

1 WHEREAS, measures to mitigate the transportation and circulation impacts are
2 identified in the TIA; and,

3 WHEREAS, a detailed study of the cost of construction of those mitigation measures
4 was prepared by the Department of Public Works and Planning entitled "Tract 4968 Traffic
5 Impact Mitigation Costs" dated March 2018 (Cost Study) and is on file with the Department
6 of Public Works and Planning, Development Services and Capital Projects Division; and,

7 WHEREAS, said TIA sets forth the relationship between the proposed development
8 and the needed facilities and said detailed study estimated the cost of those improvements;
9 and,

10 WHEREAS, these studies were made available for public inspection and review for at
11 least 10 days prior to this public hearing, as required by Government Code section 66019;
12 and,

13 WHEREAS, the IS Mitigation Measures require the payment of Transportation
14 Mitigation Fees to fund the construction of improvements to mitigate impacts caused by
15 development of Tract No. 4968; and,

16 WHEREAS, the public health, safety, peace, morals, convenience, comfort, prosperity
17 and general welfare will be promoted by the adoption of a Transportation Mitigation Fee for
18 construction, expansion or improvement of Traffic Impact; and,

19 NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Fresno County
20 that:

21 1. Findings.

22 The Board makes the following findings:

23 A. All of the recitals stated above are true and correct.

24 B. The purpose of the Transportation Mitigation Fee is to finance public facility
25 improvements to mitigate the impact caused by development of Tract No. 4968.

26 Such improvements include the expansion and construction of public roads.
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- 1 C. The fees collected pursuant to this resolution shall be used to finance the cost of
2 improvements that mitigate traffic impacts identified in Exhibit A attached to this
3 resolution.
- 4 D. After considering the TIA and Cost Study (together, Studies), and the testimony
5 received at this public hearing, the Board of Supervisors approves and adopts the
6 Studies and incorporates them into this resolution, and further finds that the
7 development of Tract No. 4968 will generate additional demands on roads.
- 8 E. As development occurs throughout various places in the County, including but not
9 limited to the Shaver Lake area and within the Millerton Specific Plan area, there
10 will be a need for expanded, improved, or newly constructed roads that serve
11 Tract No. 4968. Said roads have been called for in the County's General Plan.
- 12 F. The Studies and the testimony establish:
- 13 1. That there is a reasonable relationship between the fee's use, namely,
14 expanded, improved, or newly constructed roads, as described above, and
15 the type of development for which the fee is charged, which is residential
16 development associated with Tract 4968, as described above;
 - 17 2. That there is a reasonable relationship between the need for the
18 improvements as designated in Exhibit A and the traffic impacts of the
19 development of Tract No. 4968 as identified in the Studies, for which the
20 corresponding fee is charged;
 - 21 3. That the cost estimates set forth in Exhibit A are reasonable cost estimates
22 for constructing these facilities, and the fees expected to be generated by
23 development of Tract No. 4968 do not exceed the total costs of constructing
24 the improvements identified in Exhibit A.
 - 25 4. That the amount of the fee will not exceed the estimated reasonable cost of
26 the public facilities or portion of the public facilities attributable to the
27 development of Tract No. 4968 on which the fee is imposed; and,
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1 2. Fee Imposed.

2 A Transportation Mitigation Fee, in the amount stated in section 3 below, shall be
3 charged and paid before the issuance of a building permit for each residential lot
4 developed in Tract No. 4968.

5 3. Amount of Transportation Mitigation Fee.

6 a. The fee for each single-family lot in Tract No. 4968 shall be \$10,762.00.

7 b. The amount of the fee shall be adjusted on January 15 annually by a
8 percentage equal to the change in the Engineering News Record
9 Construction Cost Index for 20 Cities for the preceding year as
10 published in the Fourth Quarterly Cost Issue in the preceding
11 December.

12 4. Exemptions from Fee.

