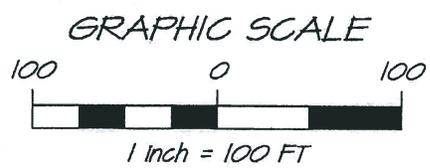
**MAP DELINEATING THE BOUNDARY OF THE
IMOLA AVENUE/CORONADO AVENUE No. 2 REORGANIZATION
ANNEXATION TO THE CITY OF NAPA
AND
DETACHMENT FROM COUNTY OF NAPA SERVICE AREA No. 4**



- ① COURSE NUMBER
- EXISTING CITY OF NAPA BOUNDARY
- PROPOSED CITY OF NAPA BOUNDARY



LICENSED LAND SURVEYOR
Christopher M. Tibbits
Christopher M. Tibbits
LS3535
STATE OF CALIFORNIA
6/12/19



RSA⁺

1515 FOURTH STREET
NAPA, CALIF. 94559
OFFICE | 707 | 252.3301
+ www.RSAcivil.com +

FINAL

RSA⁺ | CONSULTING CIVIL ENGINEERS + SURVEYORS + est. 1980
06-12-2019 5023annex map 1 of 1

RESOLUTION R2019-005

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NAPA, STATE OF CALIFORNIA, REQUESTING THAT THE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR THE ANNEXATION OF THE FOUR PROPERTIES AT 1100, 1106, 1110, 1118 IMOLA AVENUE; AND DETERMINING THAT THE ACTIONS AUTHORIZED BY THIS RESOLUTION WERE ADEQUATELY ANALYZED BY A PREVIOUS CEQA ACTION

WHEREAS, on September 26, 2018, Reeves Market Inc., Peter Khoury and John Koury, , the respective owners of the properties at 1100 and 1106 Imola Avenue, 1110 Imola Avenue, and 1118 Imola Avenue (APNs 046-274-012, -013, -014, -015) ("Site") submitted an application (Planning Division File No. PL18-0165) to the City of Napa (the "City") for annexation of the Site to the City (the "Proposal"); and

WHEREAS, the reasons for the Proposal include the development of land in accordance with the City's General Plan and providing for logical boundaries and service provision in the area; and

WHEREAS, the City desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (the "Act"), commencing with California Government Code Section 56000, for the annexation of the Site; and

WHEREAS, the Site is located within the City's Rural Urban Limit and within the City's Sphere of Influence; and

WHEREAS, the Site is located within the RI-5, Single-Family Infill and CL, Local Commercial Zoning Districts; and

WHEREAS, the City Council has considered all information related to this matter, as presented at the public meetings of the City Council identified herein, including any supporting reports by City Staff, and any information provided during public meetings.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Napa, as follows:

1. The City Council hereby finds that the facts set forth in the recitals to this Resolution are true and correct, and establish the factual basis for the City Council's adoption of this Resolution.

2. The City Council hereby determines that pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2), the Proposal is within the scope of the Environmental

Impact Report (EIR) that was adopted for the City of Napa General Plan, certified December 1, 1998 because no environmental effects could occur as a result of the Proposal that were not previously analyzed in the EIR and no new mitigation measures would be required. The City Council hereby additionally finds, as required by California Public Resources Code Section 21082.1(c)(3) and California Code of Regulations Section 15074(b) that this determination reflects the City Council's independent judgement and analysis.

3. The City Council hereby finds that the Site has been pre-zoned and will be within the RI-5, Single-Family Infill and CL, Local Commercial Zoning District upon annexation.

4. The City Council hereby consents to annexation of the Site.

5. The City Council hereby requests the Local Agency Formation Commission of Napa County to initiate proceedings for the annexation of the Site as shown in Exhibit A according to the terms and conditions stated herein and in the manner provided by the Act.

6. This Resolution shall take effect immediately upon its adoption.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the City Council of the City of Napa at a public meeting of said City Council held on the 15th day of January, 2019, by the following vote:

AYES: Gentry, Luros, Alessio, Sedgley

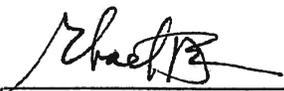
NOES: None

ABSENT: Techel

ABSTAIN: None

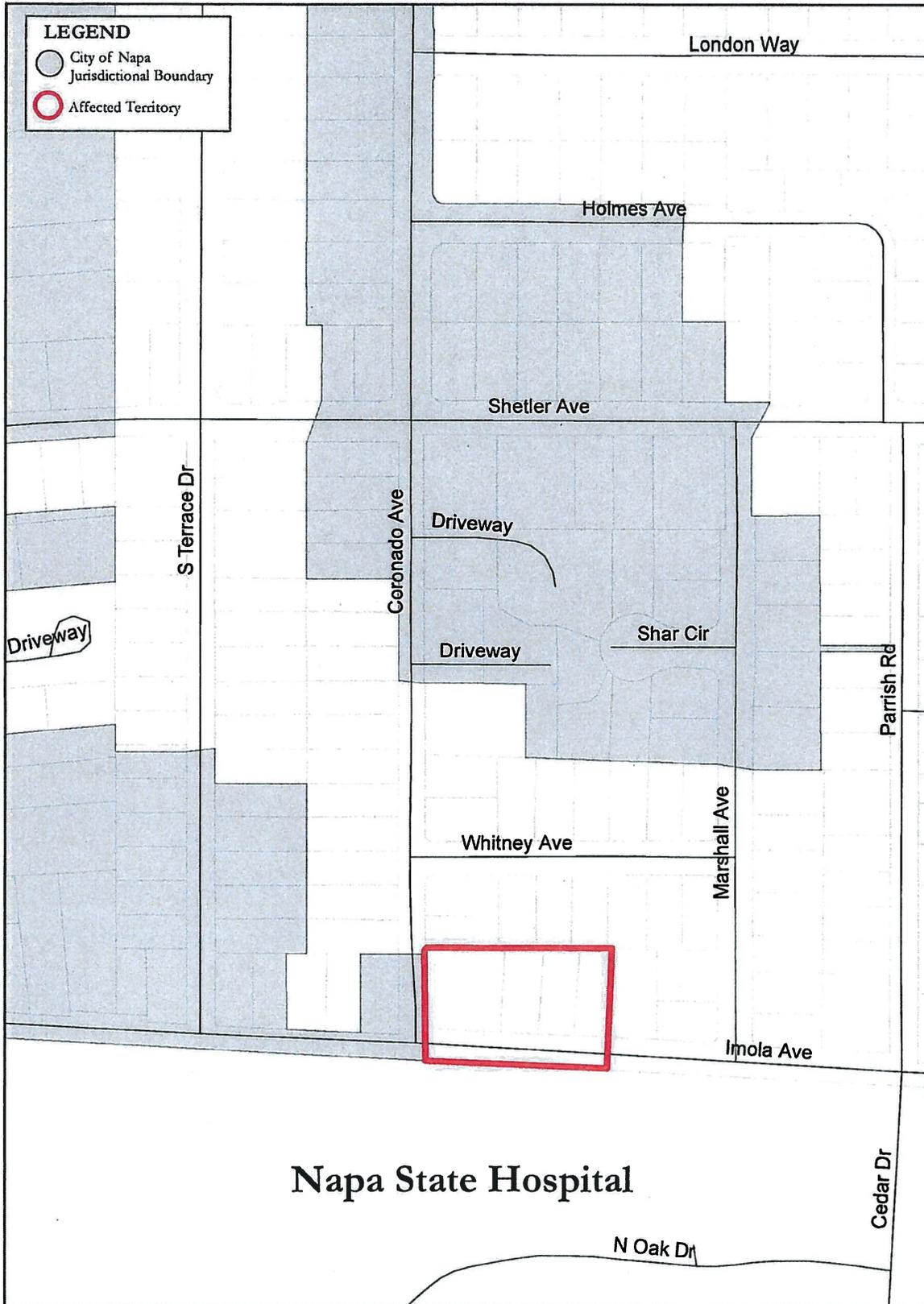
ATTEST: 
Tiffany Carranza
City Clerk

Approved as to form:

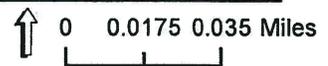


Michael W. Barrett
City Attorney

EXHIBIT "A" Imola Avenue / Coronado Avenue No. 2 Reorganization



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



* Prepared by LAFCO Staff
December 27, 2017

FORM C

Date Filed:

5/22/19

Received By:

BF

NOTICE OF INTENTION TO ADOPT RESOLUTION OF APPLICATION
For Filing with the Local Agency Formation Commission of Napa County

A proposal for a change of organization made by a local agency shall be initiated by an adopted resolution of application in accordance with Government Code Section 56654. Mailed notice of a local agency's intention to adopt a resolution of application must be provided no less than 21 days in advance to the Commission and all affected agencies. The notice shall describe the proposal and the affected territory. Applicants are encouraged to use this form.

Nature of Proposal and All Associated Changes of Organization:

Annexation to the City of Napa

Detachment from County Service Area No. 4 (CSA4)

Description of Boundaries of Affected Territory Accompanied by Map:

See attached draft map and description

Reason for Proposal and Any Proposed Conditions:

To annex unincorporated "pockets" substantially surrounded by the City, within the City's Rural Urban

Limit (RUL), and the City's Sphere of Influence (SOI).

FORM D

Date Filed:

5/22/19

Received By:

BF

JUSTIFICATION OF PROPOSAL
Change of Organization/Reorganization

I. APPLICANT INFORMATION

A. Name:	<u>Jose Cortez</u>	<u>City of Napa</u>	
	Contact Person	Agency/Business (If Applicable)	
Address:	<u>1600 First Street</u>	<u>Napa 94559</u>	
	Street Number Street Name	City Zip Code	
Contact:	<u>707.257.9530</u>	<u>Jcortez@cityofnapa.org</u>	
	Phone Number Facsimile Number	E-Mail Address	
B. Applicant Type:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Check One)	Local Agency	Registered Voter	Landowner

II. PROPOSAL DESCRIPTION

A. Affected Agencies:	<u>City of Napa</u>
	Name Address
	<u>Napa County; County Service Area No. 4 (CSA No.4)</u>
	Name Address
	_____ Name Address

Use Additional Sheets as Needed

B. Proposal Type:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Check as Needed)	Annexation	Detachment	City Incorporation	District Formation
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	City/District Dissolution	City/District Merger	Service Activation (District Only)	Service Divestiture (District Only)

C. Purpose Statement:	<u>Annexation of four properties at 1100, 1106, 1110, and 1118 Imola</u>
(Specific)	<u>Avenue (APNs 046-274-012, -013, -014, -015) totaling 0.93 acres</u>
	<u>into the City of Napa and the detacheme from CSA No. 4</u>

III. GENERAL INFORMATION

A. Location:	<u>1100 Imola Avenue</u>	<u>046.274.015</u>	<u>0.31</u>
	Street Address	Assessor Parcel Number	Acres
	<u>1106 Imola Avenue</u>	<u>046.274.014</u>	<u>0.16</u>
	Street Address	Assessor Parcel Number	Acres
	<u>1110 Imola Avenue</u>	<u>046.274.013</u>	<u>0.16</u>
	Street Address	Assessor Parcel Number	Acres
	<u>1118 Imola Avenue</u>	<u>046.274.012</u>	<u>0.15</u>
	Street Address	Assessor Parcel Number	Acres

Total Location Size
(Including Right-of-Ways) 1.08 acres (0.93+0.15)

B. Landowners:

- (1) Assessor Parcel Number : 046.274.015 Name: Reeves Market Inc.
Mailing Address: 1100 Imola Avenue
Phone Number: 707.337.4869 E-mail: leila4389@yahoo.com
- (2) Assessor Parcel Number : 046.274.014 Name: Reeves Market Inc.
Mailing Address: 1106 Imola Avenue
Phone Number: 707.337.4869 E-mail: leila4389@yahoo.com
- (3) Assessor Parcel Number : 046.274.013 Name: Peter Khoury
Mailing Address: 1110 Imola Avenue
Phone Number: 707.337.4869 E-mail: leila4389@yahoo.com
- (4) Assessor Parcel Number : 046.274.012 Name: John Khoury
Mailing Address: 1118 Imola Avenue
Phone Number: 707.337.4869 E-mail: leila4389@yahoo.com

Use Additional Sheets As Needed

C. Population:

- (1) Total Number of Residents: 15
- (2) Total Number of Registered Voters: 1

D. Land Use Factors:

- (1a) County General Plan Designation: _____
- (1b) County Zoning Standard: _____
- (2a) Applicable City General Plan Designation: SFI-178; LC-502
- (2b) Applicable City Prezoning Standard: RI-5; CL

E. Existing Land Uses:
(Specific)

Commercial/ Mixed use and residential

F. Development Plans:

- (1a) Territory Subject to a Development Project? Yes No
- (1b) If Yes, Describe Project: _____

- (1c) If No, When Is Development Anticipated? The parcels are fully developed with two single-family homes, a grocery store, and a parking lot for the grocery store.

