

# REPORT

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## Walkways Impact Fee Report

Prepared for:

**City of Lafayette**

**March 2009**

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# I. Introduction

This report presents the facts and reasoning supporting the FY 2009/10 update to the City of Lafayette's Walkways Impact Fee (Walkways Fee). The Walkways Fee will allow the City to provide walkways facilities and infrastructure to meet the demand generated by new residential development.

The report builds upon the City's existing Walkways Fee, established in 1969. This report presents updates to the existing Walkways Fee, including the establishment of a nexus for the Walkways Fee. The updated Walkways Fee, a development impact fee, will support the provision of needed walkways for the City's comprehensive public walkways system. The updated fee would be adopted under the authority allowed by AB 1600, the "Mitigation Fee Act."

## A. Report Organization

This report presents the background supporting the update to the City's Walkways Fee. It also summarizes the purpose of the fee, describes the methodology for how the fee is calculated, presents the proposed fee amounts, and discusses how the fee will be updated in the future. Following the introductory chapter of this report, the remaining chapters and appendices of this report are organized as follows:

- Chapter II discusses the proposed update to the Walkways Fee, including background information, the determination of the relationship (or nexus) between new development and the need for providing walkways and the calculation of the fee.
- Chapter III presents the data used in the Walkways Fee calculation, including demographic, land use and walkways improvement cost data.
- Chapter IV provides an explanation of the administrative costs included in the Walkways Fee.
- Chapter V summarizes the total Walkways Fee, including the administrative costs.
- Chapter VI discusses the methodology for updates to the Walkways Fee, including annual updates.
- The appendix provides the background residential development data and the index used for the annual update of the Walkways Fee.

## B. Overview of Legislative Requirements

Lafayette is considering an update to the Walkways Fee, a development impact fee, which the city may charge under the authority of the Government Code and pursuant to its police power. Sections 66000 et seq. of the Government Code establishes procedures for development impact Fee. This legislation (enacted as AB 1600) requires a local agency that establishes, increases, or imposes a development impact fee as a condition of development after January 1, 1989 to do the following:

1. Identify the purpose of each impact fee;
2. Describe the use or improvements for which the fee will be used; and

3. Demonstrate a reasonable relationship (or nexus) between:
  - The need for the public improvements and the type of new development which will benefit from them, and
  - The amount of the fee, which reflects the proportional cost of the public improvement and facility attributable to the new development on which the fee is imposed.

## **C. Caveats**

The data and analysis presented in this report has been gathered from the most reliable sources available to the City and Seifel Consulting Inc. (Seifel). This information has been assembled for the sole purpose of establishing a reasonable estimate of the Walkways Fee. Some of the numbers presented in tables within this report may not exactly calculate due to computer rounding.

## II. Background and Purpose of the Walkways Fee

Lafayette's Walkways Fee was established in 1969 for the purpose of providing a comprehensive walkways system of walkways, curbs and gutters in the City. The City adopted a Master Walkways Plan (Walkways Plan) in 1999, and in 2006, revised the list of priority walkways improvements needed to support existing and future new development in Lafayette. Currently, the City charges a \$50 per dwelling unit Walkways Fee to all residential development (new construction, remodeling or alteration) that meets a minimum valuation requirement.<sup>1</sup>

Since the initial fee adoption, the City has not updated the Walkways Fee. Therefore, the purpose of updating the Lafayette's Walkways Fee is to establish a nexus between the construction and provision of walkways improvements identified in the 2006 revision of the Walkways Plan. The updated Walkways Fee would more accurately reflect the cost to the City to provide walkways facilities to the City, and help ensure that the City maintain a comprehensive system of walkways infrastructure and facilities to meet the additional demand created by new development. The fee will also ensure that existing walkways infrastructure will not become overburdened, and future development will bear its fair-share responsibility for the walkways system.

### A. Relationship between the Walkways Fee, Master Walkways Plan and Demographic and Land Use Data

As discussed in the Walkways Plan, the goal of the Walkways Plan is to create a system of safe walkways that promote efficient pedestrian movement. Once completed, the City's network of walkways will connect residential areas with public transportation, schools, community amenities, parks, City and regional trail systems, and the downtown.

