

RESOLUTION NO. 49-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ADOPTING THE TRAFFIC IMPACT FEE UPDATE ESTABLISHED BY RESOLUTION NO. 49-03 AND AUTHORIZED BY ORDINANCE NO. 14-00 TO PROVIDE FOR ROADWAY IMPROVEMENTS FOR FUTURE DEVELOPMENT

WHEREAS, on November 13, 2000, by Ordinance Number 14-00, the City Council of the City of Oakley established the authority for Traffic Impact Fees for imposing and charging a traffic impact fee applicable to future development within the City; and

WHEREAS, on August 11, 2003, by Resolution 49-03, the City Council of the City of Oakley adopted the Traffic Impact Fee based on the Transportation Impact Fee Study dated August 2003 prepared by Fehr & Peers ; and,

WHEREAS, on July 11, 2016, the City entered in an agreement with TJKM Transportation Consultants to prepare the Traffic Impact Fee Update Report; and,

WHEREAS, on March 6, 2017, staff presented the draft Traffic Impact Fee Update Report dated February 2017 prepared by TJKM Transportation Consultants to the Building Industry Association and Bay Area East Bay and received comments; and,

WHEREAS, on March 14, 2017, staff presented the Traffic Impact Fee Update Report dated March 2017 prepared by TJKM Transportation Consultants attached as Exhibit A and hereby incorporated; and,

WHEREAS, the "Project" is within the scope of the Certified General Plan Environmental Impact Report (SCH #2002042134); and

WHEREAS, on April 13, 2017, the Notice of Public Hearing for the Project was duly noticed in the Contra Costa Times, a newspaper of general distribution. On April 11, 2017, the Notice of Public Hearing was posted at Oakley City Hall located at 3231 Main Street, outside the gym at Delta Vista Middle School located at 4901 Frank Hengel Way and outside the library at Freedom High School located at 1050 Neroly Road; and

WHEREAS, in accordance with Government Code Section 66016 and 66019, at least 14 days prior to the public hearing at which this Resolution was adopted, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings on new or increased fees or service charges; and

WHEREAS, in accordance with the Government Code, the Report was available for public review and comment for 10 days prior to the public hearing at which this Resolution was adopted; and

WHEREAS, the definitions and findings established in Resolution No. 49-03 will remain in effect except for the amount of the fee which has been updated and set forth in Exhibit B; and,

NOW, THEREFORE, BE IT RESOLVED AND ORDERED, by the City Council of the City of Oakley approve the Traffic Impact Fee Update Report Attached as Exhibit A and adopt the new Traffic Impact Fee amount in Exhibit B.

PASSED AND ADOPTED by the City Council of the City of Oakley at a meeting held on the 25th April, 2017 by the following vote:

AYES: Alaura, Higgins, Pope, Romick

NOES:

ABSTENTIONS:

ABSENT: Hardcastle

ATTEST:



Libby Vreonis, City Clerk

APPROVED:



Sue Higgins, Mayor

4-27-17

Date

Traffic Impact Fee Update

March 2017

Prepared for:



Prepared by:



Table of Contents

Chapter 1. Introduction and Summary	1
Introduction.....	1
Summary.....	1
Chapter 2. Planned Growth and Trip Generation	3
New Growth.....	3
Residential.....	3
Normalize Land Use	4
Chapter 3. Selection and Cost of Projects.....	6
Chapter 4. Program Costs and Fee Calculation	13
Cost per Trip Estimate.....	13
New Fee Schedule.....	13
Chapter 5. Nexus Findings	14
Purpose of the Fee.....	14
Use of Fee Revenues	14
Benefit Relationship.....	14
Burden Relationship	15
Proportionality.....	15

List of Figures

Figure 1: Map of all Projects	12
-------------------------------------	----

List of Tables

Table 1: Proposed Fee Updated Schedule.....	2
Table 2: Determination of Growth in Dwelling Units.....	3
Table 3: Growth in Non-Residential Development.....	4
Table 4: Calculation of Dwelling Unit Equivalents (DUEs).....	4
Table 5: Transportation Improvement Project List.....	7
Table 6: 2017 Cost per Trip Estimate	13
Table 7: Calculation of Fees (per Gross SF unless noted)	13

Chapter 1. Introduction and Summary

Introduction

This analysis provides the technical basis for updating the Transportation Impact Fee (TIF) for the City of Oakley.

