

East Garrison Development Agreement Amendment (REF200021)

Monterey County Board of Supervisors

June 16, 2020

Agenda Item No. 12

Public Hearing

- Consider an ordinance amending the Development Agreement between the County and UCP East Garrison, LLC (EGDA) to:
 - Extend the EGDA for 15 years (to October 4, 2035)
 - Allow County to impose fees to replace Fort Ord Reuse Authority (FORA) Community Facilities District (CFD) Special Tax
- CEQA Action: Addendum to Certified Final Subsequent Environmental Impact Report for the East Garrison Specific Plan (FSEIR)

Development Agreement Amendment Summary

- FORA Dissolution June 30, 2020
 - Regional Roadways – TAMC Regional Development Impact Fee
 - Local Roads - Countywide Roadway Fee (Zone 3 – Greater Salinas Area)
 - Habitat Management – Equivalent to FORA CFD set-aside
- EGDA Expires October 4, 2020
 - 15-Year Extension to October 4, 2035

Table 1
East Garrison Fort Ord
Proposed FORA CFD Replacement Fee Amounts

Proposed FORA CFD Replacement Fee	Basis	Single Family	Affordable/Workforce Units [1]			Office	Retail
			Workforce II Units [2]	Condo/ Townhome Mod	Apt. Low and Very Low		
Fee Component			----- per unit -----			----- per 1,000 sq. ft. -----	
Regional Roadways [2] [3]	Regional Development Impact Fee	\$3,962	\$3,108	\$1,903	\$1,612	\$4,582	\$5,608
Local Roads [4] [5]	Countywide Road Fee (Zone 3 - Greater Salinas)	\$2,141	\$1,679	\$1,028	\$871	\$2,813	\$3,318
Habitat Management [6]	Habitat Management Component of FORA CFD Special Tax	\$9,000	\$7,059	\$4,322	\$3,663	\$78	\$2,253
Total Proposed FORA CFD Replacement Fee		\$15,103	\$11,846	\$7,254	\$6,147	\$7,473	\$11,179

Replacement Funding Anticipated

- **Total Replacement Fee Revenues - \$4,991,951**
 - TAMC Transportation - \$1,398,682
 - County Local Roads - \$757,281
 - Habitat Management - \$1,825,958

Applicability

- The FORA Community Facilities District Special Tax Fee (aka FORA fee) is terminating with FORA dissolution on June 30, 2020
- The East Garrison Combined Development Permit required payment of the FORA fee
- This amendment establishes a replacement fee
- Fee is to be paid upon issuance of building permit
- Amendment to DA applies only to buildings for which County has not issued occupancy and for which County has not issued building permits as of June 30, 2020 .
- Replacement fee will apply to all building permits issued for the East Garrison development commencing July 1, 2020

Development Agreement Amendment Process

- To approve substantive amendment to the Development Agreement, the Planning Commission must make a recommendation to the Board;
 - Recommended approval at PC May 27, 2020
- To approve the amendment, Board must adopt by ordinance
- To approve, the Board must make certain findings, which are in the ordinance
 - Consistent with General Plan and East Garrison Specific Plan
 - In the public interest
 - Provides public benefits not otherwise attainable
 - Consistent with development agreement procedures in County Code

Board Action

- Consider Addendum to FSEIR for the EG Specific Plan
- Adopt ordinance to approve First Amendment to the Development Agreement