

City Council
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Planning Director
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City of Sebastopol Planning Department

Meeting Date: December 13, 2016
Agenda Item: 8A
To: Planning Commission
From: Dana Morrison, Assistant Planner;
Kenyon Webster, Planning Director
Subject: Village Park Mobile Home/Tomodachi Park Annexation
Recommendation: Adopt Resolution Recommending Annexation
Applicant/Owner: City of Sebastopol

Introduction:

This is a review of annexation of the Tomodachi Park/Village Mobile Home Park property. Located at 6665 Sebastopol Avenue (APN's 060-060-001). The Commission and Council conducted a Preliminary Annexation Review in 2009 and in April of 2016; it is recommended that the City proceed with the formal annexation process.

Project Background and Description:

This Annexation Review is regarding 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 (APN 004-063-017); the remaining parcel is unincorporated and includes both the mobile home area as well as Tomodachi Park (APN 060-060-001) and is located within the County of Sonoma's jurisdiction. 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.

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. The project is slated to be finished in early 2017.

Due to past issues regarding wastewater and water supply, the property is connected to the 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 occupied; 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 the reasons, and because the City was already providing the 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, 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 generally has jurisdiction over other typical permitting.

Up until November 15, 2016 the property fell just outside of the City's Urban Growth Boundary (UGB) but was within the City's Sphere of Influence, as LAFCo amended its Sebastopol Sphere to include the property in anticipation of eventual annexation. Since the passing of the updated General Plan the property is encompassed within both 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.

West County Community Services Project

In May 2016, the West County Community Services (WCCS) and an informal 'Group of Advocates' reached out to the City of Sebastopol with the idea of leasing the Village Mobile Home Park. WCCS, supported by the Group of Advocates, is proposing to master lease the Village Mobile Home Park for 5 years in order to provide permanent housing and supportive services for mobile home and apartment units at the park. Eighteen of the 30 Park housing sites are currently occupied. An additional twelve sites are vacant and available for occupancy. It is the intention of the WCCS to

make the twelve vacant sites available to precariously housed or homeless people. A case manager would be present on-site, on a daily bases, to offer supportive services including: access to medical services, access to substance abuse services, and other needed supportive services. The WCCS would continue to provide housing to the existing tenants on site and provide housing opportunities for new residents, and provide supportive service opportunities to all residents of the park. In addition to potential City funding for the project, WCCS is investigating other funding.

At this time the proposal for the lease is still in the initial stages of formulation and consideration, and a number of issues will need to be addressed prior to a master lease agreement. As such, on October 18, 2016, the City Council approved the creation of a City Council Subcommittee to further discuss the matter and draft a Letter of Intent; and approved a resolution supporting collaboration with West County Community Services for a 5 year plan for services of the Village Mobile Home Park.

Prior Preliminary Annexation Review:

Both the Planning Commission and City Council conducted Preliminary Annexation review in 2009 and again in March and April of this year (2016). 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 the 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 UBG.

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

At their March 2016 meeting the Planning Commission discussed the possibility of annexing the Village Mobile Home Park and Tomodachi Park to the City, the Commission was supportive of the idea. The Commission felt that annexing the property would make sense to the City and would also give a voice to the residents of the mobile home park. However, the Commission did raise concerns about the future of the mobile home park portion of the property. Some members of the Commission felt that a medium-density housing pre-zoning designation would be a reasonable zoning for the mobile home park due to the high probability of flooding in a major event and the fact that this designation would accommodate the number of existing units.

At the April 19, 2016 meeting the City Council was generally supportive of the annexation of the property but decided to defer the question of pre-zoning to a later discussion.

Local Agency Formation Commission (LAFCo) Annexation Process:

The annexation process begins after Planning Commission review and recommendations; and when the City Council passes a resolution of application to annex the Village Park Mobile Home Park properties. The City applies to the Local Agency Formation Commission (LAFCo) for annexation.

