

ORDINANCE NO. 17
AN ORDINANCE OF THE CHESTER PUBLIC UTILITY DISTRICT
ESTABLISHING DEVELOPMENT IMPACT FEES FOR VARIOUS
INFRASTRUCTURE AND PUBLIC FACILITIES

WHEREAS, the Planning and Zoning law of the California Government Code provides for local agencies to implement and charge a development impact fee to mitigate the impact of new development upon existing public facilities related to the development project, and

WHEREAS, development projects in Chester will impact the Water Distribution System, Water Pumping Facilities, Water Storage Facilities, Sewer Collection System, and Sewage Treatment Ponds, and

WHEREAS, the Chester Public Utility District, through its estimated future growth projections, has taken into account the impacts of such growth and development, and proposes the implementation of a fee to be levied on all new development in order to insure that all development shares fairly in the cost of building the required infrastructure and other public facilities, and

WHEREAS, the Chester Public Utility District recognizes that there are numerous methods of computing Development Impact Fees, but has determined that the simple method of calculating fees for residential development projects on the basis of equivalent dwelling units (EDU) makes it possible for both developers and the District to quickly calculate the fees while insuring that the costs of the infrastructure and other capital facilities are spread evenly amongst all those who build, and

WHEREAS, the Chester Public Utility District also recognizes that commercial and industrial development projects will not impact the infrastructure to the degree expected from residential projects and has computed the fees for these projects, in general, except for motels/hotels and restaurants, based on water service size.

NOW, THEREFORE, BE IT ORDAINED that the Chester Public Utility District Board of Directors does hereby establish Development Impact Fees and provisions for their collection to mitigate the water system and related facilities, and the sewer system and related facilities caused by new residential, commercial and industrial development in the community of Chester as follows:

Section 1: Funding and Purpose:

The Board of Directors of the Chester Public Utility District does find that Chester is facing considerable growth and development, and such growth and development will overwhelm existing infrastructure and other facilities. The District, after a review of its existing facilities, has taken into account the impacts of future growth and development and proposes the implementation of a fee to be levied on all new development in order to insure that all development shares fairly in the cost of building the required District infrastructure.

Section 2: Fee Categories.

A. Sewers and Lift Stations: Replacement of undersized, and/or inadequate sewer lines and appurtenances, and the construction of new lift stations and increasing the capacity of existing sewage lift stations.

B. Wastewater Treatment Facilities: Expansion, and/or, modification to the existing wastewater treatment ponds.

C. Water Distribution System and Storage: Construction of additional storage facilities and transmission main.

D. Pump Station: Construction of a new pump station on an existing well site.

Section 3: Payment Procedure.

A. The Board of Directors of the Chester Public Utility District shall, by resolution, set forth the specific amount of the fee, describe the benefit and impact on which the fee is imposed, list the specific public improvements, public services and community amenities to be financed and set forth time for payment.

B. As described in the fee resolution, the fee shall be paid by each developer either at the time of subdivision map approval by the County of Plumas, at the time of issuance of a building permit, or prior to issuance of a Certificate of Occupancy for the commercial or industrial project or the respective dwelling units in a residential project, depending on the applicability of the California Government Code Title 7, Division 1, Chapter 5, Section 66000.

C. On an annual basis the Chester Public Utility District, Board of Directors, shall review this fee to determine whether the fee amounts are reasonably related to the impacts of developments and whether the described public facilities are still needed.

- D. Each single-family unit shall pay one (1) equivalent dwelling unit fee.
- E. Each multi-family complex and mobile home park unit shall pay one (1) equivalent dwelling unit fee for each new dwelling unit, and/or mobile home space.
- F. For commercial and industrial development, excluding motels, hotels and restaurants, the fees shall be calculated based on the water service size. Hotels, motels and restaurants shall pay a fee as noted in the fee criteria below.

