

Resolution No. 2017-01-24-1210

STOCKTON CITY COUNCIL

RESOLUTION APPROVING THE NON-RESIDENTIAL PUBLIC FACILITIES FEE AND MITIGATION FEE SHORT-TERM DEFERRAL PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE FEE DEFERRAL AGREEMENTS IN ACCORDANCE WITH THE PROGRAM GUIDELINES

The Public Facilities Fee Program Administrative Guidelines were adopted on February 12, 1991, by Resolution No. 91-0119 and subsequently amended; and

The City Council adopted Stockton Municipal Code section 16.72.260, creating and establishing the authority for imposing and charging Public Facilities Fees on new development; and

The City Council has identified several key goals for the City, including economic development and downtown/neighborhood revitalization; and

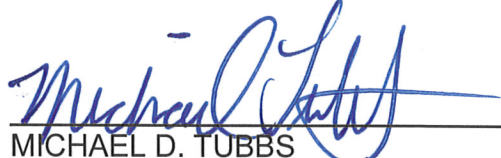
The City desires to implement a new fee deferral program that would defer collection of certain Public Facilities Fees and Mitigation Fees for non-residential projects in order to provide short-term relief from up-front development costs to assist developers with cash flow impacts of new development and to help stimulate construction of new commercial projects and create job opportunities; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF STOCKTON, AS FOLLOWS:

1. The City Council hereby approves the Non-residential Public Facilities Fee and Mitigation Fee Short-term Deferral Program Guidelines, herein incorporated by this reference as Exhibit 1.
2. This program shall remain in effect for a period of five years and sunset on January 24, 2022, unless extended by the City Council.
3. This program shall take effect sixty (60) days from adoption of this resolution and apply to applicable building permits issued after the effective date and before the sunset date.
4. All other provisions of the Public Facilities Fees and Mitigation Fees shall remain in full force and effect.

5. The City Manager is authorized to execute non-residential fee deferral agreements in accordance with the adopted program guidelines, and to take whatever actions are necessary and appropriate to carry out the purpose and intent of this resolution.

PASSED, APPROVED, AND ADOPTED January 24, 2017.



MICHAEL D. TUBBS
Mayor of the City of Stockton

ATTEST:



BONNIE PAIGE
City Clerk of the City of Stockton



City of Stockton

NON-RESIDENTIAL PUBLIC FACILITIES FEE AND MITIGATION FEE SHORT-TERM DEFERRAL PROGRAM GUIDELINES

Goals and Objectives

The purpose of the Non-residential Public Facilities Fee and Mitigation Fee Short-term Deferral Program is to serve as an additional tool in the City's economic development efforts to generate new revenue, attract new business, and create additional jobs throughout Stockton. The program provides short-term relief from upfront development costs, specifically impact fees, until construction has been completed and the building is ready to occupy.

Program Guidelines

The Non-residential Public Facilities Fee and Mitigation Fee Short-term Deferral Program will be used to attract and support new non-residential construction projects throughout the City. Rather than paying development impact fees at the time a building permit is issued, a developer with a qualified non-residential project may elect to defer payment of such fees, with the exception of Surface Water Supply Fee, SJMSCP (Habitat) Fee, Regional Transportation Impact Fee, and San Joaquin County Facilities Fees. The City of Stockton does not have the authority to defer "pass-through" impact fees, such as the County Facilities or Habitat program fees.

1. Definitions

A "new non-residential construction project" is defined as a new non-residential project on one parcel of land or a group of non-residential contiguous parcels under the same ownership.

A "qualified project" is defined as a new non-residential construction project with eligible Public Facilities and Mitigation fees exceeding \$20,000.

2. Eligible Fees

The following development fees are eligible for short-term deferral for qualified new non-residential construction projects:

Public Facilities Fees:

- City Office Space
- Delta Water Supply System
- Fire Station
- Library
- Police
- Street Improvements
- Water Utility Connection
- Wastewater Connection

Mitigation Fees:

- Agricultural Mitigation Fee
- Air Quality Mitigation Fee

3. Short-term Deferral of Fees

New non-residential construction projects may defer eligible fees until first certificate of occupancy, whether temporary or final, or two years from the first building permit issuance, whichever is less.

4. Application and Processing

A request for short-term deferral of eligible fees for new non-residential construction projects must be submitted in writing to the Economic Development Department for review prior to issuance of a building permit. If the project is deemed eligible, a fee deferral agreement must be executed between the applicant and City prior to the issuance of the building permit. The City Manager shall have the authority to execute such agreements on behalf of the City. A temporary or final certificate of occupancy will not be issued by the City until all required fees, including those that have been deferred, are paid in full.

This program will become effective sixty (60) days from the date of approval and will remain in effect for a period of five (5) years, unless extended by the Stockton City Council.

Adopted by the Stockton City Council

_____ - Resolution No. _____