

RESOLUTION NO. 2015-07

A RESOLUTION OF THE CITY OF ROSEMEAD, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADDING DEVELOPMENT IMPACT FEES TO THE CITY'S COMPREHENSIVE FEE SCHEDULE TO IMPLEMENT THE DEVELOPMENT FEE PROGRAM ESTABLISHED BY ORDINANCE NO. 949.

WHEREAS, the City of Rosemead adopted Ordinance No. 949 establishing the authority for imposing and charging Citywide Development Impact Fees (DIF) to new residential development and new commercial and industrial development within the City to mitigate the impacts on availability and condition of public facilities caused by this development, subject to the adoption of an implementing resolution and fee schedule; and

WHEREAS, the City completed a Rosemead Development Impact Fee Study (Impact Fee Study), dated April 21, 2015, which is on file with the City Clerk. The Impact Fee Study identifies the need for and calculates the amount of the development impact fees to pay for the necessary public facility improvements, which are needed to serve and mitigate the impacts of new development; and

WHEREAS, it is the intent and purpose of the DIF to ensure that new development will not burden the existing service population with the cost of traffic, public safety, general government, and park facilities required to accommodate growth. The fees advance a legitimate City interest by enabling the City to provide municipal services to new development, and

WHEREAS, the City Council makes the following findings:

- 1) The fees collected shall be used fund expanded facilities to serve new development by the purchase of land, the construction or expansion of buildings and public facilities, purchases of vehicles and equipment, and the construction of roadway improvements, as more specifically described in the Impact Fee Study. Fees will be used to provide facilities in the following categories: traffic, general government, public safety, and parks. Facilities funded by these fees are designated to be located within the City.
- 2) The City will restrict fee revenue to the acquisition of land, construction of facilities and buildings, and purchase of related equipment, furnishings, vehicles, and services used to serve new development. Facilities funded by the fees are expected to provide a citywide network of facilities accessible to the additional residents and workers associated with new development. Fees are not intended to fund planned facilities needed to correct existing deficiencies. Thus, a reasonable relationship can be shown between the use of fee revenue and the new development projects that will pay the fees.

- 3) Facilities need is based on a facility standard that represents the demand generated by new development for those facilities. For each facility category, demand is measured by a single facility standard that can be applied across land use types to ensure a reasonable relationship to the type of development. For most facility categories service population standards are calculated based upon the number of residents associated with residential development and the number of workers associated with nonresidential development. To calculate a single, per capita standard, one worker is weighted less than one resident based on an analysis of the relative use demand between residential and nonresidential development. The estimated demand for traffic facilities is based on the average number of vehicle trips generated by each type of development, adjusted for variations trip length and pass-by trips.

Chapter 2, Growth Forecasts of the Impact Fee Study provides a description of how service population and growth forecasts are calculated. Facility standards are described in the *Facility Standards* sections of each facility category chapter of the Impact Fee Study.

- 4) The reasonable relationship between each facilities fee for a specific new development project and the cost of the facilities attributable to that project is based on the estimated new development growth the project will accommodate. Fees for a specific project are based on the project's size. Larger new development projects can result in a higher service population resulting in higher fee revenue than smaller projects in the same land use classification. Thus, the fees ensure a reasonable relationship between a specific new development project and the cost of the facilities attributable to that project.

See *Chapter 2, Growth Forecasts*, or the *Service Population or Trip Demand from New Development* sections in each facility category chapter for a description of how service populations or other facility demand factors are determined for different types of land uses. See the *Fee Schedule* section of each facility category chapter of the Impact Fee Study for a presentation of the proposed facilities fees.

WHEREAS, the establishment of DIF is statutorily exempt under California Environmental Quality Act (CEQA) Section 15273 (a)(1) "Rates, Tolls, Fairs and Charges," as well as Sections 15061 (b)(3) and 15378 (b)(4), and

WHEREAS, on May 26, 2015 the City Council heard public testimony and considered evidence in a public hearing held and noticed in accordance with Government Code §§ 66016 and 66018.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ROSEMEAD DOES HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Adoption of Rosemead Development Impact Fee Study. The Impact Fee Study and its appendices are hereby adopted and fully incorporated into this Resolution by this reference.

