

**ORDINANCE NO. 630-26**

**AN ORDINANCE OF THE CITY OF MURRIETA  
AMENDING ORDINANCE NO. 613-25 TO ESTABLISH  
CONSTRUCTION COST INDEX ADJUSTMENTS TO THE  
WESTERN RIVERSIDE COUNTY TRANSPORTATION  
UNIFORM MITIGATION FEE (TUMF) PROGRAM**

**WHEREAS**, the City of Murrieta is a member agency of the Western Riverside Council of Governments (“WRCOG”), a joint powers agency comprised of the County of Riverside and 18 cities located in Western Riverside County. Acting in concert, the WRCOG Member Agencies developed a plan whereby the shortfall in funds needed to enlarge the capacity of the Regional System of Highways and Arterials in Western Riverside County (the “Regional System”) could be made up in part by a Transportation Uniform Mitigation Fee (“TUMF”) on future residential, commercial and industrial development; and

**WHEREAS**, in furtherance of this plan, the WRCOG Executive Committee adopted the “Western Riverside County Transportation Uniform Fee Nexus Study”, dated October 18, 2002 (the “2002 Nexus Study”); and

**WHEREAS**, based on the 2002 Nexus Study, the City adopted Ordinance No. 277-03 on February 4, 2003 (the “TUMF Ordinance”) pursuant to California Government Code sections 66000 et seq. authorizing the City to impose the Transportation Uniform Mitigation Fee (“TUMF”) upon new development; and

**WHEREAS**, in 2016, the TUMF Nexus Study (“2016 Nexus Study”) was updated for the purpose of updating the fees. On July 10, 2017, the WRCOG Executive Committee reviewed the 2016 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction in order to update the TUMF Program; and

**WHEREAS**, on November 7, 2017 the City adopted Ordinance No. 525-17 which adopted the 2016 Nexus Study and updated the TUMF; and

**WHEREAS**, in 2018, the TUMF Program was altered to adopt a process in which WRCOG calculates and collects TUMF on behalf of member agencies under the Western Riverside County Transportation Uniform Mitigation Fee Program Ordinance of 2018; and

**WHEREAS**, the City adopted Ordinance No. 541-19 on January 15, 2019 allowing WRCOG to calculate and collect TUMF on behalf of the City; and

**WHEREAS**, WRCOG, with the assistance of TUMF Participating Jurisdictions, prepared an updated nexus study entitled “Transportation Uniform Mitigation Fee Nexus Study: 2024 Update” (“2024 Nexus Study”) pursuant to California Government Code sections 66000 et seq. (the Mitigation Fee Act), for the purpose of updating the fees; and

**WHEREAS**, in September 2024, the WRCOG Executive Committee reviewed the 2024 Nexus Study and TUMF Program and recommended TUMF Participating Jurisdictions amend

their applicable TUMF ordinances to reflect changes in the TUMF network and the cost of construction ; and

**WHEREAS**, on March 4, 2025, the City Council approved Ordinance No. 613-25, which adopted the 2024 Nexus Study and its findings; and

**WHEREAS**, the TUMF Administrative Plan calls for a Construction Cost Index (“CCI”) adjustment to be brought forth to the WRCOG Executive Committee on an annual basis; and

**WHEREAS**, on December 1, 2025, the WRCOG Executive Committee approved the implementation of an automatic CCI adjustment for all TUMF land uses tied to the September indices of the National Association of Realtors and Engineering News Record with a cap at 5% of any annual adjustments; and

**WHEREAS**, an automatic CCI adjustment ensures that fee levels keep pace with increases in cost of constructing transportation projects and avoids large increases at comprehensive TUMF Nexus Study updates; and

**WHEREAS**, this approach also allows for consistency and predictability for the TUMF Program, while ensuring that the fair share principles under AB 1600 are satisfied; and

**WHEREAS**, the City Council desires to provide for automatic inflationary adjustments to the TUMF to reflect changes in construction costs over time, without modifying the underlying fee nexus, land use assumptions, or fee methodology; and

**WHEREAS**, this Ordinance also includes minor updates to the definitions portion of the previous Ordinance to clarify the definitions of residential units.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** The definition of “Multi-Family Residential Unit” outlined in Section 3(H) of Ordinance No. 613-25 is hereby amended to read as follows:

“H. “Multi-Family Residential Unit” means a residential dwelling unit that is physically attached to one or more other dwelling units by a shared wall, floor, ceiling, roof, or structural foundation, regardless of the lot or parcel configuration, ownership structure, or type of subdivision (including condominium subdivisions). Multi-family residential units include, but are not limited to, duplexes, townhomes, apartments, and condominiums with attached units. As outlined in the Ordinance, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), as defined by state law, are exempt from TUMF and shall not be counted in determining residential land use classification.”

