

5. Implementation

5.1 Introduction

5.1 Introduction

This Section describes the responsibilities and procedures required for implementing the Downtown Addition Specific Plan. Capital improvements, financing, and phasing are addressed in implementing the Downtown Addition Specific Plan as well as the regulations that will govern its implementation are addressed. Included in the discussion are the financing strategies for both off-site and on-site public facilities. A number of public and capital facilities will be required to support the development of the site and to provide high quality amenities. The development will require water and sewer systems, new roadways, dry utilities, drainage, parks and other facilities. This section of the Specific Plan addresses the financing strategies for both on-site and off-site public facilities and provides a breakdown of sources and uses of funds, including both estimated fee revenues and infrastructure improvements costs by type.

Estimated project Development Impact
Fee revenue (approximately \$14.3 Million (2008 Dollars)) includes fees for law enforcement, fire protection, traffic, sewer, storm drainage, community facilities, parks and schools. Estimated on-site infrastructure costs (approximately \$ 19.1 Million (2008 Dollars)) include the necessary water system, sewer system, roadways, dry utilities, drainage, parks, and miscellaneous costs related to the proposed development (see Tables 5-2 and 5-3).

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

Lastly, adoption of the Downtown Addition Specific Plan is a "project" as defined by the California Environmental Quality Act (CEQA). For this reason, the Plan will require environmental review to determine the extent of potential adverse environmental impacts that may occur through its adoption, implementation, and/or revision.

5.2 Specific Plan Regulatory Approach

The implementation procedures set forth in this section and illustrated in Table 5-4 are intended to assure the development of the Downtown Addition in accordance with the planning and design intent of this Specific Plan and other applicable City of King regulations.

A progressive planning tool known as a "Form-Based Regulating Code" activates the Specific Plan. This code differs from conventional zoning codes, which simply address the issues of use and development parameters. A Form-Based Regulating Code aims to produce a particular physical environment for an area by addressing a variety of subjects that deal with making buildings that add up to coherent blocks of desirable development.

The Downtown Addition Specific Plan applies to all lands within the boundaries shown in Figure 3-1 and further described in Appendix I. All development proposals within the Specific Plan Boundaries must be consistent with the Specific Plan and City of King General Plan. The Regulating Code, presented in Section 3 of the Downtown Addition Specific Plan, contains development regulations which upon approval of the Specific Plan by the City Council will become mandatory in authority for all properties within the Specific Plan boundaries.

5.3 Implementation Schedule

The Downtown Addition Specific Plan's phases are conceptual and can be adjusted to meet market demands. Each major phase will be broken down into number of sub-phases to coordinate infrastructure and financing needs with the level of market demand. Major phase boundaries typically follow the edge of the streets and rights-of-way. Generally, the project is anticipated to start on the southwestern edge of the site near the railroad and then fill in to the southeast, and then to the northeast. As part of the first phase any required interim improvements to the Pearl Street at-grade crossing will be constructed along with the roadway improvements to Chestnut Avenue, a portion of Broadway Street (Broadway Square) and Jayne Street to complete the circulation connection from Bitterwater Road to Pearl Street/First Street. The commercial space would be developed in the final development phases, as build-out of the site is needed to generate adequate market demand. The infrastructure improvements will be matched to meet the needs of each phase of development. In addition, a proportional amount of the required park space will be built with each phase. Refer to Figure 5-1, Downtown Addition Phasing Guide, and Table 5-1, Downtown Addition Phasing.

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5.3 Implementation Schedule

The vesting tentative map, master plot plan, phased final maps, improvement plans, and building permits are required to implement the infrastructure improvements. Each of these maps and plans are subject to City of King review and approval. Table 5-4, Entitlement and Decision Making Process outlines the sequence of entitlements required to implement the Specific Plan. The vesting tentative map reflects the proposed phasing plan. Multiple final maps clearly depicting the phases and/or sub-phases will be filed for the project. In conformance with the City of King’s requirements, the developer(s) will need to post a Surety Bond(s) to guarantee the improvements shown on each final map.

