

City of Sacramento

Legislation Text

File #: 2019-00593, **Version:** 1

Title:

(Pass for Publication) Proposed Amendment to City Code Section 18.24.110 and Deletion of Article IV from City Code Chapter 18.24 Relating to North Natomas Planning Area Development Fees

File ID: 2019-00593

Location: District 1

Recommendation:

1) Review an Ordinance amending City Code section 18.24.110 and deleting article IV of City Code chapter 18.24 relating to North Natomas Planning Area Development Fees; and 2) pass for publication the ordinance title per City Charter section 32(c), with adoption on September 24, 2019.

Contact: Mary Jean Rodriguez, Program Specialist, (916) 808-1980; Sheri Smith, Special Districts Manager, (916) 808-7204, Department of Finance

Presenter: None

Attachments:

- 1-Description/Analysis
- 2-Ordinance Amending § 18.24.110 and Deleting Article IV of Chapter 18.24 (Clean)
- 3-Ordinance Amending § 18.24.110 and Deleting Article IV of Chapter 18.24 (Redline)

Description/Analysis

Issue Detail: On March 26, 2019, the City Council approved a Settlement Agreement between the City, Alleghany Properties, LLC, and Beazer Homes Holdings, LLC regarding the allocation of drainage fees collected within North Natomas Drainage Basin 6 (the Agreement). The Agreement also contemplates amending City Code section 18.24.110 to allow landowners within Basin 6 to pay their drainage fees when they first apply for building permits. Under section 18.24.110 as it currently reads, development-impact fees established by City Code chapter 18.24 are paid at the time of the issuance of building permit except for drainage fees, which are due at time of map recordation or approval of a conditional use permit. Amending section 18.24.110 to allow payment of drainage fees

at the time of the issuance of building permit will provide flexibility for developers and staff.

Approval of the proposed ordinance will also delete article IV of City Code chapter 18.24. Article IV established an interim habitat conservation fee and, by its own terms, became inapplicable on August 7, 1997, when the City Council adopted Ordinance No. 97-046, which added chapter 18.40 (former chapter 84.10) to the City Code. Chapter 18.40 establishes a permanent habitat conservation fee to implement the Natomas Basin Habitat Conservation Plan.

Policy Considerations: The proposed ordinance is consistent with the City's goals and policies as established in the General Plan, including the policies that promote a complete and adequate infrastructure system to support future development. It is also consistent with the North Natomas Finance Plan adopted in 1994 and updated in 1999, 2002, 2005, 2009, and 2017.

Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): Adoption of the proposed ordinance is not a "project" subject to CEQA because (a) it has no potential to cause a significant effect on the environment; (b) pertains to a government-funding mechanism not involving a commitment to a specific project that may result in a potentially significant physical impact on the environment; and (c) involves an administrative activity that does not constitute a project and is therefore exempt from review. (14 Cal. Code Regs. §§ 15061(b)(3), 15378(b)(2), and 15378(b)(4).)

Sustainability: Not applicable.

Commission/Committee Action: On September 3, 2019, the proposed Ordinance was reviewed by the Law and Legislation Committee and forwarded to City Council for consideration.

Rationale for Recommendation: The proposed ordinance supports development in North Natomas by providing consistency in the collection of development impact fees and flexibility, where possible, for the development community.

Financial Considerations: The fees and interest earnings are accounted for in North Natomas Finance Plan Drainage Fee Fund (Fund 3205) and are restricted by state law and the Agreement. The proposed ordinance has no impact on the General Fund.

Local Business Enterprise (LBE): Not applicable.