

#332
12/6/16

(R-2017-210)

RESOLUTION NUMBER R- 310861

DATE OF FINAL PASSAGE DEC 16 2016

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE UPTOWN IMPACT FEE STUDY, FISCAL YEAR 2017, AND THE DEVELOPMENT IMPACT FEE SCHEDULE FOR PROPERTIES WITHIN UPTOWN, AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH AND MODIFY INDIVIDUAL CAPITAL IMPROVEMENT PROGRAM PROJECT BUDGETS TO REFLECT THE STUDY, AND TAKING RELATED ACTIONS.

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

WHEREAS, the Council of the City of San Diego has reviewed and considered the methodology set forth in the Uptown Impact Fee Study, Fiscal Year 2017 (Study), on file in the Office of the City Clerk as Document No. RR- 310861 ; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego (City Council), that it approves the Uptown Impact Fee Study, Fiscal Year 2017 (Study).

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to establish and modify individual Capital Improvement Program project budgets to reflect the Study, provided funding is available for such action.

BE IT FURTHER RESOLVED, as follows:

1. That the fee schedule contained in the Study is the appropriate and applicable Development Impact Fee (DIF) schedule for all development within the Uptown area.
2. Effective sixty days from the date of final passage of this resolution, that all DIFs due under the Study shall be those fees in effect at the time the project's building permits or

construction permits are issued, in accordance with San Diego Municipal Code section 142.0640(b).

3. That the DIFs due shall automatically increase in accordance with San Diego Municipal Code section 142.0640(c).

4. That the Study 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 66025, 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 at full community development as identified in the Uptown Community Plan and General Plan. A list of the public facilities projects is shown in the Study;

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) Mobility/Transportation Projects: Both residential development and non-residential development utilize the community's transportation system, which requires various street and bridge projects, traffic signal interconnect systems, and medians.

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

(iii) Library Projects: 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.

5. That the Chief Financial Officer is authorized to establish an interest-bearing fund for the Uptown Development Impact Fee, if so requested by the Planning Department.

BE IT FURTHER RESOLVED, that this resolution shall become effective no earlier than the date of final passage of the resolution by which the City Council approves the Uptown Community Plan Update, which is being considered concurrently with this action.

APPROVED: JAN I. GOLDSMITH, City Attorney

By *KMH Halsey*
Keely M. Halsey
Deputy City Attorney

KMH:als
10/25/2016
Or.Dept: Planning Dept.
Doc. No.: 1369860

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of DEC 06 2016.

ELIZABETH S. MALAND
City Clerk

By *Linda Bruin*
Deputy City Clerk

Approved: 12/14/16
(date)

Kevin L. Faulconer
KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on DEC 06 2016, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Sherri Lightner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 3 - (Vacant)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marti Emerald	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 16 2016.

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By Sandra Truitt, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 310861