



COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

AGENDA ITEM

DATE: September 29, 2010

03

TO: Board of Supervisors

SUBJECT: TRANSPORTATION IMPACT FEE ANNUAL REPORT – 2009/2010
(DISTRICTS: ALL)

SUMMARY:

Overview

In 2005, the Board of Supervisors adopted the Transportation Impact Fee (TIF) ordinance for the unincorporated area of San Diego County. The purpose of this fee program was to comply with a change in state law and to provide funding for the construction of transportation facilities that are needed to support the increase in traffic generated by new development. The Board adopted an update to the TIF program in 2008.

The TIF annual report for 2009/2010 has not been completed. Therefore, the intent of this board letter is to receive the 2009/2010 annual report at a future Board hearing so that a presentation and discussion can take place in regard to the overall status of the TIF program.

Recommendation(s)

VICE-CHAIRMAN HORN AND SUPERVISOR JACOB:

Direct the Chief Administrative Officer (CAO) to return back to the Board within 60 days with the 2009/2010 annual report for the TIF program. The report should include, but not be limited to the following: the amount collected since the inception of the TIF program; where those funds have been spent; the current status of any remaining funds; an overview of the opt out provision within the program and any recommendations to further improve the TIF program. |

Fiscal Impact

N/A

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Business Impact Statement

N/A

Advisory Board Statement

N/A

BACKGROUND:

In 2005, the Board of Supervisors adopted the Transportation Impact Fee (TIF) ordinance for the unincorporated area of San Diego County. The purpose of this fee program was to comply with a change in state law and to provide funding for the construction of transportation facilities that are needed to support the increase in traffic generated by new development. The Board adopted an update to the TIF program in 2008.

TIF is intended to work in conjunction with public dollars to address future road capacity needs and existing deficiencies, respectively, which will benefit those traveling on roads in the unincorporated area. The TIF ordinance allows for collection of impact fees according to the county's local planning areas. Fees for each community planning area stay in the local planning area in which they were collected.

The TIF ordinance also includes an opt-out provision to make it optional should the applicant make certain findings. SEC. 77.208.2. of the TIF Ordinance Update (Adopted By the Board of Supervisors on February 27, 2008 and Effective April 27, 2008) states:

NON-RESIDENTIAL TIF FEES

Opt out:

In lieu of paying the TIF, a developer or group of developers may choose to prepare cumulative traffic studies in accordance with the new CEQA guidelines in effect, which no longer recognize de minimus findings, and construct appropriate mitigation. The cumulative traffic analysis must be approved by the DPW Director or his designee prior to construction of such mitigation. Developers may use finance district funding to satisfy cumulative impact requirements, including TIF requirements.

To ensure full transparency and integrity, state law requires that the County publish an annual report summarizing the TIF program. The TIF annual report for 2009/2010 has not been completed. Therefore, the intent of this board letter is to receive the 2009/2010 annual report at a future Board hearing so that a presentation and discussion can take place in regard to the overall status of the TIF program. The report to the Board should address the following questions:

1. How much money has the County collected in TIF?
2. What is the current balance for each planning area?
3. How have these funds been used since the TIF was implemented?

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4. What are the parameters for an opt out?
5. How many applicants have attempted to use the opt out?
6. What is the status of those applications?
7. Is it possible or even practical to opt out of the TIF?

Today's action will allow the Board, the public and other interested parties to hear a public presentation on the TIF program. We urge your support.

Respectfully submitted,

SUPERVISOR BILL HORN
JACOB
Supervisor, Fifth District

SUPERVISOR DIANNE
Supervisor, Second District

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AGENDA ITEM INFORMATION SHEET

REQUIRES FOUR VOTES: Yes No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
 Yes No

PREVIOUS RELEVANT BOARD ACTIONS:
N/A

BOARD POLICIES APPLICABLE:
N/A

BOARD POLICY STATEMENTS:
N/A

MANDATORY COMPLIANCE:
N/A

ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):
N/A

ORIGINATING DEPARTMENT: District Five, Supervisor Horn

OTHER CONCURRENCE(S): N/A

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