

## 4. Implementation

### 4.1 Introduction

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#### 4.1 Introduction

This Section describes the responsibilities and procedures required for implementing the East Area 1 Specific Plan. The role of the Master Developer and the requirements for Neighborhood Builder(s)/Developer(s) in obtaining the needed approval for projects within the Specific Plan Area are described. Capital improvements, financing, and phasing entailed in implementing the East Area 1 Specific Plan as well as the regulations that will govern its implementation are addressed. Included in the discussion are the financing strategies for both off-site and on-site public facilities. A number of public and capital facilities will be required to support the development of the site and to provide high quality amenities. The development will require water and sewer systems, new roadways, dry utilities, drainage, parks and other facilities. This section of the Specific Plan addresses the financing strategies for both on-site and off-site public facilities and a breakdown of sources and uses of funds including both estimated fee revenues and infrastructure improvements costs by type.

Estimated project Development Impact Fee revenue (approximately \$ 42.6 Million (2007 Dollars)) includes fees for law enforcement, fire protection, traffic, sewer, storm drainage, community facilities, parks and schools. Estimated infrastructure costs (approximately \$ 92.6 Million (2007 Dollars)) include the necessary water system, sewer system, roadways, dry utilities, drainage, parks, and miscellaneous costs related to the proposed development.

This section responds to Government Code §65451 which requires that specific plans must include a program for implementation including regulations, conditions, programs and additional measures as necessary to implement the plan.

#### 4.2 Specific Plan Regulatory Approach

The implementation procedures set forth in this section are intended to assure the development of East Area 1 in accordance with the planning and design intent of this Specific Plan, and other applicable City of Santa Paula regulations.

The East Area 1 Specific Plan applies to all lands within the boundaries shown in Figure 5-1. All development proposals within the Specific Plan Boundaries must be consistent with the Specific Plan and Santa Paula's General Plan. The Development

Standards, presented in Section 5 of the East Area 1 Specific Plan, contains development regulations which upon approval of the Specific Plan by the City Council will become mandatory in authority for all properties within the Specific Plan boundaries.

#### 4.3 Implementation Schedule

It is anticipated that development of the East Area 1 Specific Plan will occur in four (4) phases over a ten (10) year period of time, to coordinate infrastructure and financing needs. Phase boundaries typically follow the edge of the streets and right-of-ways. Generally, the primary phase of the project is anticipated to commence in the Haun Creek Neighborhood. Development is expected to continue with the Foothill Neighborhood and the Santa Paula Creek Neighborhood, and terminate with the Santa Paula Creek Civic District and the East Santa Paula Railroad District. The commercial space would be developed in the final development phases, as build-out of the site is needed to generate adequate market demand. The infrastructure improvements will be matched to meet the needs of each phase of development. In addition, a proportional amount of the required park space will be built with each phase. Refer to Figure 4-1, Phasing Guide.

A vesting tentative map, phased final maps, and building permits are required to implement the infrastructure improvements. The vesting tentative map reflects the proposed phasing plan. Multiple final maps clearly depicting the phases will be filed for the project. The Master Developer or Neighborhood Builder(s)/Developer(s) must post a Surety Bond(s) to guarantee the improvements shown on each final map.

The phasing of the Specific Plan is designed to meet the following objectives:

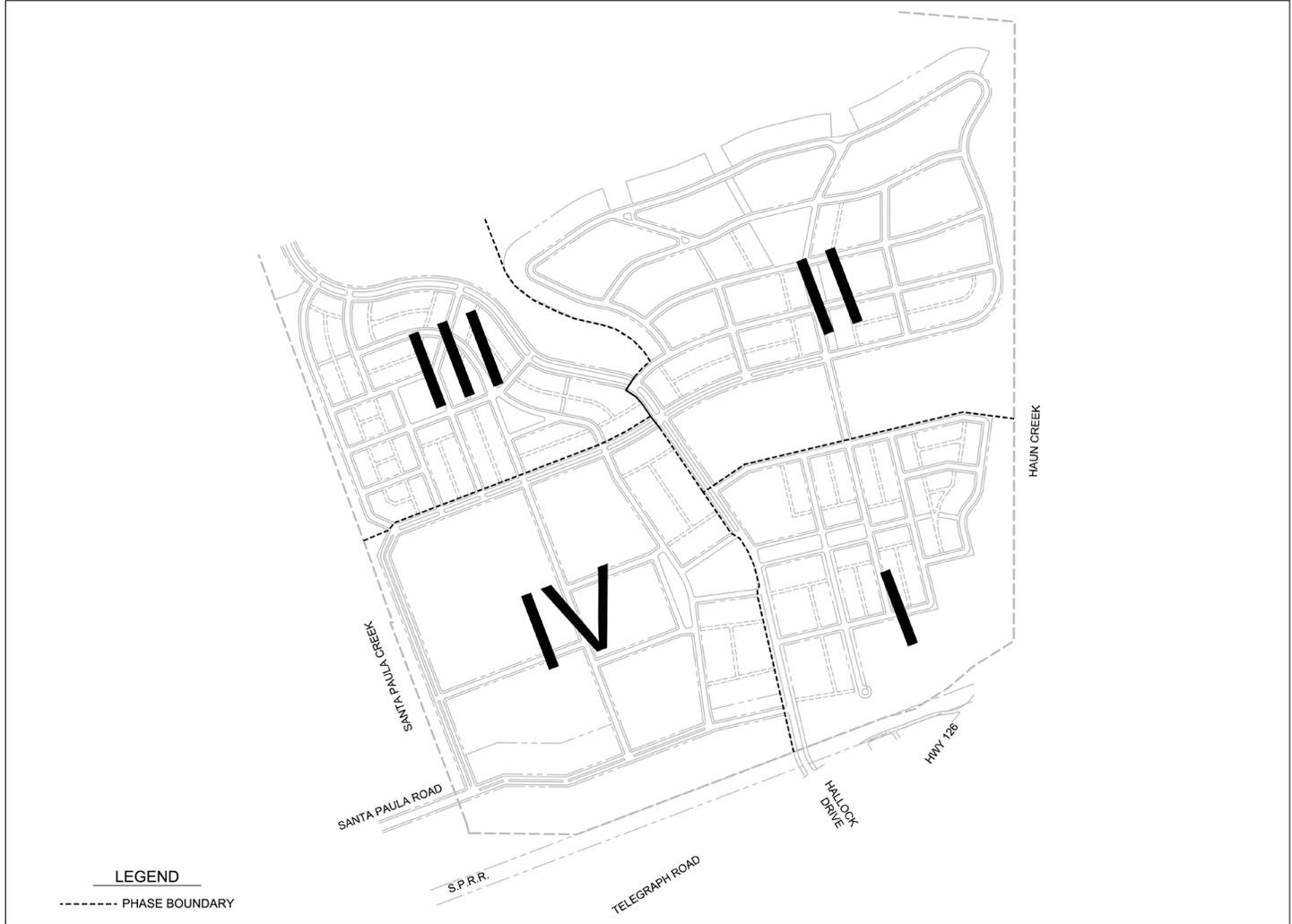
- Orderly build-out of the community based upon market and economic conditions.
- Providing adequate infrastructure and public facilities concurrent with development of each phase.
- Protection of public health, safety and welfare.

A development agreement may provide for the developer to determine some aspects of phasing. Phasing will occur as appropriate levels of infrastructure, community facilities, and open space dedications are provided. Phasing sequencing is subject to change over time to respond to these various factors

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## 4.3 Implementation Schedule

**Figure 4-1: East Area 1 Phasing Guide**



Source: Huitt-Zollars, Inc., 2007

**Table 4-1: Summary of On-Site Infrastructure Improvements**

Item	Total
Streets and alleys	\$21,300,000
Sanitary Sewer	\$3,800,000
Domestic Water	\$28,200,000 <sup>7</sup>
Recycled Water	\$7,000,000
Storm Drain	\$8,900,000
Grading	\$17,300,000
Dry Utilities	\$6,100,000
<b>Total</b>	<b>\$92,600,000</b>

Source: Huitt-Zollars, Inc., 2007

**NOTES:**

1. Cost figures are conceptual only. Actual costs are dependent on the items shown at bidding time, the general market situation, the contractor's workload, seasonal factors, labor and material cost, etc.
2. Costs are subject to revision due to changes, additions, and deletions resulting from ongoing agency review.
3. Appropriate contingency should be considered.
4. This analysis does not include costs to acquire right-of-way needed for this project.
5. Off-site infrastructure and public facilities not included.
6. Includes well fields, 3.0MG tank and 2.0 MG tank.

