

CITY OF
ANDERSON



AGENDA ITEM

February 3, 2009, City Council Meeting

Approved for Submittal By:
City Manager <u>Scott Morgan</u>
To Be Presented By:
Scott Morgan <u>Scott Morgan</u>

To: Honorable Mayor and Members of the Anderson City Council
From: Scott Morgan, City Manager
Telephone 378-6646
Date: February 3, 2009

SUBJECT

Ordinance No. 758 - Development Impact Fee Amendments

RECOMMENDATION

The City Manager recommends that the City Council, by motion:

Enact (second reading) Ordinance No. 758 amending the Anderson Municipal Code pertaining to development impact fees to provide for collection of impact fees not later than certificate of occupancy and to combine certain water and sewer fee elements, as introduced (first reading) on January 20, 2009.

FISCAL IMPACT

The ordinance would provide for impact fees to be paid later in the development process, after issuance of building permits but prior to certificate of occupancy.

The ordinance would also combine certain water and sewer impact development impact fees.

The overall fiscal impact of these changes would be small, primarily the loss of some interest earnings in capital improvement fund accounts due to a later collection of development impact fees.

DISCUSSION and BACKGROUND

Ordinance No. 758, to defer the time of collection of development impact fees from issuance of building permits to just prior to issuance of certificate of occupancy and to combine certain water and sewer impact fee elements, was introduced (first reading) at the January 20, 2009, City Council meeting and set for enactment (second reading) at tonight's City Council meeting.

ATTACHMENT

1. Ordinance No. 758.

ORDINANCE NO. 758

AN ORDINANCE OF THE CITY OF ANDERSON TO AMEND WATER, SEWER, CORPORATION YARD AND POLICE FACILITY IMPROVEMENT, STORM DRAIN, PARK, AND TRAFFIC MITIGATION DEVELOPMENT IMPACT FEES

WHEREAS, the City of Anderson charges water, sewer, corporation yard and police facility, storm drain, park, and traffic mitigation development impact fees to the developers of new housing and other new construction in order to provide essential infrastructure for future growth; and

WHEREAS, the Shasta Builders Exchange has requested that the City's collection of these fees be deferred from the issuance of building permits to not later than the issuance of the Certificate of Occupancy; and

WHEREAS, the City Manager has recommended that the City Council of the City of Anderson support this request and to additionally combine water and sewer line fees into the respective water and sewer capital improvement connection fees; and

WHEREAS, the City Council of the City of Anderson does support these recommendations.

NOW, THEREFORE, the City Council of the City of Anderson hereby determines that the Water Capital Improvement Fee, the Sewer Inclusion Fee, the Corporation Yard and Police Facility Improvement Fee, the Storm Drain Capital Improvement Fee, the Park Capital Improvement Fee, and the Traffic Mitigation Fee shall be due upon issuance of building permits, but shall not be payable until a time not later than issuance of the Certificate of Occupancy.

NOW, THEREFORE, BE IT FURTHER DETERMINED, that the City Council of the City of Anderson hereby amends portions of Title 13, Title 15 and Title 16 of the Anderson Municipal Code and does ordain as follows:

SECTION I

Subsection B of Section 13.16.005 of the Anderson Municipal Code is amended to read as follows:

The city council establishes water capital improvement fees as follows:

1. Each Single-family Unit. For each single-family unit, the water capital improvement fee shall be two thousand one hundred eighty-five dollars.
2. Each Duplex. For each duplex, the water capital improvement fee shall be one thousand four hundred three dollars per unit.
3. Each Multiple-family Unit Other Than a Duplex. For each multiple-family unit other than a duplex, the water capital improvement fee shall be one thousand eight hundred twenty dollars for the first unit and six hundred five dollars per unit thereafter.

