



## Legislation Details (With Text)

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**File created:** 6/26/2018      **In control:** Board of Supervisors

**On agenda:** 7/17/2018      **Final action:** 7/17/2018

**Title:** HEARING - The Board is asked to consider a request from the El Dorado Hills Community Services District ("District") to adopt and authorize the Chair to sign Resolution 135-2018 revising parks and recreation development impact mitigation fees for the District. (Est. Time: 15 Min.)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - BOS Resolution & Contract Routing Sheet, 2. B - District's Adopted Resolution, 3. Memo from Auditor-Controller BOS Rcvd 7-16-18, 4. Public Comment Rcvd 7-17-18 BOS 7-17-18, 5. Public Comment Rcvd 7-13-18 BOS 7-17-18, 6. Executed Resolution 135-2018

Date	Ver.	Action By	Action	Result
7/17/2018	1	Board of Supervisors	Approved	Pass

HEARING - The Board is asked to consider a request from the El Dorado Hills Community Services District ("District") to adopt and authorize the Chair to sign Resolution **135-2018** 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 2007.

The District has contracted with David Taussig and Associates to review the fee and provide a nexus study report using the "Standards-Based Approach." This method uses a facility "standard" established for future development, against which facilities costs are determined based on "units of demand" or a "level of service" from a development. This approach established a generic unit cost for capacity, which is then applied to each land use type per unit of demand. This standard is not based on the cost of a specific existing or future facility, but rather on the cost of providing the current level of service for the District, which is 5.33 acres of park and recreational facilities per 1,000 residents. The nexus study has been reviewed by County staff and appears to meet all the requirements of the California Mitigation Fee Act.

The Board of Supervisors conducted a hearing to consider the District's proposed fees on May 22, 2018 (file ID 18-0792). The Board asked the District to consider revising its fees to apply the Multi-Family rate to affordable housing, and to exempt mobile and manufactured homes in mobile home parks and accessory dwelling units from the fees. The District agreed and adopted a revised resolution on June 14, 2018.

The current fees were established by Resolution 177-2007 (Legistar file #07-1203). The current and proposed fees are as follows:

Current Fees for Residential Development:

	Per Unit
Single Family	\$9,806
Single Family - Serrano	\$2,452
Age-Restricted	\$5,736
Multi Family	\$8,103
Multi Family - Serrano	\$2,025
Mobile Home	\$7,184

Proposed 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

"Affordable Housing" is defined as housing affordable to very low, lower, and moderate income households, as defined in Chapter 130.31.020 of the El Dorado County Code, as may be amended from time to time. Currently, very low, lower, and moderate income households are defined in Chapter 130.31.020 as:

- a. "Very low income household" means a household that earns less than 50 percent of the area median income for El Dorado County, adjusted for family size and updated annually. This term includes extremely low income households earning less than 30 percent of the area median income for El Dorado County, adjusted for family size and updated annually.
- b. "Lower income household" means a household that earns between 50 and 80 percent of the area median income for El Dorado County, adjusted for family size and updated annually.
- c. "Moderate income household" means a household that earns between 80 and 120 percent of area median income for El Dorado County, adjusted for family size and updated annually.

No fees are proposed for non-residential development. Notice of today's public hearing was published in the Mountain Democrat on July 6, 2018 and July 13, 2018. The nexus study and staff report were made available for public review on July 6, 2018.

If approved by the Board, the proposed fees will become effective 60 days following the Board's adoption of the resolution. 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**

Approve, noting that the Board has directed the CAO to convene a working group of stakeholders to review impact fee programs and their potential effect on affordable housing within the county.

### **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.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

### **STRATEGIC PLAN COMPONENT**

N/A

### **CONTACT**

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