

**DIAMOND SPRINGS/EL DORADO FIRE PROTECTION DISTRICT**  
**RESOLUTION 2010.08**  
**Development Fees**

**WHEREAS**, the Board of Directors of the Diamond Springs/El Dorado Fire Protection District recognizes that continuing development within the District places added responsibilities and cost to the Fire District; and

**WHEREAS**, such new development shall enjoy the benefits of existing facilities and equipment; and

**WHEREAS**, the Diamond Springs/El Dorado Fire Protection District Fire Facilities Impact Fee Study, formerly know as the Long Range Plan, studies the impacts of contemplated future development on existing fire services within the boundaries of the district, along with an analysis of the need for new public facilities and equipment required as a result of the new development was conducted, and said Fire Facilities Impact Fee Study set forth the relationship between development, the needed facilities and equipment and their estimated costs.

**WHEREAS**, it is the policy of this District to maintain existing service levels within the District; and

**WHEREAS**, the cost estimates set forth in the plan are reasonable cost estimates for constructing facilities or acquiring the equipment, and the fees expected to be generated by new development will not exceed the total of these costs.

**WHEREAS**, El Dorado County Ordinance #3991 allows the District to impose development fees for fire protection services,

**NOW, THEREFORE, BE IT RESOLVED** that there be continued in effect a development fee as a condition of any building permit for the development of any residential, commercial, institutional, or industrial use within the Diamond Springs/El Dorado Fire Protection District.

Section 1. - Definitions

"Residential Use" means any use for residential purposes, including agricultural uses with a residence, as defined in the El Dorado Zoning Code.

"Commercial Use" means any use for commercial purpose as defined in the El Dorado Zoning Code.

"Industrial Use" means any use for industrial purposes as defined in the El Dorado Zoning Code.

"Institutional Use" means any use for charitable, educational, hospital, church purposes, to the extent such use is not also considered as agricultural, commercial, residential, or industrial under the El Dorado County Zoning Code.

Section 2. - Development fee amount

Residential @ \$.62 per square foot of construction.  
Commercial @ \$1.22 per square foot of construction.  
Industrial @ \$1.22 per square foot of construction.  
Office @ \$1.22 per square foot of construction

Section 3. - Credit for fees paid Ref. To Board Policy Article 4

If mitigation fees were previously paid to the District by the developer or his predecessor, for parcel splits within the District, the fee described herein shall be waived.

Section 4. - Determination of Fee

The nexus for determination of the fee structure and its application for various occupancy types are annotated in the attached 2010 Fire Facilities Impact Fee Study. This nexus is outlined in Table 9 of the Study.

Section 5. - Development Expenditures Limitation

The fee shall be solely used to pay (1) for the described public facilities to be constructed or equipment to be acquired by the District; (2) for reimbursing the District for the development's fair share of those capital improvements or equipment already constructed or acquired by the District; or (3) to reimburse other developers who have constructed public facilities or acquired equipment described in the District Long Range Plan and Fire Facilities Impact Fee Study, where those facilities were beyond that needed to mitigate the impacts of the other developers' project or projects. The fees herein shall be deposited into a separate account for which the funds therein shall only be expended pursuant to Chapter 13.20 of the County Ordinance Code. Such funds are hereby deemed appropriated for such purposes and shall only be used for the purposes set forth. A construction schedule is hereby established consistent with the term of District Long Range Plan and Fire Facilities Impact Fee Study. Such facilities shall be constructed as soon as the funds become available. The timing of construction shall be reviewed on an annual basis.

Section 6: Fee Review

The District shall review the estimated cost of the described capital improvements, the continued need for those improvements and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which this fee is charged. The District shall report its recommend any adjustment to this fee or other action as may be needed on an annual basis.

Approved this ninth day of June, 2010

AYES:

NOES:

ABSTAIN:

ABSENT:

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Robert Larsen, Sr. Board Chair

ATTEST:

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Caroline Falconer, Secretary