

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO. 15,329

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD ADOPTING THE DEVELOPMENT IMPACT FEE NEXUS STUDY AND DEVELOPMENT IMPACT FEES FOR THE GROWTH REQUIREMENT CAPITAL FEE, PARK AND RECREATION FEE, TRAFFIC CIRCULATION FEE, STORM DRAINAGE FEE, MOBILITY FEE, PUBLIC ART PROGRAM FEE, AND UTILITY UNDERGROUNDING IN-LIEU FEE.

WHEREAS, the City currently has in place multiple ordinances whereby the City has been collecting the following development impact fees: Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee; and

WHEREAS, the City wishes to impose a new development impact fee, the Mobility Fee; and

WHEREAS, the fees are summarized in Exhibit A attached hereto and incorporated by this reference; and

WHEREAS, the City is authorized pursuant to Government Code 66000, et. seq., to impose impact fees as a condition of development approval, which impact fees are used to mitigate the impact of new development on public infrastructure; and

WHEREAS, the City's consultant Harris & Associates has completed the Development Impact Fee Nexus Study Dated April 2020, in accordance with the Mitigation Fee Act (also known as AB1600), which provides the legal nexus required to update the City's Development Impact Fee Program; and

WHEREAS, in accordance with Government Code Section 66016, at least 14 days prior to the public hearing at which the Council first considered the adoption of the Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee, 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

Notice was published in the Vida Newspaper on April 30, 2020 and May 7, 2020 setting forth the time and manner of compliance with the requirements of law of providing notice of the time and place for the public hearing in the form and manner required by Government Code sections 66018, 6062(a) and 66019. Notice was also provided 14 days prior to the public hearing to those interested parties who have requested in writing, notification from the City of any fee increases.

WHEREAS, in accordance with Government Code Section 66016, the Development Impact Fee Nexus Study with the data supporting the imposition of the Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee, were made available for public review and comment for 10 days prior to the public hearing at which the Council first considered the adoption of the Fee; and

WHEREAS, ten days advance notice of the public hearing at which the Council first considered the adoption of the Fee was given by publication in accordance with Section 6062a of the California Government Code; and

WHEREAS, the Development Impact Fees established in Exhibit B are hereby adopted, and will be phased in over a period of three (3) years; and

WHEREAS, the fees shall be adjusted each year beginning on July 1st of 2021 using the June Engineering News Record Construction Cost Increase for the Los Angeles region. The base index for the first year update shall be the index for January of 2020, 12,144.49.

WHEREAS, the City Council finds that there is a reasonable relationship between the amount of the fee and the cost of the facility or portion of the facility attributable to new development.

NOW, THEREFORE, the City Council of the City of Oxnard resolves as follows:

1. That it does hereby approve the *Development Impact Fee Nexus Study* and Schedule of Fees, prepared by Harris & Associates attached hereto as Exhibit A establishing revised fees for Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Mobility Fee, Public Art Program Fee and Utility Undergrounding In-lieu Fee.
2. The Development Impact Fees established in Exhibit A are hereby adopted, and shall be calculated, adjusted, and collected in accordance with City ordinances and the Studies. The amount of the Development Impact Fees may be adjusted annually for inflation each year beginning on July 1st 2021, using the June Engineering News Record Construction Cost Increase for the Los Angeles region.
3. The Development Impact Fees established in Exhibit B and incorporated by this reference are hereby adopted.
4. The City Manager is hereby authorized to adjust annually the fees on July 1st of each year using the June Engineering News Record Construction Cost Index for the Los Angeles region.
5. The City Council finds that staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the *Development Impact Fee Nexus*

Study prepared by Harris & Associates and dated April 2020, and the updated Growth Requirement Capital Fee, Park and Recreation Fee, Traffic Circulation Fee, Storm Drainage Fee, Public Art Program Fee Mobility Fee, and Utility Undergrounding In-lieu Fee pursuant to the California Environmental Quality Act ("CEQA"). City staff has determined that these actions do not constitute a "project" under CEQA pursuant to State CEQA Guidelines Section 15378(b)(4) because these actions involve the creation of a government funding mechanism which does not involve any commitment to any specific project which *may* result in a potentially significant physical impact on the environment.

6. The City Manager is hereby authorized to take whatever actions are necessary and appropriate to carry out the purpose and intent of this Resolution.
7. The fees included in this Resolution supersede those adopted in any previous Development Impact fee resolutions.

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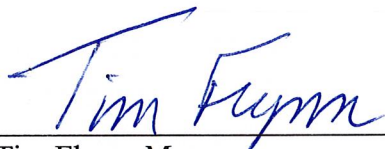
PASSED AND ADOPTED THIS 19th day of May, 2020, by the following vote:

AYES: Councilmembers Basua, Flynn, Lopez, Madrigal, Perello and Ramirez.

NOES: Councilman MacDonald.


ABSENT: None.

ABSTAIN: None.

 5/19/20

Tim Flynn, Mayor

ATTEST:



Michelle Ascencion, City Clerk

APPROVED AS TO FORM:



Stephen M. Fischer, City Attorney

EXHIBIT A



UPDATED DRAFT REPORT

City of Oxnard Development Impact Fee Nexus Study

April 2020

Prepared for:



Prepared by:



22 Executive Park, Suite 2000
Irvine, California 92614
(949) 655-3900

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EXECUTIVE SUMMARY

INTRODUCTION

Incorporated in 1903, the City of Oxnard is located in Ventura County, approximately 60 miles northwest of downtown Los Angeles. At the time of the 2010 U.S. Census, the City population was 197,899. As of January 1, 2019, the Census estimates that Oxnard’s population is 209,879.

As the resident population and non-resident employment in the City increase, there exists a correlating rise in the need for expanded public infrastructure and services to support the increased demand on City infrastructure. California’s Assembly Bill 1600 (AB1600), commonly known as the Mitigation Fee Act, adopted in 1987 and codified as California Government Code Section 66000 et. seq., authorizes the City to impose Development Impact Fees on new development within the City. Development Impact Fees are a one-time charge on new development that is collected and used by the City to cover the cost of capital facilities, vehicles, and equipment that are required to serve new growth.

The purpose of this study is to update the City’s Development Impact Fee (Fee) program to ensure that new development pays their fair share of their impact on the City’s infrastructure and that the Fees are in compliance with the legal requirements set out in the Mitigation Fee Act and relevant case law. The impact fees adopted through this study will replace the fees currently in effect as summarized in each individual section. The fees discussed in this report apply to all future development and redevelopment in the City. Table ES.1 summarizes the current fee resolutions and ordinances.

Table ES.1: Summary of Existing Resolutions and Ordinances

Fee	Resolution/Ordinance
General Growth Fee	Resolution 10,275, 10,996, and 12,975
Park and Recreation Fee	Ordinance 1421
Traffic Circulation Fee	Resolution 10,016, 10,673, 13,328, 13,600, and 13,890
Storm Drainage Fee	Resolution 10,274
Public Art Program Fee	Resolution 14,124
Utility Undergrounding In-Lieu	Ordinance 2207

NEXUS STUDY

Purpose

As development occurs in the City, new backbone infrastructure and capital facilities are required to mitigate the increased demand created by new residents and employees. Impact fee revenues, collected from development and redevelopment projects, fund these impacted backbone

infrastructure and capital facilities. The following fees are currently collected and are being updated as part of this Nexus Study:

- *Growth Requirement Fee (4 Components)*
 - *Public Administration*
 - *Police*
 - *Fire*
 - *Cultural and Recreational Facilities*
- *Parks and Recreation Fee*
- *Public Art Program Fee*
- *Storm Drainage Fee*
- *Traffic Circulation Fee*
- *Utility Undergrounding In-Lieu Fee*

In addition the following new fee is being proposed:

- *Mobility Fee*

This report is designed to provide the necessary technical analysis to support adoption by resolution of the Fee program. Adoption by resolution allows the fees to be updated over time without amending the enabling ordinance.

Results

Tables ES.2, ES.3, and ES.4 show a summary of the proposed Fees.

Table ES.2: Summary of Proposed Impact Fees

Land Use	Growth Requirement Capital Fee	Parks and Recreation Fee	Mobility Fee	Public Art Program Fee	Storm Drainage Fee ¹
<i>Residential</i>	<i>(Fee per Dwelling Unit)</i>			<i>(Fee per SF)</i>	<i>(Fee per Gross Acre)</i>
Single Family	\$ 5,981	\$ 6,993	\$ 3,396	\$ 0.28	\$ 21,263
Multifamily ²	\$ 3,955	\$ 4,624	\$ 2,245	\$ 0.28	\$ 29,237
<i>Non-Residential</i>	<i>(Fee per 1,000 Building Square Feet)</i>			<i>(Fee per SF)</i>	<i>(Fee per Gross Acre)</i>
Retail	\$ 2,018	n/a	\$ 1,146	\$ 0.28	\$ 29,237
Office	\$ 2,409	n/a	\$ 1,367	\$ 0.28	\$ 29,237
Industrial	\$ 853	n/a	\$ 485	\$ 0.28	\$ 29,237
	<i>(Fee per Room)</i>			<i>(Fee per SF)</i>	<i>(Fee per Gross Acre)</i>
Hotel	\$ 603	n/a	\$ 342	\$ 0.28	\$ 29,237

¹ For Storm Drainage fees, 6 units per acre and under are considered single family and above 6 units per acre are considered multi-family.

² Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.

Table ES.3: Summary of Proposed Traffic Circulation Fees

Land Use	Traffic Circulation Fee	
per ADT	\$	1,035
<i>(Fee per unit)</i>		
Single Family	\$	9,769
Mobile Home	\$	5,174
Low-Rise Multifamily ¹	\$	7,574
Mid-Rise Multifamily ¹	\$	5,630
High-Rise Multifamily ¹	\$	4,605
Senior Housing	\$	4,139
<i>(Fee per 1,000 SF)</i>		
Office	\$	10,079
Medical Office	\$	6,054
General (C2)	\$	6,560
New Car Sales	\$	6,157
Church	\$	4,118
Restaurant	\$	19,506
Fast Food with Drive Thru	\$	102,342
<i>(Fee per stall/room/fueling station)</i>		
Self Service Car Wash (per stall)	\$	27,153
Gas Station (per fueling position)	\$	45,924
Hotel/Motel (per Room)	\$	5,040
<i>(Fee per 1,000 SF)</i>		
Light Industrial	\$	5,132
Warehouse	\$	1,800

¹ Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.

Table ES.4: Proposed Utility Undergrounding In-Lieu Fee

Fee per Building SF, All Land Uses	\$	0.54
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Section 1 REQUIREMENTS AND METHODOLOGY

NEXUS REQUIREMENT SUMMARY

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. AB1600 requires public agencies to satisfy the following requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project:

1. Identify the purpose of the fee.
2. Identify the use for the fee.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. 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.
5. 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.

The purpose of this report is to demonstrate that the fee components comply with AB1600. The assumptions, methodologies, facility costs and standards, and cost allocation factors used to establish the nexus between the levied fees and new development are in subsequent sections of this report.

METHODOLOGY

Imposed fees require various findings to ensure that a reasonable relationship exists between the fee amount and the cost of the facility or portion of the facility attributable to the new development. Several methodologies are available to determine fee amounts. Choosing the appropriate methodology depends on the type of facility for which the fee is calculated and the availability of documentation to support the fee calculation. Following is a discussion of the methodologies available to calculate the separate fee components in this report.

Facility Standards Method

The facility standards method determines the facilities and associated costs required to accommodate growth based on adopted City standards. Depending on the fee analysis, the City may or may not currently have sufficient facilities to meet the adopted standard. If the City's existing facilities are below the standards, then a deficiency exists. In this case, the portion of the cost of planned facilities associated with correcting the deficiency must be

satisfied with funding sources other than Development Impact fees. AB1600 fees can only fund planned facilities needed to accommodate new development at the adopted standard.

Master Plan Method

The master plan method is based on a master facilities plan in situations where the needed facilities serve both existing and new development. This approach allocates existing and planned facilities across existing and new development to determine new development's fair share of the facility need. This approach is used when it is not possible to differentiate the benefits of new facilities between existing and new development.

Planned Facilities Method

The planned facilities method calculates the standard based solely on the ratio of planned facilities to the increase in demand associated with new development. This method is appropriate when planned facilities are mostly for the benefit of new development, such as a wastewater trunk line extension to a previously undeveloped area. This method can be used when there is excess capacity in existing facilities that can accommodate new development.

Existing Inventory Method

The existing inventory method uses a facility standard based on the ratio of existing facilities to the existing service population on a cost per unit or cost per square foot basis. Under this approach, new development funds the expansion of facilities at the same standard currently serving existing development. By definition, the existing inventory method ensures that no facility deficiencies are spread to future development. This method is often used when a long-range plan for new facilities is not available.

FEE ADJUSTMENT PROCEDURES

The Fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index for the first year increase shall be 12144.49, the January 2020 Index. In addition, the fees may be adjusted periodically to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per AB1600 but it is recommended that the fees be updated more frequently.

CREDITS AND REIMBURSEMENT POLICIES

The City may provide fee credits or reimbursements to developers who dedicate land or construct facilities. Fee credits or reimbursements shall be the lesser of the estimated cost of the

improvements as shown in this report, subject to inflation adjustments, or the actual cost incurred by the developer. Reimbursements will be made when funds are available based on the priority of capital improvements as determined by the City. Fee credits will be allowed on a case-by-case basis as determined by the City.

SPECIALIZED DEVELOPMENT PROJECTS

The fees in this report may not be applicable to specialized development projects. For specialized development projects, the City will review the development's impacts to determine the applicable fees.

In addition, for redevelopment projects, the developer shall only be responsible for paying fees for the intensification of the development. The City will review the development's increased impacts to determine the applicable fees.

ACCESSORY DWELLING UNITS

An accessory dwelling unit (ADU) is a second unit on the same lot that is attached or detached from a residential unit. In accordance with Assembly Bill 881 (AB881) fees cannot be charged for an ADU that is less than 750 square feet. For an ADU that is 750 square feet or larger, an ADU will pay a percentage of the residential fee based on the square footage of the ADU in proportion to the primary dwelling unit.

GROWTH FORECASTS

Growth projections are used as indicators of demand. The City's existing population as well as 2030 population projections are used throughout the fee sections that follow in this report. The following resources were used for the purpose of updating the Fee program:

- Estimates of total development through 2030 are based on a vacant land survey, detailed discussions with the City, and the downtown environmental impact report update (EIR).
- Population estimates are from *U.S. Census Bureau American Community Survey, 2018 Data*.
- Estimates of existing non-residential development from Census data and GIS files.
- Estimates of the City's non-residential worker populations are from *On the Map U.S. Census Center for Economic Studies, 2015 data*.

LAND USE TYPES

To ensure a reasonable relationship between each fee and the type of development paying the fee, the following land use categories are used in this Study:

- **Single family:** Detached single-family homes.

- **Multifamily:** All attached residential dwellings such as duplexes, condominiums, townhomes, apartments, and dormitories.
- **Commercial:** Retail, educational, and downtown non-residential development.
- **Office:** General, professional, and medical office development.
- **Industrial:** Manufacturing and warehouse development.
- **Hotel:** Development designed to be occupied less than 30 days per stay.

For the traffic circulation fees, additional land uses were included to provide a more detailed estimate of the average daily trips (ADT) of different development. These land uses are discussed in Section 5 of this report.

Some developments may include more than one land use type. In these cases, the fee is calculated separately for each land use type. The City has the discretion to impose the fees based on the specific aspects of a proposed development regardless of zoning. The fee imposed should be based on the land use type that most closely represents the impacts of the development.

In addition, some parcels may redevelop into a more intense use. In these cases, the development will only be charged for intensification of use and a credit will be given for the existing use.

SERVICE POPULATION

The City’s service population accounts for persons who live in the City and a weighted percent of workers employed in the City. Workers are weighted to reflect the lower per capita service demand compared to City residents. Workers spend less time in the City than residents and use fewer City services. The service population is used to determine the cost necessary to continue providing the City facilities at the existing level of service and to ensure that the fees are allocated fairly to each type of new development based on the impact of the development on the facilities.

Table 1 summarizes the City’s service population used to develop the fees. The total service population of 236,623, including a fifty percent (50%) weighted factor for employees, was calculated using information taken from the 2018 US Census Data Population Estimates and the *On the Map from the U.S. Census Bureau Center for Economic Studies, 2015 data.*

Table 1: Service Population Calculation

	Baseline Population	Weighting Factor	Service Population
Residents ¹	209,877	1.0	209,877
Workers ²	53,492	0.5	26,746
			<u>236,623</u>

¹ U.S. Census Bureau 2018. American Community Survey, Table DP05. Retrieved from data.census.us.

² On the Map US Census Bureau Center for Economic Studies, 2015 data.

RESIDENT AND EMPLOYMENT DENSITY

Using persons per household (PPH) data for residential units and employment density data for non-residential buildings establishes a reasonable relationship between the demand created by the development project and the fees charged. Developers pay fees based on the number of additional residential units or building square feet of non-residential development; therefore, the fee schedule must convert service population estimates to these units of measure for each land use. This conversion is done using the average PPH and employment density by land use type.

Table 2 summarizes the occupant density factors for residential and non-residential development. The residential density factors were calculated using information from the City’s 2017 Mid-Cycle 2013–2021 Housing Element Update, while the non-residential employment density factors were calculated using information from the Employment Density Study Report for the Southern California Association of Governments dated October 31, 2001.

Table 2: Persons per Household and Employment Density

<i>Residential</i> ¹		
Single Family	4.31	Residents per dwelling unit
Multi-Family	2.85	Residents per dwelling unit
<i>Non-Residential</i> ²		
Retail	2.91	Employees per 1,000 square feet
Office	3.47	Employees per 1,000 square feet
Industrial	1.23	Employees per 1,000 square feet
Hotel ³	0.87	Employees per Room

¹ City of Oxnard 2017 Mid Cycle 2013-2021 Housing Element update.

² Employment Density Study for Southern California Association of Governments dated October 31, 2001.

³ River Park Specific Plan Land Use Summary.

2030 LAND USE PROJECTIONS

The 2030 land use projections summarized in Table 3 includes residential and non-residential acreages, the estimated number of residential units, and the estimated non-residential square footage. This information, estimated from proposed developments, planned downtown redevelopment, and currently undeveloped land assumptions, presents a projection of the total new development expected to take place in the City by 2030.

