

RESOLUTION NO. 2024-109

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA AMENDING THE TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) SCHEDULE APPLICABLE TO ALL DEVELOPMENTS IN THE CITY OF CORONA.

WHEREAS, the City of Corona (“City”) is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and seventeen cities located in Western Riverside County; and

WHEREAS, the member agencies of WRCOG recognized that there was insufficient funding to address the impacts of new development on the regional system of highways and arterials in Western Riverside County (the “Regional System”); and

WHEREAS, in order to address this shortfall, the member agencies formulated a plan whereby a transportation mitigation fee would be assessed on new development and would be used to fund the necessary improvements for the Regional System; and

WHEREAS, in furtherance of this plan, the WRCOG Executive Committee adopted the “Western Riverside County Transportation Uniform Fee Nexus Study”, dated October 18, 2002 (the “TUMF Nexus Study”); and

WHEREAS, based on the TUMF Nexus Study, the City adopted Ordinance 2629 adding Chapter 16.21 to the Corona Municipal Code (“CMC”) to authorize the City’s participation in the WRCOG Transportation Uniform Mitigation Fee program on March 5, 2003 pursuant to California Government Code sections 66000 *et seq.* authorizing the City to impose the Transportation Uniform Mitigation Fee (“TUMF”) upon new development; and

WHEREAS, in 2016, the TUMF Nexus Study was updated for the purpose of updating the fees (“2016 Nexus Study”). 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; and

WHEREAS, on September 6, 2017, the City adopted Ordinance No. 3264, which adopted the 2016 Nexus Study and updated the TUMF; and

WHEREAS, in 2018, the TUMF Program was altered to adopt a process in which WRCOG calculates and collects TUMF on behalf of member agencies; and

WHEREAS, the City adopted Ordinance No. 3290 on December 19, 2018, allowing WRCOG to calculate and collect TUMF on behalf of the City; and

WHEREAS, WRCOG, with the assistance of TUMF member agencies, 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 TUMF fees. On September 9, 2024, the WRCOG Executive Committee reviewed the 2024 Nexus Study and TUMF program and recommended TUMF member agencies amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program; and

WHEREAS, the City Council has been informed and advised, and hereby finds, 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; and

WHEREAS, Section 16.21.040(C) of the CMC authorizes periodic review and adjustment to the applicable TUMF in accordance with any adjustments made by the WRCOG Executive Committee; and

WHEREAS, the City conducted first reading of Ordinance No. 3406 on December 4, 2024, and intends to adopt Ordinance No. 3406 on December 18, 2024 (“TUMF Ordinance”) to amend Chapter 16.21 of the CMC again to update the TUMF program, authorize the imposition of updated TUMF fees upon new development pursuant to California Government Code sections 66000 *et seq.*, and adopt the 2024 Nexus Study, which is attached to Ordinance No. 3406 as Exhibit “B”; and

WHEREAS, 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; and

WHEREAS, the City Council finds and determines that there is a reasonable and rational relationship between the need for the improvements to the Regional System and the type of development projects on which the TUMF is imposed because it will be necessary for the residential and non-residential users of such projects to have access to the Regional system. Such development will benefit from the Regional System improvements and the burden of such developments will be mitigated in part by payment of the TUMF; and

WHEREAS, 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; and

WHEREAS, the fees collected pursuant to CMC Chapter 16.21 shall be used to help pay for the design, planning, construction of and real property 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; and

WHEREAS, 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; and

WHEREAS, 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; and

WHEREAS, the City Council finds 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; and

WHEREAS, the fees collected pursuant to this Resolution shall be used to finance the public facilities described or identified in the 2024 Nexus Study; and

WHEREAS, the levying of TUMF fees has been reviewed by the City Council and staff in accordance with the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines and it has been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, AS FOLLOWS:

SECTION 1. Findings. The recitals set forth above are hereby adopted as findings in support of this Resolution. In addition, the City Council re-adopts the findings contained in Section 16.21.020 of the CMC in support of the adjusted TUMF contained herein.

SECTION 2. TUMF Schedule. In accordance with Section 16.21.040(C) of the CMC, there is hereby adopted the following fee schedule for the TUMF which replaces the fee schedule set forth in Section 3 of Resolution No. 2017-091 in its entirety as of April 1, 2025:

- (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
- (2) \$7,816 per multi-family residential unit
- (3) \$2.33 per square foot of an industrial project
- (4) \$7.72 per square foot of a retail commercial project
- (5) \$4.89 per square foot of a service commercial project

(6) \$2.45 per square foot of a service Class A and B Office

SECTION 3. CEQA Findings. The City Council hereby finds that in accordance with the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines the adoption of this Resolution is exempt from CEQA pursuant to Section 15061(b)(3), which states that a project is exempt from CEQA if the activity is covered by the common sense rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This Resolution simply updates the amount of the Transportation Uniform Mitigation Fee to provide sufficient funding for improvements to the regional system of highways and arterials in Western Riverside County and there is no possibility that adopting this Resolution will have a significant effect on the environment. Therefore, no further environmental analysis is required.

SECTION 4. Effective Date. This Resolution shall become effective upon adoption.

PASSED, APPROVED AND ADOPTED this 4th day of December 2024.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California