



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

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DATE: June 21, 2016
TO: Chair Cook and Planning Commissioners
FROM: Misti D. Harris, Planner III
SUBJECT: Community Separator staff report corrections (ORD15-0003)

Since the June 10 online publication of the staff report, staff has received many questions and suggestions from interest groups and members of the public. The primary concern has been related to the exception for affordable housing in the draft ballot measure. Staff also found some mapping errors. In addition, some minor edits to the General Plan text are proposed. Deletions are shown in ~~strikeout~~, new language is shown in ***bold italic***, and revisions are **highlighted**. The headings match those in the staff report.

BALLOT MEASURE

1. Modify Policy OSRC-1k to read:

“Policy OSRC-1k: ~~Until the expiration of Ordinance No. 5145R (2018), the General Plan land use regulations for the lands within the Petaluma/Novato Community Separator shall not be changed so as to increase either the allowed intensity or density of development by changing the land use designations in Figure LU-2h of the Land Use Element without the prior approval of the voters of Sonoma County~~ ***December 31, 2046, the boundaries of Community Separators as shown on the Open Space Maps and the land use designations and densities of lands within Community Separators as shown on the Land Use Maps shall not be amended unless such amendment is approved by the voters of Sonoma County, except that the following types of amendments may be approved by the Board of Supervisors pursuant to its usual procedures and without the approval of the voters of Sonoma County:***

- (1) ***An amendment designating additional lands as Community Separator.***
- (2) ***An amendment reducing the allowed density or intensity of development within a Community Separator.***
- (3) ***An amendment both adding and removing lands from a Community Separator, where there is no net decrease in land area within the Community Separator and the addition and removal of the lands will not compromise the value and function of the Community Separator.***
- (4) ***An amendment removing lands from a Community Separator, where necessary to comply with applicable State law regarding the provision of affordable housing, and only upon the Board of Supervisors making all of the following findings:***
 - a. The removal is necessary to comply with a State law imposing a mandatory housing obligation in effect at the time the removal is sought.***
 - b. There is insufficient land within the Urban Service Areas suitable for urban residential development that may be designated to satisfy the applicable State housing law.***
 - c. No more land is being removed than is necessary to comply with the applicable State housing law.***

d. To the extent permissible under State law, the removal includes policies providing that any development proposed for the lands being removed will consist exclusively of affordable housing, and effective restrictions will maintain the housing as affordable. For the purposes of this paragraph, "affordable housing" shall mean housing affordable to lower income households as defined in Section 50079.5 of the Health and Safety Code, as that section may be amended from time to time.

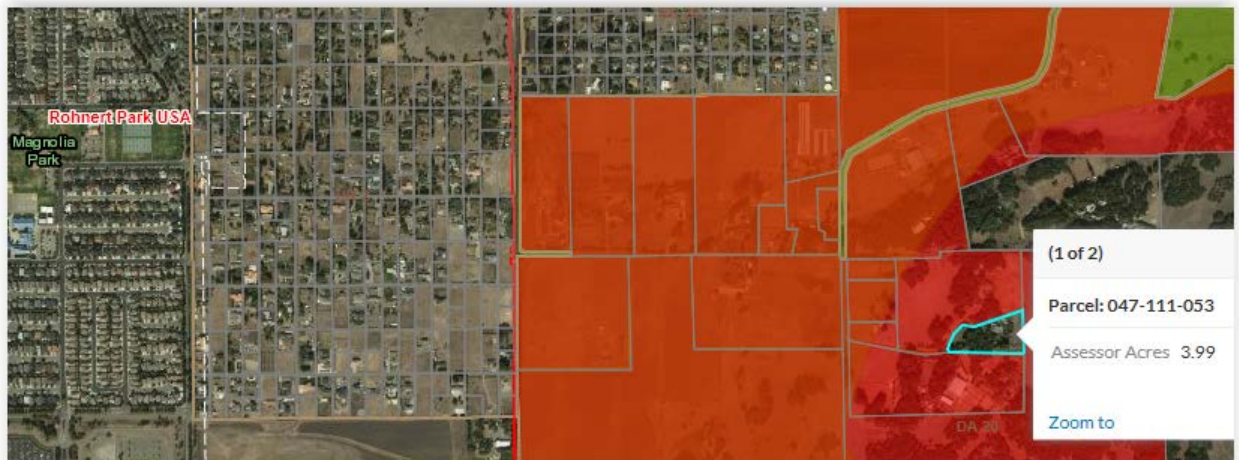
e. To the extent permissible under State law, the lands being removed are immediately adjacent to an Urban Service Area.

