

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

DEPT: Chief Executive Office

BOARD AGENDA: 5.B.13
AGENDA DATE: October 29, 2024

SUBJECT:

Approval to Set a Public Hearing on December 3, 2024, at the 9:00 A.M. Meeting to Consider the Adoption of Fire Protection Development Fees for the Stanislaus Consolidated Fire Protection District Pursuant to Title 24 of the Stanislaus County Code

BOARD ACTION AS FOLLOWS:

RESOLUTION NO. 2024-0620

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

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

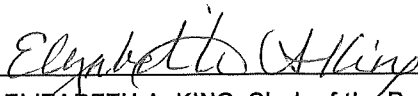
Noes: Supervisors: None

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:5.B.13
AGENDA DATE: October 29, 2024

CONSENT:

CEO CONCURRENCE: YES

4/5 Vote Required: No

SUBJECT:

Approval to Set a Public Hearing on December 3, 2024, at the 9:00 A.M. Meeting to Consider the Adoption of Fire Protection Development Fees for the Stanislaus Consolidated Fire Protection District Pursuant to Title 24 of the Stanislaus County Code

STAFF RECOMMENDATION:

1. Set a public hearing on December 3, 2024, at the 9:00 A.M. meeting to consider the adoption of Fire Protection Development Fees for the Stanislaus Consolidated Fire Protection District Pursuant to Title 24 of the Stanislaus County Code.
2. Authorize the Clerk of the Board to publish the notice as required by law.

DISCUSSION:

The Stanislaus Consolidated Fire Protection District (District) provides fire protection, fire prevention, emergency medical, hazardous materials, technical rescue and disaster response to the cities of Riverbank and Waterford, as well as the communities of Empire, Hickman, La Grange, the Airport Neighborhood and the Beard Industrial Tract in eastern Stanislaus County.

The District faces the challenge of providing fire facilities and services to new developments within its boundaries. The impact fees collected from new construction provide a funding source for the expansion, refurbishment, and/or addition of fire facilities (land, buildings, other structures, apparatus and vehicles, equipment, and related financing costs).

On October 17, 2024, the District's Board of Directors adopted an updated impact fee study pursuant to Government Code Section 66001 (Attachment 1). This study calculates 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. The report supports the adoption of a development impact fee for fire facilities of \$0.81 per square foot of new construction. The impact fee study, included as Attachment 1, was prepared for the District by Capitol PFG.

The impact fee apportions costs between the existing population and new development in a manner proportional to their contribution of the need for that asset. Further, impact fees are imposed 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.

This fee schedule consideration is consistent with the established procedural history and Title 24 of the Stanislaus County Code. Consistent with past practice, the study was presented to the Stanislaus County Public Facilities Fees Committee (PFF Committee) at its September 19, 2024, meeting for review to ensure it meets the baseline standards of the law. At its meeting the PFF Committee accepted the fee study as presented.

POLICY ISSUE:

Pursuant to Government Code and Title 24 of the Stanislaus County Code, fire impact fees require approval from the Board of Supervisors. Stanislaus County Code 24.050.010 provides 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 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 a fire protection facilities fees program for the 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:

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ATTACHMENT(S):

1. Impact Fee Report
2. Resolution
3. Notice of Public Hearing



DEVELOPMENT IMPACT FEE STUDY FIRE FACILITIES

SEPTEMBER 2024



Capitol | PFG

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SECTION 1: EXECUTIVE SUMMARY

The Stanislaus Consolidated Fire Protection District (“District”) provides fire protection, fire prevention, emergency medical, hazardous materials, technical rescue and disaster response to the cities of Riverbank, Waterford and the communities of Empire, Hickman, La Grange, the Airport Neighborhood and the Beard Industrial Tract in eastern Stanislaus County.

This Development Impact Fee Study (“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 improving the infrastructure necessary to accommodate such expansion. The District also faces the challenge of providing fire facilities and services to 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 Study calculates 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 Study supports the adoption of a development impact fee for fire facilities of **\$0.81** per square foot of new construction. The methods used to calculate impact fees in this report are intended to satisfy all legal requirements governing such fees, including provisions of the California Constitution and the Mitigation Fee Act (California Government Code Section 66000 et. seq.).

Upon the submittal of this Study to the District, the Board of Directors of the District (“Board”), along with District Staff will review and evaluate the report for accuracy. The Board of Directors will also evaluate the recommended actions and provide policy direction. Once the Board is satisfied that the legislative requirements of Government Code section 66000 et. seq. have been met and the fee recommendations are valid, the Board shall submit a recommendation regarding the fee adjustments to the various land use agencies (County of Stanislaus, City of Riverbank and City of Waterford) for implementation.

After accepting and considering public input, the County and each City shall vote to approve findings and a resolution to set the appropriate fees. If accepted, the fees would be imposed pursuant to the Board of Supervisor’s or the Councils’ “police powers” under Article XI, section 7, of the California Constitution.

