

1 WHEREAS, the City retained the services of NBS Government Finance Group
2 (the "Consultant") who prepared the Parks and Recreation Facilities Development Impact Fee
3 Study, August 2025 (the "Study"); and

4 WHEREAS, the Study provides a framework for new fees, justification of the fees,
5 a breakdown of the fees into Park Land In-Lieu Fees for residential projects involving
6 subdivisions, Park Land Impact Fees for residential projects not involving subdivisions, Park
7 Improvement Impact Fees which applies to all residential projects, and Community and
8 Recreation Center Fees to be used to mitigate the impact of new development on the need for
9 community and recreation centers and to prevent a reduction in the level of service provided
10 to residents; and

11 WHEREAS, the Park Improvement Impact Fee and Community and Recreation
12 Center Fee will not be implemented at this time; and

13 WHEREAS, the Study recommends updating code language governing the fees
14 to indicate that parkland dedication or fees in lieu of parkland only apply to residential projects
15 that include subdivisions, impact fees for park land acquisition apply to non-subdivision projects
16 enacted pursuant to the California Mitigation Fee Act, and residential unit size and population
17 per dwelling unit size, instead of assumed density for unit type, is used to determine the fees;
18 and

19 WHEREAS, the City Council shall establish the amount of the Park Land In-Lieu
20 and Park Land Impact fees by resolution; and

21 WHEREAS, the City Council finds that the Ordinance is exempt from further
22 environmental review under the California Environmental Quality Act ("CEQA") pursuant to
23 California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15060(c)(3),
24

1 15061(b)(3), and 15378(b)(4) ("CEQA Guidelines") because the Ordinance: (1) will not allow
2 for or encourage any more development than is already anticipated under the City's existing
3 General Plan and as regulated by existing zoning, or otherwise allow for or promote physical
4 changes in the environment; and therefore, it can be seen with certainty that there is no
5 possibility that the Ordinance will have a significant effect on the environment; (2) is not a
6 project under CEQA as it is a governmental fiscal activity that does not involve any commitment
7 to any specific project which may result in a potentially significant physical impact on the
8 environment; and (3) is not intended to apply to specifically identified projects and as such it is
9 speculative to evaluate any such future project now; and
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12 WHEREAS, on January 12, 2026, after conducting a duly noticed public hearing,
13 including full consideration of the application, plans, staff report, environmental information,
14 and all testimony presented, the City Council, by a vote of 5 to 0, introduced an ordinance
15 approving Code Amendment, P2025-0227-ZCA, as set forth herein below
16

17 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CULVER CITY,
18 CALIFORNIA, DOES ORDAIN AS FOLLOWS:

19 SECTION 1. The City Council hereby amends CCMC Chapters 15.06 (New
20 Development Fees) and 15.10 (Subdivisions), Sections 15.06.300 through 15.06.330 and
21 15.10.750 through 15.10.790, set forth in Exhibit A, attached hereto and incorporated herein
22 by this reference.
23

24 SECTION 2. Pursuant to Section 619 of the City Charter, this Ordinance shall
25 take effect thirty (30) days after the date of its adoption. Pursuant to Sections 616 and 621 of
26 the City Charter, prior to the expiration of fifteen (15) days after the adoption, the City Clerk
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1 shall cause this Ordinance, or a summary thereof, to be published in the Culver City News and
2 shall post this Ordinance or a summary thereof in at least three places within the City.

3 SECTION 3. The City Council hereby declares that, if any provision, section,
4 subsection, paragraph, sentence, phrase or word of this ordinance is rendered or declared
5 invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason
6 of any preemptive legislation, then the City Council would have independently adopted the
7 remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this
8 ordinance and as such they shall remain in full force and effect.
9

10 APPROVED and ADOPTED this __ day of February 2026.
11

12
13 _____
14 FREDDY PUZA, Mayor
15 City of Culver City, California

16 ATTESTED BY:

17 APPROVED AS TO FORM:

18
19 _____
20 JEREMY BOCCHINO, City Clerk

21
22 
23 _____
24 HEATHER BAKER, City Attorney
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EXHIBIT A

PARK LAND ACQUISITION IMPACT FEES

§ 15.06.300 PURPOSE.

The City Council finds and declares:

- A. The purpose of this Chapter is to implement the goals, objectives and policies of the City of Culver City's Parks, Recreation, and Public Facilities Element and related portions of the General Plan, when new development is constructed within the City limits.
- B. The public interest, convenience, health, welfare and safety require neighborhood and community park and recreational facilities which must be provided for the enhancement of the quality of life of City's residents.
- C. New residential development has a significant effect on the use and availability of park space, and the limited open space and recreation amenities provided by residential developments may be insufficient to meet the needs of the residents for open space and park land. The intent of this chapter is to require that such developments contribute their fair share toward the purchase and acquisition of new park land.
- D. Acquisition of new community park land should be financed by applicants for residential developments which are served by public recreational facilities.
- E. Establishment of Park Land Acquisition Impact Fees, as provided in this Subchapter, will promote the general welfare by requiring developers of residential units to pay a share of the cost of acquiring new community park land which will serve the residents of the new development.
- F. Imposing a fee that is reasonably related to the burdens on and increased demand for the City's parks created by new residential development will assist the City in acquiring park land to support the fulfillment of the goals, objectives and policies set forth in the General Plan Parks, Recreation, and Public Facilities Element.
- G. The City has prepared a Parks and Recreation Facilities Development Impact Fee Study that demonstrates, and the City Council finds, that there is a reasonable relationship between the purpose for which the fees established by this Ordinance are to be used and the type of development projects on which the fees are imposed, and between the amount of the fees and the cost of the park land attributable to the development on which the fees are imposed.
- H. It is the intent of the City Council that any fee required by this Chapter shall be additional to any conditions imposed upon a development project pursuant to other provisions of the Municipal Code other than section 15.10.750, the City Charter, the California Environmental Quality Act, and other state and local laws

which may authorize the imposition of project specific conditions on development.

§ 15.06.305 DEPOSIT AND USE OF FEES.

Fees paid pursuant to this Subchapter shall be deposited into the Park Land Acquisition Fund maintained by the Chief Financial Officer and shall be used solely for the acquisition of land for parks to accommodate additional occupants of new development projects. Such expenditures may include, but are not necessarily limited to the following:

- A. Reimbursement for all direct and indirect costs incurred by the City to acquire park land pursuant to this Chapter, including but not limited to, the cost of land acquisition, and legal consultation,.
- B. Costs of issuance or debt service associated with bonds, notes or other security instruments issued to fund park land acquisition as identified.
- C. Reimbursement for administrative costs incurred by the City in establishing or maintaining the Parks Land Acquisition Fund required by this Chapter, including but not limited to the cost of studies to establish the requisite nexus between the fee amount and the use of fee proceeds and yearly accounting and reports.

No portion of the Park Land Acquisition Impact Fees may be diverted to other purposes by way of loan or otherwise.

§ 15.06.310 PARK LAND ACQUISITION IMPACT FEES.

- A. Except as otherwise provided in section 15.06.325 of this Subchapter, all new residential projects for which a development application was determined complete or an application for change(s) in existing use(s) was made on or after the effective date of this Ordinance, shall be subject to the Park Land Acquisition Impact Fees, as required by this Subchapter.
- B. Park Land Acquisition Impact Fees established by this Subchapter shall be assessed in the amount established by the City Council by resolution.
- C. The project applicant shall pay fees according to the schedule of fees in place on the date the preliminary application is submitted and deemed complete . However, if the project has vested rights under State or local law shall pay the applicable fees in accordance with those vested rights.
- D. The Park Land Acquisition Impact Fees shall be paid in full on the date of the final inspection, or the date the Certificate of Occupancy is issued, whichever occurs first.

§ 15.06.315 FEES FOR ADDITIONAL UNITS.

When a building permit is sought for addition of one or more units or Accessory Dwelling Units (ADUs) 750 square feet or larger in size to a property containing a single family dwelling, regardless of the zoning district in which the property is located, the amount of the Park Land Acquisition Impact Fee to be paid prior to the issuance of the Certificate of Occupancy, or at the time of final inspection of the additional unit(s), whichever is later, shall be calculated based on the new unit(s) being added.

