

**City of San Diego Economic Development Department's
Proposed Linkage Fee Waiver Criteria**

[delete § 98.0608(a)(6)]

[repeal City Council Resolution R-286015]

§ 98.0618 Waiver or Reduction of Fee

In addition to variances granted pursuant to the provisions of Section 98.0615 and Section 98.0616 the City Manager may, at the sole discretion of the City Manager, waive or reduce any fees assessed pursuant to this Division if, in the determination of the City Manager, the non-residential development would convey an extraordinary public benefit to the City of San Diego. Following a full review and public hearing by the Housing Commission, the City Manager shall consider both the potential extraordinary public benefits which would result from the non-residential development, plus the potential impact on housing affordability which may result from the non-residential development, as the basis for the amount of the reduction, if any. The City Manager will be limited in this discretion to waive or reduce such fees on non-residential developments which meet any one of the following criteria:

- (a) the anticipated *primary use* of the non-residential development is *Light Manufacturing*; or
- (b) the anticipated *primary use* of the non-residential development is *Warehouse or Wholesale Distribution*; or
- (c) the anticipated *primary use* of the non-residential development is *Research & Development* and either of the following are true:
 - (1) *Light Manufacturing* is an anticipated *accessory use* on the same premises
 - (2) The applicant agrees in writing that at least some products resulting from *Research & Development* uses on these *premises* will be manufactured within the City of San Diego; or
- (d) the non-residential development is located within an adopted Redevelopment Project Area and is subject to a Disposition & Development Agreement (DDA) In addition the applicant must agree in writing that no less than 80% of the employees working within the non-residential development shall be paid a living wage as defined in Section 22.4105.

In the case of proposed industrial projects (a) through (c) above, the applicant must agree that the non-residential development will be used primarily for industrial purposes until and unless the fees which are to be waived are paid in an amount equal to the fee that would have been levied at the time building permits were pulled.