



4.3

DEPARTMENT OF
PARKS AND RECREATION

**CITY OF SACRAMENTO
CALIFORNIA**

1231 I STREET, #400
SACRAMENTO, CA
95814-2997

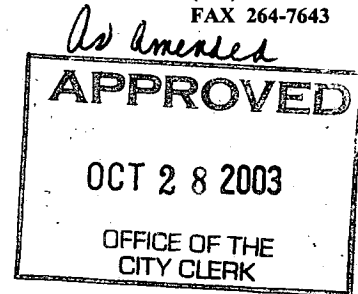
PARK PLANNING, DESIGN
AND DEVELOPMENT

(916) 264-5200
FAX 264-7643

October 10, 2003

City Council
Sacramento, California

Honorable Members in Session:



SUBJECT: Approve an Ordinance Amending Section 16.64.050 of Chapter 16.64 of Title 16 of the City Code Pertaining to the Calculation of Fees In-Lieu (Quimby) of Dedication of Parkland by Subdivision, Including the Appraisal Procedure and Direct Staff to Report Back with a Proposal to Create New Capital Project Impact Fee

LOCATION AND COUNCIL DISTRICT:

Citywide; All Council Districts

RECOMMENDATION:

Staff recommends that City Council approve the Ordinance amending the process for calculating Quimby In-Lieu park fees. Staff also proposes that the City Council direct staff to report back on recommendations for creating funding for regional parks and open space and creating a Quimby like non-subdivision fee.

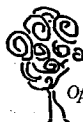
CONTACT PERSON:

JANET R. BAKER, PARK DEVELOPMENT MANAGER, 264-8234

FOR COUNCIL MEETING OF: October 28, 2003

SUMMARY:

Under the current Quimby Ordinance, Quimby Fees are calculated based upon the appraised value of the land being developed. That process has proved to be a disincentive to the development of infill residential units in the Central City. In October 2002, the City Council approved an Interim Quimby Ordinance establishing an alternate method of payment for Quimby In-Lieu fees for Planning Area 1 (Central City) as an incentive to create residential infill projects, while staff reviewed the existing Quimby Ordinance. Law and Legislation Committee reviewed and recommended for City Council adoption of an amendment to the Quimby Ordinance, which will create an alternate method of calculating Quimby In-Lieu fees. Staff also proposes that the Council direct staff to prepare a proposal to create new capital project impact fees.



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COMMITTEE/COMMISSION ACTION:

The Quimby Ordinance Amendments were approved by the Law and Legislation Committee on September 2, 2003.

BACKGROUND INFORMATION:

Under the Subdivision Map Act and Title 16 (the Subdivision Ordinance) of the Sacramento City Code, residential projects are required to dedicate land or pay a fee in-lieu of land dedication to provide for community and neighborhood parks at a rate for 5 acres per thousand residents. Under the City Quimby Ordinance, the in-lieu fee is calculated based upon the appraised value of the land being sub-divided.

The City of Sacramento currently has a policy to promote infill residential development. Under the previous ordinance, the fees required under Quimby for residential development in the Central City, Planning Area 1, were significantly higher than in other areas of the City due to land values. These fees are thought to be a disincentive for downtown and central city residential projects.

In October 2002, the City Council approved an Interim Quimby Ordinance establishing an alternate method of payment for Quimby In-Lieu fees in the Central City. A reasonable "average" land value in combination with the actual appraised value was approved for small (16 or fewer units) residential infill projects in Planning Area 1. The interim ordinance was developed to allow developers of small, residential infill projects within Planning Area 1 to proceed with development, while the City reviewed the Quimby Ordinance with the goal of creating greater equity while continuing to provide for the payment of Quimby In-Lieu fees to support necessary parks and park development projects.

