

**RESOLUTION NUMBER 3627**

***A RESOLUTION OF THE CITY OF PERRIS AMENDING  
THE TRANSPORTATION UNIFORM MITIGATION FEE  
(TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE  
CITY OF PERRIS***

**WHEREAS**, the City is a Member Agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency consisting of the City, the County of Riverside, and the thirteen Cities situated in Western Riverside County. Acting in concert, the Member Agencies of WRCOG 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”) could be made up in part by a Transportation Uniform Mitigation Fee on future residential, commercial and industrial development. A map depicting the boundaries of Western Riverside County and the system is attached hereto as Exhibit “A” and made a part hereof. As a Member Agency of WRCOG, the City participated in the preparation of a certain “Western Riverside County Transportation Uniform Mitigation Fee Nexus Study”, dated October 18, 2002 (“2002 Nexus Study”) prepared pursuant to California Government Code, Section 66000 et seq., the Mitigation Fee Act. Based on this nexus study, the City adopted and implemented Ordinance No. 1114 authorizing its participation in a Transportation Uniform Mitigation Fee Program; and

**WHEREAS**, WRCOG, with the assistance of its member agencies, has now prepared an updated “Western Riverside County Transportation Fee Nexus Study” (“Nexus Study”) pursuant to California Government Code Section 66000, et seq., the Mitigation Fee Act for the purpose of updating the fees imposed by Ordinance No. 1114; and

**WHEREAS**, consistent with its previous findings made in the adoption of Ordinance No. 1114, the City Council has been informed and advised, and hereby finds, that future development within Western Riverside County and the Cities therein will result in traffic volumes exceeding the capacity of the Regional System as it presently exists; and

**WHEREAS**, consistent with its previous findings made in the adoption of Ordinance No. 1114, the City Council has been further informed and advised, and hereby finds, that if the capacity of the Regional System is not enlarged, the result will be substantial traffic congestion in all parts of Western Riverside County and the City, with unacceptable Levels of Service throughout Western Riverside County by 2030; and

**WHEREAS**, the City Council has been further advised, and so finds, that funding, in addition to those fees adopted pursuant to the 2002 Nexus Study, will be inadequate to fund construction of the Regional System. Absent an update of the “Transportation Uniform Mitigation Fee” (“TUMF”) based on the Nexus Study, existing and known future funding sources will be inadequate to provide necessary improvements to the Regional System, resulting in an unacceptably high level of traffic congestion within and around Western Riverside County and the City; and

**WHEREAS**, the City Council has reviewed the Nexus Study, and hereby finds that future development within the County and City will substantially adversely affect the Regional System, and that unless such development contributes to the cost of improving the Regional System, the Regional System will operate at unacceptable Levels of Service; and

**WHEREAS**, the City Council hereby finds and determines that the failure to mitigate growing traffic impacts on the Regional System within Western Riverside County and the City will substantially impair the ability of public safety services (police and fire) to respond. The failure to mitigate impacts on the Regional System will adversely affect the public health, safety and welfare; and

**WHEREAS**, the City Council further finds and determines that 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 projects on which the TUMF will be levied; and

**WHEREAS**, the City Council finds and determines that 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 development will be mitigated in part by the payment of the TUMF; and

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

**WHEREAS**, the City Council further finds that the cost estimates set forth in the Nexus Study are reasonable cost estimates for the facilities that comprise the Regional System; and that TUMF program revenues to be generated by new development will not exceed the total fair share of these costs; and

**WHEREAS**, the fees collected pursuant to this Resolution and the ordinance amending and superseding Ordinance No. 1114 shall be used to help pay for the construction and acquisition of the Regional System improvements identified in the Nexus Study. The need for the improvements is related to new development because such development results in additional traffic, thus creating the demand for the improvements; and

**WHEREAS**, by notice duly given and published, the City Council set the time and place for a public hearing on the Nexus Study and the fee proposed thereunder, and at least ten days prior to the hearing, the City made the Nexus Study available to the public; and

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

**WHEREAS**, the City Council finds that the Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements to the Regional System; and

**WHEREAS**, the City Council hereby adopts the Nexus Study, which Study is attached hereto as Exhibit "B", and incorporates it herein as though set forth in full; and

**WHEREAS**, the City Council hereby adopts the fees contained herein and by this adoption hereby repeals the fees previously adopted pursuant to Ordinance 1114 and Resolution No. 3363.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PERRIS DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Findings.** The recitals set forth above are hereby adopted as findings in support of this Resolution.

