

ORDINANCE 180

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA,
CALIFORNIA, ESTABLISHING A DEVELOPMENT IMPACT FEE FOR
ALL NEW RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL
STRUCTURES

A. RECITALS

- (i) The City of Hesperia is responsible for providing adequate infrastructure for the City's residents.
- (ii) The City is anticipating rapid growth during the next twenty (20) years and that growth will bring about the need for construction of new streets, storm drains, fire stations, police stations, and public works maintenance yards.
- (iii) Given the available funding sources, adequate funds would not be available to construct the infrastructure necessary to serve the anticipated growth.
- (iv) On August 19, 1993, the City Council of the City of Hesperia conducted a duly noticed public hearing on the Application and concluded said hearing on that date.
- (v) All legal prerequisites to the adoption of this Ordinance have occurred.

B. ORDINANCE

NOW THEREFORE, the City Council of the City of Hesperia does ordain as follows:

Section 1. To establish a development impact fee of \$500 per dwelling unit for all residential construction and \$.35 per square foot for commercial and industrial construction effective January 1, 1994. The residential fee will increase to \$1,000 per dwelling unit on July 1, 1994. Administration of impact fees is pursuant to provisions of Exhibit A procedures, except that fees shall be collected prior to issuance of building permits.

Section 2. The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published as required by law.

ADOPTED AND APPROVED this 16th day of September, 1993.

Michael J. Lampignano
Michael J. Lampignano, Mayor

ATTEST:

Margaret A. Vall
Margaret Vall, City Clerk

James J. Marzano
City Attorney

**REPORT TO THE HESPERIA
CITY COUNCIL ON DEVELOPMENT
IMPACT FEES**

MNA336

August 19, 1993

**Thomas K. Harp
Building Official/Planning Director**

I. INTRODUCTION

The purpose of this report is to establish reasonable Development Impact Fees within the City of Hesperia. Development precipitates the need for new infrastructure. Infrastructure is costly. Without impact fees development infrastructure costs may have to be supported by various city revenue sources. The intent of this report is to determine which public improvements will be necessary to accommodate the anticipated growth in the community, to determine the cost of the improvements, and to determine an appropriate fee to pay for the needed improvements. Paramount to this process is consistency with California Government Code Section 66000 (AB 1600) which shall be discussed further in this report.

This report is intended to cover improvements to the City's streets, storm drains, fire and police stations, water and sewer improvements, and public works facilities. The report condenses information from the various city departments based upon their anticipated needs due to the projected growth during the next 20 years (1993-2013). In each case, the current level of service or a minimal acceptable level of service is proposed. This study does not attempt to make up current deficiencies.

II SUMMARY OF FINDINGS

The findings from the report are as follows:

1. The City's population is expected to grow from 58,912 in 1993 to 227,972 in 2013 or a net gain of 169,060. This growth will result in 46,001 new single family dwelling units, 8,534 new apartment units, 2,976,000 square feet of new commercial space, and 1,838,000 square feet of new industrial space.
2. A total of \$154,587,000 of eligible street improvements, \$94,416,000 of eligible storm drain improvements, \$27,510,000 of eligible public safety improvements, \$99,278,000 of eligible water and sewer improvements, and \$12,000,000 of eligible public works improvements totalling \$390,018,000 will be necessary to serve the projected growth.
3. The development impact fees, other than storm drains, are calculated by land use and are as follows:

<u>Land Use</u>	<u>Development Impact Fee (actual)</u>
Single Family Dwelling Unit	\$3,144
Multiple Family Dwelling Unit	\$1,994
Commercial (per square foot)	\$ 9.73
Industrial (per square foot)	\$ 1.90

4. The development impact fees for storm drains are calculated by drainage area and range from \$0.00 to \$5,615 per acre.
5. The methodology showing conformance with the Government Code for proof of "nexus" has been stated. These procedures may be updated or expanded to accommodate local needs and policies.

MNA336

- 6. The recommended development impact fees were calculated based upon the assumption that other revenues would assist in the construction of new facilities. Item No. 3 depicts actual development impact fees. Staff is recommending the following fees:

<u>Land Use</u>	<u>Development Impact Fee (recommended)</u>
Single Family Dwelling Unit	\$2,700
Multiple Family Dwelling Unit	\$1,895
Commercial (per square foot)	\$.35
Industrial (per square foot)	\$.35

- 7. A further recommendation is that the fees be 60% of the total fee due on January 1, 1994, 80% of the total fee due on January 1, 1995, and 100% of the total fee due on January 1, 1996.

III BACKGROUND/METHODOLOGY

The legislative requirements that must be met in order to establish development impact fees are contained within the California Government Code, Sections 65959, 66000, and 53077. Section 65959 states that fees or exactions shall not exceed the estimated reasonable cost of providing the service or facility for which the fee or exaction is imposed. Sections 66000 through 66003 were amended by Assembly Bill 1600 in 1989 to require that any City which establishes, increases, or imposes a fee as a condition of approval to do all of the following:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put.
3. Determine a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the fees use and the type of development project on which the fee is imposed.
5. Determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the new development.

