

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



ITEM: 21.1
(ID # 26789)

MEETING DATE:

Tuesday, January 07, 2025

FROM : TLMA-TRANSPORTATION

SUBJECT: TRANSPORTATION AND LAND MANAGEMENT AGENCY/TRANSPORTATION:
Public Hearing for and Introduction of Ordinance No. 824.18, 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; Not a Project under CEQA per State CEQA Guidelines Section 15378 or CEQA Exempt per Sections 15273 and 15061 (b)(3); Districts 1, 2, 3, and 5. [\$5,000 Total Cost - Gas Tax 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find the Updated to Ordinance No. 824.18 is not a Project under CEQA per State CEQA Guidelines Section 15378 and/or is CEQA Exempt per Sections 15273 and 15061 (b)(3); and
2. Conduct a public hearing to introduce, waive further reading of, and adopt on successive weeks Ordinance No. 824.18, 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.

ACTION:Policy

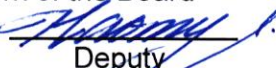

Dennis Acuna, Director of Transportation 12/19/2024

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Spiegel, seconded by Supervisor Medina and duly carried, IT WAS ORDERED that the above matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of the reading.

Ayes: Medina, Spiegel, Perez and Gutierrez
Nays: None
Absent: Washington
Date: January 7, 2025
xc: Transp.

Kimberly A. Rector
Clerk of the Board

By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 5,000	\$ 0	\$ 5,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Gas Tax (100%). There are no General Funds used in this project.			Budget Adjustment: No	
			For Fiscal Year: 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

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 September 9, 2024, the WRCOG Executive Committee adopted the 2024 TUMF Nexus Study to reflect changes in the TUMF Program. 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 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 September 9, 2024, the Executive Committee approved the TUMF CCI adjustment during their meeting. With this approval, the WRCOG Executive Committee has recommended that member agencies 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	\$10,104
Multi-Family Residential	Dwelling Unit	\$6,580
Retail	Per Square Foot	\$7.72
Service	Per Square Foot	\$4.89
Industrial	Per Square Foot	\$1.86
Class A Office	Per Square Foot	\$10,104
Class B Office	Per Square Foot	\$2.38

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Ordinance 824.18 will establish the Fee Schedule for TUMF as follows:

Land Use Type	Units	60 Days Post Adoption by Board of Supervisors	April 1, 2025
Single-Family Residential	Dwelling Unit	\$15,476	\$15,476**
Multi-Family Residential	Dwelling Unit	\$7,816	\$7,816
Retail Commercial	Per Square Foot	\$7.72	\$7.72
Service Commercial	Per Square Foot	\$4.49	\$4.89
Industrial	Per Square Foot	\$2.33	\$2.33
Class A Office	Per Square Foot	\$2.45	\$2.45
Class B Office	Per Square Foot	\$2.45	\$2.45

Single Family Residential Units (SFRU) Tiered TUMF Fee AB 602 Compliant

SFRU Home Size	Units	AB 602 TUMF Fee
Less than 1,800 sq ft	Dwelling Unit	\$12,380
1801 - 2300 sq ft	Dwelling Unit	\$13,927
2301-2700 sq ft	Dwelling Unit	\$15,476
More than 2,700 sq ft	Dwelling Unit	\$19,344

Ordinance No. 824.18 will be effective sixty days (60) after its adoption by the Board of Supervisors.

Environmental Analysis

Per the findings stated in the Notice of Exemption (NOE), attached hereto, and incorporated herein by reference, the California Environmental Quality Act (CEQA) does not apply to the proposed changes to Ordinance No. 824 or Ordinance No. 824.18 is exempt from CEQA based on the following:

1. Organizational or administrative activities of government entities do not constitute a project under CEQA pursuant to State CEQA Guidelines section 15378,
2. If this is deemed to be a project subject to CEQA, the establishment or modification of fees charged by public agencies is statutorily exempt from CEQA pursuant to State CEQA Guidelines section 15273 because the purpose of this ordinance is to obtain funds for capital projects, necessary to maintain service within existing service areas, and
3. Ordinance No. 824.18 is exempt pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the amendment to Ordinance No. 824 may have a significant effect on the environment.

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

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

Based on the results of the Nexus Study evaluation, it can be demonstrated that there is reasonable relationship between the cumulative regional transportation impacts of new land development projects in Western Riverside County and the need to mitigate these transportation impacts using funds levied through the TUMF Program.

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. 824.18

TUMF Map of the Regional System

TUMF Ordinance No. 824.18 Mitigation Fee Increase Datasheet

TUMF Ordinance 824.18 Notice of Exemption



Jason Farin, Principal Management Analyst 12/31/2024



Aaron Gettis, Chief of Deputy County Counsel 12/31/2024

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1 facilities as identified in the 2024 Nexus Study. The need for the improvements and facilities is related to
2 new development, because such development results in additional traffic and creates the demand for the
3 improvements.”

