

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
BOARD ACTION SUMMARY**

DEPT: Chief Executive Office

BOARD AGENDA:6.2  
AGENDA DATE: July 11, 2023

**SUBJECT:**

Public Hearing to Consider the Adoption of Fire Protection Facility Fees for the Salida Fire Protection District Pursuant to Title 24 of the Stanislaus County Code

**BOARD ACTION AS FOLLOWS:**

**RESOLUTION NO. 2023-0371**

On motion of Supervisor Withrow ----- Seconded by Supervisor B. Condit -----  
and approved by the following vote,

Ayes: Supervisors: B. Condit, Chiesa, Withrow, Grewal, and Chairman C. Condit -----

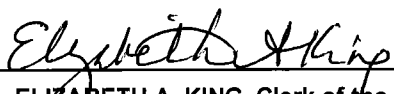
Noes: Supervisors: None -----

Excused or Absent: Supervisors: None -----

Abstaining: Supervisor: None -----

- 1)  Approved as recommended
- 2)  Denied
- 3)  Approved as amended
- 4)  Other:

**MOTION:**

  
\_\_\_\_\_  
ATTEST: ELIZABETH A. KING, Clerk of the Board of Supervisors

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Chief Executive Office

BOARD AGENDA:6.2  
AGENDA DATE: July 11, 2023

CONSENT

CEO CONCURRENCE: YES

4/5 Vote Required: No

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**SUBJECT:**

Public Hearing to Consider the Adoption of Fire Protection Facility Fees for the Salida Fire Protection District Pursuant to Title 24 of the Stanislaus County Code

**STAFF RECOMMENDATION:**

1. Conduct a public hearing to adopt Fire Protection Facility Fees for the Salida Fire Protection District Pursuant to Title 24 of the Stanislaus County Code.
2. Approve and adopt the finding set forth in the Public Development Impact Fee Study, and in this item, and as required by Section 66001 of the California Government Code.
3. Authorize imposing the Fire Protection Facility Fees, set forth in the fee study and this item, on all building permits that are issued in the Salida Fire Protection District after September 9, 2023, in the fee amount that is in effect at the time the building permit is issued.

**DISCUSSION:**

The Salida Fire Protection District (District) provides fire protection, fire prevention, emergency medical to the unincorporated communities of Salida and Del Rio as well as the rural area identified as Wood Colony. The Salida Fire Protection District is a self-governed agency led by a five-member Board of Directors, and is composed of 6 full-time employees, 1 part-time employee, and 3 volunteers.

A major funding source for the District are public facilities fees, also known as fire impact fees. Fees are collected because of new construction to provide a major funding source for the construction of fire facilities and purchases of vehicles and equipment. The existing fees were developed based on an impact fee study prepared in July 2008. Existing fees range from \$0.17 per square foot to \$0.92 per square foot based on construction type.

On March 16, 2023, the District's board adopted an updated impact fee study pursuant to Government Code section 66001. Impact fees are calculated to fund the cost of facilities that are the result of growth due to new development. The impact fee study, included as an attachment, was prepared for the District by Capitol Public Finance Group (Capitol PFG). The study supports a fee of \$0.73 per square foot of new construction. The impact fees paid will allow for the District to provide all necessary facilities, vehicles, and equipment necessary to maintain current service levels.

This fee schedule consideration is consistent with the established procedural history and Title 24 of the Stanislaus County Code. The study was presented to the County Public Facilities Fees Committee (PFF Committee) at its April 20, 2023 meeting. At the meeting the PFF Committee recommended approval of the fee study. Pursuant to Government Code and Title 24 of the Stanislaus County Code, fire impact fees require approval from the Board of Supervisors.

**POLICY ISSUE:**

Pursuant to Stanislaus County Code Section 24.05.010, the establishment of a fire protection facility fee schedule for a fire protection district is a legislative act which shall be enacted by resolution by the Board of Supervisors after a noticed public hearing.

**FISCAL IMPACT:**

There is no fiscal impact to the County. The fire district will administer the program consistent with the provisions contained in Title 24 of the Stanislaus County Code.

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended action is consistent with the Board's priorities of *Supporting a Strong and Safe Community, Delivering Efficient Public Services, and Enhancing Community Infrastructure* by adopting fire protection facilities fees program for the Salida Fire Protection District to aid in mitigating the impacts of new development.

**STAFFING IMPACT:**

Staff from the Chief Executive Office oversee the Public Facilities Fees program for Stanislaus County.

**CONTACT PERSON:**

Tina Rocha, Assistant Executive Officer 209-525-6333

Patrick Cavanah, Senior Management Consultant 209-525-6333

**ATTACHMENT(S):**

1. Salida Fire Protection District Impact Fee Study
2. Salida Fire Protection District Resolution

DEVELOPMENT IMPACT FEE STUDY  
FIRE FACILITIES



JANUARY 2023

Prepared by:



**Capitol | PFG**

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## SECTION 1: EXECUTIVE SUMMARY

The Salida Fire Protection District (the "District") provides fire protection, fire prevention, emergency medical to the unincorporated communities of Salida and Del Rio as well as the rural area identified as Wood Colony.

This study is intended to update the development impact fee imposed by the District. This report summarizes an analysis of the need for fire facilities and equipment to accommodate new development within the District's boundaries and documents a reasonable relationship between new development, the fee, and the facilities and capital equipment to be funded.

