



Legislation Text

File #: 22-0676, Version: 1

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 **069-2022** revising development impact mitigation fees for parks and recreation.

FUNDING: N/A

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.

Parks and recreation development impact mitigation fees were first collected on the District's behalf in 1998. The current fees are based on a Fee Nexus Study and Report (Resolution 135-2018, Legistar File 18-1034) ("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 Annual Consumer Price Index. Resolution 135-2018 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. The District's last inflationary adjustment was in 2021, by adoption of Resolution 022-2021, increasing fees by 2%.

In February 2022, the District adopted Resolution No. 2022-05, adopting an increase to the fees of 4.2%, based on the change in the Construction Cost Index for Calendar Year 2021, and requesting the Board of Supervisors adopt the 4.2% increase to the established impact fees.

Additionally, the District has adopted Resolution 2022-02 proposing the Collection of a Park Impact Fee for Accessory Dwelling Units (ADUs). California Senate Bill 13 (Wieckowski), passed in 2019, modified how local agencies may charge development impact fees for ADUs. Government Code Section 65852.2 (f)(3) requires local agencies to exempt ADUs under 750 square feet from paying impact fees such as Park Impact Fees, and also requires that any impact fees be proportional to the floor area of the primary dwelling unit. The District is requesting that a new ADU Park Impact Fee be added to the fee schedule. The fee is to be calculated based on the floor area of the primary dwelling (PD) and as a percentage of the Park Impact Fee for a standard single family detached dwelling unit. The change to fees are proposed as follows:

	<u>Current Fee</u>	<u>2021 CPI Adj. (4.2%)</u>
Single Family Residential:	\$ 12,347	\$12,866
Multi-Family Res. & Affordable Housing	\$ 8,149	\$8,491

Age-Restricted Residential	\$ 7,215	\$7,518
Serrano Single Family Residential	\$ 6,601	\$6,878
Serrano Multi-Family Residential	\$ 4,356	\$4,539
Serrano Age-Restricted Residential	\$ 3,829	\$3,990
Mobile Home Park Homes	Exempt	Exempt
Accessory Dwelling Units	Exempt	\$12,866 x ADU sf / PD sf*

*ADU Fees are to be calculated as follows: ADU Square Footage / Primary Dwelling Unit Square Footage x Single Family Residential Fee

Notice of today's public hearing was published in the Mountain Democrat on April 29, 2022 and May 6, 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.

PRIOR BOARD ACTION

Legistar Item 18-1034

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel

CAO RECOMMENDATION / COMMENTS

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

Jennifer Franich, Principal Management Analyst