G. Physical Characteristics:

- (1) Describe Topography: Flat

- (2) Describe Any Natural Boundaries: N/A

- (3) Describe Soil Composition and Any Drainage Basins:

- (4) Describe Vegetation: Sites are fully developed.

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:

A Full range of the City's municipal services to be provided to affected territory (affected territory already receives water service from City).

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

Adequate levels and range of all City services for existing uses within affected territory shall be provided. (site developed with a commercial market and two single-family residences)

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

Upon effective date of annexation.

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

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

Improvements to be privately financed by landowner (only if new services/ infrastructure are being extended/improved)

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:

Use Additional Sheets As Needed

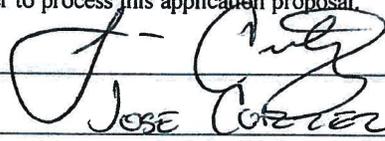
B. Identify Up to Three Agencies or Persons to Receive Proposal Correspondence:
(Does not include affected landowners or residents)

- (1) Recipient Name: _____
Mailing Address: _____
E-Mail: _____
- (2) Recipient Name: _____
Mailing Address: _____
E-Mail: _____
- (3) Recipient Name: _____
Mailing Address: _____
E-Mail: _____

VII. CERTIFICATION

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

Signature:



Printed Name:

JOSE CORTES

Title:

ASSISTANT PLANNER

Date:

5/22/19

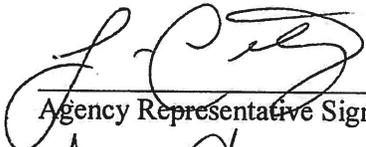
Indemnification Agreement

Name of Proposal: Imola Avenue_Coronado Avenue No. 2 Reorganization

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 City of Napa and/or _____ (real party in interest: the landowner) 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.



 Agency Representative Signature

JOSE CARTER

 Print Name

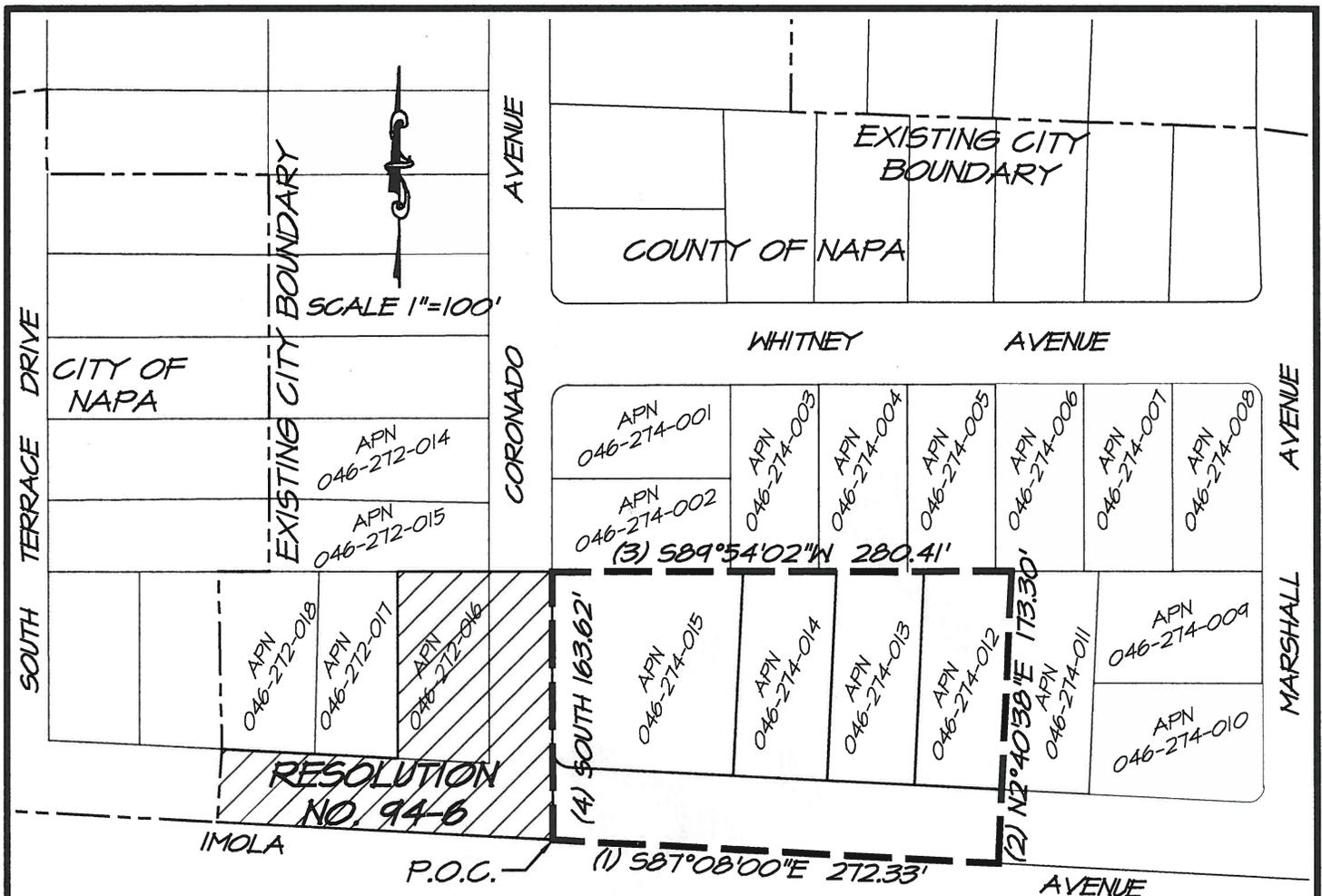
5/22/19

 Date

 Principal Landowner Signature

 Print Name

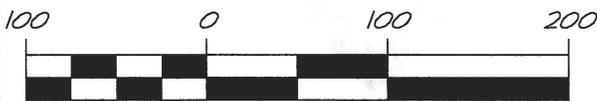
 Date



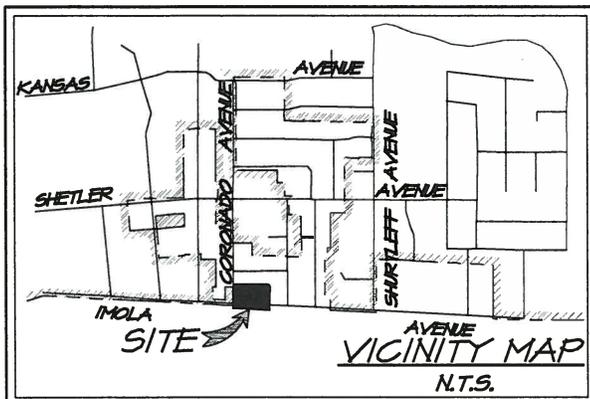
ZONING: RS:UR
 AREA: 1.08 ACREA
 STREET: 0.05 MILES

