



COUNTY OF NEVADA
COMMUNITY DEVELOPMENT AGENCY
DEPARTMENT OF PUBLIC WORKS
950 MAIDU AVENUE, NEVADA CITY, CA 95959-8617
(530) 265-1411 FAX (530) 265-9849 www.mynevadacounty.com

Trisha Tillotson
Community Development Agency Director

Heba El-Guindy,
Director of Public Works

NEVADA COUNTY BOARD OF SUPERVISORS
Board Agenda Memo

MEETING DATE: November 7, 2023
TO: Board of Supervisors
FROM: Heba El-Guindy, Director of Public Works
SUBJECT: Resolution to Approve the Local Traffic Mitigation Fees and the Regional Transportation Mitigation Fees and Accept the Associated 2023 Nexus Study Updates

RECOMMENDATION:

1. Conduct a public hearing to discuss revising the Local Traffic Mitigation Fee and the Regional Transportation Mitigation Fee Programs in accordance with Section 66004 and 66018(a) of the California Government Code
2. Adopt Resolution revising the Local Traffic Mitigation Fees and the Regional Transportation Mitigation Fees and accept associated 2023 Nexus Study Updates

FUNDING: The Nexus Study Update for the Local Traffic Mitigation Fee was funded via the Roads budget. No current impact on the County's General Fund.

BACKGROUND: During the September 12, 2023 meeting, the Board received a presentation on the 2023 Local Traffic Mitigations Fees Nexus Study Update (Attachment 2) and the 2023 Regional Transportation Mitigation Fees Nexus Study Update (Attachment 3), and approved associated revisions to the Local Traffic Mitigation Fees (LTMF) and the Regional Transportation Mitigation Fees (RTMF) following the public hearing that was Noticed ten (10) days in advance.

However, it was later noted that while a resolution to increase the fees follows the standard Gov't Code 6062a requirements of ten (10) day noticing, the adoption of the nexus studies requires a thirty (30) day Public Hearing Notice pursuant to Gov't Code 66016.5(a)(7) [codification of AB 602]. To ensure proper public noticing and accurate application of the LTMF and RTMF, staff is again bringing this agenda item for the Board consideration and approval. A revised Public Hearing Notice (Attachment 4) was published on the County's website on October 5th, in the Union newspaper on October 5th and in the Sierra Sun on October 6th, thereby meeting the thirty (30) day noticing requirement in advance of the November 7th Board meeting.

As previously presented during the September 12th Board meeting, the Mitigation Fee Act requires that mitigation fees be periodically updated to ensure that the assumptions regarding future growth, the need for projects, project costs, etc. continue to provide a reasonable nexus between the

impacts of a new development and the fees charged. Updates to the LTMF and the RTMF in use were last adopted in 2017, followed by the annual increase.

When the County collects a traffic impact fee, the total fee paid by development is a combination of LTMF and RTMF. The LTMF are utilized for local projects such as improvements at the Rough and Ready/Ridge Road intersection currently in design and various safety projects on county-maintained roads. The RTMF developed by Nevada County Transportation Commission (NCTC) and collected by the County, are utilized for regional projects in western Nevada County such as improvements to SR 49 and ramp improvements at McCourtney Road/SR 20.

Updates to the LTMF and RTMF are based on new land use forecasts and recent traffic modeling including VMT (Vehicle-Mile Traveled) to, from and within Nevada County. Fees will also better reflect trip generation by the various types of residential land uses, namely single-family residences, multi-family residences, mobile homes in mobile home parks, and age-restricted senior residences. For example, differentiating between small, medium, and large units within each category of housing ensure that smaller developments are not charged disproportionate fees and charging Accessory Dwelling Units (ADU's) over 750 square feet based on a ratio of floor area in relation to the primary unit, ensures that the traffic generated by larger ADU's are mitigated.

It should be noted that NCTC adopted the RTMF and associated 2023 Nexus Study Update Report on July 19, 2023, in compliance with the provisions of the Mitigation Fee Act, Government Code 66000 et seq.

A detailed list of the proposed LTMF and RTMF rates and changes is provided as part of the CDA Fees Schedule (Attachment 5). These fees are subject to annual cost adjustment based on the Engineering News Record index for California Cities.

Attachments:

- 1- Resolution to approve the LTMF and RTMF and accept associated Nexus Study Updates
- 2- LTMF 2023 Nexus Study Update
- 3- RTMF 2023 Nexus Study Update
- 4- Public Hearing Notice
- 5- Updates to the CDA Fees Schedule

Item Initiated by: Heba El-Guindy, Director of Public Works

Approved by: Trisha Tillotson, Community Development Agency Director