

RESOLUTION NUMBER R- 276653

ADOPTED ON OCT 01 1990

WHEREAS, The City of San Diego is adopting a new procedural ordinance regarding the calculation and imposition of impact fees; and

WHEREAS, the City has by several prior resolutions levied impact fees on various communities within The City of San Diego, and

WHEREAS, the City Council has directed the City Manager to analyze the current City plans on a citywide scale to fully ascertain all of the impacts of development upon the City's service delivery system and capital improvements; and

WHEREAS, the San Diego Association of Governments has also prepared a study of regional transportation needs and costs; and

WHEREAS, the City Manager has analyzed the City's facilities and prepared a report outlining in detail the costs, facilities needs and proportionate impacts of development upon the City; and

WHEREAS, the City Council has reviewed the manager's report and has received oral and written comments from several interested citizens and organizations; NOW, THEREFORE,

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

1. That the City Manager's Citywide Impact Fee Documentation Report of March 9, 1990, a copy of which is on file in the office of the City Clerk as Document No. RR- 276653, is hereby approved.

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2. That the City Manager and Planning Director are hereby directed to take such actions as are necessary to implement the collection and accounting of the impact fees described in the City Manager's Report in accordance with state law and the City's procedures. The fees described in the Manager's report are to be effective and collected sixty (60) days from and after the passage of this resolution. The Manager is directed to collect the fees upon the issuance of any certificate of occupancy for any building upon which a building permit was issued on or after the 1st day of October, 1990. Sixty days from and after the adoption of this resolution the City Manager shall collect at building permit stage for all permits.

3. The City Manager is hereby directed to graduate the collection of the fees adopted herein by the reduction of 75% of the full assessment for the period from 1 October 1990 through 30 September 1991, 50% for the period from 1 October 1991 through 30 September 1992 and 25% for the period from 1 October 1992 through 30 September 1993. After September 30, 1993, or at such other time as the Council may direct, the full amount of fees described in the City Manager's report shall be collected.

4. In areas of the City where there is an adopted redevelopment plan, because of the significantly different method of project approval, the definitions of when a redevelopment project has received an approval sufficient to mean a commitment to allow development without the applicability of these fees shall be as follows:

a. Basic Concept/Schematic document approvals by the City Council or Agency which have had substantial implementation and activities in furtherance of the concept.

b. Negotiation Agreements which have had substantial implementation and other activities in furtherance of the Agency approved agreement.

c. Disposition and Development Agreements that have received City Council or Agency approval.

d. Memoranda of Understanding which have had substantial implementation and other activities in furtherance of the City Council or Agency approved memoranda.

e. Owner Participation Agreements that have received Agency or City Council approval, or if the land sale portion has received Council approval.

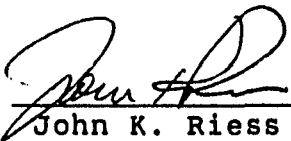
f. Where the Agency has adopted a resolution of intention to exercise its powers of eminent domain and in lieu thereof the owner has opted to comply with the Redevelopment Plan and is continuing to follow the Plan.

The rights to develop outside of this Resolution and the fee exemptions criteria that are provided by the preceding paragraphs of this section shall expire three (3) years after the passage of this Resolution. After the expiration of three (3) years from this date all affected redevelopment projects will be required to pay City-wide fees in the same manner and amount as all other development proposals.

5. That the list of facilities provided for the MTDB Transit Facility expansion in attachment 3 to Report No. 8 of

SANDAG Board January 26, 1990, page 3 indicates that certain projects are now fully funded and others are to be funded with City-wide impact fees. This list was based upon SANDAG assumptions that certain collateral funding sources will be available for construction financing. If those funds are not available concurrent with the time of construction of a listed project, the City Manager is authorized to transfer or credit to that project any funds or contributions that are available to the MTDB system so that the overall system construction schedule remains as close to that listed on page 3 as possible.

APPROVED: JOHN W. WITT, City Attorney

By 
John K. Riess
Deputy City Attorney

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

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<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"/>
Bob Filner	<input type="checkbox"/>	<input checked="" 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.

(Seal)

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

By *Linda Lugano*, Deputy.

Office of the City Clerk, San Diego, California

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 Number Adopted.....