

**REPORT TO CITY COUNCIL**

**DATE: AUGUST 10, 2011**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: GREG RAMIREZ, CITY MANAGER**

**BY: RAMIRO ADEVA, CITY ENGINEER**

**SUBJECT: TRANSPORTATION IMPACT FEE PROGRAM**

**CONDUCT A PUBLIC HEARING AND INTRODUCE AN ORDINANCE TO AMEND CHAPTER 5 OF ARTICLE VIII OF THE AGOURA HILLS MUNICIPAL CODE BY REPEALING CHAPTER 5 (ARTERIAL STREET SYSTEM DEVELOPMENT FEE) IN ITS ENTIRETY AND ADDING A NEW CHAPTER 5 (TRANSPORTATION IMPACT FEES) (MORE COMMONLY REFERRED TO AS THE “TRANSPORTATION IMPACT FEE” OR “TIF”), TO UPDATE THE CURRENT TIF RATES; AND CONSIDER THE ADOPTION OF A RESOLUTION TO ADOPT THE 2011 CAPITAL IMPROVEMENTS PLAN, AS OUTLINED IN THE TRANSPORTATION IMPACT FEE REPORT, AND ESTABLISHING TRANSPORTATION IMPACT FEE AMOUNTS**

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Typically, future development results in additional traffic volumes. Furthermore, all roadway types (arterials, collectors, residential) have inherent capacities that, when exceeded, result in excessive and unacceptable traffic congestion, safety issues, air pollution, noise, as well as access restrictions for emergency vehicles. With this in mind, the failure to expand the capacity of the existing arterial street system (which includes the major city-thoroughfares, interchanges, and infrastructure) to account for future development’s traffic volumes, can lead to serious “quality of life” concerns.

The common way to ensure that future developments pay their fair share for the necessary improvements to the arterial street system is through a mitigation fee that allows the City to collect an amount of money from a developer relative to the expected volume of traffic that a particular type of development, of a particular size, is expected to generate.

The City currently utilizes a Transportation Impact Fee (TIF) program first adopted in 1988. Since it was first established, the TIF has never been updated. Therefore, this item seeks to do just that.

## **BACKGROUND**

On September 28, 1988, the City Council adopted Ordinance No. 153 and approved Resolution No. 493, establishing the Arterial Street System Development Fee Program, more commonly known as the “Transportation Impact Fee” or “TIF”. This program is formally identified under Chapter 5, Article VIII of the Agoura Hills Municipal Code. As outlined in the report conducted in 1988 by Willdan Associates, the program’s current fee structure can be categorized, basically, into two types:

Fee #1 – Based on additional traffic generation from proposed new developments, and

Fee #2 – Based on front footage of properties abutting the arterial system streets which do not have curb, gutter, and/or parking lanes.

In addition, various arterial roadway segments were identified where TIF-collected fees could be used to address inevitable deficiencies that would occur with future development’s traffic volumes. These arterials included parts of Canwood Street, Reyes Adobe Road, Argos Street, Kanan Road, Palo Comado Canyon Road, Driver Avenue, Agoura Road, Roadside Drive, and Thousand Oaks Boulevard.

Fee #1 is currently exercised regularly during the entitlement process for developments. Staff calculates a fee for a developer based on the type of building being constructed, and the square footage of the building. The fee rate that is used has been correlated relative to expected traffic volumes from the new development of that type and size.

Fee #2 is rarely, if ever, used due to the fact that frontage improvements along new developments are conditioned as part of the entitlement process, so there is no need to collect a fee, store it in a special account, and then construct that frontage improvement at some later time.

In addition, the program established in 1988 never accounted for an inflation factor of any kind, so, in essence, 1988 construction dollars have remained in effect into 2011, without any increase, although the same cannot be said about construction costs through that same time frame.

Lastly, to consider Section 8506 of Chapter 5 of Article VIII of the Agoura Hills Municipal Code, which outlines an alternative payment option whereby a developer of either a commercial and/or industrial project having a TIF of at least fifty thousand dollars (\$50,000) can enter into a payment plan consisting of up to five (5) annual installments. For this update, staff is recommending that this option be completely removed from the code and no longer be allowed.

First, from an administrative standpoint, it is difficult to track who owes what, as well as when payments need to be made, since all payment plans have different anniversary dates. Also, any staff turnover creates more potential for missed payments since new staff will not have the knowledge of existing payment plans and their terms.

Second, there is always the possibility that a developer experiences financial hardship (i.e., bankruptcy) and is unable to make any subsequent payments. In this scenario, the City has no way of fully collecting on the developer's obligation. Lastly, the current program does not allow for interest to be charged on annual payments, so, basically, the City is left short-changed since a payment received in the fifth payment year no longer carries the same worth that it did in the first payment year.

## UPDATE

Over the past year, staff has been working with PMC, a consulting firm hired out of San Diego to complete the TIF update. As outlined in Table 3 of the report, dated June 2011, the proposed fee amounts are noted below, with the current fee for each development type shown for reference.

<b>Development Type</b>	<b>Current Fee</b>	<b>Proposed Fee</b>	<b>% Change</b>
<b>Residential (per unit)</b>			
Single Family	\$2,440	\$3,094	+26.8%
Multi-Family	\$2,440	\$1,516	-37.9%
Multi-Family – Mixed Use	\$N/A	\$1,365	--
<b>Non-Residential (per 1,000 bldg square feet except Hotel/Motel &amp; Commercial Recreation)</b>			
Shopping Center	\$9,760	\$12,808	+31.2%
Retail/Service	\$6,588	\$6,682	+1.4%
Hotel/Motel (per room)	\$1,952	\$2,567	+31.5%
Business Park/Mfg	\$4,183	\$5,136	+22.8%
Business Park-Office/Retail	\$6,149	\$7,301	+18.7%
Mixed-Use Commercial/Residential	\$6,149	\$6,002	-2.4%
Commercial Recreation (per acre)	\$7,027	\$1,362	-80.6%

With the exception of three development types noted above (Multi Family, Mixed-Use Commercial Residential, and Commercial Recreation), the recommended fees have all increased. This should come as no surprise considering the fees have not been raised since 1988.

Also worth noting from the report, is Table 2.1 on page 18 of the report, which outlines the updated list of planned transportation improvements that TIF monies can be spent on as they are collected. Some improvements that were previously included in the 1988 TIF study were removed since they were completed (i.e., Kanan Interchange), while others were added such as the roundabout at the intersection of Kanan and Agoura Roads and the Citywide Traffic Signal Synchronization.

The update also proposes that the Front Footage Fee, previously referred to as Fee #2, should be consolidated with Fee #1 and should hereinafter remain as one fee.

To resolve the concern of the current program regarding the lack of imposing an inflation factor, since the rates were first adopted in 1988, the update proposes that TIF rates be increased annually, relative to the Consumer Price Index (CPI) each subsequent year.

## **PAYMENT PLAN OPTION**

The update and proposed ordinance is drafted to eliminate the payment plan option. Doing so ensures the City gets paid the full TIF amount upfront and is not being sold short with each annual payment.

If the City Council desires to continue with a payment plan option, staff suggests that proposed Section 8503 of the Agoura Hills Municipal Code be renamed “Transportation Impact Fees – Exemption, Reduction or Installment Payment Options” and the following language to be inserted as paragraph F of proposed Section 8503 (Transportation Impact Fees – Exemption or Reduction) of the Agoura Hills Municipal Code:

F. Notwithstanding the provisions of this chapter, commercial or industrial development projects required to contribute two hundred thousand dollars (\$200,000) or more in fees under this chapter are eligible to utilize an alternative payment method and pay the fees required by this chapter in the following amount and manner:

- (1) In order to be entitled to utilize the alternative payment method provided by this section, the developer or property owner shall enter into a written agreement with the City, in the form required by the City, setting forth the amount of the fees required to be paid and the method of payment. This agreement shall include a promissory note and deed of trust recorded against the subject property, securing the developer's or property owner's obligations under this chapter. In the event of a default by the developer or property owner of its obligations under this section, and the agreement, the City shall have recourse against the deed of trust and shall have the right to exercise any other remedies to which it is entitled under law.
- (2) The fees required by the transportation impact fee resolution shall be paid within ten (10) days of the executed alternative payment method agreement, and prior to the issuance of a building permit for the commercial or industrial development project, in up to three (3) installments, with the first installment paid prior to the issuance of a building permit and the remaining two installments, subject to the Average Annual Local Agency Investment Fund Monthly Apportionment Rate for the twelve (12) months prior to the date of the agreement, paid annually thereafter.
- (3) The written alternative payment method agreement required by this section shall be approved by the City Council for any commercial or industrial development project that is required to contribute two hundred thousand dollars (\$200,000) or more in fees under this chapter.

## **TIMELINE**

If Council votes to adopt Ordinance No. 11-389 and approve Resolution No. 11-16-39, the effective dates would be as follows:

- (1) Second Reading: August 24, 2011 City Council Meeting
- (2) Ordinance goes into effect thirty (30) calendar days after the second reading – September 23, 2011
- (3) Resolution goes into effect sixty (60) calendar days after approval of the Resolution, and only goes into effect if the ordinance goes into effect – October 9, 2011 (assuming the resolution is approved August 10, 2011)

Adoption of the ordinance will establish the framework of the fee, while the resolution will establish the fee amounts. The report prepared by PMC provides the justification of the fee. The City Council is being asked to approve the Transportation Impact Fee Report (June 2011) and accept the 2011 Capital Improvements Plan contained within the report (Table 2.1 on page 18).

## **RECOMMENDATION**

Staff respectfully recommends the City Council

- (1) Adopt Ordinance No. 11- 389, amending Chapter 5 of Article VIII of the Agoura Hills Municipal Code by replacing Chapter 5 (Arterial Street System Development Fee) in its entirety and adding a new Chapter 5 (Transportation Impact Fees)(more commonly referred to as the “Transportation Impact Fee” or “TIF”), to update the current TIF rates, and
- (2) Adopt Resolution No. 11-1639, to adopt the 2011 Capital Improvements Plan, as outlined in the Transportation Impact Fee Report, and establishing the Transportation Impact Fee amounts, and
- (3) Discuss and consider eliminating the option of a payment plan, and direct staff to proceed with either eliminating the option, or keeping the option available, and including the language as stated above to the ordinance.

Attachments: Ordinance No. 11-389  
Resolution No. 11-1639  
June 2011 Transportation Impact Fee Report

**ORDINANCE NO. 11-389**

**AN ORDINANCE OF THE CITY OF AGOURA HILLS,  
CALIFORNIA, ADOPTING A TRANSPORTATION IMPACT FEE  
PROGRAM AND AMENDING THE AGOURA HILLS  
MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES HEREBY  
ORDAIN AS FOLLOWS:

Section 1. The City Council makes the following findings and determinations  
in connection with the adoption of this Ordinance:

A. On August 10, 2011, the City Council held a duly noticed public hearing  
regarding the proposed adoption of the 2011 Capital Improvements Plan and the adoption  
of the proposed Transportation Development Fee, as required by Government Code  
Section 66018. Following the receipt of all staff reports, public testimony and other  
evidence, the public hearing was closed.

B. All other prerequisites to the adoption of this Ordinance, the approval of  
the Transportation Impact Fee Report, the 2011 Capital Improvements Plan, and the  
proposed Transportation Impact Fee, as specified by the Mitigation Fee Act (California  
Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

C. City staff has evaluated the potential environmental impacts of the  
adoption of this Ordinance, the approval of the Transportation Impact Fee Report, the  
proposed 2011 Capital Improvements Plan, and the proposed Transportation Impact Fees  
pursuant to the California Environmental Quality Act (“CEQA”). City staff has  
determined that these actions do not constitute a “project” under CEQA pursuant to State  
CEQA Guidelines Section 15378(b)(4) because these actions involve the creation of a  
government funding mechanism which does not involve any commitment to any specific  
project which may result in a potentially significant physical impact on the environment.  
In addition, City Staff has determined that these actions are categorically exempt from  
CEQA under CEQA guidelines Section 15273(a)(4) because these actions and documents  
are merely establishing a fee to obtain funds for those capital projects necessary to  
maintain service within existing service areas and these actions do not provide for the  
creation of new service areas. The capital projects described in the Transportation Impact  
Fee Report will maintain the level of service currently provided by the City’s existing  
transportation system by ensuring that the impacts of new development will not  
negatively impact existing service levels.

D. The City Council concurs with City staff’s determination that the adoption  
of this Ordinance, the approval of the Transportation Impact Fee Report, the adoption of  
the 2011 Capital Improvements Plan, and the adoption of the proposed Transportation  
Impact Fees do not constitute a project under CEQA pursuant to CEQA Guidelines

Section 15378(b)(4). The City Council additionally concurs with City staff's determination that the Adoption of this Ordinance, the approval of the Transportation Impact Fee Report, the adoption of the 2011 Capital Improvements Plan and the adoption of the transportation impact fees are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273(a)(4). City staff is therefore directed to prepare and file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five (5) days of the date that this Ordinance is adopted.

Section 2. Chapter 5 of Article VIII of the Agoura Hills Municipal Code is hereby amended by repealing Chapter 5 (Arterial Street System Development Fee) in its entirety and adding a new Chapter 5 (Transportation Impact Fees) to read as follows:

**“Chapter 5 - TRANSPORTATION IMPACT FEES**

- 8500. FINDINGS AND INTENT.
- 8501. RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.
- 8502. NON-RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.
- 8503. TRANSPORTATION IMPACT FEES – EXEMPTION AND/OR REDUCTION.
- 8504. APPEALS.
- 8505. USE OF FUNDS.
- 8506. FEE AMOUNT APPLICABLE TO PENDING PROJECTS.
- 8507. PERIODIC ADJUSTMENT OF FEE AMOUNT.

**8500. FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Agoura Hills (the “City”) has attracted and will continue to attract employees and residents to the City, and there is a causal connection between such development projects and the increased need for transportation facilities.

B. Failure to enhance the ability of the City’s transportation system to accommodate increased traffic by improving traffic flow will make it more difficult for residents, employers, and employees to access residences and places of employment and could cause unacceptable harm to the quality of life in the City.

C. Sources of City revenue other than transportation impact fees, including tax revenues which will be paid by new residential and non-residential development, will be needed for many public purposes and therefore will not be sufficient to offset the burdens on transportation facilities created by new development.

D. It is the intent of the City to require every person or organization that develops land to mitigate the impacts of that development on the City's transportation system. The City may therefore require developers to mitigate transportation impacts caused by their development and to pay a transportation impact fee that will be used to mitigate those impacts by constructing transportation facilities pursuant to the most current 2011 Capital Improvements Plan.

E. The amount of transportation impact fees collected pursuant to this Chapter shall be limited to the cost of transportation impact mitigation attributable to new development. The amount of transportation impact fees collected shall not include the cost of transportation impact mitigation measures made necessary by existing development.

#### **8501. RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.**

A. Except as provided in Section 8503, the required transportation impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required transportation impact fee shall be due and paid on a lump-sum basis on the date the first dwelling in the development or development phase receives its final building inspection, or certificate of occupancy, whichever occurs first.

B. The City Engineer, or his or her designee, shall be responsible for calculating the amount of the transportation impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the transportation impact fee. In calculating such fee, the City Engineer shall utilize the fee rate that is assigned to the land use category that is most applicable to the development project.

C. For the purposes of this section, "final building inspection" shall mean the physical inspection of the building by the Building & Safety Division of the Community Development Department of the City of Agoura Hills for compliance with all applicable building codes and the issuance by all applicable City, county, regional, state and federal agencies of their respective clearances for occupancy.

D. For the purposes of this section, "certificate of occupancy" shall mean a document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure, building or development conforms with all applicable provisions of the Agoura Hills Municipal Code, ordinances and conditions of approval.



## **8502. NON-RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.**

A. Except as provided in Section 8503, the required transportation impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required transportation impact fee shall be due and paid on a lump-sum basis on the date of the final building inspection of the building, or the date the certificate of occupancy is issued, whichever occurs first.

B. The City Engineer, or his or her designee, shall be responsible for calculating the amount of the transportation impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the transportation impact fee. In calculating such fee, the City Engineer shall utilize the fee rate that is assigned to the land use category that is most applicable to the development project.

C. For the purposes of this section, "certificate of occupancy" shall mean a document issued by the proper authority allowing the occupancy or use of a building and certifying that the structure, building or development conforms to all the applicable building codes, the Agoura Hills Municipal Code, and conditions of approval.

## **8503. TRANSPORTATION IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of transportation impact fees:

1. Any residential development that does not increase the number of permanent housing units on the parcel where the construction takes place, such as remodeling or rebuilding existing units.

2. The remodeling or rebuilding of an existing non-residential structure, provided the remodeling or rebuilding does not do any of the following: (i) increase the square footage of the structure above that of the previously existing structure; (ii) increase the building footprint above that of the previously existing structure; (iii) change the use to which the property or structure is to be put; or (iv) increase the average daily trips generated from the property above the amount generated by the prior use of the property.

3. City owned facilities, including but not limited to, public libraries, and public parks.

4. Facilities serving the health and safety of the public, including but not limited to, police, fire and safety facilities.

B. A developer may be exempted or allowed a reduction in fees from the transportation impact fee requirements of Sections 8501 and 8502 if the developer enters

into a development agreement with the City pursuant to which transportation impact fees are assessed to the developer, or equivalent or comparable transportation improvements are implemented by the developer.

