

#3306
2-7-06

(R-2006-578)
(COR.COP 2)

RESOLUTION NUMBER R- 301226
DATE OF FINAL PASSAGE FEB 09 2006

RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE DEVELOPMENT IMPACT FEE SCHEDULE FOR PROPERTIES WITHIN OTAY MESA-NESTOR AREA.

BE IT RESOLVED, by the Council of the City of San Diego, that it rescinds the existing Development Impact Fees [DIF] for the Otay Mesa-Nestor Community.

BE IT FURTHER RESOLVED, that the DIF fee schedule contained in the Otay Mesa-Nestor Public Facilities Financing Plan, Fiscal Year 2006, as adopted and approved on FEB 09 2006, by Resolution No. R- 301225 [R-2006-577], is declared to be an appropriate and applicable DIF fee schedule for all properties within the Otay Mesa-Nestor Community area.

BE IT FURTHER RESOLVED, that the Docket Supporting Information [City Manager's Report No. 06-014], including all exhibits and attachments thereto, and the text contained in the Otay Mesa-Nestor Public Facilities Financing Plan, Fiscal Year 2006, a copy of which is on file in the office of the City Clerk as Document No. RR- 301225, are incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to California Government Code sections 66001(a) and 66001(b) for imposition of DIFs. Specifically, it is determined and found that this documentation:

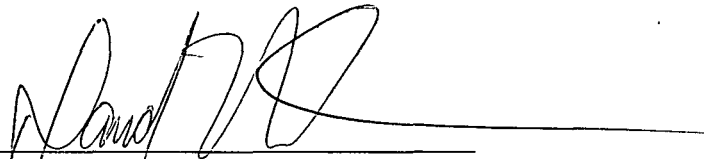
1. Identifies the purpose of the DIF;
2. Identifies the use to which the DIF is to be put;

3. Demonstrates how there is a reasonable relationship between the DIF's use and the type of development project on which the DIF is imposed; and

4. Demonstrates how there is a reasonable relationship between the need for the public facility and the type of development project on which the DIF is imposed.

BE IT FURTHER RESOLVED, that this activity is not a "project" as defined in CEQA Guidelines Section 15378; thus, it is exempt from CEQA pursuant to State CEQA Guidelines Section 15060(c)(3).

APPROVED: Michael J. Aguirre, City Attorney

By 
David Miller
Deputy City Attorney

DM:cfq
12/15/05
01/11/06 **COR.COPY**
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MMS#2883

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at its meeting of FEB 07 2006.

ELIZABETH S. MALAND
City Clerk

By Manuel E. Ketchum
Deputy City Clerk

Approved: Feb 09, 06
(date)

JRS
JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor

DM:cfq
12/15/05
01/11/06 **COR.COPY**
01/25/06 **COR.COPY**
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