



Memorandum

TO: HOUSING ADVISORY
COMMISSION

FROM: David J. Mitchell

**SUBJECT: RECOMMENDATION ON THE
PDO/PIO PROPOSED LANGUAGE
AMENDMENTS AND IN-LIEU FEE
ADJUSTMENTS**

DATE: 08-31-06

Approved

Date

8-31-06

On June 20, 2006, the Mayor and City Council approved a report focused upon the reconciliation of the Park Trust Fund. As part of this action, staff was directed to come back to Council in fall 2006 with recommended changes to the Parkland Dedication Ordinance and Park Impact Ordinance (PDO/PIO), as well as any recommended fee adjustments.

The purpose of this memorandum is to request that the Housing Advisory Commission (HAC) provide their recommendation on the proposed language amendments and in-lieu fee adjustments in writing to the City Council. To assist with this recommendation, staff has provided the following as part of Attachment A:

- A list of four alternatives from which the HAC can choose regarding their recommendation for adjustments to the in-lieu fees.
- A list of base amendments proposed by staff. The HAC may approve the set of base recommendations in whole, or in part. The HAC may also recommend changes to the base recommendations as desired.

Over the past few months, the proposed changes have been reviewed at numerous stakeholder meetings, including the following:

- July 19th Public Forum as part of the Parks and Recreation Commission (PRC) meeting
- August 2nd Public Forum as part of the PRC meeting
- August 9th Joint Study Session between the PRC and the Planning Commission
- August 10th Presentation to the Housing Advisory Commission
- August 23rd Presentation to the Strong Neighborhoods Initiative Project Advisory Committee
- September 6th Presentation to the PRC
- September 13th Presentation to the Planning Commission (pending as of the writing of this memorandum)

HOUSING ADVISORY COMMISSION

08-31-06

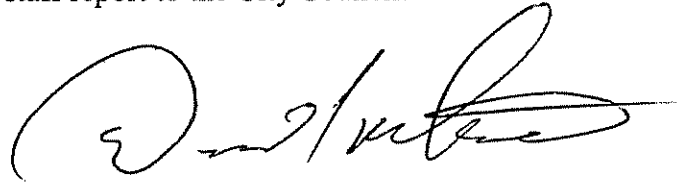
Subject: Recommendation on the PDO/PIO Proposed Language Amendments and In-Lieu Fee Adjustments

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Following the recommendation of the HAC, the next steps to obtain approval of the proposed changes are as follows:

- Monday, September 18, 2006: Update to the Building Strong Neighborhoods Committee
- Tuesday, October 24, 2006: Request for approval of changes to the San Jose City Council

The written recommendations provided by the Housing Advisory Commission will be incorporated into the October 24, 2006 staff report to the City Council.

A handwritten signature in black ink, appearing to read 'David J. Mitchell', written in a cursive style.

David J. Mitchell
Parks Planning Manager

Attachments

Attachment A: Alternatives and Base Recommendations

Parkland Dedication and Park Impact Ordinances Proposed Changes and Associated Fee Resolution

Final recommendations will be proposed in the memorandum for Council consideration on October 24, 2006

Staff has identified the following alternatives; each of the alternatives below includes a different recommendation for adjusting the fees associated with the PDO and PIO and a standard set of base recommendations.

- Alternative #1: Fees remain at 70% of 2001 land values with base changes implemented
- Alternative #2: Implement base language changes and adjust fees to 70% of 2005 land values with base changes implemented
- Alternative #3: Implement base language changes and adjust fees to 85% of 2005 land values with base changes implemented
- Alternative #4: Implement base language changes and adjust fees to 100% of 2005 land values with base changes implemented

Base Change Recommendations to PDO and PIO

No.	Category	Recommendation
1	Fees	Direct staff to use the 2000 Federal census household sizes when calculating the dedication of land under the PDO and PIO.
2	Fees	Direct staff to return to Council each year and adjust fees to match the latest land value survey as part of the Fees & Charges process.
3	High-rises	Treat high-rises similar to other projects and do not delay payments.
4	Pipeline Projects	Projects with a Plan Development Permit, Conditional Use Permit, Site Development Permit or Tentative Map on or before February 28, 2007 would have 2 additional years to obtain building permits, or a final map, in order to be subject to the fee in place at the time the Permit or Map was approved by the City.

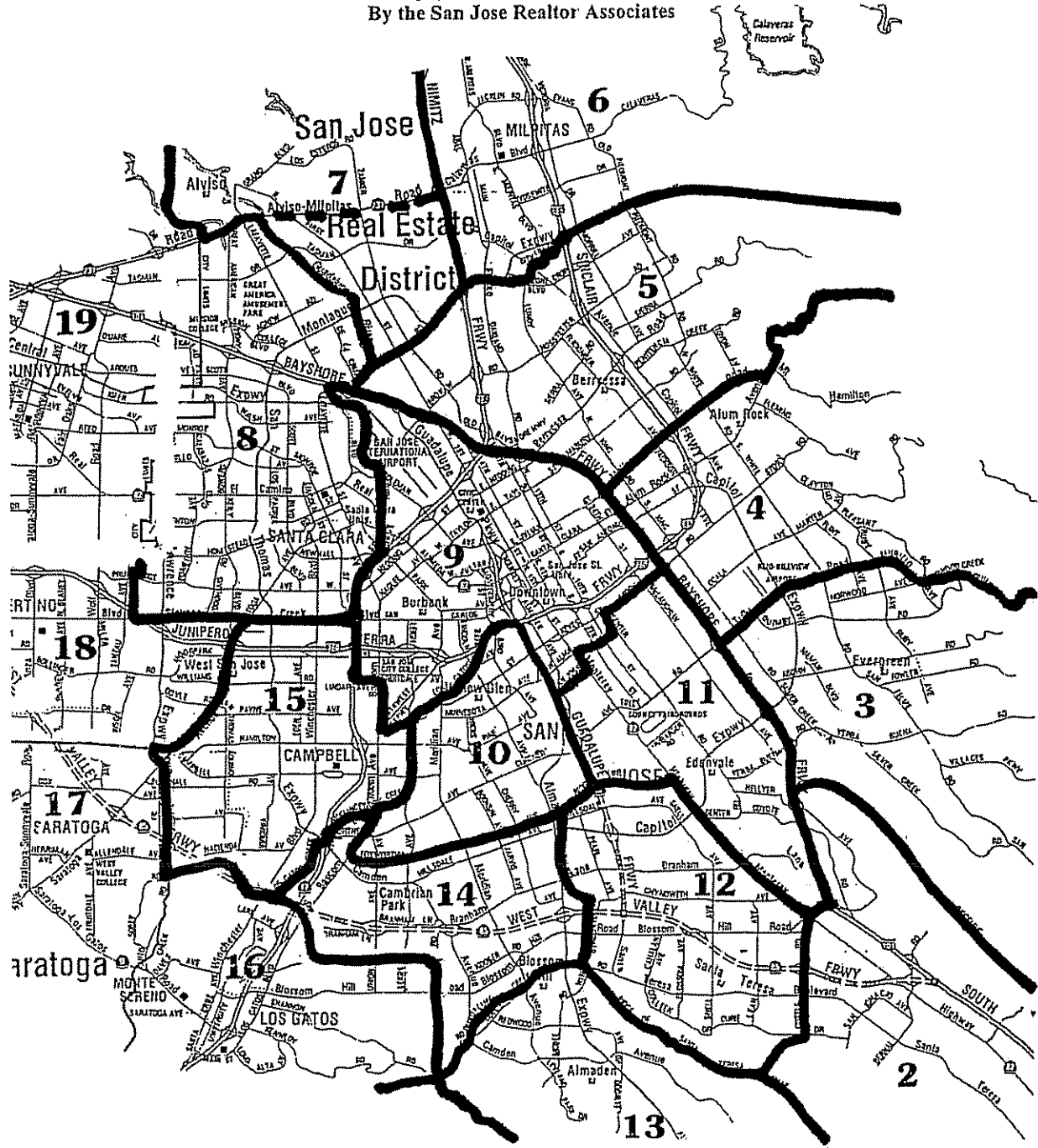
No.	Category	Recommendation
5	Timing of changes	All projects which have not either paid their fees or finalized a turnkey agreement with the City will be subject to the new ordinance changes as soon as these changes are in effect, which is anticipated to be 30 days following the 2 nd reading of the ordinance, except as noted in recommendation #4 above.
6	Single Residential Occupancy (SRO) Units	Continue the Single Residential Occupancy (SRO) Units as a housing type for purposes of calculating the parkland dedication requirement.
7	Low Income	Continue the exemption of low-income and very-low income units, which have at least a 30-year restriction on them from the PDO and PIO.
8	Recreational Facilities/ Trails/Schools	Include wording in both Ordinances to reflect the State's Quimby Act (Government Code Section 66477) to clarify an expanded use of the funds by adding the words "or recreational facilities."
9	Recreational Facilities/ Trails/Schools	Expand the definition of recreational facilities to include uses such as trails, community gardens, community centers, or sport fields amenities on school properties. Change the language regarding school properties to allow joint use agreements of 25 years or more.
10	Recreational Facilities	Enhance the wording regarding dedicated parklands to mean parcel or parcels of land, exclusive of natural open space, riparian setback area, and/or environmental mitigation area, which are fairly flat (2% to 5%) for active recreation uses that are at least one acre in size and facilitate security and policing from a public street, and are open and available for use by the general public during daylight hours, or other times established by the City.
11	Community Gardens	Credits under the Parkland Dedication and Park Impact Ordinances will be given for land dedication, design and construction associated with community gardens as public parklands.

