CAMERON PARK COMMUNITY SERVICES DISTRICT

PARK IMPACT FEE NEXUS STUDY

NOVEMBER 2006

PREPARED FOR:

BOARD OF DIRECTORS

CAMERON PARK COMMUNITY SERVICES DISTRICT

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The work was accomplished under the general direction of Tammy Mefford, General Manager of the Cameron Park Community Services District.

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El Dorado County Assessor's Office
El Dorado County Community Development Department



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Introduction

This Park Impact Fees Nexus Study ("Nexus Study") was prepared pursuant to the "Mitigation Fee Act" as found in Government Code § 66000. The purpose of this Nexus Study is to establish the legal and policy basis for the imposition of park impact fees ('fees") on new residential development within the Cameron Park Community Services District ("District").

Since the need for park and recreational services is inherently population-driven, this Nexus Study utilizes a per capita standard-based methodology to calculate the District's park impact fees. Under this method, the cost components are based on level of service ("LOS") standards established by the District's Recreation Facilities Master Plan and defined on a per capita basis. The total per capita costs are then applied to four residential land uses according their respective average household population to establish a cost / fee per unit.

In order to impose such fees, this Nexus Study will demonstrate that a reasonable relationship or "nexus" exists between new development that occurs within the District and the need for additional developed parkland and recreational facilities as a result of new development. More specifically, this Nexus Study will present findings in order to meet the procedural requirements of the Mitigation Fee Act, also known as AB 1600, which are as follows:

- Identify the purpose of the fee;
- Identify the use to which the fee is to be put;
- Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed;
- 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;
- 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 attributable to the development on which the fee is imposed.



SUMMARY OF GENERAL FINDINGS

Based on a review of the Park and Recreation Element of the El Dorado County General Plan, the District's 2000 Recreation Facilities Master Plan ("Master Plan"), applicable County code sections and District construction cost estimates, the following general findings are presented:

- 1. The District's current park impact fees, adopted May 2003, are \$4,167 per new single-family home and \$3,810 per new multi-family unit or mobile home.
- For subdivided residential land, the District receives the dedication of land, payment of fees in-lieu of land or combination thereof pursuant to the Quimby Act and County Ordinance 16.12.090.
- 3. According to the District's Recreation Facilities Master Plan and the El Dorado County's General Plan, the goal for acquisition and development of park facilities for the Cameron Park Community Services District is 5.0 acres for every 1,000 residents.
- 4. According to the District's Recreation Facilities Master Plan, the level of service standards for a community center is 1 for every 25,000 residents and 1 swimming pool for every 10,000 residents.
- 5. According to the District, the total estimated construction cost of the District's new multi-purpose community center and aquatic facilities is \$14,279,000.
- 6. On March 8, 2005, Measure C was successfully passed by the voters in the District authorizing the issuance of \$8,500,000 in general obligation bonds for the construction and equipment of a new multi-purpose community center and aquatic facilities.



SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. The District should establish new park impact fees to fairly allocate the costs of park development to new residential development. The following park impact fees for the District are proposed:

Land Use Catergory	Parkland Acquisition Fee per Unit	Park Facilities Fee per Unit	Total Proposed Park Impact Fees
Residential (Per Unit)			
Single-Family Detached	\$3,037	\$4,984	\$8,021
Single-Family Attached	\$2,248	\$3,690	\$5,939
Multi-Family Unit	\$2,325	\$3,816	\$6,141
Mobile Home Unit	\$1,503	\$2,467	\$3,970

