

8/1/2022 #604I

(R-2023-16 REV.)
COR. COPY

RESOLUTION NUMBER R- 314273

DATE OF FINAL PASSAGE AUG 09 2022

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO ADOPTING A NEW CITYWIDE
MOBILITY DEVELOPMENT IMPACT FEE, AND
AUTHORIZING EXPENDITURE OF UP TO \$500,000 IN
CITYWIDE MOBILITY AND PARK DEVELOPMENT
IMPACT FEES WHERE NEEDED TO LEVERAGE
EXISTING COMMUNITY-SPECIFIC FUNDS TO
DELIVER INFRASTRUCTURE TO COMMUNITIES.

WHEREAS, the San Diego City Council (Council) has reviewed and considered the methodology set forth in the Citywide Mobility Development Impact Fee Nexus Study on file in the Office of the City Clerk as Document No. RR- 314273 (Nexus Study); and

WHEREAS, fees within the City of San Diego (City) vary greatly between communities, and a new Citywide Mobility Development Impact Fee (DIF) would provide a simplified fee to fund the City's mobility system to meet the demand for mobility improvements resulting from new development; and

WHEREAS, the Citywide Mobility DIF will be used solely to fund mobility improvements throughout the City; and

WHEREAS, a Citywide Mobility DIF will allow the City to deliver more mobility improvements to more people throughout the City much sooner, with investments that improve the entire network of the City's mobility system; and

WHEREAS, a Citywide Mobility DIF will allow greater community participation in the development and delivery of new, innovative, and community-desired mobility improvements in the City's communities; and

WHEREAS, development across the City of San Diego is not distributed equally across communities and historically, some communities have been afforded greater access to mobility improvements than others over years of growth and development; and

WHEREAS, funding must be prioritized in the areas of the City with the greatest needs to begin to address the inequities in the City's mobility system; and

WHEREAS, the Regional Transportation Congestion Improvement Program Fee is now a component of the Citywide Mobility DIF; and

WHEREAS, the City desires to continue to engage the community through continued public involvement and feedback to determine how funds received through the imposition of this fee should be expended; NOW, THEREFORE,

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

1. That the Citywide Mobility DIF, which includes up to a 5 percent administrative fee, for a single dwelling unit project is approved as follows:

Dwelling Unit Size (sf)	Fee
2,501 or greater	\$5,938
2451 – 2500	\$5,886
2,401 – 2,450	\$5,816
2,351 – 2,400	\$5,764
2,301 – 2,350	\$5,694
2,251 – 2,300	\$5,589
2,201 – 2,250	\$5,519
2,151 – 2,200	\$5,467
2,101 – 2,150	\$5,397
2,051 – 2,100	\$5,344
2,001 – 2,050	\$5,222
1,951 – 2,000	\$5,170
1,901 – 1,950	\$5,100
1,851 – 1,900	\$5,047

Dwelling Unit Size (sf)	Fee
1,801 – 1,850	\$4,925
1,751 – 1,800	\$4,873
1,701 – 1,750	\$4,803
1,651 – 1,700	\$4,751
1,601 – 1,650	\$4,698
1,551 – 1,600	\$4,576
1,501 – 1,550	\$4,506
1,451 – 1,500	\$4,454
1,401 – 1,450	\$4,401
1,351 – 1,400	\$4,279
1,301 – 1,350	\$4,209
1,251 – 1,300	\$4,157
1,201 – 1,250	\$4,104
1,151 – 1,200	\$3,982
1,101 – 1,150	\$3,912
1,051 – 1,100	\$3,860
1,001 – 1,050	\$3,807
1,000 or less	\$3,738

2. That in addition to the Citywide Mobility DIF, single-family dwelling units in the Otay Mesa community shall be required to pay the existing Otay Mesa DIF to fund local mobility needs in Otay Mesa in the amount of \$13,233 per single-family dwelling unit, which includes up to a 5 percent administrative fee.

3. That the Citywide Mobility DIF, which includes up to a 5 percent administrative fee, for a multiple dwelling unit project is approved as follows:

Dwelling Unit Size (sf)	Fee
1,301 or greater	\$4,611
1,251 – 1,300	\$4,558
1,201 – 1,250	\$4,471
1,151 – 1,200	\$4,331

Dwelling Unit Size (sf)	Fee
1,101 – 1,150	\$4,244
1,051 – 1,100	\$4,157
1,001 – 1,050	\$4,017
951 – 1,000	\$3,912
901 – 950	\$3,825
851 – 900	\$3,685
801 – 850	\$3,598
751 – 800	\$3,511
701 – 750	\$3,371
651 – 700	\$3,266
601 – 650	\$3,179
551 – 600	\$3,039
501 – 550	\$2,952
500 or less	\$2,899

4. That in addition to the Citywide Mobility DIF, multi-family residential dwelling units in the Otay Mesa community shall be required to pay the existing Otay Mesa DIF to fund local mobility needs in Otay Mesa in the amount of \$11,762 per multiple dwelling unit, which includes up to a 5 percent administrative fee.

