

# OAKLEY




CALIFORNIA

## STAFF REPORT

**Date:** Tuesday, April 25, 2017  
**To:** Bryan H. Montgomery, City Manager  
**From:** Joshua McMurray, Planning Manager  
Kevin Rohani, City Engineer/Public Works Director  
**Subject:** **Adopt Resolutions updating the City Park and Traffic Impact Fee's**

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

### Summary

City Staff presented a Work Session to the City Council on March 14, 2017 to discuss two City initiated studies that analyze and recommend updates to both the Park Impact Fees and Traffic Impact Fees. The current Park Impact Fee was adopted on April 14, 2003 with City Resolution 19-03. The Traffic Impact Fee was adopted on August 11, 2003 with City Resolution 49-03. It is common to review these fees over time and update them for consistency with current infrastructure needs of the City. Since 2003, the City has experienced significant growth and many of the City parks and roadway infrastructure that were identified in these studies have been built.

### Background and Analysis

The City has identified new projects since 2003 that are Community priorities. For example the City will soon have the 55-acre piece of land in the Dutch Slough Corridor slated for a Community Park. This project was not analyzed in the 2003 study and should be included and accounted for in the Park Impact Fee. Alternatively, the City has constructed a significant amount of roadway improvements through the Capital Improvement Program and private development has contributed to the construction of infrastructure as residential and commercial projects have been constructed.

The purpose of the these studies is to take into account the development that has taken place since City incorporation and the projects that are yet to be built to provide a current fee that is representative of the fair share costs that new development needs to contribute to ensure the existing and new residents are served adequately.

### Park Impact Fee

As the City grows, additional parks and recreation facilities will be required to serve the new development. The City's current park fees were implemented in 2003 through the adoption of the Park Land Dedication Fee Analysis and the Park Facility Improvement Fee Analysis study, dated March 2003. Since then, however, the park fees have been updated only for inflation.

In 2007 the City adopted its Parks, Trails, and Recreation Master Plan 2020 (the "Master Plan"). The Master Plan provides policies and recommendations for maintaining and planning for future parks and recreation facilities. In 2016 the City of Oakley retained Goodwin Consulting Group to update the City's park impact fee program so that it would be consistent with the Master Plan requirements. This revised park impact fee program will be implemented by the City of Oakley through the adoption of this Park Impact Fee Program Update Nexus Study.

At the March 14, 2017 City Council Work Session, Staff first presented draft projections that proposed to increase the Park Impact Fee approximately 15% or \$1,437 per single family unit and \$937 per multi-family unit. At that time, some of the assumptions made in those projections needed further refinement and clarification and as a result, the attached Park Impact Fee Update Nexus Study recommends a reduction in the Park Impact Fee of approximately 8.8% or \$828 per single family unit and \$541 per multi family unit.

The methodology for coming up with this new, reduced fee is as follows:

- The analysis uses a parkland acquisition cost of \$150,000 per acre.
- Community Park and Open Space acquisition has been removed as existing improvements/pending projects will provide adequate acreage.
- The cost per acre to develop community park facilities has been split up into the 55-acre Dutch Slough Community Park and the remaining 25-acres of community parkland. The 55-acres were assigned a value of \$800,000 per acre and the remaining 25-acres were assigned a value of \$375,000.
- Neighborhood Park improvement costs were also broken out into two categories, parks that re more than 2.5-acres and parks that are less than 2.5-acres. They were assigned a per-acre cost of development of \$375,000 and \$300,000 respectively.

The updated fees for the other land use categories have been provided in Exhibit B in the Park Impact Fee resolution.

#### Traffic Impact Fee

Development for housing and commercial projects continues to grow within the City of Oakley and several roadway infrastructure projects are being funded by the Traffic Impact Fees (TIF) collected from these developments. The City's current Traffic Impact Fee was established in 2003 and adjusted annually based on the Engineering News Record price index to keep up with inflation costs.

Since the adoption of the TIF, various improvements have been completed such as the Laurel Road improvements from Highway 4 to O'hara Avenue, O'hara Avenue improvements between W. Cypress Road to O'hara Avenue, E. Cypress Road between Main Street to Emerson Ranch Way, Neroly Road Improvements between

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Empire Avenue to O'hara Avenue, and Carpenter Road between Empire Avenue to O'hara Avenue. These projects are just to name a few of the numerous projects completed since 2003.

On January 24, 2017, City Council approved the City of Oakley Traffic Model Administrative Report and adopted the Citywide Traffic Model. The report studied various intersections and captured the transportation network within the City. The model can be used to analyze and prioritize the future projects necessary to be constructed within the City of Oakley to keep up with the demands of future development.

The City retained TJKM Transportation Consultants to prepare the Traffic Impact Fee Update Report. TJKM and City staff reviewed the original project list from 2003 and removed completed projects. Furthermore, four new projects have been added for intersection modifications found to be necessary upon review with the Oakley Traffic Model. The updated TIF will help assist in funding 63 roadway, bridge, railroad crossing, and traffic signal projects and would collect \$141 million from future development projects in the City.

The Traffic Impact Fee is projected to decrease from the current amount by approximately 16%. The fee is updated to \$12,075 per single family dwelling unit and \$7,366 per multi-family dwelling unit. The updated fee for other land use categories are listed as Exhibit B in the Traffic Impact Fee resolution.

#### Public Outreach

City Staff presented the findings of both studies to a group made up of representatives from the Building Industry Association (BIA) and homebuilders that are active in Oakley and the surrounding area at a meeting held at City Hall on March 6, 2017. The BIA prepared two letters, one to City Staff dated March 10, 2017 and one to the City Council dated March 14, 2017, both of which are attached for reference. Staff responded on March 28, 2017 with a letter, which is attached for reference.

#### Environmental Review

The Park Impact Fee Update Nexus Report and the Update to the Traffic Impact Fee are within the scope of the Certified General Plan Environmental Impact Report (SCH #2002042134). No additional environmental review is necessary.

#### Recommendation

Staff recommends the City Council:

- Adopt a resolution approving the update to the Park Impact Fee;
- Adopt a resolution approving the update to the Traffic Impact Fee.

#### Attachments

1. Resolution Approving the Update to the Park Impact Fee  
Exhibit A: Park Impact Fee Update Nexus Report prepared by Goodwin Consulting Group

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- Exhibit B: Park Impact Fee Schedule
- 2. Resolution Approving the Update to the Traffic Impact Fee
  - Exhibit A: Traffic Impact Fee Update Report prepared by TJKM
  - Exhibit B: Traffic Impact Fee Schedule
- 3. BIA Letter dated March 10, 2017
- 4. BIA Letter dated March 14, 2017
- 5. City Response Letter to BIA dated March 28, 2017

RESOLUTION NO. \_\_-17

**ADOPTING THE PARK IMPACT FEE UPDATE ESTABLISHED BY RESOLUTION NO. 19-03 AND AUTHORIZED BY ORDINANCE'S NO. 05-00 AND NO. 03-03 TO PROVIDE FOR PARK IMPROVEMENT AND DEDICATION FOR FUTURE DEVELOPMENT**

**WHEREAS**, on April 10, 2000, by Ordinance Number 05-00, the City Council of the City of Oakley established a development impact fee dealing with parks; and

**WHEREAS**, on April 28, 2003, by Ordinance Number 03-03, the City Council of the City of Oakley adopted new requirements for the dedication of park land or payment of fees in lieu; and

**WHEREAS**, on April 14, 2003, by Resolution 19-03, the City Council of the City of Oakley adopted the Park Impact Fee to provide for the acquisition and improvement of park land necessary to serve new development. This fee was based on the City of Oakley Park Land Dedication Fee Analysis and Park Facility Improvement Fee Analysis dated March 30, 2003 prepared by Sinclair and Associates; and,

**WHEREAS**, on September 9, 2016, the City entered in an agreement with Goodwin Consulting to prepare the Park Impact Fee Update Nexus Study; and,

**WHEREAS**, on March 6, 2017, staff presented the updated Park Fee Analysis memo dated December 1, 2016 prepared by Goodwin Consulting to the Building Industry Association and Bay Area East Bay and received comments; and,

**WHEREAS**, on March 14, 2017, staff presented the updated Park Fee Analysis memo dated December 1, 2016 prepared by Goodwin Consulting to the City Council during a Work Session; and,

**WHEREAS**, the "Project" is within the scope of the Certified General Plan Environmental Impact Report (SCH #2002042134); and

**WHEREAS**, on April 13, 2017, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On April 11, 2017, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way and outside the library at Freedom High School located at 1050 Neroly Road; and.

**WHEREAS**, in accordance with Government Code Section 66016 and 66019, at least 14 days prior to the public hearing at which this Resolution was adopted, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings on new or increased fees or service charges; and

**WHEREAS**, in accordance with the Government Code, the Report was available for public review and comment for 10 days prior to the public hearing at which this Resolution was adopted; and

**WHEREAS**, the definitions and findings established in Resolution No. 19-03 will remain in effect except for the amount of the fee which has been updated and set forth in Exhibit B; and,

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley approve the Park Impact Fee Update Nexus Study and adopt the new Park Impact Fee amount in Exhibit B.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 25<sup>th</sup> April, 2017 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Sue Higgins, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

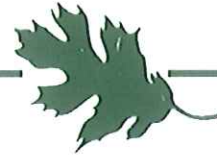
\_\_\_\_\_  
Date



**GCG**

GOODWIN CONSULTING GROUP

**OAKLEY**



**CALIFORNIA**

**CITY OF OAKLEY  
PARK IMPACT FEE PROGRAM  
UPDATE NEXUS STUDY**

April 14, 2017

**CITY OF OAKLEY  
PARK IMPACT FEE PROGRAM UPDATE  
NEXUS STUDY**

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## ***EXECUTIVE SUMMARY***

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### **BACKGROUND**

Incorporated in 1999, the City of Oakley (the “City”) is located in the eastern Contra Costa County, approximately 55 miles south of Sacramento and 55 miles east of San Francisco. The City has a population of approximately 40,000 residents and an employment base of over 4,000 jobs.

Oakley is a full-service city with police, fire, planning, economic development, public works, utilities, library, and parks and recreation services. The City’s Parks and Recreation Department manages 38 parks totaling approximately 144 developed acres. The wide variety of community and neighborhood parks, include both indoor and outdoor basketball courts, a football field, outdoor stages/band stands, skate areas, baseball fields, play structures, a swimming pool, tennis courts, and soccer fields.

### **PURPOSE OF FEE STUDY**

As the City grows, additional parks and recreation facilities will be required to serve the new development. The City’s current park fees were implemented in 2003 through the adoption of the Park Land Dedication Fee Analysis and the Park Facility Improvement Fee Analysis study, dated March 2003. Since then, however, the park fees have been updated only for inflation.

In 2007 the City adopted its Parks, Trails, and Recreation Master Plan 2020 (the “Master Plan”). The Master Plan provides policies and recommendations for maintaining and planning for future parks and recreation facilities. In 2016 the City of Oakley retained Goodwin Consulting Group to update the City’s park impact fee program so that it would be consistent with the Master Plan requirements. This revised park impact fee program will be implemented by the City of Oakley through the adoption of this Park Impact Fee Program Update Nexus Study.

### **PLANNED FACILITIES**

Table ES-1 summarizes the estimated costs for the park facilities in the park fee program. The total cost of these facilities is approximately \$69.5 million and includes the cost of constructing neighborhood and community park facilities. Costs for acquiring park land are also included in this analysis. The total cost of park land acquisition included in this fee program is approximately \$8.0 million.

**Table ES-1**  
**Park Facilities Cost Summary**

<b>Item</b>	<b>Acres</b>	<b>Cost per Acre</b>	<b>Total Cost</b>
Neighborhood Park Facilities	53.33	\$302,953	\$16,156,500
Dutch Slough Community Park	55.00	\$800,000	\$44,000,000
Other Community Parks	25.00	\$375,000	\$9,375,000
Open Space Facilities	26.67	\$0	\$0
<b>Total</b>	<b>160.00</b>		<b>\$69,531,500</b>

**PARK FEES**

Table ES-2 shows the proposed Park Facility Improvement Fees calculated in this Nexus Study. The facilities portion of the proposed Park Fee for a Single Family residential unit is \$7,500 and \$4,900 for a Multi-Family unit. For nonresidential development, the proposed Fees for facilities range from \$883 to \$2,209 per 1,000 building square feet.

**Table ES-2**  
**Park Facility Improvement Fee - Cost Allocation**

Cost Allocated to Future Development				\$69,531,500
Future Growth - Total Resident Equivalents				30,223
<b>Cost per Resident Equivalent</b>				<b>\$2,301</b>
<hr/>				
<b>Land Use Category</b>	<b>Residents per Unit or Employees per 1,000 SF</b>	<b>Resident Equivalent</b>	<b>Cost per Person Served</b>	<b>Cost per Unit or 1,000 SF</b>
<u>Residential</u>	<u>Residents</u>			<u>per Unit</u>
Single Family	3.26	3.26	\$2,301	<b>\$7,500</b>
Multi-Family	2.13	2.13	\$2,301	<b>\$4,900</b>
<u>Non-Residential</u>	<u>Employees</u>	<u>per 1,000 SF</u>		<u>per 1,000 SF</u>
Commercial	2.0	0.48	\$2,301	<b>\$1,104</b>
Commercial Recreation	1.6	0.38	\$2,301	<b>\$883</b>
Business Park	4.0	0.96	\$2,301	<b>\$2,209</b>
Light Industrial	1.7	0.41	\$2,301	<b>\$939</b>
Utility Energy	1.7	0.41	\$2,301	<b>\$939</b>

Table ES-3 shows the proposed Park Land Dedication Fees. The Park Fee for a Single Family residential unit is \$863 and \$564 for a Multi-Family unit. For non-residential development, the proposed Park Land Dedication Fees range from \$102 to \$254 per 1,000 building square feet.

**Table ES-3**  
**Park Land Dedication Fee - Cost Allocation**

Land Cost Per Acre:				\$150,000
Neighborhood Park Land Acres To Be Purchased				53.33
Total Parks Land Cost:				\$8,000,000
Future Growth - Total Resident Equivalents				30,223
<b>Cost per Resident Equivalent</b>				<b>\$265</b>
<hr/>				
<b>Land Use Category</b>	<b>Residents per Unit or Employees per 1,000 SF</b>	<b>Resident Equivalent</b>	<b>Cost per Person Served</b>	<b>Cost per Unit/ 1,000 SF</b>
<u>Residential</u>	<u>Residents</u>			<u>per Unit</u>
Single Family	3.26	3.26	\$265	\$863
Multi-Family	2.13	2.13	\$265	\$564
<u>Non-Residential</u>	<u>Employees</u>	<u>per 1,000 SF</u>		<u>per 1,000 SF</u>
Commercial	2.0	0.48	\$265	\$127
Commercial Recreation	1.6	0.38	\$265	\$102
Business Park	4.0	0.96	\$265	\$254
Light Industrial	1.7	0.41	\$265	\$108
Utility Energy	1.7	0.41	\$265	\$108

Table ES-4 shows the total combined proposed Park Fees including the Park Facility Improvement Fee, the Park Land Dedication Fee, and the 3.0% fee program administration fee.

**Table ES-4**  
**Total Proposed Park Fees**

Land Use Category	Park Facilities Improvement Fee A	Park Land Dedication Fee B	Administration (3%) C = (A + B) x .03	Total Fee D = A + B + C
<b><u>Residential</u></b>				
	<i>Per Residential Unit</i>			
Single Family	\$7,500	\$863	\$251	\$8,614
Multi-Family	\$4,900	\$564	\$165	\$5,629
<b><u>Non-Residential</u></b>				
	<i>Per 1,000 Building Square Feet</i>			
Commercial	\$1,104	\$127	\$38	\$1,269
Commercial Recreation	\$883	\$102	\$29	\$1,014
Business Park	\$2,209	\$254	\$73	\$2,536
Light Industrial	\$939	\$108	\$31	\$1,078
Utility Energy	\$939	\$108	\$31	\$1,078

Table ES-5 below shows a comparison of the proposed Park Fees in this Nexus Study to the City's current park fees, as of April 2017. This comparison is based on the fees for Single Family and Multi-Family land uses. For a Single Family unit, the proposed Park Fee, \$8,614 per unit, is \$828 less than the City's current park fee, \$9,442. For a Multi-Family unit, the proposed Park Fee, \$5,629 per unit, is approximately \$541 less than the City's current park fee, \$6,170. Table ES-5 also shows that the proposed Park Facility Improvement Fee is actually 32% higher than the current Park Facility Improvement Fee and the proposed Park Land Dedication Fee is 75% less than the current Park Land Dedication Fee. Overall the proposed Park Fee is about 8.8% less than the City's current park fees.

**Table ES-5**  
**Residential Fee Comparison**

Land Use Category	Proposed Oakley Fees	Existing Oakley Fees	Difference	Percent Change
<u>Residential</u>				
Single Family				
Park Facilities Fee	\$7,725	\$5,863	\$1,862	31.8%
Park Acquisition Fee	\$889	\$3,579	(\$2,690)	-75.2%
Total	\$8,614	\$9,442	(\$828)	-8.8%
Multi-Family				
Park Facilities Fee	\$5,048	\$3,831	\$1,217	31.8%
Park Acquisition Fee	\$581	\$2,338	(\$1,758)	-75.2%
Total	\$5,629	\$6,170	(\$541)	-8.8%

**PARK FEE ADJUSTMENTS**

The Park Fees should be adjusted in future years via updates to the Nexus Study to reflect revised or updated facilities or costs, or receipt of funding from alternative sources that were not anticipated in the Nexus Study. Inflation will increase the cost of construction and acquisition of facilities and improvements and therefore, the Park Fees should be increased each year to keep up with these costs. The Park Fee shall be adjusted each fiscal year by a percentage equal to the change in construction costs since the prior fiscal year, as determined based on the Engineering News Record (or similar publication) construction cost index.