FIGURE 1 - PROPOSED PARK IMPACT FEES

- 2. If the District requires a developer, as a condition of project approval, to dedicate parkland, to pay fees in-lieu of parkland dedication and/or construct facilities or improvements, the park impact fees imposed on that development project should be adjusted to reflect a credit for the cost of the dedicated parkland, facilities or improvements constructed, or amount of fees paid in-lieu of parkland dedication by the developer. In the event that developer of a residential development project fully pays the required Quimby fees and/or dedicates sufficient land pursuant to the Quimby Act, only the District's park facilities fee would be charged.
- 3. The District should periodically conduct a review of facility costs, land costs and building trends in the District. If costs change significantly in either direction, this Nexus Study should be updated and the park impact fees adjusted accordingly. Alternatively, the ordinance and/or resolution establishing the park impact fees could include a provision for annual escalations based on a District review of vacant land values and an appropriate inflationary factor applied to the remaining costs components.
- 4. The District's new park impact fees should be adopted and implemented in accordance with the applicable provisions of the Mitigation Fee Act (California Government Code § 66000).



5. As condition of tentative map approval, the County should require developers of large residential subdivisions to approve an annual landscaping and lighting benefit assessment to fund on-going operation, maintenance and improvement of the park and recreational facilities associated with the development.

PER CAPITA COST COMPONENTS

As previously mentioned, this Nexus Study utilizes a per capita-based methodology to determine the park impact fees because the need for / demand for park and recreational services is inherently driven by population. This section presents the per capita cost for parkland acquisition and development, construction of community center and aquatic facilities and other associated costs based on the District's Master Plan level of service standards.

PARKLAND ACQUISITION COST PER CAPITA

Figure 2 below presents the per capita cost for parkland acquisition based on an assumed land value of \$210,000 per acre. Arguments for higher land costs can be made; however, the presented amount appears to be an appropriate and conservative figure for the purposes of this Nexus Study.¹ As shown, the 5.0 acre per 1,000 population standard from the County General Plan and the District's Recreation Facilities Master Plan is multiplied by the estimated per acre cost to arrive at a cost per capita.

FIGURE 2 – PARKI AND ACQUISITION COST PER CAPITA

Cost Component	Acres per 1,000	Acres per	Land	Cost	
	Population ¹	Capita ¹	Cost Per Acre ²	per Capita	
Parkland Acquisition	5.0	0.0050	\$210,000	\$1,050.00	

Notes:

It is important to note that most parkland acquisition costs will be recovered by land dedication or in-lieu fees pursuant to Quimby Act and Ordinance County 16.12.090. Under the proposed park impact fee program, if a development project fully pays its Quimby fees and/or dedicates sufficient land pursuant to the Quimby Act, only the park facilities fee would be charged.

¹ Appendix B presents recent vacant land sales in the County which were used as the based to determine land acquisition costs per acre.





 $^{^{1}}$ Based on the 5.0 acres per 1,000 population standard from the El Dorado County General Plan and the District's Recreation Facilities Master Plan.

² Based on three recent vacant land sales within the District.

PARKLAND DEVELOPMENT COST PER CAPITA

Figure 3 calculates the per capita cost of developing new parks in the District. As presented, the 5-acre per 1,000 population standard is multiplied by the estimated per acre cost for parkland development to arrive at a per capita cost. The average park development cost per acre shown represents average construction cost (in 2006 dollars) for a typical neighborhood park similar to those in existing District parks.² Any facilities other than restrooms, such as community centers or aquatic facilities, are included as separate cost components.

FIGURE 3 - PARKLAND DEVELOPMENT COST PER CAPITA

Acres per 1,000 Cost Component Population ¹		Acres per Capita ¹	Cost per Capita	
Parkland Development	5.0	0.0050	\$283,000	\$1,415.00

Source: Cameron Park Community Services District

Notes:

¹ Based on the 5.0 acres per 1,000 population standard from the El Dorado County General Plan and the District's Recreation Facilities Master Plan.

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² From the Typical Neighborhood Park Construction Cost (Appendix C).

² Appendix C presents the District's typical neighborhood park construction costs.

COMMUNITY USE FACILITIES COST PER CAPITA

According to the District's architect, the estimated site development and construction cost of the District's new community use facilities is \$10,823,759. Of this amount, 59.5 percent (or \$6,443,347) will be funded by Measure C. The remaining 40.5 percent (or \$4,380,412) will be allocated to existing and future development.³

The District's Recreation Facilities Master Plan set the standard of 1 community center for every 25,000 residents. Using the estimated unfunded construction cost of District's new community center and the 1/25,000 level of service standard, the remaining cost per capita is \$175.22 as shown below.

FIGURE 4 - COMMUNITY USE FACILITIES COST PER CAPITA

Cost Component	Estimated Remaining Construction Cost ²	Cost Per Capita ³	
Community Use Facilities	1.0 per 25,000 population	\$4,380,412	\$175.22

Source: Cameron Park Community Services District

Notes:

¹ From the District's Recreation Facilities Master Plan.



² Estimated remaining site development and construction costs of the District's new community use facilities after Measure C bond proceeds. See Appendix D for more information.

³ Estimated remaining construction cost divided by the level of service standard for community use facilities.

³ See Appendix D for more information.

AQUATIC FACILITIES COST PER CAPITA

According to the District's architect, the estimated site development and construction cost for District's two new swimming pools is \$3,454,837. Of this amount, 59.5 percent or approximately \$2.76 million will be funded by Measure C proceeds. The remaining 40.5 percent or approximately \$1,398,184 will need to be funded by other revenue sources.⁴

The District's Recreation Facilities Master Plan set the standard of 1 swimming pool for every 10,000 residents. Since the District has current population of about 16,000, only the per capita cost of one of the two swimming pools must be considered. The construction cost for each of the pools is approximately the same. Therefore, using the one half of the estimated construction cost of the District's two new aquatic facilities and the 1 per 10,000 level of service standard, the remaining cost per capita is \$69.91 as shown below.

FIGURE 5 - AQUATIC FACILITIES COST PER CAPITA

Cost Component	Level of Service Standard ¹	Estimated Remaining Construction Cost ²	Cost Per Capita
Swimming Pools	1.0 per 10,000 population	\$699,092	\$69.91



¹ From the District's Recreation Facilities Master Plan.

² One have of the estimated remaining site development and construction costs of the District's two swimming pools after Measure C bond proceeds. See Appendix D for more information.

³ Estimated remaining construction costs dividing by the level of service standard for swimming pools.

⁴ See Appendix D for more information.

ASSOCIATED COSTS PER CAPITA

The costs of preparing and updating this Nexus Study, as well as funding of the administrative and associated costs related to the park impact fee program, are included in the park impact fee. As previously discussed, the population in the District is projected to grow by 2,495 people over the next 10 years. Therefore, the per capita cost allocated to new development is \$63.33 as shown in the following table.

FIGURE 6 - ASSOCIATED COSTS PER CAPITA

	Estimated	Future Allocation		Cost
Fee Components	Costs 1	%	\$	Per Capita ²
Nexus Study and Periodic Updates ¹	\$33,750	100%	\$33,750	\$13.53
Park Fee Program (Administrative Costs) ²	\$124,271	100%	\$124,271	\$49.80
Total Costs	\$158,021		\$158,021	\$63.33

¹ Appendix E details the costs associated with park impact fee program.

 $^{^{\,2}\,}$ Estimated costs thru 2016 divided by the population growth projected for the next 10 years.

DETERMINATION OF THE PARK IMPACT FEES

This section presents the calculation of the park impact fees based on the per capita cost for parkland acquisition, parkland development, community use and aquatic facility construction and park impact fee program costs for the different residential land uses in the District.

