

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



ITEM: 3.28
(ID # 17553)

MEETING DATE:

Tuesday, November 16, 2021

FROM : TLMA-TRANSPORTATION:

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Introduction of Ordinance No. 824.17, An Ordinance of the County of Riverside Amending Ordinance No. 824 Authorizing Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program to increase the fees and update the fee increase process based on the Construction Cost Index under the Western Riverside Council of Governments Transportation Uniform Mitigation Fee Program, Districts 1, 2, 3, and 5. [\$0] (Set for Public Hearing December 7, 2021 - Clerk to Advertise)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Introduce, read title, and waive further reading of Ordinance No. 824.17, An Ordinance of the County of Riverside Amending Ordinance No. 824 Authorizing Participation in the Western Riverside County Transportation Uniform Mitigation Fee Program to increase the fees and update the fee increase process based on the Construction Cost Index under the Western Riverside Council of Governments Transportation Uniform Mitigation Fee Program; and
2. Set a Public Hearing for the adoption of Ordinance No. 824.17 for December 7, 2021.

ACTION:Policy, Set for Hearing


Mark Lancaster, Director of Transportation 11/3/2021

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Perez and duly carried by unanimous vote, 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, December 7, 2021, at 9:30 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: November 16, 2021
xc: Trans., 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 of the Western Riverside Council of Governments (WRCOG), a joint powers agency comprised of the County and eighteen (18) cities located in Western Riverside County. In 2002-2003 the WRCOG Member Jurisdictions developed the Transportation Uniform Mitigation Fee (TUMF), a plan whereby funds, needed to enlarge the capacity of the Regional System of Highways and Arterials due to new development in Western Riverside County, could be collected from future residential, commercial and industrial development. In 2002, WRCOG performed and adopted the 2002 Western Riverside County Transportation Uniform Fee Nexus Study, and the County adopted and implemented an ordinance authorizing the County's participation in the TUMF Program.

On July 10, 2017, the WRCOG Executive Committee adopted the 2016 TUMF Nexus Study to reflect changes in the TUMF Program and allow for construction cost index (CCI) adjustments for consideration on an annual basis. On December 5, 2017, the County Board of Supervisors acted on Ordinance 824.16 to adopt updated TUMF fees. WRCOG is required each year after approval of the Nexus Study, per the TUMF Administrative Plan, to present the proposed construction cost index (CCI) adjustment for consideration by the WRCOG Executive Committee. The CCI is an administrative element of the TUMF that is intended to keep the dollar value of the TUMF Program whole. On July 7, 2021, the WRCOG Executive Committee approved a TUMF CCI adjustment. Following this approval the member agencies work to prepare amendments to their respective ordinances to adopt and implement the new TUMF fees based on the CCI adjustment.

The current Fee Schedule for TUMF is as follows:

Land Use Type	Units	Current TUMF
Single-Family Residential	Dwelling Unit	\$ 9,810
Multi-Family Residential	Dwelling Unit	\$ 6,389
Retail	Per Square Foot	\$ 7.50
Service	Per Square Foot	\$ 4.75

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Industrial	Per Square Foot	\$ 1.81
Class A Office	Per Square Foot	\$ 2.38
Class B Office	Per Square Foot	\$ 2.38

Based on the recommendations of the WRCOG Executive Committee on July 7, 2021, subsection A. of Section 6. of Riverside County Ordinance No. 824 will be amended and establish the Fee Schedule for TUMF as follows:

Land Use Type	Units	60 Days Post Adoption by Board of Supervisors, February 7, 2022
Single-Family Residential	Dwelling Unit	\$ 10,104
Multi-Family Residential	Dwelling Unit	\$ 6,580
Retail Commercial	Per Square Foot	\$ 7.72
Service Commercial	Per Square Foot	\$ 4.89
Industrial	Per Square Foot	\$ 1.86
Class A Office	Per Square Foot	\$ 2.45
Class B Office	Per Square Foot	\$ 2.45

In addition, subsection C. of Section 6. of Riverside County Ordinance No. 824 will be amended to update the description and process for fee adjustments. The Periodic Fee Adjustment is reviewed every four (4) years after the effective date of 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 WRCOG based on the CCI, which is based on a combination of the change in the Engineering News Record Construction Cost Index (ENR CCI) and the change in the National Association of Realtors Median Price for a Single-Family Home in the San Bernardino / Riverside MSA (NAR). These two indices for CCI were adopted in the 2016 Nexus Study as a basis for completing annual CCI adjustments to the TUMF fee schedule. The Board of Supervisors shall then consider the adjusted amount and either amend this ordinance or adopt a resolution, as appropriate.

