

# **RANCHO MURIETA COMMUNITY SERVICES DISTRICT**

DISTRICT CODE  
CHAPTER 8

## **The Communities Facilities Fees Code**



Amended December 20, 2017  
By Ordinance O2017-02

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## DISTRICT CODE

### CHAPTER 8 COMMUNITY FACILITIES FEES CODE

#### **SECTION 1.00 General Provisions**

##### **1.01 Title**

This Chapter shall be known as the “Community Facilities Fee Code” or “Community Fee Code” and may be cited as such.

##### **1.02 Scope of Chapter**

The provisions of this Chapter shall apply to water service, sewer service, storm drainage service, and all services provided by Rancho Murieta Community Services District.

##### **1.03 Violation Unlawful**

Following the effective date of this Ordinance, it shall be unlawful for any person to receive any District service without complying with this Chapter and paying the fees set forth herein.

#### **SECTION 2.00 Definitions**

For the purposes of this Chapter, the following terms shall have the following meanings, unless the context clearly indicates otherwise.

##### **2.01 Applicant**

Applicant shall mean the owner or the agent of the owner of the property for which District service is requested.

##### **2.02 Board**

Board shall mean the Board of Directors of the Rancho Murieta Community Services District.

##### **2.03 Customer**

Customer shall mean the owner or agent of the owner of the property receiving service.

##### **2.04 District**

District shall mean the Rancho Murieta Community Services District.

##### **2.05 General Manager**

General Manager shall mean the person appointed by the Board to the position of General Manager of Rancho Murieta Community Services District.

##### **2.06 Permit**

Permit shall mean the District’s written approval or authorization of an action. A permit may only be issued by the District upon the completion of the appropriate District application form for the action sought, payment of all applicable fees and regulations, as well as local, state and federal laws.

## **2.07 Person**

Person shall mean any human being, individual, firm, company, partnership, association, private corporation, or other entity.

## **2.08 Premises**

Premises shall mean a parcel of real estate, including any improvements thereon, which is determined by the District to be a single unit for purposes of receiving, using and paying for service. In making this determination, the District shall take into consideration such factors as whether the unit could reasonably be subdivided and whether the unit is being used for a single enterprise, apartment or dwelling.

## **SECTION 3.00 Fees**

### **3.01 Community Facilities Fees Established**

The District approves, adopts, and continues in effect (a) the following Community Facilities Fees as described below and in the Water Supply Augmentation Fee and Facilities Capital Improvement Fee Study Update dated November 8, 2017 (“2017 Fee Report”) - Water Capital Improvement Fee, Sewer Capital Improvement Fee, Drainage Capital Improvement Fee, Security Capital Improvement Fee, and Water Supply Augmentation Fee, and (b) a Community Park Fee. The fees in this section shall apply to the construction of any new building or structure in the District that requests District water or sewer service.

### **3.02 Deposit and Use of Fees**

The General Manager or his or her designee shall deposit the Community Facilities Fees revenue in separate capital facilities funds (one for each fee type) and account for each fee in a manner to avoid any commingling with other District moneys or funds (except for inter-fund borrowing). Any interest income earned from the investment of moneys in a fee fund shall be deposited in that fund. The District, by resolution adopted by its Board of Directors, may approve the temporary inter-fund borrowing and investments among the fee funds and other District funds. The fee funds, and interest earned on the funds, shall be expended solely for: (a) the uses and purposes described in the 2017 Fee Report and appendices; (b) reimbursing the District for a development’s fair share of any public facilities described in the 2017 Fee Report that are constructed or provided by the District; (c) reimbursing a developer who previously constructed or provided public facilities of a type described in the 2017 Fee Report and where those public facilities were beyond that needed to serve the needs of the developer’s project; or (d) such other use as authorized by resolution of the District Board of Directors.

### **3.03 Time of Payment**

The Community Facilities Fees shall be paid by the applicant at or prior to the time of the District’s issuance of a water or sewer permit for service to the premises, or the District’s initial provision of service, whichever occurs first. The fees shall be paid at the rate in effect on the day of payment. As explained in section 3.04, the fees for nonresidential uses are calculated based on water meter size. If the owner of a premises with an existing water connection requests the installation of a larger meter to serve expanded or changed use of the premises, then, as a condition of installation of the larger meter, the owner shall pay additional Community Facilities Fees in a sum as calculated based on the fee amount for the new meter size at the then-applicable fees minus the fee amount for the existing (to be replaced) meter size at the then applicable fees.