## ***I. INTRODUCTION***

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### **BACKGROUND**

Incorporated in 1999, the City of Oakley (the “City”) is located in the eastern portion of Contra Costa County, approximately 55 miles south of Sacramento and 55 miles east of San Francisco. The City has a population of approximately 40,000 residents and an employment base of over 4,000 jobs. Oakley is a full-service city with police, fire, planning, economic development, public works, utilities, library, and parks and recreation services. The City’s Parks and Recreation Department manages 38 parks totaling approximately 144 developed acres. The wide variety of community and neighborhood parks include indoor and outdoor basketball courts, a football field, outdoor stages/band stands, skate areas, baseball fields, play structures, a swimming pool, tennis courts, and soccer fields.

Future development in the City is envisioned to provide a wide range of land uses that will include a mix of residential, commercial, recreation, business park, light industrial, and utility energy development. Total future development in the City is estimated to generate an additional 26,666 residents and 14,821 employees.

### **PURPOSE OF FEE STUDY**

As the City fully develops its remaining vacant land, additional parks and recreation facilities will be required to serve the new development. The City’s current park fees were originally implemented in 2003 through the adoption of the Park Land Dedication Fee Analysis and the Park Facility Improvement Fee Analysis (the “Prior Park Fee Studies”), dated March 2003. Since then, however, the park fees have not been updated other than inflationary adjustments.

In 2007 the City adopted its Parks, Trails, and Recreation Master Plan 2020 (the “Master Plan”). The Master Plan provides policies and recommendations for maintaining and planning for future parks and recreation facilities. In 2016 the City of Oakley retained Goodwin Consulting Group to update the City’s park impact fee program so that it would be consistent with the Master Plan requirements. This updated park impact fee program will be implemented by the City of Oakley through the adoption of this Park Impact Fee Program Update Nexus Study (the “Nexus Study”).

This Nexus Study demonstrates through the incorporated fee analysis and nexus findings that the park impact fees (the “Park Fee”) contained herein are compliant with the requirements set forth in the Mitigation Fee Act, and ensures that a rational nexus exists between the impact from future development in the City and the Parks Fees developed in this Nexus Study.

## MITIGATION FEE ACT (AB 1600)

The Mitigation Fee Act, commonly known as Assembly Bill (AB) 1600, was enacted by the State of California in 1987 and created Section 66000 et. seq. of the Government Code. AB 1600 requires that all public agencies satisfy the following requirements when establishing, increasing, or imposing a fee as a condition of approval for a development project:

1. Identify the purpose of the fee
2. Identify the use to which the fee will be put
3. Determine how there is a reasonable relationship between:
  - A. The fee's use and the type of development project on which the fee is imposed
  - B. The need for the public facility and the type of development project on which the fee is imposed
  - C. The amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed

The purpose of this Nexus Study is to demonstrate that the Park Fees calculated herein comply with the law created by the Mitigation Fee Act. The assumptions and cost allocation methodology that are used to establish the nexus between the Park Fee and development are summarized in the subsequent chapters of this report.

## ORGANIZATION OF REPORT

The remainder of this report has been organized into the following sections:

- |             |  |
|-------------|--|
| Section II  | Discusses the existing and future land uses and the fee categories used in the calculation of the Park Fees            |
| Section III | Discusses the existing and planned park and recreation facilities and their related costs                              |
| Section IV  | Provides a detailed explanation of the fee calculation methodology used in this Nexus Study to calculate the Park Fees |
| Sections V  | Summarizes the Park Fee calculation for each land use category   |



- Sections VI Explains the nexus findings, as required by law, for the Park Fee
- Section VII Addresses implementation of the Park Fee program, future fee adjustments, credit/reimbursement policies, and required administrative duties

## ***II. LAND USES***

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### **EXISTING DEVELOPMENT**

Data from the California Department of Finance and the City of Oakley provide an estimate of the existing development in the City in 2016. That estimate is summarized in Table II-1 on the following page and shows that the City of Oakley has a total household population of 40,038. The total number of employees/jobs in the City is estimated at 4,168 based on data from the Nielsen Company.

### **FUTURE DEVELOPMENT**

City staff estimated future remaining development in the City through a review of the remaining vacant land in the City. Based on this review, the City expects an additional 26,666 residents by build out of the City. In addition, 592.5 acres of vacant nonresidential zoned land in the City will produce approximately 6.5 million square feet of nonresidential development, including 3.3 million square feet of commercial development, 165,000 square feet of recreation development, 1.2 million square feet of business park development, 1.2 million square feet of light industrial development, and 479,000 square feet of utility energy space. It is estimated that future nonresidential development will create an additional 14,821 jobs by build out of the City.

**TABLE II-1**  
**LAND USE SUMMARY**

Existing Development as of January 1, 2016				
Residential				<u>Residents</u> 40,038
Non-Residential				<u>Employees</u>
Commercial/Business Park/Industrial/Utility Energy				4,168
Total Persons Served (Residents + 24% of Employees)				41,038
Future Development in the City of Oakley				
Residential				<u>Residents</u> 26,666
<u>Non-Residential</u>	<u>Floor-to- Area Ratio</u>	<u>Acres</u>	<u>Sq. Ft.</u>	<u>Employees</u>
Commercial	0.25	303.9	3,309,471	6,619
Commercial Recreation	0.25	15.1	164,657	263
Business Park	0.25	114.8	1,249,736	4,999
Light Industrial	0.25	114.8	1,249,736	2,125
Utility Energy	0.25	44.0	479,160	815
Total		592.5	6,452,761	14,821
Total Persons Served (Residents + 24% of Employees)				30,223
Total Existing & Future Residents and Employees at Build Out				
Total Estimated Residents				66,704
Total Estimated Employees				18,989
Total Persons Served (Residents + 24% of Employees)				71,261

Source: City of Oakley; Nielsen Company; Goodwin Consulting Group, Inc.

## LAND USE CATEGORIES

The Mitigation Fee Act requires that a reasonable relationship exist between the need for public facilities and the type of development on which an impact fee is imposed. The need for park facilities is related to the level of service demanded, which usually varies in proportion to the number of residents or employees generated by a particular land use type. Therefore, land use categories have been defined in order to distinguish between relative impacts on the proposed park and recreation facilities. Park Fees in this Nexus Study have been calculated per dwelling unit for residential land use categories and per 1,000 square foot of building space for nonresidential land use categories. The following land use categories are described below:

- Single Family:** means a building designed for occupancy as a residence by one family. This includes residential uses which fall under the Single Family Residential, Very Low Density (SV); Single Family Residential, Low Density (SL); Single Family Residential, Medium Density (SM); and Single Family Residential, High Density (SH) land use designations.
- Multi-Family:** means a building designed for occupancy as a residence by two or more families. This includes residential uses which fall under the Multi-Family Residential, Low Density (ML) and Multi-Family Residential, High Density (MH) land use designations.
- Commercial:** means those business activities which are permitted or allowed in the RB (Retail Business) and C (General Commercial) District as described in the Oakley Municipal Code (“OMC”) 9.1.504 and 9.1.506.
- Commercial Recreation:** means those business activities which are permitted or allowed in the CR-A (Commercial Recreation – Aquatic) and CR-NA (Commercial Recreation – Non-Aquatic) District as described in the OMC 9.1.512 and 9.1.514.

- Business Park:** means those business activities which are permitted or allowed in the BPH (Business Park High) District or BPL (Business Park Low) District as described in the OMC 9.1.508 and 9.1.510.
- Light Industrial:** means those business activities which are permitted or allowed in the LI (Light Industrial) District as described in the OMC 9.1.602.
- Utility Energy:** means those business activities which are permitted or allowed in the UE (Utility Energy) District as described in the OMC 9.1.604.

City staff will make the final determination as to which land use category a particular development type will be assigned. Staff will determine the land use category that corresponds most directly to the development.

### *III. PARK AND RECREATION FACILITIES*

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#### **MASTER PLAN**

The City completed the Parks, Trails, and Recreation Master Plan in 2007. This document defines the City's goals and strategies related to the provision of parks and recreational facilities in the City. The purpose of the Master Plan is to review the status of the park and recreation facility needs against the existing facilities and project the remaining park facility development required to meet the City's need. The Master Plan provides policies and recommendations for maintaining and planning for future parks and recreation facilities. These policies and recommendations include:

- Develop and maintain a park system at the rate of 6 acres of park land per 1,000 residents which is split between 3 acres of community park, 2 acres of neighborhood park, and 1 acre of open space and greenbelt per 1,000 residents
- Offer a wide variety of indoor and outdoor recreational opportunities in proximity to all residents of the City, enabling residents to enhance their quality of life through participation in a wide variety of activities
- Maintain existing parks and develop additional neighborhood and community parks and playfields in new residential neighborhoods as growth occurs
- Make the most of park resources through the planning and development of multi-use park and recreation facilities
- Coordinate and provide a safe recreational and transportation trail system linking open space, neighborhood parks, community parks and recreation centers, libraries and schools, public transportation nodes, governmental buildings, and commercial areas
- Pursue a variety of financing mechanisms for the acquisition, development, long-term operation and maintenance of parks, trails, and recreational system

In order to provide the parks and recreation service standards established in the Master Plan, the City's parks and recreation facilities will need to grow at a rate which corresponds with the growth in demand generated by new development. The Master Plan identifies the park and recreation improvements needed to serve future development within the City. A summary of the City's existing and planned park facilities follows.

## EXISTING PARK FACILITIES

City staff developed inventory estimates of existing City parks facilities. Currently, the City maintains 38 parks totaling approximately 144 developed acres. The wide variety of community and neighborhood parks include both indoor and outdoor basketball courts, a football field, outdoor stages/band stands, skate areas, baseball fields, play structures, a swimming pool, tennis courts, and soccer fields.

Based on a population of 40,038 residents and 144 developed park acres, the City currently provides approximately 3.6 acres of neighborhood and community park land per 1,000 residents. The City has identified a standard of 5.0 neighborhood and community park acres per 1,000 residents. Based on this standard, the City is currently deficient in its park facilities.

The Master Plan also identifies a park standard of 1.0 acre of open space per 1,000 residents. The City currently does not own a significant amount of open space park land, but approximately 46 acres of regional parks and trails within the City provide sufficient open space park land to meet the required open space level of service standard. In particular, the East Bay Regional Park District's Big Break Regional Shoreline provides approximately 40 acres and Oakley/Antioch Regional Shoreline provides approximately 6 acres of open space park land.

Table III-1 identifies the City's existing park and recreation facilities along with the acreage of these facilities. These parks are developed and operational, either as City owned facilities or joint-use facilities that are developed and operated under joint-use agreements between the City and the Oakley School District.

In order to provide a balance of park and recreation facilities, the Master Plan identifies different park categories in terms of their function and sizes. The categories include:

- **Neighborhood Parks** – Generally located in residential areas and have amenities such as play areas, picnic areas, gathering areas, and open turf. These parks have areas suitable for informal play, practices, scrimmages, and formal games. When possible, the designs of neighborhood parks shall be consistent with the needs and preferences of the neighborhood residents. The preferred size for neighborhood parks is between 5 and 6 acres with a minimum size of 2 acres.
- **Community Parks** – Are designed to serve the needs of several neighborhoods or the whole community and should be located within 2 miles of all Oakley residents. The



Master Plan has defined four separate sub-categories of community parks and are described in detail below:

- Multi-Purpose Community Parks – Generally 40 to 50 acres in size, with a minimum of 10 acres and should host formal and organized recreation activities for both children and adults. At least 65% of the land in the Multi-Purpose Community Park should be available for active recreation to include, but not limited to: multiple play fields; multiple play courts; separate play areas for school age and pre-school children; special features such as skate parks or playgrounds with water play; areas for special events; group and individual picnic areas; restrooms and concessions; parking and equipment storage.
  - Civic Community Parks – Are designed to include community gathering areas of any size for special family events and festivals.
  - Sports and Recreation Activities Community Parks – Generally 5 to 10 acre sports and recreation activities parks that are intended to host formal athletic leagues and tournaments to accommodate recreation opportunities that require larger fields and larger sites.
  - Joint-Use School/Community Parks – Are designed to serve both public schools and the community at large. These parks are used exclusively by the schools during school hours and are available for public use after school hours and on weekends.
- 
- **Open Space (and Special Recreation Areas)** – Are generally land or water that is essentially unimproved or with few improvements and devoted to open-space use. Open Space areas serve passive recreational needs but are not used in the same way as neighborhood or community parks. Open space shall be connected whenever possible by trails and paths.

**Table III-1**  
**Existing Parks**

Facility	Acres
<b><u>Community Parks</u></b>	
Laurel Ball Fields Park	13.60
Summer Lake Community Park	17.00
Creekside Park	10.00
Freedom Basin Park	8.50
Civic Center and Plaza	2.00
<b>Total Community Parks</b>	<b>51.10</b>
<b><u>Neighborhood Parks</u></b>	
"World of Discovery" at Crockett Park	4.70
Cypress Grove Park	11.00
Daffodil Park	1.70
Riata Park	1.70
Holly Creek Park	6.70
Magnolia Park	5.00
Marsh Creek Glenn Park	2.40
Novarina Park	2.20
Nunn-Wilson Family Park	3.00
Nutmeg Park	2.60
Briarwood Park	2.00
Shady Oak Park	5.00
Lakeside Park	1.60
Emerson Ranch Park	5.00
<b>Total Neighborhood Parks</b>	<b>54.60</b>
<b><u>Small Parks</u></b>	
Catamaran Park	0.60
Civic Center Park	1.00
Claremont Bay Park	0.25
Dewey Park	0.25
Heartwood Park	1.50
Harvest Park	0.05
Heather Park	0.16
Lakewood Park	0.60
Live Oak Ranch Park	1.00
Main Street Park	0.40
Manresa Park	0.26
Oak Grove Park	0.80
Simoni Ranch Open Space	1.00
Sycamore Park	0.24
Leeward Park	0.70
<b>Total Small Parks</b>	<b>8.81</b>
<b><u>School Parks/Grounds (Joint Use)</u></b>	
Gehring School	4.20
Oakley Elementary School	4.00
O-Hara School	17.00
Vintage School	4.00
<b>Total Small Parks</b>	<b>29.20</b>
<b><u>Open Space/Regional Parks</u></b>	
Oakley/Antioch Regional Shoreline	6.00
Big Break Regional Shoreline	40.00
<b>Total Open Space/Regional Parks</b>	<b>46.00</b>
<b>Total Developed Acres:</b>	<b>143.71</b>
<b>Total Acreage:</b>	<b>189.71</b>

**PLANNED PARK FACILITIES**

Table III-2 summarizes the future planned parks identified in the Master Plan. This list is comprehensive and includes planned parks that will serve future development beyond Oakley’s existing city limits. This Nexus Study, however, includes only the costs for park land and facilities that will serve the future residents identified in this Nexus Study.

**Table III-2**  
**Planned Park Facilities**

Facility	Acres
<u>Community Park</u>	
East Cypress Corridor Community Parks (Excluding Summer Lake)	41.00
Dutch Slough Community Park	55.00
Laurel Crest Park Site	10.00
Laurel Road at Marsh Creek Park Site	9.00
Moura Park Site	6.00
Simoni Ranch Community Park	5.00
Total	126.00
<u>Neighborhood Park</u>	
East Cypress Corridor Neighborhood Parks	66.00
Pheasant Meadows	1.50
Ponderosa Park	2.91
Rialto Park	1.50
Stonewood Park	1.95
Teakwood Basin Park	5.20
Total	79.06
<u>Joint-Use School/Community Parks</u>	
Delta Vista Elementary and Middle Schools	19.00
Total	19.00
<u>Open Space</u>	
Del Antico Detention Basin Site	2.95
East Cypress Corridor Open Space	152.00
Las Dunas Detention Basin Site	1.00
Live Oak Detention Basin Site	2.30
Ponderosa Park	2.65
Dutch Slough Tidal Marsh Wetland Restoration Project	1,178.00
Total	1,338.90
<b>Total</b>	<b>1,562.96</b>

#### ***IV. FEE CALCULATION METHODOLOGY***

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When impact fees are calculated, an analysis must be presented in enough detail to demonstrate that a logical and thorough consideration was applied to determine how the fees relate to the impacts from new development. Various findings pursuant to impact fee law must be made to ensure that there is a reasonable relationship between the fee amount and the impact to park and recreation facilities from development. This chapter outlines the methodology used to calculate the Park Fees.

##### **FEE METHODOLOGY**

The method used to calculate the Park Fee ensures that each land use category funds its equitable share of future park improvements and that a reasonable relationship exists between the Park Fee and the cost of park and recreation facilities attributable to new development. Following is a summary of the steps used to calculate the Park Fee:

##### **A. Park Facility Improvement Fee:**

1. Determine the number of future residents and employees that will require park facilities.
2. Based on the City's park service standards, determine the amount of future neighborhood parks, community parks, and open space parks and facilities that will serve the population identified in item 1 above. Because the City has an excess of open space park land in a sufficient amount to service all development in the City through build out, only the costs for neighborhood and community park facilities are included in the calculation of the park facility improvement fee. Park facilities and costs are identified in Tables V-1 and V-2 in this report.
3. Estimate the cost of future park facilities needed to serve new development based on the level of service standards identified in the Master Plan.
4. Determine the park facility improvement cost per resident equivalent by dividing the total cost of park facilities costs by total resident equivalents. Total resident equivalents equal the sum of the total future residents plus 24% of the total future employees. The impact of employees on parks is generally understood to be less than that of residents since they have less time than residents to use these facilities. The City's Prior Park Fee Studies established a weighting factor of 24% to reflect the employee's impact on parks as compared to the impact of a resident. In other words, an employee impacts parks only 24% as much as a resident does.

