

RESOLUTION NO. 6433

**A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF GARDENA, CALIFORNIA
ADOPTING FEES FOR
IN-LIEU PARK AND RECREATION FEES
PURSUANT TO CHAPTER 17.20 OF THE
GARDENA MUNICIPAL CODE**

WHEREAS, the Open Space Plan of the City of Gardena's General Plan establishes a park land-to-population estimate of 3.0 acres for every 1,000 persons; and

WHEREAS, Government Code section 66477 allows the City to require the dedication of land or the payment of fees or a combination of both for park and recreational purposes as a condition of approval of a tentative map or parcel map for residential purposes once certain requirements are met; and

WHEREAS, the land, fees, or combination thereof may be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreational facilities that serve the subdivision; and

WHEREAS, Chapter 17.20 of the Gardena Municipal Code regulates Park and Recreation Dedication and Fees; and

WHEREAS, the current fee is based on the fair market value of the property to be dedicated; and

WHEREAS, the City Council would like to change the methodology related to calculating the fees as well as make other changes to the park and recreation fees paid pursuant to Government Code section 66477 and Gardena Municipal Code Chapter 17.20; and

WHEREAS, on April 28, 2020, the City Council of the City of Gardena held a duly noticed public hearing on this matter and considered all evidence presented, both written and oral and prior to adopting this Resolution introduced Ordinance No. 1818 amending Chapter 17.20 of the Gardena Municipal Code;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. Fees to be charged under Chapter 17.20 of the Gardena Municipal Code are required to be based on the formula established by Gardena Municipal Code section 17.20.030 and the amount of fees shall not exceed the proportionate amount necessary to provide three acres of park are per 1,000 persons. The formula is expressed as:

Fee (F) = local park space obligation (A) x land acquisition cost per acre (C)

Local park space obligation in acres (A) =	Total acreage standard of 3.0 acres per 1,000 population (.003)	x	Total number of dwelling units (U)	x	Population density per unit (P)
Fee =	Local Park space obligation in acres (A)	x	Land acquisition cost per acre (C)		

In the above calculation P = 2.87 persons per unit.

SECTION 2. Based on information provided in the staff report accompanying this Resolution which is incorporated by reference, the City Council has determined as follows:

- A. The cost per acre of land acquisition for recent multi-unit developments has ranged from a low of \$1,146,254/acre to a high of \$2,448,718 per acre for an average of \$1,971,158 per acre which creates a range in per unit fee from approximately \$9,869 per unit to \$21,083 per unit, or an average of \$16,971 per unit.
- B. The City has recently acquired a residential property for possible expansion of Primm pool, is in escrow on an adjacent residential property that can be used for Primm pool, and has received an offer to purchase property for a dog park. The average per acre price of these properties is \$3,231,604.
- C. Averaging the price of the land acquisition with the price of land acquisition for recreational purchases provides an average cost per acre of \$2,443,825 which equates to a fess of \$21,041 per unit using the formula set forth above.
- D. The City Council has determined that it is economically infeasible to impose a fee of \$21,041 per unit.
- E. The City Council has determined that the in-lieu park and recreation fees imposed under Chapter 17.20 of the Gardena Municipal Code shall be based

on a cost per acre of \$2,443,825, but the fee shall be reduced to \$10,000 per unit.

- F. If any adjustments are to be given because developer has been able to refute the population density per unit, the fee shall be determined based on a rate of \$2,443,825 per acre.
- G. No fee shall be imposed on any residential unit designated for lower income housing when the units are appropriately restricted for 30 years.
- H. A fee of 50% shall be imposed on residential units which are designated for moderate income housing when the units are appropriately restricted for 30 years.

SECTION 3. CEQA. The adoption of this Resolution is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) which provides the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The City already collects an in-lieu fee on residential subdivisions. This Resolution simply establishes a uniform fee.

SECTION 4. Effective Date. This Resolution shall become effective at the same time that Ordinance No. 1809 takes effect. However, if the fee set forth herein is less than the fee which would otherwise be charged, this fee shall be imposed.

* * * * *

PASSED, APPROVED and ADOPTED on May 12, 2020 at a regular meeting of the City Council of the City of Gardena by the following vote:

AYES: (See Attached)

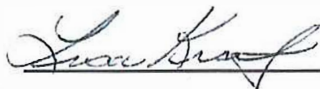
NOES:

ABSENT:

Mark E. Henderson for

Tasha Cerda, Mayor
City of Gardena, California

APPROVED AS TO FORM



for Carmen Vasquez, City Attorney
City of Gardena, California

ATTEST



for Mina Semenza, City Clerk
City of Gardena, California

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF GARDENA)

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6433** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **12th day of May, 2020**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBER KASKANIAN, MAYOR PRO TEM HENDERSON, COUNCIL
MEMBERS TANAKA AND FRANCIS, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

for Becky Romero
City Clerk of the City of Gardena, California

(SEAL)