(5) An amendment correcting a mapping error, where lands that do not meet the designation criteria for Community Separators have been inadvertently included within a Community Separator.

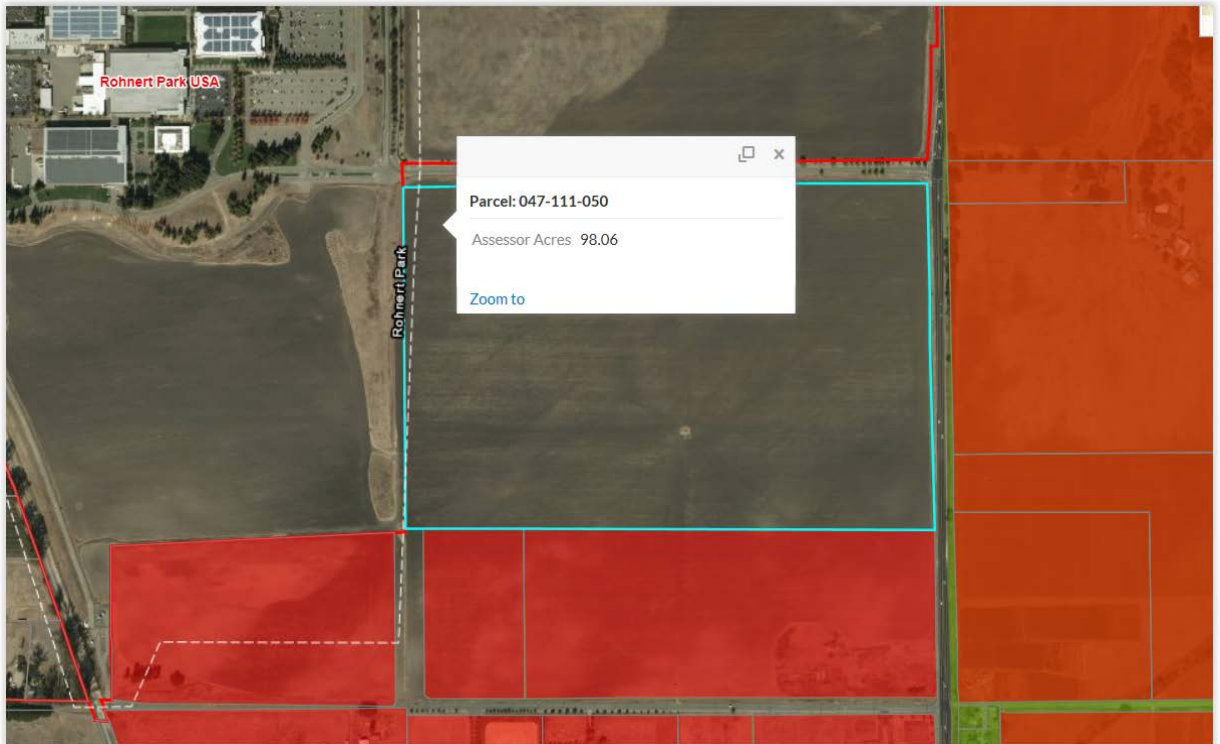
For the purposes of this policy, approval by the voters of Sonoma County shall be accomplished when a general plan amendment is placed on the ballot through any procedure provided for in the Elections Code, and a majority of the voters vote in favor of it. The Board of Supervisors may adopt a general plan amendment prior to securing the approval of the voters of Sonoma County; provided, however, that whenever the Board of Supervisors adopts an amendment requiring approval of the voters of Sonoma County pursuant to the provisions of this policy, the Board action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The Board of Supervisors shall follow the provisions of the Elections Code in all matters pertaining to such an election.