5. Multiply the cost per resident equivalent, as determined in Step 4, to determine the total cost allocated to each land use category in the Park Fee program. This allocated amount is the Park Facility Improvement Fee for each residential and non-residential land use category.

**B. Park Land Dedication Fee:**

1. Based on the City's park service standards, determine the amount of park land needed to serve future development in the City.
2. Based on the current supply of parks in the City, determine the net amount of park land to be included in the fee program. The City owns enough undeveloped community and open space park land to serve all additional residents and employees through build out of the City. As a result, costs for these types of park land can be excluded in the Park Fee program; only the cost of land for neighborhood parks is included in the fee calculation.
3. Estimate the total cost of park land that is needed to serve future development based on the level of service standards identified in the Master Plan.
4. Determine the cost per resident equivalent by dividing the total park land cost by the total resident equivalents.
5. Multiply the cost per resident equivalent, as determined in Step 4, to determine the total cost allocated to each land use category in the Park Fee program. This allocated amount is the Park Land Dedication Fee for each residential and non-residential land use category.

By applying this methodology, the total Park Fee for each residential and non-residential land use is based on the benefit received from park facilities and thus a nexus, or a reasonable relationship, is established between the amount of the Park Fee and the cost of the facilities attributable to each type of development.

**RESIDENT EQUIVALENTS FACTORS**

New development in the City will create demand for additional park facilities. For purposes of this Nexus Study, demand is measured by the number of potential park users anticipated in the City. By allocating facilities costs to each land use category based on its anticipated demand for park facilities, this Nexus Study ensures that each land use category will fund its fair-share of the required park facilities.

The resident equivalent factor provides a way to quantify impacts to parks from different land use types in terms of their relative equivalence to the impact from a residential unit. The number of park resident equivalents is based on the average persons per household factor for residential land uses and number of employees per 1,000 building square feet for nonresidential land uses. For nonresidential land use categories, because employees have less potential time to use park facilities than residents, an employee is shown in Table IV-1 to equal to 0.24 resident equivalents whereas a resident equals 1.0 resident equivalents. The average persons per household assumptions used in this Nexus Study are derived from the California Department of Finance and are consistent with the average persons per household used in the Prior Park Fee Studies.

**Table IV-1**  
**Service Standard Summary**

<b>Residential</b>		<b>Persons per Household</b>	<b>Resident Equivalent</b>	
Single Family		3.26	3.26	
Multi-Family		2.13	2.13	
<b>Non-Residential</b>		<b>Employees per 1,000 Bldg. SF</b>	<b>Employee Weighting Factor</b>	<b>Resident Equivalent</b>
Commercial	2.0	0.24	0.48	
Commercial Recreation	1.6	0.24	0.38	
Business Park	4.0	0.24	0.96	
Light Industrial	1.7	0.24	0.41	
Utility Energy	1.7	0.24	0.41	

**SERVICE AREA**

The Park Fees calculated in this Nexus Study will apply to all new development in the City of Oakley. All residential, commercial, commercial recreation, business park, light industrial, and utility energy development in the Park Fee service area will be subject to the Park Fees unless a developer has entered into a development agreement with the City that includes park mitigation or if the City Council has waived the fees for certain land uses as a matter of City policy.

***V. PARK FEE CALCULATION***

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Park facilities and park land funded through the fee program will serve future development in the City; no facilities or land included in this fee program will cure existing park deficiencies in the City. The Park Fee calculation is based on the City’s level of service for parks which is identified in the City’s General Plan and Master Plan. Table V-1 shows that with the estimated 26,666 additional residents by build out, the City will require 53.3 acres of neighborhood parks, 80.0 acres of community parks, and 26.7 acres of open space, for a total of 160 acres of park land to serve future development. As discussed previously, because the City has sufficient open space park land to service existing and future development in the City, the additional 26.7 acres of open space parks shown in the table will not be required for future development and is therefore not included in the calculation of the Park Fee.

**Table V-1  
Future Park Land Requirement**

<b><u>Parks</u></b>	<b><u>Future Residents</u></b>	<b><u>Acres per 1,000 Residents</u></b>	<b><u>Park Acreage</u></b>
Neighborhood Parks	26,666	2.0	53.33
Community Parks	26,666	3.0	80.00
Open Space	26,666	1.0	26.67
<b>Total</b>		<b>6.0</b>	<b>160.00</b>

**FUTURE PARK COSTS**

Park improvement costs estimated for neighborhood park facilities were developed by City staff and are based on a weighted average of future neighborhood parks. The City estimates that neighborhood parks greater than 2.5 acres will cost, on average, \$300,000 per acre to develop. Neighborhood parks less than or equal to 2.5 acres, on the other hand, will cost \$375,000 per acre to develop. Since a large majority of the planned neighborhood parks will be greater than 2.5 acres, the weighted average cost of the planned parks is approximately \$302,784 per acre. Based on the improvement cost, the total cost of the 53.3 acres of future neighborhood parks is approximately \$16.2 million, as shown in Table V-2.



The level of service standard for community parks in the City is 3.0 acres per 1,000 residents. Based on this service standard and an estimated 26,666 future residents, the City will need to develop a total of 80.0 acres of community parks. The total cost for community park facilities includes 55.0 acres for Dutch Slough Community Park. This community park is proposed for development in the near term. The City's cost estimate to develop the park, based on a concept plan from Callander Associates Landscape Architecture, is approximately \$1.0 million per acre but estimated funding from alternate sources will reduce the net cost to \$800,000 per acre. The total net cost of Dutch Slough Community Park assigned to the park fee program is \$44.0 million.

The site for the remaining 25 acres of the required future community park land has not been identified at this time and will depend on where future growth in the City will occur. Since the City does not have specific costs for these parks, staff used an estimate of \$375,000 per acre to determine the total cost of developing these parks. Table V-2 shows the total estimated cost for developing the future neighborhood and community parks comes to \$69.5 million.

**Table V-2**  
**Future Park Facilities Cost Summary**

Item	Acres	Cost per Acre	Total Cost
Neighborhood Park Facilities	53.33	\$302,953	\$16,156,500
Dutch Slough Community Park	55.00	\$800,000	\$44,000,000
Other Community Parks	25.00	\$375,000	\$9,375,000
<b>Total</b>	<b>133.33</b>		<b>\$69,531,500</b>

**PARK FACILITY IMPROVEMENT FEE**

Table V-3 shows the cost allocation of the future park facilities. The total cost of park improvements is allocated among future development in the City. The total estimated future residents is 26,666 and total estimated employees is 14,821. By multiplying the total estimated employees by the 0.24 employee weighting factor and adding this amount to the future residents, the total resident equivalents comes to 30,223. Next the total cost of the park improvements is divided by the total resident equivalents to arrive at the \$2,301 cost per resident equivalent. This cost is then multiplied by each land use's applicable resident equivalent to determine the cost per unit or 1,000 building square foot. The costs per unit shown in Table V-3 are also the proposed Park Facility Improvement Fees calculated in this Nexus Study.

**Table V-3**  
**Park Facility Improvement Fee - Cost Allocation**

Cost Allocated to Future Development				\$69,531,500
Future Growth - Total Resident Equivalents				30,223
<b>Cost per Resident Equivalent</b>				<b>\$2,301</b>
<hr/>				
<b>Land Use Category</b>	<b>Residents per Unit or Employees per 1,000 SF</b>	<b>Resident Equivalent</b>	<b>Cost per Person Served</b>	<b>Cost per Unit or 1,000 SF</b>
<u>Residential</u>	<u>Residents</u>			<u>per Unit</u>
Single Family	3.26	3.26	\$2,301	\$7,500
Multi-Family	2.13	2.13	\$2,301	\$4,900
<u>Non-Residential</u>	<u>Employees</u>	<u>per 1,000 SF</u>		<u>per 1,000 SF</u>
Commercial	2.0	0.48	\$2,301	\$1,104
Commercial Recreation	1.6	0.38	\$2,301	\$883
Business Park	4.0	0.96	\$2,301	\$2,209
Light Industrial	1.7	0.41	\$2,301	\$939
Utility Energy	1.7	0.41	\$2,301	\$939

**PARK LAND DEDICATION FEE**

Table V-4 shows the cost allocation of the future park land dedications. The City has determined that it has sufficient surplus or vacant park land so as to be able to provide the required open space and community parks for future development through build out of the City. As such, the cost of land acquisition for all 26.7 acres of open space and 80.0 acres of community parks is not included in the calculation of the Park Land Dedication Fee. As a result, only the 53.3 acres of neighborhood park land is included in this fee calculation. City staff estimates that the average cost of park land acquisition is \$150,000 per acre. Based on this cost estimate, the total cost for park land acquisition included in this fee program is approximately \$8.0 million. The total cost of the park land is divided by the total resident equivalents to arrive at the \$265 cost per resident equivalent. This cost is then multiplied by each land use’s applicable resident equivalent to determine the cost per unit or 1,000 building square foot. The costs per unit shown in Table V-4 are also the proposed Park Land Dedication Fees calculated in this Nexus Study.

**Table V-4  
Park Land Dedication Fee - Cost Allocation**

Land Cost Per Acre:				\$150,000
Neighborhood Park Land Acres To Be Purchased				53.33
Total Parks Land Cost:				\$8,000,000
Future Growth - Total Resident Equivalents				30,223
<b>Cost per Resident Equivalent</b>				<b>\$265</b>

<b>Land Use Category</b>	<b>Residents per Unit or Employees per 1,000 SF</b>	<b>Resident Equivalent</b>	<b>Cost per Person Served</b>	<b>Cost per Unit/ 1,000 SF</b>
<b><u>Residential</u></b>				
	<i>Residents</i>			<i>per Unit</i>
Single Family	3.26	3.26	\$265	<b>\$863</b>
Multi-Family	2.13	2.13	\$265	<b>\$564</b>
<b><u>Non-Residential</u></b>				
	<i>Employees</i>	<i>per 1,000 SF</i>		<i>per 1,000 SF</i>
Commercial	2.0	0.48	\$265	<b>\$127</b>
Commercial Recreation	1.6	0.38	\$265	<b>\$102</b>
Business Park	4.0	0.96	\$265	<b>\$254</b>
Light Industrial	1.7	0.41	\$265	<b>\$108</b>
Utility Energy	1.7	0.41	\$265	<b>\$108</b>

Table V-5 shows the total combined proposed Park Fees including the Park Facility Improvement Fee, the Park Land Dedication Fee, and the 3.0% fee program administration fee.

**Table V-5**  
**Proposed Park Fees**

<b>Land Use Category</b>	<b>Park Facilities Improvement Fee A</b>	<b>Park Land Dedication Fee B</b>	<b>Administration (3%) C = (A + B) x .03</b>	<b>Total Fee D = A + B + C</b>
<b><u>Residential</u></b>				
	<i>Per Residential Unit</i>			
Single Family	\$7,500	\$863	\$251	\$8,614
Multi-Family	\$4,900	\$564	\$165	\$5,629
<b><u>Non-Residential</u></b>				
	<i>Per 1,000 Building Square Feet</i>			
Commercial	\$1,104	\$127	\$38	\$1,269
Commercial Recreation	\$883	\$102	\$29	\$1,014
Business Park	\$2,209	\$254	\$73	\$2,536
Light Industrial	\$939	\$108	\$31	\$1,078
Utility Energy	\$939	\$108	\$31	\$1,078

## PARK FEE COMPARISON

Table V-6 below shows a comparison of the proposed Park Fees in this Nexus Study to the City's current park fees, as of April 2017. This comparison is based on the fees for residential and non-residential land uses. For a Single Family unit, the proposed Park Fee, \$8,614 per unit, is \$828 less than the City's current park fee, \$9,442. For a Multi-Family unit, the proposed Park Fee, \$5,629 per unit, is approximately \$541 less than the City's current park fee, \$6,170. Overall the proposed Park Fee for residential land use categories is about 8.8% less than the City's current park fees. For the non-residential land uses, the proposed Park Fee is approximately 16.3% to 16.5% less than the City's current park fees.

**Table V-6**  
**Fee Comparison**

Land Use Category	Proposed Oakley Fees	Existing Oakley Fees	Difference	Percent Change
<u>Residential</u>				
Single Family	\$8,614	\$9,442	(\$828)	-8.8%
Multi-Family	\$5,629	\$6,170	(\$541)	-8.8%
<u>Non-Residential</u>				
Commercial	\$1,269	\$1,516	(\$247)	-16.3%
Commercial Recreation	\$1,014	\$1,214	(\$199)	-16.4%
Business Park	\$2,536	\$3,036	(\$500)	-16.5%
Light Industrial	\$1,078	\$1,291	(\$213)	-16.5%
Utility Energy	\$1,078	\$1,291	(\$213)	-16.5%

## ***VI. NEXUS FINDINGS***

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Development in the City will create demand for additional park and recreation facilities to serve future residents and employees. The park fee program will provide funding for park and recreation facilities in accordance with the policies and goals set forth in the General Plan and Master Plan. As required pursuant to the Mitigation Fee Act, the Park Fees calculated in this Nexus Study meet the nexus requirements of the law, as outlined below.

### **Purpose of Fee**

The purpose of the Park Fee is to fund park facilities and park land acquisition in accordance with the level of service prescribed in the General Plan and Master Plan to serve future residents and employees that reside within the City.

### **Use of Fee**

Park Fee revenue will be used to fund the construction and/or acquisition of park and recreation facilities required to serve new residential and non-residential development within the City.

### **Reasonable Relationship between the Fee's Use and the Type of Development**

New development in the City will generate additional residents and employees who will require parks and recreation facilities. These additional park and recreation facilities will be funded by Park Fees collected from residential and non-residential development since these types of development create a demand for these facilities. The collection and use of fee revenue to fund the construction and/or acquisition of park and recreation facilities ensures that the level of park service identified in the General Plan and Master Plan will be maintained for future residents and employees in the City.

### **Reasonable Relationship between the Need for the Facility and the Type of Development**

Residential and non-residential development in the City will generate residents and employees that will require park and recreation facilities. A resident and an employee, however, will not create the same level of demand for park and recreation facilities. To estimate the relative amount of demand from each, residents and employees are converted into resident equivalents, which quantify the relative demand between residential and non-residential types of development.

### **Reasonable Relationship between the Amount of the Fee and the Cost of the Facility Attributable to the Type of Development**

The park fee program provides funding for park and recreation facilities needed to serve new development in the City. The relationship between the amount of the fee and the portion of the facilities cost attributable to the development type is based on resident equivalents. Both residents and employees benefit from the park and recreation facilities. As such, a fair-share portion of the cost of these facilities has been allocated to residential and non-residential development based on an estimate of the number of resident equivalents for each development type. By assigning the demand for parks based on its resident equivalent for each land use and quantifying that demand in the calculation of the Park Fee in this Nexus Study, a reasonable relationship is established between the amount of the Park Fee and the cost of the park and recreation facilities attributable to the different types of residential and non-residential development.



## ***VII. ONGOING PARK FEE PROGRAM ADMINISTRATION***

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### **FEE IMPLEMENTATION**

According to California Government Code, prior to levying a new fee or increasing an existing fee, a public agency must hold at least one open and public meeting. At least 10 days prior to this meeting, the agency must make data on facility costs and funding sources available to the public. Notice of the time and place of the meeting, and a general explanation of the matter, are to be published in accordance with Section 6062a of the Government Code, which states that publication of notice shall be posted over a 10-day period in a newspaper regularly published once a week or more. Two publications, with at least five days intervening between the dates of the first and last publication, not counting such publication dates, are sufficient.

The Nexus Study and fees established herein will be adopted through a City ordinance and/or resolution. Once the Park Fee is adopted by the Oakley City Council, the Park Fee shall become effective no sooner than sixty days after the final legislative action.

### **FEE ADJUSTMENTS**

The Park Fees should be adjusted in future years via updates to the Nexus Study to reflect revised or updated facilities or costs, or receipt of funding from alternative sources that were not anticipated in the Nexus Study. Inflation will increase the cost of construction and acquisition of facilities and improvements and therefore, the Park Fees should be increased each year to keep up with these costs. The Park Fee shall be adjusted each fiscal year by a percentage equal to the change in construction costs since the prior fiscal year based upon the Engineering News Record (or similar publication) Construction Cost Index. The City Council shall make such adjustment by resolution.

### **FEE CREDITS OR REIMBURSEMENTS**

Pursuant to OMC 9.2.212, et seq., if a developer provides park and recreational improvements to the dedicated land, as authorized by the City, the value of the park and recreational improvements, together with any equipment located thereon, as approved by the City, shall be a credit against the payment of fees or dedication of land otherwise required by this article. To be authorized and approved by the City, park and recreational improvements and equipment provided by the developer shall be generally consistent, as determined by the City, with applicable principles and standards for local and neighborhood parks contained in the park and

open space element of the General Plan and the Master Plan. Such applicable principles and standards shall include, but not be limited to, relevant portions of the Master Plan establishing standards for neighborhood and community parks and open space.

Common interest developments such as community apartments, condominiums, and stock cooperatives, as defined in Section 1351 of the Civil Code, shall be eligible to receive a credit not to exceed 25%, as determined by the City, against the land required to be dedicated, or the amount of the fee imposed pursuant to this article, for the value of private open space within the development which is usable for active recreational uses.

