

LAFCo's Role In Regional Planning

Thursday, 9:30 - 10:45

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CALAFCO Staff Workshop



LAFCOs in a Brave New World



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MICHAEL G. COLANTUONO

Colantuono & Levin, PC

11364 Pleasant Valley Road

Penn Valley, CA 95946-9000

(530) 432-7359

(530) 432-7356 (fax)

MColantuono@CLLAW.US

Twitter: @MColantuono

Linked-In: Michael G. Colantuono



LAFCO's Role in Regional Planning

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- LAFCO's Very Purpose is to Serve the Goal of Regional Planning
 - GC 56001: "encourage orderly growth and development ... discouraging urban sprawl ... preserving open-space and prime agricultural lands ... providing housing for ... all incomes."
 - GC 56300: written policies to encourage attainment of these same goals



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■ Purpose of LAFCO:

- GC 56301: “make studies and to obtain and furnish information which will contribute to the logical and reasonable development of local agencies in the county and to shape the development of local agencies.”
- GC 56377: LAFCO should exercise its power to approve reorganizations to protect open space by avoiding prime ag. land and directing development to land w/in existing spheres rather than annexing open-space



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- Purpose of Spheres of Influence:
 - GC 56425: “planning and shaping the logical and orderly development and coordination of local government agencies to advantageously provide for the present and future needs of the county and its communities.”



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- LAFCO's Information-Gathering Power
 - GC 56378: "shall ... make studies of existing governmental agencies [that] include ...determining their maximum service area and service capacities. ...[C]ommission may ask for land use information, studies, and plans of cities, counties, districts, including school districts, community college districts, and regional agencies and state agencies and departments."



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- 56378: “Cities, counties, districts, including school districts, community college districts, regional agencies, and state agencies and departments, shall comply with the request of the commission for that information In making these studies, the commission may cooperate with the county planning commissions.”



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- 56378: “The commission, or the board of supervisors on behalf of the commission, may apply for or accept, or both, any financial assistance and grants-in-aid from public or private agencies or from the state or federal government or from a local government.”



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- 56386: “The officers and employees of [local, school and state agencies] shall furnish the executive officer with any records or information in their possession which may be necessary to assist the commission and the executive officer in their duties, including, but not limited to, the preparation of reports pursuant to Sections 56665 [EO recommendations] and 56800 [CFAs].”



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- LAFCo Power to Affect Regional Planning
 - GC 56133 – approval of contracts for extra-territory service
 - GC 56430 – MSR's may study “the county, the region, the subregion, or any other geographic areas as is appropriate for an analysis of the service or services to be reviewed” and may include “any other matter related to effective or efficient service, delivery, as required by commission policy.”



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- LAFCo Power to Affect Regional Planning
 - GC 56434 –"The commission may review and comment upon ...:
 - (1) The extension of services into previously unserved territory within unincorporated areas.
 - (2) The creation of new service providers to extend urban type development into previously unserved territory within unincorporated areas."
 - Purpose is to accomplish LAFCO's goals
 - Sunsets January 1, 2013



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- LAFCo Shall Consider:
 - GC 56668(a): “land use [and] likelihood of significant growth in the area”
 - GC 56668(g): Regional Transportation Plan, which includes a sustainable communities strategy prepared by the MPO which must, in turn, consider SOIs established by LAFCO, but may not “supersede the exercise of the land use authority of the cities and counties within the region.” GC 65080.



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- LAFCo Shall Consider:
 - GC 56668(l): impact of decision on city's or county's ability to achieve its RHNA goal
 - GC 56668(n): "Any information relating to existing land use designations."



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- LAFCo May Consider:
 - GC 56668.5: “regional growth goals and policies established by a collaboration of elected officials only, formally representing their local jurisdictions in an official capacity on a regional or subregional basis. This section does not grant any new powers or authority to the commission or any other body to establish regional growth goals and policies independent of the powers granted by other laws.”



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- LAFCo May Not Directly Regulate:
 - Land use density or intensity
 - Property development
 - Subdivision regulations
 - GC 56375(a)(6) (restriction on general powers)
 - GC 56886 (power to impose terms & conditions)



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- So What Does this All Mean?
 - Tension between local control of land use and the need for coordinated policy to address regional consequences of local choices
 - COGs, not LAFCOs, are designated leaders on regional planning
 - LAFCO has a role to play



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- So What is LAFCO's Role?
 - Information Gathering – Can Compel agencies to provide it
 - Its own powers re MSR, SOI, and Reorganizations can support and inform regional planning
 - LAFCO can provide additional teeth to regional transportation plan, sustainable communities strategy, and other regional growth goals and plans



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- Whether, When and How to Play that Role is Up to LAFCO to Decide



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- Questions?