



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: MAY 12, 2014

ITEM NUMBER:

PH-5

SUBJECT: GENERAL PLAN AMENDMENT AND PRE-ZONING OF THE COLLEEN-SANTA ANA ANNEXATION AREA:
GENERAL PLAN AMENDMENT GP-14-02, FROM MDR (MEDIUM DENSITY RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL); REZONE R-14-02 TO R-1 (SINGLE-FAMILY RESIDENTIAL; FINDING THE PROJECT EXEMPT FROM CEQA PER SECTION 15319(a)
LOCATED NORTH OF 22ND STREET AND EAST OF SANTA ANA AVENUE

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: JERRY GUARRACINO, INTERIM ASSISTANT DIRECTOR

DATE: MAY 5, 2014

FOR FURTHER INFORMATION CONTACT: Jerry GUARRACINO, AICP (714) 754-5631
jerry.guarracino@costamesaca.gov

DESCRIPTION:

The proposed project is a General Plan Amendment and Rezone of a county island commonly referred to as the Colleen-Santa Ana Annexation Area. The new General Plan Designation to LDR (Low Density Residential and Pre-zoning to R-1 (Single-Family Residential), in this area for the City of Costa Mesa sphere of influence, is being done at this time to facilitate a City sponsored application to Orange County Local Agency Formation Commission (LAFCO) to annex this area.

APPLICANT

City sponsored GPA and Rezoning in association with the proposed annexation of the Colleen-Santa Ana area.

RECOMMENDATION

That the Planning Commission adopt the attached resolutions recommending that the City Council take the following actions:

1. Find that the Project is exempt from the provisions of the California Environmental Quality Act under Section 15319(a)—Annexation of Existing Facilities and Lots for Exempt Facilities.
2. Approve by adoption of resolution General Plan Amendment GP-14-02.
3. Give first reading to the ordinance approving Rezone R-14-02.

BACKGROUND

Starting in 1996, the City Council has provided direction and support relating to the annexation of County islands located within the City's Sphere of Influence ("SOI") near the City's easterly border with the City of Newport Beach. Seven Eastside County areas were originally identified for annexation into the City at the on-set of the Eastside annexation efforts. Annexation Areas 1, 2, 3, 4 & 6 were approved for annexation in 2003 by OC LAFCO under the Small Island Annexation provisions of Government Code Section 56375.3. Annexation Areas 5A, 5B, and 5C were also proposed for annexation in 2003 under the same small island proviso; however, a legal challenge filed by a property owner in Area 5A (the subject County island) placed the annexation on hold pending resolution of the lawsuit. The annexations of Areas 5B and 5C have already been approved by OC LAFCO, while Area 5A (Colleen-Santa Ana Annexation Area) may now move forward due to the resolution of the legal challenge by a former property owner in the Island.

PUBLIC OUTREACH

The City held a pair of community outreach meetings at Kaiser Elementary School, the first of these was on October 23rd, 2013. A 10-day public notice of the community outreach meeting was sent to property owners within the Island. At the meeting, City staff discussed services that the City provides. Additionally, LAFCO staff made a presentation regarding annexation law and the annexation process. A question-and-answer session was also conducted at the meeting.

The second community outreach meeting was held on April 2, 2014. For this meeting the City sent a 10-day public notice to all affected property owners within the Island and all the property-owners within a 500 foot radius of the island. The meeting format was similar to the first community outreach meeting.

The residents attending the meeting expressed a preference to be annexed by the City of Newport Beach, because it was assumed that it would have a positive effect on their property values. Most of the other comments were from property owners living on the south side of Colleen Place who raised concerns about what could be allowed on the vacant parcels directly behind their homes. In particular the potential loss of privacy from multi-level homes and the City of Costa Mesa R-1 rear yard setbacks of 10-feet for a single story home and 20-feet for a 2-story home.

