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12 12 2017 Public comment Item 26

Henry Batsel <hbatsel@gmail.com>

Tue, Dec 12, 2017 at 8:53 AM

To: edc.cob@edcgov.us

Cc: Bernard Carlson <1bcc@comcast.net>, Ellen Day <ellendaypriderealty@yahoo.com>, Dennis Jordan <dnlect@netscape.net>, Jerry Homme <homme1@comcast.net>, michael.ciccozzi@edcgov.us, Donald Ashton <don.ashton@edcgov.us>

Dear Sirs,

Thank you for the opportunity to provide public comment! A signed copy of the letter will be submitted later.

Thank you,

Henry Batsel

for Friends of El Dorado County

2 attachments



final draft let to sups 12 12 17.docx

14K



Complete exhibit.pdf

3616K

Dec. 12, 2017

Chairman Sheva Frentzen
El Dorado County Board of Supervisors
330 Fair Lane
Placerville, Ca 95667

Re: El Dorado County TIM FEE Program Item 26

Dear Chairman Frentzen, Honorable Board Members;

Friends of El Dorado County has been involved in the TIM fee issue and would like to provide public comment on the matter. Thank you for the opportunity to provide input to your board.

ITEM I

Recently members of our group found a material error in the inventory of single family residential units within the approved nexus study. Information received through the California Public Records Act Request indicate that the growth projections for the unincorporated areas of the county were provided to BAE and Urban Economics by El Dorado County staff. You might think BAE provided the projections.

The residential unit quantities within Exhibit D, Appendix A of the current nexus are incorrect and the historical permit totals are about 4,000 units short for zone 8. We are enclosing attachments produced by the surveyors office to document the errors.

We note the historical growth rate in units for zones 2 and 3 are dramatically overstated in the nexus and zone 8 is understated. Since the county is updating the fees this error must be repaired before proceeding with approval as the model tables and fee amounts would change because trips per zone would change.

Further, we are attaching the Aug. 22, 2006 staff report (pg 27 of 29) which includes a description of how the fees were calculated with respect to zones and growth rates. This was crafted by the county counsel to insure a nexus and to preserve "fair share" equities between the individual TIM zones. Adjustments are made between zones for projects which have "fair share" or shared benefits. There is a great disparity in growth rates between the individual fee zones as seen in the attachments. It is not fair to ascribe a 1.03% growth rate to a zone that has 1/5th of that and base the fee on that fiction. Nor is it fair to ascribe a 1.03% growth rate to zone 8 when growth is (and has been) much higher there.

The board's approval of findings for the impact fee nexus are not based on facts but faulty historical growth figures which skew fees unfairly down in zone 8 and up in zones 2 and 3. Please repair the nexus before you pass this fee increase.

ITEM II

The county's implementation of Measure Y is described in the staff report of 4/19/16. It says "BUT FOR" new development a road or interchange would not need to be widened. Thus new development must pay 100% of its way. The methodology the county is using to charge fees is based solely on capacity. This issue pertains to the Cameron Park Interchange, bridges, and projects where capacity is NOT really the issue. Scour critical or obsolete bridges, low clearance overpasses, short onramps, short off-ramps with back-ups onto the freeway are examples of existing deficiencies funded by impact fees. The CP Interchange is a functionally obsolete interchange that is 50 years old and past industry standards for the life expectancy of concrete box beam construction. These are existing deficiencies funded 100% by new impact fees – we believe a violation of the Mitigation Fee Act. In actuality, Measure Y is implemented so a small percentage of residents pay for a project that primarily serves the existing residents.

Further, the county treats bridges differently than interchanges – they are appropriately fair share funded based on percentage of new population being served by the project.

We do not believe the increase in fees is warranted because the material error in historic growth computations causes all fees to be inaccurate and un-fair. We believe Measure Y's "BUT FOR" policy is a violation of the Mitigation Fee Act as implemented.

We believe the TIM fees implemented in February can be successfully challenged at any time by a fee payer for violation of the Mitigation Fee Act, the federal unconstitutional conditions doctrine, the state and federal Equal Protection Clauses, and the state and federal Due Process Clauses. Accordingly, we give the county notice to make the appropriate repairs to the fee ordinance and support documents.

Respectfully,

Bernard Carlson



Legend

TIM Fee Zones

- 1 Grizzly Flat/Quintette/west of Echo Summit
- 2 Cameron Park/Shingle Springs
- 3 El Dorado/Diamond Springs
- 4 Coloma/Cool/Georgetown
- 5 Placerville/Camino/Pollock Pines
- 6 Pleasant Valley
- 7 Fairplay/Latrobe/Mt. Aukum
- 8 El Dorado Hills

Major Roads
Rivers & Creeks

0 1 2 4 8 Miles

Map displayed in Base Plane Coordinate System (NAD 1983 California Zone 1, SCS)

