LOCAL AGENCY FORMATION COMMISSION OF NAPA

Policy on Unincorporated Islands

(Adopted: February 3, 2020; Last Amended: August 3, 2026)

I. Background

Unincorporated islands (hereinafter "islands") are areas of unincorporated territory that are completely or substantially surrounded by an incorporated city or town. The Cortese-Knox-Hertzberg Local Government Reorganization (CKH) Act of 2000 includes provisions for streamlining the annexation of islands to cities and towns (California Government Code (G.C.) §56375.3). CKH prohibits creation of new islands unless the Commission determines the prohibition would be detrimental to the orderly development of the community and that the area is located such that it could not reasonably be annexed to another city or town, or incorporated as a new city or town (G.C. §56744). As a condition of annexation to a city or town that includes territory located within an island, the Commission may require that the annexation include the *entire* island (G.C. §56375(a)(5)).

II. Purpose

It is the intent of the Commission to establish a policy that clearly defines the characteristics of islands in Napa County to allow for their streamlined annexation to cities and towns. This is consistent with the intent of the California Legislature when it enacted special legislation, originally adopted in 1977 and subsequently expanded, that made it possible for certain islands to be annexed *without* a protest hearing or election. In approving this legislation, the Legislature recognized the following:

A) Islands represent a statewide governmental inefficiency that could be resolved if these islands were annexed into the appropriate surrounding city or town.

B) Property owners' ability to vote on boundary changes is a statutory privilege and not a constitutional right.

C) Islands are inherently inefficient, and these inefficiencies affect not just residents within islands, but also those residing throughout the city or town and the county.

III. Annexation Procedures

In order to utilize the streamlined annexation provisions codified under G.C. §56375.3, a city or town is required to initiate the process by adopting a resolution of application and submit the adopted resolution to the Commission. The Commission shall approve the annexation at a noticed public hearing and waive protest proceedings. The Commission may not disapprove the annexation. A property tax sharing agreement between the County and the affected city or town is required before the Commission may take final action on annexation consistent with Revenue and Taxation Code §99. The Commission encourages any city or town to enter into tax sharing agreements for affected islands prior to adoption of a resolution of application.

IV. Local Policy Definition of "Island"

The Commission defines an "island" in Napa County to include unincorporated territory that meets all of the following criteria:

A) Located entirely within a city or town's sphere of influence;

B) Does not exceed 150 acres in size;

C) Does not contain prime agricultural land as defined in the Cortese-Knox-Hertzberg Act (G.C. §56064);

D) Designated for urban development in the general plan of the annexing city or town;

E) Surrounded or substantially surrounded by the annexing city or town. Substantially surrounded territory is unincorporated territory with a perimeter that is 75% or more contiguous to the annexing city or town's jurisdictional boundary;

F) The territory is developed or developing. This determination is based on the availability of public utilities, the presence of public improvements, or the presence of physical improvements on the parcels within the area; and

G) The territory is currently receiving municipal service benefits from the annexing city or town, or would benefit from the city or town following annexation.