

RESOLUTION NO. 117-2022

FANITA RANCH FIRE STATION

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTEE, CALIFORNIA
APPROVING THE APPLICATION OF HOMEFED FANITA RANCHO LLC FOR A
CONDITIONAL USE PERMIT (P2022-3) FOR A NEW FIRE STATION LOCATED IN
THE FANITA COMMONS VILLAGE SHOWN ON LOT VC-2 OF FANITA RANCH
VESTING TENTATIVE MAP TM2022-1**

APN'S: 374-030-02; 374-050-02; 374-060-01; 376-010-06; 376-020-03; 376-030-01; 378-020-46, 50, 54; 378-030-08; 378-210-01; 378-210-03, 04; 378-210-10, 11; 378-220-01; 378-381-49; 378-382-58; 378-391-59; 378-392-61, 62; 380-040-43, 44

(RELATED TO PROJECT NUMBERS: TM2022-1, P2022-1, P2022-2, , DR2022-4, AEIS 2022-4, AEIS2017-11)

APPLICANT: HOMEFED FANITA RANCHO LLC

WHEREAS, on August 25, 2021, the City of Santee adopted Urgency Ordinance No. 592, declaring the need for an Essential Housing Program to boost housing production and improve housing affordability in the City to address and respond to the existing housing crisis in the City of Santee; and

WHEREAS, on November 29, 2021, the Applicant, HomeFed Fanita Rancho LLC submitted an Essential Housing Project Application under Urgency Ordinance No. 592 for the Fanita Ranch Essential Housing Project (the "Project"); and

WHEREAS, on December 27, 2021, the Director of Development Services certified the Fanita Ranch project as an Essential Housing Project as it met the specified criteria in Urgency Ordinance No. 592; and

WHEREAS, the Project proposes a community consisting of approximately 2,949 housing units under a preferred land use plan with school, or 3,008 units under a land use plan without school, up to 80,000 square feet of commercial uses, parks, open space, and agricultural uses; and

WHEREAS, on May 4, 2022, pursuant to Urgency Ordinance No. 592, HomeFed Fanita Rancho LLC submitted the additional application materials for the Project consisting of a Fanita Ranch Development Review Permit DR2022-4, a Vesting Tentative Map TM2022-1, a Preliminary Application under the Housing Crisis Act of 2019 (Senate Bill 330), and Conditional Use Permits P2022-1, P2022-2 and P2022-3; and

WHEREAS, the subdivision and Development Plan creates 1,467 lots, including a public fire station within the Fanita Commons Village of the Fanita Ranch Development Plan area; and

WHEREAS, pursuant to the Development Plan and other approvals for the proposed project, the Applicant shall construct and dedicate to the City a fully staffed and operational fire station; and

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WHEREAS, Fanita Ranch is designated Planned Development (PD) in the Municipal Code and General Plan, respectively; and

WHEREAS, the PD district requires that public buildings be subject to the approval of conditional use permits (“CUPs”) in accordance with the procedures set forth in Santee Municipal Code section 13.19.030 and Table 13.19.030A; and

WHEREAS, the Fanita Ranch Development Plan specifies that public buildings which includes the fire station are subject to the approval of CUPs in accordance with the procedures set forth in Santee Municipal Code section 13.06.030; and

WHEREAS, the requirement of the Fanita Ranch Development Plan that public buildings are subject to the approval of CUPs is consistent with Santee Municipal Code Table 13.19.030A, which require approval of CUPs for public buildings in the City’s PD District; and

WHEREAS, Conditional Use Permit P2022-3 would allow the development of a 1.5-acre fire station, located within the Village Center of Fanita Commons; and

WHEREAS, previously, on September 23, 2020, the City Council certified the Final Revised Environmental Impact Report (“EIR”) (State Clearinghouse No. 2005061118) for a prior version of the Fanita Ranch Project (the “Prior Project”) and adopted several resolutions approving the Prior Project; and

WHEREAS, subsequently, the San Diego County Superior Court (Case No. 37-2020-00038168-CU-WM-CTL) granted a Petition for Writ of Mandate on March 25, 2022, ordering the City of Santee to set aside and vacate all resolutions and approvals pertaining to the Prior Project; and

WHEREAS, on May 25, 2022, the City Council adopted Resolution No. 070-2022, setting aside and vacating in their entirety the Prior Project approvals, including certification of the EIR; and

