



Article 5.0

PLAN IMPLEMENTATION

Article 5.0 addresses a range of Specific Plan implementation actions and processes including administration, development schedule and phasing, major capital improvement costs and maintenance, and capital facilities funding and financing for the Plan Area.



5.0

PLAN IMPLEMENTATION

Article 5.0 addresses the implementation of the Specific Plan, specifically Specific Plan Administration, describes the initial approvals and entitlements necessary to authorize the Specific Plan, as well as the subsequent entitlements, in substantial compliance with the provisions of the Specific Plan that will further guide the development of the Plan Area.

Responsibilities and obligations for implementing the Specific Plan involve substantial conformance with the provisions of the Specific Plan, the necessary development agreements, conditions of approval, mitigation requirements, and Plan Area phasing, financing, and long-term maintenance.

Section 5.1 Plan Administration

The following documents guide and regulate development within the Plan Area and, therefore, provide the framework for administering implementation of development within the Plan Area:

- The General Plan and Zoning Code, as amended;

- The Walnut Avenue Specific Plan;
- The Walnut Avenue Specific Plan Final EIR; and
- The Specific Plan Mitigation Monitoring and Reporting Program (MMRP).

Specific Plan Administration

In general, references to the Specific Plan in this Article refer to the Walnut Avenue Specific Plan. In the event and to the extent there is any conflict between the Development Agreement, if one is executed, any other project approvals, including, without limitation, the Specific Plan or the Project Conditions of Approval, then the Development Agreement shall prevail. The initial project entitlements, including certification of a Final EIR, Specific Plan and MMRP adoption, adoption of a Development Agreement, and the subsequent approval of the project-specific entitlements for the project, establish the framework within which development will occur. It is intended that all subsequent project-specific development entitlements will fit within the framework established by the initial project approvals, to provide consistent,



detailed guidance for development of the Plan Area in compliance with the specific requirements, goals and policies contained in the initial project approval documents.

Relationship of Specific Plan to Other Plans and Regulations

Concurrently with the adoption of this Specific Plan, the General Plan and certain provisions of the City Code will be amended to include language recognizing the existence of the Walnut Avenue Specific Plan. The Specific Plan, along with any development agreements or other required approvals and entitlements, shall govern development of the Plan Area.

General Plan

The General Plan will be amended to reflect and recognize the adoption of the Specific Plan. Once the Specific Plan is adopted, the General Plan Amendments will recognize the Specific Plan as establishing general plan direction within the Plan Area.

Zoning Code

The Specific Plan establishes a set of goals, policies, and policy implementation for development with the Plan Area, and development standards and design guidelines identified as the Walnut Avenue Specific Plan zoning and development standards. To the extent any standard or other provision in this Specific Plan conflicts with the City's Zoning Code, the standard or other provision set forth herein shall control. Except as modified herein, or by development agreement, the provisions of the Zoning Code shall remain in full force and effect and shall continue to apply to the Plan Area.

Project Conditions of Approval

Implementation of the Specific Plan will require that developers obtain subsequent project-specific entitlements in compliance with the applicable provisions of the Specific Plan, other project approvals, and developer compliance with Project Conditions of Approval defined as (i) City's standard conditions of approval for any permit, approval or entitlement which are not inconsistent with the Specific Plan, and (ii) City's project-specific conditions of approval imposed in connection with the City's future approval of tentative map(s) covering all or a portion of the Plan Area, conditional use permit(s), and/or design review. The Project Conditions of Approval must be consistent with the applicable provisions set forth in the Specific Plan, and other project approvals.

Applicable Federal State and Local Law

Subsequent project approvals relating to the permitting and construction of all improvements within or serving the Plan Area, including, without limitation, large-lot parcel maps, tentative maps and parcel maps and/or final maps; grading permits; improvement plan approvals; building permits; and/or conditional use permits, shall be subject to the uniform codes, regulations and requirements imposed on all development under applicable federal, state and local law. Future development shall also be consistent with all other City codes, regulations and requirements, which are consistent with the applicable provisions in the Specific Plan and other project approvals, including Project Conditions of Approval and a Development Agreement, if one is executed.

