



**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*

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**Agenda Item 7b (Action)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer

**MEETING DATE:** August 6, 2018

**SUBJECT:** Proposed Silverado Trail/Saratoga Drive No. 2 Reorganization and Associated CEQA Findings

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**RECOMMENDATION**

Adopt the draft resolution (Attachment One) making California Environmental Quality Act findings and approving the proposed reorganization.

**SUMMARY**

The Commission has received a proposal from a landowner requesting the annexation of approximately 4.2 acres of unincorporated territory to the City of Napa (“City”) along with concurrent detachment from County Service Area (CSA) No. 4. The purpose of the proposal is to allow for further development of the affected territory under the City’s land use authority. The application materials are included as Attachment Three.

The affected territory comprises three unincorporated parcels with situs addresses at 330, 332, 334, and 336 Silverado Trail. The parcels are identified by the County Assessor’s Office as 046-061-033, 046-061-038, and 046-061-039. The affected territory is located within the City’s sphere of influence (SOI) and also within an unincorporated island that is completely surrounded by the City’s jurisdictional boundary.

A map of the affected territory is provided on the following page and an aerial map of the affected territory is included as Attachment Four.

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Margie Mohler, Chair  
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Brad Wagenknecht, Vice Chair  
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Ryan Gregory, Alternate Commissioner  
County of Napa Supervisor, 2nd District

Gregory Rodeno, Commissioner  
Representative of the General Public

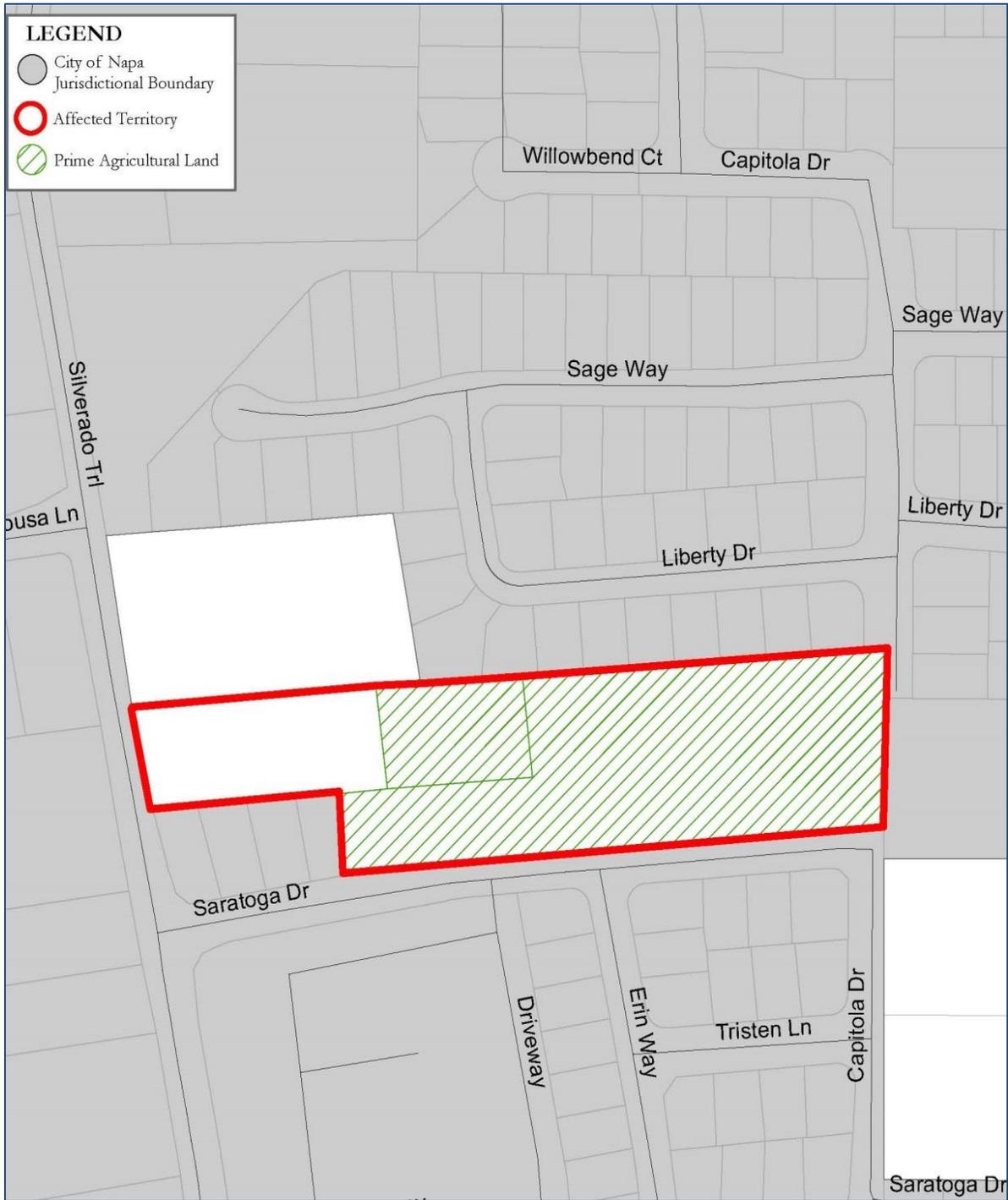
Erik Lawrence, Alternate Commissioner  
Representative of the General Public

Brendon Freeman  
Executive Officer

Proposed Silverado Trail/Saratoga Drive No. 2 Reorganization

August 6, 2018

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## **ANALYSIS**

### ***Policy Considerations***

The Commission's *General Policy Determinations* (Attachment Two) include locally adopted criteria and factors to guide the Commission's decision making process. The following is an evaluation of local policies that are relevant to the proposal.