#### **PARK FEE EXEMPTIONS**

The Park Fee shall not be imposed on:

- (a) Any alteration or addition to a residential structure, except to the extent that a residential unit is added to a single family residential unit or another unit is added to an existing multi-family residential unit
- (b) Any replacement or reconstruction of an existing residential structure that has been destroyed or demolished; provided that, the building permit for reconstruction is obtained within one year after the building was destroyed or demolished, unless the replacement or reconstruction increase the square footage of the structure by 50 percent or more

#### **ANNUAL ADMINISTRATIVE DUTIES**

The Government Code requires a public agency to report, every year and every fifth year, certain financial information regarding their impact fees. Within 180 days after the last day of each fiscal year the public agency must make the following information available for the past fiscal year:

- (a) A brief description of the type of fee in the account or fund
- (b) The amount of fee revenue
- (c) The beginning and ending balance of the account or fund
- (d) The amount of fee revenue collected and interest earned
- (e) An identification of each public improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of public improvement that was funded with fees

- (f) An identification of an approximate date by which time construction on the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement
- (g) A description of each interfund transfer or loan made from the account or fund, when it will be repaid and at what interest rate
- (h) The amount of any refunds made once it is determined that sufficient monies have been collected to fund all projects

The public agency must make this information available for public review and must also present it at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public.

#### **FIFTH-YEAR ADMINISTRATIVE DUTIES**

For the fifth year following the first deposit into the fee account and every five years thereafter, the public agency must make the following findings with respect to any remaining funds in the fee accounts:

- (a) Identify the purpose to which the fee is to be put
- (b) Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
- (c) Identify all sources and amounts of funding anticipated to complete financing incomplete improvements
- (d) Designate the approximate dates on which funding is expected to be deposited into the appropriate accounts or funds

As with the annual report, the five-year report must be made public within 180 days after the end of the public agency's fiscal year and must be reviewed at the next regularly scheduled public meeting. The public agency must make these findings; otherwise the law states that the City must refund the fee revenue to the then current owners of the development project.

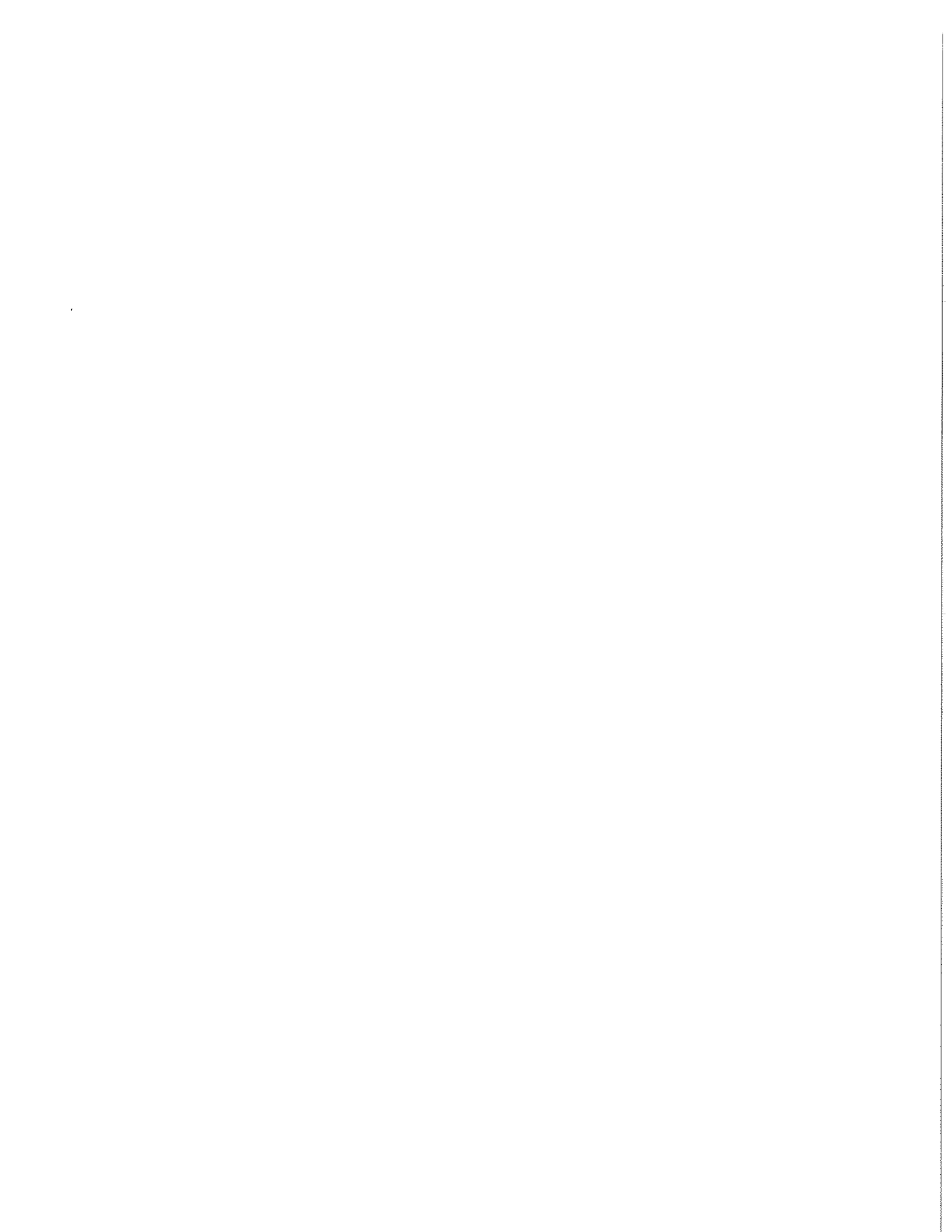


Table 1  
Proposed Park Fees

	Single Family <i>per unit</i>	Multi-Family <i>per unit</i>	Commercial <i>per 1,000 sq. ft.</i>	Commercial Recreation <i>per 1,000 sq. ft.</i>	Business Park <i>per 1,000 sq. ft.</i>	Light Industrial <i>per 1,000 sq. ft.</i>	Utility Energy <i>per 1,000 sq. ft.</i>
Park Facility Improvement Fee	\$7,725	\$5,048	\$1,138	\$909	\$2,274	\$967	\$967
Park Land Dedication Fee	\$889	\$581	\$131	\$105	\$262	\$111	\$111
<b>Total Fee</b>	<b>\$8,614</b>	<b>\$5,629</b>	<b>\$1,269</b>	<b>\$1,014</b>	<b>\$2,536</b>	<b>\$1,078</b>	<b>\$1,078</b>

Source: City of Oakley, Goodwin Consulting Group, Inc.

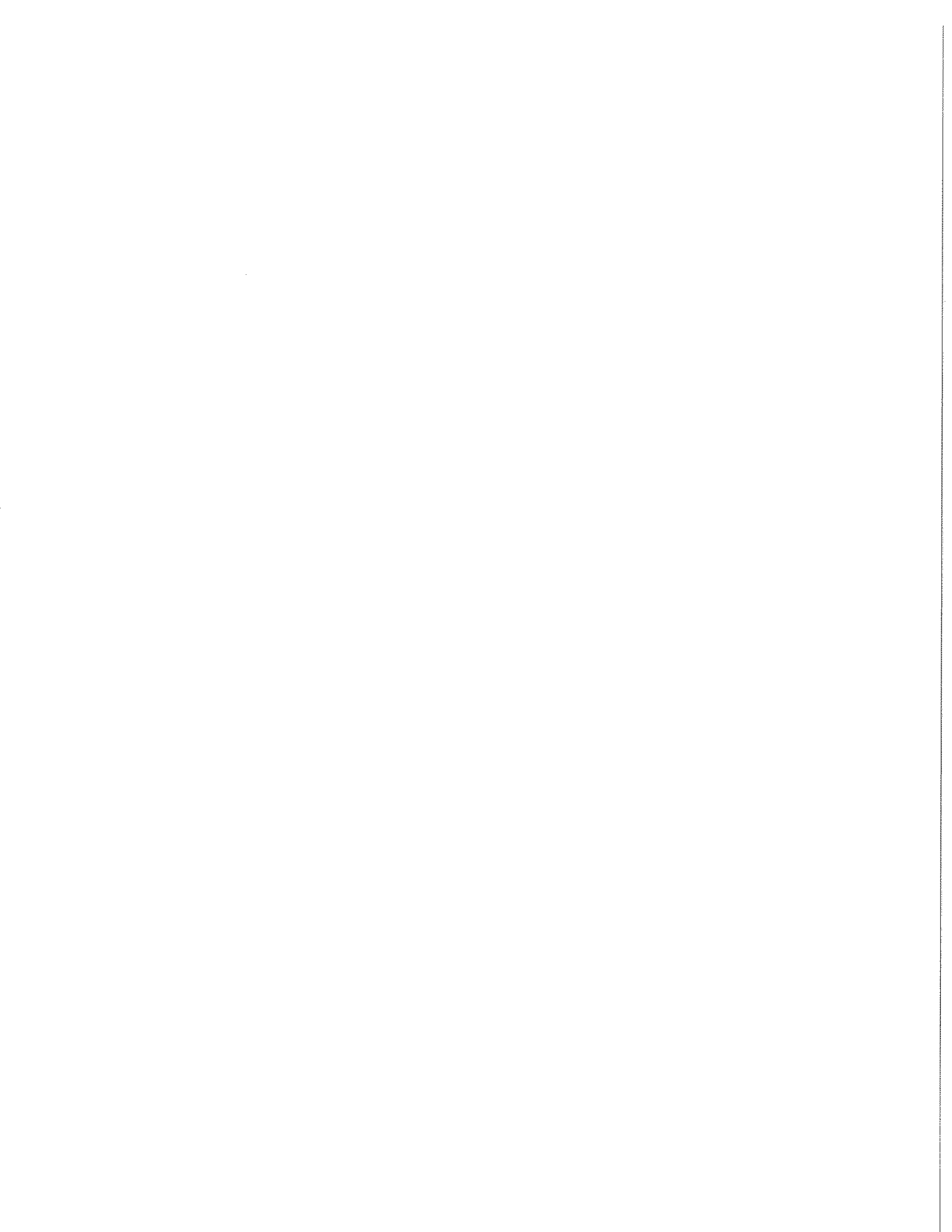


Table 1  
Proposed Park Fees

Land Use Category	Community Park A	Neighborhood Park B	Open Space C	Administration (3%) $D = (A + B + C) \times .03$	Total Park Fee $E = A + B + C + D$
<i>Per Residential Unit</i>					
<b>Residential</b>					
Single Family					
Park Facility Improvement Fee	\$5,757	\$1,743	\$0	\$225	\$7,725
Park Land Dedication Fee	\$0	\$863	\$0	\$26	\$889
Total Fee	\$5,757	\$2,606	\$0	\$251	\$8,614
Multi-Family					
Park Facility Improvement Fee	\$3,762	\$1,139	\$0	\$147	\$5,048
Park Land Dedication Fee	\$0	\$564	\$0	\$17	\$581
Total Fee	\$3,762	\$1,703	\$0	\$164	\$5,629
<i>Per 1,000 Building Square Feet</i>					
<b>Non-Residential</b>					
Commercial					
Park Facility Improvement Fee	\$848	\$257	\$0	\$33	\$1,138
Park Land Dedication Fee	\$0	\$127	\$0	\$4	\$131
Total Fee	\$848	\$384	\$0	\$37	\$1,269
Commercial Recreation					
Park Facility Improvement Fee	\$678	\$205	\$0	\$26	\$909
Park Land Dedication Fee	\$0	\$102	\$0	\$3	\$105
Total Fee	\$678	\$307	\$0	\$30	\$1,014
Business Park					
Park Facility Improvement Fee	\$1,695	\$513	\$0	\$66	\$2,274
Park Land Dedication Fee	\$0	\$254	\$0	\$8	\$262
Total Fee	\$1,695	\$767	\$0	\$74	\$2,536
Light Industrial					
Park Facility Improvement Fee	\$721	\$218	\$0	\$28	\$967
Park Land Dedication Fee	\$0	\$108	\$0	\$3	\$111
Total Fee	\$721	\$326	\$0	\$31	\$1,078
Utility Energy					
Park Facility Improvement Fee	\$721	\$218	\$0	\$28	\$967
Park Land Dedication Fee	\$0	\$108	\$0	\$3	\$111
Total Fee	\$721	\$326	\$0	\$31	\$1,078

Source: City of Oakley, Goodwin Consulting Group, Inc.





RESOLUTION NO. \_\_-17

**ADOPTING THE TRAFFIC IMPACT FEE UPDATE ESTABLISHED BY RESOLUTION NO. 49-03 AND AUTHORIZED BY ORDINANCE NO. 14-00 TO PROVIDE FOR ROADWAY IMPROVEMENTS FOR FUTURE DEVELOPMENT**

**WHEREAS**, on November 13, 2000, by Ordinance Number 14-00, the City Council of the City of Oakley established the authority for Traffic Impact Fees for imposing and charging a traffic impact fee applicable to future development within the City; and

**WHEREAS**, on August 11, 2003, by Resolution 49-03, the City Council of the City of Oakley adopted the Traffic Impact Fee based on the Transportation Impact Fee Study dated August 2003 prepared by Fehr & Peers ; and,

**WHEREAS**, on July 11, 2016, the City entered in an agreement with TJKM Transportation Consultants to prepare the Traffic Impact Fee Update Report; and,

**WHEREAS**, on March 6, 2017, staff presented the draft Traffic Impact Fee Update Report dated February 2017 prepared by TJKM Transportation Consultants to the Building Industry Association and Bay Area East Bay and received comments; and,

**WHEREAS**, on March 14, 2017, staff presented the Traffic Impact Fee Update Report dated March 2017 prepared by TJKM Transportation Consultants attached as Exhibit A and hereby incorporated; and,

**WHEREAS**, the "Project" is within the scope of the Certified General Plan Environmental Impact Report (SCH #2002042134); and

**WHEREAS**, on April 13, 2017, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On April 11, 2017, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way and outside the library at Freedom High School located at 1050 Neroly Road; and

**WHEREAS**, in accordance with Government Code Section 66016 and 66019, at least 14 days prior to the public hearing at which this Resolution was adopted, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings on new or increased fees or service charges; and

**WHEREAS**, in accordance with the Government Code, the Report was available for public review and comment for 10 days prior to the public hearing at which this Resolution was adopted; and

**WHEREAS**, the definitions and findings established in Resolution No. 49-03 will remain in effect except for the amount of the fee which has been updated and set forth in Exhibit B; and,

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley approve the Traffic Impact Fee Update Report and adopt the new Traffic Impact Fee amount in Exhibit B.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 25<sup>th</sup> April, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
Sue Higgins, Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

# Traffic Impact Fee Update

March 2017

Prepared for:



Prepared by:



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## Chapter 1. Introduction and Summary

### Introduction

This analysis provides the technical basis for updating the Transportation Impact Fee (TIF) for the City of Oakley.

Transportation impact fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use. To guide the widespread imposition of public facilities fees, the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs.

Oakley has updated a comprehensive plan for improvements that will be required on the regional road network. The objective is to ensure that adequate transportation facilities will be available to meet the projected needs of Oakley as it grows, and that the facilities planned are consistent with the General Plan. This study updates the TIF that is assessed on new development in the City. It is projected that during the life of the TIF, it would collect \$141 million to assist in funding the 63 proposed improvement projects.

Oakley adopted its initial TIF in 2003, which included 109 projects, in Resolution No. 49-03. This document is the update of the 2003 TIF.

### Summary

#### *Chapter 1 – Introduction and Summary*

#### *Chapter 2 – Planned Growth and Trip Generation*

The first step required for the update was to review previous work and studies, particularly the existing TIF adopted by the City in 2003. This update utilizes very similar procedures and assumptions contained in the 2003 report.

The first step in the process is to obtain the land use growth planned for the City. The TIF uses the same land use bases as other Oakley fee study updates currently being considered. These are based on a determination of available developable acreage in the City and its planned land uses.

New residential development is expected to add 8,413 residential units and an estimated population growth of 26,666 people. Non-residential growth on nearly 600 acres will add 6.4 million square feet of building area with capacity for nearly 15,000 new jobs. The analysis examines the impact of p.m. peak hour trips created by new development, then “normalizes” these trips to account for pass-by trips and average trip length. The normalization process results in dwelling unit equivalents (DUEs), which compares all trips with those created by single family dwelling units. It was calculated that there will be 11,986 new DUEs during the life of the TIF.



**Chapter 3 – Selection and Cost of Projects**

A total of 63 projects are included in the updated TIF:

- 32 roadway widening projects totaling 21.5 miles
- 14 new traffic signals
- 7 intersections with signal modifications
- 3 railroad grade separation projects
- 1 at-grade railroad crossing
- 2 new roadway bridges
- 4 widened roadway bridges

**Chapter 4 – Program Costs and Fee Calculation**

The basic fee per DUE is calculated by dividing the total cost of the TIF program, \$144,727,100 by the total projected 11,986 new p.m. DUE trips. The TIF requirement calculates to a cost of \$12,075 per p.m. DUE trip. The proposed TIF fee schedule is shown in **Table 1**.

**Table 1: Proposed Fee Updated Schedule**

Land Use Category	Unit	Fee Amount
Single Family	Dwelling Unit	\$12,075
Multi-Family	Dwelling Unit	\$7,366
General Retail	KSF <sup>2</sup>	\$5,313
General Office	KSF	\$12,195
Industrial	KSF	\$7,124
Utility Energy	KSF	\$7,124
Commercial Recreational	KSF	\$7,124
All Other Uses	Peak Hour Trip	\$12,075

<sup>1</sup> Adapted from Table 4

<sup>2</sup> KSF = 1,000 square feet

**Chapter 5 – Nexus Findings**

California legislation requires that charges on new developments bear a reasonable relationship to the needs created by, and the benefits accruing to, that development. California courts have long used that reasonableness standard or nexus to test to evaluate the constitutionality of exactions, including development fees. Based on the analysis included in the body of this report, it can be concluded that the future development and the need for their associated improvements meet or exceed the basic requirements set forth in Government Code sections beginning with 66000 to govern development fees.

