

CITY OF EMERYVILLE



MEMORANDUM

DATE: December 6, 2011

TO: Patrick O’Keeffe, City Manager

FROM: Finance Department

SUBJECT: Resolution of the City Council of the City of Emeryville Approving the Traffic Facilities Impact Fee Program Report for the City of Emeryville through June 30, 2011

BACKGROUND

As required by law, the City is required to review its traffic impact fee on an annual basis. California Government Code Section 66000 *et seq.* (the “Mitigation Fee Act”) requires each local agency to make public a report on developer fees within 180 days of the close of each year. The report is to include fee descriptions collected from developers, the amount of the fee, the beginning and ending balance of the account or fund and the amount of fees collected and the interest earned. The Mitigation Fee Act also requires each local agency to review the report at a public meeting not less than 15 days after the information is made available to the public.

The report relative to the Traffic Facilities Impact Fee Program ending June 30, 2011 (the “Report”) was made available to the public as part of the agenda for the November 15, 2011 regular meeting of the City Council. A copy of the November 15, 2011 Report is Attachment A to this staff report. In accordance with the Mitigation Fee Act, the purpose of this item is to allow for public review and comment on the Report at a public meeting.

TRAFFIC FACILITIES IMPACT FEE PROGRAM REPORT

Attached as Exhibit “A” to the enclosed Resolution (Attachment 1) is a Revenue & Expenditure spreadsheet for the City of Emeryville Traffic Impact Fee Fund for the period ending June 30, 2011. This spreadsheet shows that since the beginning of FY99 (i.e. July 1, 1998) through the end of FY11 (i.e. June 30, 2011) the City of Emeryville has collected revenues totaling \$6,224,572, and deposited them in the Traffic Impact Fee Fund. The \$6,224,572 is broken down as follows: \$5,610,208 of traffic impact fees, \$652,579 of interest earnings, less \$275,197 of “net” reimbursements paid out to private developers for their contribution to specific improvements required as mitigation for project specific

impacts, plus \$236,982 from the General Fund to subsidize the preparation of an update to the Traffic Facilities Impact Fee Program¹.

With these monies, the City has expended \$5,872,708 to complete improvements identified in the Traffic Facilities Impact Fee Program adopted by the City Council pursuant to Resolution No. 98-167. Accordingly, the Traffic Impact Fee Fund has a remaining fund balance of \$351,864 as of June 30, 2011.

The improvements provided for in the Traffic Facilities Impact Fee Program are more particularly depicted and described in Figures A-K, Appendix B to the Traffic Facilities Impact Fee Program, copies of which are included in Attachment A to this staff report. Completed improvements include Figures A (65th Street Traffic Signal), C, D and E (Shellmound Loop and Shellmound Corridor Improvements/Intersection Modifications/Signal Timing/Striping), F (Horton Street Extension), G (Powell/Hollis Intersection Improvements), H (Hollis Street Signal Interconnect) and J (40th Street Signal Interconnect).

Improvements that have not been completed include Figures B (Powell Street & I-80 Eastbound off-ramp), K (40th Street and San Pablo Avenue Widening), and I (40th Street and Horton Street Intersection Modifications). Preliminary information from the study update being conducted by Fehr & Peers indicates that the improvement identified in Figure K (40th Street and San Pablo Avenue Widening) may be removed from the future project plan. Improvements identified in Figures B (Powell Street & I-80 Eastbound off-ramp) and I (40th Street and Horton Street Intersection Modifications) will likely be retained and slightly modified in the future project plan.

TRAFFIC FACILITIES IMPACT FEE PROGRAM REQUIRED FINDINGS

Government Code Section 66001(d) requires public agencies to make certain findings with respect to that portion of the fund remaining unexpended every fifth fiscal year following the first deposit of funds in the Traffic Impact Fee Fund. This report covers the 2010/2011 fiscal year, which is the fifteenth (15th) fiscal year following the first deposit of fees into the Traffic Impact Fee Fund. Section 66001(d) requires that the City (1) identify the purpose to which the unexpended fees are to be put, (2) demonstrate a reasonable relationship between the fee and the purpose for which it is charged, (3) identify all sources and amounts of funding anticipated to complete financing in incomplete improvements, and (4) designate the approximate dates on which the funding referred to in (3) is expected to be deposited into the Fund.

¹ Fehr & Peers is currently in the process of updating the Traffic Facilities Impact Fee Program. The update will identify the traffic facility impacts of contemplated future development, the need for new public facilities and improvements and the costs of implementing the recommended traffic improvements, with an emphasis to provide facilities for all modes of transportation (pedestrian, bicycle, transit and automobile), as called for in General Plan. It is anticipated that the study will be presented to the City Council at a study session in early spring 2012.

As noted above there is \$351,864 in the Traffic Impact Fee Fund as of June 30, 2011 unexpended. However, \$236,982 of that amount was deposited into the Fund from the General Fund in December 2010 for the purpose of updating the Traffic Facilities Impact Fee Program. Thus the true amount of the Fund remaining unexpended as of June 30, 2011 is \$114,882 (i.e. \$351,864 - \$236,982). With respect to the unexpended balance of \$114,882, \$85,769 of that amount is committed to the update of the Traffic Facilities Impact Fee Program and the remaining \$29,113 is committed to repaying the General Fund for the \$236,982 deposited in December 2010.

As noted the unexpended funds are committed to the update of the Traffic Facilities Impact Fee Program. The Traffic Facilities Impact Fee Program is a program designed to have all development in the City pay a fair share to mitigate their contribution to the impact to traffic circulation in the City. Nevertheless, as part of the land use entitlement process, individual development projects are required to fund project specific mitigation measures in addition to paying into the Traffic Impact Fee Program. Thus the Traffic Facilities Impact Fee Program is a method by which the impacts of cumulative development associated with build out of the City in accordance with the General Plan on the transportation system can be addressed. Thus utilizing some of the fees already deposited into the Fund as a means to update the overall Traffic Facilities Impact Fee Program and thereby ensure that cumulative impacts to the transportation system going forward are mitigated is reasonably related to the purpose for which the fee is charged, namely mitigating cumulative impacts to the transportation system.

At this point the Traffic Impact Fee Fund is the only source of funding anticipated to be utilized to complete the aforementioned incomplete improvements identified in Figures B (Powell Street & I-80 Eastbound off-ramp), K (40th Street and San Pablo Avenue Widening), and I (40th Street and Horton Street Intersection Modifications). Additionally, as set forth in the existing Traffic Facilities Impact Fee Program, the amount of funding anticipated to be needed to complete the aforementioned improvements is \$300,000, \$686,100, and \$100,000 respectively.

Finally, it is anticipated that the aforementioned funding needed to complete improvements identified in Figures B, K and I, will be deposited into the Traffic Impact Fee Fund by the end of Fiscal Year 2015/2016.

RECOMMENDATION

It is recommended that the City Council approve the attached resolution to accept the Traffic Facilities Impact Fee Program Report through June 30, 2011, as supplemented by the Revenue & Expenditure spreadsheet for the City of Emeryville Traffic Impact Fee Fund for the period ending June 30, 2011 attached as Exhibit "A" to the Resolution.

Submitted by:

Approved by:

Michelle Strawson O'Hara
Accounting Supervisor

Delores Turner
Assistant City Manager

**APPROVED AND FORWARDED TO THE
CITY COUNCIL BY:**

Patrick O'Keeffe, City Manager

Attachments:

1. Resolution Approving Traffic Facilities Impact Fee Program Report Through June 30, 2011
2. Exhibit A: City of Emeryville Traffic Impact Fee Fund Revenues & Expenditures through June 30, 2011
3. Attachment A: November 15, 2011 Report Re: Traffic Facilities Impact Fee Program ending June 30, 2011 including Table 7 and Appendix B of City of Emeryville Traffic Mitigation Fee Study dated September 24, 1998, adopted October 6, 1998 by Resolution No. 98-167.

RESOLUTION NO. 11-235

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EMERYVILLE
APPROVING THE TRAFFIC FACILITIES IMPACT FEE PROGRAM REPORT
FOR THE CITY OF EMERYVILLE THROUGH JUNE 30, 2011**

WHEREAS, the City Council of the City of Emeryville adopted Ordinance No. 90-8, thereby creating and establishing the authority for imposing and collecting a Traffic Facilities Impact Fee ("Impact Fee") to be deposited in the Traffic Facilities Impact Fee Fund ("Impact Fee Fund"); and

WHEREAS, pursuant to that authority, the City Council adopted Resolution No. 98-167 on October 6, 1998, imposing an Impact Fee on all new development within the City of Emeryville in order to help fund approximately \$11,552,400 worth of traffic facility improvements for eleven (11) different traffic facility improvement projects, as more particularly described in the City of Emeryville Traffic Mitigation Fee Study dated September 24, 1998, attached as Exhibit A to Resolution No. 98-167 (the "Fee Study"); and

WHEREAS, attached hereto as Exhibit A is a Revenue & Expenditure spreadsheet for the City of Emeryville Traffic Impact Fee Fund for the period ending June 30, 2011, which provides the necessary information required by California Government Code Section 66000, et.seq. (the "Traffic Facilities Impact Fee Program Report"); and

WHEREAS, the Traffic Facilities Impact Fee Report was made available to the public at the regular meeting of the City Council of the City of Emeryville held on Tuesday November 15, 2011, and available for public comment at a properly noticed public meeting held on Tuesday, December 6, 2011; and

