



## Legislation Details (With Text)

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**Title:** HEARING - The Board is asked to consider a request from the El Dorado Hills Community Services District to adopt and authorize the Chair to sign Resolution 116-2019 revising parks and recreation development impact mitigation fees for the District. (Est. Time: 15 Min.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Resolution, 2. A - Revised Resolution, 3. A - Revised Resolution BOS Rcvd 7-16-19, 4. B - Counsel Approval, 5. Executed Reservation 116-2019

Date	Ver.	Action By	Action	Result
7/16/2019	1	Board of Supervisors	Approved	Pass

HEARING - The Board is asked to consider a request from the El Dorado Hills Community Services District to adopt and authorize the Chair to sign Resolution **116-2019** revising parks and recreation development impact mitigation fees for the District. (Est. Time: 15 Min.)

### 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, by the Board of Supervisors, at the request of and 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 1998. The District's fee was last updated in 2018, through adoption of Resolution 135-2018 (Legistar file #18-1034).

Following the Board's adoption of the CSD's fees, several developers filed appeals, pursuant to County Ordinance Code 13.20.050 protesting the application of the fee to development within the Serrano Specific Plan. The developers appointed Serrano Associates, LLC, to represent them in their appeals. The County contracted with New Economics & Advisory, Inc. to perform an independent analysis of the merits of the appeals. The consultant determined that it would be appropriate to provide a fee credit for development within the Serrano Specific Plan based on facilities constructed by the developer within that area pursuant to past development agreements. The consultant calculated the amount of the credit, and the District Board has adopted specific fees for development within the Serrano Specific Plan that apply the credit. The previously established fees will remain in effect for all development outside of the Serrano Specific Plan area.

### Current Fees for Residential Development:

	Per Unit
Single Family	\$11,718
Multi Family	\$ 7,734

Single or Multi Family	
Affordable Housing	\$ 7,734
Age-Restricted	\$ 6,848

Proposed Fees for Serrano Specific Plan Area:

Serrano Specific Plan Single Family Residential	\$6,265 per Unit
Serrano Specific Plan Multi Family Residential	\$4,135 per Unit
Serrano Specific Plan Age-Restricted	\$3,634 per Unit

No fees are proposed for non-residential development. Notice of today's public hearing was published in the Mountain Democrat on July 5, 2019 and July 12, 2019.

If approved by the Board, the proposed fees will become effective 60 days following the Board's adoption of the resolution. Refunds will be issued to the developers that paid the full amount of current impact fees under protest.

The County Building and Planning 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). That agreement provides for the County to retain up to 1% of fee revenue to offset the actual and necessary costs of administering the fee program. The CAO is working with all affected departments to determine an appropriate methodology for recovering costs associated with impact fee program administration.

**ALTERNATIVES**

The Board could choose to not adopt this resolution, and the existing fees would continue in effect.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

El Dorado Hills Community Services District; County Counsel

**CAO RECOMMENDATION**

It is recommended that the Board approve this item.

**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 requires some County staff time, the cost of which may be recovered through an administrative fee. Refunds for fees paid in protest are paid out of the District's Development Impact Fee account.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

N/A

**CONTACT**

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