Table 3: 2030 Residential and Non-Residential Development Projections

	Acres	Units/Square Feet	
<i>Residential</i>			
Single Family	64.27	397	Dwelling Units
Multi-Family	126.03	3,890	Dwelling Units
<i>Non-Residential</i>			
Retail	16.90	549,900	Building Square Feet
Office	10.74	234,000	Building Square Feet
Industrial	629.71	3,570,000	Building Square Feet
Hotel	7.15	500	Rooms

Source: Vacant land survey with future zoning plans and discussions with Oxnard Planning.

Section 2 GROWTH REQUIREMENT CAPITAL FEE

BACKGROUND

The City's current Growth Requirement Capital Fee is based on Resolution 12,975 adopted in November 2005 which set the Fee at \$1.16 per square foot of residential covered space, \$0.60 per square foot of commercial and industrial covered space, \$0.04 per square foot of industrial uncovered space, and \$1.75 per square foot for mobile home pads. The existing Growth Requirement Capital Fee consists of five components; Cultural and Recreational Facilities, Essential Infrastructure, Government Facilities, Public Safety Facilities, and Related Facilities.

Based on discussions with City staff, the proposed Growth Requirement Capital Fee is broken into four categories; (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities. These categories will allow the City to better administer the Fee program and more closely tie to the City's various departmental needs.

This section presents an analysis of the City's Growth Requirement Capital Fee. The Growth Requirement Capital Fee funds facilities such as police stations and equipment, fire stations and equipment, city hall, community centers, visitor center, and the corporation yard. These fees use the Existing Inventory Method for fee calculation. Under this methodology, the facilities are inventoried and the value of the facilities used to determine the current level of service (LOS) provided by the City on a per capita basis. This LOS calculation is used to determine the fee by land use that is needed in order for new development to fund the facilities needed to maintain the existing LOS.

SERVICE POPULATION

Demand for services and the associated facilities is based on the City's existing service population, which includes residents and non-residential workers. In calculating the service population for growth, workers were weighted less than residents to reflect the lower service demand of workers. Non-resident workers spend less time in the City and use fewer services, so the demand for City services is less than that of a resident.

GROWTH REQUIREMENT CAPITAL FEE SUMMARY

The City's maximum supportable fee calculation for the Growth Requirement Capital Fee examines (1) Government Facilities, (2) Police Facilities, (3) Fire Facilities, and (4) Cultural and Recreational Facilities to determine the facility standard of each. As growth occurs in the City, these facilities should continue to operate at their respective standards. The fees collected from new development will ensure the City is able to continue to provide the existing LOS as the service population grows. The Growth Requirement Capital Fee is summarized in Table 4. An

administrative fee of four percent (4%) is added to the Fee to fund the City’s cost to administer the Fee program.

Table 4: Growth Requirement Capital Fee – Summary of Fees

Land Use	Government Facilities	Police Facilities	Fire Facilities	Cultural & Recreational Facilities	Administrative Fee (4%)¹	Total
<i>Residential (Fee per Dwelling Unit)</i>						
Single Family	\$ 2,033	\$ 926	\$ 1,038	\$ 1,754	\$ 230	\$ 5,981
Multi Family	\$ 1,345	\$ 612	\$ 686	\$ 1,160	\$ 152	\$ 3,955
<i>Non-Residential (Fee per 1,000 Building Square Feet)</i>						
Retail	\$ 686	\$ 312	\$ 350	\$ 592	\$ 78	\$ 2,018
Office	\$ 819	\$ 373	\$ 418	\$ 706	\$ 93	\$ 2,409
Industrial	\$ 290	\$ 132	\$ 148	\$ 250	\$ 33	\$ 853
<i>(Fee per Room)</i>						
Hotel	\$ 205	\$ 93	\$ 105	\$ 177	\$ 23	\$ 603

¹ Administrative charge of 4% for (1) legal, accounting, and other administrative support and (2) Development impact fee program administration costs including revenue collection, revenue and cost accounting, mandated public reporting, and fee justification analysis.

REVENUE PROJECTIONS

Table 5 summarizes the anticipated Growth Requirement Capital Fee revenue. The revenue will be available to expand the City’s existing Government Facilities, Police Facilities, Fire Facilities, and Cultural and Recreational Facilities to meet the need of new residents and workers in the City. The City will program the revenues through their Capital Improvement Program (CIP) process.

Table 5: Growth Requirement Capital Fee – Revenue Summary

Government Facilities	\$ 7,745,828.40
Police Facilities	\$ 3,524,892.80
Fire Facilities	\$ 3,951,763.00
Cultural & Recreational Facilities	\$ 6,680,482.80
Administrative Fee (4%)	\$ 876,554.20
Total	\$ 22,779,521.20

GOVERNMENT FACILITIES COMPONENT

The Government Facilities Fee includes buildings and vehicles related to the Oxnard Civic Center, City administrative offices, City corporation yard, downtown parking garage, visitor center, and

the transportation center. As new development occurs these facilities should continue to operate at the standard the City currently provides.

Government Facilities and Cost

The City-owned government facilities are summarized in Table 6. The value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing government facilities.

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Table 6: Government Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
<u>Existing Facilities</u>						
Civic Center Vehicles & Equipment	305 W. 3rd St.	-	-	\$ 26,257,423	\$ 4,462,115	\$ 30,719,538
Civic Center City Hall ¹	305 W. 3rd St.	\$ 7,111,700	\$ 1,210,558	-	-	\$ 8,322,258
Civic Center East Wing ¹	305 W. 3rd St.	\$ 2,485,895	\$ 522,376	-	-	\$ 3,008,271
Administrative Annex ¹	300 W. 3rd St.	\$ 8,521,615	\$ 1,844,551	-	-	\$ 10,366,166
Visitors Center	715 S. "A" ST.	\$ 93,149	\$ 7,499	-	-	\$ 100,648
Administrative Offices - Service Center	214 S. "C" St.	\$ 14,119,355	\$ 1,393,196	-	-	\$ 15,512,551
Building and Safety Offices	241 W. 2nd St.	\$ 906,306	\$ 312,931	-	-	\$ 1,219,237
Wilson Offices	350 N. "C" St.	\$ 204,669	\$ 21,128	-	-	\$ 225,797
Downtown Parking Garage	324 S. "B" St.	\$ 22,253,992	\$ -	-	-	\$ 22,253,992
Transportation Center	200 E. 4th St.	\$ 9,314,831	\$ 374,880	-	-	\$ 9,689,711
City Yard Building 1	1060 Pacific	\$ 1,645,713	\$ 1,341,582	-	-	\$ 2,987,295
City Yard Building 2	1060 Pacific	\$ 1,215,548	\$ 370,701	-	-	\$ 1,586,249
City Yard Building 3	1060 Pacific	\$ 725,640	\$ 125,039	-	-	\$ 850,679
City Yard Warehouse	1060 Pacific	\$ 388,633	\$ 22,533	-	-	\$ 411,166
City Yard Warehouse 2	1060 Pacific	\$ 273,760	\$ 4,107,189	-	-	\$ 4,380,949
Total Existing Facilities		\$ 69,260,806	\$ 11,654,163	\$ 26,257,423	\$ 4,462,115	\$ 111,634,507
					Service Population	236,623
					Cost per Capita	\$ 471.78

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Vehicles and equipment based on Fleet Equipment Fact Sheet dated 02/4/2020

¹ The value of the Civic Center is \$24,730,110. The City currently has debt associated with the building, of which 34% is allocated to future development and is paid through the fee program. The value was reduced by 34% of the debt.

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Government Facilities Fee Schedule

Table 7 summarizes the government facilities fee schedule based on the existing cost standard established in Table 6. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 7: Government Facilities – Fee Schedule

Land Use	A Cost per Capita¹	B Density	C = A x B Fee (rounded)
<i>Residential (Fee per Dwelling Unit)</i>			
Single Family	\$ 471.78	4.31	\$ 2,033
Multi-Family	\$ 471.78	2.85	\$ 1,345
<i>Non-Residential (Fee per 1,000 Square Feet)</i>			
Retail	\$ 235.89	2.91	\$ 686
Office	\$ 235.89	3.47	\$ 819
Industrial	\$ 235.89	1.23	\$ 290
<i>(Fee per Room)</i>			
Hotel	\$ 235.89	0.87	\$ 205

¹ Cost per worker is weighted at 0.5 that of a resident based on industry standards.

POLICE COMPONENT

Police facilities include the police station, department annex, and associated equipment. As new development occurs additional facilities will be required to continue to operate at the standard the City currently provides.

Police Facilities and Costs

The City-owned police facilities are summarized in Table 8. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing police facilities.

