



# SONOMA VALLEY FIRE DISTRICT

## FIRE IMPACT FEE NEXUS STUDY

FEBRUARY 2021  
UPDATED FINAL REPORT

PREPARED FOR:

**BOARD OF DIRECTORS  
SONOMA VALLEY FIRE DISTRICT**

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## SONOMA VALLEY FIRE DISTRICT

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## ACKNOWLEDGMENTS

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## EXECUTIVE SUMMARY

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### INTRODUCTION

The Sonoma Valley Fire District (“District”) provides first-responder fire protection, rescue, and emergency medical services to the City of Sonoma (“City”) and the unincorporated communities of Agua Caliente, Boyes Hot Springs, Diamond-A, El Verano, Fetters Hot Springs, Temelec, Six Flags, Glen Ellen, Mayacamas, and Eldridge in the County of Sonoma (“Sonoma”). Specifically, the District’s services include fire prevention and suppression, emergency medical response and transport and rescue, and hazardous materials response.

Until 2002, the City was a standalone fire agency that provided all-risk fire protection and provided advanced life support care and transport for most of the Sonoma Valley. Valley of the Moon Fire District provided all-risk fire protection within its boundaries. In 2002 the City and District formed the Sonoma Valley Fire and Rescue Authority (SVFRA); however, each agency maintained its respective employees. In 2011, the City signed a contract with Valley of the Moon Fire District dba Sonoma Valley Fire and Rescue Authority as the sole employer and governing agency. July 1, 2017, Glen Ellen Fire District signed a contract with Valley of the Moon Fire District dba Sonoma Valley Fire and Rescue Authority to provide staffing and oversight. The Glen Ellen personnel, both career, and volunteer became SVFRA employees. In 2019 a contract was signed with the County of Sonoma for the SVFRA to take on Mayacamas VFC. Their volunteers became employees of the SVFRA and are now managed by the SVFRA. Currently, the State of California is contracted with the SVFRA to provide staffing for 1 of 3 shifts at Eldridge. As of July 1, 2020, what has been the SVFRA and the associated contract for services is now the Sonoma Valley Fire District, one governing and employing agency.

This Fire Impact Fee Nexus Study (“Nexus Study”) was prepared pursuant to the “Mitigation Fee Act,” as found in California Government Code § 66000 et seq (the “Act”). The purpose of this Nexus Study is to establish the legal and policy basis for the imposition of new fire impact fees (“fees”) on new residential and nonresidential development within the District. The fee’s purpose is to fund the one-time cost of expanding the District’s facilities, apparatus, and equipment needed to maintain its existing level of service. No capacity exists to serve new development. If the District’s fire system capacity is not increased to satisfy the additional demand, the quality and responsiveness of the District’s fire protection and emergency response services will deteriorate.

For purposes of this Nexus Study, the term “facilities” or “fire system facilities” will refer to facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment. The term “new development” will generally refer to the persons (residents and employees working in the District) and the structural area (residential area and nonresidential building area) in which the persons live or work.

The fire impact fee has been determined on a districtwide basis. However, City of Sonoma (“City”) will not participate in the imposition of the fee. The District is under contract with the City of Sonoma to provide fire and emergency medical services. Under this contract, the District’s future station, apparatus, equipment needs, and related costs are funded directly by the City. (A map of the District’s boundaries and the area to be subject to the proposed fee program is provided in Appendix A.)

Under California law, the District does not have land-use authority to impose impact fees on development projects. Because the District serves unincorporated areas of the County, the County Board of Supervisors must adopt the fire impact fee program on behalf of the District. The County currently does not impose a fee program on behalf of the District.

In order to impose such fees, this Nexus Study will demonstrate that a reasonable relationship or “nexus” exists between new development that occurs within the District and the need for fire protection facilities, apparatus, and equipment as a result of new development. More specifically, this Nexus Study will present findings in order to meet the procedural requirements of the Act, which are as follows:

1. Identify the purpose of the fee.
2. Identify the use to which the fee is to be put.
3. Determine how there is a reasonable relationship between the fee’s use and the type of development project on which the fee is imposed (“**benefit relationship**”).
4. Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed (“**impact or need relationship**”).
5. Determine how there is a reasonable relationship between the amount of the fee and the cost of the facilities or portion of the facilities attributable to the development on which the fee is imposed (“**rough proportional relationship**”).



Additionally, the Act specifies that the fee shall not include costs attributable to existing deficiencies in public facilities but may include the costs attributable to the increased demand for public facilities reasonably related to the development project in order to refurbish existing facilities to maintain the existing level of service or achieve an adopted level of service that are consistent with the County General Plan.

#### METHODOLOGY / APPROACH

To determine the District's fire impact fee consistent with these **substantive requirements**, this Nexus Study utilizes a systemwide existing facility standard methodology. The facility standard methodology is a commonly used method for the calculation of fire impact fees. It was validated by the Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010. Under this method, identification and use of an existing facility standard and the restricted uses of fee revenue ensure that new development will not fund any existing deficiencies as prohibited by the Act. Instead, only capital improvements and apparatus, vehicle, and equipment purchases that expand the District's fire system are allowable uses of fee revenue. Likewise, the fee program will generate only enough revenue to proportionally expand the fire system to maintain the existing level of service.

The existing facility standard is based on the District's ratio of existing fire protection and emergency response facilities, apparatus, and equipment to the existing service population. Existing development refers to the persons (residents and employees working in the District) and the structural area (residential area and nonresidential building area) in which the persons live or work. Existing development demand is based on the District service call data. The District's existing fire system's value is determined using the replacement value of the District's existing inventory of fire protection facilities, apparatus, and equipment. These costs are then applied to six land use categories in proportion to the need they create for fire protection and emergency response services.

