TO: BOARD OF EDUCATION

FROM: SUPERINTENDENT

DATE: APRIL 12, 2022

SUBJECT: APPROVAL OF RESOLUTION 19-21 – ACCEPTANCE OF THE SCHOOL FEE JUSTIFICATION STUDY FOR THE LAS VIRGENES UNIFIED SCHOOL DISTRICT

ACTION

ISSUE: Shall the Board of Education approve Resolution 19-21 accepting the school fee justification study?

BACKGROUND: As noted in the public hearing, the Las Virgenes Unified School District has collected developer fees both under the original SB 201 legislation and subsequently under AB 2926. The District has an agreement with Cooperative Strategies to perform a Developer Fee Justification Study for both residential, as well as commercial/ industrial construction. New laws outline the process of increasing statutory school fees which is now comprised of four steps:

1. Posting of Public Hearing
2. Public Hearing
3. Board Approval of School Justification Study
4. Board Approval of Statutory School Fees

Resolution 19-21 is step three of this four step process.

ALTERNATIVES: 1. Approve Resolution 19-21 to accept the residential and commercial/industrial development school fee justification study.

2. Do not approve Resolution 19-21 at this time.

RECOMMENDATION: Staff recommends Alternative #1.

RATIONALE: Approval of Resolution 19-21 will enable the school district to increase the current statutory school fees as authorized by the State Allocation Board for new residential and commercial/industrial development.

Respectfully submitted,
Dan Stepenosky, Ed.D.
Superintendent

Prepared by:

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RESOLUTION NO. 19-21

RESOLUTION OF THE BOARD OF EDUCATION OF THE LAS VIRGENES UNIFIED SCHOOL DISTRICT TO ACCEPT THE SCHOOL FEE JUSTIFICATION STUDY IMPOSED ON NEW RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT PROJECTS PURSUANT TO EDUCATION CODE SECTION 17620

WHEREAS, the Board of Education ("Board") of the Las Virgenes Unified School District ("School District") provides for the educational needs for K-12 students within a portion of the cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village (collectively, "Cities") and a portion of the unincorporated Counties of Los Angeles and Ventura ("Counties"); and

WHEREAS, The State Allocation Board has taken action pursuant to Government Code Section 65995(b)(3), which authorizes school districts to increase statutory school fees to $4.49 per square foot for assessable space of residential development and $0.78 per square foot of chargeable covered and enclosed space for all categories of commercial/industrial development, as long as such statutory school fees are properly justified by the School District pursuant to law; and

WHEREAS, new residential and commercial/industrial development continues to generate additional students for the School District's schools and the School District is required to provide school facilities ("School Facilities") to accommodate those students; and

WHEREAS, overcrowded schools within the School District have an impact on the School District's ability to provide an adequate quality education and negatively impacts the educational opportunities for the School District's students; and

WHEREAS, the School District does not have sufficient funds available for the construction or reconstruction of the School Facilities, including acquisition of sites, construction of permanent School Facilities, and acquisition of interim School Facilities, to accommodate students from new residential and commercial/industrial development; and

WHEREAS, the Board of the School District has received and considered the study entitled "Residential and Commercial/Industrial Development School Fee Justification Study for Las Virgenes Unified School District" ("Study"), which Study include information, documentation, and analysis of the School Facilities needs of the School District, including (a) the purpose of the Statutory School Fees, (b) the use to which the Statutory School Fees are to be put (c) the nexus (roughly proportional and reasonable relationship) between the residential and commercial/industrial development and (1) the use for Statutory School Fees, (2) the need for School Facilities, (3) the cost of School Facilities and the amount of Statutory School Fees from new residential and commercial/industrial development, (d) a determination of the impact of the increased number of employees anticipated to result from the commercial/industrial development (by category) upon the cost of providing School Facilities within the School District, (e) an evaluation and projection of the number of students that will be generated by new residential development, and (f) the new School Facilities that will be required to serve such students, and (g) the cost of such School Facilities; and

WHEREAS, said Study pertaining to the Statutory School Fees and to the capital facilities needs of the School District were made available to the public as required by law before the Board considered at a regularly scheduled public meeting the Statutory School Fees; and

WHEREAS, all required notices of the proposed Statutory School Fees have been given; and

WHEREAS, a public hearing was held at a regularly scheduled meeting of the Board of the School District relating to the proposed Statutory School Fees; and

WHEREAS, Education Code Section 17621 provides that the adoption, increase or imposition of any fee, charge, dedication, or other requirement, pursuant to Education Code Section 17620 shall not be subject to Division 13 (commencing with Section 21000) of the Public Resources Code.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE LAS VIRGENES UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. That the Board accepts and adopts the Study.

Section 2. That the Board finds that the purpose of the Statutory School Fees imposed upon new residential development is to fund the additional School Facilities required to serve the students generated by the new residential development upon which the Statutory School Fees are imposed.

Section 3. That the Board finds that the Statutory School Fees imposed on new residential development will be used only to finance those School Facilities described in the Study and related documents and that these School Facilities are required to serve the students generated by the new residential development within the School District; and that the use of the Statutory School Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms, and technology, and acquiring and installing additional portable classrooms and related School Facilities, with the specific location of new schools, remodeling of existing School Facilities, and additional portables to be determined based on the residence of the students being generated by such new residential development, as well as any required central administrative and support facilities, within the School District.

Section 4. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory School Fees and the new residential development within the School District because the Statutory School Fees imposed on new residential development by this Resolution, will be used to fund School Facilities which will be used to serve the students generated by such new residential development.

Section 5. That the Board finds that there is a roughly proportional, reasonable relationship between the new residential development upon which the Statutory School Fees are imposed, and the need for additional School Facilities in the School District because new students will be generated from new residential development within the

School District and there is not sufficient capacity in the existing School Facilities to accommodate all additional students.

Section 6. That the Board finds that the amount of the Statutory School Fees levied on new residential development as set forth in this Resolution is roughly proportional and reasonably related to, and does not exceed the cost of, providing the School Facilities required to serve the students generated by such new residential development within the School District.

Section 7. That the Board finds that the purpose of the Statutory School Fees imposed on new commercial/industrial development is to fund the additional School Facilities required to serve the students generated by the new commercial/industrial development upon which the Statutory School Fees are imposed.

Section 8. That the Board finds that the Statutory School Fees imposed on new commercial/ industrial development (by category) will be used only to finance those School Facilities described in the Study and related documents and that these School Facilities are required to serve the students generated by such new commercial/industrial development; and that the use of the Statutory School Fees will include construction or acquisition of additional School Facilities, remodeling existing School Facilities to add additional classrooms and technology, and acquiring and installing additional portable classrooms and related facilities, with the specific location of new schools, remodeling of existing School Facilities, and additional portables to be determined based on the residence of the students being generated by such new commercial/industrial development, as well as any required central administrative and support facilities within the School District.

Section 9. That the Board finds that there is a roughly proportional, reasonable relationship between the use of the Statutory School Fees and new commercial/industrial development by category within the School District because the Statutory School Fees imposed on commercial/industrial development by this Resolution, will be used to fund School Facilities which will be used to serve the students generated by such new commercial/industrial development.

Section 10. That the Board finds that there is a roughly proportional, reasonable relationship between the new commercial/industrial development by category, upon which the Statutory School Fees are imposed, and the need for additional School Facilities in the School District because new students will be generated from new commercial/industrial development within the School District and the School District does not have sufficient student capacity in the existing School Facilities to accommodate these students.

Section 11. That the Board finds that the amount of the Statutory School Fees levied on new commercial/industrial development by category as set forth in this Resolution is roughly proportional and reasonably related to and does not exceed the cost of providing the School Facilities required to serve the students generated by such new commercial/industrial development within the School District.

Section 12. That the Board finds that a separate account has been established for the deposit of Statutory School Fees imposed on residential and commercial/industrial

development and that said account has at all times since been separately maintained, except for temporary investments, from other funds of the School District.

Section 13. That the Board finds that the funds of the account, described in Section 12, consisting of the proceeds of Statutory School Fees have been imposed for the purposes of constructing and reconstructing those School Facilities necessitated by new residential and commercial/industrial development, and thus, these funds may be expended for those purposes. The Statutory School Fees may also be expended by the School District for the costs of performing any study or otherwise making the findings and determinations required under subdivisions (a), (b), and (d) of Section 66001 of the Government Code. In addition, the School District may also retain, as appropriate, an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for reimbursement of the administrative costs incurred by the School District in collecting the Statutory School Fees.