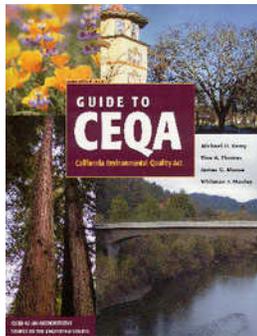


Initial City Approvals

There are a number of City actions required for initial entitlement of future development within the Plan Area. The following actions to be taken by the City will ensure that the mitigation measures, policies, development standards and design guidelines, and a Development Agreement, if one is executed, serve as the governing regulations for the Plan Area.

CEQA Compliance

In accordance with the California Environmental Quality Act (CEQA), an Environmental Impact Report (EIR) has been prepared to analyze the environmental impacts of implementing the Specific Plan and to identify mitigation measures to reduce significant impacts to a less than significant level. The EIR was circulated for public comment, and included responses to public comments and modifications to the EIR were made in response to those comments.



The Greenfield City Council will consider the EIR and mitigations contained therein as the initial step in deliberations to consider the Specific Plan. The City must certify the EIR before it can take action to amend the City General Plan, Zoning Ordinance, adopt this Specific Plan, or adopt a Development Agreement. The information in the EIR will also be used by the City as part of its review and consideration of subsequent project-specific development approvals. Future developers and end users must comply with the mitigation measures contained in the EIR. The City will monitor the actions of developers and end users to ensure that the mitigation measures are implemented.

General Plan Amendment

The General Plan would be amended to: 1) change the General Plan Land Use Map to show the Plan Area as Walnut Avenue Specific Plan; and 2) make other specific conforming amendments (as needed) to ensure consistency between the General Plan and the Specific Plan (collectively, General Plan Amendments). The General Plan Amendments will recognize the Specific Plan as establishing the general plan guidance for development within the Plan Area.

Zoning Map Amendment

The City's Zoning Map would be amended to establish the Specific Plan as the applicable zoning for the Plan Area. The City's Zoning Map would show a Specific Plan designation (e.g. SP-1) for the Plan Area, and the land uses, development standards, and design guidelines included in the Specific Plan, as supplemented by the City's Zoning Code, would constitute the zoning for the Plan Area.

Development Agreement

Depending on the proposed project within the Plan Area boundary, the City may require that the master developer and/or individual developers enter into a development agreement. A development agreement is a contract between the City and a developer that specifies the responsibilities and obligations of all parties involved in implementing development projects within the Plan Area. It describes development rights, the range of implementation/mitigation action required, development phasing, if any, and financing agreements. The City Council may approve one or more development agreements as a primary tool for development implementation.



CEQA Findings and Mitigation Monitoring Program

In approving the Specific Plan and related implementing actions, the City will make CEQA findings and adopt a Mitigation Monitoring and Reporting Program (MMRP), as well as a Statement of Overriding Considerations, as appropriate.

Subsequent City Entitlements and Compliance

Following the City Council actions on the initial entitlements, subsequent entitlements are required to implement the proposed development of the Plan Area. These are likely to include the following:

- Preparation and City Council approval of a tentative map (or individual tentative maps);
- Preparation and City Council approval of subsequent final map(s) and improvement plans;
- Design Review and approval for consistency with development and design standards described in Article 2.0 of this Specific Plan;
- Mitigation measure and condition compliance as applicable;
- Preparation of backbone infrastructure improvement plans/grading plans;
- Construction drawings/plan check;
- Encroachment permits;
- Building permits;
- Inspection permits;
- Minor Use Permits, as applicable for public events held at amenity area; and
- Conditional Use Permits, as applicable.

