

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



**ITEM: 3.29
(ID # 17423)**

MEETING DATE:

Tuesday, October 26, 2021

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION DEPARTMENT: Introduction of Ordinance No. 673.5, An Ordinance of the County of Riverside Amending Ordinance No. 673 Establishing a Coachella Valley Transportation Uniform Mitigation Fee Program to increase the fees and update the fee increase process based on the Consumer Price Index adjustment under the Coachella Valley Association of Governments Transportation Uniform Mitigation Fee Program, Districts 4 and 5. [\$0] (Set for Public Hearing November 2, 2021 - Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance No. 673.5, An Ordinance of the County of Riverside Amending Ordinance No. 673 Establishing a Coachella Valley Transportation Uniform Mitigation Fee Program to increase the fees and update the fee increase process based on the Consumer Price Index adjustment under the Coachella Valley Association of Governments Transportation Uniform Mitigation Fee Program; and
2. Set a Public Hearing for the adoption of Ordinance No. 673.5 for November 2, 2021 (Clerk to Advertise).


ACTION: Policy, Clerk to Advertise, Set for Hearing


Mark Lancaster, Director of Transportation 10/14/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Jeffries and duly carried, IT WAS ORDERED that the above matter is approved as recommended; the above Ordinance is approved as introduced with a waiver of reading, and is set for public hearing on Tuesday, November 2, 2021, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington and Perez
Nays: None
Absent: Hewitt
Date: October 26, 2021
xc: Transp., COB

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: N/A			Budget Adjustment: No	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

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 the County. The CVAG member agencies recognized that there was insufficient funding to address the impacts of new development on the regional system of highways and arterials (Regional System) in the Coachella Valley. In order to address this shortfall, the CVAG member agencies developed a program whereby a transportation mitigation fee would be assessed on new development and would be used to fund the necessary improvements for the Regional System. This is known as the Transportation Uniform Mitigation Fee (TUMF) Program.

Pursuant to the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*), CVAG has prepared a new nexus study (2018 Nexus Study) to update fees for the TUMF Program. On April 30, 2018, the CVAG Executive Committee reviewed and approved the 2018 TUMF Nexus Study to reflect changes in the TUMF Program based on changes in the TUMF network and costs of construction. The CVAG Executive Committee has recommended that member agencies prepare amendments to their respective ordinances to adopt and implement new TUMF. The new TUMF includes an increase in the overall trip generation rate from \$192/trip to \$245/trip.

Based on the recommendations of the CVAG Executive Committee on June 28, 2021, subsection a of Section 7 of Riverside County Ordinance No. 673.5 will be amended and the proposed ordinance amendment will establish the Fee Schedule for TUMF as follows:

Land Use Category	Fee per Unit
Residential	
Single-Family Detached	\$2,358/dwelling unit
Multi-Family, Mobile Home	\$1,358/dwelling unit
Nursing/Congregate Care	\$505/dwelling unit
Transit Oriented Development	15% discount
Low Income Housing	Exempt from Fee

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Non-Residential

Industrial	\$1,240/1,000SF
Office	\$2,440/1,000SF
Retail	\$6,135/1,000SF
Fuel – Gas	\$8,790/dispenser
Fuel – Electric	\$93/dispenser
Golf Course	\$939/acre
Hotel	\$3,583/room

In addition, subsection c of Section 6 of Riverside County Ordinance No. 673.5 will be amended to update the description and process for fee adjustments. The Periodic Fee Adjustment is reviewed in a five-year period and adjusted by CVAG after conducting an updated Nexus Study. The Board of Supervisors shall then consider the adjusted amount and amend this ordinance accordingly. The Annual Fee Adjustment is annually reviewed and adjusted by CVAG based on an inflation factor from the Riverside-San Bernardino-Ontario Consumer Price Index (CPI). The Board of Supervisors shall then consider the adjusted amount and either amend this ordinance or adopt a resolution, as appropriate.

Ordinance No. 673.5 will be effective sixty days after adoption.

Impact on Residents and Businesses

The new TUMF fee increase will result in additional TUMF revenue to fund future regional transportation projects.

ATTACHMENTS:

- Ordinance No. 673.5
- CVAG TUMF Boundary
- Data Sheet on Fee Increase



Jason Farin, Principal Management Analyst 10/19/2021



Gregory H. Priamos, Director County Counsel 10/14/2021

1 ORDINANCE NO. 673.5

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 673

4 ESTABLISHING A COACHELLA VALLEY TRANSPORTATION

5 UNIFORM MITIGATION FEE PROGRAM

COPY

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

7 Section 1. Subsection c. of Section 6. of Ordinance No. 673 is amended to read as follows:

8 “c. Fee Adjustments.