Section 53077 also requires the City to do all of the following:

1. To deposit, invest, account for, and expend fees according to this Section.
2. To make findings once a year regarding unexpended or uncommitted fees.
3. To refund unexpended fees.
4. To adopt capital improvement plans.

The proposed fees for Hesperia do not finance all public facilities induced by the new development. City schools and city parks have previously established capital facilities financing programs. No provisions have been included for a City Hall Facility.

Development fees are limited to citywide facility needs with the exception of storm drain fees which are based upon drainage area wide fees. Nineteen (19) drainage sub-areas have been identified in the City's master plan of drainage. Fourteen (14) of the sub-areas have proposed drainage facilities while six (6) of them have no required facilities. Development which takes place under a development agreement or a planned development may be excluded from the development impact fee if equivalent contributions are stipulated in the development agreement or planned development.

Fees have been estimated as follows:

1. The various public facility categories were determined by City Departments.
2. The standard of service for each category was determined.
3. Current deficiencies were determined.
4. Future facility needs are estimated based upon service standards and projected growth.
5. The share of future facility costs resulting from new development are determined.
6. The share of each fee to be borne by residential, commercial, and industrial development are determined.
7. Impact fees are estimated for each residential unit, commercial square foot, and industrial square foot.

Before facility needs can be determined, it is necessary to project growth within the City. Table 1 shows the current population, as well as the number of residential dwelling units and commercial and industrial square footage. Current (1993) conditions have been derived from three sources. Population data is from the California Department of Finance, dwelling units are from the Hesperia Water District, and commercial/industrial square footage is from the 1989 estimate done by Gobar and Associates.

Table 1

HESPERIA GROWTH ASSUMPTIONS

Year	Population	Single Family Dwelling Units	Multiple Family Dwelling Units	Total Dwelling Units	Commercial Sq.Ft. (X1000)	Industrial Sq.Ft. (X1000)
1993	58,912 ⁽¹⁾	16,030 ⁽²⁾	2,974 ⁽²⁾	19,004 ⁽²⁾	1,508 ⁽⁴⁾	1,543 ⁽⁴⁾
2003	115,892 ⁽²⁾	31,534	5,850	37,384	2,600 ⁽⁵⁾	2,284 ⁽⁵⁾
2013	227,972 ⁽²⁾	62,031	11,508	73,539	4,484 ⁽⁵⁾	3,381 ⁽⁵⁾

Increase						
2013-1993	169,060	46,001	8,534	54,535	2,976	1,838

- (1) From 1992 California Department of Finance
- (2) Based Upon 7.0% Average Annual Growth Rate
- (3) From 1993 Hesperia Water Department
- (4) From 1989 Gobar and Associates Report
- (5) Based Upon 5.6% Average Annual Growth Rate
- (6) Based Upon 4.0% Average Annual Growth Rate

Annual growth rates are 7% for residential, 5.6% for commercial, and 4% for industrial. Although these values are lower than historic values they were considered to best represent the likely future growth. Based upon the growth rates, Hesperia will likely have 227,972 residents in the year 2013 or a total increase of 169,060 people. A rate of 3.1 residents per household was applied and utilizing current ratios of single family to multi-family housing, Hesperia should expect 46,001 new single family dwellings and 8,534 new multi-family units (apartment units) by the year 2013. Commercial and industrial square footage should increase by 2,976,000 and 1,838,000 square feet respectively.

IV ELIGIBLE CAPITAL IMPROVEMENTS

Eligible capital improvements are those that can be determined to be created by new development. The categories of needed facilities were determined by City Departments and a complete listing of needs is included in Tables 2 through 6. The categories include streets, storm drains, public safety (including fire and police), water and sewer, and public works. Schools and parks are not included in this study as they are not municipal services and impact fees have previously been determined by their respective districts. Water and sewer impacts are included in Table 5, however, the previously established fees due to the Hesperia Water District and Victor Valley Wastewater Reclamation Authority are considered adequate for current impacts and no additional fees are recommended.

A. Eligible Street Improvements

Hesperia's current street system services the existing population at a Level of Service (LOS) equal to or better than LOS "C". Future development threatens to reduce the current LOS and in order to accommodate the new development additional travel lanes, turn lanes, traffic signals, freeway exchanges, railroad crossings, and aqueduct crossings will be necessary. The improvements do not include non-transportation improvements such as curbs, gutters, and sidewalks, and are for arterial system improvements only. Street improvements are listed in Table 2. Proposed lanes and right of way width as well as the location and type of facility are included in Table 2 and are derived from Hesperia's General Plan, adopted in May 1991.

A total of \$154,587,000 will be necessary to complete the street improvements listed in Table 2. Since all of the listed arterial street improvements are needed as a result of new development, all are considered eligible improvements and development impact fees for streets will finance this amount.