SECTION 2: THE MITIGATION FEE ACT

This brief summary of the legal framework for development fees is intended as a general overview. It was not prepared by legal counsel and should not be treated as legal advice.

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 Fee will be used to fund expansion, refurbishment and/or addition of Fire Facilities (land, buildings, other structures, apparatus and vehicles, equipment and related financing costs) to mitigate the impact of new development on the need for such facilities within the District, as well as to fund the administration of the Fee Program (Fee collection, accounting, reporting, nexus studies, and other expenses related to compliance with the Act requirements). The Fee revenue will not be used to fund operations, maintenance, or existing facility deficiencies that do not expand the District's system capacity.

Benefit Relationship

The District will restrict fee revenues as described above under Use of the Fee. Fire Facilities funded by the fee will further the existing 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 maintain the existing 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 assets 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 asset. 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.

Accounting, Reporting and 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 the fee 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 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 additional Fire Facilities that are a direct result of growth due to new development. In order to fund Fire Facilities 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 Facilities 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 Fire Facilities combined with planned Fire Facilities needed to accommodate future development as the District's facilities standard. The District's existing inventory of Fire Facilities serve the entire District and will serve future development. Further, additional Fire Facilities 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 Fire Facilities should not be utilized to accommodate new construction at the expense of existing service levels. To offset the impact of new

development, the development impact fees will be used in accordance with the Use of the Fee as described above.

The District's inventory of existing and planned Fire Facilities is 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 Fire Facilities as growth occurs. The District's existing Fire Facilities described in this Report currently serve the entire District. The facility standard utilized in the Study will specifically benefit any new development that will occur within the District as it will fund the expansion of Fire Facilities at the same standard currently serving existing development.

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

SECTION 4: PREVIOUS STUDIES/CURRENT FEES

The Stanislaus Consolidated Fire Protection District’s previous development impact fee study was prepared in November 2007. Based upon the analysis performed by Capitol Public Finance Group, the development impact fees for fire facilities, shown in **Table 1** below, were approved by the District.

TABLE 1

2007 Justified Fees			
Building Category	Zone 1 (City of Riverbank) Fee Per Square Foot	Zone 2 (City of Waterford) Fee Per Square Foot	Zone 3 (Unincorporated Areas) Fee Per Square Foot
Residential, Commercial and Industrial	\$1.50	\$1.50	\$0.18
Fully Fire Sprinklered	\$1.13	\$1.13	\$0.14
Surcharge for Space Over 30 Feet High	\$0.75	\$0.75	\$0.09
Unoccupied or Non-Electrical Structure	\$0.75	\$0.75	\$0.09

Source: Stanislaus Consolidated Fire Protection District

Following District approval, the District implemented a revised fee structure. Current fees under the revised fee structure are shown in **Table 2**.

TABLE 2

Current Fees	
Building Category	Fee Per Square Foot
Riverbank CEQA	\$0.32
Riverbank CEQA Sprinklered	\$0.24
Waterford CEQA	\$0.49
Waterford CEQA Sprinklered	\$0.37
Waterford CEQA Non-Electrical	\$0.26

Source: Stanislaus Consolidated Fire Protection District

Capitol Public Finance Group was requested by the Stanislaus Consolidated Fire Protection District to provide a single fee Study. The 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. Ultimately, this Study will justify a development impact fee to mitigate the increasing amount of development within the District’s boundaries and the rapidly increasing cost of Fire Facilities.

