



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION APPROVING THE DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT CAPITAL IMPROVEMENT PLAN AND ADOPTING DEVELOPMENT IMPACT FEES

WHEREAS, the Board of Supervisors of the County of El Dorado has adopted Ordinance No. 3991 establishing the authority for imposing development improvement fees within El Dorado County; and

WHEREAS, pursuant to Government Code section 66000 et seq., the Board has established fees within the boundaries of the Diamond Springs/El Dorado Fire Protection District (District); and

WHEREAS, Government Code 66002(b) provides for review of said fees and that said fees may be adjusted as needed; and

WHEREAS, a Capital Improvement Plan (Report) was prepared analyzing the impact of future development on existing fire service and the need for new public facilities, improvements, and equipment as a result of new development within the boundaries of the District and sets forth the relationship between new development, the needed facilities and equipment, and the estimated cost of those improvements; and

WHEREAS, said Report was available for public review prior to this public hearing; and

WHEREAS, the Board finds as follows:

- A. The purpose of these fees is to finance public facilities and equipment to mitigate the impact of development on fire protection services within the District.
- B. The fees collected pursuant to this Resolution shall be used to finance only the facilities and equipment as described or identified in the attached Report.
- C. Upon consideration of the Report and testimony received at this hearing, the Board approves the Report, incorporates it herein by reference, and further finds that new development within the boundaries of the District will generate an additional need for fire 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 fire protection services to new development in compliance with the Public Safety and Housing Elements of the County's General Plan.
- E. The facts and evidence presented 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 Long Range Plan.
- 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 new developments fair share of these costs.

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

1. A fee shall be paid prior to the issuance of any building permit for all new residential and non-residential development within the District. The fee shall be as follows:

	Fees per square foot
Residential	\$0.62
Commercial/Industrial or other Non-Residential	\$1.22

2. Any residential parcel map that previously paid mitigation fees to the District by the developer or their predecessor for parcel splits, shall not be required to pay a development fee. It will be applicants responsibility to present proof of that payment. Development fees shall not be waived in the absence of proof.
3. Any addition, repair or replacement on a dwelling unit, not exceeding 75% of the structures original square footage shall be exempt from development fees.
4. Any commercial, industrial or institutional parcel that previously paid mitigation fees to the District by the developer or their predecessor, for parcel splits shall not be required to pay a development fee. It will be applicants responsibility to present proof of that payment. Development fees shall not be waived in the absence of proof.
5. The fee established by this Resolution shall be collected and expended in compliance with El Dorado County Ordinance No. 3991.
6. Any judicial action or proceeding to attach, review, set aside, void, or annul this Resolution shall be brought forward within 120 days.
7. This Resolution supersedes Resolution 329-2005 approved on November 1, 2005.
8. These fees will go into effect 60 days from the adoption of this resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest: Suzanne Allen de Sanchez
 Clerk of the Board of Supervisors

Ayes:
 Noes:
 Absent:

By: _____
Deputy Clerk Chair, Board of Supervisors

I CERTIFY THAT:
 THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____ Date: _____
Deputy Clerk