

A scenic view of a mountain valley. In the foreground on the left, a green sign with white text reads "El Dorado COUNTY LINE". The valley floor features a river flowing through a rocky bed. In the distance, a multi-arched stone bridge spans across the valley. The surrounding hills are covered in dense green forest under a clear sky.

Traffic Impact Fee (TIF)  
Program and  
Capital Improvement  
Program (CIP)  
Workshop  
Part 2

Board of Supervisors December 14, 2021  
Legistar #21-1737

# AGENDA

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Development Agreements

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Measure E

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Affordable Housing

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Growth Factor

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Forecast Horizon

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Thresholds and LOS

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Safety Projects

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Financing Mechanisms

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# Development Agreements

An agreement adopted by ordinance between a developer and a city or county establishing the conditions under which a particular development may occur. The local government “freezes” the regulations applicable to the site for an agreed-upon period prior to actual development to allow preparation and approval of plans (Gov’t Code §65864 et seq.).

Source: Barclay, Cecily Talbert, et al. *California Land Use and Planning Law*. Solano Press Books, 2016

# Development Agreements

Principal provisions of the legislation governing development agreements (DA) are that:

- ❖ County is given express authorization to enter into a DA and may adopt procedures to do so by resolution or ordinance
- ❖ The DA is enforceable by any part to the agreement, notwithstanding a change in any applicable general or specific plan, zoning, subdivision or building regulation adopted by County
- ❖ Unless otherwise provided by the DA, the applicable rules, regulations, and policies are those that are in force at the time of the execution of the agreement
- ❖ A County's exercise of its power to enter into a DA is a legislative act

Source: Barclay, Cecily Talbert, et al. *California Land Use and Planning Law*. Solano Press Books, 2016

# Development Agreements

## Policy 10.2.2.2

- Stress financing strategies that maximize the use of pay-as-you-go methods to gain the most benefit from available revenue without placing unreasonable burdens on new development.

## Program 10.2.2.2.1

- When a project directly or indirectly impacts existing public services and/or infrastructure, it shall provide for and finance improvements consistent with the degree of impact to public services and/or infrastructure directly or indirectly attributed to the project. Cost to be borne by the project proponent shall be determined on the basis of the above described nexus and other pre-existing legally binding agreements such as development agreements.

## Implementation Measure ED-TT

- “... and other policies of this General Plan. Successful implementation will require coordination with non-County public service providers.”

# Development Agreements

Chapter 130.58 – Development Agreements	Assurances to Applicant
	Limitation
	Review Authority – Board of Supervisors
	Findings Required
	Form of Agreement
	Amendment, Cancellation, or Assignment
	Recordation
	Periodic Review
	Rules Regulations and Official Policies

# Development Agreements

- ❖ County DA negotiating team includes core representatives from the CAO's Office, County Counsel, DOT, and Planning and Building
- ❖ May include Environmental Management, the Auditor-Controller's Office, Sheriff's Office, other County Departments, Community Service Districts, Fire Districts, and other Public Service Agencies
- ❖ Main Characteristics of the DA:
  - Flexibility in imposing conditions and requirements on proposed projects
  - Project proponents get greater assurance that once approved their projects can be built

# Implementation of Measure E

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Measure E was approved by the El Dorado County voters on June 7, 2016 with an effective date of July 29, 2016.

Resolution 159-2017 removed policies and implementation statements that were determined by the courts to be inconsistent with state law.

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The Department of Transportation has Transportation Impact Study (TIS) Guidelines that detail the requirements of the TIS. This includes requiring an analysis by any project of 5 or more units or parcels and determining if a finding can be made that the project complies with the TC-Xa policies.