Table 8: Police Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Mobile Equipment	Total Value
<i>Existing Facilities</i>						
Police Station	251 S. C St.	\$ 23,711,535	\$ 2,711,839	\$ 5,368,415	\$ 3,416,114	\$ 35,207,903
Safety & Communications Equipment	305 W. 3rd St.	-	\$ 638,123	-	-	\$ 638,123
Police Dispatch Equipment	2900 Saviers Rd.	-	\$ 27,863	-	-	\$ 27,863
Recreation Building & Storefront	300 W. Clara St.	\$ 602,420	\$ 20,823	-	-	\$ 623,243
Police Annex	3001 Sturgis Rd.	\$ 14,021,291	\$ 299,196	-	-	\$ 14,320,487
Total Existing Facilities		\$ 38,335,246	\$ 3,697,844	\$ 5,368,415	\$ 3,416,114	\$ 50,817,619
					Service Population	236,623
					Cost per Capita	\$ 214.76

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Police Fee Schedule

Table 9 summarizes the police fee schedule based on the existing cost standard established in Table 8. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 9: Police Facilities – Fee Schedule

Land Use	A Cost per Capita ¹	B Density	C = A x B Fee (rounded)
<i>Residential (Fee per Dwelling Unit)</i>			
Single Family	\$ 214.76	4.31	\$ 926
Multi-Family	\$ 214.76	2.85	\$ 612
<i>Non-Residential (Fee per 1,000 Square Feet)</i>			
Retail	\$ 107.38	2.91	\$ 312
Office	\$ 107.38	3.47	\$ 373
Industrial	\$ 107.38	1.23	\$ 132
<i>(Fee per Room)</i>			
Hotel	\$ 107.38	0.87	\$ 93

¹ Cost per worker is weighted at 0.5 that of a resident based on industry standards.

FIRE COMPONENT

Fire facilities include fire stations, administration buildings, and the associated equipment. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Fire Facilities and Costs

The City-owned fire facilities are summarized in Table 10. The total value of the facilities is divided by the City's existing service population to determine the cost per capita of the existing fire facilities.

Table 10: Fire Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Vehicles	Total Value
<i>Existing Facilities</i>					
Administration Building	360 W. 2nd St.	\$ 10,983,462	\$ 390,094	\$ 10,900,552	\$ 22,274,108
Fire Station 1	491 S. "K" St.	\$ 2,616,171	\$ 178,983	-	\$ 2,795,154
Training Center	491 S. "K" St.	\$ 207,071	\$ 41,643	-	\$ 248,714
Fire Station 2	531 E. Pleasant Valley Rd.	\$ 1,259,482	\$ 67,887	-	\$ 1,327,369
Fire Station 3	150 Hill St.	\$ 1,099,141	\$ 75,577	-	\$ 1,174,718
Fire Station 4	230 W. Vineyard	\$ 1,778,547	\$ 56,584	-	\$ 1,835,131
Fire Station 5	1950 Colonia	\$ 894,050	\$ 81,714	-	\$ 975,764
Fire Station 6	2601 Pensula Rd.	\$ 896,562	\$ 75,057	-	\$ 971,619
Fire Station 7	3300 Turnout Park Circle	\$ 9,165,885	-	-	\$ 9,165,885
Fire Station 8	3000 S. Rose Ave.	\$ 15,916,902	\$ 310,759	-	\$ 16,227,661
Total Existing Facilities		\$ 44,817,273	\$ 1,278,298	\$ 10,900,552	\$ 56,996,123
Service Population					236,623
Cost per Capita					\$ 240.87

Sources: Building value, building contents and mobile equipment based on City of Oxnard, Statement of Value - April 26, 2018. Equipment based on Fleet Equipment Fact Sheet dated 02/4/2020.

Fire Fee Schedule

Table 11 summarizes the fire fee schedule based on the existing cost standard established in Table 10. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 11: Fire Facilities – Fee Schedule

Land Use	A Cost per Capita¹	B Density	C = A x B Fee (rounded)
<i>Residential (Fee per Dwelling Unit)</i>			
Single Family	\$ 240.87	4.31	\$ 1,038
Multi-Family	\$ 240.87	2.85	\$ 686
<i>Non-Residential (Fee per 1,000 Square Feet)</i>			
Retail	\$ 120.44	2.91	\$ 350
Office	\$ 120.44	3.47	\$ 418
Industrial	\$ 120.44	1.23	\$ 148
<i>(Fee per Room)</i>			
Hotel	\$ 120.44	0.87	\$ 105

¹ Cost per worker is weighted at 0.5 that of a resident based on industry standards.

CULTURAL AND RECREATIONAL COMPONENT

Cultural and recreational facilities include art centers, youth and senior centers, tennis centers, theatre, libraries, clubhouses, and community centers. As new development occurs additional facilities and equipment will be required to continue to operate at the standard the City current provides.

Cultural and Recreational Facilities and Costs

The City-owned cultural and recreational facilities are summarized in Table 12. The total value of the facilities is divided by the City’s existing service population to determine the cost per capita of the existing cultural and recreational facilities.

Table 12: Cultural and Recreational Facilities – Total Existing Inventory Value

	Location	Building Value	Building Contents	Total Value
<i>Existing Facilities</i>				
Youth Center	800 W. Hill St.	\$ 844,672	\$ 17,466	\$ 862,138
Senior Center	350 N. "C" St.	\$ 1,226,451	\$ 97,432	\$ 1,323,883
Art Center	350 N. "C" St.	\$ 274,097	\$ 9,704	\$ 283,801
Recreation Club House	350 N. "C" St.	\$ 245,988	\$ 58,300	\$ 304,288
Community Center	800 Hobson	\$ 2,552,362	\$ 292,716	\$ 2,845,078
Boxing Club	520 E. 1st St.	\$ 283,428	\$ 16,249	\$ 299,677
Community Building	801 Hobson Way	\$ 794,517	\$ 60,073	\$ 854,590
Tennis Pro Shop	801 Hobson Way	\$ 206,615	\$ 7,001	\$ 213,616
Tennis Center	801 Hobson Way	\$ 152,783	\$ 5,599	\$ 158,382
Theater & Auditorium	800 Hobson Way	\$ 11,638,594	\$ 680,280	\$ 12,318,874
Library	424 S. "C" St.	\$ 1,527,836	\$ 65,931	\$ 1,593,767
Library	251 S. "A" St.	\$ 21,819,005	\$ 24,981,800	\$ 46,800,805
Library & Child Care Center	200 E. Bard Rd.	\$ 5,197,191	\$ 1,073,778	\$ 6,270,969
Library	1500 Camino Del Sol	-	\$ 633,879	\$ 633,879
Library	4300 S. Saviers Rd.	\$ 14,332,050	\$ 7,236,005	\$ 21,568,055
Total Existing Facilities		\$ 61,095,589	\$ 35,236,213	\$ 96,331,802
		Service Population		236,623
		Cost per Capita		\$ 407.00

Source: City of Oxnard, Statement of Value - April 26, 2018.

Cultural and Recreational Fee Schedule

Table 13 summarizes the cultural and recreational fee schedule based on the existing cost standard established in Table 12. The cost per capita is converted to a fee per residential unit based on the persons per household assumptions. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or per hotel room.

Table 13: Cultural and Recreational Facilities –Fee Schedule

Land Use	A Cost per Capita¹	B Density	C = A x B Fee (rounded)
<u>Residential</u> <i>(Fee per Dwelling Unit)</i>			
Single Family	\$ 407.00	4.31	\$ 1,754
Multi-Family	\$ 407.00	2.85	\$ 1,160
<u>Non-Residential</u> <i>(Fee per 1,000 Square Feet)</i>			
Retail	\$ 203.50	2.91	\$ 592
Office	\$ 203.50	3.47	\$ 706
Industrial	\$ 203.50	1.23	\$ 250
<u>Hotel</u> <i>(Fee per Room)</i>			
Hotel	\$ 203.50	0.87	\$ 177

¹ Cost per worker is weighted at 0.5 that of a resident based on industry standards.

NEXUS FINDINGS – GROWTH REQUIREMENT CAPITAL FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Growth Requirement Capital Fee is to fund government, police, fire, and cultural and recreational facilities required to mitigate the impacts of new development on the City’s infrastructure.

Requirement 2: Identify the use of the fee.

The Growth Requirement Capital Fee will be used to expand the City’s new government, police, fire, and cultural and recreational facilities as needed to maintain the existing standard the City provides. As new development occurs, the City will be required to expand facilities to serve new development. The projects that will be funded with the fee will be identified in future years through the City’s CIP program in order to maintain the City’s standard of service.

Requirement 3: Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and workers. An increase in residents and workers will increase the demand for facilities. Residential and non-residential development are responsible for paying their fair share to maintain the City’s existing standard based on the persons per household and employee

density assumptions assigned to each individual land use as shown in Tables 7, 9, 11, and 13.

Requirement 4: 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.

An increase in residential and non-residential development generates additional residents and workers that increase the need for police, fire, government, and cultural and recreational facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the current service population to determine the existing cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or per hotel room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: 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.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing government, police, fire, and cultural and recreational facilities and identified the value of each. This value was divided by the City's existing service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 13. Basing the fee on the additional residents or workers generated by each land use ensures that the development pays only their fair share of future facilities.

Section 3 **PARK AND RECREATION FEE**

BACKGROUND

This section presents an analysis of the City’s Park and Recreation Fee. The Park and Recreation Fee covers the cost to mitigate the effects of new development on the City’s parks.

The City’s current park fee was first established in 1972 by Ordinance 1421. The City’s Municipal Code, section 13-71 outlines the City’s current fee which is \$150 for one or less bedrooms, \$200 for two bedrooms and \$250 for three or more bedrooms. This fee is not adequate to construct the parks needed to meet the City’s 2030 General Plan Standard. The proposed fee will replace the City’s current park fee and is based on the methodology described in this report.

These fees use the facility standards method for fee calculation. Under this methodology, the City’s 2030 General Plan Park standard of 3.0 acres per 1,000 residents is used to determine the fee.

SERVICE POPULATION

The City’s 2030 General Plan sets the park standard for the City at 1.5 acres per 1,000 residents for neighborhood parks and 1.5 acres per 1,000 residents for community parks for a total of three (3) acres per 1,000 residents.

