



RESOLUTION NO. 151-2019
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
RESOLUTION ESTABLISHING DEVELOPMENT IMPACT FEES
ON BEHALF OF
CAMERON PARK COMMUNITY SERVICES DISTRICT

WHEREAS, AB 1600 was passed and codified in California Government Code Sections 66000-66025 (“Mitigation Fee Act”) allowing the establishment of a development impact fee as a condition of approval where the purpose and use of the fee are identified and a reasonable relationship to the development project can be demonstrated; and

WHEREAS, the County of El Dorado has adopted Ordinance No. 5057, codified in Chapter 13, Section 20 of the El Dorado County Code authorizing the establishment of a development impact fee collected on behalf of a special district upon the issuance of all building permits for development within the special district in order to fund the construction or purchase of public facilities and equipment necessary to mitigate the impacts of such development on the district’s ability to provide public services; and

WHEREAS, the Board of Supervisors has previously established fees within the boundaries of the Cameron Park Community Services District (“District”), for the purpose of funding the construction or purchase of parks and recreation facilities and equipment necessary to mitigate the impacts of new development on the District’s ability to provide parks and recreation services within the District, and the previously established fees are documented by Resolution 178-2007 adopted July 10, 2007; and

WHEREAS, the District has caused to be prepared a Fee Nexus Study and Report (“Report”) for the purpose of establishing the legal and policy basis for increasing the development impact mitigation fee within the District and the County has reviewed the Report, which is incorporated herein and made by reference a part hereof; and

WHEREAS, on July 17, 2019, the District adopted Resolution No. 2019-17, approving the Report and requesting the Board of Supervisors adopt the impact fees proposed therein; and

WHEREAS, the Report was made available for public review 10 days prior to this public hearing and notice of this hearing was published in the *Mountain Democrat* on September 6, 2019 and September 13, 2019 in accordance with Section 66018 of the Mitigation Fee Act; and

WHEREAS, the Board of Supervisors finds as follows:

- A. The purpose of this fee is to finance public facilities and equipment to mitigate the impact of new development on parks and recreation services within the District.
- B. The fees collected pursuant to this Resolution shall be used to finance park and recreation facilities and equipment as described and identified in the Report, provided that any expenditure will be reimbursed only if the District submits adequate supporting information to show that there is a reasonable relationship between the use of the fee and the type of development project for which the fee was imposed, including the percentage of the development project funded from the fee, and a reasonable

relationship between the need for the public facility and the type of development for which the fee was imposed.

- C. Upon consideration of the Report and testimony received at this hearing, the Board approves the Report, incorporating such herein by reference, and further finds that new development within the boundaries of the District will generate an additional need for park and recreation equipment and facilities and will contribute to the degradation of current services within the area.
- D. There is a current and future need for new facilities and equipment necessary for the District to provide park and recreation services to new development in compliance with the County's General Plan.
- E. The facts and evidence presented in the study establish a reasonable relationship between the need for the public facilities and equipment and the impact of the development for which the fee is charged, and a corresponding relationship between the fee's use and the type of development for which the fee is charged, as these reasonable relationships are described in more detail in the Report.
- F. The cost estimates set forth in the Report are reasonable cost estimates for constructing these facilities or acquiring the equipment needed and the fees expected to be generated by new development will not exceed the total of these costs.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors hereby resolves and determines as follows:

- 1. *New development* shall mean original construction of residential, commercial, industrial or other non-residential improvement, or the addition of floor space to existing residential, commercial, or industrial facilities.
- 2. Effective sixty (60) days following adoption of this resolution, the following fees shall be charged upon issuance of any building permit and shall be paid prior to the issuance of the building permit by all new development within the District.

Residential Development	Per Dwelling Unit
Single Family Housing	\$6,645
Multi Family Housing	\$5,435
Mobile Home	\$3,402

- 3. The fee established by this Resolution shall be collected and expended in compliance with the Mitigation Fee Act and El Dorado County Chapter 13.20 and, notwithstanding any examples provided in the Report, any expenditure will be reimbursed only if adequate supporting information is provided to show that there is a reasonable relationship between the use of the fee and the type of development project for which the fee was imposed, including the percentage of the development project funded from the fee, and a reasonable relationship between the need for the public facility and the type of development for which the fee was imposed.
- 4. Any judicial action or proceedings to attack, review, set aside, void, or annul this Resolution shall be brought forward within 120 days of adoption of the Resolution.
- 5. This Resolution supersedes Resolution 178-2007 approved on July 10, 2007.
- 6. Any adjustment or increase to the fees adopted herein, including any adjustment for inflation, must be requested by the District and shall comply with the Mitigation Fee Act. No automatic adjustment will occur.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of the Board of Supervisors, held the 17th day of September, 2019, by the following vote of said Board:

Ayes: Frentzen, Hidahl, Parlin, Veerkamp, Novasel
Noes: None
Absent: None

Attest:
James S. Mitrising
Clerk of the Board of Supervisors

By: Kyra Schaefferley Deputy Clerk
Brian K. Veerkamp Vice-Chair, Board of Supervisors
Brian K. Veerkamp



CAMERON PARK COMMUNITY SERVICES DISTRICT

PARK IMPACT FEE NEXUS STUDY

MAY 2019
FINAL REPORT V1.1

PREPARED FOR:

**BOARD OF DIRECTORS
CAMERON PARK COMMUNITY SERVICES DISTRICT**

PREPARED BY:

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ACKNOWLEDGMENTS

This Park Impact Fee Nexus Study was prepared by SCI Consulting Group under contract with the Cameron Park Community Services District. The work was accomplished under the general direction of Jill Ritzman, General Manager of the District.

We would like to acknowledge the special efforts made by individuals and organizations to this project:

Cameron Park CSD Park and Recreation Committee
Paul Ryan, Cameron Park Community Services District (former)
Kate Kirsh, Foothill Associates
Kelly Webb, County of El Dorado (former)
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El Dorado Area Council of Governments

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EXECUTIVE SUMMARY

INTRODUCTION

The County of El Dorado ("County"), on behalf of the Cameron Park Community Services District ("District"), imposes a park impact fee on new residential development within the service area of the District. The purpose of the park impact fee is to fund the one-time cost of expanding the District's park and recreational facilities in order to maintain its existing level of service. The legal and policy basis for imposing the current park impact fee is supported by the District's Park Impact Fee Nexus Study, dated November 2006, which was approved by the District Board of Directors on January 17, 2007 by Resolution No. 2007-01 and later adopted by the El Dorado County Board of Supervisors on July 10, 2007 by Resolution No. 178-2007.

This Park Impact Fees Nexus Study ("Nexus Study") was prepared pursuant to the "Mitigation Fee Act" as found in Government Code § 66000 and El Dorado County Code Chapter 13.20. The purpose of this Nexus Study is to establish the legal and policy basis for the imposition of new park impact fees ("fees") on new residential development within the District.

In order to impose such fees, this Nexus Study will demonstrate that a reasonable relationship or "nexus" exists between new development and the need for additional park and recreational facilities with the District as a result of new development. More specifically, this Nexus Study will present findings in order to meet the substantive requirements of the Mitigation Fee Act ("Act"), also known as AB 1600, which are as follows:

- Identify the **purpose** of the fee.
- Identify the **use** to which the fee is to be put.
- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed ("**benefit relationship**").
- Determine how there is a reasonable relationship between the need for the park and recreational facilities and the type of development project on which the fee is imposed ("**impact relationship**").
- Determine how there is a reasonable relationship between the amount of the fee and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed ("**proportional relationship**").

Additionally, the Act specifies that the fee shall not include costs attributable to existing deficiencies in public facilities but may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to refurbish existing facilities to maintain the existing level of service or achieve an adopted level of service that is consistent with the general plan.

METHODOLOGY / APPROACH

To determine the District's park impact fee consistent with these **substantive requirements**, this Nexus Study utilizes a districtwide, per capita standard-based methodology. Under this method, the cost components are based on the District's existing level of service ("LOS") standards and defined on a per capita basis. For the residential park impact fee, the total per capita costs are applied to three residential land use categories according to their respective dwelling unit occupancy factor to establish a cost/fee per unit.

The Nexus Study also identifies the fair share cost of park and recreational facilities needed to serve existing development at the same facilities standard applied to new development. The identification and use of a facilities standard ensure that new development will only fund the share of planned facilities needed to accommodate growth. Thus, consistent with the Act, this Nexus Study demonstrates that there is a reasonable relationship between new development, the amount of the fee, and park and recreational facilities funded by the fee.

Since the Act also prohibits development impact fees from being used to fund existing deficiencies in public facilities, the fees must be used to fund only new or expanded park and recreational facilities that add to the park and recreational facility capacity of the District. The use of fee proceeds for rehabilitation of existing park and recreational facilities is limited in that they may only cover the portion of the improvement that expands service capacity. For example, if the District planned to replace a shade structure with an existing park with a significantly larger shade structure, park impact fee proceeds could fund the portion equal to the percentage increase in the square footage of the larger shade structure, or by another reasonable measurement. (See Figure 10 for more information.)

It is important to note that the maximum park impact fee determined by this Nexus Study is not directly influenced by the level of development. The park impact fee is determined with an open-end approach based on the District's level of service rather a definite facility plan and a definite level of future development. Therefore, the park impact fee will not be affected whether the actual level of development is significantly higher or lower than projected.

