



Council Agenda Report

From: John Falkenstien, City Engineer

Subject: Close the Borkey Area Specific Plan Fee Schedule and Authorize Distribution of Available Funds

Date: May 2, 2017

Facts

1. At its meeting of December 5, 1989, the City Council adopted Resolution 89-178, establishing a schedule of impact fees for the Borkey Area Specific Plan.
2. At its meeting of January 8, 1990, the City Council adopted the Borkey Area Specific Plan (BASP) with Ordinance No. 588 N. S.
3. At the time of adoption of the BASP, Citywide impact fees were in effect for bridge development, public facilities, storm drains, signalization, park development, and street trees.
4. At its meeting of January 5, 1999, the City Council adopted Ordinance No. 758 N.S. amending the BASP fee schedule in consideration of changes brought about by the development of Cuesta College, the Airport Sewer main, and the traffic signal at Golden Hill Road and Highway 46E.
5. In 2003, the City adopted its first comprehensive AB 1600 impact fee program. City Council Resolution No. 03-31 superseded all Citywide impact fee resolutions in effect at the time of its adoption. Further, Resolution No. 03-031 refers to overlapping Specific Plan fees by stating, "*in no event shall a developer be required to pay both a fee imposed pursuant to the Subdivision Map Act and a development impact fee that would be used to fund the same facility*".
6. Subsequent to Council Ordinance No. 758 N. S., the City Council adopted several amendments to the BASP. The schedule of fees was amended accordingly in each case by Council resolution.
7. At its meeting of March 17, 2009, the City Council adopted Resolution No. 09-032 adopting Citywide water connection and capacity charges. These rates were based upon the purchase of Nacimiento water as the source for new development.
8. At its meeting of November 1, 2011, the City Council adopted Resolution No. 11-032 approving revised wastewater facility charges. These new wastewater facility charges were based upon capacity established by construction of the Airport sewer trunk line and other major trunk lines existing within the City.
9. At its meeting of June 21, 2016, the City Council adopted Resolution No. 16-084 approving the Master Development Plan for River Oaks II. Conditions of approval require the extension of a 12-inch water main in Buena Vista Drive to the easterly project entrance and the reconstruction of sidewalk returns at the intersection of River Oaks Drive and Buena Vista Drive.
10. At its meeting of March 28, 2017, the City Planning Commission approved an amendment to Planned Development PD 14-003 for the San Antonio Tasting Room and Restaurant located at 2610 Buena Vista Drive subject to the condition of participating in the construction of a crosswalk on the north leg of the intersection of Buena Vista Drive and Experimental Station Road.

11. The City Council has tasked the Housing Constraints and Opportunities Committee and staff with identifying unnecessary City costs and fees that create constraints to housing production in Paso Robles.

Options

1. Take no action.
2. Approve closing the schedule of fees in the Borkey Area Specific Plan and authorizing distribution of available funds.
3. Refer back to staff and or the Housing Constraints and Opportunities Committee for additional analysis.

Analysis and Conclusion

The Borkey Area Specific Plan fees are held in four accounts: Water System Improvements; Sewer System Improvements; Road Improvements; and Plan Preparation-Contingency Fees.

Water System Improvements. BASP water fees were established to provide funding for new water sources including two new wells and major backbone distribution lines. The fee amounts were significantly reduced with the 1999 fee update.

Funding for new water sources was secured with City Council Resolution 09-032 which established capacity charges based upon the purchase of Nacimiento water among other capital improvement needs.

The backbone distribution system is essentially complete within the Borkey Plan, with the exception of the 12-inch water main in Buena Vista Drive from Dallons Drive north to the project entrance of the development of River Oaks II in Plan Area A. Since this section of water main is a condition of development of River Oaks II, it is appropriate that this fee be closed. Fees collected to date can be used towards the construction of the Buena Vista Drive water line because it is part of the backbone distribution system. River Oaks II will pay for the balance of the construction cost, and will therefore pay their share of the Borkey water infrastructure.

Wastewater System Improvements. The primary improvement funded by the BASP wastewater fee is the "Airport Trunk Line". The updated fees in 1999 were established to fund the Borkey share of this area-wide service line. Council Resolution 11-032, new City-wide Wastewater capacity charges and rates, superseded the City special line agreements for trunk lines including the construction of the Airport Trunk line.

Sewer capacity charges collected in River Oaks II and other non-residential areas of the Borkey Specific Plan will be based upon a buy-in of existing capacity that included the main trunk lines of the City's sewer system. It is not appropriate to continue to charge a premium charge for the trunk line from the Airport area. Borkey Wastewater Funds available should be transferred to the Wastewater Fund.

Drainage Improvements. Upon adoption of Ordinance No. 758 in 1990, the Drainage Fee applied only to Area E of the Plan. In response to complaints from the Circle "B" neighborhood, the City subsequently adopted strict stormwater retention criteria for all new development in the watershed. By retaining stormwater, downstream storm drains contemplated by the BASP fee schedule became moot and the fee was never collected. Developments including the Regency Center, Paso Robles Ford, and the Combine Street tract constructed large underground, terminal, stormwater retention facilities that actually improved downstream conditions.

Road Improvements. Borkey road improvement fees originally included traffic signals on Highway 46E at Buena Vista Drive and at Golden Hill Road. They also included an interchange at a location to be

determined. Additional transportation improvements included downtown traffic improvements and upgrades to North River Road. In the text of the Borkey Plan, traffic signals were referenced as the downtown traffic improvements needing financing from the Plan.

In 1999, the fee schedule was updated and simplified to include the signal at Buena Vista, an interchange at Golden Hill and the North River Road upgrade.

Council Resolution 03-031, the first comprehensive impact fee program, superseded all previous individual Citywide impact fees including bridge development and signalization. The impact fee Needs List supporting the fee established by Resolution No. 03.031 included the traffic signal at Buena Vista and the interchange on the highway. Borkey fees for those projects were superseded.

North River Road fees continue to be collected with development in the Borkey Plan. North River Road paving upgrades were completed with the Nacimiento Pipeline project. Available Road funds could be directed to River Oaks II required improvements at the intersection of Buena Vista Drive and River Oaks Drive. This will enhance safety for students at Kermit King Elementary School and Cuesta College. Road funds are also needed for a crosswalk at the north leg of the intersection of Buena Vista Drive and Experimental Station Road. This intersection also serves students as well as tourists interacting between the hotels and the San Antonio Winery Tasting Room.

River Oaks II will be the project generating future Borkey Road Fees. River Oaks II is subject to a condition of approval to improve the intersection of Buena Vista Drive and River Oaks Drive with reimbursement from Transportation Impact Fees. To offset the use of Transportation Impact Fees it would be prudent to direct Borkey Road fees to pedestrian improvements at Buena Vista Drive and River Oaks Drive as well the intersection of Buena Vista Drive and Experimental Station Road.

Plan Preparation and Administration Fees. Pedestrian improvements are needed at both the intersections of Buena Vista Drive and River Oaks Drive and Buena Vista Drive and Experimental Station Road. As an alternative to the use of Transportation Impact Fees, it would be prudent to direct remaining Borkey Administration fees to cover plan preparation and administration costs related to these much needed improvements within the Plan.

Fiscal Impact

Borkey fees have served their purpose of mitigating impacts of the Borkey Area Specific Plan as outlined in Ordinances No. 588 N. S. and 758 N. S. A substantial portion of the fee items were superseded by the Council's adoption of the City's first comprehensive impact fee program in 2003.

Water source development fees were superseded by Council Resolution in 2009. The Buena Vista Drive water main benefits only Area A and will be constructed by Area A (River Oaks II). The current balance available is \$24,866.

Sewer improvement fees were superseded by a new capacity charge Council Resolution in 2011. The current balance available is \$7,333.

Borkey Road fees are still being collected along with Specific Plan Preparation and Administration fees. The current balance is \$266,647.

Recommendation

Approve Resolution 17-xxx closing the Borkey Area Specific Plan Fee Schedule and authorizing distribution of available funds as follows:

1. \$24,866± in available Water funds to the construction of the 12-inch water main in Buena Vista Drive.
2. \$7,333± in available Sewer funds to the Sewer Enterprise Fund.
3. \$266,647± in available Road funds and remaining administration funds to pedestrian improvements at the intersections of (a) Buena Vista Drive and River Oaks Drive and (b) Buena Vista Drive and Experimental Station Road.

Attachments

1. Resolution No. 89-178
2. Ordinance No. 758 N. S.
3. Draft Resolution 17-xxx Closing the BASP Fee Schedule and Authorizing Distribution of Available Funds
4. Budget Adjustment Request Form

RESOLUTION NO. 89-178

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PASO ROBLES
ESTABLISHING AND ADOPTING THE SCHEDULE OF FEES
FOR 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 650-acre portion of the community referred to as the "Borkey Area"; and

WHEREAS, the implementation of the subject 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. _____, which authorizes the Council to establish development fees for the plan area by resolution;

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 Schedule A, 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.

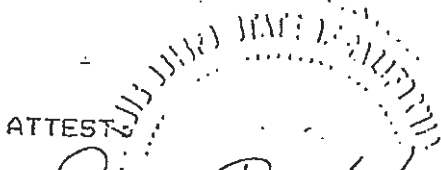
- 2. The City Council shall annually review the fees established by Schedule A, and shall amend such fees periodically as required, by resolution, to accomplish the objectives of this resolution. The fee schedule includes a contingency amount that the City Council may apply to cover the cost of unanticipated 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 such City-wide fees as may be 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 THIS 5th day of December, 1989 by the following roll call vote:

AYES: Russell, Conway, Dolan, Reneau and Martin

NOES: None

ABSENT: None



ATTEST

Jerry Bankston
JERRY BANKSTON, CITY CLERK

Steven W. Martin
MAYOR STEVEN W. MARTIN

NOTE: Any judicial review of this decision must be made within the time set forth in code of Civil Procedure Section 1094.6.

h:sp\basp\feesres5.dec

SCHEDULE A

SUMMARY OF DEVELOPMENT FEES
BY PLAN SUBAREA AND CATEGORY OF IMPROVEMENT
BORKEY AREA SPECIFIC PLAN

Category of Facility or Improvement	Subarea Designation/Fees per Unit....per Acre				
	A	B	C	D	E
Storm Drainage	\$1,309	\$850	\$970	\$264	\$5,982
Wastewater	511	749	1,842	2,224	2,680
Water	2,764	1,170	3,955	894	3,586
Signal, BV @ 46	200	200	200	200	--
Signal, GH @ 46	36	36	36	36	860
Signal, GH @ Col.	100	100	100	100	553
Coll. Extension	450	235	90	90	--
Interchange	4,400	4,400	4,400	4,400	5,142
North River Road Upgrade	260	260	260	260	--
Downtown Traffic Improvements	83	83	83	83	--
Contingency Fee	542	542	542	542	1,422
Plan Preparation/ Admin.	<u>209</u>	<u>209</u>	<u>209</u>	<u>209</u>	<u>--</u>
TOTAL FEES	\$10,864	\$8,834	\$12,687	\$9,302	\$20,135

NOTES: No fees will be levied against Subarea F; this subarea will develop as public parkland.

Fees for Subareas A through D are for each residential unit; fees for Subarea E apply to each acre (gross) of development site.

Fees shall be subject to at least annual adjustment to reflect current costs of providing specified improvements.


h:sp\basp\feesch5.dec

STATE OF CALIFORNIA)
COUNTY OF SAN LUIS OBISPO) ss.
CITY OF EL PASO DE ROBLES)

I,..... Jerry Bankston....., City Clerk/Deputy City Clerk of the City of El Paso de Robles, California, do hereby certify that the foregoing Resolution No. 89-178..... was duly and regularly adopted, passed and approved by the City Council of the City of El Paso de Robles, California, at a ..regular..... meeting of said City Council held at the regular meeting place thereof, on the 5th..... day of December....., 1980....., by the following vote:

AYES:..... Russell, Dolan, Conway, Reneau and Martin.....
NOES:..... None.....
ABSENT:..... None.....
ABSTAINED:..... None.....

Dated this..... 5th..... day of..... December, 19.89


City Clerk and Ex-Officio Clerk of the City Council, City of El Paso de Robles, State of California

ORDINANCE NO. 758 NS

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES
AMENDING THE BORKEY AREA SPECIFIC PLAN
TO UP-DATE THE SCHEDULE OF SPECIFIC PLAN FEES
AND RELATED TEXT OF THE SPECIFIC PLAN DOCUMENT
(APPLICANT - CITY INITIATED)
SPECIFIC PLAN AMENDMENT 98-001**

WHEREAS, the Land Use Element of the City's General Plan establishes the need for preparation of Specific Plans for certain geographic areas of the City, including but not limited to areas north of Highway 46 East and east of North River Road; and

WHEREAS, pursuant to Ordinance 588 N. S., the Borkey Area Specific Plan (BASP) text, plan diagram, and fee schedule were established on January 8, 1990 for the areas north of Highway 46 East and east of North River Road; and

WHEREAS, pursuant to Ordinance 941 N. S., the BASP text was amended to make provisions for the North County Campus of Cuesta College on an approximately 82-acre parcel within the BASP; and

WHEREAS, in consideration of the changes brought about by development of the North County Campus of Cuesta College and the installation of certain public improvements that were anticipated by the BASP (including but not limited to the Airport Sewer Main and Traffic Signalization at the intersection of Golden Hill and Highway 46 East), the City Council has directed that an Amendment to the BASP be initiated to up-date the Fee Schedule and related document text; and

WHEREAS, the Planning Commission conducted a noticed public hearing on November 10, 1998, to consider making a recommendation with regards to the proposed amendments to the Borkey Area Specific Plan and took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff report prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance;
- c. In accordance with the California Environmental Quality Act, considered a proposed Negative Declaration of Environmental Impact, and made a recommendation that the City Council approve a Resolution adopting said document; and
- d. Recommended that the City Council approved an Ordinance and Resolutions amending the Borkey Area Specific Plan to up-date the Fee Schedule and related document text; and

WHEREAS, at its meetings of November 17 and December 15, 1998, the City Council held public hearings on these subjects, and on December 15, 1998 the City Council took the following actions regarding this ordinance:

- a. Considered the facts and analysis, as presented in the staff reports prepared for this project;
- b. Conducted a public hearing to obtain public testimony on the proposed ordinance and Resolutions;
- c. Based on the scope and nature of the proposed change to the Borkey Area Specific Plan and the accompanying Fee Schedule, found that the proposed Negative Declaration of Environmental Impact Report was adequate in terms of its description of the project and anticipated environmental impacts and approved the Negative Declaration as being in accordance with the California Environmental Quality Act; and

ABJ657

- d. Considered the Commission's recommendation from the Planning Commission's November 10, 1998 public meeting; and
- e. Introduced said ordinance for first reading, and

WHEREAS, on January 5, 1999 the City Council held second reading of said ordinance.

NOW, THEREFORE, the City Council of the City of El Paso de Robles does ordain as follows:

The Borkey Area Specific Plan text, diagram, and fee schedule is amended to read as presented in Exhibit "A" attached hereto.

Section 1. Publication. The City Clerk shall cause this ordinance to be published once within fifteen (15) days after its passage in a newspaper of general circulation, printed, published and circulated in the City in accordance with Section 36933 of the Government Code.

Section 2. Effective Date. This ordinance shall go into effect and be in full force and effect at 12:01 a.m. on the 31st day after its passage.

Section 3. Inconsistency. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior City ordinance(s), motion, resolution, rule, or regulation governing the same subject matter thereof, such inconsistent and conflicting provisions of prior ordinance, motions, resolutions, rules and regulations are hereby repealed.

Section 4. Severability. If any section, subsection, sentence, clause, or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance.

The City Council hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause, or phrase irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared invalid or unconstitutional.

Introduced at a regular meeting of the City Council held on December 15, 1998, and passed and adopted by the City Council of El Paso de Robles on the 5th day of January, 1999, by the following roll call vote, to wit:

AYES: Baron, Macklin, Mecham, Swanson, and Picanco

NOES: None

ABSENT: None


 DUANE PICANCO, MAYOR
 City of El Paso de Robles

ATTEST:


 MADELYN PAASCH, CITY CLERK

ABJ657

EXHIBIT A

Consistent with the provisions of applicable State law and local policies, affected residents and property owners can finance higher levels of maintenance, by agreement with the City, through assessing themselves additional funds to finance required services. In this manner, area interests can be allowed some discretion over actual maintenance and operation levels serving their homes and properties.

The ongoing operating and maintenance costs associated with public streets, traffic signage and signals, and water, wastewater and storm drainage facilities serving the plan area would be included within the normal operations and funding processes of the City and financed out of general tax and service fee revenues.

Estimated Public Improvements Costs

Public improvements required to support development of the plan area include major facilities for storm drainage collection and disposal, water supply and distribution, wastewater collection and disposal, and traffic handling. As previously referenced in this plan document, engineering and technical studies have been completed which have identified the scope and nature of the improvements this plan prescribes for each of these public services. Included in these special studies was analysis of, and the preparation of estimates for, the likely costs associated with the construction of these improvements. Additional analysis was undertaken to allocate these estimated costs fairly and equitably among the various anticipated developments provided for by this plan, to enable compliance with and carry out the City of Paso Robles' policy that new development must pay for itself without unreasonable burden to the rest of the community. Reference is made to the technical appendices to this plan for further details on plan-related cost estimates.

Based upon engineers' estimates, Table 5-1 summarizes the total costs, in 1998 dollars, required to design and construct the public improvements necessary to support plan area development as provided for by this plan.

The anticipated ultimate interchange required at the Golden Hill Road/Highway 46 east intersection will benefit traffic originating and ending in other portions of the community also, in even greater proportion than the interim traffic signal. Consequently, a smaller share of the cost of this proposed improvement has been allocated to Borkey Area development, based upon the proportionate utilization of the interchange at full buildout of the plan area and other areas of the community, as forecasted in the traffic study supporting this plan. The balance of signalization and, ultimately, interchange construction costs will have to be funded from other local sources, since CALTRANS has clearly indicated that State funding for these projects is unlikely.

The actual total cost of public improvements allocated to the Borkey Area Specific Plan, accordingly, is approximately \$4.9 million. Refer to Technical Appendices A, B, C, G, and H for additional information regarding the basis for estimated public improvement costs.

ABJ657

TABLE 5-1

**SUMMARY OF TOTAL PUBLIC IMPROVEMENT COSTS
BORKEY AREA SPECIFIC PLAN**

<u>Category of Improvement</u>	<u>Estimated Cost</u>
Storm drainage improvements	\$ 414,000
Wastewater system	\$ 237,500
Domestic water system	\$ 370,000
Traffic improvements:	
Signal – Buena Vista @ Hwy 46	\$ 125,200
Future interchange – Golden Hill @ Hwy 46	\$3,342,599
North River Road upgrading	\$ 162,760
Contingency	\$ 100,000
Plan Preparation/Administration	<u>\$ 130,849</u>
TOTAL	\$4,882,908
1) Projected costs to be allocated 100 percent to Borkey Area Specific Plan development	
2) Projected costs reflect an allocation of 36 percent of the \$9,285,000 project cost to Borkey Area Specific Plan development	

ABJ657

Schedule of Plan-Related Fees

To enable the City to ensure that the costs of public facilities and public improvements associated with the development of the plan area are borne by its developers, and not by the community at-large, a schedule of fees to be levied against development projects has been formulated. Much of the basis for these fees is outlined in Technical Appendix G and H of this plan. In general, however, it is appropriate to state that the fees presented in this section of the plan document are based upon the extent to which any affected portion of the plan area is benefited or served by the

86

public facility or improvement for which the fee is being imposed. In this regard, the fee schedule prescribed by the plan conforms to the legal requirements of AB 1600, effective January 1, 1989, mandating a reasonable relationship between a development project and the public improvement for which any fee is being levied.

The fees described in the following schedule are intended to supplement, and do not replace or relieve the requirement for other development-related fees already in place on a City-wide basis (e.g. Quimby Act park fees). They apply only to the Borkey Specific Plan area, and are intended to be levied against all new development in that plan area. In accordance with the requirements of AB 1600, fees collected under the Borkey Area Specific Plan process will be deposited and accounted for separately by the City for each improvement listed in the fee schedule. Funds will be expended only for the express purpose of the identified public improvement for which each fee is collected.

Mechanically, it is intended that the fees outlined in the referenced schedule be collected in conjunction with issuance of a Certificate of Occupancy.

With regard to collection of the fees prescribed in this plan, it is also worth noting that developers will be given the option of constructing the major facilities and improvements for which the fees are intended, in lieu of paying the fees themselves. In the instance where any

developer elects to construct such improvements, he or she will be given credit for the full fee (but in no case in excess of 100 percent of the fee amount) for the affected improvements.

Technical Appendix "H" and Table 5-2 summarize the fee schedule established by the 1998 update of this plan for the development of the Borkey area.

The relationship between timing of planned developments and the required installation of public improvements and facilities was discussed in the preceding chapter of this plan document. It is evident from this discussion that some improvements may have to be installed before the fees provided for by this plan will fully fund their costs. In such instances, project developers may be required to install improvements and be reimbursed as subsequent developments occur. Alternatively, the City reserves the option of advancing other City funds for improvement projects, to be repaid by fees collected over time in accordance with the schedule set out above. Should the City advance funds for the construction of improvements called for in the specific plan, it may recover interest income losses, in addition to capital costs, at a rate to be established by the City's Director of Administrative Services. These interest costs shall be added to applicable specific plan fees as established by the City. Moreover, the fees, prescribed by this plan may be reestablished by the City as often as once annually by resolution to account for inflation from year-to-year. Any such adjustments shall be based upon documented increases (and/or decreases) in public improvements construction costs, as reflected by the Engineering News Record (ENR) index or other appropriate index of such costs.

Finally, the fee schedule provided for by this plan encompasses public improvements and facilities costs directly attributable to the development of the Borkey Specific Plan area. However, potential growth throughout the community, including the plan area, will cumulatively place an

ABJ657

increasing burden upon the City to provide services, facilities and infrastructure to support an expanding population. Accordingly, the City must devise ways of generating funds necessary to offset the costs of this general upgrading of infrastructure and public facilities. Moreover, State law mandates that such means be equitable and distributed throughout the community in proportion to benefit(s) received. Accordingly, in addition to the fees specifically provided for by this plan, applicable only to the Borkey area, the City may, and probably will, also impose fees on development City-wide, including that in the plan area, to mitigate community-wide impacts of local development and growth.

TABLE 5-2

**SUMMARY OF DEVELOPMENT FEES
BY PLAN SUBAREA AND CATEGORY OF IMPROVEMENT
BORKEY AREA SPECIFIC PLAN**

Category of Facility or Improvement	Subarea Designation/Fees per Unit				
	A	B	C	D	E
Storm Drainage	\$ 0	\$ 0	\$ 0	\$ 0	\$3,664
Wastewater	79	79	11/Student *	79	84
Water	408	408	674/acre	480	185/acre
Signal, BV @ 46	200	200	66/acre	200	0
Interchange	2,957	2,957	110/Student *	2,957	4,147
North River Road Upgrade	260	260	86/acre	260	---
Contingency Fee	115	115	161/acre	115	161
Plan Preparation/Admin.	209	209	69/acre	209	---
TOTAL FEES	\$4,228	\$4,228	\$1,055/acre	\$4,228	\$8,241

\$ 121/student *

NOTES: No fees will be levied against Subarea F; this subarea will develop as public parkland.

Fees for Subareas A, B, and D are for each residential unit; fees for Subareas C & E apply to each acre (gross) of development site unless otherwise noted.

* Wastewater and interchange amounts are rounded to the nearest dollar but cumulatively total \$121.

ABJ657

Attachment 3

RESOLUTION 17-xxx

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES APPROVING THE CLOSURE OF THE BORKEY AREA SPECIFIC PLAN FEE SCHEDULE

WHEREAS, at its meeting of December 5, 1989, the City Council adopted Resolution No. 89-178 establishing a schedule of impact fees; and

WHEREAS, at its meeting of January 8, 1990, the City Council adopted the Borkey Area Specific Plan with Ordinance No. 588 N. S; and

WHEREAS, at its meeting of January 5, 1999, the City Council adopted Ordinance No. 758 N. S. amending the Borkey Area Specific Plan fee schedule in consideration of changes brought about by the development of Cuesta College, the Airport sewer trunk line, and the traffic signal at Golden Hill Road and Highway 46E; and

WHEREAS, in 2003 the City adopted its first comprehensive AB 1600 impact fee program. City Council Resolution No. 03-031 superseded all City-wide impact fee resolutions in effect at the time of its adoption. Further, Resolution No. 03-031 makes reference to overlapping Specific Plan fees by stating *“in no event shall a developer be required to pay both a fee imposed pursuant to the Subdivision Map Act and a development impact fee that would be used to fund the same facility”*; and

WHEREAS, subsequent to Ordinance No. 758 N. S. the City Council adopted several amendments to the Borkey Area Specific Plan. The Schedule of Fees was amended accordingly in each case by Council resolution; and

WHEREAS, at its meeting of March 17, 2009, the City Council adopted Resolution No. 09-032 approving revised water connection and capacity charges. These charges were based upon the purchase of Nacimiento water as the source for new development; and

WHEREAS, at its meeting of November 1, 2011, the City Council adopted Resolution No. 11-032 approving revised wastewater facility charges. These new wastewater facility charges were based upon capacity established by construction of the Airport sewer trunk line and other major trunk lines existing within the City; and

WHEREAS, at its meeting of June 21, 2016, the City Council adopted Resolution No. 16-084 approving the Master Development Plan for River Oaks II. Conditions of approval require the extension of a 12-inch water main in Buena Vista Drive to the easterly entrance of the project and pedestrian improvements to the intersection of Buena Vista Drive and River Oaks Drive; and

WHEREAS, at its meeting of March 28, 2017, the City Planning Commission approved an amendment to PD 14-003 for the San Antonio Winery Tasting Room and Restaurant subject to conditions of approval to participate in the construction of a crosswalk on the north leg of the intersection of Buena Vista Drive and Experimental Station Road.

Attachment 3

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. All of the above recitals are true and correct and incorporated herein by reference.

Section 2. The City Council hereby approves the closure of the Borkey Area Fee Schedule.

Section 3. The City Council hereby directs available Water funds to the construction of the 12-inch water main in Buena Vista Drive.

Section 4. The City Council hereby directs available Sewer funds to the Sewer Enterprise Fund.

Section 5. The City Council hereby directs available Road funds and remaining administration funds to pedestrian improvements at the intersections of Buena Vista Drive and River Oaks Drive and Buena Vista Drive and Experimental Station Road.

APPROVED this 2nd day of May, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Steven W. Martin, Mayor

ATTEST:

Kristen L. Buxkemper, Deputy City Clerk