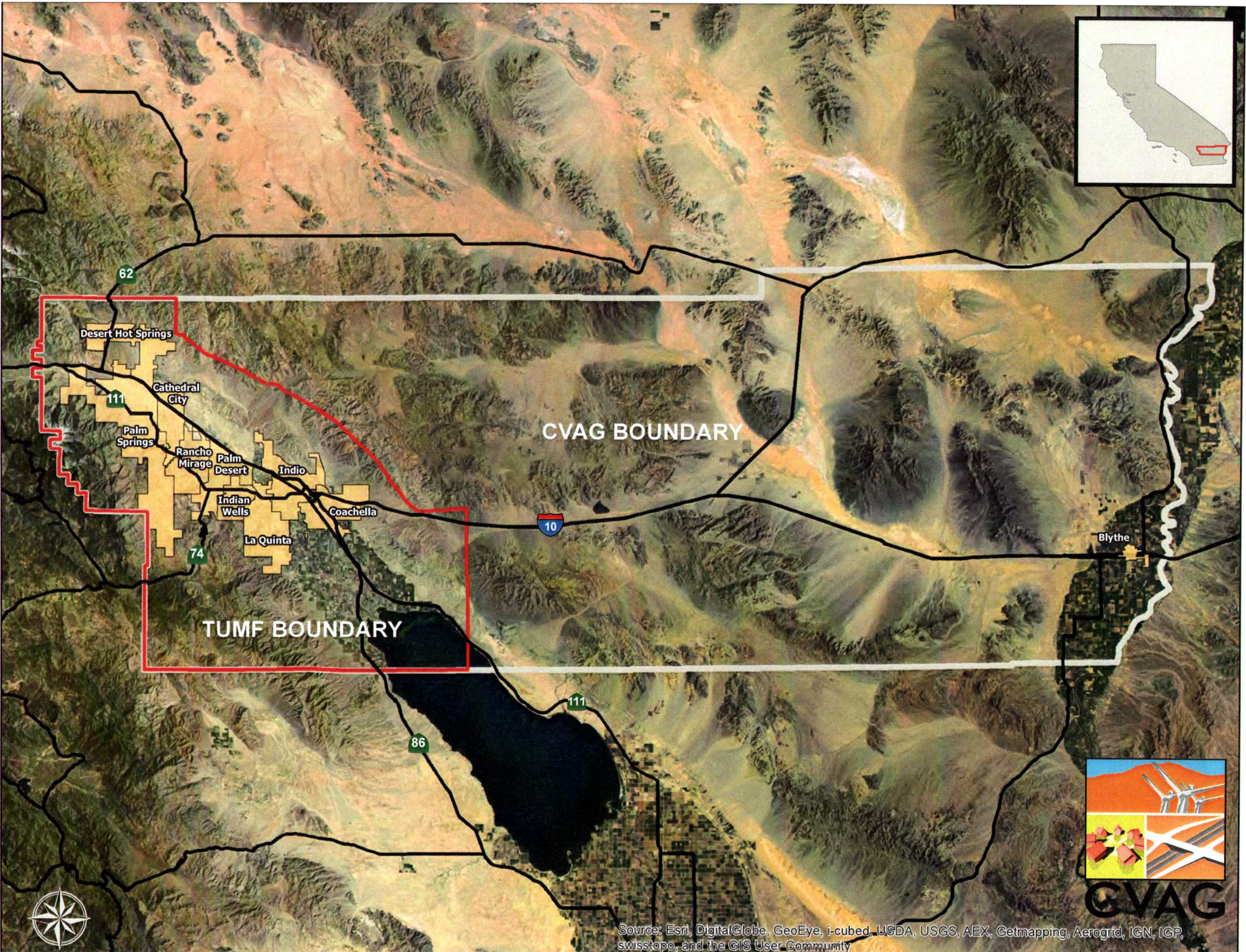
- 9 1. Periodic Fee Adjustment. The Transportation Uniform Mitigation
- 10 Fee Schedule set forth in Section 7 of this Ordinance may be
- 11 periodically reviewed and the amounts adjusted by CVAG as set
- 12 forth in CVAG’s Coachella Valley Association of Governments
- 13 Transportation Uniform Mitigation Fee Handbook, as may be
- 14 amended from time to time. To accomplish this, CVAG conducts a
- 15 Nexus Study to lawfully link projected growth in the Coachella
- 16 Valley to the current Transportation Project Prioritization Study
- 17 (TPPS) Program. CVAG has utilized a five-year period for its
- 18 updates, seeking to maintain the fee level at a fair and equitable
- 19 level as conditions change. The Board of Supervisors shall then
- 20 consider the adjusted amount and amend this ordinance accordingly.
- 21 2. Annual Fee Adjustment. In addition to the Periodic Fee Adjustment
- 22 provided above, CVAG shall provide the County with an annual
- 23 inflation factor to adjust the Transportation Uniform Mitigation Fee
- 24 Schedule set forth in Section 7 of this Ordinance as set forth in
- 25 CVAG’s Coachella Valley Association of Governments
- 26 Transportation Uniform Mitigation Fee Handbook, as may be
- 27 amended from time to time. The inflation factor shall be the same

