



# Board Agenda Item 63

DATE: July 9, 2019

TO: Board of Supervisors

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

SUBJECT: Transportation Mitigation Impact Fees for Tract No. 4934

RECOMMENDED ACTION(S):

**Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts associated with the development of Tract No. 4934.**

**The subject property is located on the south side of Millerton Road between the Brighton Crest Subdivision and the Friant-Kern Canal.**

Approval of the recommended action will authorize funds to be collected through the County's Transportation Mitigation Impact Fee Program (Program) to help finance the cost of future road improvements resulting from the development of Tract No. 4934, as needed. This item pertains to a location in District 5.

ALTERNATIVE ACTION(S):

There are no alternative actions. Approval of the recommended action is required to fulfill Conditions of Approval associated with the Vesting Tentative Tract No. 4934, Classified Conditional Use Permit No. 2935, Site Plan Review No. 7044 or Mitigation Measures adopted and/or approved through the associated Environmental Assessment (i.e. Initial Study) No. 4610.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The project's share of the cost of the future road improvements is estimated at \$11,074 per lot. The recommended resolution includes an additional fee of 3% of the total improvement costs for the administration of the Program, which will be adjusted annually by the 20-City Average Construction Cost Index published in the Engineering News Record. The fees paid to the County would be deposited into the Department of Public Works and Planning Org 43600200 and will be spent only for the administration of the Program.

DISCUSSION:

Vesting Tentative Tract No. 4934 will result in a 106-lot subdivision, located on the south side of Millerton Road between the Brighton Crest Subdivision and the Friant-Kern Canal as shown in Attachment A.

Adoption of the recommended resolution will provide for the fulfillment of the Tract's requirement to mitigate traffic impacts resulting from new development. This was required either directly or through the fulfillment of the conditions of approval associated with Vesting Tentative Tract No. 4934, Classified Conditional Use

Permit No. 2935, Site Plan Review No. 7044 or Mitigation Measures adopted and/or approved through the associated Environmental Assessment No. 4610 (Tract No. 4934) and must be completed prior to the recordation of the Final Map. .

Transportation Mitigation Impact Fees to finance and mitigate traffic impacts of new development may be imposed by the Board under the provisions of Fresno County Ordinance Code, Title 17 - Division of Land, Chapter 17.88 - Public Impact Fees. 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; and
- 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 .

The Environmental Assessment (EA) No. 4610 identified cumulative transportation and circulation impacts that will result from the development, and specified the measures required to mitigate those impacts. A Transportation Impact Analysis (TIA) prepared by a consultant, estimated the traffic that will be generated by the development of Tract No. 4968 and distributed that traffic over the circulation. The TIA analyzed the operation of the system with and without the development and identified locations where the system will operate below minimum standards, which are a Level of Service determined by the agency having jurisdiction over the facility, at build-out.

A detailed study entitled "Traffic Impact Mitigation Costs" for Tract 4968 dated March 2019 (Cost Study) outlining the 106-unit cost of construction for the identified improvements listed in the TIA was prepared by the Department and is included as Attachment B. The estimate includes the engineering costs for design and construction administration.

EA No. 4610 identified the development's share of the future road improvements as 2.8% to 21.9% of the total cost of the road improvements. Based on these percentages, the development's share of the construction cost is estimated at \$11,406 per lot, including the 3% Administrative Fee. The fee will continue to be adjusted annually based on the change in the Engineering News Record, 20-City Average Construction Cost Index.

The fees will be collected prior to the issuance of building permits for residences on each lot of the development, will be placed in accounts administered by the County, and will be spent only for the projects listed in Attachment B. The accounts will be reviewed annually at a public hearing before the Board, where findings regarding any portion of the fee remaining unexpended or uncommitted for five or more years after deposit can be made; 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 the annual hearing the Board cannot make the required findings, any unexpended or uncommitted fees, with accrued interest, may be refunded to the then-current owners.

With your Board's approval, the Transportation Mitigation Impact Fees will be imposed to collect funds to be deposited into fund accounts which will be used to mitigate transportation and circulation impacts caused by the development of Tract No. 4934.

REFERENCE MATERIAL:

BAI #20, December 16, 2003

BAI #1, November 3, 2003

BAI #3, September 7, 2000

ATTACHMENTS INCLUDED AND/OR ON FILE:

Attachment A - B  
On file with Clerk - Resolution

CAO ANALYST:

Sonia M. De La Rosa