WHEREAS, the improvements provided for in the Traffic Facilities Impact Fee Program are more particularly depicted and described in Figures A-K, Appendix B to the Traffic Facilities Impact Fee Program; completed improvements include Figures A (65th Street Traffic Signal), C, D and E (Shellmound Loop and Shellmound Corridor Improvements/Intersection Modifications/Signal Timing/Striping), F (Horton Street Extension), G (Powell/Hollis Intersection Improvements), H (Hollis Street Signal Interconnect) and J (40th Street Signal Interconnect); and

WHEREAS, the improvements that have not been completed include Figures B (Powell Street & I-80 Eastbound off-ramp), K (40th Street and San Pablo Avenue Widening), and I (40th Street and Horton Street Intersection Modifications); and



WHEREAS, Government Code Section 66001(d) requires the City to make certain findings with respect to that portion of the Traffic Impact Fee Fund remaining unexpended every fifth fiscal year following the first deposit of funds in the Traffic Impact Fee Fund and the Traffic Facilities Impact Fee Program Report attached hereto covers the 2010/2011 fiscal year, which is the fifteenth (15th) fiscal year following the first deposit of fees into the Traffic Impact Fee Fund; and

WHEREAS, Section 66001(d) requires that the City (1) identify the purpose to which the unexpended fees are to be put, (2) demonstrate a reasonable relationship between the fee and the purpose for which it is charged, (3) identify all sources and amounts of funding anticipated to complete financing in incomplete improvements, and (4) designate the approximate dates on which the funding referred to in (3) is expected to be deposited into the Fund; and

WHEREAS, the Traffic Impact Fee Fund has a remaining fund balance of \$351,864 as of June 30, 2011; however, \$236,982 of that amount was deposited into the Fund from the General Fund in December 2010 for the purpose of updating the Traffic Facilities Impact Fee Program and thus the true amount of the Fund remaining unexpended as of June 30, 2011 is \$114,882 (i.e. \$351,864 - \$236,982); and

WHEREAS, with respect to the unexpended balance of \$114,882, \$85,769 of that amount is committed to the update of the Traffic Facilities Impact Fee Program and the remaining \$29,113 is committed to repaying the General Fund for the \$236,982 deposited in December 2010; and

WHEREAS, as noted the unexpended funds are committed to the update of the Traffic Facilities Impact Fee Program, which is a program designed to have all development in the City pay a fair share to mitigate their contribution to the impact to traffic circulation in the City; nevertheless, as part of the land use entitlement process, individual development projects are required to fund project specific mitigation measures in addition to paying into the Traffic Impact Fee Program; and

WHEREAS, the Traffic Facilities Impact Fee Program is a method by which the impacts of cumulative development associated with build out of the City in accordance with the General Plan on the transportation system can be addressed and therefore utilizing some of the fees already deposited into the Fund as a means to update the overall Traffic Facilities Impact Fee Program and thereby ensure that cumulative impacts to the transportation system going forward are mitigated is reasonably related to the purpose for which the fee is charged, namely mitigating cumulative impacts to the transportation system; and

WHEREAS, the Traffic Impact Fee Fund is the only source of funding anticipated to be utilized to complete the aforementioned incomplete improvements identified in Figures B (Powell Street & I-80 Eastbound off-ramp), K (40th Street and San Pablo Avenue Widening), and I (40th Street and Horton Street Intersection Modifications); and

WHEREAS, as set forth in the existing Traffic Facilities Impact Fee Program, the amount of funding anticipated to be needed to complete the aforementioned improvements is \$300,000, \$686,100, and \$100,000 respectively; and

WHEREAS, it is anticipated that the aforementioned funding needed to complete improvements identified in Figures B, K and I, will be deposited into the Traffic Impact Fee Fund by the end of Fiscal Year 2015/2016; now, therefore, be it

RESOLVED, that the City Council of the City of Emeryville hereby finds and determines that there continues to be a reasonable relationship between the need for the traffic facility improvements described in the Fee Study and the impacts from the types of development described in the Fee Study for which the Impact Fee is charged, as well as a reasonable relationship between the use of the Impact Fee for updating the Fee Study and construction of the improvements identified in the Fee Study and the type of development for which the fee is charged, as more particularly described in the Fee Study; and, be it

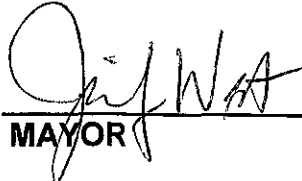
FURTHER RESOLVED, that the City Council of the City of Emeryville, after considering the public comment, the Traffic Facilities Impact Fee Program Report dated November 15, 2011, as well as the staff report dated December 6, 2011, does hereby approve the Traffic Facilities Impact Fee Program Report dated November 15, 2011, as supplemented by the Revenue & Expenditure spreadsheet for the City of Emeryville Traffic Impact Fee Fund for the period ending June 30, 2011, attached hereto as Exhibit A.

ADOPTED, by the City Council of the City of Emeryville at a regular meeting held on Tuesday, December 6, 2011 by the following vote:

AYES: (5) Mayor West, Vice Mayor Brinkman and Councilmembers Asher, Atkin and Davis

NOES: (0) None **ABSENT:** None

EXCUSED: None **ABSTAINED:** None



MAYOR

ATTEST:

APPROVED AS TO FORM:



CITY CLERK



CITY ATTORNEY

CITY OF EMERYVILLE



MEMORANDUM

DATE: November 15, 2011

TO: Patrick O'Keeffe, City Manager

FROM: Administrative Services Department
Finance Division

SUBJECT: Traffic Mitigation Fee Report – Fiscal Year 2010-2011

Section 66000 *et. seq.* of the California Government Code (the "Mitigation Fee Act") requires each local agency to make public a report on developer fees within 180 days of the close of each year. The Mitigation Fee Act also requires each local agency to review the report at a public meeting not less than 15 days after the information is made available to the public. The purpose of this item is to comply with this reporting requirement relative to the City of Emeryville Traffic Impact Fee for fiscal year 2010-2011.

Requested Action

No action is requested at this time as this report is required to be available to the public at least 15 days prior to City Council action. The report is provided as an informational item and will be brought back for City Council approval at the December 6, 2011 meeting.

Background

In 1989 the Legislature passed the Mitigation Fee Act which added Section 66000 *et.seq.* to the California Government Code. This legislation added a new chapter on fees imposed on development projects and sets forth a number of requirements that local agencies must follow if they are to exact fees from developers to defray the cost of the construction of public facilities related to development projects.

In 1990 the City of Emeryville adopted Ordinance No. 90-8 to create and establish the authority for imposing and charging a Traffic Facilities Impact Fee (the "Traffic Impact Fee") to be deposited in the Traffic Facilities Impact Fee Fund (the "TIF Fund"). Thereafter, the City adopted a Traffic Mitigation Fee Study (the "Fee Study"), last amended by Resolution No. 98-167 adopted October 6, 1998, which established the existence of a reasonable relationship between the need for the public facilities and the impacts of the types of development described in the Fee Study for which the Impact Fee is charged and that there is a reasonable relationship between the Traffic Impact Fee's use and the type of development for which the Traffic Impact Fees are charged.

Discussion

As noted above, the City of Emeryville collects Traffic Impact Fees that are subject to the

reporting requirements of the Mitigation Fee Act. Reporting requirements relative to mitigation fees that the local agency must adhere to are as follows:

1. Create separate capital facilities funds or accounts for each improvement funded with impact fees (Government code Section 66006(a)).

As noted, with Ordinance No. 90-8, the City established the TIF Fund into which Traffic Impact Fees are deposited and accounted for. A spreadsheet detailing TIF Fund revenues and expenditures for the period of July 1, 2006 through June 30, 2011 is attached hereto. It should be further noted that capital improvements identified in the Fee Study are also identified in the City's Five Year Capital Improvement Program and separate project accounts are established by the Finance Division for each such improvement in order to properly account for project costs and funding sources.

2. Remit all interest income earned by the fees to the same fund; interest income must be spent solely on the purpose for which the fee was originally collected (Section 66006(a)).

Again, please refer to the attached spreadsheet detailing TIF Fund activities.

3. Within 180 days after the close of the year, prepare a public report concerning each impact fee fund. *The City of Emeryville only maintains one impact fee for traffic facilities.* Such report must include (i) a brief description of the type of fee in the account, (ii) the amount of the fee, (iii) the fund's beginning and ending balance for the fiscal year, (iv) amount of fees collected and interest earned and deposited into the fund for the fiscal year, (v) a description of each expenditure from the fund for that year, including identification of the improvement being funded and the percentage of the cost of the public improvement that was funded with the fee, (vi) an identification of the date by which construction of a public improvement will commence if the City determines that sufficient funds have been collected to complete financing on any incomplete project, (vii) a description of any interfund transfers or loans, and (viii) identification of any fees to be refunded (Section 66001(2.a)).

- (i) *As discussed above, the type of fee in the TIF Fund account is for financing traffic facilities that are needed to mitigate the impacts of residential, commercial and industrial development, which fees are established upon issuance of a building permit and collected from such development projects upon issuance of a certificate of occupancy.*
 - (ii) *The amount of the Traffic Impact Fee is set forth in greater detail as to particular types of uses in Table 7 of the Fee Study, a copy of which is attached to this report and incorporated herein as if set forth in full. Present exemplars of the Traffic Impact Fee are \$972 per live-work unit; \$819 per single family dwelling unit; \$438 per unit for multi-family dwelling developments; \$3,523 per 1000 square feet of general retail developments that are less than 100,000 square feet; \$1,968 per 1000 square feet of office development that are less than 100,000 square feet; and \$730 per 1000 square feet of light industrial development.*
 - (iii) *Again, please refer to the attached spreadsheet detailing TIF Fund activities. The beginning balance on July 1, 2010 was \$153,124 and the ending balance on*

June 30, 2011 was \$351,864.