Lafayette's Walkways Plan documents the relationship, or nexus, between new development and the provision of a comprehensive system of walkways within the City. The rationale for the nexus is that increases in residential population from new development in Lafayette create a corresponding increase in use or demand of Lafayette's walkways system. The update to the Walkways Fee is based on the premise that new residential development should pay its proportionate share of the walkways improvements needed to accommodate new growth.

New commercial development will be required to mitigate any impacts on the walkways system caused by new development either through the provision of new walkways improvements or equivalent contribution to the citywide walkways system.

The updated Walkways Fee, which fairly allocates the fee between existing and new development, is based on the most currently available demographic and land use data, needed walkways improvements identified in the Walkways Plans, and the costs to provide the identified walkways improvements.

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<sup>1</sup> Per Section 8-113 of the Lafayette Municipal Code, residential construction estimated by the city of more than "50 percent of the assessed value of the land and improvements on the current assessment roll" is subject to the \$50/dwelling unit Walkways Fee.

## 1. Demographic and Land Use Data

Demographic data is essential in apportioning the costs of needed walkways improvements between existing and future residents. For the purpose of this analysis, existing development is defined as development built on or before December 31, 2007. Future development is development occurring from January 1, 2008 forward. For planning and forecasting purposes, the Lafayette Planning Department defines buildout of the City to occur in 2030.

The Walkways Fee is calculated using baseline statistics for existing and projected residential population. "Residential population" is the measure of total household population in Lafayette. Demographic statistics for population in the City in 2008 (as of January 1, 2008) and 2030 are used to calculate current and projected residential populations.<sup>2</sup> The current household population estimate is based on data from the California Department of Finance. Projections of population growth from 2008 and 2030 are based on estimates of new population generated by new residential development in the City during this period.

The City's General Plan and Housing Element provide the necessary land use data to project new residential development.

## 2. Walkways Fee Program Improvements

The listed walkways improvements in the Walkways Plan and associated costs provided by City staff are also required to fairly allocate the proposed Walkways Fee. As the Walkways Plan describes, the City's walkways system is intended to connect residential areas with recreational, civic and commercial areas within Lafayette. The identified walkways improvements and cost of the improvements, combined with demographic and land use data, therefore, provide the foundation for the computation of the updated Walkways Fee.

### B. Type of Development on Which Fee Are Imposed

The Walkways Fee will be assessed on new residential development in Lafayette that will result in an increase in the resident population, thus increasing the demand by new residents for walkways facilities.<sup>3</sup> The proposed fee schedule is differentiated among residential land use types to reflect the differences in facility need among types of new development, based on the number of new residents each residential unit type is likely to generate. The need resulting from residential development is based on the number of new residents living in new units, as indicated in the most recent U.S. Census and reflected in Section 6-1615 of the Lafayette Municipal Code.

The City will levy the Walkways Fee on the following types of residential land uses, as described in the Lafayette Municipal Code:

- **Single Family Detached:** A dwelling including one and only one kitchen, designed for occupancy as a residence of one family, located on a single lot of its own, and surrounded on all sides by yard space.

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<sup>2</sup> The California Department of Finance (DOF) has not yet estimated the 2009 population for cities. Therefore, for this analysis, future population and development are benchmarked to January 1, 2008 for consistency.

<sup>3</sup> The Walkways Fee cannot be used to address existing deficiencies to walkways serving current residents.

- **Single Family Attached, Duplex:** A dwelling including one and only one kitchen, designed for occupancy as a residence of one family, located on a single lot of its own, but not surrounded on all sides by yard space.
- **Apartment/Condominium:** A separate suite, including kitchen facilities, designed for and occupied as the home, residence or sleeping place of one or more persons living as a single housekeeping unit. A condominium consists of an undivided interest in common in a portion of real property coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries thereof.
- **Mobile Home:** Units certified under the National Mobile Home Construction and Safety Standards Act of 1974, and any subsequent revisions thereto, and conforming to the requirements of Section 6-527 of the Lafayette Municipal Code.
- **Secondary Unit:** An attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons, as provided for in Section 6-560 of the Lafayette Municipal Code. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the primary unit is situated.

