

(O-85-187)

ORDINANCE NUMBER O-16437 (NEW SERIES)

ADOPTED ON JUN 3 1985

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION 4 OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION 102.0406.06.10 RELATING TO PARK FEES IN THE CARMEL MOUNTAIN RANCH COMMUNITY PLANNING AREA.

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

Section 1. That Chapter X, Article 2, Division 4, of the San Diego Municipal Code be and the same is hereby amended by adding Section 102.0406.06.10 to read as follows:

SEC. 102.0406.06.10 PARK FEES IN THE CARMEL MOUNTAIN RANCH COMMUNITY PLANNING AREA.

A. PURPOSE AND INTENT

The Council hereby finds that the Carmel Mountain Ranch Community Planning area has conditions regarding financing for park and recreational facilities which do not reflect circumstances in the City as a whole. This ordinance is, therefore, not intended as a precedent for the application of the terms of this ordinance to the balance of the City of San Diego.

In order to furnish adequate park and recreational facilities needed to serve new development in the Carmel Mountain Ranch Community Planning area, it is necessary for anyone who obtains building permits within the Carmel Mountain Ranch Community Planning area for residential

dwelling units to contribute fees identified in this ordinance in lieu of those fees presently assessed generally within the City of San Diego.

The Carmel Mountain Ranch Community Planning area to which this ordinance applies is more completely described in the Community Plan Map, a copy of which is on file in the office of the City Clerk as Document No. RR-261374.

At the discretion of the City Council, anyone who obtains building permits may contribute land designated for park acquisition and/or contribute complete park development on land acquired for that purpose in the Carmel Mountain Ranch Community Planning area.

Valuation of land contributions will be in accordance with the procedures in Section 102.0406.06. The fees in this section are assessed in lieu of the fees required in Section 102.0406.06 and Section 96.0403. The fees set forth in this section are assessed in order to recover the cost of acquiring land and developing population based park and recreational facilities to serve the future inhabitants of the subdivision and community. If sufficient funds are not generated by these park fees to provide needed park and recreation facilities, the Council will schedule any remaining needed facilities in the City Capital Improvements Program as funds are available.

B. ASSESSMENT

Notwithstanding any other section of the Municipal Code to the contrary, no park fees other than those provided in

this section shall be assessed against subdivided property within the Carmel Mountain Ranch Community Planning area. A party pursuing building permits for residential dwelling unit purposes in the Carmel Mountain Ranch Community Planning area shall be assessed a fee of \$199.73 per single family dwelling unit and \$139.81 per unit of multi-family construction. These fees shall be increased July 1, 1986 by 9 percent and annually on July 1st at a rate of 9 percent per year beginning July 1, 1987.

The provisions of this section shall apply to all residential development including that on property zoned for commercial use which allows residential development as well.

1. Method of Computation: The assessment amount shall be determined initially by multiplying \$199.73 times the total number of single family dwelling units and \$139.81 times the total number of dwelling units of multi-family construction for which building permits are requested.

2. Time for Collection: The assessed fees, pursuant to this subsection shall be paid in cash prior to, and as a condition of, obtaining building permits. If any park fees have been paid in conjunction with subdivision map approval, those amounts will be credited against the full fee amounts set for collection during the building permit request process.

3. Special Park Fund: All park fees collected shall be deposited in a special park fund for the Carmel

Mountain Ranch Community. These funds and their interest earnings may be expended only for park and recreation projects identified for this community in its approved Financing Plan.

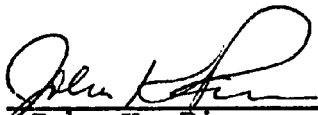
4. Review and Modification: As the result of periodic reviews, at intervals decided by Council and as a consequence of inflation and interest earning factor variations, the actual rates of development occurring in the Carmel Mountain Ranch Community and the park facilities experience, The City Council may exercise its authority to modify the park fee structure.

C. FEE COLLECTION

The fees collected pursuant to this ordinance shall be applicable only to building permit applications which are initially filed after the effective date of this ordinance.

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 

John K. Riess
Deputy City Attorney

JKR:mem:645
5/1/85
Or.Dept:E&D
O-85-187
Form=o.none

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

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dick Murphy	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Boverd, 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

MAY 20 1985

JUN 3 1985

, 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.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Ellen Boverd, Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number **0-16437**

JUN 3 1985

Adopted

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 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Roger Hedgecock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

ROGER HEDGECOCK
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, 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

MAY 20 1985, and on JUN 3 1985.

~~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.

CHARLES G. ABDELNOUR
 City Clerk of The City of San Diego, California.

(Seal)

By Ellen Board, Deputy.

Office of the City Clerk, San Diego, California	
Ordinance Number <u>0-16437</u>	Adopted <u>JUN 3 1985</u>

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00788

CERTIFICATE OF PUBLICATION

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1985 JUN 20 PM 2:20
SAN DIEGO, CALIF.

OFFICE OF THE CITY CLERK
202 "C" STREET 12TH FLOOR
SAN DIEGO CA 92101

IN THE MATTER OF

NO.

ORDINANCE NUMBERS 0-16436, 0-16437 (NEW SERIES)

I, Michael L. Ungashick, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NOS. 0-16436, 0-16537,
(NEW SERIES)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:

June 17, 1985

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 17th day of June, 19 85.


(Signature)

5.375 X 2 X 7.76 = 104.92 00789

