

**RESOLUTION NO. 2021- R\_\_\_\_\_**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
CULVER CITY, CALIFORNIA, ESTABLISHING MOBILITY  
IMPROVEMENT FEES AND CERTAIN EXCEPTIONS  
PURSUANT TO CULVER CITY MUNICIPAL CODE SECTION  
15.06.515.B.

WHEREAS, on June 28, 2021, the City Council adopted Ordinance No. 2021-006, which amended Culver City Municipal Code (CCMC) Subchapter 15.06.500, et seq. to establish Mobility Improvement Fees for new development projects to pay their fair share towards the funding of the City's interim mobility improvements and programs project list ("Project List"), intended to reduce vehicle miles traveled and needed to support projected jobs and housing growth; and

WHEREAS, pursuant to CCMC Section 15.06.515.B, the City Council may, by resolution, establish a fee for mobility improvements intended to provide a method for new development projects to pay their fair share towards the funding of the City's Project List, intended to reduce vehicle miles traveled and needed to support projected jobs and housing growth; and

WHEREAS, pursuant to CCMC Section 15.06.520, the City Council may, by resolution, establish exceptions for certain new development from payment of the fees required by the Subchapter; and

WHEREAS, the City is currently updating its General Plan and Circulation/Mobility Element; and

WHEREAS, the fees and exceptions may require updating upon adoption of the updated General Plan scheduled for Fall 2022, including but not limited to reflect updated growth forecasts and the adopted land use and circulation maps; and

1 WHEREAS, the City has completed a nexus study for the Mobility Improvement  
2 Fee, prepared by Fehr & Peers ("Nexus Study") dated May 2021 to analyze the relationship  
3 between vehicle miles traveled associated with new development projects, the need to  
4 implement the Project List to support development associated with jobs and housing forecasts,  
5 and quantifies the fees related to new development projects based on residential and non-  
6 residential land uses to pay fair share fees towards the Project List in compliance with the  
7 Mitigation Fee Act (California Government Code Section 66000 et seq.); and  
8

9 WHEREAS, the Nexus Study found that the fee is directly related and roughly  
10 proportional to the impacts of new development and the baseline cost fair share contribution is  
11 set to be 30% for the proposed fee levels to provide funding for the proposed VMT-reducing  
12 mobility projects; and  
13

14 WHEREAS, the City has completed a Transportation Impact Fee Program  
15 Economic Analysis prepared by Economics & Planning Systems ("Economic Analysis") dated  
16 May 2021 to compare the City's Mobility Improvement Fees and overall development fees to  
17 those of seven neighboring jurisdictions selected in consultation with City staff and Fehr &  
18 Peers; and  
19

20 WHEREAS, the Economic Analysis found that:

21 a. While the proposed Mobility Improvement Fees for Culver City are well above  
22 the amount currently charged, they would be aligned with, and in some cases, still be lower  
23 than, transportation impact fees currently charged in several neighboring cities; and  
24

25 b. Culver City's total development impact fee amount would be in the middle of  
26 the range of impact fee levels charged in neighboring jurisdictions for most land uses; and  
27  
28

1 c. Culver City's development impact fees as a percent of development value  
2 would be lower than most of its neighbors on residential uses and in the middle of the range of  
3 fee burdens in other cities on non-residential uses; and

4 WHEREAS, the fees established herein are directly related and roughly  
5 proportional to the impacts of new development.

6 WHEREAS, establishment of the Mobility Improvements Fees and exceptions is  
7 is exempt from further environmental review under the California Environmental Quality Act  
8 ("CEQA") pursuant to Title 14 of the California Code of Regulations ("CEQA Guidelines")  
9 Section 15061(b)(3) because the fees and exceptions will not allow for or encourage any more  
10 development than is already anticipated under the City's existing General Plan and as  
11 regulated by existing zoning, or otherwise allow for or promote physical changes in the  
12 environment, and therefore, it can be seen with certainty that there is no possibility that the  
13 Ordinance will have a significant effect on the environment; (2) is not a project under CEQA  
14 Guidelines Section 15060(c)(3) and 15378(b)(4) as it is a governmental fiscal activity that does  
15 not involve any commitment to any specific project which may result in a potentially significant  
16 physical impact on the environment; and (3) is not intended to apply to specifically identified  
17 projects and as such it is speculative to evaluate any such future project now. Moreover, the  
18 fees and exceptions are not intended to, nor does they, provide CEQA clearance for future  
19 development projects by the mere establishment of fees and exceptions. All new development  
20 projects required to pay the fees will be subject to appropriate environmental review as part of  
21 the entitlement process. Each of the foregoing provides a separate and independent basis for  
22 CEQA compliance and, when viewed collectively, provides an overall basis for CEQA  
23 compliance; and  
24  
25  
26  
27  
28

