



# City of Sebastopol

10

Mayor  
Sarah Glade Gurney  
City Council  
Una Glass, Vice Mayor  
John Eder  
Robert Jacob  
Patrick Slayter

Meeting Date:  
To:  
From:  
Subject:  
Recommendation:  
Funding:

Meeting of April 19, 2016  
Mayor and City Council  
Kenyon Webster, Planning Director  
Preliminary Annexation Review, Village Park/Tomodachi Park  
Provide Comments, Direction  
Currently Budgeted:  Yes  No  N/A  
Net General Fund Cost:  
If Cost to Other Fund(s), Fund

Agenda Report Reviewed by:  
City Manager/City Attorney *AM*

City Manager/City  
Attorney  
Larry McLaughlin  
City Clerk  
Mary Gourley

Introduction: This is a Preliminary Annexation and General Plan amendment review for the Tomodachi Park/Village Park property. The Commission and Council conducted a similar review in 2009, but given that was a number of years ago; the concept is being re-presented to both bodies before proceeding with the formal annexation process.

The Planning Commission reviewed this matter on March 22 and provided comments and recommendations.

Project Background and Description: This Preliminary Annexation Review request is for review and comment on the proposed annexation of the Tomodachi Park/Village Park property. The City purchased the 12.44-acre property in 2007 for park purposes. The City subsequently constructed the City's newest park, Tomodachi Park, on the majority of the property. Tomodachi Park was completed in 2013 and comprises 8.71 acres.

The property consists of two parcels, one of which is undeveloped and is within the City limits; the remaining parcel is unincorporated and includes both the mobile home area as well as Tomodachi Park.

The entire property is within the 100-year floodplain and is subject to substantial flood risk, with the lower (Tomodachi Park) area typically flooding every year, and the mobile home area subject to flooding in a major event.

An undeveloped sliver of the property (the smaller of the two parcels) on the western edge is within the City limits. Otherwise, the property is located within the County of Sonoma's jurisdiction.

Caltrans is currently constructing a new highway bridge adjoining the property. This project will include a new sidewalk along the Village Park frontage, and a replacement bus shelter.

Due to past issues regarding wastewater and water supply, the property is connected to City sewer and water. Part of the property (3.73 acres) is being utilized as the Village Mobile Home Park. As of February 2016, the Village Park portion of the property included 26 mobile home spaces, of which 18 were used; and four apartments, all currently vacant. Residents were estimated at 68 people.

In addition, the City Council authorized the temporary use of a portion of the Mobile Home grounds for the Global Student Embassy Garden Project, a community garden project that is operated by the Global Student Embassy.

The property, which was purchased in part with Open Space grant funds, is located at the eastern entrance to town on Sebastopol Avenue. The property is contiguous with the City and visually and

culturally appears to be part of the City. The site includes substantial open space resources, with direct access to the Laguna channel. For these reasons, and because the City was already providing City sewer, water, and initial emergency response services to the park, the City decided to purchase the property and eventually formally annex it, with the long-term objective of improving the property with open space and park improvements. With review by both the Planning Commission and City Council, the City developed a conceptual plan for eventual conversion of the entire property to a low-intensity public park (see attached conceptual diagram from the Village Park Feasibility and Planning Study), however the mobile home use is expected to continue for the foreseeable future.

While owned by the City of Sebastopol, the property is in the jurisdiction of the County of Sonoma. The County authorized the City to permit Tomodachi Park construction, but the County retains jurisdiction over other typical permitting.

The property is outside of the City's Urban Growth Boundary and Sphere of Influence, although LAFCO has amended its Sebastopol Sphere to include the property in anticipation of eventual annexation. The draft General Plan proposes that the property be within the City's Sphere and UGB.

The property is bounded by natural lands of the Laguna de Santa Rosa on the south and east, Sebastopol Avenue on the north, and residential area and commercial development on the west (a property with two residential units, and a commercial property with several tenants).

