



RESOLUTION NO. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Amending the 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program and Adopting TIM Fee Rates

WHEREAS, the County Board of Supervisors has long recognized the need for new development to help fund the roadway and bridge improvements necessary to serve that new development; and

WHEREAS, starting in 1984 and continuing until the present time, the Board has adopted and updated various fee resolutions to ensure that new development on the western slope pay to fund its fair share of the costs of improving the county and state roadways necessary to serve that new development; and

WHEREAS, the County prepared a new General Plan entitled "2004 El Dorado County General Plan: A Plan for Managed Growth and Open Roads; A Plan for Quality Neighborhoods and Traffic Relief", and in July of 2004 adopted that plan; and

WHEREAS pursuant to Public Resources Code Section 21000 et seq., on August 22, 2006, with Resolution 265-2006, the County certified the Traffic Impact Mitigation Fee Program Supplement to the 2004 General Plan Environmental Impact Report, issued a Supplemental Statement of Overriding Considerations, and made Supplement Findings of Fact; and

WHEREAS pursuant to Government Code Section 66001 et seq., the County adopted the 2004 General Plan Traffic Impact Mitigation Fee (TIM) Program on August 22, 2006, with Resolution 266-2006; and

WHEREAS Resolution 205-2008 adopted on July 29, 2008, provided that said fees shall be adjusted annually by an increase or decrease in the project costs by updating improvement cost estimates using actual construction costs of ongoing and completed projects, the most current cost estimates for those projects that are far enough along in the project development cycle to have project specific cost estimates, and for all other projects, the Engineering News Record-Building Cost Index; and

WHEREAS Resolution 114-2009 adopted on June 2, 2009, amended the 2004 General Plan Traffic Impact Mitigation Fee Program and left the TIM Fee Rates unchanged from 2008; and

WHEREAS the County has determined that it is necessary to define and further clarify the conditions under which a refund of Traffic Impact Mitigation fees will be considered; and

WHEREAS after a full public hearing during which the fee structure was studied and reviewed the Board determined to adopt the updated fee structure as presented by staff at the public hearing;

NOW THEREFORE, BE IT RESOLVED:

A. The Board of Supervisors hereby adopts the amended 2004 General Plan Traffic Impact Mitigation Fee Program and the fees as shown in the attached Exhibit A within each of the areas of benefit shown on the map in Exhibit C.

B. Those building permit applicants that have final applications submitted and accepted after the effective date of the amended 2004 General Plan TIM Fee Program (August 7, 2010) will pay the fee rate(s) listed in the attached Exhibit A.

C. All TIM Fee Program receipts are to be expended on projects shown on Exhibit B; the proportions paid for each project by the West Slope TIM account, the El Dorado Hills TIM account, and the Highway 50 TIM account are also shown on Exhibit B.

D. The Director of Transportation or designee shall not authorize the refunding of any County TIM Fee paid unless:

1. Written request to withdraw an application or permit is provided by the current owner or original applicant or an authorized agent of either.
2. Said request is made within one year of the application or within two years of the original date of issuance.
3. No work of any sort has been done under the permit in question.

E. All references to earlier programs in agreements, conditions of approval, mitigation measures, etc., will be assumed to apply to the new TIM Fee Program where:

1. References to the former RIF are assumed to also include the new 2004 EDH TIM
2. References to the former TIM are assumed to also include the new 2004 TIM
3. References to the former State TIM and the former Interim Highway 50 programs are assumed to also include the new 2004 Highway 50 TIM.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the _____ day of _____, 2010, by the following vote of said Board:

Ayes:

ATTEST

Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

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.

DATE _____

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

By _____
Deputy Clerk

EXHIBIT A

**TO RESOLUTION _____ SETTING THE 2004 GENERAL PLAN TRAFFIC
IMPACT MITIGATION FEE**

FEE ZONE NUMBER 1

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	3,710.00	13,300.00	17,010.00
Multi-family Residential	2,430.00	8,650.00	11,080.00
High-Trip Commercial (per sq. foot)	2.53	16.50	19.03
General Commercial (per sq. ft)	1.18	7.68	8.86
Office (per sq. foot)	0.30	1.98	2.28
Industrial (per sq. foot)	0.19	1.25	1.44
Warehouse (per sq. foot)	0.10	0.63	0.73
Church (per sq. foot)	0.10	0.63	0.73
Gas Station (per pump)	1,190.00	7,750.00	8,940.00
Golf Course (per hole)	966.00	6,310.00	7,276.00
Campground (per campsite)	383.00	2,510.00	2,893.00
Bed & Breakfast (per rented room)	193.00	1,260.00	1,453.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 2