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

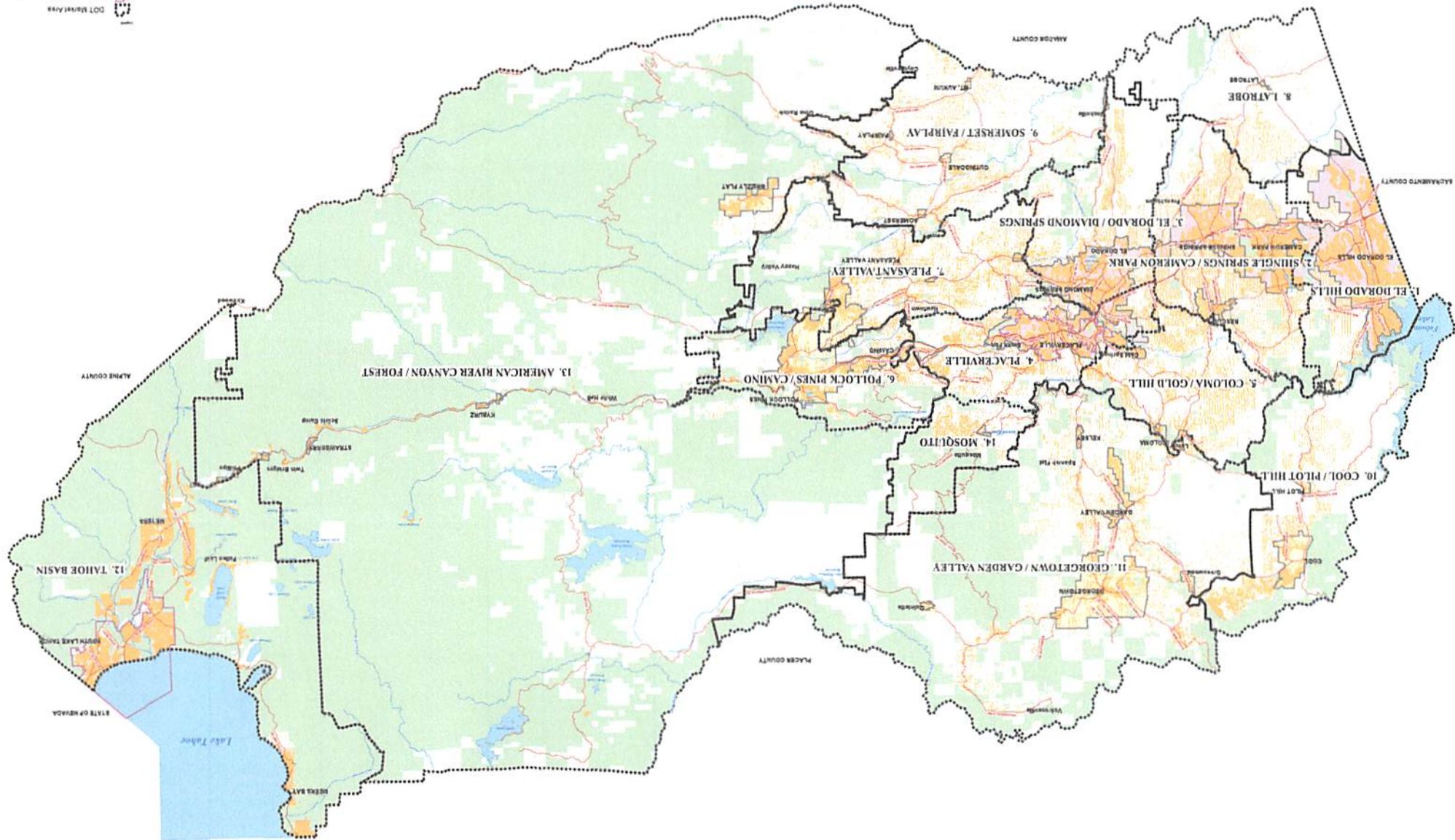
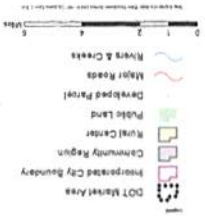


NOTES:
 THIS INFORMATION WAS OBTAINED FROM PUBLIC RECORDS AND PUBLIC RECORDS AND IS UNCORRECTED. THE COUNTY ENGINEER IS NOT A GUARANTEE OF THE ACCURACY OF THIS INFORMATION. ANY INFORMATION NOT SHOWN ON THIS MAP IS UNAVAILABLE. OTHER MAPS OF THIS JURISDICTION AT THE TIME OF THIS MAP.

NOTES:
 LATER INFORMATION MAY COVER ADDITIONAL AREAS OUTSIDE OF THE COMPILED AREA.
 PREPARED BY THE COUNTY OF EL DORADO, DATE: 10/15/2016
 MAP PREPARED BY A. J. JOHNSON, DATE: 10/15/2016
 S. & PROJECT NO. 16-000000-0000-0000
 EL DORADO COUNTY ENGINEERING & SURVEYING
 PHONE: 530-545-1000 FAX: 530-545-1001



Market Areas with Incorporated Areas,
Community Regions, Rural Centers & Public Lands
County of El Dorado
State of California



DATE: 12/12/17
 PROJECT: 17-1284
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]
 COUNTY OF EL DORADO, CALIFORNIA
 PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

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2006 Klaus

COUNTY OF EL DORADO DEPARTMENT OF TRANSPORTATION



MAINTENANCE DIVISION:
2441 Headington Road
Placerville CA 95667
Phone: (530) 642-4909
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RICHARD W. SHEPARD, P.E.
Director of Transportation

