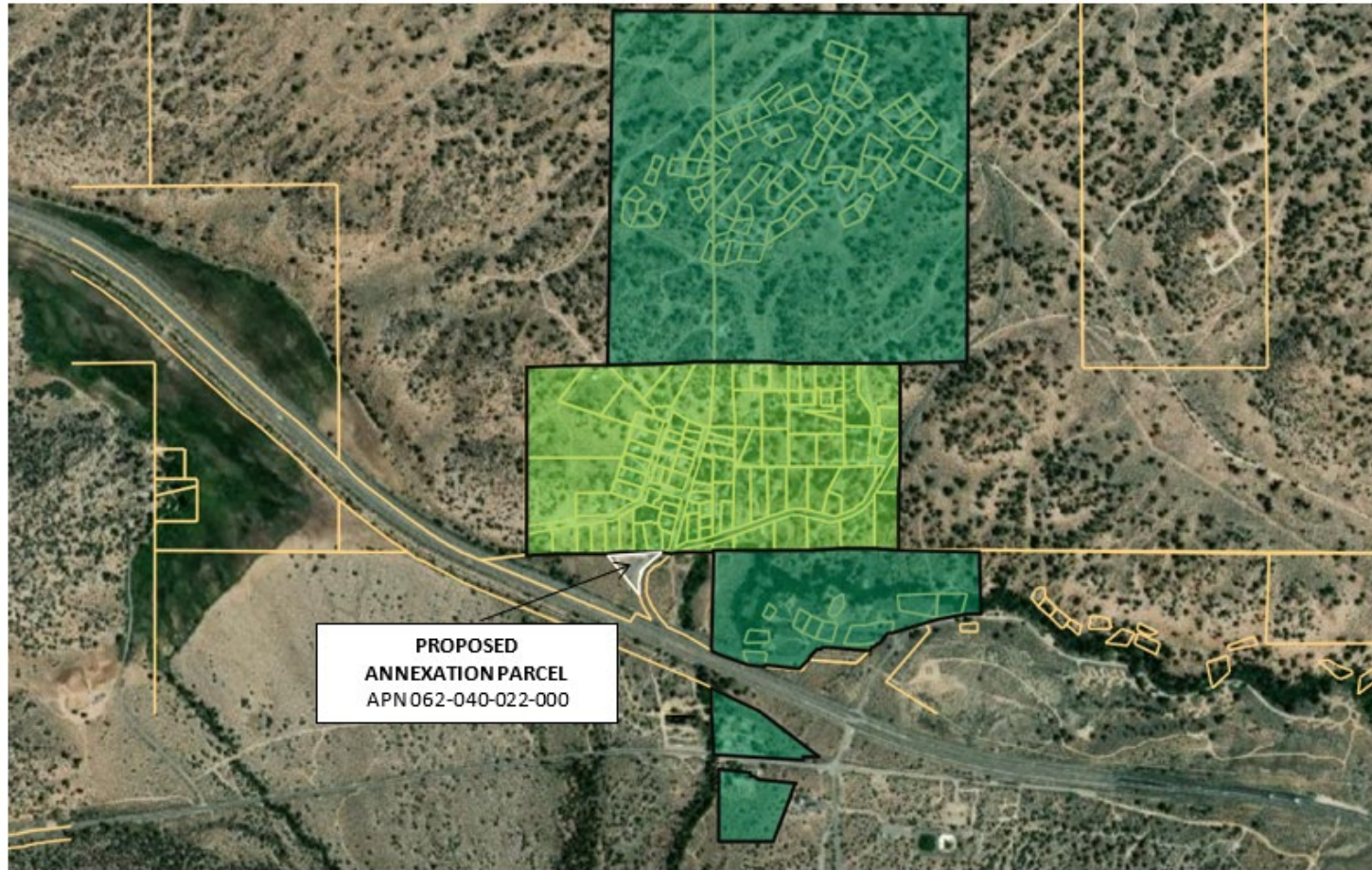


Mono LAFCO
Special Meeting
October 12, 2023

Public Hearing: Birchim Community Service District

Public Hearing: Birchim Community Service District



BCSD
PROPOSED CHANGE OF SOI AND
ANNEXATION MAP



Sphere of Influence



District Boundary



Proposed Annexation



Application Received June 2023

Annexation by Resolution or Petition

Single Parcel 1.08 acres

Long Valley Fire Protection District

Existing Water Line & Hydrant

Public Hearing: Birchim Community Service District



Application Received June 2023

Annexation by Resolution or Petition

Single Parcel 1.08 acres

Long Valley Fire Protection District

Existing Water Line & Hydrant

Public Hearing: Birchim Community Service District

Two Parts (3 separate actions)

