

[City Council](#)
Mayor Patrick Slayter
Vice Mayor Neysa Hinton
Michael Carnacchi
Sarah Glade Gurney
Una Glass



[Planning Director](#)
Kenyon Webster
[Assistant Planner](#)
Dana Morrison
[Administrative Assistant](#)
Rebecca Mansour

City of Sebastopol Planning Commission Staff Report

Meeting Date: May 22, 2018
Agenda Item: 8B
To: Planning Commission
From: Dana Morrison, Assistant Planner
Kenyon Webster, Planning Director
Subject: Reorganization Consisting of Annexation and General Plan/Sphere of Influence Amendment; and Ordinance Pre-zoning the Property and Amending the Zoning Map for parcel 060-120-015
Recommendation: Recommend to City Council the Approval of Annexation and General Plan/Sphere of Influence Amendment; and adoption of Ordinance Pre-zoning the Property and Amend the Zoning Map to the City Council for Parcel 060-120-015
Applicant/Owner: City of Sebastopol

Introduction:

This is a review of annexation of the property located just south of the Tomodachi Park/Park Village property and north of the Joe Rodota Trail (060-120-015). This parcel is part of the 'Railroad Forest' property purchased by the City for open space purposes in 1993.

In September 2017 the Local Area Formation Commission (LAFCO) approved the annexation of the Tomodachi Park/Park Village property, a condition of this approval requested that the City initiate annexation of the property in question within one year of the approval.

The Commission and Council conducted a Preliminary Annexation/ Pre-Zoning Review in early 2018; it was recommended that the City proceed with the formal annexation process.

Project Background and Description:

The City purchased the property as part of the 'Railroad Forest' in 1993. The Railroad Forest was purchased for permanent open spaces purposes, with Matching Grant assistance from the Sonoma County Agricultural Preservation and Open Space District. The property has a restrictive conservation easement limiting uses of the property.

The City considers the subject parcel as a part of the Railroad Forest property, including the remaining area that the City also owns, comprising approximately eight-acres located within the City boundary, just to the west (004-072-014). That parcel is designated as Open Space in the City's General Plan and Primary Wetlands/Environmental and Scenic Open Space in the Zoning Ordinance. Due to the contiguity with the recently annexed Tomodachi Park/Park Village, as

well as to 004-072-014, annexation of the subject parcel (060-120-015) would be a logical extension of the City boundary.

CEQA:

The subject parcel annexation is categorically exempt from CEQA pursuant to section 15319 of the State CEQA Guidelines: Annexation of Existing Facilities and Lots for Exempt Projects. This section allows exemptions when existing public or private structures are developed to the density allowed by the current zoning or pre-zoning of either the gaining or losing agency, whichever is more restrictive, provided that the extension of utility services to the existing would have the capacity to serve only the existing facilities. City staff considers this property as a continuation of the parcel located directly to the west (004-072-014) which is zoned as Open Space under the General Plan and Wetlands/Environmental and Scenic Open Space in the Zoning Ordinance. Both parcels are owned by the City and have a restrictive open space easement restricting use.

The intention is to designate the subject property with the same General Plan and Zoning Districts as the parcel in the City limits; no changes to the level of existing utility services are anticipated as the intention is for the parcel to remain as open space with no future development.

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 has established an application process for considering annexations and upon adoption of 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 specifically requested that this parcel be annexed to the City, and that such proceedings be initiated within one year of the approval of the reorganization and annexation of the Tomodachi/Park Village property. The City is initiating proceedings with LAFCO amend the City’s Sphere of Influence to include this parcel.

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 subject property is currently considered open space, and is regulated by an existing open space easement that also addressed the adjacent City-owned parcel located directly to the west of the property. The property is not proposed to be developed and will continue to exist as it currently sits; 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 and is intended to stay as it currently exists; therefore annexation of the property will not conflict with this policy. The property does not currently have any urban services and as no development of any kind is proposed there is no plan to initiate any urban services for the property.

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 Urban Growth Boundary. An amendment will need to be made to the City's Sphere of Influence (SOI) to include the subject property.

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

Annexation of the property is consistent with the UGB policy, in that the property is within the City's UGB. The City Council approved the new General Plan on November 15, 2016 which expanded the UGB to encompass the property. The General Plan map will need to be updated if the annexation moves forward.

Planning Commission and City Council Review:

The Planning Commission conducted a preliminary review of this Annexation at their January 23, 2018 meeting. Commissioners expressed no issues with the proposal.