Internet Web Site:
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MAIN OFFICE:
2850 Fairlane Court
Placerville CA 95667
Phone: (530) 621-5900
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Date: August 8, 2006

Board of Supervisors
330 Fair Lane
Placerville, California 95667

**Title: 2004 General Plan Traffic Impact Mitigation (TIM) Fee Program –
Public Hearing to Certify Supplement to General Plan EIR and
Adopt Final Fee Program**

Meeting Date: August 22, 2006

District/Supervisor: All Districts / All Supervisors

Dear Members of the Board:

Recommendations:

The Department of Transportation (DOT) recommends that the Board of Supervisors:

- 1) Conduct a Public Hearing regarding adoption of the proposed 2004 General Plan Traffic Impact Mitigation Fee Program;
- 2) Approve Resolution certifying the Supplement to the 2004 General Plan Environmental Impact Report; issuing a supplemental statement of overriding considerations; and making supplemental findings of fact;
- 3) Approve Resolution setting the new traffic impact fees; and
- 4) Authorize the Chairman to sign the resolutions for CEQA review and adoption of the new Fee Program.

Background:

As part of the process to implement Measure TC-B of the 2004 El Dorado County General Plan, during the summer of 2004, the El Dorado County Board of Supervisors set into motion a process to revise and update the County's Road Development Fee Program.

Per your Board's direction, the Department returned to your Board on September 20, 2005 with a proposed Fee Program for consideration and possible adoption. After a noticed

fees are collected to fund improvements needed to maintain the level of service standards of the General Plan on the regional road system. General Plan Implementation Measure TC-B calls for the County to:

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. The traffic fees should be designed to achieve the adopted level of service standards and preserve the integrity of the circulation system. The fee program(s) shall be updated annually with revised growth forecasts and construction cost estimates to ensure the programs continue to meet the requirements contained in the policies of this General Plan. [Policies TC-Xa, TC-Xb, and TC-Xg.] (Emphasis added.)

The highlighted language makes clear that the purpose of the TIM Fee Program is to fund improvements needed to meet the level of service standards of the General Plan. That is what the TIM Fee Program does. It does not amend the Circulation Map or otherwise restrict the County's ability to provide road improvements beyond those that are funded through the TIM Fee Program to maintain level of service standards.

Road Improvements Funding and General Plan Policies

Comments were received which expressed concerns that the proposed TIM Fee Program would not fully fund roadway improvements and that the lack the full funding for roadway improvements would be inconsistent with the General Plan.

The proposed TIM Fee Program is designed to fully fund those road improvements needed to comply with the level of service standards of the General Plan. As discussed above, the proposed TIM Fee Program is the implementation of Measure TC-B of the County's 2004 General Plan Transportation and Circulation Element. Measure TC-B requires in part that "traffic fees should be designed to achieve the adopted level of service standards and preserve the integrity of the circulation system." Measure TC-B is an implementation measure of the General Plan and addresses several policies of the General Plan which similarly focus on maintaining the level of service standards of the General Plan.

The analysis conducted for the proposed TIM Fee Program identified the road improvements necessary to achieve General Plan level of service requirements through the General Plan 20-year planning period. Based on these improvement requirements, the County developed estimated construction costs and determined that the cost of improvements over the 20-year period of the proposed TIM Fee Program is approximately \$841 million.

Except for the costs associated with "external/external" or "pass through" trips (i.e. trips that begin and end outside the unincorporated area of the County), which are not attributable to new development in the County, the full cost of the improvements was initially allocated to new development. Based on Board direction, County staff has developed the proposed TIM Fee Program to fund the portion of the total necessary roadway improvement costs that is attributable to new development within the unincorporated areas of the County.

*
REQUIRED yearly
1. growth forecast
2. const. cost

change
2009
growth forecast - "five years or less"

5

2006 TIM Fee Program

2004 General Plan Traffic Impact Mitigation Fee Program
Meeting Date August 22, 2006 - ~~ORDINANCE-FEE~~
Page 26 of 29 Resolution

- 1. MFA
- 2. Fair share = zones
- 3. Reasonable relationship
- 4. Nexus

Nexus Concerns/Cost Allocations by Location

Comments were received which expressed concerns that the proposed TIM Fee Program would not meet nexus requirements by charging new development in some areas more than in other areas. Related comments were received which expressed concerns that the fee zones in the proposed TIM Fee Program were not appropriately delineated and would lead to development in certain areas being subject to disproportionately higher fees.

The TIM Fee Program is subject to the Mitigation Fee Act (California Government Code Chapter 5 Section 66000-66008 Fees for Development Projects) which governs imposing development impact fees in California. The Mitigation Fee Act requires that all local agencies in California, including El Dorado County, follow two basic rules when instituting impact fees: 1) Establish a nexus or reasonable relationship between the development impact fee's use and the type of project for which the fee is required, and 2) The fee must not exceed the project's proportional "fair share" of the proposed improvement and cannot be used to correct current problems or to make improvements for existing development. The County has determined that the proposed TIM Fee Program meets these requirements.

The proposed TIM Fee Program would apply to each development based on the fee zone within which the development is located and the type of development (e.g., single family residential, commercial, office, etc.) and would not differentiate by location within that zone nor developer. Even the approved development agreements in El Dorado Hills and elsewhere, as with development in all other locations of the County, are subject to the fees that are in effect at the time Building Permits are issued for each individual residence or other structure.

The Traffic Analysis completed for the Fee Program shows that development within any given location of the County results in a distribution of vehicle trips throughout the County. An example would be that Zone 1 contributes only a very small amount of the traffic using Highway 50 at the west County Line. Fee rates proposed within each fee zone provide a reasonable relationship between the fee and the share of the roadway improvement requirements attributable to development within that given fee zone.

Over two hundred Traffic Analysis Zones (TAZs) are contained in the Traffic Model for Land Use Forecasting, and provide the basis for the analysis that identifies the traffic deficiencies and the needed improvements to take care of those problem spots. The fee zones are then an amalgamation of the TAZs within a portion of the County.

This process looked at combining those TAZs that had similar characteristics, such as a common traffic shed, community identity, and similar use patterns. Eight fee zones were thus created with the concept that those eight could be further grouped should your Board desire that. For example, all of the more rural zones could have been combined into one larger fee zone.



The traffic modeling work reported out with a percentage of traffic from each zone using each road segment studied. For those road segments with a proposed improvement, the costs of that improvement were then allocated to each zone based on those percentages.

2006 FEE PROGRAM

2004 General Plan Traffic Impact Mitigation Fee Program
Meeting Date August 22, 2006
Page 27 of 29

* Those allocated costs are summed to result in a total improvement costs share which that fee zone is responsible for. That cost is then allocated to the various land uses in the zone, based on the growth forecasted for that zone. As expected, the analysis also projects that certain areas (such as those fee zones where development is less concentrated) have less effect on the need for roadway improvements in areas remote to that area, hence their total responsibility is much lower. This is offset some by the lower amount of projected growth to spread those costs over. As a result of these calculations, the proposed TIM Fee Program rates allocated to each fee zone provide a reasonable relationship between the TIM Fee and the roadway improvement requirements attributed to development within the given fee zone.

The one exception to these calculations is that of Zone 8 – El Dorado Hills. Your Board provided direction that Zone 8 was to be treated in a way that mirrored the old El Dorado Hills/Salmon Falls Area Road Improvement Fee (RIF) Program. In that program, and in the proposed program, this area was 100% responsible for the costs of the roads within that zone. Additionally, recognizing this increased responsibility, the costs of road projects outside of the boundaries of Zone 8 are not to be allocated to the zone, but rather, to all the other seven zones. The one exception is the Highway 50 mainline projects, as these have clear benefit to all residential and non-residential users in the County. These costs are allocated to all eight fee zones based on the percentages of use by each zone.

In summary, the TIM Fee Program provides funding that contributes to all road improvements necessary to achieve General Plan levels of service requirements throughout the County, and fees are not specifically accounted for use within the fee zone from which they are collected with the exception of Zone 8 – El Dorado Hills. Most of the roadway improvements that will be constructed over the next 20 years will occur within the western portion of the County, and as such, the higher TIM Fees are also located in the western portion of the County. And since Highway 50 is one of the more expensive road improvement project sets, those fee zones adjacent to Highway 50 also see a larger share of the costs.

Appendix "A" of the Draft Supplement identified specific draft TIM Fee Program rates within each of the eight fee zones. Although changing the distribution of project costs among the eight traffic impact fee zones would result in a modification to the proposed TIM Fee Program rates identified in the Draft Supplement to the General Plan EIR, such re-distribution would not result in a change (either improvement or worsening) in projected traffic operations levels of service and thus, would not alter the conclusions contained within the Draft Supplement.

The traffic analysis and CEQA review conducted for the proposed TIM Fee Program identified a change in projected traffic operations levels of service on certain roadway segments within the County, and that change in impacts is what was analyzed in the Supplement. As such, fee distribution among zones is not an issue which warrants further consideration in the proposed TIM Fee Program CEQA documentation.

Growth in zone is fewer

Residential Growth Allocations Within the West Slope of El Dorado County

The next step in the residential growth projections process was to allocate the total growth projected for the West Slope to the various sub-county Market Areas defined by El Dorado County for planning purposes. Figure 1 shows the boundaries of the 14 different El Dorado County Market Areas. Note that Market Area 12 represents the portion of El Dorado County that lies east of the Sierra Crest and therefore in the Lake Tahoe Basin, which is excluded from this analysis. Note also that Market Area 4 encompasses the City of Placerville. Since the purpose of these calculations is to estimate growth projections for the unincorporated County, in most cases the reported Market Area 4 figures reflects only the growth projected for areas that are outside of Placerville's current city limits. Exceptions are clearly noted in table footnotes.

Growth allocations within the West Slope area are done based on the distribution of new development in El Dorado County over the 2000 to 2011 time period. These historic trends are summarized in Appendix A for residential development. It should be noted that there were a number of issues that constrained the development pattern within the County during the first half of the 2000-2011 time period for which the historic trend data was analyzed. This included legal restrictions on development due to environmental issues relating to rare plant species. In addition, the alignment for the Diamond Springs Parkway was not resolved until 2011. In order to test for the possible effect of changes in the development pattern due to the lifting of these constraints, County staff provided BAE with data on development application activity from 2006 through the present, which indicated that, if anything, the trend since that time has shown even greater interest in developing within Market Areas 1 and 2 than indicated by the longer term historic trend. However, this may have been the result of pent up demand due to the constraints in the prior period; thus, the historic trend in development is used as the first step in allocating countywide demand for new development.

Table 3 calculates the increase in the number of housing units in each Market Area, during each time frame. These figures are not cumulative. In other words, for Market Area 1, the model projects an increase of 861 housing units between 2010 and 2015. Then the model projects an increase of 906 housing units between 2015 and 2020. The total number of new housing units in Market Area 1 between 2010 and 2020 is thus 1,767 (861+906).

Table 3 also splits housing units between single-family units and multifamily units, in a two-step process. First, it is assumed that the split of new units between 2010 and 2035 will be similar to the split in units permitted between 2000 and 2011, in areas which currently have capacity to accommodate multifamily units, which was 10.3 percent of all units built in those areas. However, if a given Market Area does not have sufficient capacity on land designated for multifamily units to accommodate the full 10.3 percent for the entire period, then the multifamily units assigned to the area are capped at the maximum capacity, and those multifamily units are assumed to be absorbed in a nearby Market Area that has capacity. In the Market Areas which have no multifamily residential capacity, zero multifamily residential units have been assigned.

Why?
?

Table 3: Projected Residential Growth, West Slope of El Dorado County, 2010-2035

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Total Housing Units	59,668	62,803	66,102	69,575	73,230	77,077
New Housing Units <u>Each Period</u>						
	Incremental Growth from Prior 5 Years					
<u>Market Area (a)</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>	<u>Total</u>
#1 - El Dorado Hills	861	906	954	1,004	1,057	4,781
Single-family Units	772	812	855	973	1,057	4,469
Multifamily Units	89	94	99	31	0	312
#2 - Cameron Park/Shingle Springs	755	795	837	881	927	4,195
Single-family Units	677	713	750	717	702	3,560
Multifamily Units	78	82	86	164	225	635
#3 - Diamond Springs	164	172	181	191	201	909
Single-family Units	147	155	163	171	180	815
Multifamily Units	17	18	19	20	21	94
#4 - Unincorporated Placerville Area	82	86	90	95	100	454
Single-family Units	73	77	81	85	70	387
Multifamily Units	8	9	9	10	30	67
#5 - Coloma/Gold Hill	166	175	184	193	204	921
Single-family Units	166	175	184	193	204	921
Multifamily Units	0	0	0	0	0	0
#6 - Pollock Pines	203	214	225	237	250	1,129
Single-family Units	182	172	178	188	218	938
Multifamily Units	21	42	47	50	32	191
#7 - Pleasant Valley	208	219	230	243	255	1,155
Single-family Units	186	216	230	243	255	1,131
Multifamily Units	21	3	0	0	0	24
#8 - Latrobe	17	18	19	20	21	94
Single-family Units	17	18	19	20	21	94
Multifamily Units	0	0	0	0	0	0
#9 - Somerset	125	131	138	145	153	692
Single-family Units	125	131	138	145	153	692
Multifamily Units	0	0	0	0	0	0
#10 - Cool/Pilot Hill	166	175	184	194	204	924
Single-family Units	166	175	184	194	204	924
Multifamily Units	0	0	0	0	0	0
#11 - Georgetown/Garden Valley	245	258	271	286	301	1,361
Single-family Units	245	258	271	286	301	1,361
Multifamily Units	0	0	0	0	0	0
#12 - Tahoe Basin	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Single-family Units	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
Multifamily Units	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.
#13 - American River	91	95	100	106	111	503
Single-family Units	91	95	100	106	111	503
Multifamily Units	0	0	0	0	0	0
#14 - Mosquito	52	55	58	61	64	291
Single-family Units	52	55	58	61	64	291
Multifamily Units	0	0	0	0	0	0
Total	3,135	3,299	3,473	3,655	3,847	17,409

Notes:

Figures in columns may not sum to totals due to rounding.

For the geographic boundaries of the various Market Areas, please refer to Figure 1 on page 9.

(a) Projected overall growth is allocated to Market Areas based on each Market Area's proportionate share of West Slope, less City of Placerville growth from 2000 to 2011. See Appendix A.

Sources: El Dorado County, BAE, 2013.