A. BCSD 2023 Municipal Service Review & Sphere of Influence Report

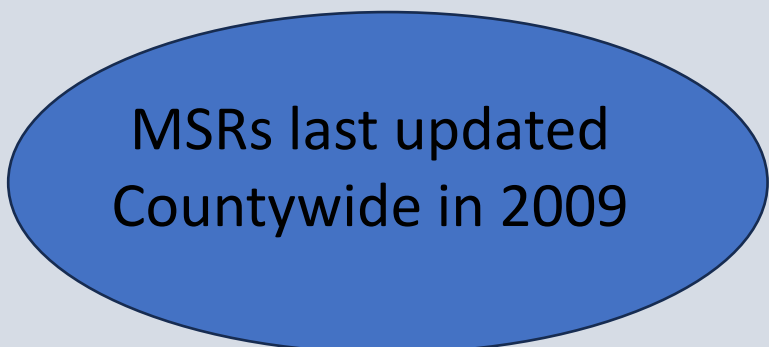
B. Sphere of Influence Update (Amendment)

C. Annexation of parcel 062-040-022-000

Municipal Service Review & Sphere of Influence Recommendation



Part 1 MSR



MSRs last updated
Countywide in 2009

Service Reviews Required by Cortese-Knox-Hertzberg (CKH) since 2000

Gather information on public service capacities and issues to prepare written determinations

7 Service Review Determinations

5 Sphere of Influence Determinations

Sphere of Influence Recommendation

Reorganization Recommendation

Sphere of Influence: “Plan for the probable physical boundaries and service area of a local agency.”

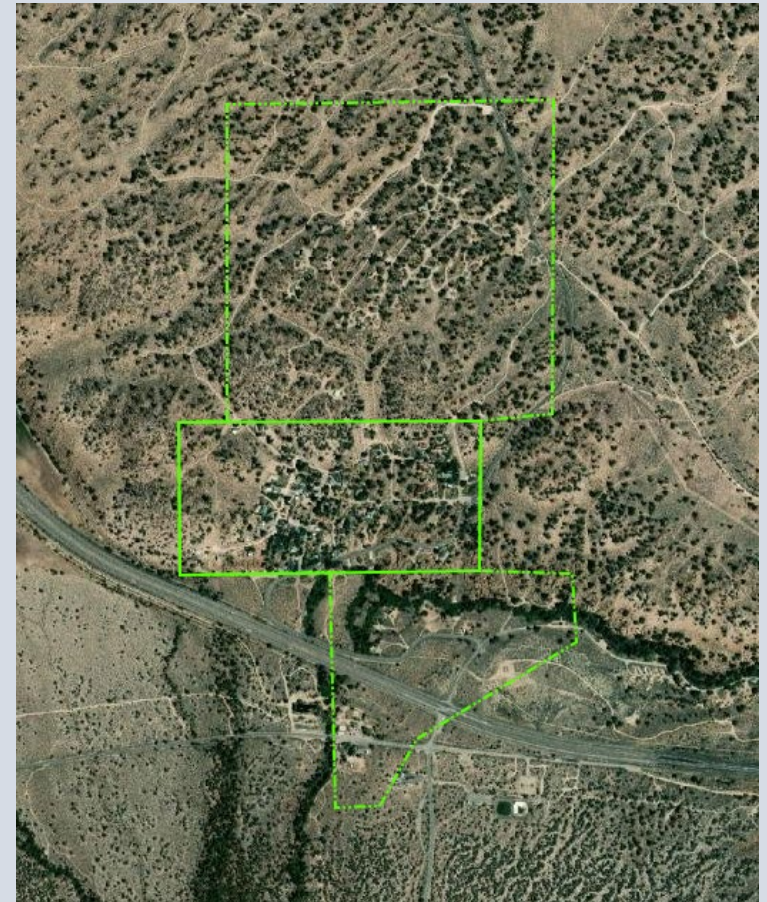


Sphere of Influence: “Plan for the probable physical boundaries and service area of a local agency.”



