



CITY OF PETALUMA

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Chris Albertson
Teresa Barrett
Mike Harris
Mike Healy
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Kathy Miller
Councilmembers

January 24, 2013

Misti Harris, Planner II
Sonoma County Permit and Resource Management Department
Project Review Division
2550 Ventura Boulevard
Santa Rosa, CA 95403

**RE: 245 Paula Lane
MNS 12-004**

Dear Misti,

Thank you for the opportunity to review and comment on the above mentioned application. The City of Petaluma has reviewed the referral and the following comments summarize our recent telephone conversation regarding issues that the City of Petaluma believes pertinent to the proposed minor subdivision application.

The property at 245 Paula Lane is outside of Petaluma city limits but within Petaluma's Urban Growth Boundary. The property is designated as Rural Residential (0.1 to 0.6 housing units/acre) in the Petaluma General Plan 2025 and the proposed subdivision appears to exceed this density standard. Additionally, the Urban Separator Path as identified in the Petaluma General Plan 2025 runs along the rear property line and should be incorporated into any future development of the property. Based on these two items, the subdivision proposal appears to be inconsistent with the General Plan 2025.

As shown on Figure 3.8-1 of the General Plan DEIR, the property at 245 Paula Lane is in general proximity to known American Badger Habitat. The General Plan contains specific policies to protect special status species and supporting habitats, including the need for biological resource assessments as part of all development review. The neighboring parcels at approximately 431 Paul Lane are owned by the City of Petaluma and have designated conservation easements through a partnership with the Sonoma County Agricultural Preservation and Open Space District. The parameters of that conservation easement and any

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Department**

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associated impacts from potential development at 245 Paula Lane should be carefully analyzed as part of environmental review.

Resolution No. 89-67 and 89-68 of the Petaluma City Council establish limited circumstances for the provision of water and sewer service to properties outside of Petaluma city limits. Outside utility service would not be approved for new development without annexation. Should the property owner wish to consider annexation into the City of Petaluma, there are specific requirements that would necessitate a larger annexation area encompassing multiple properties due to the fact that the property at 245 Paula Lane is not contiguous to city boundaries. Additionally, a condition of annexation would be to extend water and sewer services to the newly incorporated properties, the cost of which would be borne by the applicant. Existing sewer facilities do not extend along Paula Lane south of West Street or north of Bodega Avenue. Therefore significant utility extension would be required as part of any future annexation.

If you have any questions about the items outlined below please do not hesitate to contact me directly at hhines@ci.petaluma.ca.us or 707-778-4316.

Sincerely,



Heather Hines
Planning Manager

Resolution No. 89-67 N.C.S.
of the City of Petaluma, California

A RESOLUTION ESTABLISHING POLICIES FOR EXTENSION
OF WATER SERVICE FOR USE OUTSIDE OF THE CORPORATE
LIMITS OF THE CITY OF PETALUMA AND REPEALING
RESOLUTION 9975 N.C.S.

WHEREAS, the City of Petaluma is willing, under certain circumstances, to provide water service to lands currently outside of the corporate limits of the City but within its Sphere of Influence. In addition, other limited service may be provided at the discretion of the City Council where contamination or exhaustion of groundwater supplies immediately threatens health and welfare in areas outside of the City's Sphere of Influence.

WHEREAS, by offering such opportunities it remains the City's policy to: 1) oppose urban development in unincorporated areas, 2) limit premature parcelization and development of agricultural lands, 3) offer water service as a means of meeting immediate human health needs rather than providing a convenience for future parcelization or development outside of the corporate limits; and,

WHEREAS, certain areas have been identified as urban service areas on the City's adopted sphere of influence, wherein the provision of water service for less than urban densities is currently provided or will likely be provided, which are not planned as potential annexation areas.

NOW, THEREFORE BE IT RESOLVED THAT:

I. Applications for outside water service shall be considered and may be approved only when the following circumstances exist:

A. AREAS WITHIN THE ADOPTED SPHERE OF INFLUENCE

1. The water is to be used: 1) for dwellings in existence on December 5, 1983 (the date of adoption of the first comprehensive water policy) 2), for one principal dwelling and up to one accessory "granny" units approved for

construction on parcels created prior to December 5, 1983 (the date of adoption of the first comprehensive water policy) or 3) for lots created for residential development which meets all City Development review standards and do not exceed a density of one (1) dwelling unit per two (2) acres or 4) for non-residential uses only upon the approval of the City Council.