Exhibit D
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Appendix A: Summary of Historic Distribution of Housing Permits, 2000-2011

<u>Market Area</u>	<u>Single Family Units (a) Permitted (2000-2011)</u>	<u>Multifamily Units Permitted 2000-2011</u>	<u>Total Units Permitted 2000-2011</u>	<u>% of West Slope</u>
#1 - El Dorado Hills	1,842	182	2,024	27.5%
#2 - Cameron Park/Shingle Springs	1,538	238	1,776	24.1%
#3 - Diamond Springs	263	122	385	5.2%
#4 - Unincorporated Placerville Area	192	0	192	2.6%
#5 - Coloma/Gold Hill	390	0	390	5.3%
#6 - Pollock Pines	478	0	478	6.5%
#7 - Pleasant Valley	489	0	489	6.6%
#8 - Lathrop	40	0	40	0.5%
#9 - Somerset	293	0	293	4.0%
#10 - Cool/Pilot Hill	391	0	391	5.3%
#11 - Georgetown/Garden Valley	576	0	576	7.8%
#12 - Tahoe Basin	n.a.	n.a.	n.a.	n.a.
#13 - American River	213	0	213	2.9%
#14 - Mosquito	123	0	123	1.7%
Total	6,828	542	7,370	100.0%

Note:

Figures in columns may not sum to totals due to rounding.

For the geographic boundaries of the various Market Areas, please refer to Figure 1 on page 9.

(a) Includes single family homes, two-family homes, manufactured homes, and second dwelling units.

(b) Includes townhouses, apartment units, and condominiums.

Source: El Dorado County permit records, 2012.

Appendix B: Maximum Residential Capacity on Currently Vacant Parcels

Market Area	Outstanding SFR Capacity	Outstanding Multifamily Capacity	Total Outstanding Residential Capacity
#1 - El Dorado Hills	8,033	312	8,345
#2 - Cameron Park/ Shingle Springs	4,660	2,201	6,861
#3 - Diamond Springs	3,870	2,401	6,271
#4 - Unincorporated Placerville Area	941	83	1,024
#5 - Coloma/Gold Hill	925	0	925
#6 - Pollock Pines	1,197	191	1,388
#7 - Pleasant Valley	1,236	24	1,260
#8 - Latrobe	1,275	0	1,275
#9 - Somerset	853	0	853
#10 - Cool/Pilot Hill	2,345	0	2,345
#11 - Georgetown/Garden Valley	2,748	0	2,748
#12 - Tahoe Basin	n.a.	n.a.	n.a.
#13 - American River	1,198	0	1,198
#14 - Mosquito	318	0	318
Total	29,599	5,212	34,811

Notes and exclusions:

Figures in columns may not sum to totals due to rounding.

For the geographic boundaries of the various Market Areas, please refer to Figure 1 on page 9.

1. Excludes Mixed Use residential capacity on commercial lands.
2. Rural Regions analyses is based on vacant residential lands capacities only, additional underutilized capacity exists but is not analyzed.
3. Community Regions analyses is based on draft land use capacity dated 12/1/12, minor adjustments may be expected prior to completion.
4. Camino/Pollock Pines Community Region analysis is based on underlying land uses only, with no parcel specific analyses (performed for Market Area 6).
5. Vacant Rural Region analyses is based on underlying residential land uses on vacant lands without parcel specific constraints analysis. It does not include vacant agricultural lands.
6. Underdeveloped Rural Region analyses is based on underlying land uses without parcel specific constraints analysis and includes partially developed residential lands and vacant agricultural lands.

Source: Kimley-Horn and Associates, Inc., 2012.

El Dorado County Tim Fee Nexus Failure

HWY 50 Capital Improvements 2017 Minor TIM Fee Update

HWY 50 TIM ZONE	Share of Total Costs by TIM zone	% of Total Costs	Total Units 2000-2011	% of Tot Units
ZONE 1	\$ 465,051.00	0.25%	211	2.29%
ZONE 2	\$ 120,224,883.00	64.92%	1,250	13.54%
ZONE 3	\$ 24,146,134.00	13.04%	283	3.07%
ZONE 4	\$ 4,210,995.00	2.27%	742	8.58%
ZONE 5	\$ 2,514,602.00	1.36%	402	4.36%
ZONE 6	\$ 1,544,595.00	0.83%	311	3.37%
ZONE 7	\$ 685,922.00	0.37%	269	2.91%
ZONE 8	\$ 31,373,116.00	16.94%	5,762	62%
Total HWY 50	\$ 185,165,298.00	100%	9,230	100%

The county wide 1.03% growth rate is not applicable to TIM Zones which require a nexus.

The Proposed HWY 50 TIM Fees
 Zone 8 will pay 17% of HWY 50 improvement's with NEW FEES
 BUT HAD 62% OF HISTORIC GROWTH
 Zone 2 plus 3 had 17% of historic growth
 BUT WILL PAY 78% OF HWY 50 IMPROVEMENTS

From 2011 to 2015 zone 2 & 3 combined averaged only 16 residential units per year

From 2011 to 2015 zone 8 averaged 178 units per year

TIM Zone 1		RESIDENTIAL UNITS 2001-2011 WEST SLOPE										
Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	2482	2482	2483	2483	2484	2528	2588	2626	2656	2678	2686	2691
New SF Units		1	0	1	44	60	38	30	22	8	5	2
New MF Units		0	0	0	0	0	0	0	0	0	0	0
Total Units		2483	2483	2484	2528	2588	2626	2656	2678	2686	2691	2693
% Growth Rate		0.04%	0.00%	0.04%	1.77%	2.37%	1.47%	1.14%	0.83%	0.30%	0.19%	0.07%
TIM Zone 2		RESIDENTIAL UNITS 2001-2011 WEST SLOPE										
Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	10277	10277	10306	10394	10400	10612	10992	11158	11233	11283	11513	11520
New SF Units		25	72	6	206	200	142	61	28	75	7	7
New MF Units		4	16	0	6	180	24	14	22	155	0	0
Total Units		10306	10394	10400	10612	10992	11158	11233	11283	11513	11520	11527
% Growth Rate		0.28%	0.85%	0.06%	2.04%	3.58%	1.51%	0.67%	0.45%	2.04%	0.06%	0.06%