The City is not proposing to alter the existing uses at this time. The entire property is within the 100-year floodplain and parts of it flood virtually every year.

Prior Preliminary Annexation Review: Both the Planning Commission and City Council conducted Preliminary Annexation Review in 2009. Although it was the City's original intent in purchasing the property to convert some or all of the property to a park, the sense of the Council that developed over time, including other discussions relating to management of the mobile home component, was that formal annexation should be deferred pending actual development of a public park on the property, as this would be the basis for one of the exceptions to the Urban Growth Boundary policy restricting amendments to the UGB.

Tomodachi Park was subsequently developed. It comprises the majority of the property, and was completed in 2013.

LAFCO Annexation Process: Per provisions of Government Code section § 56650, a City may apply for annexation, or in this case "reorganization" via (City Council) resolution. LAFCO (Local Agency Formation Commission) has established an application process for considering annexations and upon adoption of a City resolution to annex the property, the City will submit an application for reorganization to LAFCO. Once LAFCO receives a complete application and the City's resolution, it will hold a separate hearing. At the hearing, the LAFCO Commission will consider potential issues that may arise as a result of the annexation on the County level.

LAFCO has been aware of the potential annexation for some time, and has already amended the City's Sphere of Influence in its documents to include the area, which will simplify the LAFCO process.

General Plan Annexation Process: As set forth in the Annexation guidelines of the General Plan (Chapter I: Land Use, Section IV), there are several policies by which annexations should be considered. The policies that apply to the proposed island annexations include the following:

P.5 City Centered Growth: Focus future growth within city limits.

*The property is not proposed to be developed beyond what currently exists; therefore annexation of the property will not conflict with this policy.*

P.6 Favor Infill: Encourage development within the city limits; favor infill development over annexation.

*The Village Park property is not proposed to be developed beyond what currently exists; therefore annexation of the property will not conflict with this policy.*

P.7 Do not allow development in areas not served by municipal utilities.

*The City is currently providing City sewer and water to the property via an Out of Service Area Agreement; therefore annexation of the property is in compliance with this policy.*

P.8 Extension of City Services Outside Sphere of Influence: Prohibit extensions of wastewater, water, and other City services to new development in unincorporated area outside the Sphere of Influence.

*Due to health and safety concerns, City sewer and water has already been extended to the property and, due to the proximity of the property to the City limits, the City is currently the first Police and Fire Department responder in emergency situations.*

P.9 Urban Growth Boundary: An Urban Growth Boundary is established. An Urban Growth Boundary is a line beyond which development will not be allowed, except for public parks and public schools. The UGB shall be in effect during the 20-year time frame of the General Plan.

*Annexation of the property is consistent with the UGB policy, which is permitted because most of the property is a public park. The current UGB is expiring; a draft UGB measure presented to the City Council would encompass the property.*

P.12 Annexation Guidelines: Do not allow annexation and development to leapfrog over vacant and undeveloped land. Require proposed annexations to meet the following guidelines:

- a. Urban development shall be contained within the UGB.

*Urban development is not proposed on the property in that most of the property is a park.*

- b. Annexation shall not occur outside of the UGB, except for public parks and schools.

*In that a substantial park has been developed on the property, annexation and amendment of the UGB is consistent with this policy.*

- c. Area to be annexed must be able to be served by existing City facilities, or by environmentally or economically feasible extensions to City facilities, to be paid for by the proposed developments.

*The property is currently being served by City sewer and water via an Out of Area Service Agreement.*

- d. Utilities will not be extended outside the UGB, except public parks and public schools.

*The property is already being served by City sewer and water via an Out of Area Service Agreement.*

- e. Proposed annexations must be contiguous to existing developed areas.

*The property is contiguous with developed City property.*

- f. Annexation of an area must not have either short-term or long-term negative impacts on the City's fiscal condition. The fiscal effects of the annexation must be documented at the applicant's cost.

