



RUBEN MARTIN
Fire Chief

CENTRAL MARIN FIRE AUTHORITY

Corte Madera ~ Larkspur

November 10, 2023

The Honorable Judge James Chou
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988

Pat Shepherd, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Suite 275
San Rafael, CA 94903

Re: Central Marin Fire Authority Response to Grand Jury Report “Build More ADUs – An Rx to Increase Marin’s Housing Supply”

Dear Honorable Judge Chou and Fore Person Shepherd,

At its regular meeting on November 9, 2023, the Fire Council for the Central Marin Fire Authority (CMFA) reviewed the report “Build More ADUs – An Rx to Increase Marin’s Housing Supply”, dated June 15, 2023. The report calls for a response from CMFA to finding 7 (F7) and recommendation 4 (R4).

Please see the attached response from the CMFA Fire Council.

Should the members of the Grand Jury require any additional information, please contact Fire Chief Ruben Martin at 415-927-5197 or rmartin@centralmarinfire.org.

Sincerely,

Charles Lee
Council Chairperson

AGENCY RESPONSE TO GRAND JURY REPORT

Report Title: *Build More ADU's – an RX to Increase Marin's Housing Supply*

Report Date: June 15, 2023

Response Date: November 9, 2023

Agency Name: Central Marin Fire Authority **Agenda Date:** November 9, 2023

Response by: Charles Lee **Title:** Chairperson

FINDINGS

- I (we) agree with the findings numbered: N/A
- I (we) disagree *partially* with the findings numbered: F7
- I (we) disagree *wholly* with the findings numbered: N/A

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered N/A have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered N/A have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered N/A require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered R4 will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 11/9/23

Signed:  _____

Number of pages attached 2



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RESPONSE TO GRAND JURY FINDINGS

F7. Impact, connection, and capacity fees vary considerably throughout the County and such fees can be a disincentive to homeowners considering ADU development.

Response: Partially Agree.

It is true that development and/or impact fees can vary from municipality to municipality, and from agency to agency for a variety of reasons. These development fees, which can be considered excessive, at times can or will disincentivize a property owner from wanting to either redevelop their single-family home. However, what we have discovered, is that property owners are creating Accessory Dwelling Units (ADUs) for one of 2 reasons: 1) create rental income from the development; or 2) they are being created to house their aging parents (at times for themselves who are the persons that are aging).

Some of our concerns, from a fire agency standpoint, that were not discussed in the report is the creation of ADU's in communities that have been identified to have limited ingress and egress, narrow winding roadways, within designated Very High Fire Hazard Severity Zones (VHFHSZ) and/or Wildland Urban Interface (WUI) zones that would cause possible evacuation hazards and delays in the event of a fast moving wildfire.

We agree that by adding/creating ADUs within municipalities will assist with the lack of affordable housing and with the Regional Housing Numbers Allocation (RHNA) that has been imposed by the Association of Bay Area Governments (ABAG). However, ADU's will not be the only cure for the lack of housing supply in Marin County.

RESPONSE TO GRAND JURY RECOMMENDATIONS

R4. By December 1, 2023, begin a feasibility assessment of waiving or significantly lowering impact and connection fees for units smaller than 750 square feet.

Response: This recommendation will not be implemented because it is not warranted or reasonable.

Central Marin Fire Authority currently has a fee schedule in place that imposes a flat plan review fee of \$328.00, which covers the time and material for our fire prevention staff to

conduct the following: consult with property owners and/or design teams; property site visit to determine if any hazards exist that will need to be mitigated as part the development process; evaluate the existing and required fire flow (water available from fire hydrants); and any access related concerns. Our fees are intended to recover costs for services rendered during a development and are not intended to create revenue for the general fund.