

MEMORANDUM
OFFICE OF THE
COUNTY EXECUTIVE
COUNTY OF PLACER

To: The Honorable Board of Supervisors
From: David Boesch, County Executive Officer
By: Allison Carlos, Principal Management Analyst
Date: January 8, 2013
Subject: West Placer Land Development Policies

REQUESTED ACTION

Receive information on land use and development policies affecting the West Placer Planning Area; no action is requested.

DISCUSSION

At the November 20, 2012 meeting, your Board affirmed a series of meetings regarding West Placer land use and development. The first meeting was a broad overview of the West Placer Study Area (Figure 1), including projections that could result in a doubling of population by 2060. The greatest percentage of new urban/suburban growth going forward is anticipated to be in the unincorporated area; and, most dramatically, in the West Placer Planning Area. Today, staff is providing information on historical and current land development policies that relate to projects in the West Placer Planning Area. This report intends to highlight elements of policy documents and specific goals and policies that the County has relied upon in reviewing development proposals.

I. Policy

For decades, the County has planned and established policies for urban and suburban growth with consideration of land use, jobs/housing balance, infrastructure and services (among other things). The 1994 General Plan, applicable countywide, is the base document for the West Placer Planning Area. The West Placer Planning Area also includes the "Future Study Area" (contained in the General Plan), and two community plans; the 1990 Dry Creek/West Placer Community Plan and the Sunset Industrial Area Community Plan. Lastly, the 1982 South Placer Policy Plan was a regional planning document developed as a multijurisdictional effort as an outgrowth of early Highway 65 Bypass discussions. This document states, among other things,: (a) Basic urban pattern for the developing portions of South Placer should be characterized by higher density dwelling units clustered around major activity core areas consisting of a mix of commercial, recreation, and public service uses; (b) Growth in employment opportunities within the South Placer region shall be in balance with growth in housing opportunities, and (3) Public services and facilities shall be maintained or upgraded to levels consistent with urban requirements as defined by the local jurisdictions.

These policy documents and complementary Board direction have been used to guide development, with some smaller geographic areas additionally guided by Specific Plans. Comprehensive community planning at a more local level had not occurred for all West Placer Planning Areas prior to large-scale growth plans in the mid-2000's. This required all involved to correlate communities, infrastructure and services for projects.

1994 General Plan

Exhibit 1 summarizes numerous 1994 General Plan goals and policies that have guided development, infrastructure, and services. Examples include:

- 1.A.3: The County shall distinguish among urban, suburban, and rural areas to identify where County-wide development will be accommodated and where public infrastructure and services will be provided. This pattern shall promote the maintenance of separate and distinct communities.
- 1.A.4: The County shall promote patterns of development that facilitate the efficient and timely provisions of urban infrastructure and services.
- 1.A.5: The County shall not approve intensive forms of development or land divisions into parcels of 10 acres or less within any city's sphere of influence where that city's general plan calls ultimately for urban development except where the County General Plan or applicable Community Plan designates the area for urban development. The County shall inform cities in a timely manner when applications for development within their sphere of influence are filed with the County and shall consider the city's ultimate plans for the relevant area during project review.
- 1F: To designate adequately-sized, well-located areas for the development of public facilities to serve both community and regional needs.
- 4.A: Ensure the timely development of public facilities and the maintenance of specified service levels for these facilities.
- 4.B: Ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.

2005 Board Direction for Service Delivery for New Development in West Placer Area

Given the more limited community-level master planning work previously completed for the West Placer Planning Area, and in order to bridge broader policy with very specific development proposals, confirmation of implementation approach was solicited. In 2005, the Board provided direction on urbanization and the provision of higher level urban-type services for the West Placer Planning Area. That direction, in addition to developer project descriptions, was used to inform planning level finance plans and development agreements for the specific plans approved within the geographic area.

II. Policy Implementation – Specific Plans

A Specific Plan is a comprehensive planning and zoning document for a defined geographic area that establishes the land use, project design and directs how the development will occur over that specific land. The content of a specific plan can vary from project-to-project, but all specific plans must comply with Sections 65450 through 65457 of the Government Code. At a minimum, a specific plan must contain:

- 1. The distribution, location, and extent of the uses of land within the area
- 2. The proposed distribution, location, and extent (and intensity) of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities needed to support the land uses described in the plan
- 3. Standards and criteria by which development will proceed
- 4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).
- 5. A statement of the relationship of the specific plan to the General Plan.

Between 2007 and 2009, three specific plans (Placer Vineyards, Regional University, and Riolo Vineyard) were approved within the West Placer Planning Area, resulting in an authorization to develop approximately 20,000 dwelling units, four million square feet of non-residential development, and one university campus site.

