

<h1>POLICY MANUAL</h1>	Date Adopted: December 10, 1962
Classification: FEES	Date Last Amended: 11/17/80; 09/13/83; 09/09/98; 11/18/15
Subject: Drainage Fees; General	Approved By:

Background

The development of lands to non-agricultural uses impacts the rates and volume of storm runoff, requiring the design and construction of appropriate storm drainage infrastructure.

The State of California has provided specific authority to public agencies to recover the cost of providing public service infrastructure from development activity warranting or benefiting from such infrastructure. Implementation of this authority requires a demonstrated proportional relationship between the infrastructure for which a fee is charged and the development.

The construction of storm drainage facilities to serve non-agricultural land use development, and the collection of the costs therefore through development related fees is consistent with the authority granted by the State. The following therefore states the policy of the Fresno Metropolitan Flood Control District.

Policy

1. It is the policy of the District to secure, through cooperative association with the Cities of Fresno and Clovis, and the County of Fresno, the payment of prepaid drainage assessments concurrently with the development or subdivision of property located within the local watershed areas for which storm drainage master planning has been completed. Application of drainage fee requirements shall be in conformance with all applicable provisions of state and local laws and regulations governing development and the imposition of requirements as conditions of development approval.

2. Prepaid drainage assessments shall be collected within all the areas of the adopted Storm Drainage Master Plan designed to serve urban type land uses and which are designated as “Planned Local Drainage Areas”. All such areas shall be identified as either Zone 1, Zone 2 or Zone 3 areas. Zone 2 and Zone 3 shall each be defined as a Local Drainage Area per Ordinance 2000-3, Section 4.102.8. The Zone 2 area shall be further defined as the drainage areas, which were located totally or partially within the original boundaries of the District. The Zone 3 area shall be further defined as the original drainage plan area of the City of Clovis. Zone 1 is made up of multiple local drainage areas. The Zone 1 areas shall be defined as those individual drainage areas, which are located outside Zone 2 or Zone 3.

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3. Prepaid Drainage Assessments shall be predicated on the cost of, and used solely to fund the construction of, stormwater facilities required to capture and dispose of storm water generated by the change of the watershed's land use from agricultural to urban uses.
4. Drainage fees shall be based on the full actual cost, or estimated cost if the actual cost is not known, of planning, designing and constructing the system of planned local drainage facilities.
 - A. Each development shall pay its full proportionate share of the system cost, based generally on the basis of storm water generated.
 - B. No development shall be allowed to create a system-funding deficit, which shifts costs to others.
5. The schedule of prepaid drainage assessment rates applied within the Zone 2 and Zone 3 areas shall be uniform as to the entire Zone 2 or Zone 3 area respectively, this to reflect the hydrological interdependence of said areas and the common exposure of said areas to historic plans and revenue structures.
6. The schedule of prepaid drainage assessment rates applied within the Zone 1 area shall contain individual rate schedules for each individual drainage area, such schedules based upon the actual or estimated actual cost determined for each such individual drainage area.
7. All prepaid drainage assessment cost estimates and rates shall be reviewed by the District annually. Such review shall encourage the submission of and shall consider relevant data from all interested sources. Those estimates and rates found in need of recalculation shall be computed and presented to the Board of Supervisors and the City Councils in the form of an amended schedule of rates, said schedule inclusive of the amendments resulting from changes in construction land acquisition costs.
8. Adopted prepaid drainage assessment rate schedules and detailed engineering estimates from which they are derived shall be made available for review by all interested parties.

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9. Drainage fees should begin to be collected at the time of the first development entitlement, which reflects the beginning of urbanization of the watershed; and, the fees should be collected and expended in a manner, which produces the earliest feasible availability of drainage service.

10. The District shall not circumvent the provisions of adopted drainage fee ordinances or the adopted prepaid drainage assessment rate schedule through the negotiation of a “special fee” for any development or division already subject to an existing and defined obligation under current ordinances, absent unique qualifying considerations of equity.

11. In Zone 1, prepaid drainage assessments shall be accounted for by, and expended for master plan drainage facilities to serve, the drainage area within which the prepaid assessments were paid, and shall not be transferred or used for the benefit of another drainage area.

12. In Zone 2 and Zone 3, prepaid drainage assessments shall be accounted for by, and expended for master plan drainage facilities to serve, the Zone within which the prepaid assessments were paid, and shall not be transferred or used for the benefit of another Zone.

13. Prepaid drainage assessments shall be expended by the District so as to secure the earliest possible construction of the master plan drainage facilities required to provide permanent drainage service to the parcels of land for which such prepaid drainage assessments have been paid.

14. Master Plan drainage facilities are those facilities:
 - A. The cost of which comprises the schedule of prepaid drainage assessments rates;
 - B. For which prepaid drainage assessments are collected;
 - C. Which may be constructed with or in lieu of the payment of prepaid drainage assessments; and,
 - D. The construction costs of which may be credited against the prepaid drainage assessment obligation and support the payment of reimbursements when such costs exceed said assessment obligation.

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15. Master Plan drainage facilities specifically include:
- A. Storm drainage pipelines, inlets, manholes, and related facilities identified by the adopted Storm Drainage Master Plan.
 - B. Retention-recharge basins, including land area, landscaping, excavation, fencing, and relief systems, identified in the adopted Storm Drainage Master Plan.
 - C. Pump stations, inclusive of fencing, structures, electrical components and related facilities, identified by the adopted Storm Drainage Master Plan.
 - D. Additions to storm drainage pipelines, basins, pump stations, and related facilities required to provide the design level of permanent drainage service and to achieve the drainage patterns set forth in the adopted Storm Drainage Master Plan; and
 - E. Improvements and facilities incidental to the construction of Master Plan pipelines, basins, and pump stations: inclusive of underground relocations; street resurfacing; curb, gutter, sidewalk and eighteen feet of street paving along basin frontages; utility service connection charges; and, design and construction engineering.
16. Master Plan drainage facilities do not include:
- A. Pipelines, basins, pump stations, and related facilities not required by the adopted Storm Drainage Master Plan to achieve the planned drainage patterns or the design level of drainage service;
 - B. Additions to Master Plan pipelines, basins, pump stations, and related facilities constructed in lieu of providing the drainage pattern and design service levels specified by the adopted Storm Drainage Master plan; and
 - C. Changes in Master Plan pipelines, basins, pump stations, and related facilities which increase the cost of securing the drainage patterns and design service levels, which patterns and service level could have been provided more economically if secured in the manner specified by said adopted plan.