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	12,100.00	29,600.00	41,700.00
Multi-family Residential	7,780.00	19,400.00	27,180.00
High-Trip Commercial (per sq. foot)	7.83	18.20	26.03
General Commercial (per sq. ft)	3.67	8.50	12.17
Office (per sq. foot)	0.94	2.17	3.11
Industrial (per sq. foot)	0.61	1.38	1.99
Warehouse (per sq. foot)	0.30	0.70	1.00
Church (per sq. foot)	0.30	0.70	1.00
Gas Station (per pump)	3,470.00	8,040.00	11,510.00
Golf Course (per hole)	3,030.00	6,990.00	10,020.00
Campground (per campsite)	1,150.00	2,640.00	3,790.00
Bed & Breakfast (per rented room)	570.00	1,330.00	1,900.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 3

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	12,100.00	29,600.00	41,700.00
Multi-family Residential	7,780.00	19,400.00	27,180.00
High-Trip Commercial (per sq. foot)	4.62	21.40	26.02
General Commercial (per sq. ft)	2.16	10.00	12.16
Office (per sq. foot)	0.55	2.56	3.11
Industrial (per sq. foot)	0.34	1.63	1.97
Warehouse (per sq. foot)	0.18	0.82	1.00
Church (per sq. foot)	0.18	0.82	1.00
Gas Station (per pump)	2,050.00	9,460.00	11,510.00
Golf Course (per hole)	1,790.00	8,220.00	10,010.00
Campground (per campsite)	671.00	3,120.00	3,791.00
Bed & Breakfast (per rented room)	337.00	1,560.00	1,897.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 4

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	2,330.00	13,100.00	15,430.00
Multi-family Residential	1,520.00	8,470.00	9,990.00
High-Trip Commercial (per sq. foot)	3.03	17.70	20.73
General Commercial (per sq. ft)	1.42	8.22	9.64
Office (per sq. foot)	0.37	2.11	2.48
Industrial (per sq. foot)	0.24	1.34	1.58
Warehouse (per sq. foot)	0.13	0.67	0.80
Church (per sq. foot)	0.13	0.67	0.80
Gas Station (per pump)	1,420.00	8,200.00	9,620.00
Golf Course (per hole)	1,170.00	6,730.00	7,900.00
Campground (per campsite)	455.00	2,640.00	3,095.00
Bed & Breakfast (per rented room)	228.00	1,330.00	1,558.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 5

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	3,460.00	12,200.00	15,660.00
Multi-family Residential	2,260.00	7,880.00	10,140.00
High-Trip Commercial (per sq. foot)	2.69	18.00	20.69
General Commercial (per sq. ft)	1.26	8.35	9.61
Office (per sq. foot)	0.31	2.14	2.45
Industrial (per sq. foot)	0.21	1.36	1.57
Warehouse (per sq. foot)	0.10	0.69	0.79
Church (per sq. foot)	0.10	0.69	0.79
Gas Station (per pump)	1,260.00	8,340.00	9,600.00
Golf Course (per hole)	1,030.00	6,860.00	7,890.00
Campground (per campsite)	404.00	2,690.00	3,094.00
Bed & Breakfast (per rented room)	203.00	1,370.00	1,573.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 6

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	2,750.00	24,300.00	27,050.00
Multi-family Residential	1,800.00	15,800.00	17,600.00
High-Trip Commercial (per sq. foot)	2.40	18.40	20.80
General Commercial (per sq. ft)	1.12	8.50	9.62
Office (per sq. foot)	0.28	2.17	2.45
Industrial (per sq. foot)	0.18	1.38	1.56
Warehouse (per sq. foot)	0.09	0.70	0.79
Church (per sq. foot)	0.09	0.70	0.79
Gas Station (per pump)	1,120.00	8,490.00	9,610.00
Golf Course (per hole)	919.00	6,990.00	7,909.00
Campground (per campsite)	361.00	2,740.00	3,101.00
Bed & Breakfast (per rented room)	181.00	1,390.00	1,571.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 7

