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SHAPING THE FUTURE ONE PROJECT AT A TIMESM

ENGINEER'S REPORT

**CITY OF ENCINITAS
LANDSCAPE & LIGHTING DISTRICT**

Fiscal Year 2009-10

For the

**CITY OF ENCINITAS
SAN DIEGO COUNTY, CALIFORNIA**

June 2, 2009

ENGINEER'S REPORT

CITY OF ENCINITAS
LANDSCAPE AND LIGHTING DISTRICT
FISCAL YEAR 2009-10

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**ENGINEER'S REPORT
CITY OF ENCINITAS
LANDSCAPE AND LIGHTING DISTRICT
FISCAL YEAR 2009-10**

The undersigned respectfully submits the enclosed report as directed by the Encinitas City Council pursuant to the provisions of Article XIID, Section 4 of the California Constitution, provisions of the Landscaping and Lighting Act of 1972, and Section 22500 et al of the California Streets and Highways Code. The undersigned certifies that she is a Professional Engineer, registered in the State of California.

DATED: June 2, 2009



BY: Joan E. Cox
R.C.E. No. 41965



I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached, was filed with me on the ____ day of _____, 2009.

City Clerk
City of Encinitas
San Diego County, California

By _____

I HEREBY CERTIFY that the enclosed Engineer's Report, together with Assessment Roll thereto attached, was approved and confirmed by the City Council of the City of Encinitas, California, on the ____ day of _____, 2009.

City Clerk
City of Encinitas
San Diego County, California

By _____

I HEREBY CERTIFY that the enclosed Assessment Roll and Assessment Diagram thereto attached, were filed with the County Auditor of the County of San Diego, on the ____ day of _____, 2009.

City Clerk
City of Encinitas
San Diego County, California

By _____

**CITY OF ENCINITAS
ENCINITAS LANDSCAPE & LIGHTING DISTRICT
FISCAL YEAR 2009-10**

INTRODUCTION

The purpose of this report is to set forth findings and the engineering analysis for the City of Encinitas Landscape & Lighting District for the subject year, in compliance with the requirements of Article 4, Chapter 1, of the Landscaping and Lighting Act of 1972 (the “72 Act”) which is Part 2, Division 15 of the California Streets and Highways Code (The “Act”). The Assessment District is necessary to finance the cost of providing street lighting, traffic signals, and landscape maintenance which provides a special benefit to real property in the City of Encinitas.

The 72 Act permits the establishment of assessment districts by cities for the purpose of providing for the maintenance of certain public improvements, which include the facilities existing within the proposed assessment district. In accordance with this Act, the City council established the City of Encinitas Landscape & Lighting District (the “ELLD”) in 1989, which levies an assessment on parcels of land based upon the special benefit they receive. The assessments currently provide a dedicated source of funding for the construction, operation, maintenance and servicing of street lighting, traffic signals, landscaping, and park and recreational improvements within the City. In FY 1996-97 the Encinitas Ranch area was annexed into the District by the City Council. A separate benefit zone (Benefit Zone "H") was established for the Encinitas Ranch Specific Plan Area to identify and assess the costs of the localized landscaping and lighting improvements within that area to the benefiting parcels. The boundaries of the District are contiguous with the boundaries of the City of Encinitas.

The costs of operation, maintenance and servicing of improvements to be funded by the District will be apportioned to each parcel within the City in proportion to the special benefit it receives. The method of assessment may be amended from time to time by the City Council, in order to apportion the costs in relation to the benefits being received. However, if the assessments are increased from the prior year they will be subject to the noticing and balloting procedures referenced in Proposition 218, which is discussed in Section 2 of this report. Payment of the assessment for each parcel will be made in the same manner and at the same time as payments are made for property taxes. All funds collected through the assessment must be placed in a special fund and can only be used for the purposes stated within this Report.

As required by the Landscaping and Lighting Act of 1972, this Engineer's Report describes the improvements to be constructed, operated, maintained and serviced by the District for FY 2009-10, provides an estimated budget for the District, and lists the proposed assessments to be levied upon each assessable lot or parcel within the District. Following the approval of the preliminary report, either as submitted or as modified, the City Council will hold a Public Hearing to provide an opportunity for any interested person to be heard. All property owners must be noticed in accordance with Section 22626 of the Streets and Highways Code prior to the Public Hearing. At the conclusion of the Public Hearing, the City Council may adopt a resolution confirming the levy of assessments as originally proposed or as modified.

Following the adoption of this resolution, the final assessor's roll will be prepared and filed with the County Tax Collector's office to be included on the FY 2009-10 tax roll.

IMPACTS OF PROPOSITION 218

On November 5, 1996 California voters approved Proposition 218 entitled "Right to Vote on Taxes Act" which added Article XIII D to the California Constitution. While its title refers only to taxes, Proposition 218 establishes new procedural requirements for the formation and administration of assessment districts. Proposition 218 also requires that with certain specified exceptions, which are described below, all existing assessment districts must be ratified by the property owners within the District using the new procedures.

Some of these exceptions include:

- 1) Any assessment imposed exclusively to finance the capital cost or maintenance and operation expenses for streets.
- 2) Any assessments levied pursuant to a petition signed by the persons owning all of the parcels subject to the assessment at the time the assessment was initially imposed.

However, even if assessments are initially exempt from Proposition 218, if the assessments are increased in the future, the City will need to comply with the provisions of Proposition 218 for that portion of the increased assessment unless the increase in assessment was anticipated in the assessment formula (e.g., CPI increase).

Proposition 218 does not define this term "streets", however, based on our conversations with other public agency officials, attorneys, assessment engineers and Senate Bill 919, we have determined that streets include all public improvements located within the street right-of-way. This would include median and parkway landscaping, traffic signals, safety lighting and street lighting.

Some agencies have stated that if assessments were imposed as a condition of development and property owners agreed to the imposition of assessments and subsequently signed a development agreement confirming so, then this would suffice for the requirement of signing a petition.

