

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: ORDINANCE INTRODUCTION - SEQUOIA GARDENS
PREZONING
STAFF PRESENTER: NOAH HOUSH, CITY PLANNER
COMMUNITY DEVELOPMENT DEPARTMENT

AGENDA ACTION: ORDINANCE

ISSUE(S)

Should the City Council adopt an ordinance rezoning one parcel totaling 29.9 acres to the Mobile Home Park (MH) zoning district to allow annexation of the property from the County of Sonoma to the City of Santa Rosa?

BACKGROUND

1. Surrounding Land Uses

North: Church and Single Family Residential
South: Single Family Residential
East: Single Family Residential
West: County Agricultural Land

2. Existing Land Use – Project Site

The property is a single 29.9 acre parcel developed as a mobile home park, containing 191 units, accessory community buildings and related amenities. The property is currently under the jurisdiction of the County of Sonoma but is on the western edge of the City limits and is just east of the Urban Growth Boundary.

3. Project History

In November 2008, the State of California revised the allowable levels of arsenic in drinking water to a maximum allowable level to 0.010 mg/Liter putting the water supply (well water) for the Sequoia Gardens Mobile Home Park out of compliance with State limitations.

In February 2012, the City of Santa Rosa was awarded a grant under Proposition 84 to fund a solution to the arsenic contamination issue. This grant

allowed the City's Transportation and Public Works Department to submit an application for Prezoning/Annexation of the project property to allow a connection to City Water Services.

On February 20, 2013, a Prezoning/Annexation application was filed after a consultation with the City's Community Development Department determined that the most appropriate solution to resolve the water contamination issue was a City water connection to serve the park and residents. The only way to permit this connection is annexation of the property from the County of Sonoma to the City of Santa Rosa.

On August 12, 2013, City and State staff met with mobile home park residents to present the proposed prezoning/annexation project and to answer any questions they had about the project and/or process.

On September 12, 2013, the Planning Commission held a public hearing and adopted a resolution (5-0-2) recommending that the City Council prezone the 29.9 acre site to the Mobile Home Park (MH) zoning district.

ANALYSIS

1. Project Description

The proposed project involves the prezoning of one property, totaling 29.9 acres, to the Mobile Home Park (MH) zoning district, consistent with the Mobile Home General Plan designation of the property. This is the first step in the process to annex the parcel from the County of Sonoma to the City of Santa Rosa, with the Local Agency Formation Commission (LAFCO) making the final determination on the annexation.

The motivation for the application is to allow the park residents access to City water services, to address arsenic contamination that is in excess of State standards, which currently affects the well serving the mobile home park. No additional development is proposed. The parcel located at 433 Fulton Road, is currently developed with 191 mobile homes and is served by a City sewer connection. The application is the result of a Proposition 84 grant to fund a solution to the well contamination issue.

2. General Plan

The project site is designated as Mobile Home by the General Plan. The Mobile Home designation allows only mobile home development at a range of 4-18 units per acre. The density of the project property is 6.39 mobile home units per acre, consistent with the density allowances of the designation.

The following are General Plan policies that apply to the proposed project:

- UD-G-2 Locate higher density residential uses adjacent to transit facilities, shopping, and employment centers, and link these areas with bicycle and pedestrian paths.

- LUL-A-2 Annex unincorporated land adjacent to City limits and within the Urban Growth Boundary, when the proposal is timely and only if adequate services are available. Ensure that lands proposed for annexation provide a rational expansion and are contiguous to existing urban development.

- LUL-E Promote livable neighborhoods. Ensure that everyday shopping, park and recreation facilities, and schools are within easy walking distance of most residents.

- LUL-F Maintain a diversity of neighborhoods and varied housing stock to satisfy a wide range of needs.

The project meets many of the policies of the General Plan in that it will allow higher density housing within a quarter mile of three bus stops; the proposed annexation is completely within the urban boundary and a plan for services has been completed documenting that adequate services are available to serve the facility; the project site is approximately one half mile from the Place to Play Park and within one mile of a variety of shopping locations; and the project would bring housing units into the City that will contribute to a variety of housing stock.

3. Zoning

- North: Single Family Planned Development (PD 318)
- South: Single Family Planned Development (PD 294)
- East: Single Family Planned Development (PD 76)
- West: County

The project seeks to prezone the property to the MH Zoning District to allow annexation to the City of Santa Rosa. The project site is developed with 191 Mobile Home units, consistent with the proposed zoning district. If approved, this will allow the City of Santa Rosa to apply for annexation to LAFCO on behalf of the owner and residents.

