

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING SECTION 14.29.040 OF CHAPTER 14.29 OF TITLE 14 OF THE SAN JOSE MUNICIPAL CODE TO PROVIDE THAT THE TRAFFIC IMPACT FEE SHALL BE PAID PRIOR TO ISSUANCE OF A BUILDING PERMIT OR IN ACCORDANCE WITH THE SCHEDULE SPECIFIED IN AN DEVELOPMENT AGREEMENT WITH THE CITY OF SAN JOSE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

Section 14.29.040 of Chapter 14.29 of Title 14 of the San José Municipal Code is hereby amended to read as follows:

14.29.040 Traffic Impact Fee Requirement

- A. Commencing July 28, 2005, the North San José Traffic Impact Fee shall be paid in the following amount based upon the use of land:

| <u>Land Use</u> | <u>Fee</u> |
|--|--|
| Industrial: | \$10.44 per sq. ft. of building space |
| Residential: | |
| Single-Family Detached..... | \$6,994.00 per dwelling unit |
| Multi-Family Attached..... | \$5,596.00 per dwelling unit |
| <u>Regional Retail/Large Scale Commercial:</u> | <u>\$14.62 per sq. ft. of building space</u> |
| <u>Hotel:</u> | <u>\$3,161 per guest room</u> |

- B. The North San José Area Traffic Impact Fee specified in subsection A above shall be increased by 3.3 percent per annum compounded on July 1 of every odd numbered year.

- C. The North San Jose Traffic Impact Fee shall be paid in full prior to the issuance of a building permit for industrial, regional retail/large scale commercial, hotel, or residential construction within the North San José Area Development Policy Boundary unless, in the case of qualified industrial development under the Near-Term Industrial Development Incentive Program as described in Section 4 of the North San Jose Area Development Policy, a different schedule for payment of the North San José Traffic Impact Fee is expressly provided for in an development agreement duly adopted and approved by City Council agreement with the City of San Jose and the developer is in full compliance with the agreement.

PASSED FOR PUBLICATION of title this _____ day of _____, 2012, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

CHUCK REED
Mayor

ATTEST:

DENNIS D. HAWKINS, CMC
City Clerk