GENERAL PLAN MAP AMENDMENTS AND ZONE CHANGES

2. Include parcel 047-111-053 as proposed Community Separator. This parcel was inadvertently excluded.



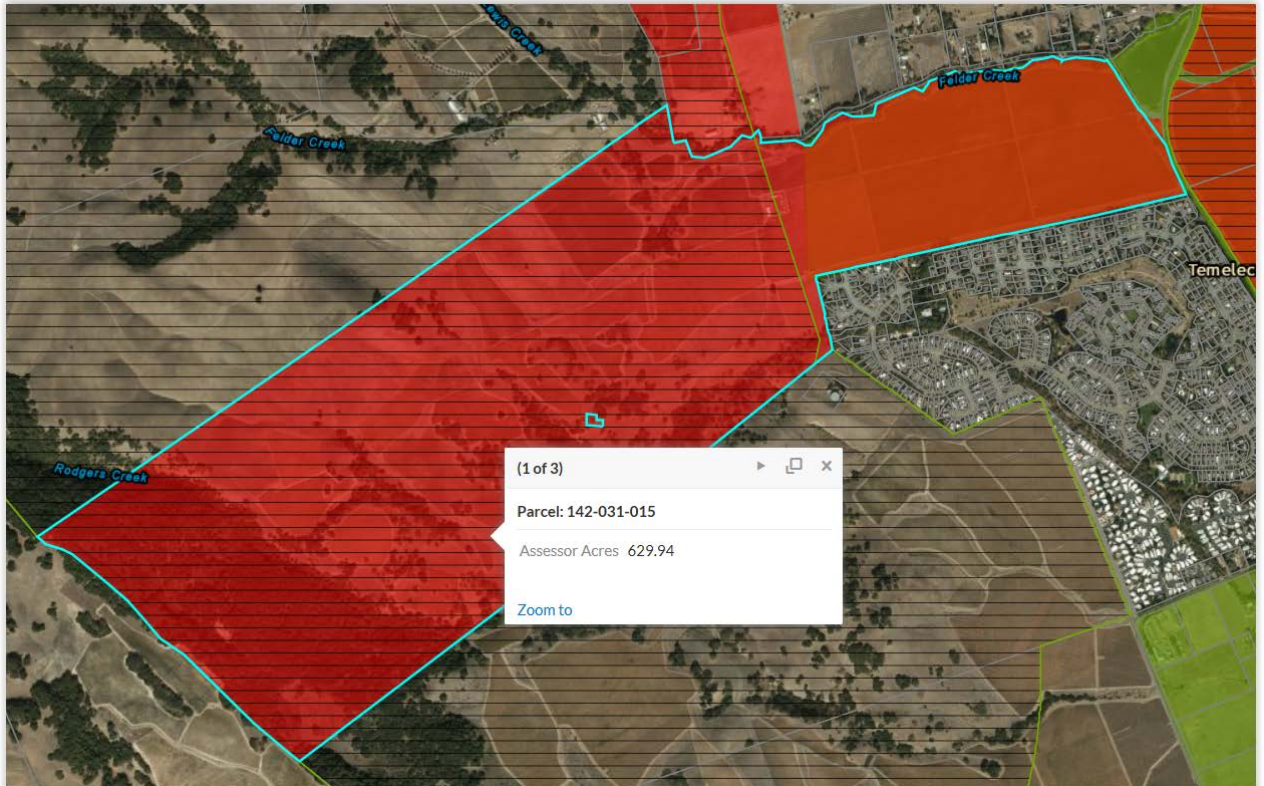
3. Include the southern and eastern portions of parcel 047-111-050, which are located outside of Rohnert Park's Urban Growth Boundary, as proposed Community Separator. This section of land was inadvertently excluded.



