

REL:mb(37)
11/27/89

RESOLUTION NO. 89-124

THE RESOLUTION OF THE CITY OF SANTA ANA, CALIFORNIA ESTABLISHING THE AREAS OF BENEFIT AND APPROVING AN INTERIM INCREASE IN DEVELOPMENT FEES OF THE MAJOR THOROUGHFARE AND BRIDGE FEE PROGRAMS FOR THE SAN JOAQUIN HILLS TRANSPORTATION CORRIDOR AND THE FOOTHILL/EASTERN TRANSPORTATION CORRIDORS.

WHEREAS, the City Council has previously found, pursuant to Resolution No. 86-1, that the implementation of the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor will help to relieve congestion on existing transportation systems within the City; and

WHEREAS, pursuant to Ordinance No. NS-1829 of the City, the City Council adopted its major thoroughfare and bridge fee program (the "Fee Program") providing for fees (the "Development Fees") to be paid by building permit applicants in the City; and

WHEREAS, it is now necessary to adopt an interim increase in the Development Fees in the amounts described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, notice of a public hearing on the proposed increase of the Development Fee was given pursuant to the provisions of Ordinance No. NS-1829 and Sections 66484.3 and 65962 of the Government Code of the State of California; and

WHEREAS, the property owners of a majority of the area of benefit described below did not file written protests to the increase of the Development Fees; and

WHEREAS, pursuant to Section 66001 of the Government Code of the State of California, it is necessary that the City make certain findings in connection with the increase of the Development Fees.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

SECTION 1: The boundaries of the Areas of Benefit shall be those portions of the real property located in the City of Santa Ana which are described in the Major Thoroughfare and Bridge Fee Program for the San Joaquin Hills Transportation Corridor and the San Joaquin Hills Transportation Corridor (the "Fee Program") attached as Exhibit A to the First Amended and Restated Joint Exercise of Powers Agreement Creating the Foothill/Eastern Transportation Corridor Agency, dated as of October 21, 1988 and the First Amended and Restated Joint

RESOLUTION NO. 89-124
PAGE TWO

Exercise of Powers Agreement Creating the San Joaquin Hills Transportation Corridor Agency, dated as of October 21, 1988 (the "JPA"). The Fee Program and the JPA are on file in the City Clerk's Office and are incorporated herein by reference.

SECTION 2: The estimated cost of these major thoroughfares and bridges to be constructed pursuant to the Fee Program and the JPA, excluding financing costs associated with such construction, is in 1988 dollars as follows:

San Joaquin Hills Transportation Corridor	\$ 560 million
Foothill/Eastern Transportation Corridor	\$1,500 million

The Fee Program is designed to collect 48.44% of the costs of construction of the San Joaquin Hills Transportation Corridor and 48.48% of the Foothill/Eastern Transportation Corridor.

SECTION 3: The interim increase of the Development Fees in accordance with the Schedule attached hereto as Exhibit A, is hereby approved and ordered. It is hereby acknowledged that this interim increase will be reviewed by the City in calendar year 1990 to determine, among other things, an appropriate share of financing costs to be attributed to new development and to confirm the adequacy of the Fee Program.

SECTION 4: The Development Fees for development within the Areas of Benefit are based on the trip ends generated by the development as determined from the trip generation tables included in the Fee Program, and shall be assessed upon new development based upon the number of dwelling units included in the development (for residential projects) or the gross square footage of the development (for non-residential projects).

SECTION 5: The purpose of the increase of the Development Fees is to reflect certain cost increases in connection with the construction of bridges over waterways, railways, freeways and canyons, and construction of major thoroughfares in Orange County, as more fully described in the Fee Program and in the reports of the Transportation Corridor Agencies.

SECTION 6: The Development Fees are to be used pursuant to the provisions of the Fee Program, and the provisions of the Fee Program are hereby ratified as if approved on this date.

SECTION 7: The City Council hereby determines that there is a reasonable relationship between the use of the Development Fees and the type of development projects on which the Development Fees are imposed. This determination is based on the

RESOLUTION NO. 89-124
PAGE THREE

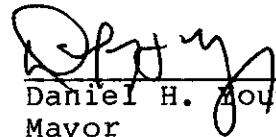
findings and determinations contained in the Fee Program, the reports of the staff and consultants to the Transportation Corridor Agencies, including, but not limited to, those related to user trip ends that originate, end or pass through in the Area of Benefit described therein and that are attributable to new development.

SECTION 8: The City Council hereby determines that there is a reasonable relationship between the need for the public facilities to be constructed with the proceeds of the Development Fees and the type of development projects on which the Development Fees are imposed. This determination is based on the findings and determinations contained in the Fee Program and in the staff reports of the Transportation Corridor Agencies on this matter, including, without limitation, the analysis relating to the trip ends within the described Areas of Benefit as adjusted for the various land-use categories which are attributable to new development.

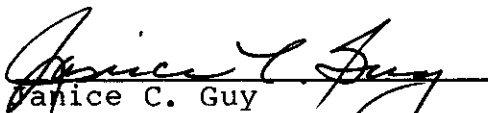
SECTION 9: The City Council hereby determines that there is a reasonable relationship between the amount of the Development Fees and the cost of the San Joaquin Hills Transportation Corridor and the Foothill/Eastern Transportation Corridor. This determination is based on the findings and determinations contained within the Fee Program and the reports of the staff and consultants to the Transportation Corridor Agencies, including the findings regarding trip ends within the Areas of Benefit attributable to new development.

ADOPTED this 4th day of December, 1989.

ATTEST:



Daniel H. Young
Mayor



Janice C. Guy
Clerk of the Council

COUNCILMEMBERS:

Young Aye
Acosta Aye
Griset Aye
May Aye
McGuigan Aye
Norton Aye
Pulido Aye

APPROVED AS TO FORM:



Edward J. Cooper
City Attorney

EXHIBIT A
SCHEDULE OF FEES

SAN JOAQUIN HILLS

Zone A	
Single Dwelling Units (SDU)	\$2,023
Multi Dwelling Units (MDU)	\$1,178
Non-Residential (per sq. ft.)	\$ 2.71
Zone B	
Single Dwelling Units (SDU)	\$1,566
Multi Dwelling Units (MDU)	\$ 914
Non-Residential (per sq. ft.)	\$ 2.01

FOOTHILL/EASTERN

Zone A	
Single Dwelling Units (SDU)	\$2,327
Multi Dwelling Units (MDU)	\$1,359
Non-Residential (per sq. ft.)	\$ 3.23
Zone B	
Single Dwelling Units (SDU)	\$1,655
Multi Dwelling Units (MDU)	\$ 963
Non-Residential (per sq. ft.)	\$ 1.88