4. Each Motel or Hotel Unit. For each motel or hotel unit, the water capital improvement fee shall be one thousand five hundred twenty dollars for the first transient unit and three hundred five dollars for each transient unit thereafter.
5. Each Unit or Pad in a Mobilehome Park. For each unit or pad in a mobilehome park, the water capital improvement fee shall be one thousand eight hundred twenty dollars for the first unit or pad and six hundred five dollars per unit or pad thereafter.
6. Nonresidential construction. Non-residential connections shall pay a capital improvement fee based upon meter size as follows:

5/8" meter	\$2,185.00
1" meter	\$3,685.00
1-1/2" meter	\$6,780.00
2" meter	\$11,140.00
3" meter	\$23,515.00
4" meter	\$40,855.00
6" meter	\$90,450.00
7. In those commercial or industrial connections where the water meter size has been increased solely to provide adequate water flows to a fire sprinkler system then the capital improvement fee shall be established by the Public Works Director based upon equivalent dwelling units. No such fee shall be less than two thousand one hundred eighty-five dollars.

SECTION II

Sections 13.68.170, 13.68.180, and 13.68.190 of the Anderson Municipal Code are deleted in their entirety.

SECTION III

Subsection A of Section 13.80.205 of the Anderson Municipal Code is amended to read as follows:

The sewer inclusion fees shall be collected for each of the following:

1. The Riverside East Assessment District area.
 - a. Each Single-family Unit. For each single-family unit, the sewer inclusion fee shall be two thousand three hundred fifteen dollars.
 - b. Each Duplex. For each duplex, the sewer inclusion fee shall be one thousand nine hundred eighty dollars per unit.
 - c. Each Multiple-family Unit Other Than a Duplex. For each multiple-family unit other than a duplex, the sewer inclusion fee shall be one thousand nine hundred eighty dollars.
 - d. Each Unit or Pad in a Mobilehome Park. For each unit or pad in a mobilehome park, the sewer inclusion fee shall be one thousand nine hundred eighty per unit or pad.
 - e. Nonresidential construction shall pay a household equivalent construction charge. The household equivalent is determined on the basis of flow, suspended solids and biochemical oxygen demand, as determined by the Public Works department. Nonresidential construction shall pay a household equivalent construction charge determined by multiplying two thousand one hundred forty dollars times the household equivalent.

2. Northwest and central areas, defined as all areas within the city outside the Riverside East Assessment area and the southern area.
 - a. Each Single-family Unit. For each single-family unit, the sewer inclusion fee shall be three thousand five hundred ninety dollars.
 - b. Each Duplex. For each duplex, the sewer inclusion fee shall be two thousand six hundred eighteen dollars per unit.
 - c. Each Multiple-family Unit Other Than a Duplex. For each multiple-family unit other than a duplex, the sewer inclusion fee shall be three thousand two hundred fifty-five dollars for the first unit and one thousand nine hundred eighty dollars per unit thereafter.
 - d. Each Unit or Pad in a Mobilehome Park. For each unit or pad in a mobilehome park, the sewer inclusion fee shall be three thousand two hundred fifty-five dollars for the first unit or pad and one thousand nine hundred eighty dollars per unit or pad thereafter.
 - e. Nonresidential construction shall pay a household equivalent construction charge. The household equivalent is determined on the basis of flow, suspended solids and biochemical oxygen demand, as determined by the Public Works department. Nonresidential construction shall pay a household equivalent construction charge determined by multiplying three thousand four hundred fifteen dollars times the first household equivalent and two thousand one hundred forty dollars times each household equivalent thereafter.

3. Southern Area, as shown in Figure 1, attached to Ordinance No. 726 adopted April 20, 2004.
 - a. Each Single-family Unit. For each single-family unit, the sewer inclusion fee shall be four thousand five hundred sixty-five dollars.
 - b. Each Duplex. For each duplex, the sewer inclusion fee shall be three thousand four hundred fifty-three dollars per unit.
 - c. Each Multiple-family Unit Other Than a Duplex. For each multiple-family unit other than a duplex, the sewer inclusion fee shall be four thousand ninety dollars *for* the first unit and two thousand eight hundred fifteen dollars per unit thereafter.
 - d. Each Unit or Pad in a Mobilehome Park. For each unit or pad in a mobilehome park, the sewer inclusion fee shall be four thousand ninety dollars for the first unit or pad and two thousand eight hundred fifteen dollars for each unit or pad thereafter.
 - e. Nonresidential construction shall pay a household equivalent construction charge. The household equivalent is determined on the basis of flow, suspended solids and biochemical oxygen demand, as determined by the Public Works department. Nonresidential construction shall pay a household equivalent construction charge determined by multiplying four thousand five hundred sixty five dollars times the first household equivalent and three thousand two hundred ninety dollars times each household equivalent thereafter.

SECTION IV

Subsection C of Section 13.80.205 of the Anderson Municipal Code is amended to read as follows:

Sewer inclusion fees shall be due at the time of issuance of a building permit or, if no such permit is to be issued, then due and payable at the time of making a sewer connection. If a building permit is issued, sewer inclusion fees are payable prior to city issuance of a certificate of occupancy.

SECTION V

Sections 13.84.010, 13.84.020, 13.84.030, 13.84.032, 13.84.034, and 13.84.080 of the Anderson Municipal Code are deleted in their entirety.

SECTION VI

Section 15.36.020 of the Anderson Municipal Code is amended to read as follows:

15.36.020 Storm drain capital improvement fee.

For all single-family and duplex residential construction, the storm drain capital improvement fee shall be one hundred fifty-three dollars per unit base, plus thirty-one cents per square foot of floor area, including garage or carport.

For all multifamily residential, the storm drain capital improvement fee shall be thirty-one cents per square foot of impervious surface construction.

For all mobile home parks, the storm drain capital improvement fee shall be two hundred nine dollars for each mobile home, unit or pad.

For all nonresidential construction, the fee shall be thirty-one cents per square foot of impervious surface construction.

The fees shall be collected by the city and paid by the developer not later than issuance of the certificate of occupancy, and shall be placed in a designated special drainage capital improvement fund.

SECTION VII

Section 15.36.100 of the Anderson Municipal Code is amended to read as follows:

15.36.100 Payment of park capital improvement fees.

The park capital improvement fee assessed and levied pursuant to the provisions of this chapter upon the owner of property adding one or more dwelling units to such property shall be due upon the issuance of a building permit for the construction of any new building in which such dwelling unit is to be located or the alteration or construction of an addition to any existing building in which such dwelling unit is to be located and payable not later than issuance of the certificate of occupancy.

SECTION VIII

Section 15.36.130 of the Anderson Municipal Code is deleted in its entirety.

SECTION IX

Section 15.40.110 of the Anderson Municipal Code is amended to read as follows:

15.40.110 Payment of traffic mitigation fee.

Except as otherwise provided by this chapter, fees imposed pursuant to this chapter shall be due upon the issuance of any building permit for any development, project or building and payable not later than issuance of the certificate of occupancy.

SECTION X

Section 16.14.170 of the Anderson Municipal Code is amended to read as follows:

16.14.170 Tormey Drain fees.

A. The developer of any land lying wholly or partially within the Tormey Drain watershed as depicted in "Tormey Drain Master Plan," adopted August, 1986, shall pay a special drainage fee of two thousand one hundred eighty-four dollars per acre. Such fee shall be paid to the city not later than issuance of the certificate of occupancy.

SECTION XI

This ordinance shall take effect May 1, 2009.

The foregoing ordinance was introduced at a regular meeting of the City Council of the City of Anderson held on January 20, 2009, and adopted at a regular meeting of the City Council of the City of Anderson held on February 3, 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Butch Schaefer, Mayor of the City of Anderson

ATTEST:

Scott Morgan, City Clerk of
the City of Anderson