The Act requires that in establishing a development impact fee program, the facilities funded by the fee must be identified. However, the Act provides flexibility regarding how that identification may be made. The fee program may identify a broad class of projects<sup>1</sup> or made by reference to a capital improvement plan, made in applicable general or specific plan requirements, or made in other public documents<sup>2</sup>. Since the District just recently consolidated and has not yet prepared a comprehensive, long-term capital improvement

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<sup>1</sup> According to Government Code § 66000(b) and validated by Homebuilders Association of Tulare/Kings Counties, Inc. v. City of Lemoore in 2010.

<sup>2</sup> According to Gov't Code Section 66001(a)(2).

plan and facilities master plan, this fee program identifies facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment as the broad classes that will be funded with the fee.

The capital improvements within the District and apparatus and equipment purchases will benefit the District's entire fire system. The District's fire protection and emergency response resources are organized as an integrated fire system. The resources of a one fire station do not serve a particular area in isolation from the District's other fire stations and resources. When the District has a service call, whether for a fire or other emergency, the District's response often involves resources from multiple fire stations. Likewise, new development in area of the District is served by all the District facilities, apparatus, and equipment, not just by the nearest fire station.

### OTHER REVENUE SOURCES

Based on the findings concerning the District in the 2018 Municipal Service Review prepared and approved by the Sonoma County Local Agency Formation Commission ("LAFCO"), ad valorem property tax revenues, sometimes referred to as the "AB8 rate", are the largest revenue source for the District. The District also levies a voter-approved District-wide special tax. The County of Sonoma makes annual direct payments to the District based on a Property Tax Exchange Agreement that was part of the LAFCO-approved consolidation(s). The District also occasionally receives one-time grant money, usually for specific purposes, i.e., SAFER staffing grants, designated equipment improvements, FMAG emergency response enhancements. These various revenue sources will continue to comprise the vast majority of District revenue after approval of District fire impact fees – so that prior revenue sources from all District residents will be the primary funder of new facilities and equipment. There are also potential additional revenue sources in the future through transient occupancy or sales tax measures.

### FEE PROGRAM IMPLEMENTATION

The Nexus Study also details the **procedural requirements** for approval of the Nexus Study and proposed fire impact fee program ("fee program") by the District Board of Directors and adoption by the County Board on behalf of the District. Also, the Act contains specific requirements for the **annual administration** of the fee program. These statutory requirements and other important information regarding the imposition and collection of the fee are provided in the last sections of the Nexus Study.

## SUMMARY OF GENERAL FINDINGS

The following general findings from the Nexus Study are presented:

1. Impact fees are necessary to ensure that the District can adequately expand its fire protection facilities, apparatus, and equipment needed for the resident and employee growth and new structural area created by new development.
2. It is the objective of the District to maintain its existing level of service by establishing a fire impact fee to fund the cost of expanding the District's facilities, apparatus, and equipment attributable to new development.
3. Consistent with the Act's nexus requirement, this Nexus Study demonstrates a reasonable relationship between new development, the amount of the proposed fee, and facilities, apparatus, and equipment funded by the fee.
4. Fee revenue may only fund the costs of expanded facilities, apparatus purchases that expand the District's existing inventory, and up to 14.8 percent of apparatus replacement costs, and fee administrative costs.
5. Since only cities and counties have land-use authority to impose development impact fees as a condition of project approval, the District's proposed fee must be adopted by the County on behalf of the District.
6. The maximum fire impact fee determined by this Nexus Study is consistent with the Sonoma County General Plan.

7. The District may approve, and County may adopt on their behalf, the fees at or below the maximum level determined by this Nexus Study.

**FIGURE 1 – MAXIMUM FIRE IMPACT FEE SCHEDULE**

Land Use	Maximum Fire Impact Fee
	<b>Per Living Area Sq. Ft.</b>
<b>Residential Development</b>	
Single Family Housing	\$1.72
Multi-Family Housing	\$2.91
Mobile Home	\$1.90
Assessory Dwelling Unit	See Figure 1
	<b>Average per Unit <sup>2</sup></b>
<b>Residential Development</b>	
Single Family Housing	\$3,096
Multi-Family Housing	\$3,201
Mobile Home	\$2,660
	<b>Per Building Sq. Ft.</b>
<b>Nonresidential Development</b>	
Retail / Commerical	\$1.95
Office	\$3.23
Industrial	\$1.36

Notes:

<sup>1</sup> Pursuant to Gov't. Code § 65852.2(f)(3)(A), development impact fees for a new accessory dwelling unit must be imposed proportionately in relation to the square footage of the primary dwelling unit. Accessory dwelling units less than 750 square feet of living area are exempt.

<sup>2</sup> Based on the average living area square footage for each unit. See Figure 8.

## SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in the Nexus Study, the following general recommendations are presented:

1. The District should establish a fire impact fee to fairly allocate the costs of providing fire protection facilities, apparatus, and equipment to new development.
2. The District's new fire impact fee should be adopted and implemented in accordance with the applicable provisions of the Act (Government Code § 66000 et al.).
3. Fee revenue should be used to fund only the cost of expanded facilities, apparatus, ambulances, vehicles, and equipment to serve new development, as further detailed in Figure 11.
4. The District and the County should comply with the annual reporting requirements under Government Code § 66006(b).
5. Following the fifth fiscal year after the first deposit of fee revenue and every five years thereafter, the District should comply with the reporting requirements under Government Code § 66001(d).
6. The cost estimates presented in this Nexus Study are in January 2021 dollars. The fire impact fee should be adjusted automatically without further action by the District Board or the County Board of Supervisors on the first day of each fiscal year by the previous calendar percentage change in the Engineering News-Record Construction Cost Index (20-City Average), or its successor publication.