C. A developer may be entitled to a reduction in the amount of the transportation impact fee required by Sections 8501 and 8502 if the developer constructs transportation improvements pursuant to the most current 2011 Capital Improvements Plan. The transportation impact fee may be reduced by the amount of transportation improvement costs that would be reasonably incurred by the City in building those same transportation improvements. The amount of such reduction shall be subject to the approval of the City Engineer prior to construction of the transportation improvement.

D. A developer may be entitled to a reduction in the amount of the transportation impact fee required by Sections 8501 and 8502 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current 2011 Capital Improvements Plan. The transportation impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of transportation improvements. The amount of such reduction shall not exceed the amount of the transportation impact fee required by Sections 8501 and 8502.

E. If a fee exemption or a fee reduction is granted pursuant to this Section 8503, any subsequent change or intensification of the use or uses of the property or any expansion of the structures on the property, shall invalidate the fee exemption or fee reduction, and the applicant shall be subject to the transportation impact fee requirement applicable to the entire development based on the fee in effect at the time of the change or expansion, less any amount previously paid.

#### **8504. APPEALS.**

A. A developer subject to the transportation impact fee required by this Chapter for a particular project may apply to the City Engineer for: (1) a fee adjustment based upon a showing of substantial evidence of a lesser impact upon the traffic level of service; or (2) a land use category adjustment based upon a showing of substantial evidence that another land use category is more appropriate for a particular development. The application shall be made in writing and filed with the City Engineer not later than thirty (30) days prior to the public hearing on the development permit application for the project. If development review is not required for the development, then the application shall be made in writing and filed not later at the time of filing the request for a building permit. The application shall state in detail the factual basis for the request for reduction.

B. The City Engineer shall make a decision on the application for adjustment within thirty (30) calendar days after the application has been filed. Notice of the City Engineer's decision shall be mailed to the applicant.

C. The decision of the City Engineer may be appealed to the Planning Commission by filing an application for appeal with the City Engineer. The application must be filed within fifteen (15) calendar days after notice of the City Engineer's decision has been mailed to the applicant.

D. The Planning Commission shall consider the appeal at a public hearing to be held within sixty (60) calendar days after the appeal application has been filed. Notice of the Planning Commission's decision shall be mailed to the applicant.

E. The decision of the Planning Commission may be appealed to the City Council by filing an application for appeal with the City Clerk. The application must be filed within fifteen (15) calendar days after notice of the Commission's decision has been mailed to the applicant.

F. The City Council shall consider the appeal at a public hearing to be held within sixty (60) calendar days after the appeal application is filed. The decision of the City Council shall be final. The decision of the City Council shall be in writing and shall be mailed to the applicant.

G. If a fee exemption, a fee reduction or a land use category adjustment is granted pursuant to this Section 8504, any subsequent change or intensification of the use or uses of the property or any expansion of the structures on the property, shall invalidate the fee exemption, fee reduction or land use category adjustment, and the applicant shall be subject to the transportation impact fee requirement applicable to the entire development based on the fee in effect at the time of the change or expansion, less any amount previously paid.

H. If a fee exemption, fee reduction or land use category adjustment is not granted pursuant to this Section 8504, then upon the payment of the required fees, the City shall, pursuant to Government Code Section 66020, provide the applicant a written notice of the amount of the fees or a description of the dedications, reservations, or other exactions, and shall also provide notification that the 90-day protest period has begun.

**8505. USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all transportation impact fees paid and collected pursuant to this Chapter shall be placed into one or more separate account(s) established for such fee and used solely for the purpose of constructing transportation improvements pursuant to the most current Capital Improvements Plan; provided, however, that if the City Engineer authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use transportation impact fees collected pursuant to this Chapter for the purpose of constructing transportation improvements in accordance with the most current Capital Improvements Plan as altered or amended.

**8506. FEE AMOUNT APPLICABLE TO PENDING PROJECTS.**

Except as may otherwise be provided in the resolution which adopts the fee amount, an applicant subject to the payment of transportation impact fees required by Section 8501 or 8502 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 8501(A) for residential transportation impact fees or Section 8502(A) for non-residential transportation impact fees. The amount of the fee is the amount specified by resolution of the City Council, as amended from time to time. The fee imposed on a development project for which vested rights have been acquired through a vesting tentative subdivision map shall be the fee in effect at the time the rights became vested, plus any adjustment for inflation made between that date and the date the fee becomes due.

**8507. PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the transportation impact fee may be annually adjusted for inflation as specified in the resolution which adopts the fee amount or by the periodic preparation of a new 2011 Capital Improvements Plan and required studies prepared and adopted pursuant to the Mitigation Fee Act.”

Section 3. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this Ordinance or any part thereof is for any reason held to be unconstitutional, invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid, or ineffective.

Section 4. The City Clerk shall certify to the passage of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

INTRODUCED AND APPROVED THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011.

ADOPTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011, by the following vote to wit:

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote to wit:

- AYES:           ( )
- NOES:           ( )
- ABSENT:       ( )
- ABSTAIN:       ( )

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Harry Schwarz, Mayor

ATTEST:

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Kimberly M. Rodrigues, City Clerk

APPROVED AS TO FORM:

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Craig A. Steele, City Attorney

**RESOLUTION NO. 11-1639**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS, CALIFORNIA, ADOPTING THE 2011 CAPITAL IMPROVEMENTS PLAN AND ESTABLISHING TRANSPORTATION IMPACT FEES AS AUTHORIZED BY CHAPTER 5 OF ARTICLE VIII OF THE AGOURA HILLS MUNICIPAL CODE**

WHEREAS, a Transportation Impact Fee Report was prepared that includes a 2011 Capital Improvements Plan and an analysis of transportation impacts caused by new development. and

WHEREAS, the City Council finds that the facilities identified in the 2011 Capital Improvements Plan are of city-wide benefit and are necessary to mitigate transportation impacts of future development; and

WHEREAS, the purpose of this resolution is to adopt the 2011 Capital Improvements Plan and establish transportation impact fees, and

WHEREAS, on August 10, 2011, the City Council held a duly noticed public hearing regarding the proposed adoption of the 2011 Capital Improvements Plan and the adoption of the proposed Transportation Development Fee, as required by Government Code Section 66018. Following the receipt of all staff reports, public testimony and other evidence, the public hearing was closed, and

WHEREAS, City staff has evaluated the potential impacts of the proposed Transportation Impact Fee Report, which identifies the facilities that will be funded by transportation impact fees, and

WHEREAS, City staff has determined that the approval of the Transportation Impact Fee Report and the adoption of development fees specified in that Transportation Impact Fee Report does not constitute a “project” under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15378(b)(4) because such actions involve the creation of a government funding mechanism which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and

WHEREAS, in addition, the Transportation Impact Fee Report and the development fees are categorically exempt from CEQA under CEQA guidelines Section 15273(a)(4) because the Transportation Impact Fee Report is merely establishing a fee to obtain funds for those capital projects necessary to maintain service within existing service areas. The Transportation Impact Fee Report does not provide for the creation of new service areas. The capital projects described in the Transportation Impact Fee Report will maintain the level of service currently provided by the City’s existing transportation system by ensuring that the impacts of new development will not negatively impact existing service levels.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AGOURA HILLS DOES RESOLVE AS FOLLOWS:

Section 1. The City Council has reviewed and considered the Transportation Impact Fee Report and proposed notice of exemption from CEQA review prepared for the City's 2011 Capital Improvements Plan as contained in the Transportation Impact Fee Report and attached herewith as Appendix A-1. The City Council concurs with City staff's determination that the Transportation Impact Fee Report upon which the transportation impact fee is based, the adoption of the 2011 Capital Improvements Plan and the adoption of the transportation impact fees do not constitute a project under CEQA pursuant to CEQA Guidelines Section 15378(b)(4). The City Council additionally concurs with City staff's determination that the Transportation Impact Fee Report, the adoption of the 2011 Capital Improvements Plan and the adoption of the transportation impact fees are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15273(a)(4). City staff is therefore directed to prepare and file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five (5) days of the date of this action.

Section 2. After reviewing the Transportation Impact Fee Report, staff reports, and testimony and information received at the public hearing regarding the 2011 Capital Improvements Plan, the City Council hereby finds and determines as follows:

A. It is necessary, desirable and in the public interest to establish a transportation impact fee for developments in the City.

B. The transportation impact fees collected pursuant to Chapter 5 of Article VIII of the Agoura Hills Municipal Code shall be used only to construct transportation improvements in accordance with the City's 2011 Capital Improvements Plan as adopted in Section 3.

C. The purpose of the fee is to provide funds for the implementation and construction of specific transportation network facilities (2011 Capital Improvements) in response to the anticipated traffic impacts associated with future development within the City. The fee will be used to construct the 2011 Capital Improvements identified in the Transportation Impact Fee Report (June 2011) as adopted in Section 3, or equivalent capacity enhancing improvements as determined by the City.

D. A reasonable relationship and rough proportionality exists between the use of transportation impact fees to fund construction of transportation improvements (2011 Capital Improvements) identified in the Transportation Impact Fee Report (June 2011) and projected new development. New development will generate increased traffic on the City's circulation system in proportion to the number of new residential units and non-residential floor areas. Improvements to the system must be made in order to maintain an acceptable level of service. New development will benefit from these improvements because new development will be more easily accessible and property values will be enhanced if the level of traffic service does not deteriorate.

E. A reasonable relationship and rough proportionality exists between the need for transportation improvements and projected new development due to the fact that new development increases the amount of vehicle trips which must be accommodated by the transportation system and those trips cannot be accommodated at the current levels of service unless transportation improvements are made.

F. A reasonable relationship and rough proportionality exists between the amount of the transportation impact fee to be charged to new developments and the cost of the transportation improvements. The reasonableness of such relationship and proportionality is evidenced by the following methodology used to assure that the transportation impact fees do not exceed the cost of implementing the 2011 Capital Improvements Plan and that such cost will be fairly and equitably apportioned on the basis of the peak hour vehicle trips generated by new development:

(1) The land use assumptions used in the Transportation Impact Fee Report are consistent with the City's General Plan growth assumptions;

(2) Fee amounts are calculated based on a Dwelling Unit Equivalent (DUE) where one DUE is equal to the AM/PM peak hour vehicular trips of a single-family residence.

(3) Total citywide new development peak hour trips were calculated by applying AM/PM peak hour trip rates to residential dwelling units and non-residential building square footage, as they occur in existing uses, converted uses, and future uses, and converting those to DUEs.

(4) The total 2011 Capital Improvements Plan costs were allocated between existing and future city-wide development. Only those costs allocable to future development were divided by the DUEs (based on AM/PM peak hour trips), generated by new development, and included in the fee calculation. This resulted in a fee per DUE which was applied to the various DUE factors by land use (based on AM/PM Peak Hour Trips) and used to determine the fee level per dwelling unit for future and converted use residential development, and the fee level per 1,000 square feet of floor area for future and converted uses non-residential development.

(5) A transportation impact fee schedule was developed for the various land-use categories, consistent with the traffic study prepared for the General Plan.

Section 3. Based on the findings contained in this Resolution, the City Council hereby adopts the City's 2011 Capital Improvements Plan for planned transportation facilities attached herewith as Appendix A-1. The methodology and calculations used in determining the transportation improvement cost attributable to each AM/PM vehicle trip and converted to a Dwelling Unit Equivalent ("DUE"), as set forth in Section 2 herein, are hereby ratified, approved and adopted. The City Engineer is



hereby authorized to make minor alterations to the 2011 Capital Improvements Plan in order to accommodate the ultimate circulation system and timing of development of areas and to avoid unforeseeable obstacles to the implementation of the said plan. Such alterations will not alter the findings and determinations contained in this Resolution. A copy of the 2011 Capital Improvements Plan for planned transportation facilities and a copy of the Transportation Impact Fee Report shall be available for public review in the office of the City Engineer.

Section 4. The transportation impact fees are hereby established as follows:

<b>Land Use Category</b>	<b>Fee<sup>(1)</sup></b>
<b>Residential</b>	
Single Family	\$3,094 per DU
Multi-Family/Others <sup>(2)</sup>	\$1,516 per DU
Multi-Family (Mixed Use with commercial)	\$1,365 per DU
<b>Non-Residential</b>	
Shopping Center	\$12,808 per 1,000 SF
Retail/Service	\$6,682 per 1,000 SF
Hotel/Motel	\$2,567 per room
Business Park/Manufacturing	\$5,136 per 1,000 SF
Business Park-Office/Retail	\$7,301 per 1,000 SF
Mixed Use Commercial (with Residential)	\$6,002 per 1,000 SF
Commercial/Recreation	\$1,362 per acre

(1) The caption “DU” denotes per Dwelling Unit, and “SF” denotes non-residential building Square Feet.

(2) The “Other” land use category includes mobile homes and other miscellaneous residential land uses.

On July 1 of each year, the above-referenced transportation impact fees shall be adjusted by the Director of Finance, based upon the year over year change in the Engineering News Record Construction Cost Index (“ENR CCI”). Beginning in 2012, the Director of Finance shall increase, or decrease, the fee by the percentage change in the ENR CCI. The percentage change in the ENR CCI shall be computed using the 20-City Average Annual ENR CCI of the previous year and the 20-City Average Annual ENR CCI for the year prior to that. (For reference, the Average Annual ENR CCI for 2010 is 8799. The Average Annual ENR CCI for 2011 shall be available sometime in 2012.) Should the ENR CCI be revised or discontinued, the Director of Finance shall use either the revised ENR CCI or a comparable system as approved by the City Council for determining fluctuations in the cost of living. The new schedule of fees, as adjusted,

shall constitute the transportation impact fees authorized by Chapter 5 of Article VIII of the Agoura Hills Municipal Code and shall be incorporated into this paragraph of the Fee Resolution at such time as it is restated in its entirety, as amended.

Section 5. The transportation impact fee established pursuant to this resolution shall be collected by the Building and Safety Division and administered by the City Engineer to comply with Chapter 5 of Article VIII of the Agoura Hills Municipal Code.

Section 6. Once the fee is deposited with the Department of Finance of the City of Agoura Hills, the fee shall be deposited in an account separate from the General Fund with interest thereon deposited back to such account. Records of the deposits, interest, expenditures, and refunds of the fees in the account shall be maintained by the Department of Finance pursuant to Government Code Sections 66001 and 66006. The fee shall be subject to review by the City Engineer every twelve (12) months to determine that the fee does not exceed the cost of constructing transportation improvements, to accommodate the traffic generated by new developments that pay the fee. Should the fee require adjustment, the City Engineer shall recommend the fee for public hearing and adjustment by the City Council as required by Government Code 66016. Once each fiscal year, the City Council shall make findings with respect to any portion of the fee remaining unexpended or uncommitted in its account five or more years after deposit of the fee as required by Government Code Section 66001.

Section 7. This resolution shall become effective immediately upon adoption. The amount of the transportation impact fees that are established pursuant to Section 4 of this resolution and imposed upon development projects shall become effective on the 60th day from the date this resolution is adopted and only if Ordinance No. 11-389, "An Ordinance of the City of Agoura Hills Adopting a Transportation Impact Fee Program and Amending the Agoura Hills Municipal Code" goes into effect.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the following vote to wit:

AYES:           ( )  
NOES:           ( )  
ABSENT:       ( )  
ABSTAIN:       ( )

---

Harry Schwarz, Mayor

ATTEST:

---

Kimberly M. Rodrigues, City Clerk

# CITY OF AGOURA HILLS

June 2011

Transportation Impact  
Fee Report

PMC<sup>®</sup>  


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# **Transportation Impact Fee Report**

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**Prepared for the  
City of Agoura Hills**

**Prepared by**

**PMC**

**San Diego, CA  
(858) 453-3602  
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**June 2011**

**(Final)**

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# **EXECUTIVE SUMMARY**

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**EXECUTIVE SUMMARY**

This report presents an analysis of the need for transportation improvements within the City of Agoura Hills to accommodate development within the City as outlined in the recent update to the City's General Plan. The report documents the impact fee that could be imposed on new development for the improvements identified and updates the City's current transportation impact fee program.

**BACKGROUND AND STUDY OBJECTIVES**

The City of Agoura Hills continues to face challenges associated with funding public facilities to accommodate growth. Since the passage of Proposition 13, property tax revenues have been inadequate for capital funding and federal and state assistance has not replaced the decline in local revenue sources. Given these funding difficulties and in the face of continued growth, the City requires new development to pay its fair share of necessary transportation facilities through the payment of fees.

This study documents the relationship between new development in Agoura Hills and the amount of transportation improvements that are needed to accommodate growth as identified in the General Plan Update.<sup>1</sup> This study summarizes the transportation improvements necessary for the General Plan Update, estimates the cost related to those improvements, allocates a fair share of the costs to the impact fee program and allocates a fair share of the impact fee program costs between the various land uses.

**AUTHORITY TO IMPOSE IMPACT FEES**

The City's authority to impose transportation impact fees is rooted in its fundamental police powers under Article XI Section 7 of the California Constitution, which provides that cities and counties may make and enforce ordinances which are not in conflict with state law. The City, under its broad authority to protect the public's health and safety, may regulate land development including the right to impose conditions on development which may require direct provision of public improvements, land dedications, and/or in-lieu fees. *Government Code Section 66000* established the findings necessary to impose generally applicable development impact fees. This report provides the necessary documentation for the adoption/update of the Agoura Hills Transportation Impact Fee program.