2. The water is for residential purposes unless otherwise specifically approved by the City Council.
3. The water main from which service is to be derived is in place across the full frontage of the parcel(s) requesting service or is, if deemed necessary by the City Engineer, extended across the full frontage of said parcel(s), constructed to standards acceptable to the City of Petaluma and dedicated to the City for public use.

B. AREAS OUTSIDE OF THE ADOPTED SPHERE OF INFLUENCE

1. A clear health hazard exists.
2. Need is demonstrated by evidence of contamination or exhaustion of existing supply clearly stated in a letter from County Health Department with documentation by an independent laboratory and/or civil engineer whichever is deemed appropriate by City staff.
3. Service may be provided to dwellings or non-residential land uses in existence on December 5, 1983, (the date of the adoption of the first comprehensive water policy) or for dwellings for which building permits have been issued prior to December 5, 1983 or for non-residential uses but only upon the approval of the City Council.

4. The water main from which service is to be derived is in place across the full frontage of the parcel(s) requesting service or is, if deemed necessary by the City Engineer, extended across the full frontage of said parcel(s), constructed to standards acceptable to the City of Petaluma and dedicated to the City for public use.
- II. Applications for outside water service within the sphere of influence shall be reviewed and conditionally approved or denied by the City Engineer and the Director of Community Development and Planning in accord with the policies and conditions herein set forth.
 - III. For areas outside the sphere of influence where a clear residential health hazard exists, requests shall be reviewed on a case-by-case basis by the City Council.
 - IV. Every outside water service approval shall be subject to the following conditions and any other conditions the City Engineer and Director of Community Development and Planning deem necessary to protect and promote the interests of the City of Petaluma. Said conditions shall be implemented or complied with by the applicant, to the satisfaction of City staff prior to installation of the water meter.
 1. For properties within the sphere of influence, annexation impact fees, as established by the City Council, shall be paid prior to the installation of the water meter and where it is deemed by the City Engineer and the Community Development and Planning Director that immediate annexation is feasible, annexation shall become a condition of approval.
 2. Any extension of an approved outside water service for use not specifically approved by the City, e.g. a second dwelling, shall be cause for the discontinuance of service.
 3. "Outside" rate to be established by City Council resolution, which reflects the current rate for metered, water service as per

Petaluma Municipal Code and an additional fee for service outside City limits.

4. An agreement shall be executed between the property owner and the City, to run with the land, which commits present and future property owners to the construction of, or payment for frontage improvements (i.e., one-half street, curb, gutter, sidewalk, water lines for domestic use and fire protection, sewer and storm drainage facilities to City Standards), at the option of the City at such time as the property is subdivided, annexed or abutting properties construct similar improvements. Dedication of right-of-way for public streets or easements for utilities may be required.
5. Water service requested for lands lying within the sphere of influence proposed for subdivision must meet City Development Standards and have direct abutting access to an improved public street designed to meet City Standards.
6. Maximum size service shall be limited to 3/4 inch service unless otherwise specifically approved by the City Council.

V. Resolution 9975 N.C.S. regarding water extension policy to property outside the corporate limit of the city is hereby repealed in its entirety.

BE IT FURTHER RESOLVED that until/unless the water mains are upgraded to the City's satisfaction, no further hook-ups shall be permitted in the area westerly of Bantam Way consisting of properties in the vicinity of Western Avenue, Chileno Valley Road, Spring Hill Road, Cleveland Lane and Chapman Lane.

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a (Regular) ~~(Adjourned)~~ (Special) meeting on the 6th day of February, 1989, by the following vote:

Approved as to form

City Attorney

AYES: Cavanagh, Tencer, Sobel, Woolsey, Balshaw, Vice Mayor Davis
Mayor Hilligoss

NOES: 0

ABSENT: 0

ATTEST:

City Clerk

Mayor

Council File 4
Res. No. 89-67 N.C.S.

Resolution No. 89-68 N.C.S.
of the City of Petaluma, California

A RESOLUTION ESTABLISHING POLICIES FOR EXTENSION
OF SEWER SERVICE FOR USE OUTSIDE OF THE CORPORATE
LIMITS OF THE CITY OF PETALUMA

WHEREAS, the City of Petaluma is willing, under certain circumstances, to provide sewer service to lands currently outside of the corporate limits of the City but within its Sphere of Influence. In addition, other limited service may be provided at the discretion of the City Council where existing conditions are an immediate threat to the health and welfare in areas outside of the City's Sphere of Influence.