## C. Calculation Methodology for Walkways Fee

In order to determine the Walkways Fee amount to be charged to new development, the City must determine the baseline condition (existing residential household population) and the total projected new residential population from new development on vacant and underutilized land. The difference between the two reflects the foreseeable amount of new development on which impact fees may be levied.

The process for determining the nexus between the impacts stemming from new development and amount of the fee imposed involves the following steps:

- Step 1 Project new residential development.** The updated Walkways Fee will be levied on new residential development. New residential development is estimated based on development potential on the City's vacant and underdeveloped land.
- Step 2 Project future residential population, based on new residential development and the persons per household by dwelling unit type.** New residents from future development will utilize Lafayette's walkways system. The population generated from new residential development is dependent on the type of dwelling unit. Single family detached units, for example, typically have more residents than multifamily units. Therefore, a persons per household multiplier must be applied to the projected number of new residential units by dwelling unit type to determine the total number residents from new development.
- Step 3 Determine the distribution of existing and future residential population, based on the projected total population at buildout.** New development will only be responsible for its fair share of the improvements identified Walkways Plan. The distribution of existing and future residents will determine the percentage of the walkways costs to be borne by new residential development.



- Step 4 Estimate the total cost of walkways improvements.** The total cost of walkways improvements is based on the improvements identified in the Walkways Plan
- Step 5 Allocate the fair share of total walkways costs to new development.** Based on Steps 2 and 3 above determine the portion of total walkways costs attributable to new development.
- Step 6 Calculate a base fee per user.** The portion of walkways costs to be borne by new development is divided by the total number of projected new residents (determined in Step 1), to calculate the base fee per user.
- Step 7 Determine fee for each new development type.** Based on the projected new residential development (Step 1), the persons per household factor by dwelling unit type (from Step 2), and the base fee per user (Step 6), a fee by dwelling unit type can be determined.

Each of the steps above is illustrated below with the data used to calculate the updated Walkways Fee. The fee calculation methodology allocates the total walkways impact fee program costs across all development, including existing and future, new development that would occur through the City's buildout, anticipated to occur in 2030. This methodology fairly allocates the proposed Walkways Fee between existing and future new development.

### III. Update of the Walkways Fee

#### A. Projections of New Development

##### 1. Projected New Residential Units

The City’s General Plan and Housing Element provide information on the residential buildout potential on the City’s vacant and underdeveloped land as of 2002. Based on recent development trends and the City’s General Plan, 1,120 additional new units are projected to be constructed in Lafayette from 2008 through the City’s project buildout in 2030, as shown in Table III-1.

Appendix Table 1 details existing development as of 2002 and annual construction from 2003 through 2007.

As indicated in Section II.A, future development is considered development that occurs after January 1, 2008, in order to maintain consistency with the most current population data. The City reported a net construction of six units (four single family detached and two second units) in 2008. As the effect of including these six units in the fee calculation would be minimal, this report utilizes residential construction data through 2007 for fee calculation purposes.

**Table III-1  
Projected New Residential Units from 2008 through 2030<sup>a</sup>**

<b>Residential (units)<sup>b</sup></b>	<b>Projected New Units 2008-2030</b>
Single Family Detached	255
Single Family Attached, or Duplex	154
Apartments, Three or More Units	547
Mobile Home	0
<i>Subtotal Non-Second Units</i>	<i>956</i>
Second Units <sup>c</sup>	164
<b>Total Units:</b>	<b>1,120</b>

a. Based on City of Lafayette General Plan, October 2002. Second units estimated by City staff based on existing building permit data. See Appendix Table A-1 for more details.

b. Single Family Detached includes units projected in areas zoned for rural and low density single family. Single Family Attached includes units projected in areas zoned for medium density single family. Apartments include units projected in areas zoned multifamily and non-residential.

c. New second units estimated by City staff and assumes the construction of eight second units per year from 2008 through 2030.

Source: City of Lafayette General Plan, Planning Department.

## 2. Projected Future Residential Household Population

Based on the City's projected new housing units, Lafayette's projected future residential household population can be estimated by taking into account housing vacancy and the persons per unit multiplier as presented in Section 6-1615 of the Lafayette Municipal Code. The projected future resident population, or new users of the City's walkways system, is summarized in Table III-2.