**DEVELOPMENT PROJECTIONS/TRAFFIC IMPROVEMENT COSTS**

The development projections used for the transportation needs analysis are summarized in **Table 1**. The projections are based on the traffic analysis prepared for the General Plan Update.

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<sup>1</sup> Refer to the General Plan technical report titled "City of Agoura Hills General Plan Update Mobility Element" (October 2009) and Technical Memorandum (November 17, 2009) both prepared by Fehr & Peers. The Traffic Analysis for the General Plan Update considered the Reduced Density Alternative that was developed with the intent to reduce the potential impacts of the General Plan on the Canwood Street and Agoura Road corridors. It assumes a 25% reduction in land use growth otherwise anticipated in four Traffic Analysis Zones (25% reduction not applied to the land uses within the Agoura Village Specific Plan).

**TABLE 1: DEVELOPMENT PROJECTIONS THROUGH 2035**

<b>Summary</b>	<b>Quantity</b>	<b>Unit</b>
Single Family	116	Unit
Multi-Family	394	Unit
Retail/Service	262.49	ksf
Shopping Center	278.852	ksf
Office/Business Pk	1,000.480	ksf
BP/Mfg	216.614	ksf

*Source: Exhibit A of Fehr and Peers Technical Memorandum dated November 17, 2009, consistent with General Plan Update considering Reduced Density Alternative.*

**Table 2** shows the need for \$37.32 million in transportation improvements to: 1) address existing deficiencies; 2) accommodate regional and citywide growth; and 3) maintain City standards. Future development's share, within the City, of the project cost is \$14.4 million and is assigned to the Transportation Impact Fee (TIF) program. An additional \$290,000 is included in the TIF program to manage and administer the impact fee program over the life of the program for a total TIF program cost of \$14.7 million. The cost of each project is attributed to new development in one of two ways: 1) 100% of the cost is attributed to new development if the roadway segment is not currently experiencing a level of service deficiency, or 2) a percentage of the cost which is based on the fraction of peak hour trips that new development is projected to add to the total peak hour trips on that segment in the year 2035, consistent with the traffic study prepared for the General Plan Update. The following roadway segments in Table 2 currently operate at LOS C or better, but will degrade below LOS C with the projected new development if the recommended improvements are not provided:

- Project 4 – Canwood St. east of Agoura Rd.
- Project 5 – Chesebro Rd. south of Driver
- Project 6 – Chesebro Rd. south of Palo Comado.

The other road segments in Table 2 (1, 3, 7, 8 and 9<sup>1</sup>) have been identified in the General Plan as necessary to serve existing and future development. The calculations of the TIF share percentages may be found in Appendix B.

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<sup>1</sup> Project No. 9 is based on the Agoura Village Specific Plan.

TABLE 2: PROJECT COSTS

Project No.	Roadway/Project	Project Costs (millions)	TIF %	Remaining TIF Costs (millions)	Other Sources (millions)
1	Palo Comado Cyn Interchange	\$ 21.30	25.3%	\$ 5.39	\$ 15.91
2	N/A				
3	Agoura Rd	9.69	69.2%	6.36	3.33
4	Canwood St	0.60	100.0%	0.60	-
5	Chesebro Rd	0.09	100.0%	0.09	-
	-Canwood to Driver				
6	Chesebro Rd	0.36	100.0%	0.36	-
	-Palo Comado Cyn to Agoura				
7	Chesebro Rd	0.10	36.7%	0.04	0.07
	- Dorothy to Palo Comado Cyn				
8	Kanan Rd	0.30	21.4%	0.07	0.24
9	Kanan/Agoura Intersection	4.20	32.9%	1.38	2.82
10	Traffic Signal Synchronization	0.68	19.1%	0.13	0.55
Subtotal		\$ 37.32	38.6%	\$ 14.41	\$ 22.91
Net Transportation Costs				\$ 14.41	
Project Administration (2%)				0.29	
Total to Fee Program				\$ 14.70	

Available TIF revenues (\$3.1 million) are not deducted from the future development's obligation because these revenues came from what is now considered existing development. However, the money will be used to construct the previously identified TIF improvements (Projects Nos. 1, 3, 6 and 8 of the 2011 Update).

PN 2 Reyes Adobe Rd Interchange is 100% funded and under construction.

PNs 1, 3 and 9 have secured Measure R funds of \$2.85, \$0.50 and \$0.25 million, respectively.

See appendix for Agoura Rd details.

Project cost estimates by PMC; Estimates for PN 1 and 10 from City. See appendix for details.

TIF percentages based on peak hour trips. See appendix for details.

See Figure 1 for roadway segment locations.

Based on the Table 1, the land uses are estimated to produce 8,411 AM/PM peak hour trips where a single family home produces 1.77 AM/PM peak hour trips. Setting one single family home to be one Dwelling Unit Equivalent (DUE), then the 8,411 AM/PM peak hour trips produce 4,752 DUEs ( $8,411 \div 1.77 = 4,752$ ). The fee then is equal to \$3,033 per single family home ( $\$14.41 \text{ million} \div 4,752 \text{ Dwelling Unit Equivalents} = \$3,033$ , exclusive of the 2% Project Administration component.)

#### IMPACT FEES AND EXISTING TRAFFIC DEFICIENCIES

The cost of improvement projects that are necessary solely to accommodate new development are 100% allocable to the transportation impact fee program. For those projects that will benefit both existing and future development, only a proportionate share of the costs related to new development may be allocated to the impact fee program. As shown in Table 2, certain projects are not 100% allocable to the transportation impact fee program as the proposed improvements will serve both existing and new development. Table 2 identifies \$37.32 million in project costs, of which \$14.41 million may be allocated to the impact fee program, representing

## EXECUTIVE SUMMARY

new development's fair share of the costs and leaving \$22.91 million that must come from other sources. Funding sources for approximately 16% of the \$22.91 million have been identified and/or secured. This approach ensures that the Agoura Hills TIF program will be used to fund only city-wide growth's proportionate share of costs related to any currently deficient roadway segment.

### FEE SCHEDULES

Based on a fair share of costs attributable to new development within the City, the fee schedule is proposed as shown in **Table 3** showing the applicable fee by land use type.<sup>1</sup> The fee schedule incorporates updated trip generation rates consistent with the traffic study prepared for the General Plan Update, updated land use information, related roadway improvement changes and cost changes.

**TABLE 3: TRANSPORTATION IMPACT FEE RATE SUMMARY**

<b>Development Type</b>	<b>Impact Fee</b>	<b>2% Admin</b>	<b>Proposed Total Fee</b>	<b>Current Fee</b>
<i>Residential (per unit)</i>				
Single Family	\$ 3,033	\$ 61	\$ <b>3,094</b>	\$ 2,440
Multi-Family	\$ 1,486	\$ 30	\$ <b>1,516</b>	\$ 2,440
Multi-Family - Mixed Use	\$ 1,338	\$ 27	\$ <b>1,365</b>	na
<i>Non-Residential (per 1,000 bldg sf except Hotel/Motel and Commercial Recreation)</i>				
Shopping Center	\$ 12,557	\$ 251	\$ <b>12,808</b>	\$ 9,760
Retail/Service	\$ 6,551	\$ 131	\$ <b>6,682</b>	\$ 6,588
Hotel/Motel (per room)	\$ 2,517	\$ 50	\$ <b>2,567</b>	\$ 1,952
Business Park/Mfg	\$ 5,035	\$ 101	\$ <b>5,136</b>	\$ 4,183
Business Pk-Office/Retail	\$ 7,158	\$ 143	\$ <b>7,301</b>	\$ 6,149
Mixed Use Commercial/Residential	\$ 5,884	\$ 118	\$ <b>6,002</b>	\$ 6,149
Commercial Recreation (per acre)	\$ 1,335	\$ 27	\$ <b>1,362</b>	\$ 7,027

Where 1 DUE = the estimated am and pm peak hour trips of 1 single-family home.

Based on a program cost of \$14.41 million and 4,752 future Dwelling Unit Equivalents (where 1 DUE = 1.77 am/pm peak hour trips), the fee per DUE \$3,033. A DUE factor is calculated for each land use category based on am/pm peak hour trips generated and then is multiplied by the \$3,033 to determine the fee by land use category. For example, one multi-family unit generates 0.87 am/pm peak hour trips which is equal to 0.49 DUEs (0.87 ÷ 1.77). The fee then is equal to 0.49 DUEs x \$3,033 or \$1,486. Using Retail/Service land use category in an example, 1,000 sf (ksf) generates 3.82 average am/pm peak hour trips which is equal to 2.16 DUEs (3.82 ÷ 1.77). The fee then is equal to 2.16 DUEs x \$3,033 or \$6,581 per 1,000 building square feet. For each land use category, a DUE factor is determined based on the combined am/pm peak hour trips, where 1 DUE is set to 1.77 am/pm average peak hour trips, that of a single family home, and then

<sup>1</sup> In order to compare various land uses, a Dwelling Unit Equivalent (DUE) approach is used where the am/pm peak hour trips of a single family home equaling 1.77 am/pm peak hour trips is set to equal one DUE. Based on am/pm peak hour trips, Multi-Family is equal to 0.49 DUEs per unit, Retail/Service is equal to 2.16 DUEs per 1 ksf, Shopping Center is equal to 4.14 DUEs per 1 ksf, Office/Business Park is equal to 2.36 DUEs and Business Park/Manufacturing is equal to 1.66 DUEs per 1 ksf. Source: Table 2.5.

multiplied by \$3,033 to determine the fee per land use category. This ensures that the costs are proportionally allocated between the various land uses.

The table reflects 2% added to the program to address annual administrative costs ( $0.02 \times 3,033 = \$61$  and  $\$3,033 + \$61 = \$3,094$ ). The 2% estimate is based on the estimated annual staff costs to administer the program.

The current TIF rates are also shown in Table 3. These are the original rates adopted in 1988; they have not been updated since. The original ordinance did not provide for an annual cost adjustment due to inflation. This report recommends the City adopt the *Engineering News Record's 20-City Construction Cost Index* to make annual inflationary cost adjustments (see *Section 4-Implementation*).

Based on a single family home, the fee is increasing 27%. Other fee categories increase by different percentages based on updated traffic generation information from the traffic report prepared for the General Plan and/or other sources if necessary. For instance based on the traffic study, Multi-Family residential generates 49% of the am/pm peak hour trips as a Single-Family home, and therefore, the fee is 49% of the Single-Family home or \$1,516 ( $\$3,094 \times 0.49 = \$1,516$ ). The 1988 TIF Program estimated the multi-family and single-family trip generation rates to be equal and so set the fee equal for both categories. Another difference is that this study uses both am and pm peak hour trips to establish the relationship between land uses. The 1988 TIF Program used only the pm peak hour trips when comparing land uses. It is recommended for this study that both the am and pm peak hour trips be used to establish land use relationships because the roadway segments were analyzed for both the am and pm peak hours in the Traffic Study prepared for the General Plan Update and those results were used to identify the necessary improvements.

#### ADDITIONAL CONSIDERATIONS

The City may consider the following as ways to minimize the potential negative economic impacts of the proposed fees, while still funding the facilities needed to accommodate growth:

- Identify and use other sources of funding (such as Measure R funds) to reduce the proposed fee while still providing needed facilities; and

## **EXECUTIVE SUMMARY**

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# **CHAPTER 1 INTRODUCTION**

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## 1. INTRODUCTION

The City continues to face challenges funding public facilities to accommodate growth since the passage of Proposition 13 in 1978. Given the funding difficulties and anticipated growth in the City, the City established a transportation impact fee program, last updated in 1988. This report updates project descriptions and costs as well as identifying additional improvements necessary to accommodate the development consistent with the Updated General Plan, through 2035.

### PUBLIC FACILITIES FINANCING IN CALIFORNIA

The changing fiscal environment in California during the past 25 years has steadily undercut the financial capacity of local governments to fund infrastructure. Three dominant trends are most responsible for this condition:

- The passage of a string of tax limitation measures, starting with Proposition 13 in 1978 and continuing through the passage of Proposition 218 in 1996;
- Declining popular support for bond measures to finance infrastructure for the next generation of residents and businesses; and
- Steep reductions in federal and state assistance.

Faced with these trends, many cities and counties have had to adopt a policy of "growth pays its own way." This policy shifts the burden of funding infrastructure expansion from existing rate and taxpayers to new development. This funding shift has been partly accomplished by the imposition of development impact fees, also known as public facility fees and mitigation fees. Cities and counties can adopt development impact fees with a majority vote of the legislative body.

An impact fee is a commonly used and well-accepted means of mitigating the impacts created by future growth. Public agencies regularly levy impact fees on new development to fund a variety of public facilities. Agoura Hills has an established transportation impact fee program but it needs to be updated based on the General Plan Update.

In some jurisdictions, new development pays the maximum justified fee that maintains facility standards as growth occurs. In other jurisdictions, new development pays less than the maximum in response to political or economic concerns. The effect of exacting less than the maximum justified fee is often a decline in facility standards, though some communities are able to increase other revenue sources to compensate.

### MEASURE R FUNDING

Measure R was passed by Los Angeles County voters in 2008 increasing the County sales tax by 1/2 percent to fund transportation facilities, services and maintenance. It is anticipated to raise \$40 billion over 30 years. The City of Agoura Hills has submitted, for consideration by LA County Metropolitan Transportation Authority, several of the projects listed in this impact fee study. As Measure R funding has been approved, via an agreement, for three of the projects, Measure R funds are reflected in those project costs and the amount allocated to the impact fee program. For projects that funding has not yet been secured, there is no reduction reflected in the impact fee program.

## 1 INTRODUCTION

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To date, the City has entered into three separate agreements for Measure R funding for Agoura Road widening (\$500,000), Roundabout design (\$250,000) and the Palo Comado Canyon Interchange (\$2,850,000) totaling \$3.6 million.

### MITIGATION FEE ACT

As a result of widespread imposition of public facilities fees, the State Legislature passed the *Mitigation Fee Act*, starting with Assembly Bill 1600 in 1988. The *Act*, contained in *California Government Code Section 66000 et seq.*, establishes ground rules for the imposition and ongoing administration of impact fee programs. The *Act* became law in January 1989 and requires local governments to document the following when adopting an impact fee:

- 1) Identify the purpose of the fee;
- 2) Identify the use of fee revenues;
- 3) Determine a reasonable relationship between the fee's use and the type of development paying the fee;
- 4) Determine a reasonable relationship between the need for the fee and the type of development paying the fee; and
- 5) Determine a reasonable relationship between the amount of the fee and the cost of the facility attributable to development paying the fee.

In compliance with the Mitigation Fee Act, the following findings are made:

**Purpose of the fee.** The purpose of the fee is to provide funds for the implementation and construction of specific transportation network facilities (2011 Capital Improvements) in response to the anticipated traffic impacts associated with future development within the City.

**Use of the Fee.** The fee will be used to construct the 2011 Capital Improvements identified in this report, or equivalent capacity enhancing improvements as determined by the City.

**Reasonable Use.** Future development will have a cumulative traffic impact on the City's transportation network. The fee will be used to fund additional transportation infrastructure to accommodate future development and facilitate better traffic circulation within the City.

**Reasonable Need.** Future development will have a cumulative traffic impact on the City's transportation network. The fee will be used to fund additional transportation infrastructure alleviating some of the impacts associated with future development within the City.

**Reasonable Apportionment.** The transportation facilities, or portions thereof, were identified based on an analysis of existing and future deficiencies using peak hour vehicular trips and roadway requirements, consistent with the General Plan. The costs of the transportation facilities will be apportioned to future development based on relative vehicular peak hour trip generation rates by land use category, consistent with the traffic analysis. The fee includes only those costs reasonably related to new development.

In general, the fee cannot be more than the cost of the public facility needed to accommodate the development paying the fee, and fee revenues can only be used for their

intended purposes. The Act also has specific accounting and reporting requirements annually and every five years for the use of fee revenues.

During the 2006 legislative session, the legislature passed and the Governor signed a measure that further defines the restrictions that a fee shall not include the costs attributable to existing deficiencies (Government Code §66001(g). During the 2009 legislative session, the legislature passed and the Governor signed a measure regarding residential development located near transit and retail. The measure (Government Code §66005.1) provides that a local agency shall consider adjustments to traffic impact fee schedules that reflect the reduced trips generated by housing developments located within one-half mile of either a transit station or a convenience retail use. The fee schedule reflects adjusted trip rates.

## ORGANIZATION OF THE REPORT

Chapter 2 presents the traffic generation assumptions used for this study based on the General Plan Update lists the planned transportation improvements and costs, and documents a fair share of the costs attributable to growth. Chapter 3 calculates an administrative fee, which is a surcharge on the total impact fee that will be used to implement the fee program including funding for required reports and future updates. The final chapter of the report, Chapter 4, provides a summary of fee implementation procedures and recommendations for the ongoing administration of the fee. The recommendations are provided to ensure compliance with the Act, and to ensure that fees are updated in the future for facility cost inflation.