PARK IMPACT FEE COST COMPONENTS

Figure 7 presents the calculation of the park impact fees based on the per capita cost components from the previous section. As shown, the total per capita cost is \$2,773.46

FIGURE 7 – PARK IMPACT FEE COST COMPONENTS

Park Impact Fee Cost Components	Per Capita Costs
Parkland Acquisition	\$1,050.00
Parkland Development	\$1,415.00
Community Use Facilities	\$175.22
Aquatic Facilities	\$69.91
Associated Costs	\$63.33
Total Cost per Capita	\$2,773.46

PARK IMPACT FEE DETERMINATION

Figure 8, on the following page, presents the calculation of the two park impact fees: (1) the parkland acquisition fee and (2) the park facilities fee. The average household size for the four housing types is multiplied by the per capita costs for each to arrive at fees per dwelling unit. The park facilities fee includes the per capita costs for parkland development, community use facilities, aquatic facilities and associated costs.

PARK IMPACT FEES CREDIT

If the District requires a developer, as a condition of project approval, to dedicate parkland, to pay fees in-lieu of parkland dedication and/or construct facilities or improvements, the park impact fees imposed on that development project should be adjusted to reflect a credit for the cost of the dedicated parkland, facilities or improvements constructed, or amount of fees paid in-lieu of parkland dedication by the developer.



FIGURE 8 – PROPOSED PARK IMPACT FEES

Land Use Category	Average Household Size ¹	Parkland Acquisition Cost per Capita	Park Facilities Cost per Capita ²	Total Cost per Capita		Park Facilities Fee per Unit ³	Total Park Impact Fees per Unit ³
Single-Family Detached	2.892	\$1,050.00	\$1,723.46	\$2,773.46	\$3,037	\$4,984	\$8,021
Single-Family Attached	2.141	\$1,050.00	\$1,723.46	\$2,773.46	\$2,248	\$3,690	\$5,939
Multi-Family Unit	2.214	\$1,050.00	\$1,723.46	\$2,773.46	\$2,325	\$3,816	\$6,141
Mobile Home Unit	1.431	\$1,050.00	\$1,723.46	\$2,773.46	\$1,503	\$2,467	\$3,970

 $^{^{\,\,1}}$ Based on figures from the 2000 U.S. Census for Cameron Park. See Appendix F.

² Total per capital costs for parkland development, community use facilities, agatic facilities and associated costs.

³ Fees are rounded to the nearest dollar.

NEXUS FINDINGS

This section frames the results of Nexus Study in terms of the legislated requirements to demonstrate the legal justification of the park impact fees ('fees"). The justification of the park impact fees on new development must provide information as set forth in Government Code § 66000. These requirements are discussed below.

IDENTIFY THE PURPOSE OF THE FEES

The purpose of the park impact fees are to acquire and develop parkland and provide recreational, community and aquatic facilities to meet the needs of the new residential population within the District.

IDENTIFY THE USE OF THE FEES

As outlined in the Nexus Study, the general purpose of the fees is to fund the acquisition and development park and recreation facilities. Revenue from fees collected on new development may be used to pay for any of the following:

- Acquisition or leasing of land for park and recreational facilities;
- Construction of park and recreational facilities including community use facilities and aquatic facilities;
- Construction of park and recreation support facilities including administrative facilities and maintenance facilities and equipment;
- Park impact fee program costs including District and County administrative costs, nexus study and park master plan costs;
- Other facility costs resulting from population growth caused by new residential development.

Revenue from the fees collected may not be used to fund the following:

- District operational costs;
- Park maintenance costs.5

DETERMINE HOW THERE IS A REASONABLE RELATIONSHIP BETWEEN THE FEES' USE AND THE TYPE OF DEVELOPMENT PROJECT ON WHICH THE FEES ARE IMPOSED

Since the need for park and recreational services is inherently population-driven, new residential development in the District will generate additional need for new parks and recreational services and the corresponding need for various facilities. The fees will be used to develop and expand the District's parks, community use facilities and aquatic

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⁵ The District should establish assessment districts to fund on-going operation, maintenance and improvements costs attributable to new development projects.

facilities required to serve new development. The fees' use (developing new facilities) is therefore reasonably related to the type of project (new residential development) upon which it's imposed.

