



**PARK AND RECREATIONAL  
FACILITIES**

**QUIMBY IN-LIEU FEE  
PROGRAM**

**CITY OF UPLAND**

October 28, 2024

Public Finance  
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## CITY OF UPLAND



## PARK AND RECREATIONAL FACILITIES QUIMBY IN-LIEU FEE PROGRAM

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## I INTRODUCTION

In order to adequately plan for new development and identify the public facilities and costs associated with mitigating the direct and cumulative impacts of new development, DTA was retained by the City of Upland (the "City") to assist in the development and adoption of a Quimby Act Program ("Quimby Program"). California Government Code Section 66477 (the "Quimby Act") allows the City, by ordinance, to require the dedication of land or the payment of in-lieu fees, or a combination of both, for park or recreational purposes as a condition of subdivision map approval. The amount of the land to be dedicated or the fee to be imposed in lieu thereof is limited by statute and must be based upon policies and standards contained in an adopted general or specific plan. The Quimby Act allows use of in-lieu fee allows payment of a fee in lieu of land dedication. The fee is calculated to fund the acquisition of the same amount of land that would have been dedicated.

### **The Quimby Act under California Government Code Section 66477**

California Government Code Section 66477 (the "Quimby Act") allows the City, by ordinance, to require the dedication of land or the payment of in-lieu fees, or a combination of both, for park or recreational purposes as a condition of subdivision map approval. Quimby fees cannot be collected from commercial developments or apartment projects. Subdivisions containing less than five parcels and not used for residential purposes shall be exempt from the requirements of this section. However, in that event, a condition may be placed on the approval of a parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within four years, the fee may be required to be paid by the owner of each parcel as a condition of the issuance of the permit. To ensure that such development mitigates its park's impacts, an equivalent AB 1600 fee could be collected. Revenues generated through the Quimby Act cannot be used for the operation and maintenance of park facilities. Instead, fees and donations collected from developers under the Quimby Act can be used to develop new or rehabilitate existing neighborhood or community parks and recreational facilities within the public agency.

The amount of the land to be dedicated or the fee to be imposed in lieu thereof is limited by statute and must be based on policies and standards in an adopted general or specific plan. The Quimby Act allows use of in-lieu fees to provides payment of a fee in lieu of land dedication. The fee is calculated to fund the acquisition of the same amount of land that would have been dedicated.

Section 66477(a)(2)(A) of the Government Code, however, also states that the park acreage and population figures utilized in the Quimby fee program development shall be "as of the date of the most recent available federal census". In this study, the Census base year is 2020.

The park area per 1,000 members of the city's population shall be derived from the ratio that the amount of neighborhood and community park acreage bears to the City's total population, as shown in the most recent available federal census. The amount of

neighborhood and community park acreage shall be the actual acreage of existing neighborhood and community parks of the city, county, or local public agency as shown on its records, plans, recreational element, maps, or reports as of the date of the most recent available federal census.

The principal assumption used to determine parkland acquisition costs for a particular subdivision, and subsequent fee amounts, is that the costs depend on the fair market value of unimproved land within the subdivision, which otherwise would have been dedicated. If a subdivision meets its Quimby Program obligation through payment of an in-lieu fee, rather than dedication of land, the land value component of the fee should be equal to the market value of the unimproved land for which the fee was substituted because the land required to be dedicated would necessarily be unimproved. The following three methods can generally be used to determine the fair market value of the unimproved land within the subdivision.

- Current sale prices of land within, or in the vicinity of, the subdivision;
- Assessed land value based on records of the County Assessor's Office; or
- Appraised land value based upon the determination of a qualified appraiser.

Revenues generated through the Quimby Act cannot be used to operate or maintain park facilities. Instead, fees collected from developers under the Quimby Act can be used to develop new or rehabilitate existing neighborhood or community parks and recreational facilities within the public agency.

**The Quimby calculation methodology is defined by the Quimby Act and is based on:**

- Persons per household (most recent census, in this Study 2020)
- Target acres / 1,000
- Land Valuation.

#### **Quimby Fee Advantages**

- Easy to update land valuation.
- Minimum service goal of 3 acres, regardless of actual existing acres per 1,000 residents.
- Staff and developer communities are already familiar with the calculation, as it is already used everywhere.

#### **Quimby Fee Disadvantages**

- Defined geographic nexus for spending fees.
- The fee is based only on land cost; the cost of developing the park facilities is not included in the calculation.
- Only applicable when subdivision occurs (not typically applicable to rental development)

## II QUIMBY FEE AND PARKLAND DEDICATION FORMULAS

According to Section 66477(a)(2) of the Government Code, the amount of land to be dedicated or in-lieu fees to be imposed shall not exceed the amount necessary to provide 3.0 acres of parkland per 1,000 residents, unless certain criteria are met. Applying the City Municipal Code to use the Quimby Act to provide 3.0 acres of community, neighborhood, and mini parks per 1,000 residents is consistent with this statutory requirement. Since the City currently provides less than 3.0 acres per 1,000 residents, the City cannot impose a higher standard through the Quimby Program.

The following formulas determine the amount of land to be dedicated or the fee to be paid in lieu of land dedication. The Quimby Fee will be calculated for both Single-Family and Multi-family residences; the assumptions and resulting Quimby fees are presented in the Tables Below.

**Table 1 Persons per Household <sup>1</sup>**

Land Uses	PPH
Single Family Residence	2.91
Multi-family Residence	2.72

Note:

1. Person per Household (PPH) per the 2020 US Census data.

**Table 2 Land Cost per Acre<sup>1</sup>**

Land Cost per Acre
\$1,097,267

Note:

1. Land Costs per acre per CoStar inventory of 18 properties recorded between 2015 and 2020.

**Table 3 Acres per 1,000 Population <sup>1</sup>**

Acres per 1,000 Population
3.0

Note:

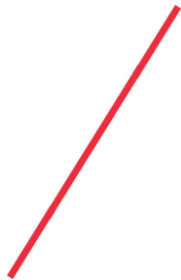
1. Standard Quimby acres of 3.0 per 1,000 Population

**Table 4 Quimby Fee Calculation**

<b>Land Use</b>	<b>PPH</b>	<b>Acres / 1,000</b>	<b>Cost per Acre</b>	<b>Quimby Fee</b>
Single Family Residence	2.91	3.0	\$1,097,267	\$9,580
Multi-family Residence	2.72	3.0	\$1,097,267	\$8,946

# **APPENDIX A**

City of Upland  
Parks and Recreational Facilities Quimby In-Lieu Fee Program



## **LAND INVENTORY**

The logo for DTA (Development Tax Authority) features the lowercase letters 'dta' in a bold, black, sans-serif font. A white, parallelogram-shaped graphic element is positioned above the 't', partially overlapping the 'd' and 'a'.

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A thick white diagonal line runs from the bottom-left towards the top-right of the page, passing behind the contact information.

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