The methodology of this report ensures that only the portions of the projects included in the updated TIF project list are necessitated by the planned growth in traffic. Thus, there is a reasonable relationship between the proposed use of the RTIF and the proposed land use development projects on which the fee will be imposed. In the same manner, there is a reasonable relationship between the need for facilities included in the RTIF and the proposed land use development projects.

## Chapter 2. Planned Growth and Trip Generation

The roadway network is the fundamental component of transportation in Oakley. It provides a basic network for the movement of people and goods in the area. Roadways are used by nearly all travel modes including automobiles, ridesharing (carpools and vanpools), transit buses, bicycles, and local and interregional trucks.

The fee is applied to a limited number of projects within the City. Most of the projects proposed in this update are already included in the existing traffic impact fee adopted in 2003.

### New Growth

A key step in the fee development process is to determine the number of trips that will be generated over a 20-year period by the growth in local development within the fee area. To determine the land use growth, TJKM utilized information provided by the City Planning Department. **Table 2** below summarizes the land use growth, expressed in dwelling units and employees, within the City by the various land use categories.

### Residential

The expected residential growth is expected to consist of 26,666 residents residing in both single-family and multi-family dwelling units. Single-family dwelling units average 3.26 residents per unit and constitute 91 percent of the housing. Multi family dwelling units average 2.13 residents per unit and constitute 9 percent of the total dwelling units. As shown in **Table 2**, this will result in 7,740 new single-family dwelling units and 673 new multi-family dwelling units.

**Table 2: Determination of Growth in Dwelling Units**

Residential Category	Dwelling units	People/DU	People
Single family	7,740	3.26	25,232
Multi family	673	2.13	1,434
	<b>8,413</b>		<b>26,666</b>

Source: City of Oakley Planning Division

**Non- Residential**

**Table 3** depicts the amount of non-residential land development expected to over the life of the TIF based on available developable acreage, land use designation and expected floor-area-ratios for the new development. TJKM utilized the square footage of development in the TIF calculations.

There are nearly 600 acres of available land for non-residential development in Oakley. This includes nearly 3.3 million square feet of commercial development and 2.5 million square feet designated for business park or light industry. Overall, non-residential development encompasses over 6.4 million square feet and generates 14,821 new jobs.

**Table 3: Growth in Non-Residential Development**

<b>Non-Residential</b>	<b>FAR</b>	<b>Acres</b>	<b>Square Feet</b>	<b>Employees</b>
Commercial	0.25	303.9	3,309,471	6,619
Commercial Recreational	0.25	15.1	164,657	263
Business Park	0.25	114.8	1,249,736	4,999
Light Industrial	0.25	114.8	1,249,736	2,125
Utility Energy	0.25	44.0	479,160	815
<b>Total</b>		<b>592.5</b>	<b>6,452,761</b>	<b>14,821</b>

Source: City of Oakley, Goodwin Consulting Group, Inc.

**Normalize Land Use**

All land uses were converted to DUEs, taking into account that different development types generate traffic with different characteristics. This conversion was accomplished by applying use-specific trip rates from the Institute of Transportation Engineer’s (ITE) *Trip Generation, 9<sup>th</sup> Edition* and estimates of pass-by trips and average trip lengths for SANDAG’s *Brief Guide of Vehicular Traffic Generation Rates* (April 2002) and from the ITE Journal *Impact Fees: Issues, Concepts and Approaches* (May 1991). All DUEs were then normalized to the single-family residential rate. This information is summarized in **Table 4**.



## City of Oakley Traffic Impact Fee Update

**Table 4: Calculation of Dwelling Unit Equivalents (DUEs)**

Land Use Category	Units	Peak Hour Trip Rate <sup>1</sup>	Percent New Trips <sup>2</sup>	Average Trip Length <sup>3</sup>	New Travel Demand Per Unit <sup>4</sup>	Normalized DUE per Unit <sup>5</sup>	Developable Units <sup>6</sup>	Total DUEs <sup>7</sup>
Single-Family Residential	DU	1.00	100	5.0	5.1	1.00	7,740	7,740
Multi-Family Residential	DU	0.62	100	5.0	3.1	0.61	673	411
Business Park	1,000 SF	1.26	80	5.1	5.1	1.01	1,250	1,263
Commercial	1,000 SF	3.71	40	1.7	2.2	0.44	3,309	1,456
Utility Energy	1,000 SF	0.73	80	5.1	3.0	0.59	479	283
Commercial Recreation	1,000 SF	0.73	80	5.1	3.0	0.59	164	97
Industrial	1,000 SF	0.73	80	5.1	3.0	0.59	1,250	738
<b>Total</b>								<b>11,986</b>

<sup>1</sup> Peak Hour Trip Rate: ITE Trip Generation, 9th Edition

<sup>2</sup> SANDAG Brief Guide of Vehicular Traffic Generation Rates, April 2002, and ITE Trip Generation Handbook, 2012

<sup>3</sup> Average Trip Length: ITE Journal, Impact Fees, Issues, Concepts and Approaches, May 1991, expressed in miles

<sup>4</sup> New Travel Demand per Unit = Peak Hour Trip Rate x Percent New Trips x Average Trip Length

<sup>5</sup> Normalized DUE per Unit = New Travel Demand per Unit divided by the result for single-family residential

<sup>6</sup> Developable Units: From Tables 2 and 3

<sup>7</sup> Total DUEs = Developable Units x Normalized DUE per Unit

### Chapter 3. Selection and Cost of Projects

In this chapter, the proposed projects to be included in the update of the TIF were selected. Most of the projects were carried forward from the existing TIF adopted in 2002. Projects that have been completed were dropped and a few new projects were added based on recent analysis of the City wide roadway system. New cost estimates were made for each project, which accounted for frontage improvements being paid directly by the developer and not included in the citywide fee.

A total of 63 projects are included in the updated TIF:

- 32 roadway widening projects totaling 21.5 miles
- 14 new traffic signals
- 7 intersections with signal modifications
- 3 railroad grade separation projects
- 1 at-grade railroad crossing
- 2 new roadway bridges
- 4 widened roadway bridges

These projects are further detailed in **Table 5** and illustrated in **Figure 1**.

Table 5: Transportation Improvement Project List

2017 Update Transportation Improvement Project List											
Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share	
1	Main St.	City Limits - Big Break Rd.	1.06	5600	4D	6D	\$10,599,700	\$5,601,896		\$4,997,804	
2	Main St.	5th Street - E. Cypress Rd.	0.80	4200	2RU	4D	\$8,453,700	\$448,778	\$1,690,740	\$6,314,182	
3	Main St.	E. Cypress Rd. - Laurel Rd.	0.27	1400	2RU	4D	\$2,419,300	\$1,288,050	\$483,860	\$647,390	
4	Main St.	Honey Ln. - Delta Rd.	0.76	4000	2RU	4D	\$10,795,900	\$4,459,064	\$2,159,180	\$4,177,656	
5	Wilbur Ave.	Bridgehead - Live Oak	0.49	2600	N/A	2U	\$5,457,700	\$4,288,587		\$1,169,113	
6	Oakley Rd.	SR 160 - Neroly	0.23	1220	2RU	2U	\$981,100	\$788,896		\$192,204	
7	Oakley Rd.	Neroly - Live Oak	0.49	2600	2RU	2U	\$4,165,200	\$2,457,468		\$1,707,732	
8	Oakley Rd.	Live Oak - Empire	0.29	1550	2RU	4D	\$3,120,900	\$1,972,408		\$1,148,492	
9	E. Cypress Rd.	800' East of Frank Hengle Way. - Sellers	0.50	2650	2RU	4D	\$8,478,800	\$6,150,239		\$2,328,561	
10	E. Cypress Rd.	Sellers - Jersey Is. Rd.	0.99	5250	2RU	6D	\$18,994,100	\$10,440,668		\$8,553,432	
11	Laurel Rd.	O'Hara - Main	0.98	5200	2RU	4D	\$11,283,000	\$7,503,188		\$3,779,812	
12	Laurel Rd.	Main - Teton Rd.	0.33	1750	2RU	4U	\$3,053,200	\$457,980		\$2,595,220	
13	Laurel Rd.	Teton Rd. - Sellers	0.49	2600	N/A	4U	\$8,949,100	\$5,816,915		\$3,132,185	
14	Brownstone Rd.	O'Hara - Main	0.70	3720	2RU	2U	\$7,119,000	\$3,256,515		\$3,862,485	
15	Neroly Rd.	O'Hara - Main	0.69	3650	N/A	2U	\$7,791,700	\$3,116,680		\$4,675,020	
16	Delta Rd.	Main - Marsh Creek	0.72	3800	2RU	2U	\$4,991,700	\$1,347,759		\$3,643,941	



City of Oakley Traffic Impact Fee Update

2017 Update Transportation Improvement Project List

Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTD/IM)	Proposed Program Share
17	Delta Rd.	Marsh Creek - Sellers	0.27	1400	2RU	2U	\$2,259,500	\$1,129,750		\$1,129,750
18	Bridgehead Rd.	Wilbur - Main	0.49	2600	2RU	2U	\$3,705,400	\$2,308,706		\$1,396,694
19	Neroly Rd.	Main - Oakley	0.49	2600	2RU	2U	\$4,430,300	\$1,461,999		\$2,968,301
20	Neroly Rd.	Oakley - Live Oak	1.32	6950	2RU	4U	\$12,490,500	\$3,996,960	\$2,498,100	\$5,995,440
21	Sandy Ln.	Main - Oakley	0.49	2600	2RU	2U	\$4,990,100	\$1,996,040		\$2,994,060
22	Live Oak Ave.	Wilbur - Main	0.49	2600	N/A	4D	\$8,228,100	\$5,765,334		\$2,462,766
23	Live Oak Ave.	Main - Oakley	0.49	2600	2RU	4D	\$6,432,500	\$3,256,997		\$3,175,503
24	Live Oak Ave.	Oakley - Neroly	0.68	3570	2RU	2C	\$5,897,800	\$2,830,944		\$3,066,856
25	O'Hara Ave.	Laurel - Carpenter	0.49	2600	2RU	4D	\$3,944,000	\$1,612,997		\$2,331,003
26	O'Hara Ave.	Carpenter - Brownstone	0.31	1620	2RU	4D	\$2,748,400	\$1,125,594		\$1,622,806
27	Rose Ave.	Main - Laurel	0.80	4250	2RU	2C	\$4,997,300	\$3,498,110		\$1,499,190
28	Anderson Ln.	Brownstone - City Limits	0.17	920	2RU	2C	\$1,321,500	\$396,450		\$925,050
29	Sellers Rd.	E. Cypress - Laurel	0.49	2600	2RU	4U	\$6,292,200	\$4,089,930		\$2,202,270
30	Sellers Rd.	Laurel - Delta	1.00	5280	2RU	2U	\$4,453,600	\$3,562,880		\$890,720
31	Jersey Island Rd.	E. Cypress - City Limits	1.48	7800	2RU	2C	\$10,190,100	\$5,095,050		\$5,095,050
32	Del Antico Ave.	250' S of Main St. - 320' N of Walnut Dr.	0.15	800	N/A	2U	\$1,452,600	\$581,040		\$871,560
33	Intersection Imp. Signal - New	Sandy Ln./Main St. (SR4)					\$350,000			\$350,000

City of Oakley Traffic Impact Fee Update

2017 Update Transportation Improvement Project List										
Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
34	Intersection Imp. Signal - New	Neroly Rd./ Oakley Rd.					\$350,000			\$350,000
35	Intersection Imp. Signal - New	Jersey Island Rd./ E. Cypress Rd.					\$350,000			\$350,000
36	Intersection Imp. Signal - New	Sellers Ave./ Laurel Rd.					\$350,000			\$350,000
37	Intersection Imp. Signal - New	Live Oak Ave./ Neroly Rd.					\$350,000			\$350,000
38	Intersection Imp. Signal - New	Live Oak Ave./ Oakley Rd.					\$350,000			\$350,000
39	Intersection Imp. Signal - New	Main St./Delta Rd.					\$350,000			\$350,000
40	Intersection Imp. Signal - New	Sellers Ave./ Delta Rd.					\$350,000			\$350,000
41	Intersection Imp. Signal - New	Wilbur Ave./ Bridgehead Rd.					\$350,000			\$350,000
42	Intersection Imp. Signal - New	Brownstone Rd./ Main St.					\$350,000			\$350,000





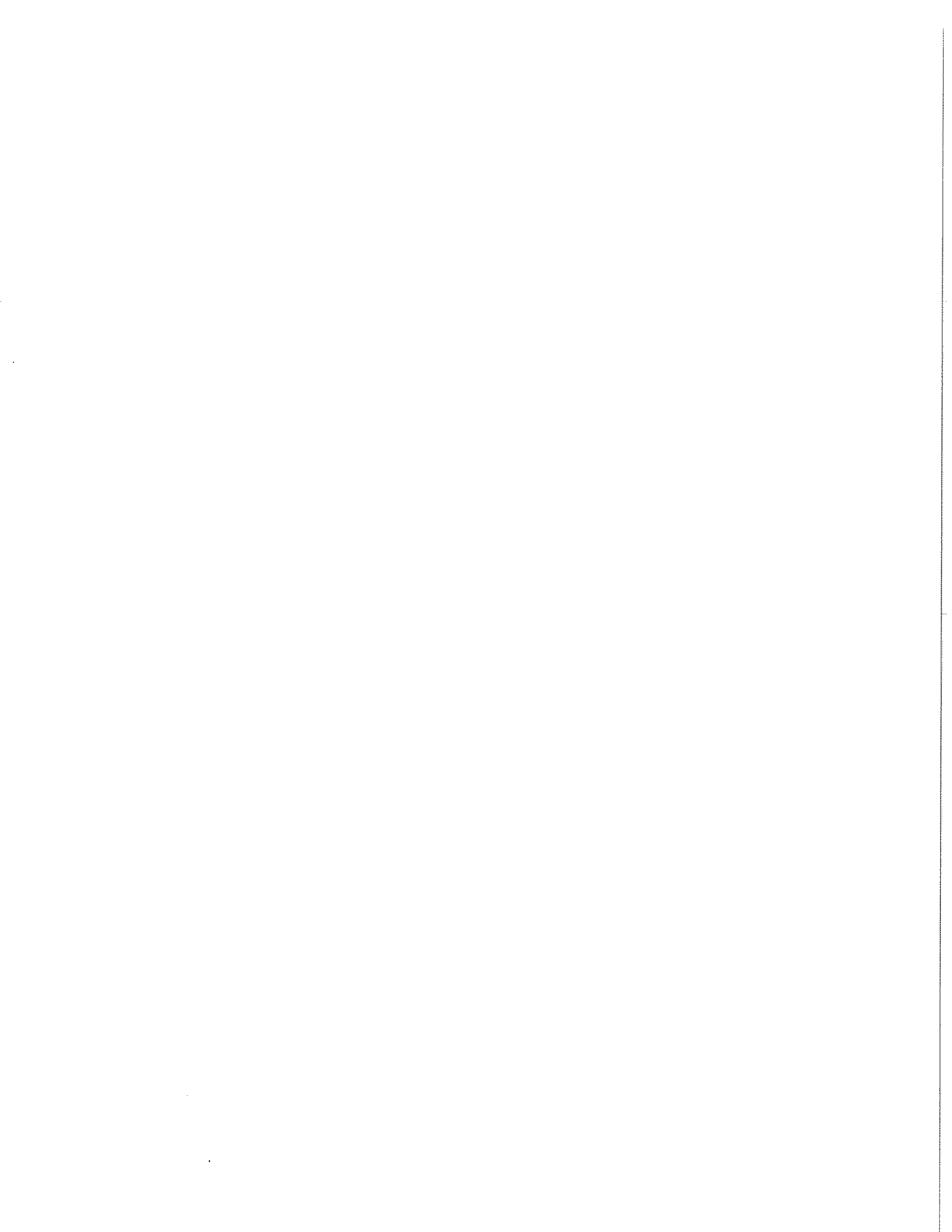
2017 Update Transportation Improvement Project List

Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTD/M)	Proposed Program Share
43	Intersection Imp. Signal - New	Knightsen Ave./ E. Cypress Rd.					\$350,000			\$350,000
44	Intersection Imp. Signal - New	Rose Ave./ Laurel Ave.					\$350,000			\$350,000
45	Intersection Imp. Signal - New	Rose Ave./Main St.					\$350,000			\$350,000
46	Intersection Imp. Signal - New	Rose Ave./ W. Cypress Rd.					\$350,000			\$350,000
47	Intersection Modifications	Main St./Bridgehead & Neroly Rd.					\$270,000			\$270,000
48	Intersection Modifications	Main St./Laurel Rd.					\$667,400			\$667,400
49	Intersection Modifications	Main St./ E. Cypress Rd.					\$713,000			\$713,000
50*	Intersection Modifications	O'Hara Ave. - Carpenter Rd.					\$692,900			\$692,900
51*	Intersection Modifications	O'Hara Ave - Neroly Rd.					\$466,600			\$466,600
52*	Intersection Modifications	E.Cypress Rd./ Emerson Ranch Way & Machado Ln.					\$270,000			\$270,000
53*	Intersection Modifications	E.Cypress Rd./ Bethel Island Rd.					\$270,000			\$270,000