LAFCo is the decision making agency for annexations. To apply for annexation the City of Sebastopol must review the cost of services for a potential annexation, and complete environmental review and pre-zoning for the annexation area. Upon completion of the environmental review and pre-zoning, the City can submit an application to LAFCo. By statute, the resolution must include certain language and be accompanied by prescribed documentation, such as a statement as to the nature of the proposal, a description of how services will be provided to the area proposed for annexation, a legal description of the property, various maps, and California Environmental Quality Act (CEQA) compliance documentation.

LAFCo proceedings officially begin on the date the LAFCo Executive Officer issues a certificate of filing to the applicant. Upon receipt of the annexation application, LAFCo schedules a public hearing as the City is the sole owner of the property no noticing in required. Following the public hearing, LAFCo makes a decision. LAFCo will then wait for 30 days to give the public an opportunity to bring forth information on why the property should not be annexed. Once the 30 day waiting period has passed the City will submit final maps.

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. In addition, the new General Plan update includes this property in the UBG and Sphere of Influence.

General Plan Annexation Process:

As set forth in the guidelines of the General Plan (Chapter 2: Land Use, Policy LU), there are several policies by which annexations should be considered:

Policy LU 1-2: Avoid urban sprawl by concentrating 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.

Policy LU 1-3: Require new development to occur in a logical and orderly manner, focusing growth on infill location and areas designated for urbanization on the Land Use Map, and be subject to the ability to provide urban services, including paying for any needed extension of services.

The property is not proposed to be developed beyond what currently exists; therefore annexation of the property will not conflict this policy. The City is also already providing urban services to the area.

Policy LU 1-7: Encourage new development to be contiguous to existing development whenever possible.

The property is contiguous to the City and falls within the City's Sphere of Influence and Urban Growth Boundary.

Policy LU 1-8: 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.

Policy LU 2: Maintain an Urban Growth Boundary in Order to Promote Orderly Growth, Ensure Adequate Provision of Public Services, and to Protect the Natural Environment; The Sebastopol UGB Ordinance adopts, until December 31, 2041, the UGB designated in Figure 2-1 (in 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 City Council approved the new General Plan on November 15, 2016 which has expanded the UGB to encompass the property. Prior to November 15, 2016 the property was outside of the City's UGB and was only in the City's Sphere of Influence. Currently it has been proposed 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 are consistent with the planned General Plan designations. During their March 2016 meeting the Commission discussed the importance of the mobile home park, in that it provides much-needed affordable housing in Sebastopol. Arguments were made for leaving the mobile home park zoned as high-density, with the opportunity for the City Council to choose a different direction in the future, if so desired. However, some members of the Commission felt that medium-density housing would be a more reasonable zoning for the mobile home park due to the high probability of flooding in a major event.

CEQA Determination:

Categorical exemptions are those classes of projects which are exempted from the requirements of the California Environmental Quality Act (CEQA). The Public Resources Code requires the CEQA guidelines to include a list of classes of projects which have been determined to not have a significant effect on the environment and which are therefore determined exempt from the provisions of CEQA. The proposed annexation has been determined to be exempt from the requirements of the CEQA pursuant to Section 15319, Annexations of Existing Facilities and Lots for Exempt Projects. Section 15319, Class 19, exempts annexations to a city or special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency which is more restrictive, provided, however, that the extension of utility services to the existing facilities would have a

capacity to serve only the existing facilities. The subject area is currently developed to the density allowed by the City of Sebastopol, and there is no extension of utility service proposed.

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 within 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, the 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 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. 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. As mentioned above the City is currently investigating the possibility of signing a master lease with the West County Community Services (WCCS) and Group of Advocates. Who would run the Village Mobile Home Park for a 5 year period during which they would continue to provide housing to the existing tenants on site and

provide housing opportunities for new residents, and provide supportive service opportunities to all residents of the park.

Another issue is site access. There is presently one driveway to serve both Village Park and Tomodachi Park. Traffic volumes on Highway 12 make turns out of the driveway problematic at times. In considering pre-zoning, access issues should be considered.

Pre Zoning:

As of yet there has been no official determination on the pre-zoning of this property. At the moment, under the General Plan the property is proposed to be designated as high density residential which would allow for a density of 12.1 to 25 units per acre. However, prior Commission discussion was that a medium density residential designation, with a density of 2.6 to 12.0 units per acre, is more appropriate. The mobile home portion of the property consists of 3.73 acres, which would allow for 44.75 units under the medium density designation. If the property is zoned as high density it could allow for up to 93 units. At the March 2016 meeting, the Planning Commission suggested that medium density would be a more suitable designation for this property. Currently there are 26 mobile home sites and 4 apartments within the mobile home park.