## FACILITY STANDARDS

New development alone cannot be asked to improve facility standards that benefit both new and existing development. Additionally, new development alone cannot correct an existing facility deficiency. Either way, facility standards should not be increased compared to existing standards solely "on the backs of new development".

By policy, the City can adopt its own reasonable facility standard to reduce, maintain, or increase the existing facility standard. However, basing an impact fee on a standard that is higher than the existing standard is only fair to new development if the City uses alternative, non-Development Impact Fee funds to expand existing facilities to the same standard for existing development. This additional funding is needed to correct the "existing deficiency".

The traffic study for the General Plan Update focused on a goal of maintaining a *Level of Service C* standard for City-maintained roadways. The data was then used to identify specific physical improvements and strategies to maintain acceptable levels of traffic operation in the City, to the extent feasible. An alternative was developed with the intent to reduce the potential traffic impacts of the "then proposed" General Plan in the Canwood Street and Agoura Road corridors. Under this alternative, ultimately approved by Council, several roadway segments were identified that would continue to operate at less than a LOS C.

The General Plan identified eight projects required to accommodate future growth. In addition, the Agoura Village Specific Plan identified the need for a roundabout. The project locations are shown in **Figure 1**.

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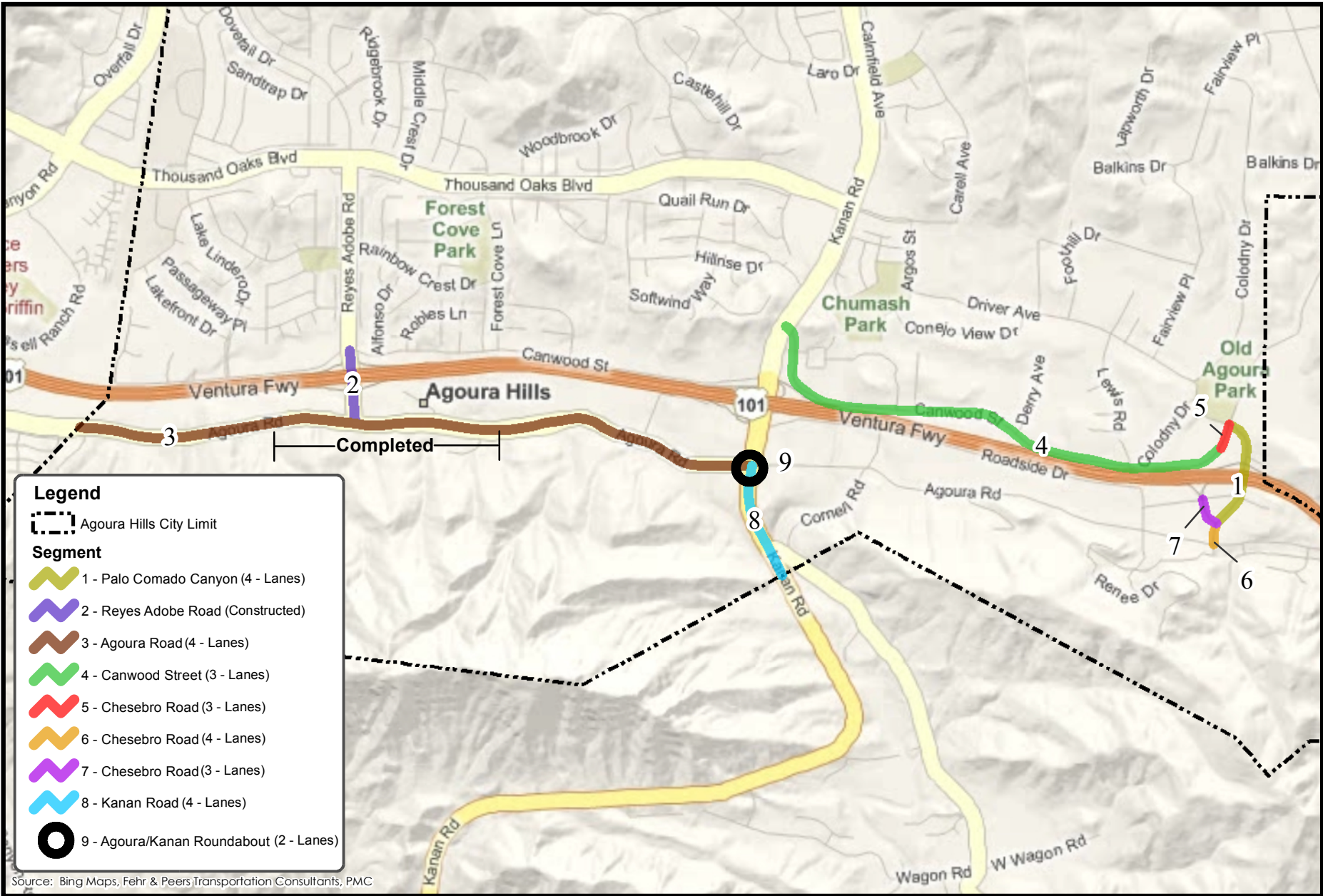


Figure 1  
Proposed Roadway Improvements

## **1 INTRODUCTION**

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## CURRENT TIF PROGRAM

In 1988,<sup>1</sup> the City of Agoura Hills adopted the traffic impact fee (TIF) program that is currently in effect. The program included 16 collector and arterial roadway segments with a total construction cost of approximately \$33.6 million (1988 dollars) including a local share of funding for Hwy 101 interchange improvements at Kanan Road, Reyes Adobe Road and Palo Comado Canyon Road. The 1988 TIF Report identified existing deficiencies—that portion to be funded through City contributions and funding from other agencies—in the amount of \$7.5 million, leaving a net of \$26.1 million to be funded by the original TIF ("1988 Program"). The 1988 Program improvement projects are listed in **Table 1.1**.

The projects completed from the 1988 Program and that will require no further improvements are:

- Access Roads - Agoura Road to Roadside Drive
- Medea Creek/ "D" Road - Kanan Road to Canwood Street
- Roadside Drive - Cornell Road to west of Lewis Road
- Kanan Road – Roadside Drive To Agoura Road

Projects from the 1988 Program which have been completed but will require further improvements due to traffic impacts associated with the General Plan Update are:

- Canwood Street - Derry Avenue to Colodny Drive, Colodny Drive to Chesebro Road and east of Medea Cr. to Derry Avenue.

Projects from the 1988 Program which have been partially completed and will require additional improvement, and therefore remain in the update of the TIF program:

- Canwood Road - east of Kanan Road to 1,800 feet east of Kanan Road Reyes Adobe Road - Canwood Street to Agoura Rd.
- Kanan Road - Agoura Road to southern City limits
- Palo Comado Canyon Road - Driver Avenue to Agoura Road
- Agoura Road - Cornell Road to western City limits.

Finally, projects which have been removed from the 1988 Program based on the General Plan Update are:

- Agoura Road - Cornell to eastern City limits
- Thousand Oaks Boulevard
- Medfield Street
- Argos Street

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<sup>1</sup> "Arterial Street Development Fee" Resolution Nos. 485 and 493 and Ordinance No. 153 adopted September, 28 1988, referencing report "Arterial System Financing Program for the City of Agoura Hills" by Willdan Associates.

## 1 INTRODUCTION

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The current traffic impact fee program based on the 1988 TIF study consists of two parts: Part 1—the traffic impact portion—the fee amount is per unit of development and is based on the pm peak hour trip generation of each development unit as shown in the following schedule:

### Current TIF Part 1 – Traffic Generation

<u>Land Use</u>	<u>Traffic Impact Fee (1988)</u>
All Residential	\$2,440 per unit
Retail/Service	\$6,588 per 1,000 sq. ft.
Office/Business Park	\$6,149 per 1,000 sq. ft.
Business Park/Manufacturing	\$4,183 per 1,000 sq. ft.
Mixed – Commercial/Residential	\$6,149 per 1,000 sq. ft.
Motel/Hotel	\$1,952 per room

The impact fee of \$2,440 was based upon 9,277 Equivalent Dwelling Units based on the pm peak hour trip generation rate and a 1988 Program cost of \$22.6 million ( $\$22,600,000 \div 9,277 = \$2,440$ ). All other uses were based on relative trip generation rates as compared to a single family home.

Part 2 of the current program—the frontage fee—was to fund construction of curb, gutter and parking lanes where none existed, or were sub-standard, along the arterial or collector streets that were included in the program. The frontage fee is \$51 per lineal foot of street frontage. The estimated cost of the frontage improvements was \$3.5 million, while the Part 1 fee was designed to collect \$22.6 million, resulting in the total of \$26.1 million needed to fund the TIF portion of the improvements.

This report, recommending an update to the TIF program, consolidates the peak hour fee and frontage fee into a single fee.



TABLE 1.1: 1988 TIF IMPROVEMENTS

<u>Priority</u>	<u>Project</u>	<u>Limits of Project</u>	<u>Description of Improvements</u>	<u>Status of Project</u>
1	Canwood Street	Derry Ave. to Colodny Dr.	Non-existing street to two-lane road	Completed as two-lane road
2	Canwood Street	Colodny Dr. to Chesebro Rd.	Non-existing street to two-lane road	Completed as two-lane road
3	Canwood Street	East of Medea Cr. To Derry Ave.	Upgrade two-lane private road to two-lane public road	Completed as two-lane public road
4	Canwood Street	Kanan Rd. to 1,800 feet east	Improve existing road in conjunction with interchange improvements	Completed as four-lane at Kanan tapering to two-lane road
5	Reyes Adobe Road	Canwood St. to Agoura Rd.	Widen from two-lane road to six-lane road	Six-lane Hwy 101 SB ramps to Agoura Rd.; still two-lanes between NB and SB ramps; four lanes south of Canwood
6	Argos Street	Thousand Oaks Blvd. to Driver Ave.	Widen from two-lane road to two-lane divided road	Not completed; still two-lane undivided
7	Kanan Road	Roadside Dr. (SB Hwy 101 off-ramp) to Agoura Rd.	Widen from four-lane divided road to six-lane divided road	Completed as five-lane
8	Medea Creek/"D" Road	Kanan Rd. to Canwood St.	Non-existing street to two-lane road	Completed as Canwood St. realignment with project No. 4
9	Kanan Road	Agoura Rd. to South City Limits	Widen from two-lane road to four-lane road	Not completed; still two-lane road
10	Palo Comado Canyon Road	Driver Ave. to Agoura Rd.	Widen from two-lane road to four-lane road	Not completed, still two lanes, but widened between Hwy 101 and Agoura rd.
11	Medfield Street	Medea Cr./"D" Rd. to Derry Ave.	Non-existing street to two-lane road	Not completed
12	Access Roads	Agoura Rd. to Roadside Dr. and cul-de sac	Non-existing street to two-lane road	Completed as Roadside Dr.
13	Driver Avenue	Argos St. to Palo Comado Canyon Rd.	Widen from two-lane road to two-lane divided road	Not completed
14	Agoura Road	Easterly City Limits to Westerly City Limits	Widen from two-lane road to four-lane divided road	Partially completed four-lane/three-lane divided (two-lanes WB, one EB with center turn-lane), still two-lane between Kanan and east limits
15	Roadside Drive	Cornell Rd. to west of Lewis Rd.	Complete curb, gutter and pavement to collector street standards	Completed upgrades
16	Thousand Oaks Blvd.	Present end of road to Driver Ave.??	Non-existing street to two-lane divided road	Not completed

## **1 INTRODUCTION**

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# **CHAPTER 2 PLANNED TRANSPORTATION FACILITIES**

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### 2. PLANNED TRANSPORTATION FACILITIES

This chapter summarizes the analysis by Fehr and Peers regarding the need for transportation facilities to accommodate new development through 2035 consistent with the General Plan Update. PMC then prepared planning level cost estimates for the improvements identified in the Fehr and Peers study, assigned a fair share of those costs to new development and then allocated those costs between the various future land uses to determine an appropriate impact fee. This chapter of the TIF study documents a reasonable relationship between new development within the City and the impact fee for funding of these facilities.

#### PLANNED ROADWAY IMPROVEMENTS

Fehr and Peers provided the technical analysis necessary to update the City's Transportation Impact Fee program. The study is included in the appendix to the General Plan Update (March 2010). The study analyzed three scenarios.

- Existing Conditions: The analysis of existing traffic conditions was intended to provide a basis for the remainder of the study. The existing conditions analysis included a description of the citywide street system, current traffic volumes, and an assessment of the operating conditions at the analyzed locations.
- Future Base Conditions: Future traffic conditions without traffic growth associated with the updated General Plan and with no future development in the City. The objective of this analysis was to project future traffic growth and operating conditions from specific known projects outside the City, and from traffic passing through the City from general growth in the region by the year 2035.
- Future Conditions with proposed General Plan: Future base traffic conditions plus traffic associated with growth from the updated General Plan. The objective of this analysis was to forecast future traffic growth associated with development anticipated to occur under the updated General Plan ("proposed" General Plan at the time of the Fehr and Peers study).

The Fehr and Peers study included 43 street segments for analysis as well as five sections of the Ventura Freeway (US 101). The city's traffic operations are described in terms of weekday peak hour roadway segment capacities and level of service (LOS), a qualitative measurement used to describe the operating and traffic flow conditions ranging from LOS A (excellent) to LOS F. The study developed peak hour roadway capacities to reflect the roadway system within the City of Agoura Hills. According to the Fehr and Peers' study, peak hour traffic volumes were used in the analysis because they are a better indication of roadway congestion during the commute hours when volumes are typically highest. Based upon the peak hour volume data developed, the study identified eight (8) roadway segments requiring improvement to maintain an appropriate Level of Service for the roadway. **Table 2.1** describes the roadway segments and improvements needed to accommodate growth in and around the City as well as serve the existing residents and businesses. Note that only that share of the cost of improvement related to new growth within the City is included in the calculation for determining the transportation impact fee.

## 2 PLANNED TRANSPORTATION FACILITIES

TABLE 2.1: PLANNED TRANSPORTATION IMPROVEMENTS: 2011 CAPITAL IMPROVEMENTS

PN	Roadway Segment/Project	Description of Improvement
1	Palo Comado Canyon Road/Chesebro Road Interchange	Improve the overpass to four lanes and reconfigure ramp interface; improve Palo Comado Canyon Road to four lanes from Canwood Street to Chesebro Road
2	Reyes Adobe Road Interchange	Improve the overpass to six lanes and reconfigure the ramp interface; improve Reyes Adobe Road to six lanes from Canwood Street to Agoura Road
3	Agoura Rd (western city limits to Kanan Road) Widening	Widen Agoura Road between Kanan Road and the westerly City limits to four lanes
4	Canwood St (Kanan Rd to Chesebro Road) Widening	Widen Canwood Street between Kanan Road and Chesebro Road to three lanes
5	Chesebro Rd (Canwood St to Driver Ave) Widening	Widen Chesebro Rd between Canwood St and Driver Ave to three lanes
6	Chesebro Rd (Palo Comado Canyon Rd to Agoura Rd) Widening	Widen Chesebro Rd between Palo Comado Canyon Road and Agoura Road to four lanes
7	Chesebro Rd Widening (Dorothy Dr to Palo Comado Canyon Rd)	Widen Chesebro Rd between Dorothy Dr and Palo Comado Canyon Road to three lanes
8	Kanan Rd (Agoura Road to southern City limits)	Widen Kanan Road between Agoura Rd and the southerly City limits to four lanes
9	Kanan Rd/Agoura Rd Intersection	Construct 2 lane Roundabout
10	Traffic Signal Synchronization	—

*Per Figure M-1 of the General Plan Update and/or the Agoura Village Specific Plan.*

Consistent with the 1988 TIF Program, a single, city-wide area of benefit is proposed. As identified in the 1988 TIF Program, the TIF considered that each type of use applies a uniform distribution of impact on the arterial system. One building may have its impact more concentrated in one area, but this is the same for another building of the same use in another area. All the buildings in this use category together apply a uniform impact on a city-wide basis. Thus the benefit to each building in a use category is approximately the same. Secondly, each citizen will generally use all of the arterial system from time to time to go shopping, to school, to church, to visit friends, to parks, etc. The entire system then provides benefit to each citizen. Third, delivery of services and goods serving all citizens and businesses has the transportation system as a whole to function efficiently. These may include mail delivery, trash collection, carpet cleaners, pool services, etc.

The roadways identified are part of an overall system of roadways providing a transportation network that benefits City residents and businesses. As stated in the General Plan, "the street system is an integral component of an efficient, functional, safe, and well-planned transportation network" and a comprehensive system that "will conveniently, efficiently, and safely facilitate the existing and future movement of goods and people into and out of the City and minimize travel delays for City residents."

The location of improvements is shown in Figure 1 on the following page.