#### Island Annexations

The affected territory is located within an existing unincorporated island that is completely surrounded by the City. The Commission's *General Policy Determinations* Section VII(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. The intent of the local policy is to encourage cities to utilize the streamlined island annexation proceedings provided under California Government Code (G.C.) Section 56375.3. However, the streamlined island annexation proceedings are only available if the affected territory does not contain any prime agricultural land as defined by G.C. Section 56064. Since APNs 046-061-033 and 046-061-039 qualify as prime agricultural land based on their soil capability classifications, the affected territory is not eligible for the streamlined island annexation proceedings.<sup>1</sup> Nevertheless, the City was invited to amend the boundary of the proposal to include the entire island and concluded an amended annexation boundary would not be appropriate.<sup>2</sup>

#### Concurrent Detachment from CSA No. 4

The Commission's *General Policy Determinations* Section VII(D)(3) states all annexations to a city shall be required to concurrently detach from CSA No. 4 unless the affected territory is expected to contain vineyards totaling one acre or more. The intent and function of CSA No. 4 is to sponsor a voter-approved special assessment on all assessor parcels in its jurisdiction containing one acre or more of vineyards to fund farmworker housing services. Notably, APN 046-061-033 currently contains more than one acre of planted vineyards. However, the current landowner has communicated the vineyards will be removed in the foreseeable future whether or not the proposal is approved. Therefore, detaching the affected territory from CSA No. 4 is appropriate given the discontinuity between these lands' expected future use as residential development and the role of CSA No. 4 in providing public farmworker housing services.

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<sup>1</sup> APNs 046-061-033 and 046-061-039 qualify as "class II" in the United States Department of Agriculture's Natural Resources Conservation Service land use capability classification.

<sup>2</sup> The City's decision not to amend the boundary of the proposed annexation was based on the remaining landowner's opposition to joining the annexation coupled with the inability to utilize the streamlined island annexation proceedings.

### ***Factors for Commission Consideration***

G.C. Section 56668 requires the Commission to consider 16 specific factors anytime it reviews proposals for 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; 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.***

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The affected territory is unincorporated and lies within a residential area that is designated under the City of Napa General Plan as *Terrace/Shurtleff*. The affected territory is legally uninhabited given there are fewer than 12 registered voters, and is currently developed with four single-family residences and planted vineyards. The current assessment value of the affected territory totals \$190,856.<sup>3</sup>

The affected territory is located within the *Napa River – Lower Napa City Reach* drainage basin and is in a groundwater deficient area. Soils within the affected territory are classified as Coombs gravelly loam with two to five percent slopes.

Approval of the proposed annexation could potentially facilitate the future development of the affected territory to include a maximum of 33 total single-family residences based on existing City of Napa General Plan and zoning designations.<sup>4</sup> All adjacent lands to the immediate east, south, and west of the affected territory are already incorporated. The majority of lands to the north of the affected territory are also already incorporated. However, one 1.9-acre parcel to the immediate north of APN 046-061-038 is unincorporated and, if annexed to the City, could be further divided to include up to a maximum of 15 total single-family residences. Additionally, four unincorporated parcels totaling approximately 3.6 acres are located to the southeast of the affected territory and could be further divided to include up to a maximum of 21 total single-family residences if annexed to the City based on the City's existing rezoning and General Plan land use designation for the four parcels.

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<sup>3</sup> The assessed value of the affected territory is \$50,241 for land, \$86,718 for structural improvements, and \$53,897 for vineyards.

<sup>4</sup> At buildout, the affected territory would be expected to include a resident population of 91 based on the California Department of Finance's population per household estimate of 2.76 for the City of Napa.

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

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Core municipal services already provided or available to the affected territory include sewer, fire, emergency medical, law enforcement, roads, and garbage collection. The affected territory currently relies on private onsite wells for its potable and irrigation water supply. The need for additional municipal services is limited to public water.

Annexation to the City and eventual buildout of the affected territory to include a total of 33 (four existing and 29 new) residential units would marginally increase demands on each of the aforementioned municipal services. A review of projected demands for the affected territory at buildout indicates the City and Napa Sanitation District (NSD) have sufficient capacities and controls to reasonably accommodate future needs. This statement is predicated on information collected and analyzed in the Commission's *Central County Region Municipal Service Review* adopted in 2014.<sup>5</sup> No service deficiencies for the area were identified in the Municipal Service Review. Additional information regarding projected service demands associated with the buildout of the affected territory is provided below.

***Water***

The affected territory does not currently receive public water service from the City. Proposal approval and buildout of the affected territory would result in new annual potable water demands totaling approximately 9.0 acre-feet or 2,932,650 gallons. This amount is based on the City's current average daily water demands of 243.6 gallons per single-family residence. The City has established adequate capacities and controls to accommodate these new demands.

***Fire Protection and Emergency Medical***

Proposal approval and buildout of the affected territory would transition fire protection and emergency medical service responsibility from the County Fire Department to the City Fire Department and would result in approximately eight new annual service calls related to fire protection and medical emergencies. This amount is based on the City's ratio of 92.8 fire protection and emergency medical service calls per 1,000 residents over the last five years. The City has established adequate capacities and controls to accommodate these new demands.

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<sup>5</sup> The *Central County Municipal Service Review* is available online at:  
[http://www.napa.lafco.ca.gov/uploads/documents/MSR\\_CentralCounty\\_FinalReport\\_2014.pdf](http://www.napa.lafco.ca.gov/uploads/documents/MSR_CentralCounty_FinalReport_2014.pdf)

### ***Law Enforcement***

Proposal approval and buildout of the affected territory would transition law enforcement service responsibility from the County Sheriff to the City Police Department result in approximately 74 new annual law enforcement service calls. This amount is based on the City's current ratio of 826.1 law enforcement service calls per 1,000 residents over the last five years. The City has established adequate capacities and controls to accommodate these new demands.

