

COUNCIL MEETING OF  
December 19, 2006

PUBLIC HEARING

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: Public Hearing Regarding Development Impact Fees for  
Police and Fire**

**Expenditure: None**

**RECOMMENDATION**

The Community Development Director recommends that the City Council:

- Hold a Public Hearing regarding the Development Impact Fee; and
- Adopt the following:

An Ordinance of the City of Torrance adopting a Fire Facilities Impact Fee Program by adding Article 5 Of Chapter 9 of Part 1 of Division 2 to the Torrance Municipal Code.

An Ordinance of the City of Torrance adopting a Police Facilities Impact Fee Program by adding Article 6 of Chapter 9 of Part 1 of Division 2 of Division 2 to the Torrance Municipal Code.

**FUNDING**

None

**BACKGROUND**

On November 21, 2006, Your Honorable Body reviewed and approved the Development Impact Fee Justification Study ("Study"), which added police and fire fees to the program, and held an open public meeting. (Attachment A)

A Development Impact Fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of paying a portion of

the cost of public facilities related to the project within the City limits. These facilities are presented in the Needs List. The Needs List identifies public infrastructure facilities needed to meet increased demand for services resulting from new development within the City limits. The Needs List identifies the total estimated facility in current cost, including construction, land acquisition, and equipment, as provided by the City.

This Study enables the City to levy fees and partially fund facilities identified by the Study's Needs List for transportation facilities, the undergrounding of utilities, Sewer and Storm Drain facilities. The Study was to develop the methodologies to justify the collection of fees in accordance with the California Government Code 66000 (AB 1600) and satisfies the "rational nexus" tests used by California courts to determine the legality of development exactions.

## **ANALYSIS**

In order to implement the Development Impact Fee, pursuant to the California Government Code 66000 (AB 1600), the City council needs to hold the Public Hearing on the proposed imposition of a development impact fee on new development to finance the cost of police facilities, and fire facilities. Following the conclusion of the Public Hearing, City Council will review, approve, and adopt the amendment to the Torrance Municipal Code by adding Articles 5 and 6 of Chapter 9 of Part 1 of Division 2.

On January 9, 2007, staff will bring an item to City Council recommending the final step for implementation of the fees which will be the second and final reading of the ordinances, followed by the adoption of the Development Impact Fees Resolutions for police and fire facilities, as authorized by the corresponding Articles of Chapter of the Torrance Municipal Code.

Pursuant to the Development Impact Fee Resolutions, City staff will file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five days of January 9, 2007.

Pursuant to Government Code Section 66017, the Development Impact Fees shall be effective no sooner than sixty (60) days following the final action on the adoption of the development impact fees. The final action on the adoption of the development impact fees will take place on January 9, 2007. Therefore, the Development Impact Fees will take effect on March 10, 2007.

Developments that already have a vesting map or a development agreement prior to March 10, 2007 will be exempt from these fees.

On November 21, 2006, Your Honorable Body raised concern regarding development of new single family detached residential and requested that staff look into the feasibility of imposing development impact fees on new single family residential developments resulting from subdivision of R-1 land use.

The proposed Section 29.5.2 ("Residential Fire Facilities Impact Fees Required") of the Torrance Municipal Code currently provides that the residential development shall pay the development impact fee except as provided in the proposed Section 29.5.4. (A)(1) which provides the following: "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." Because, generally, no more than one housing unit is allowed on R-1 lot, and therefore the number of permanent housing unit on a parcel would not increase when rebuilding, no fee was imposed on single family residential detached developments. In addition, in review of the General Plan, staff does not envision a significant number of new R-1.

The existing and proposed fee resolutions, which actually set the fee amounts, do not specify any fee for single family detached developments. If Your Honorable Body wishes to pursue an R-1 Development Impact Fee, staff can return with an item requesting authorization to amend the Development Impact Fee Justification Study for all six components, and subsequently amend all six development impact fee resolutions.

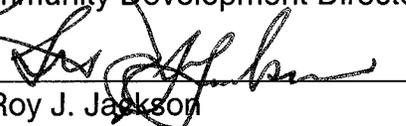
Respectfully Submitted,

JEFFERY W. GIBSON  
Community Development Director

By   
Ted Semaan, Manager  
Transportation Planning, Development  
Engineering & Records Division

CONCUR:

  
Jeffery W. Gibson  
Community Development Director

  
LeRoy J. Jackson  
City Manager

Attachments: A . November 21, 2006 Council Item 12 H (**LIMITED DISTRIBUTION**)  
B. Ordinances  
C. Ordinance Summaries  
D. Proof of Publication  
E. Mayor's Script (**LIMITED DISTRIBUTION**)



Council Meeting of  
**November 21, 2006**

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: Development Impact Fees for Police and Fire**

**Expenditure: None**

### **RECOMMENDATION**

The Community Development Director recommends that the City Council:

- Review and approve the amendment to the Development Impact Fee Justification Study to include Police and Fire facilities;
- Hold an open and public meeting regarding the proposed Development Impact Fee for Police and Fire facilities; and
- Consider and approve the time and place for the public hearing, to be held on December 19, 2006 at 7:00 p.m. in the City Council Chambers, regarding the adoption of the development impact fees for Police and Fire.

### **FUNDING**

None

### **BACKGROUND**

On August 16, 2005 your Honorable Body held a public hearing regarding the implementation of a Development Impact Fee, Phase I, for the purpose of paying a portion of the cost of public facilities for, undergrounding utilities, transportation, sewer and storm drain. At that meeting, the City Council also approved and adopted separate resolutions and ordinances for each of these facilities. Subsequently, pursuant to Government Code Section 66017, after a waiting period of 60 days, the development impact fee took effect on October 31, 2005. (**Attachment A**)

As directed by City Council, staff proceeded with adding the public safety facilities to the "Development Impact Fee Justification Study", for the purpose of paying a portion of the cost of Police and Fire facilities, Phase II. These facilities are presented in the Needs List. The Needs List identifies public infrastructure facilities needed to meet increased demand for services resulting from new development within the City limits. The Needs

List identifies the total estimated facility in current cost, including construction, land acquisition, and equipment, as provided by the City.

This Study enables the City to levy fees and partially fund facilities identified by the Study's Needs List for police and fire. The Study was to develop the methodologies to justify the collection of fees in accordance with the California Government Code 66000 (AB 1600) and satisfies the "rational nexus" tests used by California courts to determine the legality of development exactions.

## **ANALYSIS**

The total net costs of facility improvements needed to accommodate new development projected through 2020 for Police and Fire are approximately \$26 million. It is estimated that a total of \$7.5 million can be financed through the levying of impact fees, which represents 28.8% of the net facility costs needed to meet the future demands of the City through 2020. **Table I, II and III** summarizes the facilities costs in 2006 dollars.

**Table I  
Facilities Costs Through 2020**

Facility Name	Total Net Cost For Facility	% of Cost Allocated To New Development	Cost Allocated To New Development
Police	\$5,669,241	48.36%	\$2,741,712
Fire	\$20,666,409	22.55%	\$4,659,417
<b>Total Facilities</b>	<b>\$26,335,650</b>	<b>28.8%</b>	<b>\$7,401,129</b>

**Table II  
Residential Land Use Categories  
Development Impact Fee**

Single-Family Detached	Multi-Family/Others
N/A	\$557.00 per unit

**Table III  
Non-Residential Land Use Categories  
Development Impact Fee**

Commercial			Industrial		
Local	General	Commercial Center	Light	Heavy	Business Park
In \$ per 1,000 SF					
<b>\$327</b>	<b>\$334</b>	<b>\$327</b>	<b>\$245</b>	<b>\$157</b>	<b>\$245</b>

Using cost estimates from the Needs List, projected future population assuming current growth trends in housing, commercial, and industrial development extrapolated over the next fourteen-year period to 2020, and the development assumptions presented in the Fee study, DTA calculated preliminary fee amounts for each type of facility on the Needs List. **Table IV** summarizes the results of the calculations for each separate facility.

**Table IV  
DEVELOPMENT IMPACT FEE SUMMARY**

	<b>Utility Under- grounding Facilities</b>	<b>Traffic Facilities</b>	<b>Storm Drain Facilities</b>	<b>Sewer Facilities</b>	<b>Police Facilities</b>	<b>Fire Facilities</b>	<b>Total</b>
<b>Residential</b>	( per unit)	(per unit)	(per unit)	(per unit)	(per unit)	(per unit)	( per unit)
Single-Family	NA	NA	NA	NA	NA	NA	NA
Multi-Family	\$333.25	\$395.98	\$785.98	\$21.83	\$206.00	\$351.00	\$2,094.04
<b>Commercial</b>	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF
Local Commercial	\$1,845.66	\$2,193.04	\$1,082.62	\$36.38	\$121.00	\$206.00	\$5,484.71
General Commercial	\$1,788.29	\$2,124.87	\$721.74	\$34.56	\$124.00	\$210.00	\$5,003.46
Commercial Center	\$382.52	\$454.52	\$433.05	\$34.56	\$121.00	\$206.00	\$1,631.65
<b>Industrial</b>	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF
Heavy Industrial	\$79.69	\$94.69	\$721.74	\$21.83	\$91.00	\$154.00	\$1,162.95
Light Industrial	\$191.26	\$227.76	\$721.74	\$21.83	\$58.00	\$99.00	\$1,319.09
Business Park Industrial	\$318.77	\$378.76	\$721.74	\$21.83	\$91.00	\$154.00	\$1,686.10

If the City Council decides to adopt the proposed development impact fees for Police and Fire facilities, staff recommends that the City adopt a separate ordinance for each type of development fee (i.e., Police and Fire). Therefore, if any of the fees were to be invalidated by a court, the remainder could continue in effect. Also separate fees will make it easier for the City to keep a separate fund for each facility. In order to comply with the accounting requirements contained in Government Code Section 66001, the fees attributable to each planned facility should be maintained in separate funds."

Development Impact Fees for new development will be calculated by the Community Development staff according to the applicable development impact fee ordinances and resolutions, and will be collected at building permit issuance.

In order to implement these fees, City Council needs to take the following steps:

- Review and approve the Development Impact Fee Justification Study (**Attachment B**). This Study has been completed, and as mandated by the Government Code 66000 (AB 1600), has been available for public review at the Community Development Department since November 9, 2006;
- Hold an open and public meeting regarding the proposed Development Impact Fees for Police and Fire facilities. Notice of this meeting (**Attachment C**) was mailed out on November 7, 2006 to the developers, and interested parties; and
- Consider and approve the time and place for the public hearing, to be held on December 19, 2006 at 7:00 p.m. in the City Council Chambers, regarding the adoption of the proposed development impact fee for Phase II, Police and Fire facilities.

Respectfully submitted,

JEFFERY W. GIBSON  
Community Development Director

By



Ted Semaan, Manager  
Transportation Planning, Development  
Engineering and Records Division

CONCUR:



JEFFERY W. GIBSON  
Community Development Director



LeROY J. JACKSON  
City Manager

Attachments: A.- July 16, 2005 Council Item 12A (**Limited Distribution**)  
B.- The Development Impact Fee Study (**Limited Distribution**)  
C. - The Public Notice

Council Meeting of  
August 16, 2005

PUBLIC HEARING

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: Public Hearing Regarding Development Impact Fees**

**Expenditure: None**

**RECOMMENDATION**

The Community Development Director recommends that the City Council:

- Hold a public hearing regarding the Development Impact Fee; and
- Amend the Torrance Municipal Code by:

An Ordinance of the City of Torrance adopting a Transportation Impact Fee Program by adding Article 1 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code.

An Ordinance of the City of Torrance adopting a Utility Undergrounding Impact Fee Program by adding Article 2 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code .

An Ordinance of the City of Torrance adopting a Storm Drain Impact Fee Program by adding Article 3 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code.

An Ordinance of the City of Torrance adopting a Sewer Impact Fee Program and amending the Torrance Municipal Code by adding Article 4 of Chapter 9 of Part I of Division 2.

**FUNDING**

None

## **BACKGROUND**

On August 9th, 2005, Your Honorable Body reviewed and approved the Development Impact Fee Justification Study ("Study"), and held an open public meeting (**Attachment A**).

A Development Impact Fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of paying a portion of the cost of public facilities related to the project within the City limits. These facilities are presented in the Needs List. The Needs List identifies public infrastructure facilities needed to meet increased demand for services resulting from new development within the City limits. The Needs List identifies the total estimated facility in current cost, including construction, land acquisition, and equipment, as provided by the City.

This Study enables the City to levy fees and partially fund facilities identified by the Study's Needs List for transportation facilities, the undergrounding of utilities, Sewer and Storm Drain facilities. The Study was to develop the methodologies to justify the collection of fees in accordance with the California Government Code 66000 (AB 1600) and satisfies the "rational nexus" tests used by California courts to determine the legality of development exactions.

## **ANALYSIS**

In order to implement the Development Impact Fee, pursuant to the California Government Code 66000 (AB 1600), the City council needs to hold the Public Hearing on the proposed imposition of a development impact fee on new development to finance the cost of transportation facilities, undergrounding utilities, sewer and storm drain facilities. Following the conclusion of the public hearing, City Council will review, approve, and adopt the amendment to the Torrance Municipal Code by adding ARTICLES 1, 2, 3, and 4 OF CHAPTER 9 OF PART 1 OF DIVISION 2.

On August 30, 2005, staff will bring an item to City Council recommending the final step for implementation of the Fees which will be the second and final reading of the ordinances, followed by the adoption of the Development Impact Fees resolutions for the transportation facilities, undergrounding utilities, sewer facilities and storm drain facilities, as authorized by the corresponding Articles of Chapter 9 of part 1 of Division 2 of the Torrance Municipal Code.

Pursuant to the Development Impact Fee Resolutions, City staff will file a Notice of Exemption with the County Clerk pursuant to CEQA Guidelines Section 15062 within five days of August 30, 2005.

Pursuant to Government Code Section 66017, the Development Impact Fees shall be effective no sooner than sixty (60) days following the final action on the adoption of the development impact fees. The final action on the adoption of the development impact fees will take place on August 30, 2005. Therefore, the Development Impact Fees will take effect on October 31, 2005.

Developments that already have a vesting map or a development agreement prior to October 31, 2005 will be exempt from these fees.

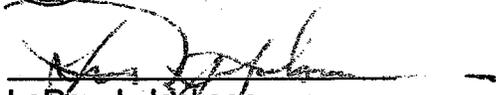
Respectfully submitted,

JEFFERY W. GIBSON  
Community Development Director

By   
Ted Semaan, Manager  
Transportation Planning, Engineering  
Permits & Records Division

CONCUR:

  
Jeffery W. Gibson  
Community Development Director

  
LeRoy J. Jackson  
City Manager

- Attachments: A . August 9, 2005 Council Item 9 B  
B. Ordinances  
C. Proof of Publication  
D. Mayor's Script (**Limited Distribution**)

COUNCIL MEETING OF  
August 9, 2005

SUPPLEMENTAL #1 TO ITEM 9B

Honorable Mayor and Members  
of the Torrance City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT: SUPPLEMENTAL #1 TO COUNCIL AGENDA ITEM 9B**

Questions have been raised regarding the Development Impact Fee (Fee) Justification Study. The following is a clarification of these concerns.

As outlined in the item, staff has been working with the consulting firm of David Taussig and Associates, as well as other City Departments to complete the Development Impact Fee Justification Study, in accordance with the California Government Code 66000 (AB 1600).

The Study targets four separate public facilities for improvements, Transportation, Undergrounding of Utilities, Sewer and Storm Drain facilities. The Needs List for each of the facilities was tabulated along with the associated cost of the improvements. The total net cost of facility improvements through 2020 is approximately \$332 million, of which \$39 million or 11.7% is attributed to the impacts of new development.

The Development Impact Fees are applicable to all types of developments, except single family residential (R1). The following is a summary of the total fee to be collected per land use:

- Residential (except R1) - \$1,537 per unit;
- Local Commercial - \$5,157 per 1,000 SF;
- General-Commercial - \$4,669 per 1,000 SF;
- Commercial Center - \$1,304 per 1,000 SF;
- Heavy Industrial - \$917 per 1,000 SF;
- Light Industrial - \$1,162 per 1,000 SF; and
- Business Park - \$1,441 per 1,000 SF.

Once the Fee is adopted by the City Council, separate accounts will be created for each of the four facilities. As a courtesy, the estimated fees will initially be calculated by the Community Development Department upon receiving the developer's application. The

actual fee amount will be given to the developer prior the issuance of building permit and the fee will be collected upon final building inspection or certificate of occupancy, whichever occurs first.

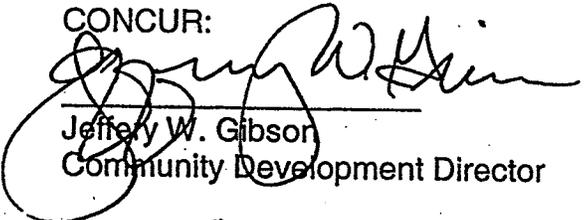
Based on AB 1600 guidelines, the fee collection for each facility can only be used toward projects listed on that facility's Needs List and have to be spent within five years of the collection date.

Respectfully submitted,

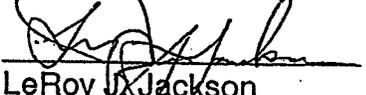
JEFFERY W. GIBSON  
Community Development Director

By   
TED SEMAAN  
Manager, Transportation Planning,  
Engineering Permits and Records  
Division

CONCUR:

  
Jeffery W. Gibson  
Community Development Director

NOTED: Concur:

  
LeRoy J. Jackson  
City Manager

Council Meeting of  
August 9, 2005

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

**Members of the Council:**

**SUBJECT: Development Impact Fees**

**Expenditure: None**

**RECOMMENDATION**

The Community Development Director recommends that the City Council:

- Review and approve the Development Impact Fee Justification Study;
- Hold an open and public meeting regarding the Development Impact Fee; and
- Consider and approve the time and place for the public hearing, to be held on August 16, 2005 at 7:00 p.m. in the City Council Chambers, regarding the adoption of the development impact fee ordinances.

**FUNDING**

None

**BACKGROUND**

On July 26, 2005, Your Honorable Body reviewed the status report regarding the Development Impact Fee Justification Study ("Study"), the proposed timeline for the fee implementation, and directed the staff to proceed (**Attachment A**).

A Development Impact Fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of paying a portion of the cost of public facilities related to the project within the City limits. These facilities are presented in the Needs List. The Needs List identifies public infrastructure facilities needed to meet increased demand for services resulting from new development within

the City limits. The Needs List identifies the total estimated facility in current cost, including construction, land acquisition, and equipment, as provided by the City.

This Study enables the City to levy fees and partially fund facilities identified by the Study's Needs List for transportation facilities, the undergrounding of utilities, Sewer and Storm Drain facilities. The Study was to develop the methodologies to justify the collection of fees in accordance with the California Government Code 66000 (AB 1600) and satisfies the "rational nexus" tests used by California courts to determine the legality of development exactions.

## ANALYSIS

The total net costs of facility improvements needed to accommodate new development projected through 2020 are approximately \$332 million. It is estimated that a total of \$38.9 million can be financed through the levying of impact fees, which represents 11.73% of the net facility costs needed to meet the future demands of the City through 2020. Table I summarizes the facilities costs in 2005 dollars.

**Table I  
Facilities Costs Through 2020**

Facility Name	Total Net Cost For Facility	% of Cost Allocated To New Development	Cost Allocated To New Development
Utility Undergrounding	\$86,201,250	13.80%	\$11,895,255
Transportation Facilities	\$101,009,000	13.98%	\$14,118,669
Storm Drain	\$140,220,766	8.44%	\$11,827,847
Sewer	\$4,964,183	23.26%	\$1,154,456
<b>Total Facilities</b>	<b>\$332,395,199</b>	<b>11.73%</b>	<b>\$38,996,227</b>

In order to finance the facilities identified on the Needs List, DTA calculated impact fee amounts for future development to 2020. The proposed Development Impact Fees per land use to finance new developments portion of the facilities on the Needs List are presented in Tables II and III.

**Table II  
Residential Land Use Categories  
Total Development Impact Fee**

<b>Single-Family Detached</b>	<b>Multi-Family/Others</b>
<b>In \$ per Unit</b>	<b>In \$ per Unit</b>
<b>N/A</b>	<b>\$1,537.04</b>

**Table III  
Non-Residential Land Use Categories  
Total Development Impact Fee**

<b>Commercial</b>			<b>Industrial</b>		
<b>Local</b>	<b>General</b>	<b>Commercial Center</b>	<b>Light</b>	<b>Heavy</b>	<b>Business Park</b>
<b>In \$ per 1,000 SF</b>					
<b>\$5,157.71</b>	<b>\$4,669.46</b>	<b>\$1,304.65</b>	<b>\$917.96</b>	<b>\$1,162.09</b>	<b>\$1,441.10</b>

Using cost estimates from the Needs List, projected future population assuming current growth trends in housing, commercial, and industrial development extrapolated over the next 15-year period to 2020, and the development assumptions presented in the Fee study, DTA calculated preliminary fee amounts for each type of facility on the Needs List. Table IV summarizes the results of the calculations for each separate facility.

If Your Honorable Body decides to adopt these various development fees, staff recommends that the City adopt a separate ordinance for each type of development fee (i.e., utility undergrounding, traffic, storm drain, and sewer). Therefore, if any of the fees were to be invalidated by a court, the remainder could continue in effect. Also separate fees will make it easier for the City to keep a separate fund for each facility. In order to comply with the accounting requirements contained in Government Code Section 66001, the fees attributable to each planned facility should be maintained in separate funds.

Development Impact Fees for new development will be calculated by the Community Development staff and will be collected at building permit issuance.