Transportation impact fees are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use. To guide the widespread imposition of public facilities fees, the State Legislature adopted the Mitigation Fee Act (the Act) with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs.

Oakley has updated a comprehensive plan for improvements that will be required on the regional road network. The objective is to ensure that adequate transportation facilities will be available to meet the projected needs of Oakley as it grows, and that the facilities planned are consistent with the General Plan. This study updates the TIF that is assessed on new development in the City. It is projected that during the life of the TIF, it would collect \$141 million to assist in funding the 63 proposed improvement projects.

Oakley adopted its initial TIF in 2003, which included 109 projects, in Resolution No. 49-03. This document is the update of the 2003 TIF.

Summary

Chapter 1 – Introduction and Summary

Chapter 2 – Planned Growth and Trip Generation

The first step required for the update was to review previous work and studies, particularly the existing TIF adopted by the City in 2003. This update utilizes very similar procedures and assumptions contained in the 2003 report.

The first step in the process is to obtain the land use growth planned for the City. The TIF uses the same land use bases as other Oakley fee study updates currently being considered. These are based on a determination of available developable acreage in the City and its planned land uses.

New residential development is expected to add 8,413 residential units and an estimated population growth of 26,666 people. Non-residential growth on nearly 600 acres will add 6.4 million square feet of building area with capacity for nearly 15,000 new jobs. The analysis examines the impact of p.m. peak hour trips created by new development, then “normalizes” these trips to account for pass-by trips and average trip length. The normalization process results in dwelling unit equivalents (DUEs), which compares all trips with those created by single family dwelling units. It was calculated that there will be 11,986 new DUEs during the life of the TIF.

Chapter 3 – Selection and Cost of Projects

A total of 63 projects are included in the updated TIF:

- 32 roadway widening projects totaling 21.5 miles
- 14 new traffic signals
- 7 intersections with signal modifications
- 3 railroad grade separation projects
- 1 at-grade railroad crossing
- 2 new roadway bridges
- 4 widened roadway bridges

Chapter 4 – Program Costs and Fee Calculation

The basic fee per DUE is calculated by dividing the total cost of the TIF program, \$144,727,100 by the total projected 11,986 new p.m. DUE trips. The TIF requirement calculates to a cost of \$12,075 per p.m. DUE trip. The proposed TIF fee schedule is shown in **Table 1**.

Table 1: Proposed Fee Updated Schedule

Land Use Category	Unit	Fee Amount
Single Family	Dwelling Unit	\$12,075
Multi-Family	Dwelling Unit	\$7,366
General Retail	KSF ²	\$5,313
General Office	KSF	\$12,195
Industrial	KSF	\$7,124
Utility Energy	KSF	\$7,124
Commercial Recreational	KSF	\$7,124
All Other Uses	Peak Hour Trip	\$12,075

¹ Adapted from Table 4
² KSF = 1,000 square feet

Chapter 5 – Nexus Findings

California legislation requires that charges on new developments bear a reasonable relationship to the needs created by, and the benefits accruing to, that development. California courts have long used that reasonableness standard or nexus to test to evaluate the constitutionality of exactions, including development fees. Based on the analysis included in the body of this report, it can be concluded that the future development and the need for their associated improvements meet or exceed the basic requirements set forth in Government Code sections beginning with 66000 to govern development fees.

The methodology of this report ensures that only the portions of the projects included in the updated TIF project list are necessitated by the planned growth in traffic. Thus, there is a reasonable relationship between the proposed use of the RTIF and the proposed land use development projects on which the fee will be imposed. In the same manner, there is a reasonable relationship between the need for facilities included in the RTIF and the proposed land use development projects.

Chapter 2. Planned Growth and Trip Generation

The roadway network is the fundamental component of transportation in Oakley. It provides a basic network for the movement of people and goods in the area. Roadways are used by nearly all travel modes including automobiles, ridesharing (carpools and vanpools), transit buses, bicycles, and local and interregional trucks.

