

CITY OF DUBLIN MEASURE

M **MEASURE M:** Shall a Resolution be adopted to amend the City of Dublin General Plan to establish an Urban Limit Line in the Western Extended Planning Area for a period of 30 years, and to require that the Urban Limit Line may be changed only by a vote of the people of Dublin during the effective period?

YES

NO

CITY ATTORNEY’S IMPARTIAL ANALYSIS OF MEASURE M

Dublin has adopted a General Plan that shows where future urban development could occur in Dublin. Measure M would adopt an Urban Limit Line and other provisions that would change the General Plan for the Western Extended Planning Area, located west of the current city limits. A “Yes” vote would amend the General Plan and enact the Urban Limit Line. A “No” vote would retain the current General Plan provisions. Measure M more specifically provides as follows.

1. The General Plan Western Extended Planning Area includes lands west of the city limits that could be urbanized in the future if they were annexed to the City. Measure M would establish an Urban Limit Line along the current westerly city limits. The location of the Urban Limit Line could not be changed and the lands west of the Urban Limit Line could not be considered for future urbanization by the City unless a General Plan Amendment is approved by the City Council and by the voters of Dublin. The General Plan land use designation for the lands west of the Urban Limit Line would be changed from “Residential/Open Space” to “Rural Residential/Agriculture”. This land use designation would be effective only if these lands were annexed to the City.
2. Measure M would restrict City approval of the use or extension of city services, facilities, and roads for urban development west of the Urban Limit Line.
3. Measure M contains a sunset date, which provides that the Urban Limit Line and related policies will remain in effect for a period of 30 years from the effective date of the measure.
4. Under existing law, the General Plan can be amended by the City Council. Measure M provides that General Plan Amendments approved by the City Council for urban development west of the Urban Limit Line would only become effective upon approval by the people of Dublin.

Measure M requires a majority vote for approval.

s/ELIZABETH H. SILVER
City Attorney

ARGUMENT IN FAVOR OF MEASURE M

There is an increasingly urgent need to preserve our open space and park land in the western area of Dublin.

The Dublin City Council has placed Measure M on the ballot to give you the right to approve or not approve any new housing proposals in the foothills of western Dublin. It guarantees a vigorous public debate about any new housing proposals and ensures a democratic planning process.

Measure M does not remove or restrict land uses that the landowners currently enjoy in that area.

The eastern area of Dublin will have 14,000 new homes appropriately located on stable land with easy access to BART. Dublin voters approved this plan.

Shouldn't voters have the same opportunity for the west?

We urge you to vote "YES" on Measure M on November 7th.

s/DUBLIN CITY COUNCIL, City of Dublin

"Arguments in support or opposition to the proposed law are the opinions of the authors."

REBUTTAL TO ARGUMENT IN FAVOR OF MEASURE M

Open space preservation must be done in a fair and equitable way – Not Measure M. VOTE NO!

There are 382 acres of dedicated open space in the West Dublin foothills. If citizens want more open space, this measure should be about buying land! Attempting to obtain open space by locking land in its present non-viable use (agriculture), and curtailing chances of changing that by requiring a public vote is unfair. Similarly, reducing its market value by legislation expecting to purchase it at agricultural value is equally wrong!

If Measure M passes, Dublin not only loses control and tax revenue, as landowners plan with Alameda County . . . we also lose a vehicle whereby DONATION of expansive areas of open space, parkland and trails could be negotiated in exchange for limited development, which would be environmentally sound, while protecting the ridgelines, creeks and aesthetic value of the foothills.

Therefore, if Measure M passes citizens must be prepared for INCREASED TAXES to supplement other funds generated for acquisitions.

Note:

- A BART station is planned for West Dublin.
- Voters approved East side plans with the existing process. They didn't need Measure M!
- Our current democratic process makes burden of proof and public input mandatory. Measure M's voter requirement shifts growth from PLANNING to POLITICS. Do you really want your city's planning decided by campaigns?

Last November, voters denied this type of citizen vote planning by defeating the CAPP initiatives in Pleasanton, Livermore and San Ramon . . . **Dublin must do the same, VOTE NO!**

s/PETE SNYDER, Former Mayor

s/DAVE BURTON, Former Vice-Mayor

s/DON JOHNSON, Past President Chamber of Commerce

s/PAUL MOFFATT, Former Mayor

s/VALERIE BARNES, Former City Councilmember

ARGUMENT AGAINST MEASURE M BEWARE!

A few homeowners in the West Dublin Foothills initiated this measure. Behind the smokescreen of “empowering voters”, these residents seek to prevent residential growth in their neighborhood. This measure neither limits growth nor protects greenbelts anywhere else in Dublin – only their neighborhood.

Measure M is POOR PLANNING that hurts Dublin:

- **Dublin loses control of this land** as landowners are forced to deal with Alameda County. Don’t give away the local control you have today!
- **The proposed Urban Limit Line undercuts “Smart Growth”** by excluding land surrounded by existing or approved homes on three sides. Land that has existing infrastructure (water tank/sewer lines) and city streets leading to the property line.
- **Other Dublin neighborhoods will have to accommodate the City’s future growth** – including the problems of higher density . . . traffic, noise, pollution and crime.

Measure M is UNNECESSARY!

- **West Dublin foothills, ridges, and views are NOT at risk!**
 - Strict rules and regulations under existing General Plans already protect them.
- **Dublin Citizens have a voice NOW!**
 - Changing the General Plan requires public notification, thorough environmental review, many public hearings, public testimony and a majority vote of your elected City Council representatives.

VOTE NO ON POOR PLANNING!

Our pioneer ranching families and current Dublin citizens deserve better than this!

s/ROXANNE NIELSEN, Founding Family, landowner

s/DAVE BURTON, Former Vice-Mayor

s/DON JOHNSON, Past President Chamber of Commerce

s/PAUL MOFFATT, Former Mayor

s/VALERIE BARNES, Former Councilmember

REBUTTAL TO ARGUMENT AGAINST MEASURE M

Vote YES on Measure M because:

- * The West Dublin hills and nearly four thousand acres of open space are at risk!
- * There are no current protections for the ridglands. It only takes 3 votes from a City Council to amend the general plan and build homes to the top of the ridge.
- * Dublin citizens have already overwhelmingly rejected large scale development in the western hills. Your current City Council wants you to have a stronger voice in future development plans for the west hills.
- * Millions of dollars are earmarked for Emerald Glen Park in the east. The Council has also allocated over a million dollars to acquire open space in the west hills. Measure M is consistent with that plan, and creates a balance in our community.
- * Dublin residents voted on and approved the East Dublin Plan. Shouldn't they be given the same opportunity for the west?

We urge you to join residents throughout the city and your current elected officials and vote YES on Measure M.

s/TIM SBRANTI, Central Dublin Resident

s/LESLIE JEAN ROE, East Dublin Resident

s/FRED MUSSER, Planning Commissioner

s/MARYBETH ACUFF, Heritage & Cultural Arts Commissioner

s/COLETTE VUKASOVICH, Central Dublin Resident

FULL TEXT OF MEASURE M
A RESOLUTION OF THE CITY OF DUBLIN
APPROVING A GENERAL PLAN AMENDMENT TO
ESTABLISH AN URBAN LIMIT LINE FOR WESTERN DUBLIN

The People of the City of Dublin do hereby resolve as follows:

SECTION 1. Purpose, Effect, Findings.

A. Purpose. The purpose of this General Plan Amendment is to encourage a cohesive pattern of urbanization in the City of Dublin by establishing an Urban Limit Line along the current westerly city limits. The Urban Limit Line is a boundary beyond which urban development shall not encroach into the western hills unless approved by the voters of Dublin. The areas beyond the Urban Limit Line are among the steepest and most heavily wooded in the City's western extended planning area. This General Plan Amendment supports existing General Plan policies calling for preservation of natural habitat, oak woodlands, natural creeks, ridgelines, scenic views, open space, agriculture and other similar resources which characterize the area beyond the Urban Limit Line. Through the voter approval provisions of this General Plan Amendment, Dublin residents will be able to more directly participate in important land use decisions which affect the unique constraints and resources in the western hills and, in turn, affect the residents' quality of life.

B. Effect. This General Plan Amendment will foster and protect the rural character of the western hills where steep slopes, prominent ridgelines and other constraints make urban development difficult. It will also promote uses that foster public health and safety and productive investment for grazing and other agricultural enterprise on lands outside the western City limits. This General Plan Amendment will add a definition of Urban Limit Line to the General Plan and will locate it along the current western City limits. This Amendment will add related policy text to the General Plan and will designate lands beyond the Urban Limit Line as Rural Residential/Agriculture as defined for the western extended planning area.

C. Findings. The People of the City of Dublin hereby find as follows.

1. This General Plan Amendment serves the public interest in protecting Dublin's natural resources and limiting development to areas where it can reasonably be accommodated.

2. The western hills contain numerous environmental constraints such as steep slopes, prominent ridgelines, riparian corridors, sensitive vegetation, landslide areas, and high visibility along Highway 580. Existing General Plan policies restricting development where such constraints are present greatly reduce the ability of the area to sustain urban level development. Furthermore, the General Plan acknowledges that the "present undisturbed natural ridgelines as seen from the primary planning area and key travel corridors are an essential component of Dublin's appearance as a freestanding city ringed by open hills." (Section 3.3, Policy D.)