**Table IV  
DEVELOPMENT IMPACT FEE SUMMARY**

	<b>Utility Undergrounding Facilities</b>	<b>Traffic Facilities</b>	<b>Storm Drain Facilities</b>	<b>Sewer Facilities</b>	<b>Total</b>
<b>Residential</b>	( per unit)	(per unit)	(per unit)	(per unit)	( per unit)
Single-Family	NA	NA	NA	NA	NA
Multi-Family	\$333.25	\$395.98	\$785.98	\$21.83	\$1,537.04
<b>Commercial</b>	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)
Local	\$1,845.66	\$2,193.04	\$1,082.62	\$36.38	\$5,157.71
Commercial	\$1,788.29	\$2,124.87	\$721.74	\$34.56	\$4,669.46
General	\$382.52	\$454.52	\$433.05	\$34.56	\$1,304.65
Commercial Center					
<b>Industrial</b>	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)	(per 1,000 SF)
Light	\$79.69	\$94.69	\$721.74	\$21.83	\$917.96
Industrial	\$191.26	\$227.76	\$721.74	\$21.83	\$1,162.09
Heavy	\$318.77	\$378.76	\$721.74	\$21.83	\$1,441.10
Industrial					
Business Park					
Industrial					

In order to implement these fees, City Council needs to take the following steps:

- Review and approve the Development Impact Fee Justification Study (**Attachment B**). This Study has been completed, and as mandated by the Government Code 66000 (AB 1600), has been available for public review at the Community Development Department on July 22, 2005;
- Hold an open and public meeting regarding the Development Impact Fee. Notice of this meeting (**Attachment C**) was mailed out on July 19, 2005 to the developers, and interested parties; and

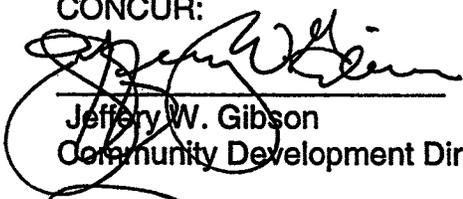
- Consider and approve the time and place for the public hearing, to be held on August 16, 2005 at 7:00 p.m. in the City Council Chambers, regarding the adoption of the development impact fee ordinances.

Respectfully submitted,

JEFFERY W. GIBSON  
Community Development Director

By   
 Ted Semaan, Manager  
 Transportation Planning, Engineering  
 Permits & Records Division

CONCUR:

  
 Jeffrey W. Gibson  
 Community Development Director

  
 LeRoy J. Jackson  
 City Manager

- Attachments:
- A. July 26, 2005 Council Item 9B – Staff Report
  - B. Development Impact Fee Study
  - C. Public Notice

Council Meeting of  
July 26, 2005

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance, California

Members of the Council:

**SUBJECT:       Development Impact Fees  
                  Expenditure: - \$38,000**

### **RECOMMENDATION**

The Community Development Director recommends that the City Council:

- Review the status report regarding the Development Impact Fee Study;
- Review the proposed timeline for the Fee implementation process and direct staff to proceed as directed;
- Authorize the expenditure of an additional \$13,000 to the original amount to complete Phase I (Transportation Facilities, Undergrounding Utilities; Sewer and Storm Drain);
- Authorize the expenditure of an additional \$25,000 to complete Phase II a "Development Impact Fee Justification Study for Public safety (Fire and Police)";
- Approve an Amendment (Attachment A) to the Consultant Services Agreement C2004-036 to extend the term until December 26, 2005, to complete the fee implementation process for Transportation Facilities, Undergrounding Utilities, Sewer and Storm Drain facilities, as well as completing Phase II for Public Safety; and
- Authorize the Mayor and City Clerk to execute and attest to said Amendment.

### **FUNDING**

The funding source for finalizing Phase I, in the amount of \$13,000 will be from the Community Development professional services. The funding source for Phase II will be from Innovation Fund in the amount of \$25,000.

### **DEVELOPMENT IMPACT FEE DEFINITION**

A Development Impact Fee is a monetary exaction other than a tax or special assessment that is charged by a local governmental agency to an applicant in connection with approval of a development project for the purpose of paying a portion of

the cost of public facilities related to the project within the City limits. These facilities are presented in the Needs List. The Needs List identifies public infrastructure facilities needed to meet increased demand for services resulting from new development within the City limits. The Needs List identifies the total estimated facility in current cost, including construction, land acquisition, and equipment, as provided by the City.

## BACKGROUND

On February 24, 2004, your Honorable Body approved a contract with the consulting firm of David Taussig and Associates to prepare a Development Impact Fee (DIF) Justification Study (the "Study"). This Study enables the City to levy fees and partially fund facilities identified by the Study's Needs List for transportation facilities, the undergrounding of utilities, Fire and Police facilities. The Study was to develop the methodologies to justify the collection of fees in accordance with the California Government Code 66000 (AB 1600) and satisfies the "rational nexus" tests used by California courts to determine the legality of development exactions.

An inter-departmental team was developed to assist in the preparation and evaluation of this Study. The members included the Finance Director, City Attorney, representatives from City Manager's Office, and Community Development Department.

## ANALYSIS

Through the past 16 months, the DIF Team met several times with the consultant, and impacted departments. The Consultant collected data to developed methodologies and compiled Needs List for transportation facilities, undergrounding utilities. The compiled information and the proposed methodologies were shared with the residential, commercial, and industrial developers in the City at the first meeting in July, 2004.

In August 2004, the DIF team requested the Consultant to include Sewer and Storm drain facilities in lieu of the Fire and Police. With the support of the Developers and the DIF Team, staff proceeded with the first draft study and projected fees. This Study was submitted to the staff by the consultant in September, 2004, which subsequently was distributed to the DIF Team and the City's outside legal counsel, Law Offices of Richards, Watson, and Gershon for review and comments.

Concurrent with the development of the Study, the City Council directed staff to compile land use information as part of the 35-Day Report, initiating the consideration of a moratorium. The 35-Day Report presented to City Council on October 5, 2004 provided more current information on the Land use and vacant land inventories that subsequently required the reassessment of DIF Study. The consultant applied the methodology to the more current data and revised the projected fees. These fees were presented to the Developers at the second developers meeting in November 2004. With the developers continued support, staff and consultant, prepared and distributed the final draft of the Development Impact Justification Study in December 2004.

The City's outside legal Counsel, Law Offices of Richards, Watson, and Gershon (RWG) needed to review the rational nexus between the methodologies and the Needs list. One of the DIF components, Undergrounding of Utilities, did not have prior history or case study, and therefore required extensive evaluation by RWG. During this period, staff prepared an item to amend the DTA contract for both time extension and additional money. However, due to the questionability of the undergrounding utilities, and the feasibility of starting Fire and Police, staff postponed the contract extension until later time.

The later part of March 2005, Staff received the direction to proceed and keep the Undergrounding Utilities as part of the Study. However, the question regarding Fire and Police was still pending.

Upon receiving direction from our legal council regarding the Undergrounding, staff prepared an item regarding the Development Impact Fee Study for the April 20, 2005 Planning Commission meeting. Staff received questions and concerns regarding CEQA guideline and requirements by RWG. In June, the CEQA concerns were addressed, and DIF item (Attachment C) was taken to the Planning Commission on June 15<sup>th</sup>, 2005. Planning Commission reviewed the report and with no opposition from the developers, concurred with the staff's recommendation to proceed to City Council.

As outlined in the attached Planning Commission Item, Table I summarizes the total improvement costs for the four facilities.

Table I  
Facilities Costs Through 2020

Facility Name	Total Cost For Facility	% of Cost Allocated To New Development	Cost Allocated To New Development
Utility Undergrounding	\$86,201,250	13.80%	\$11,895,255
Transportation Facilities	\$101,009,000	13.98%	\$14,118,669
Storm Drain	\$140,220,776	8.52%	\$11,827,847
Sewer	\$4,964,183	23.24%	\$1,154,456
<b>Total Facilities</b>	<b>\$332,395,199</b>	<b>11.73%</b>	<b>\$38,996,227</b>

In order to finance the facilities identified on the Needs List, DTA calculated impact fee amounts for future development to 2020. The proposed Development Impact Fees per

land use to finance new developments portion of the facilities on the Needs List are presented in Tables II and III.

**Table II**  
**Residential Land Use Categories**  
**Total Development Impact Fee**

Single-Family Detached	Multi-Family/Others
In \$ per Unit	In \$ per Unit
N/A	\$1,537.04

**Table III**  
**Non-Residential Land Use Categories**  
**Total Development Impact Fee**

Commercial			Industrial		
Local	General	Commercial Center	Heavy	Light	Business Park
In \$ per 1,000 SF					
\$5,157.71	\$4,669.46	\$1,304.65	\$917.96	\$1,162.09	\$1,441.10

Subsequent to the February 24, 2004 City Council adoption of the contract service agreement, in August 2004, the Development Impact Fee Team requested the consultant to include the sewer and storm drain facilities in lieu of the Police and Fire. Compiling the Needs List for Police Fire required more gathering of data with greater complexity and therefore postponed the Fee Justification Study for Fire and Police to a later date. In addition, in order to implement the Fees, the consultant needs to finalize the Study and process the fee implementation based on the California Government Code section 66000. Therefore, staff is requesting that the City Council extend the Agreement term to December 26, 2005, and authorize an additional expenditure of \$38,000, \$13,000 for Phase I and \$25,000 for Phase II.

### FEE IMPLEMENTATION TIMELINE

Pursuant to the Mitigation Fee Act, certain actions by the City Council are required to implement the DIF. Staff is recommending the following time line for each action:

August 2, 2005 – City Council to:

- Review and approve the Development Impact Fee Justification Study;
- Hold an open and public meeting regarding the DIF Study;

- Consider and approve the time and place for the public hearing, to be held on August 16, 2005 at 7:00 p.m. in City Council chambers, regarding adoption of the development impact fee.

August 16, 2005 – City Council to:

- Hold a public hearing at which oral or written presentations can be made regarding the proposed development impact fees; and
- Introduce the development impact fee ordinances for the four types of proposed impact fees: 1) utility undergrounding; 2) transportation; 3) sewer; and 4) storm drainage.

September 13, 2005 – City Council to:

- Complete a second reading of the development impact fee ordinances;
- Adopt the development impact fee ordinances;
- Adopt the development impact fee resolutions, which set the amount of the various fees, contingent upon the effective date of the development impact fee ordinances.

October 14, 2005 – Ordinance takes effect.

Respectfully submitted,

Jeffery W. Gibson  
Community Development Director

By

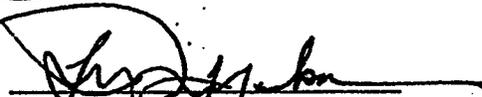


Ted Semaan, Manager  
Transportation Planning, Engineering  
Permits & Records Division

CONCUR:



Jeffery W. Gibson  
Community Development Director



LeRoy J. Jackson  
City Manager

- Attachments:
- First Amendment to Agreement
  - Consulting Service Agreement C 2004-036
  - Planning Commission Item 13A, June 15, 2005
  - Developers' Notification List

DAVID  
**TAUSSIG**  
& Associates, Inc.

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**DEVELOPMENT IMPACT FEE  
JUSTIFICATION STUDY  
CITY OF TORRANCE**

July 22, 2005

Public Finance  
Facilities Planning  
Urban Economics

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Newport Beach  
Riverside  
San Ramon

**DEVELOPMENT IMPACT FEE  
JUSTIFICATION STUDY  
CITY OF TORRANCE**

July 22, 2005

**DEVELOPMENT IMPACT FEE  
JUSTIFICATION STUDY**

**Prepared for**

**CITY OF TORRANCE  
3031 Torrance Boulevard  
Torrance, California 90503  
(310) 328-5310**

**Prepared by**

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**TABLE OF CONTENTS**

<i>SECTION</i>	<i>PAGE</i>
<b>EXECUTIVE SUMMARY .....</b>	<b>ES-1</b>
<b>I. INTRODUCTION .....</b>	<b>1</b>
<b>II. STATUTORY REQUIREMENTS TO JUSTIFY DEVELOPMENT IMPACT FEES .....</b>	<b>3</b>
<b>III. EXISTING AND EXPECTED FUTURE DEVELOPMENT .....</b>	<b>6</b>
<b>IV. PROPOSED FACILITIES .....</b>	<b>11</b>
<b>V. METHODOLOGY UTILIZED TO CALCULATE UTILITY UNDERGROUNDING IMPACT FEES .....</b>	<b>13</b>
<b>VI. METHODOLOGY UTILIZED TO CALCULATE TRANSPORTATION IMPACT FEES .....</b>	<b>17</b>
<b>VII. METHODOLOGY UTILIZED TO CALCULATE STORM DRAIN IMPACT FEES .....</b>	<b>20</b>
<b>VIII. METHODOLOGY UTILIZED TO CALCULATE SEWER IMPACT FEES .....</b>	<b>23</b>
<b>IX. CONCLUSION .....</b>	<b>25</b>
 <b>APPENDIX A-1      Fee Derivation Worksheets</b>	
<b>APPENDIX A-2      Future Residential Units Apportionment</b>	

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## EXECUTIVE SUMMARY

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The City of Torrance (the "City") is a nearly built-out City that is expecting 3% to 4% growth annually resulting from new development of undeveloped land as well as re-development of existing uses ("converted uses")<sup>1</sup>. As is common with nearly built-out cities, the City is experiencing an increase in permit requests for projects that expand or replace existing structures, often with structures providing a different use other than the existing land use. These converted uses must also be considered in allocating responsibility for costs associated with development impacts. In order to adequately plan for new development and identify facilities and costs associated with mitigating the impacts of new development and converted uses, David Taussig & Associates, Inc. ("DTA") was retained by the City to prepare an AB 1600 Fee Justification Study ("Fee Study") for utility undergrounding, transportation, storm drain, and sewer facilities.

The purpose of this report is to: i) identify the scope and cost of such infrastructure; ii) demonstrate a clear nexus between fees imposed, and benefits derived; and iii) calculate recommended fee levels using a rational analysis. This study is intended to comply with Section 66000 et seq. of the Government Code, which was enacted by the State of California in 1987 through Assembly Bill 1600 ("AB 1600"). AB 1600 requires that future facilities be identified and fee levels be established that represent the "fair share" contribution of new development.

The future facilities identified in this report consist of four major components: i) utility undergrounding, which includes removal of poles and overhead lines replaced by underground conduits, wires and structures; ii) transportation, such as the widening of various street intersections throughout the City to include additional lanes, with corresponding signalization upgrades and the Del Amo Extension; iii) storm drain improvements, such as the installation of new and replacement of out-lived drainage systems throughout the City; and iv) sewer improvements, which include the installation of new and the replacement of under-capacity sewer facilities throughout the City that have city-wide benefit. The size, scope and estimated costs are identified in the "Needs List" found in Section IV "Proposed Facilities."

Three methodologies were used to demonstrate a clear nexus between proposed fees and benefits derived: i) Average Daily Trips ("ADTs")<sup>2</sup> were used to apportion costs for both utility undergrounding and traffic transportation facilities, since benefits derived from these two components are most easily related to traffic passing on or through these improvements; ii) storm runoff was used to apportion costs of new storm drain facilities, since the size and cost of storm drain pipes, manholes, etc. is directly related to storm runoff conveyed; and iii) wastewater generation volumes by land use was used to apportion costs of new sewer facilities, since facility size and cost is directly related to the volume of waste water collected and conveyed.

Fee levels were calculated and assigned to eight land use categories for fairness and ease of implementation. These categories are "Single-Family Detached" and "Multi-Family/Others",

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<sup>1</sup> Represents expected future re-development of parcels where the proposed uses are more intense than the existing improvements.

<sup>2</sup> Institute of Transportation Engineers, *Trip Generation*, (Washington: Institute of Transportation Engineers, 2001) has been used to assign ADTs.

for residential uses, "Local Commercial," "General Commercial," and "Commercial Center" for commercial uses, and "Light," "Heavy," and "Business Park" for industrial uses.<sup>3</sup>

Fee levels for "Single-Family Detached" are shown as not applicable ("NA") since, as a matter of City policy, fees will not be imposed on new R1 projects. Fair share allocations of cost to new R1 development will not be passed on or absorbed by other land use categories, but will remain simply as fees not collected.

The recommended fees for the four major infrastructure components and the five land use categories are listed in the Table ES-1 below. The total fee by facility type, is also shown in bold.

**Table ES-1  
DEVELOPMENT IMPACT FEE SUMMARY**

<b>Land Use</b>	<b>Utility Undergrounding Facilities</b>	<b>Transportation Facilities</b>	<b>Storm Drain Facilities</b>	<b>Sewer Facilities</b>	<b>Total</b>
<b>Residential</b>	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)
Single-Family Detached	NA	NA	NA	NA	NA
Multi-Family/Others <sup>3</sup>	\$333.25	\$395.98	\$785.98	\$21.83	<b>\$1,537.04</b>
<b>Commercial</b>	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)
Local Commercial	\$1,845.66	\$2,193.04	\$1,082.62	\$36.38	<b>\$5,157.71</b>
General Commercial	\$1,788.29	\$2,124.87	\$721.74	\$34.56	<b>\$4,669.46</b>
Commercial Center	\$382.52	\$454.52	\$433.05	\$34.56	<b>\$1,304.65</b>
<b>Industrial</b>	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)
Light	\$79.69	\$94.69	\$721.74	\$21.83	<b>\$917.96</b>
Heavy	\$191.26	\$227.26	\$721.74	\$21.83	<b>\$1,162.09</b>
Business Park	\$318.77	\$378.76	\$721.74	\$21.83	<b>\$1,441.10</b>

<sup>3</sup> The "Other" land use category includes mobile homes and other miscellaneous residential land uses.

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## I. INTRODUCTION

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The City of Torrance (the "City"), a nearly built-out City, is located halfway between Los Angeles and Orange Counties and bounded by the Pacific Ocean on the west. According to the California Department of Finance, the total population for City of Torrance as of January 1, 2004 was 146,200, with an average household size of 2.51 persons per household.<sup>4</sup>

The City's General Plan indicates the City encompasses 12,312 acres generally designated for residential, commercial, industrial, and public land uses. Approximately 12,212 acres in the City are developed and 100.45 acres are undeveloped.<sup>5</sup> Currently the City is experiencing the development of vacant land and the redevelopment of existing uses, in most cases to uses of higher intensity. New development will continue to exert pressure on the City's infrastructure from both a capacity and useful life standpoint. In particular, planned construction of utility undergrounding, transportation, and sewer and storm drain collection and conveyance improvements will have direct benefit to the residential, commercial and industrial projects expected to be constructed in the near future. The City therefore recognizes the need to generate sufficient funding required to ensure that the City's infrastructure system keeps pace with anticipated development.

In order to adequately plan for new development and identify the public facilities and costs associated with mitigating the impacts of new development and converted uses,<sup>6</sup> David Taussig & Associates, Inc. ("DTA") was retained by the City to prepare an AB 1600 Fee Justification Study ("Fee Study") for utility undergrounding, transportation, storm drain and sewer facilities. This study is intended to comply with Section 66000 *et seq.* of the Government Code, which was enacted by the State of California in 1987, by identifying additional public facilities required by new development ("Future Facilities") and determining the level of fees that may be imposed to pay the costs of the Future Facilities. The Future Facilities and associated construction costs are identified in the Needs List, which is included in Section IV of this report. Fee amounts have been determined that will finance facilities at levels consistent with the City's existing standards or at levels identified by the various City departments as being appropriate to meet the City's future needs. New development will be required to pay its "fair share" of the cost of the new infrastructure through a development fee program.

Pursuant to the nexus requirement of AB 1600, a public agency is required to "determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed." It is impossible to accurately determine the impact that one specific new residential unit or commercial/industrial project will have on existing facilities. Predicting specific future residents' or employees' behavioral patterns, transportation impacts, utility and undergrounding enhancements, and health and welfare requirements is extremely difficult, and involves numerous assumptions that are subject to substantial variances. Recognizing these limitations,

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<sup>4</sup> Source: California Department of Finance, January 2004.

<sup>5</sup> Source: City of Torrance, General Plan Land Use Element, page 50-82. February 27, 2001.

<sup>6</sup> Represents expected future re-development of parcels where the proposed uses are more intense than the existing improvements.

the Legislature drafted AB 1600 to specifically require that a "reasonable" relationship be determined, not a direct cause and effect relationship.

To enable DTA to assess the correct level of fees required to finance facilities the City has identified and provided a listing of new or expanded infrastructure required to meet the public's needs. These future facilities are listed in the Needs List found in Section IV herein. Sections V-VIII of the Methodology will calculate the levels of fees that need to be imposed to pay future development's fair share costs of Future Facilities. The fees will finance facilities at levels consistent with the City's existing standard or at levels identified by the various City departments as being appropriate.

Utility undergrounding and transportation facilities, such as intersection upgrading and street widening have city-wide benefits, as these improvements occur at major and arterial roadways throughout the City. In a similar manner, storm drains and sewer improvements are proposed for facilities that have city-wide collection or drainage areas. Infrastructure costs will be apportioned to residential uses on a "Dwelling Unit" basis, and to commercial and industrial uses on a "per 1,000 square feet" basis.

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## II. STATUTORY REQUIREMENTS TO JUSTIFY DEVELOPMENT IMPACT FEES

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Prior to World War II, development in California was held responsible for very little of the cost of public infrastructure. Public improvements were financed primarily through jurisdictional general funds and utility charges. It was not uncommon during this period for speculators to subdivide tracts of land without providing any public improvements, expecting the closest City to eventually annex a project and provide public improvements and services.

