



**Local Agency Formation Commission**  
**LAFCO of Napa County**

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**August 2, 2010**  
**Agenda Item No. 6a (Public Hearing)**

July 26, 2010

**TO:** Local Agency Formation Commission

**FROM:** Keene Simonds, Executive Officer

**SUBJECT: Sphere of Influence Update on American Canyon Fire Protection District**

The Commission will receive a final report on its scheduled sphere of influence update on the American Canyon Fire Protection District. The final report recommends adding four distinct areas to the sphere of influence totaling 402 acres. The Commission will consider adopting a resolution updating the District's sphere of influence consistent with the recommendation of the final report.

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The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 directs Local Agency Formation Commissions (LAFCOs) to review and update each local agency's sphere of influence every five years as needed. LAFCO updates spheres to designate the territory it believes represents the appropriate and probable service area and jurisdictional boundary of the affected agency within a given timeframe. All jurisdictional changes, such as annexations and detachments, must be consistent with the spheres of the affected local agencies with limited exceptions.

**A. Discussion**

Staff has prepared a final report representing LAFCO of Napa County's ("Commission") scheduled sphere update on the American Canyon Fire Protection District (ACFPD). The final report supersedes the last update completed in 2007 and considers whether changes to the sphere are warranted to facilitate ACFPD's orderly development in a manner emphasizing a five year planning area for annexations. The final report relies on information collected and analyzed in the Commission's recently completed municipal service review on the southeast county region, which included evaluating the level and range of fire related services provided by ACFPD.

The final report reviews the merits of adding three types of study categories into ACFPD's sphere, labeled "A," "B," and "C." These study categories comprise five separate areas and were selected for review on the basis of land use criteria given the affected lands are either already developed for an urban type use or expected to be developed for an urban type use. This selection approach is consistent with the adopted policies and practices of the Commission. This includes classifying ACFPD as an urban service provider and correlating the extension of its fire related services with promoting urban development. The land use criteria underlying the three study categories are summarized below.

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Juliana Inman, Chair  
Councilmember, City of Napa

Lewis Chilton, Commissioner  
Councilmember, Town of Yountville

Joan Bennett, Alternate Commissioner  
Councilmember, City of American Canyon

Bill Dodd, Vice Chair  
County of Napa Supervisor, 4th District

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

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

Brian J. Kelly, Commissioner  
Representative of the General Public

Gregory Rodeno, Alternate Commissioner  
Representative of the General Public

Keene Simonds  
*Executive Officer*

- Study Category A comprises three non-contiguous areas located outside ACFPD's sphere and jurisdictional boundary, but within American Canyon's sphere. The three affected areas are identified as "A-1," "A-2," and "A-3" and encompass all or portions of 11 assessor parcels totaling 376 acres. The affected areas include the Headwaters and Panattoni properties along with the planned Town Center and American Canyon Middle School sites.
- Study Category B comprises one area located outside ACFPD and American Canyon's spheres and jurisdictional boundaries, but expected to require an elevated level of public services under the City General Plan. The affected area is identified as "B-1" and includes a portion of one assessor parcel totaling 26 acres. The affected area includes the Clarke Ranch West property.
- Study Category C comprises one area located outside ACFPD and American Canyon's spheres and jurisdictional boundaries, but expected to require an elevated level of public services under the County General Plan. The affected area is identified as "C-1" and includes three entire assessor parcels totaling approximately 87 acres. The affected area includes the Devlin Road Waste Transfer Station and portions of the Napa County Airport.

All three study categories are evaluated in the final report to address the four planning factors the Commission is required to consider anytime it makes a sphere determination. These planning factors are (a) present and planned uses, including agricultural and open space lands, (b) present and probable need for public facilities and services, (c) present adequacy and capacity of public services, and (d) existence of any social or economic communities of interest. A map depicting all three study categories is attached.

## **B. Summary/Analysis**

The final report recommends the Commission update ACFPD's sphere to include approximately 402 acres of additional territory. This would increase ACFPD's sphere by one-tenth and involves adding all four areas comprising Study Categories A and B. Special conditions are recommended for two of the four areas given local circumstances as summarized below.

