



# Building Industry Association of Southern California, Inc.

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## **NBS Non-Transportation DIF Study**

1. Based on the projected number of new residential units in the NBS study, a total of 75 acres of park land is required. According to Table 3.1 of the NBS study, the City has 68 acres, potentially 94 acres (see # 5 below) of undeveloped park land in inventory, yet the NBS study proposes the city charge new development \$102,000,000 in fees to acquire 75 acres of new park land. Please explain why the new park land is required when the City has sufficient undeveloped park land in inventory to fully satisfy the park land requirements for new development.
2. The February 2025 NBS study arbitrarily removed 26 unimproved acres from inventory at Central Park citing the land was for non-public purposes. We believe these acres should be included in inventory as Central Park was dedicated to the City for public purposes.
3. As of June 2023, the City had over \$26,000,000 of non-transportation development impact fee funds on hand. The Fehr & Peers study deducted the transportation funds on hand from the proposed transportation improvements, NBS did not. Government Code Section 66016.5 (a) (4) requires a municipality to evaluate the amount of fees collected under the original fee. Please explain why the non-transportation funds on hand are not being considered as a reduction when calculating the proposed fees.
4. The cost per acre (\$989,000) of improving the dog park at central park was used to calculate the park improvement fees. This cost is far in excess of the typical improvements for a public park, potentially by as much as \$350,000 per acre resulting in the park land improvement fee to potentially overstated by \$26,250,000. Please provide reasonable evidence supporting the proposed cost of future park development.
5. The Resort project will be contributing 1.75 acres of land plus \$11,000,000 to the City for construction of a Joint Use Public Facility. The total value of the contribution is approximately \$13,100,000. Should the Community and Recreation Center Fee not be reduced by a like amount?



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### **Fehr & Peers Transportation DIF Study**

1. Before implementing a new development fee (AB 602) Government Code Section 66016.5 (a) (1) requires a municipality to prepare and adopt a nexus study. Section 66016.5 (a) (2) requires the nexus study to identify the existing level of service for each public facility, identify the proposed new level of service and explain of why the new level of service is appropriate. Based on our review of the Fehr & Peers study, it appears these requirements have not been met. Please explain.
2. Government Code Section 66016.5 (a) (6) requires a large municipality adopt a Capital Improvement Plan as part of the nexus study. The City's Major Projects Program (CIP) does not include a majority of the improvements proposed in the Fehr & Peers study. The Fehr & Peers study references the City has prepared a draft amendment to the CIP. Please provide a copy of the proposed CIP amendment which includes all of the projects in the Fehr & Peers study.
3. The Fehr & Peers study uses Vehicle Miles Traveled (VMT) to calculate the impacts of new development. VMT is not recognized as an appropriate metric in the context of an impact fee analysis, only for greenhouse gas and other environmental impacts. Please explain reliance on VMT as an appropriate metric for the transportation fee study.
4. A new concept in the February 11, 2025, Fehr & Peers report is the zonal approach to assessing fees based on estimated trip interactions between zones. This novel approach creates an unfair burden on the central and south zones with fees that are 58% higher than the north zone. Residential development in the central and south zones are being allocated a disproportionate 78% share of the cost of improvements to the industrial area east of Interstate 15 without any corresponding benefit. We do not concur with this approach.
5. The total project cost estimates in Appendix C of the Fehr & Peers study are not consistent with Table 1 of the study, the City's Active Transportation Plan (Connect RC) and the City's Major Projects Plan. Please explain why the project cost estimates in Appendix C, used to calculate the Transportation Fees have been substantially inflated over the referenced documents.



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6. In 2022 the City hired Kosmont to form an Enhanced Infrastructure Financing District (“EIFD”) with the expectation the City would raise over \$255,000,000 over the life of the EIFD. The stated purpose of the EIFD is to fund, among other things, the cost of bridges, streets, parking facilities, parks and recreational facilities, sidewalks, streetscape improvements and bicycle lanes identified in the General Plan. The Kosmont report specifically identified the Foothill Corridor and the Cucamonga Station, Haven / Arrow focus area as potential priority projects at a cost of up to \$100,000,000. Please explain why the future EIFD funds have not been taken into consideration when calculating the proposed transportation fees.
7. The City’s Connect RC, Active Transportation Plan (ATP) targets multiple regional, state and federal funding sources to address the financial needs of the projects identified in the ATP, yet none of these outside funding sources were considered in determining the proposed Transportation Fee. Please explain why these funding sources were not considered in calculating the proposed transportation fee.
8. In 2018 the City proposed the Etiwanda Grade Separation project to Etiwanda to invest in infrastructure specifically for the promotion and marketability of the industrial sector of the City. Etiwanda Avenue, at the site of the proposed Etiwanda Grade Separation currently operates at a level of service “F” per the City’s Project Baseline Agreement with the California Department of Transportation. This area of the City is known for vehicular collisions with trains and multiple traffic fatalities. The City has applied for and has been awarded significant SB1-TCEP construction funding (\$60,000,000 or more) for the project. Interstate 15 separates the project from residential areas of the city, yet the Fehr & Peers study proposes new residential development pay for the majority of the cost of the proposed improvement without any direct benefit. Please explain why the Etiwanda Grade Separation project is proposed to be included in the Transportation DIF and disproportionately assessed to residential development when it has historically been excluded?
9. The Signal Interconnect System in the Fehr & Peers Study is proposed to be allocated 100% to new development. In addition, the cost of the signal interconnect system was increased over 600% from \$10.6 MM to \$75.0 MM. Please explain the justification for the cost increase and allocating 100% to new development when the Signal Interconnect System has community wide benefits for existing residents and businesses.
10. The Fehr & Peers study limits the fee reduction for housing developments located within one-half mile of a transit priority area to multi-family (low-rise) and multi-family (mid-rise) units. Government Code Section 66005.1 applies to a “Housing Development”, not specific types of units, thus all housing developments meeting the criteria of Section 66005.1 shall be eligible for a fee reduction based on automobile trip generation rates. Request the Fehr & Peers study be revised accordingly.