Section 14. That the Board hereby increases the Statutory School Fees as a condition of approval of new residential development projects and imposes the Statutory School Fees on such development projects in the following amounts:

A. $4.49 per square foot of assessable space for new single family detached residential development and $3.54 for new multifamily attached residential development, including new residential projects, manufactured homes and mobile homes as authorized under Education Code Section 17625, and including residential construction other than new construction where such construction results in an increase of assessable space, as defined in Government Code Section 65995, in excess of 500 square feet. However, these amounts shall not be imposed on any development project used exclusively for housing senior citizens, as described in Civil Code Section 51.3, or as described in Subdivision J of Section 1569.2 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

B. $0.78 per square foot of assessable space for new residential development used exclusively for the housing of senior citizens, as described in Section 51.3 of the Civil Code or as described in subdivision J of Section 1569 of the Health and Safety Code or paragraph 9 of subdivision (d) of Section 15432 of the Government Code or any mobile home or manufactured home that is located within a mobile home park, subdivision, cooperative or condominium for mobile homes limited to older persons as defined by the Federal Fair Housing Amendments of 1988.

Section 15. That this Board hereby increases the Statutory School Fees as a condition of approval of new commercial/industrial development projects and levies the Statutory School Fees on such development projects in the following amounts per square foot of chargeable covered and enclosed space for the following categories of commercial/industrial development:

Retail and Services	$0.78
Office	$0.78
Research and Development	$0.78
Industrial/Warehouse/Manufacturing	$0.78
Hospitals	$0.78
Hotel/Motel	$0.78
Self- Storage	$0.102

Section 16. That the proceeds of the Statutory School Fees established pursuant to this Resolution shall continue to be deposited into that account identified in Section 12 of this Resolution, the proceeds of which shall be used exclusively for the purpose for which the Statutory School Fees are to be collected, including accomplishing any study, findings or determinations required by subdivisions (a), (b) and (d) of Section 66001 of the Government Code or retaining an amount not to exceed in any fiscal year, three percent (3%) of the fees collected in that fiscal year pursuant to Education Code Section 17620 for reimbursement of the administrative costs incurred by the School District in collecting the Statutory School Fees or in financing the described Study or in defending the imposition of Statutory School Fees.

Section 17. That the Superintendent, or his designee, is directed to cause a copy of this Resolution to be delivered to the building official of the Cities and County within the School District's boundaries and the Office of Statewide Health Planning and Development ("OSHPD") along with a copy of all the supporting documentation referenced herein and a map of the School District clearly indicating the boundaries thereof, advising the Cities, County, and OSHPD that new residential and commercial/industrial development is subject to the Statutory School Fees readopted pursuant to this Resolution and requesting that no building permit or approval for occupancy be issued by any of these entities for any new residential development project, mobile home or manufactured home subject to the Statutory School Fees absent a certification from this School District of compliance of such project with the requirements of the Statutory School Fees, nor that any building permit be issued for any non-residential development absent a certification from this School District of compliance with the requirements of the applicable Statutory School Fees.

Section 18. That the Board hereby establishes a process that permits the party against whom the commercial/industrial Statutory School Fees are imposed, the opportunity for a hearing to appeal that imposition of Statutory School Fees for commercial/industrial development as required by Education Code Section 17621(e)(2). The appeal process is as follows:

A. Within ten (10) calendar days of being notified, in writing, (by personal delivery or deposit in the U.S. Mail) of the commercial/industrial Statutory School Fees to be imposed or paying the commercial/industrial Statutory School Fees, pursuant to Education Code Section 17620, a party shall file a written request for a hearing regarding the imposition of commercial/industrial Statutory School Fees. The party shall state in the written request the grounds for opposing the imposition of commercial/industrial Statutory School Fees and said written request shall be served by personal delivery or certified or registered mail to the Superintendent of the School District.

B. The possible grounds for that appeal include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the commercial/industrial Statutory School Fees are to be imposed, or that the employee generation or pupil generation factors utilized under the applicable category are inaccurate as applied to the project.

C. Within ten (10) calendar days of receipt of the written request for a hearing regarding the imposition of commercial/industrial Statutory School Fees, the Superintendent of the School District, or his designee, shall give notice in writing of the date, place and time of the hearing to the party appealing the imposition of commercial/industrial Statutory School Fees. The Superintendent, or his designee, shall schedule and conduct said hearing within thirty (30) calendar days of receipt of the written request. The Superintendent, or his designee, shall render a written decision within ten (10) days following the hearing on the party's appeal and serve it by certified or registered mail to the last known address of the party.

D. The party against whom the commercial/industrial Statutory School Fees are imposed may appeal the Superintendent's, or his designee's, decision to the Board of the School District.

E. The party appealing the Superintendent's, or his designee's decision, shall state in the written appeal the grounds for opposing the imposition of the commercial/industrial Statutory School Fees and said written appeal shall be served by personal delivery or certified or registered mail to the Superintendent of the School District.

F. The possible grounds for that appeal to the Board of the School District include, but are not limited to, the inaccuracy of including the project within the category pursuant to which the commercial/industrial Statutory School Fees are to be imposed, or that the employee generation or pupil generation factors utilized under the applicable category are inaccurate as applied to the project.

G. Within ten (10) calendar days of receipt of the written request for a hearing regarding the imposition of commercial/industrial Statutory School Fees, the Superintendent of the School District, or his designee, shall give notice in writing of the date, place and time of the hearing to the party appealing the imposition of commercial/industrial Statutory School Fees. The Board of the School District shall schedule and conduct said hearing at the next regular meeting of the Board, provided that the party is given notice at least five (5) working days prior to the regular meeting of the Board. The Board shall render a written decision within ten (10) days following the hearing on the party's appeal and serve the decision by certified or registered mail to the last known address of the party.

H. The party appealing the imposition of the commercial/industrial Statutory School Fees shall bear the burden of establishing that the commercial/industrial Statutory School Fees are improper.

Section 19. That the Superintendent is authorized to cause a certificate of compliance to be issued for each development project, mobile home and manufactured home for which there is compliance with the requirement for payment of the Statutory School Fees in the amount specified by this Resolution. In the event a certificate of compliance is issued for the payment of Statutory School Fees for a development project, mobile home or manufactured home and it is later determined that the statement or other representation made by an authorized party concerning the development project as to square footage is untrue, then such certificate shall automatically terminate, and the appropriate City shall be so notified.

Section 20. That no statement or provision set forth in this Resolution, or referred to therein shall be construed to repeal any preexisting fee previously imposed by the School District on any residential or nonresidential development.

Section 21. That the School District's Statutory School Fees will become effective sixty (60) days from the date of this Resolution unless a separate resolution increasing the fees immediately on an urgency basis is adopted by the Board.

APPROVED, ADOPTED, AND SIGNED ON APRIL 12, 2022

BOARD OF EDUCATION OF THE LAS VIRGENES UNIFIED SCHOOL DISTRICT

By: _____

President of the Board of Education of the Las Virgenes Unified School District

ATTEST:

By: _____

Vice President of the Board of Education of the Las Virgenes Unified School District



RESIDENTIAL AND COMMERCIAL/INDUSTRIAL DEVELOPMENT SCHOOL FEE JUSTIFICATION STUDY

LAS VIRGENES UNIFIED SCHOOL DISTRICT

MARCH 31, 2022

Prepared For:
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COOPERATIVE STRATEGIES

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Updated School Facilities Capacity Calculation