*Staff does not anticipate changes from current conditions in terms of long-term impact on the City's fiscal condition. The City is already incurring maintenance costs associated with Tomodachi Park. When operated by the previous owner with a campground, the overall uses appeared to generate net positive income. The City terminated the campground use when it purchased the property, which reduced income, and subsequently had to address a number of significant deferred maintenance issues. There are additional maintenance needs, including paving and building repairs and painting. In addition, there are likely unidentified code issues with the privately-owned mobile homes that may require action by the Building Department over time if the property is annexed.*

*The Village Mobile Home Park currently operates with a negative cash flow, with expenses exceeding income, however this situation would not change with annexation. The Council has discussed ways of addressing this situation.*

- g. A specific development plan must be proposed for the annexation, showing how the proposed development contributes to an area-wide jobs-to-housing balance.

*This guideline does not apply due to the fact that there is no development proposed in conjunction with annexation of the property.*

- h. The proposed development must be within the proper Land Use Designation and meet all the other requirements of this General Plan.

*Due to the fact that the property is outside of the City's UGB and Sphere of Influence, it does not currently have a General Plan designation. The draft General Plan suggests that the mobile home area have a General Plan designation as High Density Residential, and that the Tomodachi Park portion of the property be designated Open Space, which is the same as the adjoining Railroad Forest property and other Laguna Preserve lands... In terms of zoning, designations of High Density Residential and Open Space would be consistent with the planned General Plan designations. Alternatively, the Village Park portion of the property could have a different designation that anticipates eventual open space/park use.*

Role of the City Council: The purpose of the preliminary annexation review is to allow the early identification of issues that may be of concern to the City, mobile home park residents, or the public.

Although this preliminary request for annexation does not require a public hearing, the Council should hear from any interested persons.

Should the City wish to annex the property, it will need to approve a resolution to amend the City's Urban Growth Boundary (if one exists at the time). In addition, the Sphere of Influence and Urban Growth Boundary need to be amended. There is a UGB provision that allows the City to amend the Sphere of Influence for park purposes.

The Council should provide any comments, and direction on whether staff should proceed with the formal annexation process.

Planning Commission Comments: The Planning Commission reviewed this matter on March 22, 2016. Comments included the following:

- Consensus that the property should be annexed as recommended by the draft General Plan
- City needs to make decision regarding use of the Village Park portion of the property
- While not privy to all considerations, it appears that current strategy of not leasing out Village Park spaces is worsening the Village Park operational deficit. Either occupancy and rents should be optimized, or the mobile home use terminated
- Suggested consideration of commissioning an economic analysis of costs and revenues, and if it is possible to break even with operation of the mobile home use
- Concern with flood issues
- Park uses appear most appropriate
- Site is not appropriate for high-density housing
- The Village Park portion of the property could be designated for residential use, provided that would not preclude the originally-planned park use, but should be the lowest possible density classification, given the environmental setting
- Consensus that rather than 'High Density' as indicated by the current draft General Plan, a 'Medium Density' designation under the proposed General Plan would be appropriate, which allows 2.6 to 12.0 units per acre; this would accommodate the number of existing Village Park units

Analysis: The property has been an immediate neighbor to the City for many years. Its proximity to the City is established such that it looks and feels like it is within the City limits. The property is located on the western side of the Hwy 12 Bridge and the property is contiguous with property with the City limits. Although it is not in the City's jurisdiction, on a practical level, Sebastopol's Police and Fire departments are often the first responders in emergency situations, and due to past contamination issues, the property is already connected to both City sewer and water. In addition, the majority of the park's children attend

Sebastopol schools. By annexing Village Park, the City will be able to better serve the residents of the park and the residents will have the opportunity to become politically active in the community in which they live and identify with. However, annexation may impact City services, including Building inspection and public safety. Finally, the property is owned by the City and includes a City park.