The fee is applied to a limited number of projects within the City. Most of the projects proposed in this update are already included in the existing traffic impact fee adopted in 2003.

New Growth

A key step in the fee development process is to determine the number of trips that will be generated over a 20-year period by the growth in local development within the fee area. To determine the land use growth, TJKM utilized information provided by the City Planning Department. **Table 2** below summarizes the land use growth, expressed in dwelling units and employees, within the City by the various land use categories.

Residential

The expected residential growth is expected to consist of 26,666 residents residing in both single-family and multi-family dwelling units. Single-family dwelling units average 3.26 residents per unit and constitute 91 percent of the housing. Multi family dwelling units average 2.13 residents per unit and constitute 9 percent of the total dwelling units. As shown in **Table 2**, this will result in 7,740 new single-family dwelling units and 673 new multi-family dwelling units.

Table 2: Determination of Growth in Dwelling Units

Residential Category	Dwelling units	People/DU	People
Single family	7,740	3.26	25,232
Multi family	673	2.13	1,434
	8,413		26,666

Source: City of Oakley Planning Division

Non- Residential

Table 3 depicts the amount of non-residential land development expected to over the life of the TIF based on available developable acreage, land use designation and expected floor-area-ratios for the new development. TJKM utilized the square footage of development in the TIF calculations.

There are nearly 600 acres of available land for non-residential development in Oakley. This includes nearly 3.3 million square feet of commercial development and 2.5 million square feet designated for business park or light industry. Overall, non-residential development encompasses over 6.4 million square feet and generates 14,821 new jobs.

Table 3: Growth in Non-Residential Development

Non-Residential	FAR	Acres	Square Feet	Employees
Commercial	0.25	303.9	3,309,471	6,619
Commercial Recreational	0.25	15.1	164,657	263
Business Park	0.25	114.8	1,249,736	4,999
Light Industrial	0.25	114.8	1,249,736	2,125
Utility Energy	0.25	44.0	479,160	815
Total		592.5	6,452,761	14,821

Source: City of Oakley, Goodwin Consulting Group, Inc.

Normalize Land Use

All land uses were converted to DUEs, taking into account that different development types generate traffic with different characteristics. This conversion was accomplished by applying use-specific trip rates from the Institute of Transportation Engineer’s (ITE) *Trip Generation, 9th Edition* and estimates of pass-by trips and average trip lengths for SANDAG’s *Brief Guide of Vehicular Traffic Generation Rates* (April 2002) and from the ITE Journal *Impact Fees: Issues, Concepts and Approaches* (May 1991). All DUEs were then normalized to the single-family residential rate. This information is summarized in **Table 4**.

Table 4: Calculation of Dwelling Unit Equivalents (DUEs)

Land Use Category	Units	Peak Hour Trip Rate ¹	Percent New Trips ²	Average Trip Length ³	New Travel Demand Per Unit ⁴	Normalized DUE per Unit ⁵	Developable Units ⁶	Total DUEs ⁷
Single-Family Residential	DU	1.00	100	5.0	5.1	1.00	7,740	7,740
Multi-Family Residential	DU	0.62	100	5.0	3.1	0.61	673	411
Business Park	1,000 SF	1.26	80	5.1	5.1	1.01	1,250	1,263
Commercial	1,000 SF	3.71	40	1.7	2.2	0.44	3,309	1,456
Utility Energy	1,000 SF	0.73	80	5.1	3.0	0.59	479	283
Commercial Recreation	1,000 SF	0.73	80	5.1	3.0	0.59	164	97
Industrial	1,000 SF	0.73	80	5.1	3.0	0.59	1,250	738
Total								11,986

¹ Peak Hour Trip Rate: ITE Trip Generation, 9th Edition

² SANDAG Brief Guide of Vehicular Traffic Generation Rates, April 2002, and ITE Trip Generation Handbook, 2012

³ Average Trip Length: ITE Journal, Impact Fees, Issues, Concepts and Approaches, May 1991, expressed in miles

⁴ New Travel Demand per Unit = Peak Hour Trip Rate x Percent New Trips x Average Trip Length

