

DEVELOPMENT OF A SYSTEM THAT ADDRESSES THE IMPACTS OF  
GROWTH AND ENSURES QUALITY FIRE PROTECTION IS NOT SACRIFICED  
AS THE TOWN OF PLEASANT VIEW GROWS

Executive Development

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## ABSTRACT

Growth and the effects of growth are not new topics for discussion in the United States. There are examples far and wide of right and wrong ways to develop, and there are different ways to ensure that development pays its own way. One difference found when examining growth issues was whether or not leaders are proactive or reactive in their ways of dealing with the effects of growth.

The problem this research project addressed was the fact that the Town of Pleasant View does not have a system in place to offset the impact of growth on the fire department. The purpose of this research was to develop a system that created a growth impact assessment that was justifiable and one that involved all stakeholders in the process. A literature review, survey of surrounding towns, and stakeholder team meeting were the primary procedures utilized in the study that used historical and action research to answer the following questions:

1. What are the impacts and costs of rapid community development on the Pleasant View Volunteer Fire Department?
2. Which of the impacts could be addressed by fire sprinkler systems, codes and standards, impact fees, or developer agreements?
3. What are typical fire service impact fees in other communities?
4. What system should be considered for Pleasant View and how should it be developed so that it will be supported for adoption?

The results of the survey of surrounding towns indicated that they had not consulted with the fire department, builders, or developers to address the impacts of growth. Because of this, stakeholder meetings were conducted with developers, city officials, and fire department personnel present. The group proposed “developer agreements” that would address the effects of growth on a case-by-case basis. These agreements assure the fire department that needs are addressed early in the process.

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## INTRODUCTION

The Town of Pleasant View, a rural community in the shadow of Nashville, Tennessee, is growing at a record pace. The Pleasant View Volunteer Fire Department is a privately chartered, non-profit organization that provides fire and rescue services to the newly incorporated town of 2,934 people. As growth and development transforms the town into a metropolitan suburb, the fire department is challenged to maintain its current level of quality response and customer service.

The problem with rapid growth is that no system exists in the Town of Pleasant View to ensure that fire protection issues of growth and development are addressed. These fire protection issues include the need for additional apparatus, facilities, staffing, building and fire codes, and the need for fire sprinkler systems. There are fees, taxes, performance bonds, code regulations, and local ordinances in place to protect some infrastructure such as schools, water, sewer, streets and roads. However, fire protection costs still fall to the citizen and are not factored in nor compensated for during the development process.

The volunteer fire department is forced to rely on citizen and government donations to operate. This process of relying on donations does not ensure the fire department that donations will increase with growth. Additionally, it is known that proposed new developments will increase the demands on the fire department in specific areas. One example of this, a proposed Traditional Neighborhood Development (TND), will have more than 5 three-story buildings. This fact will require the fire department to purchase a ladder truck. How does the fire department deal with this impact of growth? How should this ladder truck be paid for?

The purpose of this applied research project is to develop a system that addresses the impacts of growth and development on the fire department. Historical and action research methods were utilized to answer the following questions:

1. What are the impacts and costs of rapid community development on the Pleasant View Volunteer Fire Department?
2. Which of the impacts could be addressed by fire sprinkler systems, codes and standards, impact fees, or developer agreements?
3. What are typical fire service impact fees in other communities?
4. What system should be considered for Pleasant View and how should it be developed so that it will be supported for adoption?

Measures for growth and development are in place to ensure that much of the infrastructure is protected. This includes issues such as developer built roads, water and sewer installation costs, street and road bonds, and development taxes for schools. However, there are only building and fire codes available to help the Fire Department.

The local utility district, which is a private, quasi-governmental entity not controlled by the town, has recently installed sewer services to the area. This upgrade in infrastructure has increased the price and use of the land in the Pleasant View area. As a result of these upgrades, growth and development has increased at a rate that could double the population of the town in five years.

Approximately 600 lots are expected to be platted within the next 3 years. This fact demands that fire department leaders be proactive in discussions with developers and city officials, and steadfast in their message of education regarding how growth impacts the department. Fire department attendance at all planning and zoning meetings is required as the Town of Pleasant View addresses the growth issues of these proposed developments.

## **BACKGROUND AND SIGNIFICANCE**

The Pleasant View Volunteer Fire Department has provided fire suppression response services to unincorporated, rural areas of Cheatham and Robertson Counties since 1970. This unincorporated, rural area has transformed with the incorporation of the Towns of Pleasant View and Coopertown in 1996. Over the years, the Pleasant View Volunteer Fire Department has grown with the communities. From 1970 through 1985, the department provided only fire suppression response to its citizens. Since 1985, the department has added many new services. These services include: vehicle rescue, medical 1<sup>st</sup> responder, hazardous materials, fire prevention, fire inspections, and other services requested by the citizens. The growth of services provided has driven the need for increased revenue. This is especially relevant when the new development has specific features that directly impact the fire department.

Growth has also occurred in the form of population and area served, and this growth increases demands on the fire department. This increase in population also leads to the increased use of services provided by the fire department.

Cumberland Region Tomorrow, a private sector regional organization with the mission of working with the public sector to encourage and support growth planning, predicts that the population of middle Tennessee will increase by approximately 400,000 by the year 2020. Pleasant View will become home for many of that projected number due to its location and proximity to Nashville. The Pleasant View Volunteer Fire Department must be proactive and involved in the system that is created to offset the impacts of growth. That is indeed the only way that fire department needs will be addressed.

This applied research project is directly related to the National Fire Academy's *Executive Development* course in multiple areas. A team was required from the start in order for success to be realized. "A team is a cohesive group that can work together effectively and efficiently to achieve commonly shared goals" (National Fire Academy [NFA], 1998, *Executive Development Student Manual (SM)* p. 1-13). This team of developers, government officials, elected officials, and fire department officials used innovation and creativity to develop the system that ensures the impacts of growth are addressed. The team utilized the 5 phases of innovation and creativity while "putting it all together" (NFA, 1998, p. 4-9).

It is also noteworthy to identify the link between the establishment of a system that addresses the impacts of growth and the fact that "any issues with the potential to harm or to benefit others has ethical implication" (NFA, 1998, p. 8-5). A final key that ties the *Executive Development* course to this applied research project is the enabling objective of "identifying strategies for promoting fire service objectives within the local government structure" (NFA, 1998, p. 9-2).

Pleasant View adopted the ordinances of the county when incorporating in 1996. This early action created a new town destined for growth set in place with ordinances being used in a rural county. There was little change in the design and quality of development within the town. No justification was given and no stakeholder interest was represented in the policy making process. Because of these facts, the current fee schedule can not be explained nor justified. The fee schedule does not factor in demands on the fire department that are caused by growth.



The Mayor and Board of Aldermen, as well as the Planning Commission, operate much like the county government. This operation of government did not include the fire department. Pleasant View Volunteer Fire Department operates four fire stations, one in each of the four governmental jurisdictions it protects. The four governments served have varying policies and fees concerning growth and development. As shown in Table 1, none of the four governments address fire department needs through their respective fee schedules.

Table 1

| Fee Comparison of Governments Served |                         |                |                     |
|--------------------------------------|-------------------------|----------------|---------------------|
| Government                           | Type of Fee             | Amount         | Direct Amount to FD |
| Town of Pleasant View                | Building Permit         | .40/sq.ft.     | 0                   |
| Cheatham County                      | Development Tax         | \$3,450.00     | 0                   |
| Cheatham County                      | Adequate Facilities Tax | \$1.00/sq. ft. | 0                   |
| Cheatham County                      | Building Permit         | .30/sq. ft.    | 0                   |
| Town of Coopertown                   | Building Permit         | .50/sq. ft.    | 0                   |
| Robertson County                     | Adequate Facilities Tax | \$1.50/sq. ft. | 0                   |
| Robertson County                     | Building Permit         | .07/sq. ft.    | 0                   |

Within this area also exist four utility districts that operate independently of the governing body of the jurisdiction. This creates a complex situation for the fire department. There exists no plan reviews for the impact on the fire department, and that is in and of itself a large part of the problem.