4 **Section 5.** Section 3. of Ordinance No. 824 is hereby amended to read as follows:

5 “Section 3. PURPOSE. The purpose of this ordinance is to authorize the County’s
6 participation in the TUMF Program, which establishes and sets forth policies, regulations, and authorized
7 uses of fees collected relating to the funding for the construction of improvements and facilities to enlarge
8 the capacity of the Regional System necessary to address the direct and cumulative environmental effects
9 generated by new development projects described and defined in this ordinance. The purpose of the TUMF
10 is to fund those certain improvements to the Regional System as depicted in Exhibit “A” and identified in
11 the 2024 Nexus Study.”

12 **Section 6.** Section 6. and Subsection A. of Section 6. of Ordinance No. 824 are amended
13 to read as follows:

14 “Section 6. TRANSPORTATION UNIFORM MITIGATION FEE. The following fees
15 collected pursuant to this ordinance shall provide revenue to pay for the design, planning, construction of
16 and real property acquisition for the Regional System improvements and its facilities as identified in the
17 2024 Nexus Study. The Transportation Uniform Mitigation Fees shall be paid for each residential unit,
18 development project or a portion thereof to be constructed, in the amounts specified for each category as
19 defined herein and shown below commencing on the effective date of this ordinance:

20 A. Adoption of TUMF Fee Schedule. The following TUMF fee schedule is hereby
21 adopted based on the 2024 Nexus Study and Annual Fee Adjustments:

- 22 (1) \$12,380 per single family residential unit 1,800 square feet or less
23 (2) \$13,927 per single family residential unit between 1,801 and 2,300 square feet
24 (3) \$15,476 per single family residential unit between 2,301 and 2,700 square feet
25 (4) \$19,344 per single family residential unit greater than 2,700 square feet
26 (5) \$7,816 per multi-family residential unit
27 (6) \$2.33 per square foot of an industrial project
28 (7) \$7.72 per square foot of a retail commercial project

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(8) \$4.89 per square foot of a service commercial project

(9) \$2.45 per square foot of a service Class A and B Office”

Section 7. Severability

Should any fee herein established by held to be invalid or otherwise unenforceable, such determination shall not affect the validity of all remaining fee provisions.

Section 8. Effective Date

This ordinance shall take effect sixty (60) days after its adoption.

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

By: _____
Chairman

ATTEST:

CLERK OF THE BOARD:

By: _____
Deputy
(SEAL)

APPROVED AS TO FORM:
December 30, 2024

By: _____
Braden Holly
Deputy County Counsel

ORDINANCE NO. 824
(AS AMENDED THROUGH 824.1718)

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE 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. TITLE. This ordinance shall be known as the “Western Riverside County Transportation Uniform Mitigation Fee Program Ordinance of 2017” (“Ordinance”).

Section 2. FINDINGS. The Board of Supervisors finds that:

- A. The County is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and eighteen (18) cities located in Western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials in Western Riverside County (the “Regional System”), depicted in Exhibit “A”, attached hereto and by this reference incorporated herein, could be made up in part by a Transportation Uniform Mitigation Fee (“TUMF”) on future residential, commercial and industrial development. As a Member Agency of WRCOG and as a TUMF Participating Jurisdiction, the County participated in the preparation of a certain “Western Riverside County Transportation Uniform Fee Nexus Study,” dated October 18, 2002 (the “2002 Nexus Study”) prepared in compliance with the Mitigation Fee Act (Gov. Code §§ 66000 *et seq.*) and adopted by the WRCOG Executive Committee. Based on the 2002 Nexus Study, the County adopted and implemented an ordinance authorizing the County’s participation in a TUMF Program.
- B. WRCOG, with the assistance of TUMF Participating Jurisdictions, has prepared an updated nexus study entitled “Transportation Uniform Mitigation Fee Nexus Study: ~~2016-2024~~ Update” (“~~2016-2024~~ Nexus Study”) in compliance with the Mitigation Fee Act (Gov. Code § § 66000 *et seq.*), for the purpose of updating the fees. On ~~July 10, 2017~~September 9, 2024, the WRCOG Executive Committee reviewed the ~~2016-2024~~ Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program.
- C. As a TUMF Participating Jurisdiction, the County must follow the recommendation made by the WRCOG Executive Committee and amend its TUMF ordinance.
- D. The County has considered the ~~2016-2024~~ Nexus Study and its findings in adopting this ordinance.
- E. Continuation of a TUMF Program is essential because if the capacity of the Regional System is not enlarged, and unless development contributes to the cost of improving the Regional System, the result will be substantial traffic congestion in all parts of Western Riverside County, with unacceptable Levels of Service. Furthermore, the failure to mitigate

growing traffic impacts on the Regional System will substantially impair the ability of public safety services to respond and, thus, adversely affect the public health, safety and welfare.

- F. There is a reasonable and rational relationship between the use of the TUMF and the type of development projects on which the fees are imposed, because the fees will be used to construct the transportation improvements that are necessary for the safety, health and welfare of the residential and non-residential users of the development in which the TUMF will be levied.
- G. There is a reasonable and rational relationship between the need for the improvements to the Regional System and the type of development projects on which the TUMF is imposed, because it will be necessary for the residential and non-residential users of such projects to have access to the Regional System. Such development will benefit from the Regional System improvements and the burden of such developments will be mitigated in part by payment of the TUMF.
- H. The cost estimates set forth in the ~~2016-2024~~ Nexus Study are reasonable cost estimates for constructing the Regional System improvements and the facilities that comprise the Regional System, and the amount of the TUMF expected to be generated by new development will not exceed the total fair share cost to such development.
- I. The fees collected pursuant to this ordinance shall be used to help pay for the design, planning, construction of, and real property acquisition for the Regional System improvements and its facilities as identified in the ~~2016-2024~~ Nexus Study. The need for the improvements and facilities is related to new development, because such development results in additional traffic and creates the demand for the improvements.

