
**SCHOOL FACILITY FEE JUSTIFICATION REPORT
FOR RESIDENTIAL, COMMERCIAL & INDUSTRIAL
DEVELOPMENT PROJECTS**

for the

BERKELEY UNIFIED SCHOOL DISTRICT

September 2016

Prepared by
School Facility Consultants

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EXECUTIVE SUMMARY

The Berkeley Unified School District (District) is justified to collect the legal maximum fee of \$3.48 per square foot of residential development as authorized by Government Code Section 65995 (Level I fees), as future residential development creates a school facility cost of \$4.49 per square foot. The District is also justified to collect the legal maximum fee of \$0.56 per square foot of development on all categories of commercial/industrial development (except rental self-storage), as those categories of development create school facility costs ranging from \$1.55 to \$6.59 per square foot of future development, even when fees from linked residential units are accounted for. Fees for new rental self-storage should be established on an individual case-by-case basis.

The District's justification for collecting fees on future residential and commercial/industrial development is based on the following facts and projections:

1. Over a five-year period, future residential development is projected to create 144 students in the District. To accommodate these students the District is implementing a District-Wide Capital Improvement Plan to provide adequate student housing for these pupils.
2. Each square foot of future residential development creates an estimated school facilities cost of \$4.49. All categories of commercial/industrial development (except rental self-storage) create an estimated school facilities cost ranging from \$1.55 to \$6.59 per square foot of commercial/industrial development, even when fees from linked residential units are accounted for.
3. If the District collects the current maximum fee on residential development authorized by Government Code Section 65995 of \$3.48 per square foot, fee revenue will offset 77.5 percent of the school facility cost attributable to residential development. If the District collects the current maximum fee on commercial/industrial development authorized by Government Code Section 65995 of \$0.56 per square foot, fee revenue will offset from 8.5 percent to 36.1 percent of the school facility cost attributable to commercial/industrial development (except rental self-storage). For both residential and commercial/industrial development, the fees authorized by Government Code Section 65995 are fully justified.
4. The District's current classroom facilities require substantial capital investments, estimated at approximately \$259 million, in order to renovate, replace and expand District educational facilities. The District, therefore, does not have sufficient capacity to house students generated by future development.

The fees outlined above all meet the requirements of Government Code Section 66001 (the nexus requirements), that is, a reasonable relationship exists between the amount and use of the fees and the developments on which they are charged.

INTRODUCTION

This Report analyzes the cost of providing school facilities for students generated by future residential and commercial/industrial development projects in the Berkeley Unified School District (District). *School Facility Consultants* has been retained by the District to conduct the analysis and prepare this Report.

A. History of Fees

Developer fees are fees charged on residential and commercial/industrial development in order to mitigate the specific impact that development has on the school district. Prior to 1986, only cities and counties had the authority to impose fees on residential and commercial/industrial development. In order for school districts to collect developer fees, the local city or county would need to be persuaded to impose those fees on behalf of the school district.

In 1986 Assembly Bill (AB) 2926 changed state statute to grant school district governing boards the authority to impose developer fees on residential construction occurring within their district, also known as Level I developer fees. This bill, in combination with the 1987 Leroy Greene Lease-Purchase Act (which required school districts to contribute a matching share of State facility funding) established a state-local partnership for funding school construction and reconstruction. This partnership, sometimes referred to as a three legged stool, includes statewide school construction bonds, local general obligation bonds and locally generated developer fees.

Initially, the Level I fee amounts were capped at \$1.50 per square foot of residential development and \$0.25 per square foot of commercial/industrial development regardless of the demonstrated impact of new development to the District. Level I fee amounts are adjusted every two years according to the inflation rate for Class B construction as determined by the State Allocation Board. The most recent adjustment was made in February 2016, where the legal maximum Level I fee was increased to \$3.48 per square foot for residential development and \$0.56 for commercial/industrial development.

B. Purpose and Scope

The purpose of this Report is to show that the District meets pertinent requirements of State law regarding the collection of developer fees and to calculate the impact of new development to the District on a per square foot basis.

State law gives school districts the authority to charge fees on new residential and commercial/industrial developments if those developments generate additional students and cause an impact on school facilities. Government Code Section 65995 authorizes school districts to collect fees on future development of no more than \$3.48 per square foot for residential construction and \$0.56 for commercial/industrial construction (Level I fees). Government Code Section 66001 requires that a

reasonable relationship exist between the amount and use of the fees and the development on which the fees are to be charged.

This Report:

- Identifies the cost of providing school facilities for students generated by future residential and commercial/industrial development in order to justify the collection of fees on those developments, and
- Explains the relationship between the fees and the developments on which those fees are to be charged.

C. Brief Description of the Berkeley Unified School District

The Berkeley Unified School District is located in Alameda County. District boundaries may be seen in greater detail on maps available at the District Office.

The District currently serves over 10,400 students in grades K-12 and operates 11 elementary schools, four middle schools and two comprehensive high schools.

Opportunities for new residential development exist in the District, and 909 new residential units are currently being considered for construction in the District over the next five years.

The District is not currently collecting fees to offset the impact of residential and commercial development. Therefore, the impact of new development is being borne by the District and Berkeley community through expenditures of local revenue (such as Measure I passed by the District in 2010). This report evaluates the effect of new development on the District in order to justify levying fees.

To accommodate this future residential development, the District plans to renovate, replace and expand District facilities in order to bring them up to current educational standards. The District's facility plan includes but is not limited to seismic retrofitting, educational modifications, correcting building envelope deficiencies and systems replacement such as HVAC, electrical, public address, camera and fire alarm systems.

D. Data Sources

The data sources for this Report are listed in below and referenced throughout the Report.

Data Sources

Data Type	Data Source
Residential development rates	County of Alameda; Alameda County Assessor Information (Metroscan Software Program); Berkeley Unified School District (BUSD); Local development project information
Enrollment history	CBEDS
Pupil capacity of District schools	BUSD
Student generation rates for housing units	United States Census
Facility Plan and Cost	BUSD District-Wide Capital Improvement Plan
Employees per square foot of commercial/industrial development	San Diego Association of Governments
Number of workers per household	United States Census

E. Outline of the Report

The Report is divided into six sections. The sections:

1. Identify the District’s school facility needs over the next five years,
2. Calculate the financial impact on the District of future residential and commercial/industrial developments,
3. Compare the projected revenues from developer fees to the costs of providing facilities for students generated by future developments,
4. Show that the District satisfies the requirements of Government Code Section 66001 with respect to the collection of developer fees,
5. Summarize other potential funding sources for school facilities and
6. Present recommendations regarding the collection of developer fees.

End of Section

I. DISTRICT FACILITY NEEDS

The District's current classroom facilities require substantial capital investments estimated at approximately \$259 million, in order to construct and/or reconstruct school campuses and/or additional permanent facilities on existing school campuses.

Through the process of prioritizing the projects to be included in Measure I, the District identified a total of \$327.5 million in capital outlay needs for K-12 school facilities in a District-Wide Capital Improvement Plan. Since that time, the District has completed projects reducing this identified need to approximately \$259 million. Overall, the District's plan focuses on capital improvements necessary to provide adequate student housing at existing District sites.

As identified in the plan, the District has determined that adequate facilities do not exist within the district and, therefore, there is insufficient capacity available to house students generated by future development.

This condition exists regardless of the availability of classrooms to house students (including new development students), as substantial capital investment is required in the classroom facilities.

Specifically, the District has determined that additional investment in capital facility projects are needed to address current and future requirements which include, but are not limited to, the following types of construction activities:

- Science laboratory expansions
- Portable Replacement Projects
- Cafeteria Projects
- Roof Replacement
- Interior and Exterior Painting
- Playground and Landscape/Turf Projects
- New Gymnasium Project
- Systems Replacement Projects
- Public Address and Camera Systems
- Electrical Systems
- Heating/Ventilation/Air Conditioning Systems

The District has identified that investment in these areas is necessary in order to meet its goals.

End of Section

II. FINANCIAL IMPACT ON THE DISTRICT OF FUTURE RESIDENTIAL DEVELOPMENT

This Section quantifies how future residential development financially affects the District.

Future residential development will generate additional students in the District. As described in the previous section, adequate school facilities do not exist for these students. Future residential development, therefore, financially affects the District by generating a need for additional school facilities that the District must acquire at some cost. This section describes this cost in three ways: (1) dollars per K-12 student generated from future development, (2) dollars per housing unit and (3) dollars per square foot of future development.

In order to calculate the financial effects described above, the Report needs first to calculate the number of students that will live in a new housing unit and the per-pupil cost of providing school facilities for elementary, middle, and high school students.

A. Number of Students per New Housing Unit

This Report estimates the number of students that each future residential housing unit will generate by analyzing the rate at which previously built housing units have generated current District pupils.

The Report calculates this student generation rate by dividing the number of K-12 students enrolled in the District in 2010/11 by the total number of housing units in the District in the year 2010 according to the 2010 United States Census.

Table 1-1 lists the student generation rates for the District.

Table 1-1
Student Generation Rates

Grade Group	Students per Residential Housing Unit
K-5	0.080
6-8	0.039
9-12	0.072
Total	0.191

B. Cost of Providing School Facilities

The per-pupil cost of providing school facilities for unhoused students is outlined in Table 1-1. The per-pupil facility cost models for the District's planned school facilities are based on estimated costs of projects at specific school sites that have

been identified as part of the overall \$259 million investment identified by the District over the next five to ten years.

