

# LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

## COUNTY SERVICE AREA NO. 3 SPHERE OF INFLUENCE REVIEW

**Final Report  
October 2007**

### **Prepared by:**

#### **LAFCO of Napa County**

*Committed to serving the citizens and government agencies of its jurisdiction by encouraging the preservation of agricultural lands and open-space and coordinating the efficient delivery of municipal services.*

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## INTRODUCTION

### Local Agency Formation Commissions

Local Agency Formation Commissions (LAFCOs) were established in 1963 and are responsible for administering California Government Code §56000 et seq., which is now known as the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. LAFCOs are delegated regulatory and planning responsibilities to encourage the orderly formation and development of local governmental agencies and services, preserve agricultural and open-space resources, and discourage urban sprawl. Duties include regulating governmental boundary changes through annexations or detachments, approving or disapproving city incorporations, and forming, consolidating, or dissolving special districts. LAFCOs are also responsible for conducting studies addressing a range of service and governance issues to inform and direct regional planning activities and objectives. LAFCOs are located in all 58 counties in California.

### Spheres of Influence

A principal planning responsibility for LAFCO is the determination of a sphere of influence (“sphere”) for each city and special district under its jurisdiction.<sup>1</sup> California Government Code §56076 defines a sphere as “a plan for the probable physical boundaries and service area of a local agency, as determined by the commission.” LAFCO establishes, amends, and updates spheres to indicate to local agencies and property owners that, at some future date, a specific area will likely require the services provided by the subject agency. The sphere determination also indicates the agency LAFCO believes is best situated to serve the subject area. LAFCO is required to review each agency’s sphere by January 1, 2008 and every five years thereafter as needed.

In establishing, amending, or updating a city or special district’s sphere, LAFCO is required to consider and prepare written statements addressing four specific planning factors. These planning factors, which are enumerated under California Government Code §56425(e), are intended to capture the legislative intent of the sphere determination with regard to planning the logical and orderly development of each local agency. These planning factors are:

- The present and planned land uses in the area, including agricultural and open-space lands.
- The present and probable need for public facilities and services in the area.
- The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.

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<sup>1</sup> LAFCOs have been required to determine spheres for cities and special districts since 1972.

In addition, when reviewing a sphere for an existing special district, LAFCO must also do the following:

- Require the existing special district to file a written statement with the commission specifying the functions or classes of services it provides.
- Establish the nature, location, and extent of any functions or classes of services provided by the existing special district.

Beginning in 2001, to help inform the sphere review process, LAFCO is responsible for preparing a municipal service review. A municipal service review is a comprehensive evaluation of the level and range of governmental services provided by a local agency or within a defined area. The municipal service review culminates in the preparation of written determinations addressing nine specific factors enumerated under California Government Code §56430(a). These factors range from infrastructure needs or deficiencies to local governance and accountability. The municipal service review is a prerequisite to updating an agency's sphere and may also lead LAFCO to take other actions under its authority.

### **County Service Area No. 3**

In August 2006, LAFCO of Napa County completed a municipal service review of County Service Area (CSA) No. 3 as part of the *Comprehensive Study of Landscaping and Lighting Districts*. The municipal service review included an evaluation of the level and range of services provided by CSA No. 3 along with the development of written determinations addressing the nine factors required for consideration under law.<sup>2</sup>

This report represents the sphere review of CSA No. 3. The report draws on information collected as part of the aforementioned municipal service review and is incorporated by reference. The focus of the report is to consider whether changes to the sphere are warranted to plan the logical and orderly development of CSA No. 3 in a manner that supports the provisions of California Government Code and the policies of the Commission.

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<sup>2</sup> LAFCO Resolution No. 06-13

**OVERVIEW**

CSA No. 3 was formed in 1979 to provide water and sewer services to unincorporated properties near the Napa County Airport. At the time of formation, the majority of properties in CSA No. 3 were undeveloped. The few developed properties in CSA No. 3 were receiving outside water and sewer services from the American Canyon County Water District (ACCWD) and the Napa Sanitation District (NSD), respectively.