§ 15.06.320 OPEN SPACE CREDIT.

- A. Where private open space area is developed for park or recreational facilities in a proposed development, the park or recreational facilities may be partially credited against the amount of assessed Park Land Acquisition Impact Fee for that development as provided in this Section.
- B. The decision making authority on the residential development application, shall determine at the time the residential development is approved or conditionally approved, whether it is in the public interest to determine a maximum of fifty percent (50%) of the fee amount is satisfied by the proposed development of private open space area with recreational facilities, or such area is reasonably adaptable for use for recreational or park purposes, taking into consideration factors such as the size, shape, topography, geology, access, location of such area within the development, and the recommendation of the Parks, Recreation and Community Services Department staff and/or the Parks, Recreation and Community Services Commission.
- C. Yards, setbacks and other private and common open space areas required to be maintained by zoning and building regulations shall not be considered as credit against the Park Land Acquisition Impact Fee.
- D. The private ownership and maintenance of the private open space area as park or recreational facilities is adequately provided for by written agreement, and the use of such area is restricted by recorded covenants which run with the land and which cannot be defeated or eliminated without the consent of the City.

§ 15.06.325 EXEMPTIONS.

- A. Residential developments which are subject to the park dedication and in lieu fee requirements of Chapter 15.10 shall be exempted from the requirements of this Subchapter.
- B. For residential developments containing units which are covenanted for low- and moderate-income households or senior citizens, the units which are covenanted for low- and moderate-income households or senior citizens shall be exempted from the requirements of this Subchapter during the period the unit or units remain covenanted for such use.

- C. If a development is exempt from the fee at initial construction, but later converts to a development subject to this Ordinance, the converted square footage will be deemed net new square footage and the Park Land Acquisition Impact Fee shall be paid prior to final approval of a building permit or, if required by State law, before the date of final inspection or the issuance of a certificate of occupancy, whichever occurs first.
- D. Such fees do not apply to commercial or industrial development, except for residential portions of mixed use projects.

§ 15.06.330 RETURN OF FEES.

Fees paid into the Park Facilities Fund which are not expended or committed within five (5) years from the date of payment shall be returned to the then current owner of the residential development project as required by state law.

DEDICATION AND QUIMBY FEES

§ 15.10.750 PARK DEDICATION REQUIREMENTS.

It is hereby found and determined:

- A. That the public interest, convenience, health, welfare, and safety require that ten (10) acres of property, for each one thousand (1,000) persons residing within the City be devoted to park and recreational purposes.
- B. That said requirements will be satisfied in part by the development of regional parks to make available six (6) acres of property for each one thousand (1,000) persons residing in the City for park and recreational purposes.
- C. That said requirement will be further satisfied in part by cooperative arrangements between the City and the local school districts and/or the local park and recreation districts to make available one (1) acre of property for each one thousand (1,000) persons residing within the City for park and recreational purposes.
- D. That the remainder of the required acres, which is three (3) acres of property for each one thousand (1,000) persons, shall be supplied by the requirements of this Chapter in accordance with Cal. Gov't Code § 66477, and the General Plan of the City of Culver City.

§ 15.10.755 SUBDIVIDER REQUIREMENTS.

