



Legislation Details (With Text)

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Title: HEARING - The Board is asked to consider a request from the Mosquito Fire Protection District ("District") to adopt and authorize the Chair to sign Resolution 130-2022 revising development impact mitigation fees.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Mosquito FPD Resolution, 2. B - Mosquito FPD Request and Resolution 2022-04, 3. C - Counsel Approval, 4. Executed Resolution 130-2022

Date	Ver.	Action By	Action	Result
8/30/2022	1	Board of Supervisors	Approved	Pass

HEARING - The Board is asked to consider a request from the Mosquito Fire Protection District ("District") to adopt and authorize the Chair to sign Resolution **130-2022** revising development impact mitigation fees.

DISCUSSION / BACKGROUND

The California Mitigation Fee Act (Cal. Gov. Code §§ 66000-66025) provides for the establishment of fees on new development for the purpose of mitigating the effects of development on existing public facilities. Special districts do not have statutory authority to impose these fees. As a result, the Board of Supervisors has passed an ordinance providing for the establishment of such fees on behalf of special districts. The ordinance was codified as Chapter 13.20.

Development impact mitigation fees were first collected on the District's behalf in 1987. The current fees are based on a Fee Nexus Study and Report (Resolution 074-2019, Legistar File 19-0724) ("Report") detailing the legal and policy basis justifying the development impact mitigation fee within the District.

The Report includes a recommendation for an annual inflationary adjustment based on the percentage change in the Engineering News-Record. Resolution 074-2019 did not include a provision for automatic annual inflationary adjustments to the fee because any increase to the fee must be made by resolution of the Board of Supervisors at a noticed public hearing, pursuant to the Mitigation Fee Act.

On June 23, 2022, the District adopted Resolution 2022-04 approving a three-year increase to the fees of 24.298%, based on the change in the Engineering News-Record Construction Cost Index from July 2019 to June 2022, and requesting the Board of Supervisors adopt the 24.298% increase to the established impact fees.

The change to fees are proposed as follows:

	Fee per Square Foot	
	<u>Current</u>	<u>Adjustment (24.298%)</u>
Single Family Residential:	\$ 2.19	\$2.72
Multi-Family Housing	\$ 2.90	\$ 3.60
Mobile Home	\$ 2.57	\$ 3.19
Retail/Commercial	\$ 3.25	\$ 4.04
Office	\$ 4.02	\$ 5.00
Industrial	\$ 3.02	\$ 3.75
Agriculture	\$ 1.37	\$ 1.70
Warehouse/Distribution	\$ 2.14	\$ 2.66

Notice of today's public hearing was published in the Mountain Democrat on August 19, 2022, and August 26, 2022.

If approved by the Board, the revised fees will become effective 60 days following the Board's adoption of the resolution. The County Planning and Building Department currently calculates and collects the fee and will continue to do so as provided in the collection and indemnity agreement approved by the Board of Supervisors on December 19, 2017 (Legistar File 17-1355).

ALTERNATIVES

If the Board does not adopt this resolution, the existing fees would continue in effect.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION

Approve as recommended.

FINANCIAL IMPACT

There is no direct fiscal impact to the County related to adoption of the fee other than the cost to publish the notice of the required public hearing. The calculation, collection, and disbursement of fee revenue require some County staff time, the cost of which may be recovered through an administrative fee.

CLERK OF THE BOARD FOLLOW UP ACTIONS

Forward a copy of the executed resolution to Community Development Admin and Finance (CDFA), Attn. Becky Morton.

STRATEGIC PLAN COMPONENT

N/A

CONTACT

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