



### **What are Parkland Dedication, Credits & Fees In-Lieu?**

These are requirements (outlined in Chapter 17.35 Park and Recreation Land of the City Code) which help the City acquire and develop adequate public parkland to meet the additional demand created by new residential housing projects and/or to mitigate the impacts of new housing developments on existing park and recreation facilities. The amount of parkland to be dedicated is based on the type and size of the proposed development. Credits refer to reductions that can be made to the parkland dedication in-lieu fee requirement, when eligible for specific private open space and recreation amenities. Fees In-Lieu of parkland dedication are used by the City to acquire and develop additional public parkland, and/or for capital projects to improve existing parks and recreation facilities. The City encourages developers to contact the Parks and Recreation Department with preliminary ideas, questions and schematic plans early in the planning process in order to find ways to meet requirements.

### **What is the purpose of Chapter 17.35?**

The purpose of City Code Chapter 17.35 is to help mitigate the impacts of new housing development growth on existing parkland subject to provisions of the State of California Quimby Act and Mitigation Fee Act. Chapter 17.35 allows the City to acquire and develop adequate public parkland to meet the additional demand generated by new residential subdivision and new non-subdivided residential projects.

### **What developments are affected by Chapter 17.35?**

Residential projects not involving a subdivision, and subdivisions greater than 50 parcels/units: options for developers include the dedication of parkland, an in-lieu fee, or a combination of public parkland and the fee. For subdivisions of 50 units or fewer, only the fee in-lieu of land dedication will be required.

### **What developments are not affected by Chapter 17.35?**

- Convalescent hospitals and similar dependent care facilities.
- Residence halls on the campus of a college or university.
- Accessory Dwelling Units, as defined by the Zoning Ordinance (18.06.010).
- Commercial or industrial subdivisions that involve no residential component.

### **How is the parkland requirement calculated?**

The formula for determining the required acreage to be dedicated is:

- (a) The Average Density standard for the specific Dwelling Unit Category; multiplied by
- (b) The Parkland Dedication Standard; divided by
- (c) 1000 Population; multiplied by
- (d) The Number of dwelling units

Example 1 (a subdivision): The Average Density for a single-family detached dwelling unit is

2.9 persons per household, and the Quimby Parkland Dedication Standard is 3.0 acres per 1000 residents. For a single-family detached unit, the required acreage would be  $2.9 \times 3.0/1000 = 0.0087$  acres per single-family detached unit. If multiplied by 100 Dwelling Units = 0.87 acres of public parkland required for a 100 unit development.

Example 2 (an apartment building): The Average Density for a multi-family detached dwelling is 2.24 persons per household; and the Mitigation Fee Act dedication standard is 2.53 acres per 1000 residents. For a multi-family detached dwelling, the required acreage would be  $2.24 \times 2.53/1000 = .0057$  acres per multi-family detached unit. If multiplied by 100 Dwelling Units = 0.57 acres of public parkland required for a 100 unit development.

### **How are fees in-lieu of parkland dedication calculated?**

When a fee is required to be paid in-lieu of parkland dedication, the fee is based on a "100% cost recovery" formula that uses the value of an acre of land in the particular development's ZIP Code area (95050, 95051, 95054), the amount of land required to be dedicated, improvement value (public park system) and allowable administrative costs. The date of valuation of the property for an in-lieu fee will be the date that the City determines that the developer's application "is complete." For current year fee calculations see tables "A," "B," and "C."

### **When are both parkland dedication AND fees required?**

The following developments are subject to a land dedication requirement, a fee, or a combination of the two at the City's discretion.

- In subdivisions of over fifty (50) parcels of land;
- In condominium developments of more than fifty (50) dwelling units;
- In residential developments not involving a subdivision; Note that the sum of the parkland to be dedicated and amount of in-lieu fees paid shall equal the total amount of parkland otherwise required.

### **How can a project qualify for private open space credits?**

Developers may submit a written request with the project application for calculation of credit of up to 50% against the requirement of land dedication or fees in-lieu thereof required by the ordinance, provided the City finds that the park space and recreational amenities comply with the specific conditions set forth in Chapter 17.35 of the City Code.

To qualify for credit, the private open space in a new development must contain at least four (4) of the following eight (8) elements:

- (1) One-half (0.50) acre of play field;
- (2) Children's play apparatus;
- (3) Landscaped and furnished, park-like quiet area;
- (4) Recreational community gardens;
- (5) Family picnic area;
- (6) Game, fitness or sport court area;
- (7) Accessible swimming pool (minimum size 42' × 75') with adjacent deck and lawn areas;
- (8) Recreation center buildings and grounds.

The above elements must equal a minimum of .75 acres of private open space. The calculation of private open space shall not include features required to be included by zoning and building codes and other applicable laws, i.e., yards, court areas, setbacks, decorative landscape areas. Facilities proposed for the open space shall be in substantial compliance with the provisions of the Parks, Open Space, and Recreation Goals and Policies of the General Plan. The developer shall supply a covenant to maintain the private open space to the City Attorney prior to approval of the final subdivision map.