Stanislaus County has and will continue to experience growth. As a consequence, local public works are faced with the challenge of providing service to an expanding customer base with limited resources for upgrading the infrastructure necessary to accommodate such expansion. The District too faces the challenge of providing fire facilities and services to service new development within its boundaries. The impact fees collected as a result of new construction provides a funding source for the construction of fire facilities and purchase of vehicles and equipment necessary for this purpose.

This report updates the development impact fee based on the current values of all fire equipment and facilities necessary to protect current residents at current service levels. This fee is translated into a per square foot cost that is imposed on any new construction which may occur. Impact fees paid will allow for the District to provide the necessary facilities, vehicles, and equipment necessary to maintain current service levels.

This report supports the adoption of a development impact fee for fire facilities of **\$0.73** per square foot of new construction. This fee is in compliance with the Mitigation Fee Act (California Government Code Section 66000 et. seq.), and this report substantiates the findings required by the Act.

Upon the submittal of this report to the District, it is incumbent upon the District Board of Directors (the "Board"), assisted by staff, to review and evaluate the report for accuracy and agreement with the conclusions presented. Once the Board is satisfied that the legislative requirements of Government Code Section 66000 et. seq. are met and the fee adjustment recommendations are valid, the Board shall submit a recommendation regarding the fee adjustments to the Stanislaus County Board of Supervisors for enactment.

After accepting and considering public input, the County Board of Supervisors shall vote to approve the findings and a resolution to set the appropriate fees. If accepted, the fees would be imposed pursuant to the County's development "police powers" under Article XI, section 7, of the California Constitution.

## SECTION 2: THE MITIGATION FEE ACT

In 1987, the California Legislature adopted Assembly Bill 1600 which established a uniform process for formulating, adopting, imposing, collecting, accounting for, and protesting impact fees. In order to impose an impact fee, a local agency must go through a process to establish a reasonable relationship between a development project and the public improvement for which the development fee is charged.

The most important part of AB 1600 is the requirement for findings that connect any impact stemming from a development project to the type and amount of the fee imposed or what is commonly referred to as the "Nexus" requirement. Government Code Section 66001 states that after January 1, 1989, in any action "establishing, increasing, or imposing a fee as a condition of approval of a development project," the local agency shall do all of the following:

- 1) Identify the purpose of the fee.
- 2) Identify how the fee is to be used. If the use is for financing public facilities, the facilities shall be identified.
- 3) Determine how a reasonable relationship exists between the fee's use and the type of development project on which the fee is imposed.
- 4) Determine how a reasonable relationship exists between the need for the public facility and the type of development project on which the fee is imposed.
- 5) Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed.

### Purpose of the Fee

The purpose of this development impact fee is to ensure that new development within the District pays its proportionate share of the capital investments to be made by the District along with its share of future capital costs, which are necessary to provide fire protection, fire suppression and other fire safety services adequate to accommodate a growing service population. The District is prudent in requiring that new development not burden existing property owners with the cost of public facilities required to accommodate growth. The District can further this objective through the imposition of development impact fees. The purpose of the development impact fee is to implement this policy by providing a funding source from new development for capital improvements to serve that development. The fee helps to ensure that the level of service is maintained as new development offsets the increased costs of providing service as growth occurs.

## **Use of the Fee**

The development impact fee will fund new construction of fire stations, apparatus, vehicles, and capital equipment needed to serve new development. All facilities and capital equipment will be located within the boundaries of the District. As detailed in the following sections of this report, these facilities include:

- ◆ land for new fire stations
- ◆ fire station construction or expansion
- ◆ fire apparatus acquisition
- ◆ vehicle acquisition
- ◆ capital equipment acquisition
- ◆ financing costs associated with the above listed capital expenditures

This report provides the cost estimates for projected facility needs.

## **Benefit Relationship**

The District will restrict fee revenues to the acquisition of land, construction/reconstruction/expansion of buildings, and purchase of apparatus, vehicles and capital equipment, and related financing costs to serve new development. Fire facilities and capital equipment funded by the fee will further the District-wide network of services accessible to the additional residences and businesses associated with new development. Thus, there is a reasonable relationship between the use of fee revenues and the residential and non-residential types of new development that will pay the fee.

## **Burden Relationship**

The purpose of assessing an impact fee is to provide the capital resources necessary to sustain a constant level of service for fire protection, emergency medical response, rescue and extrication, containment and mitigation of hazardous materials exposure, and other life safety services that is required of a growing service population. Based on the District's historical experience in responding to calls for service among the varying types of development in its boundaries, it is appropriate to assess the on fee on a uniform basis in order to share the costs on a pro rata basis among existing and new development. Thus, there is a reasonable relationship between the use of the fee and the type of development served by the capital resources funded by the fee.

## **Proportionality**

The reasonable proportionality relationship can be established by identifying the facility costs attributable to future development, then establishing fee rates that allocate those costs in proportion to the demands created by each type of development project. The fee apportions costs between the existing population and new development in a manner proportional to their contribution of the need for that facility. Further, fees are imposed based on building size as measured by habitable and enclosed square feet of each building. Thus, larger buildings that

have a greater demand for fire service and related capital facilities and equipment pay a proportionately higher fee than smaller buildings.

### **Other Requirements of AB 1600**

In addition to the Nexus requirements, AB 1600 also outlines the accounting for future revenue received through imposition of impact fees on new construction projects. AB 1600 requires that upon receipt of a fee, the local agency deposit into a separate capital facilities account or fund, in a manner to avoid any commingling of the fees with other revenues and funds of the agency, and expend the fees solely for the purpose for which the fee was collected. Interest gained on the capital facilities accounts or funds shall be separated, accounted for, and expended in the same manner.

