

COSUMNES COMMUNITY SERVICES DISTRICT

ORDINANCE NO. 10

AN ORDINANCE OF THE COSUMNES COMMUNITY SERVICES DISTRICT ESTABLISHING A CAPITAL FIRE FACILITIES FEE SCHEDULE FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN THE DISTRICT

WHEREAS, The Board of Directors of the Cosumnes Community Services District (“District”) has committed to continue to provide and improve, to the best of their ability, fire protection, emergency medical services, rescue, hazardous materials responses, and all other services to the public as authorized pursuant to the “Fire Protection District Law of 1987” (Health and Safety Code, Section 13800 et seq.); and

WHEREAS, budgetary considerations have required that a Capital Fire Facilities Fee be charged against new construction and development to defray costs and mitigate the impact associated with property acquisition, site preparations, design, construction, and equipping of fire stations within the District necessary to protect the health and safety of the general public and preserve lives and property; and

WHEREAS, the purpose of the fee is to mitigate the financial impact of providing additional fire stations and fire equipment to safeguard the lives and property of those who will occupy the new construction and development at an acceptable level of service; and

WHEREAS, it is fair and equitable for new development to pay its fair share and contribute to the financing, acquisition and establishment of new fire facilities and equipment to enable the District to provide necessary public services to new residents, businesses and their employees; and

WHEREAS, it is also fair and equitable for certain land uses, such as residential, to pay higher development impact fees than other land uses given their land use intensity and the burdens they create on the District’s infrastructure system; and

WHEREAS, the proposed increase in existing Capital Fire Facilities Fees and establishment of new Capital Fire Facilities Fees are based upon the information contained in a detailed study prepared by District staff and Goodwin Consulting, Inc. entitled “Cosumnes Community Services District (CCSD) Nexus Study To Update The Fire Fee Program” (“Nexus Study”), dated August 23, 2010; and

WHEREAS, the detailed descriptions of each of the proposed new facilities, their approximate location, size, approximate time of availability and their estimated costs and related costs are also set forth in the Nexus Study; and

WHEREAS, the Nexus Study complies with California Government Code Section 66001 et seq. by establishing the basis for the imposition of fees for new development; and

WHEREAS, the Nexus Study justifies the imposition of each Capital Fire Facilities Fees on new construction by analyzing the District's needs for new facilities and equipment, assigning the costs on a fair-share basis to the various types of development, and assigning the resulting fee per dwelling unit and/or commercial/industrial square footage, based on the anticipated burden of such new dwelling unit and/or commercial/industrial area on the District's infrastructure system and the need created by such dwelling unit and/or commercial/industrial area for new and expanded facilities and infrastructure; and

WHEREAS, the Capital Fire Facilities Fees collected pursuant to this Ordinance shall be used to finance the new facilities and equipment described or identified in the Nexus Study; and

WHEREAS, after considering the types of projects to be funded by the Capital Fire Facilities Fees and the cost estimates contained in the Nexus Study, the Board of Directors approves the cost estimates and finds them reasonable as to the basis for calculating and imposing the Capital Fire Facilities Fees; and

WHEREAS, copies of the Nexus Study are on file in the District's administrative office and have been made available for public review in accordance with state law, as more fully described below; and

WHEREAS, the District has dually noticed and conducted a public hearing on October 6, 2010, at which time the public was invited to make oral and written presentations as part of the regularly scheduled meeting prior to the adoption of this Ordinance; and

WHEREAS, the District published notice of the public hearing as described above in accordance with the California Government Code Sections 6062(a) and 66018; and

WHEREAS, at least ten (10) days prior to the public hearing referenced above, the District made available for public inspection the Nexus Study; and

WHEREAS, in order to more fairly assess the proposed Capital Fire Facilities Fees and provide developers, builders and project applicants with additional notice of impending increases, it is hereby determined to be fair and equitable to phase the applicability of certain fees; and

WHEREAS, the Board of Directors has reviewed and considered the staff report, the Nexus Study, and all oral and written testimony; and

WHEREAS, the District, pursuant to California Government Code Section 66000 et seq. is authorized to adopt a Capital Fire Facilities Fee development impact mitigation fee schedule to

defray the costs associated with property acquisition, site preparation, design, construction, and equipping of fire stations within the District necessary to protect the health and safety of the general public and preserve lives and property; and

WHEREAS, the establishment and increase of the Capital Fire Facilities Fees is statutorily and categorically exempt from the requirements of the California Environmental Quality Act (Public Resources Code, §§ 21000 et seq.) (“CEQA”) because the setting of Capital Fire Facilities Fees merely establishes a funding mechanism for the provision of future development projects and, as such, this Ordinance is not “an essential step culminating in action which may affect the environment” and environmental review required under CEQA will be performed when projects funded by the Capital Fire Facilities Fees are chosen and defined.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE COSUMNES COMMUNITY SERVICES DISTRICT AS FOLLOWS:

- Section 1. Nexus Study: The Board of Directors hereby adopts the Nexus Study described above, which is incorporated by reference herein. The Nexus Study is on file with the Secretary to the Board and available for public inspection.
- Section 2. Findings: The Board of Directors hereby adopts the findings set forth in the Recitals above as though fully set forth herein.
- Section 3. Establishment of a Fee Schedule: The Board of Directors of the Cosumnes Community Service District establishes the Capital Fire Facilities Fee schedule set forth in Exhibit “A” incorporated herein and directs that the fees shall be uniformly applied and collected. In addition to the increases set for in Exhibit “A” the fees shall be adjusted each January by the average increase/decrease in the San Francisco Construction Cost Index (CCI) and the 20-city CCI as reported in the *Engineering News Record* for the 12-month period ending in October of the previous year.
- Section 4. Collection of the Fee: The Board of Directors of the Cosumnes Community Services District shall entrust the Sacramento County Board of Supervisors, the City of Elk Grove, and the City of Galt with the legal authority to collect the Fee on behalf of the District.
- Section 5. Effective Date: This Ordinance shall be in full force and effect sixty (60) days following its adoption. The District’s Secretary is hereby ordered and directed to certify to the passage of this Ordinance and to cause the same to be published within fifteen (15) days following its adoption, once in the Elk Grove Citizen, Galt Herald, and in the Sacramento Bee newspapers, all of general circulation in the district.
- Section 6. Revision of Fee Schedule: The Board of Directors of the Cosumnes Community Services District may, from time to time, revise this fee schedule by resolution, in

accordance with state law, as a result of changes in required capital expenses of the District.