- A. Every subdivider who subdivides land for residential development or creates a condominium project as defined in Cal. Civil Code § 783, or planned developments, real estate developments, stock cooperatives, and community apartments, as defined in Cal. Bus. & Prof. Code §§ 11003, 11003.1, 11003.2, 11003.4 and 11004, respectively, shall, as a condition precedent to filing for a Final Map, dedicate parkland, pay a fee in lieu thereof, or both, at the discretion of the City, for neighborhood and community park or recreation purposes as required by this Subchapter.
- B. The subdivider shall be required to dedicate land for park and recreational facilities sufficient in size to serve the residents of the subdivision area. The parkland to be so dedicated shall conform to locations and standards set forth in the General Plan, a precise plan, if applicable, and the park and open space plan of the City. The slope, topography and geology of the site, as well as its surroundings, must be suitable for the intended park or recreation purpose. The amount of land to be provided shall be determined pursuant to the standards set forth in this Subchapter establishing the formula for land dedication or for payment of fees in lieu thereof.
- C. Subdivisions containing fifty (50) parcels or fewer shall not be required to dedicate land, and shall be subject to fees only, except that when a condominium project, stock cooperative, or community apartment project exceeds fifty (50) dwelling units, dedication of land may be required notwithstanding that the number of parcels may be less than fifty (50).
- D. Nothing in this Section restricts the authority of the City to require dedication of land, payment of fees or construction of improvements for needs other than or in addition to neighborhood and community parks, or to require a subdivider to mitigate, through dedication of land, construction of recreational facilities, or payment of fees, any adverse impacts created by the proposed development.

§ 15.10.760 EXEMPTIONS AND REDUCTIONS.

- A. Subdivisions containing fewer than five (5) parcels and not used for residential purposes shall be exempted from the park dedication or in lieu fees; provided, however, notice shall be placed on the approval of such Tentative Map or Tentative Parcel Map of a requirement that if a building permit is requested for construction of a residential structure or structures on any of the parcels within four (4) years of the recordation of the Final Map, the in lieu fees shall be required and shall be satisfied by the owner of each such parcel pursuant to the provisions of § 15.10.765.
- B. The park dedication or in lieu fees requirements do not apply to condominium projects or stock cooperatives which consist solely of the subdivision of airspace

in an existing apartment building which is more than five (5) years old and in which no new dwelling units are added.

- C. Units which are covenanted for low- and moderate-income households or senior citizens within a subdivision shall be exempted from the requirements of this Subchapter during the period the unit or units remain covenanted for such use. Prior to the date these restrictions terminate, the then-current owner of each such unit shall dedicate additional parkland or pay additional fees in lieu thereof, or both, based on the requirements set forth in this Subchapter. Market rate units within a subdivision that includes units covenanted for low- and moderate-income households or senior citizens, shall be subject to the Park Land dedication or In-Lieu Fee as stipulated in this subchapter.
- D. If a Subdivision has characteristics that will make its impacts on a particular public facility or infrastructure system significantly and permanently smaller than the average impact used to calculate dedication requirements or in-lieu fees, the subdivider may request that the City reduce such requirements or fees accordingly. The subdivider bears the burden of demonstrating by substantial evidence that the proposed project qualifies for a reduction.

§ 15.10.765 PARKLAND DEDICATION OR PAYMENT OF IN LIEU FEE.

A. Parkland dedication or payment of fee.

- 1. The public interest, convenience, health, welfare, and safety require that three (3) acres of property for each one thousand (1,000) persons residing within this City be devoted to neighborhood and community serving parks.
- 2. The amount of land to be dedicated for neighborhood and community park or recreation facilities shall be calculated by using the dwelling unit size estimated population as set forth below and the minimum requirement set forth above.
- 3. The Park Land In-Lieu Fee shall be calculated as follows: Cost per capita for park land multiplied by population per dwelling unit size multiplied by the number of units within the subdivision.
- 4. Dwelling unit size and population per dwelling unit size shall be as follows:

Less than 500 square feet	1.00 persons
500 square feet and up to 850 square feet	1.20 persons
Greater than 850 square feet and up to 1,200 square feet	2.20 persons
Greater than 1,200 square feet and up to 2,500 square feet	3.00 persons
Greater than 2,500 square feet	3.40 persons
- 5. Where the development contains more than one (1) dwelling unit size range, the dedication requirements or In-Lieu Fees shall be calculated separately for each size range that the dwelling units fall in, using the

corresponding population per dwelling unit size for each area range; the totals for each area range shall be added to determine the total amount of land dedication or fees to be paid in lieu thereof.

