

RESPONSE FORM: 2022-2023 Marin Civil Grand Jury Report

Report Title: BUILD MORE ADU'S - AN RX TO INCREASE MARIN'S HOUSING SUPPLY

Respondent/Agency Name: SOUTHERN MARIN FIRE PROTECTION DISTRICT

Submitter Name: CHRISTIAN TURBS Title: FIRE CHIEF

FINDINGS

- Agree with the findings numbered: _____
- Disagree *partially* with the findings numbered: 7
- Disagree *wholly* with the findings numbered: _____

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

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a **summary** describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a **timeframe** for the implementation.)
- Recommendations numbered _____ 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 4 will not be implemented because they are not warranted or are not reasonable.
(Attach an **explanation**.)

Date: 8/30/23 Signed: Christian Turbs

Number of pages attached: 3



Southern Marin Fire Protection District

Christian Tubbs, Fire Chief

28 Liberty Ship Way, STE 2800

Sausalito, California 94965

Phone: 415-388-8182

Fax: 415-388-8181

August 23, 2023

The Honorable Judge James Chou

Marin County Superior Court

P.O. Box 4988

San Rafael, CA 94913-4988

Send PDF file to: departmentb@marin.courts.ca.gov

Re: Marin Civil Grand Jury Report responses:

Build More ADUs- An Rx to Increase Marin's Housing Supply

Dear Judge Chou:

Pursuant to California Penal Code Sections 933 and 933.05, attached please find the official response of the Southern Marin Fire Protection District to the findings and recommendations of the Grand Jury's report titled, "Build More ADUs- An Rx to Increase Marin's Housing Supply." The Southern Marin Fire Protection District ("District") is required to respond to Finding F7 and Recommendation R4. Our required response to the report's findings and recommendations was approved by the Southern Marin Fire Protection District Board of Directors at their meeting on August 23, 2023.

The Fire District appreciates the attention that the Grand Jury has given to the important issues and concerns facing Marin's citizens. We fully support examining and streamlining local agencies' permitting and approval of this important supply of affordable housing inventory to address California and Marin County's housing crisis. The Southern Marin Fire Protection District hopes to balance permitting efficiencies with important concerns of fire safety and maintaining appropriate access and service to these structures for firefighting resources. The District also appreciates and supports the efforts of the Cities we serve (Mill Valley, Tiburon and Sausalito) and their efforts to support ADU's as part of the effort to address affordable housing.

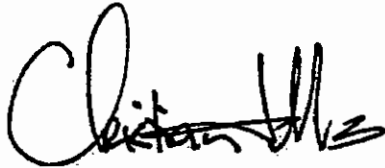
The District's responses to Finding F7 and Recommendation R4 of the Report are set forth in greater detail in the attached "Response to Grand Jury Report," but are summarized below:

F7 Partially Disagree. 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). The District supports these efforts and recognizes the importance of affordable housing, and further supports efforts to expand affordable housing. However, ADU's will need to be managed in a manner that balances addressing the lack of affordable housing supply in Marin County with the potential of

adverse effects on evacuations and firefighters' ability to respond to emergencies in a timely manner.

R4 The District will not implement because it is unwarranted or reasonable. The Southern Marin Fire District currently has a fee schedule in place that imposes a flat plan review fee of \$258.00.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Christian D. Tubbs', with a stylized flourish at the end.

Christian D. Tubbs, Fire Chief
Southern Marin Fire Protection District Board of Directors

Cc: Marin County Civil Grand Jury Foreperson Pat Shepherd

Attachment(s):

1. Southern Marin Fire Protection District Responses to the 2023 Marin County Civil Grand Jury Report: "Build More ADUs- An Rx to Increase Marin's Housing Supply"

Southern Marin Fire Protection District Responses to the 2023 Marin County Civil Grand Jury Report: "Build More ADUs- An Rx to Increase Marin's Housing Supply"

RESPONSE TO MARIN CIVIL 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 DISAGREES

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.

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 need to be managed in a manner that balances addressing the lack of affordable housing supply in Marin County with the potential of adverse effects on evacuations and firefighters' ability to respond to emergencies in a timely manner.

Some of our concerns, from a fire agency standpoint, that were not discussed in the report include 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, as well as adverse effects on emergencies our firefighters respond to daily. An individual in cardiac arrest who does not receive immediate medical intervention per medical guidelines, reduces their chance of resuscitation 10% for every minute of delay.

RESPONSE TO MARIN CIVIL 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: The District will not implement because it is unwarranted or reasonable. The Southern Marin Fire District currently has a fee schedule in place that imposes a flat plan review fee of \$258.00, 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.