## DETERMINATION OF EXISTING DEVELOPMENT

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The District serves both residences and businesses throughout their service area. As such, the demand for the District's fire protection services and associated fire protection facilities, apparatus, ambulances, and equipment is measured by its service population (residents or employees) and the structural area (i.e., living area or nonresidential building area) in which they live or work. This section will first determine the service population and structural area within the District. These figures, along with the District's service call data, will be used to establish an existing facility demand factor for the various residential and nonresidential land uses within the District, which in turn will be used to determine existing development's total facilities demand.

The Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the fee and the type of development on which the fee is imposed.

### EXISTING SERVICE POPULATION AND STRUCTURAL AREA

The District provides first-responder fire protection, rescue, and emergency medical services to the City of Sonoma and the unincorporated communities of Agua Caliente, Boyes Hot Springs, Diamond-A, El Verano, Fetters Hot Springs, Temelec, Six Flags, Glen Ellen, Mayacamas, and Eldridge in the Sonoma County. A map of the District's boundaries is provided in Appendix A.

As shown in Figure 2 on the following page, the District currently serves an estimated resident population of 31,847 and protects approximately 14,655 occupied and vacant dwelling units. These figures are based on figures from the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for the District's service area, Sonoma County Assessor's data as of July 2020, and an 8 percent vacancy rate as reported by the California Department of Finance.

The District also serves an estimated 14,655 workers and protects approximately 6,430,000 square feet of new nonresidential building area. The estimated number of workers in the District is based on an estimated jobs-to-housing ratio of 1.0. The estimated nonresidential structural area is calculated by multiplying the number of workers by 439 square feet of nonresidential building area for every worker (or 2.28 workers per 1,000 square feet.)

FIGURE 2 – CURRENT RESIDENTIAL DEMOGRAPHICS

Land Use Categories	Total Dwelling Units <sup>1</sup>	Vacant Dwelling Units <sup>2</sup>	Occupied Housing Units	Dwelling Unit Occupancy Factor <sup>3</sup>	Resident Population
	Calc	a	b	c	d
Single-Family Housing	10,908	873	10,035	2.38	23,884
Multi-Family Housing	2,434	195	2,239	2.45	5,486
Mobile Home	1,313	105	1,208	2.05	2,476
Total Residential	14,655	1,172	13,483	2.37	31,847

Notes:

<sup>1</sup> From the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for City of Sonoma and Census-Designated Places within the District plus and estimate for Diamond A, Seven Flags, Mayacamus, and Eldridge.

<sup>2</sup> Based on an estimated 8% vacancy rate.

<sup>3</sup> See Figure 4.

#### RESIDENT EQUIVALENT DEMAND FACTOR

For purposes of this Nexus Study, a calls-for-service approach is used to help establish the relative fire facilities demand from residential and nonresidential land uses. Specifically, service call data is converted into a resident equivalent demand factor, which represents the demand for service from a worker compared to a household resident.

As shown in Figure 3 on the following page, service call data indicates the property used for service calls for years 2017 through 2019 were gathered from the District's Emergency Reporting database. Over the three years, the District had an average of 3,231 service calls originating from residential property and 1,106 service calls originating from nonresidential properties. Service calls originating from highways, roads, open fields, or otherwise not classified as originating from residential or nonresidential land use are excluded. By dividing service calls for residential and nonresidential land uses by the corresponding estimated number of residents and workers results in the relative number of per capita for residential and nonresidential land uses. As shown, District residents are served at 1.0, and workers in the District are served at 0.75 compared to District residents.

FIGURE 3 – RESIDENT EQUIVALENT DEMAND FACTOR

	Calc	Residential	Nonresidential
Average Annual Service Calls <sup>1</sup>	a	3,231	1,106
Residents or Workers <sup>2</sup>	b	30,504	13,990
Per Capita Fire Service Demand	$c = a / b$	0.1059	0.0791
	$d = c / 0.0791$		
Resident Equivalent Demand Factor	(Rounded)	1.00	0.75

Sources: Sonoma Valley Fire Protection District; SCI Consulting Group

Notes:

<sup>1</sup> Average for fiscal years 2016-17 thru 2018-19 from District's Emergency Reporting database for the District's service area. Excludes Mayacamas and Eldridge service areas.

<sup>2</sup> See Figure 2. Workers is based on estimated jobs-to-housing ratio of 1.0. Excludes Mayacamas and Eldridge service areas.



## FACILITIES EDU DEMAND FACTOR

Next, equivalent dwelling unit (“EDU”) demand factors are established to compare the relative fire facilities demand across three residential and three nonresidential land uses. The EDU is also used to convert nonresidential building area to a residential dwelling unit value. This common approach allows for the cost of fire protection facilities, apparatus, and equipment to be equitably apportioned among residential and nonresidential land uses.

Figure 4 below shows the calculation of the facilities EDU demand factor for six land use categories. The residential land use categories are expressed per dwelling unit, and the nonresidential land use categories are expressed per 1,000 square feet of building area. Each land use category’s occupancy density is multiplied by their respective resident equivalent demand factor, then converted to single-family home value. By this measure, for example, one single-family home creates the demand for fire facilities equal to 630 square feet of retail / commercial building area.

FIGURE 4 – FACILITIES EDU DEMAND FACTOR

Land Use Category	Unit	Occupancy Density per Unit <sup>1</sup>	Resident Equivalent Demand Factor <sup>2</sup>	Facilities EDU Demand Factor
	Calc	a	b	c = (a * b) / 2.38 (rounded)
Single-Family Housing	DU	2.38	1.00	<b>1.00</b>
Multi-Family Housing	DU	2.45	1.00	<b>1.03</b>
Mobile Home	DU	2.05	1.00	<b>0.86</b>
Residential	DU	2.37	1.00	<b>1.00</b>
Retail / Commercial	KBSF	2.00	0.75	<b>0.63</b>
Office	KBSF	3.30	0.75	<b>1.04</b>
Industrial	KBSF	1.40	0.75	<b>0.44</b>
Nonresidential	KBSF	2.28	0.75	<b>0.72</b>

Notes: DU = Dwelling Unit; KBSQ = 1,000 square feet of building area

<sup>1</sup> Residents per unit is based on census data from the U.S. Census Bureau's 2015-2019 American Community Survey 5-Year Estimate for City of Sonoma and Census-Designated Places within the District plus and estimate for Diamond A, Seven Flags, Mayacamas, and Eldridge. Retail / commercial, office, and industrial density figures the 2017 Town of Windsor Impact Fee Study 2017.