one utilized by the Coachella Valley Local Development Mitigation Fee, based on the Riverside-San Bernardino-Ontario Consumer Price Index (CPI). Such CPI will be reviewed annually by the Executive Committee of CVAG, which will determine whether or not to apply the inflation factor to ensure that it is a fair and equitable method of distributing the costs of the improvements necessary to accommodate traffic volumes generated by future growth. The Board of Supervisors shall then consider the adjusted amount and either amend this ordinance or adopt a resolution, as appropriate.”

Section 2. Subsection a. of Section 7. of Ordinance No. 673 is amended to read as follows:

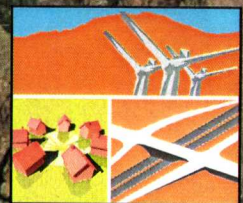
“a. The following TUMF schedule is hereby adopted:

Land Use Category:	Fee per Unit:
<u>Residential</u>	
Single-Family Detached	\$2,358/dwelling unit
Multi-Family and Mobile Home Parks	\$1,358/dwelling unit
Nursing/Congregate Care	\$505/dwelling unit
Transit Oriented Development	15% discount
Low Income Housing	Exempt from Fee
<u>Non-Residential</u>	
Industrial	\$1,240/1,000SF
Office	\$2,440/1,000SF
Retail	\$6,135/1,000SF
Fuel – Gas	\$8,790/dispenser
Fuel – Electric	\$93/dispenser
Golf Course	\$939/acre
Hotel	\$3,583/room”



CVAG BOUNDARY

TUMF BOUNDARY



CVAG

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Transportation Department

Planning Department

Building & Safety Department

Code Enforcement Department

Important Announcement Mitigation Fee Increase

January 1, 2022, the Coachella Valley Transportation Uniform Mitigation Fee or **Eastern TUMF**, (Ordinance No. 673), fees will increase.

The CVAG Executive Committee has approved an annual inflation factor which is included in the Eastern TUMF to account for rising construction costs. The inflation factor is based on the Riverside-San Bernardino-Ontario Consumer Price Index (CPI).

Payment Category	Old Rate	New Rate
Single Family Detached	\$2,310 per unit	\$ 2,358 per unit
Multi-Family and Mobile Home Park Units (now one consolidated fee)	\$ 1,330 per unit	\$ 1,358 per unit
Nursing/Congregate Care	\$ 495 per unit	\$ 505 per unit
Industrial	\$1,215/1,000 sq ft	\$1,240/1,000 sq ft
Office	\$ 2,390/1,000 sq ft	\$2,440/1,000 sq ft
Retail	\$ 6,010/1,000 sq ft	\$6,135/1,000 sq ft
Fuel - Gas	\$8,610 per dispenser	\$8,790 per dispenser
Fuel - Electric	\$ 91 per dispenser	\$93 per dispenser
Golf Courses	\$ 920 per acre	\$939 per acre
Hotels	\$3,510 per room	\$3,583 per room

Important to Note:

Per Ordinance the mitigation fees that are due are those calculated at the rate in effect at the time of payment, not invoice creation.

WHAT DOES THIS MEAN?

If you have had mitigation fees calculated and invoiced, but are not able to pay prior to December 31, 2021, those calculated and invoiced fees will be voided. Updated calculated fees and invoices will be provided and will reflect the updated rates, as of January 1, 2022.

No Pre-Payment

In order to pay the fees you must have an approved entitlement (if applicable for your project) AND a building permit in PLAN CHECK status. Additionally, if you have previously paid mitigation fees but your permit expires after the fee increase you will be required to pay the difference in the mitigation fee rates when you renew your permit.

For questions, you may contact Fee Administration at (951) 955-6263 or Landuseinfo@rivco.org