Ordinance No. 824.17 will be effective sixty days (60) after its adoption by the Board of Supervisors.

Impact on Residents and Businesses

The TUMF Program is intended to ensure that future development will contribute toward addressing the impacts of new growth on regional transportation infrastructure. Funding collected through the TUMF Program is used to construct transportation improvements that will be needed to accommodate future travel demand in Western Riverside County. By levying a fee on new developments in the region, developers and in turn new county residents and

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employees will effectively contribute their "fair share" toward sustaining the regional transportation system.

Additional Fiscal Information

The cost of preparing, processing and implementing the ordinance amendment will be borne by funds allocated from the State gas tax. No General Funds will be used.

ATTACHMENT:

TUMF Ordinance No. 824.17

TUMF RSHA Map

Data Sheet on Fee Increase



Jason Farin, Principal Management Analyst 11/10/2021



Gregory F. Priamos, Director County Counsel 11/3/2021

1 ordinance, the fees may be increased or decreased to reflect the
2 changes in actual and estimated costs of the Regional System
3 including, but not limited to, debt service, lease payments and
4 construction costs. The adjustment of the fees may also reflect
5 changes in the facilities required to be constructed, in estimated
6 revenues received pursuant to this ordinance, as well as the
7 availability or lack thereof of other funds with which to construct the
8 Regional System. WRCOG shall review the TUMF Program no less
9 than every four (4) years. The Board of Supervisors shall then
10 consider the adjusted amount and amend this ordinance,
11 accordingly.

12 2. Annual Fee Adjustment. In addition to the Periodic Fee Adjustment
13 provided above, WRCOG shall provide the County with an annual
14 inflation factor to adjust the TUMF fee schedule set forth in
15 Subsection C. of Section 6. of this ordinance, as set forth in
16 WRCOG's Transportation Uniform Mitigation Fee Administrative
17 Plan, as may be amended from time to time. The annual inflation
18 factor is based on a Construction Cost Index (CCI) adjustment.
19 Such CCI will be reviewed annually by the WRCOG Executive
20 Committee, which will determine whether or not to apply the
21 inflation factor to make sure the dollar value of the TUMF Program
22 remains constant. The Board of Supervisors shall then consider the
23 adjusted amount and either amend this ordinance or adopt a
24 resolution, as appropriate.”

1 **Section 3.** EFFECTIVE DATE. This ordinance shall take effect sixty (60) days after its
2 adoption.

