

**MOORPARK CITY COUNCIL
AGENDA REPORT**

TO: Honorable City Council

FROM: Barry K. Hogan, Community Development Director 
By: Laura Stringer, Administrative Services Manager 

DATE: April 7, 2006 (Special CC Meeting of 04/26/06)

SUBJECT: Consider Setting a Public Hearing Date to Consider a Resolution Clarifying Application of Transportation System Management (TSM) Fees and Establishing Minimum Fees

BACKGROUND/DISCUSSION

Consistent with General Plan Land Use Element Policy 15.4:

"Development which will not result in a negative impact on air quality shall be encouraged in order to maintain and enhance air quality for the health and well-being of City residents;"

and California Environmental Quality Act (CEQA) requirements, land development projects are conditioned to comply with responsibility for mitigation of air quality impacts. This can be achieved by direct project specific mitigations, and/or payment of a Transportation System Management (TSM) Fee. For the majority of projects approved in Moorpark, payment of the TSM Fee has been an appropriate mitigation. On March 3, 2004, the City Council approved funding program priorities for the City of Moorpark's designated TSM Fund (2001), established consistent with the requirements of Government Code Section 66006.

The cost of reducing emissions through funding of off-site programs is based on calculation of unmitigated/excess ROC or NOx emissions. A draft agenda report and proposed resolution clarifying application of the TSM Fee and proposing a minimum fee for projects that fall below the screening levels of the software used for calculating project related air emissions is included under separate cover. If the City Council decides to set the public hearing for May 17, 2006, then staff, in accordance with Government Code Sections 6062a and 66016, will provide public notice of the May 17,

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2006, public hearing through publishing and mailers. The draft agenda report is available to the public in the Community Development Department.

Staff recommends that City Council set a public hearing to consider a resolution clarifying the application of TSM Fees, and establishing minimum TSM Fees for smaller projects.

STAFF RECOMMENDATION

Set a City Council Public Hearing for May 17, 2006.

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