The more difficult question arises in those situations where the levy of assessments was imposed as a condition of approval for land development or subdivision where the property owner did not enter into a development agreement. In this case, if the landscape, park, or street light facilities and the resulting assessment is a condition of the land development or subdivisions approval and the property owner acquiesces to the levy of assessment, it is reasoned that this is a functional equivalent of giving express consent or signing a petition requesting the imposition of the assessment. Even the Howard Jarvis Taxpayers' Association seems to tacitly support this conclusion in its "Statement of Intent". When discussing the exemption for existing assessments imposed pursuant to a petition, the taxpayers' association said:

"This provision exempts most land secured financing arrangements used by developers."

Clearly acceptance of a condition of approval of a development or subdivision which requires that imposition of assessments is a common form of land secured financing used by developers to fund street lighting or landscape maintenance.

On January 29, 1997 the City Council adopted the interpretations described above, and therefore the City's existing Landscape and Lighting Assessment District Assessments were exempted from the provisions of Proposition 218 for the following reasons:

- 1) Benefit Zones A, B and C were originally established to assess property owners for the operation and maintenance of street lighting and prior to FY 1996-97, were expanded to also include roadway landscaping and traffic signals. These improvements are all located within the street right-of-way.
- 2) Benefit Zones D through H were established to assess property owners for the operation and maintenance of neighborhood parks, entryway landscaping and streetscape landscaping for specific development sites. The assessments were a condition of development or resolution of approval. For Benefit Zone H, the property owners signed the development agreement stating that they supported and approved the assessment. For the other benefit zones the owners accepted the benefits of development approvals subject to the assessment requirement and acquiesced to subsequent impositions of assessments.

Since there was a need to increase assessment rates in Zone H for Fiscal Year 1997-98, property owners were mailed notices and ballots in compliance with the provisions of Proposition 218. The ballots were subsequently tabulated which indicated property owner approval for the increase in assessments and assessment cap of \$100 per EDU.

**ENGINEER'S REPORT
PREPARED PURSUANT TO THE PROVISIONS OF THE
LANDSCAPING AND LIGHTING ACT OF 1972
SECTION 22500 THROUGH 22679
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE
CITY OF ENCINITAS

FISCAL YEAR 2009-10**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation, being Resolution No. 2009-26, adopted by the City Council of the City of Encinitas, State of California, in connection with the proceedings for:

**CITY OF ENCINITAS
LANDSCAPE & LIGHTING DISTRICT**

Hereinafter referred to as the "Assessment District" or "District", I, Joan E. Cox, P.E., authorized representative of Harris & Associates, the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of six (6) parts as follows:

PART A

This part describes the improvements in the District. Plans and specifications for the proposed improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Encinitas, and are incorporated herein by reference.

PART B

This part contains an estimate of the cost of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk of the City of Encinitas.

PART C

This part contains an assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District. The Assessment Roll is filed in the Office of the City Clerk of the City of Encinitas, and by reference is made a part hereof.

PART D

This part describes the method of apportionment of assessments, indicating the proposed assessment of the total amount of the costs and expenses of the improvements upon the several lots and parcels of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels.

PART E

This part contains a list of the names and addresses of the owners of real property within the Assessment District, as shown on the last equalized roll of the Assessor of the County of San Diego. The list is keyed to the records of the County Assessor of the county of San Diego, which are incorporated herein by reference.

PART F

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the Assessment District is on file in the office of the City Clerk and incorporated by reference.

The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of San Diego for the year when this Report was prepared. The assessor's maps and records are incorporated by reference herein and made part of this Report.

PART A

PLANS AND SPECIFICATIONS

The facilities, which have been constructed within the boundaries of the City of Encinitas Landscape & Lighting District, and those which may be subsequently constructed, will be operated, maintained and serviced as generally described as follows:

The improvements consist of the construction, operation, maintenance and servicing of street lighting, traffic signals, landscaping, and park and recreational facilities and appurtenant facilities, including but not limited to, personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory construction, operation, maintenance, and servicing of the improvements described below:

Street Lighting and Traffic Signals Improvements

Poles, fixtures, bulbs, conduits and miscellaneous equipment including guys, anchors, posts and pedestals, metering devices, controllers and appurtenant facilities as required to provide street lighting and traffic signals located within public rights-of-way and easements within the boundaries of the District.

There are currently 54 traffic signals and 2,790 public street lights within the City, of which 828 are owned by SDG&E and the remaining 1,962 are owned and maintained by the City. A map showing the location of all street lights and traffic signals within the District, is on file in the office of the City Engineer of the City of Encinitas and is made a part of this Report by reference.

Starting in fiscal year 2009-10, a four-year capital replacement project will be funded to replace the LED lights in traffic signals throughout the City.

Landscaping Improvements

Landscaping, plantings, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance and appurtenant facilities located within parkways, medians, parks, recreation areas, trails, city building grounds, street right-of-ways and dedicated easements which are within the boundaries of the District.

The street medians that are being maintained within the District are generally located on “major streets or thoroughfares”, which include roadways such as those defined in the General Plan Circulation Element as Prime Arterial, Major or Collector Streets, or within roadways that provide a District-wide benefit as designated by the City Engineer. These improvements currently include landscaping on Olivenhain Road (50%), El Camino Real, Encinitas Blvd., the Interstate 5-Leucadia interchange, Leucadia Blvd from Sidonia to El Camino Real, Leucadia Blvd from Interstate 5 to Sidonia, Rancho Santa Fe Road, Downtown Encinitas, Santa Fe Drive from Interstate 5 to Vulcan, and Leucadia Medians along the Coast Highway 101.

Park and Recreation Improvements and Appurtenant Facilities

Playgrounds, playground equipment, park furniture, site amenities, and appurtenant facilities in public parks and recreation areas within the boundaries of the District.