**Table 1-2
Per-Pupil Facility Costs for K-12 Students**

Grade Group	Per Pupil Facility Cost for Students from Future Development
K-5	\$24,979
6-8	\$23,924
9-12	\$25,108

C. Cost of Providing School Facilities per New K-12 Student Generated by Future Development

The Report determines the facility cost of a K-12 student generated by future development by calculating a weighted average of the facility costs for elementary, middle, and high school students.

The relative size of the three student generation rates for residential housing units tells us that 41.9 percent of students from new units will be elementary students, 20.4 percent will be middle school students, and 37.7 percent will be high school students. Multiplying the respective percentages by the appropriate Per-Pupil Facility Cost from Table 1-2 results in a weighted average facility cost for K-12 students from future residential development.

**Table 1-3
Weighted Average School Facility Cost for a K-12 Student
from Future Residential Development**

Grade Group	Cost Per Pupil	Weighting Based on Student Generation Rate	Weighted Cost Per Pupil
K-5	\$24,979	41.9%	\$10,466
6-8	\$23,924	20.4%	\$4,880
9-12	\$25,108	37.7%	\$9,466
K-12	N/A	N/A	\$24,812

D. Cost of Providing School Facilities per New Residential Housing Unit

Table 1-4 multiplies the total number of students per housing unit by the facility costs of K-12 students to calculate a \$4,739 facility cost attributable to future residential housing units.

Table 1-4
School Facility Cost per New Housing Unit

K-12 Student Generation Rate	K-12 Per Pupil Facility Cost	Cost Per New Housing Unit
0.191	\$24,812	\$4,739

E. Cost of Providing School Facilities per Square Foot of Future Residential Development

This Report calculates the school facility cost per square foot of future development by dividing the cost per housing unit by the average square footage of housing units.

County of Alameda Assessor data accessed through the Metroscan software program indicates that the average square footage of residential units built between 2010 and 2014 was 1,056 square feet. As a result, this Report estimates that new housing units subject to a Level I fee will have an average square footage of 1,056 square feet.

Table 1-5 shows the school facility cost per square foot of new residential housing units.

Table 1-5
School Facility Cost Per Square Foot of Residential Development

Facility Cost Per Unit	Average Square Footage	Facility Cost Per Square Foot of Development
\$4,739	1,056	\$4.49

End of Section

III. REVENUE FROM FEES ON RESIDENTIAL DEVELOPMENT VERSUS COSTS OF SCHOOL FACILITIES

This Section compares the projected revenues from fees levied on future residential development to the school facility costs attributable to that development.

State law currently caps Level I Fees at \$3.48 per square foot. As demonstrated in the previous section, each square foot of future residential development will generate a school facility cost of \$4.49. Any given amount of future development will, therefore, generate more school facility costs than Level I Fee revenue (i.e., for every \$1.00 in fee revenue generated by future development, \$1.29 in school facility costs are generated).

A. Fee Revenue from Future Residential Development

Based on information from the City of Berkeley, 909 units have been approved or are in various stages of the approval process. Of these, this report estimates 750 units could be constructed within the next five years. However, for *any* given amount of residential development, school facility costs will be greater than fee revenue by a ratio of \$1.29 to \$1.00.

Based on the average square footage from the previous section, 750 residential units will generate 792,000 square feet of residential development over the next five years.

As Table 1-4 shows, if the District collects the current Level I Fee of \$3.48 per square foot, the District will collect \$2,756,160 in residential developer fees over a five year projection period.

**Table 1-6
Revenue from Residential Developer Fees**

New Housing Units	Average Square Footage	Fee Amount	Revenues From Fees on New Housing Units
750	1,056	\$3.48	\$2,756,160

B. Fee Revenue from Additions to Existing Residences

Revenue will be collected from fees assessed on additions to existing residences, to the extent that these additions exceed the exclusionary threshold outlined in the Education Code. Pursuant to Education Code Section 17620(a)(1)(C)(i), developer fees may be charged on residential additions “only if the resulting increase in assessable space exceeds 500 square feet.” The fee revenue calculation for additions is the same as for new units. For example, additions totaling 40,000 square feet would generate \$139,200 in fee revenue (40,000 multiplied by \$3.48).

C. Fee Revenue from Reconstruction and Redevelopment

Revenue will be collected from fees assessed on projects that reconstruct or redevelop existing housing, but only to the extent that the square footage of the new construction exceeds the square footage of the reconstructed or redeveloped housing. The fee revenue calculation for reconstruction and/or redevelopment is the same as for new units. For example, reconstruction and/or redevelopment totaling 50,000 square feet would generate \$174,000 in fee revenue (50,000 times \$3.48).