The development of a system which includes an impact assessment that reflects the fire department in the growth equation will enable the Pleasant View Volunteer Fire Department to address the USFA operational objectives of protecting all citizens and firefighters by limiting fire to the incipient phase. The fire department will address these

through the enforcement of codes and standards, the adoption of sprinkler ordinances, and an increased fire prevention message.

The development of the system included a process that includes all stakeholders. Government officials, fire department personnel, developers, and citizens addressed the impacts of growth on Pleasant View and formulate agreements and fees that will reflect the needs of all organizations and groups represented.

## **LITERATURE REVIEW**

There is a limited amount of literature available in the fire service on methods of meeting the needs of a growing community. The public sector has extensive literature available on impact fees and revenue management, but this information has limited details concerning the fire service. This fact makes the results of this applied research project significant, especially when a system is created that can be duplicated by other fire departments in fast growing areas.

The implementation of a method that allows the fire department to address the issues of growth is best found in reviewing the ordinances of other cities. It is not typically beneficial to use ordinances gathered from municipalities in other states due to the obstacles that exist with differing enabling legislation from state to state. The multitude of terms used for fees and taxes also differs greatly and can mean the difference in whether a fee stands the challenge of court.

There exists an ample amount of periodicals concerning fees and the challenges faced with implementation and justification. One can assess the arguments faced from all sides by reviewing newspaper articles concerning local battles over impact fees. The

implementation of policy allowing growth issues to be addressed may be found in political science books on policy analysis and planning.

Applied research papers from the Executive Fire Officer Program and similar papers from the local planning section of government are also limited. These papers do provide a method of specific approaches used to make a case concerning the implementation of an impact fee.

“Speculators often subdivided vast tracts of land considerable distances from cities in anticipation that purchases would demand, and eventually receive services” (Rhody, 1993, p. 3-1). This statement is true concerning the impact of growth on the Pleasant View Volunteer Fire Department. The transition of these speculators and public demands for service came following the Depression and with the implementation of local zoning and subdivision regulations. The public could no longer afford for government to expand services to areas that were costly to develop. Therefore, government restricted the use and development of land in areas where service was not available. “Local governments could require developers to provide infrastructure that was needed to prevent their developments in the community or which exclusively benefited the residents of their projects” (Rhody, 1993, p. 3-1). This is the reason the fire department should be involved in planning and zoning to ensure the services provided to the citizens are not diminishing services.

“Impact fees are, in the cases of those communities which have them, the last step in the land use planning capital improvements programming process” (Rhody, 1993, p. 10-1). The use of an impact fee means the local government should have a comprehensive plan outlining capital improvements now required as a result of growth.

According to Ruchelman (1987), there are examples where the fire chief could easily substitute for financial manager.

For the finance manager to perform successfully, he or she must not only understand the interaction of shaping and contributing factors, trends, and urban and governmental processes, but he or she must come equipped with the knowledge and skills needed to make and implement decisions. (p. 28)

Ruchelman (1987) identified the method in which decisions are made as:

“How decision makers respond to changing conditions and evolving needs in largely a reflection of who the decision makers are, how they perceive their role, and the political and organizational environment in which they function” (p. 24).

“When the population is growing and the citizens wish to maintain the level of public services, both infrastructure and current services must grow as well” (Brueckner, 1996, p.8). The population of the Town of Pleasant View has grown from 2,046 upon its incorporation in 1996 to 2,934 in the official 2000 census. The fire department has added its first full-time position which has the primary task of providing the service of fire marshal to the town. The fire department’s Deputy Fire Chief currently fills this position. The current fee of .40/sq. ft. building fee does not even cover the cost of the building commissioner’s salary for the town. Therefore, there has been no fee from growth collected to cover the cost of the fire marshal.

When we examine the number of permits issued in the Town of Pleasant View in Table 2, and compare it to the estimated population per household total of 2.3 used by the Tennessee Planning Office, we can project the population growth patterns of the town.

Table 2

| Building Permits and Population by Year |                    |                |               |
|---|--------------------|----------------|---------------|
| Year                                    | # Building Permits | # Pool Permits | Population    |
| 1997                                    | 10                 | 0              | 2046 (actual) |
| 1998                                    | 69                 | 1              |               |
| 1999                                    | 49                 | 3              |               |
| 2000                                    | 38                 | 13             | 2934 (actual) |
| 2001                                    | 41                 | 10             | 3028          |
| 2002                                    | 48                 | 5              | 3138          |

“It is often said, only partly in jest, that density is the only thing Americans hate more than sprawl. Smart growth still means growth. It means growing in a more compact way, even an urbanized way” (Swope, 2001, p. 33).

The Town of Pleasant View is experiencing first-hand what Swope refers to in his article, “Rendezvous with Density.” The approvals of the first TND in our area means greater density. This is where fees may be inadequate as the only means of addressing fire protection. Developments in accordance with smart growth will require new ordinances and improvements in codes and standards. The increase in fire and life safety features will assist the fire department in the prevention and control of fires.

The Pleasant View Volunteer Fire Department is preparing for the density of the TND. According to the *NFPA Fire Protection Handbook*, there are a few actions that should offset the impact to the fire department. Bush (1997) recommends “Where multiple occupancy classes occur in the same building and are so intermingled that separate safeguards are impractical, means of egress facilities, construction, protection, and other safeguards must comply with the most restrictive life safety requirements for the occupancy involved” (p. 9-69).

The TND proposed for the Town of Pleasant View is called Pleasant View Village (PVV). Within PVV, there will be several lots available with a combination of live and work units, where the dwelling is above the office or business. This ordinance designates a Village district as a development of human scale, walkable communities where residences, businesses, and commercial uses are within walking distance of one another. The town has adopted codes that are the latest editions, but should consider adding more restrictive codes not currently included in the local ordinance.

The features of construction and use of the occupancy will require close inspection and code enforcement. The fire department will not survive the attitude of “you build it, we will protect it” in this development. PVV is required through the V-1 zoning ordinance to be fully sprinklered (Pleasant View, Town of, 2001, Ordinance 02-05). During the creation of the Village (V-1) ordinance, the requirement that all buildings would be sprinklered was added because of the high density within the zone. This requirement was agreed to by the fire department, developer, and government officials. The requirements of sprinkler systems in the town would help ensure the cost of increasing pump capacity for ISO would be kept at the present rate.

The Village ordinance did not restrict the height of buildings and all other current ordinances allowed for three story buildings. The allowance of three story buildings would create the need for a ladder truck, which the Pleasant View Volunteer Fire Department currently does not have nor need. The creation of PVV will cause the fire department to be required to have an aerial apparatus, as dictated by ISO requirements (ISO, 1980, p.17).

Regarding the fire death problem, Bush (1997) makes another recommendation. He suggests “The installation and proper maintenance of smoke detectors and quick response residential sprinklers in sleeping areas provides an effective, low-cost, and widely available method of early warning so that evacuation, containment, and suppression can begin during the incipient stages of a fire” (p. 9-69).