EXECUTIVE SUMMARY

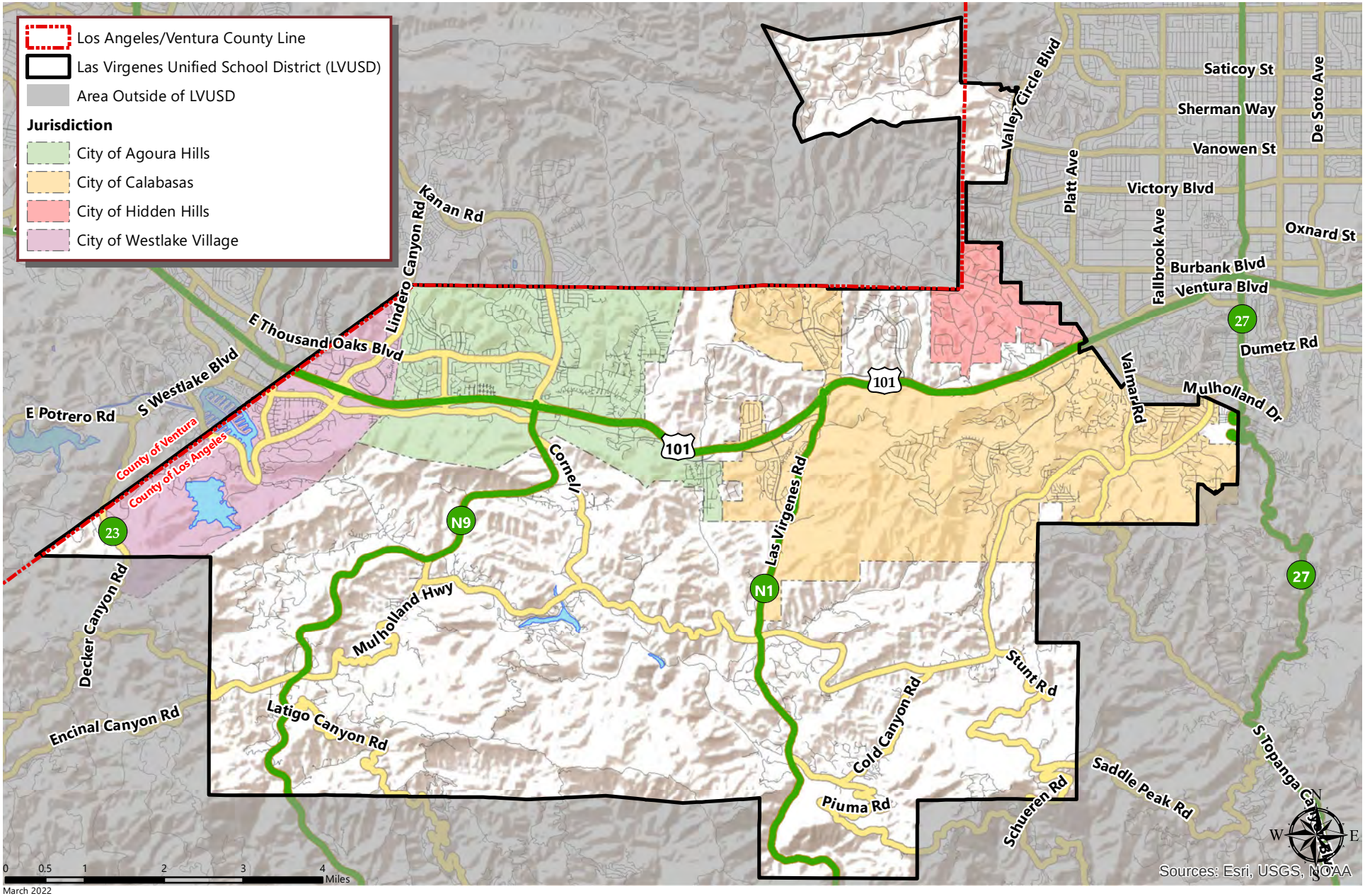
This Residential and Commercial/Industrial Development School Fee Justification Study ("Study") is intended to determine the extent to which a nexus can be established in the Las Virgenes Unified School District ("School District") between residential and commercial/industrial development ("CID") and (i) the need for school facilities, (ii) the cost of school facilities, and (iii) the amount of statutory school fees ("School Fees") per residential and CID building square foot that may be levied for schools pursuant to the provisions of Section 17620 of the Education Code, as well as Sections 65995 and 66001 of the Government Code, Assembly Bill ("AB") 181, and subdivision (e) of Section 17621 of the Education Code.

The School District provides education to students in grades transitional kindergarten ("TK") through 12 residing within portions of the cities of Agoura Hills, Calabasas, Hidden Hills, and Westlake Village (collectively, "Cities") and a portion of the unincorporated counties of Los Angeles and Ventura (collectively, "Counties") (please see map on following page for a geographic profile of the School District). Collectively, the School District's school facilities in school year 2021/2022 have a capacity of 10,720 students, of which 4,645 are at the elementary school level (i.e., grades TK through 5), 2,565 are at the middle school level (i.e., grades 6 through 8), and 3,510 are at the high school level (i.e., grades 9 through 12) (see Exhibit A for an updated school facilities capacity calculation). Based on data provided by the School District, student enrollment is 10,064 in school year 2021/2022. Comparing student enrollment to facilities capacity reveals that student enrollment exceeds facilities capacity at the high school level while facilities capacity exceeds student enrollment at the elementary school and middle school levels in school year 2021/2022 (please see Section IV for more information on student enrollment and facilities capacity).

To establish a nexus and a justifiable residential School Fee level, the Study evaluated the number and cost of new facilities required to house students generated from future residential development within the School District. Based on data obtained from the planning departments of the Cities approximately 1,303 additional residential units are expected be constructed within the School District's boundaries through calendar year 2025 ("Future Units"). Of these 1,303 Future Units, 413 are expected to be single family detached ("SFD") and 890 are expected to be multi-family attached ("MFA") units.

LAS VIRGENES UNIFIED SCHOOL DISTRICT

GEOGRAPHIC PROFILE



COOPERATIVE STRATEGIES

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To determine the impact on the School District from Future Units, the Study first multiplied the number of Future Units by the student generation factors ("SGFs") calculated by Cooperative Strategies, to determine the projected student enrollment from Future Units. The results were that 109 unhoused high school students are anticipated to be generated from Future Units. These numbers include a reduction of the number of students projected to be housed by existing excess seats ("Projected Unhoused Students").

To adequately house the Projected Unhoused Students, the School District will need to expand existing high school facilities. Using design capacities 27 students per classroom at the high school level, the School District will need to construct five (5) new high school classrooms to accommodate the Projected Unhoused Students from the Future Units projected to be constructed at this time. The cost of expanding the existing high school facilities by adding additional teaching stations is based on per-pupil grant amounts established by Senate Bill ("SB") 50. Additionally, the School District will also need to reconstruct and modernize its existing elementary school and middle school facilities. Based on modernization costs provided in the School District's Master Plan, Cooperative Strategies estimates a modernization cost $21,581 per student at the elementary school level and $25,901 per student at the middle school level.

In addition to the school facilities cost impacts, the School District will experience Central Administrative and Support Facilities cost impacts. In January 1994, the State Allocation Board ("SAB") approved a policy of four (4) square feet of Central Administrative and Support Facilities per student, which based on School District cost estimates equates to a per-student cost of $800. Multiplying these costs by the facilities needed and the students generated yielded the total school facilities cost impacts shown in Table ES-1 on the following page.

TABLE ES-1

TOTAL SCHOOL FACILITIES COST IMPACTS FROM FUTURE UNITS (2022$)

School Levels	Cost Per Teaching Station/Student	Teaching Stations Required/Students Generated	Total School Facilities Cost Impacts
High School	$1,081,134	4.0370	$4,364,538
Central Admin Impacts	$800	109	$87,200
ES Modernization	$21,581	129	$2,783,949
MS Modernization	$25,901	69	$1,787,169
Total	**N/A**	**N/A**	**$9,022,856**

The amounts listed in Table ES-1 were apportioned to each land use class based on the number of students generated from such residential land use. Thereafter, the school facilities cost impacts for each land use class were divided by the number of Future Units to calculate the school facilities cost impacts per residential unit. Table ES-2 below lists the school facilities cost impacts per residential unit.

TABLE ES-2

SCHOOL FACILITIES COST IMPACTS PER RESIDENTIAL UNIT (2022$)

Land Use	Total School Facilities Cost Impacts	Future Units	School Facilities Cost Impacts per Residential Unit
Single Family Detached	$4,290,619	413	$10,389
Multi-Family Attached	$4,732,237	890	$5,317

To determine the school facilities cost impacts per square foot of residential construction, the school facilities cost impacts per unit were divided by the average square footage of a residential unit in each land use class. Table ES-3 on the following page lists the school facilities cost impacts per average residential square foot.

