



STAFF REPORT

TOWN COUNCIL MEETING OF AUGUST 12, 2014

To: Town Council

From: Town Attorney and Town Manager

Subject: Discussion and Direction regarding the Town's Quimby Act provisions including amending the General Plan, amending the Park and Recreation Master Plan, amending the Municipal Code and providing CEQA documentation for all.

Date: July 1, 2013

RECOMMENDATION:

Authorize the Town Manager to expend up to \$10,000 from contract funds to amend the General Plan, Park and Recreation Master Plan, amend the corresponding sections of the Municipal Code and prepare the necessary CEQA documentation to set the Quimby Acreage requirements and corresponding fees at 3 acres per 1,000 population.

BACKGROUND:

Over the years, staff and Town Attorneys have been asked to review the Town's ordinances regarding Parkland Dedication and associated development fees.

The Town of Loomis adopted Resolution 05-33 on August 9, 2005, enacting development impact fees to fund the public infrastructure and facilities required to offset the impacts of new development. The fees were based on a Mitigation Fee Analysis Draft Report prepared by Sinclair and Associates dated December 1, 2004, and a Mitigation Fee Analysis Final Report dated May 25, 2005. The adopted Mitigation Fee Analysis Final Report based the fees on a ratio of five acres per thousand residents and land costs based on the average sales price of vacant land in the Loomis area during 2002 – 2004.

Staff has reviewed the Town's Quimby Ordinance land dedication requirements in light of the latest 2010 census data and taking into account the existing Town owned park acreage within Town limits. The 2010 census shows the Town population to be 6,430. The total acreage of parks located within the limits of Loomis is 7.3 acres, broken down as follows:

- 3.1 acres -- Blue Anchor Park
- 4.2 acres – Sunrise Loomis Park

The Quimby Act (Government Code Section 66477) allows a local government to require the dedication of land or the payment of in-lieu fees, or both, for parks and recreational purposes as a condition of approval of a tentative map or parcel map. The maximum allowed land dedication requirement is three acres per 1,000 residents unless the amount of existing neighborhood and community park area exceeds three acres per 1,000 residents. Based on the 2010 population of Loomis and the 7.3 acres of Town owned parkland within Town limits, the formula for calculating the land dedication requirements in the Town's Quimby Ordinance needs to be revised, since the existing neighborhood and community park area does not exceed three acres per 1,000 residents. In the original analysis, the Mitigation Fee Analysis Final Report included Town owned park land, schools, and park land adjacent to the Town limits. Based on that analysis, the Town adopted Development and Parkland dedication standards of five acres per thousand residents. Based on legal court precedents over the ensuing years, Town Legal Counsel and Staff believe it prudent to modify the Ordinance to reflect current practices of including only those parklands owned by the Town.

WORK REQUIRED:

1. Amend the General Plan
2. Amend the Park and Rec Master Plan
3. Amend the Municipal Code
4. CEQA for all (assumes all three done simultaneously, which they should be)

The Town Manager and Town Attorney believe that between Town staff and the attorney office we can do all of the work required, except the “factor constants” updating. For that the Town will need to consult with someone familiar with the process of setting Quimby fees.

FINANCIAL IMPLICATIONS:

A potential cost of up to \$10,000 from contract fees in the adopted budget. Adoption of modified Parkland Dedication fees will necessitate a corresponding reduction in the “in-lieu” fee for Parkland Dedication at a later Town Council meeting.