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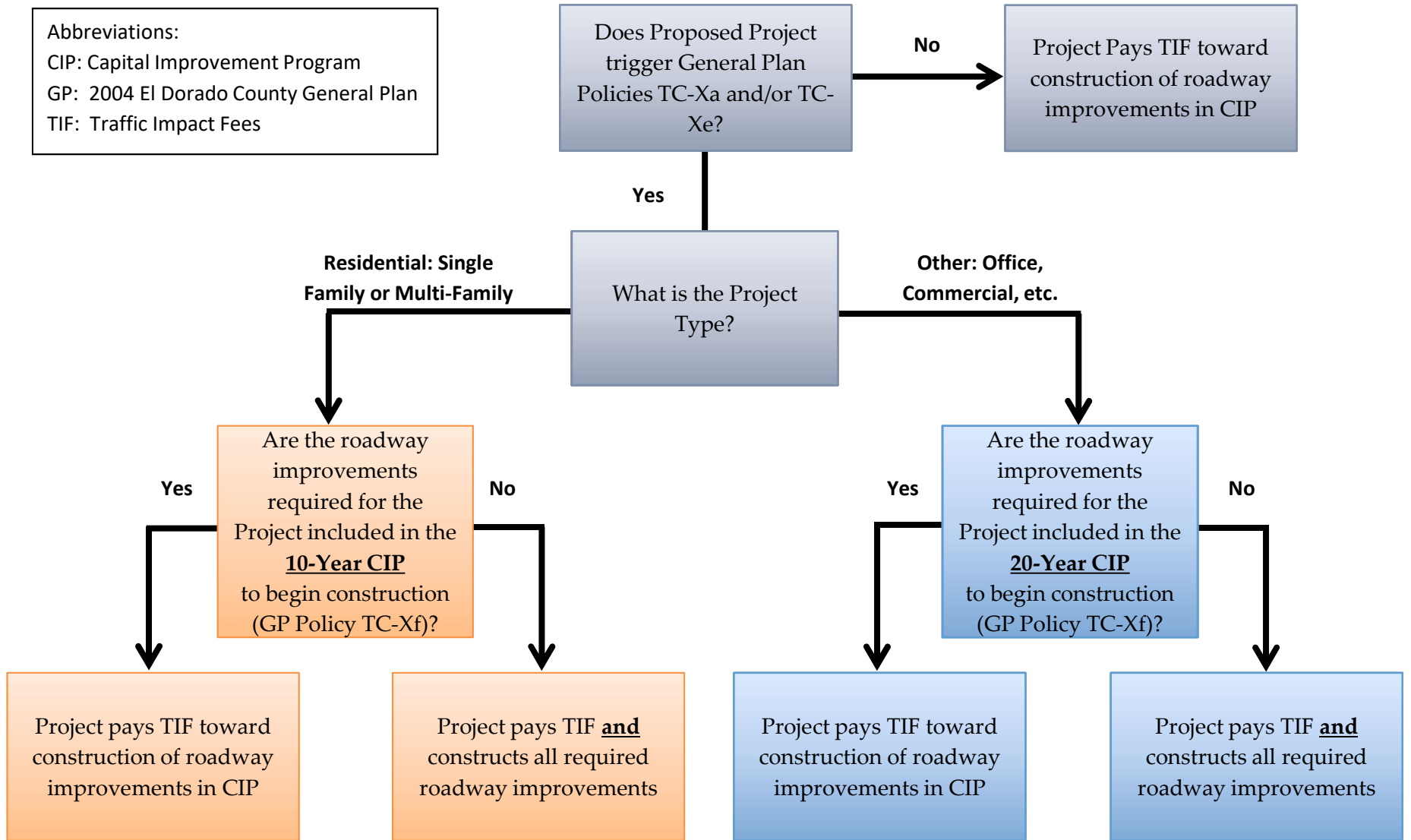
# Measure E for Development Projects

**Abbreviations:**

CIP: Capital Improvement Program

GP: 2004 El Dorado County General Plan

TIF: Traffic Impact Fees



# Affordable Housing

- ❖ The County adopted a fee waiver/fee reduction Board Policy (B-14) for affordable housing projects on December 12, 2007, to help alleviate some of its development fee requirements.
- ❖ The last Major Update to the Traffic Impact Fee (TIF) Program included a set aside of \$20 Million dollars (\$1M/year) of anticipated grant funding to extend the TIM Fee Offset Program for Affordable Housing Units.
- ❖ The last Major Update to the TIF also included single family fees based on size.
- ❖ Secondary dwelling units are not charged a TIF per Board direction on February 23, 2016. The 100% subsidy without a deed restriction makes use of the funding available for the Traffic Impact Fee Offset Program.
- ❖ Information on the program can be found on the County's website: [https://www.edcgov.us/Government/HCED/pages/tim\\_fee\\_offset\\_program.aspx](https://www.edcgov.us/Government/HCED/pages/tim_fee_offset_program.aspx)

# Growth Factor

## Recent BOS Actions

On November 11, 2019, the BOS was given a presentation by BAE Urban Economics on the Countywide Housing and Employment

On March 17, 2020, BAE Urban Economics gave a second presentation, and the BOS approved the projections. The updated presentation included information requested by the Planning Commission during their informational presentation on March 12, 2020.

