Sunnyvale

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April 22, 2025

The Honorable Timothy S. Grayson
California State Senate
1021 O Street, Room 7250
Sacramento, CA 95814

Re: SB 315 (Grayson): Quimby Act - OPPOSE

Dear Senator Grayson:

Larry Klein
Mayor

Linda Sell
Vice Mayor

Alysa Cisneros
Councilmember

Richard Mehlinger
Councilmember

Murali Srinivasan
Councilmember

Charlsie Chang
Councilmember

Eileen Le
Councilmember

The City of Sunnyvale is writing in respectful opposition to SB 315 to amend the Quimby Act. SB 315 would limit the amount of land dedication that a local agency can require of a developer to no more than 25% of the total acreage of an infill housing development, which would, in turn, reduce the number of acres of land used to calculate a park in-lieu fee (use for land acquisition and park development), more commonly known as a Quimby fee, to the proportional amount. SB 315 would, furthermore, prohibit a Quimby fee altogether if an infill development is located within ½ mile of an existing park.

California has set an ambitious goal to build 2.5 million new homes by 2030. The City of Sunnyvale is determined to aid the state in meeting that goal. But no child should grow up in a neighborhood without a park to play in, a swing set to jump off of, or a pool they learn to swim in. The Quimby Act's passage in 1975 significantly contributed to expanded park access for children growing up in California.

As a result of the Quimby Act, California's neighborhoods have been able to assure every renter and every homeowner, no matter their income level, access to open space, spaces specifically designed to promote the health, safety, and general welfare of growing urban communities. California's investment, both at the state and local level, has created myriad local and state parks that millions of Californians depend upon and revel in daily.

Quimby land dedication and in-lieu fees are structured to directly benefit the residents of the developments from which they are generated, creating a direct link between new

housing and essential recreational spaces. While looking for alternative sources of park funding is a worthwhile future bill, it is essential that we acknowledge the fundamentals of this bill. Since its passage, the Quimby Act has made many of Sunnyvale's parks possible, as well as assuring renovation of park features in need of replacement.

In 1975, when the Quimby Act was adopted, the City of Sunnyvale had a population of about 102,000; today the population is about 155,000 and the projected population at buildout is 223,000. This growth in population will be possible primarily by the redevelopment of sites from non-residential uses and includes an entire neighborhood of 20,000 housing units (mixed with transportation and employment uses) in the Moffett Park area which currently has no housing. The land dedication and in-lieu fees have enabled the City of Sunnyvale to add and to renovate parks to support the growing population, throughout the community.

SB 315 proposes significant benefits to developers without implementing corresponding transparency measures. In recent years, numerous legislative measures have been enacted to reduce, cap, postpone, or defer development-related fees. However, these initiatives have not been accompanied by requirements for developers to demonstrate how these cost savings translate into lower prices for buyers or reduced rents for tenants. The lack of empirical evidence showing a direct correlation between these "developer giveaways" and decreased housing costs for consumers is concerning. Quimby fees, which typically constitute a low single-digit percentage of a project's overall cost, play a crucial role in maintaining the high standard of park amenities that Sunnyvale residents have enjoyed for decades.

Parks play a crucial role in maintaining healthy ecosystems, providing clean air, water, and conserving natural resources. Moreover, parks are one of the strongest tools available to us in preserving biodiversity, reducing heat islands, and by absorbing rainwater, reducing runoff and preventing flooding.

The following policies from the City of Sunnyvale General Plan further define Sunnyvale's position regarding the importance of park space, as well as current efforts to remove barriers for infill housing by reducing park in-lieu fees:

City of Sunnyvale Land Use and Transportation Element

- GOAL LT-9 ADEQUATE AND BALANCED RECREATION FACILITIES – The City strives to provide and maintain adequate and balanced open space and recreation facilities for the benefit of maintaining a healthy community based on community needs, and the ability of the City to finance, construct, maintain, and operate these facilities now and in the future.
  - Policy LT-9.1 Ensure that the planned availability of open space in both the City and the region is adequate.
  - Policy LT-9.15 In applying the Park Dedication requirements for new development, place a priority on acquiring land over in-lieu payment, particularly when the development is in areas identified as underserved or when the land is of sufficient size or can be combined with other land dedication to form larger Mini Parks or Neighborhood Parks.
- GOAL LT-10 REGIONAL APPROACH TO PROVIDING AND PRESERVING OPEN SPACE – The City embraces a regional approach to providing and preserving open space and providing open space and recreational services, facilities and amenities for the broader community.

City of Sunnyvale Housing Element

- Implementation Program H19. Review Park Dedication Requirements. Establish reduced Park Dedication In-lieu fees for Dual Urban Opportunity (DUO) lot splits to remove barriers to infill housing in single-family neighborhoods. Reduced fees for DUO lot splits will be below the cost of land acquisition. Pursuant to public comments, reduce park dedication in-lieu fees on missing middle housing (as described in Program H21) to be no greater than $60,000 per unit. Continue to exempt affordable rental units from the Park Dedication requirements (including In-lieu fees) and adopt fee reductions and/or exemptions for housing that serves other special needs populations (e.g., senior housing, single room occupancy [SRO] units) so that park dedication fees are no greater than $35,000 per unit for SROs and efficiency units. Continue to evaluate the Park Dedication requirements (including In-lieu fees) based on new demographic information and make adjustments to fees to mitigate constraints, particularly on multifamily housing. Adopt a tiered approach based on density and/or size of unit to reduce park dedication in-lieu fees on multifamily units, targeting an average reduction of about 30 percent. Continue to ensure that all Park Dedication in-lieu fees do not exceed the cost of unentitled land acquisition. The City shall annually monitor the fees to determine whether or

Sunnyvale

not fees are a constraint to housing production and report findings in the annual progress report (APR). The City shall conduct a midcycle review of fees and if determined to be a constraint, shall take action within six months to mitigate the constraint.

Importantly, parks are vastly important to local economies. They attract sports leagues, farmers markets, craft fairs, special events, and festivals. That economic activity, in turn, attracts new business. Local parks in the United States generate $200 billion annually and support 1.1 million jobs. This change in the Quimby Fee not only reduces parkland available to California's most vulnerable communities, it also impacts our local environment and economy.

For these reasons, the City of Sunnyvale respectfully opposes SB 315. Thank you for your consideration of our position. Please do not hesitate to contact me or Trudi Ryan, Director of Community Development, at tryan@sunnyvale.ca.gov or 408-730-7435, if you have any questions.

Sincerely,

Larry Klein
Mayor

cc: Senator Aisha Wahab
Assembly Member Patrick Ahrens
City Council
Tim Kirby, City Manager
Sarah Johnson-Rios, Assistant City Manager
Trudi Ryan, Community Development Director