

ORDINANCE NO. 2014-401

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOS ALTOS  
AMENDING CHAPTER 13.24 OF THE MUNICIPAL CODE  
TITLED PARK LAND DEDICATIONS

**WHEREAS**, the City Council of the City of Los Altos has directed staff to investigate the appropriate rates for the current park in-lieu Development Impact Fee; and

**WHEREAS**, the City contracted with Revenue and Cost Specialists financial advisors to prepare a review of the park in-lieu Development Impact Fee and their report dated March 2014 determined that the City's current five acres per 1,000 residents park in-lieu threshold could not be supported and recommended that it be adjusted to the state law allowed threshold of three acres per 1,000 residents; and

**WHEREAS**, the ordinance amendments contained herein reflect this recommendation; and

**WHEREAS**, this Ordinance is exempt from environmental review pursuant to Section 15061(b)(3) of the State Guidelines implementing the California Environmental Quality Act of 1970, as amended.

**NOW THEREFORE**, the City Council of the City of Los Altos does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CODE:** Section 13.24.010(B)(1) is hereby replaced with the following:

1. Dedication of sites. Where the need for a park or recreational facility has been identified in the general plan of the City, and the park or facility is to be located, in whole or in part, within a proposed subdivision to serve the immediate and future needs of the residents of the subdivision, the subdivider shall be required to dedicate land for park and recreational facilities sufficient in size to serve the residents of the subdivision area. The amount of land to be provided shall be determined pursuant to the standards set forth in subsection C of this section establishing the formula for land dedication or for payment in-lieu thereof. Only the payment of fees may be required in subdivisions containing fifty (50) parcels or less.

**SECTION 2. AMENDMENT OF CODE:** Section 13.24.010(B)(2) is hereby replaced with the following:

2. Fees in-lieu of land dedication. If there is no park or recreational facility designated or required in whole or in part within a proposed subdivision, the subdivider shall be required to pay a cash payment in-lieu of the land equal to the value of the land as determined by the provisions of subsection C of this section. A fee in-lieu of such land dedication shall be required when:

- a. No need for a park or recreational facility has been identified in the general plan; or
- b. When dedication is impossible, impractical, or undesirable; or
- c. When the proposed subdivision contains fifty (50) parcels of land or less and no park or recreational facility is designated in the subdivision.

**SECTION 3. AMENDMENT OF CODE:** Section 13.24.010(C) is hereby replaced with the following:

C. Land requirement. It is hereby found and determined that the public interest, convenience, health, welfare, and safety require that three acres of property for each one thousand (1,000) persons residing within the city shall be devoted to public park and recreational facilities.

**SECTION 4. AMENDMENT OF CODE:** Section 13.24.010(D) is hereby replaced with the following:

D. Acreage formula per dwelling unit. In calculating the dedication and in-lieu fee payment requirements pursuant to the provisions of this section, the following calculation shall apply:

Single Family/Detached

3 acres/1,000 residents = .003 acres per resident  
.003 x 2.7 residents per household = .0081  
.0081 x one-acre of land, or value thereof

Multiple Family/Attached

3 acres/1,000 residents = .003 acres per resident  
.003 x 1.7 residents per household = .0051  
.0051 x one-acre of land, or value thereof

**SECTION 5. AMENDMENT OF CODE:** Sections 13.24.010(E), 13.24.010(H) and 13.24.010(I) are hereby deleted and the remaining sections renumbered accordingly.

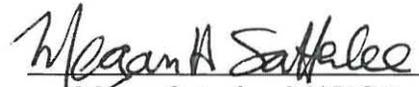
**SECTION 6. CONSTITUTIONALITY.** If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

**SECTION 7. PUBLICATION.** This ordinance shall be published as provided in Government Code section 36933.

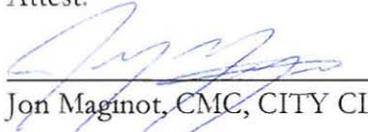
**SECTION 8. EFFECTIVE DATE.** This ordinance shall be effective upon the commencement of the thirty-first day following the adoption date.

The foregoing ordinance was duly and properly introduced at a regular meeting of the City Council of the City of Los Altos held on April 22, 2014 and was thereafter, at a regular meeting held on May 13, 2014 passed and adopted by the following vote:

AYES: BRUINS, CARPENTER, FISHPAW, PEPPER, SATTERLEE  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

  
Megan Satterlee, MAYOR

Attest:

  
Jon Maginot, CMC, CITY CLERK



STATE OF CALIFORNIA )  
COUNTY OF SANTA CLARA ) CERTIFIED COPY OF ORDINANCE  
CITY OF LOS ALTOS ) SECOND READING/ADOPTION

I, Jon Maginot, City Clerk for the City of Los Altos in said County of Santa Clara, and State of California, do hereby certify that the attached is a true and correct copy of Ordinance No. 2014-401, adopted by the Los Altos City Council on May 13, 2014 by the following vote:

AYES: BRUINS, CARPENTER, FISHPAW, PEPPER, SATTERLEE  
NOES: NONE  
ABSTAIN: NONE  
ABSENT: NONE

I hereby further certify that a summary of the ordinance was published in accordance with Government Code Section 36933 on the following dates: April 30, 2014 and May 21, 2014. Said ordinance shall be effective June 13, 2014

Dated this 24th day of MAY, 2014.

  
Jon Maginot, CMC  
City Clerk