NOTICE: <u>RESIDENTIAL DEVELOPMENT PARK IMPACT FEES PER ORDINANCE No. 2560</u>

The availability of parks and open space deeply impacts quality of life, and makes neighborhoods more desirable. As we add new residential units to the community, the demand for parks increases. As a result, the City Council adopted Ordinance No. 2560 on September 11, 2019 to create a development impact fee program requiring residential projects to contribute their fair share towards the development or improvement of parks and recreational facilities. You may obtain a copy of the ordinance at https://www.westminster-ca.gov/home/showpublisheddocument/3844/637619626085800000.

Who Must Pay the Fees and When?

The developer/owner of a residential project that adds a net total of one (1) or more residential units is subject to this impact fee, unless the project is exempt per Ordinance 2560. Park impact fees are due when the project submits construction documents to the Building Division. For projects with a vesting tentative map, the park fee is due when the application is deemed complete.

Are There Exemptions?

The following projects are exempt from the development impact fee:

1) Housing projects where there is a net increase of zero (0) units on a lot.

2) Room additions and re-occupancy of square footage in an existing building/structure with no change of use.

3) Multi-family residential housing projects developed by a nonprofit housing provider who is receiving financial assistance through a public agency. The multi-family rental housing project must be an affordable housing project where rent restrictions are secured by an agreement/recorded covenant with the City for a minimum period of fifty-five years.

4) Affordable housing units deed restricted to extremely low, very-low income, or low income households.

5) Accessory Dwelling Units (ADUs) when they are smaller than 750 square feet.

What Happens If My Project Expires, Is Vacated, or Voided Before Start of Construction?

If the project is expired, vacated, or voided before the start of construction, the developer will be entitled to a refund of the park impact fee paid, less a portion of the fee used to cover the cost of collection and administration of the fee paid. A request for refund must be submitted in writing to the Community Development Director within one year from the date that the permit expires, or is vacated or void.

How Much Are The Impact Fees?

The table below indicates how impact fees must be computed:

Development Park Impact Fees Per Unit		
Non-ADU Units	Single-Family	* $16,307.00 per unit
	Multi-Family (Includes senior housing)	* $12,038.26 per unit
Accessory Dwelling Units (ADUs)	ADUs 750 sq. ft or greater constructed with a single-family primary dwelling onsite	Proportional to the square footage of the primary dwelling (e.g. if living area is 25% of the living area for the main house, then fees are 25% of the primary unit fees of $16,307.00). A maximum flat fee of $4,000 will be charged if the proportional square footage fee calculation is greater than $4,000.
	ADUs 750 sq. or greater constructed with a multi-family primary dwelling onsite	Proportional to the square footage of the primary dwelling. (e.g. if living area is 25% of the living area for the main house, then fees are 25% of the primary unit fees of $12,038.26). A maximum flat fee of $4,000 will be charged if the proportional square footage fee calculation is greater than $4,000. **Note:** Detached ADUs or converted ADUs not located directly within a primary unit, use the average square footage of all the primary units as the bases for identifying the square footage of the primary dwelling.

* Please note fees are adjusted on July 1st of each fiscal year to account for inflation per Ordinance 2560. See worksheet for assistance on calculating the fees.

Park Impact Fee Worksheet (Single Family)

1) Determine the net total number of units to be developed on the lot:

                                      (Minus)

_____   −   _____   =   _____

 # of New Units   # of Demolished Units   Net Total of New Units

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2) Determine the park fee due based on the net total of new units on lot and the type of dwelling unit being constructed:

Single-Family Dwelling: _____   **X**   **$16,307.00** =   _____

                           Net # of New Units   Fee for Single   **TOTAL FEE**

                                             Family Unit

Accessory Dwelling Units 750 square Feet or Greater on Lots With A Single Family Dwelling:
Calculate the percentage of the proposed <u>total living area</u> of the ADU to the <u>total living area</u> of the primary dwelling and multiply that percentage by the park fee required of the primary unit.

