RESOLUTION NO. 06-32

A RESOLUTION OF THE RIDGECREST CITY COUNCIL ADOPTING THE SCHEDULE OF DEVELOPMENT IMPACT FEES

WHEREAS, the City Council adopted Ordinance No. 06-01 establishing the authority for imposing and charging Development Impact Fees, including the establishment of Fire Facilities Improvements Fees, Traffic Impacts Fees, Park Development Fees, Law Enforcement Improvements Fees, and Storm Drainage Facilities Fees; and

WHEREAS, the City Council has considered the information provided in the Development Cost and Fee Study as presented by staff, which analyzes the need for new public facilities and improvements required by future developments through the year 2016; and

WHEREAS, the study as modified sets forth the relationship between contemplated future development, needed facilities, and the estimated cost of those improvements; and

WHEREAS, the study has been made available for public inspection, and public hearing notice was provided as required by law; and

WHEREAS, the City Council has determined that:

A. The purpose of these fees is to finance public facilities and improvements and/or compensation measures to reduce the impacts caused by future developments as shown in the Development Cost and Fee Study. Such improvements or compensation measures include but are not limited to Fire Facilities Improvements Fees, Traffic Impacts Fees, Park Development Fees, Law Enforcement Improvements Fees, Storm Drainage Facilities Fees, and Development Impact Fee Internal Service Allocation Fund.

B. The fees collected pursuant to this resolution shall be used to finance the municipal public facilities identified in the Development Impact Fee Study attached hereto and incorporated by reference and the City Capital Improvement Program as budgeted by the City Council from time-to-time to serve proposed development.

C. After considering the studies and testimony received at this public hearing, the Council approves and adopts the studies as modified, and incorporates such herein, and further finds that the future development in the City of Ridgecrest will generate the need for such additional public facilities and/or compensation measures and these facilities and/or measures are consistent with the General Plan.

D. The fees are statutorily exempt from CEQA under Section 15273 (a) (4) of the State CEQA Guidelines, and/or categorically exempt from CEQA under Sections 15301 (h), 15301 (i), 15304, 15307, 15308, 15313, and/or 15317 of the State CEQA Guidelines.

E. The studies and the testimony establish:

   1. That there is a reasonable relationship between the need for the public facilities and/or compensation measures and the impacts of the types of development for which the corresponding fees are charged; and

   2. That there is a reasonable relationship between the fees' use and the type of development for which the fees are charged; and

3. That there is a reasonable relationship between the amount of the fees and the cost of the public facilities and/or compensation measures, or portion thereof, of the public facilities attributable to the development on which the fees are imposed; and

4. That the cost estimates set forth in the modified Development Impact Fee Study are reasonable cost estimates for construction of these facilities, and the fees expected to be generated by future developments will not exceed the total costs of construction of the public facilities.

F. The method of allocation of the Development Impact Fees to a particular development bears a fair and reasonable relationship to each development's burden on, and benefit from, the facilities and/or compensation measures to be funded by the fee.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rdgecrest as follows:

Section 1: That the Development Impact Fee Schedule as of the date of this Resolution shall be according to Tables 1, 2, 3, 4, and 5 as follows:

Table 1
Cost Allocation for Fire Impact Fees

CATEGORY	ACRES	UNITS / ACRE	FEE
Estate & Rural Residential	818	2.5	$596 per dwelling unit
Low Density Residential	527	4.0	$373 per dwelling unit
Medium Density Residential	226	12.0	$124 per dwelling unit
Commercial	275	–	$1,491 per acre
Civic	10	–	$1,491 per acre
Industrial	166	–	$1,491 per acre
TOTAL	**2022**		

Table 2
Cost Allocation for Traffic Impact Fees

CATEGORY	UNITS	TRIP ENDS	FEE
RESIDENTIAL			
Single Family	Dwelling Unit	9.6	$1766/DU
Multi-Family	Dwelling Unit	6.7	$1233/DU
COMMERCIAL			
Retail Commercial	1000 SF / building	46.6 (reduce to 23.3)[1]	$4,287/1000 SF build.
Service Stations	Fueling Position (gas pump)	166.0 (reduce to 14.1)[2]	$2,742/F. Position
Movie Theater	1000 SF / building	27.8 (reduce to 13.9)[2]	$2558/1000 SF build.

Automobile Sales	1000 SF / lot area	1.2	$221/1000 SF lot
Hotels / Motels	Room	0.7	$129/Room
RESTAURANTS			
Restaurant	1000 SF / building	36.6 (reduce to 18.3)[1]	$3,367/1000 SF build.
OFFICE BUILDINGS			
Medical-Dental	1000 SF / building	18.0 (reduce to 9.0)[1]	$1,656/1000 SF build.
General Office	1000 SF / building	6.1	$1,122/1000 SF build.
INDUSTRIAL			
Manufacturing	1000 SF / building	3.8 (reduce to 1.9)[1]	$350/1000 SF build.
Mini Warehousing	1000 SF / building	2.4 (reduce to 1.2)[1]	$221/1000 SF build.
Warehousing	1000 SF / building	2.2 (reduce to 1.1)[1]	$202/1000 SF build.
INSTITUTIONAL			
Schools / Churches	--	--	$00
Nursing Homes	Bed	0.2	$37/Bed

NOTES:

Rates - $184 per trip end

Trip end rates for other than those listed above shall be determined using trip generation statistics in the Institute Transportation Engineers Trip Generation Manual, latest edition.