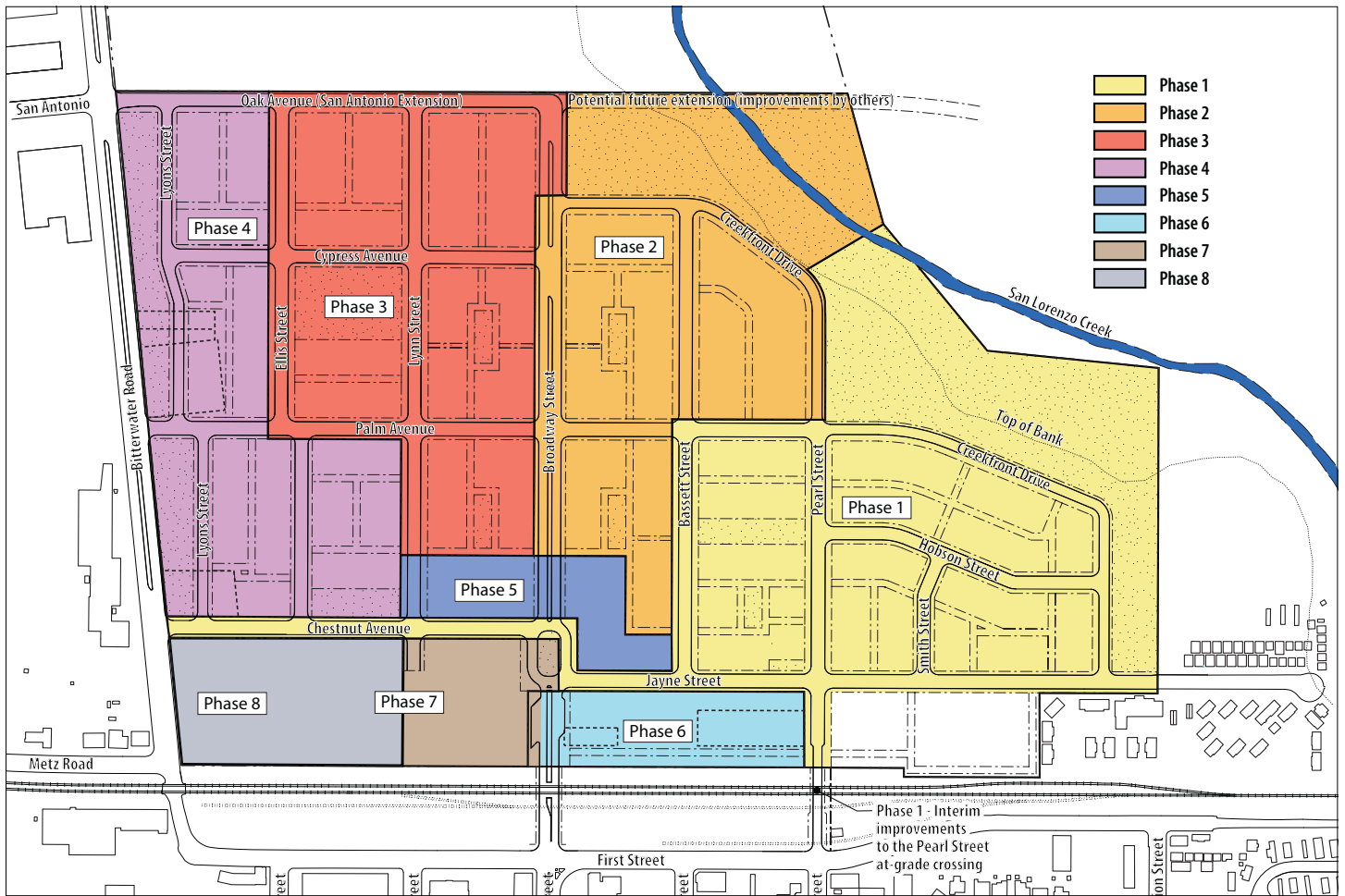
The phasing of the Specific Plan is designed to meet the following objectives:

- Orderly build-out of the community based upon market and economic conditions.

- Providing adequate infrastructure and public facilities concurrent with development of each phase.
- Protection of public health, safety and welfare.

A development agreement may provide for the developer to determine some aspects of phasing. Phasing will occur as appropriate levels of infrastructure, community facilities, and open space dedications are provided. Phasing sequencing is subject to change over time to respond to these various factors and individual phases may overlap or develop concurrently. Phased infrastructure improvements, as required and approved by the City Engineer to support each phase, will be installed by the Master Developer/Builder or Neighborhood Builder(s)/Developer(s). The Specific Plan’s phased construction is subject to outside forces, including regulatory approvals, weather, and the economic climate.