County Service Area No. 3	
Formation Year	1979
Enabling Legislation	Government Code §25210.1-25338
Services Provided	Street Lighting Street Sweeping Landscaping Fire Protection

CSA No. 3’s formation was intended to coordinate water and sewer services and establish a multi-purpose special district capable of eventually providing a range of governmental services to accommodate planned industrial development in the airport area. It was envisioned that CSA No. 3 would not exercise its powers directly, but would instead contract for services from willing providers. However, such contracts did not emerge, and ACCWD and NSD continued to extend water and sewer services directly to the area following CSA No. 3’s formation.<sup>3</sup>

CSA No. 3 remained dormant until 1994 when the County of Napa Board of Supervisors restructured and authorized the District to provide elevated fire protection, street lighting, street sweeping, and landscaping services. CSA No. 3’s previous authority to provide water and sewer was deactivated. Following its restructuring, CSA No. 3 established a voter-approved assessment district consisting of three overlapping benefits zones.<sup>4</sup> Assessment revenues provide street lighting, street sweeping, and landscaping services through contracts with private companies. Assessment revenues also fund the operation of a fire station in CSA No. 3, which is staffed by the County Fire Department.

CSA No. 3 is a dependent special district governed by the Board of Supervisors. Administrative oversight of CSA No. 3 is provided by the County Public Works Department, which charges the District an hourly staff rate for services provided.

**Sphere of Influence**

*Establishment*

CSA No. 3’s sphere was established by the Commission in 1985. Markedly, the Commission designated a “zero” sphere for CSA No. 3 and recommended that the District be dissolved due to its inactivity.

<sup>3</sup> ACCWD was merged into the City of American Canyon at the time of incorporation in 1992.

<sup>4</sup> “Zone One” receives landscaping services and includes all of CSA No. 3 with the exception of properties located east of State Highway 29, west of Devlin Road, and south of Tower Road. “Zone Two” receives fire protection services and includes all of CSA No. 3 with the exception of properties located west of Devlin Road and south of Tower Road, the latter area being part of the American Canyon Fire Protection District (ACFPD). “Zone Three” is the largest of the three zones and receives street sweeping and street lighting services and includes all of CSA No. 3 with the exception of properties west of Devlin Road.

### *Amendment*

In 2002, the Commission amended CSA No. 3's sphere to become coterminous with its jurisdictional boundary as well as adding approximately 290 acres of adjacent undeveloped land to the north as part of an application submitted by the County. There have been no other amendments to the sphere since its establishment in 1985.<sup>5</sup>

### *Relationship to Jurisdictional Boundary*

CSA No. 3's sphere currently encompasses 262 unincorporated parcels totaling 1,742 acres. The sphere is coterminous with CSA No. 3's jurisdictional boundary.

- \* A map depicting CSA No. 3's sphere and jurisdictional boundary is provided in Attachment One.

### **Land Use Factors**

CSA No. 3 operates under the land use authority of the County. The County designates properties in CSA No. 3 for urban use as either *Industrial* or *Public-Institutional*. The principal zoning standard for properties located in CSA No. 3 is *Industrial Park*. All properties in CSA No. 3 are assigned an overlay zoning standard of *Airport Compatibility*. This overlay ties these properties to the specifications of the County's Airport Industrial Area Specific Plan (AIASP). The AIASP provides detailed restrictions for development as it relates to the flight paths of the airport.

- \* An aerial map depicting current land uses within and adjacent to CSA No. 3's sphere is provided in Attachment Two.
- \* A map depicting the land use designations under the County General Plan is provided in Attachment Three.

### **DISCUSSION**

Pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, the objective of this report is to identify and evaluate areas that warrant consideration for inclusion or removal from CSA No. 3's sphere as part of a comprehensive review. Underlying this effort is to designate the sphere in a manner that promotes the orderly development of CSA No. 3 in a manner that supports the provisions of California Government Code and the policies of the Commission.

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<sup>5</sup> In processing the 2002 amendment, staff interpreted the zero designation established by the Commission in 1985 to signify that the sphere was coterminous with CSA No. 3's jurisdictional boundary. As part of this review, staff has concluded that the earlier interpretation was incorrect and the zero designation was intended to exclude all lands from the sphere. Regardless, in adopting the 2002 amendment, the Commission revised the sphere to include CSA No. 3's entire jurisdictional boundary.

