

**Brenda Lehr,
Interim Assistant City Clerk**

**CITY COUNCIL
SPECIAL JOINT AND REGULAR MEETING**

Monday, January 5, 2009

4:00 p.m. – Special Joint Meeting

7:30 p.m. – Regular Meeting

AGENDA



Dan Skoglund, Mayor

Ken Cooley, Vice Mayor

Linda Budge, Council Member

Robert J. McGarvey, Council Member

David Sander, Council Member

MAKING YOUR POINT – MAKING IT COUNT

Government decision-making takes time—time for public input, time for analysis, and time for weighing both sides of the issue before making an informed decision.

People sometimes complain that the process takes too long, delay progress, costs extra money and is frustrating for discussion participants. Others say that the process doesn't give people enough time to comment and that decisions are made too quickly without enough consideration for all sides of the issue.

The foundation for democracy in America is our constitutional right to tell our elected leaders what we think about issues that affect us. This right is enjoyed by all citizens, regardless of education, background, or experience. Rancho Cordova leaders welcome you to public meetings and encourage you to participate in discussions that affect you.

The way you present your message at the podium can help or hurt your ability to persuade your audience. It can either facilitate or obstruct the public participation process. Whether you are an experienced public speaker or speaking at the podium for the first time, it may be helpful to remember these public meeting tips:

- Identify your main points. Writing them down will help you organize your thoughts and remember them when you're at the podium.
- Check your facts. Accuracy improves your credibility and helps you make a positive impression.
- Handouts summarizing your position may be distributed to policy makers and staff before or after your presentation. Busy leaders appreciate clear, concise information (one or two pages) that helps them identify your key points and remember your presentation.
- Don't be nervous. If you are, don't apologize for it. Public Officials see many citizens who are nervous when speaking in front of an audience. It may help to take a deep breath and exhale slowly just before you approach the podium.



- As you begin to speak, state your name and address clearly for the record. If you represent a group or organization, please state that information as well.
- Make your position known at the beginning, then present supporting information. You will sound organized, which helps people to understand your position.
- Keep your presentation short and simple. Attention spans are brief and people will remember a short presentation better than they will one that rambles and includes too much information.
- Don't repeat yourself. It uses valuable time and people tune out when they hear the same thing over and over. If a previous speaker has already made the point you planned to make, simply refer to that speaker and emphasize your support for that position.
- Be cautious about using humor which is very subjective. While some may laugh, others may be offended.
- Persuade, don't badger your audience. Compelling presentations can be very persuasive to both policy makers and public meeting audiences; however, insulting or degrading language can make you appear belligerent, reducing your credibility as well as the power of your message.
- Close your comments with an action statement such as, "Adopt this resolution" or "I urge you to vote 'no' on this ordinance."

Rancho Cordova City leaders appreciate your interest in issues that affect the community. We hope these tips will help you prepare and present your remarks so they will be clear, concise, accurate and credible. If you follow these guidelines, your audience is likely to listen, pay attention, and maybe even agree with you!

Rancho Cordova City government is not the City Council, City staff or Rancho Cordova citizens – it's all of us working together to understand each others' opinions so we can make the best decisions for our community.

THANK YOU FOR PARTICIPATING!



**CONCURRENT MEETING
CITY COUNCIL/COMMUNITY REDEVELOPMENT AGENCY (CRA)/
RANCHO CORDOVA FINANCING CORPORATION (RCFC)**

**City Hall
2729 Prospect Park Drive, Rancho Cordova**

Monday, January 5, 2009

**4:00 P.M. – Special Joint Meeting
American River Community Room - North**

**7:30 P.M. – Regular Meeting
David B. Roberts Council Chambers**

AGENDA

A. SPECIAL MEETING - CALL TO ORDER / ROLL CALL

Council Members Budge, McGarvey, Sander, Cooley and Mayor Skoglund
Planning Commissioners Burke, Cummings, Konarski, Savorn, Smith, Vance, and Chair
Moe

B. PUBLIC COMMENT

At a study session or special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any unagendized item.

C. AGENDA ITEM

C.1 Subject: AB1234 Ethics Training

Recommendation: City Council Members, Planning Commissioners, and Designated Conflict of Interest Filers attend mandated Assembly Bill 1234 ethics training.

Result of Recommended Action: Upon completion of a two-hour training session, City officials will receive the minimum ethical standards and laws training, as required every two years.

Staff Report: Adam Lindgren, City Attorney

Advances Goals: 3, 10 and 13

- C.2 **Subject:** Project Review Guide and Tools
Recommendation: Receive and file staff presentation on Project Review Guide and Tools.
Result of Recommended Action: Council will provide direction to staff for process improvements.
Staff Report: Cyrus Abhar, Public Works Department, Paul Junker, Planning Department, and Tom Trimberger, Building Department
Advances Goals: 1, 3, 4, 9, and 13

D. ADJOURNMENT OF SPECIAL MEETING

1. REGULAR MEETING – CALL TO ORDER / ROLL CALL

Council Members Budge, McGarvey, Sander, Cooley and Mayor Skoglund

2. METRO CABLE TV TELECAST ANNOUNCEMENT

The Mayor will announce the meetings video recording and playback schedules.

3. PLEDGE OF ALLEGIANCE

The Mayor will call on someone in attendance to lead the Pledge.

4. PUBLIC COMMENT

Citizens wishing to address the Council for any matter on the Consent Calendar or not on the agenda may do so at this time by completing and submitting a (blue) Speaker Card to the City Clerk. **For items on the agenda, speakers will be called up to the podium by the Mayor at the point on the agenda when the item will be heard.** Speakers are encouraged to keep comments to three minutes or less and to state name and community of residence.

Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking immediate action on any unagendized item unless it can be demonstrated to be of an emergency nature or the need to take immediate action arose after the posting of the agenda.

5. CONSENT CALENDAR ITEMS – ROLL CALL VOTE

- 5.1 **Subject:** Ordinance Amending Zoning Code Text and Zoning Map
Recommendation: Waive second reading and adopt Ordinance No. 27-2008 as introduced and amended on December 15, 2008. **(Roll Call Vote)**
Result of Recommended Action: Adoption of this ordinance is the second of two steps required to approve amendments to the Zoning Code Text and the Zoning Map. The first step was to adopt Resolution No. 144-2008 on December 15, 2008 to approve amendments to the General Plan. Jointly, these actions update land use regulations throughout the City and will bring the Zoning Code into compliance with the 2006 Rancho Cordova General Plan.
Staff Report: Jeffrey S. Beiswenger, Planning Department
Advances Goals: 1, 2, 4, 5, 6, 7, 8, and 9
GROWING STRONG NEIGHBORHOODS

6. COUNCIL REPORTS

7. CONSENT PUBLIC HEARING ITEMS – ROLL CALL VOTE

- 7.1 **Subject:** Ordinance Adding Chapter 16.85 to the City Code to Establish Development Impact Fees for Measure A Transportation Improvements

Recommendation: That Council:

- a) Waive first reading and introduce Ordinance No. 01-2009 adding Chapter 16.85 to the Rancho Cordova Municipal Code to Establish Development Impact Fees Measure A Transportation Improvements; and
- b) Adopt Resolution No. 04-2009 Approving Nexus Study, Establishing the Amount of Fees and Providing for Other Matters Relative to Measure A Transportation Development Impact Fees; and
- c) Adopt Resolution No. 05-2009 Approving the Agreement on Operating Protocols for the new Measure A Sacramento Countywide Transportation Mitigation Development Impact Fee Program. **(Roll Call Vote)**

Result of Recommended Action: The recommended actions will result in the imposition of a specified development impact fee on new development effective April 1, 2009. The Measure A Fee Program must be adopted by each participating jurisdiction as a condition of receiving the New Measure A sales tax revenues for transportation improvements.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 2 and 11

8. PUBLIC HEARING ITEMS

None

9. REGULAR CALENDAR ITEMS – ROLL CALL VOTE

- 9.1 **Subject:** Highway 50 Corridor Mobility Partnership Regional Transportation Fee Program

Recommendation: That Council:

- a) Endorse a proposed Highway 50 Corridor Mobility Partnership Regional Transportation Fee Program concept; and
- b) Direct staff to continue to participate in the Highway 50 Corridor Mobility Partnership in order to complete a nexus study as required by Government Code section 66000 et seq. to support the adoption of a regional fee; and
- c) Direct staff to return to the Council with recommendations and implementing documentation for a governance structure that facilitates efficient collection, review and oversight of the Regional Fee Program. **(Roll Call Vote)**

Result of Recommended Action: This item requests the City Council's endorsement of the proposed regional fee concept and directs staff to begin the required studies and return to the City Council with recommendations to adopt and implement the Regional Transportation Fee Program.

Staff Report: Cyrus Abhar, Public Works Department

Advances Goals: 1, 2, and 13

10. COUNCIL REQUESTS FOR FUTURE AGENDA ITEMS

11. CITY MANAGER'S REPORT

12. ADJOURNMENT

ADDITIONAL INFORMATION

The agenda items are accessible on the City's website at www.cityofranhocordova.org on Thursdays prior to the Regular City Council Meeting.

CITYWIDE GOALS - (Adopted March 20, 2006)	
1.	Foster a Positive Image of Rancho Cordova
2.	Improve Transportation & Connectivity
3.	Champion Employee Development & High Performance Work Environment
4.	Ensure the Availability of the Best Public Services in the Region
5.	Establish a Vibrant Downtown
6.	Ensure a Safe Community
7.	Improve the Quality of Housing In Rancho Cordova
8.	Sustain a Livable Community
9.	Drive Diverse Economic Opportunities
10.	Foster Responsible Citizenship
11.	Practice Sound Fiscal Management
12.	Establish Logical (City) Boundaries
13.	Continue To Provide Regional Leadership

UPCOMING MEETINGS	
January 12-13, 2009	Staff and Council Learning Retreat
Tuesday, January 20, 2009	5:30 p.m. Regular Meeting
Monday, February 2, 2009	4:00 p.m. Study Session
	5:30 p.m. Regular Meeting
Friday, February 13, 2009	8:30 a.m. Financial Issues Workshop
Tuesday, February 17, 2009	5:30 p.m. Regular Meeting
Monday, February 24, 2009	5:30 p.m. Work Session

If you have any technical questions related to the agenda items, please contact the appropriate department as follows:

DEPARTMENTAL GENERAL TELEPHONE NUMBERS	
Building Department	(916) 851-8760
City Clerk's Department	(916) 851-8720
City Manager's Department	(916) 851-8800
Code Enforcement	(916) 851-8770
Communications Department	(916) 851-8791
Finance Department	(916) 851-8730
Human Resources Department	(916) 851-8740
Information Technology Department	(916) 851-8700
Neighborhood Services/Animal Services	(916) 851-8852
Planning Department	(916) 851-8750
Public Works Department	(916) 851-8710
Rancho Cordova Police Department	(916) 851-9600
Redevelopment & Economic Development Department	(916) 851-8780

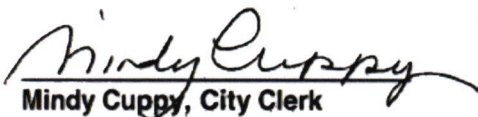
The Rancho Cordova City Council/CRA/RCFC will be videotaped in its entirety and will be cablecast without interruption on Metro Cable 14, the Government Affairs Channel on the Comcast, SureWest and Strategic Technologies Cable Systems. Closed Captioning will be available on the playback cablecast. Tune to Metro Cable Channel 14, for playback times. A VHS copy is available for check out from any library branch, a DVD copy is available from the City Clerk's Department, and a webcast of this meeting will be available for viewing via Granicus Video Streaming from the City's website within 48 hours of adjournment of this meeting. The City does not control scheduling of this telecast and persons interested in watching the televised meeting should confirm this schedule with Metro Cable TV, Channel 14.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

CERTIFICATION OF POSTING OF AGENDA

I, Mindy Cuppy, City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the January 5, 2009 Special Meeting of the Rancho Cordova City Council/CRA/RCFC was posted and available for review on December 30, 2008 at City Hall of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670. The agenda is also available on the city web site at www.cityofranchocordova.org.

Signed this 30th day of December 2008 at Rancho Cordova, California.


Mindy Cuppy, City Clerk



MEMORANDUM



DATE: January 5, 2009
TO: Honorable Mayor and Council Members
FROM: Adam Lindgren, City Attorney
SUBJECT: MANDATORY AB1234 ETHICS TRAINING

RECOMMENDATION

City Council Members, Planning Commissioners, and Designated Filers, attend mandated Assembly Bill 1234 ethics training.

RESULT OF RECOMMENDED ACTION

Upon completion of a two-hour training session, City officials will receive the minimum ethical standards and laws training, as required every two years.

BACKGROUND

On October 7, 2005, Assembly Bill No. 1234 was signed into law. AB 1234 requires, among other things, that local agency officials obtain at least two hours of ethics training at least once every two years thereafter, if they receive compensation, a salary or stipend, and/or reimbursement for expenses. "Local agency officials" includes city council members and planning commissioners or other members of commissions or committees. AB 1234 also authorizes local agencies to designate local agency employees to obtain ethics training under AB 1234. AB 1234 training was previously provided to City officials in January 2008.

In order to assist City officials in satisfying the requirements of AB 1234, the City Attorney's Office has prepared a presentation and related materials concerning the ethics laws that are required to be addressed under AB 1234. These include:

- Laws relating to personal financial gain, including, but not limited to laws prohibiting bribery and conflict-of-interest laws;
- Laws relating to claiming prerequisites of office, including, but not limited to, gift and travel restrictions, prohibitions against the use of public resources for personal or political purposes, prohibitions against gifts of public funds, mass mailing restrictions, and prohibitions against acceptance of free or discounted transportation by transportation companies;

- Government transparency laws, including, but not limited to, financial interest disclosure requirements and open government laws such as the Brown Act and the Public Records Act; and
- Laws relating to fair processes, including, but not limited to, common law bias prohibitions, due process requirements, incompatible offices, competitive bidding requirements for public contracts, and disqualification from participating in decisions affecting family members.

Recordkeeping

Following completion of the ethics training, City officials will be provided with a proof of participation. The proofs of participation must be maintained by the City for a period of at least five years and are subject to disclosure under the Public Records Act.

ATTACHMENTS

None. Presentation materials will be handed out at the meeting.

MEMORANDUM

DATE: January 5, 2009
TO: Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
Paul Junker, Planning Director
Tom Trimberger, Building Official
SUBJECT: PROJECT REVIEW GUIDE AND TOOLS



RECOMMENDATION

Receive and file staff presentation on Project Review Guide and Tools.

RESULT OF RECOMMENDED ACTION

Council to provide direction to staff for process improvement.

BACKGROUND

The Building Department, Planning Department and Public Works Department have prepared a guide to City discretionary, plan review and construction processes (**Attachment 1**). The purpose of the guide is to inform City Council and educate all City staff on the review and approval processes with a goal of providing a heightened level of service to City customers and seamless interaction between departments.

In addition to the guide, Building, City Attorney's Office, Economic Development, Finance, Fire, Parks, Planning and Public Works have collaborated to form the Development Services Team (DST). The DST provides a team approach to customer service focused on seamless interaction between departments, continuity of management from beginning to end of projects, early detection and resolution of potential challenges, streamlining of processes, and providing exceptional customer service. The DST meets on a weekly basis, commonly invites City customers to attend for pre-application meetings or other needs, and facilitates resolution of challenges. A summary of the DST's responsibilities and goals is included as **Attachment 2**.

To further streamline the exchange of information and collaboration between departments, the DST utilizes an automated database which tracks conditions of approval, and project status and requirements. The automated database is termed the Community Development Resource.

It is staff's intent to continuously evaluate City processes with the goal of streamlined procedures and seamless interaction between departments. The Project Review Guide, Development Services Team and Community Development Resource database are important tools for achieving this goal.

ATTACHMENTS

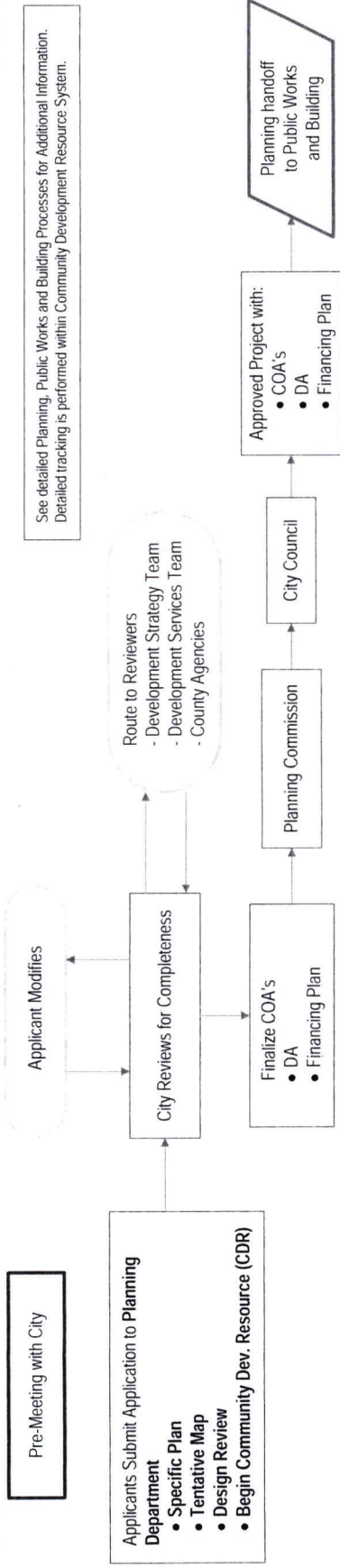
1. Discretionary Review, Permitting and Construction Flow Chart
2. Development Services Team Responsibilities and Goals



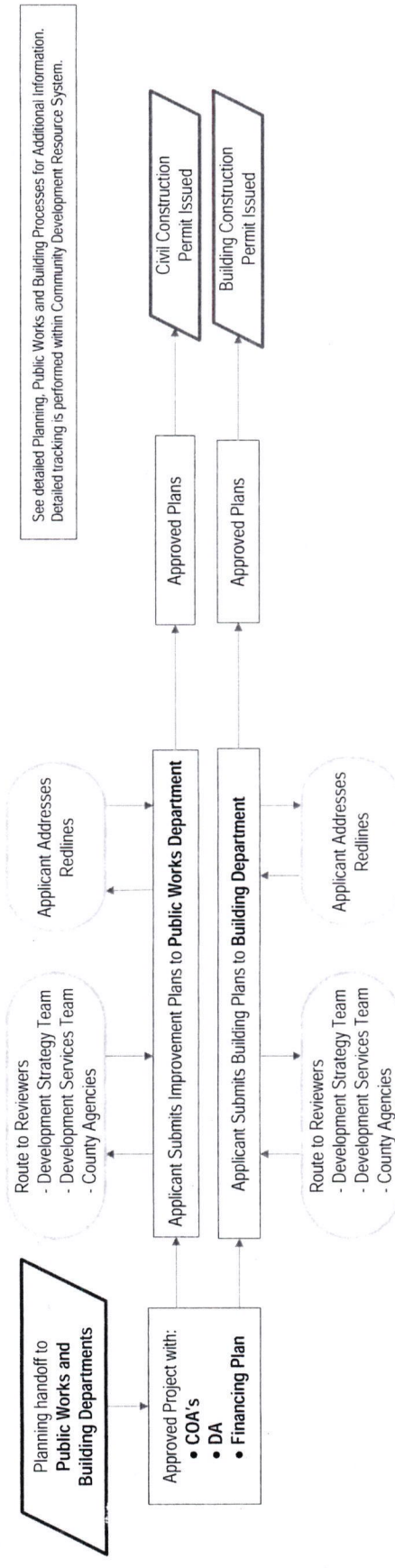
DISCRETIONARY REVIEW, PERMITTING AND CONSTRUCTION

ATTACHMENT 1

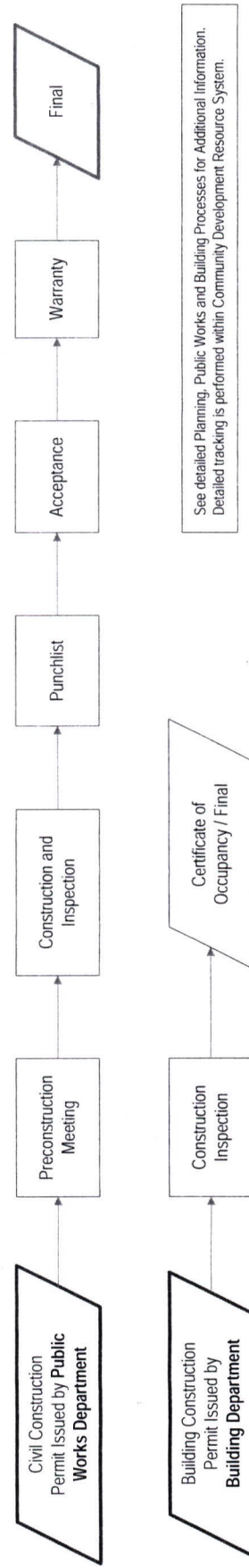
APPLICATION PROCESS FOR DISCRETIONARY PROJECTS. PLANNING DEPARTMENT IS LEAD CONTACT



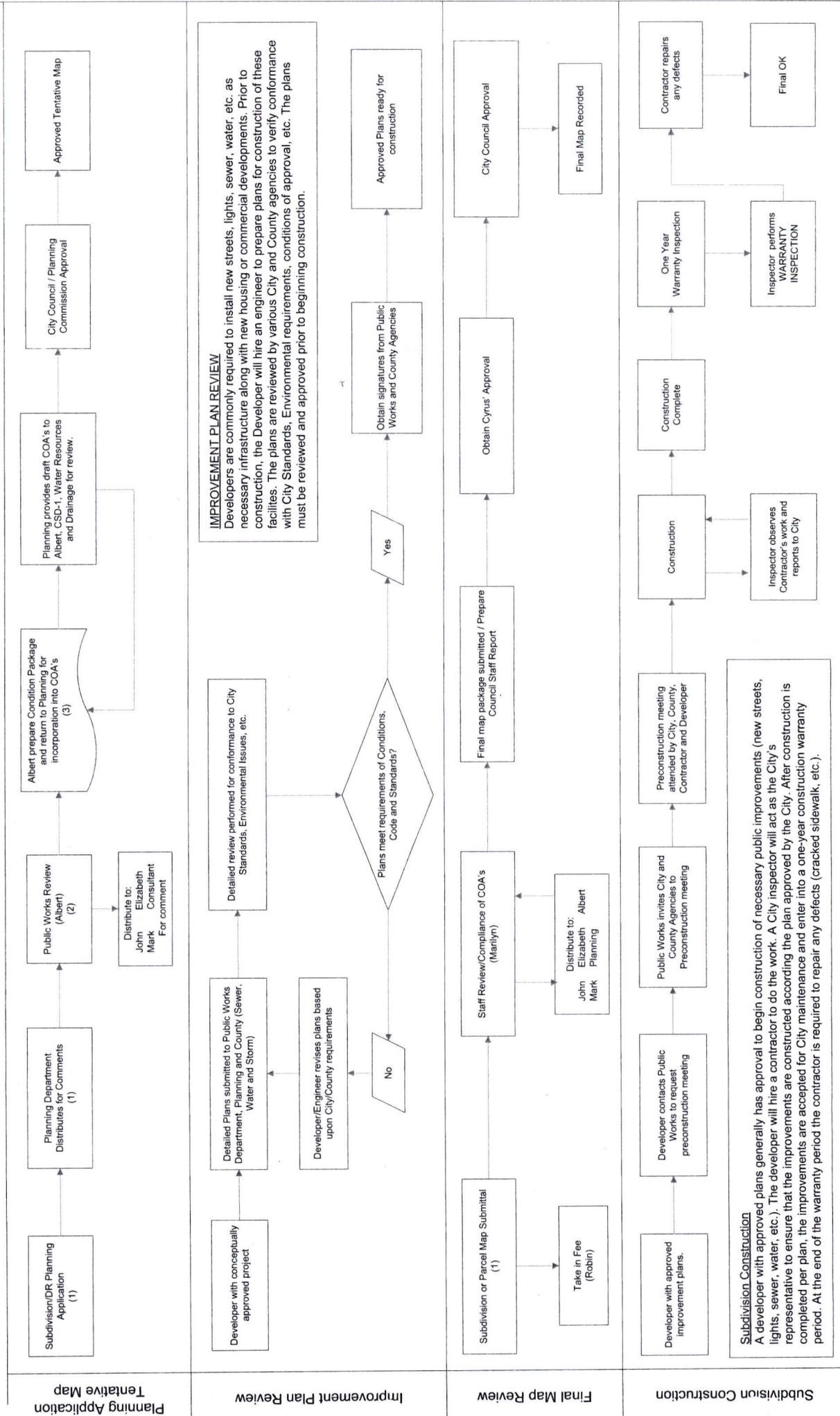
PLAN REVIEW AND PERMITTING. PUBLIC WORKS & BUILDING DEPARTMENTS ARE LEAD CONTACT



CONSTRUCTION. PUBLIC WORKS & BUILDING DEPARTMENTS ARE LEAD CONTACT



PUBLIC WORKS DEPARTMENT - SUBDIVISION PROCESS FLOW CHART

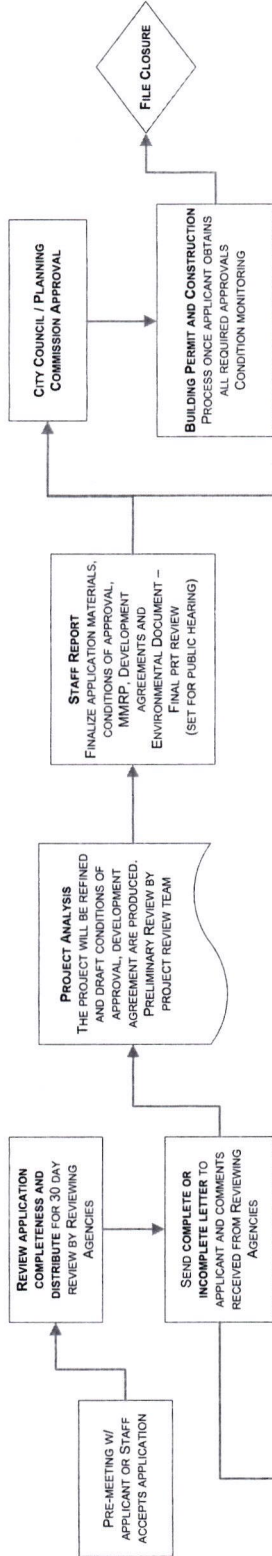


PLANNING DEPARTMENT APPLICATION PROCESS FLOW CHART

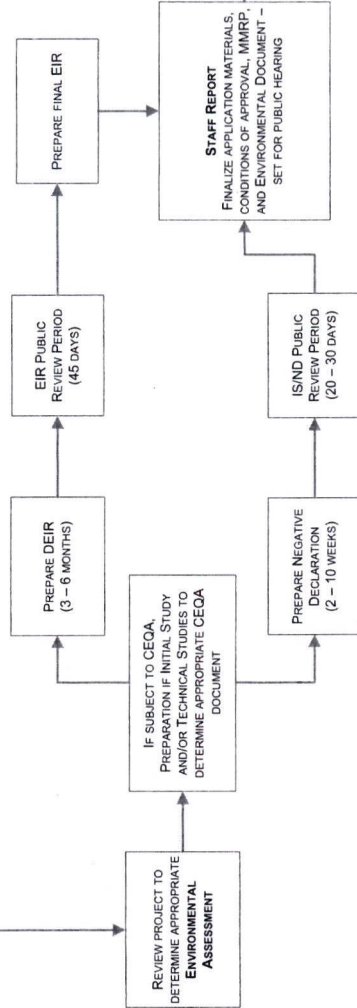


APPLICATION PROCESS FOR DISCRETIONARY PROJECTS

- GENERAL PLAN AMENDMENTS
- REZONES
- SPECIFIC PLANS
- TENTATIVE MAPS
- MINOR LAND DIVISIONS
AND SUBDIVISION MAPS
- CONDITIONAL USE PERMIT
- DEVELOPMENT AGREEMENTS
- VARIANCE

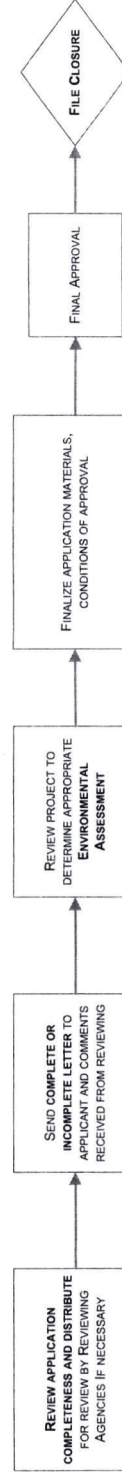


ENVIRONMENTAL PROCESS



ADMINISTRATIVE REVIEW

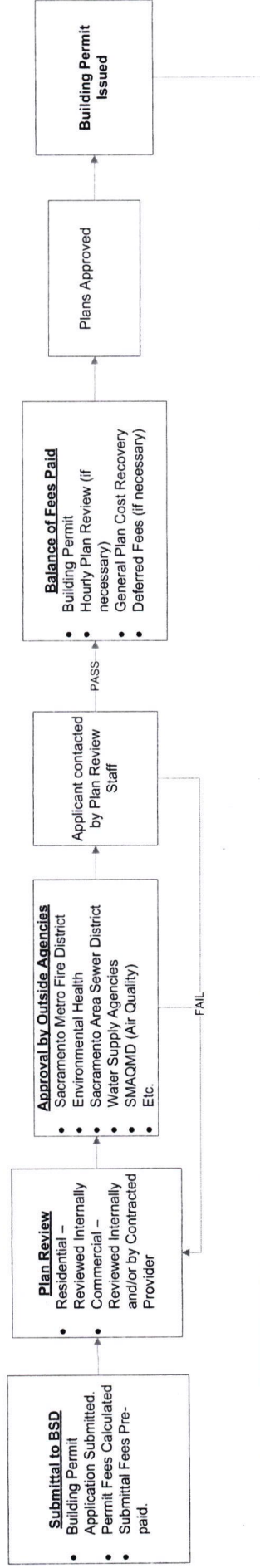
- TEMPORARY USE PERMIT
- BUSINESS LICENSE
- BOUNDARY LINE ADJUSTMENT
- CERTIFICATE OF COMPLIANCE



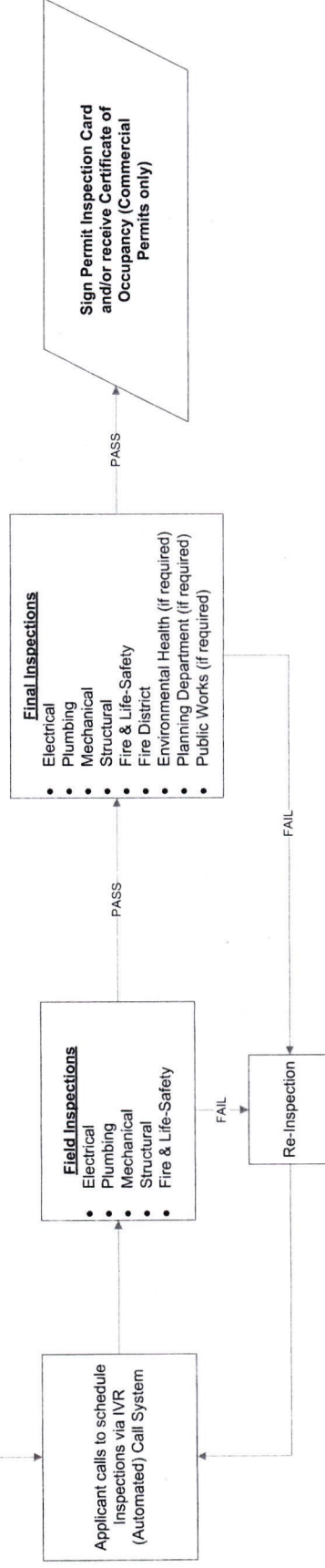
Building & Safety Department Building Permit and Inspection Process

ATTACHMENT 1

Building Permit Application and Approval



Building Permit Inspections and Project Completion



Development Services Team

- The City has set up a new multi-disciplinary Development Services Team (DST) to provide a team approach to development process review to further drive the city's goal of providing exceptional customer service.
- The Development Services Team includes staff members from Building, City Attorney's Office, Economic Development, Finance, Fire, Parks, Planning and Public Works.
- The objectives of this team are to increase the efficiency of the development process for customers, be proactive at identifying problems early and providing positive solutions.
- The DST provides project management continuity from beginning to end of every project.
- Elected officials and city staff are encouraged to refer any development process inquiries and problems to this team.
- Team
 - Building: Joe Cuffe, (916) 851-8866
 - City Attorney's Office: Heather Kenny, (916) 556-1528
 - Economic Development: Micah Runner, (916) 851-8783
 - Finance: Rebecca Santini, (916) 851-8845
 - Fire: Russ Blair, (916) 851-8932
 - Parks: Doug Critchfield, (916) 362-1841
 - Planning: Bill Campbell, (916) 851-8752
 - Public Works: Albert Stricker, (916) 851-8713
- Schedule
 - Meet weekly for approximately 1 hour (Tuesday mornings).



MEMORANDUM



DATE: January 5, 2009
TO: Honorable Mayor and Council Members
FROM: Jeffrey S. Beiswenger, AICP, Senior Planner
SUBJECT: ZONING CODE UPDATE

RECOMMENDATION

That Council waive second reading and adopt Ordinance No. 27-2008 as introduced and amended on December 15, 2008.

RESULT OF RECOMMENDED ACTION

Adoption of Ordinance No. 27-2008 is the second of two steps required to approve amendments to the Zoning Code text and the Zoning Map. The first step was to adopt Resolution No. 144-2008 on December 15, 2008 to approve amendments to the General Plan. Jointly, these actions update land use regulations throughout the City and will bring the Zoning Code into compliance with the 2006 Rancho Cordova General Plan.

BACKGROUND

At the December 15, 2008 City Council hearing, the Zoning Code and Map updates were introduced. The City Council voted to approve the update, with specific amendments, as follows:

- **Section 2.5.030 Allowed Land Uses and Permit Requirements, Table 2.5-1: Allowed Uses and Permit Requirements for Mixed Use Districts.** Changes to the Alcoholic Beverage Sales to require a Conditional Use Permit (CUP) for off-site consumption only in all mixed use districts. A footnote has been added to the table to clarify the intent of this requirement. Drive-through establishments will require a CUP instead of Limited Use Permit.
- **Section 4.6.070 Parking Lot Landscaping.** The shade canopy requirement has been changed to require a uniform 50% shading of all parking lots.
- **Section 4.7.080 Parking of RVs, Trailers, and Vessels.** This section has been removed and limitations on RVs, trailer and vessel parking and storage will be reconsidered as part of an update in 2009 after community outreach and options have been carefully considered.
- **Section 4.7.160 Off-Street Loading Requirements.** Buildings smaller than 8,000 square feet in size are exempt from the loading requirement.

- **Section 4.9.070. General Lighting Standards.** Public, civic and religious buildings are exempt from the limitation on level of illuminations to allow for the dramatic lighting effects of entire buildings.
- **Section 4.11.080 Special Fencing and Screening Requirements.** This section has been amended to allow for walls to be built of decorative masonry or covered with plant materials (not both). This section has also been amended to require that soundwalls be setback in accordance with noise requirements and to provide sufficient room for landscaping and sidewalks.
- **Chapter 4.14 – Public Utilities, Section 4.14.010 Purpose and 4.14.020 Requirements.** Language has been added to clarify that the provisions apply to utilities serving the public. Language has been amended so that undergrounding of utilities is only required if feasible.
- **Section 4.15.020 Basic Policies for Sign Regulations.** The requirement that signs on mixed use buildings must be in front of the related tenant space has been removed. The sign can be located anywhere on the building.
- **Section 5.4.030 Drive-in and Drive-Through Sales and Service.** The hours of operation restrictions have been removed.
- **Coloma Village Center, Chapter 3 Conceptual Land Plan.** The language has been amended to allow auto service and repair uses in existence prior to December 15, 2008. This will allow AI's Automotive to continue as a permitted use.

