



RESOLUTION NO. 036-2015

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

RESOLUTION APPROVING THE EL DORADO HILLS 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 fees within El Dorado County; and

WHEREAS, the Board of Supervisors has previously established fees within the boundaries of the El Dorado Hills Fire Protection District (District) documented by Resolution 157-97 adopted June 1997, Resolution 264-99 adopted November 1999, Resolution 204-2000 adopted June 2000, Resolution 159-2001 adopted June 2001, Resolution 218-2002 adopted August 2002, Resolution 280-2003 adopted October 2003, Resolution 223-2004 adopted July 2004, Resolution 335-2005 adopted November 2005, Resolution 286-2006 adopted September 2006 and Resolution 016-2009 adopted February 2009; and

WHEREAS, a Five Year Capital Improvement Plan (Report), and Nexus report by the El Dorado Hills Fire Protection District was prepared October 2013 for the years 2013 thru 2018. This Report analyzes 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 therefore the Report also serves as the fee justification or nexus study; and

WHEREAS, said CIP was made available for public review prior to this public hearing. Notice was placed in the Mountain Democrat and the Tahoe Daily Tribune on February 20, 2015; and

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

WHEREAS, the Board of Supervisors 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, incorporating such herin 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 fire safety policies, Public Health Safety and Noise Element and the Public Services and Utilities of the County's General Plan.

- E. The facts and evidence presented in the Report 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. A fee 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. The fee shall be charged upon issuance of a building permit as follows:

**Residential, Commercial, Industrial, Institutional Buildings:
\$1.16 per square foot**


- 3. The fee established by the Resolution shall be collected and expended in compliance with El Dorado County Ordinance No. 3991.
- 4. Any judicial action or proceedings to attach, review, set aside, void, or annul this Resolution shall be brought forward within 120 days.
- 5. This Resolution supercedes Resolution 016-2009 approved on February 9, 2009.

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 10 day of March, 2015, by the following vote of said Board:

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

By: 
Deputy Clerk

Ayes: Mikulaco, Veerkamp, Frentzen, Ranalli,
Noes: none
Absent: none
Novasel


Chair, Board of Supervisors
Brian K. Veerkamp