



# **RESOLUTION No. \_\_\_\_\_**

## **OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA**

### **REVISE THE LOCAL TRAFFIC MITIGATION FEE PROGRAM**

WHEREAS, the Board of Supervisors adopted Resolution 97-141, adopting a Local Traffic Mitigation Fee (LTMF) program; and

WHEREAS, the Board of Supervisors adopted revisions to the LTMF through Resolutions 03-460 and 08-336; and

WHEREAS, for the fifth fiscal year following the first deposit into the account or fund, and every five years thereafter, the local agency shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted pursuant to Government Code Section 66001 (d)(1):

- a) the purpose of LTMF fees are to offset or mitigate impacts to county roads resulting from local development.
- b) the attached LTMF Nexus Study demonstrates a reasonable relationship between the fee and the purpose for which it is charged.
- c) the Study also identifies all sources and amounts of funding anticipated to complete financing for incomplete improvements.
- d) the Study and the County's annual Capital Improvement Program identifies the approximate dates on which the funding is expected to be deposited into the appropriate account or fund; and

WHEREAS, the revised LTMF is based on updated land use forecasts and recent traffic modeling; and

WHEREAS, based on the new list of projects and updated land use forecasts, the proposed LTMF fees have increased; and

WHEREAS, documentation has been submitted which establishes compliance with the provisions of the Mitigation Fee Act, Government Code 66000 et seq; and

WHEREAS, Government Code Sections 66004 and 66018(a) require that Development Fees be adopted in a public hearing; and

WHEREAS, notice was given, a public hearing held on January 10, 2017, and the Nevada County Board of Supervisors accepted the studies and revised fee schedule; and

WHEREAS, the Nevada County LTMF will be reviewed annually for necessary adjustments for the effects of inflation on the fee amounts.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Approve the revised LTMF Fee Schedule as shown on the attached Exhibit A and calculated in the LTMF 2016 Nexus Study Update as shown in Exhibit B.
2. Adopt the revision of the LTMF Traffic Impact Fee Zone Map as shown on the attached Exhibit C.
3. The LTMF Fee schedule shall be adjusted annually each year based upon the Engineering News Record Construction Cost Index for the 12 month period ending December of the prior year.
4. This Resolution shall become effective and operative March 11, 2017, which is 60 days from the date of its adoption, pursuant to Government Code Section 66017(a).