

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

9031A



FROM: TLMA - Transportation Department

SUBMITTAL DATE:
February 9, 2010

SUBJECT: Adopting Ordinance No. 673.3 amending the fee appeal time period for the Coachella Valley Transportation Uniform Mitigation Fee (CVTUMF)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce and adopt, on successive weeks, Ordinance No. 673.3, an Ordinance of the County of Riverside Amending Ordinance No. 673; and
2. Find that the adoption of Ordinance No. 673.3 is exempt from CEQA pursuant to Section 15061(b)(3) in that it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment.

Juan C. Perez
Director of Transportation

JCP:ml
(Continued On Attached Page)

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|-----------------------|-------------------------------|--------|-------------------------|-----|
| FINANCIAL DATA | Current F.Y. Total Cost: | \$ N/A | In Current Year Budget: | N/A |
| | Current F.Y. Net County Cost: | \$ N/A | Budget Adjustment: | N/A |
| | Annual Net County Cost: | \$ N/A | For Fiscal Year: | N/A |

| | | |
|-----------------------------|---|--------------------------|
| SOURCE OF FUNDS: 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

FORM-APPROVED COUNTY COUNSEL
BY:
CYNTHIA M. GUNZEL
DATE: 2-3-10
Departmental Concurrence

Dept' Recomm.: Consent

Per Exec. Ofc.: Consent

Policy

Policy

Prev. Agn. Ref. 10/31/06, Item 16.2 | **District:** 4,5 | **Agenda Number:**

3.50

The Honorable Board of Supervisors

RE: Adopting Ordinance No. 673.3 amending the fee appeal time period for
the Coachella Valley Transportation Uniform Mitigation Fee (CVTUMF)

February 9, 2010

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BACKGROUND:

The County of Riverside ("County") is a member agency of the Coachella Valley Association of Governments ("CVAG"), a joint powers agency comprised of the County of Riverside and cities located in Coachella Valley area of Riverside County. The member agencies of CVAG recognized that there was insufficient funding to address the impacts of new development on the regional system of highways and arterials in Coachella Valley (the "Regional System"). 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.

On October 29, 2007 the CVAG Executive Committee approved the change of the applicant's notice of appeal period for CVTUMF from 15 days to 90 days from the imposition of the fee. The CVAG Executive Committee has recommended that member agencies make this change to make each jurisdiction's CVTUMF ordinance in accordance with California Government Code Sections 66020-66025 to reflect the 90 day appeal requirement.

Ordinance No. 673.3 is exempt from CEQA based under Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance may have a significant effect on the environment. There is no specific development project connected with this proposed amendment and it does not commit the County to any development. The County's approval of the amendment does not cause any circumstances to significantly impact the environment or have negative cumulative impacts on the environment. This amendment has been reviewed and approved as to form by County Counsel.

1 ORDINANCE NO. 673.3

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 673 AUTHORIZING BOUNDARY CHANGES

4 TO THE TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

5 WITHIN THE COACHELLA VALLEY, RIVERSIDE COUNTY

6
7 The Board of Supervisors of the County of Riverside ordains as follows:

8 Section 1. The title of Ordinance No. 673 is amended to read as follows:

9 “ORDINANCE NO. 673

10 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

11 ESTABLISHING A COACHELLA VALLEY TRANSPORTATION

12 UNIFORM MITIGATION FEE PROGRAM”

13 Section 2. Section 1. of Ordinance No. 673 is amended to read as follows

14 “This ordinance shall be known as the Coachella Valley Transportation Uniform
15 Mitigation Fee Program.”

16 Section 3. The first sentence of Section 8. of Ordinance No. 673 is amended to read as

17 follows:

18 “An applicant who disputes the fee may file a written notice of appeal with the Executive
19 Committee of CVAG within 90 days of imposition of the fee.”
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28 G:\Contract\SGUNZEL\Ordinances\Ordinance No. 673

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Section 4. This ordinance shall take effect thirty (30) days after its adoption.

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

By: _____
Chairman, Board of Supervisors

ATTEST:
CLERK OF THE BOARD

By: _____
Deputy
(SEAL)

APPROVED AS TO FORM
January ____, 2010

By: Synthia M. Gunzel
Synthia M. Gunzel
Deputy County Counsel