D. School Facility Costs Generated by Future Residential Development

The total school facility cost attributable to future development is calculated by multiplying the following two factors: (1) the number of new housing units and (2) the facility cost per new housing unit. Table 1-7 shows that the total school facility cost attributable to future development is \$3,554,250.

**Table 1-7
School Facility Cost Generated by Students from Future Development**

New Units	Cost Per New Housing Unit	Total Cost
750	\$4,739	\$3,554,250

E. School Facility Costs Generated by Additions to Existing Residences

Additions to existing residences will have the same financial effect on the District as new residential units. For example, residential additions of 40,000 square feet will generate an additional eight students, when applying the student generation rate calculated in this Report, and a school facilities cost to the District of \$198,496 (eight students times a per-pupil facilities cost of \$24,812).

F. School Facility Costs Generated by Reconstruction and Redevelopment

Reconstruction and redevelopment of existing homes will have the same financial effect on the District as new residential development. For example, reconstruction and/or redevelopment of 50,000 square feet will generate an additional ten students when applying the student generation rate calculated in this Report and a school facilities cost to the District of \$248,120 (ten students times a per-pupil facilities cost of \$24,812).

G. Extent of Mitigation of School Facility Costs Provided by Level I Residential Fees

Table 1-8 shows that \$2,756,160 in total residential Level I fee revenue will cover only 77.5 percent of the \$3,554,250 in total school facility costs attributable to residential development. Some of this shortfall may be recovered from fees on commercial development.

Table 1-8
Facility Cost of Residential Development Versus Fee Revenue

Total School Facility Costs	Total Revenues From Fees	Net Facility Cost to the District
\$3,554,250	\$2,756,160	\$798,090

H. Senior Citizen Restricted Housing

As required by law, a lower fee, currently the commercial/industrial maximum of \$0.56 per square foot, is established for certain types of residences that are restricted in occupancy to senior citizens. Housing of this type generates employees and has an indirect impact on the school district similar to that from commercial/industrial development projects.

End of Section

IV. FINANCIAL EFFECT ON THE DISTRICT OF NEW COMMERCIAL/INDUSTRIAL DEVELOPMENT

This Section analyzes the costs of providing school facilities for the students generated by new commercial/industrial development.

Commercial/industrial development will attract additional workers to the District and, because some of those workers will have school-age children, will generate additional students in the District. As shown in Section I, adequate school facilities do not exist for these students. New commercial/industrial development, therefore, creates a fiscal impact on the District by generating a need for new school facilities.

The Report multiplies the following five factors together to calculate the school facility cost incurred by the District per square foot of new commercial/industrial development:

- A. Employees per square foot of new commercial/industrial development,
- B. Percent of employees in the District that also live in the District,
- C. Houses per employee,
- D. Students per house, and
- E. School facility cost per student.

The Report calculates each of these factors in the next sections.

A. Employees per Square Foot of Development

As permitted by State law, the Report uses results from a survey published by the San Diego Association of Governments (SanDAG) (see Appendix A) to establish the number of employees per square foot of new commercial/industrial development projects.

**Table 1-9
Employees Per Square Foot of Commercial/Industrial
Development, by Category**

Commercial/Industrial Category	Average Square Foot per Employee	Employees per Average Square Foot
Banks	354	0.00283
Community Shopping Centers	652	0.00153
Neighborhood Shopping Centers	369	0.00271
Industrial Business Parks	284	0.00352
Industrial Parks	742	0.00135
Rental Self Storage	15,541	0.00006
Scientific Research & Development	329	0.00304
Lodging	882	0.00113
Standard Commercial Office	209	0.00479
Large High Rise Com. Office	232	0.00431
Corporate Offices	372	0.00269
Medical Offices	234	0.00427

Source: 1990 SanDAG Traffic Generators report.

B. Percentage of Employees Residing Within the District

U.S. Census data regarding travel time to work indicates that approximately 39 percent of people working in the District also live in the District.

C. Number of Households per Employee

U.S. Census data indicates that there are approximately 1.17 workers per household. Likewise, this data indicates that there are 0.86 housing units for every one worker. The Report therefore assumes that each new resident worker in the District will demand 0.86 housing units.

D. Number of Students per Dwelling Unit

As outlined in Section II.A., the Report assumes that 0.191 K-12 pupils will reside in each housing unit.

E. School Facility Cost per Pupil

As outlined in Section II.C., the Report estimates that the school facility cost per K-12 pupil is \$24,812.

F. School Facility Cost per Square Foot of Commercial/Industrial Development

Table 1-10 calculates the school facility cost generated by a square foot of new commercial/industrial development for each of the categories of commercial/industrial projects listed in Table 1-9.