Maintenance means the furnishing of services and materials for the ordinary and usual maintenance, operation and servicing of the landscaping, public lighting facilities, park and recreation facilities and appurtenant facilities, including repair, removal or replacement of all or part of any of the landscaping, public lighting facilities, parks and recreation facilities, or appurtenant facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; and the removal of trimmings, rubbish, debris and other solid waste.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities, park and recreational improvements or appurtenant facilities and the furnishing of electric current or energy, gas or other illuminating agent for the public lighting facilities, or for the lighting or operation of landscaping, park and recreation facilities or appurtenant facilities. This will also include the administrative costs associated with operating the district.

The plans and specifications for the improvements are on file in the office of the City Engineer.

PART B

ESTIMATE OF COST

The 1972 Act provides that the total cost of installation, construction, operation, maintenance and servicing of landscaping, street lighting and park and recreational facilities can be recovered by the District. Maintenance can include the repair and replacement of existing facilities. Servicing can include electrical and associated costs from a public utility. Incidental expenses, including administration of the District, engineering fees, legal fees, printing, posting, and mailing of notices, and all other costs associated with the annual collection process can also be included.

The 1972 Act requires that a special fund be set up to track the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on June 30th must be carried over to the next fiscal year unless they are designated for a special purpose.

The estimated costs of the operation, servicing and maintenance of the improvements for Fiscal Year 2009-10, are summarized on the following pages.

Encinitas Landscape and Lighting District				
Fiscal Year 2009-10				
Budget - Zones A, B, C				
	Zone A District Wide	Zone B Local Residential	Zone C Local Non- Residential	TOTAL
Beginning Fund Balance	\$252,486	\$98,970	\$21,620	\$373,076
Revenues				
Property Tax Contribution	\$437,286	\$171,408	\$37,444	\$646,138
FY 2009-10 Assessments	\$272,287	\$155,296	\$50,336	\$477,919
Investment Earnings	\$3,558	\$1,395	\$305	\$5,257
Property Rental	\$16,581	\$6,499	\$1,420	\$24,500
Total Revenue Available	\$729,712	\$334,598	\$89,505	\$1,153,814
Expenditures				
Personnel Services	\$66,934	\$26,237	\$5,732	\$98,903
Materials and Supplies	\$0	\$0	\$0	\$0
Equipment Maintenance	\$10,000	\$0	\$0	\$10,000
Street Light Maintenance	\$14,917	\$36,751	\$8,032	\$59,700
Tree Maintenance	\$35,700	\$0	\$0	\$35,700
Traffic Signal Maintenance	\$166,152	\$0	\$0	\$166,152
Landscape Maintenance	\$229,460	\$0	\$0	\$229,460
Electricity	\$157,985	\$234,251	\$51,169	\$443,405
Water/Sewer/Trash/Telephone	\$77,150	\$0	\$0	\$77,150
Professional Firm	\$10,152	\$3,979	\$869	\$15,000
Administration	\$5,297	\$2,076	\$454	\$7,827
Advertising	\$0	\$0	\$0	\$0
Internal Cost Allocation	\$46,385	\$18,182	\$3,972	\$68,539
Capital/Work Projects	\$53,329	\$20,904	\$4,567	\$78,800
Total Expenditures	\$873,461	\$342,380	\$74,795	\$1,290,636
Ending Fund Balance	\$108,737	\$91,188	\$36,330	\$236,254

Encinitas Landscape and Lighting District					
Fiscal Year 2009-10					
Budget - Zones D, E, F, G, H					
	Zone D Village Park	Zone E Villanitas Zone	Zone F Cerro Street	Zone G Wiro Park	Zone H Encinitas Ranch
Beginning Fund Balance	\$138,887	\$214,942	\$200,324	\$5,836	\$723,940
Revenues					
Property Tax Contribution	\$0	\$10,587	\$36,045	\$0	\$0
FY 2009-10 Assessments	\$29,813	\$10,080	\$1,185	\$11,001	\$666,090
Investment Earnings	\$1,544	\$2,140	\$1,959	\$80	\$7,530
Total Revenue Available	\$31,357	\$22,807	\$39,189	\$11,081	\$673,620
Expenditures					
Personnel Services	\$3,139	\$1,047	\$2,092	\$1,045	\$42,289
Materials and Supplies	\$0	\$0	\$0	\$0	\$0
Equipment Maintenance	\$500	\$1,200	\$1,200	\$0	\$19,130
Street Light/Traffic Signal Maintenance	\$0	\$0	\$0	\$0	\$27,320
Park & Tree Maintenance	\$5,700	\$4,200	\$4,020	\$0	\$93,500
Landscape Maintenance	\$14,960	\$6,270	\$12,800	\$7,790	\$210,140
Property Maintenance	\$0	\$0	\$0	\$0	\$24,796
Administration Fees	\$0	\$135	\$460	\$2	\$75
Electricity	\$140	\$0	\$230	\$113	\$23,809
Water/Sewer/Trash	\$9,500	\$2,350	\$7,300	\$0	\$83,820
Telephone	\$720	\$200	\$400	\$237	\$4,400
Miscellaneous	\$0	\$0	\$0	\$0	\$0
Internal Cost Allocation	\$2,073	\$1,138	\$1,690	\$979	\$28,692
Capital Projects	\$0	\$0	\$0	\$0	\$0
Total Expenditures	\$36,732	\$16,540	\$30,192	\$10,166	\$557,971
Ending Fund Balance	\$133,512	\$221,209	\$209,321	\$6,751	\$839,589
Future Project Reserves	\$133,512	\$221,209	\$209,321	\$6,751	\$839,589

PART C

ASSESSMENT ROLL

The proposed assessment and the amount of assessments for Fiscal Year 2009-10 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office, are on file in the Office of the City Clerk of the City of Encinitas. The description of each lot or parcel is part of the records of the Assessor of the County of San Diego and these records are, by reference, made part of this report.

The total proposed assessment for the FY 2009-10 is \$1,196,088.

