



RESOLUTION NO.

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

ADOPTING THE BASS LAKE HILLS SPECIFIC PLAN PUBLIC FACILITY FINANCING PLAN 2022 FEES

WHEREAS, the Bass Lake Hills Specific Plan (BLHSP), originally containing 88 individual parcels and covering approximately 1,414 acres in western El Dorado County, was approved by the El Dorado County Board of Supervisors on November 7, 1995; and

WHEREAS, Section 9.4 of the Bass Lake Hills Specific Plan required the development of a Public Facilities Financing Plan to set forth a strategy to finance the backbone infrastructure and other public facilities to serve the proposed land use of the plan; and

WHEREAS, the Bass Lake Hills Specific Plan Public Facility Financing Plan (BLHSP PFFP) was prepared by Economic and Planning Systems (EPS) and adopted on June 8, 2004; and

WHEREAS, included in the BLHSP PFFP as Appendix C was the Bass Lake Hills Public Facilities Fee Nexus Study (Nexus Study), which was prepared to establish the BLHSP fee program in accordance with the requirements in the Mitigation Fee Act, which is codified in part at California Government Section 66000 *et seq*; and

WHEREAS, in April 2016 the Planning Commission approved Tentative Map and Planned Development revisions (Hawk View, APN: 103-060-01), (Bell Ranch, APN: 119-020-52), and (Bell Woods, APN: 108-010-07) supported by corresponding 10-year Development Agreements to replace the expired original Bass Lake Hills Specific Plan Development Agreement that was approved in 1996; and

WHEREAS, the approved revised Tentative Maps and Planned Developments primarily involved revisions to the conditions for the timing and phasing of the infrastructure improvements and required submittal of an updated PFFP reflecting the updated improvement requirements; and

WHEREAS, the approved revised Tentative Maps and Planned Developments (Hawk View, Bell Ranch, and Bell Woods) are supported by certification of an Addendum to an Environmental Impact Report (EIR) (State Clearinghouse Numbers SCH No. 2005012107 (Hawk View), 20050320044 (Bell Woods), 2005022144 (Bell Ranch)); and

WHEREAS, the updated 2020 Bass Lake Hills Specific Plan PFFP has been prepared as conditioned by the approved Tentative Map and Planned Development revisions (Hawk View, Bell Ranch, and Bell Woods) and in compliance with the certified Addendum to the EIR; and

WHEREAS, with the adoption of Board Resolution 065-2021, the Board adopted the BLHSP PFFP Fee Program (“Plan Area Fee” or “Fee Program”); and

WHEREAS, Resolution 065-2021 requires the Fee Program to be reviewed annually, and to adjust the Plan Area Fee, as well as the related costs of the public improvements, by the annual change in the Engineering News Record Construction Cost Index for San Francisco (“ENR Construction Cost Index”) for the preceding 12 month period ending December 31; and

WHEREAS, staff has reviewed the Fee Program and recommends that the Plan Area Fee, and the related costs of the public improvements, be adjusted using the annual change in the ENR Construction Cost Index for the preceding 12 month period ending December 31; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing during which updates to the Plan Area 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.

Findings for Government Code Section 66001(a)(1): The purpose of the Plan Area Fee is to fund transportation, sewer and water improvements to meet the needs of new residential development within the Specific Plan.

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 requirement, or may be made in other public documents that identify the public facilities for which the fee is charged.

Findings for Government Code Section 66001(a)(2): A Plan Area Fee will be used to fund the cost of transportation, sewer and water public improvements required to meet the increased demand of vehicular, pedestrian and bike traffic, sewer conveyance and water transmission. In addition to the public improvements the Plan Area Fee will fund administrative costs of fee collection, accounting, and updates.

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.

Findings for Government Code Section 66001(a)(3): A Plan Area Fee will be used to fund the public improvements described in Section III of the Nexus Study. The Plan Area Fee will be used to expand the transportation, sewer and water improvements required to meet the demands created by new residential development. The Nexus Study recommended that the Plan Area Fee and the costs of the public improvements be adjusted annually using the ENR Construction Cost Index. As such, a reasonable relationship exists between the use of the Plan Area Fee and residential development on which the fee will be imposed.

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:

Findings for Government Code Section 66001(a)(4): The residents of the new residential development in the Specific Plan will generate additional trips, increase sewer discharge, and consume more water. The transportation, sewer and water demands were based on engineering studies developed to meet the required buildout of the Specific Plan. Since the public improvements are required to service buildout of the Specific Plan a reasonable relationship exists between the need for the Plan Area Fee and the new residential development.

Government Code Section 66001(b): Determine how there is a reasonable relationship between the Amount of the Fee and the Cost of the Public Facility or Portion of the public Facility Attributed to the Development on which the Fee is imposed (Proportionality).

Findings for Government Code Section 66001(b): The cost of the transportation, sewer and water public improvements are allocated to the residential land uses according to the proportional impact or demand generated from each residential land use. The demand for the transportation, sewer and water public improvements are measured by factors representing the impact created by the residential land use relative to a single family detached unit or dwelling unit equivalent. A reasonable relationship exists between the amount of the Plan Area Fee and the cost of the transportation, sewer and water public improvements associated with the residential land uses within the Specific Plan since the costs are allocated based on the demand created by new trips, sewer discharge and water consumption associated by the residential land uses. In addition, adjusting the fee, as well as the costs of the public improvements, annually based on the ENR Construction Cost Index supports this reasonable relationship by ensuring that the amount of the fee collected is sufficient to finance the public improvements;

NOW THEREFORE, BE IT RESOLVED:

- A. The Board of Supervisors hereby adjusts the Bass Lake Hills Specific Plan Public Facilities Financing Plan (BLHSP PFFP) 2022 Fee Program using the ENR Construction Cost Index as shown in the attached Exhibit A, which shall become effective sixty (60) days following the adoption of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the ____ day of _____, 20__, by the following vote of said Board:

Attest:
Kim Dawson
Clerk of the Board of Supervisors

Ayes:
Noes:
Absent:

By: _____
Deputy Clerk

_____ Chair, Board of Supervisors