Staff has completed the review of the Quimby Ordinance and has prepared with the City Attorney's Office a permanent amendment to the Quimby Ordinance, which will replace the interim ordinance currently in place. The proposed ordinance amendment would allow for an alternate system by which a subdivider may have Quimby in-lieu fees calculated based upon a fixed market value per acre of land within each community planning area, which would be established by City Council resolution (see Exhibit A). These values have been estimated by City Real Estate Staff using available comparable sales data for support. These values would be updated from time to time as necessary. The amendment also changes the party that generates the Quimby appraisal report. Previously, Quimby in-lieu fees were based upon appraisals which were the result of the developer hiring the appraiser. Frequently, this would result in inadequate analysis causing delays in the in-lieu fee calculation and recordation of the final maps. The proposed amendment will have make the City contract with registered appraisers to provide land value required for the in-lieu fee calculations, with the developer reimbursing the City for the

cost of the appraisal. This will allow the City to contract with qualified appraisers, maintain higher quality control of these reports and increase the turnaround in fee calculation and recordation of the final maps. This proposal was reviewed by the North Natomas working group in August..

Additional Funding Sources: Regional Parks and Open Space

The City Council has identified Regional Parks and Open Space as a critical component of the City Park System. Currently development impact fees do not cover the development costs of these areas. The Quimby Ordinance and the Park Development Impact Fee (PIF) provide revenue for neighborhood and community parks. Staff proposes consideration for adding a regional park element to either the Park Development Impact Fee and/or the Quimby Ordinance to fund the development of the City's Regional Park and Open Space system including: North Natomas Regional Park, Del Paso Regional Park, Sutter's Landing Regional Park, Granite Regional Park, William Land Park and the proposed Meadowview Regional Park site.

The City Council has asked on numerous occasions about the possibility of charging Quimby and other park impact fees on non-subdivided projects such as apartment complexes. The City Attorney's Office has indicated that imposing such a fee can be enacted. Based upon a review of the subdivision ordinances of other jurisdictions, the establishment of a park impact fee for non-subdivision projects is not uncommon. This includes the City of Los Angeles, the City of San Jose and the County of Sacramento.

FINANCIAL CONSIDERATIONS:

In the new proposed Quimby Ordinance, in-lieu fees can be calculated using one of two methods:

- ▶ The subdivider may request an appraisal of the property to be prepared and in-lieu fees shall be calculated based upon the fair market value established in the appraisal.
- ▶ An alternate approach will be based upon approval of a fixed market value per acre of land within each Community Planning Area by the City Council. At the option of the subdivider, the community planning area fixed market value may be used in place of the appraisal process.

A sample using the proposed alternate process is attached in comparison to the previous and interim Quimby Ordinance. (See Exhibit D)

ENVIRONMENTAL CONSIDERATIONS:

The Environmental Services Manager has determined that the actions of approval of the amendment to the Quimby Ordinance does not require environmental evaluation.

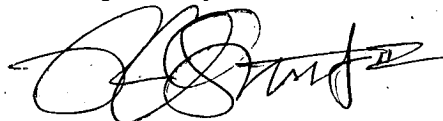
POLICY CONSIDERATIONS:

This project is consistent with goals in the City Sacramento's Strategic Plan in that it enhances and preserves neighborhoods and expands parks and recreation opportunities.

ESBD CONSIDERATIONS:

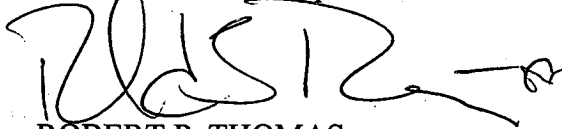
There are no ESBD considerations with this report.

