



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

NOV 03 2009

COUNTY OF SANTA BARBARA  
CLERK OF THE BOARD OF SUPERVISORS

Department Name:  
Department No.:  
For Agenda Of: November 3, 2009  
Placement: Set Hearing  
Estimated Tme: 15 minutes on 11/10/09  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

1103.06

09-00927

**TO:** Board of Supervisors  
**FROM:** Carpinteria – Michael Mingee, Fire Chief 805-566-2450  
Summerland Fire  
Protection  
District

NOV 03 2009

**SUBJECT: Development Impact Fees : Carpinteria – Summerland Fire Protection District**

**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: Select\_Concurrence

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors set a hearing for November 3, 2009 to consider the following recommendation:

- a) Adopt a Resolution which includes accepting and approving an update to the Fire Protection Mitigation Fee of the Carpinteria – Summerland Fire Protection District [Attachment B]

**Summary Text:**

AB 1600, passed into law in 1989, allows for government agencies to impose Development Impact Fees (DIF). In accordance with California Government Code section 66000 et seq., also referred to as the Mitigation Fee Act. In 2003 the City of Carpinteria and the County of Santa Barbara adopted ordinances imposing Fire Protection Mitigation Fees on any new development within the Carpinteria – Summerland Fire Protection District. The fire protection mitigation fees are imposed by the City and County for the benefit of the District. The City ordinance is codified in Chapter 8.26 of the Carpinteria Municipal Code. The County ordinance is codified in Chapter 15, Article IIIA, of the County Code.

Development Impact Fees or Mitigation Fees for fire protective services are intended to assist local fire agencies in delivering the increasing service demand cause by additional development. In October of 2003 the Carpinteria – Summerland Fire District adopted a DIF nexus report and master facilities plan in accordance with California Government Code 66000. The District has been receiving such fees since

2004. To this date the fees have been used to finance a Wild Land Firefighting Engine and a Rescue Squad which increased the capacity of the fleet and subsequently the service level of the Fire District. Recently the fees were used to fund 40% of the Fire Station 1 remodel needed to house additional firefighters on shift. This was another enhancement to service levels partially funded by new development impact fees.

AB 1600 allows projects to be financed with DIF be identified in a Master Facilities Plan (attached). Periodic review and adjustment to this DIF is appropriate and warranted in order to insure that the Fire District collects sufficient funds to construct and purchase additional facilities and equipment to serve new residential and commercial development. The attached October 2008 Development Impact Fee Nexus Calculation Report is the first update of the original 2003 study. The cost associated with construction and apparatus was recalculated in lieu of today's construction market prices. More importantly the Master Facilities Plan was reviewed and amended to reflect a new direction of the Fire District. The impact fees identified in the 2008 report should serve the District for many years with periodic economic indicator increases.

Since government Code 66000 requires projects be identified before fees are collected, a Master Facilities Plan was approved by the Carpinteria – Summerland District Board of Directors on February 17, 2008. The law also requires that a portion of the Nexus report be developed which identifies the proportion of the improvement cost related to the new development and the existing community (know as a proportional analysis). For example, proportional analysis means that a new fire station that serves an existing population could not be attributed totally to new development. The report also takes into account the total available land for development, what demand for service would be at total build out, and factors that into the cost of each project. Because of these and other changes, the adoption of this new report is necessary.

It is important once more to note that these impact fees are levied by one of the two land use agencies within the Fire District (i.e. the City of Carpinteria and the County of Santa Barbara) Now that the Fire District Board approved this study and the accompany Master Facilities Plan, then both government bodies of the City and County are needed to adopt the fee prior to it being imposed.

On May 26, 2009 the City Council of Carpinteria adopted Resolution No. 5201 which updated Fire Protection Mitigation Fees in the City of Carpinteria. The recommendation before your Board would apply new fees to the area of the unincorporated County that is served by the Carpinteria – Summerland Fire District.

### **Background:**

In 1990 the State Legislature passed into law the Mitigation Fee Act (AB 1600) that established California Government Code Section 66000 et seq. The City of Carpinteria and the County of Santa Barbara adopted ordinances imposing Fire Protection Fees on any new development in the Fire Protection District and within the City and unincorporated County respectively. The mitigation fees are collected by the City and County for the benefit of the Carpinteria-Summerland Fire Protection District (District). The City ordinance is codified in Chapter 8.26 of the Carpinteria Municipal Code. The County ordinance is codified in Chapter 15, Article IIIA of County Code. Each year the City and County are required to receive and review an Annual Report provided by the District. The Annual

Review includes a District DIF fund description, DIF Fee Schedule, a Master Facilities Plan and the current fee ledger. Both the City and County are required to pass resolutions on behalf of the District to update the fees when the District performs an Annual Review that includes an increase in the fee schedule and whenever the District makes an additional request to increase fees based on updated information such as in this revised Master Facilities Plan.

**Fiscal and Facilities Impacts:**

The District secured the services of Revenue and Cost Specialists, LLC to assist in the production of a report entitled, “Development Impact Fee Calculation and Nexus Report for the Carpinteria-Summerland Fire Protection District, Update – October 2008 (attached). The report serves as an updated Master Facilities Plan, nexus study, and proposed fee schedule. Table 1 below shows the current Fee Schedule and Table 2 shows the proposed updated Fee Schedule.

<b>Table 1</b>	
<b>Fire Protection Development Impact Fee Schedule</b>	
(Current)	
<b>Type of Development</b>	<b>2007-2008 Fees</b>
Estate Single Family Residential	\$1,079.74 First 2,700 Sq. Ft. (1)
Single Family Residential	\$1,079.74 First 2,700 Sq. Ft. (1)
Multiple Family Residential	\$909.61 per Unit
Mobile Homes	\$1,199.95 per Unit
Commercial Lodging	\$652.16 per Unit
Commercial/Office Uses	\$1.13 per Sq. Ft. (2)
Industrial Uses	\$0.14 per Sq. Ft.
Notes: (1) Plus \$0.264/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	

<b>Table 2</b>	
<b>Fire Protection Development Impact Fee Schedule</b>	
(Proposed)	
<b>Type of Development</b>	<b>Proposed Fees</b>
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	
Notes: (2) Original Commercial/Office use recommended was \$1.38 per Sq. Ft	
Source: Carpinteria-Summerland Fire Protection District Staff Report – Development Impact Fees Nexus Calculation Report and Revised Master Facilities Plan, February 17, 2008	

Table 1 shows the existing Fee Schedule. Table 2 shows the proposed Fee Schedule based on the attached study provided by the District.

**Special Instructions:**

**Attachments:**

- A: Development Impact Fee Calculation and Nexus Report for the Carpinteria-Summerland Fire Protection District, October 2008 (Includes Facilities Master Plan)
- B: Resolution of the Board of Supervisors of the County of Santa Barbara Updating the Fire Protection Mitigation Fee