As noted earlier, California Government Code §56076 defines a sphere as “the probable physical boundaries and service area of a local agency, as determined by the commission.” Underscoring this definition is the tenet that the sphere plan the logical development of the agency while protecting agricultural and open-space resources and advantageously providing for the present and future needs of the community. The Commission’s “Policy Declarations” emphasizes its commitment to these concepts and includes a statement that a special district’s sphere shall be response to its existing and planned service facilities and exclude lands designated as agricultural or open-space to protect against premature urban development. The Policy Determinations also state that the Commission will use the County General Plan to determine agricultural and open-space designations.

California Government Code §56425 requires the Commission to review and update each local agency’s sphere by January 1, 2008 and every five years thereafter as needed. It has been the practice of this Commission to review and update each local agency’s sphere in a manner that emphasizes a probable five-year service area.

### **Study Category**

Staff has developed one study category in the course of considering areas to add or remove as part of a comprehensive sphere review of CSA No. 3. Study Category “A” represents one contiguous area located outside and south of the existing sphere. It includes seven unincorporated properties totaling 360 acres and has been designated by the County for urban use. No other local agency’s sphere includes the affected area. It is anticipated that development of the affected area will occur within the next five to ten years. Accordingly, based on proximity, it is reasonable for the Commission to consider whether CSA No. 3 is an appropriate service provider for the affected area.

In discussing this sphere review with representatives from CSA No. 3, County, American Canyon, and ACFPD, staff believes it is appropriate to defer consideration of Study Category A at this time. This deferral supports the continuing negotiations between American Canyon and the County regarding long-term land use and service planning in south Napa County. These negotiations have raised important governance questions and are expected to generate new information to help inform the Commission is assessing the level and range of governmental service needs in the affected area.

\* A map depicting Study Category A is provided in Attachment Four.

### **ANALYSIS**

As mentioned, California Government Code §56425(e) requires the Commission to consider four planning factors in making a sphere determination. These factors include the 1) present and planned lands uses, 2) present and probable need for public facilities and services, 3) present capacity and adequacy of public facilities, and 4) existence of any relevant social or economic communities of interest. A review of each of these factors as it relates to making a sphere determination for CSA No. 3 is provided below.

### *Present and Planned Land Uses*

All properties within CSA No. 3's existing sphere are unincorporated and under the land use authority of the County. The present land uses within the sphere are predominately urban and are consistent with the planned land uses contemplated under the County General Plan. No agricultural designated lands are included in the sphere.

### *Present and Probable Need for Public Facilities and Services*

CSA No. 3 provides street sweeping, street lighting, landscaping, and fire protection services. These governmental services support the present and planned urban uses within the existing sphere as contemplated under the County General Plan. Affected property owners have confirmed their desire and need for these governmental services by approving a special assessment.

### *Present Capacity and Adequacy of Public Facilities*

The Commission's recent municipal service review of CSA No. 3 determined that the District has developed adequate controls and funding streams to provide an appropriate level of street sweeping, street lighting, landscaping, and fire protection services within its existing sphere. CSA No. 3 does not provide extraterritorial services.

### *Social or Economic Communities of Interest*

CSA No. 3 fosters social and economic interdependencies within its existing sphere by providing governmental services in support of the planned development of its jurisdictional boundary.

## **CONCLUSION**

CSA No. 3's existing sphere designates an appropriate service area for the District in a manner that supports the provisions of California Government Code and the policies of the Commission. The existing sphere is responsive to CSA No. 3's current and planned service capacities and continues to foster social and economic interdependences within its jurisdiction that are distinct from neighboring areas.

