

## MEMORANDUM

DATE November 15, 2011  
TO Vacaville General Plan Steering Committee  
FROM City Staff and The Planning Center | DC&E  
RE **Policy Options**

A General Plan is made up of text describing goals and objectives, policies, principles, standards, and plan proposals, as well as a set of maps and diagrams. Together, these constituent parts paint a picture of the community's future. To date, the City has been primarily focusing on the creation of the preferred land use alternative for the new growth areas and for the focus areas. As this task draws to a close, the City is now turning its primary focus to General Plan policies.

The City's current General Plan contains guiding and implementing policies. The guiding policies are essentially the goals, standards, and/or objectives the City desires to achieve through implementing the actions stated in the implementing policies. For example, the existing General Plan contains the following guiding policy and identifies the implementing policy to achieve the stated goal:

Guiding Policy 2.1-G 1 – Maintain Vacaville as a free-standing community surrounded by foothills, farmland and other open space.

Implementation Policy 2.1-I 2 – Continue to work through established agreements with the City of Fairfield, City of Dixon, Solano County and Solano Irrigation District and negotiate with other public and private agencies to ensure creation of agricultural zones and open space corridors that will serve as community separators between Vacaville and Fairfield and Vacaville and Dixon.

### **Goal of Steering Committee Meetings #15 and 16**

At Steering Committee Meetings #15 and #16, scheduled for November 17, 2011 and December 1, 2011, respectively, we will discuss a handful of policy topics that will be incorporated into the new General Plan as policies. While the General Plan will cover many policy topics, Steering Committee Meetings #15 and 16 are intended to focus on those policy topics that have generated the most public input and/or have a range of possible approaches. Some of those policy topics were identified in part during Steering Committee Meeting #9 on July 21, 2011 and Community Workshop #2 on August 20, 2011. Others have been identified by staff and consultants based on Steering Committee and City Council input.

The Steering Committee will discuss the following policy topics during Meeting #15 as a precursor to the development of the Draft General Plan document:

- New Land Use Designations - Mixed Use, Technology Park, Urban Reserve, and Residential Medium High Density
- Agricultural Buffer
- New Growth Areas
- Infrastructure in Policy Plan Areas
- Park Acquisition and Maintenance

The Steering Committee will discuss additional policy topics during Meeting #16; those policy topics will be discussed in a separate memorandum.

### **Overview of the Process to Develop Policies**

The General Plan Update is expected to carry forward many of the policies in the existing General Plan, which are working well for the City. However, there are some important policy topics in which the current General Plan policy language is vague, missing, or inadequate to respond to current conditions, or there may be difficulties in implementation of those policies. The process to address these policy gaps by refining existing policies and creating new ones, as needed, is as follows:

- ◆ **Review existing General Plan polices.** City staff from multiple departments have reviewed existing General Plan polices and have provided specific comments to The Planning Center | DC&E regarding how the existing policies are utilized, and have identified which policies need clarification, improvement, or removal. In addition, the General Plan Update consultant team is carefully reviewing the policies and is identifying what changes are

needed to respond to State requirements by drawing from best practices used by other California communities.

- ◆ **Identify and discuss problematic policies and policy issues.** The major policy issues listed above have been identified through the General Plan Update process at public workshops, Steering Committee meetings, Technical Advisory Committee meetings, and City Council Study Sessions. City staff and The Planning Center | DC&E believe these require discussion with the Steering Committee.
- ◆ **Explore options for amending existing General Plan polices and/or adopting new policies.** City staff and The Planning Center | DC&E have prepared preliminary policies and actions to address the major policy issues identified above. In addition, discussion questions have been posed for policy topics not yet discussed with the Steering Committee. Please note that City staff and The Planning Center | DC&E will continue to draft new and amend existing policies, and City staff will consider the possibility of holding additional meetings with the Steering Committee to review these other policies prior to presenting them in the Draft General Plan.
- ◆ **Review the Draft General Plan.** After receiving Steering Committee direction on policy options, the consultant team will incorporate the selected policies into the Draft General Plan. The Steering Committee will review the Draft General Plan at three meetings in summer 2012. However, if City staff and/or the General Plan consultants identify potential policies and/or issues that require additional input prior to the publication of the Draft General Plan, additional Steering Committee meetings will be scheduled.

#### ***A. New Land Use Designations - Mixed Use, Technology Park, Urban Reserve, and Residential Medium High Density***

As result of the process to develop the preferred land use alternative, four new land use designations are being considered. These new land use designations include the following:

- ◆ Mixed Use, a designation that many participants supported throughout the process.
- ◆ Technology Park and Urban Reserve, which have been proposed in the new growth areas.
- ◆ Residential Medium High Density, which will address a density gap between Residential Medium Density and Residential High Density.

Because these are new land use designations, new language must be crafted that describes the designation and establishes development density and intensity standards. Staff and the General Plan consultant propose the definitions provided below for the new land use designations for the Steering Committee's consideration.

### **1. Mixed Use**

Examples of how other jurisdictions have defined Mixed Use include the following:

- ◆ The City of Tracy General Plan includes a designation called Village Center that allows mixed-use development. Commercial-only development is permitted, but a mix of commercial and residential development is strongly encouraged. The allowed residential density is 12.1 to 25 units per acre, and the maximum commercial FAR is 1.0, although a higher FAR is allowed where upper-story housing, off-site or structured parking, and/or pedestrian amenities are provided.
- ◆ The City of Livermore General Plan includes a designation called Neighborhood Mixed Use. This designation allows single commercial or residential uses, but mixed uses are encouraged. There are three sub-designations that allow different densities of residential development: Neighborhood Mixed Use Low Density allows 2 to 3 units per acre; Neighborhood Mixed Use Medium Density allows 3 to 4.5 units per acre; and Neighborhood Mixed Use High Density allows 6 to 8 units per acre. All three sub-designations allow a maximum FAR of 0.3. The Livermore General Plan also allows mixed use at a higher intensity in the Downtown.
- ◆ The City of Fairfield allows mixed use in specific areas throughout the city, each with its own set of development density and intensity requirements.

Staff and the General Plan consultant propose the following definition for Mixed Use:

The Mixed Use designation allows and encourages different but compatible uses to be located in close proximity to each other. A common example is a single structure or a group of physically integrated structures that combine residential uses with commercial, public, entertainment, and/or office uses. In multi-story mixed-use developments, the ground floor uses are predominantly nonresidential with the purpose of supporting pedestrian activity. Since this designation allows for both residential and commercial uses, a wider residential density range is established, along with an appropriate FAR.

This designation applies to urban areas with major roads, adequate infrastructure, and amenities to support higher densities. Townhomes, garden apartments, apartments, and condominiums would typically be found in this designation. Staff and consultants recommend that the Steering Committee consider a Mixed-Use designation that provides a residential density range of 20 – 24 dwelling units / acre and a non-residential FAR of 1.0 to provide for the type of mixed-use development envisioned in the discussions to-date.

Staff would like the Steering Committee's feedback on whether this draft definition for Mixed Use is appropriate. In particular, we'd like the Steering Committee to consider the following:

- Should single uses be allowed or prohibited?
- Is 20 to 24 dwelling units per acre an appropriate density range for residential development in the Mixed Use designation?
- Is a maximum FAR of 1.0 an appropriate allowed intensity for commercial development in the Mixed Use designation?

## **2. Technology Park**

Staff and the General Plan consultant propose the following definition for Technology Park:

This designation applies to sites of at least 100 acres in size. Development in this designation must provide a landscaped setting, and may include office centers, research-and-development facilities, technology facilities, and, medical and institutional uses. Secondary uses may include limited industrial activities, small-scale warehousing and distribution operations, and limited retail sales accessory to these areas. Commercial uses and services for employees and businesses (e.g. delicatessens, child care, dry cleaners, and branch banks) shall be required as a means of reducing trips and vehicle miles traveled. These uses shall be centrally located and have adequate pedestrian access. The commercial uses and services shall be an ancillary, rather than a primary, use.