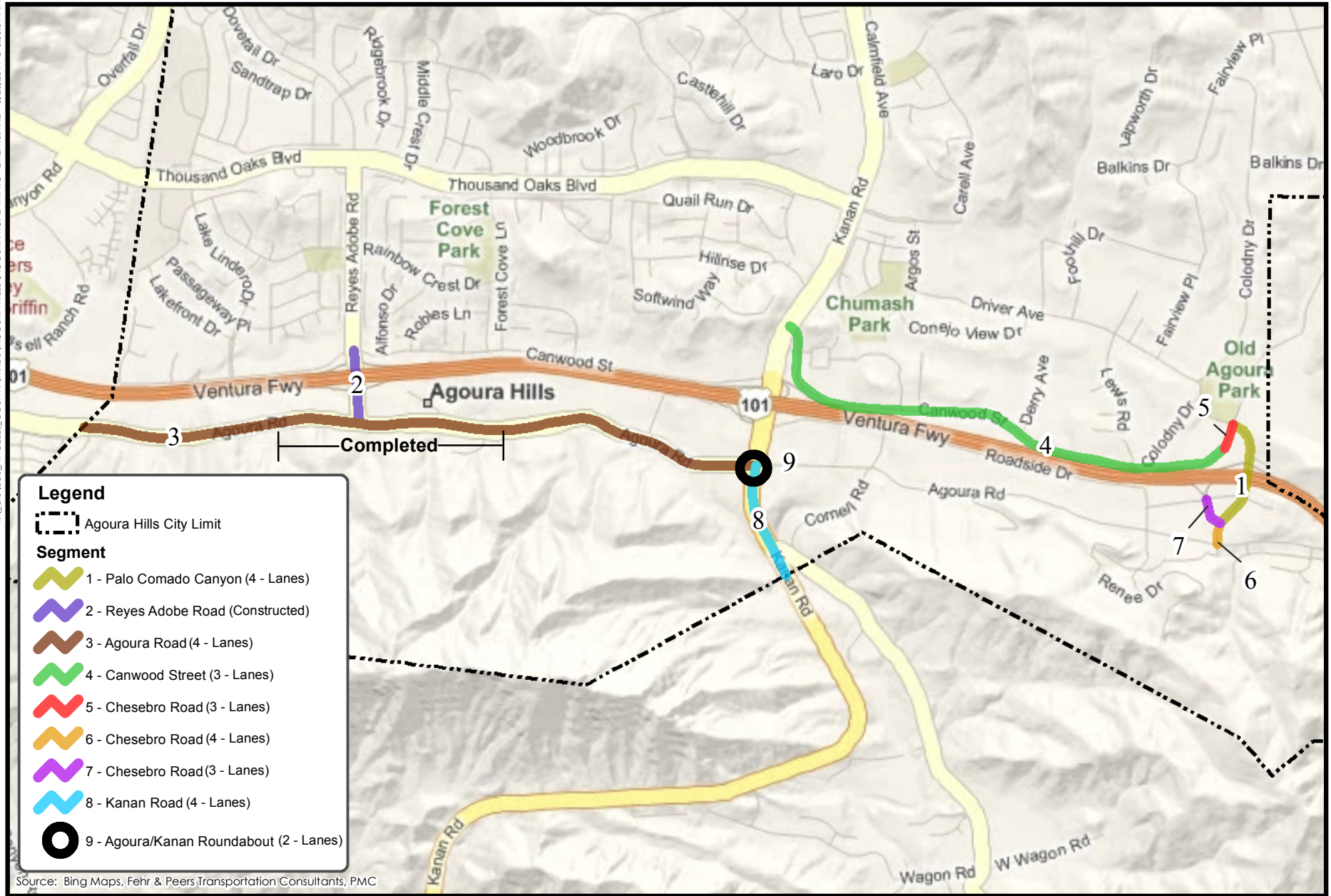


Figure 1  
Proposed Roadway Improvements

PMC developed cost estimates for each of the identified roadway segments which are shown in Table 2.2. Additional detail regarding the costs is provided in the Appendix. The estimates generally include costs for right of way, grading, environmental mitigation, and 45% for contingency, design, engineering, inspection and project management.

**TABLE 2.2: 2011 CAPITAL IMPROVEMENT COSTS**

PN	Roadway/Project	Project Costs	TIF %	Remaining TIF	
				Costs	Other
1	Palo Comado Cyn Interchange	\$ 21,300,000	25.3%	\$ 5,388,900	\$ 15,911,000
2	N/A				
3	Agoura Rd	9,689,000	69.2%	6,358,800	3,328,600
4	Canwood St	597,000	100.0%	597,000	-
5	Chesebro Rd - Canwood to Driver	94,000	100.0%	94,000	-
6	Chesebro Rd - Palo Comado to Agoura	360,000	100.0%	360,000	-
7	Chesebro Rd - Dorothy to Palo Comado	102,000	36.7%	37,400	64,600
8	Kanan Rd	304,000	21.4%	65,100	238,900
9	Kanan/Agoura Intersection	4,200,000	32.9%	1,381,800	2,818,200
10	Traffic Signal Synchronization	675,000	19.1%	129,000	546,000
Total		\$ 37,321,000	38.6%	\$ 14,412,000	\$ 22,907,300

*Reyes Adobe Rd Overpass - \$4.7 million in MTA and Federal Grants received.*

*Traffic signal synchronization percentage is based on funding sources where total improvement cost is \$675,000 of which \$546,000 is proposed to come from Prop C funding grant; the balance is then assigned to the TIF. It is assumed that the 19.1% TIF allocation is reasonable because all other TIF project percentages exceed 19.1%.*

*See appendix for Cost Estimates and TIF percentage calculations if less than 100%.*

Only that cost related to new development within the City may be included in the impact fee program. As shown in the table, three of the projects (projects 4, 5 and 6) are 100% allocable to new development within the City. These segments currently operate at an acceptable level of service C or better and will require improvement only because of the impacts caused by new development. The other projects are needed to serve a combination of existing development and/or region-wide growth and new development within the City. Consequently only a portion of the cost of each project is to be included in the impact fee program. The impact fee share percentages are based on the ratio of the City growth in am/pm peak hour trips (per the General Plan) to the 2035 year am/pm peak hour trips. Additional detail is included in Appendix B.

Total planned transportation improvements to accommodate the General Plan have an estimated cost of \$37.3 million, 38.6% of which may be assigned to the City's impact fee program for projects needed to accommodate city growth.

**Level of Service (LOS)**

**Table 2.3** provides a summary of the level of service for each of the roadway segments based on the traffic study prepared for the General Plan Update. For project numbers 1 and 3 through 8, the traffic study analyzed four scenarios: 1) Existing Peak Hour LOS; 2) Peak Hour LOS in Year 2035 reflecting regional growth; 3) Peak Hour LOS in Year 2035 adding the General Plan growth; and 4) Peak Hour LOS in Year 2035 adding the General Plan growth and assuming construction of the identified improvements.

## 2 PLANNED TRANSPORTATION FACILITIES

TABLE 2.3: LEVEL OF SERVICE – PEAK HOUR

PN	Roadway/Project	Existing	Year 2035	Year 2035 w/ GP Growth	Year 2035 w/GP and Improvements
1	Palo Comado Cyn Interchange	F/D & D/C or better	F/F	F/F	C or better
2	N/A				
3	Agoura Rd	C or better	C or better	Portion D/F	C or better
4	Canwood St	C or better	C or better	D/F & C/D	PM below LOS C
5	Chesebro Rd - Canwood to Driver	C or better	C or better	C/D	C or better
6	Chesebro Rd - Palo Comado to Agoura	C or better	C or better	D/C	C or better
7	Chesebro Rd - Dorothy to Palo Comado	C/D	C/D	D/D	LOS D/C
8	Kanan Rd	D/D	F/F	F/F	LOS C/D

F/D reflects the LOS for AM/PM. If only one LOS shown, then it applies to AM and PM peak hour.

Source: Fehr and Peers Traffic Study prepared in conjunction with the General Plan Update.

As shown, Project Nos. 4, 5 and 6 currently operate at LOS C or better in the am and pm peak hours and are forecast to continue to operate at LOS C or better in 2035 without additional City-wide growth. Additionally, certain segments of Project No. 3, Agoura Road, also operate at LOS C or better and would continue to operate at LOS C or better in 2035 without additional City-wide growth.

### FORECAST TRIPS

Based on the Fehr and Peers Draft Technical Memorandum dated November 17, 2009, the development of the General Plan, through 2035, would produce 3,222 AM peak hour trips and 5,189 PM peak hour trips as well as 41,697 average daily trips. **Table 2.4** summarizes the trips used in the Fehr and Peers traffic study<sup>5</sup> by land use category.

TABLE 2.4: GENERAL PLAN UPDATE FORECAST TRIP SUMMARY

	Quantity	Unit	ADT	Peak Hour Trip (PHT)		Average PHT per Unit or ksf	
				AM	PM	AM	PM
Single Family	116	Unit	893	88	117	0.76	1.01
Multi-Family	394	Unit	1,376	158	187	0.4	0.47
Retail/Service	262.490	ksf	9,449	247	755	0.94	2.88
Shopping Ctr	278.852	ksf	13,060	408	1,636	1.46	5.87
Office/BP	1,000.480	ksf	12,874	2,011	2,166	2.01	2.16
BP/Mfg	216.614	ksf	4,045	310	328	1.43	1.51
<b>Total</b>			<b>41,697</b>	<b>3,222</b>	<b>5,189</b>		

BP/Mfg is Business Park with manufacturing as the predominant use.

The improvements identified in the General Plan Final EIR were based on am and pm peak hour trips. A typical method of allocating fair share improvement costs to new development according to land use is by assigning costs in proportion to AM and PM peak hour trips generated by each land use. As roadway segments fail under AM and/or PM peak hours, it is

<sup>5</sup> Based upon Appendix B of the General Plan Final EIR dated February 2010, containing the GP Update Mobility Element and Technical Memorandum dated November 17, 2009.



reasonable to use both AM and PM peak hour trips to determine proportionality between land uses.

COST ALLOCATION

In order to compare demand between land uses, a “dwelling unit equivalent” (DUE) factor is applied that sets the demand from a single-family dwelling at 1.0 DUE. A typical single family residence generates an estimated am and pm peak hour trips of 1.77 per weekday (total of the AM and PM peak hour trips per unit) and a multi-family residence generates an estimated 0.87 am/pm peak hour trips per weekday. **Table 2.5** reflects the DUE factor for these residential land uses as well as for the non-residential land uses. DUE factors for land uses are calculated relative to the am/pm peak hour trip generation of a single family dwelling unit. Table 2.5 summarizes the DUE factors and the forecast DUEs.

The DUE factors shown in the table are calculated as follows based on setting 1 DUE equal to the am and pm peak hour trips of a single family home:

- Multi-Family Home =  $0.87 \text{ pht} \div 1.77 \text{ pht/DUE} = 0.49 \text{ DUE}$
- Retail/Service(ksf) =  $3.82 \text{ pht} \div 1.77 \text{ pht/DUE} = 2.16 \text{ DUE}$
- Shopping Center (ksf) =  $7.33 \text{ pht} \div 1.77 \text{ pht/DUE} = 4.14 \text{ DUE}$
- Office/Business Park (ksf) =  $4.17 \text{ pht} \div 1.77 \text{ pht/DUE} = 2.36 \text{ DUE}$
- Business Park/Manufacturing (ksf) =  $2.94 \text{ pht} \div 1.77 \text{ pht/DUE} = 1.66 \text{ DUE}$

**TABLE 2.5: DWELLING UNIT EQUIVALENT FACTORS BY LAND USE**

Development Type	Peak Hour Trips per unit or ksf			DUE Factor x	Units =	DUEs
	AM Net	PM Net	Total			
Single Family	0.76	1.01	1.77	1.00	116	116
Multi-Family	0.40	0.47	0.87	0.49	394	193
Retail/Service (ksf)	0.94	2.88	3.82	2.16	262.490	567
Shopping Center (ksf)	1.46	5.87	7.33	4.14	278.852	1,154
Office/Business Pk (ksf)	2.01	2.16	4.17	2.36	1,000.480	2,361
BP/Mfg (ksf)	1.43	1.51	2.94	1.66	216.614	360
<b>Total</b>						<b>4,752</b>

*Average AM/PM peak hour trip for single family home equals  $0.76 + 1.01 = 1.77$ . One DUE equals 1.77 average of AM/PM peak hour trip.*

Based on new development’s share of the cost of planned transportation facilities and the forecast DUEs from city-wide growth, **Table 2.6** shows the calculation for the proposed fee of \$3,033 per DUE where total impact fee eligible costs of  $\$14,412,000 \div 4,752 \text{ DUEs} = \$3,033 \text{ per DUE}$ .

## 2 PLANNED TRANSPORTATION FACILITIES

TABLE 2.6: COST PER DWELLING UNIT EQUIVALENT (DUE)

Project No.	Roadway/Project	Project Costs	TIF % <sup>1</sup>	Remaining TIF Costs
1	Palo Comado Cyn Interchange	\$ 21,300,000	25.3%	\$ 5,388,900
2	N/A			
3	Agoura Rd	9,689,000	69.2%	6,358,800
4	Canwood St	597,000	100.0%	597,000
5	Chesebro Rd - Canwood to Driver	94,000	100.0%	94,000
6	Chesebro Rd - Palo Comado to Agoura	360,000	100.0%	360,000
7	Chesebro Rd - Dorothy to Palo Comado	102,000	36.7%	37,400
8	Kanan Rd	304,000	21.4%	65,100
9	Kanan/Agoura Intersection	4,200,000	32.9%	1,381,800
10	Traffic Signal Synchronization	\$ 675,000	19.1%	129,000
Subtotal		\$ 37,321,000	38.6%	\$ 14,412,000
TIF Project Total				\$ 14,412,000
Forecast DUEs				÷ 4,752
<b>Fee/DUE</b>				<b>\$ 3,033</b>

<sup>1</sup> See Appendix B for the calculation of TIF percentage share.

### LAND USE CATEGORIES

Measuring the impact of growth requires land use types for summarizing different categories of new development. The land use types used in the traffic study for the General Plan Update and in this analysis are defined below.

- **Single family:** Detached one-family dwelling units.
- **Multi-family:** All attached dwellings such as duplexes and condominiums, apartments, senior housing, and dormitories.
- **Retail/Service:** All commercial, retail, specialty retail, educational, and hotel/motel development<sup>6</sup>, except shopping center.
- **Shopping Center:** All commercial shopping center.
- **Office/Business Park:** All general, professional, and medical office development.
- **Business Park/Manufacturing:** All manufacturing and warehouse development.

Some developments may include more than one land use category, such as mixed-use development with both residential and commercial uses. In such case, the impact fee would be calculated separately for each component of land use: the residential units would be charged

<sup>6</sup> While the traffic study included hotel/motel within retail/service, the fee provides a separate category for this land use based on SANDAG peak hour trip generation rates.

based on the residential fee per unit and the commercial uses based on the floor area and the commercial rate per 1,000 square feet. The total fee would be the sum of the two components. Note that the fee schedule reflects a reduction in the fee commensurate with the estimated reduction in vehicle trips.

The City may use its discretion to impose the impact fee based on the specific aspects of a proposed development regardless of zoning. The guideline to use is the probable trip generation rate of the development. The fee imposed should be based on the land use category that most closely represents the probable trip generation rate of the development.

**FEE SCHEDULE**

Based on the calculated fee of \$3,033 per DUE and the various DUE factors, **Table 2.7** shows the Transportation Impact Fee for new development by the various land uses. The fee represents the amount required to fully fund all facilities needed to accommodate growth based on the City's General Plan.

**TABLE 2.7: CITYWIDE TRANSPORTATION IMPACT FEE**

<b>Development Type</b>	<b>Fee per DUE x</b>	<b>DUE Factor =</b>	<b>Impact Fee</b>
<i>Residential (per unit)</i>			
Single Family	\$ 3,033	1.00	\$ 3,033
Multi-Family	\$ 3,033	0.49	\$ 1,486
Multi-Family - Mixed Use	\$ 3,033	0.44	\$ 1,338
<i>Non-Residential (per 1,000 bldg square feet except Hotel/Motel and Commercial Recreation)</i>			
Shopping Center	\$ 3,033	4.14	\$ 12,557
Retail/Service	\$ 3,033	2.16	\$ 6,551
Hotel/Motel (per room)	\$ 3,033	0.83	\$ 2,517
Business Park/Mfg	\$ 3,033	1.66	\$ 5,035
Business Pk-Office/Retail	\$ 3,033	2.36	\$ 7,158
Mixed Use Commercial	\$ 3,033	1.94	\$ 5,884
Commercial Recreation (per acre)	\$ 3,033	0.44	\$ 1,335

*Shopping Center based on ITE Code 820 and SANDAG am/pm percentages.*

*Hotel/Motel based on SANDAG trip generation schedule.*

*Commercial Rec. estimated from ITE Code 435 & SANDAG am/pm percentages.*

*Mixed Use Commercial reflects 10% trip reduction.*

*Mixed Use Residential reflects 10% trip reduction.*

It is anticipated that these rates would generate the \$14.4 million in revenues (based on the General Plan land uses) for the planned improvements as shown in **Table 2.8**.

## 2 PLANNED TRANSPORTATION FACILITIES

TABLE 2.8: ESTIMATED FEE REVENUES

Development Type	Quantity	Impact Fee	Impact Fee Revenues
<i>Residential (per unit)</i>			
Single Family	116	\$ 3,033	\$ 0.352
Multi-Family	394	\$ 1,486	\$ 0.585
<i>Non-Residential (per 1,000 bldg square feet)</i>			
Retail/Service	262.49	\$ 6,551	\$ 1.720
Shopping Center	278.852	\$ 12,557	\$ 3.502
Office/Business Pk	1000.48	\$ 7,158	\$ 7.161
BP/Mfg	216.614	\$ 5,035	\$ 1.091
<b>Total (in millions)</b>			<b>\$ 14.411</b>

As most of the growth in trip generation forecasted by the Traffic Study performed for the Agoura Hills General Plan Update is due to non-residential development, more that 90% of the fee revenue is anticipated to come from those land uses.

