RESOLUTION NUMBER R-313688

DATE OF FINAL PASSAGE_____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ADOPTING A NEW CITYWIDE PARK DEVELOPMENT IMPACT FEE.

WHEREAS, the San Diego City Council (Council) has reviewed and considered the methodology set forth in the Citywide Park Development Impact Fee Nexus Study, on file in the Office of the City Clerk as Document No. RR-313688 (Nexus Study); and

WHEREAS, San Diego Resolution R-313687 adopted the Parks Master Plan, and was considered along with this Resolution; and

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

WHEREAS, the Parks Master Plan identifies the need for a Citywide Park DIF; and

WHEREAS, the Citywide Park DIF will be used solely to fund parks and recreation facilities throughout the City; and

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

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

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

WHEREAS, over the past 10 years, approximately 80 percent of DIF funds have been collected to be spent on parks in the northern areas of the City; and

WHEREAS, this disparity in funding has resulted in marked inequities that exist today in the City's parks system, with parks in the northern areas of the City tending to enjoy more quality park experiences, and areas in the southern portion of the City tending to experience few parks, with fewer amenities, programming, and reduced levels of safety, cleanliness, and enjoyability; 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 parks system; 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; and

WHEREAS, all recreational assets constructed by the City using the new Citywide Park DIF or by a developer to satisfy a project's parks and recreation requirements onsite are currently and shall continue to be subject to the procedures set forth in Council Policy 600-33 to ensure public involvement and input in the General Development Plan process for parks; NOW, THEREFORE,

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

1. That the Citywide Park 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	$17,989.13
2,450 – 2,500	$17,809.24
2,401 – 2,450	$17,629.35
2,351 – 2,400	$17,449.45
2,301 – 2,350	$17,269.56
2,251 – 2,300	$16,909.78
2,201 – 2,250	$16,729.89
2,151 – 2,200	$16,550.00
2,101 – 2,150	$16,370.11
2,051 – 2,100	$16,190.22
2,001 – 2,050	$15,830.43
1,951 – 2,000	$15,650.54
1,901 – 1,950	$15,470.65
1,851 – 1,900	$15,290.76
1,801 – 1,850	$14,930.98
1,751 – 1,800	$14,751.08
1,701 – 1,750	$14,571.19
1,651 – 1,700	$14,391.30
1,601 – 1,650	$14,211.41
1,551 – 1,600	$13,851.63
1,501 – 1,550	$13,671.74
1,451 – 1,500	$13,491.85
1,401 – 1,450	$13,311.95
1,351 – 1,400	$12,952.17
1,301 – 1,350	$12,772.28
1,251 – 1,300	$12,592.39
1,201 – 1,250	$12,412.50
1,151 – 1,200	$12,052.72
1,101 – 1,150	$11,872.82

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Dwelling Unit Size (sf)	Fee
1,051 – 1,100	$11,692.93
1,001 – 1,050	$11,513.04
≤ 1,000	$11,333.15

2. That the Citywide Park 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	$13,968.03
1,251 – 1,300	$13,828.35
1,201 – 1,250	$13,548.99
1,151 – 1,200	$13,129.95
1,101 – 1,150	$12,850.59
1,051 – 1,100	$12,571.23
1,001 – 1,050	$12,152.19
951 – 1,000	$11,872.82
901 – 950	$11,593.46
851 – 900	$11,174.42
801 – 850	$10,895.06
751 – 800	$10,615.70
701 – 750	$10,196.66
651 – 700	$9,917.30
601 – 650	$9,637.94
551 – 600	$9,218.90
501 – 550	$8,939.54
≤ 500	$8,799.86

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

Dwelling Unit Size (sf)	Fee
≥ 1,301	$10,476.02
1,251 – 1,300	$10,371.26
1,201 – 1,250	$10,161.74

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Dwelling Unit Size (sf)	Fee
1,151 – 1,200	$9,847.46
1,101 – 1,150	$9,637.94
1,051 – 1,100	$9,428.42
1,001 – 1,050	$9,114.14
951 – 1,000	$8,904.62
901 – 950	$8,695.10
851 – 900	$8,380.82
801 – 850	$8,171.30
751 – 800	$7,961.78
701 – 750	$7,647.50
651 – 700	$7,437.98
601 – 650	$7,228.45
551 – 600	$6,914.17
501 – 550	$6,704.65
≤ 500	$6,599.89

4. That the Citywide Park DIF, which includes up to a 5 percent administrative fee, for a senior housing unit outside of a Transit Priority Area is approved as follows:

Dwelling Unit Size (sf)	Fee
≥ 701	$10,105.66
651 – 700	$9,917.30
601 – 650	$9,637.94
551 – 600	$9,218.90
501 – 550	$8,939.54
≤ 500	$8,799.86

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

Dwelling Unit Size (sf)	Fee
≥ 701	$7,579.24
651 – 700	$7,437.98
601 – 650	$7,228.45

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Dwelling Unit Size (sf)	Fee
551 – 600	$6,914.17
501 – 550	$6,704.65
≤ 500	$6,599.89

6. That a Citywide Park DIF, which includes up to a 5 percent administrative fee, for a group quarters housing project outside of a Transit Priority Area of $5,290.92 per bed is approved.

