



**Local Agency Formation Commission of Napa County**  
Subdivision of the State of California

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*We Manage Local Government Boundaries, Evaluate Municipal Services, and Protect Agriculture*

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**Agenda Item 9d (Discussion)**

**TO:** Local Agency Formation Commission

**PREPARED BY:** Brendon Freeman, Executive Officer

**MEETING DATE:** February 6, 2017

**SUBJECT:** Policy on Sphere of Influence Definitions: Area of Interest

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**RECOMMENDATION**

It is recommended the Commission discuss its *General Policy Determinations* and consider providing direction to staff to return with an action item at a future meeting to amend the policy as desired by members.

**SUMMARY**

Based on issues raised by the review of the Municipal Service Review (MSR) and Sphere of Influence (SOI) Update for the Town of Yountville, staff recommends that the Commission discuss its adopted policy relating to definitions as they relate to SOIs. The Commission's *General Policy Determinations* were last amended in October 2011 and are included as Attachment One to item 9c on today's agenda.

The revised draft MSR and SOI update for the Town of Yountville is on today's agenda as item 9a and includes discussion of "Area of Interest;" a term that has not yet been defined in the Commission's policies relating to SOIs. "Areas of Interest" are defined in the revised draft report as a geographic area outside the existing SOI in which land use decisions or other government actions of one local agency impact directly or indirectly upon another local agency. "Area of Interest" is a policy tool used by other LAFCOs throughout the state to serve as a compromise approach that recognizes situations that involve challenging boundary considerations. LAFCOs in other counties that have adopted SOI policies or other agreements that include "Area of Interest" or a similar term include Merced, Nevada, San Luis Obispo, Stanislaus, and Ventura.

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Brendon Freeman  
Executive Officer

*General Policy Determinations* Section III(B)(1) includes definitions for terms that are relevant to SOIs. Terms currently defined under adopted policy include “establishment,” “amendment,” and “update.” It may be appropriate for the Commission consider an amendment to this policy that adds a definition for the term “Area of Interest” and additional language describing how the new term would be applied.

As an example of standard language relating to “Area of Interest” that the Commission could consider adopting, Nevada LAFCO’s policies include the following:

Areas of Interest

LAFCO may, at its discretion, designate a geographic area beyond the sphere of influence as an Area of Interest to any local agency.

- a) An Area of Interest is a geographic area beyond the sphere of influence in which land use decisions or other governmental actions of one local agency (the "Acting Agency") impact directly or indirectly upon another local agency (the "Interested Agency"). For example, approval of a housing project developed to urban densities on septic tanks outside the city limits of a city and its sphere of influence may result in the city being forced subsequently to extend sewer services to the area to deal with septic failures and improve city roads that provide access to the development. The city in such a situation would be the Interested Agency with appropriate reason to request special consideration from the Acting Agency in considering projects adjacent to the city.
- b) When LAFCO receives notice of a proposal from another agency relating to the Area of Interest, LAFCO will notify the Interested Agency and will give great weight to its comments.
- c) LAFCO will encourage Acting and Interested Agencies to establish Joint Powers Agreements or other commitments as appropriate.

Staff recommends the Commission discuss the concept of adopting policy language that would define “Area of Interest” and describe how the new term would be applied in Napa County. The Commission may consider providing direction to staff to return with proposed policy amendments at a future meeting.

**ATTACHMENTS**

None