Based on the 2010 Parks Master Plan, the City’s park inventory was 991.47 acres including the City’s Golf Course. Based on the Master Plan, the City provided 5.8 acres of park per 1,000 people in 2010, exceeding the 3 acres per 1,000 resident standard set in the General Plan. The City is currently in the process of updating their Park Master Plan.

COST STANDARD

Table 14 identifies the construction cost per park acre and the cost per resident served. Charging a fee based on the City’s standard of three acres per 1,000 residents as established in the City’s 2030 General Plan, ensures that the City will have sufficient revenues to maintain this standard as new development occurs and population increases. The fee covers park development costs only.

Table 14: Park and Recreation – Cost per Resident

Construction Cost per Acre ¹	A	\$	520,000
Park Acres Required per 1000 Residents ²	B		3.000
Cost per Resident	(A X B) / 1000 = C	\$	1,560

¹ Oxnard College Park estimate dated 6/24/2009, adjusted by the ENR CCI (+30.5%), rounded.

² 2030 General Plan Standard (Park Requirement is 3 Acres per 1,000 population; 1.5 acres of community park and 1.5 acres of neighborhood park).

Park land dedication or an in-lieu fee will be required through Quimby as set forth in Chapter 15, Article IV of the City’s Government Code.

FEE SCHEDULE

Table 15 summarizes the Park and Recreation Fee schedule based on the City’s General Plan standard of three (3) acres per 1,000 residents. The cost per resident is converted to a fee per new residential unit based on the estimated persons per household. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the Fee program administration. The park and recreation fees are not applied to non-residential development because of the minimal demand of employees on City parks.

Table 15: Park and Recreation– Fee Schedule

Land Use	A Cost per Resident	B Density (PPH)¹	A x B = C Construction Fee²	C x 4% = D Administrative Fee (4%)²	C + D Total Fee
Single Family	\$ 1,560	4.31	\$ 6,724	\$ 269	\$ 6,993
Multifamily	\$ 1,560	2.85	\$ 4,446	\$ 178	\$ 4,624

¹ Per Table 2.

² Rounded.

REVENUE PROJECTIONS

Table 16 summarizes the anticipated Park and Recreation Fee revenue. The 2010 Parks Master Plan identified a need for approximately \$58 million in park development improvements plus another \$80 million in park improvements to existing parks. The City is currently in the process of updating their Parks Master Plan and the specific improvements that these funds will be used for will be identified as part of that process. Generally, the funds need to be expended to build improvements that expand the City’s existing park system to ensure the City maintains their standard of three (3) acres per 1,000 residents.

Table 16: Park and Recreation– Revenue Projections

Land Use	Units	Fee	Anticipated Revenue
Single Family	397	\$ 6,993	\$ 2,776,221
Multifamily	3,890	\$ 4,624	\$ 17,987,360
Total			\$ 20,763,581

NEXUS FINDINGS – PARK AND RECREATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the park and recreation fee is to fund new park development that is needed to maintain the City's General Plan level of service of 1.5 acres of neighborhood park and 1.5 acres of community park per 1,000 residents served.

Requirement 2: Identify the use of the fee.

The park and recreation fee will be used to construct new parks and/or to add additional amenities at the City's existing parks that increase the capacity of the park. Future park opportunities will be identified through the City's Parks Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential development will generate additional residents which will increase the demand for park facilities. In order to maintain the City standard of three (3) acres of park per 1,000 residents, new residential developments will be required to pay the Park and Recreation Fee to fund additional parks. Non-residential uses do not pay the fee since they do not generate additional residents and workers have minimal impact on the City's park system.

Requirement 4: 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.

New residential development will contribute to an increase in residents that raises the need for park facilities to maintain the City's General Plan park standard of three (3) acres per 1,000 residents. Non-residential uses do not pay the fee since workers have minimal impact on the City's park system.

Requirement 5: 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.

As new residential units are constructed, new park facilities are necessary to maintain the City's 2030 General Plan standard of three (3) acres per 1,000 residents. The fees are calculated by taking the cost per acre of park land times three acres of parks per 1,000 residents and then dividing that by 1,000 to determine the cost per person. The cost per

person is then spread to each residential land use based on the persons per household each unit is expected to generate as shown in Table 15. Since the need for park land is based on the number of new residents, calculating the fee based on the number of persons each unit is expected to generate ensures that each new residential unit is paying only its fair share of the required facilities.

Section 4 TRAFFIC CIRCULATION FEE

BACKGROUND

This section presents an analysis of the City's traffic circulation fee. The fees for traffic circulation cover the costs to lessen the effects of additional vehicle trips caused by new development and maintain the City's level of service standard. Funding new transportation facilities, improvements, and infrastructure will ensure that the service level is maintained as development and population growth produce an increase in roadway use and changes in traffic patterns. This fee is calculated using the planned facilities method.

The City's current traffic circulation fee is based on a number of resolutions, the most recent three are described below:

- Resolution 13,328 was adopted on June 26, 2007 set the fee at \$730 per average daily trip (ADT) and was based on the City's 1992 Traffic Study.
- Resolution 13,600 was adopted on February 3, 2009 and modified the categories of development projects and made adjustments to the peak hour and pass-by trips. The cost per ADT was not updated.
- Resolution 13,890 was adopted on July 13, 2010 and adjusted the fee for restaurants while retaining the cost per ADT.

The City is planning an update to the traffic model that will update the assumptions in this section.

SERVICE POPULATION

The City's traffic circulation fee provides funding for new transportation facilities and infrastructure to accommodate and mitigate new development's impact on the City infrastructure. The residential and non-residential land uses will be assessed a fee based on the ADTs generated by each land use.

Table 17 estimates the trips generated by future development based on the land use projections in Table 3. The 10th Edition of the Institute of Transportation Engineers' (ITE) trip generation rate manual is used to estimate the total ADTs generated by the remaining 2030 development. When the fees were updated in 2009 by Resolution 13,600, reductions in the ADT rates were adopted to account for non-peak trips as well as pass-by trips. The following trip reductions are being applied consistent with Resolution 13,600.

Off-peak travel adjustments:

- 0.42 for Commercial and Medical Office
- 0.583 for Hotels and Motels
- 0.572 for Churches
- 0.534 for New Car Sales

A pass-by trip adjustment is further applied as follows:

- 40% for Commercial and Medical Office
- 50% for Fast Food with Drive-thru
- 56% for Gas Stations

Table 17: Traffic Circulation – Total Remaining Trips Generated

Land Use	New Units/ Square Footage	ADT Generated ¹	New City Trips
<i>Residential Units</i>			<i>Per Unit</i>
Single Family Residential	397	9.44	3,747.68
Multifamily Residential	3,890	5.74	22,328.60
			<u>26,076.28</u>
<i>Non-Residential</i>			<i>Per 1,000 building sf</i>
Retail ²	549,900	32.51	17,877.25
Office	234,000	9.74	2,279.16
Industrial	3,570,000	4.96	17,707.20
			<u>37,863.61</u>
		<i>Per Room</i>	
Hotel	500	4.87	2,435.00
			<u>2,435.00</u>
Total Trips			66,374.89

¹ 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%. Multifamily ADT is an average of low-rise, mid-rise, and high-rise land uses.

² Average ADT for commercial land uses.

FACILITIES AND COSTS

Calculating the traffic circulation fee based on the planned facilities ensures that the City will have sufficient revenues to build and expand the City’s roadway facilities in order to maintain acceptable levels of services as new development occurs.

Table 18 identifies the list of eligible traffic projects and associated costs per the City's Public Works Department. The City estimated the grant funding and the percent of each project that can be allocated to the fee program. The cost per trip is calculated by deducting the fund balance from the eligible project cost and dividing by the total trips from Table 17.

Table 18: Traffic Circulation – List of Eligible Projects

Project	Total Project Cost	Existing Development Share	Grant Funding	Allocation to New Development	Cost Allocated to New Development	Eligible Project Cost
Adaptive Traffic Signals	\$ 1,527,000	\$ -	\$ -	100%	\$ 1,527,000	\$ 1,527,000
Fifth Street & Pacific Avenue Traffic Signal	\$ 700,000	\$ -	\$ -	100%	\$ 700,000	\$ 700,000
Harbor Boulevard Edison Canal Bridge Widening	\$ 2,300,000	\$ 2,300,000	\$ -	0%	\$ -	\$ -
ITS Master Plan Update	\$ 250,000	\$ -	\$ -	100%	\$ 250,000	\$ 250,000
Oxnard Boulevard & Saviers Road Signal Improvements	\$ 1,146,600	\$ 1,146,600	\$ 869,780	0%	\$ -	\$ -
Traffic Circulation Improvements Fee Study	\$ 500,000	\$ -	\$ -	100%	\$ 500,000	\$ 500,000
Traffic Intersection Capacity Improvements	\$ 61,900,000	\$ -	\$ -	100%	\$ 61,900,000	\$ 61,900,000
Traffic Model Update	\$ 200,000	\$ -	\$ -	100%	\$ 200,000	\$ 200,000
Traffic Signal Modernization (ITS)	\$ 6,800,000	\$ -	\$ -	100%	\$ 6,800,000	\$ 6,800,000
Traffic Signal Modifications	\$ 1,878,600	\$ -	\$ 1,445,100	100%	\$ 433,500	\$ 433,500
Traffic Signal Timing	\$ 850,000	\$ -	\$ -	100%	\$ 850,000	\$ 850,000
Total Project Cost	\$ 78,052,200	\$ 3,446,600	\$ 2,314,880		\$ 73,160,500	\$ 73,160,500
Less: Existing Fund 354 Balance ¹						\$ (7,121,156.00)
Total Remaining Cost						\$ 66,039,344.00
					New ADT's Generated	66,374.89
					Cost per Trip	\$ 995.00

Source: The City of Oxnard Capital Improvement Plan, Oxnard Public Works Department.