The Nexus Study also details the **procedural requirements** for adoption of the Nexus Study and proposed park impact fee programs ("fee programs") by the District Board. Also, the Act contains specific requirements for the **annual administration** of the fee program. These statutory requirements and other important information regarding the imposition and collection of the fees are provided in the last sections of the Nexus Study.

SUMMARY OF GENERAL FINDINGS

Based on a review of the District's Master Plan, the County General Plan and El Dorado County Code Chapter 13.20, the following general findings are presented:

1. Park impact fees, pursuant to the Mitigation Fee Act, are needed to ensure that the District can develop park and recreation facilities and improvements needed for the population growth created by new development.
2. The current park impact fee imposed by El Dorado County, on behalf of the District was established in 2007 and has never been adjusted for inflation.

FIGURE 1 – CURRENT PARK IMPACT FEE (2007)

Land Use Category	Parkland	Park Facilities	Total Current Park
	Acquisition Fee per Unit ¹	Fee per Unit	Impact Fee (Effective 2007) ¹
Calc	a	b	c = a + b
Per Dwelling Unit			
Single-Family Detached	\$3,037	\$4,984	\$8,021
Single-Family Attached	\$2,248	\$3,690	\$5,938
Multi-Family Residential	\$2,325	\$3,816	\$6,141
Mobile Home	\$1,503	\$2,467	\$3,970

Notes:

¹ The park land acquisition fee component is not collected if parkland is dedicated to the District or Quimby in-lieu fees are collected.

3. Based on the District's current population and existing park acres, the District's existing level of service is 4.73 acres of developed parks, 1.66 acres of open space and 0.20 miles of trails and for every 1,000 residents.
4. According to the District's landscape architects, the estimated cost for park development is \$450,000 per acre.

5. A reasonable relationship or “nexus” exists between new development in the District and the need for additional developed parks and recreational facilities as a result of new development. Consistent with nexus requirements of the Act, this Nexus Study demonstrates that there is a reasonable relationship between new development, the amount of the proposed fee, and park and recreational facilities funded by the fee.
6. The District may approve, and the County may adopt the following fee in Figure 2 at or below the level determined by this Nexus Study. If the District and County choose to adopt a fee lower than justified, the adopted fees for each land use classification must be reduced by the same percentage.

FIGURE 2 – MAXIMUM PARK IMPACT FEE

Land Use Category	Proposed Park Impact Fee
	Per Dwelling Unit
Single-Family Housing	\$6,645
Multi-Family Housing	\$5,435
Mobile Home	\$3,402

SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. The proposed park impact fee should be adopted and implemented in accordance with the applicable provisions of the Mitigation Fee Act (California Government Code § 66000 et seq.) and El Dorado County Code Chapter 13.20.
2. The District and the County should comply with the annual reporting requirements under Government Code § 66006(b).
3. Following the fifth fiscal year after the first deposit of fee revenue and every five years thereafter, the District and the County should comply with the reporting requirements under Government Code § 66001(d).
4. The cost estimates presented in this Nexus Study are in 2019 dollars. The adopted park impact fees should be adjusted annually by the percentage change in the Construction Cost Index as published by the Engineering News-Record, or its successor publication for the preceding twelve months.
5. In order to comply with the Act and recent court cases, a fee credit must be given for demolished existing square footage as part of a new development project.

EXISTING PARK FACILITIES AND LEVEL OF SERVICE STANDARDS

This Nexus Study utilizes a per capita-standard based methodology to determine the park impact fee because the need for and demand for park and recreational services is driven by its service population. Using this approach, park and recreational facility costs are reduced to a cost per capita based on the District's existing level of service standards for such facilities.

POPULATION PROJECTION

Figure 3 presents the District's current and projected population through 2036. The District's current population was determined using figures from the U.S. Census Bureau's 2013-2017 American Community Survey 5-Year Estimate for the Cameron Park Census-Designated Place and El Dorado County Assessor's data as of February 2019. The District's 2036 population was projected based on annual growth rates for housing, population, and employment by the Sacramento Area Council of Governments ("SACOG") for the Cameron Park Census-Designated Place. As shown below, it is estimated that the District's population, as of January 2019, is approximately 19,697 residents. It is projected that the District will grow by 5,122 residents to a population of 24,819 by 2036.

FIGURE 3 – POPULATION PROJECTION

Population Projection	2019	2025	2030	2036	Growth 2019 thru 2036
Cameron Park CSD	19,697	21,373	22,878	24,819	5,122

Source: 2010 U.S. Census; El Dorado County Assessor and the Sacramento Area Council of Governments

DEVELOPED PARKS

According to the District's Master Plan, neighborhood parks are typically a combination playground and park designed primarily for non-supervised, non-organized recreation activities. They are typically 2 to 10 acres in size. Community parks, ranging from 10 acres to 100 acres in size, are designed for organized groups or team sports, while also providing facilities for individual and family activities.

