

## Chapter 32C - PUBLIC FACILITY FEE REQUIREMENTS

### Sec. 32C.1. - Purpose.

- (a) The purpose of this chapter is to make provisions for assessing and collecting fees, herein referred to as "public facilities fees" as a condition of issuing a building permit for the purpose of defraying the actual or estimated costs of constructing needed public facilities pursuant to the community facilities element of the general plan.
- (b) It is the policy of the City of Oceanside as follows:
  - (1) Compact and sequenced in fill community development shall be encouraged in order to concentrate expenditures for community facilities and services in a cost effective manner.
  - (2) The city shall strive to manage community growth so that public facilities and services to current residents of the community will not be adversely impacted by new development.
  - (3) Community growth shall be managed in order that new development pay impact fees for new public facilities and services will benefit from those facilities and services within a reasonable period of time after paying the fees.
  - (4) The city shall strive to establish control over the quality, distribution and rate of growth of the city in order to:
    - a. Preserve the character of the community;
    - b. Protect the quality of life in the city;
    - c. Insure the adequacy of municipal facilities and libraries;
    - d. Insure a balance of housing types and values in the city which will accommodate a variety of households, including families of low and moderate income;
    - e. Insure the balanced development of the city; and,
    - f. Insure the adequacy of police and fire protection.
- (c) The need for additional public facilities is directly attributable to the demand created by residential and nonresidential development, and the need for public facilities generated by new development has been distinguished from the facility needs attributable to existing development, which are being addressed through non-impact fee funding sources.
- (d) This chapter is adopted to insure the implementation of the policies stated in subsections (a) and (b), to eliminate the shortages identified in subsection (c), to insure that no development occurs without providing for adequate facilities and improvements, to regulate the pace of development, thereby insuring a continued supply of housing over a period of years; and to continue the quality of life for all sectors of the Oceanside community.
- (e) This chapter will further the policies, goals and objectives established herein by requiring identification of all public facilities and improvements required for development, and by

conditioning development to insure that developers of projects in the city contribute funds to insure adequate provision of public facilities and improvements within the city.

(Ord. No. 91-09, § 1, 2-27-91)

Sec. 32C.2. - Definitions.

Whenever the [following] words are used in this chapter, they shall have the following meaning:

- (a) *Public facilities* shall include all governmental facilities specified in the adopted elements of the city's general plan, including the community facilities element, or such facilities contained in the city's five-year capital improvement program.

(Ord. No. 91-09, § 1, 2-27-91)

Sec. 32C.3. - Payment of fee required: amount of fee.

Prior to the issuance of a building permit for new construction, including residential and nonresidential development, on any property within the citywide area of benefit established pursuant to this chapter, the applicant for such permit shall pay or cause to be paid any fees established and apportioned pursuant to this chapter for the purpose of defraying the actual or estimated cost of constructing the city's public facilities. The amount of such fee shall be fixed by resolution of the city council in accordance with the provisions of chapter 32B.

(Ord. No. 91-09, § 1, 2-27-91)

Sec. 32C.4. - Area of benefit.

The purpose of this chapter is to insure that the quality of life of all residents is protected as new development occurs, and that the ability of the city to provide public facilities for the benefit of the city as a whole exists. Because the police, fire, general government and library facilities addressed in the public facilities fee provide benefit to the entire city, the area of benefit for the public facilities fee will be the city boundaries.

(Ord. No. 91-09, § 1, 2-27-91)

Sec. 32C.5. - Exceptions.

Payment of such fees shall not be required for the following: accessory buildings and structures; private garages, children's playhouses, radio and television receiving antennas, windmills, silos, tank houses, shops, barns, coops and other buildings which are accessory to residential dwellings, as long as such structures do not create any additional dwelling units or non-residential development.

(Ord. No. 91-09, § 1, 2-27-91)