## **RECOMMENDATION**

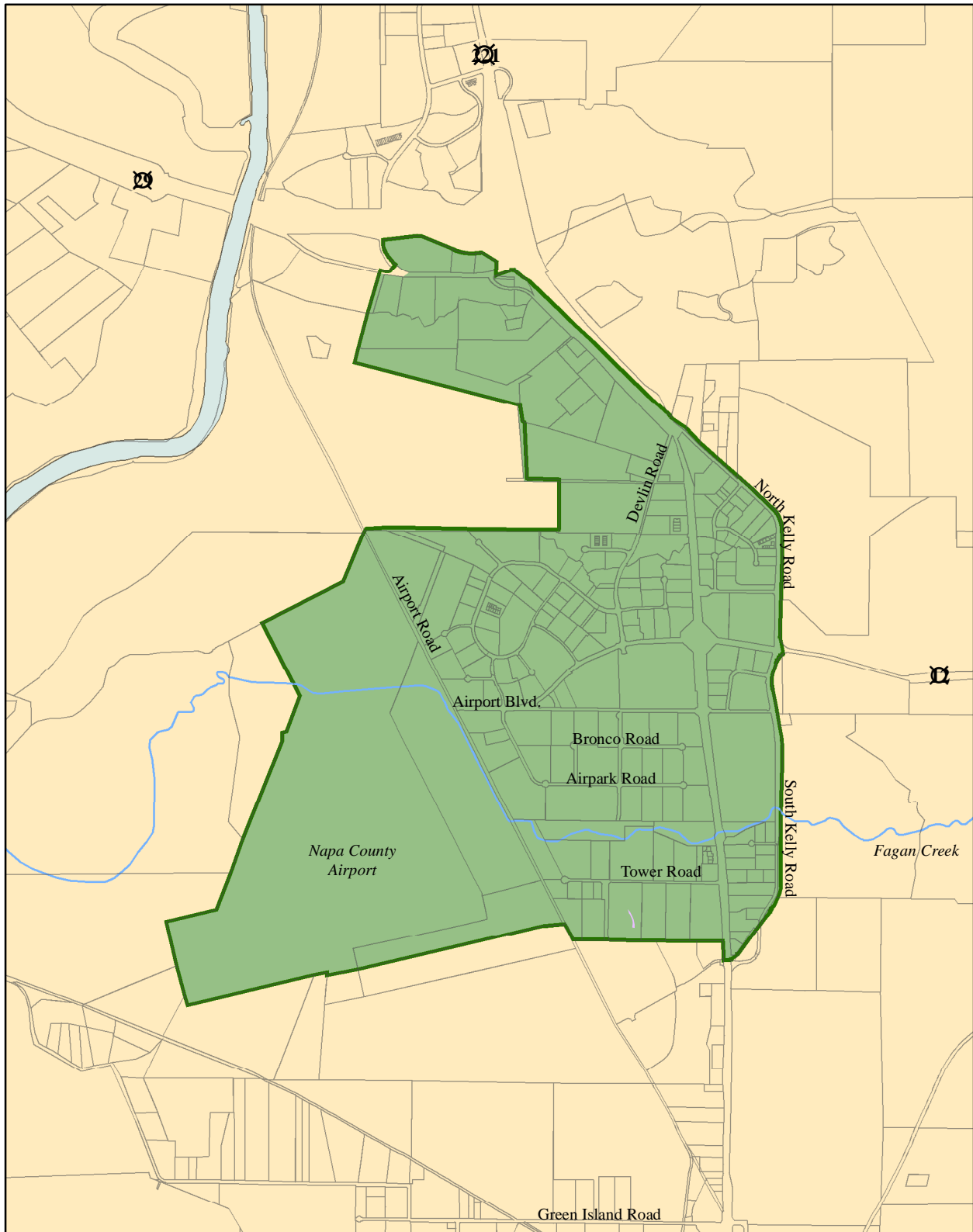
It is recommended that the Commission affirm CSA No. 3's existing sphere.