The District has six (6) developed neighborhood parks and four (4) developed community parks totaling 93.1 acres or 4.73 acres for every 1,000 residents. However, the District's Master Plan standard for developed parks is 5 acres per 1,000 residents. Therefore, to accommodate the anticipated population growth of 5,122 new residents by 2036, an additional 24.2 acres of developed park area will be required.

TRAILS AND NATURAL OPEN SPACE AREAS

Natural open space areas ("open space") are for passive uses and provide space for trails, picnic sites, and jogging circuits. They also provide use of waterways or serve as transportation corridors for trails. The District owns and maintains 3.85 miles of trails (or 1.66 acres for every 1,000 residents) within the District. Additionally, the District owns and maintains 32.60 acres of open space area or (0.2 miles per 1,000 residents) within the District. It is the District's intention to maintain its existing level of services for these areas.

PER CAPITA COST COMPONENTS

As previously mentioned, this Nexus Study utilizes a per capita-based methodology to determine the park impact fees because the need for / demand for park and recreational services is inherently driven by population. This section presents the per capita cost for the development of park and recreational facilities, open space, and trails based on the District's level of service standards for each.

PARK DEVELOPMENT COST PER CAPITA

Figure 4 calculates the per capita cost of developing new parks and open space area in the District. As presented, the District's existing level of service of 4.73 acres per 1,000 population is multiplied by the estimated per acre cost for parkland development to arrive at a per capita cost. The average park development cost per acre shown represents average construction cost (in 2019 dollars) for a typical neighborhood park.¹

FIGURE 4 – PARK DEVELOPMENT COST PER CAPITA

Cost Component	Acres per 1,000	Acres per	Average	Cost per Capita
	Residents ¹	Capita ¹	Development	
	Calc	a	b = a / 1,000	c
				d = b * c
Developed Parks	4.73	0.00473	\$450,000	\$2,128.50
Open Space	1.66	0.00166	\$5,400	\$8.96
Total Parks and Open Space	6.39	0.00639		\$2,137.46

Source: Cameron Park Community Services District; Foothill Associates

Notes:

¹ Based on the District's existing level of service ("LOS") for developed parks and open space area.

² See Appendix A for more detail.

¹ Appendix A presents the District's estimate of cost for park development.

TRAIL DEVELOPMENT COST PER CAPITA

Figure 5 calculates the per capita cost of developing new trails in the District. The average development cost for trails assumes \$292,700 per mile for a 10-foot-wide asphalt trail. The per-mile cost estimate includes excavation, clearing and grubbing, environmental permits, plans and engineering, construction management and laying of the trail.

FIGURE 5 – TRAIL DEVELOPMENT COST PER CAPITA

Cost Component	Miles per 1,000	Miles per	Average	Cost per Capita
	Population ¹	Capita ¹	Development Cost per Mile ²	
Calc	a	b = a / 1,000	c	d = b * c
Trails	0.2	0.0002	\$292,700	\$58.54

Source: Cameron Park Community Services District; Foothills Associates

Notes:

¹ Based on the District's existing level of service for trails.

² Cost estimate provided in 2015 by Foothill Associates and adjusted by 8.4 percent for cost inflation. Assumes a 10 ft. wide asphalt trail.

PARK IMPACT FEE DETERMINATION

This section presents the calculation of the park impact fee based on the per capita cost for park, open space and trail development, and park impact fee program costs for the different residential land uses in the District.

PARK IMPACT FEE COST COMPONENTS

The figure below summarizes the per capita cost components from the previous section and includes an additional four percent for administration of the park impact fee program. The fee program administrative cost component is designed to recover the cost collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act. As shown, the total per capita cost is \$2,283.84.

FIGURE 6 – PARK IMPACT FEE COST COMPONENTS

Park Impact Fee Cost Components	Per Capita Costs
Park Development	\$2,128.50
Open Space Development	\$8.96
Trail Development	\$58.54
Park Impact Fee Program Administration ¹	\$87.84
Total Cost per Capita	\$2,283.84

Notes:

¹ Estimated at 4 percent of for the cost collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act.

LAND USE CATEGORIES

The Mitigation Fee Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the fee and the type of development on which the fee is imposed. Therefore, since the demand for and need for park and recreational services created by the District's service population and since different residential land uses have varying household sizes, the park impact fee is expressed on a per-unit basis based on their respective dwelling unit occupancy factor for three residential land uses.

For the purposes of this park impact fee program, a "unit" generally means one or more rooms in a building or structure or portion thereof designed exclusively for residential occupancy by one or more persons for living or sleeping purposes and having kitchen and bath facilities, including mobile homes.