WHEREAS, in order to address the deficient portions of the EIR identified by the Court in Case No. 37-2020-00038168-CU-WM-CTL, the City prepared a Final Revised EIR, including the Recirculated Sections of the Final Revised EIR, which was released for public review from June 10, 2022 to July 25, 2022 in accordance with the provisions of the California Environmental Quality Act (“CEQA”); and

WHEREAS, on September 2, 2022 the City of Santee published a notice of public hearing on Conditional Use Permit P2022-3 and related case files, to be held on September 14, 2022, in accordance with Section 13.04.100 of the Santee Municipal Code; and

WHEREAS, on September 14, 2022, the City Council held a duly advertised and noticed public hearing on Conditional Use Permit P2022-3 and other applications related to the Fanita Ranch Development Plan; and

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WHEREAS, the City Council considered the staff report, all recommendations by staff, the Final Revised EIR including the Recirculated Sections of the Final Revised EIR, the entire record and all public testimony.

NOW, THEREFORE, BE IT RESOLVED by the City of Santee City Council, after considering the evidence presented at the public hearing, as follows:

SECTION 1: The City Council has certified the Final Revised Environmental Impact Report (EIR) including the Recirculated Sections of the Final Revised EIR (Resolution No. 112-2022) pursuant to the California Environmental Quality Act and adopted Findings of Fact, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project. The City Council hereby incorporates by reference, as if fully set forth herein, the Resolution certifying the Final Revised EIR and adopting the Findings of Fact, and Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program for the Fanita Ranch Essential Housing Project.

SECTION 2: The findings in accordance with Sections 13.06.030.E of the Santee Municipal Code for a Conditional Use Permit are made as follows:

- A. *That the proposed use is in accord with the General Plan, the objectives of the Zoning Ordinance, and the purposes of the district in which the site is located because:*
1. The Fire Station envisioned by the Fanita Ranch Development Plan meets the intent of the General Plan Safety Element goal of minimizing injuries, loss of life, and property damages resulting from natural and human-induced safety hazards because it will:
 - i. Be located to meet established response time standards for fire and life safety services.
 - ii. Respond to the rise in service demand on Fanita Ranch and the City as a whole.
 2. Section 4.4 of the Safety Element recognizes that another fire station will be needed when the currently vacant Fanita Ranch develops.
 3. The Fire Station meets the objectives of the Zoning Ordinance because:
 - i. It is included in the proposed Fanita Ranch Development Plan which includes a specific site for the fire station;
 - ii. The Fanita Ranch Development Plan and proposed fire station are consistent with the broad purposes of the City's zoning ordinance (Title 13 of the Santee Municipal Code), which are to a) implement the goals and objectives of the General Plan and to guide and manage the future growth of the City in accordance with such plan; b) to protect the physical, social, and economic stability for residential, commercial, industrial and other land uses within the City to assure its orderly and beneficial development; c) to reduce hazards to the public resulting from the inappropriate location, use, or design of buildings and other improvements; and

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- d) to attain the physical, social and economic advantages resulting from comprehensive and orderly land use and resource planning. (Santee Muni. Code § 13.04.010(C).)
4. The PD land use designation permits the proposed land uses including a fire station. The fire station is consistent with the General Plan and the purposes of the Fanita Ranch Development Plan because both plans propose fire stations to serve the citizens of Santee.
- B. *That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity because:*
1. The proposed fire station site is within the interior of the Development Plan area, generally in the central portion of the development area.
 2. The proposed fire station site is bordered by streets to the north, east and west facilitating ingress and egress.
 3. The proposed fire station site is located to meet a response time maximum of six minutes to all areas of the Project.
 4. Any change to the location of the temporary fire station must be approved by the Santee Fire Chief
- C. *That the proposed use complies with each of the applicable provisions of the zoning ordinance because:*
1. The subject property is located in the PD zone of the City's zoning map. This zone district implements the proposed Fanita Ranch Development Plan which includes the 1.5-acre fire station site.
 2. The Fanita Ranch Development Plan establishes use regulations. Where specific zoning criteria is not established, the Fanita Ranch Development Plan defers to the City's Municipal Code standards.
 3. For uses allowed pursuant to Santee Municipal Code Table 13.19.030A, such as public building, all development standards are established by a development review permit, minor conditional use permit, or a conditional use permit. This Conditional Use Permit (P2022-3) grants the uses, standards, and designs envisioned by the Fanita Ranch Development Plan for the fire station site.