Figure 5-1: Downtown Addition Phasing Guide



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5.4 Infrastructure and Public Facilities

Table 5-1: Downtown Addition Phasing - Maximum Development Scenario

	Phase	Pre-dev.	1	2	3	4	5	6	7	8
RESIDENTIAL UNITS	totals									
Single Family Detached	175		59	33	32	51				
Single Family Attached	250		4	69	88	44				
Multi-Family/Apartment	127				9					118
Live/work units	82		16			8	20	18	20	
Mixed Use (condo over retail)	121						45	50	26	
Total Residential Units	710		79	102	129	103	65	68	46	118
COMMERCIAL SPACE (square feet)	totals									
Grocery Store	37,000								37,000	
Small Retail	40,860						18,780	22,080		
Convenience Retail	55,000						23,000	25,000	7,000	
Live/Work Commercial Space	15,200						15,200			
Total Commercial Space	148,060		11,500	0	0	0	56,980	47,080	44,000	0
INFRASTRUCTURE	totals									
Additional Roads (miles)	3.60		1.09	0.59	0.86	0.70	0.23	0.04	0.09	
Additional Alleys (miles)	2.52		0.79	0.47	0.52	0.45		0.13	0.16	
Developed Parks (acres)	12.01		4.57	2.60	1.41	3.23	0.20			
Water Quality Basin (acres)	0.89		0.89							
Paseos (acres)	0.26		0.14	0.06	0.06					
Mid-Block Areas (acres)	1.45		0.25	0.58	0.59	0.03				
Recreational Open Space (acres)	9.38		5.03	4.35						

5.4 Infrastructure and Public Facilities

This section provides an overview of the parties involved in the implementation, ownership, and long-term maintenance responsibilities for the infrastructure and public facilities required to support the Specific Plan area. It also provides an overview of the estimated cost and sources of funding for such infrastructure and public facilities. It is assumed that some of these improvements and services will be financed through dedicated fees and rates. Table 5-2 provides a summary of the estimated costs of the on-site infrastructure improvements.

Table 5-3, Estimated Project Development Fee Revenue, provides a breakdown of the Development Impact Fee revenue sources for the Specific Plan. As shown in Table 5-3, the City, school district and other public districts will collect an estimated \$12,828,067 for off-site infrastructure and facilities. If the developer constructs any of the required off-site improvements, they will receive reimbursement or a fee credit to cover the cost. Other on-site capital improvements, including roads, will be

Table 5-2: Summary of On-Site Infrastructure Improvements

Item	Total
Water System	\$2,423,000
Sanitary Sewer	\$1,701,500
Paving & Concrete	\$1,046,000
Storm Drain	\$1,820,000
Mobilization, Demolition, & Grading	\$3,247,500
Miscellaneous	\$8,843,500
Total	\$19,081,500

Notes:

1. This is a preliminary opinion of probable cost by the civil engineer. The civil engineer makes no representation concerning the above items shown in connection with the plans and specifications being prepared.
2. Cost figures are conceptual only. Actual costs are dependent on the items shown at bidding time, the general market situation, the contractor's workload, seasonal factors, labor and material cost, etc.
3. Costs are subject to revision due to changes, additions, and deletions resulting from ongoing agency review.
4. Appropriate contingency should be considered.
5. This analysis does not include costs to acquire right-of-way needed for this project.
6. Off-site infrastructure and public facilities not included

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5.4 Infrastructure and Public Facilities