- (iv) Again, please refer to the attached spreadsheet detailing TIF Fund activities under the heading of "REVENUE". The amount of Traffic Impact Fees collected from July 1, 2010 through June 30, 2011 and deposited into the TIF Fund was \$8,366 and the amount of interest earned and deposited into the TIF Fund was \$4,012. There were no reimbursements to private developers for their contribution to specific improvements required as mitigation for project specific impacts between July 1, 2010 and June 30, 2011.*
- (v) Again, please refer to the attached spreadsheet detailing TIF Fund activities under the heading of "EXPENDITURES".*
- (vi) There was a General Fund subsidy of \$236,982 during FY2010-11 for the new Traffic Impact Fee Program Study conducted by Fehr & Peers.*
- (vii) While the TIF Fund shows a balance of \$351,864, future development is still under review pending the results of the Traffic Impact Fee Program Study in early spring 2012.*

4. The report is required to be reviewed by the City at a regularly scheduled public meeting not less than 15 days after the report is released to the public (Section 66006(b)(2)).

This report is being released to the public with the agenda for the November 15, 2011 regular meeting of the City Council and is scheduled for approval by the City Council at its regularly scheduled meeting on December 6, 2011.

5. For the 5th fiscal year following the first deposit of Traffic Impact Fees into the TIF Fund, and every five years thereafter, if fees remain unexpended, the local agency must make findings identifying the purpose to which the fee is to be put, demonstrate that there remains a reasonable relationship between the current need for the fees and the purpose for which it is charged, identify all sources and amounts of funding contemplated to complete financing of incomplete improvements, and designate the approximate dates on which the contemplated funding is expected to be deposited into the TIF Fund (Section 66001(d)).

The first deposit of Traffic Impact Fees into the TIF Fund occurred in January 1995. The fifth fiscal year following that first deposit was the fiscal year of 2000/2001; the next five year cycle was the fiscal year of 2005/2006, and then the next five year cycle was the fiscal year of 2010/2011. Accordingly, the requisite findings outlined above will be made by the City Council for the 2010/2011 fiscal year as part of the December 6, 2011 agenda item. An update to the Traffic Mitigation Fee Study (last amended by Resolution 98-167, adopted October 6, 1998) is underway and expected to be completed in the spring of 2012.

6. Refund to current owner of the development project or projects any fees, with accrued interest, for which continued need cannot be demonstrated (Section 66001(e)).

There are no funds in the TIF Fund to be refunded for projects which are no longer needed.

7. A local agency must not co-mingle fees with any other revenue, except for temporary investment purposes (Section 66006(a)).

No Traffic Impact Fees are co-mingled with any other revenues of the City and are deposited and maintained in a separate fund, designated as the Traffic Facilities Impact Fee Fund.

Fiscal Impact

This report is for information purposes. There is no fiscal impact.

Submitted by:

Approved by:

Michelle Strawson O'Hara
Accounting Supervisor

Delores Turner
Assistant City Manager

**APPROVED AND FORWARDED TO THE
CITY COUNCIL BY:**

Patrick O'Keeffe, City Manager

Attachments:

1. Exhibit A: Traffic Impact Fee Fund Revenues & Expenditure Report – FY05 to FY11
2. Table 7 of Traffic Mitigation Fee Study adopted October 6, 1998 by Resolution No. 98-167
3. Appendix B of Traffic Mitigation Fee Study adopted October 6, 1998 by Resolution No. 98-167

EXHIBIT A

**City of Emeryville
Traffic Impact Fee Fund
Revenues & Expenditures
Through June 30, 2011**

	FY06	FY07	FY08	FY09	FY10	FY11	Total FY92-FY11
REVENUE:							
Traffic Impact Fees	107,372	578,191	216,298	149,311	356,440	8,366	5,610,208
Interest	64,740	74,990	108,459	82,459	27,025	4,012	652,579
Reimbursements	(6,581)	689,138	-	(439,673)	(2,583,363)	-	(275,197)
General Fund Subsidy for New Study						236,982	236,982
Total	165,530	1,342,319	324,757	(207,903)	(2,199,898)	249,359	6,224,572
EXPENDITURES:							
Powell St & I-80 E Off Ramp (Figure B)							34,959
Update Traffic Impact Fee Study						29,113	84,101
Shellmound Loop Improvements (Figure C, D)							1,967,995
Powell/Hollis Intersection Improvements (Figure G)							185,559
Hollis St Interconnect (Figure H)	54,706						73,049
Shellmound Signal Timing (Figure C, D)							142,984
40th Street Signal Design (Figure J)							17,403
40th & SPA Widening (Figure K)							7,965
Shellmound Street Striping (Figure C, D)							8,512
Horton Street Extension (Figure F)							2,047,791
65th Street Traffic Signal (Figure A)	318,517	679,043					1,225,898
Powell Streetscape Design				17,420	37,567	21,507	76,494
Total	373,223	679,043	-	17,420	37,567	50,620	5,872,708
Revenues Over/(Under) Expenditures	(207,693)	663,276	324,757	(225,323)	(2,237,464)	198,739	351,864
Beginning Fund Balance, July 1	1,835,571	1,627,878	2,291,154	2,615,912	2,390,589	153,124	-
Ending Fund Balance, June 30	1,627,878	2,291,154	2,615,912	2,390,589	153,124	351,864	351,864

(References to Figures A, C, D, F, G, H, J and K above are those figures which are attached as Appendix B to the City of Emeryville Traffic Mitigation Fee Study dated September 24, 1998, adopted by the City Council pursuant to Resolution No. 98-167)

**Table 7
Traffic Impact Fee Allocation**

Land Use	ITE Land Use	ITE PM Peak Hour Rate	% Primary Trips ⁷	% Diverted & Pass-by Trips ⁷	Proposed Traffic Fee ⁸
Residential (per dwelling unit)					
Single-Family	210	1.01	86%	14%	\$ 819
Multi-Family	230	0.54	86%	14%	\$ 438
Apartment	220	0.62	86%	14%	\$ 503
Office (per 1,000 sq. feet)					
Standard Office					
Less Than 100,000 sq. feet ¹	710	2.71	77%	23%	\$ 1,968
100,000 to 500,000 sq. feet ²	710	1.39	77%	23%	\$ 1,010
Greater Than 500,000 sq. feet ³	710	1.23	77%	23%	\$ 895
Corporate Headquarters Building	714	1.39	77%	23%	\$ 1,010
Medical Office	720	3.66	60%	40%	\$ 2,071
Hospital	610	0.92	73%	27%	\$ 633
Research & Development Center	760	1.08	77%	23%	\$ 784
Retail/Commercial (per 1,000 sq. feet)					
General Retail					
Less Than 100,000 sq. feet ⁴	820	7.95	47%	53%	\$ 3,523
100,000 to 300,000 sq. feet ⁵	820	4.96	47%	53%	\$ 2,199
Greater Than 300,000 sq. feet ⁶	820	3.63	54%	46%	\$ 1,850
Restaurant (per 1,000 sq. feet)					
Quality	831	7.49	51%	49%	\$ 3,603
High Turnover	832	10.86	51%	49%	\$ 5,224
Fast Food	833	26.15	51%	49%	\$ 12,579
Fast Food with Drive-Thru	834	33.48	51%	49%	\$ 16,105
Service Station (per pump)	844	14.56	21%	79%	\$ 2,884
Self-Service Car Wash (per stall)	847	5.79	46%	54%	\$ 2,512
Supermarket	850	11.51	46%	54%	\$ 4,994
Convenience Market	851	53.73	46%	54%	\$ 23,312
Hotel (per room)	310	0.61	58%	42%	\$ 334
Bank	911	42.02	35%	65%	\$ 13,872

Table 7 (Continued)
Traffic Impact Fee Allocation

Land Use	ITE Land Use	ITE PM Peak Hour Rate	% Primary Trips ⁷	% Diverted & Pass-by Trips ⁷	Proposed Traffic Fee ⁸
Manufacturing (per 1,000 sq. feet)					
Light Industry	110	0.98	79%	21%	\$ 730
Manufacturing	140	0.74	79%	21%	\$ 551
Warehousing	150	0.51	79%	21%	\$ 380
Industrial Park	130	0.92	79%	21%	\$ 686
Other (per 1,000 sq. feet)					
Movie Theatre	444	3.8	66%	34%	\$ 2,366
Tennis Court (per court)	491	3.88	46%	54%	\$ 1,683
Health Club	493	4.3	46%	54%	\$ 1,866
Day Care Center	565	13.2	46%	54%	\$ 5,727
Nursing Home	620	0.36	46%	54%	\$ 156
Live Work (per unit)					
Live Work ⁹		1.03	100%		\$ 972

Note: Retail and commercial developments less than 4,999 square feet shall be evaluated on a case-by-case basis in a manner approved by the Planning Director for the City of Emeryville.

