



RESOLUTION NO. 064-2018
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
RESOLUTION ESTABLISHING DEVELOPMENT IMPACT FEES
ON BEHALF OF
LAKE VALLEY FIRE PROTECTION DISTRICT

WHEREAS, AB 1600 was passed and codified in California Government Code Sections 66000-66025 (“Mitigation Fee Act”) allowing the establishment of a development impact fee as a condition of approval where the purpose and use of the fee are identified and a reasonable relationship to the development project can be demonstrated; and

WHEREAS, the County of El Dorado has adopted Ordinance No. 5057, codified in Chapter 13, Section 20 of the El Dorado County Code authorizing the establishment of a development impact fee collected on behalf of a special district upon the issuance of all building permits for development within the special district in order to fund the construction or purchase of public facilities and equipment necessary to mitigate the impacts of such development on the district’s ability to provide public services; and

WHEREAS, the Board of Supervisors has previously established fees within the boundaries of the Lake Valley Fire Protection District (“District”), for the purpose of funding the construction or purchase of fire protection facilities and equipment necessary to mitigate the impacts of new development on the ability of the Lake Valley Fire Protection District’s ability to provide fire protection and emergency response services within the District, and the previously established fees are documented by Resolution 288-2007 adopted November 27, 2007; and

WHEREAS, the District has caused to be prepared a Fee Nexus Study and Report (“Report”) for the purpose of establishing the legal and policy basis for increasing the development impact mitigation fee within the District and the County has reviewed the Report, which is incorporated herein and made by reference a part hereof; and

WHEREAS, on April 13, 2017, the District adopted Resolution No. 2017-04, approving the Report and requesting the Board of Supervisors adopt the impact fees proposed therein; and

WHEREAS, the Report was made available for public review 10 days prior to this public hearing and notice of this hearing was published in the Mountain Democrat and Tahoe Daily Tribune on April 13, 2018 and April 20, 2018 in accordance with Section 66018 of the Mitigation Fee Act; and

WHEREAS, the Board of Supervisors finds as follows:

- A. The purpose of these fees is to finance public facilities and equipment to mitigate the impact of new development on fire protection and emergency response services within the District.
- B. The fees collected pursuant to this Resolution shall be used to finance the facilities and equipment as described and identified in the Report, provided that any expenditure will be reimbursed only if the District submits adequate supporting information to show that there is a reasonable relationship between the use of the fee and the type of development project for which the fee was imposed, including the percentage of the development project funded from the fee, and a reasonable relationship between the need for the public facility and the type of development for which the fee was imposed.

- C. Upon consideration of the Report and testimony received at this hearing, the Board approves the Report, incorporating such herein by reference, and further finds that new development within the boundaries of the District will generate an additional need for fire equipment and facilities and will contribute to the degradation of current services within the area.
- D. There is a current and future need for new facilities and equipment necessary for the District to provide fire protection services to new development in compliance with fire safety policies and the County's General Plan.
- E. The facts and evidence presented in the study establish a reasonable relationship between the need for the public facilities and equipment and the impact of the development for which the fee is charged, and a corresponding relationship between the fee's use and the type of development for which the fee is charged, as these reasonable relationships are described in more detail in the Report.
- F. The cost estimates set forth in the Report are reasonable cost estimates for constructing these facilities or acquiring the equipment needed and the fees expected to be generated by new development will not exceed the total of these costs.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors hereby resolves and determines as follows:

- 1. *New development* shall mean original construction of residential, commercial, industrial or other non-residential improvement, or the addition of floor space to existing residential, commercial, or industrial facilities.
- 2. Effective sixty (60) days following adoption of this resolution, the following fees shall be charged upon issuance of any building permit and shall be paid prior to the issuance of the building permit by all new development within the District.

Residential Development	Per Living Area Sq. Ft.
Single Family Housing	\$0.98
Multi Family Housing	\$1.32
Mobile Home	\$1.23

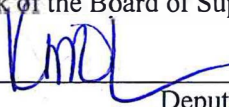
Nonresidential Development	Per Building Sq. Ft.
Retail/Commercial	\$1.40
Office	\$1.72
Industrial	\$1.30
Agriculture	\$0.61
Warehouse/Distribution	\$0.93

- 3. The fee established by this Resolution shall be collected and expended in compliance with the Mitigation Fee Act and El Dorado County Chapter 13.20 and, notwithstanding any examples provided in the Report, any expenditure will be reimbursed only if adequate supporting information is provided to show that there is a reasonable relationship between the use of the fee and the type of development project for which the fee was imposed, including the percentage of the development project funded from the fee, and a reasonable relationship between the need for the public facility and the type of development for which the fee was imposed.
- 4. Any judicial action or proceedings to attack, review, set aside, void, or annul this Resolution shall be brought forward within 120 days of adoption of the Resolution.

5. This Resolution supersedes Resolution 288-2007 approved on November 27, 2007.
6. Any adjustment or increase to the fees adopted herein, including any adjustment for inflation, must be requested by the District and shall comply with the Mitigation Fee Act. No automatic adjustment will occur.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of the Board of Supervisors, held the 24th day of April, 2018, by the following vote of said Board:

Attest:
James S. Mitrising
Clerk of the Board of Supervisors

By:  _____
Deputy Clerk

Ayes: Novasel, Frentzen, Hidahl, Veerkamp, Ranalli
Noes: None
Absent: None

 _____
Chair, Board of Supervisors
Michael Ranalli

LAKE VALLEY FIRE PROTECTION DISTRICT

"Serving the Community Since 1947"

Jeff Michael, Fire Chief

Board of Directors
Robert Bettencourt
Greg Herback
David Huber
John Rice
Robert Rossi



RESOLUTION 2017-4 OF THE BOARD OF DIRECTORS OF THE LAKE VALLEY FIRE PROTECTION DISTRICT April 13, 2017

RESOLUTION APPROVING THE LAKE VALLEY FIRE PROTECTION DISTRICT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING THE COUNTY OF EL DORADO BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE DISTRICT