Table 2

STREET IMPROVEMENT LIST

Facility/Location	Length (Miles)	Existing Lanes	Proposed Lanes	R.O.W. Width (ft)	Total Cost (X1,000)
<u>Freeway Exchanges & Overpass</u>					
I-15 at Main Street	-	2	6	120'	10,000
I-15 at Joshua	-	2	4	100'	6,000
I-15 at Rancho	-	0	6	120'	6,000
I-15 at Muscatel (bridge)	-	0	4	100'	4,000
I-15 at Mojave/Lemon	-	0	4	100'	6,000
I-15 at Eucalyptus	-	0	4	100'	6,000
I-15 at Willow (bridge)	-	0	4	100'	4,000
<u>Railroad Crossings</u>					
Maple	-	0	4	100'	3,500
Lemon	-	0	4	100'	3,500
Eucalyptus	-	0	4	100'	3,500
Muscatel	-	0	4	100'	3,500
Rancho	-	2	6	120'	10,000
<u>Aqueduct Crossings</u>					
Cataba	-	0	4	80'	2,000
Escondido	-	0	4	80'	2,000
Fuente	-	0	4	80'	2,000
Muscatel	-	0	4	80'	2,000
Main	-	4	6	120'	1,250
Rancho	-	2	6	120'	1,250
Maple	-	2	4	100'	1,250
Mesquite	-	2	4	80'	1,250

Table 2 (cont'd)

STREET IMPROVEMENT LIST

Facility/Location	Length (Miles)	Existing Lanes	Proposed Lanes	R.O.W. Width (ft)	Total Cost (X1000)
<u>Major Arterials</u>					
Main Street - SR395 to Mesa Linda	0.53	2	6	120'	695
Main Street - I-15 to 11th	3.22	4	6	120'	1,960
Ranchero Road - I-15 to Maple	3.50	2	6	120'	3,935
Ranchero Road - Maple to East City Limit	2.76	2	6	120'	3,719
Mojave - Maple to I-15	1.23	0	6	120'	2,496
Escondido - Main St. to Eucalyptus	3.20	0	6	120'	6,344
<u>Arterials</u>					
I Ave. - Bear Valley to Rancho	6.21	2	4	100'	4,887
Hesperia Rd. - Bear Valley to Mesquite	3.86	2	4	100'	4,051
Joshua - 1/4 Mi. W. of Caliente to Mariposa	0.66	0	4	100'	1,016
Santa Fe East - Main St. to RLF	4.59	2	4	100'	3,990
Maple Ave - Rancho to Eucalyptus	5.90	2	4	100'	3,856
<u>Secondary Arterials</u>					
7th Ave. - Bear Valley to Rancho	6.15	2	4	80'	4,034
E Ave. - I Ave. to Muscatel	3.12	2	4	80'	2,289
Mariposa - Escondido to Joshua	2.08	2	4	80'	1,915
Mauna Loa - Maple to Lemon	5.68	2	4	80'	4,302
3rd Ave. - Mauna Loa to Bear Valley	1.79	2	4	80'	1,383
Arrowhead Lake Rd.-Main St. to City Limit	3.22	2	4	80'	2,589
Eucalyptus - Maple to Peach	4.35	2	4	80'	2,646
Mesquite - Topaz to 3rd	3.59	0-2	4	80'	1,429

Table 2 (cont'd)