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	3,740.00	13,400.00	17,140.00
Multi-family Residential	2,440.00	8,700.00	11,140.00
High-Trip Commercial (per sq. foot)	8.81	11.80	20.61
General Commercial (per sq. ft)	4.12	5.49	9.61
Office (per sq. foot)	1.05	1.42	2.47
Industrial (per sq. foot)	0.67	0.89	1.56
Warehouse (per sq. foot)	0.33	0.45	0.78
Church (per sq. foot)	0.33	0.45	0.78
Gas Station (per pump)	4,110.00	5,490.00	9,600.00
Golf Course (per hole)	3,380.00	4,550.00	7,930.00
Campground (per campsite)	1,330.00	1,780.00	3,110.00
Bed & Breakfast (per rented room)	664.00	886.00	1,550.00

Board of Supervisors Resolution _____, Adopted June 8, 2010

FEE ZONE NUMBER 8

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	5,920.00	26,500.00	32,420.00
Multi-family Residential	3,860.00	17,300.00	21,160.00
High-Trip Commercial (per sq. foot)	2.47	18.50	20.97
General Commercial (per sq. ft)	1.17	8.69	9.86
Office (per sq. foot)	0.29	2.22	2.51
Industrial (per sq. foot)	0.19	1.42	1.61
Warehouse (per sq. foot)	0.10	0.71	0.81
Church (per sq. foot)	0.10	0.71	0.81
Gas Station (per pump)	1,140.00	8,380.00	9,520.00
Golf Course (per hole)	958.00	7,140.00	8,098.00
Campground (per campsite)	396.00	2,960.00	3,356.00
Bed & Breakfast (per rented room)	199.00	1,480.00	1,679.00

Board of Supervisors Resolution _____, Adopted June 8, 2010**Notes:**

1. All 2004 General Plan Traffic Impact Mitigation Fee Program fees for residential projects shall be paid at the building permit stage. The fees charged will be the fees in effect on the date a completed application is accepted by the Development Services Department's Building Services.
2. No fee shall be required for remodeling of existing residential units pursuant to County Code Chapter 12.32.030.B. However, the fee may be due to bring a

residential unit up to the applicable building code specifications if the unit was initially built without the approval of and inspection by the building department.

3. The fees other than residential shall be based on the projected use of structures, as determined by plans submitted for building permits, and paid prior to the issuance of a building permit. Pursuant to the terms of Board of Supervisors Policy B-3 for fee deferral, some projects may be eligible to defer payment of the fee until issuance of the certificate of occupancy, or may elect to pay a portion of the fee over a five-year period.
4. Mobile homes on permanent foundations shall be subject to the single-family residential fee.
5. Second dwelling as defined under County Code Chapter 17.15.020 shall be subject to the multi-family fee.
6. A gas pump (defined) is a customer service location with a fuel delivery device containing fuel dispensing hose(s), which may or may not be located on an island or other raised platform.
7. At the discretion of the Director of Transportation, an applicant required to pay a fee calculated on the basis of the above schedule may receive a full or partial waiver of the fee or may receive credits against future fee obligations, and/or future reimbursements for any road improvement expenditures in excess of applicants fee obligation, if the Director of Transportation certifies that the applicant has constructed improvements included in the 2004 General Plan Traffic Impact Mitigation Fee Program through other funding mechanisms.
8. The Director of Transportation or designee shall not authorize the refunding of any TIM Fee paid unless no work of any sort has been done under the permit in question.
9. Refunds will be made payable to the current owner(s) or whomever they legally designate.
10. The fees set forth above in this Exhibit "A" will be adjusted annually with any revised fees taking effect on, or about, July 1st of each year, by updating improvement cost estimates using actual construction costs of ongoing and completed projects, the most current cost estimates for those projects that are far enough along in the project development cycle to have project specific cost estimates, and for all other projects, the Engineering News Record Building Cost Index (ENR-BCI) (20 Cities). The above fees are based on the construction costs as of January 1, 2010. The January 2010 index figure was 4800. The Department of Transportation will also incorporate any changes to the land use forecasts should new General Plan land use forecasts become available.

Board of Supervisors Resolution _____, Adopted June 8, 2010