

## THE [TITLE TO BE CHOSEN BY CITY COUNCIL] INITIATIVE

### Section 1. Declaration of Purpose.

The purpose of this Initiative is to:

- A. Preserve and protect scenic hillsides and preserve views of the ridges that surround Pleasanton.
- B. Achieve that preservation/protection through a collaborative and public process.
- C. Reaffirm and readopt General Plan policies and programs that currently provide, with no exemptions, preservation and protection of hillsides and views of ridges.
- D. Clarify how all types of housing units are counted towards the maximum buildout of 29,000 housing units.

### Section 2. Findings.

- A. The hillsides and ridges that surround Pleasanton provide spectacular views and the community wants to ensure that these scenic hillsides and ridges are preserved for the protection of public health and safety, to provide for trails in such open space, for the continuation of agriculture and grazing, to protect natural resources and sensitive habitats, and to preserve wildlands.
- B. The General Plan has a policy that Pleasanton residents will participate in land use planning and decision making, and in recognition of such collaborative and public process, an ordinance/design guidelines should be developed to:
  - a. Identify specific ridges, based on engineering considerations related to view lines, geotechnical conditions, elevations (in the Southeast Hills in particular) and other relevant data, where development should not occur.
  - b. Such ordinance/design guidelines must be drafted as expeditiously as possible and by no later than the end of November 2009.
  - c. In drafting such ordinance/design guidelines, the collaborative and public process should include Pleasanton residents, property owners potentially affected by such ordinance/design guidelines, representatives of environmental organizations, open space and trail advocates and other interested persons.
  - d. Such ordinance/design guidelines would be subject to public environmental review under the California Environmental Quality Act (CEQA).
- C. To accomplish such preservation, the Conservation and Open Space Element of the General Plan provides in Goal 1, the following, Policy 5.1: Develop a ridgeline

protection ordinance and scenic hillside guidelines to improve safety and reduce the potential negative visual impacts of development in hilly areas.

- D. In addition, the Land Use Element of the General Plan provides in Goal 1, the following: Policy 12: Preserve scenic hillside and ridge views of the Pleasanton, Main, and Southeast Hills ridges; and Program 12.2: Study the feasibility of preserving large open space areas in the Southeast Hills by a combination of private open space and a public park system. And the Conservation and Open Space Element states in Goal 1, the following: Policy 4: Protect all large continuous areas of Open Space, as designated on the General Plan Map, from intrusion by urban development.
- E. Since the voters' adoption of the housing unit cap in 1996, the City Council has consistently determined that all single family homes, multi-family projects (including apartments and mobilehomes) have counted against the housing cap. Similarly, the City Council has consistently not counted against the housing cap either second units (as provided by State law) or rooms within extended stay hotels, as these uses are commercial in nature. These actions of the City Council have been consistent with the Land Use Element of the General Plan, Goal 2, Policies 14 and 15.
- F. This Initiative reaffirms, readopts and clarifies existing City policies and programs and therefore no separate environmental review is required.

Section 3. General Plan Policies Regarding Preserving Pleasanton Ridges and Growth Management.

Reaffirmation and Readoption of Policies Concerning Preserving Scenic Hillside and Ridge Views: The [title to be provided] Initiative hereby reaffirms and readopts Land Use Element Policy 12 and Program 12.2, Conservation and Open Space Element Policy 4, as set forth in Section 2.D of this Initiative.

Reaffirmation and adoption of Growth Management Policy Concerning Housing Units: The [title to be provided] Initiative hereby reaffirms the General Plan Land Use Element Policy 15 and clarifies how all types of housing units are counted against the housing cap, such that Policy 15 reads as follows: "Maintain a maximum housing buildout of 29,000 units within the Planning area. Each single family residential unit and each multi family residential unit (for example, a condominium, townhouse, each half of a duplex, a mobilehome, or an apartment unit), whether market rate or affordable, shall count towards the maximum housing buildout. Units within assisted living facilities are generally not counted toward the maximum housing buildout due to their commercial nature, but a proportion of such developments may be counted toward the maximum housing buildout based on impacts on community services and infrastructure. Second units and extended stay hotel rooms shall not count against the maximum housing buildout."

Section 4. Implementation.

The collaborative public process identified in Section 2B of this Initiative shall be completed by November 30, 2009.

Section 5. Effectiveness.

A. Effective Date. This Initiative shall take effect if a majority of the votes cast on the Initiative are in favor of its adoption

B. Conflict. The initiative entitled Save Pleasanton's Hills & Housing Cap initiative, which appears on the same general municipal election ballot as this Initiative, shall be deemed to be in conflict with this Initiative. In the event that this Initiative receives a greater number of affirmative votes, the provisions of this Initiative shall prevail in their entirety, and each and every provision of the other initiative shall be null and void.

Section 6. Exemption for Vested Projects.

This Initiative shall not apply to any development project that has obtained as of the effective date of the Initiative a vested right pursuant to State law.

Section 7. Severability.

If any portion of this Initiative is hereafter declared invalid by a court of competent jurisdiction, all remaining portions are to be considered valid and shall remain in full force and effect.

Section 8. Amendment or Repeal.

This Initiative may be amended or repealed only by the voters of the City of Pleasanton at a City election.

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