

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** Honorable City Council

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

**DATE:** April 7, 2006 (CC Meeting of 5/17/06)

**SUBJECT:** Consider Resolution Clarifying Application of Transportation System Management (TSM) Fees

**BACKGROUND**

At a special meeting on April 26, 2006, the City Council directed staff to advertise and set a public hearing for May 17, to consider a resolution clarifying the application of Transportation System Management (TSM) Fees, and establishing minimum TSM Fees for smaller projects. In accordance with Government Code Sections 6062a and 66016, public notice of the May 17, 2006, public hearing has been provided through publishing in the newspaper and mailers. The draft agenda report was made available to the public in the Community Development Department.

**DISCUSSION**

Development projects within the City of Moorpark are subject to assessment for air quality impacts. According to the Ventura County Air Quality Assessment Guidelines, the primary source of air pollutant emissions associated with residential, commercial, institutional and some industrial land uses, is motor vehicles, often referred to as "indirect" emission sources. A Transportation Demand Management (TDM) Program is an institutional framework for approaches that reduce and manage the demand for transportation projects and improve the operational characteristics of the transportation system. One of the goals of a TDM is reduction in transportation related air pollution. The City of Moorpark's designated TDM Fund is the Transportation System Management (TSM) Fund (2001), established consistent with the requirements of Government Code Section 66006. The City of Moorpark applies TSM Fees per the Urban Emissions Model (URBEMIS) computer software program that estimates air emissions for land development projects. This agenda report and the attached Resolution are intended to explain and provide consistency in the use of the URBEMIS program as it applies to TSM Fees for land development projects in Moorpark.

### URBEMIS

The URBEMIS computer program was originally released by the California Air Resources Board (ARB) in the early 1980's. A number of update versions have been released since that date, with the most recent being the URBEMIS2002, which is currently recommended for use by the Ventura County Air Pollution Control District (VCAPCD) in their Air Quality Assessment Guidelines. URBEMIS air quality impact estimates are based on motor vehicle emissions and area source emissions (i.e. fuel combustion from natural gas appliances, utility engines and consumer products) generated by land use development. URBEMIS requires entry of specific information concerning the number and type of units for each type of land use proposed for a particular development. The URBEMIS "Results" printout provides a summary of the unmitigated emissions in tons per year for five types of emissions: Reactive Organic Compounds (ROC), Oxides of Nitrogen (NO<sub>x</sub>), Carbon Monoxide (CO), Sulfur Dioxide (SO<sub>2</sub>) and Respirable Particulate Matter (PM<sub>10</sub>). The required mitigation is based on the results of either the ROC or NO<sub>x</sub> emissions, whichever is greater.

### TRANSPORTATION SYSTEM MANAGEMENT FEES

Land development projects are conditioned to comply with requirements for mitigation to air quality impacts. This can be achieved by direct project specific mitigations, and/or payment of a TSM Fee. For the majority of projects approved in Moorpark, payment of the TSM Fee has been an appropriate mitigation. The cost of reducing emissions through funding of off-site programs is based on calculation of unmitigated/excess ROC or NO<sub>x</sub> emissions (whichever is greater) in pounds, times a unit cost established in 2000 per the Ventura County Air Quality Assessment Guidelines, indexed annually using the Consumer Price Index (CPI). These guidelines use 25 lbs. per day of either ROC or NO<sub>x</sub> emissions as a threshold, above which a significant impact would result. Therefore mitigation is based on the cost of reducing only those emissions above the threshold. For larger projects that fall within the URBEMIS screening levels, the air quality emission mitigation would be calculated on a case by case basis, in accordance with the URBEMIS protocol and the Ventura County Air Quality Assessment Guidelines. Smaller projects pose a concern in that they may not individually exceed the emission thresholds, but when combined with other projects would still result in a significant air quality impact.