⁵ Normalized DUE per Unit = New Travel Demand per Unit divided by the result for single-family residential

⁶ Developable Units: From Tables 2 and 3

⁷ Total DUEs = Developable Units x Normalized DUE per Unit

Chapter 3. Selection and Cost of Projects

In this chapter, the proposed projects to be included in the update of the TIF were selected. Most of the projects were carried forward from the existing TIF adopted in 2002. Projects that have been completed were dropped and a few new projects were added based on recent analysis of the City wide roadway system. New cost estimates were made for each project, which accounted for frontage improvements being paid directly by the developer and not included in the citywide fee.

A total of 63 projects are included in the updated TIF:

- 32 roadway widening projects totaling 21.5 miles
- 14 new traffic signals
- 7 intersections with signal modifications
- 3 railroad grade separation projects
- 1 at-grade railroad crossing
- 2 new roadway bridges
- 4 widened roadway bridges

These projects are further detailed in **Table 5** and illustrated in **Figure 1**.

Table 5: Transportation Improvement Project List

2017 Update Transportation Improvement Project List										
Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
1	Main St.	City Limits - Big Break Rd.	1.06	5600	4D	6D	\$10,599,700	\$5,601,896		\$4,997,804
2	Main St.	5th Street - E. Cypress Rd.	0.80	4200	2RU	4D	\$8,453,700	\$448,778	\$1,690,740	\$6,314,182
3	Main St.	E. Cypress Rd. - Laurel Rd.	0.27	1400	2RU	4D	\$2,419,300	\$1,288,050	\$483,860	\$647,390
4	Main St.	Honey Ln. - Delta Rd.	0.76	4000	2RU	4D	\$10,795,900	\$4,459,064	\$2,159,180	\$4,177,656
5	Wilbur Ave.	Bridgehead - Live Oak	0.49	2600	N/A	2U	\$5,457,700	\$4,288,587		\$1,169,113
6	Oakley Rd.	SR 160 - Neroly	0.23	1220	2RU	2U	\$981,100	\$788,896		\$192,204
7	Oakley Rd.	Neroly - Live Oak	0.49	2600	2RU	2U	\$4,165,200	\$2,457,468		\$1,707,732
8	Oakley Rd.	Live Oak - Empire	0.29	1550	2RU	4D	\$3,120,900	\$1,972,408		\$1,148,492
9	E. Cypress Rd.	800' East of Frank Hengle Way. - Sellers	0.50	2650	2RU	4D	\$8,478,800	\$6,150,239		\$2,328,561
10	E. Cypress Rd.	Sellers - Jersey Is. Rd.	0.99	5250	2RU	6D	\$18,994,100	\$10,440,668		\$8,553,432
11	Laurel Rd.	O'Hara - Main	0.98	5200	2RU	4D	\$11,283,000	\$7,503,188		\$3,779,812
12	Laurel Rd.	Main - Teton Rd.	0.33	1750	2RU	4U	\$3,053,200	\$457,980		\$2,595,220
13	Laurel Rd.	Teton Rd. - Sellers	0.49	2600	N/A	4U	\$8,949,100	\$5,816,915		\$3,132,185
14	Brownstone Rd.	O'Hara - Main	0.70	3720	2RU	2U	\$7,119,000	\$3,256,515		\$3,862,485
15	Neroly Rd.	O'Hara - Main	0.69	3650	N/A	2U	\$7,791,700	\$3,116,680		\$4,675,020
16	Delta Rd.	Main - Marsh Creek	0.72	3800	2RU	2U	\$4,991,700	\$1,347,759		\$3,643,941

