



# County of Santa Cruz

SUSAN A. MAURIELLO, J.D., COUNTY ADMINISTRATIVE OFFICER

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AGENDA: June 9, 1998

June 3, 1998

BOARD OF SUPERVISORS  
County of Santa Cruz  
701 Ocean Street  
Santa Cruz, CA 95060

## **PROPOSED 1998-99 CAPITAL IMPROVEMENT PROGRAM**

Dear Members of the Board:

On May 19, 1998 your Board accepted the Proposed 1998-99 Capital Improvement Program (CIP) document and scheduled a study session for today.

The Proposed 1998-99 CIP presents a five year financing implementation plan for capital improvements within the unincorporated County. It is an outgrowth of cooperative planning, programming and financing efforts by the County's land use departments including Parks, Planning, Public Works and the Administrative Office, as well as the Redevelopment Agency.

In conformance with County Code Section 13.01.130(c) the Planning Department has reviewed the CIP for General Plan consistency. As directed by your Board, the CIP was presented to the Planning Commission in a study session on May 27, 1998. The Commission reviewed the document and pointed out a few minor corrections which will be included in the Final 1998-99 CIP.

As indicated in our previous letter transmitting the Proposed 1998-99 CIP document to your Board, all sections of the document have been updated. An Executive Summary of the Proposed CIP is provided in Section I of the document. In addition, earthquake repair projects, storm/flood recovery project, and handicap ramp program projects continue to be included in Section II.

**PROPOSED 1998-99 CAPITAL IMPROVEMENT PROGRAM**

A financial overview of the Proposed 1998-99 CIP as a whole is included in the Executive Summary. Section III provides detailed revenue and expenditure information regarding the various funds which finance the CIP. As your Board is aware, these funds for implementation of the Proposed 1998-99 CIP are included in the recommended Parks, Public Works and Redevelopment Agency budgets and will be appropriated in conjunction with your Board's actions on those budgets.

There is one "housekeeping" issue which we recommend your Board consider relative to the Traffic Improvement Funds identified in Section III. In the early 1980's when the Board of Supervisors first began to consider dedicated capital improvement funding mechanisms, seven initial Traffic Improvement Funds (TIF's) were established for seven relatively small geographic areas. These Funds included the Aptos Village, Gross Road, (old) Live Oak, Rio Del Mar, Soquel/Paul Sweet, Soquel Highlands and Soquel Village Traffic Improvement Funds. These funds were subsequently superseded when the (new) Live Oak, Soquel and Aptos Traffic Improvement Funds were established covering these entire planning areas. The planning area wide TIF's were established under Ordinance No. 3969 passed and adopted by the Board on December 13, 1988 (copy attached). Section 15.12.050(c) of this ordinance allowed the original TIF's to be merged into the planning area wide TIF's by resolution of the Board. However, with the exception of the "old" Live Oak TIF, these original TIF's were never merged with the planning area wide TIF's and eliminated. The reason for this appears to have been to allow the existing projects funded from the original TIF's to be completed. The funds from these original TIF's have now, for the most part been expended, with small remaining fund balances resulting primarily from interest accruals. Maintaining these old funds adds an unnecessary and time consuming element to the bookkeeping associated with projects in the Aptos, Soquel and Live Oak planning areas. The attached resolution would accomplish the appropriate mergers.

Representatives from Parks, Planning, Public Works and the Redevelopment Agency will be in attendance at your Board's study session on the CIP to answer any questions your Board may have about specific projects, programming or related issues.

Following today's study session, it is RECOMMENDED that your Board;

1. Continue consideration of the CIP to the individual departmental budget hearings;
2. Direct the County Administrative Officer to present a Final 1998-99 Capital Improvement Program, incorporating all changes that your Board adopts as part of the 1998-99 budget hearings in CIP-related budget appropriations,

**PROPOSED 1998-99 CAPITAL IMPROVEMENT PROGRAM**

on or before December 8, 1998 pursuant to the annual CIP cycle adopted by your Board; and

- 3. Adopt the attached resolution authorizing the merger and the transfer of all remaining fund balances from the Aptos Village and Rio Del Mar TIF's to the Aptos TIF, from the Gross Road and Soquel/Paul Sweet TIF's to the Live Oak TIF, and from the Soquel Highlands and Soquel Village TIF's to the Soquel TIF and eliminating the non-planning area wide TIF's in conformance with Ordinance 3969 Section 15.12.050(c).

