

RESOLUTION NO. 2011-112

A RESOLUTION OF THE CITY COUNCIL OF ROHNERT PARK UPDATING THE PUBLIC FACILITIES FEE FOR ALL DEVELOPMENT WITHIN THE CITY OF ROHNERT PARK AND REPEALING RESOLUTION NOS. 2006-165 AND 2008-126

WHEREAS, the General Plan of the City of Rohnert Park requires that new development pay its proportionate share of the cost of capital improvements made necessary by that new development; and

WHEREAS, the City of Rohnert Park implements this requirement through its *Public Facilities Finance Plan* and the setting and collection of Public Facilities (PF) fees and sewer capacity fees, which are reviewed from time to time to assure that they accurately estimate costs and the allocation of those costs; and

WHEREAS, on November 8, 2011 the City Council of the City of Rohnert Park conducted a duly noticed public hearing to receive and consider public comments on the *2011 Update to its Public Facilities Finance Plan (2011 Update)* and the recommended Public Facilities (PF) set forth in it, and upon completion of that hearing the City Council unanimously adopted Resolution 2011-109 accepting the *2011 Update*; and

WHEREAS, for at least fourteen days prior to the public hearing, a copy of the *2011 Update* was available for public review at the Office of the City Clerk; and

WHEREAS, since the most recent adoption of the PF Fee Schedule (Resolution 2008-126) and the Sewer Capacity Charge Schedule (Resolution 2006-165), the City has completed environmental review of a number of planned developments and approved changes in both land use and infrastructure required for mitigation; and

WHEREAS, since the most recent adoption of the PF Fee Schedule and the Sewer Capacity Charge Schedule (Resolution 2006-165), the City and the Santa Rosa Subregional System have constructed some projects and updated costs for facilities included in the PF Fee Program and the Sewer Capacity Charge Program and this has resulted in changes to estimated costs; and

WHEREAS, since the adoption of the PF Fee Schedule and the Sewer Capacity Charge Schedule, the City has determined that a single fee program covering all planned facilities will provide a more clear and easily administered method for complying with the General Plan policies requiring that new development pay for the impacts it creates and implemented that decision with the passage of Ordinance No. 840 on November 22, 2011; and

WHEREAS, it is to the benefit of all parties involved in developing property that the PF Fee Program is consistent with current projections of land use, infrastructure and costs to assure that each development supports its fair share of needed facilities; and

WHEREAS, the City Council finds and determines as follows:

- A. The *2011 Update* complies with California Government Code Section 66001 by establishing the basis for imposition of fees on new development. In particular, the *2011 Update*:
 1. identifies the purpose of the fee;
 2. identifies the use to which the fee will be put;
 3. shows a reasonable relationship between the fee's use and the type of development project on which the fee is imposed;

4. shows a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed because the new facilities are sized to accommodate the increased population and increased vehicle trips that will be generated by each type of development; and
 5. shows 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 because the proposed fees are proportional to the new population and new traffic generated by each type of development.
- B. The fees collected pursuant to this Resolution shall be used to finance the public facilities described or identified in the *2011 Update* or other public facility master plans as may from time to time be adopted by the City Council.
 - C. After considering the specific project descriptions and cost estimates identified in the *2011 Update*, the City Council approves such project descriptions and cost estimates, and finds them reasonable as the basis for calculating and imposing an updated PF Fee.
 - D. The projects and fee methodology identified in the *2011 Update* continue to be consistent with the City's General Plan including recent updates to the General Plan.
 - E. The *2011 Update* categorically exempt from environmental review pursuant to the California Environmental Quality Act guidelines section 15061(b)(3). The intent of the PF Program, the *2011 Update* and the proposed PF fees is to provide one means of mitigating potential environmental impacts which have been identified in environmental analyses of other planning efforts, including the General Plan EIR.