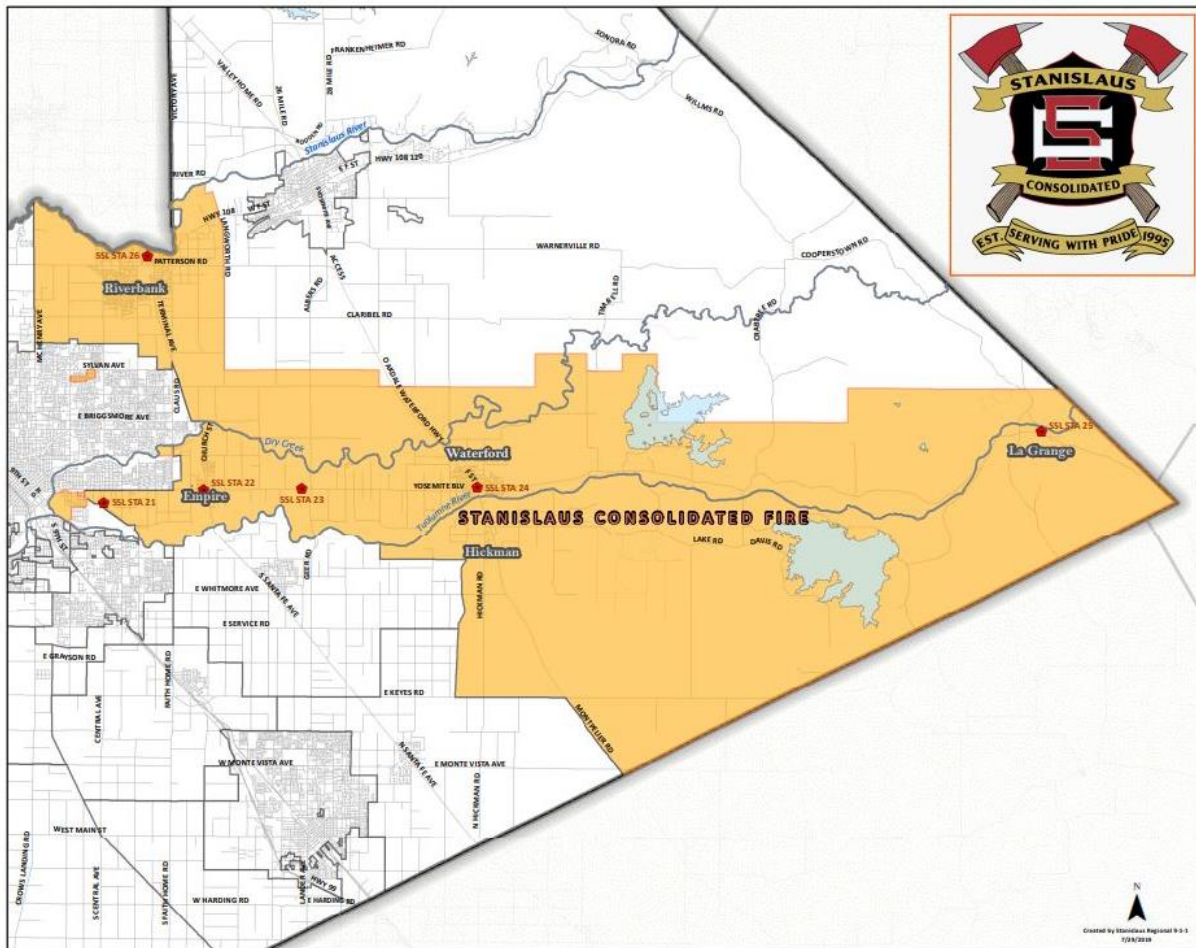
SECTION 5: DISTRICT DEMOGRAPHIC DATA

The District is located in the central to eastern portion of Stanislaus County. The District's boundaries stretch from the eastern edge of McHenry Avenue east to the county lines of Tuolumne, Mariposa and Merced. The District also touches the southern edge of San Joaquin County. Within the District's boundaries are two cities – Riverbank and Waterford – along with several unincorporated communities, including Empire, Hickman, and La Grange. The District also provides service to the Airport Neighborhood, Beard Industrial Tract, the Turlock and Modesto Reservoirs and portions of the Stanislaus and Tuolumne Rivers.

The terrain within the District is mostly flat land and lower rolling hills. There are very large agricultural and wildland areas, the latter prone to wildfires. Suburban areas within the District contain modest to large single-family homes, multi-family residential complexes, a rail system, convalescent/assisted living facilities, and businesses of all types.

The District covers 199 square miles, a map of the District's boundaries is shown in **Figure 1**.