5. That the Citywide Mobility DIF, which includes up to a 5 percent administrative fee, for a senior housing unit is approved as follows:

Dwelling Unit Size (sf)	Fee
701 or greater	\$3,493
651 – 700	\$3,371
601 – 650	\$3,266
551 – 600	\$3,161
501 – 550	\$3,039
500 or less	\$2,934

6. That in addition to the Citywide Mobility Development Impact Fee, senior housing units in the Otay Mesa community shall be required to pay the existing Otay Mesa DIF to fund local mobility needs in Otay Mesa in the amount of \$11,762 per senior housing unit, which includes up to a 5 percent administrative fee.

7. That for any 55-year covenant-restricted affordable dwelling unit, the amount of the fee identified in Sections 1-6 shall be reduced by the amount of the Regional Transportation Congestion Improvement Program Fee as adopted by City Council resolution, in accordance with the Regional Transportation Congestion Improvement Program (RTCIP), which waives the requirement to pay the RTCIP fee for covenant-restricted affordable dwelling units.

8. That the Citywide Mobility DIF, for a multiple-dwelling unit with three or more bedrooms, greater than 900 square feet and less than 1500 square feet, shall pay the fee applicable to a 900 square foot multiple-dwelling unit as identified in Section 3.

9. That the Citywide Mobility DIF, which includes up to a 5 percent administrative fee, for non-residential development is as follows:

Type	Land Use	Cost Per 1,000 SF
Housing and Care Facilities	Dormitory	\$3,493
	Monastery	\$1,030
	Correctional Alternative Facility	\$3,493
	Other Group Quarters Facility	\$1,939
	Retirement/Senior Citizen Housing	\$1,659
	Congregate Care Facility	\$4,995
Lodging	Hotel (Low-Rise) (Motel)	\$943
	Hotel (High-Rise)	\$1,292
	Resort	\$3,179

Type	Land Use	Cost Per 1,000 SF
	Extended Stay Hotel	\$943
Industrial	Heavy Industry	\$6,986
	Industrial Park	\$1,659
	Light Industry - General	\$1,450
	Warehousing	\$1,135
	Public Storage	\$122
	Scientific Research and Development	\$1,834
	Extractive Industry	\$11,649
Transportation	Rail Station/Transit Center	\$3,877
	Communications and Utilities	\$2,498
	Other Transportation	\$3,877
	Marine Terminal	\$4,366
Commercial	Wholesale Trade	\$2,183
	Regional Shopping Center (300,000 SF or more)	\$2,323
	Community Shopping Center (100,000 SF or more)	\$3,493
	Neighborhood Shopping Center (30,000 SF or more)	\$3,179
	Specialty Commercial (Seaport Village - Tourist)	\$3,493
	Arterial Commercial	\$2,498
	Service Station	\$5,816
	Restaurant (Fast Food with or without drive-through)	\$11,649
	Restaurant (High Turnover sit- down)	\$6,986
	Restaurant (Quality)	\$6,986
	Supermarket (Stand-alone)	\$6,986
	Convenience Market Chain (Open Up to 16 Hours Per Day)	\$2,690
	Convenience Market Chain (Open 24 Hours)	\$5,816
	Drugstore (Stand-alone)	\$3,877
	Discount Store/Discount Club	\$3,493

Type	Land Use	Cost Per 1,000 SF
Commercial	Home Improvement Super Store	\$3,877
	Furniture Store	\$1,292
	Nursery	\$6,986
	Financial Institution (without a drive-through)	\$5,816
	Financial Institution (with a drive-through)	\$3,179
	Service Station (with food mart)	\$5,816
	Service Station (with automated carwash)	\$3,877
	Service Station (with food mart and automated carwash)	\$11,649
	Automobile Parts Sale	\$1,939
	Automobile Repair Shop	\$1,939
	Automobile Tire Store	\$3,493
	Money Exchange	\$3,493
	Mex Insurance - Auto Insurance	\$17,465
	Automobile Rental Service	\$3,493
	Drinking Place/Bar Entertainment (Night Only)	\$11,649
	Drinking Place/Bar Entertainment (Night and Day)	\$5,816
Building Material and lumber store (less or equal to 30,000 SF)	\$3,493	
Office	Office (High-Rise - greater than 100,000 SF)	\$5,816
	Office (Low-Rise -less than 100,000 SF)	\$8,733
	CC Office - High Rise (greater than 100,000 SF)	\$4,366
	CC Office - Low Rise (less than 100,000 SF)	\$6,986
	Government Office/Civic Center	\$8,733
	CC Government Office/Civic Center	\$8,733
	Corporate Headquarters/Single Tenant Office	\$8,733