**3.04 Dwelling Unit and Equivalent Dwelling Unit Calculation**

a. The Community Facilities Fees shall be imposed and calculated on an equivalent dwelling unit (EDU) basis. The EDU calculation is explained in Appendix B of the 2017 Fee Report. For residential development, the EDUs shall be determined and applied as follows:

Residential	
Development Type/Size	EDU Calculation
Estate lot > 24,000 square feet	1 lot = 2.5 EDUs
Estate Lot between 12,000 - 24,000 square feet	1 lot = 1 EDU
Estate lot < 12,000 square feet	1 lot = 0.9 EDU
Cottage and circle (70' or 90') lots	1 lot = 0.7 EDU
Townhouse, halfplex, & country club lodge lots	1 lot = 0.5 EDU
Apartment	1 dwelling unit = 0.3 EDU

Each new residential lot will be assigned a development type based on its size and information as shown on the final subdivision map.

b. For nonresidential development, the EDUs shall be determined and applied as follows based on the water meter size to serve the development or construction project:

Nonresidential	
Water meter size	No. EDUs
1-inch	1 EDU
1.5-inch	2 EDUs
2-inch	3.2 EDUs
3-inch	6.4 EDUs
4-inch	10 EDUs
6-inch	20 EDUs
8-inch	32 EDUs

c. The District uses a standard of 1 EDU equaling 750 gallons per day of average water usage. For any new development or construction project that falls outside the EDU calculations set forth above, the General Manager shall estimate and determine the appropriate number of EDUs based on this standard and the anticipated water usage of the new project.

d. If the new development or construction project includes a private fire department water connection ("FDC"), then the EDU calculation for the premises shall be increased by an amount determined in accordance with the following:

FDC Size	Additional EDU
4" Diameter FDC	0.40 EDU/connection
6" Diameter FDC	0.50 EDU/connection
8" Diameter FDC	0.60 EDU/connection

### 3.05 Fee Amount

a. The Community Facilities Fees are as follows:

Fee Type	Fee Amount (2017-18)
Water Capital Improvement Fee	\$1,730 per EDU
Sewer Capital Improvement Fee	\$2,409 per EDU
Drainage Capital Improvement Fee	\$0
Security Capital Improvement Fee	\$66 per EDU
Water Supply Augmentation Fee	\$5,938 per EDU

Commencing January 1, 2019, the amount of the Community Facilities Fees shall be adjusted annually each January 1 based on the previous year's change in the mean index for 20 U.S. cities in the National Engineering News Record Construction Cost Index. The General Manager shall make this adjustment and keep and maintain a current schedule of applicable fees at the District office.

b. A Community Park Fee in the amount of \$1,983.96 per single family or multi-family dwelling unit.

*Note: Pursuant to that certain Parks Agreement, dated September 19, 1990, dwelling units designated by Rancho Murieta Association as participants in the Rancho Murieta Association Private Recreation Program will be given a credit in the amount of \$1,213.15. Such dwelling units, as of the effective date of the ordinance first adopting the Community Park Fee, are those located on the following properties:*

1. Rancho Murieta Unit 1 – except lots A and B
2. Rancho Murieta Unit 1 A
3. Rancho Murieta Unit 2
4. Rancho Murieta Unit 3
5. Rancho Murieta Unit 3 A
6. Rancho Murieta Unit 3 B
7. Rancho Murieta Unit 4
8. Rancho Murieta South Unit 1 A
9. Rancho Murieta South Unit 1 B
10. Rancho Murieta South Unit 2 A
11. Rancho Murieta South Unit 2 B
12. Rancho Murieta South Unit 3
13. Rancho Murieta South Unit 4
14. Rancho Murieta South Proposed Unit 5
15. Rancho Murieta South Proposed Phase II
16. Rancho Murieta South Parcel 3
17. Rancho Murieta South Parcel 4
18. Rancho Murieta South Parcel 5
19. Rancho Murieta South Parcel 6

### **3.06 Fee Waiver or Reduction**

Upon written request filed by a property owner prior to the due date for payment of any Community Facilities Fee, the Board of Directors may approve a fee waiver or reduction if, in the reasonable judgment of the Board as supported by specific findings and evidence, the Board determines that a waiver or reduction is appropriate because (a) the owner will receive insufficient or no benefit from the fee imposed and would therefore be required, if the fee were imposed in full, to pay more than its fair share for the benefit received, (b) imposition of the fee or fee in full would result in a substantial inequity as compared to other similarly situated owners, or (c) imposition of the fee or full fee would be unlawful in the particular circumstances. Findings must be based on written and other evidence substantiating the owner's contention that the fee should be waived or reduced. The owner shall bear the burden of proof to demonstrate that a waiver or reduction is appropriate.

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