- Adding A-1 should be conditioned on American Canyon first completing the Commission's terms to add the affected lands to the City's sphere adopted on June 7, 2010. This involves American Canyon recording industrial easements on the affected lands pursuant to the City's earlier agreement with the County.

Note: This condition may become unnecessary if American Canyon records the industrial easements prior to the August 2, 2010 meeting.

- Adding B-1 should be conditioned on the Commission first approving the annexation of the affected lands to American Canyon under G.C. Section 56742. This statute allows LAFCOs to annex non-contiguous lands owned and used by the affected city for municipal purposes without consistency with their sphere. The statute includes a “poison pill” to require automatic detachment if the city ceases to be the landowner. The final report prepared on the recent update to American Canyon’s sphere noted it would be reasonable for the City to annex the affected lands under this statute given the Commission’s policies and practices.

It is not recommended the Commission add the lands comprising Study Category C to ACFPD’s sphere. This recommendation assigns deference to the lack of social and economic ties existing between ACFPD and the affected lands in justifying why these lands should remain outside the sphere. Conversely, given the need for elevated fire related services, the Commission should consider the merits of adding C-1 to County Service Area No. 3’s sphere as part of the upcoming scheduled review and update.

### **C. Alternatives for Commission Action**

The following two alternative actions are available for Commission consideration today.

**Alternative One:** Open the public hearing. Close the hearing and approve by motion to receive and file the final report and adopt the attached draft resolution implementing the recommendation to add all lands comprising Study Categories A and B to ACFPD’s sphere. Adoption of the draft resolution includes special conditions applying to A-1 and B-1 unless amended by the Commission.

**Alternative Two:** Open the public hearing. Continue the hearing by motion to the next regular meeting scheduled for Monday, October 4, 2010. Direct staff to return with additional information as needed.

### **D. Recommendation**

Staff recommends the Commission take the actions outlined in the preceding section as Alternative One. This includes adopting the attached draft resolution adding 402 acres comprising all of Study Categories A and B to ACFPD’s sphere.

Respectfully submitted,

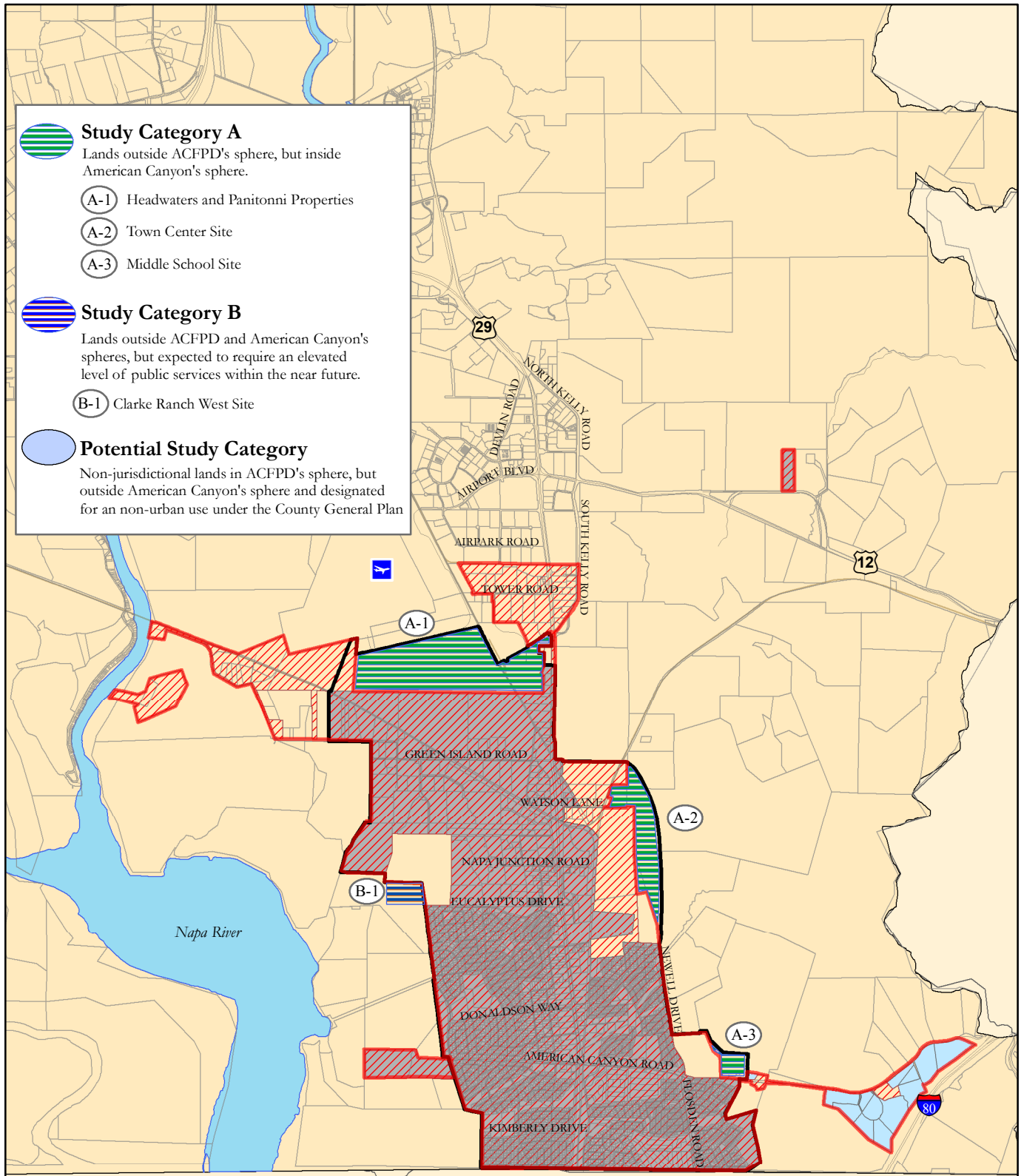
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Keene Simonds  
Executive Officer