PART D

METHOD OF APPORTIONMENT OF ASSESSMENT

GENERAL

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by Agencies for the purpose of providing certain public improvements which include construction, operation, maintenance and servicing of street lights, traffic signals, landscaping, parks and recreation facilities.

Section 22573 of the Landscape and Lighting Act of 1972 requires that maintenance assessments be levied according to benefit rather than according to assessed value. This Section States:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefit to be received by each such lot or parcel from the improvements.

The determination of whether or not a lot or parcel will benefit from the improvements shall be made pursuant to the Improvement Act of 1911 (Division 7 (commencing with Section 5000)) [of the Streets and Highways Code, State of California]."

The Act permits the designation of benefit zones within any individual assessment district if "by reasons or variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvement" (Sec. 22547). Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax." Excepted from the assessment would be the areas of all publicly owned property in use in the performance of a public function.

SPECIAL BENEFIT DETERMINATION

Proper maintenance and operation of the street lighting system benefits in proximity adjacent to the lights by providing security, safety and community character and vitality.

Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings. In *Parkways and Land Values*, written by John Nolan and Henry V. Hubbard in 1937, it is stated:

"... there is no lack of opinion, based on general principals and experience and common sense, that parkways do in fact add value to property, even though the amount cannot be determined exactly.... Indeed, in most cases where public money has been spent for parkways the assumption has been definitely made that the proposed parkway will show a provable financial profit to the City. It has been believed that the establishment of parkways causes a rise in real estate values throughout the City, or in parts of the City,..."

It should be noted that the definition of "parkways" above may include the roadway as well as the landscaping alongside the roadway.

Proper maintenance and operation of the street landscaping provides beautification and enhancement of the desirability of surroundings. The City enjoys a reputation for beauty, and the landscape improvements

along the major thoroughfares in the medians and parkways enhance that reputation and benefit all parcels in the City. These major thoroughfares are the entryways into the City and as such provide beautification to the entire City. Landscaping along the major thoroughfares provides only incidental benefits to motorists traveling to, from or through the City. Maintenance and operation of improvements along local and collector streets are not part of this assessment.

There are two types of special benefit realized by the developed parcels of land located within the Encinitas Landscape & Lighting District. These special benefits are District-wide Benefits and Localized Benefits as described below.

DISTRICT-WIDE BENEFITS

Improvements that provide a special benefit to all developed parcels of land located within the boundaries of the District are considered to be district-wide benefits, and the costs associated with these improvements are assessed to all assessable developed parcels located within the boundaries of the District.

District-wide benefits consist of the construction, operation, maintenance and servicing of traffic signals and center median roadway landscaping and street lighting that are located in and along "major streets or thoroughfares" and any other streets or facilities that provide a district-wide benefit as determined by the City Engineer. Major streets or thoroughfares include roadways that may be four lanes and greater, such as the roadways defined in the General Plan Circulation Elements, as a prime arterial, major or collector street.

These district-wide improvements provide a direct and special benefit to all developed parcels of land located within the district boundaries. The center landscape medians ensure safer traffic movements by directing vehicles to specified locations for left and U-turns. The medians restrict left turn movements out of unsecured driveway locations. Caltrans studies indicate that divided roadways (roads with center medians) reduce accident rates by as much as 35 percent over undivided highways. The center median landscaping improvements further reinforce traffic safety, increase carry capacity, and enhance the efficiency of the circulation system to all developed parcels throughout the City. Therefore, all developed parcels are assessed for these improvements.

LOCALIZED BENEFIT

Improvements that provide a special benefit to an isolated group of developed parcels of land located within the District are considered to be a localized benefit, and the costs associated with these improvements are assessed to all assessable developed parcels receiving the localized benefit.

Localized benefits include the construction, operation, servicing and maintenance of landscaping and street lighting improvements that only benefit the developed parcels located within the localized areas.

Localized Street Lighting - Developed parcels that have street lighting within close proximity to their parcels directly benefit from street lighting and are assessed for the costs of the street lighting.

Localized Landscaping - Developed parcels that have localized landscaping such as neighborhood parks, entryway landscaping, streetscape landscaping, etc. adjacent to or near their parcels directly benefit from the landscaping improvements and are assessed for the costs of the localized landscaping.

SPECIAL BENEFIT ZONES

The Encinitas Landscape and Lighting District has eight (8) special benefit zones as described on the following page:

Benefit Zone "A" was originally established and consisted of all street lights on public streets other than Circulation Element roads. Prior to FY 1996-97, Zone A was expanded to accurately track and assess the costs associated with district-wide traffic signals and roadway landscaping and street lighting which are located along major streets and thoroughfares. This benefit zone includes all of the assessable developed parcels located within the District.

Benefit Zone "B" was originally established and consisted of all street lights on public streets located on Circulation Element roads. Prior to FY 1996-97, Zone B was modified to accurately track and assess the costs associated only with the localized street lighting improvements located along streets and thoroughfares that directly benefit residential parcels of land. This benefit zone includes all of the assessable developed residential parcels located within the District that have street lighting within close proximity to their parcel.

Benefit Zone "C" was established to accurately track and assess the costs associated with the localized street lighting improvements located along streets and thoroughfares that directly benefit non-residential parcels of land. This benefit zone includes all of the assessable developed non-residential parcels located within the District that have street lighting within close proximity to their parcel.

Benefit Zones "D, E, and G" were established to accurately track and assess the costs associated with the localized landscaping improvements such as neighborhood parks, entryway landscaping, streetscape landscaping, etc. for specific development sites. These improvements are only assessed to the developed parcels within the development sites that directly benefit from the improvements.

Benefit Zone "F" was established to accurately track and assess the costs associated with the localized landscaping improvements such as neighborhood parks, entryway landscaping, streetscape landscaping, etc. for specific development sites. These improvements are only assessed to the developed parcels within the development sites that directly benefit from the improvements. Parcels that are directly adjacent to Cerro Street are assessed at a higher rate than parcels within the development that are not directly adjacent to Cerro Street.