### Example Calculations.

- Fee for 10 Single Family homes = 10 units x 1 DUE/Single Family home x \$3,033/DUE = \$30,330.
- Fee for 25 Multi-Family homes = 25 units x 0.49DUE/unit x \$3,033/DUE = \$37,154. Or 25 units x \$1,486 per unit = \$37,150. (Minor difference is due to rounding.)
- Fee for Shopping Center (50,000 bldg sf) = 50 ksf x 4.14 DUE/ksf x \$3,033/DUE = \$627,831. Or 50 ksf x \$12,557 per ksf = \$627,850. (Minor difference is due to rounding.)
- Fee for Retail/Services (5,000 bldg sf) = 5 ksf x 2.16 DUE/ksf x \$3,033/DUE = \$32,756. Or 5 ksf x \$6,551 per ksf = \$32,755. (Minor difference is due to rounding.)
- Fee for Hotel/Motel (20 rooms) = 20 rooms x 0.83 DUE/room x \$3,033/DUE = \$50,347. Or 20 rooms x \$2,517/room = \$50,340. (Minor difference is due to rounding.)
- Fee for Business Park/Manufacturing (50,000 bldg sf) = 50 ksf x 1.66 DUE/ksf x \$3,033/DUE = \$251,739. Or 50 ksf x \$5,035 per ksf = \$251,750. (Minor difference is due to rounding.)
- Fee for Business Park/Office-Retail (50,000 bldg sf) = 50 ksf x 2.36 DUE/ksf x \$3,033/DUE = \$357,894. Or 50 ksf x \$7,158 per ksf = \$357,900. (Minor difference is due to rounding.)
- Fee for Mixed Use Commercial (50,000 commercial bldg sf) = 50 ksf x 1.94 DUE/ksf x \$3,033/DUE = \$294,201. Or 50 ksf x \$5,884 per ksf = \$294,200. (Minor difference is due to rounding.) Plus add the fee for any Multi-Family Mixed Use associated with the project. Assuming the multi-family will consist of 25 units, the fee = 25 units x 0.49 DUE/unit x \$3,033/DUE = \$37,154. Or 25 units x \$1,486 per unit = \$37,150. Total fee would then be the sum of \$294,200 and \$37,150 or \$331,350.
- Fee for Commercial Recreation (10 acres) = 10 acres x 0.44 DUE/acre x \$3,033/DUE = \$13,345. Or 10 acres x \$1,335 per acre = \$13,350. (Minor difference is due to rounding.)

*Note: The above examples do not include the 2% Administration component of the fee discussed in the next chapter.*

The fee schedule proposed, based on DUEs, uses average am/pm peak hour trip generation rates for the various land use categories. This has a tendency to flatten out the highs and lows of an impact fee program within a specific land use category. As such, it is recommended that the fees be based on Dwelling Unit Equivalents (DUEs) by land use category as shown in Table 2.7 because the DUEs are based on average am/pm peak hour trips for general, not specific land uses within the identified land use categories.

## **2 PLANNED TRANSPORTATION FACILITIES**

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# **CHAPTER 3 ADMINISTRATION**

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3. ADMINISTRATION

This chapter discusses the need for an administrative fee to pay for the Impact Fee program costs.

COST TO IMPLEMENT

As with most programs, there is a cost to administer, oversee and update the Impact Fee program. It is common practice in California to include an estimate of the cost for such related expenses. An administrative and management surcharge of 2% has been added to the cost of the program and is shown in **Table 3.1**.

**TABLE 3.1: TOTAL IMPACT FEE REVENUES WITH ADMINISTRATION COSTS**

Project No.	Roadway/Project	Project Costs (millions)	TIF %	Remaining TIF Costs (millions)	Other Sources (millions)
1	Palo Comado Cyn Interchange	\$ 21.30	25.3%	\$ 5.39	\$ 15.91
2	N/A				
3	Agoura Rd	9.69	69.2%	6.36	3.33
4	Canwood St	0.60	100.0%	0.60	-
5	Chesebro Rd	0.09	100.0%	0.09	-
	-Canwood to Driver				
6	Chesebro Rd	0.36	100.0%	0.36	-
	-Palo Comado Cyn to Agoura				
7	Chesebro Rd	0.10	36.7%	0.04	0.07
	- Dorothy to Palo Comado Cyn				
8	Kanan Rd	0.30	21.4%	0.07	0.24
9	Kanan/Agoura Intersection	4.20	32.9%	1.38	2.82
10	Traffic Signal Synchronization	0.68	19.1%	0.13	0.55
Subtotal		\$ 37.32	38.6%	\$ 14.41	\$ 22.91
Net Transportation Costs				\$ 14.41	
Project Administration (2%)				0.29	
Total to Fee Program				\$ 14.70	

*Available TIF revenues (\$3.1 million) are not deducted from the future development's obligation because these revenues came from what is now considered existing development. However, the money will be used to construct the previously identified TIF improvements (Projects Nos. 1, 3, 6 and 8 of the 2011 Update).*

The 2% is based on an estimate of 115 hours annually at \$101 per hour over a 25-year period. The City should monitor its actual costs and adjust the 2% factor as necessary in any subsequent update to the fee program. The impact fee program is estimated over a 25 year planning horizon. Based on this horizon and the 2% administrative component of the fee, approximately \$12,000 will be generated on average annually for program administration. The City may want to create a separate account to track related expenditures.

The fee schedule with the 2% included is shown in **Table 3.2**.



### 3 ADMINISTRATION

TABLE 3.2: FEE SCHEDULE WITH 2% ADMINISTRATIVE FEE

<b>Development Type</b>	<b>Impact Fee</b>	<b>2% Admin</b>	<b>Proposed Total Fee</b>
<i>Residential (per unit)</i>			
Single Family	\$ 3,033	\$ 61	\$ <b>3,094</b>
Multi-Family	\$ 1,486	\$ 30	\$ <b>1,516</b>
Multi-Family - Mixed Use	\$ 1,338	\$ 27	\$ <b>1,365</b>
<i>Non-Residential (per 1,000 bldg sf except Hotel/Motel and Commercial Recreation)</i>			
Shopping Center	\$ 12,557	\$ 251	\$ <b>12,808</b>
Retail/Service	\$ 6,551	\$ 131	\$ <b>6,682</b>
Hotel/Motel (per room)	\$ 2,517	\$ 50	\$ <b>2,567</b>
Business Park/Mfg	\$ 5,035	\$ 101	\$ <b>5,136</b>
Business Pk-Office/Retail	\$ 7,158	\$ 143	\$ <b>7,301</b>
Mixed Use Commercial/Residential	\$ 5,884	\$ 118	\$ <b>6,002</b>
Commercial Recreation (per acre)	\$ 1,335	\$ 27	\$ <b>1,362</b>

Where 1 DUE = the estimated am and pm peak hour trips of 1 single-family home.

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# **CHAPTER 4 IMPLEMENTATION**

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**4. IMPLEMENTATION**

This chapter identifies tasks that the City should complete when implementing a fee program and or increasing a fee.

**PROGRAMMING REVENUES AND PROJECTS WITH THE CIP**

The City should update its Capital Improvement Plan (CIP) to identify specific projects and program fee revenues to those projects. Use of the CIP in this manner documents a reasonable relationship between new development and the use of fee revenues.

For the five-year planning period of the CIP, the City should allocate all existing fund balances and projected fee revenue to eligible projects. The City can hold funds in a project account for longer than five years if necessary to collect sufficient funds to complete a project. The current fund balance is \$3.3 million of which \$248,000 is allocated to accounts payable, and the balance is unreserved.

**Timing of Improvements.** The receipt of all necessary funds may not coincide with the need for the improvements. To minimize cash flow issues, the City may choose to phase the improvements; borrow from other funds; or borrow money and include the finance costs in the impact fee program. Timing of improvements should be addressed during the City's CIP process which typically sets forth priorities for funding.

**FUNDS NEEDED TO COMPLEMENT IMPACT FEE PROGRAM**

In adopting the fees as presented in this report, additional funds will need to be identified to fund the share of costs not related to new development within the City. The impact fee program is funding 38.6% of the \$37.32 million planned transportation improvements. The balance, or \$22.91 million, is the additional funding that the City has obtained or needs to obtain to complement the Transportation Impact Fee (TIF) program to cover the City's share related to existing (or other) development. Of the 22.91 million, the City has secured Measure R funds of \$2.85 million for Project No. 1 (Palo Comado Canyon Interchange), \$0.50 million for Project No. 3 (Agoura Road) and \$0.25 million for Project No. 9 (Kanan/Agoura Roundabout). There is also approximately \$3.1 million available in the TIF program to offset the costs to Project Nos. 1-3, 6 and 8. This leaves \$16.2 million in funding to be determined. Measure R is a likely source for a portion of this funding.

**INFLATION ADJUSTMENT**

The project costs presented in this report are given in 2010 dollars and based on estimated construction costs. As projects move into the preliminary design phase, cost estimates should be reviewed and the fee scheduled updated if necessary. Also, to ensure that the fee program stays current, the City should identify appropriate inflation indexes in the fee ordinance and include an automatic annual inflation adjustment in the fee ordinance.

For transportation facilities, the Engineering News Record Construction Cost Index is commonly used. It is recommended that the fee schedule be adjusted by the increase (or decrease) in the 20-City average annual ENR CCI no sooner than 12 months after the effective date of the fee increase.

## 4 IMPLEMENTATION

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### COMPLIANCE REQUIREMENTS

The California Mitigation Fee Act (Government Code § 66000 *et seq.*) mandates procedures for administration of impact fee programs, including collection, accounting, refunds, updates and reporting. The City should comply with the annual and five-year reporting requirements. For facilities to be funded with a combination of impact fees and other revenues, the City must identify the source and amount of the other revenues. The City must also identify when the other revenues are anticipated to be available to fund the project. The City's compliance obligations vis-à-vis the Act include but are not limited to the following specific requirements:

**Collection of fees.** Section 66007 provides that a local agency shall not require payment of fees by developers of residential projects prior to the date of final inspection, or issuance of a certificate of occupancy, whichever come first. In a residential development of more than one dwelling unit, the City may choose to collect fees either for individual units or for phases upon final inspection, or for the entire project upon final inspection of the first dwelling unit when it is completed.

The City may require the payment of those fees at an earlier time if (1) the City determines that the fees will be collected for public improvements or facilities for which an account has been established and funds appropriated and for which the City has adopted a proposed construction schedule or plan prior to final inspection or issuance of the certificate of occupancy or (2) the fees are to reimburse the City for expenditures previously made.

**Fee exemptions, reductions and waivers.** In the event that a development project is found to have no impact on facilities for which fees are charged, such project must be exempted from the fees. If a project has characteristics that indicate its impacts on a particular public facility or infrastructure system will be significantly and permanently smaller than the average impact used to calculate impact fees in this study, the fees should be reduced accordingly.

In some cases, the City may desire to voluntarily waive or reduce impact fees that would otherwise apply to a project to promote goals such as affordable housing or economic development. Such a waiver or reduction may not result in increased costs to other development projects, and are allowable only if the City offsets the lost revenue from other fund sources.

**Credit for improvements by developers.** If the City requires a developer, as a condition of approval, to construct facilities or improvements for which impact fees have been, or will be charged, the impact fee imposed on that development project for that type of facility must be adjusted to reflect a credit for the cost of facilities or improvements constructed by the developer. If the reimbursement would exceed the amount of the fee to be paid by the development for that type of facility the City may seek to negotiate a reimbursement agreement with the developer.

**Earmarking of fee revenue.** Section 66006 mandates that the city: "deposit .... fees for the improvement in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds of the City, except for temporary investments...". Fees must be expended solely for the purpose for which they were collected. Interest earned on the fee revenues must also be placed in the capital account and used for the same purpose. The Mitigation Impact Fee Act is not clear as to whether depositing fees "for the improvements" refers to a specific capital improvement or a class of improvements (e.g. transportation facilities). Recommended practice is for the City to maintain a separate fund or account for impact fee revenues derived from the transportation impact fees.

**Reporting.** Section 66006 requires that once each year, within 180 days of the close of the fiscal year, the local agency must make available to the public the following information for each account established to receive impact fee revenues:

1. The amount of the fee;
2. The beginning and ending balance of the account or fund;
3. The amount of the fees collected and interest earned;
4. Identification of each public improvement on which fee revenues were expended and the amount of the expenditures on each improvement, including the percentage of the cost of the public improvement that was funded with fee revenues;
5. Identification of the approximate date by which the construction of a public improvement will commence, if the City determines sufficient funds have been collected financing of an incomplete public improvement;
6. A description of each inter-fund transfer or loan made from the account or fund, including interest rates, repayment dates, and a description of the improvements on which the transfer or loan will be expended;
7. The amount of any refunds or allocations made pursuant to Section 66001, paragraphs (e) and (f).<sup>7</sup>

The above information must be reviewed by the City Council at its next regularly scheduled public meeting, but not less than 15 days after the statements are made public.

**Findings and refunds.** Section 66001 requires that, for the fifth fiscal year following the first deposit of any impact fee revenue into an account or fund as required by Section 66006, and every five years thereafter, the local agency shall make all of the following findings for any fee revenues that remain unexpended, whether committed or uncommitted:

1. Identify the purpose to which the fee will be put;
2. Demonstrate the reasonable relationship between the fee and the purpose for which it is charged;
3. Identify all sources and amounts of funding anticipated to complete financing of incomplete improvements for which the impact fees are to be used;

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<sup>7</sup> 66001 e) Except as provided in subdivision (f), when sufficient funds have been collected, as determined pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 66006, to complete financing on incomplete public improvements identified in paragraph(2) of subdivision (a), and the public improvements remain incomplete, the local agency shall identify, within 180 days of the determination that sufficient funds have been collected, an approximate date by which the construction of the public improvement will be commenced, or shall refund to the then current record owner or owners of the lots or units, as identified on the last equalized assessment roll, of the development project or projects on a prorated basis, the unexpended portion of the fee, and any interest accrued thereon. By means consistent with the intent of this section, a local agency may refund the unexpended revenues by direct payment, by providing a temporary suspension of fees, or by any other reasonable means. The determination by the governing body of the local agency of the means by which those revenues are to be refunded is a legislative act.

(f) If the administrative costs of refunding unexpended revenues pursuant to subdivision (e) exceed the amount to be refunded, the local agency, after a public hearing, notice of which has been published pursuant to Section 6061 and posted in three prominent places within the area of the development project, may determine that the revenues shall be allocated for some other purpose for which fees are collected subject to this chapter and which serves the project on which the fee was originally imposed.

## 4 IMPLEMENTATION

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4. Designate the approximate dates on which the funding necessary to complete financing of those improvements will be deposited in to the appropriate account of fund.

**Annual update of Capital Improvement Program.** Section 66002 provides that if a local agency adopts a CIP to identify the use of impact fees, that program must be adopted and annually updated by a resolution of the governing body at a noticed public hearing.

### TRAINING AND PUBLIC INFORMATION

Administering an impact fee program effectively requires considerable preparation and training. It is important that those responsible for applying and collecting the fee, and for explaining them to the public, understand both the details of the fee program and the basic principles upon which it's based. Before fees are imposed, a staff training workshop is highly desirable if more than a few staff will be involved in collecting or accounting for fees.

It is also useful to pay close attention to handouts that provide information to the public regarding impact fees. This is particularly important if the impact fee program is new and the public has not had experience with such fees in the past. Impact fees should be clearly distinguished from user fees, such as application and plan review fees, and the purpose and use of particular impact fees should be made clear, especially that the fees will go only to the construction of transportation improvements to accommodate new development.

Finally, anyone who is responsible for accounting, capital budgeting, or project management for projects involving impact fees must be fully aware of the restrictions placed on the expenditure of impact fee revenues. The fees recommended in this report are associated with specific improvements and cost estimates. Fees must be expended accordingly and the City must be able to show that funds have been properly expended. Impact fees have been used effectively in hundreds of cities and counties throughout the State to help meet the demands that growth has placed on public infrastructure. The continued acceptance of impact fee programs by both the public and the development community will be assured if these programs continue to be fairly and judiciously implemented.

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# **APPENDICES**

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**APPENDIX A**

**COST ESTIMATES, ROADWAY SEGMENTS AND EXHIBITS**

The following have been prepared for preliminary cost estimating purposes only. Actual alignments and final improvements will be determined after environmental review and preliminary engineering of each project.