Approved in 2009

Reviewed in 2014

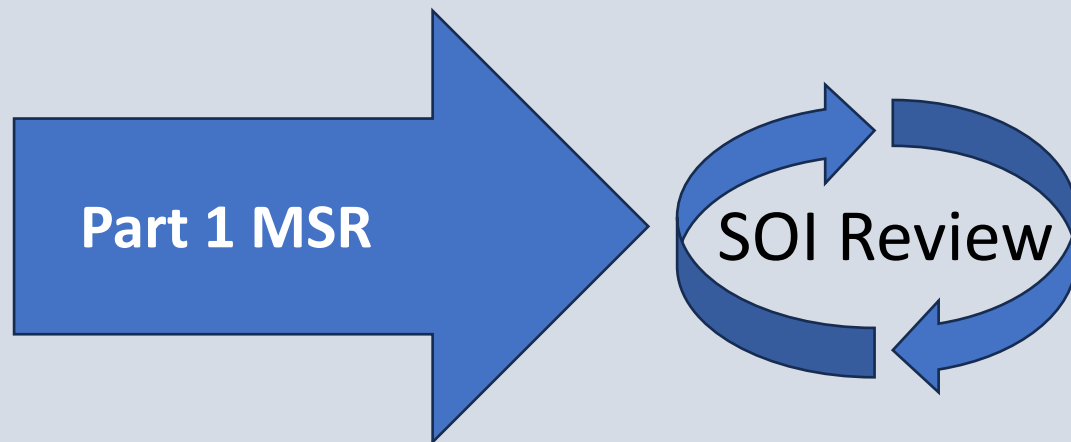


Sphere of Influence: “Plan for the probable physical boundaries and service area of a local agency.”

CKH 56425(g) Requires the SOI to be **reviewed** every 5 years or as needed.

MSR is a tool to aid the review of the SOI.

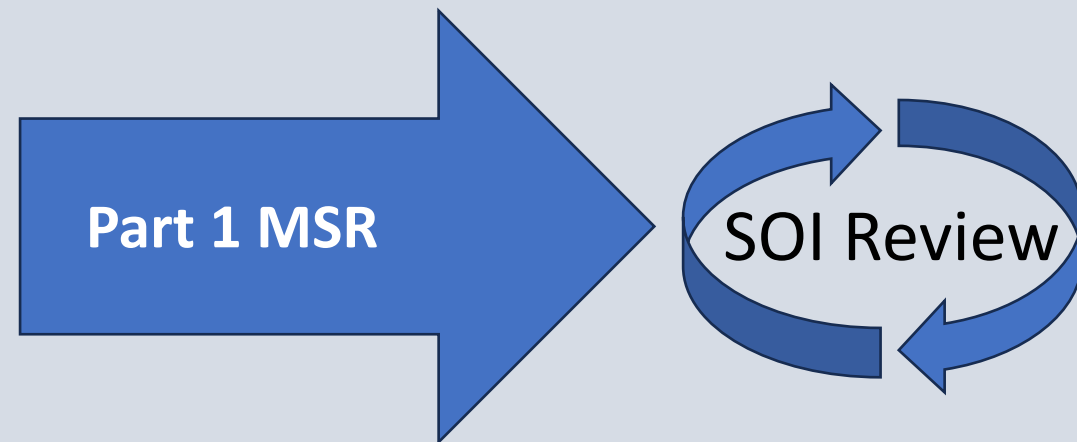
No specific update timeline for MSRs in the CKH.



Sphere of Influence: “Plan for the probable physical boundaries and service area of a local agency.”

When a SOI is established or updated (Not just reviewed)....

Service Review must be conducted before or in conjunction with.