Table 5-3: Estimated Project Development Fee Revenue - Maximum Density

Fee Type	Land Use	Fee	Fee Unit	Units/Square Feet	Total Revenue
Law Enforcement	Single-family	\$847.64	Housing Unit	175	\$148,337
	Multifamily	\$134.88	Housing Unit	535	\$72,161
	Commercial	\$0.373	Square Foot	148,060	\$55,226
	Subtotal				\$275,724
Fire Protection	Single-family	\$693.57	Housing Unit	175	\$121,375
	Multifamily	\$533.80	Housing Unit	535	\$285,583
	Commercial	\$0.16	Square Foot	148,060	\$23,690
	Subtotal				\$430,647
Bridges, Signals & Thoroughfares	Single-family	\$3,829.42	Housing Unit	175	\$670,149
	Multifamily	\$2,556.40	Housing Unit	535	\$1,367,674
	Commercial	\$4.635	Square Foot	148,060	\$686,258
	Subtotal				\$2,724,081
Storm Drainage	Single-family	\$1,321.50	Housing Unit	175	\$231,263
	Multifamily	\$475.00	Housing Unit	535	\$254,125
	Commercial	\$0.452	Square Foot	148,060	\$66,923
	Subtotal				\$552,311
General Governmental Facilities	Single-family	\$582.50	Housing Unit	175	\$101,938
	Multifamily	\$582.50	Housing Unit	535	\$311,638
	Commercial	\$0.204	Square Foot	148,060	\$30,204
	Subtotal				\$443,779
Library Expansion Facilities ³	Single-family	\$ -	Housing Unit	175	\$ -
	Multifamily	\$ -	Housing Unit	535	\$ -
	Commercial	\$ -	Square Foot	148,060	\$ -
	Subtotal				\$ -
Public Meeting Facilities	Single-family	\$946.50	Housing Unit	175	\$165,638
	Multifamily	\$1,027.00	Housing Unit	535	\$549,445
	Commercial	\$0.00	Square Foot	148,060	\$0
	Subtotal				\$715,083
Aquatic Center Facilities	Single-family	\$343.00	Housing Unit	175	\$60,025
	Multifamily	\$371.00	Housing Unit	535	\$198,485
	Commercial	\$0.00	Square Foot	148,060	\$0
	Subtotal				\$258,510
Park and Open Space Acquisition	Single-family	\$3,323.50	Housing Unit	175	\$581,613
	Multifamily	\$3,602.50	Housing Unit	535	\$1,927,338
	Commercial	\$0.00	Square Foot	148,060	\$0
	Subtotal				\$2,508,950
Impact Fee Subtotals by Type	Single-family	\$11,887.63	Housing Unit	175	\$2,080,335
	Multifamily	\$9,283.08	Housing Unit	535	\$4,966,448
	Commercial	\$5.824	Square Foot	148,060	\$862,301.40
Other Impact Fees	see next page				

Notes:

1. Multifamily housing includes Multigeneration House, Triplex/Quadplex, Rowhouse, Villa, Courtyard Housing, Live-Work Building, and Mixed-Use Building.
2. Development Impact Fees effective August 2019.
3. Not applicable for projects after 2010.

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5.5 Financing Plan

Table 5-3: Estimated Project Development Fee Revenue - Maximum Density (continued)

Fee Type	Land Use	Fee	Fee Unit	Units/Square Feet	Total Revenue
Sewer	Single-family	\$2,463.03	Housing Unit	175	\$431,030
	Multifamily	\$1,458.73	Housing Unit	535	\$780,421
	Commercial	\$0.668	Square Foot	148,060	\$98,904
	Subtotal				\$1,310,355
Wastewater Treatment	Single-family	\$4,523.50	Housing Unit	175	\$791,613
	Multifamily	\$2,679.86	Housing Unit	535	\$1,433,725
	Commercial	\$1.23	Square Foot	148,060	\$181,670
	Subtotal				\$2,407,007
School Impact	Single-family	\$3.48	Housing Unit	175	\$609
	Multifamily	\$3.48	Housing Unit	535	\$1,862
	Commercial	\$0.56	Square Foot	148,060	\$82,914
	Subtotal				\$85,384
Regional Traffic Impact Fee	Single-family	\$1,885	Housing Unit	175	\$329,875
	Multifamily	\$731	Housing Unit	535	\$391,085
	Commercial	\$2.67	Square Foot	148,060	\$395,276
	Subtotal				\$1,116,236
Subtotals	Single-family	\$20,762.64	Housing Unit	175	\$3,633,462
	Multifamily	\$14,156.15	Housing Unit	535	\$7,573,540
	Commercial	\$10.95	Square Foot	148,060	\$1,621,065
Total Impact Fees					\$12,828,067

Notes:

1. Multifamily housing includes Multigeneration House, Triplex/Quadplex, Rowhouse, Villa, Courtyard Housing, Live-Work Building, and Mixed-Use Building.
2. Development Impact Fees effective August 2019.
3. Not applicable for projects after 2010.

constructed with funds derived from the proceeds of sale of land and /or housing units. Developer equity and loans will cover start-up costs and cash flow shortages in the early phases of the development. (See also Section 5.5 Financing Plan.)