1. Based on Average Rate of 50,000 sq. feet
2. Based on Average Rate of 300,000 sq. feet
3. Based on Average Rate of 700,000 sq. feet
4. Based on Average Rate of 50,000 sq. feet
5. Based on Average Rate of 200,000 sq. feet
6. Based on Average Rate of 500,000 sq. feet
7. Source: San Diego Association of Governments, 1996.
8. Based on a unit cost of \$ 943.24 per peak hour trip
9. Based on Emeryville Traffic Impact Fee Analysis Final Report, 1996 prepared by Korve Engineering, Inc.

APPENDIX B
ROADWAY IMPROVEMENT PROJECTS

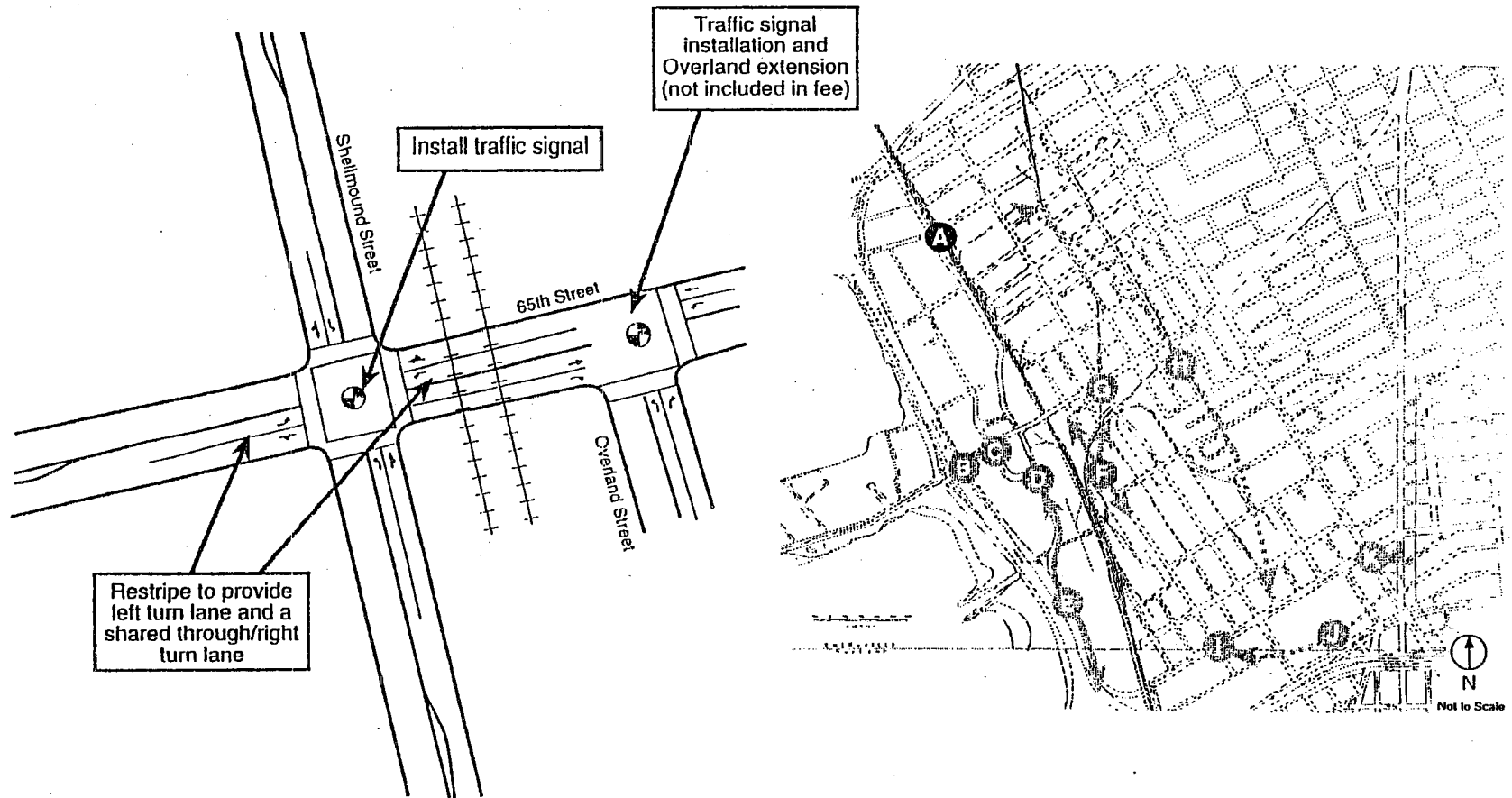


Figure A 1220-31-02	65TH STREET AND SHELLMOUND STREET INTERSECTION MODIFICATIONS	
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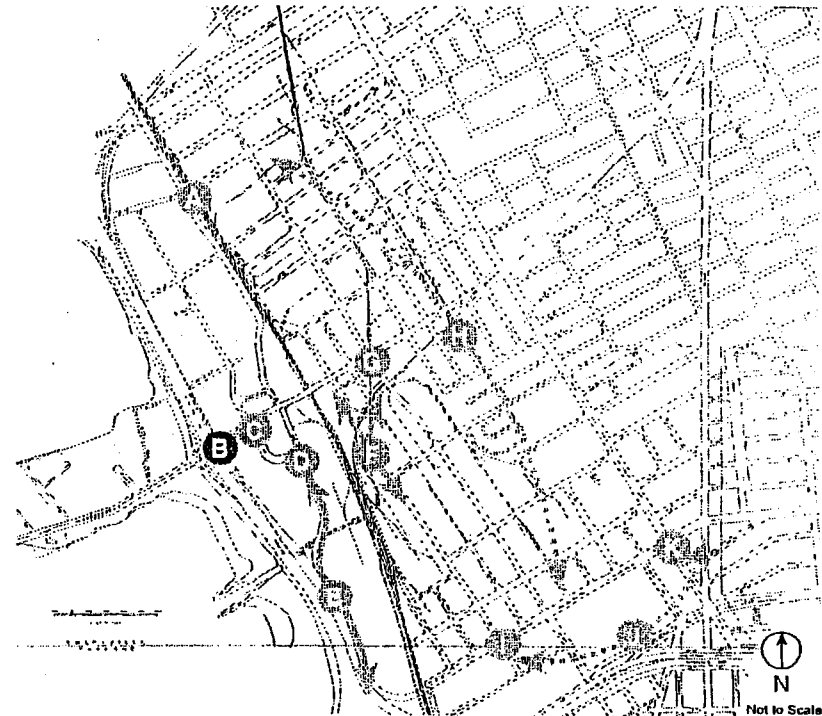
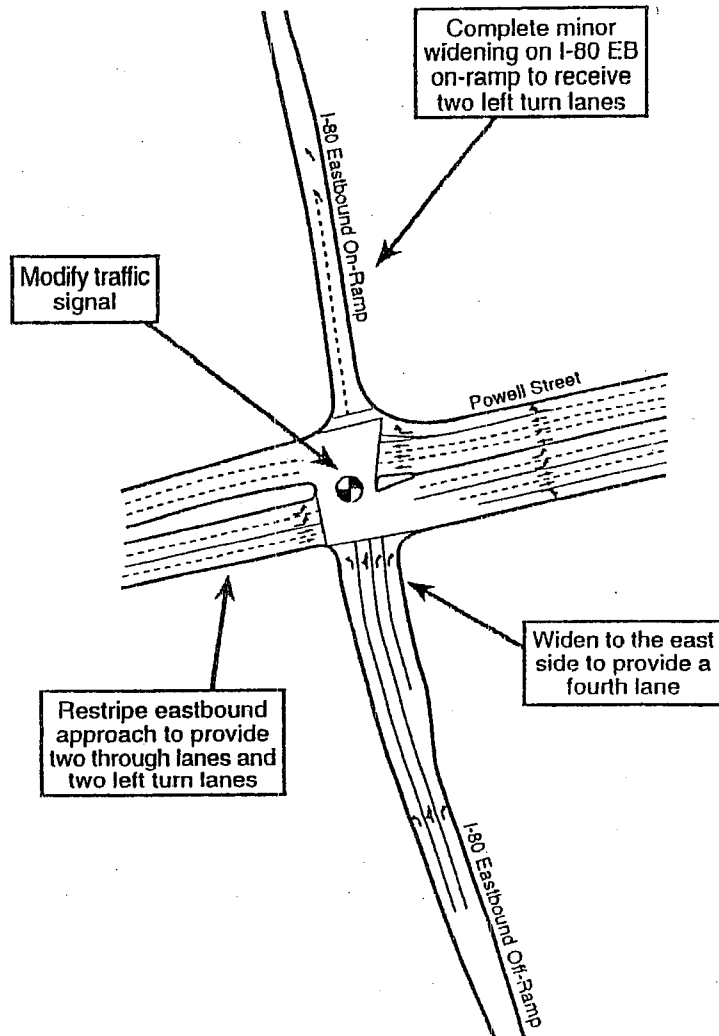