No.	Category	Recommendation
12	Private Recreation Credits	<p>Private recreation credits can equal up to 50% of the total project obligation and are privately owned and maintained. The current uses under the “active recreation” credits include:</p> <ul style="list-style-type: none"> • Children’s play areas with play equipment that meets State standards; • Picnic areas of 3 tables or more and a BBQ pit; • Hard or soft regulation game court area with safety zones; and • Open area of 8,000 sf minimum of uninterrupted fairly flat contiguous turf for informal or formal active recreation activities such as field sports. <p>Allow the following additional uses to qualify and receive credit under the “active” private recreational credit category:</p> <ul style="list-style-type: none"> • Private Plaza area of 900 square feet adjacent to public right-of-way, with seating equaling to 75% of perimeter dimension of the site and open to the public at least 360 days per year; • Private Garden area of 900 square feet adjacent to public right-of-way, with seating equaling to 30% of perimeter dimension of the site and open to the public at least 360 days per year; • Private pet amenities areas of at least 300 square feet for exclusive use by the residents of the housing project; and • Private garden plots of 100 square feet per plot for exclusive use by the residents of the housing project of plant materials not for sale. <p>Private swimming pools, spas, community rooms and/or recreational rooms can receive credits for square footage up to the total square footage of the active recreational elements described above, or the total square footage of land dedicated to the City.</p>
13	Private Recreation Credits	High-rise housing projects over 5 stories shall be excluded from the active recreational element requirements for private recreational credits. They will still be limited to the maximum of 50% of credits going towards private rec.
14	Private Recreation Credits	Common open space, building set back areas, landscape corridors, projects walkways, steep topography areas, riparian corridor set back areas and/or environmental mitigation areas that preclude recreational activities are not eligible for private recreational credits under both Ordinances.
15	Private Recreation – Water Detention	Water detention/filtering areas also used for active recreational purposes must be of a minimum size of 8,000 square feet of uninterrupted fairly flat contiguous turf for informal or formal active recreation activities such as field sports or a dog run area. The City will give full private recreational credits up to the 50% cap of the project’s total parkland obligation under both Ordinances for such recreational detention area based on actual square footage that can be used for recreational purposes as stated in Item 12, above.

No.	Category	Recommendation
16	Water Detention	Water detention/filtering areas to be dedicated to the City as public parklands will be given half credit for the actual square footage of the dual use areas. The City will give 50% credits for the encumbered property associated with dual use, if such land has a recreational benefit to the park system and there is an outside funding source to pay for both the annual maintenance and/or replacement costs of the infrastructure items associated with the conveyance of the storm water.

