

CHAPTER 10:
Implementation



10.1 OVERVIEW

This chapter outlines the methods by which the Specific Plan will be implemented and includes a discussion of the desired governance structure for the Sutter Pointe community and proposed timing of development, financing, and administrative procedures. California Government Code Section 65451 requires that specific plans include a program of implementation measures, including regulations, programs, public works projects, and financing measures needed to carry out the proposed land use, infrastructure, development standards, and criteria outlined in the Specific Plan.

Sutter Pointe is projected to be built-out over 20 to 30 years. Thus, the implementation plan is intended to ensure that implementation will be comprehensive, coordinated, and responsive to changing circumstances and market conditions. The objective of this section is to describe how infrastructure and public facilities will be constructed in a timely manner, concurrent with the provision of housing and other land uses.

The remainder of this chapter is divided into six sections. Section 10.2, Governance and Fiscal Structure provides direction on establishing accountability for the provision of public services. Section 10.3, Development Intent and Phasing Plan, discusses how the Sutter Pointe community could be developed over time. Section 10.4, Specific Plan Process and Subsequent Reviews provides an overview of entitlements and how they relate to the Specific Plan and subsequent entitlement approvals. Section 10.5, Project Approval Procedures, describes the various project approvals required concurrent with and following adoption of the Specific Plan. Section 10.6, Administrative Procedures, describes how the Specific Plan is implemented through the application and processing procedures. This section also describes the environmental review requirements associated with implementation of the Specific Plan. Section 10.7, Financing and Maintenance of Public Improvements, describes the financing methods that will allow development to proceed in an orderly and fiscally responsible manner.

10.2 GOVERNANCE AND FISCAL STRUCTURE

Sutter County provides largely rural levels of public service that are not appropriate for the density and scale of the proposed Sutter Pointe community. Furthermore, the fiscal structure of the planned Sutter Pointe community inherently depends upon revenues generated by employment and commercial activity to offset the service costs associated with planned residential development. In turn, the planned residential units are needed in order to make the employment uses viable. Therefore, the ultimate plan is for Sutter Pointe to be incorporated as a full-service city at the earliest feasible opportunity.



The following objective and policies address the desired governance and fiscal structure of the Sutter Pointe community following adoption of the Specific Plan.

Objective 10.2-1: Vest governance over the delivery of urban services in a public agency directly accountable to Sutter Pointe residents to the greatest extent practicable and facilitate incorporation of the area.

Policy 10.2-1: A single County Service Area (CSA) or Community Services District (CSD) shall be responsible for providing urban services to the Specific Plan area prior to incorporation.

Policy 10.2-2: Pending incorporation, Sutter County shall consider mechanisms to facilitate input from Plan area residents into governance issues.

Policy 10.2-3: The County shall support and encourage incorporation as soon as reasonable and practicable.

Clear accountability for the efficient and effective delivery of public services within Sutter Pointe is essential. Initial services within the community will be provided by a CSA or CSD. The project site would be detached from the existing CSA or CSD and become part of its own specific CSA or CSD. An ultimate service area (sphere of influence) that is coterminous with the boundaries of the project site would be established, and development would be conditioned to provide adequate revenues to achieve service standards established in the Specific Plan.

Upon incorporation, the responsibility for providing certain services may transfer from the CSA or CSD to the newly incorporated city. Community service levels and infrastructure systems identified within the Specific Plan have been created under the assumption that Sutter Pointe will be incorporated as soon as fiscally feasible. Some services, by state statute, are the exclusive responsibility of a county to provide to both cities and unincorporated areas. These services include, for example, agricultural commissioner, assessor, courts, jails, and health and social welfare services. Such services will continue to be provided by Sutter County to the Sutter Pointe community.

Current and proposed service providers for urban services and infrastructure, both prior to and following incorporation, are identified in Chapter 8, Community Facilities and Services, and Chapter 9, Infrastructure.

Objective 10.2-2: Provide for sufficient fiscal resources to achieve the service levels identified in the Specific Plan, and to avoid a decline in current County service levels as Sutter Pointe develops.

Policy 10.2-4: New development within Sutter Pointe should generate the revenue necessary to fund urban services.

Policy 10.2-5: County revenue sources used to fund countywide services shall not fund urban services for Sutter Pointe.

Policy 10.2-6: The fiscal resources available to the CSA or CSD shall facilitate eventual incorporation of the area as a new city.

Policy 10.2-7: Service costs shall not exceed a level that would jeopardize development economic feasibility nor impose unreasonable cost burdens on homeowners and other property owners.

Policy 10.2-8: The cost burden on Sutter Pointe employment lands should be established at levels competitive with the burden on other comparable employment lands in the region.

An Urban Services Plan (Appendix F) has been prepared showing how service levels identified within the Specific Plan will be financed and achieved.

Service levels for buildout of the planned community are determined within the Specific Plan. The Urban Services Plan (Appendix F) describes how these services will be phased. Service levels for certain services for timeframes prior to buildout are also established within the Urban Services Plan and the Development Agreement accompanying the Specific Plan.

10.3 DEVELOPMENT INTENT AND PHASING PLAN

The Sutter Pointe Specific Plan is part of a comprehensive set of entitlements that establish a regulatory framework for development. With the Specific Plan, the County also approved a general plan amendment, rezone, and development agreement. Following approval of these entitlements, the Master Developer will submit tentative maps, development plans, and design review permits for development of the land parcels by phase identified on the land use map (Chapter 3, Exhibit 3.4).

10.3.1 LARGE-LOT TENTATIVE MAP

Large-lot tentative map(s) may be submitted for review and approval for the Plan area, or a portion of it. Typically, a single large-lot map will be submitted for each phase (or sub-phase) as developers create land use parcels. Large-lot maps show existing conditions, easements, and encumbrances, plus proposed improvements to the property and dedications, including collector and arterial street rights of way, open space corridors, parks and school sites, and the boundaries between different land use categories. Large-lot tentative map(s) are intended primarily for establishing ownership boundaries and for financial purposes. The individual parcels established by the large-lot tentative maps will be subject to subsequent grants of entitlement, and potentially environmental review, as development-level project tentative maps are reviewed and approved. When appropriate, reservations, grants, dedications, and similar requirements for roads, utilities, and public uses may be required at the time of recordation of these large-lot maps.

10.3.2 TENTATIVE SUBDIVISION MAP

Tentative subdivision maps will be submitted for development-level projects following approval of the Specific Plan. The tentative subdivision maps may be submitted to divide large lots created by large lot maps or they may be submitted to divide large tracts of land in the Plan area. The tentative subdivision maps will create not only residential parcels, but will also create public, commercial, and industrial sites. The Specific Plan describes the public services and public facilities that will serve the employment and residential communities created by the plan. The Specific Plan also includes a phasing plan for how and when those public services are established and when the facilities are constructed. Tentative subdivision maps will be required to conform to the phasing plan and public services and facilities policies identified in the Specific Plan.

All land subdivision maps of any type (e.g., tentative or final, vesting or non-vesting, large-lot or small-lot) shall be submitted, reviewed, and approved in accordance with the Sutter County Subdivision Ordinance and the California Subdivision Map Act. Subdivision of the Specific Plan area will be implemented consistent with the Phasing Plan set forth in Section 10.3.3 and the filing of the following:

- Tentative Subdivision Map;
- Revised Land Use Plan (Exhibit 3.4); and
- Revised Land Use Plan Summary by Category and Parcel (Table 3.5).

10.3.3 PHASING PLAN

Objective 10.3-1: Provide for a comprehensively planned infrastructure system and coordinate phasing and construction of public facilities for the Sutter Pointe community.

Policy 10.3-1: The residential mixed-use community shall be designed to be developed in four phases (Phases 1-4) as shown on Exhibit 10.1. It may also be developed in a different configuration of phasing with additional phases or sub-phases, depending on market conditions.

Policy 10.3-2: The employment villages shall be designed to be developed in four phases (Phases A-D) as shown on Exhibit 10.1. The employment villages may also be developed in a different configuration of phasing with additional phases or sub-phases, depending on market conditions.

Policy 10.3-3: The backbone infrastructure and public facilities will be built by one or more “Master Developers” whose responsibilities are identified in the Specific Plan development agreements. “In-tract” improvements will be installed as part of individual project improvements.

Policy 10.3-4: The infrastructure and community facility requirements for each phase or sub-phase will include all backbone and off-site facilities necessary for such phase or sub-phase to proceed.

Policy 10.3-5: Development shall occur by phase or identified sub-phases in sequential order. Phasing boundaries may change and/or parcels may move forward out of sequence, subject to review and approval of the County, provided that the improvements necessary to adequately serve the developing portion of the project will be provided in a timely manner and will be sufficient if no further development occurs.

Policy 10.3-6: For each phase or sub-phase in which a proposal is inconsistent with the phasing plan, developers shall prepare a Phasing Study to demonstrate that adequate road and infrastructure improvements and public facilities are constructed to serve the phase or sub-phase being proposed for construction, as well as the balance of the project.

Sutter Pointe's phasing plan is structured to ensure that planned improvements and public facilities in each phase can support the associated development, and that the development in each phase can support the costs of the required improvements. For purposes of phasing, the Sutter Pointe Specific Plan has been split into two parts:

- The residential mixed-use community, consisting of the Greenbelt Village, Traditional Village, Recreational Village, North Activity Center, East Activity Center, West Activity Center, Town Center, and Mid Riego Neighborhood Center; and
- The employment villages, consisting of the South Employment Village and North Employment Village.

The residential mixed-use community will absorb at a relatively consistent rate, estimated to be approximately 18 to 25 years. This absorption rate will allow for financing of the infrastructure to serve the entire area. The employment villages will build out at a slower and more unpredictable rate, probably over a 30+ year period. The sequence and timing of development for Sutter Pointe will be influenced by the economy, the rate of growth of other regional projects, and changes in regional infrastructure and public facility conditions and needs.

The Phasing Plan and the Financing Plan for Sutter Pointe have been designed to show the necessary improvements for Phase 1 and Phase A and for build out of the entire Specific Plan. The infrastructure master plans and the land use plan also include a conceptual approach for phasing of units 2 through 4 of the residential mixed use community and for units B through D of the employment villages. It is understood that as actual development occurs, phasing boundaries could change based on development constraints, improvement costs, market conditions and other factors that cannot be predicted at this time. To the extent proposed build-out is inconsistent with the phasing shown in the phasing plan, the developers shall provide a Phasing Study to identify the road and utility infrastructure improvements and the public facilities necessary to serve the given phase or sub-phase of development. The Phasing Study shall demonstrate how the phase or sub-phase conforms to the project documents, including the Final EIR, Specific Plan, utility master plans for water, sewer and storm drainage (Appendices C, D, and E), and the County Facilities Master Plan. The Phasing Study will include a financing plan component to identify how the necessary improvements will be financed. The Phasing Study

will also include an update of the Urban Services Plan to demonstrate how necessary services will be provided and funded. The Phasing Study shall be approved with other entitlements (such as a large lot tentative map or tentative subdivision map) approved with each new phase or sub-phase. Any changes to the Phasing Plan and the subsequent Phasing Study are subject to County approval.

The Sutter Pointe phasing plan for Phase 1 and Phase A consists of two components: a phasing map and a description of improvements required for each phase. The phasing map is provided as Exhibit 10.1. Table 10.1 provides a summary of proposed land uses by phase for both the residential mixed-use community (Phases 1-4) and the employment villages (Phases A-D). The textual description of improvements necessary to support each phase is included in the utility master plans. In some cases, improvements are required on a phase-specific basis. In other cases, improvements may be required for development of specific parcels within a phase.

The initial backbone infrastructure will be constructed concurrently for the first residential mixed-use community (Phase I) and the first employment villages (Phase A). Future phases of residential mixed-use community (Phases 2-4) and employment villages (Phases B-D) can proceed independent of each other in response to market demand. Measure M requires that “large commercial and industrial parks be developed and marketed in the initial phases of the community to attract new employers to the County”. Backbone infrastructure will be provided to Phase A of the employment villages at the same

time as infrastructure is provided to Phase 1 of the residential mixed-use community, subject to approval of a financing plan. This will allow fulfillment of the Measure M requirement, as infrastructure for the next phase of each community would then be built as demand requires it, provided the financing plan shows that adequate funds will be available.

All of the necessary infrastructure improvements and public facilities for Phase 1 and Phase A and for build out of the Specific Plan, with specific details relating to those improvements and facilities, are included in the project development agreements.

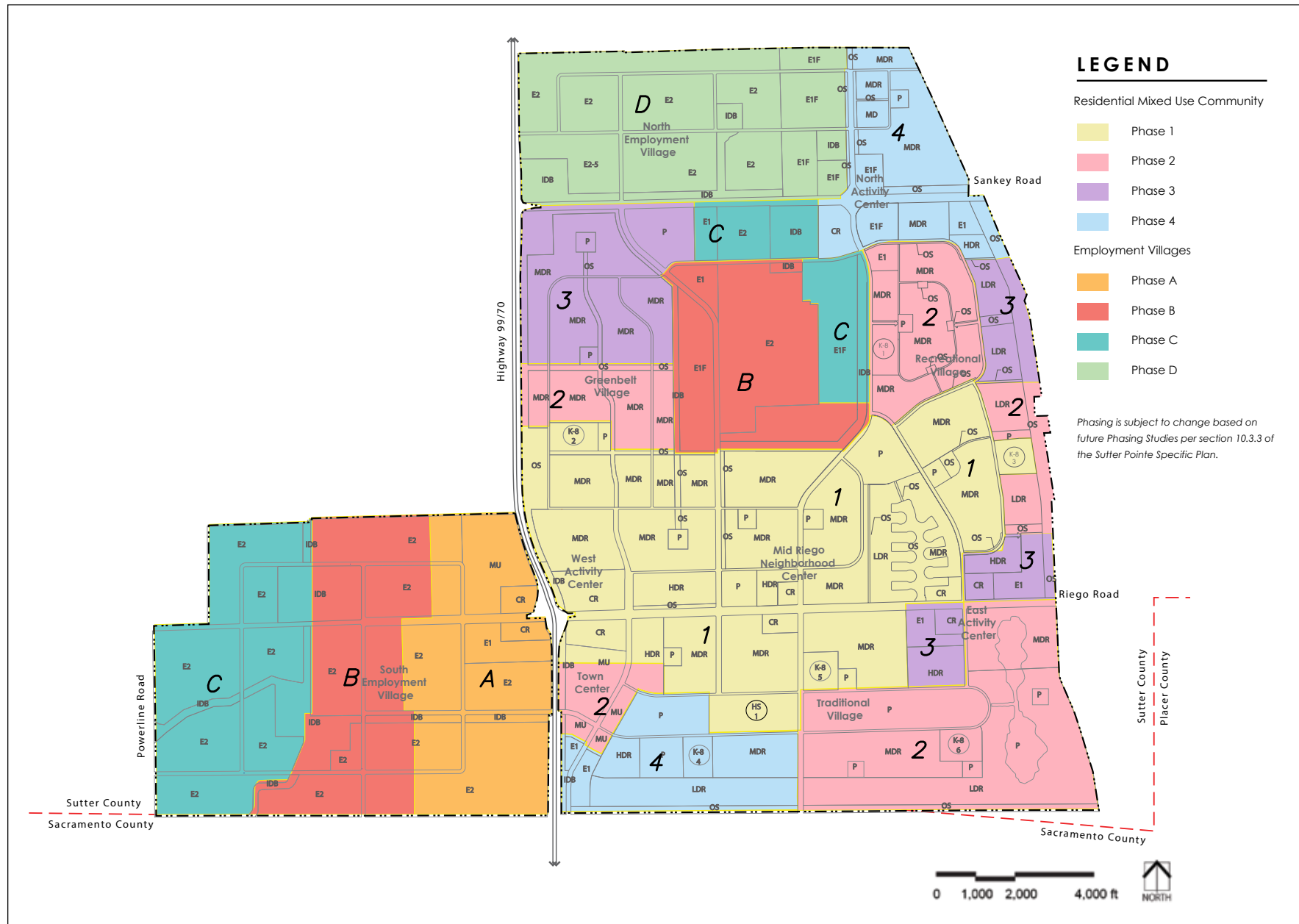


Exhibit 10.1: Phasing Map

Source: Wood Rodgers, 2014

TABLE 10.1: LAND USE SUMMARY BY PHASE

Use	Phase 1			Phase 2			Phase 3			Phase 4			Total		
	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf
MIXED-USE RESIDENTIAL COMMUNITY															
Low Density Residential	60.9	174	-	303.5	864	-	57.4	164	-	91	259	-	512.8	1,461	-
Medium Density Residential	956.1	5,888	-	499.7	3,079	-	253	1,558	-	241.5	1,489	-	1,950.3	12,014	-
High Density Residential	75.4	1,376	-	19	346	-	57.7	1,053	-	35.7	651	-	187.8	3,426	-
Employment 1	-	-	-	11.7	-	178,000	55.4	-	843,000	35.7	-	544,000	102.8	-	1,565,000
Commercial Retail	94.2	-	1,025,000	-	-	-	22.5	-	246,000	26.5	-	289,000	143.2	-	1,560,000
Mixed-Use	16.5	60	252,000	63.3	231	964,000	-	-	-	-	-	-	79.8	291	1,216,000
Detention - Interim	-	-	-	-	-	-	-	-	-	42.2	-	643,000	42.2	-	643,000
Detention - Permanent	6.2	-	-	8.7	-	-	-	-	-	7.9	-	-	22.8	-	-
Open Space	116.1	-	-	118.2	-	-	95.6	-	-	61.9	-	-	391.8	-	-
Parks	107	-	-	186	-	-	61	-	-	83.7	-	-	437.7	-	-
K-8 Schools	62.1	-	-	40.9	-	-	-	-	-	18.7	-	-	121.7	-	-
High School	52.9	-	-	-	-	-	-	-	-	-	-	-	52.9	-	-
Subtotal Mixed-Use Residential Community	1547.4	7,498	1,277,000	1,251.0	4,520	1,142,000	602.6	2,775	1,089,000	644.8	2,399	1,476,000	4,045.8	17,192	4,984,000

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TABLE 10.1: LAND USE SUMMARY BY PHASE (CONTINUED)

Use	Phase A			Phase B			Phase C			Phase D			Total		
	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf	Acres (Gross)	DU	Non-Res Sf
EMPLOYMENT VILLAGES															
Mixed-Use	84.3	308	1,285,000	-	-	-	-	-	-	-	-	-	84.3	308	1,285,000
Employment 1	38.4	-	585,000	21.0	-	320,000	18.9	-	289,000	-	-	-	78.3	-	1,194,000
Employment 2	380.3	-	6,957,000	611.4	-	11,185,000	506.2	-	9,257,000	492.6	-	9,009,000	1990.5	-	36,408,000
Commercial Retail	28.0	-	305,000	-	-	-	-	-	-	-	-	-	28.0	-	305,000
Detention - Interim	-	-	-	138.3	-	2,109,000	97.3	-	1,484,000	128.5	-	1,964,000	364.1	-	5,557,000
Detention - Permanent	15.7	-	-	141.6	-	-	145.0	-	-	89.2	-	-	391.5	-	-
Subtotal Employment Villages	546.7	308	9,132,000	912.3	0	13,614,000	767.4	0	11,030,000	710.3	0	10,973,000	2,936.7	308	44,749,000
Roads and Rights of Way	197.3	-	-	114.1	-	-	106.9	-	-	127.5	-	-	545.8	-	-
Specific Plan Total	2,291.0	7,806	10,409,000	2,277.4	4,520	14,756,000	1,476.9	2,775	12,119,000	1,482.6	2,399	12,449,000	7,528.3	17,500	49,733,000

Note: Discrepancies between Table 3.4: Land Use Summary Table and Table 10.1: Land Use Summary by Phase are due to rounding.

Source: MacKay and Soms and EDAW, 2008

10.3.4 DEVELOPMENT SEQUENCING

Following approval of the Specific Plan, the Master Developer will process tentative maps for Phase 1 and Phase A of the Sutter Pointe community as described and illustrated in Section 10.3.3. These tentative maps will include a large lot map to divide the Phase 1 and Phase A areas into large land use parcels. Along with the large lot map, the Master Developer intends to also submit small-lot tentative subdivision maps on one or more of the residential land use parcels within Phase 1. These small-lot subdivision maps will create the residential villages of new homes. The large lot maps and subdivision maps will be reviewed pursuant to the state Subdivision Map Act and the County Subdivision Ordinance.

As the market dictates, there will be a demand for development on the non-residential sites within Phase 1 of the residential mixed-use community. The non-residential sites will be created with the large-lot map. Development of these sites will be permitted upon approval of Design Review permits. The design review will be conducted in accordance with the provisions of this Specific Plan, and the Land Use and Development Code (LUDC) (Appendix B).

The Master Developer also plans to submit large lot tentative maps on Phase A of the employment village portion of the Specific Plan. Consistent with market demand, large sites will be developed and made ready for potential businesses to locate within Phase A.

Following approval of the Specific Plan, the Master Developer or its successors plan to design and construct all of the major backbone infrastructure components in a coordinated fashion necessary to serve the initial portions of Phase 1 and Phase A. Such improvements include a water treatment plant, new roads, wastewater force main, detention basins, storm drain channels, and necessary public buildings and facilities, such as fire stations, government offices, and parks and trails. The Master Developer will submit to the County improvement plans for all major infrastructure as part of the tentative maps. These plans will be reviewed for conformance with this Specific Plan and corresponding master plans.

The Master Developer will be authorized to begin construction of the major backbone infrastructure upon approval of the improvement plans by Sutter County.

It is possible that a portion of the Phase 1 and/or Phase A area may not develop at the outset. For example, developers north of Riego Road may wish to proceed with development while developers south of Riego Road may wish to wait. In this case, the developers wishing to proceed shall prepare a Phasing Study as described above in Section 10.3.3. The developers not proceeding at that time shall then be required to submit their own Phasing Study when they do proceed with development.

Once individual projects receive approval, either through a tentative map or a Design Review permit, improvement plans for the “in-tract” public facilities will be submitted to the County for review and approval. The Master Developer will be authorized to begin construction of the in-tract infrastructure improvements upon approval of the improvement plans by Sutter County.

Prior to or concurrent with the first discretionary approval, the Master Developer will work with the County to form the appropriate financing mechanisms to fund the costs of the public facilities to be constructed. Builders will receive permits for construction of above ground improvements when all of the necessary conditions of approval of the discretionary entitlements have been satisfied.

In addition to the Phasing Study requirement, the basic phasing mechanism of the Specific Plan is the tentative subdivision map. As each tentative subdivision map is processed, the “in-tract” infrastructure requirements for that subdivision will be established. A financing mechanism will be established to fund backbone infrastructure/ services (likely a CSA or CSD). The infrastructure requirements for each tentative subdivision map will be consistent with the conceptual backbone infrastructure systems set forth in Chapter 9, Infrastructure. The Master Developer will be responsible for constructing the backbone improvements for each phase. The subdivision will be required to construct any in-tract improvements. No building permits can be issued until all the backbone improvements for the phase or sub-phase it is in, and all required in-tract improvements, have been completed. Concurrent with the submittal of each tentative subdivision map, an updated Land Use Summary by Category and Land Parcel Table (modified version of Table 3.5 of the Specific Plan) will be filed with the County. The Transfer of Development Rights procedures set forth in Section 10.6.6 provide flexibility to adapt development phasing to the changes precipitated by a fluctuating economy and regional infrastructure and/or public facility conditions. Exhibit 10.2 summarizes this development sequencing discussion.

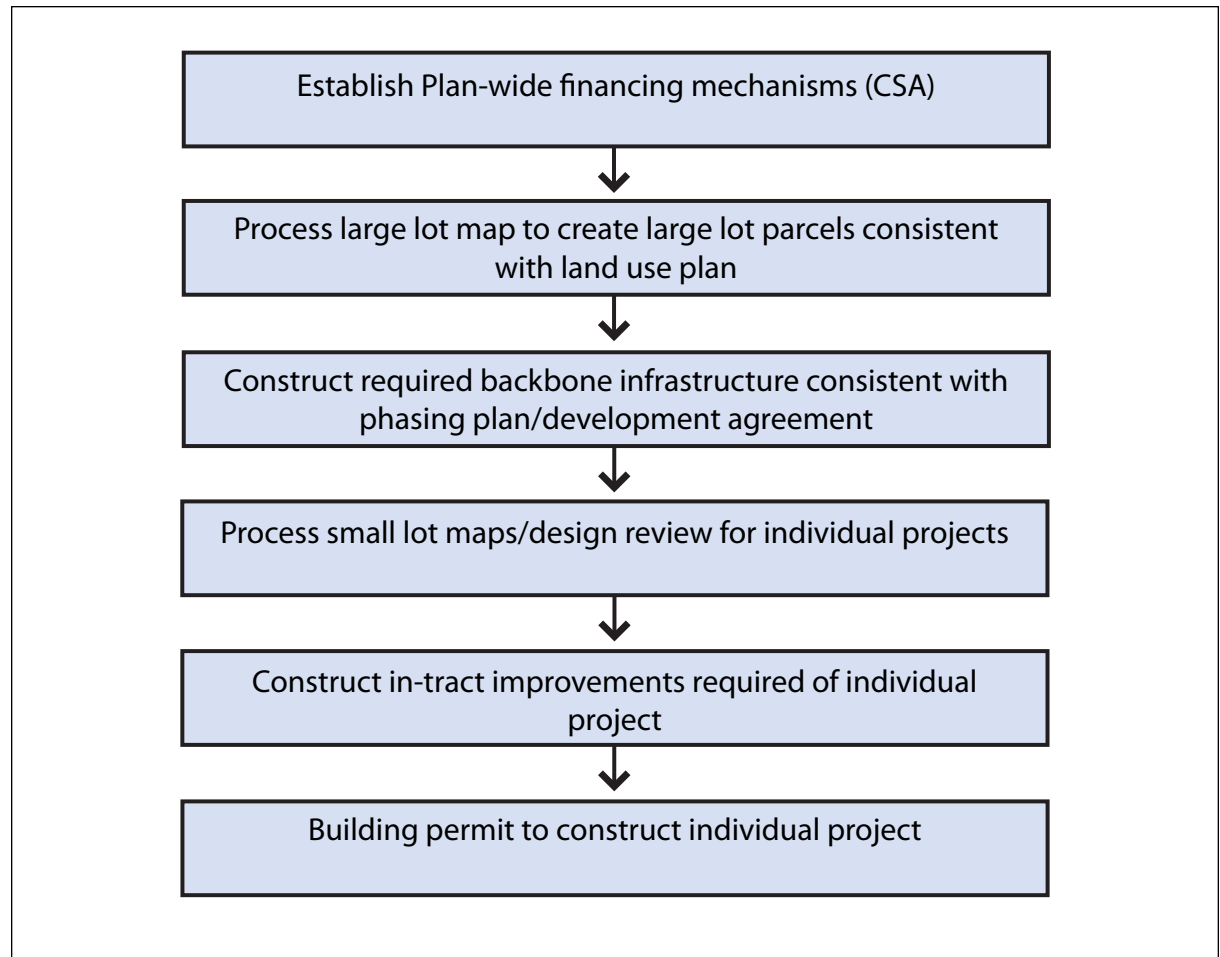


Exhibit 10.2: Development Sequencing

10.4 SPECIFIC PLAN PROCESS AND SUBSEQUENT REVIEWS

This section contains a description of the project entitlements and how they relate to the Specific Plan and subsequent entitlement approvals.

10.4.1 GRANTING OF ENTITLEMENTS

The Master Developers will coordinate the comprehensive planning of the Sutter Pointe Specific Plan area. All property owners within the Plan area were provided the opportunity to participate as Master Developers. A total of four owners controlling approximately 5,623 acres (75 percent) of the Plan area agreed to actively participate in and financially sponsor the preparation of the Specific Plan document and the supporting planning, transportation, engineering, and fiscal studies. In addition, the Master Developers agreed to provide funding to the County to prepare the Environmental Impact Report and related environmental studies.

In recognition of the significant financial commitment provided by the participating owners, the levels of entitlement shown in Table 10.2 were approved concurrent with the Specific Plan.

TABLE 10.2: PRIMARY ENTITLEMENTS

Participating Properties	Non-Participating Properties
Specific Plan	Specific Plan
General Plan Amendment	General Plan Amendment
Zoning	
Development Agreements	

Subsequent to Specific Plan approval, and in order to proceed with the processing of individual development projects, all non-participating properties will require:

1. County approved rezoning from existing agricultural or industrial districts to new zone districts consistent with the Specific Plan and LUDC (Appendix B);
2. Development agreements to ensure participation in Specific Plan improvement and financing programs,
3. Phasing Study to demonstrate how each project conforms to the approved project documents and plans including the Final EIR, Specific Plan, utility master plans, and County Facilities Plan; and
4. Project-level environmental analysis in accordance with the California Environmental Quality Act. Entitlement processing requirements are discussed in Section 10.5.

10.4.2 DEVELOPMENT AGREEMENTS

Policy 10.4-1: Project entitlements within the Specific Plan area shall include development agreements. With approval of the Specific Plan, the County will enter into development agreements with the Master Developer.

Participating landowners will enter development agreements concurrent with Specific Plan approval, and will be granted zoning designations specified in the Land Use Plan (Exhibit 3.4) and LUDC (Appendix B). Non-participating landowners will enter development agreements prior to or concurrent with approval of zoning on subject properties consistent with provisions of Section 10.4.

The first tier development agreements will vest the property owners' rights to develop the property and will set forth the property owners' general obligations related to the construction and financing of infrastructure for the project. Tier 1 development agreements are anticipated to be approved as part of this project approval. Second tier development agreements will address project-level issues and they will direct specific build-out of the Specific Plan area, including project-specific

infrastructure requirements and fee/reimbursement program details. Tier 2 development agreements will be approved with each phase or tentative map, as appropriate.

Tier 2 development agreements will be required to allow physical development in the Plan area.

Approval of subsequent entitlements will require:

- subsequent environmental review;
- Phasing Study for the particular phase or sub-phase of the Plan area to be developed, including a Financing Plan component, addressing urban services and public facilities financing;
- any necessary updates on revisions to infrastructure master plans;
- establishment of appropriate financing mechanisms to fund back-bone infrastructure/ services; and
- subsequent Tier 2 development agreement.

Prior to approval of the first Phasing Study, tier 2 development agreement, or tentative subdivision map within the Plan Area, whichever occurs first, the following plans or studies must be updated:

- Design Guidelines
- Land Use Development Code
- Water Supply Master Plan
- Sewer Master Plan

- Drainage Master Plan
- Dry Utilities Master Plan
- Urban Services Plan and Fiscal Impact Analysis
- Public Facilities Financing Plan
- Conceptual Transit Plan
- Master Air Quality Mitigation Plan

In addition, prior to approval of the first large lot map or the first tentative subdivision map, the following plans or studies must be completed:

- School Facilities Master Plan
- Public Area Landscape Plan
- Parks and Open Space Master Plan

Building permits for subsequent phases may be issued provided necessary infrastructure improvements from earlier phases have been substantially completed and sufficient infrastructure is provided within the subject phase to provide access and utility services as determined by the County Public Works Director.

10.5 PROJECT APPROVAL PROCEDURES

This section of the Specific Plan addresses the project approval process for the Sutter Pointe Specific Plan. Exhibit 1.4 in Chapter 1, Introduction identifies the sequence of approvals.

10.5.1 SPECIFIC PLAN AND CONCURRENT APPROVALS

The following entitlements have been approved as part of the Specific Plan project. Prior to approval of the first Phasing Study, tier 2 development agreement, or tentative subdivision map within the Plan Area, whichever occurs first, some of these entitlements are required to be updated. Those plans and studies that must be updated include the: Design Guidelines; Land Use and Development Code; Urban Services Plan and Fiscal Impact Analysis; Public Facilities Financing Plan; Water Supply Master Plan; Sewer Master Plan; Drainage Master Plan; Dry Utilities Master Plan; Conceptual Transit Plan; and Master Air Quality Mitigation Plan.

FINAL ENVIRONMENTAL IMPACT REPORT (FEIR)

The Sutter County Board of Supervisors certified the FEIR addressing this Specific Plan and any necessary amendments to the Sutter County General Plan, as well as all other related entitlements.

GENERAL PLAN AMENDMENT AND ZONING

The Board of Supervisors approved an amendment to the County General Plan. The amendment modified the General Plan land use map and certain policies to ensure consistency of the Specific Plan. As part of the General Plan amendment, the County established a new land use designation, Sutter Pointe Specific Plan (SPSP). It is applied to all property within the boundaries of the specific plan.

SUTTER POINTE SPECIFIC PLAN, DESIGN GUIDELINES, AND LAND USE AND DEVELOPMENT CODE:

The Sutter County Board of Supervisors (the Board) adopted the Sutter Pointe Specific Plan and Design Guidelines (Appendix A) by resolution. The Board adopted the LUDC (Appendix B) by ordinance. The Design Guidelines provide principles and guidelines to implement the design intent of Sutter Pointe's villages and centers as established in Chapter 3, Land Use. The LUDC serves as the zoning regulations governing development, improvements, and construction within the Specific Plan area in the period between adoption of the Specific Plan and incorporation of the Sutter Pointe community. Upon incorporation, the new city will be required to prepare a General Plan

and implementing Zoning Ordinance, pursuant to California Government Code requirements, and could adopt the LUDC as its interim zoning code.

Refer to Appendix B for additional details regarding the LUDC, requesting changes or amendments to permitted uses or development standards, and enforcement provisions of the Development Code.

ZONING

As noted above, the LUDC acts as the zoning regulations within the Specific Plan area. The County zoning map has also been changed to rezone the properties of participating landowners from their current General Agricultural (AG) designations to the zone districts specified in the LUDC for applicable properties.

URBAN SERVICES PLAN AND PUBLIC FACILITIES FINANCING PLAN

The Urban Services Plan (Appendix F) identifies the level of public services expected within Sutter Pointe and describes the funding methods which may be used to provide these services. The Public Facilities Financing Plan (Appendix G) identifies the estimated costs of public facilities and describes the mechanisms for funding these facilities. These plans have been accepted by the Board, and will be updated and refined following Specific Plan adoption and prior to the recordation of the first

large lot final map or approval of the first small lot tentative subdivision map for any development project.

WATER SUPPLY MASTER PLAN

The Water Supply Master Plan (Appendix C) includes information on the size and location of facilities, the mapping of water service systems, and updated cost estimates.

SEWER MASTER PLAN

The Sewer Master Plan (Appendix D) includes information on the size and location of facilities, the mapping of sewer systems, and updated cost estimates.

DRAINAGE MASTER PLAN

The Drainage Master Plan (Appendix E) includes information on the size of and location of drainage facilities, the mapping of drainage systems, and updated cost estimates. It is used to establish the means and methods by which the project will finance the cost of these facilities.

DRY UTILITIES MASTER PLAN

The Dry Utilities Master Plan (Appendix J) includes information regarding the cable, telephone, natural gas, and electrical service utilities necessary to service the Plan area. The facilities will be constructed and paid for by the utility providers.

CONCEPTUAL TRANSIT PLAN

The Conceptual Transit Plan (Appendix H) addresses public transit service to the Specific Plan area. It identifies routes, service times, fares (including fair share costs for intercommunity and interregional routes connecting to the Plan area), vehicle requirements, service levels, staffing and administrative costs, capital requirements, and any other information necessary to provide comprehensive transit service.

MASTER AIR QUALITY MITIGATION PLAN

The Master Air Quality Mitigation Plan (Appendix I) presents strategies future development within the Plan area must employ to reduce vehicle trips and improve air quality within the Plan area and the Feather River Air Basin.

10.5.2 SUBSEQUENT APPROVALS

Following the approval of the Specific Plan and before the first large lot final map is approved for recordation (or the approval of the first tentative subdivision map for an entire property), the following actions will occur:

SCHOOL FACILITIES MASTER PLAN

This plan shall address the site design and amenities of each K-8 school within the Plan area, in addition to the planned comprehensive high school, and shall include a detailed development plan for each school site.

PUBLIC AREA LANDSCAPE PLAN

This plan shall address the design of the streetscape, landscape corridors adjacent to streets, landscaped buffer areas, other open space areas, community entries, street lights, and other image features that help establish the landscape and streetscape character of the community.

PARKS AND OPEN SPACE MASTER PLAN

This plan shall identify the facilities for each park site, recreation facility, and open space area including a detailed development plan for the type of equipment/improvements, phasing and updated cost estimates for each site.

COUNTY FACILITIES MASTER PLAN

This plan shall identify siting, design, construction, and equipment required for the corporation yard, fire stations, sheriff's substation, government center, library, and transit centers.

ADOPTION OF PLAN AREA FEE NEXUS STUDY AND UPDATES TO URBAN SERVICES PLAN AND PUBLIC FACILITIES FINANCING PLAN

A Plan Area Fee Nexus Study will be completed to determine a pro-rata fair share allocation of the costs to provide public services within the Specific Plan area prior to filing of the first large lot tentative map. Additionally the Urban Services Plan and Public Facilities Financing Plan may need to be updated as part of subsequent approvals pursuant to the Specific Plan.

10.5.3 SUBSEQUENT ENTITLEMENTS

Development within the Plan area is subject to approval of subsequent entitlements by the County. Examples of such entitlements include tentative subdivision maps, Specific Plan amendments, Conditional Use Permits, Minor Use Permits, and Design Review applications. Individual project applications will be reviewed to determine consistency with the Specific Plan and other regulatory documents and guidelines.

Application and processing requirements shall be in accordance with the Sutter Pointe LUDC (Appendix B), Sutter County Zoning Code, and other regulations. All subsequent development projects, public improvements, and other activities shall be consistent with this Specific Plan and its appendices, the Specific Plan development agreements, and applicable County policies, requirements, and standards. In acting to approve a subsequent project or permit, the County may impose reasonable and necessary conditions to ensure that the project is in compliance with the Specific Plan and all other applicable plans, ordinances, and regulations.

APPLICATION REQUIREMENTS

Once the Specific Plan, Phasing Studies and large lot tentative maps, if requested, are approved, individual developers may submit applications for small lot tentative maps and/or other entitlements as necessary. Large lot and small lot tentative maps may also be processed concurrently, but will be approved sequentially. Applications shall be made in writing on forms provided by the Development Services Department and shall be accompanied by required application fees and such data and information as may be prescribed for that purpose. For further detail, see the LUDC (Appendix B).

APPLICATION PROCESSING

Applications will be analyzed by County staff for consistency with the Specific Plan. Flexibility in determining consistency of applications with this Specific Plan is encouraged to enable the project to respond to competing market, regional service, employment and residential demands.

Plan consistency can be demonstrated in several ways:

- Consistency with policy language (objectives, policies, etc.);
- Consistency with land use designations, roadways, and bike paths;
- Consistency with development standards and design guidelines;
- Consistency with figures and tables; and
- Consistency with the property development agreements, large-lot tentative maps, small-lot tentative maps, and other relevant implementation documents.

Consistency is also required with the Specific Plan EIR Mitigation Monitoring and Reporting Program, infrastructure and urban service plans, and other implementing documents of the Specific Plan. For further detail, see the LUDC (Appendix B).

10.6 ADMINISTRATIVE PROCEDURES

The following section describes administrative procedures for the implementation of the Sutter Pointe Specific Plan.

10.6.1 CONSISTENCY WITH ADOPTED PLANS/CODES

As required by California Government Code Section 65454, the Sutter Pointe Specific Plan is consistent with and implements the Sutter County General Plan, as amended. All land use entitlements and permits (e.g., development agreement, Conditional Use Permits, and all subdivision maps) approved within the Specific Plan area shall be consistent with the Specific Plan.

10.6.2 EXISTING USES

Existing uses within the Specific Plan area are subject to regulations established within the LUDC (Appendix B).

10.6.3 USE PERMITS

The Use Permit procedure for the Specific Plan is set forth in the Sutter Pointe LUDC. The purpose of the procedure is to provide a mechanism to review and permit, on a case-by-case basis, certain uses which may be appropriate in each land use designation.

10.6.4 VARIANCES

The Variance procedure for the Specific Plan is set forth in the Sutter Pointe LUDC. The purpose of the Variance procedure is to permit modification of development standards as they apply to particular uses when practical difficulties, unnecessary hardships, or results inconsistent with the general purposes of the Specific Plan develop through strict literal interpretation and enforcement of such provisions.

10.6.5 DESIGN REVIEW

The design review process ensures that high quality and well-designed buildings are constructed within the Plan area. All construction within the Plan area will be required to conform to the Design Guidelines (Appendix A) and LUDC (Appendix B) of the Specific Plan. Pursuant to requirements within the LUDC, all commercial, mixed-use multi-family residential, and industrial development will be subject to a formal County design review process. The design review process may occur:

1. In the context of processing a Development Plan, if required;
2. At the time of development-level project tentative maps; or
3. At any time after such maps are approved, but prior to submittal for a building permit.

10.6.6 FUTURE LAND USE ADJUSTMENTS AND VESTING OF DEVELOPMENT RIGHTS

This section sets forth the regulations governing land use, parcel boundary, density and acreage adjustments through individual project approval by the County, which are permitted within the Specific Plan. The adjustment, transfer, and conversion regulations are intended to provide flexibility to the County in the implementation of the Specific Plan over time to adjust for more detailed site-specific information as well as changing market conditions, opportunities and constraints. This flexibility may also be necessary to ensure that each incremental phase of development, either on a stand-alone basis or in conjunction with previously approved phases, provides a mix of land uses that is consistent with the intent of the Specific Plan. Adjustments and transfers will be subject to the following considerations:

1. Land uses, parcel boundaries, densities and acreages are necessarily generalized because of the size and long-term build out of the Specific Plan area. The County maintains its authority to make refinements to the land uses, parcel boundaries, densities and acreages that may occur over time as applications are submitted and evaluated, taking into account the specific characteristics of each individual development application in the context of

previously approved development phases as well as potential future opportunities and constraints within the Specific Plan Area.

2. The large lot parcels represented on the Land Use Plan (Exhibit 3.4) are each assigned conceptual land uses and densities in Table 3.5 for planning purposes. These assignments were made at the time of Specific Plan approval based on a broad planning level assessment of the constraints and opportunities of each large-lot parcel and anticipated long-term demand for various housing types. These assignments do not vest individual parcels with development rights to specific land uses or number of dwelling units. Ultimate allocation of dwelling units and other land uses will be determined over time through the review and approval of individual phases and projects and will be vested through approval of Development Agreements. As individual phases and projects are designed and evaluated over time, a more detailed, project specific assessment of site, market, and other conditions will occur. It is anticipated that this process may result in the need to adjust parcels, land uses and densities assigned to some large-lot parcels in order to create and maintain a viable community through each phase of incremental development that is consistent with Specific Plan policies. Over

the build out horizon of the Specific Plan, the County will continuously evaluate individual development applications so that the overall number of vested dwelling units in the Plan area does not exceed 17,500 and other land use requirements of the Specific Plan are met. Each specific project proposal will be evaluated for consistency with the intent of the Specific Plan and prior environmental review.

Precise land use parcel boundaries will be approved through the tentative map process and established by the recordation of final subdivision maps. The Specific Plan area boundary remains constant.

10.6.7 TRANSFER OF VESTED DWELLING UNITS BETWEEN PARCELS SUBJECT TO DEVELOPMENT AGREEMENTS

The Development Services Director may approve a residential unit transfer/ density adjustment between any vested Specific Plan land use parcels, provided that the following conditions are satisfied:

- The sending and receiving parcels are both located within the Specific Plan area, are designated for residential use, and are vested by a development agreement;
- The transfer of units does not: (a) reduce the number of units allocated to the transfer parcel below the minimum number of units allowed by the applicable land use designation; (b) increase the number of units allocated to the receiving parcel above the maximum number of units allowed by the applicable land use designation; or (c) result in an increase in the total number of units vested in the Plan area (a maximum of 17,500 dwelling units);
- The transfer does not move dwelling units out of high density residential (HDR) designations, unless they are transferred into another HDR parcel (dwelling units may be transferred into HDR parcels from LDR and MDR parcels);
- The transfer does not move dwelling units out of the mixed-use Town Center;
- The transfer of units does not result in increased impacts beyond those identified in the Specific Plan EIR and does not preclude the ability of the parcels to conform to the applicable standards or regulations contained in this Specific Plan and related Design Guidelines (Appendix A) and LUDC (Appendix B); and
- The transfer of units does not adversely impact planned infrastructure, roadways, schools or other public facilities, affordable housing agreements, or fee programs and assessment districts, unless such impacts can be reduced to an acceptable level through project-specific design features.

This flexibility will allow for minor project-level design refinements to respond to current market conditions, subdivision and/or design review parameters, natural resource preservation areas or other constraints that may affect project level implementation.

If the Development Services Director determines that the proposed adjustment or transfer is not consistent with established criteria, it may be denied or may be referred or appealed to the Planning Commission for additional consideration. An appeal of any determination made by the Planning Commission to the Board of Supervisors may be made by filing a timely Notice of Appeal. Any determination of consistency may, at the discretion of the Development Services Director, be referred to the Planning Commission for consideration.

10.6.8 TRANSFER OF VESTED NON-RESIDENTIAL BUILDING SQUARE FOOTAGE BETWEEN PARCELS SUBJECT TO DEVELOPMENT AGREEMENTS

The Development Services Director may approve an adjustment of non-residential building square footage between any vested Specific Plan land use parcels, provided that the following conditions are satisfied:

- The sending and receiving parcels are both located within the Specific Plan area, are designated for non-residential use, and are subject to a development agreement;
- The transfer shall be subject to an environmental study which confirms that all resulting impacts will be mitigated;
- The transfer does not: (a) increase the amount of building square footage allocated to the receiving parcel above that allowed by the maximum FAR within the applicable land use designation, or (b) result in an increase in the total planned non-residential building square footage permitted in Sutter Pointe (49,706,000 sq. ft.);
- The transfer of non-residential square footage out of the mixed-use Town Center is not permitted;

- The transfer does not result in increased impacts beyond those identified in the Specific Plan EIR and does not preclude the ability of the parcels to conform to the applicable standards or regulations contained in this Specific Plan and related Design Guidelines (Appendix A) and LUDC (Appendix B); and
- The transfer does not adversely impact planned infrastructure, roadways, schools or other public facilities, affordable housing agreements, or fee programs and assessment districts, unless such impacts can be reduced to an acceptable level through project specific design features.

This flexibility will allow for minor project-level design refinements to respond to current market conditions, subdivision and/or design review parameters, natural resource preservation areas or other constraints that may affect project level implementation.

If the Development Services Director determines that the proposed adjustment or transfer is not consistent with established criteria, it may be denied or may be referred or appealed to the Planning Commission for additional consideration. An appeal of any determination made by the Planning Commission to the Board of Supervisors may be made by filing a timely Notice of Appeal. Any determination of consistency may, at the discretion of the Development Services Director, be referred to the Planning Commission for consideration.

10.6.9 CONVERSION OF EMPLOYMENT LAND USE DESIGNATION TO RESIDENTIAL

To facilitate creative and innovative mixing of uses, land use parcels, or portions thereof, designated as employment use may be converted to a residential land use designation provided that:

- The total acres of employment use (E1, E2, or CR) subject to conversion within one or more land use parcels is matched by a like conversion of LDR or MDR land use to employment uses (see Exhibit 10.3).
- The conversion of employment designated acreage to residential land use designation shall be subject to an environmental study consistent with CEQA.

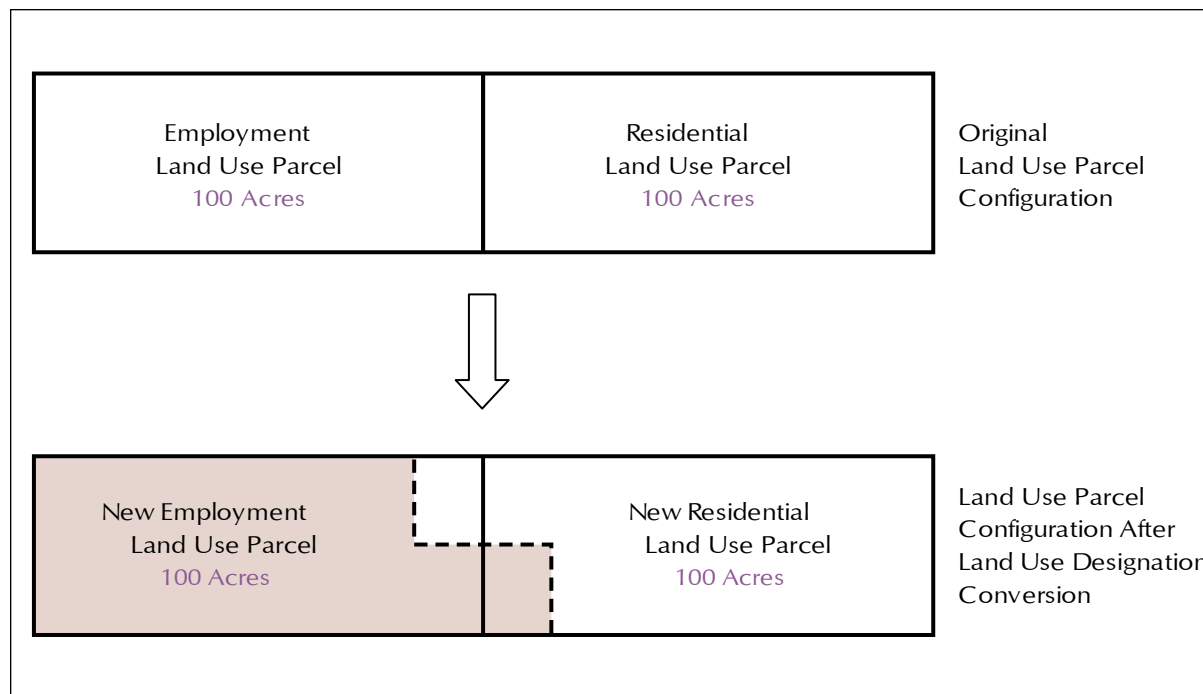


Exhibit 10.3: Conversion of Employment Land Use Designation to Residential

10.6.10 CONVERSION OF RESIDENTIAL TO EMPLOYMENT LAND USE DESIGNATION

Residential land use parcels, or portions thereof, designated as LDR or MDR may be converted to an employment designation (E1, E2, or CR) provided that:

- The total acres of residential use subject to conversion within one or more land use parcels is matched by a like conversion of employment land use designations to residential land use designation areas.
- The conversion of residential use to employment use shall be subject to an environmental study consistent with CEQA.
- Transfers pursuant to these provisions shall occur concurrently with filing of tentative subdivision maps for subject parcels.

10.6.11 ENVIRONMENTAL REVIEW

All applications for a development entitlement that are submitted following approval of the Specific Plan shall be reviewed for conformity with the Specific Plan and for compliance with the California Environmental Quality Act (CEQA), Public Resources Code Section 21000 et seq.

Please refer to Chapter 1, Introduction for a description of the CEQA documentation prepared for this Specific Plan.

- The residential dwelling units designated for the converted area may be transferred from other land use parcels pursuant to Section 10.6.6 and shall not result in an increase in the maximum and minimum residential and non-residential acreages and the total number of planned units in the Specific Plan (17,500 dwelling units).

As the general plan designation for the entire Specific Plan area is SP, as described in Section 10.5.1, corresponding adjustments to the general plan are not required. Transfers pursuant to these provisions shall occur concurrently with filing of tentative subdivision maps for subject parcels.

10.7 FINANCING AND MAINTENANCE OF PUBLIC IMPROVEMENTS

The Sutter Pointe Specific Plan Public Facilities Financing Plan identifies all backbone infrastructure improvements needed to serve the Plan area, including roadways, sewer, water, and drainage, and describes the costs and financing mechanisms that will be used to fund these improvements in a timely manner. This section provides a summary of the Public Facilities Financing Plan. Please refer to Appendix G for the technical Public Facilities Financing Plan that incorporates these strategies.

The goals of the Public Facilities Financing Plan are as follows:

- Identify ways to finance construction of infrastructure through public and private financing;
- Establish project-specific fees to fund major backbone facilities not included in existing fee programs;
- Utilize existing Sutter County and Special District fee programs to the extent possible;
- Make maximum use of “pay-as-you-go” mechanisms;
- Make appropriate use of municipal debt financing mechanisms; and
- Build in flexibility to allow response to market conditions.

10.7.1 FINANCING METHODS

The construction of backbone and other public improvements designed to serve the Plan area will be funded by a variety of mechanisms including countywide impact fees, school district impact fees, Plan area fees, establishment of special districts and assessments (i.e., county service area or other special district(s)), developer financing, and other potential methods.

Financing methods may include, but are not limited to, the following:

1. **County Impact Fees.** Sutter County has adopted a set of development impact fees to finance capital improvements. Future updates to County fees may include certain improvements within Sutter Pointe.
2. **School District Impact Fees.** The various school districts have established fees, in accordance with State regulations, to be used to construct school facilities. School impact fees are collected by the County prior to the issuance of a building permit and are forwarded to the applicable school districts.
3. **Plan Area Fees.** County and other existing fee programs may not finance all capital improvements required to serve the Plan area. Plan area fees and/or a reimbursement program may be created to finance the balance of road, water, sewer, drainage, detention, open space, parks, and capital facilities.
4. **Community Facilities District.** One or more Community Facilities Districts (CFDs) may be established to help fund the construction and/or acquisition of backbone infrastructure and facilities in the Plan area. The 1982 Mello Roos Community Facilities Act enables cities and other entities to establish a CFD to fund various facilities and services. The proceeds from a CFD bond sale can be used for direct funding of improvements, to acquire facilities constructed by the developer, and/or to reimburse developers for advance funding of improvements. The annual special tax can be used toward bond debt service or to build infrastructure as needed. The proceeds of the Mello Roos special tax can be used for direct funding of facilities and/or to pay off bonds.
5. **Developer Financing.** Individual developers may also finance backbone infrastructure and other public improvements, either voluntarily or as a condition of development approval.

Objective 10.7-1: Fund major infrastructure and public facilities required for Sutter Pointe development to proceed using a suitable and appropriate combination of public and private financing.

Policy 10.7-1: The full costs of both on-site and off-site public infrastructure and public facilities required to support Sutter Pointe will be funded from revenues generated by development within the Specific Plan area.

Policy 10.7-2: Development projects will be required to fund and construct the costs of extending the backbone infrastructure necessary to adequately serve and support their project, consistent with the various public facilities master plan(s) prepared for Sutter Pointe subject to fee credits or future reimbursements. The costs for backbone infrastructure and public facilities will be allocated to the extent possible based on a project's fair share of required improvements.

Policy 10.7-3: Existing County/other Agency fee programs shall be used to fund Specific Plan infrastructure to the extent the improvements are eligible for such funding.

Policy 10.7-4: "Pay-as-you-go" financing will be used to the extent possible. The principal use of debt financing will be to fund those broad scale facilities needed to facilitate development of the entire community or significant portions thereof. Debt financing will be used only when needed to permit development or in order to maintain established level of service standards.

Policy 10.7-5: A new Plan area fee will be established for those backbone improvements that are not funded by existing fee programs or by some form of public debt. A fair share cost allocation of the Plan area fee for public improvements required will be established for each land use parcel.

Policy 10.7-6: When using debt financing, the total annual tax and/or assessment rates for developed land shall not exceed fiscally prudent standards consistent with County rules and procedures.

Policy 10.7-7: Before undeveloped properties can be included within assessment districts, property owner consent is required as provided by State statute and local requirements. Participating landowners agree to annex into an

existing County Service Area (CSA), Community Services District (CSD), and/or other Special Districts, such as a Sewer Maintenance District (SMD) and provide funding for infrastructure improvements according to provisions of development agreements which accompany this Specific Plan. When properties owned by non-participating landowners are proposed for development and a rezone application is approved and the property benefits from publicly financed infrastructure; said property owner shall be similarly required to annex into a CSA, CSD, SMD, and/or other special districts, which have funded or will fund improvements that benefit the property. Parcel maps or lot splits that are found by the applicable hearing body to be for agricultural uses and that are consistent with underlying agricultural zoning are exempt from this policy.

10.7.2 FINANCING STRATEGY

The major infrastructure required for development to proceed in the Plan area will be funded through a combination of public and private financing. Fees, such as County and Special District development impact fees and Plan area fees, will be used to fund required facilities when possible.

Bond financing may be needed to fund development impact fees and other costs during the early years of development, as well as at other strategic times when Plan area fees are not able to timely fund the necessary facilities required for new development. However, debt financing will be limited to prudent levels and shall be consistent with State and County guidelines.

Facilities will be constructed as they are needed to serve new development. Development projects will be conditioned during the subdivision process to construct facilities needed to serve the development. Developers will receive either fee credits or reimbursements for advancing eligible projects based on the County/District's reimbursement policies. Developers participating in the debt financing mechanism will also receive fee credits for facilities funded through debt financing. If the bond capacity is insufficient to fund all required improvements, other funding mechanisms such as private financing will be required.

Several different financing sources will be used to fund the infrastructure required to serve the projected development and to mitigate impacts on surrounding developments. The County and Special Districts serving the Plan area have established development impact fee programs to fund a portion of the road, sewer, water, sheriff, and park facilities.

A Plan area fee program will be utilized to fund the remaining sewer, water, drainage, and roadway infrastructure costs. Plan area fees will also be utilized to fund public facilities such as, parks and open space, library, and transit centers. In addition to Plan area fees, which will not provide up-front funding in time for many of the facilities, debt financing (Assessment District or Mello-Roos financing) will be used to fund facilities toward the beginning of development. School facilities will be funded through school mitigation fees and possibly through other funding sources including the State School Building Program, or local general obligation bonds.

It is expected that costs will change over time and therefore each funding mechanism should include a method for adjusting the amount of funding to reflect current costs at the time of construction.

Other financing mechanisms may also be used, including creation of private districts or associations to fund maintenance of certain facilities in the Plan area. Specific financing requirements, improvement obligations, fees, reimbursements, land and easement dedications, conveyances, maintenance and other financing, and improvement related obligations are detailed in the Specific Plan development agreements.

10.7.3 URBAN SERVICES PLAN

An Urban Services Plan (Appendix F) has been created to address the manner in which public services delivery will be managed and financed. Maintenance of public infrastructure improvements is also included in this plan. It is anticipated that initial delivery of many urban services will be administered by the CSA or CSD. These services will be administered by a separate entity under a County department, such as the County Administrative Office or the Office of Economic Development, with an administrator and limited staffing to manage service contracting.

As the Specific Plan area develops, it will incorporate. Upon incorporation, the responsibility for providing certain services may transfer from the CSA or CSD to the newly incorporated city, with the exception of human services that are mandated by the State to be administered by a County.

Properties will be required to annex into an existing CSA or CSD and/or any special districts established for maintenance of certain facilities that provide special benefit to the Plan area, such as a Sewer Maintenance District, prior to receiving said services. Such facilities may include landscape corridors and medians, open space areas, trails, bike paths, drainage, detention and retention facilities, stormwater quality treatment facilities, and parks.

10.8 AMENDMENTS AND MINOR REVISIONS

10.8.1 SPECIFIC PLAN AMENDMENTS

Proposed changes to a specific plan typically require approval of a Specific Plan Amendment (SPA). Specific Plan Amendments are processed in the same manner as the initial Specific Plan adoption, requiring review by the Planning Commission and action by the Board of Supervisors.

10.8.2 MINOR REVISIONS

It is anticipated that the Sutter Pointe Specific Plan may need to respond to changing conditions and expectations during the course of its implementation. To address this intent, the Plan provides for Minor Revisions to the Specific Plan in addition to typical Specific Plan Amendments.

The Community Services Director shall determine whether a proposed revision is minor, and may act upon a minor revision to the Specific Plan administratively. A minor revision to the Specific Plan may be processed if determined by the Community Services Director to be in substantial conformance with:

- (1) The Vision and overall intent of the Sutter Pointe Specific Plan;
- (2) The applicable Specific Plan development agreement(s);
- (3) The Sutter County General Plan; and,
- (4) The Sutter Pointe Specific Plan Environmental Impact Report.

Examples of minor revisions to the Specific Plan include, but are not limited to:

- The addition of new or updated information that does not substantively change the Specific Plan.
- Minor adjustments to land use boundaries and street alignments where the general land use pattern is maintained.
- Changes to the provision of public infrastructure and facilities that do not impact the level of service provided or affect the development capacity in the Plan area.
- Modifications to the Design Guidelines, such as revisions to design treatments or materials, if it is determined that such changes achieve the design intent to the same or better level.

Any proposed minor revision to the Specific Plan may, at the sole discretion of the Community Services Director, be referred to the Planning Commission and Board of Supervisors for action. Determinations and actions by the Community Services Director may be appealed to the Planning Commission. If the Community Services Director determines that a proposed amendment does not meet the above criteria, a Specific Plan Amendment (SPA) shall be required.

10.9 DEVELOPMENT MONITORING OF THE SUTTER POINTE SPECIFIC PLAN

The Specific Plan and Section 10.3 (Phasing) and Section 10.6.6 (Future Land Use Adjustments) illustrate the ongoing need for flexibility as development of the Sutter Pointe Specific Plan occurs. It is understood that as actual development occurs, phasing boundaries and land use allocations may change based on development constraints, improvement costs, market conditions, and other factors that cannot be predicted at this time. Monitoring the phasing adjustments and land use reallocations for the Specific Plan as development occurs is critical to ensure the objectives, policies, and service levels of the Specific Plan are met.

Each of the following subsections describes an approved development phase or project within the Sutter Pointe Specific Plan. Each subsection includes a land use plan and land use summary for the approved development phase or project. Documentation will also include information comparing the adopted SPSP land use designations, objectives, and policies for each approved project that includes Tier 2 entitlements. Tables shall be provided to track the number of dwelling units as development occurs. Similarly, subsequent tables will monitor compliance with parks and open space acreage requirements, affordable housing units, senior housing units, among others. When a development project or phase is approved, the land use plan and land use summary table will be added to the specific subsection instead of modifying Exhibit 3.4 and Table 3.4.

10.9.1 LAKESIDE AT SUTTER POINTE DEVELOPMENT MONITORING

- Location – Northwest corner of Riego Road and Natomas Road, a portion of the Recreational Village and the East Activity Center
- Number of Acres – 873.5 acres, Phase 1 is 386.2 acres
- Land Use Plan – Exhibit 10.4
- Land Use Summary – Table 10.3
- Zoning Districts – Adopted zoning districts for the Lakeside project are available on the County's Zoning Map located at 1130 Civic Center Boulevard, Yuba City.
- Master Plans – The approved master plans for the Lakeside project, including the Traffic graphic showing the roadway plan, timing and design, are available on the County's website at https://www.suttercounty.org/doc/government/depts/ds/ps/cs_sutterpointe.

TABLE 10.3: LAKESIDE AT SUTTER POINTE LAND USE SUMMARY TABLE

Lakeside at Sutter Pointe	Acres	DU/Acre	DUs
Residential Uses			
Low Density Residential	240.9	4.59	1,105
Medium Density Residential	360.3	6.34	2,283
High Density Residential	21.4	18.64	399
Subtotal	622.6		3,787
Employment Uses			
Commercial Retail	25.0		
Employment	44.8		
Subtotal	69.8		
Community Facilities			
Parks	59.1		
Open Space	54.8		
School (K-8)	16.0		
Public/Quasi-Public	5.2		
Subtotal	135.1		
Right-of-Way			
Major Roads	46.0		
Subtotal	46.0		
Grand Total	873.5		3,787

PLAN CONCEPT

Phase 1 of the Lakeside project includes 386.2 acres in the southerly portion of the Recreational Village including the Lake Neighborhood envisioned in the village. Phase 1 will include 1,273 dwelling units, including 1,082 single family lots ranging in size from 45' x 90' lots to 70' x 110' lots, and 191 medium density cluster homes. The Lake Neighborhood will include two lakes totaling 31.1 acres with a paved pedestrian lake walk with mini parks around the entire larger lake. A 2.6-acre clubhouse lot and a 1.5-acre park is proposed near the entrance to the neighborhood. A 13.2-acre community park is proposed north of the lake on the west side of the project area which could be enlarged to the size of a regional park when a development project is proposed to the west of Lakeside. On the east side of the neighborhood, a 4.5-acre park is proposed as well as connections to the open space trail along Natomas Road (once it is closed to vehicles). Phase 1 will also include a portion of the East Activity Center with a 26.8-acre Employment Center lot, an 8.9-acre Commercial Center lot, and a 10.3-acre high density residential lot with 193 units. This 46-acre mixed-use node could be used for a regional/ institutional use, such as community college, vocational school, or hospital, if such a user is found. Five lots for utility sites totaling 5.2 acres and 30.2 acres of major roadways are included in Phase 1.

Phases 2 and 3 of the Lakeside project are anticipated to include an active adult neighborhood focused around an 8.2-acre lake and a 13.1-acre linear parkway with two 1-acre mini parks. Phases 2 and 3 propose 1,985 single family homes with 132 medium density cluster homes and a 11.1-acre high density residential lot with 206 units. On the east side of Phases 2 and 3 a 16.0-acre elementary school (K-8) with a 4.4-acre adjacent park is proposed. A 16.1-acre commercial lot, a 18.0-acre employment center lot and the 11.1-acre high density residential lot originally planned to be included in the East Activity Center along Riego Road are proposed to be relocated north to be closer to the future North Activity Center along Sankey Road (future Placer Parkway).

RESIDENTIAL VILLAGES, EMPLOYMENT VILLAGES, AND ACTIVITY CENTERS

Recreational Village– The 873.5-acre project area is a portion of the 1,342.6-acre Recreational Village of the SPSP. The Recreational Village is envisioned to include a regional park, a lake, and a large community greenway. Detached and attached single-family homes, townhouses and apartments are planned to support a variety of living options including active adult lifestyles. Within the Recreational Village are two distinct neighborhoods– the Club Neighborhood and the Lake Neighborhood. The Club Neighborhood is

modeled after the popular neighborhood design of the 20s and 30s in Sacramento built around a centralized clubhouse which fosters a strong sense of community. The Lake Neighborhood is intended to be an exclusive enclave featuring the lake as a neighborhood asset and establishing the neighborhood as an attractive site for move-up and executive housing.

East Activity Center– Also, the northern portion of the East Activity Center is located on the north side of Riego Road at the southern end of the project area. The East Activity Center establishes an excellent opportunity for a regional service or institutional use, such as a community college, vocational school, hospital, medical center or office park. Neighborhood-supporting commercial uses, high density residential, and a transit center along Riego Road complete the activity center.

TABLE 10.4: RESIDENTIAL UNITS

RESIDENTIAL UNITS

Table 10.4 tracks the provision of residential units in development projects as approved. The Sutter Pointe Specific Plan calls for a maximum of 17,500 residential units as shown in Table 3.4. The table below shows the number of residential units planned in the Specific Plan and in the Lakeside project.

	Adopted SPSP	Lakeside - 3 Phases	Remaining SPSP Units
Low Density Units	1,461	1,105	356
Medium Density Units	12,014	2,283	9,731
High Density Units	3,426	399	3,027
Mixed Use Units	599	0	599
Total	17,500	3,787	13,713

PARKS AND OPEN SPACE

Table 10.5 demonstrates that the approved Lakeside at Sutter Pointe project meets the adopted park and open space acreage requirement set forth in Policy 4.1-2 of the Specific Plan.

TABLE 10.5: PARK AND OPEN SPACE REQUIRED ACRES

Park/ Open Space	Lakeside Phase 1	Lakeside Phases 1 + 2	Lakeside All Phases
Park Acres	34.6	47.9	59.1
Projected Population	4,034	7,003	10,479
Required Acres (5 ac/1,000)	20.2	35.0	52.4
Meets Requirement	√	√	√
Open Space Acres	40.2	48.4	54.8
Total Parks + Open Space Acres	74.8	96.3	113.9
Projected Population	4,034	7,003	10,479
Required Acres (10 ac/1,000)	40.3	70.0	104.8
Meets Requirement	√	√	√

AFFORDABLE HOUSING

As an alternative to physical construction of affordable housing units, the applicants have proposed dedicating an 11.1 acre multifamily zoned property to the County, located near the North Activity Center at the north end of the Project, identified as Parcel 3B on the project’s land use map. This multifamily parcel shall be irrevocably dedicated to the County upon recordation of the final large lot or small lot subdivision map within the project that includes the multifamily parcel either as a separate document or in a form approved by the County. The dedication of this land will include needed roadway and utility frontage improvements (roadway, curb and gutter, wet and dry utility frontage improvements within the right of way or utility easement area to serve the development).

TABLE 10.6: REQUIRED AFFORDABLE HOUSING UNITS

	Total Dwelling Units	Required Affordable Housing Units (5% of total units)	Proposed Affordable Housing Units
Lakeside	3,787	189	Potential 266 units on 11.1-acre parcel dedicated to County

Section 1600-600(c) of the County Ordinance Code provides for land dedication as an alternative to on-site construction of affordable units, as a mechanism to satisfy the affordable housing obligation, if the site is large enough to accommodate the development of units equal to the number required by the ordinance. The Lakeside project has an obligation for 189 units and the 11.1-acre site is zoned High Density Residential District and this zoning provides for a density of up to 24 dwelling units per acre. As a result, this site will be capable of accommodating up to 266 multifamily dwelling units which exceeds the ordinance requirements in satisfaction of the affordable housing obligation. Additional details about the dedication of land to satisfy the affordable housing obligation is reflected in Section 3.3 of the proposed Tier 2 development agreement.

Table 10.6 shows how the affordable housing unit requirement will be met.

SENIOR HOUSING

Table 10.7 tracks the provision of senior units in development projects as approved. The Sutter Pointe Specific Plan calls for about 3,000 units of senior housing as shown in Table 7.3. The table below shows the number of senior housing units planned in the Specific Plan and in the Lakeside project.

TABLE 10.7: SENIOR HOUSING UNITS

	Adopted SPSP	Lakeside- 3 Phases	Remaining Senior Units
No. of Senior Units	3,000	1,000	2,000