**SECTION 3.** The definition of “Single Family Residential Unit” outlined in Section 3(N) of Ordinance No. 613-25 is hereby amended to read as follows:

“N. Single Family Residential Unit” means a residential dwelling unit that is physically detached from any other dwelling unit, sharing no common wall, floor, ceiling, roof, or structural foundation with another dwelling unit, regardless of the lot or parcel configuration, ownership structure, or type of subdivision (including condominium subdivisions). As outlined in the Ordinance, accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs), as defined by state law, are exempt from TUMF and shall not be counted in determining residential land use classification.”

**SECTION 4.** Section 4(C)(1) is hereby added to Ordinance No. 613-25 to read as follows:

“Beginning July 1, 2026, and annually thereafter, the Transportation Uniform Mitigation Fee (TUMF) shall be automatically adjusted to reflect changes in construction costs.

The annual adjustment shall be calculated by WRCOG based on a blended Construction Cost Index derived from: (1) the National Association of Realtors – Median Sales Price of Existing Single-Family Homes, and (2) the Engineering News-Record (ENR) Construction Cost Index, using the September values of each index from the prior calendar year.

The percentage adjustment applied to the TUMF shall equal the annual percentage change in the blended index; provided, however, that in no event shall the annual adjustment exceed five percent (5%), whether positive or negative.

The calculated adjustment shall be implemented on July 1 of the year following index calculation.

If either referenced index is discontinued or materially altered, WRCOG shall apply a comparable, industry-recognized index that most closely reflects regional transportation construction costs.”

**SECTION 5.** Effect. No provisions of this Ordinance shall entitle any person who has already paid the TUMF to receive a refund, credit, or reimbursement of such payment. This Ordinance does not create any new TUMF.

**SECTION 6.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this Ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases be declared unconstitutional. If, for any reason, any portion of this ordinance is found to be invalid by a court of competent jurisdiction, the balance of this ordinance shall not be affected.

**SECTION 7.** No Procedural Defenses. Prohibition of Jurisdictions from raising procedural defenses, including, without limitation, a statute of limitations, laches, the California Government Tort Claims Act, and necessary parties in a dispute with WRCOG regarding the matters set forth herein.

**SECTION 8.** Judicial Review. In accordance with State law, any judicial action or proceeding to attack, review, set aside, void or annul this Ordinance shall be commenced within thirty (30) days of the date of adoption of this Ordinance.

**SECTION 9.** Ordinance No. 613-25 This Ordinance amends certain provisions of Ordinance No. 613-25 provided this Ordinance is not declared invalid or unenforceable by a court of competent jurisdiction. If, for whatever reason, this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction, Ordinance No. 613-25 and all other related ordinances and polices shall remain in full force and effect.

**SECTION 10.** Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

**PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Jon Levell, Mayor

ATTEST:

\_\_\_\_\_  
Cristal McDonald, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Tiffany J. Israel, City Attorney

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE   )§  
CITY OF MURRIETA        )

I, Cristal McDonald, City Clerk of the City of Murrieta, California, do hereby certify that the foregoing Ordinance No. 630-26 was duly passed and adopted by the City Council of the City of Murrieta at the regular meeting thereof, held on the \_\_\_th day of \_\_\_\_\_, 2026, and was signed by the Mayor of the said City, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Cristal McDonald, City Clerk

I, Cristal McDonald, City Clerk of the City of Murrieta, California further certify that Ordinance No. 630-26 was duly published according to law and the order of the City Council of said City and the same was so published in Press Enterprise, a newspaper of general circulation on the following date(s):

Introduced Ordinance:

Adopted Ordinance:

In witness whereof, I have hereunto subscribed my name this \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Cristal McDonald, City Clerk