

Chapter 17.08

DEVELOPMENT FEES FOR TRAFFIC SIGNAL INSTALLATIONS

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17.08.010 Purpose.

It is found and determined that the public interest, convenience, health, safety and welfare require that owners, subdividers and/or developers, within the corporate limits of the City, share in the cost of the construction of certain traffic improvements to provide for the safe and orderly flow of vehicular traffic within the City. The need for such improvements is determined to be directly related to land development, as each land development generates additional traffic in the vicinity of the development, as well as affecting city-wide traffic, that contributes to a deterioration in the safe and orderly movement of traffic in the City. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.020 Payment of Fees.

The owner, subdivider or developer shall provide security for the payment, or shall pay the fees as established by resolution of the City Council of the City or within the Public Facilities Finance Plan, for these traffic signal installations and improvements to the city prior to the issuance of any building permit for any development determined to be subject to the provisions of this Chapter by the City. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.030 Public Hearing.

A. In the event the City determines that a local benefit area should be established to fairly spread the cost of traffic signal improvements to benefitted properties, the City shall hold a public hearing for the purpose of establishing the boundaries of any proposed local benefit area, the estimated costs, whether actual or estimated, and a fair method of allocation of costs to the area of benefit and apportionment of fees for any traffic signal installation, all as determined by City.

B. Said public hearing shall be noticed as provided in Section 65905 of the California Government Code.

C. A description of the local benefit area, costs, allocation of cost and any fee structure established at the hearing, shall be set forth in a resolution of the City council, a certified copy of which shall be recorded in the office of the County Recorder, after the same have been determined by the City. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.040 Protest.

A. A written protest may be filed with the City Clerk at any time prior to the public hearing held in accordance with Section 17.80.030 or may be presented at said hearing.

B. If written protests are filed by the owners of more than one-half of the area of real property to be benefitted and sufficient protests are not withdrawn so as to reduce the area represented in the protest to less than one-half (2) of that to be benefitted, then the proceedings shall be abandoned, and the City Council shall not, for one year from the filing of the written protests, commence or carry on any proceeding for the same improvement or acquisition under this section.

C. Any protest may be withdrawn by the owner of the real property making the same in writing, at any time prior to the conclusion of a public hearing held pursuant to this Chapter.

D. If any majority protest is directed against only a portion of the proposed improvements, the

portion so protested shall be subject to the one-year (1) prohibition stated in this section, but the city council shall not be prohibited from commencing new proceedings that do not include the portion of improvements which the majority protest is directed against. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.050 Expenditure of Fees.

A. Fees paid pursuant to this chapter shall be expended solely for the construction or reimbursement for construction of traffic signal installations serving the area to be benefited, and from which fees comprising the fund were collected, or to reimburse the City for the cost of constructing the improvements.

B. The City may advance money from its general fund to pay the cost of constructing any of the improvements. Any funds so advanced by the City are to be reimbursed from the facility fund or funds. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.060 Exceptions.

No fees pursuant to this Chapter shall be due for any building permit issued to:

A. The United States of America or any agency thereof;

B. The state of California or a political subdivision of the state;

C. Redevelopment or building modifications which increases the traffic generation by less than ten (10%) percent. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.070 Traffic Signal Installation and Improvements.

The owner, subdivider or developer shall be responsible for the following traffic signal improvements, if required by the city:

A. Traffic signals within the subdivision or development shall be installed when warrants are met or when required by the City upon recommendation of the City Engineer;

B. Relocation and/or modifications of existing traffic signals to conform to street improvements to

be constructed by the owner, subdivider and/or developer;

C. Conduits, pull boxes, and foundations for future traffic signals within or adjacent to the subdivision or development to facilitate future traffic signal construction and to minimize street excavation;

D. Traffic signals to mitigate the adverse environmental impacts of the subdivision or development. These signals must be located within the sphere of influence of the subdivision or development as determined by the City. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.080 Implementation Requirements.

The need to install a particular traffic signal shall be predicated on traffic conditions meeting warrants as prescribed in the current Caltrans Traffic Manual. The status of traffic conditions, and the extent to which the warrants are met, shall be determined through a traffic impact analysis, conducted by a licensed traffic engineer. A study may be required by the City for developments producing more than one thousand (1,000) trips per day, with the cost to be paid by owner, subdivider and/or developer. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)

17.08.090 Cost Allocation.

A. The fee for traffic signal improvements shall be divided into two parts as determined by the city. The first shall cover a share of the city-wide needs, while the second shall be for mitigating conditions of a localized area because of the new development.

B. The sharing of costs shall be based upon the trip ends generated by the new development, as shown in the current International Traffic Engineers (ITE) Trip Generation Manual, which is updated periodically. The planning department shall determine the most comparable trip generation factor for buildings not listed, and consider any data provided by a developer (prepared by a licensed traffic engineer) for a specific project, in establishing fees.

C. The cost per trip end shall be determined by dividing the total estimated costs of improvements, including plans and specifications, and the cost of construction and engineering as determined by the city engineer, by the total number of trip ends. For mitigation of traffic problems related to specific developments or benefit areas, the costs may be proportioned by the City Engineer in accordance with the benefits of individual properties.

D. The dollar amount of the fees shall be set and established from time to time by resolution of the City Council. The fees for city-wide traffic improvements shall be increased or decreased annually in accordance with the Engineers News Index published, and in effect on July 1st of each year, hereafter. (Ord. 606, 1999; Ord. 758 §5 (part), 2007)