

See Ord 5045
191-2016
172-2017



RESOLUTION 077-2018

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

Adopting the Minor Technical Update to the El Dorado County General Plan Traffic Impact Mitigation (TIM) Fee Program and the 2018 TIM Fee Schedule

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

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

WHEREAS, on December 6, 2016, the Board of Supervisors adopted Ordinance No. 5045 which codified the 2016 TIM Fee Program and Resolution 191-2016 which adopted the TIM fee schedule; and

WHEREAS, on December 12, 2017 the Board of Supervisors adopted Resolution 172-2017 for the annual adjustment for actual costs, and the updated TIM Fee Schedule went into effect on February 10, 2018;

WHEREAS, General Plan Policy TC-Xd requires the County to define Level of Service (LOS) by using the methodologies in the latest edition of the Transportation Research Board's Highway Capacity Manual; and

WHEREAS, the Highway Capacity Manual 6th Edition was recently released and the TIM Fee Program LOS analysis was updated accordingly; and

WHEREAS, the updated analysis identified one project that required limit adjustments, the addition of four new projects, and the removal of one project in the 2016 TIM Fee program; and

WHEREAS, updates were made to the land uses in the jurisdictions outside of the County boundaries which affected the vehicle distribution and fair-share percentages; and

WHEREAS, project costs have been updated resulting in revisions to the TIM fee schedule as shown on Exhibit A hereto; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing during which updates to the fee schedule were studied and reviewed and the Board of Supervisors thereafter made the following findings in support of the updates to the fee schedule:

Government Code Section 66001(a)(1): Identify the purpose of the fee.

The purpose of the TIM Fee is to fund capital transportation/circulation improvements which are related directly to the incremental traffic/vehicle burden imposed upon the County's transportation/circulation system by new development in the unincorporated west slope of El Dorado County through 2035. The TIM Fee and TIM Fee program are an implementation measure, as required by Implementation Measure TC-B of the 2004 General Plan adopted by the County Board of Supervisors: "2004 El Dorado County General Plan: A Plan for Managed Growth and Open Road; A Plan for Quality Neighborhoods and Traffic Relief." The TIM Fee program addresses the need to fund a road system capable of achieving the traffic level of service standards of the County's General Plan. Transportation improvements funded by the TIM Fees include future improvements as well as improvements already installed which are subject to reimbursement agreements. Improvements

included in the TIM Fee program are necessary to accommodate new development; such improvements include, but are not limited to, new local roads, local road upgrades and widenings, signalization and intersection improvements, operational and safety improvements, Highway 50 improvements, and bridge replacement and rehabilitation. The TIM Fee advances a legitimate County interest by enabling the County to provide infrastructure to new development and to require new development to pay its fair share.

Government Code Section 66001(a)(2): Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specified in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged.

The fee is to be used to fund transportation/circulation improvements necessary to accommodate new development in the unincorporated west slope of El Dorado County through 2035 as contemplated by the General Plan, including future improvements as well as improvements already installed which are subject to reimbursement agreements. The TIM Fee will fund new local roads, local road upgrades and widenings, signalization and intersection improvements, operational and safety improvements, Highway 50 improvements, bridge replacement and rehabilitation, transit improvements in accordance with the El Dorado County Transit Authority's Capital Improvement Program (CIP), and costs associated with ongoing program staff and consultant costs for annual updates, major updates, and ongoing administration related to the TIM Fee Program. The County's CIP, which is updated and adopted annually, identifies every project to be funded by the TIM Fee and includes the following information for each project: detailed cash pro-formas which show all revenues by funding source and all expenditures per fiscal year; a current year work program; a future work program broken down into five year, ten year and twenty year timeframes; and additional details for each capital project, including project description, a financing plan and tentative schedule.