DETERMINE HOW THERE IS A REASONALBE RELATIONSHIP BETWEEN THE NEED FOR THE PUBLIC FACILITIES AND THE TYPE OF DEVELOPMENT PROJECTS ON WHICH THE FEES ARE IMPOSED

Each new residential development project will generate additional need for park and recreational services and the associated need for developed parkland, community centers and aquatic facilities. The need is measured in proportion to average household size for four housing types. The District's parkland standard is 5.0 improved park acres for every 1,000 residents. Per capita standards for other facilities are specifically outlined in the Nexus Study.

DETERMINE HOW THERE IS A REASONALBE RELATIONSHIP BETWEEN THE AMOUNT OF THE FEES AND THE COST OF THE PUBLIC FACILITIES OR PORTION OF THE PUBLIC FACILITIES ATTRIBUTABLE TO THE DEVELOPMENT ON WHICH THE FEES ARE IMPOSED

The amount of park and recreational facilities need to serve a unit of development is based on the District's level of service standard for providing such facilities. The cost for land acquisition and park development are defined on a cost per acre basis. The cost for providing community centers and aquatic facilities are defined on a cost per square foot basis. These per capita costs are applied to new single-family detached homes, new single-family attached homes (townhomes), new multi-family units and mobile homes based on the average household size for each housing type.



APPENDICES

- Appendix A Population Projections through 2016
- Appendix B Recent Vacant Land Sales
- Appendix C Typical Neighborhood Park Construction Costs
- Appendix D Cameron Park Recreational Community Center Cost Summary
- Appendix E Park Impact Fee Program Costs
- Appendix F Average Household Size by Housing Type
- Appendix G El Dorado County Code Chapter 13.30



Figure 9 presents the District's population projection through 2016. It is based on a SACOG projected annual growth rate of 1.47% for the unincorporated areas of El Dorado County.

FIGURE 9 – POPULATION PROJECTIONS THROUGH 2016 (DISTRICT)

	District Population Projection
Year	1
2000	14,550
2001	14,764
2002	14,981
2003	15,201
2004	15,425
2005	15,651
2006	15,881
2007	16,115
2008	16,352
2009	16,592
2010	16,836
2011	17,084
2012	17,335
2013	17,589
2014	17,848
2015	18,110
2016	18,377
Growth	2,495

Source: Sacramento Area Council of Governments ("SACOG") and 2000 U.S. Census



¹ Based on 2000 U.S. Census population projection and 1.47 percent annual growth rate from SACOG population projections for the unincorporated area of El Dorado County.

APPENDIX B - RECENT VACANT LAND SALES

FIGURE 10 - RECENT VACANT LAND SALES

Sale	APN	Location	Sales Date	Sales Price	Size (Acres)	Price per Acre	Average Price per Sq. Ft.
1	105-010-45-100	Cameron Park	Jun-05	\$10,602,000	40.0	\$265,050	\$6.08
2	108-120-35-100	Cameron Park	Apr-04	\$8,400,000	40.0	\$210,000	\$4.82
3	115-370-01 et. al.	Cameron Park	Sep-05	\$18,500,021	112.0	\$165,179	\$3.79

FIGURE 11 – TYPICAL NEIGHBORHOOD PARK CONSTRUCTION COSTS

Description	Unit Cost (Installed)	Unit	Quantity	Total Cost
Site Grading and Clearing	\$1.25	s.f.	217,800	\$272,250
Site Utilities (storm, electrical, sanitary)	\$70,000	l.s.	1	\$70,000
Automatic Irrigation	\$1.50	s.f.	174,240	\$261,360
Turf Area	\$0.50	s.f.	130,680	\$65,340
Landscaping (trees, scrubs, groundcover, etc.)	\$3.00	s.f.	43,560	\$130,680
Soil Preparation and Amendments	\$0.30	s.f.	43,560	\$13,068
Mulch	\$0.30	s.f.	2,178	\$653
Water Meter	\$15,000	l.s.	1	\$15,000
Water Controller	\$9,000	l.s.	1	\$9,000
Concrete Pathways	\$7.25	s.f.	14,520	\$105,270
Picnic Areas and Amenities	\$30,000	l.s.	1	\$30,000
Children's Play Areas	\$100,000	l.s.	1	\$100,000
Sports Court	\$45,000	l.s.	1	\$45,000
Lighting	\$60,000	l.s.	1	\$60,000
Subtotal				\$1,177,621
Architectural and Engineering Services	20% of Total			\$235,524
Total Cost (5 Acre Neighborhood Park)		\$1,413,146		
Average Cost per Acre (Rounded)				\$283,000

