

ORDINANCE NO. 2048

AN ORDINANCE OF THE CITY OF REDLANDS
ADDING CHAPTER 3.60 TO THE REDLANDS
MUNICIPAL CODE RELATING TO THE ESTAB-
LISHMENT OF PUBLIC FACILITY 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 demands placed upon the City to construct and expand public facilities have 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 public facility program which identifies new public facilities and related 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 new public facilities has been prepared by the City which takes into account the anticipated need for such facilities 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 public facilities within the City thereby causing a direct need for adequate public safety and administrative facilities, this City Council further finds and determines that unless fees are imposed on new development within the City to finance needed public facility and related improvements, such new development will adversely affect the public health, safety and welfare of the citizens of Redlands; and

WHEREAS, the public facility fees collected pursuant to this ordinance shall be used to finance only those public facilities described or identified in the City's Public Facility Program; and

WHEREAS, the cost estimates set forth in the City Engineer's public facility 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 public facilities described in the City Engineer's study and the impacts of the types of development for which the corresponding fees 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 public facility plan referred to above;

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

Section 1: Chapter 3.60 is hereby added to the
Redlands Municipal Code to read as follows:

"Chapter 3.60

PUBLIC FACILITY FEES

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

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

a. "Public Facility Program" means the public construction and improvement plans prepared by the City Engineer, or his designated representative, and approved by the City, which identify public facilities and related 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 by City.

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

3.60.030 COMPLIANCE WITH CHAPTER. No development permit shall be approved for new development unless the City finds that public facility improvements necessary to serve the development satisfy the requirements of the City's Public Facility

Program. To ensure consistency with the program, the City may impose any conditions to approval of the development which are necessary to implement the program. 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 related improvements will be constructed and available to serve new development prior to or concurrently with the need.

3.60.040 Public Facility Fees.
Public facility 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 that fees required by this Chapter are first paid and the permit is consistent with the City's Public Facility Program. Fees collected as required by this Chapter shall be deposited in a special fund established for the

purpose of constructing, improving and maintaining public facilities provided in the City's Public Facility Program. The fees required by this Chapter are in addition to any other means of financing public facilities or related improvements identified in the City's Public Facility Program which may be imposed on the development of property under the provisions of state law, this Code or City policy.

3.58.050 Payment. As a condition of issuance of any building development permit application 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 20th day of December, 1988.

Carole Beswick
Mayor, City of Redlands

ATTEST:

Lorrie Poyzer
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 20th day of December, 1988, by the following vote:

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

Lorrie Poyzer
City Clerk