Section 3. PURPOSE. The purpose of this ordinance is to authorize the County's participation in the TUMF Program, which establishes and sets forth policies, regulations, and authorized uses of fees collected relating to the funding for the construction of improvements and facilities to enlarge the capacity of the Regional System necessary to address the direct and cumulative environmental effects generated by new development projects described and defined in this ordinance. The purpose of the TUMF is to fund those certain improvements to the Regional System as depicted in Exhibit "A" and identified in the ~~2016-2024~~ Nexus Study.

Section 4. AUTHORITY. This ordinance is established under the authority of Article 11, Section 7 of the California Constitution and Title 7, Division 1, Chapter 5 of the California Government Code, beginning with Section 66000 et seq., which provides that a local agency may establish fees for the purpose of defraying all or a portion of the cost of public facilities related to development projects.

Section 5. DEFINITIONS. As used in this ordinance, the following words, terms and phrases shall have the following meanings:

- A. Board of Supervisors or Board. The Board of Supervisors of the County of Riverside.
- B. Class "A" Office. An office building that is typically characterized by high quality design, use of high end building materials, state of the art technology for voice and data, onsite support services/maintenance, and

often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The requirements of an office building classified as Class "A" Office shall be as follows:

1. Minimum of three stories (exception will be made for the March Joint Powers Authority, where height requirements exist);
 2. Minimum of 10,000 square feet per floor;
 3. Steel frame construction;
 4. Central, interior lobby; and
 5. Access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/ exits for commercial uses within the building.
- C. Class "B" Office. An office building that is typically characterized by high quality design, use of high-end building materials, state of the art technology for voice and data, onsite support services/maintenance, and often includes full service ancillary uses such as, but not limited to a bank, restaurant/office coffee shop, health club, printing shop, and reserved parking. The requirements of an office building classified as Class "B" Office shall be as follows:
1. Minimum of two stories;
 2. Minimum of 15,000 square feet per floor;
 3. Steel frame, concrete or masonry shell construction;
 4. Central, interior lobby; and
 5. Access to suites shall be from inside the building unless the building is located in a central business district with major foot traffic, in which case the first floor may be accessed from the street to provide entrances/exits for commercial uses within the building.
- D. Development Project or Project. Any project undertaken for the purposes of development, including the issuance of a permit for construction.
- E. Disabled Veteran. Any veteran who is retired or is in process of medical retirement from military service who is, or was, severely injured in a theatre of combat operations and has received a letter of eligibility for the Veterans Administration Specially Adapted Housing (SAH) Grant Program.
- F. Government/Public Buildings, Public Schools, and Public Facilities. Any facilities owned and operated by a government entity. A new development that is subject to a long-term lease with a government agency for government/public buildings, public schools, and public facilities shall apply only if all of the following conditions are met:
1. The new development being constructed is subject to a long-term lease with a government agency;
 2. The project shall have a deed restriction placed on the property that limits the use to government/public facility for the term of the lease, including all extension options, for a period of not less than 20 years. Any change in the use of the facility from government

- shall trigger the payment of the TUMF in effect at the time of the change is made;
3. No less than ninety percent of the total square footage of the building is leased to the government agency during the term of the deed restriction and any extensions thereof;
 4. The new development is constructed at prevailing wage rates;
 5. A copy of the lease is provided to the County of Riverside and to WRCOG; and
 6. The intent of the lease is to provide for a long-term government use, and not to evade payment of TUMF.
- G. Gross Acreage. The total property area as shown on a land division of a map of record, or described through a recorded legal description of the property. This area shall be bounded by road rights of way and property lines.
- H. Habitable Structure. Any structure or part thereof where persons reside, congregate or work, and which is legally occupied in whole or part in accordance with applicable building codes, and state and local laws.
- I. Industrial Project. Any development project that proposes any industrial or manufacturing use allowed in the following Ordinance No. 348 zoning classifications: I-P, M-SC, M-M, M-H, M-R, M-R-A, A-1, A-P, A-2, A-D, W-E, or SP with one of the aforementioned zones used as the base zone.
- J. Long-Term Lease. A lease with a term of no less than twenty years.
- K. Low Income Residential Housing. Residential units consisting of rental housing units or for-sale housing units made available, rented and restricted, or sold to "lower income households" (as defined in Health and Safety Code Section 50079.5). The following conditions must be met for this definition to apply:
1. Rental housing units shall be made available, rented, and restricted to lower income households at an "affordable rent" (as defined in Health and Safety Code Section 50053) for a period of at least fifty-five (55) years after the issuance of a certificate of occupancy for new residential development; and
 2. For-sale housing units shall be sold to "persons or families of low or moderate income" (as defined in Health and Safety Code Section 50093) at a purchase price that will not cause the purchaser's monthly housing cost to exceed "affordable housing cost" (as defined in Health and Safety Code Section 50052.5). For-sale housing units shall be restricted to ownership by persons and families of low or moderate income for at least forty-five (45) years after the issuance of a certificate of occupancy for the new residential development.
- L. Mixed-Use Development. As used in the TUMF Program, means developments with the following criteria: (1) three or more significant revenue-producing uses, and (2) significant physical and functional integration of project components.
- M. Multi-Family Residential Unit. A "multiple family dwelling" as defined in Section 21.30. of Ordinance No. 348, in a development that has a density of greater than eight (8) residential dwelling units per gross acre.
- N. Non-Profit Organization. An organization operated exclusively for

exempt purposes set forth in section 501(c)(3) of the Internal Revenue Code.

