



# County of Fresno

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## Legislation Details (With Text)

**File #:** 19-0711      **Name:** Resolution establishing Transportation Mitigation Impact Fess for Classified Conditional Use Permit Application No. 3597

**In control:** Public Works & Planning

**On agenda:** 6/18/2019      **Final action:** 6/18/2019

**Enactment date:**      **Enactment #:** Resolution No. 19-267, Agreement No. 19-304

**Title:** Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts associated with development of Classified Conditional Use Permit Application No. 3597- Kings River Packing Expansion Project; approve and authorize Chairman to execute Traffic Mitigation, Maintenance, and Repair Agreement with Kings River Packing, Inc. for payment of pro rata share of total cost for maintenance and restoration of impacted segments of E. Trimmer Springs and Oliver Roads associated with Classified Conditional Use Permit Application No. 3597, effective upon execution through June 18, 2029, total not to exceed \$485,000, subject property is located on east side of Trimmer Springs Road, approximately three miles southwest of unincorporated community of Piedra

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. Agenda Item, 2. Exhibits A - C, 3. Resolution No. 19-267, 4. Agreement A-19-304 with Kings River Packing, Inc.

Date	Ver.	Action By	Action	Result
6/18/2019	1	Board of Supervisors	Conducted Hearings	Pass

**DATE:** June 18, 2019

**TO:** Board of Supervisors

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

**SUBJECT:** Transportation Mitigation Impact Fees and Traffic Mitigation, Maintenance, and Repair Agreement for Classified Conditional Use Permit Application No. 3597 - Kings River Packing Expansion Project (Applicant: Kings River Packing, Inc.)

### RECOMMENDED ACTION(S):

- 1. Adopt Resolution establishing Transportation Mitigation Impact Fees to mitigate transportation and circulation impacts associated with development of Classified Conditional Use Permit Application No. 3597- Kings River Packing Expansion Project.**
- 2. Approve and authorize the Chairman to execute Traffic Mitigation, Maintenance, and Repair Agreement with Kings River Packing, Inc. for payment of the pro rata share of the total cost for maintenance and restoration of impacted segments of E. Trimmer Springs and Oliver Roads associated with Classified Conditional Use Permit Application No. 3597- Kings River Packing Expansion Project, effective upon execution through June 18, 2029, total not to exceed \$485,000.**

**The subject property is located on the east side of Trimmer Springs Road, approximately three miles southwest of the unincorporated community of Piedra (21095 E. Trimmer Springs Road, Sanger, CA 93657).**

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 to Trimmer Springs and Oliver Roads (Roads) resulting from the approval of an expansion of an existing fruit packing and storage facility. The recommended agreement will establish the baseline Pavement Condition Index (PCI) for impacted segments of the Roads with the Applicant agreeing to fund any road improvements up to a maximum of \$485,000 to maintain and restore pavement conditions for the roads. This item pertains to a location in District 5.

#### ALTERNATIVE ACTION(S):

There are no alternative actions. Approval of the recommended actions is required to fulfill Mitigation Measure requirements adopted with Initial Study Application No. 7410 and Classified Conditional Use Permit Application (CUP) No. 3597.

#### FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions. The project's total fair share cost of the future road improvements is a maximum of \$485,000 (\$360,467 for Trimmer Springs and \$124,533 for Oliver). Funds collected by the Department of Public Works and Planning will be used to reimburse initial outlays of funds paid by the Department for maintenance work performed necessitated by development. The Transportation Mitigation Impact Fees and associated implementation agreement will be put in place to collect funds, deposited into accounts to be used to mitigate transportation and circulation impacts, for the development of improvement associated with CUP 3597. Funds collected will be used to reimburse the Department's Road Fund 0010, Org. 4510, Sufficient appropriations and estimated revenues are included in the Department's - Roads Org 4510 FY 2019-20 Recommended Budget and will be included in budget requests for the term's duration.

#### DISCUSSION:

CUP 3597, approved by the Planning Commission on June 28, 2018, authorized the phased expansion of an existing 10.89-acre commercial fruit packing and storage operation located at 21095 E. Trimmer Springs Road (Exhibit A) by an additional 5.75 acres of processing, storage, and office space in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) and AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone Districts. Phase I of the expansion proposal includes construction of a loading dock and a 77,500 square-foot addition to an existing metal building to be utilized for fruit cold storage and office space. Phase II of the expansion proposal includes construction of a 173,000 square-foot addition to an existing metal building to be utilized for fruit packing and office space.

#### **Transportation Mitigation Impact Fees**

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

A Traffic Impact Study (TIS) for CUP No. 3567 was prepared as part of Initial Study Application No. 7410. The TIS identified cumulative transportation and circulation impacts beyond the boundary of the future road improvements to impacted segments of the Roads resulting from the approval of an expansion of an existing fruit packing and storage facility project (Project). 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 CUP No. 3597. The TIS analyzed the operation of the County's roadway system with and without the development and identified locations, segments of the Roads) where the system will be impacted by the development at build-out. The TIS identified the following traffic and circulation impacts to segments of the Roads to be mitigated by the development:

- Pro-rata share of 38% for the total cost incurred by County for roadway maintenance and restoration work for an approximate 2.3-mile segment of Trimmer Springs Road from the project site terminating at Flume Avenue; and
- Pro-rata share of 38% for the total cost incurred by County for roadway maintenance and restoration work for an approximate one mile segment of Oliver Road from Belmont Avenue to State Route 180

The Department prepared a summary of the current costs of construction improvements identified in the TIS, included as Exhibit B. The estimated cost includes the engineering costs for design and construction administration.

The Mitigated Negative Declaration identified the development's share of cost for the future road improvements at 38% of the total cost. Based on the percentage, the development's share of the estimated construction cost is a maximum of \$485,000.

### **Traffic Mitigation, Maintenance, and Repair Agreement**

The proposed agreement establishes baseline Pavement Condition Index (PCI) for Trimmer Springs Road (PCI of 64) and Oliver Road (PCI of 67). The Applicant agrees to fund any road improvements up to a maximum of \$485,000 to maintain and restore pavement conditions for the Roads at the baseline PCI. As required by the agreement, Department staff will conduct bi-annual monitoring of the road segments and evaluate whether the conditions of the impacted segments have been reduced below the current PCI baselines. If improvements become necessary, the Department will undertake them and issue written demand for payment by the Applicant. The Department shall keep an accounting of all monies reimbursed by the Applicant and anticipates a schedule of maintenance work on the impacted segments to be completed by FY 2024-25 as described in Exhibit C. The term of the agreement is for a 10-year period.

### **ATTACHMENTS INCLUDED AND/OR ON FILE:**

Exhibit A - C

On file with Clerk - Resolution

On file with Clerk - Traffic Mitigation, Maintenance, and Repair Agreement with Kings River Packing, Inc.

### **CAO ANALYST:**

Sonia M. De La Rosa