The three residential land use categories are as follows:

"Single-family housing" means one-family detached or attached dwelling units on separate parcels.

"Multifamily housing" means buildings or structures designed for two or more families for living or sleeping purposes and having a kitchen and bath facilities for each family.

"Mobile home" means a development area for residential occupancy in vehicles which require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.

DWELLING UNIT OCCUPANCY FACTOR

Figure 7 on the following page presents the calculation of the average dwelling unit occupancy factor for the three residential land uses. The calculation is based information from the 2013-2017 American Community Survey 5-Year Estimate from the 2010 U.S. Census for the Cameron Park Census-Designated Place ("CDP") which found to be representative of the boundaries of the District.

FIGURE 7 – DWELLING UNIT OCCUPANCY FACTOR (CAMERON PARK CDP)

Land Use Categories	Occupied	Total Number	Dwelling Unit Occupancy Factor
	Dwelling Units	of Occupants	
	Calc	a	b
			c = a / b
Single-Family Housing	5,443	15,860	2.91
Multi-Family Housing	1,495	3,563	2.38
Mobile Home	184	274	1.49
Average (2010 Census)	7,122	19,697	2.77

Source: 2010 U.S. Census for Cameron Park Census-Designated Place

PARK IMPACT FEE DETERMINATION

Figure 8, the figure below presents the calculation of the maximum justified park impact fee. As shown, the per-unit fee for the three residential land use categories is determined by multiplying their respective total cost per capita by their respective dwelling unit occupancy factor. The District may approve, and the County may adopt fees lower than the justified amounts shown below, provided that it reduced by the same percentage for each land use category.

FIGURE 8 – MAXIMUM PARK IMPACT FEE

Land Use Category	Unit	Total Cost Per Capita ¹	Dwelling Unit Occupancy Factor ²	Maximum Park Impact Fee ³
	Calc	a	b	c = a * b
Single-Family Housing	Dwelling Unit	\$2,283.84	2.91	\$6,645
Multi-Family Housing	Dwelling Unit	\$2,283.84	2.38	\$5,435
Mobile Home	Dwelling Unit	\$2,283.84	1.49	\$3,402

Notes:

¹ See Figure 6.

² See Figure 7.

³ Maximum park impact fee is rounded down to the nearest dollar.

PROJECTED PARK IMPACT FEE REVENUE

Figure 9 projects park impact fee revenue through 2036. Total park impact fee revenue (in 2019 dollars) is estimated by multiplying the total cost per capita by the projected service population growth for the period. As shown, it is projected the District will generate approximately \$11.7 million (in 2019 dollars) by 2036. Certainly, arguments can be made for higher or lower population growth. However, the projected population growth and fee revenue are merely estimates for planning purposes. The maximum fee amounts do not depend upon the timing and level of development.

FIGURE 9 – PROJECTED PARK IMPACT FEE REVENUE

Land Use Category	Total Cost per Capita ¹	Projected Population Growth (2036) ¹	Projected Park Impact Fee Revenue (2019\$)
Calc	a	b	c = a * b
Residential Development	\$2,283.84	5,122	\$11,697,849

Notes:

¹ See Figure 6.

³ See Figure 3.

The fee revenue must be deposited into separate park impact fee accounts or funds in a manner to avoid any commingling of the fees with other revenues and funds of the District. The fee revenue will be restricted to the funding the cost of new or expanded park and recreational facilities needed to serve new development. Additionally, fee revenue will be used to cover fee program administration costs such as collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates and other costs reasonably related to compliance with the Act. Fee revenue may not be used to fund 1) the renovation of existing facilities and 2) operational, maintenance or repair costs. See Figure 10 for more information.

NEXUS FINDINGS

This section frames the results of Nexus Study in terms of the legislated requirements to demonstrate the legal justification of the park impact fees ("fees"). The justification of the park impact fees on new development must provide information as set forth in Government Code § 66000. These requirements are discussed below.

PURPOSE OF THE FEE

The purpose of the residential park impact fees is to fund new or expanded parks and recreational facilities, open space area and trails to meet the needs of the new residential population within the District.

USE OF FEE REVENUE

Park impact fee revenue will be used to fund the cost of new or expanded parks and recreational facilities, open space area, and trails to serve new development. A summary of the allowable and prohibited uses of the fee revenue is provided in figure 10 below.

