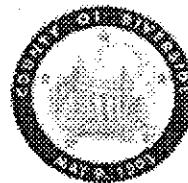


**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



481A

**FROM:** TLMA - Transportation Department

**SUBMITTAL DATE:**  
December 1, 2008

**SUBJECT:** Adoption of Ordinance 460.149, which amends Ordinance No. 460 to allow payment of Road and Bridge Benefit District Fees to occur at time of issuance of a certificate of occupancy

**RECOMMENDED MOTION:** That the Board of Supervisors introduce and adopt, on successive weeks, Ordinance 460.149, which amends Ordinance No. 460 with regards to payment of road improvement fees.

**BACKGROUND:** Currently, Section 10.30 (G) of Ordinance No. 460 stipulates that road improvement fees for Areas of Benefit shall be paid prior to map recordation, with the option to defer payment of these fees to issuance of a building permit. The proposed amendment would modify the payment of Road and Bridge Benefit District (RBBD) fees to occur at the time of issuance of a certificate of occupancy or upon final inspection, whichever occurs first.


  
Juan C. Perez  
Director of Transportation

JCP:gh  
(Continued On Attached Page)

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ 0	For Fiscal Year:	N/A

<b>SOURCE OF FUNDS:</b> N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:**

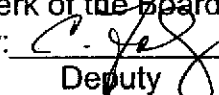
APPROVE  
BY:   
Tina Grande

County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Stone, seconded by Supervisor Ashley and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of the reading.

Ayes: Buster, Tavaglione, Stone, Wilson, and Ashley  
Nays: None  
Absent: None  
Date: December 9, 2008

Nancy Romero  
Clerk of the Board  
By:   
Deputy

xc: Transp, COB  
3000 DEC -3 11:03

Prev. Agn. Ref. | District: All | Agenda Number:

3.55

FORM APPROVED COUNTY COUNSEL  
BY:   
TIFFANY N. NORTH  
DATE: 12/1/08  
Departmental Concurrence

Policy

Consent

Dept't Recomm.:  
Per Exec. Ofc.:

The Honorable Board of Supervisors

RE: Adoption of Ordinance 460.149, which amends Ordinance No. 460 to allow payment of Road and Bridge Benefit District Fees to occur at time of issuance of a certificate of occupancy  
December 1, 2008

Page 2 of 2

This amendment was proposed by the BIA Strike Force in an effort to reduce up-front development costs and to help stimulate building activity. Given the low level of fee collection that we are experiencing in this economy, it is not expected to materially affect our ability to collect fees to deliver Transportation projects earlier. This amendment would also make the timing of the payment of RBBB fees consistent with other County fee programs, such as the TUMF and DIF.

This amendment is being recommended for a two-year trial period. At the end of this period, the Transportation Department will evaluate the effectiveness of this change and make a recommendation on whether or not to continue with this modification to the RBBB program.



1 parcel map if the Board of Supervisors finds that: (1) early  
2 payment of such fees is necessary to defray the actual or  
3 estimated costs for the construction of bridges or major  
4 thoroughfares and (2) the existing bridges or major  
5 thoroughfares are currently inadequate or non-existent and  
6 critical to support the land division. The fees paid shall be  
7 based on the fee schedule in effect on the date of payment.

8 d. For any parcel or lot created prior to the adoption of the  
9 resolution establishing the Area of Benefit, road  
10 improvement fees shall be paid to the Director of  
11 Transportation at issuance of a certificate of occupancy or  
12 upon final inspection, whichever occurs first, for any new  
13 construction on a parcel or lot that creates additional  
14 dwelling units or increases the value of nonresidential  
15 structures by more than one-half of their current market  
16 value, as determined by the Building Official. All fees  
17 collected shall be deposited in a separate account designated  
18 for each Area of Benefit. Any fees once collected shall not  
19 be returned, except as reimbursement for the construction of  
20 designated improvements. The fees shall be based upon the  
21 fee schedule in effect on the date of payment.

22 2. Nothing in this section is intended to relieve a subdivider or  
23 applicant for a building permit from the requirements imposed under  
24 other provisions of this or other County ordinances to dedicate and  
25 improve roads as a condition of approval of a tentative map or  
26 building permit.

27 3. Notwithstanding the provisions of paragraph 1 of this subsection G,  
28 payment of fees shall not be required for the following:

1 a. The alteration or enlargement of an existing building or  
2 structure, or the erection of one or more buildings or  
3 structures accessory thereto, or both, on the same lot or  
4 parcel of land; provided, however that the total value as  
5 determined by the Building Official of all such alterations,  
6 enlargement or construction which is completed within any  
7 one-year period shall not exceed one-half of current market  
8 value, as determined by the Building Official, of all existing  
9 buildings or structures on the lot or parcel of land.

10 b. The following accessory buildings and structures: private  
11 garages, children's playhouses, radio and television  
12 receiving antennas, windmills, silos, tank houses, shops or  
13 barns, or buildings that are accessory to one-family or two-  
14 family dwellings.

15 c. Outdoor advertising structures.

16 d. Wells.

17 4. Notwithstanding the provisions of paragraph 1 of this subsection G,  
18 payment of fees shall not be required unless the designated major  
19 thoroughfare(s) are in addition to, or a reconstruction of, any  
20 existing major thoroughfares serving the Area of Benefit at the time  
21 of the adoption of the boundaries for the Area of Benefit.

22 5. Notwithstanding the provisions of paragraph 1 of this subsection G,  
23 payment of fees shall not be required unless the designated bridge is  
24 an original bridge serving the Area of Benefit or an addition to any  
25 existing bridge facility serving the Area of Benefit at the time of the  
26 adoption of the boundaries of the Area of Benefit. Fees imposed by  
27 this subsection G shall not be expended to reimburse the cost of  
28 existing bridge construction, unless these costs are incurred in

1 connection with the construction of an addition to an existing bridge  
2 for which fees may be required.”

3 Section 2. This ordinance shall take effect thirty (30) days after its adoption.

4 BOARD OF SUPERVISORS OF THE COUNTY  
5 OF RIVERSIDE, STATE OF CALIFORNIA

6  
7 By: \_\_\_\_\_  
8 Chairman Roy Wilson

9 ATTEST:  
10 NANCY ROMERO  
11 CLERK OF THE BOARD

12 By: \_\_\_\_\_  
13 Deputy

14 (SEAL)

15  
16 APPROVED AS TO FORM  
17 December 1, 2008

18  
19 By:   
20 TIFFANY N. NORTH  
21 Deputy County Counsel

22 G:\Property\TNorth\RCO No 460.149.doc  
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