WHEREAS, AB 1600 was adopted and codified in California Government Code Section 66000 allowing the establishing, increasing or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified and reasonable relationship to the development project was demonstrated; and

WHEREAS, the Board of Supervisors of the County of El Dorado, by Ordinance Number 3991, added Chapter 13, Section 20 of the El Dorado County Code authorizing the imposition of fire district improvement fees ("Fire Impact Fees") on new development with the unincorporated area of the District in order to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development; and

WHEREAS, the Lake Valley Fire Protection District ("District") Board of Directors ("Board") has received and considered the Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated August 2015 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

- 1) The Board hereby receives and approves the Fire Impact Fee Nexus Study ("Nexus Study") dated August 2015 Final Report by SCI Consulting Group.
- 2) Prior to the adoption of this Resolution, the Board conducted a public hearing at which oral and written presentations were made, as part of the Board's regularly scheduled August 13, 2015 meeting. Notice of the time and place of the meeting, including a general explanation of the matter to be considered, has been published twice in a newspaper in accordance with Government Code sections 66004, 66018, and 6062, subdivision (a). Additionally at least 10 days prior to the meeting the District made available to the public, data indicating the amount of the cost, or estimated cost, required to provide the service for which the fee or service charge is to be adjusted pursuant to the Resolution by way of such public meeting, the Board received the Nexus Study attached as Exhibit A, which formed the basis for the action taken pursuant to this Resolution.

- 3) After considering the Nexus Study, this Resolution, and after considering the testimony received at this public hearing, the Board, hereby makes the following findings:
 - a) The Fire Impact Fee program and Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District.; and
 - b) The Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's fire facilities, apparatus and equipment to serve new development; and
 - c) The uses of the Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the District's facilities, apparatus and equipment to meet the additional demand generated by the new residents and employees and new structural area created by the development projects; and
 - d) The Fire Impact Fees proposed in the Nexus Study and approved pursuant to this Resolution bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment in that each development project will create additional need for the District's fire protection and emergency response services and a corresponding need for expanded facilities, apparatus and equipment. The fee will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects; and
 - e) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the Fire Impact Fee and the cost of the fire protection facilities, apparatus and equipment attributable to the development on which the fee is imposed in that the costs are based upon the level of existing development served by the District's existing fire protection facilities and applied proportionately to eight land use categories in proportion to the need they create for expanded fire facilities, apparatus and equipment.
- 4) The Board finds pursuant to the California Environmental Quality Act ("CEQA"), this action is not a "project" because the Resolution provides a mechanism for funding fire protection and emergency response facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)

- 5) The Board does hereby approve the following Fire Impact Fees on new development which shall be charged upon issuance of a building permit:

<u>Land Use</u>	<u>Fire Impact Fees</u>
<u>Residential Development</u>	
Single Family Housing	<u>Per Living Area Sq. Ft.</u> \$0.98
Multi-Family Housing	\$1.32
Mobile Home	\$1.23
<u>Nonresidential Development</u>	
Retail / Commercial	<u>Per Building Sq. Ft.</u> \$1.40
Office	\$1.72
Industrial	\$1.30
Agriculture	\$0.61
Warehouse / Distribution	\$0.93

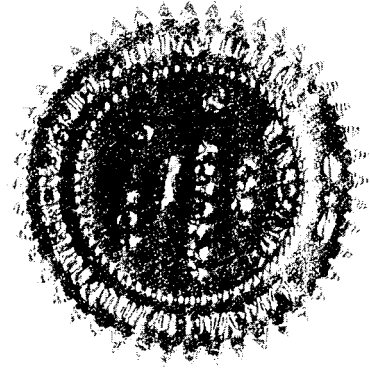
- 6) The Board does hereby approve an annual inflationary adjustment of the Fire Impact Fees by an amount equal to the annual change in the Engineering News Record Construction Cost Index.
- 7) If any portion of this Resolution is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution.

BE IT FURTHER RESOLVED that by the Board of Directors of the Lake Valley Fire Protection District formally requests that the El Dorado County Board of Supervisors adopt and implement this approved Fire Impact Fees program on behalf of the District.

PASSED AND ADOPTED by the Board of Directors of the Lake Valley Fire Protection District, at a regularly scheduled meeting held on the 13th of August, Two-thousand and Fifteen, by the following vote of said Board:

April 13, 2017

AYES: 5
NOES: 0
ABSTAIN: 0
ABSENT: 0



ATTEST:

A handwritten signature in cursive script, likely belonging to the Chair of the Board of Directors, written over a horizontal line.

Chair,
Board of Directors

A handwritten signature in cursive script, likely belonging to the Secretary of the Board of Directors, written over a horizontal line.

Secretary,
Board of Directors

EXHIBIT A



LAKE VALLEY FIRE PROTECTION DISTRICT

FIRE IMPACT FEE NEXUS STUDY

AUGUST 2015
FINAL REPORT

PREPARED FOR:

**BOARD OF DIRECTORS
LAKE VALLEY FIRE PROTECTION DISTRICT**

PREPARED BY:

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LAKE VALLEY FIRE PROTECTION DISTRICT

BOARD OF DIRECTORS

Dave Huber, Chair

Robert Bettencourt, Secretary

Gregory Herback, Director-at-Large

Robert Rossi, Director-at-Large

John Rice, Director-at-Large

FIRE CHIEF

Gareth Harris

BATTALION CHIEF / FIRE MARSHAL

John Poell

DISTRICT CONSULTANT

Blair Aas, Director of Planning Services

SCI Consulting Group

ACKNOWLEDGEMENTS

This Fire Impact Fee Nexus Study was prepared by SCI Consulting Group ("SCI") under contract with the Lake Valley Fire Protection District ("District"). The work was accomplished under the general direction of John Poell, Battalion Chief and Fire Marshal of the District.