School facility costs for development projects not included on this list may be estimated by using the closest employee-per-square foot ratio available for the proposed development or by following the District's administrative procedures for appeals of school facility fee imposition.

(continued on next page)

**Table 1-10
Facility Cost Per Square Foot of Commercial/Industrial
Development, by Category**

Category	Employees per Square Foot	% Employees Residing in District	Dwelling Units per Employee	K-12 Students per Dwelling Unit	Cost per K-12 Student	Cost per Square Foot
Banks	0.00283	0.43	0.86	0.191	\$24,812	\$4.96
Community Shopping Centers	0.00153	0.43	0.86	0.191	\$24,812	\$2.68
Neighborhood Shopping Centers	0.00271	0.43	0.86	0.191	\$24,812	\$4.75
Industrial/business Parks	0.00352	0.43	0.86	0.191	\$24,812	\$6.17
Industrial Parks	0.00135	0.43	0.86	0.191	\$24,812	\$2.37
Rental Self-Storage	0.00006	0.43	0.86	0.191	\$24,812	\$0.11
Scientific R&D	0.00304	0.43	0.86	0.191	\$24,812	\$5.33
Lodging	0.00113	0.43	0.86	0.191	\$24,812	\$1.98
Standard Commercial Offices	0.00480	0.43	0.86	0.191	\$24,812	\$8.41
Large High Rise Com. Offices	0.00432	0.43	0.86	0.191	\$24,812	\$7.57
Corporate Offices	0.00269	0.43	0.86	0.191	\$24,812	\$4.71
Medical Offices	0.00427	0.43	0.86	0.191	\$24,812	\$7.48

The District is justified in collecting the Government Code maximum of \$0.56 per square foot for all categories (except rental self-storage) of commercial/industrial development because these categories, on a per square foot basis, generate a school facility cost greater than the Government Code maximum of \$0.56. Fee amounts for self-storage and other low-employee-generating businesses should be examined on a case-by-case basis.

G. Calculating School Facility Cost of Commercial/Industrial Development with Residential Fee Offset

A “residential fee offset” is calculated by (1) determining the number of homes that are associated with the employees generated by new commercial/industrial development and (2) calculating the residential fee revenues the District will collect from those homes based on the average vacancy rate from the previous three US Census and projected new development rates, this report assumes that even if all new homes are available to house new workers, these units would only represent 27.8 percent of available housing. Therefore, this report estimates that only 27.8 percent of employees generated by new commercial/industrial development will reside in new homes. However, even if 89% of available homes were new homes, the District would still be fully justified to collect commercial/industrial fees on all types of development (except rental self-storage).

For purposes of calculating the residential fee offset, this Report estimates that the District will collect \$3.48 per square foot of future residential development. Subtracting the residential fee offset from the total school facility cost generated by

commercial/industrial development produces a discounted school facility cost that takes into account revenues from “linked” residential units.

Table 1-11 calculates the facility cost of new commercial/industrial development while taking into account the revenues from linked residential units.

**Table 1-11
School Facility Cost of New Commercial/Industrial Development
Discounted By Residential Fee Offset**

Category	Dwelling Unit per Square Foot Com/Ind	Average Square Foot per Unit	District’s Revenue per Square Foot Res. Dev.	Percentage of Employees Living in New Res. Dev.	Residential Offset per Com/Ind Square Foot	School Facility Cost per Square Foot Comm/Ind Development	Cost per Square Foot Less Offset
Banks	0.00105	1,056	\$3.48	27.8%	\$1.07	\$4.96	\$3.89
Community Shopping Centers	0.00057	1,056	\$3.48	27.8%	\$0.58	\$2.68	\$2.10
Neighborhood Shopping Centers	0.00100	1,056	\$3.48	27.8%	\$1.02	\$4.75	\$3.73
Industrial/business Parks	0.00130	1,056	\$3.48	27.8%	\$1.33	\$6.17	\$4.84
Industrial Parks	0.00050	1,056	\$3.48	27.8%	\$0.51	\$2.37	\$1.86
Rental Self-Storage	0.00002	1,056	\$3.48	27.8%	\$0.02	\$0.11	\$0.09
Scientific R&D	0.00112	1,056	\$3.48	27.8%	\$1.14	\$5.33	\$4.19
Lodging	0.00042	1,056	\$3.48	27.8%	\$0.43	\$1.98	\$1.55
Standard Commercial Offices	0.00178	1,056	\$3.48	27.8%	\$1.82	\$8.41	\$6.59
Large High Rise Com. Offices	0.00160	1,056	\$3.48	27.8%	\$1.63	\$7.57	\$5.94
Corporate Offices	0.00099	1,056	\$3.48	27.8%	\$1.01	\$4.71	\$3.70
Medical Offices	0.00158	1,056	\$3.48	27.8%	\$1.61	\$7.48	\$5.87

As the table shows, the school facility cost of all categories (except rental self-storage) is greater than the Government Code maximum of \$0.56 per square foot even when that cost is discounted by revenues from linked residential units. This discounting most likely understates the true facility cost of commercial/industrial development, because 100% of new workers will not live in new homes.