In that the property is within the 100-year flood zone and immediately adjoins Laguna lands and a public park, the property does not appear to be in a location appropriate for new high density housing. Any new housing would have to be elevated two feet above the 100-year flood elevation—a first floor height comparable to the height of the Village Park office.

Flooding in Village Park has the potential to wash debris, fuel, or other materials into the Laguna and could pose a public health threat, as well as general flood safety concerns particularly for any residential uses.

The City obtained Open District funds, which were used to help purchase the property. In obtaining these funds, the City was obligated to place a portion of the property into a conservation easement for preservation of open space and park land. The easement covers the park and open space areas of the property (Tomodachi Park), but not the mobile home area. This easement, which covers the majority of the property lends weight to an overall parks land use designation for the property.

At the time Village Park was purchased, the direction given to staff was to anticipate conversion of the entire property into a park. Since that time, Tomodachi Park was developed, but the mobile home use has continued, and is anticipated to remain for the foreseeable future. There are ongoing issues relative to the mobile home use, including short and long term maintenance needs, negative cash flow, aesthetics, likely poor condition of a number of the privately-owned mobile homes, and the impacts of potential future flood events. Whether or not the property is annexed, as owner, the City will need to address these issues over time.

Recommendations: Staff recommends that the Council review the proposal for annexation of the property and amendment of the City's Urban Growth Boundary, including the Planning Commission's comments.

The annexation will allow the City to serve the residents of the property more efficiently and give the residents an opportunity to participate in decisions that affect their immediate community. In addition, annexation of the property will aid the City in managing the property, including permit issues that arise given current County of Sonoma jurisdiction.

Comments and direction would be useful on the following issues:

- Whether annexation appears appropriate
- Whether formal annexation procedures should commence
- If the area is to be annexed what land use designations are appropriate. The Planning Commission recommended a 'Medium Density' designation for the Village Park portion of the property rather than 'High Density.' The remainder of the property would be designated 'Open Space.' Alternatively, the entire property could be given an 'Open Space' designation, which would make the mobile home use an existing non-conforming use.

#### Attachments

Aerial Photograph with use/vegetation information

Map showing Open Space easement area

Draft General Plan Map section

Conceptual park plan

Vegetation classifications on Property based on field observations and aerial imagery using California Wildlife Habitat Relations System. Vegetation classifications beyond Property use CalVeg data (CDF).



**CRP = Cropland**  
**MRI = Montane Riparian**  
**OWL = Oak Woodland**  
**PGS = Perennial Grassland**  
**URB = Urban**

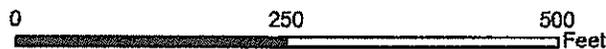
**Laguna de Santa Rosa  
 Acquisition and Improvement Project  
 Conservation Easement Baseline Document**

**Exhibit 4  
 Vegetation Map**



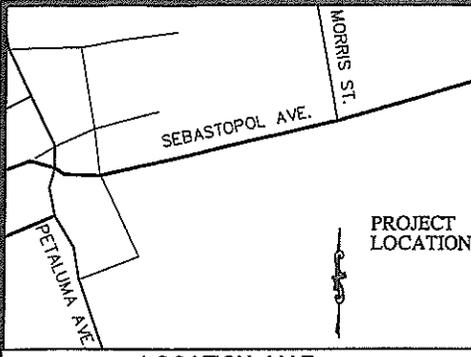
Sonoma Ecology Center  
 Research and Information Services  
 www.sonomaecologycenter.org  
 (707) 998 0712