We would like to acknowledge special efforts made by the following individuals and organizations to this project:

Gareth Harris, Lake Valley Fire Protection District
Kileigh Labrado, Lake Valley Fire Protection District
Kelly Webb, County of El Dorado
Michael Ciccozzi, County of El Dorado
Roger Trout, County of El Dorado
El Dorado County Assessor's Office
Sacramento Area Council of Governments

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EXECUTIVE SUMMARY

INTRODUCTION

The Lake Valley Fire Protection District (“District”) is a special district formed in 1947 in the County of El Dorado, California. The District is comprised of 86 square miles of mountainous terrain and provides emergency services for the majority of the unincorporated areas of Lake Tahoe Basin’s south shore. The Lake Tahoe Basin (LTB) is located approximately 200 miles northeast of San Francisco, California and 60 miles South West of Reno, Nevada, nestled in the Sierra Nevada Mountain Range. In addition, the District has annexed approximately 5 square miles of Alpine County, just south of our district.

The district covers a portion of one of the largest alpine lakes in North America, Lake Tahoe. The District also has within its jurisdiction, two major Ski resorts: Heavenly Valley Ski Resort and Sierra at Tahoe Ski Resort. The District also routinely responds to mutual aid calls to Kirkwood Ski Resort in Alpine County.

The District serves a permanent community of approximately 13,000 full time residents and sees the community swell up to approximately 50,000 residents during the summer and winter tourist seasons. Lake Tahoe’s south shore as a whole will host an average of three million visitors annually. The District provides fire suppression, technical rescue, advanced life support (ALS) ambulance transport and ALS capable Type 1 engine services to the community. The Cal Tahoe ambulance service is functionally combined through a Joint Powers Authority (JPA) contract, between Lake Valley Fire Protection District and South Lake Tahoe Fire Department. The District specializes in the areas of Wildland-Urban Interface firefighting, frequent strike team deployment, back country rescues, vehicle extrications, and helicopter utilization for the multitude of vehicle and skiing accidents we have throughout the year.

Currently, the County on behalf of the District imposes a “development impact mitigation fee” (“fees” or “fire impact fee”) on new development in the District in the amount of \$750 per residential unit, \$0.32 per square foot of unsprinklered commercial, industrial and institutional new construction and \$0.18 per square foot of sprinklered new office, industrial and institutional construction. These fire impact fees are outdated and insufficient to mitigate the impact of new development.

This Fire Impact Fee Nexus Study (“Nexus Study”) was prepared pursuant to the “Mitigation Fee Act” as found in Government Code § 66000 et seq. The purpose of this Nexus Study is to establish the legal and policy basis for the collection of new fire impact

fees on new residential and nonresidential development within the District. As growth occurs, fire impact fee revenue will be used to expand the District's fire protection facilities, apparatus and equipment in order to maintain its existing level of service.

In order to impose such fees, this Nexus Study will demonstrate that a reasonable relationship or "nexus" exists between new development that occurs within the District and the need for fire protection facilities, apparatus and equipment as a result of new development. More specifically, this Nexus Study will present findings in order to meet the procedural requirements of the Mitigation Fee Act, also known as AB 1600, which are as follows:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put.
3. Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed ("benefit relationship").
4. Determine how there is a reasonable relationship between the need for the fire facilities and the type of development project on which the fee is imposed ("impact relationship").
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed ("proportional relationship").

To determine the District's fire impact fees consistent with these procedural requirements, this Nexus Study utilizes an existing facility standard methodology. Under this method, the District's ratio existing fire protection facilities, apparatus and equipment to existing development establishes the standard for determining new development's fair share of the cost to expand the District's fire system as growth occurs. Existing development is determined based on the assumption that 50 percent of the need and demand for fire service (and associated facilities, apparatus and equipment) is related to the persons (residents or employees) and the other 50 percent of the need is related to the structural area (i.e. living area or nonresidential building area) in which they live or work. The value of the District's existing fire system is determined using the replacement value of the District's existing inventory of fire protection facilities, apparatus and equipment. These costs are then applied to eight land use categories in proportion to the need they create for fire protection and emergency response services.

SUMMARY OF GENERAL FINDINGS

The following general findings from the Nexus Study are presented:

1. The County of El Dorado ("County"), on behalf of the District, currently imposes "development impact mitigation fees" ("fire impact fees"). These fees are outdated and insufficient to mitigate the impact of new development.
2. Fire impact fees are necessary to ensure that the District can adequately expand its fire protection facilities, apparatus and equipment needed for the resident and employee growth and new structural area created by new development.
3. A reasonable relationship or "nexus" exists between new development in the District and the need for additional fire protection facilities, apparatus and equipment as a result of new development.
4. The proposed fire impact fee is consistent with the policies of the El Dorado County General Plan.

SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. The District should establish updated fire impact fees to fairly allocate the costs of providing fire protection facilities, apparatus and equipment to new development. The following fire impact fees for the District are proposed:

FIGURE 1 – SUMMARY OF PROPOSED FIRE IMPACT FEES

Land Use	Proposed Fire Impact Fees
	Per Living Area Sq. Ft.
Residential Development	
Single Family Housing	\$0.98
Multi-Family Housing	\$1.32
Mobile Home	\$1.23
	Per Building Sq. Ft.
Nonresidential Development	
Retail / Commercial	\$1.40
Office	\$1.72
Industrial	\$1.30
Agriculture	\$0.61
Warehouse / Distribution	\$0.93

2. The District's new fire impact fees should be adopted and implemented in accordance with the applicable provisions of the Mitigation Fee Act (Government Code § 66000 et al.).
3. Since only Cities and Counties have authority to impose fees as a condition of project approval, the District's proposed fire impact fees must be adopted by the El Dorado County Board of Supervisors on behalf of the District.
4. The District's fire impact fee program should be administered in accordance with Government Code § 66006 and other applicable provisions of the Mitigation Fee Act and El Dorado County Code Chapter 13.20.
5. The cost estimates presented in this Nexus Study are in 2015 dollars. The ordinance and/or resolution establishing the new fire impact fees should include a provision for annual inflationary adjustments based on a District review of an appropriate construction cost index.

