



✓

RESOLUTION NO. 289-2007
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO

**RESOLUTION APPROVING THE GARDEN VALLEY 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 Garden Valley 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.

RESOLUTION NO. 289-2007
GARDEN VALLEY FIRE CAPITAL IMPROVEMENT PLAN

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.

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:

Residential/Commercial/Industrial/Institutional - per square foot	
Sprinklered	Unsprinklered
.39¢	.77¢

3. The fee established by this Resolution shall be collected and expended in compliance with El Dorado County Ordinance No. 3991.
4. Any judicial action or proceeding to attach, review, set aside, void, or annul this Resolution shall be brought forward within 120 days.
5. This Resolution supersedes Resolution 109-2006 approved on April 25, 2006.

Passed and adopted by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 27th day of November, 2007, by the following vote of said Board:

Ayes: Dupray, Santiago, Buamann, Sweeney, Briggs

ATTEST:
 CINDY KECK
 Clerk of the Board of Supervisors

Noes: None

Absent: None

By Marcie MacFarland
 Deputy Clerk

Helen K. Baumann
 Chairman, Board of Supervisors
 Helen K. Baumann

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