

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CHULA VISTA AMENDING CHAPTER 16 (DEVELOPMENT
AND IN-LIEU FEES) OF THE CITY'S MASTER FEE
SCHEDULE RELATING TO CITYWIDE IN-LIEU FEES FOR
PARKLAND DEVELOPMENT

WHEREAS, Chula Vista Municipal Code (CVMC) Chapter 17.10 (Parklands and Public Facilities) requires new development to provide three (3) acres of parkland for every one-thousand (1,000) new residents added; and

WHEREAS, the parkland obligation established in CVMC Chapter 17.10 may be met through either the direct provision of parklands, the payment of Parkland Acquisition and Development in-lieu fees ("PAD Fees"), or a combination thereof; and

WHEREAS, the PAD Fee includes two components: a parkland acquisition fee to be paid in-lieu of land dedication, and a parkland development fee to construct park improvements; and

WHEREAS, the development portion of the PAD Fee must be adjusted regularly in order to ensure alignment between fees and current park construction costs for labor and materials; and

WHEREAS, as a charter city, the City of Chula Vista has not historically paid prevailing wages on park projects; and

WHEREAS, as a result of the implementation of Senate Bill 7 (SB7) in 2015, the City of Chula Vista now requires the payment of prevailing wages on all public works projects, including parks; and

WHEREAS, in addition to new prevailing wage requirements, increasingly stringent water quality regulations and a tight regional construction labor market are driving up parkland development costs; and

WHEREAS, the current development portion of the PAD Fee supports a park development budget per acre of \$547,960; and

WHEREAS, budgets prepared for three prototypical parks currently in development indicate a park development budget of \$750,000 per acre in order to provide standard park amenities; and

WHEREAS, the proposed fee increase was developed in conjunction with developers and the Building Industry Association (BIA); and

WHEREAS, pursuant to CVMC Section 17.10.110, the park development component of the PAD Fee may be reviewed and amended by City Council as necessary to reflect current market conditions, as well as sound engineering, financing, and planning information; and

WHEREAS, adjustments to PAD Fees resulting from these discretionary reviews may be made by resolution amending the City's Master Fee Schedule; and

WHEREAS, the Council wishes to amend Chapter 16 (Development and In-Lieu Fees) of the Master Fee Schedule relating to Parkland Acquisition and Development Fees, as set forth in Exhibit 1, attached and incorporated into this resolution by this reference, as if set forth in full; and

WHEREAS, Article XIII C of the California Constitution requires a vote of the electorate to increase any levy, charge, or exaction imposed by a local government, unless specifically exempted; and

WHEREAS, pursuant to the provisions of Article XIII C, the proposed fees are exempt from the vote requirement; and

WHEREAS, the proposed amendments to Chapter 16 of the Master Fee Schedule shall take effect and be in full force sixty (60) days after adoption of this Resolution by the City Council.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Chula Vista, that it does hereby amend certain sections of Chapter 16 (Development and In-Lieu Fees) of the City's Master Fee Schedule as reflected in Exhibit 1 to this Resolution.

Presented by

Approved as to form by

Kelly G. Broughton, FASLA
Director of Development Services

Glen R. Googins
City Attorney