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### 4.4 Infrastructure and Public Facilities

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and individual phases may overlap or develop concurrently. Phased infrastructure improvements, as required and approved by the City Engineer to support each phase, will be installed by the Master Developer or Neighborhood Builder(s)/Developer(s). It is assumed that the 10-year phased construction of the Specific Plan would be completed by 2020; however, this is considered an estimated time frame and is subject to outside forces, including regulatory approvals, weather, and the economic climate.

#### 4.4 Infrastructure and Public Facilities

This section provides an overview of the parties involved in the implementation, ownership, and long-term maintenance responsibilities for the infrastructure and public facilities required to support the Specific Plan area. It also provides an overview of the estimated cost and sources of funding for such infrastructure and public facilities. It is assumed that some of these improvements and services will be financed through dedicated fees and rates. Table 4-1 provides a summary of the estimated costs of the on-site infrastructure improvements.

Table 4-2, Project Development Fee Revenue, provides a breakdown of the Development Impact Fee revenue sources for the Specific Plan. As shown in Table 4-2, the City, school district and other public district will collect approximately \$42,630,082 million to pay for, or will receive equivalent improvement of, off-site infrastructure and facilities.

#### 4.5 Financing Plan

The financing and maintenance plan for the East Area 1 Specific Plan will ensure the timely completion of public facilities, streets, utilities, and other necessary capital improvements, as well as the proper maintenance of these facilities.

The following principles shall guide the development and funding of facilities and public services for the East Area 1 Specific Plan:

- Use pay-as-you-go financing to the extent possible. Use debt financing only when essential to provide facilities necessary to maintain service standards.
- Fully fund new onsite and offsite public infrastructure and services needed to support the Specific Plan development;

- Utilize existing fee programs to fund required off-site infrastructure.
- Fund the costs of mitigating for the adverse impacts on the City's existing infrastructure;
- Provide for a fair allocation of costs among land uses.
- Phase on-site improvements to ensure that they are constructed when necessary and when funds are available to construct public improvements;
- Provide for reimbursements from other development for infrastructure costs that the Specific Plan area is required to advance; and
- Ensure financing mechanisms are flexible to accommodate different combinations of infrastructure timing and funding requirements.

The following policies govern the financing of infrastructure and public services for the East Area 1 Specific Plan in accordance with the above principles:

- Fund the full costs of on-site and off-site public infrastructure and public services required to support the development in the East Area 1 Specific Plan from revenues generated by development within the Specific Plan Area, except where specific existing City, County, District or State sources are available.
- Allocate the core infrastructure costs to property within the East Area 1 Specific Plan based on the general principles of benefit received, with consideration of the financial feasibility of the proposed land use.
- Require development projects in the Specific Plan to fund the over-sizing of facilities if required by the City, subject to reimbursement from future developments benefiting from the over-sizing.
- Require Neighborhood Builder(s)/Developer(s) who proceed ahead of the infrastructure sequencing plan to pay the costs of extending the core infrastructure to their project subject to future reimbursement.
- Require dedication of land for road improvements and construction of road improvements consistent with city-wide policies.

Utilizing these principles will optimize the use of available resources and ensure that adequate infrastructure and services are provided in a timely manner. If necessary, the Master Developer will prepare a detailed financing plan that will specify the financing strategy in greater detail and provide additional infrastructure financing options, such as bonds secured by special taxes.