----- EXISTING CITY OF NAPA BOUNDARY
 - - - - - PROPOSED CITY OF NAPA BOUNDARY

GRAPHIC SCALE



(IN FEET)
 1 Inch = 100 FT



PROJECT NO. 17-_____ AN
 MAP DELINEATING THE
 BOUNDARY OF
IMOLA AVE &
CORONADO AVE.
 CITY ANNEXATION NAPA

RSA+
 1515 FOURTH STREET
 NAPA, CALIF. 94559
 OFFICE | 707 | 252.3301
 + www.RSAcivil.com +

DRAFT

RSA+ | CONSULTING CIVIL ENGINEERS + SURVEYORS + CSL 1980

12-01-2017

5023annex map | of 1

5023
12-07-2018

Project No. 2017- ____ AN

Exhibit "A"

Legal Description

Imola Avenue / Coronado Avenue
City Annexation – Napa

The land referred to herein is situated in County of Napa, State of California, and is described as follows:

Beginning at the southeast corner of the annexation district as shown on the map entitled "Map Delineating the Boundary of Imola Ave. / Coronado Ave. – City Annexation – Napa" recorded September 14, 1994 in Instrument Number 1994-027970 of the Official Records of Napa County; said point being on the south line of Imola Avenue as shown on the map entitled, "Final Map of Bridgeview Terrace Subdivision, Napa County, California," filed March 22, 1951 in Book 5 of Maps at Pages 51 and 52 in the office of the Napa County Recorder;

thence (1) South $87^{\circ} 08'$ East along said south line of Imola Avenue 272.33 feet to the intersection with the southerly prolongation of the east line of Lot 12, Block B of said Bridgeview Terrace Subdivision;

thence (2) North $02^{\circ} 40' 38''$ East 173.30 feet to the northeast corner of Lot 12 Block B of said Bridgeview Terrace Subdivision;

thence (3) South $89^{\circ} 54' 02''$ West along the north lines of Block B, Lots 12, 13, 14 and 15 of said Bridgeview Terrace Subdivision, 280.41 feet to the north west corner of Lot 15 on the west line of said Imola Ave. / Coronado Ave. – City Annexation – Napa;

thence (4) South along the west line of Block B Lot 15 of said Bridgeview Terrace Subdivision, and Imola Ave. / Coronado Ave. – City Annexation – Napa 163.62 feet to the **Point of Beginning**.

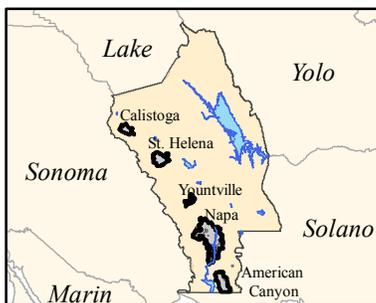
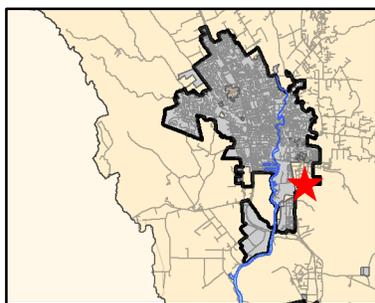
Containing 1.08 Acres of land, more or less.

For assessment purposes only. This legal description of land is not a legal property description as defined in the Subdivision Map Act and may not be used as a basis for an offer for sale of the land described.

 **DRAFT**

Attachment Three

Imola Avenue/Coronado Avenue No. 2 Reorganization:
Annexation to the City of Napa & Detachment from County Service Area No. 4



0 0.00275 0.0055 0.011 Miles

Prepared by LAFCO Staff
August 5, 2019 Meeting



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



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

General Policy Determinations

(Adopted: August 9, 1972; Last Amended: February 5, 2018)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 specifies the Commission's principal objectives are discouraging urban sprawl, preserving open-space and agricultural resources, and encouraging the orderly formation and development of cities and special districts and their municipal services based on local conditions. Regulatory duties include approving or disapproving proposals involving the formation, reorganization, expansion, and dissolution of cities and special districts. The Commission's regulatory actions must be consistent with its adopted written policies and procedures. The Commission must also inform its regulatory duties through a series of planning activities, which includes establishing and updating spheres of influence.

II. General Policies

The intent of these policies is to serve as the Commission's constitution with regards to outlining clear goals, objectives, and requirements in uniformly fulfilling its prescribed duties. The Commission reserves discretion in administering these policies, however, to address special conditions and circumstances as needed.

A) Legislative Declarations

The Commission acknowledges and incorporates into its own policies, the policies of the Legislature regarding the promotion of orderly, well-planned development patterns that avoid the premature conversion of agricultural and open-space lands and ensure effective, efficient, and economic provision of essential public services. The Commission wishes to specifically note the following declarations and policies contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

- (1) The Legislature recognizes that the logical formation and determination of local agency boundaries is an important factor in promoting orderly development and in balancing that development with sometimes competing state interests of discouraging urban sprawl, preserving open-space and prime agricultural lands, and efficiently extending government services. (G.C. §56000)
- (2) It is the intent of the Legislature that each commission, not later than January 1, 2002, shall establish written policies and procedures and exercise its powers pursuant to this part in a manner consistent with those policies and procedures, and that encourages and provides planned, well-ordered, efficient urban development patterns with appropriate consideration of preserving open-space lands within those patterns. (G.C. §56300)

- (3) In reviewing and approving or disapproving proposals which could reasonably be expected to induce, facilitate, or lead to the conversion of existing open-space lands to uses other than open-space uses, the commission shall consider all of the following policies and priorities:
 - a) Development or use of land for other than open-space uses shall be guided away from existing prime agricultural lands in open-space use toward areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area.
 - b) Development of existing vacant or nonprime agricultural lands for urban uses within the existing jurisdiction of a local agency or within the sphere of influence of a local agency should be encouraged before any proposal is approved which would allow for or lead to the development of existing open-space lands for non-open-space uses which are outside of the existing jurisdiction of the local agency or outside of the existing sphere of influence of the local agency. (G.C. §56377)

B) Commission Declarations

The Commission declares its intent not to permit the premature conversion of designated agricultural or open-space lands to urban uses. The Commission shall adhere to the following policies in the pursuit of this intent, and all proposals, projects, and studies shall be reviewed with these policies as guidelines.

