

Issues expressed about Annexation during the May 1st, 2017 La Habra City Council meeting

The following is an updated recap of comments/concerns raised during the May 1st, 2017, La Habra City Council meeting and staff's response:

- ***Will the City rezone properties to allow for multi-family development in the area?***

Properties within the County Islands are developed. The General Plan Land Use designations in the County and the City are consistent with each other (see <http://lahabraca.gov/DocumentCenter/View/6991> for the City and <http://lahabraca.gov/DocumentCenter/View/6992> for the County). If annexation moves forward, City Staff will begin processing a Zone Change for the placement of a Pre-Zone of C-2 (Commercial) onto the properties addressed as 2331 to 2371 and 2601 West Whittier Boulevard. Pursuant to State Law, residential lots may contain a second residential unit subject to certain conditions whether it is located in the City or County.

- ***If annexation occurs, will that mean I pay a higher property tax rate?***

No, the basic Levy Rate (1.000000 percent) remains the same whether the property is located in the County or the City. Service Agency charges differ based on the location of a property. For example, if a parcel is located within the boundary of the La Habra City School District, a voter-approved tax is assessed against the lot. This occurs in all islands with the exception of the Macy-Randall Island. The only other Service Agency Fee difference reflected on property tax bills is the Orange County Sanitation District Sewer User Fee. Parcels in the City that are connected to the City's sewer system are assessed this fee.

- ***What is the full cost to the resident upon annexation? Is not the cost to reside in La Habra higher than remaining in the County?***

Service needs for each parcel may vary and it is difficult to estimate what additional costs, if any, could apply to a property-owner if annexation occurs. City departments reviewed the City of La Habra's Fee Schedule to identify fees that could apply should a resident require a particular service. Fees for copies, a home business license, building plan check review, and refuse and water costs have been identified as potential service needs fees. A copy of the City Fee schedule and County Fee schedule is available on the City's website at <http://lahabraca.gov/1198/Fee-Comparisons>.

In addition, staff has reviewed typical residential home improvement projects (such as construction of a patio cover, construction of a bedroom addition, water heater replacement, construction of a block wall, construction of a swimming pool, and kitchen/bathroom remodels) to determine if permit fee costs in La Habra are similar to those charged by the County. In most of these cases, the cost of these fees were less in La Habra than in the County (see <http://lahabraca.gov/DocumentCenter/View/6993>).

- ***Obtaining permits from the County is easier than getting than from the City.***
La Habra City Hall is closer to County Island residents than is County Administrative offices, which are located in Santa Ana. The City of La Habra is located 2.4 miles from the furthest home on Macy Avenue versus 19.2 miles to the County Administrative offices. In addition, the typical “turnaround time” for the City’s review of building plan check is ten (10) working days with building inspections performs the next day, whenever possible. This is generally consistent with the County.
- ***If we currently have an active building permit, will we be able to complete the work with the County?***
Yes. The agreement that transfers the property from the County to the City will make the County responsible for completing all active building permits for work being performed in the County Islands.
- ***Any work done requiring a permit (including connection to sewer system) increases their property taxes.***
The County Tax Assessor’s Office has indicated the elimination of a septic tank and connection to a sewer line will not trigger a reassessment of the property. Maintenance or replacement of existing improvements such as roofs, garage doors, kitchen cabinets or counters, flooring, patio covers, central heating or air-conditioning equipment, windows, doors, decks, flatwork and fences do not trigger reassessment of a property. The construction of new buildings or structures on a property, or significant remodeling work that changes the utility or effective age of a property, may result in the reassessment of the property but just for the improvements made (see <http://lahabraca.gov/DocumentCenter/View/6830>). However, such a reassessment would occur regardless of whether the property is located in the City or in a County Island.
- ***Will existing property improvements be “grandfathered?”***
All permitted improvements developed to County standards will be grandfathered into La Habra and receive legal non-conforming status. The development standards for the County and City are very similar and therefore staff expects only

minimal conflicts for permitted construction. For a comparison of City of La Habra and County of Orange development standards, please see <http://lahabraca.gov/DocumentCenter/View/6990>.