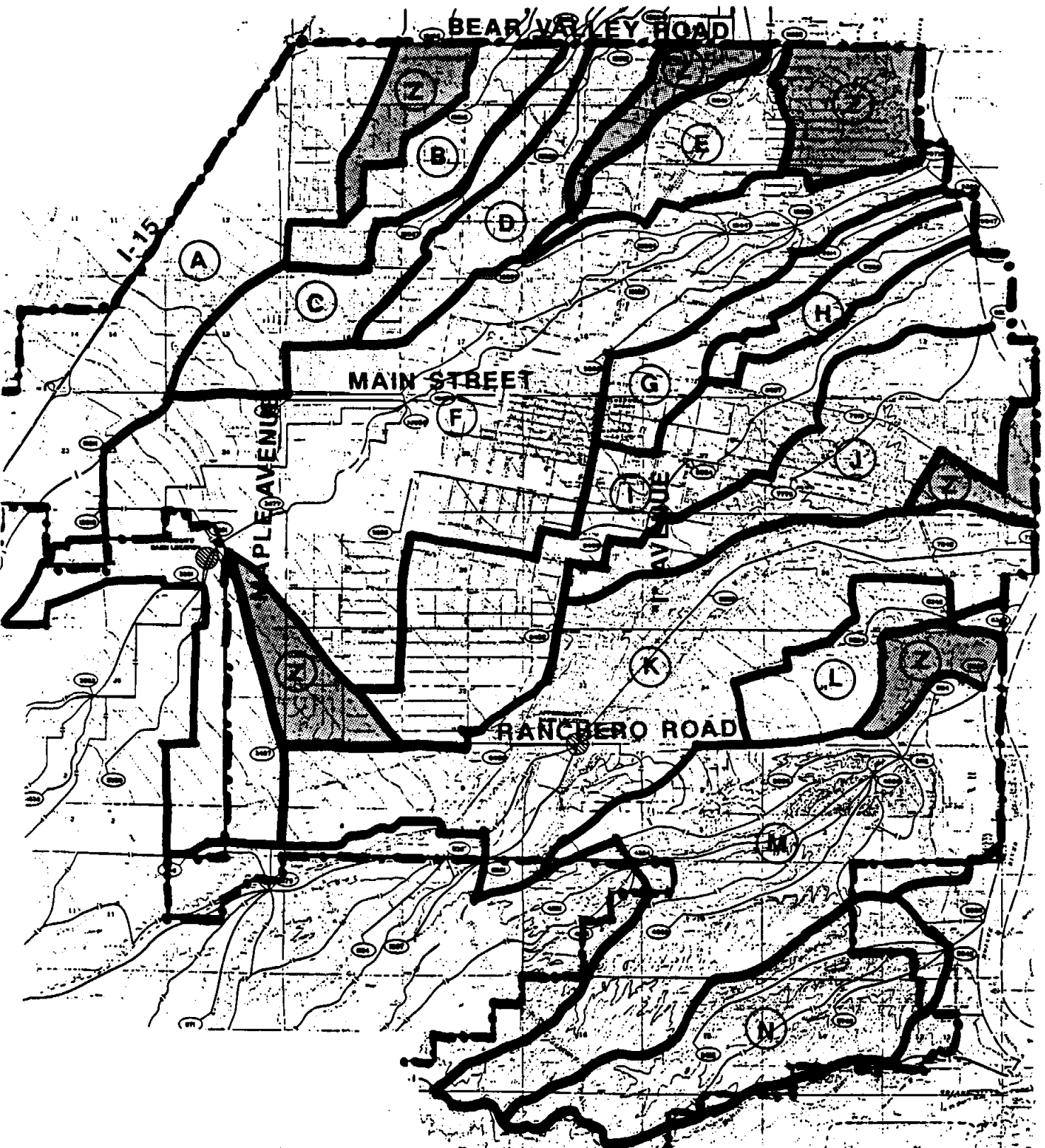
STREET IMPROVEMENT LIST

Facility/Location	Length (Miles)	Existing Lanes	Proposed Lanes	R.O.W. Width (ft)	Total Cost (X1000)
Muscatel - Mariposa to E Ave.	5.10	0-2	4	80'	3,901
Peach Ave. - Bear Valley to Rancho	6.34	2	4	80'	4,405
Rock Springs - Main to Mojave River	1.00	2	4	80'	545
Santa Fe East-Main to Summit Valley Rd.	3.59	2	4	80'	2,458
Willow - Maple to Cottonwood	.49	2	4	80'	242
Traffic Signals					
50 Signals (See attachment)					6,500
Total Street Improvements					154,587

B. Eligible Storm Drain Improvements

Hesperia currently lacks a city-wide storm drain system. As a result, periodic intense rainstorms do considerable damage to both public and private property throughout the City. A comprehensive storm drain system is needed to conduct storm flows through and out of the City of Hesperia. Major facility needs have been identified in a yet unpublished study by Williamson and Schmidt. The proposed master plan of drainage has identified 14 sub-areas where major drainage facilities are needed as well as several areas where no facilities are required. Figure 1 shows the City's master plan of drainage and identifies the storm drain facility sub-areas.

Facility costs were estimated utilizing calculated flows from the Williamson/Schmidt study and current costs estimated by the City Engineer's office. Total costs were determined by adding 30% for engineering and construction management and 60% for right of way acquisition to the facility cost. Table 3 shows the drainage sub-area, facility cost, and total cost for each facility sub-area. A total of \$94,416,000 will be necessary to complete the storm drain facilities listed in Table 3.



**CITY OF HESPERIA
DRAINAGE SUB-AREAS
FIGURE 1**

Table 3**STORM DRAIN CAPITAL IMPROVEMENT LIST****MNA336**

Sub-Area	Drainage Area (acres)	Facility Cost (X1000)	Total Cost⁽²⁾ (X1000)
A	2,579	\$ 7,621	\$14,481
B	604	\$ 496	\$ 942
C	1,263	\$ 1,100	\$ 2,090
D	778	\$ 600	\$ 1,140
E	940	\$ 300	\$ 570
F	8,028	\$14,904	\$28,317
G	813	\$ 550	\$ 1,045
H	537	\$ 720	\$ 1,368
I	2,970	\$ 2,810	\$ 5,339
J	1,949	\$ 1,518	\$ 2,884
K	4,622	\$ 7,720	\$14,668
L	868	\$ 660	\$ 1,254
M	4,186	\$ 8,038	\$15,272
N	2,053	\$ 2,656	\$ 5,046
Total	32,190	\$49,693	\$94,416

(1) As defined on City Master Plan for drainage

(2) Total cost includes facilities, design, construction management, and right of way acquisition

C. Eligible Public Safety Improvements

Hesperia currently has 2 fire stations (1 proposed) and 1 sheriff's station to serve a population of 58,912 residents. The current facilities are considered inadequate for fire stations and adequate for sheriff's stations. The addition of 169,060 new residents as well as more than 4½ million square feet of commercial and industrial buildings will create new demand for additional fire and sheriff's facilities.

The Hesperia Fire Protection District recommends one equipped fire station per 15,000 residents to achieve a maximum response time of five minutes. The addition of 169,060 new residents would require 11 new fire stations, however, the five minute response time could be met with the construction of the currently proposed fire station #5 (not included in this study) the construction of 4 new stations and the renovation or relocation of two existing fire stations (1 and 2). Station sizes were minimized with the intent that a training facility would be included, this facility and replacement equipment are also included in the capital costs. Table 4 shows that \$23,760,000 will be necessary to construct fire facilities during the 20 year period.

