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County Park Department & Commission

Brian Roney

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Interim Director of Parks

Claude Garciacelay

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Parks Commissioners:

Judith Dale, Chair

Suzanne Perkins

Darlene Chirman

Gene Petersen

Bailey Hudson

**Re: Park Fees Credit – Tree Farm Housing Project**

This is an application for credit against Park Fees, commonly assessed by the County of Santa Barbara for a new housing project.

I have managed many housing projects in the County that have had common area elements. The earliest generation of these projects involved reviewing the Park fee credits for different components and then designing a common area that is responsive to that specific laundry list.

Tree Farm is the next generation of project common area planning, where authenticity and the existing attributes of the property are the guiding qualities that shape a common area. This project has been designed for many years to comply with LEED Neighborhood Design principles. Healthy, active communities are a current planning target. The project team's goal and aspiration is that future homeowners and their guests view this as completely separate and apart from any PUD common area they have ever seen, and also more compelling, more interesting, and more useable for all ages.

The starting point for the analysis of the ideal planning for this particular common area is the location of existing structures on the property. The property was farmed with a variety of crops through the decades and the living elements, homes and recreational elements were always on the west end of the property, in the shade of large oak trees on a bluff top adjacent to San Jose Creek. Recreational elements that occurred over time included a 1950's era pool with a natural gravel filter, outbuildings including tree houses and forts.

This design starts with the location of existing structures and then recreates this shared space for residence as a unique gathering place and platform for a variety of small scale or larger scale functions.

There is an outstanding County parks children's play area nearby on Merida that has a variety of conventional modern children's play equipment. The Tree Farm common area will have no modern children's metal and plastic play equipment. It will read as a timeless design that would have been inviting for family and children in any era. We believe that your formulas that applied to early PUD's do not comport with ideal planning in each particular instance, as items that projects try to qualify for credits that may be inconsistent with the look and feel and intended character of a project.

The credit qualification sheet Parks created some time ago has led to predictable and repetitive common areas in planned unit developments. It is time to grow beyond that in planning a common area and assessing the Parks fees.

From a calculation standpoint, the starting point is the County justification report that analyzes that there is a demand created for new parkland of .0128 acres of parkland per house.

With 134 units the park demand per the County formula is 1.715 acres of active and open space land. (That may be slightly above the statutory limit in the Quimby Act). The common area parcel with the facilities and functions described here is 4.3 acres.

The County original study that analyzed demand for parkland said that it cost, per acre of parkland acquisition and development, \$547,108 per acre of parkland. As you have steadily increased the fee since that time, the assumption must be much more per acre than that. Mr Cavaletto has repeatedly offered more land along the Creek beyond the land trade amount to meet the original stated goal of the Park Fees program- that is to get funds to buy new park land. Claude Garciacelay, on behalf of Parks, has declined extra creek adjacent land.

Rather than having any spillover impact on other County Parks from this project, we believe this private space will be a magnet where residents will have friends over to share in its utilization.

While early discussions included some element of public park here, only the land trade attached was of interest to County Parks. Moreover, neighboring property owners were concerned about uncontrollable space by the creek, if any member of the public from anywhere could come and use it. Additionally once you do common area elements funded by private residents it is impractical to mix in public park elements, though the land trade affords the county new land adjacent to the public park by Merida to the West of the property.

The County acquired funds to plan a bike bridge over San Jose Creek in 2001. It has been a Public Works Project, not a Parks project. The bridge would replace one washed out in the early 1990's downstream from the Cavaletto property. The cost of developing and permitting this is unknown, and the County has not pursued it to date though the project has offered an easement for that purpose. If this is considered a "Parks Project", perhaps any parks fees could go towards this project.

When the Quimby Act was adopted at the State level, it allowed local governments to do studies to justify charging parks fees because of a projects potential contribution to a need for new parks, either parkland or park improvements. The County of Santa Barbara did its justification based on a larger Goleta area including area within what is now the city of Goleta. One of the justifications for park fees prior to that division was to acquire or develop Ellwood Mesa. We trust that is not a proper use of parks fees from this project, as parks is then required under the Quimby act to develop new facilities or refund the parks fees to the residents, pro-rata.

Since that time, the County has acquired 200 acres of additional land at the San Marcos Preserve and declined private funding to do grassland restoration there.

Under the Quimby act any fees paid to parks “are to be used only for the purpose of developing new or rehabilitating existing neighborhood or community park or recreation facilities to serve the subdivision.” (Govt. code section 66477 a (2) B (3)). We trust parks should have a justification and intent of specific improvements that would benefit the residents of this project consistent with the Quimby act.


Under the act, any fees collected shall be committed to such Parks Facilities that serve the subdivision within 5 years or, if not, they are paid back to the owners in the subdivision pro-rata.

The County has set up a mechanism where one can only obtain a 50% credit against park fees, which this project more than amply deserves. The Quimby Act does not limit the credit to 50% of the fee. We believe a credit of more than 50% is justified. The 50% it may collect must still have a legal basis. Even ½ of the full parks fee is an extremely significant amount, in excess of \$600,000. In today’s challenging financial times, it is important for projects to minimize costs to the greatest extent possible.<sup>1</sup>

We understand and trust that the condition letter on this from Parks only requires payment of any fees assessed lot by lot. If it does not so state, we now request that it be revised to so state.

We look forward to a hearing before the Parks Commission

Sincerely,



Jeffrey C. Nelson

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<sup>1</sup> One other factor of significance is that the first community meeting on this project was 1999. This was preceded by a project history in which two of the parcels were approved for development before the onset of the Goleta Water Moratorium, but were cut off by the moratorium. Both that earlier 1971 date and 1999 date precede the imposition of park fees.

CC: Cavaletto Family LP, property owner  
County P&D- Alex Tuttle

Attachments:

Tree Farm Site Plan

Common Area Landscape plan (David Black & Associates)

Shubin & Donaldson architectural package on common area components

Land Trade Diagram

Tree Farm Common Area Components List

Tree Farm Common Area Components Projected Cost