

Exhibit I

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADDING ARTICLE 4.17 TO CHAPTER 12 OF THE FRESNO
MUNICIPAL CODE, RELATING TO THE VEHICLE MILES
TRAVELED REDUCTION PROGRAM AND MITIGATION
FEE

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Article 4.17 is added to Chapter 12 of the Fresno Municipal Code to read:

[ARTICLE 12-4.17

VEHICLE MILES TRAVELED MITIGATION FEE

Sections:

<u>12-4.1701</u>	<u>Purpose.</u>
<u>12-4.1702</u>	<u>Vehicle Miles Traveled Mitigation Fee Established</u>
<u>12-4.1703</u>	<u>Vehicle Miles Traveled Mitigation Fee Amount</u>
<u>12-4.1704</u>	<u>Vehicle Miles Traveled Mitigation Fee Payable</u>
	<u>Upon Grant of Entitlement</u>
<u>12-4.1705</u>	<u>Vehicle Miles Traveled Fund</u>
<u>12-4.1706</u>	<u>Use of Vehicle Miles Traveled Mitigation Fee</u>
	<u>Revenues</u>

SECTION 12-4.1701. - PURPOSE. In order to implement the goals and objectives of the City's General Plan, to mitigate the impact of Vehicle Miles Traveled (VMT) caused by future development in the city, and to implement a fundamental component of the City's adopted VMT Reduction Program, certain public facilities must be constructed, and certain public services must be implemented. The City Council has determined that a VMT Mitigation Fee is needed in order to finance public facilities and services that reduce vehicle miles traveled, thus ensuring that VMT reducing measures are implemented.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:

552505v2



Ordinance No. _____

SECTION 12-4.1702. – VEHICLE MILES TRAVELED MITIGATION FEE ESTABLISHED.

- (a) A VMT Mitigation Fee is established to pay for VMT Reduction Program components as identified in the adopted VMT Reduction Program and Nexus Study.

SECTION 12-4.1703. – VEHICLE MILES TRAVELED MITIGATION FEE AMOUNT

- (a) The Council shall designate in the Master Fee Resolution, a schedule of VMT Mitigation Fees.
- (b) VMT Mitigation Fee amount shall be determined based upon the adopted VMT Reduction Program and Nexus Study which shall be prepared in compliance with California Government Code Section 66016.5, as may be amended.

SECTION 12-4.1704. – VEHICLE MILES TRAVELED MITIGATION FEE PAYABLE UPON GRANT OF ENTITLEMENT

- (a) The VMT Mitigation Fee for each development project deemed subject to the fee shall be payable as follows:
 - (1) VMT Mitigation Fees for residential developments shall be payable on the date of final inspection, or the date the certificate of occupancy is issued, whichever occurs first, consistent with the requirements of California Government Code Section 66007, as may be amended.
 - (2) VMT Mitigation Fees for non-residential developments shall be payable prior to the issuance of a building permit at the fee level in effect on the date such permit is issued.

SECTION 12-4.1705. – VEHICLE MILES TRAVELED FUND

- (a) A VMT Fund is hereby established.
- (b) All VMT Mitigation Fees collected by the City shall be deposited in the VMT Fund for the purpose of funding public facilities reasonably necessary to contribute to the reduction of citywide VMT.
- (c) For the purposes of this Article, "public facilities" shall have the same meaning as set forth in California Government Code Section 66000, as may be amended.
- (d) The City shall annually review and report on the fund for the VMT Mitigation Fee as set forth by California Government Code Section 66006.

SECTION 12-4.1706. - USE OF VEHICLE MILES TRAVELED MITIGATION FEE

REVENUES. The revenue from the VMT Fee shall be used for the following purposes:

- (a) To contribute to Transportation Demand Management Projects, Transit Projects, and Bicycle and Pedestrian Projects that are identified in the adopted VMT Reduction Program and Nexus as recipients of VMT Mitigation Fee funding.
- (b) To reimburse the city for expenditures set forth in subpart (a) above, acquired or constructed by the city with funds (other than gifts or grants) from other sources, together with accrued interest.]

SECTION 2. Any judicial action or proceeding to attack, review, set aside, void or annul this ordinance shall be brought pursuant to California Government Code Section 66022.

SECTION 3. Pursuant to California Government Code Section 66017(a), this ordinance shall become effective and in full force and effect at 12:01 a.m. on the sixty-first day after its final passage.

* * * * *

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, MMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Talía Kolluri Date
Assistant City Attorney