Type	Land Use	Cost Per 1,000 SF
Office	CC Corporate Headquarters/Single Tenant Office	\$6,986
	Medical Office	\$4,366
	CC Medical Office	\$4,366
Institutional	Religious Facility (without day care)	\$646
	Library	\$3,179
	Fire/Police Station	\$8,733
	Other Public Services	\$1,345
	Post Office Distribution (central/walk-in only)	\$4,995
	Post Office Community (without mail drop lane)	\$3,877
	Post Office (with mail drop lane)	\$8,733
	Religious Facility (with day care)	\$664
	Public/Community Meeting Room Facility (Other Public Services)	\$402
Medical Facility	Hospital - General	\$3,877
	Other Health Care	\$4,366
	Convalescent/Nursing Facility	\$4,366
	Clinic	\$4,366
Education	Senior High School	\$2,690
	Junior High School or Middle School	\$2,498
	Elementary School	\$2,498
	School District Office	\$8,733
	Other School	\$2,690
Recreation	Golf Course Clubhouse	\$6,986
	Movie Theater	\$2,690
	Racquetball/Tennis/Health Club	\$1,747

10. That for non-residential use categories not mentioned in the table in section 9, the fee rate of \$1746 as identified in the Nexus Study shall apply per service population in accordance with Appendix U of the Land Development Manual, which includes up to a 5 percent administrative fee.

11. That in addition to the Citywide Mobility DIF, non-residential development in the Otay Mesa community shall be required to pay the existing Otay Mesa DIF to fund local mobility needs in Otay Mesa in the amount of \$312 per average daily trip (ADT) in accordance with Land Development Manual Appendix M, Trip Generation Manual, Table 7, which includes up to a 5 percent administrative fee.

12. That except as provided for in Section 8, under no circumstance shall the fee for any dwelling unit be less than the Regional Transportation Congestion Improvement Program Fee, as applicable, in this Resolution.

13. That the Chief Financial Officer is authorized to establish an interest-bearing fund for funds received from payment of the Citywide Mobility DIF, to be used solely to fund mobility improvements.

14. That the Citywide Mobility DIF identified in this Resolution shall replace the transportation component of any Development Impact Fee adopted by any other City Council Resolutions for residential and non-residential development and shall serve as the new updated fee applicable to the development, except as otherwise provided in Sections 2, 4, 6, and 11 with respect to DIF in Otay Mesa.

15. That the Chief Financial Officer is authorized to distribute funds from the Citywide Mobility DIF in accordance with this Resolution and San Diego Municipal Code Chapter 14, Article 2, Division 6.

16. That the Nexus Study is incorporated by reference into this Resolution as support and justification for the satisfaction of findings required pursuant to the Mitigation Fee Act, as set forth in California Government Code section 66001, for the imposition of development impact fees. Specifically, it is determined and found that the Nexus Study:

- a. Identifies the purpose of the development impact fee, which is to fund mobility improvements that result from new development in the City.
- b. Identifies the use to which the development impact fee is to be put, which is to fund mobility improvements throughout the City.
- c. Demonstrates how there is a reasonable relationship between the development impact fee use and the type of development on which the development impact fee is imposed. Future development will require additional investments in mobility facilities. The fees would be used solely for this purpose.

- d. Demonstrates how there is a reasonable relationship between the need for the public facility type and the type of development for which the development impact fee is imposed. Future development will require additional investments in mobility facilities. As new development will necessitate the need for mobility investments, the burdens posed are reasonably related to the use of the fee.
- e. Reasonable Apportionment. The reasonable relationship between the fee for a specific project and the cost of improvements attributable to the project is described in this Nexus Study.

17. That this Resolution shall be effective 60 days after the date of final passage of this Resolution, or on the effective date of San Diego Ordinance O-2023-6, adopting amendments to the San Diego Municipal Code, to implement Build Better SD, whichever occurs later, and shall be in effect at the time of application submission, in accordance with San Diego Municipal Code Chapter 14, Article 2, Division 6, plus automatic annual increase in accordance with San Diego Municipal Code section 142.0640(b), except that where the Citywide Mobility DIF would result in an increase from any other applicable mobility component of a DIF from July 1, 2022, such increases shall go into effect beginning July 1, 2023.

18. That a community specific Development Impact Fund shall be prioritized prior appropriating or expending Citywide Mobility Development Impact Fund and Citywide Park Development Impact Fund in each community.

19. That the Mayor or their designee is authorized to appropriate and expend up to \$500,000 of Citywide Mobility Development Impact Funds and up to \$500,000 of Citywide Park Development Impact Funds when needed to leverage existing community-based funds to ensure faster delivery of identified Council-approved projects.

20. The Mayor or designee will reevaluate projects listed in Table A-1c in Attachment 7a of the attached Nexus Study that have not been removed based on a community plan update and present the findings to the City Council, after the fifth- and tenth-year post adoption, to determine if the anticipated conditions have changed and warrant including and adding these projects into the Citywide Mobility DIF eligible projects list.

APPROVED: MARA W. ELLIOTT, City Attorney

By /s/ Shannon C. Eckmeyer
Shannon C. Eckmeyer
Deputy City Attorney

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Or.Dept: Planning
Doc. No.: 3047659

Passed by the Council of The City of San Diego on August 1, 2022, 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Stephen Whitburn	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery Steppe	<input checked="" 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"/>
Chris Cate	<input type="checkbox"/>	<input checked="" 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 AUG 09 2022

(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.

(Seal)

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

By , Deputy

Office of the City Clerk, San Diego, California

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