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### 4.5 Financing Plan

**Table 4-2: Project Development Fee Revenue**

Fee Type	Land Use	Fee	Fee Unit	Units/Square Feet	Total Revenue (2007 \$)
Law Enforcement	Single-family	\$423.00	Housing Unit	652	\$275,796
	Multi-family	\$355.00	Housing Unit	848	\$301,040
	Commercial	\$0.934	Square Foot	260,000	\$242,840
	Industrial	\$0.13	Square Foot	150,000	\$1,950
	Subtotal				\$821,626
Fire Protection	Single-family	\$1,556.00	Housing Unit	652	\$1,014,512
	Multi-family	\$1,148.00	Housing Unit	848	\$973,504
	Commercial	\$0.370	Square Foot	260,000	\$96,200
	Industrial	\$0.219	Square Foot	150,000	\$32,850
	Subtotal				\$2,117,066
Traffic	Single-family	\$2,230.00	Housing Unit	652	\$1,453,960
	Multi-family	\$1,489.00	Housing Unit	848	\$1,262,672
	Commercial	\$2.095	Square Foot	260,000	\$544,700
	Industrial	\$1.457	Square Foot	150,000	\$218,550
	Subtotal				\$3,479,882
Water Distribution	Single-family	\$4,668.00	Housing Unit	652	\$3,043,536
	Multi-family	\$4,833.00	Housing Unit	848	\$4,098,384
	Commercial	\$0.381	Square Foot	260,000	\$99,060
	Industrial	\$0.381	Square Foot	150,000	\$57,150
	Subtotal				\$7,298,130
Sewer	Single-family	\$780.00	Housing Unit	652	\$508,560
	Multi-family	\$808.00	Housing Unit	848	\$658,184
	Commercial	\$0.095	Fixtures	260,000	\$24,700
	Industrial	\$0.098	Fixtures	150,000	\$14,700
	Subtotal				\$1,233,144
Storm Drainage	Single-family	\$1,062.00	Housing Unit	652	\$692,424
	Multi-family	\$476.00	Housing Unit	848	\$403,648
	Commercial	\$0.410	Square Foot	260,000	\$106,600
	Industrial	\$0.506	Square Foot	150,000	\$75,900
	Subtotal				\$1,278,572
General Governmental Facilities	Single-family	\$990.00	Housing Unit	652	\$645,480
	Multi-family	\$990.00	Housing Unit	848	\$839,520
	Commercial	\$0.457	Square Foot	260,000	\$118,820
	Industrial	\$0.457	Square Foot	150,000	\$68,550
	Subtotal				\$1,672,370
Public Meeting Facilities	Single-family	\$1,196.00	Housing Unit	652	\$779,792
	Multi-family	\$1,238.00	Housing Unit	848	\$1,049,824
	Commercial	\$0.00	Square Foot	260,000	\$0
	Industrial	\$0.00	Square Foot	150,000	\$0
	Subtotal				\$1,829,616

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### 4.5 Financing Plan

**Table 4-2: Project Development Fee Revenue (Continued)**

Fee Type	Land Use	Fee	Fee Unit	Units/Square Feet	Total Revenue (2007 \$)
Library Expansion Facilities	Single-family	\$1,215.00	Housing Unit	652	\$792,180
	Multi-family	\$1,258.00	Housing Unit	848	\$1,066,784
	Commercial	\$0.00	Square Foot	260,000	\$0
	Industrial	\$0.00	Square Foot	150,000	\$0
	Subtotal				\$1,858,964
Park Land	Single-family	\$5,716.00	Housing Unit	652	\$3,726,832
	Multi-family	\$5,918.00	Housing Unit	848	\$5,018,464
	Commercial	\$0.165	Square Foot	260,000	\$42,900
	Industrial	\$0.192	Square Foot	150,000	\$28,800
	Subtotal				\$8,816,996
School Impact - Level II (K-8)	Residential	\$3.45	Square Foot	2,336,200	\$8,059,890
	Commercial	\$0.36	Square Foot	260,000	\$93,600
	Industrial	\$0.00	Square Foot	150,000	\$0
	Subtotal				\$8,153,490
School Impact - Level II (9-12)	Residential	\$1.73	Square Foot	2,336,200	\$4,041,626
	Commercial	\$0.11	Square Foot	260,000	\$28,600
	Industrial	\$0.00	Square Foot	150,000	\$0
	Subtotal				\$4,070,226
Subtotals	Residential	\$38,354.18	Housing Unit	1,500	\$40,733,612
	Commercial	\$5.377	Square Foot	260,000	\$1,398,020
	Industrial	\$3.323	Square Foot	150,000	\$498,450
<b>Total Fees</b>				<b>\$42,630,082</b>	

Notes:

- Multi-family housing includes rowhouses, courtyard buildings, apartments, and live/work units.
- School Impact fees are based on current fee information from Santa Paula Union High School District (SPUHSD) and Santa Paula Elementary School District (SPESD) and calculated based on an estimated total residential square footage of 2,326,500 square feet (Source: Francine Torrigiani, SPUHSD, May 2, 2006; Mike Bush, SPESD, May 15, 2006).
- Includes construction responsibility; use of a Community Facilities District (CFD) to finance construction of certain improvements is not precluded and may be used in the future.

Source: *New Urban Realty Advisors, Inc. Based on Adopted Schedule Development Impact Fees Ordinance No. 1148 and Resolution No. 6230 "Exhibit A" Dated December 5, 2005*

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### 4.6 Methods and Procedures for Implementation

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As shown in Table 4-1, the total cost of the on-site infrastructure program will be approximately \$92.6 million. These amounts also do not include the costs of in-tract and other subdivision-specific improvements, which are assumed to be independently financed as part of the vertical development.