The approved Countywide average growth factors are:

Housing = 0.7% annually

Jobs = 0.67% annually

# Preferred Growth Rates

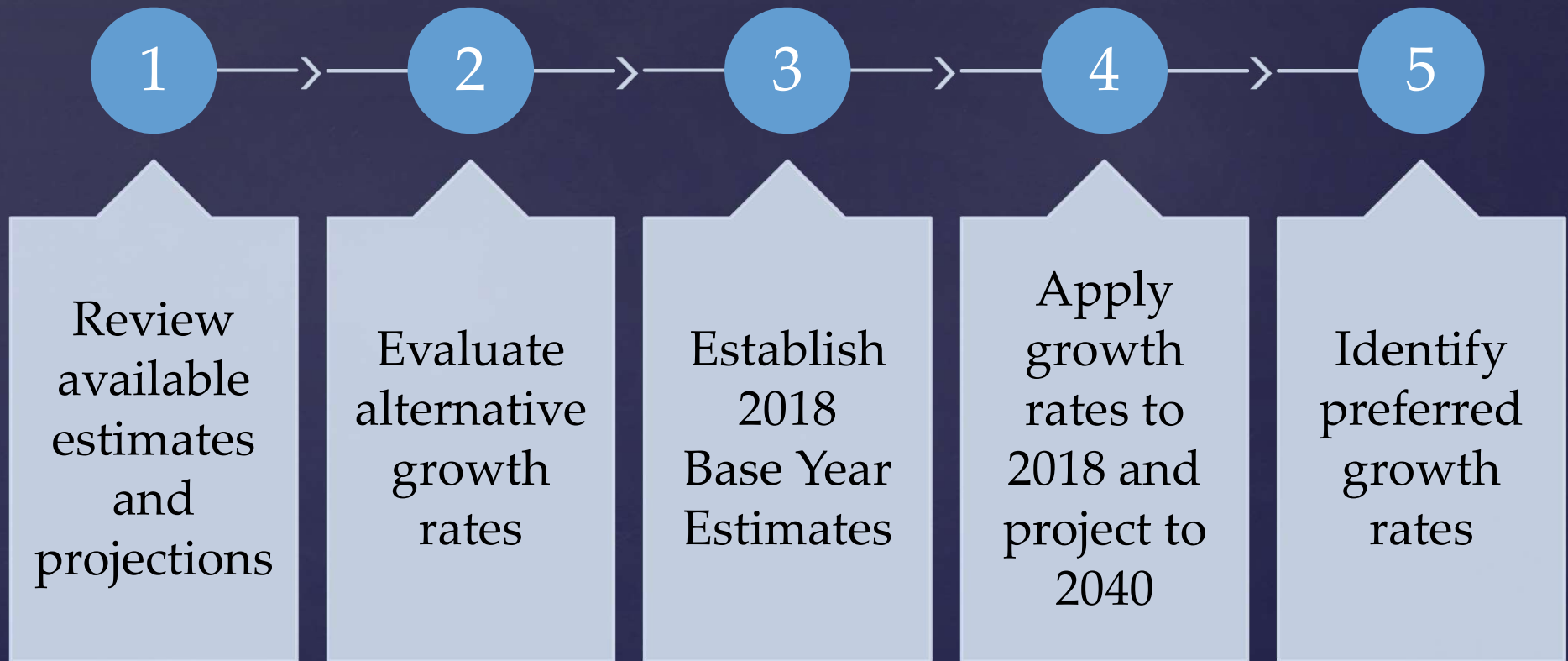
## Housing Units:

- Average Annual Growth Rate 2018 to 2040: 0.70% \*
- Total New Housing Units 2018-2040: 9,174
  - Existing Housing Units (2018): 54,921
- *(2010 to 2018 rate: 0.55%)*

## Employment:

- Average Annual Growth Rate 2018 to 2040: 0.67% \*
- New Jobs 2018-2040: 5,933
- *(2010 to 2018 rate: 0.45%)*

# West Slope Projections Process



# Geographic Variation in Residential Growth Rates

	<u>2010</u>	<u>2018</u>	<u>Total Growth '10 to '18</u>	<u>Avg. Annual Growth Rate</u>
<b>West Slope (Excluding City of Placerville)</b>	<b>52,548</b>	<b>54,921</b>	<b>4.5%</b>	<b>0.55%</b>
El Dorado Hills	13,165	15,193	15.4%	1.81%
Remainder of West Slope	39,383	39,728	0.9%	0.11%

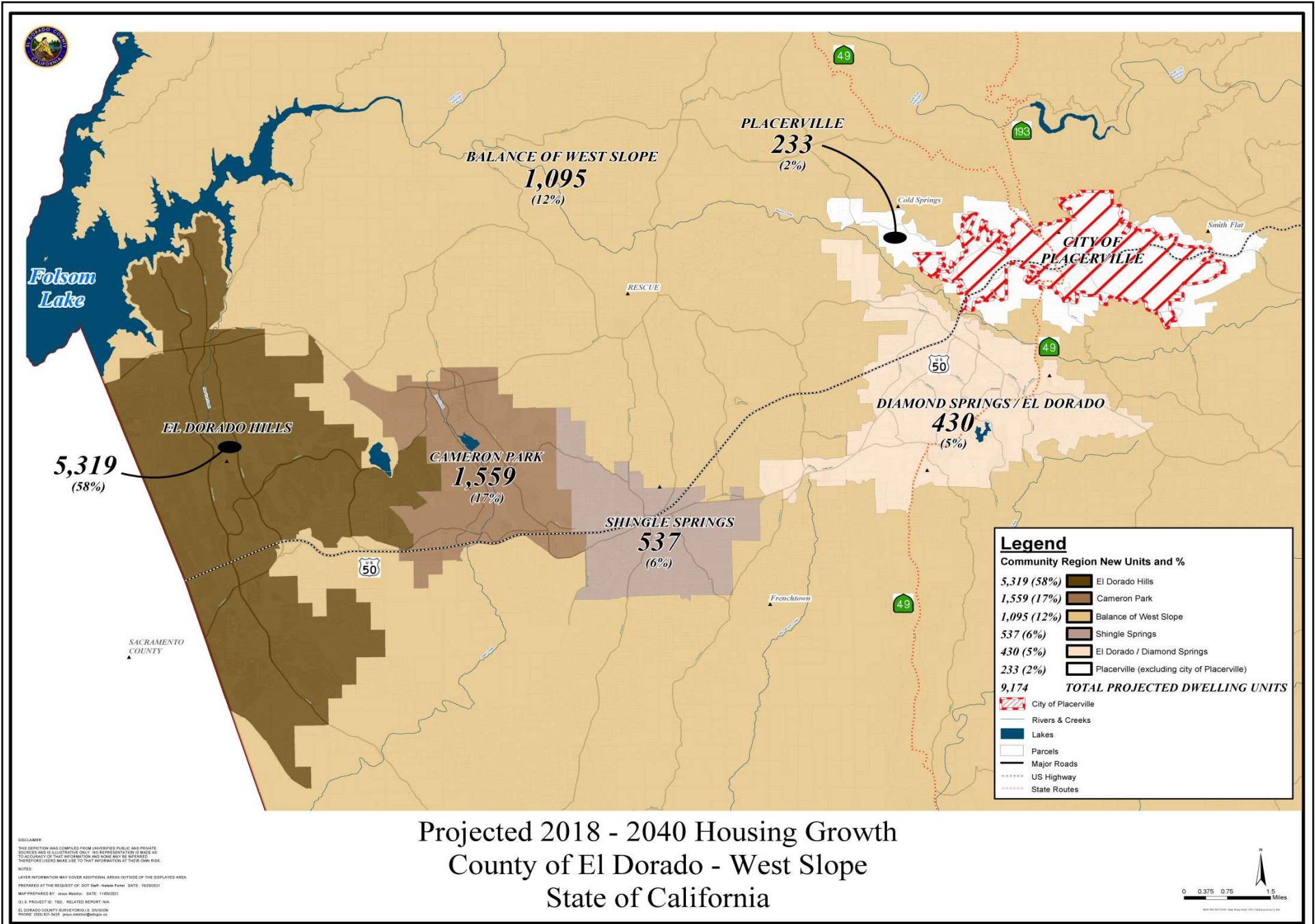
# Growth Allocations by Sub-Area

## TOTAL HOUSING ALLOCATION (Cumulative New Units Since 2018)

	2020	2025	2030	2035	2040
<b>West Slope Less City of Placerville</b>	<b>774</b>	<b>2,758</b>	<b>4,818</b>	<b>6,956</b>	<b>9,174</b>
