



RESOLUTION NO. 2007-117

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, ADOPTING THE 447th AMENDMENT TO THE MASTER FEE SCHEDULE RESOLUTION NO. 80-420 TO INCREASE THE CITY-WIDE TRAFFIC SIGNAL MITIGATION IMPACT FEE IN THE PLANNING AND DEVELOPMENT SECTION

WHEREAS, the City desires to increase the City-wide Traffic Signal Mitigation Impact Fee; and

WHEREAS, in accordance with the Government Code, at least 14 days prior to the public hearing at which this Resolution was adopted, notice of the time and place of the hearing was mailed to eligible interested parties who filed written requests with the City for mailed notice of meetings on new or increased fees or service charges; and

WHEREAS, in accordance with the Government Code, the City-Wide Traffic Signal Mitigation Impact Fee, Nexus Analysis for Proposed Fee Update, dated March 15, 2007 (the Fee Study) was made available for public review and comments for 10 days prior to the public hearing at which this Resolution was adopted; and

WHEREAS, 10 days advance notice of the public hearing at which this Resolution was adopted was given by publication in accordance with Section 6062a of the Government Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, as follows:

After considering the Fee Study, the Traffic Signal Capital Improvements, Report to the City Council, supporting attachments, all correspondence received and any public testimony received during the public hearing held on March 27, 2007, ("the Record"), the City Council makes the following findings:

1. The purpose of the fee is to finance the traffic signals and related improvements necessary to reduce traffic-related impacts caused by future development in the City. The necessary improvements are incorporated into the Fee Study, which includes the Updated Traffic Signal Capital Improvements and are hereinafter defined and referred to as "Improvements and Facilities."

The Improvements and Facilities are needed to accommodate new development in the City and in the surrounding region. New development will pay its proportionate share of such improvements. The Improvements and Facilities are necessary to maintain level of service standard of LOS D required by Policy E-1-f of the City's 2025 General Plan.

2. The traffic signal impact fees shall be used to finance the Improvements and Facilities. The updated estimated capital cost for the traffic control mitigation measures is \$191,566,641. This includes traffic signals at major half-mile intersections, conversion of fixed time traffic controllers to actuated traffic controllers, reconstruction of various traffic signals downtown, additional signals in the center part of the City, addition of traffic signals at the freeway ramps on Highways 41 and 99, left turn phasing in various locations, dual

Adopted 3/27/07  
 Approved 3/30/07  
 Effective 3/30/07

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left turn phasing in various locations, a portion of the cost of the installation of the traffic control management center, installation of fiber optic and intersection inter-connection and surveillance systems, and administration of the Traffic Signal Impact Mitigation Fee Program.

3. The Record demonstrates that there is a reasonable relationship between the fee's use to pay for the construction of the Improvements and Facilities and the type of development for which the fee is charged in that all new development in the City—both residential and non-residential—generates or contributes to the need for the Improvements and Facilities.
4. The Record demonstrates that there is a reasonable relationship between the need for the Improvements and Facilities and the impacts of the types of development for which the fee is charged in that new development in the City—both residential and non-residential—will generate automobile traffic that generates or contributes to the need for the Improvements and Facilities.
5. The Record demonstrates that there is a reasonable relationship between the amount of the fee and the cost of the Improvements and Facilities or portion thereof attributable to new development in the City in that the fee is calculated based on the number of trips generated by specific types of land uses, the total amount it will cost to construct the Improvements and Facilities, and the percentage by which new development contributes to the need for the Improvements and Facilities.
6. The Record demonstrates that the cost estimates set forth in the Fee Study and the Traffic Signal Capital Improvements are reasonable cost estimates for constructing the Improvements and Facilities, and the Fees expected to be generated by new development will not exceed the projected costs of constructing the Improvements and Facilities.
7. The Record demonstrates that the method of allocation of the fee to particular developments, set forth in the Fee Study bears a fair and reasonable relationship to each development's burden on, and benefit from, the Improvements and Facilities to be funded by the fee, in that the fee is calculated based on the number of average daily automobile trips (ADT's) a particular development will generate.
8. THAT the Master Fee Schedule Resolution No. 80-420 is hereby amended to increase the City-wide Traffic Signal Mitigation Impact Fee as set forth in the Record. The revised page(s) of the Master Fee Schedule is attached and made a part of this Resolution.