Respectfully Submitted,



ROBERT G. OVERSTREET
Director of Parks and Recreation

Recommendation Approved:



ROBERT P. THOMAS
City Manager

TABLE OF CONTENTS:

- 1) Quimby Ordinance Amendment, p. 5 - 7
- 2) Exhibit A: Average Land Values Proposed Per Community Planning Area, p. 8
- 3) Exhibit B: Quimby Fee Sample Calculation, p. 9

AMENDED

ORDINANCE NO. 2003-060

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF

AN ORDINANCE AMENDING SECTION 16.64.050 OF CHAPTER 16.64 OF TITLE 16 OF THE CITY CODE PERTAINING TO THE CALCULATION OF FEES IN LIEU OF DEDICATION OF PARK LAND BY SUBDIVIDERS, INCLUDING THE APPRAISAL PROCEDURE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

Section 1:

Section 16.64.050 of Chapter 16.64 of Title 16 of the Sacramento City Code is amended to read as follows:

16.64.050 Calculation of in lieu fees.

When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value as described below, plus twenty (20) percent for off-site improvements such as utility line extensions, curb, gutter and pavement and street lights.

- A. The amount to be paid shall be a sum equal to the fair market value of the amount of land within the property to be subdivided that would otherwise be required to be dedicated pursuant to this Chapter, established as provided in subsection B, below; to which shall be added twenty (20) percent for off-site improvements.
- B. For purposes of calculating the in-lieu fee under this section, the fair market value shall be determined in the following manner:
 - 1. Appraisal. The subdivider shall request that an appraisal be prepared, pursuant to the procedures set forth below, and shall pay the in-lieu fee based upon the fair market value established in that appraisal.
 - (a) Upon request of the subdivider, the City shall cause an appraisal to

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ORDINANCE NO.: _____

DATE ADOPTED: _____

be made. The appraisal shall be made at the subdivider's expense, payable to the City in advance, by a person on the City's list of approved appraisers, who will be qualified as a certified general real estate appraiser by the California office of real estate appraisers, and shall meet the standards specified in the uniform standards of professional appraisal practice. The appraiser shall appraise the property at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. Factors to be considered during the evaluation shall include the following:

- (1) Conditions of the tentative subdivision map;
- (2) The general plan;
- (3) Zoning and density;
- (4) Property location;
- (5) Off-site improvements facilitating use of the property;
- (6) Site characteristics of the property;
- (7) Existing public improvements.

(b) The appraisal shall value the property as of a date no earlier than ninety (90) days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value of the property.

2. **Alternative: Community Planning Area Valuation.** The City Council may, by resolution, approve a fixed market value per acre of land within each Community Planning Area or other boundaries as determined to be appropriate by the City Council. The values so established shall be updated as necessary from time to time and once established may be used, at the option of the subdivider, in place of the appraisal process provided in subsection 1 above to determine the market value per acre of the property to be subdivided for purposes of calculating the in-lieu fee.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____



CITY OF SACRAMENTO
DEPARTMENT OF PARKS AND RECREATION
PARK PLANNING, DESIGN AND DEVELOPMENT

1231 "I" STREET, SUITE 400
 SACRAMENTO, CA 95814

PH: (916) 264-8529
 FAX: 264-8266

PROPOSED QIMBY ORDINANCE REVISION
 AVERAGE LAND VALUES PROPOSED PER COMMUNITY PLANNING AREA

COMMUNITY PLANNING AREA:	PROPOSED LAND VALUE: (Per Gross Acre)
PLANNING AREA 7 Arden Arcade	\$90,000 per acre
PLANNING AREA 8 North Sacramento	\$80,000 per acre
PLANNING AREA 5 East Broadway	\$90,000 per acre
PLANNING AREA 11 Airport/Meadowview	\$85,000 per acre
PLANNING AREA 4 North South Sacramento (North of Florin Road)	\$85,000 per acre (Split Planning Area)
PLANNING AREA 4 South South Sacramento (South of Florin Road)	\$160,000 per acre (Split Planning Area)
PLANNING AREA 3 Pocket	\$275,000 per acre
PLANNING AREA 1 Central City	\$250,000 per acre
PLANNING AREA 2 Land Park	\$250,000 per acre
PLANNING AREA 6 East Sacramento	\$250,000 per acre
PLANNING AREA 9 South Natomas	\$225,000 per acre
PLANNING AREA 10 North Natomas	\$275,000 per acre



**CITY OF SACRAMENTO
DEPARTMENT OF PARKS AND RECREATION
PARK PLANNING, DESIGN AND DEVELOPMENT**

1231 "T" STREET, SUITE 400
SACRAMENTO, CA 95814

PH: (916) 264-8529
FAX: 264-8266

**PROPOSED QUIMBY ORDINANCE REVISION
QUIMBY IN-LIEU FEE SAMPLE CALCULATION**

When the City requires that land be dedicated to meet the City Code parkland requirement, said land dedication shall be as per existing City Code 16.64.

