

Chapter 16.36 FEES AND REIMBURSEMENTS

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Article I Fees Generally

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16.36.010 Processing fees.

Every person submitting a development application, a tentative map, parcel map, lot line adjustment map, improvement plan, zoning request, variance request, time extension or any associated application shall pay for the city's costs of processing and review in accordance with the most current resolution of the council fixing such fees.

(Ord. 409 § 1, 1993: prior code § 9-1.1010)

16.36.020 Bridge crossing and major thoroughfare fees.

Prior to the filing of any final map or parcel map, the subdivider shall pay or cause to be paid, any fees for defraying the actual or estimated costs of constructing bridges or major thoroughfares when such fees have been established in a manner provided by the Subdivision Map Act of the state.

(Prior code § 9-1.1015)

16.36.030 Drainage and sewer facilities fees.

Prior to the filing of any final map or parcel map, the subdivider shall pay or cause to be paid, any fees for defraying the actual or estimated costs of constructing planned drainage facilities for the removal of surface and storm waters from local or neighborhood drainage areas or sanitary sewer facilities for local sanitary sewer areas established in the manner prescribed by the Subdivision Map Act of the state.

(Prior code § 9-1.1020)

16.36.040 Air quality mitigation fees.

- A. Development applications in which the initial study environmental assessment identifies potentially significant impact(s) on air quality shall require review by and incorporation of conditions of approval of PCAPCD as mitigation measures for air quality impacts.

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- B. In instances where applications require review by PCAPCD that the applicant shall pay all fees incurred by the city based on Placer County air pollution control district's fee agreement established rate of sixty-two dollars (\$62.00). In the event, the proposed project requires air quality studies and analyses the applicant shall pay all fees incurred by the city for consulting firms, as well as, PCAPCD review costs of such studies at the rate of sixty-two dollars (\$62.00)/hour and may be modified from time to time by resolution.

(Ord. 461 § 2, 2000)

Article II Traffic Mitigation Fees and Procedures

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16.36.050 Authority.

This traffic mitigation fee (TM fee) is established pursuant to California Government Code, Chapter 5, Section(s) 66000 and Government Code Sections 53077, 54997 and 54998 as amended. The city finds the establishment of a development fee for mitigation of traffic impacts a necessity for community safety, welfare and continued economic viability. Completion of a citywide traffic study and analysis identified impacted streets and intersections and establishes a fee based on these Government Code Sections.

(Ord. 457 (part), 1999: prior code § 9-1.1025 (part))

16.36.060 Purpose and intent.

The purpose and intent of the traffic mitigation fee and study(s) provides the nexus of the identified impacts created by development projects and establishes a fee and procedure to provide a portion of the financing for improvements to provide adequate levels of service. The city establishes such fee based on the traffic mitigation fee study completed by David Evans and Associates dated July 14, 1999 (pursuant to the Government Code Sections) incorporated by reference and a part of this chapter. Level of service (LOS) C is the city standard pursuant to the circulation element of the Colfax General Plan 2020.

(Ord. 457 (part), 1999: prior code § 9-1.1025 (part))

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16.36.070 Definition.

As used in this article:

"Fee" means the amount collected for each peak hour traffic trip created by development projects. "Fee" includes the cost of the traffic mitigation fee study (and review and revisions,) and provide a portion of the funding for costs associated with construction improvements as a mitigation measure for traffic impacts pursuant to the Colfax General Plan 2020.

(Ord. 457 (part), 1999: prior code § 9-1.1025.1)

16.36.080 Streets and intersections identified.

The critical intersections are Auburn Street at State Route 174; Auburn Street at I-80 Overpass; Auburn Street at I-80 Westbound Ramps; and Canyon Way at I-80 Overpass, with year 2020 p.m. peak hour intersection conditions at LOS F, utilizing the Caltrans Highway Capacity Manual (HCM) methodology. Improvements to these streets will increase the level of service to LOS B or better.

(Ord. 457 (part), 1999: prior code § 9-1.1025.2)

16.36.090 Fee calculation.

The fee calculation is the total cost of improvements (one million forty-eight thousand dollars (\$1,048,000.00)) divided by the total number of trips from projected development (two thousand nine hundred thirty (2,930)) to equal the cost per trip for mitigation improvements (three hundred fifty-eight dollars (\$358.00)); as researched and developed by David Evans and Associates, Inc., Traffic Mitigation Fee Study, dated July 14, 1999.

(Ord. 457 (part), 1999: prior code § 9-1.1025.3)

16.36.100 Fee amounts.

A fee is warranted in the amount of three hundred fifty-eight dollars (\$358.00) for each p.m. peak hour trip(s), in accordance with the Institute of Transportation Engineers (ITE) Trip Generation Manual, current edition for development projects. In instances where the ITE Trip Generation Manual does not list a specified land use, a fee of three hundred fifty-eight dollars (\$358.00) per p.m. peak hour trip is established. This calculation shall be based on estimated peak hour trips for the land use, for a "similar or like use" from the ITE Trip Generation Manual.

(Ord. 457 (part), 1999: prior code § 9-1.1025.4)

16.36.110 Review and revision.

The TM fee is based on estimates of project improvements design costs, construction costs, lands acquisition costs and projected development build-out according to the Colfax General Plan 2020, the fee shall be reviewed every two-three years or more often if necessary, but reviewed no less frequently than every five years.

(Ord. 457 (part), 1999: prior code § 9-1.1025.5)

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16.36.120 Traffic mitigation fee fund account.

Excepting therefrom collection of costs for the traffic mitigation fee study review and revisions, the city shall deposit the fee(s) collected for improvement(s) in a separate capital facilities account or fund in a manner to avoid any commingling of the fees with other revenues and funds, except for temporary investments.

(Ord. 457 (part), 1999: prior code § 9-1.1025.6)

16.36.130 Expenditures.

The city shall expend those fees solely for the purpose for which the fee is collected; any interest income earned by moneys in the account or fund shall also be deposited in that account or fund and shall be expended only for the purpose of capital facility improvements.

(Ord. 457 (part), 1999: prior code § 9-1.1025.7)

16.36.140 Fund account reports.

The city shall within one hundred eighty (180) days after the last day of each fiscal year, make available to the public the following information for the fund account:

- A. The amount of the fee;
- B. The beginning and ending balance of the fund account;
- C. The amount of the fees collected and the interest earned;
- D. Identify the date determined that sufficient funds have been collected to complete financing on an incomplete public improvement or staged improvement(s);
- E. Identify each public improvement or staged improvement on which fees were expended and the amount of expenditures on each improvement, including the total percentage of the cost of the public improvement funded with collected fees.

(Ord. 457 (part), 1999: prior code § 9-1.1025.8)

Article III Reimbursements

[16.36.150 Reimbursements](#)

16.36.150 Reimbursements

The city may impose a requirement that the improvements installed by the developer for the benefit of the project shall contain supplemental sizes, capacity or number for the benefit of property not within the project and that such improvements be dedicated to the city. When the city imposes such a requirement, the city shall enter into an agreement with the developer to reimburse the developer for a pro rata share of the initial costs of constructing such improvements from other benefiting property owners upon the development of real property by such other benefiting owners. In no event shall the city assume or incur any liability of any kind whatsoever in the event of the nonpayment of the pro rata share of development costs from such other benefiting property owners. A reimbursement agreement shall expire after a maximum of ten (10) years.

(Prior code § 9-1.1110)