DETERMINATION OF EXISTING DEVELOPMENT

The District serves both residences and businesses throughout their service area. As such, the demand for the District's fire protection services and associated fire protection facilities, apparatus and equipment is measured by its service population and the structures it protects. This section will first determine the service population and structural area within the District. This data will be used to establish a fire facilities demand factor for the various residential and nonresidential land uses within the District, which in turn will be used to determine existing development's total fire facilities demand.

The District provides fire protection and emergency response services to the northeastern portion of unincorporated El Dorado County.¹ The District currently serves an estimated resident population of 13,777. The District's resident population was determined based on figures from the 2010 Census for the District's service area and El Dorado County Assessor's data as of February 2015.

The District also protects approximately 6,323 occupied and vacant housing units and approximately 573,980 square feet of nonresidential building area. Estimated total housing units and nonresidential building area are based on figures the El Dorado County Assessor as of February 2015.

FIRE FACILITIES DEMAND FACTOR

To determine the relative demand for fire facilities for various land uses, this Nexus Study relies on equivalent dwelling unit ("EDU") factors to compare fire facilities demand across various residential and nonresidential land uses. For purposes of this Nexus Study, it is assumed that 50 percent of the demand for fire protection and emergency response services is related to the persons (residents or employees) and the other 50 percent of the need is to protect the structural area (living area or nonresidential building area) in which the persons live or work. The equivalent dwelling unit ("EDU") is also used to convert the nonresidential building area to a residential dwelling unit value. This approach allows for the cost of fire protection facilities, apparatus and equipment to be fairly apportioned among residential and nonresidential land uses.

¹ A map of the District's service area is provided in Appendix A

FIGURE 2 – FIRE FACILITIES DEMAND FACTOR

Land Use Category	Residents per Dwelling Unit / Employees per 1,000 Sq. Ft. ¹	Persons per Unit EDU	Persons Demand Factor	Structural Area		Fire Facilities Demand Factor	
	Calc			per Unit (sq. ft.) ³	per Unit EDU		Demand Factor
	a	b = a / 2.48	c = b * 50%	d	e = d / 1,775	f = e * 50%	g = c + f
Single-Family Housing	2.48	1.00	0.50	1,775	1.00	0.50	1.00
Multi-Family Housing	2.14	0.86	0.43	918	0.52	0.26	0.69
Mobile Home	1.67	0.67	0.34	800	0.45	0.23	0.56
Residential Average	2.45	0.99	0.49	1,765	0.99	0.50	0.99
Retail / Commercial	2.56	1.03	0.52	1,000	0.56	0.28	0.80
Office	3.47	1.40	0.70	1,000	0.56	0.28	0.98
Industrial	2.28	0.92	0.46	1,000	0.56	0.28	0.74
Agriculture	0.33	0.13	0.07	1,000	0.56	0.28	0.35
Warehouse / Distribution	1.23	0.50	0.25	1,000	0.56	0.28	0.53
Nonresidential Average	3.02	1.22	0.61	1,000	0.56	0.28	0.89

Notes:

¹ Residents per unit (dwelling unit occupancy factor) is from Appendix B. All nonresidential density figures (except Agriculture) are based on figures from 2001 "Employment Density Study" prepared by The Natelson Company, Inc. for the Southern California Association of Governments expressed in terms of the number of employees per 1,000 square feet of building area. The density figure for Agriculture is from the 2004 "Employment Density in the Puget Sound Region" report prepared by E.K. Pflum for the University of Washington.

³ Structural area per unit is based on El Dorado County Assessor's data as of February 2015 for the District except for mobile homes which is based on the County-wide average. Nonresidential density is based on a "per 1,000 square feet of building area" basis.

EXISTING FIRE FACILITIES DEMAND EDUs

Figure 3 below calculates the District's existing demand EDUs based on the total number of dwelling units and estimated nonresidential building area within the District. As shown, total existing demand EDUs for the District is 6,810. Existing demand EDUs represents the level of existing development served by the District's existing facilities.

FIGURE 3 – EXISTING DEMAND EDUs

Land Use	Dwelling Units / Nonresidential Building Area 1,000 Sq. Ft. Units ¹		Fire Facilities Demand Factor	Total Demand EDUs
	Calc	a		
Single Family Housing		6,247	1.00	6,247
Multi-Family Housing		76	0.69	52
Mobile Home		0	0.56	0
Nonresidential		574	0.89	511
Existing Development		6,897		6,810

Source: El Dorado County Assessor's Office; SCI Consulting Group

Notes:

¹ Dwelling unit count and nonresidential building area (expressed in 1,000 sq. ft. units) is from El Dorado County Assessor's data as of February 2015.

DETERMINATION OF EXISTING FIRE PROTECTION FACILITIES

The next step in determining the District's existing fire facilities standard is to calculate the replacement value of the District's fire protection facilities, apparatus and equipment. Figure 4 below presents a summary of replacement cost (in 2015 dollars) for the District's existing fire facilities (land and fire stations), apparatus (engines and special vehicles) and equipment. The detailed inventory and estimated replacement value for each is provided in Appendix C.

The estimated replacement value of the District's inventory is based on unit cost assumptions provided by the District. Estimated land value was based on market research conducted by SCI Consulting Group assessed land value for sales within 2014. Fire station replacement value is based on construction cost estimates from the Engineering News Record Square Foot Costbook, 2013 Edition for fire station construction in the greater Sacramento Area and adjusted by 7.8% for inflation.

As shown below, the estimated value of the District's existing fire protection facilities, apparatus and equipment is approximately \$11.5 million.

