

RESOLUTION NO. 2015-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR, CALIFORNIA, ADOPTING THE "CITY OF WILDOMAR IMPACT FEE STUDY UPDATE REPORT", ESTABLISHING A NEW PARK IMPROVEMENT DEVELOPMENT IMPACT FEE AND A NEW TRAFFIC SIGNALS IMPACT FEE AND INCREASING THE EXISTING ROAD IMPROVEMENT IMPACT FEE AND FINDING THAT THE ADOPTION OF THIS RESOLUTION IS NOT SUBJECT TO CEQA REVIEW PURSUANT TO CEQA GUIDELINE 15378(b)(4)

WHEREAS, on January 22, 2014, the City Council adopted Resolution No. 2014-02, establishing certain fees applicable to new development in the City to mitigate the impact of new development on public services and facilities ("Development Impact Fees" or "DIFs"), approving the "City of Wildomar Impact Fee Study" prepared by Colgan Consulting ("DIF Study"), and adopting a Development Impact Fee Credit and Reimbursement Policy; and,

WHEREAS, Colgan Consulting prepared the "City of Wildomar Impact Fee Study Update Report" dated April 23, 2015 ("DIF Study Update") attached hereto as Exhibit "A", which updates the DIF Study to include an analysis of the impacts of new development on park improvements and traffic signals, and updates the calculations for the existing Road Improvements DIF; and

WHEREAS, the increase to the existing Road Improvements DIF is due to changes to the Transportation Uniform Mitigation Fee ("TUMF") imposed by the County, which will no longer include two lanes of Bundy Canyon Road in the TUMF program, meaning that the City's Road DIF needs to be increased to include funding for those two lanes, and the elimination of the separate Road and Bridge Benefit District ("RBBD") fee; and

WHEREAS, in compliance with the Mitigation Fee Act (Government Code section 66000 et seq.), the City Council held a public hearing on the proposed Impact Fees at its regular meeting on May 13, 2015 and continued the public hearing to June 10, 2015. Notice of the public hearing was published on May 3, and May 9, 2015 in the Press Enterprise.

NOW, THEREFORE, the City Council of the City of Wildomar does hereby resolve as follows:

Section 1. CEQA Findings. The City Council hereby finds that the adoption of this Resolution is not subject to CEQA review pursuant to CEQA Guideline

15378(b)(4), which provides that the creation of government funding mechanisms or other government fiscal activities that do not involve any commitment to any specific project are not projects subject to CEQA review.

Section 2. Mitigation Fee Act Findings. As required by Government Code Section 66001(a), the City Council makes the following findings with respect to the Park Improvement, Traffic Signal and Road Development Impact Fees:

A. The purpose of the Development Impact Fees is to prevent new development from reducing the quality and availability of public services provided to residents of the City by requiring new development to contribute to the cost of additional public facilities needed to meet the additional demands placed on public services by new development.

B. The Development Impact Fees will be used to construct public facilities and pay for other capital assets needed to serve new development. The DIF Study Update identifies the specific public facilities and other capital assets that will be funded by each category of Development Impact Fees.

C. Based on the information and analysis presented in the DIF Study Update, the City Council finds there is a reasonable relationship between the uses to which the Development Impact Fees will be put on the development projects on which the Development Impact Fees will be imposed. As specified in the DIF Study Update, the Development Impacts Fees will be used to fund road improvements, bridges, and traffic signals. These uses will serve all development within the City. In addition, the Development Impact Fees will fund park improvements. This will specifically benefit residential development, and thus the Park Improvement Development Impact Fee will only be imposed on new residential development.

D. Based on the information and analysis presented in the DIF Study Update, the City Council finds there is a reasonable relationship between the need for the public facilities that will be funded by the Development Impact Fees and the type of development projects on which the Impact Fees will be imposed. Specifically, all new development places demands on roads, bridges, and traffic signals. Therefore all new all new development should contribute toward the cost of the public facilities and equipment needed to provide these facilities to the development. In addition, residential development places demands on parks and therefore only residential development should be required to contribute toward park improvements.

Section 3. Adoption of DIF Study Update. The DIF Study Update attached as Exhibit "A" is hereby approved and adopted.

Section 4. Adoption of Development Impact Fees. The Development Impact Fee Schedule adopted by Resolution No. 2014-02 is amended to include new Park Improvement and Traffic Signal fees, and to increase the Road fee, as shown on the revised Development Impact Fee Schedule attached as Exhibit "B."

Section 5. Facilities to be Funded by Development Impact Fees. As required by Government Code Section 66001(a)(2), the City Council determines that the

DIF Study Update identifies the public facilities that are to be financed by the Park Improvement, Traffic Signal, and Road DIFs.

Section 6. Effective Date. The fees for Transportation – Roads and Transportation – Signals shall become effective on August 10, 2015. The fees for Parks Improvements shall become effective on January 1, 2016. The fees for Parks Improvements shall be phased with the first 1/3 on January 1, 2016; the second 1/3 on January 1, 2017; and, the third 1/3 on January, 1, 2018.

APPROVED AND ADOPTED this 10th day of June, 2015.

Ben Benoit, Mayor

ATTEST:

Debbie Lee, City Clerk

APPROVED AS TO FORM:

Thomas Jex, City Attorney

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF WILDOMAR)

I, Debbie Lee, City Clerk of the City of Wildomar, California, do hereby certify that Resolution No. 2015-24 was duly and regularly adopted by the City Council of the City of Wildomar at a regular meeting thereof held on the 10th day of June, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)