Figure B

**POWELL STREET AND I-80 EASTBOUND OFF-RAMP
INTERSECTION MODIFICATIONS**



1220-32-02

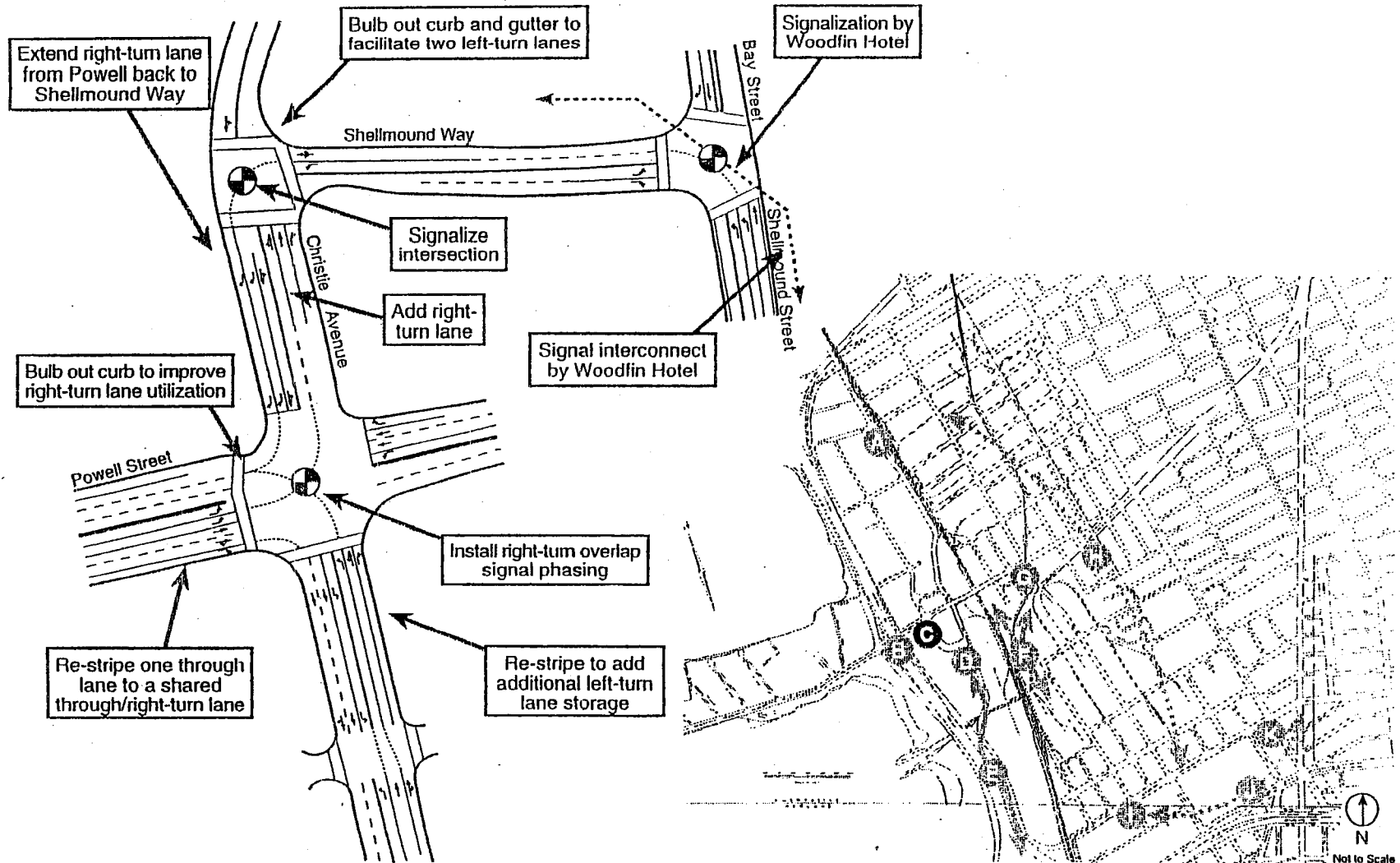


Figure C

1220-24-03

CHRISTIE AVENUE AND POWELL STREET
INTERSECTION MODIFICATIONS



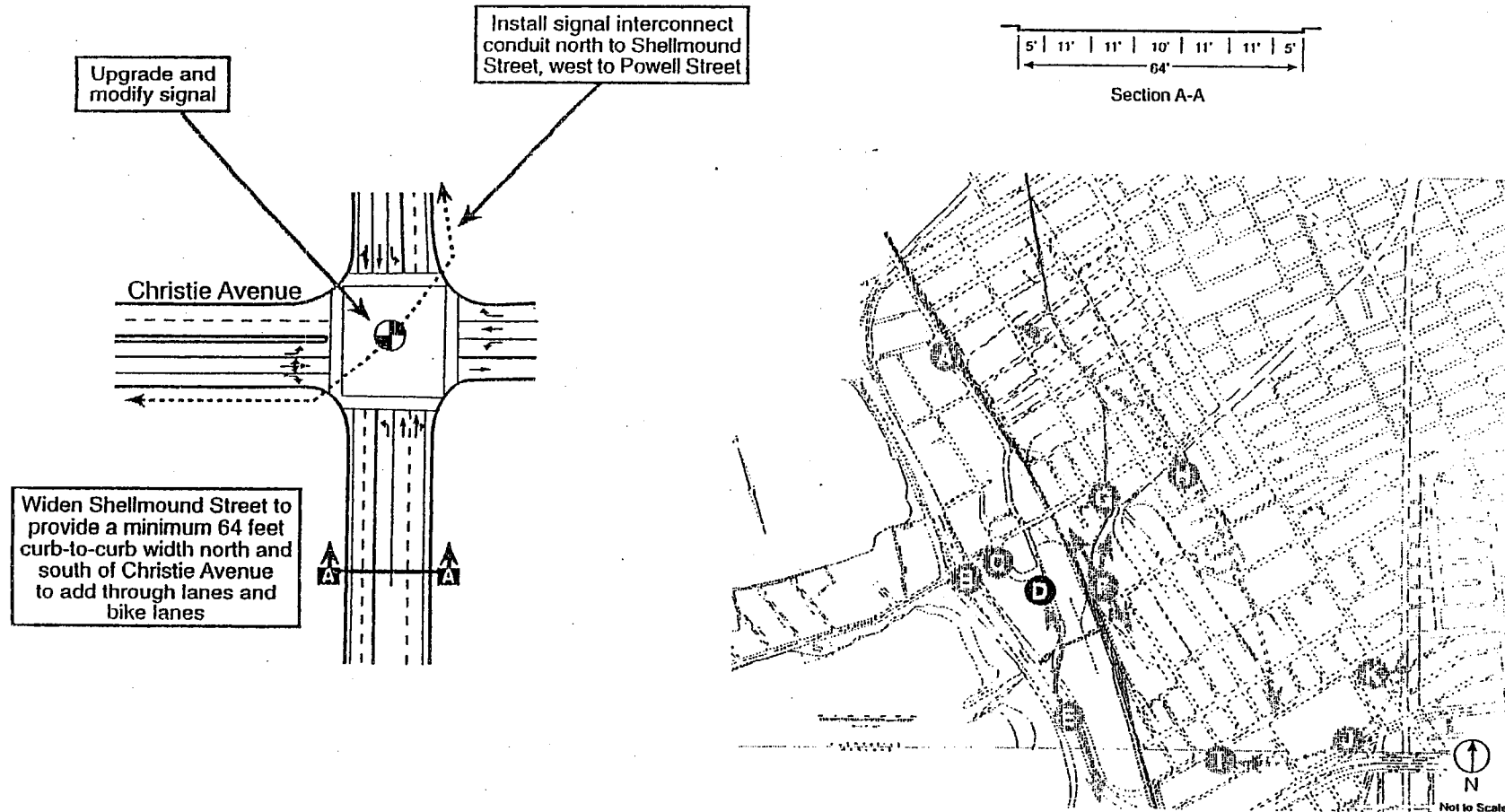


Figure D

1220-23-03