Table 4

PUBLIC SAFETY CAPITAL IMPROVEMENT LIST

Facility*	Total Cost (X1000)
<u>Fire</u>	
Fire Station #4	\$ 2,267
Fire Station #7	\$ 2,375
Fire Station #6	\$ 2,228
Fire Station #3	\$ 3,098
Training Facility (Regional)	\$ 4,029
Fire Station #2 (Renovation/Expansion)	\$ 2,526
Fire Station #1 (Renovation/Expansion)	\$ 3,337
Capital Equipment Replacement (2003-2013)	<u>\$ 3,900</u>
Total Fire	\$23,760
<u>Police</u>	
Police Station	<u>\$ 3,750</u>
Total Fire and Police	\$27,510

*Facility Cost Includes Equipment

The existing sheriff's facility serves 58,912 residents. The additional 169,060 residents will create the need for approximately 21,000 square feet of additional sheriff's station. Discussion with the Sheriff's Captain indicate that one headquarters facility and one satellite facility will be adequate to house the city sheriff's office. Given the existing facility cannot be expanded upon, a new headquarters facility would be sufficient to provide the current level of service to the community for 20 years. Table 4 shows a total cost of \$3,750,000 to construct sheriff's facilities during the 20 year period. The total public safety improvements totals \$27,510,000 for fire and sheriff's facilities.

D. Eligible Water and Sewer Improvements

Table 5 shows water and sewer improvements necessary to serve the proposed growth during the 20 year period. The Hesperia Water District estimates that current fees which include impact fees for water and sewer connections are adequate to account for the \$99,278,000 of necessary improvements. No further analysis is provided and Table 5 is for information purposes only.

**Table 5
WATER AND SEWER CAPITAL IMPROVEMENT LIST**

Facility	Total Cost (X1000)
<u>Water</u>	
Distribution and Transmission Piping	\$40,663
Wells	\$12,100
Booster Pumping Stations	\$ 5,837
Reservoirs	<u>\$22,500</u>
Total Water	\$81,100
<u>Sewer</u>	
Assessment District 3A	\$ 2,347*
Assessment District 3B	\$ 501
Assessment District 4	\$ 1,590
1st Trunk Sewer	\$ 552
2nd Trunk Sewer	\$ 574
New Collector System	\$12,395
Relief Sewers in A.D. 1	\$ 133
Upgrade 1st and 2nd Trunk Sewers	<u>\$ 86</u>
Total Sewer	<u>\$18,178</u>
Total Water and Sewer	\$99,278

*Cost Includes Administration and Engineering

E. Eligible Public Works Improvements

Hesperia currently utilizes a 10 acre water district maintenance site and a leased 2 acre public works maintenance site. Both are considered marginally adequate at the current time. The increase in population of 169,060 residents will bring about the need for a 20 acre maintenance and repair yard as well as 2 satellite facilities. The costs shown for the maintenance/repair yard assumes the use of the existing 10 acre site will continue or be included in the new site. The eligible capital cost for public works, which includes the water district, is \$12,000,000 and is shown on Table 6.

Table 6

PUBLIC WORKS CAPITAL IMPROVEMENT LIST

<u>Facility*</u>	<u>Total Cost (X1000)</u>
Maintenance Yard/Repair Yard	\$ 9,500
Satellite Yard #1	\$ 1,250
Satellite Yard #2	\$ 1,250
Total	<u>\$12,000</u>

*Cost Includes Equipment

V DEVELOPMENT FEE ESTIMATES

Fee estimates for all facilities other than storm drains are derived by allocating the eligible improvement costs to the land use types (residential, commercial, and industrial). Storm drain fee estimates are based upon the project sub-area acreage and the eligible improvement cost for the sub-area. This allocation requires that a basis be presented to show a reasonable relationship between the facilities funded by the fee and the type of development on which the fee is imposed.

A. Street Development Fee Estimates

Street facility costs are distributed to land uses in relation to the number of peak hourly trips (PHT) generated by each land use. PHT values are derived from the Institute of Transportation Engineers "Trip Generation" document and are taken as 1.1 PHT for single family dwelling units and 0.7 PHT for multi-family dwelling units. A value of 4.2 PHT per 1,000 square feet was used for commercial which assumes 67% retail and 33% office in this category. Industrial development was assigned 0.9 PHT per 1,000 square feet of new development.

Using the growth assumptions in Table 1 and the PHT generation rates, the distribution of eligible street costs can be calculated. Once the proportional share of the street improvement costs are determined by land use, the share of the total cost can be determined. The share is then divided by the number of new dwelling units or the square footage to derive the impact fee. Table 7 shows the fee and the calculation information for each land use.