1 WHEREAS, on June 14, 2021, at a duly noticed public hearing, the City Council  
2 considered establishment of fees relating to mobility improvements; and

3 WHEREAS, after giving the public an opportunity to be heard and considering all  
4 information before it, the City Council approved the adoption of said fees, attached hereto as  
5 Exhibit "A;" and

6 WHEREAS, after giving the public an opportunity to be heard and considering all  
7 information before it, the City Council approved the adoption of said exceptions, attached  
8 hereto as Exhibit "B."

9  
10 NOW, THEREFORE, the City Council of the City of Culver City,  
11 California, DOES HEREBY RESOLVE as follows:

12  
13 1. The fees established in Exhibit "A," attached hereto, are hereby adopted and  
14 shall be paid in accordance with the provisions of this Resolution and Culver City Municipal  
15 Code Section 15.06.515. The exceptions established in Exhibit "B," attached hereto, are  
16 hereby adopted and shall be excepted from payment of the fees of this Resolution and Culver  
17 City Municipal Code Section 15.06.520.

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

1  
2 2. This Resolution shall take effect concurrently with the effective date of CCMC  
3 Subchapter 15.06.500, et seq, as set forth in Ordinance No. 2021-006.

4 APPROVED and ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

5  
6  
7 \_\_\_\_\_  
8 ALEX FISCH, Mayor  
9 City of Culver City, California

10 ATTEST:

11 APPROVED AS TO FORM:

12 \_\_\_\_\_  
13 JEREMY GREEN, City Clerk

14 A21-00085

15 \_\_\_\_\_  
16 CAROL A. SCHWAB, City Attorney

**EXHIBIT “A”**

**Mobility Improvement Fees, Rates and Calculation**

A. Fees shall be calculated by multiplying the fee rate by land use multiplied by the number of dwelling units, hotel rooms, square feet, and students proposed.

1. Single-Unit Residential: \$7,636 per dwelling unit
2. Multi-Unit Residential: \$3,394 per dwelling unit
3. Accessory Dwelling Unit: \$3,818 per dwelling unit
4. Lodging: \$3,618 per hotel room
5. Retail/Service: \$14.92 per square foot
6. Office/Institutional: \$13.25 per square foot
7. Movie Studio (Active Production Support): \$9.94 per square foot
8. Light Industrial: \$4.44 per square foot
9. Warehousing, Self-Storage, Movie Studio (Passive Production Support/Stage): \$1.54 per square foot
10. Medical Office: \$21.15 per square foot
11. Hospital: \$5.93 per square foot
12. For-Profit Private School/College: \$629 per student

B. If the City determines a proposed use is a special generator and cannot be classified under the above categories, the City has the discretion to determine the appropriate data to calculate the fee. This will require the Developer to submit a study to determine the trip rate for the proposed use.

**EXHIBIT “B”**

**Mobility Improvement Fees Exceptions**

- A. For-sale and rental 100% affordable housing projects
- B. For-sale and rental affordable housing units
- C. Childcare and eldercare facilities
- D. Religious institutions / places of worship
- E. Public and non-profit private educational institutions (private for-profit institutions are not exempt)
- F. Governmental or public facilities
- G. Facilities providing housing or services for persons experiencing homelessness, including but not limited to permanent or temporary supportive housing, transitional housing, and supportive services.
- H. Temporary uses of less than six months in duration based on a building permit where no extension of time is permitted.
- I. Reconstruction of any building destroyed by fire, flood, earthquake, or other act of nature, so long as the square footage does not exceed the square footage before the loss.
- J. General building improvements which do not expand capacity or a building footprint and do not result in new vehicle miles traveled, including tenant improvements, remodels, demolitions, and any other structural improvements. Short-term vehicle miles traveled associated with construction activities shall not apply.