- ***What is the cost for sewers versus septic tank maintenance?***

Properties connected to the City sewer system pay an annual Orange County Sanitation Sewer User Fee of \$327 on their property tax bill. There is no annual maintenance cost for a septic tank system. However, in discussions with septic tank service providers, it is good practice to pump a septic system once every two to three years at a cost ranging from \$400 - \$530.

- ***Who is going to make the determination as to when connection to the sewer system will be required?***

The City of La Habra Chief Building Official will make the determination when a property owner is required to connect to a sewer line. This only applies to properties located within 200 feet of a public sewer line. Connection will be required when the existing septic tank fails or substantial improvements occurs to the property (50% or more of added building square footage).

- ***Would a sewer line be constructed on private streets in the County Islands?***

The City would only consider placing a public sewer line in a private roadway under specific circumstances, including:

- a petition of all property owners having interest/ownership of the roadway,
- the successful negotiation of an agreement that grants the City an easement for the sewer line (at no cost to the City), and
- the approval of the City Council to perform the work, subject to available funding.

In that scenario, the direct connection of a home to the sewer line would be the responsibility of an individual property owner. As noted above, in regard to public streets the City will install public sewer lines onto public streets to complete missing gaps subject to the availability of funding.

- ***If no sewer line is to be built upon private roadways, there is no benefit for residents that abut the private street to annex.***

The placement of a public sewer line onto a private roadway is subject to the owners of that easement allowing for such improvement, City Council approval and there being available funding. Annexation provides that opportunity in the future should there be a desire of the neighborhood to seek that service.

- ***Randall-Macy is served by Suburban Water. Why should that County Island be annexed by the City?***

The County of Orange and the Local Agency Formation Commission is requiring the City to annex all existing County Islands before they will approve the City's request to purchase the water service areas of Cal Domestic located within the other County Islands. In addition, the County Administrative Office has indicated the revenue sharing agreement negotiated by the County and City of offset costs the City may assume for construction of public improvements will not be approved by the County unless annexation occurs.

- ***What if County Island residents do not want other public improvements, such as sidewalks, streetlights, or sewers?***

The City will not construct any sidewalks or streetlights along private roadways.

In the event certain public improvements, such as sidewalks and streetlights are not desired along public roadways, there is a process whereby residents in an area can be designated as "Rural" by the City Council thereby declaring this area free from that particular public improvement (see <http://lahabracaca.gov/DocumentCenter/View/6999>).

- ***You will be required to have a permit for overnight parking on the public street when none is required now. Are there exceptions?***

Yes, parking permits are required for vehicles parked overnight on public streets between 2:00 a.m. to 6:00 a.m. Parking permits may be issued in situations where the property owner operates more vehicles than can be parked within the two-car garage (a minimum of one vehicle should be able to park in the garage) and driveway. The cost of a parking permit is \$32.00 and renewed on an annual basis. There are no formal exception procedures to the parking permit requirement or fee. For more information on the City's overnight parking permit process, please see <http://ca-lahabra.civicplus.com/861/Apply-for-an-Overnight-Parking-Permit>.

- ***Who is responsible for maintenance of private streets?***

The owners of the private roadway are responsible for its maintenance. Should the owners request and the City agree to place a sewer line within the private roadway, the City would be responsible for repairing the portion of the roadway distributed by the placement of the sewer line. Once repairs are completed, continued maintenance for the roadway will be the responsibility of the ownership group.