“Even among those communities that are being charged for firefighting services, the fees often differ, the new residents complain” (Lenhart, 1999). Fees charged for growth vary from city to city and from state to state, and so does the names of these fees. Fees dedicated to cover fire protection are rare in Tennessee. The names of fees in Tennessee vary from fire fee, impact fee, adequate facilities tax, and development tax.

The variation in fees vary as well. Lenhart (1999) assessed the pressure applied to developments regarding fire service fees by noting that “newcomers fight fire service fees in older subdivisions because residents don’t pay.” As for the reason for impact fees Rhody (1993) describes “fairness, like beauty, is in the eye of the beholder, depending on individual values” (p. 8-1 ). Swope (2001) describes a situation where the voters cast out elected officials who were “...too comfortable with the seemingly endless proliferation of development” (p. 33).

## **PROCEDURES**

The procedure used to derive this applied research paper was determined based on the identification of a problem that if corrected would have the most beneficial and longest lasting effect on the Pleasant View Volunteer Fire Department. Utilizing the steps outlined in the *Executive Development* manual (NFA, 1998, pg. 3-9) lots of ideas

were generated and noted. The problem that no system or means to address the impacts of growth existed that ensure fire department service levels were not exceeded in the Town of Pleasant View.

### **Definition of Terms**

|                   |  |
|-------------------|--|
| <b>Adopted</b>    | An ordinance, resolution, or official action of a governing body to implement a law. |
| <b>Bill</b>       | A law presented to legislators for adoption.   |
| <b>Floor</b>      | The appearance of a bill before a legislative body.                                  |
| <b>Growth</b>     | The addition of population or structures.  |
| <b>Developer</b>  | Person who transforms land and its use from present use to one that spurs growth.    |
| <b>Ordinance</b>  | A law of local government requiring two approvals and a public hearing.              |
| <b>Resolution</b> | A law of local government requiring one approval and no public hearing.              |
| <b>Builder</b>    | The creator or erector of buildings or dwellings.                                    |

Based on the problem, the next step was to determine the purpose with a solution to the problem. The purpose of the applied research project was to develop a system that allowed stakeholders to develop ways to offset the impact of growth on the fire department. This purpose came at a time where the benefits of the solution would have a positive impact on the fire department because of the new TND being proposed. The development of a system that would address growth impacts would ensure the fire



department didn't fall behind from the start. This was especially important realizing there was the potential for 600 lots to be platted within the next three years.

Literature review begins once potential problems are identified. A literature review at the National Fire Academy's (NFA) Learning Resource Center (LRC) in February of 2002 while attending the *Executive Development* course started the process of selecting a problem statement and defining a purpose. During this process, observations were made that a limited amount of fire service literature existed on ways the fire department managed or dealt with growth. Through further literature review on local issues of growth and development, it was discovered that the fire department was, more times than not, generally not even considered in many fees covering growth. This was especially true in Middle Tennessee when looking at a regional scale. Ross and Thorpe (1992) discuss the statewide legislation that allows public agencies to implement impact fees. Tennessee is not such a state and local governments must be authorized from the state to levy these fees. Aronson and Hilley (1986) also discuss non-tax revenue for local governments and the "specific enabling legislation..." required to generate such revenue. Upon the discovery of this literature the need for enabling legislation was identified.

This is the point where the political process comes into play. It was determined that legislation would be required from the State of Tennessee prior to the Town of Pleasant View Board of Mayor and Aldermen's development of a fee structure. "Politicians must serve the interests of diverse groups; they do not want to support the program favored by one group at the risk of alienating another" (Patton and Sawicki, 1993, p. 188). The search for a bill sponsor at the state level was a simple procedure of

contacting the local State Senator. Senator Rosalind Kurita had sponsored other specific legislation for effecting localities and she had been a friend to the fire department. This portion of the procedure did have the specific limitation of time. Tennessee's 102<sup>nd</sup> General Assembly had a tough year with a budget crisis and that made scheduling for special legislation difficult. Because of the fact that waiting for the 103<sup>rd</sup> General Assembly to convene in January 2003 would not allow the fire department to address the needs generated by the TND, an alternative was sought.

Information was gathered from the Town of Pleasant View's Building Commissioner's office on the number of permits issued. The Deputy Fire Chief began the process of gathering information concerning the known cost impacts to the fire department as a result of growth. The specific needs caused by the projected growth were derived from a meeting of fire department officers.

The Town of Pleasant View's Community Liaison conducted a phone survey of other counties and cities in the surrounding area concerning their fees. This phone survey was used to determine the fees of other municipalities and determine whether studies were done to determine the fee. The questions were also in place to determine the use of collected revenue. It was during this process a report made to the Rutherford County Commission (Rhody, 1993) was discovered. Site visits were made to collect public records of ordinances. A personal interview was established with Jim Rhody, the planner for the Rutherford County Commission. Mr. Rhody brought a copy of his report (Rhody, 1993) to the interview. The interview was conducted at city hall with city officials and fire department officials present. The process of his report was discussed along with his findings and outcome presentation. Rhody (1993) presented a very comprehensive report

on impact fees and privilege taxes used to offset growth. The Rutherford County Commission adopted a privilege tax despite the recommendations of the report. Rhody (1993) strongly recommended the adoption of an impact fee over a privilege tax if the Commission decided sources of additional revenue were needed.

Mr. Rhody's biggest caution was the political impact of an attempt to implement a fee structure on developments. This warning was verified from literature found from homebuilders associations. Diez (1989) attempts to muster allies to fight a looming battle in the future. Link (1989) also encourages builders to show potential buyers the fees implemented by local governments.

According to Granito (1997), "When a community – rural, suburban, or urban – considers its fire defenses, it must scrutinize the past and present and make predictions and forecasts for the future" (p. 10-39). Action research was the most appropriate research methodology based on the need to implement action to solve a problem. The purpose, as described in the *Executive Development* manual (NFA, 1998) was to apply the information to solving a specific problem of the Pleasant View Volunteer Fire Department. The objective of this applied research project was to create a system that would enable city officials to address specific needs caused by growth to help the Pleasant View Volunteer Fire Department offset the impact.

Once the literature was gathered and the research methodology chosen, the results were analyzed and action was taken to begin the approval process. The Community Liaison scheduled a stakeholder meeting and mailed an invitation letter from the Mayor (Appendix A). This was a turning point in the process. An agenda (Appendix B) and a presentation (Appendix C) were prepared that shared information with the stakeholders

regarding the objectives of the meeting and opportunities for input were identified. The meeting was held at the local elementary school because this was a neutral location. The results (Appendix D) of the meeting were compiled and utilized in conjunction with information from literature to draft the system to address the impacts of growth. The city attorney drafted the developer agreement (Appendix E) that ensured the fire department would have its needs addressed in regard to PVV and prepared it for council. The developer agreement was created by all stakeholders at the meeting, and allowed inputs from all organizations.

The final procedure will be the acceptance of the developer agreement by the Mayor and Board of Aldermen for the Town of Pleasant View. Following their acceptance, the agreement will be a binding legal document between the developer and the Town of Pleasant View. The developer agreed to contribute \$300,000 toward the purchase a ladder truck for the department because it realized the demand was a result of PVV needs regarding fire protection. The fire department agreed to equip the truck and provide housing quarters for the apparatus. The positive results of this collaborative team effort are far reaching. Stakeholders are energized by the opportunity to contribute and genuinely appreciative of the process set forth.

## **Limitations**

There are few limitations when good resources are used to derive information. The assistance of a good team of people ensures the creation of a quality product and this team rose to the challenge as a result of this applied research project. The limitations discovered were the assignments of those assisting. The city attorney was limited on

examples to use in the formation of the developer agreement. The information from the telephone survey was limited in the number of cities and counties with fees that were justifiable.