- (1) Use of County General Plan Designations:
In evaluating a proposal, the Commission will use the Napa County General Plan to determine designated agricultural and open-space lands. The Commission recognizes that inconsistencies may occur between the County General Plan and the affected city general plan with respect to agricultural and open-space designations. Notwithstanding these potential inconsistencies, the Commission will rely on the Napa County General Plan in recognition of the public support expressed in both the incorporated and unincorporated areas of Napa County for the County's designated agricultural and open-space lands through enactment of Measure "J" in 1990 and Measure "P" in 2008.
- (2) Location of Urban Development:
The Commission shall guide urban development away from designated agricultural or open-space lands until such times as urban development becomes an overriding consideration as determined by the Commission.

- (3) Timing of Urban Development:
The Commission discourages proposals involving the annexation of undeveloped or underdeveloped lands to cities and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city annexation proposals in which the affected lands are part of an unincorporated island.
- (4) Factors for Evaluating Proposals Involving Agricultural or Open-Space Lands:
The Commission recognizes there are distinct and varying attributes associated with agricultural and open-space designated lands. A proposal which includes agricultural or open-space designated land shall be evaluated in light of the existence of the following factors:
- a) "Prime agricultural land", as defined by G.C. §56064.
 - b) "Open-space", as defined by G.C. §56059.
 - c) Land that is under contract to remain in agricultural or open-space use, such as a Williamson Act Contract or Open-Space Easement.
 - d) Land which has a County General Plan agricultural or open-space designation (Agricultural Resource or Agriculture, Watershed and Open-Space).
 - e) The adopted general plan policies of the County and the affected city.
 - f) The agricultural economic integrity of land proposed for conversion to urban use as well as adjoining land in agricultural use.
 - g) The potential for the premature conversion of adjacent agricultural or open-space designated land to urban use.
 - h) The potential of vacant non-prime agricultural land to be developed with a use that would then allow the land to meet the definition of prime agricultural land under the Williamson Act.
- (5) Encouragement of Reorganizations:
The Commission encourages reorganization proposals as a means of coordinating actions of local governmental agencies involving, but not limited to, annexation of land to two or more public agencies. The Commission recognizes the usefulness of the reorganization concept as a vehicle designed to simplify and expedite such actions.

III. Policies Concerning Spheres of Influence

It is the intent of the Commission to establish spheres of influence that promote the orderly expansion of cities and special districts to ensure effective, efficient and economic provision of essential public services, including public sewer and water, fire protection and emergency response, and police protection.

A) Legislative Declarations

The Commission acknowledges and incorporates into its own policies, the policies of the Legislature as they relate to spheres of influence. The Commission wishes to specifically note the following declarations and policies contained in the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000:

- (1) "Sphere of influence" means a plan for the probable physical boundaries and service area of a local agency, as determined by the Commission. (G.C. §56076)
- (2) In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies so as to advantageously provide for the present and future needs of the county and its communities, the Commission shall develop and determine the sphere of influence of each local governmental agency within the county and enact policies designed to promote the logical and orderly development of areas within the sphere. (G.C. §56425(a)).
- (3) The Commission encourages cities and the County to meet and agree to sphere of influence changes. The Commission shall give "great weight" to these agreements to the extent they are consistent with its policies. (G.C. §56425(b) and (c))
- (4) On or before January 1, 2008, and every five years thereafter, the Commission shall, as necessary, review and update each sphere of influence. (G.C. §56425(g))

B) General Guidelines for the Review of Spheres of Influence

It is the intent of the Commission to consider the following factors whenever reviewing a proposal that includes the adoption, amendment, or update of a sphere of influence.

- (1) The Commission incorporates the following definitions:
 - a) An “establishment” refers to the initial development and determination of a sphere of influence by the Commission.
 - b) An “amendment” refers to a limited change to an established sphere of influence typically initiated by a landowner, resident, or agency.
 - c) An “update” refers to a comprehensive change to an established sphere of influence typically initiated by the Commission.
- (2) The Commission discourages proposals from residents, landowners, and agencies proposing amendments to spheres of influence unless justified by special conditions and circumstances.
- (3) The Commission shall consider the following land use criteria in establishing, amending, and updating spheres of influence:
 - a) The present and planned land uses in the area, including designated agricultural and open-space lands.
 - b) Consistency with the County General Plan and the general plan of any affected city.
 - c) Adopted general plan policies of the County and of any affected city that guide future development away from designated agricultural or open-space land.
 - d) Adopted policies of affected agencies that promote infill of existing vacant or underdeveloped land.
 - e) Amount of existing vacant or underdeveloped land located within any affected agency’s jurisdiction and current sphere of influence.
 - f) Adopted urban growth boundaries by the affected land use authorities.

- (4) The Commission shall consider the following municipal service criteria in establishing, amending, and updating spheres of influence:
 - a) The present capacity of public facilities and adequacy of public services provided by affected agencies within the current jurisdiction and the adopted plans of these agencies to improve any municipal service deficiency, including adopted capital improvement plans.
 - b) The present and probable need for public facilities and services within the area proposed for inclusion within the sphere of influence and the plans for the delivery of services to the area.
- (5) The Commission shall endeavor to maintain and expand, as needed, spheres of influence to accommodate planned and orderly urban development. The Commission, however, shall consider removal of land from an agency's sphere of influence if any of the two conditions apply:
 - a) The land is outside the affected agency's jurisdictional boundary but has been within the sphere of influence for 10 or more years.
 - b) The land is inside the affected agency's jurisdictional boundary, but is not expected to be developed for urban uses or require urban-type services within the next 10 years.

C) City Spheres of Influence

The Commission shall adhere to the following policies in the establishment, amendment, or update of a city's sphere of influence.

- (1) Location of Urban Development:
It shall be a basic policy of the Commission is that the sphere of influence shall guide and promote the affected city's orderly urban growth and development.
- (2) Sphere of Influence to Reflect Service Capacities:
A city's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.
- (3) Use of County General Plan Agricultural and Open-Space Designations:
The Commission shall use the most recently adopted County General Plan as the basis to identify designated agricultural and open-space lands in establishing, amending, and updating a city's sphere of influence.