FIGURE 4 – REPLACEMENT VALUE OF EXISTING FIRE SYSTEM

Fee Components	Total Replacement Value (2015 \$s)
Land	\$1,170,000
Building	\$6,461,601
Apparatus / Vehicles	\$3,234,023
Equipment	\$640,000
Total Fire System Facilities	\$11,505,624

Source: Lake Valley Fire Protection District

DETERMINATION OF THE FIRE IMPACT FEE

The Mitigation Fee Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the need for fire protection facilities, apparatus and equipment and the type of development project on which the fee is imposed. In this section, the District's existing fire facilities standard is determined and then applied to eight land uses categories in proportion to the demand they create as measured by their fire facilities demand factor.

FIRE FACILITIES STANDARD

The District's ratio of existing fire facilities, apparatus and equipment to existing development establishes the standard for determining new development's fair share of the cost to expand the District's fire facilities as growth occurs. As shown in figure 5 below, this standard is represented by the existing fire system facilities cost of \$1,689.52 per demand EDU.

FIGURE 5 – FIRE FACILITIES STANDARD

Existing Fire System Facilities ¹	\$11,505,624
Existing Demand EDUs ²	6,810
Existing Fire Facility Cost Per EDU	\$1,689.52

Notes:

¹ See Figure 4.

² See Figure 3.

RESIDENTIAL FIRE IMPACT FEES

Since residential land uses have varying dwelling unit occupancies and living area sizes, the residential fire impact fees are expressed on a per square footage basis for the following three residential land use categories.

- **"Single-family housing"** means detached or attached one-family dwelling units;
- **"Multi-family housing"** means buildings or structures designed for two or more families for living or sleeping purposes and having kitchen and bath facilities for each family, including condominiums and cluster developments; and
- **"Mobile home"** means a development area for residential occupancy in vehicles which require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.

Figure 6 below presents the calculation of the proposed residential fire impact fees. As shown, the cost per unit is determined by first multiplying the fire facility standard by their respective fire facilities demand factor. An additional 4 percent is added to the cost per unit for annual administration of the fire impact fee program. The fee program administrative cost component is designed to offset the cost of County and District collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates and other incidental costs. The total cost per unit is then divided by the average structural area (living area) per unit to determine the fee per square foot.

FIGURE 6 – PROPOSED RESIDENTIAL FIRE IMPACT FEES

Residential Land Use	Facilities Demand EDU Factor	Existing Facility Standard ¹	Cost per Unit	Admin. Expense 4%	Average Living Area per Sq. Ft.	Proposed Residential Fees ²
Calc	a	b	c = a * b	d = c * 0.04	e	f = (c + d) / e
			----- per dwelling unit -----			-- per sq. ft. --
Single Family Housing	1.00	\$1,689.52	\$1,689.52	\$67.58	1,775	\$0.98
Multi-Family Housing	0.69	\$1,689.52	\$1,166.05	\$46.64	918	\$1.32
Mobile Home	0.56	\$1,689.52	\$949.59	\$37.98	800	\$1.23

Notes:

¹ The existing facility standard is the total replacement cost per demand EDU.

² Proposed residential fire impact fees are rounded down to the nearest cent.

NONRESIDENTIAL FIRE IMPACT FEES

As stated earlier, the Mitigation Fee Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the fee and the type of development on which the fee is imposed. Since different nonresidential land uses have varying employment densities, the nonresidential fire impact fee is expressed per square foot of building area based on their respective facilities demand EDU factor for five nonresidential land use categories.

The five nonresidential land use categories are as follows:

- **"Retail / Commercial"** means retail, commercial, educational and hotel/motel construction;
- **"Office"** means general, professional and medical office construction;
- **"Industrial"** means manufacturing construction;
- **"Agriculture"** means construction of barns other agricultural structures; and
- **"Warehouse / Distribution"** means construction of buildings primarily devoted to the storage and / or distribution of materials.

Figure 7 below presents the calculation of the nonresidential fire impact fees. As shown, the fees for the five nonresidential land uses are determined by multiplying the fire facilities standard by their respective fire facilities demand factor plus an additional 4 percent for administration of the fire impact fee program.

FIGURE 7 – PROPOSED NONRESIDENTIAL FIRE IMPACT FEES

Nonresidential Land Use	Facilities Demand EDU Factor	Existing Facility Standard ¹	Cost per Unit	Admin. Expense 4%	Cost per Demand EDU	Proposed Nonres. Fire Impact Fee ²	
	Calc	a	b	c = a * b	d = c * 0.04	e = c + d	f = e / 1,000
			per 1,000 sq. ft.				- per sq. ft. -
Retail / Commercial	0.80	\$1,689.52	\$1,348	\$53.90	\$1,401.48	\$1.40	
Office	0.98	\$1,689.52	\$1,658	\$66.32	\$1,724.22	\$1.72	
Industrial	0.74	\$1,689.52	\$1,253	\$50.10	\$1,302.66	\$1.30	
Agriculture	0.35	\$1,689.52	\$588	\$23.53	\$611.86	\$0.61	
Distribution	0.53	\$1,689.52	\$895	\$35.80	\$930.69	\$0.93	

Notes:

¹ The existing facility standard is the total replacement cost per demand EDU.

² Proposed nonresidential fire impact fees are rounded down to the nearest cent.

PROJECTED FIRE IMPACT FEE REVENUE

Figure 8 projects fire impact fee revenue through 2035 based on an annual growth rate 0.80% which approximates historical growth rates for the District. Total fire impact fee revenue (in 2015 dollars) is then estimated by multiplying the total cost per demand EDU by demand EDU growth for the period.

