



## **TRUCKEE-DONNER RECREATION AND PARK DISTRICT**

### **QUIMBY PARKLAND DEDICATION REQUIREMENT AND IN-LIEU FEE STUDY UPDATE**

OCTOBER 2013  
FINAL REPORT

PREPARED FOR:

**BOARD OF DIRECTORS  
TRUCKEE-DONNER RECREATION AND PARK DISTRICT**

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## **TRUCKEE-DONNER RECREATION AND PARK DISTRICT**

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## ACKNOWLEDGMENTS

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This Quimby Dedication Requirement and In-Lieu Fee Study was prepared by SCI Consulting Group under contract with the Truckee-Donner Recreation and Park District.

The work was accomplished under the general direction of Steve Randall, General Manager of the Truckee-Donner Recreation and Park District.

We would like to acknowledge the special efforts made by individuals and organizations to this project:

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Marcia Salter, Nevada County Auditor-Controller's Office  
Nevada County Assessor's Office  
Placer County Assessor's Office

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## EXECUTIVE SUMMARY

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### INTRODUCTION

The California Government Code contains specific enabling legislation for the acquisition and development of community and neighborhood parks by a city, county or special district. This legislation, codified as Section 66477 of the Government Code and known commonly as the "Quimby Act," establishes criteria for charging new development for park land acquisition based on specific park standards.

The Quimby Act gives authority for passage of land dedication ordinances only to cities and counties. A local agency which seeks to take advantage of this authorization must enact an ordinance or resolution specifying how the Quimby Act will be implemented in its jurisdiction. Special districts must work with cities, and/or counties to receive parkland dedication and/or in-lieu fees. The fees must be paid and land conveyed directly to the local public agencies that provide park and recreation services community-wide.

The Truckee-Donner Recreation and Park District's ("District") current Quimby Parkland Dedication Requirements and In-Lieu Fees were approved by the District Board of Directors ("District Board") on December 17, 2007. Pursuant to Section 18.92.095 of the Town of Truckee Municipal Code, the District's current parkland dedication requirements and in-lieu fees were adopted by the Truckee Town Council on May 15, 2008. Pursuant to Section L-IX 1.3 of the Nevada County Land Use and Development Code, the District's current parkland dedication requirements and in-lieu fees were adopted by the County of Nevada Board of Supervisors on January 27, 2009. The County of Placer Board of Supervisors did not adopt the District's current parkland dedication requirements and in-lieu fees as requested by the District Board on December 17, 2007.

There are two factors that determined how much land is required to be dedicated for a new subdivision. These factors are multiplied by the number of respective dwelling units for the proposed subdivision to determine acreage to be dedicated for neighborhood and community parks. In some instances, the payment of fees in lieu of land may be considered. In this case, a third factor is considered.

This Quimby Dedication Requirement and In-Lieu Fee Study ("Study") presents a recalculation of the three factors that determine District's Quimby parkland dedication requirement and In-Lieu Fees. Additionally, this Study makes specific recommendations for change of the Town and County's Quimby Policy for the District.

#### **SUMMARY OF KEY FINDINGS**

Based on a review of the Quimby Act, recent vacant land sales within the District, the figures from the 2010 U.S. Census, the following key findings are presented:

1. The District's Quimby in-lieu fee is \$3,832 per single family lot and \$2,633 per multi-family residential unit.
2. Based on the District's current park inventory and population, the District existing neighborhood and community park area exceeds five acres per 1,000 residents. Therefore, the District's maximum dedication requirement and/or fee allowed under the Quimby Act is five acres of parkland for every 1,000 persons.
3. Based on the 2010 U.S. Census, the average household size for single-family homes and multi-family units are 2.563 and 1.885 person per dwelling unit for the District.
4. Based on recent residential vacant land sales, land value in the Town of Truckee is estimated to be \$328,000 per acre for the purpose of determining the Quimby in-lieu fee.



## SUMMARY OF GENERAL RECOMMENDATIONS

Based on the findings presented in this Study, the following general recommendations are presented:

1. On behalf of the District, the Town of Truckee, County of Nevada and County of Placer should establish a Quimby park land dedication requirement (or similar formula) based on 5 acres per 1,000 population and average household sizes based on the 2010 U.S. Census for the two residential land use categories shown below.