Benefit Zone "H" was established to accurately track and assess the costs associated with the localized street lighting and landscaping improvements (neighborhood parks, entryway landscaping, streetscape landscaping, etc.) located within the Encinitas Ranch Specific Plan Area. As part of the Encinitas Ranch development agreement, all costs associated with the street lighting, traffic signals, landscaping and Leo Mullen Sports Park will be assessed to all of the assessable developed parcels within that development site. Since the developed parcels located within Benefit Zone "H" are being assessed for their internal street lighting, they will not be assessed for street lighting improvements associated with Benefit Zones "B" and "C" described above.

ASSESSABLE PARCELS

Any parcel of land which is developed or has been issued a building permit to construct a dwelling or building prior to April 1, 2000 is classified as an assessable parcel except for all public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, public easements and rights-of-ways, public parks, public greenbelts and public parkways, public school property and all other

publicly owned property except the Encinitas Ranch Golf Course which is under contract with a private operator.

In compliance with Proposition 218, all publicly owned property in Encinitas Ranch (Zone H) that receives a special benefit from the improvements maintained by the District will be assessed. For FY 2009-10, these include the Encinitas Ranch Golf Course, the U.S. Post Office and the Leo Mullen Sports Park.

ASSESSMENT METHODOLOGY

Since the assessment will be levied against properties as shown on the tax rolls, the final charges must be assigned by Assessor's Parcel Number. If assessments were to be spread just by parcel, not considering land use or parcel size, this would not be equitable, because a single family residential parcel would be paying the same as a 50-unit apartment parcel or a large commercial establishment in a similar zone.

The basis for spreading the costs of constructing, operating, maintaining and servicing improvements to the benefiting parcels is based on vehicular trip generation rates. Vehicular trips are directly proportional to the concentration and activity of people associated with each parcel of land. The typical developed single family parcel generates approximately ten (10) vehicular trips a day. Condominium units generate approximately eight (8) vehicular trips a day per unit, and apartment units generate approximately six (6) vehicular trips a day per unit. Vehicular trips for commercial, industrial, recreational and institutional parcels also vary depending on their designated sub-land use classification. The trip generation rates that are used for each land use are based on the most current trip generation rates published by the San Diego Association of Governments and the Encinitas Ranch Austin Faust Traffic Study. The trip generation rates are included in Appendix "A" of this Report.

The method for calculating the FY 2009-10 annual assessment for each parcel is as follows:

Benefit Units x Assessment Rate = FY 2009-10 Assessment

The Benefit Units for each parcel are determined by dividing the total number of vehicular trips per day for that parcel by ten (10). For example, a single family parcel generates ten (10) vehicular trips per day; therefore, the number of Benefit Units is equal to 10/10 or 1.00. As shown in the table on the following page, a single family parcel that benefits from the improvements in Benefit Zone "A" would be assessed \$5.22 per Benefit Unit which equals \$5.22 (1.00 BU x \$5.22/BU) annually. Condominiums generate eight (8) vehicular trips per day; therefore, the number of Benefit Units is equal to 8/10 or 0.80. Therefore, a condominium parcel that benefits from the improvements in Benefit Zone "A" would be assessed \$4.18 (0.80 BU x \$5.22/BU) annually. Based on the budgets for each Benefit Zone as shown in Part "B" of this Report and the total number of Benefit Units within each Benefit Zone, the assessment rates per benefit Unit for each Benefit Zone can be calculated as shown in the table on the following page.

FY 2009-10 Assessment Summary by Benefit Zones					
Benefit Zone	Number of Parcels	Number of Benefit Units	Assessment Revenue	Maximum Assessment Rate Per Benefit Unit	FY 2009-10 Assessment Rate Per Benefit Unit
Benefit Zone "A" - District-wide Traffic Signals, Landscaping & Street Lighting	20,693	52,162.35	\$272,287	\$5.22	\$5.22
Benefit Zone "B" - Localized Residential Street Lighting	14,639	15,686.44	\$155,296	\$9.90	\$9.90
Benefit Zone "C" - Localized Non-Residential Street Lighting	639	23,089.69	\$50,336	\$2.18	\$2.18
Benefit Zone "D" - Localized Landscaping - Village Park	1,292	1,181.20	\$29,813	\$25.24	\$25.24
Benefit Zone "E" - Localized Landscaping - Villanitas Neighborhood	224	224.00	\$10,080	\$45.00	\$45.00
Benefit Zone "F" - Localized Landscaping - Cerro Street	83	83.00	\$830	\$10.00	\$10.00
	355	355.00	\$355	\$1.00	\$1.00
Benefit Zone "G" - Localized Landscaping - Wiro Park	19	19.00	\$11,001	\$579.00	\$579.00
Benefit Zone "H" - Localized Lighting and Landscaping - Encinitas Ranch	693	6,660.90	\$666,090	\$100.00	\$100.00
Total			\$1,196,088		

ANNUAL ASSESSMENT RATE INCREASES

No increases in assessment rates are proposed for any of the zones, and any increases above the Maximum Assessment Rate Per Benefit Unit will not be enacted unless a balloting process, consistent with Proposition 218, is completed.

PART E

PROPERTY OWNER LIST

A list of names and addresses of the owners of all parcels within the City of Encinitas Landscape & Lighting District is shown on the last equalized Property Tax Roll of the Assessor of the County of San Diego, which by reference is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the City Clerk of the City of Encinitas.

PART F

ASSESSMENT DISTRICT DIAGRAM

The boundaries of the City of Encinitas Landscape and Lighting District are completely contiguous with the boundaries of the City of Encinitas. A diagram showing the exterior boundaries of the District and the individual benefit zones is on file in the office of the City Clerk of the City of Encinitas and is incorporated herein by reference. The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of San Diego, for the year in which this report was prepared.

