

GUIDELINES FOR ESTABLISHING SPHERES OF INFLUENCE IN SOLANO COUNTY



Adopted by the Local Agency Formation Commission December 4, 1972.
Amended by the Local Agency Formation Commission February 5, 1973.
Amended by the Local Agency Formation Commission April 8, 2013.

I. BACKGROUND:

The requirement for establishment of the spheres of influence is quoted from the Government Code, Section 56425.

"In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local governmental agencies subject to the jurisdiction of the commission to advantageously provide for the present and future needs of the county and its communities, the commission shall develop and determine the sphere of influence of each city and each special district, as defined by Section 56036 within the county and enact policies designed to promote the logical and orderly development of areas within the sphere."

Government Code Section 56076 defines "sphere of influence" as "a plan for the probable physical boundaries and service area of a local agency as determined by the commission."

In determining the sphere of influence of each local governmental agency the commission shall consider:

- 1) The present and planned land uses in the area, including agricultural and open-space lands.

- 2) The present and probable need for public facilities and service in the area.
- 3) The present capacity of public facilities and adequacy of public services that the agency provides or is authorized to provide.
- 4) The existence of any social or economic communities of interest in the area if the commission determines that they are relevant to the agency.
- 5) For an update of a sphere of influence of a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, the present and probable need for those public facilities and services of any disadvantaged unincorporated communities within the existing sphere of influence.

The commission shall, as necessary, review and update each sphere of influence every five years. The review and update shall be made to ensure a current sphere is in place to process a proposed change of organization. In some cases it may be necessary to update a sphere more frequently than every five years.

The spheres of influence shall be used by the commission as a basis for regular decisions on proposals over which it has jurisdiction. The commission may recommend governmental reorganizations to particular agencies in the county using spheres of influence as the basis for such recommendations. Such recommendations shall be made available, upon request, to other governmental agencies or to the public."

II. GOALS:

- A. Local agencies should be so constituted and organized as to best provide:

1. for the social and economic needs of all county residents.
2. efficient governmental services for orderly land use development.
3. controls required to conserve environmental resources. The public interest shall be served by considering "resource" in a broad sense to include ecological factors such as open space, wildlife and agricultural productivity in addition to the commonly accepted elements of land, water and air.
4. Prime agricultural, park, recreation, and lands of extraordinary beauty should be retained for these purposes.

III. GENERAL POLICIES:

- A. Once established, a sphere of influence shall be a declaration of a policy which shall be a primary guide to the commission in the determination of any proposal concerning cities, special districts, and territory adjacent thereto. Any such sphere of influence may be amended from time to time and its application in any particular case shall depend upon its applicability under the precise facts of each particular case.

In addition, spheres of influence could be used by LAFCO to establish special zones in order to retain, prime agricultural areas, park and recreation areas and other open space areas for these purposes. These zones can be termed sphere exclusion areas.

- B. Urban development should occur within cities. As a matter of general policy, whenever the services desired are of municipal or urban type and can be supplied by annexation to an existing city, annexation to that city shall be considered the most favorable method of obtaining the service.
- C. Annexation to an adjacent city will be favored over a proposal for providing urban services by special districts. Annexations to existing

special districts will be approved only when by reason of terrain, distance, or lack of community interest, annexation to an existing city is impractical and/or when the urban-type services provided by an existing district are needed and annexation to that district is the most economical and practical method of obtaining the services.

- D. Annexation to an existing agency will be favored over a proposal for forming a new agency to provide the same services.
- E. Spheres may be amended or updated. An amendment is considered a small adjustment to the sphere, typically 40 acres or less. An update, which is required every five years, is a major review of the sphere which could add or remove areas of the present sphere.
- F. LAFCO discourages inclusion of land in an agency's SOI if a need for services provided by that agency within a 5-20 year period cannot be demonstrated. To demonstrate that a proposed SOI amendment is timely, an applicant should indicate expected absorption and development rates for land already in the SOI, as well as land proposed to be added.

