



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.

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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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

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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.

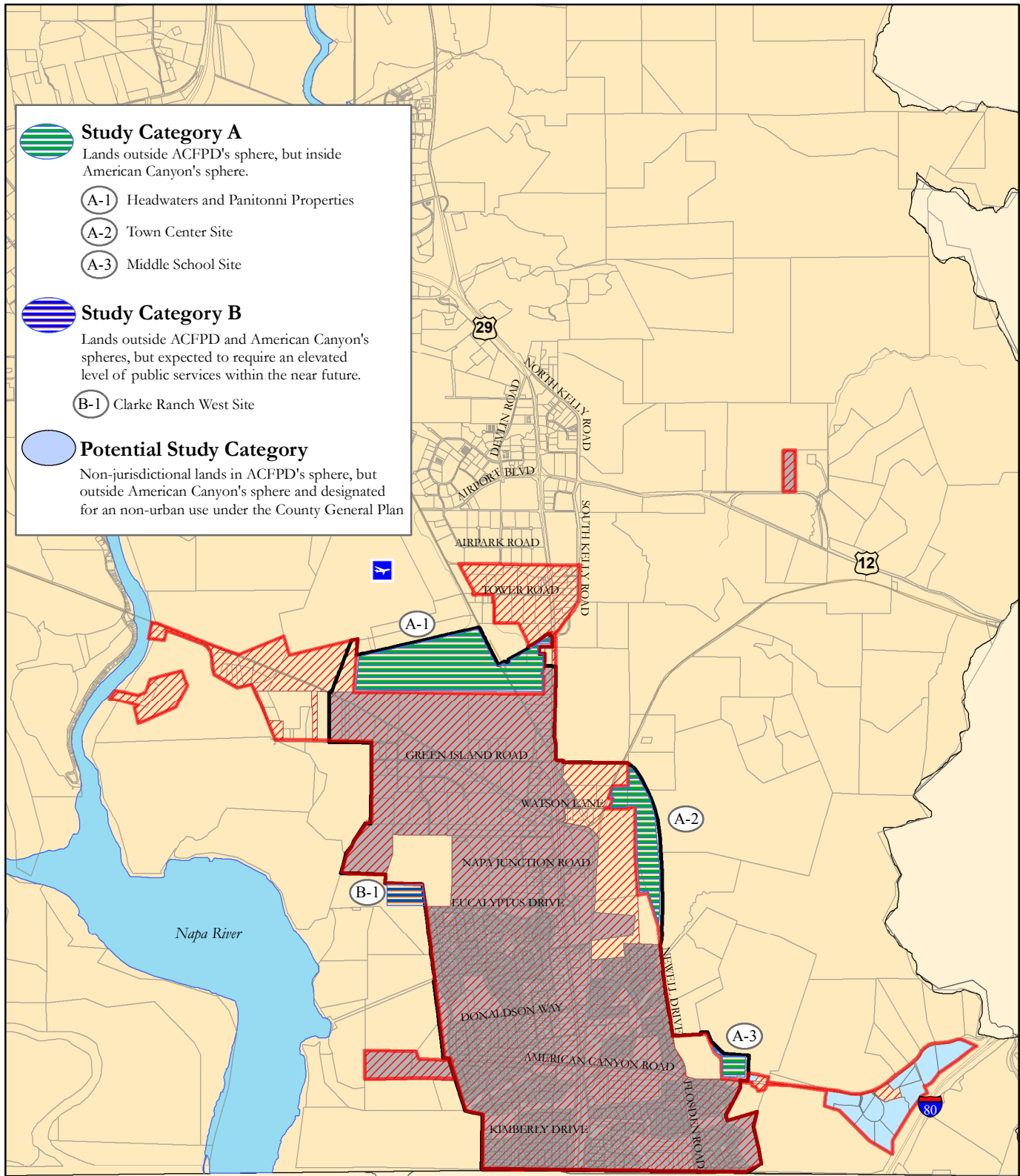
Respectfully submitted,

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

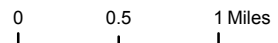
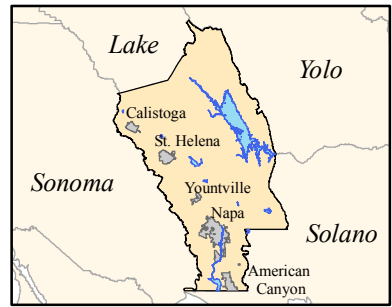
Study Category B
Lands outside ACFPD and American Canyon's spheres, but expected to require an elevated level of public services within the near future.

- (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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