FIGURE 1

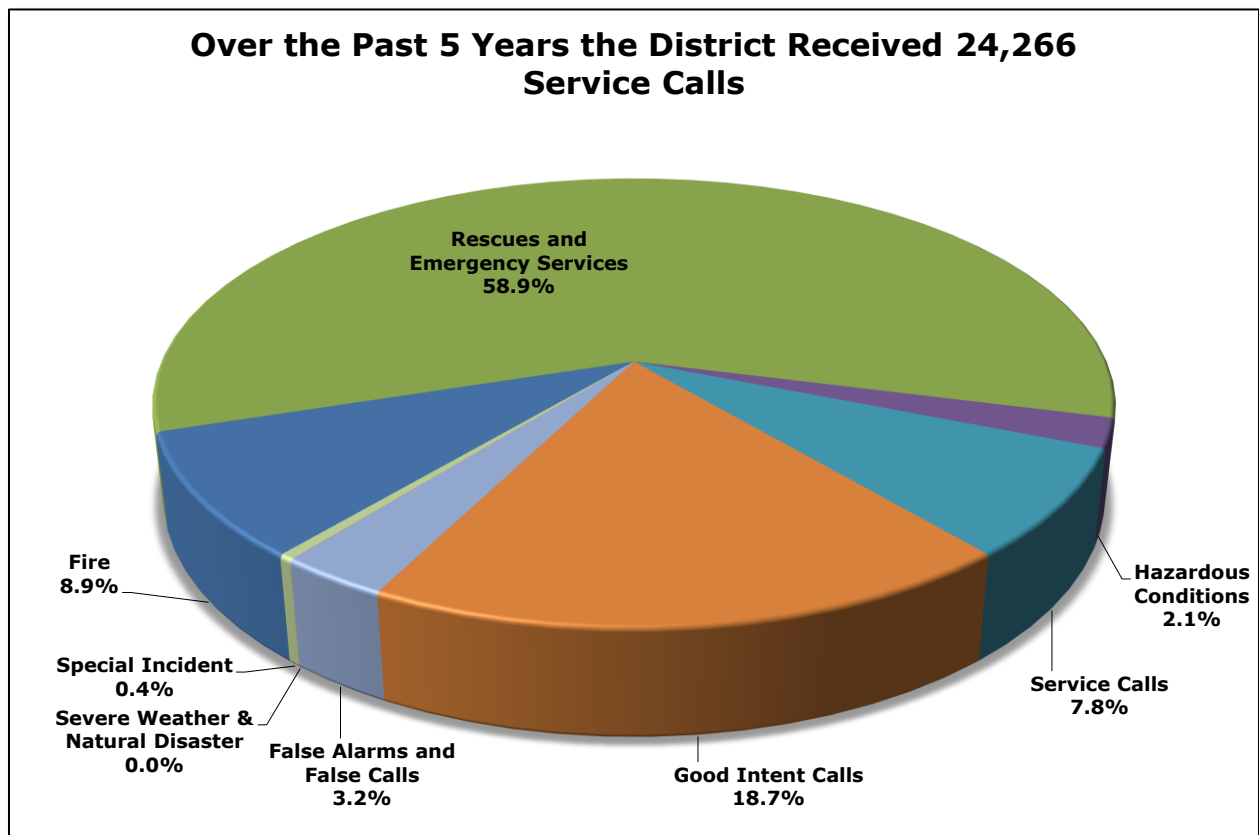


Other District Information

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. The District is a career staffed department, with 58 staff members under contract with the City of Modesto to staff these positions. In addition, the District also has mutual and automatic aid agreements with the surrounding fire districts.

The District responded to 36,597 service calls from 2019 through 2023. Rescue and EMS calls amounted to 58.9% of the service calls, as shown in Chart 1. On average the District had approximately 6,853 service calls per year over the past five years.

CHART 1



Source: Stanislaus Consolidated Fire Protection District

SECTION 6: EXISTING ASSETS

Facilities

The District currently operates out of six fire stations. Two are located in Modesto and one in Empire, Waterford, La Grange and Riverbank. Station 25, which is located in the community of La Grange, is owned by the La Grange Homeowners Association and is leased by the District for \$2,400 per year. An inventory of the District’s stations and the year they were constructed is shown in **Table 3** below. The insured value includes an estimated land value of \$300,000 per acre.

TABLE 3

Stanislaus Consolidated Fire Protection District Fire Station Inventory and Estimated Value			
Station Name	Address	Year Built	Estimated Value
21	461 Mitchell Road, Modesto (Airport)	1950	\$925,900
22	4845 Yosemite Boulevard, Empire	1939	\$1,041,100
23	7737 Yosemite Boulevard, Modesto (Fruit Yard)	1985	\$1,243,000
24	129 E Street, Waterford	2017	\$2,240,000
25	30198 Main Street, La Grange	1980	\$19,200
26	3318 and 3324 Topeka Street, Riverbank	1947	\$1,696,700
Total:			\$7,165,900

Source: Stanislaus Consolidated Fire Protection District

Note: Station 25 estimated value is cost of 8-year lease, at \$2,400 per year.

Apparatus, Vehicles and Capital Equipment

The District’s current apparatus and vehicle inventory is shown below in **Tables 4 and 5**. 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, not including the lease costs for Station 25 (\$7,146,700), and apparatus and vehicles (\$5,444,940). Therefore, the District’s current capital equipment is valued at \$1,888,746.

TABLE 4

Stanislaus Consolidated Fire Protection District Apparatus Inventory and Estimated Value			
Apparatus Type	Location	Model Year	Estimated Value
Ford 550 Type 6 Engine	Station 26	2003	\$35,000
Ford 550 Type 6 Engine	Station 21	2003	\$35,000
Pierce Arrow XT Pumper	Station 23	2004	\$396,242
Pierce Arrow XT Pumper	Station 26	2004	\$396,242
Pierce Type 1 Engine	Station 21	2004	\$396,242
International 7600 SFA	Station 21	2008	\$260,000
HME Ahrens-Fox 1871 Series Pumper	Station 24	2008	\$340,000
International Type 3 Engine	Station 24	2011	\$306,000
Pierce/Velocity Truck	Station 22	2013	\$981,788
Pierce/Velocity Engine	Station 26	2015	\$564,694
Pierce/Velocity Engine	Station 21	2015	\$564,699
Kenworth Fire Truck	Station 23	2017	\$400,000
Rosenbauer Pumper LDH	Station 24	2018	\$576,490
Total			\$5,252,397

Source: Stanislaus Consolidated Fire Protection District

TABLE 5

Stanislaus Consolidated Fire Protection District Vehicle Inventory and Estimated Value		
Vehicle Type	Year Purchased	Estimated Value
Dodge Pickup	1998	\$3,700
Chevy Tahoe	2002	\$29,175
Ford Expedition SUV	2004	\$27,800
Chevy Silverado	2008	\$10,400
Chevy Tahoe	2009	\$6,700
Ford Expedition SUV	2010	\$7,400
Ford Expedition SUV	2011	\$38,000
Ford Expedition SUV	2012	\$7,000
Ford Expedition XL 4x4	2012	\$7,000
Ford Explorer	2016	\$15,000
Ford Explorer	2016	\$26,368
Ford Escape	2017	\$14,000
Total		\$192,543

Source: Stanislaus Consolidated 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. Therefore, it is important for the District to monitor the development plans of the local land use agencies. For the District, there are three land use agencies within its boundaries – the Cities of Riverbank and Waterford and the County of Stanislaus.