At their April 17, 2018 meeting the City Council reviewed the proposal and recommended that City staff initiate formal annexation and amendment of the City's Sphere of Influence to include the parcel.

This staff report includes a resolution to request that LAFCO amend the City's the Sphere of Influence/General Plan Map (the subject property currently falls under the City's Urban Growth Boundary) and initiate proceeding for a reorganization consisting of annexation of parcel 060-120-015. Also included is an Ordinance amending the zoning map and pre-zoning the parcel as W / ESOS, which will go before the City Council.

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 the western side of the Laguna de Santa Rosa, just south of the Tomodachi/Park Village property, and is contiguous to properties located within the City limits. It is owned by the City. Although it is not in the City's jurisdiction, on a practical level, Sebastopol's Police and Fire departments would typically be the first responders in the case of emergency situations. To the City's knowledge no such calls have been made regarding this property, as it is undeveloped. The property is currently owned by the City and is considered open space.

In that the property is within the 100-year flood zone and immediately adjoins Laguna lands, the property does not appear to be in a location appropriate for any new development or housing. Any flooding on the property has the potential to wash debris, fuel, or other material (if the

property were developed) into the Laguna and could pose a public health threat. As such, no further development is proposed for the property. The intent, consistent with the open space easement affecting the property, would be to maintain the property as open space; ensuring that no further development occurs.

Pre Zoning: Under the General Plan the property is designated as Open Space, and zoning designations similar to other properties which boarder the Laguna Preserve appear appropriate. At their April 17, 2018 meeting the City Council was supportive of the pre-zoning of the parcel as W/ESOS. This would be W, Wetlands Primary, and ESOS, Environmental and Scenic Open Space Combining District.

Recommendations:

Staff recommends that the Planning Commission review, hear from interested members of the public, provide any comments, and recommend approval of the Resolution to initiate proceeding with LAFCO for the annexation and amendment of the General Plan map/City's Sphere of Influence for parcel 060-120-015.

Staff also recommends that the Planning Commission forward the ordinance Pre-zoning the property and amending the zoning Map of parcel 060-120-015 to the City Council.

Attachments:

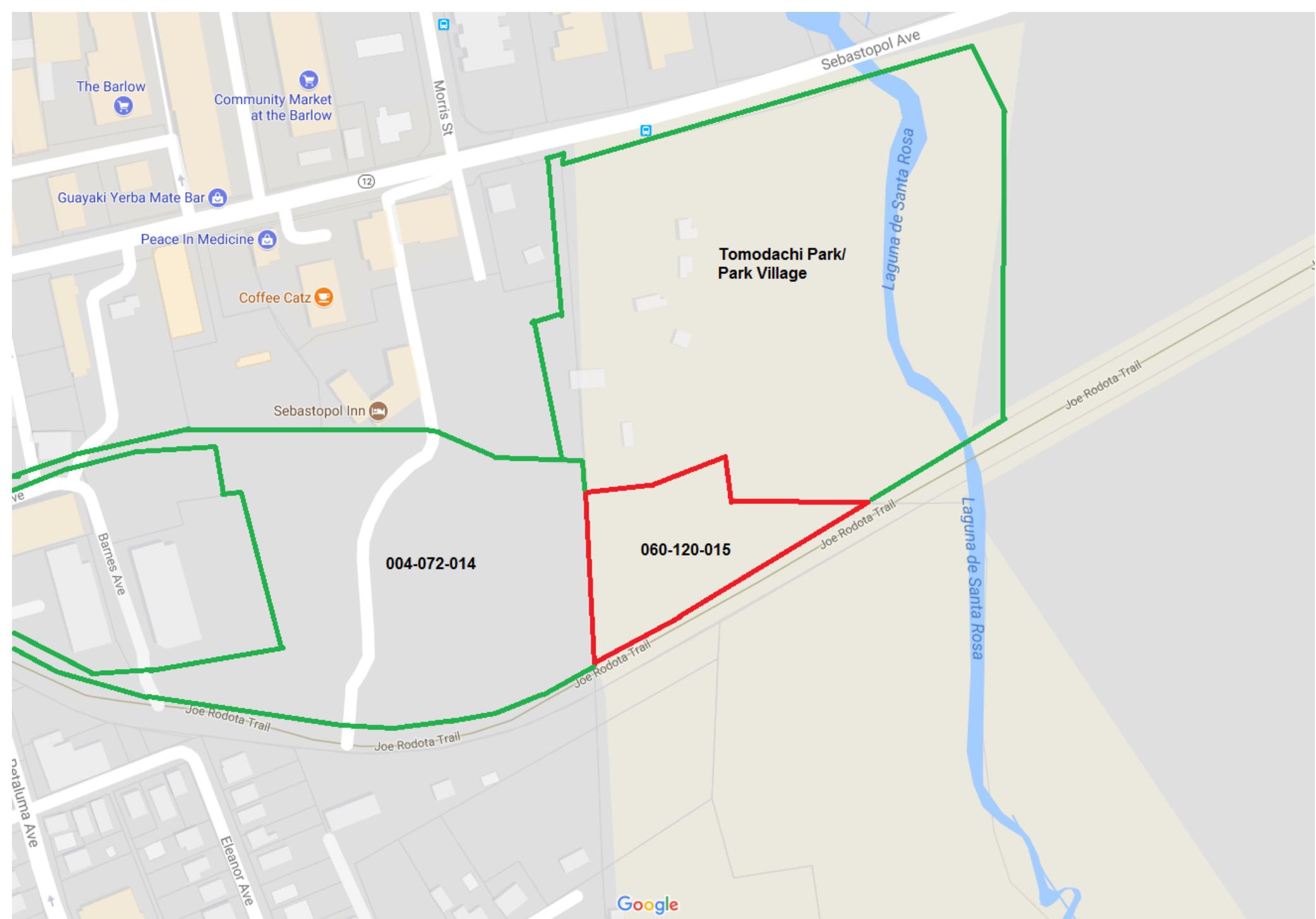
Parcel Map

Vegetation Aerial Photo

Exhibit A: pre-zoning

Resolution to Annex and Amend Sphere of Influence/General Plan Map; and

Ordinance enacting Pre-Zoning Designation and Zoning Map Amendment



The Barlow

Community Market
at the Barlow

Guayaki Yerba Mate Bar

Peace In Medicine

Coffee Catz

Sebastopol Inn

Barnes Ave

004-072-014

060-120-015

Sebastopol Ave

Laguna de Santa Rosa

Joe Rodota Trail

Laguna de Santa Rosa

Joe Rodota Trail

Joe Rodota Trail

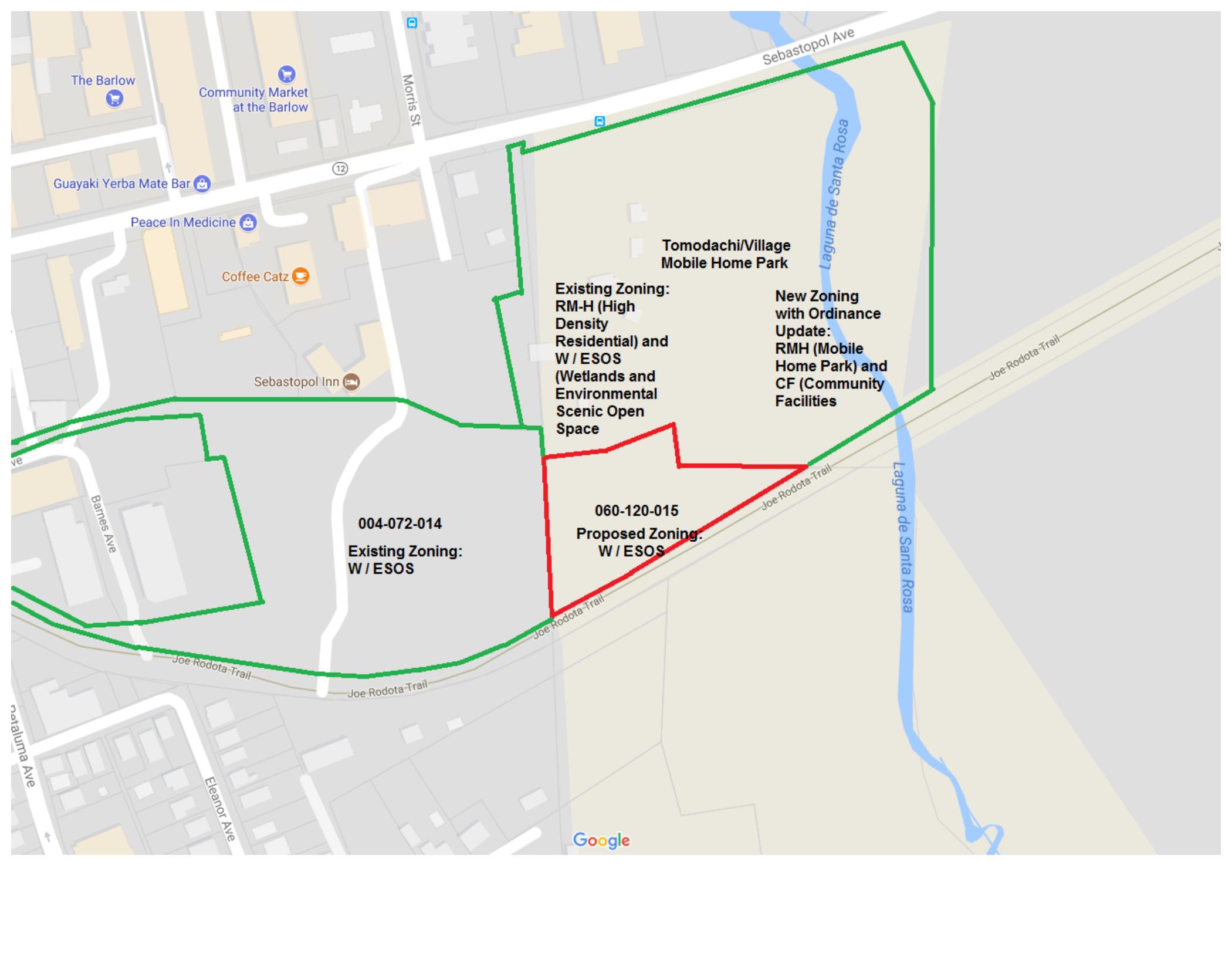
Joe Rodota Trail

Joe Rodota Trail

Eleanor Ave

Google





**Tomodachi/Village
Mobile Home Park**

**Existing Zoning:
RM-H (High
Density
Residential) and
W/ ESOS
(Wetlands and
Environmental
Scenic Open
Space**

**New Zoning
with Ordinance
Update:
RMH (Mobile
Home Park) and
CF (Community
Facilities**

**004-072-014
Existing Zoning:
W/ ESOS**

**060-120-015
Proposed Zoning:
W/ ESOS**

City of Sebastopol

Planning Commission Resolution No. _____

A Resolution of the Planning Commission of the City of Sebastopol Supporting Amendment of the City's Sphere of Influence and Initiation of Proceedings with the Local Agency Formation Commission of the County of Sonoma for a Reorganization Consisting of Annexation of Assessor's Parcel No. (APN) 060-120-015 to the City of Sebastopol and Detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services); and Supporting an Ordinance Pre-Zoning the Subject Parcel; and Amending the General Plan Map and Zoning Map.

Whereas, the City of Sebastopol ("the City") desires to initiate proceedings with the Local Agency Formation Commission of the County of Sonoma, pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, as the same may be amended from time to time, for amendment of the City's sphere of influence and a reorganization consisting of annexation of Assessor's Parcel Number ("APN") 060-120-015 ("the subject parcel") and , detachment of the same parcel from the Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services); and