Table 7

STREET DEVELOPMENT FEE ESTIMATES

Land Use	PHT Rate	New Development	Total PHT's	% Dist.	Share of Cost (X1000)	Fee
Single Family	1.1/D.U.	46,001	50,601	71.7%	110,839	\$2,409
Multi Family	0.7/D.U.	8,534	5,973	8.5%	13,140	\$1,540
Commercial	4.2/1000 S.F.	2,976	12,499	17.7%	27,362	\$ 9.19
Industrial	0.8/1000 S.F.	1,838	1,470	2.1%	3,246	\$ 1.77
			70,543	100%	154,587	

B. Storm Drain Development Impact Fee Estimates

Storm drain development impact fees are based upon the major facility cost and the drainage sub-area acreage. Facility areas are lettered A to Z and include areas of 537 acres to 8,028 acres. Facility costs range from \$0.00 to \$28,317,000 per sub-area. Development impact fees are calculated by dividing the facility cost by the drainage area with all costs determined per acre. Storm drain development impact fees range from \$0.00 per acre to \$5,615 per acre depending upon facility sub-area and are shown in Table 8.

Table 8

STORM DRAIN DEVELOPMENT IMPACT FEE ESTIMATES

Sub-Area	Facility Cost (X1000)	Drainage Area	Cost/Acre
A	\$14,481	2,579	\$5,615
B	\$ 942	604	\$1,560
C	\$ 2,090	1,263	\$1,691
D	\$ 1,140	778	\$1,465
E	\$ 570	940	\$ 606
F	\$28,317	8,028	\$3,527
G	\$ 1,045	813	\$1,285
H	\$ 1,368	537	\$ 254
I	\$ 5,339	2,970	\$1,798
J	\$ 2,884	1,949	\$1,480
K	\$14,668	4,622	\$3,173
L	\$ 1,254	868	\$1,445
M	\$15,272	4,186	\$3,648
N	\$ 5,046	2,053	\$2,458
Z	-0-	2,490	-0-

C. Public Safety Development Impact Fee Estimates

Public safety costs are distributed by the number of active population in the City using a factor called the Active Daily Resident or ADR. An ADR is one person remaining in the City for a 24 hour period and for residential uses ADR rates are assumed to be 3.1 per single family dwelling unit and 2.1 per multi-family dwelling unit. Commercial and industrial ADR's are calculated at 3.1 per 1,000 square feet and 0.65 per 1,000 square feet respectively.

The ADR rates are multiplied by the number of new units (residential) or the additional square footage (commercial and industrial) to calculate the total ADR by land use type. The percentage of ADR of each land use type is calculated and each land use type is then responsible for a like percentage of the public safety facility costs. The fee is calculated by dividing the share of the cost for each land use, by the number of new units or, in the case of commercial and industrial, by the number of additional square feet added. Table 9 lists the estimated public safety development impact fees.

Table 9

PUBLIC SAFETY DEVELOPMENT FEE ESTIMATES

Land Use	ADR Rate	Units Added	Total ADR	% Distribution	Share of Cost (X1000)	Fee
Single Family	3.1/DU	46,001	142,603	83.4%	22,943	\$499/DU
Multi Family	2.1/DU	8,534	17,921	10.5%	2,889	\$339/DU
Commercial	3.1/1000 SF	2,976	9,225	5.4%	1,486	\$0.50/SF
Industrial	.65/1000 SF	1,838	1,195	0.7%	192	\$0.10/SF
		Total	170,944	100%	27,510	

D. Public Works Development Impact Fee Estimates

Public works facilities are a function of the City's size and location of physical barriers throughout the City. Land uses contribute to the need for additional facilities based upon the amount of land they develop. Single family land uses in Hesperia are expected to develop at a density of approximately 2.2 units per acre while multi-family land uses will have an average density of 4.5 dwelling units per acre. Commercial and industrial uses usually have a lot coverage of 33% and 50% respectively with densities of .07 and .05 per 1,000 square feet respectively.

Fee estimates are calculated by multiplying the new units or square footage times the per acre or per 1,000 square foot factor to determine the total developed acreage. The developed acreage for each land use is calculated as a percentage of the total and multiplied by the total cost to determine the share of cost by each land use. The share of cost is divided by the additional units or area to calculate the fee. Public works development impact fee estimates are shown in Table 10.

Table 10

PUBLIC WORKS DEVELOPMENT IMPACT FEE ESTIMATES

Land Use	Additional Units	Units/Acre	Developed Acres	% Distribution	Share of Cost (X1000)	Fee
Single Family	46,001	2.2 DU	20,909	90.5%	10,860	\$236/DU
Multi Family	8,534	4.5 DU	1,896	8.2%	984	\$115/DU
Commercial	2,976	.07/1000 SF	208	0.9%	108	\$.04/SF
Industrial	1,838	.05/1000 SF	92	0.4%	48	\$.03/SF
Total			23,105	100%	12,000	

VI **PROCEDURES**

A. Administration

1. Collection

Development impact fees shall be collected by the Hesperia Building Official either through a previously established escrow account or prior to final inspection as determined by the Building Official. The revenues received shall be deposited in separate accounts where they receive accrued interest until disbursed by the Finance Director to finance eligible capital facilities.

Facilities occurring on the eligible projects list are the only ones that may receive funding. New facilities must be placed on the eligible facilities list prior to funding consideration. The actual decision to fund a specific project shall be approved by the City Council after recommendation by the Public Works Director and/or City Engineer for public works projects and the Fir Chief or Sheriff's Captain for public safety project. In determining suitability for funding the following factors shall be considered: facility need, geographic equitability, fund availability, co-financing, and repayment. Projects should be recommended for funding on an annual basis or more often if necessary.