- (4) Avoidance of Inclusion of Agricultural and Open-Space Lands:
Land specifically designated as agricultural or open-space lands shall not be approved for inclusion within any city's sphere of influence for purposes of urban development unless exceptions are warranted based on the criteria outlined in Section B(3) and (4).
- (5) Preference for Infill:
The Commission will consider the amount of vacant land within the established sphere of influence of a city when considering amendments and updates. The Commission encourages sphere of influence proposals that promote the infill of existing vacant or underdeveloped land thereby maximizing the efficient use of existing city services and infrastructure as well as discouraging urban sprawl. Conversely, the Commission discourages sphere of influence proposals involving vacant or underdeveloped land that requires the extension of urban facilities, utilities, and services where infill is more appropriate.
- (6) Spheres of Influence as Guides for City Annexations:
A city's sphere of influence shall generally be used to guide annexations within a five-year planning period. Inclusion of land within a sphere of influence shall not be construed to indicate automatic approval of an annexation proposal; an annexation will be considered on its own merits with deference assigned to timing.
- (7) Joint Applications:
When an annexation is proposed outside a city's sphere of influence, the Commission may consider both the proposed annexation and the necessary change in the sphere of influence at the same meeting. The change to the sphere of influence to include the affected territory, however, shall be considered and resolved prior to Commission action on the annexation.
- (8) Cooperative Planning and Development:
Spheres of influence shall be developed by the Commission in cooperation with input from the cities and the County.
 - a) The urban areas as delineated by the spheres of influence or other boundary adopted by the Commission should be recognized and considered as part of planning and development programs of the affected cities as well as any affected special districts and the County.
 - b) The Commission shall encourage cities to first develop existing vacant and underdeveloped infill lands located within their jurisdictions and spheres of influence to maximize the efficient use of available services and infrastructure and discourage the premature conversion of agricultural and open-space lands to urban uses. The Commission shall encourage the development of vacant or underdeveloped infill lands located within cities' jurisdictions before the annexation of lands requiring the extension of urban facilities, utilities, and services.

- c) No urban development should be permitted by the County to occur on unincorporated lands within a city's sphere of influence. If approval of urban development in such areas is legally required of the County, such development should conform to applicable city standards and be the subject of a joint city-County planning effort.

D) Special District Spheres of Influence

The Commission shall adhere to the following policies in the establishment, review, amendment, or update of a special district's sphere of influence.

- (1) Urbanizing Effect of Services:
It shall be a basic policy of the Commission that the establishment, amendment, or update of a special district's sphere of influence serves to promote urban development with limited exceptions.
- (2) Sphere of Influence to Reflect Service Capacities:
A special district's sphere of influence should reflect existing and planned service capacities based on information collected by, or submitted to, the Commission.
- (3) Exclusion of Agricultural and Open-Space Lands:
Land designated agricultural or open-space by the applicable city or County general plan shall not be approved for inclusion within any special district's sphere of influence for purposes of urban development through the extension of essential public services. Such designations shall be recognized by the Commission as designating the land as non-urban in character in regard to the existing use of the area or its future development potential. The Commission may consider exceptions to this policy based on evidence provided by the affected special district demonstrating all of the following:
 - a) The expansion is necessary in order to provide potable water or sewer to the territory to respond to a documented public health or safety threat.
 - b) The affected special district can provide adequate potable water or sewer service to the affected territory without extending any mainline more than 1,000 feet.
 - c) The expansion will not promote the premature conversion of agricultural or open-space land to urban use.

- (4) Sphere of Influence as a Guide to Special District Annexations:
A special district's sphere of influence shall generally be used to guide annexations within a five-year planning period. Inclusion of land within a sphere of influence shall not be construed to indicate automatic approval of an annexation proposal; an annexation will be considered on its own merits with deference assigned to timing.
- (5) Joint Applications:
When an annexation is proposed outside a special district's sphere of influence, the Commission may consider both the proposed annexation and the necessary change in the sphere of influence at the same meeting. The change to the sphere of influence to include the affected territory, however, shall be considered and resolved prior to Commission action on the proposed annexation.
- (6) Cooperative Planning and Development Programs:
Spheres of influence shall be developed by the Commission in cooperation with any affected cities and the County.
 - a) The service area of a special district as delineated by the sphere of influence or other boundary adopted by the Commission should be recognized and considered as part of the planning and development programs of any affected district, city, and the County.

IV. Policies Concerning the County Of Napa

A) Location of Urban Development

- (1) Development of an urban character and nature should be located within areas designated as urban areas by the County General Plan in close proximity to a city or special district which can provide essential public services.
- (2) Urban development should be discouraged if it is apparent that essential services necessary for the proposed development cannot readily be provided by a city or special district.
- (3) The Commission shall review and comment, as appropriate, on the extension of services or the creation of new service providers to furnish services into previously unserved territory within unincorporated areas.

B) Use of County Service Areas and Community Services Districts

- (1) In those unincorporated urban areas where essential urban services are being provided by the County, the Board of Supervisors should consider the establishment of county service areas or community services districts so that area residents and landowners pay their fair and equitable share for the services received.

V. Policies Concerning Cities

A) Incorporations

- (1) The Commission discourages proposals to incorporate communities unless substantial evidence suggests the County and any affected special district are not effectively meeting the needs of the community.
- (2) The Commission discourages proposals to incorporate communities involving land that is not already receiving essential public services from a special district.
- (3) Any community proposed for incorporation in Napa County shall have at least 500 registered voters residing with the affected area at the time proceedings are initiated with the Commission as required under G.C. §56043.

VI. Policies Concerning Special Districts

A) In Lieu of New District Creation

- (1) Where a limited-purpose special district exists and additional services are required for an unincorporated area designated as urban by the County General Plan, the Commission encourages reorganizations to provide the extended services of the existing limited services special district.

B) Preference for Districts Capable of Providing All Essential Services

- (1) All new special districts proposed for formation in the unincorporated urban areas as designated under the County General Plan should be capable of providing essential urban type services which include, but are not limited to, water, sanitation, fire protection, and police protection.

C) Establishing New Services or Divestiture of Existing Service Powers

- (1) Commission approval is required for a special district to establish new services or divest existing service powers within all or parts of its jurisdictional boundary. Requests by a special district shall be made by adoption of a resolution of application and include all the information required and referenced under G.C. §56824.12.
- (2) The Commission incorporates the following definitions in administering these policies:
 - a) “New” shall mean activating a latent service not previously authorized.
 - b) “Divestiture” shall mean deactivating a service power previously authorized.
- (3) The Commission shall consider the effect of the proposal in supporting planned and orderly growth within the affected territory.

VII. Policies Concerning Annexations

A) General Policies Concerning Annexations to a City

- (1) Inclusion in Sphere of Influence:
The affected territory shall be included within the affected city sphere of influence prior to issuance of the Executive Officer's certificate of filing for the subject annexation proposal. The Executive Officer may amend both a sphere of influence amendment and annexation application for Commission consideration and action at the same meeting.
- (2) Substantially surrounded:
For the purpose of applying the provisions of the Cortese-Knox-Hertzberg Local Government Reorganization Act, most notably G.C. §56375, the affected territory of an annexation proposal shall be deemed “substantially surrounded” if the following two conditions apply:
 - a) The affected territory lies within the city’s sphere of influence.
 - b) The affected territory is surrounded by no less than 66.6% by the city, as set forth in a boundary description accepted by the Executive Officer.

