

COUNTY OF SACRAMENTO
CALIFORNIA

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APPROVED
BY RESOLUTION # *2006-1015*
BOARD OF SUPERVISORS

For the Agenda of:
August 22, 2006

AUG 22 2006
By *Cindy H. Turner*
Clerk of the Board

To: Board of Supervisors

From: Department of Planning and Community Development

Subject: North Vineyard Station Specific Plan Reimbursement Fee

Contact: Dave Pevny, Principal Planner 874-5841

Overview

The Board adopted a reimbursement agreement in November 1994 to establish a fee to be collected from future applicants within the North Vineyard Station Specific Plan. California Government Code Section 65456(a) and Sacramento County Code Section 2.14.050 allows the County to impose a fee on persons seeking entitlements within the benefit area to recover the costs of specific plans. Planning staff and the applicant group have reached an agreement on the amount of costs proposed for reimbursement. The department would now like to establish the reimbursement fee.

Recommendations

Approve the attached resolution approving a fee to be imposed on new planning applications within the North Vineyard Station Specific Plan area.

Measures/Evaluation

Approval of this fee will allow the department to reimburse developers for their costs in the development of the Specific Plan, consistent with resolution No. 94-1574 adopted by the Board on November 30, 1994.

Fiscal Impact

There will be no fiscal impact from the approval of this reimbursement fee.

BACKGROUND:

On November 4, 1998, by Resolution No. 98-1338, the Board approved the North Vineyard Station Specific Plan. The preparation of this Specific Plan was funded by a group of development interests in accordance with a funding agreement adopted by the Board on November 30, 1994 by Resolution No. 94-1574. This agreement specified that the County would establish a fee subsequent to the adoption of the Specific Plan to be collected from future applicants within the specific plan area for the purpose of reimbursing the original funding parties their costs in the preparation of the plan.

DISCUSSION:

In establishing the reimbursement fee, a determination had to be made as to what costs were reimbursable. William Cramer of Lennar Communities, representing the property owners within the plan, provided documentation of consultant costs expended by the North Vineyard Station Property Owners Group. Staff met with the applicant concerning the submitted information. The applicant provided costs they felt were non-reimbursable. After review, staff felt that an additional portion of the submitted costs was inappropriate for reimbursement. This included costs that were incurred prior to the initiation of the Specific Plan as well as costs incurred prior to the ordinance adoption of the Specific Plan. Staff did agree that costs related to preparation of topographic surveys and wetlands/biological resources, although incurred prior to initiation, were appropriate.

As established by the County's first specific plan, the East Antelope Specific Plan project, this reimbursement agreement establishes the payment of interest to the project proponent as a fee component. The agreement further defines the interest as "the average yield upon investments of the County pooled funds." The interest is calculated as simple interest. The interest will be calculated from the date of the adoption of the specific plan, November 4, 1998.

Unlike the Antelope Specific Plan fee calculation, staff has proposed that public spaces, including schools and parks, not be included in the total acreage calculation. Fees would not be collected for park and school properties as identified on the specific plan land use plan. This ensures that if these sites are acquired independently of any tentative map applications, the collection of costs is not lost. Therefore, the costs of preparation of the specific plan would be calculated on a "per gross acre" basis on the urban portions of the Specific Plan area.

The reimbursement fee will apply to all urban areas within the specific plan boundaries (excluding public parks and schools). The fee is to be collected at the time an application for a rezone and/or a tentative subdivision map within the benefit area is submitted. No application will be considered complete until the fee is paid.

The fee is proposed to consist of three components: a base component, an interest component, and an administrative component. The base component is the sum of all reimbursable costs divided by the total gross acreage of the area benefiting from the approval of the specific plan. The interest component is simple interest, calculated from the date of adoption of the specific plan, November 4, 1998. The total amount of interest is divided by the total acreage, resulting in a per-acre figure for the component. The administrative component is a per-acre fee based on the total County cost for processing the reimbursement fee resolution and supporting documentation. The total of these 3 fee components comprises the total per gross acre fee. The fee proposed by staff is \$1,356 per gross acre.

Following collection of the fee, the County will, on a quarterly basis, disburse the amount of the fee, less any administrative costs or outstanding payments, to the party indicated on the reimbursement agreement until completely reimbursed or up to 10 years, whichever occurs first. Included in this letter is an attachment that briefly summarizes the calculation of the proposed fee.

MEASURES/EVALUATION:

Approval of this fee will allow the department to reimburse developers for their costs in the development of the Specific Plan, consistent with resolution No. 94-1574 adopted by the Board on November 30, 1994.

FINANCIAL ANALYSIS:

The adoption of this fee will result in no net county cost. The money reimbursed will be part of the application fee that is submitted at the time of development.

