

**Resolution No. 2024-XXX N.C.S.**

**RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION MAKING FINDINGS OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMENDING THAT THE CITY COUNCIL ORDER THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE CITY OF AN ORDINANCE TO MODIFY EXISTING REFERENCES TO SPECIFIC POSSIBLE EXPANSION AREAS, MODIFY CRITERIA SPECIFIC TO TRANSIT ORIENTED DEVELOPMENT, AND EXTEND THE TERM OF THE PETALUMA URBAN GROWTH BOUNDARY THROUGH DECEMBER 31, 2050 AND MAKE CONFORMING AMENDMENTS TO THE GENERAL PLAN**

**WHEREAS**, the City of Petaluma's Urban Growth Boundary (UGB) was initially adopted through voter approval of Measure I in November 1998; and

**WHEREAS**, the City's voter-approved UGB established a physical boundary to contain urban growth and development in Petaluma; and

**WHEREAS**, the term of the UGB as adopted in 1998 extended through December 2018; and

**WHEREAS**, the purposes of the UGB include: encouragement of efficient growth patterns, promoting uses that foster public health and safety and productive investment for farming enterprises on lands outside the UGB; protection of Petaluma's natural setting; facilitation of housing needs for all economic segments of the population where services and infrastructure can be provided most cost effectively; and fostering appropriate economic development in accordance with the City's unique local conditions; and

**WHEREAS**, the City's 1998 voter-approved UGB was codified as an amendment to the Land Use element of the City's 1987 General Plan, and consisted of Goal 1-G-4 and Policies 1-P-29 through 1-P-36; and

**WHEREAS**, the Petaluma City Council adopted on April 7, 2008 Resolution No. 2008-059 N.C.S. approving the Petaluma General Plan 2025 and replacing the City's 1987 General Plan was by by ; and

**WHEREAS**, the City Council certified a program Environmental Impact Report, State Clearing House # 2004082065, ("EIR") in accordance with the requirements of the California Environmental Quality Act ("CEQA") for the City of Petaluma General Plan 2025 with the appropriate findings of fact on April 7, 2008 by the adoption of City Council Resolution No. 2008-058 N.C.S.; and

**WHEREAS**, following adoption of the General Plan 2025, in 2010 the City Council placed a ballot measure before the voters to extend the term of the UGB through December 31, 2025, to coincide with the anticipated build out date of the-newly adopted General Plan 2025; and

**WHEREAS**, in November 2010, Petaluma voters approved the ballot measure extending the term of the UGB through December 31, 2025; and

**WHEREAS**, the 2010 UGB ballot measure made no other changes to the UGB approved in November 1998 by Measure I; and

**WHEREAS**, the UGB boundaries are unchanged from the boundaries approved by the voters in 1998, and the City has not approved any expansion areas or approved any exceptions to the UGB boundaries as General Plan policy 1-P-32 permits; and

**WHEREAS**, subdivision (b) of Government Code Section 65358 allows General Plan amendments when deemed in the public interest, and the City of Petaluma is currently preparing a comprehensive General Plan update, which is anticipated to be adopted by the end of 2025; and

**WHEREAS**, as part of the community engagement and visioning process of the 2025 General Plan update, the UGB has been identified as important for the future vision for the growth of the community; and

**WHEREAS**, the City's recently certified Housing Element for the 6<sup>th</sup> cycle demonstrated the ability to facilitate housing production within existing City limits to meet the 1,910 housing units assigned to Petaluma as part of the Regional Housing Needs Allocation; and

**WHEREAS**, the City Council held a public workshop on January 22, 2024, to provide feedback and direction regarding development of a measure for placement on the November, 2024 ballot for voter approval to extend the UGB term through December 2050 prior to its expiration on December 31, 2025; and

**WHEREAS**, the City Council directed on January 22, 2024 that the measure to be presented to the Petaluma voters to extend the UGB term through December 31, 2050 should preserve the UGB boundaries and policies, except that; potential UGB expansion areas related to transit-oriented development should be modified to preserve and expand the Corona Road expansion area, and that the other transit-oriented development expansion areas identified in the UGB should be eliminated; and

