



RESOLUTION NO. 021-2012
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 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 presently has only two categories of fees for residential projects; single family and multi-family, and does not consider the age of the residents when assessing the fees; and

WHEREAS Senior Citizen Housing Developments (as defined in the California Civil Code Sections 51.2 and 51.3) have been shown to generate fewer trips than non-Senior Citizen Housing Developments; and

WHEREAS the County Board of Supervisors on October 28, 2008, directed separate fee categories for single family and multi-family Age Restricted housing (also known as Senior Citizen housing in California Civil Code Sections 51.2 and 51.3) be established for the Traffic Impact Mitigation Fee Program; 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 Fee Program 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;

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 Age Restricted categories;

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. The Age Restricted Categories (Single Family and Multi-Family within community regions with public infrastructure in place) shall apply to Zones 2, 3, and 8 exclusively.

C. Those building permit applicants that have final applications submitted and accepted after the effective date of the amended 2004 General Plan TIM Fee Program (April 13, 2012) will pay the fee rate(s) listed in the attached Exhibit A.

D. Those building permit applicants that have final applications submitted and accepted prior to April 13, 2012, and the permit has not been issued, will pay the fee rate(s) listed in the attached Exhibit A.

E. The fees listed in the attached Exhibit A will not apply to any permit issued prior to adoption of this Resolution.

F. 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.

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:

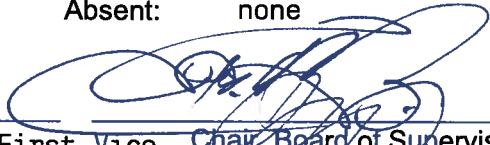
1. References to the former RIF are assumed to also include the new 2004 EDH TIM
2. References to the former TIM are assumed to also include the new 2004 TIM
3. References to the former State TIM and the former Interim Highway 50 programs are assumed to also include the new 2004 Highway 50 TIM.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 14 day of February, 2012, by the following vote of said Board:

ATTEST
Suzanne Allen de Sanchez
Clerk of the Board of Supervisors

Ayes: Briggs, Nutting, Knight, Sweeney, Santiago
Noes: none
Absent: none

By 
Deputy Clerk


First Vice - Char, Board of Supervisors
Ron Briggs

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

EXHIBIT A

TO RESOLUTION 021-2012 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	\$ 3,060.00	\$ 11,580.00	\$ 14,640.00
Multi-family Residential	\$ 2,000.00	\$ 7,530.00	\$ 9,530.00
Single-family Age Restricted Residential	N/A	N/A	N/A
Multi-family Age Restricted Residential	N/A	N/A	N/A
High-Trip Commercial (per sq. foot)	\$ 2.08	\$ 14.37	\$ 16.45
General Commercial (per sq. ft)	\$ 0.97	\$ 6.69	\$ 7.66
Office (per sq. foot)	\$ 0.25	\$ 1.72	\$ 1.97
Industrial (per sq. foot)	\$ 0.16	\$ 1.09	\$ 1.25
Warehouse (per sq. foot)	\$ 0.08	\$ 0.55	\$ 0.63
Church (per sq. foot)	\$ 0.08	\$ 0.55	\$ 0.63
Gas Station (per pump)	\$ 980.00	\$ 6,750.00	\$ 7,730.00
Golf Course (per hole)	\$ 796.00	\$ 5,490.00	\$ 6,286.00
Campground (per campsite)	\$ 315.00	\$ 2,190.00	\$ 2,505.00
Bed & Breakfast (per rented room)	\$ 159.00	\$ 1,100.00	\$ 1,259.00

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FEE ZONE NUMBER 2

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 9,970.00	\$ 25,770.00	\$ 35,740.00
Multi-family Residential	\$ 6,410.00	\$ 16,890.00	\$ 23,300.00
Single-family Age Restricted Residential	\$ 3,790.00	\$ 9,790.00	\$ 13,580.00
Multi-family Age Restricted Residential	\$ 2,430.00	\$ 6,420.00	\$ 8,850.00
High-Trip Commercial (per sq. foot)	\$ 6.45	\$ 15.85	\$ 22.30
General Commercial (per sq. ft)	\$ 3.02	\$ 7.40	\$ 10.42
Office (per sq. foot)	\$ 0.77	\$ 1.89	\$ 2.66
Industrial (per sq. foot)	\$ 0.50	\$ 1.20	\$ 1.70
Warehouse (per sq. foot)	\$ 0.25	\$ 0.61	\$ 0.86
Church (per sq. foot)	\$ 0.25	\$ 0.61	\$ 0.86
Gas Station (per pump)	\$ 2,860.00	\$ 7,000.00	\$ 9,860.00
Golf Course (per hole)	\$ 2,496.00	\$ 6,090.00	\$ 8,586.00
Campground (per campsite)	\$ 947.00	\$ 2,300.00	\$ 3,247.00
Bed & Breakfast (per rented room)	\$ 469.00	\$ 1,160.00	\$ 1,629.00

