

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING THE APPLICABLE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF TEMECULA AND FINDING THIS RESOLUTION EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Findings. The City Council does hereby find, determine and declare as follows:

- A. The city is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency comprised of the county of Riverside and eighteen cities located in Western Riverside County.
- B. Acting in concert, the WRCOG member agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials in Western Riverside County (the "Regional System") could be made up in part by a transportation uniform mitigation fee ("TUMF") on future residential, commercial and industrial development.
- C. As a Member Agency of WRCOG and as a TUMF participating jurisdiction, the city participated in the preparation of a certain "Western Riverside County Transportation Uniform Fee Nexus Study," dated October 18, 2002 (the "2002 Nexus Study") prepared in compliance with the Mitigation Fee Act (Government Code Section 66000 et seq.) and adopted by the WRCOG executive committee.
- D. The city also participated in the second major update of the TUMF network entitled the "Transportation Uniform Mitigation Fee Nexus Study; 2009 Update" ("2009 Nexus Study") pursuant to California Government Code Section 66000 et seq. (the Mitigation Fee Act), for the purpose of updating the fees. Based on the 2002 and 2009 Nexus Studies, the City Council adopted and implemented ordinances amending Chapter 15.08 of the Temecula Municipal Code and authorizing the city's participation in a TUMF program.
- E. WRCOG, with the assistance of TUMF participating jurisdictions, has prepared an updated nexus study entitled "Transportation Uniform Mitigation Fee Nexus Study: 2016 Update" ("2016 Nexus Study") pursuant to California Government Code Section 66000 et seq. (the Mitigation Fee Act), for the purpose of updating the fees. On July 10, 2017, the WRCOG executive committee reviewed the 2016 Nexus Study and TUMF program and recommended TUMF participating jurisdictions amend their applicable

TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF program. The City Council adopted and implemented an ordinance amending Chapter 15.08 to reflect changes in the TUMF network and the cost of construction in order to update the TUMF and adopt the 2016 Nexus Study.

- F. In 2018, the TUMF Program was altered to adopt a process in which WRCOG calculates and collects TUMF on behalf of member agencies under the Western Riverside County Transportation Uniform Mitigation Fee Program Ordinance of 2018. The City adopted an ordinance amending Chapter 15.08 and allowing WRCOG to calculate and collect TUMF on behalf of the City.
- G. WRCOG, with the assistance of TUMF Participating Jurisdictions, has prepared an updated nexus study entitled “Transportation Uniform Mitigation Fee Nexus Study: 2024 Update” (“2024 Nexus Study”) pursuant to California Government Code sections 66000 *et seq.* (the Mitigation Fee Act), for the purpose of updating the fees. On September 9, 2024, the WRCOG Executive Committee reviewed the 2024 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program.
- H. Consistent with its previous findings made in the adoption of ordinances amending Chapter 15.08, the city council has been informed and advised, and hereby finds and determines, that if the capacity of the Regional System is not enlarged and unless development contributes to the cost of improving the Regional System, the result will be substantial traffic congestion in all parts of Western Riverside County, with unacceptable levels of service. Furthermore, the failure to mitigate growing traffic impacts on the Regional System will substantially impair the ability of public safety services (police and fire) to respond and, thus, adversely affect the public health, safety and welfare. Therefore, continuation of a TUMF program is essential.
- I. The City Council finds and determines that there is a reasonable and rational relationship between the use of the TUMF and the type of development projects on which the fees are imposed because the fees will be used to construct the transportation improvements that are necessary for the safety, health and welfare of the residential and non-residential users of the development in which the TUMF will be levied.
- J. The City Council finds and determines that there is a reasonable and rational relationship between the need for the improvements to the Regional System and the type of development projects on which the TUMF is imposed because it will be necessary for the residential and non-residential users of such projects to have access to the Regional system. Such development will benefit from the Regional System improvements and the burden of such developments will be mitigated in part by payment of the TUMF.
- K. The City Council finds and determines that the cost estimates set forth in the

new 2024 Nexus Study are reasonable cost estimates for constructing the Regional System improvements and the facilities that compromise the Regional System, and that the amount of the TUMF expected to be generated by new development will not exceed the total fair share cost to such development.

