CITY of BRISBANE

City Council Meeting Agenda

Thursday, February 5, 2026 at 6:30 PM • Hybrid Meeting 50 Park Place, Brisbane, CA

The public may observe/participate in City Council meetings using remote public comment options or attending in person. The City Council may take action on any item listed in the agenda.

TO ADDRESS THE COUNCIL

IN PERSON

Location: Community Meeting Room 50 Park Place, Brisbane, CA 94005

To address the City Council on any item – whether on the posted agenda or not – please fill out a Request to Speak Form located in the Community Meeting Room Lobby and submit it to the City Clerk. Speakers are not required to submit their name or address.

REMOTE PARTICIPATION

Members of the public may participate in the City Council meeting by logging into the Zoom Webinar listed below. City Council meetings may also be viewed live and/or on-demand via the City's YouTube Channel, youtube.com/brisbaneca, or on Comcast Ch. 27. Archived videos may be replayed on the City's website, brisbaneca.org/meetings. Please be advised that if there are technological difficulties, the meeting will nevertheless continue if remote participation is available.

The agenda materials may be viewed online at brisbaneca.org at least 72 hours prior to a Regular Meeting, and at least 24 hours prior to a Special Meeting.

Remote Public Comments:

Remote meeting participants may address the City Council via Zoom Webinar. Aside from commenting personally while in the Zoom Webinar, you can also use the call in number. The public comments received will be noted for the record during Oral Communications 1 and 2 or during an agenda item. We encourage you to email comments on or not on agenda items in advance of the meeting to ipadilla@brisbaneca.org. That email address, however, will not be monitored during the meeting and emails received during the meeting will not be responded to or brought to the attention of the City Council during the meeting.

Join Zoom Webinar: zoom.us (please use the latest version: zoom.us/download)
brisbaneca.org/cc-zoom

Webinar ID: 991 9362 8666
Call In Number: 1 (669) 900-9128
Note: Callers dial *9 to "raise hand" and dial *6 to mute/unmute.

1

SPECIAL ASSISTANCE

If you need special assistance to participate in this meeting, please contact the City Clerk at (415) 508-2113. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

WRITINGS THAT ARE RECEIVED AFTER THE AGENDA HAS BEEN POSTED

Any writings that are received after the agenda has been posted but before 4pm of the day of the meeting will be available for public inspection at the front lobby in City Hall and on the internet (brisbaneca.org/meetings). Any writings that are received after 4pm of the day of the meeting will be distributed to the Council and made available for public inspection at the front lobby and on the internet the day after the meeting (brisbaneca.org/meetings).

6:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

ROLL CALL

A. Remote Attendance Under the Just Cause Provisions of the Brown Act

ADOPTION OF AGENDA

ORAL COMMUNICATIONS NO. 1

CONSENT CALENDAR

B. February 2026 as Black History Month Proclamation

C. Approve Minutes of City Council Meeting of January 15, 2026

D. Approve Minutes of City Council Special Meeting of January 15, 2026

E. Approve Minutes of City Council Special Meeting of January 20, 2026

F. Accept Investment Report as of December 2025

G. Accept 2025 Cycle 3 Transportation Demand Management (TDM) Grant Funding and Approve of Local Match

   (Staff recommends adoption of a resolution of support and commitment requesting the San Mateo County Transportation Authority prepare a funding agreement for Cycle 3 TDM grant funding in the amount of $500,000 and approve the required 18 percent local match from the General Fund in the amount of $88,990.)

H. Approve Purchase of Electric Sub-Compact Street Sweeper

(Staff recommends approval of the purchase of one Madvac LS125 Electric Sub-Compact Street Sweeper in the amount of $276,807 (pre-tax) through the Sourcewell cooperative purchasing program and authorize staff to issue a purchase order.)

I. Approve Request to Seek Donations/Sponsorships for the 2026 Summer Concerts in the Park Series

(This community-based fundraising approach diminishes the burden on the City's general fund. Consistent with past fundraising efforts, staff aspire to secure $10,000-$13,000 in sponsorships and donations.)

J. Receive Update on Affordable Housing Rehabilitation Grant Program

NEW BUSINESS

K. Discuss and Provide Direction to Staff on Healthpeak Contribution to Fund a Renewable Energy Project

L. Receive Parcel R Update and Consider Approval of Contract Amendment for CMG Landscape Architecture

(Staff recommends the City Council receive an update regarding Sierra Point Park planning efforts and consider approval of the amended proposal from CMG Landscape Architecture. CMG's amended proposal to complete the planning effort for Parcel R totals $73,386 which is less than the amount already encumbered from Fund 455 to support this project.)

OLD BUSINESS

M. Discuss Agenda Setting and Placement of Items on Council Agendas

N. Continue Discussion on Proposed Development Impact Fees and Provide Direction and Feedback on Fee Setting

STAFF REPORTS

O. City Manager's Report- City Updates and Upcoming Activities

MAYOR/COUNCIL MATTERS

P. Countywide Assignments and Subcommittee Reports
    i. Parkside 2 Ad Hoc Subcommittee Update
    ii. Report Out on Subcommittee Meetings
    iii. Upcoming Subcommittee Meetings

Q. Written Communications

ORAL COMMUNICATIONS NO. 2

ADJOURNMENT

File Attachments for Item:

B. February 2026 as Black History Month Proclamation

City of Brisbane
PROCLAMATION

PROCLAIMING FEBRUARY 2026 AS BLACK HISTORY MONTH

WHEREAS, February is designated as Black History Month, and the theme for this year, "A Century of Black History Commemorations ," honors the 100th Anniversary of the first Black History Week, established by historian Carter G. Woodson in 1926; and

WHEREAS, this year's theme reflects a century of organized efforts to study, preserve, and celebrate Black history, highlighting its evolution from a single week of observance to a nationally recognized commemoration that shapes education and public understanding of Black life and contributions; and

WHEREAS, let us reflect on our shared history and be inspired by continued progress as we continue to work together toward liberty and opportunity for all.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Brisbane officially designates February 2026 as Black History Month and urges all community members to participate in local celebrations and events.

Signed on February 5, 2026

Coleen Mackin
Brisbane Mayor

File Attachments for Item:

C. Approve Minutes of City Council Meeting of January 15, 2026

BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL MEETING AGENDA
THURSDAY, JANUARY 15, 2026

HYBRID MEETING, 50 PARK PLACE, BRISBANE, CA 94005

6:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Mackin called the meeting to order at 6:30 P.M. and led the Pledge of Allegiance.

ROLL CALL

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

No requests were made under Roll Call Item A.
Councilmember O'Connell teleconferenced from 52 Josefa Ortiz de Dominguez Colibri Condos #104 Bucerias, Nayarit, Mexico.

Councilmembers Present: Councilmembers Davis, Kern, Lentz, O'Connell and Mayor Mackin
Councilmembers Absent: None

Staff Present: City Manager Dennis, Assistant City Manager Fernandez, City Clerk Padilla, City Attorney McMorrow, Acting Community Development Director Ayres, City Engineer Bozorginia, Parks and Recreation Director Leek, Assistant to the City Manager Cheung and Admin Management Analyst Ibarra

REPORT OUT OF CLOSED SESSION

City Attorney McMorrow reported out on the Closed Session Meeting of December 11, 2025. City Attorney McMorrow reported that Councilmembers provided direction to staff on the Public Employment Item D and the one case for Anticipated Litigation Item E.

AWARDS AND PRESENTATIONS

B. New City Website Presentation

Assistant to the City Manager Caroline Cheung provided an overview of the new city website. The new website will be launched on February 24, 2026 and will have the following new functions:

- Greater flexibility for staff in designing more dynamic web content
- Ability to send notifications via SMS/text to subscriber lists
- Leverage analytics to align site navigation to community needs

- A chatbot to help citizens get answers 24 hours, 7 days a week

After staff questions, appreciations were given by the Councilmembers to the Communications Subcommittee and Communications Staff for all their thoughtful work on this project.

ADOPTION OF AGENDA
Staff requested to remove Mayor Council Matters Item K. This item will be discussed immediately following the meeting in a Special Meeting. New Business Item I regarding the Marina Maintenance Dredging will also be discussed ahead of New Business Item H on the Proposed Development Impact Fees.

Councilmember Kern made a motion, seconded by Councilmember Davis, to adopt the agenda as amended. The motion passed unanimously by all present.

Ayes: Councilmembers Davis, Kern, Lentz, O'Connell and Mayor Mackin
Noes: None
Absent: None
Abstain: None

ORAL COMMUNICATIONS NO. 1

Charles Spencer shared his concern about the community health risk of the proposed Data Center Project in the quarry.

George Lance spoke on offensive speech as free speech.

CONSENT CALENDAR

C. Approve Minutes of City Council Meeting of December 4, 2025

D. Approve Minutes of City Council Special Meeting of December 11, 2025

E. Approve Minutes of City Council Closed Session Meeting of December 11, 2025

F. Accept Investment Report as of November 2025

G. Approve and Authorize the City Manager to Execute an Amendment to the Professional Services agreement with Good City Company for Baylands Staffing Support

(The City will bear no fiscal impact. The $45,000 increase in costs would be reimbursed by the project developer.)

Councilmember Davis made a motion, seconded by Councilmember Lentz, to adopt the agenda as amended. The motion passed unanimously by all present.

Ayes: Councilmembers Davis, Kern, Lentz, O'Connell and Mayor Mackin
Noes: None
Absent: None

Abstain: None

NEW BUSINESS

I. Consider Approval of Contract Amendment No. 2 with Anchor QEA, LLC in the amount of $139,500 for Brisbane Marina Maintenance Dredging and Authorize the City Manager to Execute the Amendment

City Engineer Bozorginia reported that staff is recommending Council to approve Contract Amendment No. 2 with Anchor QEA, LLC in the amount of $139,500 for additional sediment testing coordination, regulatory permitting support, and preparation of 90% and 100% dredge design documents for the 2026 Brisbane Marina Maintenance Dredging Project and authorize the City Manager to execute the amendment.

After council questions, Emmett Cunningham commented that the City may not be able to afford the Marina's upkeep in the future, Charles Spencer shared his concern about sea level rise and asked whether reconfiguring the Marina is a better solution, Chris Florkowski asked about soil comparison in the area, Michele Salmon commented about the previous dredging project in 2015, and Dana Spencer suggested reaching out to corporations to donate their services or help fund projects in the Marina.

Council authorized the City Manager to execute the amendment. Staff was also directed to conduct additional research on dredging practices and overall maintenance of marina infrastructure in other cities. Staff was asked to return at a future council meeting with a comprehensive funding plan for dredging.

H. Receive a Report on Proposed Development Impact Fees and Provide Direction and Feedback on Fee Setting

Assistant City Manager reported that staff is recommending for Council to receive a report on proposed Development Impact Fees and provide direction to staff on fee setting. Council received Nexus studies relating to potential impact fees for affordable housing, parks & recreation, transportation, and public facilities. A comparison study was also presented comparing the impact fees of neighboring cities. Once Council directs staff on how they wish to proceed, staff will provide a recommendation on development impact fees for each of the four Development Impact Fees areas: affordable housing, parks & recreation, transportation, and public facilities. The next steps are a mandatory public hearing at a future Council meeting.

After council questions and no public comment, staff were directed to bring back the item at a future meeting and continue the discussion.

STAFF REPORTS

J. City Manager's Report- City Updates and Upcoming Activities

City Manager Dennis provided an update on upcoming community events.

MAYOR/COUNCIL MATTERS

K. Review Countywide Assignments and Council Subcommittees for 2026

This item was removed from the agenda. Council discussed this item at a Special Meeting immediately following the regular session meeting in the Large Conference Room.

L. Countywide Assignments and Subcommittee Reports

i. Parkside 2 Ad Hoc Subcommittee Update

ii. Report Out on Subcommittee Meetings

iii. Upcoming Subcommittee Meetings

After no updates from the Parkside 2 Ad Hoc Subcommittee, councilmembers reported out on their county assignments and subcommittee meetings. Councilmember had a correction to the Fiscal Policy Subcommittee's written updates. Councilmember Lentz asked Brisbane Chamber to attend the proposed listening session and economic summit on the businesses on Visitacion Avenue.

M. Written Communications

Written communication was received by council from the following community members:

Brandon (12-17-25) Renaming the Senior Center
Marotz (01-07-26) Petition to Elect People Loyal to Our Country
Mackin (12-25-25) NY Feds Secret Cash Infusions Raise Fears of New Bank Crisis
Everett (1-8-26) Red Tag
Rustemovic (1-9-26) Inquiry About Relocation
Marc (1-11-26) IDEA Committee Withdrawal

ORAL COMMUNICATIONS NO. 2
No members of the community wished to make public comment.

ADJOURNMENT

Mayor Mackin adjourned the meeting at 9:22 P.M.

_____
Ingrid Padilla
City Clerk

File Attachments for Item:

D. Approve Minutes of City Council Special Meeting of January 15, 2026

BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL SPECIAL MEETING AGENDA
THURSDAY, JANUARY 15, 2026

HYBRID MEETING, 50 PARK PLACE, LARGE CONFERENCE ROOM,
BRISBANE, CA 94005

CALL TO ORDER to Immediately Follow the 6:30 P.M. City Council Meeting

Mayor Mackin called the meeting to order at 9:34 P.M. and led the Pledge of Allegiance. Councilmember O'Connell is teleconferencing 52 Josefa Ortiz de Dominguez Colibri Condos #104 Bucerias, Nayarit, Mexico.

ADOPTION OF AGENDA
Councilmember O'Connell made a motion, seconded by Councilmember Lentz, to adopt the agenda as it stands. The motion was carried unanimously by all present.

Ayes: Councilmembers Davis, Kern, Lentz, O'Connell, and Mayor Mackin
Noes: None
Absent: None
Abstain: None

PUBLIC COMMENT

Chris Florkowski commented that due to Councilmember Kern's advocacy for Brisbane's shuttle program, she would like to request Councilmember Kern be the City's representative in Commute.org.

WORKSHOP

A. Review and Discuss Current City Council Subcommittee List

B. Assign Council Members to City Council Subcommittees, Liaison Committees and Regional/County Boards/Commissions

Councilmembers reviewed the County Assignments and City Council Subcommittee lists and made the following changes:

- Peninsula Clean Energy – Councilmember Kern replacing Councilmember Davis as the Alternate
- Remove Succession Planning Ad Hoc
- Sierra Point Parkway is returning to an Ad Hoc Subcommittee and the additional members from OSEC, CSSC, etc. will be removed

- Emergency Services Council - Councilmember Lentz is the representative and Councilmember Davis as the Alternate

Councilmembers also directed staff to schedule a discussion item at a future council meeting to restructure the Public Art Advisory Committee to include 2 Councilmembers to act as liaisons and the removal of councilmembers and Park and Recreation Commissioners from the Committee's membership body.

ADJOURNMENT

Mayor Mackin adjourned the meeting at 10:27 P.M.

_____
Ingrid Padilla
City Clerk

File Attachments for Item:

E. Approve Minutes of City Council Special Meeting of January 20, 2026

BRISBANE CITY COUNCIL

ACTION MINUTES

CITY COUNCIL SPECIAL MEETING AGENDA
TUESDAY, JANUARY 20, 2026

HYBRID MEETING, 50 PARK PLACE, COMMUNITY MEETING ROOM, BRISBANE, CA 94005

3:30 P.M. CALL TO ORDER – PLEDGE OF ALLEGIANCE

Mayor Mackin called the meeting to order at 3:32 P.M. and led the Pledge of Allegiance. Councilmember O'Connell is teleconferencing 52 Josefa Ortiz de Dominguez Colibri Condos #104 Bucerias, Nayarit, Mexico.

ROLL CALL

A. Consider any request of a City Councilmember to attend the meeting remotely under the "Emergency Circumstances" of AB 2449

There are no requests under Roll Call Item A.
Councilmembers Present: Councilmembers Davis, Kern, Lentz, O'Connell, and Mayor Mackin
Councilmembers Absent: None
Staff Present: City Manager Dennis, Assistant City Manager Fernandez, City Clerk Padilla, City Attorney McMorrow, City Engineer Bozorginia, Assistant to the City Manager Cheung, and Management Analyst Brown.

ADOPTION OF AGENDA

Councilmember Davis made a motion, seconded by Councilmember Kern to adopt the agenda as it stands. The motion was carried unanimously by all present.

Ayes: Councilmembers Davis, Kern, Lentz, O'Connell, and Mayor Mackin
Noes: None
Absent: None
Abstain: None

ORAL COMMUNICATIONS NO. 1

No member of the public wished to make public comment.

WORKSHOP

B. Development-Related Infrastructure Financing Tools

(Staff recommends the City Council receive a presentation regarding development-related infrastructure financing tools as it relates to the Baylands Development. Staff welcomes any feedback from the Council regarding their interest in utilizing development-related infrastructure financing tools.)

As part of ongoing discussions concerning infrastructure financing for the Baylands Development, the City has retained the services of special financial consultants, including Stifel Public Finance, NBS, and JNA Consulting Group, to provide expert advice and guidance to the City throughout this process.

Eileen Gallagher from Stifel Public Finance presented an overview of the Development-Related Infrastructure Financing Tools, Community Facilities Districts, Infrastructure Financing Districts, and case studies of these financing tools.

After Council questions of staff and consultants, Peter Sutherland asked questions about environmental remediation and infrastructure development. Michele Salmon commented shared her concerns about the owner not taking responsibility. Mary Rogers commented that this is a high-level discussion and asked questions about milestones and the process. Peter Sutherland made another comment and asked what happens to the development agreement if the property is sold.

After Council discussion, Staff was directed to bring this item back at a future meeting. Councilmembers will provide their additional questions to staff.

ADJOURNMENT

Mayor Mackin adjourned the meeting at 6:03 P.M.

_____

Ingrid Padilla
City Clerk

File Attachments for Item:

F. Accept Investment Report as of December 2025

CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
SOURCE OF FUNDING
December 31, 2025

NAME OF DEPOSITORY	INVESTMENT TYPE	DATE OF INVESTMENT	FACE VALUE OF INVESTMENT	CARRY VALUE OF INVESTMENT	MARKET VALUE OF INVESTMENT	COUPON INTEREST RATE %	MATURITY DATE	RATING/ COLLATERAL
WELLS FARGO	Checking A/C		$ 5,916,971	$ 5,916,971	$ 5,916,971	0.000		110% collateral
STATE FUND (LAIF)	Deposit on call	continuous	$ 13,259,083	$ 13,259,083	$ 13,259,083	4.090	on call	no rating
Other Investments								
	FHLB	3/25/2022	$ 1,000,000	$ 1,000,000	$ 988,280	2.600	03/25/2027	
	FHLB	5/26/2022	$ 1,000,000	$ 1,000,000	$ 998,040	3.750	05/26/2027	
	FFCB	11/28/2025	$ 1,000,000	$ 1,000,000	$ 999,940	3.970	11/28/2028	
	FFCB	11/28/2025	$ 1,000,000	$ 1,000,000	$ 996,870	4.150	05/28/2030	
	FHLB	10/21/2025	$ 1,000,000	$ 1,000,000	$ 998,410	4.125	10/21/2030	
	FHLM	**12/23/2025**	$ 1,000,000	$ 1,000,000	$ 1,000,310	4.000	12/23/2030	
	FHLB	**12/30/2025**	$ 1,000,000	$ 1,000,000	$ 997,540	4.215	12/27/2030	
BNY Mellon	Treasury Obligations	continuous	$ 4,996,254	$ 4,996,254	$ 4,996,254	3.730	on call	110% collateral
Sub-total			$ 11,996,254	$ 11,996,254	$ 11,975,644			
U.S. Bank	2014 BGPGA Bond (330)	Improvements	Fed Treas Obl	$ -	*10031*			
		Reserve Fund	Fed Treas Obl	$ 1	*10032*			
		Revenue Fund	Fed Treas Obl	$ -	*10034*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
		Principal	Fed Treas Obl	$ 1	*10036*			
		Interest Fund	Fed Treas Obl	$ 0	*10037*			
U.S. Bank	2015 Utility Capital (545)	Improvements	Fed Treas Obl	$ -	*10031*			
		Reserve	Fed Treas Obl	$ 450	*10032*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
BNY Mellon	2023 BGVMIDFA Bond (328)	Improvements	Fed Treas Obl	$ 66	*10031*			
		Reserve / Project	Fed Treas Obl	$ 1,438,358	*10032*			
		Expense Fund	Fed Treas Obl	$ -	*10035*			
		Principal	Fed Treas Obl	$ -	*10036*			
		Interest Fund	Fed Treas Obl	$ 36	*10037*			
PARS	OPEB Trust	Trust Cash	Investments	$ 5,171,226	*13050*			
PARS	Retirement Trust	Trust Cash	Investments	$ 1,879,481	*13050*			
Sub-total	Cash with Fiscal Agents			**$ 8,489,619**				
	Total other investments		$ 20,485,873	**$ 20,485,873**	$ 11,975,644			
TOTAL INVESTMENTS & CASH BALANCES			$ 39,661,926	$ 39,661,926	$ 31,151,697			

Outstanding Loans to Department Heads / Former Employees

	Date of loan	Amount	Amount Remaining	Interest Rate
Stuart Schillinger	**4/1/2002**	**318,750**	**$ 318,750**	**Variable, LAIF + 1%**

FFCB - Federal Farm Credit Bank
FHLB - Federal Home Loan Bank
FHLM - Federal Home Loan Mortage Corporation
FNMA -Federal National Mortgage Association

Two year Treasury	3.47%	
Weighted Interest	3.20%	
Weighted maturity	0.87	Years

TREASURER'S CERTIFICATE

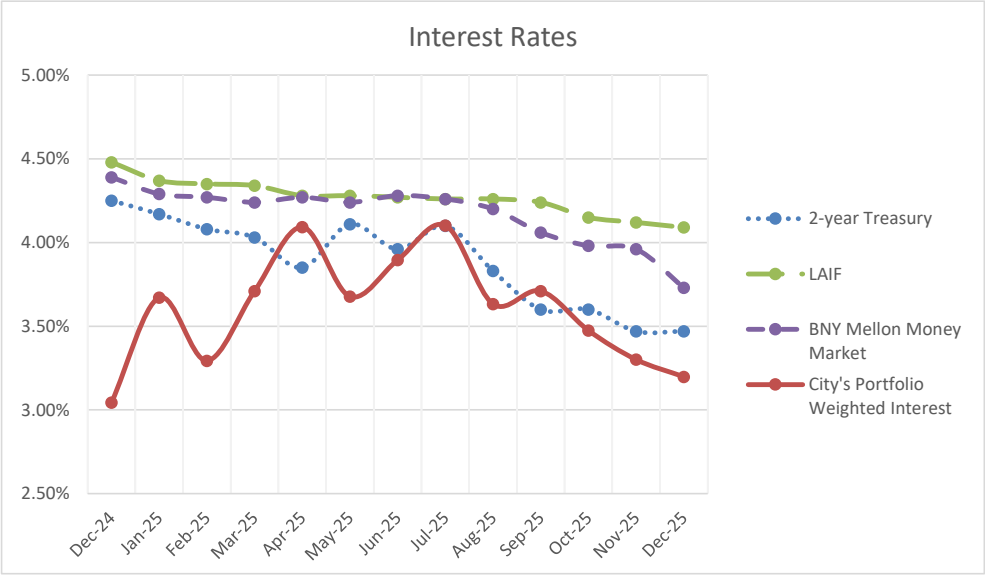
These are all the securities in which the city funds, including all trust funds and oversight agencies funds, are invested and that (excluding approved deferred compensation plans) all these investments are in securities as permitted by adopted city policy.

It is also certified that enough liquid resources (including maturities and anticipated revenues) are available to meet the next six months' cash flow.

Carolina Yuen
CITY TREASURER

CITY OF BRISBANE
CASH BALANCES & INVESTMENTS
Comparative Review
December 31, 2025

NAME OF DEPOSITORY	INVESTMENT TYPE	FACE VALUE OF INVESTMENT	MARKET VALUE OF INVESTMENT	Previous Month FACE VALUE OF INVESTMENT	Change in Face Value		Previous Year FACE VALUE OF INVESTMENT	Change in Face Value	
WELLS FARGO	Checking A/C	$ 5,916,971	$ 5,916,971	$ 4,371,650	$ 1,545,320	35.3%	$ 8,455,703	$ (2,538,732)	(30.0%)
STATE FUND (LAIF)	Deposit on call	$ 13,259,083	$ 13,259,083	$ 11,259,083	$ 2,000,000	17.8%	$ 610,592	$ 12,648,491	2,071.5%
Other Investments									
Sub-total	BNY Mellon	$ 11,996,254	$ 11,975,644	$ 11,920,118	$ 76,137	0.6%	$ 22,020,267	$(10,024,013)	(45.5%)
Sub-total	Cash with Fiscal Agents	$ 8,489,619		$ 8,473,780	$ 15,839	0.2%	$ 7,793,170	$ 696,449	8.9%
	Total other investments	$ 20,485,873		$ 20,393,897	$ 91,975		$ 29,813,437	$ (9,327,564)	
TOTAL INVESTMENTS & CASH BALANCES		**$ 39,661,926**	**$ 31,151,697**	**$ 36,024,630**	**$ 3,637,296**	10.1%	**$ 38,879,731**	**$ 782,194**	2.0%



December 2025 Review

The City's overall investments and cash balances increased by net $3.6M from the previous month, primarily due to property tax payments ($2.3M), Successor Agency ROPS payment ($897K), utility billing receipts, and less vendor payments due to the holidays.

As reflected on Page 1, the BNY Mellon agency bonds subtotal remained at $7M. The City continues to seek and purchase longer term bonds with rates higher than LAIF to ladder maturities when available. However, the continued declining interest rates resulted in the redemption of two $1M bonds earning 5.00% and 4.375%. Both bonds were replaced in December at lower rates (4.00% and 4.25%). Net increase of $76K was for interest earned. $2M was transferred to LAIF from WFB to limit excess operational funds not earning any interest.

Redemptions of higher-earning bonds replaced with lower earning rates, and declining rates in LAIF and BNY Custody Money Market accounts resulted in a decrease in the City's portfolio weighted interest to 3.20%, slightly below the 2-year Treasury rate benchmark of 3.47%.

The City's Cash with Fiscal Agents December 2025 $8.5M balance is primarily comprised of $7M of the PARS trust accounts and $1.4M of the 2023 Bond proceeds held in trust, as reflected on Page 1. The increase of $16K was for interest earned on the 2023 Bond series and PARS trust accounts.

File Attachments for Item:

G. Accept 2025 Cycle 3 Transportation Demand Management (TDM) Grant Funding and Approve of Local Match

(Staff recommends adoption of a resolution of support and commitment requesting the San Mateo County Transportation Authority prepare a funding agreement for Cycle 3 TDM grant funding in the amount of $500,000 and approve the required 18 percent local match from the General Fund in the amount of $88,990.)

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026

From: Maz Bozorginia, Director of Public Works

Subject: Acceptance of 2025 Cycle 3 Transportation Demand Management (TDM) Grant Funding and Approval of Local Match

Recommendation

Staff recommends adoption of the attached resolution of support and commitment requesting the San Mateo County Transportation Authority prepare a funding agreement for Cycle 3 Transportation Demand Management (TDM) grant funding in the amount of $500,000 and approve the required 18 percent local match from the General Fund in the amount of $88,990.

Background

The San Mateo County Transportation Authority (TA) administers the Transportation Demand Management (TDM) Program using revenues from voter-approved transportation sales tax measures, including Measure A and Measure W.

Measure A, originally approved by San Mateo County voters in 1988 and reauthorized in 2004, is a half-cent sales tax supporting transportation programs and projects through December 31, 2033. The Measure A Transportation Expenditure Plan includes funding for Alternative Congestion Relief (ACR), which supports commute alternatives and planning efforts that reduce congestion.

In 2018, voters approved Measure W, a separate half-cent sales tax that took effect on July 1, 2019, and will remain in place through June 30, 2049. Measure W includes a Congestion Relief Program that supports projects demonstrating a nexus to the regional highway system. Measure W dedicates one percent of annual revenues to TDM-eligible projects.

In January 2022, the TA adopted its first combined ACR/TDM Plan, consolidating eligible funding from Measures A and W into a single competitive program. The Plan establishes program goals, eligible project types, evaluation criteria, and grant administration procedures, and is implemented through periodic competitive funding cycles.

The City of Brisbane submitted a grant application to the TA for the Bayshore Boulevard Mobility and Bus Stop Improvement Project as part of TDM Cycle 3 on July 17, 2025.

On November 6, 2025, the TA Board formally approved the Cycle 3 TDM project list, including the City of Brisbane's project, and awarded the City $500,000 in TDM grant funding.

As part of the TA's standard post-award process, recipient agencies are required to adopt a governing board resolution confirming acceptance of funds and commitment of the required local match before a funding agreement can be prepared and executed.

Discussion

The Bayshore Boulevard Mobility and Bus Stop Improvement Project includes pedestrian, accessibility, and transit-supportive improvements intended to enhance safety, access, and connectivity in Central Brisbane. While similar in scope to improvements previously approved by the City Council in 2023, this is a new and separate project funded under the 2025 Cycle 3 TDM program.

With the Cycle 3 grant now awarded, the action before the City Council is procedural and limited in scope. Adoption of the resolution allows the TA to prepare a formal funding agreement and enables the City to move forward with grant compliance and subsequent project implementation activities.

The resolution included as Attachment 1 reflects standard TA language and outlines the City's obligations related to project delivery, reporting, schedule, and funding commitments. Staff recommends adoption of the resolution as presented to ensure consistency with TA requirements and prior Council actions on similar grant-funded projects.

Fiscal Impact

The engineer's estimate for the Bayshore Boulevard Mobility and Bus Stop Improvement Project is $588,990, consisting of:

- $500,000 in Cycle 3 TDM grant funding from the San Mateo County Transportation Authority
- $88,990 in required local matching funds (18 percent)

The local match will be funded from the General Fund.

Attachments

1. Resolution – SMCTA Transportation Demand Management (TDM) Cycle 3

Maz Bozorginia, Director of Public Works

Jeremy Dennis, City Manager

A RESOLUTION SUPPORTING THE BAYSHORE BOULEVARD MOBILITY & TRANSIT STOP IMPROVEMENTS PROJECT AND ENTERING INTO A FUNDING AGREEMENT WITH THE SAN MATEO COUNTY TRANSPORTATION AUTHORITY FOR CYCLE 3 MEASURE A ALTERNATIVE CONGESTION RELIEF AND MEASURE W TRANSPORTATION DEMAND MANAGEMENT PROGRAM FUNDING

WHEREAS, the City of Brisbane has identified the southbound SamTrans bus stop near the intersection of Bayshore Boulevard and Van Waters and Rodgers Road to be underdeveloped and not up to SamTrans Bus Stop Improvement Plan standards, and

WHEREAS, the City of Brisbane has developed Bayshore Boulevard Mobility & Transit Stop Improvements (Project) to make improvements at the bus stop such as installing a bus boarding island, ADA-compliant accessibility features, seating, overhead shelter, enhanced lighting, and safer pedestrian connections, and

WHEREAS, it will cost $588,990 to implement the Project scope, and

WHEREAS, the City of Brisbane will receive $500,000 in grant funds for the Project, and

WHEREAS, the San Mateo County Transportation Authority (TA) issued a Call for Projects for the Measure A Alternative Congestion Relief & Measure W Transportation Demand Management (ACR/TDM) Program on June 5, 2025, and

WHEREAS, the TA requires the City of Brisbane governing board to adopt a resolution:

1. Supporting the Project for $500,000 in TA TDM Program funds for the Project;
2. Committing the City of Brisbane to the completion of the Project, including the commitment of matching funds in the amount of $88,990 needed for implementation;
3. Certifying that any funds awarded by the San Mateo County Transportation Authority will be used to supplement existing funds for program activities, and will not replace existing funds or resources;
4. Authorizing the City Manager, or designee, to sign a funding agreement with the TA for TDM Program funding for the Project and to take any other actions necessary to give effect to this resolution; and
5. Committing to commence work on the Project, if awarded, within one year of the TA Board of Directors allocating 2025 Cycle 3 TDM Program funding.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brisbane:

1. Authorizes the City Manager, or his/her designee, to execute a funding agreement with the San Mateo County Transportation Authority to encumber any TDM Program funds awarded.
2. Commits to the completion of the Project, including the commitment of $88,990 of matching funds needed for implementation, if awarded the requested TA funds.
3. Certifies that funds awarded by the TA will be used to supplement existing funds for the Project, and will not replace existing funds or resources.
4. Commits to commencing work on the Project, if awarded, within one year of the TA Board of Directors allocating the 2025 Cycle 3 TDM Program funds.
5. Authorizes the City Manager to take any other actions necessary to give effect to this resolution.

PASSED AND ADOPTED at a regular meeting of the City of Brisbane City Council, held on the 5th day of February, 2026 by the following vote:

AYES: [xx]

NOES: [xx]

ABSENT: [xx]

ABSTAIN: [xx]

By: _____

Coleen Mackin, Mayor

ATTEST:

_____

Ingrid Padilla, City Clerk

File Attachments for Item:

H. Approve Purchase of Electric Sub-Compact Street Sweeper

(Staff recommends approval of the purchase of one Madvac LS125 Electric Sub-Compact Street Sweeper in the amount of $276,807 (pre-tax) through the Sourcewell cooperative purchasing program and authorize staff to issue a purchase order.)

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026

From: Maz Bozorginia, Director of Public Works

Subject: Purchase of Electric Sub-Compact Street Sweeper

Recommendation

Staff recommends approval of the purchase of one Madvac LS125 Electric Sub-Compact Street Sweeper in the amount of $276,807 (pre-tax) through the Sourcewell cooperative purchasing program and authorize staff to issue a purchase order.

Background

Street sweeping within the City is primarily performed through contracted services using standard-sized sweepers. While effective for most roadways, these units have limited ability to access narrow streets, trails, and constrained residential areas. For several years, staff have planned to supplement contracted sweeping with a small, in-house unit capable of addressing these locations. Measure M funds allocated through C/CAG were intentionally allowed to accumulate for this purpose.

Discussion

Staff recommends purchasing one Madvac LS125 Electric Sub-Compact Street Sweeper to supplement existing sweeping services. The unit will not replace contracted sweeping but will be used part-time by existing staff to improve service coverage in hard-to-reach areas. No additional staffing is proposed.

The LS125's compact size allows it to operate effectively on narrow roads and trails while providing approximately nine hours of runtime per charge, which aligns with normal work shifts. The unit supports both Level 2 and Level 3 charging, and the City has existing charging infrastructure in place. Limited vendor-specific training will be required; staff already hold the appropriate certifications to operate street sweeping equipment.

Staff evaluated alternatives, including used equipment and fossil-fuel-powered sweepers (primarily diesel). Used sweepers were not recommended due to the high number of mechanical components and associated maintenance risk. While diesel or other fossil-fuel-powered sweepers are available at a lower upfront cost, staff recommends an electric unit to support the City's sustainability goals, reduce vehicle emissions, and minimize noise impacts in residential neighborhoods and trail corridors.

The proposed unit is currently in stock, allowing the City to proceed immediately upon approval. Delaying the purchase may result in the loss of availability and extended lead times.

Fiscal Impact

The total purchase cost is $276,807 (pre-tax), including preparation and delivery, and will be made through the Sourcewell cooperative purchasing program. Funding is available through accumulated Measure M funds administered by C/CAG, which are eligible for street and stormwater uses and reimbursable to the City following purchase. There is no General Fund impact and no additional staffing cost.

Attachments

1. Madvac LS125 Electric Sub-Compact Street Sweeper Quote (Sourcewell)

Maz Bozorginia, Director of Public Works

Jeremy Dennis, City Manager

H.

TOTAL INDUSTRIES — AN RIMS COMPANY

Livermore* West Sacramento * Salinas * Fresno * North Bay
(800) 527-3746
www.total-ind.com

Dolan Shoblo
Regulatory Compliance Manager/Maintenance Program Manager
(415) 508-2130 | Cell: (415) 533-1681 | Email: dolanshoblo@brisbaneca.org

Steve Burnett
Phone: 510-514-4058

Email: sburnett@total-ind.com

Quotation

	Qty:	Description		Each
	1	**MADVAC LS125 Compact Sweeper Lithium Sourcewell 123589**		**In Stock**

Dolan Shoblo
Regulatory Compliance Manager/Maintenance Program Manager
(415) 508-2130 | Cell: (415) 533-1681 | Email: dolanshoblo@brisbaneca.org

Payment term: Net 30 days W/Credit
Freight: **Included Per Sourcewell**

Madvac®

Ship Location/ Contact information

		Unit Price	Quantity	Extended Price
Base Model				
LS125	LS125 Electric Sub-Compact Sweeper * 4x lithium-ion 102V high energy capacity battery packs-Up to 69.2 kW/h * 9 hour charging w/ 220V 7.2 kW) standard Level II AC charging station * 3.5 hour fast charging capable w/18kW output level II AC charging station * speed/cruise control / Heating & air conditioning * Stainless Steel 1.25 cu.yd hopper w/ dump height of 67" * Dual adjustable 25" gutter brooms w/ in cab speed/position/pressure joystick controls * 3-stage filtration: incl. rotating strainer, MERV 4 or 15 filter, and water-based dust collection * 3 stage filtration/ Scraper, Merv 4 / 2 in. water inside hopper * 72 gallon water tanks * Emergency stop button * Fully street legal lighting package including SMV emblem * Electric Windshield Defrost * Audible engine warning system | Rear-view camera w/ color monitor	$ 267,625	1	$ 267,625
Available Options				
K203329	Stowed retractable wander hose 4" X 12.5' slinky	$ 2,220	1	$ 2,220
K203330	Pressure washer gun 2100 psi with 30' hose	$ 4,505	1	$ 4,505
K200637	Heated mirrors	$ 539	1	$ 539
K203331	Radio + CD + MP3 player system	$ 539	1	$ 539
K203332	Fire extinguisher 2.2 lb (1 kg. dry powder)	$ 198	1	$ 198
K200641	Tire flatproofing - liquid sealant (all wheels)	$ 556	1	$ 556
Extended Warranty Options				
	Exprolink Inc. offers a 1-year (1000 hours) limited parts & labor WARRANTY	N/C	1	N/C
WS125-2	Extended warranty coverage: 1 additional year (2-year / 2000 hours)	$ 4,229	0	$ -
WS125-3	Extended warranty coverage: 2 additional years (3-year / 3000 hours)	$ 8,454	0	$ -
				$ 276,182.00

- **Battery pack from CA-based Zero Motorcycles** – 3x better "Energy per weight and volume" ratio in the industry
- **Reduce GHG by 40 tons annually** – environmentally friendly
- **Lower dB than LS175 diesel** – reduce noise pollution
- **Only 48 in. (1.2 m) wide | 78 in. (1.9 m) tall** – perfect for narrow, limited spaces

Local Prep and Delivery $ 625.00
TOTAL INVESTMENT (Before Tax): $ 276,807.00

****All Prices Quoted Do Not Include Sales Tax****

Your signature on this proposal constitutes an order

This quotation is subject to our General Terms and Conditions.
F.O.B: Factory **Terms:** COD/ Terms or Finance **Delivery:** Will advise at time of order

Quoted:
By:

Steve Burnett
510-514-4058
Date: 10-08-25

Accepted:
By:

Authorized Buyer (please print)

Authorized Buyer Signature

Date

29

File Attachments for Item:

I. Approve Request to Seek Donations/Sponsorships for the 2026 Summer Concerts in the Park Series

(This community-based fundraising approach diminishes the burden on the City's general fund. Consistent with past fundraising efforts, staff aspire to secure $10,000-$13,000 in sponsorships and donations.)

CITY COUNCIL AGENDA REPORT

Meeting Date: 2/5/2026

From: Jeff Franco, Recreation Coordinator

Subject: Request to Seek Donations/Sponsorships for the 2026 Summer Concerts in the Park Series

Recommendation

Staff recommends granting permission to seek donations/sponsorships from Brisbane community members and businesses for the 2026 Summer Concerts in the Park series.

Background

The Concerts in the Park series has been a longstanding tradition in Brisbane for more than 18 years. Community sponsorships have played a vital role in supporting the program, providing residents and local businesses with a meaningful opportunity to contribute to and engage in the delivery of high-quality entertainment for the community. Through this support, City staff are able to secure talented and professional bands for the concert series.

Each year, the City aims to continually elevate the quality of the program by featuring both community favorites and new, well-established performers that appeal to Brisbane residents. Typically, annual sponsorship contributions average between $10,000 and $13,000, directly supporting this objective and enhancing the overall success of the series.

Discussion

Parks & Recreation Commissioners and staff request permission to solicit donations/sponsorships from Brisbane community members and businesses for the 2026 Summer Concerts in the Park series. Traditional sponsor levels range in price from $150-$2,500 to accommodate individual and family donations as well as large business sponsorships. The P&R Commission concerts subcommittee aspires to explore additional methods for revenue generation this year which may include: an “Adopt a Concert” campaign, a “Gift of Music” tier which accepts donations of any amount, onsite donations, corporate matching, song dedications to loved ones, and more.

Fiscal Impact

This community-based fundraising approach diminishes the burden on the City’s general fund. Consistent with past fundraising efforts, staff aspire to secure $10,000-$13,000 in sponsorships and donations to cover non-personnel expenses associated with facilitating the Summer Concert series.

Attachments

1. City of Brisbane Fundraising Plan
2. DRAFT 2026 Sponsor Brochure

Jeff Franco

Jeff Franco, Recreation Coordinator

Jeremy Dennis

Jeremy Dennis, City Manager

I.

City of Brisbane Fundraising Plan

Fundraising Plan Title and Purpose: ***Please provide a title and description for your fundraising project.***
Request to Seek Donations/Sponsorships for the 2026 Summer Concerts in the Park Series
Fundraising Participants: ***Please list the names for all groups and individuals that will be conducting fundraising.***
Nicole Houghton, Recreation Supervisor Jeff Franco, Recreation Coordinator Parks & Recreation Commissioners
Donation Type/Amount: ***Please describe the types and amount of donations that will be sought.***
Monetary and in-kind donations. There are 5 levels of sponsorships: Bronze: $150 Copper: $300 Silver: $600 Gold: $1250 Platinum: $2500
Anticipated Donors: ***Please describe who will be approached for donations.***
Brisbane community members & Brisbane businesses
Donor Recognition Plan: ***Please describe how donors will be recognized.***
Sponsors/Donors will be recognized on the signboards, posters on the gazebo in the Community Park, in city publications, on social media, and also by the City Council.

Fundraising Timeline:	
Council Review of Fundraising Plan:	City Council Meeting on 2/5/26
Fundraising Start:	February 2026
Fundraising Completion:	July/August 2026
P&R Commission Report of Donations:	September/October 2026
Donor Recognition Complete:	October 2026

Restrictions/Reporting: ***Please identify any restrictions or reporting requirements associated with this fundraising plan.***
n/a

I. APPLICATION

Submission Date: _____

SPONSOR INFORMATION

Name: _____

Company: _____

(If applicable)

Address: _____

_____

Phone: _____

Email: _____

Website: _____

(If applicable)

SPONSOR LEVELS

- ◯ Title Sponsor: $2,500
- ◯ Gold Sponsor: $1,250
- ◯ Silver Sponsor: $600
- ◯ Copper Sponsor: $300
- ◯ Bronze Sponsor: $150

Please submit applications to:
brisbanerec@brisbaneca.org or c/o Jeff Franco, Parks and Recreation Department, 50 Park Place, Brisbane, CA 94005

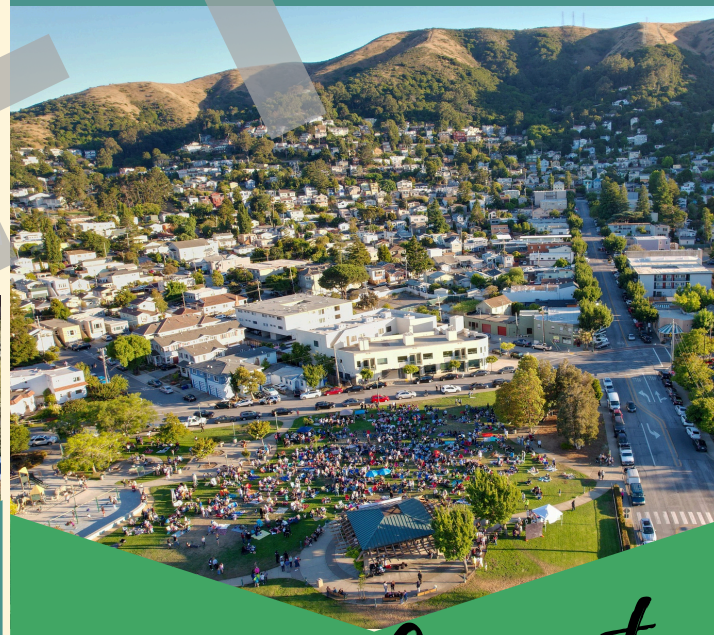
Pl[illegible] make checks payable to:
City of Brisbane

SPONSORSHIP SUPPORT

We would be honored to have your support for the 2026 Summer Concerts in the Park series! In exchange for your generosity, we offer opportunities for sponsor recognition within the Brisbane community as outlined under the Sponsor Levels. If you are interested in learning more about sponsorship opportunities please email us at brisbanerec@brisbaneca.org.

This summer tradition is made possible due to the generous tax deductible donations made by our community.

BRISBANE PARKS & RECREATION 1961



Summer Concerts SPONSORSHIP OPPORTUNITIES

brisbaneca.org/events

DRAFT

I.

ABOUT US

"The mission of Parks & Recreation services in Brisbane is to engage and inspire a healthier community by providing fun, inclusive, innovative and safe parks, facilities and programs."

We are excited to present the 2026 Summer Concerts in the Park series! In order to provide top notch entertainment and quality bands, we need your support! Your generous donations will help significantly and we ask that you consider becoming a sponsor to make this Summer concert series the best yet.

The 2026 series will be held...as outlined below.

Your sponsorship helps to create timeless memories for the Brisbane community! The various levels of sponsorship are further detailed on the next page.

Concert Dates

- [x]
- [x]
- [x]
- [x]
- [x]

TBD

Sponsor Levels

Title Sponsor: $2,500 & above

- Designated sponsor booth at one concert
- VIP perks at concerts
- Recognition on the City's digital signboards
- Sponsor acknowledgement at all concerts
- Sponsor recognition on concert swag
- Name & logo listed on gazebo sponsor banner
- + All items listed below

Gold Sponsor: $1,250

- Company logo or donor name on concert series promo flyers
- (2) Complimentary concert swag
- + All items listed below

Silver Sponsor: $600

- Sponsorship acknowledgement in the City Manager's eBlast to the Brisbane community
- + All items listed below

Copper Sponsor: $300

- Company logo or donor name on the Brisbane P&R webpage
- Company logo or donor name recognition on promo board at concerts
- Company logo or donor name recognition on concert swag
- + All items listed below

Bronze Sponsor: $150

- Highlight on Brisbane P&R social media
- Name listed in the City's monthly STAR newsletter
- Name listed on gazebo sponsor banner

DISCLAIMER: Inclusion on printed materials requires sponsorship applications to be submitted by: June 5th, 2026

MARKETING SPECIFICATIONS

To simplify the distribution of sponsor information and increase recognition, we ask that you are prepared to send the below materials based on your sponsorship level.

**Note: A high-resolution png format is preferred.*

Company Logo

Title/Gold/Silver/Copper Sponsors

To maximize sponsor recognition, we urge you to provide several versions of your logo (horizontal, vertical, square) that can be adapted for various promotional platforms.

**Format: png preferred, jpeg accepted.*

eBlast

Title/Gold /Silver Sponsors

Please prepare a brief marketing blurb to recognize your donation.

**100 word count maximum.*

Social Media Highlight

All Sponsors

Please prepare a brief blurb specifically designed for social media. Include a few photos, desired hashtags, and associated account handles for tagging purposes.

**100 word count maximum.*

Anonymous donations are also welcomed!

DRAFT

File Attachments for Item:

J. Receive Update on Affordable Housing Rehabilitation Grant Program

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026

From: Julia Ayres, Acting Community Development Director

Subject: Update on Affordable Housing Rehabilitation Grant Program

Recommendation

Staff recommends that the City Council receive an update on the Affordable Housing Rehabilitation Grant Program.

Background

In the 2022 legislative session, former Representative Jackie Speier secured a $495,000 Community Project Funding Grant administered by the US Department of Housing and Urban Development (HUD). The purpose of the grant is to address critical improvements to homes in Brisbane occupied by low-income households, including repairs to address health and safety hazards, accessibility improvements, airport noise insulation, and energy efficiency upgrades (see Attachment 1).

In 2023, the City signed a professional services agreement (PSA) amendment with Good City Company (Good City) to provide administrative support for grant implementation, including creating the program description and budget and completing environmental review under the National Environmental Policy Act (NEPA) prior to executing the grant agreement with HUD. The grant agreement with HUD was executed in April 2024. Following grant execution, staff worked with Good City and HEART of San Mateo County to prepare program guidelines (Attachment 1), administrative procedures, program forms, and outreach materials.

The program launched in January 2025, with widespread advertising in the STAR, weekly BLAST, City website, message boards, social media, and other methods. Application submissions were cut off in March 2025 due to the overwhelmingly positive response from the community.

Discussion

The City has approved 21 grant applicants to date. As of this staff report, $298,550 has been allocated to 15 grantees. Staff will contact the remaining six grantees this month (February) to remind them of their grant program approval and determine if they want to move forward with the program. Staff anticipates all grant funds for home repairs will be expended in the next six months.

Fiscal Impact

The total grant amount is $495,000, of which 20% ($99,000) is dedicated to covering administrative costs, and an additional $19,500 is allocated to reimbursing costs for inspections, work write-ups, and permit fees. This leaves $376,500 available for disbursement to homeowners as direct grants. The City's contract with Good City totals $91,035, leaving $7,965 to cover staff costs. City staff administration of this program has exceeded this amount. Additionally, HEART staff has assisted in administration of the program as part of their existing contract with the City for support on housing-related policies and programs.

Attachments

1. Brisbane Affordable Housing Rehabilitation Grant Program Guidelines

Julia Ayres
Julia Ayres, Acting Community Development Director

Jeremy Dennis
Jeremy Dennis, City Manager

CITY OF BRISBANE
Community Development Department
50 Park Place
Brisbane, California 94005-1310
(415) 508-2120

BRISBANE AFFORDABLE HOUSING REHABILITATION GRANT PROGRAM GUIDELINES

INTRODUCTION

The City of Brisbane has a significant number of housing units in need of rehabilitation that are owned or occupied by low-income residents. The Brisbane Affordable Housing Rehabilitation Program is designed to help low-income Brisbane residents, including seniors and people with disabilities who do not have the resources to address these deficiencies, to remain safely in their homes, to reduce ongoing energy costs and increase energy efficiency, and to preserve the quality of the City's housing stock.

Using funds awarded by the Department of Housing and Urban Development, the program will provide grants of up to $23,500 to address critical improvements to single-family, duplex, multiple-family, and mobilehome dwellings occupied by low-income households. The grants will be used for household repairs related to health & safety hazards, accessibility improvements, airport noise insulation, and energy efficiency upgrades. Funds will be available on a first come, first served basis until funds are spent.

ELIGIBLE PROPERTIES:

- Single Family detached homes
- Duplexes
- Townhomes
- Condominiums (interior improvements only)
- Mobilehomes
- Apartment complexes with affordable rents

APPLICANT ELIGIBILITY

To be eligible for grant funds under this program, applicants must be single-family homeowners, duplex owners, mobilehome owners, or owners of multi-family complexes, duplexes, or single-family homes with affordable rents within the City of Brisbane. To be eligible, applicants must meet the following requirements.

HOMEOWNERS MUST:

- Own and live in an insured home located in the City of Brisbane
- Have an annual income of no more than 80% of AMI
- Have a loan-to-value ratio of no more than 90%
- Not own other property other than the property for which assistance is being sought
- Not have received prior grant assistance under this project

The 2024 HUD low-income limits for San Mateo County (subject to annual adjustments) are:

1 person	2 people	3 people	4 people
$109,700	**$125,350**	**$141,000**	**$156,650**

RENTAL PROPERTY OWNERS MUST:

- Demonstrate that rental rates are below the Maximum Affordable Rent Payment for low-income renters in San Mateo County (as defined by HUD) or rent to Section 8 tenants
- Not have received prior grant assistance under this project

The 2024 HUD Maximum Affordable Rent Payment for low- income households for San Mateo County (subject to annual adjustments) are:

Bedrooms	Studio	One	Two	Three	Four
Rent	**$2,742**	**$2,938**	**$3,526**	**$4,073**	**$4,544**

Note: CA Tax Credit Limits for Low- and Median-Income Group

APPLICATION PROCESS

Interested homeowners and rental property owners must complete a Request for Service form summarizing their needs. The Request for Service does not require any documentation. Project staff will review the Request and determine whether you may qualify for a grant. If it is determined that you may qualify, you will be invited to complete an Application and provide documentation of income, property ownership, and residency, etc. Project staff will review the application and determine whether the you qualify for the grant.

Required documentation

Applicants must provide documentation listed below to provide proof of eligibility.

HOMEOWNERS:

- Valid copies of photo IDs for all applicants

- Copy of Deed or Property Tax Bill
- Copies of all pages of recent loan statement for all loans secured by your home
- Copies of recent utility bill as proof of residence
- Copy of the Declarations page of Homeowners Insurance Policy, which confirms the valid policy period
- For every person 18 or older you count as part of your household who lives in the home at least 6 months of the year:
  - Two years of the most recent income tax returns, complete with all schedules: W-2 and 1099, including for self-employment income complete with schedule "C"
  - Two months of the most recent and consecutive pay stubs for all employment income, which confirms proof of income
  - Most recent benefit letters of financial support, e.g., SSI, CALWORKS, Cash Aid, unemployment, retirement, SSD, social security award letter (not the statement), pension letter, or 1099-R
- For tenants residing in the home, rental agreement with signatures of the homeowner and tenant

APARTMENT COMPLEX OWNERS

- Valid copies of photo ID for the building owner
- Copy of Deed or Property Tax Bill
- Copies of all pages of recent loan statement for all loans secured by the building
- Copy of the Declarations page of Building Insurance Policy, which confirms the valid policy period
- Current Rent Schedule

Approved Application

If the applicant qualifies for the Project and the application is approved, a building inspector and program staff will meet with the applicant to inspect the property and review the deficiencies the applicant has identified. The inspector may also identify other items to comply with current health and safety codes, such as the installation of smoke and carbon monoxide detectors, correction of electrical, plumbing and HVAC hazards, and abatement of lead-based paint and asbestos.

The inspector will prepare a preliminary scope of work and a cost estimate. Project staff will work with the applicant to produce a final scope of work to submit for bid to contractors.

ELIGIBLE REPAIRS

The program is intended to address repairs and improvements that allow occupants to continue living comfortably and safely in their home. Eligible repairs include but are not limited to the following.

SINGLE FAMILY HOMES, DUPLEXES, AND MOBILE HOMES (OWNER-OCCUPIED)

- Replacement of unsafe stairs and flooring
- Kitchen and Bath improvements (e.g., hot/cold running water, appropriate ventilation, adequate lighting, removal of mold and water damage, ensuring complete bathing/sanitary facilities)
- Exterior wall restoration and exterior painting
- Lead-Based Paint Hazard remediation
- Termite control

- Airport noise mitigation such as roof insulation and double paned windows
- Developing or current code violations
- Electrical and plumbing system upgrades
- Energy efficiency improvements (e.g., electrical panel upgrades, water efficient fixtures, insulation, and weatherization, etc.)
- Re-roofing and gutter replacement
- Foundation repair
- Accessibility: conversion of bathtubs to accessible shower units, widened doorways, ramp installation, replacement of doorknobs with lever handle knobs, adding handrails, etc.

MULTI-FAMILY COMPLEXES

- Energy efficiency improvements (e.g., electrical panel upgrades, water efficient fixtures, insulation, and weatherization, etc.)
- Airport noise mitigation such as roof insulation and double paned windows
- Accessibility improvements listed above
- Grant funds may not be used for repairs of conditions that are the landlord's legal responsibility in compliance with state and local building and health codes

CONTRACTOR SELECTION

The applicant will be responsible for obtaining at least two proposals from licensed contractors. In coordination with City Staff, the applicant will select the preferred contractor. The contractor will enter into a work agreement with the property owner. The property owner will submit invoices and supporting documentation to the City. The City will review the invoice and supporting documentation, inspect work performed under the invoice, and when approved will make payments directly to the property owner.

CONSTRUCTION PHASE

Once construction commences, a City building inspector will conduct progress inspections as needed, and Project staff will coordinate with the property owner during work progress. A City building inspector will conduct a final inspection to ensure the project is completed according to the Scope of Work and meets City standards.

File Attachments for Item:

K. Discuss and Provide Direction to Staff on Healthpeak Contribution to Fund a Renewable Energy Project

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026
From: Christina Fernandez, Assistant City Manager
Subject: Renewable Energy Contribution

Recommendation

Staff recommends that the City Council provide feedback on potential renewable energy projects that could be used with the $300,000 contribution that the developer of the Shore at Sierra Point project will be making to the City.

Background

In 2008, the City entered into a Development Agreement with Healthpeak, the developer of The Shore at Sierra Point project (800 to 1800 Sierra Point Parkway) (Attachment 1). Section 3.3 (f)(1) of the development agreement states that the developer shall make the following cash contribution for a renewable energy project:

(1) "A cash contribution in the amount of $300,000 (the Energy Contribution) shall be made to City to fund off-site renewable energy project(s) within Brisbane, as determined by City. The Energy Contribution shall be paid within thirty (30) days of City's written notice to Developer that City has obtained the necessary approvals (including approvals from any other governmental entity having jurisdictional authority over the off-site renewable energy project), which notice shall include a statement of the projected costs of such project and the requested contribution amount (which amount shall not exceed the projected costs of City's project)."

Healthpeak is seeking to close out the development project and last fall staff informed Healthpeak that the City did not have a renewable energy project ready to implement, to satisfy the Energy Contribution condition. In order to meet the intent of the condition and allow the development project to receive final approval from the City, Healthpeak agreed to provide to the City the $300,000 in advance of the City having a "shovel-ready" project.

Discussion

Currently, staff do not have a specific project ready for implementation and are seeking guidance from the Council on the types of renewable energy projects it believes would have the most benefit to the City. Possible projects include solar battery energy storage system (ESS),

Distributed Energy Resources (DER), additional electric vehicle charging infrastructure, and LED lighting upgrades. After receiving feedback from the Council, staff recommends presenting this feedback to the appropriate committee depending on the type of projects selected. This committee could then explore potential projects further and staff would return the item to Council with recommendations.

Fiscal Impact

There is no fiscal impact in receiving Council feedback on potential renewable energy projects.

Attachments

1. Section 3.3 (f)(1) of Development Agreement 2008-097434

Christina Fernandez, Assistant City Manager

Jeremy Dennis, City Manager

(f) **Renewable Energy Projects.** In addition to the public improvements described in Exhibit C, Developer shall make the following cash contributions for renewable energy projects:

(1) A cash contribution in the amount of $300,000 (the "Energy Contribution") shall be made to City to fund off-site renewable energy project(s) within Brisbane, as determined by City. The Energy Contribution shall be paid within thirty (30) days of City's written notice to Developer that City has obtained the necessary approvals (including approvals from any other governemental entity having jurisdictional authority over the off-site renewable energy project), which notice shall include a statement of the projected costs of such project and the requested contribution amount (which amount shall not exceed the projected costs of City's project). In no event shall Developer be required to make the Energy Contribution until all discretionary approvals required for the Project have been granted and all appeal or challenge periods for such approvals have expired.

(2) In addition to the Energy Contribution required under Subsection (f)(i) above, Developer shall expend $1,500,000 (the "Additional Energy Contribution") for implementation (inclusive of design and outside management costs) of an on-site renewable energy program, as approved by City; provided, however, City may elect to reallocate up to $500,000 of the Additional Energy Contribution toward the cost of off-site renewable energy projects being constructed by City. Such election shall be made within thirty (30) days after City receives written notice from Developer that Developer intends within the next ninety (90) days to apply for a building permit for the garage structure, which notice shall include a budget for the City's intended off-site renewable energy project(s) showing total project costs to be at least the amount of the Energy Contribution plus the reallocated amount. Any portion of the Additional Energy Contribution which is not reallocated by City shall be utilized by Developer for its on-site renewable energy program.

(3) The on-site renewable energy program may include wind and/or solar elements. The intent of this program is to provide on-site generation at the maximum possible level of efficiency and feasibility, and therefore the mix between wind and solar shall be at the discretion of the Developer, subject to the provision that the full Additional Energy Contribution be made. In order to assess the feasibility of wind energy, a portion of the Additional Energy Contribution shall be used to fund a site wind energy study, which shall be performed under the City's direction, to the City's specifications. The City shall initiate this study as soon as practicable upon execution of this Agreement. The study shall be completed within 18 month following execution of this Agreement.

(4) Upon completion by City of any off-site renewable energy project funded in whole or in part by Developer's Energy Contribution, or upon completion by Developer of any on-site renewable energy program funded in whole or in part with the Additional Energy Contribution, each party shall furnish to the other a written report describing in reasonable detail the nature of the

File Attachments for Item:

L. Receive Parcel R Update and Consider Approval of Contract Amendment for CMG Landscape Architecture

(Staff recommends the City Council receive an update regarding Sierra Point Park planning efforts and consider approval of the amended proposal from CMG Landscape Architecture. CMG's amended proposal to complete the planning effort for Parcel R totals $73,386 which is less than the amount already encumbered from Fund 455 to support this project.)

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026
From: Jeremy Dennis, City Manager
Noreen Leek, Parks & Recreation Director
Maziar Bozorginia, Public Works Director
Subject: Parcel R Update and Contract Amendment for CMG Landscape Architecture Concerning the Sierra Point Parcel R Concept Plan and Estimated Cost Thereof

Recommendation

Staff recommends the City Council receive an update regarding Sierra Point Park planning efforts and consider approval of an amendment to the contract with CMG Landscape Architecture for the Sierra Point Parcel R Concept Plan.

Background

In June 2021, the City issued a solicitation for qualified Landscape Architects and Park Planning firms to develop an open space and parks master plan at Sierra Point and in particular so called “Parcel R”. Parcel R is a 1.5 acre parcel located adjacent to the Brisbane Marina and is depicted in Attachment 1. The vision for the project included passive and active recreational opportunities intended to engage the public and promote integration with the surrounding areas including the Marina, the San Francisco Bay Trail, and adjacent businesses. Key components for the desired plan included: connectivity, stewardship and sustainability, art, and recreation. The contract was awarded to CMG Landscape Architecture in 2022, and a master planning subcommittee was formed consisting of representatives from the Brisbane City Council, Parks and Recreation Commission, Open Space and Ecology Committee, Complete Streets Safety Committee, IDEA Committee, and Public Art Advisory Committee.

