

1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, AMENDING THE APPLICABLE  
4 TRANSPORTATION UNIFORM MITIGATION FEE (TUMF)  
5 APPLICABLE TO ALL DEVELOPMENT IN THE CITY OF RIVERSIDE.

6 WHEREAS, the City of Riverside ("City") is a member agency of the Western Riverside  
7 Council of Governments ("WRCOG"), a joint powers agency comprised of the County of Riverside  
8 and seventeen cities located in Western Riverside County; and

9 WHEREAS, the member agencies of WRCOG recognized that there was insufficient funding  
10 to address the impacts of new development on the regional system of highways and arterials in  
11 Western Riverside County (the "Regional System"); and

12 WHEREAS, in order to address this shortfall, the member agencies formulated a plan  
13 whereby a transportation mitigation fee would be assessed on new development and would be used  
14 to fund the necessary improvements for the Regional System; and

15 WHEREAS, in furtherance of this plan, the WRCOG Executive Committee adopted the  
16 "Western Riverside County Transportation Uniform Fee Nexus Study", dated October 18, 2002 (the  
17 "2002 Nexus Study"); and

18 WHEREAS, based on the 2002 Nexus Study, the City adopted Ordinance No. 6658 on  
19 March 25, 2003 (the "TUMF Ordinance") pursuant to California Government Code sections 66000  
20 *et seq.* authorizing the City to impose the Transportation Uniform Mitigation Fee ("TUMF") upon  
21 new development; and

22 WHEREAS, WRCOG, with the assistance of TUMF Participating Jurisdictions, has prepared  
23 an updated nexus study entitled "Transportation Uniform Mitigation Fee Nexus Study: 2016  
24 Update" ("2016 Nexus Study") pursuant to California Government Code sections 66000 *et seq.*  
(Mitigation Fee Act), for the purpose of updating the fees; and

25 WHEREAS, on July 10, 2017, the WRCOG Executive Committee reviewed the 2016 Nexus  
26 Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their  
27 applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in  
28 order to update the TUMF Program; and

1       WHEREAS, consistent with its previous findings made in the adoption of Ordinance No.  
2 6658 as amended and superseded by Ordinance Nos 6869 and 7067, the City Council has been  
3 informed and advised, and hereby finds, that if the capacity of the Regional System is not enlarged  
4 and unless development contributes to the cost of improving the Regional System, the result will be  
5 substantial traffic congestion in all parts of Western Riverside County, with unacceptable Levels of  
6 Service; and

7       WHEREAS, the failure to mitigate growing traffic impacts on the Regional System will  
8 substantially impair the ability of public safety services (police and fire) to respond and adversely  
9 affect the public health, safety and welfare and continuation of a TUMF Program is essential; and

10       WHEREAS, the City Council finds and determines that there is a reasonable and rational  
11 relationship between the use of the TUMF and the type of development projects on which the fees  
12 are imposed because the fees will be used to construct the transportation improvements that are  
13 necessary for the safety, health and welfare of the residential and non-residential users of the  
14 development in which the TUMF will be levied; and

15       WHEREAS, the City Council finds and determines that there is a reasonable and rational  
16 relationship between the need for the improvements to the Regional System and the type of  
17 development projects on which the TUMF is imposed because it will be necessary for the residential  
18 and non-residential users of such projects to have access to the Regional system; and

19       WHEREAS, such development will benefit from the Regional System improvements and the  
20 burden of such developments will be mitigated in part by payment of the TUMF; and

21       WHEREAS, the City Council finds and determines that the cost estimates set forth in the  
22 2016 Nexus Study are reasonable cost estimates for constructing the Regional System improvements  
23 and the facilities that compromise the Regional System, and that the amount of the TUMF expected  
24 to be generated by new development will not exceed the total fair share cost to such development;  
25 and

26       WHEREAS, the fees collected pursuant to TUMF shall be used to help pay for the design,  
27 planning, construction of and real acquisition for the Regional System improvements and its  
28 facilities as identified in the 2016 Nexus Study; and

1           WHEREAS, the need for the improvements and facilities is related to new development  
2 because such development results in additional traffic and creates the demand for the improvements;  
3 and

4           WHEREAS, by notice duly given and published, the City Council set the time and place for a  
5 public hearing on the 2016 Nexus Study and the fees proposed thereunder and at least ten (10) days  
6 prior to this hearing, the City Council made the 2016 Nexus Study available to the public; and