<sup>2</sup> See Figure 3.

## EXISTING FACILITIES DEMAND EDUS

Figure 5 below calculates the District's existing demand EDUs based on the total number of dwelling units and estimated nonresidential building area within the District. As shown, the total existing demand EDUs for the District is 19,172. Existing demand EDUs represents the level of existing development served by the District's existing fire system.

FIGURE 5 – EXISTING DEMAND EDUS

Land Use	Unit	Existing Units <sup>1</sup>	Fire Facilities EDU Demand Factor <sup>2</sup>	Total Existing Demand EDUs
	Calc	a	b	c = a * b
Single Family Housing	DU	10,908	1.00	10,908
Multi-Family Housing	DU	2,434	1.03	2,507
Mobile Home	DU	1,313	0.86	1,129
Nonresidential	KBSF	6,428	0.72	4,628
<b>Total</b>		<b>21,083</b>		<b>19,172</b>

Notes:

<sup>1</sup> See Figure 2.

<sup>2</sup> See Figure 4.

## DETERMINATION OF EXISTING FIRE PROTECTION FACILITIES

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The next step in determining the District's existing fire facilities standard is to calculate the replacement value of the District's fire protection facilities, apparatus, and equipment. Figure 6 below presents a summary of replacement cost (in 2021 dollars) for the District's existing fire facilities (land and fire stations), apparatus (engines, ambulances, and special vehicles), and equipment.

Fire station replacement costs are based on replacement cost per square foot estimates provided by the Sonoma County Fire District. The estimated replacement value of the District's apparatus, vehicles, and equipment inventory is based on unit cost assumptions provided by the District. Estimated values of older apparatus have been discounted from the replacement value of the new apparatus to reflect their age. (The detailed inventory and estimated replacement value for each are provided in Appendix B.)

As shown below, the estimated replacement value of the District's existing fire protection facilities, apparatus, and equipment is approximately \$57.3 million.

**FIGURE 6 – REPLACEMENT VALUE OF EXISTING FIRE SYSTEM**

Fee Components	Total Replacement Value (2021 \$) <sup>1</sup>
Land Value	\$1,605,000
Building Value	\$48,453,925
Apparatus / Vehicles Value	\$5,356,250
Equipment Value	\$1,890,000
<b>Total Fire System Facilities</b>	<b>\$57,305,175</b>

Source: Sonoma Valley Fire Protection District; SCI Consulting Group

Notes:

<sup>1</sup> See Appendix B for more detail.

## DETERMINATION OF THE FIRE IMPACT FEE

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The Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the need for fire protection facilities, apparatus and equipment, and the type of development project on which the fee is imposed. In this section, the District's existing fire facilities standard is determined and then applied to three residential and three nonresidential land uses categories in proportion to the demand they create as measured by their EDU demand factor.

### EXISTING FACILITIES STANDARD

The District's ratio of existing fire facilities, apparatus, and equipment to the District's service population establishes the standard for determining new development's fair share of the cost to expand the District's fire facilities as growth occurs. As shown in Figure 7 below, this standard is represented by the existing fire system facilities cost of \$2,989.00 per demand EDU.

**FIGURE 7 – EXISTING FACILITIES STANDARD**

Existing Fire System Facilities <sup>1</sup>	\$57,305,175
Existing Demand EDUs <sup>2</sup>	19,172
<b>Existing Facilities Standard</b>	<b>\$2,989.00</b>

Notes:

<sup>1</sup> See Figure 6.

<sup>2</sup> See Figure 5.

## RESIDENTIAL LAND USE DETERMINATION

Since residential land uses have different dwelling unit occupancies and living areas, the residential fire impact fees are expressed on a per square footage basis for four residential land use categories. The four residential land use categories are defined below.

- **“Single-family housing”** means detached or attached one-family dwelling unit with an assessor’s parcel number for each dwelling unit.
- **“Multifamily housing”** means buildings or structures designed for two or more families for living or sleeping purposes and having kitchen and bath facilities for each family.
- **“Mobile home”** means a development area for residential occupancy in vehicles that require a permit to be moved on a highway, other than a motor vehicle designed or used for human habitation and for being drawn by another vehicle.
- **“Accessory dwelling unit” or “ADU”** means a dwelling unit, or granny flat, either a detached or attached dwelling unit, which provides complete, independent living facilities for one or more persons with provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary residence.

The residential fire impact fee shall be charged on the square footage within the perimeter of a residential structure. Garages, carports, walkways, overhangs, enclosed patios, detached storage structures, or similar areas are excluded.

Figure 8, on the following page, presents the calculation of the maximum residential fire impact fee. As shown, the residential fee is determined by multiplying the fire facility standard by their respective EDU demand factor plus an additional 4 percent for administration of the fire impact fee program. The fee program administrative cost component is designed to offset the cost of District and County collection, documentation, annual reporting requirements, five-year report requirements, periodic Nexus Study updates, and other costs reasonably related to compliance with the Act.

Pursuant to 65852.2(f)(3)(A), the fire impact fee for an accessory dwelling unit of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling unit. For example, the calculation of the maximum fire impact fee for the construction of a 750 square foot accessory dwelling unit on a single-family parcel with a 2,250 square foot single-family home would be  $(750 / 2,250) * \$4,300 = \$1,433.33$ . Construction of ADUs less than 750 square feet of living area is exempt.