However, starting in the late 1940s, the use of impact fees grew with the increased planning and regulation of new development. During the 1960s and 1970s, the California Courts broadened the right of local government to impose fees on developers for public improvements that were not located on project sites. More recently, with the passage of Proposition 13, the restrictions on the use of general revenues for new infrastructure have resulted in new development being held responsible for a greater share of public improvements, and both the use and levels of impact fees have grown substantially. Higher fee levels were undoubtedly driven in part by a need to offset the decline in funds for infrastructure development from other sources. Spending on public facilities at all levels of government was \$161 per capita in 1965, but it had fallen by almost fifty percent to less than \$87 per capita by 1984 (measured in constant dollars).

Assembly Bill ("AB") 1600, which created Section 66000 et seq. of the Government Code, was enacted by the State of California in 1987. This Fee Study is intended to meet the nexus or benefit requirements of AB 1600, which mandate that there be a nexus between fees imposed, the use of the fees, and the development projects on which the fees are imposed. Furthermore, there must be a relationship between the amount of the fee and the cost of the improvements. To impose a fee as a condition for a development project, a public agency must do the following:

- I. Identify the purpose of the fee.
- II. Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities must be identified.
- III. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
- IV. Determine how there is a reasonable relationship between the need for a public facility and the type of development project on which the fee is being imposed.

Identifying these items will enable an impact fee to meet the nexus and proportionality requirements established by previous court cases. Current State financing and fee assessment requirements only allow new development to pay for its fair share of new facilities' costs. Any current deficiencies resulting from the needs of existing development must be funded through other sources. Therefore, a key element to establish legal impact fees is to determine what share of the benefit or cost of a particular improvement can be equitably assigned to new development. By allocating this fair share from the total infrastructure cost, the true impact of new development can be assessed and equitable fees assigned.

**Table II-1**  
**PUBLIC INFRASTRUCTURE FACILITIES**  
**AB 1600 NEXUS TEST**

Identify Purpose of Fee	Utility Undergrounding, Transportation, Storm Drain and Sewer Facilities Improvements.
Identify Use of Fee	Construct above facilities to mitigate impacts of new development.
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	New residential and non-residential development within the City will generate additional residents and employees who will increase the demand for the above-mentioned infrastructure. Fees collected from new development will be used exclusively for this purpose.

**Implementation of Impact Fees**

The levy of impact fees is one authorized method of financing the public facilities necessary to mitigate the impacts of new development, as the levy of such fees provides funding to maintain an agency's required Public Facility Standard for an increased service population. "A fee is "a monetary exaction, other than a tax or special assessment, which is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project..." (California Government Code Section 66000). Fees are collected at building permit issuance. "With the exception of fees levied on residential development for the construction of public improvements "payment may not be required until the date of final inspection of the project or the date of certificate of occupancy is issued, whichever occurs first" (California Government Code Section 66007). If the residential development contains more than one dwelling unit, the local agency has the option of levying the fees on a pro rata basis for each unit when it receives its final inspection or certificate of occupancy whichever occurs first; on a pro rata basis when a certain percentage of the units have received their final inspection or certificate of occupancy (whichever occurs first); or on a lump-sum basis when the first unit in the development receives its final inspection or certificate of occupancy.

At the time of building permit issuance, a local agency imposing a fee on residential development for public improvements may require the owner or lessee to enter into a contract to pay the fee prior to final inspection or certificate of occupancy. The contract entered into represents a lien for the payment of the fee, enforceable against successors in interest to the property owner or lessee at the time the building permit was issued.

Payment prior to final inspection or issuance of certificate of occupancy may be required by the City if "(1) the local agency 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 local agency 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 local agency for expenditures previously made.

### Credits

Should a developer offer to construct any of the public infrastructure facilities eligible for funding under the Development Impact Fee Program (DIF), as identified herein in the Needs List included as Appendix A-1, prior to commencing construction, the developer shall apply to, and enter into an agreement with, the City for credits. This agreement shall provide for the City to determine, at its discretion and after consultation with the City Attorney, the acceptability of the improvements or properties, and credits to be granted to the applicant. In the case of credits, the City shall have discretionary approval over future new development, or to the area which such credits shall be applied.

Credits shall be based on the applicant's actual cost of constructing the applicable DIF improvements; however, the applicant is not entitled to receive credits for any costs in excess of the estimated costs for said improvements, as set forth in the Needs List of Improvements.

The City has identified the need to levy impact fees to pay for utility undergrounding, transportation, storm drain and sewer facilities improvements. The fees will finance such future facilities at levels consistent with the City's existing facilities standards, or at levels identified by the City as appropriate for new development. All new development will be required to pay its "fair share" of the cost of the new infrastructure through these fees. However, to the extent that any new infrastructure provides benefit to existing development, or deficiencies are found in existing infrastructure levels, such costs must be funded by the City through sources other than the development fee program.

### Appeals Process

Section 66020(d) states that an agency must provide "a notice in writing at the time of the approval of the project or at the time of the imposition of fees ... a statement of the amount of the fees and notification that the 90 day approval period in which the applicant may protest has begun" (California Government Code Section 66020(d)). Applicants must be notified that failure to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exaction contained in this notice within 90 days will bar the applicant from later challenging such exactions.

### III. EXISTING AND EXPECTED FUTURE DEVELOPMENT

In order to allocate infrastructure costs between existing and new development, existing dwelling units and non-residential acreage or square footage must be accurately tabulated. Projections for new development on vacant land and new development resulting from recycled uses must also be based on accurate data over the recent past, as well as general plan data, specific plans in process and observations of recent trends in development. Unlike a growing City at the early stages of the growth curve, where Master Plans of development provide clear projections, a nearly built-out City like the City of Torrance requires both analysis of empirical data, incorporation of zone changes and current specific plans, and sound judgment based on trends and economic climate. In addition, the City is in the process of updating its general plan, thus new and old data must be considered appropriately. For reference purposes Figure III-1, "Land Use Map" is included herein.

#### Existing Housing Stock

Table III-1 presents a summary of existing residential units and acres of commercial and industrial development; however, for references purposes Figure III-1 includes a copy of the City's current land use zoning. Residential dwelling units are based on data found in the 2000 Census. Commercial and Industrial acreages were compiled from the City's Geographical Information System ("GIS") data base, as provided by City staff.

**Table III-1  
EXISTING RESIDENTIAL, COMMERCIAL, INDUSTRIAL DEVELOPMENT**

<b>Land Use Type</b>	<b>Dwelling Unit/Acre</b>
<b>Residential</b>	
Single Family Detached	30,129
Single Family Attached	<u>25,835</u>
<b>Total</b>	<b>55,964 Dwelling Units</b>
<b>Commercial</b>	
Local Commercial	236.4
General Commercial	593.1
Commercial Center	<u>400.5</u>
<b>Total</b>	<b>1,230 Dwelling Units</b>
<b>Industrial</b>	
Light Industrial	484.0
Heavy Industrial	474.0
Business Industrial	<u>899.8</u>
<b>Total</b>	<b>1,875.8 Acres</b>



### Converted Uses

As with most nearly built-out cities with rising land values, the City is experiencing a recent trend in development where by existing structures are torn down and replaced by new structures whose use can be either more intense or less intense than the current use ("converted uses"). These projects may be within the current zoning limitations, or may require conditional use or re-zoning entitlements.

The total number of residential converted use units was determined from General Plan demographic data in the *35 Day Report for Consideration of Moratorium Extension*.<sup>7</sup> The difference between total General Plan units in 2010 (59,197 dwelling units) and the sum of units approved as of 2004 (57,253 dwelling units) plus the units in the entitlement process (807 dwelling units) is 1,137 dwelling units. However, the vacant land inventory indicates that 430 dwelling units can be expected for future development. The remaining 707 dwelling units must come from converted uses. These 707 units are annualized over 6 years (from 2004 to 2010) and then extrapolated to year 2020 to generate an estimated 1,885 dwelling units. It was assumed from development trends that the entire 1,885 units will be multi-family attached.

The acres of commercial and industrial converted uses were determined by tabulating project data from 35 projects over the past 3 years into the various land use categories (Table III-2, "Conversions of Existing Uses over the Last Three Years") and applying the General Plan Floor Area Ratios (FARs) by category to the tabulated building square footage in Table III-2 to determine acreage.

<sup>7</sup> *35 Day Report For Consideration of Moratorium Extension*, City of Torrance Community Development Department, 2004.

**Table III-2  
CONVERSIONS OVER THE PAST THREE YEARS FOR  
RESIDENTIAL, COMMERCIAL, INDUSTRIAL DEVELOPMENT**

Project Number	Commercial			Industrial		
	Local (sf)	General (sf)	Commercial (sf)	Light (sf)	Heavy (sf)	Business Park (sf)
CUP02-00009	42,536					
N/A <sup>8</sup>	23,400					
CUP02-00022	3,962					
CUP02-00035	4,700					
CUP03-00029	36,267					
CUP03-00029	36,267					
N/A	170,000					
CUP01-00008		80,000				
CUP03-00023		39,000				
CUP03-00023		189,500				
CUP03-00023		110,000				
CUP03-00003		34,800				
N/A		131,560				
MOD02-00004				21,819		
N/A					992,000	
CUP03-00009					156,000	
<b>Total Square Feet</b>	<b>280,865</b>	<b>584,860</b>	<b>0</b>	<b>21,819</b>	<b>1,148,000</b>	<b>0</b>
<b>FAR</b>	<b>.4</b>	<b>.6</b>	<b>1.00</b>	<b>.6</b>	<b>.6</b>	<b>.6</b>
<b>Acres</b>	<b>16.12</b>	<b>22.38</b>	<b>0</b>	<b>.83</b>	<b>43.92</b>	<b>0</b>
<b>Projected Acres to 2020</b>	<b>85.97</b>	<b>119.36</b>	<b>0</b>	<b>4.45</b>	<b>234.26</b>	<b>0</b>

Source: Traffic Impact Analysis Report, Linscott Law & Greenspan Engineers, 2004.

<sup>8</sup> Denotes project number not available.

### Future Zoned Development

Future non-residential units were determined by adding the number of units that are currently in the entitlement process but not yet permitted (807 units) and the maximum number of units expected from the vacant land inventory (430 units). The total of 1,237 units was broken down into the three residential land use categories in proportion to the census data for existing residential development (see Appendix A-2).

In a similar fashion, total acres of future commercial and industrial uses were determined by adding acres of projects in progress to the maximum acres expected from the vacant land inventory. These totals are shown in Table III-3 below.

**Table III-3  
FUTURE RESIDENTIAL, COMMERCIAL, INDUSTRIAL DEVELOPMENT**

<b>Land Use Type</b>	<b>Dwelling Unit/Acre</b>
<b>Residential</b>	
Single Family Detached	666
Single Family Attached	532
Multi-Family/Others	<u>39</u>
<b>Total</b>	<b>1,237 Dwelling Units</b>
<b>Commercial</b>	
Local Commercial	6.76
General Commercial	24.24
Commercial Center	<u>.13</u>
<b>Total</b>	<b>31.13 Acres</b>
<b>Industrial</b>	
Light Industrial	25.90
Heavy Industrial	15.05
Business Industrial	<u>8.57</u>
<b>Total</b>	<b>49.52 Acres</b>

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#### **IV. PROPOSED FACILITIES**

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City Staff has compiled a list of projects required to meet the needs of residential development and businesses until year 2020. These improvements are listed in one of four infrastructure categories, i) utility; ii) transportation; iii) storm drain; and iv) sewer facilities. These capital improvements are summarized in Appendix A-1 by project name, location, and costs (herein referred to as the "Needs List"). These lists provide total costs for each component, which will then be allocated to existing and future development in Section V, under "Methodology."

The Needs List is a critical component of any development impact fee program. In the broadest sense the purpose of impact fees is to protect the public health, safety, and general welfare by providing for adequate public facilities. "Public Facilities" per Government Code 66000 includes "public improvements, public services, and community amenities." Fees imposed for a public capital facility improvement cannot be used for maintenance or services.

Government Code 66000 requires that if impact fees are going to be used to finance public facilities, those facilities must be identified. Identification of the facilities may be made in an applicable general or specific plan, other public documents, or by reference to a Capital Improvement Program (CIP) or Capital Improvement Plan. The Needs List is intended to be the official public document, which identifies the facilities eligible to be financed in whole or in part, through the levy of a development fee on new development in the City.

The Utility Undergrounding Needs List consists of city-wide burial of existing overhead electric distribution infrastructure throughout various reaches of major streets. The benefits are numerous for both residents and businesses throughout the City as documented by various local municipalities with current city-wide undergrounding fee programs throughout the State of California including the cities of Claremont, Gilroy, and San Jose. In addition to the aesthetic benefits of the removal of unsightly poles, a recent study commissioned by the Edison Electric Institute found that the four most significant benefits of undergrounding include a reduction of the following: motor-vehicle accidents, network maintenance costs, tree trimming costs, and line losses.<sup>9</sup> The proposed undergrounding improvements on the Needs List will provide both visual and safety benefits to residents and business throughout the City; such benefits being directly related to the vehicular traffic passing through the project. Both visual and safety benefits are directly related to the usage of the roadway under which the overhead facilities will be buried. Usage is directly related to Average Daily Trips ("ADTs") generated by each land use within the study area. The roadway targeted for undergrounding comprises the backbone circulation system for the City, hence the benefits are spread city-wide. Therefore, ADTs can be computed for the different land uses for both existing and future development in order to determine the relative contributions of use. The total cost for undergrounding can then be allocated to new and future development proportionally. This will be covered in Section V, "Methodology."

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<sup>9</sup> Edison Electric Institute (Brad Johnson), "Out of Sight, Out of Mind?: A study on the costs and benefits of undergrounding overhead power lines", January 2004 ("EEI Report").

The transportation facilities Needs List compiles various intersections and street widening projects throughout the City that will improve traffic flow as the pressures of development increase over time. Intersection improvements consist of additional turn lanes and signal modifications to increase the capacity of major intersections. Street widening projects will add additional through lanes to increase street capacity, the largest of which is the Del Amo Extension. Intelligent Traffic Systems ("ITS") are also included in the proposed new facilities. These projects will provide city-wide benefit to residents and business in proportion to traffic volume generated. This will be discussed in Section VI, "Methodology."

The storm drain Needs List was compiled by City engineering staff and provides a comprehensive list of City-wide storm drain facilities that will need to be constructed to provide the level of protection from flooding that is consistent with acceptable levels of risk related to public safety and property damage. The cost of these projects will be apportioned to existing and future development by relative contribution of runoff to the system. This will be covered in Section VII, "Methodology."

Sewer facilities needed are included in Appendix A-1, "Needs List." This list was compiled by City Engineering staff and represents capital improvement projects that provide City-wide benefit with respect to the collection and conveyance of wastewater and delivery into Los Angeles County trunk sewer systems. The cost for these facilities will be apportioned to existing and future development in proportion to the relative quantity of wastewater delivered to the City system. This will be covered in Section VIII, which covers "Methodology."

## V. METHODOLOGY UTILIZED TO CALCULATE UNDERGROUNDING IMPACT FEES

### 1. Nexus Requirement of AB 1600

Table V-1  
UTILITY UNDERGROUNDING ELEMENT  
AB 1600 NEXUS TEST

Identify Purpose of Fee	Remove overhead power lines and poles and replace with underground conduits.
Identify Use of Fee	Construct underground conduits and appurtenant structures.
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	New residential and non-residential development will benefit from utility undergrounding overhead power lines from a visual and a safety standpoint. An increase in traffic volume generated from new development increases the chances of power lines involved accidents proportionally, therefore the safety benefit accrues to new development proportionally. New development occurs on major streets city-wide and will have proportional benefit related to the level of utilization of public streets.

### 2. Apportionment of Utility Undergrounding Costs

#### Service Area

The undergrounding of utilities is proposed to be implemented on a city-wide basis. Individual parcels of property are being asked to buy into this regional system of undergrounded utilities based on the relative levels of benefit they receive from this system. The level of benefit received by a specific parcel can be calculated based on the visual, safety and decreased power outage benefits that the property owner will receive as a result of this City-wide undergrounding as described further in detail in Section IX. The visual benefits relate to the attractiveness of a City roadway when utilities are undergrounded, as opposed to above-ground utility lines that are unattractive to the viewer. The safety aspects relate to the dangers inherent in electrical fires resulting from tree contact with overhead lines, storm damage and vehicular accidents caused by the existence of utility poles and above-ground utility lines. A recent study commissioned by the Edison Electric Institute found that the four most significant benefits of undergrounding include a reduction of the following: motor-vehicle accidents, network maintenance costs, tree trimming costs, and line losses.

The level of visual and safety benefits to a property owner from this city-wide system can be measured by the level of exposure that a property owner will have to the undergrounded utilities. As the utilities are being undergrounded along the

major roadways throughout the city-wide road system, the level of exposure for a property owner clearly relates directly to that property owner's use of the city-wide road system. A parcel generating 30 trips per day will benefit from both the city-wide road system and the city-wide undergrounded utilities system at a level which is twice that of a parcel generating only 15 trips per day. As daily trips relate directly to land use type, the same Institute of Traffic Engineering ("ITE") trip generation data based on land use type that applies to apportioning costs for backbone road improvements would also apply to the apportionment of costs for the undergrounding of utilities along this same system of backbone roads. As a result, ITE trip generation data is used to determine the appropriate apportionment of utility undergrounding costs to each parcel of new and existing development within the City.

### Utility Undergrounding Facilities

#### Calculation Methodology

Utility undergrounding benefits future residents and employees by providing safe and aesthetic vehicular access to properties. Fee amounts are calculated based on the average daily trips ("ADTs") expected to be generated from new development and converted uses.

It has been well documented by transportation engineers that different land uses generate trips at different rates. For the purpose of this report the ITE definition of "Trip Ends" will be used to define the term "trips." "Trip Ends" are the total of all trips entering and all trips leaving a designated land use or building type over a given period of time."<sup>10</sup> Also, the benefits of undergrounding accrue to residential and businesses in relation to the use of the public street under which the overhead facilities are placed underground. Therefore, undergrounding facilities costs are apportioned on the basis of ADT generation factors for the following three land use types used in this study: (1) Residential, (2) Commercial, and (3) Industrial.

Total city-wide ADTs were calculated by applying ADT trip rates to residential dwelling units and non-residential acres, as they occur in existing, converted uses and future groupings. Total ADTs by land use categories are summarized in Table V - 2 below:

<sup>10</sup> Institute of Transportation Engineers, *Trip Generation*, (Washington: Institute of Transportation Engineers, 2001) page 60.

**Table V-2  
TOTAL AVERAGE DAILY TRIPS (ADTs)**

<b>Land Use Type</b>	<b>Total ADT</b>	<b>Portion of ADT</b>
Residential	534,278	26%
Commercial	1,080,666	60%
Industrial	291,088	14%
<b>Total</b>	<b>2,066,283</b>	<b>100%</b>

The total utility undergrounding cost was divided by the total city-wide ADTs to establish a cost per ADT factor. This factor was then multiplied by the Trip Generation Rates for each land use 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 use non-residential development.

For reasons of City policy, the fee level for R1 residential (single family detached homes) is shown as not applicable ("NA") in Table V-3, as the City has exempted this use from paying fees. It must be noted that the fair share cost burden of the R1 category is not passed on to other categories, thus maintaining the "fair share" nexus requirements promulgated under AB 1600. This potential revenue will simply not be collected, although the aggregate revenue lost is minor in proportion to the entire program.

As shown on Table V-3, the expected revenue from new development is calculated to be \$11,895,255 or 13.80% of the Utility Undergrounding Program. It must be noted that the accuracy of this expectation is related to future development trends, economic climate, private/public cooperation, and many other socio-economic factors over the next sixteen years.

The ADT factors used to project trips associated with commercial development is an estimated composite number of average daily trips for various commercial land use designations, such as strip retail, office retail, car sales, restaurants.

The calculations for establishing fee levels for utility undergrounding are shown in Table V-3, "City of Torrance, Utility Undergrounding Facilities Fee Calculation" below.

**Table V-3**  
**City of Torrance**  
**Utility Undergrounding Facilities Fee Calculation**

Land Use	Existing			Converted Uses [1]			Future			FEE SCHEDULE (per DU)	Expected Revenue from New Development
	Dwelling Units (DU)	Average Daily Trips (ADTs) [2]	Trip Generation Rate (per DU)	Dwelling Units (DU)	Average Daily Trips (ADTs)	Total Converted Uses and Future ADTs	Dwelling Units (DU)	Average Daily Trips (ADTs)	Total ADTs		
<b>Residential</b>											
Single-Family Detached	30,129	301,290	10	0	0	666	6,660	307,950	N/A	\$0	
Multi-Family	25,835	206,680	8	1,885	15,080	571	4,568	226,328	\$333.25	\$819,488	
<b>Total Residential</b>	55,964	507,970		1,885	15,080	1,237	11,228	534,278		\$819,488	
<b>Commercial</b>											
Local Commercial	236.40	182,501	772	85.97	65,369	6.76	5,219	254,088	\$1,845.66	\$2,962,091	
General Commercial	593.10	665,458	1,122	119.36	133,922	24.24	27,197	826,577	\$1,768.29	\$6,711,670	
Commercial Center	400.50	160,200	400	0	0	0.13	52	160,252	\$332.52	\$2,168	
<b>Total Commercial</b>	1,230	1,008,159		205.33	200,291	31.13	32,416	1,240,916		\$9,695,927	
<b>Industrial</b>											
Light	484	24,200	50	4.45	223	25.9	1,295	24,423	\$79.69	\$63,214	
Heavy	474	58,880	120	234.26	28,111	15.05	1,806	84,991	\$191.26	\$1,246,247	
Business Park	899.8	178,960	200	0	0	8.57	1,714	191,674	\$316.77	\$71,399	
<b>Total Industrial</b>	1,858	261,040		239	28,334	50	4,815	291,088		\$1,360,960	
<b>TOTALS</b>											
		1,777,169		2,329	243,704	1,318	48,459	2,069,332		\$11,982,256	

Total Utility Undergrounding Cost: \$86,201,250  
 Cost per ADT: \$41.66

Funded From Other Sources:  
 New Development Percent of Total: 13.90%  
 Existing Development Percent of Total: 86.20%

Notes:  
 [1] These columns represent expected future re-development of parcels where the proposed uses are more intense than the existing improvements.  
 [2] The expected dwelling units, acres and square footages were determined by averaging historical data over the last three years and projecting the average yearly absorption to year 2020.  
 [3] Source: Institute of Transportation Engineers, Trip Generation, (Washington: Institute of Transportation Engineers, 2001).

## VI. METHODOLOGY UTILIZED TO CALCULATE TRANSPORTATION FACILITIES IMPACT FEES

### 1. Nexus Requirement of AB 1600

Table VI-1  
TRANSPORTATION ELEMENT  
AB 1600 NEXUS TEST

Identify Purpose of Fee	Improve traffic flow as the pressures of development increase over time.
Identify Use of Fee	Add additional through lanes to increase street capacity and turn lanes and signal modifications to increase the capacity of major intersections. Also, signal synchronization, and the extension of Del Amo Blvd and Jefferson/Plaza Del Amo as identified in the General Plan.
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	New residential and non-residential development will benefit from an improvement in traffic flow. The projects occur on major streets city-wide and will have proportional benefit related to the extent that public streets are utilized.

### 2. Apportionment of Transportation Element Costs

The Transportation Element consists of the addition of through lanes to increase street capacity and turn lanes and signal modifications to increase the capacity of major intersections. All of the improvements have city-wide access and benefits. Therefore the limits of the service area for transportation facilities are the City limit boundaries.

#### Calculation Methodology

Roads and street improvements will benefit future residents and employees by providing safe and efficient vehicular access to properties. Fee amounts are calculated based on the average daily trips ("ADTs") expected to be generated from new development and converted uses. See Section V, "Utility Undergrounding" for discussion of ADT calculations as the basis for cost allocations.

Total city-wide ADT were calculated by applying ADT trip rates to residential dwelling units and non-residential acres, as they occur in existing, converted use and future use columns (see Table VI-2, below). The total transportation facilities costs were divided by the total city-wide ADTs to establish a cost per ADT factor. This factor was then multiplied by the Trip Generation Rates for each land use 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 use non-residential development.

For reasons of City policy, as with utility undergrounding, the fee level for R1 residential ("Single-Family Detached homes") is shown as not applicable ("NA"), as the City has exempted this use from paying fees. It must be noted that the fair share cost burden of the R1 category is not passed on to other categories, thus maintaining the "fair share" nexus requirements promulgated under AB 1600. This potential revenue will simply not be collected, although the aggregate revenue lost is minor in proportion to the entire program.

This table also shows the expected revenue from new development is calculated at \$14,118,669 or 13.98% of the Transportation Element Program. Transportation Fee Levels are summarized below in Table VI-2, "City of Torrance, Transportation Facilities Fee Calculation."

Table VI - 2  
City of Torrance  
Transportation Facilities Fee Calculation

Land Use	Existing			Converted Uses			Future			FEE SCHEDULE (per DU)	Expected Revenue from New Development
	Trip Generation Rate (per DU)	Dwelling Units (DU)	Average Daily Trips (ADTs) [2]	Dwelling Units (DU)	Average Daily Trips (ADTs)	Dwelling Units (DU)	Average Daily Trips (ADTs)	Total Converted Uses and Future ADTs	Total ADTs		
<b>Residential</b>											
Single-Family Detached	10	30,129	301,290	0	0	866	6,660	6,660	307,950	N/A	\$0
Multi-Family	8	25,835	208,680	1,865	15,080	532	4,256	19,338	228,016	\$395.98	\$857,072
<b>Total Residential</b>		55,964	507,970	1,865	15,080	1,198	10,916	25,998	533,966		\$857,072
<b>Commercial</b>											
Local Commercial	772	238	182,501	85.97	66,369	6.76	5,219	71,588	254,088	\$2,193.04	\$3,543,363
General Commercial	1,122	583	665,458	119.36	133,922	24.24	27,197	161,119	826,577	\$2,124.87	\$7,974,902
Commercial Center	400	401	160,200	0.00	0	0.13	52	52	160,252	\$454.52	\$2,574
<b>Total Commercial</b>		1,230	1,008,159	205.33	200,291	31	32,416	232,707	1,080,666		\$11,520,639
<b>Industrial</b>											
Light	50	484	24,200	4.45	26	25.90	1,295	1,321	25,521	\$94.69	\$75,112
Heavy	120	474	56,880	234.26	0.50	15.05	1,806	1,807	58,687	\$227.26	\$1,480,809
Business Park	200	898.80	179,960	0	0	8.57	1,714	1,714	181,674	\$378.76	\$64,838
<b>Total Industrial</b>		1,858	261,040	239	27	25.90	4,915	4,842	265,892		\$1,640,758
<b>TOTALS</b>			<b>1,777,169</b>	<b>215,397</b>	<b>215,397</b>	<b>50</b>	<b>48,147</b>	<b>263,544</b>	<b>2,040,713</b>		<b>\$14,118,669</b>

Total Transportation Facilities Cost: \$101,009,000  
Cost per ADT: \$49.50

Funded From Other Sources: \$68,860,331  
New Development Percent of Total: 13.98%  
Existing Development Percent of Total: 86.02%

Notes:  
[1] These columns represent expected future re-development of parcels where the proposed uses are more intense than the existing improvements.  
[2] The expected dwelling units, acres and square footages were determined by averaging historical data over the last three years and projecting the average yearly absorption to year 2020.  
[3] Source: Institute of Transportation Engineers, Trip Generation, (Washington: Institute of Transportation Engineers, 2001).  
[4] Source: City of Torrance General Plan

## VII. METHODOLOGY UTILIZED TO CALCULATE STORM DRAIN IMPACT FEES

### 1. Nexus Requirement of AB 1600

Table VII-1  
STORM DRAIN ELEMENT  
AB 1600 NEXUS TEST

Identify Purpose of Fee	Provide flood protection through upgraded storm drain systems.
Identify Use of Fee	Construct storm drain pipeline and appurtenant structures.
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	The cost of storm drain systems is directly related to the amount of runoff delivered to City streets. Relative runoff contributions are related to acreage of developed lots, which is the basis of the storm drain apportionment methodology.

### 2. Apportionment of Storm Drain Element Costs Service Area

Although the storm drain system is a collection system of smaller drainage areas on the upstream portions, eventually converging on larger city-wide collectors, the system in its entirety provides city-wide benefit, as major public streets are flood protected, providing public access to life safety services during storm events. Therefore the service area considered is the city limits.

#### Storm Drain Improvement Facilities

#### Calculation Methodology

The reasonable relationship used to allocate storm drain costs between existing, converted use and future development is relative runoff contribution. A rational method of computing runoff rates was used in the form of  $Q = C \times I \times A$  where "Q" is equal to runoff volume, "C" is the ratio of impervious area to total area studied, "I" is rainfall intensity and "A" is Area, in acres of the study area. A runoff factor, "C" of 1.00, indicates a totally impervious site, where every drop of rain would find its way to the public streets as run-off. It can be seen that only the relative contribution of runoff needs to be considered if a unit of runoff is computed (Q/I), where only the runoff factor and the acreage is considered. Table VII-2 shows the calculations for run-off factor multiplied by acreage for the various land uses, as well as a summation of total unit runoff.

**Table VII-2  
RELATIVE RUNOFF RATE FORMULA**

<b>Rational Method Formula: <math>Q=C*I*A</math></b>
<p>Q = Runoff Volume  C = Ratio of Impervious Area  I = Rainfall Intensity  A = Area</p> <p>Relative Runoff Rate:</p> <p><math>Q/I = C*A</math></p>

The total facility cost (\$140,220,766) from the Needs List is divided by the total unit runoff to determine the cost per unit runoff. This factor is then applied to each land use category and its appropriate runoff factor and acreage to determine fees. For commercial and industrial categories, floor area ratios (FARs) are used to determine equivalent fees on a per 1,000 building square foot basis.

Table VII-2 below shows the expected revenue from new development will equal \$11,827,847 or 8.44% of the Storm Drain Program costs. Storm drain facilities fee levels are summarized below in Table VII-2, "City of Torrance, Storm Drain Facilities Fee Calculation."



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## VIII. METHODOLOGY UTILIZED TO CALCULATE SEWER IMPACT FEES

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### 1. Nexus Requirement of AB 1600

**Table VIII-1  
SEWER ELEMENT  
AB 1600 NEXUS TEST**

Identify Purpose of Fee	Ensure that there will be sufficient capacity in the system to convey wastewater to the year 2020.
Identify Use of Fee	Construct sewer pipelines and appurtenances as part of the City wastewater collection system.
Demonstrate how there is a reasonable relationship between the need for the public facility, the use of the fee, and the type of development project on which the fee is imposed	New residential and non-residential development will benefit from and pay for new facilities in proportion to the relative volume of wastewater generated by each land use category.

### 2. Apportionment of Sewer Element Cost Service Area

The City sewer system consists of downstream collectors conveying wastewater from local drainage areas such as residential tracts and business parks to county trunk sewer lines and treatment facilities. These proposed facilities have city-wide benefit by insuring that there will be sufficient system-wide capacity to collect wastewater from new and existing development to year 2020. Therefore the services area boundaries are the City limits lines.

#### Sewer Improvement Facilities

##### Calculation Methodology

The reasonable relationship used to allocate sewer costs between existing, converted use and future development is relative wastewater generation. Wastewater generation rates for residential and non-residential units from cities of similar size, environment and demographics were used to estimate total city-wide wastewater generation in gallons per day. The total cost for sewer facilities, from the Sewer Facilities Needs List, was divided by the city-wide volume of wastewater to determine a unit cost, in dollars per gallon per day. This unit cost factor was then multiplied by the wastewater generation rates for each land use to determine the proposed fee scheduled. Table VIII-2 below reflects the above calculations, as well as the expected revenue from converted uses and future development, for each of the land use categories used in this report. These calculations show that the expected revenue from future development, \$1,154,456 represents approximately 23.26% of the total cost identified in the Needs List.

Table VIII - 2  
City of Torrance  
Sewer Facilities Fee Calculation

Land Use	Existing				Future				Total sewer volume	FEE SCHEDULE (per DU)	Expected Revenue from New Development
	Dwelling Units (DU)	Density (DU per Acre)	Acres	Sewer Volume (gal/day)	Dwelling Units (DU)	Density (DU per Acre)	Acres	Sewer Volume (gal/day)			
<b>Residential</b>											
Single-Family Detached	30,129	6	5,022	5,724,510	0	6	0	0	6,851,050	N/A	\$0
Multi-Family	25,835	16	1,435	3,100,200	1,865	16	105	228,200	3,394,920	\$21.83	\$54,464
<b>Total Residential</b>	<b>55,964</b>		<b>6,457</b>	<b>8,824,710</b>	<b>1,865</b>		<b>105</b>	<b>228,200</b>	<b>9,245,970</b>		<b>\$54,464</b>
<b>Commercial</b>											
Local Commercial	200.00	0.60	6,168,096	1,231,619	0.60	2,246,912	85.97	449,342	528,052	36.38	\$96,058
General Commercial	190.00	0.60	16,486,648	2,944,743	0.60	3,119,593	119.38	592,723	1,761,671	34.56	\$131,219
Commercial Center	190.00	0.60	10,480,536	1,991,302	0.60	0	0	0	3,065,061	34.56	\$6,130
<b>Total Commercial</b>			<b>27,135,280</b>	<b>6,163,664</b>		<b>5,366,505</b>	<b>205.33</b>	<b>1,042,105</b>	<b>7,463,746</b>		<b>\$235,407</b>
<b>Industrial</b>											
Light	120.00	0.60	12,648,824	1,517,979	0.60	116,305	4.45	13,957	5,411,593	21.83	\$709,293
Heavy	120.00	0.60	12,388,464	1,486,616	0.60	6,122,619	234.28	794,714	2,316,864	21.83	\$151,413
Business Park	120.00	0.60	23,517,173	2,822,061	0.60	0	0	0	2,846,939	21.83	\$4,889
<b>Total Industrial</b>			<b>48,554,461</b>	<b>5,826,655</b>		<b>6,238,925</b>	<b>239</b>	<b>748,671</b>	<b>10,579,466</b>		<b>\$684,595</b>
<b>TOTALS</b>				<b>20,821,829</b>				<b>2,016,976</b>	<b>27,289,182</b>		<b>\$1,154,458</b>
Total Sewer Facilities Cost: \$4,984,183 Cost per 1,000 gal/day volume: \$181.91											

Funded From Other Sources: \$3,099,727  
 New Development Percent of Total: 23.26%  
 Existing Development Percent of Total: 76.74%

Notes:  
 [1] These columns represent expected future re-development of parcels where the proposed uses are more intense than the existing improvements.  
 The expected dwelling units, acres and square footages were determined by averaging historical data over the last three years and projecting the average yearly absorption to year 2020.  
 [2] Source: City of Torrance General Plan

## IX. CONCLUSION

It has been determined that there is a reasonable relationship between the benefits received by new development from public facilities being constructed, and the impact fees proposed to be collected from new development, thus meeting the requirements of AB 1600. The methods used to allocate costs between existing and new development, as well as between types of new development, are rational and defensible, and represent the most appropriate and equitable of methodologies available.

Table IV-1 below summarizes the fees recommended, listed for each of the four infrastructure components, grouped by nine land use categories.

**Table IV-1  
DEVELOPMENT IMPACT FEE SUMMARY**

<b>Land Use</b>	<b>Utility Undergrounding Facilities</b>	<b>Transportation Facilities</b>	<b>Storm Drain Facilities</b>	<b>Sewer Facilities</b>	<b>Total</b>
<b>Residential</b>	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)	(\$ per Unit)
Single-Family Detached	NA	NA	NA	NA	NA
Multi-Family/Others <sup>3</sup>	\$333.25	\$395.98	\$785.98	\$21.83	\$1,537.04
<b>Commercial</b>	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)
Local Commercial	\$1,845.66	\$2,193.04	\$1,082.62	\$36.38	\$5,157.71
General Commercial	\$1,788.29	\$2,124.87	\$721.74	\$34.56	\$4,669.46
Commercial Center	\$382.52	\$454.52	\$433.05	\$34.56	\$1,304.65
<b>Industrial</b>	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)	(\$ per 1,000 SF)
Light	\$79.69	\$94.69	\$721.74	\$21.83	\$917.96
Heavy	\$191.26	\$227.26	\$721.74	\$21.83	\$1,162.09
Business Park	\$318.77	\$378.76	\$721.74	\$21.83	\$1,441.10

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**APPENDIX A -1**

**A. UTILITY UNDERGROUNDING**

		Edison Transmission										Total		Offsetting		Net Facility	
		Distribution										Facility		Revenue		Cost	
Road Segment	From:	To:	Side of Street	High Volt.	Low Volt.	Telephone	Size in FT	Cost/FT	Cost	Revenue	Cost	Revenue	Cost				
1	Anza Ave.	Del Amo	W	X			3,000	300	\$900,000	\$0	\$900,000	\$0	\$900,000				
2	Anza Ave.	Maricopa	W	X	X		650	450	\$292,500	\$0	\$292,500	\$0	\$292,500				
3	Arlington Ave.	Sepulveda	W	X	X	X	4,430	525	\$2,325,750	\$0	\$2,325,750	\$0	\$2,325,750				
4	Crenshaw Bl.	Red. Bch Bl.	E	X	X	X	4,440	525	\$2,331,000	\$0	\$2,331,000	\$0	\$2,331,000				
5	Crenshaw Bl.	Frw Ramp	E	X	X		1,290	450	\$580,500	\$0	\$580,500	\$0	\$580,500				
6	Crenshaw Bl.	190th	W	X	X		8,370	450	\$3,766,500	\$0	\$3,766,500	\$0	\$3,766,500				
7	Crenshaw Bl.	Sonoma	W	X			500	300	\$150,000	\$0	\$150,000	\$0	\$150,000				
8	Crenshaw Bl.	Sepulveda	W	X	X		1,750	300	\$525,000	\$0	\$525,000	\$0	\$525,000				
9	Crenshaw Bl.	Lomita	E	X			1,630	300	\$489,000	\$0	\$489,000	\$0	\$489,000				
10	Crenshaw Bl.	PCH	N		X		1,250	150	\$187,500	\$0	\$187,500	\$0	\$187,500				
11	Crenshaw Bl.	Crest Dr.	S	X			1,500	300	\$450,000	\$0	\$450,000	\$0	\$450,000				
12	Crenshaw Bl.	Bot. Grdn	N	X			500	300	\$150,000	\$0	\$150,000	\$0	\$150,000				
13	Del Amo Bl.	Crenshaw	N	X	X		3,000	450	\$1,350,000	\$0	\$1,350,000	\$0	\$1,350,000				
14	Del Amo Bl.	Crenshaw	S	X	X		3,000	450	\$1,350,000	\$0	\$1,350,000	\$0	\$1,350,000				
15	Del Amo Bl.	Madison	S	X			5,000	300	\$1,500,000	\$0	\$1,500,000	\$0	\$1,500,000				
16	Del Amo Bl.	Redbeam	S	X			1,000	300	\$300,000	\$0	\$300,000	\$0	\$300,000				
17	Hawthorne Bl.	So. City Lim.	W	X	X		1,700	450	\$765,000	\$0	\$765,000	\$0	\$765,000				
18	Hawthorne Bl.	Via Valmonte	E	X	X	X	2,140	525	\$1,123,500	\$0	\$1,123,500	\$0	\$1,123,500				
19	Hawthorne Bl.	Emerald	E	X	X	X	6,000	525	\$3,150,000	\$0	\$3,150,000	\$0	\$3,150,000				
20	Hawthorne Bl.	Emerald	W	X	X	X	5,200	75	\$390,000	\$0	\$390,000	\$0	\$390,000				
21	Hawthorne Bl.	190th	W	X	X		1,400	525	\$735,000	\$0	\$735,000	\$0	\$735,000				
22	Hawthorne Bl.	186th	W	X	X		1,250	450	\$562,500	\$0	\$562,500	\$0	\$562,500				
23	Hawthorne Bl.	182nd	W	X	X		560	300	\$168,000	\$0	\$168,000	\$0	\$168,000				
24	Hawthorne Bl.	180th	W	X	X		1,880	450	\$846,000	\$0	\$846,000	\$0	\$846,000				
25	Lomita Bl.	Anza	N	X			1,500	300	\$450,000	\$0	\$450,000	\$0	\$450,000				
26	Lomita Bl.	Adolph	N	X	X		380	450	\$171,000	\$0	\$171,000	\$0	\$171,000				
27	Lomita Bl.	Garnier	N	X	X		2,700	450	\$1,215,000	\$0	\$1,215,000	\$0	\$1,215,000				
28	Lomita Bl.	Garnier	S		X		2,700	150	\$405,000	\$0	\$405,000	\$0	\$405,000				
29	Madrona Ave.	Civic Ctr. Dr.	E	X	X	X	5,150	525	\$2,703,750	\$0	\$2,703,750	\$0	\$2,703,750				

**A. UTILITY UNDERGROUNDING**

**Edison Transmission**

**Distribution**

Road Segment	From:	To:	Side of Street	High Volt.	Low Volt.	Telephone	Size in FT	Cost/FT	Total Facility Cost	Offsetting Revenue	Net Facility Cost
30	Maple Ave.	Del Amo	E	X	X		2,000	450	\$900,000	\$0	\$900,000
31	Maple Ave.	Torrance	E			X	1,130	75	\$84,750	\$0	\$84,750
32	Maple Ave.	Sonoma	W		X	X	500	225	\$112,500	\$0	\$112,500
33	Maple Ave.	Carson	W	X	X		2,430	450	\$1,093,500	\$0	\$1,093,500
34	PCH	West City Limits	N	X	X	X	11,000	525	\$5,775,000	\$0	\$5,775,000
35	PCH	Rolling Hills Way	N	X	X		1,000	300	\$300,000	\$0	\$300,000
36	PCH	Crenshaw	N	X	X		2,160	450	\$972,000	\$0	\$972,000
37	PCH	Crenshaw	S			X	2,160	75	\$162,000	\$0	\$162,000
38	Palos Verdes Bl.	Sepulveda	E	X	X		3,500	450	\$1,575,000	\$0	\$1,575,000
39	Prairie Ave.	190th	W	X	X		2,380	450	\$1,071,000	\$0	\$1,071,000
40	Prairie Ave.	182nd	W	X	X		2,440	450	\$1,098,000	\$0	\$1,098,000
41	Prairie Ave.	182nd	E		X		2,440	150	\$366,000	\$0	\$366,000
42	Redondo Bch Bl.	Hawthorne	N	X	X		3,870	300	\$1,161,000	\$0	\$1,161,000
43	Redondo Bch Bl.	Ainsworth	N	X	X		3,150	450	\$1,417,500	\$0	\$1,417,500
44	Sepulveda Bl.	Western	S	X	X		1,750	300	\$525,000	\$0	\$525,000
45	Sepulveda Bl.	Border	S	X	X		1,600	450	\$720,000	\$0	\$720,000
46	Sepulveda Bl.	Border	S	X	X		2,000	450	\$900,000	\$0	\$900,000
47	Sepulveda Bl.	Orange	N	X	X		930	450	\$418,500	\$0	\$418,500
48	Sepulveda Bl.	Orange	N	X	X		4,150	300	\$1,245,000	\$0	\$1,245,000
49	Sepulveda Bl.	P.V. Blvd.	S		X	X	4,150	225	\$933,750	\$0	\$933,750
50	Skypark Dr.	P.V. Blvd.	S	X	X		3,250	300	\$975,000	\$0	\$975,000
51	Van Ness Ave.	Dominguez	W	X	X	X	860	225	\$193,500	\$0	\$193,500
52	Van Ness Ave.	Harper's Way	W	X	X	X	5,220	525	\$2,740,500	\$0	\$2,740,500
53	Van Ness Ave.	190th	W	X	X		5,500	525	\$2,887,500	\$0	\$2,887,500
54	Van Ness Ave.	171st	E	X	X	X	3,500	525	\$1,837,500	\$0	\$1,837,500
55	Western Ave.	Carson	W	X	X		1,290	300	\$387,000	\$0	\$387,000
56	Western Ave.	213th	W	X	X		12,370	525	\$6,494,250	\$0	\$6,494,250
57	Yukon Ave.	190th	E	X	X		2,380	150	\$357,000	\$0	\$357,000
58	Yukon Ave.	182nd	W	X	X		1,500	450	\$675,000	\$0	\$675,000

**A. UTILITY UNDERGROUNDING**

**Edison Transmission**

**Distribution**

Road Segment	From:	To:	Side of Street	High Volt.	Low Volt.	Telephone	Size in FT	Cost/FT	Total Facility Cost	Offsetting Revenue	Net Facility Cost
59 Yukon Ave.	177th	Artesia	E	X	X		1,000	450	\$450,000	\$0	\$450,000
60 Yukon Ave.	Artesia	Redondo Bch Bl.	W	X	X	X	2,430	525	\$1,275,750	\$0	\$1,275,750
61 182nd St.	Western	Van Ness	S	X	X	X	2,500	525	\$1,312,500	\$0	\$1,312,500
62 182nd St.	Van Ness	Crenshaw	S	X	X		2,380	450	\$1,071,000	\$0	\$1,071,000
63 182nd St.	Crenshaw	Yukon	S	X	X		2,500	150	\$375,000	\$0	\$375,000
64 182nd St.	Yukon	Amie	S	X	X	X	3,630	525	\$1,905,750	\$0	\$1,905,750
65 182nd St.	Amie	Burin	N	X	X	X	1,380	525	\$724,500	\$0	\$724,500
66 182nd St.	Burin	Kingsdale	N	X	X		630	150	\$94,500	\$0	\$94,500
67 190th St.	E/o Crenshaw P. Hawthorne	Ermanita	S	X	X		2,140	450	\$963,000	\$0	\$963,000
68 190th St.	Prairie	Inglewood	S	X	X	X	2,220	225	\$499,500	\$0	\$499,500
69 190th St.	Prairie	Beryl	N	X	X	X	8,510	525	\$4,467,750	\$0	\$4,467,750
70 190th St.	Prairie	Hawthorne	S	X	X	X	2,720	225	\$612,000	\$0	\$612,000
71 190th St.	Van Ness	E/O Crenshaw Pl.	S	X			2,000	300	\$600,000	\$0	\$600,000
72 190th St.	Western	Yukon	N	X	X	X	7,290	525	\$3,827,250	\$0	\$3,827,250
73 190th St.	Yukon	Prairie	S			X	2,500	75	\$187,500	\$0	\$187,500
74 190th St.	Yukon	Prairie	N	X	X		2,500	450	\$1,125,000	\$0	\$1,125,000
<b>TOTAL UTILITY UNDERGROUNDING</b>									<b>\$86,201,250</b>	<b>\$0</b>	<b>\$86,201,250</b>

**B. TRANSPORTATION**

Intersection	Existing LOS AM/PM 03-04 Required ADT LOS	D/E	Description	Total Facility		Net Facility	
				Cost	Offsetting Revenue	Cost	Cost
1 Anza Ave. at Torrance Blvd.			Install NB and SB 2nd left-turn lane; Install dedicated EB right-turn lane;	\$840,000	\$0	\$840,000	
2 Anza Ave. at Carson St.			Install SB 2nd left-turn lane, and modify the traffic signal to provide right-turn overlap for NB Anza.	\$100,000	\$0	\$100,000	
3 Arlington/Sepulveds			Add 2nd NB left turn lane on Arlington.	\$250,000	\$0	\$250,000	
4 Artesia/SB 405 ramps	B/F		Widening the EB approach to add a separate right turn lane, and converting the existing RT lane to allow dual entry; Widening the on-ramp to add third lane for storage;	\$1,500,000	\$0	\$1,500,000	
5 Artesia/NB 405 ramps	A/B		Add 3rd EB through lane; Add EB left turn pocket and access; Modify signal to add the new changes, and Add SB left turn pocket and access.	\$1,500,000	\$0	\$1,500,000	
6 Crenshaw/PCH	D/F		Add a second SB left turn lane on Crenshaw Blvd, and upgrade the signal to accommodate the dual phase; Widen EB PCH to accommodate for the dual SB left and the bus stop; Convert the SB 3rd through lane to shared right, and install right turn overlap;	\$1,000,000	\$0	\$1,000,000	
7 Crenshaw/Lomita	F/F		Installation of a median pork chop to create free right turn lanes for NB and SB Crenshaw Blvd; Add 4th lane to Crenshaw; Add 4th NB lane on Crenshaw;	\$9,000,000	\$0	\$9,000,000	
8 Crenshaw/Sepulveda	E/F		Add second WB right turn lane by widening the NE and SE corner; Add a NB right turn lane; Add a 4 <sup>th</sup> through lane and remove the median;	\$1,000,000	\$0	\$1,000,000	

## B. TRANSPORTATION

Intersection	Existing LOS		Description	Total Facility Cost	Offsetting Revenue	Net Facility Cost
	ADT	LOS				
9 Crenshaw/Carson	E/E		Add a NB 4 <sup>th</sup> through lane;	\$4,000,000	\$0	\$4,000,000
10 Crenshaw/Torrance	D/E		Add a SB right turn lane;	\$1,000,000	\$0	\$1,000,000
11 Crenshaw/190	E/F		Add a second NB left turn lane;	\$100,000	\$0	\$100,000
12 Crenshaw/SB 405 on-Ramp	F/F		Construct a new right turn only lane and access for the NB Crenshaw to SB-405 on-ramp on the east side of the street. Remove left turn pocket/access;	\$7,500,000	\$0	\$7,500,000
13 Crenshaw/182 <sup>nd</sup>	E/F		Add E/B right-turn pocket; Add N/B through and right turn only lanes by widening Crenshaw Blvd on the east side of the street; Widen WB 182nd street on the NS to allow a shared RT, and thru lane, a thru lane and two left turn lanes, and modify the signal operations by not split phasing the east/west directions.	\$12,000,000	\$0	\$12,000,000
14 Del Amo Circle E. at Carson St.			Install full eight phases signalized intersection and widen; Install 2nd LT lane for all direction; Install right-turn pocket for both NB and SB, and Install right-turn overlap for all right-turn pockets.	\$600,000	\$0	\$600,000
15 Hawthorne between Lomita and SCL			Remove the on street parking on the east/west side of the Hawthorne Blvd to stripe curb lanes for both directions;	\$300,000	\$0	\$300,000
16 Hawthorne/Pacific Coast HWY	E/F		Add a second EB left turn lane; Add a second WB left turn lane; Add a WB right turn lane; Add a NB right turn lane;	\$15,000,000	\$95,500	\$14,904,500

**B. TRANSPORTATION**

Intersection	Existing LOS		Required LOS	Total Facility Cost	Offsetting Revenue	Net Facility Cost
	ADT	F/F				
17 Hawthorne/Lomita		F/F		\$5,000,000	\$95,500	\$4,904,500
			Add a second NB left turn lane; Add a second EB right turn lane; Add a dedicated NB right turn lane; Add a dedicated SB right turn lane; Add 3rd through EB lane on Lomita;			
18 Hawthorne/Sepulveda		E/F		\$3,000,000	\$0	\$3,000,000
			Add a EB right turn lane; Add a WB right turn lane; Install a 2nd NB right-turn lane with its own signal head indications; Modify the signal for the WB right-turn overlap; Construct raised median on Sepulveda to restrict left-turn into plaza dwy. on the south of Sepulveda; Extend WB left-turn pocket for storage; Modify the 2nd easterly mall driveway from Hawthorne to right in and right out only;			
19 Hawthorne/Carson		C/D		\$3,760,000	\$0	\$3,760,000
			Add a second NB left turn lane; Add a SB right turn lane; Improve existing WB right-turn lane to current standards width (min. 10' wide), and extend it to provide adequate storage capacity; Install dedicated EB right turn lane; Modify the traffic signal to provide right-turn overlap for both NB and WB;			
20 Hawthorne/Torrance		D/E		\$50,000	\$0	\$50,000
			Modify the traffic signal to provide right-turn overlap for both EB and WB; Install "No U-Turn" restriction for the right-turn overlap;			
21 Hawthorne/190 <sup>th</sup>				\$2,520,000	\$0	\$2,520,000
			Add a third EB through lane; Add a third WB through lane;			

REVISIONS

9

## B. TRANSPORTATION

Intersection	Existing LOS AM/PM 03-04 ADT	Required LOS	Total Facility Cost	Offsetting Revenue	Net Facility Cost
22 Hawthorne/182 <sup>nd</sup>			\$420,000	\$0	\$420,000
		Add a second NB left turn lane;			
23 Hawthorne/Artesia			\$3,850,000	\$0	\$3,850,000
		Add NB right turn lane; Add a westbound right turn lane, and			
24 Hawthorne/Redondo Beach			\$420,000	\$0	\$420,000
		Add a NB right turn lane.			
25 Lomita Blvd. Street Widening			\$420,000	\$0	\$420,000
		Widen street to construct de-celeration lane.			
26 Madrona at Fashion Way			\$420,000	\$0	\$420,000
		Extend SB right-turn pocket; and modify the signal for WB right turn overlap, and			
27 Madrona at Carson			\$800,000	\$0	\$800,000
		Install dedicated WB right-turn pocket			
28 Prairie/190 <sup>th</sup>	F/F		\$500,000	\$0	\$500,000
		Add a third EB through lane; Add a third WB through lane; Add a SB right through lane;			
29 Prairie Ave. at 182nd St.			\$400,000	\$0	\$400,000
		Install prohibit left-turn phasing for EB & WB, and Install right-turn overlap for NB.			
30 Torrance Blvd. at Madrona			\$600,000	\$0	\$600,000
		Install 2nd right-turn for EB, and Install right-turn overlap for EB only.			
31 Van Ness/190 <sup>th</sup>	F/D		\$150,000	\$0	\$150,000
		Strip the WB third through lane.			
32 405 SB On Ramp/190 <sup>th</sup>	F/D		\$4,150,000	\$0	\$4,150,000
		Widen ramp to add third lane for separate SB right turn; Widen SB on-ramp to add third lane for storage; Restripe to add third WB through lane, and Add Off-ramp free right lane by widening.			

**B. TRANSPORTATION**

Intersection	Existing LOS AM/PM 03-04 ADT	Required LOS	Total Facility Cost	Offsetting Revenue	Net Facility Cost
<i>Street Improvement</i>					
33 Del Amo Extension			\$3,000,000	\$0	\$3,000,000
34 Hawthorne Blvd, between Sepulveda and Center way			\$800,000	\$0	\$800,000
35 Implementation of the General Plan's pedestrian and bicycle recommended linkages through out the City			\$10,000,000	\$0	\$10,000,000
36 Jefferson/Plaza Del Amo Extension			\$5,000,000	\$0	\$5,000,000
<i>Design</i>					
37 GIS mapping and Upgrading GIS Mapping System			\$250,000	\$0	\$250,000
<b>TOTAL TRANSPORTATION</b>			<b>\$101,200,000</b>	<b>\$191,000</b>	<b>\$101,009,000</b>

SAVED TO  
OFF

**C. SEWER**

Line Segment	Improvement Pipe Diameter	Pipe Length	Total Facility Cost	Offsetting Revenue	Net Facility Cost
1 Model Line 1	8	1835	\$439,735	\$0	\$439,735
2 Model Line 3	8	2364	\$529,937	\$0	\$529,937
3 Model Line 5	8	630	\$157,854	\$0	\$157,854
4 Model Line 8	8 & 10	3369	\$1,221,110	\$0	\$1,221,110
5 Model Line 9	12	1389	\$811,818	\$0	\$811,818
6 Model Line 11	8	419	\$101,477	\$0	\$101,477
7 Model Line 17	8	196	\$54,121	\$0	\$54,121
8 Model Line 19	10	282	\$56,376	\$0	\$56,376
9 Model Line 23	12	1550	\$405,909	\$0	\$405,909
10 Model Line 26	8	374	\$157,854	\$0	\$157,854
11 Model Line 27	8	165	\$22,551	\$0	\$22,551
12 Model Line 28	8	1419	\$338,258	\$0	\$338,258
13 Model Line 31	8&15	864	\$214,230	\$0	\$214,230
14 Model Line 41	8&10	968	\$202,955	\$0	\$202,955
15 Sewer Master Plan			\$250,000	\$0	\$250,000
<b>TOTAL SEWER</b>			<b>\$4,964,183</b>	<b>\$0</b>	<b>\$4,964,183</b>

## D. STORM DRAINS

Line Segment	U/S Node - Surface Area (Acres)	D/S Node - Deficiency Volume (AF)	Total Facility Cost	Offsetting Revenue	Net Facility Cost
1 164TH- DAPHNE TO VANNESS	10,651	10,607	\$65,808	\$0	\$65,808
2 171ST- GLENBURN-DOM. CHANNEL	20,512	20,505	\$1,574,188	\$0	\$1,574,188
3 172ND AND YUKON	20,521	20,515	\$113,902	\$0	\$113,902
4 178TH- VANNESS TO GRAMERCY	30,931	30,932	\$338,304	\$0	\$338,304
5 182ND- CRENSHAW TO GLENBURN	20,381	20,309	\$262,241	\$0	\$262,241
6 182ND ST- BAILEY-REGINA	20,331	20,301	\$129,924	\$0	\$129,924
7 182ND- VANNESS TO WESTERN	31,000	31,006	\$471,467	\$0	\$471,467
8 182ND- GLENBURN-170TH	20,305	20,317	\$6,313,178	\$0	\$6,313,178
9 186TH & MAHATTAN PL	30,961	30,925	\$37,605	\$0	\$37,605
10 187-190-VANNESS-DE LAMO-CHANNEL-WESTERN	40,102	40,127	\$5,387,664	\$0	\$5,387,664
11 190TH W/O CRENSHAW	40,131	40,132	\$151,782	\$0	\$151,782
12 195TH - W/O WESTERN	31,102	31,103	\$74,680	\$0	\$74,680
13 195TH AND GRAMERCY	40,141	40,115	\$183,411	\$0	\$183,411
14 214TH- ABALONE TO WESTERN	40,611	40,604	\$150,295	\$0	\$150,295
15 220TH- WESTERN- TO TORR. BLVD	40,601	40,127	\$519,315	\$0	\$519,315
16 228TH PL AT KENT	70,436	70,432	\$42,425	\$0	\$42,425
17 230TH PL- PENN. TO ARLINGTON	80,121	80,106	\$173,433	\$0	\$173,433
18 230TH-235TH-WESTERN	80,131	80,114	\$9,110,602	\$0	\$9,110,602
19 231ST- AUDREY TO OCEAN AVE	70,451	70,410	\$38,285	\$0	\$38,285
20 233RD-235TH E/O PENNSYLVANIA	80,166	80,136	\$111,979	\$0	\$111,979
21 234TH PL AT EVALYN	70,521	70,506	\$71,488	\$0	\$71,488
22 235TH E/O CRENSHAW	80,146	80,134	\$37,693	\$0	\$37,693
23 236TH ST E/O PENNSYLVANIA	80,161	80,155	\$96,082	\$0	\$96,082
24 236TH TO 235TH W/O CABRILLO	80,196	80,110	\$159,774	\$0	\$159,774
25 237TH-PENNSYLVANIA-235TH	80,153	80,135	\$468,483	\$0	\$468,483
26 AIRPORT - SKYPARK- AMSLER	90,104	90,113	\$1,708,190	\$0	\$1,708,190
27 AMIE AND EARL	51,351	51,354	\$276,688	\$0	\$276,688
28 ANZA- ARVADA TO HALISON	51,132	51,105	\$368,322	\$0	\$368,322
29 ANZA AT CARSON	51,531	51,532	\$33,840	\$0	\$33,840
30 ANZA-226 TO LOMITA	70,531	70,533	\$287,273	\$0	\$287,273
31 APPLE- SANTA FE TO P.D.A.	40,541	40,510	\$181,486	\$0	\$181,486

## D. STORM DRAINS

Line Segment	U/S Node - Surface Area (Acres)	D/S Node - Deficiency Volume (AF)	Total Facility Cost	Offsetting Revenue	Net Facility Cost
32 ARDATH AT DOM CHANNEl	30,701	30,702	\$18,453	\$0	\$18,453
33 ARLINGTON-SARTORI TO VANNESS	40,471	40,430	\$60,285	\$0	\$60,285
34 ARLINGTON-237TH TO 235TH	80,171	80,109	\$187,952	\$0	\$187,952
35 ARTESIA AT DOM. CHANNEl	30,801	30,802	\$30,549	\$0	\$30,549
36 BISHOP MONTGOMERY RETENTION BASIN	11.20	120.10	\$2,843,861	\$0	\$2,843,861
37 CALLE MAYOR AT CARLOW	70,516	70,513	\$144,104	\$0	\$144,104
38 CALLE MAYOR N/O P.C.H.	70,511	70,512	\$136,465	\$0	\$136,465
39 CALLE MIRAMAR AT LA PLAYA	100,301	100,303	\$62,916	\$0	\$62,916
40 CARSON- MADRID TO CABRILLO	40,532	40,516	\$1,104,625	\$0	\$1,104,625
41 CARSON-ANZA TO OCEAN AVE	51,536	51,507	\$788,364	\$0	\$788,364
42 CARSON-CREN.-JEFFERSON-220-CABRILLO	40,501	40,433	\$5,145,507	\$0	\$5,145,507
43 CARSON-HAWTHORNE TO OCEAN AVE	51,526	51,506	\$321,019	\$0	\$321,019
44 CASIMIR- ARTESIA TO DOM. CHANNEl	30,601	30,606	\$655,317	\$0	\$655,317
45 CASIMIR TO DOM. CHANNEl	10,703	10,705	\$141,689	\$0	\$141,689
46 CATHANN TO OCEAN AVE BASIN	51,541	51,542	\$30,582	\$0	\$30,582
47 CRENSHAW AT ROLLING HILLS WAY	90,487	90,463	\$82,000	\$0	\$82,000
48 CRENSHAW- DOMINGUEZ TO MARICOPA	40,451	40,426	\$73,131	\$0	\$73,131
49 CRENSHAW- LOMITA TO AMSLER	90,121	90,111	\$411,974	\$0	\$411,974
50 CRENSHAW N/O DOM. CHANNEl	10,802	10,805	\$231,689	\$0	\$231,689
51 CRENSHAW-PCH TO E.C.L.	90,506	90,409	\$403,478	\$0	\$403,478
52 CRENSHAW-ROLLING H. WAY-AIRPORT	90,460	90,407	\$5,697,482	\$0	\$5,697,482
53 DEL AMO-CRENSHAW TO VAN NESS	40,152	40,119	\$1,107,503	\$0	\$1,107,503
54 DELAMO & DONORA-H. BASIN	51,311	51,317	\$591,505	\$0	\$591,505
55 DELAMO-AMIE-AMIE BASIN	40,322	40,309	\$215,842	\$0	\$215,842
56 DOM CHANNEl AT DAPHNE AVE	30,502	30,503	\$30,460	\$0	\$30,460
57 DOMINGUEZ AT COTA	40,462	40,428	\$19,465	\$0	\$19,465
58 D'ORO- MIRAMAR-RIVIERA	100,205	100,212	\$729,199	\$0	\$729,199
59 E.C.LIMITS-PCH TO CRENSHAW	90,511	90,408	\$886,190	\$0	\$886,190
60 EARLY- KASHIWA TO LOMITA	70,336	70,308	\$112,160	\$0	\$112,160
61 EASTWOOD TO GARNET	40,356	40,353	\$54,795	\$0	\$54,795
62 ELDORADO-CARSON-CABRILLO-WESTERN	40,412	40,127	\$10,865,295	\$0	\$10,865,295