7           WHEREAS, at the time and place set for the hearing, the City Council duly considered data  
8 and information provided by the public relative to the cost of the improvements and facilities for  
9 which the fees are proposed and all other comments, whether written or oral, submitted prior to the  
10 conclusion of the hearing; and

11           WHEREAS, the City Council finds that the 2016 Nexus Study proposes a fair and equitable  
12 method for distributing a portion of the unfunded costs of improvements and facilities to the  
13 Regional system; and

14           WHEREAS, the TUMF Ordinances authorize periodic review and adjustment to the  
15 applicable TUMF in accordance with any adjustments made by the WRCOG Executive Committee;  
16 and

17           WHEREAS, the fees collected pursuant to this Resolution shall be used to finance the public  
18 facilities described or identified in the 2016 Nexus Study.

19           NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
20 Riverside, California, as follows:

21           Section 1.     Title and Findings.

22           This Resolution shall be known as the “Western Riverside County Transportation Uniform  
23 Mitigation Fee Program Resolution of 2017” (“Resolution”). Pursuant to the Mitigation Fee Act  
24 (Gov. Code §§ 66000 *et seq.*) the City Council hereby readopts all finding included in those findings  
25 made in the 2016 Nexus Study and Ordinance No. 6658.

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1           Section 2. TUMF Schedule.

2           In accordance with Riverside Municipal Code (“RMC”) section 16.68.040, the City Council  
3 adopts the following TUMF schedule applicable to all new development projects, beginning on  
4 December 11, 2017:

5           A.     There is hereby adopted the following TUMF schedule:

- 6                   (1) \$9,418.00 per single family residential unit  
7                   (2) \$6,134.00 per multi-family residential unit  
8                   (3) \$1.77 per square foot of an industrial project  
9                   (4) \$7.50 per square foot of a retail commercial project  
10                  (5) \$4.56 per square foot of a service commercial project  
11                  (6) \$2.19 per square foot of a service Class A and B Office

12          B.     For single-family residential and retail non-residential projects, the fees set forth in  
13 Section 2.A. shall be phased in as follows:

14           From December 11, 2017 to June 30, 2019, the fee schedule shall be as follows:

- 15                   (1) \$8,873.00 per single family residential unit  
16                   (2) \$6,134.00 per multi-family residential unit  
17                   (3) \$1.77 per square foot of an industrial project  
18                   (4) \$7.50 per square foot of a retail commercial project  
19                   (5) \$4.56 per square foot of a service commercial project  
20                   (6) \$2.19 per square foot of a service Class A and B Office

21           From July 1, 2019 to June 30, 2020, the fee schedule shall be as follows:

- 22                   (1) \$9,146.00 per single family residential unit  
23                   (2) \$6,134.00 per multi-family residential unit  
24                   (3) \$1.77 per square foot of an industrial project  
25                   (4) \$7.50 per square foot of a retail commercial project  
26                   (5) \$4.56 per square foot of a service commercial project  
27                   (6) \$2.19 per square foot of a service Class A and B Office  
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1           Section 3. Adoption of 2016 Nexus Study.

2           The City Council hereby adopts the 2016 Nexus Study and its findings, a copy of which is  
3 attached and incorporated herein by reference as Exhibit “A.”

4           Section 4. CEQA Findings.

5           The City Council hereby finds that in accordance with the California Environmental Quality  
6 Act (“CEQA”) and the CEQA Guidelines the adoption of this Resolution is exempt from CEQA  
7 pursuant to Section 15061(b)(3).

8           Section 5. Effective Date.

9           This Resolution shall take effect immediately upon its adoption.

10          ADOPTED by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2017.

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\_\_\_\_\_  
William R. Bailey, III  
Mayor of the City of Riverside

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14          Attest:

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\_\_\_\_\_  
Colleen J. Nicol  
City Clerk of the City of Riverside

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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing resolution was duly and regularly adopted at a meeting of the City Council of said City at  
3 its meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, by the following vote, to wit:

4 Ayes:

5  
6 Noes:

7 Absent:

8 Abstain:

9 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
10 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

11  
12 \_\_\_\_\_  
13 Colleen J. Nicol  
14 City Clerk of the City of Riverside  
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