SECTION 3: The application for Conditional Use Permit P2022-3, to establish a public fire station within the Fanita Ranch Development Plan is hereby approved subject to the following conditions:

The Applicant shall construct and dedicate to the City a fire station.

- A. The Applicant shall be solely responsible for the costs of constructing, equipping, staffing, outfitting, maintaining, operating and dedicating to the City a permanent

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fire station (including, but not limited to, utilities, water and sewer) necessary and sufficient to provide fire and life safety services to the Project, in accordance with the terms hereof. Applicant may elect first to construct, equip, staff, outfit, maintain and dedicate to the City a temporary fire station and then subsequently a permanent fire station, or Applicant may elect to construct the permanent fire station only. Construction of either the temporary or the permanent station must be completed before issuance of the first Certificate of Occupancy for a dwelling unit (not including model homes) for the Project. If Applicant elects to construct the temporary station, the construction of the permanent fire station must commence prior to the 750th Certificate of Occupancy for a dwelling unit and must be completed by the 1,250th Certificate of Occupancy for a dwelling unit, or within two years of commencement of construction, whichever is earliest. Notwithstanding any other Project condition to the contrary, the permanent fire station must be completed no later than five years from the lumber drop for the framing of the first dwelling unit in the Project.

- B. The permanent fire station shall meet all of the specifications described in **Exhibit A**, as well as any additional requirements set forth in the Project approvals. If the Applicant elects to first construct the temporary fire station, the temporary fire station shall meet all the specifications described in **Exhibit B**, as well as any additional requirements set forth in the Project approvals.
- C. The Applicant shall prepare all necessary building, grading, landscaping and other relevant plans, reports and specifications for review and approval by the City of Santee, including any required revisions, as-built drawings or other standard documentation required for plan-check and inspection purposes.
- D. The Applicant shall submit all required City applications, forms and documents with fire station construction plans to the Department of Development Services, and pay all applicable fees related to the plan check, inspection and improvement of the Fire Station.
- E. All construction activities related to the fire station shall require prior approval by the Santee Fire Chief and Director of Development Services, or their designee(s).
- F. The Applicant shall comply with all applicable sections of the Municipal Code, Land Development Manual and Public Works Standards of the City of Santee unless otherwise superseded by the Fanita Ranch Development Plan or other authorization.
- G. Both the permanent fire station and, if any, the temporary fire station shall be fully staffed 24 hours a day, seven days a week. Full staffing means a total of three captains, three engineers and three firefighter/paramedics. Mandatory apparatus for the fire stations include one Type I Fire Engine and one type III wildland fire engine.

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- H. If the Applicant elects to first construct the temporary fire station, the temporary fire station must be located in an area which will meet a response time maximum of six minutes to all areas of the Project. The final location of the temporary fire station must be approved by the Santee Fire Chief.
- I. If the Applicant elects to construct a temporary fire station, after completion of the permanent fire station, the City, at its sole election, may maintain ownership and use of the temporary fire station. If the City elects to maintain ownership and use of the temporary fire station, the City may continue to occupy the property on which the temporary fire station is located at its sole cost and expense, but without paying rent, for three years prior to vacating the site, or, at its sole election and cost, to move the temporary fire station to a different location outside of the Property or within the Property with the Applicant's consent. If the City elects not to maintain ownership and use of the temporary fire station, Applicant shall be solely responsible for the temporary fire station.
- J. Applicant shall be and shall remain responsible for all recurring costs related to the fire station (both temporary or permanent), exclusive of subsequent one-time capital expenditures, as described in this paragraph, or a portion thereof, as set forth below, until such time as the ad valorem property tax revenue derived from the property, and actually received by the City ("Ad Valorem Property Tax Revenue"), is sufficient to fund such recurring costs ("Fire Station Revenue Neutrality"). The City shall apply Ad Valorem Property Tax Revenue in excess of recurring costs to recurring costs incurred in subsequent years until such surplus is exhausted. In the event the Applicant believes that Fire Station Revenue Neutrality is achieved, Applicant shall provide the City with a Fire Station Revenue Neutrality report prepared by an independent third-party expert that documents the achievement of Fire Station Revenue Neutrality. The City shall cooperate with the expert and promptly provide any and all documents reasonably requested by the expert. The City shall have 60 days to review the Fire Station Revenue Neutrality report and to provide Applicant with a written response to the report. Moreover, Applicant may conduct an audit, at its own expense, of the costs which the City claims to have incurred in connection with the fire station, and the City will cooperate with such audit by promptly providing documentation reasonably requested. If there is disagreement that Fire Station Revenue Neutrality has been achieved, the City and Applicant shall meet and confer to attempt to resolve the dispute. If no agreement is reached, the City and Applicant may pursue appropriate legal remedies. Until a final determination is made regarding the achievement of Fire Station Revenue Neutrality, Applicant shall remain responsible for its share of the recurring costs associated with the fire stations as calculated pursuant to this paragraph.
- K. Until achievement of Fire Station Revenue Neutrality, the City shall annually notify Applicant of the estimated costs associated with the temporary or permanent fire stations for the next fiscal year, after deducting therefrom any surplus Ad Valorem Property Tax Revenue remaining from prior years ("Fire Station Annual Estimate").