The agency Board shall make findings once each fiscal year with respect to any portion of the fee remaining unexpended or uncommitted in its account five or more years after the deposit of the fee. The finding shall identify the purpose to which the fee is to be put and to demonstrate a reasonable relationship between the fee and the purpose for which it was charged.

The agency shall refund to the current record owner(s) of the project, on a prorated basis, the unexpended or uncommitted portion of the fee, with interest, for which the required findings cannot be made. Upon certain circumstances, with appropriately noticed hearings, the legislation allows alternative actions.

The agency shall annually adopt and update, by resolution at a publicly noticed hearing, any capital improvement plan defined in this legislation.

### SECTION 3: METHODOLOGY FOR IMPACT FEE STUDY

Development impact fees are calculated to fund the capital needs that are a direct result of growth due to new development. In order to fund the improvements needed due to growth occurring within the District, it is necessary to determine what the appropriate fee should be. There are four basic steps followed in the calculation of any development impact fee, these include:

1. Prepare growth projections;
2. Identify facility standards;
3. Determine the amount and cost of facilities required to accommodate new development based on facility standards and growth projections;
4. Calculate the public facilities fee by allocating the total cost of facilities per unit of development (on a square foot basis).

#### **Facility Standards Methodology**

One important issue in development impact fee studies is the identification of facility standards. Facility standards determine new development's total need for new facilities and each development unit's fair share of those needs. Standards also ensure that new development does not fund deficiencies associated with existing development.

The District will determine the size and location of fire stations, vehicles, and equipment necessary to ensure they will be sufficient to accommodate the personnel needed to serve the amount of new development anticipated. This study uses the District's existing inventory of facilities, vehicles, and equipment combined with planned facilities needed to accommodate future development as the District's facilities standard. The District's existing inventory of facilities, vehicles, and equipment serves the entire District and will serve future development. Further, additional facilities, vehicles, and equipment will be needed to serve the anticipated future service population because of new development.

The District currently provides fire and emergency response services to a large response area. Given the District's size and protection facilities, vehicles, and equipment available at any one time, it is understandable that new construction will only exacerbate the protection challenges of the District. Given such facts, the District has determined that current service levels will be used as a benchmark and that new construction will not adversely affect these service levels.

To mitigate new construction's impact on the District's service capabilities, new development must be required to pay development impact fees. Assuming that the current levels of service being provided to the District's residents are to be considered the standard, any additional construction within the District's boundaries which requires fire or emergency response services, will pay an impact fee that is proportionate to such service. Given the existing demands placed on the District, existing stations, vehicles, and equipment should not be

utilized to accommodate new construction at the expense of existing service levels. To offset the impact, the development impact fees will be used to construct or purchase new facilities, vehicles, and equipment necessary to accommodate such growth.

The District's inventory of existing and planned fire facilities was used as part of the basis for calculating the District's facility standard. This standard is used to determine new development's fair share obligation for expanded facilities as growth occurs. The District's existing fire protection facilities described in this Report currently serve the entire District. The facility standard utilized in this study will specifically benefit any new development that will occur within the District as it will fund the expansion of facilities at the same standard currently serving existing development.

The District has the flexibility to alter the list of necessary facilities shown in this report as conditions change. If the overall cost of facilities necessary to mitigate the anticipated residential and commercial growth is altered significantly then the District should update this fee program to incorporate those changes.

## SECTION 4: PREVIOUS STUDIES/CURRENT FEES

The Salida Fire Protection District’s previous development impact fee study was prepared in July 2008. Based upon the analysis performed by MuniFinancial, the development impact fees for fire facilities, shown in **Table 1** below, were recommended.

TABLE 1

Current Impact Fees	
Construction Type	Impact Fee per Square Foot
Residential	\$0.49
Commercial	\$0.68
Office	\$0.92
Industrial	\$0.34
Unoccupied Agricultural	\$0.17

