

RESOLUTION OF THE BOARD OF SUPERVISORS  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF ADJUSTING THE FIRE  
PROTECTION MITIGATION FEE FOR ALL  
NEW DEVELOPMENT WITHIN THE  
CARPINTERIA-SUMMERLAND FIRE  
PROTECTION DISTRICT

Resolution No. \_\_\_\_\_

- a. WHEREAS, the Carpinteria-Summerland Fire Protection District is responsible for providing fire protection services within the Carpinteria-Summerland Fire Protection District.
- b. WHEREAS, the Santa Barbara County and the City of Carpinteria have adopted ordinances imposing Fire Protection Mitigation Fees on any new development within the Carpinteria-Summerland Fire Protection District because the Health and Safety Code prohibits Fire Protection Districts from charging development impact fees. (Health & Safety Code § 13916(a); County Code Chapter 15, Article IIIA; Carpinteria Municipal Code Chapter 8.26.)
- c. WHEREAS, on August 21, 1990, the Board of Supervisors of the County of Santa Barbara established a “Carpinteria-Summerland Fire Protection District Mitigation Fee Ordinance” by adopting Ordinance No. 3878, which was codified in the Santa Barbara County Code Chapter 15, Article IIIA. Chapter 15, Article IIIA was subsequently amended by Ordinance Nos. 4494 and 4566.
- d. WHEREAS, a Resolution adopted November 10, 2009, set the current Fire Protection Development Impact Fee Schedule.
- e. WHEREAS, the fee was calculated in accordance with parameters set forth in the October 2008 “Development Impact Fee Calculation and Nexus Report for the Carpinteria-Summerland Fire Protection District”.
- f. WHEREAS, this mitigation fee has been collected and administered consistent with Government Code § 66000 et seq.
- g. WHEREAS, in August 2016, an updated Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the Carpinteria-Summerland Fire District was completed, which provides a comprehensive update to the District’s Master Facilities Plan and proposes a revised fee structure to proportionately allocate a share of the facilities, apparatus and equipment costs necessary as a result of new development in order to maintain existing levels of service.
- h. WHEREAS, the District has evaluated the anticipated fire protection needs of future development within its service area and analyzed how those needs will impact the District. The results are presented in the August 2016 Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the Carpinteria-Summerland Fire District (“Report”). (A copy of the Report is attached as Exhibit B and incorporated by reference).

- i. WHEREAS, the Report sets forth the relationship between the increased need for fire facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District's service area.
- j. WHEREAS, the fire development impact mitigation fee is designed to provide the District with funds to cover this increased need for fire facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District's service area
- k. WHEREAS, notice of the time and place of the Board of Supervisors hearing was provided at least 14 days prior to the meeting in compliance with Government Code Section 66016.
- l. WHEREAS, the Board of Supervisors requests that the City of Carpinteria within the District's service area adopt the revised fire development impact mitigation fee.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF SANTA BARBARA:

1. The above recitations are true and correct.
2. The Board of Supervisors hereby finds as follows:
  - a. Approval of report. After considering the Report and the testimony received at this public hearing, the Board of Supervisors approves the Report (Exhibit B) and finds that new development in the service area of the District will generate additional burdens on the District's ability to provide adequate fire protection services and therefore will contribute to the degradation of the public health and safety within the area served by the District, unless adequately mitigated. The Board of Supervisors here incorporates the Report by reference and relies on the information and analysis in the Report to support the following determinations.
  - b. Purpose of fee. The purpose of fire development impact mitigation fee is to fund the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development within the District's service area.
  - c. Use to which the fee is to be put consistent with Government Code Section 66001(a)(2). The mitigation fees collected by the County shall be used to fund the cost of expanded fire facilities, apparatus, and equipment to serve new development. Fee revenue may not be used to fund operational, maintenance or repair costs. Facilities funded by the fee shall be identified in the District's Master Facilities Plan, general or specific plans, or other public documents.
  - d. Determine a reasonable relationship between the fee's use and the type of residential development project on which the fee is imposed. The fee will be collected as development occurs. To maintain its existing level of fire protection and emergency response services, fee revenue will be used to expand the District's facilities, apparatus

and equipment to meet the additional demand generated by the new residents and employees and new structural area created by new development projects.

- e. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed. The District serves both residences and businesses throughout its service area and the demand for fire protection services and associated fire protection facilities, apparatus and equipment is dictated by the service population and number of structures in the service area. New residential and nonresidential development in the service area increases the service population and number of structures and necessitates that the District expand its fire protection facilities, apparatus, and equipment to maintain the same level of service as new residential and nonresidential development is added to the service area. Thus, there is a reasonable relationship between new development and the increased demand for fire protection services. 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.
  
- f. Establish a schedule of fees. The new fee structure is depicted in Exhibit A and, pursuant to Government Code Section 66017, shall be effective 60 days after the date of adoption of this Resolution.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this \_\_\_\_\_ day of February, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Chair  
Board of Supervisors  
County of Santa Barbara

ATTEST:  
Mona Miyasato  
County Executive Officer  
Clerk of the Board  
By:

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Deputy Clerk

APPROVED AS TO FORM:

Michael C. Ghizzoni

County Counsel

By:

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Deputy County Counsel

EXHIBIT A: 2016-17 Proposed Fire Protection Development Impact Fee Schedule

EXHIBIT B: Development Impact Fee Calculation and Nexus Report and Master Facilities Plan for the  
Carpinteria-Summerland Fire District