FIGURE 8 – PROJECTED FIRE IMPACT FEE REVENUE

Land Use Category	Current Demand EDUs (2015) ¹	Demand EDU Growth (2035) ²	Total Cost per Demand EDU ³	Projected Fire Impact Fee Revenue (2015\$)	
	Calc	a	b	c	d = b * c
Residential	6,299	1,100	\$1,757.10	\$1,932,810	
Nonresidential	574	99	\$1,757.10	\$174,239	
Total	6,873	1,199	\$1,757.10	\$2,107,049	

Source: Lake Valley Fire Protection District and SCI Consulting Group

Notes:

¹ See Figure 3.

² Based on projected annual growth rate of 0.80%.

³ Total cost per demand EDU equals the fire facilities standard plus fee program administrative costs.

PROJECTION OF FIRE IMPACT FEE REVENUE AND EXPENDITURES

According to the Department's 2015-2020 Master Plan and optimal Five-Year Capital Improvement Program ("CIP"), approximately \$2 million in capital projects have been identified. Assuming the same growth rates for the five-year period of the CIP, the fire impact fee will fund approximately \$620,000 of the five-year CIP. The Department will need to fund existing development share of the CIP, and any future improvements not currently identified, with other funding sources.

FIGURE 9 – PROJECTION OF FIRE IMPACT FEE REVENUE AND EXPENDITURES

Fund No. 658-300 - Fire Impact Fees	2016	2017	2018	2019	2020
FUND BALANCE (FY Beginning)	\$79,100	\$188,540	\$305,591	\$77,863	\$199,420
Fire Impact Fee Revenue	\$114,000	\$121,771	\$127,112	\$126,557	\$132,988
Current Fiscal Year	\$114,000	\$118,000	\$121,000	\$125,000	\$129,000
Interest Earned / Other (Estimate)	\$0	\$3,771	\$6,112	\$1,557	\$3,988
Inter-Fund Transfer	\$0	\$0	\$1,650,000	\$0	\$0
(Other Sources of Funds)	\$0	\$0	\$1,650,000	\$0	\$0
Carryover (Prior Year)	\$0	\$188,540	\$305,591	\$77,863	\$199,420
Total Revenue Fund No. 411	\$114,000	\$310,311	\$2,082,703	\$204,420	\$332,408
EXPENDITURES					
Capital Outlay¹	\$0	\$0	\$2,000,000	\$0	\$0
Administration / Shop 7 Building			\$2,000,000		
Fee Program Administration	\$4,560	\$4,720	\$4,840	\$5,000	\$5,160
Total Expenditures Fund No. 411	\$4,560	\$4,720	\$2,004,840	\$5,000	\$5,160
FUND BALANCE (FY Ending)	\$188,540	\$305,591	\$77,863	\$199,420	\$327,248
Assumptions					
Inflationary Adjustment (est.)		3.00%	3.00%	3.00%	3.00%
New Development Growth (EDUs)	65	65	65	65	65
Total Cost (Fee) per EDU	\$1,757	\$1,810	\$1,864	\$1,920	\$1,978

Source: Lake Valley Fire Protection District

Notes:

¹ The actual capital outlay schedule will be modified to match the actual timing of development within the District and the availability of funding for each project.

NEXUS FINDINGS

This section frames the Nexus Study findings in terms of the legislated requirements to demonstrate the legal justification of the fire impact fees. The justification of the fire impact fees on new development must provide information as set forth in Government Code § 66000. These requirements are discussed below.

PURPOSE OF FEE

This Nexus Study must identify the purpose of the fee.

The purpose of the fire impact fee is to fund the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District. The fire impact fees will ensure that new development will not burden existing development with the cost of facilities required to accommodate growth as it occurs within the District.

USE OF FEE REVENUE

This Nexus Study must identify the use to which the fee is to be put.

Fee revenue will be used to fund the cost of expanded fire facilities, apparatus and equipment to serve new development. Additionally, fee revenue will be used to cover fee program administration costs such as collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates and other incidental costs.

Fee revenue may not be used to fund operational, maintenance or repair costs.

BENEFIT RELATIONSHIP

This Nexus Study must determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed.

The fee will be collected as development occurs. To maintain its existing level of fire protection and emergency response services, fee revenue will be used to expand the District's facilities, apparatus and equipment to meet the additional demand generated by the new residents and employees and new structural area created by new development projects.

IMPACT RELATIONSHIP

This Nexus Study must determine how there is a reasonable relationship between the need for fire protection facilities, apparatus and equipment and the type of development project on which the fee is imposed.

New development projects will create additional need for the District's fire protection and emergency response services and a corresponding need for expanded facilities, apparatus and equipment. The fee will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects.

PROPORTIONALITY

This Nexus Study must determine how there is a reasonable relationship between the amount of the fee and the cost of the fire protection facilities, apparatus and equipment attributable to the development on which the fee is imposed.

The cost of fire protection facilities, apparatus and equipment attributable to a development project is based upon the level of existing development served by the District's existing fire protection facilities. The use of an existing facilities standard methodology to determine the fire impact fee achieves proportionality between existing development and new development. Moreover, these equivalent costs are applied to eight land use categories in proportion to the need they create for expanded facilities. The use of a fire facilities demand factor to determine the fire impact fee schedule achieves proportionality across the types of development on which the fee is imposed.

FEE PROGRAM ADOPTION REQUIREMENTS

The following are the general requirements for approval by the District Board of Directors and adoption by the County Board of Supervisors of the Nexus Study and proposed program on behalf of the Department. The specific statutory requirements for the adoption of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

LAKE VALLEY FIRE PROTECTION DISTRICT

1. The District Board of Directors shall conduct at least “one open and public meeting” as part of a regularly scheduled meeting on the proposed fee program.
2. At least 14 days before the meeting, the District shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least 10 days before the meeting, the District shall make available to the public the Nexus Study for review.
4. At least 10 days before the public hearing, a notice of the time and place of the meeting, shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication not counting such publication dates.
5. After the public hearing, adopt a resolution approving the Nexus Study and proposed fee program with a recommendation that the County Board of Supervisors adopt the proposed fee program on behalf of the Department.