The CMG team conducted a comprehensive analysis of the Sierra Point Open Space and Parks planning area, which encompasses the City-owned and publicly accessible open space, shoreline areas, trails, and parklands located throughout the Sierra Point district that included a review of prior studies, evaluation of site constraints, identification of existing infrastructure, and public outreach to engage key stakeholders. Findings were documented in Task 1: Discovery, which was shared publicly and summarizes CMG’s preliminary stakeholder engagement, review of project materials, and site observations. This phase identified technical constraints, stakeholder priorities, and open space improvement opportunities to inform the next phase of planning. Task 2: Exploration involved the development of preliminary alternative approaches to the open space master plan and continued coordination with stakeholders. Draft conceptual plans were prepared to illustrate opportunities and gather feedback toward identifying a preferred plan. This phase included additional public engagement and was presented to the City Council in March 2023. Shortly thereafter, the City Council paused the park planning effort to allow for further study of anticipated sea level rise impacts on the marina and adjacent properties. That study was completed in late 2024, and as a result, this data has been

incorporated into CMG's scope of work set forth in the proposed amendment to the CMG contract which work will be specific to Parcel R. This resiliency informed design ensures that any proposed infrastructure is built to last and protects the City's long-term investment. In parallel, the City has initiated the Brisbane Lagoon Watershed Sea Level Rise Adaptation Plan, which will identify strategies to protect residents and infrastructure from climate-related flooding. This effort is expected to continue through 2026.

The supporting Park Development Fund was established through a contribution from a commercial development at Sierra Point and from contributions under two separate development agreements. The Fund currently has an uncommitted balance of $1,991,065. A portion of these funds is restricted for use on "Parcel R" (depicted in Attachment 1), while the remaining funds may be used on publicly owned land throughout Sierra Point. Most of the fund is subject to the Mitigation Fee Act, which requires use within five fiscal years of receipt of the funds (the funds were received in fiscal year 2020/2021). Accordingly, if the funds are not expended or committed by June 30, 2026, the City must either justify an extension with a defined allocation plan or return the funds to the property owners. To avoid either situation, the City should adopt a plan for use of the funds by June 30, 2026. Given this, the Council subcommittee and staff prepared a process outline in order to meet the deadline for use of the remaining funds (Attachment 2).

Fund 455 Allocation Matrix

Category	Amount
Not reportable for AB 1600 purposes	$474,652
HCP / Mitigation Fee Act (reportable per AB 1600)	$1,516,411
Combined Total Available	$1,991,065

Discussion

On February 20, 2025, the City Council received a report on the remaining funds available, and the deadlines associated with the expenditure of the funds (Attachment 3). At this meeting, Staff provided Council with information relating to the need to allocate the remaining funds (approximately $1.372M) from the funds received from Healthpeak to help build infrastructure and amenities at Parcel R. By advancing the design phase now, the City insulates itself against the potential forfeiture of these funds under the Mitigation Fee Act, ensuring these private contributions remain available for investment in Brisbane, rather than risk them being returned to the property owner after June 2026. Subsequently, the Council directed the Sierra Point Open Parkway Park & Open Space Subcommittee (then-Mayor Lentz and Councilmember Kern) to meet to determine a plan for the site.

The Subcommittee has met five times over the last year, including a meeting held at the Sierra Point Yacht Club to ensure maximum project transparency and outreach. During these public meetings, the Subcommittee members walked the site with city staff, engaged with members of the public including the boating community, met with staff from CMG, and participated in conversations with representatives from the Parks and Recreation Commission.

Throughout the process, the focus of the Subcommittee has been the following:

- To stay within the direction given by Council to plan and build park amenities and landscaping with appropriate infrastructure on Parcel R;
- To use $527,901 from a development agreement with Phase 3 Real Estate to be spent on park related efforts at Parcel R;
- To create a 100% Design Concept on Parcel R to build park amenities on land that is above 100-year sea level rise projections
- To create a great public space at Parcel R that will be used by residents, boaters and workers at Sierra Point

During one recent report to the Council, the Subcommittee recommended that the Parks and Recreation Commission be tasked with finalizing a recommendation based on the work of the Subcommittee ensuring a community-vetted recommendation that aligns with the Commission's duties under the Municipal Code The City's Municipal Code identifies specific roles and responsibilities of Parks and Recreation Commissioners which include the following:

- Hold hearings as directed by the City Council on matters pertaining to planning and development of parks and recreation programs and capital expenditures relating to recreation and facilities;
- Make recommendations concerning beautification development and improvement of parks, beaches, and recreation services.

The Subcommittee met on January 7, 2026 with two representatives of the Parks and Recreation Commission (Trudi Davis, Chair and Tom Seawell, Vice Chair) to provide direction. Thereafter, the Parks & Recreation Commission began meeting on this topic on January 15, 2026 and is expected to provide input and a formal recommendation for park development to the City Council no later than March 11, 2026 in order to meet the deadline discussed above.

To aid in this effort, an amendment to the contract with CMG is enclosed as Attachment 4. CMG's scope of work through the end of the fiscal year to support park planning efforts is detailed within the proposal. This includes development of conceptual designs within the footprint of Parcel R, and the estimated cost for such design. The goal is to create a 100% Final Concept Design that will reflect feasible park amenities and landscaping within Parcel R based on community input. The intent of the Final Concept Design is to be shovel ready and built in phases based on available funding sources. If appropriate, volunteer opportunities will be identified to help reduce costs and build community connectiveness for the park site.

Fiscal Impact

CMG's original contract totaled $199,758, of which approximately $118,932 has been expended to date, leaving $80,827 encumbered but unspent. CMG's proposal to complete the planning effort for Parcel R

totals $73,386, which is less than the amount already encumbered from Fund 455 to support this effort. A representative from CMG will be present via Zoom at the February 5, 2026 meeting to respond to Council questions.

Description	Amount	Notes
CMG's Original Contract Total	$199,758	Initial contract amount
Amount Expended to Date	$118,932	Spent so far
Remaining Encumbered but Unspent	$80,827	Funds still available from original contract
CMG's Proposal for Parcel R	$73,386	Less than the remaining encumbered amount from Fund 455

Environmental Review

Approval of the contract amendment with CMG does not require environmental review because it is not a project under the California Environmental Quality Act (CEQA). CEQA Guidelines, Section 15378 (b).

Attachments

1. Aerial Image denoting Parcel R
2. Process Outline DRAFT
3. February 20, 2025 staff report
4. Amended Service Proposal from CMG

Jeremy Dennis, City Manager

Noreen Leek, Parks & Recreation Director

Maziar Bozorginia, Public Works Director

100'-0"

Parcel R

Schedule outline:

- Starting 11/19 - CMG coordination with staff on proposal for amendment
- 1/14 - P& R Commission project overview to date
    - *Council subcommittee in attendance*
- 1/28-2/4 P&R Commission ad hoc subcommittee meetings
- 2/5 City Council mtg: CMG Contract Amendment for fund allocation
- 2/11 (or 3/11 if needed) - Parks & Rec Commission input & recommendation
- Feb/March Council Subcommittee Meetings
    - *65% from CMG due 2/25*
- 4/16 – Council Subcommittee Meeting
    - *95% from CMG due 4/9, with cost estimation*
- 5/7 – Formal Recommendation to full City Council
    - *4/23 - Staff Report Due*
- 6/30 - Intent letter due to HealthPeak (legal needed to advise prior)

DRAFT

L.

I.

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2025

From: Jeremy Dennis, City Manager

Subject: Use of Development Mitigation Funds/Development Impact Fees to Support Sierra Point Open Space Opportunities – Parcel R

Community Goal/Result

Community Building

Purpose

Develop the City's public spaces for community interactions, enhance connectivity, and provide additional opportunities for recreation

Recommendation

Staff recommend that the City Council provide direction for the use of the remaining development mitigation funds/development impact fees designated for park planning, including improvements, at Sierra Point

Background

In March 1984, the City and Sierra Point LLC entered into a development agreement that included building a restaurant and other facilities at what is commonly referred to as Parcel R, located at 400 Sierra Point Parkway (Attachment 1). Parcel R is owned by the City and was leased to the developer. That agreement was restructured in June 2012 as the developer pursued a development at property located at 3000-3500 Marina Boulevard. As part of a restructuring of this development agreement, the developer terminated its leasehold interest in Parcel R. As part of that transaction, the CIty accepted mitigation funds from the developer toward park planning at Parcel R and adjoining areas. These funds totaled $527,901.

A different agreement with the successor to Sierra Point LLC (Healthpeak) provided an additional $1.5 million towards park planning for Parcel R and other Sierra Point recreational improvements.

Master planning for the site was awarded by contract in 2022. A council subcommittee was formed to make recommendations to the full Council concerning master planning for the site. Subsequent Council discussions on the matter, including a Council meeting on September 21, 2023, resulted in a pause on further developing a recreational amenity at the site, with some of the funds being reallocated to sea level rise studies, which Council reviewed at its December 4, 2024 meeting.

Discussion

As set forth above, the City has received a total of $2,027,901 toward park planning for Parcel R and adjoining areas. Of that amount:

- $199,758 allocated to support recreation amenity planning for Sierra Point recreational amenity
  - $118,932 has been spent
  - $80,827 encumbered as part of that project.
- $7,819 spent as part of the Parcel R transfer to the City
- $85,008 spent for embankment picnic area improvements and backflow device installation
- $22,765 spent for the recent sea level rise study

$1,906,916 - Total Remaining Funds (as of December 2024)

The $1.5 million received from Healthpeak is subject to Mitigation Fee Act provisions as it was negotiated outside a development agreement. As such, these funds must be spent within five fiscal years from the time the fee was received (August 2020), although an extension of time to spend the funds may be permitted as detailed below. Otherwise, because these funds were received in FY 2020/21, they would need to be spent or allocated to a project by the end of FY 2025/26 or be returned to the developer.

The remainder of the funds received from Sierra Point LLC, totaling $328,143 (not including $80,827 encumbered as part of the initial consultant efforts for Parcel R), is not subject to the Mitigation Fee Act, and may be spent outside the timeline described in the previous paragraph.

Council Direction

The Council may direct staff in the following ways:

1. Provide direction on the expenditure of all the remaining funds
2. Provide direction on the expenditure of the $1.5 million subject to the Mitigation Fee Act.

Should the Council wish to continue efforts at Parcel R related to a recreational amenity, staff will work with the Sierra Point Park Parkway & Open Space Subcommittee to discuss the matter. Prior to staff meeting with the Subcommittee, Council will be engaged to provide feedback and guidance to the Subcommittee.

Use and Retention of the $1.5 Million

As stated above, in order to prevent the $1.5 million being returned to the developer, those funds must be spent or allocated by June 30, 2026, or findings made to extend the time to spend the funds. Those findings are:

1. Identify the purpose to which the fee will be utilized
2. Demonstrate a reasonable relationship between the fee and the purpose for which it is to be charged
3. Identify all sources and amounts of funding anticipated to complete financing the public facility for which the fee was imposed, and
4. Designate the approximate date(s) on which the funding discussed above is expected to be received.

If all those findings, based on substantial evidence, can be made, the unspent funds may be retained, i.e., not returned to the developer, subject to the annual reporting and further findings five years thereafter if unspent funds remain.

Such findings do not need to be made at this time. In connection with the AB 1600 annual report in FY 2025-26 and based on direction Council provides as to park planning for Parcel R, staff at that time will make a recommendation as to whether the time frame to spend such funds should be extended.

It is worth noting that over the next 16 months, corresponding to the end of the five year expenditure requirements detailed above, the City will be involved in a variety of complex and significant projects that will occupy much of the staff's time, which should be considered relating whether to extend the time to spend the fees subject to the Mitigation Fee Act.

Fiscal Impact

It is not known at this time what the fiscal impact may be, as it is contingent on Council direction.

Attachments

1. Photos of Site
2. Minutes, September 21, 2023 meeting

Jeremy Dennis

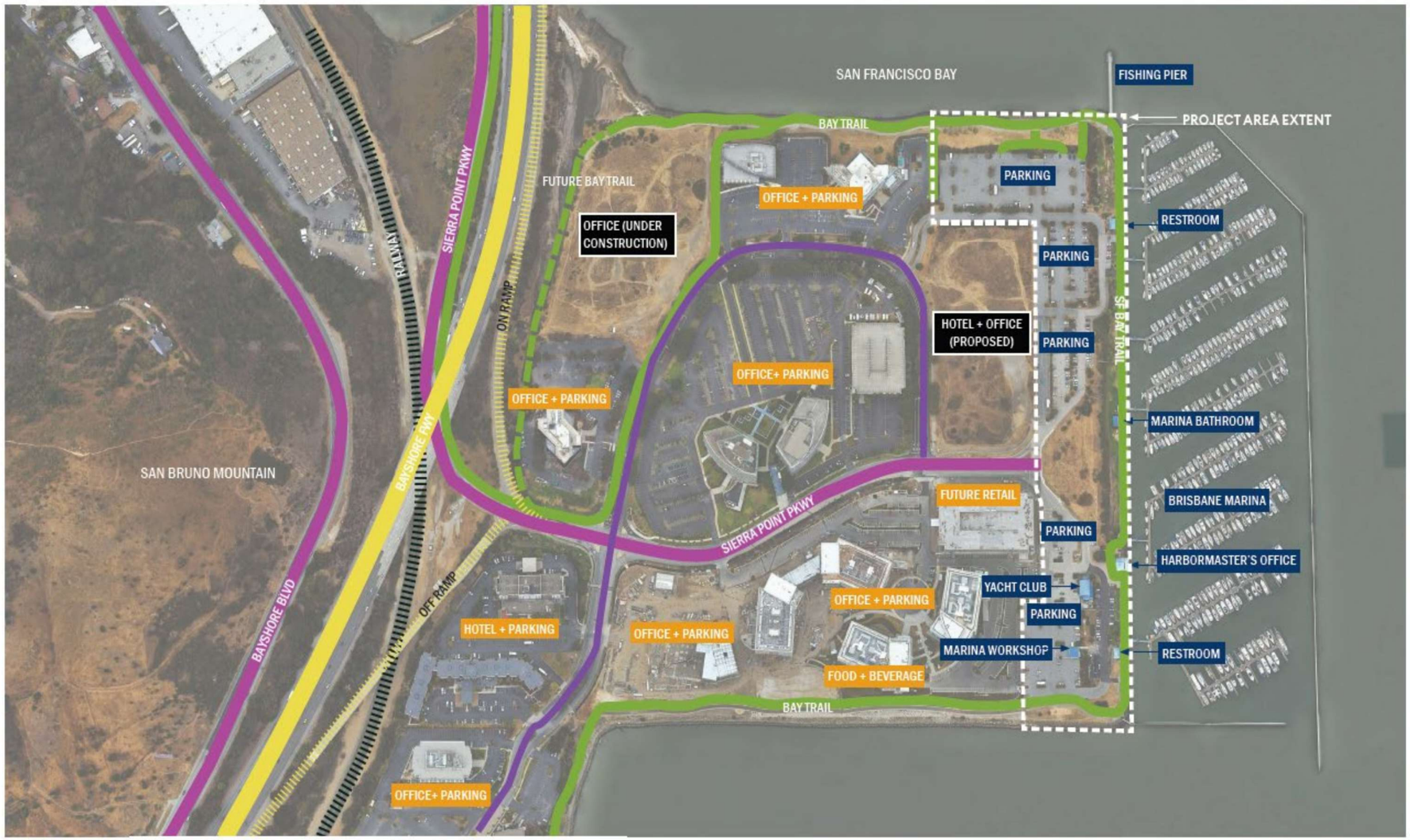
Jeremy Dennis, City Manager

Attachment 1

Photos of Site

I.

EXISTING SITE CONDITIONS



L. Approve Response to the 2022-2023 Grand Jury Report: "Bike Safety in San Mateo County: Making Cycling Safer in the County"

M. Adopt an Ordinance, Waiving Second Reading, Repealing Chapter 8.44 of the Brisbane Municipal Code Enacting a New Chapter 8.44 to the Brisbane Municipal Code to Clarify Existing Definitions and to Enact Additional Requirements for Tobacco Retailer Permits, and Finding that No Further Environmental Review is Required Concerning this Ordinance

N. Adopt Resolution Establishing the Business License Tax on Recycling Establishments for Fiscal Year 2023/24

O. Adopt a Resolution Authorizing Submission of Applications for all CalRecycle Grants and Payment Programs for which City of Brisbane is Eligible

Councilmember O'Connell made a motion, seconded by Councilmember Cunningham, to approve Consent Calendar Items E, F, and H-M and O. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, O'Connell and Mayor Davis
Noes: None
Absent: None
Abstain: None

Mayor Davis recused herself from voting on Consent Calendar Item N. Councilmember Mackin made a motion, seconded by Councilmember Cunningham, to approve Consent Calendar Item N. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, and Mayor Pro Tempore O'Connell
Noes: None
Absent: None
Abstain: None
Recused: Mayor Davis

OLD BUSINESS

P. Revisit Sierra Point Open Space and Parks Process

Parks and Recreation Director Leek is seeking direction from Council regarding guidance on next steps in the Sierra Point Open Space and Parks Process.

After Council questions, public comments were made by the following members of the public:
Nancy Lacsamana commented on making the Bay Trail a place to visit, picnic, bike, walk, with a clear outlook on sea level rise.
Ron Davis (read by Michele Salmon) wrote that a community building like the Mission Blue Center is more suitable for the community than a park.
Michele Salmon commented that the City needs to take a pause. The land is continuing to subside. We need to direct resources not on a park but on the boat area as well as the land area of the Marina.
Mea Christie could make the site more appealing and connected to town. Addressing the sea level rise would be the bare minimum.
Linda Dettmer (read by Michele Salmon) commented that a large and beautiful park will do nothing to address our most [illegible]sing issues. I appeal to the sensibility of the entire council to do the right thing and forego the impracticality of a

large park project.
Michele Salmon invited the larger community to be engaged and attend upcoming events in the Marina.

After Council discussion, Council directed staff to use funds to finance a Sea Level Rise Study in the Sierra Point site and find a consultant to do the work.

NEW BUSINESS

Q. Consider Introduction of an Ordinance, Waiving First Reading, Concerning the Timing of the Construction of Off-Site Improvements

(This Ordinance is exempt from review under the California Environmental Quality Act (CEQA) because it is not a project. CEQA Guidelines section, 15378 (b)(2))

City Engineer Breault reported that the Municipal Code currently does not have provisions that would require off-site work to be completed before onsite work begins. Staff has drafted the ordinance the purpose of which is to eliminate or substantially reduce neighborhood concerns,

After brief Council questions and no public comment, Councilmember Cunningham made a motion, seconded by Councilmember Cunningham, to introduce an Ordinance, Waiving First Reading, Concerning the Timing of the Construction of Off-Site Improvements. The motion passed unanimously by all present.

Ayes: Councilmembers Cunningham, Lentz, Mackin, O'Connell and Mayor Davis
Noes: None
Absent: None
Abstain: None

STAFF REPORTS

R. City Manager's Report on Upcoming Activities

City Manager Holstine reported on the latest City news and events.

MAYOR/COUNCIL MATTERS

S. Review City Council Meeting Schedule and Proposed Meeting on December 14, 2023

City Clerk Padilla will confirm with Councilmember Cunningham about her availability to meet on December 14, 2023.

T. Countywide Assignments and Subcommittee Reports

Council reported on their subcommittee activities and countywide assignments.

U. Written Communications

Written Correspondence was received from Steve Kerekes on September 10, 2023 regarding Signage to protect dogs.

Landscape Architecture Services Proposal

For

City of Brisbane, CA

Sierra Point Parcel R Concept Plan

To

Noreen Leek

Director, Parks & Recreation

January 9, 2026

cmg Landscape Architecture

PROJECT UNDERSTANDING

CMG Landscape Architecture has been requested to provide landscape architecture services for the City of Brisbane Parks and Recreation Department. CMG will be contracted to the City of Brisbane for this work.

The Sierra Point Parcel R Concept Design will establish open space improvements for Parcel R. The Parcel R Concept Design will be based on prior site analysis made for the Sierra Point Open Space Master Plan, and a confirmed list of acceptable parcel R park uses provided by the City. Iterative development of a single Concept Plan will be reviewed by the City Council Sub-Committee at 65% and 95% complete and presented to City Council at 100% complete. Civil engineering recommendations for new construction shall be described sufficiently for pricing. A cost estimate of the 95% Concept Plan shall be provided. Optional site survey services are described below.

SCHEDULE

- Task 1: February 11th Parks and Recreation Commission – Input and Recommendation Support
- Task 2: February 25th 65% Concept Design
- Task 3: Mid-March City Council Subcommittee Meeting
- Task 4: April 9th 95% Concept Design
- Task 5: April 16th City Council Subcommittee Meeting
- Task 6: April 28th 100% Concept Design (submittal for Staff Report)
- Task 7: May 7th City Council Presentation

PROJECT AREA

See Attachment D

SCOPE OF SERVICES

1. Support PR and PW in presentation content development for Commission and Council meetings.
2. Attend coordination meetings with P&R and PW as necessary.
3. Attend Council Sub-committee and Council meetings.
4. Establish vision, goals and confirm program and priorities for landscape improvements.
5. Develop 65%, 95% and 100% Concept Plans.
6. Provide cost estimation for 95% Concept Plan
7. Produce Parcel R Concept Plan graphics.

Optional Service:

1. Boundary Analysis of Parcel R.
2. Topographic Survey of Parcel R

Exclusions to Scope of Services
The following services and items are excluded for this fee estimate.

1. Documents and materials, including legal, topographic, utility surveys, geotechnical reports, soils testing, environmental studies, cultural resource reports.
2. Geotechnical services and recommendations related to the existing landfill.
3. Structural, Mechanical, and electrical engineering.
4. Environmental and archaeological services
5. Historic analysis
6. Signage and environmental graphics
7. Permitting
8. Presentations and meetings not described below; these shall be provided as additional services.

PROCEDURE

For landscape development of the Parcel R open space, we anticipate the project will proceed in tasks as follows. Tasks may be altered as necessary for coordination with the client and consultant team. The following is based on the current understanding of schedule and scope of work:

Task 1: Parks & Rec. Commission Presentation Support
CMG will provide as needed support to PR and PW for presentations to the Parks and Recreation Council Subcommittee. Task 1 includes work to date in support of the City's organization of the project—meetings, research of comparable park precedents and correspondence.

Task 2: 65% Concept Plan
This task includes development of a Draft Concept Plan for Parcel R and adjacent area and coordination with and review by the client. The Draft Concept Plan will be based on prior site analysis and confirmed program preferences provided by the client. We anticipate that not all preferred uses will fit within the project area, so sketch plans illustrating alternative uses and layout might be prepared for client review and direction.

The 65% Concept Plan will illustrate organization and layout of the landscape, recreational amenities, and site features, and indicate ecological character. Upon client acceptance of the 65% Concept Plan, rough order of magnitude pricing will be developed, to be finalized based on the 95% Concept Plan.

Deliverables:
- Sketch alternative concept plans
- 65% (Preferred) Concept Plan
    - Annotated illustrative plan
    - Site sections
    - Up to 3 sketched views

Meetings & Presentations:
- Client coordination.
- Sub-consultant coordination.
- Mid-March Council Sub-Committee Meeting

Task 3: 95% Concept Plan
Based on client and Council Sub-Committee review and feedback on the 65% Concept Plan, this task includes refinement of the preferred Concept Plan to 95% complete. The civil engineer will describe new utilities necessary to serve park improvements, sufficiently for pricing.

Deliverables:
- 95% Concept Plan
    - Annotated illustrative plan.
    - Site sections.
    - Up to 3 rendered views.
- 95% Concept Plan Cost Estimate.

Meetings & Presentations:
- Client coordination.
- Sub-consultant coordination.
- 4/16 Council Sub-Committee Meeting.

Task 4: 100% Concept Plan

Based on client and Council Sub-Committee review and feedback on the 95% Concept Plan, this task includes refinement of the preferred Concept Plan to 100% complete.

Deliverables:
- 100% Concept Plan
    - Annotated illustrative plan
    - Site sections
    - Up to 3 rendered views

Meetings & Presentations:
- Client coordination.
- 5/07 Council Meeting

COMPENSATION

Fees shall be provided on a lump sum basis as per the schedule below:

CMG Landscape Architecture	
Task 1: Presentation Support	*$1,266*
Task 2: 65% Concept Design	*$28,050*
Task 3: 95% Concept Design	*$28,320*
Task 4: 100% Concept Design	*$11,610*
Sub-Total	**$68,386**
Cost Estimation	
95% Concept Design pricing	*$5,000*
Sub-Total	**$5,000**
Total	**$73,386**

Additional Services
Additional services shall be charged at hourly rates as defined in Attachment A.

Reimbursable Expenses
Reimbursable expenses such as travel, printing, photography, delivery, fax, telephone, and other direct expenses shall be billed at direct cost plus 10% over and above the Basic Service Fee; estimated to be **~$300**.

Invoices
Invoices shall be prepared monthly for progress payments based on time and materials.

Accounts are payable net 60 days from date of invoice. A service charge of 1.25% of invoice amount per month shall be applied to all accounts not paid within 90 days of invoice date.

Approval

This agreement is between CMG and the City of Brisbane. Noreen Leek, Brisbane Director of Parks and Recreation Department, will provide client direction.

RATE SCHEDULE 2026

(All Rates Indicated Shall Be in Effect from January 1, 2026 until December 31, 2026)

PLANNING AND DESIGN SERVICES BILLING RATES

Principal	$285 - $350
Associate Principal	$250
LA-5 Senior Project Manager/ Senior Landscape Architect	$235
LA-4 Project Manager/ Landscape Architect	$200
LA-3 Project Captain	$180
LA-2 Project Designer	$155
LA-1 Designer	$135
CAD Tech/Intern	$90
Project Assistant	$90

MISCELLANEOUS FEES

The following services and fees are billed at cost plus 10%.

- Subcontracted services.
- Transportation, meals, and lodging for overnight travel and incidental travel expenses.
- Commercial delivery services, including Federal Express, Express Mail, and
- Printing and copies.

MILEAGE

Unless agreed otherwise in the Professional Services Agreement, CMG charges all project related mileage at the prevailing IRS rate per mile.

OFFICE REPROGRAPHICS CHARGES

B&W Plot-Bond	$1.65/sf
Color Plot-Bond	$5.50/sf
Copies & Laser Prints	
Color 8.5x11	$0.25ea
Color 11x17	$0.50ea
B&W 8.5x11	$0.10ea
B&W 11x7	$0.20ea

444 Bryant Street
San Francisco, CA 94107
415.495.3070

ATTACHMENT B

Supplementary Additional Services

The following services are not included in Basic Services and shall be in addition to the compensation for Basic Services. These services shall only be provided if authorized in writing by the Owner:

1. Specifically requested presentation material, renderings and/or presentation models. Basic Services excludes renderings and in-house study models.

2. Public presentations involving design review, planning departments and other agencies including time spent generating specifically required documents or presentation material as well as travel, meeting and presentation time beyond what is reasonably anticipated for the Project.

3. Services resulting from discrepancies, errors, or inaccuracies shown in Owner-furnished documents and materials, including legal, topographic, utility surveys, geotechnical reports, soils testing, tree reports or arborist services, or unforeseen conditions in Owner-provided information.

4. Consultations required to respond to third party reviews and the preparation of any resulting revisions beyond those reasonably anticipated for the Project.

5. Redesign services requested to accommodate material changes to design components previously designed and approved by Owner.

6. Significant change in the Project including, but not limited to, size, quality, complexity, the Owner's schedule, budget, or procurement method.

7. Enactment or revision of codes, laws or regulations or official interpretations which necessitate changes to previously prepared Instruments of Service;

8. Services in connection with any public hearing, arbitration, or legal proceedings with respect to the project where Consultant is not a party, including assistance in preparation for litigation or arbitration or as a witness or consultant.

9. Services connected with the preparation of documents for alternate bids or for phased or fast-track design and/or construction.

10. Work performed out of the sequence established in this agreement, or if design and documentation of the project is phased or divided into separate

ATTACHMENT C

INSURANCE AND LICENSURE

Professional Liability, General Liability and Automobile Liability Coverages

The Landscape Architect shall, at its own expense, maintain during the performance of this contract professional liability, general liability, and auto liability insurance in the coverage amount as provided below.

1. Professional Liability Insurance shall include coverage for claims for professional acts, errors or omissions and shall not be less than two million ($2,000,000.00) per claim and two million ($4,000,000.00) in the aggregate.

2. Commercial General Liability Insurance shall include coverage for bodily injury, property damage and personal injury for premises operations, products/completed operations and contractual liability. The amount of the insurance shall not be less than two million ($2,000,000.00) per occurrence and four million ($4,000,000.00) in the aggregate.

3. Automobile Liability Insurance shall include coverage for bodily injury and property damage for owned (if any), hired and non-owned vehicles and shall not be less than two million ($2,000,000.00), combined single limit for any one occurrence.

4. Umbrella Liability shall include coverage for bodily injury and property damage for owned (if any), hired and non-owned vehicles and shall not be less than five million ($5,000,000.00) per claim and five million ($5,000,000,00) in the aggregate.

Workers Compensation

The Landscape Architect shall, at its own expense, maintain during the performance of this contract, workers compensation insurance in compliance with state's workers' compensation laws.

Additional Insurance Provisions

1. The Owner shall have the right to inspect or obtain a copy of the original policies of insurance.
2. At the Owners request the Architect shall furnish to the Owner required certificates and endorsements.

Licenses

Kevin Conger is a licensed Landscape Architect in the State of California.
Willett Moss is a licensed Landscape Architect in the State of California.
Chris Guillard is a licensed Landscape Architect in the State of California.
Jamie Phillips is a licensed Landscape Architect in the State of California.

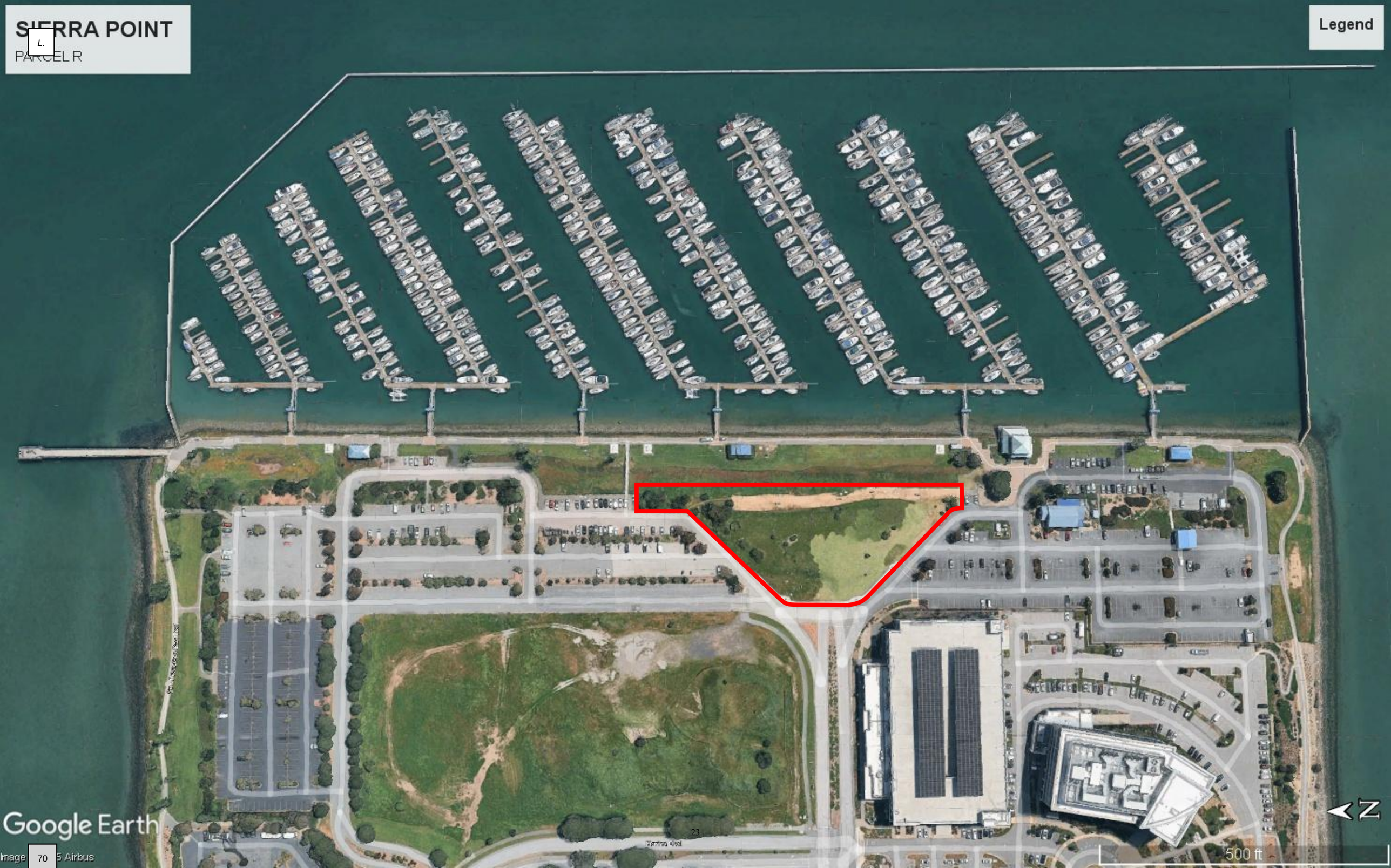
Landscape Architects are regulated by the State of California. Any questions concerning a Landscape Architect may be referred to the Landscape Architects Technical Committee at:

Landscape Architects Technical Committee
2420 Del Paso Road, Suite 105, Sacramento, CA 95834
(916) 575-7230

SIERRA POINT

PARCEL R

Legend



File Attachments for Item:

M. Discuss Agenda Setting and Placement of Items on Council Agendas

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026

From: Jeremy Dennis, City Manager

Subject: Discussion and Adoption for Agenda Setting and Placement of Items on Council Agendas

Recommendation

Staff recommend that the City Council adopt a policy that formalizes the Council's agenda setting process.

Background

The City Council has utilized informal tools to determine the agendas for future council meetings and the placement of items on future agendas at the request of councilmembers.

Current practice has been to share the agenda with the Mayor prior to the next council meeting. Any changes to the agenda directed by the Mayor typically aim to ensure that each meeting is appropriately scheduled and balanced in terms of content and duration, along with other relevant recommendations. is no current practice associated with councilmembers requesting future items on an agenda.

During a recent discussion regarding broader Council roles, the Council discussed new processes for both of these actions.

Discussion

Agenda Setting – staff recommends two potential approaches to future agenda setting:

a. The Mayor and the Vice Mayor meet with staff and provide their collective feedback on the next agenda
b. The Mayor, Vice Mayor and City Manager meet and determine collectively the placement of items on the next agenda

Placement of Items on Future Agendas – staff recommend that at the end of each meeting, a line item called "Future Agenda Items" be discussed. At this time, the Mayor will call for future agenda items. If two members of the Council approve, staff will produce materials for a future meeting. The City Manager's Office will determine the best time to recommend bringing the item forward, depending on resources and other factors.

Fiscal Impact

Adopting either policy has no fiscal impact.

Jeremy Dennis

Jeremy Dennis, City Manager

File Attachments for Item:

N. Continue Discussion on Proposed Development Impact Fees and Provide Direction and Feedback on Fee Setting

CITY COUNCIL AGENDA REPORT

Meeting Date: February 5, 2026
From: Christina Fernandez, Assistant City Manager
Subject: Impact Fees (continued)

Recommendation

Staff recommend the City Council continue the discussion on Development Impact Fees and provide staff with feedback and direction on these fees for the purpose of scheduling a public hearing at which time Council would decide whether to adopt some or all of the fees and the amount(s) thereof.

Background

City Council is considering the adoption of a comprehensive set of Development Impact Fees (DIFs) to ensure that new development pays its share of capital improvements and affordable housing needed to support growth. Adoption of these DIFs must comply with California's Mitigation Fee Act (AB 1600), which mandates a clear connection ("nexus") between new development, the need for the capital improvements or affordable housing, and the fees imposed.

Nexus Studies & Fee Categories:

Four nexus studies were completed to establish the legal and policy basis for fees to fund:

- Parks, Park and Recreation Facilities, Open Space and Trails
- Affordable Housing (Commercial Linkage Fee)
- Transportation
- Public Facilities (e.g., Library, General Government, Police, Fire)

Each study quantifies infrastructure or other needs caused by new development, allocates costs by land use, and calculates the maximum justifiable fee per unit or square foot. Nexus Studies are included in Attachment 1 following a copy of the January 15, 2026 staff report.

Key Findings:

- Legal Compliance: Fees must be based on demonstrated need, benefit, and proportionality. They cannot be used for maintenance or correcting existing deficiencies.

- Fee Structure:
    - Residential (Single Family & Multifamily): Fees are calculated for Public Facilities, Parks etc. and Transportation. Affordable housing is not included.
    - Commercial, Hotel, Office, Industrial, R&D/Life Science, Warehouse: Each has a tailored fee structure based on impact and all DIFs will apply to these uses other than affordable housing.
    - Comparative Analysis: Brisbane's maximum justifiable fees are generally higher than those in neighboring cities, but the Council may set fees at any level up to the maximum.
- Policy Flexibility: Fee setting is a policy decision. The Council should balance setting the fees with economic competitiveness and their impact on development feasibility.

Discussion

At the January 15, 2026 City Council meeting, Council determined additional time was necessary to review the nexus studies and jurisdictional fee comparison survey. Council also directed staff to provide a matrix to help guide the Council's discussion around fee setting. A matrix is attached for this purpose. (Attachment 2)

Additionally, as a part of this discussion, Council had the following follow-up questions:

- Why are some of the fee categories not 1:1 when comparing the fees in other cities?
    - Cities have various names for different development impact fees. To ensure that the city is comparing the right fees with other cities' fees, the fees have been titled generally: for example, Public Facilities include what some other cities include as General Government, Library, Public Safety, Utilities, and Childcare. The other categories, such as Parks, Affordable Housing and Transportation/Traffic generally track how those DIFs are characterized in other cities.

- May impact fees be charged for expansions?
    - Impact fees may be applied to expansions if those improvements increase demand on the various categories for which DIFs may be imposed (e.g., significant square footage expansion). Many jurisdictions set thresholds (such as minimum square footage) to capture only substantial expansions. This aligns with the principle that fees must have a "rational nexus" to the impact of development.

- Are impact fees one-time fees?

- Yes, impact fees are one-time fees collected typically at the time of issuance of a building permit, though many cities have adopted fee deferral programs and State law requires deferral of DIFs for residential developments to certificate of occupancy.

- May impact fees be deferred?
  - Yes, impact fees may be deferred, either as a matter of policy (in order to encourage development) or be law. Currently, fees associated with certain residential developments are deferred until occupancy. Millbrae, Ontario, and Placer County, have deferral programs in place aligning with SB 937, which allows for impact fee deferrals for designated residential development projects. In Millbrae, a developer can request to defer impact fee payments by entering into a formal agreement with the City. The agreement is recorded as a lien against the property, ensuring the City can collect fees even if ownership changes. The requests must be submitted at the time of the building permit application, so the agreement can be prepared before permit issuance. The City manages and tracks unpaid fees in the City's permitting system. AB 874, introduced in January and being discussed in Committee, goes even further. It would reduce the economic impact of building affordable housing by requiring non-school local agencies to allow qualified affordable rental and ownership housing projects to repay development impact fees over up to 55 years with a low rate of interest on the remaining balance.

- Rather than use impact fees, may the City impose these fees through a development agreement?
  - Yes, but few project developers request development agreements. Generally, large development projects will request a development agreement and development agreements may be used as an alternative to imposing impact fees through an ordinance. But since few development projects request or need a development agreement, the City would collect relatively few DIFs if such were limited to development agreements. One benefit of using a Development Agreement to collect funds equivalent to impact fees otherwise required by ordinance is that the use of such funds is not restricted by the Mitigation Fee Act.

- When may the City start collecting the fees?
  - If an ordinance is adopted, the ordinance goes into effect 60 days after adoption. Generally, the City may collect impact fees at the time of issuance of a building permit. However, SB 937 amended California Government Code §66007 under the Mitigation Fee Act, prohibiting local agencies from requiring payment of

Development Impact Fees (DIFs) for certain residential projects until the final inspection or issuance of a certificate of occupancy (or temporary certificate).

- May impact fees be used for operations and maintenance?
    - Impact fees cannot be used for operations, maintenance, or repairs. They are restricted to funding capital improvements and affordable housing needed to serve new development.

Fiscal Impact

The fiscal impact varies dependent on the number and type of development projects in the pipeline and how the fees are set.

Attachments

1. Impact Fee Staff Report & associated attachments – 01/15/26
2. Matrix for Council use

Christina Fernandez, Assistant City Manager

Jeremy Dennis, City Manager

CITY COUNCIL AGENDA REPORT

Meeting Date: January 15, 2025
From: Christina Fernandez, Assistant City Manager
Subject: Development Impact Fees

Recommendation
Staff recommends the City Council receive a report on proposed Development Impact Fees and provide direction and feedback on fee setting.

Background
On September 7, 2023 and October 19, 2023, staff provided updates to the City Council concerning Development Impact Fees (DIF), including an informational report discussing the legal authority of the City to impose DIF. The report laid out the need to identify and establish the need, benefit, and proportionality of such fees in order to impose DIF. Council agreed that new development should contribute to capital improvements to mitigate the impacts of new development on the community. Council expressed concern over constraints of utilizing DIF, for example, that DIF cannot be used for routine maintenance and services.

Council directed staff to prepare several nexus studies to establish the need, benefit, and proportionality of proposed Development Impact Fees. Those studies include:

1. Development Impact Fee for Parks and Recreation
2. Development Impact Fee on commercial development for Affordable Housing
3. Development Impact Fee for Transportation
4. Development Impact Fee for Public Facilities

Council directed Staff to finish all four nexus studies and to move forward with a feasibility study, if required, to assess the impact of all DIFs on development in the City, i.e, would adopting such fees, in an amount permitted under the law, render development in the City, as a practical matter, infeasible.

A feasibility study was conducted for an affordable housing DIF (see Discussion below for more detail), but the cost of conducting additional feasibility studies for the other fees is costly and time consuming. Feasibility studies are not legally required to implement DIF, and the majority of cities do not conduct feasibility studies in setting their rates but base fees by comparing rates with other cities that share similarities including size, proximity, and economic makeup.

AB 1600, known as the Mitigation Fee Act, provides procedural and substantive provisions that sets forth the requirements for establishing, increasing, and imposing development impact fees. To align with these requirements, all four nexus studies established (1) need, (2) benefit, and (3) proportionality. Regarding need, a DIF must show that the new development will create a need for the item to be funded by the DIF and without the infusion of fees from new development, the community would be negatively impacted. Concerning benefit, the study must show that new development will benefit from the item to be funded by DIF. To establish proportionality, it must show that the DIF is proportional to the impact created by a particular development. Due to these requirements, there is no "one fits all" development impact fee that may be imposed and the City undertook four separate nexus studies. Different methodologies are employed to allocate costs and calculate fees. For more detail, please see *Attachments 1-4*. The final nexus study, the Public Facilities Impact Fee study was finalized in October 2025, completing all four nexus studies.

Currently, the only fee that Brisbane imposes on development is the parkland dedication fee on residential development (Brisbane Municipal Code Section 16.24.020 and 16.24.030), the authority of which stems from State Law (the Quimby Act). If the residential development is for more than 50 lots and the land within the proposed subdivision will properly accommodate public recreational facilities, the subdivider must dedicate an area for such purposes on the basis of three acres for each 1000 population within the subdivision, assuming 2.35 persons per household. If the residential development is for 50 lots or fewer, the subdivider is to pay a fee based on the following formula: the number of proposed units times 2.35 persons per household, divided by 1000 times three acres times the fair market value of one acre of the subject property as determined by the planning director.

While not a DIF, developers of certain residential and commercial properties must also contribute to the City's Public Art Fund (Brisbane Municipal Code Section 15.85.050). For commercial projects that have building development costs between $1M and $5M the developer must contribute one percent of such costs of to the public art fund. Commercial projects that have development costs above $5M must either contribute one percent of such costs or devote a comparable amount for the acquisition and installation of publicly accessible art. Residential projects with ten to 20 units must contribute one half of one percent of the building development costs to the fund. For residential projects with more than 20 units, the developer must contribute one percent of the building development costs to the fund. Regardless of the number of units, if the development costs are above $10M, the developer must contribute one percent of the development costs or dedicate a comparable amount for the acquisition and installation of publicly available art. Low- or moderate-income housing is exempt from these provisions.

Discussion

The completed nexus studies provide a clear connection between new development and the need for development impact fees relating to housing (for commercial projects), parks, park

and recreation facilities, transportation, and public facilities. They also demonstrate the maximum justifiable fee for each of the proposed impact fees. The maximum justifiable fee is data driven by quantifying infrastructure needs created by growth, estimated capital costs, allocating those costs by land uses, and translating these costs into per unit or per square footage.

The final nexus studies were finalized in late 2025, prompting City staff to engage Matrix Consulting Group (Matrix) to provide a comparative, or benchmarking, survey to help guide the City in setting the fees at the appropriate levels. While the nexus study sets the maximum justifiable fee, it does not mean that the market can absorb it. The comparison survey shows what nearby cities are charging developers and may help the City identify whether proposed fees are unusually high or low. The comparison survey assists policy makers in determining what nearby cities with similar markets are charging for their fees. Fee setting is a policy decision dependent on how competitive the City wishes to be with developers.

Comparison Surveys typically select comparable jurisdictions based on size, growth, and urban form. The following cities were selected for comparison to Brisbane:

- San Bruno
- Millbrae
- South San Francisco
- Emeryville
- Burlingame
- Daly City

Five of the six cities are located in San Mateo County, and many have similar growth patterns and urban form. For the complete comparison survey, please see Attachment 5.

For each development type, please view the Impact Fees of the six cities noted above. As the names of impact fees vary by city, Matrix identified the total impact fees charged in each city in general buckets including General Government, Housing, Library, Parks & Recreation, Childcare, Public Safety, Transportation, and Utilities. (As discussed below, the names attributable to those “buckets” do not fully correlate to names of fees proposed in Brisbane.) The nexus studies and proposed development impact fees undertaken by the City would translate into the following:

Title of Nexus Study	Title of City of Brisbane Proposed Impact Fee	Comparative Study Title
Brisbane Commercial Linkage Fee Nexus Analysis	Affordable Housing Development Impact Fee for Commercial Development	Housing

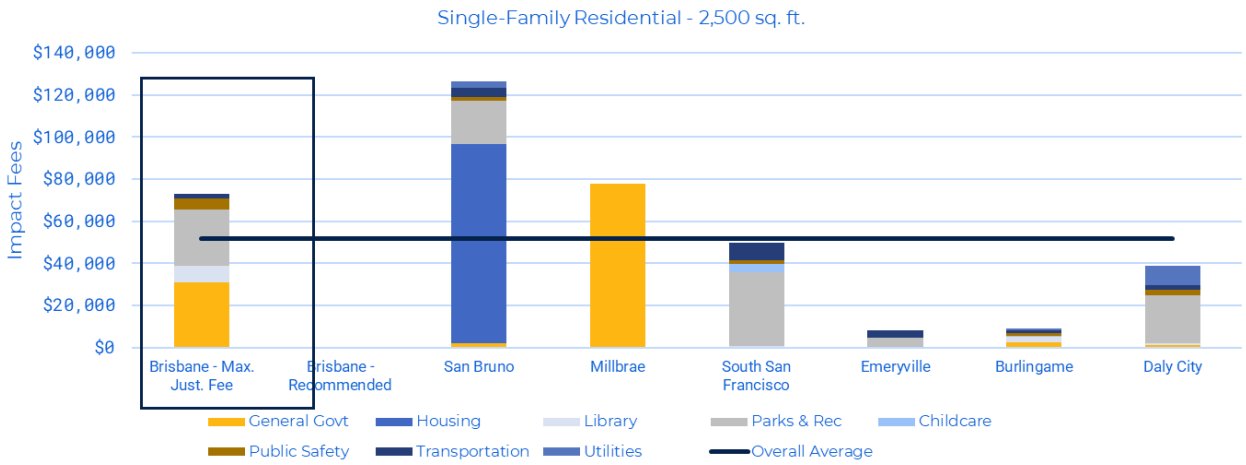
Parks and Recreation Impact Fee Study	Parks and Recreation Facilities Development Impact Fee	Parks & Recreation
Brisbane Transportation Impact Fee (TIF) Nexus Study	Transportation Development Impact Fee	Transportation
Public Facilities Impact Fee Study	Public Facilities Development Impact Fee	General Government

As noted in the Background, in 2023, the City engaged ECONorthwest to prepare an updated nexus and feasibility study for the affordable housing fee for commercial development, including hotel, retail, office, life sciences, and warehouse uses. ECONorthwest's updated feasibility analysis determined that under then-current market conditions, only warehouse development could potentially absorb an affordable housing impact fee (commercial linkage fee). The updated feasibility analysis acknowledges that development markets are cyclical and provides a toolkit for setting appropriate fee levels anticipating future market upswings.

1. Single Family Residential:

If Brisbane were to employ the same categories of fees as do other jurisdictions, i.e, General Government, Library, Parks and Recreation, Public Safety and Transportation, as proposed, the maximum DIF that the City could impose for single family residential development would be $68,138 (General Government, $31,121; Library, $7678; Parks and Recreation, $26,949; Public Safety, $4991; and Transportation, 2399. Note that staff is not recommending any affordable housing fees for single family residential development.) By comparison, Daly City's DIF for residential development is only $29,825 (General Government, $1,150, Library, $1,050, Parks and Recreation, $22,450, Public Safety, $2,675, and Transportation, $2,500).

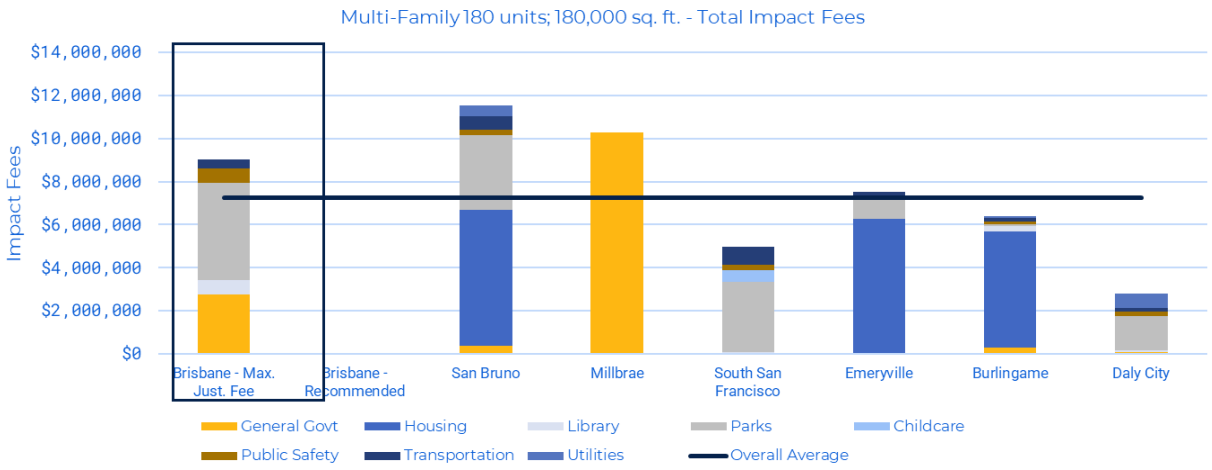
With the exception of Transportation, Daly City's fees are well below the maximums set forth in the nexus studies. The black line on the chart below indicates the overall average. Of the six cities, only San Bruno and Millbrae are above average in their DIF for single family residential developments. For single family residential developments, San Bruno's highest DIF is for Housing at $94,625 and much smaller DIFs relate to Public Safety, Utilities, Transportation, and Parks & Recreation. Millbrae's only DIF for single family residential development is for General Government.



2. Multifamily Residential:

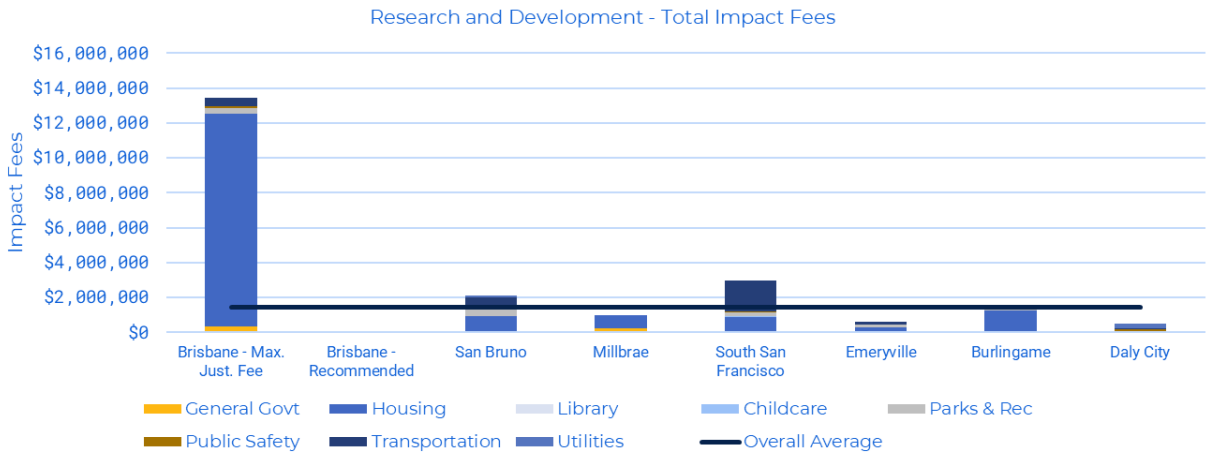
If Brisbane were to employ the same categories of fees as do other jurisdictions, i.e., General Government, Library, Parks and Recreation, Public Safety and Transportation, as proposed, the maximum DIF that the City could impose for multifamily residential development would be $9,021,005 (General Government, $2,765,340; Library, $682,380; Parks and Recreation, $4,482,000; Public Safety, $660,240; and Transportation, $431,845. Note that staff is not recommending any affordable housing fees for multifamily residential development.) By comparison, Daly City's DIF for multifamily residential development is only $2,808,000 (General Government, $82,800, Library, $75,000, Parks and Recreation, $1,616,400, Public Safety, $192,600, and Transportation, $180,000).

When compared to the surveyed cities, San Bruno and Millbrae are significantly above average whereas South San Francisco, Burlingame, and Daly City are below average. Emeryville's fees are set at average. For multifamily residential developments, San Bruno and Millbrae are again above average in the totality of their DIF. San Bruno's largest DIF is attributed to Housing at $6,309,000 followed by Parks and Recreation at $3,462,008. San Bruno's other DIFs make up much smaller portions of the total fees. Millbrae is also above average in their DIF for multifamily residential with a single DIF for General Government at $10,257,482.



3. Research & Development/Office:

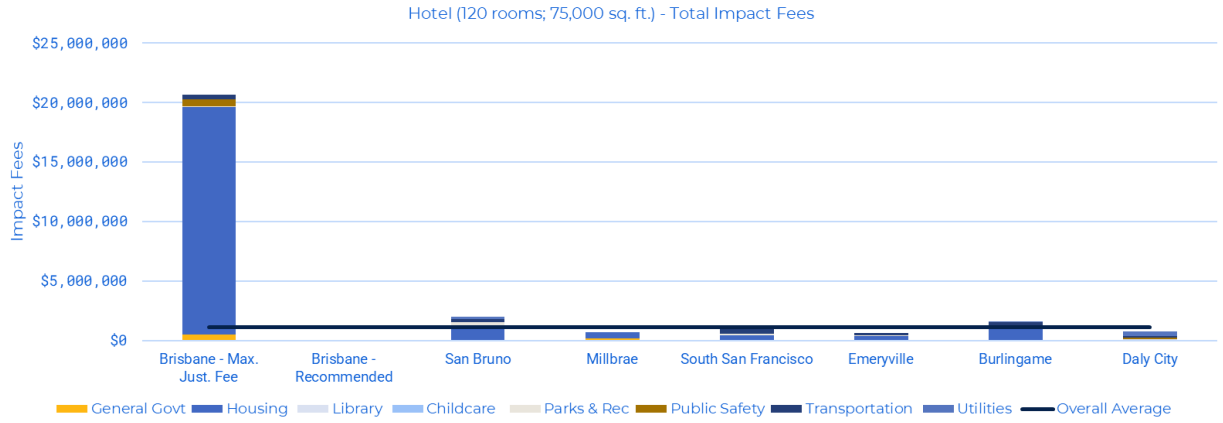
Five of the six cities combined R&D and Office into one land use type. The only city to differentiate between the two is Emeryville. Brisbane's total maximum justifiable fee is $13,456,050 (comprising of General Government, $357,950; Housing, $12,150,000; Parks and Recreation, $335,050; Public Safety, $92,550; and Transportation, $520,500). For Research & Development and Office, the majority of cities' total impact fees are at or below the average. Only South San Francisco and San Bruno's total impact fees are above average and not by a significant amount. South San Francisco's total impact fees are above average, of which the Transportation DIF takes up the majority of those costs at $1,757,500. San Bruno's total impact fee is also above average with the Housing DIF making up the majority of those fees at $876,000.



4. Hotel:

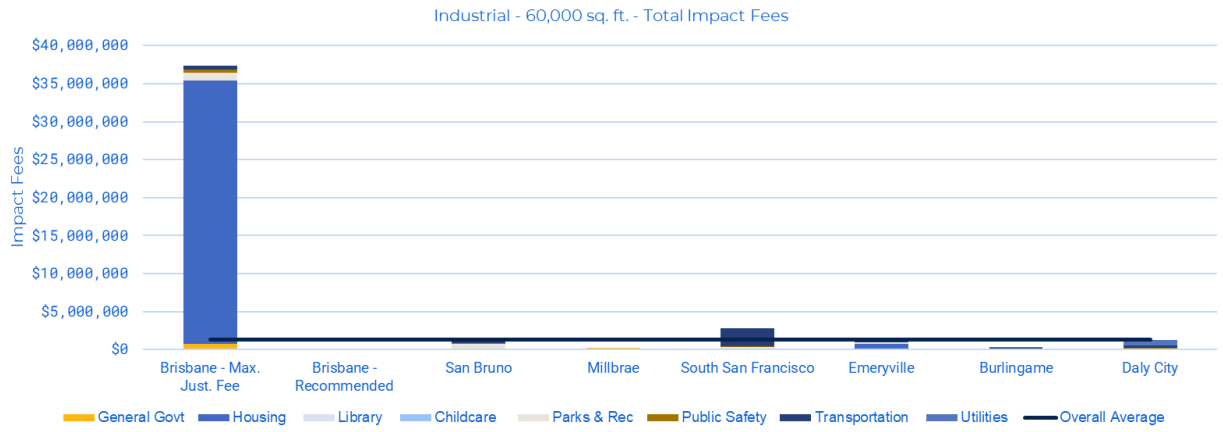
As it relates to hotel developments, the comparison was made based on an average hotel size of 75,000 square feet with 120 rooms. The City's total maximum justifiable fee is $20,688,187 (comprising of General Government, $561,240; Housing, $19,050,000; Parks and Recreation,

$93,840; Public Safety, $571,080; and Transportation, $412,027). The cities of Millbrae, Daly City, and Emeryville have total impact fees below the average whereas San Bruno and Burlingame are above average. South San Francisco fees for hotels are average. The Housing DIF makes up the largest portion of San Bruno's total impact fees at $1,314,000. Burlingame's total impact fees are also above average and the majority of this is made up of their Transportation DIF.



5. Industrial:

For industrial developments, the total maximum justifiable fee for the City is $37,399,200 (comprising of General Government, $751,650; Housing, $34,650; Parks and Recreation, $1,005,150; Public Safety, $480,900; and Transportation, $511,500). The total impact fees for the cities of San Bruno, Emeryville, and Daly City are average whereas Millbrae and Burlingame have lower than average fees. South San Francisco is the only city with total impact fees that are above average for industrial developments. The majority of the total impact fees for South San Francisco is attributed to the Transportation DIF at $2,373,000.



6. Commercial or Retail Development:

For commercial or retail development, the City's maximum justifiable fee is $1,728,346 (comprising of General Government, $28,224; Housing, $1,480,500; Parks and Recreation, $15,635; Public Safety, $53,312; and Transportation, $150,675). Only the cities of San Bruno and South San Francisco have above average total impact fees. The cities of Millbrae, Emeryville, Burlingame, and Daly City have lower than average fees. Of San Bruno's total impact fees, the largest DIF is for Utilities at $50,050. South San Francisco also has above average total impact fees, of which, transportation makes up the highest percentage at $108,255.

A comparison of the total impact fee averages per development type are listed below per city.

	San Bruno	Millbrae	SSF	Emeryville	Burlingame	Daly City
Single Family Residential	Above Average	Above Average	Below Average	Below Average	Below Average	Below Average
Multifamily Residential	Above Average	Above Average	Below Average	Average	Below Average	Below Average
R&D/Office	Above Average	Below Average	Above Average	Below Average	Average	Below Average
Hotel	Above Average	Below Average	Average	Below Average	Above Average	Below Average
Industrial	Average	Below Average	Above Average	Average	Below Average	Average

Commercial/Retail	Above Average	Below Average	Above Average	Below Average	Below Average	Below Average

Conclusion

The nexus study offers the legal basis for determining the highest possible fees, while the comparative study helps us understand how to set these fees and their potential impact on future development. Input from the Council is essential to determine how competitively the City wants to establish development impact fees for different land uses, ensuring that the fees align with the Council's policy objectives. Once it is determined how the Council wishes to proceed, staff will provide a recommendation on development impact fees for each of the four DIFs per the Mitigation Fee Act. The next steps are a mandatory public hearing at a future Council meeting with a public notice 10 days prior. The resolution adopting the fee must include written findings showing the purpose of the fee, use of the fee, and the reasonable relationship between the fee and the development's impacts. Any fee may not be imposed until at least 60 days after adoption. Additionally, there are annual reporting requirements, such as the AB 1600 Report which recently went to Council in December.

Fiscal Impact

The fiscal impact is unknown at this time and dependent on Council feedback.