City of Riverbank

The City of Riverbank has several planned residential development projects with a total of 4,721 projected new residential units, shown in **Table 6** below.

TABLE 6

City of Riverbank Projected Residential Development	
Development	# of Units
Countryside 2	40
Countryside 3	22
Crossroads West	1,964
Diamond Bar East	83
Elm Wood Estates	20
Lucky House Tiny Homes	40
Pocket Senior Housing	28
River Walk	2,432
The Heritage Collection at Sierra Street	64
Ward Avenue Villas	28
Total Projected Units	4,721

Source: City of Riverbank

To estimate the square footage of new residential development within Riverbank, the average square footage of residential units built over the last eight years within Riverbank was determined using ParcelQuest and then applied to the estimated number of projected residential units, shown in **Table 7**.

TABLE 7

City of Riverbank Estimated Residential Development Square Footage		
Total Estimated # of Units	Average Current Residential Square Footage	Estimated Square Footage
4,721	1,988	9,385,348

City of Waterford

The City of Waterford adopted the Lake Pointe Master Development Plan in November 2007. The project is comprised of approximately 425 acres located in the northeastern portion of the city and is a mixed-use residential community. The development will include multi-family and single-family dwelling units, shown in **Table 8**.

TABLE 8

City of Waterford Projected Residential Development	
Development	# of Units
Lake Pointe Master Development Plan	2,812

Source: Waterford Vision 2025 General Plan, Chapter 10 Housing Plan

To estimate the square footage of new residential development within Waterford, the average square footage of residential units built over the last eight years within Waterford was determined using ParcelQuest and then applied to the estimated number of projected residential units, shown in **Table 9**.

TABLE 9

City of Waterford Estimated Residential Development Square Footage		
Total Estimated # of Units	Average Current Residential Square Footage	Estimated Square Footage
2,812	1,656	4,656,672

Unincorporated County of Stanislaus

There are currently no planned development projects within the unincorporated portion of the County of Stanislaus that is within the District’s boundaries. Using the developer fee collections of the District from the last eight years, the unincorporated portions of Stanislaus County within the District have added an average of 65 residential units per year, shown in **Table 10** below. It is expected that this rate of growth will continue over the next eight years for a total of approximately 520 new residential units.

TABLE 10

Unincorporated 8 Year Historical New Residential Development	
Year	# of Residential Units
2016	64
2017	68
2018	63
2019	75
2020	58
2021	53
2022	83
2023	57
Average	65

Source: Stanislaus Consolidated Fire Protection District

To estimate the square footage of new residential development within the unincorporated portion of the District, the average square footage of residential units built over the last eight years was determined using ParcelQuest and then applied to the estimated number of projected residential units, shown in **Table 11**.

TABLE 11

Unincorporated Estimated Residential Development Square Footage		
Total Estimated # of Units	Average Current Residential Square Footage	Estimated Square Footage
520	2,372	1,233,440

Table 12 below shows the combined total estimated residential square footage expected to be constructed within the District over the next eight years.

TABLE 12

Combined Estimated Residential Development		
Location	# of Units	Estimated Square Footage
City of Riverbank	4,721	9,385,348
City of Waterford	2,812	4,656,672
Unincorporated	520	1,233,440
Total Projected Units	8,053	15,275,460

Commercial/Industrial Development

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.

The City of Riverbank currently has four planned commercial/industrial projects expected to be built within the next eight years, with a total of 821,523 square feet, shown in **Table 13**.

TABLE 13

City of Riverbank Projected Commercial/Industrial Development	
Project	Commercial/Industrial Square Footage
Costco	160,523
Industrial Biofuel Plant	20,000
River Walk Commercial	625,000
Storage Facility	16,000
Total Commercial/Industrial Square Footage	821,523

Source: City of Riverbank

ParcelQuest was used to determine the projected commercial/industrial development within the District’s boundaries, not including the City of Riverbank, over the last eight years. The District has added an average of 106,107 square feet of commercial/industrial building space per year. It is expected that this rate of growth will continue over the next eight years for a total of approximately 848,856 square feet of new commercial/industrial building space, shown in **Table 14**.

