

SHASTA LAFCO

Report to the Shasta Local Agency Formation Commission

From: Jan Lopez, Executive Officer

Meeting Date: January 9, 2013

Agenda Item #: 11.b. (1)

Subject: Disadvantaged Unincorporated Communities (Senate Bill 244)

Background and Discussion

An important change in LAFCO and CEQA codes occurred with the passage of California Senate Bill 244. The Office of Planning and Research issued a Technical Advisory bulletin in February 2013 to inform local planning agencies and LAFCOs of these new requirements.

LAFCOs are now required to make determinations regarding “disadvantaged unincorporated communities” or “DUCs” when preparing Municipal Service Reviews (MSRs), Sphere of Influence (SOI) updates on or after July 1, 2013, and addresses annexation approval restrictions of territory adjacent to DUCs. Counties planning agencies are required to address the issues surrounding these communities, and cities must also consider impacts on DUCs even though they may be outside their boundaries or even their sphere of influence.

A “disadvantaged community” is defined by Senate Bill 244 as a community with an annual median household income that is less than 80 percent of the statewide annual median household income, and it includes “a territory that constitutes all or a portion of a ‘disadvantaged community’ including 12 or more registered voters or some other standard as determined by the commission.” A severely disadvantaged unincorporated community will have a median household income that is less than 60 percent of the statewide annual median household income.

The portion of this report that directly speaks to LAFCO issues is included in this agenda to permit the Commissioners to familiarize themselves with its explanations. Staff will provide additional support and guidance when necessary about the implementation of these provisions. The full report is available electronically or in hard copy, as requested. LAFCOs have been required, since July 1, 2013, to make specific determinations about DUCs when making decisions on all of the above-mentioned types of approvals.

The MSR/SOI update work will now include a discussion on this issue. It is not sufficient to simply state “there are no impacts” regarding agency services if a DUC exists within an agency boundary or it’s designated SOI.

Conclusions and Recommendations

We recommend the Commissioners review this material prior to our first MSR/SOI hearings. An expanded discussion of this topic can also be included in the “LAFCO 101 Workshop” to be held in March of this year, or at another time convenient to the Commission.

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Attachments: Yes