

**ORDINANCE NO. 765**

**CITY OF MILLBRAE, COUNTY OF SAN MATEO  
STATE OF CALIFORNIA**

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**ORDINANCE AMENDING TITLE 10 OF THE MILLBRAE MUNICIPAL CODE  
ESTABLISHING DEVELOPMENT IMPACT FEES IN THE MILLBRAE  
STATION AREA SPECIFIC PLAN**

The City Council of the City of Millbrae ordains as follows:

**SECTION 1: FINDINGS.**

The City Council adopts the Findings Supporting Adopting of the Development Impact Fee for the Millbrae Station Area Specific Plan set forth in Exhibit "A," attached hereto and incorporated herein by this reference, as well as the provisions of the report issued by West Yost Associates, dated December 2015, entitled "Millbrae Station Area Specific Plan" and its technical evaluations (collectively "Feasibility Study"), attached hereto as Exhibit "B" and incorporated herein by this reference. The City Council also adopts the provisions of the report prepared by Economic Planning Systems, Inc., dated August 2016, entitled "Millbrae Station Area Specific Plan Development Impact Fee Study," attached hereto as Exhibit "C" and incorporated herein by this reference.

**SECTION 2: AMENDMENT OF CHAPTER 10.05 SECTION 1805.**

Section 10.05.1805 of the Millbrae Municipal Code is hereby amended in the manner and to the extent set forth below, such that the definition for "Facilities" reads as follows, the definition of "Sedway Report" is deleted in its entirety, and the definition of "Feasibility Study" is added:

"Facilities" means public improvements, public services, and community amenities described in the Feasibility Study and its technical evaluations, which are required to support new development within the MSASP.

"Feasibility Report" means that report issued by West Yost Associates dated December 2015, entitled "Millbrae Station Area Specific Plan" which describes the Facilities, estimates the cost for implementation of improvements.

"Nexus Study" means that report issued by Economic & Planning Systems, Inc., dated December 22, 2016, entitled "Millbrae Station Area Specific Plan Development Impact Fee Study" which allocates the costs estimated in the Feasibility Study for the implementation of improvements and allocates them to individual land uses within the MSASP area.

### **SECTION 3: AMENDMENT OF CHAPTER 10.05 SECTION 1820.**

Section 10.05.1820(A) of the Millbrae Municipal Code is hereby amended and restated in its entirety as follows:

- A. Development impact fees are established and imposed on the issuance of all building permits for development within the MSASP area to finance the cost of the following categories of facilities:
  1. Utilities infrastructure;
  2. Traffic improvement measures;
  3. Increased parkland and recreation facilities;
  4. Public safety improvements.

### **SECTION 4: AMENDMENT OF CHAPTER 10.05 SECTION 1835.**

Section 10.05.1835 of the Millbrae Municipal Code is hereby amended in the manner and to the extent set forth below:

"Sedway Report" is deleted and replaced with "Feasibility Study."

### **SECTION 5: AMENDMENT OF CHAPTER 10.05 SECTION 1845.**

Section 10.05.1845 of the Millbrae Municipal Code is hereby amended by adding the following language as Subsection (C) and renumbering current Subsection (C) as (D):

C. Payment of Park In Lieu Fees: Development fees under this Chapter shall be reduced by any payment under Chapter 10.20 of Title 10 of the MMC.

### **SECTION 6: AMENDMENT OF CHAPTER 10.05 SECTION 1845.**

Section 10.05.1845(B) of the Millbrae Municipal Code is hereby amended in the manner and to the extent set forth below:

"Sedway Report" is deleted and replaced with "Feasibility Report and Nexus Study."

### **SECTION 6: AMENDMENT OF CHAPTER 10.05 SECTION 1860.**

Section 10.05.1860(A) of the Millbrae Municipal Code is hereby amended in the manner and to the extent set forth below:

"Sedway Report" is deleted and replaced with "Feasibility Report and Nexus Study".

## SECTION 7: EFFECTIVE DATE: PUBLICATION

This Ordinance shall be in full force and effect 60 days after its passage. Within 15 days of its passage, a summary of this Ordinance shall be published once in a newspaper of general circulation in the City of Millbrae.

**INTRODUCED** at a regular meeting of the City Council of the City of Millbrae held on January 10, 2017.

**PASSED and ADOPTED** at a regular meeting of the City Council of the City of Millbrae held on February 28, 2017.

  
MAYOR

ATTEST:

  
CITY CLERK

Ordinance No. 765

I do hereby certify that the foregoing Ordinance was duly and regularly passed and adopted by the City Council of the City of Millbrae this 28<sup>th</sup> day February 2017, by the following vote:

AYES: COUNCILMEMBERS: Holober, Papan, Schneider, Lee, and Oliva  
NOES: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
EXCUSED: COUNCILMEMBERS: None

  
CITY CLERK