B) Policies Concerning Island Annexations

- (1) Boundary of Areas Not 100% Surrounded by City:
The outside boundary of an unincorporated island less than 100% surrounded shall be the affected city sphere of influence boundary line.
- (2) Criteria for Determining a Developed Island:
A developed island shall substantially meet all the following criteria:
 - a) The island shall have a housing density of at least 0.5 units per gross acre.
 - b) All parcels within the island can readily receive from the affected city or any affected special district basic essential services including but not limited to police protection, fire protection, potable water and sanitation.
- (3) Policy Regarding Annexations Within an Identified Island Area:
When an annexation proposal includes territory within a developed island, the Commission shall invite the affected city to amend the boundary of the proposed annexation to include the entire island. To the extent permitted by law, the Commission reserves the right to expand the boundaries of the proposed annexation to include the entire island.

C) Policies Concerning Annexation of Municipally-Owned Land

- (1) Restricted Use Lands Owned by Public Agencies:
The Commission shall disapprove annexation of publicly-owned land designated agricultural or open-space or subject to a Williamson Act contract unless the land will be used for a municipal purpose and no suitable alternative site reasonably exists within the affected city's sphere of influence.
- (2) Facilities Exempt from Policy:
Municipal purpose shall mean a public service facility which is urban in nature such as water and sewage treatment facilities and public buildings, but shall not include land which is vacant or used for wastewater reclamation irrigation, a reservoir, or agricultural, watershed or open-space.

D) Concurrent Annexation Policies

It is the intent of the Commission to promote concurrent annexations to cities and special districts whenever appropriate. The Commission may waive its concurrent annexation policies based on unique conditions or circumstances surrounding the annexation proposal which make application of the policy impractical and will not result in the annexation of lands designated agricultural or open-space by the applicable city or County General Plan.

- (1) City of Napa and Napa Sanitation District
 - a) Annexations to the District:
All annexation proposals to the Napa Sanitation District located outside of the City of Napa shall first be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission, is located within the City Residential Urban Limit Line (RUL) as adopted by the City, and annexation is legally possible.
 - b) Annexations to the City:
All 100% consent annexation proposals to the City of Napa located outside of the Napa Sanitation District shall be required to annex to the Napa Sanitation District if the affected territory is located within the District's sphere of influence and if sanitation service is available.
- (2) City of American Canyon and American Canyon Fire Protection District
 - a) Annexations to the District:
All annexation proposals to the American Canyon Fire Protection District located outside of the City of American Canyon shall be required to annex to the City if the affected territory is located within the City's sphere of influence as adopted by the Commission and if annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City of American Canyon located outside of the American Canyon Fire Protection District shall be required to annex to the District if the affected territory is located within the District's sphere of influence.

(3) County Service Area No. 4

a) Annexations to Cities:

All annexation proposals to a city shall be required to concurrently detach from County Service Area No. 4 unless the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more in size.



Local Agency Formation Commission of Napa County

Subdivision of the State of California

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

Imola Avenue/Coronado Avenue No. 2 Reorganization: Annexation to the City of Napa and Detachment from County Service Area No. 4 Factors for Commission Determinations

California Government Code (G.C.) Section 56668 requires the Commission to consider the following specific factors for a change of organization or reorganization involving annexation to a city. No single factor is determinative and the intent is to provide a uniform baseline for LAFCOs with respect to considering boundary changes in context with locally adopted policies and practices.

(1) Population and population density; land area and land use; 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.

Total population within the affected territory is 15. The affected territory is legally uninhabited given there are fewer than 12 registered voters.¹

The affected territory is approximately 1.1 acres in size, located in unincorporated Napa County, and lies within a residential area that is designated under the City of Napa General Plan as *Terrace/Shurtleff*. The affected territory is currently developed with a commercial market (“Economy Market”), a parking lot, four apartment units, and two single-family residences.

The current assessment value of the affected territory totals \$1,109,491.²

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin and is in a groundwater deficient area. Topography is relatively level.

The affected territory is built out based on existing City of Napa General Plan and zoning designations, and therefore population is projected to remain at approximately 15 residents. Adjacent lands to the west are in the City’s jurisdictional boundary and developed with residential uses. Adjacent lands to the east and north are unincorporated, part of the Imola/Parrish island, and developed with residential uses. Adjacent lands to the south are unincorporated and comprise the Napa State Hospital. With this in mind, significant growth is unlikely within the affected territory and adjacent areas during the next 10 years.

¹ The County Assessor’s Office reports there is one registered voter residing in the affected territory.

² The assessed value of the affected territory is \$485,603 for land and \$623,888 for structural improvements.

(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.

Core municipal services already provided or available to the affected territory include water, fire protection and emergency medical, law enforcement, and sewer. There is currently no need for additional municipal services within the affected territory. However, the landowners have indicated a desire to eventually seek other municipal service improvements such as roads, sidewalks, and street lighting.

A review of estimated demands for municipal services within the affected territory indicates the City and the Napa Sanitation District (NSD) have sufficient capacities and controls to reasonably accommodate current and future needs. This statement is based on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.³ No service deficiencies for the area were identified in the Municipal Service Review. Additional information regarding estimated service demands within the affected territory follows.

Water

The affected territory currently receives public water service from the City through grandfathered outside service agreements. Therefore, proposal approval would not result in new annual potable water demands. Current annual water demands are estimated at 2.8 acre-feet or 908,850 gallons. This amount is based on recent demands totaling approximately 1,230 gallons per day associated with the Economy Market paired with the City's current average daily water demands of 210 gallons per single-family residence or apartment unit. The City has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

Fire Protection and Emergency Medical

Proposal approval would not result in new annual service calls related to fire protection and medical emergencies given the affected territory is built out. The City already provides first response to the affected territory based on an existing automatic aid agreement with the County of Napa. Current annual service calls within the affected territory are estimated at 1.8 based on the City's ratio of 117.5 annual fire protection and emergency medical service calls per 1,000 residents over the last five completed years.⁴ The City has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

³ The *Central County Region Municipal Service Review* is available online at:

http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf

⁴ The City Fire Department reports total annual fire protection and emergency medical service calls averaged 9,329.6 from 2014 through 2018.