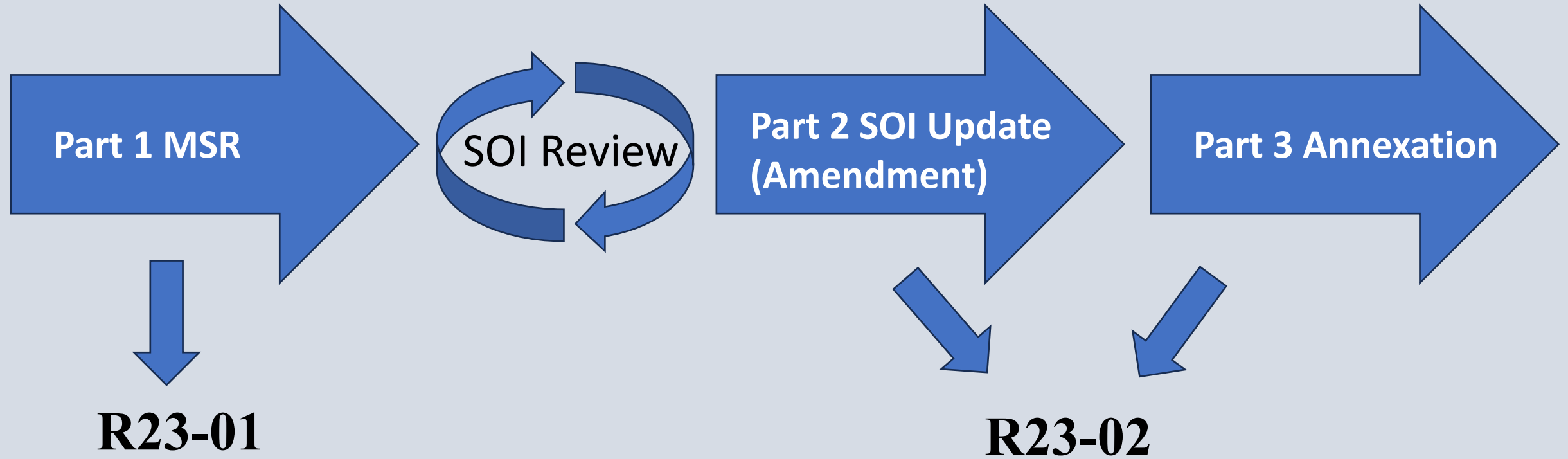


Sphere of Influence: “Plan for the probable physical boundaries and service area of a local agency.”

When a SOI is established or updated (Not just reviewed)....

Service Review must be conducted before or in conjunction with.





**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

1st of the 2023-2024 Comprehensive Updates
Resource Concepts Inc. Compiled Data for the Update
LAFCO Staff Updated Document
2 Week Review of Draft by BCSD
21 Day Public Review of Draft, Published on Mono LAFCO Website
Notice Given to Affected Agencies

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

Executive Summary! & Overview Table!

Comprehensive Review of Services Including District Finances

Compliance With Open Meeting Laws

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

Municipal Service Review Determinations

1. Growth and Population
2. Disadvantaged Communities
3. Present and Planned Capacity of Services
4. Financial Ability
5. Status, Opportunities for Shared Facilities
6. Accountability for Community Service Needs
7. Other Matters Related to Effective & Efficient Service Delivery

6. Accountability for Community Service Needs

The BCSD currently lacks a website, LAFCO encourages the District to consider establishing a website to enhance public outreach and transparency.

BCSD does not comply with the minimum requirements for open meetings and public records. Resources to bring the BCSD into compliance are available and cited in this MSR.

7. Other Matters Related to Effective & Efficient Service Delivery

Currently, the LVFPD is moving forward with constructing a new fire station on their parcel in Sunny Slopes. The LVFPD's parcel (062-040-022-000) is currently outside of the BCSD's district boundary and SOI. A water line and hydrant have already been installed to provide service to the parcel.

A LAFCO application from the BCSD is currently in process to annex the LVFPD parcel into its District boundary.

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

Sphere of Influence Recommended Determinations

- 1. Present & Planned Land Uses**
- 2. Present & Probable Need for Facilities & Services**
- 3. Present Capacity & Adequacy of Services**
- 4. Social or Economic Communities of Interest**
- 5. Sewer, Water, Fire Protection for Disadvantaged Communities**

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

VI. SPHERE OF INFLUENCE RECOMMENDATION Currently the boundaries include privately owned land within the community of Sunny Slopes and U.S. Forest Service lease areas (including Tom's Place as well as Pine Glade and Lower Rock Creek cabin tracts) (see Figure 6). Mono County LAFCO recommends expanding the SOI, encompassing LVFPD's parcel (APN 062-040-022-000) to facilitate annexation of the parcel and development of an additional fire station in Sunny Slopes.