El Dorado Hills CR	438	1,560	2,897	4,560	5,319
Cameron Park CR	64	227	421	663	1,559
Shingle Springs CR	15	53	99	156	537
Diamond Springs CR	30	107	198	312	430
Placerville CR (Less City of Placerville)	16	58	107	169	233
Balance of West Slope	211	753	1,095	1,095	1,095

## JOBS ALLOCATION (Cumulative New Jobs Since 2018)

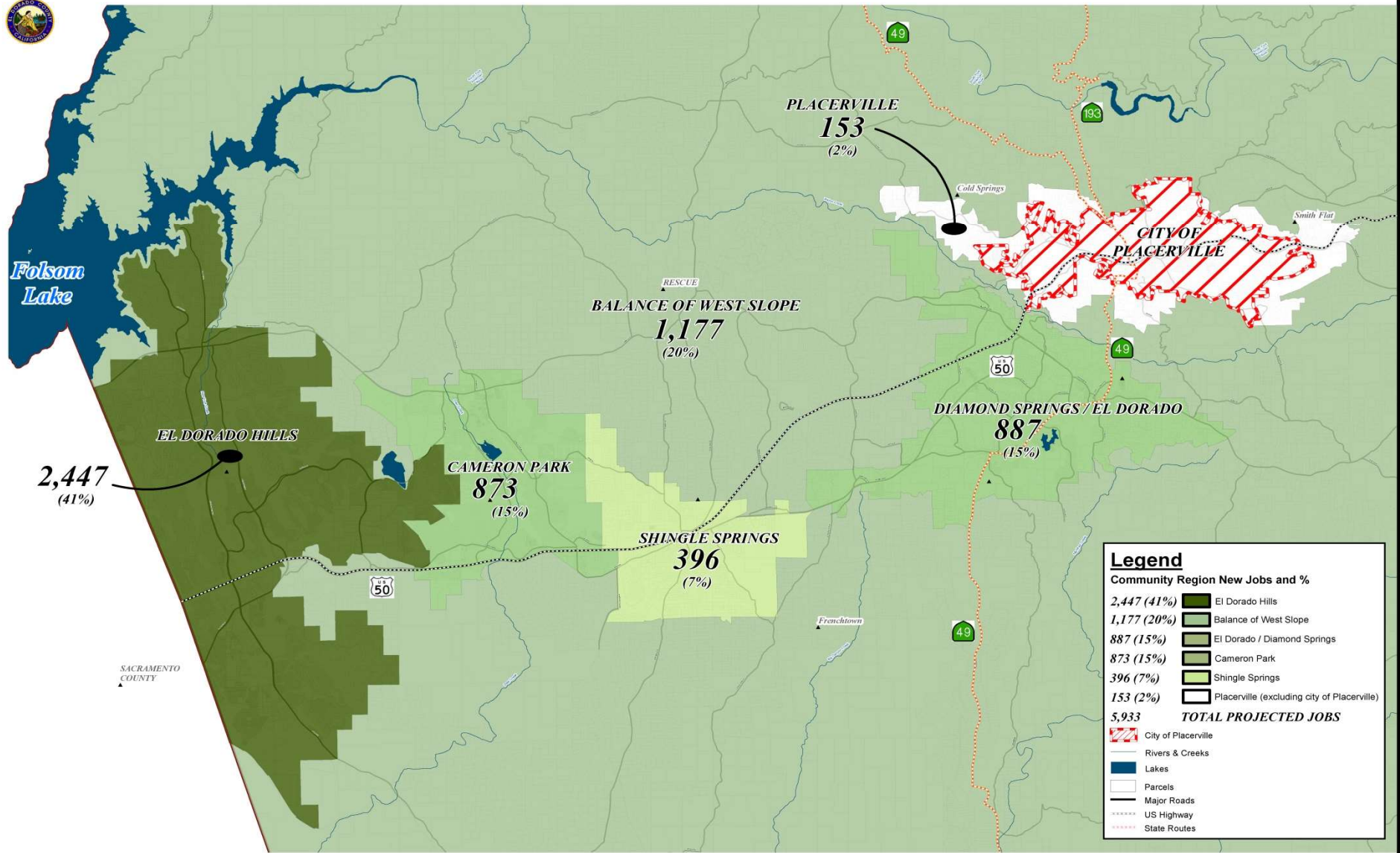
	2020	2025	2030	2035	2040
<b>West Slope Less City of Placerville</b>	<b>502</b>	<b>1,789</b>	<b>3,121</b>	<b>4,502</b>	<b>5,933</b>
El Dorado Hills CR	207	738	1,287	1,857	2,447
Cameron Park CR	74	263	459	662	873
Shingle Springs CR	34	119	208	301	396
Diamond Springs CR	75	267	467	673	887
Placerville CR (Less City of Placerville)	13	46	81	116	153
Balance of West Slope	100	355	619	893	1,177



Projected 2018 - 2040 Housing Growth  
 County of El Dorado - West Slope  
 State of California

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 NOTES  
 LATER INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE DISPLAYED AREA.  
 PREPARED AT THE REQUEST OF: Scott Staff, Nevada Pahr, DATE: 10/20/21  
 MAP PREPARED BY: Anna Makris, DATE: 11/05/2021  
 G.I.S. PROJECT ID: TBD, RELATED REPORT: N/A  
 EL DORADO COUNTY SUPERVISOR'S OFFICE, DIVISION  
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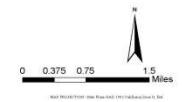


**Legend**  
Community Region New Jobs and %

- 2,447 (41%) El Dorado Hills
- 1,177 (20%) Balance of West Slope
- 887 (15%) El Dorado / Diamond Springs
- 873 (15%) Cameron Park
- 396 (7%) Shingle Springs
- 153 (2%) Placerville (excluding city of Placerville)
- 5,933 TOTAL PROJECTED JOBS**
- City of Placerville
- Rivers & Creeks
- Lakes
- Parcels
- Major Roads
- US Highway
- State Routes

Projected 2018 - 2040 Jobs Growth  
County of El Dorado - West Slope  
State of California

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PREPARED AT THE REQUEST OF: Scott Starr, Nevada Peralta DATE: 11/29/2021  
MAP PREPARED BY: Anna Mestor DATE: 11/05/2021  
G.I.S. PROJECT ID: TBD, RELATED REPORT: N/A  
EL DORADO COUNTY SUPERVISOR'S OFFICE DIVISION  
PHONE: (530) 621-5455 jph@elcogov.com



# Forecast Horizon

## **Policy TC-Xb(B)**

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.

## **General Plan Implementation Measure TC-B**

Revise and adopt traffic impact fee program(s) for unincorporated areas of the county and adopt additional funding mechanisms necessary to ensure that improvements contained in the fee programs are fully funded and capable of being implemented concurrently with new development as defined by Policy TC-Xf.

# Forecast Horizon

Fee programs are specifically designed to address traffic resulting from new growth, a planning horizon must be selected that is long enough to plan for long-term infrastructure needs, yet short enough to represent reasonably anticipated growth based on current land use plans and policy.

## Federal/State Planning Requirements and Resulting Modeling Resources

Federal MPO Planning Regulations mandate a 20 year minimum planning horizon for regional transportation plans (23 CFR 450, Sec. 450.322 (a))

Federal requirement that capital improvements in regional transportation plans must be financially constrained.

Regional agency travel models have typically been developed to match the 20-25 year regional transportation plan planning horizons.

Local agencies can rely on their regional agency for modeling resources to implement their fee programs.  
EDC maintains our own model for TIF support and implementation.