Source: Salida Fire Protection District

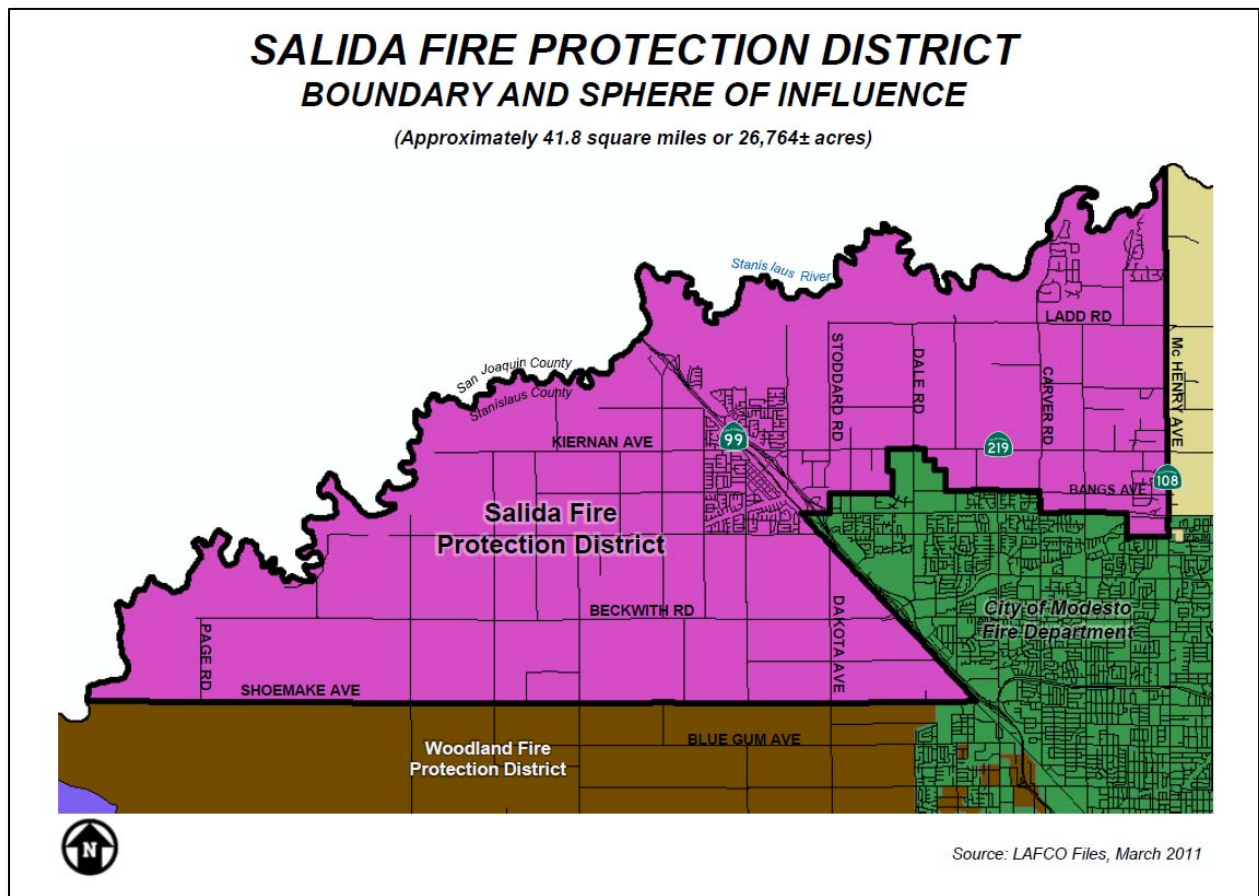
Capitol Public Finance Group, LLC was contracted by the Salida Fire Protection District to provide this updated Development Impact Fee Study. This study is intended to establish the legal and policy basis for the calculation and imposition of impact fees on all new development within the District. The study will analyze the impact of recent and future construction on the needs of District, evaluate the existing mitigation program that was adopted in July 2008, and consider the changes that have occurred in the development community since the study was completed.

Ultimately, this study will demonstrate the need for an adjustment to the development impact fee due to the increasing amount of development within the District’s boundaries and the rapidly increasing cost of building public facilities.

## SECTION 5: DISTRICT DEMOGRAPHIC DATA

The District serves the unincorporated communities of Salida and Del Rio as well as the rural area identified as Wood Colony. As shown in **Figure 1**, the District is located south of the Stanislaus River, west of McHenry Avenue, and north of Shoemake Avenue; it is adjacent to the northwesterly portion of the City of Modesto.

FIGURE 1



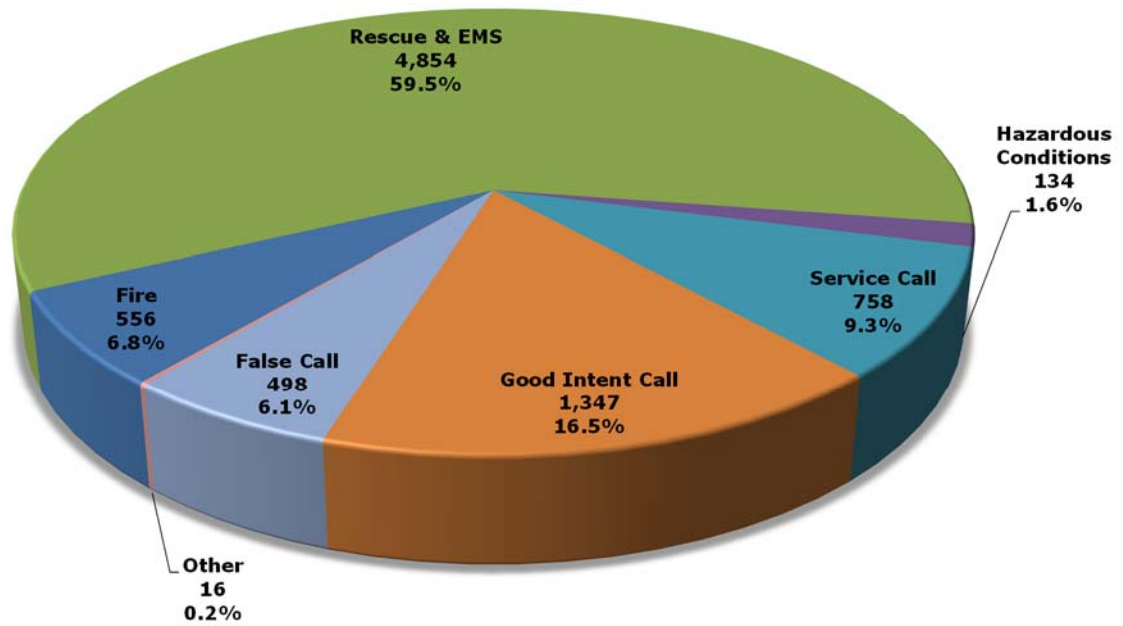
The District was established in 1942, and is responsible for the protection of a variety of geographical areas, ranging from residential neighborhoods, commercial and industrial buildings, rural areas, State Routes 99, 209 and 108 as well as the Stanislaus River. The District covers 43 square miles and serves a population of approximately 21,000 people residing in almost 7,000 housing units.