**SHELLMOUND STREET AT CHRISTIE AVENUE
INTERSECTION MODIFICATIONS**



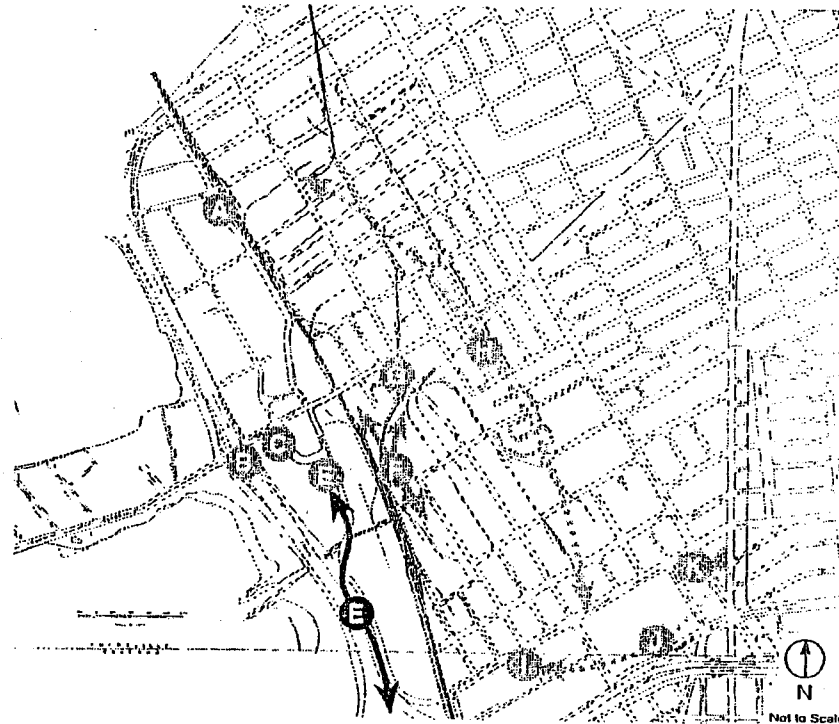
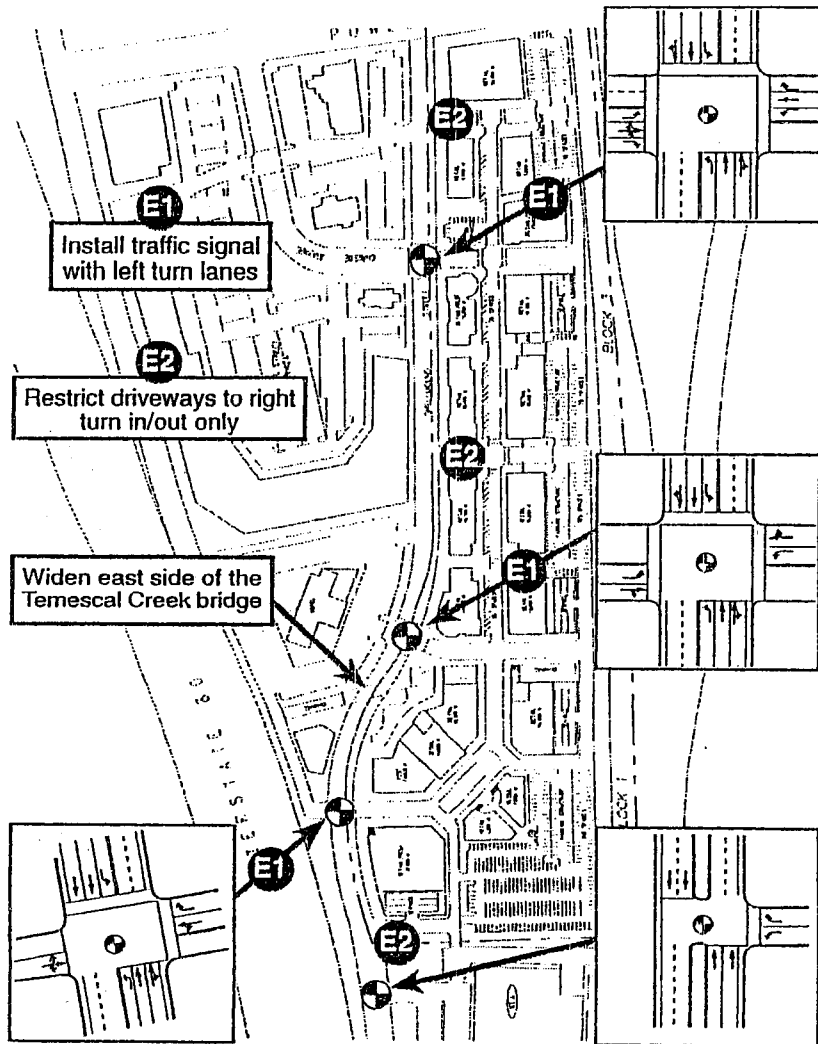


Figure E

1220-25-03

**SHELLMOUND STREET CORRIDOR
INTERSECTION MODIFICATIONS**



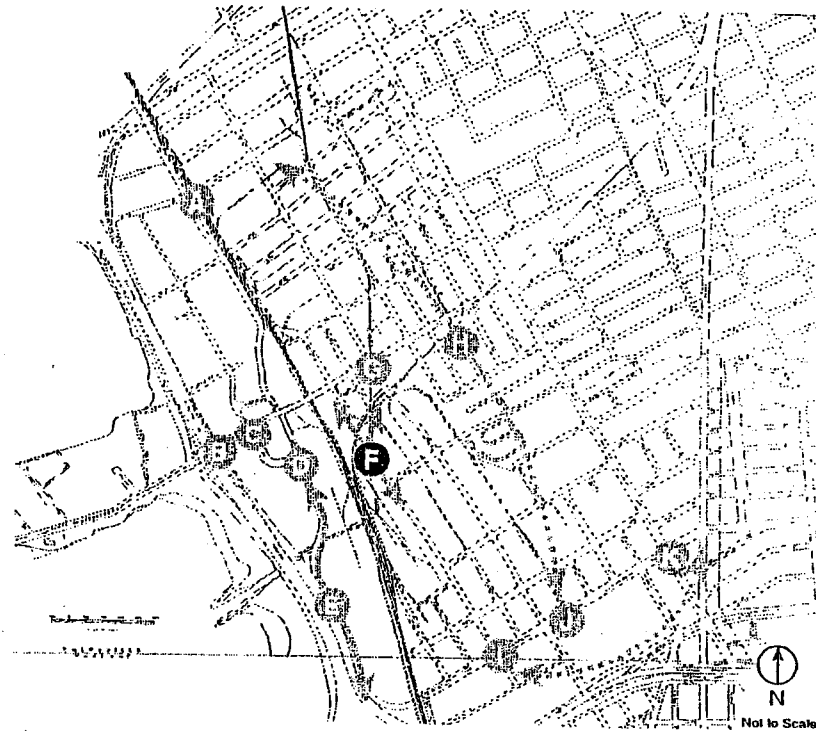
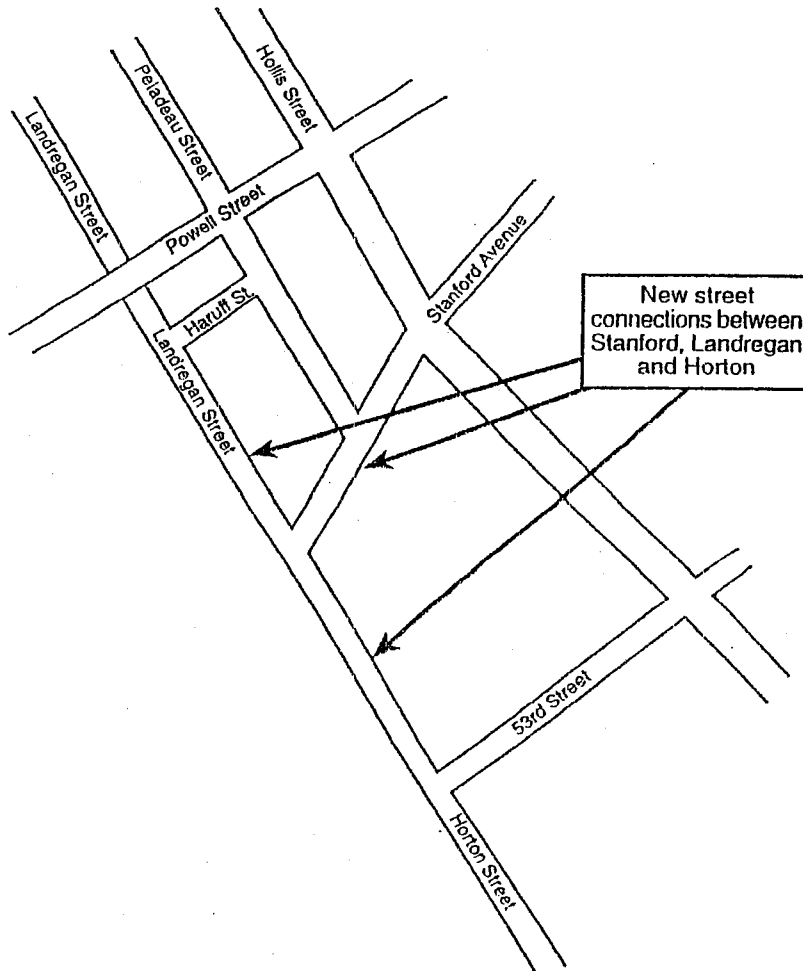


