

RESOLUTION NUMBER R- 304831
DATE OF FINAL PASSAGE APR 29 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING AN ANNUAL TWO PERCENT INCREASE TO THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM DEVELOPMENT IMPACT FEES.

WHEREAS, in November 2004, voters approved Proposition A to extend the TransNet half-cent sales tax for transportation projects through 2048; and

WHEREAS, the passage of Proposition A resulted in the establishment of the Regional Transportation Congestion Improvement Program; and

WHEREAS, on April 15, 2008, the City Council adopted Resolution No. R-303554 thereby approving and adopting the City's Regional Transportation Congestion Improvement Program [RTCIP], including the associated nexus study and development impact fees;

WHEREAS, the purpose of the RTCIP is to ensure new development directly invests in the region's transportation system to offset the negative impact of growth on congestion and mobility; and

WHEREAS, the RTCIP provides for the collection of a development impact fee per new dwelling unit to ensure future development contributes its proportional share of the funding needed to pay for the Regional Arterial Systems [RAS] and related transportation facility improvements, as identified and defined in SANDAG's most recently adopted Regional Transportation Plan [RTP]; and

WHEREAS, the City must take annual administrative action to ensure compliance with the TransNet Ordinance, including annual increases to the associated development impact fee; and

WHEREAS, the City Council has reviewed and considered the "RTCIP Impact Fee Nexus Study-Final Report," dated November 26, 2007 [Nexus Study] and the SANDAG Board of Directors March 27, 2009, Agenda Item No. 09-03-13 [SANDAG Analysis] included the Report to the City Council No. 08-049, a copy of which is on file in the Office of the City Clerk as Document No. RR-304831 and

WHEREAS, based on the SANDAG Analysis of construction cost trends over the past year, the appropriate annual fee adjustment for Fiscal Year 2010 is two percent (2%), resulting in an RTCIP DIF increase per multi-family unit from \$1,865 to \$1,902 and per single family unit from \$2,331 to \$2,378; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego:

1. That above recitals are true, correct, and incorporated by reference herein.
2. That, in accordance with Mitigation Fee Act as set forth in California Government Code section 66000, et seq., it finds as follows:

(a) The purpose of the RTCIP DIF as fully stated in the SANDAG policy and expressed in the TransNet Extension Ordinance and Expenditure Plan (Commission Ordinance 04-01) is that new development shall contribute towards the RAS through the RTCIP. The purpose of the RTCIP DIF is to implement this policy. The RTCIP DIF advances the public interest by enabling SANDAG to fund improvements to transportation infrastructure required to accommodate new development as more fully set forth in the Nexus Study.

(b) That the RTCIP DIF's shall be used to fund expanded facilities on the RAS to serve new development, including: roadway widening; roadway extension; traffic signal coordination and other traffic improvements; freeway interchanges and related freeway

improvements; railroad grade separations; and improvements required for regional express bus and rail transit as more fully set forth in the Nexus Study.

(c) That the Nexus Study further establishes a reasonable relationship between the RTCIP DIF's use and the type of development project on which the RTCIP DIF is imposed.

(d) That the City of San Diego will restrict the RTCIP DIF revenues to capital projects that expand capacity on the RAS to serve new development; that improvements funded by the RTCIP DIF will expand a region-wide arterial system accessible to the additional residents associated with new developments; and that SANDAG determined the planned projects identified in the Nexus Study will expand the capacity of the RAS to accommodate the increased trips generated by new development; thus there is a reasonable relationship between the use of the fee revenues and the residential types of new development that will pay the fee.

(e) That the Nexus Study further establishes a reasonable relationship between the need for the RAS and related transportation facility improvements (as defined in the RTP) and the type of development project on which the RTCIP DIF is imposed.

(f) That new dwelling units are indicators of the demand for transportation improvements needed to accommodate growth; that as additional dwelling units are created, the occupants of these structures generate additional vehicle trips and place additional burdens on the transportation system; that the need for the RTCIP DIF is based on SANDAG transportation model projections of growth that show an increase in vehicle hours of delay on the RAS primarily as a result of new development even with planned improvements to that system; thus providing a reasonable relationship between the residential development and the need for improvements.

(g) That the Nexus Study further establishes a reasonable relationship between the amount of the RTCIP DIF and the cost of the RAS and related transportation facility improvements (as defined in the RTP) attributable to the development on which the RTCIP DIF is imposed.


(h) That the reasonable relationship between the RTCIP DIF for residential development and the cost of the facilities attributable to that development is based on the estimated vehicle trips the development will add to the RAS; and that the fee for a residential development is based on the number and type of new dwelling units; thus, the RTCIP DIF schedule ensures a reasonable relationship between the RTCIP DIF for residential development and the cost of the RAS improvements facilities attributable to that development.

(i) A two percent (2%) increase to the current RTCIP DIF is appropriate based on the SANDAG Analysis.

(3) That it approves and adopts a two percent (2%) increase to the current RTCIP DIF resulting in an RTCIP DIF increase per multi-family unit from \$1,865 to \$1,902 and per single family unit from \$2,331 to \$2,378, effective July 1, 2009.

BE IT FURTHER RESOLVED, that this activity is not subject to CEQA pursuant to State Guidelines Section 15060(c)(3).

APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Jana L. Garmo
Deputy City Attorney

JLG:cfq
04/15/09
Or.Dept:Facilities Financing/ mms#8624

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 27 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 4-29-09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor