

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING SECTION 12-4.705 OF THE FRESNO MUNICIPAL CODE, PERTAINING TO DEVELOPER DEDICATIONS AND CONSTRUCTION OF PARK FACILITIES

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 12-4.705 of the Fresno Municipal Code is repealed and replaced as follows.

SECTION. 12-4.705. DEVELOPER DEDICATION OR CONSTRUCTION OF FACILITIES

Residential development shall be responsible for a combination of land dedication and payment of in-lieu fees as follows:

- a) Single-Family Development.
  - i. Fifty Parcels or Less. For residential subdivisions with tentative maps containing fifty parcels or less, (inclusive of outlots) the subdivider shall pay in-lieu fees only.
  - ii. More Than Fifty Parcels. For residential subdivisions with tentative maps containing more than fifty parcels (inclusive of outlots), the subdivider shall pay in-lieu fees and dedicate 0.6 acres per 1,000 residents, or 0.001884 acres per residential unit, for a pocket park within the overall tentative map. This requirement shall apply to phased final subdivision maps which are part of a tentative

Date Adopted  
Date Approved  
Effective Date:

City Attorney Approval: 

Ordinance No. \_\_\_\_\_

map exceeding fifty parcels. An outlot being dedicated to satisfy the dedication requirement herein, shall include standard frontage improvements (including curb, gutter, sidewalk, and street lighting) as well as irrigation, landscaping, and park benches as approved by the Director of the Parks, After-School, Recreation and Community Services Department (Frontage and Landscape Improvements).

b) Dedication Credit.

i. Recreational Improvements. Per the Map Act (Section 66477(a)(9)), the value of park and recreational improvements required or approved by the City shall be a credit against the payment of fees required by this section. Park Facility Impact Fee credits or reimbursements will not be made for Frontage and Landscape Improvements.

ii. Supplemental Park Land Dedication. If a subdivider is required, as a condition of a discretionary approval, to dedicate park land in excess of 0.6 acres per 1,000 residents, or 0.001884 acres per residential unit, the value of the supplemental park land in excess of 0.001884 acres per residential unit shall be a credit against the payment of fees required by this section.

iii. Neighborhood and Community Park Land. If a subdivider is required, as a condition of a discretionary approval, to dedicate land for or construct a neighborhood or community park of

more than two acres, a credit against the fee otherwise levied by this section on the development project shall be offered by the City. The reimbursement amount shall not include the portion of the improvement needed to mitigate the burdens created by the development as determined by the City.

iv. Reimbursement Agreement. In the event a subdivider is entitled to credit pursuant to this section or Section 15-3701(J), City and the subdivider shall enter into a reimbursement agreement.

c) Gated Development. Gated subdivisions shall be subject to the combined in-lieu fee and park land dedication requirements set forth in this section, except that land dedication shall be made to the appropriate association and not the City.

d) Multi-Family Development. Multi-family developments shall be subject to on-site open space and in-lieu fee requirements as established in Chapter 15 (Development Code) of the Fresno Municipal Code.]

SECTION 2. This ordinance shall become effective and in full force and effect upon its final passage.

\* \* \* \* \*

STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
CITY ATTORNEY'S OFFICE

BY: \_\_\_\_\_  
RAJ SINGH BADHESHA Date  
Deputy City Attorney

RSB:nd (73173nd/rsb)