Government Code Section 66001(a)(3): Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

There is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed as set forth in the following documents, all of which are incorporated into this resolution as if fully set forth herein:

- The *Traffic Impact Mitigation Fee Program Update Nexus & Funding Model* (Nexus Study) prepared by Urban Economics and Kittelson and Associates, Inc. The Nexus Study was updated by County staff for the 2018 Minor Technical TIM Fee Program Update, dated May 22, 2018.
- *2018 Technical TIM Fee Program Update: Capacity Threshold Study Findings and Summary of Effort Memorandum*, prepared by Kimley-Horn and Associates, April, 2018.
- The most currently adopted El Dorado County *Capital Improvement Program*.
- The 2016 Programmatic Environmental Impact Report for the *Western Slope Roadway Capital Improvement Program and Traffic Impact Mitigation Fee Program for El Dorado County*, certified on December 6, 2016.
- The *Western Slope Roadway Capital Improvement Program and Traffic Impact Mitigation Fee Program for El Dorado County Addendum to the Environmental Impact Report*, March 2018.

There is a reasonable relationship between the TIM Fee's use and the type of development projects on which the fee is imposed because the transportation/circulation facilities funded by the TIM Fee are needed to accommodate and mitigate the incremental new traffic/vehicle burdens generated by the development of new commercial, industrial and residential uses upon which the fee is imposed. (See documents cited above.) There is a reasonable relationship between the need for the transportation/circulation facilities and the development of new commercial, industrial and residential projects upon which the fee is imposed because the new development projects paying the fee will receive a direct benefit from the transportation/circulation facilities funded by the fee; the transportation/circulation facilities funded by the fee will increase traffic/vehicle circulation capacity on streets and highways directly burdened by the increase in traffic/vehicles generated by new development projects upon which the fee is charged.

Government Code Section 66001(a)(4): Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed.

There is reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed as set forth in the following documents, all of which are incorporated into this resolution as if fully set forth herein:

- The *Traffic Impact Mitigation Fee Program Update Nexus & Funding Model* (Nexus Study) prepared by Urban Economics and Kittelson and Associates, Inc. The Nexus Study was updated by County staff for the 2018 Minor Technical TIM Fee Program Update, dated May 22, 2018.
- *2018 Technical TIM Fee Program Update: Capacity Threshold Study Findings and Summary of Effort*, prepared by Kimley-Horn and Associates, April, 2018.
- The most currently adopted El Dorado County *Capital Improvement Program*.
- The 2016 Programmatic Environmental Impact Report for the *Western Slope Roadway Capital Improvement Program and Traffic Impact Mitigation Fee Program for El Dorado County*, certified on December 6, 2016.
- The *Western Slope Roadway Capital Improvement Program and Traffic Impact Mitigation Fee Program for El Dorado County Addendum to the Environmental Impact Report*, March 2018.

There is a reasonable relationship between the need for the public facility and the type of development projects on which the fee is imposed because the transportation/circulation facilities funded by the TIM Fee are needed to accommodate and mitigate the incremental new traffic/vehicle burdens generated by the development including those from new commercial, industrial and residential uses upon which the fee is imposed. (See documents cited above.) There is a reasonable relationship between the need for the transportation/circulation facilities and the development of projects including new commercial, industrial and residential projects upon which the fee is imposed because the new development projects paying the fee will receive a direct benefit from the transportation/circulation facilities funded by the fee; the transportation/circulation facilities funded by the fee will increase traffic/vehicle circulation capacity on streets and highways directly burdened by the increase in traffic/vehicles generated by new development projects upon which the fee is charged.

The Nexus Study provides a thorough analysis of the required transportation facilities to be improved as a result of development, and provides information of the fair share analysis and fees required by TIM Fee Zone, and further broken down by development type. The TIM Fee Program Schedule Resolution, which may be amended from time to time, provides the most current TIM Fee rates per development type by TIM Fee Zone.

WHEREAS, the collection process for improvement of roadways and intersections is set forth in Ordinance No. 5045 and in the TIM Fee Administrative Manual, adopted on January 24, 2017 by Resolution 001-2017.