TABLE 14

City of Waterford and Unincorporated County of Stanislaus 8 Year Historical New Commercial/Industrial Development	
Year	Commercial/ Industrial Square Footage
2016	490,159
2017	25,364
2018	278,120
2019	24,603
2020	1,356
2021	16,031
2022	5,204
2023	8,021
Average	106,107

Source: ParcelQuest

The combined total estimated square footage of new commercial/industrial building space to be construction within the District over the next eight years is shown below in **Table 15**.

TABLE 15

Combined Estimated Commercial/Industrial Development Square Footage	
Location	Estimated Square Footage
City of Riverbank	821,523
City of Waterford and Unincorporated	848,856
Total	1,670,379

Source: City of Riverbank and ParcelQuest

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 increase of Fire Facilities to provide existing service levels to new development which may occur. This is accomplished through the modernization and upgrade of existing Fire Facilities or the construction of entirely new Fire Facilities. This will serve to support timely response and maintain adequate supplies of Fire Facilities so that the District may maintain its current service levels while accommodating any new growth.

SECTION 8: NECESSARY FACILITIES

Existing Capital Resources

As previously detailed in Section 6 and summarized in **Table 16** below, the District has invested approximately \$14.5 million into its capital assets.

TABLE 16

Capital Asset Summary	
Type of Asset	Total Insured Value
Fire Stations	\$7,165,900
Apparatus and Vehicles	\$5,444,940
Equipment	\$1,888,746
Total	\$14,499,586

Capital Improvement Plan

The District's Capital Improvement Plan includes a new fire station at the Crossroads West development as described below and an annual set of priority short term projects at its existing stations. The District's Capital Improvement Committee approved the annual District-wide improvements in September 2023. These annual improvements are not included in the calculation of the development mitigation fee.

New Fire Facilities at Crossroads West

In order to adequately serve the fire and emergency medical service demands of the District's current and future population, the District has determined that a new station will be needed in the Crossroads West area. **Table 19** provides an overview of the estimated costs related to the new fire station. These costs not only include the station construction itself, but also the related apparatus, vehicles and capital equipment necessary to operate the station and related financing costs due to cash flow limitations of the District.

It is assumed that the District would acquire new apparatus for a new station, including 1 Ladder Truck, 1 Type 3 Engine and 1 Water Tender, as well as two new vehicles and various life-saving equipment including personal protection equipment, self-contained breathing apparatus, a vehicle exhaust capture system, fire hoses, a communications system and rescue tools. The cost of equipment is estimated to be equal to 15% of the costs of a new fire station and vehicles and apparatus.

The District anticipates that financing will be necessary because fire impact fees are paid as units are constructed but Fire Facilities will be needed prior to development build-out. As such, it is assumed that the fire station construction will need to be financed over a period of 30 years and the apparatus and vehicles for the new fire station and capital equipment for new fire station will need to be financed for a period of 15 years.

TABLE 19

New Station Costs	
Component	Estimated Cost
New Fire Station	\$11,569,800
Apparatus for New Fire Station	\$3,950,000
Vehicles for New Fire Station	\$200,000
Capital Equipment for New Fire Station	\$3,143,960
Financing Costs (Up-Front and Interest)	\$15,558,930
Total	\$34,422,690

Available Revenue Sources

The District intends to commit all available developer fee funds to the projects. As of February 29, 2024, the District had approximately \$777,746 in developer fees collected from the City of Riverbank Sphere of Influence available to commit to facilities projects and approximately \$80,810 in developer fees collected from the City of Waterford Sphere of Influence available to commit to facilities projects.

The District has approximately \$858,557 in developer fees available to commit to facilities projects, shown in **Table 20** below.

TABLE 20

Available Revenue Sources	
Developer Fees	Total Revenue Available
City of Riverbank	\$777,747
City of Waterford	\$80,811
Total Available Revenue	\$858,557

Source: Stanislaus Consolidated Fire Protection District

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 21**.

TABLE 21

Combined Total Capital Assets and Future Costs	
Type of Asset	Total Estimated Value/Costs
Current Capital Assets	\$14,499,586
Future Improvement Costs	\$34,422,690
Total Estimated Capital Impact	\$48,922,276
Less Development Fee Balance	\$858,557
Net Total Estimated Capital Impact	\$48,063,719

Source: Stanislaus Consolidated 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 square footage of structures within the District. Although the District covers a wide-ranging service area, including open land and river bottoms, the impact fee calculation only includes structures with assessable square footage.

As described in Section 7, the estimated square footage of new construction within the District is 16,945,839. Using ParcelQuest it was determined that there is currently 44,145,254 total square footage of building space within the District. As shown in **Table 22**, over the next 8 years the District expects to have approximately 61 million square feet of building space within its boundaries.

TABLE 22

Estimated Current and Future Development by Square Footage	
	Square Footage
Current Structures	44,145,254
Anticipated New Construction	16,945,839
Total Square Footage	61,091,093

To calculate the amount of the development impact fee necessary, on a per square foot basis, we first identify the unfunded facilities cost of \$47,418,845, as stated in Section 8. We then determine the total square footage of residential, commercial, and industrial construction within the District, which is 61,091,093 square feet. Finally, we divide the total facilities cost (\$48,063,719) by the total square footage of building space within the District (61,091,093 square feet).

