

ORDINANCE NO. 3280

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING  
CITY OF CHULA VISTA ORDINANCE NO. 3163 TO EXTEND  
TERM OF THE FEE DEFERRAL PROGRAM WHICH  
ALLOWS FOR CERTAIN DEVELOPMENT FEES TO BE  
PAID PRIOR TO BUILDING PERMIT FINAL INSPECTION  
INSTEAD OF AT BUILDING PERMIT ISSUANCE

WHEREAS, as response to the economic downturn and in an attempt to promote development, the City Council, on January 6, 2009, approved a payment plan program for certain development fees ("Deferral Program"); and

WHEREAS, on September 14, 2010, Council expanded the Deferral Program to include Park Acquisition and Development fees; and

WHEREAS, on September 14, 2010, through the approval and adoption of City of Chula Vista Ordinance No. 3163, City Council altered the nature of the Deferral Program and extended its effectiveness through December 31, 2011; and

WHEREAS, the new Deferral Program, rather than requiring developers to pay fees at permit issuance or enter into an agreement secured by a lien placed on the property to be developed, allowed for the payment of fees at final inspection; and

WHEREAS, on December 6, 2011, through the approval and adoption of Ordinance No. 3220, City Council further extended the Deferral Program through December 31, 2012; and

WHEREAS, on December 11, 2012, through the approval and adoption of Ordinance No. 3242, City Council further extended the Deferral Program through December 31, 2013; and

WHEREAS, the current economic climate is little better than it was at the time the Deferral Program was implemented; and

WHEREAS, the need to promote development in the City still remains; and

WHEREAS, in light of the above, staff is proposing an amendment to Ordinance No. 3163 in order to extend the Deferral Program for an additional one year, until December 31, 2014; and

WHEREAS, on January 1, 2014, unless further extended by approval of the City Council, the time for the payment of fees will revert back to their traditional triggers: building permit issuance or final map approval.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain that:

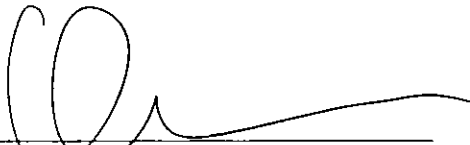
1. Ordinance No. 3163 to be amended to read as follows:

**Section 8. Expiration of this Ordinance**

This Ordinance shall take effect thirty days after final passage and shall automatically expire on December 31, 2014, and as of that date, is deemed repealed. Notwithstanding the foregoing, any building permit issued prior to expiration of this Ordinance shall not be required to pay fees until Final Inspection or Certificate of Occupancy, provided none of the events identified in Section 6(B) have occurred.

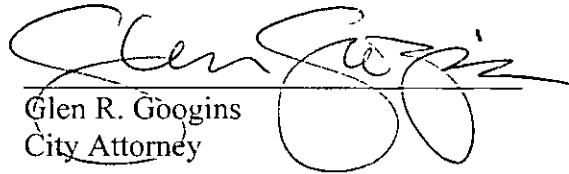
- II. All other provisions of Ordinance No. 3163 shall remain in full force and effect.
- III. This amendment of Ordinance No. 3163 shall take effect 30 days after its second reading and approval.

Presented by



Kelly G. Broughton, FASLA  
Director of Development Services

Approved as to form by



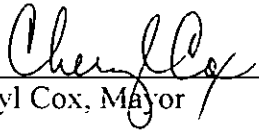
Glen R. Gogins  
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 19th day of November 2013, by the following vote:

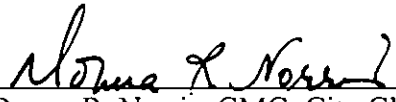
AYES: Councilmembers: Aguilar, Ramirez, Salas and Cox

NAYS: Councilmembers: None

ABSENT: Councilmembers: Bensoussan

  
Cheryl Cox, Mayor

ATTEST:

  
Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA     )  
COUNTY OF SAN DIEGO    )  
CITY OF CHULA VISTA     )

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3280 had its first reading at a regular meeting held on the 5th day of November 2013 and its second reading and adoption at a regular meeting of said City Council held on the 19th day of November 2013; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

November 10, 2013  
Dated

  
Donna R. Norris, CMC, City Clerk