### ***Sewer***

The affected territory is located entirely within NSD's jurisdictional boundary. Two of the four existing single-family residences already receive public sewer service from NSD. Proposal approval, buildout of the affected territory, and connection of all residences to NSD would result in new sewer flows totaling approximately 4,650 gallons per day. This amount is based on current average sewer demands within NSD of approximately 150 gallons per day per residence. NSD has established adequate capacities and controls to accommodate these new demands without impacting existing service commitments or ratepayers.

### ***(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.***

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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).

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 the territory's anticipated future residential land use and the role of CSA No. 4 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.***

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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.<sup>6</sup> Proposal approval would be consistent with planned, orderly, efficient patterns of urban development.

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<sup>6</sup> Specifically, the affected territory is neither substantially unimproved nor devoted to an open-space use under the County 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.***

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A portion of the affected territory meets the definition of “agricultural land” pursuant to G.C. Section 56016. Specifically, APNs 046-061-033 and 046-061-039 contain planted vineyards and are used to produce an agricultural commodity. As previously noted, these two parcels also meet the definition of “prime agricultural land” pursuant to G.C. Section 56064 based on their soil capability classification. However, the current landowner intends to remove the vineyards whether or not the proposal is approved, and therefore proposal approval would not have a direct effect on agricultural lands.

***(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.***

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The affected territory includes all of the property identified by the County of Napa Assessor’s Office as 046-061-033, 046-061-038, and 046-061-039. The applicant has submitted a map and geographic description of the affected territory that conform to the requirements of the State Board of Equalization.

As mentioned, the affected territory is located within an existing unincorporated island. Proposal approval would eliminate a portion of the island and therefore would promote more efficient delivery of municipal services to the affected territory.

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

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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.<sup>7</sup> 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.***

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Approval of the proposal would allow for a full range of municipal services to be provided 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 uses.

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<sup>7</sup> *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.

***(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 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 to all affected agencies, transportation agencies, and school districts inviting comments as required under G.C. Section 56658. No comments were received.

***(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 in the Commission’s *Central County Region Municipal Service Review* concluded the City has developed adequate financial resources and controls relative to its service commitments. Additional analysis provides reasonable assurances the City’s fiscal capacities would enable the agency to extend services consistent with the land use and density assumptions in the proposal without significant adverse impacts.

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

Proposal approval is expected to generate approximately 9.0 acre-feet of new annual water demands for the City at buildout. 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 water service demands associated with eventual buildout of the affected territory relative to the City’s existing supplies and demands follows. As shown below, adequate water supplies exist for the projected needs of the City, including the affected territory.

<b>Baseline Without Annexation of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry</b>	<b>Single Dry</b>
Annual Supply	39,410	26,870	18,840
Annual Demand	12,015	12,015	12,015
Difference	27,395	14,855	6,825

<b>Adjusted With Annexation/Buildout of the Affected Territory</b> (Amounts in Acre-Feet)			
<b>Category</b>	<b>Normal Year</b>	<b>Multiple Dry</b>	<b>Single Dry</b>
Annual Supply	39,410	26,870	18,840
Annual Demand	12,025	12,025	12,025
Difference	27,385	14,845	6,815

***(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.***

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The proposal could result in a benefit to the City with respect to achieving its fair share of the regional housing needs during the foreseeable future as a result of the potential development of up to 33 residential units as contemplated in the City General Plan.<sup>8</sup>

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

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The landowner of the affected territory is the petitioner 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.***

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County General Plan: *Rural Residential*  
County Zoning Ordinance: *Residential Single*  
City General Plan: *Single-Family Infill (SFI-173)*  
City Prezoning: *Residential Infill (RI-5)*

The County's General Plan and zoning assignments for the affected territory are consistent with current and future single-family residential land uses. The City General Plan land use designation for the affected territory prescribes a range of development from four to eight residential units per acre. Further, the City's prezoning assignments for the affected territory contemplate minimum lot sizes 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.***

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

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<sup>8</sup> A recent report with information on local regional housing needs allocations is available online at: [http://www.napa.lafco.ca.gov/uploads/documents/6-4-18\\_5d\\_HousingUpdate.pdf](http://www.napa.lafco.ca.gov/uploads/documents/6-4-18_5d_HousingUpdate.pdf)

### ***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.<sup>9</sup> 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 legally uninhabited, all landowners have provided their written consent, and no written opposition to a waiver of protest proceedings has been received by any agency.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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. The City evaluated the potential environmental impacts associated with the proposed annexation and determined pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2) that such potential impacts were adequately analyzed by the prior EIR for the City of Napa General Plan. Staff concurs with the findings of the City and hereby adopts the City of Napa's Findings adopted as Resolution No. 2018-048. 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 following links.

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

[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_FEIR\\_Part1.pdf](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](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_FEIR_Part2.pdf)

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<sup>9</sup> CSA No. 4 was formed after Proposition 13 and therefore not eligible for property tax revenues.

