

ORDINANCE NO. 2018-0045

Adopted by the Sacramento City Council

September 25, 2018

An Ordinance Deleting Chapter 18.36 and Adding Article IX to Chapter 18.56 of the Sacramento City Code, Relating to the Railyards Impact Fee

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

Article IX is added to chapter 18.56 of the Sacramento City Code to read as follows:

Article IX. Railyards Impact Fee

18.56.910 Definitions.

The following definitions apply in this article:

“Railyards facilities” means the infrastructure and facilities identified in the updated Railyards finance plan.

“Railyards impact fee” means the fee established by section 18.56.920 to finance the design, construction, installation, improvement, and acquisition of the Railyards facilities.

“Railyards infrastructure fund” means the infrastructure fund created by section 18.56.930.

“Railyards specific plan area” means the area identified in, and subject to, the Railyards specific plan adopted by the City council on November 10, 2016 (Resolution No. 2016-0380), as it may be amended.

“Updated Railyards finance plan” means the City council-approved finance plan that calculates the Railyards impact fee amounts.

18.56.920 Railyards impact fee and imposition.

The Railyards impact fee is established and imposed on all parcels located within the Railyards specific plan area for the following types of development:

- A. New dwelling units, buildings, or structures.
- B. Additions to the commercial building area or residential building area of a building or structure.
- C. Changes in use of a building or structure.

18.56.930 Establishment of Railyards infrastructure fund; use of fee revenues.

- A. The Railyards infrastructure fund is established. The city shall deposit all revenues generated by the Railyards impact fee, and any interest earned on the fund balance, into the fund.
- B. The city shall use the Railyards infrastructure fund to:
 - 1. Finance the design, construction, installation, improvement, and acquisition of Railyards facilities.
 - 2. Reimburse the city for administrative costs identified in the updated Railyards finance plan.
 - 3. Reimburse landowners and holders of development credits consistent with section 18.56.940 and the updated Railyards finance plan.

18.56.940 Credits and reimbursements.

- A. The City council, by resolution or agreement, may establish policies and procedures for issuance of development credits against the Railyards impact fee for Railyards facilities constructed by a landowner, or for reimbursement of the portion of a landowner's costs to construct Railyards facilities that exceeds the landowner's Railyards impact fee obligation, if the city has Railyards infrastructure funds available to pay the reimbursement. The policies and procedures shall be consistent with the following:
 - 1. A landowner may only construct infrastructure and facilities for development credits with advance approval by a written fee credit or reimbursement agreement.
 - 2. Development credits do not run with the land.

3. Development credits are transferrable through a transfer agreement signed by both parties and approved by the city.

- B. After the landowner constructs Railyards facilities, the city manager shall determine the development credit or reimbursement amounts, if any, based on the terms of the fee-credit or reimbursement agreement. The landowner may appeal the city manager's decision as set forth in section 18.56.155.

18.56.950 Conflict with other provisions.

If there is any conflict between a provision of this article and any other provision of this chapter, the provision of this article governs.

SECTION 2.

Chapter 18.36 of the Sacramento City Code is deleted.

SECTION 3.

This ordinance takes effect on November 24, 2018.

Adopted by the City of Sacramento City Council on September 25, 2018, by the following vote:

Ayes: Members Ashby, Carr, Hansen, Harris, Jennings, Schenirer, and Mayor Steinberg

Noes: None

Abstain: None

Absent: Members Guerra and Warren

Attest:

Mindy Cuppy Digitally signed by Mindy Cuppy
Date: 2018.10.05 09:08:04
-07'00'

Mindy Cuppy, City Clerk

The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.

Passed for Publication: September 13, 2018

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