- O. Non-Residential Unit. A retail commercial, service commercial and industrial development that is designed primarily for non-dwelling use, but shall include hotels and motels.
- P. Recognized Financing District. A Financing District as defined in the TUMF Administrative Plan as may be amended from time to time.
- Q. Residential Dwelling Unit. A building or portion thereof used by one (1) family and containing but one (1) kitchen, which is designed primarily for residential occupancy including single-family and multi-family dwellings. Residential Dwelling Unit shall not include hotels or motels.
- R. Retail Commercial Project. Any development project that proposes any retail commercial activity use that is not defined as a service commercial project and is allowed in the following Ordinance No. 348 classifications: R-1, R-R, R-R-O, R-1A, R-A, R-2, R-2A, R-3, R-3A, R-T, R-T-R, R-4, R-5, R-6, C-1/C-P, C-T, C-P-S, C-R, C-O, R-VC, C/V, W-2, R-D, N-A, W-2-M, W-1, or SP with one of the aforementioned zones used as the base zone. A Retail Commercial Project can include any eating/dining facility located on the retail commercial development premises.
- S. Service Commercial Project. Any development project that is predominately dedicated to business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal, and medical offices, eating/dining facilities, and other uses related to personal or professional services.
- T. Single Family Residential Unit. A "one family dwelling" as defined in Section 21.29. of Ordinance No. 348, in a development that has a density of eight (8) units to the gross acre or less.
- U. TUMF Administrative Plan. TUMF Administration Plan adopted by the WRCOG Executive Committee on May 5, 2003, as amended, setting forth detailed administration procedures and requirements for the TUMF program.
- V. TUMF Participating Jurisdiction. A jurisdiction in Western Riverside County that has adopted and implemented an ordinance authorizing participation in the TUMF Program, and complies with all regulations established in the TUMF Administrative Plan, as adopted and amended from time to time by WRCOG.

Section 6. TRANSPORTATION UNIFORM MITIGATION FEE. The following fees collected pursuant to this ordinance shall provide revenue to pay for the design, planning, construction of and real property acquisition for the Regional System improvements and its facilities as identified in the 2016-2024 Nexus Study. The Transportation Uniform Mitigation Fees shall be paid for each residential unit, development project or a portion thereof to be constructed, in the amounts specified for each category as defined herein and shown below commencing on the effective date of this ordinance:

- A. Adoption of TUMF Fee Schedule. The following TUMF fee schedule is hereby adopted based on the 2016-2024 Nexus Study and Annual Fee Adjustments:

- (1) \$12,380 per single family residential unit, 1,800 square feet or less
- (2) \$13,927 per single family residential unit between 1,801 and 2,300 square feet
- (3) \$15,476 per single family residential unit between 2,301 and 2,700 square feet
- (4) \$19,344 per single family residential unit greater than 2,700 square feet
- (5) \$7,816 per multi-family residential unit
- (6) \$2.33 per square foot of an industrial project
- (7) \$7.72 per square foot of a retail commercial project
- (8) \$4.89 per square foot of a service commercial project
- (9) \$2.45 per square foot of a service Class A and B Office
- (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

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B. Fee Calculation. The fees shall be calculated according to the calculation methodology fee set forth in the WRCOG TUMF Fee Calculation Handbook adopted July 14, 2003, as amended from time to time. In addition to data in the Fee Calculation Handbook, WRCOG Staff and the County may consider the following items when establishing the appropriate fee calculation methodology:

1. Underlying zoning of the site
2. Land-use classifications in the latest Nexus Study
3. Project-specific traffic studies
4. Latest standardized reference manuals such as the Institute of Traffic Engineers Trip Generation Manual
5. Previous TUMF calculations for similar uses

Prior to execution, the County shall transmit all draft credit/reimbursement agreements to WRCOG staff for review and comment. The County retains the discretion and authority to approve or deny all credit/reimbursement agreements under this ordinance.

The County shall determine the appropriate methodology to calculate the fee based upon the items identified in this section and the WRCOG TUMF Fee Calculation Handbook, subject to annual auditing procedures by WRCOG as provided in the Joint Powers Agreement of the Western Riverside Council of Governments and the TUMF Administrative Plan.

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.