The above amendments are included as Attachment 1 for reference.

As directed at the December 15, 2009 City Council, a follow-up Zoning Code update in 2009 will focus on the following topics:

- **Table 4.7-1 Required Minimum Bicycle Parking Ratios.** The City Council had a concern that the bicycle parking requirements may be too high. This will be evaluated and edit will be considered.
- **RV, Trailer and Vessel parking and storage.** Public outreach will be conducted and options will be considered related to the parking and storage of RVs, trailers and vessels on private property.
- **Electronic Message Signs.** Edits to the definitions and standards related to these types of signs will be further evaluated.

ATTACHMENTS

1. Ordinance No. 27-2008
2. Revisions to Zoning Code text

CITY OF RANCHO CORDOVA

ORDINANCE NO. 27-2008

**AN ORDINANCE OF THE CITY COUNCIL OF RANCHO CORDOVA
MAKING FINDINGS AND ADOPTING A ZONING CODE UPDATE**

WHEREAS, upon its incorporation in 2003, the City of Rancho Cordova adopted the Sacramento County Zoning Code, and has since updated and amended individual sections of that code; and

WHEREAS, to (i) reflect the goals, policies, and implementation measures of the City's first General Plan, adopted in June 2006; (ii) ensure compliance with applicable Federal and State legislation; (iii) address the City's key zoning issues; (iv) create development standards reflective of community desires; and (v) improve organization of usability of the Zoning Code, the City now desires to adopt a comprehensive update to its Zoning Code; and

WHEREAS, since at least January, 2007, the City has been in the process of preparing an update to the Zoning Code, which process, as described in more detail below, has included reviewing the existing code, soliciting public input, identifying key land use issues, and designing, drafting, and preparing for adoption of the update; and

WHEREAS, a draft update has now been completed and consists of both (i) a comprehensive Zoning Code Update attached to this ordinance and incorporated herein by reference as **Exhibit A**; and (ii) a Zoning Map Amendments, attached to this ordinance and incorporated herein by reference in **Exhibit B** (collectively, "Zoning Code Update"); and

WHEREAS, once adopted, the Zoning Code Update will completely replace the City's existing Zoning Code and all provisions therein, with the exception of the eight existing Special Planning Areas (SPAs), as identified on the Rancho Cordova Zoning Map and depicted in **Exhibit D**, attached to this ordinance and incorporated herein by reference; and

WHEREAS, the City's Planning Department solicited input on the Zoning Code Update through a Policy Advisory Team composed of public officials and stakeholders, a City Staff Working Group, a total of six joint workshops of the City Council and Planning Commission, stakeholder meetings with the business community and advocacy groups, and property-owner outreach; and

WHEREAS, pursuant to Government Code §§ 65853, *et seq.*, on November 13, 2008, the Planning Commission held a lawfully noticed public hearing on the Zoning Code Update, at which time it received testimony on the proposed update and recommended, by resolution, that the City Council adopt the Zoning Code Update; and

WHEREAS, upon receiving the Planning Commission's recommendation the City Council held a lawfully noticed public hearing on December 15, 2008, to consider adoption of the Zoning Code Update; and

WHEREAS, by Resolution No. 144-2008, the City Council has adopted amendments to the text of the General Plan and the General Plan Land Use Map, which amendments were required to maintain consistency between the General Plan and proposed Zoning Code Update; and

WHEREAS, the City Council finds that the Zoning Code Update is consistent with the City's General Plan (as amended by Resolution No. 144-2008) because the Zoning Code Update is compatible with numerous General Plan goals, policies, and actions, and does not impede achievement of remaining goals, policies, and actions; among the many General Plan objectives furthered by the Zoning Code Update are the following:

Goal LU.1 - Achieve a balanced and integrated land use pattern throughout the community.

Finding: The Zoning Code Update, which includes a comprehensive update to the existing Zoning Code and corresponding amendments to the Zoning Map, establishes a variety of permitted and conditionally permitted residential, commercial, office, and industrial uses. The broad range of land uses established in the Zoning Code update have been systematically and strategically implemented to achieve a balanced and efficient land use pattern throughout the City.

Policy LU.1.1 - Utilize and maintain the Land Use Map to designate the location and extent of each land use designation within the Planning Area.

Finding: By Resolution No. 144-2008 the City Council has updated the Land Use Map to maintain consistency between the General Plan and Zoning Code Update. All of the uses on the Land Use Map are consistent with and implement uses depicted on the General Plan Land Use Map and the General Plan Land Use Element.

Action LU.1.1.4 - Amend the Zoning Code text to include the appropriate findings required for General Plan land use and text amendment requests.

Finding: By Resolution No. 144-2008 the City Council have Amended the Zoning Code at Chapter 1 to include specific finds and procedures for General Plan Land Use text and Map amendments requests.

Action LU.1.4.1 - Establish performance and development standards in the Zoning Code and guidelines in the Citywide Design Guidelines to address compatibility between existing and proposed development and within proposed mixed-use development (vertical and horizontal).

Finding: By Resolution No. 144-2008 the City Council have Amended the Zoning Code at Chapter 1 to include specific finds and procedures for Design Review.

Policy LU.1.5 - Maintain consistency between the land use categories of this General Plan and the City Zoning Code.

Finding: This project is primarily a comprehensive update to the City's Zoning Code. However, to maintain consistency between the Zoning Code and the General Plan, as required by state law and Policy LU.1.5, the project also incorporates limited amendments to both the General Plan text and map, which the City Council has adopted by Resolution No. 144-2008.

Action LU.1.5.1 - Update the Zoning Code Text and Map to reflect new land use designations and distributions throughout the City as established in this General Plan.

Finding: The Zoning Code Update includes a comprehensive update to both the Zoning Code text and map to incorporate General Plan land use designations.

Action UD.1.1.1 – Amend the Zoning Code and Design Guidelines to be consistent with the urban vision. Select areas where a “form based” approach to zoning is appropriate.

Finding: The update to the Zoning Code proposes two areas where a “form based” zoning approach may be appropriate: (1) Bradshaw Village Center (**Exhibit C1**); and (2) Coloma Village Center (**Exhibit C2**).

Action UD.1.5.2 - Revise the Zoning Code provisions to identify appropriate solutions to create compatibility between developments. The use of walls and fences to segregate uses does not inherently create compatibility.

Finding: Zoning Code text amendments, included as part of the Zoning Code Update, address compatibility of uses by allowing for integration of different land use across zoning district boundaries; allowing for mixed-use development; and requiring, in some cases that adjacent properties connect to one another.

Action UD.2.2.1 - Amend the Zoning Code text and map to implement the new mixed-use designations in this General Plan.

Finding: Applying the General Plan's mixed-use designations, the Zoning Code Update maintains existing mixed-use districts for residential, commercial, office, and industrial properties. The Zoning Code Update also incorporates new mixed-use districts for Village Center (VC), Local Town Center (LTC) and Regional Tower Center (RTC)

Goal C.2 – Establish an extensive, complete, smooth, interconnected, and continuous pedestrian and bicycle network that is a safe and attractive option for local or regional trips or recreation and that connects to the City's neighborhoods, parks and schools, employment areas, and retail centers.

Finding: Development standards found throughout Chapter 4 of the new Zoning Code require that a comprehensive bicycle and pedestrian network is integrated into development projects. These standards are applicable to all residential and commercial properties.

Policy C.2.3 – In designing development projects, design for the pedestrian first.

Finding: Development standards found in Chapter 4 require that development projects are designed with pedestrian safety and comfort in mind. A special Chapter 4.8 Standards for Pedestrian Oriented Spaces will create the desired pedestrian environment.

Action C.2.3.3 – Ensure safe, efficient pedestrian connections are made between the sidewalk, parking areas, and entrances to stores, offices, and other uses as part of development design review.

Finding: Development standards found throughout Chapter 4 of the new Zoning Code require that a comprehensive bicycle and pedestrian network is integrated into development projects. These standards are applicable to all residential and commercial properties.

WHEREAS, the City is authorized to adopt this Zoning Code Update pursuant to its “police power” granted by section 7 of article XI of the California Constitution, in that by establishing appropriate land uses and development standards for the efficient, orderly, and compatible development of real property, adoption of the Zoning Code Update is reasonably related to the protection of the public health, safety, and welfare; and

WHEREAS, the Zoning Code Update reflects the input of hundreds of residents, stakeholders, and public officials, and implements the General Plan's visions and desires for the community, is adopted in the public's interest, and is otherwise consistent with federal and state law; and

WHEREAS, pursuant to the California Environmental Quality Act, Public Resources Code, §§ 21000, *et seq.* (CEQA), in 2006 the City prepared and certified an Environmental Impact Report (EIR) for its General Plan (State Clearinghouse No. 2005022137), which analyzed adverse environmental impacts of land use and zoning decisions within the City; and

WHEREAS, the Zoning Code Update, including the limited General Plan amendments, would not substantially change the existing policies and actions in the General Plan; would not cause a new significant impact or substantially increase the severity of a previously identified significant impact from the General Plan Final EIR that would require major revisions to the General Plan Final EIR; there are no substantial changes in the circumstances that would cause a new significant impact or substantially increase the severity of a previously identified significant impact requiring major revisions to the General Plan EIR; and there is no new information of substantial importance (which was not known or could not have been known at the time of the General Plan adoption in June 2006) that identifies: a new significant impact; a substantial increase in the severity of a previously identified significant impact; mitigation measures or alternatives previously found infeasible that would now be feasible and would substantially reduce one or more significant effects of the General Plan; or mitigation measures or alternatives which are considerably different from those analyzed in the General Plan EIR which would substantially reduce one or more significant effects on the environment; and

WHEREAS, because the environmental impacts of the Zoning Code Update have generally been addressed in the General Plan EIR, would require only minor technical changes to the General Plan EIR, and would not trigger any of the conditions in CEQA Guidelines § 15162 requiring preparation of a supplemental or subsequent EIR, an Addendum to the General Plan EIR has been prepared for the Update, pursuant to CEQA Guidelines § 15164; and

WHEREAS, the City Council has considered the EIR Addendum, and in its independent judgment hereby finds that the Addendum in conjunction with the General Plan EIR adequately evaluates the environmental impacts of the Zoning Code Update, consistent with the requirements of CEQA; and

WHEREAS, the City Council finds that the foregoing recitals and findings are true and correct, and adopts this Ordinance based on the entirety of the record, which includes without limitation, the Rancho Cordova General Plan and General Plan EIR; the Zoning Code Update EIR Addendum; all reports, testimony, and transcripts from the City's joint work sessions; all reports, testimony, and transcripts from the Planning Commission's November 13, 2008 meeting; and reports, testimony, and transcripts from the City Council's December 15, 2008 meeting.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Adoption of Zoning Code Update

(a) The City Council hereby adopts the comprehensive Zoning Code Update, attached to this Ordinance and incorporated herein by reference as **Exhibit A**. The Zoning Code attached as **Exhibit A** completely replaces the City's existing Zoning Code and all provisions therein except for the designation of, and zoning provisions applying to, Special Planning Areas, as depicted in **Exhibit D**.

(b) The City Council hereby amends the Zoning Map as proposed in **Exhibit B**, attached to this Ordinance and incorporated herein by reference.

Section 2. Severability

If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this ordinance that can be given effect without the invalid provision and, to this end, the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

Section 3. Publication and Effective Date

Within fifteen (15) days after adoption, a summary of this ordinance shall be published once in the Grapevine Independent or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code section 36933. This ordinance shall take effect and be enforced thirty (30) days after its inception.

PASSED AND ADOPTED, by the City Council of the City of Rancho Cordova this 5th day of January 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Skoglund, Mayor

ATTEST:

Mindy Cuppy, City Clerk

Chapter 2 – Zoning Districts, Allowable Uses, and General Development Standards

- Office uses (primary or secondary uses)
- Medium density residential (6.1 to 18 units per acre)
- High density residential (20.1 to 40 units per acre)
- High density residential with transit bonus (20.1 to 80 units per acre)
- Transit-oriented developments when adjacent to fixed station locations

2.5.030 Allowed Land Uses and Permit Requirements

Table 2.5-1 below identifies allowed uses and corresponding permit requirements for the Mixed Use Districts subject to compliance with Chapter 2.2 (Land Use Classification) and all other provisions of this Title. Descriptions/definitions of the land uses can be found in Chapter 10 (Definitions). The Specific Use Regulations column in the table identifies the specific chapter or section where additional regulations for that use type are located within this Title.

Use regulations in the table are shown with representative symbol by use classification listing: "P" symbolizes uses allowed by right, "L" symbolizes uses that require approval of a Limited Use Permit, "C" symbolizes uses that require approval of a Conditional Use Permit, and "N" symbolizes uses that are not permitted.

Table 2.5-1: Allowed Use and Permit Requirements for Mixed Use Districts

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Residential Uses									
Adult Day Care Home	P	N	N	N	N	N	N	N	
Caretaker Housing	P	P	P	P	P	P	P	P	5.1.020
Dwelling, Multi-Family	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Dwelling, Second Unit	P	N	N	N	N	N	N	N	5.1.060
Dwelling, Single-Family	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Dwelling, Two-Family	P ¹	P ^{1,2}	P ^{1,2}	N	N	P ¹	P ¹	P ¹	
Emergency Shelter	C	C	C	C	N	N	N	N	
Family Day Care Home, Large	C	N	N	N	N	N	N	N	
Family Day Care Home, Small	P	N	N	N	N	N	N	N	
Group Residential	L	N	N	N	N	N	N	N	
Home Occupations	P	P	P	N	N	P	P	P	5.1.030
Live-Work Facility	P ¹	P ¹	P ¹	N	N	P ¹	P ¹	P ¹	5.1.040
Residential Care Home	P	N	N	N	N	N	N	N	
Transitional Housing	P	N	N	N	N	N	N	N	
Recreation, Education, and Public Assembly Uses									
Clubs, Lodges, and Private Meeting Halls	P	P	P	P	C	P	P	P	

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RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

Chapter 2 – Zoning Districts, Allowable Uses and General Development Standards

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Community Centers/Civic Uses	P	P	P	P	C	P	P	P	
Indoor Amusement/Entertainment Facility	C	P	P	P	C	L	P	P	
Indoor Fitness and Sports Facility	L	P	P	P	C	L	P	P	
Libraries and Museums	P	P	P	P	P	P	P	P	
Outdoor Commercial Recreation	N	C	P	P	P	C	C	C	
Parks and Public Plazas	P	P	P	P	C	P	P	P	
Public Safety Facility	P	P	P	P	P	P	P	P	
Religious Institutions	P	P	P	P	P	P	P	P	
Schools, Private and Special/Studios	P	P	P	P	C	P	P	P	
Schools, Public	P	P	P	P	P	P	P	P	
Theaters and Auditoriums	C	P	P	P	N	L	P	P	
Utility, Transportation, and Communication Use Listings									
Broadcasting and Recording Studios	N	P	P	P	P	N	N	N	
Bus and Transit Shelters	P	P	P	P	P	P	P	P	
Freight Yard/Truck Terminal	N	N	N	C	C	N	N	N	
Fuel Storage and Distribution	N	N	N	N	C	N	N	N	
Heliports	N	C	C	C	C	N	N	N	
Park and Ride Facility	C	P	P	P	P	C	C	P	
Parking Facility	C	P	P	P	P	C	P	P	
Telecommunication Facility	C	C	C	C	C	C	C	C	5.3.020
Transit Facilities	N	N	N	C	P	N	N	N	
Transit Stations and Terminals	C	P	P	P	P	P	P	P	
Utility Facility and Infrastructure	L	L	L	L	L	L	L	L	5.3.030

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Chapter 2 – Zoning Districts, Allowable Uses, and General Development Standards

Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Retail, Service, and Office Uses									
Adult Day Care Facility	N	C	C	C	C	C	C	C	
Alcoholic Beverage Sales, off-site ⁶	C	C	C	C	C	C	C	C	
Ambulance Service	N	C	C	P	P	N	N	N	
Animal Sales and Grooming	C	P	P	N	N	P	P	P	
Art, Antique, collectable	P	P	P	P	N	P	P	P	
Artisan Shops	C	P	P	P	P	P	P	P	
Banks and Financial Services	P	P	P	P	P	P	P	P	
Bars and Nightclubs	C ³	C ³	C ³	C ³	C ³	C ³	C ³	C ³	
Bed and Breakfast Inns	P	N	N	N	N	N	N	N	
Building Materials Stores and Yards	N	P ⁴	N	C ⁴	N	N	C ⁴	C ⁴	
Business Support Services	L ^{4,5}	P	P	P	C	P ⁵	P	P	
Call Centers	N	N	P	P	C	N	N	N	
Child Day Care Facility	P	C	C	C	C	P	C	C	
Convenience Stores	C	L	L	L	C	L	L	L	
Drive-in and Drive-through Sales and Service	N	C ⁶	C ⁶	C ⁶	C ⁶	N	N	N	5.4.030
Equipment Sales and Rental	N	N	N	P	P	N	N	N	
Furniture, Furnishings, and Appliance Stores	N	P	N	N	N	N	C	P	
Garden Center/ Plant Nursery	N	P	N	C	N	N	C	C	
Grocery Stores/ Supermarket	L ⁷	P	P	C	N	L ⁷	P	P	
Home Improvement Supplies	N	P ⁸	N	P	P	N	P ⁹	P ⁹	
Hotels and Motels	C	P	P	C	N	C	P	P	
Hotels and Motels, Extended Stay	C	C	C	C	N	C	C	C	
Kennels, Commercial	C ⁴	C ⁴	C ⁴	L ⁴	C ⁴	N	N	N	
Maintenance and Repair, Small Equipment	N	P	N	P	P	L	P	P	
Medical Services, General	P	P	P	P	P	P	P	P	
Medical Services, Extended Care	P	C	C	C	N	N	N	N	
Medical Services, Hospitals	P	P	P	P	P	P	P	P	
Mortuaries and Funeral Homes ¹⁵	N	P	P	P	P ¹⁵	N	N	N	

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Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Neighborhood Market	P	P	P	C	N	P	P	P	
Offices, Business and Professional	P ²	P ²	P	P	N	P ²	P ²	P ²	
Offices, Accessory	P	P	L ¹⁰	L ¹⁰	P ¹⁰	P	P	P	
Personal Services	P ⁵	P	P	P	P	P	P	P	
Residential Care Facility	L	C	C	N	N	N	N	N	
Restaurants	P ²	P	P ²	P ²	P ²	P	P	P	
Retail, Accessory	P ²	P	P ⁶	P ⁶	P ⁶	P	P	P	
Retail, General	P ^{2, 11}	P	N	N	N	P	P	P	
Retail, Warehouse Club	N	P	N	N	N	N	C	P	
Veterinary Facility	C	P	P	P	C	C	P	P	
Automobile and Vehicle Uses									
Auto and Vehicle Sales and Rental	N	P	N	N	P	N	N	N	
Auto and Vehicle Sales, Wholesale	N	N	N	C	P	N	N	N	
Auto and Vehicle Storage	N	N	N	C ¹²	P ¹²	N	N	N	
Auto Parts Sales	N	P ^{11, 12}	N	N	P ^{11, 12}	N	N	N	
Car Washing and Detailing	N	C ¹³	C ¹³	C ¹³	P	N	C	C	
Service Stations	N	C	C	C	P	N	C	C	
Vehicle Services, Major	N	N	N	C ¹²	P ¹²	N	N	N	
Vehicle Services, Minor	N	C ^{12, 13}	N	C ¹²	P ¹²	N	N	N	
Industrial, Manufacturing, and Processing Uses									
Agricultural Products Processing	N	N	N	N	C	N	N	N	
Manufacturing, Major	N	N	N	N	C ¹⁴	N	N	N	
Manufacturing, Minor	N	N	N	P	P	N	N	N	
Manufacturing, Small Scale	N	P	P	P	P	P	N	N	
Printing and Publishing	N	C	C	P	P	N	N	N	
Recycling Facility, Processing	N	N	N	N	C	N	N	N	
Recycling Facility, Scrap and Dismantling Facility	N	N	N	N	C	N	N	N	
Research and Development	N	N	P	P	P	N	N	N	
Storage, Personal Storage Facility	N	N	N	C	P	N	N	N	
Storage, Warehouse	N	N	N	P	P	N	N	N	
Storage, Yards	N	N	N	P ¹⁴	P ¹⁴	N	N	N	
Wholesaling and Distribution	N	N	N	P ¹⁴	P ¹⁴	N	N	N	
Special Regulated Uses									
Card Rooms	N	P	C	C	C	N	N	N	5.7.020

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Chapter 2 – Zoning Districts, Allowable Uses, and General Development Standards

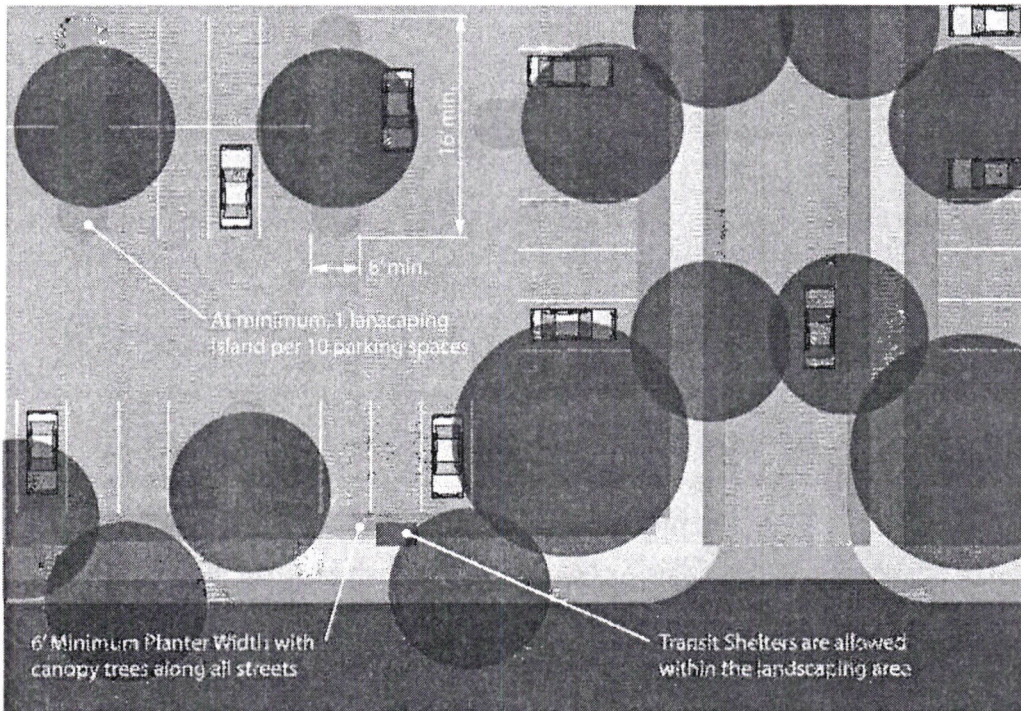
Land Use Category	RMU	CMU	OPMU	OIMU	LIBP	VC	LTC	RTC	Specific Use Regulations
Check Cashing Businesses	N	P	N	N	N	N	N	N	5.7.030
Massage Parlor	N	P	N	N	N	N	N	N	
Pawn Shops	N	P	N	N	N	N	N	N	5.7.040
Recycling Facility, Collection Facility	N	C	C	C	P	C	C	C	5.7.050
Sexually Oriented Businesses	N	N	N	N	P	N	N	N	5.7.060
Smoke Shops	N	P	N	N	C	N	N	N	5.7.070
Tattoo Parlors	N	P	N	N	N	N	N	N	5.7.080
Thrift Store	N	P	N	N	C	N	N	N	5.7.090

Notes:

1. See the density restrictions in the underlying zoning district.
2. This use is permitted or conditionally permitted as specified only in conjunction with the predominant use of the mixed use district. In other words, this use is only allowed as part of an integrated development.
3. All forms of speaker amplification exterior to the building shall be prohibited unless authorized in combination with project approval or amendment thereto.
4. All activities shall occur within a completely enclosed building or shall be located behind a solid/screened enclosure directly adjacent to the building.
5. Maximum gross floor area is less than 5,000 square feet.
6. Limited to a maximum of 25 percent of the gross floor area of the integrated development.
7. Maximum tenant space shall be 25,000 square feet.
8. Maximum tenant space shall be 50,000 square feet.
9. Uses 25,000 square feet and over require a Conditional Use Permit.
10. Limited to less than 50 percent of the gross floor area of the integrated development.
11. Maximum tenant space shall be 15,000 square feet.
12. All activity and storage must be located within an enclosed structure.
13. No portion of the use shall be located within 500 feet of an intersection..
14. All activity must be entirely screened from public view and not within 500 feet of a residential use.
15. Crematory are prohibited in all zones with the exception of LIBP where it is permitted in association with a Mortuary or Funeral Home.
16. Only establishments that sell alcoholic beverages for off-site consumption require a Conditional Use Permit. On site consumption is considered a permitted use if the related use is a permitted use.

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Figure 4.6-4: Planter Requirements



1. A planter at least five feet wide, excluding curbing, shall be provided adjacent to all street rights-of-way. The planter shall be increased to a minimum of six feet wide when canopy trees are used.
2. Transit shelters are allowed within the landscaping area.
3. Parking lots of five spaces or more shall provide a landscaped island measuring a minimum of eight feet by 16 feet at a ratio of one island for every eight spaces. As a minimum, the islands shall be placed every ten spaces.
4. Shade canopy requirement:
 - a. Parking lot landscaping shall include shade trees placed so as to cover 50% of the total parking area with tree canopies within 15 years of securing building permit, as illustrated in Figure 4.6-5 (Parking Lot Shade Requirements). Shade tree selection shall be approved by the Director to ensure that shade canopy will be achieved.
 - b. The percentage of area required to be shaded shall be based on the number of aboveground and uncovered parking spaces provided.

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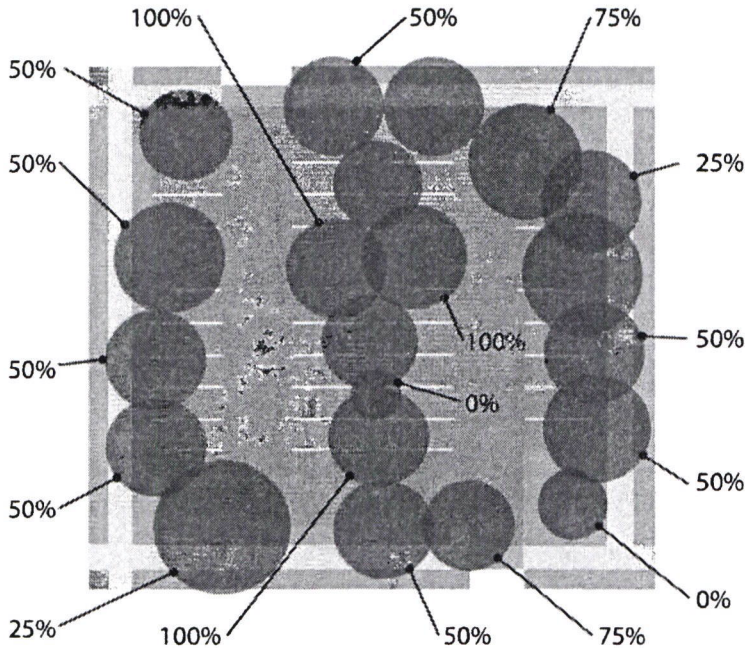
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Chapter 4 – Site Planning and Development Standards

c. Tree coverage shall be determined by the approximate crown diameter of each tree at 15 years, as estimated on the approved tree list. Trees shall be a minimum 15-gallon size at planting.

Figure 4.6-5: Parking Lot Shade Requirements



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 <#>Table 4.6-1: Shade Canopy
 Coverage Requirements¶
 <#>Parking Spaces Required ... [1]

Notes:

1. This diagram is intended to reflect the manner in which shade is credited under various conditions.
2. Trees may receive 25%, 50%, 75%, or 100% as shown.
3. Shade overlap is not counted twice.
5. All landscaping shall be within planters bounded by a curb at least six inches high. No planter shall be smaller than 25 square feet, excluding curbing. Each planter shall include an irrigation system.
6. Existing mature trees on the site shall be preserved whenever possible.
7. All landscaped areas shall be designed so that plant materials are protected from vehicle damage or encroachment.
8. All plant materials shall be maintained free from physical damage or injury arising from lack of water, chemical damage, insects, and diseases. Plant materials

4.7.080 Vehicle and Bicycle Parking Requirements

- A. **Minimum Requirements.** Minimum vehicle and parking space requirements are listed in Table 4.7-1 (Required Minimum Vehicle and Bicycle Parking Ratios). Where there is more than one parking ratio listed in the table, the greater of the two apply.
- B. For the purpose of calculating parking ratios in all districts, the following types of parking are considered outdoor storage and are not consider parking:
 1. Fleet vehicle parking
 2. Parking for vehicles that are for sale, lease, or rent
- C. Parking areas that exceed minimum vehicle parking requirements are subject to the following requirements:
 1. All projects that exceed the minimum parking requirement by more that 125 percent shall demonstrate how the property can be developed in the future to utilize the additional parking areas for structures, landscaping, plazas, or other active use.
 2. In the Downtown District, the number of vehicle parking spaces provided shall not exceed 150 percent of the minimum parking ratio. Where no parking is required, the maximum parking allowance is two spaces.
- D. **Similar Use.** For a use not listed in Table 4.7-1 (Required Minimum Vehicle and Bicycle Parking Ratios), the required vehicle and bicycle parking shall be the same as for the most similar use listed, as determined by the Planning Director.
- E. **Compact Car Spaces**
 1. Up to 50 percent of the required number of parking spaces may be sized for compact cars.
 2. Compact car parking spaces shall be at least eight feet in width and 16 feet in length, and shall be clearly marked, "COMPACT CARS ONLY," "COMPACT," or "C."
 3. Compact car spaces shall be distributed throughout the parking lot.
 4. Where an entire section of the parking lot is restricted to compact parking with an angle of 90 degrees, the aisle width may be reduced from the standard 25 feet to 21 feet. Such compact sections should be located so as to minimize the distance from the parking lot section to the appropriate building or activity.
- F. **Exceptions.** Exceptions to minimum parking space standards shall be permitted in accordance with Section 4.7.100 (Reductions and Exceptions to Minimum Parking Requirements).

Deleted: 4.7.080. Parking of RVs, Trailers, and Vessels
 <#>Storage of RVs, trailers, and vessels is prohibited in required front and street side yards, including on driveways within the front and street side yards. However, parking is permitted outside of required front and street side yard setback areas and within interior side and rear yards when screened by a solid six-foot-tall fence, wall, and/or landscape barrier and a suitable parking surface is provided. Screening shall be consistent with Chapter 4.11 (Fences, Walls, and Screening).
 <#>See Section 4.7.140 (Standards for Off-Street Parking for Private Residences) for additional requirements for parking in residential zones. ¶

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RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

Chapter 4 – Site Planning and Development Standards

one another and should be located near the employee bicycle parking facilities whenever possible.

4.7.160 Off-Street Loading Requirements

A. **Purpose of Loading Area Requirements.** The purpose of these regulations is to provide the number, size, location, and screening requirements for loading areas in mixed-use, commercial, and industrial uses. The intent of these regulations is to minimize disruptions of traffic flow by freight-carrying vehicles blocking the public right-of-way and to minimize impacts to vehicular and pedestrian conflicts.

B. **When Loading Regulations Apply.** This regulation applies to all non-residential development in mixed-use commercial and industrial districts, whether or not a permit or other approval is required for the development. Buildings smaller than 8,000 square feet in size are exempt from the requirements of this section.

C. General Loading Area Requirements

1. The number of required loading spaces is based on the use of the building and the building size minus any residential component square footage.
2. Where two or more uses are located on the same premises, the number of loading area spaces required is the sum of the spaces required for each use.
3. The provision for maintenance of off-street loading facilities is a continuing obligation of the property owner.
4. Loading and maneuvering areas shall be hard-surfaced unless a permeable surface is required to reduce surface runoff, as determined by the Director.

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Chapter 4 – Site Planning and Development Standards

Figure 4.9-1: Shielding Provisions for Outdoor Lighting



* Outdoor lighting shall be constructed with full shielding and/or recessed to reduce light trespass to adjoining properties.

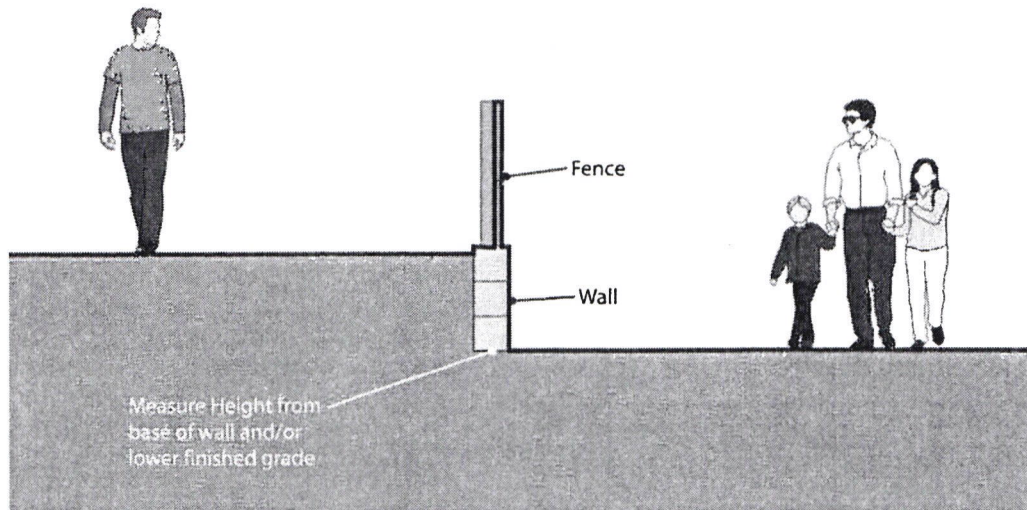
D. **Level of Illumination.** Outdoor lighting shall be designed to illuminate at the minimum level necessary for safety and security and to avoid the harsh contrasts in lighting levels between the project site and adjacent properties. Illumination standards are as follows:

1. Public, civic and religious buildings are permitted to be fully illuminated.
2. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one foot-candle of light and an average not to exceed four foot-candles of light. The following uses shall provide additional lighting as described below:
 - i. Convenience stores, card rooms, and check cashing establishments shall provide a minimum level of illumination of 1.5 foot-candles across the parking lot during business hours.
3. Pedestrian walkways shall be illuminated with a minimum maintained one-half foot-candle of light and an average not to exceed two foot-candles of light.
4. Entryways and exterior doors of non-residential structures shall be illuminated during the hours of darkness, with a minimum maintained one foot-candle of light, measured within a five-foot radius on each side of the door at ground level.
5. In order to minimize light trespass on abutting residential property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth foot-candle.

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Figure 4.11-2: Height Measurements



4.11.070 Prohibited Materials

The following fence materials are prohibited in all zones unless approved by Design Review for security needs or required by the City or state or federal law or regulation.

- A. Barbed wire or electrified fence;
- B. Razor or concertina wire in conjunction with a fence or wall, or by itself; and
- C. Chain link fencing within a front yard or street side yard.

4.11.080 Special Fencing and Screening Requirements

The Section establishes screening standards and special provisions for walls and fencing.