A Community Facility District, Landscaping and Lighting District, Geologic Hazard Abatement District, Homeowners Association, or other mechanisms will be used to fund the development of onsite infrastructure improvements (e.g., streets, sewers, water and storm drains) and the operation and maintenance of the parks, streetlights, and other landscaping improvements.

Other potential revenue sources include:

- Community facility district (i.e., Mello-Roos).
- Lighting and Landscape District or other types of assessment districts.
- Homeowners Association(s).
- Conventional subdivision financing.
- Geological Hazard Abatement District (GHAD).

### 4.6 Methods and Procedures for Implementation

The Specific Plan development procedures, regulations, standards and specifications supersede any conflicting portions of the SPMC unless they are incompatible with California or Federal law. Any development regulation and building requirements not addressed in the Specific Plan is subject to the SPMC; adopted ordinances and resolutions; and other City policies and procedures.

### 4.7 Specific Plan Approvals, Amendments and Changes

There are several levels of review for the East Area 1 Specific Plan by the City of Santa Paula. The first level is adoption of the Specific Plan and Rezoning. The second level implements the residential component of the plan through a Tentative Map. The third level of review for the residential areas is through a Site Plan Review. The public facilities component of the Specific Plan will be approved through final approval of the City Council.

#### 4.7.1 General Plan Amendment

The various land uses and regulations of the East Area 1 Specific Plan are compatible with the objectives, policies, general land uses and programs specified in the City's General Plan. A General Plan Amendment was processed concurrently with the approval of this Specific Plan. Approval of the Amendment will create complete consistency between the Specific Plan and the Santa Paula General Plan.

#### 4.7.2 Specific Plan Adoption

The East Area 1 Specific Plan must be adopted by ordinance of the Santa Paula City Council. Thereafter, the land uses and development standards of this plan will be mandatory for development in East Area 1 if annexed to the City of Santa Paula's jurisdiction.

#### 4.7.3 Maximum Development Yield and Density Transfers

The maximum development yield from all of the East Area 1 Area subject to this Specific Plan is 1,500 dwelling units. During site development plan review, minor adjustments to planning area boundaries, and road alignments, may require adjustment of the Planning Area density allocations defined in Table 2-1.

Requests by Neighborhood Builder(s)/Developer(s) for density transfers between neighborhoods may be submitted for City consideration and approval, subject to prior authorization by the Master Developer. Any approval by Planning Director for density transfer between neighborhoods cannot exceed the potential maximum of each individual planning area, providing that the maximum total development potential of the entire project is not exceeded.

Density transfers should be subject to the following provisions:

1. The density transfer meets the provisions of the Development Standards and occurs within the development envelope on the approved Land Use Plan and Grading Plan of this Specific Plan;
2. The transfer is consistent with the integrity of the subject zone category in terms of overall intensity;

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### 4.7 Specific Plan Approvals, Amendments and Changes

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3. There would be no major impacts on approved infrastructure plans, including major changes to the approved circulation plan or pedestrian network;
4. Land use compatibility and Neighborhood integrity are not compromised.

#### 4.7.4 Maximum Annual Residential Building Permits

To further promote implementation of the Specific Plan in a manner that encourages a rate of residential growth within East Area 1 consistent with applicable local and regional growth management and resource protection plans and agreements, the City will limit the number of residential building permits issued for residential construction within the East Area 1 Specific Plan boundary per calendar year, as described in this Section 4.7.4.

The issuance of building permits for residential construction within the East Area 1 Specific Plan area is limited to a maximum of five hundred (500) per calendar year. If any part of the annual five hundred (500) residential building permit allocation remains unissued for any calendar year, then such unissued residential building permits will carry over to the subsequent calendar year and be added to such subsequent calendar year's five hundred (500) residential building permit allocation. By way of example, if three hundred (300) residential building permits are issued for the first calendar year following City's approval of the East Area 1 Specific Plan, then seven hundred (700) residential building permits may be issued for the second calendar year following City's approval of the East Area 1 Specific Plan. If, in such second calendar year, the City issues only four hundred (400) residential building permits, then eight hundred (800) residential building permits may be issued for the third calendar year following City's approval of the East Area 1 Specific Plan. Residential building permits for public benefit housing and income-restricted housing units do not count against the residential building permit limits established by this Section 4.7.4. No limit is placed on the City's issuing non-residential building permits for construction within the East Area 1 Specific Plan area.