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

[http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan\\_FEIR\\_Part3.pdf](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](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](http://www.napa.lafco.ca.gov/uploads/documents/NapaGeneralPlan_Resolution98-239.pdf)

City of Napa Resolution No. 2018-048 Relating to the Proposed Annexation:

[http://www.napa.lafco.ca.gov/uploads/documents/NapaResolution\\_2018-048.pdf](http://www.napa.lafco.ca.gov/uploads/documents/NapaResolution_2018-048.pdf)

The City also performed additional analysis related to potential impacts on prime agricultural lands to satisfy the requirements of the Cortese-Knox-Hertzberg Act. The City determined that the affected territory is within the City's RUL, substantially surrounded by residential development, and neither parcel identified as prime agricultural land pursuant to G.C. Section 56064 is identified on the State Farmland Mapping Program as Farmland or are subject to a Williamson Act contract. Further, the City's General Plan EIR considered the environmental effects of developing small agricultural plots on prime agricultural soil to be significant but found them to be offset in part by General Plan policies that focus development within the City's RUL. Therefore, the concentration of development within the RUL would offset the further development of prime agricultural lands located outside the RUL and the City has appropriately considered the impacts of development within the RUL. The City General Plan EIR also made findings of overriding considerations regarding the loss of some prime agricultural soils within the City to allow land within the RUL to be developed for urban uses. With regards to the proposed annexation, the City concluded there is no substantial change introduced by annexation that involves new significant impacts. As no new effects would occur and no new mitigation measures are required, staff believes the proposed annexation is within the scope of the City General Plan EIR and therefore, pursuant to CEQA Guidelines Section 15168(c)(2), no new environmental document is required.

## **ALTERNATIVES FOR COMMISSION ACTION**

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

**Alternative Action One (Recommended):**

Adopt the draft resolution identified as Attachment One approving the proposal with standard terms and conditions.

**Alternative Action Two:**

Continue consideration of the proposal to a specified future meeting.

**Alternative Action Three:**

Disapprove the proposal. Disapproval would statutorily prohibit the initiation of a similar proposal for one year.

## **ATTACHMENTS**

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

**RESOLUTION NO. \_\_\_\_**

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

**SILVERADO TRAIL/SARATOGA DRIVE 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 concurrently annex to the City of Napa and detach from County Service Area No. 4 three parcels totaling 4.2 acres of unincorporated land located at 330 to 336 Silverado Trail and identified by the County of Napa Assessor’s Office as 046-061-033, 046-061-038, and 046-061-039; 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 6, 2018; 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 to the City of Napa 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 annexation. The City of Napa evaluated the potential environmental impacts associated with the proposed annexation and determined pursuant to CEQA Guidelines Sections 15162 and 15168(c)(2) that such potential impacts were adequately analyzed by the prior EIR for the City of Napa General Plan. Staff concurs with the findings of the City of Napa and hereby adopts the City of Napa's Findings adopted as Resolution No. 2018-048. The records upon which these findings are made 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:

**SILVERADO TRAIL/SARATOGA DRIVE 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.

The foregoing resolution was duly and regularly adopted by the Commission at a regular meeting held on August 6, 2018 by the following vote:

AYES: Commissioners \_\_\_\_\_

NOES: Commissioners \_\_\_\_\_

ABSENT: Commissioners \_\_\_\_\_

ABSTAIN: Commissioners \_\_\_\_\_

\_\_\_\_\_  
Margie Mohler  
Commission Chair

ATTEST: \_\_\_\_\_  
Brendon Freeman  
Executive Officer

Recorded by: Kathy Mabry  
Commission Secretary

DRAFT

**EXHIBIT A****PROPOSED ANNEXATION TO THE CITY OF NAPA**

**GEOGRAPHIC DESCRIPTION**  
**SILVERADO TRAIL/SARATOGA DRIVE No. 2 REORGANIZATION**  
 A.P.N.s 046-061-033, 038, 039

All that certain real property, situate in the County of Napa, State of California, being a portion of the Tulocay Rancho and also being more particularly described as follows:

**Beginning** at a point on the east line of Silverado Trail at the southerly terminus of course number (2), being South 10°15'00" East 345.59 feet, as described in the geographic description of Area One of the Silverado Trail Reorganization, City Annexation to the City of Napa per Local Agency Formation Commission of Napa County Resolution No. 08-16 dated December 1, 2008;

Thence (1) along said east line of Silverado Trail and the boundary of said Area One, North 10°15'00" West 129.40 feet, more or less, to the southwest corner of the parcel of land described in the deed to Herman Abel, et.al., recorded November 27, 1909 in Book 96 of Deeds at Page 35, Napa County Records;

Thence (2) leaving said east line of Silverado Trail and the boundary of said Area One, along the southerly line of said parcel of land described in the deed to Herman Abel, et.al., North 85°30'00" East 373.00 feet, more or less, to an angle point in the southerly boundary of the Silverado Trail/Terrace Drive City Annexation per Napa City Council Resolution No. 89-344 dated August 1, 1989;

Thence (3) continuing along said southerly boundary of the Silverado Trail/Terrace Drive City Annexation, and the southerly line of said parcel of land described in the deed to Herman Abel, et.al., North 85°30'00" East 613.00 feet to an angle point in said southerly boundary of the Silverado Trail/Terrace Drive City Annexation, said angle point also being the southeast corner of said parcel of land described in the deed to Herman Abel, et.al.;

Thence (4) continuing along said southerly boundary of the Silverado Trail/Terrace Drive City Annexation, South 00°00'00" West 65.00 feet, more or less, to an angle point in the northerly boundary of said Area One;

Thence along said northerly boundary of said Area One, the following four courses:

- (5) South 00°23'27" West 161.91 feet;
- (6) South 85°30'00" West 690.28 feet;
- (7) North 4°30'00" West 97.91 feet;

1804 Soscol Avenue, Suite 202, Napa, CA 94559  
 Tel: (707) 690-9025 Fax: (707) 542-2106  
 www.cinquinipassarino.com  
 CPI No.: 7868-17  
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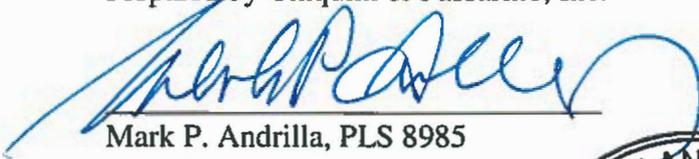
# EXHIBIT A

(8) South 85°30'00" West 262.66 feet to said easterly line of Silverado Trail and the Point of Beginning.