2. Repayment of Excess Funds

Should a developer install improvements which exceed the capacity of the development impact fee, the excess amount shall be subject to reimbursement agreements according to established city procedures. The City shall not be obligated to repay for excess capacity except as funds are available in the respective fee accounts. The City shall not be obligated to establish a repayment schedule for developers installing excess facility capacity.

MNA336

3. Unused Development Impact Fees

Any unused development impact fees not specified for a particular use shall be refunded to the developer or owner of record if they are not used in 5 years. Should the total account in any fee category exceed the total fees collected for that category over the previous five fiscal years, a surplus shall be declared by the City Council. Any surplus so declared will be distributed to the property owners of record according to the distribution methods used to set the then current fee amounts. The proportionate share of the surplus will be distributed to all new development which occurred in the year preceding the fifth fiscal year. The refunded amount will include the proportional share of the fee and any interest accrued on that amount during the previous five years. The City Council may cancel the refund if it finds the refund is too small to cover the cost of mailing the refund.

B. Update of Fees

All aspects of this proposal shall be reviewed annually and updated accordingly. The Public Works, Fire, and Sheriff's Departments shall be responsible for updating facility needs and cost estimates while the Planning Department shall update population and demographic numbers.

MNA336

VII DEVELOPMENT IMPACT FEES

Table 11 summarizes development impact fees for other than storm drain facilities for all land uses within Hesperia. Storm drain impacts are calculated by drainage area and are shown on Table 8.

Table 11

SUMMARY OF DEVELOPMENT FEES

Facilities	Single Family Residence (per unit)	Multi Family Residence (per unit)	Commercial (per SF)	Industrial (per SF)
Streets	\$2,409	\$1,540	\$9.19	\$1.77
Storm Drain	See Table 8, Based Upon Acreage and Drainage Area			
Public Safety	\$ 499	\$ 339	\$.50	\$.10
Public Works	\$ 236	\$ 115	\$.04	\$.03
Total Fee (Does not include drainage)	\$3,144	\$1,994	\$9.73	\$1.90

VIII RECOMMENDED DEVELOPMENT IMPACT FEE

The impact fees shown in Tables 8 and 11 assume that growth will occur continuously at the prescribed rates and that impact fees will be the only funding method available to provide the new facilities. Both assumptions are incorrect and adjustments to the fees appear warranted. The current (1992-1993) residential growth rate in Hesperia is approximately 2½% and this level has been the average during the prior three years. Prior to that time, growth rates in Hesperia exceeded 10% per year for approximately twelve years. Other funding sources such as gas tax and redevelopment will add considerably to the additional infrastructure needs during the twenty year plan period.

Discussions with the Development Advisory Committee have led to a recommendation which appears to be equitable and implementable. Staff is recommending that the following plan be put into place in Hesperia:

1. Fee Rate Establishment

Fees shall be set at the time of building permit issuance. Fees shall be collected per Section VI A.1.

2. Fee Implementation

The following phase-in of impact fees is recommended:

Single-Family Residential and Multi-Family Residential

January 1, 1994	60% of the recommended fee
January 1, 1995	80% of the recommended fee
January 1, 1996	100% of the recommended fee

Commercial and Industrial

January 1, 1994	100% of the recommended fee
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3. Recommended Fees

(See Tables 12, 13, and 14)

MNA336

Table 12

FEEES EFFECTIVE JANUARY 1, 1994

Facilities	Single Family Residence (per unit)	Multi Family Residence (per unit)	Commercial (per SF)	Industrial (per SF)
Streets	\$ 960	\$ 645	\$.21	\$.15
Storm Drain	*not to exceed \$ 300/du	*not to exceed \$ 300/du	\$.07	\$.13
Public Safety	\$ 240	\$ 144	\$.05	\$.05
Public Works	\$ 120	\$ 48	\$.02	\$.02
Total Fee (Maximum Amount)	\$1,620/du	\$1,137/du	\$.35/sf	\$.35/sf

*This fee is found by determining gross lot acreage and multiplying by the per acre fee in the drainage sub-area where the building occurs.

Table 13

FEES EFFECTIVE JANUARY 1, 1995

Facilities	Single Family Residence (per unit)	Multi Family Residence (per unit)	Commercial (per SF)	Industrial (per SF)
Streets	\$1,280	\$ 860	\$.21	\$.15
Storm Drain	*not to exceed \$ 400/du	*not to exceed \$ 400/du	\$.07	\$.13
Public Safety	\$ 320	\$ 192	\$.05	\$.05
Public Works	\$ 160	\$ 64	\$.02	\$.02
<hr/>				
Total Fee (Maximum Amount)	\$2,160/du	\$1,516/du	\$.35/sf	\$.35/sf

*This fee is found by determining gross lot acreage and multiplying by the per acre fee in the drainage sub-area where the building occurs.

Table 14

FEES EFFECTIVE JANUARY 1, 1996

Facilities	Single Family Residence (per unit)	Multi Family Residence (per unit)	Commercial (per SF)	Industrial (per SF)
Streets	\$1,600	\$1,075	\$.21	\$.15
Storm Drain	*not to exceed \$ 500/du	*not to exceed \$ 500/du	\$.07	\$.13
Public Safety	\$ 400	\$ 240	\$.05	\$.05
Public Works	\$ 200	\$ 80	\$.02	\$.02
Total Fee (Maximum Amount)	\$2,700/du	\$1,895/du	\$.35/sf	\$.35/sf

*This fee is found by determining gross lot acreage and multiplying by the per acre fee in the drainage sub-area where the building occurs.