#### Attachments:

1. Map of Study Categories
- ~~2. Final Report~~
3. Draft Resolution

# American Canyon Fire Protection District Sphere of Influence Review and Update



**Study Category A**  
Lands outside ACFPD's sphere, but inside American Canyon's sphere.

- (A-1) Headwaters and Panittoni Properties
- (A-2) Town Center Site
- (A-3) Middle School Site

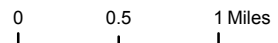
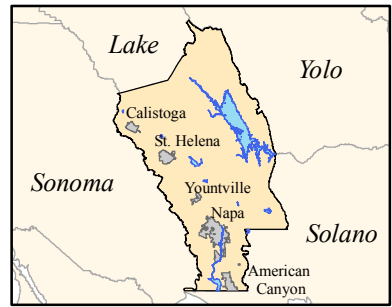
**Study Category B**  
Lands outside ACFPD and American Canyon's spheres, but expected to require an elevated level of public services within the near future.

- (B-1) Clarke Ranch West Site

**Potential Study Category**  
Non-jurisdictional lands in ACFPD's sphere, but outside American Canyon's sphere and designated for a non-urban use under the County General Plan

**Legend**

- American Canyon Fire Protection District Jurisdictional Boundary
- American Canyon Fire Protection District Sphere of Influence
- City of American Canyon Jurisdictional Boundary
- City of American Canyon Sphere of Influence



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

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

**AMERICAN CANYON FIRE PROTECTION DISTRICT  
SPHERE OF INFLUENCE UPDATE**

**WHEREAS**, the Local Agency Formation Commission of Napa County, hereinafter referred to as the “Commission”, adopted a schedule to conduct studies of the provision of municipal services in conjunction with reviewing the spheres of influence of the local governmental agencies whose jurisdictions are within Napa County;

**WHEREAS**, the Executive Officer of the Commission, hereinafter referred to as the “Executive Officer”, prepared a comprehensive review of the sphere of influence of the American Canyon Fire Protection District pursuant to said schedule and California Government Code Section 56425;

**WHEREAS**, the Executive Officer prepared a written report of the review, including his recommendation to add certain areas to the sphere of influence identified as Study Categories “A” and “B”;

**WHEREAS**, said Executive Officer’s report has been presented to the Commission in the manner provided by law;

**WHEREAS**, the Commission heard and fully considered all the evidence presented at a public meeting held on August 2, 2010; and

**WHEREAS**, the Commission considered all the factors required under California Government Code Section 56425.

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

1. The American Canyon Fire Protection District has filed written statements with the Commission confirming it provides fire protection, emergency medical, and rescue services. The Commission comprehensively evaluated the level and range of these services as part of a recent municipal service review consistent with California Government Code Section 56340.
2. The American Canyon Fire Protection District’s sphere of influence is updated to add all lands comprising Study Categories A and B as depicted in the attached Exhibit “One.”