FIGURE 10 – SUMMARY OF ALLOWABLE AND PROHIBITED USES OF FEE REVENUE

<u>Allowable Uses</u>	<u>Prohibited Uses</u>
<ul style="list-style-type: none"> • <i>Development of new park and recreational facilities (100%)</i> • <i>Development of new park and recreational facilities in <u>existing</u> parks that that expand service capacity (100%)</i> • <i>Park and recreational facility costs already incurred to provide growth-related capacity (100%)</i> • <i>Portion of a park and recreational facility renovation projects in parks that expands service capacity</i> • <i>Collection, accounting, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act.</i> 	<ul style="list-style-type: none"> • <i>Existing deficiencies, such as improvements to existing park and recreational facilities that do not expand service capacity</i> • <i>Parkland acquisition, development of regional parks, community use buildings, and swimming pools.</i> • <i>Operational, maintenance or repair costs</i>

IMPACT RELATIONSHIP

Since the need for park and recreational services is inherently population-driven, new residential development in the District will generate additional need for new parks and recreational services and the corresponding need for various facilities. The fees will be used to develop and expand the District's park and recreational facilities, open space areas, and trails required to serve new development. The fees' use (new or expanded park and recreational facilities, open space areas, and trails) is therefore reasonably related to the type of project (new residential development) upon which it's imposed.

Each new residential development project will generate additional need for park and recreational services and the associated need for additional parks, recreational facilities, and trails. The need is measured in proportion to the occupancy per dwelling unit for three residential land use categories and the District's existing level of service for each.

PROPORTIONALITY

The amount of park and recreational facilities needed to serve a unit of development is based on the District's existing level of service standard for such facilities. The cost of new or expanded park and recreational facilities, open space areas, trail development, and fee program administrative costs are defined on a cost per capita basis. These per capita costs are then applied to three residential land use categories based on their respective dwelling unit occupancy factor.

The use of the dwelling unit occupancy factor to determine the park impact fee schedule achieves proportionality across the types of development on which the fee is imposed. In general, a single-family home will generate a higher number of persons than a multifamily unit, and as a result, will pay a higher fee. Thus, the application of the park impact fee schedule to a specific project ensures a reasonable relationship between the fee and the cost of the park and recreational facilities attributable to that project.

FEE PROGRAM ADOPTION REQUIREMENTS

The following are the general requirements for approval of the Nexus Study and proposed park impact fee program ("fee program") by the District Board of Directors and adoption by the County Board of Supervisors on behalf of the District. The specific statutory requirements for the adoption of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.) and County Code Chapter 13.20. SCI recommends that the notice and hearing requirements be duplicated by the District and the County.

CAMERON PARK COMMUNITY SERVICES DISTRICT

1. The District Board of Directors shall conduct at least "one open and public meeting" as part of a regularly scheduled meeting on the proposed fee program.
2. At least 14 days before the meeting, the District shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least 10 days before the meeting, the District shall make available to the public the Nexus Study for review.
4. At least 10 days before the public hearing, a notice of the time and place of the meeting shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication not counting such publication dates.
5. After the public hearing, adopt a resolution approving the Nexus Study and proposed fee program with a recommendation that the County Board of Supervisors adopts the proposed fee program on behalf of the District.

COUNTY OF EL DORADO

1. The Board of Supervisors shall conduct at least "one open and public meeting" as part of a regularly scheduled meeting on the requested fee program.
2. At least 14 days before the meeting, the County shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least 10 days before the meeting, the County shall make available to the public the Nexus Study for review.

4. At least 10 days before the public hearing, a notice of the time and place of the meeting shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication not counting such publication dates.
5. After the public hearing, adopt an ordinance establishing the proposed fee program on behalf of the District.
6. The fee shall become effective 60 days after adoption of the ordinance or longer as specified by the ordinance.

FEE PROGRAM ADMINISTRATION REQUIREMENTS

This section contains general recommendations for the annual administration of the park impact fee program. The specific statutory requirements for the administration of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

ACCOUNTING REQUIREMENTS

Proceeds from the new park impact fee should be deposited into a separate fund or account so that there will be no commingling of fees with other revenue or unexpended balances of the existing fee program funds. Once the old existing fee program funds have been spent, the accounts should be closed.

The park impact fees should be expended solely for the purpose for which they were collected. Any interest earned by such account should be deposited in that account and expended solely for the purpose for which originally collected.

REPORTING REQUIREMENTS

The following information, entitled “**Annual Report**,” must be made available to the public within 180 days after the last day of each fiscal year:

- a brief description of the type of fee in the account;
- the amount of the fee;
- the beginning and ending balance of the account;
- the fees collected that year and the interest earned;
- an identification of each public improvement for which the fees were expended and the amount of the expenditures for each improvement;
- an identification of an approximate date by which development of the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing of an incomplete public improvement;
- a description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, the date on which any loan will be repaid, and the rate of interest to be returned to the account; and
- the amount of money refunded under section Govt. Code § 66001.