TABLE ES-3

SCHOOL FACILITIES COST IMPACTS PER RESIDENTIAL SQUARE FOOT (2022$)

Land Use	School Facilities Cost Impacts per Future Units	Average Square Footage	School Facilities Cost Impacts per Residential Square Foot
Single Family Detached	$10,389	2,315	$4.49
Multi-Family Attached	$5,317	1,500	$3.54

To determine the commercial/industrial School Fee levels that satisfy the rigorous nexus requirements of AB 181, the Study divides CID into seven (7) land use categories: retail and services, office, research and development, industrial/warehouse/ manufacturing, hospital, hotel/motel, and self-storage. The employment impacts of each of these land uses, in terms of the number of employees per 1,000 square feet of building space, are based on information from the San Diego Association of Governments ("SANDAG") pursuant to Section 17621 (e)(1)(B) of the Education Code. These employee impacts are shown in Table ES-4

TABLE ES-4

EMPLOYMENT IMPACTS PER 1,000 SQUARE FEET CID

CID Land Use Category	Square Feet per Employee	Employees per 1,000 Square Feet
Retail and Service	447	2.2371
Office	286	3.4965
Research and Development	329	3.0395
Industrial/Warehouse/Manufacturing	371	2.6954
Hospital	360	2.7778
Hotel/Motel	883	1.1325
Self-Storage	15,552	0.0643

Additional data from the Southern California Association of Governments ("SCAG"), the U.S. Bureau of Census ("Census"), and CoreLogic provide a basis for estimating net school district household impacts. This number includes only those households occupying new housing units within the School District, as opposed to existing units whose previous occupants may have included school-aged children. Multiplying net school district households by (i) the number of students per household and (ii) total school facilities costs per student, results in estimates of school facilities cost impacts. Collectively, this calculation represents the total school facilities cost impacts per 1,000 square feet of commercial/industrial floor space, expressed in 2022 dollars. These results are summarized in Table ES-5.

TABLE ES-5

GROSS SCHOOL FACILITIES COSTS IMPACTS PER HOUSEHOLD (2022$)

School Level	Total Student Generation Impacts	Cost per Student	Gross School Facilities Costs Impacts per Unit
Elementary School	0.0167	$21,581	$360.40
Middle School	0.0132	$25,901	$341.89
High School	0.0219	$40,842	$894.44
Total	**N/A**	**N/A**	**$1,596.73**

The revenue component of the Study estimates the potential fee revenues generated by CID, including residential fees paid by CID related households, as well as CID School Fees. CID related residential revenues are calculated based on the weighted average residential School Fee of $3.84 square foot, justified in this Study. The residential revenues per household are then subtracted from the impact per household listed above. This results in net impact per household, as summarized in Table ES-6 on the following page.

TABLE ES-6

NET SCHOOL FACILITIES COST IMPACTS PER HOUSEHOLD (2022$)

Item	Amount
Impact per Household	$1,596.73
Residential Revenue Per Household	$6.76
Net School Facilities Cost Impacts Per Household	**$1,589.97**

The net impact per household is then divided by the appropriate square feet per employee for each of the seven (7) CID land use categories to determine the cost impact per square foot of CID for each CID category, as shown in Table ES-7.

TABLE ES-7

SCHOOL FACILITIES COST IMPACTS PER SQUARE FOOT (2022$)

School Level	Net Impact per Household	Square Feet per Employee	Cost Impact per Square Foot Of CID
Retail and Services	$1,589.97	447	$3.557
Office	$1,589.97	286	$5.559
Research and Development	$1,589.97	329	$4.833
Industrial/Warehouse/Manufacturing	$1,589.97	371	$4.286
Hospital	$1,589.97	360	$4.417
Hotel/Motel	$1,589.97	883	$1.801
Self-Storage	$1,589.97	15,552	$0.102

On February 23, 2022, the SAB increased the maximum Residential and CID School Fees authorized by Section 17620 of the Education Code from $4.08 to $4.79 per residential building square foot, and from $0.66 to $0.78 per CID square foot for unified school districts.

As shown in Table ES-3, the impact per residential square foot is less than the maximum residential School Fee per square foot and, therefore, the School District is justified in levying a residential School Fee of $4.49 per square foot for all new SFD residential development and $3.54 for all new MFA residential development within its boundaries subject to the limitations under the law.

Justification of the CID School Fee is based on a comparison of cost impacts per CID square foot, as shown in Table ES-7, against the maximum CID Fee per square foot as noted above. As shown in Table ES-8, the School District is justified in levying:

TABLE ES-8

MAXIMUM SCHOOL FEE PER SQUARE FOOT OF CID

CID Land Use Category	Maximum School Fee
Retail and Service	$0.780
Office	$0.780
Research and Development	$0.780
Industrial/Warehouse/Manufacturing	$0.780
Hospitals	$0.780
Hotel/Motel	$0.780
Self-Storage	$0.102

I. INTRODUCTION

SB 50, which Governor Wilson signed on August 27, 1998, was enacted on November 4, 1998, following the approval of Proposition 1A by the voters of the State in the general election on November 3, 1998. SB 50 includes provisions for the following:

1. Issuance of State general obligation bonds in an amount not to exceed $9.2 billion;
2. Reformation of the State School Building Program; and
3. Reformation of the School Fee mitigation payment collection procedure.

Additionally, Assembly Bill ("AB") 16, which Governor Davis signed on April 26, 2002, was enacted following the approval of Proposition 47 ("Prop 47") by the voters of the State in the general election on November 5, 2002. Prop 47 includes the authorization for issuance of State general obligation bonds in the amount of $13.05 billion, and AB 16 provides for additional reformation of the State School Building Program into the School Facilities Program. On March 2, 2004, the voters of the State approved Proposition 55 ("Prop 55"). Prop 55 includes the authorization for the additional issuance of State general obligation bonds in the amount of $12.3 billion. Finally AB 127, which Governor Schwarzenegger signed on May 20, 2006, was enacted following the approval of Proposition 1D ("Prop 1D") by the voters of the State in the general election of November 7, 2006. Prop 1D includes the authorization for the issuance of State general obligation bonds in the amount of $10.4 billion. On November 8, 2016, the voters of the State approved Proposition 51 ("Prop 51"). Prop 51 includes the authorization for the issuance of State general obligation bonds in the amount of $9 billion.

The Mira-Hart-Murrieta Decisions, which formerly permitted school districts to seek mitigation payments in excess of School Fees under certain circumstances, are suspended by AB 127. In lieu of the powers granted by the Mira-Hart-Murrieta Decisions, SB 50 and subsequent legislation provide school districts with an alternative School Fee collection procedure that, subject to certain conditions, authorizes school districts to collect Alternative Fees on residential developments. However, not all school districts will qualify to charge Alternative Fees.

Therefore, school districts must still rely on School Fees as a funding source for school facilities required by new development. However, before a school district can levy School Fees on new development, State law requires that certain nexus findings must be made and documented. The objective of this Study is to provide a rigorous basis for such findings.

II. LEGISLATION

State legislation, specifically AB 2926 and AB 1600, provides guidelines, procedures, and restrictions on the levy of School Fees for school facilities. Certain provisions of this legislation and history are summarized below:

A. AB 2926

AB 2926 was enacted by the State in 1986. Among other things, AB 2926 added various sections to the Government Code which authorize school districts to levy School Fees on new residential and commercial/industrial developments in order to pay for school facilities. In addition, AB 2926 provides for the following:

1. No city or county can issue a building permit for a development project unless such School Fees have been paid.
2. School Fees for commercial/industrial development must be supported by the finding that such School Fees "are reasonably related and limited to the needs for schools caused by the development."
3. School Fees for 1987 were limited to $1.50 per square foot on new residential construction and $0.25 per square foot for new commercial/industrial construction.
4. Every year, School Fees are subject to annual increases based on the Statewide cost index for Class B construction, as determined by the SAB at its January meeting (This provision was changed to every other year by AB181).

The provisions of AB 2926 have since been expanded and revised by AB 1600.

B. AB 1600

AB 1600, which created Sections 66000 et seq. of the Government Code, was enacted by the State in 1987. AB 1600 requires that all public agencies satisfy the following requirements when establishing, increasing or imposing a fee as a condition of approval for a development project.

