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**Title:** \*\*\*BILL NO. B-59 - (Intro.12/8/2016) (For adoption) Amending Fresno Municipal Code Section 12-4.705 pertaining to developer dedication and construction of park facilities.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. Park Fee Ordinance final.pdf

Date	Ver.	Action By	Action	Result
12/15/2016	1	City Council	adopted	Pass

**REPORT TO THE CITY COUNCIL**

**December 15, 2016**

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Public Works Department

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Public Works Department, Traffic and Engineering Services Division

**SUBJECT**

\*\*\*BILL NO. B-59 - (Intro.12/8/2016) (For adoption) Amending Fresno Municipal Code Section 12-4.705 pertaining to developer dedication and construction of park facilities.

**RECOMMENDATION**

It is recommended that the Council adopt the attached ordinance amending Section 12-4.705 pertaining to developer dedication and construction of park facilities.

**EXECUTIVE SUMMARY**

Pursuant to the Quimby Act, the amendment sets out the City’s requirements for open space dedication and fee payment for new residential development. The proposed modifications to Section 12-4.705 will provide three acres of open space per 1,000 new residents, in accordance with the General Plan goals and policies, through a combination of developer dedications of 0.6 acres of pocket parks per 1,000 residents and the payment of park impact fees representative of 2.4 acres per

1000 residents . The impact fees will be used to buy and construct 2.4 acres of Neighborhood and Community parks per 1,000 new residents. Impact fees will be used by the City to buy and construct 2.4 acres of neighborhood and Community parks per 1,000 new residents. Developer dedication of open space will only apply to subdivision maps with more than 50 parcels.

## **BACKGROUND**

The Park Impact Fee Nexus Study Update achieves the General Plan goal of three acres of open space per 1,000 new residents through a combination of impact fees to achieve 2.4 acres of neighborhood and community parks per 1,000 residents; and 0.6 acres of pocket parks to be provided by new residential subdivisions of more than 50 lots. The combination of these two components will yield 3 acres of pocket, neighborhood and community parks per 1,000 new residents or 0.1884 acres per every 100 homes, the City must amend the existing Park Fee Ordinance in Section 12-4.705 of the Fresno Municipal Code to require the dedication of pocket parks. The open space for pocket parks as required of new subdivisions over 50 lots will receive no credit against Park Facility Impact Fees or Quimby Fees, as the fee revenue will be dedicated to neighborhood and community parks. The draft ordinance requires the pocket parks to be developed with standard frontage improvements including curb, gutter, sidewalk and street lighting, as well as on-site landscaping, irrigation and park benches, subject to the approval of the Director of the Parks, After-School, Recreation and Community Services (PARCS) Department. Any additional improvements desired by the City such as tot lots, picnic tables or barbeque pits would be eligible for fee credits or reimbursement through a subdivision agreement or development agreement to be offered by the City. In similar manner, any pocket park acreage the City requires in excess of the 0.6 acres per 1,000 new residents will be eligible for fee credits or reimbursement, as would be the case for any excess dedication for neighborhood or community parks beyond the developer's requirement. Any credits or reimbursements will be included in the subdivision agreement or development agreement.

## **ENVIRONMENTAL FINDINGS**

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378 this item does not qualify as a "project" as defined by CEQA.

## **LOCAL PREFERENCE**

Local preference was not implemented because this item is not an award of a construction or services contract.

## **FISCAL IMPACT**

Amending Section 12-4.705 pertaining to developer dedication and construction of park facilities will not impact the General Fund. The Park Impact Fee revenue will be used to pay for a portion of the existing park bond debt and to fund new Community and Neighborhood parks.

Attachments:

Ordinance amending Fresno Municipal Code Section 12-4.705