For illustrative purposes, the Report will compare the school facility cost generated by 140,000 square feet of new community shopping center development to the fee revenue it will provide to the District. This analysis is valid, however, for all types of commercial/industrial development except rental self-storage.

If the District charges \$0.56 per square foot of commercial/industrial development, it will collect \$78,400 from the 140,000 square feet of community shopping center development. The District will also collect \$80,923 in revenue from residential developer fees (140,000 square feet x 0.00153 employees per square foot x 43% employees that live in District x 0.86 housing units per employee x 1,056 square feet per housing unit x \$3.48 revenue from developer fees x 27.8% available new housing). The 140,000 square feet of community shopping center development will create a school

facilities cost of \$375,200 (140,000 square feet x \$2.68 school facility cost per square foot of community shopping center).

Table 1-12 compares the school facility costs generated by 140,000 square feet of community shopping center development to the fee revenues it provides to the District.

**Table 1-12
Comparison of Facility Cost and Fee Revenue Generated by
New Community Shopping Center Development**

	Fee Revenues	Facility Costs	Total Revenues (Costs)
140,000 square feet of community shopping center development	\$78,400	\$375,200	(\$296,800)
New housing units associated with the development	\$80,923	N/A	\$80,923
Total	\$159,323	\$375,200	(\$215,877)

As the table shows, fee revenue from community shopping center development will cover only 42.5 percent of the school facility cost it generates, even when that cost is discounted by the revenues from linked new housing units.

All categories of commercial/industrial development (except self-storage) will generate more facility cost than fee revenue, because they all generate a facility cost greater than \$0.56 per square foot even when fees from linked residential units are considered. Fee amounts for self-storage and other low employee generating businesses should be examined on a case-by-case basis.

End of Section

V. FINDINGS

This Section shows that the District meets the requirements of Government Code Section 66001 regarding the collection of developer fees and summarizes other potential funding sources for the District's capital projects.

A. Government Code Section 66001(a)(1)—Purpose of the Fee

The purpose of collecting fees on residential and commercial/industrial development is to acquire funds to construct or reconstruct school facilities for the students generated by new residential and commercial/industrial developments.

B. Government Code Section 66001(a)(2)—Use of the Fee

The District's use of the fee will involve constructing and/or reconstructing school campuses and/or additional permanent facilities on existing school campuses. In addition, the District may need to purchase or lease portable classrooms to use for interim housing while permanent facilities are being constructed.

Revenue from fees collected on residential and commercial/industrial development may be used to pay for any of the following:

- (1) land (purchased or leased) for school facilities,
- (2) design of school facilities,
- (3) permit and plan checking fees,
- (4) construction or reconstruction of school facilities,
- (5) testing and inspection of school sites and school buildings,
- (6) furniture for use in new school facilities,
- (7) interim school facilities (purchased or leased) to house students generated by new development while permanent facilities are being constructed,
- (8) legal and administrative costs associated with providing facilities to students generated by new development,
- (9) administration of the collection of developer fees (including the costs of justifying the fees) and
- (10) miscellaneous purposes resulting from student enrollment growth caused by new residential development.

C. Government Code Section 66001(a)(3)—Relationship Between the Fee's Use and the Type of Project Upon Which the Fee is Imposed

Future residential development will cause new families to move into the District and, consequently, will generate additional students in the District. As described in Section I of this Report, in order to provide facilities for students from future development, the District plans to renovate, replace and expand District educational

facilities. The fee's use (acquiring school facilities) is therefore reasonably related to the type of project (future residential development) upon which it is imposed.

New commercial/industrial development will cause new workers to move into the District. Because some of these workers will have school-age children, commercial/industrial development will also generate new students in the District. As described in Section I of this Report, in order to provide facilities for students from future development, the District plans to renovate, replace and expand District educational facilities. The fee's use (acquiring school facilities) is therefore reasonably related to the type of project (new commercial/industrial development) upon which it is imposed.

D. Government Code Section 66001(a)(4)—Relationship Between the Need for the Public Facility and the Type of Project Upon Which the Fee is Imposed

As described in Section I of this Report, the District's current classroom facilities require substantial capital investments in order to provide ongoing improvement to renovate, replace and expand District educational facilities. The District, therefore, does not have sufficient existing capacity to house students generated by future development. Future residential and commercial/industrial development in the District will generate additional students and, consequently, a need for additional school facilities. A relationship exists, therefore, between the District's need to build additional school facilities and the construction of new residential and commercial/industrial development projects.

