

Introduced by: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 4 (REVENUE AND FINANCE), SECTIONS 4.17.050 AND 4.19.040 OF THE PASADENA MUNICIPAL CODE RELATED TO THE TIME OF COLLECTION OF THE RESIDENTIAL IMPACT FEE AND THE TRAFFIC REDUCTION AND TRANSPORTATION IMPROVEMENT FEE.

The People of the City of Pasadena ordain as follows:

SECTION 1. Pasadena Municipal Code, Title 4, Chapter 4.17, Section 4.17.050 is amended as follows:

"4.17.050 – Fee for parkland acquisition, capital improvements and maintenance.

A. Subdivisions.

1. As a condition of approval for a tentative tract map or preliminary parcel map, the subdivider shall pay into the residential impact fund a fee established by resolution and as set forth in the fee schedule. Payment of fees required by this section shall be made prior to the approval of the final map by the city council. This section does not apply to commercial or industrial subdivisions or to condominium projects or stock cooperative projects which consist of the subdivision of airspace in an existing building when no new residences are added. Any new residence shall be assessed the fee.

B. Building Permits. Any person seeking a building permit for a new residential development, which was not required to pay a fee pursuant to subsection A above, shall pay into the fund a fee as set forth in the fee schedule.

C. The fee shall be paid upon issuance of certificate of occupancy or the final inspection, whichever occurs last.

D. Fee Schedule. The fees established by resolution may annually escalate the same percentage as the Consumer Price Index.

- E. Changes in Fees Schedule. The city council, by resolution, may, from time to time, at its discretion, revise, alter, amend and/or delete any of the fees set forth in this section. The fees shall be reviewed no less than once every 5 8 years. Such review shall be based upon a survey of residential land values in the city.
- F. Affordable Housing Incentive.
1. Notwithstanding any other provision contained in this chapter, new residences which are rented or sold to persons and families of low or moderate income (as defined in Health and Safety Code Section 50093) pursuant to the city's inclusionary housing regulations, or which are skilled nursing units, or is a residential care facility for the elderly, or which are student housing residences, shall be assessed a fee of \$756 per unit. This fee may annually escalate at the same percentage as the consumer price index.
 2. If a new residential development project is subject to the city's inclusionary housing ordinance, and all of the inclusionary housing units are built on-site, the noninclusionary residences shall receive a 30 percent discount on the residential impact fee.
 3. If a new residential development project offers 15 percent of its units as workforce housing for rent or sale within the price range of 121 to 150 percent of AMI, the workforce housing units shall receive a 50 percent rebate on the residential impact fee, after proving to the city's satisfaction that the workforce housing units are occupied by qualified individuals.
 4. If a new residential development project offers 15 percent of its units as workforce housing for rent or sale within the price range of 151 to 180 percent of AMI, the workforce housing units shall receive a 35 percent rebate on the residential impact fee, after proving to the city's satisfaction that the workforce housing units are occupied by qualified individuals.
 5. Hotels or motels converted to residences which are rented or sold to persons and families of low or moderate income (as defined in Health and

Safety Code Section 50093) pursuant to a Hotel Conversion Permit shall be exempt from the residential impact fee.

G. Dedication of Land. When the residential impact fee assessed to the residential development project equals or exceeds \$500,000.00, the developer may request to dedicate land, either on-site or off-site, and develop a park in lieu of payment of said fee. Such dedication of land shall be subject to acceptance of the dedication by the city council. The dedication of land and development of a park shall be in conformity with the conditions, provisions, standards, and formulas contained in this chapter.

1. Procedure.

- a. A developer who request to dedicate land and develop a park shall submit a written proposal describing the property to be dedicated and the park development plans to the city manager. The proposal shall include an appraisal of the property to be dedicated.
- b. The city manager shall determine whether the proposal complies with existing park standards and requirements. If the city manager determines the proposal meets the standards and requirement, the city manager shall prepare a report to the city council regarding the proposed dedication.
- c. The city council may accept or decline the dedication and determine the amount of the residential impact fee to be waived. If the property being dedicated and the park development is accepted by the city council in lieu of the residential impact fee or any portion thereof, the city council shall, by resolution, waive the fee or any portion thereof upon the dedication of the property to the city. The resolution shall also indicate the time for completion of the park development.
- d. Real property dedicated to the city shall be conveyed in fee by grant deed, free and clear of encumbrances. Deeds in a form acceptable to the city shall be executed and delivered to the city at the time the first building permit is issued. The grantor shall provide all instruments

required to convey the land and shall also provide a preliminary title report and title insurance in favor of the city in an amount equal to the value of the property being conveyed. The developer dedicating land in fee by grant deed shall develop and construct the park to current safety standards.

- e. Real property dedicated to the city by way of an easement for park purposes shall be conveyed free and clear of encumbrances that would impede the use of the property for park purposes. The conveyance of the easement shall be in a form acceptable to the city and shall be executed and delivered at the time the first building permit is issued. The developer dedicating land by way of an easement for park purposes shall construct and maintain a park on the dedicated land in accordance with current safety standards. The developer shall assume all liability for the dedicated land and shall maintain liability insurance in an amount acceptable to the city and wherein the city shall be named as an additional insured. Any such insurance documentation shall be in a form acceptable to the city.

SECTION 2. Pasadena Municipal Code, Title 4, Chapter 4.19, Section 4.19.040 is amended as follows:

"4.19.040 – Fees.

- A. Except as specifically excepted in this chapter, all new development shall pay into the traffic reduction and transportation improvement fund a fee in an amount as set forth below. The fee shall be paid upon the issuance of a certificate of occupancy or the final inspection, whichever occurs last.
 - 1. New industrial use: \$1.28 per square foot.
 - 2. New office use: \$9.35 per square foot.
 - 3. New retail use: \$12.42 per square foot.
 - 4. New single family residential use: \$10,257.02 per new unit.
 - 5. New multi-family residential use: \$3,971.48 per new unit.

- B. The building and code enforcement administrator shall not issue a certificate of occupancy or the final inspection for new development until the fee required by this chapter has been paid.
- C. Fee Schedule Escalation. The traffic reduction and transportation improvement fee may annually escalate by the same percentage as the Consumer Price Index (CPI). Such escalation, if any, shall be presented annually prior to July 1st of the first year after the effective date of the ordinance enacting this chapter, and each year thereafter for approval by the council.”

SECTION 3. The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published in full text.

SECTION 4. This ordinance shall take effect immediately upon publication.

Signed and approved this _____ day of September, 2022.

Victor Gordo
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this _____ day of September 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

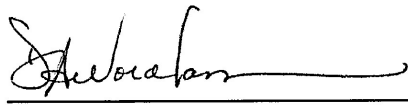
Date Published:

MARK JOMSKY
CITY CLERK

Approved as to form:



LESLEY CHEUNG
ASSISTANT CITY ATTORNEY



DEBORAH A. WORDHAM
DEPUTY CITY ATTORNEY