

ORDINANCE NO. 2037

AN ORDINANCE OF THE CITY OF REDLANDS
ADDING CHAPTER 3.56 TO THE REDLANDS
MUNICIPAL CODE RELATING TO THE ESTABLISH-
MENT OF LOCAL STORM DRAIN FACILITIES FEES

WHEREAS, the General Plan of the City of Redlands requires that public services and facilities be constructed, provided and made available concurrent with the community's needs for such services and facilities; and

WHEREAS, the City Council of the City of Redlands ("this City Council") has found and determined that despite previous Council actions, the demand placed upon the City's local storm drain facilities has outpaced the City's ability to adequately serve new development within the City; and

WHEREAS, the City's Engineering staff has prepared a comprehensive City-wide local storm drain facilities plan which identifies the facilities and improvements required to be constructed to serve the future projected population of the City as established by the Redlands General Plan; and

WHEREAS, a budget for the financing of such storm drain facilities and improvements has been prepared by the City which takes into account the anticipated need for such facilities and improvements based upon the projected population of the City and the anticipated pace of development within the City; and

WHEREAS, because new development adversely impacts upon the capacity of the City's storm drain system and the

system's ability to adequately serve the City, this City Council further finds and determines that unless fees are imposed on new development within the City to finance needed storm drain facilities and improvements, such new development will adversely affect the public health, safety and welfare of the citizens of Redlands; and

WHEREAS, the storm drain facilities fees collected pursuant to this ordinance shall be used to finance only those public facilities described or identified in the City's Local Master Drainage Plan; and

WHEREAS, the cost estimates set forth in the City Engineer's storm drain facilities plan are reasonable cost estimates for constructing those public facilities, and the fees expected to be generated by new development within the City will not exceed the total of these costs; and

WHEREAS, the facts and evidence presented to this Council establish that there is a reasonable relationship between the need for the storm drain facilities described in the City Engineer's study and the impacts of the types of development for which the corresponding fee is charged, and, also there is a reasonable relationship between the fee's use and the type of development for which the fee is charged, as these reasonable relationships are in more detail described in the local storm drain facilities plan referred to above;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF
REDLANDS AS FOLLOWS:

Section 1: Chapter 3.56 is hereby added to the
Redlands Municipal Code to read as follows:

"Chapter 3.56

STORM DRAIN FACILITIES FEES

3.56.010 Purpose and Intent. It is
the purpose and intent of this Chapter to
implement of the Redlands General Plan to
ensure that storm drain facilities and
improvements which satisfy City standards
are available concurrent with the need
caused by new development with the City.
The City Council further finds that the
completion of a local City-wide storm
drain system is of benefit to all new
development within the City. This Chapter
shall establish the methods of financing
the construction of the required storm
drain facilities other than those
facilities which are provided through the
approval of subdivision or parcel maps.

3.56.020 Definitions. Whenever the
following terms are used in this Chapter,
they shall have the meanings established
by this section:

a. "Local Master Drainage Plan" means the storm drain plans identified in the Zone 3, Comprehensive Storm Drain Plan No. 4 as prepared by the City Engineer and approved by the City and which identifies facilities and improvements required on a City-wide basis to serve the projected population of the City as established by the General Plan.

b. "Development Permit" means any discretionary permit, entitlement or approval by the City.

c. "Development" means any use to which land is put, building or other alteration of land and construction incident thereto.

3.56.030 Compliance With Chapter.

No development permit shall be approved for new development unless the City finds that the storm drain facilities proposed within the development satisfy the requirements of the City's Local Master Drainage Plan. To ensure consistency with the Plan, the City may impose any conditions to approval of the development which are necessary to implement the Plan. The

requirements of this Chapter are imposed as a condition of development to ensure implementation of and consistency with the City's General Plan and to protect the public health, safety and welfare by insuring that adequate public facilities and improvements will be installed and available to serve new development prior to or concurrently with the need.

3.56.040 Storm Drain Fees. Storm drain fees shall be collected from applicants for development permits in accordance with the schedule of fees as established from time to time by resolution of the City Council. No building permit shall be issued unless the fees required by this Chapter are first paid and the permit is consistent with the City's Local Master Drainage Plan. Fees collected as required by this Chapter shall be deposited in a special fund established for the purpose of constructing the storm facilities provided in the City's Local Master Drainage Plan. The fees required by this Chapter are in addition to any other means of financing facilities or improvements

identified in the City's Local Master Drainage Plan which may be imposed on the development of property under the provisions of state law, this Code or City policy.

3.56.050 Required Construction.

Each developer shall construct such storm drain facilities and improvements within its development as may be required by the City's Engineer to provide a complete and workable storm drain system in accordance with the City's Local Master Drainage Plan. The City Engineer shall determine what storm drain facilities are required to be constructed for each new development within the City. Such determination may be based upon a hydrology report furnished by the developer, the City's Local Master Drainage Plans, and such other methods as determined by the City Engineer.

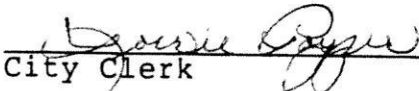
3.56.060 Payment. As a condition of issuance of any building or development permit application for new development submitted after the effective date of this Chapter, the applicant shall pay the fees established by this Chapter at the time the building permit is issued."

Section 2: The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and it, or a summary of it, shall be published once in the Redlands Daily Facts, newspaper of general circulation with the City and thereafter this Ordinance shall take effect according to law.

Adopted this 5th day of July, 1988.

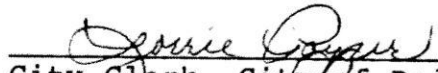

Mayor, City of Redlands

ATTEST:


City Clerk

I, Lorrie Poyzer, 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 5th day of July, 1988, by the following vote:

AYES: Councilmembers Wormser, Cunningham;
Mayor Beswick
NOES: Councilmember Johnson
ABSENT: Councilmember DeMirjyn
ABSTAIN: None


City Clerk, City of Redlands