

**11340**

**JUN 27 1974**

ORDINANCE NO. \_\_\_\_\_  
(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 8, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 102.0804, 102.0805 AND 102.0807, AND BY ADDING SECTION 102.0812, RELATING TO ACQUISITION AND DEVELOPMENT OF PARK AND RECREATIONAL FACILITIES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter X, Article 2, Division 8, of the San Diego Municipal Code be amended by amending Sections 102.0804, 102.0805 and 102.0807 and by adding Section 102.0812 to read as follows:

SEC. 102.0804      POPULATION DENSITY

Population density for the purpose of this Division shall be determined in accordance with the 1960 census of population and housing for The City of San Diego, as follows:

1. Single-family dwelling units and duplexes contain 3.7 persons per dwelling unit.
2. Multiple-family dwelling units contain 2.5 persons per dwelling unit.

R-1 lands shall be computed at one dwelling unit per lot. R-2 zoned lands shall be estimated at 10 dwelling units per acre. All other residentially-zoned land shall be estimated at 22 dwelling units per acre and all commercially-zoned land permitting residential development shall be computed at

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25 dwelling units per acre. Planned residential development shall be computed at the number of dwelling units appearing on the PRD permit, but not to exceed 25 dwelling units per acre.

SEC. 102.0805      SUBDIVIDERS MUST PROVIDE PARK  
AND RECREATIONAL FACILITIES

Every subdivider who subdivides lands shall contribute lands or pay a fee or contribute lands and pay a fee as set forth in this Division for the purpose of providing park and recreational facilities to serve residents of such subdivisions.

1. The subdivider shall be assessed a fee of \$100 per dwelling unit for R-1 and R-2 development and a fee of \$75 per dwelling unit for all other units as provided in Section 102.0804. These fees are intended to substantially represent the cost of acquiring land and developing population-based park and recreational facilities to serve the future inhabitants of this subdivision. The fair market value of acceptable park lands contributed shall be credited against these fees. "Fair market value" shall be determined as of the time of filing the final map in accordance with the following:

- a. The fair market value as determined by the City Council based upon the then assessed value, modified to equal market

value in accordance with current practice of the County Assessor; or

b. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the City, which appraisal may be accepted by the City Council if found reasonable.

2. If, in the judgment of the City, needed and acceptable land does not exist within the subdivision, the City will collect the fee in cash.

3. Costs, population density, age distribution and local conditions change over the years and the specified formula for the payment of fees for acquisition of park sites as stated herein is subject to periodic review and amendment by the City Council.

SEC. 102.0807 LIMITATIONS ON USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing park and recreational facilities to serve subdivisions within the boundaries of the population-based park service district in which the subject developments are located.

When neighborhood park requirements have been met in any neighborhood park district, any remaining funds and future funds collected may be transferred to the appropriate community park

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district funds for the acquisition and/or improvement of community park land and/or facilities.

A proportional share of each neighborhood park district's funds are intended to accordingly contribute toward the completion of the related community park.

SEC. 102.0812 USE OF CAPITAL OUTLAY FUNDS

Capital Outlay Funds may be advanced to finance acquisition or development of a population-based park before sufficient funds are made available through the provisions of this Division. If so, the City Council may require any such advance to be repaid from the first monies available from cash collections of park fees from that population-based park district.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By Frederick C. Conrad  
Frederick C. Conrad, Chief Deputy

FCC:mmb  
5-7-74

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JUN 27 1974

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_  
by the following vote:

Councilmen	Yeas	Nays	Excused	Absent
Gil Johnson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Maureen F. O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lee Hubbard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Floyd L. Morrow	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bob Martinet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Ellis	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jim Bates	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: \_\_\_\_\_  
PETE WILSON  
Mayor of The City of San Diego, California.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.  
By LaVerne E. Miller, Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on

JUN 13 1974

JUN 27 1974

, and on \_\_\_\_\_

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

(Seal)

EDWARD NIELSEN  
City Clerk of The City of San Diego, California.  
By LaVerne E. Miller, Deputy.

RECEIVED  
CITY CLERK'S OFFICE  
1974 MAY 15 PM 2:20  
SAN DIEGO, CALIF.

MICROFILMED MAY 2 1978

Office of the City Clerk, San Diego, California	
Ordinance Number <b>11340</b>	Adopted <b>JUN 27 1974</b>
(H)	

STRIKE-OUT ordinance

Old language - crossed out  
New language - underlined

SEC. 102.0804 POPULATION DENSITY

Population density for the purpose of this division shall be determined in accordance with the 1960 census of population and housing for the City of San Diego, as follows:

1. Single-family dwelling units and duplexes contain 3.7 persons per dwelling unit.
2. Multiple-family dwelling units contain 2.5 persons per dwelling unit.