2017 Update Transportation Improvement Project List

Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
17	Delta Rd.	Marsh Creek - Sellers	0.27	1400	2RU	2U	\$2,259,500	\$1,129,750		\$1,129,750
18	Bridgehead Rd.	Wilbur - Main	0.49	2600	2RU	2U	\$3,705,400	\$2,308,706		\$1,396,694
19	Neroly Rd.	Main - Oakley	0.49	2600	2RU	2U	\$4,430,300	\$1,461,999		\$2,968,301
20	Neroly Rd.	Oakley - Live Oak	1.32	6950	2RU	4U	\$12,490,500	\$3,996,960	\$2,498,100	\$5,995,440
21	Sandy Ln.	Main - Oakley	0.49	2600	2RU	2U	\$4,990,100	\$1,996,040		\$2,994,060
22	Live Oak Ave.	Wilbur - Main	0.49	2600	N/A	4D	\$8,228,100	\$5,765,334		\$2,462,766
23	Live Oak Ave.	Main - Oakley	0.49	2600	2RU	4D	\$6,432,500	\$3,256,997		\$3,175,503
24	Live Oak Ave.	Oakley - Neroly	0.68	3570	2RU	2C	\$5,897,800	\$2,830,944		\$3,066,856
25	O'Hara Ave.	Laurel - Carpenter	0.49	2600	2RU	4D	\$3,944,000	\$1,612,997		\$2,331,003
26	O'Hara Ave.	Carpenter - Brownstone	0.31	1620	2RU	4D	\$2,748,400	\$1,125,594		\$1,622,806
27	Rose Ave.	Main - Laurel	0.80	4250	2RU	2C	\$4,997,300	\$3,498,110		\$1,499,190
28	Anderson Ln.	Brownstone - City Limits	0.17	920	2RU	2C	\$1,321,500	\$396,450		\$925,050
29	Sellers Rd.	E. Cypress - Laurel	0.49	2600	2RU	4U	\$6,292,200	\$4,089,930		\$2,202,270
30	Sellers Rd.	Laurel - Delta	1.00	5280	2RU	2U	\$4,453,600	\$3,562,880		\$890,720
31	Jersey Island Rd.	E. Cypress - City Limits	1.48	7800	2RU	2C	\$10,190,100	\$5,095,050		\$5,095,050
32	Del Antico Ave.	250' S of Main St. - 320' N of Walnut Dr.	0.15	800	N/A	2U	\$1,452,600	\$581,040		\$871,560
33	Intersection Imp. Signal - New	Sandy Ln./Main St. (SR4)					\$350,000			\$350,000

2017 Update Transportation Improvement Project List

Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
34	Intersection Imp. Signal - New	Neroly Rd./ Oakley Rd.					\$350,000			\$350,000
35	Intersection Imp. Signal - New	Jersey Island Rd./ E. Cypress Rd.					\$350,000			\$350,000
36	Intersection Imp. Signal - New	Sellers Ave./ Laurel Rd.					\$350,000			\$350,000
37	Intersection Imp. Signal - New	Live Oak Ave./ Neroly Rd.					\$350,000			\$350,000
38	Intersection Imp. Signal - New	Live Oak Ave./ Oakley Rd.					\$350,000			\$350,000
39	Intersection Imp. Signal - New	Main St./Delta Rd.					\$350,000			\$350,000
40	Intersection Imp. Signal - New	Sellers Ave./ Delta Rd.					\$350,000			\$350,000
41	Intersection Imp. Signal - New	Wilbur Ave./ Bridgehead Rd.					\$350,000			\$350,000
42	Intersection Imp. Signal - New	Brownstone Rd./ Main St.					\$350,000			\$350,000