THEREFORE, BE IT HEREBY RESOLVED,

- A. The Board of Supervisors hereby adopts the updated General Plan TIM Fee Program fee schedule as shown in the attached Exhibit A, which shall become effective sixty (60) days following adoption of this Resolution;
- B. A map of the TIM Fee Zones is provided in Exhibit B;
- 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 and TIM Fee Administrative Manual;
- D. The fees listed in the attached Exhibit A will not apply to any permit issued prior to the effective date of the fee schedule adopted by this Resolution;

- E. All references to earlier programs in agreements, conditions of approval, mitigation measures, etc., will be assumed to refer to the updated TIM Fee Program and fee schedule where:
1. References to the former TIM Fee Program are assumed to include the updated 2004 General Plan TIM Fee Program.
 2. References to the former State TIM and the former interim Highway 50 programs are assumed to also include the updated General Plan Highway 50 TIM Fee.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 5th day of June 2018, by the following vote of said Board:
(4) 26th

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

Ayes: Veerkamp, Frentzen, ~~Hidal~~, Ranalli, Novasel
Noes: ~~None~~ Hidahl
Absent: None

By: 
Deputy Clerk


Vice Chair, Board of Supervisors
Sue Novasel

Exhibit A

Table 1: Hwy 50 TIM Fee Schedule - 2018 Update

	EDU ¹	Fee per:	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8
Residential	<i>Cost per EDU¹ >></i>		\$ 2,461	\$ 11,291	\$ 11,291	\$ 2,900	\$ 2,888	\$ 2,585	\$ 5,487	\$ 8,809
SFD Not Age Restricted	1.00	Dwelling Unit	\$ 2,461	\$ 11,291	\$ 11,291	\$ 2,900	\$ 2,888	\$ 2,585	\$ 5,487	\$ 8,809
MFD Not Age Restricted	0.62	Dwelling Unit	\$ 1,526	\$ 7,000	\$ 7,000	\$ 1,798	\$ 1,791	\$ 1,603	\$ 3,402	\$ 5,462
SFD Age Restricted	0.27	Dwelling Unit	NA	\$ 3,049	\$ 3,049	NA	NA	NA	NA	\$ 2,378
MFD Age Restricted	0.25	Dwelling Unit	NA	\$ 2,823	\$ 2,823	NA	NA	NA	NA	\$ 2,202
Nonresidential	<i>Cost per EDU¹ >></i>		\$ 1,427	\$ 6,549	\$ 6,549	\$ 1,682	\$ 1,675	\$ 1,499	\$ 3,182	\$ 5,109
General Commercial	0.51	Bldg. Sq. Ft.	\$ 0.73	\$ 3.34	\$ 3.34	\$ 0.86	\$ 0.85	\$ 0.76	\$ 1.62	\$ 2.61
Hotel/Motel/B&B	0.08	Room	\$ 114	\$ 524	\$ 524	\$ 135	\$ 134	\$ 120	\$ 255	\$ 409
Church	0.10	Bldg. Sq. Ft.	\$ 0.14	\$ 0.65	\$ 0.65	\$ 0.17	\$ 0.17	\$ 0.15	\$ 0.32	\$ 0.51
Office/Medical	0.33	Bldg. Sq. Ft.	\$ 0.47	\$ 2.16	\$ 2.16	\$ 0.56	\$ 0.55	\$ 0.49	\$ 1.05	\$ 1.69
Industrial/Warehouse	0.23	Bldg. Sq. Ft.	\$ 0.33	\$ 1.51	\$ 1.51	\$ 0.39	\$ 0.39	\$ 0.34	\$ 0.73	\$ 1.18

¹ "EDU" (equivalent dwelling unit) equals the demand placed on the transportation network relative to one single family detached dwelling unit. EDU factors are expressed per dwelling unit for residential development, per room for hotel/motel/B&B, and per 1,000 square feet for all other nonresidential development.
 N/A = Non Applicable
 Source: Traffic Impact Mitigation Fee Program Update Nexus & Funding Model (El Dorado County, 2018)