This pre zoning will not impact the County's jurisdictional authority over the property until such time as the site is annexed to the City of Santa Rosa.

4. Environmental Review

This project qualifies for a Class 19 Categorical Exemption under Section 15319 of California Environmental Quality Act (CEQA) in that the proposal is the annexation of a parcel containing existing "...private structures developed to the density allowed by the current zoning or rezoning 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."

5. Comments/Actions by Other Review Boards/Agencies

On September 12, 2013, the Planning Commission held a public hearing and adopted a resolution (5-0-2) recommending that the City Council prezone the 29.9 acre site to the MH zoning district. There was no public comment received at the meeting.

The role of the City Council is to make the final decision on the rezoning designation, based on the underlying General Plan designation. The ultimate decision on the annexation is made by the Local Agency Formation Committee (LAFCO).

LAFCO has provided a comment letter on the project which primarily discusses the potential impacts of granting a Utility Certificate approval and having the annexation fail due to a lack of support from park residents. Given that the project being considered for action is the rezoning, these concerns are no longer an issue. The concern that the annexation itself could be voted down is a valid issue, but one that staff feels is unlikely to result after hearing from park residents in a meeting held at the park to discuss the issue.

6. Neighborhood Comments

Both written correspondence and phone calls have been received regarding the proposal. Questions raised primarily concerned the financial impacts of being annexed to the City and connected to City utility services. Staff from both the City and State attended a resident meeting to discuss the project and answer questions about the proposal and process. At this meeting, staff was able to answer most of the questions posed by residents, and a feeling of general support for the proposal was conveyed. Essentially, both park residents and the park owner understand that annexation to allow a City utility connection, funded by a grant from the State, is the most effective mechanism to solve their water contamination issues.

Mobile Home Park Conversion and Resident Concerns:

The Sequoia Gardens mobile home park was recently the subject of an attempt to convert the existing units to air-space condominiums through a subdivision

process. This request was denied under the jurisdiction of the County of Sonoma. Bringing the property into the jurisdiction of the City of Santa Rosa would allow a new subdivision application to be filed.

The potential filing of a new subdivision application was a concern voiced by a large majority of the park residents, as they spent significant time and resources to oppose the subdivision in the County. While an application to subdivide the property could result from a change in jurisdiction, staff finds the filing of such an application with the City to be very unlikely.

City staff recently denied a similar conversion application for a mobile home park in the City limits, filed by the same property owner. The scenario of that application is very similar to that of Sequoia Gardens and such an application would face a similar process, including significant resident opposition. To address the concerns of the park residents, the property owner has written a letter indicating he has no intent to file such an application, should the property be brought under the jurisdiction of the City of Santa Rosa. While the letter is not binding, it does provide a record of property owner intent with the City.

Most other resident concerns addressed the current rent control rate, and other potential financial impacts associated with coming into the City of Santa Rosa. The rent control formula used by the County is the similar to that used by the City and significant change to the rent control status of the mobile home units is not anticipated.

Additional costs associated with the annexation to the City are relatively minimal, and have been conveyed to the residents and property owner. As mentioned above, the rezoning/annexation is generally supported by a majority of the residents.

7. Public Improvements/On-Site Improvements

The plan for services identifies the need for the onsite fire hydrants to be replaced. These hydrants will be served by a separate and dedicated water line. Additionally, the property owner will be dedicating a public sidewalk easement to the City to allow future extension of the Fulton Road sidewalk across the property frontage.

8. Issues

Proposition 84 Funds:

The current allocation of grant funds is only enough to cover the permitting costs of providing a water connection to the property. A separate future allocation of these funds will be required to actually pay for the costs of connecting the park to the City utility system. The funds are anticipated to be provided from the state,

and approval of the rezoning/annexation will make the future allocation of these funds more likely to be supported by the staff managing the Proposition 84 funds.

RECOMMENDATION

It is recommended by the Community Development Department and the Planning Commission that the City Council introduce an ordinance to rezone the 29.9 acre property located at 433 Fulton Road to the Mobile Home Park zoning district to allow annexation of the property from the County of Sonoma to the City of Santa Rosa to address contamination a well serving the 191 on-site mobile home units.

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Attachments:

- Location Map
- Project Documents (Site Plan, Neighborhood Context Map, Building Elevations/photos, Annexation Map, Plan for Services)
- Letter from Don Jurow, Property Owner
- Referral Response Letters from LAFCO (x2)
- Planning Commission Resolution Number 11650
- Planning Commission Draft Meeting Minutes – September 12, 2013
- Resident Letters and Questions