Containing 4.43 acres of land, more or less.

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

Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

7.9.18

Date



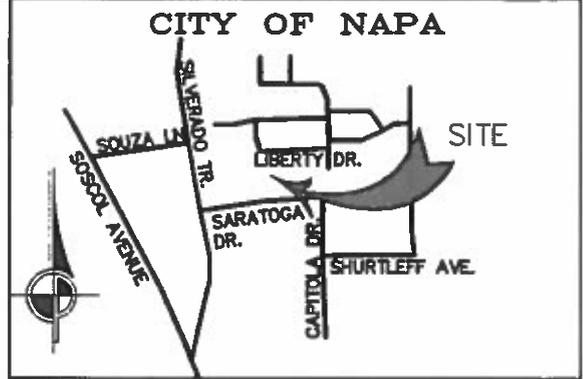
DRY

1804 Soscol Avenue, Suite 202, Napa, CA 94559  
Tel: (707) 690-9025 Fax: (707) 542-2106  
www.cinquinipassarino.com  
CPI No.: 7868-17  
Page 2 of 3

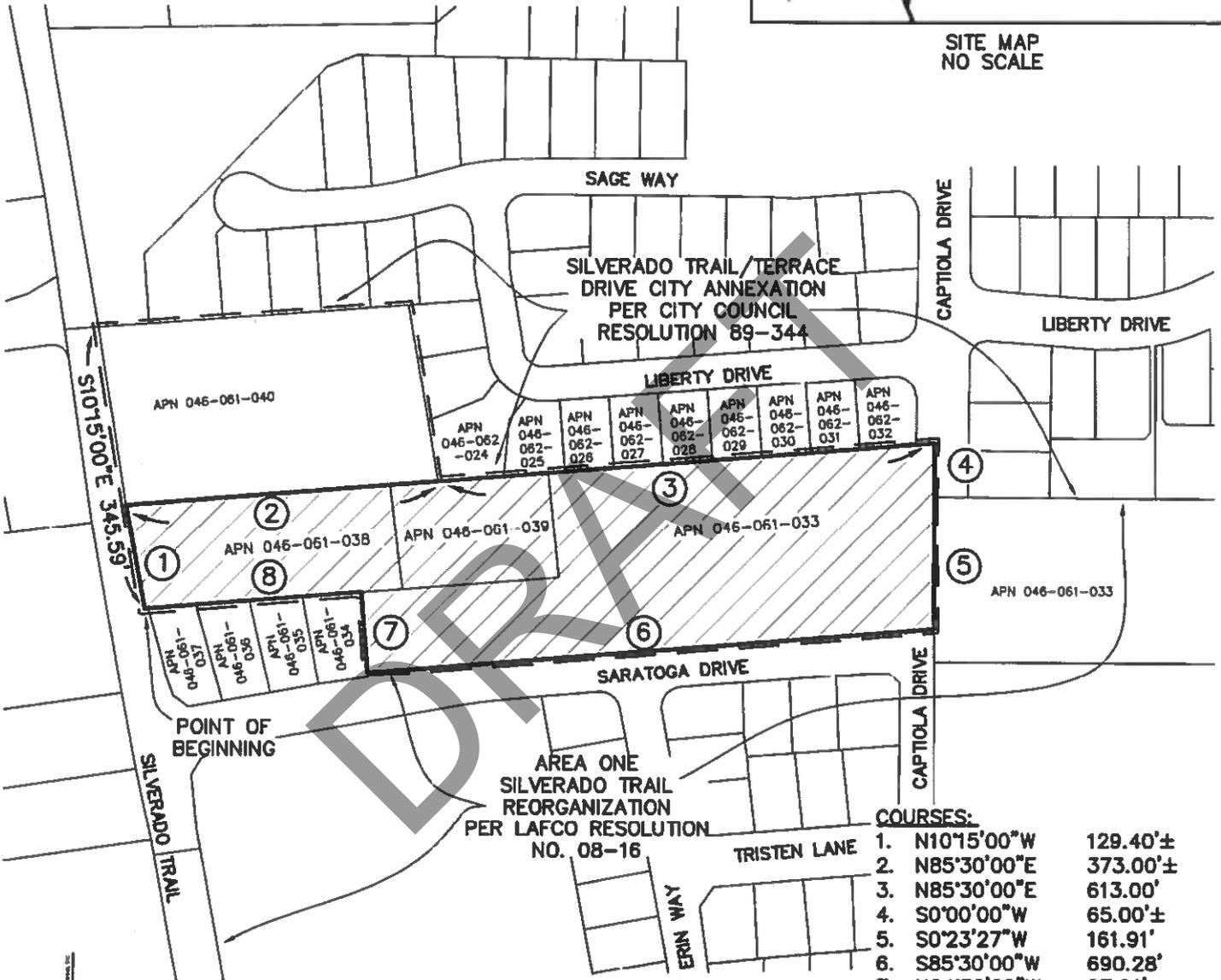
# EXHIBIT A

## LEGEND

-  EXISTING CITY OF NAPA BOUNDARY
-  PROPOSED CITY OF NAPA ANNEXATION (4.43 Acres±)



SITE MAP  
NO SCALE



AREA ONE  
SILVERADO TRAIL  
REORGANIZATION  
PER LAFCO RESOLUTION  
NO. 08-16

**COURSES:**

- |                |          |
|----------------|----------|
| 1. N10°15'00"W | 129.40'± |
| 2. N85°30'00"E | 373.00'± |
| 3. N85°30'00"E | 613.00'  |
| 4. S0°00'00"W  | 65.00'±  |
| 5. S0°23'27"W  | 161.91'  |
| 6. S85°30'00"W | 690.28'  |
| 7. N04°30'00"W | 97.91'   |
| 8. S85°30'00"W | 262.66'  |

DISCLAIMER:  
"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE AREA DESCRIBED."