Substantial Compliance

Subsequent City entitlements must comply with the Specific Plan. The Plan Area master developer and/or individual developer(s) are obligated to substantially conform with the Specific Plan, development agreement, if one exists, the MMRP, and any other Plan Area approvals. Substantial compliance may be defined as consistent with the purpose and intent of the Specific Plan. The Community Development Director is responsible for initially reviewing whether a subsequent entitlement request substantially conforms with the Specific Plan, and must make written finding of such based on substantial evidence in the record. All subsequent entitlements shall be approved by the appropriate City body, as defined herein or by City Code.

Specific Plan Amendment Process

A request for a Specific Plan amendment shall be processed in accordance with California Government Code requirements for specific plans and any City application requirements, including Chapter 17.20 of the City Code. Future amendments to this Specific Plan require a detailed request for amendments to the Specific Plan, a determination by City staff if new technical reports and environmental review are needed, and a recommendation from the Planning Commission and final action by the City Council in the same manner as the Specific Plan was originally adopted.

A request to make a minor modification to the Specific Plan is distinct from a request to amend the Specific Plan. A finding of substantial compliance with this Specific Plan shall be required for entitlements that reflect minor modifications to the Specific Plan. Thus, if an entitlement reflects certain changes to this Specific Plan, substantial compliance may



be found provided the Community Development Director finds that the changes constitute a “minor modification” that is intended to clarify, interpret and/or implement this Specific Plan in a manner that is consistent with the purpose and intent of this Specific Plan. In the event and to the extent the Community Development Director makes written findings, based on substantial evidence in the record, that the requested change constitutes a minor modification, the subsequent entitlement shall not be deemed an amendment to the Specific Plan. Disagreement with the Community Development Director’s findings in this regard may be appealed to the Planning Commission and, subsequently, to the City Council.

Section 5.2 Development Schedule/ Phasing

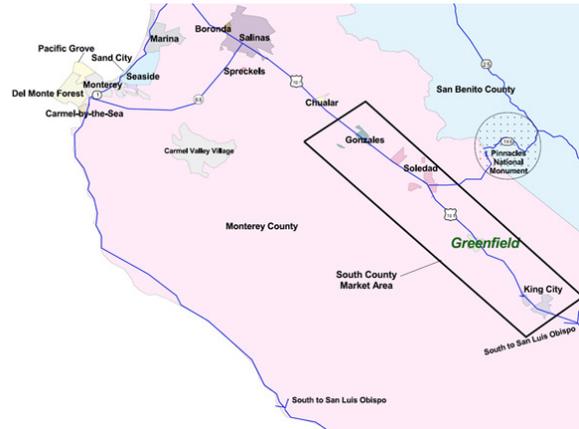
A preliminary development schedule and phasing plan has been created as a guide to conceptualize how and over what time frame the Plan Area could be developed. However, numerous variables could affect the schedule and phasing plan. These variables are discussed below, followed by a table which summarizes the conceptual phasing plan.

Key Schedule/Phasing Variables

Market Demand

Development of commercial and residential uses within the Plan Area would likely proceed at different rates over different time periods. The demand for commercial uses, which in turn could motivate developers to generate funding for backbone infrastructure, will be a significant factor in the ultimate overall development schedule. Please

refer to [Appendix D, Greenfield Walnut Avenue Specific Plan Market Evaluation](#) for analysis of the existing and the potential future total/rate of local and regional-based demand for commercial development in Greenfield. Based on the analysis, it is possible that cumulative demand for additional



commercial development capacity in Greenfield would not be realized for 20 years or more.

Similarly, market demand for high-density residential development may also play a major role in the schedule/rate of development within the Plan Area, not only for the residential uses themselves, but also for commercial development. New residential development adjacent to the proposed commercial uses would incrementally increase demand for commercial uses.