A. Screening

1. Screening between different land uses. The City encourages the integration and connection of compatible uses. To that end, contiguous barriers in the form of solid fences and walls should only be used between land uses when residential uses are located next to industrial uses or when necessary as determined by the designated Approving Authority. When used, the screening shall meet the following standards (see Figure 4.11-3, Screening Between Different Land Uses):

- i. The screen shall consist of a solid decorative wall of masonry or similar durable material or, in lieu of decorative masonry the wall shall be covered with plant materials (e.g. ivy) or block from view by landscape materials. The

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RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

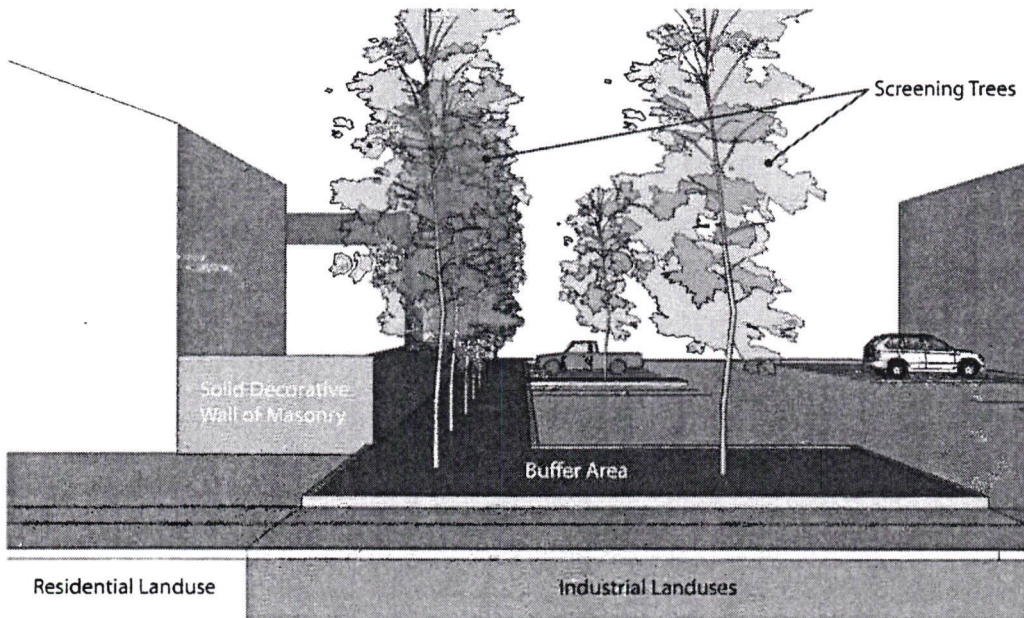
Chapter 4 – Site Planning and Development Standards

wall shall be a minimum of six feet in height, and shall comply with the height limitations listed in Section 4.11.050 (Height Limits and Location).

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- ii. The decorative wall shall be architecturally treated on both sides and is subject to Design Review approval.
- iii. A landscaping strip with a minimum width of five feet shall be installed adjacent to a screening wall, except that a minimum of six feet of landscaping (with trees) shall be provided between a parking lot and a screening wall.
- iv. The designated Approving Authority may waive or approve a substitute for the requirements above if it is determined that:
 - a. The relationship of the proposed uses makes screening unnecessary or undesirable;
 - b. The intent of this Section is successfully met by alternative screening methods; and/or
 - c. Physical characteristics and/or constraints on the site make required screening infeasible or unnecessary.

Figure 4.11-3: Screening Between Different Land Uses



RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

Chapter 4 – Site Planning and Development Standards

iii. Potable water storage facility. Potable water storage facilities shall be enclosed by a six-foot-tall solid masonry wall and buffered from the public right-of-way by a minimum ten-foot-wide landscape planter that includes ground cover and evergreen trees planted 30 feet on center. The masonry wall shall be covered in either graffiti-resistant paint or coating or with vines or other landscaping. The design of the landscaping (e.g., irrigation, planting) shall be consistent with the standards of Chapter 4.6 (Landscaping).

iv. Service stations. Service stations shall be screened from abutting residential zoning districts and uses by a solid six-foot masonry wall along the property line between the service station and the abutting property, except that within the first 25 feet from the street right-of-way line said wall shall not exceed 2.5 feet in height.

B. **Retaining Walls.** An embankment to be retained that is over 48 inches in height shall be benched so at the low side no individual retaining wall exceeds a height of 36 inches above the finished grade and each bench has a minimum depth of 36 inches. Wood shall not be used for a retaining wall over two feet in height.

C. **Swimming Pools, Spas, and Similar Features.** Swimming pools/spas and other similar water features shall be fenced in compliance with City-adopted Building Code requirements.

D. **Temporary Fencing.** Temporary fencing may be required by the designated Approving Authority where necessary to protect trees or other sensitive features and the general public from construction activities during site preparation and construction.

E. **Temporary Security Fencing.** Temporary security fencing (including chain link) with a maximum height of six feet may be installed around the property lines of vacant property with approval from the designated Approving Authority. The vacant property shall be maintained in a condition free from weeds and litter.

F. **Open Space and Trails.** Fences adjacent to open space and trail areas shall be constructed and maintained as open view fencing and shall not be chain link.

G. **Soundwalls.** Whenever sound walls are required to mitigate sound impacts adjacent to streets, the following standards shall apply. These standards shall not preclude the use of other innovative methods of project design utilizing greater setbacks, building design, mounding, or single-story structures with solid walls facing the street.

1. **Setbacks.** Walls shall be setback a sufficient distance from the ultimate public street right-of-way in accordance with noise attenuation and landscaping. The area between the right-of-way and the wall shall include a public sidewalk and landscaping, including canopy street trees.

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2. **Height.** Maximum height of a wall shall not exceed six feet above the finished grade at the base of the wall on the roadway side.

3. **Earthmounds.** When the sound and visual attenuation requires a wall exceeding six feet above the grade of the adjacent roadway, earthmounds shall be used such that

Chapter 4.14 – Public Utilities

Sections in this Chapter

4.14.010	Purpose	4.14-1
4.14.020	Requirements	4.14-1

Draft Zoning Code Changes:

- 4KK. *This Chapter maintains the existing requirement for undergrounding all utilities in the City and references the requirements for public water and sewer contained in Title 22 of the Municipal Code.*
- 4LL. *The requirement for underground utilities has been expanded to require undergrounding of utilities in existing areas of the City as part of a project that increases the total square footage of development on a site by at least 25 percent. For some projects, rather than completing the undergrounding as part of the project, an in-lieu fee could be paid.*

4.14.010 Purpose

The purpose of this Chapter is to provide uniform standards and regulations for the undergrounding of all utilities serving the public and to identify the requirements for public water and sewer service.

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4.14.020 Requirements

A. Underground Utilities

1. New developments. In new development areas (e.g., greenfield) of the City, all utilities, including but not limited to electrical (69kv or less), telephone, cable television, and similar distribution lines, shall be installed underground. The City Council may grant exceptions for new Rural Residential or Estate Residential projects as part of the proposed development application.
2. Existing developments. In existing areas of the City where utilities (e.g., electrical, telephone, cable television) have not been undergrounded, the following rules shall apply:
 - i. When feasible, an existing development that is being comprehensively redeveloped or additional building square footage totaling 25 percent or more of the existing gross floor area is being added, all utility lines on the project site and having the capacity to serve the project (e.g., connecting to the buildings on-site) shall be undergrounded. "Comprehensively redeveloped" shall mean any instance where a demolition permit has or would be issued for a minimum of 50 percent of the existing building area.

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Effective February 5, 2009

RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

Chapter 4 – Site Planning and Development Standards

- G. **Residential Uses Combined with Non-Residential Uses.** In any zone where both residential and non-residential uses are allowed, the sign-related rights and responsibilities applicable to any particular parcel or land use shall be determined as follows: residential uses shall be treated as if they were located in a zone where a use of that type would be allowed as a matter of right, and non-residential uses shall be treated as if they were located in a zone where that particular use would be allowed, either as a matter of right or subject to a Conditional Use Permit or similar discretionary process.
- H. **Mixed Use Zones/Developments.** As described in Section 4.15.060 (Allowed Permanent On-Site Sign Standards), on-site signs are regulated by development type, rather than by zoning district. However, when multiple use types are present within one development (e.g., commercial and office, office and institutional), the development standards for signs applicable to that site shall be those applicable to the majority of uses in the development. For instance, if the predominant use in a development is commercial, then sign(s) for any other use type located with that same development (except as regulated in G above) shall also be governed by those same regulations (e.g., an office use in a commercial development shall be held to the standards for commercial developments). Additionally, the following rules shall apply:
1. Commercial uses on the ground floor of a multi-story building where non-retail uses (e.g., office, residential) are located above the retail, regardless of the zoning district of predominant use, shall solely be regulated by the commercial sign standards.
 2. Office uses above the first floor of a multi-story building where the ground floor uses are predominantly commercial in character shall be solely regulated by the office sign standards for building-attached signs.
- I. **Owner Consent.** No sign may be placed on private property without the consent of the property owner or persons holding the present right of possession and control.
- J. **Illegal Signs.** A sign shall be considered an illegal sign when it does not conform to the provisions and standards of this Chapter, Zoning Certification has not been approved, and it is not otherwise determined to be a nonconforming sign as provided in Section 4.15.140 (Nonconforming and Abandoned Signs). Illegal signs may be abated by the City.

Deleted: Building-attached signs must be located on the same story as the commercial use anywhere within the tenant space's building frontage.

4.15.030 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Abandoned Sign. Any sign which is located on a premises that has been vacated for a period of more than 90 days as regulated in Section 4.15.140 (Nonconforming and Abandoned Signs).

Animated Sign. Any sign which uses mechanical or electrical movement or change of lighting, either natural or artificial, to depict action or to create visual motion or the appearance thereof.

RANCHO CORDOVA MUNICIPAL CODE, TITLE 23 - ZONING CODE

Chapter 5 – Specific Use Provisions

- F. **Required Signs.** Signs shall be posted prohibiting loitering and the consumption of alcoholic beverages in the business or in the parking areas, and any other signs as required by the City. This signage requirement shall not count toward the maximum signage allowed by Chapter 4.15 (Signs).
- G. **Hours of Operation.** The hours of operation for all new convenience stores shall be limited to between the hours of 6:00 a.m. and 11:00 p.m. daily.

5.4.030 Drive-In and Drive-Through Sales and Service

- A. **Purpose.** The purpose of this Chapter is to regulate drive-through windows and remote tellers with development standards that address the mitigation of traffic, congestion, excessive pavement, pedestrian connections, litter, and noise.
- B. **Applicability.** Development standards herein shall apply to all new facilities with drive-in and drive-through sales and services and will be reviewed in conjunction with the required Conditional Use Permit and/or Design Review application.
- C. **Permit Requirements.** Pursuant to Chapter 2 (Zoning Districts, Allowable Uses, and General Development Standards), a Conditional Use Permit is required for all drive-in and drive-through sales and services.
- D. **Required Findings.** All of the findings below shall be made in order for the designated Approving Authority to approve a Conditional Use Permit for a drive-in and drive-through sales and service use.
 - 1. The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.
 - 2. The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility nor impair normal circulation within the parking lot.
 - 3. The design and location of the facility will not create a nuisance for adjoining properties.
- E. **Development and Design Standards.** The following standards shall be the minimum requirements for all drive-through windows and remote tellers.
 - 1. Drive-through and remote teller aisles. The minimum standards for drive-through aisles are as follows:
 - i. Aisles shall have a 12-foot minimum width on curves and an 11-foot minimum width on straight sections.
 - ii. Aisles shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive-up lane. Non-food and/or non-beverage businesses may reduce the stacking space to a minimum of 60 feet. Exceptions may be granted by the designated Approving Authority when an applicant demonstrates that the required reservoir space is unnecessary.

Effective February 5, 2009

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Chapter 5 – Specific Use Provisions

- iii. Aisle entrances and exits shall be at least 25 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the curb-cut on an adjacent property. When an aisle encroaches into the front yard and side street setbacks, 25 feet of landscaping shall be provided, with at least ten feet of landscaping between the aisle and right-of-way. Exceptions may be granted by the designated Approving Authority when aisle pull-out spaces are provided.
- iv. Aisles shall be separated from the site's ingress and egress routes or access to a parking space.
- v. Landscaping of drive-through aisles. Landscaping of drive-through aisles shall be consistent with the requirements of Section 4.6.060.C (Screening of Drive-Through Aisles).
2. Pedestrian access and crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous, minimum four-foot-wide sidewalk or delineated walkway. Generally, pedestrian walkways should not intersect the drive-through aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving and shall be clearly signed to alert vehicles in the drive-through aisles
3. Parking. Drive-up windows, remote tellers, and drive-through aisles shall be designed and constructed to be consistent with the requirements of Chapter 4.7 (Parking and Loading). The placement of drive-up windows, remote tellers, and drive-through aisles shall not be considered as justification for reducing the number of parking spaces which are otherwise required.
4. Congestion. The Conditional Use Permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot and the management cannot alleviate the situation.
5. Noise. Drive-up windows and their order stations with amplified sound shall be 300 feet from residential zones. Drive-up windows or remote tellers without amplified sound may reduce the separation distance to a minimum of 75 feet from residential zones.
6. Signs. Signage for drive-up windows and remote tellers shall be consistent with the requirements of Chapter 4.15 (Signs).
7. Drive-through windows shall be visible from a public way to ensure that all activity can be viewed from an adjacent street.

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Deleted: <#>Hours of operation. When located on a site within 300 feet of any residential property (measured from the nearest property lines), hours of operation for the drive-up/drive-through service shall be limited from 7:00 a.m. to 10:00 p.m. daily. If the use is located greater 300 feet from a residential use, then there are no restrictions on the hours of operations. The hours of operation may be extended through issuance of a Limited Use Permit.

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CHAPTER 3 CONCEPTUAL LAND PLAN

The Coloma Village Center Conceptual Land Plan identifies the general land use patterns for existing and future development as well as the desired building form. This Plan takes into consideration existing development patterns and important land use opportunities and constraints (e.g., commercial concentration, residential and mixed/use transitions to surrounding neighborhoods). Ultimately, allowed uses on the site shall be consistent with those listed in Zoning Code Chapter 2 for the Village Center Zoning District with the exception that auto service and repair uses in existence prior to December 15, 2008 shall be allowed.

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This Plan calls for additional buildings along the north side of the Coloma Road frontage in key locations to create a more pedestrian-friendly interface with good visibility for retail and commercial services. The goal is to activate the street environment featuring plazas, restaurant seating, and retail storefronts. Parking shall be located primarily in parking fields behind the Coloma Road frontages. However, parking should be accessible and avoid the creation of isolated parking areas that are hidden from view.

GENERAL LAND USE PATTERNS

The Conceptual Land Plan represents the preferred land use pattern. However, the spirit of the Village Center designation allows for a wide range of retail and commercial service, office, and residential uses to be integrated horizontally and/or vertically. Thus, the general land use patterns are flexible and can be modified through Design Review.

BUILDING FORM

The Conceptual Land Plan illustrates both existing and future building forms. Future building forms are intended to reflect desired development patterns, particularly for those areas with required storefronts on the Regulating Plan. Because we cannot predict the future, there may be other desirable development solutions that meet the objectives of the Village Center form based approach. Thus, building forms can be modified through Design Review so long as the required storefront areas are maintained.

Village Center (VC) Zoning District. Consistent with the General Plan and Zoning Code, Village Centers provide centers of activity that are within an easy walking distance from neighborhood homes and provide local-serving commercial opportunities. A network of sidewalks, bicycle trails and transit routes provides easy non-vehicular access to these centers. Buildings within this zone are appropriately scaled to fit in the neighborhood context. Buildings are placed close to the public sidewalk, and plazas and other public spaces are provided to encourage the active use of public spaces and pedestrian activity. Parking is provided on-street, in small lots and/or located behind or to the side of buildings. Transit-supportive development is encouraged when located in proximity to a transit station. This zone is most appropriate for:

- ❖ Neighborhood-serving commercial (generally smaller grocery stores, drug stores, dry cleaners, coffee shops, etc.)
- ❖ Community centers
- ❖ Public/Quasi public uses that incorporate community gathering places
- ❖ Public/Quasi public uses without gathering places (as secondary uses)
- ❖ Office uses (as secondary uses)



MEMORANDUM



DATE: January 5, 2009

TO: Honorable Mayor and Council Members

FROM: Cyrus Abhar, Public Works Director

SUBJECT: ORDINANCE ADDING CHAPTER 16.85 TO THE CITY CODE TO ESTABLISH DEVELOPMENT IMPACT FEES FOR MEASURE A TRANSPORTATION IMPROVEMENTS

RECOMMENDATION

That Council approves and adopts the following:

- 1) Waive first reading and introduce Ordinance No. 01-2009 adding Chapter 16.85 to the Rancho Cordova Municipal Code to Establish Development Impact Fees Measure A Transportation Improvements;
- 2) Adopt Resolution No. 04-2009 Approving Nexus Study, Establishing the Amount of Fees and Providing for Other Matters Relative to Measure A Transportation Development Impact Fees; and
- 3) Adopt Resolution No. 05-2009 Approving the Agreement on Operating Protocols for the new Measure A Sacramento Countywide Transportation Mitigation Development Impact Fee Program.

RESULT OF RECOMMENDED ACTION

The recommended actions will result in the imposition of a specified development impact fee on new development effective April 1, 2009. The Measure A Fee Program must be adopted by each participating jurisdiction as a condition of receiving the New Measure A sales tax revenues for transportation improvements.

BACKGROUND

The New Measure A (½% Transportation Sales Tax) to fund the Measure A Expenditure Plan was approved by the County voters in 2004 and extended the existing Measure A sales tax for 30 years. Administered by the Sacramento Transportation Authority (STA), the new Measure A sales tax also called for the implementation of the Sacramento Countywide Transportation Mitigation Development Impact Fee Program ("Measure A Mitigation Fee Program") to fund a portion of the costs of the transportation improvements in the Measure A Expenditure Plan. Each jurisdiction is required to implement the Measure A Mitigation Fee Program as a condition of receiving the New

Measure A sales tax revenues and remit those revenues to STA for reallocation to specific county-wide transportation projects included in the Measure A Expenditure Plan. In June 2006, the STA Board, who is in charge of the administration of the Measure A Mitigation Fee Program, adopted the Sacramento County Transportation Fee Program (SCTMFP) Nexus Study (**Attachment 1**) and setting the rates effective April 1, 2009 based on the \$1,000 per single family unit fee and the other land use rates were set based on the allocation of the facility costs for new development per the Measure A Expenditure Plan, and land use trip generation rates and growth projections. The Nexus Study analysis demonstrates that: (1) the fee bears a reasonable relationship to the impact of the projected new development, and (2) the amount of the fee is proportional to the cost of the facilities needed to serve new development.

On September 18, 2006, the Council adopted Resolution No. 161-2006 to acknowledge the City's obligation to impose this transportation impact fee program by April 1, 2009. In order to implement the Measure A Mitigation Fee Program, the City must enact the Transportation Development Impact Fee ordinance and fee resolution in accordance with the provisions of AB 1600 (the "Mitigation Fee Act"). **Ordinance No. 01-2009, (Attachment 2)** will add Chapter 16.85 to the Rancho Cordova Municipal Code to enact the Measure A Mitigation Fee Program. In addition to the Measure A development impact fees, the Ordinance also establishes a 2% Measure A administrative fee to recover its costs to administer and implement this impact fee program for the STA and to fund the City's cost to collect, monitor and report on the Measure A development impact fees. The proposed administration fee is 2% of the total Measure A impact fee per building permit.

The 2006 STA resolution adopting the Nexus Study, which set out the Measure A impact fees, requires that protocols related to impact fee implementation issues, including but not limited to, required dates of fee remittances to STA and documentation to be submitted by each local jurisdiction, shall be established by future resolution of the STA and contracts between the STA and the local jurisdictions. Last spring, STA staff circulated an initial draft Agreement on Operating Protocols for review by the County and cities' transportation directors, infrastructure finance managers, and legal counsels. The City of Rancho Cordova responded with comments, which were incorporated in the final Agreement on Operating Protocols that the STA Board adopted in August, and amended on December 11, 2008 to include the fees for special land uses.

Based on the nexus study fee calculation and the amendment to the Agreement on Operating Protocols, the fee rates effective April 1, 2009 are set as follows:

Single Family Residential	\$ 1,000 per unit
Senior Single Family Residential	\$ 800 per unit
Multi-Family Residential	\$ 700 per unit
Senior Multi-Family Residential	\$ 600 per unit
Retail	\$ 3.70 per square foot
Office	\$ 1.20 per square foot
Industrial	\$ 0.80 per square foot

Special uses:

Church	\$ 0.93 per square foot
Golf Course	\$ 833 per acre
Hospital	\$ 1.68 per square foot
Hotel/Motel	\$ 580 per sleeping room
Movie Theater	\$ 1,904 per screen
Service Station	\$ 1,300 per fueling pump
Supermarket	\$ 2.11 per square foot
Warehouse/Self Storage	\$ 0.25 per square foot

Resolution No. 04-2009 (Attachment 3) approves the Measure A Nexus Study based on the Measure A Expenditure Plan and establishes the fees to be collected under the development impact fee ordinance.

Resolution No. 05-2009 (Attachment 4) authorizes the City Manager, or his designee, to execute the Agreement on Operating Protocols for the New Measure A Sacramento Countywide Transportation Mitigation Development Impact Fee Program. Under the Protocols Agreement, the City is required to remit the Measure A development impact fee revenues to the STA semi-annually, along with a report of building permits issued during the reporting period by use and square footage (nonresidential), exemptions granted, and other pertinent information. The STA will separately account for the City's fee revenues as part of an aggregate STA Measure A impact fee account for reallocation to the transportation projects in the Measure A Expenditure Plan.

ATTACHMENTS

1. STA Resolution and Nexus Study
2. Ordinance No. 01-2009
3. Resolution No. 04-2009
4. Resolution No. 05-2009

RESOLUTION STA 06-0006

RESOLUTION ADOPTING THE SACRAMENTO COUNTYWIDE
TRANSPORTATION MITIGATION FEE PROGRAM (SCTMFP)
NEXUS STUDY AND SETTING SCTMFP FEE RATES
EFFECTIVE APRIL 1, 2009

WHEREAS,

- The Governing Board of the Sacramento Transportation Authority has been informed and advised, and hereby finds, that future development within Sacramento County and the Cities of Citrus Heights, Elk Grove, Folsom, Galt, Isleton, Rancho Cordova and Sacramento ("Cities") will result in traffic volumes exceeding the capacity of the presently existing transportation network of highways, arterials and public transit within the County and the Cities ("the Transportation Network");
- The Governing Board of the Sacramento Transportation Authority has been further informed and advised, and hereby finds, that if the capacity of the Transportation Network is not improved, the result will be substantial traffic congestion and unacceptable levels of service in all parts of Sacramento County. Reduced transportation service levels will result in traffic congestion and related impacts upon air quality, economic development, access to emergency services, and quality of life;
- On July 29, 2004, the Sacramento Transportation Authority adopted Ordinance No. STA 04-01 ("the Ordinance"), including the Sacramento County Transportation Expenditure Plan 2009-2039 ("the Expenditure Plan");
- The Expenditure Plan was subsequently approved by the Board of Supervisors of the County of Sacramento and the City Councils of all of the Cities within the County of Sacramento;
- The Expenditure Plan includes projects to improve the Transportation Network;
- The Expenditure Plan projects will be funded by multiple funding sources, including federal sources, state sources, the countywide retail transactions and use tax, countywide development mitigation fees, local development mitigation fees and other local sources;

- Sacramento Transportation Authority Ordinance No. STA 04-01 ("the Ordinance") imposes a one-half of one percent retail transactions and use tax that is statutorily dedicated for transportation planning, design, construction, operation and maintenance only in Sacramento County and cannot be used for other governmental purposes or programs;
- The Ordinance establishes the 30-year Sacramento Countywide Transportation Mitigation Fee Program (SCTMFP), to be implemented by each of the local jurisdictions during the period April 1, 2009 through March 31, 2039;
- The Ordinance provides that no revenue generated from the retail transactions and use tax shall be used to replace transportation mitigation fees required from new development that are in effect within the unincorporated area of Sacramento County or the territory of the Cities within the County;
- The Ordinance provides that each local jurisdiction must, as a condition of receiving its allocation of local road maintenance formula funds from the retail transactions and use tax revenues, adopt a 30-year SCTMFP Fee ("the Fee") for the period April 1, 2009 through March 31, 2039 in accordance with guidelines adopted by the Sacramento Transportation Authority (STA) Governing Board;
- The Ordinance requires the STA to develop, in coordination with all local jurisdictions, a professional engineering and planning based process for charging new development with a portion of the cost of traffic impacts caused by each development during the period April 1, 2009 – March 31, 2039;
- The Fee shall be uniform throughout the unincorporated and incorporated areas of the County;
- Each local jurisdiction shall implement the SCTMFP Fee no later than April 1, 2009, and remit the SCTMFP Fee revenues to the STA ;
- The STA shall reallocate the SCTMFP Fee revenues to the local jurisdictions to be expended in the impacted areas where the fees were generated in accordance with the SCTMFP;
- The Ordinance requires that the SCTMFP Fee be set at One Thousand Dollars (\$1,000.00) per new single family unit effective April 1, 2009;
- The Ordinance requires that the SCTMFP Fee for new multi-family units, retail building space, office space, and industrial or warehousing space, be

proportionate to the trip generation rate of the affected land use relative to the trip generation rate of a single family unit;

- The Ordinance requires that the SCTMFP Fee be adjusted annually by action of the STA Governing Board to reflect changes in construction costs based on the McGraw-Hill Engineering News Record (ENR) 20-City Construction Cost Index;
- The SCTMFP Fee shall be implemented only if validated by a nexus study prepared by the Authority;
- The STA has coordinated with the local jurisdictions to prepare a nexus study for the SCTMFP Fee;
- The nexus study includes an analysis of trip generation rates for each of the affected land uses relative to the trip generation rate of a single family unit; and
- The Sacramento Countywide Transportation Mitigation Fee Program Nexus Study ("the Nexus Study") has been submitted to the STA Governing Board for its review and approval.

NOW, THEREFORE, THE GOVERNING BOARD OF THE SACRAMENTO TRANSPORTATION AUTHORITY RESOLVES AS FOLLOWS:

1. The Sacramento Countywide Transportation Mitigation Fee Program Nexus Study is hereby adopted.
2. The Board finds and determines that future development within the unincorporated and incorporated areas of the County of Sacramento will substantially adversely affect the Transportation Network unless such development makes additional contributions to the cost of improving the Transportation Network. Failure to mitigate growing traffic impacts will substantially impair the ability of public safety services (police and fire) to respond and will adversely affect the public health, safety, and welfare. Failure to mitigate growing traffic impacts will negatively impact air quality, economic development and quality of life.
3. The Board finds and determines that there is a reasonable and rational relationship between the use of the SCTMFP Fees and the type of development projects on which the fees are imposed because the fees will be used to construct 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 SCTMFP Fees will be imposed.

4. The Board finds and determines that there is a reasonable and rational relationship between the need for the improvements and the type of development projects on which the Fee is imposed because it will be necessary for the residential and non-residential users of such projects to have access to the Transportation Network. Such development will benefit from the Transportation Network improvements and the burden of such development will be mitigated in part by the payment of the Fee.
5. The Board finds and determines that the cost estimates set forth in the Nexus Study are reasonable cost estimates for constructing the Transportation Network improvements, and that the amount of the Fees expected to be generated by new development will not exceed the total fair share cost to such development.
6. The SCTMFP Fees shall be used to help pay for the construction and acquisition of the Transportation Network improvements identified in the Nexus Study. The need for the improvements is related to new development because such development results in additional traffic and transit demand, thus creating the need for the improvements.
7. The Board finds and determines that the Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements to the Transportation Network.
8. The Board finds and determines that the trip generation rates set forth in the Nexus Study for each affected land use are proportionate to the trip generation rate of a single family unit and that the fees for each affected land use set forth in the Nexus Study meet the proportionality requirement of the Ordinance.
9. There is hereby adopted the following SCTMFP Fee schedule:

Residential (per unit)		Non-Residential (per 1,000 s.f.)	
Land Use Category	Fee	Land Use Category	Fee
Single Family	\$1,000	Commercial, Retail	\$3,705
Multi-Family	\$700	Commercial, Office	\$1,200
		Industrial	\$800

"Industrial Use" means any development project that proposes manufacturing, transportation, logistics or warehousing.

"Multi-Family Residential Use" means any development project that uses a single parcel for two or more dwelling units within one or more buildings, including duplexes, townhouses, condominiums, and apartments.

Development projects with a senior focus will be evaluated to determine whether Multi-Family fee appropriately reflects their transportation impact.

"Office Use" means any development project that involves business activities associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal and medical offices, personal services, or similar uses, and religious centers.

"Retail Use" means any development project that involves retailing merchandise, generally without transformation, and rendering services incidental to the sale of merchandise at a fixed point of sale.

"Single Family Residential Use" means any development project that uses a single parcel for only one residential dwelling unit.

10. The Board finds and determines that the Nexus Study does not calculate all of the cost of traffic impacts caused by new development. Local jurisdictions may impose additional development mitigation fees to mitigate the traffic impacts of new development that are not covered by the SCTMFP Fee.
11. The Board finds and determines that the SCTMFP Fee to be imposed by each local jurisdiction will be used to mitigate the impacts of new development upon the Transportation Network and not to correct existing deficiencies in the Transportation Network.
12. Annually, the STA shall determine the annual adjustment that shall be imposed by each local jurisdiction on the SCTMFP Fee to reflect changes in construction costs based on the McGraw-Hill Engineering News Record (ENR) 20-City Construction Cost Index;
13. Protocols related to SCTMFP Fee implementation issues, including but not limited to, required dates of Fee remittances to STA and documentation to be submitted by each local jurisdiction, shall be established by future resolution of the STA and contracts between the STA and the local jurisdictions.
14. The Board 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).

On a motion by Member Fargo, seconded by Member Cooley, the forgoing resolution was passed and adopted by the Governing Body of the Sacramento Transportation Authority at a regular meeting thereof this 7th day of June, 2006, by the following vote, to wit:
Adopted by the Governing Board of the Sacramento Transportation Authority on the date of June 7, 2006, by the following vote:

AYES: Briggs, Cooley, Fargo, Fong, MacGlashan, Morin, Nottoli, Pannell,
Payne, Slowey, Peters

NOES: None

ABSTAIN: None

ABSENT: Collin, Dickinson, McCarthy

Susan Peters

Susan _ Peters
Chair of the Authority Board

ATTEST:

Sandra Leaky
Clerk of the Board

FILED

JUN 07 2006

BY *Sandra Leaky*
Clerk of the Governing Board

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Sacramento County, California

Dated: 6-9-2006

By: *Sandra Leaky*
Clerk of the Governing Board



Sacramento Transportation Authority

Fee Study

**Sacramento
Countywide
Transportation
Mitigation
Fee
Program**

Adopted June 7, 2006

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EXECUTIVE SUMMARY

In July of 2004 the Governing Board of the Sacramento Transportation Authority ("STA") passed Ordinance No. STA 04-01 ("Ordinance"), which provides for the continuation of a one half of one percent retail transactions and use tax for local transportation purposes. Three key components of the ordinance are 1) An expenditure plan ("Exhibit A of the Ordinance") that defines the projects to be financed, identifies the associated costs and allocates the costs between sales tax revenue funding and DIF funding, 2) Guidelines for the implementation of the Retail Transactions and Use Tax ("Retail Tax"), and 3) Guidelines for the implementation of the Sacramento Countywide Transportation Mitigation Fee Program ("SCTMFP"). Section VII of the Ordinance deals with the SCTMFP and states that "No revenue generated from the [retail transactions and use] tax shall be used to replace transportation mitigation fees required from new development...", and requires that the STA develop "... a professional and planning based process for charging new development with the cost of traffic impacts caused by each development...". Furthermore, Section VII dictates that the new fee schedule implemented shall be based on a fee per single family unit of \$1,000.00, and the fees for multi-family units, retail, office and industrial or warehouse uses shall be proportionate to the single family fee as determined by the vehicular trip generation rates assigned to each of the land uses.

In August of 2005 the STA hired Public Financial Management, Inc. ("PFM") to prepare a finance and capital improvement plan that would implement the provisions of the Ordinance. PFM hired David Taussig and Associates, Inc. ("DTA") as a sub-consultant to prepare this AB 1600 Fee Justification Study (the "Fee Study"), which would be the basis for the implementation of the SCTMFP. This Fee Study is intended to comply with Section 66000 *et. seq.* of the Government Code, which was enacted by the State of California in 1987, by identifying additional public facilities required by new development ("Future Facilities") and determining the level of County-wide development impact fees ("County-wide DIF") that may be imposed to pay the costs of the Future Facilities. Fee amounts have been determined that will partially satisfy the financing of transportation infrastructure at levels identified by the various local agencies within the County of Sacramento ("County") as being necessary to meet the needs of new development through the year 2039. The proposed projects and associated construction costs are identified in the Needs List, Table IV-1, which is included in Section IV of the Fee Study. A description of the methodology used to calculate the fees is included in Section V. All new development may be required to pay a portion of its "fair share" of the cost of the new infrastructure through the development fee program.

1. ORGANIZATION OF THE REPORT

Section I of this report provides an introduction to the study including a brief description of County surroundings, and background information on development fee financing. Section II provides an overview of the legal requirements for implementing and imposing such fees. Section III includes a discussion of projected new development and demand variables such as future population and employment assuming current growth trends in housing, commercial, and industrial development extrapolated over the next thirty-three year period to 2039. Projections of future development are based on data provided by Sacramento Area Council of Governments ("SACOG"). Section IV includes a description of the Needs List, which identifies the facilities

needed to serve new development through 2039 that are eligible for funding in the SCTMFP. The Needs List provides the total estimated facilities costs in 2005 dollars, offsetting revenues, net cost to STA and cost allocated to new development for all facilities listed in the New Measure A Ordinance as approved by Sacramento County voters. This list is a compilation of projects and costs identified by the local agency planning and engineering departments. Section V contains the methodology used to determine the fees for all facility types as well as calculations to determine fee levels. Section VI includes a summary of the proposed fees justified by this study.

2. COLLABORATION WITH LOCAL AGENCIES

Workshop meetings with representatives of the local agencies, STA management and consultants occurred during January through March of 2006, with the purpose of discussing the various schedules and procedures to be used in implementing the fees, and also the various factors and criteria used in calculating the fees. Representatives of Caltrans, Regional Transit, the County of Sacramento, and the Cities of Sacramento, Elk Grove, Folsom, Rancho Cordova, Galt and Citrus Heights all participated in the workshop meetings. At these meetings the local agencies had the opportunity to update project lists and cost estimates previously provided, to modify the cash flow timeline requirements for their respective projects and to provide comments to the methodology and assumptions used in this report.

3. METHODOLOGY AND IMPACT FEE SUMMARY

As stated above, transportation costs for mitigating the impacts of new development were apportioned to the various land uses by average daily trips generated ("ADT's") for each land use type.

Section V describes the apportionment of transportation facilities costs from the Needs List. Transportation facilities benefit future residents and employees in providing safe and efficient vehicular access to properties. It has been well documented by transportation engineers that different land uses generate trips at different rates. Therefore, all facility costs in this study are apportioned on the basis of average daily trip ("ADT") generation factors. Reliable data for the trip generation rates was obtained from the Institute of Traffic Engineers ("ITE"). An average county-wide trip generation rate for commercial retail uses was used. Refer to Section V for a more detailed discussion of the criteria and assumptions used in determining this average trip rate.