## **3. Urban Reserve**

As an example of an Urban Reserve designation, the City of Tracy General Plan applies this designation to large areas where comprehensive planning must occur prior to urbanization. The General Plan also provides a brief discussion of the vision for each Urban Reserve and specific principles for its development.

Staff and the General Plan consultant propose the following definition for Urban Reserve:

The Urban Reserve designation is applied to relatively large and contiguous geographic areas where comprehensive planning must occur prior to urbanization. The purpose of assigning the Urban Reserve designation to these large, undeveloped areas, rather than specific land use designations, is to provide guidance regarding the vision and types of land uses allowed while still allowing flexibility in the location of these uses. This designation is also appropriate for areas where it is currently infeasible to extend utilities infrastructure to serve new development, but where specific interim uses that don't require such infrastructure would be acceptable.

#### **4. Residential Medium High Density**

Staff and the General Plan consultant propose the following definition for Residential Medium High Density:

To provide opportunities for higher density multi-family residential uses, including townhomes, condominiums, and apartments, subject to appropriate standards. The base density is 14.1 units per gross developable acre, and the maximum potential density is 20 units per gross developable acre.

*Note: The recently-adopted Housing Element requires that the City increase the minimum density allowed in the Residential High Density designation from 14.1 units per acre to 20.1 units per acre. This change enables the City to meet its fair share of the regional housing allocation of residential units. The new Residential Medium High Density land use designation helps address the "density gap" between the minimum allowed density in the revised Residential High Density designation (20.1 units per acre) and the maximum allowed density in the Residential Medium Density designation (14 units per acre).*

## **B. Agricultural Buffer**

The existing General Plan and the 1995 Master Water Agreement with the Solano Irrigation District (SID) established a permanent, 500-foot wide buffer between agricultural lands and residential uses to protect viable agricultural operations from the intrusion of urban uses, and to protect urban uses from typical farming nuisances such as dust, noise, and the use of pesticides and fertilizers. Current General Plan policy allows public or private recreational facilities, stormwater detention ponds, tree farms, wholesale nurseries, and other specified uses within the buffer. However, SID has indicated that they may further restrict uses within the buffer to uses that would preclude human activity.

Prior to any development being permitted in the East of Leisure Town Road Growth Area beyond the current Urban Service Area, the City and SID will have to amend the Master Water Agreement and mutually agree on the width and location of the new buffer, and the uses permitted within it. This process will require continuing discussions between the City and SID. At a past SID Board meeting, SID requested that the City propose a preferred agricultural buffer width and location for the General Plan Update. Following the City's proposal, SID will then comment further on the topic in terms of the buffer's ultimate width and location. At the same Board meeting, SID noted their strong preference for limiting permitted uses within the buffer to passive recreational uses (e.g. trails), passive open space uses (e.g. detention basins), and/or passive forms of alternative energy facilities. Although SID has stated this preference and must agree to the uses allowed in the buffer, it is still important to obtain Steering Committee recommendations on the allowed uses because the City will likely be the entity that regulates land uses within the buffer. In addition, the allowed uses will impact farmers and Vacaville residents, including access to open space areas and exposure to dust, noise, and pesticides from agricultural operations.

At the July 21, 2011 meeting, the Steering Committee agreed that the new buffer should be 500 feet in width, and should only be required adjacent to residential uses. The Committee did not reach consensus regarding its location. For the purpose of the General Plan Environmental Impact Report, staff proposes the East of Leisure Town Road Growth Area be modeled as proposed by the Jepson Ranch Group with the agricultural buffer straddling the Urban Growth Boundary (UGB). Under this scenario, 115 feet of the buffer is located within the UGB, and the remaining 385 feet are located under the PG&E transmission tower easement, outside the UGB. This is also consistent with the direction from the City Council at the October 20, 2011 Study

Session, when the Council expressed support for the Jepson Ranch Group's land use alternative for the East of Leisure Town Road Growth Area. The ultimate width and location of the buffer will be subject to mutual agreement between the City and SID.