EL DORADO COUNTY

6. The County Board of Supervisors shall conduct at least “one open and public meeting” as part of a regularly scheduled meeting on the requested fee program.
7. At least 14 days before the meeting, the County shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
8. At least 10 days before the meeting, the County shall make available to the public the Nexus Study for review.
9. At least 10 days before the public hearing, a notice of the time and place of the meeting, shall be published twice in a newspaper of general circulation with at

least five days intervening between the dates of first and last publication not counting such publication dates.

10. After the public hearing, adopt an ordinance establishing the proposed fee program on behalf of the Department.
11. The fire impact fees take effect 60 days after adoption the County ordinance.

FEE PROGRAM ADMINISTRATION REQUIREMENTS

This section contains general recommendations for the administration of the fire impact fee program. The specific statutory requirements for the administration of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

ACCOUNTING REQUIREMENTS

Proceeds from the fire impact fee should be deposited into a separate fund or account so that there will be no commingling of fees with other revenue. The fire impact fees should be expended solely for the purpose for which they were collected. Any interest earned by such account should be deposited in that account and expended solely for the purpose for which originally collected.

ANNUAL REPORTING REQUIREMENTS

The following information must be made available to the public within 180 days after the last day of each fiscal year:

- a brief description of the type of fee in the account;
- the amount of the fee;
- the beginning and ending balance of the account;
- the fees collected that year and the interest earned;
- an identification of each public improvement for which the fees were expended and the amount of the expenditures for each improvement;
- an identification of an approximate date by which construction of the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing of an incomplete public improvement;
- a description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, the date on which any loan will be repaid, and the rate of interest to be returned to the account; and
- the amount of money refunded under section Govt. Code § 66001.

FIVE-YEAR REPORTING REQUIREMENTS

For the fifth fiscal year following the first receipt of any fire impact fee proceeds, and every five years thereafter, the District shall make all of the following findings with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put;
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

ANNUAL INFLATIONARY ADJUSTMENT

In order for the Department to maintain its existing level of service, the fee will need to be adjusted annually commensurate with changes in the cost of facilities, apparatus and equipment. Therefore, the fire impact fee should be adjusted annually by the twelve month percentage change in an appropriate engineering cost index as published by the Engineering News Record, or its successor publication for the preceding twelve months.

IMPROVEMENTS IN-LIEU OF FEES

Subject to certain restrictions, if a developer dedicates land, constructs facilities and / or provide apparatus/equipment for the Department, the fire impact fees imposed on that development project may be adjusted to reflect a credit for the cost of the dedicated land, facilities constructed and / or apparatus/equipment provided.²

² See El Dorado County Code Section 13.20.040 for more information.

APPENDICES

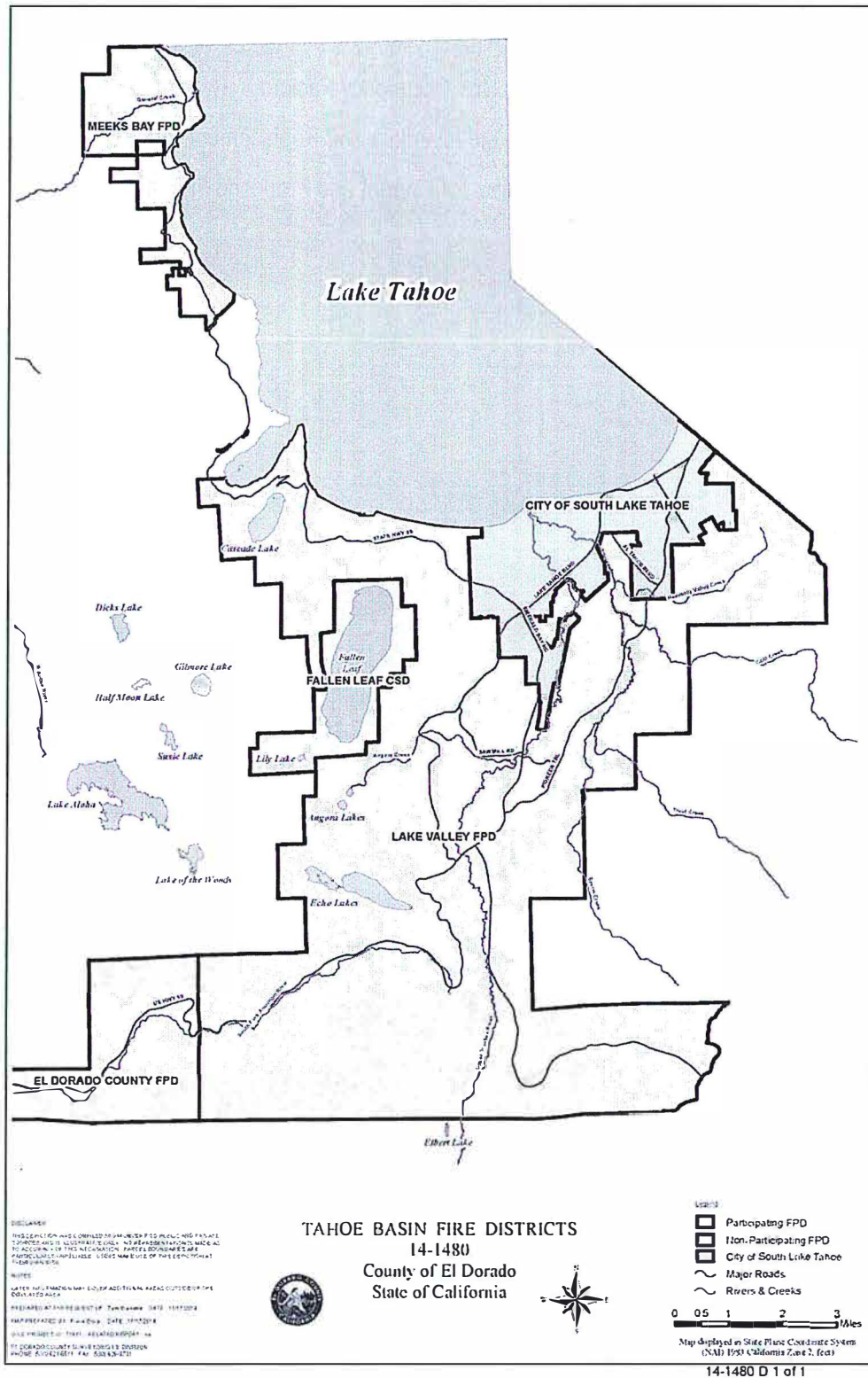
Appendix A – Map of the District and Neighboring Fire Agencies

