

*Before the Board of Supervisors
County of Monterey, State of California*

In the matter of the application of:

**CASTROVILLE TRAFFIC IMPACT FEE (REF220010)
RESOLUTION NO. 22-502**

Resolution by the Monterey County Board of Supervisors staying the collection of Castroville Traffic Impact Fees until such time that the Board of Supervisors adopts an updated fee or provides further direction.

RECITALS

WHEREAS, on April 10, 2007, the Board of Supervisors originally adopted the Castroville Community Plan (Resolutions No. 07-102 and 07-103); and

WHEREAS, those portions of the Castroville Community Plan that fall within the coastal zone are not operational since the Coastal Commission has not certified the plan or the amendment to the North County Land Use Plan; and

WHEREAS, the Castroville Community Plan, affecting the inland areas, are a part of the 2010 Monterey County General Plan, and include policy direction related to land use designations, infrastructure improvements, public facilities, and an economic development strategy specific to all areas within the Community Plan Boundary. Moreover, even though the operational portions of the Community Plan only apply to the inland areas, the Community Plan identifies community facilities and infrastructure to support the planned growth throughout the Community Plan area; and

WHEREAS, the Castroville Community Plan provides a financing strategy that, in part, includes impact fees based upon land use type to fund the cost of community facilities and regional transportation improvements, which are the most significant component of these fees; and

WHEREAS, as a result of the Board of Supervisor's adoption of the Castroville Community Plan, Housing and Community Development Department (HCD), has been collecting impact fees upon issuance of building permit; and

WHEREAS, the Castroville Traffic Impact Fees in its current form are a barrier on housing development, are derived from projects that are not achievable due to locations in the coastal zone, and some of the projects identified are already being completed by Caltrans. Ultimately, reducing the scope of the Community Plan by removing the coastal areas from the plan would catalyze a reduction in the impact fees, thus supporting removal of a barrier to housing production; and

WHEREAS, HCD also collects a Regional Development Impact Fee (aka, the "TAMC" fee), that is levied on new development to fund regional transportation improvements through the Transportation Agency for Monterey County (TACM), which has the potential to result in duplicity in the TAMC fee and Castroville Traffic Impact Fee (i.e., paying two fees to cover the same impact). For example, TAMC has indicated that \$5 million dollars of the TAMC fee has

been programmed to the Highway 156 and Castroville Boulevard intersection project; and

WHEREAS, the Board of Supervisors, in a separate action on December 13, 2022, will consider authorizing the Housing and Community Development Department to enter into a professional service agreement with Kimley-Horn to update the Castroville Community Plan and prepare an associated Impact Fees Nexus Study that would resolve the issues that have evolved over time related to the Castroville Community Plan and associated impact fees.

DECISION

NOW, THEREFORE, BE IT RESOLVED the Board of Supervisors of the County of Monterey does hereby:

- a. Find that pursuant to section 15273 of the CEQA Guidelines that the consideration of modifications to Castroville Traffic Impact Fees would be statutorily exempt; and
- b. Stay the collection of Castroville Traffic Impact Fees until such time that the Board of Supervisors adopts an updated fee or provides further direction.

PASSED AND ADOPTED on this 13th day of December 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew, and Adams

NOES: None

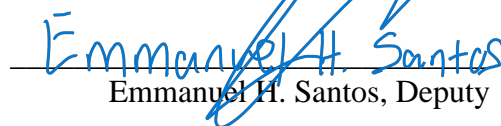
ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting on December 13, 2022.

Dated: December 19, 2022
File ID: RES 22-225
Agenda Item No. 44

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


Emmanuel H. Santos, Deputy