7. That the Citywide Park DIF, which includes up to a 5 percent administrative fee, for a group quarters housing project within a Transit Priority Area of $3,968.19 per bed is approved.

8. That where a developer provides onsite parks, or offsite parks located in a Community of Concern, that meet the park standard identified in the Parks Master Plan for the project, and where such parks are developed in accordance with the public process identified in Council Policy 600-33 and in accordance with the City's standards for the design and construction of parks, a fee of 90 percent less than the amounts otherwise identified in this Resolution, is approved. Where a developer meets a portion of the park standard identified in the Parks Master Plan, a proportionate exemption from payment for the Citywide Park DIF shall be applicable, as determined by the Mayor or their designee.

9. That for any 55-year covenant-restricted affordable dwelling unit at 80 percent area median income and below, a fee of 25 percent less than the amounts otherwise identified above in this Resolution, is approved.

10. That for any 55-year covenant-restricted affordable dwelling unit at 81 to 120 percent area median income, a fee of 20 percent less than the amounts otherwise identified above in this Resolution, is approved.

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11. That for any dwelling unit that is located within a new building that is certified as a LEED Platinum or Living Building Challenge building, a fee of 5 percent less than the amounts otherwise identified above in this Resolution, is approved.

12. That for any dwelling unit that is designed in accordance with San Diego Municipal Code ~~Section 145.4004 (Tier I-Accessible Dwelling Unit) or 145.4005 (Tier II-Visitable Unit)~~ Chapter 14, Article 5, Division 40 (Housing Accessibility Program), a fee of 2.5 percent less than the amounts otherwise identified above in this Resolution, is approved.

13. That except as provided for in Section 8, under no circumstance shall the fee for any dwelling unit be less than 50 percent of the amount of the Citywide Park DIF identified in Section 1 for single dwelling units, Section 2 for multiple dwelling units, or Section 4 for senior housing units, as applicable, in this Resolution.

14. That the Chief Financial Officer is authorized to establish an interest- bearing fund for funds received from payment of the Citywide Park DIF, to be used solely to fund parks and recreation facilities.

15. That the Citywide DIF identified in this Resolution shall replace the parks component of any Development Impact Fee adopted by any other City Council Resolutions for residential development and shall serve as the new updated fee applicable to the development.

16. That the Chief Financial Officer is authorized to distribute funds from the Citywide Park DIF in accordance with this Resolution, San Diego Municipal Code Chapter 14, Article 3, Division 10, and priorities identified in the Parks Master Plan. Specifically, for five years from the final passage of this Resolution, at least 80 percent of all Citywide Park DIF collected shall be prioritized for investments in park deficient communities, as determined by the Mayor, or their designee, with at least 50 percent of the total, being prioritized for investments in

Communities of Concern, as determined by the Mayor or their designee, in accordance with the Citywide Climate Equity Index. Park deficient communities shall be determined as shown in the Existing Conditions Report for the Parks Master Plan, dated June 2019, Figures 5-1, 5-2, and 5-3 on an interim basis until a Park Needs Index is completed, as identified in Section 4.8 of the Parks Master Plan, on file in the Office of the City Clerk as Document No. RR-313687.

17. That the Citywide Park DIF investments in park deficient communities and Communities of Concern, as determined by the Mayor or their designee in accordance with Section 16, shall be approved annually by City Council.

18. 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 park and recreational improvements needed to serve additional residential populations 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 park and recreation improvements throughout the City in a manner consistent with standards-based planning criteria set forth in the Parks Master Plan.

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 park and recreational facilities to maintain defined Citywide park standards.

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As set forth in the Parks Master Plan, access to a wide variety of recreational resources throughout the City is key to a successful Citywide parks system. The fees would be used solely for this purpose; and

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 park and recreational facilities to maintain defined Citywide park standards. As set forth in the Parks Master Plan, access to a wide variety of recreational resources throughout the City is key to a successful Citywide parks system. As new development will necessitate the need for park and recreation 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 and is consistent with the standards-based planning criteria set forth in the Parks Master Plan.

19. That at least 10 percent of the Citywide Park DIF shall be used to acquire new park land.

20. 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 Resolution R-313687, adopting the Parks Master Plan, whichever occurs later, and shall be in effect at the time building permits are issued, in accordance with San Diego Municipal Code Chapter 14, Article 2, Division 6, plus

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automatic annual increase in accordance with San Diego Municipal Code section 142.0640(b), except that where the Citywide Park DIF would result in an increase from any other applicable park component of a DIF from July 1, 2021, such increases shall go into effect beginning July 1, 2022.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____
Lauren N. Hendrickson
Deputy City Attorney

LNH:cm
July 13, 2021
Or.Dept: Planning
CC No. N/A
Doc. No.: 2710608

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

ELIZABETH S. MALAND
City Clerk

By _____
Deputy City Clerk

Approved: _____ _____
(date) TODD GLORIA, Mayor

Vetoed: _____ _____
(date) TODD GLORIA, Mayor

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