**APPENDICES**

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## Appendix A.1 Cost Estimates

## APPENDICES

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Cost Estimates - 10-18-10

PN	Roadway and Limits	Improvement	Existing			Planned					Right of Way				
			Lanes	Pavement Width (average)	ROW Width	Segment Length (ft)	Class	Lanes	Divided or Undivided	Bike Lanes	Curb to Curb Width (ft)	ROW Width (ft)	Additional ROW/Slope Easement (sf)	ROW Cost/SF	ROW Cost
1a	Palo Comado Rd/Chesebro Rd Interchange <sup>6</sup>	Improve overpass to 4 lanes & reconfigure ramp interface	4				~	4		CI II					
1b	Palo Comado Rd From Driver Ave to Chesebor s/o 101	Improve to 4 lanes	2U/3U	35-50			A	4	D/U	CL II					
2a	Reyes Adobe Rd Interchange <sup>1,3</sup>	Improve overpass to 6 lanes and reconfigure ramp interface	Under Construction				~	6		CL II					
2b	Reyes Adobe Rd Agoura Rd to Canwood St	Improve to 6 lanes and s/o 101 to 5 lanes	Under Construction				PA			CI II					
3	Agoura Road														
3.1	NAP East of westerly city limit	Widen to 4-lanes	Varies	70	100	410	SA	4	D	CI II	80	100	74810	8	\$ 598,480
3.2	NAP Between westerly city limit and Reyes Adobe Rd	Widen to 4-lanes	2U	56	100	2,200	SA		D	CI II	64	100			
3.3	NAP West of Reyes Adobe Rd	Recently improved	4U	64	100	1,480	SA	4	U	CI II	64	100			
3.4	NAP E/o Reyes Adobe Rd to e/o of Ladyface Ct	Maintain existing	4D	varies 60-80	100	2,030	SA	4	D	CI II					
3.5	NAP East of Ladyface Ct and west of Kanan Rd	8' widening s. side complete imprv'ts; add median		30	100	700	SA	4	D	CI II	38	100			
3.6	NAP West of Kanan Rd	Widen to 4 lanes	2U	40	Varies 80-120	2,860	SA	4	D	CI II	80	100	48800	20	\$ 976,000
3.7	NAP Kanan Rd. to Cornell Rd.	2 lanes divided w/ diagonal parking per AVSP	2D	42	100	1,400	AVSP	2	D	CI II	82	100		15	\$ -
4	Canwood Street														
4.1	NAP Kanan Rd to 490 ft. w/o Clareton Dr.to Clareton	Widen to 3 lanes	3U	44	Varies	2,130	SA	3	U		44				
4.2	NAP 560 ft. w/o Clareton Dr. to Clareton	Maintain exist.; restripe easterly 730'	2U	38	varies 60-66	560	SA	3			44	66			
4.3	NAP Clareton Dr. to 420 ft. e/o Clareton	Widen to 3 lanes	2U	33	64	420	SA	3			42	64			
4.4	NAP 420 ft. e/o Clareton to 250 ft. w/o Derry Ave.	Widen to 3 lanes	2U	33	60	740	SA	3			42	60			
4.5	NAP 250 ft. e/o Derry to Derry	8' sidewalk north side only		42	56	250		3			42	56			
4.6	NAP Derry Ave. to Chesebro	Maintain existing; widen sidewalk between Lewis and 350' east of Colodny	2U	42	56	3,320	SA	3			42	56			
5	Chesebro Road Canwood St to Driver Ave	Widen to 3 lanes	2 U	40	60	230	C	3	U		44	60			
6	Chesebro Road Palo Comado Cyn Rd to Agoura Rd	Widen to 4 lanes	2 U	50	70	310	SA	4	U		64	70	6750	26	\$ 175,500
7	Chesebro Road 170 ft. so. Of Dorothy Dr to Palo Comado Cyn Rd	Widen to 3 lanes	2 U	46	60	230	C	3	U		56	70			
8	Kanan Road (south of Agoura Rd.)	Widen to 4 lanes: (18'/12'/12'/18' AVSP)					PA		U			100			
8.1	NAP From Roundabout entry curve/begin to end of taper		2 U	54	100	165		4		CI II	54	100			
8.3	NAP End of taper to begin taper at 165 n/o southerly City limit		2 U	52	100	1,220		4		CI II	60	100			
8.4	NAP Taper to existing pavement at southerly city limit		2 U	52	100	165		4		CI II	56	100			
9	Kanan Road/Agoura Rd Intersection	Construct Roundabout (2-lane)	na		100								1380		

<sup>1</sup> Under construction. 20,820 \$ 1,749,980

<sup>2</sup> Projects 1-8 based on Table 8 Appx B Traffic Study (pg 57) of General Plan.

<sup>3</sup> Project 2a, Reyes Adobe Interchange, cost is based on City website and project bid.

<sup>4</sup> Existing number of lanes based on General Plan (pg. 3-7 and 3-8), unless otherwise noted.

<sup>5</sup> Classification based on General Plan (pg 3-7 and 3-8), unless otherwise noted.  
Existing divided/undivided based on Table 3 of FIP Traffic Study (Appx B), page 21.  
Under column titled class, SA - secondary arterial, C - collector, and PA - primary arterial.

<sup>6</sup> Based on PSR.

<sup>7</sup> Based on high (30% of construction cost)/medium (20%)/low amount of mitigation (10%).

**Cost Estimates - 10-18-10**

PN	Roadway and Limits	Pavement			Sidewalk									
		Pavement Demo. Width (if any)	Area (includes pavement demo width if applicable)	Pavement Demo. Cost	Basic Pavement Area Cost	Sidewalk, edge treatment (PCC Curb or AC Berm)	Sidewalk and/or Curb Demo. Width/length	Sidewalk and Curb Demo. Cost	New Sidewalk width (avg. if doubled)	SW & Edge Treatment cost	Median and other treatment	Cold Plane and Transition Overlay width	Cold Plane and Transition Overlay cost	Striping Only
1a	Palo Comado Rd/Chesebro Rd Interchange <sup>6</sup>													
1b	Palo Comado Rd From Driver Ave to Chesebor s/o 101													
2a	Reyes Adobe Rd Interchange <sup>1,3</sup>													
2b	Reyes Adobe Rd Agoura Rd to Canwood St													
3	Agoura Road													
3.1	East of westerly city limit	2	4,920	\$ 1,640	\$ 53,348	C,G&SW so.side			6	\$ 29,520			8	\$ 1,312
3.2	Between westerly city limit and Reyes Adobe Rd	2	-	\$ 5,920	\$ -	C,G&SW so.side			6	\$ 158,400	\$ 242,640		8	\$ 7,040
3.3	NAP West of Reyes Adobe Rd													
3.4	NAP E/o Reyes Adobe Rd to e/o of Ladyface Ct													
3.5	East of Ladyface Ct and west of Kanan Rd	2	7,000	\$ 2,800	\$ 75,902	C,G&SW so.side			6	\$ 50,400	\$ 70,500		8	\$ 2,240
3.6	West of Kanan Rd	4	125,840	\$ 22,880	\$ 1,364,506	C,G&SW both sides	less 770' existing on nc		6	\$ 356,400	\$ 247,200		8	\$ 9,152
3.7	NAP Kanan Rd. to Cornell Rd.			\$ -	\$ -	C,G&SW both sides	less 175' existing o		9					
4	Canwood Street													
4.1	Kanan Rd to 490 ft. w/o Clareton Dr.to Clareton	0	-	\$ -	\$ -									\$ 730
4.2	560 ft. w/o Clareton Dr. to Clareton	2	4,480	\$ 2,240	\$ 33,061	C,G&SW so.side			6	\$ 40,320			8	\$ 1,792
4.3	Clareton Dr. to 420 ft. e/o Clareton	2	4,620	\$ 1,680	\$ 34,094	C,G&SW so.side			6	\$ 30,240			8	\$ 1,344
4.4	420 ft. e/o Clareton to 250 ft. w/o Derry Ave.	2	8,140	\$ 2,960	\$ 60,070	C,G&SW 8' no./, 6' so. Side less 223' exist. So. Side			6	\$ 93,626			8	\$ 2,368
4.5	250 ft. e/o Derry to Derry	0		\$ -	\$ -	Sidewalk no.side			8	\$ 14,000				\$ -
4.6	Derry Ave. to Chesebro	0	-	\$ -	\$ -	Sidewalk no. side			4	\$ 5,600				\$ 3,320
5	Chesebro Road Canwood St to Driver Ave	2	1,380	\$ 920	\$ 10,184	C,G&SW 8' no./ 4' so. Side			6	\$ 33,120			8	\$ 736
6	Chesebro Road Palo Comado Cyn Rd to Agoura Rd	2	4,960		\$ 53,782	C,G&SW 8' west side only			8	\$ 26,660			8	\$ 992
7	Chesebro Road 170 ft. so. Of Dorothy Dr to Palo Comado Cyn	2	2,760	\$ 920	\$ 20,368	C,G&SW 6' both sides			6	\$ 33,120			8	\$ 736
8	Kanan Road (south of Agoura Rd.)													
8.1	From Roundabout entry curve/begin to end of taper	4	660	\$ 1,320	\$ 9,560	C,G&SW both sides			10	\$ 33,000			8	\$ 528
8.3	End of taper to begin taper at 165 n/o southerly city limit	4	14,640	\$ 9,760	\$ 74,040	AC Berm			0	\$ 29,280			8	\$ 3,904
8.4	Taper to existing pavement at southerly city limit	4	1,320	\$ 1,320	\$ 6,676	AC Berm			0	\$ 3,960			8	\$ 528
9	Kanan Road/Agoura Rd Intersection			\$ -	\$ -									

	<u>cost per sq. ft.</u>		<u>Demo cost</u>		<u>Const. Cost</u>		<u>Striping cost per lineal ft.</u>
	Edge widening only	\$ 5.06				\$ 1.00	
	Collector	\$ 7.38		Sidewalk	\$ 2.00	\$ 7.00	
	Secondary	\$ 10.84		PCC Curb	\$ 2.50	\$ 30.00	
	Prime	\$ 14.48		AC Berm	\$ 1.50	\$ 12.00	
	pavement demo per sf	\$ 2.00					
	Cold plane & overlay 1" avg depth/lf	\$ 0.20					

Cost Estimates - 10-18-10

PN	Roadway and Limits	Traffic Signal - New/ Modify	Traffic Signal - cost	Major Drainage, grading or other	Drainage, grading or other cost	Mitigation H/M/L <sup>7</sup>	Terrain - Level, rolling, moderate	Subtotal Construction Cost	Utility U/G or adjustments 5% UON	Mitigation Cost	SWPPP @ 10% of Const. Cost	Traffic Control & Mobilization @ 5% of Const. Cost UON	Contingency Soft Costs (design, PS&E) percentage	Soft Cost	Total Cost (including ROW)
1a	Palo Comado Rd/Chesebro Rd Interchange <sup>6</sup>														by others
1b	Palo Comado Rd From Driver Ave to Chesebor s/o 101														
2a	Reyes Adobe Rd Interchange <sup>1,3</sup>														by others
2b	Reyes Adobe Rd Agoura Rd to Canwood St														
3	Agoura Road														
3.1	East of westerly city limit					L	Level	\$ 85,820	\$ 4,291	\$ 8,582	\$ 8,582	\$ 4,291	45%	\$ 38,619	\$ 748,666
3.2	Between westerly city limit and Reyes Adobe Rd	2 D-basin access included in		2 Detention/Debris basins, 0-36% up/dn slope on south side	\$ 848,741	H	Rolling	\$ 1,262,741	\$ 63,137	\$ 378,822	\$ 126,274	\$ 63,137	45%	\$ 568,234	\$ 2,462,346
3.3	NAP West of Reyes Adobe Rd							\$ -	\$ -	\$ -	\$ -	\$ -	45%	\$ -	\$ -
3.4	NAP E/o Reyes Adobe Rd to e/o of Ladyface Ct							\$ -	\$ -	\$ -	\$ -	\$ -	45%	\$ -	\$ -
3.5	East of Ladyface Ct and west of Kanan Rd					L	Rolling	\$ 201,842	\$ 10,092	\$ 20,184	\$ 20,184	\$ 10,092	45%	\$ 90,829	\$ 353,224
3.6	West of Kanan Rd			Cut slopes south side; fill no. side	\$ 640,477	H	Rolling	\$ 2,640,616	\$ 132,031	\$ 792,185	\$ 264,062	\$ 132,031	45%	\$ 1,188,277	\$ 6,125,201
3.7	NAP Kanan Rd. to Cornell Rd.			widen bridge over channel 1400 sq. ft X \$175/sf		M		\$ -	\$ -	\$ -	\$ -	\$ -	45%	\$ -	na
4	Canwood Street														
4.1	Kanan Rd to 490 ft. w/o Clareton Dr.to Clareton					none		\$ -	\$ -	\$ -	\$ -	\$ -	45%	\$ -	\$ -
4.2	560 ft. w/o Clareton Dr. to Clareton					M	Level	\$ 77,413	\$ 3,871	\$ 15,483	\$ 7,741	\$ 3,871	45%	\$ 34,836	\$ 143,214
4.3	Clareton Dr. to 420 ft. e/o Clareton					M	Level	\$ 67,358	\$ 3,368	\$ 13,472	\$ 6,736	\$ 3,368	45%	\$ 30,311	\$ 124,612
4.4	420 ft. e/o Clareton to 250 ft. w/o Derry Ave.					M	Level	\$ 159,024	\$ 7,951	\$ 31,805	\$ 15,902	\$ 7,951	45%	\$ 71,561	\$ 294,195
4.5	250 ft. e/o Derry to Derry					M	Level	\$ 14,000	\$ 700	\$ 2,800	\$ 1,400	\$ 700	45%	\$ 6,300	\$ 25,900
4.6	Derry Ave. to Chesebro					none		\$ 5,600	\$ 280	\$ -	\$ 560	\$ 280	45%	\$ 2,520	\$ 9,240
5	Chesebro Road Canwood St to Driver Ave			2' fill both sides	\$ 8,996	L	Moderate	\$ 53,955	\$ 2,698	\$ 5,396	\$ 5,396	\$ 2,698	45%	\$ 24,280	\$ 94,422
6	Chesebro Road Palo Comado Cyn Rd to Agoura Rd			6' fill west side	\$ 18,187	M	Level	\$ 99,621	\$ 4,981	\$ 19,924	\$ 9,962	\$ 4,981	45%	\$ 44,829	\$ 359,799
7	Chesebro Road 170 ft. so. Of Dorothy Dr to Palo Comado Cyn					M	Level	\$ 55,144	\$ 2,757	\$ 11,029	\$ 5,514	\$ 2,757	45%	\$ 24,815	\$ 102,016
8	Kanan Road (south of Agoura Rd.)							\$ -	\$ -	\$ -	\$ -	\$ -	45%	\$ -	\$ -
8.1	From Roundabout entry curve/begin to end of taper	None				L	Level	\$ 44,408	\$ 2,220	\$ 4,441	\$ 4,441	\$ 2,220	45%	\$ 19,984	\$ 77,714
8.3	End of taper to begin taper at 165 n/o southerly city limit	None				L	Level	\$ 116,984	\$ 5,849	\$ 11,698	\$ 11,698	\$ 5,849	45%	\$ 52,643	\$ 204,723
8.4	Taper to existing pavement at southerly city limit	None				L	Level	\$ 12,484	\$ 624	\$ 1,248	\$ 1,248	\$ 624	45%	\$ 5,618	\$ 21,847
9	Kanan Road/Agoura Rd Intersection					M		\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ 4,200,000
								\$ 4,897,011	\$ 244,851	\$ 1,317,068	\$ 489,701	\$ 244,851	\$ 2,203,655	\$ 15,347,116	

Item #	Description	Quantity	Unit	Unit Price	TOTAL
1	Mobilization	---	LS	\$ 200,000	\$ 200,000
2	Traffic Control	1	LS	\$ 25,000	\$ 25,000
3	Storm Water Pollution Control	1	LS	\$ 10,000	\$ 10,000
4	Clearing and Grubbing	1	LS	\$ 10,000	\$ 10,000
5	Adjust Valve Cover to Grade	6	Each	\$ 600	\$ 3,600
6	Adjust SSMH to Grade	1	Each	\$ 1,000	\$ 1,000
7	Relocate Exist Water Meter	1	Each	\$ 1,500	\$ 1,500
8	Relocate Exist Fire Hydrant	1	Each	\$ 3,000	\$ 3,000
8	Remove Exist Signal and Lighting Facilities	---	LS	\$ 10,000	\$ 10,000
9	Remove Exist AC	98982	SF	\$ 0.50	\$ 49,491
10	Remove Exist Curb & Gutter	650	LF	\$ 7.50	\$ 4,875
11	Remove Exist Sidewalk	2782	SF	\$ 1.50	\$ 4,173
12	Excavation	16787	CY	\$ 12	\$ 201,444
13	Onsite Fill	20	CY	\$ 12	\$ 240
14	2" Cold Plane	8270	SF	\$ 1.00	\$ 8,270
15	Processed Miscellaneous Base	8061	CY	\$ 45	\$ 362,745
16	Asphalt Concrete	3731	Ton	\$ 90	\$ 335,790
17	A2-6 Curb & Gutter	1728	LF	\$ 22	\$ 38,016
18	A1-6 Curb	2768	LF	\$ 18	\$ 49,824
19	Mountable Curb	408	LF	\$ 20	\$ 8,160
20	Masonry Retaining Wall	190	LF	\$ 100	\$ 19,000
21	4" Thick Sidewalk	7495	SF	\$ 8	\$ 59,960
22	Adjust SDMH to Grade	1	Each	\$ 1,500	\$ 1,500
23	18" RCP Class IV	130	LF	\$ 225	\$ 29,250
24	Pedestrian Ramps	19	Each	\$ 2,500	\$ 47,500
25	Truck Apron	3940	SF	\$ 10.00	\$ 39,400
25	Truncated Domes	19	Each	\$ 500	\$ 9,500
26	Drainage Inlet	4	Each	\$ 4,500	\$ 18,000
27	SDMH	1	Each	\$ 4,000	\$ 4,000
28	Junction Structures	2	Each	\$ 4,000	\$ 8,000
29	Landscape and Irrigation	---	LS	\$995,790	\$995,790
30	Signing & Striping	---	LS	\$ 15,000	\$ 15,000
31	Street Lights	4	Each	\$ 10,000	\$ 40,000
32	Roundabout Metering System	---	LS	\$ 75,000	\$ 75,000
<b>Subtotal Roadway Construction</b>					<b>\$ 2,689,028</b>
Contingency				20%	\$ 537,806
<b>Total Roadway Construction Cost</b>					<b>\$ 3,226,834</b>
					Say \$ 3,230,000