Appendix B – Dwelling Unit Occupancy Factors

Appendix C – Fire System Inventory and Replacement Cost Estimates

Appendix D – Comparison of Current and Proposed Fire Impact Fees

APPENDIX A – MAP OF DISTRICT’S SERVICE AREA WITHIN EL DORADO COUNTY



APPENDIX B – DWELLING UNIT OCCUPANCY FACTORS

FIGURE 10 – DWELLING UNIT OCCUPANCY FACTORS

Land Use Categories	Occupied	Total	Dwelling
	Housing	Number of	Unit
	Units	Occupants	Occupancy
	Calc	a	b
			c = b / a
Single-Family Housing	2,959	7,324	2.48
Multi-Family Housing	128	274	2.14
Mobile Home	33	55	1.67
Total Residential	3,120	7,653	2.45

Source: 2010 U.S. Census for the census tracts 305.2, 305.4, 305.5 and 320 that generally cover the boundaries of the District.

APPENDIX C – FIRE SYSTEM INVENTORY AND REPLACEMENT COST ESTIMATES

FIGURE 11 – EXISTING LAND AND BUILDING INVENTORY

Fire Station	Amount	Unit Cost	Replacement Cost (2015\$)
Calc	a	b	c = a * b
Station 7 - Administrative Headquarters			
Land	2.00 acres	\$450,000 per acre	\$900,000
Buldings	8,000 sq. ft.	\$394 sq. ft.	\$3,152,000
Station 6 - Golden Bear Trail, South Lake Tahoe			
Land	0.40 acres	\$450,000 per acre	\$180,000
Buldings	6,000 sq. ft.	\$394 sq. ft.	\$2,364,000
Station 5 - 1009 Boulder Mountain Court, South Lake Tahoe			
Land	0.20 acres	\$450,000 per acre	\$90,000
Buldings	2,400 sq. ft.	\$394 sq. ft.	\$945,600
Total Land and Buildings			\$7,631,600

Source: Lake Valley Fire Protection District; SCI Consulting Group

FIGURE 12 – EXISTING APPARATUS AND EQUIPMENT INVENTORY

Type	Apparatus / Vehicles	Equipment	Replacement Cost (2015 \$)
Rosenbauer - Water Tender	\$300,000	\$30,000	\$330,000
Ferrara - Type I Engine	\$500,000	\$100,000	\$600,000
Ferrara - Type I Engine	\$500,000	\$100,000	\$600,000
Westmark Model 14, Type III Brush Truck	\$350,000	\$100,000	\$450,000
International - Type III Brush Truck	\$350,000	\$100,000	\$450,000
HME - Type I Engine	\$500,000	\$100,000	\$600,000
Chevy Tahoe w/lights, sirens, radios	\$80,000	\$10,000	\$90,000
Ford F150 Pickup Truck	\$40,000	\$10,000	\$50,000
Ford F150 Pickup Truck	\$40,000	\$10,000	\$50,000
Dodge Dakota Pick-Up	\$40,000	\$10,000	\$50,000
Chevrolet Silverado	\$40,000	\$10,000	\$50,000
Ford F350	\$40,000	\$10,000	\$50,000
Ford Chip Truck F-450	\$40,000	\$10,000	\$50,000
Ford 250 Pick Up	\$40,000	\$10,000	\$50,000
Ford F-250 Plow Truck	\$40,000	\$10,000	\$50,000
Chevy Pickup Truck	\$40,000	\$10,000	\$50,000
Air Trailer	\$109,266	\$10,000	\$119,266
Brush Bandit Tracker Chipper - Model 255 XP	\$115,200	\$0	\$115,200
Western Dump Trailer	\$15,315	\$0	\$15,315
John Deere Brush Bandit Chipper	\$28,990	\$0	\$28,990
Morbark Chipper	\$25,252	\$0	\$25,252
Total Appartus, Vechicles and Equipment	\$3,234,023	\$640,000	\$3,874,023

Source: Lake Valley Fire Protection District

APPENDIX D – COMPARISON OF CURRENT AND PROPOSED FIRE IMPACT FEES

FIGURE 13 – COMPARISON OF CURRENT AND PROPOSED FIRE IMPACT FEES

Land Use	Current ¹	Proposed	% Change
Residential Development			
Per Average Dwelling Unit			
Single Family Housing	\$750	\$1,740	131.9%
Multi-Family Housing	\$750	\$1,212	61.6%
Mobile Home	\$750	\$984	31.2%
<i>Average</i>			
Residential Development			
Per Sq. Ft. of Living Area			
Single Family Housing	\$0.42	\$0.98	131.9%
Multi-Family Housing	\$0.82	\$1.32	61.6%
Mobile Home	\$0.94	\$1.23	31.2%
<i>Average</i>			
Nonresidential Development			
Per Sq. Ft. of Building Area			
Retail / Commercial	\$0.32	\$1.40	337.5%
Office	\$0.18	\$1.72	855.6%
Industrial	\$0.18	\$1.30	622.2%
Agriculture	\$0.18	\$0.61	238.9%
Warehouse / Distribution	\$0.18	\$0.93	416.7%

Source: Lake Valley Fire Protection District and SCI Consulting Group

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