ATTACHMENT A

Multiply Listings Service Zones
By the San Jose Realtor Associates



PDO – PIO MAP

- | | | |
|-----------------------|---------------------|---------------------|
| 2 – Santa Teresa | 3 – Evergreen | 4 – Alum Rock |
| 5 – Berryessa | 7 – Alviso | 7 – North San Jose |
| 9 – Downtown | 10 – Willow Glen | 11 – South San Jose |
| 12 – Blossom Valley | 13 – Almaden Valley | 14 – Cambrian |
| 15/18 – West San Jose | | |

REVIEW OF LAND VALUES FOR PDO/PIO

MLS ZONE	AREA COVERED	COST PER SQUARE FOOT 1997	COST PER SQUARE FOOT 1998*	COST PER SQUARE FOOT 1999*	COST PER SQUARE FOOT 2000*	COST PER SQUARE FOOT 2001	COST PER SQUARE FOOT 2002*	COST PER SQUARE FOOT 2003*	COST PER SQUARE FOOT 2004*	COST PER SQUARE FOOT 2005	TYPE OF CHANGE FROM 01 to 05
2	SANTA TERESA	\$12.00	\$12.00	\$15.00	\$25.00	\$35.00	\$35.00	\$35.00	\$35.00	\$35.00	No Change
3	EVERGREEN	\$10.00	\$10.00	\$25.00	\$32.00	\$45.00	\$45.00	\$40.00	\$40.00	\$40.00	Down
4	ALUM ROCK	\$12.00	\$12.00	\$15.00	\$26.00	\$35.00	\$35.00	\$30.00	\$30.00	\$30.00	Down
5	BERRYESSA	\$18.00	\$15.00	\$20.00	\$30.00	\$40.00	\$40.00	\$40.00	\$45.00	\$40.00	No Change
7	ALVISO	\$8.00	\$8.00	\$10.00	\$12.00	\$15.00	\$20.00	\$25.00	\$40.00	\$55.00	Up
7	NORTH SAN JOSE	\$21.00	\$21.00	\$28.00	\$30.00	\$35.00	\$35.00	\$25.00	\$40.00	\$55.00	Up
9	DOWNTOWN	\$21.00	\$25.00	\$23.00	\$35.00	\$50.00	\$50.00	\$60.00	\$70.00	\$60.00	Up
10	WILLOW GLEN	\$21.00	\$21.00	\$30.00	\$35.00	\$50.00	\$50.00	\$50.00	\$50.00	\$70.00	Up
11	SOUTH SAN JOSE	\$12.00	\$10.00	\$14.00	\$25.00	\$35.00	\$35.00	\$35.00	\$35.00	\$45.00	Up
12	BLOSSOM VALLEY	\$15.00	\$16.00	\$18.00	\$28.00	\$40.00	\$40.00	\$40.00	\$35.00	\$35.00	Down
13	ALMADEN VALLEY	\$10.00	\$20.00	\$22.00	\$30.00	\$45.00	\$45.00	\$40.00	\$40.00	\$45.00	No Change
14	CAMBRIAN WEST	\$18.00	\$16.00	\$20.00	\$30.00	\$45.00	\$45.00	\$40.00	\$35.00	\$40.00	Down
15/18	SAN JOSE	\$21.00	\$21.00	\$23.00	\$38.00	\$50.00	\$50.00	\$50.00	\$65.00	\$65.00	Up

* FEES WERE NOT ADJUSTED TO REFLECT THE LAND COSTS IN 1998, 1999, 2000, 2002, 2003 & 2004
 Price Per Square Foot Numbers from the Annual Residential Land Values Study prepared by Diaz, Diaz & Boyd, Inc. for raw land