Appendix “A”

SANDAG Trip Generation Rates

(NOT SO)
BRIEF GUIDE OF VEHICULAR TRAFFIC GENERATION RATES
FOR THE SAN DIEGO REGION

APRIL 2002



401 B Street, Suite 800
San Diego, California 92101
(619) 699-1900 • Fax (619) 699-1950

NOTE: This listing only represents a *guide* of average, or estimated, traffic generation "driveway" rates and some very general trip data for land uses (emphasis on acreage and building square footage) in the San Diego region. These rates (both local and national) are subject to change as future documentation becomes available, or as regional sources are updated. For more specific information regarding traffic data and trip rates, please refer to the San Diego Traffic Generators manual. *Always check with local jurisdictions for their preferred or applicable rates.*

LAND USE	TRIP CATEGORIES (PRIMARY-DIVERTED-PASS-BY)*	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN:OUT ratio)		TRIP LENGTH (Miles)*
			Between 8:00-9:30 A.M.	Between 3:00-6:30 P.M.	
AGRICULTURE (Open Space)	[80:18:2]	2/acre**			10.8
AIRPORT	[78:20:2]				12.5
Commercial General Aviation		60/acre, 100/light, 70/1000 sq. ft.***	5% (6:4)	6% (5:5)	
Heliports		6/acre, 2/light, 6/based aircraft***	9% (7:3)	15% (5:5)	
100/acre**					
AUTOMOBILE ⁵					
Car Wash					
Automatic		900/site, 600/acre**	4% (5:5)	9% (5:5)	
Self-serve		100/wash stall**	4% (5:5)	8% (5:5)	
Gasoline	[21:51:28]				2.8
with/Food Mart		160/vehicle fueling space**	7% (5:5)	8% (5:5)	
with/Food Mart & Car Wash		155/vehicle fueling space**	8% (5:5)	9% (5:5)	
Older Service Station Design		150/vehicle fueling space, 900/station**	7% (5:5)	9% (5:5)	
Sales (Dealer & Repair)		50/1000 sq. ft., 300/acre, 20/service stall***	5% (7:3)	8% (4:6)	
Auto Repair Center		20/1000 sq. ft., 400/acre, 20/service stall***	8% (7:3)	11% (4:6)	
Auto Parts Sales		60/1000 sq. ft.***	8%	10%	
Quick Lube		40/service stall**	7% (6:4)	10% (5:5)	
Tire Store		25/1000 sq. ft., 30/service stall**	7% (6:4)	11% (5:5)	
CEMETERY		5/acre*			
CHURCH (or Synagogue)	[64:25:11]	9/1000 sq. ft., 30/acre* (quadruple rates for Sunday, or days of assembly)	5% (6:4)	8% (5:5)	5.1
COMMERCIAL/RETAIL ³					
Super Regional Shopping Center (More than 80 acres, more than 800,000 sq. ft., w/usually 3+ major stores)		35/1000 sq. ft., 400/acre*	4% (7:3)	10% (5:5)	
Regional Shopping Center (40-80 acres, 400,000-800,000 sq. ft., w/usually 2+ major stores)	[54:35:11]	50/1000 sq. ft., 500/acre*	4% (7:3)	9% (5:5)	5.2
Community Shopping Center (15-40 acres, 125,000-400,000 sq. ft., w/usually 1 major store, detached restaurant(s), grocery and drugstore)	[47:31:22]	80/1000 sq. ft., 700/acre**	4% (6:4)	10% (5:5)	3.6
Neighborhood Shopping Center (Less than 15 acres, less than 125,000 sq. ft., w/usually grocery & drugstore, cleaners, beauty & barber shop, & fast food services)		120/1000 sq. ft., 1200/acre***	4% (6:4)	10% (5:5)	
Commercial Shops	[45:40:15]				
Specialty Retail/Strip Commercial		40/1000 sq. ft., 400/acre*	3% (6:4)	9% (5:5)	4.3
Electronics Superstore		50/1000 sq. ft.**		10% (5:5)	
Factory Outlet		40/1000 sq. ft.***	3% (7:3)	9% (5:5)	
Supermarket		150/1000 sq. ft., 2000/acre***	4% (7:3)	10% (5:5)	
Drugstore		90/1000 sq. ft.**	4% (6:4)	10% (5:5)	
Convenience Market (15-16 hours)		500/1000 sq. ft.**	8% (5:5)	8% (5:5)	
Convenience Market (24 hours)		700/1000 sq. ft.**	9% (5:5)	7% (5:5)	
Convenience Market (w/gasoline pumps)		850/1000 sq. ft., 550/vehicle fueling space**	8% (5:5)	7% (5:5)	
Discount Club		60/1000 sq. ft., 600/acre***	7% (7:3)	9% (5:5)	
Discount Store		60/1000 sq. ft., 600/acre**	3% (6:4)	8% (5:5)	
Furniture Store		6/1000 sq. ft., 100/acre**	4% (7:3)	9% (5:5)	
Lumber Store		30/1000 sq. ft., 150/acre**	7% (6:4)	9% (5:5)	
Home Improvement Superstore		40/1000 sq. ft.**	5% (6:4)	8% (5:5)	
Hardware/Paint Store		60/1000 sq. ft., 600/acre**	2% (6:4)	9% (5:5)	
Garden Nursery		40/1000 sq. ft., 90/acre**	3% (6:4)	10% (5:5)	
Mixed Use: Commercial (w/supermarket)/Residential		110/1000 sq. ft., 2000/acre* (commercial only) 5/dwelling unit, 200/acre* (residential only)	3% (6:4) 9% (3:7)	9% (5:5) 13% (6:4)	
EDUCATION					
University (4 years)	[91:9:0]	2.4/student, 100 acre*	10% (8:2)	9% (3:7)	8.9
Junior College (2 years)	[92:7:1]	1.2/student, 24/1000 sq. ft., 120/acre***	12% (8:2)	9% (6:4)	9.0
High School	[75:19:6]	1.3/student, 15/1000 sq. ft., 60/acre***	20% (7:3)	10% (4:6)	4.8
Middle/Junior High	[63:25:12]	1.4/student, 12/1000 sq. ft., 50/acre**	30% (6:4)	9% (4:6)	5.0
Elementary	[57:25:10]	1.6/student, 14/1000 sq. ft., 90/acre**	32% (6:4)	9% (4:6)	3.4
Day Care	[28:58:14]	5/child, 80/1000 sq. ft.**	17% (5:5)	18% (5:5)	3.7
FINANCIAL ³	[35:42:23]				3.4
Bank (Walk-in only)		150/1000 sq. ft., 1000/acre***	4% (7:3)	8% (4:6)	
with Drive-Through		200/1000 sq. ft., 1500/acre*	5% (6:4)	10% (5:5)	
Drive-Through only		250 (125 one-way)/lane*	3% (5:5)	13% (5:5)	
Savings & Loan		60/1000 sq. ft., 600/acre**	2%	9%	
Drive-Through only		100 (50 one-way)/lane**	4%	15%	
HOSPITAL	[73:25:2]				8.3
General		20/bed, 25/1000 sq. ft., 250/acre*	8% (7:3)	10% (4:6)	
Convalescent/Nursing		3/bed**	7% (6:4)	7% (4:6)	
INDUSTRIAL					
Industrial/Business Park (commercial included)	[79:19:2]	16/1000 sq. ft., 200/acre***	12% (8:2)	12% (2:8)	9.0
Industrial Park (no commercial)		8/1000 sq. ft., 90/acre**	11% (9:1)	12% (2:8)	
Industrial Plant (multiple shifts)	[92:5:3]	10/1000 sq. ft., 120/acre*	14% (8:2)	15% (3:7)	11.7
Manufacturing/Assembly		4/1000 sq. ft., 50/acre**	19% (9:1)	20% (2:8)	
Warehousing		5/1000 sq. ft., 60/acre**	13% (7:3)	15% (4:6)	
Storage		2/1000 sq. ft., 0.2/vault, 30/acre*	8% (5:5)	9% (5:5)	
Science Research & Development		8/1000 sq. ft., 80/acre*	16% (9:1)	14% (1:9)	
Landfill & Recycling Center		6/acre	11% (5:5)	10% (4:6)	