The variation in the political process and state laws was another limitation of the applied research project. When the local government requires specific legislation from the state, getting a bill to the floor becomes a challenge. Due to the six month time frame of the applied research project, official action could not be taken on an ordinance requiring two readings, nor could an evaluation of the impact be observed through accounting to the fire department. A draft of the enabling legislation needed from the State of Tennessee was another limitation for an impact fee across the board, with the 103<sup>rd</sup> General Assembly not scheduled to convene until January of 2003.

### **Assumptions**

There were three assumptions specific to this applied research project. The author assumed the developers would resist and not participate in the stakeholder meeting, that population projections would be justifiable, and that other cities and counties in Middle Tennessee would be able to justify their fees.

The builders and developers participated in the stakeholders meeting provided valuable input. The developer of PVV agreed to a developer agreement and other developers are in agreement to install fire sprinkler systems in single family homes, the only dwelling not currently required to have sprinklers by ordinance.

Another assumption was that the state planning office population projection per dwelling unit would be explainable when comparing the number of permits to the current

population. This was not the case, as can be seen in Table 2. These projections did not account for the growth experienced between 1997 and 2000.

The final assumption was that other cities and counties would be able to provide formulas for setting fees and justification for use. This was also not the case as shown by the results of the telephone survey.

## **RESULTS**

The results of this applied research project were compiled from the literature reviewed and procedures performed. The research questions were answered using an examination of periodicals, books, internet, ordinances and resolutions, an interview, and a telephone survey. The questions posed for this applied research project are listed here with the results and findings in a logical and narrative format.

What are the impact and costs of rapid community development on the Pleasant View Volunteer Fire Department?

By taking part in land use planning decisions, the fire service can influence actions that will later determine the risk to the community from man-made and natural hazards as well as the capability of the department to protect the community from these hazards (Burns, 1988, p. 328).

Through involvement with the Town of Pleasant View Planning Commission the first impact was recognized. Local zoning ordinances allowed for three story buildings. The creation of a new zoning ordinance to allow for a high density TND was also considered by the planning commission. The Pleasant View Volunteer Fire Department had influence on the V-1 ordinance (Pleasant View, Town of, 2002, Ordinance 02-05) by

requiring fire sprinkler systems in all buildings. The fire department serves a district without any three story buildings and utilizes a rescue/service company for ISO points. The approval of the first V-1 zone, which includes three story buildings, would drive the need for a ladder truck.

“Response areas with 5 buildings that are 3 stories or more in height, or with 5 buildings that have a needed fire flow greater than 3500 gpm, or any combination of these criteria, should have a ladder company” (ISO, 1980, p. 17).

The need for a ladder truck was an impact to the Pleasant View Volunteer Fire Department that could cost between \$300,000 and \$500,000. Rhody (1993) recommends an impact fee be used for this specific need caused by the development because of the impact on the fire department (p.12-18). Paige (1990) emphasizes the need to meet the rational nexus test. “The rational nexus test involves the connection between the new development, the community needs caused by the development, and the benefits to be realized by the development” (p. 3). Rhody (1993) and Ross and Thorpe (1992) also describe the rational nexus as well as case studies associated with the test.

Developers expressed their desire to work with the fire department and city officials on a case-by-case basis. They indicated that they understood they should pay for the increased demands their developments placed on the town and the fire department. Their request was that it be fair and justified. They proposed that developer agreements be used to address the impacts of growth. They are prepared to meet with city officials and fire department officials to formulate these agreements on a case-by-case basis. Being innovative and creative when a problem exists and is on an approval system that is time specific limits the amount of time to take action to correct. The process to

implement a comprehensive fee structure is one that will take continued meetings of this group of stakeholders, and may be the ultimate outcome. Developer agreements will ensure that the fire department has input and that each developer realizes the impacts they are bringing to the community. This process also ensures that each development is reviewed on a case-by-case basis, and no “cookie cutter” quick fix is imposed on anyone.

The “Needed Fire Flow” (ISO, 1980) has been addressed through the adoption of a sprinkler ordinance in the Town of Pleasant View. This adopted ordinance (Pleasant View, Town of, 2001, Ordinance 01-07) on sprinkler systems does not eliminate the requirement of a ladder truck according to ISO (1980), “the height of all buildings in the city, including those protected by automatic sprinklers, are considered when determining the number of needed ladder companies” (p. 17). The adopted sprinkler ordinance does include all commercial buildings and multi-family dwellings.

Another impact identified through a meeting of fire department officers was the increased call volume for the Pleasant View Volunteer Fire Department. Table 3 indicates that call volume has increased as population increases.

Table 3

| Call Volume |       |
|-------------|-------|
| Year        | Calls |
| 1997        | 632   |
| 1998        | 881   |
| 1999        | 1,005 |
| 2000        | 941   |
| 2001        | 1,166 |



Rhody (1993) displays a fire protection and rescue impact fee from Palm Beach, Florida that utilizes a per call and cost per unit type fee (p. 12-18). The impact of additional buildings would create a charge to all new developments based on the call volume increase to the Pleasant View Volunteer Fire Department.

The need of additional personnel to answer the calls and administration of the fire department was also identified at the officers meeting. The Pleasant View Volunteer Fire Department has a strategic plan to hire three additional personnel in addition to the fire marshal to handle the administrative, training, and resource functions of the department. The strategic plan calls for these personnel to work Monday through Friday and handle the functions of the fire department that volunteers don't wish to do. The cost of hiring three additional administrative personnel would cost \$126,360.00. The cost of hiring 12 personnel would be \$375,292.00. The increased revenue from sales taxes in the town and additional donations from new homeowners are utilized for operating cost and personnel.

Which of the impacts could be addressed by codes or impact fees? “The regulation of fire protection is recognized as a state and national necessity” (Teems, 1988, p. 383). Fire protection must be enforced at the local government level to ensure fire protection features are built into the facilities. The Town of Pleasant View had adopted the Southern Building Code Congress International as the fire and building codes (Pleasant View, Town of, 2001, Ordinance 01-10). “The intent of fire codes is to provide a means for ensuring that protection features are built in and maintained properly” (Teems, 1988).

Teems (1988) says the following:

Procedures for code enforcement vary considerably and are usually outlined in state statutes and local charters. If the enforcement function is to be taken seriously, the inspector needs the legal authority to issue a ticket and fine if an imminent fire hazard is present or, in more serious cases of noncompliance, to issue a summons to appear in court. (p. 383)

The Town of Pleasant View had addressed this with the passage of a resolution granting authority for fire marshal to the Pleasant View Volunteer Fire Department (Pleasant View, Town of, 2001, Resolution 01-08). A letter was also sent to the State of Tennessee Commissioner of Commerce and Insurance to receive authority as deputy to the Commissioner. This authority would allow the fire marshal to enforce adopted fire codes.

Teems (1988) suggests “built in fire protection that reacts immediately to an emergency condition is the best possible response to the emergency” (p. 385). The town addresses this finding partially with the adoption of a sprinkler ordinance and by also giving authority to waive building permit fees (Pleasant View, Town of, 2002, Resolution 02-03) for those structures not covered in the sprinkler ordinance. The ability to waive building permit fees comes in the form of a resolution. The combination of the resolution to waive fees on single family dwellings with the sprinkler ordinance has proven to be effective for the community. The impact of Needed Fire Flow (ISO, 1980) is limited through the adoption of the sprinkler ordinance (Pleasant View, Town of, 2001, Ordinance 01-07).