3. The lands subject to this General Plan Amendment are outside the current City limits of Dublin and not subject to the City's land use jurisdiction,

therefore this General Plan Amendment does not constitute a taking of private lands in that development on such lands is currently governed by Alameda County land use plans, policies and regulations. There are no existing Dublin project approvals in the area beyond the current western City limits.

4. The City can continue to meet its Housing Element objectives of providing for the housing needs for all economic segments of the population, especially lower and moderate income households, by directing the development of housing into areas outside the western hills and currently designated for urban development where services and infrastructure can be provided more cost effectively.

5. Residents in the western hills have raised significant issues regarding current traffic on existing local roadways and the ability of such roadways to accommodate additional urban level use.

SECTION 2. General Plan Amendment.

A. Land Use Map Amendment. Amend the Extended Planning Area Land Use Map, Figure 1-2 of the City of Dublin General Plan, as follows:

1. Amend the legend of Figure 1-2 to add “Urban Limit Line”, to add the land use designation of Rural Residential/Agriculture, and to delete “Residential/Open Space (see note)”.

2. Amend Figure 1-2 to locate the Urban Limit Line in the Western Extended Planning Area along the City limit boundary as of _____.

3. Amend Figure 1-2 to show a land use designation of Rural Residential/Agriculture for all Western Extended Planning Area lands located west of the Urban Limit Line.

4. Amend Figure 1-2 to delete the Western Extended Planning Area Guiding and Implementing policies shown thereon.

B. Text Amendment.

1. Amend Section 1.8.1, Western Extended Planning Area, to state rather than cross-reference the actual text of the “Residential: Rural Residential/Agriculture” land use designation and to readopt the designation as follows:

“Residential: Rural Residential/Agriculture (1 unit per 100 gross residential acres). Accommodates agricultural activities and other open space uses, such as range and watershed management, consistent with the site conditions and plan policies. This classification includes privately held lands, as well as public ownerships not otherwise designated in the plan for Parks, Open Space, or Public/Semi-public uses. Assumed household size is 3.2 persons per unit.”

2. Amend Section 1.8.1, Western Extended Planning Area, to add the following after “Other land use categories” and before Table 1.1:

“Urban Limit Line. An Urban Limit Line was adopted by initiative in _____ for the Western Extended Planning Area. The Urban Limit Line is located along the city limits line as of the effective date of the initiative. Pursuant to the initiative, lands west of the Urban Limit Line are designated as Rural Residential/Agriculture on the Land Use Map. The initiative is effective for 30 years from its effective date; the location of the Urban Limit Line may be changed only by a vote of the people of Dublin during the effective period, and only fol-

lowing review and approval of a General Plan Amendment by the City Council. Any request to change the Urban Limit Line must be accompanied by a request to amend the land use designation to an urban designation.”

3. Amend Section 2, Western Extended Planning Area, to add the following at the end of the section, after Table 2.2:

“All lands in the Western Extended Planning Area located west of the Urban Limit Line as defined in Section 2.B.2 above, shall be designated Rural Residential/Agriculture for a period of 30 years from the effective date of Resolution _____, adopted by initiative in _____. The intent of the Urban Limit Line is to protect the natural resources of the western hills and to restrict further urban development in the western hills, instead guiding it to areas of Dublin that are less constrained and where urban services can be provided in a more efficient and cost-effective manner.

In addition to restricting urban development, the City will not approve or recommend approval of the permanent use or extension of city services or facilities, including but not limited to utilities or roads, to support or facilitate urban development beyond the Urban Limit Line.”

SECTION 3. Implementation.

A. Effective Date. Upon the effective date of this resolution, the provisions of Section 2 of this resolution are hereby inserted into the City of Dublin General Plan as an amendment thereof.

B. City Ordinances and Policies. All City plans, policies, ordinances, rules and regulations constituting legislative acts shall be amended as necessary as soon as possible and in the time and manner required by State law to ensure consistency between those policies and the provisions adopted by Section 2 of this resolution.

C. Project Approvals. Upon the effective date of this resolution, the City, and its departments, boards, commissions, officers and employees, shall not grant or by inaction allow to be approved by operation of law, any General Plan Amendment, rezoning, specific plan, tentative or final subdivision map, conditional use permit, building permit or any other ministerial or discretionary entitlement, which is inconsistent with this resolution.

SECTION 4. Exemptions for Certain Projects. This resolution shall not apply to any development project that, as of the effective date of this resolution, has obtained a vested right pursuant to State law.

SECTION 5. Severability. If any portion of this resolution is declared invalid by a court, the remaining portions are to be considered valid.

SECTION 6. Amendment or Repeal. Except as specifically provided herein, this resolution may be amended or repealed only by the voters of the City of Dublin at a City election.

Exhibit List: A – General Plan Figure 1-2 reflecting changes proposed herein.