Since smaller projects that fall below the screening levels in URBEMIS also have an incremental cumulative impact on air quality in the City, an alternative method of mitigating this impact is needed. Staff has analyzed various land use emission scenarios and calculated a minimum fee to be applied to smaller projects that fall below the screening level to address this cumulative impact. The following table reflects the results of the analysis.

<b>Land Use Description</b>	<b>Unit Type</b>	<b>Per Unit Fee</b>
Single-Family Residential	Residential Unit	\$1,709.00
Apartment	Residential Unit	\$1,230.00
Commercial Retail	Square Foot	\$2.28
Commercial Office	Square Foot	\$0.63
Industrial/Institutional	Square Foot	\$0.28

Under the current policy, a three unit parcel map with three single family residences would fall below the URBEMIS screening level, and therefore would not be subject to TSM fees. Under the proposed minimum fee scenario, each residential unit would be assessed a TSM fee of \$1,709.00. A medical office building of 40,000 square feet would also fall below the screening level of URBEMIS, but would be subject to a TSM fee of \$0.63 per square foot under this proposal.

#### **STAFF RECOMMENDATION**

1. Open the public hearing, receive public testimony, and close the public hearing.
2. Adopt Resolution No. 2006-\_\_\_\_ clarifying Transportation System Management Fees.

Attachment:

Draft Resolution No. 2006-\_\_\_\_\_.

RESOLUTION NO. 2006-\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, CLARIFYING THE APPLICATION OF TRANSPORTATION SYSTEM MANAGEMENT (TSM) FEES AND ESTABLISHING A MINIMUM FEE SCHEDULE

WHEREAS, City of Moorpark General Plan Land Use Element Policy 15.4 provides that: "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."

WHEREAS, the California Environmental Quality Act (CEQA) requires, where feasible, mitigation of environmental impacts; and

WHEREAS, the City Council has established a Transportation System Management (TSM) Fund (2001) and a funding priorities program consistent with Government Code Section 66006; and

WHEREAS, the Ventura County Air Quality Assessment Guidelines recommend use of the current URBEMIS software program for calculation of air quality impacts from land development projects; and

WHEREAS, at a special meeting on April 26, 2006, the City Council set a public hearing for May 17, 2006, to consider application of TSM Fees and establishment of minimum TSM Fees; and

WHEREAS, on May 17, 2006, at a duly noticed public meeting, the City Council considered agenda reports and supplemental data, took and considered public testimony and has reached a decision on this matter.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City of Moorpark shall use the current URBEMIS software to calculate air quality impacts, and impose mitigation measures and fees consistent with the recommendation of the Ventura County Air Quality Assessment Guidelines.

SECTION 2. The Community Development Director has the authority to determine the appropriate land use category to be used for the URBEMIS calculation.

SECTION 3. For projects that fall below the established air quality impact screening levels for the URBEMIS program, a minimum fee is hereby established for land use categories per Exhibit A.

**SECTION 4.** This Resolution shall become effective sixty (60) days following the public meeting held on May 17, 2006, pursuant to Government Code Section 66016, (July 16, 2006) implementing those fees described herein immediately upon the effective date set forth herein.

**SECTION 5.** The City Clerk shall certify to the adoption of this resolution and shall cause a certified resolution to be filed in the book of original resolutions.

PASSED AND ADOPTED this 17<sup>th</sup> day of May, 2006.

\_\_\_\_\_  
Patrick Hunter, Mayor

ATTEST:

\_\_\_\_\_  
Deborah S. Traffenstedt, City Clerk

Attachments:

Exhibit A            Schedule of Minimum Transportation System Management Fees

**EXHIBIT "A"**  
**MINIMUM TRANSPORTATION SYSTEM MANAGEMENT FEES**

<b>Land Use Description</b>	<b>Unit Type</b>	<b>Per Unit Fee</b>
Single-Family Residential	Residential Unit	\$1,709.00
Apartment	Residential Unit	\$1,230.00
Commercial Retail	Square Foot	\$2.28
Commercial Office	Square Foot	\$0.63
Industrial/Institutional	Square Foot	\$0.28