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#128
11/27

RESOLUTION NUMBER R- 307878

DATE OF FINAL PASSAGE NOV 27 2012

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING THE DEVELOPMENT IMPACT
FEE SCHEDULE FOR PROPERTIES WITHIN BLACK
MOUNTAIN RANCH.

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 new development; and

WHEREAS, the Council has reviewed and considered the methodology set forth in the "Black Mountain Ranch Public Facilities Financing Plan and Facilities Benefit Assessment, Fiscal Year 2013," (Financing Plan) on file in the Office of the City Clerk as Document No. RR- 307791 ; NOW, THEREFORE,

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

1. That the assessment fee schedule contained in the Financing Plan is the appropriate and applicable DIF schedule for all development within the Black Mountain Ranch area that has either never been assessed under the Financing Plan or has not otherwise agreed to the payment of Facilities Benefit Assessment fees as prescribed by the City Council.
2. Effective sixty days from the date of final passage of this resolution, that all DIFs due under the Financing Plan, shall be those fees in effect at the time building permits are issued, plus an automatic increase in accordance with San Diego Municipal Code section 142.0640(b).
3. That the DIFs due shall not increase in accordance with San Diego Municipal Code section 142.0640(b), but shall automatically increase annually in accordance with the Financing Plan, until a new DIF is adopted.

4. That the Financing Plan, 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 development impact fees. Specifically, it is determined and found that this documentation:

a. Identifies the purpose of the DIF, which is to ensure that each development project 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 is not limited to, the funding of public facilities projects to serve the community as identified in the Community Plan and General Plan. A list of the public facilities projects is shown in the 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 fair share contribution for community infrastructure projects needed to serve both residential and non-residential development based on the increased intensity of the development permitted in accordance with the DIF schedule in effect at the time a 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 and bridge projects, traffic signal interconnect systems, and medians.

(ii) Park and Recreation Projects: Residential development utilizes the communities' parks, and improvements are necessary based on the projected population at full community development and General Plan standards.

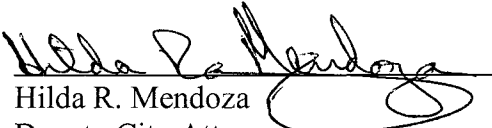
(iii) Library Project: Residential development utilizes the community libraries, and improvements are necessary based on the projected population at full community development and General Plan standards.

(iv) Fire/Rescue Projects: Residential and Non-Residential development will be served by community Fire/Rescue facilities, and additional facilities are necessary based on the projected population at full community development, General Plan standards, and established emergency response times.

(v) Water and Sewer Lines: Residential and Non-Residential development utilize water and sewer lines, and new or expanded lines are necessary based on the projected population at full community development to maintain the existing levels of service.

5. That the Chief Financial Officer is directed to establish an interest bearing fund for the Black Mountain Ranch Development Impact Fee.

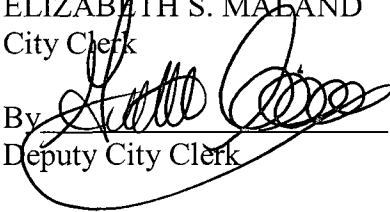
APPROVED: JAN I. GOLDSMITH, City Attorney

By 
Hilda R. Mendoza
Deputy City Attorney

HRM:als
10/02/12
Or.Dept: Facilities Financing
Doc. No. 437710

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of 11/27/12.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 11-27-12
(date)


JERRY SANDERS, Mayor

Vetoed: _____
(date)

JERRY SANDERS, Mayor