Interchange Capacity

As described in Article 3.0, the U.S. Highway 101/Walnut Avenue interchange is not designed with sufficient capacity to accommodate the significant increase in traffic volumes that would be generated with build out of the City per the General Plan, including build out of the Plan Area. Consequently, in the long-term, significant interchange improvements will be needed to increase the capacity of the interchange. As importantly, interim improvements



to the interchange ramps are needed to accommodate significant development within the Plan Area. With the present ramp configurations, development of only several thousand square feet of commercial development within the Plan Area is possible; at higher development levels, traffic from new development would significantly impact the operation of the interchange ramps. Consequently, the phasing of development of the Plan Area will be affected by the timing in which both the interim improvements to the ramps and ultimate improvements to the interchange are completed.



Interim improvements to the interchange ramps involve installing four-way stop controls where only two-way stop controls now exist. The interim improvements have been designed and are slated for completion in 2013 or 2014. Representative Plan Area development scenarios that would be possible once the interim ramp improvements are completed include: 1) 195,000 square feet of commercial with no residential units; 2) 165,000 square feet of commercial with 90 multi-family residential units; or 3) 135,000 square feet of commercial with 160 multi-family residential units, or equivalent. With the completion of the ultimate planned interchange improvements, estimated to occur about 10 years from the date the interim improvements are completed, or about 2023 or 2024, interchange

capacity would no longer be a constraint to developing the remainder of the Plan Area up to its full build out capacity.

Phasing Plan

It is assumed that the Plan Area would be developed in at least four phases over an estimated period of approximately 20 years. The Plan Area is limited to a maximum build-out of 445,000 square feet of commercial uses and 220 high-density residential dwelling units. Table 11, Land Use and Phasing Summary, provides gross land use acreage by Specific Plan development phase. Phase 1 would include development of a portion of the commercial use south of Walnut Avenue, near the U.S. Highway 101 interchange (Area 1). Phase 2 would include additional highway commercial development south of Walnut Avenue and adjacent to 3rd Street (Area 2). Phase 3 would include approximately 10.5 acres of High-Density Residential development (Area 5) and modification of the existing storm water detention facility to accommodate storm water from the residential development. This phase would also include development of the Recreation and Open Space uses, consisting of a 1.62 acre Park Amenity/





Table 11 Land Use and Phasing Summary

Land Use by Phase	Area	Acres* (gross)	Interim Improvement Potential			Maximum Build-out Potential
			Scenario 1	Scenario 2	Scenario 3	
Phase 1						
Commercial (South)	Area 1	15.79	115,000-145,000 sf	85,000 - 145,000 sf	55,000-135,000 sf	145,000 sf
Phase 2						
Commercial (South)	Area 2	8.82	50,000-80,000 sf	20,000 - 80,000 sf	80,000 sf	80,000 sf
Phase 3						
High-Density Residential (South)	Area 5	10.48	0 du	90 du	160 du	220 du
Recreation and Open Space (South)		5.39	-	-	-	-
Phase 4						
Commercial (North)	Areas 3/4	22.11	-	-	-	220,000 sf
Total		62.59	195,000 sf	165,000 sf	135,000 sf	445,000 sf

Source: EMC Planning Group, 2012

Note: *Acreages include all road right-of-ways as shown within the land use designation.

Open Space (Area 5). Phase 4 would include the remaining 22.11 acres of highway commercial designated area north of Walnut Avenue near the U.S. Highway 101/Walnut Avenue interchange (Areas 3 and 4).

The necessary on-site public infrastructure needed to develop each phase would be provided by the developer of each phase. Note that the City neighborhood park at the corner of Apple Street and 3rd Street would be development by the City in a timeframe that is independent of development within the remainder of the Plan Area. As of the

date of this Specific Plan, the City anticipates installing the neighborhood park improvements in 2014 to 2015.

The phasing plan is intended to be flexible and can be adjusted to meet market demand. If adjustments are made to the phasing plan, similar adjustments to the financing plan will be required. However, in no case may development within the Plan Area exceed a level which generates traffic volumes that cause operations at the U.S. Highway 101/Walnut Avenue interchange to drop below acceptable performance standards.