Very truly yours,



SUSAN A. MAURIELLO  
County Administrative Officer

SAM/PCR/js/capimp

Attachment

cc: Parks, Open Space & Cultural Services Department  
Planning Department  
Public Works Department  
Redevelopment Agency

BEFORE THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SANTA CRUZ, STATE OF CALIFORNIA

RESOLUTION NO. \_\_\_\_\_

On the motion of Supervisor \_\_\_\_\_  
duly seconded by Supervisor \_\_\_\_\_  
the following resolution is adopted.

**RESOLUTION MERGING NON-PLANNING  
AREA WIDE TRAFFIC IMPROVEMENT DISTRICTS**

WHEREAS, the Board of Supervisors adopted Ordinance No. 3969 on December 13, 1988 establishing various planning area wide Traffic Improvement Funds (TIF's), including the Live Oak Traffic Improvement Fund, the Soquel Traffic Improvement Fund and the Aptos Traffic Improvement Fund; and

WHEREAS, Section 15.12.050(c) of Ordinance No. 3969 allows the merger of nonplanning area wide Traffic Improvement Funds into the appropriate planning area wide Traffic Improvement Funds.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, that the Board of Supervisors hereby authorize merging and transferring funds of the Aptos Village and Rio Del Mar TIF's to the Aptos TIF, from the Gross Road and Soquel/Paul Sweet TIF's to the Live Oak TIF, and from the Soquel Highlands and Soquel Village TIF's to the Soquel TIF and eliminating the non-planning area wide TIF's in conformance with Ordinance 3969 Section 15.12.050(c).

PASSED AND ADOPTED, by the Board of Supervisors of the County of Santa Cruz, State of California, this 9th day of June 1998, by the following vote:

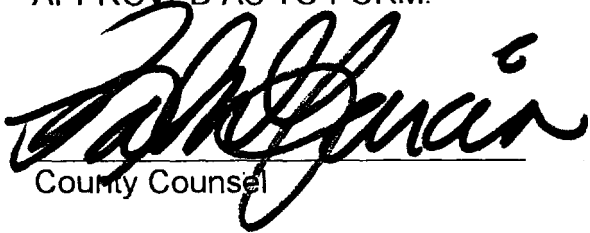
- AYES: SUPERVISORS
- NOWS: SUPERVISORS
- ABSTAIN: SUPERVISORS

\_\_\_\_\_  
Chairperson of said Board

ATTEST:

\_\_\_\_\_  
Clerk of said Board

APPROVED AS TO FORM:

  
\_\_\_\_\_  
County Counsel

Distribution: Auditor-Controller  
County Counsel  
County Administrative Office  
Planning Department  
Public Works Department

ATTACHMENT 1

ORDINANCE NO. 3969

**ORDINANCE REPEALING CHAPTER 15.11 OF THE SANTA CRUZ COUNTY CODE RELATING TO TRANSPORTATION IMPROVEMENT FEES AND ADDING CHAPTER 15.12 OF THE SANTA CRUZ COUNTY CODE RELATING TO TRANSPORTATION AND ROADSIDE IMPROVEMENT FEES**

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The Board of Supervisors of the County of Santa Cruz ordains as follows:

**SECTION I**

Chapter 15.11 of the Santa Cruz County Code entitled "Transportation Improvement Fees" is hereby repealed.

**SECTION II**

Title 15 of the Santa Cruz County Code is hereby amended by adding Chapter 15.12 thereto, said new Chapter to read:

**CHAPTER 15.12**

**TRANSPORTATION AND ROADSIDE IMPROVEMENT FEES**

Sections:

- 15.12.010 Findings and Purpose
- 15.12.020 Scope
- 15.12.030 Improvement Fee Requirement
- 15.12.040 Amount of Fee
- 15.12.050 Trust Funds Establishment
- 15.12.060 Trust Fund Expenditures

