

1-P-28 The City does not guarantee that any individual project will be permitted to achieve the maximum densities shown on the Land Use Map.

#### **GOAL 1-G-4: Urban Growth Boundary**

**Maintain a parcel-specific Urban Growth Boundary.**

##### **Policies and Programs:**

*Policies 1-P-29 through 1-P-36 reflect the 1998 UGB ballot measure.*

1-P-29 It is the policy of the City to build within the agreed upon Urban Growth Boundary. No urban development shall be permitted beyond the Urban Growth Boundary. "Urban development" shall mean development requiring one or more basic municipal services including, but not limited to, water service, sewer, improved storm drainage facilities, fire hydrants and other physical public facilities and services; but shall not mean providing municipal or public services to open space uses, public or quasi-public uses such as schools or public safety facilities. Said municipal or public services or facilities can be developed beyond the UGB to provide services within the UGB.

- A. Maintain a time certain and parcel-specific Urban Growth Boundary around the city, beyond which urban development will not take place.
- B. Use the growth management system, design review, or other project review methods to assure that the density of new residential development is greatest within and adjoining existing urbanized areas and gradually and logically lessens as it approaches the urban edge.
- C. Encourage the County to continue to promote agricultural land use and to strictly limit further residential infilling on lands beyond the Urban Growth Boundary within the Petaluma Planning Referral Area.

1-P-30 No urban development beyond the Urban Growth Boundary shall be served by City services except for (1) extensions to residential dwellings in existence or approved for construction on parcels created on or before December 5, 1983; (2) extensions required pursuant to the terms of a service contract in effect as of July 20, 1998; (3) extensions to remedy a clear health

hazard to residential dwellings in existence or approved for construction on parcels created on or before July 20, 1998 where there is no reasonable alternative means to remedy that health hazard; (4) extensions to open space and park uses; (5) expansion of service to public and quasi-public uses existing as of July 20, 1998; and (6) extraordinary circumstances pursuant to applicable General Plan policies. Extraordinary circumstances justifying extension of City services outside of the UGB shall be deemed to exist only if the City Council makes each of the following findings based on substantial evidence in the record:

- That the land use to which the City service would be extended is consistent with all applicable policies of the City's General Plan; and
- That the land use to which the City service would be extended is compatible with open space uses as defined in Government Code section 65560 as of July 1, 1998, does not interfere with accepted agricultural practices, and does not adversely affect the stability of land use patterns in the area; and
- That the property to which the City service would be extended is immediately adjacent to land already served by the service(s) to be extended; and
- That specific circumstances, unique to the property to which the City service would be extended, would otherwise deprive the property of privileges enjoyed by other comparable property outside the UGB and in the vicinity of the property to be served; and
- That substantial evidence demonstrates that the proposed City service extension will not cause the Levels of Service specified in adopted City policies to be exceeded with respect to water, wastewater, parks, fire services, police services, storm drainage, schools, traffic and other public facilities and services.

1-P-31 Except as set forth in Policy 1-P-32, the Urban Growth Boundary Policies 1-P-29, 1-P-30, 1-P-31, and 1-P-32 shall be in effect until December 31, 2025.

1-P-32 The Urban Growth Boundary designated on the Petaluma General Plan Land Use Map may be amended only by a vote of the people or pursuant to the procedures set forth below:

**Exception I - Affordable Housing:** To comply with state law regarding the provision of housing for all economic segments of the community, the City Council may amend the Urban Growth Boundary in order to include within the Urban Growth Boundary lands to be designated for residential uses, provided that no more than 5 acres of land may be brought within the Urban Growth Boundary for this purpose in any calendar year. If in any year, fewer than five acres are brought within the UGB pursuant to this policy, then the unused increment may be brought within the UGB in subsequent years, provided that, no more than 50 acres may be brought within the UGB before December 31, 2025. (Thus, for example in 2008 the City Council could, upon making the findings below, bring up to 50 acres within the UGB under this exception, provided none had previously been brought within the UGB under this exception.) Such amendment may be adopted only if the City Council makes each of the following findings based on substantial evidence in the record:

- The land is immediately adjacent to existing comparably developed areas and the applicant for the redesignation has provided sufficient evidence that the Fire Department, Police Department, Department of Public Works, the Community Development Department, Parks and Recreation Department, the School District(s) and other relevant City departments and public agencies have adequate capacity to accommodate the proposed development and provide it with adequate public services; and
- The proposed development will consist of at least 25 percent moderate income housing and at least 25 percent low and very low income housing; and
- That there is no existing residentially designated land available within the Urban Growth Boundary to accommodate the proposed development; and
- That it is not reasonably feasible to accommodate the proposed development by redesignating lands within the Urban Growth Boundary for low and very low income housing; and
- The proposed development is necessary to comply with state law requirements for provision of low and very low income housing; and

- The proposed development meets the intent of General Plan policies relative to density feathering.

**Exception II - Takings:** The City Council may amend the Urban Growth Boundary if it finds, by at least a six-sevenths vote and based on substantial evidence in the record, that:

- The application of the Urban Growth Boundary policies would constitute an unconstitutional taking of a landowner's property; and
- The amendment and associated land use designation will allow additional land uses only to the minimum extent necessary to avoid said unconstitutional taking of the landowner's property.