Table 2: Local Roads TIM Fee Schedule - 2018 Update

	EDU ¹	Fee per:	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8
Residential	<i>Cost per EDU¹ >></i>		\$ 1,978	\$ 8,615	\$ 8,615	\$ 1,656	\$ 1,656	\$ 4,559	\$ 5,758	\$ 20,575
SFD Not Age Restricted	1.00	Dwelling Unit	\$ 1,978	\$ 8,615	\$ 8,615	\$ 1,656	\$ 1,656	\$ 4,559	\$ 5,758	\$ 20,575
MFD Not Age Restricted	0.62	Dwelling Unit	\$ 1,226	\$ 5,341	\$ 5,341	\$ 1,027	\$ 1,027	\$ 2,827	\$ 3,570	\$ 12,757
SFD Age Restricted	0.27	Dwelling Unit	NA	\$ 2,326	\$ 2,326	NA	NA	NA	NA	\$ 5,555
MFD Age Restricted	0.25	Dwelling Unit	NA	\$ 2,154	\$ 2,154	NA	NA	NA	NA	\$ 5,144
Nonresidential	<i>Cost per EDU¹ >></i>		\$ 1,147	\$ 4,997	\$ 4,997	\$ 960	\$ 960	\$ 2,644	\$ 3,340	\$ 11,934
General Commercial	0.51	Bldg. Sq. Ft.	\$ 0.58	\$ 2.55	\$ 2.55	\$ 0.49	\$ 0.49	\$ 1.35	\$ 1.70	\$ 6.09
Hotel/Motel/B&B	0.08	Room	\$ 92	\$ 400	\$ 400	\$ 77	\$ 77	\$ 212	\$ 267	\$ 955
Church	0.10	Bldg. Sq. Ft.	\$ 0.11	\$ 0.50	\$ 0.50	\$ 0.10	\$ 0.10	\$ 0.26	\$ 0.33	\$ 1.19
Office/Medical	0.33	Bldg. Sq. Ft.	\$ 0.38	\$ 1.65	\$ 1.65	\$ 0.32	\$ 0.32	\$ 0.87	\$ 1.10	\$ 3.94
Industrial/Warehouse	0.23	Bldg. Sq. Ft.	\$ 0.26	\$ 1.15	\$ 1.15	\$ 0.22	\$ 0.22	\$ 0.61	\$ 0.77	\$ 2.74

¹ "EDU" (equivalent dwelling unit) equals the demand placed on the transportation network relative to one single family detached dwelling unit. EDU factors are expressed per dwelling unit for residential development, per room for hotel/motel/B&B, and per 1,000 square feet for all other nonresidential development.
 N/A = Non Applicable
 Source: Traffic Impact Mitigation Fee Program Update Nexus & Funding Model (El Dorado County, 2018)

Table 3: Total TIM Fee Schedule - 2018 Update

	EDU ¹	Fee per:	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8
Residential	<i>Cost per EDU¹ >></i>		\$ 4,439	\$ 19,906	\$ 19,906	\$ 4,556	\$ 4,544	\$ 7,144	\$ 11,245	\$ 29,384
SFD Not Age Restricted	1.00	Dwelling Unit	\$ 4,439	\$ 19,906	\$ 19,906	\$ 4,556	\$ 4,544	\$ 7,144	\$ 11,245	\$ 29,384
MFD Not Age Restricted	0.62	Dwelling Unit	\$ 2,752	\$ 12,341	\$ 12,341	\$ 2,825	\$ 2,818	\$ 4,430	\$ 6,972	\$ 18,219
SFD Age Restricted	0.27	Dwelling Unit	NA	\$ 5,375	\$ 5,375	NA	NA	NA	NA	\$ 7,933
MFD Age Restricted	0.25	Dwelling Unit	NA	\$ 4,977	\$ 4,977	NA	NA	NA	NA	\$ 7,346
Nonresidential	<i>Cost per EDU¹ >></i>		\$ 2,574	\$ 11,546	\$ 11,546	\$ 2,642	\$ 2,635	\$ 4,143	\$ 6,522	\$ 17,043
General Commercial	0.51	Bldg. Sq. Ft.	\$ 1.31	\$ 5.89	\$ 5.89	\$ 1.35	\$ 1.34	\$ 2.11	\$ 3.32	\$ 8.70
Hotel/Motel/B&B	0.08	Room	\$ 206	\$ 924	\$ 924	\$ 212	\$ 211	\$ 332	\$ 522	\$ 1,364
Church	0.10	Bldg. Sq. Ft.	\$ 0.25	\$ 1.15	\$ 1.15	\$ 0.27	\$ 0.27	\$ 0.41	\$ 0.65	\$ 1.70
Office/Medical	0.33	Bldg. Sq. Ft.	\$ 0.85	\$ 3.81	\$ 3.81	\$ 0.88	\$ 0.87	\$ 1.36	\$ 2.15	\$ 5.63
Industrial/Warehouse	0.23	Bldg. Sq. Ft.	\$ 0.59	\$ 2.66	\$ 2.66	\$ 0.61	\$ 0.61	\$ 0.95	\$ 1.50	\$ 3.92