Section 5.3 Major Capital Improvements, Costs, and Maintenance

Significant costs will be incurred to implement the Specific Plan. One-time funding mechanisms for Plan Area backbone capital improvements, such as major infrastructure and public facilities described in Articles 2.0 Land Use Plan, Development Standards, and Design Guidelines, 3.0 Circulation Plan, and 4.0 Public Facilities and Services Plan will be needed and require City cooperation. The purpose of this section is to identify the major needed capital improvements, costs of improvements, and responsibilities for constructing and maintaining infrastructure.

Funds are also needed to pay the annualized costs of public services to be provided by the City, other public agencies, and special districts.

On-Site Capital Improvements

The master developer and/or individual developer(s) will develop the Plan Area. Roads, wet utility infrastructure, parks and public amenities, monumentation/signage, and other public landscaping and lighting are critical elements of the Plan Area that must be constructed and maintained over time consistent with applicable standards.

The master developer and/or individual developer(s) will be responsible for financing and construction of backbone infrastructure improvements within the Plan Area, as well as infrastructure improvements needed to connect to the backbone infrastructure systems. Backbone infrastructure improvements (i.e. roads and in-road utility infrastructure) typically will be offered for dedication to the appropriate public entity, with ongoing operation and maintenance of public and private Plan Area

improvements to be funded through one or more funding mechanisms described herein, or as a part of a subsequent financing study.

As a condition of approval of the first discretionary permit for development within the Plan Area, the City may require preparation of detailed infrastructure plans and a financing plan that would be subject to the City's review and approval. The backbone infrastructure plan will identify backbone improvements that could be similar to or could vary from those identified in Articles 2.0, 3.0 and 4.0, which are based on Appendix E, Preliminary Engineer's Report for Walnut Avenue Specific Plan.

Table 12, *On-Site Backbone and Other Improvements Cost Summary*, identifies the required major improvements and their estimated costs. Because of various unknowns and assumptions, additional costs not identified in Table 12 are possible. These costs include, but are not limited to: additional joint trench fees, individual sanitary sewer fees, erosion control maintenance and modifications, costs associated with right-of-way acquisition, geotechnical mitigation fees, etc. Refer to Appendix F, Preliminary Representative Cost Study for the Walnut Avenue Specific Plan Backbone Infrastructure, for more detailed information.

Off-Site Capital Improvements

U.S. Highway 101/Walnut Avenue Interchange

As described in Article 3.0, both interim and long-term improvements to the U.S. Highway 101/Walnut Avenue interchange are needed to accommodate traffic that would be generated by development within the Plan Area and by cumulative development envisioned in the General Plan. The anticipated cost of the ultimate improvements to the interchange is estimated in 2012 to be approximately \$25,000,000.



Table 12 On-Site Backbone and Other Improvements Cost Summary

Improvement Description	Estimated Cost
On-Site Backbone Infrastructure and Other Improvements	
Domestic Water	\$380,000
Storm Drain	\$60,420
Sanitary Sewer	\$154,000
On-Site Grading, Paving, and Roadways	\$1,750,550
Miscellaneous ¹	\$1,239,500
On-Site Infrastructure Improvements Subtotal	\$3,584,470
Contingencies (15% Design + 20% Overall)	\$1,254,565
On-Site Infrastructure Subtotal	\$4,839,035
On-Site Landscaping Improvements	
Landscaping, Monumentation, Plaza/Park Features, Street Furniture ²	\$4,243,560
Total On-Site Capital Improvements	\$9,082,595³

¹ Miscellaneous costs include electrolier, signing and striping, joint trench, and undergrounding overhead electrical lines.

² A prior landscaping cost estimate submitted to the City indicated total landscaping costs of \$6,002,156. Subsequently, additional cost savings were identified that reduced the total amount to that shown in the table.

³ Costs are in 2012 dollars.

Source: Rugger-Jensen-Azar 2012, Bellinger Foster Steinmetz 2012

The interchange is the only off-site improvement which has significant bearing on the timing/phasing of development within the Plan Area. Hence, it is important to summarize the role of the master developer/individual project developers in contributing to the interchange improvements.

