



## RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

### **Adopting the 2004 El Dorado County General Plan Traffic Impact Mitigation (TIM) Fee 2015 TIM Fee Schedule**

**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 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 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**, Resolution 070-2010 adopted on June 8, 2010, amended the 2004 General Plan Traffic Impact Mitigation Fee Program and left the TIM Fee Rates unchanged from 2009; and

**WHEREAS**, the County Board of Supervisors on December 19, 2011, directed single family and multi-family Age Restricted fee categories in Zone 8, and for all zones which are within community regions and have infrastructure in place, be established for the Traffic Impact Mitigation at 38% of the fee for single and multi-family residential categories, respectively; and that Age Restricted single family and multi-family housing shall be that as defined in California Civil Code Section 51.3; and

**WHEREAS**, the County Board of Supervisors on December 19, 2011, directed a lowering of the TIM fees by the balance of the savings identified in the annual review of the TIM Fee Program project costs, after the creation of the Age Restricted categories; and

**WHEREAS**, Resolution 021-2012 adopted on February 14, 2012 , directed that funding for Age Restricted categories in Zone 8 to approximately 38% of Zone 8 for single family and multi-family housing, thereby lowering the TIM Fees in Zone 8 by the balance of the savings in Zone 8 after the creation of an Age Restricted category; allocated Funding for Age Restricted Categories in Zones 2 and 3 which are within community regions and have infrastructure in place; and allocated the savings on Highway 50 TIM Fee proportionally across all zones; and

**WHEREAS**, General Plan Policy TC-Xb requires the County to “at least every five years, prepare a TIM Fee Program specifying roadway improvements to be completed within the next 20 years to ensure compliance with all applicable level of service and other standards in this plan;” and

**WHEREAS**, studies were conducted to analyze the impacts of contemplated future development on existing public facilities in the County, and to determine the need for new public facilities and improvements required by the new development.

**WHEREAS**, said studies set forth the relationship between new development, the needed facilities, and the estimated costs of these improvements.

**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; and

**WHEREAS**, the collection process and the amount of fees for improvement of roadways and intersections identified in the 2004 El Dorado County General Plan TIM Fee 2015 Update are set forth in Ordinance xxxx.

**THEREFORE, BE IT HEREBY RESOLVED,**

- A. The Board of Supervisors hereby adopts the amended 2004 General Plan TIM Fee Program fees as shown in the attached Exhibit A within each of the areas of benefit shown on the map in Exhibit B.
- B. The Age Restricted Categories ,Single Family and Multi-Family residential projects, within community regions with public infrastructure (public sewer, water, and transportation facilities in place) shall apply to Zones 2, 3, and 8 exclusively, and as defined by California Civil Code Section 51.2 and 51.3) shall pay 38% of the fee for single and multi-family residential categories respectively.
- C. Applicants shall pay the TIM Fee rate in effect at time of building permit issuance or at time of approval of an application for a change in the use of a building or property as defined in the TIM Fee Ordinance.
- D. The fees listed in the attached Exhibit A will not apply to any permit issued prior to adoption of this Resolution.
- E. 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 (Zones 1-7) TIM Fee account, the El Dorado Hills (Zone 8) TIM Fee account, and the Highway 50 TIM Fee account are also shown Exhibit B.
- F. A map of the TIM Fee Zones is provided on Exhibit C.
- G. 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 TIM are assumed to also include the new 2004 TIM
2. 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 the (date) day of (Month) 2016, by the following vote of said Board:

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

Ayes:  
Noes:  
Absent:

By: \_\_\_\_\_  
Deputy Clerk

\_\_\_\_\_ Chair, Board of Supervisors

DRAFT