(OVER)

MEMBER AGENCIES: Cities of Carlsbad, Chula Vista, Coronado, Del Mar, El Cajon, Encinitas, Escondido, Imperial Beach, La Mesa, Lemon Grove, National City, Oceanside, Poway, San Diego, San Marcos, SanTEE, Solana Beach, Vista and County of San Diego.
ADVISORY/LIAISON MEMBERS: California Department of Transportation, County Water Authority, U.S. Department of Defense, S.D. Unified Port District and Tijuana/Baja California.



LAND USE	TRIP CATEGORIES (PRIMARY:DIVERTED-PASS-BY)*	ESTIMATED WEEKDAY VEHICLE TRIP GENERATION RATE (DRIVEWAY)	HIGHEST PEAK HOUR % (plus IN-OUT ratio) Between 6:00-9:30 A.M. Between 3:00-6:30 P.M.		TRIP LENGTH (Miles) ¹
LIBRARY	[44:44:12]	50/1000 sq. ft., 400/acre**	2%	(7:3) 10% (5:5)	3.9
LODGING	[58:38:4]				7.6
Hotel (w/convention facilities/restaurant)		10/occupied room, 300/acre	8%	(6:4) 8% (6:4)	
Motel		9/occupied room, 200/acre*	8%	(4:5) 9% (6:4)	
Resort Hotel		8/occupied room, 100/acre*	8%	(6:4) 7% (4:5)	
Business Hotel		7/occupied room**	8%	(4:5) 9% (6:4)	
MILITARY	[82:16:2]	2.5/military & civilian personnel*	9%	(9:1) 10% (2:8)	11.2
OFFICE					
Standard Commercial Office (less than 100,000 sq. ft.)	[77:19:4]	20/1000 sq. ft., 300/acre*	14%	(9:1) 13% (2:8)	8.8
Large (High-Rise) Commercial Office (more than 100,000 sq. ft., 6+ stories)	[82:15:3]	17/1000 sq. ft., 600/acre**	13%	(9:1) 14% (2:8)	10.0
Office Park (400,000+ sq. ft.)		12/1000 sq. ft., 200/acre**	13%	(9:1) 13% (2:8)	
Single Tenant Office		14/1000 sq. ft., 180/acre*	15%	(9:1) 15% (2:8)	8.8
Corporate Headquarters		7/1000 sq. ft., 110/acre*	17%	(9:1) 16% (1:5)	
Government (Civic Center)	[50:34:16]	30/1000 sq. ft.**	9%	(9:1) 12% (3:7)	6.0
Post Office					
Central/Walk-In Only		90/1000 sq. ft.**	5%	7%	
Community (not including mail drop lane)		200/1000 sq. ft., 1300/acre*	8%	(6:4) 9% (5:5)	
Community (w/mail drop lane)		300/1000 sq. ft., 2000/acre*	7%	(5:5) 10% (5:5)	
Mail Drop Lane only		1500 (750 one-way)/lane*	7%	(5:5) 12% (5:5)	
Department of Motor Vehicles		180/1000 sq. ft., 500/acre**	8%	(6:4) 10% (4:5)	
Medical-Dental	[60:30:10]	50/1000 sq. ft., 500/acre*	8%	(8:2) 11% (3:7)	6.4
PARKS	[66:28:6]				5.4
City (developed w/meeting rooms and sports facilities)		50/acre*	4%	8%	
Regional (developed)		20/acre*	13%	(5:5) 9% (5:5)	
Neighborhood/County (undeveloped)		5/acre (add for specific sport uses), 6/picnic site**			
State (average 1000 acres)		1/acre, 10/picnic site**			
Amusement (Theme)		80/acre, 130/acre (summer only)**		8% (6:4)	
San Diego Zoo		115/acre*			
Sea World		80/acre*			
RECREATION					
Beach, Ocean or Bay	[52:39:9]	600/1000 ft. shoreline, 60/acre*			6.3
Beach, Lake (fresh water)		50/1000 ft. shoreline, 5/acre*			
Bowling Center		30/1000 sq. ft., 300/acre, 30/lane**	7%	(7:3) 11% (4:5)	
Campground		4/campsite**	4%	8%	
Golf Course		7/acre, 40/tee, 700/course**	7%	(8:2) 9% (3:7)	
Driving Range only		70/acre, 14/tee box**	3%	(7:3) 9% (5:5)	
Marinas		4/berth, 20/acre**	3%	(3:7) 7% (6:4)	
Multi-purpose (miniature golf, video arcade, batting cage, etc.)		90/acre	2%	8%	
Racquetball/Health Club		30/1000 sq. ft., 300/acre, 40/court*	4%	(6:4) 9% (6:4)	
Tennis Courts		16/acre, 30/court**	5%	11% (5:5)	
Sports Facilities					
Outdoor Stadium		50/acre, 0.2/seat*			
Indoor Arena		30/acre, 0.1/seat*			
Racetrack		40/acre, 0.6 seat*			
Theaters (multiplex w/matinee)	[66:17:17]	80/1000 sq. ft., 1.8/seat, 360/screen*	10%	8% (6:4)	6.1
RESIDENTIAL	[86:11:3]				7.9
Estate, Urban or Rural (average 1-2 DU/acre)		12/dwelling unit**	8%	(3:7) 10% (7:3)	
Single Family Detached (average 3-6 DU/acre)		10/dwelling unit**	8%	(3:7) 10% (7:3)	