All of the transportation facilities are sized to meet the needs of future residents and employees, and based on input from the local agencies, none of the fees will be used to correct existing deficiencies in the road systems. In total, \$894,041,000 can be generated from County-wide DIF collected from new development within the 30 year collection period from 2009 to 2039. The fee schedule required to finance new development's share of the costs of facilities in the Needs Lists are summarized in Table ES-1 below:

TABLE ES-1
COUNTY-WIDE DEVELOPMENT IMPACT FEE SUMMARY

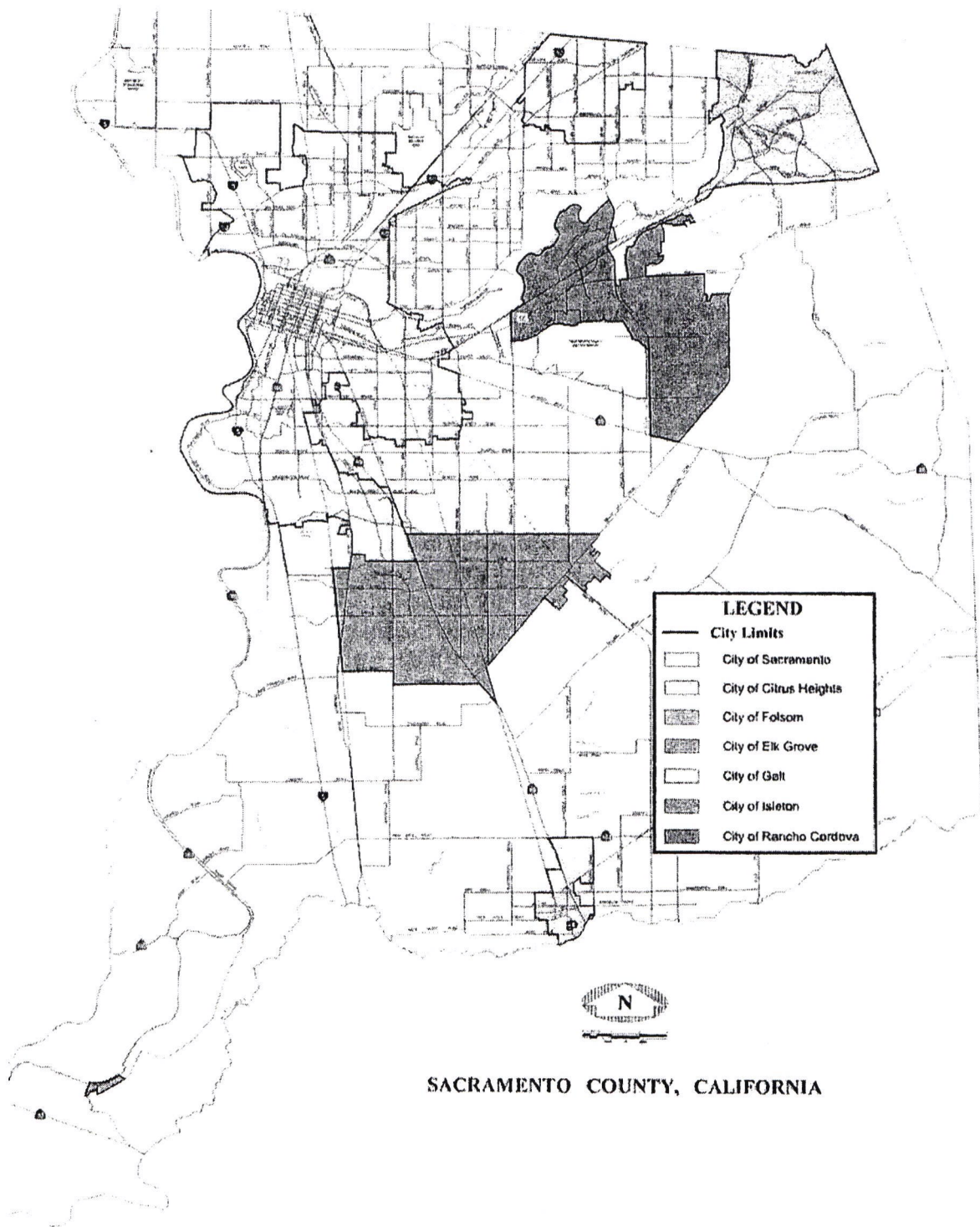
Residential (per unit)		Non - Residential (per 1,000 s.f.)	
Land Use Category	Fee	Land Use Category	Fee
Single Family	\$1,000	Commercial, Retail	\$3,705
Multi- Family	\$700	Commercial, Office	\$1,200
		Industrial	\$800

The fee calculations were based on fair share analysis from the year 2005 (present development) to the year 2039 (end of the study period). Consistent with ordinance number STA-04-01, the total expected fee revenue was computed based on fee collections beginning April 1, 2009 and proceeding through March 31, 2039.

I. INTRODUCTION

The County of Sacramento (the "County"), located in central California encompassing approximately 994 square miles. The County is bordered on the east by the foothills of the Sierra Nevada, on the south and north by the counties of the San Joaquin Valley. To the west a sliver portion of the county reaches the upstream source of the San Francisco Bay. Incorporated cities within County borders include Sacramento, Citrus Heights, Elk Grove, Folsom, Galt, Isleton and Rancho Cordova. Interstate 5, Interstate 80, and US 50 form the major spines upon which the countywide circulation system depends.

The County is experiencing a surge of new housing construction within its borders, driven by population increases, low interest rates, expanding job centers, and various economic factors and incentives available within County limits. New development and the associated increase in population over the next 3 decades will place an expected burden on the existing roadway and transit systems throughout the County. In order to mitigate the impacts of this new growth, the Sacramento Transportation Authority, ("STA"), in cooperation with state and local agencies, has identified a capital improvement program and expenditure plan that will finance various roadway projects throughout the County, a portion of which will be funded through development impact fees. Ordinance STA-04-01 identifies both a one half of one percent Retail Transaction and Use Tax ("Retail Tax") and a countywide Development Impact Fee ("DIF") program. This study, in accordance with the requirements and guidelines of AB1600, will be the basis of the implementation of the County-wide DIF program. Local agencies will be required to incorporate the fee schedule identified in this study into their own local DIF programs, and will be responsible for the collection and transfer of countywide DIF revenue to STA.



II. LEGAL REQUIREMENTS TO JUSTIFY IMPACT FEES

Prior to World War II, development in California was held responsible for very little of the cost of public infrastructure. Public improvements were financed primarily through jurisdictional general funds and utility charges. It was not uncommon during this period for speculators to subdivide tracts of land without providing any public improvements, expecting the closest city to eventually annex a project and provide public improvements and services.

However, starting in the late 1940s, the use of impact fees grew with the increased planning and regulation of new development. During the 1960s and 1970s, the California Courts broadened the right of local government to impose fees on developers for public improvements that were not located on project sites. More recently, with the passage of Proposition 13, the limits on general revenues for new infrastructure have resulted in new development being held responsible for a greater share of public improvements, and both the use and levels of impact fees have grown substantially. Higher fee levels were undoubtedly driven in part by a need to offset the decline in funds for infrastructure development from other sources. Spending on public facilities at all levels of government was \$161 per capita in 1965, but it had fallen by almost fifty percent to less than \$87 per capita by 1984 (measured in constant dollars).

The levy of impact fees is one authorized method of financing the public facilities necessary to mitigate the impacts of new development, as the levy of such fees provides funding to maintain an agency's service standard required for an increased service population. A fee is "a monetary exaction, other than a tax or special assessment, which is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project..." (California Government Code, Section 66000). A fee may be levied for each type of capital improvement required for new development, with the payment of the fee occurring prior to the beginning of construction of a dwelling unit or non-residential building (or prior to the expansion of existing buildings of these types). Fees are often levied at final map recordation, issuance of a certificate of occupancy, or more commonly, at building permit issuance.

STA has identified the need to levy impact fees to pay for transportation infrastructure. A detailed list of required public facilities (the "Needs List") is contained within Section IV herein. The fees presented in this study will finance facilities on the Needs List at levels identified by STA as appropriate to mitigate the impacts of new development. Upon the adoption of the Fee Study and required legal documents by the Governing Board, all new development will be required to pay its "fair share" of the cost of facilities on the Needs List through these fees at rate structures set in the Ordinance.

Assembly Bill ("AB") 1600, which created Section 66000 *et. seq.* of the Government Code, was enacted by the State of California in 1987. This Fee Study is intended to meet the nexus or benefit requirements of AB 1600, which mandates that there is a nexus between fees imposed, the use of the fees, and the development projects on which the fees are imposed.

Furthermore, there must be a relationship between the amount of the fee and the cost of the improvements. To impose a fee as a condition for a development project, a public agency must do the following:

- Identify the purpose of the fee.
- Identify the use to which the fee is to be applied. If the use is financing public facilities, the facilities must be identified.
- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
- Determine how there is a reasonable relationship between the need for a public facility and the type of development project on which the fee is being imposed.

Addressing these items will enable an impact fee to meet the nexus and rough proportionality requirements established by *Dolan versus City of Tigard* and other court cases. These findings and the nexus test for each proposed fee element are presented in Section V. Current state financing and fee assessment requirements only allow new development to pay for its fair share of new facilities' costs. Any current deficiencies resulting from the needs of existing development must be funded through other sources. Therefore, a key element to establishing legal impact fees is to determine what share of the benefit or cost of a particular improvement can be equitably assigned to existing development, even if that improvement has not yet been constructed. By removing this factor, the true impact of new development can be assessed and equitable fees assigned.

A. PURPOSE OF THE FEE (GOVERNMENT CODE SECTION 66001(A)(1))

Population, housing, and employment estimates prepared for the Fee Study project approximately 337,865 new Single Family and Multi-Family units over the next thirty-four years (2005-2039). During that same time period, approximately 570,260,000 square feet of new commercial and industrial development are expected to generate 417,101 new employees.¹ The future residents and employees will create an additional demand for transportation systems that existing public facilities cannot accommodate. In order to accommodate new development in an orderly manner, while maintaining the current quality of life in the County, the facilities on the Needs List (Section IV, Table IV-1) will need to be constructed.

It is the projected direct and cumulative effect of future development that has required the need for a development impact fee program. New development will contribute to the need for new roadway and transit projects. Without future development many of the new projects would not be necessary. Future development drives the need for future facilities, with certain exceptions where various facility costs are shared between new and existing development due to the need to cure existing deficiencies. However, in the case of Sacramento County, the local agencies have indicated that the facilities listed on the

¹ Refer to Section III for more detailed information regarding development projections.

Needs List are required to mitigate the impacts of new growth, and that none of the facilities are required to correct existing deficiencies. The impact fees will be used for the acquisition, installation, and construction of transportation and transit projects identified on the Needs Lists and other appropriate costs to mitigate the direct and cumulative impacts of new development in the Cities and unincorporated area.

B. THE USE TO WHICH THE FEE IS TO BE PUT (GOVERNMENT CODE SECTION 66001(A)(2))

The fee will be used for the acquisition, installation, and construction of the transportation facilities identified on the Needs List, included in Section IV of the Fee Study, and other appropriate costs to mitigate the direct and cumulative impacts of new development in the County. The fee will provide a source of revenue to the STA to fund such facilities, which in turn will both preserve the quality of life in the County and protect the health, safety, and welfare of the existing and future residents and employees.

C. DETERMINE THAT THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEE'S USE AND THE TYPE OF DEVELOPMENT PROJECT UPON WHICH THE FEE IS IMPOSED (BENEFIT RELATIONSHIP) (GOVERNMENT CODE SECTION 66001(A)(3))

The fees collected will be used for the construction of transportation facilities within the County. The types of development that will be paying these fees are new residential, commercial and industrial projects within the local Cities and the unincorporated areas of the County between April 1, 2009 and March 31, 2039. This expected development will generate new residents and employees that will increase the burden on existing transportation infrastructure in the form of increased traffic and transit ridership. In order to maintain existing service standards the fees to be imposed on new development, as recommended in this Study, will insure that new development contributes its fair share of funds to mitigate the impacts caused by such development.

D. DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE NEED FOR THE PUBLIC FACILITY AND THE TYPE OF DEVELOPMENT PROJECT UPON WHICH THE FEE IS IMPOSED (IMPACT RELATIONSHIP) (GOVERNMENT CODE SECTION 66001(A)(4))

As determined by technical analysis consistent with the regional transportation model performed by SACOG, and State and local agency staff recommendations, the facilities to be financed are required to maintain existing service levels. These facilities are listed in Section IV and correspond directly to the impact generated by new development. For example, the projected growth of residential homes ("dwelling units") and the growth of commercial and industrial leaseable space ("square feet") translate to additional traffic on city and county streets (average daily trips, or "ADT's"). In order to prevent congestion, streets need to be created or widened, signals installed, and transit capacity needs to be enhanced.

E. THE RELATIONSHIP BETWEEN THE AMOUNT OF THE FEE AND THE COST OF THE PUBLIC FACILITIES ATTRIBUTABLE TO THE DEVELOPMENT UPON WHICH THE FEE IS IMPOSED ("ROUGH PROPORTIONALITY" RELATIONSHIP) (GOVERNMENT CODE 66001(A))

This study uses various methodologies to apportion the cost of new facilities to new development in proportion to the magnitude of the impacts that drive the need for the facilities. Fee amounts for the various land uses are determined by apportioning costs according to their appropriate demand factors, which in this case consists of traffic trip generation rates. Section V "Methodology and Fee Calculation," defines the various trip rate factors, describes the various methodologies for apportioning costs, and presents the calculations that justify the proposed fees for each facility group.

TABLE II-A
SACRAMENTO TRANSPORTATION AUTHORITY
PROPOSED LAND USE CATEGORIES

Land Use Classification for Fee Study
Single Family Residential
Multi-Family Residential
Commercial, Retail
Commercial, Office
Industrial

III. DEMOGRAPHICS

In order to determine the public facilities needed to serve new development as well as establish fee amounts to fund such facilities, the number of dwelling units, commercial and industrial square footages, population and employment for both existing and projected development must be quantified. Estimates of existing and future residential units and square footage of commercial development through 2025 were provided by Sacramento Area Council of Governments ("SACOG"), data file "TAZ_2004 to 2032" dated 04/11/06. DTA isolated only the Sacramento County Traffic Analysis Zones ("TAZ") and totaled the columns for dwelling units and population to determine Sacramento County-specific demographics. In order to extrapolate growth to the year 2039, DTA computed average growth rate for SACOG's twenty-one year interval occurring between 2004 and 2025. The trends in growth rates for the various land uses were then used to extrapolate future residential units and future commercial and industrial employment in the year 2039. Commercial and industrial employment data were then converted to building square footages by multiplying the employment population data by employee density factors given by SACOG. See Appendix A for year by year growth rates and extrapolations. See Appendix B for employment density factors.

Tables III-A and III-B below depict the growth in residential units and non-residential square footages used in this study to approximate the expected DIF revenue from 2009 to 2039. See Appendix A for calculation of expected revenue from 2009 to 2039.

Table III-A
Residential Dwelling Units

Category	2039 DU's	2009 DU's	Growth DU's
Single Family	470,382	348,512	121,871
Multi Family	398,455	212,272	186,183
Totals	868,838	560,784	308,054

Table III-B
Non-Residential Building Square Feet

Category	2039 k.s.f.	2009 Existing k.s.f.	Growth (k.s.f.)
Commercial, Retail	246,158	176,375	69,782
Commercial, Office	374,236	241,808	132,428
Industrial	1,499,506	1,181,773	317,733

Tables III-C and III-D below depict the growth in residential units and non-residential square footages used in this study to calculate the fair share fee structure for growth between 2005 and 2039. The calculations used to determine the proposed fee structure can be found in Appendix C, "Fee Calculation".

Table III-C
Residential Dwelling Units

Category	2039 DU's	2005 DU's	Growth DU's
Single Family	470,382	334,752	135,630
Multi Family	398,455	191,251	207,204
Totals	868,838	526,004	342,834

Table III-D
Non-Residential Building Square Feet

Category	2039 k.s.f.	2005 Existing k.s.f.	Growth (k.s.f.)
Commercial, Retail	246,158	168,496	77,661
Commercial, Office	374,236	226,857	147,379
Industrial	1,499,506	1,145,900	353,606

IV. THE NEEDS LIST AND FACILITIES COSTS

Identification of the facilities to be financed is a critical component of any development impact fee program. In the broadest sense the purpose of impact fees is to protect the public health, safety, and general welfare by providing for adequate public facilities. "Public Facilities" per Government Code 66000 include "public improvements, public services, and community amenities." Fees imposed for a public capital facility improvement cannot be used for maintenance or services.

Government Code 66000 requires that if impact fees are going to be used to finance public facilities, those facilities must be identified. Identification of the facilities may be made in an applicable general or specific plan, other public documents, or by reference to a Capital Improvement Program (CIP) or Capital Improvement Plan. For purposes of the STA fee program, the Needs List is intended to be the official public document identifying the facilities eligible to be financed, in whole or in part, through the levy of a uniform development fee on new development in the County.

STA management and it's consultant team surveyed and also met with representatives from Caltrans, the County of Sacramento, and local cities to determine what public facilities would be needed to meet increased demand resulting from new development in the County. For purposes of the fee program and consistent with the Measure A time horizon, it was determined that a thirty year planning horizon would be appropriate. The Needs List (Table IV-1) identifies transportation facilities that will be needed to serve future development between April 1, 2009 and March 31, 2039.

The Needs List also shows the breakdown of funding between the sales tax component of Measure A, the county-wide DIF program, the local DIF programs, and "other" sources.

The total County-wide DIF program revenue is determined by calculating the total revenue expected to be collected during the study period, based on the fee schedule and the expected growth in residential units and non-residential building square feet. The fee schedule is determined by complying with Section VII of the Ordinance, or in other words, fixing the single family residential fee at \$1,000 per unit and computing the fees for the remaining land uses proportionate to the single family fee on the basis of average daily vehicular trips generated by the respective land uses. The assumptions and calculations are discussed in Section V of this Study.

TABLE IV-1
SACRAMENTO TRANSPORTATION AUTHORITY
NEEDS LIST THROUGH 2039

						County-wide DIF Program			
FACILITY NAME	FROM:	TO:	SEGMENT COSTS	TOTAL COST OF SEGMENT	% of Total	% of total revenue	Expected Revenue	Local Agency DIF Program	Sales Tax and Other Funding Sources
A. LOCAL ARTERIAL PROGRAM									
Antelope Road	Walt	Roseville Rd.	\$7,800,000				\$1,600,418	\$5,000,000	\$899,882
Antelope Road	Roseville Rd.	I-80	\$8,820,000				\$1,882,091	\$0	\$6,937,909
Antelope Road	I-80	Auburn	\$11,040,000				\$2,388,818	\$0	\$8,651,182
	Sub Total			\$27,360,000			\$5,871,327	\$5,000,000	\$16,821,327
Arden Way ITS	Del Paso	Ethan Road	\$3,000,000				\$640,167	\$0	\$2,359,833
Arden Way ITS	Ethan Road	Fair Oaks	\$3,000,000				\$640,167	\$0	\$2,359,833
	Sub Total			\$6,000,000			\$1,280,334	\$0	\$4,719,666
Bradshaw Road	Grant Line (B)	Calvine Road	\$34,000,000				\$7,285,227	\$22,667,000	\$4,077,773
Bradshaw Road	Calvine Road	Florin Road	\$13,640,000				\$2,910,826	\$5,840,000	\$4,189,374
Bradshaw Road	Florin Road	Folsom Blvd.	\$130,000,000				\$27,740,573	\$43,310,000	\$89,949,427
	Sub Total			\$177,640,000			\$37,936,626	\$72,817,000	\$67,216,674
Bruceville Road	Sheldon	Cosumnes Riv Blvd.	\$14,000,000				\$2,987,446	\$0	\$11,012,554
Cosumnes River Blvd.	I-5	Franklin	\$47,000,000				\$10,029,284	\$24,000,000	\$12,970,716
Elk Grove Blvd.	Big Horn	Waterman	\$20,000,000				\$4,267,780	\$0	\$15,732,220
Folsom Blvd.	88th	Watt Avenue	\$45,000,000				\$9,602,506	\$12,200,000	\$23,197,494
Folsom Blvd.	Watt Avenue	Bradshaw Road	\$25,000,000				\$5,334,726	\$5,000,000	\$14,665,274
Folsom Blvd.	Bradshaw Road	Sunrise	\$10,800,000				\$2,304,601	\$1,700,000	\$6,795,399
	Sub Total			\$80,800,000			\$17,241,833	\$18,900,000	\$44,688,167
Folsom Bridge Crossing			\$113,000,000				\$24,112,959	\$0	\$88,887,041
I-8/ SR99/ SR80 Connector			\$300,000,000				\$64,016,707	\$0	\$235,983,293
Greenback Lane	I-80	Manzanita Ave	\$9,000,000				\$1,920,801	\$1,700,000	\$6,319,499
Greenback Lane	West City Limit	Fair Oaks Blvd.	\$4,600,000				\$981,890	\$0	\$3,618,110
Greenback Lane	Fair Oaks Blvd	Hazel Ave.	\$25,140,000				\$5,364,600	\$8,810,000	\$11,254,400
Greenback Lane	Hazel Ave.	Main Street	\$18,000,000				\$3,841,002	\$8,860,000	\$8,308,998
	Sub Total			\$56,740,000			\$12,107,893	\$18,120,000	\$28,512,307
Hazel Avenue	US 50	Folsom Blvd.	\$45,000,000				\$9,602,506	\$14,700,000	\$20,697,494
Hazel Avenue	Madison Ave.	US 50	\$69,260,000				\$14,777,190	\$18,130,000	\$33,342,810
Hazel Avenue	Pleaser Co. Line	Madison Ave.	\$77,500,000				\$16,637,648	\$28,700,000	\$36,282,351
	Sub Total			\$191,760,000			\$40,917,346	\$61,530,000	\$86,302,685
Madison Avenue	Sunrise	Hazel Ave.	\$17,230,000				\$3,676,883	\$6,880,000	\$6,003,307
Madison Avenue	Hazel Ave.	Greenback Lane	\$17,800,000				\$3,786,326	\$5,700,000	\$6,301,674
Madison Avenue	Watt Ave.	Sunrise Blvd.	\$40,000,000				\$8,535,861	\$13,280,000	\$18,214,439
	Sub Total			\$75,030,000			\$16,010,872	\$24,860,000	\$34,519,422
South Watt/EO -Florin Road	Florin Road	SR 16	\$9,470,000				\$2,020,794	\$3,190,000	\$4,259,206
South Watt/EO -Florin Road	Folsom Blvd.	Calvine Road	\$130,000,000				\$27,740,573	\$43,300,000	\$89,959,427
South Watt/EO -Florin Road	Calvine Road	Elk Grove Blvd.	\$20,530,000				\$4,380,877	\$0	\$16,149,123
	Sub Total			\$160,000,000			\$34,142,243	\$46,490,000	\$79,367,757
Sheldon Road	Bruceville	Bradshaw	\$28,883,000				\$6,165,318	\$19,288,000	\$3,444,682
Sunrise Blvd.	Jackson Road	Grant Line Rd.	\$64,900,000				\$11,715,067	\$36,400,000	\$6,884,933
Sunrise Blvd.	Gold Country Road	Jackson Road	\$30,900,000				\$6,593,721	\$24,100,000	\$3,083,779
Sunrise Blvd.	Madison Avenue	Gold Country Blvd	\$15,000,000				\$3,200,835	\$3,000,000	\$5,789,165
Sunrise Blvd.	Greenback Lane	Oak Ave.	\$13,360,000				\$2,860,877	\$0	\$10,499,123
Sunrise Blvd.	Oak Avenue	Antelope Road	\$11,710,000				\$2,498,788	\$0	\$9,211,212
Sunrise Blvd.	Antelope Road	Pleaser Co. line	\$8,830,000				\$1,884,226	\$0	\$6,945,774
	Sub Total			\$134,700,000			\$28,743,801	\$63,700,000	\$42,286,499
Watt Avenue	Antelope	Cap City Fwy	\$33,800,000				\$7,148,832	\$6,700,000	\$19,851,468
TOTAL LOCAL ARTERIAL PROGRAM				\$1,466,403,000	39.00%	38.00%	\$312,914,302	\$392,712,000	\$800,776,698
B. TRANSIT CAPITAL IMPROVEMENT PROGRAM									
Downtown Intermodal Station			\$226,000,000				\$66,786,730	\$32,140,000	\$127,073,270
LRT extension	Meadowview Rd.	Cosumnes Riv Blvd	\$177,710,000				\$52,615,238	\$3,630,000	\$121,513,762
Regional Rail Commuter Service			\$70,000,000				\$20,685,185	\$0	\$49,314,815
LRT extension to Airport	(planning/enviro/design only)		\$101,360,000				\$29,883,883	\$6,880,000	\$64,826,447
LRT improvements in I-80 Corridor			\$30,000,000				\$8,665,495	\$0	\$21,334,505
TOTAL TRANSIT CAPITAL IMPROVEMENT PROGRAM				\$605,070,000	16.09%	20.00%	\$178,808,172	\$42,400,000	\$383,861,828
C. FREEWAY SAFETY AND CONGESTION RELIEF PROGRAM									
Bus/carpool Lane Connectors and Extensions									
Bus/carpool ramp connection	SR80E	SR99S	\$180,000,000				\$18,308,004	\$0	\$131,691,996
I-80 Bus/carpool lanes	I-5	Capitol City Fwy	\$200,000,000				\$24,410,672	\$0	\$175,589,328
I-5 Bus/carpool lanes	Elk Grove	Downtown	\$200,000,000				\$24,410,672	\$0	\$175,589,328
Connector ramp widenings	SR80	I-5	\$180,000,000				\$18,308,004	\$0	\$131,691,996
SR80 Bus/carpool lanes	Sunrise	Downtown	\$200,000,000				\$24,410,672	\$0	\$175,589,328
Subtotal - Bus/carpool Lane Connectors and Extensions				\$900,000,000	23.94%		\$109,848,024	\$0	\$790,151,976
Freeway Interchange Congestion Relief Upgrades									
Central Gail/SR 99 Interchange upgrade			\$36,000,000				\$4,638,026	\$8,000,000	\$24,861,974
Cosumnes River Blvd./I-5 Interchange upgrade			\$33,000,000				\$4,027,761	\$16,000,000	\$12,972,239
Grant Line Road/SR 99 Interchange upgrade			\$62,000,000				\$7,867,308	\$41,333,000	\$13,099,692
I-80/I-5 X-change upgrade & carpool lane connector w/ carpool lanes			\$380,000,000				\$36,616,008	\$0	\$343,383,992
Richardson Blvd./I-5 Interchange upgrade			\$45,000,000				\$5,492,401	\$18,000,000	\$24,807,599
Sheldon Road/SR99 Interchange Upgrade			\$62,000,000				\$7,867,308	\$30,861,000	\$23,871,692
Watt Ave/SR80 Interchange upgrade			\$28,000,000				\$3,061,334	\$0	\$24,938,666
Subtotal - Freeway Interchange Congestion Relief Upgrades				\$666,000,000	18.03%		\$68,965,148	\$111,864,000	\$384,348,852
TOTAL FREEWAY SAFETY AND CONGESTION RELIEF PROGRAM				\$1,466,000,000	38.96%	20.00%	\$178,808,172	\$111,864,000	\$1,174,497,828
E. SMART GROWTH INCENTIVE PROGRAM									
Promotion of transit oriented development			\$129,106,129				\$129,106,129	\$0	\$0
Planning/development/acquisition of open space preservation program related to I-			\$6,000,000				\$5,000,000	\$0	\$0
TOTAL SMART GROWTH INCENTIVE PROGRAM				\$134,106,129	3.87%	18.00%	\$134,106,129	\$0	\$0
F. TRANSPORTATION PROJECT ENVIRONMENTAL MITIGATION PROGRAM									
Environmental mitigation for Measure A transportation projects			\$28,134,695				\$28,134,695	\$0	\$0
open space acquisition			\$28,134,695				\$28,134,695	\$0	\$0
Natural habitat preservation			\$28,134,695				\$28,134,695	\$0	\$0
Planning/development/acquisition of open space preservation program related to I-			\$8,000,000				\$8,000,000	\$0	\$0
TOTAL ENVIRONMENTAL MITIGATION PROGRAM				\$89,404,086	2.38%	10.00%	\$89,404,086	\$0	\$0
TOTAL PROJECT				\$3,789,983,219	100.00%		\$894,040,862	\$506,806,000	\$2,259,136,354
							23.78%		

V. METHODOLOGY UTILIZED TO CALCULATE DEVELOPMENT IMPACT FEE

Transportation facilities included as part of this study will serve the entire County. Consequently, the service area for fees calculated in this chapter is the County jurisdictional area. The resulting fees are intended to apply to all development in this study area.

Roadway and public transit facilities benefit future residents and employees by providing safe and efficient access to properties. It has been well documented by transportation engineers that different land uses contribute to traffic volumes at different rates. Various entities, such as the Institute of Transportation Engineers ("ITE"), and San Diego Association of Governments ("SANDAG") have published trip generation rates for many different land uses. Although most publications are in close agreement on trip generation rates for residential, commercial office and industrial uses, ITE publications provide data for very specific commercial retail land use categories, which is helpful in determining site specific or local agency specific trip rates. This study will use average daily trips ("ADT's") provided by ITE to determine the proportionate share of costs and fee levels among the various land uses. ITE also publishes various "pass-by credit" data to be applied to commercial ADT's to prevent double counting of trips to and from commercial sites that were made by a motorist as he "passes by" or is diverted from his trip from his primary origin and destination. While the "Commercial Retail" land use is a very broad category with a wide range of trip generation rates for specific uses within the category, this study uses an average ADT rate for commercial retail category and it's associated pass-by credit. Without specific detail of the mix of commercial retail uses county-wide, an average rate based on known data, comparisons with other similar study areas and engineering and planning judgment is justified. See Appendix E for calculation of average county-wide ADT rate for commercial retail uses.

For example, the trip generation rates for commercial shopping centers are generally based on total building square footages where the smaller neighborhood and community centers generate higher ADT's per square foot of building area than its regional counterparts. Because the facilities being financed by the DIF are regional in nature, neighborhood and community shopping centers in the size range of 50,000 square feet to 300,000 square feet were not considered in the estimate for a county-wide ADT rate for commercial retail land use. A very general assessment of expected uses and their percentage of total future building square feet yielded an average ADT rate of 57 trips per 1,000 square feet of building area.

The Nexus requirements of AB1600 require that the purpose, use and need for the proposed facilities be clearly identified. Table V-A below summarizes the responses to the AB1600 requirement:

TABLE V-A
TRANSPORTATION ELEMENT
AB 1600 NEXUS TEST

Identify Purpose of Fee	Mitigate the congestion impacts of new development
Identify Use of Fee	Roads, Transit, and Environmental Mitigation improvements
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	New residential and non-residential development will generate additional residents and employees who will create additional vehicular and non-vehicular traffic. Roads and signals will have to be improved or extended to meet the increased demand and provide for circulation in the County and Traffic Signals will have to be installed to efficiently direct increased traffic flow. Ridership will increase on public transit facilities. Thus there is a relationship between new development and the need for new transportation facilities. Fees collected from new development will be used exclusively for transportation facilities on the Needs List.

Average daily trip factors were multiplied by the various dwelling units and building square footages for the 2005-2039 period to calculate the total ADT's generated by new development. Normally the total facility cost is divided by the total ADT's to determine the cost per ADT of new development, and then apply this cost per ADT to the trip generation rates for the various land use categories to determine the fee structure. Since the Ordinance requires that the fee for single family residential shall be fixed at \$1,000 per unit, it becomes necessary to determine what total facility cost, based on the average daily trip rates, would compute a single family residential fee of \$1,000. The corresponding fees for the remaining uses are then calculated by the ratio of trip generation rates.

The methodology and calculations are shown in Appendix C. This table depicts the assumptions for trip generation rates and pass-by credits, the calculation of total trips generated by existing and new development, the total facility cost that would generate a \$1,000 per unit fee for single family residential, and the corresponding fee levels for the remaining land uses.

In order to determine the maximum County-wide DIF that can be charged to new development (represented by the calculated fee charged to new development that will pay for 100% of the facilities required to mitigate the impacts), the total cost of the program, less local DIF revenues, was apportioned to existing and future development. The calculations used to determine the maximum County-wide DIF are shown in Appendix D. Table V-B below shows the maximum County-wide DIF allowed and the proposed fee structures for the various land uses:

Table V-B
Maximum and Proposed Fee Schedule

Land Use Category	Maximum Fee	Proposed Fee
Single Family	\$1,004.85	\$1,000.00
Multi- Family	\$703.39	\$700.00
Commercial, Retail	\$3,722.97	\$3,705.00
Commercial, Office	\$1,205.82	\$1,200.00
Industrial	\$803.88	\$800.00

In order to determine the total expected revenues from the County-wide DIF program from 2009 through 2039, and expected revenues on a year by year basis, DTA used the average annual growth rates calculated in Section III multiplied by the proposed fee structure to determine annual expected revenues for the various land uses in 2005 dollars. A separate calculation applies a 3% annual compounded escalation factor to the annual revenues for the purpose of including into a Measure A Program Cash Flow Pro Forma, as part of the Measure A Finance Plan provided by others. Appendix F shows the calculations for both escalated and un-escalated revenues from 2009 to 2039, with partial fiscal years assigned to 2009 and 2039, because the County-wide DIF program commences on April 1, 2009 and ends on March 31, 2039.

VI. SUMMARY

The success of the county-wide DIF program depends on the timely adoption of the fees into local city DIF programs and implementation by 2009. To the extent that local projects are "front loaded" in the sense that facilities need to be constructed prior to 100% of the needed funds from DIF fees and Measure A Retail Tax revenues are collected, bond financing options are available. Cash flow and capitalized interest costs are identified in the Measure A Finance Plan.

The total revenue that can be generated by the DIF fee program is \$894,040,862. New development generates 10,132,463 new ADT's, or about 31% of the total ADT's in 2039. While local agencies have independently determined that the new facilities identified in the needs list are required to mitigate the impacts of new development, and no funds will be used to correct existing deficiencies, an added element of safety in terms of meeting the requirements of AB1600 is the fact that new development is contributing 23.8% of the total program cost (\$3,759,983,215) through the County-wide DIF, while contributing 31% of the traffic volume in 2039.

Table VI-A below summarizes the proposed county-wide DIF fees:

TABLE VI-A
FEE SUMMARY

Residential (per unit)		Non - Residential (per 1,000 s.f.)	
Land Use Category	Fee	Land Use Category	Fee
Single Family	\$1,000	Commercial, Retail	\$3,705
Multi- Family	\$700	Commercial, Office	\$1,200
		Industrial	\$800

APPENDICES

APPENDIX A

Year by Year Growth in Residential Dwelling Units and Non Residential Square Feet

	Residential		Non Residential		Total		Value		Total	
	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family	Single Family	Multi Family
2004	330,821	185,246	202,485	166,245,369	304,581	222,584,749	407,792	1,135,650,969	914,858	1,524,481,087
2005	330,821	185,246	202,485	166,245,369	304,581	222,584,749	407,792	1,135,650,969	914,858	1,524,481,087
2007	342,615	203,263	210,710	172,998,509	322,118	235,400,320	418,033	1,100,339,300	930,303	1,558,025,789
2008	350,477	215,275	216,194	177,500,603	333,809	243,944,044	426,194	1,186,898,195	976,196	1,608,342,842
2010	334,403	211,601	211,601	171,000,000	323,202	232,000,000	418,033	1,100,339,300	930,303	1,558,025,789
2012	362,271	233,293	224,419	184,253,744	351,345	256,759,621	437,235	1,217,846,530	1,012,999	1,658,559,890
2015	374,065	251,310	232,044	191,000,000	350,002	259,002,000	444,596	1,238,145,420	1,037,535	1,692,204,598
2017	381,928	263,322	238,128	195,508,979	380,573	278,118,917	455,637	1,268,893,756	1,074,338	1,742,521,651
2018	381,928	263,322	238,128	195,508,979	380,573	278,118,917	455,637	1,268,893,756	1,074,338	1,742,521,651
2020	393,722	281,340	246,353	202,262,120	398,110	290,934,494	480,610	1,299,042,091	1,111,141	1,754,030,104
2023	405,510	299,330	254,310	209,010,200	410,820	300,020,000	471,110	1,299,042,091	1,111,141	1,754,030,104
2025	413,378	311,369	260,062	213,517,354	427,337	312,293,789	485,080	1,350,889,316	1,172,479	1,876,700,460
2028	425,172	329,387	268,287	220,270,495	444,874	325,109,366	495,121	1,381,531,532	1,209,402	1,921,011,012
2030	433,035	341,300	273,771	224,770,589	456,565	333,653,084	503,482	1,402,136,542	1,233,818	1,960,562,215
2031	430,900	341,400	270,312	221,020,000	402,410	300,000,000	495,121	1,381,531,532	1,209,402	1,921,011,012
2033	444,829	359,417	281,996	231,525,730	474,102	346,468,661	514,523	1,432,884,877	1,270,621	2,010,879,268
2034	450,000	365,000	285,000	235,000,000	480,000	350,000,000	514,523	1,432,884,877	1,270,621	2,010,879,268
2036	455,523	371,434	290,221	238,210,011	491,030	359,404,430	521,884	1,453,383,767	1,295,156	2,044,423,971
2038	464,486	389,446	295,705	242,780,965	503,329	367,827,957	532,925	1,484,132,103	1,331,959	2,094,741,024
2039	464,486	389,446	295,705	242,780,965	503,329	367,827,957	532,925	1,484,132,103	1,331,959	2,094,741,024
04 to '32										
Linear Growth										
Employee										

Appendix B
Square Feet per Employee Ratios

<i>Commercial [1]</i>	Square Feet Per Employee
Retail	781.205
Community/Neighborhood Retail	882.317
Regional Retail	735.562
Community/Neighborhood Commercial/Office - Modified	898.33
Regional Commercial/Office	807.71
Average Commercial Retail:	821.026
Office	290.768
High Intensity Office	176.614
Moderate-Intensity Office	290.768
Light Industrial - Office	2,165.010
Average Commercial Office:	730.790
<i>Industrial [1]</i>	
Light Industrial	1,609.756
Heavy Industrial	3,960.000
Average Industrial:	2,784.878

[1] Sacramento Council of Governments, 2005.