The District may approve, and the County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

**FIGURE 8 – MAXIMUM RESIDENTIAL FIRE IMPACT FEE**

Residential Land Use	Existing Facilities Standard <sup>1</sup>	EDU Demand Factor <sup>2</sup>	Cost per Dwelling Unit	Fee Program Admin. 4%	Average Living Area (Sq. Ft.) <sup>3</sup>	Maximum Residential Fire Impact Fee <sup>4</sup>
Calc	a	b	c = a * b	d = c * 0.04	e	f = (c + d) / e
	----- per dwelling unit -----					- per sq. ft. -
Single Family Housing	\$2,989.00	1.00	\$2,989.00	\$119.56	1,800	\$1.72
Multi-Family Housing	\$2,989.00	1.03	\$3,078.67	\$123.15	1,100	\$2.91
Mobile Home	\$2,989.00	0.86	\$2,570.54	\$102.82	1,400	\$1.90
Assessory Dwelling Unit						See Figure 5

Notes:

<sup>1</sup> See Figure 7.

<sup>2</sup> See Figure 4.

<sup>3</sup> Average living areas area from data from the Sonoma County Assessor and expressed in terms of square feet.

<sup>4</sup> The maximum residential fire impact fee is rounded down to the nearest cent.

<sup>5</sup> Pursuant to Govt. Code § 65852.2(f)(3)(A), development impact fees for a new assessory dwelling unit must be imposed proportionately in relation to the square footage of the primary dwelling unit. Assessory dwelling units less than 750 square feet of living area are exempt.

**NONRESIDENTIAL FIRE IMPACT FEE DETERMINATION**

As stated earlier, the Act requires that development impact fees be determined in a way that ensures a reasonable relationship between the fee and the type of development on which the fee is imposed. Since different nonresidential land uses have varying employment densities and structural area, the nonresidential fire impact fee is expressed per square foot of building area for three nonresidential land use categories. The three nonresidential land use categories are defined below.

- **“Retail / Commercial”** means retail, commercial, educational, and hotel/motel construction.
- **“Office”** means general, professional, and medical office construction.
- **“Industrial”** means manufacturing construction.

The nonresidential fee shall be charged for “covered and enclosed space” within the perimeter of a nonresidential structure. Garages, parking structures, unenclosed walkways, utility or disposal areas, and storage areas incidental to the development’s principal use are excluded.

Figure 9 below presents the calculation of the nonresidential fire impact fee. As shown, the fee for the three nonresidential land uses is determined by multiplying the existing facilities standard by their respective EDU demand factor plus an additional four percent for administration of the fire impact fee program. Note that the costs are expressed per 1,000 square feet of nonresidential building area and then converted to a per-square-footage fee.

The District may approve, and the County may adopt fees lower than the maximum, justified amounts shown below, provided that they are reduced by the same percentage for each land use category.

**FIGURE 9 – MAXIMUM NONRESIDENTIAL FIRE IMPACT FEE**

Nonresidential Land Use	Existing Facilities Standard <sup>1</sup>	EDU Demand Factor <sup>2</sup>	Cost per Unit	Fee Program Admin. 4%	Total Cost per Unit	Maximum Fire Impact Fee <sup>3</sup>
	Calc a	b	c = a * b	d = c * 0.04	e = c + d	f = e / 1,000
			----- per 1,000 sq. ft. -----			- per sq. ft. -
Retail / Commerical	\$2,989.00	0.63	\$1,883.07	\$75.32	\$1,958.40	<b>\$1.95</b>
Office	\$2,989.00	1.04	\$3,108.56	\$124.34	\$3,232.91	<b>\$3.23</b>
Industrial	\$2,989.00	0.44	\$1,315.16	\$52.61	\$1,367.77	<b>\$1.36</b>

Notes:

<sup>1</sup> See Figure 7.

<sup>2</sup> See Figure 4.

<sup>3</sup> The maximum nonresidential fire impact fee is rounded down to the nearest cent.

## PROJECTED FEE REVENUE

Figure 10 projects fire impact fee revenue through 2040 for the unincorporated service area of the District. Based on household and employment projections from the Association of Bay Area Governments (“ABAG”), residential demand assumes an annual growth rate of 0.5 percent. It is assumed that nonresidential development will occur proportionately. Total fire impact fee revenue (in 2021 dollars) is then calculated by multiplying demand EDU growth by the existing facilities standard. As shown, fire impact fee revenue will contribute approximately \$6.0 million (in 2021 dollars) towards the District’s future long-term capital improvement plan, representing new development in the unincorporated area’s fair share of the plan.

Certainly, arguments can be made for higher or lower demand growth. However, the projected demand growth and fee revenue are merely estimates for planning purposes. The fee program is designed not to depend on a specific capital improvement plan and a specific level of new development. Only enough fee revenue will be generated for the District to expand its existing service level to serve the growing service population.

**FIGURE 10 – PROJECTED FIRE IMPACT FEE REVENUE (UNINCORPORATED SERVICE AREA)**

Land Use Category	Current Demand	Demand EDU	Existing Facilities	Projected Fire	
	EDUs (2021) <sup>1</sup>	Growth (2040) <sup>2</sup>	Standard <sup>3</sup>	Impact Fee Revenue (2021\$) <sup>4</sup>	
	Calc	a	b	c	d = b * c
Residential		8,780	1,038	\$2,989.00	\$3,101,000
Nonresidential		2,803	972	\$2,989.00	\$2,906,000
<b>Total District</b>		<b>11,583</b>	<b>2,010</b>	<b>\$2,989.00</b>	<b>\$6,007,000</b>

Source: Association of Bay Area Governments; SCI Consulting Group

Notes:

<sup>1</sup> See Figure 5.

<sup>2</sup> Based on a projected annual growth rate from the Association of Bay Area Governments of 0.5% , or about 50 housing units per year.

<sup>3</sup> See Figure 7.

<sup>4</sup> Rounded to the nearest thousand.



Fee revenue may be used to fund up to 100 percent of the cost of new (added) or expansion of fire stations or new apparatus, vehicles, ambulances, and equipment added to the District's inventory. Additionally, the District may need to replace apparatus and vehicles more quickly due to increased service calls from the growth in the persons and structure area created by new development. The District may use fee proceeds to fund up to 14.8 percent of apparatus, ambulance, and vehicle replacement costs.<sup>3</sup> This amount represents costs attributable to the increased demand for existing apparatus and vehicle replacement to maintain the District's existing level of service.

Fee revenue may not be used to fund 1) existing deficiencies such as station renovations and 2) operational, maintenance or repair costs. (The use of the fee is detailed further in the next section.)

The District will need to fund existing deficiencies and any other purchases and improvement costs above District existing level of service with other funding sources. Other potential sources of funds include, but are not limited to, a general obligation bond measure, state and federal grants, the District's general fund, and existing or new special tax and assessment proceeds, if allowable

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<sup>3</sup> Represents the percentage growth in EDUs.

## NEXUS FINDINGS

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This section frames the Nexus Study findings in terms of the legislated requirements to demonstrate the legal justification of the fire impact fee. These requirements are discussed below.

### PURPOSE OF FEE

The purpose of the fire impact fee is to fund the cost of fire protection and emergency response facilities, apparatus, and equipment attributable to new residential and nonresidential development in the District. The fire impact fee will ensure that new development will not burden existing development with the cost of expanded facilities, apparatus, and equipment required to accommodate growth as it occurs within the District.

### USE OF FEE REVENUE

Fee revenue will be used solely and exclusively to fund facilities (land, stations, and other buildings), apparatus (engines, ambulances, and other vehicles), and equipment costs that expand the District's fire system capacity. Provided below is a summary of the allowable and prohibited uses of fee revenue.

FIGURE 11 – SUMMARY OF ALLOWABLE AND PROHIBITED USES OF FEE REVENUE

<u><i>Allowable Uses</i></u>	<u><i>Prohibited Uses</i></u>
<ul style="list-style-type: none"> <li>• <i>New (added) or expanded land and facilities costs (100%)</i></li> <li>• <i>Apparatus, vehicles, and equipment purchases that expand the system inventory (100%)</i></li> <li>• <i>Facility costs already incurred to provide growth-related capacity (100%)</i></li> <li>• <i>A portion of apparatus, vehicles, and equipment replacement costs attributable to new development (14.8%)</i></li> <li>• <i>A portion of a renovation project that expands service capacity</i></li> <li>• <i>Collection, accounting, documentation, annual reporting requirements, five-year report requirements, periodic nexus studies, and other costs reasonably related to compliance with the Act.</i></li> </ul>	<ul style="list-style-type: none"> <li>• <i>Existing deficiencies, such as improvements to existing facilities that do not expand service capacity</i></li> <li>• <i>A portion of apparatus, vehicles, and equipment replacement costs attributable to existing development (85.2%)</i></li> <li>• <i>Operational, maintenance, or repair costs</i></li> </ul>

**BENEFIT RELATIONSHIP**

The fee will be collected as development occurs. To maintain its existing level of fire protection and emergency response services, fee revenue will be used to expand the District's facilities, apparatus, and equipment to meet the additional demand generated by the new residents and employees and new structural area created by new development projects.

Fee revenue will be deposited into a separate fire impact fee account or fund in a manner to avoid any commingling of the fees with other revenues and funds. The fee revenue will be restricted to the uses described in the "Use of Fee Revenue" finding. Additionally, the Act ensures that fee revenue is expended expeditiously or refunded to the developer. These Act requirements ensure that a development project paying the fire impact fee will benefit from its use. Moreover, since the District's fire protection and emergency response resources are organized as an integrated fire system, improvements and purchases with the District benefit the entire fire system.

**IMPACT OR NEED RELATIONSHIP**

New residential and nonresidential development projects in the District will increase the number of persons (residents and employees) and the structural area (residential area and nonresidential building area) in which persons live or work. The growth in persons and structural area will create additional need for the District's fire protection and prevention, emergency response service, and a corresponding need for new or expanded facilities and replacement of apparatus, vehicles, and equipment in order to maintain the District's existing service level. The fee will be imposed on different types of development projects for the additional service population generated and structural area created by new development projects.

**ROUGH PROPORTIONALITY**

The cost of fire protection facilities, apparatus, and equipment attributable to a development project is based upon the level of existing development served by the District's existing fire system. The use of an existing facilities standard methodology to determine the fire impact fee achieves proportionality between existing development and new development. Moreover, these equivalent costs are applied to six land use categories in proportion to the need they create for expanded facilities.

The use of a fire facilities demand factor to determine the fire impact fee schedule achieves proportionality across the types of development on which the fee is imposed. Larger development projects will generate a higher number of residents and structural area to protect and, as a result, will pay a higher fee than smaller development projects. Thus, the application fire impact fee schedule to a specific project ensures a reasonable relationship between the fee and the cost of the facilities, equipment, and apparatus attributable to that project.

## FEE PROGRAM ADOPTION REQUIREMENTS

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The following are the general requirements for approval of the Nexus Study and proposed fire impact fee program (“fee program”) by the District Board of Directors and adoption by the County Board of Supervisors on behalf of the District. The specific statutory requirements for the adoption of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

SCI recommends that the District and the County duplicate the notice and hearing requirements.