E. Government Code Section 66001(b)—Relationship Between the Fee and the Cost of the Public Facility Attributable to the Development on Which the Fee is Imposed

This Report demonstrates that the school facility costs attributable to future residential development is \$4.49. Level I fees of \$3.48 per square foot on residential development are therefore fully justified.

This Report also demonstrates that the school facility costs attributable to all categories of commercial/industrial development except rental self-storage range from \$1.55 per square foot to \$6.59 per square foot, even when fees from linked residential units are accounted for. Level I fees of \$0.56 on these types of development are therefore fully justified. The school facility cost attributable to rental self-storage units is \$0.09 per square foot when fees from linked residential units are accounted for. Fees for this type and other low-employee-generating types of development should be examined on a case-by-case basis.

All school facility costs and fees in this Report are calculated on a per-student basis to ensure that future developments only pay for impacts they cause.

On November 2, 2010, the District's voters passed Measure I authorizing \$210 million in capital improvements. Even after accounting for Measure I, the District's

capital facility revenue is insufficient to mitigate the impact of new residential development.

**Table 1-13
Projected Five-Year District Revenue**

	Revenues
1. Capital Assets:	
Current Capital Facility Revenue	\$49,982,428
Unissued Measure I Funds	\$85,000,000
Total Capital Assets*	\$134,982,428
2. Projected Revenue from Developer Fees:	
Residential Development**	\$2,756,160
Commercial/Industrial Development***	\$99,481
Total Projected Revenue from New Development	\$2,855,641
Total Projected Five-Year District Revenue	\$137,838,069

* Estimate based on Facilities-Financial-Attachment dated 10-28-15 provided by the District.

**Estimate based on 750 homes averaging 1,056 square feet times the District's anticipated revenue of \$3.48 per square foot.

*** Estimate based on the previous 5-years of commercial and industrial development totaling 177,644 square feet times the District's anticipated revenue of \$0.56 per square foot.

Information in Table 1-19 outlines the District's projected revenue for capital outlay for the next five years and includes the current balance of the District's Capital Facility Funds, the current and anticipated amounts from the passage of the District's Measure I General Obligation Bond Measure in November of 2010 and the projected revenue from new residential and commercial/industrial development. After accounting for these current and estimated amounts, the District has projected capital facility revenue of \$137,838,069 over the next five years.

The District-Wide Capital Improvement Plan identifies projects necessary to provide adequate student facilities, with reconstruction costs totaling an estimated \$259,000,000. Comparing the District's projected revenue over the next five years, to the estimated cost of implementing the District's facility needs, indicates that projected facility costs will exceed revenues by \$121,161,931.

F. Other Funding Sources

The following is a review of potential other funding sources for constructing school facilities.

1) General Fund

The District's General Fund budget is typically committed to instructional and day to day operating expenses and not used for capital outlay uses, as funds are needed solely to meet the District's non-facility needs.

2) State Programs

The District has been approved for eligibility for State funding for construction of new school facilities under the 1998 Leroy F. Greene School Facility Program. Even projects funded at 100 percent of the State allowance, however, often experience a shortfall between State funding and the District's actual facility needs. State funds for deferred maintenance may not be used to pay for new facilities. State law prohibits use of lottery funds for facilities.

3) General Obligation Bonds

School districts can, with the approval of two-thirds or 55 percent of its voters, issue general obligation bonds that are paid for out of property taxes. On November 2, 2010, the District's voters approved Measure I, a \$210 million bond for school facilities.

4) Parcel Taxes

Approval by two-thirds of the voters is required to impose taxes that are not based on the assessed value of individual parcels. While these taxes have been occasionally used in school districts, the revenues are typically minor and are used to supplement operating budgets.

5) Mello-Roos Community Facilities Districts

This alternative uses a tax on property owners within a defined area to pay long-term bonds issued for specific public improvements. Mello-Roos taxes require approval from two-thirds of the voters (or land owners if fewer than 12) in an election.

6) Surplus Property

The District does not own any surplus property that could be used to finance additional school facilities.

7) Alternatives for Reducing Facility Costs

Alternatives to reducing facility costs that have been used and/or explored by the District include additional portable classrooms, joint use of facilities, multi-track-year-round education, and other measures. These options remain available to the District in the future.

End of Section

VI. RECOMMENDATIONS

As described in Section II.E, the District's cost per square foot of residential development is \$4.49. Therefore, this Report recommends that the District levy a fee, as authorized by Government Code Section 65995, not to exceed \$4.49 per square foot of residential development.

