

# DEVELOPMENT SERVICES DEPARTMENT

COUNTY OF EL DORADO

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## MEMORANDUM

**DATE:** July 6, 2010 Agenda of: September 9, 2010  
**TO:** Planning Commission Item #: 4.b  
**FROM:** Mel Pabalinas, Senior Planner  
**SUBJECT: GOV10-0002: Finding of General Plan Consistency pursuant to Government Code Section 65401 – Lake Valley Fire Protection District Capital Improvement Plan**

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## RECOMMENDATION

Planning Services recommends that the Planning Commission find the proposed Capital Improvement Plan funded by the proposed fire facilities impact fee for the Lake Valley Fire Protection District to be consistent with applicable policies of the adopted 2004 El Dorado County General Plan, pursuant to Government Code Section 65401.

## DESCRIPTION OF REQUEST

The Lake Valley Fire Protection District is requesting a finding of consistency to applicable of General Plan policies involving a proposed fee increase. Specifically, based on the updated *Annual Report on Fire District Development Improvement Fees and Annual Update of Long Range Plan (Capital Improvement Plan) for Fiscal Year 2007-2008* prepared by the District in March 2009, the District is requesting an increase in fees borne by anticipated development within the District's jurisdictional boundaries. The finding of consistency is in accordance with Government Code Section 65401 (Exhibit A).

## BACKGROUND

The Lake Valley Fire Protection District covers a majority of the privately owned unincorporated area in the El Dorado County portion of the Lake Tahoe Basin, extending westward along U.S. Highway 50 to Camp Sacramento (Twin Bridges). The District encompasses 80 square miles equating to approximately 51,200 acres. It is served by three fire stations: Station 6 near intersection of Golden Bear Trail and Pioneer Trail, Station 7 adjacent to State Route 89 and ¼ mile south of U.S. Highway 50, and Station 5 serving development in Mountain View Estates on Boulder Mountain Court, near Lake Tahoe Blvd (Exhibit B).

The District began a collecting development fee in 1986 from new construction within the boundary. In 1991, a detailed “Lake Valley Fire Protection District Long Range Plan” was submitted to the County outlining adjustment of fee schedules corresponding to projected population growth in the district up to the year 2005. This study was approved by the El Dorado County Board of Supervisors under Resolution 398-91. In 2001, based on updated information incorporated into the long range plan, the Board of Supervisors adopted a resolution approving another fee increase.

The District conducted an update to the *Annual Report on Fire District Development Improvement Fees and Annual Update of Long Range Plan (Capital Improvement Plan) for Fiscal Year 2007-2008* (Exhibit C). This study detailed an analysis of anticipated fire facilities and improvement that the District would need in order to serve future development within the district. As a result, the District concluded that impact fees on new development within its boundary would need to be raised in order to maintain the existing level of fire and emergency services. Specifically, development fees for the District would increase from \$750.00 per residential unit to \$780.75 per unit. Non-residential uses and structures, which includes commercial, industrial, and institutional, that are sprinklered would increase from \$0.32 per square foot to \$0.34 per square foot and unsprinklered units from \$0.17 per square foot to \$0.18 square foot. The proposed fee increase would be reflected in the in the Fiscal Year of 2009-2010.

A public hearing to consider the proposed fee increase was conducted before the Board of Directors on March 12, 2009. Under Resolution 2009-3, the Board of Directors considered the motion, approving the fee increase based on the updated study. The El Dorado County Board of Supervisors would ultimately consider the proposed fee increase (Exhibit D).

**GENERAL PLAN CONSISTENCY ANALYSIS**

In accordance with Section 65401 of the Government Code, the submitted updated report and its findings are subject to consistency determination with the El Dorado County General Plan. Table 1 below discusses the applicable policies.

**Table 1. General Plan Consistency Determination**

| <b>General Plan Policy</b>                      | <b>Policy Description</b>  | <b>Consistency Determination</b>  |
|---|--|---|
| 5.1.2.2 (Public Services and Utilities Element) | Establishes minimum levels of service for fire district response to be applied to the review of discretionary projects as an eight-minute response time. For Rural Center and Rural Regions the response time is 15 to 45 minutes. | Consistent. According to the updated study, the development of the planned fire facilities will aid the Lake Valley Fire Protection District in continuing to meet these response times, currently within the expected timeframe, for future development. |
| 5.7.1.1 (Public Services and Utilities Element) | Requires that prior to approval of new development, the applicant will be required to demonstrate that adequate emergency water supply, storage, conveyance facilities,  | Consistent. Payment of the proposed fire facilities impact fees to fund the planned improvements will assist development project proponents in ensuring adequate facilities supporting fire protection.   |

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|---|---|---|
|   | and access for fire protection either are or will be provided concurrent with development.  |   |
| 6.2.3.1 (Health, Safety, and Noise Element) | Requires the County to find that, based on information from the applicant and responsible fire protection district, concurrent with development, adequate emergency water flow, fire access, and fire fighting personnel and equipment will be available for new development in accordance with applicable State and local fire district standards. | Consistent. Based on the updated study, implementation of impact fees would address the service needs of future development, the planned fire facilities and necessary equipment. |
| 10.2.1.4 (Economic Development Element)     | Requires new discretionary development to pay its fair share of the costs of all civic, public, and community facilities it utilizes based upon the demand for these facilities that can be attributed to new development.”   | Consistent. Based on the updated study, implementation of impact fees would address the service needs of future development, the planned fire facilities and necessary equipment. |

**CONCLUSION**

Based on the above analysis, the proposed updated study and its findings are found to be consistent with the applicable policies of the El Dorado County General Plan.

**ATTACHMENTS**

- Exhibit A ..... Government Code Section 65401
- Exhibit B ..... Lake Valley Fire Protection District Boundary Map
- Exhibit C ..... Annual Report on Fire District Development Improvement Fees and Annual Update of Long Range Plan (Capital Improvement Plan) for Fiscal Year 2007-2008
- Exhibit D ..... Board of Directors of the Lake Valley Fire Protection District Resolution 2009-3