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

FINAL REPORT | OCTOBER 2023

Environmental Review:

The update to the BCSD's MSR/SOI report qualifies for a categorical exemption under CEQA Guideline 15306, Information Collection.

**MUNICIPAL SERVICE REVIEW
AND
SPHERE OF INFLUENCE RECOMMENDATION**

BIRCHIM COMMUNITY SERVICES DISTRICT

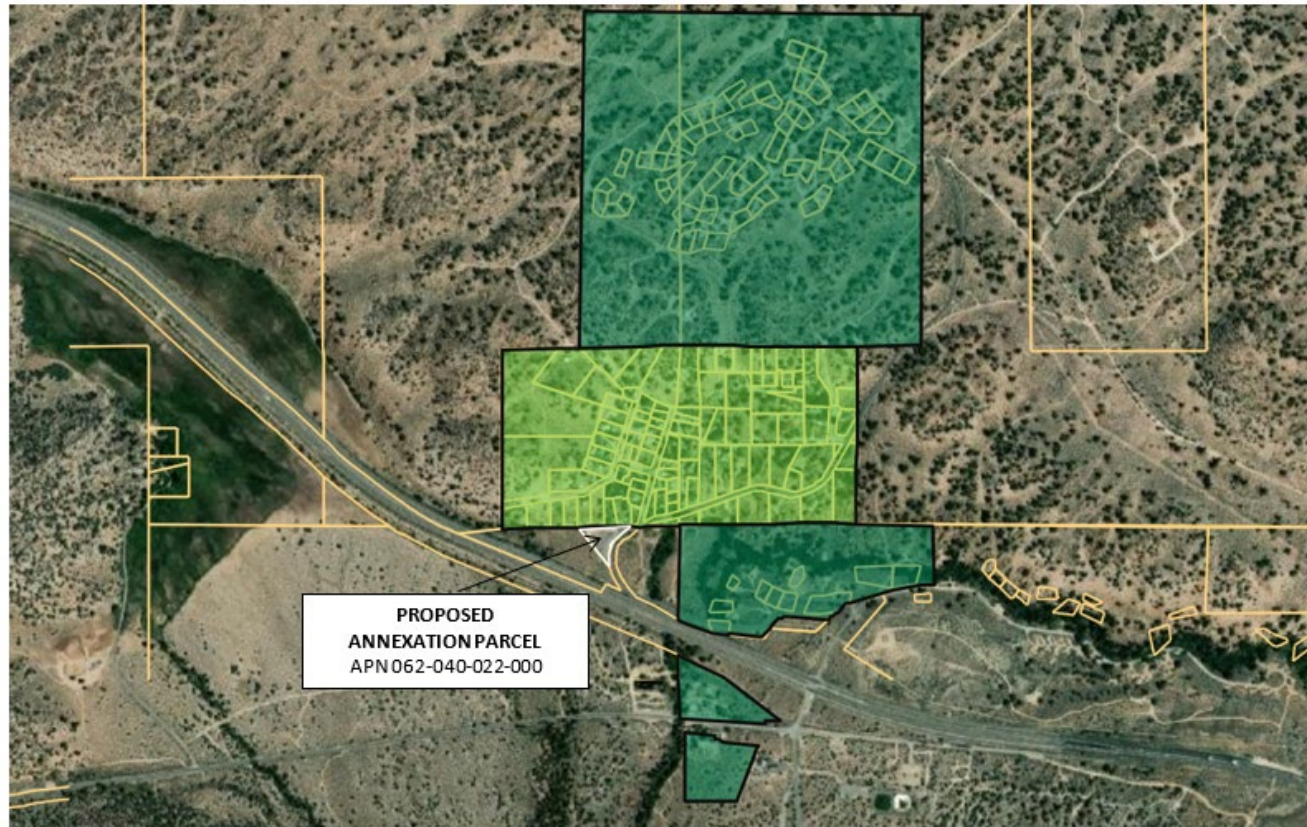
FINAL REPORT | OCTOBER 2023

RESOLUTION R23-01

**A RESOLUTION OF THE MONO LOCAL AGENCY FORMATION
COMMISSION ADOPTING THE 2023 MUNICIPAL SERVICE
REVIEW & SPHERE OF INFLUENCE REPORT FOR THE BIRCHIM
COMMUNITY SERVICES DISTRICT**

Nothing prevents additional/future updates to this Service Review and SOI Recommendation.

