



BOARD OF SUPERVISORS COUNTY OF MADERA

MADERA COUNTY GOVERNMENT CENTER
200 WEST 4TH STREET / MADERA, CALIFORNIA 93637
(559) 675-7700 / FAX (559) 673-3302 / TDD (559) 675-8970
Agendas available: www.MaderaCounty.com

Members of the Board

Tom Wheeler
Brett Frazier
David Rogers
Robert L. Poythress
Leticia Gonzalez

The Board of Supervisors

December 20, 2022
Chairman Tom Wheeler

DEPARTMENT Public Works Department/Engineering Services Division/CED	DEPARTMENT CONTACT	AGENDA ITEM m PUBLIC HEARINGS
SUBJECT: Ordinance amending Section 14.70.070 of Chapter 14.70 of the Madera County Code, relating to the Road Impact Fee Program	REQUIRED VOTE: 3/5 Vote Required	DOC. ID NUMBER 22-0997-01
STRATEGIC FOCUS AREA(S): Community, Public Safety, Public Information, Infrastructure, Government Relations		
CLERK NOTES: {{motions.text}}		
For Clerk of the Board's Office Use Only		
RESULT: {{voting.status}} [{{voting.for_count}}] TO [{{voting.against_count}}] MOVER: {{motions.mover format="[[firstname]] [[lastname]], [[title]]"}} SECONDER: {{motions.seconder format="[[firstname]] [[lastname]], [[title]]"}} AYES: {{voting.for_names format="[[lastname]]"}}		
Is this item Budgeted? No Will this item require additional personnel? No Previous Relevant Board Actions: N/A PowerPoint Presentation? No Supporting Documents: 2022 Road Impact Fee Program Study Update, Road Impact Fee- 3 year Phased Enactment Schedule, ORD NO. 367T		DOCUMENT NO(S).

RECOMMENDED ACTIONS:

Road Impact Fee Program.

1. Consideration of adoption of the 2022 Road Impact Fee nexus study
2. **Second Reading** to adopt an Ordinance amending Section 14.70.070 of Chapter 14.70 of the Madera County Code, relating to the Road Impact Fee Program.
3. Consideration to enact the updated Road Impact Fees in phases as follows: 50% effective 60 days after adoption of the updated fees, 75% beginning January 1, 2024, and 100% beginning January 1, 2025.



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DISCUSSION / FISCAL IMPACT / STRATEGIC FOCUS:

DISCUSSION:

The State's Legislature through the enactment of AB 1600 (Chapter 927 of the Statutes of 1987) and under Division 1 of Title 7 of the Government Code has authorized local governments to enact impact fees as land development regulations. The Madera County General Plan establishes that land development shall not be permitted unless adequate capital facilities exist, and that land development shall bear a proportionate share of the cost of the provision of the new or expanded capital facilities required to mitigate impacts.

In 1995, The Madera County Board of Supervisors adopted a Road Impact Fee Ordinance, which is found under Chapter 14.70 of the Madera County Code. An Amendment to the Road Impact Fee was approved in 2009 and in 2014. The County assesses fees on new development based on the proportionate share of development's impact on the local and regional transportation system.

In order to carry out the policies of the General Plan, the Board of Supervisors authorized the preparation of the Road Impact Fee Study to mitigate the impacts of development on the County's ability to maintain an adequate level of service on County and State roads and highways by providing for the financing and construction of necessary facilities and improvements.

In addition, Assembly Bill 602 (AB 602) was signed into law in 2021 and requires the County's impact fee structure to be revised to comply with the requirements of AB 602; particularly updating the basis of fees collected for housing development projects.

The Department has prepared a Road Impact Fee Study Update in consultation with VRPA Technologies (the County's Consultant) which addresses, in general, the following items related to the Road Impact Fee program:

1. An updated Capital Improvement projects list for the County transportation network, based on changes in the cost of improvements, demographic variables, growth patterns, updated traffic modeling, and growth rates.
2. An updated road impact fee table 14.70.070 under Chapter 14.70 of Madera County Code, reflective of the updated Road Impact Fees based on proportional impacts from developments within each of the three (3) road impact fee areas of benefit.
3. Updated impact fee schedule to comply with requirements of AB 602 with respect to the basis of fees collected for housing development projects.



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Due to the forecasted development market conditions, the Department is also proposing that the updated Road Impact Fees be enacted in phases as follows:

1. 50% of the updated fee amount collected effective 60 days from the adoption of the updated fees
2. 75% of the updated fee amount collected beginning January 1, 2024
3. 100% of the updated fee amount collected beginning January 1, 2025

The attached Road Impact Fee- 3 year Phased Enactment Schedule identifies the amount of the fees that would be collected for each respective phase.

Based on the foregoing, the Department recommends adoption of the 2022 Road Impact Fee nexus study, the adoption of the Ordinance amending Chapter 14.70 as presented, and the approval of the phased enactment of the updated Road Impact Fees as described and recommended.

OTHER AGENCY INVOLVEMENT:

California Highway Patrol (CHP) and Madera County Sheriff
California Department of Transportation (Caltrans)

FISCAL IMPACT:

The fees collected by the Road Impact Fee Program shall be deposited in Trust Funds. Funds withdrawn from these accounts must be used for identified Capital Improvement projects in accordance with the provisions of the Road Impact Fee Ordinance.

FUNDING SOURCES:

Road Impact Fees are collected from development projects in Madera County

CONNECTION TO THE COUNTY OF MADERA STRATEGIC PLAN - MISSION 2023: **STRATEGIC FOCUS AREAS**

- Focus Area 1: Community
- Focus Area 3: Public Safety
- Focus Area 4: Public Information
- Focus Area 6: Infrastructure
- Focus Area 7: Government Relations



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ATTACHMENTS

1. 2022 Road Impact Fee Program Study Update
2. Road Impact Fee- 3 year Phased Enactment Schedule
3. Ordinance