¹ "EDU" (equivalent dwelling unit) equals the demand placed on the transportation network relative to one single family detached dwelling unit. EDU factors are expressed per dwelling unit for residential development, per room for hotel/motel/B&B, and per 1,000 square feet for all other nonresidential development.
 N/A = Non Applicable
 Source: Traffic Impact Mitigation Fee Program Update Nexus & Funding Model (El Dorado County, 2018)

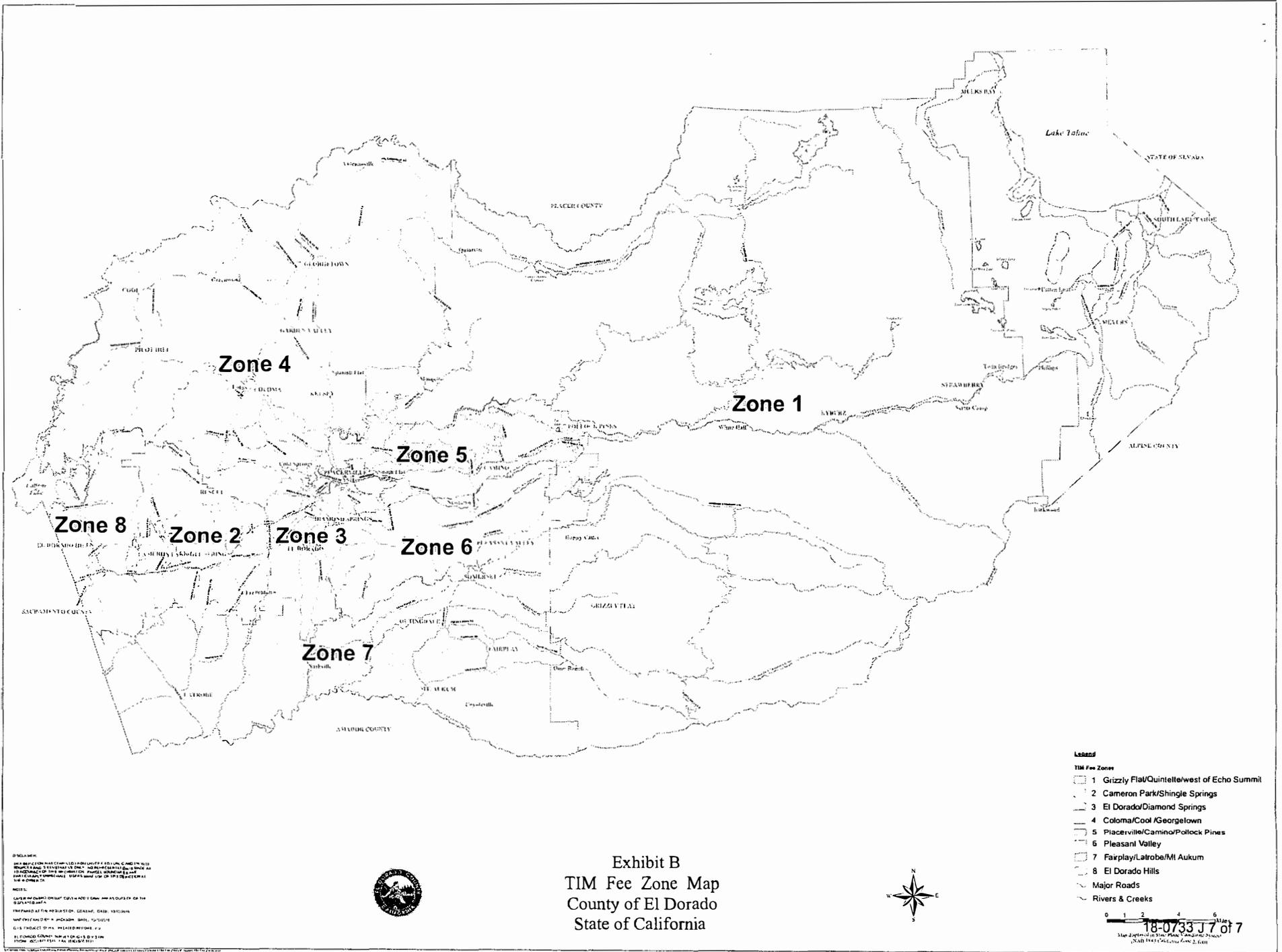


Exhibit B
TIM Fee Zone Map
County of El Dorado
State of California





EL DORADO COUNTY
OFFICE OF THE CLERK OF THE BOARD

MEMO

Date: September 5, 2018

Subject: Typographical correction to Board of Supervisors Resolutions 076-2018 and 077-2018

This memo will serve to clarify the need for a typographical correction to the date of Board of Supervisors approval of Resolutions 076-2018 and 077-2018.

Agenda file number 18-0733 initially appeared on the June 5, 2018 Board meeting agenda as item number 43. On that date, the Board unanimously approved the continuance of the matter to June 26, 2018 as item number 60 and subsequently, the Board approved the matter that date.

Both Resolutions were initially prepared for the Chair's signature indicating the June 5th date and my office failed to correct the date of adoption before the Vice-Chair signed the Resolutions following Board approval on June 26th. My office was alerted to the error on August 24th and both Resolutions were corrected and the online representation updated as a result.

In concurrence with County Counsel and as a matter of reference, Government Code section 25131 provides that the "Corrections of typographical or clerical errors are not alterations within the meaning of this section."

Jim Mitrison