PARK ACRES REQUIRED = # OF RESIDENTIAL UNITS X QUIMBY FACTOR*

- *Quimby Factor = .0149 for single family residential (R-1)
- .0122 for two-family units (R-2)
- .0088 for multiple family (R-3)

When the City required that a fee be paid in-lieu of a land dedication to meet the City Code parkland requirement, the said fee shall be determined as follows:

PREVIOUS ORDINANCE
IN LIEU FEE = PARK ACRES REQUIRED X FAIR MARKET VALUE IN \$/ACRE

INTERIM APPROVED ORDINANCE (10/1/02)- FOR PLANNING AREA 1 CENTRAL CITY
**IN LIEU FEE = ½ PARK ACRES REQUIRED X FAIR MARKET VALUE IN \$/ACRE
+ ½ PARK ACRES REQUIRED X \$70,000* PER ACRE**

*\$70,000 per acre is the number used in the North Natomas Financing Plan as the average land value of agricultural land being converted to mixed residential/commercial use.

PROPOSED QUIMBY ORDINANCE AMENDMENT
IN LIEU FEE = PARK ACRES REQUIRED X FAIR MARKET VALUE IN \$/ACRE
OR
IN LIEU FEE = PARK ACRES REQUIRED X COUNCIL APPROVED FIXED MARKET VALUE PER PLANNING AREA

SAMPLE CALCULATION INFILL EXAMPLE (PLANNING AREA 1):

8 single family units on .441 acres appraised at \$800,000 per acre
Park Acres Required = 8 units x .0149 = .1192 park acres

In Lieu Fee:

PREVIOUS ORDINANCE
.1192 park acres X \$800,000 per acre = **\$95,360**

INTERIM ORDINANCE
½ (.1192 x \$800,000 per acre) + ½ (.1192 x \$70,000 per acre) = **\$51,852**

PROPOSED ORDINANCE
.1192 per acres x \$800,000 per acre = **\$95,360**

or

.1192 per acres x \$250,000 per acre = **\$29,800**



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DEPARTMENT OF
PARKS AND RECREATION

**CITY OF SACRAMENTO
CALIFORNIA**

1231 T STREET, #400
SACRAMENTO, CA
95814-2997

PARK PLANNING, DESIGN
AND DEVELOPMENT

(916) 264-5200
FAX 264-7643

October 1, 2003

PASSED FOR
PUBLICATION
& CONTINUED
TO 10-28-03

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Ordinance Amending Section 16.64.050 of Chapter 16.64 of Title 16 of the City Code Pertaining to the Calculation of Fees In-Lieu (Quimby) of Dedication of Parkland by Subdivision

LOCATION AND COUNCIL DISTRICT: Citywide; All Council Districts

RECOMMENDATION:

Staff recommends that an Ordinance amending the process for calculating Quimby In-Lieu park fees be passed for publication of title and be continued to October 21, 2003.

CONTACT PERSON: JANET R. BAKER, PARK DEVELOPMENT MANAGER, 264-8234

FOR COUNCIL MEETING OF: October 21, 2003

SUMMARY:

In October 2002, the City Council approved an Interim Quimby Ordinance establishing an alternate method of payment for Quimby In-Lieu fees for Planning Area 1 (Central City) as an incentive to create residential infill projects, while staff reviewed the existing Quimby Ordinance. Staff proposes an amendment to the Quimby Ordinance, which will create an alternate method of calculating Quimby In-Lieu fees.

