



LOCAL AGENCY FORMATION COMMISSION OF NAPA COUNTY

Policy on Proposals

(Adopted: August 9, 1972; Last Amended: December 5, 2022)

I. Background

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (CKH) specifies the Local Agency Formation Commission (LAFCO) of Napa County's principal objectives are discouraging urban sprawl, preserving open space and agricultural resources, and encouraging the orderly formation and development of cities, towns, and special districts and their municipal services based on local conditions.¹ Regulatory duties include approving or disapproving proposals involving the formation, reorganization, expansion, and dissolution of cities, towns, and special districts. The Commission's regulatory actions must be consistent with its adopted written policies and procedures. The Commission must also inform its regulatory duties through a series of planning activities, which includes establishing and updating spheres of influence (SOIs).²

II. Purpose

The purpose of this policy is to guide the Commission in considering proposals for changes of organization as defined under [California Government Code \(G.C.\) §56021](#) and reorganizations as defined under [G.C. §56073](#).

III. Objective

It is the objective of the Commission to acknowledge and incorporate the policies of the Legislature regarding the promotion of orderly, well-planned development patterns that avoid the premature conversion of agricultural and open space lands and ensure effective, efficient, and economic provision of essential public services. The Commission reserves discretion in administering these policies to address special conditions and circumstances as needed.

IV. Commission Declarations

The Commission declares its intent not to permit the premature conversion of agricultural or open space lands to urban uses. The Commission shall adhere to the following policies in the pursuit of this intent, and all proposals shall be reviewed with these policies as guidelines.

A) Use of Municipal Service Reviews:

In evaluating a proposal, the Commission will use information contained within the most recently completed Municipal Service Review (MSR) for any affected agencies. The Commission retains discretion to determine if the most recent MSR is adequate for making decisions related to proposals.

¹ CKH is codified under [G.C. §56000](#) et seq.

² The Commission's *Policy on Spheres of Influence* is available online at: <https://www.napa.lafco.ca.gov>.

- B) Use of County General Plan Designations:
In evaluating a proposal, the Commission will give great weight to the Napa County General Plan to determine designated agricultural and open space lands. The Commission recognizes that inconsistencies may occur between the County General Plan and city or town general plans with respect to agricultural and open space designations. Notwithstanding these potential inconsistencies, the Commission will give great weight to the County General Plan in recognition of the public support expressed in both the incorporated and unincorporated areas of Napa County for the County's designated agricultural and open space lands through enactment of Measure P in 2008.³
- C) Recognition of the Napa County Agricultural Preserve:
The first Agricultural Preserve in the United States was created in 1968 by the Napa County Board of Supervisors. The Agricultural Preserve protects lands in the fertile valley and foothill areas of Napa County in which agriculture is, and should continue to be, the predominant land use. The Commission will consider the Agricultural Preserve in the processing of proposals.
- D) Location of Urban Development:
The Commission will give great weight to urban growth boundaries and guide urban development away from agricultural or open space lands until such times as urban development becomes an overriding consideration as determined by the Commission. The Commission encourages urban development be located within areas designated for urban use in the County General Plan and in close proximity to a city, town, or special district that can provide any needed public services. Urban development should be discouraged if it is apparent that any needed public services necessary for the proposed development cannot readily be provided by a city, town, or special district.
- E) Timing of Urban Development:
The Commission discourages proposals involving the premature annexation of undeveloped or underdeveloped lands to cities, towns, and special districts that provide potable water, sewer, fire protection and emergency response, or police protection services. This policy does not apply to proposals in which the affected lands are subject to a specific development plan or agreement under consideration by a land use authority. This policy does not apply to city or town annexation proposals in which the affected lands are part of an unincorporated island.⁴
- F) Encouragement of Reorganizations:
The Commission encourages reorganization proposals when appropriate and feasible to facilitate boundary changes involving two or more local governmental agencies. The Commission recognizes the efficiency of reorganizations to simplify and expedite logical and orderly concurrent boundary changes.

³ Measure P is an extension of Measure J, which was enacted in 1990 and requires voter approval for any changes that would re-designate unincorporated agricultural and open space lands.

⁴ The Commission's *Policy on Unincorporated Islands* is available online at: <https://www.napa.lafco.ca.gov>.