**CINQUINI & PASSARINO, INC.**  
**LAND SURVEYING**

- ▲ BOUNDARY
- ▲ TOPOGRAPHIC
- ▲ CONSTRUCTION
- ▲ SUBDIVISIONS

1804 Soscol Ave. #202  
Napa, Ca. 94559  
Phone: (707) 890-9025  
Fax: (707) 542-2108

WWW.CINQUINIPASSARINO.COM



GRAPHIC SCALE



APNs: 046-061-033, 038, 039	DRAWN BY: DCS	CHECKED BY: MPA
SILVERADO TRAIL/SARATOGA DRIVE NO. 2 REORGANIZATION ANNEXATION TO THE CITY OF NAPA AND DETACHMENT FROM COUNTY SERVICE AREA NO. 4	SCALE: 1"=200'	DATE: 07/09/2018
	JOB #: 7868-17	PAGE: 3 OF 3



## 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 agendaize 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.

**FORM B**

Date Filed: 5/31/18  
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:**

Annexation of three parcels located at 330, 332, 334, and 336 Silverado Trail to the City of Napa  
and concurrent detachment from County Service Area No. 4.

**Description of Boundaries of Affected Territory Accompanied by Map:**

The properties are bounded by Silverado Trail to the west, Saratoga Drive to the south, and  
Capitola Drive to the east. See map and geographic description.

**Reason for Proposal and Any Proposed Conditions:**

Facilitate the sale of the properties and eventual residential development under the City of Napa's  
land use authority.

**Type of Petition:**

Landowner

Registered Voter

**Sphere of Influence Consistency:**

Yes

No

**If Landowner Petition, Complete the Following:**

1) Name: Ramona West Family Trust

Mailing Address: 2000 North Avenue, Napa, CA 94558

Assessor Parcel: 046-061-033, 046-061-038, and 046-061-039

Signature: Carol Alask Trustee Date: 5-31-2018

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**

Attachment Three

Date Filed: 5/31/18

Received By: BF

**JUSTIFICATION OF PROPOSAL**  
**Change of Organization/Reorganization**

**I. APPLICANT INFORMATION**

---

**A. Name:** Carol A. Black (Trustee) Ramona West Family Trust  
 Contact Person Agency/Business (If Applicable)

**Address:** 2000 North Avenue Napa, CA 94558  
 Street Number Street Name City Zip Code

**Contact:** 707-255-9048 707-226-2233 mbmerlot@pacbell.net  
 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 (Annexation) 955 School St, Napa, CA 94559  
 Name Address

County Service Area No. 4 (Detachment) 1195 Third St, Suite 301, Napa, CA 94559  
 Name Address

\_\_\_\_\_  
 Name Address

*Use Additional Sheets as Needed*

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

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

**C. Purpose Statement:** (Specific) Annexation to the City of Napa of three parcels totaling approximately 4.19 acres  
located at 330, 332, 334, and 336 Silverado Trail for purposes of facilitating the  
residential development of the properties under the City's land use authority.

---

III. GENERAL INFORMATION

<b>A. Location:</b>	330, 332, 334, and 336 Silverado Trail	046-061-038	0.92
	Street Address	Assessor Parcel Number	Acres
	No address	046-061-033	2.92
	Street Address	Assessor Parcel Number	Acres
	No address	046-061-039	0.35
	Street Address	Assessor Parcel Number	Acres
Street Address			Assessor Parcel Number
			Acres
			Total Location Size
			(Including Right-of-Ways) 4.19

B. Landowners:

- (1) Assessor Parcel Number : 046-061-033 Name: Ramona West Family Trust  
Mailing Address: 2000 North Avenue, Napa, CA 94558  
Phone Number: 707-255-9048 E-mail: mbmerlot@pacbell.net
- (2) Assessor Parcel Number : 046-061-038 Name: Ramona West Family Trust  
Mailing Address: 2000 North Avenue, Napa, CA 94558  
Phone Number: 707-255-9048 E-mail: mbmerlot@pacbell.net
- (3) Assessor Parcel Number : 046-061-039 Name: Ramona West Family Trust  
Mailing Address: 2000 North Avenue, Napa, CA 94558  
Phone Number: 707-255-9048 E-mail: mbmerlot@pacbell.net
- (4) Assessor Parcel Number : \_\_\_\_\_ Name: \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number: \_\_\_\_\_ E-mail: \_\_\_\_\_

Use Additional Sheets As Needed

C. Population:

- (1) Total Number of Residents: 9
- (2) Total Number of Registered Voters: 8

**D. Land Use Factors:**

- (1a) County General Plan Designation: Cities
- (1b) County Zoning Standard: Residential Single: Urban Reserve
- (2a) Applicable City General Plan Designation: Single-Family Infill
- (2b) Applicable City Rezoning Standard: Residential Infill

**E. Existing Land Uses:**  
(Specific)

Four houses (currently occupied - rentals), one barn, and 2.5 acres of planted  
merlot grape vineyard.

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**F. Development Plans:**

- (1a) Territory Subject to a Development Project?  Yes  No

(1b) If Yes, Describe Project: N/A

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(1c) If No, When Is Development Anticipated? Pending sale of property

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**G. Physical Characteristics:**

(1) Describe Topography:  
Flat land surrounded by residential development within the City boundary.

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(2) Describe Any Natural Boundaries:  
N/A

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(3) Describe Soil Composition and Any Drainage Basins:  
Soils are Coombs gravelly loam with 2% to 5% slopes. Drainage - Lower Napa City Reach.