**Assumptions**

- 1 SCE Pole Relocation Cost are not included.
- 2 SCE Lighting Design and Construction Cost has not been included.
- 3 Cost for relocation, modification or adjustment of ATT Facilities are not included.
- 4 Remove and replace sidewalks in Northwest quadrant of intersection

Roundabout Costs

Construction Costs	\$ 2,689,000
Contingency	\$ 538,000
Subtotal	<u>\$ 3,227,000</u>
ROW	\$ 41,400
Utility Costs	\$ 286,000
Soft Costs	\$ 645,000
Total	\$ 4,199,400
Rounding	\$ 4,200,000



## Appendix A.2 – Roadway Segments

### Agoura Rd.

Section No.	Section limits	Length (ft)
3.1	135 ft. east of western City limit to centerline of driveway at 30753 Agoura Rd.	410
3.2	centerline of driveway at 30753 Agoura Rd. to beginning of recent improvements at approximately 39516	2,200
3.3	39516 to end of recent improvements at 29856 Agoura Rd. (approx. 200 ft. east of Reyes Adobe)	1,480
3.4	200 ft. east of Reyes Adobe to 29414 Agoura Rd. (375 feet east of Ladyface Ct.)	2,030
3.5	375 ft. east of Ladyface Ct. to east end of island at 29402 Agoura (1075 ft. east of Ladyface Ct.)	700
3.6	1075 ft east of Ladyface Ct. to entry curves at Kanan Rd. Roundabout	2,860
3.7	End of Roundabout entry curves to centerline of Cornell Rd.	1,450

### Canwood

4.1	Kanan Rd to 490 ft. west of Clareton Dr. to Clareton	730	striping only
4.2	560 ft. west of Clareton Dr. to Clareton	560	
4.3	Clareton Dr. to 420 ft. east of Clareton	420	
4.4	420 ft. east of Clareton to 250 ft. west of Derry Ave.	740	
4.5	250 ft. east of Derry to Derry	250	
4.6	Derry Ave. to Chesebro	3,320	

Roadway Section numbers refer to the following exhibits to identify the location of specific improvements.

**APPENDICES**

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**Appendix A.3 – Mapping Exhibits**

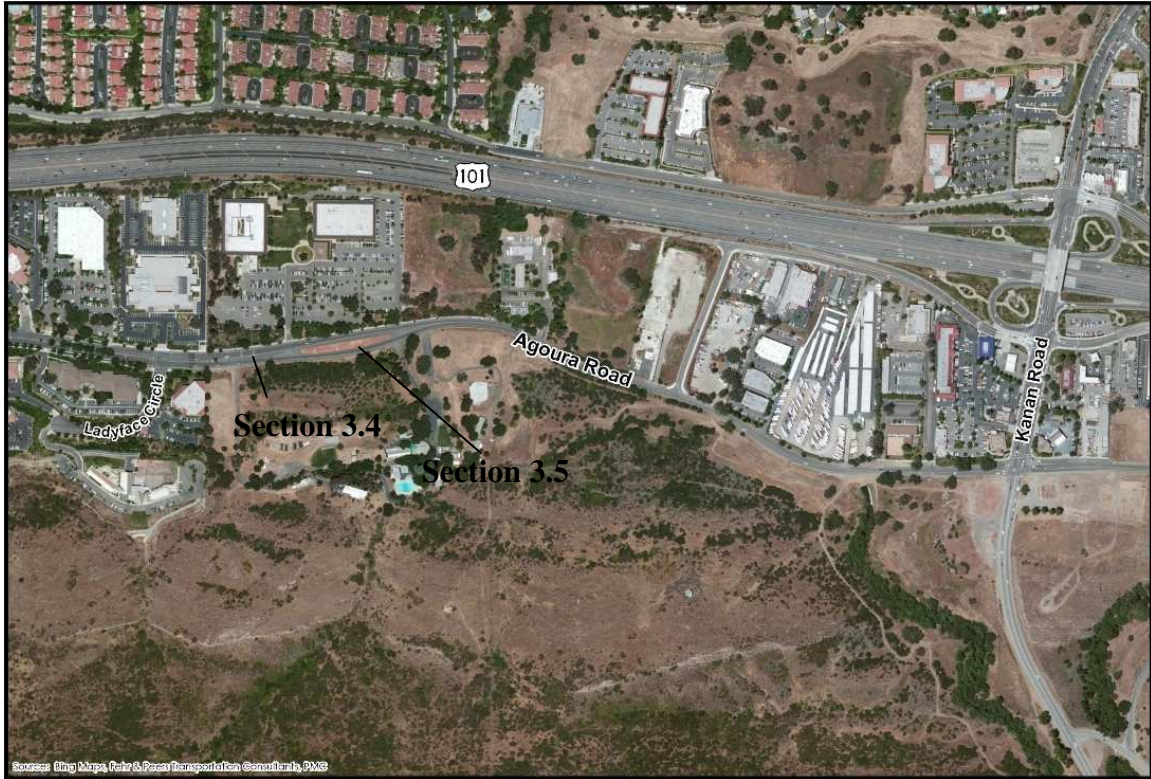
AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/27/2010



Additional Slope Easements – Agoura Road, Sections 3.1 and 3.2

# Agoura Road

## Sections 3.4 and 3.5



AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/24/2010



Agoura Rd. Section 3.6

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/22/2010



Agoura Rd. – Kanan Rd. to Cornell Rd., Section 3.7

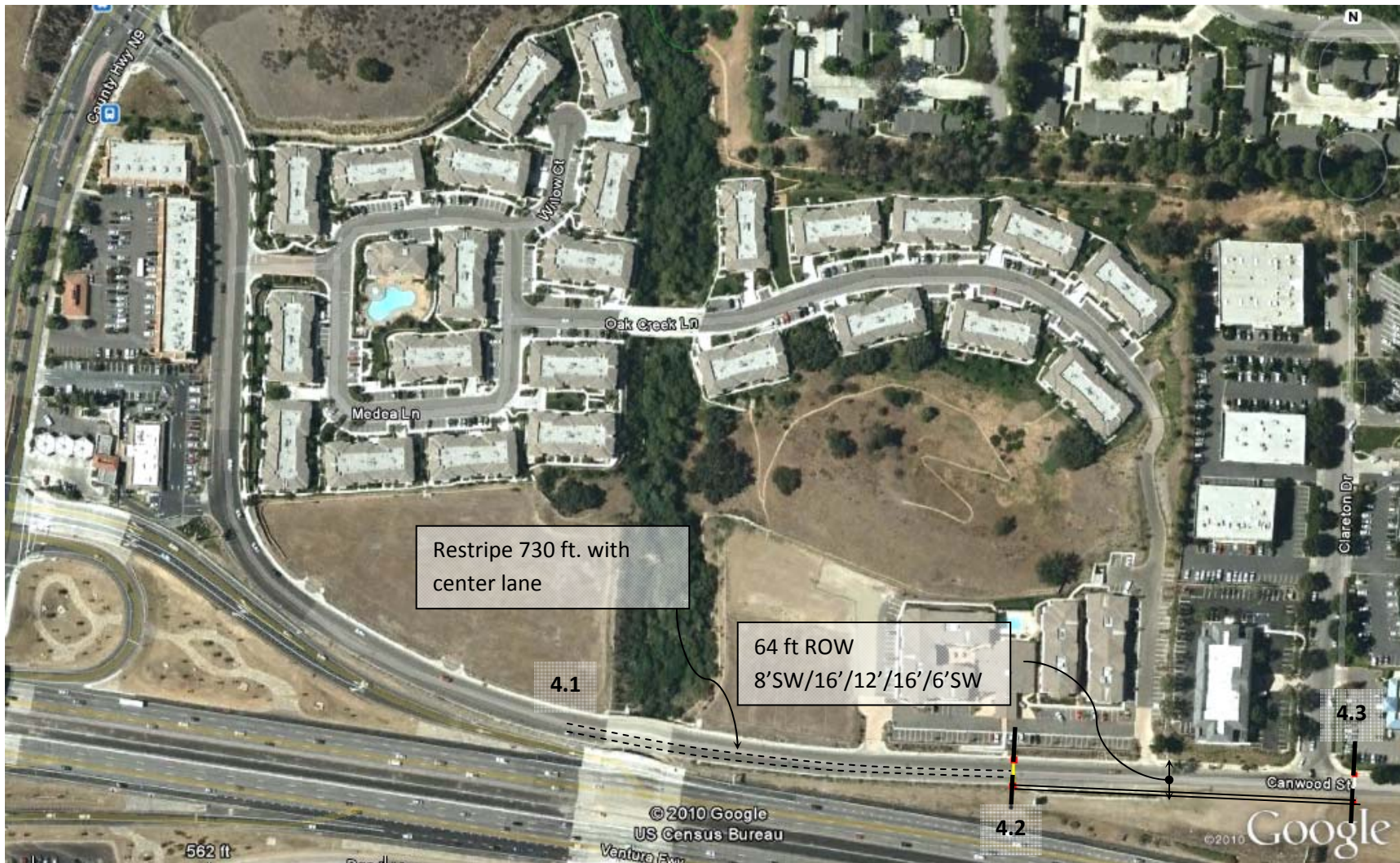
AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



Canwood Street – Sidewalk widening, Lewis to 350 ft east of Colodny



AGOORA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



Canwood Street – Kanan Road to Clareton, Sections 4.1 and 4.2

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



Canwood Road – Clareton to Derry, Sections 4.3 to 4.5

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



Canwood Street – Derry to Chesebro, Section 4.6

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



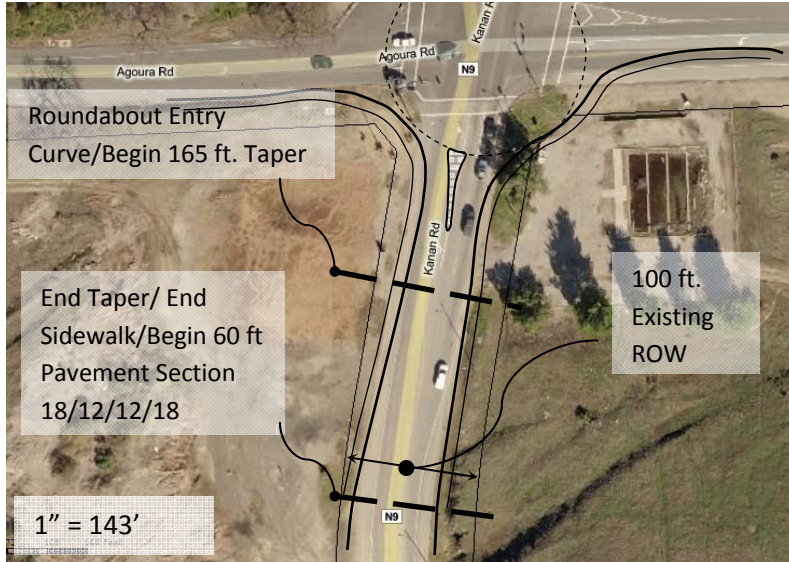
Chesebro Road – Canwood St. to Driver Ave., Section 5

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/28/2010



Additional Slope Easement – Chesebro Rd. Section 6

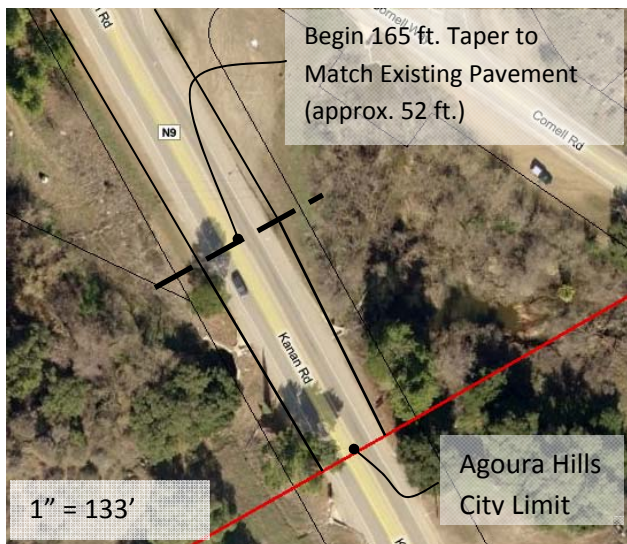
AGOURA HILLS  
 TRANSPORTATION IMPACT FEE  
 9/28/2010



Kanan Rd. South of Agoura Rd.-Section 8.1

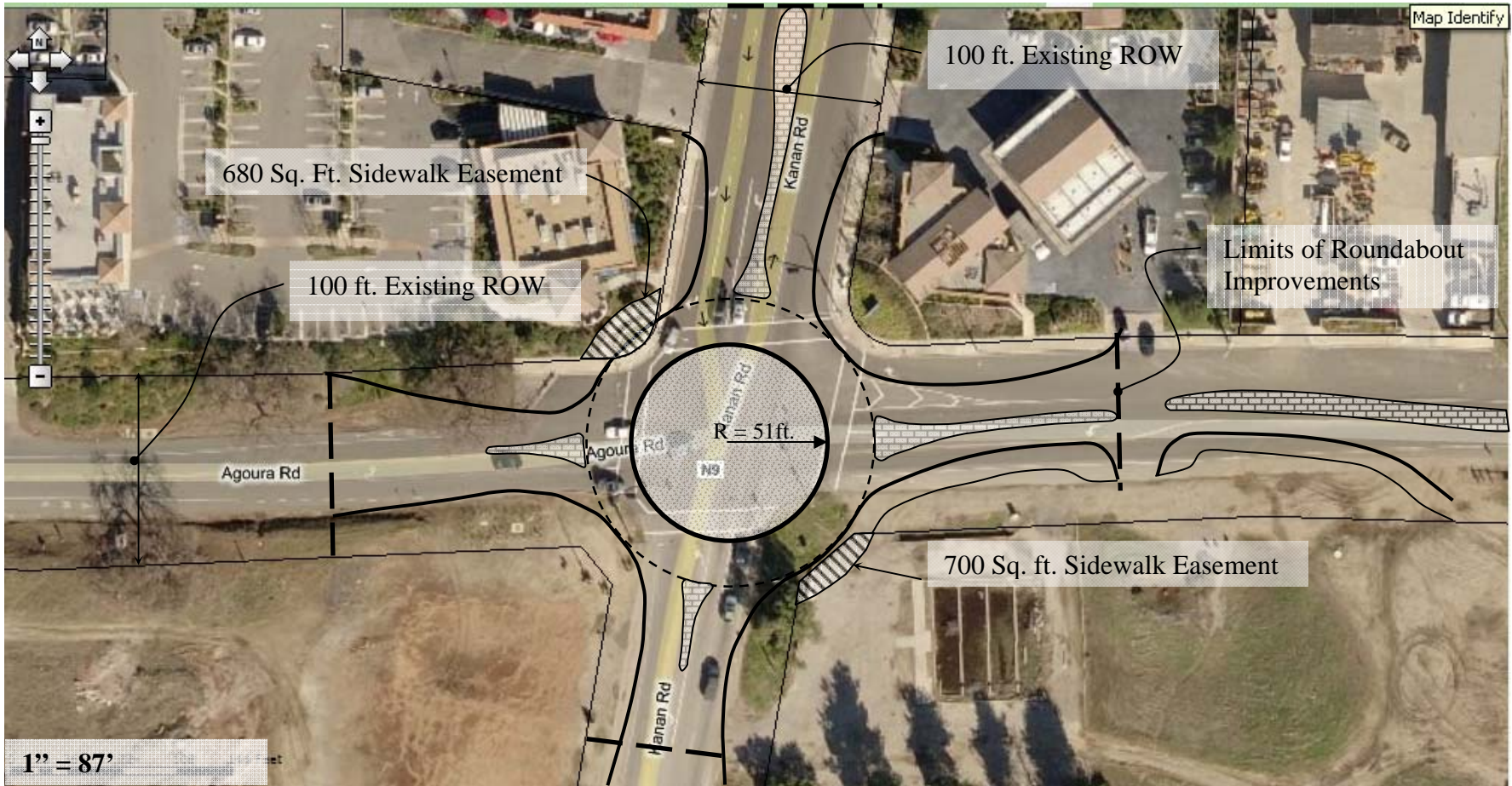


Kanan Rd.-Section 8.2



Kanan Rd. - Section 8.3

AGOURA HILLS  
TRANSPORTATION IMPACT FEE  
9/21/2010



Kanan Road – Agoura Road Roundabout