

**REGIONAL TRANSPORTATION COMMISSION (RTC)  
REGIONAL ROAD IMPACT FEE (RRIF)  
TECHNICAL ADVISORY COMMITTEE**

**Meeting Minutes**

**Thursday, May 22, 2014**

**Members Present:**

Amy Cummings, Regional Transportation Commission  
Art Sperber, City of Sparks Planning Commission  
Bill Gall, City of Reno Community Development  
Clara Lawson, Washoe County Public Works  
Jeff Hale, Regional Transportation Commission  
Jim Rundle, City of Sparks Community Development  
John Martini, City of Sparks Public Works  
Kraig Knudsen, Private Sector  
Paul Kelly, Washoe County Development Review  
Randy Walter, Private Sector  
Steve Bunnell, City of Reno Public Works  
Ted Erkan, Private Sector

**Members Absent:**

Doug Coffman, City of Reno Planning Commission  
Jess Traver, Private Sector  
Roger Edwards, Washoe County Planning Commission

**RTC Staff:**

Julie Masterpool

Lee Anne Olivas

Kristen Barnes

Shawn Pearson (Woodburn & Wedge)

**Guests:**

Carl Savely

The meeting was called to order at 2:04.

**Item 1: Approval of Agenda**

The Agenda was approved unanimously.

**Item 2: Public Comment**

There was no response to the call for public comment.

**Item 3: Approval of the April 24, 2014 Meeting Minutes**

The April 24, 2014 Meeting Minutes were approved. Randy Walter abstained because he did not attend the April meeting.

**Item 4: RRIF Regional Road Definition**

Julie Masterpool stated that during the review of the RRIF General Administrative Manual, the RRIF TAC recommended changing the definition of a regional road based on Average Daily Traffic. Currently, the 2035 Regional Transportation Plan (RTP) and the RRIF General Administration Manual identify a regional road as:

*RRIF Network: The network of roads consisting of high (expressway), moderate (major arterial) and low (minor arterial) access control arterial roadways, excluding freeways, freeway ramps determined by the RTC as regionally significant, and collector roads with a forecast volume of 5,000 average daily trips at build-out, as identified in the most recent Capital Improvements Plan.*

At the April 24<sup>th</sup> RRIF TAC meeting, it was recommended that the definition be modified to:

*RRIF Network: The network of roads consisting of high (expressway), moderate (major arterial) and low (minor arterial) access control arterial roadways (excluding freeways), and freeway*

*ramps determined by the RTC as regionally significant, and collector roads with a forecast volume of **14,000** average daily trips at build-out, as identified in the most recent Capital Improvements Plan. **New regionally significant roadways directly related and constructed by private development may be added to the RRIF Network after construction of the first two lanes.***

Julie Masterpool discussed the list of Collector Roadways identified in the 2035 RTP. Three of the roadways (Kirman Avenue, Mira Loma Drive and Sky Vista Pkwy) are currently included in the RTP to be widened from two to four lanes in the 2023-2035 timeframe. A more detailed analysis of these projects find that Kirman Avenue and Mira Loma Drive, both fall above the 14,000 ADT threshold in the 2035 timeframe and would therefore still qualify as a RRIF regional road. Sky Vista Pkwy is predicted to fall below the 14,000 ADT in 2035, which would indicate a widening project may no longer be necessary. As all of these capacity projects fall outside the current RRIF CIP timeframe, there would be no effect to the impact fee calculations. However, if collectors less than 14,000 ADT are eliminated from the RRIF Network, the average trip length will be re-calculated. We anticipate the new average trip length will be reduced, thereby affecting the VMTs per land use.

There was discussion about the first two lanes being constructed by private development. Randy Walter stated that if a capacity improvement is included on the CIP, then it shouldn't be the responsibility of the developers to construct without RRIF Waivers. The committee agreed that the definition needs to be revised. The definition should include "rules" or "thresholds" for when a project is on the CIP.

The committee discussed what they felt should be the definition of a regional road and when a capacity improvement would qualify for RRIF Waivers. A regional road improvement should meet certain criteria:

- It's on the CIP;
- It's a collector with 14,000 ADT or greater;
- It has regional traffic that's not related to a private development project;
- It's regionally important because it connects to other regional roads.

The committee stated that the minimum threshold for a collector should be 14,000 ADT. If a new road is to serve the new development only, then the first two lanes would be on the developer to build. Julie stated that she would develop new language for the definition and circulate to the RRIF TAC members for comment.

#### **Item 5: RRIF Capital Improvement Plan Projects**

Julie Masterpool discussed the list of Capital Improvement Plan projects as submitted to the RRIF TAC on April 24, 2014. The 2025 TransCad Travel Demand Model was used to determine the location of additional congestion areas through an analysis of the AM and PM Level of Service (LOS). Where LOS was shown to exceed the Policy LOS as adopted in the RTP, staff compared the existing NDOT Annual Average Daily Traffic to the 2010 Travel Demand Model. The growth shown in the model between 2010 and 2025 was then added to the existing NDOT counts and compared to Annual Average Daily Traffic Level of Service Thresholds for the various roadway classifications. If widening was recommended, the project was further analyzed using the Congestion Management Process evaluation criteria set forth in the 2035 RTP. The resulting list of projects was added to the RRIF Capital Improvement Plan by RRIF Service Area to be used in the Regional Road Impact Fee calculations.

