

February 23, 2021

Honorable Mayor and City Council  
200 East Santa Clara Street, 18<sup>th</sup> Floor  
San Jose, CA. 95113

RE: March 2, 2021 City Council Agenda Item 7.1, Parkland Fee Credits for Deed Restricted Moderate-Income Housing Units

Honorable Mayor and City Council:

This letter is on behalf of the members of the City of San José's Parks and Recreation Commission. During our December 2, 2020 meeting, it was brought to our attention that in order to create more opportunities for developers to build low and now moderate income housing, developers would now be offered a credit for moderate income housing. This is in addition to the already existing policy that allows for park credit on low income housing as well.

The commission is well aware of the housing crisis that plagues our city, county and state. We are in support of building various levels of housing throughout the city. However, coming from the perspective of parks, we run the risk of less desirable places to live if parks are not in consideration as this highly dense housing comes to fruition.

Here are our concerns as they relate to a healthy, vibrant, and connected community:


1. The city's goal of 3.5 acres of park per 1,000 residents has not yet been met. This measure may further put this out of reach.
2. As Covid-19 has shown, being outside is critically important for our physical and mental health. Parks provide this opportunity.
3. Many parts of our city are already park deficient. Any new construction would need to be placed near existing parks if new parks are not being funded.
4. Quite simply, this is an EQUITY issue, as those who are less affluent often do not have access to outdoor space in their homes.
5. The City of San José currently gives a 50% reduction rate in the Inclusionary Housing ordinance to promote the building of low-income housing. This already will have a profound effect on the lack of park space for those who need it most.
6. The new proposal will include an additional reduction for those new units that are rented to people who earn from 80% to 120% of Area Median Income (AMI). This too will add to our deficit in park acreage per thousand people.
7. We are concerned that this may violate the language of the Quimby Act, as there seems to be no provision for any repurposing of the collected fees. Even though it was said that this passed through the city's legal department, a closer look at the Quimby Act is in order.

8. The collection of the remaining fees needs to be thoroughly reviewed and discussed further as it now appears that these funds are legally collected for parks under the original intent of the Quimby Act.
9. The data about the number of units and or residents that this will affect have not been provided.
10. The reason that the Parks and Recreation Commission ultimately voted 8-0 to pass this policy onto the City Council was the sunseting of this program in five years. It should be clearly stated that this will come back to the commission to determine the positive and negative effects. The policy should not automatically continue after the five-year trial period.

Let's learn from the mistakes of the past, as cities have rushed to build housing without considering the surrounding community as a whole. As a city, we should want to create healthy connected neighborhoods for all of our residents.

Thank you for your consideration.

Respectfully,

A handwritten signature in black ink that reads "Daphna Woolfe". The script is cursive and fluid.

Daphna Woolfe, Chair  
Parks and Recreation Commission