**FIGURE 1 – PROPOSED QUIMBY PARKLAND DEDICATION REQUIREMENT**

Residential Land Use <sup>1</sup>	Proposed TDRPD Quimby Parkland Dedication Requirement <i>Square Feet per Unit</i>
Single-Family Housing <sup>1</sup>	558
Multi-Family Housing	411

Notes:

<sup>1</sup> Single family housing includes includes townhomes and mobile homes.

2. On behalf of the District, the Town of Truckee and County of Nevada should amend the District's Quimby park in-lieu fees to reflect the new Quimby park land dedication requirement and associated in-lieu fees as shown below.

**FIGURE 2 – PROPOSED QUIMBY IN-LIEU FEES**

Residential Land Use <sup>1</sup>	Allowable Square Footage Per Dwelling Unit	Parkland Acquisition Cost Per Acre	Quimby In-Lieu Fees (Per Unit) <sup>1</sup>
Calc	a	b	c = a * b / 43,560
Single-Family Housing	558	\$328,000	\$4,202
Multi-Family Housing	411	\$328,000	\$3,095

Notes:

<sup>1</sup> Allowable square footage per dwelling unit times parkland acquisition cost per acre divided by 43,560 sq. ft. per acre. Fees are rounded to the nearest dollar.

3. If a developer, as a condition of project approval, to construct park facilities or improvements in lieu, the Quimby in-lieu fees imposed on that development project should be adjusted to reflect a credit for the cost of the park facilities or improvements constructed.
4. The District should periodically conduct a review of land costs in the District. If land values change significantly in either direction, the Quimby in-lieu fees should be adjusted accordingly.
5. The Quimby park dedication requirement and in-lieu fees should be adopted and implemented in accordance with the applicable provisions of the Quimby Act (California Govt. Code § 66477). Proceeds from Quimby in-lieu fees should be collected separately and accounted for independent of park impact fee proceeds.
6. The Quimby park dedication requirement and/or in-lieu fees should be collected from new residential subdivisions in addition to park impact fees pursuant to the Mitigation Fee Act (Govt. Code § 66000 et. seq.).
7. If a subdivider provides park and recreational improvements to the dedicated land, the value of the improvements together with any equipment located thereon should be a credit against the payment of fees or dedication of land required by the ordinance.
8. Any land or fees received by the District under the Quimby Act should be conveyed or paid directly to the District, if the District elects to accept the land or fee.
9. Common interest developments, as defined in Section 1351 of the Civil Code, shall be eligible to receive a credit, as determined by the legislative body, against the amount of land required to be dedicated, or the amount of the fee imposed, pursuant to this section, for the value of private open space within the development which is usable for active recreational uses. Park and recreation purposes shall include land and facilities for the activity of "recreational community gardening," which activity consists of the cultivation by persons other than, or in addition to, the owner of the land, of plant material not for sale.

## QUIMBY PARKLAND DEDICATION REQUIREMENT

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### QUIMBY PARKLAND STANDARD

Based on the District's current park inventory, the District currently owns approximately 106.8 acres of developed parkland. With a current District population of approximately 20,049, this represents a ratio of 5.3 acres of District owned and developed parkland for every 1,000 people in the District.

Under the Quimby Act, the dedication of land, or payment of fees, or both, cannot exceed the proportionate amount necessary to provide three acres of park area per 1,000 persons residing within the subdivision, unless the amount of existing neighborhood and community park area exceeds that limit, in which case the calculated amount may be adopted as a higher standard not to exceed five acres per 1,000 persons residing within a subdivision. Since the District's existing developed parkland exceeds 5 acres per 1,000 residents, the District's maximum dedication requirement and/or fee allowed under the Quimby Act is five acres of parkland for every 1,000 persons. This parkland standard is consistent with the District's Master Plan, the Town of Truckee General Plan, the County of Nevada General Plan and the County of Placer General Plan.

### AVERAGE HOUSEHOLD SIZE

Pursuant to Govt. Code § 64477(a)(2), the amount of land dedicated or fees paid shall be based upon a project's population density, which shall be in part determined based on the average number of persons per household according to the most recent federal census. Based on the 2010 U.S. Census, figure 4 on the following page presents the average household size calculation for two residential land use categories: single-family housing and multi-family housing.

