

RESOLUTION NO. 6277(19)

A Resolution of the City Council of the City of Lompoc, County of Santa Barbara, State of California, Approving the Method for Calculating the Development Impact Fees to be Assessed against Projects for Accessory Dwelling Units

WHEREAS, in full compliance with the California Constitution and Mitigation Fee Act (Government Code section 66000 *et seq.*) (collectively, Law,) the City Council, by Resolution No. 5136(03), updated, developed and imposed Development Impact Fees in December, 2003, to defray the costs of public facilities necessitated by development projects;

WHEREAS, again in compliance with the Law, the Development Impact Fees have been periodically updated since that date, in the manner allowed by that City Council decision;

WHEREAS, the collection of Development Impact Fees are essential to funding mitigation of development generated impacts;

WHEREAS, the Development Impacts Fees are applied to residential construction:

WHEREAS, Government Code subdivision 65852.2(f) allows the City of Lompoc (City) to assess impact fees on the development of Accessory Dwelling Units (ADUs);

WHEREAS, on August 16, 2018, in order to apply the City's Development Impacts Fees fairly and consistently to ADUs, the City Manager, after consultation with the former City Attorney, former Economic Development Director/Assistant City Manager, former Finance Director, Fire Chief, Planning Manager and Building and Safety Manager, issued a memo (Exhibit A) setting forth the method the City would use to apply the Development Impact Fees to ADUs (Calculation Method);

WHEREAS, because the Calculation Method did not establish any new or increase any existing fees and only created a process for determining how the City's existing Development Impact Fees would be assessed for residential projects that involved ADUs, no action was legally required by the City Council;

WHEREAS, subsequent to the issuance of the Calculation Method, the City Council, at its meeting of August 6, 2019, reviewed the Calculation Method and directed staff to schedule a public hearing for the City Council to consider taking formal action approving the Calculation Method;

WHEREAS, although not legally required, notice was published in the Lompoc Record advising the public of the date of that public hearing; and

WHEREAS, at its meeting of October 1, 2019, the City Council conducted that public hearing and took testimony regarding the Calculation Method.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMPOC, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council approves the Calculation Method and authorizes further administrative implementation of the Development Impact Fees, as long as that implementation does not increase or create new Development Impact Fees and meets all the requirements of the Law.

SECTION 2. Effective Date. This Resolution is effective on the day of its adoption.

The foregoing Resolution was proposed by Councilmember _____, seconded by Councilmember _____, and was duly passed and adopted by the Council of the City of Lompoc at its regular meeting on October 1, 2019, by the following vote:

AYES: Councilmember(s):

NOES: Councilmember(s):

ABSENT: Councilmember(s):

Jenelle Osborne, Mayor
City of Lompoc

ATTEST:

Stacey Haddon, City Clerk
City of Lompoc

Attachment: Exhibit A – Calculation Method