The RM-M density would accommodate the current density of the existing units with some room for expansion. So, designating the property would not be a conflict with the General Plan. It is the opinion of staff that this site is less suitable for RM-H density housing as it could allow for over triple the number of existing units on the site. Due to the high likelihood of flooding, proximity to Tomodachi Park, and limitations on site access, maintaining a density similar to existing conditions is recommended.

Recommendations:

Staff recommends that the Commission adopt a resolution recommending annexation of the Village Park/Tomodachi Park property. Staff also recommends that the Commission recommend pre-zoning the mobile home portion of the property as RM-M, Medium Density Multiple Family, which allows for the current (existing) density, with potentially some increase in units.

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.

Attachments:

Resolution Recommending Annexation
Aerial Photograph with use/vegetation information
Map showing Open Space easement area
General Plan Map Section
LAFCo Annexation Checklist

Planning Commission Resolution No_____

A Resolution of the Planning Commission of the City of Sebastopol Supporting the Annexation of the Village Mobile Home Park and Tomodachi Park, located at 6665 Sebastopol Ave (APN 060-060-001), to the City of Sebastopol.

WHEREAS, the proposed property to be annexed is contiguous with the City and is visually and culturally part of the City; and

WHEREAS, the site includes substantial open space resources, with direct access to the Laguna channel; and

WHEREAS, the City is already providing City sewer, water and initial emergency response services to the park, and

WHEREAS, the City of Sebastopol already owns the proposed property to be annexed; and

WHEREAS, the proposed property to be annexed is within the City's Sphere of Influence and Urban Growth Boundary; and

WHEREAS, the proposed annexation has been determined to be exempt from the provisions of CEQA pursuant to Section 15319, Annexation of Existing Facilities and Lots for Exempt Projects. Section 15319, Class 19, exempts annexations to a city of special district of areas containing existing public or private structures developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing governmental agency which is more restrictive, provided however, that the extension of utility services to the existing facilities would have a capacity to serve only the existing facilities. The subject area is currently developed to the density allowed by the City of Sebastopol, and there is no extension of utility service proposed.

NOW, THEREFORE, BE IT RESOLVED, THAT I, the City of Sebastopol Planning Commission recommends approval of the annexation of the Village Mobile Home Park and Tomodachi Park to the City of Sebastopol, with a pre-zoning designation of RM-M, Medium Density Multiple Family.

DULY APPROVED AND ADOPTED this 13th day of December, 2016.

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted by City of Sebastopol Planning Commission following a roll call vote:

Certified: _____

Kenyon Webster, Planning Director

Ayes:

Noes:

Absent:

Abstain:

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) 996 0712

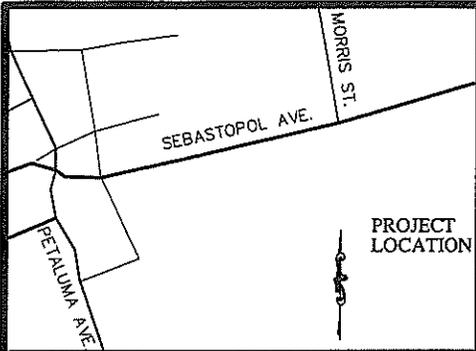
Easement Boundary Highway 12
 Vegetation Type