- D. Applicability. The TUMF shall apply to all new development within the County, unless otherwise exempt under this ordinance.
- E. Exemptions. The following types of new development shall be exempt from the provisions of this ordinance and the TUMF Administrative Plan:
1. Low Income Residential Housing as defined in Section 5.K. of this ordinance.
 2. Government/Public Buildings, Public Schools, and Public Facilities as defined in Section 5.F. of this ordinance.
 3. Public use airports appropriately permitted by the California Department of Transportation or other state agency.
 4. Development Projects that are the subject of a Public Facilities Development Agreement entered into pursuant to Government Code section 65864 *et seq.*, prior to February 8, 2003, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a Development Agreement is extended by amendment or by any other manner after February 8, 2003, the TUMF shall be imposed.
 5. The rehabilitation and/or reconstruction of any habitable structure in use on or after January 1, 2000, provided that the same or fewer traffic trips are generated as a result thereof.
 6. Guest Quarters as defined in Section 21.35.a. of Ordinance No. 348 and pursuant to Section 18.18.d. of Ordinance No. 348.
 7. Second Units pursuant to Section 18.18.f. of Ordinance No. 348.
 8. Kennels and Catteries established in connection with an existing single family residential unit and as defined in Sections 21.40.a. and 21.20., respectively, of Ordinance No. 348.
 9. The sanctuary building of a church, temple or other house of worship, that is not revenue-generating and is eligible for a property tax exemption. This exemption excludes revenue-generating uses such as, but not limited to, concert venues, coffee or snack shops, book stores and for-profit day-care centers.
 10. Any non-profit, full-time day school at the elementary, middle school or high school level for students between the ages of five (5) and eighteen (18) years.
 11. New Single Family Residential Units constructed by Non-Profit Organizations, as defined in Sections 5.T. and 5.K., respectively, of this ordinance, specially adapted and designed for maximum freedom of movement and independent living for qualified

- Disabled Veterans, as defined in Section 5.E. of this ordinance.
12. Other uses may be exempt as determined by the WRCOG Executive Committee as further defined in the TUMF Administrative Plan.
- F. Credit. Regional System improvements may be credited toward the TUMF in accordance with the TUMF Administrative Plan and the following:
1. Regional Tier
 - i. Arterial Credits: If a developer constructs arterial improvements identified on the Regional System, the developer shall receive credit for all costs associated with the arterial component based on the approved Nexus Study for the Regional System effective at the time the credit agreement is entered into. WRCOG staff must pre-approve any credit agreements that deviate from the standard WRCOG approved format.
 - ii. Other Credits: In special circumstances, when a developer constructs off-site improvements such as an interchange, bridge, or railroad grade separation, credits shall be determined by WRCOG and the County in consultation with the developer. All such credits must have prior written approval from WRCOG.
 - iii. The amount of the development fee credit shall not exceed the maximum amount determined by the Nexus Study for the Regional System at the time the credit agreement is entered into or actual costs, whichever is less.
 2. Local Tier
 - i. The County shall compare facilities in local fee programs against the Regional System and eliminate any overlap in its local fee program except where a Recognized Financing District has been established.
 - ii. If there is a Recognized Financing District established, the County may credit that portion of the facility identified in both programs against the TUMF in accordance with the TUMF Administrative Plan.

Section 7. REIMBURSEMENTS. Should the developer construct Regional System improvements in excess of the TUMF fee obligation, the developer may be reimbursed based on actual costs or the approved Nexus Study effective at the time the agreement was entered into, whichever is less. Reimbursements shall be enacted through an agreement between the developer and the County, contingent on funds being available and approved by WRCOG. In all cases, however, reimbursements under such special agreements must coincide with construction of the transportation improvements as scheduled in the five-year Zone Transportation Improvement Program adopted annually by WRCOG.

Section 8. PROCEDURES FOR THE LEVY, COLLECTION AND DISPOSITION
OF FEES.

- A. Authority of the Transportation and Land Management Agency. The Director of the Transportation and Land Management Agency, or

designee, is hereby authorized to levy and collect the TUMF and make all determinations required by this ordinance in a manner consistent with the TUMF Administrative Plan.

- B. Payment. Payment of the fees shall be as follows:
1. The fees shall be paid at the time a certificate of occupancy is issued for the Development Project or upon final inspection, whichever comes first (the "Payment Date"). However this section should not be construed to prevent payment of the fees prior to issuance of an occupancy permit or final inspection. Fees may be paid at the issuance of a building permit, and the fee payment shall be calculated based on the fee in effect at that time, provided the developer tenders the full amount of the TUMF obligation. If the developer makes only a partial payment prior to the Payment Date, the amount of the fee due shall be based on the TUMF fee schedule in place on the Payment Date. The fees shall be calculated according to the fee schedule set forth in this ordinance and the calculation methodology set forth in the Fee Calculation Handbook adopted July 14, 2003, as amended from time to time.
 2. The fees required to be paid shall be the fee amounts in effect at the time payment is due under this ordinance, not the date the ordinance is initially adopted. The County shall not enter into a development agreement that freezes future adjustments of the TUMF.
 3. If all or part of any development project is sold prior to payment of the fee, the property shall continue to be subject to the requirement for payment of the fee. The obligation to pay the fee shall run with the land and be binding on all the successors in interest to the property.
 4. Fees shall not be waived.
- C. Disposition of Fees. All fees collected hereunder shall be transmitted to the Executive Director of WRCOG along with a corresponding Remittance Report by the tenth (10) day of the close of the month for the previous month in which the fees were collected for deposit, investment, accounting and expenditure in accordance with the provisions of this ordinance, TUMF Administrative Plan, and the Mitigation Fee Act.
- D. Appeals. Appeals shall be filed with WRCOG in accordance with the provisions of the TUMF Administrative Plan. Appealable issues shall be the application of the fee, application of credits, application of reimbursement, application of the legal action stay and application of exemption.
- E. Reports to WRCOG. The Director of the Transportation and Land Management Agency, or designee, shall prepare and deliver to the Executive Director of WRCOG, periodic reports as will be established under Section 9 of this ordinance.