3. The Commission, as lead agency, hereby finds the approved update to American Canyon Fire Protection District’s sphere of influence is exempt from further review under the California Environmental Quality Act pursuant to California Code of Regulations Section 15061(b)(3). This finding is based on the Commission determining with certainty the update will have no possibility of significantly effecting the environment given no new land use or municipal service authority is granted.
4. The inclusion of the areas identified in Exhibit One as “A-1” and “B-1” to American Canyon Fire Protection District’s sphere of influence shall be conditioned on the following:
  - a) Adding A-1 to the sphere of influence shall be conditioned on the City of American Canyon first completing the Commission’s terms to add the affected lands to the City’s sphere adopted on June 7, 2010.
  - b) Adding B-2 to the sphere of influence shall be conditioned on the Commission first approving the annexation of the affected lands to the City of American Canyon under Government Code Section 56742
5. This sphere of influence update is assigned the following distinctive short-term designation:

**AMERICAN CANYON FIRE PROTECTION DISTRICT  
SPHERE OF INFLUENCE UPDATE**

6. Pursuant to Government Code Section 56425, the Commission makes the statements of determinations in the attached Exhibit “Two.”
7. The effective date of this sphere of influence update shall be immediate.
8. The Executive Officer shall revise the official records of the Commission to reflect this update of the sphere of influence.

The foregoing resolution was duly and regularly adopted by the Commission at a meeting held on August 2, 2010 by the following vote:

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

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

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

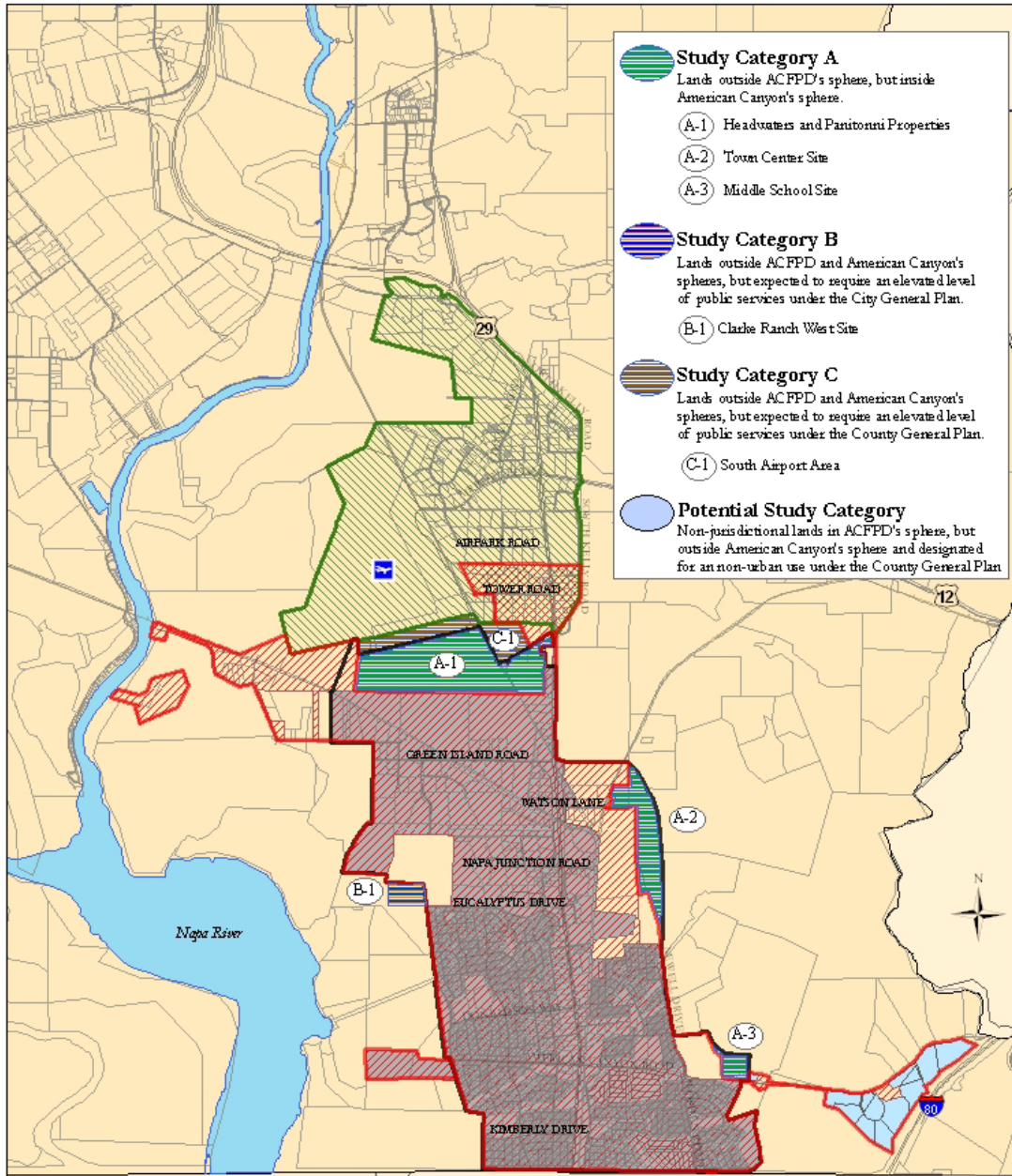
ABSTAIN:       Commissioners       \_\_\_\_\_