0 250 500 Feet



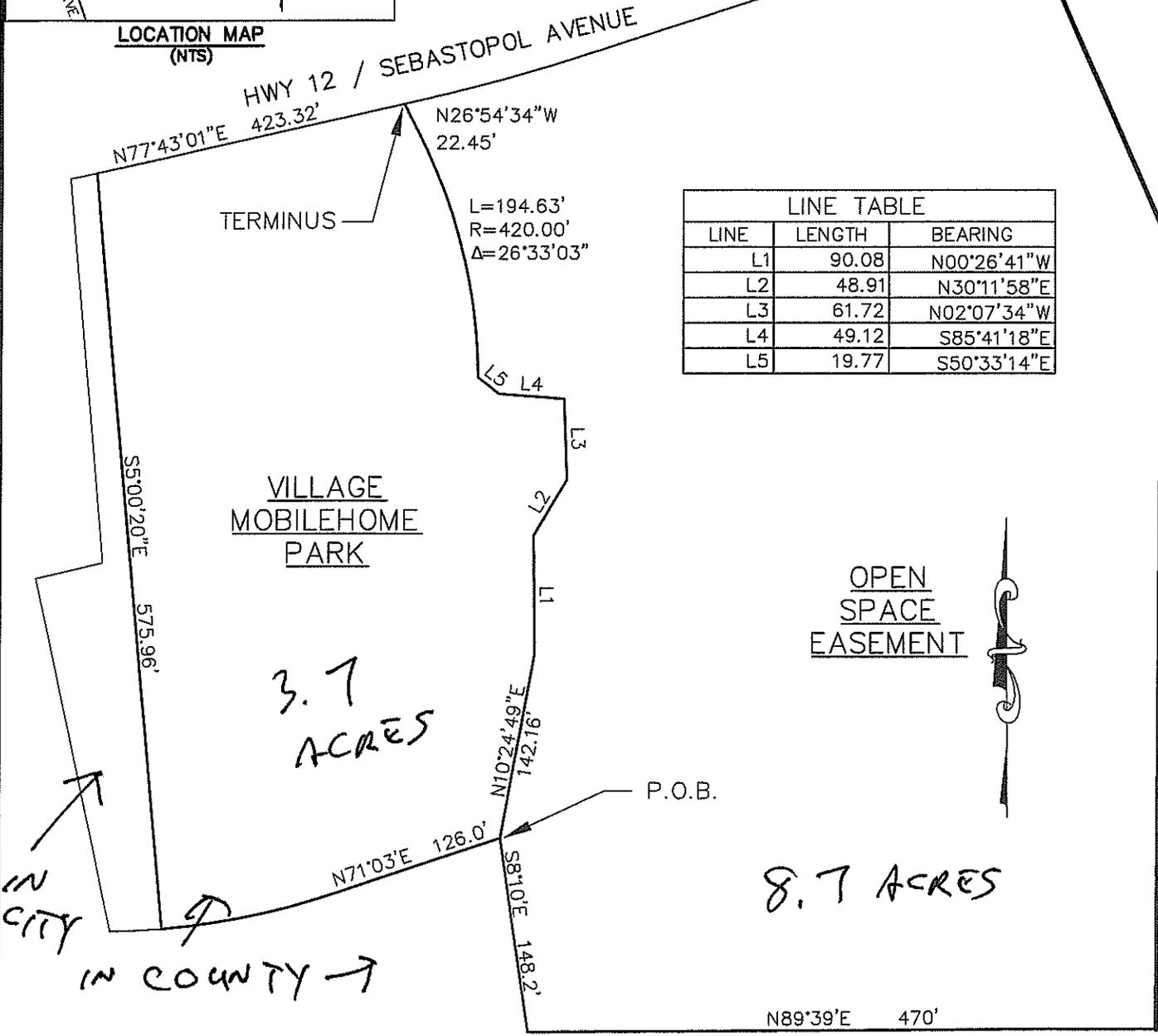
SONOMA COUNTY
 AGRICULTURAL PRESERVATION
 AND OPEN SPACE DISTRICT

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

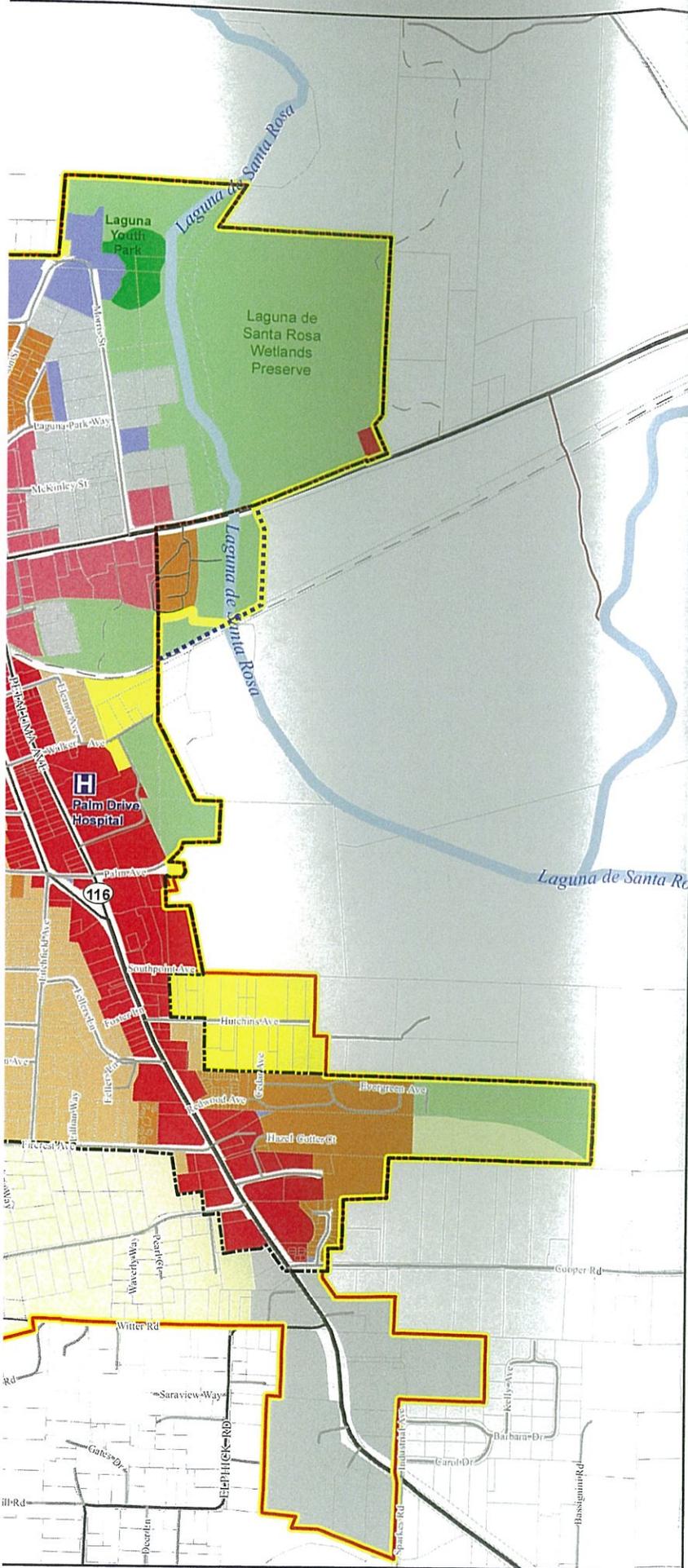
L=194.63'
 R=420.00'
 Δ=26°33'03"

OPEN SPACE EASEMENT



OWNER AND MAILING ADDRESS	PROPERTY AREAS	CITY OF SEBASTOPOL	
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: <u>March 19, 2009</u>
O.R. No. <u>2007-105775</u>		DWN. <u>RT</u> CHK. <u>JG</u>	APPROVED _____ R-

Figure 2.1:
General Plan Land Use Map

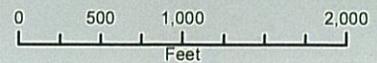


Land Use Designation

- VDR - Very Low Density Residential
- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- CC - Central 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

De Novo Planning Group

A Land Use Planning, Design, and Environmental Firm



SONOMA LOCAL AGENCY FORMATION COMMISSION

CHANGE OF ORGANIZATION - REORGANIZATION APPLICATION CHECKLIST

THE FOLLOWING IS REQUIRED FOR A LAFCO APPLICATION:

1. A check for appropriate LAFCO filing fee made payable to LAFCO (see Fee Schedule)
2. Written proof of payment of any applicable Fish and Game filing fees or a check for the amount of unpaid fees (see Fee Schedule).
3. A check in the amount of \$50, made payable to County Clerk, for environmental document processing fees.
4. The original, one (1) paper copy, and one (1) digital copy of the complete Application/Petition packet.