Julie stated that the RRIF funding share for the added CIP projects is based on the anticipated funding source for the individual projects. It was estimated approximately 50% of the new projects would be funded with moneys obtained through other sources, leaving 50% to be supported by regional road impact fees. Julie showed the list of projects using different scenarios of RRIF shares and how it affected the dollars per VMT.

A motion was made to approve the CIP list of projects and RRIF funding share. The motion carried unanimously.

Julie stated that she would have TischlerBise update the CIP manual. She hopes to have a draft for the June meeting. John Martini stated that the General Administrative Manual (GAM) should

reference the process for adding projects to the CIP. Julie stated that Section XIV Amendments to CIP, D. Special Request for Private Amendment will be revised.

The committee discussed who should approve the list of projects on the CIP, i.e., the RTC Board versus the local agencies, and to see if any aspects can be delegated. Shawn Pearson stated that many things will need to stay the same because of NRS.

#### **Item 6: RRIF General Administrative Manual Review**

Julie Masterpool asked the group if there were any more revisions that need to be addressed.

#### **Definitions:**

**RRIF Waiver** – There was discussion about RRIF Waivers being denominated in terms of land use versus dollars. Administratively, land use would be difficult to monitor. Therefore, RRIF Waivers will be denominated in dollars and the impact fees will be paid based on the fee schedule in effect as of the date of the Offset Agreement. Julie discussed the handout titled, “Example of RRIF Waiver Calculations” (see Attachment A).

#### **Section III. Imposition of Impact Fees:**

Julie provided a handout on additional language to be added to the RRIF GAM referencing reimbursements when fees were paid with cash where RRIF waivers were available. See **Section III. E.2.a. Payment of Impact Fees with RRIF Waivers or CCFEA Credits** (see Attachment B).

#### **IV. Determination of Fee Based on Fee Schedule:**

TischlerBise suggested to Julie that we reduce or simplify the land use definitions. Nationally, it has been the recent trend to simplify the land uses to five to six separate uses. The committee agreed to leave as currently proposed in the RRIF GAM.

#### **Section X. Impact Fee Offsets Requested after the 2014 RRIF Program Update:**

**Section A.1.c** - The committee agreed that the language be changed from “Development of Record is modified” to “**land use within the** Development of Record is modified”.

## **Section XI. Unexpired Credits Approved Prior to the 2014 RRIF Program Update:**

The issue of extending the expiration date of existing RRIF credits is still under legal review. If the RTC Board chooses to proceed with the extension, it will be included as an amendment to the RRIF GAM. Julie stated that she hopes to have more information at the June meeting.

## **Section XIV. Amendments to CIP:**

**D. Special Request for Private Amendment** – The title will be changed to **Special Request for New Capital Improvements** and the definition will be more clearly defined.

## **Exhibit J: Example Offset Agreement:**

The Offset Agreement will not be included as an exhibit in the GAM per the recommendation from Shawn Pearson. The Offset Agreement should include the legal description of the Development of Record including meets and bounds. The committee made the following suggestions to the Offset Agreement:

**2.2.2 Completion and Acceptance of Offered Improvements** – Ted Erkan stated that the paragraph needs to be revised. It should be “completed to conformance of approved plans”. Plans will have to be provided prior to an Offset Agreement. It was suggested that the timeframe be left blank and then negotiated for each agreement. There was discussion about a “kill date”. It was suggested that it could be handled similar to a use permit.

**2.2.3 Design and Construction Standards** – There was discussion about the use of the term “latest versions”.

**3.3 Calculation of RRIF Waiver** – The RRIF schedule that will be applied to the resulting RRIF Waivers should be included as an exhibit to the Offset Agreement.

**3.5 Interim Waivers** – Right-of-way value should be included as an option for the issuance of Interim Waivers.

**3.6 Final RRIF Waiver Determination** – There was a question about where the appeal process is found. Julie stated that it is included in the GAM and a reference can be included in the agreement.

**4.4 Parties Bound and Assignment** – Language regarding the use of interim waivers needs to be included.

**4.11 Termination of Offset Agreement** – This should reference section 3.5. Interim waivers could be surrendered or re-paid.

**Signature Page** – Remove Ron Smith’s name and A. Stanyan Peck’s name and only include the titles.

Julie stated that she would make the recommended changes and bring back the revised draft at the June meeting.

**Item 7: Public Comment**

There was no response to the call for public comment.

**Item 8: Member Items**

The next RRIF TAC meeting is scheduled for Thursday, June 26, 2014 at 2:00pm in the RTC Engineering Conference Room located at 1105 Terminal Way, Suite 108.

**Item 9: Adjournment**

There being no further business, the meeting adjourned at 4:16pm.