Residential Developments:

<u>Category</u>	<u>Tot. Est. Cost</u>	<u>Fee/EDU (548 total)</u>
Sewers/lift stations	\$ 981,000	\$ 1,790
Sewage Treatment	\$ 600,000	\$ 1,090
Water/Storage	\$ 850,000	\$ 1,550
Pump Station	\$ 350,000	\$ 640
Total: \$ 2,781,000		\$ 5,070 per EDU

Commercial/Industrial:

Development Impact Fee shall be based on water service size, as follows:

<u>Service Size</u>	<u>Equiv. EDU</u>	<u>Fee</u>
5/8 x 3/4-inch	0.5	\$ 2,535
1-inch	1.0	\$ 5,070
1.5-inch	2.0	\$ 10,140
2-inch	3.0	\$ 15,210
3-inch	6.0	\$ 30,420
4-inch	10.0	\$ 50,700
6-inch	36.0	\$182,520

Hotel/Motel/Restaurant:

1. Hotel/Motel, for each 3-rooms without a kitchen: 1 EDU = \$5,070
2. Hotel/Motel, for each 2-rooms with a kitchen: 1 EDU = \$5,070
3. Restaurant: 3 EDU = \$15,210

Section 4: Use of Fees.

- A. The revenues raised by payment of this fee shall be placed in separate and special accounts, which shall be known as the “Sewer and Lift Station Fee Fund,” “Wastewater Treatment Facilities Fee Fund,” “Water Distribution System,” “Storage Fee Fund,” and “Pump Station Fee Fund.”
- B. Such revenues, along with any interest earnings on each account shall be used solely to:
 - 1. Pay for the District’s future construction of public facilities described in the resolution enacted pursuant to Section 3 above, or to reimburse the District for those described or listed public facilities constructed by the District with funds advanced by the District from other sources, or
 - 2. Reimburse developers who have been required or permitted to install such listed facilities which are oversized with supplemental size, length, or capacity.
- C. Monies deposited in these fee funds shall not be commingled with general funds or other revenues, with the exception of short term investments. Money deposited in said funds, and all accrued interest, shall be used exclusively for the acquisition of land and easements, or capital improvements, related to one or more of the special fee funds noted above, made necessary by the development of new residential, commercial, industrial, or other projects in the Chester Public Utility District.

Section 5: Construction of Facilities by Developer.

- A. Whenever a developer is required, as a condition of approval of a development permit, to construct a public facility described in a resolution adopted pursuant to this Ordinance, which facility is determined by the District to have supplemental size, length or capacity over that needed for the impacts of that development, and when such construction is necessary to ensure efficient and timely construction of the facilities network, a reimbursement agreement with the developer and a credit against the fee, which would otherwise be charged pursuant to this ordinance on the development project, shall be offered. The reimbursement amount shall not include the portion of the improvement needed to provide services or mitigate the need for the facility or the burden created by the development.

Section 6: Ordinance Adoption.

- A. This ordinance was adopted at a noticed public hearing, at which time the Board of Directors of the Chester Public Utility District also considered the initial Development Impact Fee Resolution. Said resolution and associated studies were available to the general public for a period of at least 14 days prior to the public hearing. This fee shall apply to the issuance of any building permit, for any residential development issued sixty (60) days following this ordinance's passage and for all other types of development thirty (30) days following its passage.
- B. The District secretary shall, within thirty (30) days after its passage cause this ordinance to be published at least once in a newspaper of general circulation within the community of Chester.
- C. This ordinance shall take effect upon the thirty-first (31) day after its final passage.
- D. Adopted and passed by the Board of Directors of the Chester Public Utility District on October 11,, 2007, by the following vote on roll call:

AYES DIRECTORS: Withrow, Plakk, Cummings, Scott, West

NOES DIRECTORS: None

ABSENT DIRECTORS: None

ABSTAINING DIRECTORS: None

Signed and approved by me after its passage this 11 day of October 2007

APPROVED:

R. Withrow

Chair, Board of Directors
Chester Public Utility District

ATTEST:

J. Cummings
Secretary
Board of Directors, Chester
Public Utility District