5.5 Financing Plan

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

The following principles shall guide the development and funding of facilities and public services for the Downtown Addition Specific Plan:

- Use pay-as-you-go financing to the extent possible. Use debt financing only when essential to provide facilities necessary to maintain service standards.

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

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5.6 Methods and Procedures for Implementation

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

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

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

As shown in Table 5-2, the total cost of the on-site infrastructure program will be approximately \$19.1 million. These amounts also do not include the costs of in-tract and other subdivision-specific improvements, which are assumed to be independently financed as part of the vertical development.

A Community Facility District (i.e., Mello-Roos), Landscaping and Lighting District or other types of assessment districts, Geologic Hazard Abatement District (GHAD), Homeowners Association (HOA), or other mechanisms including conventional subdivision financing may be used to fund the development of onsite infrastructure improvements (e.g., streets, sewers, water and storm drains) and the operation and maintenance of the parks, streetlights, and other landscaping improvements.

5.6 Methods and Procedures for Implementation

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

5.7 Specific Plan Approvals, Amendments and Changes

Table 5-4, Entitlement and Decision Making Process outlines the level and order of entitlements required to implement the Specific Plan. There are several levels of review and approval by the City of King for implementation of the Downtown Addition Specific Plan. The first level is the legislative act of adoption of the Specific Plan, General Plan Amendment and Rezoning. The second level is the implementation of the Specific Plan through the adoption of a Tentative Subdivision Map. The third level is the discretionary review and approval of Architectural Plans is through the Design Review process pursuant to procedures set forth in KCMC Chapter 17.50. The Design Review process establishes the preliminary design of buildings proposed for the residential and commercial areas. The fourth level is the discretionary review and approval of a Master Plot Plan for the project. The Master Plot Plan application may be for the entire site or may be on a major phase by major phase basis. Review and approval of the Master Plot Plan shall be through a site plan review pursuant to KCMC Chapter 17.50. The fifth level is the adoption of Final Subdivision Maps by phase or sub-phase. The sixth level is the ministerial Plan Check review and approval of construction documents (plot plans, building plans, landscape plans, and improvement plans). Any public facilities component of the Specific Plan shall be approved through final approval of the City Council.

5.7.1 General Plan Amendment

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

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5.8 Tentative and Final Subdivision Maps

5.7.2 Specific Plan Adoption

The Downtown Addition Specific Plan shall be adopted or revised by ordinance of the City of King City Council as set forth in KCMC Section 17.33.050. Thereafter, the land uses and development standards of this plan will be mandatory for development within the Downtown Addition Specific Plan.

5.7.3 Amendments to the Specific Plan

Any proposed changes to the Specific Plan that would substantially alter the Land Use Plan contained within this document are considered amendments to the Specific Plan and must be processed pursuant to provisions contained in Government Code § 65453 and in the same manner as a zoning text amendment as set forth in KCMC Section 17.66.

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

Administrative modifications allow for minor changes to the Specific Plan, found to be in substantial compliance, and may be approved by the Director. All other proposed changes are considered formal amendments and are required to be reviewed for approval by the Planning Commission and City Council pursuant to KCMC 17.33.050. In all cases, amendments must be found to be consistent with the goals and policies of the Specific Plan, and the City of King General Plan.

5.7.3.1 Administrative Modifications

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

1. Minor expansions or reductions (10 percent) of the geographic area covered by a given Neighborhood Zone.
2. Realignment or modifications to internal streets serving the project, lot lines, easement locations and grading adjustments, if approved by the City Engineer.
3. Minor modification to design criteria such as paving treatments, architectural details and related criteria.
4. Minor modification to landscape treatments, fencing, lighting, trails, and entry treatments, provided the

modifications are in substantial conformance with the purpose and intent of the specified design criteria.

5. Minor modifications to the approved Master Plot Plan, provided the modifications are in substantial conformance with the purpose and intent of the design criteria contained in the Specific Plan and the original approval by the Planning Commission.
6. Minor modifications to the area contained in the major phases of the Phasing Plan.
7. Changes in the order of the major phases, especially if it results in commercial square footage being constructed earlier.
8. Additional environmental review is not required for administrative amendments unless required by State law.