1. Determine the purpose of the fee.
2. Identify the facilities to which the fee will be put.

3. Determine that there is a reasonable relationship between the need for public facilities and the type of development on which a fee is imposed.

4. Determine that there is a reasonable relationship between the amount of the fee and the public facility or portion of the public facility attributable to the development on which the fee is imposed.

5. Provide an annual accounting of any portion of the fee remaining unexpended, whether committed or uncommitted, in the School District's accounts five or more years after it was collected.

In other words, AB 1600 limits the ability of a school district to levy School Fees unless (i) there is a need for the School Fee revenues generated and (ii) there is a nexus or relationship between the need for School Fee revenues and the type of development project on which the School Fee is imposed. (The requirements of AB 1600 were clarified with the passage in 2006 of AB 2751, which codifies the findings of Shapell Industries vs. Milpitas Unified School District.) The Study will provide information necessary to establish such a nexus between School Fees and residential development.

C. AB 181

AB 181, enacted by the State in 1989, made significant changes in several State Codes, including Sections 53080 et seq. of the Government Code which was re-codified as Sections 17620 et seq. of the Education Code on January 1, 1998. Changes in Section 53080 included additional requirements and procedures for imposing School Fees and other conditions on new development. Specifically, AB 181 imposes more stringent nexus requirements on school districts that wish to levy School Fees on CID, as follows:

1. In order to levy a School Fee on CID, a formal study must be conducted to determine the impact of "the increased number of employees anticipated to result" from new CID on the "cost of providing school facilities within the School District".

2. Only that portion of the School Fee justified by the "nexus findings" contained in this study may be levied. Nexus findings must be made on an individual project basis or on the basis of categories of CID and must "utilize employee generation estimates that are based on commercial/industrial factors within the school district."

Categories to be evaluated may include, but are not limited to, office, retail, transportation, communications and utilities, light industrial, heavy industrial, research and development, and warehouse uses.

3. Starting in 1990, maximum School Fees for residential and CID will be subject to increases every two (2) years rather than annually.

4. An appeals procedure shall be established whereby the levy of School Fees on a commercial/industrial project may be appealed to the governing board of a school district. Grounds for an appeal must include, but are not limited to, improper project classification by commercial/industrial category, or the application of improper or inaccurate employee or student generation factors to the project.

In summary, AB 181 establishes additional requirements which must be satisfied by school districts prior to their levying School Fees on CID.

III. METHODOLOGY OF STUDY

Cooperative Strategies is projecting an increase in student enrollment attributable to new development in future years. This projected growth will create a demand for new school facilities to be constructed within the School District and the need to incur significant school facilities costs to meet that demand. As a result, the School District has determined that School Fees should be levied on new development projects. The objective of the Study is to provide a basis for such findings consistent with the requirements of AB 2926, AB 1600, AB 1818, and the provisions of Section 66001 of the Government Code.

A. RESIDENTIAL METHODOLOGY

Cooperative Strategies has determined that School Fees must be levied on new residential projects, if findings can be made that such projects will lead to higher student enrollment and increased facilities costs. In order to evaluate the existence of a nexus, the Study identifies and analyzes the various connections or linkages between residential development and (i) the need for school facilities, (ii) the cost of school facilities, and (iii) the amount of School Fees that can justifiably be levied. The primary linkages identified include the following:

1. Housing projections - The number of future residential units to be constructed within the boundaries of the School District.
2. Student generation - The number of students generated from a residential unit within the School District.
3. Facility requirements - The number of new school facilities required to house students generated from new residential units.
4. School facilities cost impacts - The costs to the School District associated with the construction of new school facilities.
5. School Fee requirements – The School District's need to levy School Fees to cover the cost of new school facilities.

The above linkages result in a series of impacts which (i) connect new residential development with increased school facilities costs and (ii) connect School Fees per residential building square foot with increased facilities costs.

B. COMMERCIAL/INDUSTRIAL METHODOLOGY

Cooperative Strategies has also determined that School Fees must be levied on new CID projects. In order to determine the nexus relationships identified in AB 181, the Study analyzes the various linkages between CID and (i) the need for school facilities, (ii) the cost of school facilities, and (iii) the amount of the School Fee that can justifiably be levied. The primary connections or linkages include the following:

1. Job creation (i.e., new CID within the School District creates new jobs);
2. Household formation (i.e., job creation within the School District leads to the formation of new households in the School District);
3. Student generation (i.e., household formation within the School District generates new students);
4. Facilities requirements (i.e., student generation within the School District leads to the need to incur additional costs for new school facilities); and
5. School Fee requirements (i.e., additional costs for new school facilities within the School District leads to the need to levy School Fees for new development).

The above linkages result in a series of impacts which (i) connect new CID with increased school facilities costs and (ii) connect increased school facilities costs with School Fees on CID buildings. These impacts are identified for different CID land use categories, based on a "prototypical unit" of 1,000 square feet of new commercial or industrial floor space for each category. These "linkage impacts" include five (5) major types:

1. Employment Impacts
2. Household Impacts
3. Student Generation Impacts
4. School Facilities Cost Impacts
5. Fee Revenues

The nature and components of these impacts are summarized in Section III.C, along with the key assumptions and data sources used in estimating their magnitude.

Analysis of the first four (4) linkage impacts provides an estimate of the gross school facilities cost impacts per 1,000 square feet of floor space for each CID category. Analysis and comparison of all five (5) impacts provide an estimate of (i) net school facilities cost impacts (i.e., gross school facilities cost impacts minus residential revenues) per 1,000 square feet of CID floor space and (ii) the maximum commercial/industrial School Fee that can be justified.

C. COMMERCIAL/INDUSTRIAL LAND USE CATEGORIES

Linkage impacts are analyzed for the following CID land use categories:

1. Retail and Services
2. Office
3. Research and Development
4. Industrial/Warehouse/Manufacturing
5. Hospital
6. Hotel/Motel
7. Self-Storage

RETAIL AND SERVICES

The retail and services category includes commercial establishments which sell general merchandise, building materials, hard goods, apparel, and other items and services to consumers. Additional establishments in the retail and services category include nurseries, discount stores, restaurants, entertainment theme parks, new/used car sales facilities, service stations, supermarkets, banks, real estate sales offices, and similar uses.

OFFICE

A general office building houses one (1) or more tenants and is the location where affairs of a business, commercial or industrial organization, professional person or firm are conducted. The building or buildings may be limited to one (1) tenant, either the owner or lessee, or contain a mixture of tenants including professional services, insurance companies, investment brokers, company headquarters, and services for the tenants such as a bank or savings and loan, a restaurant or cafeteria, and service retail and services facilities. There may be large amounts of space used for file storage or data processing.

The office category may also include medical offices that provide diagnoses and outpatient care on a routine basis, but which are unable to provide prolonged in-house medical/surgical care. A medical office is generally operated by either a single private physician or a group of doctors.

RESEARCH AND DEVELOPMENT

Research and development facilities are those primarily associated with the application of scientific research to the development of high technology products. Areas of concentration include materials, science, computer, electronic, and telecommunications products. Facilities may also contain offices and fabrication areas. Activities performed range from pure research to product development, testing, assembly, and distribution.

INDUSTRIAL/WAREHOUSE/MANUFACTURING

Warehouses are facilities that are primarily devoted to the storage of materials. They may also include office and maintenance areas. This category also includes buildings in which a storage unit or vault is rented for the storage of goods.

Manufacturing facilities are building structures where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to actual production of goods, manufacturing facilities generally have office, warehouse, research and associated functions. This category includes light industrial facilities such as printing plants, material testing laboratories, assemblers of data processing equipment, and power stations.

HOSPITAL

Hospital refers to any institution where medical or surgical care is given to non-ambulatory and ambulatory patients. The term does not however, refer to medical clinics (facilities that provide diagnoses and outpatient care only) or to nursing homes (facilities devoted to the care of persons unable to care for themselves).

HOTEL/MOTEL

Hotels and motels are commercial establishments primarily engaged in providing lodging, or lodging and meals, for the general public. As defined by Government Code Section 65995(d), the hotel/motel category includes, but is not limited to, any hotel, motel, inn, tourist home, or other lodging for which the maximum term of occupancy does not exceed 30 days.