**15.12.010 FINDINGS AND PURPOSE.** The Board of Supervisors of Santa Cruz County hereby finds and declares as follows:

- (a) The Transportation Element of the County General Plan and the Local Coastal Program Land Use Plan include policies and programs to establish a transportation system which will accommodate the travel demands of development projected by the County General Plan, which will reduce traffic congestion, and which is within the County's ability to finance and operate.
- (b) The County's Growth Management System urban area protection policy requires that new development in the unincorporated urban area proceed consistent with the provision of adequate services, including transportation and roadside improvements.
- (c) County policies require new developments to mitigate their impacts on transportation and roadside facilities through system improvements, and require those benefiting from transportation and roadside improvements to pay a fair share of the costs through assessment of fees on new development.
- (d) The County General Plan directs the establishment of transportation improvement areas to finance circulation improvements where such improvements have been identified by the General Plan Circulation Element and the Capital Improvement Program
- (e) The Board of Supervisors has determined that transportation and roadside improvement fees are necessary in order to finance transportation and roadside improvements and to pay for development's fair share of the construction costs of these improvements. In establishing the fees described in this chapter, the Board of Supervisors has found the fees to be consistent with the County General Plan and Government Code Section 65913.1, and has considered the effects of the fee with respect to the County's housing needs as established in the Housing Element of the General Plan.
- (f) The County has analyzed the relationships between new development and the generation of vehicle, bicycle, pedestrian, equestrian and other traffic and the resulting impacts on transportation and roadside facilities based on the land uses authorized at build out under the County General Plan, and pursuant to this ordinance, establishes fees reasonably appropriate related to the costs of mitigating such impacts.
- (g) The purpose of this Chapter, therefore, is to:
  - 1) Implement the General Plan, the Local Coastal Program Land Use Plan, and the Growth Management System policies to maintain a balanced, safe, efficient, and healthful transportation system

- 2) Mitigate the traffic impact caused by new development by constructing transportation and roadside improvements identified in the County's General Plan Circulation Element and Capital Improvement Program
- 3) Establish transportation and roadside improvement fees to provide for the financing of transportation and roadside improvement projects identified in the County's General Plan Circulation Element and Capital Improvement Program

**15.12.020 SCOPE**

This chapter establishes transportation and roadside improvement fees to fund the construction of transportation and roadside improvements through assessments on new developments and expansion of uses authorized through the approval of minor land divisions, subdivisions, building permits, and commercial and residential development permits in the unincorporated portion of the County. This chapter further provides for the establishment of trust funds to receive the revenues collected in those General Plan planning areas where fees are created, and authorizes the Board of Supervisors to establish by resolution the inventory of capital improvement facilities for which funds may be expanded and the amount of the fees to be assessed, subject to periodic review.

**15.12.030 IMPROVEMENT FEE REQUIREMENT**

- (a) All development projects including (without limitation) minor land divisions, subdivisions, building permits, and commercial and residential development permits, and permits for phased projects, unless otherwise exempted, shall pay a transportation and roadside improvement fee. Where transportation and roadside improvement fees are required, they shall be paid at the time of the first of the following occurrences:
  1. Prior to the recording of a parcel map for a minor land division or a final map for a subdivision.
  2. Prior to the issuance of a project building permit.
  3. Prior to the exercise of any use entitlement, or development permit.
- (b) This Chapter shall not apply to permits for residential additions less than 500 square feet in any one calendar year, or to private garages, carports, sheds or non-commercial agricultural buildings.
- (c) The fee for residential additions more than 500 square feet in size and not exempted by paragraph (b) above, shall be charged on



a prorated basis as established by the Unified Fee Schedule adopted by the Board of Supervisors.

- (d) The fee for additions and expansions to non-residential uses and facilities shall be based on increased traffic generated as measured by trip ends and shall only be imposed to the extent not covered by prior fee payments.
- (e) No transportation and roadside improvement fees shall be charged for residential construction projects where it is demonstrated that full transportation and roadside improvement fees required pursuant to County regulations were previously paid.
- (f) Transportation and roadside improvement fees, shall be paid into separate traffic and roadside improvement trust funds for each General Plan planning area and a record of the payment of the impact fees shall be maintained.