- How is vehicle enforcement handled on private roads?***

The City does not enforce vehicle-parking restrictions along private roadways; City parking restrictions apply only to properties along public streets. The Los Angeles County Fire Department has authority to enforce the State Fire Code that requires Fire Lanes be maintained. The County of Orange enforces parking restrictions on private property regardless of whether the parcel is served by a public street or private roadway. The Orange County Fire Authority enforces Fire Lane requirements on private roadways.
- If annexation occurs, may we continue to park on private streets?***

The City does not enforce vehicle-parking restrictions along private roadways. City parking restrictions only apply to properties along public streets. The Los Angeles County Fire Department has authority to enforce the State Fire Code Fire Lane requirement. The Orange County Fire Authority currently enforces Fire Lane requirements on private roadways.
- Will parking pads on private property off a private street remain if annexation occurs?***

The City does not enforce vehicle-parking restrictions along private roadways. City parking restrictions on private property only apply to properties along public streets. The County of Orange enforces parking restrictions on private property regardless of whether the lot is accessible through a public street or private roadway.
- We have heard that property addresses will change if annexation occurs. This represents a substantial cost for residents***

The La Habra Community Development and Police Departments, along with the Los Angeles County Fire Department, which contracts with the City of La Habra for fire services in our community, collectively recommend that property addressees be consistent with the City's existing street numbering sequence. In the event of an emergency, time is of the essence. Should an out of area emergency responder be tasked to assist in the response to an emergency, it could be a challenge to find the location if the existing street numbering system in the County Islands continues.

In addition, electrical power outages could cause wireless transmission towers to become inoperable during an emergency, which is a situation that has occurred in Northern California due to wildfires. The renumbering of homes to adhere to the City's street numbering sequence assures consistency throughout the community and a quicker response from affected utility companies. Furthermore, every

annexation processed in the City's history has adhered to the City's numbering system without exception.

In regards to a potential cost to property-owners, staff recognizes property-owners may need to alert their respective billing agencies, friends, and families of the change in address. As to Living Trusts, staff has contacted two Estate Planning attorneys that have indicated the legal description of the property would govern the trust, not the address. A "correcting" deed with the new address may be filed by the property-owner, but it is not legally required.

- ***Emergency response vehicles are able to find homes now. Why change addresses?***

This contention assumes that every responding emergency provider is familiar with the City's current addressing system and utilizes a GPS mobile device for assistance. As noted above, that may be the case, particularly in an emergency situation where outside agencies respond through mutual aid. In addition, depending on the emergency, GPS service may not be available and a consistent street address system would be the more reliable method of finding a particular location.

- ***What agencies does the City contact when addresses are changed?***

The City contacts the following agencies when new home address numbers are assigned:

- The United State Post Office
- California Department of Transportation
- La Habra Water Authority
- CR&R (the City's contracted refuse collection company)
- Southern California Edison
- Southern California Gas
- Verizon Telephone
- AT&T Telephone Company
- Time Warner
- Los Angeles County Fire Department,
- California Department of Finance
- State Board of Equalization
- Orange County Voter Register's Office
- All City Departments

- ***The City's annexation effort should have more public outreach.***

There is no public hearing requirement as part of the annexation process; however, the City's practice is to notify property-owners and residents of the County Islands

of actions to be taken by the City Council regarding this matter. In addition, a dedicated web page has been established that contains materials provided to the City Council on annexation. Furthermore, all materials presented to the City Council have been made available to the public at the public counter and the City's web site under the specific City Council meeting agenda at least 72 hours in advance of any meeting.

- ***Residents should be permitted to vote on the matter.***

Each of the existing County Islands is less than 150 acres in size. The State Legislature determined that county islands below this threshold are of limited size and that no vote of property-owners is required to approve or disapprove the City's efforts to annex the area. Upon submittal of a formal annexation request by the City to LAFCO, the item will be scheduled for consideration by that agency.

- ***What is the expected time frame for the annexation process?***

Upon completion of pre-zoning the two commercial properties for commercial consistency between the County and City General Plan, a formal annexation application will be submitted to LAFCO. It is anticipated that LAFCO's approval process would last approximately 3-6 months.