Rhody (1993) suggests impact fees may be used to offset the impact of growth on the fire department by being assessed against the development creating the direct impact. Aronson and Hilley (1986) say “Localities are assessing fees on developments so that newcomers, rather than existing residents, absorb the cost of development” (p. 155). Rhody (1993) discusses the fairness issue of impact fees and outlines methods to establish equity through impact fees.

What are typical fire service impact fees used in other communities? The results of the telephone survey of the other counties and cities found only one city in Middle Tennessee with an actual impact fee. The City of White House, Tennessee uses an impact fee (White House, City of, 1995, Ordinance 95-22) for improvements to major roads, parks and recreation, police protection, and fire protection. The City of White House was one of only two in the telephone survey that had conducted a survey to set their fee structure. The White House fire impact fee (White House, City of, 1995, Ordinance 95-22) is assessed on a population and “net cost per person” schedule. Fire is the lowest assessed fee of all the fees assessed in the city with only \$186 of the \$1,250 fee designated for the fire department. Parks and recreation tops the list with \$396, roads are allocated \$381, and the police department gets \$282. No other surveyed county or city utilizes an impact fee in this manner.

Table 4 lists the counties and cities surveyed, the fees and/or taxes they utilize with their varying names and rates to offset growth. Whether or not a study was done to set the fee is also noted, as well as what the fee is utilized for. In some instances, there is no specific designation as to where the revenue collected goes.

TABLE 4  
FEE AMOUNTS AND VARIATION

| City/County              | Type of Fee               | Amount       | Study Done? | Utilized For?  |
|--------------------------|---------------------------|--------------|-------------|--|
| Rutherford County        | Flat Rate Development Tax | \$1,500      | Yes         | Not designated-used where needed                         |
|                          | Building Permit           | SBCCI Chart  | No          |  |
| Cheatham County          | Development Fee           | \$3,750      | No          | Schools  |
|                          | Building Permit           | .30/sq. ft.  | No          | General Fund   |
|                          | Adequate Fac.             | 1.00/sq. ft. | No          |  |
| City of White House      | City Impact Fee           | \$1,245      | Yes         | \$396 Parks<br>\$381 Roads<br>\$282 Police<br>\$186 Fire |
|                          | Building Permit           | SBCCI Chart  | No          |  |
|                          | Facilities Tax            | .70/sq. ft.  | No          |  |
|                          | Building Permit           | .40/sq. ft.  | No          |  |
| Town of Ashland City     |                           |              |             |  |
| Town of Kingston Springs | Adequate Fac.             | .85/sq. ft.  | No          | General Fund   |
|                          | Building Permit           | .25/sq. ft.  | No          |  |
| Robertson County         | Adequate Fac.             | 1.50/sq. ft. | No          | General Fund   |
|                          | Building Permit           | .07/sq. ft.  | No          |  |
| City of Goodlettsville   | Adequate Fac.             | .70/sq. ft.  | No          | General Fund   |
|                          | Building Permit           | .34/sq. ft.  | No          |  |

What system should be considered for Pleasant View and how should it be developed so that it will be supported for adoption? The results of the interview with Jim Rhody called for an impact fee. This recommendation was the result of the in-depth

study and presentation on the analysis and fees of growth (Rhody, 1993). Rhody (1993) lists the process to determine fairness and legal issues associated with fees on growth.

The stakeholder meeting resulted in many ideas and a new team to evaluate growth. The developers in attendance generated new ideas that should be researched. Senge (1994) assesses, “examining the roles takes place most effectively in dialogue and discussion. As people develop more open knowledge of each others drives, preferences, and sensitivities, their ability to diagnose problems increases” (p. 416).

Utilizing the developers prior to implementing fees respected what Ross and Thorpe (1992) refers to as “developer rights.” The first “developer’s right” both in the literature and in the meeting was that “developers have the right to know what they are paying for” (Ross and Thorpe, 1992).

The results of this applied research project clearly show that there is much variation in the field of growth and the impacts on the community as a result of it. The need for a customized local community solution is obvious. Also, the need for review and adjustment is clear and specifically outlined by Patton and Sawicki (1993) when they state, “as times change and as needs of constituencies change, politicians want to be able to respond without being committed to old ideas” (p. 188).

## **DISCUSSION**

The results of this study indicate that organized efforts to bring key stakeholders to the table result in big gains for the fire department. In the telephone survey conducted for this applied research project, it became very evident that the fire department is not typically included in meetings where systems that address growth impacts are conducted.

Rhody (1993) elaborates on the discussion point of how to finance infrastructure caused by population growth by stating that common sense tell us when a community experiences population growth, it should result in a “win-win” situation for everyone - more people, more jobs, more trade, and more dollars being imported into the county and re-circulated within the county. In turn, this should lead to a larger tax base, more tax revenues, and more opportunity for local government to provide and pay for public facilities that people want and need, presumably even more efficiently and at a higher level of quality than before due to economy of scale.

According to Rhody (1993), there are:

typically four kinds of money shortage problems that arise when a local government experiences rapid population growth. 1) Not enough increased revenue to cover increased expenses. 2) Not enough revenue early enough to cover front-end costs of new public facilities. 3) Not enough revenue available in the right places or for the right purposes. 4) Inequitable distribution of the cost burden. (p. 3-8)

Fire department needs fall under problem #3 and this issue is further complicated by the fact that the fire department is not typically at the table to explain and justify their needs to the developer and to city officials. The stakeholder meeting that occurred as a result of this applied research project, was a good example of what can happen when interested parties agree to focus on the issue at hand. For Pleasant View, the issues were specific and tangible. The identification of the need for a ladder truck combined with

observations regarding appropriate and inappropriate fees provided a logical place to begin.

The development of a comprehensive system that includes a fee structure will take more time and creative thinking from stakeholders. However, the momentum gained from the work already completed has all stakeholders enthusiastic about the potential for future success. Ironically, the impacts that developers identify with the most are fire department issues. This is the case, in large part, because the fire department issues are specific, justifiable, and typically make “common sense.”

According to Burns (1988), systems analysis is a much used, much abused, and often misunderstood term.

It has a genesis notion that large systems, must be viewed as a whole, rather than as a number of integrated components, because these parts interact with a resultant effect on each other and on the system, and also because the system has an effect on the outside world. The process begins with someone recognizing that a problem exists. This finding is usually expressed in a vague statement such as “We have a problem.” (p.81)

Burns (1988) adds that a planning process can help confront issues by: establishing levels of service and risk that meet the needs and expectations of the community and fire department. Communities are frequently planned and constructed with little or no concern for the control of fire losses and fire protection costs, and many structures are built with minimal fire protection features. (p. 80)

The overwhelming response of the stakeholders involved in the creation of the developer agreement for Pleasant View reinforce the author's belief that there exists opportunities for the fire department to be more involved in growth and governmental issues. The results of the telephone survey confirm that the group is indeed in uncharted territory. There are no examples of developer agreements in Tennessee that list the enabling legislation. However, that is not necessarily a bad thing. The opportunity to utilize team meetings and capture the innovation and creativity of the stakeholders involved in the growth of Pleasant View, is exciting and positive in and of itself. The results of the stakeholder meeting capture a spirit that was unknown to those involved prior to the meeting. It is often said that communication is half of the battle won, and the Pleasant View Volunteer Fire Department can certainly attest to the fact that communicating their needs regarding the PVV project helped the department keep up with the demands placed on it. Also, the developers are keenly more aware of the issues and concerns of the fire department and the potential exists for there to be other benefits to the initial meeting than are known at this time.

