

CITY PLANNING GRANTS REPRIEVE OF NEW PARK FEES TO CERTAIN PROJECTS

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Back on September 7, 2016, the Los Angeles City Council passed the new Parks Dedication and Fee Update Ordinance (“Quimby”) which will affect all new multi-family development projects in the City. The ordinance will take effect on January 11, 2017, and applies to all new residential dwelling units and joint live/work units except for affordable units and second dwelling units in single-family zones. For non-subdivision projects (apartments), the park mitigation fee will be \$2,500 per unit, and is expected to increase to roughly \$5,000 per unit after the first year, with minor increases for each subsequent year. For subdivision projects (i.e. condominiums), the Quimby in-lieu fee will be \$7,500 per unit, and is expected to increase to roughly \$10,000 per unit after the first year, with minor increases for each subsequent year.

However, a recent City Planning memo has been obtained by our land use team which states the City has decided to also vest projects which obtained a recent entitlement application. According to the memo, “Applicants with projects requiring an entitlement from the Planning Department shall be subject to the park fee in effect on the date the complete project entitlement application was filed and paid.” Therefore, those projects which filed a complete entitlement application and paid all planning/zoning fees will be exempt from the increased Quimby fees and only subject to the Quimby/park fees in place at the time the entitlement application was deemed complete.

The ordinance only contained the City’s standard vesting clause, which exempted only the following: projects with approved vesting tentative maps, for those projects that have already paid estimated Quimby fees and for those projects who have submitted a complete set of plans that have been accepted by LA Department of Building and Safety’s Plan Check division with all plan check fees paid.

For more information or for a copy of this memo, please contact Ellia Thompson at ethompson@ecjlaw.com or Jonathan Riker at jriker@ecjlaw.com in Ervin Cohen and Jessup’s Land Use Practice Group.

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PRACTICE AREAS

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