

**ORDINANCE 2004-02**

**AN ORDINANCE OF THE CITY COUNCIL  
OF THE CITY OF AMERICAN CANYON, STATE OF CALIFORNIA  
APPROVING REVISIONS TO MUNICIPAL CODE, TITLE 15, CHAPTER 15.12  
UPDATING THE CITY'S  
TRAFFIC MITIGATION IMPACT FEES**

**WHEREAS**, pursuant to Section 66000 of the Government Code, in 1999 the City Council establishing a Traffic Mitigation Impact Fees to recover costs associated with projected impacts that development will have on the roadway and intersection infrastructure and services; and

**WHEREAS**, in accordance with the regulations established in the Government Code, adjustments to the impact fees may be made from time to time to ensure that the fees reflect realistic construction costs; and

**WHEREAS**, it is common practice and equitable to tie a City's Development Impact Fee to the Engineering News Record 20-City Construction Cost Index (ENR Index) to ensure that any increases in construction costs can be accurately tracked by a nationally recognized benchmark; and

**WHEREAS**, the ENR Index in December 1999 was 6,039 and the ENR index as of November 2003 was 6,794, representing an increase in construction costs of 12.5%; and

**WHEREAS**, in order to ensure that the City's Development Impact Fees are keeping up with current construction costs, the City's fees need to be increased by 12.5% above the fees approved in 1999, and

**WHEREAS**, attached and incorporated herein by references is Attachment A, Exhibit B as provided in Ordinance 99-18 but updated for inflation using the ENR Index, and

**WHEREAS**, in accordance with Section 66016 of the Government Code the City of American Canyon has held a duly noticed Public Hearing to consider the recommendations of City Staff; and

**WHEREAS**, the City Council considered all testimony given at the Public Hearing on January 15, 2004 regarding a proposed Ordinance to amend City of American Canyon Municipal Code Chapter 15.12;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF AMERICAN CANYON DOES HEREBY ORDAIN THE FOLLOWING:**

Section 1: Section 15.12.050 B of the American Canyon Municipal Code is amended to read as follows:

**Ordinance**

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B. The City of American Canyon at its sole discretion may adopt revised Traffic Mitigation Impact Fees based on the proportionate effects of inflation or changes to the cost of living. For purposes of calculation, the Engineering News Record 20-City Construction Cost Index shall be used for adjusting said fees. Said adjustments in accordance with this section may be approved by a resolution of the City Council.

Section 2: Exhibit A of Chapter 15.12 of the American Canyon Municipal Code is amended to read per Attachment A of this Ordinance, "Exhibit A: Project Costs Allocated by funding Source."

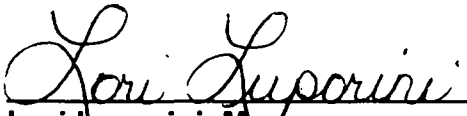
Section 3: Exhibit B of Chapter 15.12 of the American Canyon Municipal Code is amended to read per Attachment B of this Ordinance, "Exhibit B: Traffic Impact Fee Calculations"

Section 4: Effective Date. In accordance with Government Code 66017, this ordinance shall take effect sixty (60) days after its adoption.

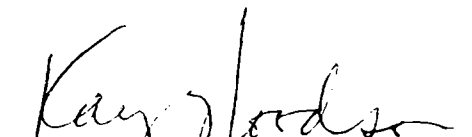
Section 5: Severability. This Ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any provision or clause of this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this ordinance are declared to be severable and are intended to have independent validity.

The foregoing ordinance was introduced and read as a regular meeting of the City Council of American Canyon, State of California, held on the 15<sup>th</sup> day of January, 2004, and was passed and adopted at a regular meeting of the City Council of the City of American Canyon, State of California, held on the 5<sup>th</sup> day of February, 2004, by the following vote:

**AYES:** Luporini, Shaver, Anderson, Colcleaser, Garcia  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

  
Lori Luporini, Mayor

**ATTEST:**

  
Kay Woodson, City Clerk

**APPROVED AS TO FORM:**

  
William D. Ross, City Attorney

**Exhibit A: Project Costs Allocated by Funding Source**

Prj. No.	Project Title	Total Cost	Other Sources		Developer Paid		Impact Fees	
			Pct	Amount	Pct	Amount	Pct	Amount
1	Flosden and American Canyon Rd, traffic signal	185,625	10%	18,563	90%	167,063	0%	0
2	Flosden Rd widen to two lanes, American Canyon Rd to Vallejo City limits	1,125,000		0	70%	787,500	30%	337,500
3	Broadway and American Canyon Rd, traffic signal, road imp. & bridgework	1,125,000		0	60%	675,000	40%	450,000
4	Eucalyptus & Hwy 29, realign traffic signal, incling 900' of roadway	883,125		0	25%	220,781	75%	662,344
5	Hwy 29 and Donaldson, traffic signal, land acquisition, & road realignment	765,000		0	75%	573,750	25%	191,250
6	Flosden Extension, 2 lanes from American Canyon Rd to Frisbee Lane	2,092,500		0	75%	1,569,375	25%	523,125
7	Frisbee, 2 lanes from Hwy 29 to Flosden (w/bridge & at grade RR crossing)	1,935,000		0	80%	1,548,000	20%	387,000
8	Flosden Extension, 2 lanes from Frisbee to Town Center Drive	1,968,750		0	50%	984,375	50%	984,375
9	Town Center Dr, 2 lanes from Hwy 29 to Flosden Ext.(w/at grade RR crossing)	1,986,750		0	50%	993,375	50%	993,375
10	American Canyon Rd, add 2 lanes from Hwy 29 to Broadway	888,750		0	50%	444,375	50%	444,375
11	Hwy 29 & American Canyon Rd, intersection improvements	185,625		0	0%	0	100%	185,625
12	Green Island Rd. Add 1 lane from Paoli Loop to Commerce	1,350,000		0	60%	810,000	40%	540,000
13	Paoli Loop Upgrade (widen shoulders, redesign SW loop radius)	742,500	33%	245,025	34%	252,450	33%	245,025
14	Wetlands edge Rd, Sunset Meadows portion (w/bridge but no trail)	646,875		0	58%	375,188	42%	271,688
15	Wetland's Edge Rd, Taper's portion (w/ no trail)	297,000		0	58%	172,260	42%	124,740
16	Eucalyptus Rd improvements west of Oceanview subdivision	810,000		0	50%	405,000	50%	405,000
17	Eucalyptus Rd improvements east of Oceanview subdivision	990,000		0	25%	247,500	75%	742,500
18	Commerce, No. Slough to Eucalyptus (bridge & emergency access rd)	1,237,500		0	0%	0	100%	1,237,500
19	Hanna Extension, bridge crossing and related utilities	697,500		0	0%	0	100%	697,500
20	Traffic Enhancements (Ped Bridge, Grade Separated RR, Landscaping, etc.)	2,345,625	34%	797,513	33%	774,056	33%	774,056
21	Future Traffic Studies	56,250		0	0%	0	100%	56,250
<b>GRAND TOTALS</b>		<b>22,314,375</b>		<b>1,061,100</b>		<b>11,000,048</b>		<b>10,253,228</b>
Estimated revenue shortfall from Retail/Office/Industrial Incentives				1,687,500				
Adjusted Total for Other Sources				2,748,600				

Ordinance #-2004 Attachment B  
 Exhibit B: Traffic Impact Fees

Land Use Types		Anticipated Growth			Trip Generation Rates					Trip Calculations			Traffic Fee Calculations			
Category	Unit	Current	Buildout	Net Growth	Daily Rate	Pct New	Trip Dist	Pct Intra	Pct Import	Intra Trips	Import Trips	Total Trips	New Trips per Unit	Existing Fee per Unit	New Fees per Unit	Revenue Produced
Single Family	DU	2,475	5,123	2,648	9.55	100%	10	20%	80%	2,529	20,231	22,760	8.60	\$1,709	\$1,923	\$5,092,394
Multi-Family	DU	772	1,022	250	6.28	100%	10	20%	80%	157	1,256	1,413	5.65	\$1,124	\$1,265	\$316,155
Retail/Office	ksf	262	1,172	910	46.80	49%	3	67%	33%	6,991	6,886	13,877	15.25	\$1,520	\$1,706	\$1,552,505
Restaurant	Seat	655	955	300	2.86	79%	2.5	80%	20%	271	136	407	1.36	\$135	\$152	\$45,498
Motel/Hotel	Room	-	400	400	6.41	59%	6.4	31%	69%	234	1,044	1,278	3.20	\$317	\$358	\$143,006
Industrial	ksf	2,000	6,000	4,000	5.92	92%	5.1	39%	61%	4,248	13,289	17,537	4.38	\$871	\$981	\$3,923,951
<i>Totals</i>										<i>14,430</i>	<i>42,842</i>	<i>57,272</i>				

Notes:

1. Calculation of Cost per Net Trip:

Impact Fee's Share	10,253,228
Net New Trips	45,825
<b>Cost Per Net New Trip</b>	<b>\$224</b>

2. Calculaiton of Net New Trips:

Total Projected New Trips	57,272
Less Discount for unrealized grout	20%
<b>Net New Trips</b>	<b>45,818</b>

3. Trip Generation Rates are based on the Institute of Traffic Engineers (ITE) studies and standards
4. Intra Trip Formula: (Daily Rate x Pct. New x Net Growth x Pct. Intra)/2
5. Import Trip Formula: (Daily Rate x Pct. New x Net Growth x Pct. Import)
6. New Trips per Unit Formula: (Total Trips / Net Growth)
7. Impact Fee Formula: (New Trips per Unit x Cost per Net New Trip)
8. Actual Traffic Impact Fee for Retail/Office and Industrial are based on single square footage, not thousand square feet.
9. The The discount forr the Retail and Industrial has been included to encourage those types of land uses, consistent with the City's Economic Development policy. The estimated revenue shortfall caused by discounting has been included in the "Other Sources" column (see exhibit A)
10. Total revenues ignore that some fees have been collected at lower fee schedules.

Ordinance #-2004 Attachment B

Recommended Traffic Impact Fees, December 2003

Land Use Category	Unit	Fee
Single Family	DU	\$1,923
Multi-Family	DU	\$1,265
Retail/Office (includes any commercial not listed below)	sq. Ft.	\$1.71
Restaurant	Seat	\$152
Motel/Hotel	Room	\$358
Industrial (includes warehousing and distribution uses)	sq. Ft.	\$0.98

DU = Dwelling Unit

Sq. Ft. = Square Foot of building space

**Special Industrial Incentive Program**

If an industrial program will produce significant new jobs of tax revenues, then a 15% reduction in Traffic Mitigation Fees may be allowed. Determination to be made by City Council. Generally, warehousing or distribution facilities would not be eligible.

**Alternative Commercial Rate Program**

Given the diversity of uses inherent in the Retail/Office category, an applicant may request an Alternative Traffic Mitigation Fee, based upon an independent traffic study, paid for by the applicant.