Requirements for the specific plans were derived from the 1990 Dry Creek West Placer Community Plan and the 1994 General Plan. The 1994 General Plan acknowledged that General Plan Amendments

(GPAs) would be necessary for urban development in the Future Study Area. The General Plan's policy (for the Future Study Area) called for the County to consider GPAs that designated areas for significant new growth only when development can be comprehensively planned according to an adopted specific plan and with proximity to transportation and transit systems (among other things). Further, prior to a GPA, the specific plans were required to demonstrate that the legal, financial, and practical ability to provide a full range of public services exists and that there is adequate water, sewer capacity, and distribution/collection systems.

Regional University prepared a specific plan consistent with the 1994 General Plan as it is located in the Future Study Area referenced above. For **Placer Vineyards**, the Dry Creek West Placer Community Plan was amended to designate specific land uses and design requirements (e.g., inclusion of a Town Center). **Riolo Vineyards** was required to prepare a specific plan based upon the zoning that was adopted in 1990 with the Dry Creek Community Plan. Riolo Vineyards has a Development Reserve (-DR) zoning designation as the County deemed the area warranted planning as a distinct unit because of the size of the area, the unique geographic setting as discussed in the Dry Creek Community Plan, and the need for substantive planning for infrastructure.

The policy framework for the Placer Vineyards and Regional University Specific Plan projects supported higher density development with transportation networks, transit, community identity, jobs/housing balance, commercial, open space and recreation, and public services and facilities fair share funding. The policy and zoning framework for the Riolo Vineyard Specific Plan was largely in recognition of the unique characteristics of the project area. The land use designation of Low Density Residential provides for a maximum of two dwelling units/acre, and the project is not approved at the same densities of Placer Vineyards and Regional University.

III. Policy Implementation – Development Agreements

Development Agreements (DA) were approved for each of the three specific plans referenced above. The DAs define a comprehensive set of rules and policy objectives to govern the development as it is implemented. These agreements are authorized by California Government Code Section 65864 et seq. and Section 17.58.210 of the Placer County Zoning Ordinance. The approved DAs also provide the property owner with certain vested development rights.

For the specific plans under discussion, the DA benefits to the developers are significant. The County agreed to vesting rights for the term of the DA. This is a substantial benefit to the developers in terms of assurances that the development can proceed as the property owners anticipated. In exchange, the DA sets forth property owners' specific obligations relating to assurances to the County regarding policy implementation, such as: infrastructure construction; limitation of financial risk to the County with these substantial projects; suitable facility and services timing; funding for ongoing public services; and other obligations.

Emerging Policy Issues

At the time the Board approved the specific plans, the financial burden imposed on projects was discussed extensively, as the projected infrastructure and services costs were substantial. Key components within DAs included private sector construction of public facilities while minimizing financial risk to the County. For example, Placer Vineyards has construction obligations triggered with building permits and the developers' construction of infrastructure. Further, a development group would administer the fee program internally, given the multiple owners.

As project proponents are preparing for project implementation, strategies for delivering projects are emerging. Some developers have discussed with staff various concepts, including but not limited to:

- Shift of public facility construction responsibility and administration from project owner to the County
- Shift required improvements to later in the project life
- Reduction and/or elimination of specific land uses
- Deletion of the financing policy that prioritizes services financing over infrastructure
- Proposing a second Community Facilities District which would occur at a point in time beyond the life of the existing DA

To date, these changes have been discussed in the context of information exchange and preliminary negotiations. No formal application has been received with a proposal to change a DA, specific plan or other project entitlement for any of the three specific plans discussed in this report. However, Riolo Vineyard owners have discussed their preference to be considered as a standard residential subdivision, with a fee structure similar to standard subdivisions in the area; and Placer Vineyards has met with County staff to begin discussions along the lines outlined above.

CONCLUSION

This report was intended to provide your Board with policy detail regarding the three specific plans in the West Placer Planning Area. No specific action is requested, but staff can receive any comments in preparation for subsequent workshops. Unless otherwise directed, the County Executive Office and departments with land development responsibility will return with workshops on West Placer Area Development as follows:

February 2013

Service levels, land development costs, and potential fiscal implications.

March 2013

Options and recommendations regarding service delivery levels and costs for West Placer projects.

If individual projects desire to modify their current entitlements, staff recommends each project submit a formal application to amend those entitlements. Modifications could include changes to finance plans, development agreements, specific plans, and possibly the supporting environmental documents.