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APPENDIX C
FEE CALCULATION

I. Existing ADT Calculation (2005)

Land Use Category	Trip Generation Rate per Unit/per Non-Res. KSF [1]	Units	Pass-By-Credit	Net Trip Generation Rate per Unit/per Non-Res. KSF	Number of Units/ Non-Res. KSF	ADTs
Residential, Single Family	10	DU	-	10	334,752	3,347,522
Residential, Multi-Family	7	DU	-	7	191,251	1,338,760
Commercial, Retail	57	DU	19.95	37	168,496	6,242,792
Commercial, Office	12	DU	-	12	226,857	2,722,279
Industrial	8	KSF	-	8	1,145,900	9,167,203
Total						22,818,556

II. Future ADT Calculation

Land Use Category	Trip Generation Rate per Unit/per Non-Res. KSF [1]	Units	Pass-By-Credit	Net Trip Generation Rate per Unit/per Non-Res. KSF	Number of Units/ Non-Res. KSF	ADTs
Residential, Single Family	10	DU	-	10	133,665	1,336,647
Residential, Multi-Family	7	DU	-	7	204,201	1,429,405
Commercial, Retail	57	DU	19.95	37	76,536	2,835,644
Commercial, Office	12	DU	-	12	145,243	1,742,918
Industrial	8	KSF	-	8	348,481	2,787,849
Total						10,132,463

III. Proposed Facilities Cost

Facility Type	Total Facility Cost
Transportation Facilities	\$1,013,246,310
Total	\$1,013,246,310

IV. Allocation of Facilities to New Development

Facility Type	Total Number of ADTs	Cost Per ADT
Transportation Facilities	10,132,463	\$100.00
Total Cost Per ADT		\$100.00

V. Developer Fees and Cost Financed by Fees per Unit or Per Non-Res. KSF 2005-2039

Land Use Category	Trip Generation Rate per Unit/ per Non-Res. KSF	Fees per Unit/ per Non-Res. KSF	Number of Units/ Non-Res. KSF	Cost Financed by DIF
Residential, Single Family	10.0	\$1,000.00	133,665	\$133,664,680
Residential, Multi-Family	7.0	\$700.00	204,201	\$142,940,491
Commercial, Retail	37.1	\$3,705.00	76,536	\$283,564,383
Commercial, Office	12.0	\$1,200.00	145,243	\$174,291,849
Industrial	8.0	\$800.00	348,481	\$278,784,907
Total Cost Allocated to New Development				\$1,013,246,310
Total Cost of Transportation Facilities				\$1,013,246,310

V. Developer Fees and Cost Financed by Fees per Unit or Per Non-Res. KSF 2009-2039

Land Use Category	Trip Generation Rate per Unit/ per Non-Res. KSF	Fees per Unit/ per Non-Res. KSF	Number of Units/ Non-Res. KSF	Cost Financed by DIF
Residential, Single Family	10.0	\$1,000.00	121,871	\$121,870,736
Residential, Multi-Family	7.0	\$700.00	186,183	\$130,328,095
Commercial, Retail	37.1	\$3,705.00	69,782	\$258,543,996
Commercial, Office	12.0	\$1,200.00	132,428	\$158,913,156
Industrial	8.0	\$800.00	317,733	\$254,186,238
Total Cost Allocated to New Development				\$923,842,224
Total Cost of Transportation Facilities				\$923,842,224

APPENDIX D
MAXIMUM FEE CALCULATION

I. Existing ADT Calculation (2005)

Land Use Category	Trip Generation Rate per Unit/per Non-Res. KSF [1]	Units	Pass-By-Credit (41%)	Net Trip Generation Rate per Unit/per Non-Res. KSF	Number of Units/ Non-Res. KSF	ADTs
Residential, Single Family	10	DU	-	10	334,752	3,347,522
Residential, Multi-Family	7	DU	-	7	191,251	1,338,760
Commercial, Retail	57	DU	23.37	34	168,496	5,666,534
Commercial, Office	12	DU	-	12	226,857	2,722,279
Industrial	8	KSF	-	8	1,145,900	9,167,203
Total						22,242,298

II. Future ADT Calculation

Land Use Category	Trip Generation Rate per Unit/per Non-Res. KSF [1]	Units	Pass-By-Credit	Net Trip Generation Rate per Unit/per Non-Res. KSF	Number of Units/ Non-Res. KSF	ADTs
Residential, Single Family	10	DU	-	10	133,665	1,336,647
Residential, Multi-Family	7	DU	-	7	204,201	1,429,405
Commercial, Retail	57	DU	19.95	37	76,536	2,835,644
Commercial, Office	12	DU	-	12	145,243	1,742,918
Industrial	8	KSF	-	8	348,481	2,787,849
Total						10,132,463

III. Proposed Facilities Cost

Facility Type	Total Facility Cost
Transportation Facilities	\$3,253,177,215
Total	\$3,253,177,215

IV. Allocation of Facilities to Existing and New Development (based on total ADTs)

Facility	Total Number of ADTs	Percentage of Cost Allocated	Facility Cost	Cost per ADT
Existing Development	22,242,298	68.70%	\$2,235,016,879	
New Development	10,132,463	31.30%	\$1,018,160,337	\$100.48
Total	32,374,762	100%	\$3,253,177,215	

V. Developer Fees and Cost Financed by Fees per Unit or Per Non-Res. KSF 2005-2039

Land Use Category	Trip Generation Rate per Non-Res. KSF	Fees per Unit/ per Non-Res. KSF	Number of Units/ Non-Res. KSF	Expected revenue 2005-2039
Residential, Single Family	10.0	\$1,004.85	133,665	\$134,312,925
Residential, Multi-Family	7.0	\$703.39	204,201	\$143,633,722
Commercial, Retail	37.1	\$3,722.97	76,536	\$284,939,609
Commercial, Office	12.0	\$1,205.82	145,243	\$175,137,127
Industrial	8.0	\$803.88	348,481	\$280,136,953
Total Cost Allocated to New Development				\$1,018,160,337

APPENDIX E**Weighted Average ADT Rate for Commercial Retail**

Commercial Use	Trip Rate ¹	Estimated percent Square Footage	weighted ave. ADT's
Neighborhood Shopping Center		0.00%	0.00
Community Shopping Center		0.00%	0.00
Regional Shopping Center	27.07	40.00%	10.83
Convenience, Service Station	162.78	11.00%	17.91
Restaurant	89.95	15.00%	13.49
Fast Food Restaurant	43.87	5.00%	2.19
Car Dealership	21.14	6.00%	1.27
Home Improvement Superstore	35.05	15.00%	5.26
Bank	72.79	8.00%	5.82
		100.00%	56.77

1. Based on average vehicle trip ends per 1,000 square feet on a weekday, ITE, 6th Edition.

APPENDIX F
CASH FLOW ANALYSIS
DEVELOPMENT IMPACT FEE REVENUE
Escalation Factor: 3.00%

Year	Period	SINGLE/FAMILY			MULTI-FAMILY			COMMERCIAL RETAIL			COMMERCIAL OFFICE			INDUSTRIAL			TOTAL		
		2005 Dollars	3% Escalator		2005 Dollars	3% Escalator		2005 Dollars	3% Escalator		2005 Dollars	3% Escalator		2005 Dollars	3% Escalator		2005 Dollars	3% Escalator	
1	2005-2006	\$3,931,314	\$4,204,132	\$4,204,132	\$4,204,132	\$4,204,132	\$8,340,129	\$8,340,129	\$8,340,129	\$5,126,231	\$5,126,231	\$5,126,231	\$8,199,556	\$8,199,556	\$8,199,556	\$0	\$0	\$0	\$0
2	2006-2007	\$3,931,314	\$4,048,254	\$4,048,254	\$4,204,132	\$4,330,256	\$8,340,129	\$8,340,129	\$8,590,333	\$5,126,231	\$5,280,018	\$5,280,018	\$8,199,556	\$8,199,556	\$8,445,543	\$0	\$0	\$0	\$0
3	2007-2008	\$3,931,314	\$4,170,731	\$4,170,731	\$4,204,132	\$4,460,164	\$8,340,129	\$8,340,129	\$8,848,043	\$5,126,231	\$5,438,418	\$5,438,418	\$8,199,556	\$8,199,556	\$8,698,909	\$0	\$0	\$0	\$0
4	2008-2009	\$3,931,314	\$4,295,853	\$4,295,853	\$4,204,132	\$4,593,969	\$8,340,129	\$8,340,129	\$9,113,484	\$5,126,231	\$5,601,571	\$5,601,571	\$8,199,556	\$8,199,556	\$8,959,876	\$7,450,341	\$8,141,188	\$33,541,696	\$34,547,946
5	2009-2010	\$3,931,314	\$4,424,729	\$4,424,729	\$4,204,132	\$4,731,788	\$8,340,129	\$8,340,129	\$9,386,889	\$5,126,231	\$5,769,618	\$5,769,618	\$8,199,556	\$8,199,556	\$9,228,673	\$29,801,362	\$35,584,385	\$29,801,362	\$35,584,385
6	2010-2011	\$3,931,314	\$4,557,471	\$4,557,471	\$4,204,132	\$4,873,741	\$8,340,129	\$8,340,129	\$9,668,495	\$5,126,231	\$5,942,707	\$5,942,707	\$8,199,556	\$8,199,556	\$9,505,533	\$29,801,362	\$36,651,916	\$29,801,362	\$36,651,916
7	2011-2012	\$3,931,314	\$4,694,195	\$4,694,195	\$4,204,132	\$5,019,954	\$8,340,129	\$8,340,129	\$9,958,550	\$5,126,231	\$6,120,988	\$6,120,988	\$8,199,556	\$8,199,556	\$9,790,699	\$29,801,362	\$38,884,018	\$29,801,362	\$38,884,018
8	2012-2013	\$3,931,314	\$4,835,021	\$4,835,021	\$4,204,132	\$5,170,552	\$8,340,129	\$8,340,129	\$10,257,307	\$5,126,231	\$6,304,617	\$6,304,617	\$8,199,556	\$8,199,556	\$10,084,420	\$29,801,362	\$40,050,539	\$29,801,362	\$40,050,539
9	2013-2014	\$3,931,314	\$4,980,071	\$4,980,071	\$4,204,132	\$5,325,669	\$8,340,129	\$8,340,129	\$10,565,026	\$5,126,231	\$6,493,756	\$6,493,756	\$8,199,556	\$8,199,556	\$10,386,952	\$29,801,362	\$42,489,616	\$29,801,362	\$42,489,616
10	2014-2015	\$3,931,314	\$5,129,473	\$5,129,473	\$4,204,132	\$5,485,439	\$8,340,129	\$8,340,129	\$10,881,977	\$5,126,231	\$6,688,569	\$6,688,569	\$8,199,556	\$8,199,556	\$10,698,561	\$29,801,362	\$44,896,616	\$29,801,362	\$44,896,616
11	2015-2016	\$3,931,314	\$5,283,357	\$5,283,357	\$4,204,132	\$5,650,002	\$8,340,129	\$8,340,129	\$11,208,436	\$5,126,231	\$6,889,226	\$6,889,226	\$8,199,556	\$8,199,556	\$11,019,518	\$29,801,362	\$47,304,305	\$29,801,362	\$47,304,305
12	2016-2017	\$3,931,314	\$5,441,858	\$5,441,858	\$4,204,132	\$5,819,502	\$8,340,129	\$8,340,129	\$11,544,688	\$5,126,231	\$7,085,902	\$7,085,902	\$8,199,556	\$8,199,556	\$11,350,103	\$29,801,362	\$49,711,234	\$29,801,362	\$49,711,234
13	2017-2018	\$3,931,314	\$5,605,114	\$5,605,114	\$4,204,132	\$5,994,087	\$8,340,129	\$8,340,129	\$11,891,030	\$5,126,231	\$7,388,884	\$7,388,884	\$8,199,556	\$8,199,556	\$11,690,606	\$29,801,362	\$52,115,566	\$29,801,362	\$52,115,566
14	2018-2019	\$3,931,314	\$5,773,267	\$5,773,267	\$4,204,132	\$6,173,910	\$8,340,129	\$8,340,129	\$12,247,760	\$5,126,231	\$7,528,043	\$7,528,043	\$8,199,556	\$8,199,556	\$12,041,325	\$29,801,362	\$54,522,438	\$29,801,362	\$54,522,438
15	2019-2020	\$3,931,314	\$5,946,465	\$5,946,465	\$4,204,132	\$6,359,127	\$8,340,129	\$8,340,129	\$12,615,193	\$5,126,231	\$7,753,884	\$7,753,884	\$8,199,556	\$8,199,556	\$12,402,564	\$29,801,362	\$56,927,111	\$29,801,362	\$56,927,111
16	2020-2021	\$3,931,314	\$6,124,859	\$6,124,859	\$4,204,132	\$6,549,901	\$8,340,129	\$8,340,129	\$12,993,649	\$5,126,231	\$7,986,501	\$7,986,501	\$8,199,556	\$8,199,556	\$12,774,641	\$29,801,362	\$59,332,438	\$29,801,362	\$59,332,438
17	2021-2022	\$3,931,314	\$6,308,605	\$6,308,605	\$4,204,132	\$6,746,388	\$8,340,129	\$8,340,129	\$13,383,459	\$5,126,231	\$8,272,879	\$8,272,879	\$8,199,556	\$8,199,556	\$13,157,880	\$29,801,362	\$61,737,438	\$29,801,362	\$61,737,438
18	2022-2023	\$3,931,314	\$6,497,663	\$6,497,663	\$4,204,132	\$6,948,790	\$8,340,129	\$8,340,129	\$13,784,962	\$5,126,231	\$8,472,879	\$8,472,879	\$8,199,556	\$8,199,556	\$13,552,617	\$29,801,362	\$64,142,438	\$29,801,362	\$64,142,438
19	2023-2024	\$3,931,314	\$6,692,799	\$6,692,799	\$4,204,132	\$7,157,253	\$8,340,129	\$8,340,129	\$14,198,511	\$5,126,231	\$8,727,065	\$8,727,065	\$8,199,556	\$8,199,556	\$13,959,195	\$29,801,362	\$66,547,438	\$29,801,362	\$66,547,438
20	2024-2025	\$3,931,314	\$6,893,583	\$6,893,583	\$4,204,132	\$7,371,971	\$8,340,129	\$8,340,129	\$14,624,467	\$5,126,231	\$8,988,877	\$8,988,877	\$8,199,556	\$8,199,556	\$14,377,971	\$29,801,362	\$68,952,438	\$29,801,362	\$68,952,438
21	2025-2026	\$3,931,314	\$7,100,391	\$7,100,391	\$4,204,132	\$7,593,130	\$8,340,129	\$8,340,129	\$15,063,201	\$5,126,231	\$9,258,543	\$9,258,543	\$8,199,556	\$8,199,556	\$14,809,310	\$29,801,362	\$71,357,438	\$29,801,362	\$71,357,438
22	2026-2027	\$3,931,314	\$7,313,402	\$7,313,402	\$4,204,132	\$7,820,924	\$8,340,129	\$8,340,129	\$15,515,097	\$5,126,231	\$9,536,299	\$9,536,299	\$8,199,556	\$8,199,556	\$15,253,590	\$29,801,362	\$73,762,438	\$29,801,362	\$73,762,438
23	2027-2028	\$3,931,314	\$7,532,804	\$7,532,804	\$4,204,132	\$8,055,552	\$8,340,129	\$8,340,129	\$15,980,549	\$5,126,231	\$9,822,388	\$9,822,388	\$8,199,556	\$8,199,556	\$15,711,197	\$29,801,362	\$76,167,438	\$29,801,362	\$76,167,438
24	2028-2029	\$3,931,314	\$7,758,789	\$7,758,789	\$4,204,132	\$8,297,218	\$8,340,129	\$8,340,129	\$16,459,966	\$5,126,231	\$10,117,060	\$10,117,060	\$8,199,556	\$8,199,556	\$16,182,533	\$29,801,362	\$78,572,438	\$29,801,362	\$78,572,438
25	2029-2030	\$3,931,314	\$7,991,552	\$7,991,552	\$4,204,132	\$8,546,135	\$8,340,129	\$8,340,129	\$16,953,765	\$5,126,231	\$10,420,572	\$10,420,572	\$8,199,556	\$8,199,556	\$16,668,009	\$29,801,362	\$80,977,438	\$29,801,362	\$80,977,438
26	2030-2031	\$3,931,314	\$8,231,299	\$8,231,299	\$4,204,132	\$8,802,519	\$8,340,129	\$8,340,129	\$17,462,378	\$5,126,231	\$10,733,189	\$10,733,189	\$8,199,556	\$8,199,556	\$17,168,050	\$29,801,362	\$83,382,438	\$29,801,362	\$83,382,438
27	2031-2032	\$3,931,314	\$8,478,238	\$8,478,238	\$4,204,132	\$9,066,595	\$8,340,129	\$8,340,129	\$17,986,249	\$5,126,231	\$11,055,185	\$11,055,185	\$8,199,556	\$8,199,556	\$17,683,081	\$29,801,362	\$85,787,438	\$29,801,362	\$85,787,438
28	2032-2033	\$3,931,314	\$8,732,595	\$8,732,595	\$4,204,132	\$9,338,592	\$8,340,129	\$8,340,129	\$18,525,837	\$5,126,231	\$11,358,840	\$11,358,840	\$8,199,556	\$8,199,556	\$18,213,584	\$29,801,362	\$88,192,438	\$29,801,362	\$88,192,438
29	2033-2034	\$3,931,314	\$8,994,562	\$8,994,562	\$4,204,132	\$9,618,750	\$8,340,129	\$8,340,129	\$19,081,612	\$5,126,231	\$11,672,445	\$11,672,445	\$8,199,556	\$8,199,556	\$18,759,981	\$29,801,362	\$90,597,438	\$29,801,362	\$90,597,438
30	2034-2035	\$3,931,314	\$9,264,399	\$9,264,399	\$4,204,132	\$9,907,313	\$8,340,129	\$8,340,129	\$19,654,060	\$5,126,231	\$12,080,299	\$12,080,299	\$8,199,556	\$8,199,556	\$19,322,791	\$29,801,362	\$93,002,438	\$29,801,362	\$93,002,438
31	2035-2036	\$3,931,314	\$9,542,331	\$9,542,331	\$4,204,132	\$10,204,532	\$8,340,129	\$8,340,129	\$20,243,692	\$5,126,231	\$12,442,708	\$12,442,708	\$8,199,556	\$8,199,556	\$19,902,475	\$29,801,362	\$95,407,438	\$29,801,362	\$95,407,438
32	2036-2037	\$3,931,314	\$9,828,601	\$9,828,601	\$4,204,132	\$10,510,668	\$8,340,129	\$8,340,129	\$20,850,992	\$5,126,231	\$12,815,989	\$12,815,989	\$8,199,556	\$8,199,556	\$20,499,549	\$29,801,362	\$97,812,438	\$29,801,362	\$97,812,438
33	2037-2038	\$3,931,314	\$10,123,459	\$10,123,459	\$4,204,132	\$10,825,988	\$8,340,129	\$8,340,129	\$21,476,522	\$5,126,231	\$13,200,469	\$13,200,469	\$8,199,556	\$8,199,556	\$21,114,535	\$29,801,362	\$100,217,438	\$29,801,362	\$100,217,438
34	2038-2039	\$3,931,314	\$10,429,486	\$10,429,486	\$4,204,132	\$11,142,532	\$8,340,129	\$8,340,129	\$22,114,535	\$5,126,231	\$13,614,673	\$13,614,673	\$8,199,556	\$8,199,556	\$21,520,927	\$29,801,362	\$102,622,438	\$29,801,362	\$102,622,438
2005-2039 Total		\$132,681,852	\$224,348,668	\$224,348,668	\$141,889,458	\$239,917,596	\$281,479,351	\$281,479,351	\$475,946,913	\$173,010,291	\$292,539,091	\$292,539,091	\$276,735,018	\$276,735,018	\$487,924,827	\$1,005,795,970	\$1,005,795,970	\$1,005,795,970	\$1,005,795,970
FY2009-2039 Total		\$117,939,424	\$208,975,479	\$208,975,479	\$126,123,963	\$223,477,588	\$250,203,867	\$250,203,867	\$443,333,292	\$153,786,926	\$272,493,246	\$272,493,246	\$245,966,682	\$245,966,682	\$435,860,912	\$894,040,862	\$894,040,862	\$894,040,862	\$894,040,862

Note: For FY 2009-2039 summation, 3/4 year revenue for 2038-2039 and 1/4 year revenue from 2008-2009 was used
The 2005-2039 summation represents the total expected revenues collected if fees were implemented in year 2005-2006. For information only.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
A. LOCAL ARTERIAL PROGRAM			
Antelope Rd	Watt / Roseville Rd	County	This project will construct improvements on Antelope Road from Watt Ave to Roseville Road to address congestion, enhance safety and aesthetics, and improve mobility for bicycles, pedestrians and transit. Improvements may include the widening of Antelope Road from two lanes to four lanes between Monument Drive and Don Julio Boulevard, bicycle and pedestrian facilities, traffic signal modifications and traffic operations system upgrades, landscaping and streetscape enhancements, and soundwalls.
Antelope Rd	Roseville Rd / I-80	Citrus Heights	Phase 1 includes widening the roadway from 4 to 6 lanes, landscaped medians, new traffic signals), sound walls for noise mitigation, storm drain facilities, curb, gutter, and sidewalk with landscaped buffers.
Antelope Rd	I-80 / Auburn	Citrus Heights	Phase 2 includes enhancements to the roadway while maintaining the 4-lane roadway. Enhancements include construction of a raised landscaped median, storm drain facilities, sound walls for noise mitigation where required, landscape buffers, new traffic signal and construction of in-fill curb, gutter and sidewalk. If roadway volumes change significantly, this project could change to become a widening project.
Arden Way ITS	Del Paso / Ethan Rd	Sacramento	The City of Sacramento, in conjunction with the Federal Highway Administration and the California Department of Transportation, is installing ITS elements along a seven mile segment of Arden Way between Del Paso Blvd. and Watt Ave. Half of the project corridor lies within the City limits while the other half lies within County limits. ITS elements include the following: a fiber optic trunk line; Closed Circuit Television Cameras (CCTV); Transit Signal Priority (TSP); and count stations.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Arden Way ITS	Ethan Rd / Fair Oaks	County	Phase 2 will install ITS improvements on Arden Way from Watt Ave. to Fair Oaks Blvd. The project will continue the deployment of ITS strategies in the Arden Way corridor (Phase 1, between Del Paso Road and Watt Ave., will be completed in 2007). As part of the Arden Way Intelligent Transportation System, the proposed ITS elements will work to improve traffic management and mobility along Arden Way and provide a communication link between the County and other jurisdictions-communication hubs.
Bradshaw Rd	Grant Line / Calvine Rd	Elk Grove	Three-phased project that involves widening Bradshaw Road from 2 to 4 lanes, with landscaped median, shoulders, drainage, and an interim off-street bicycle/pedestrian facility. Phase 1: (Bond to Sheldon); completion in 2007. Phase 2: (Grant Line to Bond); completion in 2008. Phase 3: (Sheldon to Calvine); completion in 2009.
Bradshaw Rd	Calvine Rd / Florin Rd	County	Phase 1 will widen Bradshaw Road from two lanes to four lanes between Calvine Road and Florin Road in the Vineyard area. The project proposes to construct two additional traffic lanes, a raised landscaped median, bicycle and pedestrian facilities, a traffic signal modification at the intersection of Bradshaw Road and Gerber Road, and a minor traffic signal modification at the intersection of Bradshaw Road and Vintage Park Drive. The project will also replace the bridges at Laguna Creek and at Gerber Creek. This project is part of the Roadway Development Fee Capital Improvement Plan.
Bradshaw Rd	Florin Rd / Folsom Blvd	County	Phase 2 will construct improvements in the Bradshaw Road corridor to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Bruceville Rd	Sheldon / Cosumnes River Blvd	Sacramento	The proposed project will widen Bruceville Road from two lanes to four lanes and construct a landscaped median. Additionally, the project will construct traffic signals at the intersections of Bruceville Road with Cosumnes River College East Drive, Calvine Road, Jacinto Road, and Damascas Street.
Cosumnes River Blvd	I-5 / Franklin	Sacramento	Extend Cosumnes River Blvd. from its current westerly terminus at Franklin Blvd. to I-5, and then further west to an at grade intersection with Freeport Blvd. The proposed project includes future access to the developable land on both sides of the alignment east of I-5 and would accommodate a future intersection with 24th Street east of I-5.
Elk Grove Blvd	Big Horn / Waterman	Elk Grove	This project includes the following: pedestrian and operational improvements. Lane widening. Medians/landscaping.
Folsom Blvd	65th / Watt Ave	Sacramento	Widen Folsom Blvd. to 4 lanes from Hornet Drive to 65th Street. The widened roadway cross section will include landscaping as well as bicycle and pedestrian improvements and require the replacement of an existing sub-standard railroad under-crossing. Related improvements include the extension of Ramona Ave. to the north to connect to Folsom Blvd. Implementation of streetscape improvements on Folsom Blvd. from Power Inn Road to Watt Ave. Streetscape masterplan is currently in development.
Folsom Blvd	Watt Ave / Bradshaw Rd	County	This project will construct improvements on Folsom Blvd. to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. E12
Folsom Blvd	Bradshaw Rd / Sunrise	Rancho Cordova	The Folsom Boulevard Streetscape Enhancement Plan includes Beautification of Mather Field Road from Peter A. McCuen Blvd. to Folsom Blvd. and Folsom Blvd. from Bradshaw Rd. to Sunrise Blvd. Proposed enhancements include landscaped medians, frontage improvements including hardscape and landscaping, ADA improvements, improved access for pedestrians and bicyclists, street furniture, lighting and traffic signals.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Folsom Bridge Crossing		Folsom	The Army Corps of Engineers and City staff, working with other related agencies, are aggressively pursuing construction of a new bridge south of Folsom Dam, and hope to have it opened for commuters by the end of 2007. The bridge span, which will include four traffic lanes plus bike lanes, will cross the American River a few hundred feet downstream from the dam. The roadway route will connect the intersection of East Natoma Street/ Briggs Ranch Drive with a new intersection just to the south of the existing Folsom Dam Road/ Folsom-Auburn Road intersection.
I-5/SR99/SR50 Connector			Planning, design, and construction of a new expressway on an as yet undefined alignment to link the Cities of Elk Grove, Rancho Cordova, and Folsom.
Greenback Lane	I-80 / Manzanita Ave	County	This project will construct improvements in the corridor to address projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, upgraded traffic signals, and deployment of intelligent transportation system strategies.
Greenback Lane	West City Limits / Fair Oaks Blvd	Citrus Heights	The primary focus of this project is to widen the roadway from 4 to 6 lanes between Auburn Blvd and Dewey Dr. This is the last 4-lane segment between I-80 and Fair Oaks Blvd. Project includes construction of new curb, gutter & sidewalk, sound walls for noise mitigation, landscaped medians, beltway landscaping, utility relocations, and associated streetlight/traffic signals improvements. The remainder of Greenback Lane will be reviewed for in-fill sidewalk construction, bus stop safety improvements and intelligent transportation system (i.e. traffic signal interconnect) improvements. These items have not been specifically itemized and would likely be programmed in conjunction with other projects.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Greenback Lane	Fair Oaks Blvd / Hazel Ave	County	Phase 1 will widen Greenback Lane from 4 to 6 lanes between Fair Oaks Blvd. and Hazel Ave. in the Orangevale area. The project proposes to widen the roadway to accommodate two additional traffic lanes, a raised landscaped median, bicycle and pedestrian facilities, traffic signal modifications and traffic operations system upgrades, landscaping and streetscape enhancements, and soundwalls.
Greenback Lane	Hazel Ave / Main Street	County	Phase 2 will widen Greenback Lane from 4 to 6 lanes between Hazel Ave. and Main Ave. in the Orangevale area. The project proposes to widen the roadway to accommodate two additional traffic lanes, a raised landscaped median, bicycle and pedestrian facilities, traffic signal modifications and traffic operations system upgrades, landscaping and streetscape enhancements, and soundwalls.
Hazel Ave	US50 / Folsom Blvd	County	This project will construct improvements to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include upgrades to the Highway 50/Hazel Ave. interchange, at grade separation at Hazel Ave. and Folsom Blvd., safety enhancements, landscape/streetscape and other aesthetic enhancements, transit access and mobility enhancements, upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.
Hazel Ave	Madison Ave / US50	County	Phase 1 proposes to widen Hazel Ave. from four to six lanes, including the American River Bridge, between U.S. Highway 50 and Madison Ave. The project includes the construction of new bicycle and pedestrian facilities including bike lanes, separated sidewalks, and a barrier separating bicycle/pedestrian/equestrian modes from vehicle traffic on the bridge over the American River. The project will also construct parkway features throughout the corridor including landscaping, pedestrian pathways and soundwalls. The project includes traffic signal modifications at Curragh Downs Drive, Winding Way, La Serena Drive and the fire station at Roediger Lane.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Hazel Ave	Placer Co. Line / Madison Ave	County	Phase 2 will construct improvements in the Hazel Ave. corridor to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.
Madison Ave	Sunrise / Hazel Ave	County	Phase 1 will widen Madison Ave. from 4 to 6 lanes between Sunrise Blvd. and Hazel Ave. in the Citrus Heights and Fair Oaks areas. The project proposes to widen the roadway to accommodate two additional traffic lanes, a raised landscaped median, bicycle and pedestrian facilities, traffic signal modifications and traffic operations system upgrades, landscaping and streetscape enhancements, and soundwalls.
Madison Ave	Hazel Ave / Greenback Lane	County	Phase 2 will widen Madison Ave. from 4 to 6 lanes between Hazel Ave. and Greenback Lane in the Fair Oaks area. The project proposes to widen the roadway to accommodate two additional traffic lanes, a raised landscaped median, bicycle and pedestrian facilities, traffic signal modifications and traffic operations system upgrades, landscaping and streetscape enhancements, and soundwalls.
Madison Ave	Watt Ave / Sunrise Blvd	County	Phase 3 will construct improvements in the Madison Ave. corridor to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
South Watt/EG-Florin Rd	Florin Rd / SR16	County	Phase 1 will widen South Watt Ave. from 2 to 4 lanes between Florin Road and State Route 16. The project proposes to construct two additional traffic lanes, a raised landscaped median, paved shoulders to accommodate bicycle and pedestrian facilities, and traffic signal modifications at the intersections of South Watt Ave. with Elder Creek Road and Fruitridge Rd. The project will also replace the bridge at Morrison Creek.
South Watt/EG-Florin Rd	Folsom Blvd / Calvine Rd	County	Phase 2 will construct improvements in the South Watt Ave./Elk Grove-Florin Road corridor to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.
South Watt/EG-Florin Rd	Calvine Rd / Elk Grove Blvd	Elk Grove	This project will widen Elk Grove-Florin Rd. from 4-6 lanes between Calvine and Bond Roads. Median and operational improvements will be constructed from Bond Rd. to Elk Grove Blvd.
Sheldon Rod	Bruceville / Bradshaw	Elk Grove	This project involves widening Sheldon Road from 2 to 4 lanes. It will be done in 2 phases. Phase 1: Bruceville Road to Elk Grove Florin; completion for 2006. Phase 2: Elk Grove Florin to Bradshaw; completion for 2007.
Sunrise Blvd	Jackson Rd / Grantline Rd	County	Phase 2 will construct improvements on Sunrise Blvd. to address existing and projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, a grade separation at the intersection of Sunrise Blvd. and Jackson Road, bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Sunrise Blvd	Gold Country Rd / Jackson Rd	Rancho Cordova	Widen to 6 lane on Sunrise Boulevard from Sunrise Park Drive to Jackson Hwy. Improve intersection to 6 lane by 6 lane. Construct new bridge over Folsom South Canal. Install new traffic signal system at intersection. Phase 1 – Sunrise Park Drive to Chrysanthy Boulevard, Phase 2 – Chrysanthy Boulevard to Kiefer Road, Phase 3 – Kiefer Road to Jackson Hwy, Phase 4 – Intersection at Sunrise Boulevard at Jackson Hwy, including bridge over Folsom South Canal
Sunrise Blvd	Madison Ave / Gold Country Blvd	County	This project will construct improvements in the corridor to address projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, new and upgraded traffic signals, and deployment of intelligent transportation system components throughout the corridor.
Sunrise Blvd	Oak Ave / Antelope Rd	Citrus Heights	Phase 1 = Oak Ave to Antelope Road. Project emphasis is in the area north of Greenback Lane to the Placer County Line (over 3 miles) where the current roadway configuration consists of a 4-lane roadway with/without medians along the length of the project. This proposed project would complete the construction of a 6-lane roadway on Sunrise Blvd within the City of Citrus Heights. Primary objectives include improving traffic operations and safety; and improving pedestrian, bicycle, and transit access along Sunrise Blvd.
Sunrise Blvd	Greenback Lane / Oak Ave	Citrus Heights	Phase 2 = Greenback Lane to Oak Ave. Project emphasis is in the area north of Greenback Lane to the Placer County Line (over 3 miles) where the current roadway configuration consists of a 4-lane roadway with/without medians along the length of the project. This proposed project would complete the construction of a 6-lane roadway on Sunrise Blvd within the City of Citrus Heights. Primary objectives include improving traffic operations and safety; and improving pedestrian, bicycle, and transit access along Sunrise Blvd.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Sunrise Blvd	Antelope Rd / Placer Co. Line	Citrus Heights	Phase 3 = Antelope Road to Placer County Line. Project emphasis is in the area north of Greenback Lane to the Placer County Line (over 3 miles) where the current roadway configuration consists of a 4-lane roadway with/without medians along the length of the project. This proposed project would complete the construction of a 6-lane roadway on Sunrise Blvd within the City of Citrus Heights. Primary objectives include improving traffic operations and safety; and improving pedestrian, bicycle, and transit access along Sunrise Blvd.
Watt Ave	Antelope / Capacity Freeway	County	This project will construct improvements in the corridor to address projected congestion, improve mobility for all modes of travel, and to implement the ultimate corridor configuration based on the adopted General Plan and Metropolitan Transportation Plan. Possible improvements include road widening, bicycle and pedestrian improvements, disability access improvements, safety enhancements, landscape/streetscape and other aesthetic enhancements, soundwalls, transit access and mobility enhancements, upgraded traffic signals, and deployment of intelligent transportation system strategies.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
B. TRANSIT CAPITAL IMPROVEMENT PROGRAM			
Downtown Intermodal Station		Sacramento	In downtown Sacramento at the corner of I Street and 5th Street, this project is a combination of both new and renovated facilities, which will provide a variety of transportation modes serving Sacramento, the Sacramento region, and other California cities. The project will include relocation of the inner-city rail tracks, new passenger platforms, restoration of the historic station, and integration of the facility with the planned adjacent development. The improved intermodal connections and service will allow inter-city rail and bus passengers to efficiently access local transportation modes, including rail, bus, taxi, automobile, and to do so in a friendly and safe environment. It is anticipated that an initial phase will be constructed in the 2010 timeframe yet some elements may need to be constructed earlier. The detail in the Cost by Phase table reflects an initial phase and does not accurately depict future phases. Future phases will be better defined with future project development.
LRT Extension	Meadowview Rd / Cosumnes River Blvd	Regional Transit	Extension of Sacramento Regional Transit District's (RT) south corridor light rail transit service from its existing terminus at Meadowview Road south and east to Cosumnes River College.
Regional Rail Commuter Service			Implementation of the Sacramento County portion of a new commuter rail service between Auburn and Dixon in the existing right-of-way used by the Capitol Corridor.
LRT Extension to Airport		Regional Transit	Extend Sacramento Regional Transit District's (RT's) light rail transit service along the Downtown/Natomas/Airport (DNA) corridor in Sacramento California. Construction of a light rail extension from Downtown Sacramento to Sacramento International Airport. Phase 1 of the project would be from Sacramento Valley Station to Natomas Town Center. Phase 2 would be from Natomas Town Center to the Sacramento International Airport.
LRT Improvements in I-80 Corridor			Corridor straightening, double-tracking, and the provision of express service in the existing NE light rail corridor.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
C. FREEWAY SAFETY AND CONGESTION RELIEF PROGRAM			
Bus/Carpool Ramp Connection	SR50E / SR99S	SACOG	The project scope includes modifying the interchange by widening existing ramps and constructing freeway to freeway HOV connectors. The project location is in Sacramento County at the junction of Routes 99 and 50. Construction is anticipated to start on FY 15/16. A rough estimate is reflected for capital construction only. The remaining breakdown will be developed at a later time.D46
I-80 Bus/Carpool Lanes	I-5 / Capital City Freeway	SACOG	The project scope includes adding additional lanes in the median of Interstate 80 (I-80) in Sacramento County and an auxiliary lane in the Eastbound direction from West El Camino Avenue to the Interstate 5 Interchange. The project location is along Interstate 80 in Sacramento County, from Sacramento River Bridge & Overhead to Sacramento Regional Transit Light Rail Station.
I-5 Bus/Carpool Lanes	Elk Grove / Downtown	SACOG	In and near Sacramento, from North of Hood Franklin Road Overcrossing #24-326 to South of Route 50. This project proposes to construct additional lanes in the median of I-5 in Sacramento County, between the Hood-Franklin Road Overcrossing and Route 50. The proposed project adds an additional lane in the median in each direction of travel and constructs auxiliary lanes at various locations, and provides for ramp meters with associated HOV bypass lanes, in order to provide the highest feasible level of service for this roadway.
Connector Ramp Widening	SR50 / I-5	SACOG	The project scope includes modifying the interchange by widening existing ramps and constructing freeway to freeway HOV connectors. The project location is in Sacramento County at the junction of Routes 5 and 50. Construction is anticipated to start on FY 13/14. A rough estimate is reflected for capital construction only. The remaining breakdown will be developed at a later time.
SR50 Bus/Carpool Lanes	Sunrise / Downtown	SACOG	The project scope includes adding additional lanes in the existing median of U.S. 50 from Sunrise Blvd. to downtown Sacramento. The project also proposes to include community enhancements along the corridor and downtown Sacramento street system to enhance neighborhood livability.
Central Galt/SR99 Interchange Upgrade		Galt	Replace and expand the existing Central Galt Interchange on SR 99 to provide sufficient capacity to accommodate projected increases in regional and local traffic and improve existing non-standard roadway geometrics.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Cosumnes River Blvd/I-5 Interchange Upgrade		Sacramento	Construct a Type L-9 cloverleaf interchange at I-5 to provide access to the proposed Cosumnes River Blvd. extension from Franklin Blvd. to Freeport Blvd. The interchange will be located south of the Meadowview Road/I-5 interchange at approximately the same location as the existing Stonecrest Ave. Overcrossing.
Grantline Road/SR99 Interchange Upgrade		Elk Grove	This project involves replacing the existing two-lane interchange with a structure design to accommodate the General Plan width of 8 lanes (striped for 6 lanes in interim). Project also included on-and-off ramp widening, realignment of East Stockton Blvd. and Survey Road as necessary to accommodate the new interchange structure, and landscaping.
I-5/I-80 X-change Upgrade & Carpool Lane Connector w/ Carpool Lanes		SACOG	The project proposes to reconstruct the SB to EB I-5/I-80 connector in Sacramento County and to provide HOV lanes on Interstate 5 from the interchange to downtown Sacramento. This will be accomplished by replacing the existing loop connectors with fly-over connectors, providing direct HOV connectors for proposed HOV lanes, and constructing HOV lanes in both directions with appropriate termination points in downtown Sacramento. The fly-over connectors will increase capacity and eliminate the weaving between the loop connectors and upgrade the connector's operating speed. The project will improve the level of service to accommodate the present and future traffic demand, upgrade the roadway geometry up to current standards, and will provide a seamless HOV opportunity into and from downtown Sacramento. The project location is in the County of Sacramento, at the junction of Interstate 5 and Interstate 80, and within the City of Sacramento.
Richards Blvd/I-5 Interchange Upgrade		Sacramento	Improve the operations and capacity of the existing Richards Blvd. Interchange on Interstate 5 in the City of Sacramento.
Sheldon Road/SR99 Interchange Upgrade		Elk Grove	This project consists of replacing the existing two-lane interchange with a six-lane facility, widening & realigning the on-and-off ramps, realigning East and West Stockton Boulevards as necessary to accommodate the new interchange and widening Sheldon Road from 2 to 6 lanes with landscaped median, curb, gutter, sidewalks, street lights, and roadside landscaping from Lewis Stein to Power Inn.