Attachments

1. Brisbane Commercial Linkage Nexus Study and Feasibility Analysis
2. Brisbane Parks and Recreation Impact Fee Study
3. Brisbane Transportation Impact Fee Nexus Study
4. Brisbane Public Facilities Impact Fee Study
5. Brisbane Development Impact Fee Comparative Survey

Christina Fernandez, Assistant City Manager

Jeremy Dennis, City Manager

ECONorthwest
ECONOMICS · FINANCE · PLANNING

DATE: September 1, 2023
TO: Julia Ayres; City of Brisbane
FROM: Chris Blakney, Katherine Buck, Mackenzie Visser; ECONorthwest
SUBJECT: Commercial Linkage Fee Nexus Analysis and Maximum Fee Calculations

Executive Summary

ECONorthwest conducted a commercial Linkage Fee nexus study for the City of Brisbane, CA. This study establishes the "nexus" between new commercial development and the need for affordable housing for the resulting workers. The City of Brisbane previously completed a Linkage Fee nexus study in 2015 to examine the relationship between the affordable housing need and commercial development that adds jobs for hotel, retail/restaurants/services, and office/research and development/medical office uses. This study is an update to the previous study and utilizes the same methodology, however it expands the land use categories to analyze the impacts from potential hotel, retail (including restaurants and personal services), traditional office (including medical office), life sciences and research and development, and industrial (warehouse) prototypes.

For each commercial type, we established the number of potential new workers, their estimated wages, and the resulting number of households qualifying for affordable housing based on the Department of Housing and Urban Development thresholds. These thresholds are based off the Area Median Income, calculated as $140,000 for a family of two for the area (the average household size is 2.4 people in Brisbane). Using this data, we categorized households into very low, low, moderate, and above moderate incomes.

Next, we calculated the cost of developing both rental and for-sale housing. By comparing the cost of development against the potential revenue generated by new households, we established the *affordability gap* across all new households by commercial development type. Finally, we used a standardized development size to calculate a maximum fee per square foot to cover the entire affordability gap. Our analysis shows that there is a nexus between new commercial development and an increased need for affordable housing. These results are shown in Exhibit 1.

Exhibit 1: Maximum Commercial Linkage Fees
Source: ECONorthwest

	New Households Requiring Affordable Housing	Affordability Gap for All New Worker Households	Size of Prototype (SF)	Maximum Fee per SF
Hotel	58	$25,389,937	100,000	$254
Retail, Restaurants and Personal Services	91	$42,327,494	100,000	$423
Office and Medical Office	101	$40,548,404	100,000	$405
Life Sciences and R&D	70	$24,292,838	100,000	$243
Warehouse	56	$23,141,625	100,000	$231

It is important to note that these are *not* the recommended fees for adoption; they are the maximum fees that Brisbane could charge to offset the increased demand for affordable housing created by new commercial development in the City.

Commercial Linkage Fee Nexus Analysis

Before a city or county may adopt a development impact fee, it must conduct a nexus study to determine the reasonable relationship between the fee's purpose and the impact on affected development types. This commercial linkage fee nexus study establishes the "nexus" between new commercial development and the need for additional housing affordable for the resulting new workers. In this section, we determined the demand created for new housing units affordable to very low-income, low-income, and moderate-income workers as a result of new commercial development.

Define Commercial Prototypes

ECONorthwest analyzed the links between jobs and housing for five different commercial development prototypes:

- **Hotel** includes full-service hotels, limited-service hotels, motels, and other lodging.
- **Retail, restaurants, and services** includes retail stores, restaurants, and personal care spaces accommodating businesses like nail salons and drycleaners.
- **Office, medical office** includes traditional office buildings, open floor-plan offices, medical offices.
- **Life Sciences, Research and Development (R&D)** includes specialized spaces for highly advanced manufacturing and research, and spaces for laboratories and office for tenants involved in the study and development of scientific discoveries.
- **Warehousing** is a secondary type of industrial building generally used for storage and/or distribution.

These prototypes represent major types of new commercial buildings recently constructed or proposed in the area. For illustrative purposes, each prototype was assumed to be 100,000 square feet. Building characteristics of each prototype, based on recent development projects, are shown below.

Exhibit 2: Commercial Prototypes
Source: ECONorthwest, CoStar, City of Brisbane

	Hotel	Retail	Office	Life Sciences	Warehouse
Gross Building Area	100,000	100,000	100,000	100,000	100,000
Podium Parking Area	66,500	150,150	150,150	150,150	150,150
Gross Building Area Including Podium Parking	166,500	250,150	250,150	250,150	250,150
Efficiency	100%	95%	85%	85%	95%
Net Leasable Area	100,000	95,000	85,000	85,000	95,000
Hotel Rooms	133	0	0	0	0
Parking Spaces (Podium)	133	300	300	300	300
Floor Area Ratio	3.2	3.2	3.2	3.2	3.2

Land Area (Acres)	0.7	0.7	0.7	0.7	0.7
Land Area (SF)	31,250	31,250	31,250	31,250	31,250

Estimate of New Workers by Prototype

For each building protype, we defined an average employment density based on the previous 2015 Brisbane linkage fee nexus study as well as a review of other recently completed linkage fee nexus studies in the Bay Area.[1] Exhibit 3 shows the average employment density and total workers for each prototype, based on an assumed prototype size of 100,000 square feet.

Exhibit 3: Employment Density by Prototype

Source: ECONorthwest, Vernazza Wolfe Associates, Inc., Strategic Economics 2015

Commercial Prototype	Prototype Size (sf)	Average Density	Number of Workers in Prototype
Hotel	100,000 SF	1,000 SF per worker	100 workers
Retail, Restaurant, Services	100,000 SF	667 SF per worker	150 workers
Office, Medical Office	100,000 SF	333 SF per worker	300 workers
Life Sciences, R&D	100,000 SF	333 SF per worker	300 workers
Warehouse	100,000 SF	1,000 SF per worker	100 workers

Number of Worker Households by Prototype

We then calculated the number of worker households by dividing the number of workers for each prototype by the average number of wage-earners per household in Brisbane. According to U.S. Census American Community Survey (ACS) data, there is an average of 1.65 workers per household in Brisbane as of 2021.

Exhibit 4: Number of Worker Households by Prototype

Source: ACS 5-Year Data Tables, 2017-2021

Commercial Prototype	Number of New Workers	Workers per Household	Number of New Households
Hotel	100 workers	1.65	61 households
Retail, Restaurant, Services	150 workers	1.65	91 households
Office, Medical Office	300 workers	1.65	182 households
Life Sciences, R&D	300 workers	1.65	182 households
Warehouse	100 workers	1.65	61 households

Calculate Wages of New Workers

To calculate employee wages, ECONorthwest first established a list of industries associated with each prototype using industry data from the Quarterly Census of Employment and Wages (QCEW). The industries (by NAICS code) associated with each prototype are shown in Exhibit 17 through Exhibit 20 in the appendix.

Next, we used U.S. Bureau of Labor Statistics (BLS) data to identify occupations associated with each industry. Because the national level BLS data is the most detailed available, we calibrated the national BLS occupational matrix to match the County's employment distribution. First, using the BLS National Occupational Matrix, we recorded each occupation's share of each

[1] Other reviewed nexus fee studies include Santa Rosa (2019), San Bruno (2015), San Jose (2020), San Mateo County (2015), and Culver City (2020).

individual industry associated with each prototype. We then added these shares together by occupation to get each occupation's total share of industries in each of the five prototypes. We then multiplied these occupational by the share of San Mateo employees in each industry by prototype to get the distribution of San Mateo occupations for each of the five prototypes, which is shown in Exhibits 17-21 of the Appendix.

We used average wage data for each occupation from the San Francisco-Redwood City-San Mateo Metro Division, the smallest geographic level at which wage data are available, provided by the California Employment Development Department. By weighting this data with the distribution of workers by occupation we calculated an average wage for each prototype, shown in Exhibit 5 below.

Exhibit 5: Average Annual Wage by Prototype

Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

Commercial Prototype	Weighted Annual Wage
Hotel	$56,123
Retail, Restaurant, Services	$48,624
Traditional Office, Medical Office	$101,396
Life Sciences, R&D	$121,813
Warehouse	$67,028

The complete occupational mix and wage estimates for each prototype are located in the Appendix.

Calculate Household Incomes of New Workers

We then estimated household incomes for each prototype based on the employee wages calculated above, assuming the income of a second wage earner would be similar to the wage of the first. To calculate household incomes from the wage data calculated above, we multiplied the average worker wages by the number of wage-earners per household (1.65 workers per ACS data).[2] This methodology for calculating household income aligns with the previous Brisbane Nexus Fee Study from 2015, as well as other nexus studies conducted in the Bay Area.

Next, we used income thresholds established by the California Housing and Community Development Department (HCD) to determine thresholds for very low, low, moderate, and above moderate incomes. According to ACS data, the average household size in the City of Brisbane is 2.4 members; we have used the HCD income thresholds based on a household size of two members. Exhibit 6 shows the income limits by income category, based on San Mateo County's area median income.

Exhibit 6: Household Income Categories

Source: California Department of Housing and Community Development, 2023

Commercial Prototype	Weighted Annual Wage
Very Low Income (< 50% AMI)	$74,600
Low Income (51-80% AMI)	$119,300
Moderate Income (81%-120% AMI)	$168,000

[2] We attempted to use Census Public Use Microdata Samples (PUMS) to determine the median household income for groups with occupations within the industries of interest but the 6-digit SOC code along with the size of the desired region made the estimates unreliable and unavailable.

Above Moderate Income (>120% AMI)	> $168,000

We then sorted the new worker households into the income categories above. As shown in Exhibit 7, the majority of new households associated with the hotel prototype are in the very low- and low-income categories (41% and 45%, respectively). The majority of new households associated with the retail, restaurants, and services prototype are in the very low-income category (77%). For the office and medical office prototype, roughly 36% of new households are in the low-income category, and roughly 44% are above moderate income. For life sciences, the majority of new households are in the above moderate-income category, with 19% of new households in the low-income category and 16% in the moderate-income category. Finally, roughly 75% of new households associated with the warehouse prototype are in the low-income category.

Exhibit 7: Number of Worker Households by Income
Source: ECONorthwest

Prototype	Number of Employee Households
Hotel	
Very Low Income (< 50% AMI)	26
Low Income (51-80% AMI)	27
Moderate Income (81%-120% AMI)	5
Above Moderate Income (>120% AMI)	3
Total:	**61 households**
Retail, Restaurants, and Services	
Very Low Income (< 50% AMI)	70
Low Income (51-80% AMI)	16
Moderate Income (81%-120% AMI)	5
Above Moderate Income (>120% AMI)	0
Total:	**91 households**
Office, Medical Office	
Very Low Income (< 50% AMI)	17
Low Income (51-80% AMI)	66
Moderate Income (81%-120% AMI)	18
Above Moderate Income (>120% AMI)	81
Total:	**182 households**
Life Sciences and R&D	
Very Low Income (< 50% AMI)	5
Low Income (51-80% AMI)	35
Moderate Income (81%-120% AMI)	30
Above Moderate Income (>120% AMI)	112
Total:	**182 households**
Warehouse	
Very Low Income (< 50% AMI)	5
Low Income (51-80% AMI)	46
Moderate Income (81%-120% AMI)	5
Above Moderate Income (>120% AMI)	5
Total:	**182 households**

We removed the above moderate-income households from the following steps of this analysis, as these households would likely be able to afford market-rate housing in the area.

Housing Affordability Gap

The housing affordability gap is calculated as the difference between what each income threshold can afford to pay for housing and the development cost of that housing unit. To calculate the affordability gap, ECONorthwest used the following methodology:

1. Estimated affordable rents and sales prices, using Department of Housing and Urban Development (HUD) established income thresholds.[3]
2. Estimated housing development costs, using pro forma analysis and current cost and market data.
3. Calculated the housing affordability gap, based on the difference between the values established in Steps 1 and 2.

Estimate Affordable Rents and Sales Prices

First, ECONorthwest calculated the maximum amount that households at each income level (very low, low, and moderate incomes) can afford to pay for housing. Above, these income thresholds were defined as a range, with very low-income households earning less than 50% AMI, low-income households earning between 51% and 80% of the AMI, and moderate-income households earning between 81% and 120% of the AMI. To calculate affordable housing costs, we have used a midpoint value in these ranges for the low and moderate incomes, defined as 70% and 90% of the AMI for renters, respectively. Homeowners were assumed to be moderate income households with slightly higher incomes than renters and are defined as earning 110% of the AMI.

To calculate affordable rental and sales prices for each income group, we used the following assumptions:

- **Affordable housing costs:** Affordable housing costs were defined as 30% of gross monthly income for renters, and 35% of gross monthly income for homeowners.
- **Utilities:** Utility allowances were calculated by the U.S. Department of Housing and Urban Development (HUD) for San Mateo County for 2023. Housing units were assumed to be powered by natural gas, and both renters and owners were assumed to pay heating, cooking, water heating, and other electric costs. Owners were also assumed to pay water and trash collection.
- **Unit types:** For this analysis, rental housing was assumed to include studios, one-, two-, and three-bedroom units. Ownership housing was assumed to one-, two-, and three-bedroom units. In addition, ownership housing was assumed to be condominiums, as these types of units are typically significantly lower priced than single family homes in the area. In general, the unit size for each household was assumed to be one less bedroom than household bedrooms (for example, a three-person household would require a two-bedroom unit).
- **Homeownership costs:** For ownership housing, affordable home sales prices were calculated based on what a household at 110% of the AMI could afford to pay on a mortgage. These calculations assumed a 7% mortgage interest rate for a 30-year loan

[3] HUD provides data at the county or metropolitan statistical area (MSA) level; San Mateo County is included in the San Francisco MSA.

(based on recent 2023 mortgage interest rates) after a 5% down payment on the home. In addition, these calculations assumed a monthly $300 homeowner association fee, as well as property taxes and homeowner insurance costs.

Affordable rents were calculated as affordable renter housing costs less utility allowances (full calculations are located in the Appendix). Below, affordable rents are shown in Exhibit 8 by unit size, defined by the number of household members.

Exhibit 8: Affordable Rent Prices, San Mateo County
Source: ECONorthwest, Department of Housing and Urban Development (2023), San Mateo County Department of Housing (2023)

Affordable Rents	Studio (1 Person HH)	1 Bedroom (2 Person HH)	2 Bedroom (3 Person HH)	3 Bedroom (4-5 Person HH)
Very Low Income (50% AMI)	$1,510	$1,721	$1,907	$2,162
Low Income (70% AMI)	$2,161	$2,464	$2,744	$3,128
Moderate Income (90% AMI)	$2,820	$3,237	$3,635	$4,184

Affordable home sales prices were calculated as affordable homeowner housing costs less utility allowances, homeowner association fees, and property taxes and insurance. Below, affordable home prices are shown in Exhibit 9 by unit size, defined by number of household members.

Exhibit 9: Affordable Home Sales Prices, San Mateo County
Source: ECONorthwest, Department of Housing and Urban Development (2023), San Mateo County Department of Housing (2023)

Affordable Sales Price	1 Bedroom (1-2 Person HH)	2 Bedroom (3 Person HH)	3 Bedroom (4-5 Person HH)
Moderate Income (110% AMI)	$538,873	$653,157	$755,357

Full calculations for affordable housing costs are located in Exhibit 28 in the Appendix.

Estimate Housing Development Costs

Next, ECONorthwest calculated the cost per unit of developing housing in the Brisbane area for both rental and ownership products. To do so, we used a pro forma analysis to analyze the cost of building a rental multifamily apartment prototype and a for-sale condominium multifamily prototype, each with 100 units. This pro forma analysis considered land acquisition costs, hard costs, soft costs (including permitting fees, contingencies, and a condominium wrap insurance policy), and developer fees. Below, prototype and cost assumptions are shown in Exhibit 10.

Exhibit 10: Affordable Housing Pro Forma Development Assumptions and Cost Data
Source: ECONorthwest, CoStar

	Rental Housing	For-Sale Housing
Land area (acres)	2.6	3.6
Gross building area	139,706	189,155
Residential area	74,500	97,500
Number of units	100	100
Parking type	Structured	Structured
Floor Area Ratio (FAR)	0.79	0.74
Density (units per acre)	39	28
Average unit size	745	975
Land cost per square foot of land	$100	$100
Land cost per residential square foot	$149	$160
Hard cost per gross square foot	$245	$244
Hard costs per residential square foot	$459	$474
Soft costs as a share of hard costs (includes developer fees and contingency)	32%	32%
Soft costs per residential square foot	$148	$153
Total costs per gross square foot	$404	$406
Total costs per residential square foot	**$757**	**$787**

Cost Estimates by Unit Size

Next, we used the cost per square foot estimates calculated above in Exhibit 10 to determine average cost per unit for different unit sizes. For both rental and ownership products, average unit sizes were derived via market research of existing products in the Brisbane area and San Mateo County.

Exhibit 11: Rental Housing Unit Sizes and Development Costs
Source: ECONorthwest, CoStar

Unit Type	Estimated Cost per Net SF	Unit Size (net SF)	Development Costs
Studio	$757	500	$378,369
1-Bedroom	$757	700	$529,716
2-Bedroom	$757	1,000	$756,737
3-Bedroom	$757	1,200	$908,085

Exhibit 12 shows the average unit areas by unit size and the associated development costs for for-sale units, based on the cost per square foot estimates calculated in Exhibit 10.

Exhibit 12: For Sale Housing Unit Sizes and Development Costs
Source: ECONorthwest, CoStar

Unit Type	Estimated Cost per Net SF	Unit Size (net SF)	Development Costs
1-Bedroom	$787	700	$550,892
2-Bedroom	$787	1,000	$786,989
3-Bedroom	$787	1,200	$944,387

Calculate the Housing Affordability Gap

Finally, we calculated the housing affordability gap, or the difference between affordable revenues and the cost of developing units. This gap is determined as the fee amount that would be necessary to make developing affordable housing feasible, assuming no other housing subsidies.

Exhibit 13 shows the affordability gap calculation for rental units. For rental units, the affordability gap is defined as the difference between the per-unit cost of development established in Exhibit 11 and the supportable debt per unit. The supportable debt is calculated based on the net operating income per unit (annual income less vacancy expenses and operating expenses) based on each income threshold's affordable rent, calculated in Exhibit 8.[4] The supportable debt is then subtracted from each unit's development costs to establish the affordability gap for each unit type; finally, these values are averaged to calculate an average affordability gap by affordability threshold.

Exhibit 13: Housing Affordability Gap for Rental Housing

Source: ECONorthwest, Department of Housing and Urban Development

Income Level and Unit Type	Unit Size (SF)	Maximum Monthly Rent	Net Operating Income	Available for Debt Service[5]	Support-able Debt[6]	Develop-ment Costs	Affordability Gap
Very Low Income (50% AMI)							
Studio	500	$1,510	$18,123	$10,149	$125,938	$378,369	$252,431
1-Bedroom	700	$1,721	$20,649	$11,563	$143,491	$529,716	$386,225
2-Bedroom	1,000	$1,907	$22,887	$12,817	$159,043	$756,737	$597,694
3-Bedroom	1,200	$2,162	$25,940	$14,526	$180,255	$908,085	$727,830
Average Affordability Gap:							**$491,045**
Low Income (70% AMI)							
Studio	500	$2,161	$25,929	$14,520	$180,182	$378,369	$198,186
1-Bedroom	700	$2,464	$29,571	$16,560	$205,491	$529,716	$324,225
2-Bedroom	1,000	$2,744	$32,925	$18,438	$228,798	$756,737	$527,939
3-Bedroom	1,200	$3,128	$37,535	$21,019	$260,830	$908,085	$647,255
Average Affordability Gap:							**$424,404**
Moderate Income (90% AMI)							
Studio	500	$2,820	$33,843	$18,952	$235,177	$378,369	$143,192
1-Bedroom	700	$3,237	$38,841	$21,751	$269,909	$529,716	$259,808
2-Bedroom	1,000	$3,635	$43,623	$24,429	$303,139	$756,737	$453,598
3-Bedroom	1,200	$4,184	$50,210	$28,117	$348,909	$908,085	$559,176
Average Affordability Gap:							**$353,943**

Exhibit 14 shows the affordability gap for for-sale units. For for-sale units, the affordability gap is calculated as the difference between the per-unit cost of development (established in Exhibit

[4] Vacancy expense is assumed to be 5% of rents, and operating expenses are assumed to be 25% of rents.

[5] Uses a debt service coverage ratio of 1.25.

[6] Assumes an interest rate of 7% for a 30-year loan.

12) and the sale price affordable to moderate incomes (shown in Exhibit 9). As with rental housing, the affordability gaps for each bedroom size were averaged to calculate an average affordability gap for for-sale housing affordable at 110% of the AMI.

Exhibit 14: Housing Affordability Calculation for For-Sale Condominium Housing
Source: ECONorthwest, Department of Housing and Urban Development

Income Level and Unit Type	Unit Size (SF)	Affordable Sales Price	Development Costs	Affordability Gap
Moderate Income (110% AMI)				
1-Bedroom	700	$538,873	$550,892	$12,019
2-Bedroom	1,000	$653,157	$786,989	$133,832
3-Bedroom	1,200	$755,357	$944,387	$189,030
Average Affordability Gap:				**$111,627**

Finally, we summarized these results and averaged the affordability gap across renter and owner households, shown in Exhibit 15 below. As very low-income and low-income households are unlikely to be able to purchase a home, the affordability gap for these income thresholds is equal to the average gap for rental units.

Exhibit 15: Average Housing Affordability Gap by Income Group
Source: ECONorthwest

Income Level	Rental Gap	Ownership Gap	Average Affordability Gap
Very Low Income (50% AMI)	$491,045	N/A	$491,045
Low Income (70% AMI)	$424,402	N/A	$424,402
Moderate Income (90%-110% AMI)	$353,943	$111,627	$232,785

Maximum Linkage Fees

Using the number of new households in each income category associated with each prototype (calculated in Exhibit 7) and the affordability gaps calculated in Exhibit 15, we calculated the total affordability gap for new worker households for each prototype. By dividing the total gap by the area (in square feet) for each commercial prototype, we established the maximum linkage fee per square foot, shown in Exhibit 16 below. It is important to note that these are not the recommended fees for adoption; they are the maximum fees that Brisbane could charge to offset the increased demand for affordable housing created by new commercial development in the City.

The maximum fees are high, largely because of the extremely high cost of developing housing in the San Francisco Bay Area and San Mateo County generally. In addition, the maximum fees have increased since the 2015 nexus study, likely due to the increasing gap between housing development costs, market rate housing costs, and wages (particularly for lower income workers) over this time period.

Exhibit 16: Maximum Commercial Linkage Fees
Source: ECONorthwest

	New Households Requiring Affordable Housing	Affordability Gap for All New Worker Households	Size of Prototype (SF)	Maximum Fee per SF
Hotel	58	$25,389,937	100,000	$254
Retail, Restaurants and Personal Services	91	$42,327,494	100,000	$423
Office and Medical Office	101	$40,548,404	100,000	$405
Life Sciences, R&D	70	$24,292,838	100,000	$243
Warehouse	56	$23,141,625	100,000	$231

Appendix

Exhibit 17: Definition of Industries for Hotel Prototype

Source: Quarterly Census of Employment and Wages (QCEW), December 2022

NAICS Code	Description	Percent Total Workers in Prototype
721	Accommodations	100.0%
Total:		100.0%

Exhibit 18: Definition of Industries for Retail, Restaurants and Services Prototype

Source: Quarterly Census of Employment and Wages (QCEW), December 2022

NAICS Code	Description	Percent Total Workers in Prototype
7225	Restaurants and other eating places	39.0%
4451	Grocery and convenience retailers	10.7%
4552	Warehouse clubs, supercenters, and other general merchandise retailers	5.1%
8111	Automotive repair and maintenance	4.8%
4561	Health and personal care retailers	3.8%
4441	Building material and supplies dealers	3.7%
4411	Automobile dealers	3.6%
8121	Personal care services	2.7%
4551	Department stores	2.5%
8129	Other personal services	2.5%
4581	Clothing and clothing accessories retailers	2.3%
4591	Sporting goods, hobby, and musical instrument retailers	2.1%
4492	Electronics and appliance retailers	1.7%
5321	Automotive equipment rental and leasing	1.6%
4491	Furniture and home furnishings retailers	1.6%
4599	Other miscellaneous retailers	1.3%
4237	Hardware, and plumbing and heating equipment and supplies merchant wholesalers	1.2%
8123	Dry cleaning and laundry services	1.1%
4594	Office supplies, stationery, and gift retailers	0.9%
4413	Automotive parts, accessories, and tire retailers	0.8%
4452	Specialty food retailers	0.8%
4595	Used merchandise retailers	0.8%
4231	Motor vehicle and motor vehicle parts and supplies merchant wholesalers	0.8%
8122	Death care services	0.8%
7224	Drinking places (alcoholic beverages)	0.7%
4453	Beer, wine, and liquor retailers	0.5%
4582	Shoe retailers	0.5%
4583	Jewelry, luggage, and leather goods retailers	0.4%
4233	Lumber and other construction materials merchant wholesalers	0.4%
4592	Book retailers and news dealers	0.3%
8113	Commercial and industrial machinery and equipment (except automotive and electronic) repair and maintenance	0.2%

8112	Electronic and precision equipment repair and maintenance	0.2%
4442	Lawn and garden equipment and supplies retailers	0.2%
8114	Personal and household goods repair and maintenance	0.2%
4593	Florists	0.2%
4412	Other motor vehicle dealers	0.1%
7225	Restaurants and other eating places	0.0%
8122	Death care services	0.0%
4571	Gasoline stations	0.0%
5322	Consumer goods rental	0.0%
5323	General rental centers	0.0%
5324	Commercial and industrial machinery and equipment rental and leasing	0.0%
5615	Travel arrangement and reservation services	0.0%
Total:		100.0%

Exhibit 19: Definition of Industries for Traditional Office and Medical Office Prototype

Source: Quarterly Census of Employment and Wages (QCEW), December 2022

NAICS Code	Description	Percent Total Workers in Prototype
5417	Scientific research and development services	19.1%
5415	Computer systems design and related services	10.1%
5132	Software publishers	8.5%
5613	Employment services	5.1%
5617	Services to buildings and dwellings	4.5%
5239	Other financial investment activities	3.9%
5511	Management of companies and enterprises	3.6%
5182	Computing infrastructure providers, data processing, web hosting, and related services	3.6%
6214	Outpatient care centers	3.2%
5416	Management, scientific, and technical consulting services	2.9%
7223	Special food services	2.6%
5412	Accounting, tax preparation, bookkeeping, and payroll services	2.5%
5222	Nondepository credit intermediation	2.4%
6215	Medical and diagnostic laboratories	2.1%
5616	Investigation and security services	2.1%
6211	Offices of physicians	2.0%
5413	Architectural, engineering, and related services	2.0%
6212	Offices of dentists	1.8%
5411	Legal services	1.8%
3345	Navigational, measuring, electromedical, and control instruments manufacturing	1.5%
5313	Activities related to real estate	1.5%
5242	Agencies, brokerages, and other insurance related activities	1.4%
5221	Depository credit intermediation	1.3%
5419	Other professional, scientific, and technical services	1.2%

5611	Office administrative services	1.1%
6213	Offices of other health practitioners	1.0%
3391	Medical equipment and supplies manufacturing	0.9%
5121	Motion picture and video industries	0.8%
5312	Offices of real estate agents and brokers	0.6%
5223	Activities related to credit intermediation	0.6%
5231	Securities and commodity contracts intermediation and brokerage	0.6%
3353	Electrical equipment manufacturing	0.4%
5171	Wired and wireless telecommunications (except satellite)	0.4%
5418	Advertising, public relations, and related services	0.4%
5131	Newspaper, periodical, book, and directory publishers	0.4%
5619	Other support services	0.3%
5614	Business support services	0.3%
3344	Semiconductor and other electronic component manufacturing	0.3%
5414	Specialized design services	0.3%
5241	Insurance carriers	0.2%
5611	Office administrative services	0.2%
5241	Insurance carriers	0.2%
5161	Radio and television broadcasting stations	0.1%
5259	Other investment pools and funds	0.1%
3342	Communications equipment manufacturing	0.1%
5331	Lessors of nonfinancial intangible assets (except copyrighted works)	0.0%
6211	Offices of physicians	0.0%
5122	Sound recording industries	0.0%
5416	Management, scientific, and technical consulting services	0.0%
5413	Architectural, engineering, and related services	0.0%
Total:		100.0%

Exhibit 20: Definition of Industries for Life Sciences Prototype

Source: Quarterly Census of Employment and Wages (QCEW), December 2022

NAICS Code	Industry	% Employees
5417	NAICS 5417 Scientific research and development services	62.7%
5511	NAICS 5511 Management of companies and enterprises	11.9%
5416	NAICS 5416 Management, scientific, and technical consulting services	9.5%
6215	NAICS 6215 Medical and diagnostic laboratories	6.9%
3345	NAICS 3345 Navigational, measuring, electromedical, and control instruments manufacturing	5.0%
5419	NAICS 5419 Other professional, scientific, and technical services	3.9%
Total:		100%

Exhibit 21: Definition of Industries for Warehouse Prototype

Source: Quarterly Census of Employment and Wages (QCEW), December 2022

NAICS Code	Industry	% Employees
4930	Warehousing and Storage	24%

4885	Truck Transportation	29%
4840	Freight and Transportation Arrangements	47%
Total:		**100%**

Exhibit 22: Wages and Distribution of Occupations, Hotel Prototype
Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

SOC Code	Occupational Title	% of Total Hotel Workers	Average Annual Wage
11-0000	**Management Occupations**		
11-9081	Lodging Managers	2.50%	$92,618
11-1021	General and Operations Managers	1.98%	$166,029
11-9051	Food Service Managers	0.42%	$74,812
11-2022	Sales Managers	0.52%	$188,903
11-3031	Financial Managers	0.31%	$202,480
11-9199	Managers, All Other	0.21%	$195,920
11-3121	Human Resources Managers	0.10%	$187,456
11-9141	Property, Real Estate, and Community Association Managers	0.10%	$87,619
11-2021	Marketing Managers	0.10%	$208,880
	Weighted Average Annual Wage	**6.25%**	**$135,073**
13-0000	**Business and Financial Operations Occupations**	**0.00%**	
13-1121	Meeting, Convention, and Event Planners	0.42%	$84,051
13-2011	Accountants and Auditors	0.63%	$112,447
13-1071	Human Resources Specialists	0.42%	$103,287
13-1199	Business Operations Specialists, All Other	0.21%	$101,412
13-1020	Buyers and Purchasing Agents	0.10%	$90,147
13-1161	Market Research Analysts and Marketing Specialists	0.21%	$116,548
	Weighted Average Annual Wage	**1.98%**	**$102,637**
15-0000	**Computer and Mathematical Occupations**		
15-1232	Computer User Support Specialists	0.10%	$78,794
	Weighted Average Annual Wage	**0.10%**	**$78,794**
25-0000	**Education, Training, and Library Occupations**		
25-3021	Self-Enrichment Teachers	0.10%	$62,154
	Weighted Average Annual Wage	**0.10%**	**$62,154**
27-0000	**Arts, Design, Entertainment, Sports, and Media Occupations**		
27-2022	Coaches and Scouts	0.10%	$65,840
27-3031	Public Relations Specialists	0.10%	$92,207
	Weighted Average Annual Wage	**0.21%**	**$79,024**
31-0000	**Healthcare Support Occupations**		
31-9011	Massage Therapists	0.31%	$64,730
	Weighted Average Annual Wage	**0.31%**	
33-0000	**Protective Service Occupations**	**0.00%**	**$76,120**
33-9032	Security Guards	1.98%	$47,017

	Weighted Average Annual Wage	**1.98%**	**$47,017**
35-0000	**Food Preparation and Serving Related Occupations**		
35-1011	Chefs and Head Cooks	0.73%	$69,525
35-1012	First-Line Supervisors of Food Preparation and Serving Workers	1.25%	$57,630
35-2021	Food Preparation Workers	0.63%	$42,583
35-3011	Bartenders	1.88%	$43,847
35-3031	Waiters and Waitresses	5.10%	$40,380
35-9011	Dining Room and Cafeteria Attendants and Bartender Helpers	2.08%	$39,957
35-9021	Dishwashers	0.94%	$39,368
35-2014	Cooks, Restaurant	3.13%	$44,409
35-3041	Food Servers, Nonrestaurant	0.94%	$47,984
35-9031	Hosts and Hostesses, Restaurant, Lounge, and Coffee Shop	0.83%	$38,674
35-3023	Fast Food and Counter Workers	0.83%	$39,414
35-2012	Cooks, Institution and Cafeteria	0.21%	$51,210
35-2015	Cooks, Short Order	0.10%	$41,048
35-9099	Food Preparation and Serving Related Workers, All Other	0.21%	$40,878
35-2019	Cooks, All Other	0.10%	$44,546
	Weighted Average Annual Wage	**18.96%**	**$44,031**
37-0000	**Building and Grounds Cleaning and Maintenance Occupations**		
37-1011	First-Line Supervisors of Housekeeping and Janitorial Workers	2.19%	$64,872
37-2012	Maids and Housekeeping Cleaners	23.65%	$47,256
37-3011	Landscaping and Groundskeeping Workers	1.04%	$51,682
37-2011	Janitors and Cleaners, Except Maids and Housekeeping Cleaners	2.40%	$44,898
37-1012	First-Line Supervisors of Landscaping, Lawn Service, and Groundskeeping Workers		
	Weighted Average Annual Wage	**29.38%**	**$48,624**
39-0000	**Personal Care and Service Occupations**		
39-1022	First-Line Supervisors of Personal Service Workers	0.10%	$55,446
39-3091	Amusement and Recreation Attendants	0.73%	$38,406
39-5092	Manicurists and Pedicurists	0.10%	$40,101
39-5094	Skincare Specialists	0.10%	$50,112
39-6011	Baggage Porters and Bellhops	0.73%	$42,306
39-6012	Concierges	0.42%	$47,678
39-9032	Recreation Workers	0.63%	$42,387
39-9041	Residential Advisors	0.10%	$49,351
39-3011	Gambling Dealers	1.98%	$44,851
39-1013	First-Line Supervisors of Gambling Services Workers	0.52%	$71,963
39-9099	Personal Care and Service Workers, All Other	0.10%	$41,072
39-3093	Locker Room, Coatroom, and Dressing Room Attendants	0.10%	$45,255
39-3031	Ushers, Lobby Attendants, and Ticket Takers	0.10%	$41,187
39-7010	Tour and Travel Guides	0.10%	$47,832
	Weighted Average Annual Wage	**5.83%**	**$46,292**
41-0000	**Sales and Related Occupations**		
41-1011	First-Line Supervisors of Retail Sales Workers	0.10%	$57,904
41-1012	First-Line Supervisors of Non-Retail Sales Workers	0.10%	$105,977

41-2011	Cashiers	0.63%	$38,957
41-2021	Counter and Rental Clerks	0.10%	$44,954
41-2031	Retail Salespersons	0.31%	$43,043
41-3091	Sales Representatives of Services, Except Advertising, Insurance, Financial Services, and Travel		
	Weighted Average Annual Wage	**2.50%**	**$77,235**
43-0000	**Office and Administrative Support Occupations**		
43-1011	First-Line Supervisors of Office and Administrative Support Workers	2.40%	$83,476
43-3051	Payroll and Timekeeping Clerks	0.10%	$70,817
43-4051	Customer Service Representatives	0.31%	$53,875
43-4171	Receptionists and Information Clerks	0.31%	$46,410
43-4181	Reservation and Transportation Ticket Agents and Travel Clerks	0.31%	$50,737
43-6011	Executive Secretaries and Executive Administrative Assistants	0.10%	$94,596
43-4081	Hotel, Motel, and Resort Desk Clerks	15.63%	$42,405
43-3031	Bookkeeping, Accounting, and Auditing Clerks	1.35%	$61,925
43-9061	Office Clerks, General	0.73%	$51,810
43-6014	Secretaries and Administrative Assistants, Except Legal, Medical, and Executive		
43-2011	Switchboard Operators, Including Answering Service	0.10%	$54,000
43-5071	Shipping, Receiving, and Inventory Clerks	0.10%	$49,292
43-5032	Dispatchers, Except Police, Fire, and Ambulance	0.10%	$46,736
	Weighted Average Annual Wage	**21.98%**	**$49,570**
45-0000	**Farming, Fishing, and Forestry Occupations**		
45-2093	Farmworkers, Farm, Ranch, and Aquacultural Animals	0.10%	$45,335
	Weighted Average Annual Wage	**0.10%**	**$45,335**
47-0000	**Construction and Extraction Occupations**		
47-1011	First-Line Supervisors of Construction Trades and Extraction Workers	0.00%	$108,978
47-2031	Carpenters	0.10%	$81,183
47-2141	Painters, Construction and Maintenance	0.10%	$65,145
	Weighted Average Annual Wage	**0.21%**	**$73,164**
49-0000	**Installation, Maintenance, and Repair Occupations**		
49-9071	Maintenance and Repair Workers, General	6.56%	$61,607
49-1011	First-Line Supervisors of Mechanics, Installers, and Repairers	0.63%	$94,340
49-9091	Coin, Vending, and Amusement Machine Servicers and Repairers	0.10%	
49-9021	Heating, Air Conditioning, and Refrigeration Mechanics and Installers	0.10%	$76,939
	Weighted Average Annual Wage	**7.40%**	**$63,721**
51-0000	**Production Occupations**		
51-3011	Bakers	0.10%	$43,019
51-6011	Laundry and Dry-Cleaning Workers	1.98%	$43,923
51-8021	Stationary Engineers and Boiler Operators	0.10%	$107,182
	Weighted Average Annual Wage	**2.19%**	**$46,892**

53-0000	**Transportation and Material Moving Occupations**		
53-6021	Parking Attendants	0.31%	$41,730
53-7062	Laborers and Freight, Stock, and Material Movers, Hand	0.10%	$46,694
53-7065	Stockers and Order Fillers	0.10%	$44,304
	Weighted Average Annual Wage	**0.52%**	**$43,238**
	Total	**100%**	**$56,123**

Exhibit 23: Wages and Distribution of Occupations, Office Prototype

Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

SOC Code	Occupational Title	% of Total Office/ R&D/ Medical Office Workers	Average Annual Wage
11-0000	**Management Occupations**		**$182,794**
11-1011	Chief Executives	0.35%	$277,159
11-1021	General and Operations Managers	4.04%	$166,029
11-2021	Marketing Managers	0.65%	$208,880
11-2022	Sales Managers	0.53%	$188,903
11-3021	Computer and Information Systems Managers	1.24%	$222,368
11-3031	Financial Managers	1.11%	$202,480
11-9041	Architectural and Engineering Managers	1.26%	$211,825
11-9199	Managers, All Other	1.37%	$195,920
	Weighted Average Annual Wage	**10.55%**	**$193,345**
13-0000	**Business and Financial Operations Occupations**		
13-1071	Human Resources Specialists	1.41%	$103,287
13-1111	Management Analysts	0.94%	$133,161
13-1151	Training and Development Specialists	0.40%	$93,874
13-1161	Market Research Analysts and Marketing Specialists	1.04%	$116,548
13-2011	Accountants and Auditors	1.42%	$112,447
13-2052	Personal Financial Advisors	0.07%	$171,889
13-2072	Loan Officers	1.30%	$105,910
13-1199	Business Operations Specialists, All Other	1.87%	$101,412
13-2051	Financial and Investment Analysts	0.45%	$129,565
	Weighted Average Annual Wage	**8.90%**	**$110,894**
15-0000	**Computer and Mathematical Occupations**		
15-1211	Computer Systems Analysts	1.11%	$138,386
15-1231	Computer Network Support Specialists	0.14%	$90,574
15-1232	Computer User Support Specialists	0.76%	$78,794
15-1241	Computer Network Architects	0.42%	$161,662
15-1244	Network and Computer Systems Administrators	0.67%	$121,277
15-1251	Computer Programmers	0.82%	$132,360
15-1252	Software Developers	3.80%	$168,107
	Weighted Average Annual Wage	**7.72%**	**$145,419**
17-0000	**Architecture and Engineering Occupations**		
17-2011	Aerospace Engineers	0.43%	$156,296
17-2051	Civil Engineers	1.40%	$118,596
17-2061	Computer Hardware Engineers	1.04%	$194,282
17-2071	Electrical Engineers	1.07%	$141,791

17-2112	Industrial Engineers	0.73%	$126,365
17-2141	Mechanical Engineers	1.62%	$141,095
17-3011	Architectural and Civil Drafters	0.58%	$78,006
17-2072	Electronics Engineers, Except Computer	0.64%	$146,927
17-2199	Engineers, All Other	0.98%	$134,380
17-3023	Electrical and Electronic Engineering Technologists and Technicians	0.47%	$76,889
17-1011	Architects, Except Landscape and Naval	0.71%	$117,966
17-3029	Engineering Technologists and Technicians, Except Drafters, All Other	0.56%	$62,920
	Weighted Average Annual Wage	**10.23%**	**$130,355**
19-0000	**Life, Physical, and Social Science Occupations**		
19-1021	Biochemists and Biophysicists	1.56%	$134,996
19-2031	Chemists	1.15%	$103,360
19-4021	Biological Technicians	1.99%	$67,556
19-4031	Chemical Technicians	0.56%	$62,206
19-4061	Social Science Research Assistants	0.59%	$69,781
19-1042	Medical Scientists, Except Epidemiologists	3.17%	$141,834
19-2041	Environmental Scientists and Specialists, Including Health	0.32%	$114,614
19-4099	Life, Physical, and Social Science Technicians, All Other	0.79%	$79,138
19-4031	Chemical Technicians	0.56%	$62,206
	Weighted Average Annual Wage	**10.70%**	**$105,082**
21-0000	**Community and Social Service Occupations**		
21-1015	Rehabilitation Counselors	0.04%	$53,066
21-1022	Healthcare Social Workers	0.17%	$99,733
21-1023	Mental Health and Substance Abuse Social Workers	0.28%	$89,862
21-1093	Social and Human Service Assistants	0.34%	$54,941
21-1094	Community Health Workers	0.07%	$69,917
21-1014	Substance Abuse, Behavioral Disorder, and Mental Health Counselors	0.00%	$46,438
21-1021	Child, Family, and School Social Workers	0.09%	$76,758
21-1091	Health Education Specialists	0.11%	$81,091
21-1099	Community and Social Service Specialists, All Other	0.02%	$68,674
21-1012	Educational, Guidance, and Career Counselors and Advisors	0.07%	$83,853
	Weighted Average Annual Wage	**1.19%**	**$76,297**
23-0000	**Legal Occupations**		
23-1011	Lawyers	0.41%	$204,129
23-2011	Paralegals and Legal Assistants	0.11%	$80,967
23-2093	Title Examiners, Abstractors, and Searchers	0.03%	$57,821
	Weighted Average Annual Wage	**0.54%**	**$168,553**
25-0000	**Education, Training, and Library Occupations**		
25-3031	Substitute Teachers, Short-Term	0.06%	$52,298
25-9045	Teaching Assistants, Except Postsecondary	0.02%	$44,253
25-3099	Teachers and Instructors, All Other	0.08%	$76,580
	Weighted Average Annual Wage	**0.16%**	**$62,889**
27-0000	**Arts, Design, Entertainment, Sports, and Media Occupations**		
27-1011	Art Directors	0.04%	$167,299
27-2012	Producers and Directors	0.38%	$126,943
27-3031	Public Relations Specialists	0.33%	$92,207

27-3042	Technical Writers	0.29%	$124,172
27-3043	Writers and Authors	0.08%	$123,505
27-1014	Special Effects Artists and Animators	0.05%	$126,178
27-3023	News Analysts, Reporters, and Journalists	0.08%	$67,877
27-4011	Audio and Video Technicians	0.05%	$66,932
	Weighted Average Annual Wage	**1.29%**	**$112,585**
29-0000	**Healthcare Practitioners and Technical Occupations**		
29-1071	Physician Assistants	0.15%	$179,462
29-1141	Registered Nurses	2.17%	$158,923
29-1171	Nurse Practitioners	0.32%	$191,702
29-1292	Dental Hygienists	0.04%	$123,178
29-2061	Licensed Practical and Licensed Vocational Nurses	0.47%	$78,178
29-1229	Physicians, All Other	0.14%	$253,210
29-1249	Surgeons, All Other	0.01%	$534,921
29-1215	Family Medicine Physicians	0.07%	$291,993
29-1021	Dentists, General	0.03%	$185,805
29-9021	Health Information Technologists and Medical Registrars	0.07%	$104,205
	Weighted Average Annual Wage	**3.46%**	**$156,680**
31-0000	**Healthcare Support Occupations**		
31-1131	Nursing Assistants	0.31%	$54,433
31-9091	Dental Assistants	0.09%	$58,907
31-9092	Medical Assistants	0.97%	$57,695
31-1120	Home Health and Personal Care Aides	0.33%	$38,035
	Weighted Average Annual Wage	**1.71%**	**$53,317**
33-0000	**Protective Service Occupations**		
33-9032	Security Guards	4.87%	$47,017
33-1099	First-Line Supervisors of Protective Service Workers, All Other	0.02%	$98,506
	Weighted Average Annual Wage	**4.89%**	**$47,222**
35-0000	**Food Preparation and Serving Related Occupations**		
35-1012	First-Line Supervisors of Food Preparation and Serving Workers	0.03%	$57,630
35-2021	Food Preparation Workers	0.03%	$42,583
35-3011	Bartenders	0.02%	$43,847
35-3031	Waiters and Waitresses	0.07%	$40,380
35-9011	Dining Room and Cafeteria Attendants and Bartender Helpers	0.02%	$39,957
35-9021	Dishwashers	0.03%	$39,368
35-3023	Fast Food and Counter Workers	0.10%	$39,414
35-2012	Cooks, Institution and Cafeteria	0.03%	$51,210
35-3041	Food Servers, Nonrestaurant	0.02%	$47,984
35-2014	Cooks, Restaurant	0.03%	$44,409
	Weighted Average Annual Wage	**0.38%**	**$43,040**
37-0000	**Building and Grounds Cleaning and Maintenance Occupations**		
37-1011	First-Line Supervisors of Housekeeping and Janitorial Workers	0.41%	$64,872
37-2012	Maids and Housekeeping Cleaners	0.74%	$47,256
37-2021	Pest Control Workers	0.55%	$52,211
37-3011	Landscaping and Groundskeeping Workers	3.63%	$51,682

37-2011	Janitors and Cleaners, Except Maids and Housekeeping Cleaners	5.95%	$44,898
37-1012	First-Line Supervisors of Landscaping, Lawn Service, and Groundskeeping Workers	0.52%	$72,931
	Weighted Average Annual Wage	**11.79%**	**$49,407**
39-0000	**Personal Care and Service Occupations**		
39-1022	First-Line Supervisors of Personal Service Workers	0.02%	$55,446
39-9011	Childcare Workers	0.04%	$42,532
39-9032	Recreation Workers	0.02%	$42,387
39-3031	Ushers, Lobby Attendants, and Ticket Takers	0.21%	$41,187
39-2021	Animal Caretakers	0.28%	$43,479
	Weighted Average Annual Wage	**0.56%**	**$42,980**
41-0000	**Sales and Related Occupations**		
41-1012	First-Line Supervisors of Non-Retail Sales Workers	0.11%	$105,977
41-2031	Retail Salespersons	0.34%	$43,043
41-3021	Insurance Sales Agents	1.26%	$103,787
41-9041	Telemarketers	0.03%	$42,521
41-3091	Sales Representatives of Services, Except Advertising, Insurance, Financial Services, and Travel	1.10%	$106,827
41-3031	Securities, Commodities, and Financial Services Sales Agents	0.34%	$119,701
41-4011	Sales Representatives, Wholesale and Manufacturing, Technical and Scientific Products	0.55%	$128,326
41-4012	Sales Representatives, Wholesale and Manufacturing, Except Technical and Scientific Products	0.29%	$103,787
	Weighted Average Annual Wage	**4.03%**	**$103,801**
43-0000	**Office and Administrative Support Occupations**		
43-1011	First-Line Supervisors of Office and Administrative Support Workers	1.26%	$83,476
43-3021	Billing and Posting Clerks	0.36%	$57,611
43-3071	Tellers	0.06%	$45,514
43-4051	Customer Service Representatives	2.65%	$53,875
43-4171	Receptionists and Information Clerks	1.06%	$46,410
43-6011	Executive Secretaries and Executive Administrative Assistants	0.88%	$94,596
43-9061	Office Clerks, General	2.40%	$51,810
43-6014	Secretaries and Administrative Assistants, Except Legal, Medical, and Executive	2.09%	$60,598
43-3031	Bookkeeping, Accounting, and Auditing Clerks	1.26%	$61,925
43-6013	Medical Secretaries and Administrative Assistants	0.71%	$54,517
	Weighted Average Annual Wage	**12.71%**	**$60,615**
45-0000	**Farming, Fishing, and Forestry Occupations**		
45-2092	Farmworkers and Laborers, Crop, Nursery, and Greenhouse	0.15%	$44,294
45-2011	Agricultural Inspectors	0.00%	$62,685
	Weighted Average Annual Wage	**0.15%**	**$44,738**
47-0000	**Construction and Extraction Occupations**		
47-1011	First-Line Supervisors of Construction Trades and Extraction Workers	0.07%	$108,978
47-2031	Carpenters	0.10%	$81,183
47-2073	Operating Engineers and Other Construction Equipment Operators	0.04%	$95,692

47-2111	Electricians	0.18%	$106,733
47-4011	Construction and Building Inspectors	0.32%	$115,036
47-2152	Plumbers, Pipefitters, and Steamfitters	0.07%	$95,014
47-2141	Painters, Construction and Maintenance	0.02%	$65,145
	Weighted Average Annual Wage	**0.79%**	**$104,749**
49-0000	**Installation, Maintenance, and Repair Occupations**		
49-9071	Maintenance and Repair Workers, General	0.65%	$61,607
49-2022	Telecommunications Equipment Installers and Repairers, Except Line Installers	0.02%	$79,044
49-9099	Installation, Maintenance, and Repair Workers, All Other	0.16%	$55,778
49-1011	First-Line Supervisors of Mechanics, Installers, and Repairers	0.16%	$94,340
49-2098	Security and Fire Alarm Systems Installers	0.35%	$69,823
	Weighted Average Annual Wage	**1.34%**	**$67,234**
51-0000	**Production Occupations**		
51-4041	Machinists	0.15%	$70,003
51-9111	Packaging and Filling Machine Operators and Tenders	0.19%	$50,133
51-9198	Helpers--Production Workers	0.17%	$40,567
51-2090	Miscellaneous Assemblers and Fabricators	1.11%	$45,163
51-9199	Production Workers, All Other	0.46%	$50,746
51-9061	Inspectors, Testers, Sorters, Samplers, and Weighers	0.68%	$59,129
51-2028	Electrical, Electronic, and Electromechanical Assemblers, Except Coil Winders, Tapers, and Finishers	0.19%	$50,690
	Weighted Average Annual Wage	**2.95%**	**$50,917**
53-0000	**Transportation and Material Moving Occupations**		
53-3032	Heavy and Tractor-Trailer Truck Drivers	0.16%	$66,311
53-7051	Industrial Truck and Tractor Operators	0.35%	$53,668
53-7062	Laborers and Freight, Stock, and Material Movers, Hand	2.75%	$46,694
53-7064	Packers and Packagers, Hand	0.58%	$42,018
53-3033	Light Truck Drivers	0.10%	$53,090
	Weighted Average Annual Wage	**3.94%**	**$47,584**
	Total	**100.00%**	**$101,396**

Exhibit 24: Wages and Distribution of Occupations, Retail Prototype

Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

SOC Code	Occupational Title	% of Total Retail Workers	Mean Annual Wage
11-0000	**Management Occupations**		
11-1021	General and Operations Managers	2.31%	$166,029
11-2022	Sales Managers	0.01%	$188,903
11-9051	Food Service Managers	2.45%	$74,812
	Weighted Average Annual Wage	**4.77%**	**$119,155**
13-0000	**Business and Financial Operations Occupations**		
13-1051	Cost Estimators	0.15%	$105,456
13-1071	Human Resources Specialists	0.01%	$103,287
13-1151	Training and Development Specialists	0.29%	$93,874
13-1161	Market Research Analysts and Marketing Specialists	0.15%	$116,548
13-2011	Accountants and Auditors	0.02%	$112,447
13-1199	Business Operations Specialists, all other	0.01%	$101,412

13-1020	Buyers and Purchasing Agents	0.01%	$90,147
	Weighted Average Annual Wage	**0.64%**	**$102,764**
33-0000	**Protective Service Occupations**		
33-9032	Security Guards	0.14%	$47,017
	Weighted Average Annual Wage	**0.14%**	**$47,017**
35-0000	**Food Preparation and Serving Related Occupations**		
35-2021	Food Preparation Workers	6.06%	$42,583
35-3031	Waiters and Waitresses	23.67%	$40,380
35-9011	Dining Room and Cafeteria Attendants and Bartender Helpers	3.18%	$39,957
35-9021	Dishwashers	4.47%	$39,368
35-2014	Cooks, Restaurant	15.88%	$44,409
35-1012	First-Line Supervisors of Food Preparation and Serving Workers	12.41%	$57,630
35-2011	Cooks, Fast Food	11.26%	$37,617
	Weighted Average Annual Wage	**76.93%**	**$43,688**
37-0000	**Building and Grounds Cleaning and Maintenance Occupations**		
37-2011	Janitors and Cleaners, Except Maids and Housekeeping Cleaners	0.48%	$44,898
	Weighted Average Annual Wage	**0.48%**	**$44,898**
41-0000	**Sales and Related Occupations**		
41-1011	First-Line Supervisors of Retail Sales Workers	0.16%	$57,904
41-2011	Cashiers	5.42%	$38,957
41-2031	Retail Salespersons	0.16%	$43,043
	Weighted Average Annual Wage	**5.74%**	**$39,606**
43-0000	**Office and Administrative Support Occupations**		
43-1011	First-Line Supervisors of Office and Administrative Support Workers	0.05%	$83,476
43-4051	Customer Service Representatives	0.27%	$53,875
43-4051	Office Clerks, General	0.27%	$51,810
43-3031	Bookkeeping, Accounting, and Auditing Clerks	0.46%	$61,925
43-5071	Shipping, Receiving, and Inventory Clerks	0.01%	$49,292
	Weighted Average Annual Wage	**1.05%**	**$58,284**
47-0000	**Construction and Extraction Occupations**	**0.00%**	
47-2121	Glaziers	0.01%	$75,843
	Weighted Average Annual Wage	**0.01%**	**$75,843**
49-0000	**Installation, Maintenance, and Repair Occupations**		
49-3021	Automotive Body and Related Repairers	0.97%	$66,830
49-3023	Automotive Service Technicians and Mechanics	2.11%	$65,028
49-3031	Bus and Truck Mechanics and Diesel Engine Specialists	0.22%	$78,130
49-3093	Tire Repairers and Changers	0.07%	$46,971
49-9071	Maintenance and Repair Workers, General	0.32%	$61,607
49-1011	First Line Supervisors of Mechanics, Installers, and Repairers	0.41%	$94,340
	Weighted Average Annual Wage	**4.10%**	**$68,472**

51-0000	**Production Occupations**		
51-1011	First-Line Supervisors of Production and Operating Workers	0.01%	$87,146
51-3011	Bakers	0.58%	$43,019
	Weighted Average Annual Wage	**0.59%**	**$43,682**
53-0000	**Transportation and Material Moving Occupations**		
53-3031	Driver/Sales Workers	3.61%	$44,082
53-6031	Automotive and Watercraft Service Attendants	0.33%	$41,060
53-7061	Cleaners of Vehicles and Equipment	1.38%	$42,762
53-7062	Laborers and Freight, Stock, and Material Movers, Hand	0.03%	$46,694
53-3033	Light Truck Drivers	0.19%	$53,090
53-7065	Stockers and Order Fillers	0.01%	$44,304
	Weighted Average Annual Wage	**5.55%**	**$43,889**
	Total	**100%**	**$48,624**

Exhibit 25: Wages and Distribution of Occupations, Life Sciences Prototype

Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

SOC Code	Occupation Title	% of Occupations in Prototype	Average Annual Wage
11-0000	Management Occupations		
11-1011	Chief executives	0.41%	$277,159
11-1021	General and operations managers	3.86%	$166,029
11-2011	Advertising and promotions managers	0.02%	$163,810
11-2021	Marketing managers	0.91%	$208,880
11-2022	Sales managers	0.63%	$188,903
11-2032	Public relations managers	0.18%	$163,304
11-3012	Administrative services managers	0.41%	$138,888
11-3013	Facilities managers	0.17%	$125,276
11-3021	Computer and information systems managers	1.56%	$222,368
11-3031	Financial managers	1.22%	$202,480
11-3051	Industrial production managers	0.49%	$172,009
11-3061	Purchasing managers	0.30%	$169,427
11-3071	Transportation, storage, and distribution managers	0.16%	$132,716
11-3111	Compensation and benefits managers	0.02%	$173,115
11-3121	Human resources managers	0.45%	$187,456
11-3131	Training and development managers	0.10%	$177,916
11-9021	Construction managers	0.04%	$148,728
11-9039	Education administrators, all other	0.06%	$112,717
11-9041	Architectural and engineering managers	1.09%	$211,825
11-9051	Food service managers	0.04%	$74,812
11-9111	Medical and health services managers	0.69%	$156,628
11-9121	Natural sciences managers	2.34%	$228,899
11-9141	Property, real estate, and community association managers	0.06%	$87,619
11-9151	Social and community service managers	0.02%	$92,720
11-9199	Managers, all other	1.55%	$195,920
	Weighted Average Annual Wage	16.80%	$192,531
13-0000	Business and Financial Operations Occupations		
13-1020	Buyers and purchasing agents	0.83%	$90,147

13-1031	Claims adjusters, examiners, and investigators	0.01%	$82,394
13-1041	Compliance officers	0.74%	$106,770
13-1051	Cost estimators	0.04%	$105,456
13-1071	Human resources specialists	1.14%	$103,287
13-1075	Labor relations specialists	0.01%	$92,431
13-1081	Logisticians	0.50%	$95,519
13-1082	Project management specialists	2.02%	$135,030
13-1111	Management analysts	2.03%	$133,161
13-1121	Meeting, convention, and event planners	0.10%	$84,051
13-1131	Fundraisers	0.08%	$86,009
13-1141	Compensation, benefits, and job analysis specialists	0.16%	$99,764
13-1151	Training and development specialists	0.50%	$93,874
13-1161	Market research analysts and marketing specialists	1.59%	$116,548
13-1199	Business operations specialists, all other	2.19%	$101,412
13-2011	Accountants and auditors	1.68%	$112,447
13-2020	Property appraisers and assessors	0.01%	$95,564
13-2031	Budget analysts	0.10%	$99,593
13-2041	Credit analysts	0.04%	$115,534
13-2051	Financial and investment analysts	0.57%	$129,565
13-2052	Personal financial advisors	0.05%	$171,889
13-2053	Insurance underwriters	0.01%	$108,297
13-2054	Financial risk specialists	0.05%	$147,887
13-2061	Financial examiners	0.02%	$140,729
13-2072	Loan officers	0.08%	$105,910
13-2082	Tax preparers	0.02%	$71,571
13-2099	Financial specialists, all other	0.15%	$114,300
		14.71%	$114,075
15-0000	Computer and Mathematical Occupations		
15-1211	Computer systems analysts	1.31%	$138,386
15-1212	Information security analysts	0.67%	$157,170
15-1221	Computer and information research scientists	0.45%	$225,366
15-1231	Computer network support specialists	0.17%	$90,574
15-1232	Computer user support specialists	0.75%	$78,794
15-1241	Computer network architects	0.46%	$161,662
15-1242	Database administrators	0.20%	$128,950
15-1243	Database architects	0.11%	$176,025
15-1244	Network and computer systems administrators	0.76%	$121,277
15-1251	Computer programmers	0.93%	$132,360
15-1252	Software developers	4.30%	$168,107
15-1253	Software quality assurance analysts and testers	0.46%	$133,592
15-1254	Web developers	0.13%	$121,411
15-1255	Web and digital interface designers	0.11%	$137,501
15-1299	Computer occupations, all other	0.67%	$140,999
15-2011	Actuaries	0.02%	$129,942
15-2031	Operations research analysts	0.45%	$114,989
15-2041	Statisticians	0.48%	$133,195
15-2051	Data scientists	0.59%	$162,582
15-2099	Mathematical science occupations, all other	0.06%	$75,278
		13.08%	$147,248
17-0000	Architecture and Engineering Occupations		
17-1021	Cartographers and photogrammetrists	0.01%	$112,523
17-2011	Aerospace engineers	0.47%	$156,296

17-2031	Bioengineers and biomedical engineers	0.41%	$127,159
17-2041	Chemical engineers	0.26%	$107,978
17-2051	Civil engineers	0.11%	$118,596
17-2061	Computer hardware engineers	1.15%	$194,282
17-2071	Electrical engineers	1.01%	$141,791
17-2072	Electronics engineers, except computer	0.70%	$146,927
17-2081	Environmental engineers	0.11%	$132,078
17-2111	Health and safety engineers, except mining safety engineers and inspectors	0.08%	$122,841
17-2112	Industrial engineers	0.86%	$126,365
17-2131	Materials engineers	0.14%	$114,170
17-2141	Mechanical engineers	1.37%	$141,095
17-2171	Petroleum engineers	0.10%	$145,844
17-2199	Engineers, all other	0.99%	$134,380
17-3011	Architectural and civil drafters	0.01%	$78,006
17-3012	Electrical and electronics drafters	0.01%	$92,488
17-3013	Mechanical drafters	0.08%	$84,961
17-3023	Electrical and electronic engineering technologists and technicians	0.49%	$76,889
17-3025	Environmental engineering technologists and technicians	0.02%	$77,875
17-3026	Industrial engineering technologists and technicians	0.18%	$76,133
17-3027	Mechanical engineering technologists and technicians	0.35%	$74,843
17-3028	Calibration technologists and technicians	0.07%	$80,984
17-3029	Engineering technologists and technicians, except drafters, all other	0.50%	$62,920
17-3031	Surveying and mapping technicians	0.01%	$76,885
		9.50%	$131,988
19-0000	Life, Physical, and Social Science Occupations		
19-1012	Food scientists and technologists	0.08%	$113,158
19-1013	Soil and plant scientists	0.28%	$96,381
19-1021	Biochemists and biophysicists	1.70%	$134,996
19-1022	Microbiologists	0.47%	$117,210
19-1023	Zoologists and wildlife biologists	0.07%	$95,482
19-1029	Biological scientists, all other	1.16%	$110,508
19-1041	Epidemiologists	0.06%	$113,332
19-1042	Medical scientists, except epidemiologists	3.58%	$141,834
19-1099	Life scientists, all other	0.13%	$139,487
19-2012	Physicists	0.78%	$189,198
19-2021	Atmospheric and space scientists	0.13%	$124,440
19-2031	Chemists	1.21%	$103,360
19-2032	Materials scientists	0.14%	$117,042
19-2041	Environmental scientists and specialists, including health	0.38%	$114,614
19-2042	Geoscientists, except hydrologists and geographers	0.11%	$117,928
19-2043	Hydrologists	0.01%	$119,541
19-2099	Physical scientists, all other	0.20%	$124,639
19-3011	Economists	0.15%	$167,644
19-3022	Survey researchers	0.15%	$84,626
19-3033	Clinical and counseling psychologists	0.13%	$128,973
19-3039	Psychologists, all other	0.06%	$128,140
19-3041	Sociologists	0.13%	$113,637
19-3051	Urban and regional planners	0.01%	$122,798
19-3091	Anthropologists and archeologists	0.20%	$81,182