4. Include parcel 088-210-023, located on the south side of Westside Road in Healdsburg, as proposed Community Separator. This parcel was inadvertently excluded.



5. Exclude the portion of parcel 142-031-015 within a Scenic Landscape Unit and all of parcel 142-031-004, located in the Sonoma Valley, from proposed Community Separator. These areas were inadvertently included.



GENERAL PLAN POLICY AMENDMENTS

6. Modify Objective OSRC-1.3 to read: "Provide opportunities for consideration of additional development in Community Separators in exchange for permanent open space preservation and other overriding, substantial additional public benefits. **Preserve existing groundwater recharge and stormwater detention areas within Community Separators.**"
7. Modify Policy OSRC-1f, subsection (9), to read: "**Minimize impervious surfaces and encourage groundwater recharge with effective design features and materials that allow stormwater infiltration and detention.**"
8. Retain Policy CT-4g, subsection (4), and modify it to read: "Until the expiration of Ordinance No. 5111R, any **improvements to Highway 101 within the Petaluma/Novato Community Separator** that are funded in whole or in part from appropriations from Sonoma County's general fund shall not include any interchange or frontage road having a design capacity in excess of that necessary to serve local needs **projected General Plan land use** but shall include bicycle lanes. "Local needs" shall mean those needs necessary to serve both existing development and potential development allowed within the Petaluma/Novato Community Separator as of November 3, 1998. This provision shall also apply to any general plan that succeeds the 1989 Sonoma County General Plan.
9. Modify the designation criteria in 2.1 Policy for Community Separators to read:
 - (1) **Lands shall be located outside an Urban Service Area designated in the General Plan.**
 - (2) **Lands shall have a General Plan land use designation of Timber Production, Resources and Rural Development, Land Intensive Agriculture, Land Extensive Agriculture, Diverse Agriculture, Rural Residential, or Agricultural Residential.**

(3) Lands should logically extend or complete a Community Separator.

10. Modify Policy OSRC-1d to read: "Consider amendments for outdoor recreational ~~or other uses~~ with a low intensity of structures only in those Community Separators along the Highway 101 Corridor **and only where the amendment conforms to the provisions of the voter-approved Community Separators Protection Ordinance.**

11. Modify Policy PF-1f to read: "Avoid extension of public sewer services outside of either a sphere of influence adopted by LAFCO or the Urban Service Area. To the extent allowed by law, consider exceptions to this policy only:
 - (1) Where necessary to resolve a public health hazard resulting from existing development, or
 - ~~(2) Where development authorized by policy OSRC-1c would result, unless LAFCO has adopted a "no annexation" policy, or~~
 - ~~(3)~~(2) Where appropriate to allow an affordable housing project providing **at least 20% of the units for exclusively** lower income housing on properties adjoining urban service boundaries."

12. Modify Policy PF-1h to read:

"Avoid extension of public water service to a property that is outside of both the Urban Service Area and the water provider's sphere of influence adopted by LAFCO. Consider exceptions to this policy, to the extent allowed by law, only:

 - (1) Where necessary to resolve a public health hazard resulting from existing development such as failing wells or groundwater contamination, or
 - ~~(2) Where development authorized by policy OSRC-1c would result, or~~
 - ~~(3)~~(2) Where water service is to be extended for a property which is located within a water district boundary in effect in November, 2003, or
 - ~~(4)~~(3) Where appropriate to allow an affordable housing project providing **at least 20% of the units for exclusively** lower income housing on properties adjoining urban service boundaries."