



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, your Board has established fees within the boundaries of the Diamond Springs/El Dorado Fire Protection District (District); 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, Government Code 66002(b) provides for review of said fees and that said fees may be adjusted as needed; and

WHEREAS, this 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, incorporating such 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 County's Public Safety and Housing Elements of the 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 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.

RESOLUTION NO. _____
DIAMOND SPRINGS/EL DORADO FIRE CAPITAL IMPROVEMENT PLAN

NOW, THEREFORE, the Board of Supervisors hereby resolves and determines as follows:

1. *New development* shall mean original construction of commercial, industrial or other non-residential improvement, or the addition of floor space to existing commercial or industrial facilities. *New development* shall also mean residential dwelling units, including an apartment or apartment complex.
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 non-exempted new development within the District. The fee shall be charged upon issuance of a building permit as follows:

	Fees per square foot
Residential	\$0.36
Commercial structures	\$0.77
Office structures	\$0.88
Industrial structures	\$0.51
Unoccupied agricultural	\$0.26

3. Residential dwellings equipped with an approved residential sprinkler system are eligible for a fifty percent reduction in development fee. Commercial, industrial, office and agricultural structures that install approved fire protection sprinkler systems in excess of District requirements may be eligible for a fifty percent reduction in the development fee.
4. 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.
5. Any addition, repair or replacement on a dwelling unit, not exceeding 75% of the structures original square footage shall be exempt from development fees.
6. 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.
7. Any repair or replacement of an existing commercial, industrial or institutional structure will be exempt from the development fee. This exemption applies only to the original square footage.
8. The fee established by this Resolution shall be collected and expended in compliance with El Dorado County Ordinance No. 3991.
9. Any judicial action or proceeding to attach, review, set aside, void, or annul this Resolution shall be brought forward within 120 days.

RESOLUTION NO. _____
DIAMOND SPRINGS/EL DORADO FIRE CAPITAL IMPROVEMENT PLAN

10. This Resolution supersedes Resolution 329-2005 approved on November 1, 2005.

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 _____, 2005, by the following vote of said Board:

Ayes:

ATTEST:
CINDY KECK
Clerk of the Board of Supervisors

Noes:

Absent:

By _____
Deputy Clerk

Chairman, Board of Supervisors

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

DATE: _____

ATTEST: CINDY KECK, Clerk of the Board of Supervisors of the County of El Dorado, State of California

By _____
Deputy Clerk