

**RESOLUTION NO. \_\_\_\_-2024**  
**RESOLUTION OF THE FORT BRAGG CITY COUNCIL**  
**ADOPTING AN INCLUSIONARY HOUSING FEE FOR THE**  
**2023/24 AND 2024/25 FEE SCHEDULES**

**WHEREAS**, the Fort Bragg City Council find it appropriate to set an Inclusionary Housing In-Lieu Fee; and

**WHEREAS**, the City maintains a comprehensive "Consolidated Fee Schedule" to provide members of the public and City staff with a convenient method for determining fees and charges that apply to certain City and Municipal Improvement District services; and

**WHEREAS**, included in the Consolidated Fee Schedule is a list of fees for planning Fees including the Inclusionary Housing In-Lieu Fee which is noted as "shall be determined at time of Application"; and

**WHEREAS**, the City has received a proposal for a Market Rate Rental Project, for which the Inclusionary Housing In-Lieu Fee must be set; and

**WHEREAS**, the City Council has directed that the Inclusionary Housing In-Lieu Fee should be updated annually by the Engineering News Record-20 City Construction Cost Index, until such time as a new fee should be calculated; and

**WHEREAS**, in September 2021, the California Legislature passed Assembly Bill (AB) 602, creating a new requirement that a nexus fee report be completed every eight (8) years in order for cities to increase impact fees; and

**WHEREAS**, the City hired a consultant, Marie Jones Consulting, to prepare a nexus study for the inclusionary housing in-lieu fee; and

**WHEREAS**, All inclusionary housing in-lieu fees shall be deposited into the City's Housing Trust Fund for the construction of affordable housing; and

**WHEREAS**, In-lieu fees can enable the City to leverage state and federal funds that may not otherwise be available; and

**WHEREAS**, pursuant to Government Code Section 66018, the specific fees to be charged for an In-Lieu fee must be adopted by the City Council after providing notice and holding a public hearing; and

**WHEREAS**, the City Council conducted a public hearing on November 12, 2024, following proper notice, to obtain comments on the proposed fee schedule; and

**WHEREAS**, based on all the evidence presented at the time of the public hearing on this matter, the City Council find as follows:

1. All notices and publications have been given in accordance with Government Code Section 6062a; and

2. The fees collected for the Inclusionary Housing In-Lieu Fee are not a source of additional general fund revenues nor are they a "special tax" as described in California Government Code Section 50076; and

3. The Nexus Study provides sufficient evidence to distinguish between existing levels of service and the impact of new development on the resources required to maintain that level of service in accordance with Government Code §§ 66000(b), 66001(a) in order

to establish new development impact fees; and

4. Modifications to the current fees, as identified in Exhibit "A," have been reviewed and are found to not exceed the estimated reasonable cost of providing the services for which the fees are levied.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Fort Bragg does hereby adopt the fee modifications as shown on Exhibit "A," attached, showing the fee to be charged for the inclusionary housing in-lieu fee therein; and

**BE IT FURTHER RESOLVED** that the City Clerk is authorized and directed to update the Consolidated Fee Schedule to reflect the fees described in Exhibit "A;" and

**BE IT FURTHER RESOLVED** that these fees shall become effective November 13, 2024.

The above and foregoing Resolution was introduced by Councilmember \_\_\_\_\_, seconded by Councilmember \_\_\_\_\_, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 12th day of November 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

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**BERNIE NORVELL**  
Mayor

ATTEST:

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**DIANA SANCHEZ**  
City Clerk

**Exhibit A**  
**CITY OF FORT BRAGG**  
**2023/24 FEE SCHEDULE**  
**&**  
**2024/25 FEE SCHEDULE**

Schedule of PLANNING AND DEVELOPMENT FEES (Building Fees)		
CATEGORY (BUILDING)		2023/24 Fees
General Information and Letters		
B2	Inclusionary Housing Fees (Interim)	Determined at time of application
B 2.1	Rental Project Inclusionary In-Lieu Fee (2023/24 & 2024/25)	\$6/SF of Residentially Occupied Space of Entire Project
B 2.2	For Sale Project Inclusionary Housing In-Lieu Fee ((2023/24 & 2024/25)	\$12/SF of Residentially Occupied Space of Entire Project