ANALYSIS

Annexation Process

The Unincorporated Islands Program (Government Code Section 56375.3) was established through a joint commitment of LAFCO, the County, and the League of California Cities with a goal to annex 50 small, unincorporated islands within a three-year period. Government Code Section 56375.3 streamlines the procedural requirements for small island annexations provided that the annexation meets specific criteria such as size (less than 150 acres), availability of public utilities, and presence of public improvements.

The annexed area must also be surrounded or substantially surrounded by the City to which annexation is proposed, and further, the annexed area must be found to benefit from annexing to the City.

The Island is identified as one of the small islands within the County at approximately 14 acres in an area that already contains public utilities and public improvements. The City of Costa Mesa borders more than 50% of the Island's total boundary, with borders on a portion of the northerly border and the entire westerly and southerly borders. The City of Newport Beach borders a portion of the northerly border and the entire easterly border. Additionally, nearly all properties within the Island must be accessed from points within the City. Direct connections to the Island generally do not exist through the City of Newport Beach.

The Island is nearly built-out and is primarily developed with single-family residential structures and also currently contains several undeveloped parcels south of Colleen Place, northeast of the intersection of Santa Ana Avenue and 22nd Street. Since the Island is within the City's Sphere of Influence (SOI), the City currently provides emergency response services to the Island. In addition to the emergency services already provided by the City, annexing the Island will allow the City to provide more efficient municipal services including building, planning, and community recreational services. The annexation is also anticipated to improve and simplify service delivery and governance.

In order for the City to make an application to OC LAFCO under the small island provisions, the City must provide an approved resolution that requests OC LAFCO initiates proceedings for the annexation of the Island, which was approved by City Council in November 2013. The next step in the process is adoption of an appropriated General Plan Designation and pre-zoning for the annexation area, which is the reason for the proposed action. Finally, the city must adopt a property tax agreement with the County. All of these items must be provided to OC LAFCO before the OC LAFCO Commission may approve the annexation. Once approved by the OC LAFCO Commission, the annexation of the small island is not subject to protest or an election.

The annexation of this County Island will provide local control of the area and will prevent a change of zone for any undeveloped parcels that would allow 8 to 18 dwelling units per acre consistent with the County General Plan Designation. The Project is consistent with General Plan Land Use Objectives as follows:

- LU-3A.1 Pursue annexation of certain areas within the City's Sphere of Influence to control development of uses which may be detrimental to the City.

General Plan Amendment GP-14-02

The Annexation Area is currently in the City of Costa Mesa SOI and has a General Plan Designation of MDR (Medium Density Residential), which reflects the County's General Plan Designated of 1B (Suburban Residential) 0.5-18 units/acre. The proposed General Plan Amendment GP-14-02 to SFR (Single Family Residential) would allow a density of less than 8-units/acre that is a density which is more consistent with the existing development in the annexation area.

Rezone R-14-02

A rezone (or pre-zoning) of the annexation area from the County's R-1 zone with a minimum lot size of 7,200 Square Feet to The City of Costa Mesa's R-1 (Single-Family Residential) zoning with a minimum lot size of 6,000 Square Feet. The proposed rezone to R-1 would be consistent with the proposed LDR General Plan designation for the site.

FISCAL REVIEW

While there is no fiscal impact anticipated as a result of the GPA or Rezone, the eventual annexation of the area will have minor financial impacts. The Public Services Department has estimated that the total first-year expenditures (including start-up and recurring annual costs) would total approximately \$12,895.00 with an annual recurring cost of approximately \$10,181.00. The costs are related to items such as parkway and median maintenance, storm drain maintenance, signs and markings, street sweeping (City already provides this service on adjacent streets), and street maintenance costs. A potential capital improvements project that includes installing missing sidewalks and upgrading driveways to City standards along Colleen Place has an estimated cost of \$60,000.00 if the City should pursue the project at a later date.

OC LAFCO currently provides a fee waiver for small island annexations.

