



Board Agenda Item 63

DATE: June 22, 2021

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director
Department of Public Works and Planning

SUBJECT: Transportation Mitigation Impact Fee Agreement for Classified Conditional Use Permit No. 3593 (Harris Ranch Beef Company)

RECOMMENDED ACTION(S):

- 1. Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts from development associated with Classified Conditional Use Permit No. 3593.**
- 2. Approve and authorize Chairman to execute Public Facilities Fee Agreement with Harris Ranch Beef Company for Transportation Mitigation Impact Fees related to road improvements located on the west side of S. McCall Avenue between E. Clarkson and E. Elkhorn Avenues in the amount of \$99,440 plus 3% (\$2,983) for administration of the Public Facilities Fee Fund, effective upon execution.**

Approval of the recommended actions will authorize funds to be collected through the County's Transportation Mitigation Impact Fee Program to help finance the cost of future road improvements. The fees will provide funds necessary to offset the developer's incremental impacts on area-wide roads. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

Your Board may deny the recommended actions identified above. Denial will require your Board to identify the action or actions being denied and to direct Department staff accordingly. The recommended actions are required as a Mitigation Measure of Initial Study Application No. 7373 prepared for Classified Conditional Use Permit No. 3593 and Variance Application No. 4049.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The share of the cost of future road improvements of the development associated with Classified Conditional Use Permit No. 3593 has been calculated to be \$99,440. In addition, the recommended resolution and agreement includes a fee of 3% (\$2,983) of the total fee for administration of the Public Facilities Fee Fund, for a total fee of \$102,423.

To account for inflation, the aforementioned fee will be adjusted annually by the 20-City Average Construction Cost Index published in the Engineering News Record until such time as the fee is paid. The administration fees paid to the County would be deposited in the Department of Public Works and Planning's Org 43600200 budget and spent only for the administration of the program.

DISCUSSION:

Initial Study Application No. 7373, Conditional Use Permit (CUP) No. 3593, and Variance Application No. 4049, approved by the Planning Commission on August 23, 2018, allowed expansion of an existing cattle slaughtering and meat processing plant on five contiguous parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject property is located on the west side of S. McCall Avenue between E. Clarkson and E. Elkhorn Avenues as shown in Exhibit A. Approval of the recommended actions will provide for the fulfillment of a mitigation measures required by the CUP.

Transportation Mitigation Impact Fees to finance and mitigate traffic impacts of new development may be imposed by your Board under the provisions of Fresno County Ordinance Code, Title 17 - Division of Land, Chapter 17.88 - Public Impact Fees. Pursuant to California Government Code, Section 66001, in order to impose the fee, your Board must:

- Identify the purpose of the fee;
- Identify the use to which the fee is to be put;
- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed;
- Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed; and
- Determine that there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

A Traffic Impact Study (TIS) was conducted as part of the Initial Study. The TIS identified cumulative transportation and circulation impacts beyond the boundary of the project and specified the measures required to mitigate those impacts.

A detailed study entitled "FRESNO COUNTY PRO-RATA SHARE Classified Conditional Use Permit Number 3593 - Harris Ranch Beef Company Expansion" dated June 21, 2018 (Cost Study) outlining the then costs of construction of the identified improvements listed in the TIS was prepared by the Department of Public Works and Planning and is included as Exhibit B . The estimated cost includes the engineering cost for design and construction administration.

In the June 2018 Cost Study, a Traffic Index Analysis was completed to project the impact CUP 3593 project activities would have on County roadways surrounding the project location. The analysis showed the project's truck traffic will have a significant impact to the roadway of McCall Avenue between Clarkson Avenue and Elkhorn Road. The projects truck traffic will have increased the TI of the roadway by 0.5, which is considered a significant impact. The Cost Study indicated that project proponent would be required to mitigate the impact by paying a fair-share fee based on the increase in the equivalent single axial load (ESAL) from existing and existing with project. The project proponent's fair-share percentage for these roadway segments were listed as 43.4% fair-share percentage for McCall Avenue (Clarkson Avenue to project site) and 40.6% for McCall Avenue (project site to Elkhorn Avenue.)

The current estimated cost for construction of the identified improvements is a set Transportation Mitigation Fee of \$99,440 plus 3% (\$2,983) for administration of the Public Facilities Fee Fund for the development, for a total fee of \$102,423. The fee will continue to be adjusted annually based on the change in the Engineering News Record, 20-City Average Construction Cost Index.

With your Board's approval, the set fee being established will be collected prior to the issuance of building permits for any development on the property or would be required prior to occupancy of the project improvements, will be placed in accounts administered by the County, and spent only for the projects listed in Exhibit B. The accounts will be reviewed annually at a public hearing before your Board. In that annual hearing, your Board will need to make findings regarding any portion of the fee remaining unexpended or

uncommitted for five or more years after deposit, to identify the purpose to which the fee is put, and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged. If during those annual hearings the Board cannot make the required findings, any unexpended or uncommitted fees, with accrued interest, may be refunded to the then-current owners.

REFERENCE MATERIAL:

Planning Commission Resolution No. 12735, August 23, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A - Map
Exhibit B - Cost Study
On file with Clerk - Agreement with Harris Ranch
On file with Clerk - Resolution

CAO ANALYST:

Ron Alexander