_____ **/** _____   **x 100**   **=**   _____

Living Area of ADU   Living Area of Primary Dwelling   ADU % of Primary Unit

_____   X   **$16,307.00**   **=**   _____

ADU % of Primary Unit   Fee for Single Family Unit   Park Fee for ADU Unit

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3) Compare the calculated park fee to the maximum flat fee, $4,000.

If "Park Fee for ADU Unit" is **less than** $4,000, then it **does not change.**

If "Park Fee for ADU Unit" is **more than** $4,000, then the fee will be **charged at the rate of $4,000**.

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4) Add up the TOTAL FEES if applicable (new construction with different unit types)

                                        GRAND TOTAL _____

Park Impact Fee Worksheet (Multi-Family)

1) Determine the net total number of units to be developed on the lot:

(Minus)

| _____ | − | _____ | = | _____ |
| # of New Units | | # of Demolished Units | | Net Total of New Units |

2) Determine the park fee for the net total of primary multi-family dwelling units:

Multi-Family Dwelling: _____ X **$12,038.26** = _____

Net # of New Units   Fee for Single   **TOTAL FEE**

Multi-Family Unit

3) Determine the park fee for the net total of Accessory Dwelling Units to be constructed on the lot. If the ADU is a detached ADU or if the ADU is converting a garage space or uninhabitable space of the existing dwelling where the space is not located within one of the units, use section A. The primary dwelling will be the average of all the units. Otherwise Use Section B where the primary dwelling is defined.

Section A: Detached ADU or ADU is Not Located Within a Single Multi-Family Unit.

_____ / _____ = _____

Total Living Area of all Primary Units   Total Number of Primary Units   Average Sq. Ft. of Units

_____ / _____ **x 100 =** _____

Living Area of ADU Unit   Average Sq. Ft of Units   ADU% of Primary Unit

_____ **x** **$12,038.26** = _____

ADU % of Primary Unit   Fee for Single Multi-Family Unit   Park Fee for ADU Unit

Section B: ADU Located Within a Single Multi-Family Unit

Calculate the percentage of the proposed <u>total living area</u> of the ADU to the <u>total living area</u> of the primary dwelling and multiply that percentage by the park fee required of the primary unit.

_____ / _____ **x 100** = _____

Living Area of ADU   Living Area of Primary Dwelling   ADU% of Primary Unit

_____ **x**   **$12,038.26**   = _____

ADU % of Primary Unit   Fee for Single Multi-Family Unit   Park Fee for ADU Unit

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4) Compare the calculated park fee to the maximum flat fee, $4,000.

If "Park Fee for ADU Unit" is **less than** $4,000, then it **does not change.**

If "Park Fee for ADU Unit" is **more than** $4,000, then the fee will be **charged at the rate of $4,000.**

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5) Add up the TOTAL FEES if applicable (new construction with different unit types)

GRAND TOTAL _____

Applicant/Property Owner Acknowledgement Form
Park Fees New Residential Development Applications

For residential development projects, answer the following questions. If you mark yes to any of the questions, your project is subject to park impact fees. If you mark no to all of the questions, your project is not subject to park impact fees.

Yes   No

☐   ☐ I am constructing a new single family or multifamily dwelling unit where the net total number of new units is one (1) or more.

☐   ☐ I am constructing a net total of one (1) or more ADUs and at least one or more of the ADUs are 750 square feet or greater.

I acknowledge that my project is a residential project that is subject to the City of Westminster's park impact fees. I have been informed of the park fees. I certify that I am the owner of the property and will be fully responsible for payment of fee at the time that the fee is due. The fee is due when construction documents are submitted to the Building Division for review and the plan check process will not commence until the park fees are paid. I also understand that the fees are based on the information provided at this time and may be subject to change. The fee calculated on this worksheet may also be slightly different than the computer generated invoice due to a difference in rounding. I also understand that the fee may be different if the net total of new units is modified, the square footages of living area has been modified, or the inputs were inaccurate for my construction project.

_____   _____

Property Owner/ Applicant Name   **Date**

_____   _____

Property Owner/ Applicant Signature   **Date**