

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE SONOMA
COUNTY FIRE DISTRICT, COUNTY OF SONOMA, STATE OF
CALIFORNIA, APPROVING THE SONOMA COUNTY FIRE DISTRICT
FIRE IMPACT FEE NEXUS STUDY AND REQUESTING THAT THE
SONOMA COUNTY BOARD OF SUPERVISORS AND THE WINDSOR
TOWN COUNCIL 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 Sonoma County Fire District ("District") Board of Directors ("District Board") desires to establish a new Fire Impact Fee program to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development; and

WHEREAS, the District Board has received and considered the District's Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated August 2020 ("Nexus Study") that provides the required information to establish a new Fire Impact Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

- 1) The District Board hereby receives and approves the Nexus Study.
- 2) Prior to the adoption of this Resolution, the District Board conducted a public hearing at which oral and written presentations were made, as part of the District's regularly scheduled October 20, 2020 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 the local newspaper. 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 District 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 District Board hereby makes the following findings;
 - a) The Fire Impact Fee program and Fire Impact Fee 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 Fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to serve new development; and
 - c) The uses of the Fire Impact Fee 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 and equipment, and replace and expand the District's apparatus and vehicles 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 Fee 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 new or 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 seven land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.
- 4) The District 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 District Board does hereby approve the following Fire Impact Fees on new development which shall be collected upon issuance of a building permit:

<u>Land Use</u>	<u>Fire Impact Fees</u>
<u>Residential Development</u>	<u>Per Living Area Sq. Ft.</u>
Single-Family Housing	\$1.63
Multi-Family Housing	\$2.34
Mobile Home	\$1.58
Accessory Dwelling Unit	See Note
<u>Nonresidential Development</u>	<u>Per Building Sq. Ft.</u>
Retail / Commercial	\$1.79
Office	\$2.97
Industrial	\$1.27

Note: Pursuant to Govt. Code § 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit shall be imposed proportionately in relation to the square footage of the primary dwelling unit. Accessory dwelling units less than 750 square feet of living area are exempt.

- 6) The District Board formally requests that the County Board of Supervisors and Windsor Town Council adopt and implement this approved Fire Impact Fee program on behalf of the District with the District agreeing to be responsible for the proper accounting for and expenditure of said moneys and further agreeing to hold the County and the Town harmless from and to defend it from any action, claim, or damages related to said fees, including any challenge to the validity of or use thereof.
- 7) The District Board formally requests that the resolutions or ordinances adopted by the County Board of Supervisor and Windsor Town Counsel to establish the Fire Impact Fee program on behalf of the District authorize automatic annual inflationary adjustments.
- 8) 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.

IN REGULAR SESSION, the foregoing resolution was introduced by Director So, who moved its adoption, seconded by Director Hamann, and passed by the Board of Directors of the Sonoma County Fire District this 20th day of October 2020.

President Nelson	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>
Vice President Klick	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>
Director Briare	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>
Director Hamann	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>

Director So	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>
Director Treanor	Aye <u>✓</u>	No <u> </u>	Absent <u> </u>

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

ATTEST:



John Nelson, Chair
Board of Directors



Arnie Tognozzi, Secretary
Board of Directors