

ORDINANCE NO. 2028

AN ORDINANCE OF THE CITY OF REDLANDS AMENDING
CHAPTER 3.32 OF THE REDLANDS MUNICIPAL CODE AND
ESTABLISHING OPEN SPACE AND PARK FEES

WHEREAS, in response to the rapid rate of loss of natural open space areas caused by the development of agricultural lands and natural resource areas, the City Council of the City of Redlands ("this City Council") has undertaken a comprehensive study of Redlands' open space areas, scenic drives, public parks, playgrounds and recreational facilities; and

WHEREAS, the results of that study reveal that significant geographic areas adjoining or encompassing new commercial and industrial areas within Redlands are not served by open space, park and recreational facilities although such commercial and industrial areas generate a demand for open space, park and recreational facilities; and

WHEREAS, the results of the study further demonstrate that Redlands' open space areas, parks, playgrounds and recreational facilities are inadequate to meet the present needs of Redlands' residential community and will continue to be inadequate to serve the increasing Redlands' population resulting from new residential, commercial and industrial development; and

WHEREAS, in response to its study and in recognition that the continued existence and proper maintenance of natural open space areas, scenic drives, parks, playgrounds and recreational facilities enhances the quality of life of the citizens of Redlands and is in the best interest of the public health, safety and welfare, this City Council has adopted recreation, open space and conservation elements for the Redlands General Plan; and

WHEREAS, as a means of implementing Redlands' General Plan, this City Council has developed a Park and Open Space Master Plan which calls for the imposition of a fee to be assessed against residential, commercial and industrial development, the revenues of which will be used for the acquisition and development of additional open space areas, parks and recreational facilities to meet the needs generated by such development; and

WHEREAS, the imposition of a non-reoccurring park fee upon new residential, commercial and industrial development within the City is the most practical and equitable method of providing revenues with which the City may meet and solve the sociological and environmental problems created by such development; and

WHEREAS, this City Council has found and determined that the fees established hereby bear a reasonable relationship to the costs of providing open space, scenic drives, parks, playgrounds and recreational facilities necessary to address the needs created by new residential, commercial and industrial development within the City;

THE CITY COUNCIL OF THE CITY OF REDLANDS DOES ORDAIN:

SECTION 1: Chapter 3.32 is hereby deleted in its entirety and amended to read as follows:

"CHAPTER 3.32
OPEN SPACE AND PARK FEES

13.32.010 Purpose.

The fees established pursuant to this Chapter are assessed as a condition of new residential, commercial and industrial development to pay for the costs incurred by the City in acquiring, improving and expanding open space areas, scenic drives, parks, playgrounds and recreational facilities to meet the increased needs for those facilities resulting from the effects of new development in the City.

13.32.020 Definitions.

The definitions set forth in this section govern the construction of this Chapter:

- A. "Commercial or Industrial Development" means any building, in which wholesale or retail selling, manufacturing, storage of materials or the performance of services for a fee may occur.
- B. "Residential Dwelling Unit" means each unit of an apartment, duplex, multiple-dwelling structure, or dwelling group or condominium.
- C. "Manufactured or Mobile Home" means and includes each manufactured or mobile home located in a mobile home park on a temporary, semi-permanent or permanent basis.
- D. "Person" means and includes every person, firm or corporation constructing new single-family residences, manufactured and mobile homes, residential dwelling units, commercial or industrial development directly or through the services of an employee, agent or independent contractor.

13.32.030 Fee Imposition.

Fees are imposed by this Chapter in the amounts set forth in this Chapter and shall be applicable to every new single-family residence, residential dwelling unit, manufactured or mobile home and commercial or industrial development constructed within the City.

13.32.040 Amount of Fee.

Every person constructing any new single-family residence, residential dwelling unit, manufactured mobile home or commercial or industrial development within the City shall pay to the City the following fee:

- A. For each single-family residence, a fee equal to one percent (1%) of the building permit value of the single-family residence, as determined by the City of Redlands Building and Safety Department.
- B. For each residential dwelling unit and manufactured or mobile home, the sum of \$1,000.00.
- C. For each commercial or industrial development, the sum of \$.14 per square foot of enclosed space as determined by the City of Redlands Building and Safety Department.

13.32.050 Deposit to Separate Accounts.

Two separate funds shall be established. A minimum of 25 percent of all monies collected shall be used for the acquisition of open space land; a minimum of 25 percent of the monies collected shall be used for the acquisition of park lands; and the remaining monies may be used for development.

13.32.060 Open Space Fund.

There is hereby established an open space fund. All of the funds collected pursuant to this Chapter shall be deposited in accordance with Section 13.32.050 and shall be used solely for the acquisition, improvement, preservation and expansion of open space areas in accordance with the provisions of the recreation, open space and conservation elements of the Redlands General Plan and the Redlands Park and Open Space Master Plan.

13.32.070 Park Development Fund.

There is hereby established a park development fund. All of the funds collected pursuant to this Chapter shall be deposited in accordance with Section 13.31.050 and shall be used solely for the acquisition, improvement and expansion of scenic drives, public parks, playground and recreational facilities in accordance with the provisions of the recreation, open space and conservation elements of the Redlands General Plan and the Redlands Park and Open Space Master Plan.

13.31.080 In Lieu of Fees.

In lieu of fees Council may accept the donation of land or the development of parks to satisfy all or part of the development fees established by this Ordinance.

13.32.090 Determination and Payment.

The fees due under this Chapter are collected for the acquisition of lands and the construction of improvements and facilities for which the City has established an account, appropriated funds and adopted a proposed acquisition and construction schedule, and shall be determined and become due and payable to the City at the time of issuance of a building permit for a dwelling unit, single-family residence, mobile home space or commercial or industrial development."

SECTION 2: This ordinance shall be in force and take effect as provided by law.

SECTION 3: The City Clerk shall certify to the adoption of this ordinance and cause it, or a summary of it, to be published once in the Redlands Daily Facts, a newspaper of general circulation printed and published in the City.



Mayor of the City of Redlands

ATTEST:


Deputy City Clerk

I, Beatrice Sanchez, Deputy City Clerk of the City of Redlands, hereby certify that the foregoing ordinance was duly adopted by the City Council at a regular meeting thereof held on the 17th day of May, 1988, by the following vote:

AYES: Councilmembers Wormser, Cunningham; Mayor Beswick

NOES: Councilmember DeMirjyn

ABSENT: Councilmember Johnson

Beatrice Sanchez
Deputy City Clerk

CERTIFICATION
I, Lorrie Poyzer, City Clerk of the City of Redlands, California, do hereby certify that this is a true and correct copy of Ordinance No. 3028 which has been published in the local newspaper pursuant to law.

Lorrie Poyzer
City Clerk
City of Redlands, California