This Section 4.7.4 and its provisions take precedence over and preempt any and all provisions of the SPMC which may be inconsistent with this Section 4.7.4, including, without limitation, SPMC Chapter 16.106.

#### 4.7.5 Amendments to the Specific Plan

Any proposed changes to the Specific Plan that would substantially alter the Land Use Plan contained within this document are considered amendments to the Specific Plan and must be processed pursuant to provisions contained in Government Code § 65453 and in the same manner as a zoning text amendment.

It is anticipated that certain modifications to the Specific Plan text and exhibits may be necessary during the life of the project. Any modifications to the Specific Plan must occur in accordance with the amendment process described in this section.

Administrative modifications allow for minor changes to the Specific Plan, found to be in substantial compliance, and may be approved by the Planning Director. All other proposed changes are considered formal amendments and are required to be reviewed for approval by the Planning Commission and City Council. In all cases amendments must be found to be consistent with the goals and policies of the Specific Plan, and the City of Santa Paula General Plan.

##### 4.7.5.1 Administrative Modifications

Upon determination by the Planning Director, certain minor modifications to the Specific Plan text and/or graphics may not require a formal amendment (i.e. through public hearing) to the Specific Plan as approved. The Planning Director has the authority to approve modifications to the Specific Plan as follows:

1. Minor expansions or reductions (10%) of the geographic area covered by a given Neighborhood.
2. Realignment or modifications to internal streets serving the project, lot lines, easement locations and grading adjustments, if approved by the City Engineer.
3. Minor modification to design criteria such as paving treatments, architectural details and related criteria.
4. Minor modification to landscape treatments, fencing, lighting, trails, and entry treatments, provided the modifications are in substantial conformance with the purpose and intent of the specified design criteria.
5. Density transfer and Neighborhood Acreage Refinements per Section 4.7.3. Additional environmental review is not required for administrative amendments unless required by State law.

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### 4.8 Tentative and Final Subdivision Maps

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#### 4.7.5.2 Formal Amendments

All Specific Plan modifications, which do not meet the criteria of an Administrative Modification noted in this section, require a Formal Amendment of the Specific Plan. These amendments must be processed pursuant to the SPMC. All Formal Amendments must be reviewed for approval by the Planning Commission and City Council.

The Specific Plan text and exhibits represent an integrated, well-balanced plan for development, which has been reviewed in great detail by the City's staff, Planning Commission and City Council. Therefore, it is the applicant's responsibility to demonstrate that:

1. The proposed amendment meets the goals and objectives of the Santa Paula General Plan; and
2. Any impacts to the Specific Plan resulting from the amendment can be satisfactorily addressed. It is also the applicant's responsibility to update any Specific Plan studies and/or provide additional studies when determined necessary by the Planning Director or applicable law.

### 4.8 Tentative and Final Subdivision Maps

All subdivision maps of any type must be submitted, reviewed and approved in accordance with the SPMC and the California Subdivision Map Act. For projects requiring a tentative or parcel map(s), the provisions and procedures of this Specific Plan apply, unless otherwise provided for in the SPMC. A tentative map or parcel map may be processed concurrently with this Specific Plan. Applications for tentative and final subdivision maps, parcel maps, and lot line adjustments must be filed with the Planning Director in accordance with the SPMC.

### 4.9 Development Plan

Design Review for the project will occur at three (3) levels. First, the Master Developer will review all applications for development by Neighborhood Builder(s)/Developer(s) in accordance with the Master Developer Design Review process. Following review and approval by the Master Developer of individual applications, application will be made to the City of Santa Paula. Finally, the applicable HOA will review any homeowner landscaping, fencing or signage applications requiring its approval.

Before the City issues any residential, commercial or institutional building permits for any specific phase, a Development Plan must be approved for such development.

The primary purpose of the Design Review, as set forth in SPMC Chapter 16.226, is to determine that individual tracts are being developed in a manner that conforms with the goals and standards specified by this Specific Plan and to ensure compatibility with all appropriate City regulations. The Design Review Committee has the authority to approve, amend or deny development plans within the intent of the development standards of this Specific Plan.

The Committee will meet to review development plans within fifteen business days after a complete application is provided for review. Decisions of the Committee may be appealed to the Planning Commission within 15 business days after the Committee determination. The Planning Commission, within 40 days of reviewing said appeal, can affirm, reverse, or modify the decision of the Development Plan Review Committee. The Planning Commission decision may be appealed to the City Council by following the same procedure set forth above for appeal to the Planning Commission.