It does not, however, include any residential hotel as defined by Section 50519(b)(1) of the Health and Safety Code.

SELF-STORAGE

This category includes buildings in which a storage unit or vault is rented for the storage of goods and/or personal materials. This category may also include office areas associated with storage.

Note that CID land use categories may include different industry types. For example, firms in the transportation, communications, or utilities industries may be classified in up to six (6) of the seven (7) land use categories shown above. Similarly, retail firms may also occupy office or industrial space (e.g., for corporate headquarters or warehousing) and manufacturing firms may occupy retail space (e.g., factory retail outlets). In evaluating any given project, the School District should assign the project to whichever CID category is the predominant use within the project.

IV. FACILITIES CAPACITY AND STUDENT ENROLLMENT

In order to determine whether the School District's existing school facilities contain excess capacity to house students generated by new residential and CID development, school year 2021/2022 student enrollment and school facilities capacity of the School District were evaluated.

Collectively, the School District's school facilities in school year 2021/2022 have a capacity of 10,720 students based on data provided by the School District (see Exhibit A for an updated school facilities capacity calculation). Of these 10,720 existing seats, 4,645 are at the elementary school level, 2,565 are at the middle school level, and 3,510 are at the high school level. The enrollment of the School District in school year 2021/2022 is 10,064 students. As shown in Table 1 below, the School District's student enrollment exceeds facilities capacity at the high school level while facilities capacity exceeds student enrollment at the elementary and middle school levels in school year 2021/2022.

TABLE 1

EXISTING SCHOOL FACILITIES CAPACITY AND STUDENT ENROLLMENT

School Level	2021/2022 Facilities Capacity	2021/2022 Student Enrollment	Excess/ (Shortage) Capacity
Elementary School (Grades TK-5)	4,645	3,987	658
Middle School (Grades 6-8)	2,565	2,337	228
High School (Grades 9-12)	3,510	3,740	(230)
Total	**10,720**	**10,064**	**656**

As indicated in Table 1, 658 elementary school seats and 228 middle school seats are available to house students generated from Future Units. These surplus seats will be addressed in Section V below. Additionally, due to the age of the School District's facilities and their current state, the School District will need to perform significatnt reconstruction and modernization of its existing school facilities, to adequately house students in the future. These reconstruction needs will be discussed in Section V.E.

V. IMPACT OF RESIDENTIAL DEVELOPMENT ON SCHOOL FACILITIES NEEDS

As discussed in Section III, the objective of the Study is to determine the appropriateness of the imposition of a School Fee to finance school facilities necessitated by students to be generated from new residential development. Section III outlined the methodology which was employed in the Study to meet that objective. Section V is a step-by-step presentation of the results of the analysis.

A. PROJECTED RESIDENTIAL DEVELOPMENT WITHIN THE SCHOOL DISTRICT

The initial step in developing a nexus as required by AB 2926 and AB 1600 is to determine the number of Future Units to be constructed within the School District's boundaries. Based on information obtained from the planning departments of the Cities, the School District expects the construction of approximately 1,303 Future Units through calendar year 2025. Of these 1,303 Future Units, 413 are expected to be SFD units and 890 are expected to be MFA units. Table 2 distinguishes Future Units by land use.

TABLE 2

FUTURE UNITS

Land Uses	Total Future Units
Single Family Detached	413
Multi-Family Attached	890
Total Units	**1,303**

B. RECONSTRUCTION

Reconstruction is the act of replacing existing structures with new construction, which may have an alternative land use (i.e., commercial/industrial versus residential) or may consist of different residential unit types (i.e., SFD versus MFA, etc.).

B1. RESIDENTIAL RECONSTRUCTION

Residential Reconstruction consists of voluntarily demolishing existing residential units and replacing them with new residential development. To the extent Reconstruction increases the residential square footage beyond what was demolished ("New Square Footage"), the increase in square footage is subject to the applicable School Fee as such construction is considered new residential development. As for the amount of square footage constructed that replaces only the previously constructed square footage ("Replacement Square Footage"), the determination of the applicable fee, if any, is subject to a showing that the Replacement Square Footage results in an increase in student enrollment and, therefore, an additional impact being placed on the School District to provide school facilities for new student enrollment.

Prior to the imposition of fees on Replacement Square Footage, the School District shall undertake an analysis on any future proposed projects(s) to examine the extent to which an increase in enrollment can be expected from Replacement Square Footage due to any differential in SGFs as identified in the Study for the applicable unit types between existing square footage and Replacement Square Footage. Any such fee that is calculated for the Replacement Square Footage shall not exceed the School Fee that is in effect at such time.

B2. RECONSTRUCTION OF COMMERCIAL/INDUSTRIAL CONSTRUCTION INTO RESIDENTIAL CONSTRUCTION

The voluntary demolition of existing commercial/industrial buildings and replacement of them with new residential development is a different category of Reconstruction. Cooperative Strategies is aware that such types of Reconstruction may occur within the School District in the future, however, Cooperative Strategies was unable to find information (i) about the amount planned within the School District in the future or (ii) historical levels, which might indicate the amount to be expected in the future. Due to the lack of information, the School District has decided to evaluate the impacts of Commercial/Industrial Reconstruction projects on a case-by-case basis and will make a determination of whether a fee credit is justified based on the nature of the project.

C. STUDENT GENERATION FACTORS PER RESIDENTIAL UNIT

In order to analyze the impact on the School District's student enrollment from Future Units, Cooperative Strategies calculated SGFs for SFD and MFA units. The process of determining SGFs involved cross-referencing the School District's enrollment data against the County Assessors residential data. These SGFs are shown in Table 3.

TABLE 3

STUDENT GENERATION FACTORS

School Levels	Single Family Detached Units	Multi-Family Attached Units
Elementary School	0.1496	0.0757
Middle School	0.0780	0.0421
High School	0.1260	0.0643
Total	**0.3536**	**0.1821**

D. SCHOOL DISTRICT FACILITIES REQUIREMENTS

By multiplying the Future Units as listed in Table 2 by the SGFs identified in Table 3, the Study determined the projected number of new students to be generated from Future Units. The Projected Student Enrollment by school level is shown in Table 4.

TABLE 4

PROJECTED STUDENT ENROLLMENT FROM FUTURE UNITS

School Level	Projected Student Enrollment from Future SFD Units	Projected Student Enrollment from Future MFA Units	Projected Student Enrollment from Future Units
Elementary School	62	67	129
Middle School	32	37	69
High School	52	57	109
Total	**146**	**161**	**307**

As indicated in Section IV, 658 surplus elementary school seats and 228 middle school seats are available to accommodate the Projected Student Enrollment. Therefore, the Projected Unhoused Students are less than the Projected Student Enrollment at the elementary school level. Table 5 shows Projected Unhoused Students for the School District.

TABLE 5

PROJECTED UNHOUSED STUDENTS FROM FUTURE UNITS

School Levels	Projected Students from Future Units	Surplus Seats	Projected Unhoused Students
Elementary School	129	658	0
Middle School	69	228	0
High School	109	0	109
Total	**307**	**886**	**109**

To determine the number of high school facilities necessary to adequately house the Projected Unhoused Students, Cooperative Strategies divided the Projected Unhoused Students by the estimated school facilities capacity at each school level, as provided by the School District. The additional school facilities requirements are identified in Table 6.

TABLE 6

ADDITIONAL SCHOOL FACILITIES FOR PROJECTED UNHOUSED STUDENTS

School Levels	Projected Unhoused Students	Estimated Teaching Station Capacity	Additional Teaching Stations Needed
High School	109	27	4.0370

E. SCHOOL DISTRICT FACILITIES COSTS

The cost of expanding the existing high school facilities by adding additional teaching stations is based on per-pupil grant amounts established by SB 50. It must be noted that the facilities costs are in 2022 dollars and do not include interest costs associated with debt incurred to finance the construction of facilities. The estimated site costs and facility construction costs by school level are shown in Table 7.

TABLE 7

ESTIMATED SCHOOL FACILITIES COSTS (2022$)

School Levels	Estimated Total Cost per Teaching Station
High School	$1,081,134

As mentioned in Section IV, due to the age of the existing school facilities and their current state, the School District will need to perform significant reconstruction and modernization at all school levels in order to adequately serve students in the future.