LEGAL REVIEW

The City Attorney has reviewed this report and its attachments and has been approved as to the form by the City Attorney's Office.

ENVIRONMENTAL DETERMINATION

The project is exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15319(a) – Annexation of Existing Facilities and Lots for Exempt facilities.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Continue the item to allow additional time for further analysis or revisions to the project.
2. Recommend City Council deny the project. If the City Council denies the project, the LAFCO application for Annexation of the Colleen-Santa Ana Island will not be able to move forward.

RESOLUTION NO. PC-14-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA RECOMMENDING THAT THE CITY COUNCIL OF THE CITY OF COSTA MESA ADOPT GENERAL PLAN AMENDMENT GP-14-02 CHANGING THE LAND USE DESIGNATION OF THE 14-ACRE COUNTY ISLAND COMMONLY KNOWN AS THE COLLEEN – SANTA ANA ANNEXATION AREA FROM MDR (MEDIUM DENSITY RESIDENTIAL) TO LDR (LOW DENSITY RESIDENTIAL); AND REZONE R-14-02 TO ZONE THE SITE R-1 (SINGLE-FAMILY RESIDENTIAL).

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, the City Council of the City of Costa Mesa adopted the 2000 General Plan on January 22, 2002;

WHEREAS, the General Plan is a long-range, comprehensive document that serves as a guide for the orderly development of the City of Costa Mesa.

WHEREAS, by its very nature, the General Plan is subject to update and revision to account for current and future community needs.

WHEREAS, the General Plan encourages annexation of County Islands.

WHEREAS, the proposed General Plan Designation of Low Density Residential (LDR) will be the most consistent with the current built environment.

WHEREAS, the Rezone to R-1 (Single-Family Residential) is consistent with the General Plan Designation of LDR.

WHEREAS, the proposed project is the General Plan Designation and Pre-zoning of a County Island in anticipation of future annexation, along with the following specific entitlements:

1. **Find that the project is exempt for CEQA** under Section 15319(a) – Annexation of Existing Facilities and Lots for Exempt Facilities.
2. **General Plan Amendment GP-14-02.** To change the land use designation of the 14-acre site from MDR (Medium Density Residential) to LDR (Low Density Residential).
3. **Rezone R-14-02.** A rezone (or change) of the zoning classification of the 14-acre site from the County designation of 1B (Suburban Residential) 0.5-18 units/acre to the City of Costa Mesa designation of R-1 (Single-Family Residential) 8 units/acre.

WHEREAS, the General Plan Amendment involves an amendment to the Land Use Map of the City of Costa Mesa (Exhibit A);

WHEREAS, approval of the project is pending adoption of Ordinance No. 14-__ for Rezone R-14-02;

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 12, 2014, with all persons having the opportunity to speak and be heard for and against the proposal.

WHEREAS, pursuant to the California Environmental Quality Act (CEQA), the Planning Commission finds that the project is exempt from further review under Section 15319(a) Annexation of Existing Facilities and Lots for Exempt Facilities.

WHEREAS, the Planning Commission recommended that City Council find the project exempt from further CEQA review under Section 15319(a), approve General Plan Amendment GP-14-02; and Rezone R-14-02.

BE IT RESOLVED that, based on the evidence in the record, the Planning Commission hereby **RECOMMENDS THAT THE CITY COUNCIL ADOPT** GP-14-02 which amends the Land Use Map of the City of Costa Mesa (Exhibit A) and R-14-02 to pre-zone the site to R-1 (Single Family Residential).

PASSED AND ADOPTED this 24TH day of March, 2014.