Examples of how other jurisdictions have addressed agricultural buffers include the following:

- ◆ Solano County requires an agricultural buffer width of at least 300 feet. The County requires that the buffer be located on the land proposed for development, rather than on the agricultural land. The cost to create and maintain agricultural buffers is funded by new development through impact fees or ongoing maintenance fees.
- ◆ The City of Tracy requires an agricultural buffer of "sufficient size to protect the agriculture operations from the impacts of incompatible development." The City requires that the buffer be located on the land proposed for development. In addition, the City stipulates that the buffer area shall not become the maintenance responsibility of the City.
- ◆ The City of Fairfield seeks to establish an agricultural buffer "through the acquisition of fee title, development rights or conservation easement(s)." In addition, the City allows agricultural and recreational uses within the buffer.

### **1. Draft policy on agricultural buffer width**

- a. Maintain a 500-foot agricultural buffer between all residential development and agricultural lands on the periphery of the city, located east of Leisure Town Road, south of the Locke Paddon Community, and north of the railroad tracks. The portion of the buffer that is located adjacent to the PG&E easement and inside the Urban Growth Boundary shall contain substantial landscaping to discourage unlawful access onto the agricultural lands, and to lessen the potential impacts of typical agricultural activities on residential uses.

### **2. Draft policy options on agricultural buffer location**

- a. The agricultural buffer may be located within, partially within, or completely outside of the Urban Service Area and Urban Growth Boundary. The PG&E easement may be used as part of the agricultural buffer.

- b. Coordinate with Solano County to encourage the City's agricultural buffer policies (e.g. allowed uses and landscaping requirements) to be applied to the portion of the buffer that is located outside of the city limit.
- c. Require that all land used as an agricultural buffer located outside of the city limits be dedicated to the City to ensure that the City can maintain jurisdiction over the buffer.

*Note: The final language of these policies will be subject to agreed upon location stated in the amended Master Water Agreement between the City and SID.*

### **3. Draft policy on permitted uses within the agricultural buffer**

- a. Uses within the agricultural buffer shall be limited to passive open space uses that are not accessed by a large number of employees or the general public. Permitted uses include:
  - Passive open space uses such as detention basins
  - Passive recreational uses such as pedestrian and bicycle trails
  - Alternative energy facilities

### **4. Draft policies on funding the creation and maintenance of the agricultural buffer**

- a. The cost of the agricultural buffer creation and ongoing maintenance shall be funded by new development through a development impact fee program as established in Title 11 of the Municipal Code.
- b. Establish a mechanism whereby new development in city fringe areas may be assessed impact fees or be required to purchase conservation easements to acquire lands designated for protection within community separators or Agricultural Buffers.

*Note: The City currently collects a Greenbelt Open Space Development Fee on all new residential projects. These policies propose a similar development impact fee.*

### **C. *New Growth Areas***

The City recognizes that local and regional economic conditions will be the primary determinants of local growth potential. However, accommodating that potential requires public services, facilities, and resources such as roads, sewer lines, storm water drainage systems, water treatment and distribution, schools, and police and fire protection. Provision of these services requires the City to establish both short- and long-range growth targets. The primary vehicles for identifying needed public facilities, their timing, and their funding are utility master plans and specific plans. These will be supplemented by additional documents and policies such as the Capital Improvement Program (CIP), the Comprehensive Annexation Plan (CAP), and the Planned Growth Ordinance, adopted as an immediate follow-up to the adoption of the General Plan.

The existing General Plan states that specific plans are to be applied to large areas of raw land on the City's fringe where major utility and circulation extensions are likely to be required. Based on this direction, the following draft policies are recommended to address each of the two new growth areas:

- a. Specific plans shall be prepared for both the East of Leisure Town Road and Northeast Growth Areas to ensure that coordinated plans for land uses, public facilities, and public services are created for each area. Specific plans shall be prepared for both the East of Leisure Town and Northeast Growth Areas.
- b. The specific plans for the East of Leisure Town Road and Northeast Growth Areas shall include a diagram showing the distribution of land uses and define permitted and conditionally permitted land uses, major public facilities (including schools, parks, roads, and water, sewer, and drainage facilities), phasing, infrastructure financing mechanisms, and any other elements that may be needed to ensure an orderly development process with minimal adverse impacts.

