

**RESOLUTION NO. 2023-3
OF THE BOARD OF DIRECTORS
OF THE ANDERSON FIRE PROTECTION DISTRICT
May 9, 2023**

**RESOLUTION APPROVING THE ANDERSON FIRE PROTECTION
DISTRICT FIRE IMPACT FEE NEXUS STUDY AND REQUESTING
THAT THE ANDERSON CITY COUNCIL AND THE SHASTA COUNTY
OF BOARD OF SUPERVISORS ADOPT AND IMPLEMENT THE
PROPOSED FIRE IMPACT FEE PROGRAM ON BEHALF OF THE
DISTRICT**

WHEREAS, the Board of Directors of the Anderson Fire Protection District ("District"), recognizes that continuing development within the District places added responsibilities and cost to the District; and

WHEREAS, AB 1600 was adopted and codified in California Government Code Section 66000 allowing the establishing, increasing or imposing of a development fee as a condition of approval where the purpose and use of the fee were identified, and reasonable relationship to the development project was demonstrated; and

WHEREAS, the District Board of Directors ("District Board") desires to establish a new Fire Impact Fee program ("Fees or Fee Program") for the District to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development with the District; and

WHEREAS, the District Board has received and considered the District's Fire Impact Fee Nexus Study prepared by SCI Consulting Group dated March 2023 Final Report ("Nexus Study") that provides the required information to establish a new Fire Impact Fee program.

NOW, THEREFORE, IT IS HEREBY RESOLVED that:

- 1) The District Board hereby receives and approves the Nexus Study.
- 2) Prior to the adoption of this Resolution, the District conducted a public hearing at which oral and written presentations were made, as part of the District Board's May 9, 2023 meeting.
- 3) After considering the Nexus Study, this Resolution, and after considering the testimony received at this public hearing, the District, hereby makes the following findings:
 - a) The Fee Program and the Fees proposed in the Nexus Study and approved pursuant to this Resolution are for the purposes of funding the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District's service area; and

- b) The Fee proposed in the Nexus Study and approved pursuant to this Resolution will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to serve new development; and
 - c) The uses of the Fees proposed in the Nexus Study and approved pursuant to this Resolution are reasonably related to the types of development projects on which the fees are imposed in that fee revenue from the development projects will be used to expand the District's facilities and equipment, and replace and expand the District's apparatus and vehicles to meet the additional demand generated by the new residents and employees and new structural area created by the development projects; and
 - d) The Fees proposed in the Nexus Study, and approved pursuant to this Resolution, bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment in that each development project will create additional need for the District's fire protection and emergency response services and a corresponding need for new or expanded facilities, apparatus, and equipment. The Fees will be imposed on different types of development projects in proportion to the additional service population generated and structural area created by new development projects; and
 - e) The Nexus Study demonstrates that there is a reasonable relationship between the amount of the Fee and the cost of the fire protection facilities, apparatus, and equipment attributable to the development on which the Fee is imposed in that the costs are based upon the level of existing development served by the District's existing fire protection facilities and applied proportionately land use categories in proportion to the need they create for expanded fire facilities, apparatus, and equipment.
- 4) The District Board does hereby approve the following Fees on new development which shall be collected upon issuance of a building permit:

<u>Residential Development</u>	<u>Per Living Area Sq. Ft.</u>
Single Family Housing	\$1.09
Multi-Family Housing	\$1.17
Mobile Home	\$0.93
ADU (750 sq.ft. or greater)	\$1.09
ADU (less than 750 sq.ft.)	Exempt
<u>Nonresidential Development</u>	<u>Per Building Sq. Ft.</u>
Retail / Commercial	\$0.81
Office	\$0.89
Industrial	\$0.65

- 5) The District Board finds pursuant to the California Environmental Quality Act ("CEQA"), this action is not a "project" because the Resolution provides a mechanism for funding fire protection and emergency response facilities, apparatus, and equipment but does not involve a commitment to any specific project for such purposes that may result in a potentially significant impact on the environment. (CEQA Guidelines § 15378.)
- 6) The District Board formally requests that the Shasta County Board of Supervisors and the Anderson City Council adopt and implement this approved Fire Impact Fee program on behalf of the District with the District agreeing to be responsible for the proper accounting for and expenditure of said moneys and further agreeing to hold the City and the County harmless from and to defend it from any action, claim, or damages related to said fees, including any challenge to the validity of or use thereof.
- 7) The District Board formally requests that the resolutions or ordinances adopted by the Anderson City Council and Shasta County Board of Supervisor to establish the new Fire Impact Fee program on behalf of the District authorize an automatic annual inflationary adjustment.
- 8) If any portion of this Resolution is found by a court of competent jurisdiction to be invalid, such finding shall not affect the validity of the remaining portions of this Resolution.

PASSED AND ADOPTED by the Board of Directors of the Anderson Fire Protect District, at a regularly scheduled meeting held on the 9th of May, Two-thousand and Twenty-three, by the following vote of said District Board:

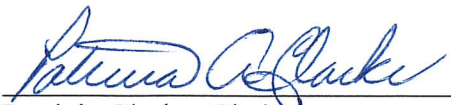
AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:



Patricia Clarke, Chairperson
Board of Directors



Angie Poletski, Secretary
Board of Directors