ALTERNATIVE #1: FEES REMAIN AT 70% OF 2001 LAND VALUES

MLS ZONE	AREA COVERED	100% OF COST PER SQUARE FOOT 2001	70% OF COST PER SQUARE FOOT 2001	In-Lieu Fees set at 70% Of 2001 Land Values	FEE PER UNIT					FEE PER UNIT SINGLE RESIDENTIAL OCCUPANCY (SRO)
					SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED	MULTI-FAMILY 2-4/BLD	MULTI-FAMILY 5+/BLD	FEE PER UNIT	
Number of Persons Per Unit – 1990/2000 Census Data					70% / 70%	70% / 70%	70% / 70%	70% / 70%	70% / 70%	70% / 70%
Number of Dwelling Units to create 1 Acre of Parkland					3.43/3.50	2.88/3.06	3.12/3.23	2.29/2.29	1.06/1.00	
				YR	97/96	115/109	107/104	145/146	315/336	
2	SANTA TERESA	\$35.00	\$24.50	Current	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350	
				Proposed	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150	
3	EVERGREEN	\$45.00	\$31.50	Current	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350	
				Proposed	\$14,300	\$12,600	\$13,200	\$9,400	\$4,050	
4	ALUM ROCK	\$35.00	\$24.50	Current	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350	
				Proposed	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150	
5	BERRYESSA	\$40.00	\$28.00	Current	\$12,550	\$10,600	\$11,400	\$8,400	\$3,850	
				Proposed	\$12,700	\$11,200	\$11,700	\$8,350	\$3,600	
7	ALVISO	\$15.00	\$10.50	Current	\$4,700	\$3,950	\$4,250	\$3,150	\$1,450	
				Proposed	\$4,750	\$4,200	\$4,400	\$3,100	\$1,350	
7	NORTH SAN JOSE	\$35.00	\$24.50	Current	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350	
				Proposed	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150	
9	DOWNTOWN	\$50.00	\$35.00	Current	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850	
				Proposed	\$15,850	\$14,000	\$14,650	\$10,450	\$4,550	
10	WILLOW GLEN	\$50.00	\$35.00	Current	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850	
				Proposed	\$15,850	\$14,000	\$14,650	\$10,450	\$4,550	
11	SOUTH SAN JOSE	\$35.00	\$24.50	Current	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350	
				Proposed	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150	
12	BLOSSOM VALLEY	\$40.00	\$28.00	Current	\$12,550	\$10,600	\$11,400	\$8,400	\$3,850	
				Proposed	\$12,700	\$11,200	\$11,700	\$8,350	\$3,600	
13	ALMADEN VALLEY	\$45.00	\$31.50	Current	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350	
				Proposed	\$14,300	\$12,600	\$13,200	\$9,400	\$4,050	
14	CAMBRIAN	\$45.00	\$31.50	Current	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350	
				Proposed	\$14,300	\$12,600	\$13,200	\$9,400	\$4,050	
15 & 18	WEST SAN JOSE	\$50.00	\$35.00	Current	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850	
				Proposed	\$15,850	\$14,000	\$14,650	\$10,450	\$4,550	

Price Per Square Foot Numbers from the Annual Residential Land Values Study prepared by Diaz, Diaz & Boyd, Inc. multiplied by 0.70 (2001)

ALTERNATIVE #2: FEES SET AT 70% OF 2005 LAND VALUES

MLS ZONE	AREA COVERED	70% OF COST PER SQUARE FOOT 2001	70% OF COST PER SQUARE FOOT 2005	CHANGE IN SQUARE FOOT VALUE BEING CHARGE BETWEEN 01 & 05	YR	FEE PER UNIT SINGLE FAMILY DETACHED 70% / 70%	FEE PER UNIT SINGLE FAMILY ATTACHED 70% / 70%	FEE PER UNIT MULTI-FAMILY 2-4/BLD 70% / 70%	FEE PER UNIT MULTI-FAMILY 5+/BLD 70% / 70%	FEE PER UNIT SINGLE RESIDENTIAL OCCUPANCY (SRO) 70% / 70%
Number of Persons Per Unit – 1990/2000 Census Data										
Number of Dwelling Units to create 1 Acre of Parkland										
2	SANTA TERESA	\$24.50	\$24.50	\$0.00	01	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350
3	EVERGREEN	\$31.50	\$28.00	(\$3.50)	05	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150
4	ALUM ROCK	\$24.50	\$21.00	(\$3.50)	01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
5	BERRYESSA	\$28.00	\$28.00	\$0.00	05	\$12,700	\$11,200	\$11,700	\$8,350	\$3,600
7	ALVISO	\$10.50	\$38.50	\$28.00	01	\$4,700	\$3,950	\$4,250	\$3,150	\$1,450
7	NORTH SAN JOSE	\$24.50	\$38.50	\$14.00	05	\$17,450	\$15,400	\$16,100	\$11,500	\$5,000
9	DOWNTOWN	\$35.00	\$42.00	\$7.00	01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
10	WILLOW GLEN	\$35.00	\$49.00	\$14.00	05	\$19,050	\$16,750	\$17,600	\$12,500	\$5,450
11	SOUTH SAN JOSE	\$24.50	\$31.50	\$7.00	01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
12	BLOSSOM VALLEY	\$28.00	\$24.50	(\$3.50)	05	\$22,200	\$19,500	\$20,500	\$14,600	\$6,350
13	ALMADEN VALLEY	\$31.50	\$31.50	\$0.00	01	\$10,300	\$9,300	\$9,950	\$7,500	\$3,350
14	CAMBRIAN	\$31.50	\$28.00	(\$3.50)	05	\$14,300	\$12,600	\$13,200	\$9,400	\$4,050
15 & 18	WEST SAN JOSE	\$35.00	\$45.50	\$10.50	01	\$11,200	\$10,600	\$11,400	\$8,400	\$3,850
					05	\$11,100	\$9,800	\$10,250	\$7,300	\$3,150
					01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
					05	\$14,300	\$12,600	\$13,200	\$9,400	\$4,050
					01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
					05	\$12,700	\$11,200	\$11,700	\$8,350	\$3,600
					01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
					05	\$20,400	\$17,950	\$18,850	\$13,400	\$5,850

