

#336 (B) 6/23
(R-2009-1100)
FB 18 (33)

RESOLUTION NUMBER R- 305026

DATE OF FINAL PASSAGE JUN 29 2009

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE DEVELOPMENT IMPACT
FEE [DIF] SCHEDULE FOR PROPERTIES WITHIN TORREY
HIGHLANDS

WHEREAS, the purpose of Development Impact Fees [DIFs] is to ensure that each development pays its proportionate share of the funding needed for public facilities necessary to serve the new development; and

WHEREAS, the City Council has reviewed and considered the methodology set forth in the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2010, as adopted and approved on MAY 26, 2009 by Resolution No. R-304935 and

WHEREAS, this activity is not a project and is therefore not subject to CEQA pursuant to State CEQA Guidelines Sections 15060(c)(3) & 15378(b)(4); NOW, THEREFORE,

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

1. That the assessment fee schedule contained in the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2010, as adopted and approved on MAY 26, 2009 by Resolution No. R- 304935 is the appropriate and applicable Development Impact Fee [DIF] schedule for all development within the Torrey Highlands Community that has either never been assessed under the Torrey Highlands Public Facilities Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.

2. That all DIFs due under the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2010, shall be those fees in effect at the time the building permit is issued.

3. That the Docket Supporting Information [Report to the City Council No. 09-066], including all exhibits and attachments thereto, and the text contained in the Torrey Highlands Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2010, a copy of which is on file in the office of the City Clerk as Document No. RR-305026 is incorporated by reference into this Resolution as support and justification for satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code section 66000 et seq., for imposition of DIFs. Specifically, it is determined and found that this documentation:

a. Identifies the purpose of the DIF, which is to ensure that each development pays its proportionate share of funding needed for the public facilities projects necessary to serve new development;

b. Identifies the use to which the DIF is to be put, which includes but isn't limited to, the funding of public facilities projects in the Torrey Highlands area such as transportation, park, library, water, and sewer facilities. A list of the public facilities projects begins on page 33 of the Torrey Highlands Public Facilities Financing Plan;

c. Demonstrates how there is a reasonable relationship between the DIFs use and the type of development project on which the DIF is imposed, which includes the following: The DIF will be used to provide for a proportionate share contribution for community public facilities projects needed to serve both residential and non-residential development based on the

type and size of the development permitted in accordance with the DIF schedule in effect at the time the building permit is issued. Credit will be given for any existing development;

d. 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, which includes the following:

(i) Transportation Projects: Both residential development and non-residential development utilize the communities' transportation system which requires various street projects, traffic signal interconnect systems, landscaping and medians.

(ii) Park and Recreation Projects: Residential development utilizes the communities' parks and improvements are necessary based on the projected population and the General Plan standards to maintain the existing levels of service.

(iii) Water and Sewer Lines: Both residential and non-residential development utilizes water and sewer lines and new or expanded lines are necessary based on the population build-out to maintain the existing levels of service.

(iv) Library Projects: Residential development utilizes the community libraries and expansions are necessary based on the population build-out and the General Plan standards to maintain the existing levels of service.

APPROVED: JAN I. GOLDSMITH, City Attorney

By



Jana L. Garmo
Deputy City Attorney

JLG: cfq

5/11/09

Or.Dept:Planning & Community

R-2009-1100

mms#8817

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 23 2009.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 6.29.09
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor