



# Board Agenda Item 48

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DATE: August 6, 2019

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Infrastructure Fees and Specific Plan Fees for Tract No. 6189 (Phase 2 of Vesting Tentative Tract No. 4968)

RECOMMENDED ACTION(S):

- 1. Adopt Resolution establishing Infrastructure Plan Fees to provide for Millerton New Town Infrastructure Facilities; and**
- 2. Adopt Resolution establishing Specific Plan Fees to provide for Millerton New Town Facilities.**

Approval of the recommended actions will authorize funds to be collected to help finance the cost of sewer and water facilities identified in the Millerton New Town Infrastructure Plan as well as road and park facilities identified in the Millerton Specific Plan. The fees will be deposited in accounts administered by the County and will provide the funds necessary to construct the aforementioned facilities as development occurs. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

The recommended actions are required for fulfillment of the Conditions of Approval associated with Vesting Tentative Tract No. 4968, Classified Conditional Use Permit No. 2956, Site Plan Review No. 7082, and Mitigation Measures adopted and/or approved through the associated Initial Study No. 4665. Tract No. 6189 is phase two of Vesting Tentative Tract No. 4968. Your Board may deny any or both of the recommended actions identified above. However, your Board must identify the action(s) being denied and provide direction to Department of Public Works and Planning staff accordingly.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The Tract's share of the Infrastructure Fees and Specific Plan Fees were estimated to be \$18,345 and \$7,454 respectively, in June 2019. In addition, the recommended resolutions include a fee of 3% of the total for administration of the two fees.

To account for inflation, the administration fee will be adjusted annually by the 20-City Average Construction Cost Index published in the Engineering News Record. The administration fees paid to the County would be deposited into the Department's Org 43600200 and will be spent only for the administration of the fee program.

## DISCUSSION:

Tract No. 6189 is the second phase of Vesting Tentative Tract No. 4968 and will represent the third Final Map in the Millerton Specific Plan area, which if recorded, will result in a 133-lot subdivision located on the south side of Millerton Road between Friant and Auberry Roads as shown on Exhibit A. The recommended actions were required either directly or through the fulfillment of the conditions of approval associated with Vesting Tentative Tract No. 4968, Classified Conditional Use Permit No. 2956, Site Plan Review No. 7082, and Mitigation Measures adopted and/or approved through the associated Initial Study No. 4665.

### **Infrastructure Plan Fees**

On December 19, 2000, the Board of Supervisors adopted the Millerton New Town Infrastructure Plan and Implementation Procedures (Plan). The Plan details the requirements for domestic water, wastewater, drainage and reclaimed water use in the Millerton Specific Plan area and specifies the backbone system to be installed to serve the planned developments (Infrastructure Facilities). The Plan also includes Implementation Procedures to guide the developers and county staff as development of the area occurs. The Plan was updated in 2008, entitled Millerton New Town Infrastructure Plan Facility Fees and Specific Plan Development Fees, and is on file with the Department of Public Works and Planning, Development Services and Capital Projects Division.

Implementation Procedures included in the Plan provide for developers to either construct Infrastructure Facilities to serve their development or pay fees to acquire capacity in existing facilities. The recommended resolution will establish said fee for Infrastructure Facilities identified in the Plan. The Plan provides for reimbursement to developers who construct facilities with capacity in excess of that needed for their development. The Plan also provides for the County to administer the funds and to maintain an accounting of associated fees paid/credits earned. The fee includes a 3% administration fee to reimburse the County for any administrative costs.

The current estimated cost for the construction of the identified Infrastructure Facilities is listed in Exhibit B. The development's share of the estimated construction cost is currently \$18,345 per lot within the subdivision, includes the 3% administration fee, and is included in Exhibit B. These fees will continue to be adjusted annually based on the change in the Engineering News Record Construction Cost Index.

The Infrastructure Plan Fees will be collected concurrent with the recordation of the Final Map. The developer will execute an agreement prior to the recordation of the Final Map that will identify the project's cost and credits for the Infrastructure Facilities. The fees will be placed in accounts administered by the County and will be spent only for the projects listed in Exhibit B. The accounts may be reviewed, adjusted annually, and any unused funds would eventually be refunded to the developers.

### **Millerton Specific Plan Fees**

On December 7, 2004, the Board of Supervisors adopted the latest amendments to the Millerton Specific Plan (Specific Plan). The Specific Plan details the requirements for development within the Specific Plan area and requires developers to participate, on a pro-rata share, in the development of major streets, bridges, parks, and landscape areas (Specific Plan Facilities).

The Implementation Procedures mentioned previously provide for developers to either construct Specific Plan Facilities to serve their development or pay fees to offset their prorated share of the cost of road and park facilities. The Plan provides for reimbursement to developers who construct facilities with capacity in excess of that needed for their development. The Plan also provides for the County to administer the accounts and to maintain an accounting of associated fees paid/credits earned. The fee includes a 3% administration fee to reimburse the County for any administrative costs.

The current estimated cost for the construction of the identified Specific Plan Facilities is listed in Exhibit C. The development's share of the estimated construction cost is currently \$7,454 per lot within the subdivision, includes the 3% administration fee, and is included in Exhibit C. Similar to the Transportation Mitigation Impact Fees and Infrastructure Facilities Fees, these fees will continue to be adjusted annually based on the change in the Engineering News Record Construction Cost Index.

The Specific Plan Fees will be collected concurrent with the recordation of the Final Map. The developer will execute an agreement prior to the recordation of the Final Map that will identify the project's cost and credits for the Infrastructure Facilities. The fees will be placed in accounts administered by the County and will be spent only for the projects listed in Exhibit C. The accounts may be reviewed and adjusted annually and any unused funds would eventually be refunded to the developers.

For each of the proposed fees, a report containing the list of projects, estimated construction costs, development share and fee calculation is on file with the Department of Public Works and Planning, Development Services and Capital Projects Division. Consistent with the requirements of Section 66016 of the California Government Code, the report was available for public review at least 15 days prior to this hearing.

With your Board's approval, the Infrastructure Plan Fees and Millerton Specific Plan Fees will be put in place to collect funds, deposited into accounts to be used for the development of sewer and water facilities, and roadway and park facility, necessary for the development of Tract No. 6189.

REFERENCE MATERIAL:

BAI #16, May 1, 2018  
BAI #21, December 7, 2004  
BAI #20, December 19, 2000

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibits A - C  
On file with Clerk - Resolution (Infrastructure)  
On file with Clerk - Resolution (Specific Plan)

CAO ANALYST:

Sonia M. De La Rosa