SOI Amendment & Annexation



PROPOSED
ANNEXATION PARCEL
APN 062-040-022-000

BCSD
PROPOSED CHANGE OF SOI AND
ANNEXATION MAP



Sphere of Influence



District Boundary



Proposed Annexation



Resolution from BCSD
Payment of LAFCO Fees

Public Hearing

Noticed 21 days in advance
Notice to affected agencies

CKH 56668

Factors to be considered:

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(a) Population and population density; land area and land use; assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; and the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Population and Population Density: The current population of the territory is 0. The 2020 U.S. Census counted 37 households and 139 people residing in Sunny Slopes.

Land Area: The total land area of the territory to be annexed is approximately 1.08-acres.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Land Use: The parcel is designated PF which allows for a variety of public facilities and uses.

The land use designation for most of the parcels in the Sunny Slopes community is Single-Family Residential.

Most of the land surrounding the community is part of the Inyo National Forest (designated Resource Management (RM)) or owned by the Los Angeles Department of Water and Power (designated Open Space (OS)).

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Assessed Value, Tax Transfer: The parcel has an assessed value of zero as it is owned by a public entity. The BCSD has declined to negotiate a tax exchange resolution, so no transfer of property tax will occur.

Topography: The topography is mostly flat.

Natural Boundaries & Drainage Basins: The parcel is surrounded by existing paved (Owen's Gorge Road) and unpaved roads (Crowley Lake Dam Road). No natural drainages or U.S. Geological Survey (USGS) blue-line streams exist on the parcel. Sunny Slopes has one USGS blue line stream, Lower Rock Creek.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Proximity to Other Populated Areas: The community of Sunny Slopes is within Long Valley Planning Area which also includes the communities of Crowley Lake, Aspen Springs, and McGee Creek. As the nearest communities to Mammoth Lakes, they are heavily influenced by the County's economic center.

Likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years:

The population in Sunny Slopes is projected to increase to 146 by 2030. This growth is based on a 0.5% population increase year over year.