- G) Factors for Evaluating Proposals Involving Agricultural or Open Space Lands:
The Commission recognizes there are distinct and varying attributes and classifications associated with agricultural and open space designated lands. A proposal which includes agricultural or open space land shall be evaluated considering the following factors:
- (1) "Agricultural land", as defined by [G.C. §56016](#).
 - (2) "Prime agricultural land", as defined by [G.C. §56064](#).
 - (3) "Open space", as defined by [G.C. §56059](#).
 - (4) Land that is under contract to remain in agricultural or open space use, such as a Williamson Act Contract or Open Space Easement.
 - (5) Land with a County General Plan agricultural or open space designation (*Agricultural Resource* or *Agriculture, Watershed and Open Space*).
 - (6) The adopted general plan policies of the County and any affected city or town.
- H) Activating Latent Services and Deactivating Existing Services:
Commission approval is required for a special district to establish new services (i.e., activate latent service powers that were not previously authorized) or divestiture of existing services (i.e., deactivate service powers that were previously authorized) within all or parts of its jurisdictional boundary. Requests by a special district shall be made by adoption of a resolution of application and include all the information required and referenced under [G.C. §56824.12](#).

V. Policies Concerning Annexations

- A) General Policies Concerning All Annexations:
- (1) Inclusion in SOI:
The affected territory shall be included, or the applicant has concurrently requested the affected territory be included, within the affected agency's SOI prior to issuance of the Executive Officer's certificate of filing for the subject annexation proposal. The Executive Officer may amend both an SOI amendment and annexation application for Commission consideration and action at the same meeting.
 - (2) Property Tax Exchange Agreement:
A property tax exchange agreement between all affected agencies should be in place prior to submittal of an annexation proposal.

(3) Inclusion of Public Rights-of-Way:

When a proposal for annexation involves territory located adjacent to a public right-of-way, the proposal should also include the adjacent portion of right-of-way to facilitate logical and orderly boundaries for any affected agencies.

(4) Boundary Modifications:

The Commission encourages modifications to proposed annexation boundaries when appropriate and feasible in order to facilitate logical and orderly boundaries for any affected local agencies. During the preliminary consultation phase, staff will encourage applicants to contact landowners of nearby properties to solicit interest in joining the annexation.

B) Policies Concerning Annexations to a City or Town:

(1) General Plan Designation and Rezoning:

The territory proposed for annexation shall be included in the city or town general plan and rezoned prior to submittal of an annexation proposal.

(2) Urban Growth Boundaries:

To the extent that a city or town maintains an urban growth boundary, the affected territory proposed for annexation should be included in the urban growth boundary prior to submittal of an annexation proposal. This does not apply to proposals consistent with [G.C. §56742](#).

(3) Proposals Within Unincorporated Islands:

When a proposal for annexation involves territory within an unincorporated island, staff will encourage the affected city or town to apply for the annexation of the entire island.

C) Policies Concerning Annexation of Municipally-Owned Land:

(1) Land Owned and Used by a City or Town Located Outside Their SOI:

Land that is owned by a city or town, used by the city or town for a municipal purpose, and located outside their SOI may be annexed pursuant to [G.C. §56742](#).

(2) Restricted Use Lands Owned by Public Agencies:

The Commission discourages annexation of municipally-owned land designated agricultural or open space in the County General Plan or subject to a Williamson Act contract unless the land will be used for a municipal purpose and no suitable alternative site reasonably exists within the affected agency's SOI.

(3) Municipal Purpose Defined:

Municipal purpose means a public service facility, but does not include agricultural or open space land.

D) Concurrent Annexation Policies:

The Commission encourages concurrent annexations to cities, towns, and special districts whenever appropriate and feasible.

(1) City of Napa and Napa Sanitation District (NSD):

a) Annexations to NSD:

All annexation proposals to NSD involving territory located outside of the City should include annexation to the City if the affected territory is located within the City's SOI, is located within the City's Rural Urban Limit, and annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City involving territory located outside of NSD should annex to NSD if the affected territory is located within NSD's SOI and if service is available.

(2) City of American Canyon and American Canyon Fire Protection District (ACFPD):

a) Annexations to ACFPD:

All annexation proposals to ACFPD involving territory located outside of the City should annex to the City if the affected territory is located within the City's SOI, is located within the City's Urban Limit Line, and annexation is legally possible.

b) Annexations to the City:

All annexation proposals to the City involving territory located outside of ACFPD should annex to ACFPD if the affected territory is located within ACFPD's SOI and if service is available.

(3) County Service Area (CSA) No. 4:

a) Annexations to Cities or Towns:

All annexations to a city or town should include concurrent detachment from CSA No. 4 unless the affected territory has been, or is expected to be, developed to include planted vineyards totaling one acre or more.

VI. Policies Concerning City or Town Incorporations

A) The Commission discourages proposals to incorporate communities unless substantial evidence suggests the County and any affected special districts are not effectively meeting the needs of the community.

B) The Commission discourages proposals to incorporate communities involving land that is not already receiving essential public services from special districts.