Respectfully submitted,

APPROVED:

TERRY SCHUTTEN
County Executive

ROBERT SHERRY, Director
Planning and Community Development

By: _____
CHERYL CRESON, Administrator
Municipal Services Agency

Attachments:

RESOLUTION - NVSSP

EXHIBIT A - NORTH VINEYARD STATION SPECIFIC PLAN REIMBURSEMENT FEE

RESOLUTION NO. 2006-1015

WHEREAS, Sections 65909.5 and 66451.2 of the Government Code authorize the Board of Supervisors to establish reasonable fees for processing applications for procedures required or authorized by State planning laws and the State Subdivision Map Act; and

WHEREAS, Section 65456(a) of the Government Code authorizes the Board of Supervisors to establish a specific plan fee, which in the aggregate, defrays the cost of the preparation, adoption and administration of a specific plan, including costs incurred pursuant to Division 13, commencing with Section 21000 of the Public Resources Code; and

WHEREAS, Section 65456(a) of the State of California Government Code authorizes the Board of Supervisors, after adoption of a specific plan, to establish and impose said specific plan fee upon persons seeking approvals of planning applications which are required to be consistent with such an approved specific plan; and

WHEREAS, the Legislative intent in authorizing the establishment of specific plan fees is to charge persons who benefit from specific plans for the costs of developing those specific plans which result in savings to them by reducing the cost of documenting environmental consequences and advocating changed land uses which may be authorized pursuant to the specific plan; and

WHEREAS, on November 4, 1998, by Resolution No. 98-1338, the Board approved the North Vineyard Station Specific Plan; and

WHEREAS, the Planning and Community Development Department has undertaken a review of the costs of the preparation, adoption and administration of the North Vineyard Station Specific Plan; and

WHEREAS, the Planning and Community Development Department has determined that the North Vineyard Station Specific Plan fee shall be established and implemented as a per gross acre fee with simple interest, to be charged on all acreage (excluding public parks and schools) included in any planning application submitted for property located within the North Vineyard Station Specific Plan; and

WHEREAS, Section 115-40 of the Zoning Code of the County of Sacramento prescribes that fees shall be established by resolution of the Board of Supervisors.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of hereby adopts the North Vineyard Station Specific Plan fees as detailed in Exhibit A attached hereto.

On a motion by Supervisor Nottoli, seconded by Supervisor Dickinson, the foregoing Resolution was passed and adopted by the Board of Supervisors of the County of Sacramento, State of California, this 22nd day of August 2006, with the following vote, to wit:

AYES: Supervisors, Dickinson, Nottoli, Peters, MacGlashan
NOES: Supervisors, None
ABSENT: Supervisors, Collin
ABSTAIN: Supervisors, None

Roberta MacGlasha

Chair of the Board of Supervisors
Sacramento County

In accordance with Section 25103 of the Government Code of the State of California a copy of the document has been delivered to the Chairman of the Board of Supervisors, County of Sacramento on **AUG 22 2006**

By *Kevin Romo*
Deputy Clerk, Board of Supervisors

FILED

AUG 22 2006

BOARD OF SUPERVISORS
BY *Andy S. Turner*
CLERK OF THE BOARD



ATTEST: *Cindy H. Turner*
Clerk, Board of Supervisors

EXHIBIT A

NORTH VINEYARD STATION SPECIFIC PLAN REIMBURSEMENT FEE

FEE CALCULATION:

1. Total Acreage (gross):	1596.5 acres
Less non reimbursable acreage:	
Parks:	68.2 acres
Schools:	21.6 acres
Railroads:	14.6 acres
Open Space/Detention Basins:	<u>104.7 acres</u>
Total Acreage (Net)	1387.4 acres

2. Base Component:

Summary of Invoices for North Vineyard Specific Plan

Consultant Name	Reimbursable Costs
MacKay & Soms	\$598,127
Sacramento County	\$381,679
Law Offices of George E. Phillips	\$310,639
Donn C. Reiners, Inc.	\$166,012
Sugnet & Associates, Inc.	\$107,528
Fehr & Peers Associates, Inc.	\$72,059
Randy M. Chafin, AICP	\$47,206
Chartwell Holdings	\$38,062
Economic and Planning Systems	\$9,377
Wallace, Kuhl & Associates	\$7,518
Peak & Associates, Inc.	\$5,399
Brown/Buntin Associates, Inc.	\$5,000
Kittelson and Associates, Inc.	\$1,754
Tree Care Incorporated	\$1,023
Stanley J. Foondos	\$600
Total:	\$1,751,983.00

Base Component = Total Reimbursable Costs/ Total Net Acreage
 $\$1,751,983/1387.4 =$ **\$1,263/per acre**

3. Administrative Component:

Administrative Component = Total County Costs/ total acres
 $\$37,588/1387.4 =$ **\$27/ per acre**

SUBTOTAL: **\$1,290/per acre**

EXHIBIT A

NORTH VINEYARD STATION SPECIFIC PLAN REIMBURSEMENT FEE

(Cont)

4. Interest Component

$$\begin{aligned} \text{Interest Component} &= \text{Total Reimbursable Costs} \times \text{Interest Rate} / \text{Total acreage} \\ &= \$1,751,983 \times 5.19\% / 1387.4 \text{ acres} = \$66 \end{aligned}$$

TOTAL COST:

$$\begin{aligned} \text{Total Cost} &= \text{Base Component} + \text{Administrative Component} + \text{Interest Component} \\ &= \$1263 + \$27 + 66 = \$1356 \end{aligned}$$