



average. If the local cost is more than the average, the city doesn't collect enough money to buy the needed nearby parkland; if less, the developer likely would sue over the higher fee.

- The "phasing" of fee collection is important. While it may be appropriate to collect some fees upon the completion of a project, park fees should be collected up-front at the issuance of the building permit. We in the community have been burnt in the past with promises of parks once an entire complex is completed, only to be left park-less for years as the project remained unfinished with only one of the two planned towers ever completed. Also, what would happen if a consortium of developers began a project but then declared bankruptcy, reorganized, and then as a new legal entity completed the project: if the park fee were to be collected upon completion, would the city lose out as a result of the bankruptcy filing?

The assessing of fees and issuing of permits is a complicated process, especially for large projects in a city the size of San José. It is important that efforts to simplify and consolidate the process be thoroughly reviewed by many people, both within the city and by the general public, to assure that there are no unintended consequences. I understand that the city of Sacramento has recently implemented a unified development fee schedule, but they took five years in the process, did a comprehensive analysis of community needs, did new nexus studies for all categories, and held extensive community outreach. We here in San José have only had access to the supporting analyses for a week or so, and there have been few if any public meetings on the topic.

I support Councilmember Jimenez's memo on item 4.3 ("Development Fee Framework Update"), and fully endorse his three key points:

- A. The development related fees within the Framework must continue to mitigate the impacts of new development on the demand for parks, affordable housing, transportation infrastructure, and other amenities and services, as intended at the adoption of each fee.
- B. The outcome of this work, including adoption of any Development Fee Framework, must be revenue neutral for each fee and tax within the Framework.
- C. Any fee and tax reductions (or increases) should be evaluated and considered separately from this work.

And I request, before the City takes any final action, that the Parks and Recreation Commission be briefed on the proposal and given time to comment, and that the city hold outreach meetings to collect public input.

The review and possible simplification of the city's fee and permit structure is a worthwhile endeavor, but it is complicated and may possibly result in unintended consequences. It is worth taking the time to do it right!

We don't want a city where people have to live in the parks, but also: people don't want to live in a city that does not have good parks.

Thank you,

~Larry Ames,  
longtime park advocate.

cc: City Clerk; City Manager; PRNS Dir. & Deputy; SJ Parks Advocates; SJ Parks & Rec Commission; Green Foothills Exec. Dir. and Advocate; SV at Home; District 6 Neighborhood Leaders Group



Mayor Sam Liccardo, City of San José and Members of the San José City Council  
via email, sent Nov. 4, 2019

re: Agenda item 4.2: Report on the Cost of Residential Development;  
Agenda item 4.3: Development Fee Framework Update;  
Agenda item 4.4: Inclusionary Housing Ordinance Proposed Revisions.

Dear Mayor Liccardo and Councilmembers,

The District 6 Neighborhood Leaders Group (D6NLG), an association established over a decade ago, is comprised of officers, boardmembers and involved community representatives from the multitude of neighborhood associations across District 6 in San José. After discussion at tonight's monthly meeting, the members attending voted to approve the writing of this letter.

As we stated in our letter dated August 5th of this year, we in District 6 are aware of the housing issue, but are also concerned that efforts to simplify the permitting and fee structure to encourage housing may have a negative impact to the city's park system.

***Once again we write to reaffirm our support for parks.*** As we said before, this is not an "either-or" choice: the city can support both housing and parks. Parks are critical for everyone so that they can have the benefit of sunlight, fresh air, exercise, and interpersonal interaction.

***We agree with the memo on 4.3 by Councilmember Jimenez.*** We agree that "the development related fees within the Framework must continue to mitigate the impacts of new development on the demand for parks, affordable housing, transportation infrastructure, and other amenities and services, as intended at the adoption of each fee"; that the result "be revenue neutral for each fee and tax"; and that "any fee and tax reductions (or increases) should be evaluated and considered separately from this work."

***This is not a process that can be rushed!*** We recognize that permits and fee structures for large projects in a city as large as ours can be complicated and may well warrant simplification, but we are worried that the simplification process may result in unintended consequences. We have only recently had access to the nearly 300 pages of consultant reports and staff analyses; we have not had time to thoroughly analyze them; and we are unaware of any public workshops or presentations to help us in the public become more informed on the matter. We've heard that fee simplification has been done elsewhere, but have also heard that the process involved years of public outreach. We offer to host a public outreach at one of our D6NLG meetings.

Parks are important to us! Please take the time to work with the public to properly review this all!

Thank you.

James Rincon, Chair, D6NLG

cc: City Clerk; City Manager; PRNS Dir.; SJ Parks Advocates; SJ Parks & Rec Commission