

# SONOMA LOCAL AGENCY FORMATION COMMISSION

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## Staff Report

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<b>Meeting Date:</b>	September 4, 2024
<b>Agenda No.</b>	Item 3.2
<b>Agenda Item Title:</b>	2024-05 Sonoma Valley County Sanitation District Annexation No. 24-0008 (McNairy) Involving Annexation to the Sonoma Valley County Sanitation District
<b>Applicant(s):</b>	Christopher and Darcy McNairy, Chief Petitioners
<b>Proposal:</b>	Request for a change of organization involving the annexation of a parcel, totaling approximately .57 acres, to the Sonoma Valley County Sanitation District
<b>Location:</b>	Generally located north of Leveroni Road, west of Fryer Creek Drive, south of La Quinta Lane and on the eastern side of Harrington Road in the County of Sonoma
<b>General Plan Land Use:</b>	County – RR3
<b>General Plan Consistency:</b>	Project was found to be Consistent with the Sonoma County General Plan
<b>Environmental:</b>	Categorical Exemption Sections 15303(d) New Construction or Conversion of Small Structures and 15301(b), Existing Facilities
<b>Staff Contact:</b>	Cynthia Olson

## Analysis

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### Background

Christopher and Darcy McNairy, the owners of the parcel located at 20185 Harrington Drive (APN 128-161-031) have petitioned the Commission for the annexation of a parcel to the Sonoma Valley County Sanitation District (“District”). The parcel is generally located north of Leveroni Road, west of Fryer Creek Drive, south of La Quinta Lane and on the eastern side of Harrington Road in unincorporated Sonoma County.

The parcel is developed with a single-family dwelling, an accessory dwelling unit and auxiliary structures. The surrounding territory is generally developed with single-family dwellings, some within second dwelling units. The parcel is bordered on all sides with residential parcels. The parcels in the area are zoned RR 3 and are mostly developed to the density allowed under the Sonoma County General Plan.

The parcel is not within open space land, designated agricultural lands or under agricultural use. It is developed with residential uses allowable under the County 2020 General Plan zoning and will remain under County jurisdiction. It is within the District’s sphere of influence and urban service area boundary. Annexation is a logical extension of the District boundary and will reduce the number of non-District parcels within the District’s urban service boundary and sphere of influence in this area.

### Reason for Proposal

The owners of the parcel desire to be annexed to the District in order to connect to the public sanitary sewer service.

### District Actions: Capacity of District to Serve and Environmental Determination

On January 9, 2024, the Board of Directors of the District supported annexation of the subject parcel by Resolution 24-0008 (Attachment 1), stating that the District has capacity to provide a sufficient number of Equivalent Single-family Dwelling billing units (ESD) of public sewer service to the parcel when annexed for the uses allowed under the current General Plan. The Board’s resolution indicates that Permit Sonoma had found the proposal to be consistent with the Sonoma County General Plan Goal LU-2 to accommodate the major share of future growth within the nine existing cities and their expansion areas and within selected unincorporated communities which are planned to have adequate water and sewer capacities; Policy LU-3c to avoid urban sprawl by limiting extension of sewer or water service outside of designated Urban Service Areas; and Policy PF-1f to avoid the extension of public sewer service outside of a designated service area boundary or sphere of influence. The parcel is located within the District’s urban service area boundary and sphere of influence.

The District found that the action was categorically exempt from the provisions of CEQA under Section 15303(d) New construction or Conversion of Small Structures in that it consists of construction of limited new, small sewage improvements of reasonable length to serve the parcel. The District also found the action to be exempt pursuant to Section 15301(b) Existing Facilities as the additional connections to an existing public facility involve negligible or no expansion of an existing or former use.

The Executive Officer further finds that the Proposal is exempt from CEQA pursuant to CEQA Guidelines Sections 15303(d) and 15301(b), in that the Proposal involves connecting to existing structures to sanitation facilities with negligible expansion of use.

### **Consent of Owners and Waiver of Notice and Protest Proceedings**

The affected territory is uninhabited as defined in Section 56079.5, no affected local agency has submitted a written demand for notice and hearing, and all owners of the parcel have given their written consent to the proposed reorganization. Pursuant to California Government Code Section 56662, the Commission may make determinations upon the proposal without notice and hearing and waive protest proceedings.

### **Individual Factors for Consideration**

California Government Code section 56668 describes 18 factors to be considered in the Commission's review of a proposal. The review must include, but is not limited to, consideration of these factors that are outlined and addressed in Attachment 2.

### **Recommendation**

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Adopt the proposed resolution (Attachment 3) taking the following actions:

1. Approve the annexation, pursuant to the following findings and determinations:
  - a. The affected territory is within the sphere of influence of the Sonoma Valley County Sanitation District and within the urban service area boundary for the District as designated in the Sonoma County 2020 General Plan.
  - b. The purpose of the annexation is to allow access to District sanitary sewer service.
  - c. The District indicates that it has capacity within its system and can serve the affected territory.
  - d. The County of Sonoma has determined that the proposal is consistent with its General Plan.
  - e. The annexation of the parcel is a logical extension of the District's boundary and is consistent with Commission policy in that it will reduce the number of non-District parcels within the District's urban service boundary and sphere of influence in this area.

2. Find that the proposal is categorically exempt from the provisions of CEQA Pursuant to Sections 15303(d) and 15301(b) of the State CEQA Guidelines.
3. Waive notice of hearing and protest proceedings pursuant to section 56662 of the California Government Code, in that the affected territory is uninhabited (Pursuant to Section 56079.5 of the California Government Code), no affected local agency has submitted a written demand for notice and hearing and the owners of land have consented to the proposal.

### **Alternative recommendation**

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None

### **Attachments**

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1. Sonoma Valley County Sanitation District Resolution, dated August 30, 2022
2. Factors for Consideration
3. Draft Resolution
4. Preliminary Map and Boundary Description