

ORDINANCE NO. 516 N.S.  
AN ORDINANCE AMENDING ORDINANCE 416 N.S.,  
CHAPTER 21.25 OF THE ZONING REGULATIONS OF THE  
CITY OF EL PASO DE ROBLES, CALIFORNIA  
(DEVELOPMENT FEES FOR SCHOOL SITES)

The City Council of the City of El Paso de Robles, State of California, does hereby ordain as follows:

SECTION I Section 21.28.010 is amended by deleting the existing language and substituting the following:

Payment Of Fees, Dedication Of Land. In an attendance area where the council has concurred as provided in Chapter 21.27 that overcrowding exists, the applicant of a proposed residential development, as a condition of approval, or the obtaining of a building permit, shall pay fees, make an equivalent arrangement in lieu thereof, dedicate land, or do a combination thereof, as set forth in Section 21.28.040 hereof, unless excepted as provided in Section 21.27.040, Subsection B, as determined by the School District involved, and fees paid under Section 21.28.040 shall be paid directly to the School District, and the School District shall certify the payment of said fees to the City and account for application of fees as received. Prior to the imposition of the fees, or the dedication of land, or both, it shall be necessary for the decision-making body acting on the application to make the following determination: that the facilities to be constructed, purchased, leased, or rented from such fees or the land to be dedicated, or both, are consistent with the general plan.

SECTION II. Section 21.28.040 is amended by deleting the existing language and substituting the following:

A. The fees and dedication required shall be determined by resolution of the City Council.

B. The City Council has determined that conditions of overcrowding exist and the foregoing fees are established on the effective date of the ordinance.

C. The City is not liable for failure to collect the fee, and the City may recover its cost of collecting the fees.

D. The standards for the amount of dedicated land required shall be recommended by the governing board of each school district where a determination has been made pursuant to Sections 21.27.010 and 21.27.020 that conditions of overcrowding exist. Such standards and facts supporting them shall be transmitted to the City Council. If the City Council concurs with such standards, they shall, until revised, be used by the decision-making bodies in situations where dedications of land are required as a condition to the approval of a residential development. Nothing herein shall prevent the City Council from establishing and using standards other than those established by the school district in the event that the council does not concur in those transmitted by the district.

SECTION III. Section 21.030.010 is amended by deleting the existing language and substituting the following:

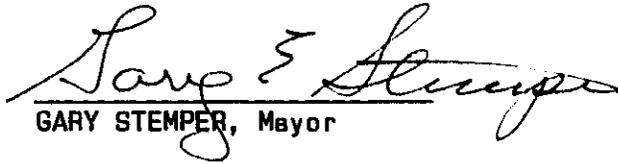
Use Of Fees And Land. All fees or land, or both, collected pursuant to this title and transferred to a school district, shall be used only by the district for the purpose of providing interim elementary or high school classroom and facilities, unless alternative agreements have been made by the School District with individual developers for mitigation of overcrowding in lieu of fees for interim facility use, in which case such fees paid under such an agreement shall be used by the school district for any capital outlay purpose which the district board of trustees determines is necessary to deal with overcrowding caused by new residential development.

PASSED AND ADOPTED THIS First DAY OF April, 1986 by the following roll call vote:

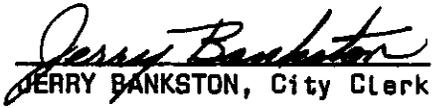
AYES: Councilpersons Cousins, Ovitt, Russell, Thorndyke and Stemper

NOES: None

ABSENT: None

  
GARY STEMPEP, Mayor

ATTEST:

  
JERRY BANKSTON, City Clerk