

RESOLUTION NO. 5057

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF
THE CITY OF WESTMINSTER AMENDING ORDINANCE
NO. 2560 ESTABLISHING A MAXIMUM PARK
DEVELOPMENT IMPACT FEE OF \$4,000 FOR
ACCESSORY DWELLING UNITS OF 750 SQUARE FEET
OR GREATER

WHEREAS, Park impact fees are monetary exactions established and imposed according to various sections of Westminster Municipal Code and collected as fees at rates established by resolution, to finance the design, construction, installation, and acquisition of park infrastructure or to recover the costs of adding capacity or upgrades in existing parks; and

WHEREAS, following the City of Westminster Nexus Study (April 2018), park development impact fees were established pursuant Ordinance No. 2560 and set at the maximum amount of \$13,760 for single family units and \$10,158 for multi-family units subject to annual inflationary adjustments; and

WHEREAS, Government Code Section 65852.2(f)(3)(A) requires that impact fees for accessory dwelling units (ADUs) shall be calculated proportionately in relation to the square footage of the ADU to the square footage of the primary dwelling unit; and

WHEREAS, on July 14, 2021, the City Council directed staff to modify the City's development impact park fee program to reduce park impact fee rates for ADUs by setting a maximum park impact fee of \$4,000 for ADUs of 750 square feet and greater; and

WHEREAS, encouraging the development of affordable housing aligns with the City's adopted Housing Element; and

WHEREAS, ADUs constitute a viable option to increase the amount of available housing which may in turn help to reduce the cost of housing; and

WHEREAS, the payment of development impact fees may constitute a barrier for the construction of ADUs therefore a reduced fee may diminish barriers to construction; and

WHEREAS, the new maximum park impact fee cap for ADUs reduces an existing fee and does not establish a new fee; and

WHEREAS, Municipal Code section 3.62.100 provides that the park development impact fee may be revised by resolution of the City Council.


NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WESTMINSTER, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The statements set forth above are true and correct and are incorporated herein by reference as findings.

SECTION 2. Park development impact fees shall be calculated according to State Law, which provides that impact fees be calculated based on the proportionality of the square footage of the primary dwelling unit and the ADU, however, the maximum park impact fee that can be charged for an ADU that is at least 750 square feet in size shall be \$4,000.

PASSED, APPROVED AND ADOPTED this 28th day of July 2021 by the following vote:

AYES:	COUNCIL MEMBERS:	TA, NGUYEN, DO, HO, MANZO
NOES:	COUNCIL MEMBERS:	NONE
ABSENT:	COUNCIL MEMBERS:	NONE



TRI TA, MAYOR

ATTEST:



CHRISTINE CORDON, CITY CLERK

APPROVED AS TO FORM:



CHRISTIAN L. BETTENHAUSEN,
CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF WESTMINSTER)

I, CHRISTINE CORDON, hereby certify that I am the duly appointed City Clerk of the City of Westminster and that the foregoing resolution was duly adopted at a regular meeting of the City Council of the City of Westminster held on the 28th day of July 2021.



Christine Cordon, City Clerk

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