Section 9. APPOINTMENT OF THE TUMF ADMINISTRATOR. WRCOG is hereby appointed as the Administrator of the Transportation Uniform Mitigation Fee Program. WRCOG is hereby authorized to receive all fees generated from the TUMF within the County, and to invest,

account for and expend such fees in accordance with the provisions of this ordinance and the Mitigation Fee Act. The detailed administrative procedures concerning the implementation of this ordinance shall be contained in the TUMF Administrative Plan. Furthermore, the TUMF Administrator shall use the Fee Calculation Handbook adopted July 14, 2003, as amended from time to time, for the purpose of calculating a developer's TUMF obligation. In addition to detailing the methodology for calculating all TUMF obligations of different categories of new development, the purpose of the Fee Calculation Handbook is to clarify for the TUMF Administrator, where necessary, the definition and calculation methodology for uses not clearly defined in the respective TUMF ordinances. WRCOG shall expend only that amount of the funds generated from the TUMF for staff support, audit, administrative expenses, and contract services that are necessary and reasonable to carry out its responsibilities and in no case shall the funds expended for salaries and benefits exceed one percent (1%) of the revenue raised by the TUMF Program. The TUMF Administrative Plan further outlines the fiscal responsibilities and limitations of the Administrator.

Section 10. TOLLING. County hereby agrees to the tolling, for a period of three (3) years from the completion of the fiscal year in which monthly remittances are or should have been made under this ordinance, or any statute of limitations for the commencement of legal action and any requirement for the prior submission of claims, as provided under state or local law, that is applicable to WRCOG's collection of TUMF Program Fees as required under the TUMF Administrative Plan.

Section 11. EFFECT. No provisions of this Ordinance shall entitle any person who has already paid the TUMF to receive a refund, credit or reimbursement of such payment.

Section 12. SEVERABILITY. If any provision, clause, sentence or paragraph of this ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this ordinance, which can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are hereby declared to be severable. If this ordinance is declared invalid or unenforceable in its entirety by a court of competent jurisdiction, Ordinance No. 824, as adopted through July 15, 2014, shall remain in full force and effect.

Section 13. JUDICIAL REVIEW. In accordance with State law, any judicial action or proceeding to attack, review, set aside, void or annul this ordinance shall be commenced within ninety (90) days of the date of adoption of this ordinance.

Section 14. SUPERSESION OF OTHER FEES. The fees established by this ordinance shall supersede and replace those fees previously established and applicable under Riverside County Ordinance No. 824, and shall apply to the issuance of any development permit or entitlement made on and after the date that this ordinance takes effect.