BACKGROUND INFORMATION:

Prior to the publication of an item in a local paper to meet legal advertising requirements, the City Council must first pass an item for publication. The City Clerk then transmits the title of the item to the paper for publication and for advertizing the meeting.



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1

FINANCIAL CONSIDERATIONS:

There are no financial considerations with this report.

ENVIRONMENTAL CONSIDERATIONS:

The Environmental Services Manager has determined that the approval publication of the amendment to the Quimby Ordinance does not require environmental evaluation.

POLICY CONSIDERATIONS:

There are no policy considerations with this report.

ESBD CONSIDERATIONS:

There are no ESBD considerations with this report.

Respectfully Submitted,



ROBERT G. OVERSTREET
Director of Parks and Recreation

Recommendation Approved:



ROBERT P. THOMAS
City Manager

Table of Contents:

- 1) Quimby Ordinance Amendment (Dirty Copy), p. 2 - 5
- 2) Quimby Ordinance Amendment (Clean Copy), p. 6 - 8

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTION 16.64.050 AND OF CHAPTER 16.64 OF TITLE 16 OF THE CITY CODE PERTAINING TO THE CALCULATION OF FEES IN LIEU OF DEDICATION OF PARK LAND BY SUBDIVIDERS, INCLUDING THE APPRAISAL PROCEDURE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SACRAMENTO:

Section 1:

Section 16.64.050 of Chapter 16.64 of Title 16 of the Sacramento City Code is amended to read as follows:

16.64.050 Calculation of in lieu fees.

When a fee is to be paid in lieu of land dedication, the amount of such fee shall be based upon the fair market value as described below, plus twenty (20) percent for off-site improvements such as utility line extensions, curb, gutter and pavement and street lights.

A. The amount to be paid shall be a sum calculated pursuant equal to the following formula:

$$A \times V = M$$

where

A = fair market value of the amount of land required for dedication as determined in Section 16.64.030 of this chapter;

V = fair market value (per acre) of within the property to be subdivided that would otherwise be required to be dedicated pursuant to this Chapter, as established by an appraisal;

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ORDINANCE NO.:

DATE ADOPTED:

3

M = the number of dollars to be paid in lieu of dedication of land, as provided in subsection B, below; to which shall be added twenty (20) percent for off-site improvements.

B. For purposes of calculating the in-lieu fee under this section, the fair market value shall be determined in the following manner:

1. Appraisal. The subdivider shall request that an appraisal be prepared, pursuant to the procedures set forth below, and shall pay the in-lieu fee based upon the fair market value established in that appraisal.

(a) Upon request of the subdivider, the City shall cause an appraisal of the property to be subdivided to be made. The appraisal shall be made at the subdivider's expense, payable to the City in advance, by a person on the City's list of approved appraisers, who will be qualified as a certified general real estate appraiser by the California office of real estate appraisers, and shall meet the standards specified in the uniform standards of professional appraisal practice. The appraiser shall appraise the gross tentative map area property at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. Factors to be considered during the evaluation shall include the following:

(1.) Conditions of the tentative subdivision map;

(2.) The general plan;

(3.) Zoning and density;

(4.) Property location;

(5.) Off-site improvements facilitating use of the property;

(6.) Site characteristics of the property;

(7.) Existing public improvements (e.g., existing streets, canals) which have the effect of reducing usable gross tentative map area.

FOR CITY CLERK USE ONLY

ORDINANCE NO.:

DATE ADOPTED:

4

(b) The appraisal shall value the property as of a date no earlier than ninety (90) days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value (V) of the property in dollars per gross acre. Three copies of the property.

2. Alternative: Community Planning Area Valuation. The City Council may, by resolution, approve a fixed market value per acre of land within each Community Planning Area or other boundaries as determined to be appropriate by the City Council. The values so established shall be updated as necessary from time to time and once established may be used, at the option of the subdivider, in place of the appraisal shall be delivered to the public works development services section for distribution.