In accordance with Government Code Section 66017, the Fee shall be effective 60 days from the effective date of this Resolution.

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BE IT FURTHER RESOLVED that the City Council adopts the Finding of Conformity with the Master Environmental Impact Report No. 10130, Environmental Assessment No. PW 06-06-27.



\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 27th day of March, 2007.

AYES : Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea  
NOES : None  
ABSENT : None  
ABSTAIN : None

Mayor Approval: March 30, 2007  
Mayor Approval/No Return: N/A, 2007  
Mayor Veto: N/A, 2007  
Council Override Vote: N/A, 2007

REBECCA E. KLISCH  
City Clerk

BY: Rebecca Klisch  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: Lei Yukun  
Deputy

MK:TY:pn[reso-MFS traffic signal]-03/23/07



# CITY OF FRESNO MASTER FEE SCHEDULE

## PLANNING & DEVELOPMENT FEES

### UGM TRUNK SEWER CHARGE (FMC 9-503; RESOLUTION 83-40)

<b>Millbrook Overlay Sewer Service Area</b> (Reso 87-376)	
Area north of Shepherd Avenue (except Dominion Planned Community)	393.00 per Gross Acre (except area of major streets)
Remaining undeveloped land in Woodward Lakes	695.00 per Gross Acre (except area of major streets)
Dominion Planned Community area	44.00 per Residential Unit in excess of approved densities for each village or 2,377 total units (Ord. 90-43) effective 05/18/90
Area south of Shepherd Avenue	240.00 per Gross Acre (except area of major streets)

### UGM TRAFFIC SIGNAL CHARGE (FMC 11-226)

Fee Description & Unit/Time	Current	Proposed	Amend
<b>Traffic Signal Charge</b>			424
Impact Fee per ADT	41.47/ADT	45.98/ADT	
<del>Commercial Typical Office/Retail Facility</del>	<del>1.78/sq ft</del>		447
<del>Commercial Fast Food (496 ADT's)</del>	<del>20.57/sq ft</del>		
<del>Commercial Mini-Mart w/gas (845 ADT's)</del>	<del>35.04/sq ft</del>		
<del>Industrial</del>	<del>.29/sq ft</del>		
<del>Public Facility</del>	<del>1.49/sq ft</del>		
<del>Residential High Density</del>	<del>290.28/unit</del>		
<del>Residential Medium-High Density</del>	<del>331.75/unit</del>		
<del>Residential Medium Density</del>	<del>414.69/unit</del>		
<del>Residential Medium-Low Density</del>	<del>414.69/unit</del>		
<del>Residential Low Density</del>	<del>414.69/unit</del>		
Residential Detached Single-Family Dwelling Unit		440.03/unit	
Residential Multi-Family Dwelling Unit including apartments and condominiums with shared parking		308.99/unit	

NOTE: For mixed-use development or other developments not listed above, refer to the most current edition of the Institute of Transportation Engineers Trip Generation Manual to determine the weighted Average Daily Trip(s) (ADT) of the composite developed square footage times the unit impact fee of ~~\$41.47~~ 45.98 per ADT.

March 28, 2007

Council Adoption: 3/27/07  
Mayor Approval:  
Mayor Veto:  
Override Request:

TO: MAYOR ALAN AUTRY

RECEIVED

FROM: REBECCA E. KLISCH, CMC  
City Clerk

REK  
2007 MAR 30 PM 2: 12  
CITY CLERK, FRESNO CA



SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 3/27/07, Council adopted the attached Resolution No. 2007-117 entitled **447<sup>th</sup> amndmnt to MFS, for City-wide traffic signal mitigation impact fees**, Item No. **10:00 a.m. #2 – 3**, by the following vote:

Ayes	:	Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
Noes	:	None
Absent	:	None
Abstain	:	None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before April 9, 2007. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10<sup>th</sup> day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

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**APPROVED:**

**VETOED** for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

\_\_\_\_\_

  
Alan Autry, Mayor

Date: 3/30/07

**COUNCIL OVERRIDE ACTION:**

Date: \_\_\_\_\_

Ayes	:
Noes	:
Absent	:
Abstain	:

CONFIDENTIAL