[1]Trip ends for Commercial, Office, Restaurants, Theaters and Industrial shall be reduced by 50%, and,

[2] Trip ends for Gas Stations shall be reduced by 90% to reflect by-pass and captured trips.

Table 3
Cost Allocation for Park Impact Fees

CATEGORY	UNITS	FEE
RESIDENTIAL		
Single Family	Each Dwelling Unit	$ 763/DU
Multi-Family	Each Dwelling Unit	$ 763/DU

Table 4
Cost Allocation for Law Enforcement Impact Fees

CATEGORY	ACRES	UNITS / ACRE	FEE

Estate & Rural Residential	818	2.5	$994 per dwelling unit
Low Density Residential	527	4.0	$621 per dwelling unit
Medium Density Residential	226	12.0	$207 per dwelling unit
Commercial	275	–	$2,486 per acre
Civic	10	–	$2,486 per acre
Industrial	166	–	$2,486 per acre
TOTAL	2022		

Table 5
Cost Allocation for Drainage Impact Fees

CATEGORY	Undeveloped Acres	Percent Impervious	Fair Share Cost	FEE	Fee per Dwelling
Estate & Rural Residential	818	10%	$3,409,250	$4,168	$1,667
Low Density Residential	527	23%	$5,051,775	$9,586	$2,396
Medium Density Residential	226	40%	$3,767,680	$16,671	$1,389
Commercial	275	85%	$2,652,128	$9,644	
Industrial	166	85%	$1,600,904	$9,644	
Civic	10	75%	$85,090	$8,509	
Total	2022				

Section 2: That the fee schedule shown in Section 1 are those fees authorized to be set by resolution in accordance with Ridgecrest Municipal Code Section III. 11, and that the document establishing these fees is the *City of Ridgecrest Cost and Fee Study for Fire Facilities, Traffic Impacts, Park Development Law Enforcement and Storm Drainage Facilities* : May 2, 2006.

Section 3: That these fees shall be adjusted in accordance with the CPI on an annual basis commencing on July 1, 2007.

Section 4: That the installation of swimming pools, spas and all refurbishment and remodel construction shall be exempt from these impact fees.

Section 5: That all new construction less than 1000 square feet of floor area shall be exempt from these impact fees.

Section 6: All developer impact fees shall be due and payable prior to the issuance of the final inspection, or the date the certificate of occupancy is issued, whichever occurs first, except for Storm Drainage Impact Fees which shall be collected prior to issuance of a Grading Permit. If a Grading Permit is not required for new construction then the Storm Drainage Impact Fee shall be due and payable prior to the issuance of the final inspection, or the date the certificate of occupancy is issued, whichever occurs first. If any fee or charge required by the City of Ridgecrest is not fully paid prior to issuance of a building permit for construction of any portion of the residential development encumbered thereby, the City of Ridgecrest issuing the building permit may require the property owner, or lessee if the lessee's interest appears of record, as a condition of issuance of the building permit, to execute a

contract to pay the fee or charge, or applicable portion thereof. The obligation to pay the fee shall inure to the benefit of, and be enforceable by, the City of Ridgecrest that imposed the fee, regardless of whether it is a party to the contract. The contract shall contain a legal description of the property affected, shall be recorded in the office of the Kern County recorder and, from the date of recordation, shall constitute a lie for the payment of the fee or charge, which shall be enforceable against successors in interest to the property owner or lessee at the time of issuance of the building permit. The contract shall be recorded in the grantor-grantee index in the name of the City of Ridgecrest issuing the building permit as grantee and in the name of the property owner or lessee as grantor. The City of Ridgecrest shall record a release of the obligation, containing a legal description of the property, in the event the obligation is paid in full, or a partial release in the event the fee or charge is prorated. The City of Ridgecrest City Council may waive or modify the impact fees on a case by case basis.

Section 7: That the Development Impact Fee Phasing Schedule as of the date of this Resolution shall be according to Table 6 as follows:

Table 6
Developer Impact Fee Phasing Schedule

Percentage of Amount of Developer Fee Payment Due for Fire Facilities, Traffic Impacts, Park Development, Law Enforcement, and Storm Drainage Facilities	If paid :
60%	Prior to October 1, 2006
80%	After October 1, 2006 but Prior to January 1, 2007
100%	After January 1, 2007

APPROVED AND ADOPTED this 17th day of May 2006, by the following vote:

AYES: Vice Mayor Clark, Council Members Morgan and Carter

NOES: None

ABSENT: Mayor Holloway and Mayor Pro Tem Martin

ABSTAIN: None

Daniel O. Clark, Vice Mayor

ATTEST:

Rita Gable
City Clerk