 Easement Boundary  Highway 12  
 Vegetation Type



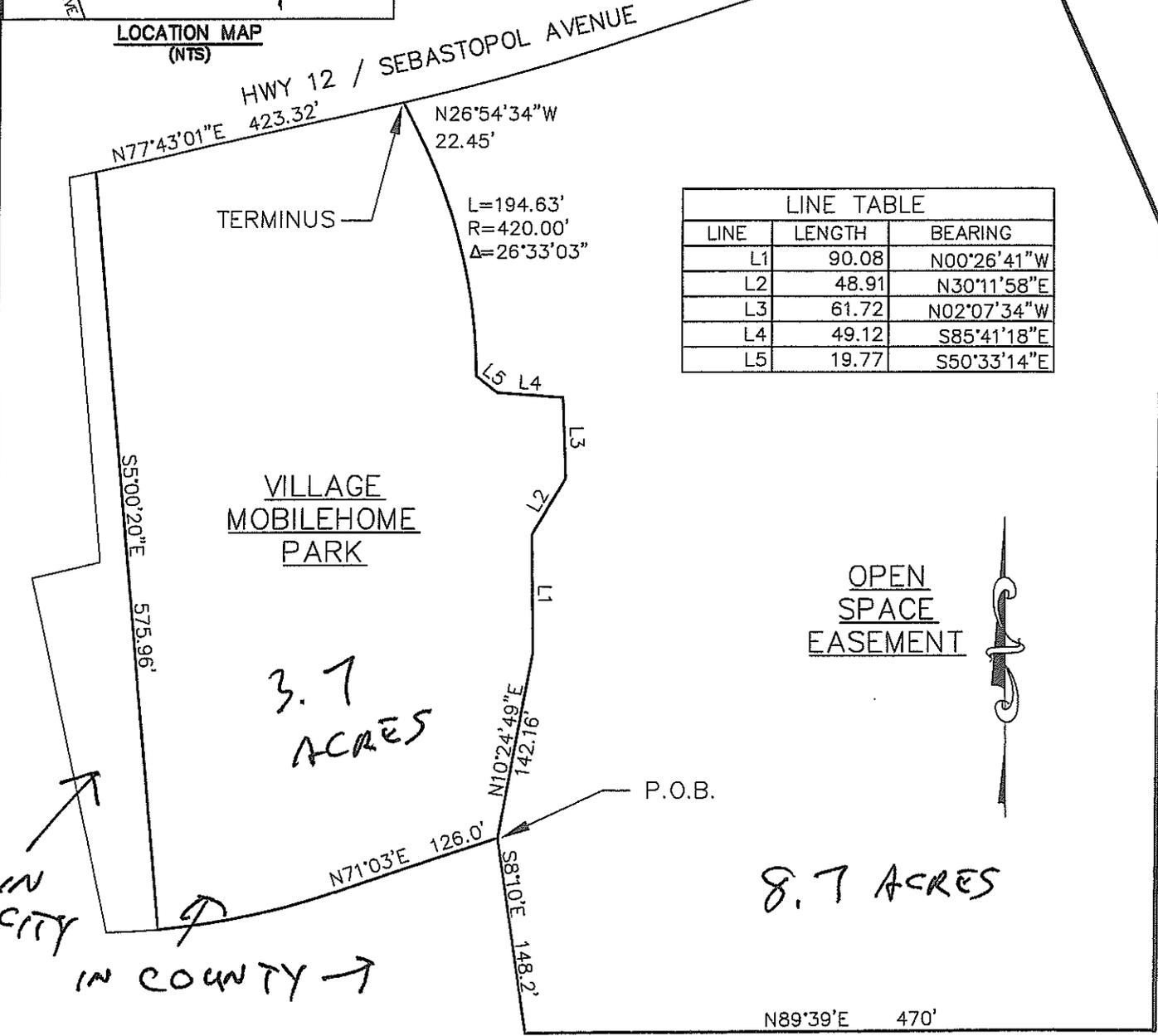
**SONOMA COUNTY**  
**AGRICULTURAL PRESERVATION  
 AND OPEN SPACE DISTRICT**

Data Sources: County of Sonoma, SCAPOSD, SEC GIS Map Date: August 2008 Disclaimer: This map is for illustrative purposes only and is not intended to be a definitive property description.