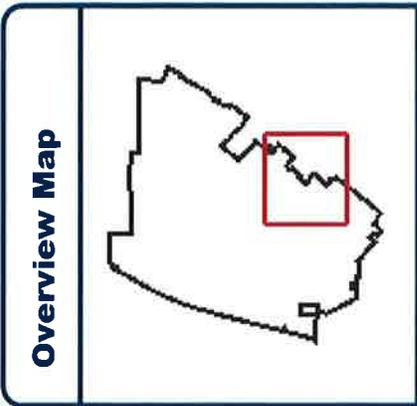
Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, CLAIRE FLYNN, Secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on March 24, 2014, by the following votes:

AYES: COMMISSIONERS
NOES: COMMISSIONERS
ABSENT: COMMISSIONERS
ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission



Legend

	Address Points		Street Names
	Freeway		Street Centerlines
	Roads		ROW Lines
	Collector Freeway		Parcel Lines
	Major Freeway		City Boundary
	Newport Blvd		
	Primary Freeway		
	Secondary Freeway		
	Hydrology		
	Channel		

Exhibit A



General Plan Designation	Rezone
Existing (County): 1B (Suburban Residential)	Existing (County): R-1 – Minimum 7,200 Sq. Ft. Lots
Current (City SOI): MDR (Medium Density Residential)	
Proposed City: LDR (Low Density Residential)	Proposed City: R-1 – Minimum 6,000 Sq. Ft. Lots

GUARRACINO, JERRY

From: Elizabeth Parker <lparker2@sbcglobal.net>
Sent: Monday, May 12, 2014 4:12 PM
To: GUARRACINO, JERRY
Subject: Fw: from Liz Parker: Colleen Place Annex - RESPOND ASAP about hearing tonight

----- Forwarded Message -----

From: Elizabeth Parker <lparker2@sbcglobal.net>
To: "jerry.guarracino@costamesaca.gov" <jerry.guarracino@costamesaca.gov>
Cc: "tom.hatch@costamesaca.gov" <tom.hatch@costamesaca.gov>
Sent: Monday, May 12, 2014 2:19 PM
Subject: from Liz Parker: Colleen Place Annex - RESPOND ASAP about hearing tonight

Hi Jerry,

I also left you a voice message.

I need to let you know the following summary from the meetings (of which you ONLY attended one) is not only incorrect it actually is a HUGE issue and can not continue to be put into record as accurate, because it is anything BUT accurate:

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There were over 19 different homeowners represented between these 2 meetings and ONLY 1 at the last meeting discussed her distress at not having the option of going to Newport Beach for the sole purpose of raising her property values.

This truly shows us all the affect of not listening to our concerns regarding being forced into annexation!

I formally request BEFORE the meeting begins to discuss this issue on Planning Commission's Public Hearing #5 that you produce a written summary of the TRUTH of ALL of our concerns about why we do not believe the city of Costa Mesa has our best interest in this entire process. I know this sounds harsh, but once something is in the record without this clarification and correction then it becomes the truth and this is far form the truth!

And since each of us will ONLY be given 3 minutes to speak, I do not believe it is FAIR nor APPROPRIATE to have any of us take up our time to correct your errors.

Here is the summary of our concerns that were completely left out (so truly disrespectful):

1. The airport expansion and the flight times and sizes which lead to noise is a critical area for us -one of which the city has agreed they are NOT going to take any sort of leadership to help with this for all East Side Homeowners - where as the City of Newport Beach WILL
2. The concentration of removing a single residence and building the MAXIMUM density allowed by the city's zoning ordinance, instead of stepping back and viewing what is best for the surrounding neighbors, street traffic, open space, etc.
3. The higher density the city of Costa Mesa always builds in their zoning compared to the City of Newport Beach -- although the city of Newport Beach may allow for higher density per R-1, they have a history of NOT having development to that higher density.
4. The lack of helping or in any way assisting with the terrible increase in traffic along Santa Ana Ana and the other main streets which run through our neighborhood (i.e. the amount of traffic makes it nearly impossible to simply pull out of our streets during certain times of the day)

Please, confirm you received this email and the corrections will be coming up during the Public Hearing and or we will be giving an additional allotment of time to correct these errors in the staff report.

Thank you,

Liz Parker
307 Colleen Place