### Other District Information

The District provides a full range of services, including fire prevention, fire suppression, and emergency medical response in addition to a variety of other miscellaneous requests. The District is a Special District, a self-governed agency led by a five-member Board of Directors, and is composed of 6 full time employees, 1 part time employee, and 3 volunteers.

The District responded to 8,170 service calls from 2017 through 2021. Rescue and EMS calls amounted to 59.5% of the service calls, as shown in Chart 1. On average the District had approximately 1,634 service calls per year over the past five years.

CHART 1  
**Over the Past 5 Years the District Received 8,170 Service Calls**



Source: Salida Fire Protection District

## SECTION 6: EXISTING ASSETS

### Facilities

The District currently operates out of three fire stations, two are located in Salida and one is located in Modesto. An inventory of the District’s stations and the year they were constructed is shown in **Table 2** below. The insured value includes an estimated land value of \$300,000 per acre.

TABLE 2

<b>Salida Fire Protection District Fire Station Inventory</b>			
<b>Building</b>	<b>Address</b>	<b>Year Built</b>	<b>Insured Value</b>
Fire Station #1	4820 Salida Boulevard, Salida	1966	\$3,034,036
Fire Station #2	1330 Ladd Road, Modesto	1978	\$2,014,738
Fire Station #3	5551 Ciccarelli Road, Salida	2005	\$3,007,631
<b>Total</b>			<b>\$8,056,405</b>

*Source: Salida Fire Protection District*

### Vehicles and Capital Equipment

The District’s current vehicle and apparatus inventory is shown below in **Table 3**. The value of the District’s current capital equipment is not available; however, it was determined that the estimated value of its capital equipment would be equal to 15% of the District’s total value of its existing stations (\$8,056,405) and vehicles (\$1,300,000). Therefore, the District’s current capital equipment is valued at \$1,403,461.

TABLE 3

<b>Salida Fire Protection District Apparatus and Vehicle Inventory</b>		
<b>Apparatus Type</b>	<b>Year</b>	<b>Estimated Replacement Value</b>
International Water Tender	1996	\$250,000
GMC Sierra Pickup	2003	\$50,000
Pierce International Contender Pumper Type 3	2011	\$450,000
Rosenbauer Pumper Type 1 Engine	2019	\$550,000
<b>Total</b>		<b>\$1,300,000</b>

*Source: Salida Fire Protection District*

## SECTION 7: ANTICIPATED GROWTH

### Residential Development

Stanislaus County and the District have and continue to experience growth given the relative affordability of land and homes and proximity to major urban centers. Over the last five years, the District has seen the addition of 7 residential units per year, as shown in **Table 4** below. It is expected that this rate of growth will continue over the next five years for a total of approximately 35 new residential units.

TABLE 4

5 Year Historical New Residential Development	
Year	# of Residential Units
2018	7
2019	7
2020	-
2021	8
2022	7
<b>Average</b>	<b>7</b>

*Source: Salida Fire Protection District*

To estimate the square footage of new residential development, the average square footage of current residential units within the District was determined using ParcelQuest and then applied to the estimated number of units expected to be built over the next 5 years.

TABLE 5

Estimated Residential Development Square Footage		
Total Estimated # of Units	Average Current Residential Square Footage	Estimated Square Footage
35	1,886	66,010

### Commercial/Industrial Development

As residential construction continues within the boundaries of the District, an inherent demand for commercial facilities is created. Using the District’s developer fee collections over the last five years the District has added an average of 85,665 square feet of commercial/industrial building space per year, shown in **Table 6** below. It is expected that this rate of growth will continue over the next five years for a total of approximately 428,325 square feet of new commercial/industrial building space.

TABLE 6

5 Year Historical New Commercial/Industrial Development	
Year	Commercial/Industrial Square Footage
2018	46,060
2019	90,825
2020	27,544
2021	108,118
2022	155,780
<b>Average</b>	<b>85,665</b>

Source: Salida Fire Protection District

As the demand for fire suppression and emergency response increases due to new construction, the capabilities and overall quality of protection services and personnel provided degrades proportionally. The only plausible mitigation from the District's perspective is the addition of facilities, equipment, and personnel to provide existing service levels to any new construction which may occur. This is accomplished through the modernization and upgrade of existing facilities, or the construction of entirely new facilities. This will serve to support timely response and maintain adequate supplies of apparatus and equipment so that the District may maintain its current service levels while accommodating any new growth.

As residential construction continues, an inherent demand for commercial facilities may also be created. As these developments may significantly affect the District's service requirements, the District must consider these properties when planning and assessing its ability to maintain high levels of service to existing residents and as well these new properties that will be added to its service population.

## SECTION 8: NECESSARY FACILITIES

### Existing Capital Resources

As previously detailed in Section 6 and summarized in *Table 7* below, the District has invested approximately \$10.7 million into its capital assets.