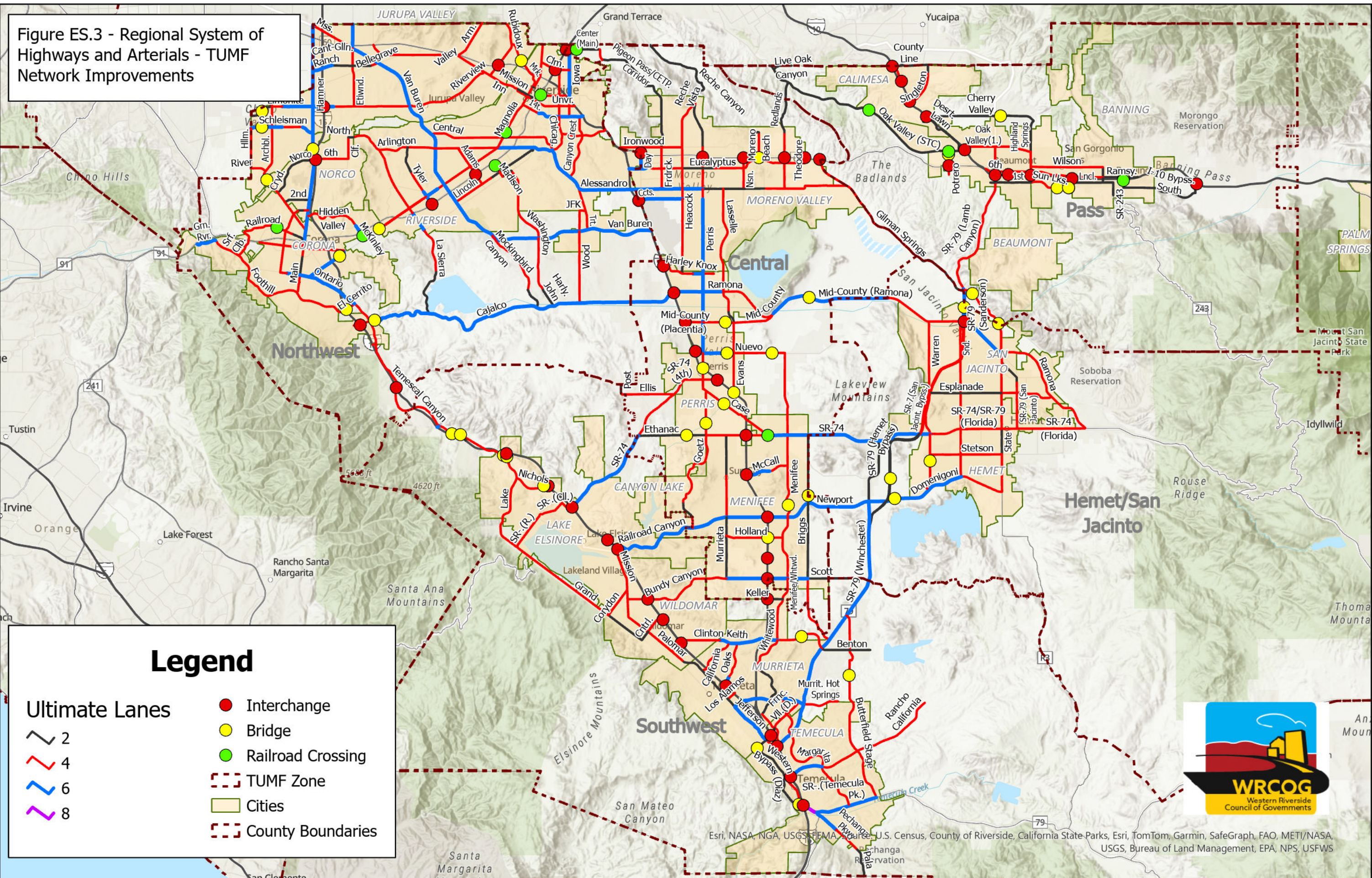
Section 15. EFFECTIVE DATE. This ordinance shall take effect sixty (60) days after its adoption.

Adopted:
824 Item 3.55 of 12/10/2002 (Eff: 02/08/2003)

Amended:

824.1 Item 9.2 of 12/21/2004 (Eff: 03/01/2005)
824.2 Item 16.3 of 05/02/2006 (Eff: 07/03/2006)
824.3 Item 15.7 of 05/01/2007 (Eff: 07/02/2007)
824.4 Item 15.2 of 05/20/2008 (Eff: 07/19/2008)
824.5 Item 3.79 of 07/01/2008 (Eff: 07/01/2008)
824.6 Item 16.3 of 04/28/2009 (Eff: 06/27/2009)
824.7 Item 3.33 of 12/1/09 (Eff: 12/31/2009) (Except that Section 6. subsection a.(4) shall take effect sixty (60) days after its adoption.) (Eff: 01/31/2010)
824.8 Item 3.70 of 12/14/2010 (Eff: immediately)
824.9 Item 3.81 of 01/11/2011 (Eff: immediately)
824.10 Item 3.27 of 01/25/2011 (Eff: 02/24/2011)
824.11 Item 3.42 of 02/08/2011 (Eff: immediately)
824.12 Item 3.18 of 11/22/2011 (Eff: 12/22/2011)
824.13 Item 9.9 of 07/17/2012 (Eff: 09/15/2012)
824.14 Item 3-69 of 07/15/2014 (Eff: 08/14/2014)
824.15 Item 9.4 of 12/05/2017 (Eff: 02/03/2018)
824.16 Item 19.5 of 06/09/2020 (Eff: 08/08/2020)
824.17 Item 19.4 of 12/07/2021 (Eff: 02/04/2022)

Figure ES.3 - Regional System of Highways and Arterials - TUMF Network Improvements



Esri, NASA, NGA, USGS, FEMA, NOAA, U.S. Census, County of Riverside, California State Parks, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, USFWS



Important Announcement



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

Transportation Department

Planning Department

Building & Safety Department

Code Enforcement Department

Mitigation Fee Increase

April 1, 2025, 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 Apr 2025
Single Family Residential	\$ 10,104 per unit	\$15,476 per unit **
Multi-Family Residential	\$ 6,580 per unit	\$ 7,816 per unit
Retail Commercial (no change)	\$ 7.72 per sq ft	\$ 7.72 per sq ft
Service Commercial	\$ 4.89 per sq ft	\$ 4.89 per sq ft
Industrial	\$1.86 per sq ft	\$ 2.33 per sq ft
Class A or Class B Office	\$ 2.45 per sq ft	\$ 2.45 per sq ft

Single Family Residential Units (SFRU) Tiered TUMF Fee AB 602 Compliant

SFRU Home Size	Units	AB 602 TUMF Fee
Less than 1,800 sq ft	Dwelling Unit	\$12,380
1801 - 2300 sq ft	Dwelling Unit	\$13,927
2301-2700 sq ft	Dwelling Unit	\$15,476
More than 2,700 sq ft	Dwelling Unit	\$19,344

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 April 1, 2025 those calculated and invoiced fees will be voided. Updated calculated fees and invoices will be provided and will reflect the updated rates, as of April 1, 2025.

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 PLUSAssist@rivco.org



Dennis Acuna, P. E., T. E.
Director of Transportation

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Transportation Department

Hector D. Davila, P.E.
*Deputy for Transportation/Capital
Projects*

Russell Williams
*Deputy for Transportation/Planning and
Development*

NOTICE OF EXEMPTION

December 11, 2024

PROJECT TITLE: Adoption of Ordinance No. 824.18 to reflect changes in the Western Riverside Council of Governments TUMF Programs
Work Order#ZTR1100 Task Code #ZADM

PROJECT SPONSOR: County of Riverside Transportation Department

PROJECT LOCATION: Located in Western Riverside County

PROJECT DESCRIPTION: 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 September 9, 2024, the WRCOG Executive Committee adopted the 2024 TUMF Nexus Study to reflect changes in the TUMF Program. 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 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 September 9, 2024, the Executive Committee approved the TUMF CCI adjustment during their meeting. With this approval, the WRCOG Executive Committee has recommended that member agencies prepare amendments to their respective ordinances to adopt and implement the new TUMF fees based on the CCI adjustment.

The purpose of Amendment 824.18 to Ordinance 824 is to reflect the updated fee schedule.

ENVIRONMENTAL ANALYSIS:

The Riverside County Transportation Department has found that the above-described Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA), based on the following:

Section 15378 – Not a Project - Organizational or administrative activities of government entities, such as the reorganization, formatting, addition of introductory explanation to the ordinance, and changes to administrative processing and application requirements do not constitute a project under CEQA pursuant to State CEQA Guidelines section 15378. Ordinance No. 824.18 is, in part, changing the administrative process for annual fee increases by allowing adoption of the fee increases either through an ordinance or resolution and clarifying the two types of fee increases as periodic or annual.

Section 15273 – Statutory Exemption (Modification of Fees for Capital Projects) - The establishment or modification of fees charged by public agencies is statutorily exempt from CEQA pursuant to State CEQA Guidelines section 15273 when it is for the purpose of obtaining funds for capital projects, necessary to maintain service within existing service areas. 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 (Regional System) and created the transportation mitigation fee to fund the necessary improvements for the Regional System. WRCOG increases the mitigation fees periodically pursuant to a nexus. The member agencies of WRCOG then review and adopt the increases to the mitigation fee, as the County of Riverside is doing through the adoption of Ordinance No. 824.18.

Section 15061(b)(3) – Common Sense Exemption – Ordinance No. 824.18 is exempt pursuant to State CEQA Guidelines section 15061(b)(3) because it can be seen with certainty that there is no possibility that the amendment to Ordinance No. 824 may have a significant effect on the environment. The revisions to Ordinance No. 824.18 involve clarifying the process of fee increases, changing the process for fee increases, and increasing the fees based on the WRCOG Executive Committee recommendation. None of these activities has any significant effect on the environment. Ordinance No. 824.18 does not lead to any direct improvements, developments, or any other projects. Any future improvements, developments or other projects that may be constructed as a result of the fee increase will be subject to a separate CEQA evaluation. As a result, adoption of Ordinance No. 824.18 is exempt from CEQA and there is no possibility that this amendment will cause a significant impact on the environment.

By: David Castro, Associate Transportation Planner

Signed: Jan Bulinski
Jan Bulinski, Environmental Project Manager



*Dennis Acuna, P. E., T. E.
Director of Transportation*

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Transportation Department

*Hector D. Davila, P.E.
Deputy for Transportation/Capital
Projects*

*Russell Williams
Deputy for Transportation/Planning and
Development*

DATE: December 11, 2024

TO: Josefina Castillo-Avila, ACR Technician III

FROM: Jan Bulinski, Environmental Project Manager *JB*

RE: **Adoption of Ordinance No. 824.18 to reflect changes in the Western Riverside Council of Governments TUMF Programs**
W.O.#ZTR1100 Task Code # ZADM

The County of Riverside Transportation Department is requesting that you post the attached Notice of Exemption per County Implementing Resolution No. 82-213, Division 11, Section 205C. Attached you will find an authorization to bill by journal voucher in the amount of \$50.00 for your posting fee.

After posting, please return the document to Mail Stop #2136, Attention: David Castro. If you have any questions, please contact David at dacastro@rivco.org.

Attachment

cc: file

COUNTY OF RIVERSIDE CLERK & RECORDER

**AUTHORIZATION
TO BILL
BY JOURNAL VOUCHER**

-TO BE FILLED IN BY SUBMITTING AGENCY-
537280-20000-3130500000 ZTR1100 ZADM

AUTHORIZATION NUMBER: W.O.#ZTR1100, Task Code ZADM

AMOUNT: \$50.00

DATE: December 11, 2024

AGENCY: County of Riverside Transportation Department

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO ISSUE A VOUCHER FOR PAYMENT OF ALL FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

AUTHORIZED BY: Jan Bulinski, Environmental Project Manager

Signature: *Jan Bulinski*

PRESENTED BY: David Castro, Associate Transportation Planner

-TO BE FILLED IN BY COUNTY CLERK-

ACCEPTED BY: -

DATE: -

RECEIPT # (S) -