MNA336

IX COMPARISON WITH OTHER HIGH DESERT CITIES

A comparison of impact fees with other High Desert cities is included. It is important to note that no two cities collect fees for the exact same types of facilities. This is due to the varying services provided by the respective cities and their subsidiary districts, and to decisions made by the various city administrations as to which facilities should be funded.

Table 15

**COMPARISON OF IMPACT FEES
WITH OTHER HIGH DESERT CITIES**

City	Funded Facilities	Single Family Residence/du	Multi Family Residence/du	Commercial /sq. ft.	Industrial /sq. ft.
Adelanto	None	\$ -0-	\$ -0-	\$ -0-	\$ -0-
Apple Valley	Streets	\$1,766	\$1,060	\$.47***	\$.40***
Victorville	Streets, parks, public safety, other*	\$2,343	\$1,873	\$.35	\$.35
Hesperia**	Streets, storm drain, public safety, public works				
1/1/94		\$1,620	\$1,137	\$.35	\$.35
1/1/95		\$2,160	\$1,516	\$.35	\$.35
1/1/96		\$2,700	\$1,895	\$.35	\$.35

*Other includes public works yards, city hall expansion, transit center, and police administrative facility.

**Hesperia fees are maximum amounts, amounts may be less in some drainage sub-areas.

***Per square foot fees are averages.

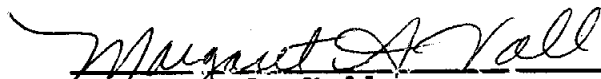
MNA336

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF HESPERIA)

I, Margaret A. Vall, City Clerk of the City of Hesperia, California, do hereby certify that Ordinance No. 180 was duly and regularly introduced by the City Council of the City of Hesperia, California at a regular meeting thereof held on the 2nd day of September, 1993, and duly and regularly adopted by the City Council at a regular meeting thereof held on the 16th day of September, 1993, by the following vote, to wit:

AYES: Councilmembers Bakker, Honeycutt, May,
Shearer and Lampignano
NOES: None
ABSENT: None
ABSTAIN: None

I further certify that I caused to be posted a certified copy of the said Ordinance on the 1st day of October, 1993, pursuant to Resolution No. 93-78.



Margaret A. Vall
City Clerk
(SEAL)

I, _____, City Clerk of the City of Hesperia, California, do hereby certify that the foregoing Ordinance No. 180 is a full, true and correct copy of that now on file in this office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Hesperia this _____ day of _____, _____.

City Clerk
(SEAL)

AFFIDAVIT OF POSTING

HESPERIA CITY COUNCIL

I, Margaret A. Vall, City Clerk of the City of Hesperia, California, do hereby certify that I caused to be posted certified copies of Ordinance Nos. 179 and 180 on the 1st day of October, 1993; in the following designated areas:

**Hesperia City Offices
15776 Main Street**

**Hesperia Branch Library
9565 Seventh Street**

**Hesperia Fire District Office
17288 Olive Street**

Dated: September 30, 1993


Margaret A. Vall
Secretary



PROOF OF PUBLICATION

(2015.5 C.C.P.)

**STATE OF CALIFORNIA,
County of San Bernardino**

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the

HESPERIA RESORTER

16925 MAIN STREET

HESPERIA, CALIFORNIA 92345

a newspaper of general circulation, printed and published every Thursday in Hesperia, California, County of San Bernardino, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Bernardino, State of California, under the date of July 31, 1963. Case Number 114788; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

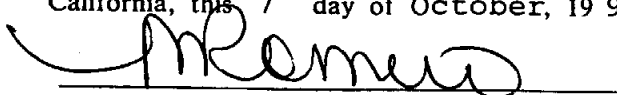
October 7

all in the year 1993

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Hesperia

California, this 7 day of October, 19 93



Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

**NOTICE OF ADOPTION OF
ORDINANCE NOS. 179 and 180
NOTICE IS HEREBY GIVEN
THAT Ordinance Nos. 179 and
180 were considered before the
City Council of the City of
Hesperia, on September 2, 1993
at a public meeting:**

**ORDINANCE NO. 179
established regulations concern-
ing Business Licenses.**

**ORDINANCE NO. 180
established regulations regarding
development impact fees for all
new residential, commercial
and industrial structures.**

The Ordinances were duly adopted on September 16, 1993, and become effective 30 days hence with the following roll call vote:

**AYES: Bakker, Honeycutt,
May, Shearer and Lampignano**

NOES: None

ABSENT: None

ABSTAIN: None

Certified copies of the full text of Ordinance Nos. 179 and 180 are on file in the office of the City Clerk and are available for public inspection at 15776 Main Street, Suite 10, Hesperia, California, pursuant to Government Code.

Dated: September 28, 1993

Meg Vall

City Clerk

City of Hesperia, California

Published in the Hesperia Resorter October 7, 1993.

H-2386