

(O-87-5)

ORDINANCE NUMBER O- 16722 (NEW SERIES)

ADOPTED ON OCT 06 1986

AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2,  
DIVISION 4, OF THE SAN DIEGO MUNICIPAL CODE BY  
ADDING SECTION 102.0406.06.11 RELATING TO PARK  
FEES IN THE SORRENTO HILLS COMMUNITY PLAN  
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 102.0406.06.11 to read as follows:

SEC. 102.0406.06.11 PARK FEES IN THE SORRENTO HILLS  
COMMUNITY PLAN AREA

A. PURPOSE AND INTENT

The Council hereby finds that the Sorrento Hills Community Plan area has conditions regarding financing for park and recreational facilities which do not reflect circumstances in the City as a whole.

In order to furnish adequate park and recreational facilities needed to serve new development in the Sorrento Hills Community Plan area, it is necessary for anyone who is not subject to a Council adopted development agreement and who obtains building permits within the Sorrento Hills Community Plan area for residential dwelling units to contribute fees identified in Sections 96.0403 and 102.0406.06 as presently assessed generally within the City of San Diego.

The Sorrento Hills Community Plan area to which this ordinance applies is more completely described in the Community Plan, a copy of which is on file in the office of the City Clerk as Document No. RR-258076.

At the discretion of the 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 Sorrento Hills Community Plan area. Valuation of land contributions will be in accordance with the procedures in Section 102.0406.06.

All properties within the Sorrento Hills Community Plan area which are subject to a Council adopted development agreement, which was approved before final map approval, shall be relieved of the requirement to pay the park fees required by Sections 96.0403 and 102.0406.06. All properties already mapped and not subject to development agreements shall be required to pay the park fees in accordance with these sections.

If sufficient funds are not generated by these park fees and development agreement conditions 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 San Diego Municipal Code to the contrary, no park fees other than those provided in this section shall be assessed against subdivided property within the Sorrento Hills Community Plan area. A party pursuing building permits for residential dwelling unit purposes in the Sorrento Hills Community Plan area and not subject to Council adopted development agreements shall be assessed fees in accordance with Sections 96.0403 and 102.0406.06.

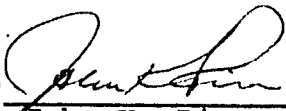
The provisions of this section shall apply to all residential development including that on property zoned for commercial use which allows residential development as well.

All park fees collected shall be deposited in a special park fund for the Sorrento Hills Community Plan area. These funds and their interest earnings may be expended only for park and recreation projects identified for this community in its approved financing plan.

As the result of reviews, at intervals decided by Council and as a consequence of inflation and interest earning factor variations, and the park facilities experience, Council may exercise its authority to modify the park fee structure.

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:ta:600.2  
07/08/86  
Or.Dept:E&D  
O-87-5  
Form=o.none

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

OCT 06 1986

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By *Maureen O'Connor* 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

SEP 22 1986

OCT 06 1986

, 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 *Maureen O'Connor* Deputy.

01150

Office of the City Clerk, San Diego, California

Ordinance Number

0-16722

OCT 06 1986

Adopted

RECEIVED  
CITY CLERK'S OFFICE  
1986 SEP 11 PM 3:02  
SAN DIEGO, CALIF.

01151

CERTIFICATE OF PUBLICATION

CITY OF SAN DIEGO  
202 C STREET  
12TH FLOOR  
SAN DIEGO, CA 92101

IN THE MATTER OF  
AN ORDINANCE AMENDING CHAPTER X, ARTICLE 2, DIVISION  
4, OF THE SAN DIEGO MUNICIPAL CODE BY ADDING SECTION  
102.0406.06.11 RELATING TO PARK FEES IN THE SORRENTO  
HILLS COMMUNITY PLAN AREA.

NO.

THOMAS D. KELLEHER

I, \_\_\_\_\_, 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 NUMBER O-16722 (NEW SERIES)**

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This ordinance makes amendments to the San Diego City Park Fee Ordinance to exempt the properties in the Sorrento Hills Community from park fees when those properties are subject to Council approved development agreements prior to final map approval. Properties already mapped will continue to be governed by the conditions of Sections 06.0403 and/or 102.0406.06.

A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 C Street, San Diego, CA 92101.

INTRODUCED ON SEPTEMBER 22, 1988

Passed and Adopted by the Council of The City of San Diego on OCTOBER 6, 1988

AUTHENTICATED BY: MAUREEN O'CONNOR

Mayor of The City of San Diego

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, CA

(SEAL)

By MAYDELL L. PONTECORVO, Deputy.

Pub. October 20

59185

ORDINANCE NUMBER O-16722

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:

OCTOBER 20, 1986.

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

Dated at San Diego, California this 20 day of OCT., 19 86.

(Signature)

4 1/4" x \$10.24 = \$43.52

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