- L. The fees collected pursuant to this Resolution shall be used to help pay for the design, planning, construction of and real acquisition for the Regional System improvements and its facilities as identified in the 2024 Nexus Study. The need for the improvements and facilities is related to new development because such development results in additional traffic and creates the demand for the improvements.
- M. The city council finds and determines that the 2024 Nexus Study proposes a fair and equitable method for distributing a portion of the unfunded costs of improvements and facilities to the Regional System.
- N. By notice duly given and published, the City Council set the time and place for a public hearing on the 2024 Nexus Study and the fees proposed thereunder and at least ten (10) days prior to this hearing, the City Council made the 2024 Nexus Study available to the public.
- O. At the time and place set for the hearing, the City Council duly considered data and information provided by the public relative to the cost of the improvements and facilities for which the fees are proposed and all other comments, whether written or oral, submitted prior to the conclusion of the hearing.
- P. Section 15.08.040 (A) of the Temecula Municipal Code authorizes periodic review and adjustment to the applicable TUMF in accordance with any adjustments made by the WRCOG Executive Committee.
- Q. On, February 11, 2025 the City Council held a duly noticed public hearing on the proposed TUMF at which time the City Council duly considered data and information provided by the public relative to the cost of the improvements and facilities for which the fees are proposed and all other comments, whether written or oral, submitted prior to the conclusion of the hearing.
- R. The fees collected pursuant to this Resolution shall be used to finance the public facilities described or identified in the Nexus Study.

SECTION 2. Adoption of 2024 Nexus Study. The City Council hereby adopts the “Transportation Uniform Mitigation Fee Nexus Study: 2024 Update” (2024 Nexus Study) and its findings. The 2024 Nexus Study is attached and incorporated herein as Exhibit “A.”

SECTION 3. TUMF Schedule. In accordance with Section 15.08.040 of the Temecula Municipal Code, there is hereby adopted the following fee schedule for the TUMF which supersedes the fee schedules set forth in prior resolutions of the City Council, effective as of the effective date of this Resolution as set forth in Section 5:

- (1) \$12,380 per single family residential unit 1,800 square feet or less.
- (2) \$13,927 per single family residential unit between 1,801 and 2,300 square feet.
- (3) \$15,476 per single family residential unit between 2,301 and 2,700 square feet.
- (4) \$19,344 per single family residential unit greater than 2,700 square feet.
- (5) \$7,816 per multi-family residential unit.
- (6) \$2.33 per square foot of an industrial project.
- (7) \$7.72 per square foot of a retail commercial project.
- (8) \$4.89 per square foot of a service commercial project.
- (9) \$2.45 per square foot of a service Class A and B Office.

SECTION 4. CEQA Findings. The amendment to the Transportation Uniform Mitigation Fee Schedule as described in this Resolution is not a “project” within the meaning of Section 15378(b)(4) of the CEQA Guidelines, and is therefore exempt from the requirements of CEQA. Section 15378(b)(4) of the CEQA Guidelines states that a project does not include the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment. This Resolution does not approve the construction nor cause the construction of any specific transportation improvements within Riverside County. This Resolution will have no effect on the environment. Pursuant to CEQA Guidelines Section 15061(d) and 15062, a Notice of Exemption will be prepared, executed and filed for the foregoing determination in the manner required by law, that this is not a project under the California Environmental Quality Act and therefore, no environmental impact assessment is necessary.

SECTION 5. Judicial Review. In accordance with State law, any judicial action or proceeding to attack, review, set aside, void or annul this Ordinance shall be commenced within the time limits set forth in Government Code Section 66022.

SECTION 6. Effective Date. This Resolution shall become effective sixty (60) days following its adoption.

SECTION 7. Certification. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 11th day of February, 2025.

Brenden Kalfus, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Resolution No. 2025- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 11th day of February, 2025, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk

EXHIBIT “A”

TRANSPORTATION UNIFORM MITIGATION FEE NEXUS STUDY: 2024 UPDATE