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Applicant shall quarterly advance to the City, starting July 1 of each year, one-fourth (1/4th) of the Fire Station Annual Estimate (the "Quarterly Advance"). City shall use the Quarterly Advance to pay for the costs of the temporary or permanent fire stations for each subsequent quarter of the fiscal year. If the Quarterly Advance is insufficient to pay for the City's actual costs for the temporary or permanent fire stations for that quarter, the City shall provide notice to Applicant of the deficiency, setting forth, with appropriate backup documentation, the basis for the deficiency. Applicant shall pay to the City the deficiency within 30 days of receiving the notice of deficiency. If the City's actual costs are less than the Quarterly Advance for that quarter, the remaining balance in the Quarterly Advance will be used to offset the amount of the Quarterly Advance for the next quarter. The City shall provide Applicant with a final annual report regarding actual costs and associated Ad Valorem Property Tax Revenues, identifying any surplus or deficit, within 90 days from the end of each fiscal year. Recurring fire station costs shall be limited to the categories and descriptions set forth in **Exhibit C**.

- L. Fire station design, construction and maintenance shall be consistent with, or exceed, City standards and practice; construction documents must be reviewed and approved by the City Fire Chief and Director of Development Services.
- M. The Applicant shall implement, to the satisfaction of the Director of Development Services, the Sustainable Santee Plan (SSP), including but not limited to:
 - 1. Constructing the new fire station to meet or exceed California Green Building Code Tier 2 Standards.
 - 2. Reducing the urban heat island effect by planting trees in the parking lot.
 - 3. Installing energy efficient equipment, lighting, and cool roofs.
 - 4. Installing a rooftop photovoltaic solar system.
- N. The Applicant shall implement, to the satisfaction of the Director of Development Services, all environmental impact mitigation measures identified in the Fanita Ranch Final Revised Environmental Impact Report (SCH No. 2005061118), including the Recirculated Sections of the Final Revised EIR, the CEQA Findings of Fact and Mitigation, Monitoring and Reporting Program (MMRP) within the timeframe specified in the MMRP.
- O. Minor Revisions to the Conditional Use Permit, such as changes to the specifications and improvements identified in the Development Plan, shall be approved by the Director of Development Services. Major Revisions shall be reviewed and approved by the City Council.

SECTION 4: The terms and conditions of this Conditional Use Permit (P2022-3) approval shall be binding upon the permittee and all persons, firms and corporations having an

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interest in the property subject to these permits and the heirs, executors, administrators, successors and assigns of each of them, including municipal corporations, public agencies and districts.

SECTION 5: In addition to all other available remedies, the City of Santee Municipal Code, Chapter 1.14, provides for the issuance of Administrative citations for Municipal Code violations. Should non-compliance with said terms and conditions of this Conditional Use Permit or any violation of the Municipal Code that includes the City's Storm Water Ordinance, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

SECTION 6: Pursuant to Government Code Section 66020, the 90-day approval period in which the Applicant may protest the imposition of any fees, dedications, reservations, or exactions imposed pursuant to this approval, shall begin on September 14, 2022.

SECTION 7: This Conditional Use Permit (P2022-3) shall remain valid in accordance with the provisions of the Development Plan and Vesting Tentative Map (TM2022-1).