Condominium (or any multi-family 6-20 DU/acre)		8/dwelling unit**	8%	(2:8) 10% (7:3)	
Apartment (or any multi-family units more than 20 DU/acre)		6/dwelling unit**	8%	(2:8) 9% (7:3)	
Military Housing (off-base, multi-family) (less than 6 DU/acre)		8/dwelling unit	7%	(3:7) 9% (6:4)	
(6-20 DU/acre)		6/dwelling unit	7%	(3:7) 9% (6:4)	
Mobile Home					
Family		5/dwelling unit, 40/acre*	8%	(3:7) 11% (6:4)	
Adults Only		3/dwelling unit, 20/acre*	9%	(3:7) 10% (6:4)	
Retirement Community		4/dwelling unit**	9%	(4:5) 7% (6:4)	
Congregate Care Facility		2.5/dwelling unit**	4%	(6:4) 8% (5:5)	
RESTAURANT ³	[51:37:12]				4.7
Quality		100/1000 sq. ft., 3/seat, 500/acre**	7%	(6:4) 8% (7:3)	
Sit-down, high turnover		160/1000 sq. ft., 6/seat, 1000/acre**	8%	(5:5) 8% (6:4)	
Fast Food (w/drive-through)		650/1000 sq. ft., 20/seat, 3000/acre**	7%	(5:5) 7% (5:5)	
Fast Food (without drive-through)		700/1000 sq. ft.**	9%	(6:4) 7% (5:5)	
Delicatessen (7am-4pm)		150/1000 sq. ft., 11/seat*	9%	(6:4) 3% (3:7)	
TRANSPORTATION					
Bus Depot		25/1000 sq. ft.**			
Truck Terminal		10/1000 sq. ft., 7/bay, 80/acre**	9%	(4:5) 8% (5:5)	
Waterport/Marine Terminal		170/berth, 12/acre**			
Transit Station (Light Rail w/parking)		300/acre, 2 ^{1/2} /parking space (4/occupied)**	14%	(7:3) 15% (3:7)	
Park & Ride Lots		400/acre (600/paved acre), 5/parking space (8/occupied)**	14%	(7:3) 15% (3:7)	

* Primary source: San Diego Traffic Generators.

** Other sources: ITE Trip Generation Report (8th Edition), Trip Generation Rates (other agencies and publications), various SANDAG & CALTRANS studies, reports and estimates.

¹ Trip category percentage ratios are daily from local household surveys, often cannot be applied to very specific land uses, and do not include non-resident drivers (draft SANDAG Analysis of Trip Diversion, revised November, 1990).

PRIMARY - one trip directly between origin and primary destination.
DIVERTED - linked trip (having one or more stops along the way to a primary destination) whose distance compared to direct distance ≥ 1 mile.
PASS-BY - undiverted or diverted < 1 mile.

² Trip lengths are average weighted for all trips to and from general land use site. (All trips system-wide average length = 6.9 miles)

³ Fitted curve equation: $\ln(T) = 0.502 \ln(d) + 6.945$ } T = total trips, x = 1,000 sq. ft.

⁴ Fitted curve equation: $\ln(T) = 0.756 \ln(d) + 3.950$ }

⁵ Fitted curve equation: $t = -2.169 \ln(d) + 12.85$ } t = trips/DU, d = density (DU/acre), DU = dwelling unit

⁶ Suggested PASS-BY (undiverted or diverted < 1 mile) percentages for trip rate reductions only during P.M. peak period (based on combination of local data/review and other sources**):

COMMERCIAL/RETAIL	Percentage
Regional Shopping Center	20%
Community	30%
Neighborhood	40%
Specialty Retail/Strip Commercial (other)	10%
Supermarket	40%
Convenience Market	50%
Discount Club/Store	30%
FINANCIAL	
Bank	25%
AUTOMOBILE	
Gasoline Station	50%
RESTAURANT	
Quality	10%
Sit-down high turnover	20%
Fast Food	40%

⁷ Trip Reductions - In order to help promote regional "smart growth" policies, and acknowledge San Diego's expanding mass transit system, consider vehicle trip rate reductions (with proper documentation and necessary adjustments for peak periods). The following are some examples:

- [1] A 5% daily trip reduction for land uses with transit access or near transit stations accessible within 1/4 mile.
- [2] Up to 10% daily trip reduction for mixed-use developments where residential and commercial retail are combined (demonstrate mode split of walking trips to replace vehicular trips).