**WHEREAS**, the purposes of the UGB remain important to the community and consistent with the vision and guiding principles being discussed by the City Council in preparation for the 2025 General Plan update; and

**WHEREAS**, the Planning Commission held a duly noticed hearing on May 21, 2024, considered all written and oral communications and the staff report and supporting documents related to the proposed measure to extend the term of the UGB through December 31, 2025, and to modify UGB provisions concerning transit oriented and industrial development, which proposed measure is attached to and made a part of this resolution as Exhibit 1; and

**WHEREAS**, considering the measure to extend the term of the UGB through December 31, 2050 and make associated modifications to transit oriented and industrial development expansion areas as a project for purposes of compliance with CEQA and its Guidelines, the project is exempt from CEQA in accordance with CEQA Guidelines Section 15061(b)(3), commonly referred to as the Common Sense exemption, Guidelines Section 15307, regarding Protection of Natural Resources, and Guidelines Section 15308, regarding Protection of Natural Resources and the Environment, in accordance with the following:

1. The project is eligible for the Common Sense statutory exemption as there is no physical development that would occur outside the existing urban growth boundary, and it can be seen with certainty that no adverse direct or indirect environmental impacts would result from the extension of the UGB term and expansion are modifications, most of which are subtractive;
2. The project is eligible for categorical exemptions pursuant to CEQA Guidelines Sections 15307 (Actions by Regulatory Agencies for the Protection of Natural Resources) and 15308 (Actions by Regulatory Agencies for Protection of the Environment) as it involves continuing, well-established policies and regulations that create a boundary within which urban growth is limited and without the proposed term extension through 2050, the UGB will sunset on December 31, 2025, which would remove all limits on urban growth imposed by the UGB;
3. The project would reestablish and extend the term of the UGB with limited proposed modifications to transit-oriented development expansion areas, most of which are subtractive, and make no changes to the physical boundaries of the existing UGB through December 31, 2050;
4. The UGB restricts development within the City's planning area to urban and infill properties and prevents urban sprawl, preserves urban separators, open space, and agricultural lands surrounding the City of Petaluma, thereby protecting natural resources and the environment;
5. The UGB reinforces the General Plan's intent to accommodate planned future growth and to buildout in areas planned for development, in a manner consistent with goals and policies to protect natural resources and the environment, as well as public health and safety, while accommodating a diversity of housing options, and reducing greenhouse gas emissions to advance the City's goal of achieving carbon neutrality by 2030;
6. As the proposed extension of the UGB through 2050 serves to further the protections to natural resources and the environment afforded since the UGB's establishment in 1998, the project is exempt pursuant to CEQA Guidelines Sections 15307 and 15308 and, since the project will not result in physical impacts and it can be seen with certainty that the project will not result in environmental impacts, the project is exempt pursuant to CEQA Guidelines Section 15061(b)(3).

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Petaluma as follows:

1. The above recitals are hereby declared to be true and correct and are incorporated into this resolution as findings of the Planning Commission.
2. The project is exempt from CEQA in accordance with CEQA Guidelines Section 15061(b)(3), the Common Sense exemption, Guidelines Section 15307, regarding Protection of Natural Resources, and Section 15308 regarding Protection of the Natural Environment, because the proposed extension of the UGB through December, 2050 and modifications to potential expansion areas, serves to further the protections to natural resources and the environment afforded since the UGB's establishment in 1998, and because it can be seen with certainty that the project will not result in environmental impacts.
3. The Planning Commission hereby recommends that the City Council order the submission to the qualified electors of the City of Petaluma an ordinance to modify existing references to specific potential expansion areas, modify criteria specific to transit oriented and industrial development, and extend the term of the Petaluma Urban Growth Boundary through December 31, 2050, in accordance with the draft measure attached to and made a part of this resolution as **Exhibit 1**, with such changes as the Council may in its discretion see fit to include.
4. The proposed amendments to the UGB pursuant to the draft measure attached as **Exhibit 1** are in the public interest as the measure, if approved by the Petaluma voters, would continue in effect the protections in the City's UGB that: restrict development within the City's planning area to urban and infill properties; prevent urban sprawl; and preserve urban separators, open space, and agricultural lands surrounding the City of Petaluma, thereby protecting natural resources and the environment.