¹ FY 2018/2019 Fund Balance.

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FEE SCHEDULE

Table 19 summarizes the traffic circulation fees based on the cost per trip calculated in Table 18. The fee categories are consistent with the City’s current fees. The total fee includes a four percent (4%) administrative charge to fund Fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to the fee program administration. A fee per ADT is included for projects that do not fall within one of the fee categories or for which a specialized calculation is necessary.

Table 19: Traffic –Fee Schedule

Land Use	Discounted ADT¹	Fee Per Unit (rounded)	Administrative Fee (rounded)	Total Fee (rounded)
Fee per ADT		\$ 995	\$ 40	\$ 1,035
<i>(Fee per unit)</i>				
Single Family	9.44	\$ 9,393	\$ 376	\$ 9,769
Mobile Home	5.00	\$ 4,975	\$ 199	\$ 5,174
Low-Rise Multifamily ²	7.32	\$ 7,283	\$ 291	\$ 7,574
Mid-Rise Multifamily ²	5.44	\$ 5,413	\$ 217	\$ 5,630
High-Rise Multifamily ²	4.45	\$ 4,428	\$ 177	\$ 4,605
Senior Housing	4.00	\$ 3,980	\$ 159	\$ 4,139
<i>(Fee per 1,000 SF)</i>				
Office	9.74	\$ 9,691	\$ 388	\$ 10,079
Medical Office	5.85	\$ 5,821	\$ 233	\$ 6,054
General (C2)	6.34	\$ 6,308	\$ 252	\$ 6,560
New Car Sales	5.95	\$ 5,920	\$ 237	\$ 6,157
Church	3.98	\$ 3,960	\$ 158	\$ 4,118
Restaurant	18.85	\$ 18,756	\$ 750	\$ 19,506
Fast Food with Drive Thru	98.90	\$ 98,406	\$ 3,936	\$ 102,342
<i>(Fee per stall/room/fueling station)</i>				
Self Service Car Wash (per stall)	26.24	\$ 26,109	\$ 1,044	\$ 27,153
Gas Station (per fueling position)	44.38	\$ 44,158	\$ 1,766	\$ 45,924
Hotel/Motel (per room)	4.87	\$ 4,846	\$ 194	\$ 5,040
<i>(Fee per 1,000 sf)</i>				
Light Industrial	4.96	\$ 4,935	\$ 197	\$ 5,132
Warehouse	1.74	\$ 1,731	\$ 69	\$ 1,800

1 10th Edition ADT discounted with adopted discounts for pass by and non-peak rates per 2009 fee resolution as further described. Peak travel adjustments are as follows: 0.42 for commercial and medical office, 0.538 for hotels/motels, 0.572 for churches, and 0.534 for new car sales. In addition, a pass-by trip adjustment is applied as follows: commercial and medical office 40%, fast food with drive-thrus 50% and gas station 56%.

2 Low-Rise is defined as containing one or two floors, mid-rise is defined as containing three to ten floors, and high rise is defined as containing more than ten floors.

NEXUS FINDINGS – TRAFFIC CIRCULATION FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the traffic circulation fee is to fund the transportation facilities that are necessary to mitigate traffic impacts created by new residential and non-residential development in the City.

Requirement 2: Identify the use of the fee.

The traffic circulation fee will be used to fund transportation facilities and infrastructure necessary to maintain the level of service standards on the City's roadway network. As new development occurs, the City will be required to fund roadway projects. The traffic circulation fee will provide funding for these additional facilities and infrastructure as identified in Table 18.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional vehicle trips as identified in the ITE trip generation manual and summarized in Table 19. These vehicle trips will create demand for additional transportation infrastructure. Residential and non-residential development is responsible for paying their fair share of the City's needed infrastructure based on the new trips generated by each type of development.

Requirement 4: 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.

New residential and non-residential development will contribute to an increase in vehicle trips that create the need for expanded transportation infrastructure improvements. The Traffic Circulation Fee will be used to build and improve traffic facilities as identified in Table 18. Each development will pay its fair share of the fees based on the trip generation rates summarized in Table 19. Charging a Traffic Circulation Fee based on the number of new trips generated by each new development ensures that the project pays only to mitigate their fair share of the improvements.

Requirement 5: 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.

New traffic facilities are necessary to maintain the City's level of service standards and are required to serve residential and non-residential development in the City. The City's list of eligible traffic mitigation projects is shown in Table 18. This cost is divided by the trips expected to be generated by future development in the City. This cost per trip is then multiplied by the discounted ADT to calculate the fee for each land use. The ADT was discounted consistent with Resolution 13,600 to capture a reduction in ADT related to pass-by and off-peak trips. This fee calculation ensures that each development pays only their fair share to mitigate their traffic impacts within the City.

Section 5 STORM DRAINAGE FEE

BACKGROUND

This section presents an analysis of the City’s storm drainage fee. The City’s existing storm drainage fee was adopted by Resolution 10,274 on September 27, 1991. The storm drainage fee provides funding for the infrastructure required to mitigate the impacts of new development. As each new development occurs, additional impervious area is created which creates the need for the expansion of storm drainage facilities. This fee is calculated using the planned facilities method.

FACILITIES AND COSTS

The City’s existing storm drainage fee is based on Resolution 10,274 and the City’s Storm Drainage Master Plan. The fee was calculated based on the facilities that were identified as required to mitigate new development’s impact on the storm drainage system on a cost per acre basis.

At this time, the City has not adopted an updated Storm Drainage Master Plan. Based on discussions with City staff, it is estimated that the cost to provide storm drainage improvements has escalated in proportion to the Engineering News Record Construction Cost Index (ENR CCI) for Los Angeles. Based on this input and discussions with staff, the storm drainage fee will be escalated by the ENR CCI at this time to ensure that adequate funding is received until the City can update their Storm Drainage Master Plan. The City will use the money generated from the impact fee program to make improvements to the storm drainage system per the City’s Master Plan and CIP program that are necessary to mitigate the impact of new Development.

The fees are based on an average peak flow discharge of 0.8 cubic feet per second (CFS) per acre of land for low density residential development and 1.1 CFS per acre of land for medium and high density residential, commercial, and industrial development.

FEE SCHEDULE

Table 20 summarizes the storm drainage fees per gross acres, which includes the area of on-site streets and alleys, plus the area up to the centerline of bordering streets and alleys. The fee is calculated by multiplying the ENR CCI by the currently adopted fees.

Table 20: Storm Drainage –Fee Schedule

Land Use	Current Fee		Proposed Fee¹	
<i>Residential</i>	<i>(fee per gross acre²)</i>			
Low Density Residential	\$	10,645	\$	21,263
Medium and High Density Residential ³	\$	14,637	\$	29,237
Commercial	\$	14,637	\$	29,237
Office	\$	14,637	\$	29,237
Industrial	\$	14,637	\$	29,237
Hotel	\$	14,637	\$	29,237

¹ Based on the ENR CCI for LA from September 1991 to January 2020.

² Includes area of on-site streets and alleys plus the area up to the center line of bordering streets and alleys.

³ Projects over 6 dwelling units per acre.

NEXUS FINDINGS – STORM DRAINAGE FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the storm drainage fee is to fund the storm drainage facilities that are necessary to mitigate impacts created by new residential and non-residential growth in the City.

Requirement 2: Identify the use of the fee.

The storm drainage fee will be used to fund the storm drainage facilities and infrastructure necessary to mitigate the impacts of additional impervious area on the City’s storm drainage pipes, basins, and channels. As new development occurs, the City will be required to fund storm drainage projects. The storm drainage fee will provide funding for these additional facilities and infrastructure.

Requirement 3: Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional impervious area which increases the storm drainage run-off in the City. This additional runoff will create the demand for additional storm drainage infrastructure such as pipes, drainage basins, and channels. Residential and non-residential development is responsible for paying their fair share of the City’s needed infrastructure based on the average peak flow generated by each acre of new development.

Requirement 4: 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.

New residential and non-residential development will contribute to an increase in impervious area which increases storm run-off and creates the need for expanded storm drainage infrastructure. The storm drainage fee will be used to build and improve storm drainage facilities. Each development will pay its fair share of the fees based on the average peak flow discharge. Charging a storm drainage fee based on the additional storm water generated by each new development ensures that the project pays only to mitigate their fair share of the needed improvements.

Requirement 5: 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.

New storm drainage facilities are necessary to mitigate the impacts of new residential and non-residential development in the City. The storm drainage fee is based on the average peak flow discharge that is created by each acre of development. The fees are charged per acre based on these assumptions which ensures that each development is only paying their fair share based on their impact to the storm drainage system.

Section 6 MOBILITY FEE

BACKGROUND

This section presents an analysis of the City's Mobility Fee. The Mobility Fee covers the cost to mitigate the effects of new development on the City's mobility facilities including sidewalks, bike lanes, pedestrian bridges, and other similar facilities that are necessary to improve connectivity within the City, improve bicycle and pedestrian safety, improve bicycle and pedestrian access to public transportation stops and stations, and increase bicycle mode sharing.