3 **BOARD OF SUPERVISORS OF THE COUNTY**
4 **OF RIVERSIDE, STATE OF CALIFORNIA**

5 By: _____
6 Chair, Board of Supervisors

7 ATTEST:
8 KECIA R. HARPER
9 Clerk of the Board

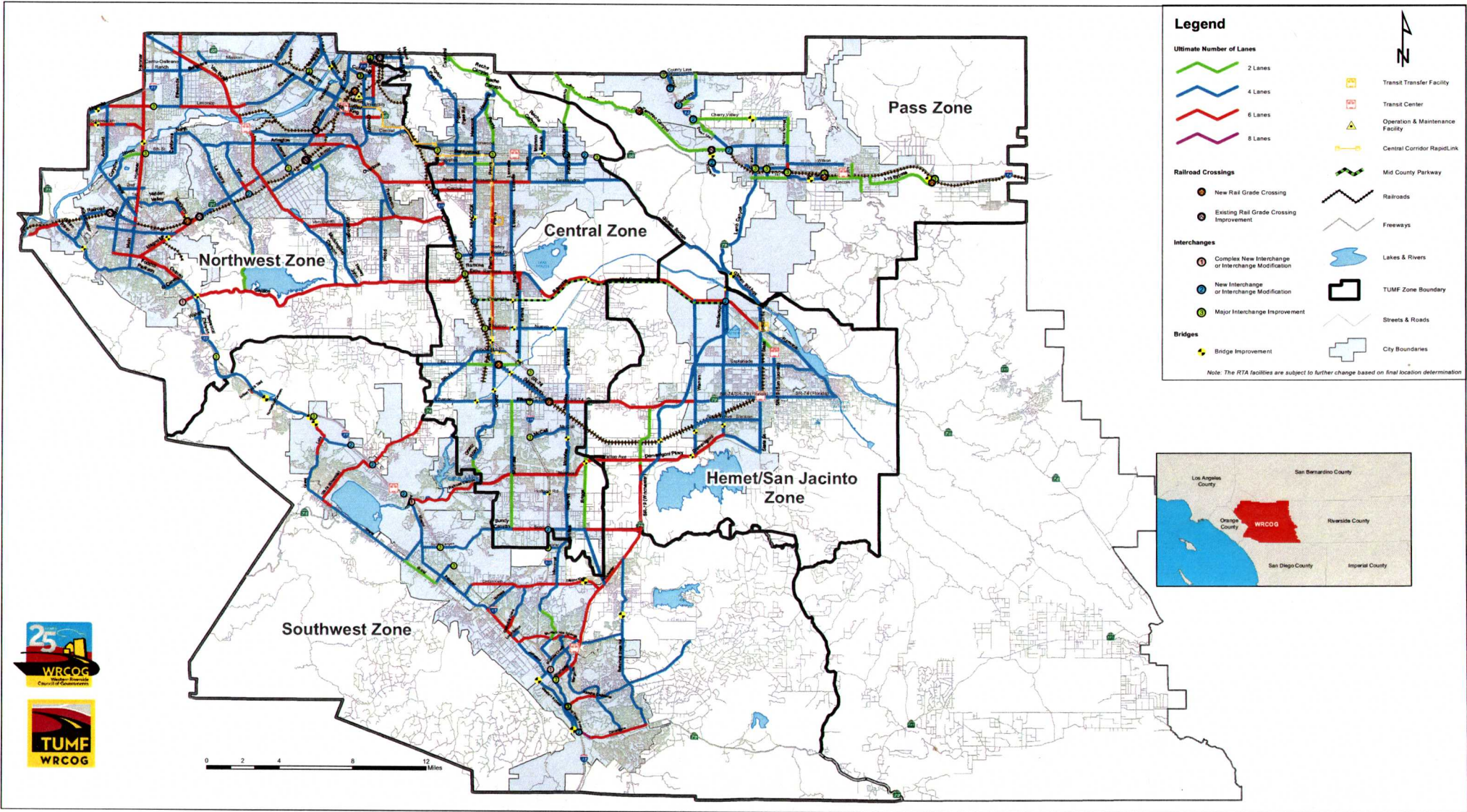
10 By: _____

11
12 (SEAL)

13
14
15 APPROVED AS TO FORM

16 November 3 , 2021

17 By: Sarah K. Moore
18 Sarah K. Moore
19 Deputy County Counsel



Regional System of Highways and Arterials (RSHA)

Transportation Uniform Mitigation Fee Program | Figure 4.4

Disclaimer:
Western Riverside Council of Governments assumes no warranty of legal responsibility for the information contained on this map.
Data and information represented on this map is subject to updates, modifications and may not be complete or appropriate for all purposes.



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Transportation Department

Planning Department

Building & Safety Department

Code Enforcement Department

Important Announcement Mitigation Fee Increase

February 7, 2022, the Western County Transportation Uniform Mitigation Fee or **Western TUMF**, (Ordinance No. 824), fees will increase.

The WRCOG Executive Committee has approved a construction cost index (CCI) adjustment to account for rising construction costs.

Payment Category	Current Rate	New Rate Feb 2022
Single Family Residential	\$ 9,810 per unit	\$10,104 per unit
Multi-Family Residential	\$ 6,389 per unit	\$ 6,580 per unit
Retail Commercial (no change)	\$ 7.50 per sq ft	\$ 7.72 per sq ft
Service Commercial	\$ 4.75 per sq ft	\$ 4.89 per sq ft
Industrial	\$1.81 per sq ft	\$ 1.86 per sq ft
Class A or Class B Office	\$ 2.38 per sq ft	\$ 2.45 per sq ft

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 February 7, 2022 those calculated and invoiced fees will be voided. Updated calculated fees and invoices will be provided and will reflect the updated rates, as of February 7, 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 ISSUED 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.

THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100
Riverside, CA 92507
951-684-1200
951-368-9018 FAX

**PROOF OF PUBLICATION
(2010, 2015.5 C.C.P)**

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

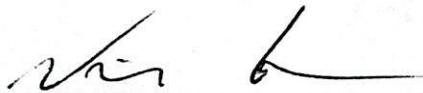
Ad Desc.: Notice of Introduction Ordinance No. 824.17 /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

11/27, 12/03/2021

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: December 03, 2021
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE
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RIVERSIDE COUNTY BOARD OF SUPERVISORS

NOTICE IS HEREBY GIVEN that a public hearing at which all interested persons will be heard, will be held before the Board of Supervisors of Riverside County, California, on the 1st Floor Board Chambers, County Administrative Center, 4080 Lemon Street, Riverside, on **Tuesday, December 7, 2021 at 9:30 a.m.**, or as soon as possible thereafter, to consider adoption of the following Ordinance:

ORDINANCE NO. 824.17 AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 824 AUTHORIZING PARTICIPATION IN THE WESTERN RIVERSIDE COUNTY TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

The Board of Supervisors of the County of Riverside ordains as follows:
Section 1. Subsection A. of Section 6. of Ordinance No. 824 is amended to read as follows:

"A. Adoption of TUMF Fee Schedule. The following TUMF fee schedule is hereby adopted based on the 2016 Nexus Study and Annual Fee Adjustments:

- (1) \$10,104 per Single Family Residential Unit
- (2) \$6,580.00 per Multi-Family Residential Unit
- (3) \$1.86 per square foot of an Industrial Project
- (4) \$7.72 per square foot of a Retail Commercial Project
- (5) \$4.89 per square foot of a Service Commercial Project
- (6) \$2.45 per square foot of a Class A Office
- (7) \$2.45 per square foot of a Class B Office

Section 2. Subsection C. of Section 6. of Ordinance No. 824 is amended to read as follows:

"C. Fee Adjustments.

1. Periodic Fee Adjustment. The TUMF fee schedule set forth in Section 6 of this ordinance may be periodically reviewed and the amounts adjusted by WRCOG Executive Committee, as set forth in WRCOG's Transportation Uniform Mitigation Fee Administrative Plan, as may be amended from time to time. By amendment to this ordinance, the fees may be increased or decreased to reflect the changes in actual and estimated costs of the Regional System including, but not limited to, debt service, lease payments and construction costs. The adjustment of the fees may also reflect changes in the facilities required to be constructed, in estimated revenues received pursuant to this ordinance, as well as the availability or lack thereof of other funds with which to construct the Regional System. WRCOG shall review the TUMF Program no less than every four (4) years. The Board of Supervisors shall then consider the adjusted amount and amend this ordinance, accordingly.
2. Annual Fee Adjustment. In addition to the Periodic Fee Adjustment provided above, WRCOG shall provide the County with an annual inflation factor to adjust the TUMF fee schedule set forth in Subsection C. of Section 6. of this ordinance, as set forth in WRCOG's Transportation Uniform Mitigation Fee Administrative Plan, as may be amended from time to time. The annual inflation factor is based on a Construction Cost Index (CCI) adjustment. Such CCI will be reviewed annually by the WRCOG Executive Committee, which will determine whether or not to apply the inflation factor to make sure the dollar value of the TUMF Program remains constant. The Board of Supervisors shall then consider the adjusted amount and either amend this ordinance or adopt a resolution, as appropriate."

Section 3. EFFECTIVE DATE. This ordinance shall take effect sixty (60) days after its adoption.

Please send all written correspondence to: Clerk of the Board, 4080 Lemon Street, 1st Floor, Post Office Box 1147, Riverside, CA 92502-1147 or email cob@rivco.org.

Alternative formats available upon request to individuals with disabilities. If you require reasonable accommodation, please contact Clerk of the Board at (951) 955-1069, at least 72 hours prior to the meeting.

Dated: November 22, 2021
Kecia R. Harper, Clerk of the Board
By: Zuly Martinez, Board Assistant

Press-Enterprise: 11/27, 12/03

Trans.

11/16/21

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