Housing developments in which 100% of the units are affordable to low- and/or moderate- income households, and senior housing developments are eligible for an additional 15% credit toward the parkland dedication requirement or

fees in-lieu.

**When do these parkland dedication and fee requirements apply?**

The requirements under Chapter 17.35 are currently in effect and apply to all new residential housing developments.

**Where can I find more detailed information?**

The City's parkland dedication requirements are in the Title 17 Chapter 35 of the Santa Clara City Code. [Click here](#) to read Chapter 17.35. [Click here](#) to read the Municipal Fee Schedule, Parks & Recreation Department.

**Table A**  
**FY2014-15 New Residential Housing Impact Fee**  
**Schedule 95050**

Applicable Fee Type	<i>Calculation</i>	Quimby	MFA
95050 Average \$/Acre (2013	<i>A</i>	\$3,299,000	\$3,299,000
Park Acres/1000 Pop. LOS	<i>B</i>	3	2.53
Total Cost per 1,000	<i>C = A x B</i>	\$9,897,000	\$8,346,470
Cost per capita	<i>D = C/1000</i>	\$9,897	\$8,346
Density Single Family (Nexus Study)	<i>D x 2.9</i>	\$28,701	\$24,203
Improvements (Nexus Study)	<i>\$807 x 2.90</i>	\$2,340	\$2,340
Admin Charge (Nexus Study)	<i>0.02</i>	\$621	\$531
<b>Total Single Family (SF) Dwelling Fee</b>		<b>\$31,662</b>	<b>\$27,074</b>
Density Multi Family (Nexus Study)	<i>D x 2.24</i>	\$22,169	\$18,695
Improvements (Nexus Study)	<i>\$807 x 2.24</i>	\$1,808	\$1,808
Admin Charge (Nexus Study)	<i>0.02</i>	\$480	\$410
<b>Total Multi Family (MF) Dwelling Fee</b>		<b>\$24,457</b>	<b>\$20,913</b>

**Table B**  
**FY2014-15 New Residential Housing Impact Fee**  
**Schedule 95051**

Applicable Fee Type	<i>Calculation</i>	Quimby	MFA
95051 Average \$/Acre (2013 Survey)	<i>A</i>	\$3,394,000	\$3,394,000
Level of Service Standard	<i>B</i>	3	2.53
Total Cost per 1,000	<i>C = A x B</i>	\$10,182,000	\$8,586,820
Cost per capita	<i>D=C/1000</i>	\$10,182	\$8,587
Density Single Family (Nexus Study)	<i>D x 2.9</i>	\$29,528	\$24,902
Improvements (Nexus Study)	<i>\$807 x 2.90</i>	\$2,340	\$2,340
Admin Charge (Nexus Study)	<i>0.02</i>	\$637	\$545
<b>Total Single Family Dwelling Fee</b>		<b>\$32,505</b>	<b>\$27,787</b>
Density Multi Family (Nexus Study)	<i>D x 2.24</i>	\$22,808	\$19,234
Improvements (Nexus Study)	<i>\$807 x 2.24</i>	\$1,808	\$1,808
Admin Charge (Nexus Study)	<i>0.02</i>	\$492	\$421
<b>Total Multi Family Dwelling Fee</b>		<b>\$25,108</b>	<b>\$21,463</b>

<b>Table C</b> <b>FY2014-15 New Residential Housing Impact Fee</b> <b>Schedule 95054</b>			
<b>Applicable Fee Type</b>	<i>Calculation</i>	<b>Quimby</b>	<b>MFA</b>
Average \$/Acre (Nexus Study 2014)	<i>A</i>	\$3,658,000	\$3,658,000
Level of Service Standard	<i>B</i>	3	2.53
Total Cost per 1,000	<i>C = A x B</i>	\$10,974,000	\$9,254,740
Cost per capita	<i>D = C/1000</i>	\$10,974	\$9,255
Density Single Family (Nexus Study)	<i>D x 2.9</i>	\$31,825	\$26,840
Improvements (Nexus Study)	<i>\$807 x 2.90</i>	\$2,340	\$2,340
Admin Charge (Nexus Study)	<i>0.0</i>	\$683	\$584
<b>Total Single Family Dwelling Fee</b>		<b>\$34,848</b>	<b>\$29,764</b>
Density Multi Family (Nexus Study)	<i>D x 2.24</i>	\$24,582	\$20,731
Improvements (Nexus Study)	<i>\$807 x 2.24</i>	\$1,808	\$1,808
Admin Charge (Nexus Study)	<i>0.0</i>	\$528	\$451
<b>Total Multi Family Dwelling</b>		<b>\$26,918</b>	<b>\$22,990</b>

(updated 10/01/15)