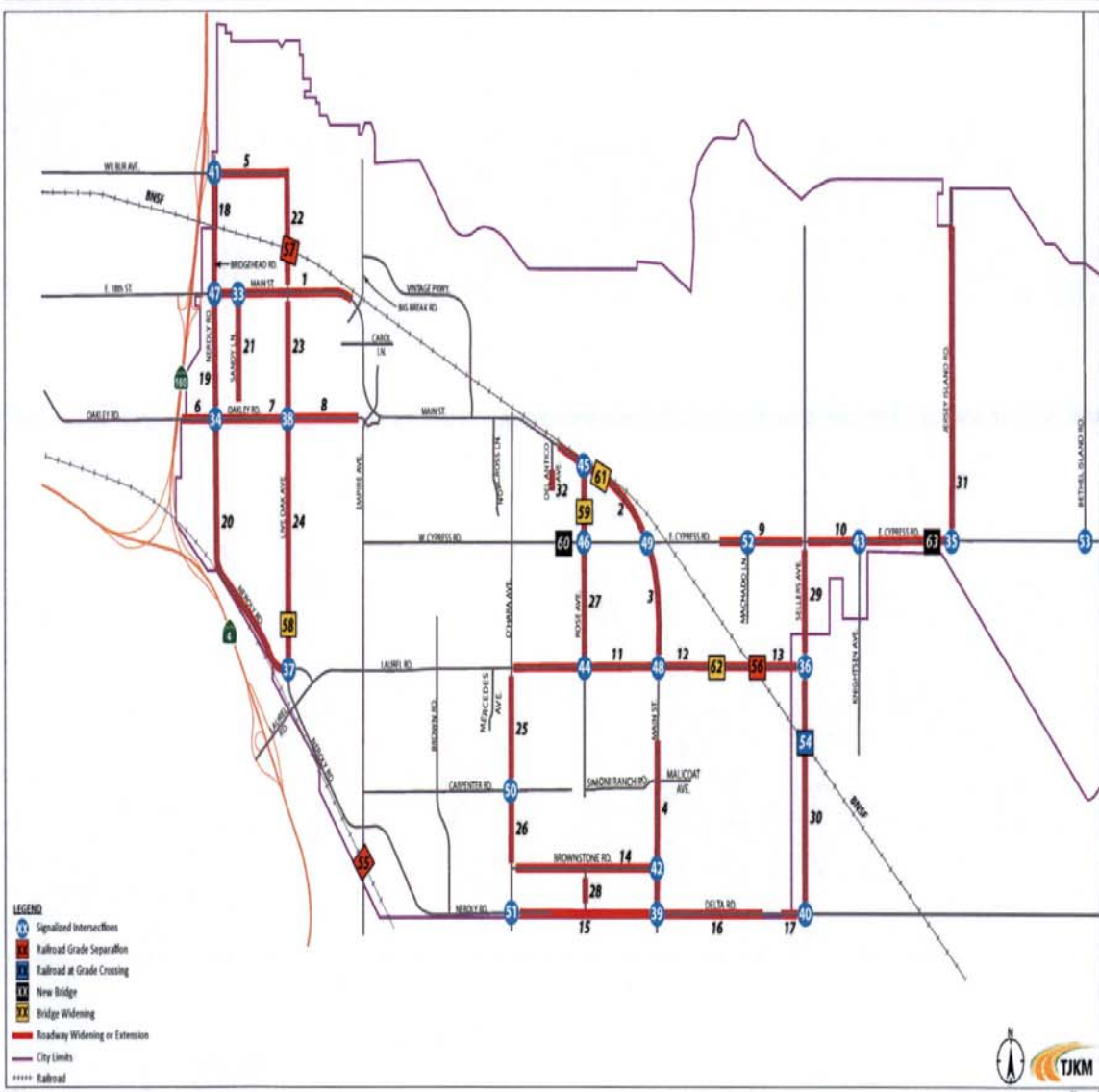
2017 Update Transportation Improvement Project List										
Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
43	Intersection Imp. Signal - New	Knightsen Ave./ E. Cypress Rd.					\$350,000			\$350,000
44	Intersection Imp. Signal - New	Rose Ave./ Laurel Ave.					\$350,000			\$350,000
45	Intersection Imp. Signal - New	Rose Ave./Main St.					\$350,000			\$350,000
46	Intersection Imp. Signal - New	Rose Ave./ W. Cypress Rd.					\$350,000			\$350,000
47	Intersection Modifications	Main St./Bridgehead & Neroly Rd.					\$270,000			\$270,000
48	Intersection Modifications	Main St./Laurel Rd.					\$667,400			\$667,400
49	Intersection Modifications	Main St./ E. Cypress Rd.					\$713,000			\$713,000
50*	Intersection Modifications	O'Hara Ave. - Carpenter Rd.					\$692,900			\$692,900
51*	Intersection Modifications	O'Hara Ave - Neroly Rd.					\$466,600			\$466,600
52*	Intersection Modifications	E.Cypress Rd./ Emerson Ranch Way & Machado Ln.					\$270,000			\$270,000
53*	Intersection Modifications	E.Cypress Rd./ Bethel Island Rd.					\$270,000			\$270,000