19-3093	Historians	0.06%	$92,037
19-3099	Social scientists and related workers, all other	0.33%	$85,554
19-4021	Biological technicians	2.18%	$67,556
19-4031	Chemical technicians	0.55%	$62,206
19-4042	Environmental science and protection technicians, including health	0.11%	$72,488
19-4061	Social science research assistants	0.65%	$69,781
19-4092	Forensic science technicians	0.01%	$94,678
19-4099	Life, physical, and social science technicians, all other	0.81%	$79,138
19-5011	Occupational health and safety specialists	0.23%	$112,559
19-5012	Occupational health and safety technicians	0.02%	$65,387
		16.30%	$112,570
21-0000	Community and Social Service Occupations		
21-1012	Educational, guidance, and career counselors and advisors	0.06%	$83,853
21-1018	Substance abuse, behavioral disorder, and mental health counselors	0.09%	$62,877
21-1021	Child, family, and school social workers	0.01%	$76,758
21-1022	Healthcare social workers	0.02%	$99,733
21-1091	Health education specialists	0.08%	$81,091
21-1093	Social and human service assistants	0.09%	$54,941
21-1099	Community and social service specialists, all other	0.01%	$68,674
		0.37%	$71,344
23-0000	Legal Occupations		
23-1011	Lawyers	0.46%	$204,129
23-2011	Paralegals and legal assistants	0.11%	$80,967
		0.57%	$180,141
25-0000	Education, Training, and Library Occupations		
25-3099	Teachers and instructors, all other	0.06%	$76,580
25-9031	Instructional coordinators	0.09%	$81,283
		0.09%	$81,283
27-0000	Arts, Design, Entertainment, Sports, and Media Occupations		
27-1011	Art directors	0.03%	$167,299
27-1021	Commercial and industrial designers	0.02%	$116,693
27-1022	Fashion designers	0.02%	$102,028
27-1024	Graphic designers	0.20%	$91,091
27-1025	Interior designers	0.01%	$86,378
27-1026	Merchandise displayers and window trimmers	0.03%	$50,208
27-2012	Producers and directors	0.02%	$126,943
27-3031	Public relations specialists	0.39%	$92,207
27-3041	Editors	0.15%	$90,019
27-3042	Technical writers	0.32%	$124,172
27-3043	Writers and authors	0.10%	$123,505
27-3091	Interpreters and translators	0.11%	$92,113
27-4011	Audio and video technicians	0.01%	$66,932
27-4021	Photographers	0.10%	$76,893
27-4031	Camera operators, television, video, and film	0.00%	$73,440
27-4032	Film and video editors	0.00%	$94,098
27-4099	Media and communication equipment workers, all other	0.00%	$68,000
		1.53%	$100,752
29-0000	Healthcare Practitioners and Technical Occupations		
29-1051	Pharmacists	0.02%	$168,824

29-1071	Physician assistants	0.01%	$179,462
29-1123	Physical therapists	0.01%	$123,442
29-1124	Radiation therapists	0.01%	$165,024
29-1131	Veterinarians	0.37%	$148,014
29-1141	Registered nurses	0.42%	$158,923
29-1171	Nurse practitioners	0.07%	$191,702
29-1229	Physicians, all other	0.09%	$253,210
29-2010	Clinical laboratory technologists and technicians	2.26%	$77,952
29-2031	Cardiovascular technologists and technicians	0.01%	$92,109
29-2032	Diagnostic medical sonographers	0.20%	$135,057
29-2033	Nuclear medicine technologists	0.02%	$151,491
29-2034	Radiologic technologists and technicians	0.38%	$122,571
29-2035	Magnetic resonance imaging technologists	0.17%	$129,264
29-2042	Emergency medical technicians	0.01%	$82,351
29-2043	Paramedics	0.01%	$72,921
29-2052	Pharmacy technicians	0.02%	$59,969
29-2056	Veterinary technologists and technicians	0.64%	$56,960
29-2061	Licensed practical and licensed vocational nurses	0.03%	$78,178
29-2072	Medical records specialists	0.19%	$68,810
29-2099	Health technologists and technicians, all other	0.11%	$72,937
29-9021	Health information technologists and medical registrars	0.08%	$104,205
29-9092	Genetic counselors	0.01%	$137,160
29-9099	Healthcare practitioners and technical workers, all other	0.09%	$86,836
		5.24%	$100,112
31-0000	Healthcare Support Occupations		
31-1120	Home health and personal care aides	0.04%	$38,035
31-1131	Nursing assistants	0.02%	$54,433
31-9092	Medical assistants	0.15%	$57,695
31-9093	Medical equipment preparers	0.01%	$71,638
31-9094	Medical transcriptionists	0.05%	$55,759
31-9096	Veterinary assistants and laboratory animal caretakers	0.60%	$44,755
31-9097	Phlebotomists	1.18%	$57,985
31-9099	Healthcare support workers, all other	0.10%	$58,895
		2.15%	$53,969
33-0000	Protective Service Occupations		
33-9021	Private detectives and investigators	0.01%	$82,094
33-9032	Security guards	0.21%	$47,017
33-9099	Protective service workers, all other	0.01%	$60,847
		0.23%	$49,470
35-0000	Food Preparation and Serving Related Occupations		
35-1012	First-line supervisors of food preparation and serving workers	0.02%	$57,630
35-2014	Cooks, restaurant	0.01%	$44,409
35-3023	Fast food and counter workers	0.02%	$39,414
35-3031	Waiters and waitresses	0.01%	$40,380
		0.07%	$46,480
37-0000	Building and Grounds Cleaning and Maintenance Occupations		
37-2011	Janitors and cleaners, except maids and housekeeping cleaners	0.22%	$44,898
37-2012	Maids and housekeeping cleaners	0.01%	$47,256
37-3011	Landscaping and groundskeeping workers	0.03%	$51,682

		0.41%	$45,978
39-0000	Personal Care and Service Occupations		
39-1022	First-line supervisors of personal service workers	0.00%	$55,446
39-2021	Animal caretakers	0.31%	$43,479
		0.32%	$43,632
41-0000	Sales and Related Occupations		
41-1011	First-line supervisors of retail sales workers	0.03%	$57,904
41-1012	First-line supervisors of non-retail sales workers	0.09%	$105,977
41-2011	Cashiers	0.03%	$38,957
41-2021	Counter and rental clerks	0.01%	$44,954
41-2031	Retail salespersons	0.06%	$43,043
41-3011	Advertising sales agents	0.02%	$87,298
41-3021	Insurance sales agents	0.03%	$103,787
41-3031	Securities, commodities, and financial services sales agents	0.08%	$119,701
41-3091	Sales representatives of services, except advertising, insurance, financial services, and travel	1.06%	$106,827
41-4011	Sales representatives, wholesale and manufacturing, technical and scientific products	0.72%	$128,326
41-4012	Sales representatives, wholesale and manufacturing, except technical and scientific products	0.44%	$89,460
41-9011	Demonstrators and product promoters	0.02%	$48,881
41-9022	Real estate sales agents	0.01%	$72,777
41-9031	Sales engineers	0.11%	$159,629
41-9041	Telemarketers	0.06%	$42,521
41-9099	Sales and related workers, all other	0.04%	$78,750
		2.80%	$106,815
43-0000	Office and Administrative Support Occupations		
43-1011	First-line supervisors of office and administrative support workers	0.93%	$83,476
43-2011	Switchboard operators, including answering service	0.01%	$54,000
43-3011	Bill and account collectors	0.10%	$58,962
43-3021	Billing and posting clerks	0.37%	$57,611
43-3031	Bookkeeping, accounting, and auditing clerks	1.13%	$61,925
43-3051	Payroll and timekeeping clerks	0.09%	$70,817
43-3061	Procurement clerks	0.03%	$58,701
43-3071	Tellers	0.01%	$45,514
43-3099	Financial clerks, all other	0.01%	$74,233
43-4041	Credit authorizers, checkers, and clerks	0.01%	$62,160
43-4051	Customer service representatives	1.61%	$53,875
43-4071	File clerks	0.03%	$51,299
43-4111	Interviewers, except eligibility and loan	0.33%	$54,845
43-4131	Loan interviewers and clerks	0.07%	$61,523
43-4141	New accounts clerks	0.01%	$54,596
43-4151	Order clerks	0.03%	$48,577
43-4161	Human resources assistants, except payroll and timekeeping	0.15%	$57,404
43-4171	Receptionists and information clerks	0.60%	$46,410
43-4199	Information and record clerks, all other	0.10%	$62,758
43-5011	Cargo and freight agents	0.02%	$54,613
43-5021	Couriers and messengers	0.32%	$41,626
43-5032	Dispatchers, except police, fire, and ambulance	0.04%	$46,736

43-5061	Production, planning, and expediting clerks	0.40%	$67,345
43-5071	Shipping, receiving, and inventory clerks	0.32%	$49,292
43-5111	Weighers, measurers, checkers, and samplers, recordkeeping	0.00%	$50,700
43-6011	Executive secretaries and executive administrative assistants	0.94%	$94,596
43-6013	Medical secretaries and administrative assistants	0.36%	$54,517
43-6014	Secretaries and administrative assistants, except legal, medical, and executive	1.45%	$60,598
43-9021	Data entry keyers	0.17%	$47,648
43-9041	Insurance claims and policy processing clerks	0.05%	$64,087
43-9051	Mail clerks and mail machine operators, except postal service	0.01%	$43,268
43-9061	Office clerks, general	1.38%	$51,810
43-9071	Office machine operators, except computer	0.01%	$48,805
43-9081	Proofreaders and copy markers	0.00%	$67,168
43-9111	Statistical assistants	0.06%	$72,796
43-9199	Office and administrative support workers, all other	0.12%	$60,466
		11.30%	$61,358
45-0000	Farming, Fishing, and Forestry Occupations		
45-2011	Agricultural inspectors	0.00%	$62,685
45-2092	Farmworkers and laborers, crop, nursery, and greenhouse	0.13%	$44,294
47-1011	First-line supervisors of construction trades and extraction workers	0.02%	$108,978
47-2031	Carpenters	0.01%	$81,183
47-2061	Construction laborers	0.03%	$61,169
47-2111	Electricians	0.08%	$106,733
47-4011	Construction and building inspectors	0.05%	$115,036
		0.32%	$77,788
49-0000	Installation, Maintenance, and Repair Occupations		
49-1011	First-line supervisors of mechanics, installers, and repairers	0.11%	$94,340
49-2022	Telecommunications equipment installers and repairers, except line installers	0.02%	$79,044
49-2091	Avionics technicians	0.01%	$94,027
49-2094	Electrical and electronics repairers, commercial and industrial equipment	0.04%	$83,604
49-3011	Aircraft mechanics and service technicians	0.06%	$90,866
49-3023	Automotive service technicians and mechanics	0.01%	$65,028
49-3031	Bus and truck mechanics and diesel engine specialists	0.01%	$78,130
49-3042	Mobile heavy equipment mechanics, except engines	0.01%	$75,244
49-9021	Heating, air conditioning, and refrigeration mechanics and installers	0.02%	$76,939
49-9041	Industrial machinery mechanics	0.11%	$80,395
49-9043	Maintenance workers, machinery	0.01%	$73,391
49-9062	Medical equipment repairers	0.01%	$88,258
49-9071	Maintenance and repair workers, general	0.45%	$61,607
49-9099	Installation, maintenance, and repair workers, all other	0.01%	$55,778
		0.89%	$72,969
51-0000	Production Occupations		
51-1011	First-line supervisors of production and operating workers	0.33%	$87,146
51-2028	Electrical, electronic, and electromechanical assemblers, except coil winders, tapers, and finishers	0.71%	$50,690

51-2090	Miscellaneous assemblers and fabricators	0.39%	$45,163
51-4031	Cutting, punching, and press machine setters, operators, and tenders, metal and plastic	0.01%	$48,544
51-4033	Grinding, lapping, polishing, and buffing machine tool setters, operators, and tenders, metal and plastic	0.01%	$47,093
51-4041	Machinists	0.15%	$70,003
51-4081	Multiple machine tool setters, operators, and tenders, metal and plastic	0.03%	$47,615
51-4111	Tool and die makers	0.01%	$69,235
51-4121	Welders, cutters, solderers, and brazers	0.09%	$62,686
51-9011	Chemical equipment operators and tenders	0.01%	$71,003
51-9023	Mixing and blending machine setters, operators, and tenders	0.06%	$65,215
51-9061	Inspectors, testers, sorters, samplers, and weighers	0.50%	$59,129
51-9111	Packaging and filling machine operators and tenders	0.07%	$50,133
51-9124	Coating, painting, and spraying machine setters, operators, and tenders	0.01%	$57,412
51-9161	Computer numerically controlled tool operators	0.03%	$54,671
51-9162	Computer numerically controlled tool programmers	0.01%	$77,853
51-9198	Helpers--production workers	0.01%	$40,567
51-9199	Production workers, all other	0.16%	$50,746
		2.57%	$58,310
53-0000	Transportation and Material Moving Occupations		
53-1047	First-line supervisors of transportation and material moving workers, except aircraft cargo handling supervisors	0.05%	$71,293
53-2012	Commercial pilots	0.01%	$234,239
53-3031	Driver/sales workers	0.01%	$44,082
53-3032	Heavy and tractor-trailer truck drivers	0.10%	$66,311
53-3033	Light truck drivers	0.04%	$53,090
53-3053	Shuttle drivers and chauffeurs	0.02%	$43,546
53-3099	Motor vehicle operators, all other	0.01%	$52,622
53-7051	Industrial truck and tractor operators	0.04%	$53,668
53-7062	Laborers and freight, stock, and material movers, hand	0.33%	$46,694
53-7063	Machine feeders and offbearers	0.01%	$43,921
53-7064	Packers and packagers, hand	0.03%	$42,018
53-7065	Stockers and order fillers	0.18%	$44,304
		0.83%	$53,031
	Grand Total	**100.00%**	**$121,813**

Exhibit 26: Wages and Distribution of Occupations, Warehouse Prototype

Source: ECONorthwest; Quarterly Census of Employment and Wages (QCEW), December 2022; California Employment Development Department; U.S. Bureau of Labor Statistics

SOC Code	Row Labels	% of Occupations	Average Annual Wage
11-0000	**Management Occupations**		
11-1011	Chief executives	0.18%	$277,159
11-1021	General and operations managers	2.69%	$166,029
11-2021	Marketing managers	0.09%	$208,880
11-2022	Sales managers	0.36%	$188,903

11-3012	Administrative services managers	0.18%	$138,888
11-3013	Facilities managers	0.03%	$125,276
11-3021	Computer and information systems managers	0.09%	$222,368
11-3031	Financial managers	0.23%	$202,480
11-3071	Transportation, storage, and distribution managers	1.14%	$132,716
11-3121	Human resources managers	0.06%	$187,456
11-9199	Managers, all other	0.20%	$195,920
		5.24%	**$167,697**
13-0000	**Business and Financial Operations Occupations**		
13-1020	Buyers and purchasing agents	0.08%	$90,147
13-1031	Claims adjusters, examiners, and investigators	0.03%	$82,394
13-1041	Compliance officers	0.40%	$106,770
13-1051	Cost estimators	0.03%	$105,456
13-1071	Human resources specialists	0.50%	$103,287
13-1081	Logisticians	1.08%	$95,519
13-1082	Project management specialists	0.17%	$135,030
13-1111	Management analysts	0.12%	$133,161
13-1141	Compensation, benefits, and job analysis specialists	0.03%	$99,764
13-1151	Training and development specialists	0.25%	$93,874
13-1161	Market research analysts and marketing specialists	0.23%	$116,548
13-1199	Business operations specialists, all other	0.47%	$101,412
13-2011	Accountants and auditors	0.74%	$112,447
13-2041	Credit analysts	0.03%	$115,534
13-2051	Financial and investment analysts	0.03%	$129,565
13-2099	Financial specialists, all other	0.03%	$114,300
		4.22%	**$105,276**
15-0000	**Computer and Mathematical Occupations**		
15-1211	Computer systems analysts	0.09%	$138,386
15-1231	Computer network support specialists	0.06%	$90,574
15-1232	Computer user support specialists	0.20%	$78,794
15-1242	Database administrators	0.03%	$128,950
15-1244	Network and computer systems administrators	0.09%	$121,277
15-1252	Software developers	0.13%	$168,107
15-1253	Software quality assurance analysts and testers	0.03%	$133,592
15-1299	Computer occupations, all other	0.11%	$140,999
		0.74%	**$121,263**
17-0000	**Architecture and Engineering Occupations**	**22,300**	**$60.92**
17-2112	Industrial engineers	0.05%	$126,365
		0.05%	**$126,365**
19-0000	**Life, Physical, and Social Science Occupations**		
19-5011	Occupational health and safety specialists	0.16%	$112,559
19-5012	Occupational health and safety technicians	0.05%	$65,387
		0.21%	**$101,180**
27-0000	**Arts, Design, Entertainment, Sports, and Media Occupations**		
27-1026	Merchandise displayers and window trimmers	0.03%	$50,208
27-3031	Public relations specialists	0.03%	$92,207
		0.06%	**$73,398**
33-0000	**Protective Service Occupations**		

33-1099	First-line supervisors of protective service workers, all other	0.03%	$98,506
33-9032	Security guards	0.16%	$47,017
33-9099	Protective service workers, all other	0.10%	$60,847
		0.29%	**$56,569**
37-0000	**Building and Grounds Cleaning and Maintenance Occupations**		
37-2011	Janitors and cleaners, except maids and housekeeping cleaners	0.31%	$44,898
		0.31%	**$44,898**
41-0000	**Sales and Related Occupations**		
41-1012	First-line supervisors of non-retail sales workers	0.09%	$105,977
41-2031	Retail salespersons	0.03%	$43,043
41-3091	Sales representatives of services, except advertising, insurance, financial services, and travel	0.52%	$106,827
41-4012	Sales representatives, wholesale and manufacturing, except technical and scientific products	0.32%	$89,460
41-9099	Sales and related workers, all other	0.09%	$78,750
		1.05%	**$97,485**
43-0000	**Office and Administrative Support Occupations**		
43-1011	First-line supervisors of office and administrative support workers	2.13%	$83,476
43-3011	Bill and account collectors	0.09%	$58,962
43-3021	Billing and posting clerks	0.48%	$57,611
43-3031	Bookkeeping, accounting, and auditing clerks	1.75%	$61,925
43-3051	Payroll and timekeeping clerks	0.13%	$70,817
43-3061	Procurement clerks	0.03%	$58,701
43-4011	Brokerage clerks	0.06%	$69,722
43-4051	Customer service representatives	2.41%	$53,875
43-4071	File clerks	0.03%	$51,299
43-4151	Order clerks	0.24%	$48,577
43-4161	Human resources assistants, except payroll and timekeeping	0.06%	$57,404
43-4171	Receptionists and information clerks	0.11%	$46,410
43-4181	Reservation and transportation ticket agents and travel clerks	0.03%	$50,737
43-4199	Information and record clerks, all other	0.03%	$62,758
43-5011	Cargo and freight agents	7.19%	$54,613
43-5021	Couriers and messengers	0.05%	$41,626
43-5032	Dispatchers, except police, fire, and ambulance	2.37%	$46,736
43-5061	Production, planning, and expediting clerks	0.65%	$67,345
43-5071	Shipping, receiving, and inventory clerks	2.13%	$49,292
43-5111	Weighers, measurers, checkers, and samplers, recordkeeping	0.26%	$50,700
43-6011	Executive secretaries and executive administrative assistants	0.14%	$94,596
43-6014	Secretaries and administrative assistants, except legal, medical, and executive	1.07%	$60,598
43-9021	Data entry keyers	0.26%	$47,648
43-9061	Office clerks, general	2.37%	$51,810
43-9199	Office and administrative support workers, all other	0.03%	$60,466
		24.12%	**$56,922**
47-0000	**Construction and Extraction Occupations**		
47-2061	Construction laborers	0.05%	$61,169

47-2073	Operating engineers and other construction equipment operators	0.10%	$95,692
		0.15%	**$84,184**
49-0000	**Installation, Maintenance, and Repair Occupations**		
49-1011	First-line supervisors of mechanics, installers, and repairers	0.26%	$94,340
49-2094	Electrical and electronics repairers, commercial and industrial equipment	0.03%	$83,604
49-3031	Bus and truck mechanics and diesel engine specialists	2.12%	$78,130
49-3042	Mobile heavy equipment mechanics, except engines	0.08%	$75,244
49-9041	Industrial machinery mechanics	0.03%	$80,395
49-9043	Maintenance workers, machinery	0.03%	$73,391
49-9071	Maintenance and repair workers, general	0.62%	$61,607
49-9098	Helpers--installation, maintenance, and repair workers	0.10%	$49,539
49-9099	Installation, maintenance, and repair workers, all other	0.03%	$55,778
		3.27%	**$75,209**
51-0000	**Production Occupations**		
51-1011	First-line supervisors of production and operating workers	0.06%	$87,146
51-2090	Miscellaneous assemblers and fabricators	0.17%	$45,163
51-4121	Welders, cutters, solderers, and brazers	0.05%	$62,686
51-6031	Sewing machine operators	0.03%	$40,308
51-9061	Inspectors, testers, sorters, samplers, and weighers	0.22%	$59,129
51-9111	Packaging and filling machine operators and tenders	0.05%	$50,133
51-9198	Helpers--production workers	0.03%	$40,567
51-9199	Production workers, all other	0.03%	$50,746
		0.62%	**$55,622**
53-0000	**Transportation and Material Moving Occupations**		
53-3031	Driver/sales workers	0.33%	$44,082
53-3032	Heavy and tractor-trailer truck drivers	32.14%	$66,311
53-3033	Light truck drivers	2.64%	$53,090
53-3099	Motor vehicle operators, all other	0.05%	$52,622
53-6051	Transportation inspectors	0.08%	$79,733
53-7051	Industrial truck and tractor operators	6.25%	$53,668
53-7061	Cleaners of vehicles and equipment	0.13%	$42,762
53-7062	Laborers and freight, stock, and material movers, hand	10.92%	$46,694
53-7063	Machine feeders and offbearers	0.28%	$43,921
53-7064	Packers and packagers, hand	1.18%	$42,018
53-7065	Stockers and order fillers	5.66%	$44,304
		59.67%	**$57,970**
	Total	**100.00%**	**$67,038**

Exhibit 27: Affordable Rents Calculations in San Mateo County by Household Size

Source: ECONorthwest, Department of Housing and Urban Development (2023), San Mateo County Department of Housing (2023)

Persons per Household	1	2	3	4	5
Very low income (50% AMI)	$65,050	$74,350	$83,650	$92,900	$100,350
Maximum monthly housing cost	$1,626	$1,859	$2,091	$2,323	$2,509
Utility deduction	$116	$138	$184	$230	$278

Maximum available for rent	$1,510	$1,721	$1,907	$2,093	$2,231
Maximum household income	$91,070	$104,090	$117,110	$130,060	$140,490
Maximum monthly housing cost	$2,277	$2,602	$2,928	$3,252	$3,512
Utility deduction	$116	$138	$184	$230	$278
Maximum available for rent	$2,161	$2,464	$2,744	$3,022	$3,234
Moderate income (90% AMI)	$117,090	$133,830	$150,570	$167,220	$180,630
Maximum monthly housing cost	$2,927	$3,346	$3,764	$4,181	$4,516
Utility deduction	$107	$109	$129	$152	$176
Maximum available for rent	$2,820	$3,237	$3,635	$4,029	$4,340

Exhibit 28: Affordable Home Sales Price Calculations in San Mateo County by Household Size

Source: ECONorthwest, Department of Housing and Urban Development (2023), San Mateo County Department of Housing (2023)

Persons per Household	1	2	3	4	5
Moderate Income (110% AMI)	$143,110	$163,570	$184,030	$204,380	$220,770
Maximum monthly housing cost	$4,174	$4,771	$5,368	$5,961	$6,439
Monthly deductions:					
Utilities	$107	$109	$129	$152	$176
HOA dues	$300	$300	$300	$300	$300
Property taxes and insurance	$600	$700	$800	$900	$1,000
Monthly income available for mortgage	$3,167	$3,662	$4,139	$4,609	$4,963
Maximum mortgage amount	$476,030	$550,395	$622,054	$692,780	$745,995
Maximum affordable sales price	$499,832	$577,915	$653,157	$727,419	$783,295

ECONorthwest
ECONOMICS · FINANCE · PLANNING

DATE: March 27, 2024
TO: Community Development Department, City of Brisbane
FROM: Chris Blakney, Katherine Buck (ECOnorthwest)
SUBJECT: Brisbane Commercial Linkage Feasibility Analysis

Background and Summary

In 2020, the City of Brisbane commissioned a Commercial Linkage Fee Analysis that evaluated three commercial prototypes: office, biotech (life sciences), and hotel. Century Urban prepared the 2020 analysis, which was an update to a 2015 nexus study prepared for the City by Vernazza Wolfe Associates and Strategic Economics. Since preparing these previous studies, the City has not to date adopted a commercial linkage fee.

In this analysis, ECOnorthwest updates and expands on the previous analyses to reflect changing commercial market conditions, modeling five commercial prototypes: hotel, retail, office, life sciences, and warehouse. Of these prototypes, only warehouse development is economically viable under current market conditions and could potentially have sufficient value to absorb a commercial linkage fee without adverse impacts to the development market.[1]

The hotel and office results from this study are consistent with previous findings. Commercial markets are currently exhibiting adverse market conditions across the Bay Area and nationwide; these markets have been negatively impacted by COVID-19, shifts in demand, and potential oversaturation in the Bay Area. For example, market research showed high levels of hotel development in 2019, which likely did not achieve predicted profitability due to COVID-19. Under these market assumptions, it is unlikely that a developer would pursue hotel development in an already oversaturated market in the intermediate-term. Office and retail markets have also seen downturns nationwide as consumer preferences shift towards remote work, ecommerce, and changing patterns in retail space utilization influence development trends. In addition, a significant pipeline of life sciences development in the area combined with uncertain financing resources and high construction costs have made developers cautious about moving forward with new life sciences development.

Prototypes and Fee Levels

As described in the previous section, this analysis evaluates linkage fees for five commercial prototypes: hotel, retail, office, life sciences, and warehouse. Building characteristics for each prototype were based on the Brisbane zoning code and recently built or proposed projects in Brisbane, including development scenarios proposed in the Baylands Specific Plan. The inputs for gross building area and land area (acres and square feet) are standard assumptions used to conduct fee studies and do not reflect the average gross building area or lot size for new

[1] Using an average land cost of $250 per square foot; as land costs may vary, we conducted sensitivity testing on land costs (see Exhibit 7).

development in Brisbane. Building efficiency inputs represent the industry standard assumptions for efficiencies by protype. Details for each characteristic are shown in Exhibit 1.

Exhibit 1: Commercial Prototypes
Source: ECONorthwest, CoStar, City of Brisbane

	Hotel	Retail	Office	Life Sciences	Warehouse
Gross Building Area	100,000	100,000	100,000	100,000	100,000
Podium Parking Area	66,500	166,500	182,000	150,000	0
Gross Building Area Including Podium Parking	166,500	266,500	282,000	250,000	100,000
Efficiency	100%	95%	85%	85%	95%
Net Leasable Area	100,000	95,000	85,000	85,000	95,000
Hotel Rooms	133	0	0	0	0
Total Parking Spaces[2]	133	333	364	300	100
Podium Parking Spaces	133	333	364	300	0
Surface Parking Spaces	0	0	0	0	100
Floor Area Ratio	26.7	26.7	26.7	26.7	26.7
Land Area (Acres)	1.1	1.1	1.1	1.1	1.4
Land Area (SF)	50,000	50,000	50,000	50,000	60,000

Fee Levels

We tested four fee scenarios, shown below. For Scenario 1, fees were set at the maximum allowable fee from the associated Nexus Study completed as part of this study. The other fee scenarios ($5 per square foot, $10 per square foot, and $20 per square foot) were chosen based on the previous linkage study and the fee levels in other nearby jurisdictions.

Exhibit 2: Tested Fees
Source: ECONorthwest

Fee Amounts:	Hotel	Retail	Office	Life Sciences	Warehouse
Baseline	$0	$0	$0	$0	$0
Scenario 1	$254	$423	$405	$243	$231
Scenario 2	$20	$20	$20	$20	$20
Scenario 3	$10	$10	$10	$10	$10
Scenario 4	$5	$5	$5	$5	$5

Methodology

We used a pro forma model to measure the financial feasibility of the commercial prototypes using a return on cost model. It is important to note that findings in this analysis are based on the performance of these generic prototypes and current observations of market inputs like lease rates, land costs, construction costs, interest rates, and cap rates. Project specific analysis with unique characteristics (such as a low land basis or a developer with untraditional return thresholds) could yield different results.

[2] Parking minimums were determined by standards outlined in the Brisbane code section 17.34.020. With the exception of the warehouse prototypes, all prototypes have podium parking based on a review of recent development as well as space constraints in the City.

Pro Forma Inputs

Revenues

We used Cushman & Wakefield market data as well as data from CoStar—a third-party data provider—for the North San Mateo County sub-market to estimate revenues for commercial development. For all prototypes except hotel, we used triple-net (NNN) rent per square foot estimates, and thus assumed operating expenses were included in rent rates. For the hotel prototype, we calculated revenues based on current revenue per available room (RevPAR) data. Income assumptions used in the analysis are shown in Exhibit 3 below.

Exhibit 3: Pro Forma Income Assumptions
Source: ECONorthwest, CoStar, Cushman & Wakefield

	Hotel	Retail	Office	Life Sciences	Warehouse
Income Metric	RevPAR	Per sf	Per sf	Per sf	Per sf
Rents (NNN for all prototypes except hotel)	$69,350	$45	$70	$80	$25
Gross Annual Revenue	$9,223,550	$4,275,000	$5,950,000	$6,800,000	$2,375,000
Vacancy Rate (% of Gross Income)	Included in RevPAR	10%	10%	10%	10%
Operating Expenses (% of Gross Income)	70%	0%	0%	0%	0%
Annual Net Operating Incomes	**$2,767,065**	**$3,847,500**	**$5,355,000**	**$6,120,000**	**$2,137,500**

Costs

Cost estimates include hard costs (including construction materials and labor), land costs, soft costs, contingencies, and developer profit. For the retail, office, and warehouse prototypes, we used costs based on the National Building Cost Manual, developer interviews, and prior regional pro forma work. For life sciences development, costs are largely driven by high fit-out costs to equip the development with infrastructure to support life sciences research and development. To establish life sciences construction costs, we used data from the Cushman & Wakefield Life Sciences Fit-Out Cost Guide and chose a cost assumption on the lower end of the range. Finally, for hotel costs, we used the HVS Hotel Cost Estimating Guide and include costs for Furniture, Fixtures, and Equipment (FF&E). Cost estimates for hard and soft costs are shown in Exhibit 4.

Exhibit 4: Pro Forma Cost Assumptions

Source: ECONorthwest, National Building Cost Manual, HVS Hotel Cost Estimating Guide, Cushman & Wakefield Life Sciences Fit-Out Cost Guide, CoStar

	Hotel	Retail	Office	Life Sciences	Warehouse
Building Costs per SF	$407	$251	$354	$700	$100
Total Building Costs	$40,704,625	$25,098,942	$35,432,895	$70,000,000	$10,000,000
Parking Costs (Podium)	$6,750,000	$15,000,000	$18,000,000	$18,000,000	$0
Total Construction Costs	$47,454,625	$40,098,942	$53,432,895	$88,000,000	$10,500,000
Soft Costs	$7,967,371	$6,829,512	$10,129,757	$16,095,784	$2,942,416
Contingency	$5,220,009	$4,410,884	$5,877,618	$9,680,000	$1,155,000
Developer Fee	$2,871,005	$2,425,986	$3,232,690	$5,324,000	$635,250
Total Costs	**$63,513,010**	**$53,765,324**	**$72,672,961**	**$119,099,784**	**$15,232,666**

Return on Cost Thresholds

Return on cost thresholds are shown below, based on a review of current capitalization rates and market conditions.

Exhibit 5: Capitalization Rates and Return on Cost Thresholds

Source: ECONorthwest

	Hotel	Retail	Office	Life Sciences	Warehouse
Return on Cost Threshold	7.5% - 7.75%	7.0% - 7.25%	7.0% - 7.25%	7.0% - 7.25%	7.0% - 7.25%

Land Costs

To estimate local land costs, we analyzed recent land transactions in CoStar for the Northern San Mateo County area in the last two years. Land is very expensive in the area, with an average cost of roughly $345 per square foot overall and an average cost of $253 for parcels between one and two acres. Below, the table below shows major property transactions post-January 2022, which had an average cost per square foot of $257 and ranged from $77 per square to $394 per square foot.

Exhibit 6: Property Sales, 2022-2023

Source: CoStar

Property Type	Sale Price	Land Area SF	Sale Price/ Sf	Sale Date
Retail	$1,100,000	2,792	$394	2/22/2023
Retail	$750,000	3,014	$249	1/6/2023
Office	$49,800,000	174,240	$286	9/1/2022
Retail	$750,000	2,665	$281	4/8/2022
Retail (Neighborhood Center)	$4,250,000	55,321	$77	3/3/2022

Because of the variation in land costs across San Mateo County, we tested multiple land values in the pro forma. For each prototype, we tested land values at $250 per square foot (to reflect the rough average of land in the City based on CoStar data collection) and $77 per square foot

(based on the City's recent acquisition of the Bank of America site) to solve for the required price of land to make each prototype feasible using a return on cost threshold of 7%. The pro forma includes the costs associated with the existing city fees as part of the soft costs.

While only the warehouse prototype is feasible with land values of $250, the office prototype would also become feasible if land values were $73 per square foot, and the retail prototype would be feasible if land values were $30 per square foot; however, there are no recent comparable land sales at this price point in the area. Based on the market assumptions used for the analysis, the hotel and life sciences prototypes are not feasible on-the-margin at any land value without additional subsidy. We are aware the City is processing entitlements for two life sciences developments and a hotel. However, we do not have access to the project specific cost data, and if these projects were able to purchase land at a lower price point, secure financing at a lower interest rate, or accept a lower return on cost than the current market rate assumptions, then it would improve the feasibility of these prototypes.

Exhibit 7: Land Costs by Prototype
Source: CoStar, ECONorthwest

	Hotel	Retail	Office	Life Sciences	Warehouse
Return on cost for land at $250 per square foot	3.64%	5.81%	6.29%	4.65%	7.07%
Total land costs at $250 per square foot	$12,500,000	$12,500,000	$12,500,000	$12,500,000	$15,000,000
Return on cost for land at $77 per square foot	4.11%	6.69%	7.01%	4.98%	10.83%
Total land costs at $77 per square foot	$3,750,000	$3,750,000	$3,750,000	$3,750,000	$4,500,000
Land value needed to reach 7% return on cost	-$478 per square foot	$30 per square foot	$73 per square foot	-$640 per square foot	$261 per square foot
Total land budget to reach 7% return on cost	-$23,919,061	$1,484,549	$3,649,592	-$31,998,408	$15,642,389

The results below are calculated using the CoStar average land value of $250 per square foot.

Results

Baseline results, as well as results for each fee scenario, are shown below.

Hotel

The hotel prototype had the lowest return on cost result of 3.64%, with an annual net revenue of roughly $2.8 million and a total development cost of $63.5 million. The low feasibility of the hotel prototype is likely due to the high cost of development (due largely to furniture, fixtures, and expenditures, or FF&E), as well as high operating costs. Risk associated with hotel

development is likely also reflected in the capitalization rates for hotel development in the area, pegged at 8.7% per CoStar as of 2023. Based on the market rate assumptions for hotel development, additional fees imposed on this prototype could limit hotel development until the market improves.

Exhibit 8: Financial Feasibility of Hotel Prototype
Source: ECONorthwest

Hotel	Nexus Fee	% of TDC	Return on Cost	Feasible?
Baseline	$0	0.0%	3.64%	No
Scenario 1	$254	25.0%	2.73%	No
Scenario 2	$20	2.0%	3.55%	No
Scenario 3	$10	1.0%	3.59%	No
Scenario 4	$5	0.5%	3.62%	No

Retail

At current market rents, new retail projects are estimated to earn an annual net operating income of $3.8 million, with a total development cost of roughly $53.8 million. Using these inputs, the retail prototype has a return on cost estimate of 5.8%; as this is below the minimum target threshold of 7%, new retail development is likely not feasible in Brisbane. To be feasible, retail rents in Brisbane would need to be $54 per square foot, or roughly 20% higher.

Exhibit 9: Financial Feasibility of Retail Prototype
Source: ECONorthwest

Retail	Nexus Fee	% of TDC	Return on Cost	Feasible?
Baseline	$0	0.0%	5.81%	No
Scenario 1	$423	39.0%	3.54%	No
Scenario 2	$20	1.8%	5.64%	No
Scenario 3	$10	0.9%	5.72%	No
Scenario 4	$5	0.5%	5.76%	No

Office

The office prototype has an annual net revenue of $5.3 million and a total development cost of $72.7 million. Using these inputs, the office prototype has a return on cost estimate of 6.3%, below the minimum target threshold of 7%. To achieve the minimum thresholds, office rents would need to be $78 per square foot, or just over 11% higher.

Exhibit 10: Financial Feasibility of Office Prototype
Source: ECONorthwest

Office	Nexus Fee	% of TDC	Return on Cost	Feasible?
Baseline	$0	0.0%	6.29%	No
Scenario 1	$405	32.2%	4.26%	No
Scenario 2	$20	1.6%	6.14%	No
Scenario 3	$10	0.8%	6.21%	No
Scenario 4	$5	0.4%	6.25%	No

Life Sciences

The life sciences prototype has an annual net revenue of roughly $6.1 million and a total development cost of $119.1 million. Overall, the life sciences prototype has a return on cost estimate of 4.65%, below the minimum threshold for feasibility. To be feasible, life sciences rents would need to be $120, or 50% higher.

While life sciences construction continues to occur in Brisbane and the Bay Area, there is currently a vast amount of life sciences space in the development pipeline. In addition, current construction costs, high interest rates, and a cooling venture capital funding market all contribute to flattening forecasted rents and perceived risk in the industry. Given these factors, it is likely that developers are approaching projects more cautiously than in prior years and are holding off on development. However, individual life sciences developments may still occur based on the project specific cost details and the developer's risk profile; we understand that there are two life sciences development proposals for Sierra Point that are currently in the entitlements phase.

Exhibit 11: Financial Feasibility of Life Sciences Prototype
Source: ECONorthwest

Life Sciences	Nexus Fee	% of TDC	Return on Cost	Feasible?
Baseline	$0	0.0%	4.65%	No
Scenario 1	$243	15.6%	3.93%	No
Scenario 2	$20	1.3%	4.58%	No
Scenario 3	$10	0.6%	4.62%	No
Scenario 4	$5	0.3%	4.63%	No

Warehouse

The warehouse prototype has a net annual revenue of $2.1 million and a total development cost of $15.2 million. Overall, the warehouse prototype has a return on cost estimate of 7.07%, above the minimum threshold for feasibility. This prototype could sustain a fee up to $20 per square foot and maintain development feasibility.

Exhibit 12: Financial Feasibility of Warehouse Prototype
Source: ECONorthwest

Warehouse	Nexus Fee	% of TDC	Return on Cost	Feasible?
Baseline	$0	0.0%	7.07%	Yes
Scenario 1	$231	43.3%	4.01%	No
Scenario 2	$20	3.8%	6.63%	Yes
Scenario 3	$10	1.9%	6.84%	Yes
Scenario 4	$5	0.9%	6.96%	Yes

Policy Considerations

Timing of Fee Adoption

While the analysis shows that development is currently not feasible for the protypes (excluding warehouses), the lack of feasibility is primarily due to current market and macroeconomic trends and City fees are not the sole obstacle impacting the financial feasibility of new development. Therefore, the City of Brisbane could consider adopting or phasing in a linkage fee now, so when market conditions are more favorable the City already has the fee in place and can capture the linkage fee revenue from new development. This also allows the City to capture fee revenue if there are new developments that happen in the interim. The City could consider phasing in a sliding-scale fee that could be increased over time as market conditions improve.

Other Development Fees

Other development fees proposed by the City will impact the feasibility of new development and the City is considering a new development impact fee to support parks. However, any new fee on development would impact the commercial linkage fee analysis.

Current city fees (including permit fees, plan checking fees, processing fees, school district developer fees, seismic fees, and art fees) are shown for each prototype in the table below.

Exhibit 13: City of Brisbane Fees
Source: City of Brisbane

	Hotel	Retail	Office	Life Sciences	Warehouse
Total city fees	$665,294	$589,677	$726,750	$1,082,100	$285,400
Total city fees/ square foot of gross floor area	$6.65	$5.90	$7.27	$10.82	$2.85
Impact fees per square foot of gross floor area (includes school district fee, seismic fees, and art fees)	$5.66	$4.90	$6.27	$9.83	$1.86

Parking Requirements

Results are particularly sensitive to parking requirements. For this analysis, we used the minimum parking thresholds established in 17.34.020, and assumed podium parking for all prototypes except the warehouse prototype. While podium parking is generally more expensive than surface parking, there was not a large difference in return on cost results due in large part to land costs in the area. Because of the number of stalls required, a developer would need to acquire a much larger piece of land to provide surface parking; on a per stall basis, surface parking results in being slightly more expensive. However, the total number of stalls required has a high impact on the return on cost results across prototypes. To potentially incentivize

these development types (and potentially make an additional fee feasible), the City could consider reducing minimum parking requirements, particularly for developments with proximity to transit.

Market Sensitivity Testing

To understand how different (and improved) market conditions could impact development feasibility, we created three scenarios in which the key assumptions underlying the pro forma analysis could change, summarized in the table below. The scenarios are not predictions about future market conditions, and they do not rely on complex economic forecasting models. Instead, they are coherent and plausible future market conditions designed to show the sensitivity of the feasibility analysis. Various components of each scenario could change at different rates and even in opposite directions than as suggested by the scenarios. The target return on cost would be based on the developer's willingness to accept the project return, and would be impacted by the developer's risk profile.

Exhibit 14: Market Sensitivity Testing Scenarios
Source: ECONorthwest

	Baseline	Scenario A	Scenario B	Scenario C
Rent Growth from Baseline	100%	103.5%	110.5%	117.5%
Construction Cost Growth from Baseline	100%	102.5%	107.5%	112.5%
Vacant Land Value	100%	102.0%	106.0%	110.0%
Target return on cost	7.0%	6.5%	5.75%	5.0%

Scenario A is closest to the baseline conditions and most likely in the immediate future. Rent, operating expense, and construction cost growth rates of 2.5 percent to 3.5 percent are within a normal range over a one-year period. Additionally, as market conditions improve, developers may feel more comfortable accepting a lower return on costs in a less risky market.

Scenario B represents a relatively good economic condition compared to the baseline scenario, in which potential rents increase faster than construction and land costs. Although it is not likely to occur in the immediate future, it might be possible in the next few years. Still, other macroeconomic changes and new policies from federal and state governments can impact how much the scenario's assumptions change by.

Scenario C represents very good economic conditions potentially far in the future, in which developers are comfortable accepting a 5% return on cost. However, it is uncertain when or if these conditions might occur, and a 5% return threshold being acceptable in the market would require is sizable shift in conditions.

Exhibit 15 shows the return on cost results for each prototype under each scenario, with feasible returns in bold. Under Scenario A, the warehouse is still the only prototype that is feasible; however, under Scenarios B and C, the retail and office prototypes are also feasible, with the life science prototype nearing feasibility.

Exhibit 15: Market Sensitivity Testing Results

Source: ECONorthwest

Scenario	Hotel	Retail	Office	Life Sciences	Warehouse
Baseline	3.64%	5.81%	6.29%	4.65%	**7.07%**
Scenario A	3.67%	5.85%	6.34%	4.69%	**7.15%**
Scenario B	3.72%	**5.94%**	**6.43%**	4.75%	**7.29%**
Scenario C	3.77%	**6.02%**	**6.51%**	4.80%	**7.42%**

While these results should not be used to inform policy today, they could indicate that a fee could potentially be feasible in the future, for some prototypes more than others. Key indicators that the development market could be improving include:

- Increased land or real estate transactions in the City.
- Increased permitting activity, particularly for larger projects and commercial development.
- If vacancies are lower and space tends to be leased quickly, it could indicate increased demand in the market which could potentially support higher rents.
- Changes to the macroeconomic environment, including stabilized interest rates and construction costs.

If development markers are positive, the City should consider updating this fee study to ensure development likelihood and calibrate the fee to current market conditions. In the interim, the City could consider taking steps to help facilitate future development, such as:

- Considering zoning changes or development agreements that increase developer flexibility, such as reducing parking requirements.
- Temporarily waiving, reducing, or deferring impact fees, property taxes, permitting fees to help offset development costs.
- Investing in infrastructure improvements, including utilities, roads, transit, etc. in any target development areas to reduce upfront infrastructure costs for developers.
- Providing land, infrastructure, or funding to help reduce developer costs and risks, especially for projects that could attract future jobs or development.

CITY OF BRISBANE

Final Report

Parks and Recreation Impact Fee Study

December 19, 2022

Prepared by:

NBS
helping communities fund tomorrow
nbsgov.com

Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

Table of Contents

Executive Summary **S-1**
Organization of the Report S-1
Development Data S-1
Impact Fee Analysis S-2
Recovery of Administrative Costs S-4
Impact Fee Summary S-4
Chapter 1. Introduction **1-1**
Purpose 1-1
Legal Framework for Developer Fees 1-1
Recent Legislation 1-6
Impact Fee Calculation Methodology 1-8
Facilities Addressed in this Study 1-10
Chapter 2. Development Data **2-1**
Setting 2-1
Study Area and Time Frame 2-1
Development Types 2-1
Residential Development and Population 2-2
Units of Development 2-3
Demand Variables 2-3
Impact Fees for Accessory Dwelling Units (ADUs) 2-4
Population and Employees per Unit 2-5
Existing and Future Development 2-5
Growth Potential 2-7
Chapter 3. Park Land and Park Improvements **3-1**
Service Area 3-1
Methodology 3-1
Demand Variable 3-1
Existing Level of Service 3-2
Cost Per Capita 3-3
Impact Fees per Unit 3-3
Projected Revenue 3-5
Updating the Fees 3-6
Nexus Summary 3-6

Chapter 4. Recreation Facilities 4-1
Service Area 4-1
Methodology 4-1
Demand Variable 4-1
Existing Level of Service 4-2
Existing Level of Service - Cost Per Capita 4-2
Impact Fees per Unit 4-3
Projected Revenue 4-3
Updating the Fees 4-4
Nexus Summary 4-4
Chapter 5. Open Space and Trails 5-1
Service Area 5-1
Methodology 5-1
Demand Variable 5-1
Existing Level of Service 5-2
Existing Level of Service - Cost Per Capita 5-2
Impact Fees per Unit 5-3
Projected Revenue 5-4
Updating the Fees 5-5
Nexus Summary 5-6
Chapter 6. Implementation 6-8
Adoption 6-8
Administration 6-9
Requirements Imposed by AB 602 6-13
Training and Public Information 6-14
Recovery of Administrative Costs 6-14

Appendices

Fee Comparison ..... Appendix A

Executive Summary

The City of Brisbane has retained NBS Government Finance Group to prepare this study to analyze the impacts of new development on the City's parks, recreation facilities, open space and trails and to calculate impact fees based on that analysis. The methods used in this study are intended to satisfy all legal requirements of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000 *et seq*.).

Organization of the Report

Chapter 1 of this report provides an overview of the legal requirements for establishing and imposing such fees, and methods that can be used to calculate impact fees.

Chapter 2 contains data on existing and future development that is used in this report.

Chapters 3 through 5 analyze the impacts of development on specific types of facilities and calculate impact fees for those facilities. The facilities addressed in this report are listed by chapter below:

Chapter 3. Park Land and Park Improvements

Chapter 4. Recreation Facilities

Chapter 5. Open Space and Trails

Chapter 6 contains recommendations for adopting and implementing impact fees, including suggested findings to satisfy the requirements of the Mitigation Fee Act.

Development Data

Chapter 2 of this report presents estimates of existing development in Brisbane and projections of future development in the City out to 2040. Brisbane is largely built-out except for an area known as the Baylands, a 700-acre former landfill and industrial site which is being planned for development as a mixed-use neighborhood with the potential to more than double the City's population and employment.

Table 2.1 in Chapter 2 shows the population per unit for residential development and employees per unit for various types of non-residential development. Table 2.2 shows estimates of existing development in terms of units, population and employees. Table 2.3 shows a forecast of future development to buildout, and Table 2.4 shows a forecast of total development at buildout. The data in those tables is used to calculate impact fees and to project potential revenue for impact fees calculated in this report.

It should be noted that to comply with recent amendments to the Mitigation Fee Act, residential impact fees are calculated in this study for unit size ranges in square feet, rather than by unit type (e.g., single-family or multi-family) which was common practice in the past.

Impact Fee Analysis

The impact fee analysis for each type of facility addressed in this report is presented in a separate chapter of this report. In each case, the relationship between development and the need for a particular type of facility is defined in a way that allows the impact of additional development on facility needs to be quantified. The impact fees are based on the cost of facilities and other capital assets needed to mitigate the impacts of additional development.

All of the fees calculated in this report are based on capital costs and may be spent only for land and capital improvements of the types identified in this report. The following paragraphs briefly discuss the approach used to calculate impact fees for each type of facility addressed in this study.

Chapter 3 - Impact Fees for Park Land and Park Improvements. Chapter 3 of this report calculates impact fees for both park land acquisition and park improvements. It is important to clarify when the park land impact fees calculated in this study would apply to residential development.

The City has an existing Quimby Act ordinance that requires dedication of park land or payment of fees in lieu of dedication by residential subdivisions. That means the park land acquisition impact fees calculated in Chapter 3 would not apply to residential subdivisions but would apply to new residential development that does not involve a subdivision or parcel map. The park land impact fees would also apply to all new non-residential (e.g., commercial and industrial) development in Brisbane. Unlike the impact fees for park land acquisition, the impact fees for park improvements calculated in Chapter 3 are intended to apply to all new residential and non-residential development in the City, including residential subdivisions.

Impact fees for park land and park improvements calculated in this report are based on the existing level of service as required by recent amendments to the Mitigation Fee Act. For park land and park improvements, that level of service is defined in terms of acres of existing parks per capita of existing service population. For purposes of the impact fee calculations, that level of service is converted into per-capita costs for park land and park improvements using estimates of per-acre costs for park land acquisition and park improvements.

Service population is used in impact fee calculations in this study to represent the impact of development on the need for parks, recreation facilities, open space and trails. Service population is a weighted composite of resident population and employees working in Brisbane. Residents are included to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

Residents are given a weight of 1.0 and employees are given different weights for different types of facilities in this study. For parks, employees are given a weight of 0.25, meaning that one employee represents 25% as much demand as one resident.

See Chapter 3 for detailed analysis and calculation of impact fees for park land and park improvements. Table S.1, later in this Executive Summary shows the amounts of the impact fees calculated in this report.

Chapter 4 – Impact Fees for Recreation Facilities. Chapter 4 calculates impact fees for Brisbane's recreation facilities. Impact fees for recreation facilities calculated in this report are based on the existing level of service as required by recent amendments to the Mitigation Fee Act. For recreation facilities, that level of service is defined in terms of the replacement cost of existing facilities per capita of existing service population.

As discussed in the previous section, service population is a weighted composite of resident population and employees working in Brisbane. Residents are included to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

Residents are given a weight of 1.0 and employees are given different weights for different types of facilities in this study. For recreation facilities, employees are given a weight of 0.1, meaning that one employee represents 10% as much demand as one resident.

See Chapter 4 for more detail on the calculation of impact fees for recreation facilities. Table S.1, later in this Executive Summary shows the amounts of the impact fees calculated in this report.

Chapter 5 - Impact Fees for Open Space and Trails. Chapter 5 of this report calculates impact fees for both open space land acquisition and trail improvements. Impact fees for open space and trails calculated in this report are based on the existing level of service as required by recent amendments to the Mitigation Fee Act. For open space land acquisition and trail improvements, that level of service is defined in terms of the replacement cost of existing facilities per capita of existing service population.

As discussed in previous sections, service population is a weighted composite of resident population and employees working in Brisbane. Residents are included to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

Residents are given a weight of 1.0 and employees are given different weights for different types of facilities in this study. For open space and trails, employees are given a weight of 0.25, meaning that one employee represents 25% as much demand as one resident.

See Chapter 5 for detailed analysis and calculation of impact fees for open space and trails. Table S.1, later in this Executive Summary shows the amounts of the impact fees calculated in this report.

Recovery of Administrative Costs

In the next section, following Table S.1, an administrative charge is calculated to recover the City's costs for complying with administrative and reporting requirements of the Mitigation Fee Act and for periodic updates to this impact fee study. That administrative charge is added to the impact fees in Table S.2.

Impact Fee Summary

Impact fees per unit calculated in this report are summarized in Table S.1, below.

Table S.1: Summary of Parks, Recreation, Open Space and Trails Impact Fees

Development Type	Units [1]	Park Land	Park Imprvmts	Recreation Facilities	Open Sp/ Trails	**Total**
Residential <800 Sq. Ft. Unit	DU	$ 14,842	$ 2,438	$ 5,096	$ 1,499	**$ 23,875**
Residential 800-1,200 Sq. Ft. Unit	DU	$ 15,479	$ 2,543	$ 5,315	$ 1,563	**$ 24,900**
Residential 1,200-2,100 Sq. Ft. Unit	DU	$ 16,116	$ 2,648	$ 5,533	$ 1,627	**$ 25,925**
Residential >2,100 Sq. Ft. Unit	DU	$ 16,753	$ 2,752	$ 5,752	$ 1,692	**$ 26,949**
Commercial	KSF	$ 3,185	$ 523	$ 437	$ 322	**$ 4,467**
Lodging	Room	$ 557	$ 92	$ 77	$ 56	**$ 782**
Office	KSF	$ 4,778	$ 785	$ 656	$ 482	**$ 6,701**
Industrial	KSF	$ 1,752	$ 288	$ 241	$ 177	**$ 2,457**
Public Facilities	KSF	$ 4,778	$ 785	$ 656	$ 482	**$ 6,701**

[1] DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

Table S.2 on the next page shows the proposed impact fees from Table S.1 with the addition of a 0.55% administrative fee to cover annual administrative costs and periodic impact fee update studies. That percentage is calculated as the estimated annual administrative cost ($3,500) plus the average annual cost of preparing an impact fee update study every five years ($5,600) divided by the projected annual revenue from impact fees calculated in this report ($1,665,491). The annual revenue estimate assumes that total revenue of $33,309,816 will be collected over 20 years. Potential revenue from impact fees calculated in this report is shown in Chapters 3, 4 and 5. No revenue is projected for the park land impact fees because it isn't possible to know how much future residential development will pay Quimby Act fees in lieu of park land dedication instead of the park land impact fees calculated in this study. The administrative charge proposed in this section should not be applied to any in-lieu fees collected pursuant to the City's park land dedication ordinance, since those fees are not addressed here.

Table S.2: Summary of Parks, Rec, Open Space and Trails Impact Fees Incl 0.55% Admin Charge

Development Type	Units [1]	Park Land	Park Imprvmts	Recreation Facilities	Open Sp/ Trails	**Total**
Residential <800 Sq. Ft. Unit	DU	$ 14,924	$ 2,452	$ 5,124	$ 1,507	**$ 24,006**
Residential 800-1,200 Sq. Ft. Unit	DU	$ 15,564	$ 2,557	$ 5,344	$ 1,572	**$ 25,037**
Residential 1,200-2,100 Sq. Ft. Unit	DU	$ 16,205	$ 2,662	$ 5,564	$ 1,636	**$ 26,067**
Residential >2,100 Sq. Ft. Unit	DU	$ 16,845	$ 2,767	$ 5,784	$ 1,701	**$ 27,097**
Commercial	KSF	$ 3,203	$ 526	$ 440	$ 323	**$ 4,492**
Lodging	Room	$ 560	$ 92	$ 77	$ 57	**$ 786**
Office	KSF	$ 4,804	$ 789	$ 660	$ 485	**$ 6,738**
Industrial	KSF	$ 1,761	$ 289	$ 242	$ 178	**$ 2,471**
Public Facilities	KSF	$ 4,804	$ 789	$ 660	$ 485	**$ 6,738**

[1] DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

The impact fees calculated in this report are intended to represent the maximum amounts justified by the data and analysis presented in this report. The City Council may choose to adopt no fees, or any fees up to the amounts shown in the tables above, and may choose to adopt those fees with or without the administrative charge reflected in Table S.2.

Chapter 1. Introduction

Purpose

The purpose of this study is to analyze the impacts of development on the need for parks and recreation facilities provided by the City of Brisbane and to calculate impact fees based on that analysis. This report documents the approach, data and methodology used in this study to calculate impact fees.

The methods used to calculate impact fees and in-lieu fees in this report are intended to satisfy all legal requirements governing such fees, including provisions of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000-66025.

Legal Framework for Developer Fees

This brief summary of the legal framework for development fees is intended as a general overview. It was not prepared by an attorney and should not be treated as legal advice.

U. S. Constitution. Like all land use regulations, development exactions, including impact fees, are subject to the 5th Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against "regulatory takings." A regulatory taking occurs when regulations unreasonably deprive landowners of property rights protected by the Constitution.

In two landmark cases dealing with exactions, the U. S. Supreme Court has held that when a government agency requires the dedication of land or an interest in land as a condition of development approval or imposes ad hoc exactions as a condition of approval on a single development project that do not apply to development generally, a higher standard of judicial scrutiny applies. To meet that standard, the agency must demonstrate an "essential nexus" between such exactions and the interest being protected (See *Nollan v. California Coastal Commission,* 1987) and make an" individualized determination" that the exaction imposed is "roughly proportional" to the burden created by development (See *Dolan v. City of Tigard,* 1994).

Until recently, it was widely accepted that legislatively enacted impact fees that apply to all development in a jurisdiction are not subject to the higher standard of judicial scrutiny flowing from the Nollan and Dolan decisions. But after the U. S. Supreme Court decision in *Koontz v. St. Johns Water Management District (2013),* state courts have reached conflicting conclusions on that issue.

In light of that uncertainty, any agency enacting or imposing impact fees would be wise to demonstrate a nexus and ensure proportionality in the calculation of those fees.

Defining the "Nexus." While courts have not been entirely consistent in defining the nexus required to justify exactions and impact fees, that term can be thought of as having the three elements discussed below. We think proportionality is logically included as one element of that nexus, even though it was discussed separately in *Dolan v. Tigard.* The elements of the nexus discussed below mirror the three "reasonable relationship" findings required by the Mitigation Fee Act for establishment and imposition of impact fees.

Need or Impact**.** Development must create a need for the facilities to be funded by impact fees. All new development in a community creates additional demands on some or all public facilities provided by local government. If the capacity of facilities is not increased to satisfy the additional demand, the quality or availability of public services for the entire community will deteriorate. Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is related to the development project subject to the fees.

The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate impacts created by the development projects upon which they are imposed. In this study, the impact of development on facility needs is analyzed in terms of quantifiable relationships between various types of development and the demand for public facilities based on applicable level-of-service standards. This report contains all of the information needed to demonstrate compliance with this element of the nexus.

Benefit. Development must benefit from facilities funded by impact fees. With respect to the benefit relationship, the most basic requirement is that facilities funded by impact fees be available to serve the development paying the fees. A sufficient benefit relationship also requires that impact fee revenues be segregated from other funds and expended in a timely manner on the facilities for which the fees were charged. Nothing in the U.S. Constitution or California law requires that facilities paid for with impact fee revenues be available exclusively to development projects paying the fees.

Procedures for earmarking and expenditure of fee revenues are mandated by the Mitigation Fee Act, as are procedures to ensure that the fees are either expended in a timely manner or refunded. Those requirements are intended to ensure that developments benefit from the impact fees they are required to pay. Thus, over time, procedural issues as well as substantive issues can come into play with respect to the benefit element of the nexus.

Proportionality. Impact fees must be proportional to the impact created by a particular development project. Proportionality in impact fees depends on properly identifying development-related facility costs and calculating the fees in such a way that those costs are allocated in proportion to the facility needs created by different types and amounts of development. The section on impact fee methodology, below, describes methods used to allocate facility costs and calculate impact fees that meet the proportionality standard.

California Constitution. The California Constitution grants broad police power to local governments, including the authority to regulate land use and development. That police

power is the source of authority for local governments in California to impose impact fees on development. Some impact fees have been challenged on grounds that they are special taxes imposed without voter approval in violation of Article XIIIA. However, that objection is valid only if the fees charged to a project exceed the cost of providing facilities needed to serve the project. In that case, the fees would also run afoul of the U. S. Constitution and the Mitigation Fee Act.

Articles XIIIC and XIIID, added to the California Constitution by Proposition 218 in 1996, require voter approval for some "property-related fees," but exempt "the imposition of fees or charges, as a condition of property development." Thus, impact fees are exempt from those requirements.

The Mitigation Fee Act. California's impact fee statute originated in Assembly Bill 1600 during the 1987 session of the Legislature and took effect in January 1989. AB 1600 added several sections to the Government Code, beginning with Section 66000. Since that time, the impact fee statute has been amended from time to time, and in 1997 was officially titled the "Mitigation Fee Act." Unless otherwise noted, code sections referenced in this report are from the Government Code.

The Mitigation Fee Act does not limit the types of capital improvements for which impact fees may be charged. It defines public facilities very broadly to include "public improvements, public services and community amenities." Although the issue is not specifically addressed in the Mitigation Fee Act, it is clear both in case law and statute (see Government Code Section 65913.8) that impact fees may not be used to pay for maintenance or operating costs. Consequently, the fees calculated in this report are based on the cost of capital assets only.

The Mitigation Fee Act does not use the term "mitigation fee" except in its official title. Nor does it use the more common term "impact fee." The Act simply uses the word "fee," which is defined as "a monetary exaction, other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project …."

To avoid confusion with other types of fees, this report uses the widely accepted terms "impact fee" and "development impact fee" which both should be understood to mean "fee" as defined in the Mitigation Fee Act.

The Mitigation Fee Act contains requirements for establishing, increasing and imposing impact fees. They are summarized below. It also contains provisions that govern the collection and expenditure of fees and requires annual reports and periodic re-evaluation of impact fee programs. Those administrative requirements are discussed in the implementation chapter of this report.

Required Findings**.** Section 66001 (a) requires that an agency establishing, increasing or imposing impact fees, must make findings to:

1. Identify the purpose of the fee

2. Identify the use of the fee; and
3. Determine that there is a reasonable relationship between the use of the fee and the development type on which it is imposed
4. Determine that there is a reasonable relationship between the need for the facility and the type of development on which the fee is imposed

In addition, Section 66001 (b) requires that in any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

Some legal experts are of the opinion that the requirements of Section 66001 (a) apply when impact fees are based on a legislatively adopted fee schedule, while the requirements of Section 66001 (b) apply when impact fees are based on an administratively imposed (ad hoc) assessment. [1]

The requirements outlined above are discussed in more detail below.

Identifying the Purpose of the Fees. The broad purpose of impact fees is to protect public health, safety and general welfare by providing for adequate public facilities. The specific purpose of the fees calculated in this study is to fund construction of certain capital improvements that will be needed to mitigate the impacts of planned new development on City facilities, and to maintain an acceptable level of public services as the City grows.

This report recommends that findings regarding the purpose of an impact fee should define the purpose broadly, as providing for the funding of adequate public facilities to serve additional development.

Identifying the Use of the Fees. According to Section 66001(a)(2), if a fee is used to finance public facilities, those facilities must be identified. A capital improvement plan may be used for that purpose but is not mandatory if the facilities are identified in a General Plan, a Specific Plan, or in other public documents. Section 66002 (b) requires that such capital improvement plans must be updated annually.

However, a new provision in Section 66016.5, which was added by AB 602 in 2021, requires that large jurisdictions adopt a capital improvement plan as part of an impact fee study. That requirement applies to impact fee studies adopted after January 1, 2022. "Large jurisdiction" means a county of 250,000 or more or any city within that county. The statute does not provide any detail about what must be included in the capital improvement plan or how it should relate to the impact fee study. And, that new

[1] See "The Mitigation Fee Act's Five-Year Findings Requirement: Beware Costly Pitfalls" by Glen Hansen, Senior Council, Abbott and Kindermann and Rick Jarvis, Managing Partner, Jarvis, Fay and Gibson, presented at the 2022 League of California Cities City Attorneys Spring Conference

requirement is inconsistent with the original language of Section 66001(a)(2), so it is unclear whether the annual update requirement in Section 66002(b) applies.

Reasonable Relationship Requirement. As discussed above, Section 66001 requires that, for fees subject to its provisions, a "reasonable relationship" must be demonstrated between:

1. the use of the fee and the type of development on which it is imposed;
2. the need for a public facility and the type of development on which a fee is imposed; and,
3. the amount of the fee and the facility cost attributable to the development on which the fee is imposed.

Although some legal experts contend that the third of these only pertains to “ad hoc” fees that are not part of a legislatively adopted fee schedule, we believe that all three are part of a complete “nexus” or “reasonable relationship” framework as discussed earlier. These three reasonable relationship requirements address the nexus and proportionality requirements often cited in court decisions as the standard for defensible impact fees. The term “dual rational nexus” is often used to characterize the standard used by courts in evaluating the legitimacy of impact fees. The “duality” of the nexus refers to (1) an impact or need created by a development project subject to impact fees, and (2) a benefit to the project from the expenditure of the fees.

However, although proportionality is reasonably implied in the dual rational nexus formulation, it was explicitly required by the Supreme Court in the *Dolan* case, and we prefer to list it as the third element of a complete nexus.

Development Agreements and Reimbursement Agreements. The requirements of the Mitigation Fee Act do not apply to fees collected under development agreements (see Govt. Code Section 66000) or reimbursement agreements (see Govt. Code Section 66003). The same is true of fees in lieu of park land dedication imposed under the Quimby Act (see Govt. Code Section 66477).

Existing Deficiencies. In 2006, Section 66001(g) was added to the Mitigation Fee Act (by AB 2751) to clarify that impact fees “shall not include costs attributable to existing deficiencies in public facilities,…” The legislature’s intent in adopting this amendment, as stated in the bill, was to codify the holdings of Bixel v. City of Los Angeles (1989), Rohn v. City of Visalia (1989), and Shapell Industries Inc. v. Governing Board (1991).

That amendment does not appear to be a substantive change. It is widely understood that other provisions of law make it improper for impact fees to include costs for correcting existing deficiencies.

However, Section 66001(g) also states that impact fees “may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to *(1) refurbish existing facilities to maintain the existing*

level of service or (2) achieve an adopted level of service that is consistent with the general plan." (Emphasis added.)

Impact Fees for Existing Facilities. Impact fees may be used to recover costs for existing facilities to the extent that those facilities are needed to serve additional development and have the capacity to do so. In other words, it must be possible to show that fees used to pay for existing facilities meet the need and benefit elements of the nexus.

Recent Legislation

Several new laws enacted by the State of California in 2019 to facilitate development of affordable housing will affect the implementation of in-lieu fees and impact fees calculated in this study. Below are brief overviews of some key bills passed in 2019.

SB 330 – The Housing Crisis Act of 2019. Amendments to existing law contained in SB 330 prohibit the imposition of new approval requirements on a housing development project once a preliminary application has been submitted. That provision applies to increases in impact fees and in-lieu fees, except when the resolution or ordinance establishing the fee authorizes automatic, inflationary adjustments to the fee or exaction.

AB 1483 – Housing Data: Collection and Reporting. AB 1483 requires that a city, county or special district must post on its website a current schedule of its fees and exactions, as well as associated nexus studies and annual reports. Updates must be posted within 30 days.

SB 13 – Accessory Dwelling Units. SB 13 prohibits the imposition of impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and provides that impact fees for ADUs of 750 square feet or more must be proportional to the square footage of the primary dwelling unit. The proportionality requirement means that impact fees for ADUs of 750 square feet or more must be calculated on a case-by-case basis during the approval process.

Existing law requires a water or sewer connection fee or capacity charge for an accessory dwelling unit requiring a new or separate utility connection to be based on either the accessory dwelling unit's size or the number of its plumbing fixtures. SB 13 revises the basis for calculating the connection fee or capacity charge to either the accessory dwelling unit's square feet or the number of its drainage fixture units.

AB 602 – Amendments to the Planning and Land Use Law and the Mitigation Fee Act. AB 602, which was passed and signed in 2021, adds section 65940.1 to the Planning and Land Use Law requiring cities, counties and special districts that have internet websites to post schedules of fees, exactions and affordability requirements, annual fee reports, and an archive of nexus studies on that website, and to update that information within 30 days after any changes.

AB 602 also adds Section 66016.5 to the Mitigation Fee Act imposing several new requirements for impact fees that go into effect on January 1, 2022, including:

- A nexus study must identify the existing level of service for each facility, identify the proposed new level of service (if any), and explain why the new level of service is appropriate.
- If a nexus study supports an increase in an existing fee the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.
- Large jurisdictions (counties over 250,000 and cities within those counties) must adopt a capital improvement plan as part of the nexus study.
- All impact fee nexus studies shall be adopted at a public hearing with at least 30 days' notice, and the local agency shall notify any member of the public that requests notice of intent to begin and impact fee nexus study of the date of the hearing.
- Nexus studies shall be updated at least every eight years, from the period beginning on January 1, 2022.
- A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units in the development. A nexus study is not required to comply with this requirement if the local agency makes certain findings specified in the law. A local agency that imposes a fee proportionately to the square footage of units in the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development.
- Authorizes any member of the public, including an applicant for a development project, to submit evidence that impact fees proposed by an agency fail to comply with the Mitigation Fee Act, and requires the legislative body of the agency to consider such evidence and adjust the proposed fee if deemed necessary.

SB 9, the California Housing Opportunity and More Efficiency ("HOME") Act. SB 9 facilitates the subdivision of existing residential lots and allows for ministerial approval (without discretionary review or hearings) of no more than two dwelling units, including duplexes, on parcels zoned for single-family dwellings if the property satisfies certain requirements. To qualify under SB 9 the property must be located within either an urbanized area or urban cluster, as designated by the United States Census Bureau, or for unincorporated areas, within the boundaries of an urbanized area or urban cluster.

The law allows for qualifying lot splits to be approved ministerially upon meeting certain requirements. Each parcel may not be smaller than forty (40%) percent of the original parcel size and each parcel must be at least one thousand two hundred (1,200) square feet in size unless permitted by local ordinance. The parcel must be limited to residential use.

The law does not allow demolition or alteration of certain types of dwellings, including: (a) housing that is subject to a recorded covenant, ordinance, or law that restricts rents to

affordable levels; (b) housing subject to rent control; (c) housing that has been tenant-occupied in the last three years; or (d) housing located in a historic district. In addition, the proposed development may not demolish more than 25% of the exterior structural walls of an existing unit, unless expressly permitted by a local ordinance.

A local agency may impose objective zoning standards, subdivision standards, and design standards unless they would preclude either of the two units from being at least 800 square feet in floor area.

No setback may be required for an existing structure, or a structure constructed in the same location and dimensions as an existing structure. Otherwise, a local agency may require a setback of up to four feet from the side and rear lot lines. Off-street parking of up to one space per unit may be required by the local agency, unless the project is located within a half-mile walking distance of a high-quality transit corridor or a major transit stop, or if there is a car share vehicle within one block of the parcel. If a local agency makes a written finding that a project would create a specific, adverse impact upon public health and safety or the environment without a feasible way to mitigate such impact, the agency still may deny the project.

It is impossible to predict how much SB 9 will affect the number of future residential units constructed in the City. Unlike recent laws dealing with accessory dwelling units, SB 9 does not address the imposition of impact fees on the new dwelling units it allows, and it appears at this point that such units would be subject to the same impact fees as other new residential development.

Impact Fee Calculation Methodology

Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics of, and planning requirements for, the facility type being addressed. To some extent they are interchangeable, because they all allocate facility costs in proportion to the needs created by development.

Allocating facility costs to various types and amounts of development is central to all methods of impact fee calculation. Costs are allocated by means of formulas that quantify the relationship between development and the need for facilities. In a cost allocation formula, the impact of development represented by some attribute of development such as added population or added vehicle trips that represent the impacts created by different types and amounts of development.

Plan-Based or Improvements-Driven Method. Plan-based impact fee calculations are based on the relationship between a specified set of improvements and a specified increment of development. The improvements are typically identified in a facility plan, while the development is identified in a land use plan that forecasts potential development by type and quantity.

Using this method, facility costs are allocated to various categories of development in proportion to the service demand created by each type of development. To calculate

plan-based impact fees, it is necessary to determine what facilities will be needed to serve a particular increment of new development.

With this method, the total cost of eligible facilities is divided by total units of additional demand to calculate a cost per unit of demand (e.g. a cost per capita for parks). Then, the cost per unit of demand is multiplied by factors representing the demand per unit of development (e.g. population per unit) to arrive at a cost per unit of development.

This method is somewhat inflexible in that it is based on the relationship between a specific facility plan and a specific land use plan. If either plan changes significantly the fees will have to be recalculated.

Capacity-Based or Consumption-Driven Method. This method calculates a cost per unit of capacity based on the relationship between total cost and total capacity of a system. It can be applied to any type of development, provided the capacity required to serve each increment of development can be estimated and the facility has adequate capacity available to serve the development. Since the cost per unit of demand does not depend on the particular type or quantity of development to be served, this method is flexible with respect to changing development plans.

In this method, the cost of unused capacity is not allocated to development. Capacity-based fees are most commonly used for water and wastewater systems, where the cost of a system component is divided by the capacity of that component to derive a unit cost. However, a similar analysis can be applied to other types of facilities. To produce a schedule of impact fees based on standardized units of development (e.g. dwelling units or square feet of non-residential building area), the cost per unit of capacity is multiplied by the amount of capacity required to serve a typical unit of development in each of several land use categories.

Standard-Based or Incremental Expansion Method. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. The standard can be established as a matter of policy or it can be based on the level of service being provided to existing development in the study area.

Using the standard-based method, costs are defined on a generic unit-cost basis and then applied to development according to a standard that sets the number of service units to be provided for each unit of development.

Park in-lieu and impact fees are commonly calculated this way. The level of service standard for parks is typically stated in terms of acres of parks per thousand residents. A cost-per-acre for park land or park improvements can usually be estimated without knowing the exact size or location of a particular park. The ratio of park acreage to population and the cost per acre for parks is used to calculate a cost per capita. The cost per capita can then be converted into a cost per unit of development based on the average population per dwelling unit for various types of residential development.

Facilities Addressed in this Study

Impact/in-lieu fees for the following types of facilities are addressed in this report:

- Park Land and Park Improvements
- Recreation Facilities
- Open Space and Trails

Each of those facilities is addressed in a separate chapter of this report, beginning with Chapter 3. Chapter 2 contains data on existing and future development used in the impact fee analysis.

Chapter 2. Development Data

This chapter presents data on existing and future development that will be used to calculate impact fees in subsequent chapters of this report.

The information in this chapter may be used to establish levels of service, analyze facility needs, and allocate the cost of capital facilities among various types of development.

Land use and development data in this chapter are based on information from the U.S. Census Bureau's American Community Survey (ACS), the California Department of Finance (DOF) Demographic Research Unit, the City of Brisbane Community Development Department and other sources as noted in this chapter.

Setting

Brisbane is located in northern San Mateo County adjacent to San Francisco Bay about 2 miles south of San Francisco. Most of Brisbane lies west of the Bayshore Freeway (U. S. Highway 101), which closely borders the Bay through much of the City. Brisbane is largely built-out except for an area known as the Baylands, a 700-acre former landfill and industrial site which is being planned for development as a mixed-use neighborhood with the potential to more than double the City's population and employment.

Study Area and Time Frame

The study area for this study is the area within Brisbane's city limits. The timeframe for this study extends from the present time to 2040. By which time Brisbane is expected to be fully built out. However, the time required for buildout will depend on the rate at which development occurs, and although buildout is expected to occur by 2040, the impact fee calculations do not depend on the rate or timing of development.

Development Types

Traditionally, impact fees for residential development are based on unit types such as single-family, multi-family and mobile home units. However, AB 602, enacted in 2021, added Section 66016.5 to the Government Code. That section requires that, "[a] nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development." It further states that "[a] local agency that imposes a fee proportionately to the square footage of the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development."

Consequently, the residential development categories used in this study are based on unit size rather than the type of unit. The complete list of development categories used in this study is shown below.

- Residential: < 800 Sq. Ft.

- Residential: 800 – 1,200 Sq. Ft.
- Residential: >1,200 – 2,100 Sq. Ft.
- Residential: > 2,100 Sq. Ft.
- Commercial
- Lodging
- Office
- Industrial
- Public Facilities

Residential. As discussed above, the residential development categories used in this study are based on unit size and do not distinguish by unit type (e.g., single-family or multi-family). Residential development is any development made up primarily of dwelling units intended for long-term occupancy.

Commercial. As defined in this study, the Commercial category includes development intended primarily to accommodate retail commercial and service commercial uses and may include restaurants, service stations, banks, and similar or related uses.

Lodging. This category includes hotels, motels, bed and breakfast establishments and similar lodging uses.

Office. The Office category includes development intended for general office or medical office uses.

Industrial. This category includes development intended to accommodate research, manufacturing, warehouse and business park uses.

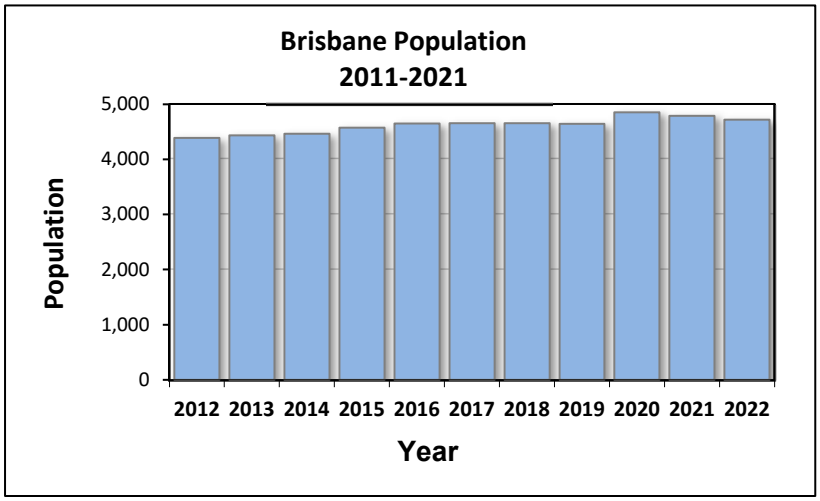
Public Facilities. This category includes government buildings and other public or quasi-public facilities including public schools. Parks are excluded because they do not create impacts on the types of facilities addressed in this report. In many cases, the City may lack authority to charge impact fees to development in this category, or in the case of City facilities, it would be impractical to do so.

Residential Development and Population

The chart on the next page shows the California Department of Finance (DOF) official January 1 population estimates for the City of Brisbane for the years from 2012 through 2022 except that the 2020 population is based on the 2020 Census count.

The population chart shows essentially no population growth from 2014 to 2019 and then bumps up in 2020 indicating that DOF estimates for the years prior to 2020 were low. The DOF numbers for 2021 and 2022 are slightly below the 2020 Census figure.

According to the official 2010 and 2020 Census population counts, Brisbane has grown a total of 13.3% from 4,282 in 2010 to 4,851 in 2020.



This study uses data from the U. S. Census Bureau's 2020 American Community Survey to calculate the population per dwelling unit factors for each category of residential development defined in this study. Those factors are shown in Table 2.1.

Units of Development

In this study, quantities of existing and planned development are measured in terms of certain units of development. Those units are discussed below.

Dwelling Units. Dwelling units (DUs) are the most commonly used measure of residential development. The dwelling unit is the standard unit for residential development in this study.

Building Area. For non-residential development other than lodging, gross building area in thousands of square feet (KSF) is used as the standard unit of development.

Lodging. For the Lodging category, the standard unit of development is a room, meaning a guest room or suite.

Demand Variables

In calculating impact fees, the relationship between facility needs and development must be quantified in cost allocation formulas. Some measurable attribute of development (e.g., population) is used in those formulas to reflect the impact of different types and amounts of development on the demand for specific public services and the facilities that support those services.

Those attributes are referred to in this study as *"*demand variables*."* Demand variables are selected either because they directly measure service demand created by various types of development, or because they are reasonably correlated with that demand.

Service Population. In this study, service population is used to represent the demand created by development for parks, recreation facilities and trails. Service population is a weighted composite of population and employees working in the City. Resident population is included to represent the impacts of residential development and

employees of businesses in the City are included to represent the impacts of non-residential uses, such as commercial, office and industrial development.

Because the impact of one new resident is not necessarily the same as the impact of one new employee, the employee component is weighted relative to the population component to reflect their relative impacts on the demand for certain types of facilities.

In this study, residents (population) are assigned a weight of 1.0. The weight assigned to employees varies depending on how much employees are expected to use a certain type of facility. Based on discussions with City staff regarding expected use of parks and recreation facilities by non-resident employees, employees are given a weight of 0.25 for parks, open space and trails. For other recreation facilities, employees are given a weight of 0.1.

Tables 2.2 through 2.4 later in this chapter show the existing and future population and employee numbers used in this study. Since service population weights differ by the type of facility being analyzed, those weights are applied in Chapters 3 through 5 where the impact fees are calculated.

Impact Fees for Accessory Dwelling Units (ADUs)

Recent amendments to Section 65852.2 of the Government Code provide that impact fees may not be imposed on ADUs smaller than 750 square feet. It also establishes the following requirement for impact fees imposed on ADUs of 750 square feet or more:

> *"Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit*."

The effect of that requirement is that impact fees for ADUs must be calculated on a case-by-case basis, considering the size of both the primary unit and the ADU.

Although it is not spelled out in Section 65852.2, we think it is obvious that when calculating ADU impact fees in cases where the primary unit is a single-family detached unit, the starting point for the proportionality calculation is the fee that applies to the single-family unit. The law also allows for ADUs on lots or parcels where the primary unit is a multi-family unit. In that situation, it seems logical that the ADU impact fee should be proportional to the impact fee that applies to the multi-family unit, but we think ADUs within multi-family developments are likely to be rare and we don't address them further.

The formula for calculating proportional ADU impact fees would be:

Primary unit impact fee X (ADU square feet / Primary unit square feet)

One implication of that formula is that, for an ADU of a particular size, a larger primary unit results in lower impact fees for the ADU.

For example, if the ADU is 1,000 square feet and the primary unit is 2,000 square feet, the proportional impact fee for the ADU would be 50% of the impact fee that would apply to the primary unit. But if the primary unit is 1,200 square feet, the impact fee for the same-sized ADU would be 83.33% of the primary unit fee.

It seems likely that discrepancy is an unintended consequence of language in Section 65852.2 that was not thoroughly considered before adoption. As noted previously, for impact fee studies adopted after July 1, 2022, AB 602 requires impact fees for all types of residential units to be proportional to the square footage of a unit. Impact fees based on square footage for primary units will tend to reduce the inequity created by the proportionality language of Section 65852.2 because the fees that apply to a smaller primary unit would be less than the fees that apply to a larger primary unit. However, it may be a number of years before most cities in California adopt residential impact fees based on square footage. Based on surveys NBS has conducted, it appears that most California cities and counties are applying the proportionality requirement as written.

Population and Employees per Unit

Table 2.1 shows the population-and-employees-per-unit factors for various types of development as used in this study.

Table 2.1: Population and Employees per Unit

Development Type	Dev Units [1]	Pop per Unit [2]	Employees per Unit [3]
Residential <800 Sq. Ft. Unit	DU	2.33	
Residential 800-1,200 Sq. Ft. Unit	DU	2.43	
Residential 1,200-2,100 Sq. Ft. Unit	DU	2.53	
Residential >2,100 Sq. Ft. Unit	DU	2.63	
Commercial	KSF		2.00
Lodging	Room		0.35
Office	KSF		3.00
Industrial	KSF		1.10
Public Facilities	KSF		3.00

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] Population per unit for residential development estimated by NBS based on American Community Survey (ACS) 2020 5-year estimates for distribution of units by number of bedrooms (Table B25041)

[3] Employees per unit estimated by NBS

Existing and Future Development

Tables 2.2 through 2.4 present data on existing and future development in Brisbane. Data from those tables will be used throughout this report. Table 2.2 shows existing development as of January 2022.

It should be noted that existing and future residential development figures are not shown for each unit size category. Because no data are available on the mix of unit sizes for existing or future development, residential units and population for all unit size categories are grouped into the "all residential" category in these tables.

Table 2.2: Existing Development as of January 2022

Development Types	Dev Units [1]	Existing Units [2]	Existing Pop [3]	Existing Empl [4]
All Residential	DU	2,039	4,851	
Commercial	KSF	890.0		1,780
Lodging	Room	387		135
Office	KSF	356.3		1,069
Industrial	KSF	3,209.1		3,530
Public Facilities	KSF	85.3		256
Total			**4,851**	**6,770**

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

[2] Existing residential units from the California Department of Finance (DOF) 2022 E-5 report

[3] Existing population based on the 2020 Census and assumes no growth from 2020 to 2022 as reported by the Brisbane Community Development Department

[4] Total existing employees estimated by the Brisbane Community Development Department; the breakdown of jobs by development type based on the 2021 ESRI Business Summary for Brisbane

Table 2.3 on the next page presents a forecast of future development in the City.

Table 2.3: Forecasted Future Development to Buildout

Development Types	Dev Units [1]	Future Units [2]	Future Pop [3]	Future Empl [4]
All Residential	DU	2,637.0	6,460	
Commercial	KSF	1,897.5		3,795
Lodging	Room	600.0		210
Office	KSF	4,262.7		12,788
Industrial	KSF	5,601.8		6,162
Public Facilities	KSF	150.0		450
Total			**6,460**	**23,405**

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

[2] Future units estimated by the Brisbane Community Development Dept.; estimates include buildout of the Baylands Specific Plan Area

[3] Future population = residential units X pop. per unit from Table 2.1

[4] Future employees = non-residential units X empl. per unit from Table 2.1

Table 2.4 shows forecasted buildout development in the City. The numbers in that table sum the existing development from Table 2.2 and forecasted future development from Table 2.3.

Table 2.4: Buildout Development

Development Types	Dev Units [1]	Buildout Units	Buildout Population	Buildout Employees
All Residential	DU	4,676	11,311	
Commercial	KSF	2,788		5,575
Lodging	Room	987		345
Office	KSF	4,619		13,857
Industrial	KSF	8,811		9,692
Public Facilities	KSF	235		706
Total			**11,311**	**30,175**

Note: Buildout development in Table 2.4 = existing development from Table 2.2 plus forecasted future development from Table 2.3

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

Growth Potential

The numbers in the foregoing tables indicate that between 2022 and buildout, the City's population could increase by 133% while the number of employees working in the City could increase by 345%. The impact fees calculated in this report are intended to provide the City with the means to provide the parks, recreation facilities and trails needed to serve that growth.

Chapter 3. Park Land and Park Improvements

This chapter calculates impact fees for both park land acquisition and park improvements. Chapter 16.24 of the Brisbane Municipal Code requires that residential subdivisions dedicate land for parks or pay fees in lieu of dedication pursuant to the Quimby Act (Govt. Code Section 66477) which is part of the Subdivision Map Act. Consequently, the park land impact fees calculated in this chapter would not apply to any residential subdivision that dedicates park land or pays in-lieu fees required by Chapter 16.24.

Since in-lieu fees and impact fees for park land acquisition are based only on the cost of land and do not cover the cost of park improvements, this chapter calculates a separate impact fee for park improvements. Impact fees for park land and park improvements, as well as for other facilities addressed in this report are governed by the Mitigation Fee Act.

To be clear, the park improvement impact fees calculated in this chapter are intended to be charged in addition to any dedication of park land or payment of park land in-lieu fees or impact fees by a development project. Park improvement impact fees, if enacted by the City, would apply to all new development in Brisbane, separately from contributions toward acquisition of park land.

Service Area

Impact fees calculated in this chapter are intended to apply to all new development in the City, except that impact fees for park land acquisition would not apply to any development project that dedicates park land or pays fees in lieu of dedication pursuant to the Quimby Act.

Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. In this case, the standard used to calculate impact fees for park land and park improvements is the existing level of service, which is defined as the City's current ratio of park acres to service population. That level of service is shown in Table 3.2 later in this chapter. The makeup of the service population used in this report is discussed in Chapter 2 and in the next section.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate park impact fees in this chapter is service population.

As discussed in Chapter 2, service population is a weighted composite variable made up of resident population and employees working in Brisbane. Residents are included in the

service population to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

In all cases, residents are assigned a weight of 1.0, but the weighting of employees varies for different types of facilities in this report. For purposes of calculating park impact fees, employees are assigned a weight of 0.25, meaning that the demand created by an employee of a business in Brisbane equals one-quarter of the demand created by a resident of the City.

Existing Level of Service

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required. The impact fees calculated in this chapter are based on the existing level of service as shown in Table 3.2 on the next page, so there is no level-of-service issue in the calculation of impact fees in this chapter with respect to Section 66016.5.

Table 3.1 lists the City's existing parks and shows City-owned park acreage and acres of parks improved by the City.

Table 3.1: Existing Parks

Park Name	Location	City-Owned Park Acres [1]	Improved Park Acres
Community Center Park	250 Visitacion Avenue	0.12	0.12
Community Park	5 Old County Road	2.82	2.82
Brisbane Dog Park	50 Park Place	0.54	0.54
Firth Park and Canyon	201 Glen Park Way	0.27	0.27
Fisherman's Park	@ Brisbane Lagoon	0.25	0.25
Mission Blue Complex	475 Mission Blue Drive	4.95	3.85
Quarry Road Park	399 San Francisco Ave	0.20	0.20
Tot Lot Playground/Park	4 Solano Street	0.25	0.25
Marina Park	Sierra Point Parkway	3.00	3.00
Skatepark	Old County Rd & Park Ln	0.12	0.12
Basketball Courts (2)	Old County Rd & Park Ln	0.16	0.16
Tennis Courts (2)	1 Solano St	School Land	0.34
Total		**12.67**	**11.91**

Source: City of Brisbane Parks and Recreation Department; acreage shown for the Mission Blue Complex excludes the site of the Mission Blue Center

[1] "School land" means that a facility was constructed by the City on land owned by a school district

Table 3.2 calculates the existing level of service in terms of acres per capita of service population for improved park land in the City. The level of service used in this chapter is based on improved park acres because a 2019 decision by the California Court of Appeal in *Boatworks, LLC v. City of Alameda* found that parks not yet open to the public could not be used as the basis for establishing the existing level of service used to calculate park impact fees.

Table 3.2: Existing Level of Service - Parks

Total Improved Park Acres [1]	Existing Service Population [2]	Existing Acres per Capita [3]
11.91	6,544	0.00182

[1] See Table 3.1

[2] Existing service population for parks = existing population + (existing employees X 0.25)

[3] Existing acres per capita of service population = existing acres / existing service population

Cost Per Capita

Table 3.3 calculates the cost per capita for park land acquisition and park improvements based on the existing acres per capita from Table 3.2 and the estimated cost per acre for park land and park improvements.

Table 3.3: Cost per Capita - Park Land and Park Improvements

Fee Type	Acres per Capita [1]	Cost per Acre [2]	Cost per Capita [3]
Park Land Acquisition	0.00182	$ 3,500,000	$ 6,370.00
Park Improvements	0.00182	$ 575,000	$ 1,046.50

[1] See Table 3.2

[2] Park land acquisition cost per acre based on recent land purchase by the City; park improvement cost per acre estimated by the City

[3] Cost per capita = acres per capita X cost per acre

In the next section, the per-capita costs from Table 3.3 are used to calculate impact fees per unit of development.

Impact Fees per Unit

Park Land Acquisition. Table 3.4 on the next page shows the calculation of park land impact fees per unit of development, by development type. Those fees are calculated using per-capita costs for park land acquisition from Table 3.3 and service population per unit. Service population per unit for residential development = population per unit from

Table 2.1. Service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1.

Table 3.4: Impact Fees per Unit - Park Land Acquisition

Development Type	Units [1]	Cost per Capita [2]	Service Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$6,370.00	2.330	$ 14,842.10
Residential 800-1,200 Sq. Ft. Unit	DU	$6,370.00	2.430	$ 15,479.10
Residential 1,200-2,100 Sq. Ft. Unit	DU	$6,370.00	2.530	$ 16,116.10
Residential >2,100 Sq. Ft. Unit	DU	$6,370.00	2.630	$ 16,753.10
Commercial	KSF	$6,370.00	0.500	$ 3,185.00
Lodging	Room	$6,370.00	0.088	$ 557.38
Office	KSF	$6,370.00	0.750	$ 4,777.50
Industrial	KSF	$6,370.00	0.275	$ 1,751.75
Public Facilities	KSF	$6,370.00	0.750	$ 4,777.50

[1] Units of development: DU = dwelling unit; KSF = 1,000 square gross square feet of building area; Room = guest room or suite

[2] See Table 3.3

[3] Service population per unit for residential development = population per unit from Table 2.1; service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1

[4] Impact fee per unit = cost per capita X service population per unit

Park Improvements. Table 3.5 on the next page shows the calculation of park improvement impact fees per unit of development, by development type. Those fees are calculated using per-capita costs for park improvements from Table 3.3 and service population per unit. Service population per unit for residential development = population per unit from Table 2.1. Service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1.

Table 3.5: Impact Fees per Unit - Park Improvements

Development Type	Units [1]	Cost per Capita [2]	Service Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$1,046.50	2.330	$ 2,438.35
Residential 800-1,200 Sq. Ft. Unit	DU	$1,046.50	2.430	$ 2,543.00
Residential 1,200-2,100 Sq. Ft. Unit	DU	$1,046.50	2.530	$ 2,647.65
Residential >2,100 Sq. Ft. Unit	DU	$1,046.50	2.630	$ 2,752.30
Commercial	KSF	$1,046.50	0.500	$ 523.25
Lodging	Room	$1,046.50	0.088	$ 91.57
Office	KSF	$1,046.50	0.750	$ 784.88
Industrial	KSF	$1,046.50	0.275	$ 287.79
Public Facilities	KSF	$1,046.50	0.750	$ 784.88

[1] Units of development: DU = dwelling unit; KSF = 1,000 square gross square feet of building area; Room = guest room or suite

[2] See Table 3.3

[3] Service population per unit for residential development = population per unit from Table 2.1; service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1

[4] Impact fee per unit = cost per capita X service population per unit

Projected Revenue

This report does not estimate potential revenue from park land acquisition impact fees because many new residential units may be in subdivisions which are subject to City's Quimby Act park land dedication or in-lieu fee requirements rather than the park land impact fees which would apply to non-subdivision projects. We have no way of forecasting how many future residential units would be subject to the park land impact fees calculated in this chapter, so we do not project potential revenue from those fees.

However, since the park improvement impact fees would apply to all new residential development in the City, potential revenue from those impact fees is projected in Table 3.6. Because we are unable to forecast the number of new units that will be constructed in each residential unit size category, potential revenue is projected in Table 3.6 on the basis of added service population and the cost per capita of service population.

Table 3.6: Projected Revenue - Park Improvement Impact Fees

Development Type	Added Service Pop [1]	Cost per Capita [2]	Projected Revenue [3]
All Residential	6,460	$1,046.50	$ 6,760,390
Commercial	949	$1,046.50	$ 993,129
Lodging	53	$1,046.50	$ 55,465
Office	3,197	$1,046.50	$ 3,345,661
Industrial	1,541	$1,046.50	$ 1,612,657
Total			**$ 12,767,300**

[1] See Table 2.3; added service population for residential development = added population; added service population for non-residential development = 0.25 X added employees

[2] See Table 3.5

[3] Projected revenue = added service population X cost per capita

Updating the Fees

The impact fees calculated in this chapter are based the current estimated cost of park land and improvements. We recommend that the fees be reviewed annually and adjusted as needed using local cost data or an index such as the *Engineering News Record* Construction Cost Index (CCI). See the Implementation Chapter for more on indexing of fees.

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the “rational nexus” and “rough proportionality” standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see “Legal Framework for Impact Fees” in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for parks in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to provide additional parks to mitigate the impacts of new development in the City.

As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to provide additional parks to serve the needs of added service population associated with new development in Brisbane.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. New development will increase the need for parks to maintain the existing level of service, as described earlier in this chapter. Without additional parks, the increase in service population associated with new development in the City would result in a reduction in the level of service provided to the entire City.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the park impact fees charged to a development project will depend on the increase in service population associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average service population per unit for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for parks in the City.

Chapter 4. Recreation Facilities

This chapter calculates impact fees for recreation facilities needed to maintain the existing level of service in Brisbane as the City grows.

Service Area

Impact fees calculated in this chapter are intended to apply to all new development in the City.

Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. In this case, the standard used to calculate impact fees for recreation facilities is the existing level of service, which is defined as the current relationship between the replacement cost of existing recreation facilities and the existing service population. That level of service is shown in Table 4.2 later in this chapter. The makeup of the service population used in this report is discussed in Chapter 2 and in the next section.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate recreation facilities impact fees in this chapter is service population.

As discussed in Chapter 2, service population is a weighted composite variable made up of resident population and employees working in Brisbane. Residents are included in the service population to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

In all cases, residents are assigned a weight of 1.0 but the weighting of employees varies for different types of facilities in this report. For purposes of calculating impact fees for recreation facilities, employees are assigned a weight of 0.1, meaning that the demand created by one employee is one-tenth of the demand created by one resident of the City. That weight is lower than the employee weight used in Chapter 3 for park land and park improvements and in Chapter 5 for Open Space and Trails because the experience of City staff indicates that employees of businesses in the City place substantially less demand on the types of recreation facilities addressed in this Chapter substantially than they do on parks, open space and trails.

Existing Level of Service

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. That section requires that, after January 1, 2022, the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required. The impact fees calculated in this chapter are based on the existing level of service as shown in Table 4.2 below, so there is no level-of-service issue with respect to Section 66016.5.

Table 4.1 lists the City's existing recreation facilities with their replacement cost, including land. Replacement cost is used here as an indicator of the cost of constructing additional facilities to serve new development.

Table 4.1: Existing Recreation Facilities

Park Name	Location	Site Acres [1]	Land Value [2]	Building Sq Feet [3]	Facility Repl Cost [4]	Impact Fee Cost Basis [5]
Brisbane Community Pool	2 Solano St	0.62	$ 2,169,421	3,066	$ 2,085,698	$ 4,255,119
Childcare Modular	500 San Bruno Av	School Land	$ 0	1,920	$ 400,000	$ 400,000
Community Center/Library	250 Visitacion Av	0.11	$ 385,675	5,449	$ 2,077,660	$ 2,463,335
Mission Blue Center	475 Mission Blue Dr	0.65	$ 2,275,000	7,200	$ 1,981,290	$ 4,256,290
Silverspot Cooperative	4 Solano St	0.06	$ 216,942	2,700	$ 498,582	$ 715,524
Total		**1.44**	**$ 5,047,039**	**17,269**	**$ 7,043,230**	**$ 12,090,269**

[1] Site acres provided by the City of Brisbane Parks and Recreation Department; "In Park" means the facility is located in a park on acreage already covered by the park land impact fees; "School Land" means the facility was constructed by the City on land owned by a school district

[2] Site value = site acres X park land acquisition cost per acre from Table 3.3 in Chapter 3

[3] Building square feet from the City's insured property schedule or the Parks and Recreation Department

[4] Facility replacement cost includes both the fixed asset value and furniture, fixtures and equipment from the City's insured property schedule, where applicable

[5] Impact fee cost basis is the sum of the land value and the facility replacement cost

Existing Level of Service - Cost Per Capita

Table 4.2 calculates the existing level of service in terms of a cost per capita of service population for the City's existing recreation facilities.

Table 4.2: Existing Level of Service - Recreation Facilities

Impact Fee Cost Basis [1]	Existing Service Population [2]	Cost per Capita [3]
$12,090,269	5,528	$2,187.10

[1] See Table 4.1

[2] Existing service population for parks = existing population + (0.1 X existing employees)

[3] Cost per capita = impact fee cost basis / existing service population

In the next section, the per-capita costs from Table 4.2 are used to calculate impact fees per unit of development.

Impact Fees per Unit

Table 4.3 shows the calculation of recreation facilities impact fees per unit of development, by development type. Those fees are calculated using per-capita costs from Table 4.2 and service population per unit. Service population per unit for residential development = population per unit from Table 2.1. Service population per unit for non-residential development = 0.1 X employees per unit from Table 2.1.

Table 4.3: Impact Fees per Unit - Recreation Facilities

Development Type	Units [1]	Cost per Capita [2]	Service Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$2,187.10	2.330	$ 5,095.93
Residential 800-1,200 Sq. Ft. Unit	DU	$2,187.10	2.430	$ 5,314.64
Residential 1,200-2,100 Sq. Ft. Unit	DU	$2,187.10	2.530	$ 5,533.35
Residential >2,100 Sq. Ft. Unit	DU	$2,187.10	2.630	$ 5,752.06
Commercial	KSF	$2,187.10	0.200	$ 437.42
Lodging	Room	$2,187.10	0.035	$ 76.55
Office	KSF	$2,187.10	0.300	$ 656.13
Industrial	KSF	$2,187.10	0.110	$ 240.58
Public Facilities	KSF	$2,187.10	0.300	$ 656.13

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] See Table 4.2

[3] Service population per unit for residential development = population per unit from Table 2.1; service population per unit for non-residential development = 0.1 X employees per unit from Table 2.1

[4] Impact fee per unit = cost per capita X service population per unit

Projected Revenue

Table 4.4. projects potential revenue from the recreation facilities impact fees based on the cost per capita of service population and service population per unit.

Table 4.4: Projected Revenue - Recreation Facilities Impact Fees

Development Type	Added Service Pop [1]	Cost per Capita [2]	Projected Revenue [3]
All Residential	6,460	$2,187.10	$ 14,128,642
Commercial	380	$2,187.10	$ 831,097
Lodging	21	$2,187.10	$ 45,929
Office	1,279	$2,187.10	$ 2,797,296
Industrial	616	$2,187.10	$ 1,347,251
Total			**$ 19,150,216**

[1] See Table 2.3; added service population for residential development = added population; added service population for non-residential development = 0.1 X added employees

[2] See Table 4.3

[3] Projected revenue = added service population X cost per capita

Updating the Fees

The impact fees calculated in this chapter are based the current estimated cost of recreation facilities. We recommend that the fees be reviewed annually and adjusted as needed using local cost data or an index such as the *Engineering News Record* Construction Cost Index (CCI). See the Implementation Chapter for more on indexing of fees.

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for recreation facilities in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to provide additional recreation facilities to mitigate the impacts of new development in the City.

As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to provide additional recreation facilities to serve the needs of added service population associated with new development in Brisbane.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. New development will increase the need for recreation facilities to maintain the existing level of service, as described earlier in this chapter. Without additional recreation facilities, the increase in service population associated with new development in the City would result in a reduction in the level of service provided to the entire City.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the recreation facilities impact fees charged to a development project will depend on the increase in service population associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average service population per unit for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for recreation facilities in the City.

Chapter 5. Open Space and Trails

This chapter calculates impact fees for open space land acquisition and trail improvements needed to maintain the existing level of service in Brisbane as the City grows.

Service Area

Impact fees calculated in this chapter are intended to apply to all new development in the City.

Methodology

This chapter calculates impact fees using the standard-based method discussed in Chapter 1. Standard-based fees are calculated using a specified relationship or standard that determines the number of service units to be provided for each unit of development. In this case, the standard used to calculate impact fees for open space and trails is the existing level of service. The existing level of service for open space land is defined as the current relationship between the value of the existing City-owned open space land and the existing service population. The existing level of service for trail improvements is defined as the current relationship between the replacement cost of the City's existing trails and the existing service population. Those levels of service are shown in Table 5.2 later in this chapter. The makeup of the service population used in this report is discussed in Chapter 2 and in the next section.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for open space and trails in this chapter is service population.

As discussed in Chapter 2, service population is a weighted composite variable made up of resident population and employees working in Brisbane. Residents are included in the service population to represent the demand created by residential development and employees are included to represent the demand created by non-residential development.

In all cases, residents are assigned a weight of 1.0 but the weighting of employees varies for different types of facilities in this report. For purposes of calculating impact fees for open space and trails, employees are assigned a weight of 0.25, meaning that the demand created by an employee is one-quarter of the demand created by a resident of the City. That is the same employee weight used in Chapter 3 to calculate impact fees for park land and park improvements.

Existing Level of Service

In 2021, AB 602 added Section 66016.5 to the Mitigation Fee Act. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required. The impact fees calculated in this chapter are based on the existing level of service as shown in Table 5.2 below, so there is no level-of-service issue with respect to Section 66016.5.

Table 5.1 lists the acreage and estimated value of the City's existing open space parcels and the estimated replacement cost of trail improvements. Replacement cost is used here as an indicator of the cost of constructing additional facilities to serve new development.

Table 5.1: Existing Open Space and Trails

Park Name	Open Space Acres [1]	Open Space Land Value [2]	Trail Length (LF) [3]	Trail Width (Ft) [4]	Trail Square Feet [5]	Trail Impr Cost [6]
Costaños Canyon	1.01	$ 80,800	416	10.0	4,160	$ 83,200
Crocker Trail	5.45	$ 436,364	11,880	12.0	142,560	$2,851,200
Firth Canyon	1.68	$ 134,400				$ 0
Quarry Road Trail	1.19	$ 95,200	2,640	10.0	26,400	$ 528,000
Total	**9.33**	**$ 746,764**				**$3,462,400**

[1] Open space acres provided by the City of Brisbane Parks and Recreation Department

[2] Open space land based on $80,000 per acre

[3] Trail length in linear feet

[4] Trail width in feet

[5] Trail improvements in square feet provided by the Brisbane Parks and Recreation Department

[6] Trail improvement cost = square feet of trail improvements X $20.00 per square foot

Existing Level of Service - Cost Per Capita

Table 5.2 calculates the existing level of service in terms of a cost per capita of service population for the City's existing open space land and improved trails.

Table 5.2: Existing Level of Service - Open Space and Trails

Cost Component	Impact Fee Cost Basis [1]	Existing Service Population [2]	Cost per Capita [3]
Open Space Land	$ 746,764	6,544	$114.12
Trail Improvements	$ 3,462,400	6,544	$529.14

[1] See Table 5.1; impact fee cost basis = existing land value for open space land and trail improvement cost for trails

[2] Existing service population for parks = existing population + (0.25 X existing employees)

[3] Cost per capita = impact fee cost basis / existing service population

In the next section, the per-capita costs from Table 5.2 are used to calculate impact fees per unit of development.

Impact Fees per Unit

Impact Fees per Unit – Open Space Land Acquisition. Table 5.3 shows the calculation of open space land acquisition impact fees per unit of development, by development type. Those fees are calculated using per-capita costs from Table 5.2 and service population per unit. Service population per unit for residential development = population per unit from Table 2.1. Service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1.

Table 5.3: Impact Fees per Unit - Open Space Land Acquisition

Development Type	Units [1]	Cost per Capita [2]	Service Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$114.12	2.330	$ 265.91
Residential 800-1,200 Sq. Ft. Unit	DU	$114.12	2.430	$ 277.32
Residential 1,200-2,100 Sq. Ft. Unit	DU	$114.12	2.530	$ 288.73
Residential >2,100 Sq. Ft. Unit	DU	$114.12	2.630	$ 300.14
Commercial	KSF	$114.12	0.500	$ 57.06
Lodging	Room	$114.12	0.088	$ 9.99
Office	KSF	$114.12	0.750	$ 85.59
Industrial	KSF	$114.12	0.275	$ 31.38
Public Facilities	KSF	$114.12	0.750	$ 85.59

[1] Units of development: DU = dwelling unit; KSF = 1,000 square gross square feet of building area; Room = guest room or suite

[2] See Table 5.2

[3] Service population per unit for residential development = population per unit from Table 2.1; service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1

[4] Impact fee per unit = cost per capita X service population per unit

Impact Fees per Unit – Trail Improvements. Table 5.4 shows the calculation of trail improvement impact fees per unit of development, by development type. Those fees are calculated using per-capita costs from Table 5.2 and service population per unit. Service population per unit for trail improvement impact fees is identical to the service population per unit for open space land acquisition.

Table 5.4: Impact Fees per Unit - Trail Improvements

Development Type	Units [1]	Cost per Capita [2]	Service Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$529.14	2.330	$ 1,232.89
Residential 800-1,200 Sq. Ft. Unit	DU	$529.14	2.430	$ 1,285.80
Residential 1,200-2,100 Sq. Ft. Unit	DU	$529.14	2.530	$ 1,338.71
Residential >2,100 Sq. Ft. Unit	DU	$529.14	2.630	$ 1,391.63
Commercial	KSF	$529.14	0.500	$ 264.57
Lodging	Room	$529.14	0.088	$ 46.30
Office	KSF	$529.14	0.750	$ 396.85
Industrial	KSF	$529.14	0.275	$ 145.51
Public Facilities	KSF	$529.14	0.750	$ 396.85

[1] Units of development: DU = dwelling unit; KSF = 1,000 square gross square feet of building area; Room = guest room or suite

[2] See Table 5.2

[3] Service population per unit for residential development = population per unit from Table 2.1; service population per unit for non-residential development = 0.25 X employees per unit from Table 2.1

[4] Impact fee per unit = cost per capita X service population per unit

Projected Revenue

Projected Revenue – Open Space Land Acquisition Impact Fees. Table 5.5. projects potential revenue from the open space land acquisition impact fees based on the cost per capita of service population and service population per unit.

Table 5.5: Projected Revenue - Open Space Land Impact Fees

Development Type	Added Service Pop [1]	Cost per Capita [2]	Projected Revenue [3]
All Residential	6,460	$114.12	$ 737,234
Commercial	949	$114.12	$ 108,303
Lodging	53	$114.12	$ 6,049
Office	3,197	$114.12	$ 364,851
Industrial	1,541	$114.12	$ 175,863
Total			**$ 1,392,300**

[1] See Table 2.3; added service population for residential development = added population; added service population for non-residential development = 0.25 X added employees from Table 2.3

[2] See Table 5.2

[3] Projected revenue = added service population X cost per capita

Projected Revenue – Trail Improvement Impact Fees. Table 5.6. projects potential revenue from the open space land acquisition impact fees based on the cost per capita of service population and service population per unit.

Table 5.6: Projected Revenue - Trail Improvement Impact Fees

Development Type	Added Service Pop [1]	Cost per Capita [2]	Projected Revenue [3]
All Residential	6,460	$529.14	$ 3,418,217
Commercial	949	$529.14	$ 502,150
Lodging	53	$529.14	$ 28,044
Office	3,197	$529.14	$ 1,691,647
Industrial	1,541	$529.14	$ 815,398
Total			**$ 6,455,457**

[1] See Table 2.3; added service population for residential development = added population; added service population for non-residential development = 0.25 X added employees from Table 2.3

[2] See Table 5.2

[3] Projected revenue = added service population X cost per capita

Updating the Fees

The impact fees calculated in this chapter are based on the current estimated cost of value of the City's existing open space parcels and the current estimated replacement cost for trail improvements. We recommend that the fees be reviewed annually and adjusted as needed using local cost data or an index such as the *Engineering News Record* Construction Cost Index (CCI). See the Implementation Chapter for more on indexing of fees.

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to mitigate the impact of new development on the need for open space and trails in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to provide additional open space and trails to mitigate the impacts of new development in the City.

As provided by the Mitigation Fee Act, revenue from impact fees may also be used for temporary loans from one impact fee fund or account to another.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to provide additional open space and trails to serve the needs of added service population associated with new development in Brisbane.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. New development will increase the need for open space and trails to maintain the existing level of service, as described earlier in this chapter. Without additional open space and trails, the increase in service population associated with new development in the City would result in a reduction in the level of service provided to the entire City.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the open space and trails impact fees charged to a development project will depend on the increase in service population associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average service

population per unit for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for open space and trails in the City.

Chapter 6. Implementation

This chapter of the report contains recommendations for adoption and administration of impact fees, and for the interpretation and application of the development impact fees and in-lieu fees calculated in this study. It was not prepared by an attorney and is not intended as legal advice.

Statutory requirements for the adoption and administration of fees imposed as a condition of development approval (impact fees) are found in the Mitigation Fee Act (Government Code Sections 66000 *et seq.*).

Adoption

The form in which development impact fees are enacted should be determined by the City attorney. The specific requirements are different for impact fees under the Mitigation Fee Act, and for park land dedication and in-lieu fees under the Quimby Act. The latter requirements must be adopted by ordinance and are subject to the same noticing and public hearing procedures as any ordinance.

Procedures for adoption of fees subject to the Mitigation Fee Act, including notice and public-hearing requirements, are specified in Government Code Sections 66016 and 66018. It should be noted that Section 66018 refers to Government Code Section 6062a, which requires that the public hearing notice be published at least twice during the 10-day notice period. **However, Section 66016.5 added by AB 602 in 2021 requires that impact fee nexus studies be adopted at a public hearing with at least 30-days' notice.**

Government Code Section 66017 provides that fees subject to the Mitigation Fee Act do not become effective until 60 days after final action by the governing body.

Actions establishing or increasing fees subject to the Mitigation Act require certain findings, as set forth in Government Code Section 66001 and discussed in Chapter 1 of this report.

Examples of findings that could be used for impact fees calculated in this study are shown below. The specific language of such findings should be provided by the City Attorney. A more complete discussion of the nexus for each fee can be found in individual chapters of this report.

> **Sample Finding: Purpose of the Fee**. The City Council finds that the purpose of the impact fees hereby enacted is to protect the public health, safety and welfare by requiring new development to contribute to the cost of public facilities needed to mitigate the impacts of new development.
>
> **Sample Finding: Use of the Fee.** The City Council finds that revenue from the impact fees hereby enacted will be used to provide public facilities needed to

mitigate the impacts of new development in the City and identified in the 2022 City of Brisbane Parks and Recreation Impact Fee Study by NBS. [2]

Sample Finding: Reasonable Relationship: Based on analysis presented in the 2022 City of Brisbane Parks and Recreation Impact Fee Study by NBS, the City Council finds that there is a reasonable relationship between:

a. The use of the fees and the types of development projects on which they are imposed; and,

b. The need for facilities and the types of development projects on which the fees are imposed.

Administration

The California Mitigation Fee Act (Government Code Sections 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. References to code sections in the following paragraphs pertain to the California Government Code.

Notices and Statute of Limitations. Section 66006 (f) provides that a local agency, at the time it imposes a fee for public improvements on a specific development project, "... shall identify the public improvement that the fee will be used to finance." The required notification could refer to the improvements identified in this study or to a capital improvement plan.

Section 66020 (d) (1) requires that the agency, at the time it imposes an impact fee, provide a written statement of the amount of the fee and written notice of a 90-day period during which the imposition of the fee can be protested. Failure to protest imposition of the fee during that period may deprive the fee payer of the right to subsequent legal challenge.

Section 66022 (a) provides a separate procedure for challenging the establishment of an impact fee. Such challenges must be filed within 120 days of enactment.

Collection of Fees. Section 66007(a) provides that a local agency shall not require payment of fees by developers of residential projects prior to the date of final inspection, or issuance of a certificate of occupancy, whichever occurs first.

[2] According to Gov't Code Section 66001 (a) (2), the use of the fee may be specified in a capital improvement plan, the General Plan, or other public documents that identify the public facilities for which the fee is charged. The findings recommended here identify this impact fee study as the source of that information. Also note that Section 66016.5 (a)(6) requires that large jurisdictions adopt a capital improvement plan as part of an impact fee nexus study. That requirement applies in counties of 250,000 or more and cities in those counties, so it does apply to Brisbane.

However, "utility service fees" (not defined, but likely referring to water and sewer connections) may be collected upon application for utility service. In a residential development project of more than one dwelling unit, Section 66007 (a) allows the agency to choose to collect fees either for individual units or for phases upon final inspection, or for the entire project upon final inspection of the first dwelling unit completed.

Section 66007 (b) provides two exceptions when the local agency may require the payment of fees from developers of residential projects at an earlier time: (1) when the local agency determines that the fees "will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the local agency has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy" or (2) the fees are "to reimburse the local agency for expenditures previously made."

Statutory restrictions on the time at which fees may be collected do not apply to non-residential development.

Notwithstanding the foregoing restrictions, some cities collect impact fees for all facilities at the time building or grading permits are issued, and builders may find it convenient to pay the fees at that time.

In cases where the fees are not collected upon issuance of building permits, Sections 66007 (c) (1) and (2) provide that the City may require the property owner to execute a contract to pay the fee, and to record that contract as a lien against the property until the fees are paid.

Earmarking and Expenditure of Fee Revenue. Section 66006 (a) mandates that fees be deposited "with other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected." Section 66006 (a) also requires that interest earned on the fee revenues be placed in the capital account and used for the same purpose.

The language of the law is not clear as to whether depositing fees "with other fees for the improvement" refers to a specific capital improvement or a class of improvements (e.g., street improvements).

We are not aware of any municipality that has interpreted that language to mean that funds must be segregated by individual projects. And, as a practical matter, that approach would be unworkable because it would mean that no pay-as-you-go project could be constructed until all benefiting development had paid the fees. Common practice is to maintain separate funds or accounts for impact fee revenues by facility category (i.e., streets, park improvements), but not for individual projects.

Impact Fee Exemptions, Reductions, and Waivers. In the event that a development project is found to have no impact on facilities for which impact fees are charged, such project must be exempted from the fees.

If a project has characteristics that will make its impacts on a particular public facility or infrastructure system significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly to meet the requirement that there must be a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed. The fee reduction is required if the fee is not proportional to the impact of the development on relevant public facilities.

In some cases, an agency may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project as a way of promoting goals such as affordable housing or economic development. Such a waiver or reduction is within the discretion of the governing body but may not result in increased costs to other development projects. So, the effect of such policies is that the lost revenue must be made up from sources other than impact fees.

Credit for Improvements Provided by Developers. If the City requires a developer, as a condition of project approval, to dedicate land or construct facilities or improvements for which impact fees are charged, the City should ensure that the impact fees are adjusted so that the overall contribution by the developer does not exceed the impact created by the development.

In the event that a developer voluntarily offers to dedicate land, or construct facilities or improvements in lieu of paying impact fees, the City may accept or reject such offers, and may negotiate the terms under which such an offer would be accepted. Excess contributions by a developer may be offset by reimbursement agreements.

Credit for Existing Development. If a project involves replacement, redevelopment or intensification of previously existing development, impact fees should be applied only to the portion of the project that represents a net increase in demand for relevant City facilities, applying the measure of demand used in this study to calculate that impact fee.

Annual Report. Section 66006 (b) (1) requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each separate account established to receive impact fee revenues:

1. A brief description of the type of fee in the account or fund;
2. The amount of the fee;
3. The beginning and ending balance of the account or fund;
4. The amount of the fees collected and interest earned;
5. Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fees;
6. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected to complete financing of an incomplete public improvement;

7. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvement on which the transfer or loan will be expended;
8. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).

The annual report must be reviewed by the City Council at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public, per Section 66006 (b) (2).

Five-Year Findings and Refunds under the Mitigation Fee Act. Prior to 1996, The Mitigation Fee Act required that a local agency collecting impact fees was required to expend or commit impact fee revenue within five years or make findings to justify a continued need for the money. Otherwise, those funds had to be refunded. SB 1693, adopted in 1996 as an amendment to the Mitigation Fee Act, changed that requirement in material ways.

Now, Section 66001 (d) requires that, for the fifth fiscal year following the first deposit of any impact fee revenue into an account or fund as required by Section 66006 (b), and every five years thereafter, the local agency shall make all of the following findings for any fee revenue that remains unexpended, whether committed or uncommitted:

1. Identify the purpose to which the fee will be put;
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which impact fees are to be used;
4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited into the appropriate account or fund.

Those findings are to be made in conjunction with the annual reports discussed above. If such findings are not made as required by Section 66001, the local agency could be required to refund the moneys in the account or fund, per Section 66001 (d).

Once the agency determines that sufficient funds have been collected to complete financing on incomplete improvements for which impact fee revenue is to be used, it must, within 180 days of that determination, identify an approximate date by which construction of the public improvement will be commenced (Section 66001 (e)). If the agency fails to comply with that requirement, it must refund impact fee revenue in the account according to procedures specified in Section 66001 (d).

For a useful discussion of the foregoing requirements, see "The Mitigation Fee Act's Five-Year Findings Requirement: Beware Costly Pitfalls" by Glen Hansen, Senior Counsel,

Abbott and Kindermann, and Rick Jarvis, Managing Partner, Jarvis, Fay and Gibson, presented at the 2022 League of California Cities City Attorneys Spring Conference.

Indexing of In-Lieu/Impact Fees. In-lieu fees and impact fees calculated in this report are based on current costs and should be adjusted periodically to account for changes in the cost of facilities or other capital assets that will be funded by those fees. That adjustment is intended to account for escalation in costs for land, construction, vehicles and other relevant capital assets. The *Engineering News Record* Building Cost Index (BCI) and Construction Cost Index (CCI) are useful for indexing construction costs. Where land costs are covered by an impact fee or in-lieu fee, land costs should be adjusted based on changes in local land prices.

Requirements Imposed by AB 602

In 2021, the California Legislature passed AB 602 and the Governor signed it into law. AB 602 creates some new requirements for impact fees that will go into effect in 2022. The new law amends Government Code Section 65940.1 and adds Section 66016.5 to impose the following requirements:

1) A city, county or special district that has an internet website shall post on its website:
    a) A current written schedule of fees, exactions and affordability requirements applicable to a proposed housing development project, and shall present that information in a manner that identifies the fees, exactions and affordability requirements that apply to each parcel and the fees that apply to each new water and sewer utility connection
    b) All zoning ordinances and development standards and specifying the zoning, design and development standards that apply to each parcel
    c) A list of the information that will be required from any applicant for a development project, as specified in Government Code Section 69540
    d) The current and five previous annual fee reports required by Government Code Section 66006 and Subsection 66013 (d).
    e) An archive of impact fee nexus studies, cost of service studies or equivalent conducted on or after January 1, 2018.
2) The above information shall be updated within 30 days of any changes
3) A City or County shall request from a development proponent, upon issuance of a certificate of occupancy or final inspection, the total amount of fees and exactions associated with the project for which the certificate it issued. That information must be posted on the website and updated at least twice a year.
4) Before adoption of an impact fee, an impact fee nexus study shall be adopted.

5) When applicable, the nexus study shall identify the existing level of service for each public facility, identify the proposed new level of service and explain why the new level of service is appropriate

6) If a nexus study supports the increase of an existing fee, the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.

7) A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of the proposed units of the development. A local agency that imposes a fee proportionately to the square footage if the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development. A nexus study is not required to comply with this requirement if the agency makes certain findings outlined in the statute.

8) Large jurisdictions as defined in Section 53559.1 (d) of the Health and Safety Code (counties of 250,000 or more and cities in those counties) shall adopt a capital improvement plan as part of a nexus study.

9) All studies shall be adopted at a public hearing with at least 30-days' notice, and the local agency shall notify any member of the public that requests notice of intent to begin an impact fee nexus study of the date of the hearing.

10) Studies shall be updated at least every eight years, beginning on January 1, 2022.

Training and Public Information

Effective administration of an impact fee program requires considerable preparation and training. It is important that those responsible for collecting the fees, and for explaining them to the public, understand both the details of the fee program and its supporting rationale.

It is also useful to pay close attention to handouts that provide information to the public regarding impact fees. Impact fees should be clearly distinguished from other fees, such as user fees for application processing, and the purpose and use of particular impact fees should be made clear.

Finally, anyone responsible for accounting, capital budgeting, or project management for projects involving impact fees must be fully aware of the restrictions placed on the expenditure of impact fee revenues. Fees must be expended for the purposes identified in the impact fee nexus study in which they were calculated, and the City must be able to show that funds have been properly expended.

Recovery of Administrative Costs

To recover the cost of periodic impact fee update studies and ongoing staff costs for capital budgeting, annual reports, five-year updates and other requirements of the

Mitigation Fee Act, an administrative charge may be added to the impact fees calculated in this report. See the Executive Summary for a discussion of an administrative charge to recover some costs for administration and updating of impact fees.

APPENDIX A

Fee Comparison

City of Brisbane - Parks and Recreation Impact Fee Comparison

Type of Impact Fee	Units	Brisbane Proposed [1]	Belmont [2]	Burlingame [3]	Foster City [4]	Redwood City [5]	San Carlos [6]	South San Francisco [7]
Residential - Single-Family (Brisbane >2,100 Square Feet)								
Park Land	DU	$ 16,753	$ 41,043		See Footnote	$ 30,826	See Footnote	$ 2,976
Park Improvements	DU	$ 2,752	$ 17,590	$ 590	$ 14,926	$ 15,950	$ 7,953	$ 26,148
Recreation Facilities	DU	$ 5,752			Included	Included		
Open Space/Trails	DU	$ 1,692	Included			Included		
Total		**$ 26,949**	**$ 58,633**	**$ 590**	**$ 14,926**	**$ 46,776**	**$ 7,953**	**$ 29,124**
Residential - Multi-Family (Brisbane 800-1,200 Square Feet)								
Park Land	DU	$ 15,479	$ 27,362		See Footnote	$ 26,468	See Footnote	$ 1,759
Park Improvements	DU	$ 2,543	$ 11,660	$ 350	$ 11,639	$ 13,695	$ 3,977	$ 15,462
Recreation Facilities	DU	$ 5,315			Included	Included		
Open Space/Trails	DU	$ 1,563	Included			Included		
Total		**$ 24,900**	**$ 39,022**	**$ 350**	**$ 11,639**	**$ 40,163**	**$ 3,977**	**$ 17,221**
Lodging								
Park Land	Room	$ 557				$ 2,162		$ 3,795
Park Improvements	Room	$ 92	$ 427		$ 910	$ 1,119		$ 6,571
Recreation Facilities	Room	$ 77			Included	Included		
Open Space/Trails	Room	$ 56	Included			Included		
Total		**$ 782**	**$ 427**	**$ 0**	**$ 910**	**$ 3,281**	**$ 0**	**$ 10,366**
Commercial								
Park Land	KSF	$ 3,185				$ 3,510		$ 938
Park Improvements	KSF	$ 523	$ 710	$ 118	$ 2,350	$ 1,820		$ 3,158
Recreation Facilities	KSF	$ 437			Included	Included		
Open Space/Trails	KSF	$ 322	Included			Included		
Total		**$ 4,467**	**$ 710**	**$ 118**	**$ 2,350**	**$ 5,330**	**$ 0**	**$ 4,096**
Office								
Park Land	KSF	$ 4,778				$ 5,110		$ 833
Park Improvements	KSF	$ 785	$ 2,370	$ 172	$ 6,240	$ 2,640		$ 2,957
Recreation Facilities	KSF	$ 656			Included	Included		
Trails	KSF	$ 482	Included			Included		
Total		**$ 6,701**	**$ 2,370**	**$ 172**	**$ 6,240**	**$ 7,750**	**$ 0**	**$ 3,790**
Industrial								
Park Land	KSF	$ 1,752				$ 1,650		$ 394
Park Improvements	KSF	$ 288	$ 950	$ 56	$ 3,510	$ 860		$ 1,398
Recreation Facilities	KSF	$ 241			Included	Included		
Trails	KSF	$ 177	Included			Included		
Total		**$ 2,457**	**$ 950**	**$ 56**	**$ 3,510**	**$ 2,510**	**$ 0**	**$ 1,792**

General Note: Cities other than Brisbane shown in this comparison table do not have specific impact fees for either recreation facilities or trails; where the cells for those fees show the notation "included," it means that documentation reviewed for this comparison indicated that it was the city's intent to include those uses within the meaning of "park improvements"; however, other cities may also include recreation facilities and/or trails within the meaning of park improvements

[1] Brisbane park land fee is based on the park land impact fee for non-subdivision projects; Brisbane Quimby in-lieu fee is determined case-by-case

[2] Belmont park land fee is based on the Quimby Act fee in-lieu of park land dedication

[3] Burlingame has no impact fees or in-lieu fees for park land acquisition

[4] Foster City has a Quimby Act ordinance that requires dedication of park land or payment of fees in lieu of dedication for residential development; in-lieu fees are determined case-by-case; the City has no park land impact fees for non-residential development; park impact fees for lodging are based on square footage; this comparison assumes an average overall building area of 425 square feet per hotel room

[5] Redwood City has adopted park land in-lieu fees for residential subdivisions and park land impact fees for residential development not involving a subdivision in the same amount

[6] San Carlos has a Quimby Act ordinance that requires dedication of park land or payment of fees in lieu of dedication for residential development; in-lieu fees are determined case-by-case; the City has no park land or park improvement impact fees for non-residential development; San Carlos adds a $700 administrative fee to the amounts shown in the table

[7] South San Francisco charges multi-family residential impact fees for park land acquisition and park improvements based on the number of units in a building; multi-family impact fees shown in this table are for the 20-49 unit category

Brisbane Transportation Impact Fee (TIF) Nexus Study

Prepared for:
City of Brisbane

February 14, 2025

SF24-1354

FEHR PEERS

This page was intentionally left blank.

Table of Contents

Introduction **1**
Background 1
Approach **2**
District Structure 2
Fee Categories 4
Population and Employment Rates 4
Land Use Inputs 5
Trip Generation 8
Infrastructure Inputs 8
Nexus Analysis and Fee Calculations **12**
Assumptions 12
Cost Estimates 12
Existing Deficiencies 12
Cost Attribution 13
Fee Calculations and Application 14
Summary of Required Program Elements **16**
Fundamental Nexus Requirements 16
Additional Elements 17

Attachments

Attachment A: Project Cut Sheets
Attachment B: Updating Fees with Future Candlestick Interchange Cost Estimate

List of Figures

Figure 1: Study Area 3

List of Tables

Table 1: City of Brisbane Household and Employment Projections, excluding Baylands Specific Plan 5
Table 2: Land Use Projects Approved Since 2015 6
Table 3: Brisbane Land Use Growth within TIF Districts 7
Table 4: PM Peak Hour Trip Generation for TIF Land Use Categories 8
Table 5: Project List 10
Table 6: Cost Attribution by Project Type 13
Table 7: Total Project Costs Eligible for Inclusion in TIF 14
Table 8: Maximum Fees by TIF District and Land Use Category 15

Introduction

The City of Brisbane (City) expects significant population and employment growth that requires transportation capital improvements to meet the demands of new development. The City hired Fehr & Peers to create the Transportation Impact Fee (TIF) Nexus Study to study cost sharing of the needed transportation capital improvements. In collaboration with the City of Brisbane, transportation capital improvement projects necessary to accommodate anticipated growth were identified, along with their estimated costs. The study identifies fees for transportation improvements across the city for each land use type expected to be built.

Background

A fee program is required to operate pursuant to the Mitigation Fee Act, also known as California Assembly Bill 1600 (AB 1600) or California Government Code Sections 66000 et seq., which governs impact fees in California. Fees charged pursuant to this legislation are used to build capital facilities needed to serve the demands generated by new development. Fees are not used to correct existing deficiencies but rather are intended to address future needs. There must be a demonstrated relationship, or "nexus," between the amount of the fee, the cost of the facilities, and the types of development on which the fee is imposed.

Approach

District Structure

The nexus analysis in Brisbane is structured with a district approach that groups infrastructure projects according to the specific development areas most responsible for the need. This approach contrasts with a citywide approach which would be agnostic to the locations of infrastructure and land development projects within the City. City staff preferred a district approach because new development and corresponding infrastructure improvements are concentrated in discrete areas of the City.

The TIF is structured into the following three districts:

- Baylands
- Sierra Point
- West Brisbane

Figure 1 displays the general location of these districts. Any future expansion of the Recology site that occurs within Brisbane would be included within the Baylands area. Including Guadalupe Quarry in the West Brisbane TIF District may be infeasible under current circumstances because the site is not currently within the city limits of Brisbane. The Guadalupe Quarry project will be solely responsible for constructing site access improvements as a part of the project description or mitigation measures/conditions of approval, including on Quarry Road, secondary access drive, and multi-modal improvements on South Hill Drive. However, if Guadalupe Quarry is incorporated within the City and the TIF in the future, then it would be included within the West Brisbane TIF District.

Figure 1

Brisbane TIF Infrastructure Projects

Fee Categories

Based on the City's input and the types of land uses anticipated per the City's General Plan and available Specific Plan documents, the fee categories for this TIF study are:

- Office
- Life science / R&D
- Hotel
- Industrial
- Warehouse
- Residential
- Retail

Traffic generated by new residential uses is accounted for in the nexus analysis and proportional allocation of fees; however, based on direction from staff, impact fees will not be levied for residential uses outside of the Baylands TIF District. This will result in an impact fee program that is not fully funded (i.e., the total amount in collected fees will not fully pay for the improvements assumed in the impact fee program), because the proportion of costs attributable to new residential development outside of the Baylands TIF District will need to be covered through other funding sources. This study has calculated the number of trips anticipated to be generated by new residential land uses outside of the Baylands TIF District and found it to be less than 10 percent of the total future trips generated by new growth in the City.

Population and Employment Rates

We used population and employment rates from the *Brisbane Baylands Transportation Impact Assessment* (Fehr & Peers, 2024) and *Fiscal Impact Analysis of The Baylands Specific Plan* (Economic & Planning Systems, Inc., 2022) to estimate demand allocation among the various land use categories. Future growth projections are usually presented in units of population and employment, whereas fees are typically charged based on square footage of building area, so equivalency rates were needed to convert between different units of measurement. The rates for relevant fee categories are summarized below.

- Office = 310 square feet per employee[1]
- Life Science/R&D = 350 square feet per employee[2]
- Hotel = 1 employee per room[1]

[1] Per *Fiscal Impact Analysis of The Baylands Specific Plan* (Economic & Planning Systems, Inc., 2022) and employee densities used in *Brisbane Baylands Transportation Impact Assessment*, Table C-4 in Appendix C.1

[2] This density aligns with employee densities used in the *Brisbane Baylands Transportation Impact Assessment*, Table C-4 in Appendix C.1.

- Industrial = 500 square feet per employee[3]
- Warehouse = 1,000 square feet per employee[4]
- Residential = 2.23 persons per dwelling unit[5]
- Retail = 580 square feet per employee

The Baylands TIA references the ITE Trip Generation Manual land use code 710 per employee rate for all employment uses, which has the largest dataset for employment-based uses. Therefore, ITE land use code 710 is appropriate to represent the trip generating characteristics of employees for the employment land uses presented above (note that it excludes residential and hotel land uses).

Land Use Inputs

This section summarizes the anticipated land use growth within the City of Brisbane that results in the need for the infrastructure improvements included in the TIF Nexus Study. **Table 1** presents Brisbane's General Plan household and employment projections between 2015 and 2050 used in the cumulative impact analyses for the *Baylands Specific Plan Environmental Impact Report* (Baylands EIR). The growth projections in **Table 1** exclude the Baylands Specific Plan. The Baylands Specific Plan was incorporated into the General Plan via an amendment through Measure JJ in 2018.

Table 1: City of Brisbane Household and Employment Projections, excluding Baylands Specific Plan

Households			Employment		
2015	2050	2015–2050	2015	2050	2015–2050
1,910	2,713	+803	10,465	14,865	+4,400

Notes:
1. Does not include development of the Baylands Specific Plan.

Source: *Baylands Specific Plan Environmental Impact Report*, Table 7-1. City of Brisbane, 2022.

Since 2015, some development projects included within the General Plan projections were approved and therefore would not be subject to paying the TIF and are not included within the TIF calculations. These approved development projects, in addition to the remaining General Plan Buildout that could be included in the TIF, are presented in **Table 2**.

[3] Industrial land uses are not presented in the Baylands studies so the employment density is cited from the *Commercial Linkage Fee Nexus Analysis* prepared for the City of San Jose (July 2020).

[4] Warehouse land uses are not presented in the Baylands studies. The employment density is 2,000 square feet per employee from the *Commercial Linkage Fee Nexus Analysis* prepared for the City of San Jose (July 2020). Based on the Guadalupe Quarry EIR, 2,000 square feet per employee is on the lower range of anticipated employees for warehouse projects, with 1,200 to 1,500 employees at the 1.3 msf facility as the upper range of employment. Therefore, 1,000 sf per employee is used to represent this upper range.

[5] *Fiscal Impact Analysis of The Baylands Specific Plan* (Economic & Planning Systems, Inc., 2022).

Table 2: Land Use Projects Approved Since 2015

Development	TIF District	Residential Uses (Units)	Commercial Uses		
			Quantity (1,000 sf)	S.F. per Employee	Employees
The Shore at Sierra Point (Biotech)	Sierra Point	0	540	350	1,543
The Shore at Sierra Point (Retail)	Sierra Point	0	15	580	26
Genesis Marina	Sierra Point	0	422	350	1,206
3750-3780 Bayshore Boulevard	West Brisbane	30	0	--	0
25 Visitacion Ave. Mixed-Use Project	West Brisbane	2	0.734	580	1
213 Visitacion Ave. Mixed-Use Project	West Brisbane	4	0.283	580	1
18 Visitacion Ave. Mixed-use Project	West Brisbane	2	0.400	580	1
Subtotal – Approved Projects	**--**	***38***	***978***	**--**	***2,778***
Brisbane General Plan Buildout (from Table 1)	**--**	***803***	**--**	**--**	***4,400***
Total – Remaining General Plan Buildout not yet Approved	**--**	**765**	**--**	**--**	**1,622**

Notes: sf = square feet; rate per residential unit is assumed to be 2.23 persons per household
Source: Metis, Fehr & Peers. From *Brisbane Baylands Transportation Impact Assessment* (June 2024), Appendix B.4 Baylands EIR Master Cumulative Project List.

Brisbane's Housing Element anticipates that all housing growth outside of the Baylands Specific Plan would occur in West Brisbane, including 246 households in the Parkside Specific Plan, 134 other units in West Brisbane, and 40 auxiliary dwelling units (ADU's). While the location of the remaining housing units to fulfill the General Plan Buildout is unknown, Fehr & Peers assumed that it would occur within the West Brisbane district as additional housing units are not allowed in the Baylands and Sierra Point TIF districts. Fehr & Peers assumed that the remaining General Plan Buildout employment shown in **Table 2** would be incorporated within planned development in Sierra Point and Guadalupe Quarry.

Table 3 presents the anticipated remaining land use growth in the City of Brisbane for each TIF district. Note that this land use growth does not include minor construction projects or tenant improvements nor projects that are already entitled.

Table 3: Brisbane Land Use Growth within TIF Districts

Development	TIF District	Residential Uses (Units)	Commercial Uses		
			Quantity (1,000 sf or rooms)[6]	S.F. per Employee or Employees per Room	Employees
Baylands Specific Plan[1]	Baylands	2,200	7,000	--	19,480
Residential	*Baylands*	*2,200*	*--*	*--*	*--*
Office	*Baylands*	*--*	*6,397.8*	*--*	*18,503*
Retail	*Baylands*	*0*	*102.2*	*580*	*177*
Hotel[6]	*Baylands*	*0*	*800*	*1*	*800*
Other Pipeline Projects					
Sierra Point Towers[2]	Sierra Point	0	853.22	--	2,373
Sierra Point Hotel and Life Sciences[3]	Sierra Point	0	1,165.62	--	2,526
Life Science / R&D	*Sierra Point*	*0*	*328.81*	*400*	*822*
Office	*Sierra Point*	*0*	*328.81*	*300*	*1,096*
Hotel	*Sierra Point*	*0*	*608*	*1*	*608*
Guadalupe Quarry[4]	West Brisbane	--	1,322	1,000	1,322
Total Pipeline Projects	**--**	**0**	**3,340.84**	**--**	**6,221**
Remaining General Plan Buildout after Other Pipeline Projects[5]	West Brisbane	765	**--**	--	0
Total (City of Brisbane w/ Quarry)	**--**	**2,965**	**10,341**	**--**	**25,701**
Total (City of Brisbane w/o Quarry)	**--**	**2,965**	**9,019**	**--**	**24,379**

Notes: s.f. = square feet

1. Baylands Specific Plan size and employees matches the EIR project description. The Baylands Specific Plan was not included in the **Table 2** General Plan Buildout totals and therefore is shown separately from the other Pipeline Projects.
2. Sierra Point Towers employees based on 2022 project description from the project applicant.
3. Sierra Point Hotel and Life Science employees split based on discussion with City staff in 2022.
4. Guadalupe Quarry square feet per employee represents the upper range of potential employees at the project site based on information provided by the project applicant.
5. The remaining General Plan Buildout includes the total residential units and employees from **Table 2** minus the pipeline projects presented in the above table. The remaining General Plan Buildout employees would be zero as the number of employees proposed as a part of the pipeline projects exceeds the number of employees anticipated in the Brisbane General Plan.
6. For Hotel uses, the values shown represent the number of rooms and the number of employees (based on the assumption of 1 employee per room). All other uses reported in 1,000 sf.

Source: Metis, Fehr & Peers. From *Brisbane Baylands Transportation Impact Assessment* (June 2024), Appendix B.4 Baylands EIR Master Cumulative Project List.

Trip Generation

Once the land use assumptions were established, the trip generation associated with those land uses was calculated. The PM peak hour trip rates for each land use category were used since this period typically represents the highest trip generation of the day. Vehicle trip rates for the Brisbane Baylands EIR, Sierra Point project EIRs, and Guadalupe Quarry EIR will be used for those projects to reflect trip making behavior within the City of Brisbane, accounting for the TDM measures required by Brisbane Municipal Code 10.52. When updating the TIF Nexus Study, Institute of Transportation Engineers (ITE) trip rates should be used for other land use categories if no locally appropriate trip rates are available.

Table 4 presents the PM Peak Hour trip generation for TIF land use categories.

Table 4: PM Peak Hour Trip Generation for TIF Land Use Categories

Land Use	Baylands			Sierra Point			West Brisbane		
	Quantity	Trip Rate	Trips	Quantity	Trip Rate	Trips	Quantity	Trip Rate	Trips
Residential	2,200 du	0.30	661	-	-	-	765	0.36	275
Office	6,397.8 ksf	0.55	3,519	1,182 ksf	0.85	1,008	-	-	-
Retail	102.2 ksf	5.39	551	-	-	-	-	-	-
Hotel	800 rooms	0.43	344	608 rooms	0.59	359	-	-	-
Life science / R&D	-	-	-	328.81 ksf	0.85	-	-	-	-
Warehouse	-	-	-	-	-	-	1,322 ksf	0.16	205
Total	-	-	**5,075**	-	-	**1,367**	-	-	**480**

Notes: du = dwelling unit; ksf = 1,000 square feet
Source: Fehr & Peers, 2025. Vehicle trip rates derived from the Brisbane Baylands EIR, Sierra Point project EIRs, and Guadalupe Quarry EIR.

Infrastructure Inputs

A list of major transportation improvement projects in the City of Brisbane evaluated as part of the TIF is included in **Table 5**. These projects were identified based on review of past studies and coordination with the City of Brisbane. **Attachment A** includes cut sheets that summarize key attributes for each transportation improvement project that would be included in the TIF, including:

- Project ID
- Project name
- Project description
- Concept plans if available
- TIF district
- Total project cost estimate

- Assumed TIF contribution

The transportation improvement projects are generally organized by complexity and how they relate together. The most complex is the Candlestick Interchange (also known as Harney Interchange) due to the shared regional funding agreements outlined in the 2013 Bi-County Study.[6] This project is significant in scope and will require funding sources from multiple agencies. Further, the design and cost estimate for the Candlestick Interchange is over a decade old and subject to change. Therefore, the Candlestick Interchange has been separated from the baseline fee calculations in this nexus study. This approach accounts for the Candlestick Interchange based on the current cost estimate per the 2013 Bi-County Study while providing flexibility for future updates to the Bi-County study to update the scope and cost estimate for the Candlestick Interchange. The Geneva Avenue Extension and other transportation changes were included in the 2013 Bi-County study but are not included in this TIF as they are either part of project descriptions (e.g., the Geneva Avenue Extension is a part of the Baylands) or may no longer be required. Information supporting the assumed fee requirements of the nexus study is contained in Table 7.2 Cumulative Projects List of the Baylands Specific Plan EIR.

[6] https://www.sfcta.org/projects/bi-county-transportation-study

Table 5: Project List

ID	Name	Description	Total Project Cost	Assumed TIF Contribution	TIF District(s)
1	Candlestick Interchange Reconfiguration	The Candlestick Interchange Reconfiguration would address deficient conditions that would arise with land use growth in both San Mateo and San Francisco counties, and thus will require significant coordination among several jurisdictions, including the cities of Brisbane, Daly City, San Francisco, and Caltrans.	$195,000,000[1]	$42,344,516	Baylands, West Brisbane, Sierra Point
2a	Bayshore Corridor Mobility Plan	The Bayshore Mobility Plan sets forth the design plan for Bayshore Boulevard required by Program C.1.b of the City of Brisbane General Plan.	$10,000,000[2]	$8,532,096	Baylands, West Brisbane, Sierra Point
2b	Bayshore Boulevard / San Bruno Avenue Signalization	The Bayshore Boulevard and San Bruno Avenue Intersection Improvement is part of the greater Bayshore Boulevard Mobility Plan (see Project 2a), to accommodate traffic and land use growth in West Brisbane.	$850,000[3]	$850,000	West Brisbane
3a	Sierra Pt Pkwy / Lagoon Road / US 101 Southbound Ramp Roundabout	As documented in the Brisbane Baylands Transportation Impact Assessment, a roundabout is the preferred configuration for the rebuilt intersection of Sierra Point Parkway, Lagoon Road, and the U.S. 101 Southbound Ramp Terminal to reduce off-ramp queues from extending back onto the mainline with the addition of traffic generated by the Baylands Specific Plan and land use growth in Sierra Point.	$1,025,000[2]	$1,025,000[3]	Baylands, Sierra Point
3b	Sierra Point Bay Trail Gap Closure	As documented in the Brisbane Baylands Transportation Impact Assessment, with the addition of the Bay Trail segment north of Lagoon Road and the change in land uses proposed by the Baylands Specific Plan and in Sierra Point would create demand for walking and bicycling travel along this segment of Sierra Point Parkway.	$1,715,000	$1,715,000	Baylands, Sierra Point
4a	Sierra Pt Parkway / Marina Blvd (West) / Shoreline Court Roundabout	Operational and safety improvements to the intersection Sierra Point Parkway / Marina Boulevard (West) / Shoreline Court to support the increase in multi-modal travel associated with the increased density of Sierra Point.	$3,280,000	$3,280,000	Sierra Point

ID	Name	Description	Total Project Cost	Assumed TIF Contribution	TIF District(s)
4b	Sierra Pt Parkway / Marina Blvd (East) / Shoreline Court Roundabout	Operational and safety improvements to the intersection Sierra Point Parkway / Marina Boulevard (East) to support the increase in multi-modal travel associated with the increased density of Sierra Point.	$2,000,000	$2,000,000	Sierra Point
4c	Sierra Point Parkway Terminus Roundabout	Operational and safety improvements to the terminus of the Sierra Point Parkway at the Brisbane Marina driveways to support the increase in multi-modal travel associated with the increased density of Sierra Point and facilitate vehicle access to 9000 Marina Boulevard.	$2,000,000	$2,000,000	Sierra Point
4d	Sierra Point Internal Multi-Use Pathway	Safety improvements to connect other proposed Class 1 pathways to provide a complete internal network for multi-modal travel in support of the increased density of Sierra Point.	$4,000,000	$4,000,000	Sierra Point
5	Parkside Precise Plan: Park Lane	Implement Park Lane street section of the Parkside Precise Plan to accommodate land use changes.	$1,200,000	$1,200,000	West Brisbane
6	Parkside Precise Plan: Old County Road	Implement Old County Road street section of the Parkside Precise Plan to accommodate land use changes.	$100,000	$100,000	West Brisbane
7	Valley Drive Improvements	Implement Valley Drive bicycle and pedestrian improvements per the 2017 Bicycle and Pedestrian Master Plan and the findings from the Crocker Park Technical Assistance Panel.	$3,000,000[3]	$3,000,000	West Brisbane
8	BPMP Improvements	General fund for bicycle and pedestrian improvements as identified in the BPMP. Specific locations to be identified as part of further study.	$1,132,000[4]	$1,132,000	Baylands, West Brisbane, Sierra Point

1. The Candlestick Interchange Project cost will change once a new Bi-County study is released. This value represents the full cost of the project. The cost of the project is shared with jurisdictions outside of the City of Brisbane per Table ES-3 of Bi-County Study. Access the 2013 Bi-County Study: https://ccag.ca.gov/wp-content/uploads/2014/05/BiCounty-Final-Report_.pdf
2. Project contributions to Projects 2a and 3a were calculated using a "select link" analysis as described in Fee Calculations and Application section. These projects will not be fully funded by the TIF program.
3. A signal or roundabout were identified as mitigation for land use growth in Sierra Point and Baylands to reduce vehicle queues from extending onto U.S. 101. Therefore, the full cost of this improvement is included in the TIF and assigned to development in these two TIF districts.
4. Cost estimate per email direction from Randy Breault in September and October 2024.

Nexus Analysis and Fee Calculations

Assumptions

Cost Estimates

Individual project costs in **Table 5** are presented in current year (2025) dollars. Once the fee program is adopted, inflation will be accounted for by escalating the individual fee rates annually per the Engineering News-Record's Construction Cost Index. This is an industry standard approach for determining fee escalation and is used for other similar impact fee programs. Given that some of the projects have prior mitigations identified for the sites, the City of Brisbane will need to provide information about how much money was gathered for these mitigations to provide a credit for the new project cost estimate.

Existing Deficiencies

One of the key functions of a fee program is to charge fees to new development to fund new development's proportional share of transportation improvements that are needed to serve the demand generated by new development. The purpose of an impact fee is not to correct existing deficiencies. Therefore, it is necessary to determine whether there are existing deficiencies in the roadway network that may be related to or affected by those proposed projects, so that the deficiencies can be accounted for in the fee calculations.

To determine whether there exist any deficiencies within the facilities contained within the list of transportation improvement projects, available traffic operations analysis for each facility presented in **Table 5** was compared against the local performance threshold. The traffic operations analyses are contained within recent EIR documents, including the Bayshore Baylands EIR and the Sierra Point Towers EIR. Based on our review of these documents, all facilities within the list of transportation improvement projects currently operate acceptably and there are no existing deficiencies that need to be accounted for in this nexus analysis.

Beyond the question of existing deficiencies, the available planning documents indicate that auto-oriented infrastructure within the Sierra Point TIF District is anticipated to become deficient in the future as the planned land use changes will increase multi-modal travel beyond what can be supported by the existing infrastructure. Automobile travel to and from Sierra Point will be constrained by the existing ramp terminal and the two-lane segment of Sierra Point Parkway under US 101; the multi-modal improvements included within this study will provide a complete network of low-stress bicycle and walking facilities, in addition to shuttle stops, to allow for travel by multiple modes into and out of Sierra Point. For this reason, intersections along Sierra Point Parkway that were originally planned to be signalized are now being designed to have roundabouts, and the cost difference between these planned improvements is assumed in this TIF study.

Cost Attribution

To identify the proportion of project cost attributable to new development and thus eligible for inclusion in the TIF, two separate methodologies will be employed depending on project type. **Table 6** summarizes these two approaches. For roadway projects, cost attribution will be based on projected vehicle trip usage of the new facilities. For multi-modal enhancement projects, cost attribution will be based on population and employment proportions.

Table 6: Cost Attribution by Project Type

Project Type	Basis for cost attribution
Roadway projects (including interchanges, ramps, roundabouts, intersections, and those roadways that would be deficient with the land use change)	Proportion of vehicle trips assigned to each facility (using select link function in the City of Brisbane sub-area VISUM model)
Multi-modal enhancements (including Bicycle and Pedestrian Master Plan, Local Road Safety Plan, and Bay Trail projects)[1]	Proportion of future population and employment contributed by new development

Notes:

1. Project 3b, the Sierra Point Bay Trail Gap Closure, has its fee split 50% / 50% between the Baylands and Sierra Point TIF districts. This reflects a shared benefit of the proposed Class I bike facility for Baylands residents and Sierra Point employees.

Source: Fehr & Peers.

Fee Calculations and Application

The project cost estimates attributable to the TIF in **Table 5** are distributed to individual TIF districts. The following projects have costs shared across multiple TIF districts:

- Project 1, the Candlestick Interchange Reconfiguration Project, has costs allocated to all three TIF districts per the proportional cost allocation in Table ES-3 of the 2013 Bi-County Study.
- Project 2a, the Bayshore Corridor Mobility Plan, has costs allocated to all three TIF districts based on the number of trips generated by each TIF district in the 2040 Baylands Cumulative Plus Project PM submodel of the CCAG travel demand model. This information was obtained from the model using a "select link" procedure to track the usage of each facility by travelers crossing TIF district boundaries. This project is not fully funded through the TIF because other regional pass-through trips account for a share of the new trips that benefit from this project.
- Project 3a, Sierra Point Parkway / Lagoon Road / US-101 Southbound Ramp Roundabout, has the full costs allocated between the Baylands and Sierra Point TIF districts as this project is called out as a mitigation measure in the EIR's for development in these two districts to address LOS and queuing impacts. Similar to Project 2a, the costs are distributed between the two districts based on the 2040 Baylands Cumulative Plus Project PM submodel of the CCAG travel demand model. *(Note to reviewer: Split is approximately 50/50 based on the model. We are confirming that this split includes both the planned and approved Sierra Point projects that originally created impacts and contributed money to improvements at this location.)*
- Project 3b, the Sierra Point Bay Trail Gap Closure, has its fee split 50% / 50% between the Baylands and Sierra Point TIF districts. This reflects a shared benefit of the proposed Class I bike facility for Baylands residents and Sierra Point employees. The Baylands project will roughly double the number of residents living in Brisbane, meaning the employers in Sierra Point will draw a substantial number of their local employees from the Baylands area, and the residents, employees, and visitors of both districts will benefit from closing the gap in this regional trail.

Table 7 presents the summation of project costs eligible for inclusion in the TIF program by district.

Table 7: Total Project Costs Eligible for Inclusion in TIF

Baylands	Sierra Point	West Brisbane
$40,524,004	$20,109,863	$10,544,745

Source: Fehr & Peers, 2025.

The total project costs in each TIF district shown in **Table 7** were divided by the number of trips generated in that district to establish a cost per trip. The cost per trip was multiplied by the trip rate for each land use type within a TIF district to calculate the maximum TIF contribution for each land use (e.g., per square foot or per 1,000 square feet, or per dwelling unit, or per hotel room).

Table 8 presents the maximum fee rates for each land use category and TIF district.

Table 8: Maximum Fees by TIF District and Land Use Category

Land Use Category	Baylands	Sierra Point	West Brisbane
Residential (Dwelling Unit)	$2,399.14	-	$7,897.93
Office (SF)	$4.39	$10.41	-
Retail (SF)	$43.05	-	-
Hotel (Room)	$3,433.56	$7,204.58	-
Warehouse/Quarry (SF)	-	-	$3.41
Life Science (SF)	-	$10.41	-

Source: Fehr & Peers.

When comparing the fees across TIF districts, the fees in the Baylands TIF District are lower than those in the other districts because the Baylands TIF district contains significantly more development across which to distribute costs. It should be noted that the Brisbane Baylands project is also responsible for directly funding additional infrastructure improvements beyond those included in this TIF Nexus Study, such as the Geneva Avenue Roadway Extension and the Sierra Point Roadway Improvements.

The fees described in this report reflect maximum fees the City could adopt as part of the TIF. The City may choose to adopt fee amounts that are less than the maximum fees shown in this report; this may require additional funding sources to cover the costs for the projects in this nexus study.

Summary of Required Program Elements

This report provides a detailed discussion of the elements of the City of Brisbane Transportation Impact Fee program and explains the analytical techniques used to develop this nexus study. The report addresses the following fee program elements required by the Mitigation Fee Act (Government Code Section 66000 et seq), as summarized below.

Fundamental Nexus Requirements

Section 66001 contains several fundamental requirements that an agency must document when establishing or imposing an impact fee.

1. *Identifying the purpose of the fee*

   The TIF program is established for the purpose of supporting local public infrastructure improvements and facilities needed to mitigate the traffic-related impacts of new development in the City of Brisbane.

2. *Identifying how the fee will be used and the facilities to be funded through the fee*

   The fee is used to help fund capital improvement projects that will accommodate future transportation needs throughout the City of Brisbane. **Table 5** identifies the projects eligible to be funded through the fee.

3. *Determining a reasonable relationship between the fee's use and the type of development on which the fee is imposed*

   As described in this report, different types of development generate traffic with different characteristics. The maximum fee calculations presented in **Table 8** account for these characteristics by calculating the travel-related characteristics of different land use types. These considerations account for the differential impacts on the transportation system generated by different development types.

4. *Determining a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed*

   The need for the facilities listed in **Table 5** has been established through local and regional planning processes prepared by the City of Brisbane and member agencies of the Bi-County Study.

5. *Determining a reasonable relationship between the amount of the fee and the cost of the public facility (or portion of facility) attributable to new development*

   This report describes the calculations applied to determine the cost of the public facility that is attributable to new development in the City of Brisbane, accounting for the effects of existing deficiencies. Thus, a reasonable effort has been made to quantitatively establish the relationship between the fees charged in the TIF program and the costs of public improvements attributable to new development within the City of Brisbane.

Additional Elements

Due to recent changes in state legislation, Section 66016.5 now defines several additional elements beyond the fundamental nexus requirements that have historically been part of the Mitigation Fee Act. These additional elements include the following:

- *If a nexus study supports the increase of an existing fee, review the assumptions of the nexus study supporting the original fee and evaluate the amount of fees collected under the original fee.*

  This Transportation Impact Fee (TIF) Nexus Study is the first in the City of Brisbane. Future updates should review its assumptions and evaluate the fees collected under the original fee.

- *Calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development, or explain why that would not be an appropriate metric for calculating fees.*

  The nexus study fees on housing developments use one fee level for all unit types. Trip rates used to estimate trips generated from residential developments are based on the Baylands Environmental Impact Reports and its analysis which was conducted by Fehr & Peers. The average trip rate from the Baylands EIR assumes an average of 2.23 residents per unit, as allowed by the City of Brisbane's Measure JJ (2018), which allows a maximum average population density of 2.23 residents per unit for the Baylands project.

  The Mitigation Fee Act requires that there be a demonstrated relationship between the fee being charged to a new development and the level of demand that development places on public facilities and services. As described previously, the calculations presented in **Table 8** account for these characteristics by calculating the travel-related characteristics of different land use types. These considerations account for the differential impacts on the transportation system generated by different development types in different TIF districts. There is no available reference document that directly links trip generation rates to the square footage of a housing unit. Given the lack of readily available reference data about how the size of a housing unit might be related to the demand that unit would place on the transportation system, some agencies in California have undertaken statistical analyses to attempt to better understand that relationship.

Several of these recent statistical analyses have found limited information available from which to derive conclusions. The analyses cite some sources of information that link trip generation rates to the number of people living in a housing unit, although those sources often present values that are averaged over large geographic areas and the results can differ substantially; for example, some analyses cite the 2017 National Household Travel Survey which indicates that a 4-person household in California generates 12.6 daily trips, while others cite a 2012 national report on Travel Demand Forecasting: Parameters and Techniques that indicates a 4-person household generates 16.1 daily trips. These analyses then estimate the relationship between the number of people living in a house and the square footage of the house using US Census data, and then combine those factors to estimate trip generation rates by house size.

An alternative approach has been taken in Western Riverside County, where an analysis was done based on actual trip generation rates and house size data collected from residential neighborhoods throughout that region. This locally-specific analysis found that single-family house size explained approximately one-half of the variation in trip generation rates, while the other half of the variation was related to other economic and demographic factors such as household income, number of residents with jobs, number of school-age children in the household, number of vehicles owned by the residents, and other factors. In addition, the relationship between single-family house size and trip generation rates was found to hold only for houses up to 2,500 square feet; for larger houses, the statistical relationship was much less strong. No statistically significant relationship was found for multi-family developments.

In light of the lack of consistent and available sources of data to support conclusions about how housing units of varying sizes affect the transportation system, the Brisbane Transportation Impact Fee (TIF) Nexus Study has determined that square footage is not currently an appropriate metric to use in calculating fees on residential developments, nor is there substantial evidence that the current method of calculating fees is disproportionate to a residential development's effects on the transportation system.

- *In large jurisdictions, adopt a capital improvement plan as a part of the nexus study.*

  For this purpose, a large jurisdiction is defined as a county with a population of at least 250,000 and all the cities within that county, so the City of Brisbane would meet the definition of a large jurisdiction. The City of Brisbane regularly prepares a capital improvement program (CIP) to guide the expenditure of funds on capital improvements in the City. Before a particular project receives any funds from this TIF program, that project should be included in the City's CIP and the amount of TIF funds allocated to the project should be identified.

- *Nexus studies must be updated at least every eight (8) years.*

  This nexus study and associated fee calculations will need to be updated by 2032-33.

Attachment A:
Project Cut Sheets

N.

1

Candlestick Interchange Reconfiguration

BAYLANDS | WEST BRISBANE | SIERRA PT

Source: Geneva Ave Interchange/Extension Baylands Direct Connector Study (2015), Biggs Cardosa Associates, Inc.

PROJECT DESCRIPTION

The Candlestick Interchange Reconfiguration would address deficient conditions that would arise with land use growth in both San Mateo and San Francisco counties, and thus will require significant coordination among several jurisdictions, including the cities of Brisbane, Daly City, and San Francisco and Caltrans. The project includes a reconfiguration of the existing US-101 interchange at Candlestick Park/Harney Way to accommodate the extension of Geneva Avenue by the Baylands Specific Plan from its current terminus at Bayshore Boulevard, over Caltrain, and to a new access point from US-101 to Harney Way.

A 2013 Project Study Report (2013 PSR) by Caltrans and a 2015 Genera Avenue Interchange/Extension Baylands Direct Connector Study by Biggs Cardosa include the following components:

- Southbound ramps converge on existing intersection, off-ramp is new structure and on-ramp footprint remains the same
- Northbound ramps converge on new intersection, off-ramp uses existing footprint and on-ramp has a new structure
- BRT enters around southbound ramps
- Bridge over US-101 towards Beatty Ave (configuration not described)

The project was evaluated in the *Bi-County Transportation Study* (2013) lead by the SFCTA and in partnership with several agencies from both sides of the San Francisco-San Mateo county line, as a potential transportation improvement needed to address significant current and anticipated land use growth. The project has also been considered during the planning of the Candlestick Point-Hunters Point Shipyard and Schlage Lock (now Baylands North) master plans in San Francisco and Baylands in Brisbane. Conceptual designs of the project have been preapred as part of these studies and projects; however, given the time elapsed since prior studies, the interchange design would need to be updated to reflect the current land uses and design standards.

As further described Bi-County Transportation Study (2011), the funding strategy determined "fair-share" contributions from public and private entities involved in the study area. The project's total estimated cost is $195,000,000, with Baylands responsible for $35,880,000, other proposed Brisbane TIF districts responsible for $21,840,000, and the remaining $137,280,000 shared across other jurisdictions, development projects, and stakeholders. Given the time elapsed since these estimates were prepared, updated cost estimates are recommended for the revised interchange design noted above.

KEY INFORMATION

TIF District
Shared - Baylands (primary), West Brisbane, Sierra Point

Location
US-101 Candlestick Park Interchange

Total Project Cost Estimate
$ 195,000,000 (from 2013 Bi-County Study)

Assumed TIF Contribution (from 2013 Bi-County Study)*
$ 42,344,516
- $ 35,880,000 - Baylands
- $ 1.284,467 - West Brisbane
- $ 5,180,049 - Sierra Point

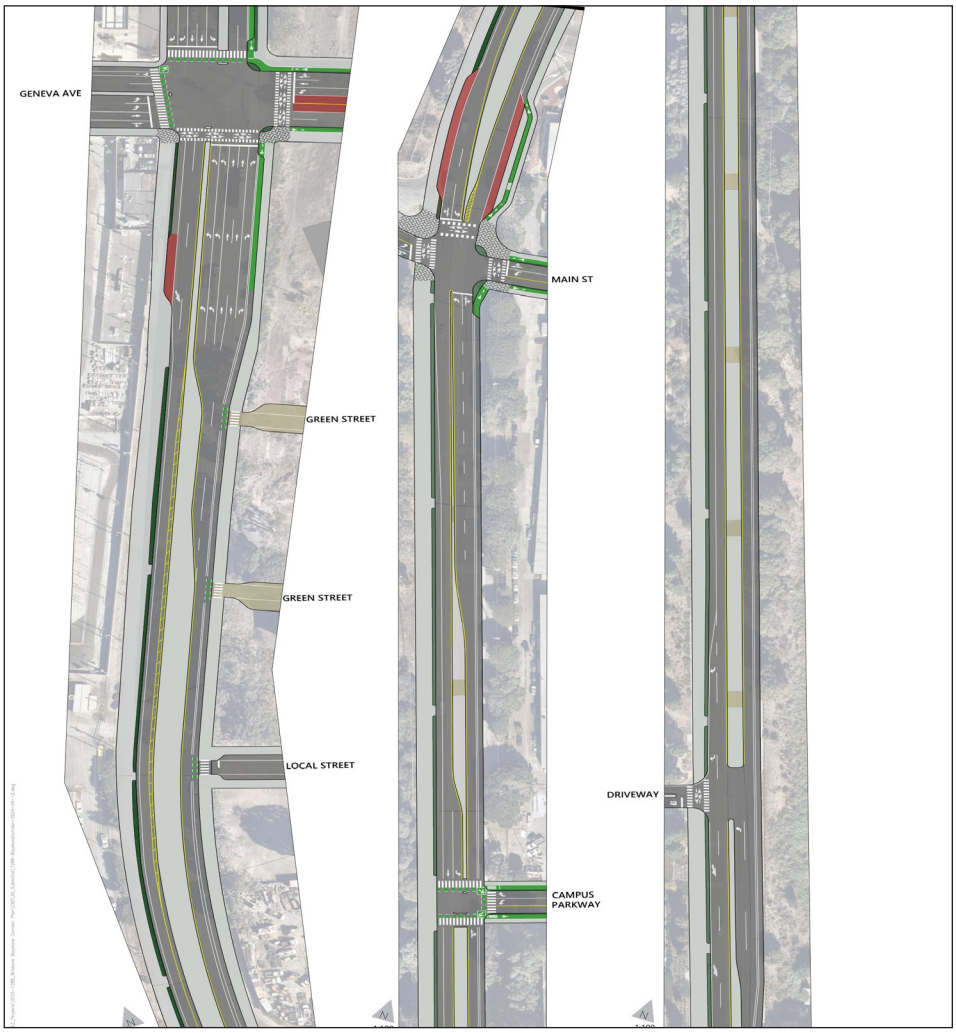
* Allocation of assumed TIF contribution is based on proportional cost responsibility per Table ES-3 "Cost-Participation Percentages and Amounts, by Automobile Trip Generation Method" in the Bi-County Transportation Study.

N.

2a

Bayshore Corridor Mobility Plan

BAYLANDS | WEST BRISBANE | SIERRA PT



Source: Bayshore Mobility Plan: Concept Design Recommendations (2024), Fehr & Peers

KEY INFORMATION

TIF District
Shared - Baylands, West Brisbane, Sierra Point

Location
Bayshore Boulevard (Brisbane)

Total Project Cost Estimate
$ 10,000,000

Assumed TIF Contribution*
$ 8,532,096
- $ 2,476,433 - Baylands
- $ 4,034,865 - West Brisbane
- $ 2,020,799 - Sierra Point

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

PROJECT DESCRIPTION

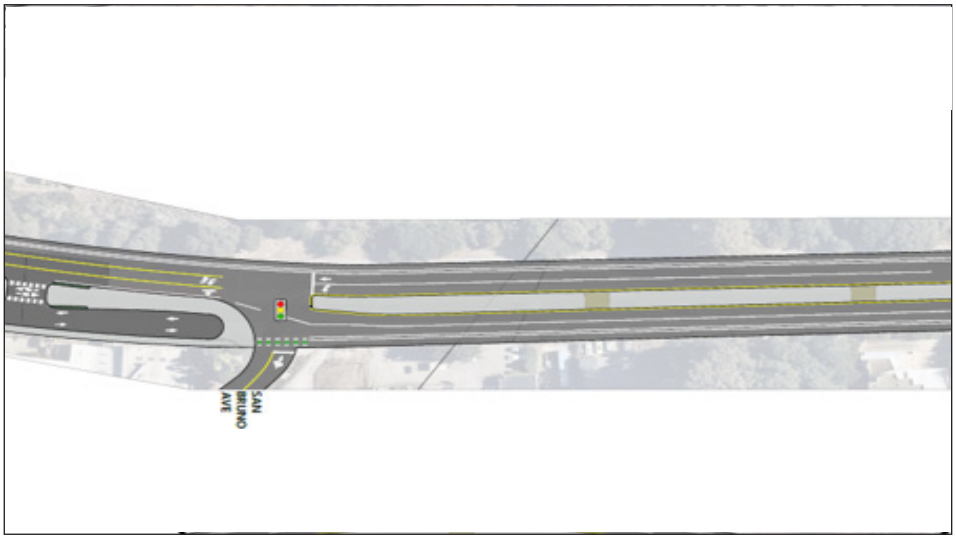
The Bayshore Mobility Plan sets forth the design plan for Bayshore Boulevard required by Program C.1.b of the City of Brisbane General Plan. General Plan Policy C.1 calls for the City's roadway system to be designed "to emphasize mobility for Brisbane residents and businesses, accommodate bicycle and pedestrian in addition to vehicular movement, and provide for comfortable and safe travel within the community to shopping, employment, and recreation, as well as to transit and the Highway 101 freeway." The Bayshore Mobility Plan consists of a road diet, improved local access, and road safety improvements consistent with the conceptual plans presented in the Bayshore Mobility Plan: Concept Design Recommendations memorandum included as an appendix to the Brisbane Baylands Transportation Impact Assessment Report. The Bayshore Mobility Plan would address deficient conditions that would occur due to the growth in demand for multi-modal travel resulting from the land use changes. Given the citywide role of Bayshore Boulevard for travel within Brisbane, the funding for the Bayshore Mobility Plan would be shared among the three districts based on the percent of vehicle traffic generated by the land use growth on Bayshore Boulevard from each district. This project would be implemented in tandem with the Baylands Specific Plan, which includes access changes along Bayshore Boulevard between Geneva Avenue in the north and the future Campus Drive intersection in the south.

N.

2b

Bayshore Boulevard / San Bruno Avenue Signalization

WEST BRISBANE



Source: Bayshore Mobility Plan: Concept Design Recommendations (2024), Fehr & Peers
Note: Figure shows the signal with Bayshore Mobility Plan in place.

KEY INFORMATION

TIF District
West Brisbane

Location
Bayshore Boulevard / San Bruno Avenue

Total Project Cost Estimate
$ 850,000

Assumed TIF Contribution*
$ 850,000 - West Brisbane

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

PROJECT DESCRIPTION

The Bayshore Boulevard and San Bruno Avenue Intersection Improvement is part of the greater Bayshore Boulevard Mobility Plan (see Project 2a), to accommodate traffic and land use growth in West Brisbane. The project could be funded as part of Project 2a or could be funded separately as an interim improvement prior to implementation of the entire plan (with a credit applied to the rest of Project 2a). The mast arm at Bayshore/San Bruno was already completed as indicated in the TIF Contribution.

N.

3a

Sierra Pt Pkwy / Lagoon Road / US 101 Southbound Ramp Roundabout

BAYLANDS | SIERRA PT

Source: The Baylands Specific Plan (2023), Universal Paragon Corporation

PROJECT DESCRIPTION

As documented in the Brisbane Baylands Transportation Impact Assessment, a roundabout is the preferred configuration for the rebuilt intersection of Sierra Point Parkway, Lagoon Road, and the U.S. 101 Southbound Ramp Terminal to reduce off-ramp queues from extending back onto the mainline with the addition of traffic generated by the Baylands Specific Plan and land use growth in Sierra Point. A roundabout would replace the traffic signal required as a part of TRAF-1 P3RE MMRP, with a credit for the $1,025,000 for design and construction costs already paid by the Sierra Pt LLC applicant .

A roundabout at this location will be completed in tandem with the realignment of Lagoon Road as proposed in the Baylands Specific Plan. The roundabout will require Caltrans approval and is expected to include the following features based on the Brisbane Baylands Transportation Impact Assessment:

- Two left turn lanes from westbound U.S. 101 Southbound Off-Ramp to southbound Sierra Point Parkway
- Two right turn lanes from northbound Sierra Point Parkway onto the U.S. 101 Southbound On-Ramp
- Taper down to one-lane in each direction on Sierra Point Parkway south of the roundabout
- One lane in each direction on Lagoon Road (west leg) and Sierra Point Parkway (north leg)
- Class 1 trail crossings for the Bay Trail across the north and west legs would include features that meet the design standards outlined in the *Brisbane Baylands Transportation Impact Study: Supplemental Design Guidelines*, which are based on Caltrans and Bay Trail standards.

KEY INFORMATION

TIF District
Baylands and Sierra Point

Location
US-101 Southbound Ramps, Sierra Point Parkway, and Lagoon Road

Total Project Cost Estimate
$ 1,025,000

Assumed TIF Contribution*
$ 1,025,000
$ 512,500 - Baylands
$ 512,500 - Sierra Point

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

N.

3b

Sierra Point Bay Trail Gap Closure

BAYLANDS SIERRA PT

Source: The Baylands Specific Plan (2023), Universal Paragon Corporation

PROJECT DESCRIPTION

As documented in the Brisbane Baylands Transportation Impact Assessment, with the addition of the Bay Trail segment north of Lagoon Road and the change in land uses proposed by the Baylands Specific Plan and in Sierra Point would create demand for walking and bicycling travel along this segment of Sierra Point Parkway. With these land uses changes, this segment would represent a 1.2 mile deficient gap in the "all ages and abilities" network for people walking and bicycling, as identified by MTC's Active Transportation Network and Bay Trail Plans, between the proposed pathways in Baylands and Sierra Point. A Bay Trail compliant Class I multi-use pathway on this segment would close this network gap and would allow commuter and recreational travelers to walk or bike safely between Bay Trail pathways at Sierra Point and the rest of the City of Brisbane and other nearby communities.

This Bay Trail segment would connect in the north to the proposed Class 1 multi-use pathways included in the Baylands Specific Plan south of Lagoon Road and east of the Sierra Point Parkway extension north of Lagoon Road. This connection is identified in the San Mateo County Comprehensive Bicycle Plan's Backbone Network. In the north, the Bay Trail would cross Sierra Point Parkway and Lagoon Road on the north and west legs of the intersection, as described for Project 3a. In the south, the Bay Trail would travel under the U.S. 101 underpass on the west / south side of Sierra Point Parkway and connect to the Bay Trail and other multi-use pathways on the south and east legs of the U.S. 101 Northbound Ramp Terminal. Class 1 trail crossings would include features that meet the design standards outlined in the *Brisbane Baylands Transportation Impact Study: Supplemental Design Guidelines*, which are based on Caltrans and Bay Trail standards.

KEY INFORMATION

TIF District
Baylands and Sierra Point

Location
Sierra Point Parkway between Lagoon Road and Marina Boulevard

Total Project Cost Estimate
$ 1,715,000

Assumed TIF Contribution*
$ 1,715,000
$ 857,500 - Baylands
$ 857,500 - Sierra Point

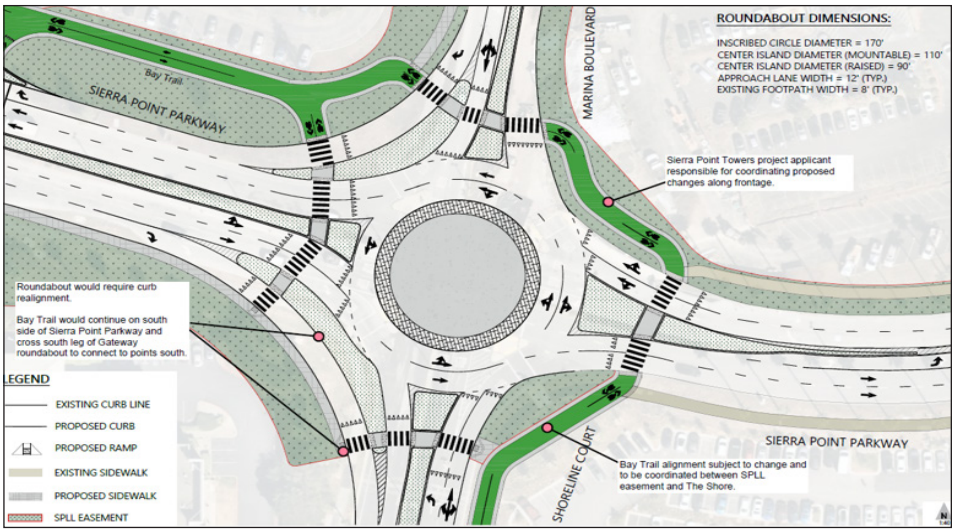
* The Sierra Point Bay Trail Gap Closure, has its fee split 50% / 50% between the Baylands and Sierra Point TIF districts. This reflects a shared benefit of the proposed Class I bike facility for Baylands residents and Sierra Point employees.

N.

4a

Sierra Pt Parkway / Marina Blvd (West) / Shoreline Court Roundabout

SIERRA PT



Source: City of Brisbane

KEY INFORMATION

TIF District
Sierra Point

Location
Sierra Point Parkway and Marina Boulevard (West)

Total Project Cost Estimate
$ 3,280,000

Assumed TIF Contribution*
$ 3,280,000 - Sierra Point

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

PROJECT DESCRIPTION

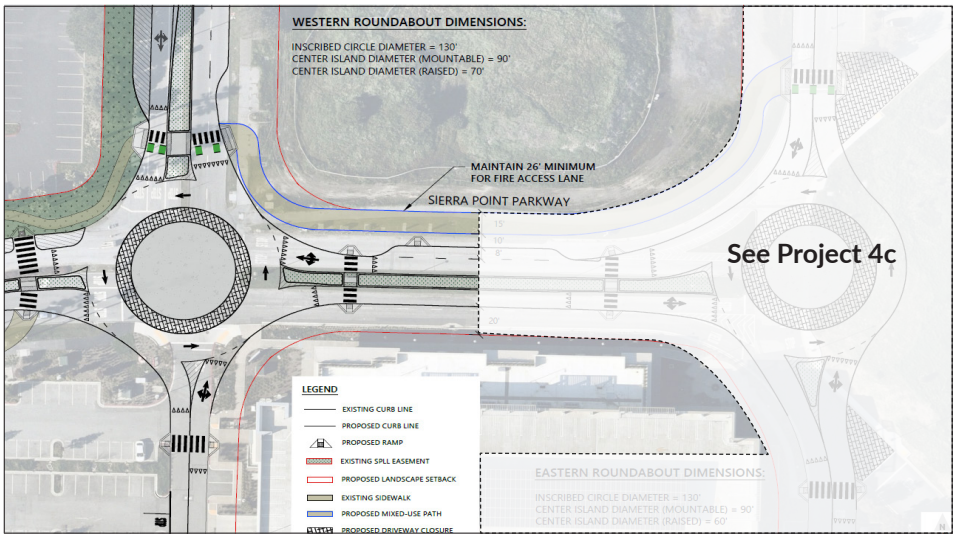
The Sierra Point Sub-Area includes operational and safety improvements to the intersection Sierra Point Parkway / Marina Boulevard (West) / Shoreline Court to support the increase in multi-modal travel associated with the increased density of Sierra Point. The project includes the installation of a dual-lane roundabout to address deficient future traffic operations with the build out of land uses in Sierra Point. This project replaces a previous proposal to signalize the intersection from the prior Sierra Point EIR (TRAF-3 P3RE MMRP), with a credit for the $1,540,000 for design and construction costs already paid by the Sierra Pt LLC applicant .
The roundabout would improve traffic flow and multi-modal safety compared to the previously proposed signalized intersection by reducing vehicle speeds and crossing distances for people walking and bicycling. New Bay Trail connections would be provided through the roundabout to connect the existing Bay Trail segments in Sierra Point to the northwest and southeast of the intersection, Project 3b (Sierra Point Parkway Bay Trail Gap Closure), and Project 5 (Sierra Point Internal Multi-Use Pathway). Class 1 trail crossings would include features that meet the design standards outlined in the *Brisbane Baylands Transportation Impact Study: Supplemental Design Guidelines*, which are based on Caltrans and Bay Trail standards.

N.

4b

Sierra Pt Parkway / Marina Blvd (East) / Shoreline Court Roundabout

SIERRA PT



Source: Fehr & Peers, 2024

PROJECT DESCRIPTION

The Sierra Point Sub-Area includes operational and safety improvements to the intersection Sierra Point Parkway / Marina Boulevard (East) to support the increase in multi-modal travel associated with the increased density of Sierra Point. The project includes the installation of a single-lane roundabout to replace the existing all-way stop sign with four lane approaches on Sierra Point Parkway and Marina Boulevard. The roundabout and associated reduction from four to two lanes on Sierra Point Parkway and Marina Boulevard approaching the intersection would reduce vehicle speeds and crossing distances for people walking and bicycling. These would enhance the comfort and safety for people walking and bicycling within Sierra Point and thus encourage the replacement of vehicle trips with walking and bicycling trips. New Bay Trail connections would be provided through the roundabout on the north leg to connect Project 5 (Sierra Point Internal Multi-Use Pathway) with the pathway through the 9000 Marina Boulevard property to Project 4C (Sierra Point Parkway Terminus Roundabout). Class 1 trail crossings would include features that meet the design standards outlined in the Brisbane Baylands Transportation Impact Study: Supplemental Design Guidelines, which are based on Caltrans and Bay Trail standards.

KEY INFORMATION

TIF District
Sierra Point

Location
Sierra Point Parkway and Marina Boulevard (East)

Total Project Cost Estimate
$ 2,000,000

Assumed TIF Contribution*
$ 2,000,000 - Sierra Point

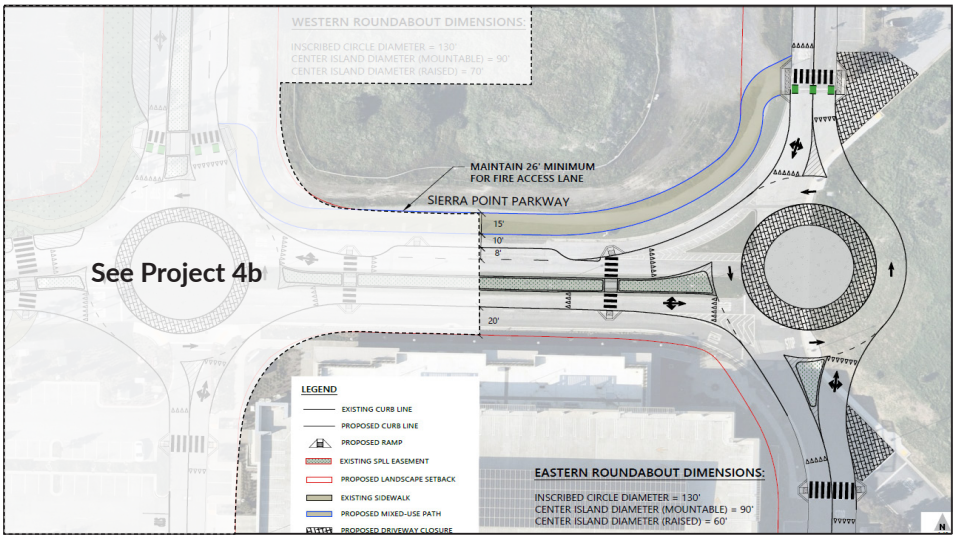
* Allocation of assumed TIF contribution is based on growth in traffic volumes.

N.

4c

Sierra Point Parkway Terminus Roundabout

SIERRA PT



Source: Fehr & Peers, 2024

PROJECT DESCRIPTION

The Sierra Point Sub-Area includes operational and safety improvements to the terminus of the Sierra Point Parkway at the Brisbane Marina driveways to support the increase in multi-modal travel associated with the increased density of Sierra Point and facilitate vehicle access to 9000 Marina Boulevard. The project includes the installation of a single-lane roundabout to replace the existing all-way stop sign with right-turn channelized slip lanes. The roundabout, reduction from four to two lanes on Sierra Point Parkway, and reconfiguration of driveway access into the Brisbane Marina would simplify vehicle access while allowing vehicles to use the roundabout to access the proposed driveway and loading zones for 9000 Marina Boulevard. Reduced crossing distances for people walking and bicycling and a designated Class 1 connection would provide continuous access all the way from the Sierra Point Gateway to the Brisbane Marina and Bay Trail segment. These would enhance the comfort and safety for people walking and bicycling throughout Sierra Point and thus encourage the replacement of vehicle trips with walking and bicycling trips. Class 1 trail crossings would include features that meet the design standards outlined in the *Brisbane Baylands Transportation Impact Study: Supplemental Design Guidelines,* which are based on Caltrans and Bay Trail standards.

KEY INFORMATION

TIF District
Sierra Point

Location
Sierra Point Parkway at Brisbane Marina

Total Project Cost Estimate
$ 2,000,000

Assumed TIF Contribution*
$ 2,000,000 - Sierra Point

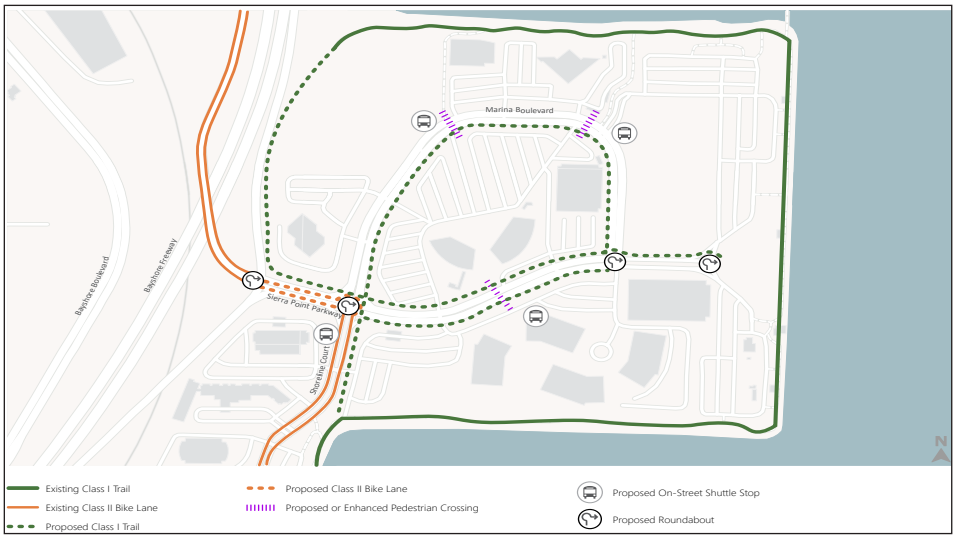
* Allocation of assumed TIF contribution is based on growth in traffic volumes.

N.

4d

Sierra Point Internal Multi-Use Pathway

SIERRA PT



KEY INFORMATION

TIF District
Sierra Point

Location
Sierra Point District

Total Project Cost Estimate
$ 4,000,000

Assumed TIF Contribution*
$ 4,000,000 - Sierra Point

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

PROJECT DESCRIPTION

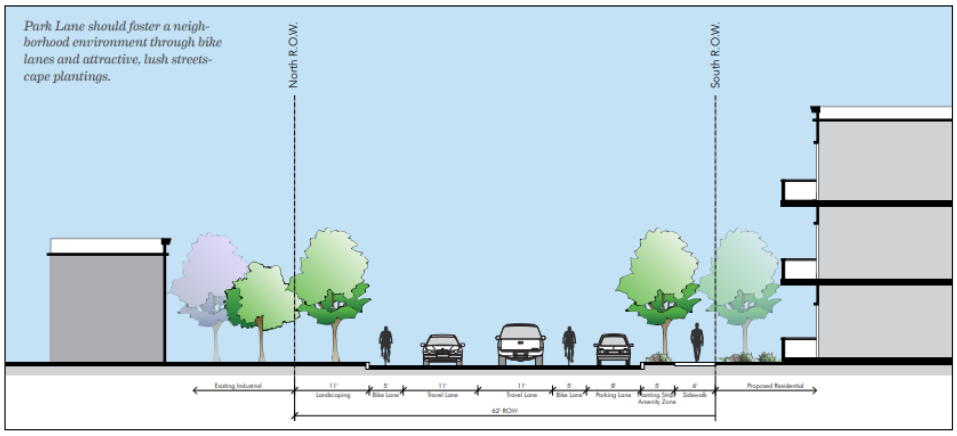
The Sierra Point Sub-Area includes safety improvements to connect other proposed Class 1 pathways to provide a complete internal network for multi-modal travel in support of the increased density of Sierra Point. This project includes the installation of a class 1 pathway around the central parcel of Sierra Point Parkway in coordination with the Sierra Point Towers project and high-visibility crosswalks with crossing enhancements consistent with those outlined in the *Brisbane Baylands Transportation Impact Study: Supplemental Design Guideline*s. This would enhance the comfort and safety for people walking and bicycling throughout Sierra Point and thus encourage the replacement of vehicle trips with walking and bicycling trips.

N.

5

Parkside Precise Plan: Park Lane

WEST BRISBANE



Source: Parkside Precise Plan (2017), City of Brisbane

PROJECT DESCRIPTION

Implement Park Lane street section of the Parkside Precise Plan to accommodate land use changes:

- Maintain established street alignments.
- Within existing public rights-of-way, narrow the travel lanes and medians to allow excess width to be converted into bike lanes and/or sidewalks according to figure above
- Maintain existing curb edges and stormwater flowlines unless otherwise authorized by the City Engineer.
- Add bulb-outs along parking lanes. Landscaping bulbs in the parking lane may be considered at key locations if the adjacent parkway does not provide sufficient width for appropriate landscaping.
- Plant trees in the Brisbane Approved Street Tree List along all roadways to help articulate the street edge and open areas, provide pedestrians with a buffer from motorized traffic, and offer shade and wind protection along sidewalks and pathways
- Require a clear, unobstructed contiguous, minimum eight-foot-wide ADA accessible boarding and unboarding area at all transit shelters

KEY INFORMATION

TIF District
West Brisbane

Location
Park Lane between 145 Park Lane and Old County Road

Total Project Cost Estimate
$ 1,200,000

Assumed TIF Contribution*
$ 1,200,000 - West Brisbane

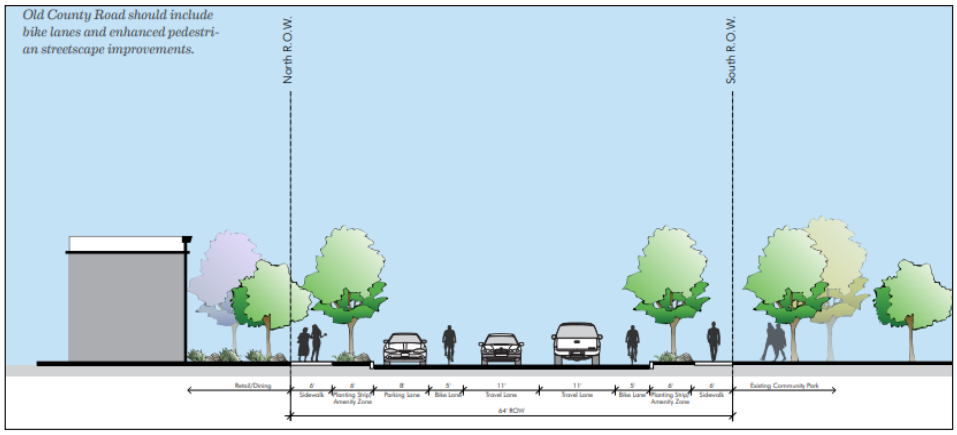
* Allocation of assumed TIF contribution is based on growth in traffic volumes.

N.

6

Parkside Precise Plan: Old County Road

WEST BRISBANE



Source: Parkside Precise Plan (2017), City of Brisbane

PROJECT DESCRIPTION

Implement Old County Road street section of the Parkside Precise Plan to accommodate land use changes:

- Maintain established street alignments.
- Within existing public rights-of-way, narrow the travel lanes and medians to allow excess width to be converted into bike lanes and/or sidewalks according to figure above
- Maintain existing curb edges and stormwater flowlines unless otherwise authorized by the City Engineer.
- Add bulb-outs along parking lanes. Landscaping bulbs in the parking lane may be considered at key locations if the adjacent parkway does not provide sufficient width for appropriate landscaping.
- Plant trees in the Brisbane Approved Street Tree List along all roadways to help articulate the street edge and open areas, provide pedestrians with a buffer from motorized traffic, and offer shade and wind protection along sidewalks and pathways
- Require a clear, unobstructed contiguous, minimum eight-foot-wide ADA accessible boarding and unboarding area at all transit shelters

The Class II Bicycle Lanes are planned to be included in an upcoming repaving project, and therefore will be removed from the total cost (~$80,000).

KEY INFORMATION

TIF District
West Brisbane

Location
Old County Rd between San Francisco Ave and Bayshore Blvd

Total Project Cost Estimate
$ 100,000

Assumed TIF Contribution*
$ 100,000 - West Brisbane

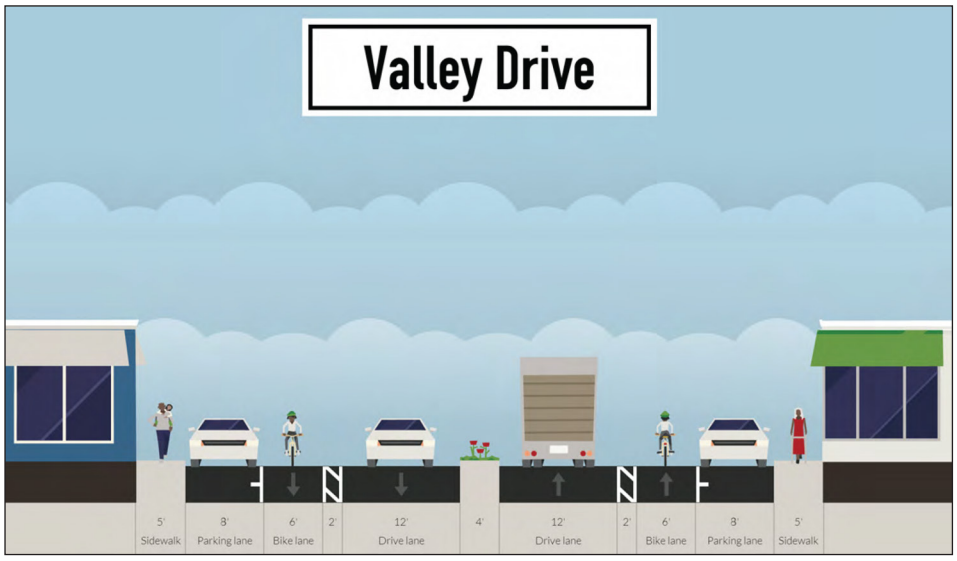
* Allocation of assumed TIF contribution is based on growth in traffic volumes.

N.

7

Valley Drive Improvements

WEST BRISBANE



Source: Crocker Park Technical Assistance Panel (2014), City of Brisbane

PROJECT DESCRIPTION

Implement Valley Drive bicycle and pedestrian improvements per the 2017 Bicycle and Pedestrian Master Plan and the findings from the Crocker Park Technical Assistance Panel. Improvements include the following:

- Install Class II bike lanes from Bayshore Blvd to Silverspot Dr
- Extend existing median islands and pedestrian cages at Crocker Trail and City Hall
- Add median islands, pedestrian cages, and yield teeth at two existing locations

KEY INFORMATION

TIF District
West Brisbane

Location
Valley Drive from Bayshore Blvd to Silverspot Dr

Total Project Cost Estimate
$ 3,000,000

Assumed TIF Contribution*
$ 3,000,000 - West Brisbane

* Allocation of assumed TIF contribution is based on growth in traffic volumes.

Attachment B:
Updating Fees with Future Candlestick Interchange Cost Estimate

The Candlestick Interchange represents the largest project cost of the projects included in this TIF. Since the cost estimate for the Candlestick Interchange project will likely be updated in the future, this report also provides the fee calculations for each land use category and TIF district exclusive of the Candlestick Interchange project. This information can serve as the basis from which to calculate a revised maximum fee rate with an updated cost estimate for the Candlestick Interchange.

Table 9 presents the maximum fee rates for each land use category and TIF district, exclusive of the Candlestick Interchange Project. These fee rates are significantly lower than those presented in **Table 8** because they exclude the Candlestick Interchange project, which represents the largest cost of the projects included in this TIF.

Table 9: Maximum Fee Calculations Without the Candlestick Interchange Project

Land Use Category	Baylands	Sierra Point	West Brisbane
Residential (Dwelling Unit)	$274.94	-	$6,935.87
Office (SF)	$0.50	$7.73	-
Retail (SF)	$4.93	-	-
Hotel (Room)	$393.48	$5,348.77	-
Warehouse/Quarry (SF)	-	-	$2.99
Life Science (SF)	-	$7.73	-

Source: Fehr & Peers

Should the City of Brisbane include an updated cost estimate for the Candlestick Interchange project in the TIF, the fees for all TIF districts will need to be revised since the costs for the Candlestick Interchange are distributed across all TIF districts.

To update the maximum fee values, use the values in **Table 9** to perform the following calculations:

1. **Determine each TIF District's share of Candlestick Interchange costs**: allocate the total cost (i.e., dollar value) of the Candlestick Interchange project to each Brisbane TIF district (Baylands, Sierra Point, West Brisbane).
2. **Calculate the percentage of growth**: Calculate the percentage of growth (e.g., ratio) for each TIF district that results from adding the fees for the Candlestick Interchange in Step 1 to the baseline total costs for each TIF district below. These values would replace the values presented in **Table 7**, and sum to the total cost for all projects excluding the Candlestick Interchange.
    - Baylands: $4,644,004
    - Sierra Point: $9,260,278
    - West Brisbane: $14,929,824

Calculate the percentage growth as:

$$\frac{New\ Total\ Cost - Baseline\ Total\ Cost}{Baseline\ Total\ Cost} \times 100$$

3. **Adjust all fee categories in each TIF district**: Apply the percentage of growth for each TIF district in Step 2 to all fee categories in the TIF district. For each fee category in the table (e.g., Residential, Office), apply the percentage growth calculated in Step 2. Multiply each fee by:

$$(1 + Percentage\ Growth)$$

Example: If the percentage growth is 10%, a $100 fee would increase to $110.

As previously stated, the fees described in this report reflect maximum fees the City could adopt as part of the TIF. The City may choose to adopt fee amounts that are less than the maximum fees shown in this report; this may require additional funding sources to cover the costs for the projects in this nexus study.

CITY OF BRISBANE

Public Facilities Impact Fee Study
Final Report

October 10, 2025

TABLE OF CONTENTS

Executive Summary S-1

Organization of the Report S-1

Development Data S-1

Impact Fee Analysis S1

Impact Fee Summary S-3

Findings S-4

Chapter 1. Introduction 1-1

Purpose 1-1

Legal Framework for Impact Fees 1-1

Recent Legislation 1-5

Impact Fee Calculation Methodology 1-7

Impact Fees for Accessory Dwelling Units (ADUs) 1-8

Facilities Addressed in this Study 1-8

Chapter 2. Development Data 2-1

Study Area 2-1

Time Frame 2-1

Development Types 2-1

Demand Variables 2-4

Demand Factors 2-8

Existing and Future Development 2-8

Chapter 3. Library 3-1

Methodology 3-1

Service Area 3-1

Demand Variable 3-1

Level-of-Service Standard 3-1

Existing Library Facility 3-2

Impact Fees per Unit 3-3

Projected Revenue 3-3

Planned Improvements 3-3

Updating the Fees 3-4

Nexus Summary 3-4

Chapter 4. General Government Facilities 4-1

Methodology 4-1

Service Area 4-1

Demand Variable 4-1

Level-of-Service Standard 4-1

Existing General Government Facilities 4-2

Impact Fees per Unit 4-3

Projected Revenue 4-3

Planned Improvements 4-4

Updating the Fees 4-4

Nexus Summary 4-4

Chapter 5. Police Department Facilities 5-1

Methodology 5-1

Service Area 5-1

Demand Variable 5-1

Level-of-Service Standard 5-1

Existing Police Department Facilities 5-2

Impact Fees per Unit 5-3

Projected Revenue 5-4

Updating the Fees 5-4

Planned Improvements 5-4

Nexus Summary 5-4

Chapter 6. Fire Department Facilities 6-1

Methodology 6-1

Service Area 6-1

Demand Variable 6-1

Level-of-Service Standard 6-1

Planned Fire Department Facilities 6-2

Impact Fees per Unit 6-3

Projected Revenue 6-4

Updating the Fees 6-4

Planned Improvements 6-4

Nexus Summary 6-4

Chapter 7. Implementation 7-1

Adoption 7-1

Administration 7-1

Requirements Imposed by AB 602 7-5

Training and Public Information 7-6

Executive Summary

The City of Brisbane retained NBS Government Finance Group to prepare this study to analyze the impacts of new development on several types of City capital facilities and to calculate impact fees based on that analysis. The methods used in this study satisfy all legal requirements of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000 *et seq*.).

Organization of the Report

Chapter 1 of this report provides an overview of the legal requirements for establishing and imposing such fees, and methods that can be used to calculate impact fees.

Chapter 2 contains data on existing and future development used in this report.

Chapters 3 through 6 analyze the impacts of development on specific types of facilities and calculate impact fees for those facilities. The facilities addressed in this report are listed by chapter below:

Chapter 3. Library
Chapter 4. General Government Facilities
Chapter 5. Police Department Facilities and Vehicles
Chapter 6. Fire Department Facilities, Apparatus and Vehicles

Chapter 7 contains recommendations for adopting and implementing impact fees.

Development Data

Chapter 2 of this report presents estimates of existing development in Brisbane and a forecast of future development through buildout. Chapter 2 also establishes values for factors such as population per unit, service population per unit, and police and fire calls per unit that are used in the impact fee calculations.

It is important to note that because of some provisions of AB 602 that were incorporated into the Mitigation Fee Act, effective in 2022, impact fee categories for residential development in this study are defined in terms of unit-size categories, broken down by square footage ranges. Prior to the adoption of AB 602 it was common practice to base residential impact fees on unit type categories (e.g., single-family or multi-family units).

Impact Fee Analysis

The impact fee analysis for each type of facility addressed in this report is presented in a separate chapter. In each case, the relationship, or nexus, between development and the need for a particular type of facility is defined in a way that allows the impact of additional development on facility needs to be quantified.

The impact fees are based on capital costs for facilities and other capital assets needed to mitigate the impacts of additional development. Impact fees may not be used for maintenance or operating costs. Impact fees calculated in this study are intended to recover only new development's proportionate share of the cost of facilities. Costs for correcting existing deficiencies in City facilities must be funded by non-impact fee funds.

The following paragraphs briefly discuss the methods used to calculate impact fees for each of the facility types addressed in this study.

Library. Impact fees for library facilities in Chapter 3 are calculated using the existing inventory method discussed in Chapter 1, which means that the library impact fees are based on the existing level of service for those facilities in Brisbane. The existing level of service is defined as the replacement value of existing library facilities per capita of existing population.

To calculate that cost per capita, the estimated replacement cost for the existing library is divided by the existing population. That cost per capita is then multiplied by the estimated population per unit for each type of residential development defined in this study to get an impact fee per unit for each type of residential development. Because added population is associated with new residential development, the library impact fees apply only to residential development.

General Government. Impact fees general government facilities in Chapter 4 are calculated using the existing inventory method discussed in Chapter 1, which means that impact fees for general government facilities are based on the existing level of service for those facilities in Brisbane. The impact of development on the need for those facilities is represented by the added service population associated with new development in the City. The existing level of service is defined as the replacement cost of existing facilities per capita of existing service population.

To calculate that cost per capita, the estimated replacement cost for existing general government facilities is divided by the existing service population. That cost per capita is then multiplied by the estimated service population per unit for each type of development defined in this study to get an impact fee per unit for each type of development.

Police Facilities and Vehicles. The police impact fees in Chapter 5 are calculated using the existing inventory method discussed in Chapter 1, which means that impact fees for police facilities and vehicles are based on the existing level of service for those assets in Brisbane. The existing level of service is based on the replacement cost of the Police Department's existing capital assets. The impact of development on the need for those assets is represented by the added calls for service per year associated with various types of new development in the City. The replacement cost of existing Police Department capital assets is divided by the existing calls for service per year to get a cost per call for service per year.

As part of this study, NBS analyzed the distribution of Police Department calls for service for a full year to determine the average number of calls per unit per year generated by different types of development. The impact fees are calculated as the cost per call for service multiplied by the calls per unit per year associated with each type of development defined in this study. The police impact fees apply to all types of new development in the City.

Fire Station. Unlike the other impact fees calculated in this study, which use the existing inventory method, the fire impact fees in Chapter 6 are calculated using the planned facilities method. That method bases the impact fees on a forecast of future development to buildout along with the estimated cost of additional facilities, apparatus and vehicles needed to serve that future development.

The impact of new development on Fire Department facilities, apparatus and vehicles is represented in this study by the number of Fire Department calls for service per year generated by development in the City. As part of this study, NBS analyzed the distribution of fire calls for service for a full year to determine the average number of calls per unit per year generated by different types of development.

A cost per call for service per year is calculated by dividing the estimated cost of planned new Fire Department facilities, apparatus and vehicles by the projected number of calls for service per year generated by new development in the City to buildout. Then, an impact fee per unit is calculated by multiplying that cost per call by the number of calls for service per unit per year generated by each category of development defined in this study.

The reason that the fire impact fees are calculated using the system plan method is that the projected revenue from those fees is exactly equal to the cost of the new assets. In this case, impact fees calculated by either the existing inventory method or the system plan method would result in projected impact fee revenue that would exceed the cost of the new assets needed to serve future development.

Impact Fee Summary

Table S.1 shows the impact fees calculated in this report. Blank areas in the table indicate that some impact fees are not calculated for non-residential development.

Table S.1: Summary of Proposed Impact Fees

Development Type	Units [1]	General Gov't Library	General Gov't	Police	Fire	**Total**
Residential <800 Sq. Ft. Unit	DU	$ 1,944	$ 3,708	$ 395	$ 2,611	**$ 8,658**
Residential 800-1,200 Sq. Ft. Unit	DU	$ 3,791	$ 7,230	$ 621	$ 3,046	**$ 14,688**
Residential 1,200-2,100 Sq. Ft. Unit	DU	$ 5,734	$ 10,938	$ 847	$ 3,482	**$ 21,001**
Residential >2,100 Sq. Ft. Unit	DU	$ 7,678	$ 14,646	$ 1,073	$ 3,917	**$ 27,314**
Commercial	KSF		$ 3,795	$ 9,657	$ 5,566	**$ 19,018**
Hotel/Motel	Room		$ 2,201	$ 2,452	$ 2,305	**$ 6,959**
Office	KSF		$ 3,804	$ 186	$ 479	**$ 4,469**
Life Science/R&D	KSF		$ 3,369	$ 327	$ 1,523	**$ 5,220**
Industrial	KSF		$ 2,358	$ 2,811	$ 392	**$ 5,561**
Warehouse	KSF		$ 1,179	$ 570	$ 740	**$ 2,489**

[1] DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

Because Brisbane has no existing impact fees, there is no need to compare the proposed impact fees with any existing impact fees.

The impact fees calculated in this report are the maximum amounts justified based on the data used to support the calculations. The City Council may choose to adopt impact any of the proposed impact fees at any level up to the amounts shown in Table S.1.

Findings

As discussed in Chapter 1 of this report, the Mitigation Fee Act (Govt. Code Section 66001) requires that in any action establishing, increasing, or imposing a fee as a condition of development approval, the local agency must do all of the following:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put (a capital improvement plan is now required for that purpose).
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development on which the fee is imposed.
5. When the fee is imposed as a condition of approval on a development project, determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

In addition, as discussed in Chapter 2, we recommend that the City Council adopt the following findings pursuant to Government Code Section 66016.5(a)(5)(B) to justify the use of tiered square footage ranges for residential development in this study rather than a fixed fee-per-square-foot approach:

1. A fixed fee-per-square-foot approach would not reflect the actual impact of different-sized residential units on the facilities addressed in this study and would not meet the rough proportionality standard set forth in *Dolan v. Tigard*.
2. The use of tiered square footage ranges rather than a fixed fee per square foot approach better reflects the relationship between the fees charged and the actual burden imposed by various types of development.
3. Calculating impact fees for tiered square footage ranges rather than a fixed fee per square foot still ensures that smaller developments are not charged disproportionate fees because that approach allows the impact fees to be tailored to the actual impacts created by smaller developments, while protecting larger units from excessive fees.

Chapter 1. Introduction

Purpose

The purpose of this study is to analyze the impacts of development on the need for certain capital facilities and other capital assets provided by the City of Brisbane and to calculate impact fees based on that analysis. This report documents the approach, data and methodology used in this study to calculate impact fees.

The impact fees calculated in this report are intended to satisfy all legal requirements governing such fees, including provisions of the U. S. Constitution, the California Constitution and the California Mitigation Fee Act (Government Code Sections 66000-66025).

Legal Framework for Impact Fees

This brief summary of the legal framework for development fees is intended as a general overview. It was not prepared by an attorney and should not be treated as legal advice.

U. S. Constitution. Like all land use regulations, development exactions, including impact fees, are subject to the 5th Amendment prohibition on taking of private property for public use without just compensation. Both state and federal courts have recognized the imposition of impact fees on development as a legitimate form of land use regulation, provided the fees meet standards intended to protect against "regulatory takings." A regulatory taking occurs when regulations unreasonably deprive landowners of property rights protected by the Constitution.

In two cases dealing with exactions, the U. S. Supreme Court has held that when a government agency requires the dedication of land or an interest in land as a condition of development approval or imposes exactions as a condition of approval on a development project, the agency must demonstrate an "essential nexus" between such exactions and the interest being protected (See *Nollan v. California Coastal Commission,* 1987) and make an "individualized determination" that the exaction imposed is "roughly proportional" to the burden created by development (See *Dolan v. City of Tigard,* 1994). In April 2024, the U. S. Supreme Court ruled that Impact fees, even legislatively adopted impact fees, are subject to *Nollan* and *Dolan*.

Defining "Nexus." The nexus required to justify exactions and impact fees can be thought of as having the three elements discussed below. We think proportionality is logically included as one element of that nexus, even though it was discussed separately in *Dolan v. Tigard.* The elements of the nexus discussed below mirror the three "reasonable relationship" findings required by the Mitigation Fee Act for establishment and imposition of impact fees.

1. Need or Impact**.** An agency imposing impact fees must demonstrate that a development project subject to those fees will create a need for the facilities to be funded by the impact fees. All new development in a community creates additional demands on some or all public facilities provided by local government. If the capacity of facilities is not increased to satisfy the additional demand, the quality or availability of public services for the entire community will deteriorate.

Impact fees may be used to recover the cost of development-related facilities, but only to the extent that the need for facilities is related to the development project subject to the fees.

The *Nollan* decision reinforced the principle that development exactions may be used only to mitigate impacts created by the development projects upon which they are imposed. In this study, the impact of development on facility needs is analyzed in terms of quantifiable relationships between various types of development and the demand for public facilities based on applicable level-of-service standards. This report contains all of the information needed to demonstrate compliance with this element of the nexus.

2. Benefit. An agency imposing impact fees must demonstrate that a development project subject to those fees will benefit from the facilities funded by the impact fees. With respect to the benefit relationship, the most basic requirement is that facilities funded by impact fees be available to serve the development paying the fees. A sufficient benefit relationship also requires that impact fee revenues be segregated from other funds and expended in a timely manner on the facilities for which the fees were charged. Nothing in the U.S. Constitution or California law requires that facilities paid for with impact fee revenues be available exclusively to development projects paying the fees.

Procedures for earmarking and expenditure of fee revenues are mandated by the Mitigation Fee Act, as are procedures to ensure that the fees are either expended in a timely manner or refunded. Those requirements are intended to ensure that developments benefit from the impact fees they are required to pay. Thus, over time, procedural issues as well as substantive issues can come into play with respect to the benefit element of the nexus.

3. Proportionality. An agency imposing impact fees must demonstrate that the amount of those fees is proportional to the impact created by development projects subject to the fees. Proportionality in impact fees depends on properly identifying development-related facility costs and calculating the fees in such a way that those costs are allocated in proportion to the facility needs created by different types and amounts of development. The section on impact fee methodology, below, describes methods used to allocate facility costs and calculate impact fees that meet the proportionality standard.

California Constitution. The California Constitution grants broad police power to local governments, including the authority to regulate land use and development. That police power is the source of authority for local governments in California to impose impact fees on development. Some impact fees have been challenged on grounds that they are special taxes imposed without voter approval in violation of Article XIIIA. Impact fees calculated in this report do not exceed the cost of providing facilities needed to serve new development and, thus, are not special taxes requiring voter approval pursuant to Article XIIIA.

Articles XIIIC and XIIID, added to the California Constitution by Proposition 218 in 1996, require voter approval for some "property-related fees," but exempt "the imposition of fees or charges, as a condition of property development." Thus, impact fees are exempt from those requirements.

The Mitigation Fee Act. California's impact fee statute originated in Assembly Bill 1600 during the 1987 session of the Legislature and took effect in January 1989. AB 1600 added several

sections to the Government Code, beginning with Section 66000. Since that time, the impact fee statute has been amended from time to time, and in 1997 was officially titled the “Mitigation Fee Act.” Unless otherwise noted, code sections referenced in this report are from the Government Code.

The Mitigation Fee Act does not limit the types of capital improvements for which impact fees may be charged. It defines public facilities very broadly to include "public improvements, public services and community amenities." Although the issue is not specifically addressed in the Mitigation Fee Act, both case law and statute (see Government Code Section 65913.8) clarify that impact fees may not be used to pay for ongoing maintenance or operating costs. Consequently, the fees calculated in this report are based on the cost of capital assets only.

The Mitigation Fee Act does not use the term “mitigation fee” except in its official title. Nor does it use the common term “impact fee.” The Act simply uses the word “fee,” which is defined as “a monetary exaction, other than a tax or special assessment…that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project ….”

To avoid confusion with other types of fees, this report uses the widely accepted term “impact fee” which should be understood to mean “fee” as defined in the Mitigation Fee Act.

The Mitigation Fee Act contains requirements for establishing, increasing and imposing impact fees. They are summarized below. It also contains provisions that govern the collection and expenditure of fees and requires annual reports and periodic re-evaluation of impact fee programs. Those administrative requirements are discussed in the implementation chapter of this report.

Required Findings**.** Section 66001 (a) requires that an agency establishing, increasing or imposing impact fees, must make findings to:

1. Identify the purpose of the fee
2. Identify the use of the fee; and
3. Determine that there is a reasonable relationship between the use of the fee and the development type on which it is imposed
4. Determine that there is a reasonable relationship between the need for the facility and the type of development on which the fee is imposed

In addition, Section 66001 (b) requires that in any action imposing a fee as a condition of approval of a development project by a local agency, the local agency shall determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

The requirements outlined above are discussed in more detail below.

Identifying the Purpose of the Fees. The broad purpose of impact fees is to protect public health, safety and general welfare by providing for adequate public facilities. The specific purpose of the

fees calculated in this study is to fund acquisition or construction of certain capital assets that will be needed to mitigate the impacts of planned new development on District facilities, and to maintain an acceptable level of public services as the District grows.

This report recommends that findings regarding the purpose of an impact fee should define the purpose broadly, as providing for the funding of adequate public facilities to serve additional development.

Identifying the Use of the Fees. According to Section 66001(a)(2), if a fee is used to finance public facilities, those facilities must be identified. A capital improvement plan may be used for that purpose but is not mandatory if the facilities are identified in a General Plan, a Specific Plan, or in other public documents. Section 66002 (b) requires that if a capital improvement plan is used to identify the facilities, it must be updated annually.

However, a new provision in Section 66016.5(a)(6), which was added by AB 602 in 2021, requires that large jurisdictions adopt a capital improvement plan as part of an impact fee study. That requirement applies to impact fee nexus studies adopted after January 1, 2022. "Large jurisdiction" means a county of 250,000 or more or any city within that county. Section 66002 (a) states that the capital improvement plan shall indicate the approximate location, size, time of availability and estimates of cost for all facilities or improvements to be financed with the fees. That amendments contained in AB 602 appears to override the original language of Section 66001(a)(2), so that a capital improvement plan (CIP) is no longer optional. A CIP is now required for all new impact fee nexus studies adopted by large jurisdictions. The annual update requirement for the CIP appears to remain in effect.

Reasonable Relationship Requirement. As discussed above, Section 66001 requires that, for fees subject to its provisions, a "reasonable relationship" must be demonstrated between:

5. the use of the fee and the type of development on which it is imposed;
6. the need for a public facility and the type of development on which a fee is imposed; and,
7. the amount of the fee and the facility cost attributable to the development on which the fee is imposed.

Development Agreements and Reimbursement Agreements. The requirements of the Mitigation Fee Act do not apply to fees collected under development agreements (see Govt. Code Section 66000) or reimbursement agreements (see Govt. Code Section 66003). The same is true of fees in lieu of park land dedication imposed under the Quimby Act (see Govt. Code Section 66477).

Existing Deficiencies. In 2006, Section 66001(g) was added to the Mitigation Fee Act (by AB 2751) to clarify that impact fees "shall not include costs attributable to existing deficiencies in public facilities…" The legislature's intent in adopting this amendment, as stated in the bill, was to codify the holdings of *Bixel v. City of Los Angeles* (1989), *Rohn v. City of Visalia* (1989), and *Shapell Industries Inc. v. Governing Board* (1991).

Section 66001(g) also states that impact fees "may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to *(1)*

refurbish existing facilities to maintain the existing level of service or (2) achieve an adopted level of service that is consistent with the general plan." (Emphasis added.)

Impact Fees for Existing Facilities. Impact fees may be used to recover costs for existing facilities to the extent that those facilities are needed to serve additional development and have the capacity to do so. In other words, it must be possible to show that fees used to pay for existing facilities meet the need and benefit elements of the nexus. As a practical matter, such fees are difficult to implement unless the fees are needed to repay outstanding debt related to the facilities in question.

Recent Legislation

Several new laws enacted by the State of California since 2019 to facilitate development of affordable housing bear on the implementation of impact fees calculated in this study. Below are brief overviews of some key bills passed since 2019.

SB 330 – The Housing Crisis Act of 2019. SB 330 (amended and clarified in 2021 by SB 8) contained a variety of amendments designed to promote affordable housing. Among them was a provision in Government Code Section 65589.5 that prohibits the imposition of new approval requirements on a housing development project once a preliminary application has been submitted. That provision applies to increases in impact fees except when the resolution or ordinance establishing the fee authorizes automatic, inflationary adjustments to the fee or exaction. These provisions will remain in effect until January 1, 2030.

AB 1483 – Housing Data: Collection and Reporting (2019). AB 1483 added Section 65490.1 to the Government Code, and requires that a city, county or special district must post on its website a current schedule of its fees and exactions, as well as associated nexus studies and annual reports. Updates must be posted within 30 days.

SB 13 – Accessory Dwelling Units (2019). SB 13 amended Government Code Section 65852.2 to prohibit the imposition of impact fees on accessory dwelling units (ADUs) smaller than 750 square feet and to require that impact fees for ADUs of 750 square feet or more must be proportional to the square footage of the primary dwelling unit. The proportionality requirement means that impact fees for ADUs of 750 square feet or more must be calculated on a case-by-case basis during the approval process.

Existing law requires a water or sewer connection fee or capacity charge for an accessory dwelling unit requiring a new or separate utility connection to be based on either the accessory dwelling unit's size or the number of its plumbing fixtures. SB 13 revises the basis for calculating the connection fee or capacity charge to either the accessory dwelling unit's square feet or the number of its drainage fixture units.

AB 602 – Amendments to the Planning and Land Use Law and the Mitigation Fee Act (2021). AB 602 adds Section 65940.1 to the Planning and Land Use Law requiring cities, counties and special districts that have internet websites to post schedules of fees, exactions and affordability requirements, annual fee reports, and an archive of nexus studies on that website, and to update that information within 30 days after any changes.

AB 602 also adds Section 66016.5 to the Mitigation Fee Act imposing several new requirements for impact fees that went into effect in 2022, including:

- A nexus study must identify the existing level of service for each facility, identify the proposed new level of service (if any), and explain why the new level of service is appropriate.
- If a nexus study supports an increase in an existing fee the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.
- Large jurisdictions (counties over 250,000 and cities within those counties) must adopt a capital improvement plan as part of the nexus study.
- All impact fee nexus studies shall be adopted at a public hearing with at least 30 days' notice, and the local agency shall notify any member of the public that requests notice of intent to begin and impact fee nexus study of the date of the hearing.
- Nexus studies shall be updated at least every eight years, from the period beginning on January 1, 2022.
- A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units in the development. A nexus study is not required to comply with this requirement if the local agency makes certain findings specified in the law. A local agency that imposes a fee proportionately to the square footage of units in the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development.
- Authorizes any member of the public, including an applicant for a development project, to submit evidence that impact fees proposed by an agency fail to comply with the Mitigation Fee Act, and requires the legislative body of the agency to consider such evidence and adjust the proposed fee if deemed necessary.

AB 516 – Amendments to the Mitigation Fee Act (2023). AB 516, which took effect on January 1, 2024, amends Government Code Section 66006 to add certain requirements to the annual reports mandated by that section. Specifically, Section 66006 now requires that:

- Annual reports indicate whether construction on public improvements identified in previous annual reports began on the approximate date shown in the previous annual report; and,
- If a project failed to start construction on schedule, the annual report must explain the reason for the delay and provide a revised approximate date when construction will begin.

AB 516 also amends Section 66023 to provide that when a person requests an audit of a fee or charge levied by a local agency, that audit may address when revenue generated by that fee or charge is scheduled to be expended, and when the public improvement to be funded by that fee

or charge is scheduled to be completed. Prior to this amendment, the only stated purpose of such an audit was to determine whether such a fee or charge exceeds the amount reasonably necessary to cover the cost of any product, public facility or service provided by the local agency.

Impact Fee Calculation Methodology

The methods used to calculate impact fees in this study are designed to comply with all of the legal requirements discussed earlier in this chapter. Any one of several legitimate methods may be used to calculate impact fees. The choice of a particular method depends primarily on the service characteristics of, and planning requirements for, the type of facility being addressed. To some extent those methods are interchangeable, because they all allocate facility costs in proportion to the needs created by development.

Allocating facility costs to various types and amounts of development is central to all methods of impact fee calculation. Costs are allocated by means of formulas that quantify the relationship between development and the need for facilities. In a cost allocation formula, the impact of development is represented by some attribute of development such as added population or added vehicle trips that represent the impacts created by different types and amounts of development.

Although it is not mandatory, this study adopts the nomenclature used in the Impact Fee Nexus Study Templates prepared by the Terner Center for Housing Innovation at UC Berkeley to describe impact fee calculation methods. Those templates were prepared for The California Department of Housing and Community Development pursuant to Section 50466.5 of the Health and Safety Code and are cited in AB 602.

Planned Facility Method. With this method, impact fees are calculated so that new development will pay for the planned expansion of facilities at the future standard attributable to new development. To calculate the cost per unit of demand, the cost of planned facilities is divided by the amount of demand that will be created by new development. The impact fees depend on the cost of planned future facilities and a plan for future development, so the fees should be recalculated if facility plans or development plans change.

Existing Inventory Method. With this method, impact fees are calculated so that new development will fund expansion of facilities at the same standard currently used to serve existing development. To calculate the cost per unit of demand, the value of existing facilities is divided by the amount of demand associated with existing development. This method allows impact fees to be calculated without a list of planned facilities, but such a list is required by AB 602 as part of a Capital Improvement Plan that must be adopted with any new impact fee nexus study. This approach can be used to calculate impact fees for many types of public facilities but is usually not appropriate for facilities such as transportation improvements or water, wastewater or drainage systems where improvement needs must be determined by engineering analysis.

System Plan Method. With this method, impact fees are calculated so that new development pays for its share of the cost of an integrated system of facilities at the future standard attributable to new development. To calculate the cost per unit of demand, the value of existing

facilities plus the cost of planned facilities is divided by the combined demand associated with both existing development and planned development. This approach is especially appropriate for impact fees for fire protection and EMS facilities because new facilities must be planned to integrate geographically with existing facilities.

Impact Fees for Accessory Dwelling Units (ADUs)

SB 477, enacted in 2024, relocated and consolidated California's ADU laws into a new Government Code Chapter (Chapter 13, Division 1, Title 7). Recent amendments to ADU law provide that impact fees may not be imposed on ADUs smaller than 750 square feet and establish the following requirement for impact fees imposed on ADUs of 750 square feet or more:

> "Any impact fees charged for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit."

The proportionality requirement depends on the square footage of both the primary unit and the ADU, which necessitates that impact fees for ADUs be calculated on a case-by-case basis. Consequently, this report does not calculate a schedule of impact fees for ADUs. The formula for calculating proportional ADU impact fees is:

Primary unit impact fee X (ADU square feet / Primary unit square feet)

Facilities Addressed in this Study

Impact/in-lieu fees for the following types of facilities are addressed in this report:

- Libraries
- General Government Facilities
- Police Facilities and Vehicles
- Fire Department Facilities, Apparatus and Vehicles

Each of those facilities is addressed in a separate chapter of this report, beginning with Chapter 3. Chapter 2 contains data on existing and future development used in the impact fee analysis.

Chapter 2. Development Data

This chapter presents data on existing and future development that will be used to calculate impact fees in subsequent chapters of this report. The information in this chapter may be used to establish levels of service, analyze facility needs, and/or allocate the cost of capital facilities between existing and future development and among various types of new development.

Study Area

The study area for the City of Brisbane (City) in this study is the planning area defined in the City's current General Plan which was adopted in 1994. That area encompasses both the existing City and the small Sphere of Influence consisting primarily of open space.

Time Frame

Planned future development in this study is forecasted to buildout of the remaining developable land in the City. The methods used to calculate impact fees in this study do not depend on the timing of future development.

Development Types

The development types for which impact fees are calculated in this report are discussed below. Impact fees calculated in this report are intended to be applied based on actual land uses rather than zoning or general plan land use designations. For mixed use development projects, impact fees should be applied to each type of development within the project, consistent with the number of units of development of each type within the project.

Residential Development. Traditionally, impact fees for residential development are based on the type of unit, e.g., single-family, multi-family or mobile home. However, Government Code Section 66016.5(a)(5)(A) which was added to the Mitigation Fee Act by AB 602 in 2021 contains the following requirement:

> "A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of proposed units of the development. A local agency that imposes a fee proportionately to the square footage of the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development"

But that requirement is not absolute. Section 66016.5(a)(5)(B) provides that a nexus study is not required to comply with Section 66016.5(a)(5)(A) if the local agency makes a finding that includes all of the following:

1. An explanation as to why square footage is not the appropriate metric to calculate fees imposed on a housing development project.
2. An explanation that an alternative basis of calculating the fee bears a reasonable relationship between the fee charged and the burden imposed by the development.
3. That other policies in the fee structure support smaller developments or otherwise ensure that smaller developments are not charged disproportionate fees.

The proportionality requirement in Section 66016.5(a)(5)(A) is often interpreted to mean that impact fees must have a linear relationship to unit square footage. That means the fees must increase by the same amount for every added square foot of unit size. Such a fee structure results in impact fees that are necessarily five times as high for a 3,000 square-foot single-family unit as for a 600 square apartment. That type of fee structure is justified only if the actual impact of a 3,000 square-foot unit is five times greater than the impact of a 600 square-foot unit.

Otherwise, the impact fees could violate the "rough proportionality" requirement set forth in the U. S. Supreme Court in *Dolan v. Tigard* [512 U. S. 374 (1994)]. The recent U. S. Supreme Court decision in *Sheetz v. County of El Dorado* [601 U. S. __ (2024)] made clear that *Dolan* applies to all impact fees, whether they are applied ad hoc or legislatively adopted.

This study uses several attributes of development, including added population, added police calls for service per year and added fire calls for service per year, to represent the impact of new development on different types of City facilities. We use those attributes to represent the demand created by various types of development for public services and the capital facilities and other capital assets needed to support those services.

What we see in analyzing patterns of service demand is that the relationship between unit size and service demand doesn't conform to a linear model. While the potential for added population may be five times as great for the largest residential units compared with the smallest units, that increase is not linear. In the real world, population per unit does not increase in a tiny increment for each added square foot. It increases in a stairstep fashion, jumping from one person to two persons to three persons per unit and so on.

It is not feasible to get specific data on police and fire calls by unit size, but in our experience, the difference in the average number of police and fire calls-per-unit-per-year generated by single-family as opposed to multi-family residential units does not justify a flat impact fee per square foot. So, a fee structure that results in large units paying five times as much as small units would appear disproportionate to the actual demand created by units of different sizes for some types of facilities.

This study breaks down residential development into tiered square-feet-per-unit ranges and calculates an impact fee for each range or category. That approach allows impact fees to be graduated by unit size while avoiding the distortions that result from a rigid, fixed fee per square foot approach, and while respecting the need for rough proportionality between the fees and the impact of development as set forth in *Dolan v. Tigard*.

Based on the foregoing discussion, we propose that the City of Brisbane City Council adopt the following findings pursuant to Government Code Section 66016.5(a)(5)(B) to justify the use of tiered square footage ranges for residential development in this study rather than a fixed fee-per-square-foot approach:

1. A fixed fee-per-square-foot approach would not reflect the actual impact of different-sized residential units on the facilities addressed in this study and would not meet the rough proportionality standard set forth in Dolan v. Tigard.

2. The use of tiered square footage ranges rather than a fixed fee per square foot approach better reflects the relationship between the fees charged and the actual burden imposed by various types of development.
3. Calculating impact fees for tiered square footage ranges rather than a fixed fee per square foot still ensures that smaller developments are not charged disproportionate fees because that approach allows the impact fees to be tailored to the actual impacts created by smaller developments, while protecting larger units from excessive fees.

As discussed above, residential development categories are defined in this study by ranges of unit sizes rather than by unit types (e.g., single-family or multi-family) as is the case for the City's existing impact fees. Unit-size ranges used to define residential development in this study are listed below.

- Residential <800 Square Feet per Unit
- Residential >800-1,200 Square Feet per Unit
- Residential <1,200-2,100 Square Feet per Unit
- Residential >2,100 Square Feet per Unit

Each of these unit-size ranges is typical of units with a certain number of bedrooms, ranging from studio and one-bedroom apartments up to single-family units with four or more bedrooms.

Non-Residential Development. Non-residential development types used in this study are:

- Commercial
- Hotel/Motel
- Office
- Life Science/R&D
- Industrial
- Warehouse

The impact fees calculated in this report are intended to be applied to development projects, or portions of projects, based on the actual type of development being constructed. Except for the Hotel/Motel category, which is measured in terms of guest rooms, the non-residential development types listed above are measured in terms of gross leasable floor area in thousands of square feet (KSF).

Public Facilities, Public Schools and Parks. In addition to the development types listed above, the development tables presented later in this chapter include public (government) facilities, public schools and parks. The City does not impose impact fees on those uses, either because of legal constraints or because it would be imposing the fees on itself, which serves no purpose. However, those uses do create measurable impacts on some services, including law enforcement and fire protection/emergency medical services, and they are included in the impact fee analysis so that the impacts associated with those exempt uses can be distinguished from demand associated with fee-paying development types.

Other types of Development. The development types for which impact fees are calculated in this study will encompass most new development in the City, but there may be some development projects that don't fit very well within any of the established fee categories. In such cases, it is possible for City staff to calculate a project-specific impact fee at the time a project is approved.

For example, to calculate a customized police impact fee, it would be necessary to estimate the number of police calls for service per year that will be generated by the project, based on the number of calls generated by similar existing uses in the City. Then, that number would be multiplied by the cost per call calculated in this study to arrive at the police impact fee for the project. Customized impact fees for other facility types could be calculated in a similar manner.

Demand Variables

To calculate impact fees, the relationship between facility needs and development must be quantified in cost allocation formulas. Certain measurable attributes of development (for example, added population) are used as "demand variables" in those formulas to represent the impact of different types of development on various types of facilities.

Demand variables are selected either because they directly measure the service demand created by various types of development, or because they are reasonably correlated with that demand.

For example, the need for parks in a community is typically defined in terms of the relationship between population and acres of parks. As population grows, more parks are needed to maintain that relationship. Logically, then, the increase in population related to new residential development is an appropriate yardstick, or demand variable, for use in measuring the impact of development on the need for additional parks.

Demand variables have specific values for each type of development defined in this study. Those values may be referred to as "demand factors." So, if the demand variable used to calculate impact fees for a particular type of facility is added population, the demand factor for a specific category of residential development would be the population per dwelling unit for that category.

Demand variables used in this study are discussed below. Specific demand factors can be found in Table 2.3.

Population. Population is used in this study as the demand variable for libraries. The need for those facilities is driven largely by the added population associated with residential development. They are not impacted substantially by non-residential development. The specific population per unit factors used in this study are shown in Table 2.1, below and in Table 2.3

Table 2.1 shows the estimated average population per unit for each residential unit-size category. The unit-size categories shown in Table 2.1 are based on the number of bedrooms per unit, as shown in American Community Survey (ACS) Table B25041, which also shows the number of units in each category. Average population per unit is assumed to increase with unit size. The estimated population per unit factors are adjusted using the overall average population per unit and total population as controls. The results are cross-checked against ACS Table B25001 which shows the mix of household sizes in the City.

Table 2.1. Population per Unit by Unit Size

Unit Size in Sq Ft [1]	No. of Bedrms	No. of Units [2]	% of Units	Pop at 2.25 per Unit [3]	Est Pop per Unit [4]	Adjusted Pop [5]
<800	0 or 1	557	26.3%	1,253	1.00	557
800-1,200	2	646	30.5%	1,454	1.95	1,260
>1,200-2,100	3	634	30.0%	1,427	2.95	1,870
>2,100	4+	279	13.2%	628	3.95	1,102
Total/Average		2,116	100.0%	4,761	2.26	4,789

[1] Estimated square-feet-per-unit ranges based on number of bedrooms

[2] Distribution of units by number of bedrooms from American Community Survey (ACS) Table B25041, 2022 1-Year estimates

[3] Population for all units in each square-footage range if all units were occupied by the overall average of 2.25 persons per unit

[4] Estimated population per unit by NBS

[5] Adjusted population = number of units X estimated population per unit

Service Population. Some types of City facilities are impacted by both residential and non-residential development so population alone does not represent all of the impacts of development on those facilities. For facilities like City Hall, where the impact of development cannot be measured by a specific demand variable such as vehicles trips or police or fire calls for service, a variable called service population is commonly used to represent the impact of development.

Service population is a composite variable that includes both residents of the City and employees of businesses in the City. Resident population is included to represent the impacts of residential development. Employees are included to represent the impacts of non-residential uses, such as commercial, office and industrial development.

Because the impact of one new resident is not necessarily the same as the impact of one new employee, various components of the service population are weighted to reflect their relative impacts on demand for certain types of facilities.

Service population is intended to approximate the number of people creating the demand for service on an average day. It is difficult to estimate that number precisely for several reasons. Some residents work in the City, some residents commute to work outside the City, and some residents don't work at paid jobs. In addition, non-residents may be pre- sent in the City for work, shopping, recreation, or any number of other reasons.

In this study, residents are assigned a weight of 1.0. Our estimate of the average number of hours per week that residents spend in the City is based in part on an analysis of Census Bureau data on how many residents work in the city and how many commute to work outside the City. In addition, we assume the average resident spends eight hours a week outside the City for activities like shopping and recreation. Census Bureau American Community Survey (ACS) data for 2022 show that about 60% of Brisbane residents aged 16 and over are employed, and that about 78% of employed residents work outside the City.

Assuming that out-commuters spend 47.5 hours a week (9.5 hours per day) outside the City for work and commuting, and that all residents spend an average of eight hours a week outside the City for shopping and recreation leads us to the conclusion that out- commuters spend an average of 112.5 (168 - 47.5 - 8 = 112.5) hours per week in the City. Assuming other residents spend 160 (168 - 8 = 160) hours per week in the City, the weighted average for all residents is 141.5 hours per week in the City. Dividing that number by 168 hours per week gives us a weight of 0.842 for all residents (population) of the City.

Service population weights for employees associated with different types of development are based on estimates of the number of hours per week businesses of a certain type are in operation. This study assumes that retail and service commercial businesses operate 12 hours a day, 7 days a week (84 hours). For professional offices, industrial uses and public facilities, that number is estimated to be 45 hours (9 hours a day, 5 days a week). The weights assigned to employees of businesses associated with various types of non- residential development are based on the hours per week of operation divided by 168 total hours per week. The hours per week for each development as well as the weighting factor for each type of development are shown in Table 2.2, below. It should be noted that since all students in the K-12 Schools category are assumed to be residents of the City, the non-residential service population weight for that category is zero.

The service population weights shown in Table 2.2 are intended to allow a balanced allocation of costs among non-residential development types.

Finally, for simplicity, all of the service population base weights are normalized by dividing them by residential base weight of 0.842 so that the normalized weight for population equals 1.0 and weight for each of the non-residential components is increased proportionately. The resulting service population weights are shown in Table 2.2. Service-population-per-unit factors based on the normalized service population weights are shown in Table 2.3.

Table 2.2: Service Population Weights

Development Type	Avg Hrs per Wk [1]	Total Hrs per Week	Base Svc Pop Weight [2]	Normalized Svc Pop Wt [3]
Residential	141.5	168.0	0.842	1.000
Commercial/Retail	84.0	168.0	0.500	0.594
Hotel/Motel	84.0	168.0	0.500	0.594
Office	45.0	168.0	0.268	0.318
Life Science/R&D	45.0	168.0	0.268	0.318
Industrial	45.0	168.0	0.268	0.318
Warehouse	45.0	168.0	0.268	0.318
Public Facilities	45.0	168.0	0.268	0.318

[1] Expected average hours per week of business operation

[2] Base service population weight = average hours per week / total hrs per week

[3] Service population weight normalized to residential service population weight = base population weight / residential base service population weight

Police Calls for Service. Demand for police services is impacted by both residential and non-residential development in the City. In this study, the number of police calls for service per unit per year is used to represent the demand for police services by various types of development. The calls-for-service factors used in this study are based on analysis by NBS of a random sample of all calls for service received by the City of Brisbane Police Department for a one-year period from April 1 2023 to March 31 2024.

During that period, the City of Brisbane Police Department logged about 15,500 calls. A random sample of 600 calls was classified by development type based on address or location. Calls that could not be associated with a particular type of development were excluded from the analysis. The percentage of sampled calls associated with each type of development defined in this study was applied to the one-year count of calls to get the number of calls generated by each type of development for the year. The number of calls for each type of development was divided by the number of existing units for that type of development to arrive at the average number of calls per unit per year for that category.

Because it is not possible to determine individual call rates for residential units by square footage in the analysis of police calls for service, the overall average calls per unit per year for all residential units is used as the midpoint in estimating calls-for-service factors for the residential unit size categories used in this study and the factors are scaled up and down from that midpoint relative to unit size. The overall range of call rates from the smallest to the largest units is adjusted for consistency with the extent of differences in call rates for single-family and multi-family units. Police calls per unit per year for each type of development defined in this study is shown in Table 2.3.

Fire Authority Calls for Service per Year. Fire protection, emergency medical response and other services are provided in the City by the North County Fire Authority (NCFA), which also serves Daly City and Pacifica. Demand for the services provided by NCFA is impacted by both residential and non-residential development. In this study, the number of calls for service per unit per year from Brisbane to NCFA is used to represent the demand for fire protection and emergency response services by various types of development in the City. The calls-for-service factors used in this study are based on analysis by NBS of a random sample of all 2023 calls for service from the City of Brisbane to NCFA.

In 2023, NCFA logged about 600 calls for service in Brisbane. As part of this study, NBS analyzed a random sample of 400 of those calls and classified them by development type based on address. Calls that could not be associated with a particular type of development were excluded from the analysis.

The percentage of sampled calls associated with each type of development defined in this study was applied to the total number of 2023 calls to get the full number of calls generated by that type of development for the year. Then, the number of calls per year was divided by the number of existing units for each type of development to arrive at the average number of calls per unit per year.

Because it is not possible to determine individual call rates for residential units by square footage in the analysis of fire calls for service, the overall average calls per unit per year for all residential units is used as the midpoint in estimating calls for service factors for the unit size categories used in this study. The factors are scaled up and down from that midpoint relative to unit size. The overall range of call rates from the smallest to the largest units is adjusted for consistency with the extent of differences in call rates for single-family and multi-family units. Fire calls-per-unit-per-year for each type of development defined in this study are shown in Table 2.3.

Demand Factors

Table 2.2 shows the values of demand factors used in this study for each type of development.

Table 2.3: Demand Factors

Development Type	Dev Units [1]	Pop per Unit [2]	Employees per Unit [3]	Svc Pop per Unit [4]	PD Calls per Unit [5]	Fire Calls per Unit [6]
Residential <800 Sq. Ft. Unit	DU	1.00		1.00	0.70	0.120
Residential 800-1,200 Sq. Ft. Unit	DU	1.95		1.95	1.10	0.140
Residential 1,200-2,100 Sq. Ft. Unit	DU	2.95		2.95	1.50	0.160
Residential >2,100 Sq. Ft. Unit	DU	3.95		3.95	1.90	0.180
Commercial	KSF		1.72	1.02	17.11	0.256
Hotel/Motel	Room		1.00	0.59	4.34	0.106
Office	KSF		3.23	1.03	0.33	0.022
Life Science/R&D	KSF		2.86	0.91	0.58	0.070
Industrial	KSF		2.00	0.64	4.98	0.018
Warehouse	KSF		1.00	0.32	1.01	0.034
Public Facilities	KSF		3.00	0.95	4.78	0.105
Public Schools	Students				1.36	0.006
Parks	Acres				72.17	0.333

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] See Table 2.1

[3] Employees per unit provided by the City of Brisbane Community Development Department

[4] Service population per unit estimated based on residents and employees weighted by factors in Table 1.2

[5] Police Department calls for service per unit per year based on analysis of a random sample of all 2023 calls; calls for service rates for residential unit size categories based on the range of actual rates for single-family, multi-family and mobile home units

[6] Fire Department calls for service per unit per year based on analysis of a random sample of all 2023 calls; calls for service rates for residential unit size categories based on the range of actual rates for single-family, multi-family and mobile home units

Existing and Future Development

Tables 2.4 through 2.6, beginning on the next page, present summaries of existing and future development by development type in Brisbane. Table 2.4 shows estimated existing development as of January 1, 2024.

Table 2.4: Existing Development as of January 2024

Development Types	Dev Units [1]	Existing Units [2]	Existing Pop [2]	Existing Empl [3]	Existing Svc Pop [4]	Existing PD Calls [5]	Existing Fire Calls [6]
All Residential	DU	2,076	4,645		4,645	3,414	323
Commercial	KSF	125.1		216	128	2,140	32
Hotel/Motel	Room	387		387	230	1,681	41
Office	KSF	695.4		2,243	713	253	15
Life Science/R&D	KSF	561.0		1,603	510	358	39
Industrial	KSF	756.6		1,513	481	2,776	14
Warehouse	KSF	4,356.4		4,356	1,385	3,237	148
Public Facilities	KSF	85.3		256	81	408	9
Public Schools	Students	337				459	2
Parks	Acres	12.0				866	4
Total			**4,645**	**10,574**	**8,174**	**15,592**	**627**

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

[2] Existing residential units and population from the California Department of Finance (DOF) 2024 E-5 report; existing hotel/motel rooms provided by the City of Brisbane; existing non-residential units provided by the Brisbane Community Development Department

[3] Existing employees = existing units X employees per unit from Table 2.3

[4] Existing service population = existing units X service population per unit from Table 2.3

[5] Existing police department calls for service per year by development type based on analysis by NBS of a random sample of 2023 Brisbane Police Department calls for service

[6] Existing fire department calls for service per year by development type based on analysis by NBS of a random sample of 2023 Brisbane Police Department calls for service

Table 2.5, on the next page, shows projected future development in Brisbane to buildout.

Table 2.5: Forecasted Future Development to Buildout

Development Types	Dev Units [1]	Added Units [2]	Added Pop [3]	Added Empl [4]	Added Svc Pop [5]	Added PD Calls [6]	Added Fire Calls [7]
All Residential	DU	3,003	6,607		6,607	4,474	480
Commercial	KSF	140.0		241	143	2,395	36
Hotel/Motel	Room	1,408.0		1,408	836	6,116	149
Office	KSF	2,770.6		8,937	2,842	914	61
Life Science/R&D	KSF	5,366.5		15,333	4,876	3,113	376
Industrial	KSF	(69.4)		(139)	(44)	(346)	(1)
Warehouse	KSF	1,156.0		1,156	368	1,168	39
Public Facilities	KSF	121.2		364	116	579	13
Public Schools	Students	478.5				652	3
Parks	Acres	17.0				1,230	6
Total			**6,607**	**27,300**	**15,743**	**20,295**	**1,161**

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

[2] Added units estimated by the Brisbane Community Development Department; estimates include buildout of the Baylands Specific Plan Area; future units for Public Facilities, Public Schools and Parks assumed to increase at the same rate as population

[3] Added population assumes an average of 2.2 occupants per added residential unit

[4] Added employees = added non-residential units X employees per unit from Table 2.3

[5] Added residential service population = added population; added non-residential service population = added non-residential units X service pop per unit from Table 2.3

[6] Added Police Dept calls for service per year = added units X PD calls per unit from Table 2.3; added residential calls per year based on an average of 1.49 calls per unit

[7] Added Fire Department calls for service per year = added units X Fire calls per unit from Table 2.3; added residential calls per year based on an average of 0.16 calls per unit

Table 2.6 on the next page shows projected total development in Brisbane at buildout.

Table 2.6: Buildout Development

Development Types	Dev Units [1]	Buildout Units [2]	Buildout Pop [2]	Buildout Empl [2]	Buildout Svc Pop [2]	Buildout PD Calls [2]	Buildout Fire Calls [2]
All Residential	DU	5,079	11,252		11,252	7,888	803
Commercial	KSF	265.1		457	271	4,535	68
Hotel/Motel	Room	1,795.0		1,795	1,066	7,797	190
Office	KSF	3,466.0		11,181	3,556	1,167	76
Life Science/R&D	KSF	5,927.5		16,936	5,386	3,471	415
Industrial	KSF	687.2		1,374	437	2,430	12
Warehouse	KSF	5,512.4		5,512	1,753	4,405	187
Public Facilities	KSF	206.5		620	197	987	22
Public Schools	Students	815.5				1,111	5
Parks	Acres	29.0				2,096	10
Total			**11,252**	**37,875**	**23,917**	**35,887**	**1,789**

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite;

[2] Figures in this table = the sum of the corresponding figures from the Tables 2.4 and 2.5

The numbers presented in Tables 2.4 through 2.6 indicate that projected growth in the City between 2024 and buildout will represent large percentage increases of 142% in population and 258% in employment, mostly as a result of development in the Baylands Specific Plan Area. The impact fees calculated in this report are intended to pay for capital facilities and other capital assets needed by the City to serve that additional development.

Chapter 3. Library

This chapter calculates library impact fees for the City of Brisbane. The existing Brisbane Library is part of the San Mateo County library system. The City's existing library is located at 163 Visitacion Avenue. It was funded by a number of sources including the City's general fund, donations from library supporters, and a loan from the County.

Methodology

This chapter calculates impact fees using the existing inventory method discussed in Chapter 1. With that method, impact fees are based on the existing level of service so that the impact fees will provide the funding needed to maintain the existing level of service as the City grows.

Service Area

Brisbane's existing and future libraries will serve all residents of the City. The impact fees calculated in this chapter are intended to apply to all residential development in the City unless the fees for a project are limited by statute or established by a development agreement.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for the library in this chapter is population.

Population is used for that purpose because the need for libraries is almost universally defined in terms of the population to be served. Because added population is associated with new residential development, the impact fees calculated in this chapter are intended to apply only to residential development.

Population per dwelling unit varies by development type, so the average population per unit is estimated for each residential unit size category defined in this study. Those individual population-per-unit factors are shown in Table 2.1 in Chapter 2 and are used in the library impact fee calculations in Table 3.3, later in this chapter.

Level-of-Service Standard

The level-of-service standard used in this study to calculate impact fees for libraries is the existing level of service. That level is defined as the replacement cost of the City's existing library divided by the existing population, which results in a cost per capita. To calculate an impact fee per unit, that cost per capita is multiplied by the population per unit for each residential unit size category defined in this study.

In 2021, Section 66016.5 was added to the Mitigation Fee by Act AB 602. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared

with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required.

Because the library impact fees calculated in this chapter are based on the existing level of service, those fees present no issue with respect to the statute.

Existing Library Facility

Table 3.1 shows key data about Brisbane's existing library, including its current replacement cost which is combined with the land value of the library site to arrive at the impact fee cost basis. The current principal balance of the loan from San Mateo County is deducted from the impact fee cost basis to reflect the City's current equity in the library.

Table 3.1: Existing Library Facilities

Facility	Building Sq Feet [1]	Site Acres [2]	Facility Repl Cost [3]	Land Value [4]	Impact Fee Cost Basis [5]
Brisbane Library	7,629	0.29	$ 8,977,520	$ 1,015,000	$ 9,992,520
Outstanding Balance on Loan from San Mateo County as of April 2025					$ (963,333)
Total					$ 9,029,187

[1] Building square feet provided by the City of Brisbane

[2] Site acres provided by the City of Brisbane

[3] 2020 construction cost provided by the City of Brisbane escalated 38% to 2024 cost using the California Construction Cost Index

[4] Land value based on $3,500,000 per acre

[5] Impact fee cost basis = facility replacement cost + land value

Table 3.2 divides the City's net impact fee cost basis for the library by the City's existing population to calculate the existing level of service in terms of a cost per capita.