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FEE ZONE NUMBER 3

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 9,970.00	\$ 25,770.00	\$ 35,740.00
Multi-family Residential	\$ 6,410.00	\$ 16,890.00	\$ 23,300.00
Single-family Age Restricted Residential	\$ 3,790.00	\$ 9,790.00	\$ 13,580.00
Multi-family Age Restricted Residential	\$ 2,430.00	\$ 6,420.00	\$ 8,850.00
High-Trip Commercial (per sq. foot)	\$ 3.81	\$ 18.63	\$ 22.44
General Commercial (per sq. ft)	\$ 1.78	\$ 8.71	\$ 10.49
Office (per sq. foot)	\$ 0.45	\$ 2.23	\$ 2.68
Industrial (per sq. foot)	\$ 0.28	\$ 1.42	\$ 1.70
Warehouse (per sq. foot)	\$ 0.15	\$ 0.71	\$ 0.86
Church (per sq. foot)	\$ 0.15	\$ 0.71	\$ 0.86
Gas Station (per pump)	\$ 1,690.00	\$ 8,240.00	\$ 9,930.00
Golf Course (per hole)	\$ 1,474.00	\$ 7,160.00	\$ 8,634.00
Campground (per campsite)	\$ 553.00	\$ 2,720.00	\$ 3,273.00
Bed & Breakfast (per rented room)	\$ 278.00	\$ 1,360.00	\$ 1,638.00

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FEE ZONE NUMBER 4

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 1,920.00	\$ 11,410.00	\$ 13,330.00
Multi-family Residential	\$ 1,250.00	\$ 7,370.00	\$ 8,620.00
Single-family Age Restricted Residential	N/A	N/A	N/A
Multi-family Age Restricted Residential	N/A	N/A	N/A
High-Trip Commercial (per sq. foot)	\$ 2.50	\$ 15.41	\$ 17.91
General Commercial (per sq. ft)	\$ 1.17	\$ 7.16	\$ 8.33
Office (per sq. foot)	\$ 0.30	\$ 1.84	\$ 2.14
Industrial (per sq. foot)	\$ 0.20	\$ 1.17	\$ 1.37
Warehouse (per sq. foot)	\$ 0.11	\$ 0.58	\$ 0.69
Church (per sq. foot)	\$ 0.11	\$ 0.58	\$ 0.69
Gas Station (per pump)	\$ 1,170.00	\$ 7,140.00	\$ 8,310.00
Golf Course (per hole)	\$ 964.00	\$ 5,860.00	\$ 6,824.00
Campground (per campsite)	\$ 375.00	\$ 2,300.00	\$ 2,675.00
Bed & Breakfast (per rented room)	\$ 188.00	\$ 1,160.00	\$ 1,348.00

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FEE ZONE NUMBER 5

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 2,850.00	\$ 10,620.00	\$ 13,470.00
Multi-family Residential	\$ 1,860.00	\$ 6,860.00	\$ 8,720.00
Single-family Age Restricted Residential	N/A	N/A	N/A
Multi-family Age Restricted Residential	N/A	N/A	N/A
High-Trip Commercial (per sq. foot)	\$ 2.22	\$ 15.67	\$ 17.89
General Commercial (per sq. ft)	\$ 1.04	\$ 7.27	\$ 8.31
Office (per sq. foot)	\$ 0.26	\$ 1.86	\$ 2.12
Industrial (per sq. foot)	\$ 0.17	\$ 1.18	\$ 1.35
Warehouse (per sq. foot)	\$ 0.08	\$ 0.60	\$ 0.68
Church (per sq. foot)	\$ 0.08	\$ 0.60	\$ 0.68
Gas Station (per pump)	\$ 1,040.00	\$ 7,260.00	\$ 8,300.00
Golf Course (per hole)	\$ 848.00	\$ 5,970.00	\$ 6,818.00
Campground (per campsite)	\$ 333.00	\$ 2,340.00	\$ 2,673.00
Bed & Breakfast (per rented room)	\$ 167.00	\$ 1,190.00	\$ 1,357.00

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FEE ZONE NUMBER 6

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 2,260.00	\$ 21,160.00	\$ 23,420.00
Multi-family Residential	\$ 1,480.00	\$ 13,760.00	\$ 15,240.00
Single-family Age Restricted Residential	N/A	N/A	N/A
Multi-family Age Restricted Residential	N/A	N/A	N/A
High-Trip Commercial (per sq. foot)	\$ 1.98	\$ 16.02	\$ 18.00
General Commercial (per sq. ft)	\$ 0.92	\$ 7.40	\$ 8.32
Office (per sq. foot)	\$ 0.23	\$ 1.89	\$ 2.12
Industrial (per sq. foot)	\$ 0.15	\$ 1.20	\$ 1.35
Warehouse (per sq. foot)	\$ 0.07	\$ 0.61	\$ 0.68
Church (per sq. foot)	\$ 0.07	\$ 0.61	\$ 0.68
Gas Station (per pump)	\$ 920.00	\$ 7,390.00	\$ 8,310.00
Golf Course (per hole)	\$ 757.00	\$ 6,090.00	\$ 6,847.00
Campground (per campsite)	\$ 297.00	\$ 2,390.00	\$ 2,687.00
Bed & Breakfast (per rented room)	\$ 149.00	\$ 1,210.00	\$ 1,359.00

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FEE ZONE NUMBER 7

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 3,080.00	\$ 11,670.00	\$ 14,750.00
Multi-family Residential	\$ 2,010.00	\$ 7,570.00	\$ 9,580.00
Single-family Age Restricted Residential	N/A	N/A	N/A
Multi-family Age Restricted Residential	N/A	N/A	N/A
High-Trip Commercial (per sq. foot)	\$ 7.26	\$ 10.27	\$ 17.53
General Commercial (per sq. ft)	\$ 3.39	\$ 4.78	\$ 8.17
Office (per sq. foot)	\$ 0.86	\$ 1.24	\$ 2.10
Industrial (per sq. foot)	\$ 0.55	\$ 0.77	\$ 1.32
Warehouse (per sq. foot)	\$ 0.27	\$ 0.39	\$ 0.66
Church (per sq. foot)	\$ 0.27	\$ 0.39	\$ 0.66
Gas Station (per pump)	\$ 3,390.00	\$ 4,780.00	\$ 8,170.00
Golf Course (per hole)	\$ 2,784.00	\$ 3,960.00	\$ 6,744.00
Campground (per campsite)	\$ 1,095.00	\$ 1,550.00	\$ 2,645.00
Bed & Breakfast (per rented room)	\$ 547.00	\$ 770.00	\$ 1,317.00

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FEE ZONE NUMBER 8

PROJECT	HIGHWAY 50 COMPONENT	LOCAL ROAD COMPONENT	FEE TOTAL
Single-family Residential	\$ 4,800.00	\$ 23,340.00	\$ 28,140.00
Multi-family Residential	\$ 3,130.00	\$ 15,240.00	\$ 18,370.00
Single-family Age Restricted Residential	\$ 1,830.00	\$ 8,870.00	\$ 10,690.00
Multi-family Age Restricted Residential	\$ 1,190.00	\$ 5,790.00	\$ 6,980.00
High-Trip Commercial (per sq. foot)	\$ 2.00	\$ 16.29	\$ 18.29
General Commercial (per sq. ft)	\$ 0.95	\$ 7.65	\$ 8.60
Office (per sq. foot)	\$ 0.24	\$ 1.96	\$ 2.20
Industrial (per sq. foot)	\$ 0.15	\$ 1.25	\$ 1.40
Warehouse (per sq. foot)	\$ 0.08	\$ 0.63	\$ 0.71
Church (per sq. foot)	\$ 0.08	\$ 0.63	\$ 0.71
Gas Station (per pump)	\$ 930.00	\$ 7,380.00	\$ 8,310.00
Golf Course (per hole)	\$ 777.00	\$ 6,290.00	\$ 7,067.00
Campground (per campsite)	\$ 321.00	\$ 2,610.00	\$ 2,931.00
Bed & Breakfast (per rented room)	\$ 161.00	\$ 1,300.00	\$ 1,461.00

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Notes:

1. All 2004 General Plan Traffic Impact Mitigation Fee Program fees for all projects shall be paid at the building permit stage. The fees charged will be the fees in effect on the date a completed building permit application is accepted by the Development Services Department's Building Services. Pursuant to the terms of the Board of Supervisors Policy B-15 for fee deferral, some residential projects may be eligible to elect to pay the fee over a five-year period.
2. No fee shall be required for remodeling of existing residential units that were built pursuant to a valid building permit from County of El Dorado's Development Services Department's Building Services.
3. The fees for non-residential structures shall be based on the projected use of structures, as determined by plans submitted for building permits, and shall be paid prior to the issuance of a building permit. Pursuant to the terms of Board of Supervisors Policy B-3 for fee deferral, some non-residential projects may be eligible to defer payment of the fee until issuance of the certificate of occupancy, or pursuant to the terms of Board of Supervisors Policy B-3, 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. Fees for Age Restricted housing (also know as Senior Citizen housing) are applicable to developments that meet the following:
 - a. Definitions in California Civil Code Sections 51.2 and 51.3;
 - b. Are within community regions that have or will be served by public infrastructure (including but not limited to sewer, water, and transportation).
7. Single-family Age Restricted Residential fee is 38% of the Single-family Residential fee rate as defined in the appropriate TIM Fee Zone. Multi-family Age Restricted Residential fee is 38% of the Multi-family Residential fee rate as defined in the appropriate TIM Fee Zone. The Age Restricted fees have been established based upon trip generation rates for land use categories 251 and 252 from the Institute of Transportation Engineers' *Trip Generation*, 8th Edition.
8. 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.
9. 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.

10. For circumstances wherein a building permit withdrawal is approved by the appropriate County department(s) and a refund is requested and approved, the refund will be made payable to the owner(s) of record of the parcel on the date the application for the refund is submitted, or whomever the aforementioned owner(s) of record legally designates.
11. 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 Department of Transportation will also incorporate any changes to the land use forecasts should new General Plan land use forecasts become available.

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