As described in Section IV.G, the District's cost per square foot of commercial/industrial development ranges from \$1.55 to \$6.59 (except for rental self-storage). The Report also recommends that the District levy the maximum fee as authorized by Government Code Section 65995, currently \$0.56 per square foot on all categories of commercial/industrial development except rental self-storage. Developer fees for rental self-storage and other types of low-employee-generating developments should be examined on a case-by-case basis.

These recommendations are based on the findings that residential and commercial/industrial development (except for rental self-storage) creates a school facility cost for the District that is larger than the revenue generated by charging these fees.

End of Report

Appendix

Employee Statistics From
The San Diego Association of Governments
by Various Categories of Commercial/Industrial Development

Appendix

Employee Statistics From the San Diego Association of Governments by Various Categories of Commercial/Industrial Development (from Traffic Generators Report January 1990)

	Employees	Total Sq. ft	Sq Ft / Employee	Employee Per Sq. ft
Banks				
Calif. First	57	13,400	354	0.00283
Southwest	11	3,128		
Mitsubishi	14	6,032		
Security Pacific	22	14,250		
Total	104	36,810		
Average	26	9,203		
Community Shopping Centers				
Rancho Bernardo Towne Center	273	139,545	652	0.00153
Plaza De Las Cuatro Banderas	227	186,222		
Rancho San Diego Village	N/A	N/A		
Total	500	325,767		
Average	250	162,884		
Neighborhood Shopping Centers				
Town and Country	217	70,390	369	0.00271
Tierrasanta II	87	49,080		
Palm Plaza	143	47,850		
Westwood Center	173	61,285		
Total	620	228,605		
Average	155	57,151		
Industrial Business Parks				
Convoy Ct / St. Parks	955	224,363	284	0.00352
Sorrento Valley Blvd. / Ct. Complexes	2,220	610,994		
Ronson Court	848	206,688		
Pioneer Industrial Project	N/A	N/A		
Sorrento Valley	N/A	N/A		
Torrey Business & Research	739	243,829		
Ridgehaven Court	823	213,449		
Ponderosa Avenue Industrial	245	158,983		
Total	5,830	1,658,306		
Average	972	276,384		

	Employees	Total Sq. ft	Sq Ft / Employee	Employee Per Sq. ft
Industrial Parks				
Sorrento West	725	614,922	742	0.00135
Roselle Street	761	500,346		
Stromesa Street	200	136,124		
Total	1,686	1,251,392		
Average	562	417,131		
Rental Self-Storage				
Poway Storage	2	32,000	17,096	0.00006
Lively Center	2	20,000		
Brandon Street Mini-Storage	2	31,348		
Melrose Mini-Storage	2	28,280		
Lock-It Lockers Storage	3	59,325		
Total	11	170,953		
Average	2	34,191		
Scientific Research and Development				
Johnson & Johnson Biotechnology Center	39	22,031	329	0.00304
IVAC Corporation	1,300	315,906		
TRW/LSI Products	350	145,192		
Nissan Design International	26	40,184		
Salk Institute	500	318,473		
S-Cubed Corporation	160	56,866		
Torrey Pines Science Park	2,333	649,614		
Total	4,708	1,548,266		
Average	673	221,181		
Lodging				
San Diego Hilton	139	223,689	882	0.00113
Hyatt Islandia	320	250,000		
La Jolla Village Inn	180	129,300		
Hanalei Hotel	310	267,000		
Vagabond Inn	12	22,548		
Fabulous Inn & E-Z8 Motel	92	92,731		
Vacation Village	234	151,134		
Total	1,287	1,136,402		
Average	184	162,343		

	Employees	Total Sq. ft	Sq Ft / Employee	Employee Per Sq. ft
Standard Commercial Office				
Industrial Indemnity Bldg.	170	34,300	208	0.00480
Beta Bldg.	110	29,400		
Park Camino Bldg.	299	55,500		
2181 E.C.R. Bldg.	47	10,000		
Camino Real Financial Center	23	6,300		
Total	649	135,500		
Average	130	27,100		
Large High Rise Com. Office				
Mission Valley Financial Center (Security Pacific)	900	185,600	232	0.00432
Lion Plaza Building	462	109,900		
Crossroads Limited Building (Crocker and Xerox)	512	138,900		
Total	1,874	434,400		
Average	625	144,800		
Corporate Offices				
Equitable Life	200	53,900	372	0.00269
Bank of America Processing Center	300	110,000		
Home Federal Processing Center	1,150	450,000		
Trade Services Publications	270	82,000		
IRT Corporation	210	89,500		
Earl Walls & Assoc.	43	15,000		
Four Winds International Headquarters	220	90,914		
Total	2,393	891,314		
Average	342	127,331		
Medical Offices				
Chula Vista Doctors' Park	108	24,000	234	0.00427
Parkway Medical Group	65	17,620		
Campus Medical-Dental Center	115	25,900		
Total	288	67,520		
Average	96	22,507		