TABLE 23

Impact Fee Calculation	
Total Estimated Costs	\$48,063,719
Future Service Square Footage	61,091,093
Cost per Square Foot	\$0.79

Therefore, as shown in **Table 23**, the District can justify a development impact fee for fire facilities of **\$0.79** 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 \$0.79 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 \$0.02 is added to the fee to cover the cost of administering the fee program bringing the total fee up to **\$0.81** 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, the City of Riverbank or the City of Waterford.

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.

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.

District Board Approval

Following thorough consideration, and public input, should the District Board act to implement the fee program, the District Board would adopt a resolution and then make a recommendation to the Riverbank and Waterford City Councils and the Stanislaus County Board of Supervisors to adopt this fee pursuant to the City and County's development "police powers" under Article XI, section 7 of the California Constitution.

City Council and County Board of Supervisors' Approval

The Riverbank and Waterford City Councils and Stanislaus County Board of Supervisors could be expected consider adoption of the proposed fee schedule in compliance with California Government Code section 66016 through 66018. The Cities and County will then:

- ◆ 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 resolution or ordinance to impose the proposed fee and automatically adjust the fee annually for inflation. If the city and/or county has previously adopted impact fees by ordinance, the updated impact fee must also be approved by ordinance;
- ◆ 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.

Fee Exemptions

The following development projects are exempted from payment of the fee:

- ◆ Structures owned by a governmental agency.
- ◆ Structures which are reconstructed, so long as the square footage of the reconstructed structure is no greater than the square footage of prior structure.
- ◆ Structures found to have no impact on the District's fire system.
- ◆ Accessory dwelling units less than 750 square feet.

Inflation Adjustment

The 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.

RESOLUTION NO. 24-07

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
STANISLAUS CONSOLIDATED FIRE PROTECTION DISTRICT
APPROVING THE DEVELOPMENT IMPACT FEE NEXUS STUDY
AND APPROVING THE STUDY TO BE FORWARDED TO THE
CITIES OF RIVERBANK AND WATERFORD AND THE COUNTY OF
STANISLAUS FOR ADOPTION BY THEIR COUNCIL/BOARD**

WHEREAS, the Stanislaus Consolidated Fire Protection District (the "District") is a fire protection district organized and existing under the Fire Protection District Law of 1987 (commencing with Health and Safety Code section 13800), and is authorized to and does provide fire protection services to persons and properties located within the District service area, which includes the Cities of Riverbank and Waterford, and the County of Stanislaus;

WHEREAS, pursuant to Government Code section 66001 the Cities of Riverbank and Waterford, and County of Stanislaus may levy a fee on all new residential, commercial, and industrial development within the District's boundaries, to fund the capital equipment and facilities construction needs of the District in order to maintain the current level of service provided in light of new development, and to mitigate the impacts of new development on the ability of the District to provide fire protection services within its boundaries;

WHEREAS, the District previously retained Capitol PPG, an independent third-party consultant, to perform a Development Impact Fee Study in order to determine the development impact fees necessary for the Cities of Riverbank and Waterford, and the County of Stanislaus, to impose on new development, in order to proportionately allocate the cost of mitigating the impacts of new development on fire protection services therein;

WHEREAS, the Development Impact Fee Study justifies the impact fees based on the amount and type of development and fire service response standards identified in each City's/County's General Plan, and are designed to proportionately allocate the cost of mitigating the impacts of new development on fire protection services;

WHEREAS, the Development Impact Fee Study complies with California Government Code section 66001 by establishing the basis for the imposition of the development impact fees on new development. In particular, the Development Impact Fee Study:

1. Identifies the purpose of the proposed fees;
2. Identifies the use to which the fees will be put;
3. Demonstrates a reasonable relationship between the fees' use and the types of projects on which the fees are imposed;
4. Demonstrates a reasonable relationship between the need for the public facilities and the types of developments on which the fees are imposed; and
5. Demonstrates a reasonable relationship between the amount of the fees and the cost of the public facilities or portions of the facilities attributable to the developments on

which the fees are imposed;

WHEREAS, (1) the development impact fees will be used to acquire property and equipment, expand and construct new fire stations, acquire fire apparatus and vehicles, and other related costs; (2) development impact fees will be used to maintain the current level of service and mitigate the impacts on fire protection services from new development; (3) development impact fees will be used in a way that is reasonably related to the impacts created by new development because new development generate the need for expanded fire protection services; (4) there is a reasonable relationship between the need for expanded fire protection services new development upon which the fee is imposed because such new development generates additional persons and property in need of fire protection services to be provided by the District; and (5) there is a reasonable relationship between the amount of the development impact fees charged and the costs of maintaining the current level of service created by new development, as reflected in the Development Impact Fee Study;

WHEREAS, the Cities of Riverbank and Waterford, and County of Stanislaus, are each authorized to enact an increase to the development impact fees on behalf of the District;

WHEREAS, upon the approval from the Stanislaus Consolidated Fire Protection District Board of Directors the Development Impact Fee Study shall be forwarded to the Cities of Riverbank and Waterford, and the County of Stanislaus for their approval;

WHEREAS, the Impact Fees would go into effect 60 days after each individual approval; and

WHEREAS, the Board of Directors accepts the report as submitted.