NOW, THEREFORE, it is hereby resolved by the City Council of the City of Rohnert Park, that:

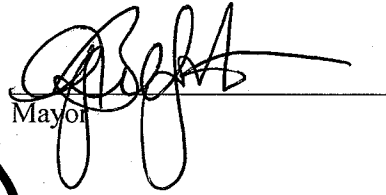
1. **Amount of Fee.** The PF Fee for various classes of land use and various benefiting areas are set forth in Attachment 1. The land uses classes set forth are intended to be generally consistent with the Land Use Framework outline in the General Plan including recent updated to the General Plan and that Land Use Framework should be consulted as necessary to support accurate determination of fees.
2. **Use of Fee.** The fee shall be solely used: (a) for the purposes described in the *2011 Update*; (b) for reimbursing the City for the development's fair share of those capital improvements already constructed by the City; or (c) for reimbursing developers who have constructed public facilities described in the *2011 Update* or other facility master plans adopted from time to time by the City Council where those facilities were beyond that needed to mitigate the impacts of the developers' project or projects.
3. **Automatic Increase.** The PF Fee will automatically increase on July 1 in each year hereafter in accordance with any increases in the Engineering News Record Construction Cost Index for the San Francisco Bay Area for the fiscal year ending on such July 1.
4. **Fee Review.** Annually, as part of the budget process, the City Manager shall review the estimated cost of the described capital improvements, the continued need for those improvements and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which this fee is charged. The City Manager shall report his or her findings to the City Council at a noticed public hearing and recommend any adjustment to this fee or other action as may be needed.
5. **Judicial Action to Challenge this Resolution.** Any judicial action or proceeding to attack, review, set aside, void or annul this resolution shall be brought within 120 days of the date of adoption of this resolution.
6. **Severability.** If any provision or clause, or paragraph of this resolution or the imposition of a PF

fee for any project with the 2011 Update or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this resolution or other fees levied by this resolution which can be given effect without the invalid provisions or application of fees, and to this end the provisions of the resolution are declared to be severable.

7. **Repeal.** Resolution Number 2006-165 and Resolution Number 2008-126 are hereby repealed.
8. **Effective Date.** This Resolution shall take effect thirty (30) days after its adoption.

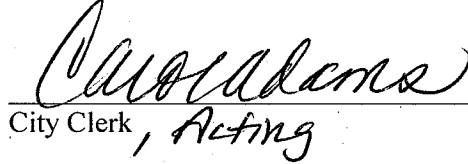
DULY AND REGULARLY ADOPTED by the City Council of the City of Rohnert Park this 22nd day of November, 2011.

CITY OF ROHNERT PARK



Mayor

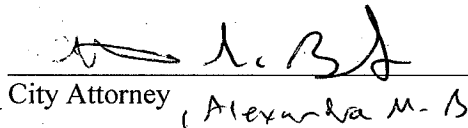
ATTEST:



City Clerk, Acting



APPROVED AS TO FORM:



Asst. City Attorney, Alexandra M. Bunk

AHANOTU: <u>AYE</u> CALLINAN: <u>ABSENT</u> MACKENZIE: <u>AYE</u> STAFFORD: <u>AYE</u> BELFORTE: <u>AYE</u> AYES: (4) NOES: (0) ABSENT: (1) ABSTAIN: (0)

Attachment 1

Public Facilities Fee Schedule

*Distributed @ 11/22/11
City Council meeting
(ITEM NO. 8)*

Table 1 Residential Fees

Land Use Designation	Public Facilities Fee Zones									
	Infill East of Hwy 101	Infill West of Hwy 101	Northeast SPA	University District SPA	Southeast SPA	Sonoma Mountain Village PD	Northwest SPA	Wilfred Dowdell SPA	Stadium Lands PD	Canon Manor SPA
Single Family Residential (Unit)	\$17,967	\$19,445	\$27,873	\$28,270	\$25,590		NA	NA	NA	\$20,130
Multi-Family Residential (Unit)	\$11,569	\$12,520	\$17,340	\$17,434	\$16,560			NA		\$13,144
Senior Housing (Unit)	\$10,983	\$11,907	NA	NA	NA	NA	NA	NA	NA	NA
Assisted Living (Unit)	\$9,551	\$10,013	NA	NA	NA	NA	NA	NA	NA	NA