PROJECT DESCRIPTIONS

Facility	Segment	Local Agency	Project Description
Watt Ave/SR50 Interchange Upgrade		County	The proposed project will reconstruct the U.S. Highway 50 at Watt Ave. interchange to and L-9 partial cloverleaf configuration; install the initial working segment of a dedicated Bus Rapid Transit (BRT) facility; construct a dedicated bicycle and pedestrian pathway along Watt Ave. through the interchange; and construct related intersection and transit access improvements. The project is being coordinated with Caltrans' efforts to develop a project to construct Highway 50 High Occupancy Vehicle Lanes from Sunrise Blvd. to Downtown Sacramento and with Sacramento Regional Transit's vision of BRT on Watt Ave.

D. SMART GROWTH INCENTIVE PROGRAM

Promotion of Transit Oriented Development			Implementation of a competitive grant program for the County and cities to promote innovative transit-oriented land development.
Planning/Development/Acquisition of Open Space Preservation Program Related to EG-RC-Fols connector			

E. TRANSPORTATION PROJECT ENVIRONMENTAL MITIGATION PROGRAM

Environmental Mitigation for Measure A Transportation Projects			
Open Space Acquisition			
Natural Habitat Preservation			
Planning/Development/Acquisition of Open Space Preservation Program Related to EG-RC-Fols connector			

CITY OF RANCHO CORDOVA

ORDINANCE NO. 01-2009

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA
AMENDING THE CITY'S MUNICIPAL CODE BY ADDING CHAPTER 16.85 TO ESTABLISH
DEVELOPMENT IMPACT FEES FOR MEASURE A TRANSPORTATION IMPROVEMENTS
FOR CITYWIDE BENEFIT DISTRICT**

WHEREAS, this Ordinance adds Chapter 16.85 to the Rancho Cordova Municipal Code to enact the Measure A Mitigation Fee Program as established by the Sacramento Transportation Authority (STA). Implementation of the Measure A Mitigation Fee Program by each jurisdiction within the County of Sacramento was a condition of STA's approval of the new Measure A sales tax and expenditure plan, which was approved by the voters in Sacramento County in November of 2004. STA's Ordinance No. 04-01 provides that no revenues from the new Measure A sales tax shall be provided to a local jurisdiction unless it implements the Measure A Mitigation Fee Program. On September 18, 2006, by Resolution No. 161-2006, the City committed to implement the Measure A Mitigation Fee Program.

WHEREAS, on June 7, 2006, by Resolution No. 06-0006, STA adopted the Measure A nexus study, which identified the additional public facilities required by new development and determined the amount of revenue needed from development impact fees to be imposed on a countywide basis, so that all new development pays its fair share of the costs of new public facilities needed to serve such development. The Measure A development impact fee is to become effective on April 1, 2009, and extend through March 31, 2039, in order to fund new development's fair share of the costs of the transportation improvements included in the Measure A expenditure plan needed to serve such development in the future.

WHEREAS, the Measure A development impact fees authorized by this Ordinance shall be assessed upon landowners developing residential and nonresidential projects within the City to meet the needs of, and address the impacts caused by, the additional persons residing or employed on the property as a result of such development activity. It is the intent and purpose of the City to protect and promote the public health, safety and welfare by constructing and installing public facilities necessitated by new development within the City. Furthermore, it is the intent and purpose of the City to allow development on the condition that landowners pay their fair share of costs of the Measure A transportation improvements planned within the City or that will benefit the City, and that such costs shall not be or become the responsibility of the City's general fund or any other City fund not designated in this Ordinance.

WHEREAS, under the Protocols Agreement, the City is obligated to remit to STA, on a semi-annual basis, all of the Measure A development impact fee revenues collected by the City for reallocation by STA in accordance with the Measure A expenditure plan. In order to recover the City's cost to collect the Measure A development impact fee, establish a separate account for said fees, and provide reports to STA and to the City Council regarding the amount of the fees collected and the expenditure of those fees, this Ordinance also authorizes the imposition of the Measure A administration fee.

**THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA DOES ORDAIN AS
FOLLOWS:**

SECTION 1. Purpose and Authority. The purpose of this ordinance is to add Chapter 16.85 to the City of Rancho Cordova Municipal Code to enact the Measure A Mitigation Fee Program as established by the Sacramento Transportation Authority by the establishment of Measure A

development impact fees in the City of Rancho Cordova ("City") for the transportation improvements in the Measure A Expenditure Plan. The City Council enacts this Ordinance pursuant to the authority granted to cities by Article XI, Section 7 of the California Constitution.

SECTION 2. Findings. The City determines and finds as follows:

1. By separate actions referenced below, the City Council adopted and approved the following items on the same date that this Ordinance was enacted:

- (a) By Resolution No. 04-2009, adoption of the Measure A nexus study, the Measure A development impact fee, and the Measure A administration fee. The Measure A nexus study demonstrated the burden on public facilities that will occur from new development and the benefit for such development of the public facilities included in the Measure A expenditure plan.
- (b) By Resolution No. 05-2009, approval of the Protocols Agreement, which provides for the City to remit to the Sacramento Transportation Authority (STA) the Measure A development impact fees. STA will subsequently allocate the Measure A development impact fee revenues collected by the City for construction of the public facilities included in the Measure A expenditure plan which are located within or otherwise benefit the City.

The foregoing items, along with the studies and reports each may reference or be based upon in whole or in part, and together with any amendments thereto and any supplemental or implementation actions pursuant thereto made after their initial adoption, establish the need, costs and financing of public facilities arising out of development within the citywide benefit district area, and present a reasonable basis on which to establish development impact fees under this Ordinance. The foregoing items, and all other additional studies and reports presented to the City Council now or in the past, along with the studies, reports and data each may reference or be based upon in whole or in part, and any and all amendments thereto and any supplemental or implementation actions pursuant thereto made after their initial adoption, together with staff reports and other matters presented to the Council by City staff or interested parties, whether in writing or orally, constitute the record before the City Council for purposes of the adoption and enactment of this Ordinance.

2. The imposition of development fees is one of the preferred methods of ensuring that development bears a proportionate share of the cost of public facilities necessary to fulfill the purposes of this Ordinance as stated above. This Ordinance is intended to implement the Measure A mitigation fee program in accordance with the Measure A expenditure plan and Measure A nexus study.

3. All new development within the City will result in additional growth that will place burdens on public facilities within the City and will cause the need for new public facilities. Such development will necessitate the need for construction of new and expanded public facilities in order to meet the needs of, and to address the impacts caused by, new development within the City. The development fee impact program implemented by this Ordinance is designed to mitigate some of the transportation impacts caused by new development in the City.

4. The development impact fee program set forth in the Measure A expenditure plan and Measure A nexus study is intended to ensure that all public facilities set forth in said expenditure plan are partially paid for by development causing the need for the same, and in any event, without requiring expenditures from the City's general fund. It is fair and equitable for landowners developing land within the City to pay their fair share of the costs of such public

facilities and for the City to assess said share to the landowners while shielding the City's general fund from liability for same.

5. This Ordinance establishes certain fee categories and provides the structure in which the fees may be imposed, all of which are intended to implement the Measure A mitigation fee program set forth in the Measure A expenditure plan. This Ordinance authorizes the City Council to adopt resolutions imposing initial and subsequent amounts of the established fees, and any deferral provisions affecting the time and manner in which the fees are to be paid to the City.

6. The development impact fee established by this Ordinance is based upon the estimated costs of the new public facilities set forth in the Measure A expenditure plan which are not fully funded by the Measure A sales tax proceeds in order to serve and address some of the transportation impacts caused by new development within the City, and shall be subject to adjustment as more precise estimates or actual costs of said public facilities are determined and to account for inflationary construction cost increases.

7. The amount of the fees that may be imposed by resolution based on the authority established under this Ordinance, and as may be adjusted over time as allowed pursuant to this Ordinance, is a reasonable approximation of the fair share of the cost of the public facilities, and roughly proportionate to the need for such facilities caused by new development within the City. The development impact fee established by this Ordinance relates rationally and does not exceed the reasonable cost of providing the public facilities within the City occasioned by new development projects.

8. All new development projects within the City should bear a proportionate, fair and equitable financial burden in providing public facilities to serve such uses. The development impact fee is necessary in order to finance the public facilities required by new development within the City. The imposition of the fee on landowners developing their property will ensure that they have an obligation to pay a fair share of the costs of such public facilities.

9. The public facilities that are to be financed by the development impact fee established by this Ordinance are based on an analysis of the land uses set forth in the City's General Plan and such improvements are consistent with the City's General Plan, including all elements thereof.

10. For the purpose of establishing the fees set forth in this Ordinance, the record before the City Council and the findings herein stated:

- (a) reasonably identify the purpose of each fee established;
- (b) reasonably identify the use to which the fee is to be put;
- (c) establish a reasonable relationship between the use of each fee and the type of development project on which the fee is imposed;
- (d) establish a reasonable relationship between the need for the public facilities to be financed by the fee established and the type of development project on which the fee is to be imposed;
- (e) establish that there is a reasonable relationship between the amount of the fee and the cost of the public facilities, or portion of such public facilities, attributable to the development project on which the fees are imposed; and

- (f) form the basis for the further finding that the imposition of the development impact fee on development projects to finance public facilities is necessary in order for the City to protect and promote the public health, safety and welfare.

11. The City has pending before it, or will soon have pending before it, applications for building permits, subdivision maps and/or applications for residential, commercial and/or industrial development which the City must act on. Further, the City heretofore has approved various development projects in the form of tentative maps, development agreements, and/or other entitlements, which will need the public facilities to be funded by the fee enacted under this Ordinance to serve such new development as set out in the Measure A nexus study. It is necessary that the provisions of this Ordinance apply to these previously approved development projects in order to protect the health, safety and welfare of City residents by the provision of adequate public facilities, to afford landowners certainty with regard to their financial obligations, and to ensure that such development will not create a burden on the interrelated transportation public facilities within the City.

SECTION 3. Additions.

Chapter 16.85 is hereby added to the Rancho Cordova Municipal Code, to read in its entirety as follows:

CHAPTER 16.85

ESTABLISHMENT OF DEVELOPMENT IMPACT FEES FOR MEASURE A TRANSPORTATION IMPROVEMENTS

Sections:

16.85.010	Purpose
16.85.020	Definitions
16.85.030	Adoption of New or Amended Reports
16.85.040	Establishment of Development Impact Fees
16.85.050	Additional Findings to Be Made when Establishing the Amount of Development Impact Fees
16.85.060	Proceedings to Establish the Amount of Development Impact Fees
16.85.070	Imposition of Development Impact Fees
16.85.080	Exemptions
16.85.090	Computation of Fees
16.85.100	Time of Payment of Fees
16.85.110	Deferral of Fees
16.85.120	Automatic Annual Adjustment
16.85.130	Adjustment of Fee by Resolution
16.85.140	Creation of Funds
16.85.150	Use of Funds
16.85.160	Disposition of Unexpected or Unappropriated Fee Revenues
16.85.170	Refund of Fees Paid
16.85.180	Other Fee and Dedication Requirements
16.85.190	Annual Reports and Review of Fee
16.85.200	California State Law

16.85.010 Purpose.

This chapter is adopted pursuant to the authority granted to cities by Article XI, Section 7 of the California Constitution for the purpose of authorizing certain development impact fees, as described in public facility financing plans, expenditure plans and the nexus studies as referenced herein, to be assessed upon the owners of certain residential and nonresidential property as described in this chapter and which is located within the City. The fees herein adopted shall be assessed upon landowners developing property for any residential or nonresidential use in order to provide all or a portion of the funds which will be necessary to design, construct, install or acquire public facilities required to meet the needs of, and address the transportation impacts caused by, such development activity. It is the intent and purpose of the City to protect and promote the public health, safety and welfare by constructing, installing and acquiring public facilities necessitated by development in the City. Furthermore, it is the intent and purpose of the City to allow the development within its jurisdiction boundaries on the condition that landowners pay the applicable costs of such public facilities and that such costs shall not be or become a responsibility of any other City fund, including, without limitation, the City's general fund.

16.85.020 Definitions.

Unless the contrary is stated or clearly appears from the context in which a term is used, the following definitions shall govern construction of the words and phrases used in this chapter:

1. "Automatic annual adjustment" means the automatic annual adjustment of development impact fees based on the inflation factors described in Section 16.85.120 of this chapter.

2. "City Code" means the City of Rancho Cordova Municipal Code.

3. "Citywide benefit district area" means the real property located within the jurisdictional boundaries of the City, and as said boundary may be adjusted from time to time.

4. "Development" means the uses to which property will be put, the buildings and improvements to be constructed on it, and the construction activities incident thereto, together with the process of obtaining all required land use entitlements.

5. "Development project" shall have the same meaning as defined by subsection (a) of Government Code Section 66000, as such section may be amended from time to time.

6. "Dwelling unit" means any building or portion of a building used or designed for use as a residence by an individual or any group of individuals living together or as a family, excepting there from any unit rented or leased for temporary residency, such as a motel and hotel room.

78. "Fee" and "impact fee" and "development impact fee" means the monetary exaction as defined by subsection (b) of Government Code Section 66000, as such section may be amended from time to time, and shall include, but not be limited to, the fees established pursuant to this chapter.

89. "Fee resolution" mean Resolution No. 04-2009, or any subsequent resolution adopted by the City Council which implements the provisions of this chapter, including, without limitation, the setting of the amounts of the various fees established hereby and the adoption of provisions for credits, reimbursements and deferral relating to such fees.

9. "Government Code" means the Government Code of the state of California and any provision thereof cited in this chapter, as such provision exists as of the date of the enactment of this chapter, or as may thereafter be amended or renumbered from time to time.

10. "Health and Safety Code" means the Health and Safety Code of the state of California and any provision thereof cited in this chapter, as such provision exists as of the date of the enactment of this chapter, or as may thereafter be amended or renumbered from time to time.

11. "Measure A" means Ordinance No. 04-01 adopted by the Sacramento Transportation Authority on July 29, 2004, which established the Sacramento Countywide Transportation Mitigation Fee Program to be implemented by the County of Sacramento and each city within the county by April 1, 2009.

12. "Measure A administration fee" means the fee imposed by the City for the cost of collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fee.

13. "Measure A development impact fee" means a development impact fee established to provide funding for public facilities to benefit new development within the City.

14. "Measure A expenditure plan" means the Sacramento County Transportation Expenditure Plan 2009-2039 dated June 10, 2004, as adopted by the Sacramento Transportation Authority under Ordinance No. 04-01, which specifies the allocation of Measure A sales taxes and Measure A development impact fees for specified public facilities.

15. "Measure A nexus study" means the Development Impact Fee Study dated June 2, 2006, as adopted by the Sacramento Transportation Authority by Resolution No. 06-0006.

16. "Protocols Agreement" means the New Measure A Sacramento Countywide Transportation Mitigation Fee Program Agreement on Operating Protocols dated August 2008 with the Sacramento Transportation Authority, as approved by the Authority on August 28, 2008, by Resolution No 08-0001, and as amended on December 11, 2008.

17. "Public facilities" means the public improvements, public services and community amenities as defined by subsection (d) of Government Code Section 66000, as such section may be amended from time to time. The term "public facilities" only includes transportation improvements and infrastructure to be designed, constructed, installed and acquired to serve the specified benefit district area, as well as the transportation-related public service and community amenities to serve the specified benefit district area, which improvements and infrastructure are described in the applicable financing plan, expenditure plan, and/or nexus study (collectively "plan" or "study"). The costs of the design, construction, installation and acquisition of the specified public facilities, which are to be financed partially by the development impact fee program, is set forth within the plan or study. Where applicable under the plan or study, the term "public facilities" includes the acquisition of land relating to such improvements, infrastructure, public services and community amenities. The term "public facilities" also means a specific public improvement or infrastructure where the context requires a singular meaning.

18. "STA" means the Sacramento Transportation Authority.

16.85.030 Adoption of New or Amended Reports.

To implement the development impact fees established pursuant to the provisions of this chapter, the City Council may, by resolution, adopt new or amended versions of any of the studies, reports, plans, or projections on which the development impact fees are based, except in such cases where amendments to such studies reports, plans, or projections must be made by ordinance.

16.85.040 Establishment of Development Impact Fees.

A. The following development impact fees are established pursuant to the provisions of this chapter to finance the cost of the following categories of public facilities required by development within the following specified benefit district areas:

1. Measure A benefit district.
 - a. Measure A Development Impact Fee. A development impact fee is established to provide funding for public facilities to serve the City, which facilities are described in the Measure A expenditure plan and the Measure A nexus study. The Measure A benefit district is the jurisdictional boundaries of the City, and as said boundary may be adjusted from time to time.
 - b. Measure A Administration Fee. An administrative fee is established to fund the City's cost to administer the Measure A development impact fee.

B. The City Council, by resolution, shall establish the specific initial and subsequent amounts of the foregoing fees pursuant to Section 16.85.060 of this chapter and make the additional findings required under Section 16.85.050 of this chapter in establishing said amounts of each fee. In addition, the City Council, by resolution, may adopt additional provisions, procedures and policies to implement the fees established by this chapter. The amounts of fees, provisions, procedures, and policies adopted by resolution pursuant to this subsection shall be consistent with the applicable financing plan, expenditure plan and/or nexus study as referenced in subsection A of this Section 16.85.040.

C. The City Council, by resolution, may establish new or additional components of the fees identified in subsection A of this Section 16.85.040 as are necessary to accommodate phasing and stages of the development of the specified benefit district areas, or as may be contemplated by future amendments to the financing plan, expenditure plan and/or nexus study as referenced in subsection A of this Section 16.85.040.

16.85.050 Additional Findings to be Made When Establishing the Amount of Development Impact Fees.

At the time it considers the amount of the fees established pursuant to Section 16.85.040 of this chapter or at the time of amending such fees, other than in making an automatic annual adjustment to the fees as provided in Section 16.85.120 of this chapter, the City Council shall adopt the amount of such fees if it makes the following findings in support of such fees:

- A. A finding that such fees have been determined and calculated in the manner consistent with the financing plan, expenditure plan and/or nexus study as referenced in subsection A of Section 16.85.040 of this chapter; and

B. The following additional findings required by Section 66001 of the Government Code which demonstrate that there is a nexus between the public facilities for which such fees are imposed and the need for such public facilities created by the development of residential and nonresidential property within the specified benefit district areas upon which the fees are imposed:

1. Findings which identify the purpose of the fees;
2. Findings which identify the use to which the fees are to be put;
3. Findings which demonstrate that there is a reasonable relationship between the use of the fees and the type of development project on which the fees are imposed;
4. Findings which demonstrate that there is a reasonable relationship between the need for the public facilities to be financed by the fees and the type of development project on which the fee is to be imposed; and
5. Findings which demonstrate how there is a reasonable relationship between the amount of the fees and the cost of the public facilities, or portion of such public facilities, attributable to the development project on which the fees are imposed.

C. In making the findings pursuant to this Section 16.85.050 and any other findings, the City Council may consider all matters, whether offered orally or in writing, presented at the hearing or hearings conducted for the purpose of establishing or amending the fee, and any and all oral and written material presented to the City Council and Planning Commission in connection with the adoption, approval or amendment of the financing plan, expenditure plan and/or nexus study as referenced in subsection A of Section 16.85.040 of this chapter.

16.85.060 Proceedings to Establish the Amount of Development Impact Fees.

A. At the time of setting the amount of the fees established pursuant to this chapter or at the time of amending such fees, other than in making an automatic annual adjustment to the fees as provided in Section 16.85.120 of this chapter, the City Council shall hold a public hearing on the proposed fees or proposed amendment of fees in the manner required by Section 66018 of the Government Code.

B. The effective date of any resolution adopted by the City Council which establishes or amends, as the case may be, the amount of the fees established pursuant to Section 16.85.040 of this chapter, shall be no sooner than 60 days following the final action on the adoption or amendment of the fee.

16.85.070 Imposition of Development Impact Fees.

A. The development impact fees established under this chapter shall be imposed on the following types of uses or development of real property located within the benefit district areas as referenced in subsection A of Section 16.85.040 of this chapter:

1. For nonresidential uses or development:
 - a. The construction on the property of a new building or structure;

- b. The construction on the property of additions to an existing building or structure which results in the expansion in the size or use of such existing building or structure; or
- c. The change in use of an existing building or structure on the property from a previous residential use to a nonresidential use, or from a previous nonresidential use to another nonresidential use, provided that the landowner shall be entitled to a credit against fees paid pursuant to this chapter in the amount of fees which were actually paid for such previous residential or nonresidential use, which prior fees shall be adjusted for inflation consistent with Section 16.85.120 of this chapter.

2. For residential uses or development:

- a. The construction on the property of a new building or structure containing one or more dwelling units;
- b. The construction on the property of alterations or additions to an existing building or structure which add one or more dwelling units to such existing building; or
- c. The change in use of an existing building or structure on the property from a previous nonresidential use to a residential use, provided that the landowner shall be entitled to a credit against fees paid pursuant to this chapter in the amount of fees which were actually paid for such previous nonresidential use, which prior fees shall be adjusted for inflation consistent with Section 16.85.120 of this chapter.

3. For nonresidential and residential uses or development within the same building or structure, the computation of fees as set out in Section 16.85.090 of this chapter shall apply.

B. Except as may be expressly provided in this chapter, no building permits or extension of permits relating to the activities described in subsections (A)(1) and (A)(2) of this Section 16.85.070 shall be granted unless and until the appropriate development impact fee or fees have been paid to the City in accordance with the provisions of this chapter, except that for residential developments under a fee payment contract as specified in Section 66007 of the Government Code, building permits may be issued but no final inspection or certificate of occupancy shall be granted unless and until the appropriate development impact fee or fees have been paid to the City. As provided in subsection (a) of Section 66007 of the Government Code, for a residential development that contains more than one dwelling unit, the fees may be paid on a pro rata basis for each dwelling unit when it receives its final inspection or certificate of occupancy, whichever occurs first.

C. Notwithstanding anything to the contrary set forth in subsection A of this Section 16.85.070 or in any other provision in this chapter, the development impact fees established pursuant to this chapter shall apply to any development project that has heretofore either received a tentative map approval or other approval or permit, whether discretionary or nondiscretionary, or is subject to a development agreement or other agreement between the landowner and City that provides for payment of one or more fees established under this chapter.

16.85.080 Exemptions.

A. The following shall be exempted from payment of the fees established by this chapter:

1. Alterations, renovations or expansion of an existing residential structure where no additional dwelling units are created and the use is not changed;

2. The replacement of a destroyed or partially destroyed or damaged structure with a new structure of the same size and use;

4. Agreements entered into pursuant to Section 65865 of the Government Code ("development agreement") unless the development agreement expressly provides for the payment of one of more fees established under this chapter. For fees established pursuant to subsection A(1) of Section 16.85.040 of this chapter, the development agreement must have been approved prior to April 1, 2009 and the exemption is invalid if the term of that development agreement is extended after April 1, 2009.

5. For fees established pursuant to subsection A(1) of Section 16.85.040 of this chapter, a vesting tentative map authorized under Section 66498.1 of the Government Code if the map application was deemed complete prior to April 1, 2009; and

6. For fees established pursuant to subsection A(1) of Section 16.85.040 of this chapter, low and very low income housing as defined in Health and Safety Code Sections 50079.5 and 50105, respectively.

16.85.090 Computation of Fees.

The methodologies set forth in the financing plan, expenditure plan and/or nexus study referenced under subsection A of Section 16.85.040 of this chapter shall be used as the basis to set the amount of fees pursuant to any resolution referenced under subsection B of Section 16.85.040 of this chapter. The amount of fees due from any landowner shall be calculated from the actual uses of land proposed by the landowner unless otherwise provided in any resolution referenced under subsection B of Section 16.85.040 of this chapter. Applicants for building or other development permits shall include plans and calculations prepared by the applicant or applicant's agent, specifying data necessary to calculate development impact fees, including, without limitation, each proposed land use, the square footage of each use, and other relevant data as may be required by the City Public Works Director, or his or her authorized designee. All fees due under this chapter shall be determined and calculated by the City Public Works Director, or his or her authorized designee.

16.85.100 Time of Payment of Fees.

Except as otherwise provided in any resolution adopted by the City Council as provided under Section 16.85.110 and subsection B of Section 16.85.070 of this chapter relating to deferral of payment of fees, the fees established by this chapter shall be paid for the property on which a development project is proposed at the time of the issuance of any required building permit relating to such development. With respect to development projects completed or commenced prior to the effective date of this chapter and the effective date of any amendment, the City Public Works Director, or his or her authorized designee, may enter into agreements with landowners regarding the amount, time, and manner of payment of fees under this chapter with respect to such development projects.

16.85.110 Deferral of Fees.

The City Council, by resolution, may establish and modify policies, guidelines and procedures regarding the deferral or other adjustment of the time of payment of the fees established under this chapter.

16.85.120 Automatic Annual Adjustment.

The fees established by this chapter shall be adjusted automatically to take into consideration construction cost inflation on July 1st of each fiscal year. The first fiscal year for which an adjustment shall occur shall be the fiscal year that includes July 1, 2010. The adjustment shall be made by a factor equal to the percentage increase, if any, of the index which the City Council adopts by resolution at time of establishment or amendment of the fees as provided under this chapter, which may include the following: The Construction Cost Index as published by Engineer News Record/McGraw-Hill Construction Weekly for either (i) the San Francisco (based on 1913 U.S. average = 100) during the twelve (12) months ending on the preceding March 1st, or (ii) the 20-City Construction Cost Index during the twelve (12) months ending on the preceding March 1st. This automatic annual adjustment shall not apply to those fees which are based on variable factors which themselves result in an automatic inflation adjustment, those which specifically indicate otherwise, or those which are governed by provisions of an agreement with the City expressly exempting such fees from the adjustment set forth under this Section 16.85.120.

16.85.130 Adjustment of Fee by Resolution.

In addition to any automatic annual adjustment, the amount of the fees established by this chapter may be revised periodically, including, without limitation, upon the report and review provided for in Section 16.85.180 of this chapter, by resolution of the City Council. Any action by the City Council to increase fees shall comply with the provisions of this chapter and Government Code Section 66018.

16.85.140 Creation of Funds.

A. The fees established and collected pursuant to this chapter shall be deposited in the following separate special funds and accounts created specifically to hold the revenue generated by such fees. Said collected fees shall be deposited, managed, and maintained pursuant to the provisions of Section 66006 of the Government Code. Moneys within such fund may be used solely for the purposes set forth in Section 16.85.150 of this chapter. In this regard, the following special funds are created and established:

1. Measure A transportation impact fee fund for the deposit and collection of the Measure A transportation impact fee.
2. Measure A administration fee fund for the deposit and collection of the Measure A administration fee.

B. The City Public Works Director, or his or her designee, shall have the authority to rename funds and create new funds, as such funds may become necessary or appropriate through the adoption of any fee resolution or through any amendment to the financing plan, expenditure plan and/or nexus study as referenced in subsection A of Section 16.85.040 of this chapter.

16.85.150 Use of Funds.

A. Funds collected from the fees established by this chapter and deposited in their respective special funds established under Section 16.85.140 of this chapter shall be used by the City or by the Sacramento Transportation Authority or other entity if funds have been transferred to that entity, for the following purposes:

1. Payment of the actual costs of designing and constructing public facilities for which the fees may be expended, as described in the resolution or resolutions adopted pursuant to subsection B of Section 16.85.040 of this chapter;

2. Providing refunds as described in Sections 16.85.160 of this chapter;

3. Funding the City's administration of the fee program implemented by the provisions of this chapter; and

4. Using the same as may be permitted under Section 66006 of the Government Code.

B. Unless used or refunded as otherwise permitted under this Section 16.85.150, moneys, including any accrued interest, not assigned in any fiscal year shall be retained in the same fund or account until the next fiscal year.

C. The City Council, by resolution, may authorize the City Manager to transfer funds, including any accrued interest, to (1) another public entity with the authority to manage the fund pursuant to Section 66006 of the Government Code, or (2) to another public entity with the authority to undertake construction of the public facility funded by the fee.

16.85.160 Disposition of Unexpended or Unappropriated Fee Revenues.

A. Commencing with the fifth fiscal year following the first fiscal year of receipt of any revenues from the fees established, assessed and levied pursuant to the provisions of this chapter, and in each fiscal year thereafter, the City Treasurer, or his or her designee, shall provide the City Council with a report which sets forth the total amount of all such fee revenues that were received and deposited in the appropriate special funds and accounts established under Section 16.85.140 of this chapter in each fiscal year prior to the date of such report, but which remain unexpended or unappropriated by the City or another public entity as referenced in Section 16.85.150 of this chapter as of the date of the report; provided, however, that no report shall be required in any year in which there were no unspent or unappropriated fee revenues in such fund which were received and deposited in the fund more than five years prior to the date of the report.

B. Upon review of each report described in subsection A of this Section 16.85.160, the City Council shall take one of the following actions required by Section 66001 of the Government Code with respect to any unexpended or unappropriated fee revenue in the appropriate special fund established under Section 16.85.140 of this chapter which was received and deposited in such fund five or more years prior to the date of such report:

1. Appropriate all or any part of such unexpended or unappropriated fee revenue for the construction, installation, acquisition or provision of the public facilities for which the fee was imposed;

2. Make findings with respect to all or any part of such unexpended or unappropriated fee revenue which identify the purposes to which the revenue are to be put and which demonstrate a reasonable relationship between such fee revenue and the purpose for which it was imposed; and/or

3. Provide for the refund of all or any part of such unexpended or unappropriated fee revenue, together with any actual interest accrued thereon, in the manner described in subsection (e) of Section 66001 of the Government Code, to the current record owner of any property for which a fee was paid; provided that if the administrative costs of refunding such fee revenue exceed the amount to be refunded, the City Council, after considering the matter at a public hearing, notice of which is given in the manner provided for in subsection (f) of Section 66001 of the Government Code, may appropriate such revenue for any other public facility in the benefit district area for which development fees are charged or otherwise imposed pursuant to this chapter and which the City Council determines will benefit the properties for which such development impact fee was charged or otherwise imposed; and further provided that the portion of any fee revenue received by the City as reimbursement of its costs in administering the provisions of this chapter shall not be refunded, but shall be applied to reduce the amount of the fee charged for administrative purposes.

4. The provisions of subsections (d), (e), and (f) of Government Code Section 66001 shall apply fully to any refund of fees remaining unexpended or uncommitted in the appropriate special fund established under Section 16.85.140 of this chapter for five or more years after deposit, and the provisions of this Section 16.85.160 of this chapter shall be subordinate to the said state statute and shall be applied consistently therewith.