# Forecast Horizon and MFA Defensibility

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## Transportation Improvement Programming and Implementation

Programming of expenditures for transportation is typically a 4-15 year process

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MFA - Timely Use of Funds Provisions: Must demonstrate that the developer fees collected are being applied for their intended use

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MFA Case Law Rulings: Agency to reimburse the development community for fees collected for projects that could not demonstrate implementation progress

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Extended planning horizon could pose a similar defensibility risk if collected fees were not being applied to advance their implementation

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# Thresholds and Level of Service

## Roadway Segment Peak Hour Thresholds by Facility Type

*Highway Capacity Manual (HCM) 6th Edition*

Class		A	B	C	D	E
2A	Two-Lane Arterial	-	-	640	1,310	1,510
4AU	Four-Lane Arterial, Undivided	-	-	1,360	2,770	3,030
4AD	Four-Lane Arterial, Divided	-	-	1,430	2,910	3,180
6AD	Six-Lane Arterial, Divided	-	-	2,210	4,480	4,790
2F	Two Freeway Lanes	-	2,150	2,960	3,610	4,100
2FA	Two Freeway Lanes + Auxiliary Lane	-	3,150	3,960	4,610	5,100
3F	Three Freeway Lanes	-	3,230	4,440	5,420	6,150
3FA	Three Freeway Lanes + Auxiliary Lane	-	4,230	5,440	6,420	7,150
4F	Four Freeway Lanes	-	4,300	5,930	7,220	8,200

# Examples of Thresholds for LOS

Bass Lake Rd Segment	Region, Width, & LOS Threshold	Volumes (AM Peak Hour/PM Peak Hour)			Improvements & LOS Changes
		2019	2021	2040 Projected	
US 50 to N. of Relocated Country Club Dr	Rural 2-lane undivided LOS D	1,134 / 1,087	742 / 963	1,490 / 1,450	Widening to 4-Lane Divided Roadway - results in LOS D
N. of Country Club Dr to Silver Springs	Community 2-lane undivided LOS E	789 / 794	556 / 749	910 / 970	Acceptable LOS D - no improvement required
Silver Springs to Green Valley Rd	Community 2-lane undivided LOS E	552 / 493	376 / 445	670 / 650	Acceptable LOS D - no improvement required

*Two Lane Undivided Roadway: LOS D max peak hr vol = 1,310; LOS E max peak hr vol = 1,510*  
*Four Lane Divided Roadway: LOS D max peak hr vol = 2,910; LOS E max peak hr vol = 3,180*

On April 21, 2020, the Board received information on the changes incorporated in the 2016 Major TIM Fee Program Update to the project list (Agenda Item #26, Legistar 20-0519, Attachment D). Projects that were removed had strikeouts, and an additional column with the 2035 projected volumes was included for reference.

# Safety Projects

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Transportation is staff to the Traffic Advisory Committee (TAC), which was formed in 1965 by the BOS. The TAC provides a more efficient and systematic method of determining the necessity of requested traffic control device installations, and investigates and reports to the BOS on these requests.

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Voting Committee Members include: Representatives from the Department of Transportation, California Highway Patrol, County Sheriff's Department, and County Risk Management Office.

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TAC meetings are agendaized public meetings. Residents with a safety concern may contact Transportation to describe the concern. Transportation staff will investigate and may place the item on a TAC agenda for consideration, or elevate to a CIP Project if funding is identified.

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The Traffic Impact Fee Program has a safety line-item within the Intersection Improvements that can fund matches for grant funds.

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This information is available on the Transportation website:  
<https://www.edcgov.us/Government/dot>

# Alternate Financing Mechanisms

## **Sale of Bonds through Voter Initiatives**

El Dorado County has  
determined not an option

## **Allocation of General Fund**

At the direction of the Board  
and the CAO, the General  
Fund can finance projects  
for the public interest

**All projects included in the TIF  
Program must be fully funded,  
but other finance options exist.**

## **Master Circulation & Funding Plans (MC&FP)**

Redirects sales tax revenues to  
improvement projects  
(ex: Missouri Flat MC&FP)

## **Specific Plans with Public Facilities Financing Plans**

Improvements funded by fees  
collected from developers to  
be used in the immediate area



# Questions?

El Dorado  
COUNTY LINE