2017 Update Transportation Improvement Project List										
Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
54	Railroad Crossing	Sellers Ave./BNSF					\$500,000			\$500,000
55	Bridge - Railroad Crossing	Empire Ave./SPRR (Grade Sep)					\$5,760,000			\$5,760,000
56	Bridge - Railroad Crossing	Laurel Rd./BNSF (Grade Sep)					\$20,000,000			\$20,000,000
57	Bridge - Railroad Crossing	Live Oak Ave./BNSF (Grade Sep)					\$5,760,000			\$5,760,000
58	Bridge - Widening	Live Oak Ave./CC Canal					\$432,000			\$432,000
59	Bridge Widening	Rose Ave./CC Canal					\$288,000			\$288,000
60	Bridge - New	W. Cypress Rd./CC Canal					\$1,600,000			\$1,600,000
61	Bridge Widening	Main St./CC Canal					\$547,200			\$547,200
62	Bridge Widening	Laurel Rd./Marsh Creek					\$1,214,400			\$1,214,400
63	Bridge - New	E. Cypress Rd./CC Canal					\$4,608,000			\$4,608,000
<b>TOTAL</b>							<b>\$249,447,500</b>	<b>\$102,103,872</b>	<b>\$6,831,880</b>	<b>\$140,511,748</b>

\* New Project Added With This Update







Oakley TIF Projects

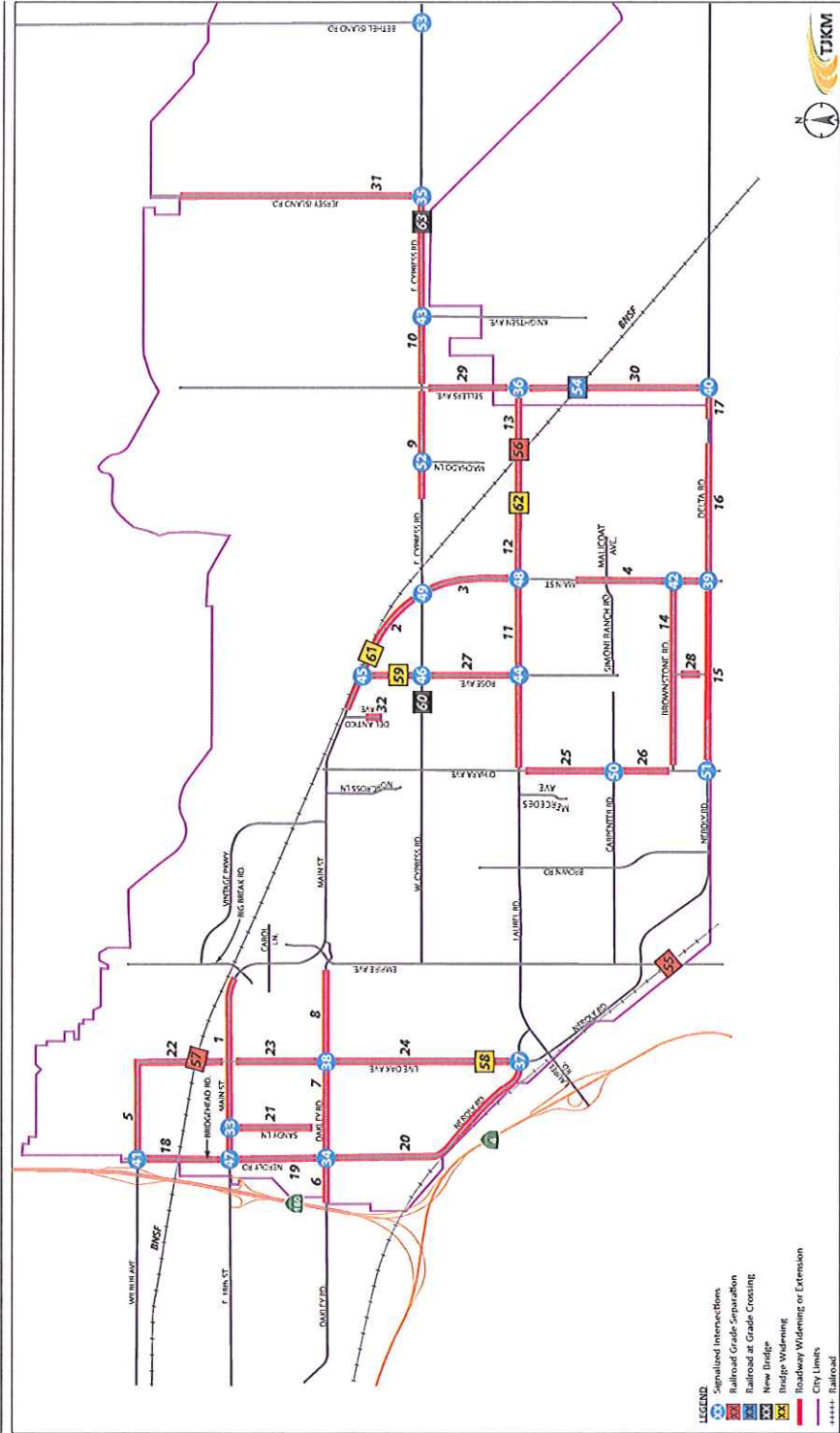
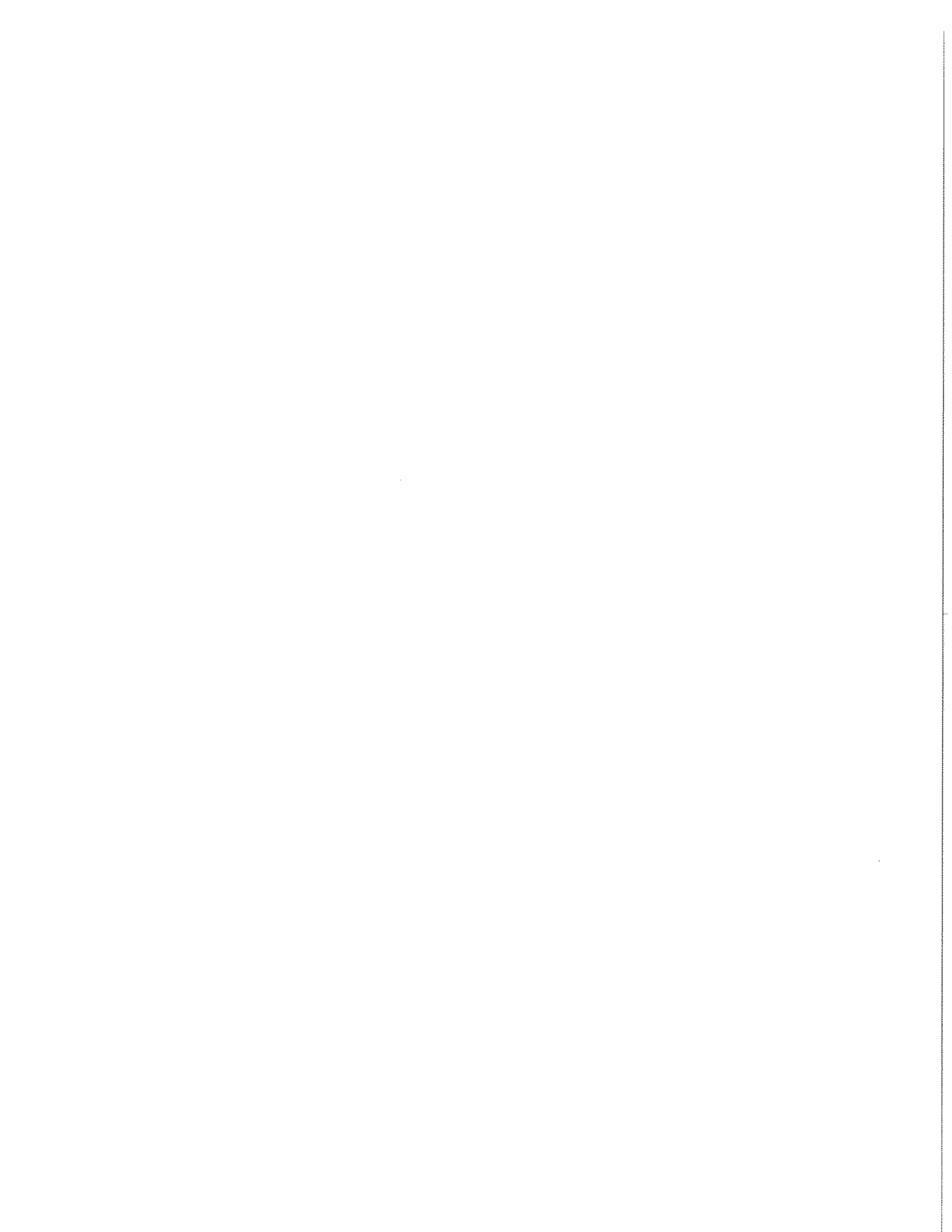


Figure 1



## Chapter 4. Program Costs and Fee Calculation

### Cost per Trip Estimate

**Table 6** presents a summary of the TIF improvement project costs; the projected future trips to be added by new development, and the resulting estimated TIF improvement cost per trip. The total cost of the TIF projects to be included is \$140,511,748.

The fee calculation is based on trip generation estimates in **Table 2** and the cost estimates of the TIF improvement projects. The cost per p.m. peak hour trip is calculated to be \$12,075, using a total TIF project cost of \$144,727,100 including the cost for administering the program and 11,986 new p.m. peak hour DUE trips. The TIF improvement project costs as well as the calculated new TIF cost per trip are shown in **Table 6**.

**Table 6: 2017 Cost per Trip Estimate**

TIF Improvement Projects	2017 TIF Costs
All Projects	\$140,511,748
Plus Administrative Costs (three-percent)	\$4,215,352
<b>Total TIF Funding</b>	<b>\$144,727,100</b>
Total DUE Peak Hour Trips Added by New Development	11,986
<b>TIF Cost per DUE Peak Hour Trip</b>	<b>\$12,075</b>

Note: The current cost per DUE is \$14,316 as of January 1, 2017

### New Fee Schedule

**Table 7** presents the new schedule of fees. The land use categories in this fee schedule have been determined based on a range of expected development land use types.

Fees for common developments include \$12,075 for a single family home, \$7,366 for a multi-family home, and \$5,313 for retail uses.

**Table 7: Calculation of Fees (per KSF unless noted)**

Land Use Category	ITE Reference	DUE <sup>1</sup>	Cost Per P.M. Trip	Fee Rate
Single Family/unit	Single Family Detached Housing (210)	1.00	\$12,075	\$12,075
Multi-Family/unit	Apartment (220)	0.61	\$12,075	\$7,366
Commercial	Shopping Center (820)	0.44	\$12,075	\$5,313
General Office	General Office Building (710)	1.01	\$12,075	\$12,195
Industrial	Light Industrial (130)	0.59	\$12,075	\$7,124
Utility Energy	Light Industrial (130)	0.59	\$12,075	\$7,124
Commercial Recreational	Health Fitness Club (492)	0.59	\$12,075	\$7,124
Other Uses: Calculate using ITE trip rates at \$12,075 per P.M. peak hour trip			\$12,075	TBD

<sup>1</sup> Adapted from Table 4

## Chapter 5. Nexus Findings

TIF's are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees, the State Legislature adopted the Act with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs. The Act requires local agencies to document five findings when adopting a fee.

The five statutory findings required for adoption of the maximum justified fee documented in this report are presented in this chapter and supported in detail by this report. All statutory references are to the Act.

### Purpose of the Fee

For the first finding, the City must:

- Identify the purpose of the fee (§66001(a) (1)).

This fee is charged under the authority of ordinance 14-00 adopted by the City of Oakley on November 13, 2000. The ordinance authorizes the collection of developer impact fees for the purpose of funding projects that help to mitigate congestion in the City. The ordinance notes that legislative-established nexus requirements are satisfied. This fee will charge new development the fair share cost of transportation improvements needed to mitigate the transportation impacts created by that development.

### Use of Fee Revenues

For the second finding the City must:

- Identify the use to which the fee is to be put.

If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged (§66001(a)(2)).

Detail on planned uses of fee revenues is contained in Chapter 3 of this report.

### Benefit Relationship

For the third finding, the City must:

- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed (§66001(a) (3)).

The City has determined that the improvements listed in the report are necessary to support projected development within the City. Public facilities funded by the fee will provide a network of transportation infrastructure accessible to the additional residents and workers associated with new development. The benefit from planned improvements and facilities will result from the maintenance of acceptable levels of congestion. Thus, there is a reasonable relationship between the use of fee revenues and the residential and nonresidential types of new development that will pay the fee.

### **Burden Relationship**

For the fourth finding, the City must:

- Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed (§66001(a) (4)).

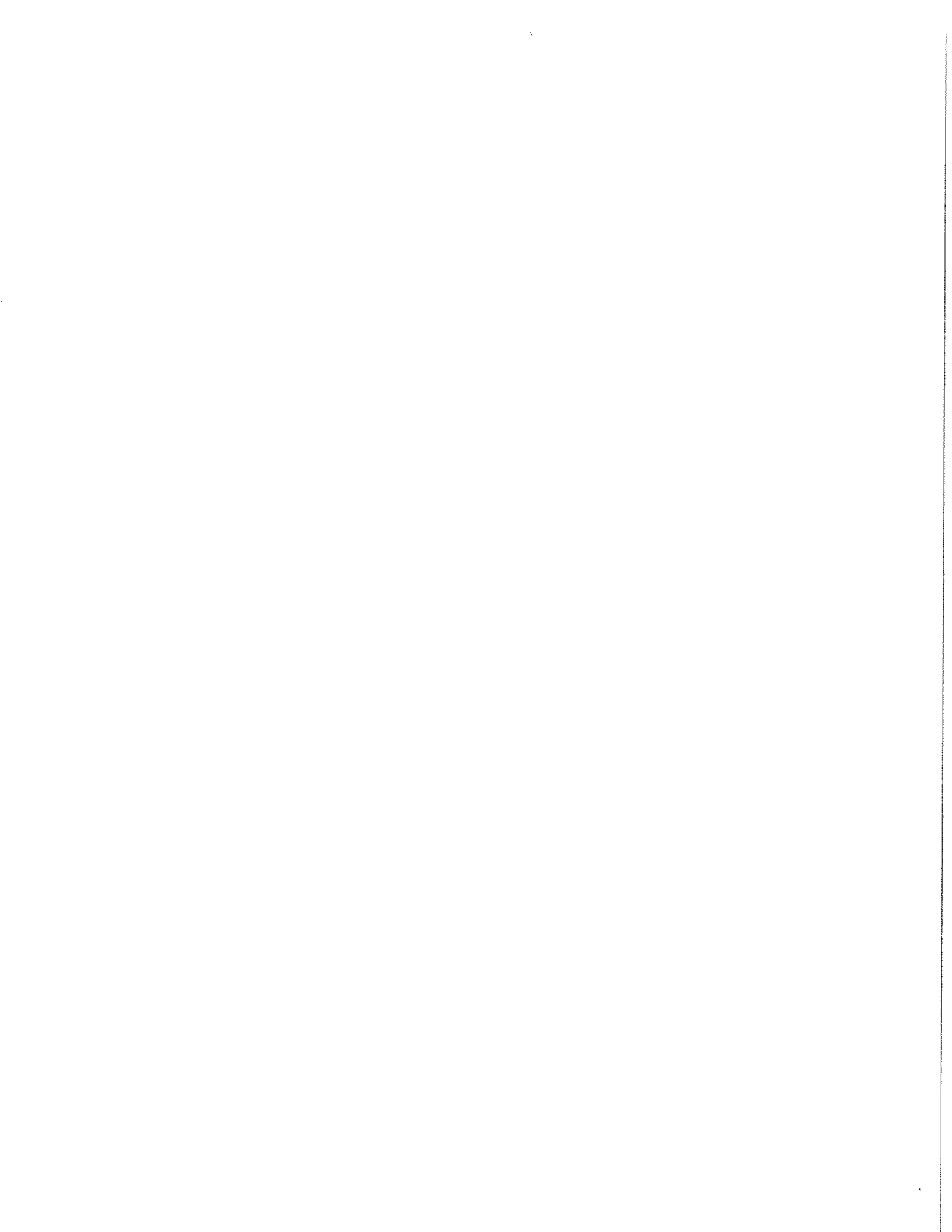
Residential dwelling units and building square footage/employment are indicators of the demand for transportation facilities needed to accommodate growth. As new building square footage is created, the occupants of the new structures will place additional burdens on the transportation facilities. The need for the fee is based on traffic engineering studies assessing the impact of additional vehicle trips from new development as well as City policies governing the design of a transportation system needed to serve new growth areas. Traffic engineering and related data were also used to inform the scope of improvements included in the fee program. For transportation improvements needed to accommodate the development anticipated in the near term, the cost burden is fully allocated based on development anticipated in the near term. For transportation improvements that are not immediately needed to accommodate near term development, but that will be needed to accommodate development in the longer term, the cost burden is allocated based on projections of new development. Thus, there is a reasonable relationship between the need for the planned improvements, the scope of the improvements and the parcels that will pay the fee.

### **Proportionality**

For the fifth finding, the City must:

- Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility, or portion of the public facility, attributable to the development on which the fee is imposed (§66001(b)).