ADOPTED by the City Council of the City of Santee, California, at a Regular Meeting thereof held this 14th day of September, 2022 by the following roll call vote to wit:

AYES: HALL, KOVAL, MINTO, TROTTER

NOES: NONE

ABSENT: NONE

ABSTAIN: MCNELIS

APPROVED:



JOHN W. MINTO, MAYOR

ATTEST:



ANNETTE ORTIZ, CMC, CITY CLERK

Exhibit A: Permanent Fire Station Specifications
Exhibit B: Temporary Fire Station Specifications
Exhibit C: Recurring Fire Operational Costs

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EXHIBIT A

PERMANENT FIRE STATION SPECIFICATIONS

Overview

A Permanent fire station must be located in an area which will meet a response time maximum of six minutes to all areas of the proposed project. Design shall meet standards and features to accommodate Firefighters 24 hours a day, seven days a week. Components of the fire station include:

Approximate Square Footage 10,000

Public Areas

Lobby / Foyer
Offices (3)
Community / Training Room (40)
A/V Storage
Restrooms
Visitor Parking

Private Areas

Dayroom
Kitchen
Dining Room
Dorms (10)
Restrooms (6 individual)
Exercise Room
Employee Parking
Patio

Support Areas

Apparatus Room (3 wide, 2 deep)
Turnout Storage
Hose Storage
SCBA Storage
Equipment Storage
Medical Storage
Comms / Server Room
Shop / Tool Room
Mechanical Room
Electrical Room
Laundry (turnout and regular)
Hose Tower
Decontamination Shower
Fuel Station
Emergency Generator

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Dumpster / Trash
Janitorial Storage
Air Compressor Room
Ice Machine
Electric, Air and Exhaust for all apparatus locations
Station Monument Sign
Flagpole
Solar Power Generation

Apparatus: One fully-equipped Type I fire engine and one fully-equipped Type III wildland fire engine

- Must be consistent with current fleet, Pierce Manufacturing
- Both units must be fully equipped with hose, tools, etc.

EXHIBIT B

TEMPORARY FIRE STATION SPECIFICATIONS

Overview

A temporary fire station must be located in an area which will meet a response time maximum of six minutes to all areas of the proposed project. Design shall meet standards and features to accommodate three Firefighters 24 hours a day, seven days a week. Components of the fire station include: crew quarters, apparatus, apparatus storage, employee parking, physical training area, and all-weather surface.

Crew Quarters: Adequate for three personnel (approx. 28'X60')

- Three Individual bunk rooms (approx. 10X14)
 - o Three lockers in each room
 - o Desk in each room
 - o One Bed
- Restrooms
 - o Two restrooms each with shower
- Kitchen (8'X19')
 - o Full-size oven with cooktop
 - o Microwave
 - o Three refrigerators
 - o Large sink
 - o Food preparation countertop
- Living area
 - o Three recliners
 - o Carpeted living space
 - o Commercial grade linoleum or equivalent

Apparatus: One fully-equipped Type I fire engine and one fully-equipped Type III wildland fire engine

- Must be consistent with current fleet, Pierce Manufacturing

- Both units must be fully equipped with hose, tools, etc.

Apparatus Storage: Covered and secured structure

- Steel, or conventional structure
- Two apparatus side by side (individual doors or one large double door)
- Adequate storage for miscellaneous equipment and supplies with shelving
- Exhaust removal system, consistent with current brand used

Employee parking: Secure for eight employee vehicles

Location: Response time to all areas of project within six minutes

- Adequate egress from station out of project

Physical Training: May be an extension of the apparatus bay

- Separated from apparatus with barrier wall
- Air conditioned

Surface: Concrete for entire station site

EXHIBIT C

RECURRING FIRE OPERATIONAL COSTS

Fanita Ranch Fire Station Summary of Fire Station Staffing and Operating Costs

Personnel Costs for the Nine (9) Positions Listed in Paragraph 4.3.3:

Wages (including required FLSA adjustment)

Overtime

Uniform allowance

Stipends paid in accordance with the MOU between the City of Santee and the Santee Firefighters' Association

City-paid portion of direct benefits including:

Medical insurance

Dental insurance

CalPERS retirement contribution (normal cost only)

Retiree health savings account contribution

Medicare

Long-term disability

Workers' compensation

Life insurance/AD&D

Employee assistance program

Operating Costs:

Fuel - pumper

Fuel - brush rig

Electricity and gas

Water and sewer

Telephone

Copier

Station supplies

Repairs & maintenance-vehicles and equipment