TABLE 7

Capital Asset Summary	
Type of Asset	Total Insured Value
Fire Stations	\$8,056,405
Apparatus and Vehicles	\$1,300,000
Equipment	\$1,403,461
<b>Total</b>	<b>\$10,759,866</b>

### Future Apparatus, Vehicle & Capital Equipment Costs

The District has a policy that new development will not adversely impact the existing service levels and subsequently response capabilities. As the District's existing fleet ages, new apparatus and equipment will need to be purchased to both meet the demands of the existing service population and offset the increased demand and meet District standards. The District has projected that it will require acquisition of the apparatus, vehicles, and equipment shown in *Table 8*. It is anticipated that financing will be necessary for the District because fire impact fees are paid as units are constructed but new apparatus will be needed prior to development build-out. As such, it is assumed that 50% of the apparatus acquisition will need to be financed.

TABLE 8

Apparatus, Vehicle and Equipment Needs	
Type	Estimated Cost
<b>Apparatus and Vehicles</b>	
Water Tender	\$250,000
Type 1 Engine	\$550,000
Type 3 Engine	\$450,000
Pickup Truck	\$50,000
Financing Costs (Up-Front and Interest)	\$600,000
<b>Total Apparatus and Vehicle Estimated Costs</b>	<b>\$1,900,000</b>
Equipment (15% Total Apparatus and Vehicle Estimated Costs)	\$195,000
<b>Total Apparatus, Vehicle and Equipment Needs Estimated Costs</b>	<b>\$2,095,000</b>

**Available Revenue Sources**

The District intends to commit all available developer fee funds to the projects. As of January 2023, the District had approximately \$524,941 in developer fees available to commit to facilities projects.

**Total Estimated Costs**

Adding together the current capital assets with the cost of improvements to the existing stations and new apparatus results in the total estimated capital impact from new development in the District, as shown in **Table 9**.

TABLE 9

Combined Total Capital Assets and Future Costs	
Type of Asset	Total Estimated Value/Costs
Current Capital Assets	\$10,759,866
Future Improvement Costs	\$2,095,000
<b>Total Estimated Capital Impact</b>	<b>\$12,854,866</b>
Less Development Fee Balance	\$524,941
<b>Net Total Estimated Capital Impact</b>	<b>\$12,329,925</b>

Source: Salida Fire Protection District

The District is currently utilizing all available Mitigation and General Fund revenues to fund existing expenditures and will not have sufficient funds to offset the cost of future capital needs.

## SECTION 9: DEVELOPMENT IMPACT FEE CALCULATION

To properly express the impact of new construction on the service quality and capabilities of the District, the District’s impact fee will be justified by taking the total value of assets of the District and dividing the value across all assessable square footage within the District boundaries. Then, the average size of units within the District will be applied to the per unit value to determine a per square foot value.

### Impact Fee Calculation

To calculate the amount of the development impact fee necessary on a per square foot basis, for all properties within the District’s boundaries, we will identify the cost to provide facilities and equipment to new construction at existing levels. To accomplish this goal, we must first identify the total number of structures within the District. Although the District covers a wide ranging service area, including open land and large forest areas, the impact fee calculated will include solely on structures with assessable square footage.

As described in Section 7, the estimated square footage of new construction within the District is 494,337. Using ParcelQuest it was determined that there is currently 16,746,747 total square footage of building space within the District. As shown in **Table 10**, over the next 5 years the District expects to have approximately 17.2 million square feet of building space within its boundaries.

TABLE 10

Estimated Current and Futrue Development by Square Footage	
	Square Footage
Current Structures	16,746,747
Anticipated New Construction	494,337
<b>Total Square Footage</b>	<b>17,241,084</b>

To calculate the amount of the development impact fee necessary, on a per square foot basis, we first identify the unfunded facilities cost of \$12,329,925, as stated in Section 8. We then determine the total square footage of residential, commercial, and industrial construction within the District, which is 17,241,084 square feet. Finally, we divide the total facilities cost (\$12,329,925) by the total square footage of building space within the District (17,241,084 square feet).

TABLE 11

Impact Fee Calculation	
Total Estimated Costs	\$12,329,925
Future Service Square Footage	17,241,084
<b>Cost per Square Foot</b>	<b>\$0.72</b>

Therefore, as shown in *Table 11*, the District can justify a development impact fee for fire facilities of **\$0.72** per square foot of new construction.

**Imposing the Fee on Different Types of Property Types**

The District serves non-residential parcels with the same capital equipment as residential parcels, based on the relative size of the development, with a more equipment intense response for larger buildings. For all calls that the District responds to, the Type 1 engine is the first to respond, with the exception of wildfire/vegetation calls, when the Type 3 engine is first. The type of property does not impact the apparatus or equipment that is used for response. As such, the same fee is applied to all new construction, regardless of the use of the property. Imposing the impact fee on a per square foot basis provides for proportionate funding based on the size of the building and the resulting fire response.

As stated above, the District can justify a development impact fee for fire facilities of \$0.72 per square foot of new construction. In addition to the cost of fire facilities and equipment necessary to serve new development, there is an administrative cost to the District to justify, impose and collect development impact fees. The administrative cost is estimated to be 2% of the fee. As such, approximately \$0.01 is added to the fee to cover the cost of administering the fee program bringing the total fee up to **\$0.73** per square foot of new construction.

## SECTION 10: ASSESSING THE FEE

The fee is a uniform fee that will be applicable to new construction, including residential, commercial, office, and industrial building space as well as to additions to existing buildings which requires the issuance of a permit or approval from the County of Stanislaus.

Future large or specialized commercial/industrial development may require special considerations and should be judged on a project-by-project basis. Commercial and industrial development should be reevaluated during the routine review of impact fees for fire and hazmat response data to support the different fee structure. An in lieu mitigation agreement may be needed in order to adequately collect mitigation fees from commercial and/or industrial development with unique considerations.