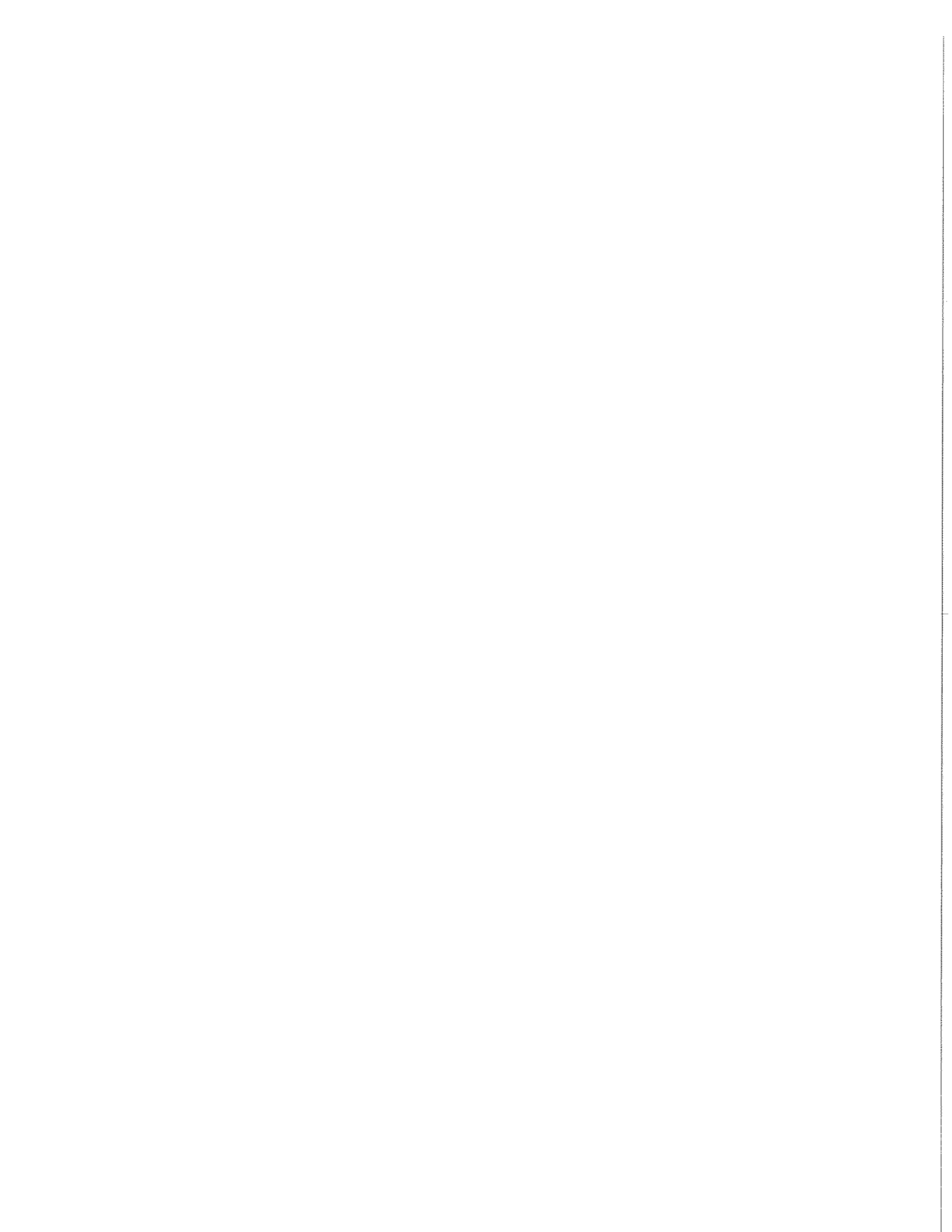
There is a reasonable relationship between the TIF for a specific development project and the cost of the facilities attributable to that development based on the estimated vehicle trip demand the development will generate in the City of Oakley. The total fee for a specific development is based on its planned employment and/or square footage for nonresidential uses and the number of dwelling units for residential use. Larger projects of a certain land use type will have a higher trip generation and pay a higher fee than smaller projects of the same land use type. Thus, the fee schedule ensures a reasonable relationship between the transportation impact fee for a specific development project and the cost of the facilities attributable to that project.



**TRAFFIC IMPACT FEE UPDATE**  
**New Fee Schedule**

<b>Land Use Category</b>	<b>ITE Reference</b>	<b>DUE<sup>1</sup></b>	<b>Cost Per P.M. Trip</b>	<b>Fee Rate</b>
Single Family/unit	Single Family Detached Housing (210)	1.00	\$12,075	\$12,075
Multi-Family/unit	Apartment (220)	0.61	\$12,075	\$7,366
Commercial	Shopping Center (820)	0.44	\$12,075	\$5,313
General Office	General Office Building (710)	1.01	\$12,075	\$12,195
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Utility Energy	Light Industrial (130)	0.59	\$12,075	\$7,124
Commercial Recreational	Health Fitness Club (492)	0.59	\$12,075	\$7,124
Other Uses: Calculate using ITE trip rates at \$12,075 per P.M. peak hour trip			\$12,075	TBD

<sup>1</sup> From Table 4 of the Traffic Impact Fee Update Report







DATE: March 10, 2017

TO: Joshua McMurray, Oakley Planning Manager

FROM: Lisa Vorderbrueggen, BIA|Bay Area East Bay Executive Director  
for Government Affairs

RE: Draft updated traffic and park impact fee analyses

Dear Mr. McMurray,

Thank you for the opportunity to provide written comments on Oakley's updated traffic and park impact fee analyses as presented during your stakeholders' meeting on March 6, 2017. As we have discussed in numerous meetings between the city and the residential development community, it is in all our best interests to reduce housing production costs. Oakley's housing market has not returned to pre-recession levels and it cannot absorb additional fees.

To this point, BIA members are deeply concerned about the negative impacts the proposed park facilities fee increase would have on residential projects in Oakley. And while the proposed traffic impact fee would decrease, we hope we can work with the city to make the fee more cost-effective and more transparent.

For ease of discussion, I have separated my comments and questions into two segments that address each area of analysis. I will undoubtedly have additional questions and comments as the process proceeds and I will also send a separate letter to the Oakley City Council prior to the workshop set for March 14, 2017.

#### *Park Impact Fee*

The GCG Memorandum dated December 2016 consists of one page of bulleted text followed by a series of tables. When can we expect to see a full-throated park and recreation facilities development impact fee report that contains a broad range of data including the required findings specified in the Mitigation Fee Act?

In Table 4, the city states that it intends to spend \$800,000 per acre for 200.11 acres of community parks. Does the city actually intend to develop all 200.11 acres at this extraordinarily high level? The staff report for the workshop on March 14, 2017, refers to a 55-acre community park. Please provide details of the specific facilities the city intends to construct, a cost breakdown of each facility and the specific acreages for each of these uses.

The study assumes a park land acquisition value of \$213,137 per acre. Our members believe this number may be excessive. Please provide a copy of the appraisal or appraisals the city used to establish this number.

Tables 1-A and 1-B reference a 3 percent administrative fee. An administrative fee should apply only when the city is acting as the contractor for the park improvements and is collecting the fee to fund the construction. In most cases,

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the developer is constructing the park and is already paying numerous permit and inspection fees necessary to cover the costs of the city's oversight of the project. Eliminating duplicative costs is critical in an environment where every extra dollar counts.

How many acres of parks and types of park facilities will be provided to the city through existing Development Agreements? These acreages and facilities must be factored into the fee calculation or each new house will pay twice for the same amenities.

### *Traffic Impact Fee*

The analysis lists 63 traffic improvement projects. Which are new projects and which are carryover projects from the previous fee study?

What is the construction status of each carryover project?

What is the full range of funding opportunities for each of the 63 projects? The TIF should contain a mechanism by which the TIF can be adjusted if the city receives a new source of funds for a specific project such as passage of a countywide transportation sales tax.

Which of the 63 traffic improvement projects are fully or partially funded through existing development agreements? To avoid paying twice for the same amenities, these projects should be fully or partially removed from the traffic impact fee project list. The TIF should also reflect new development agreements as they are adopted.

In a separate request, I asked for the back-up cost estimating data for each of the 63 traffic improvement projects. You provided an initial document today, which I have forwarded to our members for review.

Thank you for your time and consideration. I look forward to working with you.

Sincerely yours,

A handwritten signature in cursive script that reads 'Lisa Vorderbrueggen'.

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California 94597

Lisa Vorderbrueggen  
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925-348-1956 (cell)

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DATE: March 14, 2017

TO: Oakley Mayor Sue Higgins, Vice Mayor Randy Pope and Councilmembers Doug Hardcastle, Claire Alaura and Kevin Romick

FROM: Lisa Vorderbrueggen, BIA|Bay Area East Bay Executive Director for Government Affairs

RE: Draft updated transportation and park impact fee analyses

Dear Mayor Higgins and Councilmembers,

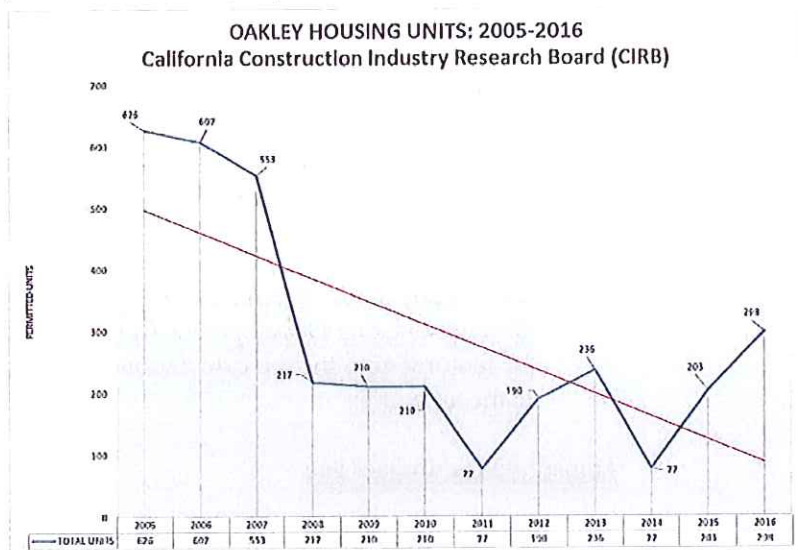
Thank you for the opportunity to participate in the city's transportation and park fee workshop. Your staff provided us with draft fee updates during a stakeholders' meeting on March 6, 2017, and I have attempted in the short timeframe available to us to review the documents. Please find below a summation of our specific comments on the studies, which have also been sent under separate cover to your staff.

As we have discussed in numerous meetings between the city and the residential development community, it is in all our best interests to reduce housing production costs. Oakley's housing market has not returned to pre-recession sales price levels (see attached page from Myers Research analysis) and as the chart below shows, the city has not returned to pre-recession housing production numbers, either. To put it bluntly, the Oakley market cannot absorb new fees.

To this point, BIA members are concerned about the negative impacts the proposed park facilities fee increase would have on the pace of

residential development in Oakley. Although the proposed traffic impact fee would decrease, we hope we can work with the city to make the fee more cost-effective.

For ease of discussion, I have separated my comments and questions into two segments that address each area of analysis: parks and traffic. Your staff has already received these specific and largely technical comments but I raise these questions here because it is critical that the city and the residential building industry work together to lower housing costs. Oakley wants adequate housing for your future residents and our members want to build housing that people can afford to buy.



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### Parks Impact Fee

1. The GCG Memorandum dated December 2016 consists of one page of bulleted text followed by a series of tables. When can we expect to see a full-throated park and recreation facilities development impact fee report that contains a broad range of narrative and numerical data including the required findings specified in the Mitigation Fee Act?
2. In Table 4, the city states that it intends to spend \$800,000 per acre for 200.11 acres of community parks. Does the city actually intend to develop all 200.11 acres at this extraordinarily high level? If yes, what is the timeframe? The staff report for tonight's workshop refers to a 55-acre community park. Please provide details of the specific facilities the city intends to construct, a cost breakdown of each facility and the specific acreages for each of these uses.
3. The study assumes a parkland acquisition value of \$213,137 per acre. Our members believe this number may be excessive. Please provide a copy of the appraisal or appraisals the city used to establish this number.
4. Tables 1-A and 1-B reference a 3 percent administrative fee. An administrative fee should apply only when the city is acting as the contractor for the park improvements and is collecting the fee to fund the construction. In most cases, the developer is constructing the park and is already paying numerous permit and inspection fees necessary to cover the costs of the city's oversight of the project. Eliminating duplicative costs is critical in an environment where every extra dollar counts.
5. How many acres of parks and types of park facilities will be provided to the city through existing Development Agreements? These acreages and facilities must be factored into the fee calculation or each new house could pay twice for the same amenities.

### Transportation Impact Fee

1. The 2017 transportation impact fee analysis lists 63 traffic improvement projects. Which are new projects and which are carryover projects from the 2003 transportation impact fee study?
2. What is the construction status of each carryover project from the 2003 TIF?
3. As indicated, the 2017 TIF contains no discussion or calculations indicating the status of the TIF program since 2003. The amount of fees collected to-date relative to the common improvements included in the TIF update should be factored into the fee.
4. What is the full range of funding opportunities for each of the 63 projects? The TIF should contain a mechanism by which the TIF can be adjusted if the city receives a new source of funds for a specific project such as passage of a countywide transportation sales tax.

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5. Which of the 63 traffic improvement projects are fully or partially funded through existing development agreements? To avoid paying twice for the same amenities, an accounting should be provided and these projects should be fully or partially removed from the traffic impact fee project list. The ongoing TIF should also reflect agreements reached in new development agreements as they are adopted.
6. The 2017 TIF improvement costs appear to be completely applied to new development with no assignment of cost responsibility to existing development or pass-through of regional traffic. Please explain how the costs are appropriately allocated between growth, existing population and pass-through traffic.
7. The city should update its citywide traffic model to support the 2017 TIF projects as the General Plan circulation element and associated traffic model dates back to 2002-2003 time frame. There have been project specific updates for the East Cypress annexation areas over the years. But a comprehensive update of the citywide model reflecting actual approved projects vs total anticipated build-out should be completed to confirm the required improvements.
8. The 2017 TIF project list includes three railroad crossings. Two crossings are costed out at \$5.76M, while Laurel Road is costed at \$20M. This cost difference should be justified. We also understand that the draft DuPont Specific Plan findings indicated that the Live Oak over-crossing should be eliminated and Wilbur should be extended to connect to existing Big Break, where there is an existing railroad crossing.
9. On the cost estimates, many of the right-of-way acquisition costs are shown as 30 percent of construction costs. This appears very high. The city should provide documentation to justify the land costs at this level.

Thank you for your time and consideration. I look forward to working with you and your staff on these issues.

Sincerely yours,

Lisa Vorderbrueggen  
[lvorderbrueggen@biabayarea.org](mailto:lvorderbrueggen@biabayarea.org)  
925-348-1956 (cell)

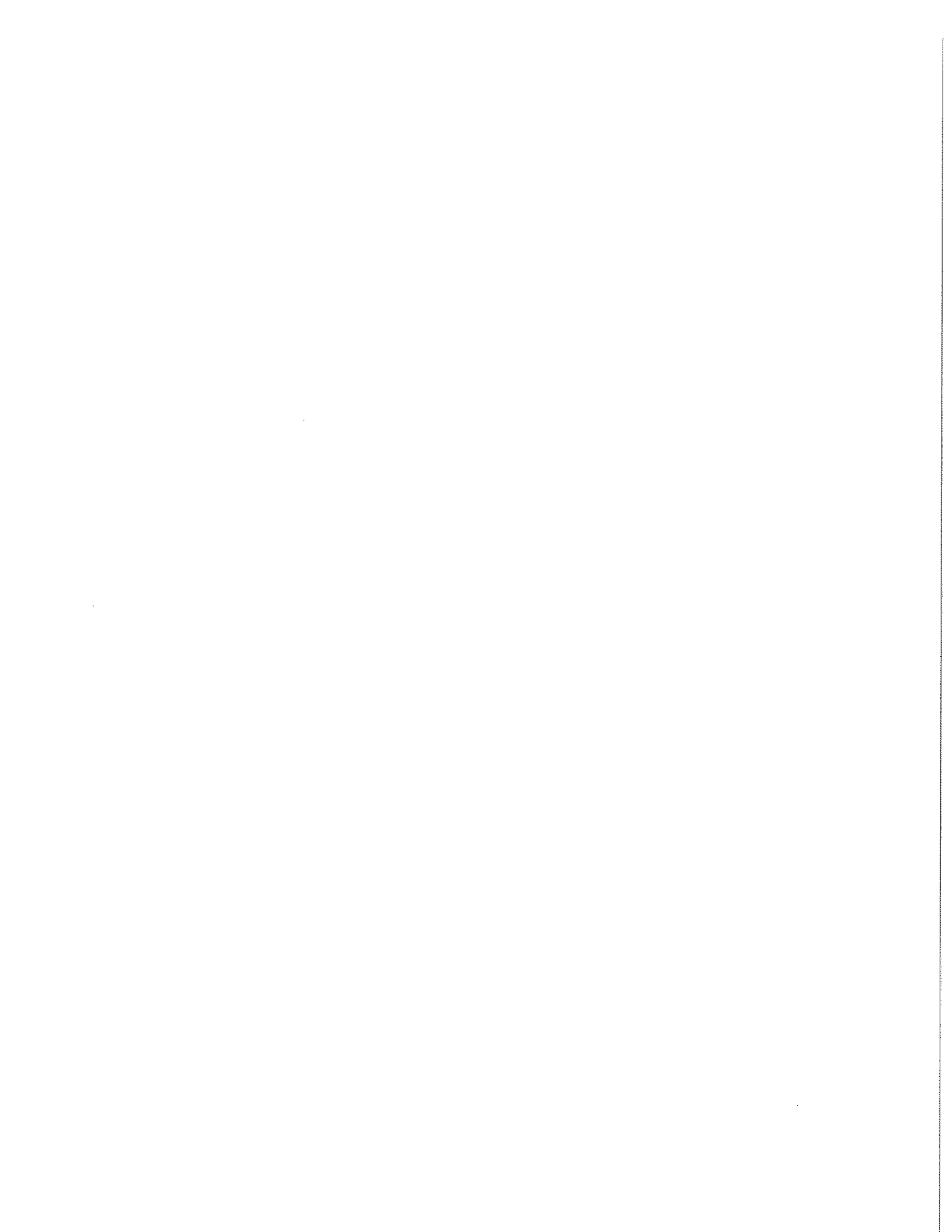
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ATTACHMENT