**BASIS OF BEARINGS:**  
 The easterly line of Parcel 1 as shown on Parcel Map No. 15 recorded October 1, 1971 in Book 161 of Maps at Page 43, Sonoma County Records

**LOCATION MAP (NTS)**



LINE TABLE		
LINE	LENGTH	BEARING
L1	90.08	N00°26'41"W
L2	48.91	N30°11'58"E
L3	61.72	N02°07'34"W
L4	49.12	S85°41'18"E
L5	19.77	S50°33'14"E

L=194.63'  
 R=420.00'  
 Δ=26°33'03"

VILLAGE MOBILEHOME PARK

3.7 ACRES

OPEN SPACE EASEMENT

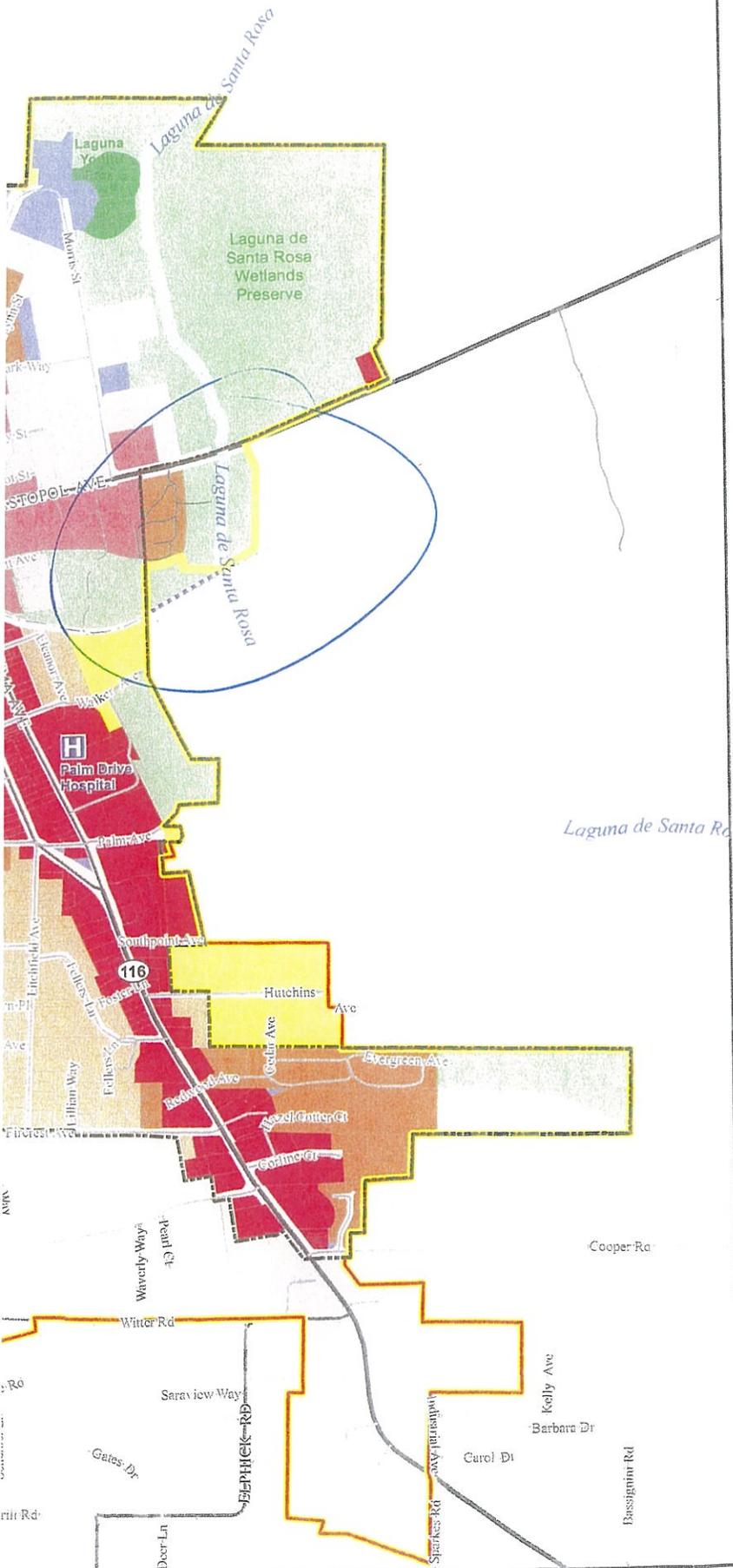
8.7 ACRES

IN CITY

IN COUNTY →

<b>OWNER AND MAILING ADDRESS</b>	<b>PROPERTY AREAS</b>	<b>CITY OF SEBASTOPOL</b>	
City of Sebastopol 714 Johnson Street Sebastopol, CA 95472	TOTAL LOT: <u>541,955 S.F.</u> EASEMENT: <u>379,469 S.F.</u>	VILLAGE MOBILE HOME PARK OPEN SPACE EASEMENT CITY of SEBASTOPOL	
A.P. No. <u>060-060-001</u>	CITY ACQUISITION DEED O.R. No. _____	SCALE: 1" = 120'	DATE: March 19, 2009
O.R. No. <u>2007-105775</u>		DWN. RT CHK. JG	APPROVED R-

Figure 2.1:  
General Plan Land Use Map

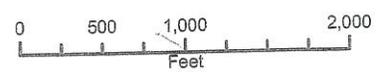


**Land Use Designation**

- VDR - Very Low Density Residential
- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- CD - Downton Core
- CO - Commercial/Office
- LI - Light Industrial
- OLI - Office/Light Industrial
- CF - Community Facility
- OS - Open Space
- PA - Park

**Planning Boundaries**

- City of Sebastopol
- Sphere of Influence
- Urban Growth Boundary
- Proposed Sphere of Influence/Urban Growth Boundary Expansion



1:14,000