TIM Zone 3

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	7338	7338	7362	7378	7384	7452	7530	7561	7598	7610	7612	7617
New SF Units		6	10	6	66	58	31	29	10	2	5	4
New MF Units		18	6	0	2	20	0	8	2	0	0	0
Total Units		7362	7378	7384	7452	7530	7561	7598	7610	7612	7617	7621
% Growth Rate		0.33%	0.22%	0.08%	0.92%	1.05%	0.41%	0.49%	0.16%	0.03%	0.07%	0.05%

TIM Zone 4

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	7063	7063	7068	7081	7092	7281	7460	7563	7669	7738	7781	7797
New SF Units		5	13	11	189	179	103	106	69	43	16	8
New MF Units		0	0	0	0	0	0	0	0	0	0	0
Total Units		7068	7081	7092	7281	7460	7563	7669	7738	7781	7797	7805
% Growth Rate		0.07%	0.18%	0.16%	2.66%	2.46%	1.38%	1.40%	0.90%	0.56%	0.21%	0.10%

TIM Zone 5

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	8856	8856	8859	8863	8866	8964	9032	9124	9180	9229	9242	9253
New SF Units		3	4	3	98	68	92	56	49	13	11	5
New MF Units		0	0	0	0	0	0	0	0	0	0	0
Total Units		8859	8863	8866	8964	9032	9124	9180	9229	9242	9253	9258
% Growth Rate		0.03%	0.05%	0.03%	1.11%	0.76%	1.02%	0.61%	0.53%	0.14%	0.12%	0.05%

TIM Zone 6

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	3369	3369	3374	3376	3380	3466	3538	3592	3632	3656	3666	3674
New SF Units		5	2	4	86	72	54	40	24	10	8	6
New MF Units		0	0	0	0	0	0	0	0	0	0	0
Total Units		3374	3376	3380	3466	3538	3592	3632	3656	3666	3674	3680
% Growth Rate		0.15%	0.06%	0.12%	2.54%	2.08%	1.53%	1.11%	0.66%	0.27%	0.22%	0.16%

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TIM Zone 7

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	2498	2498	2503	2506	2511	2580	2623	2661	2709	2737	2750	2759
New SF Units		5	3	5	69	43	38	48	28	13	9	8
New MF Units		0	0	0	0	0	0	0	0	0	0	0
Total Units		2503	2506	2511	2580	2623	2661	2709	2737	2750	2759	2767
% Growth Rate		0.20%	0.12%	0.20%	2.75%	1.67%	1.45%	1.80%	1.03%	0.47%	0.33%	0.29%

TIM Zone 8

Year	2000 Census	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
Total Baseline Units	7378	7378	7996	8587	9457	10815	11863	12362	12699	12967	13053	13098
New SF Units		602	591	870	968	862	499	318	232	86	45	42
New MF Units		16	0	0	390	186	0	19	36	0	0	0
Total Units		7996	8587	9457	10815	11863	12362	12699	12967	13053	13098	13140
% Growth Rate		8.38%	7.39%	10.13%	14.36%	9.69%	4.21%	2.73%	2.11%	0.66%	0.34%	0.32%

CA

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TIM Zone 0 L

Tahoe

Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	22521	22521	22547	22567	22588	22618
New SF Units		26	20	21	30	34
New MF Units		0	0	0	0	0
Total Units		22547	22567	22588	22618	22652
% Growth Rate		0.12%	0.09%	0.09%	0.13%	0.15%

TIM Zone 1

Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	2691	2691	2693	2696	2698	2698
New SF Units		2	3	2	0	2
New MF Units		0	0	0	0	0
Total Units		2693	2696	2698	2698	2700
% Growth Rate		0.07%	0.11%	0.07%	0.00%	0.07%

TIM Zone 2

Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	11520	11520	11527	11531	11544	11563
New SF Units		7	4	13	19	13
New MF Units		0	0	0	0	4
Total Units		11527	11531	11544	11563	11580
% Growth Rate		0.06%	0.03%	0.11%	0.16%	0.15%

TIM Zone 3

Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	7617	7617	7621	7622	7624	7630
New SF Units		4	1	2	6	5
New MF Units		0	0	0	0	0
Total Units		7621	7622	7624	7630	7635
% Growth Rate		0.05%	0.01%	0.03%	0.08%	0.07%