The District shall review the Annual Report at the next regularly scheduled public meeting, not less than 15 days after the Annual Report is made available to the public. Notice of the time and place of the meeting, including the address where this information may be reviewed, shall be mailed, at least 15 days prior to the meeting, to any interested party who files a written request with the County for mailed notice of the meeting. Any written request for mailed notices shall be valid for one year from the date on which it is filed unless a renewal request is filed. Renewal requests for mailed notices shall be filed on or before April 1 of each year. The District Board may establish a reasonable annual charge for sending notices based on the estimated cost of providing the service.

For the fifth fiscal year following the first receipt of any park impact fee proceeds, and every five years thereafter, the District must comply with Government Code Section 66001(d)(1) by affirmatively demonstrating that the District still needs unexpended park impact fees to achieve the purpose for which it was originally imposed and that the District has a plan on how to use the unexpended balance to achieve that purpose. Specifically, the District shall make the following findings, entitled “**Five-Year Findings Report**,” with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put;
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

The County shall provide for the refund of all or any part of such unexpended or unappropriated fee revenue, together with any actual interest accrued thereon, in the manner described in Government Code § 66001 (e) of the, to the current record owner of any property for which a fee was paid; provided that if the administrative costs of refunding such fee revenue exceed the amount to be refunded.

ANNUAL INFLATIONARY ADJUSTMENT

Each year, the park impact fee should be adjusted by the percentage change in the Engineering News Record Construction Cost Index as published by the Engineering News-Record, or its successor publication for the preceding twelve months.

FEE CREDITS

A fee credit must be given for demolished existing dwelling units or building square footage as part of a nonresidential development project in order to comply with the Act and recent court cases. Additionally, if a developer dedicates land or builds specific park facilities under a turn-key agreement, the fee imposed on that development project may be adjusted to reflect a credit for the cost of the dedicated land, facilities constructed, and apparatus and equipment provided. Specific provisions are detailed in County Code § 13.20.170.

EXEMPTIONS

The park impact fee shall not be imposed on the following types of development:

- All nonresidential development.
- Any other development, entitled by state or federal statute, to an exemption from development impact fees, including but not limited to Government Code sections 65961 or 66498 et seq.

APPENDICES

Appendix A – Estimate of Cost for Park Development

Appendix B – Comparison of Current and Maximum Park Impact Fee

Appendix C – El Dorado County Code Chapter 13.20

APPENDIX A – ESTIMATE OF COST FOR PARK DEVELOPMENT

FIGURE 11 – ESTIMATE OF COST FOR PARK DEVELOPMENT

Item	Quantity	Unit	Unit Cost ¹	2019 \$
Street frontage	425	LF	\$217	\$92,225
Off street parking per stall	40	EA	\$3,388	\$135,520
Neighborhood-Scale Playground	2	EA	\$108,400	\$216,800
Basketball Court	1	EA	\$130,080	\$130,080
Multi-purpose Field	2	EA	\$33,875	\$67,750
Small Restroom	1	EA	\$169,375	\$169,375
Single Picnic Shelter (20' X 20')	2	EA	\$67,750	\$135,500
Picnic Tables	10	EA	\$2,033	\$20,330
Entry Sign	1	EA	\$8,130	\$8,130
Benches	4	EA	\$2,033	\$8,132
Subtotal				\$983,842
On Site Work ²	5	AC	\$185,000	\$925,000
Design, Engineering, Fees, Admin.		18%	\$1,908,842	\$343,592
Total Project Cost (5 acres)				\$2,252,434
Average Cost Per Acre (rounded)				\$450,000

Sources: Cameron Park Community Services District; Foothill Associates and SCI Consulting Group

Notes:

¹ Unit costs are from District's 2015 Master Plan and adjusted by 8.4 percent for cost

² On-site improvements includes site grading, utility connections, soil prep & amendments, automatic irrigation, planting, concrete pathways.

APPENDIX B – COMPARISON OF CURRENT AND MAXIMUM PARK IMPACT FEE

FIGURE 12 – COMPARISON OF CURRENT AND MAXIMUM PARK IMPACT FEE

Land Use Category	Unit ¹	Current Park	Maximum	\$ Change	% Change
		Facilities Fee per Unit (2007) ²	Park Impact Fee (2019) ²		
Calc	a	a	b	c = a - b	d = c / a
Single-Family Housing	DU	\$4,984	\$6,645	\$1,661	33.3%
Multi-Family Housing	DU	\$3,816	\$5,435	\$1,619	42.4%
Mobile Home	DU	\$2,467	\$3,402	\$935	37.9%

Notes:

¹ DU means dwelling unit.

² The maximum proposed park impact fee does not include a parkland acquisition cost component. Therefore, for a proper comparison, only the park facilities fee per unit of the current fee is shown.