**D. STORM DRAINS**

Line Segment	U/S Node - Surface Area (Acres)	D/S Node - Deficiency Volume (AF)	Total Facility Cost	Offsetting Revenue	Net Facility Cost
63 EL DORADO STREET RETENTION BASIN	1.10	5.40	\$122,054	\$0	\$122,054
64 EMERALD-AMIE TO AMIE BASIN	40,351	40,348	\$826,319	\$0	\$826,319
65 ENTRADERO CHANNEL	51,101	51,109	\$269,443	\$0	\$269,443
66 ENTRADERO CHANNEL AT BELLEMARE	51,121	51,103	\$30,904	\$0	\$30,904
67 ENTRADERO CHANNEL AT FLAVIAN	51,146	51,107	\$34,617	\$0	\$34,617
68 FALDA TO DOM. CHANNEL	20,401	20,402	\$40,627	\$0	\$40,627
69 FLORWOOD TO 182ND	20,346	20,304	\$84,698	\$0	\$84,698
70 GARNET-ANZA	51,397	51,399	\$186,716	\$0	\$186,716
71 GRAMERCY N/O DOM. CHANNEL	10,201	10,202	\$7,007	\$0	\$7,007
72 GRAMERCY S/O DOM. CHANNEL	30,201	30,202	\$8,951	\$0	\$8,951
73 GRAMERCY-205 TO HARPERS WAY	40,191	40,192	\$71,429	\$0	\$71,429
74 GRANT- 234ST TO 234 PL	70,541	70,508	\$144,043	\$0	\$144,043
75 HALISON AT FLAVIAN	51,141	51,106	\$43,599	\$0	\$43,599
76 HALISON PL TO CHANNEL	51,151	51,110	\$17,471	\$0	\$17,471
77 HAWTH- REDONDO BH BL TO DOM. CHAN.	20,701	20,704	\$2,181,939	\$0	\$2,181,939
78 HAWTH- DELAMO CIRCLE-OCEAN AVE	51,511	51,507	\$1,311,932	\$0	\$1,311,932
79 HAWTHORNE AND NEWTON	70,201	70,202	\$117,255	\$0	\$117,255
80 HAWTHORNE- S/O TORRANCE BLVD	51,501	51,502	\$99,522	\$0	\$99,522
81 HAWTHORNE-EMERALD-AMIE AVE	40,341	40,347	\$671,802	\$0	\$671,802
82 HAWTHORNE-MADISON-AIRPORT-CRENSHAW	90,400	90,408	\$13,841,646	\$0	\$13,841,646
83 HENRIETTA RETENTION BASIN	6.90	67.40	\$1,586,704	\$0	\$1,586,704
84 HENRIETTA AT LORNA	51,371	51,364	\$56,811	\$0	\$56,811
85 HENRIETTA- DELAMO TO HEN. BASIN	51,301	51,304	\$208,637	\$0	\$208,637
86 HENRIETTA N/O CARSON	51,411	51,415	\$540,358	\$0	\$540,358
87 HOLLYWOOD RIVIERA	100,521	100,508	\$889,670	\$0	\$889,670
88 ILLINOIS CT AT DOM. CHANNEL	30,101	30,102	\$7,213	\$0	\$7,213
89 INLET E/S OCEAN AVE BASIN	51,561	51,562	\$82,035	\$0	\$82,035
90 INLET N/S BIS. MONT BASIN	51,431	51,432	\$22,911	\$0	\$22,911
91 INLET TO DOM. CHAN. ON WESTERN	30,909	30,910	\$69,922	\$0	\$69,922
92 INLET TO ENTRADERO W/S	51,161	51,167	\$449,209	\$0	\$449,209
93 INLET W/S AMIE BASIN	40,331	40,333	\$166,653	\$0	\$166,653

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## D. STORM DRAINS

Line Segment	U/S Node -		D/S Node -		Total Facility Cost	Offsetting Revenue	Net Facility Cost
	Surface Area (Acres)	Volume (AF)	Surface Area (Acres)	Volume (AF)			
94 INLET W/S BIS. MONT. BASIN	51,421	51,422			\$81,399	\$0	\$81,399
95 KENT-228TH-OCEAN AVE	70,431	70,406			\$297,342	\$0	\$297,342
96 KONYA DR W/O EARL	51,341	51,324			\$73,286	\$0	\$73,286
97 KONYA TO SPENCER W/O EARL	51,322	51,325			\$231,836	\$0	\$231,836
98 LADEENE-SPENCER-HENRIETTA BASIN	51,395	51,331			\$1,834,552	\$0	\$1,834,552
99 LOMITA- ANZA- 234TH	70,551	70,507			\$1,610,370	\$0	\$1,610,370
100 LOMITA BL- LADEENE TO ANZA	70,537	70,533			\$118,010	\$0	\$118,010
101 LOMITA BLVD TELO TO EARLY	70,341	70,309			\$843,960	\$0	\$843,960
102 LOMITA- KENT TO OCEAN AVE	70,441	70,408			\$202,446	\$0	\$202,446
103 MADISON N/O 240TH	70,241	70,234			\$129,172	\$0	\$129,172
104 MADISON S/O LOMITA	70,331	70,312			\$243,359	\$0	\$243,359
105 MADRONA AT DEL AMO TO AMIE BASIN	40,301	40,309			\$649,360	\$0	\$649,360
106 MADRONA AT SPENCER	40,311	40,305			\$157,462	\$0	\$157,462
107 MANHATTAN PL & 178TH	30,951	30,933			\$99,215	\$0	\$99,215
108 MAPLE- EARLY- LOMITA-MADISON	70,302	70,313			\$6,288,997	\$0	\$6,288,997
109 MAPLE-N/O MARICOPA	40,441	40,420			\$85,942	\$0	\$85,942
110 MAPLE-P.D.A. TO MAPLE BASIN	51,704	51,705			\$239,930	\$0	\$239,930
111 MIRAMAR AT CASTELLANA	100,502	100,503			\$71,736	\$0	\$71,736
112 N/O LOMITA BTWN MADISON & MADRONA	70,326	70,322			\$90,528	\$0	\$90,528
113 N/O PCH, W/O ANZA	70,122	70,105			\$278,658	\$0	\$278,658
114 N/S DEL AMO E/O VAN NESS	40,171	40,172			\$71,739	\$0	\$71,739
115 NWC CARSON & MADRONA	51,601	51,603			\$215,081	\$0	\$215,081
116 NWC CRENSHAW & PCH	90,501	90,502			\$90,818	\$0	\$90,818
117 NWC HAWTHORNE AND CARSON	51,521	51,524			\$187,835	\$0	\$187,835
118 OCEAN AVENUE RETENTION BASIN	10,90	239,20			\$5,651,107	\$0	\$5,651,107
119 OCEAN AVE- 226 TO JASON CIRCLE	70,421	70,405			\$178,679	\$0	\$178,679
120 OCEAN AVE 226TH TO 234TH	70,401	70,412			\$1,859,136	\$0	\$1,859,136
121 OCEAN AVE- BLUFF TO PCH	70,111	70,115			\$277,949	\$0	\$277,949
122 P.D.A. W/O CRENSHAW	40,521	40,506			\$310,227	\$0	\$310,227
123 PIONEER AVENUE	2,40	27,50			\$402,779	\$0	\$402,779
124 P.Y. BL AT C. D. CAMPO	100,401	100,402			\$36,910	\$0	\$36,910

## D. STORM DRAINS

Line Segment	U/S Node - Surface Area (Acres)	D/S Node - Deficiency Volume (AF)	Total Facility Cost	Offsetting Revenue	Net Facility Cost
125 P.V. DR. AT SUSANA	100,106	100,101	\$14,147	\$0	\$14,147
126 PCH N/O ROBINSON WAY	90,442	90,405	\$111,450	\$0	\$111,450
127 PIONEER S/O CHALLENGER	40,232	40,203	\$83,473	\$0	\$83,473
128 PIPE ON N/S TRA. PARK ON WESTERN	30,942	30,909	\$468,318	\$0	\$468,318
129 PLAZA D. AMO MAPLE TO MONTI	51,711	51,704	\$340,103	\$0	\$340,103
130 PRAIRIE-REDONDO BH BL	20,803	20,806	\$637,777	\$0	\$637,777
131 REDONDO BH BL- YUKON TO DOM. CH	20,602	20,605	\$337,985	\$0	\$337,985
132 REDONDO BH BL-VANNES-DOM. CHANNEL	10,601	10,610	\$4,309,518	\$0	\$4,309,518
133 REESE RD-LINDA TO DORIS BASIN	100,111	100,112	\$205,218	\$0	\$205,218
134 RIDGELAND- E/O DELOS	110,101	110,102	\$27,600	\$0	\$27,600
135 ROCKVIEW S/O PV BLVD	10,102	10,107	\$888,839	\$0	\$888,839
136 ROLLING H. RD. AT WIFFLETREE	90,426	90,413	\$64,395	\$0	\$64,395
137 ROLLING HILLS RD	90,421	90,413	\$176,622	\$0	\$176,622
138 ROLLING HILLS RD S/O CRENSHAW	90,603	90,461	\$177,490	\$0	\$177,490
139 RUBY TO PV BLVD	51,417	51,413	\$98,372	\$0	\$98,372
140 S.E.C MAPLE & MONTEREY	51,708	51,703	\$52,354	\$0	\$52,354
141 S/O DELAMO W/O VAN NESS	40,161	40,120	\$1,121,418	\$0	\$1,121,418
142 SANTA FE- ARLINGTON TO WESTERN	60,100	60,102	\$227,029	\$0	\$227,029
143 SEPULVEDA AT CYPRESS	80,186	80,103	\$26,884	\$0	\$26,884
144 SEPULVEDA AT MADRONA	51,721	51,723	\$66,354	\$0	\$66,354
145 SEPULVEDA AT PLUM	80,176	80,102	\$54,661	\$0	\$54,661
146 SEPULVEDA AT WESTERN	60,121	60,122	\$38,304	\$0	\$38,304
147 SEPULVEDA TO SOUTH ON ARLINGTON	80,103	80,106	\$817,804	\$0	\$817,804
148 SEPULVEDA-HAWTHORNE TO OCEAN BASIN	51,551	51,556	\$649,440	\$0	\$649,440
149 SPENCER- EARL TO LADEENE	51,348	51,325	\$71,326	\$0	\$71,326
150 SWC 235TH & CRENSHAW	80,141	80,133	\$323,107	\$0	\$323,107
151 TANDEM WAY N/O NEWTON	90,417	90,404	\$124,121	\$0	\$124,121
152 TAYLOR CT AT DOM. CHANNEL	30,301	30,302	\$26,487	\$0	\$26,487
153 THRU SOUTH HIGH	70,501	70,506	\$1,985,817	\$0	\$1,985,817
154 TORRANCE BL- CRENSHAW TO CABRILLO	40,481	40,432	\$1,005,375	\$0	\$1,005,375
155 TORRANCE BL- HENRIETTA TO W.C.L.	51,361	51,363	\$242,257	\$0	\$242,257
156 TOWERS TO ENTRADERO BASIN	51,181	51,183	\$111,910	\$0	\$111,910

## D. STORM DRAINS

Line Segment	U/S Node - Surface Area (Acres)	D/S Node - Deficiency Volume (AF)	Total Facility Cost	Offsetting Revenue	Net Facility Cost
157 UNDER RR AT MADRONA	40,205	40,206	\$77,603	\$0	\$77,603
158 VICTOR-SCOTT-BIS. MONT. BASIN	51,401	51,404	\$354,326	\$0	\$354,326
159 VINE STREET/237TH ST. RETENTION BASIN	0.40	54.50	\$646,887	\$0	\$646,887
160 VISTA LINDATO VIA BONITA	100,532	100,505	\$155,125	\$0	\$155,125
161 WALNUT- 238TH-WESTERN	80,201	80,114	\$420,221	\$0	\$420,221
162 WALNUT- MIDDLEBROOK TO 230TH	80,191	80,182	\$53,197	\$0	\$53,197
163 WALTERIA RETENTION BASIN	25.40	585.20	\$13,792,118	\$0	\$13,792,118
164 WEST END AIRPORT	70,231	70,234	\$206,820	\$0	\$206,820
165 WESTERN- LINCOLN TO P.D.A.	60,101	60,102	\$144,206	\$0	\$144,206
166 WESTERN N/O P.D.A.	40,196	40,125	\$140,117	\$0	\$140,117
167 WESTERN TO DOM. CHANNEL	10,301	10,302	\$63,666	\$0	\$63,666
168 WILTON AT DOM. CHANNEL	30,401	30,402	\$24,358	\$0	\$24,358
169 WILTON AT DOM. CHANNEL	10,501	10,502	\$21,015	\$0	\$21,015
170 WILTON- N/O DOM. CHANNEL	10,401	10,402	\$9,573	\$0	\$9,573
<b>TOTAL STORM DRAINS</b>			<b>\$140,220,766</b>	<b>\$0</b>	<b>\$140,220,766</b>

**APPENDIX A -2**

NO.	NAME	DESIGNATION	POSTAL ADDRESS	TELEPHONE NO.
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## APPENDIX A-2

## FUTURE RESIDENTIAL UNITS APPORTIONMENT

	<b>Census 2000 Dwelling Units Apportionment</b>	<b>% of Total</b>	<b>Future Projected Residential Dwelling Unit Apportionment</b>
Single-Family Detached	30,129	54.82%	666
Multi-Family/Others	24,835	45.18%	571
<b>Total</b>	<b>55,964</b>	<b>100%</b>	<b>1,237</b>

Source: 2000 Census

**CITY OF TORRANCE**  
**NOTICE OF PUBLIC HEARINGS**  
Consideration of Development Impact Fees

August 2, 2005 at 7:00pm  
 August 16, 2005 at 7:00pm  
 City Council Chambers  
 3031 Torrance Boulevard  
 Torrance, California

Notice is hereby given that the City Council of the City of Torrance will hold an open and public meeting on Tuesday, August 2, 2005 at 7:00 p.m. regarding the imposition of a development impact fee on new development to finance the cost of transportation facilities, undergrounding utilities, sewer and storm drain facilities as identified in the report entitled "Development Impact Fee Justification Study - City of Torrance." At this meeting, the City Council will consider approval of the time and place for the public hearing regarding adoption of the development impact fee. All interested persons are invited to present oral or written testimony regarding the development impact fee at this meeting. The data, indicating the amount of cost required to provide the services for which the development impact fee will be levied and the revenue sources anticipated to provide the services, will be available to the public on July 22, 2005 in the Community Development Department.

Notice is hereby given that the City Council of the City of Torrance will hold a public hearing on Tuesday, August 16, 2005 at 7:00 p.m. regarding the imposition of a development impact fee on new development to finance the cost of transportation facilities, undergrounding utilities, sewer and storm drain facilities as identified in the report entitled "Development Impact Fee Justification Study - City of Torrance." All interested persons are invited to present oral or written testimony regarding the development impact fee at this hearing.

If you cannot attend and would like to convey your views on this matter, please send any correspondence to Ted Semaan, Transportation Planner of the Community Development Department or you may e-mail your comments to [cddtraffic@torrnet.com](mailto:cddtraffic@torrnet.com) and they will become part of the official record. Should you have any questions about the meeting, please call the Transportation Planning Division of the Community Development Department at (310) 618-5990.

City Council

Dan Walker, Mayor	
Ted W. Lieu	Paul Nowatka
Michael H. Mauno	Frank Scotto
Pat McIntyre	Hope Witkowsky



City of Torrance  
 Community Development Department  
 3031 Torrance Boulevard  
 Torrance, California 90509-2970

**HILLSIDE HOMEOWNERS  
ASSOCIATION**  
LINDA DRYER, PRESIDENT  
26214 DELOS DRIVE  
TORRANCE CA 90505

**OLD TORRANCE NEIGHBORHOOD  
ASSOCIATION**  
DEBBIE HAYS, PRESIDENT  
1538 POST AVE  
TORRANCE CA 90501

**SOUTHWOOD HOMEOWNERS  
ASSOCIATION**  
DONNA SPREITZER, PRESIDENT  
21930 OCEAN AVE  
TORRANCE CA 90503

**WALTERIA-HILLSIDE  
ASSOCIATION**  
JOSIE VANDERPAS, PRESIDENT  
4308 NEWTON ST  
TORRANCE CA 90505

**HILLSIDE HOMEOWNERS  
ASSOCIATION**  
ED STROBEL  
25928 RICHVILLE DR  
TORRANCE CA 90503

**OLD TORRANCE NEIGHBORHOOD  
ASSOCIATION**  
RON BUTTERWORTH  
1828 MARINETTE ST  
TORRANCE CA 90501

**SOUTHWOOD RIVIERA  
HOMEOWNERS ASSOCIATION**  
FRANK KENNY  
23445 EVELYN AVE  
TORRANCE CA 90505

**COUNCIL HOMEOWNERS ASSOC  
OF TORRANCE - CHAT**  
FRANK RIZZARDI  
23544 CARLOW RD  
TORRANCE CA 90505

**DELTHORNE HOMEOWNERS  
ASSOCIATION**  
IRIS JACOBS  
20414-A OSAGE AVE  
TORRANCE CA 90503

**MERIT-CARSON HOMEOWNERS  
ASSOCIATION**  
ELAINE O'DONNELL  
2940 W CARSON ST #A  
TORRANCE CA 90503

**MADRONA HOMEOWNERS  
ASSOCIATION**  
ROBERT THOMPSON, PRESIDENT  
PO BOX 3135  
TORRANCE CA 90503

**RIVIERA HOMEOWNERS  
ASSOCIATION**  
MICHAEL COTTON, PRESIDENT  
PO BOX 1074  
TORRANCE CA 90505

**SOUTHWOOD RIVIERA  
HOMEOWNERS ASSOCIATION**  
TOM BREWER, PRESIDENT  
23426 EVALYN AVE  
TORRANCE CA 90505

**WEST TORRANCE HOMEOWNERS  
ASSOCIATION**  
LINDA GOTTSALL-SAYED, PRES.  
19332 DONORA AVE  
TORRANCE CA 90503

**MADRONA HOMEOWNERS  
ASSOCIATION**  
JON DIAL  
1017 FELBAR  
TORRANCE CA 90503

**SEASIDE RANCHOS  
HOMEOWNERS ASSOCIATION**  
JACKIE DECKER  
23102 CARLOW RD  
TORRANCE CA 90505

**SOUTHWOOD-SUNRAY  
ASSOCIATION**  
ANN TREHER  
22524 HICKORY AVE  
TORRANCE CA 90505

**BEGONIA VILLAGE**  
4134 PACIFIC COAST HIGHWAY  
C/O VITCO PROPERTIES  
2255 SEPULVEDA  
TORRANCE CA 90501

**LA TERRAZZA HOMEOWNERS  
ASSOCIATION**  
KIM WANG  
2801 SEPULVEDA BLVD #45  
TORRANCE CA 90505

**NEW HORIZONS SOUTH BAY  
ASSOCIATION**  
IRMA MAGGIO, CIVIC AFFAIRS  
22727 MAPLE AVE  
TORRANCE CA 90505

**NORTHWEST TORRANCE  
HOMEOWNERS ASSOCIATION**  
PAT FUREY, PRESIDENT  
18716 CRANBROOK AVE  
TORRANCE CA 90504

**SEASIDE RANCHOS  
HOMEOWNERS ASSOCIATION**  
TOM RISCHE, PRESIDENT  
22920 CARLOW RD  
TORRANCE CA 90505

**SOUTHWOOD-SUNRAY  
ASSOCIATION**  
NEWTON YOUNG, REP  
22637 HICKORY AVE  
TORRANCE CA 90505

**SANDI MONDA**  
21506 TALISMAN ST  
TORRANCE CA 90503

**SOUTHWOOD HOMEOWNERS  
ASSOCIATION**  
GRACIE McKEWEN  
21510 ELLINWOOD DR  
TORRANCE CA 90503

**WEST TORRANCE HOMEOWNERS  
ASSOCIATION**  
MELANIE DREIKE  
4602 CARMELYN ST  
TORRANCE CA 90503

**COUNTRY HILLS ASSOCIATION**  
DAVID HENSELER, PRES  
PO BOX 1253  
TORRANCE CA 90505

**KNOLLS LODGE/MANOR  
HOMEOWNERS ASSOCIATION**  
LARRY KASKO  
24200 WALNUT ST #71  
TORRANCE CA 90501

**NORTHEAST TORRANCE  
HOMEOWNERS ASSOCIATION**  
WILLIAM GAUGH  
18206 TAYLOR CT  
TORRANCE CA 90504

**SOUTH BAYPORT HOMEOWNER  
ASSOCIATION**  
GLEN MUSICER  
2628 WOODBURY DR  
TORRANCE CA 90503

**PACIFIC SOUTH BAY  
HOMEOWNERS ASSOCIATION**  
JOHN CHESSMORE  
103 MILDRED AVE  
TORRANCE CA 90503

**SOUTHEAST TORRANCE  
HOMEOWNERS ASSOCIATION**  
LEONARD KASARI  
2450 WEST 233<sup>RD</sup> ST  
TORRANCE CA 90501

**TORRANCE HEIGHTS CIVIC  
ASSOCIATION**  
PAUL RODRIGUEZ  
3613 227<sup>TH</sup> PLACE  
TORRANCE CA 90505-2660

**PUEBLO HOMEOWNERS  
ASSOCIATION**  
REUBEN ORDAZ  
2231 DEL AMO BLVD  
TORRANCE CA 90501

**SPRINGWOOD CONDOMINIUM  
ASSOCIATION**  
JOHN FITZGIBBON  
2971 PLAZA DEL AMO #266  
TORRANCE CA 90503

**TORRANCE-WINDEMERE  
HOMEOWNERS ASSOCIATION**  
MAUREEN ROJO  
2573 PLAZA DEL AMO  
TORRANCE CA 90503

**SUMMERWIND HOMEOWNERS  
ASSOCIATION**  
MARY SCHULIST  
2800 PLAZA DEL AMO #509  
TORRANCE CA 90503

**COUNTRY HILLS HOMEOWNERS  
ASSOCIATION**  
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TORRANCE CA 90505

**PRESIDENT/CEO  
TORRANCE AREA  
CHAMBER OF COMMERCE**  
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TORRANCE CA 90503

ANASTASI CONSTRUCTION  
JOHN MIRASOU  
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REDONDO BEACH, CA 90278-4059

CHESTER SMITH & ASSOCIATES  
JEFF SMITH  
22850 CRENSHWA BLVD., #204  
TORRANCE, CA 90505

WEST CAL CONSTRUCTION  
TIMOTHY TUCKER, AIA  
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TORRANCE, CA 90501

THE MILLS CORPORATION  
STEPHEN WENDEROTH  
1300 WILSON BLVD., SUITE 400  
ARLINGTON, VIRGINIA 22209

DOUG MAUPIN  
2531 W. 237<sup>TH</sup> STREET  
TORRANCE, CA 90505

GREYSTONE HOMES  
STEVE ARMANINO  
25 ENTERPRISE #250  
ALISO VIEJO, CA 92656-2651

McKENNA CAPITAL  
DON ROBERTSON,  
BRETT BLANCHARD  
1450 EL CAMINO REAL  
TUSTIN, CA 92780

RANDY MORRIS  
2104 VIA ACALONES  
PALOS VERDES ESTATES CA 90274

JOHN BALESTRA  
RE DEVELOPMENT  
P.O. BOX 7000-166  
REDONDO BEACH, CA 90277

ERWIN BUCY  
REGENCY CENTERS  
555 S. FLOWER ST., STE. 3500  
LOS ANGELES, CA 90071

CHERYL VARGO  
SUBTEC  
5147 W. ROSECRANS AVENUE  
HAWTHORNE, CA 90250

STANDARD PACIFIC HOMES  
TOM PARADISE  
3030 OLD RANCH PARKWAY #450  
SEAL BEACH, CA 90740

GARY BUTCHER  
2371 TORRANCE BOULEVARD  
TORRANCE, CA 90501

WITHEE-MALCOLM PARTNERSHIP  
ARCHITECTS  
1983 W. 190<sup>TH</sup> SREET, SUITE 200  
TORRANCE, CA 90504-6241

A & A BUILDERS  
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2350 SEPULVEDA BOULEVARD  
TORRANCE, CA 90501

GILBERT CHENG  
29707 ISLAND VIEW DRIVE #3  
RANCHO PALOS VERDES CA 90275

DON WILSON BUILDERS  
JOHN CASKEY  
23705 CRENSHAW BOULEVARD  
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TORRANCE, CA 90501

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TORRANCE, CA 90503

LaCAZE DEVELOPMENT CO.  
NORM LaCAZE  
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TORRANCE, CA 90505

TED LAWSON  
C/O CBRE  
990 W 190<sup>TH</sup> ST #100  
TORRANCE CA 90502

GLADYS MEADE, PRESIDENT  
THE LEAGUE OF WOMEN VOTERS  
OF TORRANCE  
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JAMES A McDERMOTT JR  
McDERMOTT CONSULTING INC  
710 S ARROYO BLVD  
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## CITY OF TORRANCE

## COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A  
TRANSPORTATION IMPACT FEE PROGRAM AND AMENDING THE  
TORRANCE MUNICIPAL CODE.**

THE CITY COUNCIL OF THE CITY OF TORRANCE 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 9, 2005 the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Transportation Facilities Plan and the proposed Transportation Impact Fee program, as required by Government Code Section 66016.