### Attachments:



- 1) Map depicting CSA No. 3's current sphere and jurisdictional boundary
- 2) ~~Map depicting current land uses in and around CSA No. 3~~
- 3) ~~Map depicting the land use designations under the County General Plan~~
- 4) Map depicting Study Category A



# County Service Area No. 3



## Legend

-  County Service Area No. 3
-  County Service Area No. 3 Sphere of Influence

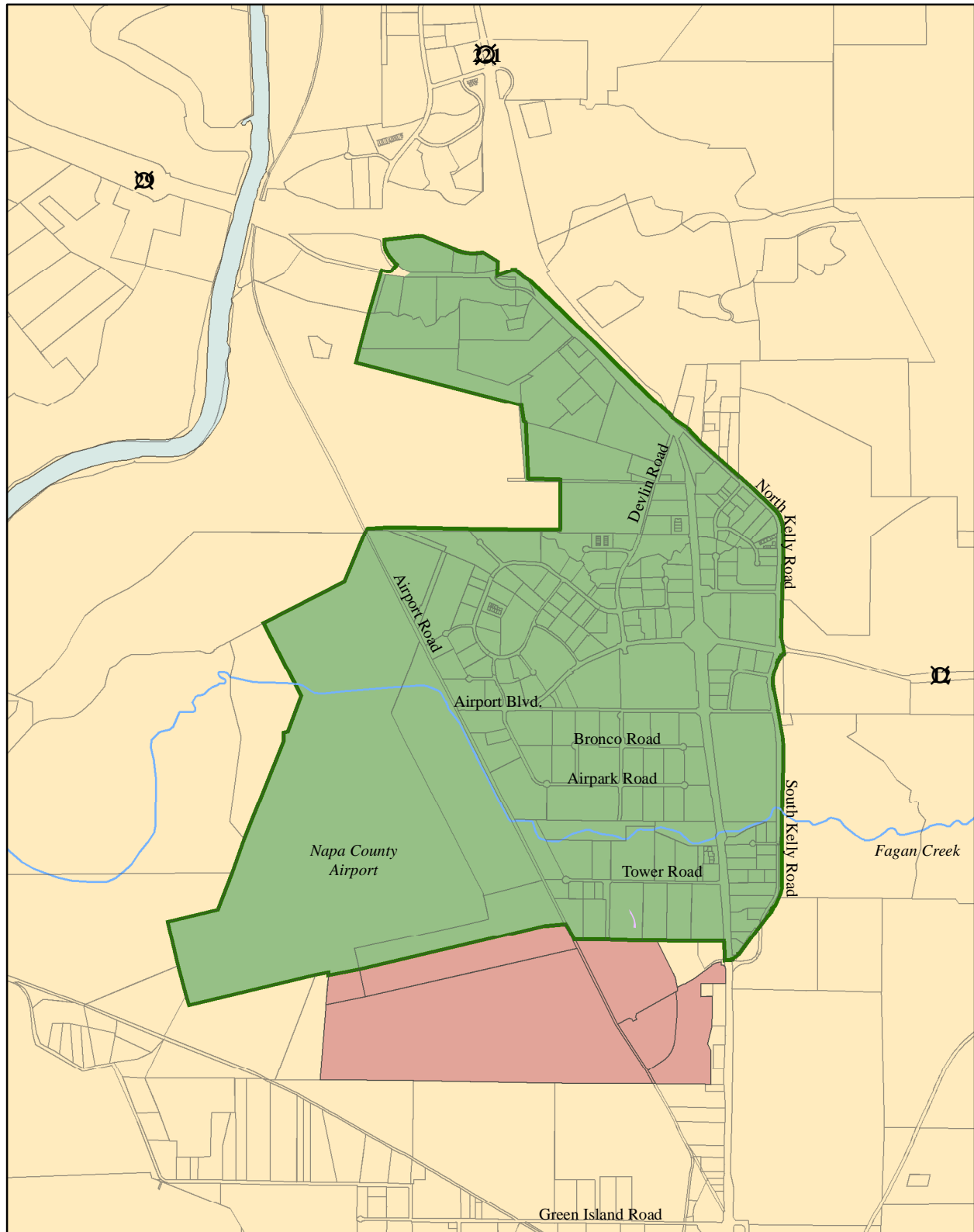


*Not to Scale  
September 2007  
Prepared by KS*






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# County Service Area No. 3



## Legend

-  County Service Area No. 3
-  County Service Area No. 3 Sphere of Influence
-  Study Category A  
Area represents unincorporated parcels that are designated for an urban use by the County of Napa and are outside the spheres of all local agencies.



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