



## SUTTER COUNTY COMMUNITY SERVICES DEPARTMENT

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Animal Control  
Building Inspection  
Emergency Services  
Environmental Health  
Fire Services  
Planning

Rich Hall, Director  
Larry Bagley, Assistant Director,  
Permitting Services  
Chuck Vanevenhoven, Fire Services  
John DeBeaux, Emergency Services

February 4, 2005

To: Board of Supervisors

Re: Options for Proceeding with Implementation of Measure M

### Background

At the conclusion of the January 6<sup>th</sup> study session, we indicated that we would review the draft guiding policies presented at that meeting and revise them according to what we heard that evening, along with further discussions among County staff from a variety of departments.

In the process of refining the Guiding Policies, we became concerned that many of the revised policies may be couched in terms too specific for the amount of information and analysis that has been completed to date. To include additional detail at this time may give the perception of a premature decision by the Board on the ultimate plan. We also believe that the discussion in previous study sessions has provided the Measure M Group with sufficient direction to start the planning process. In addition, we would not wish to preclude any option the Board may wish to pursue in the future, based upon more complete analysis and discussion. We believe that the Board has provided clear direction regarding those issues that are most important to them, and we have included a short list of these as Exhibit A to this staff report.

Just as a point of information for the Board, we note that amending the General Plan, and adopting specific plans, are legislative acts. As such the Board has the opportunity to either initiate action themselves, or in the case of applications received by the County, to determine, when an application is filed, whether or not to act on the application, and the timing of their action. In this process, it is important to keep in mind that, in the absence of the Board initiating such action, an applicant may not legally include in their application land for which they do not have the property owner's authorization.

### Proposal

Unless modified by discussion at the February 10, 2005 study session, we propose to discontinue the crafting of specific language on some kind of guidance document through a series of study sessions at this time. Rather, we will direct our efforts to preparing an application processing

funding agreement for use by property owners who wish to make application to implement the provisions of Measure M in the designated area. We will return to the Board at the point a property owner, or group of property owners is prepared to enter into an application processing funding agreement with the County.

Sincerely,

Richards L. Hall, Director  
Community Services Department

RH:tsg

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## Exhibit A

- A. The application and plan shall be developed in accordance with the language contained in Measure M, an advisory measure on the November 2004 ballot, and approved by the voters (see Exhibit B).
- B. The specific plan will include policies ensuring the development of industrial/commercial properties early in the development timeframe, and precluding the development of only residential properties in the plan area.
- C. The specific plan will contain specific policies to encourage employment opportunities for Sutter County residents as part of the build-out of the specific plan area and to encourage employment opportunities for Sutter County residents resulting from new development, including apprenticeship programs.
- D. The specific plan will, by design and policy, protect existing industrial development along Pacific Avenue from the negative impacts of the encroachment of residential development.
- E. As early in the process as possible (i.e., in order to cover the cost of pre-application conferences) a funding agreement will be entered into between the County and the developers wherein the developers will agree to cover all costs related to the processing of any application(s) to implement the provisions of Measure M, including all pre-application consultation work performed since November 2, 2004. The agreement will also include a statement holding the County harmless from all legal exposure as the result of implementing Measure M.
- F. The specific plan will be designed to establish a self-sufficient community that will not require the use of existing or additional County resources. The specific plan will contain policies supporting incorporation of the specific plan area as a city at the optimal time in the future.

**THE CITIZENS ADVISORY ON  
SOUTH SUTTER PLANNING AND ECONOMIC DEVELOPMENT  
ADVISORY MEASURE M**

**Do you approve of planning for commercial, industrial, and residential development in the current South Sutter Industrial/Commercial Reserve if the following planning standards are met?**

*Private developers would submit a proposal for a specific plan, general plan amendment and rezone on land within the South Sutter Industrial/Commercial reserve to accommodate a mix of commercial, industrial, and residential uses. The proposal would be subject to the full planning and environmental review process, including several public hearings and workshops. The Board of Supervisors would make the final decisions on all aspects of the plan and final approval would be at the sole discretion of the Board.*

■ **At least 3600 acres would be provided for commercial and industrial parks to create new jobs in Sutter County as a condition of having residential units approved.**

*Large commercial and industrial parks would be developed and marketed in the initial phases of the community to attract new employers to the County. Programs would be developed to maximize employment opportunities for County residents. The plan would include at least 3600 acres of industrial/commercial property, enough to support an estimated 70,000 jobs.*

■ **At least 1000 acres would be provided for schools, parks, open space, libraries, retail areas and other community facilities paid for by the development.**

*The planned development would be required to include the full range of uses necessary to create a complete community in one coordinated plan, including schools, parks, open space, libraries, retail areas, and a variety of other community and civic uses. These facilities would be privately financed and/or funded by fees on development. All necessary schools would be paid for by a combination of State funding and fees on development. Development fees or similar measures would make up for any shortfall in available State funding for school construction.*

■ **No more than 2900 acres would be available for residential construction on land protected, at a minimum, from a 100-year flood event, resulting in an estimated population of 39,000.**

*Residential construction would be protected, at a minimum, from a 100-year flood event. No more than 2900 net acres would be allowed for housing, including a maximum of 17,500 residential units supporting an estimated population of 39,000 at full build-out. The exact mix of housing types, number of units, and location of the residential development would be determined by the Board of Supervisors through the planning process.*

■ **All necessary road, bridge, water, drainage, sewer and other improvements would be paid for by the development.**

*The Board would adopt a detailed infrastructure, public services and finance plan that would require specific improvements to be provided as a condition of having residential development approved. The finance plan would implement development fees and other similar measures to ensure that the required improvements are paid for by the development without cost to existing residents. In addition to fees, developers may be required to advance funds to build initial infrastructure in advance of development.*

■ **On-going law enforcement, fire, library and other public services would be paid for by the development, without reducing current service levels.**

*The Board would adopt a detailed infrastructure, public services and finance plan that would require the development to fully fund all necessary public facilities and services on an on-going basis. This would include all "municipal services" provided by the County, such as fire protection, law enforcement, library, animal control, street maintenance and the provision of utilities (i.e., water, sewer, drainage). This also would include services provided solely by the County, such as judicial, health, mental health, and social services.*

■ **Developers would sign binding contracts to assure these planning requirements are met.**

*The Board of Supervisors would require all developers to sign development agreements enforcing the planning standards shown in the ballot measure.*