B. On August 16, 2005, the City Council held a duly noticed public hearing regarding the proposed adoption of the Transportation Facilities 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Transportation Facilities 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.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Transportation Facilities 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 Development Impact Fee Study 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.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the Development Impact Fee Study, the adoption of the Transportation Facilities 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 Development Impact Fee Study, the adoption of the Transportation Facilities 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.** Article 1 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 1 - TRANSPORTATION IMPACT FEES**

SECTION 29.1.1	FINDINGS AND INTENT.
SECTION 29.1.2	RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.
SECTION 29.1.3	NON-RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.
SECTION 29.1.4	TRANSPORTATION IMPACT FEES – EXEMPTION AND/OR REDUCTION.
SECTION 29.1.5	APPEALS.
SECTION 29.1.6	USE OF FUNDS.
SECTION 29.1.7	FEE AMOUNT APPLICABLE TO PENDING PROJECTS.
SECTION 29.1.8	PERIODIC ADJUSTMENT OF FEE AMOUNT.

**SECTION 29.1.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 Transportation Facilities 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.

#### **SECTION 29.1.2 RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.1.4, 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 Community Development Director, 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 Community Development Director 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 Torrance 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 the applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.1.3 NON-RESIDENTIAL TRANSPORTATION IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.1.4, 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 Community Development Director, 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 Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.1.4 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.
4. Facilities serving the health and safety of the public, including but not limited to, hospitals, police, fire and safety facilities.
  - A. A developer may be exempted or allowed a reduction in fees from the transportation impact fee requirements of Sections 29.1.2 and 29.1.3 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.
  - B. A developer may be entitled to a reduction in the amount of the transportation impact fee required by Sections 29.1.2 and 29.1.3 if the developer constructs transportation improvements pursuant to the most current Transportation Facilities 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 Community Development Director prior to construction of the transportation improvement.
  - C. A developer may be entitled to a reduction in the amount of the transportation impact fee required by Sections 29.1.2 and 29.1.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Transportation Facilities 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 29.1.2 and 29.1.3.
  - D. The Community Development Director may grant a reduction in the amount of the transportation impact fee required by Sections 29.1.2 and 29.1.3 if the Community Development Director determines that the development will

contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

E. If a fee exemption or a fee reduction is granted pursuant to this Section 29.1.4; 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.

#### **SECTION 29.1.5 APPEALS.**

A. A developer subject to the transportation impact fee required by this Chapter for a particular project may apply to the Community Development Director 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 Community Development Director prior to the issuance of building permit. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.1.5, 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 29.1.5, 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.

#### **SECTION 29.1.6 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 Transportation Facilities Plan; provided, however, that if the Community Development Director 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 Transportation Facilities Plan as altered or amended.

#### **SECTION 29.1.7 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 29.1.2 or 29.1.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.1.2(A) for residential transportation impact fees or Section 29.1.3(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.

**SECTION 29.1.8 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 Transportation Facilities 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 \_\_\_\_\_, 2005.

ADOPTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Dan Walker, Mayor

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John L. Fellows III, City Attorney

## CITY OF TORRANCE

## COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A UTILITY UNDERGROUNDING IMPACT FEE PROGRAM AND AMENDING THE TORRANCE MUNICIPAL CODE.**

**THE CITY COUNCIL OF THE CITY OF TORRANCE 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 9, 2005 the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Utility Undergrounding Facilities Plan and the proposed Utility Undergrounding Impact Fee program, as required by Government Code Section 66016.

B. On August 16, 2005, the City Council held a duly noticed public hearing regarding the proposed adoption of the Utility Undergrounding Facilities Plan and the adoption of the proposed utility undergrounding 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Utility Undergrounding Facilities Plan, and the proposed utility undergrounding impact fee, as specified by the Mitigation Fee Act (California Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Utility Undergrounding Facilities Plan, and the proposed utility undergrounding 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 Development Impact Fee Study will maintain the level of service currently provided by the City's existing utility system by ensuring that the impacts of new development will not negatively impact existing service levels.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the Development Impact Fee Study, the adoption of the Utility Undergrounding Facilities Plan, and the adoption of the proposed utility undergrounding 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 Development Impact Fee Study, the adoption of the Utility Undergrounding Facilities Plan and the adoption of the utility undergrounding 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.** Article 2 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 2 - UTILITY UNDERGROUNDING IMPACT FEES**

- |                |   |
|----------------|---|
| SECTION 29.2.1 | FINDINGS AND INTENT.  |
| SECTION 29.2.2 | RESIDENTIAL UTILITY UNDERGROUNDING<br>IMPACT FEES REQUIRED.         |
| SECTION 29.2.3 | NON-RESIDENTIAL UTILITY<br>UNDERGROUNDING IMPACT FEES<br>REQUIRED.  |
| SECTION 29.2.4 | UTILITY UNDERGROUNDING IMPACT FEES<br>- EXEMPTION AND/OR REDUCTION. |
| SECTION 29.2.5 | APPEALS.  |
| SECTION 29.2.6 | USE OF FUNDS.   |
| SECTION 29.2.7 | FEE AMOUNT APPLICABLE TO PENDING<br>PROJECTS.                       |
| SECTION 29.2.8 | PERIODIC ADJUSTMENT OF FEE AMOUNT.                                  |

**SECTION 29.2.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 utility improvements.

B. Utility undergrounding benefits future residents and employees by providing safe and aesthetic vehicular access to properties. An increase in traffic volume generated by new development increases the probability of vehicular accidents with above-ground utilities. The undergrounding of utilities will reduce vehicular accidents, electrical fires, network maintenance costs and tree trimming costs.

C. Sources of City revenue other than utility undergrounding 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 utility 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 utility system. The City may therefore require developers to mitigate utility impacts caused by their development and to pay a utility undergrounding impact fee that will be used to mitigate those impacts by constructing utility facilities pursuant to the most current Utility Undergrounding Facilities Plan.

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

#### **SECTION 29.2.2 RESIDENTIAL UTILITY UNDERGROUNDING IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.2.4, the required utility undergrounding impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required utility undergrounding 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the utility undergrounding impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the utility undergrounding impact fee. In calculating such fee, the Community Development Director 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 Torrance 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 the applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.2.3 NON-RESIDENTIAL UTILITY UNDERGROUNDING IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.2.4, the required utility undergrounding impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required utility undergrounding 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the utility undergrounding impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the utility undergrounding impact fee. In calculating such fee, the Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.2.4 UTILITY UNDERGROUNDING IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of utility undergrounding 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.

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

A. A developer may be exempted or allowed a reduction in fees from the utility undergrounding impact fee requirements of Sections 29.2.2 and 29.2.3 if the developer enters into a development agreement with the City pursuant to which utility undergrounding impact fees are assessed to the developer, or equivalent or comparable utility improvements are implemented by the developer.

B. A developer may be entitled to a reduction in the amount of the utility undergrounding impact fee required by Sections 29.2.2 and 29.2.3 if the developer constructs utility improvements pursuant to the most current Utility Undergrounding Facilities Plan. The utility undergrounding impact fee may be reduced by the amount of utility improvement costs that would be reasonably incurred by the City in building those same utility improvements. The amount of such reduction shall be subject to the approval of the Community Development Director prior to construction of the utility improvement.

C. A developer may be entitled to a reduction in the amount of the utility undergrounding impact fee required by Sections 29.2.2 and 29.2.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Utility Undergrounding Facilities Plan. The utility undergrounding impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of utility improvements. The amount of such reduction shall not exceed the amount of the utility undergrounding impact fee required by Sections 29.2.2 and 29.2.3.

D. The Community Development Director may grant a reduction in the amount of the utility undergrounding impact fee required by Sections 29.2.2 and 29.2.3 if the Community Development Director determines that the development will contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

E. If a fee exemption or a fee reduction is granted pursuant to this Section 29.2.4, 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 utility undergrounding 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.

#### **SECTION 29.2.5 APPEALS.**

A. A developer subject to the utility undergrounding impact fee required by this Chapter for a particular project may apply to the Community Development Director 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 Community Development Director prior to the issuance of building permit.. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.2.5, 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 utility undergrounding 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 29.2.5, 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.

#### **SECTION 29.2.6 USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all utility undergrounding 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 utility improvements pursuant to the most current Utility Undergrounding Facilities Plan; provided, however, that if the Community Development Director authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use utility undergrounding impact fees collected pursuant to this Chapter for the purpose of constructing utility improvements in accordance with the most current Utility Undergrounding Facilities Plan as altered or amended.

#### **SECTION 29.2.7 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 utility undergrounding impact fees required by Section 29.2.2 or 29.2.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.2.2(A) for residential utility undergrounding impact fees or Section 29.2.3(A) for non-residential utility undergrounding 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.

#### **SECTION 29.2.8 PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the utility undergrounding 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 Utility Undergrounding Facilities 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 \_\_\_\_\_, 2005.**

**ADOPTED AND PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2005, by the following vote:**

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Dan Walker, Mayor

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John L. Fellows III, City Attorney

## CITY OF TORRANCE

## COUNTY OF LOS ANGELES, CALIFORNIA

## ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A STORM DRAIN  
IMPACT FEE PROGRAM AND AMENDING THE TORRANCE MUNICIPAL CODE.**

**THE CITY COUNCIL OF THE CITY OF TORRANCE 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 9, 2005 the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Storm Drain Facilities Plan and the proposed Storm Drain Impact Fee program, as required by Government Code Section 66016.

B. On August 16, 2005, the City Council held a duly noticed public hearing regarding the proposed adoption of the Storm Drain Facilities Plan and the adoption of the proposed storm drain 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Storm Drain Facilities Plan, and the proposed storm drain impact fee, as specified by the Mitigation Fee Act (California Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Storm Drain Facilities Plan, and the proposed storm drain 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 Development Impact Fee Study will maintain the level of service currently provided by

the City's existing storm drain system by ensuring that the impacts of new development will not negatively impact existing service levels.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the Development Impact Fee Study, the adoption of the storm drain facilities plan, and the adoption of the proposed storm drain 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 Development Impact Fee Study, the adoption of the Storm Drain Facilities Plan and the adoption of the storm drain 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.** Article 3 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 3 - STORM DRAIN IMPACT FEES**

SECTION 29.3.1	FINDINGS AND INTENT.
SECTION 29.3.2	RESIDENTIAL STORM DRAIN IMPACT FEES REQUIRED.
SECTION 29.3.3	NON-RESIDENTIAL STORM DRAIN IMPACT FEES REQUIRED.
SECTION 29.3.4	STORM DRAIN IMPACT FEES – EXEMPTION AND/OR REDUCTION.
SECTION 29.3.5	APPEALS.
SECTION 29.3.6	USE OF FUNDS.
SECTION 29.3.7	FEE AMOUNT APPLICABLE TO PENDING PROJECTS.
SECTION 29.3.8	PERIODIC ADJUSTMENT OF FEE AMOUNT.

**SECTION 29.3.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 storm drain facilities.

B. Failure to enhance the ability of the City's storm drain system to accommodate increased storm water could cause unacceptable harm to the quality of life in the City by increasing the risk of flooding in various portions of the City, thereby decreasing accessibility to various portions of the City by residents.

C. Sources of City revenue other than storm drain 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 storm drain 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 storm drain system. The City may therefore require developers to mitigate storm drain impacts caused by their development and to pay a storm drain impact fee that will be used to mitigate those impacts by constructing storm drain facilities pursuant to the most current Storm Drain Facilities Plan.

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

### **SECTION 29.3.2 RESIDENTIAL STORM DRAIN IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.3.4, the required storm drain impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required storm drain 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the storm drain impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the storm drain impact fee. In calculating such fee, the Community Development Director 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 Torrance 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 the applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.3.3 NON-RESIDENTIAL STORM DRAIN IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.3.4, the required storm drain impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required storm drain 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the storm drain impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the storm drain impact fee. In calculating such fee, the Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.3.4 STORM DRAIN IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of storm drain 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.

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

A. A developer may be exempted or allowed a reduction in fees from the storm drain impact fee requirements of Sections 29.3.2 and 29.3.3 if the developer enters into a development agreement with the City pursuant to which storm drain impact fees are assessed to the developer, or equivalent or comparable storm drain improvements are implemented by the developer.

B. A developer may be entitled to a reduction in the amount of the storm drain impact fee required by Sections 29.3.2 and 29.3.3 if the developer constructs storm drain improvements pursuant to the most current Storm Drain Facilities Plan. The storm drain impact fee may be reduced by the amount of storm drain improvement costs that would be reasonably incurred by the City in building those same storm drain improvements. The amount of such reduction shall be subject to the approval of the Community Development Director prior to construction of the storm drain improvement.

C. A developer may be entitled to a reduction in the amount of the storm drain impact fee required by Sections 29.3.2 and 29.3.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Storm Drain Facilities Plan. The storm drain impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of storm drain improvements. The amount of such reduction shall not exceed the amount of the storm drain impact fee required by Sections 29.3.2 and 29.3.3.

D. The Community Development Director may grant a reduction in the amount of the storm drain impact fee required by Sections 29.3.2 and 29.3.3 if the Community Development Director determines that the development will contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

E. If a fee exemption or a fee reduction is granted pursuant to this Section 29.3.4, 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 storm drain 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.

#### **SECTION 29.3.5 APPEALS.**

A. A developer subject to the storm drain impact fee required by this Chapter for a particular project may apply to the Community Development Director for: (1) a fee

adjustment based upon a showing of substantial evidence of a lesser impact upon the storm drain 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 Community Development Director prior to the issuance of building permit. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.3.5, 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 storm drain 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 29.3.5, 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.

### **SECTION 29.3.6 USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all storm drain 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 storm drain improvements pursuant to the most current Storm Drain Facilities Plan; provided, however, that if the Community Development Director authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use storm drain impact fees collected pursuant to this Chapter for the purpose of constructing storm drain improvements in accordance with the most current Storm Drain Facilities Plan as altered or amended.

### **SECTION 29.3.7 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 storm drain impact fees required by Section 29.3.2 or 29.3.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.3.2(A) for residential storm drain impact fees or Section 29.3.3(A) for non-residential storm drain 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.

### **SECTION 29.3.8 PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the storm drain 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 Storm Drain Facilities 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 \_\_\_\_\_,**  
2005.

**ADOPTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005,** by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Dan Walker, Mayor

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
John L. Fellows III, City Attorney

CITY OF TORRANCE  
COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A SEWER IMPACT FEE PROGRAM AND AMENDING THE TORRANCE MUNICIPAL CODE.**

THE CITY COUNCIL OF THE CITY OF TORRANCE 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 9, 2005 the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Sewer Facilities Plan and the proposed Sewer Impact Fee program, as required by Government Code Section 66016.

B. On August 16, 2005, the City Council held a duly noticed public hearing regarding the proposed adoption of the Sewer Facilities Plan and the adoption of the proposed sewer 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Sewer Facilities Plan, and the proposed sewer impact fee, as specified by the Mitigation Fee Act (California Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Sewer Facilities Plan, and the proposed sewer 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 Development Impact Fee Study will maintain the level of service currently provided by the City's existing Sewer system by ensuring that the impacts of new development will not negatively impact existing service levels.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the Development Impact Fee Study, the adoption of the Sewer Facilities Plan, and the adoption of the proposed sewer 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 Development Impact Fee Study, the adoption of the Sewer Facilities Plan and the adoption of the sewer 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.** Article 4 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 4 - SEWER IMPACT FEES**

- |                |  |
|----------------|--|
| SECTION 29.4.1 | FINDINGS AND INTENT.                               |
| SECTION 29.4.2 | RESIDENTIAL SEWER IMPACT FEES<br>REQUIRED.         |
| SECTION 29.4.3 | NON-RESIDENTIAL SEWER IMPACT FEES<br>REQUIRED.     |
| SECTION 29.4.4 | SEWER IMPACT FEES – EXEMPTION<br>AND/OR REDUCTION. |
| SECTION 29.4.5 | APPEALS.   |
| SECTION 29.4.6 | USE OF FUNDS.                                      |
| SECTION 29.4.7 | FEE AMOUNT APPLICABLE TO PENDING<br>PROJECTS.      |
| SECTION 29.4.8 | PERIODIC ADJUSTMENT OF FEE AMOUNT.                 |

**SECTION 29.4.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 sewer facilities.

B. Failure to enhance the ability of the City's sewer system to accommodate increased waste water would cause unacceptable harm to the quality of life in the City by causing a reduction in the planned rate of flow in existing sewer lines, the potential

for waste water to back-up into private property sewer lines, and result in property damage.

C. Sources of City revenue other than sewer 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 sewer 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 sewer system. The City may therefore require developers to mitigate sewer impacts caused by their development and to pay a sewer impact fee that will be used to mitigate those impacts by constructing sewer facilities pursuant to the most current Sewer Facilities Plan.

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

#### **SECTION 29.4.2 RESIDENTIAL SEWER IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.4.4, the required sewer impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required sewer 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the sewer impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the sewer impact fee. In calculating such fee, the Community Development Director 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 Torrance 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 the

applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.4.3 NON-RESIDENTIAL SEWER IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.4.4, the required sewer impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required sewer 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the sewer impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the sewer impact fee. In calculating such fee, the Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.4.4 SEWER IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of sewer 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.

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

A A developer may be exempted or allowed a reduction in fees from the sewer impact fee requirements of Sections 29.4.2 and 29.4.3 if the developer enters into a development agreement with the City pursuant to which sewer impact fees are assessed to the developer, or equivalent or comparable sewer improvements are implemented by the developer.

B. A developer may be entitled to a reduction in the amount of the sewer impact fee required by Sections 29.4.2 and 29.4.3 if the developer constructs sewer improvements pursuant to the most current Sewer Facilities Plan. The sewer impact fee may be reduced by the amount of sewer improvement costs that would be reasonably incurred by the City in building those same sewer improvements. The amount of such reduction shall be subject to the approval of the Community Development Director prior to construction of the sewer improvement.

C. A developer may be entitled to a reduction in the amount of the sewer impact fee required by Sections 29.4.2 and 29.4.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Sewer Facilities Plan. The sewer impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of sewer improvements. The amount of such reduction shall not exceed the amount of the sewer impact fee required by Sections 29.4.2 and 29.4.3.

D. The Community Development Director may grant a reduction in the amount of the sewer impact fee required by Sections 29.4.2 and 29.4.3 if the Community Development Director determines that the development will contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

E. If a fee exemption or a fee reduction is granted pursuant to this Section 29.4.4, 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 sewer 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.

#### **SECTION 29.4.5 APPEALS.**

A. A developer subject to the sewer impact fee required by this Chapter for a particular project may apply to the Community Development Director for: (1) a fee adjustment based upon a showing of substantial evidence of a lesser impact upon the sewer 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 Community

Development Director prior to the issuance of building permit. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.4.5, 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 sewer 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 29.4.5, 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.