The City's Traffic Improvement Fee Program includes improvements at the interchange as a project to be partially funded through the program. Consequently, payment of the City's traffic impact fee by the master developer/individual project developers would meet the City's obligation for contributing to the ultimate improvements needed at the interchange. Funds would also be generated

by contributions from cumulative development within the City, including development within the Plan Area, but would not in themselves be sufficient to pay the full cost of the ultimate improvements. Consequently, additional funding sources must be identified.

The U.S. Highway 101/Walnut Avenue interchange improvement project is also a project to be funded in part through the Transportation Agency for Monterey County's (TAMC) Regional Development Impact Fee Program. Payment of this fee by the master developer/individual project developers, as required, would also contribute to funding of the ultimate interchange improvements.



The interim improvements needed at the interchange ramps as discussed above and in Article 3.0 would also be funded through the City’s Traffic Impact Fee program.

At this time, other than payment of the City’s Traffic Impact Fee and the TAMC regional fee, no additional cost burden to Plan Area development for supporting interim or ultimate improvements to the interchange is anticipated. However, it is possible that at a future date, the master developer/ individual project developers could volunteer or be requested to participate in an alternative funding mechanism to facilitate interchange improvements. This may be possible in a scenario where other funding sources prove insufficient or unavailable in a timeframe that enables interchange improvements to be made that would relieve constraints to full build out of the Plan Area.

Capital Facilities Maintenance

Roads, water, wastewater, reclaimed water, storm drainage, parks, landscaping, etc., are the critical elements of the Specific Plan that must be maintained over time. Implementation actions require that backbone infrastructure be constructed by the master developer and/or individual project developers. Individual project developers would be responsible for making improvements within the boundary of individual projects. This section includes a summary of maintenance needs and responsibilities.

City of Greenfield

The City will have maintenance responsibility for improvements associated with roadways and utilities, including water supply, wastewater, street lighting, landscaping, and storm drainage facilities within the public right-of-way. The City would also be responsible for continuing to maintain the existing

stormwater percolation pond and City neighborhood park, once built, which is located within the Plan Area boundary. The City would have no other maintenance obligations for capital improvements within the Plan Area boundary.

Project Developers

The master developer and/or individual developers or subsequent owner or operator of each project will be responsible for maintenance of all non-backbone, project-specific, improvements, including driveways and parking facilities, landscaping and lighting, and any project-specific infrastructure needed to connect to the backbone infrastructure systems.

Homeowners’ Association

If a homeowners’ association is formed as part of the residential development component of the Specific Plan, the association would have responsibility to maintain all non-backbone infrastructure located within the boundary of the residential development project.

Section 5.4 Capital Facilities Funding and Financing

The Plan Area improvements will generate increased property tax revenue for the City General Fund. However, property tax revenues will not be sufficient to construct, operate, and maintain all of the required infrastructure, services, facilities, and amenities within the Plan Area. Any gap between the cost of infrastructure maintenance and the tax revenue being generated must be financed through one or more appropriate financing mechanisms.



All applicants seeking discretionary approvals for development must demonstrate the availability of adequate financing to ensure that all Plan Area infrastructure, services, facilities, and amenities needed to serve the proposed development will be completed prior to occupancy of any structure on any lot, and will remain operational with adequate maintenance throughout the life of the development. The determination that the Plan Area infrastructure, services, facilities, and amenities are fiscally self-sufficient will be determined on a phase by phase basis.

Public and Private Funding

All backbone improvements within the Plan Area (specifically sewer, water, utilities, storm drainage facilities, collector roads, amenities, and landscaping and lighting) are intended to be designed, constructed, and financed using private equity and/or debt funding, a public financing mechanism, or any combination of the forgoing. In addition, some infrastructure improvements may be subject to fair share reimbursement or City funding via development impact fees.

It is anticipated that the long-term maintenance of backbone circulation infrastructure and utility infrastructure located within backbone road public rights-of-way will be undertaken by the City. Maintenance of other on-site non-backbone infrastructure, utilities, landscaping and lighting, etc., would be the responsibility of the master developer and/or individual project developers. Utilities brought from outside the Plan Area to the Plan Area boundary to service the Plan Area will be maintained by the particular utility provider.

As described below in “Assessments for Capital Improvements and Long-term Maintenance”, the Plan Area improvements made as a part of constructing backbone infrastructure or in-tract

improvements and maintenance may be funded by a financing district as approved by the City.

Mechanisms that may be used to fund backbone infrastructure and related improvements, as well as to maintain improvements, are summarized below.

Taxes

It is anticipated that monies collected as property taxes (ad valorem), and real property transfer taxes, would be utilized by the City for capital improvements, operations, and maintenance as determined by the City through its establishment of annual budgets and programs and in accordance with applicable law.

Development Impact Fees

Development impact fees imposed by the City could be utilized to construct certain infrastructure improvements necessary to serve the Plan Area. These are typically improvements outside the Plan Area that provide service to the Plan Area development. The City uses these fees to improve capital facilities.

City Impact Fees. The City has adopted several development impact fee programs to fund needed infrastructure and public facilities. These include: 1) Sewer Impact fee; 2) Water Impact Fee; 3) Police Impact Fee; 4) Park Impact Fee; 5) Community Center Fee; 6) General Facilities Fee; and 7) Transportation Impact Fee. If the Plan Area master developer and/or individual project developers construct an improvement that is a part of a City impact fee program, the developer may be reimbursed or credited for the cost of the improvement.

Other Agency Fees. In addition to the City fees listed above, the Transportation Agency for Monterey County has a separate agency fee which



is used to fund regional roadway network improvements that are defined in TAMC’s fee program. Partial funding of the ultimate improvements to the U.S. Highway 101/Walnut Avenue interchange, as described in Article 3.0, is one such improvement.

Assessments for Capital Improvements and Long-term Maintenance

Special district(s) could be created for the Plan Area to provide funding for capital improvements and long-term maintenance of infrastructure. Through several potential financing district options, such as a Landscape and Lighting District (LLD), Community Services Area (CSA), Community Services District (CSD), Community Facilities District (CFD) “Mello-Roos,” Geologic Hazards Abatement District (GHAD), maintenance annuity fund, or some other entity, revenue could be generated to construct and maintain public infrastructure within the Plan Area. If and when a financing district(s) is established, the district would be authorized to impose assessments on Plan Area commercial end users and/or residents only for the purpose of funding, operating and maintaining Plan Area improvements. Such improvements include, but may not be limited to, public roadways, drainage facilities, street lighting and landscaping, public infrastructure (e.g. water, wastewater), other public facilities, utilities, and open space/recreational facilities.

Homeowners’ Assessments

Collected through master or neighborhood homeowners’ associations (HOA), fees may be collected for purposes of short-term maintenance and long-term capital accounts (reserves) for repairs to infrastructure improvements required to be privately maintained.

Reimbursements

Reimbursement funds may be collected through a variety of mechanisms in the event and to the extent that the master developer and/or individual neighborhood developer(s) construct improvements that directly benefit other property owners outside of the Plan Area.

Potential New Plan Area Fee

To fund additional facilities in the Specific Plan that are not covered by other existing fee programs, various options may be used. One primary option would be to establish a new development impact fee to fund improvements in the Specific Plan (i.e., a plan area fee). A plan area fee program establishes a development impact fee, typically for a Specific Plan, pursuant to local government’s police power and in accordance with the procedural guidelines established in Assembly Bill 1600 (AB 1600), which is codified in California Government Section 66000 et. seq. This code section sets forth the procedural requirements for establishing and collecting development impact fees. These procedures require that “a reasonable relationship or nexus must exist between a governmental exaction and the purpose of the condition.” This fee would be charged to various land uses, based on use factors appropriate for each use and facility type, and would require a Nexus Study to document the improvements and allocation methodologies used.