### SONOMA VALLEY FIRE DISTRICT

1. The District Board of Directors shall conduct at least “one open and public meeting” as part of a regularly scheduled meeting on the proposed fee program.
2. At least 14 days before the meeting, the District shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least ten days before the meeting, the District shall make the Nexus Study available to the public for review.
4. At least ten days before the public hearing, a notice of the meeting’s time and place shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication, not counting such publication dates.
5. After the public hearing, adopt a resolution approving the Nexus Study and proposed fee program with a recommendation that the County Board of Supervisors adopts the proposed fee program on behalf of the District.

### COUNTY OF SONOMA

1. The Board of Supervisors shall conduct at least “one open and public meeting” as part of a regularly scheduled meeting on the requested fee program.
2. At least 14 days before the meeting, the County shall mail out a notice of the meeting to any interested party who filed a written request for notice of the adoption of new or increased fees.
3. At least ten days before the meeting, the County shall make the Nexus Study available to the public for review.

4. At least ten days before the public hearing, a notice of the meeting's time and place shall be published twice in a newspaper of general circulation with at least five days intervening between the dates of first and last publication, not counting such publication dates.
5. After the public hearing, adopt an ordinance establishing the proposed fee program on behalf of the District.
6. The fee shall become effective 60 days after the adoption of the ordinance or longer as specified by the ordinance.

## FEE PROGRAM ADMINISTRATION REQUIREMENTS

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This section contains general requirements for the administration of the fee program. The specific statutory requirements for the administration of the fee program may be found in the Mitigation Fee Act (California Govt. Code § 66000 et seq.).

### ACCOUNTING REQUIREMENTS

Proceeds from the fire impact fee should be deposited into a separate fund or account so that there will be no commingling of fees with other revenues. The fire impact fees should be expended solely for the purpose for which they were collected. Any interest earned by such account should be deposited in that account and expended solely for the purpose for which originally collected.

### REPORTING REQUIREMENTS

The following information, entitled "Annual Report," must be made available to the public within 180 days after the last day of each fiscal year:

- a brief description of the type of fee in the account;
- the amount of the fee;
- the beginning and ending balance of the account;
- the fees collected that year and the interest earned;
- an identification of each public improvement for which the fees were expended and the amount of the expenditures for each improvement;
- an identification of an approximate date by which development of the improvement will commence if the local agency determines that sufficient funds have been collected to complete financing of an incomplete public improvement;
- a description of each inter-fund transfer or loan made from the account or fund, including the public improvement on which the transferred or loaned fees will be expended, the date on which any loan will be repaid, and the rate of interest to be returned to the account; and
- the amount of money refunded under section Govt. Code § 66001.

For the fifth fiscal year following the first receipt of any fire impact fee proceeds, and every three years thereafter, the District must comply with Government Code Section 66001(d)(1) by affirmatively demonstrating that the District still needs unexpended fire impact fees to achieve the purpose for which it was originally imposed and that the District has a plan on how to use the unexpended balance to achieve that purpose. Specifically, the District shall make the following findings, entitled "Five-Year Report," with respect to that portion of the account or fund remaining unexpended, whether committed or uncommitted:

- Identify the purpose to which the fee is to be put;
- Demonstrate a reasonable relationship between the fee and the purpose for which it is charged;
- Identify all sources and amounts of funding anticipated to complete financing in incomplete improvements; and
- Designate the approximate dates on which the funding is expected to be deposited into the appropriate account or fund.

A refund shall be provided for all or any part of such unexpended or unappropriated fee revenue, together with any actual interest accrued thereon, in the manner described in Section 66001 (e) of the Government Code, to the current record owner of any property for which a fee was paid; provided that if the administrative costs of refunding such fee revenue exceed the amount to be refunded.

#### **TRANSPARENCY REQUIREMENTS**

Pursuant to AB 1483 enacted in 2019, the District must clearly post the following information on the District's website regarding the fee program:

- The current fee schedule indicated the effective date when approved by the County Board of Supervisors.
- Current and five previous annual accounting reports.
- Fire Impact Fee Nexus Study, Final Report



### **FEE EXEMPTIONS**

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

- A structure owned by a governmental agency.
- A structure which is being reconstructed following damage or destruction by fire or another casualty, or the voluntary demolition thereof, provided that the number of structures or the size in such reconstructed structure is no greater than the number of structures or the size of the structure prior to such damage, destruction or demolition.
- A development project found to have no impact on the District's fire system.
- An accessory dwelling unit less than 750 square feet.

### **FEE CREDITS**

A fee credit shall be given for demolished existing square footage as part of a new development project in order to comply with the Act and recent court cases. The fee credit shall be based on the effective fee for the land use category that was demolished.

### **IMPROVEMENTS IN-LIEU OF FEES**

Subject to certain restrictions, if a developer dedicates land, constructs facilities, or provides apparatus/equipment for the District, the fire impact fees imposed on that development project shall be adjusted to reflect a credit for the dedicated land's cost constructed or apparatus/equipment provided.

### **FEE PROGRAM UPDATES**

The fee program should be reviewed regularly and updated with any changes in the District's demographics, upon release of the 2020 U.S. Census, or significant changes in the District's facilities plan and associated costs.

### **AUTOMATIC ANNUAL INFLATIONARY ADJUSTMENT**

The fire impact fee should be adjusted automatically without any further action by the District Board and the County Board on the first day of each fiscal year by the net percentage change during the preceding calendar in the Engineering News-Record Construction Cost Index (20-City Average), or its successor publication.

