

**RESOLUTION OF THE CITY OF PETALUMA PLANNING COMMISSION**

**RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO  
THE ZONING MAP OF THE IMPLEMENTING ZONING ORDINANCE TO  
PREZONE CERTAIN PROPERTIES ADJACENT TO PETLAUMA BLVD  
SOUTH AND GENERALLY EAST OF MCNEAR AVENUE AND WEST OF US  
101**

File No: 07-ANX-0623

**WHEREAS**, South Petaluma Partners, L.C.C. submitted an application to Pre-Zone and Annex a total of nineteen parcels totaling approximately 17.20 acres outside of the City limits but within the Urban Growth Boundary, in a manner consistent with the General Plan Land Use Designation, being referred to locally as the Lomas project area ("Project Area"), as required by Condition No. 3(a) of Sonoma County Local Agency Formation Commission ("Sonoma County LAFCO") Resolution No. 2518;

**WHEREAS**, 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

**WHEREAS**, 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; 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 pre-zone proposal, 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 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** that the Planning Commission as follows:

- A. The proposed pre-zone 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-G3 (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).

- B. Pursuant to Implementing Zoning Ordinance §25.050, the Planning Commission recommends that the City Council adopt the proposed amendment to the Zoning Map, attached hereto as Exhibit 1, based on the following findings:
1. The proposed Zoning Map amendment is, pursuant to Implementing Zoning Ordinance Table 2-1, consistent with the Petaluma General Plan.
  2. The project is consistent with the public necessity, convenience, and general welfare in that it enables the future consideration of development in a manner consistent with the Petaluma General Plan.

**PRE-ZONING ASSESSORS PARCELS NOS. APN 019-210-009, -013, -014, -021, -022, -025, -029, -032, -033, -034, -035, -036 TO RESIDENTIAL (R4) AND ASSESSORS PARCEL NOS. 019-210-005, -006, -007, -008, -010, -038 AND -039 TO MIXED USE 1A (MU1A) FOR THE LOMAS ANNEXATION CONCERNING PARCELS ADJACENT TO PETALUMA BLVD SOUTH BETWEEN MCNEAR AVENUE AND CRYSTAL LANE**

APNs 019-210-010, -038, -039, -005, -006, -007, -008, -009, -013, -014, -021, -022, -025, -029, -032, -033, -034, -035 and -036  
PROJECT 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-Park 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**, the City Council has by separate resolution initiated annexation proceedings as required by Condition No. 3(a) of Sonoma County LAFCO adopted Resolution No. 2518; and

**WHEREAS**, pursuant to Section 56375(a)(7) of the Cortese/Knox Local Government Reorganization Act of 1985, all territory proposed for annexation into a city shall be based on the General Plan and pre-zoned; and

**WHEREAS**, pursuant to the Sonoma Local Agency Formation Commission: Policies, Procedures and Guidelines (Revised June 2013), it is the policy of the Sonoma County LAFCO that, "The Executive Officer shall not accept proposals involving annexation to a city for filing unless accompanied by an ordinance or other proof that the city council of the affected city pre-zoned the affected territory pursuant to Government Code §56375"; and

**WHEREAS**, 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

**WHEREAS**, 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; 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 pre-zoning, 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 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 ORDAINED BY THE COUNCIL FO THE CITY OF PETALUMA AS FOLLOWS:**

**Section 1: Findings.** The City Council approves the pre-zone proposal based on the findings made below:

1. The proposed Zoning Map amendment is, pursuant to Implementing Zoning

Ordinance Table 2-1, consistent with the Petaluma General Plan.

2. The project is consistent with the public necessity, convenience, and general welfare in that it enables the future consideration of development in a manner consistent with the Petaluma General Plan.

**Section 2: Zoning Map.** The Zoning Map codified at Chapter 2 of the Implementing Zoning Ordinance is hereby amended, as follows:

1. Assessor's Parcel Numbers 019-210-005, -006, -007, -008, -010, -038 AND -039, located north of Petaluma Blvd South, are assigned a Mixed Use 1A (MU1A) designation; and

2. Assessor's Parcel Numbers 019-210-009, -013, -014, -021, -022, -025, -029, -032, -033, -034, -035, -036, located south of Petaluma Blvd South, are assigned a Residential 4 (R4) designation.

**Section 3: Severability.** If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, including the application of such part or provision to other persons or circumstances shall not be affected thereby and shall continue in full force and effect. To this end, provisions of this ordinance are severable. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be held unconstitutional, invalid, or unenforceable.

**Section 4. Effective Date.** This ordinance shall become effective thirty (30) days after the date of its adoption by the Petaluma City Council.

**Section 5. Posting/Publishing of Notice.** The City Clerk is hereby directed to post and/or publish this ordinance or a synopsis of it for the period and in the manner required by the City Charter.

**INTRODUCED** and ordered posted/published this \_\_\_\_ day of \_\_\_\_\_, 2016.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by the following vote:



This map illustrates the proposed Lomas Annexation, highlighting existing and proposed zoning. The area is bounded by McNear Cir to the north, Caulfield Row to the east, and Petaluma Blvd South to the south. The map shows several parcels with unique identifiers: 019-210-005, 019-210-006, 019-210-007, 019-210-008, 019-210-010, 019-210-038, and 019-210-039. The parcels are color-coded: light green for existing zoning and light blue for proposed zoning. A red dashed line indicates the boundary of the proposed annexation. The map also shows a network of streets, including McNear Cir, Caulfield Row, and Petaluma Blvd South, and a green area representing a park or undeveloped land.



