

RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION RECOMMENDING THE CITY COUNCIL DIRECT THE CITY MANAGER WORK WITH SOUTH PETALUMA PARTNERS LLC TO CARRY OUT THE REMAINING TERMS OF THE PRE-ANNEXATION AGREEMENT BETWEEN SAID PARTIES AS ENUMERATED IN DOCUMENT NO. 200609772 OF THE OFFICIAL RECORDS OF SONOMA COUNTY

File No: 07-ANX-0623

WHEREAS, on June 6, 2005, the City Council adopted Resolution No. 2005-087 N.C.S. supporting an application to the Sonoma County Local Agency Formation Commission (LAFCO) for Assessor's Parcel Numbers 019-210-010, -011, -026, -038, and -039 and 019-220-012 and -027 for a project known as the Lomas Residential Development and pursuant to the Cortese/Knox Local Government Reorganization Act of 1985; and

WHEREAS, on June 19, 2006, the City Council adopted Resolution No. 2006-119 N.C.S. authorizing the City Manager to execute a memorandum of understanding with the County of Sonoma regarding jurisdiction over compliance with the Petaluma Quarry Revised Reclamation Plan and also an agreement with South Petaluma Partners LLC regarding a two-part annexation of various unincorporated properties along the vicinity of Petaluma Boulevard South; and

WHEREAS, on August 8, 2006, a Pre-Annexation Agreement Regarding Two-Part Annexation and Restrictive Covenants was entered into between the City of Petaluma and South Petaluma Partners LLC and recorded as Document No. 2006097772; and

WHEREAS, on October 4, 2006, the Sonoma County LAFCO adopted Resolution No. 2518 approving the annexation supported by City Council Resolution No. 2005-087 N.C.S. but with Condition No. 3(a) which reads in full,

“Not later than 30 days after the City receives notice from the County of Sonoma of the completion of reclamation of APNs 019-210-010, 019-210-038, and 019-210-039, the City and/or the Applicant shall initiate proceedings with the Commission for the annexation of APNs 019-210-005, 019-210-006, 019-210-007, 019-210-008, 019-210-009, 019-210-013, 019-210-014, 019-210-021, 019-210-022, 019-210-025, 019-210-029, 019-210-033, 019-210-034, 019-210-035, and 019-210-036 to the City”; and

WHEREAS, on December 2, 2015, the County of Sonoma provided notice to the California Office of Mine Reclamation, pursuant to the provisions of the Surface Mining and Reclamation Act of 1975, that the Petaluma Quarry (State Mine Id# 91-49-0012) was fully reclaimed as specified by the adopted reclamation plan; and

WHEREAS, on January 20, 2016, the California Office of Mine Reclamation responded to the County of Sonoma's December 2, 2015 notice and concurred the Petaluma Quarry (State Mine Id# 91-49-0012) had been substantially reclaimed in accordance with the approved

reclamation plan and, therefore, the County has fulfilled the requirements of California Code of Regulations §3805.05; and

WHEREAS, upon receiving notice that reclamation of the aforementioned parcels is now complete, the Planning Commission now recommends the City Council act in compliance with Condition No. 3(a) of Sonoma County LAFCO Resolution No. 2518 by initiating remaining annexation proceedings; and

WHEREAS, in accordance with Section 56375(a)(7) of the Cortese/Knox Local Government Reorganization Act of 1985 and the policies of the Sonoma County LAFCO, the City Council is recommended to pre-zone the property proposed for annexation to the City of Petaluma; and

WHEREAS, on November 8, 2016, the Planning Commission held a duly noticed public hearing, pursuant to Implementing Zoning Ordinance §25.050, to consider the proposed annexation, at which time all interested parties had the opportunity to be heard; and

WHEREAS, on November 8, 2016 and prior to acting on this request, the Planning Commission considered the staff report analyzing the application, including the California Environmental Quality Act (CEQA) determination therein; and

WHEREAS, on November 8, 2016 and prior to acting on this request, the Planning Commission considered and recommended approval of a Negative Declaration prepared pursuant to the California Environmental Quality Act (“CEQA”); and

NOW THEREFORE BE IT RESOLVED by the Planning Commission as follows:

- A. It is recommended that the City Council direct the City Manager to work with South Petaluma Partners LLC to carry out the remaining terms of the Pre-Annexation Agreement between said parties as enumerated in Document No. 200609772 in the Official Records of Sonoma County.
- B. The subject property is within the adopted Sphere of Influence and Urban Growth Boundary of the City of Petaluma General Plan.
- C. The annexation is, for the reasons discussed in the November 8, 2016 Planning Commission staff report, consistent with the following Petaluma General Plan policies: Policy 1-P-1 (Development Within UGB); Policy 1-P-2 (Efficient Land Use in UGB); Policy 1-P-12 (Underutilized Sites); Goal 1-G-3 (Land Use: Well-Defined Boundary); Policy 1-P-29 (Development Within Urban Growth Boundary); Policy 1-P-30 (Services Within Urban Growth Boundary); and Policy 1-P-35 (Growth Within Urban Growth Boundary).
- D. This annexation will enable several provisions of the General Plan to be achieved including: orderly improvement of City infrastructure, preservation of the city’s Urban Limit Line, and preservation of County land uses, including residential and agricultural uses.

E. The Planning Commission recommends that, by Ordinance, the City Council pre-zone the following property as follows:

1. The properties located north of Petaluma Blvd South and subject to annexation are designated Mixed Use by the Petaluma General Plan and the pre-zoning of those parcels to Mixed Use 1A (MU1A) is, pursuant to Implementing Zoning Ordinance Table 2-1, considered consistent with the General Plan designation of Mixed Use; and
2. The properties located south of Petaluma Blvd South and subject to annexation are designated Medium Density Residential by the Petaluma General Plan and the pre-zoning of those parcels to Residential 4 (R4) is, pursuant to Implementing Zoning Ordinance Table 2-1, considered consistent with the General Plan designation of Medium Density Residential.