As a result of the City Council's direction for the Preferred Land Use Alternative, the City's current housing mix policy providing a housing mix of approximately 60 percent single family (low density residential), 20 percent moderate density, and 20 percent high density will not

apply to the East of Leisure Town Growth Area. However, the City Council recommends retention of the existing housing mix policy on a city-wide basis..<sup>1</sup>

#### **D. Infrastructure in Policy Plan Areas**

Policy plans are one of the primary tools used by the City to strategically plan for new growth within the industrial and business parks. Specifically, policy plans provide land use regulations, site development standards, and performance standards for the area in question. Policy plans also detail the infrastructure needs and identify the phasing of infrastructure improvements. In order to allow development flexibility, the policy plans typically allow a wide range of land uses. While this flexibility can be beneficial to developers and promote economic development, it can also make it difficult to plan for adequate infrastructure. This is due to the broad range of permitted uses, ranging from warehouses to high-tech research and development facilities like Genentech, each with widely varying infrastructure demands.

The General Plan Update focuses on three policy plan areas: Interchange Business Park, Vacaville-Golden Hills Business Park, and Vaca Valley Business Park policy plans. Development of much of the remaining vacant land within these policy plan areas is limited by the available water, wastewater and transportation infrastructure (there is not adequate infrastructure to allow every parcel to be developed with uses that have the higher water or traffic impacts).

At the July 21, 2011 meeting, the Steering Committee provided direction regarding the policy plan areas it related to infrastructure constraints. The direction was as follows:

- Maintain development flexibility within the policy plans.
- Infrastructure improvements should consider long range development. Having adequate infrastructure could be used to entice businesses to Vacaville.
- Sewer capacity should not be viewed as a commodity by property owners/developers. The City should remain in control of allocated sewer capacity.

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<sup>1</sup> "Single family" consists of Rural Residential, Residential Estates, Golf Course Residential, and Residential Low Density. "Moderate density" consists of Residential Low-Medium Density, Residential Medium Density, and Manufactured Housing. "High density residential," also referred to as "apartment-type units," consists of Residential High Density and Residential Urban High Density.

- If sewer capacity is not being used in one area, it should be reallocated to other areas.
- If the City is considering upsizing the infrastructure to serve these areas, get a usage commitment from the property owner/developer beforehand in order to avoid the over building of costly infrastructure.

The Steering Committee also stated their willingness to consider a lesser level of service (LOS) for traffic for the policy plan areas. This deviation from the current General Plan policy regarding LOS would permit a wider range of uses to be developed without the requirement for costly infrastructure improvements. Policies regarding LOS will be discussed in the staff report prepared for Steering Committee meeting #16, scheduled for December 1, 2011.

Staff has considered the Steering Committee's direction regarding infrastructure constraints in the policy plan areas. The following two discussion points are intended to facilitate additional discussion that may help in the creation of the General Plan policies related to infrastructure constraints in the policy plan areas.

- a. New development in the aforementioned Policy Plan areas shall not be approved unless the applicant demonstrates to the satisfaction of the Public Works Director that the project will not exceed available infrastructure capacity, and conforms to the latest adopted Water and Sewer Master Plans, Northeast Sector Sewer Master Plan, and current Wastewater Collection and Treatment Master Plans.
- b. Encourage "dry" businesses, or businesses that do not require intensive wastewater collection capacity, to locate in the policy plan areas in the Interstate 505 corridor. These types of businesses include office development and warehousing facilities.

As previously mentioned, the Steering Committee directed staff to consider infrastructure improvements as part of long term planning. The wastewater collection system for the policy plans has been evaluated and planned for in the Northeast Sector Sewer Master Plan Update document (2009). This plan includes recommended pipeline alignments, facility sizing, planning level estimates of cost, and a preliminary allocation of cost to land areas. The facilities included in the Master Plan are needed to serve the area through buildout of the existing General Plan. New connections consistent with the capacities allocated by the Master Plan are not subject to fees for additional downstream public wastewater collection system facilities other than the

applicable costs of the improvements identified in the plan, normal connection fees, applicable sewer assessment and benefit districts, and development agreements.