R-1 lands shall be computed at one dwelling unit per lot. R-2 zoned lands shall be estimated at 10 dwelling units per acre. All other residentially-zoned land shall be estimated at 22 dwelling units per acre and all commercially-zoned land permitting residential development shall be computed at 25 dwelling units per acre.

Planned Residential Development shall be computed at the number of dwelling units appearing on the PRD permit, but not to exceed 25 dwelling units per acre.

SEC. 102.0805 SUBDIVIDERS MUST PROVIDE PARK  
AND RECREATIONAL FACILITIES

Every subdivider who subdivides lands shall contribute lands or pay fee or contribute lands and pay fee as set forth in this Division for the purpose of providing park and recreational facilities to serve residents of such subdivisions.

1. The subdivider shall be assessed a fee of \$100 per dwelling unit for R-1 and R-2 development and a fee of \$75 per dwelling unit for all other units as provided in Section 102.0804. These fees are intended to substantially represent the cost of acquiring land and developing population-based park and recreation facilities to serve the future inhabitants of this subdivision. The fair market value of acceptable park lands contributed shall be credited against these fees.

"Fair market value" shall be determined as of the time of filing the final map in accordance with the following:

- a. The fair market value as determined by the City Council based upon the then assessed value, modified to equal market value in accordance with current practice of the County Assessor; or
- b. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the City, which appraisal may be accepted by the City Council if found reasonable.

2. Park-land-required-in-accordance-with-the-terms-of-this  
Division-shall-be-as-follows:

R-1-Lots	242-sq.-ft.-of-usable park-land-per-lot.
R-2-Zoned-Land	2,420-sq.-ft.-of-usable-park land-per-residential-acre.
All-Other-Resident- ially-Zoned-Land	3,594-sq.-ft.-of-usable-park land-per-residential-acre.
Commercially-Zoned Land-Permitting Residential	4,074-sq.-ft.-of-usable-park land-per-commercial-acre.

These-amounts-of-land-shall-be-contributed-at-the-time  
of-filing-of-the-final-map. If,-in-the-judgment-of-the  
City,-suitable-land-does-not-exist-within-the-subdivision,

or-for-subdivisions-containing-50-lots-or-less,-the  
City-will-collect-the-fee-in-cash.

If, in the judgment of the City, needed and acceptable  
land does not exist within the subdivision, the City  
will collect the fee in cash.

3. Costs, population density, age distribution and local  
conditions change over the years and the specified  
formula for the payment of fees for acquisition of  
park sites as stated herein is subject to periodic  
review and amendment by the City Council.



SEC. 102.0807 LIMITATIONS ON USE OF LAND  
AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing park and recreational facilities to serve subdivisions within the boundaries of the population-based park service district in which the subject developments are located.

When neighborhood park requirements have been met in any neighborhood park district, any remaining funds and future funds collected may be transferred to the appropriate community park district funds for the acquisition and/or improvement of community park land and/or facilities.

A proportional share of each neighborhood park district's funds are intended to accordingly contribute toward the completion of the related community park.

SEC. 102.0812 USE OF CAPITAL OUTLAY FUNDS

Capital Outlay Funds may be advanced to finance acquisition or development of a population-based park before sufficient funds are made available through the provisions of this Division. If so, the City Council may require any such advance to be repaid from the first monies available from cash collections of park fees from that population-based park district.

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CITY CLERK'S OFFICE  
1974 JUL 31 AM 8:07  
SAN DIEGO, CALIF.

ATTORNEY (S)

City of San Diego  
12th Floor 202 C St.  
San Diego, Ca 92101

~~XX~~

~~XX~~

CERTIFICATE OF PUBLICATION

No. 11340

IN THE MATTER OF  
DEVELOPMENT OF PARK AND RECREATIONAL FACILITIES

I, Patricia M. Applestill hereby certify that San Diego Daily Transcript is a daily newspaper of general circulation within the provisions of the Government Code of the State of California, printed and published in the City of San Diego, County of San Diego, State of California; that I am the principal clerk of said newspaper; that the

