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County of El Dorado

Legislation Details (With Text)

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On agenda:	2/14/2012	**Final action:**	2/14/2012
Title:	Hearing to consider the adoption of Resolution 021-2012 amending the 2004 General Plan Traffic Impact Mitigation Fee Program and Revised Traffic Impact Mitigation Fee Rates. (Cont'd 2/7/12, Item 20) (Est. Time: 30 Min.)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. RIP-TIM Hwy 50.pdf, 2. Letter from Kathye Russell att'd 10-10-08.pdf, 3. Age Restricted Housing att'd 10-13-08, 4. 3A - Age Restricted TIM.pdf, 5. 3B - Age Restricted TIM Fee.pdf, 6. 4A - Memo to Board from DOT 12-3-10 v1, 7. 4B - Age Restricted Presentation 12-3-10 v13, 8. 5A - Age Restricted Presentation 08-1466.pdf, 9. 5B - AR TIM Fee Resolution - Draft - 1-19-11 v4.pdf, 10. Draft Resolution submitted by M. McDougal-att'd 2-4-11, 11. 6A - TIM Program Analysis.PDF, 12. 6B - CIP Proj Cost Estimates.PDF, 13. 6C - 08-1466 - TIM Fee Update Presentation, 14. 7A - 4-19-11 Agenda with 3-31-11 Ltrs.pdf, 15. 7B - Analysis 12-2-11.pdf, 16. 7C - Discussions 12-2-11.pdf, 17. 7D - Proposed TIM Fee Program Cost Comparison Table.pdf, 18. 7E - Grants Forecast.pdf, 19. 7F - TIM Fee Presentation 12-19-11.pdf, 20. 8A - Email rcvd from R. Briggs 08-1466.pdf, 21. 9A - Resolution (includes Exhibit A).pdf, 22. 9B - Exhibit B (Project List).pdf, 23. 9C - Exhibit C (Map - TIM Fee Districts).pdf, 24. 9D - Exhibit D (Commission On Aging 012312 - Letter of Support).pdf, 25. 9E - Exhibit E (TIM Fee Comparison).pdf, 26. 9F - TIM Fee Presentation 021412.pdf, 27. Fully executed Resolution 021-2012.pdf		

Date	Ver.	Action By	Action	Result
2/14/2012	9	Board of Supervisors	Adopted	Pass
2/7/2012	8	Board of Supervisors	Continued	Pass
12/19/2011	7	Board of Supervisors	Approved	Pass
4/19/2011	6	Board of Supervisors	Received and Filed	
1/25/2011	5	Board of Supervisors	Amended	Pass
12/6/2010	4	Board of Supervisors	Approved	Pass
10/14/2008	3	Board Of Supervisors	Approved	Pass
10/14/2008	3	Board Of Supervisors	Approved	Pass
9/23/2008	1	Board Of Supervisors	Continued	Pass

Hearing to consider the adoption of **Resolution 021-2012** amending the 2004 General Plan Traffic Impact Mitigation Fee Program and Revised Traffic Impact Mitigation Fee Rates**.** (Cont'd 2/7/12, Item 20) (Est. Time: 30 Min.)
Fiscal Impact/Change to Net County Cost:
This is a TIM Fee Program related item. There is no change to the Net County Cost in the General Fund associated with this item. This item may affect the funding of the TIM Fee Program.

Background:

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This staff report and attachments address the Board of Supervisors' direction as summarized in the December 19, 2011 Board meeting minutes for Items 1) a) through 1) e) under agenda item 1.

Adoption of the Resolution will allow the Traffic Impact Mitigation (TIM) Fee Program to continue to maintain fees, providing necessary funding for Capital Improvement Program (CIP) Projects as set forth in Resolution No. 266-2006 and amended by Resolution No. 205-2008.

On August 22, 2006, the Board approved Resolution No. 266-2006 adopting the 2004 General Plan TIM Fee Program pursuant to a comprehensive review. The Board also adopted Resolution No. 265-2006, which certified the TIM Fee Program Supplement to the 2004 General Plan Environmental Impact Report, issued a Supplemental Statement of Overriding Considerations, and made Supplemental Findings of Fact.

Resolution 266-2006 requires the annual review of the TIM Fee Program and directs the Department of Transportation (Department) to return to the Board with a recommendation to adjust the TIM fees, up or down, based upon changes in the cost of construction or other costs. On September 25, 2007, the Board adopted Resolution 243-2007 to adjust the fees based on inflation of construction costs during the proceeding year. The inflation index used in that adjustment was the Caltrans Price Index for Selected California Construction Items. On July 29, 2008, the Board adopted Resolution 205-2008 to:

- Adjust the fees based upon inflation of construction costs during the preceding year;
- Switch the inflation cost index from Caltrans to the Engineering News Record-Building Cost Index;
- Shift the index from third quarter (October) to fourth quarter (December).