*Note: All questions must be answered. If the question is not applicable, write "NA"
All the following pages must have original signatures on the original application:*

- Section 1: Notice of Intent to Circulate Petition (if applicable)
- Section 2: Indemnification Agreement
- Section 3: Applicant Financial Disclosure Form
- Section 4: Compliance with Political Expenditure and Contribution Disclosure Requirements
- Section 7: City / District Information Page
- Section 8: Chief Petitioner / Agent Signature Page
- Section 9: Landowner Petition (must have original signature for every consenting property owner in proposal territory)

5. One (1) paper copy, and one (1) digital copy of the metes and bounds legal description.
6. A digital list of the parcel numbers and street addresses of all properties within the boundaries of the affected territory.
7. A digital copy and twenty (20) paper copies of the preliminary map. The map must include civil engineer's/surveyor's signature or stamp.
8. The original Map and Boundary Description Approval Form (Section 10) signed by either the County Surveyor for district annexations or the City Engineer for city annexations and the County Assessor's Mapping Department approving the legal description and map.
9. Environmental documents (as applicable):

Categorical Exemption	A digital copy and one (1) paper copy
Negative Declaration/Mitigated Negative Declaration with Initial Study	A digital copy, six (6) paper copies and 10 copies on CD
Environmental Impact Report	A digital copy, six (6) paper copies and 10 copies on CD
Mitigation Monitoring Plan	A digital copy, six (6) paper copies and 10 copies on CD

Notice of Determination (if applicable) filed by lead agency	A digital copy and one (1) paper copy
Notice of Exemption (if applicable) filed by lead agency	A digital copy and one (1) paper copy
Receipt for Environmental Fees paid to the Department of Fish & Game	A digital copy and one (1) paper copy

10. Agency documents. A digital copy and one (1) paper copy of the following:

- Resolution of Application (only if application is filed by city or district)
- City/district ordinances and/or resolutions pertaining to the project
- Additional official actions, if any, by the city or district pertaining to the project.
- Any written reports, analyses, sentiment surveys or letters which pertain to the impacts of the project involved in the proposal.
- City/county staff report, if applicable.

11. Proposals involving annexation to a city must include the following additional information:

- A plan for providing public services within the affected territory. The plan must address the following and be submitted on a separate sheet(s):
 - a. Expected changes in land use
 - b. An enumeration and description of services to be provided
 - c. The level and range of services to be provided
 - d. Actions, if any, needed to increase service level capacities to serve the affected territory and corresponding costs
 - e. Any conditions which would be imposed or required within the affected territory, such as the improvement or upgrading of structures, roads, sewer and water facilities
 - f. An indication of when those services can feasibly be extended to the affected territory
 - g. Description of how such services and improvements will be financed.
- For proposals which (1) are expected to lead to substantial development, (2) represent one phase of expected development, (3) require actions or conditions under “d” or “e” above, or (4) are otherwise considered to be significant, the following additional information is required:
 - a. Location from which services are to be provided.
 - b. Service level capacity from that location.
 - c. Description of where such services will be provided within the affected territory.

The requirement of a plan for providing services may be met by submission of data or documents such as an Environmental Impact Report and Initial Study, an Area Plan, a Specific Plan, or a Master Plan. The document(s) submitted shall provide sufficient detail to enable the Commission to determine the city’s capability to provide services in a timely and financially feasible manner.

12. One (1) copy of school district staff report IF the proposal is for over 50 units of potential residential use unless there data is provided in an EIR.

13. For city annexation of developed property: a digital copy and one (1) paper copy of the alphabetical list of all streets within the affected area with beginning and ending street numbers (odd and even).

Example: Apple Street 2301 thru 2499 (odd)
Apple Street 2300 thru 2498 (even)

NOTE: Maps must include street addresses of each parcel or addresses at all boundaries on both sides of all streets and roads running through the annexation. This information is necessary and must be completely accurate as of the date of submittal of the application as it will be used to amend the 9-1-1 emergency telephone street address guide, and will be used to determine which emergency service provider will be dispatched.