## APPENDICES

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Appendix A – Map of Fee Program Area

Appendix B – Fire System Inventory and Replacement Cost Estimates



## APPENDIX B – FIRE SYSTEM INVENTORY AND REPLACEMENT COST ESTIMATES

FIGURE 13 – EXISTING FIRE STATION INVENTORY

Fire Station	Amount	Unit Cost	Replacement Cost (2021\$)
Calc	a	b	c = a * b
<b>Fire Station #1 and Headquarters, 630 Second Street West, Sonoma</b>			
Land	1.50 acres	\$300,000 per acre	\$450,000
Buldings	15,260 sq. ft.	\$1,225.00 per sq. ft.	\$18,693,500
<b>Fire Station #2, 877 Center Street, Sonoma</b>			
Land	0.75 acres	\$300,000 per acre	\$225,000
Buldings	7,600 sq. ft.	\$1,225.00 per sq. ft.	\$9,310,000
<b>Fire Station #3, 1 West Agua Caliente Road, Sonoma</b>			
Land	0.90 acres	\$300,000 per acre	\$270,000
Buldings	8,251 sq. ft.	\$1,225.00 per sq. ft.	\$10,107,475
<b>Fire Station #4, 18798 Prospect Avenue, Sonoma</b>			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	700 sq. ft.	\$372.00 per sq. ft.	\$260,400
<b>Fire Station #5, 13445 Arnold Drive, Glen Elen</b>			
Land	0.70 acres	\$300,000 per acre	\$210,000
Buldings	7,350 sq. ft.	\$1,225.00 per sq. ft.	\$9,003,750
<b>Fire Station #6, 7301 Sonoma Mountain Road, Glen Ellen</b>			
Buldings	700 sq. ft.	\$372.00 per sq. ft.	\$260,400
<b>Fire Station #8, 3252 Trinity Road, Glen Ellen</b>			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	1,300 sq. ft.	\$372.00 per sq. ft.	\$483,600
<b>Fire Station #9, 4501 Cavedale Road, Glen Ellen</b>			
Land	0.50 acres	\$300,000 per acre	\$150,000
Buldings	900 sq. ft.	\$372.00 per sq. ft.	\$334,800
<b>Total Replacement Cost (Land and Buildings)</b>			<b>\$50,058,925</b>

Source: Sonoma Valley FD; Sonoma County FD; SCI Consulting Group

FIGURE 14 – APPARATUS, AMBULANCE, AND EQUIPMENT INVENTORY

Unit ID	Type	Make / Model	Apparatus / Vehicles <sup>1</sup>	Ancillary Equipment	Replacement Value (2021\$)
3381	Type 1 Engine	Rosenbauer	\$650,000	\$95,000	\$745,000
3361	Type 3 Engine	KME	\$262,500	\$95,000	\$357,500
3351	Truck	Truck	\$600,000	\$95,000	\$695,000
3300	Command Vehicle	Hybrid SUV	\$32,500	\$12,000	\$44,500
3321	Command Vehicle	4X4 Pickup	\$48,750	\$12,000	\$60,750
3300	Command Vehicle	Chev Tahoe	\$65,000	\$12,000	\$77,000
3344	Utility Vehicle	SUV	\$16,250	\$12,000	\$28,250
306	Ambulance Type III	Ford	\$52,500	\$65,000	\$117,500
305	Ambulance Type III	Ford	\$105,000	\$65,000	\$170,000
304	Ambulance Type III	Ford	\$105,000	\$65,000	\$170,000
302	Ambulance Type III	Ford	\$157,500	\$65,000	\$222,500
301	Ambulance Type III	Ford	\$157,500	\$65,000	\$222,500
303	Ambulance Type III	Ford	\$210,000	\$65,000	\$275,000
3382	Type 1 Engine	Rosenbauer	\$650,000	\$95,000	\$745,000
3383	Type 1 Engine	Pierce	\$162,500	\$95,000	\$257,500
3384	Type 1 Engine	Paoletti	\$162,500	\$95,000	\$257,500
3362	Type 3 Engine	HME	\$350,000	\$95,000	\$445,000
WT-2	Water Tender	KW	\$125,000	\$50,000	\$175,000
3340	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
3342	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
3343	Utility Vehicle	GMC	\$16,250	\$12,000	\$28,250
BC33	Command Vehicle	SUV	\$32,500	\$12,000	\$44,500
DC33	Command Vehicle	Chev 4x4	\$48,750	\$12,000	\$60,750
U-13	Command Vehicle	Chev 4x4	\$65,000	\$12,000	\$77,000
U-14	Shop Service Truck	Chev Utility Body	\$65,000	\$12,000	\$77,000
3347	Utility Vehicle	GMC	\$32,500	\$12,000	\$44,500
3335	Command Vehicle	GMC	\$16,250	\$12,000	\$28,250
GE-T-1	Trailer	Interstate	\$10,000	\$0	\$10,000
3345	Utility Vehicle	Chevrolet	\$65,000	\$12,000	\$77,000
3375	Type 3 Engine	International	\$87,500	\$95,000	\$182,500
3376	Type 3 Engine	International	\$87,500	\$95,000	\$182,500
3385	Type 1 Engine	HME	\$162,500	\$95,000	\$257,500
3395	Water Tender	International	\$125,000	\$50,000	\$175,000
E3385	Type 1 Engine	Pierce Dash	\$162,500	\$95,000	\$257,500
E3388	Type 1 Engine	International 4900	\$162,500	\$95,000	\$257,500
WT3398	Water Tender	International 9200	\$125,000	\$50,000	\$175,000
E3359	Ford 550	Type 6 Engine	\$131,250	\$30,000	\$161,250
U3348	Ford F-350	Utility	\$16,250	\$12,000	\$28,250
<b>Total Apparatus and Equipment</b>			<b>\$5,356,250</b>	<b>\$1,890,000</b>	<b>\$7,246,250</b>

Source: Sonoma Valley Fire Protection District

Notes:

<sup>1</sup> Replacement value based on estimated current replacement value. Adjustments have been made to discount apparatus and vehicles based on age (0 - 5 years at 100%, 6-10 years at 75%; 11 - 15 years at 50% and 16 years or more at 25%.)

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