

TO: JIM APP, CITY MANAGER

FROM: ROBERT A. LATA, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: REVISED SCHEDULE A – DEVELOPMENT IMPACT FEES FOR BORKEY AREA SPECIFIC PLAN SUBAREA “B” FOR THE COMMERCIAL COMPONENTS OF THE RIVER OAKS AND “THE MARKETPLACE” PLANNED DEVELOPMENTS (APPLICANT: MR. DICK WILLHOIT, ESTRELLA ASSOCIATES)

DATE: OCTOBER 7, 2003

Needs: To consider a Revised Schedule A – Development Impact Fees for Subarea “B” of the Borkey Area Specific Plan to establish fees for the commercial components of the approved River Oaks and “The MarketPlace” Planned Developments.

Facts:

1. On January 8, 1990, the Borkey Area Specific Plan (BASP) was established by the City Council with its adoption of Ordinance No. 588 N.S.
2. As part of its action in establishing the BASP, the City Council certified the Environmental Impact Report prepared for the Specific Plan and established a Schedule of Fees to offset public improvement costs, thereby ensuring that new development “pays its own way.” (These actions were taken with adoption of Resolution 89-177 and Resolution 89-178.)
3. Since its initial adoption, the BASP Development Impact Fees have been amended to address new land uses added to the Specific Plan, including Cuesta College, Public Facilities, and the Paso Robles Hot Springs Resort.
4. This current BASP Development Impact Fee update is to establish fees for the commercial components of the approved River Oak and “The MarketPlace” Planned Developments located in Subarea “B” of the Specific Plan area.
 - ◆ The River Oaks PD includes a 6-hole Golf Course, a Clubhouse with a Pro-Shop.
 - ◆ The MarketPlace PD includes a Service Station, Commercial/Office, and a gourmet market.
5. The Planning Commission’s public hearings on each PD included a discussion of the associated Development Fee Updates and recommended a Revised Fee Schedule be adopted. The Planning Commission approval provided for the fee adjustment to be presented directly to the City Council.
6. Subarea B contains a total of 198 acres, including properties north of Experimental Station Road, east of North River Road, south of the Paso Robles Hot Springs Resort, and west of Buena Vista Drive.

7. The BASP Development Impact Fees for Sub-area "B" did not include the commercial components of the approved Planned Developments for River Oaks and "The MarketPlace" since these projects were not envisioned when the Fees were established/last modified.
8. The BASP Development Impact Fees are based on the estimated cost of the public improvements and infrastructure not constructed directly by the developers of the BASP properties. The Fees for Sub-area "B" were apportioned on a per unit basis for the benefited properties based on a total build-out of 481 residences.
9. The proposed revisions to the BASP Development Impact Fees are based on the approved mix of land uses for Sub-area "B." incorporating changes made since initial Fee adoption. The mix now includes residential and commercial development.
10. Attached is the Fee Analysis/Report prepared by John McCarthy, McCarthy Engineering. The Report has been reviewed by John Falkenstien, City Engineer (see attached Memorandum).
11. The Fee Analysis/Report takes both PDs into account (River Oaks and "The MarketPlace") and reapportions the costs of the public improvements and infrastructure for the BASP using an equivalent dwelling unit factor for the commercial development projects envisioned.
 - ◆ The Clubhouse was treated as one single-family unit; and
 - ◆ The MarketPlace was treated as 14 single-family units
12. This BASP Development Impact Fee revision is exempt from further environmental review as stated in Section 15162(a) of the California Environmental Quality Act Guidelines. The BASP Development Impact Fees were a part of the BASP adoption and were put into effect as mitigation of development-related impacts as per the BASP Environmental Impact Report.

**Analysis and
Conclusion:**

If adopted, the proposed revised BASP Development Impact Fees would apply to new development in Sub-area "B." These revisions apportion the costs amongst the properties that benefit from (or are served by) the public improvements and infrastructure. The methodology is the same as was used for prior Fee revisions.

The BASP Development Impact Fees are collected prior to issuance of certificates of occupancy. The BASP provides that the City may re-establish the Development Impact Fees on an annual basis to account for inflation from year-to-year. This adjustment has not been done since the Fees were first established in 1989.

Any Fee adjustments for the 1989 established Fees would require separate study and public notice. They would need to be based upon documented increases or decreases in public improvement construction costs, as reflected by the Engineering News Record (ENR) index or other appropriate index of such costs.

Policy

Reference: General Plan; California Environmental Quality Act (CEQA) Guidelines; Zoning Ordinance; Borkey Area Specific Plan and its EIR and Technical Appendices

Fiscal

Impact: The proposed amendment to the BASP fees is designed to reduce the costs of development in the subject area without an adverse fiscal impact on the City.

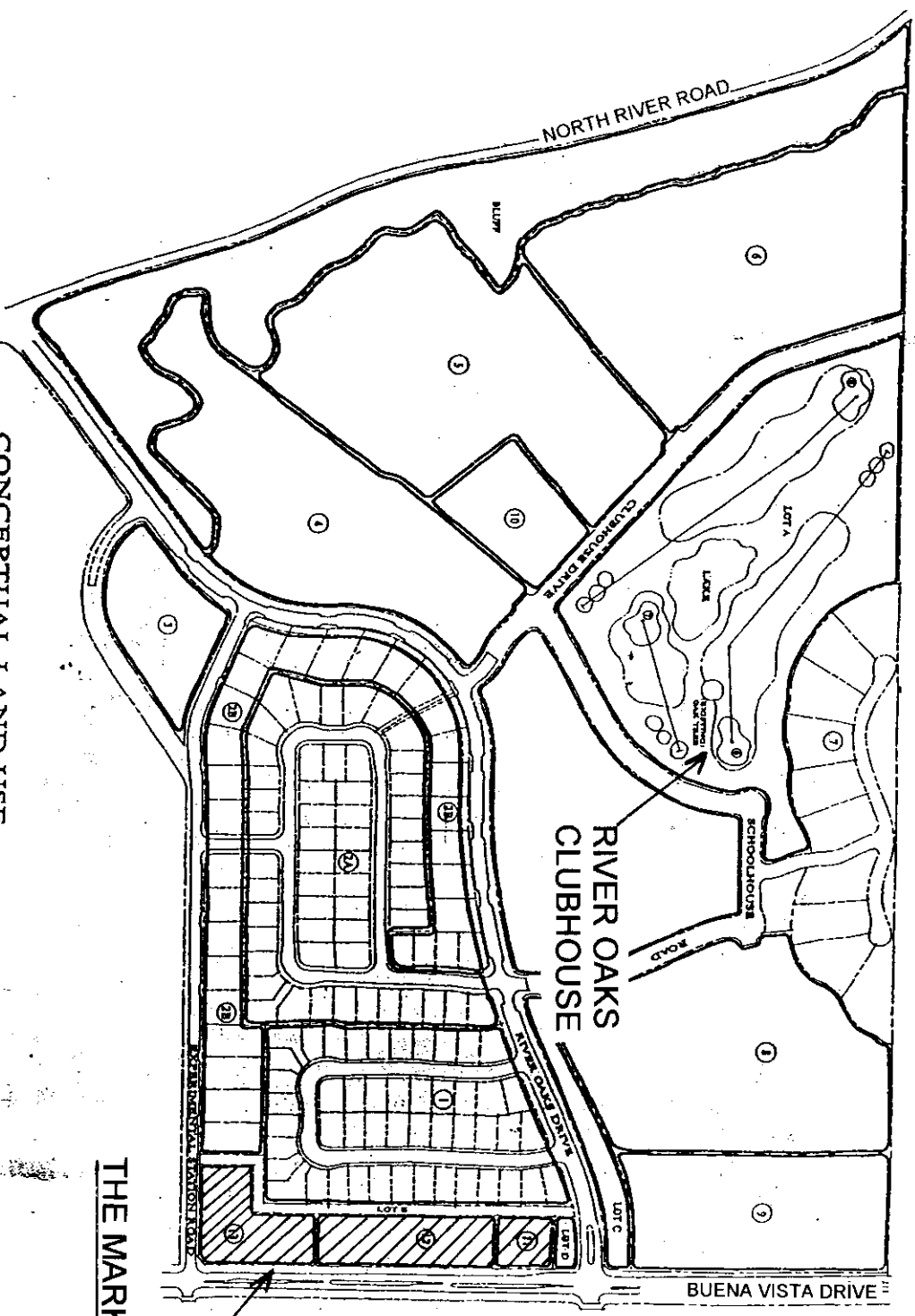
Options: After consideration of all public testimony, that the City Council selection one of the following options:

- a. Adopt Resolution No. 03-xx establishing a revised Schedule of Fees for Subarea "B" of the Borkey Area Specific Plan.
- b. Amend, modify or reject the foregoing option.

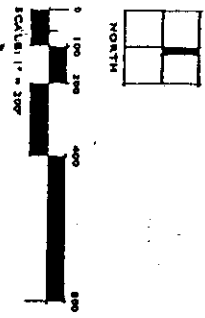
Attachments:

Location Map

Resolution No. 03-xx establishing a Revised Schedule of Fees for Subarea "B" of the BASP
Newspaper Notice Affidavit



ESTRELLA ASSOCIATES
 1330 SPRING STREET
 PASO ROBLES, CA
 93525



CONCEPTUAL LAND USE
 DEVELOPMENT PLAN
RIVER OAKS

PASO ROBLES, CALIFORNIA
 JULY 13, 1999

CLARK & GREEN ASSOCIATES
 ARCHITECTS

IRASSIMIAN LACONI
 ARCHITECTS

Conceptual Development Plan - Subarea B Figure 15

RESOLUTION 03-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
ESTABLISHING AND ADOPTING A REVISED SCHEDULE OF FEES
FOR SUBAREA B OF THE BORKEY AREA SPECIFIC PLAN

WHEREAS, the City of Paso Robles has prepared a specific plan in accordance with Title 14, Division 1, Chapter 3, Article 8 of the Administrative code of the State of California, for a 767 acre portion of the community referred to as the "Borkey Area"; and

WHEREAS, the implementation of the Borkey Area Specific Plan and corresponding development of the plan area will necessitate a number of improvements by the City to public facilities and infrastructure, including but not limited to streets, traffic signals, water, sewer and storm drainage systems, and other public costs; and

WHEREAS, it is the policy of the City of Paso Robles to require new development to "pay its own way," avoiding the placement of a financial burden on the population in general to allow new development to occur; and

WHEREAS, State law governing municipal planning and finance in California recognizes the validity of, and authorizes, the imposition by cities of specific fees upon new development to finance required public improvements, environmental mitigation programs, and other legitimate public purposes related to the effects of such development; and

WHEREAS, consistent with City policy and State law, the City intends to collect development fees from development projects in the plan area to offset anticipated public costs; and

WHEREAS, the City Council has adopted the Borkey Area Specific Plan by adopting ordinance No. 588 N.S., and subsequently amended by Ordinance No. 741 N.S., and Ordinance No. 770 N.S., which authorizes the Council to establish development fees for the plan area by resolution;

WHEREAS, at its public hearings on the River Oaks and The MarketPlace Planned Developments, the Planning Commission recommended a Revised Fee Schedule be adopted.

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED by the City Council of the City of Paso Robles that:

1. The City shall collect fees for development of the plan area encompassed by the Borkey Area Specific Plan, to offset public improvement costs, in accordance with the schedule of fees attached hereto as Exhibit "A" (Schedule A for the Borkey Area Specific Plan – Summary of Development Impact Fees by Plan subarea and category of improvement), incorporated herein and made a part hereof by reference. The timing of said fees collection shall be determined by the City Council at the time of development review, and unless otherwise specified shall be paid prior to issuance of a Certificate of Occupancy or final approval of any entitlement permit, whichever comes later, for a particular lot, parcel, or portion thereof.
2. The City Council may annually review the fees established by Schedule A, and shall amend such fees periodically as required by resolution. The fee schedule includes a contingency amount that the City Council may apply to cover the cost of unanticipated expenses if the City

Council finds that such expenses are necessary to defray the costs of plan implementation. If such contingency funds or other specific plan fees are not found to be necessary to offset public improvement costs, the City Council shall, at their discretion, either refund excess collected fees to the current property owners on a pro-rata share basis or shall expend such excess collected fees on a project or projects found to be of benefit to the specific plan area.

3. The subject fees are in addition to City wide fees that are in place at the time of plan adoption or subsequently established by the City Council. The City Council shall have the discretion to impose such other fees as may be necessary to mitigate additional project impacts identified through the development review process.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of October 2003 by the following roll call vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Frank R. Mecham, Mayor

ATTEST:

Sharilyn M. Ryan, Deputy City Clerk

Attachment: Exhibit "A" (Schedule A for the Borkey Area Specific Plan – Summary of Development Impact Fees by Plan subarea and category of improvement)

EXIHIBIT “A”
SCHEDULE A FOR THE BORKEY AREA SPECIFIC PLAN

SUMMARY OF DEVELOPMENT IMPACT FEES
BY PLAN SUBAREA AND CATEGORY OF IMPROVEMENT

Facility or Improvement	Subarea Designation/Fees Per Unit or Per Acre				
	A	B	C	D	E
Storm Drainage	None	None	None	None	\$3,664
Wastewater	See Exhibit B	79	11/Stdnt *	79	84
	Clubhouse	77			
	Commercial	23 per gross square feet			
Water	See Exhibit B	408	674/acre	408	185/acre
	Clubhouse	396			
	Commercial	117 per gross square feet			
Signal, BV @ 46	See Exhibit B	200	66/acre	200	0
	Clubhouse	0			
	Commercial	0			
Traffic Fees					
Interchange					
Golden Hill @ 46E	See Exhibit B	2,957	110/Stdnt *	2,957	4,147
	Clubhouse	2,871			
	Commercial	851 per gross square foot			
North River Road Upgrade	See Exhibit B	260	86/acre	260	---
	Clubhouse	252			
	Commercial	75 per gross square foot			
Contingency Fee	See Exhibit B	115	161/acre	115	161
	Clubhouse	112			
	Commercial	33 per gross square foot			
Plan Preparation/ Admin.	See Exhibit B	209	69/acre	209	---
	Clubhouse	203			
	Commercial	60 per gross square foot			
TOTAL FEES	See Exhibit B	\$4,228/unit	\$1,055/acre	\$4,228	\$8,141
			\$121/student*		

NOTES:

Fees for Subarea A are for specific development components as shown in attached Exhibit A.
Fees for Subarea B are shown for each residential unit, the clubhouse, or per gsf for commercial
Fees for Subarea C are collected on a “per student” or “per acre” basis
Fees for Subarea D are shown for each residential unit
Fees for Subarea E apply to each acre (gross) of development site unless otherwise noted.
No fees will be levied against Subarea F; this subarea will develop as public parkland.

The Fee amounts are rounded to the nearest dollar

EXHIBIT B
OF
SCHEDULE A
SUMMARY OF DEVELOPMENT FEES
BY
PLAN SUBAREA AND CATEGORY OF IMPROVEMENT

BORKEY AREA SPECIFIC PLAN

All fees to be collected for Subarea A will be collected prior to issuance of Certificates of Occupancy, when a Certificate of Occupancy is required or prior to final approval of necessary entitlement permits, where a Certificate of Occupancy is not required.

<u>Development Component</u>	<u>Fee Distribution</u>	<u>Time of Collection</u>
------------------------------	-------------------------	---------------------------

WASTEWATER

Cottages, Spa Suites & Rooms, Employee Units	\$ 58/unit	Certificate of Occupancy
Restaurant & Lounge	575/each	Certificate of Occupancy
Conference Center	219/each	Certificate of Occupancy
Lobby, Office	288/each	Certificate of Occupancy
Child Art Center	219/each	Certificate of Occupancy
Spa Building	234/each	Certificate of Occupancy

WATER

Cottages, Spa Suites & Rooms, Employee Units	\$ 48/unit	Certificate of Occupancy
Restaurant & Lounge	1,205/each	Certificate of Occupancy
Conference Center	1,205/each	Certificate of Occupancy
Lobby, Office	241/each	Certificate of Occupancy
Child Art Center	723/each	Certificate of Occupancy
Spa Building	241/each	Certificate of Occupancy

EXHIBIT A, PAGE 2

TRAFFIC FEES

Interchange at Golden Hill and Highway 46 Fees

Cottages, Spa Suites & Rooms,		
Employee Units	\$ 500/unit	Certificate of Occupancy
Restaurant & Lounge	7,588/each	Certificate of Occupancy
Conference Center	10,624/each	Certificate of Occupancy
Lobby, Office	4,553/each	Certificate of Occupancy
Child Art Center	4,553/each	Certificate of Occupancy
Spa Building	3,035/each	Certificate of Occupancy

Signal, Buena Vista @ Highway 46

Cottages, Spa Suites & Rooms,		
Employee Units	\$ 28/unit	Certificate of Occupancy
Restaurant & Lounge	430/each	Certificate of Occupancy
Conference Center	602/each	Certificate of Occupancy
Lobby, Office	258/each	Certificate of Occupancy
Child Art Center	258/each	Certificate of Occupancy
Spa Building	172/each	Certificate of Occupancy

North River Road Upgrade

Cottages, Spa Suites & Rooms,		
Employee Units	\$ 42/unit	Certificate of Occupancy
Restaurant & Lounge	410/each	Certificate of Occupancy
Conference Center	156/each	Certificate of Occupancy
Lobby, Office	205/each	Certificate of Occupancy
Child Art Center	156/each	Certificate of Occupancy
Spa Building	167/each	Certificate of Occupancy

CONTINGENCY FEE

\$ 161/acre	Final Entitlement Approval
-------------	----------------------------

PLAN PREPARATION/ADMINISTRATION

\$ 66/unit	Final Entitlement Approval
------------	----------------------------

TOTAL FEES TO BE COLLECTED FOR SUBAREA A \$224,869.00

All fees have been rounded to the nearest dollar.