Table 2 Non-Residential Fees Applied to Enclosed Thousand Square Feet (TSF)

Land Use Designation	Public Facilities Fee Zones									
	Infill ² East of Hwy 101	Infill ² West of Hwy 101	Northeast SPA	University District SPA	Southeast SPA	Sonoma Mountain Village PD	Northwest SPA	Wilfred Dowdell SPA	Stadium Lands PD	Canon Manor SPA
General Office (enclosed tsf)	\$8,264	\$9,586	NA	\$8,678	\$8,678	\$8,678	\$9,586	\$9,586	\$9,586	NA
Hotel/Motel (enclosed tsf)	\$5,916	\$6,401	NA	\$6,068	\$6,068	\$6,068	\$6,401	\$6,401	\$6,401	NA
Retail (enclosed tsf)	\$12,418	\$13,253	NA	\$12,676	\$12,676	\$12,676	\$13,253	\$13,253	\$13,253	NA
Light Industrial (enclosed tsf)	\$2,661	\$2,966	NA	\$2,756	\$2,756	\$2,756	\$2,966	\$2,966	\$2,966	NA
Heavy Industrial (enclosed tsf)	\$2,661	\$2,966	NA	\$2,756	\$2,756	\$2,756	\$2,966	\$2,966	\$2,966	NA
Warehouse (enclosed tsf)	\$2,140	\$2,446	NA	\$2,236	\$2,236	\$2,236	\$2,446	\$2,446	\$2,446	NA

Attachment 1

Public Facilities Fee Schedule

Table 3 Non-Residential Fees Applied to Gallons of Wastewater Generated (GAL)

Land Use Designation	Public Facilities Fee Zones									
	Infill ² East of Hwy 101	Infill ² West of Hwy 101	Northeast SPA	University District SPA	Southeast SPA	Sonoma Mountain Village PD	Northwest SPA	Wilfred Dowdell SPA	Stadium Lands PD	Canon Manor SPA
General Office (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32
Hotel/Motel (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32
Retail (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32
Light Industrial (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32
Heavy Industrial (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32
Warehouse (gallon)	\$62.43	\$62.43	NA	\$106.30	\$103.32	\$103.32	\$62.43	\$62.43	\$62.43	\$103.32

Table 2 Non-Residential Fees Applied to Disturbed Site Area (TSF)

Land Use Designation	Public Facilities Fee Zones									
	Infill ² East of Hwy 101	Infill ² West of Hwy 101	Northeast SPA	University District SPA	Southeast SPA	Sonoma Mountain Village PD	Northwest SPA	Wilfred Dowdell SPA	Stadium Lands PD	Canon Manor SPA
General Office (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA
Hotel/Motel (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA
Retail (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA
Light Industrial (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA
Heavy Industrial (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA
Warehouse (enclosed tsf)	NA	NA	NA	\$267	NA	NA	\$236	\$236	\$236	NA

Attachment 1

Public Facilities Fee Schedule Notes

1. See 2011 Update to the Public Facilities Finance Plan for detailed presentation of calculations (Adopted 11/8/11 by City Council Resolution 2011-109)
2. "Infill Development" is all development (new, remodel or reconstruction) outside to the defined Specific Plan Areas or Planned Developments
3. Non-residential fees are calculated by summing the values from Tables 2, 3 and 4 for the type of land use proposed
4. "Mixed Use" fees are calculated by summing the fees calculated for each type of land use within the mixed use proposal
5. NA or Not Applicable means that a particular fee component does not apply within the defined geographic area because:
 - a. New development within that geographic does not create impacts to certain infrastructure systems; or
 - b. Approved Specific Plans do not include certain land use classes, hence fee components have not been computed
6. Enclosed Thousand Square Feet is calculated based on the gross floor area, as defined in Chapter 17.04 of the Municipal Code including any patio area under a horizontal projection of the roof, the floor above or other covering, when such area is used for activities integral to the commercial business.
7. Disturbed Thousand Square Feet is calculated based on the total area approved for grading on the property.