



# Board Agenda Item 45

DATE: January 21, 2020

TO: Board of Supervisors

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

SUBJECT: Transportation Mitigation Impact Fee Site Plan Review Application No. 8101 (McCall Investment Corporation)

## RECOMMENDED ACTION(S):

- 1. Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts from development associated with Site Plan Review Application No. 8101; and**
- 2. Approve and authorize Chairman to execute Public Facilities Fee Agreement with McCall Investment Corporation, for Transportation Mitigation Impact Fees related to the intersection improvements at Belmont and McCall Avenues in the amount of \$8,788 plus 3% (\$264) for administration of the Public Facilities Fee Fund, effective upon execution.**

**The subject property is located on the northeast corner of E. Kings Canyon Road (State Route 180) and N. McCall Avenue.**

Approval of the recommended actions will authorize \$8,788 to be collected from McCall Investment Corporation through the County's Transportation Mitigation Impact Fee Program to help finance the cost of future road improvements as needed related to development. The fees will offset the developer's incremental impacts on area-wide roads. This item pertains to a location in District 5.

## ALTERNATIVE ACTION(S):

There are no alternative actions. Approval of the recommended actions are required to fulfill Conditions of Approval associated with Site Plan Review No. 8101, Amendment Application (AA) No. 3799, General Plan Amendment (GPA) No. 537 and adopted Mitigated Negative Declaration (MND) prepared for Initial Study (IS) Application No. 6736.

## FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The development's share of the cost of the future road improvements is estimated at \$8,788 as of December 2019. The total share costs consist of construction unit cost, project percent share, construction cost, preliminary engineering and construction engineering of the Belmont and McCall signalization. In addition, the recommended resolution includes a fee of 3% (\$264) of the total fee for administration of the fee. The fee will be adjusted annually by the 20-City Average Construction Cost Index published in the Engineering News Record to account for inflation. The administration fees paid to the County would be deposited in the Department of Public Works and Planning Org 1373 and will be spent only for the administration of the fee program.

## DISCUSSION:

On September 30, 2014, the Board adopted the Mitigated Negative Declaration prepared for IS Application No. 6736 including the Mitigated Monitoring and Reporting Program prepared for GPA No. 537 and AA No. 3799 to allow the rezoning of a 5.22-acre portion of a 13.06-acre parcel from the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District to the C-2 (Community Shopping Center) Zone District. The subject property is located on the northeast corner of E. Kings Canyon Road (State Route 180) and N. McCall Avenue as shown in Attachment A.

Approval of the recommended actions will provide for the fulfillment of conditions of approval required by IS Application No. 6736, AA No. 3799 and GPA No. 537.

Transportation Mitigation Impact Fees to finance and mitigate traffic impacts of new development may be imposed by your Board under the provisions of Title 17 - Division of Land, Chapter 17.88 - Public Impact Fees of the Fresno County Ordinance Code and the Mitigation Fee Act (California Government Code, sections 66000, et seq.). In order to impose the fee, your Board must:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.
4. 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.

A Traffic Impact Study (TIS) for AA No. 3799 and GPA No. 537 was prepared as part of IS Application No. 6736. IS Application No. 6736 identified pro rata share percentages and estimated costs for off-site traffic improvements as a mitigation measure as listed in Attachment B (Mitigation Monitoring and Reporting Program). Payment of the project's pro rata share of cost of road improvements to mitigate those impacts identified in the TIS was adopted as a condition of approval for IS Application No. 6736, AA No. 3799 and GPA No. 537.

The current estimated cost for construction of the identified improvements is a set Transportation Mitigation Fee of \$8,788 plus 3% (\$264) for administration of the Public Facilities Fee Fund for the development. The fee will continue to be adjusted annually based on the change in the Engineering News Record Construction Cost Index.

With your Board's approval, the 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, and will be placed in accounts administered by the County, and spent only for the projects listed in Attachment C. The accounts will be reviewed annually at a public hearing before your Board. In that annual hearing, your Board must 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 applied, 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 current owner(s) at the time of determination.

## REFERENCE MATERIAL:

BAI #13, September 30, 2014

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachments A - C

On file with Clerk - Resolution

On file with Clerk - Public Facilities Fee Agreement

CAO ANALYST:

Sonia M. De La Rosa