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(4) Describe Vegetation:  
2.5 acres of planted Merlot grape vineyard.

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**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:  
Public safety (law enforcement and fire protection) services already provided by the City  
through agreements with the County. Public sewer service already provided by Napa Sanitation  
District. Of the core public services provided by the City, only water service is needed following  
annexation and development of the affected territory.

(2) Level and Range of Services to Be Provided to the Affected Territory:  
Sufficient level of all public services to serve the future development (unknown at this time).  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(3) Indication of When Services Can Feasibly Be Extended to the Affected Territory:  
This will be answered at the time a development project is submitted to the City in the future.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

(4) Indication of Any Infrastructure Improvements Necessary to Extend Services to the Affected Territory:  
Public infrastructure for water, sewer, roads, sidewalks, street lights, etc. would be needed  
to serve the future development of the properties as allowed under the City's land use authority.  
 \_\_\_\_\_  
 \_\_\_\_\_

(5) Information On How Services to the Affected Territory Will Be Financed:  
Public services will be paid for by the developer and/or future landowners .  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**V. ENVIRONMENTAL INFORMATION**

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**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**

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**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:** Jack Burns  
**Mailing Address:** 3223 Blume Drive, Richmond, CA 94806  
**E-Mail:** JackBurnsJr@icloud.com (phone # 510-662-8502)

(2) **Recipient Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_

(3) **Recipient Name:** \_\_\_\_\_  
**Mailing Address:** \_\_\_\_\_  
**E-Mail:** \_\_\_\_\_

**VII. CERTIFICATION**

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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:** Carol A Black Trustee

**Printed Name:** Carol A. Black

**Title:** Trustee - Ramona West Family Trust

**Date:** 5-31-2018

**Indemnification Agreement**

**Name of Proposal: Silverado Trail / Saratoga Drive 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 Ramona West Family Trust agrees 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

Carol A Black Justice  
Principal Landowner Signature

\_\_\_\_\_  
Print Name

Carol A. Black  
\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Date

5-31-2018  
\_\_\_\_\_  
Date

PROPOSED ANNEXATION TO THE CITY OF NAPA

**GEOGRAPHIC DESCRIPTION**  
**SILVERADO TRAIL/SARATOGA DRIVE No. 2 REORGANIZATION**

A.P.N.s 046-061-033, 038, 039

All that certain real property, situate in the County of Napa, State of California, being a portion of the Tulocay Rancho and also being more particularly described as follows:

**Beginning** at a point on the east line of Silverado Trail at the southerly terminus of course number (2), being South 10°15'00" East 345.59 feet, as described in the geographic description of Area One of the Silverado Trail Reorganization, City Annexation to the City of Napa per Local Agency Formation Commission of Napa County Resolution No. 08-16 dated December 1, 2008;

Thence along the northerly boundary of said Area One, the following four courses:

- (1) North 85°30'00" East 262.66 feet;
- (2) South 4°30'00" East 97.91 feet;
- (3) North 85°30'00" East 690.28 feet;
- (4) North 00°23'27" East 161.91 feet to an angle point in the southerly boundary of the Silverado Trail/Terrace Drive City Annexation per Napa City Council Resolution No. 89-344 dated August 1, 1989;

Thence (5) along said southerly boundary, North 00°00'00" East 65.00 feet, more or less, to the southeast corner of the parcel of land described in the deed to Herman Abel, et.al., recorded November 27, 1909 in Book 96 of Deeds at Page 35, Napa County Records;

Thence (6) continuing along said southerly boundary, and the southerly line of said parcel of land described in the deed to Herman Abel, et.al., South 85°30'00" West 613.00 feet to an angle point in said southerly boundary of the Silverado Trail/Terrace Drive City Annexation;

Thence (7) leaving said southerly boundary, and continuing along said southerly line of said parcel of land described in the deed to Herman Abel, et.al., South 85°30'00" West 373.00 feet, more or less, to said east line of Silverado Trail and boundary of said Area One;

Thence (8) along said east line and said boundary of Area One, South 10°15'00" East 129.40 feet, more or less, to the Point of Beginning.

Containing 4.43 acres of land, more or less.

1804 Soscol Avenue, Suite 202, Napa, CA 94559

Tel: (707) 690-9025 Fax: (707) 542-2106

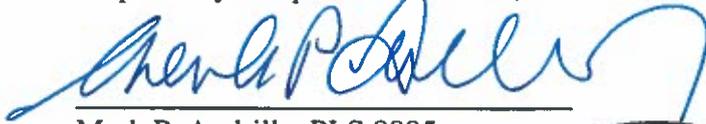
[www.cinquinipassarino.com](http://www.cinquinipassarino.com)

CPI No.: 7868-17

Page 1 of 3

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

Prepared by Cinquini & Passarino, Inc.