**Section 2. Definitions.** The terms of this Resolution shall have the same meaning ascribed to them in Section 3 of Ordinance No. 1186.

**Section 3. TUMF Fee Schedule.**

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

- (1) \$9,693.00 per single family residential unit
- (2) \$6,806.00 per multi-family residential unit
- (3) \$2.27 per square foot of an industrial project
- (4) \$12.49 per square foot of a retail commercial project
- (5) \$6.33 per square foot of a service commercial project
- (6) \$2.11 per square foot of a Class A Office project until June 30, 2007, plus any CCI adjustments that may occur
- (7) \$2.11 per square foot of a Class B Office project until June 30, 2007, plus any CCI adjustments that may occur

B. For non-residential projects, the fees set forth in Section 3.A. shall be phased in as follows:

From July 1, 2006 to June 30, 2007, the fee schedule shall be as follows:

- (1) \$1.58 per square foot of an industrial project
- (2) \$8.51 per square foot of a retail commercial project
- (3) \$5.28 per square foot of a service commercial project
- (4) \$2.11 per square foot of a Class A Office project and Class B Office project until June 30, 2007 plus any CCI adjustments that may occur

From July 1, 2007 to June 30, 2008, the fee schedule shall be as follows:

- (1) \$1.81 per square foot of an industrial project
- (2) \$9.83 per square foot of a retail commercial project
- (3) \$5.63 per square foot of a service commercial project

From July 1, 2008 to June 30, 2009, the fee schedule shall be as follows:

- (1) \$2.04 per square foot of an industrial project
- (2) \$11.16 per square foot of a retail commercial project
- (3) \$5.98 per square foot of a service commercial project

From July 1, 2009, the fee schedule shall be as follows:

- (1) \$2.27 per square foot of an industrial project
- (2) \$12.49 per square foot of a retail commercial project
- (3) \$6.33 per square foot of a service commercial project

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

**Section 4. Ordinance No. 1186.** In the event Ordinance No. 1186 and this Resolution are declared invalid or unenforceable by a court of competent jurisdiction, the TUMF fees adopted pursuant to Ordinance No. 1114 and Resolution No. 3363 shall remain in full force and effect.

**Section 5. Effective Date.** This Resolution shall become effective July 3, 2006. This Resolution shall not become effective unless Ordinance No. 1186 also becomes effective.

**ADOPTED, SIGNED** and **APPROVED** this 25<sup>th</sup> day of April, 2006.

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Mayor, Daryl R. Busch

ATTEST:

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City Clerk, Margaret Rey

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE   ) §  
CITY OF PERRIS            )

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Resolution Number 3627 was duly and regularly adopted by the City Council of the City of Perris at a regular meeting thereof held the 25<sup>th</sup> day of April, 2006, and that it was so adopted by the following called vote:

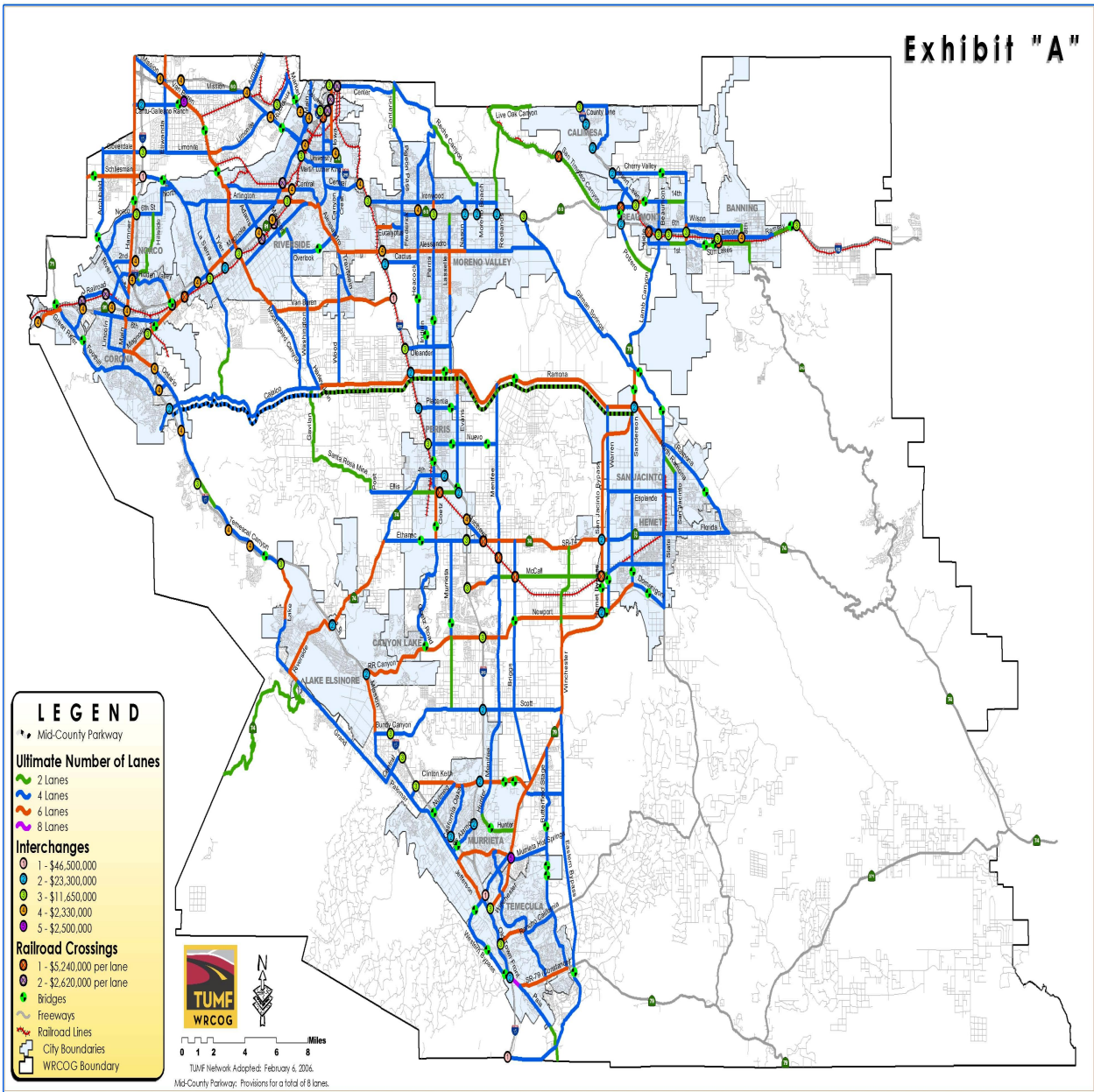
AYES:           Landers, Motte, Rogers, Yarbrough, Busch  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
City Clerk, Margaret Rey

**EXHIBIT "A"**  
***(RESOLUTION NUMBER 3627)***

BOUNDARY MAP

# Exhibit "A"



**LEGEND**

- Mid-County Parkway
- Ultimate Number of Lanes**
  - 2 Lanes
  - 4 Lanes
  - 6 Lanes
  - 8 Lanes
- Interchanges**
  - 1 - \$46,500,000
  - 2 - \$23,300,000
  - 3 - \$11,650,000
  - 4 - \$2,330,000
  - 5 - \$2,500,000
- Railroad Crossings**
  - 1 - \$5,240,000 per lane
  - 2 - \$2,620,000 per lane
  - Bridges
  - Freeways
  - Railroad Lines
  - City Boundaries
  - WRCOG Boundary

**TUMF WRCOG**

0 1 2 4 6 8 Miles

TUMF Network Adopted: February 6, 2006.  
 Mid-County Parkway: Provisions for a total of 8 lanes.



**EXHIBIT “B”**  
***(RESOLUTION NUMBER 3627)***

(Refer to Nexus Study on file in the City Clerk’s Office)