Residential categories other than single-family dwellings, are differentiated by their size as the fee is assessed on a per square foot basis. These fees are recommended to include the square footage of all classes of covered structures constructed within the District. A covered structure is defined as a roof assembly, as the same is described within the Uniform Building Code, or as defined by the Stanislaus County Fire Development fee ordinance.

## SECTION 11: IMPLEMENTATION

If the District Board concurs with and chooses to increase the fee as provided for in this study, the following process should be followed for fee implementation.

### **Fire District Board Approval**

The District Board should adopt a resolution and make a recommendation to the County Board of Supervisors to adopt this fee pursuant to the County's "police powers" under Article XI, section 7 of the California Constitution.

### **County Board of Supervisors Approval**

The County Board of Supervisors should adopt the proposed fee schedule in compliance with California Government Code section 66016 through 66018. The County should:

- ◆ 30 days before the County approves the fee, the County must post a notice of public hearing on their website and where notices are physically posted;
- ◆ Send a notice of a public hearing at least 14 days prior to the hearing to any party that has submitted a written request for such a notice. Have this report and all supporting documentation available for review by the public at least 10 days prior to the hearing. Publish notice of the public hearing in a newspaper of general circulation at least 10 days prior to the scheduled hearing, with a second notice published at least 5 days after the first hearing notice. The notice should include the time and place of the meeting as well as a general explanation of the matter to be considered;
- ◆ Hold the public hearing to consider adoption of the development impact fee;
- ◆ Adopt an implementing ordinance to establish the County and Fire District's authority to impose the proposed fee and automatically adjust the fee annually for inflation, and adopt a resolution or ordinance to set the fee;
- ◆ Begin collecting the fee no sooner than 60 days following adoption of the ordinance and resolution.

### **Fee Accounting**

The District should deposit all fee revenues into a restricted public facility fee account. Interest earned on fund balances should be credited to the fund.

### **Use of the Fee**

The District should only use fee revenues for capital expenditures that expand the District ability to deliver fire services to accommodate new development. Use of the fee in this manner

documents a reasonable relationship between new development and the use of fee revenue. The Fire District may alter the scope of the capital expenditures or substitute new capital projects as long as the project continues to represent an expansion of the District's capabilities. If the total cost of all capital expenditures varies from the total cost used as a basis for the fee, the District should revise the fee accordingly.

### **Inflation Adjustment**

The Fire District should adjust the fee annually for inflation in the cost of the capital expenditures to be funded by the fee. A construction cost index should be based on a reputable and easily identifiable source such as the *Engineering News Record*. Any inflationary adjustment must first be authorized in the enacting resolution or ordinance approved by the County.

### **Reporting Requirements**

The District should comply with the annual and five-year reporting requirements of Government Code section 66000 et. seq. Annually, the District must identify the fee revenues received and for what purposes they were expended.

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
SALIDA FIRE PROTECTION DISTRICT RECOMMENDING TO THE STANISLAUS  
COUNTY BOARD OF SUPERVISORS THE ADOPTION OF THE DEVELOPMENT  
IMPACT FEE STUDY AND INCREASING THE DEVELOPMENT IMPACT FEE FOR ALL  
DEVELOPMENT WITHIN THE BOUNDARIES OF THE SALIDA FIRE PROTECTCTION  
DISTRICT**

**WHEREAS,** RESOLVED, by the Board of Directors of the Salida Fire Protection District (the "District") as follows:

**WHEREAS,** pursuant to Government Code section 66001 the District, through the County of Stanislaus, may levy a fee on all new residential, commercial, and industrial development within the District boundaries, to fund the capital equipment and facilities construction needs of the District;

**WHEREAS,** the County of Stanislaus holds the police power to enact an increase in the development impact fees on behalf of the District;

**WHEREAS,** the District has a plan which states an overall vision for the construction and equipping of stations in order to meet the demands of the citizens within the District;

**WHEREAS,** the District has performed a study to assess the impact on the District's facilities from residential, commercial, and industrial development and established a nexus between such development and the need for funding to construct facilities;

**WHEREAS,** the impact fees collected shall be used to finance the public facilities described or identified in the *Salida Fire Protection District Development Impact Fee Study* or other public facility master plans as may from time to time be adopted by the Governing Board of the District;

**WHEREAS,** after considering the specific project descriptions and cost estimates identified in the *Salida Fire Protection District Development Impact Fee Study*, the Governing Board approves such project descriptions and cost estimates and finds them reasonable as the basis for calculating and imposing certain impact fees.

**NOW, THEREFORE, it is hereby ORDERED and DETERMINED, as follows:**

*Section 1. The Salida Fire Protection District Development Impact Fee Study is hereby*

adopted by the District.

Section 2. The Board of the District recommends to the Board of Supervisors of the County of Stanislaus the adoption and implementation of an increase in the Fire Mitigation Fee on behalf of the District as set forth in the *Salida Fire Protection District Development Impact Fee Study* under the police powers granted to the County in order to support public services.

Section 3. The fee shall be solely used (1) for the purposes described in the *Salida Fire Protection District Development Impact Fee Study*, or (2) for reimbursing the District for the development's fair share of those capital improvements already constructed by the District.

Section 4. Annually, as part of the budget process, the Fire Chief shall review the estimated cost of the described capital improvements, the continued need for those improvements and the reasonable relationship between such need and the impacts of the various types of development pending or anticipated and for which the fee is charged.