Whereas, the City desires to amend its General Plan map and Zoning map to include the subject parcel and pre-zone the subject parcel; and

Whereas, the City owns the subject parcel, currently located in unincorporated Sonoma County; and

Whereas, the subject parcel is within the City's Urban Growth Boundary and the City is initiating proceedings with LAFCO to amend the Sphere of Influence; and

Whereas, the subject parcel is contiguous with the City and is visually and culturally part of the City; and

Whereas, the subject parcel includes substantial open space and resources and is part of the existing 'Railroad Forest' property, other areas of which are designated as Environmental and Scenic Open Space; and

Whereas, the pre-zoning and zoning map amendment is compatible with the goals of the General Plan in that it involves a pre-zoning which is appropriate based on the high probability of flooding of the subject property, and the current existing density of the subject property; and

Whereas, as shown in Exhibit A, the subject parcel shall be pre-zoned as Wetlands Primary (W) and Environmental and Scenic Open Space Combining (ESOS); and

Whereas, the proposed reorganization is determined to be exempt from the provision of CEQA pursuant to Section 15319, Annexation 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 whichever 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. City staff considers the subject parcel as a continuation of the parcel located directly to the west (APN 004-072-014) which is zoned as

Open Space under the General Plan and Wetlands/Environmental and Scenic Open Space in the Zoning Ordinance. Both parcels are owned by the City and have an open space easement restricting use. The subject parcel is currently undeveloped; there are no water or sewer utilities on the parcel; and there is no extension of utility service proposed; and

Whereas, on January 23, 2018, the Planning Commission conducted a preliminary review of the amendment of the Sphere of Influence, the reorganization, and pre-zoning of the subject parcel and recommended proceeding to the City Council; and

