

**LEGISLATIVE DIGEST**

[Accept Gift - Alta Laguna, LLC - 55 Laguna Street; In-Kind Agreement]

**Ordinance accepting as a gift to the City from Alta Laguna, LLC certain costs of constructing public open space and community facility improvements at 55 Laguna Street, pursuant to an In-Kind Agreement with the City; accepting as a gift the costs associated with maintaining the improvements; and making findings under the California Environmental Quality Act.**

Existing Law

Planning Code Section 421.3(d) allows the sponsors of development projects located within the Market and Octavia Area Plan area to provide community improvements to the City in lieu of paying all or a portion of the Market and Octavia Community Improvements Impact Fee. In order to obtain the Fee waiver, the project sponsor must enter into an In-Kind Agreement with the City that has been approved by the Planning Commission.

Amendments to Current Law

This ordinance does not make any amendments to current law. Alta Laguna, LLC, the sponsor of the development project located at 55 Laguna Street, entered into an In-Kind Agreement with the City pursuant to Planning Code Section 421.3 and obtained a waiver of the Market and Octavia Community Improvements Impact Fee. The actual costs of constructing and developing the community improvements provided under the In-Kind Agreement exceed the amount of the impact fee owed. By adopting this ordinance, the Board of Supervisors accepts as a gift to the City the excess costs of constructing and developing the community improvements. The Board also accepts as a gift to the City Alta Laguna, LLC's costs of permanent maintenance of the improvements.

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