Price Per Square Foot Numbers from the Annual Residential Land Values Study prepared by Diaz, Diaz & Boyd, Inc. multiplied by 0.70 (2001) or multiplied by 0.70 (2005)
 At 100% of Land Value – Top Fee is in the Willow Glen Area at \$31,750 SFD and \$20,900 MF 5+

ALTERNATIVE #3: FEES SET AT 85% OF 2005 LAND VALUES

MLS ZONE	AREA COVERED	70% OF COST PER SQUARE FOOT 2001	85% OF COST PER SQUARE FOOT 2005	CHANGE IN SQUARE FOOT VALUE BEING CHARGE BETWEEN 01 & 05	YR	FEE PER UNIT SINGLE FAMILY DETACHED 70% / 85%	FEE PER UNIT SINGLE FAMILY ATTACHED 70% / 85%	FEE PER UNIT MULTI-FAMILY 2-4/BLD 70% / 85%	FEE PER UNIT MULTI-FAMILY 5+/BLD 70% / 85%	FEE PER UNIT SINGLE RESIDENTIAL OCCUPANCY (SRO) 70% / 85%
Number of Persons Per Unit – 1990/2000 Census Data										
Number of Dwelling Units to create 1 Acre of Parkland										
2	SANTA TERESA	\$24.50	\$29.75	\$5.25	01	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350
3	EVERGREEN	\$31.50	\$34.00	\$2.50	05	\$13,500	\$11,900	\$12,450	\$8,850	\$3,850
4	ALUM ROCK	\$24.50	\$25.50	\$1.00	01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
5	BERRYESSA	\$28.00	\$34.00	\$6.00	05	\$15,400	\$13,600	\$14,250	\$10,150	\$4,400
7	ALVISO	\$10.50	\$46.75	\$36.25	01	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350
7	NORTH SAN JOSE	\$24.50	\$46.75	\$22.25	05	\$21,200	\$18,650	\$19,550	\$13,950	\$6,050
9	DOWNTOWN	\$35.00	\$51.00	\$16.00	01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
10	WILLOW GLEN	\$35.00	\$59.50	\$24.50	05	\$23,150	\$20,350	\$21,350	\$15,200	\$6,600
11	SOUTH SAN JOSE	\$24.50	\$38.25	\$13.75	01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
12	BLOSSOM VALLEY	\$28.00	\$29.75	\$1.75	05	\$27,000	\$23,750	\$24,900	\$17,750	\$7,700
13	ALMADEN VALLEY	\$31.50	\$38.25	\$6.75	01	\$10,300	\$9,300	\$9,950	\$7,500	\$3,350
14	GAMBRIAN	\$31.50	\$34.00	\$2.50	05	\$17,350	\$15,300	\$16,000	\$11,400	\$4,950
15 & 18	WEST SAN JOSE	\$35.00	\$55.25	\$20.25	01	\$11,200	\$10,600	\$11,400	\$8,400	\$3,850
					05	\$13,500	\$11,900	\$12,450	\$8,850	\$3,850
					01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
					05	\$17,350	\$15,300	\$16,000	\$11,400	\$4,950
					01	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
					05	\$15,400	\$13,600	\$14,250	\$10,150	\$4,400
					01	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850
					05	\$23,600	\$20,750	\$21,750	\$15,600	\$6,750