6. If, at the time the Tentative Map is presented to the City for approval or conditional approval, the proposed subdivision is presented without a specific development proposal, such as an application for site plan review, specific plan, conditional use permit, variance, planned development or similar application, the parkland dedication or in lieu fee payment shall be established as set forth herein.
 7. If, at a time subsequent to the recordation of a Final Map, there is an increase in the number of units to be built or a change in the dwelling unit size which results in an increase in population per dwelling unit size, the subdivider shall be required to dedicate additional parkland or pay additional fees in lieu thereof in accordance with the dwelling unit size in effect at the time the additional units or change in size of dwelling unit is approved.
 8. In the event units are demolished and rebuilt with additional new units, only the net new units shall be subject to the park land dedication or payment of fees in lieu thereof, or both.
 9. In a residential subdivision project where a building permit is sought for addition of one or more units to a property containing a single family dwelling, regardless of the zoning district in which the property is located, the amount of the in lieu fee to be paid at the time the Certificate of Occupancy is issued or final inspection is conducted, shall be calculated pursuant to the formulas established in this section. The in lieu fee for Accessory Dwelling Units shall be compliant with State law and shall be proportional to the size of the primary dwelling unit
- B. Determination of parkland dedication or payment of fee in absence of a development proposal.
1. If, at the time the Tentative Map is presented to the City for approval or conditional approval, the proposed subdivision is presented without a specific development proposal, the amount of land dedicated or fees to be paid in lieu thereof shall be determined on the following basis:
 - a. The total number of residential dwelling units to be constructed shall be the maximum number of such units permitted by the City's General Plan, any applicable specific plan, or existing zoning, whichever is greater, on the land included within the proposed subdivision.
 - b. The type of dwelling unit size which yields the highest population per dwelling unit shall be used to determine the parkland dedication or payment of in-lieu fee of the proposed subdivision.

2. Nothing in this Section shall constitute an approval for construction of the maximum number or type of residential dwelling units in the absence of an approved site plan review for the proposed development.

§ 15.10.770 OPEN SPACE AND RECREATIONAL FACILITIES CREDIT.

- A. Where private open space area is developed for park or recreational facilities in a proposed development, and the area is to be privately owned and maintained by the future residents of the development, the park or recreational facilities may be partially credited against the parkland dedication requirement established in § 15.10.765, as provided in this Section.
- B. The City shall determine at the time the Tentative Map is approved or conditionally approved, whether it is in the public interest to determine a maximum of fifty (50) percent of the parkland dedication requirement is satisfied by the proposed development if there is private open space area with recreational facilities, or such area is reasonably adaptable for use for recreational or park purposes, taking into consideration factors such as the size, shape, topography, geology, access, and location of such area within the development.
- C. Yards, setbacks, and other open space areas required to be maintained by zoning and building regulations shall not be considered as credit against the parkland dedication requirement.
- D. The private ownership and maintenance of the private open space area as park or recreational facilities is adequately provided for by written agreement, and the use of such area is restricted by recorded covenants which run with the land in favor of the future owners of the property within the development and which cannot be defeated or eliminated without the consent of the City.

§ 15.10.775 CHOICE OF LAND OR FEE.

- A. Procedure. The procedure for determining whether the subdivider is to dedicate land, pay a fee, or both, shall be as follows:
 1. Subdivider. At the time of filing a Tentative Map for approval, the owner of the property shall, as a part of such filing, indicate whether they desire to dedicate property for park and recreational purposes, or whether they desire to pay a fee in lieu thereof. If they desire to dedicate land for this purpose, they shall designate the area thereof on the Tentative Map as submitted.
 2. Action of City. At the time of the Tentative Map approval, the City shall determine as a part of such approval, whether to require a dedication of

land within the subdivision, payment of a fee in lieu thereof, or a combination of both.

3. Pre-requisites for approval of Final Map. Where dedication is required, it shall be accomplished in accordance with the provisions of the Subdivision Map Act. Where fees are required the same shall be deposited with the City prior to the approval of the Final Map. Open space covenants for private park or recreational facilities shall be submitted to the City Attorney for their approval prior to the approval of the Final Map and shall be recorded concurrently with the Final Map.