NOW, THEREFORE. BE IT RESOLVED:


Section 1. The Recitals set forth above are true and correct and the Board of Directors hereby adopts such recitals as if fully set forth herein.

Section 2. The Board of Directors approves the Development Impact Fee Study attached hereto as Exhibit A in substantially the same form as submitted in the report.

I HEREBY CERTIFY that the foregoing Resolution was duly adopted by the District Board by the following vote:

AYES:	Directors:	3
NOES:	Directors:	0
ABSENT:	Directors:	2
ABSTAIN:	Directors:	0

Dated: September 19, 2024



Greg Bernardi, Board President

ATTEST:

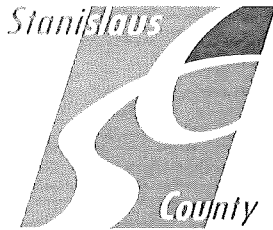


Jessica Sousa, Clerk of the Board (A)

APPROVED AS TO FORM:



Frank Splendorio, District Counsel



CLERK OF THE BOARD OF SUPERVISORS

Elizabeth A. King
CLERK OF THE BOARD

Kelly Rodriguez
ASSISTANT CLERK OF THE BOARD

**STANISLAUS COUNTY
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on Tuesday, December 3, 2024, at the hour of 9:00 a.m., or as soon thereafter as the matter may be heard, the Stanislaus County Board of Supervisors will meet in the Basement Chambers, 1010 10th Street, Modesto, CA to consider the adoption of the Fire Facilities Development Impact Fee Study on behalf of the Stanislaus Consolidated Fire Protection District.

ADDITIONAL NOTICE IS GIVEN that the proposed Stanislaus Consolidated Fire Protection District Development Impact Fee Study is available for review in the Clerk of the Board of Supervisors Office, 1010 10th Street, Suite 6700, Modesto, CA.

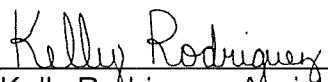
NOTICE IS FURTHER GIVEN that at the above noticed time and place, interested persons will be given an opportunity to be heard. Material submitted to the Board of Supervisors for consideration (i.e. photos, petitions, etc.) will be retained by the County. If a challenge to above proposal is made in court, persons may be limited to raising only those issues they or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Stanislaus County Board of Supervisors. For further information, call the Chief Executive Office at (209) 525-6333.

BY ORDER OF THE BOARD OF SUPERVISORS

DATED: October 29, 2024

ATTEST: ELIZABETH A. KING, Clerk of
the Board of Supervisors
of the County of Stanislaus,
State of California

BY:



Kelly Rodriguez, Assistant Clerk



The Beaufort Gazette
 The Belleville News-Democrat
 Bellingham Herald
 Centre Daily Times
 Sun Herald
 Idaho Statesman
 Bradenton Herald
 The Charlotte Observer
 The State
 Ledger-Enquirer

Durham | The Herald-Sun
 Fort Worth Star-Telegram
 The Fresno Bee
 The Island Packet
 The Kansas City Star
 Lexington Herald-Leader
 The Telegraph - Macon
 Merced Sun-Star
 Miami Herald
 El Nuevo Herald

The Modesto Bee
 The Sun News - Myrtle Beach
 Raleigh News & Observer
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Attention: Kelly Rodriguez
 CO STAN BOARD OF SUPERVISORS
 1010 10TH ST STE 6700
 MODESTO, CA 95354

rodrik@stancounty.com

STANISLAUS COUNTY

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BY ORDER OF THE BOARD OF SUPERVISORS. DATED: October 29, 2024. ATTEST: Elizabeth A. King, Clerk of the Board of Supervisors of the County of Stanislaus, State of California. BY: Kelly Rodriguez, Assistant Clerk.

IPL0202441
 Nov 22, 29 2024

Declaration of Publication C.C.P. S2015.5

STATE OF CALIFORNIA)
) ss.
 County of Stanislaus)
 Mary Castro,

I am a citizen of the United States; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer of the Modesto Bee, a newspaper of general circulation, printed and published in the city of Modesto, County of Stanislaus, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Stanislaus, State of California, under the date of February 25, 1951 Action No. 46453 that the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

2 insertion(s) published on:
 11/22/24, 11/29/24

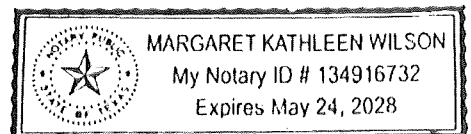
Mary Castro

I certify (or declare) under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Dallas, Texas on:

Date: 29th, day of November, 2024

Margaret K. Wilson

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
 Legal document please do not destroy!