IV. GUIDELINES FOR SPHERES OF INFLUENCE:

A. Sphere Of Influence Boundaries:

Sphere of influence boundaries, as used in Solano County, are boundaries adopted by Local Agency Formation Commission which delineate limits of probably future growth within the next 20 years as reflected in the General Plans of the various Cities and the County. It is not necessarily implied that all lands within a sphere of influence boundary will be eventually annexed.

B. Areas of Concern:

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

a) An Area of Concern 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 "Concerned 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 Concerned 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 Concern, LAFCO will notify the Concerned Agency and will give great weight to its comments.

c) LAFCO will encourage Acting and Concerned Agencies to establish Joint Powers Agreements or other commitments as appropriate.

C. Zero Spheres.

The Commission may adopt a "zero" sphere of influence (encompassing no territory) for an agency when the Commission has determined that the public service functions of the agency are either nonexistent, no longer needed, or should be reallocated to some other agency of government. Adoption of a "zero" sphere indicates the agency should ultimately be dissolved. The Commission may initiate dissolution of an agency when it deems such action appropriate.

D. Urban Service Areas:

Urban Service Areas consist of existing urban developed areas and vacant and agricultural land either incorporated or unincorporated, within a city's sphere of influence, which are now served by existing urban facilities, utilities and services or are proposed to be served by urban facilities, utilities and services within the next five to 20 years. The boundary around these urban areas will be called "Urban Service Area Boundary". Urban Service Areas may be divided into two categories:

1. Urbanized Areas:

This includes all urbanized areas that are now part of the city. It also includes urbanized areas that are presently unincorporated that are within the city's "Urban Service Area Boundary".

2. Near Term Sphere (Urban Expansion Areas):

The Near Term Sphere consists of unincorporated territory served by utilities or public facilities now existing or expected to be provided in the next five years. The Near Term Sphere area is likely to be annexed prior to the next sphere review or update.

3. Long Term Sphere (Urban Transition Areas):

The Long Term Sphere areas consists of unincorporated territory adjacent to Urban Service Areas that will most likely receive services and annexed within approximately 5 to 20 years; however, some of this land may be placed in the open space category as the need arises.

E. Urban Open Space Areas:

Urban Open Space Areas include land within Urban Service Areas which have a value for parks and recreation purposes, conservation of land and other natural resources, historic or scenic purposes. This includes publicly-owned lands such as parks, utility corridors, water areas and flood control channels. It could also include certain privately-owned lands upon

which development should be prohibited for reasons of public health, safety and welfare, such as landslide areas, earthquake hazard areas, and airport flight path zones.

F. Non-Urban/Open Space Areas:

Non-Urban Open Space Areas include land which has value for parks and recreation purposes, conservation of land and other natural resources, historic or scenic purposes, or agriculture. It is divided into two broad categories, long term and permanent.

1. Long Term Open Space.

This category would include both lands which may be suitable for urbanization but which will not be needed for development for at least 20 years, and lands which may eventually become permanent open space but which are not classified as such at the present time. It may include undeveloped, privately-owned land which is virtually precluded from development in the long-term future due to lack of highway access and/or year round water supply. It could also include land that should be retained in its present state because its use as a managed resource contributes to the well-being of the general community, such as, agriculture and grazing lands or watershed and ground water recharge areas, or mineral extraction areas. It might also include some large estate areas that may be retained for their scenic, historic, or cultural values. Isolated institutional, research and testing areas could be included.

2. Permanent Open Space

This category would include publicly (owned lands which should remain undeveloped including parks, utility corridors, water areas, and flood channels : It should also include lands upon which development is to be permanently prohibited for reasons of public health, welfare, and safety; more specifically to meet such needs as: the aesthetic and psychological needs of an urban population for open space; the requirements for an adequate air basin, water shed,

and ground water recharge areas for the maintenance of adequate air and water quality; the maintenance of acceptable noise levels; the consideration of public safety with regard to landslide, earthquake, fire hazard, flooding, and air flight areas; and the maintenance of an ecological balance.