Source: Cameron Park Community Services District

APPENDIX D - CAMERON PARK RECREATIONAL COMMUNITY CENTER COST SUMMARY

Figure 12 presents the estimated project cost of the District's new Cameron Park Recreational Community Center. According to the District's architect, the project's various community use facilities and two swimming pools will cost approximately \$14 million. On March 8, 2005, Measure C was approved by the voters in the District authorizing the issuance of \$8,500,000 in general obligation bonds for construction and equipment of this project. The remaining costs for this project are shown and allocated among the project's community use facilities and two swimming pools.

FIGURE 12 - CAMERON PARK RECREATIONAL COMMUNITY CENTER COST SUMMARY

	Community Use Facilities	Aquatic Facilities	Total Project
Site Development Cost Estimate ¹	\$998,900	\$998,900	\$1,997,800
Construction Cost Estimate ²	\$9,824,859	\$2,455,937	\$12,280,796
Total Estimated Construction Costs	\$10,823,759	\$3,454,837	\$14,278,596
Measure C Proceeds ³			\$8,500,000
Remaining Costs ⁴	\$4,380,412	\$1,398,184	\$5,778,596

Source: WLC Architects and Cameron Park Community Services District

¹ The estimated site development costs for the project are allocated 50/50 among the community use facilities and two swimming pools.

² The estimated costs for construction of the community use facilities and two swimming pools.

Measure C general obligation bond revenue which will partially fund the construction of the new Cameron Park Recreational Community Center.

⁴ Remaining costs site development and constructions costs allocated to the community use facilities and aquatic facilities.

APPENDIX E - PARK IMPACT FEE PROGRAM COSTS

FIGURE 13 – 10 YEAR PARK IMPACT FEE PROGRAM COSTS

Cost Components	Unit Cost	# of Years ¹	Quantity Per Year	Total Quantity	Total Cost
Nexus Study and Biennial Updates	\$6,750	10	Biennially	5	\$33,750
Park Fee Program (Administrative Costs) ²	\$12,427	10	Annually	10	\$124,271
Total Costs					\$158,021

Source: Cameron Park Community Services District

¹ Estimated cost components through the remaining 10-year planning horizon - 2016 of the District's Recreation Facilities Master Plan.

² Total cost represents 3% of park development costs and community center and aqatic facility construction costs for 10 years. 1% for County administration and 2% for District administration.

APPENDIX F - AVERAGE HOUSEHOLD SIZE BY HOUSING TYPE

Since the park impact fees are based on per capita need and level of service, this Nexus Study recommends the allocation of the park impact fees to the different residential land uses (or housing types), since different housing types have different household sizes. Based on 2000 U.S. Census information, figure 14 presents the average household size calculation for four housing types: detached single-family homes, attached single-family homes (or townhomes), multi-family residences and mobile homes.

FIGURE 14 – AVERAGE HOUSEHOLD SIZE BY HOUSING TYPE

Land Use	Total Housing Units	Vacant Housing Units	Occupied Housing Units	Total Number of Occupants	Average Household Size
Single-Family Detached	3,740	63	3,677	10,634	2.892
Single-Family Attached	436	4	432	925	2.141
Multi-Family Unit	1,284	98	1,186	2,626	2.214
Mobile Home	255	0	255	365	1.431
Average (2000 Census)	5,715	165	5,550	14,550	2.622

Source: US Census Bureau, 2000 US Census

Chapter 13.30
CSD AND PARKS AND RECREATION
IMPACT MITIGATION FEES

13.30.010 Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. "Impacted District": Means a district which (1) has adopted a resolution declaring the district to be impacted by new development such that additional mitigation is necessary to provide funding for new parks and recreation capital facilities and equipment to serve such new development, and; (2) has adopted a plan.
- B. "Developer": Means the individual(s), partnership or corporation submitting a development permit application or application for building permit for new development.
- C. "District": Means a community services district, a recreation and park district or other public entity authorized by law to provide public recreation by means of parks.
- D. "District Service Area": Means the area within district boundaries including any territory annexed to the District subsequent to the date of this ordinance.
- E. "New Development": Means the creation of a lot or parcel capable of accepting construction of a single family or multi-family dwelling unit(s), or the construction of a new single family home or multi-family dwelling unit(s). New development shall include the placement/installation of a mobile home at its initial location within the district service area but shall not include replacement of an existing single family dwelling unit or multi-family dwelling unit(s) destroyed by fire, flood or other natural disasters.
- F. "Non-residential Development": Means the construction of buildings or facilities not designed for or intended to be used for residential dwelling, including hotels, motels, or boarding houses, with a maximum stay duration of thirty (30) days or less.
- G. "Plan": Means a parks and recreation capital facilities and equipment plan duly adopted by the district, as annually amended, which shows the impact of new development upon the district and which indicates the approximate location, size, time of availability and estimates of cost for the plan to be financed with a fee established hereunder.
- H. "Residential Development": Means single family or multi-family dwelling unit(s), or a lot or parcel capable of accepting construction of a single family or multi-family dwelling unit(s). (Ord. 4404, 1995)



13.30.020 Purpose.

The board of supervisors, in order to provide for mitigation of the impacts on park and recreation facilities and services within an impacted district caused by new development finds and declares as follows:

- A. A development impact mitigation fee is needed in order to finance capital facilities improvements and equipment acquisition to provide park and recreation services necessitated by new development within an impacted district.
- B. A development impact mitigation fee for capital facilities and equipment to provide park and recreational services is consistent with the county's general plan.
- C. This board of supervisors has considered, in accordance with Government Code section 65913.2 the effects of such development impact fee with respect to housing needs as established in the housing element of the county general plan.
- D. The development impact fee established by the chapter is in addition to any other fees, charges, dedications, or taxes required by state law or county ordinance as a condition of development not limited to but including Quimby Act fees/dedications; provided, however, credit shall be allowed as required by state law pursuant to Government Code section 66477(I), or other applicable statute. (Ord. 4404, 1995)

13.30.030 Establishment and Administration of a Parks and Recreation Capital Facilities and Equipment Impact Mitigation Fee.

- A. An impacted district may request in writing that the board of supervisors adopt a parks and recreation capital facilities and equipment development impact mitigation fee. The impacted district shall submit a request to the board of supervisors for the establishment of a specific fee and shall provide all information necessary to identify the purpose of the fee, identify the use to which the fee is to be put, describe the reasonable relationship between the fee and the new development, and describe how there is a reasonable need for the new capital facilities and equipment from the impact of new development.
- B. Upon request from an impacted district to adopt a fee, the board of supervisors shall hold a noticed public hearing to consider imposition of said fee and shall receive public comment thereon. The chief administrative officer and the county auditor shall review the request and the amount of the proposed fee, and make recommendations as to its amount.



