

**Proposed Amendments to the Vacaville Municipal Code
Related to Urban Reserves**

Draft 8/23/16

File No. 16-072 Urban Reserve

Summary: Urban reserves are lands reserved for future urban use, that do not have assigned a general plan land use designation for the specific type of use, that require comprehensive planning prior to urbanization, and that are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized. The proposed amendment would implement Vacaville General Plan policies to:

- Establish the process and criteria for considering assigning urban land use designations to some urban reserve lands during a review to occur a minimum of every five years. This would include criteria for considering the amount of lands that could be converted at that time and a process for selecting which urban reserve lands would be eligible to undergo the General Plan amendment process.
- Establish City policies for interim use of urban reserve lands prior to be assigned urban land use designations.

*Note: Added text is shown in double underline.
Deleted text is shown in ~~strikeout~~.*

Section 1. Amendment of Section 14.02.014.020, Definitions, of the Vacaville Municipal Code.

The following term shall be added in alphabetical order to Section 14.02.014.020, entitled "Definitions," of the Vacaville Municipal Code.

Urban Reserve means lands that are reserved for future urban use, that do not have assigned a general plan land use designation for the specific type of use, that require comprehensive planning prior to urbanization, and that are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized.

Section 2. Addition of Chapter 14.04.038, Urban Reserve, to the Vacaville Municipal Code.

The following shall be added as Chapter 14.04.038, to be entitled "Urban Reserve," of the Vacaville Municipal Code.

**Division 14.04
GENERAL PLAN AMENDMENTS**

Chapters:

- 14.04.030 **General Provisions**
- 14.04.032 **Application Process**
- 14.04.034 **Approval Process**
- 14.04.036 **Special Performance Option**
- 14.04.038 **Urban Reserve**

Chapter 14.04.038
Urban Reserve

Sections:

<u>14.04.038.010</u>	<u>Background.</u>
<u>14.04.038.020</u>	<u>Purpose.</u>
<u>14.04.038.030</u>	<u>Process for Converting Urban Reserve Lands.</u>
<u>14.04.038.040</u>	<u>Development Inventory and Land Need Forecast.</u>
<u>14.04.038.050</u>	<u>Evaluation and Selection of Lands for Potential Conversion.</u>
<u>14.04.038.060</u>	<u>General Plan Amendment Process for Assigning Urban Land Use Designations to Urban Reserve Lands.</u>
<u>14.04.038.070</u>	<u>Exception for Public Facilities or Major Employment Uses.</u>
<u>14.04.038.080</u>	<u>Interim Use of Urban Reserve Lands.</u>
<u>14.04.038.090</u>	<u>Designating Lands as Urban Reserve.</u>

14.04.038.010. Background.

Urban reserves are lands that are reserved for future urban use, that do not have an assigned General Plan Land Use designation for the specific type of use, that require comprehensive planning prior to urbanization, and that are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized.

The Vacaville General Plan adopted in 2015 applied the Urban Reserve land use designation to large, contiguous areas within the East of Leisure Town Road Growth Area, and to a small part of the Northeast Growth Area. These areas are not anticipated to fully develop within the 2035 horizon year of the General Plan. However, they have been recognized as areas that may be annexed to the City and developed at some future time and for which comprehensive planning is required. These lands will require a General Plan amendment, annexation, and other various City planning approvals in order to permit urban development. General Plan policies provide that the City will consider General Plan amendment requests to convert lands designated as urban reserve to other land use designations no more often than every five (5) years.

14.04.038.020. Purpose.

The purpose of this section is:

- A. To provide a process and criteria for the City to evaluate conversions of lands designated Urban Reserve to land use designations that permit urban development.
- B. To establish the City's policies regarding the use of Urban Reserve lands prior to being assigned other land use designations.
- C. To ensure an adequate, long-term supply of developable residential and non-residential land without outpacing the community's ability to plan and prepare for such development.

14.04.038.030. Process for Converting Urban Reserve Lands.

The City shall use the evaluation process described in this chapter to consider converting urban reserve lands to other land use designations. This process is done in conjunction with the five (5) year update of the Municipal Service Review as part of the Comprehensive Growth Management Plan. The evaluation shall be completed within no less than five (5) years after completion of the previous evaluation or General Plan update. The process has three (3) steps:

- A. First, the City prepares a Development Inventory and Land Need Forecast as described in Section 14.04.038.040 to determine the amount and type of Urban Reserve land that could be eligible for conversion to urban land use designations.
- B. Second, the City evaluates alternatives of which Urban Reserve lands would best meet the needs identified in the Development Inventory and Land Need Forecast and selects for which Urban Reserve lands, if any, it wishes to initiate the General Plan amendment process. This process is described in Section 14.04.038.050.
- C. Third, the City Council considers General Plan map and text amendments to assign urban land use designations to the selected Urban Reserve lands. This step is described in Section 14.04.038.060.

14.04.038.040. Development Inventory and Land Need Forecast.

The first step in evaluating whether to assign urban land use designations to Urban Reserve lands is for the City to prepare a Development Inventory and Land Need Forecast ("Inventory"). The Inventory is completed in conjunction with the five (5)-year update of the City's Municipal Service Review and Comprehensive Annexation Plan. The Director prepares the Inventory, which is subject to Planning Commission review and City Council acceptance.

- A. Contents of Inventory. The Inventory shall include the following:
 - 1. An inventory of the amount of land that has been developed within the city since the previous Inventory or General Plan update. This Inventory shall include the amount of land developed, the number of dwelling units constructed, and the floor area of new non-residential buildings constructed by land use type during that time period.
 - 2. A current inventory of the amount of developable lands available within the city and outside the city but within the planned sphere of influence by land use.
 - 3. A market study and economic forecast of the amounts of developable land by land use type that may be needed to accommodate expected development within the city over the ten (10) and twenty (20) year periods following the Inventory.
 - 4. A comparison of the Inventory and the forecast, and a determination of the amount of land by land use type needed to retain a twenty (20) year supply of developable land within the city and planned sphere of influence or to replenish the supply of developable land within the city and planned sphere of influence reduced since General Plan adoption.

B. Review and Acceptance of Inventory. The Planning Commission shall review the inventory and make a recommendation to the City Council. The City Council shall review and, at its discretion, accept the inventory.

14.04.038.050. Evaluation and Selection of Lands for Potential Conversion.

The second step in determining whether to assign urban land use designations to Urban Reserve lands is for the City Council to evaluate and select properties that it wishes to consider for assignment of urban land use designations.

A. The Director shall prepare a report analyzing potential Urban Reserve conversion alternatives. The Director shall notify all affected property owners of Urban Reserve lands about the report in order to discuss their development desires, plans, and ability to develop. This notification shall be done prior to completion of the report.

B. The Planning Commission shall hold a public hearing to review the evaluation and make a recommendation to the City Council. The City Council shall hold a public hearing on the report to select lands for conversion. The City Council's determination initiates the General Plan amendment process for the selected lands.

C. Criteria. The City Council shall determine which lands are needed and are eligible for conversion. The Council shall consider the following factors:

1. The information from the Development Inventory and Land Needs Forecast. The amount of land converted shall not exceed:
 - a. The amount of land of each land use type that has been developed citywide since adoption of the General Plan; or
 - b. The amount of each type of land that is needed to maintain a twenty (20) year supply of that type of land within the city and planned sphere of influence; or
 - c. The Council may, however, convert additional land as necessary to convert entire parcels, to provide appropriately sized sites for the planned use, or to otherwise accommodate sound land use planning (for example, to accommodate infrastructure extensions or the creation of logical boundaries). The total amount of additional land so converted shall not exceed ten (10) percent of the greater of either subsection a. or b. above.
2. Which lands best meet the future needs of the City as identified in the Inventory.
3. Which lands are projected to have either existing or near-term proposed transportation, water, wastewater, and stormwater utilities available within the ten (10) year period following the Inventory.
4. Which lands are most likely to meet the LAFCO annexation criteria soonest.

14.04.038.060 General Plan Amendment Process for Assigning Urban Land Use Designations to Urban Reserve Lands.

- A. After the City Council has selected the urban reserve lands eligible for conversion to urban land designations and initiated the General Plan Amendment process for these lands, the City Council may:

 - 1. Direct that staff proceed with preparing a specific proposal for amending the General Plan for new land use designations for the properties; or
 - 2. Authorize individual property owners or groups of owners apply for such a General Plan amendment.
- B. The General Plan amendment shall be processed as specified by Chapter 14.04.034 of this code.
- C. The City Council is not obligated to approve any General Plan amendment proposal to convert Urban Reserve lands.
- D. If the City Council chooses not to approve a General Plan amendment proposal to convert certain Urban Reserve lands, it may choose to initiate the General Plan amendment process for an equivalent amount of other Urban Reserve lands following the process identified in Section 14.04.038.050 of this code.

14.04.038.070 Exception for Public Facilities or Major Employment Uses.

The City Council may, at its own discretion and upon its own motion, initiate a conversion of Urban Reserve lands to accommodate a public facility or a major employment use that creates a minimum of one hundred (100) permanent jobs.

- A. Such conversion is not subject to the requirements of this chapter and may occur at any time. Such conversion shall not include conversion to a residential land use designation.
- B. Such requests shall be subject to all required General Plan amendment, rezoning, annexation, and other land use approvals.

14.04.038.080 Interim Use of Urban Reserve Lands.

Urban Reserve lands are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized. The City will oppose proposals to up-zone or otherwise approve development not previously allowed prior to adoption of the General Plan on Urban Reserve lands during this interim period per General Plan Land Use Policies LU-P8.2 through LU-P8.4.

14.04.038.090 Designating Lands as Urban Reserve.

Designation of new lands as Urban Reserve may occur as part of a new General Plan or a comprehensive update to the plan. Until such time, no new lands shall be designated Urban Reserve.