Respectfully Submitted,

Lee Anne Olivas

**Example of RRIF Waiver Calculations**

**Example 1:** A developer of a 500-unit subdivision builds an improvement listed on the RRIF Capital Improvement Plan. The improvement is estimated to cost \$1,000,000. The impact fee for the subdivision, using the current fee schedule, is estimated at \$1,860,000. The total amount of RRIF Waivers for the subdivision is \$1,000,000. The developer can use the RRIF Waivers to pay his impact fees based on the fee schedule as of the date of the Offset Agreement. Based on the existing fee schedule, the \$1,000,000 in RRIF Waivers will pay the impact fees for 268.82 single family homes. Once the RRIF Waivers have been used, the remaining impact fees will be based on the fee schedule in effect at the time of the building permit.

		Impact Fee Based on Dollars	
Proposed Development	500 Single Family Subdivision @ \$3720/SFR (15.09 VMTs/SFR)		\$1,860,000.00
Proposed CIP Improvement	ROW & widening 2 to 4 lanes		\$1,000,000.00
Maximum RRIF Waiver	Based on VMT = \$ 246.59		\$1,000,000.00
Number of development units eligible for RRIF Waivers	Fee set by agreement - Based on \$3720/SFR (15.09 VMT @ \$246.59/VMT) \$1,000,000/\$3720 per SFR = 268.82 SFR	268.82 SFR	\$1,000,000.00
Number of development units <b>not</b> covered by RRIF Waivers	New RRIF Fee - Based on \$4000/SFR (16 VMT @ \$250/VMT) 500 SFR - 268.82 SFR = 231.18 SFR	231.18 SFR	\$924,731.18
<b>TOTAL FEES Paid (Waivers + Cash/Credits)</b>		<b>500 SFR</b>	<b>\$1,924,731.18</b>

**Example 2:** The developer in the example above chooses to modify his development of record by changing from a 500-unit subdivision to a 200-unit subdivision and 200,000 sf commercial shopping center. Per the RRIF GAM Section X.A.c, the existing RRIF Waivers will be re-evaluated based on the then current RRIF schedule in effect at the time of issuance of the building permit for all future uses.

		Impact Fee Based on Dollars	
Proposed Development	500 Single Family Subdivision @ \$3720/SFR (15.09 VMTs/SFR)		\$1,860,000.00
Proposed CIP Improvement	ROW & widening 2 to 4 lanes		\$1,000,000.00
Maximum RRIF Waiver	Based on VMT = \$ 246.59		\$1,000,000.00
Number of development units eligible for RRIF Waivers	Fee set by agreement - Based on \$3720/SFR (15.09 VMT @ \$246.59/VMT) \$1,000,000/\$3720 per SFR = 268.82 SFR	268.82 SFR	\$1,000,000.00
Initial phase of subdivision built 100 homes	Fee set by agreement - Based on \$3720/SFR (15.09 VMT @ \$246.59/VMT)	100.00 SFR	\$372,000.00
Developer modifies his original approval to a total of 200 homes and 200,000 sf commercial shopping center	New RRIF Fee - Based on \$4000/SFR (16 VMT @ \$250/VMT) for remaining 100 homes	100.00 SFR	\$400,000.00
	New RRIF Fee - Based on \$7250/1000 GFA (29 VMT @ \$250/VMT) for 200,000 sf Commercial shopping center	200,000.00 GFA	\$1,450,000.00
<b>TOTAL FEES Paid (Waivers + Cash/Credits)</b>			<b>\$2,222,000.00</b>

Note: If RRIF Waivers had been transferred to a third party, ie, for the 200-unit subdivision, their RRIF Waivers would also be re-evaluated under this scenario.

**Additional Paragraph to be added to RRIF General Administrative Manual**

Section III IMPOSITION OF IMPACT FEES

Determination of Fee

1. General. The amount of the impact fee shall be determined by the Local RRIF Administrator, based on the fee schedule in Exhibit D of this Manual as of the date of the issuance of the building permit. The calculation of exemptions, refunds, and ~~Offsets-RRIF Waivers~~ and the determination of the net impact fee shall also be the responsibility of the Local RRIF Administrator and the RTC RRIF Administrator, as hereinafter identified.

2. Payment of Impact Fees with RRIF Waivers or CCFEA Credits:

a. RRIF Waivers. Impact fees may be waived if the RTC RRIF Administrator has issued a Notice of RRIF Waiver to the affected Participating Local Government, pursuant to a valid, unexpired Offset Agreement, in accordance with the provisions of Section X, Impact Fee Offsets Requested After the ~~2013~~2014 RRIF Program Update.

In the event, payment of impact fees were made in cash where RRIF Waivers were available, the feepayer shall submit a written request to the Local RRIF Administrator within 90 days from the date of payment. If approved, the feepayer shall submit proof of payment by RRIF Waiver to the Local RRIF Administrator prior to receiving the refund. All reimbursements will be handled through the Participating Local Government.

a.b. CCFEA Credits. Impact fees may be paid with CCFEA Credits pursuant to Section XI, Unexpired Credits Approved Prior to the ~~2013~~2014 RRIF Program Update.