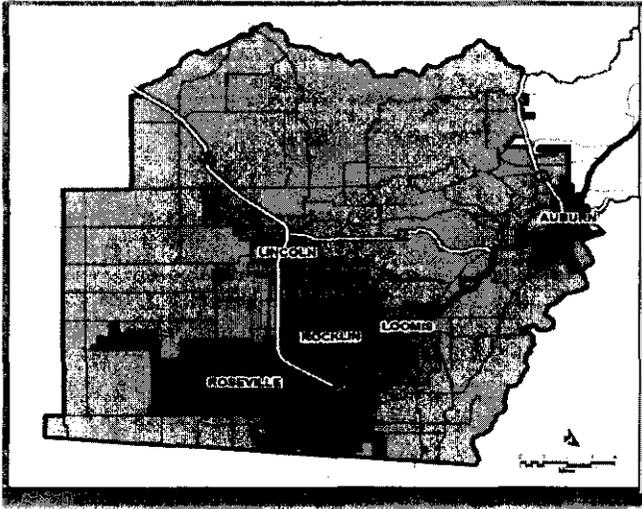
FISCAL

This item will require staff time and intermittent use of consultants. To the extent specific projects are addressed, consistent with typical approaches, direct charges to developers would in part offset costs. To date, this work effort has required use of the General Fund dollars.

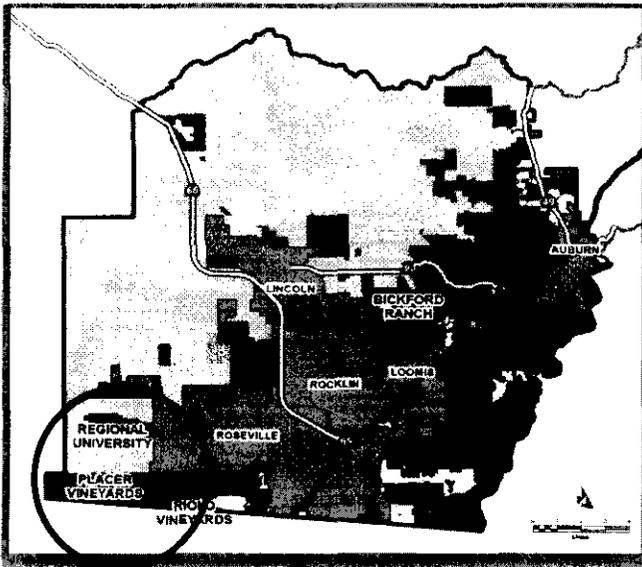
Attachments: Figure 1 West Placer Study Area and Planning Area
Exhibit 1 General Plan Policies – Excerpts

Figure 1

West Placer Study Area



West Placer Planning Area (Unincorporated territory only within circle)



1994 General Plan Goals and Policies – Excerpts

LAND USE GOALS AND POLICIES MISCELLANEOUS

- 1.A.3. The County shall distinguish among urban, suburban, and rural areas to identify where development will be accommodated and where public infrastructure and services will be provided. This pattern shall promote the maintenance of separate and distinct communities.
- 1.A.4. The County shall promote patterns of development that facilitate the efficient and timely provisions of urban infrastructure and services.
- 1.A.5. The County shall not approved intensive forms of development or land divisions into parcels of 10 acres or less within any city's sphere of influence where that city's general plan calls ultimately for urban development except where the County General Plan or applicable Community Plan designates the area for urban development. The County shall inform cities in a timely manner when applications for development within their sphere of influence are filed with the County and shall consider the city's ultimate plans for the relevant area during project review.
- 1.B.5. The County shall require residential project design to reflect and consider natural features, noise exposure of residents, visibility of structures, circulation, access, and the relationship of the project to surrounding areas. Residential densities and lot patterns will be determined by these and other factors. As a result, the maximum density specified by General Plan designations or zoning for a given parcel of land may not be realized.
- 1.G. To designate land for and promote the development and expansion of public and private recreational facilities to serve the needs of residents and visitors.

PUBLIC AND QUASI-PUBLIC FACILITIES, INFRASTRUCTURE GOAL AND POLICIES

- 1.F. To designate adequately-sized, well-located areas for the develop public facilities to serve both community and regional needs.
- 4.A.1. Where new development requires the construction of new public facilities, the new development shall fund its fair share of the construction. The County shall require dedication of land within newly developing areas for public facilities, where necessary.
- 4.A.2. The County shall ensure through the development review process that adequate public facilities and services are available to serve new development. The County shall not approve new development where existing facilities are inadequate unless the following conditions are met:
 - a. The applicant can demonstrate that all necessary public facilities will be installed or adequately financed(through fees or other means); and
 - b. The facilities improvements are consistent with applicable facility plans approved by the County or with agency plans where the County is a participant.
- 4.A.3. The County shall require that new urban development is planned and developed according to urban facility standards.
- 4.A.4. The County shall requi4re proposed new development in identified underground conversion districts and along scenic corridors to underground utility lines on and adjacent to the site of proposed development or, when this is infeasible, to contribute funding for future undergrounding.
- 4.A.5. The County shall ensure that library facilities are provided to current and future residents in the unincorporated area. The County shall also require new development to fund its fair share of library facilities.