It is with much anticipation and optimism that the author looks forward to future stakeholder meetings that address more issues and focus on new strategies and system suggestions.

“Speculators often subdivided vast tracts of land considerable distances from cities in anticipation that purchases would demand, and eventually receive services” (Rhody, 1993 p. 3-1). Our rural heritage set in the shadow of a metropolitan city makes Pleasant View attractive to developers. The transformation of farmland into residential subdivisions, commercial structures, industrial parks, or TND's without consideration of



the ability of the fire department creates an expectation of those in the community that we can handle fire protection. When the density of developments, such as TND's, create cities reminiscent of the turn of the century, the thought of conflagration is typically not considered. The public expects the fire department to at a minimum maintain the fire to the structure of origin. This may not be the case with higher density developments if the fixed fire protection is not in place. The inspection and education programs to maintain the fixed fire protection system are necessary in order for the fire department resources to contain the fire. The mentality of "you build it, we will protect it" will cause the fire department to become more vulnerable to negative public perception. This negative public perception will occur because it is not possible to maintain the current level of quality fire protection without increased funding needs addressed. Thus, the responsibility of initial fire protection, such as fire sprinkler systems must be the responsibility of the purchaser or builder. The fire department is charged with the responsibility of making this known to the developers and city officials.

This local control of land use is the reason the fire department must be involved in the local planning commission from the start of zoning, not just plan review. The fire department should be aware of this comprehensive plan, which generally includes transportation, land use, and capital projects plans. All these plans affect the fire department and should be influenced by the fire department.

There are examples where the fire chief could easily substitute for financial manager (Ruchelman, 1987).

For the finance manager to perform successfully, he or she must not only understand the interaction of shaping and contributing factors, trends, and urban

and governmental processes, but he or she must come equipped with the knowledge and skills needed to make and implement decisions. (p.28)

This means the fire department must look at the contributing factors, trends, and governmental processes and the effect they have on the fire department regardless of whether the issue is a capital outlay for a piece of fire apparatus or the land use practices of the planning commission. The fire department has to educate all citizens, politicians, other employees, and the media in order to have policy implemented to help the fire department keep up with the growth of the community. It is safe to assume that these key groups of stakeholders will only understand the effects of growth on the fire department when fire department personnel share these facts with them.

The fire department must have allies to maintain service levels as growth increases. These are the people who will believe in the fire department and stand up for it when the time comes to implement policy. The fire department must be strongly in support of the policy and be equipped with the knowledge and skills to sell it. Creating a system that provides revenue to the fire department or addresses the specific needs created and offsets the impact of growth should be the goal of the fire department. The fire department has to educate and receive feedback from policy makers in order to address the specific needs. A fire department with a governing body uneducated on the impacts of growth on the fire department will have a lesser chance of getting needs addressed with fees or developer agreements. The fire department must be prepared to suggest changes when the policy makers are in place to implement change. This will take dedicated commitment from fire department leadership and regular attendance at city meetings involving planning, zoning, and codes enforcement issues.

## RECOMMENDATIONS

As the literature review and results showed, systems that address the impacts of growth and ensure the fire department is protected by those impacts are hard to find. The issue is complex, especially when the goal is to create a system that is fair and justifiable to all stakeholders.

Leaders in the fire department have the opportunity to impact local government leaders and developers by being involved in the process. There is no way to know what is about to happen, unless you are involved in the planning and political process. This demands that fire department personnel attend planning commission, city council, and county commission meetings. When warranted, fire service leaders need to request a seat at the table to discuss the impact that the growth will have on the fire department.

Leaders in the fire department can not and should not assume that others will understand their needs.

Because of the results of the phone surveys that showed there is not a system in the area that is appropriate to duplicate, my recommendation to the Town of Pleasant View is that the time be committed to study and research all aspects of the issue within the city limits and the stakeholders meetings continue to create a fee structure that will certainly be the first of its kind.

In the interim, my recommendation is that the developer agreements be negotiated on a case-by-case, development-by-development basis. This ensures that the fire department has a seat at the table, and that education regarding fire prevention and life safety will be part of the discussion. City leaders will recognize the significance and impact of the growth that will occur as a result of these meetings. Agreements can be

negotiated that will protect those who already live in Pleasant View, as well as those who will move to the new developments.

A recommendation to the future readers of this Applied Research Project is to continue to research and to design a system that addresses the impacts of growth and reflects their local area and one that is positive for all interested parties. Also, it should be stated that the Town of Pleasant View plans to continue stakeholder meetings and find the formulas that can be used across the board for new developments. Upon completion of this, a true impact fee that is fair and justifiable will be possible for the area. Stakeholder meetings that include everyone involved will continue and developer agreements will be utilized to offset the impacts of growth on the fire department.

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## Appendix A

## Town of Pleasant View



*Shane Ray, Mayor*

6365 Highway 41-A

Post Office Box 127

Pleasant View, TN 37146

Phone: 615-746-0600 Fax: 615-746-0699

Website: [www.pleasantviewonline.com](http://www.pleasantviewonline.com)

July 15, 2002

Dennis DeLemos  
1969 Highway 49E  
Ashland City, TN 37015

Dear Mr. DeLemos:

You are receiving this invitation because you are a homebuilder in the Pleasant View area. It is with much excitement that I share with you an opportunity for the Town of Pleasant View to learn by working with those who are part of our growth. I am hosting a "Developer Team Meeting" on Monday, July 29, 2002 at Pleasant View Elementary School. A sign will be posted at the front door directing you to the appropriate room. The meeting will begin at 9:00 a.m. and will conclude by 11:00 a.m.

This learning process started for me with workshops that explained growth and development issues of the Middle Tennessee region. These workshops were sponsored by Cumberland Region Tomorrow and they shared information regarding the facts of population, transportation, and growth. As Mayor, I agreed with the vision for our region, and I am constantly looking for ways to enhance and improve the system in which we work on a daily basis. It is my goal that we develop a system that works for everyone involved with the ultimate winner being the residents who call Pleasant View home.

I am taking a look at our building permit fees, along with the other fees that are paid to develop in the Town of Pleasant View and Cheatham County. I am seeking your input on these issues. My main goal is to have a fee structure that is fair and justifiable, both for the Town of Pleasant View and Cheatham County. I want to be able to explain why the fee is what it is and I want you to be involved in the process. Your input is invaluable to me, and your perspective is unique. By sitting down at the table, sharing ideas, and working out issues, we can create a fair fee structure.

Thank you for believing in the vision of Pleasant View. Together, we will make this a pleasant place to live, work, play, and grow.

