

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF
SANTA BARBARA UPDATING THE FIRE PROTECTION MITIGATION FEE
SCHEDULE FOR DEVELOPMENT WITHIN THE CARPINTERIA-
SUMMERLAND FIRE PROTECTION DISTRICT AND MAKING
FINDING UNDER GOVERNMENT CODE SECTION 66001**

RESOLUTION NO.

WHEREAS, on April 5, 2005, the Board of Supervisors of the County of Santa Barbara (“County”) adopted Ordinance 4566, authorizing the imposition of and charging a fire protection mitigation fee for the geographical area covered by the Carpinteria-Summerland Fire Protection District, as codified in the Santa Barbara County Code Chapter 15, Article IIIA; and

WHEREAS, Ordinance 4566 establishes the fire protection mitigation fee and specifically authorizes the Board of Supervisors to set forth the amounts of the fee; and

WHEREAS, Revenue and Costs Specialists, LLC, prepared a report dated October 27, 2008 entitled, “Development Impact Fee Calculation and Nexus Report for the Carpinteria-Summerland Fire Protection District” (“Report”) attached to the Board Letter of even date herewith, which analyzes the impacts of contemplated future development on existing Carpinteria - Summerland Fire Protection District (“District”) fire protection facilities and improvements. The District has also prepared an analysis of the need for new facilities and improvements require by new development, in the form of a revised 2008 Master Facilities Plan (“Master Facilities Plan”) attached to the Report as Appendix A. Said Report and Master Facilities Plan set forth the relationship between new development, the needed facilities and their estimated costs; and

WHEREAS, the District has adopted the Report and Master Facilities Plan which establish the costs for providing public fire protection facilities made necessary by new development projects within the portion of the County served by the District; and

WHEREAS, Santa Barbara County Code Chapter 15, Section 15-67 provides that the Fire Protection Mitigation Fee may be revised periodically by resolution of the County, with Ordinance 4566 being considered as enabling and directive in this regard; and

WHEREAS, notice of the hearing on this matter was published in conformance with California Government Code Section 66018; and

WHEREAS, the balance of the Fire Protection District Development Impact Fee accounts, the fee, interest and income, and the amount of expenditure by public facility, and the amount of refunds are contained in the Report and Master Facilities Plan which are available for public review.

NOW THEREFORE, it is hereby found, determined and resolved by the Board of Supervisors of the County of Santa Barbara, California as follows:

1. The Board of Supervisors finds that new development in the County within the District will generate additional demands on fire protection facilities and will contribute to the impact upon such facilities.
2. The Board of Supervisors finds the cost estimates set forth in the District's Master Facilities Plan are reasonable cost estimates for the public facilities contained in said Plan and determines that there is a continued need for these improvements, that there is a reasonable relationship between such need and the impacts of development upon which the fees are charged.
3. The Board of Supervisors finds that the fees expected to be generated by new development will not exceed the costs for construction of fire protection facilities and improvements set forth in the Master Facilities Plan.
4. The Board of Supervisors finds that there is a reasonable relationship between the fees' use and the type of development for which the fees are charged, as these reasonable relationships are described in more detail in the District's Report and Master Facilities Plan and Exhibits A and B attached hereto.
 - a. The Board of Supervisors finds that there is a reasonable relationship between the need for the public facilities for which fees are to be collected and the type of development project on which the fee is imposed, as more particularly described in the District's Report and Master Facilities Plan and Exhibits A and B attached hereto.
 - b. The Board of Supervisors finds that there is a reasonable relationship between the amount of the fees and the cost of the public facilities attributable to the development upon which the fee is imposed, as more particularly described in the District's Report and Master Facilities Plan and Exhibits A and B attached hereto.
5. The Board of Supervisors approves the District's Development Impact Fee Report entitled "Development Impact Fee Calculation and Nexus report to the Carpinteria-Summerland Fire Protection District, Update – October 2008."
6. The Board of Supervisors approves and adopts the District's Master Facilities Plan and Development Impact Fee Program without change.

7. As to funds on deposit in the Fire Mitigation Fees Fund, the County finds as follows:
 - a. The purpose of the Fire Mitigation Fees is to finance necessary District infrastructure as detailed further in the Report.
 - b. A reasonable relationship between the Mitigation Fee and its purpose exists, in that the District nexus calculation report demonstrates that the fee assessed to new development is in proportion to such development's impacts on necessary District infrastructure.
 - c. The sources and amounts of funding for the Master Facilities identified in the District's Master Facilities Plan are identified as shown in the Report.
 - d. The approximate dates on which the funding to construct the facilities identified in the District's Master Facilities Plan is expected to be deposited into the Mitigation Fees Fund are shown in the Report.

PASSED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this ____ day of _____ 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Joseph Centeno
Chair, Board of Supervisors

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By _____
Deputy Clerk

Approved as to Form:
DENNIS MARSHALL
COUNTY COUNSEL

By *Dennis Marshall*
Deputy County Counsel

EXHIBIT "A"

FIRE PROTECTION DISTRICT DEVELOPMENT IMPACT FEES FUND
DESCRIPTION

Master Facilities Plan : Fees collected for the actual and estimated costs to acquire certain fire protection capital improvements, including structures, fire apparatus and fire equipment.

EXHIBIT "B"

CARPINTERIA-SUMMERLAND FIRE PROTECTION DISTRICT
 FIRE PROTECTION DEVELOPMENT IMPACT MITIGATION FEES SCHEDULE

Fire Protection Development Impact Fee Schedule	
Type of Development	Fees
Estate Single Family Residential	\$1,467.00 First 2,700 Sq. Ft. (1)
Single Family Residential	\$1,467.00 First 2,700 Sq. Ft. (1)
Multiple Family Residential	\$1,237.00 per Unit
Mobile Homes	\$1,631.00 per Unit
Commercial Lodging	\$886.00 per Unit
Commercial/Office Uses	\$2.12 per Sq. Ft.
Industrial Uses	\$0.18 per Sq. Ft.

Notes: (1) Plus \$0.362/Square Foot beyond 2,700 Square Feet
 Source: Carpinteria-Summerland Fire Protection District Staff Report – Development Impact Fees Nexus Calculation Report and Revised Master Facilities Plan, February 17, 2008