



Memorandum

TO: Mayor and City Council

FROM: Vice Mayor Cindy Chavez
and Councilmembers Ken
Yeager and Nancy Pyle

SUBJECT: SEE BELOW

DATE: October 24, 2006

APPROVED:

DATE: 10-24-06

SUBJECT: PROPOSED CHANGES TO THE PARKLAND DEDICATION AND PARK IMPACT ORDINANCES AND THE ASSOCIATED RESOLUTION SETTING FORTH THE SCHEDULE OF IN-LIEU FEES CHARGED AND CREDITS ISSUED PURSUANT TO THESE ORDINANCES

RECOMMENDATION:

That the Council

1. Approves the adjustments of the in-lieu fees for the Parkland Dedication and Park Impact Ordinances to 100% of the 2005 land values as listed in Attachment A of the staff report.
2. Accept staff's recommendation for amendments to the Parkland Dedication and Park Impact Ordinances and associated Fees and Credits Resolution for each item listed under the "Base Recommendations" in Attachment B, with the following changes:
 - Item 8: Modify limitation of land dedications to at least .5 Acres and allow smaller dedications if they would be part of an existing or planned facility
 - Item 13: Support Staff recommendation as a pilot with report back to council in 1 year.
3. Direct staff to return to the City Council with a revised ordinance and associated fee resolution which reflects the Council's above recommendations.

BACKGROUND:

Quite simply, San Jose cannot compete for the best jobs and the next generation of businesses if we cannot improve the quality of life for our residents. Parks play a crucial role in this equation and the PDO/PIO funding mechanism has been an invaluable tool in the City's efforts to increase both the number of parks and the acreage available for our children, families, and residents.

However, as property values increased over the past several years, it has become harder for the City to effectively pursue new park opportunities. It was to avoid this exact scenario that Mayor Hammer and the council tied the PDO/PIO to property values in 1998. While the freeze was warranted in 2002 in light of the severe economic downturn, the economy is stronger than it has been in years and the park needs of our residents continue to increase.

In order to ensure that the City is in a position to protect the quality of life for future generations, it is necessary for the Council to bring the fees back into alignment with current land values and the original intent of the ordinance. It is also time for us to recognize that trails and school grounds can, if properly built and managed, also serve important recreation needs of the community. The changes proposed by staff attempt to improve our ability to provide the wide range of recreational opportunities that our residents deserve and expect in San Jose.

The minor changes outlined above seek to address some of the concerns raised by the community through this long process. In many of our existing neighborhoods where the park demands are most acute, the limited availability of land prevents park development of 1-acre or greater. While our goal should be to provide facilities of this size, it is important to also acknowledge and pursue opportunities for smaller pocket parks where appropriate. In addition, our environmental stewardship efforts are directly tied to our parks development and maintenance actions. It is important to acknowledge that water detention facilities play an important role in our efforts to “green” the city and should be part of the solution as long as dual-use as a recreation facility is fully realized. By making this portion of the ordinance a pilot, it will allow us to evaluate the success of this component and make adjustments as necessary.

As staff points out, the PDO and PIO are critical tools to assure logical growth and development of the City’s neighborhood and community park facilities. The changes proposed by staff, with the amendments proposed above, will go a long way in enhancing the City’s ability to effectively meet our residents’ need for open space and parkland.