The City currently does not collect a separate fee for bike and pedestrian facilities. Previously impact fee revenues from the traffic fee were used to build on street bicycle facilities and new sidewalks. The need for a mobility fee as established in the City's 2011 Bicycle and Pedestrian Facilities Master Plan.

SERVICE POPULATION

The City's 2011 Bicycle and Pedestrian Facilities Master Plan inventoried the City's bicycle facilities and listed the facilities that were needed to improve pedestrian connectivity throughout the City. In 2011, the City's service population was 221,889 based on the population in 2011 and the estimated worker population, weighted at 50 percent. Non-resident workers spend less time in the City and use fewer facilities, so the demand for City facilities is less than that of a resident. The City's existing level of service for bicycle facilities is based on the 2011 service population.

In 2020, the City's service population is 236,623 based on the City's current population and weighted worker population. The sidewalk survey is based on the current sidewalk inventory therefore, the 2020 population is used to calculate the City's existing level of service for sidewalks.

MOBILITY FACILITIES AND COSTS

Table 21 identifies the existing standards for bike and pedestrian facilities and the value associated with those facilities to calculate a cost per person served. The bicycle costs are based on the Bicycle and Pedestrian Facilities Master Plan escalated to 2020 costs. The sidewalk costs are based on information provided by the Public Works Department.

Table 21: Mobility – Cost per Person Served

Mobility Item	Existing Miles	Miles per Person Served¹	Unit Cost 2011 Dollars²	ENR Adjustment	Unit Cost 2020 Dollars	Value per Person
<i>2012 Bicycle Facility</i>						
Current Class 1 Bike Path	3.3	0.00001487	\$ 500,000	26.60%	\$ 633,022	\$ 9.41
Current Class 2 Bike Lanes	61.5	0.00027717	\$ 65,000	26.60%	\$ 82,293	\$ 22.81
Current Class 3 Bike Route	1.2	0.00000541	\$ 5,000	26.60%	\$ 6,330	\$ 0.03
Total Bike	66.0	0.00029745				\$ 32.25
<i>Current Pedestrian Facilities</i>						
Sidewalks ³	650.0	0.00274699			\$ 264,000	\$ 725.20
Total Pedestrian	650.0	0.00292939				\$ 725.20
Mobility Facility per Person Served						\$ 757.45

¹ 2011 Service Population based on California Department of Finance E-5 Study resident population of 200,029 and US Census Data employee count of 43,720.

² Costs per 2011 Bike and Pedestrian Facilities Master Plan.

³ Current sidewalk facilities uses the 2020 service population. Costs of sidewalks based on \$10/sf replacement cost per City engineering.

FEE SCHEDULE

Table 22 summarizes the Mobility Fee schedule based on the existing cost standard established in Table 21. The cost per person served is converted to a fee per new residential unit based on the estimated persons per household. The fee for non-residential uses is determined by multiplying the cost per capita times 0.5 (the weighting factor) and then multiplying by the number of employees per 1,000 square feet or in the case of hotels, the number of workers per room. The total fee includes a four percent (4%) administrative charge to fund fee program administrative costs, including but not limited to preparing annual reports, preparing fee updates, and other administrative tasks related to fee program administration.

Table 22: Mobility – Fee Schedule

Land Use	A Cost per Capita¹	B Density	A x B = C Fee (rounded)	C x 4% = D Administrative Fee (4%)	C + D Total Fee
<i>Residential (Fee per Dwelling Unit)</i>					
Single Family	\$ 757.45	4.31	\$ 3,265	\$ 131	\$ 3,396
Multi-Family	\$ 757.45	2.85	\$ 2,159	\$ 86	\$ 2,245
<i>Non-Residential (Fee per 1,000 Square Feet)</i>					
Retail	\$ 378.73	2.91	\$ 1,102	\$ 44	\$ 1,146
Office	\$ 378.73	3.47	\$ 1,314	\$ 53	\$ 1,367
Industrial	\$ 378.73	1.23	\$ 466	\$ 19	\$ 485
<i>(Fee per Room)</i>					
Hotel	\$ 378.73	0.87	\$ 329	\$ 13	\$ 342

¹ Cost per worker is weighted at 0.5 that of a resident based on industry standards.

REVENUE PROJECTIONS

Table 23 summarizes the anticipated Mobility Fee revenue. The 2011 Bicycle and Pedestrian Facilities Master Planned identified a need for approximately \$66 million in bicycle facilities and \$6 million in pedestrian facilities. Using the estimated 2030 buildout projections, the City would receive approximately \$13 million in Mobility Fee revenue.

Table 23: Mobility– Revenue Projections

Land Use	Units/ Square Feet	Fee	Anticipated Revenue
Single Family	397	\$ 3,396	\$ 1,348,212
Multi-Family	3,890	\$ 2,245	\$ 8,733,050
Retail	549,900	\$ 1,146	\$ 630,185
Office	234,000	\$ 1,367	\$ 319,878
Industrial	3,570,000	\$ 485	\$ 1,731,450
Hotel	500	\$ 342	\$ 171,000
Total			\$ 12,933,775

NEXUS FINDINGS – MOBILITY FEE

AB1600 requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the Mobility Fee is to fund new bicycle and pedestrian facilities that are needed to maintain the City’s current level of service. The bicycle facility standard from

the 2011 Master Plan is 1.57 linear feet per person served. Based on information provided by the City, there are currently 14.5 linear feet of sidewalk per person served.

Requirement 2: Identify the use of the fee.

The Mobility Fee will be used to construct additional bicycle and pedestrian facilities to maintain the City's current level of service. Future bicycle and pedestrian facilities are identified in the City's Bicycle and Pedestrian Facilities Master Plan and the City's CIP program.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

New residential and non-residential development will generate additional residents and employees, which will increase the need for bicycle and pedestrian facilities. In order to maintain the City's existing standard improve connectivity within the City, new development will be required to pay the Mobility Fee. Residential and non-residential development are responsible for paying their fair share to maintain the City's existing standard based on the persons per household and employee density assumptions shown in Table 22.

Requirement 4: 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.

An increase in residential and non-residential development generates additional residents and workers that increase the need for bicycle and pedestrian facilities to maintain the City's existing level of service. The value of the City's existing facilities is divided by the service population to determine the cost per capita. One worker is assumed to create half of the demand of a new resident. Each residential land use is charged a fee based on the additional residents it is expected to add multiplied by the cost per capita. Non-residential development is charged a fee based on the cost per capita, multiplied by 0.5 (the weighting factor), and then multiplied by the number of assumed workers per 1,000 square feet of building or in the case of hotels, the number of workers per room. By charging the fee based on the additional residents or workers created by each land use, the fee directly correlates to the demand created by each new development.

Requirement 5: 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.

New facilities are necessary to maintain the City's existing level of service as new residential and non-residential units are constructed. The City inventoried the existing bicycle and pedestrian facilities and identified the value of each. These values were divided

by the City's service population to calculate the cost per resident and the cost per worker necessary to maintain the City's existing level of service. This cost per resident and cost per worker were converted into a cost per unit for each type of residential development and a cost per square foot for non-residential development based on the estimated densities as shown in Table 22. Basing the fee on the additional residents or workers generated by each development type ensures that the development pays only their fair share of future facilities.

Section 7 PUBLIC ART PROGRAM FEE

BACKGROUND

This section presents an analysis of the City's Public Art Program Fee. The City's public art is designed to enhance the overall quality of life and create a more vibrant community. This fee is designed to help the City adequately fund artwork on public property and reimburse the City's costs to administer the Program. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

The following resolutions were adopted related to the Public Art Program Fee

- Resolution 9813 Established the Art in Public Places Program and adopted guidelines for the program.
- Resolution 12,290 revised the program such that all applicants submitting for the development of a commercial or industrial project of over 100,000 square feet of roofed building area or for a mixed use projects of over 75,000 square feet of roofed building area to participate in the program. The City was not to issue a certificate of occupancy until the project has participated in the program. Applicants were required to provide to the city one percent of the valuation of the project, either as public art installed within a public place on the site or as an in-lieu fee to be paid to the Art in Public Places Fund.
- Resolution 13,103 adopted in June of 2006 modified the program making the requirement apply to all new development in the City and setting the fee at \$0.20 per square foot of building area. Projects governed by a specific plan could install their Public Art element in accordance with their specific plan or master plan. All other projects were required to pay the fee prior to the issuance of a building permit. Residential additions were exempted from the fee.
- Resolution 13,736 adopted in July of 2009 amended resolution 13,103 by modifying paragraphs 7 and 8 to establish that the Public Art Fees shall be deposited in the Public Art Fund and that the Public Art Fund is subject to approval by the City Council. It also clarified what constituted Public Art.
- Resolution 14,124 renamed the Art in Public Places Fee to the Public Art Program Fee.

FACILITIES AND COST STANDARD

The City's current public art program fee was calculated based on a fee of one percent (1%) of the value of the development project. In order to keep pace with inflation, the current fee is being

updated by the ENR CCI for Los Angeles. This ensures that new development continues to fund the public art program at the same level as it has been historically funded.

FEE SCHEDULE

Table 24 summarizes the public art program fee schedule based on a cost per square foot for additional buildings.

