

STAFF REPORT
City of Lancaster

PH 1
02/27/07
RSL

Date: February 27, 2007

To: Mayor Hearn and City Council Members

From: James R. Williams, Public Works Director

Subject: **Public Hearing Relative to Proposed Formation of Fox Field Industrial Corridor Landscape Maintenance District and Assessments**

Recommendation:

Adopt Resolution No. 07-37, confirming the diagrams and assessments and ordering the proposed improvements and formation of Fox Field Industrial Corridor Landscape Maintenance District and levy of assessments.

Fiscal Impact:

Estimated annual maintenance cost for each project is shown on Attachment A and will be paid by the Developers.

Background:

On February 27, 2007, the City Council adopted Resolutions initiating proceedings, and setting a public hearing on February 27, 2007, relative to the formation of Fox Field Industrial Corridor Landscape Maintenance District.

As a condition of the development and recordation of Tentative Parcel Map No. 060916, landscaped medians, street trees and parkway landscaping shall be installed along Avenue G in accordance with the requirements of the Fox Field Industrial Corridor Specific Plan. Additionally, provisions need to be made for the long-term and continued maintenance of these landscape improvements.

Pursuant to the provisions of the Landscaping and Lighting Act of 1972 of the California Streets and Highways code (the Act) Section 22500 et seq., the City may form an assessment district to provide for the continued maintenance of landscape improvements. This places the cost of maintaining the improvements upon the property owners directly benefiting from them.

State Law requires that the property owners within the area of the District to be formed and assessed be noticed 45 days in advance of the public hearing scheduled for February 27, 2007.

The developers, Lancaster Redevelopment Agency, and Fox Field Industrial Park, L.P., a California Limited Partnership, have executed and filed petitions requesting the City to form

the Fox Field Industrial Corridor Landscape Maintenance District. The petitioners have also declared that they are the sole owners of all of the real property within the proposed District and have waived the 45-day advance notice of public hearing, conducting a public meeting, noticing, and all statutory hearings of objections or protests to the formation of the proposed district. In accordance with Section 22608.1 of the Act, the notices of hearing, report, and right of majority protest shall be waived with written consent (petition) of all property owners.

A diagram and assessment have been prepared indicating the property to be benefited and the amount of the assessment to each individual property. The assessment includes the estimated cost and expenses of maintaining, operating, and servicing the landscape improvements for Fiscal Year 2007-2008. It should be noted that the properties will be assessed based on their developed use, which may differ from the use identified in the Foxfield Industrial Corridor Specific Plan. The cost per benefit unit was determined based on the entire area within the Foxfield Industrial Corridor Specific Plan and the total landscaped area at build out. Due to the relatively small area within the initial maintenance district formation, the assessments levied will not pay the actual maintenance costs. The difference will need to be covered by the City.

Annual assessments may be levied by the City for each succeeding fiscal year after formation of the district. An engineer's report will be filed describing the type of maintenance required, estimated cost, diagram, and assessment amount.