

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

402 B



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
April 10, 2007

SUBJECT: Adjustment of the Western County Transportation Uniform Mitigation Fee (TUMF)

RECOMMENDED MOTION: That the Board of Supervisors approve Ordinance 824.3, amending the Transportation Uniform Mitigation Fee applicable to New Development in Western Riverside County.

BACKGROUND: In 2002, the Western Riverside Council of Governments (WRCOG) adopted the Transportation Uniform Mitigation Fee (TUMF) Program pursuant to California Government Code, Section 66000 et seq., the Mitigation Fee Act.

The TUMF Program was created in response to the significant growth of new development in Riverside County. Faced with inadequate funding to improve the regional transportation system to accommodate new development, the member agencies of WRCOG developed the TUMF as a solution. The County of Riverside adopted the TUMF Program on December 10, 2002 and last amended Ordinance 824.2 on April 10, 2006, based on a 2005 update of the Nexus Study.

Section 4.C of Ordinance 842.2 authorizes periodic review and adjustment to the applicable TUMF fees in accordance with any adjustments made by the WRCOG Executive Committee. On February 5, 2007, the WRCOG Executive Committee approved an adjustment of the TUMF in light of recent increases in the cost of constructing the regional transportation system. This adjustment was based on increases to the Construction Cost Index ("CCI") which WRCOG has determined to be an accurate reflection of the cost of constructing the regional transportation system, which was identified in the TUMF Nexus Study.

The proposed Ordinance 824.3 incorporates these adjustments into the TUMF fee schedule contained in Section 4.A of Ordinance 824.2. Overall, the proposed Ordinance 824.3 will maintain the integrity of the TUMF Program by ensuring that there is sufficient funding to construct the regional improvements necessitated by new development.

Juan C. Perez
Deputy Director of Transportation

George A. Johnson
Director of Transportation

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REVIEWED BY EXECUTIVE OFFICE

DATE 4/23/07
Departmental Concurrence

COUNTY COUNSEL

APR 19 2007
BY [Signature]

Dep't Recomm.: Consent Policy
Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref.:

District: 1, 2, 3, 5

Agenda Number:

15.7

ORDINANCE NO. 824.3

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, AMENDING ORDINANCE 824.2 AUTHORIZING PARTICIPATION IN THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM

WHEREAS, the County of Riverside ("County") is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside and fourteen cities located in Western Riverside County; and

WHEREAS, the member agencies of WRCOG recognized that there was insufficient funding to address the impacts of new development on the regional system of highways and arterials in Western Riverside County (the "Regional System"); and

WHEREAS, in order to address this shortfall, the member agencies formulated a plan whereby a transportation mitigation fee would be assessed on new development and would be used to fund the necessary improvements for the Regional System; and

WHEREAS, in furtherance of this plan, the WRCOG Executive Committee adopted the "Western Riverside County Transportation Uniform Fee Nexus Study", dated October 18, 2002 (the "2002 Nexus Study"); and

WHEREAS, based on the 2002 Nexus Study, the County adopted Ordinance 824 on December 2, 2002 pursuant to California Government Code sections 66000 *et seq.* authorizing the County to impose the Transportation Uniform Mitigation Fee ("TUMF") upon new development; and

WHEREAS, on February 6, 2006, the WRCOG Executive Committee adopted the "Western Riverside Transportation Fee Nexus Study 2005 Update" (the "Nexus Study") which served as a basis for the Board of Supervisors to adopt Ordinance 824.2 on May 2, 2006; and

WHEREAS, Section 4.C. of Ordinance 824.2 authorizes periodic review and adjustment to the applicable TUMF in accordance with any adjustments made by the WRCOG Executive Committee; and

WHEREAS, on February 5, 2007, the WRCOG Executive Committee recommended that member agencies adjust their applicable TUMF to reflect increases in the construction cost index; and

WHEREAS, the increase of the construction cost index reflects the increased cost of construction of the public facilities authorized by the Nexus Study; and

WHEREAS, the adjusted fees collected pursuant to this amendment shall be used to finance the public facilities described or identified in the Nexus Study; and

WHEREAS, this levying of development fees has been reviewed by the Board of Supervisors and staff in accordance with the California Environmental Quality Act ("CEQA") and the CEQA Guidelines and it has been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, the Board of Supervisors of the County of Riverside does hereby ordain as follows:

SECTION 1. Findings. The recitals set forth above are hereby adopted as findings in support of this Ordinance. In addition, the Board of Supervisors re-adopts the findings contained in Section 2 of Ordinance 824.2 in support of the adjusted TUMF contained herein.

SECTION 2. TUMF Fee Schedule. Section 4.A of Ordinance 824.2. is hereby amended to read as follows:

A. Adoption of TUMF Fee Schedule.

i. There is hereby adopted the following TUMF fee schedule:

- (1) \$10,046.00 per single family residential unit
- (2) \$7,054.00 per multi-family residential unit
- (3) \$2.35 per square foot of an industrial project
- (4) \$12.94 per square foot of a retail commercial project
- (5) \$6.56 per square foot of a service commercial project
- (6) \$2.19 per square foot of a service Class A or B Office

ii. The fees set forth in Section 4.A.i. shall be phased as follows:

From July 1, 2007 to June 30, 2008, the fee schedule shall be as follows

- (1) \$10,046.00 per single family residential unit
- (2) \$7,054.00 per multi-family residential unit
- (3) \$1.84 per square foot of an industrial project
- (4) \$9.99 per square foot of a retail commercial project
- (5) \$5.71 per square foot of a service commercial project
- (6) \$2.19 per square foot of a service Class A or B Office

From July 1, 2008 through June 30, 2009, the fee schedule shall be as follows:

- (1) \$10,046.00 per single family residential unit
- (2) \$7,054.00 per multi-family residential unit
- (3) \$2.09 per square foot of an industrial project
- (4) \$11.46 per square foot of a retail commercial project
- (5) \$6.14 per square foot of a service commercial project
- (6) Class A or B Office TBD