Table 24: Public Art Program –Fee Schedule

Adopted in-lieu Fee (per building SF)	\$	0.20
ENR CCI Increase ¹		42%
Proposed Fee (per building SF)	\$	0.28

¹ Based on the ENR CCI for LA from June 2006 to January 2020.

NEXUS FINDINGS – PUBLIC ART PROGRAM FEE

California Government Code section §66000 et seq. requires that public agencies satisfy five requirements when establishing, increasing, or imposing a fee as a condition of approval of a development project. The required findings are as follows.

Requirement 1: Identify the purpose of the fee.

The purpose of the public art program fee is to mitigate the impacts of new development in the City by providing funds for new public art projects. Public art benefits the City by introducing cultural identity, providing a boost for economic growth, and improving public vitality and community well-being.

Requirement 2: Identify the use of the fee.

The public art program fee will be used to fund new public art projects. Artwork may be any visual art, including, but not limited to, a sculpture, monument, mural, fresco, wall hanging, or mosaic.

Requirement 3: Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

Public art provides many benefits to an area, including improved public health, economic stimulus, and aesthetic beautification. All new development will be required to either build public art as identified in their specific plan or pay the public art program fee as shown in Table 24 in order to enhance the City's public art program.

Requirement 4: 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.

An increase in residential and non-residential development generates additional residents and non-residential workers who increase the need for public art to maintain the City's existing standard. Each development pays its fair share of the fee based on the additional building square footage that the project is adding to the City.

Requirement 5: 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.

The City's Public Art Program Fee was established based on a cost per square foot of all new building space. Each square foot of building is required to pay the same fee to mitigate their impact on the City's public art program. Through the charge of a uniform fee, each new development is contributing equally to the City's Public Art Program.

Section 8 UTILITY UNDERGROUNDING IN-LIEU FEE

BACKGROUND

This section presents an analysis of the City’s Utility Undergrounding In-Lieu Fee. The purpose of this fee is to allow small development projects the option to underground their overhead utilities in-lieu of being required to underground their frontage. Small development projects are defined as projects under ten (10) acres with a structure of less than 134,000 square feet of total floor area.

The following ordinances were adopted related to the Utility Undergrounding In-Lieu Fee

- Ordinance 2207 Established the Utility Undergrounding In-Lieu Fee and adopted guidelines for the program.

At this time, the in-lieu fee is being updated to reflect the current cost to underground utilities however the same methodology is being used. The methodology used in this calculation is the Master Plan Method.

COST STANDARD

The City’s current Utility Undergrounding In-Lieu fee is calculated using the net buildable square footage in the City’s sphere of influence and the cost to underground all overhead utilities in the City based on data from 1989 when Ordinance 2207 was adopted. Table 25 shows the calculation of the estimated buildout floor area in the City’s sphere of influence.

Table 25: Utility Undergrounding –Buildout Square Footage

Total Acres in the City's Sphere of Influence	19,427.00 Acres
Net Acres (23% Reduction to account for streets and right of way dedications)	14,958.79 Acres
Floor Area Ratio Conversion (0.4 FAR)	5,983.52 Acres
Floor Area (converted to SF)	260,641,957 Square Feet

The cost undergrounding the utilities has been updated based on recent costs provided by the City and the utility company. The current cost to underground utilities is \$600 per linear foot. Table 26 calculates the total cost to underground all overhead utilities in the City, based on data from 1989.

Table 26: Utility Undergrounding –Cost Calculation

Total Length of Overhead Utilities Along Arterials	236,130 Linear Feet
Average cost of Undergrounding	\$ 600 per LF
Total cost of Undergrounding	\$ 141,678,000

FEE SCHEDULE

Table 27 shows the Utility Undergrounding In-Lieu fee calculation based on a cost per square foot of building.

Table 27: Utility Undergrounding –Fee Schedule

Total cost of Undergrounding	\$	141,678,000
Total Planned Floor Area		260,641,957 Square Feet
Cost per SF of building	\$	0.54 per SF

NEXUS FINDINGS – UTILITY UNDERGROUNDING IN-LIEU FEE

Requirement 1: Identify the purpose of the fee.

The purpose of the Utility Undergrounding In-Lieu Fee is to provide an option for small developments to pay a fee in-lieu of undergrounding their utilities.

Requirement 2: Identify the use of the fee.

The Utility Undergrounding In-Lieu Fee will be used to underground utilities within the City

Requirement 3: Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed.

The Utility Undergrounding In-Lieu Fee provides small developers an option to pay a fee in-lieu of undergrounding the utilities in front of their development. Each development pays a fee based on the building square footage.

Requirement 4: 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.

The City requires that all new developments underground the utilities in front of their development. In order to not overly burden small development projects, the City has provided developers the option to pay an in-lieu fee rather than constructing the improvements.

Requirement 5: 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.

The in-lieu fee provides small development projects the option of paying an in-lieu fee when undergrounding their utilities creates a disproportionate burden on the project. Small developments have the option to pay the in-lieu fee based on the building square footage.

Section 9 IMPLEMENTATION AND ADMINISTRATION

IMPLEMENTATION

According to the Mitigation Fee Act, prior to levying a new fee or increasing an existing fee, an agency must hold at least one open and public meeting with notice given pursuant to Government Code section 6062(a). This requires publication of notice twice, at least five days apart, with the first ten days prior to the public hearing. Any costs incurred in conducting the required public hearing may be recovered from the proceeds of the enacted fees. In addition, notice of the time and place of the meeting, including a general explanation of the matter to be considered, and a statement that the data required by this section is available, shall be mailed at least 14 days prior to the meeting to any interested party who files a written request with the local agency for mailed notice of the meeting on new or increased fees or service charges. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed.

At least 10 days prior to this public meeting, the agency must make data on infrastructure costs and funding sources available to the public. Notice of the time and place of the public meeting and a general explanation of the matter are to be published in accordance with Section 6062a of California Government Code. The new or increased fees shall be effective no earlier than 60 days following the final action on the adoption or increase of the fees.

The fee categories summarized in this report may not be applicable to specialized or unique development projects in the City. For example, the development of a cemetery, golf course, or stadium will not fall under any of the fee categories in this report. For specialized development projects, the City will need to review the impacts and decide on an applicable fee based on the specific impacts.

IMPACT FEE PROGRAM ADMINISTRATIVE REQUIREMENTS

AB1600 requires the City to report fee information annually and every fifth year. Within 180 days after the last day of each fiscal year, the City must make available the following information from the prior fiscal year:

- Brief description of the type of fee in the account or fund
- Amount of the fee
- Beginning and ending balance in the account or fund
- Amount of the fee collected and the interest earned
- Identification of each public improvement for which fees were expended and the amount of expenditures

- Identification of an approximate date by which time construction on the improvement will begin if it is determined that sufficient funds exist to complete the project
- Description of each inter-fund transfer or loan made from the account and when each will be repaid
- Identification of any refunds made once determined that sufficient monies have been collected to fund fee-related projects

The City must make this information available for public review and must present it at the next regularly scheduled public meeting no less than 15 days after this information is made available to the public.

For the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the City must make the following findings with respect to any remaining funds in the fee account, regardless of whether those funds are committed or uncommitted:

- Identify the purpose of the fee
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged
- Identify sources and amounts of funding anticipated to complete the financing of any incomplete improvements
- Designate the approximate dates on which funding is expected to be deposited into the fee account, as needed

As with the annual disclosure, the 5-year report must be made public within 180 days after the end of the City’s fiscal year and must be reviewed at the next regularly scheduled public meeting. The City must make these findings; otherwise, the law requires that the City refund the money on a prorated basis to the current record owners of the development projects.

PROGRAMMING REVENUES WITH THE CAPITAL IMPROVEMENT PLAN

The City should maintain and update its CIP to adequately plan for future infrastructure needs. The City’s CIP should commit projected fee revenues and fund balances to specific projects that are necessary to serve growth as described in this report. The City’s CIP provides the documentation necessary for the City to hold funds in a project account for longer than 5 years, if necessary, to collect sufficient funds to complete a project.

FEE REPORTING

Assembly Bill No. 1843 which became effective January 1, 2020 requires that Cities make the following information available on their website. This must be completed by January 1, 2021. The following information must be provided:

1. A current schedule of fees, exactions, and affordability requirements imposed by the city, county, or special district, including any dependent special districts, of the city or county applicable to a proposed housing development project, which shall be presented in a manner that clearly identifies the fees, exactions, and affordability requirements that apply to each parcel.
2. All zoning ordinances and development standards, which shall specify the zoning, design, and development standards that apply to each parcel.
3. The list of information required to be compiled pursuant to Section 65940.
4. The current and five previous annual fee reports or the current and five previous annual financial reports, that were required pursuant to subdivision
5. An archive of impact fee nexus studies, cost of service studies, or equivalent, conducted by the city, county, or special district on or after January 1, 2018.

Any updates to the above information must be available within 30 days.

FEE ADJUSTMENTS

The fees will be automatically adjusted each year on July 1st based on the June Engineering News-Record Construction Cost Index (ENR CCI) for Los Angeles. The base index shall be the January 2020 Index of 12,144.49. In addition, the fees may be adjusted to reflect revised facility standards, receipt of funding from alternative sources (i.e., state or federal grants), revised facilities or costs, changes in demographics, or changes to the land use plan. A complete review of the fees must be completed every five years per California Government Code but it is recommended that the fees be updated more frequently.