**Table III-2  
Projected Additional Residential Population from 2008 through 2030**

	<b>Total New Units 2008-2030</b>	<b>Occupied Units at Buildout<sup>a</sup></b>	<b>Persons/ Dwelling Unit<sup>b</sup></b>	<b>Projected Additional Household Population 2008-2030</b>
Single Family Detached	255	250	2.794	699
Single Family Attached, or Duplex	154	151	1.940	293
Apartments, Three or More Units	547	536	1.689	906
Mobile Home	0	0	1.650	0
Second Unit	164	161	1.000	161
<b>Total:</b>	<b>1,120</b>	<b>1,098</b>		<b>2,058</b>

a. Assumes 1.95% vacancy rate for Lafayette per the California Department of Finance (DOF).

b. Per Municipal Code 6-1615, based on 2000 US Census of population in occupied housing units.

Source: City of Lafayette, California Department of Finance, US Census 2000.

### a. Distribution of Existing and Future Residential Population

New residential development will be responsible for its fair share of walkways improvements as identified in the Walkways Plan. The distribution of existing and future household residents is calculated to determine the fair share of costs attributable to new residential development. As shown in Table III-3, approximately eight percent of the City's total population at buildout will be generated by future residential development between 2008 through 2030.

**Table III-3  
Existing and Buildout Household Residential Population**

	<b>Existing 2008<sup>a</sup></b>	<b>From New Development 2008-2030</b>	<b>Total at Buildout</b>
<b>Residential Population</b>	23,826	2,058	25,884
<i>Share of Resident Population at Buildout</i>	92.0%	8.0%	100.0%

a. Residential household population estimated by DOF as of January 1, 2008.

Source: City of Lafayette, DOF.

## B. Allocation of Walkways Fee Program Costs

### 1. Walkways Fee Program Costs

The Walkways Fee Program includes the total cost of infrastructure facilities that the City anticipates would be needed to meet the needs of existing and future users. It includes the cost for walkways facilities and infrastructure as identified in the 2006 revision of the Walkways Plan. The Walkways Fee Program also includes the Aqueduct Trail, a regional multi-modal trail, which is designed for both pedestrian and bicycle uses.<sup>4</sup> The Walkways Fee Program costs are summarized in Table III-4.

**Table III-4  
Walkways Improvement Costs**

	<b>Estimated Cost (FY 2008/09 Dollars)<sup>a</sup></b>
Master Walkways Plan Projects	\$6,990,000
Aqueduct Trail	\$7,450,000
% of Aqueduct Trail as Walkway <sup>b</sup>	40%
Walkway Portion of Aqueduct Trail	\$2,980,000
<b>Walkways Improvement Costs</b>	<b>\$9,970,000</b>

a. Costs rounded to the nearest ten thousand.

b. Estimate based on the width of Aqueduct Trail anticipated for pedestrian use.

Source: City of Lafayette, Seifel Consulting Inc.

### 2. Allocation Methodology

Table III-5 uses the calculated percentage share of new resident population from new development to fairly allocate the total cost of walkways improvements within the Walkways Fee Program. Future new residential development will be responsible for eight percent of total walkway improvement costs.

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<sup>4</sup> Only the portion of the Aqueduct Trail anticipated for pedestrian use is included in the Walkways Fee Program.

**Table III-5  
Allocation of Walkways Improvement Costs to Existing and New Development**

	<b>Allocated Share of Cost<sup>a</sup></b>	<b>Cost Allocation (FY 2008/09 Dollars)<sup>b</sup></b>
<b>Master Walkways Plan</b>		
For Existing Residential Population	92.0%	\$6,430,000
For New Residential Population	<u>8.0%</u>	<u>\$560,000</u>
Total	100.0%	\$6,990,000
<b>Aqueduct Trail</b>		
For Existing Residential Population	92.0%	\$2,740,000
For New Residential Population	<u>8.0%</u>	<u>\$240,000</u>
Total	100.0%	\$2,980,000
<b>Total Walkways Improvement Costs</b>		
For Existing Residential Population	92.0%	\$9,170,000
For New Residential Population	<u>8.0%</u>	<u>\$800,000</u>
Total	100.0%	\$9,970,000

a. Refer to Table 3.

b. Rounded to the nearest ten thousand.

Source: City of Lafayette, Seifel Consulting Inc.