**15.12.040 AMOUNT OF FEE**

- (a) The Board of Supervisors shall, by resolution, set forth the specific amount of transportation and roadside improvement fees as part of the County's Unified Fee Schedule and based on an allocation of estimated Capital Improvement Program costs to new development.
- (b) Whenever a developer is required, as a condition of approval of a discretionary permit, to construct a transportation or roadside improvement which; 1) is included in the inventory of capital improvements adopted pursuant to Section 15.12.060(a), and (2) is in excess of the frontage improvements required pursuant to Chapter 15.10, a partial credit against the fee, which would otherwise be charged pursuant to this chapter shall be provided. The cost of such improvements shall be credited against the transportation and roadside improvement fee due, up to the full amount of the fee. Valuation of such improvements shall be established by the approving body at the time of discretionary permit approval based on an adopted schedule of Capital Improvement Program construction costs established by the Board of Supervisors.
- (c) A developer of any project subject to the fee described in this chapter may apply for a reduction or adjustment to that fee, or a waiver of that fee, based upon the absence of any reasonable relationship between the transportation and roadside impacts of that development and the amount of the fee charged. If a reduction, adjustment or waiver of the transportation and roadside improvement fee is granted, any change in use within the project which increases the trip generation rate shall invalidate the waiver, adjustment or reduction of the fee and the fees for the increase in the trip generation rate shall be payable pursuant to Section 15.12.030.

- (d) On a periodic basis concurrent with consideration of the Capital Improvement Program, the Board of Supervisors shall review transportation and roadside improvement fees to determine whether the fee amounts are reasonably related to the impacts of developments and whether the described transportation and roadside improvements are still needed.
- (e) On an annual basis, the Board of Supervisors shall review and adjust the transportation and roadside improvement fees to represent changes in the estimated cost of construction of the improvements to be financed by such fees, the continued need for those improvements and the reasonable relationship between such need and the impacts of the various types of development pending and anticipated and for which this fee is charged.

**15.12.050 TRUST FUNDS ESTABLISHMENT**

- (a) The revenues raised by payment of transportation and roadside improvement fees, along with any interest earned on these revenues, shall be placed into separate traffic and roadside improvement trust funds for each General Plan planning area where transportation and roadside improvement fees are established by the Board of Supervisors.
- (b) Traffic and roadside improvement trust funds shall be maintained by the Auditor-Controller, and deposited, invested, accounted for and expended pursuant to Government Code Section 53077.
- (c) Transportation and Roadside Improvement Trust Funds previously established on other than a General Plan planning area basis may be merged with the trust funds established herein by resolution of the Board of Supervisors.

**15.12.060 TRUST FUND EXPENDITURES**

- (a) In each General Plan planning area where transportation and roadside improvement fees are established, the Board of Supervisors shall identify from time to time by resolution those capital improvements which may be financed by the fees collected. Trust funds may be expended only for capital improvements so identified by the Board of Supervisors.
- (b) The transportation and roadside improvement trust funds may at the County's discretion be utilized to pay the cost of construction of facilities described pursuant to section 15.12.060(a).
- (c) Expenditure of trust funds shall require authorization by the Board of Supervisors.
- (d) For the purpose of this Section, all expenditures from the trust funds shall be deemed to have been made from the fees collected earliest in time.


- (e) If the Board of Supervisors is unable to make a finding to identify the purpose to which the transportation and roadside improvement fees are to be put, and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged, transportation and roadside improvement fees not committed five or more years after deposit shall be refunded pursuant to Government Code Section 66001(e). The County shall annually, as part of its budget process, or otherwise, budget or appropriate fees collected to various capital improvements, which shall cause such fees to be deemed committed to transportation or roadside improvements.

SECTION III

This ordinance shall take effect on the 31st day after the date of final passage.

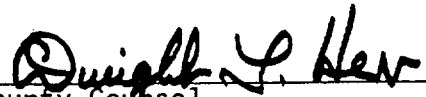
PASSED AND ADOPTED this 13th day of December, 1988 by the Board of Supervisors of the County of Santa Cruz by the following vote:

- AYES: SUPERVISORS Forbus, Levy, Patton, Mehl, Cucchiara
- NOES: SUPERVISORS None
- ABSTAIN: SUPERVISORS None
- ABSENT: SUPERVISORS None

ATTEST:   
Clerk of the Board

  
Chairperson of Board of Supervisors

APPROVED AS TO FORM

  
County Counsel

DISTRIBUTION: County Counsel  
Planning - Community Development

ME/kw  
11/9/88

TTRANSPF