2017 Update Transportation Improvement Project List

Item No.	Roadway	Segment	Length (MI)	Length (LF)	Existing Road	Future Road	New Engineer's Estimates TOTAL PROJECT COST	Fronting Developer Share	Regional Share (RTDIM)	Proposed Program Share
54	Railroad Crossing	Sellers Ave./BNSF					\$500,000			\$500,000
55	Bridge - Railroad Crossing	Empire Ave./SPRR (Grade Sep)					\$5,760,000			\$5,760,000
56	Bridge - Railroad Crossing	Laurel Rd./BNSF (Grade Sep)					\$20,000,000			\$20,000,000
57	Bridge - Railroad Crossing	Live Oak Ave./BNSF (Grade Sep)					\$5,760,000			\$5,760,000
58	Bridge - Widening	Live Oak Ave./ CC Canal					\$432,000			\$432,000
59	Bridge Widening	Rose Ave./CC Canal					\$288,000			\$288,000
60	Bridge - New	W. Cypress Rd./ CC Canal					\$1,600,000			\$1,600,000
61	Bridge Widening	Main St./CC Canal					\$547,200			\$547,200
62	Bridge Widening	Laurel Rd./ Marsh Creek					\$1,214,400			\$1,214,400
63	Bridge - New	E. Cypress Rd./ CC Canal					\$4,608,000			\$4,608,000
TOTAL							\$249,447,500	\$102,103,872	\$6,831,880	\$140,511,748

* New Project Added With This Update

Oakley TIF Projects



Chapter 4. Program Costs and Fee Calculation

Cost per Trip Estimate

Table 6 presents a summary of the TIF improvement project costs; the projected future trips to be added by new development, and the resulting estimated TIF improvement cost per trip. The total cost of the TIF projects to be included is \$140,511,748.

The fee calculation is based on trip generation estimates in **Table 2** and the cost estimates of the TIF improvement projects. The cost per p.m. peak hour trip is calculated to be \$12,075, using a total TIF project cost of \$144,727,100 including the cost for administering the program and 11,986 new p.m. peak hour DUE trips. The TIF improvement project costs as well as the calculated new TIF cost per trip are shown in **Table 6**.

Table 6: 2017 Cost per Trip Estimate

TIF Improvement Projects	2017 TIF Costs
All Projects	\$140,511,748
Plus Administrative Costs (three-percent)	\$4,215,352
Total TIF Funding	\$144,727,100
Total DUE Peak Hour Trips Added by New Development	11,986
TIF Cost per DUE Peak Hour Trip	\$12,075

Note: The current cost per DUE is \$14,316 as of January 1, 2017

New Fee Schedule

Table 7 presents the new schedule of fees. The land use categories in this fee schedule have been determined based on a range of expected development land use types.

Fees for common developments include \$12,075 for a single family home, \$7,366 for a multi-family home, and \$5,313 for retail uses.

Table 7: Calculation of Fees (per KSF unless noted)

Land Use Category	ITE Reference	DUE ¹	Cost Per P.M. Trip	Fee Rate
Single Family/unit	Single Family Detached Housing (210)	1.00	\$12,075	\$12,075
Multi-Family/unit	Apartment (220)	0.61	\$12,075	\$7,366
Commercial	Shopping Center (820)	0.44	\$12,075	\$5,313
General Office	General Office Building (710)	1.01	\$12,075	\$12,195
Industrial	Light Industrial (130)	0.59	\$12,075	\$7,124
Utility Energy	Light Industrial (130)	0.59	\$12,075	\$7,124
Commercial Recreational	Health Fitness Club (492)	0.59	\$12,075	\$7,124
Other Uses: Calculate using ITE trip rates at \$12,075 per P.M. peak hour trip			\$12,075	TBD

¹ Adapted from Table 4

Chapter 5. Nexus Findings

TIF's are one-time fees typically paid prior to the issuance of a building permit and imposed on development projects by local agencies responsible for regulating land use (cities and counties). To guide the widespread imposition of public facilities fees, the State Legislature adopted the Act with Assembly Bill 1600 in 1987 and subsequent amendments. The Act, contained in California Government Code §§66000-66025, establishes requirements on local agencies for the imposition and administration of fee programs. The Act requires local agencies to document five findings when adopting a fee.