FIGURE 3 – AVERAGE HOUSEHOLD SIZE

Land Use	Total Housing Units	Vacant Housing Units	Occupied Housing Units	Total Number of Occupants	Average Household Size
Single-Family Housing	15,538	8,062	7,476	19,160	2.563
Multi-Family Housing	2,399	1,536	863	1,627	1.885
Average	17,937	9,598	8,339	20,787	2.493

Source: 2010 U.S. Census, American Community Survey 5-Year Estimate

### QUIMBY PARKLAND DEDICATION REQUIREMENT DETERMINATION

Based on the maximum per capita standard of 5 acres per 1,000 residents allowed under the Quimby Act, the formula for calculating the dedication of land for the District within the Town of Truckee is as follows:

$$\begin{array}{ccccccc} \textit{Proposed} & & & & \textit{Average} & & \textit{.005} \\ \textit{Number of} & & & & \textit{Household Size} & & \textit{(5 Acres per} \\ \textit{Units by} & \times & & & \textit{by Housing} & \times & \textit{1,000} \\ \textit{Housing Type} & & & & \textit{Type} & & \textit{Population)} \end{array}$$

Figure 5 presents the parkland dedication requirement on a square footage for two housing categories. As detailed in figure 4, the average number of persons per dwelling unit is determined on the basis of the housing type and the average household size.

FIGURE 4 – QUIMBY PARKLAND DEDICATION REQUIREMENT DETERMINATION

Residential Land Use <sup>1</sup>	Average Household Size <sup>2</sup>	Quimby Park Standard (5 acres per 1,000 persons) <sup>3</sup>	Allowable Square Footage per Dwelling Unit <sup>4</sup>
Single-Family Housing <sup>1</sup>	2.563	0.005	558
Multi-Family Housing	1.885	0.005	411

Notes:

<sup>1</sup> Single family housing includes includes townhomes and mobile homes.

<sup>2</sup> Based on census tract figures from the 2010 U.S. Census.

<sup>3</sup> The District's maximum allowable park standard under the Quimby Act and consistent with the District's Master Plan and Town and Counties' General Plans.

<sup>4</sup> Average household size multiplied by the Quimby Park Standard divided by 43,560 square feet per acre, rounded.

For example, a 250 single-family home subdivision would require a 3.2 acre land dedication for park and recreational facilities.

$$\begin{array}{ccccccc} 250 & & & & 558 & & 139,500 \text{ Sq. Ft or} \\ \textit{Single-Family Lots} & \times & & & \textit{Allowable Sq. Ft} & = & \textit{3.2 Acres of} \\ & & & & \textit{per Single-Family} & & \textit{Dedication Parkland} \\ & & & & \textit{Lot} & & \textit{for the Subdivision} \end{array}$$

## DETERMINATION OF QUIMBY IN-LIEU FEES

For proposed subdivisions containing fewer than 50 parcels, the Quimby Act allows for the payment of fees (“Quimby in-lieu fees”) in lieu of land dedication.<sup>1</sup> The purpose of in-lieu fees is to accumulate enough funding from several developers to purchase neighborhood and community parks within the District where the fees are collected. Moreover, while parkland dedication may be required for larger subdivisions, the District may require in-lieu fees only, or a combination of parkland dedication and in-lieu fees, to meet the park goals of the District.

The following table presents the calculation of the Quimby in-lieu fees based on the District’s parkland dedication requirement for single family and multifamily housing and parkland acquisition costs per acre. As shown, land value in the District is estimated to be \$328,000 per acre. Arguments for higher land costs can be made; however, the presented amounts per acre appear to be the most appropriate and conservative figures for the purposes of this Study.<sup>2</sup>

It is important to note that although the in lieu fee includes parkland acquisition costs only, the Quimby Act allows for in-lieu fees to be used for parkland acquisition, new park development and the construction of new or rehabilitation of existing park and recreational facilities.