Single slide by Myers Research/Zonda, "Existing SFD Sales Price Loss and Recovery Since Peak," April 12, 2016, from FRAME BAY AREA event by Urban Land Institute

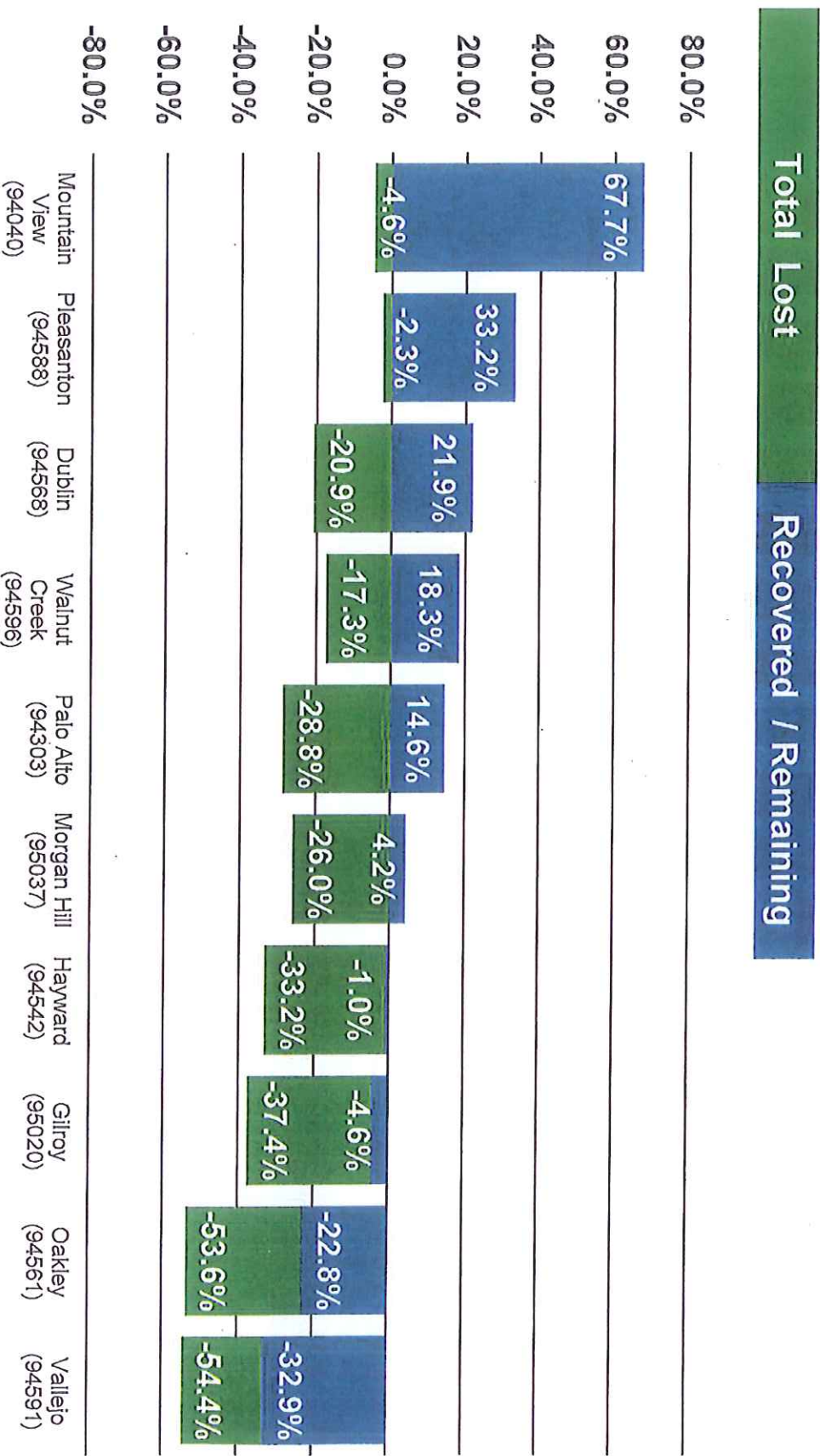
CC:  
Oakley City Manager Bryan Montgomery  
Oakley Planning Manager Josh McMurray

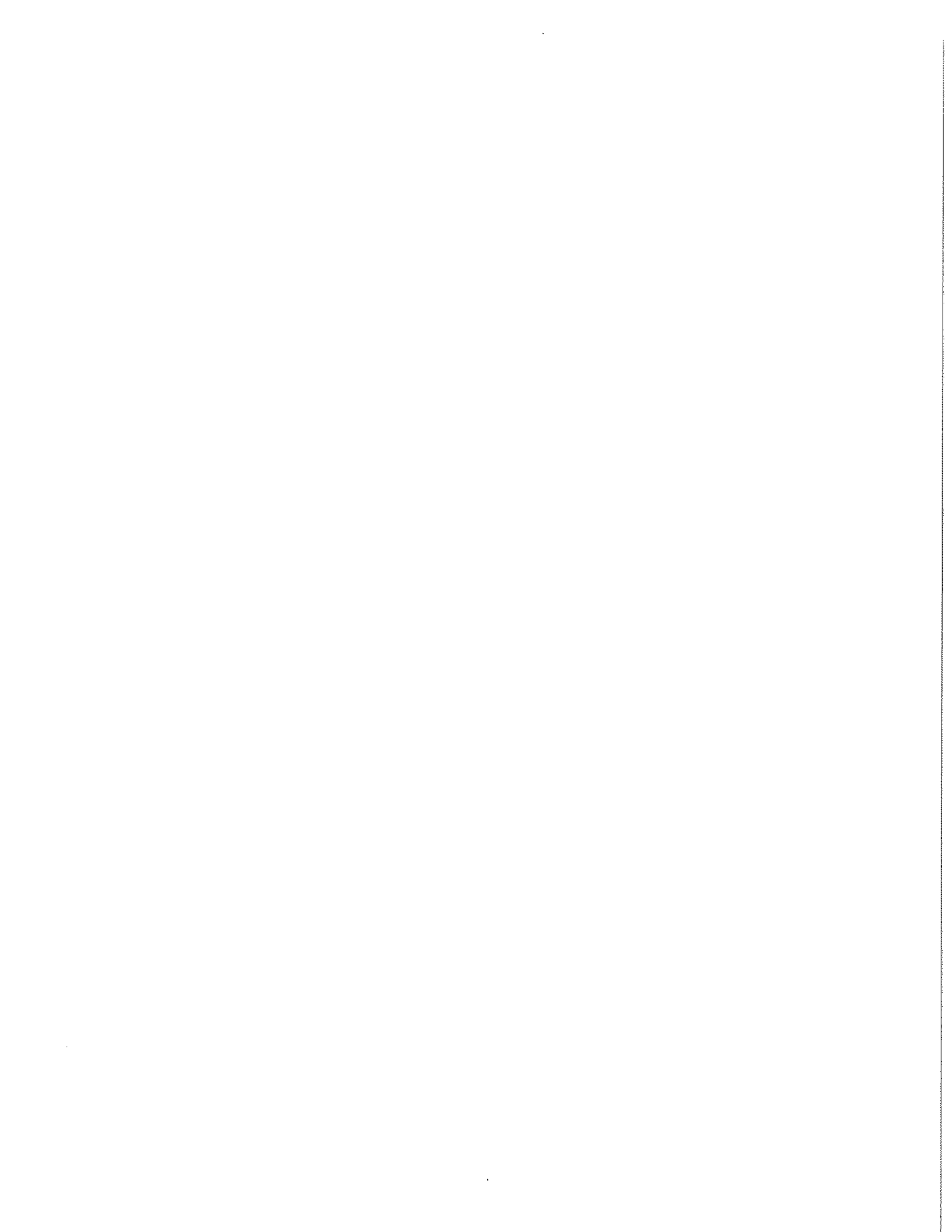


# “A” MARKETS LOOK STRONG WHILE “B/C” STILL SUFFER

## Existing SFD Sales Price Loss and Recovery Since Peak

Source: Zonda







CITY COUNCIL  
Sue Higgins, Mayor  
Randy Pope, Vice Mayor  
Claire Alaura  
Doug Hardcastle  
Kevin Romick



CITY HALL  
3231 Main Street  
Oakley, CA 94561  
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925.625.9859 fax  
www.ci.oakley.ca.us

March 28, 2017

Lisa Vorderbrueggen  
BIA Bay Area East Bay Executive Director for Government Affairs  
1350 Treat Blvd., Suite 140  
Walnut Creek, CA 94597

RE: Draft Park and Traffic Impact Fee Update Response to BIA Comments

Dear Ms. Vorderbrueggen,

Thank you for your comments regarding the Park and Traffic Impact Fee updates. We hope to bring transparency in this process and provide answers to the concerns you have raised. We have reviewed your letter presented to the City Council on March 14, 2017 and the following are our responses. Your comments are in italic letters for reference, followed by our responses in bold letters.

**PARK IMPACT FEE**

- 1. The GCG Memorandum dated December 2016 consists of one page of bulleted text followed by a series of tables. When can we expect to see a full-throated park and recreation facilities development impact fee report that contains a broad range of narrative and numerical data including the required findings specified in the Mitigation Fee Act?*

**RESPONSE TO COMMENT:**

**A park fee nexus report will be available for review in mid-April.**

- 2. In Table 4, the city states that it intends to spend \$800,000 per acre for 200.11 acres of community parks. Does the city actually intend to develop all 200.11 acres at this extraordinarily high level? If yes, what is the timeframe? The staff report for tonight's workshop refers to a 55-acre community park. Please provide details of the specific facilities the city intends to construct, a cost breakdown of each facility and the specific acreages for each of these uses.*

**RESPONSE TO COMMENT:**

Based on the City's General Plan (GP) community park service standard of 3.0-acres per 1,000 residents, and assuming an additional 26,700 residents living in the City by build out of the GP, the City will need to develop another 80 acres of community parks. Fifty-five (55) acres of this amount will include development of the Dutch Slough Community Park, which has an estimated development cost of \$1.0 million per acre. The City estimates that funding from alternative sources will reduce this cost to \$800,000 per acre. The City also estimates the remaining 25 acres of future community parks will be developed at a cost of \$375,000 per acre.

3. *The study assumes a parkland acquisition value of \$213,137 per acre. Our members believe this number may be excessive. Please provide a copy of the appraisal or appraisals the city used to establish this number.*

**RESPONSE TO COMMENT:**

Since the first Draft, the City has further refined the parkland acquisition cost to be \$150,000.

4. *Tables 1-A and 1-B reference a 3 percent administrative fee. An administrative fee should apply only when the city is acting as the contractor for the park improvements and is collecting the fee to fund the construction. In most cases, the developer is constructing the park and is already paying numerous permit and inspection fees necessary to cover the costs of the city's oversight of the project. Eliminating duplicative costs is critical in an environment where every extra dollar counts.*

**RESPONSE TO COMMENT:**

It is typical for Public Agencies to charge an administrative fee as part of their impact fee programs. Administration fee revenue is used to offset the costs associated with administering the fee program. Such costs include staff and consultant expenses associated with updating the fee program every few years, annual required fee reporting, monitoring fee credits, as well as other ongoing administrative tasks.

5. *How many acres of parks and types of park facilities will be provided to the city through existing Development Agreements? These acreages and facilities must be factored into the fee calculation or each new house could pay twice for the same amenities.*

**RESPONSE TO COMMENT:**

The developer either pays the current park fee or dedicates an amount equal to

the current park fee multiplied by the number of units that will be constructed. So whether they have a Development Agreement or not, the developer contributes their fair share of parks and as a result, this does not impact the fee calculation.

### TRAFFIC IMPACT FEE

1. *The 2017 transportation impact fee analysis lists 63 traffic improvement projects. Which are new projects and which are carryover projects from the 2003 transportation impact fee study?*

#### RESPONSE TO COMMENT:

There are four new signal modification projects added to the project list, the remaining are carryover projects from the 2003 Transportation Impact Fee Study. Upon updating the Citywide Traffic Model, we discovered that these four new signal modification projects are needed to maintain the necessary level of service at these intersections.

2. *What is the construction status of each carryover project from the 2003 TIF?*

#### RESPONSE TO COMMENT:

We are currently working on the design of the Laurel Road & Rose Avenue Signal along with the Laurel Road widening project from Rose Avenue to Mellowood Drive. All other projects are prioritized based on the traffic demands, available funding, and as subdivision frontage improvements are constructed.

3. *As indicated, the 2017 TIF contains no discussion or calculations indicating the status of the TIF program since 2003. The amount of fees collected to date relative to the common improvements included in the TIF update should be factored into the fee.*

#### RESPONSE TO COMMENT:

Since 2003, the TIF collected fees have been used to construct projects that are taken off the list for the 2017 TIF update. The current funds available on the TIF are budgeted for existing projects in construction and projects currently being designed.

4. *What is the full range of funding opportunities for each of the 63 projects? The TIF should contain a mechanism by which the TIF can be adjusted if the city received a new source of funds for a specific project such as passage of a countywide transportation sales tax.*

**RESPONSE TO COMMENT:**

The City will continue to pursue grant funds as they become available. Our intent is to update the Traffic Impact Fee every five years or as needed to update the changes on project estimates as funding becomes available.

5. *Which of the 63 traffic improvement projects are fully or partially funded through existing development agreements? To avoid paying twice for the same amenities, an accounting should be provided and these projects should be fully or partially removed from the traffic impact fee project list. The ongoing TIF should also reflect agreements reached in new development agreements as they are adopted.*

**RESPONSE TO COMMENT:**

Project estimates have been listed under the "TOTAL PROJECT COST" column. The fronting developer is responsible for one lane, the roadway shoulder, curb, gutter and sidewalk along the frontage of the development. These were reviewed to determine the fronting developer share for each project scenario.

6. *The 2017 TIF improvement costs appear to be completely applied to new development with no assignment of cost responsibility to existing development or pass-through of regional traffic. Please explain how the costs are appropriately allocated between growth, existing population and pass-through traffic.*

**RESPONSE TO COMMENT:**

The geographic location of the City is not located in the middle of an urban area where we would see a high percentage of pass through traffic. With the construction of the Highway 4 bypass, a majority of the pass through traffic has shifted off of Main Street (previously Highway 4). The bypass traffic that could be accounted for are for residents who live in the area of Bethel Island and Sandmound in unincorporated Contra Costa County.

Contra Costa County has its own fee program that applies to these two areas, known as the Bethel Island Area of Benefit (AOB). It also includes portions of the City of Oakley including Jersey Island Road, Bethel Island Road, Sandmound Boulevard, and parts of Cypress Road. Fees are collected by the County for improvements inside the AOB. The unincorporated area of the AOB is expected to have a growth of about 889 dwelling units until 2040, compared with 8,413 in Oakley. In the future, this traffic will utilize streets such as the Bethel Island Road southerly extension. Therefore, it is not expected that this "through" traffic will increase the number of lanes required on Cypress Road

or other streets in the City.

7. *The city should update its citywide traffic model to support the 2017 TIF projects as the General Plan circulation element and associated traffic model dates back to 2002-2003 time frame. There have been project specific updates for the East Cypress annexation areas over the years. But a comprehensive update of the citywide model reflecting actual approved projects vs. total anticipated build-out should be completed to confirm the required improvements.*

**RESPONSE TO COMMENT:**

The City has updated the Citywide Traffic Model and was approved by the City Council on January 24, 2017. The model does include and has included all projects with entitlements to date. The model will be updated as the City continues to approve development projects.

Improvements necessary for the development within the East Cypress Specific Plan has not been added to the project list since a Joint Exercise of Powers Agreement (JEPA) has not been established between the County, the City, and developers in this area to determine the necessary fair share for these improvements. Once a JEPA is established, an update to the Traffic Impact Fee will be considered.

8. *The 2017 TIF project list includes three railroad crossings. Two crossing areas costed out at \$5.76M, while Laurel Road is costed at \$20M. This cost difference should be justified. We also understand that the draft DuPont Specific Plan findings indicate that the Live Oak over-crossing should be eliminated and Wilbur should be extended to connect to existing Big Break, where there is an existing railroad crossing.*

**RESPONSE TO COMMENT:**

The City Council considered several alternatives on March 14, 2005. The alternative chosen for the Laurel Road extension over the railroad was estimated to be \$20.0 M in 2017 dollars.

The DuPont Specific Plan is in draft form. The connection of Wilbur to connect to the existing Big Break Road does not align with the City's existing General Plan. The need for this connection will be further reviewed upon future approval of the DuPont Specific Plan.

9. *On the cost estimates, many of the right-of-way acquisition costs are shown as 30 percent of construction costs. This appears very high. The City should provide documentation to*

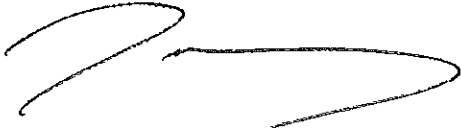
*justify the land costs at this level.*

**RESPONSE TO COMMENT:**

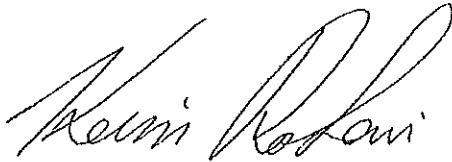
**The right of way acquisition was not taken as a percentage on the project cost, but reviewed with each individual project. An assumption of \$200,000 per acre was used for estimating purposes.**

Please bring any further comments to our attention by April 4<sup>th</sup> as we plan to move approval by City Council on April 25<sup>th</sup>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joshua McMurray', with a large, sweeping flourish at the end.

Joshua McMurray  
Planning Manager

A handwritten signature in black ink, appearing to read 'Kevin Rohani', with a large, sweeping flourish at the end.

Kevin Rohani, PE  
Public Works Director/City Engineer