

RESOLUTION NUMBER R- 287716

ADOPTED ON JUL 30 1996

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO IMPOSING A SPECIAL FEE FOR REIMBURSEMENT OF COSTS INCURRED BY THE CITY OF SAN DIEGO IN PREPARING THE DEL MAR MESA SPECIFIC PLAN.

WHEREAS, State of California Government Code section 65450 et seq. provides for the preparation and adoption of specific plans for the systematic implementation of the general plan; and

WHEREAS, a specific plan for development within Subarea V of the North City Future Urbanizing Area (Del Mar Mesa) has been considered by the Council of The City of San Diego (the "Council"); and

WHEREAS, Government Code section 65456 authorizes local governments to establish a special fee to recoup costs incurred in the preparation of a specific plan, which fee shall be imposed upon persons seeking governmental approvals in accordance with the relative benefit derived from the specific plan; and

WHEREAS, Government Code section 65456 specifically recognizes reductions in the cost of documenting environmental consequences or advocating changed land uses as benefits to project applicants; NOW, THEREFORE,

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

1. In accordance with State of California Government Code section 65456, the Del Mar Mesa Specific Plan Preparation Fee for the reimbursement of costs incurred by The City of

of San Diego in the preparation of the Specific Plan is hereby established. Said fee shall be collected from persons seeking governmental approvals which are required to be consistent with the Specific Plan. No building permit shall be issued for construction of any residential dwelling unit or commercial building within the area subject to the provisions of the Del Mar Mesa Specific Plan unless and until said fee has been paid to the City, in accordance with fee schedules set forth in Exhibit A.

2. The amount of this fee shall be calculated by spreading the total cost of preparation and adoption of the Specific Plan including required California Coastal Commission certification, less overhead, over the anticipated number of new dwelling units. Using that methodology for calculation, the Specific Plan Preparation Fee is anticipated to be approximately as forth in Exhibit A.


3. The revenue generated by this fee shall be used to reimburse City enterprise-fund departments that participated in the funding of the specific planning effort. Funds will be reimbursed in proportion to the expenses incurred by each participating department.

4. Fees collected shall be refunded to the individual(s) making payment in the event that the building permit expires prior to construction of the permitted units, within the meaning of Section 302(d) of the Uniform Building Code. Requests for a refund of fees shall be in writing and shall set forth in full the facts showing that such permit has expired.

5. This resolution shall not become effective until the Council has lawfully established a Facilities Benefit Assessment District for the Del Mar Mesa Specific Plan area designating an area of benefit within Del Mar Mesa, confirming the description of public facilities projects and the amount of the facilities benefit assessments charged to each parcel.

6. The City Manager is authorized to adjust the estimated fee, as reflected on Exhibit A, to reflect the actual cost of Specific Plan preparation costs, when they become known, and to reflect any change in the spread of relative benefit for parcels to be consistent with the amount of assessment charged to parcels within the Specific Plan to be established in the Facilities Benefit Assessment District for the Del Mar Mesa Specific Plan area.

APPROVED: JOHN W. WITT, City Attorney

By   
Richard A. Duvernay  
Deputy City Attorney

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**EXHIBIT A**

**Del Mar Mesa Specific Plan**

**SPECIFIC PLAN PREPARATION FEE SCHEDULE**

**Fee per single family dwelling unit: \$476**