



STAFF REPORT TO THE CITY COUNCIL

DATE: March 26, 2019

TO: Members of the City Council

SUBMITTED BY: Holly Smyth, AICP, Planning Director

SUBJECT: Second Reading and Adoption of Transportation Facilities Impact Fee Ordinance

RECOMMENDED ACTION:

Waive second reading and adopt the attached Ordinance of the City Council of the City of Hercules amending Title 10, Chapter 18- Development Impact Fees, Article 6- Traffic Facilities Impact Fees of the Hercules Municipal Code related to the Transportation Facilities Impact Fees.

FISCAL IMPACT OF RECOMMENDATION:

Approval of updated Transportation Impact Fees will result in revenues that can be used to make improvements to the City's transportation infrastructure representing a fair share given the impacts of new development.

DISCUSSION:

At the March 12, 2019 City Council meeting, after holding a public hearing, Council waived the first reading and introduced the draft ordinance modifying the Hercules Municipal Code (HMC) Title 10, Chapter 18, Article 6 with a few minor modifications related to the prior 2009 Traffic Facilities Impact Fees. In working further with the City Attorney's office, staff has incorporated clarifying text regarding that Council wished to incorporate in Ordinance Section 3 which is shown in tracked changes and which addresses what fees would apply if the State were to retroactively pre-empt this action. Please note that Exhibit A attached to the Ordinance now only contains Article 6 which is being amended within the HMC; Article 1 was only previously provided for context and has been removed

Once approved, the City staff will publish a summary of the Ordinance with the Council vote within fifteen (15) days after its passage and adoption. The Ordinance will become effective 60 days after adoption and at that time the updated fees as set in Resolution No. 19-011 (Attachment 2) adopted on March 12th will apply to any permits issued after that date, unless otherwise controlled by a Development Agreement.

ATTACHMENTS:

1. Ordinance 512 with Exhibit A Amending Title 10, Chapter 18, Article 6 of the HMC
2. Resolution 19-011