APPENDIX C – EL DORADO COUNTY CODE CHAPTER 13.20

DEVELOPMENT IMPACT MITIGATION FEES FOR SPECIAL DISTRICTS**Sec. 13.20.010. - Purpose.**

This chapter sets forth the requirements for the establishment and administration of development impact mitigation fees collected by the County on behalf of a Special District within the County. For purposes of this chapter, "Special District" includes a fire improvement district, a community services district, a recreation and park district, or any other public agency authorized by law to provide fire protection, public recreation, or any other community service. A Special District may request the establishment and administration of a development impact mitigation fee under this chapter only if the Special District lacks statutory authority to independently impose a development impact mitigation fee. (Ord. No. 5057 , § 2, 8-29-2017)

Sec. 13.20.020. - Establishment of fee.

At the request of the Special District and in compliance with the Mitigation Fee Act, Government Code §§ 66000—66025, the Board of Supervisors may, in its sole discretion, establish a development impact mitigation fee collected on behalf of the Special District upon the issuance of all building permits for development within the Special District. The Special District shall propose the amount of any new or modified fee, which shall be based on a study and written report that demonstrates and allows the Board of Supervisors to independently evaluate the appropriate nexus between the fee and the purpose for which it is to be charged. The fee revenue and any interest accrued thereon may only be used as provided in the Mitigation Fee Act. (Ord. No. 5057 , § 2, 8-29-2017)

Sec. 13.20.030. - Agreement required.

The County may only collect and disburse fees on behalf of a Special District pursuant to a written agreement between the County and Special District that has been approved as to form by County Counsel. Even if a fee was created before enactment of this chapter, the County shall not disburse any fee on behalf of a Special District until the agreement required by this section is duly executed by the County and Special District. At a minimum, the agreement shall clearly define the rights and duties of each party and shall provide for the Special District to defend, indemnify, and hold the County, its officers, agents, and employees harmless from and against any and all liability, loss, damage, claims, judgments, costs, staff time, losses, expenses, and any other costs of defense arising out of, resulting from, or related to the creation, establishment, modification, collection, or disbursement of fees on behalf of the Special District or any other obligation of the Special District or County under the agreement to collect and distribute fees on behalf of the Special District, the Mitigation Fee Act, or this chapter. The agreement shall also provide that the Special District shall ensure that any fee collected on its behalf complies with the Mitigation Fee Act. (Ord. No. 5057 , § 2, 8-29-2017)

Sec. 13.20.040. - Developer construction of facilities.

Whenever a developer is required, as a condition of approval of a development permit, to construct a public facility described in a resolution adopted pursuant to this chapter which facility is determined by the Special District to have supplemental size, length, or capacity over that needed for the impacts of that development, and when such construction is necessary to ensure efficient and timely construction of the facilities network, a reimbursement agreement with the developer and a credit against the fee, which would otherwise be charged pursuant to this chapter on the development project, shall be offered. The reimbursement amount shall not include the portion of the improvement needed to provide services or mitigate the need for the facility or the burdens created by the development. (Ord. No. 5057 , § 2, 8-29-2017)

Sec. 13.20.050. - Reductions and appeals.

- A. Reduction and/or appeals of a fee described in this chapter may be granted by the Chief Administrative Officer to a developer of any project under any one of the following scenarios:
1. The requirements of this chapter have been incorrectly applied to the development project; and/or
 2. That application of the requirements of this chapter to the development project is unlawful under and/or conflict with federal, state, or local law and/or regulation including constituting an unlawful taking of property without just compensation.
- B. Application for reduction and/or appeals of a fee described in this chapter must be made no later than the date of application for the building permit for the development project on a form provided by the County and shall include payment of the fee. The burden of establishing by satisfactory factual proof the applicability and elements of this section shall be on the applicant. The applicant must submit full information in support of their submittal as requested by the Chief Administrative Officer. Failure to raise each and every issue that is contested in the application and provide appropriate support evidence will be grounds to deny the application and will also preclude the applicant from raising such issues in court. The Chief Administrative Officer may require at the expense of the applicant, review of the submitted materials by a third party.
- C. The County shall mail the applicant a final, written determination on the application for a reduction and/or appeal within 30 days of the appeal. Within ten days of receiving the final, written determination from the Chief Administrative Officer, the applicant may appeal the Chief Administrative Officer's decision to a Hearing Officer appointed under Chapter 12.28. The Hearing Officer shall issue a written decision within 30 days and the Hearing Officer's decision is final and not administratively appealable. The 30-day deadlines for decisions in this section may be extended by the County if the complexity of an application necessitates additional time.

- D. If a reduction, adjustment, or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment, or reduction of the fee.
- E. Failure to timely submit an application for reduction and/or appeal of a fee under this section and a protest under Civil Code § 66020 shall constitute a failure to exhaust administrative remedies that shall preclude such person from challenging the fee in court. (Ord. No. 5057 , § 2, 8-29-2017)

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