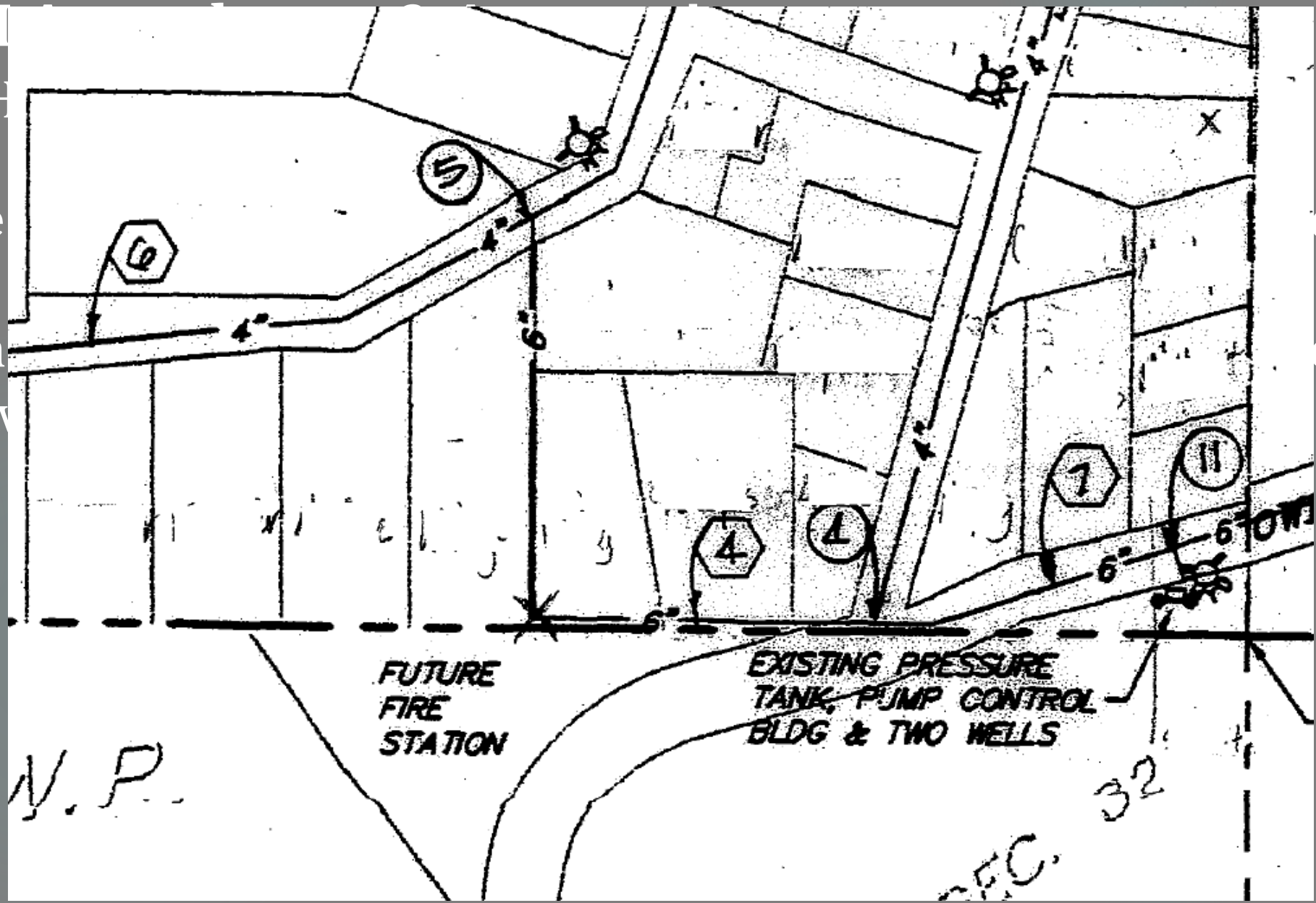
SOI Amendment & Annexation

CKH 56668 Factors to be considered:

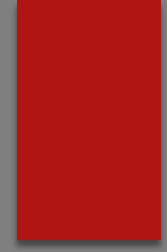
b)(1) The need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; and probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

(2) "Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

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SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Recent changes in State law have streamlined the regulations and simplified the process necessary to construct Accessory Dwelling Units (ADU). State law now allows for up to three housing units on residential land use designated parcels: a main residence, an ADU, and a Junior ADU. The implementation of these regulations in Sunny Slopes has the potential to increase the demand for residential water service. However, parcels in Sunny Slopes are smaller (less than ½-acre in size) and are constrained by topography in many areas as well as by the size and placement requirements associated with septic systems which would further limited implementation of ADUs in Sunny Slopes.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

The proposed annexation is unlikely to have any negative impacts to adjacent areas, mutual social and economic interests and local governmental structure. However, the alternative of not approving the proposed annexation would result in negative impacts to social and economic interests in and around the community of Sunny Slopes because a new LVFPD fire station could not be implemented.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities in Section 56377.

The proposal complies with commission policies on providing planned, orderly, efficient development.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.

The proposal will not negatively impact agricultural or open space lands and will align the district boundary with existing land use designations that allow for community development.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.

The boundaries of this territory have been clearly defined; they align with property ownership and land use designation boundaries. The boundary creates a contiguous district around lands with designations that allow for development, which preserves the integrity of the Open Space (OS) and Resource Management (RM) designated lands surrounding the community.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(g) A regional transportation plan adopted pursuant to Section 65080.

Sunny Slopes is part of Mono County's adopted Regional Transportation Plan.

(h) The proposal's consistency with city or county general and specific plans.

The proposed annexation is consistent with the Mono County General Plan.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(i) The sphere of influence of any local agency that may be applicable to the proposal being reviewed.

There are no other districts that provide water service in Sunny Slopes or in nearby communities with an overlapping SOI. Other districts with an SOI that covers Sunny Slopes are: LVFPD, Southern Mono Healthcare District, County Service Area #1, and the Countywide Service Area. However, none of these districts provide similar services.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(j) The comments of any affected local agency or other public agency.

No comments from affected agencies, landowners or the public were received during the drafting of this report.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(k) The ability of the newly formed or receiving entity to provide the services that are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.

BCSD has indicated it has the capacity to serve the parcel with the potential fire station and the water line and fire hydrant are existing on the parcel. The BCSD will provide service via the annual water fee collected with property taxes each year.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(1) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.