In the event the city's real property supervisor determines the appraisal is inaccurate, the city may cause a second appraisal to be made at its expense by an appraiser with the above described qualifications, and the second appraisal shall be used process provided in subsection 1 above to determine the market value per acre of the property to be subdivided for purposes of calculating the in-lieu fee.

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

FOR CITY CLERK USE ONLY

ORDINANCE NO.:

DATE ADOPTED:

5

ORDINANCE NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

AN ORDINANCE AMENDING SECTION 16.64.050 OF CHAPTER 16.64 OF TITLE 16 OF THE CITY CODE PERTAINING TO THE CALCULATION OF FEES IN LIEU OF DEDICATION OF PARK LAND BY SUBDIVIDERS, INCLUDING THE APPRAISAL PROCEDURE.

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A. The amount to be paid shall be a sum equal to the fair market value of the amount of land within the property to be subdivided that would otherwise be required to be dedicated pursuant to this Chapter, established as provided in subsection B, below; to which shall be added twenty (20) percent for off-site improvements.

B. For purposes of calculating the in-lieu fee under this section, the fair market value shall be determined in the following manner:

1. Appraisal. The subdivider shall request that an appraisal be prepared, pursuant to the procedures set forth below, and shall pay the in-lieu fee based upon the fair market value established in that appraisal.

(a) Upon request of the subdivider, the City shall cause an appraisal to be

FOR CITY CLERK USE ONLY

ORDINANCE NO.:

DATE ADOPTED:

6

made. The appraisal shall be made at the subdivider's expense, payable to the City in advance, by a person on the City's list of approved appraisers, who will be qualified as a certified general real estate appraiser by the California office of real estate appraisers, and shall meet the standards specified in the uniform standards of professional appraisal practice. The appraiser shall appraise the property at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. Factors to be considered during the evaluation shall include the following:

- (1) Conditions of the tentative subdivision map;
- (2) The general plan;
- (3) Zoning and density;
- (4) Property location;
- (5) Off-site improvements facilitating use of the property;
- (6) Site characteristics of the property;
- (7) Existing public improvements.

(b) The appraisal shall value the property as of a date no earlier than ninety (90) days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value of the property.

2. **Alternative: Community Planning Area Valuation.** The City Council may, by resolution, approve a fixed market value per acre of land within each Community Planning Area or other boundaries as determined to be appropriate by the City Council. The values so established shall be updated as necessary from time to time and once established may be used, at the option of the subdivider, in place of the appraisal process provided in subsection 1 above to determine the market value per acre of the property to be subdivided for purposes of calculating the in-lieu fee.

FOR CITY CLERK USE ONLY

ORDINANCE NO.:

DATE ADOPTED:

7

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.:

DATE ADOPTED:

8

10/28/03

4.3

4727

AMENDED

ORDINANCE NO. 2003-060

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF

AN ORDINANCE AMENDING SECTION 16.64.050 OF CHAPTER 16.64 OF TITLE 16 OF THE CITY CODE PERTAINING TO THE CALCULATION OF FEES IN LIEU OF DEDICATION OF PARK LAND BY SUBDIVIDERS, INCLUDING THE APPRAISAL PROCEDURE.

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- A. The amount to be paid shall be a sum equal to the fair market value of the amount of land within the property to be subdivided that would otherwise be required to be dedicated pursuant to this Chapter, established as provided in subsection B, below; to which shall be added twenty (20) percent for off-site improvements.
- B. For purposes of calculating the in-lieu fee under this section, the fair market value shall be determined in the following manner:
 - 1. Appraisal. The subdivider shall request that an appraisal be prepared, pursuant to the procedures set forth below, and shall pay the in-lieu fee based upon the fair market value established in that appraisal.
 - (a) Upon request of the subdivider, the City shall cause an appraisal to

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be made. The appraisal shall be made at the subdivider's expense, payable to the City in advance, by a person on the City's list of approved appraisers, who will be qualified as a certified general real estate appraiser by the California office of real estate appraisers, and shall meet the standards specified in the uniform standards of professional appraisal practice. The appraiser shall appraise the property at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. Factors to be considered during the evaluation shall include the following:

- (1) Conditions of the tentative subdivision map;
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- (3) Zoning and density;
- (4) Property location;
- (5) Off-site improvements facilitating use of the property;
- (6) Site characteristics of the property;
- (7) Existing public improvements.