16.85.170 Other Fee and Dedication Requirements.

The provisions of this chapter shall not release any owner of residential or nonresidential property located within the benefit district area from the following obligations:

A. Paying other applicable fees relating to development of property, including, without limitation, the application fees, processing fees, mitigation fees, and other development fees within the control of the City.

B. Complying with any public facility requirements which are imposed pursuant to applicable law, including, without limitation, the provisions of the City Code.

C. Complying with any requirement to dedicate property for public use pursuant to applicable law, including without limitation, the provisions of the City Code and the Government Code, at the time of approval of a tentative subdivision map, tentative master parcel map, certificate of compliance, building permit or other land use entitlement.

D. Complying with any obligation to pay fees or exactions, or to comply with mitigation requirements for identified project-related environmental effects.

16.85.180 Annual Reports and Review of Fee.

A. No later than one hundred eighty (180) days following the end of each fiscal year, the City Manager or his or her designee shall prepare a report for the City Council identifying the following:

1. The beginning and ending balances of the public facilities fee funds, and related accounts, established under Section 16.85.140 of this chapter for the fiscal year;

2. The fee, interest, and other income collected in said funds during the fiscal year;

3. The amount of expenditures from said funds categorized by the public facilities to which such expenditures relate;

4. An accounting of all refunds and reimbursements for which the City is obligated to make or has made pursuant to this chapter;

5. The reallocation, if any, of unexpended or unappropriated fee revenue made pursuant to subsection (B)(3) of Section 16.85.160 of this chapter and subsection (f) of Government Code Section 66001;

6. The public facilities constructed and to be constructed utilizing the revenues collected from the fee established by this chapter, the continued need for such public facilities, the reasonable relationship between such need and the impacts of development for which the fee is charged;

7. The estimated costs of the public facilities described in the report;

8. The amount of any automatic annual adjustment made pursuant to Section 16.85.120 of this chapter, including the basis of the calculation therefore; and

9. Any additional information required by the Sacramento Transportation Authority for the fees imposed pursuant to subsection A(1)(a) of Section 16.85.040 of this chapter. The City Manager may submit the report prepared by the Sacramento Transportation Authority for the fees imposed pursuant to subsection A(1)(a) of Section 16.85.040 of this chapter if said report includes all of the foregoing information set out in this subsection A of this Section 16.85.180.

B. In addition to the report matters set forth in subsection A of this Section 16.85.180, at least once each fiscal year the City Manager shall present to the City Council a proposed capital improvement program prepared by the City Public Works Director for the various public facilities referenced in the resolution or resolutions adopted pursuant to subsection B of Section 16.85.040 of this chapter, assigning moneys (including any accrued interest) from the appropriate special fund to specific improvement projects, acquisitions, and related expenses. The adoption of such capital improvement program shall comply with the provisions of Government Code Section 66002.

C. In preparing the report pursuant to this Section 16.85.180, the City Manager shall adjust the estimated costs of the public facilities in accordance with the index specified in the resolution adopted pursuant to subsection B of Section 16.85.040 and Section 16.85.120 of this chapter, or other reasonable standard, for the elapsed time period from the first day of the previous July or the date that the cost estimate was developed.

D. The report prepared pursuant to subsection A of this Section 16.85.180 shall be made available to the general public pursuant to the provisions of subsection (b) of Government Code Section 66006. The City Council shall review the information contained in said report at its next regularly scheduled public meeting, but not sooner than fifteen (15) days after the report is made available to the public. The scheduling of the hearing and notice thereof shall comply with the provisions of subsection (b) of Government Code Section 66006.

E. The City Council, by resolution, may revise the fees established by this chapter to reflect the findings made from its consideration of the annual report and to include additional public facility projects previously not foreseen as being needed, provided that all such revisions shall be consistent with the applicable financing plan, expenditure plan and/or nexus study referenced in subsection A of Section 16.85.040 of this chapter.

F. The report prepared by the City Manager and its review by the City Council, as well as any findings thereon, shall be subject to the provisions of subsection (d) of Government Code Section 66001, to the extent applicable.

16.85.190 California State Law.

The provisions of this chapter, and any resolution adopted pursuant hereto, shall at all times be subject and subordinate to the provisions of Title 5 (commencing with Section 66000), Division 1, of Title 7 of the Government Code, as the same presently exists or may hereafter be amended or renumbered from time to time, to the extent the same are applicable. In the event of any applicable conflict between the provisions of this chapter and the state law, the latter shall control.

SECTION 4. No Effect.

The payment and administration of the Measure A development impact fees levied pursuant to this chapter will not be in lieu of transportation fees paid and administered pursuant to Chapter 16.83, Chapter 16.81, and Chapter 16.84 of the Rancho Cordova Municipal Code for the Sunridge Specific Plan and Villages of Zinfandel Special Planning Area roadway fees, and City of Rancho Cordova transportation impact fees.

SECTION 5. Severability.

1. If any section, phrase, sentence, or other portion of this Ordinance for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Ordinance.

2. If any fee established by this Ordinance for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such fee shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the remaining fees established by this Ordinance.

3. If any fee established by this Ordinance is held or found to be invalid, void, unenforceable or unconstitutional by a court of competent jurisdiction based upon an insufficient nexus to a specific public facility or property for which the revenue generated from such fee may be expended pursuant to Chapter 16.85 or any resolution adopted pursuant to said Chapter, said fee as it relates to such specific public facility or property shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the fee as it relates to other public facilities or property.

SECTION 6. Effective Date.

Within fifteen (15) days after adoption, a Summary of this Ordinance shall be published once in the Grapevine Independent, or the Sacramento Bee, a newspaper of general circulation printed and published in Sacramento County and circulated in the City of Rancho Cordova, in accordance with Government Code Section 36933. This Ordinance shall take effect and be enforced thirty (30) days after its adoption, and pursuant to Government Code section 66017(a), the fees established hereby shall be effective 60 days after the adoption of this ordinance, but no sooner than April 1, 2009, which is the effective date established by STA for the Measure A development impact fees to be imposed by all of the jurisdictions within the County of Sacramento.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 20th day of January, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Skoglund, Mayor

ATTEST:

Mindy Cuppy, City Clerk

CITY OF RANCHO CORDOVA

RESOLUTION NO. 04-2009

A RESOLUTION OF THE CITY COUNCIL APPROVING NEXUS STUDY, ESTABLISHING THE AMOUNT OF FEES AND PROVIDING FOR OTHER MATTERS RELATIVE TO MEASURE A TRANSPORTATION DEVELOPMENT IMPACT FEES

WHEREAS, on July 29, 2004, STA adopted Ordinance No. 04-01, which established the Sacramento Countywide Transportation Mitigation Fee Program ("Measure A Mitigation Fee Program") to be implemented by the County of Sacramento and each city within the county by April 1, 2009. STA Ordinance No. 04-01 also included the Sacramento County Transportation Expenditure Plan 2009-2039 ("Measure A Expenditure Plan"), which sets out the allocation of the new Measure A sales taxes and Measure A development impact fees for specified public facilities.

WHEREAS, on November 2, 2004, the voters in Sacramento County approved an extension of the one-half of one percent Measure A transportation sales tax ("new Measure A"), to become effective on April 1, 2009, and approved the Measure A Expenditure Plan. STA Ordinance No. 04-01 requires each jurisdiction in the county to adopt the Measure A development impact fees as a condition of receiving the new Measure A sales tax proceeds consistent with the Measure A Mitigation Fee Program.

WHEREAS, on June 7, 2006, STA adopted Resolution No. 06-0006, approving the Sacramento Countywide Transportation Mitigation Fee Program Study ("Measure A Nexus Study"), which identified the additional public facilities required by new development and determined the amount of the development impacts fees to be imposed on a countywide basis, so that all new development paid its fair share of the costs of new public facilities needed to serve such development.

WHEREAS, on September 18, 2006, by Resolution No. 161-2006, the City Council committed to implement the Measure A Mitigation Fee Program.

WHEREAS, on January 5, 2009, the City Council introduced Ordinance No. 01-2009, Adding Chapter 16.85 to the Rancho Cordova Municipal Code to Establish Development Impact Fees for Measure A Transportation Improvements for Citywide Benefit District ("Measure A Ordinance"). The Measure A Ordinance: (1) created the authority for imposing the "Measure A development impact fees" to provide funding for public facilities to benefit new development within the City; (2) created the authority for imposing the "Measure A administration fee" for the cost of collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fee, and (3) enabled the City Council by resolution to set forth the specific amount of these fees in reliance on the Measure A Expenditure Plan and the Measure A Nexus Study.

WHEREAS, the Measure A Expenditure Plan and the Measure A Nexus Study, along with the studies and reports each may reference or be based upon, in whole or in part, and together with any amendments thereto made after their initial adoption, (i) establish the need, costs and financing of the public facilities needed to mitigate the impacts of and to serve new development within the City, and (ii) represent a reasonable basis to establish fees under the Measure A Ordinance because those studies and reports establish the relationship between new development, the needed public facilities to serve that new development, the estimated cost of those public facilities, and the amount of the Measure A development impact fees.

WHEREAS, the foregoing items, and all other additional studies and reports including, without limitation, transportation studies and capital improvement programs presented to the City Council now or in the past for the City Council's approval of the same or for informational or other purposes, along with the studies, reports and data each may reference or be based upon in whole or in part, and any and all amendments thereto made after their initial adoption, together with staff reports and other matters presented to the City Council by City staff, STA staff or interested parties, whether in writing or orally, constitute the record before the City Council for purpose of adoption of this resolution ("Legislative Record").

WHEREAS, the Measure A Ordinance further provides that the City Council may, by resolution, set forth exemptions and deferrals in payment of the Measure A development impact fees and the Measure A administrative fees. However, the STA Agreement on Operating Protocols ("Protocols Agreement"), to be approved by separate resolution, limits the City Council from granting certain exemptions of Measure A development impact fees, which are to be remitted to STA for allocation in accordance with the Measure A Expenditure Plan.

WHEREAS, the Measure A Ordinance permits imposition of the Measure A administration fee, and the amount of this fee does not exceed the estimated reasonable costs of the collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fee.

WHEREAS, in accordance with the Mitigation Fee Act (Government Code Section 66000 *et seq.*) a public hearing was held on the adoption of the Measure A Ordinance and this resolution, at which written and oral presentations were made as part of a regularly scheduled City Council meeting. The date, time and place of this public hearing was duly noticed in accordance with Government Code Sections 66018 and 6062a, and notice was mailed to any interested party who requested notice of adoption of new fees. The Measure A Expenditure Plan and the Measure A Nexus Study were available for public inspection for a period of at least ten (10) days prior to said public hearing. Materials supplementing these studies and reports and all background data referenced therein was made available to interested parties upon request to the City Public Works Director's Office at least ten (10) days prior to the date of said hearing.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

SECTION 1. Findings.

The City Council finds and declares as follows:

1. All of the provisions set forth above are true and correct and are hereby incorporated herein by reference as findings.
2. By separate actions referenced below, the City Council adopted and approved the following items on the same date that this Resolution was adopted:
 - (a) By Ordinance No. 01-2009, adoption of Chapter 16.85 of the Rancho Cordova Municipal City Code, establishing development impact fees for public facilities in accordance with the Measure A Expenditure Plan and Measure A Nexus Study within a citywide benefit district, and the Measure A administration fee. This resolution is adopted pursuant to the authority conferred under Chapter 16.85 of the Rancho Cordova Municipal City Code.

- (b) By Resolution No. 05-2009, approval of the Protocols Agreement, which provides for the City to remit to the Sacramento Transportation Authority (STA) the Measure A development impact fees. STA will subsequently allocate the Measure A development impact fees collected by the City for construction of the public facilities included in the Measure A Expenditure Plan which are located within or otherwise benefit the City.

3. This Resolution adopts the Measure A Nexus Study which was based on the Measure A Expenditure Plan. The Measure A Expenditure Plan is incorporated herein by this reference. The Measure A Nexus Study, along with the studies and reports each may reference or be based upon in whole or in part, and together with any amendments thereto and any supplemental or implementation actions pursuant thereto made after their initial adoption, establish the need, costs and financing of public facilities arising out of development within the citywide benefit district area, and present a reasonable basis on which to establish the Measure A development impact fees under this Resolution. The Measure A Nexus Study establishes the reasonable relationship between the need for the public facilities set out in the Measure A Expenditure Plan and the impacts of the various types of new development contemplated by the City's General Plan, for which the corresponding Measure A development impact fee is to be charged.

4. All new development within the City will result in additional growth that will place burdens on public facilities within the City and will cause the need for new public facilities. Such development will necessitate the need for construction of new and expanded public facilities in order to meet the needs of and to address the impacts caused by new development within the City. The Measure A development impact fees implemented by this Resolution are designed to partially mitigate the transportation impacts caused by new development in the City, and to protect the public's health, safety and general welfare.

5. The Legislative Record, including the Measure A Nexus Study, establishes a reasonable relationship between the need for the public facilities set out in the Measure A Expenditure Plan and the impacts of the various types of new development which is planned under the City's General Plan.

6. The Measure A development impact fee is intended to ensure that the transportation public facilities set forth in the Measure A Expenditure Plan are partially paid for by new development causing the need for the same, and in any event, without requiring expenditures from the City's general fund. It is fair and equitable for landowners developing land within the City to pay their fair share of the costs of such public facilities and for the City to assess said share to the landowners while shielding the City's general fund from liability for same.

7. This Resolution establishes certain fee categories and provides the structure in which the Measure A development impact fees may be imposed, all of which are intended to implement the Measure A Mitigation Fee Program set forth in the Measure A Expenditure Plan. This Resolution authorizes the initial amount of the Measure A development impact fees and the Measure A administrative fee, adopts the index to be used for future adjustment of the Measure A development impact fees, sets forth the category of developments that are exempt from payment of the Measure A development impact fees in accordance with the provisions of the Protocols Agreement, and establishes deferral provisions for payment of the Measure A development impact fees for specified residential developments, all of which affect the time and manner in which the Measure A development impact fees and the Measure A administrative fee are to be paid to the City.

8. The Measure A development impact fees established by this Resolution are based upon the estimated costs of the new public facilities set forth in the Measure A Expenditure Plan which are not fully funded by the new Measure A sales tax proceeds in order to serve and partially address the transportation impacts caused by new development within the City. The cost estimates set forth in the Measure A Expenditure Plan are reasonable costs estimates for constructing the public facilities set out in that Plan, and the fees expected to be generated by new development will not exceed their fair share cost allocation based on the estimates as set out in that Plan. The Measure A development impact fees shall be subject to adjustment in the future as more precise estimates or actual costs of said public facilities are determined and to account for inflationary construction cost increases.

9. The amount of the fees established under this Resolution, and as may be adjusted over time pursuant to Chapter 16.85 of the Rancho Cordova Municipal Code, is a reasonable approximation of the fair share of the cost of the public facilities set forth in the Measure A Expenditure Plan, and roughly proportionate to the need for such facilities caused by new development within the City. The Measure A development impact fees established by this Resolution relate rationally and do not exceed the reasonable fair share cost of providing those public facilities within and benefitting the City that are required to serve new development projects. The Measure A development impact fees are necessary to finance the transportation public facilities required by new development within the City. The imposition of the Measure A development impact fees on landowners developing their property will insure that they have an obligation to pay a portion of the fair share of the costs of such transportation public facilities.

10. The public facilities that are to be financed by the Measure A development impact fees established by this Resolution are based on an analysis of the land uses set forth in the City's General Plan and such improvements are consistent with the City's General Plan, including all elements thereof.

11. For the purpose of establishing the fees set forth in this Resolution, the Legislative Record before the City Council and the findings herein stated:

- (a) reasonably identify the purpose of each fee established;
- (b) reasonably identify the use to which the fee is to be put;
- (c) establish a reasonable relationship between the use of each fee and the type of development project on which the fee is imposed;
- (d) establish a reasonable relationship between the need for the public facilities to be financed by the fee established and the type of development project on which the fee is to be imposed;
- (e) establish that there is a reasonable relationship between the amount of the fee and the cost of the public facilities, or portion of such public facilities, attributable to the development project on which the fees are imposed; and
- (f) form the basis for the further finding that the imposition of the development impact fee on development projects to finance public facilities is necessary in order for the City to protect and promote the public health, safety and welfare.

12. The City has pending before it, or will soon have pending before it, applications for building permits, subdivision maps and/or applications for residential, commercial and/or industrial development approval which the City must act on. Further, the City heretofore has

approved various development projects in the form of tentative map, development agreements, and/or other approvals, which will need the transportation public facilities to be funded by the fees enacted under this Resolution to serve such new development as set out in the Measure A Nexus Study. It is necessary that the provisions of this Resolution apply to these previously approved development projects in order to protect the health, safety and welfare of City residents by the provision of adequate public facilities, to afford landowners certainty with regard to their financial obligations, and to ensure that such development will not create a burden on the interrelated transportation public facilities within the City.

SECTION 2. Definitions.

Unless the contrary is stated or clearly appears from the context in which a term is used, the following definitions shall govern construction of the words and phrases used in this Resolution. The definitions in this Section 2 are intended to be consistent with those definitions contained in the Measure A Ordinance. In the event of a conflict between the definitions in this Section 2 and those in the Measure A Ordinance, the Measure A Ordinance shall prevail.

Development means the uses to which property will be put, the buildings and improvements to be constructed on it, and the construction activities incident thereto, together with the process of obtaining all required land use entitlements.

Development project shall have the same meaning as defined by subsection (a) of Government Code Section 66000, as such section may be amended from time to time.

Fee and impact fee and development impact fee means the monetary exaction as defined by subsection (b) of Government Code Section 66000, as such section may be amended from time to time, and shall include, but not be limited to, the fees established pursuant to the Measure A Ordinance.

Government Code means the Government Code of the state of California and any provision thereof cited in this chapter, as such provision exists as of the date of the enactment of the Measure A Ordinance, or as may thereafter be amended or renumbered from time to time.

Health and Safety Code means the Health and Safety Code of the state of California and any provision thereof cited in this Resolution, as such provision exists as of the date of the enactment of this Resolution, or as may thereafter be amended or renumbered from time to time.

Industrial use means a development project that involves manufacturing, transportation, logistics or similar uses and is not a special use.

Low income and very low income housing is as defined in Health and Safety Code Sections 50079.5 and 50105, respectively.

Measure A means Ordinance No. 04-01 adopted by the Sacramento Transportation Authority on July 29, 2004, which established the Sacramento Countywide Transportation Mitigation Fee Program to be implemented by the County of Sacramento and each city within the county by April 1, 2009.

Measure A administration fee means the fee imposed by the City for the cost of collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fee.

Measure A development impact fee means a development impact fee established to provide funding for public facilities to benefit new development within the City.

Measure A Expenditure Plan means the Sacramento County Transportation Expenditure Plan 2009-2039 dated June 10, 2004, as adopted by the Sacramento Transportation Authority under Ordinance No. 04-01, which sets out the allocation of Measure A sales taxes and Measure A development impact fees for specified public facilities.

Measure A Mitigation Fee Program means the Sacramento Countywide Transportation Mitigation Fee Program as approved by the Sacramento Transportation Authority by Ordinance No. 04-01.

Measure A Nexus Study means the Measure A Development Impact Fee Nexus Study dated June 2, 2006, as adopted by the Sacramento Transportation Authority by Resolution No. 06-0006.

Multi-family residential use means a development project that uses a single parcel for two or more dwelling units within one or more buildings including, without limitation, duplexes, townhouses, condominiums and apartments.

Office use means a development project that involves business activities associated with professional or administrative services and typically consists of corporate offices, financial institutions, legal and medical offices, personal services or similar uses, and religious centers other than churches. "Office use" also includes any other use that is not a retail, special or industrial use.

Protocols Agreement means the New Measure A Sacramento Countywide Transportation Mitigation Fee Program Agreement on Operating Protocols dated August 2008 with the Sacramento Transportation Authority, as approved by STA on August 28, 2008 by Resolution No 08-0001, and as amended on December 11, 2008.

Public facilities means public improvements, public services and community amenities as defined by subsection (d) of Government Code Section 66000, as such section may be amended from time to time. The term "public facilities" only includes transportation improvements and infrastructure to be designed, constructed, installed and acquired to serve the specified benefit district area, as well as the transportation-related public service and community amenities to serve the specified benefit district area, which improvements and infrastructure are described in the applicable financing plan, expenditure plan and/or nexus study (collectively "plan" or "study"). The total cost of the design, construction, installation and acquisition of the specified public facilities, which are to be financed partially by the development impact fees, is set forth within the plan or study. Where applicable under the plan or study, the term "public facilities" includes the acquisition of land relating to such improvements, infrastructure, public services and community amenities. The term "public facilities" also means a specific public improvement or infrastructure where the context requires a singular meaning.

Retail use means a development project that involves retailing of merchandise, generally without transformation, retail food services, and rendering services incidental to the sale of merchandise at a fixed point of sale and is not a special use.

Senior residential use means any development project that qualifies as housing for older persons pursuant to Government Code Section 12955.9.

Single family residential use means a development project that uses a single parcel for only one residential dwelling unit and includes a development project that involves one primary dwelling and one accessory dwelling on a single lot.

Special Use means the specified types of uses as for which a separate fee has been specified by STA.

STA means the Sacramento Transportation Authority.

SECTION 3. Nexus Study.

1. The Measure A Nexus Study, prepared and approved by STA, demonstrated the burden on public facilities that will occur from new development and the benefit for such development of the public facilities included in the Measure A Expenditure Plan. The Measure A Nexus Study, a copy of which is included as an exhibit to the staff report that accompanies this Resolution, is hereby adopted and incorporated herein by this reference.

SECTION 4. Measure A Development Impact Fees.

The amounts of the Measure A development impact fees established and imposed pursuant to the Measure A Ordinance are hereby established at the levels set out in Measure A Nexus Study and the Protocols Agreement. The applicable Measure A development impact fees by land use category, which the City Council hereby adopts, are attached as Exhibit "A" and incorporated herein by this reference.

For non-residential development projects, the amount of the fee shall be based on the predominate use of each building, which is defined as eighty percent (80%) or more of the total gross building square footage. If no one use comprises eighty percent (80%) or more of the total gross building square footage, then the amount of the fee shall be proportionally determined based on those uses that constitute twenty-five percent (25%) or more of the total gross building square footage.

For mixed residential and non-residential development projects, the amount of the Measure A development impact fee will be proportionally determined based on the number of dwelling units and the amount and type of non-residential gross building square footage.

SECTION 5. Measure A Administrative Fee.

The amount of the Measure A administrative fee established and imposed pursuant to the Measure A Ordinance is hereby established at the level to off-set the actual reasonable costs for the collection, deposit, investment, accounting, remittance and reporting of the Measure A development impact fees. The Measure A administrative fee, which is the same for all land use categories and which the City Council hereby adopts, is included in Exhibit "A," which is attached are incorporated herein.

SECTION 6. Fee Exemptions.

In accordance with the Measure A Ordinance, the following types of development projects are exempt from payment of the Measure A development impact fees and the Measure A administrative fee:

1. The rehabilitation or reconstruction of any lawful residential structure, including an expansion of an existing dwelling units, that does not create an additional dwelling unit.

2. The rehabilitation or reconstruction of any non-residential structure where there is no net increase in the total gross building square footage.
3. Low income housing development projects.
4. Very low income housing development projects.
5. Development projects that are subject to a development agreement entered into pursuant to Government Code Section 65864 prior to April 1, 2009, unless that agreement expressly provides for payment of the Measure A development impact fee. This exemption would become inapplicable if the term of that development agreement is extended after April 1, 2009.

SECTION 7. Credits and Reimbursements.

There shall be no credits against, and reimbursements of, the Measure A development impact fees imposed under this Resolution if the public improvements included in the Measure A Expenditure Plan are constructed, in whole or in part, by landowner as part of a development project pursuant to the mitigation measures or conditions imposed as part of the approval of such development project, unless such credit and/or reimbursement is authorized by STA.

SECTION 8. Adjustments.

The Measure A development impact fees shall not be adjusted prior the fiscal year that includes July 1, 2010. The adjustment shall be based on a factor equal to the percentage increase, if any, of the following index: The Construction Cost Index as published by Engineer News Record/McGraw-Hill Construction Weekly for the 20-City Construction Cost Index during the twelve (12) months ending on the preceding March 1st.

SECTION 9. Construction of Resolution.

The provisions of this Resolution are subject and subordinate to the provisions of the Measure A Ordinance and shall at all times be constructed and applied consistent therewith as the same presently exist or may from time to time hereafter be amended.

SECTION 10. Effective Date.

This Resolution shall be effective at such time as is provided for in the Measure A Ordinance, which is no sooner than April 1, 2009.

SECTION 11. Severability.

1. If any section, phrase, sentence, or other portion of this Resolution for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this Resolution.

2. If any fee established by this Resolution for any reason is held or found to be invalid, void, unenforceable, or unconstitutional by a court of competent jurisdiction, such fee shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the remaining fees established by this Resolution.

3. If any fee established by this Resolution is held or found to be invalid, void, unenforceable or unconstitutional by a court of competent jurisdiction based upon an insufficient nexus to a specific public facility for which the revenue generated from such fee may be expended pursuant to this Resolution, said fee as it relates to such specific public facility shall be deemed a separate, distinct and independent fee, and such holding shall not affect the validity of the fee as it relates to other public facilities.

SECTION 12. Annual Report and Review of Fees.

No later than one hundred eighty (180) days following the end of the fiscal year that includes June 30, 2010, the City Manager, or his or her designee, shall prepare a report for the City Council in compliance with Government Code Section 66006. The report may include and rely upon the annual report prepared by STA as referenced in the Protocols Agreement.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of January, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Skoglund, Mayor

ATTEST:

Mindy Cuppy, City Clerk

EXHIBIT "A"

Effective as of April 1, 2009

Measure A Development Impact Fees

Single Family Residential	\$1,000 per unit
Senior Single Family Residential	\$ 800 per unit
Multi-Family Residential	\$ 700 per unit
Senior Multi-Family Residential	\$ 600 per unit
Office Use*	\$ 1,200 per 1,000 gross square feet
Retail Use	\$ 3,705 per 1,000 gross square feet
Industrial Use	\$ 800 per 1,000 gross square feet

Special Uses

Church	\$ 932 per 1000 square feet
Golf Course	\$ 833 per acre
Hospital	\$1,678 per 1000 square feet
Hotel/Motel	\$ 580 per sleeping room
Movie Theater	\$1,904 per screen
Service Station	\$1,300 per fueling pump
Supermarket	\$2,110 per 1000 square feet
Warehouse/ Self Storage	\$ 250 per 1000 square feet

* This rate applies if the project does not fall within one of the foregoing retail, special or industrial use categories.

Mixed Use Projects - The amount of the fee shall be based on the predominate use of each building, which is defined as 80% or more of the total gross building square footage. If no one use comprises 80% or more of the total gross building square footage, then the amount of the fee shall be proportionally determined based on those uses that constitute 25% or more of the total gross building square footage. For mixed residential and non-residential development projects, the amount of the fee will be proportionally determined based on the number of dwelling units and the amount and type of non-residential gross building square footage.

Measure A Administrative Fee

Per building permit: 2% of the total Measure A Development Impact Fee

Timing of Payment - The fees established by the Measure A Ordinance and Resolution shall be paid at the time of the issuance of a building permit for a development project. However, for a residential development project under a fee payment contract as specified in Section 66007 of the Government Code: (i) the fee payment may be deferred to the issuance of the final inspection or certificate of occupancy, and (ii) the fee may be paid on a pro rata basis for each dwelling unit when it receives its final inspection or certificate of occupancy.

Protest - In accordance with Government Code Section 66020(d), a protest of the imposition of the Measure A development impact fee must be filed no later than ninety (90) days from the date of approval of the development project or issuance of the building permit, whichever date is earlier.

CITY OF RANCHO CORDOVA

RESOLUTION NO. 05-2009

**A RESOLUTION OF THE CITY COUNCIL
APPROVING THE AGREEMENT ON OPERATING PROTOCOLS FOR THE
NEW MEASURE A SACRAMENTO COUNTYWIDE TRANSPORTATION MITIGATION
DEVELOPMENT IMPACT FEE PROGRAM**

WHEREAS, The New Measure A Transportation Sales Tax approved by the County voters in 2004, called for the implementation of a Sacramento Countywide Transportation Mitigation Development Impact Fee Program so that new development paid its fair share of the costs of the transportation improvements included in the Measure A Expenditure plan.

WHEREAS, the City of Rancho Cordova is required to implement this Measure A Mitigation Fee Program as a condition of receiving New Measure A sales tax revenues, in accordance with the provisions of AB 1600, and the fees are to become effective by no later than April 1, 2009.

WHEREAS, Sacramento Transportation Authority (STA) staff in coordination with the City of Rancho Cordova developed an Agreement on Operating Protocols to apply to the City and all other jurisdictions in the County, regarding the obligation to impose, collect, account, and remit the Measure A development impact fees to STA.

WHEREAS, STA's allocation of the Measure A development impact fee remitted by the City will be subject to independent audit and review by the Measure A Independent Taxpayer Oversight Committee (ITOC).

WHEREAS, On August 28, 2008, the STA Board adopted a resolution approving the Agreement on Operating Protocols, and the Agreement was subsequently amended by the STA Board on December 11, 2008 to add fees for special land use categories.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF RANCHO CORDOVA that the Council authorizes the City Manager, or his designee to execute Protocols Agreement in a form approved by the City Attorney.

PASSED AND ADOPTED by the City Council of the City of Rancho Cordova on the 5th day of January, 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Dan Skoglund, Mayor

ATTEST:

Mindy Cuppy, City Clerk

NEW MEASURE A
SACRAMENTO COUNTYWIDE TRANSPORTATION MITIGATION FEE PROGRAM
AGREEMENT ON OPERATING PROTOCOLS
December 2008

This Agreement on Operating Protocols for the Sacramento Countywide Transportation Mitigation Fee Program (Agreement) is made by and between the Sacramento Transportation Authority ("STA") and the City of Rancho Cordova (City).

RECITALS

- A. Sacramento Transportation Authority Ordinance No. STA-04-01 (Ordinance) imposes a one-half of one percent retail transactions and use tax that is statutorily dedicated for transportation planning, design, construction, operation and maintenance in Sacramento County.
- B. The Ordinance establishes the 30-year Sacramento Countywide Transportation Mitigation Fee Program ("SCTMFP"), to be implemented by the County and each incorporated city during the period April 1, 2009 through March 31, 2039.
- C. The Ordinance provides that the County and each incorporated city must, as a condition of receiving its allocation of local street and road maintenance formula funds from the retail transactions and use tax revenues, adopt the 30-year SCTMFP Fee (Fee) for the period April 1, 2009 through March 31, 2039 in accordance with guidelines adopted by the Sacramento Transportation Authority (STA) Governing Board.
- D. The SCTMFP Fee schedule shall be uniform throughout the unincorporated and incorporated areas of the County.
- E. The Rancho Cordova City Council has adopted Resolution No. 161-2006 acknowledging its obligations imposed by the SCTMFP.
- F. The City shall implement the SCTMFP Fee no later than April 1, 2009, and remit the SCTMFP Fee revenues to the STA within 60 days of the end of each six-month period ending June 30 and December 31 of each year.
- G. The STA shall reallocate the SCTMFP Fee revenues to local jurisdictions to be expended on Measure A capital projects in the impacted areas where the fees were generated in accordance with the SCTMFP and the New Measure A Plan of Finance.
- H. STA Resolution STA-06-006 adopting the Sacramento Countywide Transportation Mitigation Fee Program (SCTMFP) Nexus Study and

Setting SCTMFP Fee Rates Effective April 1, 2009 provides that protocols related to SCTMFP Fee implementation issues, including but not limited to, required dates of Fee remittances to STA and documentation to be submitted by each participating agency, shall be established by future resolution of the STA and contracts between the STA and the participating agencies.

- I. This Agreement, when approved by resolution of the STA and executed by the City, shall constitute the initial protocols related to SCTMFP Fee implementation issues.
- J. This Agreement is uniform among the County and all incorporated cities.

NOW, THEREFORE, the parties agree as follows:

1.0 DEFINITIONS

- 1.1 "AB 1600" means the Mitigation Fee Act set forth in Government Code Sections 66001 – 60025.
- 1.2 "Development Project" or "Project" shall have the same meaning as provided in Government Code Section 66000(a), as such section may be amended from time to time.
- 1.3 "Executive Director" means the Executive Director of the Sacramento Transportation Authority.
- 1.4 "Expenditure Plan" means the Sacramento County Measure A Transportation Expenditure Plan 2009-2039 that was adopted as part of the Ordinance.
- 1.5 "Governing Board" means the Governing Board of the Sacramento Transportation Authority.
- 1.6 "Independent Taxpayer Oversight Committee" means a committee appointed by the STA Governing Board as required by the Ordinance to supervise **New** Measure A fiscal and performance audits regarding the use of all sales tax funds and to provide independent review to ensure that all **New** Measure A funds are spent in accordance with the provisions of the Ordinance.
- 1.7 "Industrial Use" means any Development Project that involves manufacturing, transportation, logistics, or similar uses.

- 1.8 "Measure A" or "the Ordinance" means Sacramento Transportation Authority Ordinance No. STA-04-01.
- 1.9 "Multi-family Residential Use" means any Development Project that uses a single parcel for two or more dwelling units within one or more buildings, including duplexes, townhouses, condominiums, and apartments.
- 1.10 "Office Use" means any Development Project that involves business activities, associated with professional or administrative services, and typically consists of corporate offices, financial institutions, legal and medical offices, personal services, or similar uses. "Office Use" also includes any other commercial use not specifically listed in Section 2.1 that is not a retail or industrial use.
- 1.11 "Participating Agencies" means the County of Sacramento, the City of Citrus Heights, the City of Elk Grove, the City of Folsom, the City of Galt, the City of Isleton, the City of Rancho Cordova, and the City of Sacramento. Each may be referred to individually as "Participating Agency."
- 1.12 "Retail Use" means any Development Project that involves retailing of merchandise, generally without transformation, retail food services, and rendering services incidental to the sale of merchandise at a fixed point of sale.
- 1.13 "Sacramento Countywide Transportation Mitigation Fee Program" or "SCTMFP" means the 30-year transportation mitigation fee program established by the Ordinance.
- 1.14 "SCTMFP Fee" or "Fee" means the fee imposed pursuant to the SCTMFP.
- 1.15 "Senior Residential Use" means any Development Project that qualifies as housing for older persons pursuant to Government Code Section 12955.9.
- 1.16 "Single Family Residential Use" means any Development Project that uses a single parcel for only one residential dwelling unit. "Single Family Residential Use" also includes any Development Project that involves one primary dwelling and one accessory dwelling on a single lot.

2.0 UNIFORM FEE

- 2.1 Uniform Fee. Effective April 1, 2009, the City shall collect the applicable uniform SCTMFP Fee for each Development Project occurring within the City's jurisdiction. The applicable Fee for each use is as follows:

Single Family Residential:	\$1,000 per unit
Senior:	\$ 800 per unit
Multi Family Residential:	\$ 700 per unit
Senior:	\$ 600 per unit
Office Use:	\$1,200 per 1,000 square feet
Retail Use:	\$3,705 per 1,000 square feet
Industrial Use:	\$ 800 per 1,000 square feet
Hotel/motel	\$ 580 per sleeping room
Golf course	\$ 833 per acre
Movie theater	\$1,904 per screen
Religious center	\$ 932 per 1,000 square feet
Hospital	\$1,678 per 1,000 square feet
Service station	\$1,300 per fueling pump
Supermarket	\$2,110 per 1,000 square feet
Warehouse/self storage	\$ 250 per 1,000 square feet

- 2.2 Annual Adjustment. Beginning in 2010, the STA shall annually adjust the SCTMFP Fee schedule to reflect change in construction costs based on the McGraw-Hill Engineering News Record (ENR) 20-City Construction Cost Index. The adjustment will take effect July 1, and STA shall notify participating agencies of the required annual adjustment at least 60 days in advance of the effective date.
- 2.3 Calculation of Fee for Non-Residential Projects. For non-residential projects, the amount of the fee imposed on the entire Development Project shall be determined based upon (1) gross building square footage and (2) the predominant use (80% or more) of the building or structure as identified in the building permit. Where no one use comprises 80% or more of the building or structure, the amount of the fee imposed shall be proportionally determined based on those uses that constitute 25% or more of the building or structure.
- 2.4 Calculation of Fee for Mixed Residential/Non-Residential Projects. For Projects that include both residential and non-residential uses, the amount of the fee imposed on the entire Development Project shall be proportionally determined based on the fees associated with the various residential and non-residential uses.