Table 3.2: Library Existing Level of Service

Impact Fee Cost Basis [1]	Existing Population [2]	Cost per Capita [3]
$9,029,187	4,645	$1,943.85

[1] See Table 3.1

[2] See Table 2.4

[3] Cost per capita = impact fee cost basis / existing population

In the next section, the cost per capita from Table 3.2 is used to calculate library impact fees per unit for each residential unit size range defined in this study.

Impact Fees per Unit

Table 3.3 shows the calculation of library impact fees per unit of residential development by unit size category. Those fees are calculated using the per-capita cost from Table 3.2 and population per unit factors from Table 2.1.

Table 3.3: Impact Fees per Unit - Library

Development Type	Units [1]	Cost per Capita [2]	Population per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$1,943.85	1.00	$ 1,943.85
Residential 800-1,200 Sq. Ft. Unit	DU	$1,943.85	1.95	$ 3,790.51
Residential 1,200-2,100 Sq. Ft. Unit	DU	$1,943.85	2.95	$ 5,734.36
Residential >2,100 Sq. Ft. Unit	DU	$1,943.85	3.95	$ 7,678.21

[1] Units of development: DU = dwelling unit

[2] See Table 3.2

[3] See Table 2.3

[4] Impact fee per unit = cost per capita X population per unit

Projected Revenue

Table 3.4 projects potential revenue from the library impact fees. That projection is based on the cost per capita from Table 3.2 and the added population from Table 2.5.

Table 3.4: Projected Revenue - Library Impact Fees

Development Type	Added Population [1]	Cost per Capita [2]	Projected Revenue [3]
All Residential	6,607	$1,943.85	$ 12,842,245
Total			**$ 12,842,245**

[1] See Table 2.5

[2] See Table 3.2

[3] Projected revenue = added population X cost per capita

The projected revenue shown in Table 3.4 assumes that future development in the City will occur as forecasted in Chapter 2. It does not account for limits on impact fees set by development agreements for some future projects.

Planned Improvements

Details regarding planned expenditure of the library impact fees can be found in the City's Capital Improvement Plan.

Updating the Fees

The impact fees calculated in this chapter are based on estimated current replacement costs for the for the existing library. We recommend that the fees be reviewed annually and adjusted as needed using the most current cost estimates. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8).

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;
b. The need for the facility and the type of development on which the fee is imposed; and
c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to provide additional library facilities to maintain the existing level of service for libraries in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to pay for additional library facilities to serve new residential development in the City.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to pay for additional library facilities needed to serve additional residential development in Brisbane at the currently existing level of service in terms of the relationship between facility cost and population.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. Added population associated with new residential development will increase the need for library facilities in Brisbane. The library impact fees will provide funding for additional library facilities needed to maintain the existing level of service for libraries in Brisbane.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the library impact fees charged to a development project will depend on the increase in population associated with that project. The fees per unit of development calculated in this chapter for each type of residential development are based on the estimated average population per unit for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for libraries in the City.

Chapter 4. General Government Facilities

This chapter calculates impact fees for general government facilities in Brisbane, including City Hall, the City Hall Annex and the corporation yard.

Methodology

This chapter calculates impact fees using the existing inventory method discussed in Chapter 1. With that method, impact fees are based on the existing level of service so that the impact fees will provide the funding needed to maintain the existing level of service as the City grows.

Service Area

Brisbane's general government facilities serve all development in the City. The impact fees calculated in this chapter are intended to apply to all new development except new public facilities, unless the fees for a project are limited by statute or established by a development agreement.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for the general government in this chapter is service population.

As discussed in Chapter 2, service population is used in cases where facilities serve both residential and non-residential development and there is no other single demand variable that better represents the demand created by development for a certain type of facility.

The residential component of service population is the same population used to calculate impact fees for facilities such as libraries, that only serve residential development. The non-residential component of service population is based on the number of employees associated with various types of non-residential development, but those employee numbers are weighted as discussed in Chapter 2. The service population per unit factors are shown in Table 2.3 and are used in Table 4.3 to calculate impact fees per unit for general government facilities.

Level-of-Service Standard

The level-of-service standard used in this study to calculate impact fees for general government facilities is the existing level of service. That level is defined as the replacement cost of the City's existing general government facilities divided by the existing service population, which results in a cost per capita. To calculate an impact fee per unit, that cost per capita is multiplied by the service population per unit for each development type defined in this study.

In 2021, Section 66016.5 was added to the Mitigation Fee by Act AB 602. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required.

Because the general government facilities impact fees calculated in this chapter are based on the existing level of service, those fees present no issue with respect to the statute.

Existing General Government Facilities

Table 4.1 shows key data about Brisbane's existing general government facilities, including its current replacement cost which is combined with the land value of the general government facilities sites to arrive at the impact fee cost basis. Outstanding debt related to existing facilities is deducted from the impact fee cost basis so that it reflects only the City's equity in those facilities.

Table 4.1: Existing General Government Facilities

Facility	Building Sq Feet [1]	Site Acres [2]	Facility Repl Cost [3]	Land Value [4]	Impact Fee Cost Basis [5]
City Hall	18,025	1.04	$ 18,025,000	$ 3,634,750	$ 21,659,750
City Hall Annex	5,260	1.55	$ 5,500,000	$ 5,425,000	$ 10,925,000
Corp Yard Office/Shops/Storage	10,800	2.00	$ 5,158,000		$ 5,158,000
Outstanding Debt on City Hall/Police Building (City-Hall Share = 72%)					$ (2,264,400)
Outstanding Debt on City Admin Office Annex					$ (5,170,000)
Total	**34,085**	**4.59**	**$ 28,683,000**	**$ 9,059,750**	**$ 30,308,350**

[1] Building square feet provided by the City of Brisbane is the share of the combined City Hall/Police building occupied by City Hall

[2] Site acres provided by the City of Brisbane; City Hall share of site for combined City Hall/Police building estimated by NBS at 67% of the total 1.55 acre site

[3] Facility replacement cost provided by the City of Brisbane

[4] Land value based on $3,500,000 per acre

[5] Impact fee cost basis = facility replacement cost + land value; outstanding debt from City Hall/ Police Station remodeling/expansion = City Hall portion (72%) of principal balance on 2014 bonds; City Hall share of debt based on share of building square feet; outstanding debt on City Hall Annex renovation = principal balance on 2023 bonds; outstanding debt provided by the City of Brisbane Finance Department

Table 4.2, on the next page, divides the City's net impact fee cost basis for the general government facilities by the City's existing service population to calculate the existing level of service in terms of a cost per capita of service population.

Table 4.2: Existing Level of Service - General Government

Impact Fee Cost Basis [1]	Existing Service Population [2]	Cost per Capita [3]
$30,308,350	8,174	$3,707.90

[1] See Table 4.1

[2] See Table 2.4

[3] Cost per capita = impact fee cost basis / existing service population

In the next section, the cost per capita from Table 4.2 is used to calculate impact fees per unit for general government facilities for each type of development defined in this study.

Impact Fees per Unit

Table 4.3 shows the calculation of impact fees per unit for general government facilities. Those fees are calculated using the per-capita cost from Table 4.2 and service population per unit factors from Table 2.1.

Table 4.3: Impact Fees per Unit - General Government Facilities

Development Type	Units [1]	Cost per Capita [2]	Svc Pop per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$3,707.90	1.00	$ 3,707.90
Residential 800-1,200 Sq. Ft. Unit	DU	$3,707.90	1.95	$ 7,230.41
Residential 1,200-2,100 Sq. Ft. Unit	DU	$3,707.90	2.95	$ 10,938.31
Residential >2,100 Sq. Ft. Unit	DU	$3,707.90	3.95	$ 14,646.22
Commercial	KSF	$3,707.90	1.02	$ 3,795.10
Hotel/Motel	Room	$3,707.90	0.59	$ 2,201.16
Office	KSF	$3,707.90	1.03	$ 3,803.84
Life Science/R&D	KSF	$3,707.90	0.91	$ 3,369.12
Industrial	KSF	$3,707.90	0.64	$ 2,358.38
Warehouse	KSF	$3,707.90	0.32	$ 1,179.19
Public Facilities	KSF	$3,707.90	0.95	$ 3,537.58

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] See Table 4.2

[3] Service population per unit; see Table 2.3

[4] Impact fee per unit = cost per capita X service population per unit

Projected Revenue

Table 4.4 projects potential revenue from the general government impact fees. That projection is based on the cost per capita from Table 4.2 and the added service population from Table 2.5.

Table 4.4: Projected Revenue - General Gov't Impact Fees

Development Type	Added Svc Population [1]	Cost per Capita [2]	Projected Revenue [3]
All Development	15,628	$3,707.90	$ 57,945,959
Total			**$ 57,945,959**

[1] See Table 2.5; added service population in this table does not include added service population generated by public facilities

[2] See Table 4.2

[3] Projected revenue = added service population X cost per capita

The projected revenue shown in Table 4.4 assumes that future development in the City will occur as forecasted in Chapter 2. It does not account for limits on impact fees set by development agreements for some future projects.

Planned Improvements

Details regarding expenditure of the general government impact fees can be found in the City's Capital Improvement Plan.

Updating the Fees

The impact fees calculated in this chapter are based on estimated current replacement costs for the City's existing general government facilities. We recommend that the fees be reviewed annually and adjusted as needed using the most current cost estimates. The California Cost Index, published by the Department of General Services and the Engineering News Record Building Cost Index (BCI) can be useful for indexing construction costs over time. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8).

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to provide additional general government facilities to maintain the existing level of service for general government facilities in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to pay for additional general government facilities to serve new development in the City.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to pay for additional general government facilities needed to serve additional development in Brisbane at the currently existing level of service in terms of the relationship between facility cost and service population.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. Added service population associated with new development will increase the need for general government facilities in Brisbane. The general government facilities impact fees will provide funding for additional general government facilities needed to maintain the existing level of service in Brisbane.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the general government facilities impact fees charged to a development project will depend on the increase in service population associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average service population per unit for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for general government facilities in the City.

Chapter 5. Police Department Facilities

This chapter calculates impact fees for Police Department facilities in Brisbane. Brisbane currently has one police station which shares a building with City Hall.

Methodology

This chapter calculates impact fees using the existing inventory method discussed in Chapter 1. With that method, impact fees are based on the existing level of service so that the impact fees will provide the funding needed to maintain the existing level of service as the City grows.

Service Area

Brisbane's Police Department facilities serve all development in the City. The impact fees calculated in this chapter are intended to apply to all new development except for public facilities, unless the fees for a project are limited by statute or established by a development agreement.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for Police Department facilities in this chapter is police calls for service per year.

The police calls-per-unit-per-year factors used to calculate impact fees for police facilities are shown in Table 2.3 in Chapter 2 and are used in Table 5.4 in this chapter to calculate impact fees per unit for each type of development defined in this study.

Level-of-Service Standard

The level-of-service standard used in this study to calculate impact fees for Police Department facilities is the existing level of service. That level is defined as the replacement cost of the City's existing Police Department facilities divided by the existing number of calls per year, which results in a cost per call. To calculate impact fee per unit, by development type, that cost per call is multiplied by the number of calls per unit per year for each development type defined in this study.

In 2021, Section 66016.5 was added to the Mitigation Fee by Act AB 602. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required.

Because the impact fees for Police Department facilities calculated in this chapter are based on the existing level of service, those fees present no issue with respect to the statute.

Existing Police Department Facilities

Table 5.1 shows key data about Brisbane's existing police station, including its current replacement cost which is combined with the land value of the Police Department's share of the City Hall/police station site to arrive at the impact fee cost basis. The police station's share of outstanding debt related to existing facilities is deducted from the impact fee cost basis so that it reflects only the City's equity in the existing facility.

Table 5.1: Existing Police Department Facilities

Facility	Building Sq Feet [1]	Site Acres [2]	Facility Repl Cost [3]	Land Value [4]	Impact Fee Cost Basis [5]
Police Facility	7,056	0.51	$ 7,056,000	$ 1,790,250	$ 8,846,250
Outstanding debt on City Hall/Police Station (Police Bldg share = 28%)					$ (915,195)
					$ 7,931,055

[1] Building square feet provided by the City of Brisbane is the share of the combined City Hall/Police building occupied by the Police Department

[2] Site acres provided by the City of Brisbane; Police Dept share of site for combined City Hall/Police building estimated by NBS at 33% of the total 1.55 acre site

[3] Facility replacement cost provided by the City of Brisbane

[4] Land value based on $3,500,000 per acre

[5] Impact fee cost basis = facility replacement cost + land value; outstanding debt from City/Hall Police Station remodeling/expansion = Police Station portion (28%) of the principal balance on the 2014 bonds; Police Station share of debt based on share of building square feet; outstanding debt provided by the City of Brisbane Finance Dept.

Table 5.2 shows an inventory of the Brisbane Police Department's vehicle fleet. The replacement cost of those vehicles will be included in the cost basis for the impact fees calculated in this chapter. Leased vehicles are not considered in this analysis.

Table 5.2: Existing Police Department Vehicles and Equipment

No. of Units	Model Year	Make	Model	Assignment	Repl Cost per Unit [1]	Impact Fee Cost Basis [2]
3	2020	Chevrolet	Tahoe	Patrol	$ 84,040.00	$ 252,120.00
1	2015	Ford	Explorer	Patrol	$ 76,551.00	$ 76,551.00
2	2017	Ford	Explorer	Patrol	$ 76,551.00	$ 153,102.00
1	2023	Chevrolet	Tahoe	Patrol	$ 87,314.00	$ 87,314.00
1	2020	Ford	Explorer	Chief	$ 56,164.00	$ 56,164.00
1	2019	Ford	F150	CSO	$ 69,761.00	$ 69,761.00
2	2021	Harley	Road King	Traffic Motor	$ 39,786.00	$ 79,572.00
16	Sworn Officer Personal Safety Equipment				$ 6,041.00	$ 96,656.00
Total						**$ 871,240.00**

[1] Vehicle cost per unit includes equipment

[2] Impact fee cost basis = number of units X replacement cost per unit

Table 5.3 divides the combined impact fee cost basis for Police Department facilities and vehicles by the number of existing calls for service to calculate the existing level of service in terms of a cost per call for service per year.

Table 5.3: Existing Level of Service - Police Facilities

Impact Fee Cost Basis [1]	Existing Calls for Service [2]	Cost per Call [3]
$8,802,295	15,592	$564.54

[1] Impact fee cost basis = sum of impact fee cost basis from Table 5.1 and Table 5.2

[2] See Table 2.4

[3] Cost per call = impact fee cost basis / existing calls for service per year

In the next section, the cost per call from Table 5.3 is used to calculate impact fees per unit for Police Department facilities for each type of development defined in this study.

Impact Fees per Unit

Table 5.4 shows the calculation of impact fees per unit for Police Department facilities. Those fees are calculated using the per-capita cost from Table 5.3 and calls-per-unit-per-year factors from Table 2.3.

Table 5.4: Impact Fees per Unit - Police Facilities

Development Type	Units [1]	Cost per Call [2]	Calls per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$564.54	0.70	$ 395.18
Residential 800-1,200 Sq. Ft. Unit	DU	$564.54	1.10	$ 620.99
Residential 1,200-2,100 Sq. Ft. Unit	DU	$564.54	1.50	$ 846.81
Residential >2,100 Sq. Ft. Unit	DU	$564.54	1.90	$ 1,072.62
Commercial	KSF	$564.54	17.11	$ 9,657.19
Hotel/Motel	Room	$564.54	4.34	$ 2,452.17
Office	KSF	$564.54	0.33	$ 186.30
Life Science/R&D	KSF	$564.54	0.58	$ 327.43
Industrial	KSF	$564.54	4.98	$ 2,811.41
Warehouse	KSF	$564.54	1.01	$ 570.18
Public Facilities	KSF	$564.54	4.78	$ 2,699.20

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] See Table 5.3

[3] Police calls per unit; see Table 2.3

[4] Impact fee per unit = cost per call X calls per unit

Projected Revenue

Table 5.5 projects potential revenue from the police impact fees. That projection is based on the cost per call from Table 5.3 and the calls per unit per year from Table 2.5.

Table 5.5: Projected Revenue - Police Impact Fees

Development Type	Added Calls For Service [1]	Cost per Call [2]	Projected Revenue [3]
All Development	17,834	$564.54	$ 10,068,024
Total			**$ 10,068,024**

[1] See Table 2.5; added calls for service in this table do not include calls generated by public facilities, public schools or parks

[2] See Table 5.3

[3] Projected revenue = added calls for service X cost per call

The projected revenue shown in Table 5.5 assumes that future development in the City will occur as forecasted in Chapter 2. It does not account for limits on impact fees set by development agreements for some future projects.

Updating the Fees

The impact fees calculated in this chapter are based on estimated current replacement costs for the City's existing Police Department facilities. We recommend that the fees be reviewed annually and adjusted as needed using the most current cost estimates. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8). The California Cost Index, published by the Department of General Services and the Engineering News Record Building Cost Index (BCI) can be useful for indexing construction costs over time. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8).

Planned Improvements

Details regarding expenditure of the police impact fees can be found in the City's Capital Improvement Plan.

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to provide additional Police Department facilities and vehicles to maintain the existing level of service for those facilities in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to pay for additional Police Department facilities and vehicles to serve new development in the City.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to pay for additional Police Department facilities and vehicles needed to serve new development in Brisbane at the currently existing level of service in terms of the relationship between facility cost and calls for service per year.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. Added calls for service associated with new development will increase the need for Police Department facilities and vehicles in Brisbane. The police impact fees will provide funding for additional Police Department facilities and vehicles needed to maintain the existing level of service in Brisbane.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the police impact fees charged to a development project will depend on the increase in calls for service associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average calls per unit per year for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for Police Department facilities and vehicles in the City.

Chapter 6. Fire Department Facilities

This chapter calculates impact fees for Fire Department facilities, apparatus and vehicles in Brisbane. Fire protection and emergency response services in Brisbane are provided by the North County Fire Authority (NCFA). Brisbane currently has one fire station which is owned by the City and operated by NCFA. The City and NCFA are planning to construct one additional fire station to serve future development in the City.

Methodology

Unlike the other impact fees calculated in this report, the fire impact fees are calculated using the planned facilities method discussed in Chapter 1. With that method, impact fees are based on the cost of providing additional facilities, apparatus and vehicles needed to serve new development.

The reason that the fire impact fees are calculated using the planned facilities method instead of the existing inventory method used to calculate other impact fees in this study is that impact fees based on the existing inventory method would generate impact fee revenue in excess of the cost of the planned future fire station with its new apparatus and vehicles. NBS also calculated fire impact fees based on the system plan method and found the same to be true in terms of projected impact fee revenue exceeding the cost of planned improvements.

Service Area

Brisbane's Fire Department facilities serve all development the City. The impact fees calculated in this chapter are intended to apply to all new development except for public facilities, unless the fees for a project are limited by statute or established by a development agreement.

Demand Variable

A "demand variable" is a quantifiable attribute of development that is used in impact fee calculation formulas to represent the impact of development. The demand variable used to calculate impact fees for Fire Department facilities in this chapter is fire calls for service per year.

The fire calls-per-unit-per-year factors used to calculate impact fees for Fire Department facilities in this chapter are shown in Table 2.3 in Chapter 2 and are used in Table 6.4 in to calculate impact fees per unit for each type of development defined in this study.

Level-of-Service Standard

The level-of-service standard used in this study to calculate impact fees for Fire Department facilities is the relationship between the estimated cost of the City's planned new fire station and its associated apparatus and vehicles and the number of additional calls for service per year that will be generated by future development in the City to buildout. That level of service is defined as a cost per call for service, calculated by dividing the estimated cost of the new fire station and

associated assets by the projected number of calls for service per year to be generated by new development between 2025 and buildout of available land in Brisbane.

This level of service standard is consistent with the use of the planned facilities method discussed in the Methodology section above

In 2021, Section 66016.5 was added to the Mitigation Fee by Act AB 602. That section requires, after January 1, 2022, that the level of service used in an impact fee study must be compared with the existing level of service. If the level used in the impact fee study exceeds the existing level of service, an explanation is required.

In fact, the level-of-service standard discussed above is lower than the existing level of service in terms of cost per call for service, so the impact fees calculated in this chapter present no issue with respect to the statute. The cost per call shown in Table 6.3 on the next page is $21,759.45, whereas the cost per call for the existing level of service based on the value of existing assets and existing calls for service would be $31,080.39.

Planned Fire Department Facilities

Table 6.1 shows key data about Brisbane's planned future fire station, including estimated cost costs for land and construction. The impact fee cost basis in Table 6.1 is the sum of the land and construction costs.

Table 6.1: Planned Future Fire Department Facilities

Facility	Building Sq Feet [1]	Site Acres [2]	Facility Constr Cost [3]	Land Cost [4]	Impact Fee Cost Basis [5]
Baylands Station	12,000	1.50	$ 14,400,000	$ 5,250,000	$ 19,650,000

[1] Building square feet provided by North County Fire Authority

[2] Site acres provided by North County Fire Authority

[3] Facility construction cost based on $1,200 per square foot

[4] Land value based on $3,500,000 per acre

[5] Impact fee cost basis = facility replacement cost + land value

Table 6.2 on the next page lists the new apparatus and vehicles that will be needed to equip the new fire station. The cost of the additional apparatus and vehicles will be included in the cost basis for the impact fees calculated in this chapter. Table 6.2 also includes the cost of firefighter personal protective equipment for additional firefighters needed to staff a second fire station.

Table 6.2: Future Fire Station Apparatus, Vehicles and Equipment

Units	Description	Replacement Cost per Unit [1]	Impact Fee Cost Basis [3]
1	Ladder Truck	$ 3,000,000	$ 3,000,000
1	Type 1 Engine	$ 1,700,000	$ 1,700,000
2	Administrative Vehicle	$ 100,000	$ 100,000
18	Personal Protective Equipt	$ 45,662	$ 821,916
Total			**$ 5,621,916**

Table 6.3 divides the combined impact fee cost from Tables 6.1 and 6.2 by the projected increase in fire calls for service per year to arrive at a cost per call for service per year.

Table 6.3: Cost per Call per Year - Planned Fire Dept. Facilities/Equipment

Cost Component	Impact Fee Cost Basis [1]	Added Calls for Service [2]	Cost per Call [3]
Planned Facilities	$ 19,650,000	1,161	$ 16,918.91
Future Station Apparatus, Vehicles, Equipt	$ 5,621,916	1,161	$ 4,840.54
Total	**$ 25,271,916**	**1,161**	**$ 21,759.45**

[1] See Tables 6.1 and 6.2

[2] See Table 2.5

[3] Cost per call = impact fee cost basis / added calls for service per year

In the next section, the cost per call from Table 6.3 is used to calculate impact fees per unit for additional Fire Department facilities and other capital assets needed to serve projected future development in Brisbane. Impact fees are calculated for each type of development defined in this study.

Impact Fees per Unit

Table 6.4 shows the calculation of impact fees per unit for planned new Fire Department facilities, apparatus and vehicles. Those fees are calculated using the cost per call from Table 6.3 and fire calls-for-service-per-unit per year factors from Table 2.1.

Table 6.4: Impact Fees per Unit - Fire Department Facilities

Development Type	Units [1]	Cost per Call [2]	Fire Calls per Unit [3]	Impact Fee per Unit [4]
Residential <800 Sq. Ft. Unit	DU	$21,759.45	0.12	$ 2,611.13
Residential 800-1,200 Sq. Ft. Unit	DU	$21,759.45	0.14	$ 3,046.32
Residential 1,200-2,100 Sq. Ft. Unit	DU	$21,759.45	0.16	$ 3,481.51
Residential >2,100 Sq. Ft. Unit	DU	$21,759.45	0.18	$ 3,916.70
Commercial	KSF	$21,759.45	0.26	$ 5,565.97
Hotel/Motel	Room	$21,759.45	0.11	$ 2,305.27
Office	KSF	$21,759.45	0.02	$ 478.71
Life Science/R&D	KSF	$21,759.45	0.07	$ 1,523.16
Industrial	KSF	$21,759.45	0.02	$ 391.67
Warehouse	KSF	$21,759.45	0.03	$ 739.82
Public Facilities	KSF	$21,759.45	0.11	$ 2,294.94

[1] Units of development: DU = dwelling unit; KSF = 1,000 gross square feet of building area; Room = guest room or suite

[2] See Table 6.3

[3] Fire Calls per unit; see Table 2.3

[4] Impact fee per unit = cost per call X calls per unit

Projected Revenue

Table 6.5 projects potential revenue from the fire impact fees. That projection is based on the cost per call from Table 6.3 and the calls per unit per year from Table 2.5.

Table 6.5: Projected Revenue - Fire Impact Fees

Development Type	Added Calls for Service [1]	Cost per Call [2]	Projected Revenue [3]
All Development	1,140	$21,759.45	$ 24,808,440
Total			**$ 24,808,440**

[1] See Table 2.5; added calls for service in this table do not include calls generated by public facilities, public schools or parks

[2] See Table 6.3

[3] Projected revenue = added service population X cost per capita

The projected revenue shown in Table 6.5 is equal to the cost of the planned new fire station and its associated apparatus and vehicles. The projected revenue calculation assumes that future development in the City will occur as forecasted in Chapter 2. It does not account for limits on impact fees set by development agreements for some future projects.

Updating the Fees

The impact fees calculated in this chapter are based on estimated costs for the City's planned future Fire Department facilities, apparatus and vehicles. We recommend that the fees be reviewed annually and adjusted as needed using the most current cost estimates. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8). The California Cost Index, published by the Department of General Services and the Engineering News Record Building Cost Index (BCI) can be useful for indexing construction costs over time. The City will be required to update the nexus study at least every eight years, per Government Code Section 66016.5(a)(8).

Planned Improvements

Details regarding expenditure of the fire impact fees can be found in the City's Capital Improvement Plan.

Nexus Summary

As discussed in Chapter 1 of this report, Section 66001 of the Mitigation Fee Act requires that an agency establishing, increasing or imposing impact fees, must make findings to:

Identify the purpose of the fee;

Identify the use of the fee; and,

Determine that there is a reasonable relationship between:

a. The use of the fee and the development type on which it is imposed;

b. The need for the facility and the type of development on which the fee is imposed; and

c. The amount of the fee and the facility cost attributable to the development project.

Satisfying those requirements also ensures that the fees meet the "rational nexus" and "rough proportionality" standards enunciated in leading court decisions bearing on impact fees and other exactions. (For more detail, see "Legal Framework for Impact Fees" in Chapter 1.) The following paragraphs explain how the impact fees calculated in this chapter satisfy those requirements.

Purpose of the Fee: The purpose of the impact fees calculated in this chapter is to provide additional Fire Department facilities apparatus and vehicles to maintain the existing level of service for those facilities in Brisbane.

Use of the Fee. Impact fees calculated in this chapter will be used to pay for additional Fire Department facilities, apparatus and vehicles to serve new development in the City.

Reasonable Relationship between the Use of the Fee and the Development Type on Which It Is Imposed. The impact fees calculated in this chapter will be used to pay for additional Fire Department facilities, apparatus and vehicles needed to serve new development in Brisbane at the currently existing level of service in terms of the relationship between facility costs and calls for service per year.

Reasonable Relationship between the Need for the Facilities and the Type of Development on Which the Fee Is Imposed. Added calls for service associated with new development will increase the need for Fire Department facilities, apparatus and vehicles in Brisbane. The fire impact fees will provide funding for additional Fire Department facilities, apparatus and vehicles needed to serve planned future development in Brisbane.

Reasonable Relationship between the Amount of the Fee and the Facility Cost Attributable to the Development Project. The amount of the fire impact fees charged to a development project will depend on the increase in calls for service associated with that project. The fees per unit of development calculated in this chapter for each type of development are based on the estimated average calls per unit per year for that type of development in Brisbane. Thus, the fee charged to a development project reflects the impact of that project on the need for new Fire Department facilities, apparatus and vehicles in the City.

Chapter 7. Implementation

This chapter of the report summarizes requirements for adoption and administration of impact fees, calculated in this study. It was not prepared by an attorney and is not intended as legal advice.

Statutory requirements for the adoption and administration of fees imposed as a condition of development approval (impact fees) are found in the Mitigation Fee Act (Government Code Sections 66000 *et seq.*).

Adoption

The form in which development impact fees are enacted should be determined by the City Attorney. Procedures for adoption of fees subject to the Mitigation Fee Act including notice and public-hearing requirements are specified in Government Code Sections 66016 and 66018. It should be noted that Section 66018 refers to Government Code Section 6062a, which requires that the public hearing notice be published at least twice during the 10-day notice period. However, Section 66016.5 added by AB 602 in 2021 requires that impact fee nexus studies be adopted at a public hearing with at least a 30-day notice.

Government Code Section 66017 provides that fees subject to the Mitigation Fee Act do not become effective until 60 days after final action by the governing body.

Actions establishing or increasing fees subject to the Mitigation Act require certain findings, as set forth in Government Code Section 66001 and discussed in Chapter 1 of this report.

Administration

The California Mitigation Fee Act (Government Code Sections 66000 et seq.) mandates procedures for administration of impact fee programs, including collection and accounting, reporting, and refunds. References to code sections in the following paragraphs pertain to the California Government Code.

Notices and Statute of Limitations. Section 66006 (f) provides that a local agency, at the time it imposes a fee for public improvements on a specific development project, "... shall identify the public improvement that the fee will be used to finance." The required notification could refer to the capital improvement plan that must now be adopted with each new impact fee nexus study.

Section 66020 (d) (1) requires that the agency, at the time it imposes an impact fee, provide a written statement of the amount of the fee and written notice of a 90-day period during which the imposition of the fee can be protested. Failure to protest imposition of the fee during that period may deprive the fee payer of the right to subsequent legal challenge.

Section 66022 (a) provides a separate procedure for challenging the establishment of an impact fee. Such challenges must be filed within 120 days of enactment.

Collection of Fees. Section 66007, as amended by SB 937 in 2024, provides that, with some exceptions, a local agency shall not require payment of impact fees by developers of residential development projects prior to the issuance of the first certificate of occupancy, or first temporary certificate of occupancy, whichever occurs first. That provision does not apply if construction of the

residential development does not begin within five years of the date upon which the building permit is issued.

An exception that allows utility service fees to be collected when an application for service is received, is now limited to the cost of "connection activities."

Local agencies may require payment of fees prior to issuance of a certificate of occupancy under certain conditions, including if the fees are to reimburse the agency for expenditures previously made, unless the project reserves at least 49% of residential units for occupancy by lower income households. For such projects, the local agency may require posting of a performance bond or letter of credit from a federally insured depository institution to guarantee payment when the fees are eligible for collection.

In cases where the fees are not collected upon issuance of building permits, Sections 66007 (d) (1) and (2) provide that the City may require the property owner to execute a contract to pay the fee, and to record that contract as a lien against the property until the fees are paid. The local agency may not charge interest or other fees on any amounts deferred pursuant to Section 66007.

If a residential development contains more than one dwelling, the local agency may determine whether the fees or charges described shall be paid on a pro rata basis for each dwelling when it receives its certificate of occupancy, on a pro rata basis when a certain percentage of the dwellings have received their certificate of occupancy, or on a lump-sum basis when all the dwellings in the development receive their certificate of occupancy.

Statutory restrictions on the time at which fees may be collected do not apply to non-residential development.

Earmarking and Expenditure of Fee Revenue. Section 66006 (a) mandates that fees be deposited "with other fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the local agency, except for temporary investments, and expend those fees solely for the purpose for which the fee was collected." Section 66006 (a) also requires that interest earned on the fee revenues be placed in the capital account and used for the same purpose.

The language of the law is not clear as to whether depositing fees "with other fees for the improvement" refers to a specific capital improvement or a class of improvements (e.g., street improvements). Common practice is to maintain separate funds or accounts for impact fee revenues by facility category (i.e., streets, park improvements), but not for individual projects.

Impact Fee Exemptions, Reductions, and Waivers. In the event that a development project is found to have no impact on facilities for which impact fees are charged, such project must be exempted from the fees.

If a project has characteristics that will make its impacts on a particular public facility or infrastructure system significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly to meet the requirement that there must be a reasonable relationship between the amount of the fee and the cost of the public facility attributable to the development on which the fee is imposed. The fee reduction is required if the fee is not proportional to the impact of the development on relevant public facilities.

In some cases, an agency may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project as a way of promoting goals such as affordable housing or economic development. Such a waiver or reduction is within the discretion of the governing body but may not result in increased costs to other development projects. So, the effect of such policies is that the lost revenue must be made up from sources other than impact fees.

Credit for Improvements Provided by Developers. If the City requires a developer, as a condition of project approval, to dedicate land or construct facilities or improvements for which impact fees are charged, the City should ensure that the impact fees are adjusted so that the overall contribution by the developer does not exceed the impact created by the development.

In the event that a developer voluntarily offers to dedicate land, or construct facilities or improvements in lieu of paying impact fees, the City may accept or reject such offers and may negotiate the terms under which such an offer would be accepted. Excess contributions by a developer may be offset by reimbursement agreements.

Credit for Existing Development. If a project involves replacement, redevelopment or intensification of previously existing development, impact fees should be applied only to the portion of the project that represents a net increase in demand for relevant City facilities, applying the measure of demand used in this study to calculate that impact fee.

Annual Report. Section 66006 (b) (1) requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each separate account established to receive impact fee revenues:

1. A brief description of the type of fee in the account or fund;
2. The amount of the fee;
3. The beginning and ending balance of the account or fund;
4. The amount of the fees collected and interest earned;
5. Identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fees;
6. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected to complete financing of an incomplete public improvement;
7. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvement on which the transfer or loan will be expended;
8. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).

The annual report must be reviewed by the City Council at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public, per Section 66006 (b) (2).

Five-Year Findings and Refunds under the Mitigation Fee Act. Prior to 1996, The Mitigation Fee Act required that a local agency collecting impact fees was required to expend or commit impact fee

revenue within five years or make findings to justify a continued need for the money. Otherwise, those funds had to be refunded. SB 1693, adopted in 1996 as an amendment to the Mitigation Fee Act, changed that requirement in material ways.

Now, Section 66001 (d) requires that, for the fifth fiscal year following the first deposit of any impact fee revenue into an account or fund as required by Section 66006 (b), and every five years thereafter, the local agency shall make all of the following findings for any fee revenue that remains unexpended, whether committed or uncommitted:

1. Identify the purpose to which the fee will be put;
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which impact fees are to be used;
4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited into the appropriate account or fund.

Those findings are to be made in conjunction with the annual reports discussed above. If such findings are not made as required by Section 66001, the local agency could be required to refund the moneys in the account or fund, per Section 66001 (d).

Once the agency determines that sufficient funds have been collected to complete financing on incomplete improvements for which impact fee revenue is to be used, it must, within 180 days of that determination, identify an approximate date by which construction of the public improvement will be commenced (Section 66001 (e)). If the agency fails to comply with that requirement, it must refund impact fee revenue in the account according to procedures specified in Section 66001 (d).

For a useful discussion of the foregoing requirements, see "The Mitigation Fee Act's Five-Year Findings Requirement: Beware Costly Pitfalls" by Glen Hansen, Senior Counsel, Abbott and Kindermann, and Rick Jarvis, Managing Partner, Jarvis, Fay and Gibson, presented at the 2022 League of California Cities City Attorneys Spring Conference.

Audit Requests. Section 66023 provides that any person may request an audit to determine whether any fee or charge levied by a local agency exceeds the amount reasonably necessary to cover the cost of any product, public facility, as defined in Section 66000, or service provided by the local agency. The legislative body of the local agency may retain an independent auditor to conduct the audit but is not required to conduct an audit if an audit has been performed for the same fee within the previous 12 months.

The agency shall retain an independent auditor to conduct an audit only if the person who requests the audit deposits with the local agency the amount of the local agency's reasonable estimate of the cost of the independent audit. At the conclusion of the audit, the local agency shall reimburse unused sums, if any, or the requesting person shall pay the local agency the excess of the actual cost of the audit over the amount that was deposited.

However, if the local agency fails to comply with the annual report requirement of Section 66006 following the establishment, increase or imposition of a fee, but requires payment of that fee in

connection with the approval of a development project for three consecutive years, the agency shall not require a deposit for the independent audit and shall pay the cost of the audit.

Indexing of Impact Fees. Impact fees calculated in this report are based on current costs and should be adjusted periodically to account for changes in the cost of facilities or other capital assets that will be funded by those fees. That adjustment is intended to account for escalation in costs for land, construction, vehicles and other relevant capital assets. The California Construction Cost Index published by the Department of General Services and the *Engineering News Record* Building Cost Index (BCI) are useful for indexing construction costs. Where land costs are covered by an impact fee or in-lieu fee, land costs should be adjusted based on changes in local land prices. Estimated costs for vehicles and equipment can be based on vendor quotes.

Requirements Imposed by AB 602

This section repeats information about AB 602 which is also included in Chapter 1. In 2021, the California Legislature passed AB 602 and the Governor signed it into law. AB 602 creates some new requirements for impact fees that went into effect in 2022. The new law amends Government Code Section 65940.1 and adds Section 66016.5 to impose the following requirements:

1) A city, county or special district that has an internet website shall post on its website:
    a) A current written schedule of fees, exactions and affordability requirements applicable to a proposed housing development project, and shall present that information in a manner that identifies the fees, exactions and affordability requirements that apply to each parcel and the fees that apply to each new water and sewer utility connection
    b) All zoning ordinances and development standards and specifying the zoning, design and development standards that apply to each parcel
    c) A list of the information that will be required from any applicant for a development project, as specified in Government Code Section 69540
    d) The current and five previous annual fee reports required by Government Code Section 66006 and Subsection 66013 (d).
    e) An archive of impact fee nexus studies, cost of service studies or equivalent conducted on or after January 1, 2018.
2) The above information shall be updated within 30 days of any changes
3) A City or County shall request from a development proponent, upon issuance of a certificate of occupancy or final inspection, the total amount of fees and exactions associated with the project for which the certificate is issued. That information must be posted on the website and updated at least twice a year.
4) Before adoption of an impact fee, an impact fee nexus study shall be adopted.
5) When applicable, the nexus study shall identify the existing level of service for each public facility, identify the proposed new level of service and explain why the new level of service is appropriate

6) If a nexus study supports the increase of an existing fee, the local agency shall review the assumptions of the nexus study supporting the original fee and evaluate the amount of the fees collected under the original fee.

7) A nexus study adopted after July 1, 2022, shall calculate a fee imposed on a housing development project proportionately to the square footage of the proposed units of the development. A local agency that imposes a fee proportionately to the square footage if the proposed units of the development shall be deemed to have used a valid method to establish a reasonable relationship between the fee charged and the burden posed by the development. A nexus study is not required to comply with this requirement if the agency makes certain findings outlined in the statute.

8) Large jurisdictions as defined in Section 53559.1 (d) of the Health and Safety Code (counties of 250,000 or more and cities in those counties) shall adopt a capital improvement plan as part of a nexus study.

9) All studies shall be adopted at a public hearing with at least 30-day's notice, and the local agency shall notify any member of the public that requests notice of intent to begin an impact fee nexus study of the date of the hearing.

10) Studies shall be updated at least every eight years, beginning on January 1, 2022.

Training and Public Information

Effective administration of an impact fee program requires considerable preparation and training. It is important that those responsible for collecting the fees, and for explaining them to the public, understand both the details of the fee program and its supporting rationale.

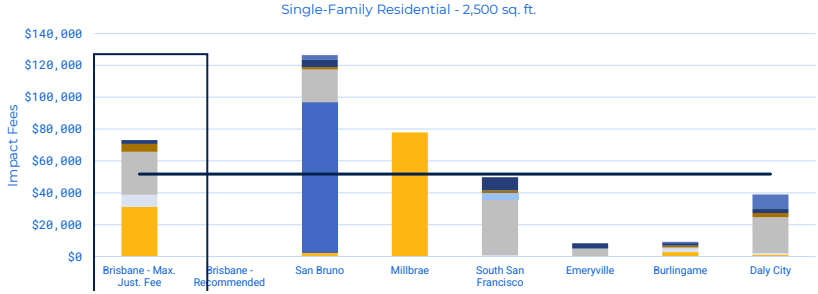
It is also useful to pay close attention to handouts that provide information to the public regarding impact fees. Impact fees should be clearly distinguished from other fees, such as user fees for application processing, and the purpose and use of particular impact fees should be made clear.

Finally, anyone responsible for accounting, capital budgeting, or project management for projects involving impact fees must be fully aware of the restrictions placed on the expenditure of impact fee revenues. Fees must be expended for the purposes identified in the impact fee nexus study in which they were calculated, and the City must be able to show that funds have been properly expended.

N.

Single-Family
Sq. ft. 2,500

Jurisdiction	General Govt	Housing	Library	Parks & Rec	Childcare	Public	Transportation	Utilities	Total	Cost / Sq.	Cost / Unit	Overall Average
Brisbane - Max. Just. Fee	**$31,121**	**$0**	**$7,678**	**$26,949**	**$0**	**$4,991**	**$2,399**	**$0**	**$73,138**	**$29.26**	**$73,138**	$51,762
Brisbane - Recommended									**$0**	**$0.00**	**$0**	$51,762
San Bruno	$2,167.94	$94,625.00		$20,630.79		$1,531.95	$4,512.55	$2,967.99	$126,436	$50.57	$126,436	$51,762
Millbrae	$77,887.79								$77,888	$31.16	$77,888	$51,762
South San Francisco			$833.77	$34,821.41	$4,165.32	$1,668.06	$8,327.00		$49,816	$19.93	$49,816	$51,762
Emeryville				$4,950.00			$3,319.00		$8,269	$3.31	$8,269	$51,762
Burlingame	$2,756.00		$2,383.00	$590.00		$1,079.00	$1,573.00	$781.00	$9,162	$3.66	$9,162	$51,762
Daly City	$1,150.00		$1,050.00	$22,450.00		$2,675.00	$2,500.00	$9,175.00	$39,000	$15.60	$39,000	$51,762
Overall Avg	$20,990	$94,625	$1,422	$16,688	$4,165	$1,739	$4,046	$4,308	$51,762	$20.70		
Avg Cost / SF	$8.40	$37.85	$0.57	$6.68	$1.67	$0.70	$1.62	$1.72				
Avg Cost / Unit	$20,990	$94,625	$1,422	$16,688	$4,165	$1,739	$4,046	$4,308				
Brisbane Calculated Fee	$31,121		$7,678	$26,949		$4,991	$2,399					



N.

General Govt
Housing
Library
Parks & Rec
Childcare
Public Safety
Transportation
Utilities
Overall Average

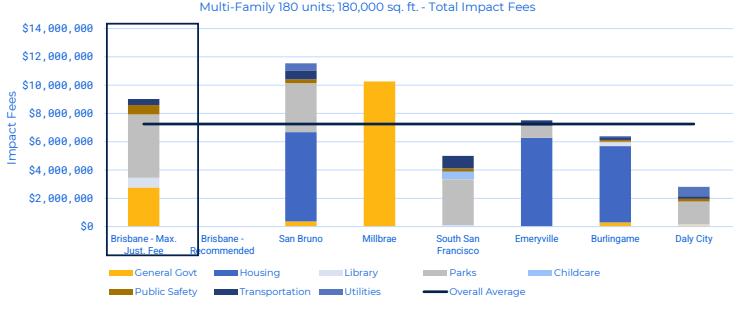
278

N.

Multi-Family

# of Units	180
Sq. Ft. / Unit	1,000
Sq. ft.	180,000
Acres	4.13

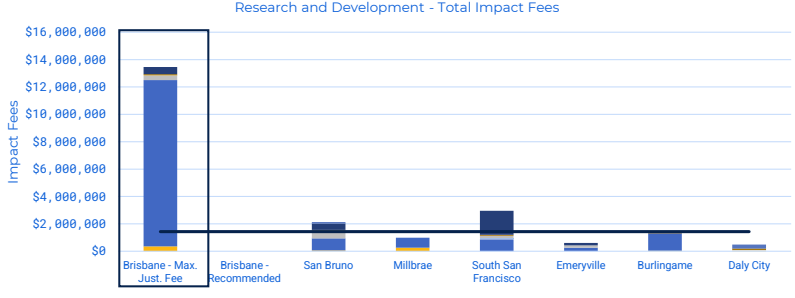
Jurisdiction	General Govt	Housing	Library	Parks	Childcare	Public	Transportation	Utilities	Total	Cost / Sq.	Cost / Unit	Overall Average
Brisbane - Max. Just. Fee	**$2,765,340**		**$682,380**	**$4,482,000**		**$660,240**	**$431,845**		**$9,021,805**	**$50.12**	**$50,121**	$7,252,624
Brisbane - Recommended									**$0**	**$0.00**	**$0**	$7,252,624
San Bruno	$366,152	$6,309,000		$3,462,008		$275,522	$628,501	$501,529	$11,542,712	$64.13	$64,126	$7,252,624
Millbrae	$10,257,482								$10,257,482	$56.99	$56,986	$7,252,624
South San Francisco			$111,796	$3,233,792	$558,983	$223,619	$869,137		$4,997,327	$27.76	$27,763	$7,252,624
Emeryville		$6,285,060		$857,880			$370,620		$7,513,560	$41.74	$41,742	$7,252,624
Burlingame	$294,480	$5,400,000	$254,700	$63,000		$115,200	$198,900	$70,380	$6,396,660	$35.54	$35,537	$7,252,624
Daly City	$82,800		$75,600	$1,616,400		$192,600	$180,000	$660,600	$2,808,000	$15.60	$15,600	$7,252,624
Overall Avg	$2,750,229	$5,998,020	$147,365	$1,846,616	$558,983	$201,735	$449,432	$410,836	$7,252,624	$40.29	$40,292	
Avg Cost / SF	$15.28	$33.32	$0.82	$10.26	$3.11	$1.12	$2.50	$2.28				
Avg Cost / Unit	$15,279	$33,322	$819	$10,259	$3,105	$1,121	$2,497	$2,282				
Brisbane Fee	$15,363		$3,791	$24,900		$3,668	$2,399					



N.

R&D / Office
Sq. ft. 50,000
Acres 1.15

Jurisdiction	General Govt	Housing	Library	Childcare	Parks & Rec	Public	Transportation	Utilities	Total	Cost / Sq.	Overall Average
Brisbane - Max. Just. Fee	**$357,950**	**$12,150,000**			**$335,050**	**$92,550**	**$520,500**		**$13,456,050**	**$269.12**	$1,431,046
Brisbane - Recommended									**$0**	**$0.00**	$1,431,046
San Bruno	$62,500	$876,000			$577,500	$38,500	$465,000	$115,000	$2,134,500	$42.69	$1,431,046
Millbrae	$258,278	$730,000							$988,278	$19.77	$1,431,046
South San Francisco		$869,000	$7,000	$76,000	$178,000	$66,000	$1,757,500		$2,953,500	$59.07	$1,431,046
Emeryville		$265,000			$167,000		$177,500		$609,500	$12.19	$1,431,046
Burlingame	$32,000	$1,250,000			$5,900	$17,500	$90,500	$22,100	$1,418,000	$28.36	$1,431,046
Daly City	$46,000		$41,000			$106,000	$21,500	$268,000	$482,500	$9.65	$1,431,046
Avg Impact Fee	**$99,695**	**$798,000**	**$24,000**	**$76,000**	**$232,100**	**$57,000**	**$502,400**	**$135,033**	**$1,431,046**	**$28.62**	
Avg fee / sq. ft.	$1.99	$15.96	$0.48	$1.52	$4.64	$1.14	$10.05	$2.70			
Brisbane Fee	$7,159	$243			$6,701	$1,851	$10.41				



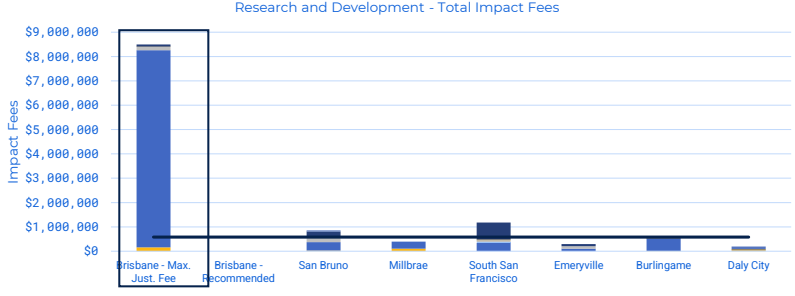
General Govt
Housing
Library
Childcare
Parks & Rec
Public Safety
Transportation
Utilities
Overall Average

N.

R&D / Office

Sq. ft.	20,000
Acres	0.46

Jurisdiction	General Govt	Housing	Library	Childcare	Parks & Rec	Public	Transportation	Utilities	Total	Cost / Sq.	Overall Average
Brisbane - Max. Just. Fee	**$161,660**	**$8,100,000**			**$134,020**	**$13,300**	**$87,800**		**$8,496,780**	**$424.84**	$581,252
Brisbane - Recommended									**$0**	**$0.00**	$581,252
San Bruno	$25,000	$350,400			$231,000	$15,400	$186,000	$46,000	$853,800	$42.69	$581,252
Millbrae	$103,311	$292,000							$395,311	$19.77	$581,252
South San Francisco		$347,600	$2,800	$30,400	$71,200	$26,400	$703,000		$1,181,400	$59.07	$581,252
Emeryville		$106,000			$97,000		$93,800		$296,800	$14.84	$581,252
Burlingame	$12,800	$500,000			$2,360	$7,000	$36,200	$8,840	$567,200	$28.36	$581,252
Daly City	$18,400		$16,400			$42,400	$8,600	$107,200	$193,000	$9.65	$581,252
Avg Impact Fee	**$39,878**	**$319,200**	**$9,600**	**$30,400**	**$100,390**	**$22,800**	**$205,520**	**$54,013**	**$581,252**	**$29.06**	
Avg fee / sq. ft.	$1.99	$15.96	$0.48	$1.52	$5.02	$1.14	$10.28	$2.70			
Brisbane Fee	$8,083	$405			$6,701	$665	$4.39				



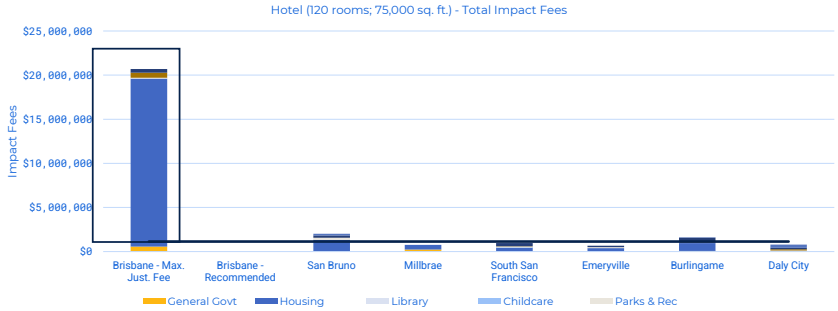
General Govt
Housing
Library
Childcare
Parks & Rec
Public Safety
Transportation
Utilities
Overall Average

N.

Hotel

# of Rooms	120
Sq. Ft. / Room	500
Sq. ft.	75,000
Acres	1.72

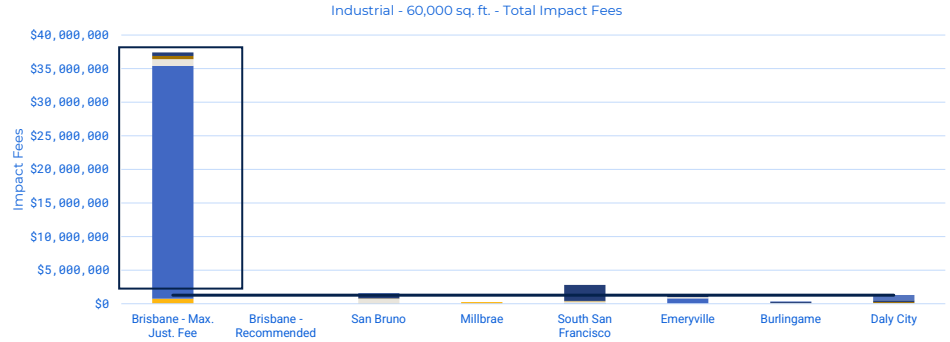
Jurisdiction	General Govt	Housing	Library	Childcare	Parks & Rec	Public	Transportation	Utilities	Total	Cost / Room	Cost / Sq.	Overall Average
Brisbane - Max. Just. Fee	**$561,240**	**$19,050,000**			**$93,840**	**$571,080**	**$412,027**		**$20,688,187**	**$172,402**	**$275.84**	$1,137,194
Brisbane - Recommended									**$0**	**$0**	**$0.00**	$1,137,194
San Bruno	$24,380	$1,314,000			$226,838	$15,294	$245,161	$196,250	$2,021,924	$16,849	$26.96	$1,137,194
Millbrae	$230,264	$527,027							$757,291	$6,311	$10.10	$1,137,194
South San Francisco		$435,000	$3,000	$22,500	$108,750	$23,250	$371,603		$964,103	$8,034	$12.85	$1,137,194
Emeryville		$397,500			$99,000		$167,160		$663,660	$5,531	$8.85	$1,137,194
Burlingame	$69,750	$900,000			$12,900	$38,025	$546,375	$53,775	$1,620,825	$13,507	$21.61	$1,137,194
Daly City	$63,000		$56,760			$145,560	$162,120	$367,920	$795,360	$6,628	$10.60	$1,137,194
Avg Impact Fee	**$96,849**	**$714,705**	**$29,880**	**$22,500**	**$111,872**	**$55,532**	**$298,484**	**$205,982**	**$1,137,194**	**$9,477**	**$15**	
Avg fee / sq. ft.	$1.29	$9.53	$0.40	$0.30	$1.49	$0.74	$3.98	$2.75				
Avg Fee / Room	$807.07	$5,955.88	$249.00	$187.50	$932.27	$462.77	$2,487.37	$1,716.52	$9,476.62			
Brisbane Fee	$4,677	$254			$782	$4,759	$3,433.56					



N.

Industrial
Sq. ft. 150,000
Acres 3.44

Jurisdiction	General Govt	Housing	Library	Childcare	Parks & Rec	Public Safety	Transportation	Utilities	Total	Cost / Sq. Ft.	Overall Average
Brisbane - Max. Just. Fee	**$751,650**	**$34,650,000**			**$1,005,150**	**$480,900**	**$511,500**		**$37,399,200**	**$249.33**	$1,274,724
Brisbane - Recommended									**$0**	**$0.00**	$1,274,724
San Bruno	$73,500				$688,500	$45,000	$558,000	$216,000	$1,581,000	$10.54	$1,274,724
Millbrae	$262,191								$262,191	$1.75	$1,274,724
South San Francisco			$7,500	$90,000	$253,500	$72,000	$2,373,000		$2,796,000	$18.64	$1,274,724
Emeryville		$795,000			$198,000		$366,000		$1,359,000	$9.06	$1,274,724
Burlingame	$45,750				$8,400	$24,900	$171,900	$94,200	$345,150	$2.30	$1,274,724
Daly City	$63,000		$57,000			$144,000	$255,000	$786,000	$1,305,000	$8.70	$1,274,724
Avg Impact Fee	**$111,110**	**$795,000**	**$32,250**	**$90,000**	**$287,100**	**$71,475**	**$744,780**	**$365,400**	**$1,274,724**	**$8.50**	
Avg fee / sq. ft.	$0.74	$5.30	$0.22	$0.60	$1.91	$0.48	$4.97	$2.44			
Brisbane Fee	$5,011	$231			$6,701	$3,206	$3.41				



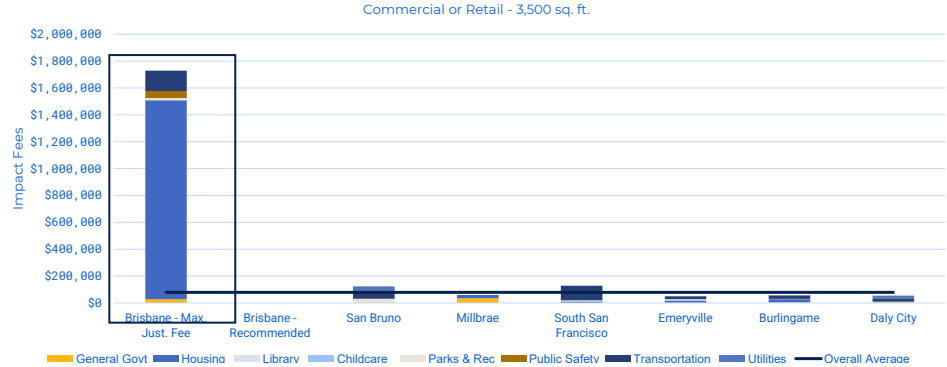
N.

General Govt
Housing
Library
Childcare
Parks & Rec
Public Safety
Transportation
Utilities
Overall Average

N.

Commercial / Retail
Sq. ft. 3,500

Jurisdiction	General Govt	Housing	Library	Childcare	Parks & Rec	Public Safety	Transportation	Utilities	Total	Cost / Sq. Ft.	Overall Average
Brisbane - Max. Just. Fee	**$28,224**	**$1,480,500**			**$15,635**	**$53,312**	**$150,675**		**$1,728,346**	**$493.81**	$78,860
Brisbane - Recommended									**$0**	**$0.00**	$78,860
San Bruno	$2,835				$26,075	$2,870	$41,930	$50,050	$123,760	$35.36	$78,860
Millbrae	$35,763	$23,065							$58,828	$16.81	$78,860
South San Francisco		$10,150	$280	$2,870	$5,320	$1,855	$108,255		$128,730	$36.78	$78,860
Emeryville		$18,550			$9,310		$21,630		$49,490	$14.14	$78,860
Burlingame	$3,255	$24,500			$602	$1,775	$25,498	$2,510	$58,139	$16.61	$78,860
Daly City	$2,345		$2,100			$5,355	$24,150	$20,265	$54,215	$15.49	$78,860
Avg Impact Fee	**$11,049**	**$19,066**	**$1,190**	**$2,870**	**$10,327**	**$2,964**	**$44,293**	**$24,275**	**$78,860**	**$22.53**	
Avg fee / sq. ft.	$3.16	$5.45	$0.34	$0.82	$2.95	$0.85	$12.66	$6.94			
Brisbane Fee	$8,064	$423			$4,467	$15,232	$43.05				



288

N.

General Govt
Housing
Library
Childcare
Parks & Rec
Public Safety
Transportation
Utilities
Overall Average

289

	A	B	C	D	E	F	G
1	**Development Type**	**Low (Score=1)**	**Medium (Score=2)**	**High (Score=3)**	**Total Votes**	**Comments**	**Recommended Level**
2	Single Family Residential						
3	Multifamily Residential						
4	Hotel						
5	Industrial						
6	R&D / Office						
7	Commercial / Retail						

File Attachments for Item:

P. Countywide Assignments and Subcommittee Reports

i. Parkside 2 Ad Hoc Subcommittee Update

ii. Report Out on Subcommittee Meetings

iii. Upcoming Subcommittee Meetings

CITY of BRISBANE

Council Subcommittee Update

From January 10th, 2026, to January 30th, 2026

1. Report Out on Subcommittees/Committees

A. Economic Vitality Subcommittee 1/22 Kern, Lentz

The subcommittee received an update from Prologis representatives. Prologis looks forward to collaborating with the City in various ways from community engagement opportunities, business introductions and energy infrastructure and resiliency. Prologis installed 1 giga watt of solar this past quarter, high on NPS Rating Standard for customer service, and are committed to zero net energy for any new development. As new owners, their focus is assessing energy, sustainability and structural inspections of each building, and customer introductions and interviews. The group discussed dark skies ordinance, Peninsula Clean Energy, Commute.org and community energy districts (Prologis has already joined the Brisbane Chamber of Commerce).

Next Steps #1: Staff to connect them with the City's Sustainability Manager, John Ford at Commmute.org, Mayor Mackin about Peninsula Clean Energy and Park & Recreation Department for donation opportunities.

Economic Vitality Director Bull gave a status report on business activities in Brisbane.

To view the meeting, please visit:
https://www.brisbaneca.org/citycouncil/meeting/economic-vitality-subcommittee-meeting

B. Public Art Advisory Committee 1/26 Davis, O'Connell

City Manager Dennis discussed the restructuring of the Committee to be its own independent Committee like the Open Space & Ecology Committee and the Complete Streets Safety Committee; the current structure, which includes two Councilmembers and two Park and Recreation Commissioners will be replaced with new members appointed by the Council without affiliation to another city body, once the bylaws are approved, recruitment occurs and the newly appointed members have been seated.

Next Steps #1:
Begin the process to make the Committee an independent Committee

The Committee received an update regarding the conservation of the mural at Midtown Market. Site & Studio Conservation, LLC. received the Italian materials and plans to be on site for testing the first week of February.

Next Steps #2:
The Committee will receive an update in March.

Staff received over 50 proposals for the Artful Bench Program, which will be a substantial and time-intensive process. The Committee reviewed the process to date, review the artist selection process outlined in the master plan, and to establish a clear framework for next steps. Staff anticipate that this effort will continue over multiple meetings.

Next Steps #3:
The Committee will begin discussing the proposals at the next meeting.

To view the meeting page, please visit:
https://www.brisbaneca.org/bc-artadvisory/meeting/public-art-advisory-committee-meeting-25

C. Quarry Subcommittee **1/29** **Lentz, O'Connell**

The subcommittee was joined by Planning Commission Chair Sayasane and Vice-Chair Gooding to receive an informational presentation regarding Geologic Hazard Abatement Districts (GHAD) from ENGEO, Inc., a geotechnical engineering firm. A Geologic Hazard Abatement District helps address landslide hazards that affect multiple properties. Orchard Partners, the developers who have proposed a project at the Brisbane Quarry, has engaged ENGEO, Inc, to inform and guide this processs, enabling property owners to collaborate on resolving shared issues without legal disputes. . ENGEO discussed how GHADs are created, how they work and are funded, examples of projects taht utilized GHADs, as well as the rules and regulations to follow or surpass. Should the project be apporved by the City Council, Orchard Partners will be required to close the Quarry, including engaging appropriate State agencies. The group discussed two closed quarries that are now utilize a GHAD – Leona Quarry in Oakland and La Vista Quarry in Hayward.

Orchard Partner representatives plan to submit their scope of work and updated EIR in second half of the year.

Next Steps #1: Staff to reach out to staff in Oakland and Hayward in the near future to gain further insight about GHAD.

Next Steps #2: Staff will connect with representatives about SMARA statutes and regulations.

To view the meeting page, please visit:
https://www.brisbaneca.org/citycouncil/meeting/quarry-subcommittee

2. Upcoming Subcommittees:

Liaison to Complete Streets Safety Committee (CSSC) Subcommittee	2/10	3:30pm	Kern, Mackin
Fiscal Policy Subcommittee	2/10	4:30pm	Mackin, O'Connell
Public Art Advisory Committee	2/24	5:15pm	Davis, O'Connell

3. Proposed Subcommittees:

Does any councilmember wish to propose any items for a subcommittee to discuss?