Clerk of the Board of Supervisors

A handwritten signature in black ink, appearing to read "J. Mitrison", with a small dot at the end.



County of El Dorado

Minute Order Board of Supervisors

Michael Ranalli, Chair, District IV
Sue Novasel, Vice Chair, District V
Brian K. Veerkamp, Second Vice Chair, District III
John Hidahl, District I
Shiva Frentzen, District II

James S. Mitrison, Clerk of the Board of Supervisors
Don Ashton, Chief Administrative Officer
Michael J. Ciccozzi, County Counsel

Board of Supervisors
Department
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Tuesday, June 26, 2018

8:00 AM

330 Fair Lane, Placerville, CA

60. 18-0733

HEARING - Community Development Services, Department of Transportation, recommending the Board:

- 1) Adopt and authorize the Chair to sign Resolution 076-2018 certifying the Addendum to the Final Environmental Impact Report (SCH 2016022018) for the Western Slope Roadway Capital Improvement Program and Traffic Impact Mitigation Fee Program for El Dorado County; and
- 2) Adopt and authorize the Chair to sign Resolution 077-2018 for the 2018 TIM Fee Schedule Update for Scenario 1, including the TIM Fee Zone Map and updated TIM Fee Nexus Study, which includes increases for zones 1, 4, 6, 7, and 8 with decreases for zones 2, 3, and 5. (Est. Time: 1 Hr.) (Cont. 6/5/2018, Item 43)

FUNDING: Traffic Impact Mitigation Fee Program.

Public Comment: J. Short, K. Payne, C. Roberts, J. Harn, L. Brent-Bumb, K. Bone

Supervisor Ranalli opened the Hearing and upon conclusion of Public Comment, closed the Hearing.

A motion was made by Supervisor Veerkamp, seconded by Supervisor Frentzen to Approve this matter and Adopt Resolutions 076-2018 and 077-2018.

Yes: 4 - Veerkamp, Frentzen, Ranalli and Novasel

Noes: 1 - Hidahl