# VILLAGE PARK

## FEASIBILITY CONCEPT

### PASSIVE RECREATION MEADOW AND EVENT AREA

#### CONCEPT

Design features open meadow for event use, oak woodland restoration, restroom, parking, group picnic pavilion. Vehicular access is provided at the existing site entry, while the new parking area utilizes the existing paved area. Emergency access is provided to the adjacent parcel.

Environmental elements include enhanced season wetlands and vernal pools, seasonally mowed paths in open space area, oak health & safety vegetation management, and removal of invasive plant species.

#### SITE ELEMENTS - Open Space Area

- A** Oak woodland management, invasive plant removal
- B** Vernal pool enhancement, buffer, mowed path
- C** Seasonal wetland enhancement, mowed path
- D** Invasive plant/trash removal, mowed path
- E** Individual picnic sites (5-10), overlook, split rail fence

#### SITE ELEMENTS - Village Park Area

- F** Seasonal swale enhancement, interpretive display
- G** Trail connects to Railroad Forest and Rodota Trail
- H** Fully improved driveway and sidewalks;  
Concrete split rail fencing
- I** Parking 30-35 vehicles
- J** Pavilion, group picnic (50-60), meadow (100)
- K** Individual picnic sites (10-15)
- L** Restroom/drinking fountain
- M** Emergency Access to Morris Street



**VILLAGE PARK MASTER PLAN**  
CITY OF SEBASTOPOOL  
CALIFORNIA

FEASIBILITY CONCEPT PLAN

Project: 2001032  
Client: AS SHOWN  
Date: 03/07/12  
Sheet: 1 of 1

DESIGNED BY: [Signature]

CHECKED BY: [Signature]

DATE: [Date]

**QUESTA**  
ENGINEERING CORP.  
1225 HIGHLAND AVENUE  
SEBASTOPOOL, CA 95972

SEBASTOPOOL  
LOCAL GOVERNMENT