Section 5. The development impact fees, including any increases for inflation as authorized by the State, shall be collected prior to the issuance of a building permit on each eligible unit, based on the habitable and enclosed square footage of the building.

APPROVED AND ADOPTED on this 16<sup>th</sup> day of March 2023.

On motion of Director Biggins, Seconded by Director Dignan.

And approved by the following vote:

Ayes:	<u>4</u>	Directors:	<u>Stone, Bert, Biggins &amp; Dignan</u>
Nays:	<u>0</u>	Directors:	
Excused or Absent:	<u>1</u>	Directors:	<u>Goff</u>
Abstaining:	<u>0</u>	Directors:	

CHAIRMAN: Mark Stone  
Mark Stone, Board President

ATTEST: Danielle Denczek  
Danielle Denczek, Clerk of the Board

APPROVED AS TO FORM BY:

William D. Ross  
William Ross, Esquire  
District Counsel



**Capitol | PFG**

**Stanislaus County  
Board of Supervisors Meeting:  
Development Impact Fees for Salida  
Fire Protection District**

July 11, 2023



# Background

# Impact of New Development on Fire Districts

- ▶ New development results in both operational and capital costs to the Fire District.
  - ▶ Increase in calls for service results in need for additional staffing, new apparatus, and new capital equipment.
    - ▶ Depending on the location of the new development, additional fire stations may be needed.
      - ▶ Driven by response time and location of existing stations as compared to the development.
- ▶ Additional operational costs are funded by additional property tax revenues generated from the development.
- ▶ Additional capital costs are funded by development impact fees or other development mitigation measures.

# Ability to Impose Impact Fees

- ▶ Independent special districts, such as fire districts, do not have the legal authority to impose impact fees.
  - ▶ The local land use agency (i.e., county or city) serving the same territory can impose fees on behalf of special districts using their “police powers” (Article XI, Section 7 of the CA Constitution).
- ▶ The Salida FPD Board has considered a fee study and formally adopted the study.
  - ▶ Adopted a resolution requesting the Board of Supervisors impose the fees on their behalf.

# Impact Fee Study

# Current Impact Fees Adopted in 2008

<b>Current Impact Fees</b>	
<b>Construction Type</b>	<b>Impact Fee per Square Foot</b>
Residential	\$0.49
Commercial	\$0.68
Office	\$0.92
Industrial	\$0.34
Unoccupied Agricultural	\$0.17

# Calculating the Impact Fee

- ▶ New development will benefit from the District's existing capital resources.
  - ▶ But additional capital resources will also be required in order to serve new development at the existing level of service without causing a burden to existing residents.
- ▶ *The cost of the existing capital investment plus the required future capital needs can be spread over the amount of new and existing development to determine the impact fee per square foot of new development.*

# Value of Existing Capital Assets

<b>Capital Asset Summary</b>	
<b>Type of Asset</b>	<b>Total Insured Value</b>
Fire Stations	\$8,056,405
Apparatus and Vehicles	\$1,300,000
Equipment	\$1,403,461
<b>Total</b>	<b>\$10,759,866</b>

- ▶ Based on insured values as of 2022.

# Estimated Costs of Needed Apparatus, Vehicle and Equipment

<b>Apparatus, Vehicle and Equipment Needs</b>	
<b>Type</b>	<b>Estimated Cost</b>
<b>Apparatus and Vehicles</b>	
Water Tender	\$250,000
Type 1 Engine	\$550,000
Type 3 Engine	\$450,000
Pickup Truck	\$50,000
Financing Costs (Up-Front and Interest)	\$600,000
<b>Total Apparatus and Vehicle Estimated Costs</b>	<b>\$1,900,000</b>
Equipment (15% Total Apparatus and Vehicle Estimated Costs)	\$195,000
<b>Total Apparatus, Vehicle and Equipment Needs Estimated Costs</b>	<b>\$2,095,000</b>

# Combined Existing and Planned Future Square Footage of Development in the District

<b>Estimated Current and Future Development by Square Footage</b>	
	<b>Square Footage</b>
Current Structures	16,746,747
Anticipated New Construction	494,337
<b>Total Square Footage</b>	<b>17,241,084</b>

# Calculation of the Impact Fee Per Square Foot of New Development

<b>Impact Fee Calculation</b>	
<b>Type of Asset</b>	<b>Total Estimated Value/Costs</b>
Current Capital Assets	\$10,759,866
Future Improvement Costs	\$2,095,000
<b>Total Estimated Capital Impact</b>	<b>\$12,854,866</b>
Less Development Fee Balance	\$524,941
<b>Net Total Estimated Capital Impact</b>	<b>\$12,329,925</b>
Future Service Square Footage	17,241,084
Cost per Square Foot	\$0.72
Administrative Fee	\$0.01
<b>Total Impact Fee</b>	<b>\$0.73</b>

# Staff Recommendations

1. Conduct a public hearing to adopt Fire Protection Facility Fees for the Salida Fire Protection District Pursuant to Title 24 of the Stanislaus County Code.
2. Approve and adopt the finding set forth in the Public Development Impact Fee Study, and in this item, and as required by Section 66001 of the California Government Code.
3. Authorize imposing the Fire Protection Facility Fees, set forth in the fee study and this item, on all building permits that are issued in the Salida Fire Protection District after September 9, 2023, in the fee amount that is in effect at the time the building permit is issued.

Questions?