(b) The appraisal shall value the property as of a date no earlier than ninety (90) days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value of the property.

2. **Alternative: Community Planning Area Valuation.** The City Council may, by resolution, approve a fixed market value per acre of land within each Community Planning Area or other boundaries as determined to be appropriate by the City Council. The values so established shall be updated as necessary from time to time and once established may be used, at the option of the subdivider, in place of the appraisal process provided in subsection 1 above to determine the market value per acre of the property to be subdivided for purposes of calculating the in-lieu fee.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

PASSED FOR PUBLICATION:

PASSED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

ORDINANCE NO.: _____

DATE ADOPTED: _____

APPROVED

OCT 28 2003

OFFICE OF THE
CITY CLERK

AMENDED

ORDINANCE NO. 2003-060

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF **OCT 28 2003**

AN ORDINANCE AMENDING SECTION 16.64.050 OF CHAPTER 16.64 OF TITLE 16 OF THE CITY CODE PERTAINING TO THE CALCULATION OF FEES IN LIEU OF DEDICATION OF PARK LAND BY SUBDIVIDERS, INCLUDING THE APPRAISAL PROCEDURE.

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- A. The amount to be paid shall be a sum equal to the fair market value of the amount of land within the property to be subdivided that would otherwise be required to be dedicated pursuant to this Chapter, established as provided in subsection B, below; to which shall be added twenty (20) percent for off-site improvements.
- B. For purposes of calculating the in-lieu fee under this section, the fair market value shall be determined in the following manner:
 - 1. Appraisal. The subdivider shall request that an appraisal be prepared, pursuant to the procedures set forth below, and shall pay the in-lieu fee based upon the fair market value established in that appraisal.

FOR CITY CLERK USE ONLY

ORDINANCE NO.: 2003-060

DATE ADOPTED: OCT 28 2003

- (a) Upon request of the subdivider, the City shall cause an appraisal to be made. The appraisal shall be made at the subdivider's expense, payable to the City in advance, by a person on the City's list of approved appraisers, who will be qualified as a certified general real estate appraiser by the California office of real estate appraisers, and shall meet the standards specified in the uniform standards of professional appraisal practice. The appraiser shall appraise the property at its unencumbered (free and clear) value, as if at the approved tentative map stage of development and as if any assessments or other encumbrances to which the property is subject had been paid off in full prior to the date of appraisal. Factors to be considered during the evaluation shall include the following:
- (1) Conditions of the tentative subdivision map;
 - (2) The general plan;
 - (3) Zoning and density;
 - (4) Property location;
 - (5) Off-site improvements facilitating use of the property;
 - (6) Site characteristics of the property;
 - (7) Existing public improvements.
- (b) The appraisal shall value the property as of a date no earlier than ninety (90) days prior to the recording of the final map, or the payment of the fee, whichever occurs later. The appraisal shall clearly state the fair market value of the property.

2. Alternative: Community Planning Area Valuation. The City Council may, by resolution, approve a fixed market value per acre of land within each Community Planning Area or other boundaries as determined to be appropriate by the City Council. The values so established shall be updated at a minimum of annually, and once established may be used, at the option of the subdivider, in place of the appraisal process provided in

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subsection 1 above to determine the market value per acre of the property to be subdivided for purposes of calculating the in-lieu fee.

PASSED FOR PUBLICATION: **OCT 2 1 2003**

PASSED: **OCT 2 8 2003**

EFFECTIVE: **NOV 2 8 2003**

HEATHER FARGO

MAYOR

ATTEST:

SHIRLEY CONCOLINO

CITY CLERK

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