Section 7. Prior Ordinance No. 10: This ordinance shall supersede the prior Ordinance No. 10, adopted July 18, 2006. As of December 19, 2010, the Prior Ordinance No. 10 shall terminate and be of no further force and effect.

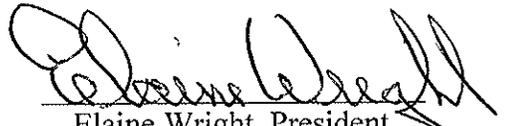
This Ordinance No. 10 was passed and adopted by the Board of Directors of the Cosumnes Community Services District this twentieth day of October 2010, by the following vote:

AYES: Albiani, Grueneberg, Orrock, Rutter, Wright

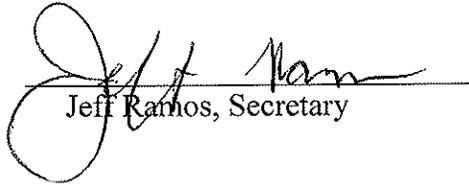
NOES: None

ABSENT: None

ABSTAIN: None


Elaine Wright, President

Attest:


Jeff Ramos, Secretary

**COSUMNES COMMUNITY SERVICES DISTRICT
 CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**
Effective December 20, 2010

	Zone 1: Elk Grove	Zone 2: Laguna	Zone 3: Laguna West	Zone 4: Lakeside	Zone 5: Stonelake
Land Use Category					
Residential			<i>per unit</i>		
Single Family	\$1,702	\$1,662	\$1,583	\$1,642	\$1,561
Multi-Family	\$1,120	\$1,108	\$1,086	\$1,103	\$1,080
Age Restricted	\$ 902	n/a	n/a	n/a	n/a
Non-Residential			<i>per SF</i>		
Commercial/Office	\$ 1.44	\$ 1.41	\$ 1.38	\$ 1.40	\$ 1.37
Industrial	\$ 0.47	\$ 0.46	\$ 0.43	\$ 0.45	\$ 0.43

**COSUMNES COMMUNITY SERVICES DISTRICT
 CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

	Zone 1: Elk Grove	Zone 2: Laguna	Zone 3: Laguna West	Zone 4: Lakeside	Zone 5: Stonelake
Land Use Category					
Residential			<i>per unit</i>		
Single Family	n/a	n/a	n/a	n/a	n/a
Multi-Family	n/a	n/a	n/a	n/a	n/a
Age Restricted	n/a	n/a	n/a	n/a	n/a
Non-Residential			<i>per SF</i>		
Commercial/Office	\$ 1.44	\$ 1.41	\$ 1.38	\$ 1.40	\$ 1.37
Industrial	\$ 0.47	\$ 0.46	\$ 0.43	\$ 0.45	\$ 0.43

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**
Effective December 20, 2010

**Zone 6:
Galt**

Land Use Category _____

Residential	<i>per unit</i>
Single Family	\$ 563
Multi-Family	\$ 456
Age Restricted	\$ 137
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.61
Industrial	\$ 0.64

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

**Zone 6:
Galt**

Land Use Category _____

Residential	<i>per unit</i>
Single Family	n/a
Multi-Family	n/a
Age Restricted	n/a
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.61
Industrial	\$ 0.64

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**
*All fees for Zone 6 in effect as of June 30, 2011 shall be increased as of
July 1, 2011 by the amount set forth below*

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	\$ 227
Multi-Family	\$ 129
Age Restricted	\$ 137
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	n/a
Multi-Family	n/a
Age Restricted	n/a
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**

*All fees for Zone 6 in effect as of December 31, 2011 shall be increased as of
January 1, 2012 by the amount set forth below, plus CCI*

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	\$ 227
Multi-Family	\$ 129
Age Restricted	\$ 137
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	n/a
Multi-Family	n/a
Age Restricted	n/a
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**
*All fees for Zone 6 in effect as of June 30, 2012 shall be increased as of
July 1, 2012 by the amount set forth below*

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	\$ 227
Multi-Family	\$ 129
Age Restricted	\$ 137
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	n/a
Multi-Family	n/a
Age Restricted	n/a
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.13
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR NEW DEVELOPMENT**

*All fees for Zone 6 in effect as of December 31, 2012 shall be increased as of
January 1, 2013 by the amount set forth below, plus CCI*

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	\$ 229
Multi-Family	\$ 127
Age Restricted	\$ 136
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.12
Industrial	\$ 0.00

**COSUMNES COMMUNITY SERVICES DISTRICT
CAPITAL FIRE FACILITIES FEE FOR BUILDING EXPANSIONS**

**Zone 6:
Galt**

Land Use Category

Residential	<i>per unit</i>
Single Family	n/a
Multi-Family	n/a
Age Restricted	n/a
Non-Residential	<i>per SF</i>
Commercial/Office	\$ 0.12
Industrial	\$ 0.00