Mark P. Andrilla, PLS 8985

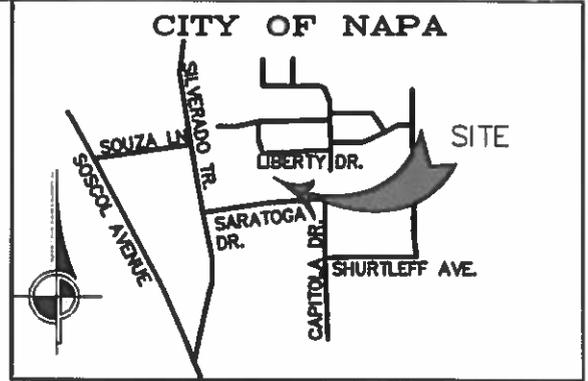
1.4.18

Date

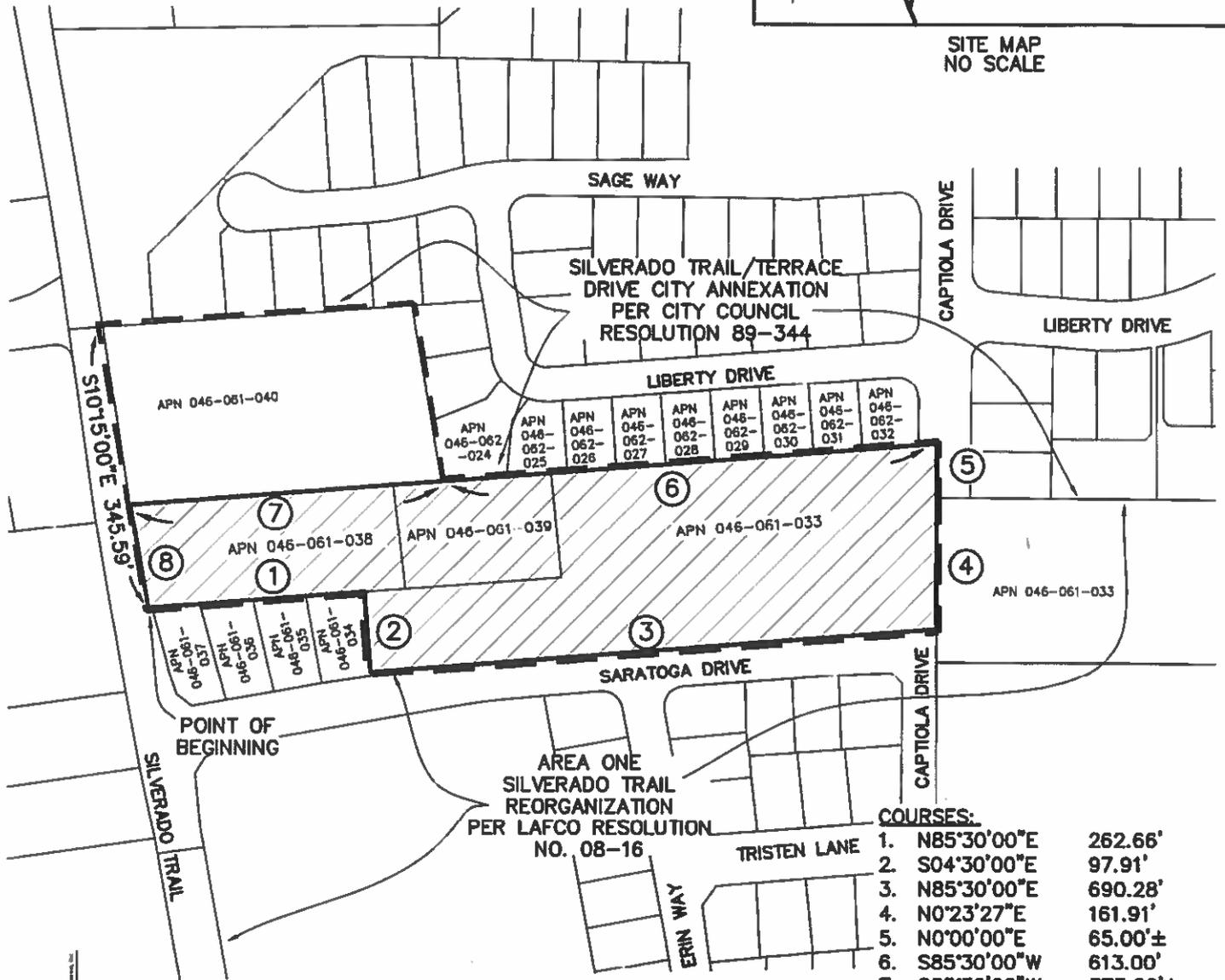


**LEGEND**

-  EXISTING CITY OF NAPA BOUNDARY
-  PROPOSED CITY OF NAPA ANNEXATION (4.43 Acres±)



SITE MAP  
NO SCALE



**COURSES:**

1.	N85°30'00"E	262.66'
2.	S04°30'00"E	97.91'
3.	N85°30'00"E	690.28'
4.	N0°23'27"E	161.91'
5.	N0°00'00"E	65.00'±
6.	S85°30'00"W	613.00'
7.	S85°30'00"W	373.00'±
8.	S10°15'00"E	129.40'±

**DISCLAIMER:**  
"FOR ASSESSMENT PURPOSES ONLY. THIS DESCRIPTION OF LAND IS NOT A LEGAL PROPERTY DESCRIPTION AS DEFINED IN THE SUBDIVISION MAP ACT AND MAY NOT BE USED AS THE BASIS FOR AN OFFER FOR SALE OF THE AREA DESCRIBED."

**CINQUINI & PASSARINO, INC.**  
**LAND SURVEYING**

▲ BOUNDARY  
▲ TOPOGRAPHIC  
▲ CONSTRUCTION  
▲ SUBDIVISIONS

1804 Socol Ave. #202  
Napa, Ca. 94559  
Phone: (707) 690-9025  
Fax: (707) 542-2106

WWW.CINQUINIPASSARINO.COM

GRAPHIC SCALE

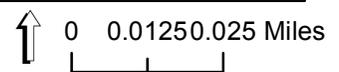


APNs: 046-061-033, 038, 039	DRAWN BY: DCS	CHECKED BY: MPA
SILVERADO TRAIL/SARATOGA DRIVE NO. 2 REORGANIZATION	SCALE: 1"=200'	DATE: 01/04/2018
ANNEXATION TO THE CITY OF NAPA AND DETACHMENT FROM COUNTY SERVICE AREA NO. 4	JOB #: 7868-17	PAGE: 3 OF 3

# Silverado Trail/Saratoga Drive No. 2 Reorganization



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



\* Prepared by LAFCO Staff  
July 2018