## **C. Proposed FY 2009/10 Base Walkways Fee**

As the Walkways Fee calculation methodology in Section III.A demonstrates, the proposed updated Walkways Fee is calculated based on the percentage share of the total cost of walkways improvements, according to the distribution of existing and future resident population. This methodology allocates the cost of the City's walkways system fairly among existing and future residential development.

### **1. Base Fee per User**

Table III-6 shows the proposed base Walkways Fee per user based on the cost allocation attributable to the new users and the projected number of new users estimated from new residential development from 2008 through 2030.

**Table III-6  
Proposed FY 2009/10 Base Walkways Fee per User**

	<b>Master Walkways Plan</b>	<b>Aqueduct Trail</b>	<b>Base Fee</b>
Cost Allocation to New Users	\$560,000	\$240,000	\$800,000
New Users from 2008 - 2030	2,058	2,058	2,058
Base Fee per User <sup>a</sup>	<b>\$272</b>	<b>\$117</b>	<b>\$389</b>

a. Base Fee per User rounded to the nearest dollar.

Source: City of Lafayette, Seifel Consulting Inc.

## 2. Base Fee by Dwelling Unit

The base fee by dwelling unit is determined with the persons per household multiplier and the base fee per user, as calculated in Table III-6. Table III-7 presents the base fee by dwelling unit type.

**Table III-7  
Proposed FY 2009/10 Base Walkways Fee by Dwelling Unit Type<sup>a</sup>**

	<b>Persons/ Household</b>	<b>Base Fee</b>
<i>Base Fee per User</i>		\$389
Single Family Detached	2.794	\$1,087
Single Family Attached, or Duplex	1.940	\$755
Apartments, Three or More Units	1.689	\$657
Mobile Home	1.650	\$642
Second Unit	1.000	\$389

a. Base Fee by Dwelling Unit Type rounded to the nearest dollar.

Source: City of Lafayette, Seifel Consulting Inc.

## **IV. Administrative Costs for the Walkways Fee Program**

The administration of the Walkways Fee program will require a variety of activities that will involve additional costs to the program that must be accounted for in the total Fee. The type and amount of these costs are described below.

### **A. Types of Development Impact Fee Administrative Activity**

Three types of administrative activity and costs are associated with the Walkways Fee Program.

- Project Specific
- General Administration
- Comprehensive Updates

#### **Project Specific**

Project specific activities relate to a development project in the city planning or building permit review process for which the applicant has requested an adjustment to their impact fee assessment. This request for fee adjustment can either be an informal or formal process for which the applicant pays all associated costs. This review process is cost recoverable and is not included in any Walkways Fee administrative cost calculations.

#### **General Administration**

Ongoing efforts necessary to administer the Walkways Fee program are considered relevant staff activities under the general administration category. These work efforts include annual reviews and adjustments, staff training, legislative reporting requirements, financial or program monitoring and analysis, and response to requests for and maintenance of information.

#### **Comprehensive Updates**

The comprehensive updates of the fee program are periodic reviews, which involve in-depth analysis necessary to fairly balance the burden of costs attributable to new and existing development. This detailed analysis and subsequent establishment of fee levels maintains equity in the Walkways Fee program. Activities related to the comprehensive updates include reviews of the methodology used to calculate the Walkways Fee, updates of project costs, amendments to the program, and updates to land use and demographic data.

### **B. Administrative Costs**

Lafayette's administrative costs for the Walkways Fee program are estimated at approximately five percent of the base Walkways Fee. The administrative cost estimate is based on City staff's experience from administering the City's existing Fee program. As the actual cost of administration is determined through assessment of the program, this administrative assessment may be adjusted to better reflect the real cost of administration, should it differ significantly from the five percent estimate. The administrative cost amount will be assessed in addition to the base Walkways Fee.

## V. Summary of Walkways Fee

Table V-1 shows the total Walkways Fee, including the Walkways Fee and Administrative Costs for the Walkways Fee Program. The calculation of the total Walkways Fee adds five percent of the base fee to cover administrative costs of the fee program. As the Walkways Fee is updated and assessed over time, this administrative assessment may be adjusted to reflect costs of administration of the fee program, should they differ from the five percent estimate. This fee is the final proposed Walkways Fee to be assessed on new development.