B. Determination.

1. Whether the City accepts land dedication or elects to require payment of a fee in lieu thereof, or a combination of both, shall be determined by consideration of the following:
 - a. Parks, Recreation, and Public Facilities Element of the City General Plan; and
 - b. Topography, geology, access, and location of land in the subdivision available for dedication; and
 - c. Size and shape of the subdivision and land available for dedication.
2. The determination of the City as to whether land shall be dedicated, or whether a fee shall be charged, or a combination thereof, shall be final and conclusive.
3. Dedication of park land within the subdivision shall be subject to approval by the City Council.

§ 15.10.780 DEVELOPMENT OF RECREATIONAL FACILITIES AND DISPOSITION OF FEES.

- A. At the time the Final Map is approved, the City Council shall develop a schedule specifying when development of the park and recreational facilities shall commence.
- B. In lieu fees collected pursuant to § 15.10.765 shall be committed by the City within five (5) years after the payment of such fees or the issuance of building permits on one-half of the lots created by the subdivision, whichever occurs later. If such fees are not committed, the then record owners shall be entitled to a refund of the fees in the same proportion that the size of their lot bears to the total area of all lots within the subdivision.

§ 15.10.785 LIMITATION ON USE OF LAND AND FEES.

The parkland dedicated or in lieu fees collected pursuant to this Subchapter are to be used only for the purpose of providing park or recreational facilities to the fullest extent permissible under Sections 66477 and 66479 of the Government Code of the State of California.

§ 15.10.790 ALTERNATIVE PROCEDURE.

As an alternative to and in lieu of the requirements of §§ 15.10.750 through 15.10.775 the following procedure may be followed, subject to the approval of the Council, by the subdivider.

- A. If the owner of the land being subdivided is also the owner of adjacent land upon which they are willing to impose restrictive covenants which will provide open green areas for the benefit of future occupants of the land being subdivided, as well as the public generally, and if the following conditions, in the opinion of the Council, are met, then owner may submit a plan showing the area to be made subject to the restrictive covenants and, if in the opinion of the Council, the plan is a reasonable substitute for the park dedication or fee requirements, the Council may approve and accept such offer in lieu of the park dedication or payment of fees provisions herein contained.
- B. The conditions which the Council must determine to be met are:
 1. That the plans for the development of the subdivision contain provisions for landscaping and open areas which the Council finds are adequate to permit this alternative procedure.
 2. That the restrictive covenants will assure open, green area within reasonable proximity of the subdivision located in areas zoned either residential or commercial.
 3. That the City Council, upon the recommendation of the City Attorney, has approved the legal sufficiency and form of the covenants to be recorded.
 4. That the covenants will run with the land being subdivided and will inure to the general public represented by the Council.
 5. That the covenants may not be released or in any manner be rendered ineffective without the prior written consent of the Council.
 6. That the area of the property to be subject to such covenants is in the opinion of Council, adequate. The Council shall consider the design, layout, style and landscaping of the subdivision, and other adjoining areas in reaching its determination.
 7. That the method of maintaining the open, green area is acceptable to the Council, provided; that if for any reason such areas are not maintained to

the satisfaction of the Council, the City shall have the right to go upon all such areas and maintain them.

- C. Such open, green areas need not be the site of active recreational pursuits, but may be designed for passive use; however, the owner shall have the proposed covenants drafted so as to clearly indicate any restrictions on use by owners or residents of the proposed subdivision, or restrictions as to the public generally, or restrictions as to all persons.
- D. If this alternative procedure is selected by the subdivider and approved by four (4) members of the Council, the Council shall then make the necessary determination by resolution setting out the terms of approval.
- E. All approved covenants shall be recorded prior to filing for record the Final Map, or to the filing for record of any Final Map which represents a portion of the Tentative Map.
- F. No part of this Section shall be amended, repealed, or otherwise modified without at least four (4) affirmative votes of the Council; further that prior to any amendment, repeal or modification of said Section, the City Council shall by resolution establish the date for a public hearing, which shall be held only after giving at least ten (10) days notice by publication in a newspaper of general circulation within Culver City; further that no covenants or conditions or restrictions imposed upon such property may be modified or damaged by any means without an affirmative vote of four (4) members of the City Council.