

ORDINANCE NO. 2017-0015

Adopted by the Sacramento City Council

February 14, 2017

AN ORDINANCE ADDING ARTICLE VI TO CHAPTER 18.56 OF THE SACRAMENTO CITY CODE, RELATING TO THE RIVER DISTRICT IMPACT FEE

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

SECTION 1.

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

Article VI. River District Impact Fee

18.56.610 Definitions.

The following definitions apply in this article:

“River District impact fee” means the fee established by section 18.56.620 to finance the design, construction, installation, improvement, and acquisition of the River District facilities.

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

“River District infrastructure fund” means the infrastructure fund created by section 18.56.630.

“River District specific plan area” means the area identified in, and subject to, the River District specific plan adopted by the city council on February 15, 2011 (Resolution No. 2011-081), as it may be amended.

“Updated River District finance plan” means the updated River District finance plan adopted by the city council on February 14, 2017, (Resolution No. 2017-0075), and any amendments.

18.56.620 River District impact fee and imposition.

A. The River District impact fee is established within the designated boundaries of the River District specific plan area.

B. The River District impact fee is imposed on the development of:

1. New dwelling units, buildings, or structures.
2. Additions to the commercial building area or residential building area of a building or structure.
3. Change in use of a building or structure on any parcel.

18.56.630 River District infrastructure fund; use of fee revenues.

- A. The River District infrastructure fund is established. The city shall deposit all revenues generated by the River District impact fee, and any interest earned on the fund balance, into the fund.
- B. The city shall use the River District infrastructure fund to:
1. Finance the design, construction, installation, improvement, and acquisition of the River District facilities.
 2. Reimburse the city for the costs of administering the River District impact fee, the River District infrastructure fund, and this article.
 3. Reimburse landowners and holders of development credits consistent with section 18.56.640 and the updated River District finance plan.

18.56.640 Credits and reimbursements.

- A. The city council, by resolution or agreement, may establish policies and procedures for issuance of development credits against the River District impact fee for River District facilities constructed by a landowner, or for reimbursement of the portion of a landowner's costs to construct River District facilities that exceeds the landowner's River District fee obligation, if the city has River District 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 or reimbursement 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 the River District facilities, the city 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 decision as set forth in section 18.56.155.

18.56.650 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.

18.56.660 Inapplicability of former subarea fees.

The fees imposed pursuant to chapter 18.36 (development impact fees for Railyards, Richards Boulevard, and Downtown areas) do not apply within the River District specific plan area.

SECTION 2.

This ordinance takes effect on April 15, 2017.

Adopted by the City of Sacramento City Council on February 14, 2017, by the following vote:

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

Noes: None

Abstain: None

Absent: None

Attest:

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: February 7, 2017

Published: February 10, 2017

Effective: April 15, 2017