3.0 PARTICIPATING AGENCY OBLIGATIONS PRIOR TO APRIL 1, 2009.

Prior to April 1, 2009, the City shall take all necessary steps required by applicable law, including but not limited to AB 1600, to enable implementation of the SCTMFP Fee no later than April 1, 2009. Failure to meet such legal requirements shall not exempt the City from the requirement that SCTMFP Fees be collected as a prerequisite to the City's receipt of **New** Measure A local street and road maintenance formula funds.

4.0 COLLECTION OF SCTMFP FEES

4.1 Collection of Fees.

- a. The City shall collect SCTMFP Fees at the time of issuance of a final building permit for a Development Project, or as otherwise required or permitted pursuant to Government Code Section 66007.
- b. The amount of the SCTMFP Fees shall reflect the Fee schedule in effect at the time of payment.
- c. SCTMFP Fees shall not be waived.

4.2 Payment by all Development Projects. Except as otherwise expressly provided by this Agreement, the SCTMFP Fee shall be payable by all Development Projects within the jurisdiction of the City for which building permits are issued on or after April 1, 2009.

4.3 Exemptions from the SCTMFP Fees. The following Development Projects shall not be subject to the SCTMFP Fee:

- a. The rehabilitation or reconstruction of any lawful residential structure, including an expansion of an existing dwelling unit, that does not create an additional dwelling unit.
- b. The rehabilitation or reconstruction of any non-residential structure where there is no net increase in square footage. Any increase in square footage shall pay the established applicable fee rate for that portion of square footage that is new.
- c. New low income housing as defined in Health and Safety Code Section 50079.5 and very low income housing as defined in Health and Safety Code Section 50105.
- d. Any development project that is the subject of a valid development agreement entered into pursuant to Government Code Section 65864 prior to April 1, 2009, that includes a provision exempting it from future fees or fee increases; provided, however, that if the term of such a development agreement is extended after April 1, 2009, the SCTMFP shall be imposed.
- e. Any development project for which an application for a vesting tentative map authorized by Government Code Section 66498.1 was deemed complete prior to April 1, 2009.

5.0 REMITTANCE OF FEES

The City shall remit SCTMFP Fees collected to the Authority on a semi-annual basis, within 60 days after June 30 and December 31 of each calendar year. The first remittance shall be due on or before August 31, 2009, for the period ending June 30, 2009. Each remittance shall be accompanied by a report specifying the fee generating activity for the reporting period within the City's jurisdiction, including information as to all permits issued by use, square footage for non-residential projects, any exemptions granted, and such other information as may be deemed appropriate by the Executive Director. The Executive Director shall separately account for the City's SCTMFP Fees as part of the aggregate SCTMFP account and will prepare semi-annual reports for presentation to the Independent Taxpayer Oversight Committee and the STA Governing Board

6.0 AUDIT OF SCTMFP REVENUES

The Executive Director, in coordination with the Independent Taxpayer Oversight Committee, shall establish a program to audit the City's implementation of the SCTMFP Fees and STA's expenditure of the SCTMFP Fees.

7.0 EXPENDITURE OF FEES

STA shall distribute SCTMFP Fees received, and any proceeds of Fee-based financing(s), to local jurisdictions for expenditure in accordance with the Ordinance, a 5-Year SCTMFP program annually updated and approved by the STA Governing Board, applicable resolutions of the STA, Measure A allocation and expenditure contracts between the STA and local jurisdictions, and AB 1600.

8.0 ADMINISTRATION COSTS

The STA and City each shall absorb their administrative costs associated with implementation and administration of the SCTMFP Fee and this Agreement. The City, at its discretion, may impose an additional fee on affected development to pay for administrative costs of implementing the SCTMFP.

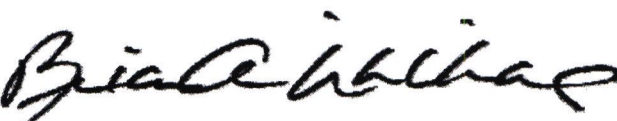
9.0 ANNUAL REPORTS

STA shall prepare the annual reports required by Government Code Sections 66000 et seq. relating to the SCTMFP Fees. City shall provide any necessary assistance.

10.0 MISCELLANEOUS

- 10.1 Effective Date. This Agreement shall be effective on April 1, 2009.
- 10.2 If any one or more of the terms or provisions of this Agreement shall be adjudged invalid, unenforceable, void or voidable by a court of competent jurisdiction, each and all of the remaining terms and provisions of this Agreement shall not be affected thereby and shall be valid and enforceable to the fullest extent permitted by law.
- 10.3 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which, together, shall constitute one and the same instrument.

SACRAMENTO TRANSPORTATION AUTHORITY

By 

Brian A. Williams
Executive Director

Dated: December 11, 2008

CITY OF RANCHO CORDOVA

By: _____
(Authorized Officer)
(Title)

Dated: _____

Approved as to Form:

Attest:

MEMORANDUM



DATE: January 5, 2009
TO: Honorable Mayor and Council Members
FROM: Cyrus Abhar, Public Works Director
SUBJECT: HIGHWAY 50 CORRIDOR MOBILITY PARTNERSHIP REGIONAL
TRANSPORTATION FEE PROGRAM

RECOMMENDATION

Staff recommends that Council:

1. Endorse a proposed Highway 50 Corridor Mobility Partnership Regional Transportation Fee Program concept.
2. Provide input on any outstanding issues related to the draft conceptual Regional Transportation Fee Program.
3. Direct staff to continue to participate in the Highway 50 Corridor Mobility Partnership in order to complete a nexus study as required by Government Code section 66000 et seq. to support the adoption of a regional fee.

RESULT OF RECOMMENDED ACTION

This item requests the City Council's endorsement of the proposed regional fee concept and directs staff to complete the required studies and return to the City Council with recommendations to adopt and implement the Regional Transportation Fee Program.

BACKGROUND

Since 2005, the City has participated in a public-private partnership known as the Highway 50 Mobility Corridor Partnership (Highway 50 Partnership). The public agency members of the partnership are Rancho Cordova, Folsom, Sacramento County, and El Dorado County. The private members of the partnership are Elliott Homes, GenCorp Real Estate, AKT Development, and Carpenter Ranch. Caltrans, SACOG and Sacramento Regional Transit have participated in an advisory role.

The purpose of Highway 50 Partnership is to develop transportation solutions to reduce traffic congestion along the Highway 50 Corridor. With forecasted growth in the partnership's study area (based primarily on SACOG's Blueprint Study) of 78,000 dwelling units and 53,000 more jobs over the next 25 years, traffic conditions in this area will continue to worsen unless a coordinated system of improvements is implemented on a timely basis.

The Highway 50 Partnership identified eleven "near term" road improvements and two "near term" transit projects that would result in a 30% reduction in vehicle hours of delay during peak congestion periods on Highway 50. In November and December 2006, each of the four public agencies including the City evaluated this list and recommended continued involvement in efforts to implement the proposed projects.

Demonstrating the effectiveness of this effort; the Highway 50 Partnership in 2007 secured \$22 million in Proposition 1B Corridor Mobility Improvement Account (CMIA) funds for improvements to White Rock Road. The Highway 50 Partnership also received a Helen Putman Planning Award from the California League of Cities, and a SACOG regional planning award.

The total estimated cost of all "near term" recommended improvements exceeded \$800 million. In developing a funding strategy for project implementation, public agency staff in recent months worked with the landowner participants to select a list of "first phase" improvements that could be included in a collaborative funding effort, which in turn includes a private investment component in the form of a regional development fee.

The purpose of this item is to provide the City Council with an overview of the projects recommended for the first phase of regional funding, review the remaining issues that will affect program implementation, and secure the Council's endorsement for the City's participation in preparation of a nexus study necessary for the implementation of a regional fee. Staff is specifically seeking Council's input and direction on the following issues:

- Regional Fee Concept
- List of projects included in the Regional Fee Program
- Proposed fee districts in the Regional Fee Program
- Impact of the proposed draft fee for development in each jurisdiction
- Non-Residential fee burden

DISCUSSION

1. Recommended Projects for the Proposed Regional Fee

After extensive analysis and discussion, the public agency staff and private landowners reached agreement on three road projects and one transit project to include in the first phase of implementation of a regional fee program:

- Auxiliary lanes along Highway 50 from Sunrise Boulevard to Scott Road;
- Widening White Rock Road from two to four lanes from Silva Valley Parkway in El Dorado County to Sunrise Boulevard in Sacramento County;
- Modifications to Hazel Avenue Interchange and a new connection between Hazel Avenue and White Rock Road; and
- Increasing light rail frequency on the Gold Line east of Sunrise Boulevard from every 30 minutes to every 15 minutes.

A key criterion for including projects in the first phase of funding was the ability to leverage local dollars for state or federal transportation funds. The inclusion of the projects listed above in the proposed Regional Fee Program should not be interpreted as these projects having a higher priority than the balance of the "near term" improvements. All four jurisdictions will take appropriate steps to fund and implement the remaining "near term" improvement projects as identified by the Highway 50 Partnership. It is also possible that the balance of the "near term" improvements may be included in a subsequent phase of the regional program.

The total cost of the improvements identified above is estimated at \$424 million. New development's "fair share" for the cost of each improvement was determined based upon the percentage of use of the improvement by trips from each of the seven fee districts of the four public agencies as shown on **Attachment 1**. This amount is approximately \$169 million or 40 percent of the total cost.

2. Rancho Cordova's Contribution to the Regional Fee

Preliminary estimates for the City's contribution to the Regional Fee Program are as follows. As shown on **Attachment 1**, the fee will be imposed only on land located south of Highway 50.

Additional funding will be derived from local fee programs and other regional, state and federal sources. The components of possible additional funding are also identified on **Attachment 1**. There is no guarantee that state or federal funds will be obtained, but the projects should be more competitive for such funding with a regional fee in place. In summary, the regional fee would be used to leverage approximately \$180 million in new state/federal transportation dollars. Of the \$169 million Rancho Cordova's total contribution is estimated at about \$62 million.

3. Next Steps: Nexus Study and Governance

If the Regional Fee Program concept is endorsed by each of the four public agencies, the implementation plan will need to include two final steps: (1) completion of a final nexus study as required by Government Code section 66000 et seq. and (2) preparation of final recommendations on a governance structure for collection of the fee and oversight of project delivery and implementation.

As part of the final nexus study, each of the public agencies will re-visit the traffic estimates and costs. In particular, the overall fee burden on commercial properties will be re-evaluated to determine if the level of the proposed regional fee is appropriate when the Measure "A" development impact fee is taken into account as well. The nexus study will also re-evaluate project overlap in the regional fee and local fee programs to clearly identify the amount of fee credits that will be applied to each jurisdiction's traffic impact fees.

Collection of the fee and oversight of project delivery and implementation can be handled in a variety of ways. Each agency can separately collect the fee, with cost sharing handled through separate memoranda of understanding for each project, although this process may be cumbersome to administer. Other jurisdictions (for example, public agencies in Placer County and in Riverside County) have created new joint powers authorities to collect, update and administer regional fees.

4. Support by Other Public Agencies

Rancho Cordova will be the fourth jurisdiction to consider endorsement of the regional fee. The El Dorado County Board of Supervisors received a similar presentation on the status of the Highway 50 Partnership on July 29, 2008, and voted to endorse the concept conditional on the support of the three other public agencies. The City of Folsom also received a similar presentation on the program on August 20, 2008, and voted to endorse the concept. The County of Sacramento also received a similar presentation on the program on November 18, 2008, and voted to endorse the concept.

Most significant is the fact that Caltrans has continued its support of the regional fee effort. (See the letter from Jody Jones, **Attachment 2**) Caltrans Director uses the Highway 50 Partnership as a model of regional collaboration. Other agencies in the region are now modeling the Highway 50 Partnership efforts.

FISCAL IMPACT

The proposed projects within the fee program are approximately \$424.1 million. Revenue generated from the regional fee would be applied to these projects. The total estimated funding for transportation improvements that would be made available by the Highway 50 Corridor Mobility Partnership Regional Fee Program is approximately \$168.9 million. Of that \$168.9 million, approximately \$61.9 million would be from future development in Rancho Cordova. Full funding of the proposed projects within the fee program will require approximately \$179.8 million of other State/Regional funding, \$50.6 million from local development fee programs, and \$24.8 million of required frontage improvements associated with development projects within the proposed fee area.

The proposed fee will also increase the cost of development in the new areas east of Sunrise Boulevard as well as the Rancho Cordova infill area south of Highway 50.

The City would continue to contribute funding to the traffic consultant, DKS & Associates for the completion of a nexus study. This amount is estimated to be approximately \$20,000, and is included in the Department's FY 08/09 adopted budget.

ATTACHMENTS

1. Briefing Package for Regional Fee Program
2. Letter from Jody Jones to Rancho Cordova

50 Corridor Mobility Fee Program

The proposed fee program includes the following roadway and transit improvements:

Roadway Projects

Auxiliary lanes on US 50 from Sunrise Boulevard to Scott Road would improve operations along this congested stretch of freeway by placing the merge, diverge and weaving movements of the high volume on- and off-ramps onto a separate lane between each interchange, thereby increasing the capacity of the mainline freeway lanes.

The widening of White Rock Road from two to four lanes from Silva Valley Parkway in El Dorado Hills to Sunrise Boulevard would more than double this road's capacity since it would also improve horizontal and vertical alignments, greatly improve intersection geometrics and add signal control. These improvements would not only relieve congestion on this roadway but they would also 1) provide a high speed connection for commuters between El Dorado County, Folsom and Rancho Cordova that would divert traffic from congested portions of US 50 and 2) begin the implementation of the Elk Grove-Rancho Cordova-El Dorado Connector

A new connection between Hazel Avenue and White Rock Road would involve: 1) modification to the Hazel Avenue/US 50 interchange, 2) the extension of Hazel Avenue to Easton Valley Parkway, 3) construction of Easton Valley Parkway from Hazel Avenue to Rancho Cordova Parkway, and 4) construction of Rancho Cordova Parkway from Easton Valley Parkway to White Rock Road. This connection would divert traffic from US 50 west of Hazel Avenue as well as from Sunrise Boulevard south of US 50. This new connection would also mitigate traffic increases related to the planned connection of Rancho Cordova Parkway to US 50.

Transit Project

Implement improvements to increase light rail frequency on the Gold Line east of Sunrise Boulevard from every 30 minutes to 15 minutes

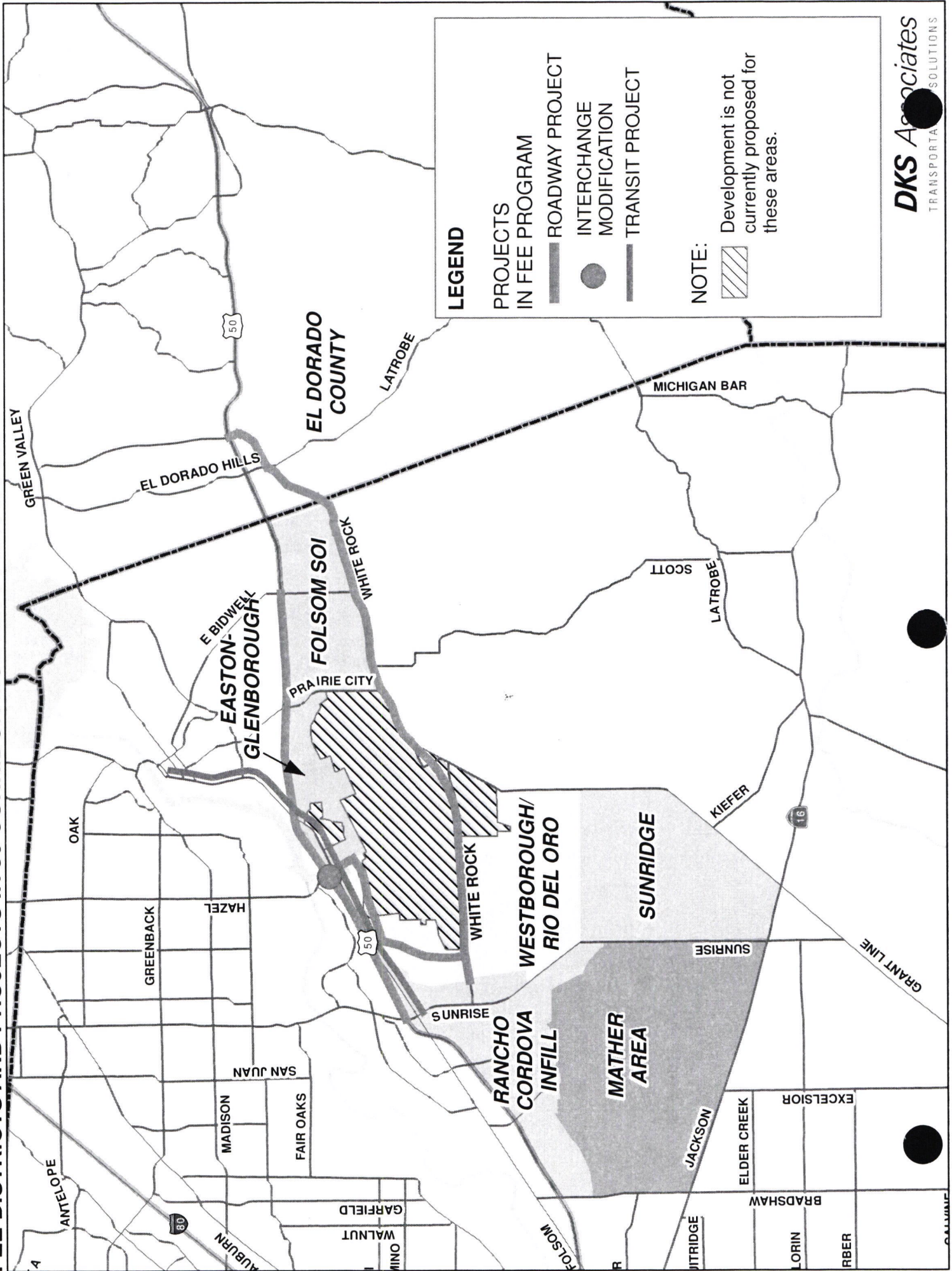
Funding for Fee Program

The initial cost estimate for the projects in the fee program is about \$424 million. This cost estimate will be refined over time. Over a 15-year period, the fee program is expected to generate about \$169 million, or 40 percent of the estimated cost. The remainder would come from a combination of frontage improvement, local fee programs and other regional, State and Federal sources, including Measure A and State bond funds.

Allocation of Costs to Fee Districts

New development's "fair share" of each improvement is based on the estimated percent use of each improvement by trips from each of the seven fee districts shown in Figure 1.

FIGURE 1
FEE DISTRICTS AND PROJECTS IN 50 CORRIDOR MOBILITY FEE PROGRAM



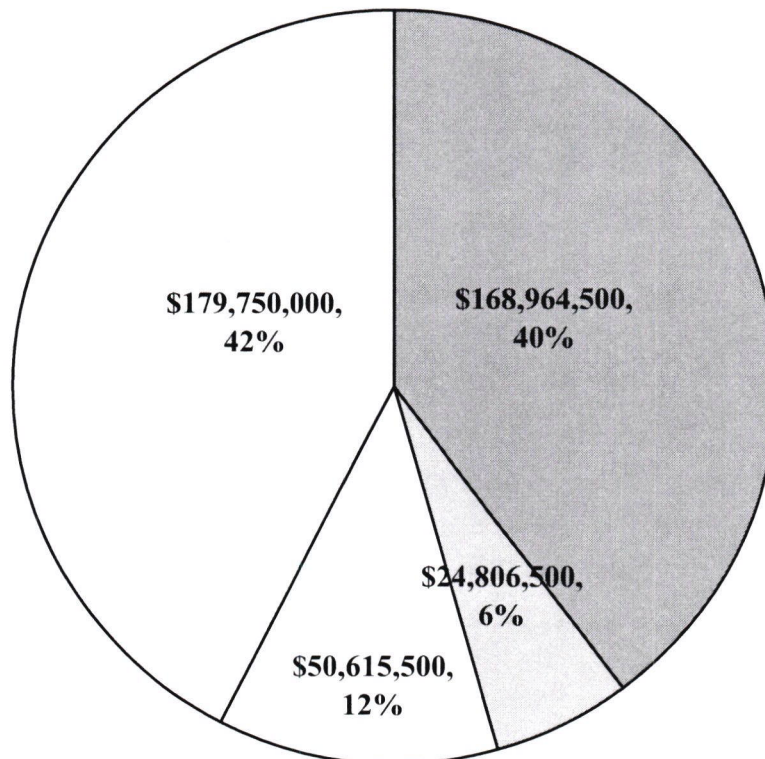
Funding for Projects in 50 Corridor Mobility Fee Program

Funding Source	Amount	Percent
50 Corridor Mobility Fee Program	\$168,964,500	40%
Frontage Improvements	\$24,806,500	6%
Local Development Fee Programs	\$50,615,500	12%
Other State/Regional Sources	\$179,750,000	42%
Total	\$424,136,500	100%

Assumptions for Other State/Regional Sources:

Source	\$millions
Measure A	\$40.0
CMIA	\$22.0
SHOPP	\$35.0
State & Local Partnership	\$40.0
Other (Transit)	\$42.7
Total	\$179.7

☒ 50 Corridor Mobility Fee Program ☐ Frontage Improvements
☐ Local Development Fee Programs ☐ Other State/Regional Sources



Draft Fee Estimates (1-18-08)
50 Corridor Mobility Fee Program

Table 1			
Total Cost per Dwelling Unit Equivalent (DUE)			
Fee District	2022 DUEs	Cost Responsibility	Costs per DUE
Folsom SOI	8,771	\$39,512,419	\$4,505
Easton/Glenborough	5,406	\$28,991,837	\$5,363
Rio del Oro/Westborough	15,630	\$48,312,767	\$3,091
Sunridge Area	10,285	\$8,502,519	\$827
RC-Infill Area	3,904	\$5,102,403	\$1,307
Mather Area	2,385	\$1,510,399	\$633
El Dorado County	10,132	\$37,032,157	\$3,655
Total	56,513	\$168,964,500	\$2,990
<i>Source: DKS Associates, 2008</i>			

Table 2			
Net Cost per Dwelling Unit Equivalent (DUE)			
Based on Preliminary Analysis of Overlap with Local Fee Programs			
Fee District	Cost per DUE 50 Corridor Mobility Fee Program	Potential Reduction in Local Fee to Eliminate Overlap	Net Cost per DUE
Folsom SOI	\$4,505	-\$1,829	\$2,676
Easton/Glenborough	\$5,363	-\$4,809	\$555
Rio del Oro/Westborough	\$3,091	-\$527	\$2,564
Sunridge Area	\$827	-\$527	\$300
RC-Infill Area	\$1,307	-\$527	\$780
Mather Area	\$633	-\$300	\$333
El Dorado County	\$3,655	-\$1,992	\$1,663
<i>Source: DKS Associates, 2008</i>			

DEPARTMENT OF TRANSPORTATION

DISTRICT 3

703 B STREET

P. O. BOX 911

FAYSVILLE, CA 95901-0911

PHONE (530) 741-4233

FAX (530) 741-4245

TTY 711

ATTACHMENT 2



*Flex your power!
Be energy efficient!*

November 3, 2008

The Honorable Linda Budge, Mayor
City of Rancho Cordova
2729 Prospect Park Drive
Rancho Cordova, CA 95670

Dear Mayor Budge:

As a participant in the public-private Highway 50 Corridor Mobility Partnership (Partnership), Caltrans has strongly supported the innovative planning process that has been used to identify needed transportation improvements on Highway 50 and to its south, from Bradshaw Road to El Dorado Hills. Given the need to relieve congestion and improve mobility in that part of the Sacramento region, we are strongly supportive of the proposed near-term and long-term road and transit projects.

The Partnership has assumed throughout the planning process that private investment would be required to implement its project proposals. After significant effort over the past several months, the Partnership is poised to implement a regional Highway 50 Corridor fee program that will provide critically needed resources to help fund three priority road projects and one transit project that will have a positive impact on the Highway 50 Corridor transportation system: U.S. 50 auxiliary lanes, White Rock Road widening, new connection between Hazel Avenue and White Rock Road, and increasing the frequency of light rail service on the Gold Line east of Sunrise Blvd. from 30 minutes to 15 minutes.

Funds generated through this new fee program would also help significantly in attracting additional state and federal transportation resources to our region.

Caltrans supports the set of projects identified by the Partnership and the regional fee concept. We look forward to working with the Partnership to implement these projects.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "Jody Jones".

JODY JONES
District Director

The Honorable Linda Budge, Mayor
November 3, 2008
Page 2

c: Dan Skoglund, Vice Mayor
Robert J. McGarvey, Councilmember
Ken Cooley, Councilmember
David Sander, Councilmember
Cyrus Abhar, Director of Public Works, City of Rancho Cordova



Highway 50 Corridor Regional Fee Concept

Rancho Cordova
City Council Meeting
January 5, 2009



Highway 50 Corridor Mobility Partnership

Develop a coordinated transportation plan – including phasing, funding and implementation strategies – that reduces congestion and improves mobility in the Highway 50 Corridor.

Participants

- City of Rancho Cordova
- City of Folsom
- County of Sacramento
- County of El Dorado
- Private landowners
 - GenCorp
 - Elliott Homes
 - AKT Development
 - Carpenter Ranch

Coordinating Agencies

- Caltrans
- Sacramento Area Council of Governments (SACOG)
- Sacramento Regional Transit

Planning Objectives



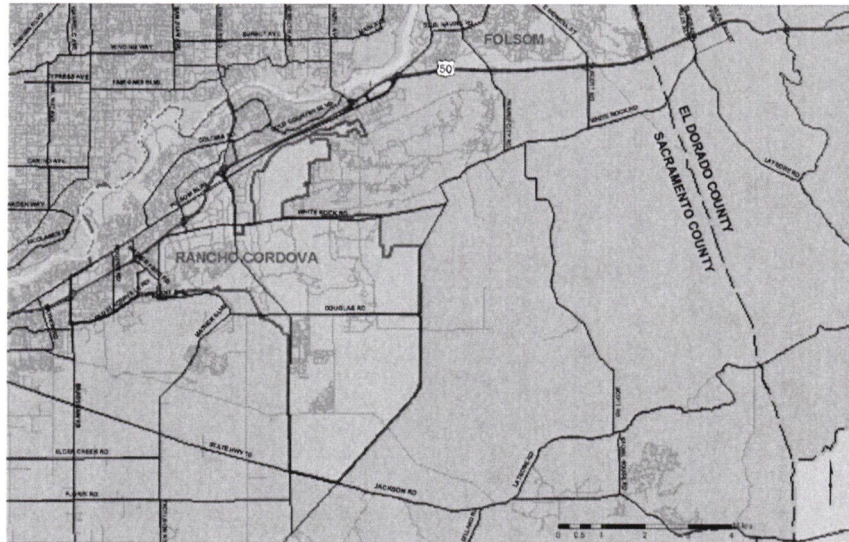
- Plan, fund and implement a coordinated transportation improvement program that reduces congestion and improves mobility in the Highway 50 Corridor
- Expedite delivery of key transportation projects
- Pursue public funding opportunities that reward regional transportation planning and leverage private funding

Partnership Benefits



- Reduces current congestion
- Increased mobility for job centers and planned growth
- Increased choice for residents, workers and shoppers
- Addresses Highway 50 cumulative impact from regional growth
- Leverages public & private resources
- Increases opportunity to attract resources for all priority projects (federal, state & regional)

Study Area

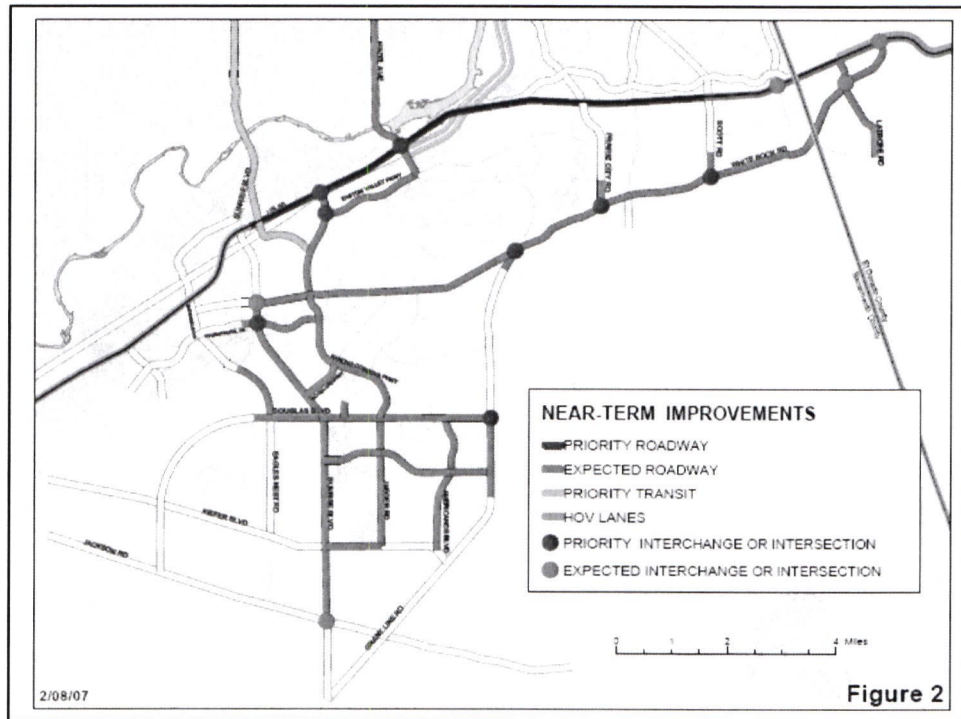


Priority Near-Term Improvements



- **US 50 Auxiliary Lanes** (Sunrise Blvd. to Scott Rd.)
- **Rancho Cordova Parkway** (new U.S. 50 interchange, 4 lanes to White Rock Rd.)
- **White Rock Road** (4 lanes from Sunrise Blvd. to Silva Valley Rd.)
- **International Drive** (4 lanes Kilgore Rd. to Rancho Cordova Parkway)
- **Zinfandel Blvd. Extension** (4 lanes to Douglas Rd.)
- **Douglas Rd.** (4 lanes Zinfandel Dr. extension to Sunrise Blvd.)
- **Light Rail Improvements** (Gold Line to Folsom)
- **BRT/Express Bus** (Sunrise LRT, Citrus Rd., Sunrise Blvd.)
- **Hazel Avenue** (modify U.S. 50 interchange, 4 lane extension to Easton Valley Parkway)
- **Easton Valley Parkway** (4 lanes RC Parkway to Hazel Ave.)

Priority near-term improvements will reduce vehicle hours of delay by 30% during commute hours.



Regional Fee Concept

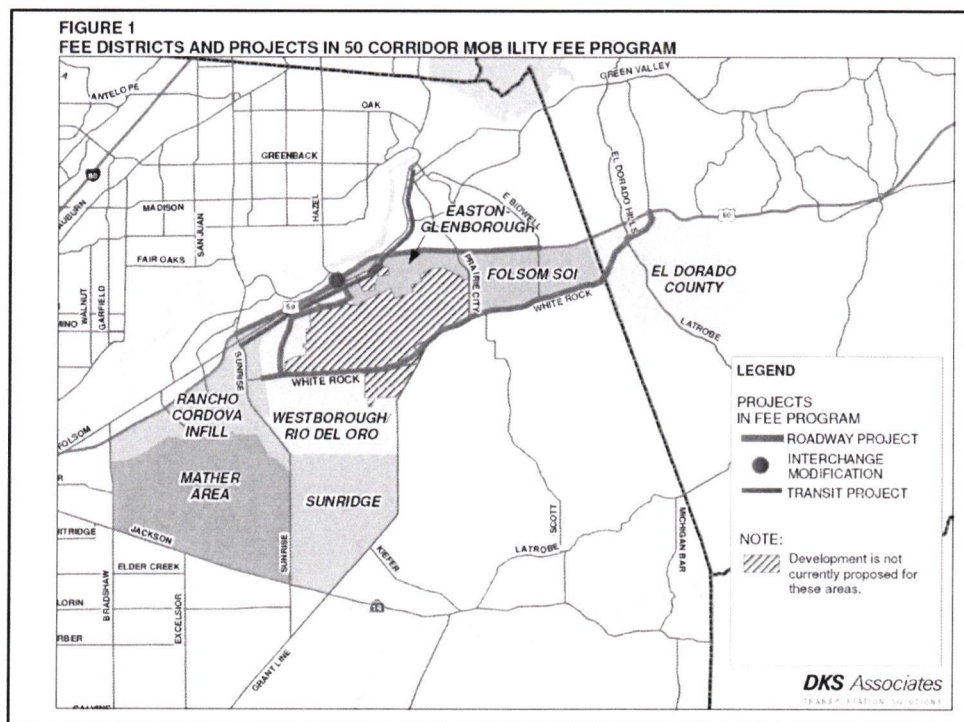


- Anticipated to cover 40% of project costs
- Helps leverage required additional public funding
- Seven fee districts (south of Highway 50 from Bradshaw to western El Dorado County)
- Based on new development's fair share of each improvement – calculated by estimating the percent use of each improvement by trips from each of the fee districts
- Governance structure to be implemented prior to fee collection

Regional Fee Concept Projects



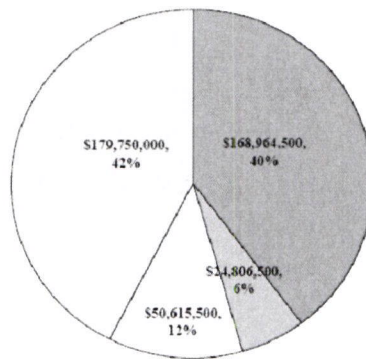
- **U.S. 50 auxiliary lanes** from Sunrise Blvd. to Scott Road
- **White Rock Road (WRR)** widening from Silva Valley Parkway to Sunrise Blvd.
- **New connection between Hazel Ave. and WRR** to relieve Highway 50 including:
 - Modification of Hazel Ave./ U.S. 50 interchange
 - Extension of Hazel Ave. to Easton Valley Parkway
 - Construction of Easton Valley Parkway from Hazel Ave. to Rancho Cordova Parkway
 - Construction of Rancho Cordova Parkway from Easton Valley Parkway to WRR
- **Increase service frequency on LRT Gold Line** east of Sunrise Blvd. to Folsom from 30 minutes to 15 minutes



Leveraging Additional Funding Sources



☒ 50 Corridor Mobility Fee Program ☒ Frontage Improvements
☐ Local Development Fee Programs ☐ Other State/Regional Sources



Assumptions for Other State/Regional Sources

Source	\$millions
Measure A	\$40.0
CMIA (Prop. 1B)	22.0*
SHOPP	35.0
Other	82.7
Total	\$179.7

* Approved by California Transportation Commission, Feb. 2007.

Total Cost per Dwelling Unit Equivalent (DUE)*



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* Estimated

Net Cost Per DUE*
Based on Preliminary Analysis of Overlap
with Local Fee Programs



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* Estimated

Discussion



1. Regional Fee Concept
2. List of Projects
3. Proposed Districts (Zones) of the Fee Program
4. Impact of Draft Fee to each Jurisdiction's Development
5. Non-residential Fee Burden

RECOMMENDATION



- Endorse the Regional Transportation Fee Program concept
- Provide input on outstanding issues
- Complete a nexus study to support the adoption of a regional fee as a member of the Partnership