

DATE: 2.25.13

TO: City Council

FROM: Santa Monica Coalition for a Livable City ("SMCLC")

RE: Transportation Impact Fee, Agenda Item 7-E

We write to urge you to adopt a Transportation Impact Fee ("TIF") that is 20 years' overdue without further delay.

For over 20 Years Santa Monica Has Failed to Collect a TIF in Violation of the City's Own Law to Mitigate Traffic Congestion:

In 1991 Santa Monica enacted two statutes that were never enforced, requiring it to: 1) collect a TIF for all new commercial development; 2) use the TIF exclusively for transportation management and public transit improvements citywide; and 3) prohibit issuance of any certificate of occupancy for such development until such fees were paid.

The statutes were enacted in response to traffic studies revealing that by 2010 Santa Monica streets would experience "severe" and unacceptable traffic congestion. (SMMC Section 9.16.050(b)). That fee, now being called a TIF, was for the same purpose as the one you are voting on tomorrow tonight.

The money was to be collected and used exclusively for the reduction of traffic impacts from new development and existing traffic congestion, including street improvements, traffic mitigations, traffic signal synchronization, and for public transit. (SMMC Section 9.16.060(b)).

Approval of a fee determined by a nexus study to justify the amount of the fee like the one before you was the only thing left to do. But no nexus study was ever approved by the Council and no fee was ever set. (Note: SMCLC raised this issue with the City Council on September 23, 2008, and submitted the key documents into the public record-- see video at 5hrs/15minutes).

Today, we are back where we were in 1991 – waiting for the City Council to adopt a TIF.

The Result: Santa Monica Has Lost the Use of Millions of Dollars of Fees Routinely Collected by Other Cities to Improve Traffic Mobility

As the staff report indicates, "most" of the transportation impact fees for other "peer" cities that were reviewed by staff in the report "have been in place since

they were first adopted in the 1980s,” (staff report, p.8) Other cities not mentioned include Thousand Oaks and San Francisco.

Santa Monica’s failure to collect any such fee represents a multi-million dollar gift to developers at the expense of Santa Monica residents and taxpayers. It also has deprived our city of funds that could have been used to develop superior traffic management and methodology systems years ago so as to reduce traffic impacts and make better planning decisions.

We Urge You Not to Further Delay Implementation of a TIF or Reduce the Amount of the Proposed TIF

Twenty years is a long time to wait for a nexus study and for the political will of this body to bring a transportation impact fee to reality. Over six months ago on August 28, 2012, the Council had the benefit of a study session. It’s now time to approve the nexus study, set the fees, and show residents that you are serious about tackling the increasing traffic gridlock that overwhelms our streets.

We urge you to adopt the recommended fees without diluting them; and not to expand the list of exemptions recommended at page 13 of the staff report. Our only area of disagreement is whether vacant buildings should be given a credit – we think only vacant buildings that will be adaptively reused should receive such a credit.

Thank you.

Diana Gordon
Co-Chair, SMCLC

Cc: Planning Commission
Neighborhood Groups