

LOCAL AGENCY FORMATION COMMISSION
POLICIES AND GUIDELINES

4 ***SPHERE OF INFLUENCE*** (Adopted 11/5/98)

4.1 **GENERAL**

Government Code, beginning with §56425, requires the Local Agency Formation Commission to establish and maintain spheres of influence for all local agencies within its jurisdiction. A sphere of influence (SOI) is defined by statute as a “plan for the probable physical boundary and service area of a local government agency as determined by the commission” (§56076). Every determination made by a commission shall be consistent with the spheres of influence of the local agencies affected by that determination (§56375.5). A sphere of influence is primarily a planning tool that will:

- Serve as a master plan for the future organization of local government within the County by providing long range guidelines for the efficient provision of services to the public;
- Discourage duplication of services by two or more local governmental agencies;
- Guide the Commission when considering individual proposals for changes of organization;
- Identify the need for specific reorganization studies, and provide the basis for recommendations to particular agencies for government reorganizations.

4.1.1 LAFCO shall establish the nature, location, and extent of any functions or classes of service provided by existing districts as part of SOI update and service review processes (§56425, §56430). LAFCO may classify service types, where appropriate, pursuant to §56820.5.

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4.2 PERIODIC REVIEW AND MAINTENANCE

The adequacy of each adopted SOI will be reviewed every five (5) years following the initial sphere determination or initial review of an original sphere. At approximately five-year intervals, a preliminary sphere evaluation will be conducted by staff. The evaluation will include a recommendation by the Executive Officer to either:

- (1) proceed with a sphere update study or;
- (2) affirm the existing sphere.

Each subject agency will be notified of the pending review of its SOI and will be requested to participate actively in any restudy efforts deemed necessary by the Commission. Each agency will complete a SOI questionnaire relating to its services and plans. Failure to respond will be regarded as concurrence with the Executive Officer's recommendation.

Changes in land use, planning policy, demographics, demand for public services, or service capabilities may justify the need to restudy and amend spheres of influence. The commission is responsible for the cost of LAFCO initiated review and revision of spheres. LAFCO will seek cooperative cost sharing agreements with the agencies involved.

LAFCO will, at any time, receive requests for amendments to spheres. If an agency, the County, or other party requests a review, study and/or amendment to a sphere, LAFCO will undertake the review as required by statute. Where possible within the scope of the budget, LAFCO will assist a requesting agency with the costs associated with the sphere study in the initial review of an original sphere. Fees to cover the actual costs associated with a sphere review and amendment may be charged to the party requesting the review.

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4.3 LIMITED SERVICE SPHERE OF INFLUENCE

Territory proposed for inclusion within the SOI of a multi-service provider agency which is also contained within the boundary of another limited purpose district (providing some but not all of the services which may be needed), may be included within the SOI of the multi-service agency and designated as a limited service sphere of influence area. Territory designated as limited service sphere may be considered for annexation to the multi-service agency, without concurrent detachment from the limited purpose district, when the following determinations are made by the Commission:

- No feasible or logical alternative arrangement exists for the provision of service in the territory proposed for inclusion within the SOI.
- The existing multi-service agency is the most orderly and logical provider of some of the services which will be needed in the future.
- Existing services provided by the limited purpose district are found to be adequate, cost effective and efficient.
- Inclusion of the territory in the SOI is in the best interests of local government organization and structure in the area.

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4.4 CRITERIA FOR REVIEW OF SPHERE OF INFLUENCE AMENDMENTS
(§56425)

In determining the sphere of influence for each local agency the commission shall prepare a written statement of determinations with respect to each of the following:

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

Before making these determinations, the Commission will review the following:

- The service capacity, level and types of services currently provided by the agency and the areas where these services are provided, topographic factors, financial capabilities, costs of service, and social and economic interdependencies;
 - Existing and planned land uses, land use plans and policies; consistency with county and city general plans; projected growth in the affected area , and potential effects on agricultural and open space lands;
 - A description of the services that will be provided to any areas which may be added to the sphere, the timing and method for funding expansion of facilities or services;
 - An analysis of the effects a proposed sphere of influence on other agencies and their service capabilities;
- 4.4.5 A substantial SOI amendment is an amendment that causes the SOI to be internally inconsistent, is inconsistent with provisions of the CKH Act, has the potential to cause significant adverse social, economic, environmental or other consequences, or has substantial adverse regional planning implications. Substantial SOI amendments shall not be processed until service reviews are completed (§56430) and the subject SOI is updated consistent with §56425.

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- 4.4.6 A substantial SOI amendment may be processed concurrently with a service review and incorporated into an SOI update. However, LAFCO will make service review determinations prior to considering a substantial SOI amendment (§56425, §56430).
- 4.4.7 A service review of all municipal services pertaining to the subject SOI will be prepared prior to, or in conjunction with, each SOI update (§56430) or substantial amendment unless the Commission determines that a prior service review is still adequate.
- 4.4.8 When determining which local agency should provide services, considerable weight will be given to an agency's ability and willingness to provide services. When more than one agency can serve an area, LAFCO shall also consider the conclusions of service reviews, each agency's service capacity, financial capabilities and costs of service, social and economic interdependencies, topographic, historic and environmental factors, input from affected communities and agencies, and pertinent LAFCO policies (§56668, §56430).
- 4.4.9 LAFCO shall prioritize pending or anticipated SOI actions and related services review, and consider preliminary work plans as part of its annual work plan and budget hearing processes. The Commission may also initiate related service reviews. If an SOI is not considered during budget hearings, LAFCO may consider it at a later meeting. The Commission may also need to review or approve final SOI work plans and other processing recommendations.
- 4.4.10 Agencies will be asked to participate in an SOI scoping session and complete SOI/service review questionnaires relating to its services and plans. The Agency will be required to complete and submit questionnaires within 90 days. Failure to respond within 90 days will be regarded as concurrence with Executive Officer recommendations.
- 4.4.11 LAFCO shall hear and consider the SOI, and related service reviews if any, at a noticed public hearing.

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4.5 OTHER RELATED POLICIES

- 4.5.1 When more than one agency can serve an area, LAFCO shall consider each agency's service capacity, financial capabilities, costs of service, social and economic interdependencies, topographic factors, LAFCO policies and input from the affected communities and agencies.
- 4.5.2 LAFCO will make every attempt to bring about amicable Spheres of Influence but ultimately, if a conflict should arise, LAFCO is the final determinant of that Sphere of Influence.
- 4.5.3 Inclusion within an agency's sphere of influence does not assure annexation to that agency.
- 4.5.4 In order to encourage orderly growth of urban areas, the Commission promotes infill development of incorporated vacant lands located adjacent to already developed areas.
- 4.5.5 Developed lands which benefit from municipal services and are contiguous to a city boundary should be annexed to the city that provides service.
- 4.5.6 Spheres of influence for cities and districts will promote the long term preservation and protection of the County's agricultural and open space resources.
- 4.5.7 When an application for a new sphere of influence involves a City, the City and County are required to meet prior to submitting the application to LAFCO, to attempt to reach a mutual agreement regarding the boundaries, development standards, and zoning requirements for the proposed sphere. These agreements are required to carry great weight in any LAFCO decision (§56425).