Sincerely,

Shane Ray  
Mayor



**Appendix B**

**AGENDA  
COMMUNITY MINDED GROWTH  
DEVELOPER MEETING  
MONDAY, JULY 29, 2002  
9:00 AM  
PLEASANT VIEW ELEMENTARY SCHOOL  
PLEASANT VIEW, TN**

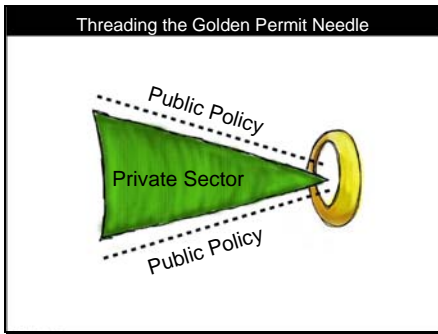
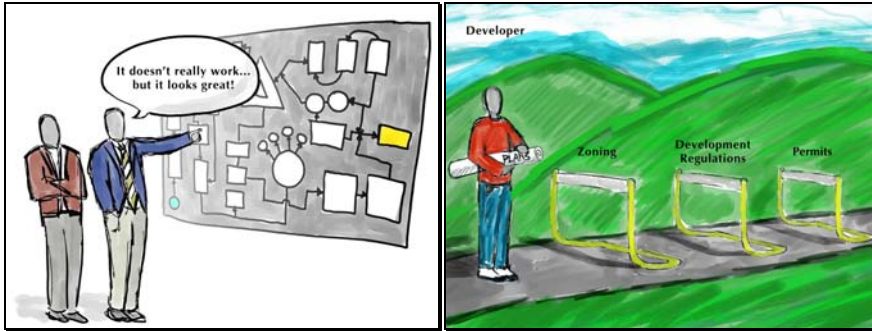
|  |                                   |
|--|-----------------------------------|
| <b>WELCOME</b>                         | <b>SHANE RAY, MAYOR</b>           |
| <b>COMMUNITY MINDED GROWTH FACTS</b>   | <b>SHANE RAY, MAYOR</b>           |
| <b>TAKING A LOOK AT FEE STRUCTURES</b> | <b>TEAMWORK<br/>BRAINSTORMING</b> |
| <b>FIRE PROTECTION AND WHY</b>         | <b>FIRE MARSHAL</b>               |
| <b>CODES AND STANDARDS</b>             | <b>BUILDING COMMISSIONER</b>      |
| <b>NEXT STEPS</b>                      | <b>ALL</b>                        |
| <b>ADJOURN</b>                         |                                   |

## Appendix C Stakeholder Meeting PowerPoint Presentation Notes

|   |  |
|---|--|
| <p><i>Stakeholders Meeting<br/>July 29, 2002</i></p> <p>Our future is at stake – How will we manage?<br/>         “While we have made major advances in many fields, the U.S. had grown the most inefficient cities in the world. Our inefficiency is at its worst when we examine the way we lay out our communities.”<br/>         Building Livable Communities</p> | <p style="text-align: center;"><i>Community Minded<br/>Development</i></p> <p>Town of Pleasant View<br/>         And<br/>         Our Building Customers</p> |
|---|--|

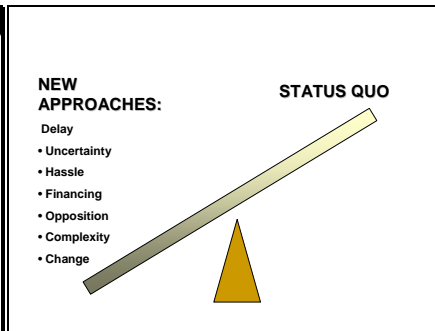
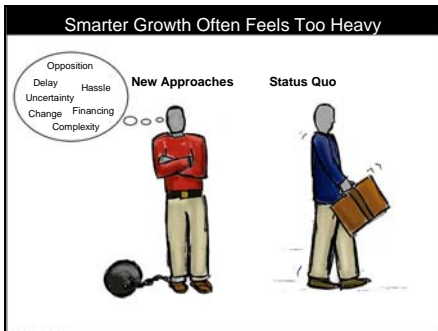


|   |   |
|---|---|
| <ul style="list-style-type: none"> <li>● We are charged with the implementation of policy that improves our systems and enhances the quality of life for our citizens</li> <li>● We have not found any place in Tennessee that has a “fair and equitable” means of development</li> <li>● We have a choice to make, lots of hard work and cooperation or a system that is inadequate and unjustifiable</li> <li>● The time is NOW! Action must occur in order to create a future that is the best for everyone</li> </ul> | <ul style="list-style-type: none"> <li>● Can we have a system where taxes do not subsidize development and where government doesn’t create a “slush” fund or pay for past mistakes?</li> <li>● Can we create a system where communications can flow from government to developers and from developers to government?</li> <li>● Can we make sure time is allowed to create a quality and profitable project?</li> <li>● We have a system today where a game is played and no one wins, can we change it?</li> </ul> |
|---|---|



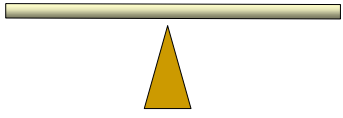
The table used for this slide is not visible when transferred into a Word document.

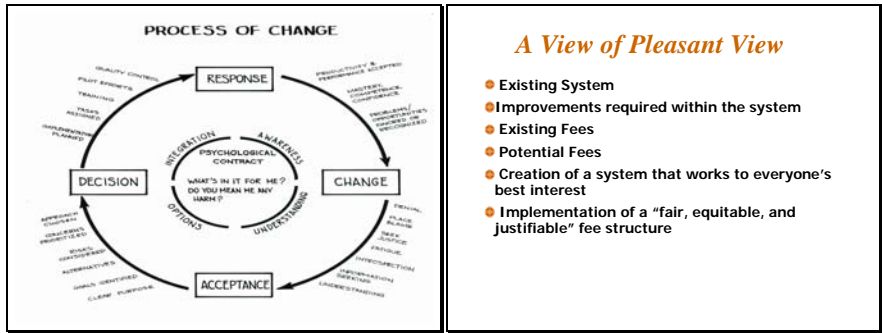
The slide is intended to use a list of local regulatory requirements faced by builders, developers, and citizens.



|  |   |
|--|---|
| <p style="text-align: center;"><b><i>Regulatory Barriers</i></b></p> <ul style="list-style-type: none"> <li>● Zoning &amp; development codes restrict innovation and segregate uses</li> <li>● Complex and time consuming permitting favors status quo</li> <li>● Regulations internally inconsistent</li> </ul> | <p style="text-align: center;"><b><i>Financial Barriers</i></b></p> <ul style="list-style-type: none"> <li>● Difficult to obtain capital</li> <li>● Added expense and time to develop</li> <li>● Housing affordability issues and market demands</li> </ul> |
|--|---|

|   |  |
|---|--|
| <p style="text-align: center;"><b><i>Community Barriers</i></b></p> <ul style="list-style-type: none"> <li>● NIMBYs</li> <li>● Citizen opposition to density</li> <li>● Lack of understanding of growth issues</li> </ul> | <p style="text-align: center;"><b><i>Political Barriers</i></b></p> <ul style="list-style-type: none"> <li>● Unpredictable public process</li> <li>● Lack of consensus for Smart Growth principles</li> <li>● Reluctance to take actions for Smart Growth</li> <li>● Lack of regional view in local actions</li> </ul> |
|---|--|

|  |   |
|--|---|
| <p style="text-align: center;"><b><i>Evening the Odds</i></b></p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;"> <p>NEW APPROACHES</p> <p>No relative Disadvantage</p> </div> <div style="text-align: center;"> <p>STATUS QUO</p> <p>No relative Advantage</p> </div> </div>  | <p style="text-align: center;"><b><i>Pleasant View Barriers</i></b></p> <ul style="list-style-type: none"> <li>● "The way we have always done it"</li> <li>● A city with county zoning regulations</li> <li>● Lack of knowledge of Planning Commission on technical aspects of development</li> <li>● Lack of information flow from developers to government and government to developers</li> <li>● TIME!</li> </ul> |
|--|---|



***A View of Pleasant View***

- Existing System
- Improvements required within the system
- Existing Fees
- Potential Fees
- Creation of a system that works to everyone's best interest
- Implementation of a "fair, equitable, and justifiable" fee structure

***Existing System***

- Multiple locations for permits and fees
- Lack of resources for information
- Lack of communication between regulatory agencies
- Lack of comprehensive plan

***Improvements Required***

- One stop government permit process
- Pre-development and process meetings
- Improved coordination between agencies
- Laypersons description of requirements for Planning Commission
- Development of comprehensive plans for justification

***Existing Fees***

- Rezoning Fee
- Subdivision Plat Fee
- Development Tax
- Adequate Facilities Tax
- Building Permit Fee
- Water and Sewer Taps
- Electrical Service Fees
- Natural Gas Service Fees

***Potential Fees***

- Development Tax
- Impact Fee
- Adequate Facilities Tax
- Building Permit Fee
- Plans Review Fee
- Subdivision Plat Fee
- Transfer Tax
- Homeowners Association Fee
- Utility Service Fee
- Grading Permit Fee
- Driveway Permit Fee
- User Fee
- Special Assessments

### *The Role of Developers in Policy Formulation*

- "No Way, We Won't Pay"
- Study this problem to death
- Love it to death

Rhody (1993). *The Public Costs of Growth*

### *The Role of Government in Policy Formulation*

- Leave it alone, all else takes work and is controversial
- Who cares, I will be gone before the effect is known
- Just adopt what someone else uses
- Hard work for the interest of everyone

### *Implementing Policy*

- Establish comprehensive plan
- Identify current deficiencies
- Apportion new cost to new development
- Determine appropriate credits
- Determine any extraordinary cost
- Incorporate time-price differentials
- Ascribe benefits to fee payers

### *Examples*

- Fire Department – National standards recommend 4 personnel per engine company. This is not reality in Pleasant View and I don't think it ever will be in my lifetime because of the tax base.
- Sprinkler systems in commercial buildings – our insurance, commercial and residential is based on ISO rating. The fifth largest building creates the needed pump capacity. If a building came in that was 30,000 square feet and this made the 5<sup>th</sup> largest building at 20,000 square feet, this would cause the fire departments pump capacity to be 2,000 gpm. This would mean the department had to buy another \$200,000 fire engine. A building that is protected by a fire sprinkler system is not counted as a risk occupancy that would increase the pump capacity.
- Response area – The fire department is required to be within a 1 1/2 mile of the most dense population. If a development came in half way down Oaklawn Road with a 1000 houses, this would require a new fire station and fire truck, who should pay the cost? Will it benefit others? Yes, however, without the development there would be no need for one.

### *Points to consider*

- What are the primary factors in determining where to put a development?
- Should new developments pay impact fees?
- If so, what services should new development pay for?
- Fees are a one time cost, how are the services maintained?
- Where does the money you presently pay go in the Town of Pleasant View?
- Do you see the benefits of the total fees you pay, if not which ones?

### *Thank You for your Time and Input*



## Appendix D Stakeholder Meeting Compiled Results

### Brainstormed List of Ideas re: Fee Structure/Fees Paid

- Some fees too high, others not enough to offset cost to city. Need to adjust in order to be able to truthfully state that the fees are fair and justifiable.
  - i.e., Rezoning fee is \$100. It costs the city \$148.
  - Appeals Board fee is \$100. It costs the city \$40.
- Fees that are justified make sense. Fees that exist just because you have that power and that are not justified, are not ok.
- Developers like to sit down and talk about specifics regarding their development. This communication process allows both sides to know what is going on.
- Adequate Facilities Tax (county tax) is not fair because it goes to the general fund.
- Sales tax means that people pay their own way once they move in.
- It hurts the developer to have to pay all the fees up-front.
- The development tax is paying for past mistakes of the county. That is a tough one to accept, but it is reality.

### Brainstormed List of Ideas re: What Fire Service Needs are in Pleasant View Village

- There will be more than 5 three story buildings. What does this do to the fire department? (Fire Marshal responded with ISO information and requirements. Consensus was reached that the fire department would need an aerial apparatus as a result of the three story buildings.
- The developer (Holt Development, Inc.) agreed to enter into an agreement with the city to purchase the aerial apparatus for the Pleasant View Volunteer Fire Department if there were certain limitations set forth. Those limitations included: limit the amount developer has to pay to \$300,000 or cost of the apparatus, whichever is less; allow developer to have one year after completion of the fifth three-story building to purchase truck; provide a re-negotiation clause that will allow for some flexibility if needed by either party (would have to be agreed upon by both parties to be accepted). The Mayor said that he would get the City Attorney to draw up the agreement. The team decided that this would be called a “developer agreement.” The team also noted that this would work on many different types of growth impact issues. The developers wanted to note that they appreciated the meeting and the invitation. This was a new concept and one that they liked. They also expressed interest in meeting regularly so that issues can be explored in depth.

## Appendix E

### PLEASANT VIEW VILLAGE FIRE PROTECTION EQUIPMENT AGREEMENT

**THIS AGREEMENT** dated this \_\_\_\_\_ day of August, 2002 by and between:

**The Town of Pleasant View,**  
a Tennessee municipal corporation, and

**Holt Development, Incorporated,** a Tennessee corporation.

**Whereas:**

1. Holt Development, Incorporated is developing a traditional neighborhood development within the city limits of Pleasant View, Tennessee; and
2. The Town of Pleasant View has the responsibility to offer fire protection within the city limits of Pleasant View, Tennessee; and
3. Because of the inherent design characteristics of said development, the current fire protection systems and equipment are not adequate to service some of the buildings which are proposed to be located within said development; and
4. In order to mitigate the direct impact that has been identified as a consequence of the development related to fire protection issues, the effected and invested parties hereby agree that a voluntary agreement with the developer is necessary to achieve their mutual goals and objectives; and
5. An aerial apparatus capable of receiving Insurance Services Office (ISO) credits will become a necessity when buildings are constructed which exceed 2 stories; and
6. The Town of Pleasant View, Tennessee, through agreement with the Pleasant View Volunteer Fire Department, wishes to provide adequate fire protection to its citizens and residents.

**Now, Therefore,** in consideration of the mutual undertakings set forth below, the parties hereto have agreed to enter into this Agreement and hereby agree to the following:

1. Developer agrees to purchase an aerial apparatus capable of receiving ISO credits within one year after the completion of the last of five buildings which exceed 2 stories in height.



- 2. The maximum amount Developer must contribute toward the purchase of said fire truck is Three Hundred Thousand (\$300,000.00) Dollars.
- 3. The Developer and the Town agree that ownership of the truck will be vested in the Pleasant View Volunteer Fire Department immediately upon purchase and delivery of the apparatus.
- 4. The Pleasant View Volunteer Fire Department agrees to equip such apparatus and provide an indoor storage location for said truck.
- 5. This agreement may be extended or modified upon written agreement by the parties hereto.
- 6. This Agreement sets forth all of the promises, conditions and understandings between the parties hereto relative to the subject matter hereof. No subsequent amendments to this Agreement shall be binding upon either party unless reduced to writing and signed by and delivered to each party.
- 7. Nothing herein shall be construed as a waiver by the Town of Pleasant View of the requirements of any ordinance of the Town, or any requirements or conditions of the resolutions of its Planning Commission, unless such waiver be specifically stated; nor shall anything herein be construed as a waiver by Holt Development, Incorporated of any rights it has as a property owner.
- 8. All terms of this Agreement shall ensure to the benefit of, and shall be binding upon the respective parties hereto and their successors and assigns. Such terms are also intended to bind any purchaser or other successor in title to Holt Development, Incorporated and to run with the land.

**In Witness Whereof**, the parties hereto have caused this Agreement to be signed the day and year first written above.

ATTEST:

THE TOWN OF PLEASANT VIEW

\_\_\_\_\_  
Lisa Parker, City Recorder

\_\_\_\_\_  
Shane Ray, Mayor

\_\_\_\_\_  
Holt Development, Incorporated  
By: Dannie Holt  
Its: President