Price Per Square Foot Numbers from the Annual Residential Land Values Study prepared by Diaz, Diaz & Boyd, Inc. multiplied by 0.70 (2001) or multiplied by 0.85 (2005)
At 100% of Land Value – Top Fee is in the Willow Glen Area at \$31,750 SFD and \$20,900 MF 5+

ALTERNATIVE #4: FEES SET AT 100% OF 2005 LAND VALUES

MLS ZONE	AREA COVERED	70% OF COST PER SQUARE FOOT 2001	100% OF COST PER SQUARE FOOT 2005	CHANGE IN LAND VALUE BEING CHARGE BETWEEN	YR	70% / 100%	FEE PER UNIT	SINGLE FAMILY DETACHED	70% / 100%	FEE PER UNIT	SINGLE FAMILY ATTACHED	70% / 100%	FEE PER UNIT	MULTI-FAMILY 2-4	70% / 100%	FEE PER UNIT	MULTI-FAMILY 5+	70% / 100%	FEE PER UNIT	SINGLE RESIDENTIAL OCCUPANCY (SRO)	
	Number of Persons Per Unit – 1990/2000 Census Data																				
	Number of Dwelling Units to create 1 Acre of Parkland																				
2	SANTA TERESA	\$24.50	\$35.00	\$10.5	01	70% / 100%	\$11,000	\$9,300	70% / 100%	\$9,950	\$14,000	70% / 100%	\$7,350	\$14,650	70% / 100%	\$10,450	\$10,450				
3	EVERGREEN	\$31.50	\$40.00	\$9.50	01	70% / 100%	\$14,150	\$11,900	70% / 100%	\$12,800	\$16,000	70% / 100%	\$9,450	\$16,750	70% / 100%	\$11,900	\$11,900				
4	ALUM ROCK	\$24.50	\$30.00	\$5.50	01	70% / 100%	\$11,000	\$9,300	70% / 100%	\$9,950	\$12,000	70% / 100%	\$7,350	\$12,550	70% / 100%	\$8,950	\$8,950				
5	BERRYESSA	\$28.00	\$40.00	\$12.00	01	70% / 100%	\$12,550	\$10,600	70% / 100%	\$11,400	\$16,000	70% / 100%	\$8,400	\$16,750	70% / 100%	\$11,900	\$11,900				
7	ALVISO	\$10.50	\$55.00	\$44.50	01	70% / 100%	\$4,700	\$3,950	70% / 100%	\$4,250	\$21,950	70% / 100%	\$3,150	\$23,050	70% / 100%	\$16,400	\$16,400				
7	NORTH SAN JOSE	\$24.50	\$55.00	\$30.50	01	70% / 100%	\$11,000	\$9,300	70% / 100%	\$9,950	\$21,900	70% / 100%	\$7,350	\$23,050	70% / 100%	\$16,400	\$16,400				
9	DOWNTOWN	\$35.00	\$60.00	\$25.00	01	70% / 100%	\$15,700	\$13,250	70% / 100%	\$14,250	\$24,000	70% / 100%	\$10,500	\$25,100	70% / 100%	\$17,900	\$17,900				
10	WILLOW GLEN	\$35.00	\$70.00	\$35.00	01	70% / 100%	\$15,700	\$13,250	70% / 100%	\$14,250	\$27,950	70% / 100%	\$10,500	\$29,300	70% / 100%	\$20,900	\$20,900				
11	SOUTH SAN JOSE	\$24.50	\$45.00	\$20.50	01	70% / 100%	\$10,300	\$9,300	70% / 100%	\$9,950	\$19,950	70% / 100%	\$7,500	\$18,850	70% / 100%	\$13,400	\$13,400				
12	BLOSSOM VALLEY	\$28.00	\$35.00	\$7.00	01	70% / 100%	\$11,200	\$10,600	70% / 100%	\$11,400	\$14,000	70% / 100%	\$8,400	\$14,650	70% / 100%	\$10,450	\$10,450				
13	ALMADEN VALLEY	\$31.50	\$45.00	\$13.50	01	70% / 100%	\$14,150	\$11,900	70% / 100%	\$12,800	\$19,950	70% / 100%	\$9,450	\$18,850	70% / 100%	\$13,400	\$13,400				
14	CAMBRIAN	\$31.50	\$40.00	\$9.50	01	70% / 100%	\$14,150	\$11,900	70% / 100%	\$12,800	\$16,000	70% / 100%	\$9,450	\$16,750	70% / 100%	\$11,900	\$11,900				
15 & 18	WEST SAN JOSE	\$35.00	\$65.00	\$30.00	01	70% / 100%	\$15,700	\$13,250	70% / 100%	\$14,250	\$25,950	70% / 100%	\$10,500	\$27,200	70% / 100%	\$19,400	\$19,400				