There are no issues regarding water supply or delivery. The district is pursuing upgrades to existing, including an emergency backup generator that will improve water service availability.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(m) The extent to which the proposal will affect a city or cities and the county in achieving their respective fair shares of the regional housing needs as determined by the appropriate council of governments consistent with Article 10.6 (commencing with Section 65580) of Chapter 3 of Division 1 of Title 7.

This proposal has a positive effect on regional housing needs increasing the service availability of the LVFPD to the community of Sunny Slopes (via the potential new fire station proposed on this parcel).

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

The Mono County Housing Element identifies two parcels in Sunny Slopes (totaling approximately 13-acres) as key housing sites with the potential to provide up to 11 additional units of future housing stock.

In addition, changes to State law may increase the residential units on existing developed parcels in Sunny Slopes (depending on parcel size, topographic and septic system constraints) which would benefit from being served by a new community fire station.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(n) Any information or comments from the landowner or landowners, voters, or residents of the affected territory.

No comments from affected agencies, landowners or the public were received during the drafting of this report.

(o) Any information relating to existing land use designations.

See discussion in finding (a).

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(p) The extent to which the proposal will promote environmental justice. As used in this subdivision, "environmental justice" means the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the location of public facilities and the provision of public services, to ensure a healthy environment for all people such that the effects of pollution are not disproportionately borne by any particular populations or communities.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

This proposal will promote environmental justice as the future LVFPD fire station in Sunny Slopes will allow for better fire protection services for Sunny Slopes and nearby communities by decreasing emergency response time. Overall, the Sunny Slopes community would benefit from the future LVFPD station being proposed on the parcel for annexation by the BCSD.

There are no disadvantaged unincorporated communities within or adjacent to the sphere of influence of the BCSD (utilizing California LAFCO's online DUC map and standards for this determination).

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

(q) Information contained in a local hazard mitigation plan, information contained in a safety element of a general plan, and any maps that identify land as a very high fire hazard zone pursuant to Section 51178 or maps that identify land determined to be in a state responsibility area pursuant to Section 4102 of the Public Resources Code, if it is determined that such information is relevant to the area that is the subject of the proposal.

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

Sunny Slopes is not located in a very high fire severity zone. It is located in a State Responsibility Area (as is the majority of unincorporated Mono County).

SOI Amendment & Annexation

CKH 56668 Factors to be considered:

The 2019 Town of Mammoth Lakes and Mono County Multi-Jurisdictional Hazard mitigation notes the following:

“Some residences in this community are **more than five miles from the nearest fire station**. There is a good hydrant network in some parts of Sunny Slopes, but the hydrant network and the Sunny Slopes water supply does not service any of the USFS lease properties. There are several steep, narrow roads and some are little more than rough dirt tracks. This community has overhead power lines which may be a hazard to fire apparatus” (Page F53).

SOI Amendment & Annexation

Environmental Review:

Class 1 exemption under CEQA Guideline §15301(b), Existing Facilities & Class 3 exemption under CEQA Guideline §15303(d) limited new small facilities .

§15301(b) Existing facilities of both investor and publicly owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

§15303(d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

SOI Amendment & Annexation

RESOLUTION R23-02

**A RESOLUTION OF THE MONO LOCAL AGENCY FORMATION
COMMISSION (LAFCO) APPROVING AND ORDERING A SPHERE
OF INFLUENCE AMENDMENT AND ANNEXATION TO THE
BIRCHIM COMMUNITY SERVICES DISTRICT**

Public Hearing: Birchim Community Service District

Staff Recommendation:

1. Adopt Resolution R23-01 adopting the Birchim Community Services District's 2023 Municipal Service Review & Sphere of Influence Report.
2. Adopt Resolution R23-02 approving a Sphere of Influence Amendment and Annexation to the Birchim Community Services District subject to all terms and conditions.

Public Hearing: Birchim Community Service District

1. Adopt Resolution R23-01 adopting the Birchim Community Services District's 2023 Municipal Service Review & Sphere of Influence Report.
2. Adopt Resolution R23-02 approving a Sphere of Influence Amendment and Annexation to the Birchim Community Services District subject to all terms and conditions.



California State
Board of Equalization

Direct staff to prepare and submit annexation files to the CA State Board of Equalization.