### **E. *Park Acquisition and Maintenance***

The City has established a park standard to provide 4.5 park acres per 1,000 people. The City currently has approximately 3.43 acres of parkland per 1,000 residents. Vacaville needs more developed parkland, particularly in the neighborhoods in the western, central, and northeastern portions of the study area. In addition, funding for park maintenance is limited and is currently provided through the City's General Fund and a patchwork of small Lighting and Landscaping Maintenance Assessment Districts (LLMAD).

Provision of a sound park system depends upon funding for three components: acquiring parkland, constructing parks, and maintaining parks. Many funding sources are restricted and can only be used for one of these three components. In addition to these three key issues, public input on park size and community gardens prompted the draft policies related to these topics below.

Examples of how other jurisdictions have addressed parks include the following:

- ◆ The City of Tracy has established a park service standard of 4 acres per 1,000 residents, although its General Plan directs the City to consider increasing this requirement to 5 acres per 1,000 residents. New development must provide park acreage or in-lieu fees at the required ratio. The City allows the following types of parks: Mini-Parks (1 to 3 acres in size); Neighborhood Parks (4 to 12 acres in size); Community Parks (13 to 50 acres in size); Regional Parks (greater than 50 acres in size); Linear Parks (size varies), and Special Use Parks (size varies). Community gardens are allowed in Special Use Parks.
- ◆ The City of Fairfield park standards include the following:
  - Neighborhood Parks (5 to 7 acres) - 1.5 developed acres per 1,000 residents.
  - Community Parks (40 acres) – 2 developed acres per 1,000 residents.

The City's General Plan suggests funding mechanisms for park and open space facilities of interest to more than one entity, and directs the City to investigate funding opportunities for park acquisition and maintenance.

- ◆ The City of Livermore owns and operates some of the small parks in the city, but the Livermore Area Parks and Recreation District (LAPRD) has the primary responsibility to provide, plan for, and maintain parks and community facilities in Livermore. Therefore, the City coordinates with LAPRD on many park issues. However, the City has also established a park service standard of 5 acres of parkland per 1,000 residents, and requires new development to provide new park acreage or in-lieu fees at this ratio.

### **1. Draft policies on park acquisition**

- a. Implement a Quimby Ordinance<sup>2</sup> requiring that park placement be considered and incorporated in the subdivision process.
- b. Continue to purchase new parkland with park development impact fees.
- c. Require new development of 300 units or more to include adequate parkland to serve new residents as part of the development.

### **2. Draft policy on park construction**

- a. Adjust park impact fees to reflect a more accurate cost of developing park land based on real development costs. Include an adjustment factor for changes in the cost of construction.

### **3. Draft policy options on park maintenance**

- a. Implement a citywide Lighting and Landscaping Maintenance Assessment District (LLMAD) to fund park maintenance.

*Note: This would require voter approval.*

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<sup>2</sup> Since the passage of the 1975 Quimby Act (California Government Code Section 66477), cities and counties have been authorized to pass ordinances requiring that developers set aside land, donate conservation easements, or pay fees for park improvements. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities. The benefit of having a Quimby Ordinance is that it ensures that park placement be incorporated into the subdivision process.

- b. Continue current policy of requiring individual new LLMADs for new development projects and leaving existing neighborhoods outside of LLMADs.

#### **4. Draft policies on park size**

- a. All new parks shall be provided in accordance with the following park size standards:
  - New neighborhood parks must be a minimum of 6 acres in size, and up to 9 acres as needed to serve the local service area, except smaller parks may be approved for infill areas where there is a documented shortfall of parkland.
  - New community parks must be a minimum of 10 acres in size, and up to 40 acres as needed to serve the local service area.
- b. Vacaville's only "City" park (Centennial Park at 265 acres) shall be developed to provide a minimum ratio of 1.0 acres per 1,000 residents. Only the city park acres that are improved shall be included (counted) as developed parkland.
- c. Allow new development projects to provide smaller than the minimum standard parks only where there is a well documented shortfall of parkland.

#### **5. Draft policy on community gardens**

- a. New neighborhood parks shall include space dedicated for a community garden use.