C. Based upon its consideration and review of the totality of the circumstances, the board of supervisors may establish by resolution a parks and recreation capital facilities and equipment impact mitigation fee within the district service area of an impacted district. Any such fee shall be adopted by the board of supervisors in accordance with chapter 5, division 1 of title 7 of the Government Code, commencing with section 66000 at seq., as amended from time-to-time. (Ord. 4404, 1995)

13.30.040 Administration of Fee.

- A. Prior to the issuance of a building permit for new development of any parcel within the district service area for an impacted district for which a fee has been established, or as otherwise required by law, the county shall collect the fee and shall remit the fee to the district in accordance with a written agreement between the county and the district in a form approved by county counsel. No fee shall be collected until such agreement has been duly executed by the impacted district and the county. Upon establishment of a fee, all approvals pursuant to title 16 herein shall include a condition providing for payment of the fee for each parcel created.
- B. The revenues raised by payment of the fee shall be placed by the district in a separate and special account and such revenues, along with any interest earnings on that account, shall be used by the district solely to:
 - 1. Pay for the district's future acquisition and construction of capital facilities and equipment for purposes of park and recreation services;
 - 2. Reimburse the district for those capital facilities and equipment described or listed in the district's plan which have been constructed by the district with funds advanced by the district from other sources; or
 - 3. Credit developers who have been required or permitted by paragraph (d) below to install facilities which are set forth in the plan prior to actual demand or need for such facilities.
- C. The revenues raised by payment of the fee shall only be used to pay for the capital facilities and equipment described and set forth in the adoption Plan, as modified from time-to-time and for costs and expenses related to administration of the fee, the adopted plan and construction of facilities or procurement of equipment as set forth in the adopted plan.



- D. Whenever a developer is required, as a condition of approval of a development project, to construct a capital facility described in the adopted plan, which facility is determined by the district to be required as a result of new development, in advance of district's planned installation, and when such construction is necessary to ensure efficient and timely construction of the facilities network, a written agreement with the developer for a credit against the fee which would otherwise be charged pursuant to this chapter shall be offered to the developer.
- E. A developer of any project subject to the fee set forth in this chapter may apply to the county for a reduction, adjustment or a waiver of the fee, based upon the absence of any reasonable relationship or nexus between the impacts of that development and the amount of the fee. The application shall be made in writing and filed with the county either:
 - 1. Not later than sixty (60) days prior to the public hearing on the discretionary development permit application for the project; or
 - 2. If no discretionary development permit is required, at the time of the filing of the request for a building permit.

The developer shall state in detail the factual basis for the claim of waiver, reduction or adjustment. If a reduction, adjustment or waiver is granted, any change in use within the project shall invalidate the waiver, adjustment or reduction of the fee.

F. The district in administering the fee established by this chapter shall comply with, in addition to requirements set forth in this chapter, those requirements set forth in chapter 5, division 1 of title 7 of the Government Code commencing with section 66000 et seq. as amended from time-to-time. (Ord. 4404, 1995)

13.30.050 Exempt Development.

The impact mitigation fee established by this chapter shall not be charged for the following type of development:

- A. Senior housing projects meeting the definition and criteria set forth in Civil Code section 51.3 (3), California Health and Safety Code section 1569.2(k), and California Government Code section 1543.2(d) (9).
- B. All Non-Residential Development.
- C. Any other development, entitled by state or federal statute, to an exemption from development impact fees, including but not limited to Government Code sections 65961 or 66498 et seq. (Ord. 4404, 1995)



13.30.060 Annual Review.

A. The board of supervisors shall review, on an annual basis, each parks and recreation capital facilities and equipment development impact mitigation fee established hereunder. Each district for which a fee has been established shall annually update its plan and perform the accounting required by Government Code section 66006, and shall proved to the county all the necessary information to allow the county to determine whether the fee amounts continue to be reasonably related to the impacts of development and whether the described capital facilities or equipment described in the plan are still required. The chief administrative officer and the county auditor shall review the information and make recommendations regarding the amount of the fee and any other aspect of the administration by the impact district of monies received hereunder. The impacted district shall reimburse the county for all costs incurred by the county in the review, including but not limited to costs for staff review and public notice, if necessary. (Ord. 4404, 1995)