

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEAUMONT
ADOPTING THE CITY OF BEAUMONT DEVELOPMENT IMPACT FEE
STUDY UPDATE (FINAL) DATED May 31, 2024**

A. The City of Beaumont (“City”) adopted Ordinance 1095 (“Ordinance”) establishing the 2017 Development Impact Fee Program (“Fee”).

B. Purpose of the Fee. The City Council finds that the purpose of the Fees hereby imposed is to prevent new development from adversely impacting the level of service for public facilities in Beaumont by requiring new development to contribute to the cost of improvements needed to meet the needs of new development.

C. Use of the Fee. The City Council finds that revenue from the impact fees hereby enacted will be used to acquire land and equipment and construct new facilities needed to mitigate the impacts of new development. Those improvements are identified in the 2024 City of Beaumont Development Impact Fee Study Update (“Fee Study”) prepared by Wildan Financial Services.

D. Reasonable Relationship: Based on analysis presented in the 2024 City of Beaumont Development Impact Fee Study Update prepared by Wildan Financial Services, which is incorporated herein by reference, the City Council finds that there is a reasonable relationship between:

1. The use of the fees and the types of development projects on which they are imposed; and
2. The need for facilities and the types of development projects on which the fees are imposed.

E. In 2021, Assembly Bill 602 (“AB 602”) amended the Mitigation Fee Act of the California Government Code which governs Development Impact Fees; and

F. AB 602 emphasized the need to adopt a Development Impact Fee Nexus Study at a public hearing prior to the adoption of any new or increased Development Impact Fees; and

G. AB 602 requires in part that the Development Impact Fee Nexus Study identify existing level of service for each public facility, identify new levels of service, include an explanation of why the new levels of service are more appropriate, and include information to support the required findings for adoption of new or increased Development Impact Fees; and

H. The Development Impact Fee Nexus Study basically provides a quantified basis for support of each Development Impact Fee and legal support for the required findings that must be made to justify the amount of each Development Impact Fee, based on existing deficiencies of certain public facilities and the projected burdens on those facilities caused by prospective development in the City; and

I. The City’s last Development Impact Fee Nexus Study took place in 2017, and since that time, the City has approved a Capital Improvement Plan, and has seen significant development activity in the recent years; and

J. The City retained the professional services of Wildan Financial Services to prepare the City of Beaumont Development Impact Fee Study Update (Final) Dated May 31, 2024 (“2024 DIF Nexus Study”); and

K. By notice duly given and published, the City Council set the time and place for a public hearing on the Impact Fee Nexus Study to be presented for adoption, and at least 14 days prior to the hearing, the City made the Fee Study available to the public.

L. At the time and place set for the hearing, the City Council duly considered the data and information provided by the public relative to the costs for which the fees are proposed and all other comments, whether written or oral, submitted prior to the conclusion of the hearing.

M. The City Council finds that the Fee Study proposes a fair and equitable method for distributing a portion of the unfunded costs of the improvements and facilities.

N. The City Council hereby adopts the Fee Study and findings incorporated therein, and incorporates it herein as though set forth in full.

O. The City Council has determined that the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, the City Council of the City of Beaumont does resolve as follows:

SECTION 1. Recitals. The recitals set forth above are true and correct, and are hereby incorporated herein by this reference, and adopted as findings in support of this Resolution.

SECTION 2. Exhibits. That the Exhibit attached to this Resolution, which include the 2024 DIF Nexus Study attached and incorporated herein as **Exhibit “A”**, which is on file with the Beaumont City Clerk’s Office, the related Staff Report and all documents referenced therein are hereby incorporated herein by this reference.

SECTION 3. Evidence. That the City Council has considered all evidence submitted into the Administrative Record for the proposed adoption of the 2024 DIF Nexus Study.

SECTION 4. Findings. That based on the foregoing Recitals, Exhibits and all other evidence contained in the Administrative Record for this matter the City Council finds as follows:

- a. That the 2024 DIF Nexus Study identifies the purpose of each Development Impact Fee;
- b. That the 2024 DIF Nexus Study identifies the use to which each Development Impact Fee is to be put;

- c. That the 2024 DIF Nexus Study identifies all public facilities that will be financed by the respective Development Impact Fee;
- d. That the 2024 DIF Nexus Study determines how there is a reasonable relationship between each Development Impact Fee's use and the type of development project on which the respective Development Impact Fee will be imposed; and
- e. That the 2024 DIF Nexus Study determines how there is a reasonable relationship between the need for each public facility and the type of development project on which the particular Development Impact Fee will be imposed;
- f. That the 2024 DIF Nexus Study includes all the requisite information to support the adoption of the 2024 DIF Nexus Study as required under subdivision (a) of Section 66001 of the California Government Code.
- g. That the 2024 DIF Nexus Study supports all increases of existing Development Impact Fees and the assumptions contained in the 2024 DIF Nexus Study supporting the original fees were properly reviewed and amount of the fees collected under the original fee were properly evaluated pursuant to subdivision (a)(4) of Section 66016.5 of the California Government Code.
- h. That pursuant to subdivision (a)(5)(A) of Section 66016.5 of the California Government Code, since the 2024 DIF Nexus Study calculates the Development Impact Fees imposed on housing based on the square footage of the proposed number of units, it is deemed to be a valid method of establishing a reasonable relationship between the Development Impact Fee charged and the burden imposed by housing development;
- i. That proper notice of the May 7, 2024, Public Hearing was provided pursuant to Sections 66002 and 66016.5 of the California Government Code for the 2024 DIF Nexus Study.

SECTION 5. Adoption of Fee Study. The City Council hereby adopts the Fee Study and its findings. The Fee Study is attached and incorporated herein as Exhibit "A".

ADOPTED this 18th day of June 2024.

NOES:

ABSTAIN:

By: _____
David Fenn, Mayor, City of Beaumont

ATTEST:

CITY CLERK

By: _____

EXHIBIT "A"
(ATTACH FEE STUDY)