#### **SECTION 29.4.6 USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all sewer 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 sewer improvements pursuant to the most current Sewer Facilities Plan; provided, however, that if the Community Development Director authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use sewer impact fees collected pursuant to this Chapter for the purpose of constructing sewer improvements in accordance with the most current Sewer Facilities Plan as altered or amended.

#### **SECTION 29.4.7 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 sewer impact fees required by Section 29.4.2 or 29.4.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.4.2(A) for residential sewer impact fees or Section 29.4.3(A) for non-residential sewer 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.

#### **SECTION 29.4.8 PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the sewer 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 Sewer Facilities 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 \_\_\_\_\_,  
2005.

**ADOPTED AND PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2005, by the following vote:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Dan Walker, Mayor

**ATTEST:**

\_\_\_\_\_  
Sue Herbers, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
John L. Fellows III, City Attorney

# Daily Breeze

5215 TORRANCE BLVD • TORRANCE CALIFORNIA 90503-4077  
(310) 543-6635 • (310) 540-5511 Ext. 398

PROOF OF PUBLICATION  
(201 5.5 C.G.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published \_\_\_\_\_

In the City of Torrance  
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of \_\_\_\_\_

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

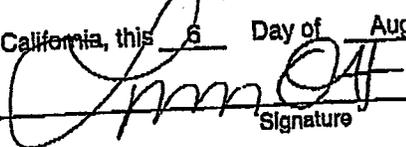
August 6,

all in the year 2005

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Torrance

California, this 6 Day of August 2005

  
Signature

This space is for the County Clerk's Filing Stamp

Proof of Publication of

DB

DB 8-48

**NOTICE OF PUBLIC HEARING**  
**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., August 16, 2005, in the City Council Chambers of City Hall, 8081 Torrance Boulevard, Torrance, California, on the following matter:

Imposition of a development impact fee on new development to finance the cost of transportation facilities, undergrounding utilities, sewer and storm drain facilities, as identified in the report entitled "Development Impact Fee Justification Study-City of Torrance."

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 8081 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's office at 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28CFR35.102-35.104 ADA Title II)

For further information, contact the **TRANSPORTATION PLANNING DIVISION** of the Community Development Department at (310) 618-5990.

**SUE HERBERS**  
**CITY CLERK**

Pub. August 6, 2005

# CITY OF TORRANCE

## NOTICE OF PUBLIC HEARINGS

**November 21, 2006 7:00 p.m.**

**December 19, 2006 7:00 p.m.**

**City Council Chambers  
3031 Torrance Boulevard  
Torrance, California**

Notice is hereby given that the City Council of City of Torrance will hold an open and public meeting on **November 21, 2006 at 7:00 p.m.** regarding the imposition of a development impact fee on new development to finance the cost of police and fire facilities as identified in the report entitled "Development Impact Fee Justification Study-City of Torrance". At this meeting, the City Council will consider approval of the time and place for the public hearing regarding adoption of the development impact fee. All interested persons are invited to present oral or written testimony regarding the development impact fee at this meeting. The data indicating the amount of cost required to provide the services for which the development impact fee will be levied and the revenue sources anticipated to provide the services, will be available to the public on November 9, 2006 in the Community Development Department.

Notice is hereby given that the City Council of City of Torrance will hold a public hearing on **December 19, 2006 at 7:00 p.m.** regarding the imposition of a development impact fee on new development to finance the cost of police and fire facilities as identified in the report entitled "Development Impact Fee Justification Study-City of Torrance". All interested persons are invited to present oral or written testimony regarding the development impact fee at this meeting.

If you cannot attend and would like to convey your views on this matter, please send any correspondence to the Community Development Department or you may e-mail your comments to [cddtraffic@torrnet.com](mailto:cddtraffic@torrnet.com) and they will become part of the official record. Should you have any questions about the meeting, please call the Transportation Planning of the Community Development Department at 310-618-5990.

### City Council

Frank Scotto, Mayor

Tom Brewer

Gene Drevno

Paul M. Nowatka

Pat McIntyre

Bill Sutherland

Hope Witkowsky



City of Torrance

**Community Development Department**

3031 Torrance Boulevard

Torrance, California 90509-2970

Jeffery W. Gibson

Community Development Director



## CITY OF TORRANCE

COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A FIRE FACILITIES IMPACT FEE PROGRAM AND AMENDING THE TORRANCE MUNICIPAL CODE.**

THE CITY COUNCIL OF THE CITY OF TORRANCE 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 November 21, 2006, the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Fire Facilities Plan and the proposed Fire Facilities Impact Fee program, as required by Government Code Section 66016.

B. On December 19, 2006, the City Council held a duly noticed public hearing regarding the proposed adoption of the Fire Facilities Plan and the adoption of the proposed Fire Facilities Impact 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Fire Facilities Plan, and the proposed Fire Facilities Impact Fee, as specified by the Mitigation Fee Act (California Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Fire Facilities Plan, and the proposed Fire Facilities 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 Development Impact Fee Study will maintain the level of service currently provided by the City's existing fire facilities system by ensuring that the impacts of new development will not negatively impact existing service levels.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the amended Development Impact Fee Study, the adoption of the Fire Facilities Plan, and the adoption of the proposed Fire Facilities 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 Development Impact Fee Study, the adoption of the Fire Facilities Plan and the adoption of the fire facilities 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. Article 5 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 5 – FIRE FACILITIES IMPACT FEES**

SECTION 29.5.1	FINDINGS AND INTENT.
SECTION 29.5.2	RESIDENTIAL FIRE FACILITIES IMPACT FEES REQUIRED.
SECTION 29.5.3	NON-RESIDENTIAL FIRE FACILITIES IMPACT FEES REQUIRED.
SECTION 29.5.4	FIRE FACILITIES IMPACT FEES – EXEMPTION AND/OR REDUCTION.
SECTION 29.5.5	APPEALS.
SECTION 29.5.6	USE OF FUNDS.
SECTION 29.5.7	FEE AMOUNT APPLICABLE TO PENDING PROJECTS.
SECTION 29.5.8	PERIODIC ADJUSTMENT OF FEE AMOUNT.

**SECTION 29.5.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 fire facilities.

B. Failure to enhance the ability of the City's fire facilities system to accommodate additional service calls will make it more difficult for residents, employers, and employees to obtain the fire services they need.

C. Sources of City revenue other than fire facilities 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 fire facilities created by new development.

D. It is the intent of the City to require persons or organizations that develop land to mitigate the impacts of that development on the City's fire facilities system. The City may therefore require developers to mitigate fire facilities impacts caused by their development and to pay a fire facilities impact fee that will be used to mitigate those impacts by constructing fire facilities pursuant to the most current Fire Facilities Plan.

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

## **SECTION 29.5.2 RESIDENTIAL FIRE FACILITIES IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.5.4, the required fire facilities impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required fire facilities 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the fire facilities impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the fire facilities impact fee. In calculating such fee, the Community Development

Director 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 Torrance 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 the applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.5.3 NON-RESIDENTIAL FIRE FACILITIES IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.5.4, the required fire facilities impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required fire facilities 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the fire facilities impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the fire facilities impact fee. In calculating such fee, the Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.5.4 FIRE FACILITIES IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of fire facilities 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.

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

B. A developer may be exempted or allowed a reduction in fees from the fire facilities impact fee requirements of Sections 29.5.2 and 29.5.3 if the developer enters into a development agreement with the City pursuant to which fire facilities impact fees are assessed to the developer, or equivalent or comparable fire facilities improvements are implemented by the developer.

C. A developer may be entitled to a reduction in the amount of the fire facilities impact fee required by Sections 29.5.2 and 29.5.3 if the developer constructs fire facilities improvements pursuant to the most current Fire Facilities Plan. The fire facilities impact fee may be reduced by the amount of fire facilities improvement costs that would be reasonably incurred by the City in building those same fire facilities improvements. The amount of such reduction shall be subject to the approval of the Community Development Director prior to construction of the fire facilities improvement.

D. A developer may be entitled to a reduction in the amount of the fire facilities impact fee required by Sections 29.5.2 and 29.5.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Fire Facilities Plan. The fire facilities impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of fire facilities improvements. The amount of such reduction shall not exceed the amount of the fire facilities impact fee required by Sections 29.5.2 and 29.5.3.

E. The Community Development Director may grant a reduction in the amount of the fire facilities impact fee required by Sections 29.5.2 and 29.5.3 if the Community Development Director determines that the development will contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

F. If a fee exemption or a fee reduction is granted pursuant to this Section 29.5.4, 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 fire facilities 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.

#### **SECTION 29.5.5 APPEALS.**

A. A developer subject to the fire facilities impact fee required by this Chapter for a particular project may apply to the Community Development Director for: (1) a fee adjustment based upon a showing of substantial evidence of a lesser impact upon the fire facilities 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 Community Development Director prior to the issuance of building permit. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.5.5, 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 fire facilities 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 29.5.5, 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.

#### **SECTION 29.5.6 USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all fire facilities 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 fire facilities improvements pursuant to the most current Fire Facilities Plan; provided, however, that if the Community Development Director authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use fire facilities impact fees collected pursuant to this Chapter for the purpose of constructing fire facilities improvements in accordance with the most current Fire Facilities Plan as altered or amended.

#### **SECTION 29.5.7 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 fire facilities impact fees required by Section 29.5.2 or 29.5.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.5.2(A) for residential fire facilities impact fees or Section 29.5.3(A) for non-residential fire facilities 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.

**SECTION 29.5.8 PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the fire facilities 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 Fire Facilities 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 December, 2006.

**ADOPTED AND PASSED** THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006,  
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Frank Scotto, Mayor

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

Approved as to form:

---

John L. Fellows III, City Attorney

## CITY OF TORRANCE

COUNTY OF LOS ANGELES, CALIFORNIA

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF TORRANCE ADOPTING A POLICE FACILITIES IMPACT FEE PROGRAM AND AMENDING THE TORRANCE MUNICIPAL CODE.**

THE CITY COUNCIL OF THE CITY OF TORRANCE 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 November 21, 2006, the City Council held a duly noticed open and public meeting regarding the proposed adoption of a Police Facilities Plan and the proposed Police Facilities Impact Fee program, as required by Government Code Section 66016.

B. On December 19, 2006, the City Council held a duly noticed public hearing regarding the proposed adoption of the Police Facilities Plan and the adoption of the proposed Police Facilities Impact 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.

C. All other prerequisites to the adoption of this Ordinance, the approval of the Development Impact Fee Study, the Police Facilities Plan, and the proposed Police Facilities Impact Fee, as specified by the Mitigation Fee Act (California Government Code Section 66000 *et seq.*) and other applicable laws have been satisfied.

D. City staff has evaluated the potential environmental impacts of the adoption of this Ordinance, the approval of the Development Impact Fee Study, the proposed Police Facilities Plan, and the proposed Police Facilities 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 Development Impact Fee Study will maintain the level of service currently provided by the City's existing police facilities system by ensuring that the impacts of new development will not negatively impact existing service levels.

E. The City Council concurs with City staff's determination that the adoption of this Ordinance, the approval of the amended Development Impact Fee Study, the adoption of the Police Facilities Plan, and the adoption of the proposed Police Facilities 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 Development Impact Fee Study, the adoption of the Police Facilities Plan and the adoption of the police facilities 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. Article 6 of Chapter 9 of Part I of Division 2 of the Torrance Municipal Code is hereby added to read as follows:

**"ARTICLE 6 – POLICE FACILITIES IMPACT FEES**

SECTION 29.6.1	FINDINGS AND INTENT.
SECTION 29.6.2	RESIDENTIAL POLICE FACILITIES IMPACT FEES REQUIRED.
SECTION 29.6.3	NON-RESIDENTIAL POLICE FACILITIES IMPACT FEES REQUIRED.
SECTION 29.6.4	POLICE FACILITIES IMPACT FEES – EXEMPTION AND/OR REDUCTION.
SECTION 29.6.5	APPEALS.
SECTION 29.6.6	USE OF FUNDS.
SECTION 29.6.7	FEE AMOUNT APPLICABLE TO PENDING PROJECTS.
SECTION 29.6.8	PERIODIC ADJUSTMENT OF FEE AMOUNT.

**SECTION 29.6.1 FINDINGS AND INTENT.**

A. New residential and non-residential development in the City of Torrance (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 police facilities.

B. Failure to enhance the ability of the City's police facilities system to accommodate additional service calls will make it more difficult for residents, employers, and employees to obtain the police services they need.

C. Sources of City revenue other than police facilities 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 police facilities created by new development.

D. It is the intent of the City to require persons or organizations that develop land to mitigate the impacts of that development on the City's police facilities system. The City may therefore require developers to mitigate police facilities impacts caused by their development and to pay a police facilities impact fee that will be used to mitigate those impacts by constructing police facilities pursuant to the most current Police Facilities Plan.

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

#### **SECTION 29.6.2 RESIDENTIAL POLICE FACILITIES IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.6.4, the required police facilities impact fee for a residential building shall be paid in an amount established by resolution of the City Council. The required police facilities 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the police facilities impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the police facilities impact fee. In calculating such fee, the Community Development

Director 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 Torrance 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 the applicable provisions of the Torrance Municipal Code, ordinances and conditions of approval.

### **SECTION 29.6.3 NON-RESIDENTIAL POLICE FACILITIES IMPACT FEES REQUIRED.**

A. Except as provided in Section 29.6.4, the required police facilities impact fee for a nonresidential development shall be paid in an amount established by resolution of the City Council. The required police facilities 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 Community Development Director, or his or her designee, shall be responsible for calculating the amount of the police facilities impact fee required for each development project based on the applicable land use category and corresponding rate specified in the resolution which adopts the police facilities impact fee. In calculating such fee, the Community Development Director 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 Torrance Municipal Code, and conditions of approval.

### **SECTION 29.6.4 POLICE FACILITIES IMPACT FEES -- EXEMPTION OR REDUCTION**

A. The following uses and types of developments may be exempted from the payment of police facilities 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. Publicly owned facilities, including but not limited to, public libraries, public administration facilities, public parks, public utilities, schools, and related facilities.

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

B. A developer may be exempted or allowed a reduction in fees from the police facilities impact fee requirements of Sections 29.6.2 and 29.6.3 if the developer enters into a development agreement with the City pursuant to which police facilities impact fees are assessed to the developer, or equivalent or comparable police facilities improvements are implemented by the developer.

C. A developer may be entitled to a reduction in the amount of the police facilities impact fee required by Sections 29.6.2 and 29.6.3 if the developer constructs police facilities improvements pursuant to the most current Police Facilities Plan. The police facilities impact fee may be reduced by the amount of police facilities improvement costs that would be reasonably incurred by the City in building those same police facilities improvements. The amount of such reduction shall be subject to the approval of the Community Development Director prior to construction of the police facilities improvement.

D. A developer may be entitled to a reduction in the amount of the police facilities impact fee required by Sections 29.6.2 and 29.6.3 if the development is located in an assessment district that has been formed to construct facilities pursuant to the most current Police Facilities Plan. The police facilities impact fee may be reduced by the amount of the total assessment placed upon the development for the costs of police facilities improvements. The amount of such reduction shall not exceed the amount of the police facilities impact fee required by Sections 29.6.2 and 29.6.3.

E. The Community Development Director may grant a reduction in the amount of the police facilities impact fee required by Sections 29.6.2 and 29.6.3 if the Community Development Director determines that the development will contribute extraordinary sales tax revenue to the City and thereby confer an extraordinary financial benefit upon the City.

F. If a fee exemption or a fee reduction is granted pursuant to this Section 29.6.4, 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 police facilities 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.

#### **SECTION 29.6.5 APPEALS.**

A. A developer subject to the police facilities impact fee required by this Chapter for a particular project may apply to the Community Development Director for: (1) a fee adjustment based upon a showing of substantial evidence of a lesser impact upon the police facilities 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 Community Development Director prior to the issuance of building permit. If a development review is not required for the development, then the application shall be made in writing and filed not later than the time at which the building permit is issued. The application shall state in detail the factual basis for the request for reduction.

B. The Community Development Director shall make a decision on the application for adjustment within thirty calendar days after the application has been filed. Notice of the Director's decision shall be mailed to the applicant.

C. The decision of the Community Development Director may be appealed to the Planning Commission by filing an application for appeal with the Community Development Director. The application must be filed within fifteen calendar days after notice of the Director'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 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 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 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 29.6.5, 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 police facilities 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 29.6.5, 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.

#### **SECTION 29.6.6 USE OF FUNDS.**

Pursuant to California Government Code Section 66006, all police facilities 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 police facilities improvements pursuant to the most current Police Facilities Plan; provided, however, that if the Community Development Director authorizes minor alterations to such plan, then those alterations shall not affect the ability of the City to use police facilities impact fees collected pursuant to this Chapter for the purpose of constructing police facilities improvements in accordance with the most current Police Facilities Plan as altered or amended.

#### **SECTION 29.6.7 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 police facilities impact fees required by Section 29.6.2 or 29.6.3 must pay the amount of the fee that is in effect when the fee becomes due as provided in Section 29.6.2(A) for residential police facilities impact fees or Section 29.6.3(A) for non-residential police facilities 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.

**SECTION 29.6.8 PERIODIC ADJUSTMENT TO FEE AMOUNT.**

The amount of the police facilities 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 Police Facilities 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 December, 2006.

**ADOPTED AND PASSED** THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006,  
by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Frank Scotto, Mayor

ATTEST:

\_\_\_\_\_  
Sue Herbers, City Clerk

Approved as to form:

---

John L. Fellows III, City Attorney

**ORDINANCE NO. \_\_\_\_\_**

**SUMMARY**

On \_\_\_\_\_, the City Council of the City of Torrance adopted an ordinance to adopt fire facilities impact fees by adding Article 5 of Chapter 9 of Part I of Division 2 to the Torrance Municipal Code. The new ordinance states that the City Council has approved the fire facilities impact fee ordinance to authorize the City to require developers to mitigate fire facilities impacts caused by their developments and to pay a fire facilities impact fee that will be used to mitigate those impacts by constructing fire facilities pursuant to the most current Fire Facilities Plan.

**ORDINANCE NO.** \_\_\_\_\_

**SUMMARY**

On \_\_\_\_\_, the City Council of the City of Torrance adopted an ordinance to adopt police facilities impact fees by adding Article 6 of Chapter 9 of Part I of Division 2 to the Torrance Municipal Code. The new ordinance states that the City Council has approved the police facilities impact fee ordinance to authorize the City to require developers to mitigate police facilities impacts caused by their developments and to pay a police facilities impact fee that will be used to mitigate those impacts by constructing police facilities pursuant to the most current Police Facilities Plan.

# Daily Breeze

5215 TORRANCE BLVD \* TORRANCE CALIFORNIA 90503-4077  
(310) 543-6635 \* (310) 540-5511 Ext. 396

**PROOF OF PUBLICATION**  
(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published \_\_\_\_\_

in the City of Torrance  
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of \_\_\_\_\_

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

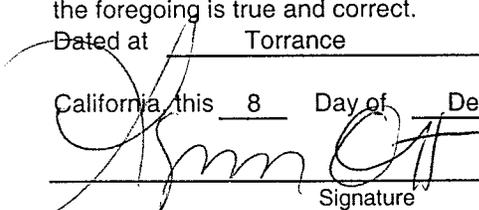
Dec. 8,

all in the year 2006

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Torrance

California, this 8 Day of Dec. 2006

  
Signature

This space is for the County Clerk's Filing Stamp

**REC'D CITY CLERK**

**2006 DEC 11 AM 11:56**

**CITY OF TORRANCE**

Proof of Publication

**PUBLIC NOTICE**

DB

DB 12-59

**NOTICE OF PUBLIC HEARING**  
**NOTICE IS HEREBY GIVEN** that a Public Hearing will be held before the Torrance City Council at **7:00 p.m., December 19, 2006**, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

**Imposition of a development impact fee on new development to finance the cost of police and fire facilities, as identified in the report entitled "Development Impact Fee Justification Study -- City of Torrance"**

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerks office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

For further information, contact the **TRANSPORTATION PLANNING DIVISION** of the Community Development Department at (310) 618-5990.

**SUE HERBERS**  
**CITY CLERK**

Pub.: December 8, 2006.



**MAYOR'S SCRIPT**

**AGENDA ITEM \_\_\_\_\_**

**DEVELOPMENT IMPACT FEE FOR POLICE AND FIRE**

MAYOR: NOW IS THE TIME AND PLACE FOR THE CONSIDERATION OF AGENDA ITEM \_\_\_\_\_, THE DEVELOPMENT IMPACT FEE FOR POLICE AND FIRE. THIS IS THE TIME FOR COMMUNITY INPUT CONCERNING THE IMPOSITION OF A DEVELOPMENT IMPACT FEE ON NEW DEVELOPMENT IN THE CITY OF TORRANCE.

MAYOR: HAS THIS MATTER BEEN PROPERLY ADVERTISED?

(City Clerk's response)

MAYOR: IS THERE A STAFF PRESENTATION?

(Community Development Department)

MAYOR: DOES THE COUNCIL HAVE ANY QUESTIONS OF STAFF?

(Questions, if any)

MAYOR: IS THERE ANYONE IN THE AUDIENCE WHO WISHES TO BE HEARD ON THIS MATTER?

(Audience input, if any. Also note for the record any written correspondence from the public.)

MAYOR: IF NO ONE FURTHER WISHES TO BE HEARD, I WILL ENTERTAIN A MOTION TO CLOSE THE PUBLIC HEARING.

(Public hearing closed)

MAYOR: DOES THE COUNCIL WISH TO TAKE ACTION ON THIS MATTER?

(Approval of the Resolutions and Ordinance)