The five statutory findings required for adoption of the maximum justified fee documented in this report are presented in this chapter and supported in detail by this report. All statutory references are to the Act.

Purpose of the Fee

For the first finding, the City must:

- Identify the purpose of the fee (§66001(a) (1)).

This fee is charged under the authority of ordinance 14-00 adopted by the City of Oakley on November 13, 2000. The ordinance authorizes the collection of developer impact fees for the purpose of funding projects that help to mitigate congestion in the City. The ordinance notes that legislative-established nexus requirements are satisfied. This fee will charge new development the fair share cost of transportation improvements needed to mitigate the transportation impacts created by that development.

Use of Fee Revenues

For the second finding the City must:

- Identify the use to which the fee is to be put.

If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged (§66001(a)(2)).

Detail on planned uses of fee revenues is contained in Chapter 3 of this report.

Benefit Relationship

For the third finding, the City must:

- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed (§66001(a) (3)).

The City has determined that the improvements listed in the report are necessary to support projected development within the City. Public facilities funded by the fee will provide a network of transportation infrastructure accessible to the additional residents and workers associated with new development. The benefit from planned improvements and facilities will result from the maintenance of acceptable levels of congestion. Thus, there is a reasonable relationship between the use of fee revenues and the residential and nonresidential types of new development that will pay the fee.

Burden Relationship

For the fourth finding, the City must:

- Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed (§66001(a) (4)).

Residential dwelling units and building square footage/employment are indicators of the demand for transportation facilities needed to accommodate growth. As new building square footage is created, the occupants of the new structures will place additional burdens on the transportation facilities. The need for the fee is based on traffic engineering studies assessing the impact of additional vehicle trips from new development as well as City policies governing the design of a transportation system needed to serve new growth areas. Traffic engineering and related data were also used to inform the scope of improvements included in the fee program. For transportation improvements needed to accommodate the development anticipated in the near term, the cost burden is fully allocated based on development anticipated in the near term. For transportation improvements that are not immediately needed to accommodate near term development, but that will be needed to accommodate development in the longer term, the cost burden is allocated based on projections of new development. Thus, there is a reasonable relationship between the need for the planned improvements, the scope of the improvements and the parcels that will pay the fee.

Proportionality

For the fifth finding, the City must:

- Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility, or portion of the public facility, attributable to the development on which the fee is imposed (§66001(b)).

There is a reasonable relationship between the TIF for a specific development project and the cost of the facilities attributable to that development based on the estimated vehicle trip demand the development will generate in the City of Oakley. The total fee for a specific development is based on its planned employment and/or square footage for nonresidential uses and the number of dwelling units for residential use. Larger projects of a certain land use type will have a higher trip generation and pay a higher fee than smaller projects of the same land use type. Thus, the fee schedule ensures a reasonable relationship between the transportation impact fee for a specific development project and the cost of the facilities attributable to that project.

TRAFFIC IMPACT FEE UPDATE
New Fee Schedule

Land Use Category	ITE Reference	DUE¹	Cost Per P.M. Trip	Fee Rate
Single Family/unit	Single Family Detached Housing (210)	1.00	\$12,075	\$12,075
Multi-Family/unit	Apartment (220)	0.61	\$12,075	\$7,366
Commercial	Shopping Center (820)	0.44	\$12,075	\$5,313
General Office	General Office Building (710)	1.01	\$12,075	\$12,195
Industrial	Light Industrial (130)	0.59	\$12,075	\$7,124
Utility Energy	Light Industrial (130)	0.59	\$12,075	\$7,124
Commercial Recreational	Health Fitness Club (492)	0.59	\$12,075	\$7,124
Other Uses: Calculate using ITE trip rates at \$12,075 per P.M. peak hour trip			\$12,075	TBD

¹ From Table 4 of the Traffic Impact Fee Update Report