

LOCAL AGENCY FORMATION COMMISSION POLICIES, GUIDELINES AND PROCEDURES

Section 7: DISADVANTAGED UNINCORPORATED COMMUNITIES (Adopted Feb. 16, 2017)

7.1 For the purposes of this policy, a disadvantaged unincorporated community (DUC) means an inhabited territory with an annual median household income that is less than 80 percent of the statewide annual median household income and as defined in Government Code section 56046 and Water Code section 79505.5.

7.2 A DUC shall have at least 15 dwelling units at a density not less than one unit per acre.

7.3 **Municipal Service Reviews:** Any MSR conducted by LAFCO for a city or special district that provides public facilities or services related to sewers, municipal and industrial water, or structural fire protection, shall identify any DUCs within and contiguous to the sphere of influence of that city or special district and describe the present and probable needs and deficiencies for the provision of those public facilities and services within such DUC.

7.4 **Sphere of Influence Updates:** For any updates to a sphere of influence of a city or special district that provides public facilities or services related to wastewater, municipal and industrial water, or structural fire protection, the Commission shall consider and prepare written determinations regarding the present and probable needs and deficiencies for those public facilities and services for any DUC within or contiguous to the sphere of influence of the city or special district.

7.5 Pursuant to Government Code §56375 (8)(A), a proposed city annexation of greater than 10 acres must include any DUC that is identified to be within 300 feet of the proposed city annexation. The applicant shall be responsible for all costs associated with the application.

7.6 **Need for Services:** Any area receiving wastewater, municipal and industrial water, or structural fire protection services which are determined by LAFCO to be adequate and equivalent to those services provided within city boundaries shall not be considered a disadvantaged unincorporated community.

7.7 **Legacy Community:** A legacy community is a geographically isolated community that meets DUC criteria, is at least 50 years old, and is beyond the adopted sphere of influence of any city. When approving any new or updated sphere of influence for a city or special district, the city or special district shall be required to identify any legacy community that is within one mile of the existing or proposed sphere of influence.

7.8 **Exceptions:** The Commission may determine that a community is a DUC due to its unique circumstances even when it does not meet all the criteria in these policies.