TIM Zone 4						
Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	7797	7797	7805	7812	7822	7844
New SF Units		8	7	10	22	14
New MF Units		0	0	0	0	0
Total Units		7805	7812	7822	7844	7858
% Growth Rate		0.10%	0.09%	0.13%	0.28%	0.18%
TIM Zone 5						
Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	9253	9253	9258	9262	9267	9275
New SF Units		5	4	5	8	11
New MF Units		0	0	0	0	0
Total Units		9258	9262	9267	9275	9286
% Growth Rate		0.05%	0.04%	0.05%	0.09%	0.12%
TIM Zone 6						
Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	3674	3674	3680	3683	3687	3691
New SF Units		6	3	4	4	4
New MF Units		0	0	0	0	0
Total Units		3680	3683	3687	3691	3695
% Growth Rate		0.16%	0.08%	0.11%	0.11%	0.11%
TIM Zone 7						
Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	2759	2759	2767	2772	2777	2783
New SF Units		8	5	5	6	10
New MF Units		0	0	0	0	0
Total Units		2767	2772	2777	2783	2793
% Growth Rate		0.29%	0.18%	0.18%	0.22%	0.36%
TIM Zone 8						
Year	2010	2011	2012	2013	2014	2015
Total Baseline Units	13098	13098	13140	13275	13599	13824
New SF Units		42	135	219	225	269
New MF Units		0	0	105	0	0
Total Units		13140	13275	13599	13824	14093
% Growth Rate		0.32%	1.03%	2.44%	1.65%	1.95%

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P15020

Supplemental Traffic Impact Analysis:

**Promontory Village 7
El Dorado Hills, California**

Prepared for:
Russell-Promontory, LLC and
County of El Dorado, California

Prepared By



T. KEAR

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April 2016



T. KEAR

TRANSPORTATION PLANNING
& MANAGEMENT, INC.

Memorandum

TO: Natalie Porter, CDA Long Range Planning
Chirag Safi, Kittelson and Associates

CC: Larry Ito, Ardor Consulting Corp.

FROM: Tom Kear

Date: April 4, 2016

RE: Response to Comments on Draft Supplemental TIS for the Promontory Village 7

This memorandum details responses to the Community Development Agency's (CDA) March 8, 2016 comments on the draft supplemental traffic impact study (TIS) for the Promontory Village 7. The original comments are listed, followed by a description of changes made to the study and/or explanation in response to the comment.

The responses described below have all been incorporated into the final draft of the report. Please contact me if you any questions on these responses.

Comment 1

Comment: *Page 7, second to last paragraph, last sentence: should use the word "provide" instead of "provision".*

Response: The requested edit has been made in the final report.

Comment 2

Comment: *Page 8, first paragraph, densities average is 0.74 units per acre, not 1.34 units per acre number as documented.*

Response: The text on page 8 has been updated to reflect an average lot size of 1.34 acres and density of 0.74 units per acre.

Comment 3

Comment: *Peak hour turning movement counts at Harvard Way/El Dorado Hills Boulevard and Olson Lane/El Dorado Hills Boulevard are more than 2 years old. Therefore, as scoped these volumes shall be increased by an annual growth rate of 1.03% to account for passage of time. All subsequent analyses shall be revised accordingly.*

Response: The El Dorado Hills Boulevard/Harvard Way traffic count provided by El Dorado County is more than 2 years old. Though not fully documented in the report, a review of the annual growth rates in traffic over the last five years on El Dorado Hills was undertaken to identify a reasonable scaling factor for both this intersection and the El Dorado Hills Boulevard/Olson Way intersection. The five-year growth trends are slightly negative, with the most recent counts taken in 2014 being lower than any year since 2010, and significantly lower than the 2013 counts. Data from the County's Five-Year Traffic Count Book are attached for reference. To be conservative, the 2013 counts provided by the County were used as is, rather than applying a negative growth rate. No changes have been made to the report in response to this comment.

Comment 4

Comment: *Table 7: Intersection numbers have been switched for Olson lane and Harvard Way intersections with El Dorado Hills Boulevard. Olson Lane is #9, while Harvard Way is #8.*

Response: The intersection number in Tables 7, 9, 11, 13, 14, 16, 17, and 19 has been corrected.

Comment 5

Comment: *References of Table X and Page XX in the Appendix section about Lot H ought to be replaced with actual numbers*

Response: The references in the appendix have been updated.

Comment 6

Comment: *Why would it be necessary to present HCM 2000 results in the appendices when the report indicates that HCM 2010 methods were used?*

Response: Signalized intersections were analyzed utilizing both the HCM 2000 and HCM 2010 calculation methods for QA/QC. All of the results were included in the appendix but only HCM 2010 results were included in the body of the report. The HCM 2000 results have been removed from the appendix materials.

The Final Draft of the TIA accompanies this memorandum and has been stamped by a Licensed Civil Engineer. Please contact me if you any questions on these responses.





**EL DORADO COUNTY
COMMUNITY DEVELOPMENT AGENCY
TRANSPORTATION DIVISION**

FIVE YEAR TRAFFIC SUMMARY

2010-2014

Traffic Count Annual Summary, Five Year Traffic Count Summary and the Hourly Traffic Count Data are available on the El Dorado County website at <http://edcapps.edcgov.us/dot/trafficcounts.asp>

TIM Fee Funded CIP Improvement Locations
West Slope Traffic Impact Mitigation Fee and Capital Improvement Program Update
El Dorado County, CA

Figure 2

