

**Council Resolution**

RESOLUTION NUMBER R- 311199

DATE OF FINAL PASSAGE JUN 21 2017

ITEM# 333  
6/20/17

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO OF THE COUNCIL OF THE CITY OF SAN DIEGO APPROVING THE BLACK MOUNTAIN RANCH PUBLIC FACILITIES FINANCING PLAN, FISCAL YEAR 2017, AND THE DEVELOPMENT IMPACT FEE SCHEDULE FOR PROPERTIES WITHIN BLACK MOUNTAIN RANCH, AND AUTHORIZING THE CHIEF FINANCIAL OFFICER TO ESTABLISH AND MODIFY INDIVIDUAL CAPITAL IMPROVEMENT PROGRAM PROJECT BUDGETS TO REFLECT THE PLAN.

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 Black Mountain Ranch Public Facilities Financing Plan, Fiscal Year 2017 (Financing Plan), on file in the Office of the City Clerk as Document No.

RR- 311199 ; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego (City Council), that it approves the Black Mountain Ranch Public Facilities Financing Plan, Fiscal Year 2017 (Financing Plan).

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

BE IT FURTHER RESOLVED, as follows:

1. That the fee schedule contained in the Financing Plan is the appropriate and applicable Development Impact Fee (DIF) schedule for all development within the Black Mountain Ranch area.
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 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 not increase in accordance with San Diego Municipal Code section 142.0640(c), 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 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 Black Mountain Ranch 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 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 Black Mountain Ranch Development Impact Fee.



APPROVED: MARA W. ELLIOTT, City Attorney

By   
Keely M. Halsey  
Deputy City Attorney

KMH:als  
05/19/2017  
Or.Dept:DSD  
Doc. No.: 1507400

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of JUN 20 2017.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk  
  
KEVIN L. FAULCONER, Mayor

Approved: 6/21/17  
(date)

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on JUN 20 2017, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage JUN 21 2017.

(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 *Hy Buey*, Deputy

Office of the City Clerk, San Diego, California  
Resolution Number R- 311199