

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY OF ANDERSON CITY COUNCIL ADOPTING A NEW FIRE IMPACT FEE FOR FUTURE DEVELOPMENT WITHIN THE CITY OF ANDERSON ON BEHALF OF THE ANDERSON FIRE PROTECTION DISTRICT AND SUPERSEDING THE EXISTING FIRE IMPACT FEES**

**WHEREAS**, the 2007- 2027 General Plan ("General Plan") of the City of Anderson ("City") was adopted on May 1, 2007; and

**WHEREAS**, the General Plan Fire Protection Implementation FI-8 provides that the City "review and amend fee and other programs that assure that the need of residents for fire protection services and facilities will be adequately served;" 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 a reasonable relationship to the development project was demonstrated; and

**WHEREAS**, the Anderson Fire Protection District ("District") Board of Directors ("District Board") desires to establish a new Fire Impact Fee to fund fire protection facilities, apparatus and equipment necessary to mitigate the impacts caused by new development; and

**WHEREAS**, the Council has received the District's Fire Impact Fee Nexus Study, prepared by SCI Consulting Group, dated March 2023 (the "Report") that provides the required information to establish a Fire Impact Fee, a true copy of which is attached hereto as **Exhibit A**; and

**WHEREAS**, the Report provides fire impact fees for future development and described the fee methodology, underlying data and assumptions, and benefits of the method for establishing fees; and

**WHEREAS**, the District Board, on May 9, 2023, by Resolution No. 2023-3 approved the Report and formally requested the Anderson City Council adopt and implement the approved Fire Impact Fee program on behalf of the District; and

**WHEREAS**, in accordance with Government Code section 66016, a notice of the time and place of the hearing was provided to all parties that had filed written requests for said notice, and the Report was made available to members of the public at least 10-days before the hearing; and

**WHEREAS**, ten days advance notice of the public hearing at which this resolution was adopted was given by publication in accordance with California Government Code section 6062(a); and

**WHEREAS**, a duly noticed public hearing was held on July 18, 2023, at 6:00 p.m. at which time all interested persons had the opportunity to be heard.

**NOW, THEREFORE**, it is hereby resolved that:

- 1) The City Council hereby adopts the Report.
- 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 City Council's July 18, 2023 meeting.
- 3) After considering the Report, the City Council hereby makes the following findings:

- a. The Fee Program and Fees proposed in the Report 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 District; and
  - b. The fee proposed in the Report and approved pursuant to this Resolution will be used to expand the District's facilities and equipment within the District, and replace and expand the District's apparatus and vehicles to serve new development.
  - c. The use of the Fee proposed in the Report 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 in the District, and replace and expand the District's apparatus and vehicles to meet additional demand generated by the new residents and employees and new structural area created by the development projects; and
  - d. The Fees Proposed by the Report, and approved pursuant to this Resolution, bear a reasonable relationship to the need for fire protection and emergency response facilities, apparatus, and equipment each development project will create additional need for the District's fire protection and emergency response services and 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 Report 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 to land use categories in proportion to the need they create for expanded fire facilities, apparatus and equipment.
- 4) The City Council does hereby adopt and implement the following Fees on new development which shall be collected upon issuance of a building permit:

<b><u>Residential Development</u></b>	<b><u>Per Living Area Sq. Ft.</u></b>
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

<b><u>Nonresidential Development</u></b>	<b><u>Per Building Sq. Ft.</u></b>
Retail/Commercial	\$0.81
Office	\$0.89
Industrial	\$0.65

- 5) The fire impact fee shall be automatically adjusted annually for inflation without further action by the District Board or the Anderson City Council by the net change in the Engineering News-Record Construction Cost Index for San Francisco for the preceding twelve-month period.
- 6) CEQA. The City Council finds that this action is exempt from the California Environmental Quality Act ("CEQA") under Section 15273 because 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.
- 7) This resolution shall take effect immediately upon its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Anderson on this 18<sup>th</sup> day of July 2023 by the following vote:

AYES:  
 NOES:  
 ABSTAIN:  
 ABSENT:

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Mike Gallagher, Mayor

ATTEST:

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Christy White, City Clerk