13 a. The Transportation Mitigation Fee shall not be imposed on any of the
14 following:

- 15 1. Any alteration or addition to a residential structure, except to the
16 extent that additional residential structures are created in
17 addition to an existing residential structure on the same parcel;
- 18 2. Any alteration or addition to a non-residential structure, unless
19 the alteration or addition changes the use of the structure to a
20 higher density category or will result in the generation of
21 additional peak hour trip ends;
- 22 3. Any replacement or reconstruction of any residential, commercial
23 or industrial development project that is damaged or destroyed
24 as a result of a natural disaster as declared by the Governor.
- 25 4. Whenever the alteration, addition, replacement or reconstruction
26 is not exempt, the fee shall be imposed only on the additional
27 residential structures.

1 5. Payment of Other Fees Required.

2 a. Notwithstanding any other provision of this Resolution, the developer of
3 Tract No. 4968 is, and subsequent property owners as applicable are,
4 responsible for the payment of all other applicable assessments, fees,
5 or charges adopted by the County.

6 b. Nothing in this Resolution affects the obligation of any person to pay
7 other fees established pursuant to Fresno County Ordinance Code, or
8 any other applicable law, so long as this fee shall not result in a
9 duplicate fee for any development or portion thereof.

10 6. Use of Fee Revenues.

11 a. The revenues collected by payment of the Transportation Mitigation
12 Fee shall be placed in the Transportation Mitigation accounts and such
13 revenues, plus any interest earnings on each account, shall be used for
14 the following purposes:

15 1. To pay for and/or reimburse for design and construction of
16 designated improvements and reasonable costs of outside
17 consultant studies related thereto;

18 2. To reimburse developers who have designed and constructed
19 designated improvements which are oversized with
20 supplemental size, length, or capacity, if any; and

21 3. To pay for and/or reimburse costs of ongoing administration of
22 the Transportation Mitigation Fee program.

23 7. Expenditure of the Fees.

24 a. Fees in the Traffic Impact accounts shall be expended only for those
25 facilities listed in Exhibit A and only for the purpose for which the fee
26 was collected.

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b. The standards upon which the needs for facilities are based are the standards of the County. Proceeds of the Transportation Mitigation Fee shall not be used to pay for existing deficiencies of any public facilities.

8. Administrative Regulations.

The Director of the Department of Public Works and Planning shall develop procedures for the effective implementation and administration of the Transportation Mitigation Fee and to annually review and update the Fee Schedule.

9. Review.

The Transportation Mitigation Fee for Tract No. 4968 shall be reviewed annually by the Board in accordance with the provisions of Chapter 17.88.060 of the Fresno County Ordinance Code.

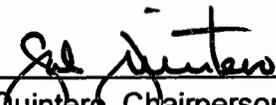
THE FOREGOING, was passed and adopted by the following vote of the Board of Supervisors of the County of Fresno this 1st day of May, 2018, to-wit:

AYES: Supervisors Borgeas, Magsig, Mendes, Pacheco, Quintero

NOES: None

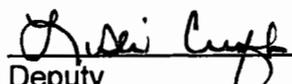
ABSENT: None

ABSTAINED: None



Sal Quintero, Chairperson of the Board of Supervisors of the County of Fresno

ATTEST:
Bernice E. Seidel
Clerk of the Board of Supervisors
County of Fresno, State of California

By 

Deputy

EXHIBIT A

TRACT 4968 TRAFFIC IMPACT MITIGATION COSTS MARCH 2018

TRACT 4968 (106 UNITS)												
MITIGATION IMPROVEMENTS	UNIT CONSTRUCTION COST	PROJECT TRAFFIC	2020 CUMULATIVE TRAFFIC	TOTAL PROJECT PERCENT SHARE (1123 UNITS)	PROJECT PERCENT SHARE FOR TRACT 4968	LENGTH IN MILES	CONSTRUCTION COSTS	10% DESIGN ENGINEERING	15% CONSTRUCTION ENGINEERING	PROJECT SHARE R/W Acquisition	TOTAL PROJECT SHARE	
SIGNAL LOCATION												
FRONT AT COPPER/MILLBROOK*	\$ -	295 per pm pk hour	2612 per pm pk hour	11.25%	1.05%	N/A	\$0				\$14,851	
FRONT AT WILLOW	\$ 1,000,000	311 per pm pk hour	2500 per pm pk hour	12.44%	1.17%	N/A	\$11,721	\$1,170	\$1,760		\$2,051	
FRONT AT NORTH FORK RD.*	\$ 148,500	334 per pm pk hour	2847 per pm pk hour	11.73%	1.11%	N/A	\$1,641	\$160	\$250		\$3,222	
WILLOW AT COPPER	\$ 750,000	86 per am pk hour	2361 per am pk hour	3.64%	0.34%	N/A	\$2,572	\$280	\$390		\$2,338	
MILLERTON AT AUBERRY	\$ 750,000	39 per am pk hour	1479 per am pk hour	2.64%	0.25%	N/A	\$1,866	\$190	\$280		\$5,555	
MILLERTON AT SKY HARBOR	\$ 750,000	116 per am pk hour	1845 per am pk hour	6.29%	0.59%	N/A	\$4,445	\$440	\$670		\$4,268	
MILLERTON AT BRIGHTON CREST	\$ 500,000	117 per am pk hour	1613 per am pk hour	7.25%	0.68%	N/A	\$3,416	\$340	\$510		\$12,897	
MILLERTON AT MARINA	\$ 500,000	459 per am pk hour	2096 per am pk hour	21.80%	2.05%	N/A	\$10,317	\$1,030	\$1,550		\$0	
MILLERTON AT TABLE MOUNTAIN*	\$ -	47 per am pk hour	852 per am pk hour	5.52%	0.52%	N/A	\$0	\$0	\$0		\$2,550	
AUBERRY AT COPPER**	\$ 210,000	256 per am pk hour	2482 per am pk hour	10.31%	0.97%	N/A	\$2,040	\$200	\$310		\$14,797	
AUBERRY AT MARINA DRIVE/WINCHHELL COVE	\$ 750,000	318 per am pk hour	1898 per am pk hour	16.75%	1.59%	N/A	\$11,937	\$1,180	\$1,780			
ROAD IMPROVEMENTS												
FRONT ROAD												
Copper River Drive to Willow* (2 lane to 4 lane expressway)	\$ 198,500	2779 per day	18,480	15.03%	1.42%	1.80	\$5,060	\$510	\$780		\$8,330	
Willow to Bugg* (2 lane to 4 lane expressway)	\$ 198,500	2925 per day	24,340	12.02%	1.13%	4.30	\$9,667	\$970	\$1,450		\$12,087	
Buggs to North Fork Rd* (2 lane to 4 lane arterial)	\$ 198,500	2925 per day	21,800	13.42%	1.26%	0.86	\$2,209	\$220	\$330		\$2,759	
MILLERTON ROAD												
North Fork Rd. to Marina Drive*** (2 lane to 4 lane arterial)	\$ 5,461,700	3290 per day	20,440	16.10%	1.52%	3.15	\$260,880	\$20,879	\$30,148		\$321,013	
Marina Drive to Sky Harbor Rd*** (2 lane to 4 lane arterial)	\$ 5,461,700	1087 per day	15,370	7.14%	0.67%	1.10	\$40,418	\$3,233	\$8,063		\$49,714	
Sky Harbor to Auberry Rd (2 lane to 4 lane arterial)	\$ 4,599,500	366 per day	7,430	4.93%	0.46%	1.50	\$52,048	\$5,205	\$4,807		\$40,060	
Total Right - of - Acquisition Cost:	\$ 860,000				0.83% (average of three)					\$7,304	\$7,304	
WILLOW AVENUE												
Front Rd to Copper Ave. (add 2 lanes)	\$ 1,797,000	146 per day	7,030	2.08%	0.20%	1.85	\$6,298	\$630	\$945		\$7,973	
Total Right - of - Acquisition Cost:	\$ 600,000				0.20%					\$1,200	\$1,200	
AUBERRY ROAD												
Copper to Marina Drive (2 lane to 4 lane arterial)	\$ 4,163,000	3557 per day	21,229	17%	2%	7.50	\$492,882	\$48,289	\$73,934		\$816,115	
Total Right - of - Acquisition Cost:	\$ 700,000				2.00%					\$14,000	\$14,000	
											\$1,140,780	
											\$ 10,762	
											per unit cost (106 units)	

*Improvement are constructed. The fees are being collected until County's share has been met.
 **Improvement are being designed by County
 *** Fe estimated at 8K