


# Memo

**To:** Board Members  
**From:** John R. Knight, Supervisor   
District I  
**CC:** Jim Ware, Director Department of Transportation  
**Date:** 11/30/2010  
**Re:** TIM fee category for age- restricted development

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**History:**

Since mid 2008, El Dorado County has considered a split TIM fee program for age restricted housing. If new fee categories are to be added, it may be best to revisit the issue as part of the entire fee program and CIP updates.

DOT will need to review the need for planned improvements currently in the fee program as not all of the planned improvements may be needed. DOT will need to work on creating new fee categories based upon the most common land uses envisioned for the County. Trip rates for all uses (existing and proposed) would be developed/reviewed to ensure that each category pays its fair share. This analysis may result in fee changes across some or maybe all categories.

Some of these new categories were discussed with DOT's TIM Fee Working Group in October 2008 and there was no consensus reached after four meetings.

**Action:**

Does this Board want to develop a new fee category for age restricted housing? If so, how will we arrive at a process to develop the category since the TIM Fee Working Group could not reconcile their differences?

**..Title**

Transportation Department recommending the Board direct the Department to 1) leave the Traffic Impact Mitigation Fee Program as it is currently adopted; 2) at the five year update of the Program, add the categories of Age Restricted Single-Family and Age Restricted Multi-Family; and 3) with the five year update provide a Resolution listing the requirements to qualify as an Age Restricted project. (Est Time: 1 hr)

**FUNDING:** N/A

**Fiscal Impact/Change to Net County Cost:**

There is no fiscal impact to associated with this item. There is no Net County Cost.

**..Body**

**Background:**

On October 20, 2008 (Item 30. 08-1466), the Board directed the Department of Transportation (DOT) to add two new Traffic Impact Mitigation (TIM) fee categories for Age Restricted (55+) Housing with a second motion directing DOT to work with the TIM Fee Working Group (TFWG).

Working with the TFWG, DOT researched and analyzed what would be needed to add Age Restricted (AR) Fee Categories to the TIM Fee Program (Program). The Age Restricted alternatives and analysis were discussed comprehensively at four meetings of the TFWG, beginning with the December, 2008 meeting, however, no consensus was reached. TFWG members have conflicting points of view on this topic that cannot be easily reconciled, therefore, DOT cannot resolve all of the outstanding issues and concerns as directed by the Board.

**Reason for Recommendation:**

The current Program is comprised of twelve Land Use Types (two residential and ten non-residential) and is fair and reasonable. Any proposed change to the fee categories or fee amounts needs to be kept fair and reasonable and the Program needs to remain whole as required in General Plan Policy TC-Xa as amended by the voters with passage of Measure Y in November, 2008: "3. Developer-paid traffic impact fees combined with any other available funds shall fully pay for building all necessary road capacity improvements to fully offset and mitigate all direct and cumulative traffic impacts from new development upon any highways, arterial roads and their intersections during weekday, peak-hour periods in unincorporated areas of the county." Additionally, DOT continues to receive a number of requests or inquiries for reduced TIM fees. Granting any of these requests could impact the fiscal soundness and the fairness of the Program. Agreeing to one reduced fee request has the potential to put the Program on a slippery slope and it becomes difficult to determine where to draw the line with each additional request.

**Legistar Item 10-0310 Created 03/25/2010**

If fee categories are to be added, it may be best to revisit the issue as a part of the entire Program at the time of the five year TIM Fee major update. After revisiting land use forecasts, DOT would review the need for planned improvements currently in the Program as not all of the planned improvements may be needed. DOT would work to create new fee categories based upon the most common land uses envisioned for the County. Trip rates for all uses (existing and proposed) would be developed/reviewed to ensure that each category pays its fair share. This analysis may result in some fees going up for some categories, some going down, and some staying the same. Note that once fee categories are added, it is unlikely the County can go backward and reduce the number of categories (i.e., precedent has been set).

Action to be taken following Board approval: None

Contact:

James W. Ware, P.E.

Director, Department of Transportation

Concurrences: N/A

***On 10/28/08, the Board directed DOT to add two new Traffic Impact Mitigation (TIM) fee categories for Age Restricted (55+) Housing:***

08-1466.3.B.4

**Item 30. 08-1466** Transportation Department recommending an addition of a new fee category for age-restricted development in the County's Traffic Impact Mitigation Fee Program. (Cont'd 9/23/08, Item 31)

A motion was made by Supervisor Dupray, seconded by Supervisor Baumann to create two new Traffic Impact Mitigation (TIM) fee categories for Age Restricted (55+) Housing - Single Family Dwelling and Age Restricted (55+) Housing - Multifamily Dwelling County-wide.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

A motion was made by Supervisor Dupray, seconded by Supervisor Sweeney to direct the Department of Transportation to work with the Traffic Impact Mitigation (TIM) Working Group and developers to resolve all of the outstanding issues and concerns relating to the implementation of the new fee program categories; and return to the Board at the time of the next annual update, May 2009, with a report on the new fee program and the appropriate resolutions for the categories.

Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

***On 10/28/08, the Board directed DOT to consider two new Traffic Impact Mitigation (TIM) fee categories for Age Restricted (55+) Housing:***

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Yes: 5 - Dupray, Baumann, Sweeney, Briggs and Santiago

June 2, 2009

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DOT TIM Fee Annual Update

***Since October, 2008, DOT has been working to comply with the Board's direction:***

- "...work with the Traffic Impact Mitigation (TIM) Working Group and developers to resolve all of the outstanding issues and concerns relating to the implementation of the new fee program categories..."
- DOT has researched and analyzed what it would take to add Age Restricted (AR) Fee Categories to the TIM Fee Program.
- The Age Restricted alternatives and analysis have been discussed at four meetings of the TIM Fee Working Group, beginning with the December, 2008 meeting.
- No consensus has been reached by the TIM Fee Working Group.
- Members have multiple points of view on this topic that cannot be easily reconciled.

June 2, 2009

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DOT TIM Fee Annual Update