Figure F

1220-37-02

**HORTON - LANDREGAN - STANFORD
CONNECTIONS**



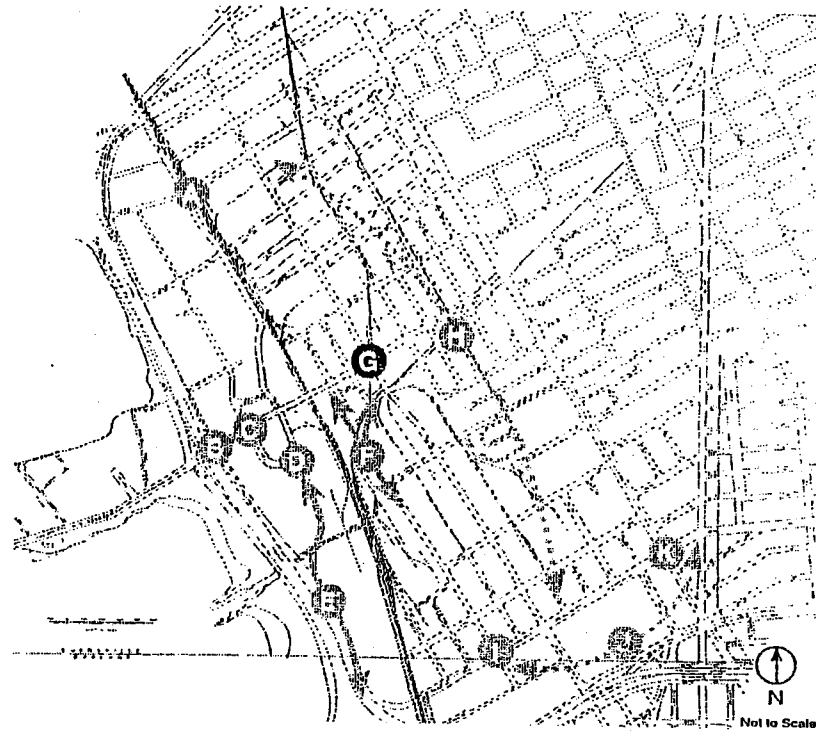
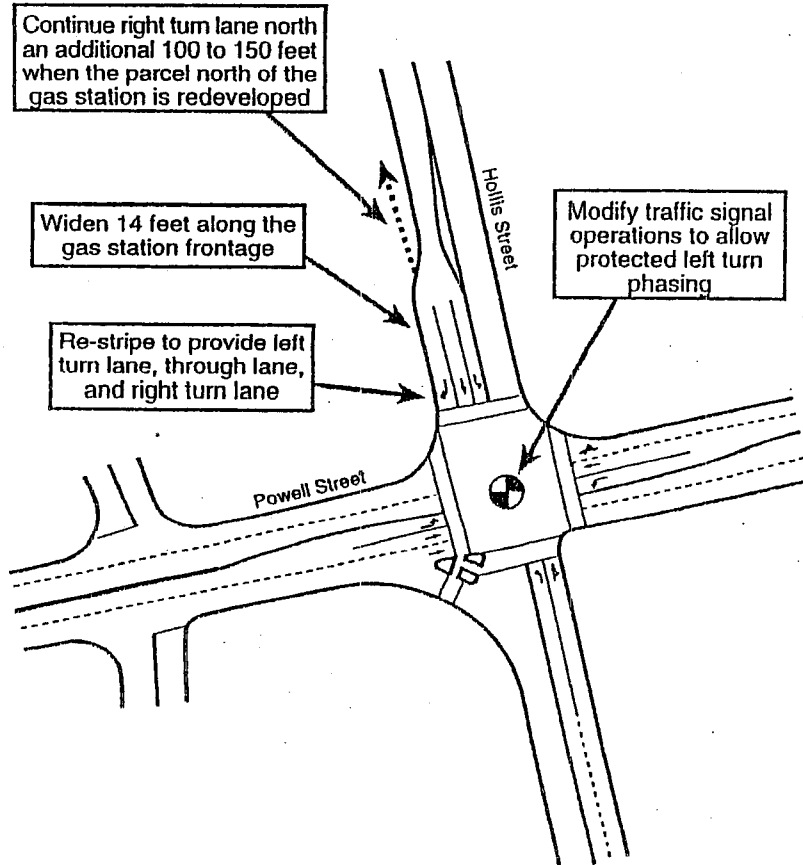
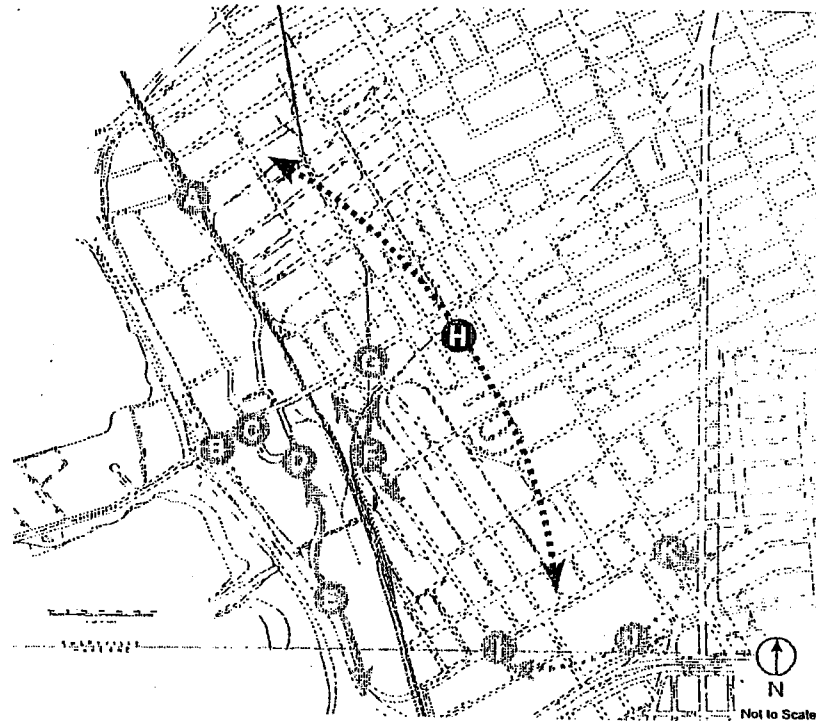
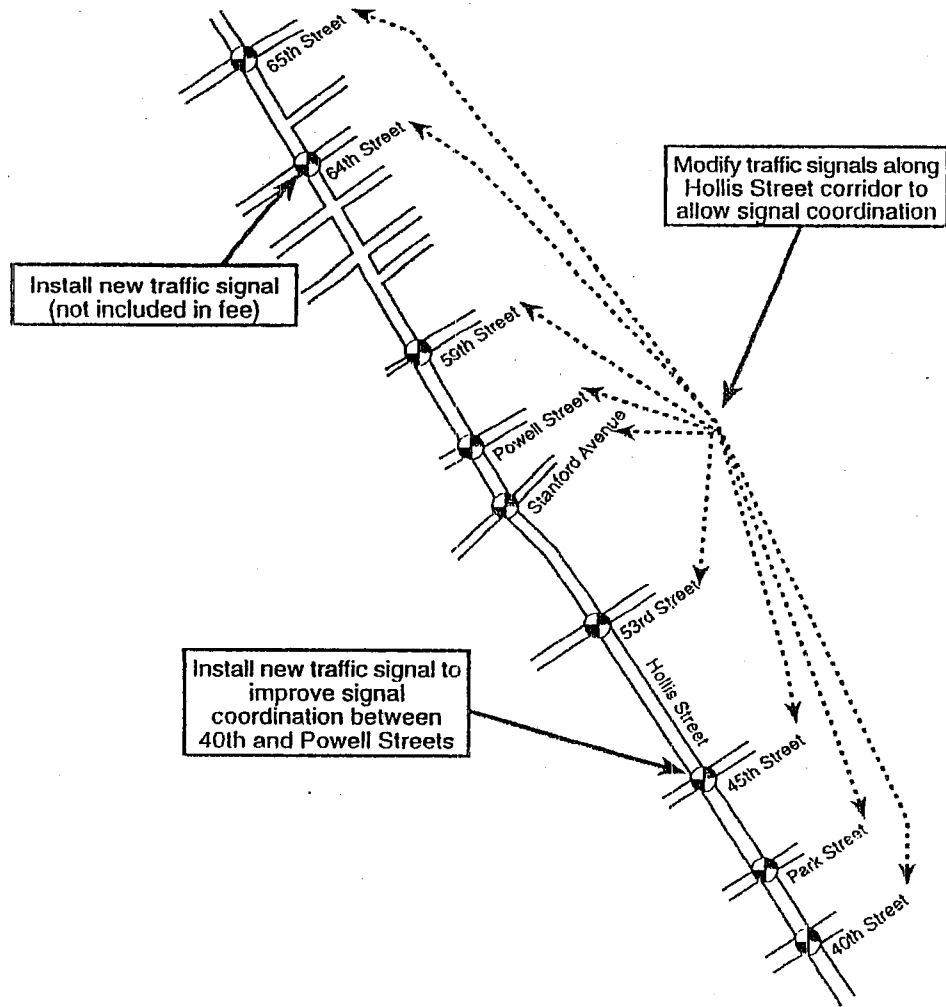


Figure G

1220-22-03

**POWELL STREET AND HOLLIS STREET
INTERSECTION MODIFICATIONS**





<p>Figure H</p> <p>1220-35-02</p>	<p>HOLLIS STREET CORRIDOR SIGNAL INTERCONNECT</p>	
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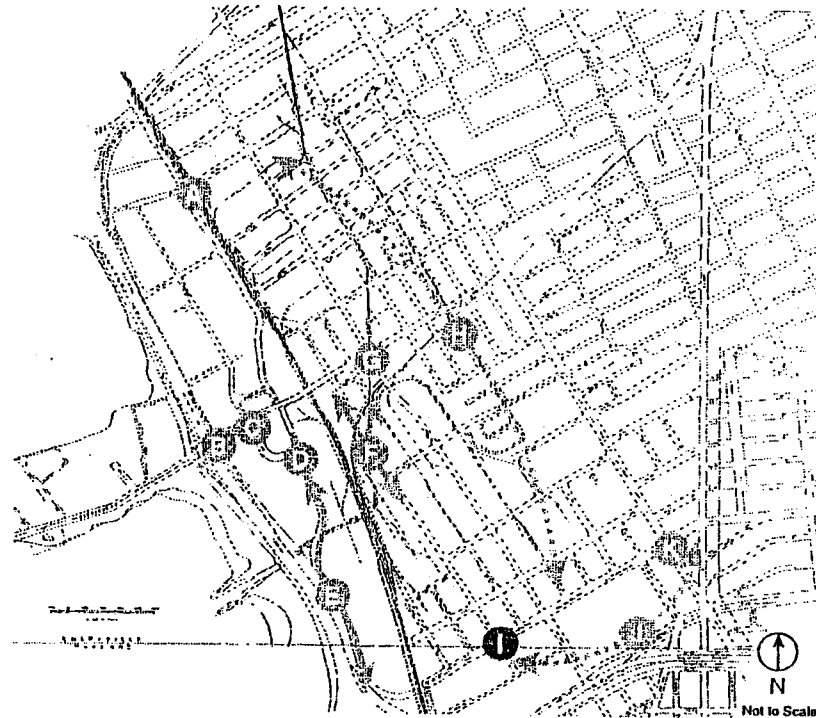
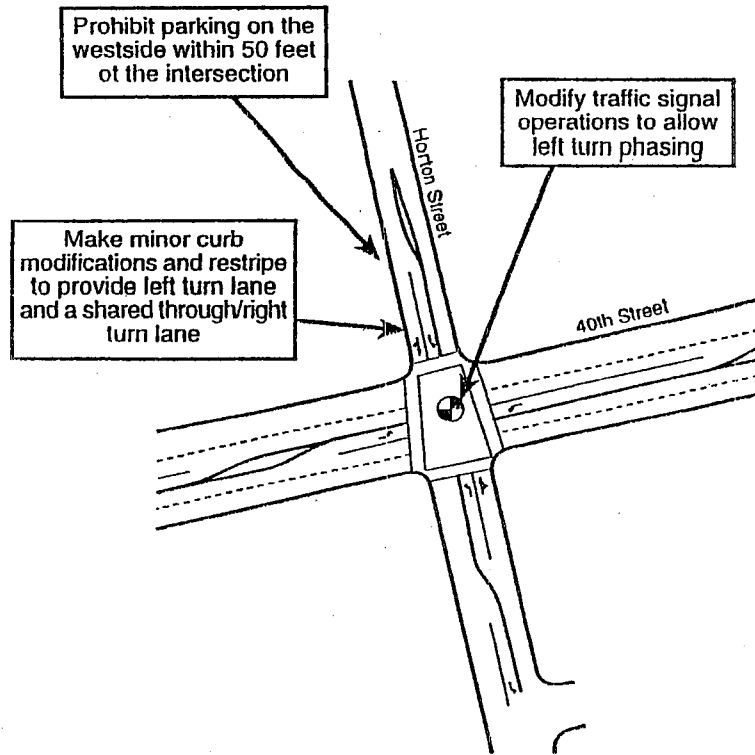


Figure I

40TH STREET AND HORTON STREET
INTERSECTION MODIFICATIONS



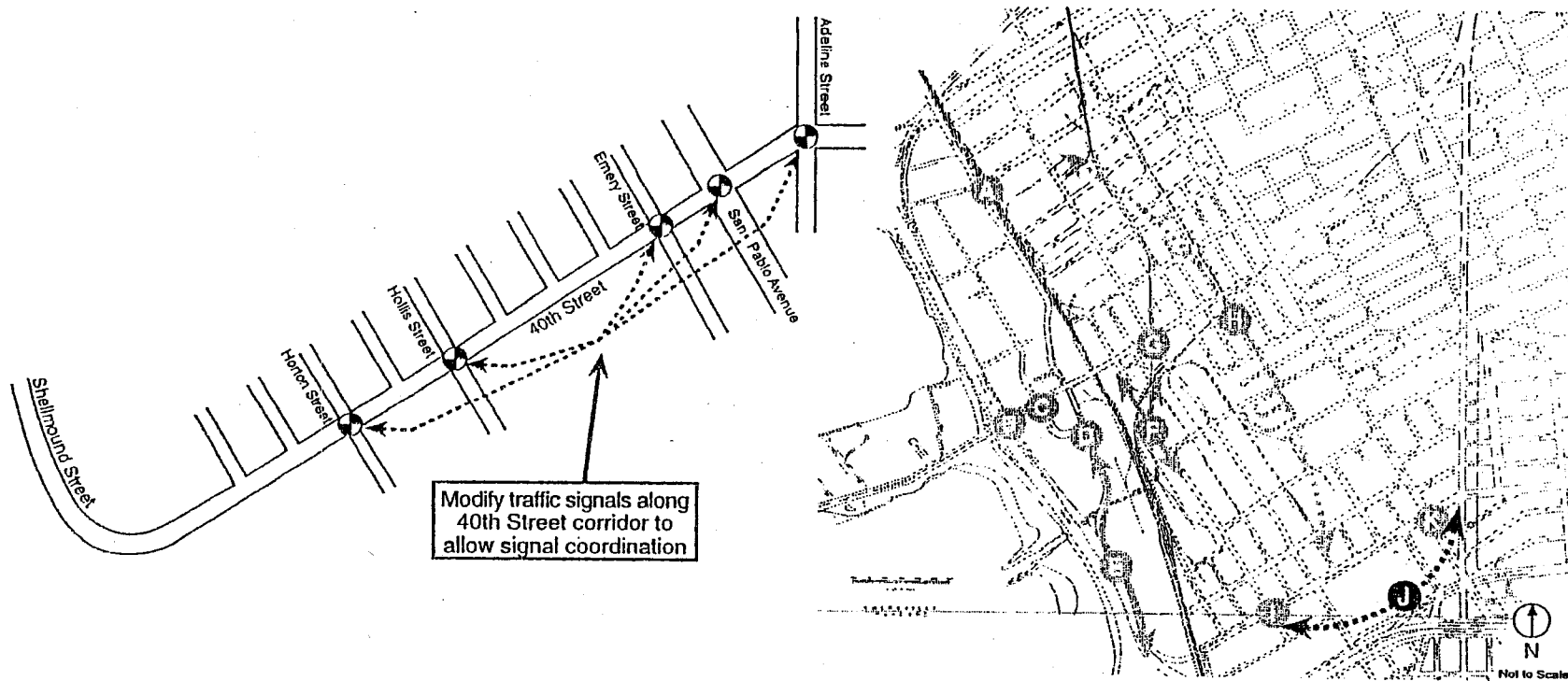


Figure J

1220-33-02

40TH STREET
SIGNAL COORDINATION



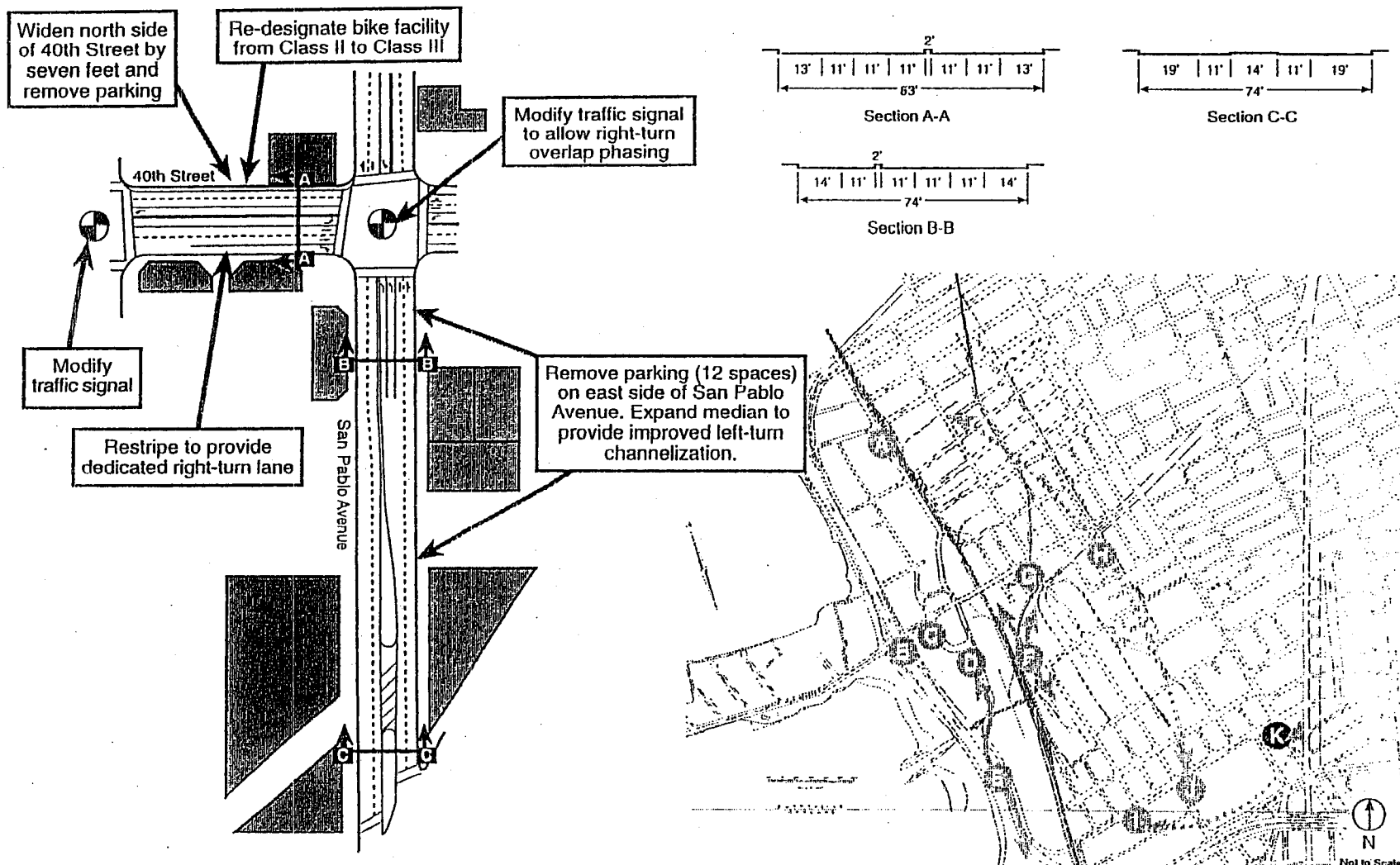


Figure K

1220-26-03

**40TH STREET AND SAN PABLO AVENUE
INTERSECTION MODIFICATIONS**