FIGURE 5 – DETERMINATION OF QUIMBY IN-LIEU FEES

Residential Land Use <sup>1</sup>	Allowable Square Footage Per Dwelling Unit	Parkland Acquisition Cost Per Acre	Quimby In-Lieu Fees (Per Unit) <sup>1</sup>
Calc	a	b	c = a * b / 43,560
Single-Family Housing	558	\$328,000	\$4,202
Multi-Family Housing	411	\$328,000	\$3,095

Notes:

<sup>1</sup> Allowable square footage per dwelling unit times parkland acquisition cost per acre divided by 43,560 sq. ft. per acre. Fees are rounded to the nearest dollar.

<sup>1</sup> However, when a multi-family development or stock cooperative exceeds 50 dwelling units, a dedication of land may be required, even though the number of parcels may be less than 50. *Govt. Code § 66477(a)(7)*

<sup>2</sup> Land value is based on recent vacant residential land sales in the District as presented in Appendix A to this Study.

## PROPOSED QUIMBY ORDINANCE CHANGES

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The following table compares the District's current Quimby Ordinance with the amended policy proposed by this Study.

**FIGURE 6 – COMPARISON OF CURRENT AND PROPOSED QUIMBY ORDINANCE**

Factors	Current Quimby Policy	Proposed Quimby Policy	Change
Effective year	2008	2013	5 years
Park acreage standard	5 acres per 1,000	5 acres per 1,000	None
Average household size (Single-family housing)	2.787 per unit	2.563 per unit	-8.7%
Average household size (Multi-family housing)	1.916 per unit	1.885 per unit	-1.6%
Parkland dedication requirement (Single-family housing)	607 sq. ft. per unit	558 sq. ft. per unit	-49
Parkland dedication requirement (Multi-family housing)	417 sq. ft. per unit	411 sq. ft. per unit	-6
Parkland acquisition cost per acre	\$275,000	\$328,000	19.3%
Quimby In-Lieu Fee (Single-family housing)	\$3,832	\$4,202	9.7%
Quimby In-Lieu Fee (Multi-family housing)	\$2,633	\$3,095	17.5%

## APPENDICES

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Appendix A – Recent Vacant Residential Land Sales

Appendix B – California Govt. Code § 66477 ("The Quimby Act")

## APPENDIX A – RECENT VACANT RESIDENTIAL LAND SALES

FIGURE 5 – RECENT VACANT RESIDENTIAL LAND SALES

Sale	Assessor's Parcel Number	Location	Sales Date	Size (Acres)	Sales Price	Price per Acre	Price per Sq. Ft.
1	016-470-009	10424 E. Alder Creek Rd., Truckee, CA 96161	August 2013	0.27	\$75,000	\$277,778	\$6.38
2	044-530-034	14521 Tyrol Road, Truckee, CA 96161	August 2013	0.36	\$180,000	\$500,000	\$11.48
3	108-160-015	108 Yank Clement, Truckee, CA 96161	August 2013	0.50	\$136,000	\$272,000	\$6.24
4	019-750-019	12666 Caleb Dr., Truckee, CA 96161	August 2013	0.62	\$125,000	\$201,613	\$4.63
5	106-120-007	10320 Olana Dr., Truckee, CA 96161	August 2013	2.05	\$750,000	\$365,854	\$8.40
6	043-020-021	10840 Ghirard Ct., Truckee, Ca 96161	August 2013	0.54	\$176,000	\$325,926	\$7.48
7	019-900-006	11111 Henness Rd., Truckee, CA 96161	August 2013	0.37	\$70,000	\$189,189	\$4.34
8	043-020-013	10942 Ryley Ct., Truckee, CA 96161	August 2013	0.40	\$165,000	\$412,500	\$9.47



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**APPENDIX B – CALIFORNIA GOVT. CODE § 66477 (“THE QUIMBY ACT”)**

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66477. (a) The legislative body of a city or county may, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative map or parcel map, if all of the following requirements are met:

(1) The ordinance has been in effect for a period of 30 days prior to the filing of the tentative map of the subdivision or parcel map.

(2) The ordinance includes definite standards for determining the proportion of a subdivision to be dedicated and the amount of any fee to be paid in lieu thereof. The amount of land dedicated or fees paid shall be based upon the residential density, which shall be determined on the basis of the approved or conditionally approved tentative map or parcel map and the average number of persons per household. There shall be a rebuttable presumption that the average number of persons per household by units in a structure is the same as that disclosed by the most recent available federal census or a census taken pursuant to Chapter 17 (commencing with Section 40200) of Part 2 of Division 3 of Title 4. However, the dedication of land, or the payment of fees, or both, shall not exceed the proportionate amount necessary to provide three acres of park area per 1,000 persons residing within a subdivision subject to this section, unless the amount of existing neighborhood and community park area, as calculated pursuant to this subdivision, exceeds that limit, in which case the legislative body may adopt the calculated amount as a higher standard not to exceed five acres per 1,000 persons residing within a subdivision subject to this section.

(A) The park area per 1,000 members of the population of the city, county, or local public agency shall be derived from the ratio that the amount of neighborhood and community park acreage bears to the total population of the city, county, or local public agency as shown in the most recent available federal census. The amount of neighborhood and community park acreage shall be the actual acreage of existing neighborhood and community parks of the city, county, or local public agency as shown on its records, plans, recreational element, maps, or reports as of the date of the most recent available federal census.

(B) For cities incorporated after the date of the most recent available federal census, the park area per 1,000 members of the population of the city shall be derived from the ratio that the amount of neighborhood and community park acreage shown on the records, maps, or reports of the county in which the newly incorporated city is located bears to the total population of the new city as determined pursuant to Section 11005 of the Revenue and Taxation Code. In making any subsequent calculations pursuant to this section, the county in which the newly incorporated city is located shall not include the figures pertaining to the new city which were calculated pursuant to this paragraph. Fees shall be payable at the time of the recording of the final map or parcel map or at a later time as may be prescribed by local ordinance.

(3) The land, fees, or combination thereof are to be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreational facilities to serve the subdivision.

(4) The legislative body has adopted a general plan or specific plan containing policies and standards for parks and recreation facilities, and the park and recreational facilities are in accordance with definite principles and standards.

(5) The amount and location of land to be dedicated or the fees to be paid shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision.

(6) The city, county, or other local public agency to which the land or fees are conveyed or paid shall develop a schedule specifying how, when, and where it will use the land or fees, or both, to develop park or recreational facilities to serve the residents of the subdivision. Any fees collected under the ordinance shall be committed within five years after the payment of the fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If the fees are not committed, they, without any deductions, shall be distributed and paid to the then record owners of the subdivision in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.

(7) Only the payment of fees may be required in subdivisions containing 50 parcels or less, except that when a condominium project, stock cooperative, or community apartment project, as those terms are defined in Section 1351 of the Civil Code, exceeds 50 dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than 50.

(8) Subdivisions containing less than five parcels and not used for residential purposes shall be exempted from the requirements of this section. However, in that event, a condition may be placed on the approval of a parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four years, the fee may be required to be paid by the owner of each parcel as a condition of the issuance of the permit.

(9) If the subdivider provides park and recreational improvements to the dedicated land, the value of the improvements together with any equipment located thereon shall be a credit against the payment of fees or dedication of land required by the ordinance.

(b) Land or fees required under this section shall be conveyed or paid directly to the local public agency which provides park and recreational services on a communitywide level and to the area within which the proposed development will be located, if that agency elects to accept the land or fee. The local agency accepting the land or funds shall develop the land or use the funds in the manner provided in this section.

(c) If park and recreational services and facilities are provided by a public agency other than a city or a county, the amount and location of land to be dedicated or fees to be paid shall, subject to paragraph (2) of subdivision (a), be jointly determined by the city or county having jurisdiction and that other public agency.

(d) This section does not apply to commercial or industrial subdivisions or to condominium projects or stock cooperatives that consist of the subdivision of airspace in an existing apartment building that is more than five years old when no new dwelling units are added.

(e) Common interest developments, as defined in Section 1351 of the Civil Code, shall be eligible to receive a credit, as determined by the legislative body, against the amount of land required to be dedicated, or the amount of the fee imposed, pursuant to this section, for the value of private open space within the development which is usable for active recreational uses.

(f) Park and recreation purposes shall include land and facilities for the activity of "recreational community gardening," which activity consists of the cultivation by persons other than, or in addition to, the owner of the land, of plant material not for sale.

(g) This section shall be known and may be cited as the Quimby Act.

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