



Legislation Details (With Text)

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**Type:** Ordinance    **Status:** Passed

**File created:** 11/29/2016    **In control:** City Council

**On agenda:** 12/8/2016    **Final action:** 12/8/2016

**Title:** \*\*\*BILL NO. B-55 - (Intro. 12/1/2016) (For adoption) - On December 10, 2015, Article 4.15 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for the replacement or reconstruction of existing commercial structures was introduces to City Council and adopted on December 17, 2015.

**Sponsors:** Esmeralda Z. Soria, Clinton Olivier

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Existing Commercial Structures.pdf

Date	Ver.	Action By	Action	Result
12/8/2016	1	City Council	approved	Pass

**REPORT TO THE CITY COUNCIL**

**December 8, 2016**

**FROM:** COUNCILMEMBER SORIA, District 1 and  
COUNCILMEMBER OLIVIER, District 7

**SUBJECT**

\*\*\*BILL NO. B-55 - (Intro. 12/1/2016) (For adoption) - On December 10, 2015, Article 4.15 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for the replacement or reconstruction of existing commercial structures was introduces to City Council and adopted on December 17, 2015.

**RECOMMENDATION**

It is recommended that Council approve the introduction of the ordinance extending Article 4.15 to Chapter 12 of the Fresno Municipal Code relating to the exemption of development impact fees for the replacement or reconstruction of existing commercial structures through December 31, 2017.

**EXECUTIVE SUMMARY**

The proposed ordinance would administratively eliminate the collection of police facilities, parks facilities, fire facilities, major street, and traffic signal impact fees for projects on eligible lots that replace or reconstruct commercial structures that one stood, but no longer exist due to fire loss,

teardown, or other causes and where city infrastructure is already in place.

## **BACKGROUND**

Development of commercial reconstruction projects shall be eligible for exemption of development impact fees if the development meets all of the following criteria:

- The development is the reconstruction of an existing commercial building or structure on the site that has been destroyed or demolished.
  - The development is substantially similar in size, character, and use to the building or structure being replaced or reconstructed.
  - The replacement or reconstruction does not significantly expand or intensify the use of the property; and
  - Necessary city infrastructure is already in place.
  - Applications for the fee exemption shall be submitted to the Public Works Director at or before the time of building permit approval, but after all discretionary planning entitlements. If the Director determines all the criteria are met, the Director shall approve the application. The Director's decision may be appealed to the City Council.
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- The extension of the ordinance shall expire on December 31, 2017.

## **ENVIRONMENTAL FINDINGS**

This is not a project for CEQA purposes.

## **LOCAL PREFERENCE**

This is not a contract subject to local preference.

## **FISCAL IMPACT**

Negligible impact to facilities accounts. An increase to the City in property tax revenue may occur once projects are completed and commercial operations commence at a subject site.

Attachment: Ordinance