

RESOLUTION NUMBER R- **315291**DATE OF FINAL PASSAGE **DEC 22 2023**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO AMENDING THE NEIGHBORHOOD
ENHANCEMENT IN LIEU FEE RESOLUTION.

WHEREAS, the Housing Action Package 2.0 includes amendments to San Diego Resolution R-313282 (Nov. 17, 2020) (Resolution R-313282), approving the Neighborhood Enhancement In Lieu Fee; and

WHEREAS, on November 17, 2020, the San Diego City Council (Council) approved Resolution R-313282, approving the Neighborhood Enhancement In Lieu Fee; and

WHEREAS, the 2022 Update to the Land Development Code adopted the new definition of a Sustainable Development Area to replace the Transit Priority Area for certain development incentive programs; and

WHEREAS, Resolution R-313282 includes a provision on how funds collected within the Neighborhood Enhancement Fund shall be expended, and additional clarification is needed regarding the distribution of funds; and

WHEREAS, 50 percent of the funds will be used for affordable housing preservation and the remaining 50 percent will be used to fund recreation amenities, active transportation, and transit infrastructure projects that are not vehicular accommodating in Sustainable Development Areas within Communities of Concern; and

WHEREAS, the Office of the City Attorney has drafted this Resolution based on the information provided by City staff, with the understanding that the information is complete, true, and accurate; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego that with respect to Resolution R-313687:

1. A Neighborhood Enhancement In Lieu fee, currently \$10.36 per square foot of lot area, or \$12.68 per square foot of lot area for projects over 95 feet in height, which includes up to a 5 percent administrative fee, to be imposed in accordance with San Diego Municipal Code Chapter 14, Article 3, Division 10 is adopted.

2. The Chief Financial Officer is authorized to distribute funds collected from the Neighborhood Enhancement In Lieu fee in accordance with this Resolution and San Diego Municipal Code Chapter 14, Article 3, Division 10 and Chapter 14, Article 3, Division 15. Fifty percent of the funds received shall be expended on affordable housing preservation activities (Fund 400877 Neighborhood Enhancement – Affordable Housing). The remaining 50 percent of the funds received shall be expended on recreation amenities, active transportation and transit infrastructure projects that are not vehicular-accommodating in Sustainable Development Areas within Communities of Concern (Fund 400878 Neighborhood Enhancement – Communities of Concern), as determined by the City Manager.

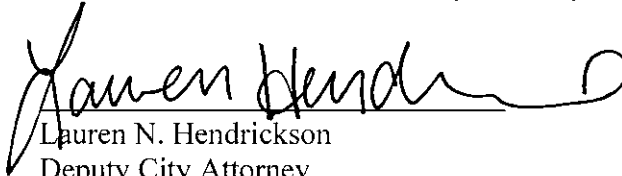
3. The Chief Financial Officer is authorized to distribute 5 percent of the fees collected in Fund 400877 Neighborhood Enhancement – Affordable Housing and 5 percent of the fees collected in Fund 400878 Neighborhood Enhancement – Communities of Concern, to be allocated for administration costs.

4. The Chief Financial Officer is authorized to redistribute funds previously received in Fund 400877 Neighborhood Enhancement – Affordable Housing and Fund 400878 Neighborhood Enhancement – Communities of Concern as identified in Sections 2 and 3.

5. This Resolution shall be effective on the earliest effective date of San Diego Ordinance O- **21758**, adopting the Housing Action Package 2.0, and shall be in effect at the time building permits are issued, in accordance with San Diego Municipal Code Chapter 14, Article 3, Division 10, plus automatic annual increases in accordance with San Diego Municipal Code section 142.0640(b).

APPROVED: MARA W. ELLIOTT, City Attorney

By


Lauren N. Hendrickson
Deputy City Attorney

LNH:cm
October 24, 2023
Or.Dept: Planning
Doc. No. 3454676

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of **DEC 12 2023**.

DIANA J.S. FUENTES
City Clerk

By


Deputy City Clerk

Approved: _____

12/22/23

(date)


TODD GLORIA, Mayor

Vetoed: _____

(date)

TODD GLORIA, Mayor

Passed by the Council of The City of San Diego on DEC 12 2023, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Joe LaCava	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
District 4 - vacant	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marni von Wilpert	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Lee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Raul A. Campillo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sean Elo-Rivera	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage DEC 22 2023

(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:

TODD GLORIA

Mayor of The City of San Diego, California.

DIANA J.S. FUENTES

City Clerk of The City of San Diego, California.

(Seal)

By *Kristine Medina*, Deputy

Office of the City Clerk, San Diego, California

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