In order to determine the reconstruction impact of students generated from Future Units, Cooperative Strategies divided total reconstruction cost estimates by the total numbers of students expected to utilize the School District's facilities through built out. Based on cost estimates provided in the School District's Facilities Master Plan, reconstruction and modernization of the School District's facilities will have an estimated total cost of $296,803,000. Only the proportion of reconstruction costs attributable to the projected student enrollment expected to occupy the available capacity is used to calculate the School Fees.

In order to determine the reconstruction impact of students generated from Future Units, Cooperative Strategies divided total reconstruction cost estimates by the total capacity for each school to be modernized. Based on cost information provided by the School District, Cooperative Strategies estimates reconstruction and modernization costs to be $21,581 per elementary school seat, $25,901 per middle school seat and $37,072 per high school seat. Table 8 on the following page illustrates the total facilities reconstruction cost per student.

TABLE 8

ESTIMATED SCHOOL FACILITIES COSTS (2022$)

School Levels	Total Reconstruction Costs	Total Capacity	Total Reconstruction Cost per Seat
Elementary School	$100,242,000	4,645	$21,581
Middle School	$66,437,000	2,565	$25,901
High School	$130,124,000	3,510	$37,072

The costs in Table 7 do not include costs associated with Central Administrative and Support Facilities. As indicated in Table 5, Future Units will cause the enrollment of the School District to increase by approximately 109 students. In accordance with the Provisions of Chapter 341, Statutes of 1992, SB 1612, the SAB adopted a report on January 26, 1994, requiring approximately four (4) square feet of central administrative and support facilities for every student. Based on this report and the estimated cost per square foot to construct and furnish these types of facilities, the Study incorporates a Central Administrative and Support Facilities cost impact of $800 per student.

F. TOTAL SCHOOL FACILITIES COST IMPACTS

To determine the total school facilities cost impacts caused by Future Units, Cooperative Strategies (i) multiplied the school facilities costs (Table 7) by the additional school facilities needed (Table 6) and (ii) multiplied the central administrative and support facilities costs per student (above paragraph) by the Projected Unhoused Students (Table 5). Table 9 on the following page illustrates the total school facilities cost impacts from future residential development.

TABLE 9

TOTAL SCHOOL FACILITIES COST IMPACTS FROM FUTURE UNITS (2022$)

School Levels	Cost Per Teaching Station/Student	Teaching Stations Required/Students Generated	Total School Facilities Cost Impacts
High School	$1,081,134	4.0370	$4,364,538
Central Admin Impacts	$800	109	$87,200
ES Modernization	$21,581	129	$2,783,949
MS Modernization	$25,901	69	$1,787,169
Total	**N/A**	**N/A**	**$9,022,856**

G. SCHOOL FACILITIES COST IMPACTS PER RESIDENTIAL UNIT

To determine the total school facilities cost impacts per future residential unit, the total school facilities cost impacts listed above need to first be apportioned by land use based on the number of elementary, middle, and high school students to be generated from such land use. Table 10 shows total school facilities cost impacts by land use.

TABLE 10

TOTAL SCHOOL FACILITIES COST IMPACTS BY LAND USE (2022$)

School Level	Single Family Detached Units	Multi-Family Attached Units	Total School Facilities Cost Impacts
Elementary School	$1,338,022	$1,445,927	$2,783,949
Middle School	$828,832	$958,337	$1,787,169
High School	$2,123,765	$2,327,973	$4,451,738
Total	**$4,290,619**	**$4,732,237**	**$9,022,856**

Total school facilities cost impacts for each land use were then divided by the number of Future Units in such land use to determine school facilities cost impacts per SFD unit and MFA unit. These impacts are shown in Table 11.

TABLE 11

SCHOOL FACILITIES COST IMPACTS PER FUTURE UNIT (2022$)

Land Uses	Total School Facilities Cost Impacts	Future Units	School Facilities Cost Impacts per Residential Unit
Single Family Detached	$4,290,619	413	$10,389
Multi-Family Attached	$4,732,237	890	$5,317

H. SCHOOL FACILITIES COST IMPACTS PER SQUARE FOOT

To determine the school facilities cost impacts per square foot of residential construction for each land use, the school facilities cost impacts per unit listed in Table 11 were divided by the average square footage of such type of residential unit. Cooperative Strategies estimates that the average square footage of an SFD unit in the School District is projected to be 2,315 square feet while the average square footage of an MFA unit is projected to be 1,500 square feet. Table 12 shows the school facilities cost impacts per square foot of residential construction in the School District.

TABLE 12

SCHOOL FACILITIES COST IMPACTS PER RESIDENTIAL SQUARE FOOT (2022$)

Land Uses	School Facilities Cost Impacts per Residential Unit	Average Square Footage	School Facilities Cost Impacts per Square Foot
Single Family Detached	$10,389	2,315	$4.49
Multi-Family Attached	$5,317	1,500	$3.54

VI. IMPACT OF COMMERCIAL/INDUSTRIAL DEVELOPMENT ON SCHOOL FACILITIES NEEDS

This section presents the quantitative findings of the commercial/industrial nexus analysis summarized in Section III. In particular, this section presents estimates of the following:

1. All "linkage impacts" discussed in Section III, by CID land use category.
2. Gross school facilities cost impacts per 1,000 square feet of commercial/ industrial floor space.
3. Net school facilities cost impacts (i.e., gross school facility cost impacts minus residential revenues) per 1,000 square feet of commercial/industrial floor space.
4. The percentage of the maximum CID School Fee per square foot allowed by law that can be justified to pay for new school facilities.

A. EMPLOYMENT IMPACTS

As indicated in Section III, employment impacts for different CID categories equal the estimated number of on-site employees generated per 1,000 square feet of commercial/industrial floor space, which are referred to in the Study as CID Land Use Categories. Consistent with the provisions of Section 17621(e)(1)(B) of the Education Code, employment impacts for each category are based on data from SANDAG. The employment impacts are shown in Table 13 on the following page.

TABLE 13

EMPLOYMENT IMPACTS PER 1,000 SQUARE FEET (2022$)

CID Land Use Category	Square Feet per Employee
Retail and Services	447
Office	286
Research and Development	329
Industrial/Warehouse/Manufacturing	371
Hospital	360
Hotel/Motel	883
Self-Storage	15,552

B. HOUSEHOLD IMPACTS

As noted in Section III, household impacts equal the estimated number of households associated with each category of employment impacts, per 1,000 square feet of commercial/industrial floor space. Household impacts include the following components:

1. Households per Employee

   The average number of households per employee are calculated based on information obtained from the Census. Based on this information, the total household impacts are 0.7636 households per employee within the School District.

2. Employed Persons Living within the School District

   In order to determine the number of employed persons who live within the School District, Cooperative Strategies utilized data from the Census. Based on this data, approximately 19.35 percent of the employed persons within the School District are estimated to live within the School District. This trend is expected to increase as new residential and CID projects are approved and additional homes and jobs are created within the School District.

3. Propensity to Occupy New Homes

The propensity to occupy new housing within the general area of the School District helps determine the number of employees generated from new homes. Based on data on recent resales and new home sales obtained from CoreLogic, new home sales in the School District were estimated to equal 0.67 percent of the total housing units which experienced occupant turnover between 2020 and 2021.

4. Total Household Impact

In order to determine the Total Household Impact of new residential units, the Study multiplied the average employed persons per household, employed person living within the School District, and the propensity to occupy new homes. This helps determine the number of new employees coming to live and work within the School District produced by new residential development, as shown in Table 14.

TABLE 14

TOTAL HOUSEHOLD IMPACTS FROM NEW CID

Household Impact	Factor
Households per Employees	0.7636
Employees Living within the School Districts	19.35%
Households with Employees Working within the School District	**0.1478**
Propensity to Occupy New Homes	0.67%
Total Household Impacts	**0.0010**

C. STUDENT GENERATION IMPACTS

As noted in Section III, student generation impacts equal the number of the School District's students associated with each category of CID space. Separate student generation impacts are estimated for each CID category and school level.

1. RESIDENTIAL STUDENT GENERATION IMPACTS

In order to analyze household formation as a result of new CID, the SGFs shown in Table 3 must be blended. To blend the SGFs of the two (2) land uses into a single SGF for each school level, the land uses were weighted in proportion to each type's percentage of the future residential units to be constructed within the School District. Applying these weighting factors yields the following blended SGFs shown in Table 15.

TABLE 15

BLENDED STUDENT GENERATION FACTORS

School Level	Student Generation Factors
Elementary School	0.0991
Middle School	0.0535
High School	0.0839

2. TOTAL STUDENT GENERATION IMPACTS

Multiplying total household impacts shown in Table 14 by the blended SGFs shown in Table 15 results in the average student generation impacts. These average student generation impacts are shown by school level in Table 16.

TABLE 16

AVERAGE STUDENT GENERATION IMPACTS

School Level	Student Generation Factors	Total Household Impacts	Average Student Generation Impacts
Elementary School	0.0991	0.0010	0.0001
Middle School	0.0535	0.0010	0.0001
High School	0.0839	0.0010	0.0001

D. INTER-DISTRICT TRANSFER IMPACTS

The Study also evaluates the impact of students attending the School District on an inter-district transfer basis. The inter-district transfer rate is determined by calculating the ratio of student transfers into the School District's schools by the number of persons employed within its boundaries. Based on information provided by the School District, total student transfers into the School District's schools for school year 2021/2022 total 782 at the elementary school level, 620 at the middle school level, and 1,028 at the high school level. Employment within the School District's area is estimated at 47,151 persons based on employment estimates provided by Corelogic. Table 17 shows the inter-district transfer impacts by school level.

TABLE 17

INTER-DISTRICT TRANSFER IMPACTS

School Level	Inter-District Transfer Impacts
Elementary School	0.0166
Middle School	0.0131
High School	0.0218

E. TOTAL STUDENT GENERATION IMPACT

To determine the total student generation impacts of CID on the School District, the average student generation impacts from Table 16 are added to the inter-district transfer impacts from Table 17. The resulting total student generation impacts are displayed in Table 18.

TABLE 18

TOTAL STUDENT GENERATION IMPACTS

School Level	Average Student Generation Impacts	Inter-District Transfer Impacts	Total Student Generation Impacts
Elementary School	0.0001	0.0166	0.0167
Middle School	0.0001	0.0131	0.0132
High School	0.0001	0.0218	0.0219

F. GROSS SCHOOL FACILITIES COST IMPACTS

As noted in Section III, school facilities cost impacts equal the gross school facilities cost impacts (exclusive of residential revenues) associated with the total student generation impact of each CID category.

1. SCHOOL FACILITIES COSTS PER STUDENT

The school facilities costs per student are the average cost impact produced by students generated from Future Units. This impact estimate is derived from the school facilities costs (Table 10) divided by the Projected Student Enrollment from Future Units (Table 5) by school level. Multiplying the total student generation impacts by the school facilities costs per student results in the gross school facilities cost impacts shown in Table 19.

TABLE 19

GROSS SCHOOL FACILITIES COSTS IMPACTS PER HOUSEHOLD (2022$)

School Level	Total Student Generation Impacts	Cost per Student	Gross School Facilities Costs Impacts per Household
Elementary School	0.0167	$21,581	$360.40
Middle School	0.0132	$25,901	$341.89
High School	0.0219	$40,842	$894.44
Total	**N/A**	**N/A**	**$1,596.73**

G. FEE REVENUES

As noted in Section III, fee revenues include two (2) components: residential revenues and potential CID School Fee revenues.

1. RESIDENTIAL REVENUES AND NET SCHOOL FACILITY COSTS

Residential revenues equal the maximum revenues from residential development associated with each school level. These revenues are derived from the School District's weighted average School Fee of $3.84 per square foot multiplied by the School District's weighted average square footage for residential units of 1,758 square feet. Based on this calculation, the residential revenues per unit in the School District are estimated to be $6,757. Multiplying the total household impact shown in Table 14 by residential revenues results in the residential revenues per student shown in Table 20.

TABLE 20

RESIDENTIAL REVENUES PER HOUSEHOLD (2022$)

Item	Amount
Revenue per Residential Unit	$6,757
Total Household Impact	0.0010
Residential Revenue per Household	**$6.76**

2. NET SCHOOL FACILITIES COST IMPACTS

In order to calculate the net school facilities cost impacts per grade level, the residential revenues shown in Table 20 were subtracted from the gross school facilities cost impacts shown in Table 19. The results are the net school facilities cost impacts that must be funded by CID School Fees, as shown in Table 21.

TABLE 21

NET SCHOOL FACILITIES COST IMPACTS PER HOUSEHOLD (2022$)

Item	Amount
Gross School Facilities Cost Impacts per Household	$1,596.73
Residential Revenue per Household	$6.76
Net School Facilities Cost Impacts per Household	**$1,589.97**

H. JUSTIFICATION OF COMMERCIAL/INDUSTRIAL SCHOOL FEES

Dividing net school facilities cost impacts shown in Table 21 by total the square feet per employee for each land use category, as shown in Table 13, results in the CID impacts shown in Table 22.

TABLE 22

SCHOOL FACILITIES COST IMPACTS PER SQUARE FOOT (2022$)

CID Land Use Category	Net Impact per Household	Square Feet per Employee	Cost Impact per Square Foot Of CID
Retail and Services	$1,589.97	447	$3.557
Office	$1,589.97	286	$5.559
Research and Development	$1,589.97	329	$4.833
Industrial/Warehouse/Manufacturing	$1,589.97	371	$4.286
Hospital	$1,589.97	360	$4.417
Hotel/Motel	$1,589.97	883	$1.801
Self-Storage	$1,589.97	15,552	$0.102

VII. CONCLUSION

On February 23, 2022, the SAB increased the maximum Residential and CID School Fees authorized by Section 17620 of the Education Code from $4.08 to $4.79 per residential building square foot, and from $0.66 to $0.78 per CID square foot for unified school districts.

This section summarizes the findings of the Study for new residential and commercial/industrial construction within the School District. In particular, this section summarizes the following:

1. RESIDENTIAL FEES

As shown in Table 11, the impact per residential square foot is less than the maximum residential School Fee of $4.79 per square foot and, therefore, the School District is justified in levying a residential School Fee of $4.49 per square foot for all new SFD residential development and $3.54 per square foot for all new MFA residential development within its boundaries, subject to the limitations under the law.

Based on this information, the School District is justified in charging the Statutory Fee Amounts per square foot shown in Table 22 on new residential construction:

TABLE 22

MAXIMUM JUSTIFIED STATUTORY RESIDENTIAL FEE PER SQUARE FOOT (2022$)

Item	Residential Fee per Square Foot
Single Family Detached	$4.49
Multifamily Attached	$3.54

2. COMMERCIAL/INDUSTRIAL FEES

As shown in Table 21, the impact per CID square foot exceeds the maximum CID School Fee of $0.78 per square foot for all CID land use categories, except for Self-Storage. The Study concludes that the School District is fully justified in levying the maximum CID School Fee of $0.78 per square foot for all CID land use categories, except for Self-Storage, where it is justified in levying $0.102 per square foot of CID development.

Based on this information, the School District is justified in charging the Statutory Fee Amounts per square foot shown in Table 23 on new CID construction:

TABLE 23

MAXIMUM JUSTIFIED STATUTORY CID FEE PER SQUARE FOOT (2022$)

CID Land Use Category	CID Fee per Square Foot
Retail and Services	$0.780
Office	$0.780
Research and Development	$0.780
Industrial/Warehouse/Manufacturing	$0.780
Hospital	$0.780
Hotel/Motel	$0.780
Self-Storage	$0.102

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EXHIBIT A

UPDATED SCHOOL FACILITIES CAPACITY CALCULATION

Las Virgenes School District

School Facilities Capacity Calculation

Item	Elementary School	Middle School	High School
Bay Laurel Elementary	612		
Chaparral Elementary	587		
Lupin Hill Elementary	549		
Round Meadow Elementary	562		
Mariposa/Sumac Elementary	787		
White Oak Elementary	512		
Willow Elementary	462		
Yerba Buena Elementary	574		
Alice C. Stelle Middle		945	
Arthur E. Wright Middle		783	
Lindero Canyon Middle		837	
Agoura High			1,890
Calabasas High			1,620
N/A	**4,645**	**2,565**	**3,510**