SECTION 2. Schedule of Development Impact Fees (DIF). The Rosemead City Council hereby imposes the following development impact fees to be charged pursuant to Title 17 (Chapter 17.170) of the Rosemead Municipal Code and in accordance with the following phasing plan:

DIF Phase-in Schedule for Single Use Zones and Mixed Use Zones

Fee Schedule for Single Use Zones

| Fee Schedule for Single Use Zones | | | | | |
|-----------------------------------|--------------|-----------------------|----------------------|----------------------|--|
| | Proposed Fee | Effective Date of DIF | | July 1, 2017 | |
| | | 1st Year of Phase-in | 2nd Year of Phase-in | 3rd Year of Phase-in | |
| Residential | | | | | |
| Single Family | \$ 6,500 | \$ 2,167 | \$ 4,333 | \$ 6,500 | |
| Multi-family | \$ 5,197 | \$ 1,732 | \$ 3,465 | \$ 5,197 | |
| Nonresidential | | | | | |
| Retail | \$ 1,365 | \$ 455 | \$ 910 | \$ 1,365 | |
| Office | \$ 1,997 | \$ 666 | \$ 1,331 | \$ 1,997 | |
| Industrial | \$ 1,250 | \$ 417 | \$ 833 | \$ 1,250 | |

Note: Fees are expressed per dwelling unit for residential or per 1,000 square feet for nonresidential land use.

Fee Schedule for Mixed Use Zones

| Fee Schedule for Mixed Use Zones | | | | | |
|----------------------------------|--------------|-----------------------|----------------------|----------------------|--|
| | Proposed Fee | Effective Date of DIF | | July 1, 2017 | |
| | | 1st Year of Phase-in | 2nd Year of Phase-in | 3rd Year of Phase-in | |
| Residential | | | | | |
| Single Family | \$ 6,388 | \$ 2,129 | \$ 4,259 | \$ 6,388 | |
| Multi-family | \$ 5,126 | \$ 1,709 | \$ 3,417 | \$ 5,126 | |
| Nonresidential | | | | | |
| Retail | \$ 1,242 | \$ 414 | \$ 828 | \$ 1,242 | |
| Office | \$ 1,812 | \$ 604 | \$ 1,208 | \$ 1,812 | |
| Industrial | \$ 1,127 | \$ 376 | \$ 751 | \$ 1,127 | |

Note: The fees in this table are for Residential/Commercial Mixed-Use development projects. Fees are expressed per dwelling unit for residential or per 1,000 square feet for nonresidential land use.

DIF Application Fees

Application requests for DIF adjustments in accordance with Rosemead Municipal Code Title 17, Article 7, Chapter 17.170, Section 17.170.070:

Fee: Same as "Appeals Filing Fees (City Council)" in Comprehensive Schedule of Fees and Charges Adopted by the Rosemead City Council (Community Development/Planning Fees).

Filing an Appeal of DIF in accordance with Rosemead Municipal Code Title 17, Article 7, Chapter 17.170, Section 17.170.050:

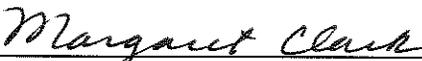
Fee: Same as "Appeals Filing Fees (City Council)" in Comprehensive Schedule of Fees and Charges Adopted by the Rosemead City Council (Community Development/Planning Fees).

SECTION 3. Fee Adjustment. Unless otherwise revised, the fees established by this Resolution shall be adjusted annually each fiscal year beginning on July 1, 2018 by a percentage equal to the percentage increase, if any, in the Engineering News Record (ENR) Construction Price Index for the Los Angeles County Area.

SECTION 4. Effective Date of this Resolution. This Resolution will become effective sixty days following the second reading of Ordinance No. 949 on DATE 2015.

The City Clerk shall certify to the adoption of this resolution and hereafter the same shall be in full force and effect.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Rosemead, County of Los Angeles of the State of California on the 9th day of June, 2015.



Margaret Clark, Mayor
City of Rosemead, California

ATTEST:



Gloria Molleda, City Clerk
City of Rosemead, California:

APPROVED AS TO FORM



Rachel H. Richman, City Attorney
Burke, Williams & Sorensen, LLP

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS.
CITY OF ROSEMEAD)

I, Gloria Molleda, City Clerk of the City of Rosemead, do hereby certify that the foregoing Resolution No. 2015-07 being:

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF ROSEMEAD, CALIFORNIA, ADDING
DEVELOPMENT IMPACT FEES TO THE CITY'S
COMPREHENSIVE FEE SCHEDULE TO IMPLEMENT
THE DEVELOPMENT FEE PROGRAM
ESTABLISHED BY ORDINANCE NO. 949**

was duly and regularly approved and adopted by the Rosemead City Council on the 9th of June, 2015, by the following vote to wit:

Yes: Alarcon, Armenta, Clark, Low, Ly
No: None
Abstain: None
Absent: None



Gloria Molleda
City Clerk