ATTEST:       Keene Simonds  
                  Executive Officer

Recorded by: \_\_\_\_\_  
Kathy Mabry  
Commission Secretary

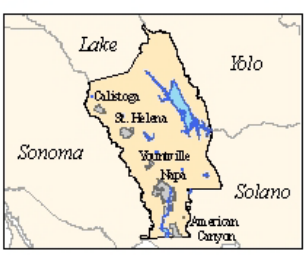


# EXHIBIT ONE



- Study Category A**  
Lands outside ACFPD's sphere, but inside American Canyon's sphere.
  - (A-1) Headwaters and Paratour Properties
  - (A-2) Town Center Site
  - (A-3) Middle School Site
- Study Category B**  
Lands outside ACFPD and American Canyon's spheres, but expected to require an elevated level of public services under the City General Plan.
  - (B-1) Clarke Ranch West Site
- Study Category C**  
Lands outside ACFPD and American Canyon's spheres, but expected to require an elevated level of public services under the County General Plan.
  - (C-1) South Airport Area
- Potential Study Category**  
Non-jurisdictional lands in ACFPD's sphere, but outside American Canyon's sphere and designated for a non-urban use under the County General Plan

- American Canyon Fire Protection District Jurisdictional Boundary
- American Canyon Fire Protection District Sphere of Influence
- County Service Area No. 3 Jurisdictional Boundary
- County Service Area No. 3 Sphere of Influence
- City of American Canyon Jurisdictional Boundary
- City of American Canyon Sphere of Influence



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**EXHIBIT TWO**  
**STATEMENT OF DETERMINATIONS**

**AMERICAN CANYON FIRE PROTECTION DISTRICT**  
**SPHERE OF INFLUENCE UPDATE**

**1. Present and planned land uses in the sphere, including agricultural and open-space lands.**

Lands within American Canyon Fire Protection District's updated sphere are predominately developed for urban uses or expected to be developed for urban uses within the next five years. Agricultural and open-space lands in the updated sphere are relatively limited.

**2. The present and probable need for public facilities and services in the sphere.**

Lands within American Canyon Fire Protection District's updated sphere presently need an elevated level of fire related services or are expected to need an elevated level of fire related services within the next five years to accommodate and support predominately urban type uses. American Canyon Fire Protection District is best positioned to provide these services.

**3. The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.**

The Commission's recently completed municipal service review on the southeast county region indicates the American Canyon Fire Protection District has generally established adequate administrative, service, and financial capacities to accommodate present and planned fire related service demands within the updated sphere.

**4. The existence of any social or economic communities of interest in the sphere if the commission determines that they are relevant to the agency.**

Lands within the updated sphere have established social and economic interdependencies with the American Canyon Fire Protection District distinct from neighboring areas. The update affirms and strengthens these established community ties.