WHEREAS, by offering such opportunities it remains the City's policy to: 1) oppose urban development in unincorporated areas, 2) limit premature parcelization and development of agricultural lands, 3) offer sewer service as a means of meeting immediate human health needs rather than providing a convenience for future parcelization or development outside of the corporate limits; and,

WHEREAS, certain areas have been identified as urban service areas on the City's adopted sphere of influence, wherein the provision of sewer service for less than urban densities is currently provided or will likely be provided, which are not planned as potential annexation areas.

NOW, THEREFORE BE IT RESOLVED THAT:

I. Applications for outside sewer service shall be considered and may be approved only when the following circumstances exist:

A. AREAS WITHIN THE ADOPTED SPHERE OF INFLUENCE

1. The sewer service is to be used: 1) for dwellings in existence on the date of adoption of this resolution 2), for one principal dwelling and up to one accessory "granny" unit approved for construction on parcels created prior to the

date of adoption of this resolution, or 3) for non-residential uses only upon the approval of the City Council.

2. The sewer service is for residential purposes unless otherwise specifically approved by the City Council.
3. The sewer main from which service is to be derived is in place and of sufficient capacity to accommodate the requested service. If deemed necessary by the City Engineer, a sewer main to serve the property must be constructed to standards acceptable to the City of Petaluma and dedicated to the City for public use.

B. AREAS OUTSIDE OF THE ADOPTED SPHERE OF INFLUENCE

1. A clear health hazard exists.
2. Need is demonstrated by evidence of contamination clearly stated in a letter from County Health Department with documentation by an independent laboratory and/or civil engineer whichever is deemed appropriate by City staff.
3. Service may be provided to dwellings or non-residential land uses in existence on the date of the adoption of this resolution or for dwellings for which building permits have been issued prior to the date of adoption of this resolution or for non-residential uses but only upon the approval of the City Council.
4. The sewer main from which service is to be derived is in place and of sufficient capacity to accommodate the requested service. If deemed necessary by the City Engineer, a sewer main to serve the property must be constructed to standards acceptable to the City of Petaluma and dedicated to the City for public use.

- II. Applications for outside sewer service within the sphere of influence shall be reviewed and conditionally approved or denied by the City Engineer and the Director of Community Development and Planning in accord with the policies and conditions herein set forth.
- III. For areas outside the sphere of influence where a clear health hazard exists, requests shall be reviewed on a case-by-case basis by the City Council.
- IV. Every outside sewer service approval shall be subject to the following conditions and any other conditions the City Engineer and Director of Community Development and Planning deem necessary to protect and promote the interests of the City of Petaluma. Said conditions shall be implemented or complied with by the applicant, to the satisfaction of City staff prior to initiation of service.
 1. For properties within the sphere of influence, annexation impact fees, as established by the City Council, shall be paid prior to the initiation of the sewer service and where it is deemed by the City Engineer and Engineering and the Community Development and Planning Director that immediate annexation is feasible, annexation shall become a condition of approval.
 2. Any unauthorized extension of service for use not specifically approved by the City, e.g. a second dwelling, shall be cause for the discontinuance of service.
 3. "Outside" rate to be established by City Council resolution, which reflects the current rate for service as per Petaluma Municipal Code and an additional fee for service outside City limits to the extent permitted by law.
 4. An agreement shall be executed between the property owner and the City, to run with the land, which commits present and future property owners to the construction of, or payment for frontage improvements (i.e., one-half street, curb, gutter, sidewalk,

water lines for domestic use and fire protection, sewer and storm drainage facilities to City Standards), at the option of the City at such time as the property is subdivided, annexed or abutting properties construct similar improvements. Dedication of right-of-way for public streets or easements for utilities may be required.

5. Sewer service requested for lands lying within the sphere of influence proposed for subdivision must meet City Development Standards and have direct abutting access to an improved public street designed to meet City Standards.

reso.outside.sewer/resoll

Under the power and authority conferred upon this Council by the Charter of said City.

REFERENCE:

I hereby certify the foregoing Resolution was introduced and adopted by the Council of the City of Petaluma at a (Regular) ~~(Regular)~~ ~~(Special)~~ meeting on the 6th day of March, 1989, by the following vote:

Approved as to form

City Attorney

AYES: Cavanagh, Tencer, Sobel, Woolsey, Balshaw, Vice Mayor Davis, Mayor Hilligoss

NOES: 0

ABSENT: 0

ATTEST:

City Clerk

Mayor

Council File 4

Res. No. 89-68 N.C.S.