PUBLIC RECREATION AND PARKS GOALS

- 5.A: To develop and maintain a system of conveniently-located, properly-designed parks and recreational facilities to serve the needs of present and future residents, employees, and visitors.

Private Recreational Facilities and Opportunities Goal

- 5.B: To encourage development of private recreational facilities.

JOBS-HOUSING BALANCE GOAL

- 1.M: To work toward a jobs-housing balance.

TRANSPORTATION AND CIRCULATION - STREETS AND HIGHWAYS GOALS AND POLICIES

- 3.A: To provide for the long-range planning and development of the county's roadway system to ensure the safe and efficient movement of people and goods.
- 3.A.9. The County shall work with neighboring jurisdictions to provide acceptable and compatible levels of service and joint funding on the roadways may occur on the circulation network in the Cities and the unincorporated areas.
- 3.A.12. The County shall require an analysis of the effects of traffic from all land development projects. Each such project shall construct improvements necessary to mitigate the effects of traffic from the project. Such improvements may include a fair share of improvements that provide benefits to others.
- 3.A.13. The County shall secure financing in a timely manner for all components of the transportation system to achieve and maintain adopted level of service standards.
- 3.A.14. The County shall assess fees on new development sufficient to cover the fair share portion of that development's impacts on the local and regional transportation system. Exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.

INFRASTRUCTURE AND SERVICES GOALS AND POLICIES

- 4.B To ensure that adopted facility and service standards are achieved and maintained through the use of equitable funding methods.
- 4.B.1 The County shall require that new development pay for its fair share of the cost of all existing facilities it uses based on the demand for these facilities attributable to the new development; exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.
- 4.B.2. The County shall require that new development pay the cost of upgrading existing public facilities or construction of new facilities that are needed to serve the new development; exceptions may be made when new development generates significant public benefits (e.g. low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues.
- 4.B.3. The County shall require, to the extent legally possible, that new development pay the cost of providing public services that are needed to serve the new development; exceptions may be made when new development generates significant public benefits (e.g., low income housing, needed health facilities) and when alternative sources of funding can be identified to offset foregone revenues. This includes working with the cities to require new development within city limits to mitigate impacts on countywide facilities and services.
- 4.B.4. The County shall seek broad-based funding sources for public facilities and services that benefit current and future residents of the county.
- 4.B.5. When adopting, amending, and imposing fees and developer exactions, the County shall consider the effects of such fees and exactions on project economics and the County's development goals, and for residential development, housing affordability. This consideration shall recognize any increase in the value of property resulting from County-granted entitlements, including the redesignation of agricultural land for development.

4.B.6: The County shall require the preparation of a fiscal impact analysis for all major land development projects. The analysis will examine the fiscal impacts on the County and other service providers which result from large-scale development. A major project is a residential project with 100 or more dwelling units or a commercial, professional office or industrial development on 10 or more acres of land.

WATER SUPPLY AND DELIVERY GOAL AND POLICY

4.C: To ensure the availability of an adequate and safe water supply and the maintenance of high quality water in water bodies and aquifers used as sources of domestic supply.

4.C.2: The County shall approve new development based on the following guidelines for water supply:

- a. Urban and suburban development should rely on public water systems using surface supply.
- b. Rural communities should rely on public water systems. In cases where parcels are larger than those defined as suburban and no public water system exists or can be extended to the property, individual wells may be permitted.
- c. Agricultural areas should rely on public water systems where available, otherwise individual water well are acceptable.

LAW ENFORCEMENT GOALS AND POLICIES

4.H: To provide adequate sheriff's services to deter crime and to meet the growing demand for services associated with increasing population and commercial/industrial development in the County.

4.H.1: Within the County's overall budgetary constraints, the County shall strive to maintain the following staffing ratios (expressed as the ratio of officers to population):

- a. 1:1,000 for unincorporated area
- b. 1:7 for jail population
- c. 1:16,000 total County population for court and civil officer

4.H.2: The County Sheriff shall strive to maintain the following average response times for emergency calls for service:

- a. 6 minutes in urban areas
- b. 8 minutes in suburban areas
- c. 15 minutes in rural areas
- d. 20 minutes in remote rural areas

FIRE PROTECTION SERVICES GOALS AND POLICIES

4.I: To protect residents of and visitors to Placer County from injury and loss of life and to protect property and watershed resources from fires.

4.I.1: The County shall encourage local fire protection agencies in Placer County to maintain the following minimum fire protection standards (expressed as Insurance Service Organization (ISO) ratings):

- a. ISO 4 in urban areas
- b. ISO 6 in suburban areas
- c. ISO 8 in rural areas

4.I.2: The County shall encourage local fire protection agencies in the County to maintain the following standards (expressed as average response times to emergency calls):

- a. 4 minutes in urban areas
- b. 6 minutes in suburban areas
- c. 10 minutes in rural areas