Law Enforcement

Proposal approval would not result in new annual law enforcement service calls given the affected territory is built out. The City already provides first response to the affected territory based on an agreement with the County of Napa. Current annual service calls within the affected territory are estimated at 12.0 based on the City's ratio of 799.5 annual law enforcement service calls per 1,000 residents over the last five completed years.⁵ The City has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

Sewer

The affected territory is within NSD's jurisdictional boundary and currently receives public sewer service from NSD. Therefore, proposal approval would not result in new annual potable sewer demands. Current daily sewer flows are estimated at 1,800 gallons per day. This amount is based on recent demands totaling approximately 900 gallons per day associated with the Economy Market paired with current average sewer demands of approximately 150 gallons per day per single-family residence or apartment unit. NSD has established adequate capacities and controls to continue accommodating these demands into the foreseeable future.

(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 recognize and strengthen existing social and economic ties between the City and the affected territory. These ties were initially established in 1972 when the Commission included the affected territory in the City's SOI, marking an expectation the site would eventually develop for urban type uses and require a full range of public services from the City. These ties are further strengthened based on the affected territory's inclusion within the City's Rural Urban Limit (RUL) and continued inclusion within the City's SOI.

The proposed concurrent detachment of the affected territory from CSA No. 4 supports mutual social and economic interests. Specifically, detaching the affected territory from CSA No. 4 would recognize the discontinuity between current and planned urban uses and the role of the District in providing farmworker housing.

(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 is consistent with the Commission's adopted policies based on the affected territory's consistency with its urban land use designations pursuant to the City and County General Plans and consistency with the City's SOI. Further, 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 neither substantially unimproved nor devoted to an open-space use under the County General Plan. Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

⁵ The City Police Department reports total annual law enforcement service calls averaged 63,459.6 from 2014 through 2018.

(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 contain any “agricultural land” as defined by G.C. Section 56016.

(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 affected territory includes all of the property identified by the County of Napa Assessor’s Office as 046-274-012, 046-274-013, 046-274-014, and 046-274-015. The City has submitted a map and geographic description of the affected territory that conform with the requirements of the State Board of Equalization. Approval of the proposal would reduce the size of an existing unincorporated island and would not create any new islands or corridors of unincorporated territory.

(7) Consistency with a regional transportation plan adopted pursuant to G.C. Section 65080.

The Metropolitan Transportation Commission’s regional transportation plan (RTP), *Plan Bay Area 2040*, was updated in 2017 and outlines specific goals and objectives to direct public transportation infrastructure in the Bay Area through 2040.⁶ No specific projects are included in the RTP involving the affected territory. Accordingly, the proposal impact is neutral with respect to the RTP.

(8) Consistency with the city or county general and specific plans.

Approval of the proposal would affirm the long-term need for a full range of municipal services to the affected territory. The availability of these municipal services is consistent with the City’s General Plan, which designates and prezones the affected territory for single-family residential and limited commercial uses.

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

The affected territory is located entirely within the City’s SOI, which was most recently comprehensively updated by the Commission in February 2014.

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

Staff provided notice of the proposal and recommended modifications to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. County Service Area No. 4 staff commented that the District has no concerns with the proposed detachment. No other comments were received.

⁶ *Plan Bay Area 2040* is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. *Plan Bay Area 2040* includes the region’s Sustainable Communities Strategy and the 2040 Regional Transportation Plan.

(11) 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 as part of the Commission's *Central County Region Municipal Service Review* adopted in 2014 concluded the City has developed overall adequate financial resources and controls relative to current and projected service commitments. The 2014 *Central County Region Municipal Service Review* is relied upon and sufficient for this reorganization proposal regarding the plan for services required by G.C. Section 56653.

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

Proposal approval will not result in new annual water demands for the City given that the affected territory is already built out and connected to the City's water distribution system. Current annual water demands are estimated at 2.8 acre-feet or 908,850 gallons. This amount is based on recent demands totaling approximately 1,230 gallons per day associated with the Economy Market paired with the City's current average daily water demands of 210 gallons per single-family residence or apartment unit. The City's water supplies are generated from three sources: (1) Lake Hennessey; (2) Milliken Reservoir; and (3) State Water Project. Total supplies vary according to hydrologic conditions. A table depicting the City's existing water service demands relative to supplies follows. As reflected in the following table, adequate water supplies exist for the projected needs of the City, including the affected territory.

Baseline (Amounts in Acre-Feet)			
Category	Normal Year	Multiple Dry	Single Dry
Annual Supply	39,410	26,870	18,840
Annual Demand	12,015	12,015	12,015
Difference	27,395	14,855	6,825

(13) 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 be neutral for the City with respect to achieving its fair share of the regional housing needs during the foreseeable future given that the affected territory is already built out based on the City's existing land use designations.

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

The landowners of the affected territory are the interested parties seeking annexation. The current residents and registered voters within the affected territory have not provided any other information or comments.

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

The County's General Plan designation for the entire affected territory is *Rural Residential*, which allows for residential use in neighborhoods that are in proximity to existing urbanized areas. The minimum lot size is 10 acres.

The County's zoning standard for 1100 and 1106 Imola Avenue is *Commercial Neighborhood*, which allows for commercial uses for day-to-day needs in the immediate neighborhood in a setting compatible with surrounding land uses.

The County's zoning standard for 1110 and 1118 Imola Avenue is *Residential Single: Urban Reserve*, which allows for residential uses to meet the housing needs of present and future population in the unincorporated area. The *Urban Reserve* classification is intended to identify properties inside the SOI of a city and a city-adopted urban limit, such as the City of Napa's RUL, whose continued or future urbanization is contingent upon annexation to the city.

The City's General Plan land use designation for 1100 and 1106 Imola Avenue is *Local Commercial (LC-502)*, which allows for commercial uses serving the daily needs of nearby residential neighborhoods and prescribes a maximum floor area ratio of 0.35. These properties are prezoned *Local Commercial (CL)*, which allows for grocery stores and convenience markets.

The City's General Plan land use designation for 1110 and 1118 Imola Avenue is *Single-Family Infill (SFI-178)*, which prescribes a range of development from three to seven residential units per acre. These properties are prezoned *Residential Infill (RI-5)*, which allows for residential development with a minimum lot size of 5,000 square feet or 0.11 acres.

(16) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment of people of all races, cultures, and incomes with respect to the location of public facilities and the provision of public services.

There is no documentation or evidence suggesting the proposal will have any implication for environmental justice in Napa County.

(17) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

There is no documentation or evidence suggesting a local hazard mitigation plan or safety element of a general plan is relevant to the proposal. Further, the affected territory is not located in a very high fire hazard zone or a state responsibility area.