On June 2, 2009, the Board adopted Resolution 114-2009, which left the TIM Fee Program rates unchanged from the 2008 annual review. On June 8, 2010, the Board adopted Resolution 070-2010, which also left the TIM Fee Program rates unchanged from the 2008 annual review.

On December 19, 2011, the Board directed DOT to update the TIM Fee Program rates commensurate with the cost reductions DOT presented at that Board meeting, and to add Age Restricted Housing categories to Zone 8, as well as any other zones which are within community regions and have infrastructure in place. The other zones which currently meet the criteria include Zone 2 (Cameron Park, Shingle Springs) and Zone 3 (Diamond Springs, El Dorado). DOT is recommending that the Board hold a public hearing on the TIM fees and then adopt the attached Resolution which incorporates the Board's direction on December 19, 2011.

Reason for Recommendation:
Based on the analysis DOT presented to the Board on December 19, 2011, there is approximately $138.6M available to reduce TIM fees for all fee categories and to offset any revenue shortfall associated with the creation of the Age Restricted residential categories. The $138.6M of TIM Fee Program cost reductions has been allocated by fund, according to the cost reductions identified in each fund, as follows:

1. Zone 8 TIM: $49.3M;
2. Zones 1 - 7 TIM: $50.1M;
3. Highway 50 TIM: $39.2M.

DOT developed two options in the County to add Age Restricted housing and then reviewed the

analysis with interested members of the TIM Fee Working Group (TFWG), Economic Development Advisory Committee (EDAC), and CIP Cost Estimate Review Committee (CCERC). Those who expressed an opinion overwhelmingly recommended Option 2, which is what DOT is recommending as well. (DOT can provide details of the analysis if the Board desires.) The two options analyzed included:

- Option 1: Add 1,200 Age Restricted housing units in Zone 8 only (equaling 11% of the total residential units forecast in Zone 8, or about 5% of the total housing forecast in the TIM Fee Program), and

- Option 2: Add 1,200 units in Zone 8, 600 units in Zone 2 (equaling 14% of the total residential units forecast in Zone 2), and 400 units in Zone 3 (equaling 15% of the total residential units forecast in Zone 3). The total 2,200 units represent approximately 10% of the total housing forecast in the TIM Fee Program.

Option 2 requires approximately $40.9M of the $138.6M to offset lower fees for Age Restricted categories added in Zones 2, 3, and 8.

After using $40.9M for Age Restricted, the remaining $97.7M ($138.6M - $40.9M) was allocated to reduce current fees as follows:

1) Zone 8 Local Fee: $32.9M reduction (resulting in fee reductions between approximately 11% and 12%, depending on the category);
2) Zones 1 - 7 Local Fee: $34.9M reduction (resulting in fee reductions between approximately 12.5% and 13.5%);
3) Zone 8 Highway 50 Component: $12.7M reduction (resulting in fee reductions between approximately 17% and 21%);
4) Zones 1-7 Highway 50 component: $17.3M reduction (resulting in fee reductions between approximately 15% and 22%).

The resulting rates are shown in Exhibit A of the attached corresponding Resolution. The list of projects included in the TIM Fee Program, the costs and allocations of those costs to the various components are shown on Exhibit B. A map showing the fee zones is included as Exhibit C. Also, attached as Exhibit D is a letter from the El Dorado County Commission On Aging to the Board of Supervisors, which supports the Departments recommendation.

In all cases, the proposed new TIM Fee rates are less than those contained in Resolution 070-2010 adopted by the Board on June 8, 2010. A comparison of the adopted 2010 TIM Fee rates to the proposed new TIM Fee rates is shown within Exhibit E. Should the Board adopt the new rates, the Department proposes, as a provision within the attached Resolution, that those applicants who have an active building permit application in process be allowed to pay at the new rates. This will avoid the potential for an applicant to withdraw a previously submitted application and re-submit once the new fee rates are in place.

Action to be taken following Board approval:

The Clerk of the Board will obtain the Board Chair’s signature for the Resolution adopting the adjusted TIM Fee Program rates. DOT will collect applicable 2004 General Plan TIM fees pursuant to the new fee schedule.

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Concurrences: N/A