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**Title:** Annual Review and Acceptance of the FY 2023 Summary of Impact Fee Waivers

**Sponsors:** Public Works Department

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**Attachments:** 1. Summary of Approved Impact Fee Waivers, 2. Summary of Public Infrastructure Funds Received

Date	Ver.	Action By	Action	Result
12/14/2023	1	City Council	ADOPTED	Pass

**REPORT TO THE CITY COUNCIL**

**FROM:** SCOTT L. MOZIER, PE, Director  
Public Works Department

**SUBJECT**  
Annual Review and Acceptance of the FY 2023 Summary of Impact Fee Waivers

**RECOMMENDATIONS**

Staff recommends that the City Council review and accept the FY2023 Summary of Impact Fee Waivers.

**EXECUTIVE SUMMARY**

The Economically Disadvantaged Neighborhoods Incentive Program was first approved in 2015. Section 12-4.1407 of that ordinance stipulates that an annual report is prepared and presented to the Council detailing the amount and type of Development Impact Fees eliminated for the fiscal year, along with a running total of eliminated fees that may need to be offset by other legally permissible City funding sources, and/or capital improvement projects planned at the time of adoption of the impact fees that will be reduced or eliminated. This staff report along with the attached spreadsheets are the Fiscal Year (FY) 2023 Annual Report.

**BACKGROUND**

The City charges development impact fees to new development for various types of public

infrastructure, consistent with Section 66000 et seq. of the California Government Code, generally known as the Mitigation Fee Act or AB1600. Fees collected by the City include Regional Street Impact Fees, New Growth Area Street Impact Fees, Traffic Signal Mitigation Impact Fees, Citywide Fire Facilities Impact Fees, Citywide Police Facilities Impact Fees, Citywide Park Facilities Impact Fees, Quimby Parkland Dedication Fees, Water Capacity Fees and Wastewater Capacity Fees.

Each development fee was established in accordance with an adopted nexus study. The law requires that impact fees bear a reasonable relationship to the impact of the proposed development. Developers can be charged no more than their “fair share” under AB1600. Therefore, any waived or reduced fees are tracked against public infrastructure funds which may help offset the lost impact fee revenue. The Council has adopted the impact fee waiver or reduction programs shown in the table below. The fees waived in FY 2023 are shown in the first column. The total fees waived since the adoption of the program are listed in the second column.

Fee Waiver Program	Fees Waived FY2023	Fees Waived Since Program Adoption
Infill Incentive Program for Certain Residential Infill Projects	\$1,450,936.40	\$3,568,714.18
Commercial Build Act / Economically Disadvantaged Neighborhoods	\$ 8,653.90	\$1,366,928.70
Ventura / Kings Canyon Corridor Job Creation Act	\$ 0	\$ 35,105.32
iDIFER	\$ 311,954.16	\$ 4,383,990.81
Residential Build Act	\$ 27,309.00	\$ 539,375.99
<b>TOTAL</b>	<b>\$ 1,798,853.46</b>	<b>\$ 9,902,768.90</b>

Impact fees waived and the total amounts are listed in the table below.

Impact Fee Program	Fees Waived FY2023	Fees Waived Since Program Adopted
Fire Facilities Impact Fee	\$ 377,817.34	\$ 1,510,381.63
Park Facilities Impact Fee	\$ 945,068.00	\$ 3,016,065.00
Police Facilities Impact Fee	\$ 203,886.28	\$ 1,867,672.34
Citywide Regional Street Impact Fee	\$ 115,664.28	\$ 1,145,223.29
New Growth Major Street Fee	\$ 102,075.60	\$ 1,013,073.56
Citywide Traffic Signal Impact Fee	\$ 54,341.96	\$1,350,353.08
<b>TOTAL</b>	<b>\$ 1,798,853.46</b>	<b>\$ 9,902,768.90</b>

The full listing of waivers by incentive program, entitlement number, applicant and development location/address is attached to the staff report. The grand total of fees waived from the FY2014

inception to June 30, 2023 is \$9,902,768.90. Grants and other public infrastructure funds received by the City during this time period, which may help offset fee waivers, are listed below by fee program:

- Fire - \$409,937
- Police - \$925,364
- Parks - \$10,755,756
- Regional Streets - \$19,503,143
- New Growth Streets - \$593,587
- Traffic Signals - \$9,197,635

The grand total of public infrastructure funding received which may help offset fee waivers is \$41,385,424.

## **ENVIRONMENTAL FINDINGS**

The annual fee waiver summary is not a project under the California Environmental Quality Act and does not require an environmental finding.

## **LOCAL PREFERENCE**

Local preference does not apply as this item is only for acceptance of the annual update.

## **FISCAL IMPACT**

There is no fiscal impact of implementing the staff recommendation of receiving the report.

Attachment(s):

Summary of Approved Impact Fee Waivers

Summary of Public Infrastructure Funds Received