Price Per Square Foot Numbers from the Annual Residential Land Values Study prepared by Diaz, Diaz & Boyd, Inc. multiplied by 0.70 (2001) or multiplied by 1.00 (2005)
At 100% of Land Value – Top Fee is in the Willow Glen Area at \$31,750 SFD and \$20,900 MF 5+

TABLE 2

CURRENT IN-LIEU FEES SCHEDULE

MLS ZONE NUMBER	AREA COVERED	PRICE PER SQUARE FOOT @ 70% OF 2001 LAND VALUES	FEE PER UNIT	FEE PER UNIT	FEE PER UNIT	FEE PER UNIT	FEE PER UNIT
			SINGLE FAMILY DETACHED	SINGLE FAMILY ATTACHED	MULTI-FAMILY 2-4 Per Bld.	MULTI-FAMILY 5+ Per Bld.	SRO* UNIT
7(north of Hwy.237)	Alviso	\$10.50	\$4,700	\$3,950	\$4,250	\$3,150	\$1,450
2, 4, 7 (south of Hwy.237) 11	East Valley No. San Jose Santa Teresa So. San Jose	\$24.50	\$11,000	\$9,300	\$9,950	\$7,350	\$3,350
5, 12	Blossom Valley No. Valley	\$28.00	\$12,550	\$10,600	\$11,400	\$8,400	\$3,850
3, 13, 14	Almaden Valley Cambrian Evergreen	\$31.50	\$14,150	\$11,900	\$12,800	\$9,450	\$4,350
9, 10, 15 & 18	Downtown/Central Willow Glen West San Jose	\$35.00	\$15,700	\$13,250	\$14,250	\$10,500	\$4,850

* Single Residency Occupancy Unit

- 1) Fees for MFA Units in the Downtown Core and Downtown Area is \$1,500 until 12/31/02, then reverts to numbers above, if the project is not subject to the criteria of Table 1. The numbers above are subject to change by Council action.
- 2) Residential projects located within the Downtown Area or Core, which is subject to the PIO requirements that received a Planned Development Zoning or Planned Development Permit prior to the elimination of the exemption, (Downtown Area 8/26/01 or Core 1/6/02) is subject to a Park Impact Fee of \$0 until July 1, 2005, then reverts to numbers above.
- 3) Low Income Restricted Unit Vouchers are available from the City of San Jose Housing Department.
- 4) Private Recreation Credits can equal up to 50% of Parkland Obligation.
- 5) Private Recreation Credits must contain at least one of the following four elements – Credits are based on a square footage of the recreation improvement. Credits are not given for the cost of the private recreation improvements.
 - 1) Tot Lots
 - 2) Picnic Areas
 - 3) Game Court Areas
 - 4) Turf Playing Areas
- 6) Swimming pools, spas and recreational rooms can receive credit for square footage up to the total square footage of the qualified recreation element(s) listed in Item 5, or land dedicated to the City for public parkland.
- 7) Common open space, landscape corridors, walkways, steep topography areas, riparian corridor set back areas, or environmental mitigation areas that preclude recreational activities are not eligible for private recreation credits.
- 8) The Evergreen Specific Plan Area is exempt from the PDO and PIO under the agreement entitled: "Cooperation agreement by and between the City of San Jose, the Evergreen Specific Plan Property Owners Partnership and the Specific Plan Area Developers."

PDO / PIO CALCULATIONS

$$\begin{array}{rcccccc}
 \text{Number of Units} & \times & \text{Person Per Household} & \times & \text{Parkland Requirement Population} & = & \text{Acres Dedicated for Parks} \\
 ?? & \times & \text{PPH} & \times & .003 & = & \text{Obligation}
 \end{array}$$

PPH = 1990 Census Data for Average Number of Persons per Dwelling Type
 SFD – 3.43 SFA – 2.88 MFA (2- 4 units) – 3.12 MFA (5 or more) – 2.29 SRO – 1.06