**Table V-1**  
**Total Proposed FY 2009/10 Walkways Fee**  
**City of Lafayette**

	<b>Base Fee</b>	<b>Administrative Costs<sup>a</sup></b>	<b>Total Fee</b>
Single Family Detached	\$1,087	\$54	\$1,141
Single Family Attached, or Duplex	\$755	\$38	\$793
Apartments, Three or More Units	\$657	\$33	\$690
Mobile Home	\$642	\$32	\$674
Second Unit	\$389	\$19	\$408

a. Administrative costs estimated at five percent of base fee by dwelling unit type. Rounded to the nearest dollar.

Source: City of Lafayette, Seifel Consulting Inc.



## **VI. Methodology for Updates to Walkways Fee**

### **A. Annual Updates**

The Walkways Fee should be updated annually in order to keep pace with inflation of construction costs in the San Francisco Bay Area. To this end, the Walkways Fee would be indexed to changes in the prior year's Construction Cost Index (CCI), published for the Bay Area by Engineering News-Record (ENR). For example, the FY 2010/11 update to the Walkways Fee will increase the fee by difference in the average annual CCI for 2008 and 2009, as published by ENR in December of each year. As Appendix Table 2 demonstrates, the average annual increase in the CCI over the past 10 years was 3.6 percent.

### **B. Comprehensive Updates**

Every five to seven years, the City should also undertake a comprehensive update of the Walkways Fee program to allow for greater flexibility in addressing program changes. The comprehensive updates would allow the City to refine land use, improvement costs, and other assumptions used in this report to reflect changes over time.

**Appendix**  
**Projected Residential New Development**  
**2008 through 2030**

**Index Used for Walkways Fee Update**

**Appendix Table 1**  
**Projected New Residential Units from 2008 through 2030**  
**City of Lafayette**

	Potential New Units at 2030 <sup>a</sup>	Less: Net Annual Construction <sup>b</sup>					Total New Units at Buildout <u>Less:</u> 2003-2007 Construction
		2003	2004	2005	2006	2007	
<b>Residential (units)<sup>c</sup></b>							
Single Family Detached	297	8	1	17	3	13	255
Single Family Attached, or Duplex	154						154
Apartments, Three or More Units	556		9				547
Mobile Home	0						0
<i>Subtotal Non-Second Units</i>	<i>1,007</i>	<i>8</i>	<i>10</i>	<i>17</i>	<i>3</i>	<i>13</i>	<i>956</i>
Second Units <sup>d</sup>	176		1	3	4	4	164
<b>Total Units:</b>	<b>1,183</b>	<b>8</b>	<b>11</b>	<b>20</b>	<b>7</b>	<b>17</b>	<b>1,120</b>

a. Based on City of Lafayette General Plan, October 2002. Second units estimated by City staff based on existing building permit data. existing building permit data.

b. Includes the 38 units that were demolished between 2003 through 2007.

c. Single Family Detached includes units projected in areas zoned for rural and low density single family. Single Family Attached includes units projected in areas zoned for medium density single family. Apartments include units projected in areas zoned multifamily and non-residential.

d. New second units estimated by City staff and assumes the construction of eight second units per year from 2008 through 2030.

Source: City of Lafayette General Plan, Planning Department.

**Appendix Table 2  
Construction Cost Index (CCI)<sup>a</sup>  
1998 through 2008  
San Francisco Bay Area**

<b>Year</b>	<b>December CCI</b>	<b>Annual Growth</b>
<b>1998</b>	6,845.59	1.7%
<b>1999</b>	6,816.70	-0.4%
<b>2000</b>	7,447.99	9.3%
<b>2001</b>	7,399.07	-0.7%
<b>2002</b>	7,644.46	3.3%
<b>2003</b>	7,788.80	1.9%
<b>2004</b>	8,228.39	5.6%
<b>2005</b>	8,462.45	2.8%
<b>2006</b>	9,108.66	7.6%
<b>2007</b>	9,131.80	0.3%
<b>2008</b>	9,781.67	7.1%
<b>Average Annual Growth (1998 - 2008)</b>		3.6%

a. Engineering News-Record (ENR) reports its annual CCI as of December of each year.

Source: Engineering News-Record.