

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

IN THE MATTER OF ESTABLISHING A FIRE
PROTECTION MITIGATION FEE FOR ALL
NEW DEVELOPMENT WITHIN THE SANTA
BARBARA COUNTY FIRE PROTECTION
DISTRICT

Resolution No. _____

- a. WHEREAS, the Santa Barbara County Fire Department is responsible for providing fire protection services within the Santa Barbara County Fire Protection District and the private lands in the Los Padres National Forest within Santa Barbara County.
- b. WHEREAS, on March 9, 1987, the Board of Supervisors of the County of Santa Barbara established a “Fire Protection Mitigation Fee” by adopting Ordinance No. 3632, which was codified in the Santa Barbara County Code Chapter 15, Article III. Chapter 15, Article III was subsequently amended by Ordinance Nos. 3788, 3877 and 4236.
- c. WHEREAS, from March 9, 1987, to August 29, 1996, the mitigation fee was:
(1) \$350 plus 25 cents per square foot of floor area for new non-residential structures and for additions to non-residential structures of more than 500 square feet; and (2) \$350 for new residential units and for additions to residential units of more than 1,000 square feet. The mitigation fee was imposed to partially fund fire protection capital improvement, including structures, fire apparatus and equipment.
- d. WHEREAS, Ordinance 4236 narrowed the scope of the mitigation fee to fund only a pro rata share of the replacement cost of fire apparatus and equipment related to new development. Ordinance 4236 was adopted July 30, 1996, and became effective August 30, 1996.
- e. WHEREAS, Resolution No. 96-321, adopted July 30, 1996, set the current mitigation fee at twenty cents per square foot of floor area for new non-residential buildings and new residential development. The same fee is imposed on additions to non-residential buildings that add 500 or more square feet of floor area, and on additions to residential units that add 1,000 or more square feet of floor area. The same fee is also imposed when a mobilehome space is added to an existing mobilehome park. The amount of the fee is reduced by 50% if the structure is fully protected by an approved automatic fire sprinkler system.
- f. WHEREAS, the fee was calculated in accordance with parameters set forth in the “1996 Fire Protection Mitigation Fee Report” from the Santa Barbara County Fire Department. The Report evaluates the fire protection needs of future development and analyzes how those needs impact the fire protection services provided by County Fire.
- g. WHEREAS, this mitigation fee has been collected and administered consistent with Government Code §66000 et seq.
- h. WHEREAS, in September 2014, the Fire Impact Fee Nexus Study was completed, which provides a comprehensive update to the Fire Department’s mitigation fee programs and proposes a new

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.

i. WHEREAS, the Fire Department has evaluated the anticipated fire protection needs of future development within its service area and analyzed how those needs will impact the Fire Department. The results are presented in the September 2014 Fire Impact Fee Nexus Study (“Study”). (A copy of the Study is attached as Exhibit A and incorporated by reference).

j. WHEREAS, the Study sets forth the relationship between the increased need for fire facilities, apparatus, and equipment attributable to new residential and nonresidential development in the Fire Department’s service area.

k. WHEREAS, the fire development impact mitigation fee is designed to provide the Fire Department with funds to cover this increased need for fire facilities, apparatus, and equipment attributable to new residential and nonresidential development in the Fire Department’s service area

l. WHEREAS, the Study was available for public inspection fourteen (14) days prior to the public hearing.

m. WHEREAS, the Board of Supervisors requests that cities within the Fire Department’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 Study and the testimony received at this public hearing, the Board of Supervisors approves the Study (Exhibit A) and finds that new development in the service area of the County Fire Department will generate additional burdens on the Fire Department’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 Fire Department, unless adequately mitigated. The Board of Supervisors here incorporates the Study by reference.
 - 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 Fire Department’s service area.
 - c. Use of Fee. The mitigation fees collected by County Fire 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 County’s Capital Improvement Program, general or specific plans, or other public documents.

- d. Relationship Between Use of Fee and the Type of New Development Proposed. 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 Fire Department'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. Relationship Between the Need for Fire Facilities, Apparatus and Equipment and the Type of New Development Proposed. The Fire Department 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 Fire Department 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. Relationship Between the Amount of the Fee and the Cost of Fire facilities, apparatus and equipment. The cost of fire protection facilities, apparatus and equipment attributable to a development project is based upon the level of existing development served by the Department's existing fire protection facilities, apparatus and equipment. The use of an existing facilities standard methodology to determine the fire impact fee achieves proportionality between existing development and new development. These equivalent costs are applied to seven land use categories in proportion to the need they create for expanded facilities based on the number of persons or employees and structure size. The use of a fire facilities demand factor to determine the fire impact fee schedule achieves proportionality across the types of development on which the fee is imposed.
3. The new fee structure is as follows and will be effective 60 days after the date of adoption:
- a. Residential-Single Family Housing \$0.59 per square ft
 - b. Residential-Other Residential Housing \$0.75 per square ft
 - c. Nonresidential-Retail/Commercial \$0.77 per square ft
 - d. Nonresidential-Office \$0.94 per square ft
 - e. Nonresidential-Industrial \$0.71 per square ft
 - f. Nonresidential-Warehouse/Distribution \$0.52 per square ft
 - g. Nonresidential-Agricultural \$0.35 per square ft

Fee category definitions and specific details are contained in the enacting Ordinance.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this 21st day of October, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Chair, Board of Supervisors

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

Deputy Clerk

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel
By:

APPROVED AS TO ACCOUNTING
FORM:
Robert W. Geis, CPA
Auditor-Controller
By:

APPROVED:
Michael W. Dyer
Fire Chief
By:

EXHIBIT A: Fire Impact Fee Nexus Study