Whereas, on April 17, 2018, the City Council conducted a preliminary review of the amendment of the Sphere of Influence, the reorganization, and pre-zoning of the subject parcel and recommended that City staff initiate formal reorganization consisting of annexation proceedings with LAFCO; and

Whereas, pursuant to California State Law, public hearing notices were mailed to all property owners within a 600 foot radius of the subject property and a notice of public hearing was published for a minimum of 10 days prior to the public hearing in a newspaper of general circulation;

NOW, THEREFORE, BE IT RESOLVED, THAT, on May 22, 2018, after a duly noticed public hearing, the Planning Commission reviewed and considered information contained in the staff report; supported Amendment of the City's Sphere of Influence, a Reorganization Consisting of Annexation of Assessor's Parcel number 060-120-015 to the City of Sebastopol and Detachment from Rincon Valley Fire Protection District and County Service Area No. 41 (Multi-Services), Amendment of the General Plan Map to Include the Subject Parcel; and Supporting an Ordinance Pre-zoning the Subject Parcel and Amending the Zoning Map for the Subject Parcel, and recommended approval to the City Council.

Adopted this 22 day of May, 2018.

Vote:

Ayes:

Noes:

Abstain:

Absent:

ATTEST: _____

Kenyon Webster, Planning Director

Ordinance No. _____

City of Sebastopol City Council

Zoning Ordinance Pre-Zone Designation and Zoning Map Amendment

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL, CALIFORNIA
APPROVING A PREZONING OF W/ESOS, AND AMENDING THE ZONING MAP, FOR
ASSESSOR'S PARCEL NO. 060-120-015 LOCATED IN SONOMA COUNTY, CA**

Whereas, the applicant, City of Sebastopol, is requesting approval for the pre-zoning and zoning map amendment of approximately 1.92 acres, Assessor's Parcel Number (APN) 060-120-015 ("the subject parcel"), to W and ESOS (Wetlands Primary and Environmental & Scenic Open Space Combining); and

Whereas, the City may, pursuant to Government code section 65859, pre-zone unincorporated territory to determine the zoning that will apply to that territory upon annexation to the City; and

Whereas, the pre-zoning and zoning map amendment is compatible with the goals of the General Plan in that it involves a pre-zoning which is appropriate based on the high probability of flooding, and the current existing density of the subject parcel; and

Whereas, on January 23, 2018, the Planning Commission conducted a preliminary review at which time they supported the pre-zoning of the subject parcel, supported amendment of the zoning map and recommended proceeding with the reorganization consisting of annexation to the City Council; and

Whereas, the City Council, conducted a preliminary review on April 17, 2018 for preliminary action supporting the pre-zoning of the subject parcel, amendment of the zoning map to include subject parcel, and recommending city staff initiate formal annexation proceedings with LAFCO for the reorganization consisting of annexation of the subject parcel; and

Whereas, the proposed pre-zoning and zoning map amendment has been determined to be categorically exempt for the requirements of CEQA pursuant to Section 15305, Class 5, which includes minor alteration to land use limitations in areas with an average slope of less than 20 percent, which do not result in changes in land use or density. The proposed changes are exempt because they involve minor amendments to the zoning map, and the proposed pre-zoning for the site will not increase the land use or density; and

Whereas, pursuant to California State Law, public hearing notices were mailed to all property owners within a 600 foot radius of the subject property and a public hearing was published for a minimum of 10 days prior to the public hearing in a newspaper of general circulation; and

Whereas, on May 22, 2018, the Planning Commission held a duly noticed public hearing at which interested persons had an opportunity to testify either in support or opposition of the proposal and recommended pre-zoning the subject parcel, amending the zoning map to include

the subject parcel and proceed with the reorganization consisting of annexation to the City Council; and

Whereas, on XXXX XX, 2018, the City Council held a duly noticed public hearing at which time interested persons had an opportunity to testify either in support or opposition to the proposal; and

Whereas, the City Council has reviewed and considered the information contained in the pre-zoning and zoning map amendment proposal for the pre-zoning of the subject property (APN 060-120-015); and

NOW, THEREFORE, BE IT RESOLVED the City Council of Sebastopol does hereby introduce this ordinance approving the pre-zoning designation and the zoning map amendment set forth in Exhibit A.

Introduced this XX day of XXXX, 2018.

Vote:

Ayes:

Noes:

Abstain:

Absent:

APPROVED: _____

Mayor Patrick Slayter

ATTEST: _____

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____

Larry McLaughlin, City Attorney

Exhibit A: Pre-Zoning Map