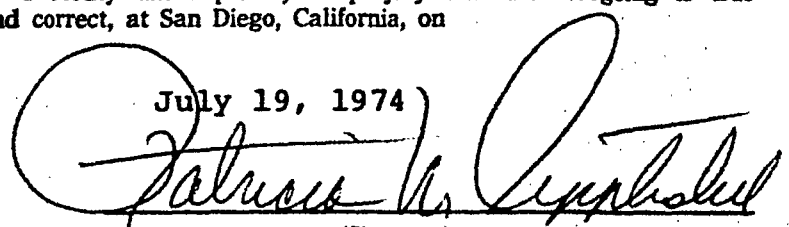
ORDINANCE NO. 11340

is a true and correct copy of which this certificate is annexed and was published in said newspaper on

July 5, 1974

I certify under penalty of perjury that the foregoing is true and correct, at San Diego, California, on

July 19, 1974

  
(Signature)

16 1/2" @ 4.42 = \$ 72.93

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## ORDINANCE NO. 11340

(New Series)

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 2, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTIONS 102.0604, 102.0605 AND 102.0607, AND BY ADDING SECTION 102.0612, RELATING TO ACQUISITION AND DEVELOPMENT OF PARK AND RECREATION FACILITIES.

BE IT ORDAINED, by the Council of The City of San Diego, as follows: Section 1. That Chapter X, Article 2, Division 2, of the San Diego Municipal Code be amended by amending Sections 102.0604, 102.0605 and 102.0607 and by adding Section 102.0612 to read as follows:

**SEC. 102.0604 POPULATION DENSITY**  
Population density for the purpose of this Division shall be determined in accordance with the 1960 census of population and housing for The City of San Diego, as follows:

1. Single-family dwelling units and duplexes contain 1.7 persons per dwelling unit.
2. Multiple-family dwelling units contain 2.5 persons per dwelling unit.

R-1 lands shall be computed at one dwelling unit per lot. R-2 zoned lands shall be estimated at 10 dwelling units per acre. All other residentially-zoned land shall be estimated at 25 dwelling units per acre and all commercially-zoned land permitting residential development shall be computed at 25 dwelling units per acre. Planned residential development shall be computed at the number of dwelling units appearing on the PRD permit, but not to exceed 25 dwelling units per acre.

### SEC. 102.0605 SUBDIVIDERS MUST PROVIDE PARK AND RECREATIONAL FACILITIES

Every subdivider who subdivides land shall contribute lands or pay a fee or contribute lands and pay a fee as set forth in this Division for the purpose of providing park and recreational facilities to serve residents of such subdivisions.

1. The subdivider shall be assessed a fee of \$100 per dwelling unit for R-1 and R-2 development and a fee of \$75 per dwelling unit for all other units as provided in Section 102.0604. These fees are intended to substantially represent the cost of acquiring land and developing population-based park and recreational facilities to serve the future inhabitants of this subdivision. The fair market value of acceptable park lands contributed shall be credited against these fees. "Fair market value" shall be determined as of the time of filing the final map in accordance with the following:

- a. The fair market value as determined by the City Council based upon the then assessed value, modified to equal market value in accordance with current practice of the County Assessor; or
- b. If the subdivider objects to such evaluation he may, at his expense, obtain an appraisal of the property by a qualified real estate appraiser approved by the City, which appraisal may be accepted by the City Council if found reasonable.

2. If, in the judgment of the City, needed and acceptable land does not exist within the subdivision, the City will collect the fee in cash.

3. Costs, population density, age distribution and local conditions change over the years and the specified formula for the payment of fees for acquisition of park sites as stated herein is subject to periodic review and amendment by the City Council.

### SEC. 102.0607 LIMITATIONS ON USE OF LAND AND FEES

The fees received under this Division, together with earned interest thereon, shall be used only for the purpose of providing park and recreational facilities to serve subdivisions within the boundaries of the population-based park service district in which the subject developments are located.

When neighborhood park requirements have been met in any neighborhood park district, any remaining funds and future funds collected may be transferred to the appropriate community park district funds for the acquisition and/or improvement of community park land and/or facilities.

A proportional share of each neighborhood park district's funds are intended to accordingly contribute toward the completion of the related community park.

### SEC. 102.0612 USE OF CAPITAL OUTLAY FUNDS

Capital Outlay Funds may be advanced to finance acquisition or development of a population-based park before sufficient funds are made available through the provisions of this Division. If so, the City Council may require any such advance to be repaid from the first monies available from cash collections of park fees from that population-based park district.

Section 2. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

Introduced on June 13, 1974.

Passed and adopted by the Council of The City of San Diego on June 17, 1974.

AUTHENTICATED BY:

PETE WILSON  
Mayor of The City of San Diego, California.  
EDWARD NIELSEN  
City Clerk of The City of San Diego, California.  
By LA VERNE E. MILLER, Deputy.

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