**Exception III - Transit-Oriented or Industrial Development:** The City Council may amend the Urban Growth Boundary if it finds, by at least a six-sevenths vote and based on substantial evidence in the record, that:

- The lands to be included within the UGB will be used for transit oriented residential and local-serving commercial development within 1500 feet of a rail transit station; and the Fire Department, Police Department, Department of Public Works, the Community Development Department, Parks and Recreation Department, the School District(s), and other relevant City departments and public agencies have adequate capacity to accommodate the proposed development and provide it with adequate public services. No more than 100 acres of land may be brought within the UGB for this purpose before December 31, 2025; or
- The lands to be included within the UGB will be used for office or light industrial uses to improve local employment. No land may be brought within the UGB for this purpose before January 1, 2006. No more than 100 acres of land may be brought within the UGB for this purpose before December 31, 2025. Such amendments may be adopted only if the City Council makes all of the following findings:
  - That there is no existing office or light industrial designated land available within the UGB that could accommodate the proposed development and it is not reasonably feasible to accommodate the proposed development by redesignating lands within the UGB for office and light

- industrial uses; and
- That the Fire Department, Police Department, Department of Public Works, the Planning Department, Parks and Recreation Department, the School District(s), and other relevant City departments and public agencies have adequate capacity to accommodate the proposed development and provide it with adequate public services; and
- That the land to be included (1) is immediately adjacent to the existing UGB, and (2) serviceable water and sewer connections can be provided; and
- That the land to be included meets the intent of the General Plan pertaining to the preservation of open space or urban separator areas at the edge of the proposed UGB expansion area.
- The following areas have been preliminarily identified as appropriate for potential future expansion of the UGB, subject to the Council making the findings set forth in the first two sections of Exception III above. The list is not intended to be exclusive.
  - East of Lakeville Highway in the vicinity South of Frates Road; or
  - West of Old Redwood Highway near Denman Road/Orchard Lane; or
  - The Haystack Landing area along Petaluma Boulevard South; or
  - Northeast corner of Corona Road and railroad tracks, north of Sonoma Mountain Parkway intersection.

*The specific boundaries of any amendment to the UGB will be determined at the time that the amendment is adopted.*

**Exception IV - Agriculture, Agriculture Support or Related Development:** The City Council may amend the Urban Growth Boundary if it finds, by at least a six-sevenths vote and based on substantial evidence in the record, that the lands to be included within the UGB will be used for an agricultural or agricultural support use. Agricultural Support Use shall mean an industrial, manufacturing or mixed use project which is determined by the City to support the regional agricultural community and economy and is dependent on municipal services to exist. Such agricultural or agricultural support use amendments may be adopted only if the City Council makes all of the following findings:

- That there is no existing agricultural or compatible light industrial designated land available within the UGB to accommodate the proposed development and it is not reasonably feasible to accommodate the proposed development by designating lands within the UGB for agricultural or agricultural support uses; and
- That the Fire Department, Police Department, Department of Public Works, the Planning Department, Parks and Recreation Department, the School District(s), and other relevant City departments and public agencies have adequate capacity to accommodate the proposed development and provide it with adequate public services; and
- That the land to be included (a) is immediately adjacent to the existing UGB, and (b) (serviceable water and sewer connections can be provided; and
- That the land to be included meets the intent of the General Plan pertaining to the preservation of open space or urban separator areas at the edge of the proposed UGB expansion area.

Prior to adopting any General Plan amendment pursuant to Exceptions I, II, III, or IV of this Policy 1-P-32, the City Council shall hold at least one noticed public hearing for the purpose of receiving testimony and sufficient evidence from the applicant and the public on the proposed amendment and any findings proposed in connection with such amendment. This hearing shall be in addition to any other public hearings regularly required for a General Plan amendment.

- 1-P-33** Every effort shall be made to keep the visual separation that now exists between communities, outside the Urban Growth Boundary. All references to the Urban Limit Line in this General Plan and other City policies, ordinances, and regulations shall be considered references to the Urban Growth Boundary.
- 1-P-34** The Urban Growth Boundary shall coincide with the line shown on the official General Plan Land Use Map until December 31, 2025.
- 1-P-35** Growth shall be contained within the boundaries of the Urban Growth Boundary. The necessary infrastructure for growth will be provided within the Urban Growth Boundary.



**1-P-36** For properties adjoining the Urban Growth Boundary, it is the intent of the City that projects developed in the City or requesting City services shall be of limited density (as shown on the General Plan Land Use Map), unless greater density is required to satisfy the requirements of state housing laws, and shall be designed to preserve the visual and physical openness and preserve the aesthetic and natural features of that portion of the property proximate to the rural areas outside of the designated Urban Growth Boundary.

*End of UGB Ballot Measure.*



**1-P-37** Ensure that the UGB continues to serve the community while allowing for consideration of development to meet the goals of this document.

- A. Present a ballot measure to the community to extend the life of the existing UGB ballot measure to 2025, consistent with the General Plan 2025.
- B. By, or during, year 2015, independently or as part of comprehensive General Plan review, analyze the Urban Growth Boundary that includes assessment of a comprehensive range of factors, including:
  - Availability of vacant land
  - Growth trends and projections
  - City's economic development and affordable housing needs, and
  - Infrastructure capacity



**1-P-38** Require all development outside of city limits and within the UGB to annex to the city as a condition of extension of City services. Annexation requires the extension of both potable water and sewer services in compliance with adopted Master Plans, in conjunction with other public improvements as deemed appropriate by the City.

**1-P-39** Consider the use of Specific or Master Plans for major annexations beyond the 1998 UGB to ensure orderly development as well as financing for necessary infrastructure and services.

*The Urban Growth Boundary seeks to ensure that new development does not extend into surrounding rural agricultural lands, and limits housing construction to areas where infrastructure and services are accessible (Grevillia Drive in the West Hills area, a western edge tree farm, and a vineyard at the eastern edge of town are shown).*