5.7.3.2 Formal Amendments

All Specific Plan modifications, which do not meet the criteria of an Administrative Modification noted in this section, require a Formal Amendment of the Specific Plan. These amendments must be processed pursuant to the KCMC Section 17.33.50. All Formal Amendments must be reviewed for approval by the Planning Commission and City Council.

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

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

5.8 Tentative and Final Subdivision Maps

All subdivision maps of any type must be submitted, reviewed and approved in accordance with the Title 16 of the KCMC and the California Subdivision Map Act. For projects requiring a tentative or parcel map(s), the provisions and procedures of this Specific Plan apply, unless otherwise provided for in the KCMC. A tentative map or parcel map may be processed concurrently with this Specific Plan. Applications for tentative and final subdivision maps, parcel maps, and lot line adjustments must be filed with the Director in accordance with the KCMC.

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5.8 Tentative and Final Subdivision Maps

Table 5-4: Entitlement and Decision Making Process

		Entitlement Process Timeline											
Public Charrette		█											
Specific Plan		█											
	Planning Commission and City Council Workshops	█											
	Planning Commission Review - Public Hearing		█										
	City Council Review and Adoption - Public Hearing			█									
Street and Block Network		█											
	Thoroughfare Type Diagram				x								
	Palette of Thoroughfare Types				x								
	Block Layout				x								
Public Services Infrastructure		█											
	Backbone Utility Design				x								
	Utility Connection Standards				x								
Public Realm - Landscape, Parks and Open Space		█											
	Public Realm - Landscape, Parks and Open Space Master Plan				x								
	Open Space Types				x								
	Landscape Standards				x								
Regulating Plan		█											
	General Design Standards				x								
Land Use Regulations		█											
	General Design Standards				x								
Urban Standards		█											
	General Design Standards				x								
Frontage Type Standards		█											
	General Design Standards				x								
Building Type Standards		█											
	General Design Standards				x								
Architectural Style Standards		█											
	General Design Standards				x								
Tentative Subdivision Map		█											
	Planning Commission Review - Public Hearing					█							
	City Council Review and Adoption - Public Hearing						█						
Street and Block Network		█											
	Preliminary R.O.W. Design							x					
	Preliminary Lotting							x					
Public Services Infrastructure		█											
	Preliminary Utility Design							x					
	Preliminary Utility Connection Details							x					
Public Realm - Landscape, Parks and Open Space		█											
	Master Landscape Plan							x					
	Preliminary Parks & Streetscape Design							x					
Affordable Housing Program		█											
	Program Adoption							x					

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5.8 Tentative and Final Subdivision Maps

Table 5-4: Entitlement and Decision Making Process (continued)

	Entitlement Process Timeline											
Design Review - Architectural Plans												
Staff / Town Architect - Review and Comment to PC (Architectural Committee)												
Planning Commission (Architectural Committee) Design Review - Public Hearing												
City Council Design Review Appeal Hearing - If Required												
Regulating Plan												
Preliminary Design												
Land Use Regulations												
Preliminary Design												
Urban Standards												
Preliminary Design												
Frontage Type Standards												
Preliminary Design												
Building Type Standards												
Preliminary Design												
Architectural Style Standards												
Preliminary Design												
Master Plot Plan - Submittal By Phase and / or Sub-Phase												
Staff / Town Architect Review - Submittal By Phase and/or Sub-Phase												
Planning Commission (Architectural Committee) Design Review - Public Hearing												
City Council Design Review Appeal Hearing - If Required												
Product Mix and Fit												
Preliminary Design												
Final Map(s) - Submittal By Phase and / or Sub-Phase												
Staff Review and Recommendation												
City Council Adoption - May Be By Phase or Sub-Phases												
Street and Block Network												
Final R.O.W. Design												
Final Lotting												
Public Services Infrastructure												
Final Utility Design												
Public Realm - Landscape, Parks and Open Space												
Final Parks & Streetscape Design												
Plan Check - Submittal By Phase and / or Sub-Phase												
Staff / Town Architect Review - Submittal By Phase and / or Sub-Phase												
Plot Plans												
Final Plan												
Landscape Plans												
Construction Documents												
Building Plans												
Construction Documents												
Improvement Plans												
Construction Documents												

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5.8 Tentative and Final Subdivision Maps

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