

City of Sunnyvale
Annual Status Report on Receipt and Use of Development Impact Fees
FY 2022/23

Fee: **Housing Mitigation Fee / Housing Impact Fee**

Fee Description: Fees paid by developers of nonresidential development and rental housing projects that generate demand for affordable housing and ownership housing approved for in-lieu fee.
 (Former Sunnyvale Municipal Code Section 19.22.035 and Current Chapter 19.75)

Purpose of Fee: Housing Mitigation Fees (former Sunnyvale Muni. Code Section 19.22.035) were previously collected from developers of high intensity industrial development. In 2015, the City Council repealed Section 19.22.035 and replaced it with SMC Chapter 19.75, which imposes a Housing Impact Fee on nonresidential construction and rental housing construction. The purpose of the former Housing Mitigation Fees and current Housing Impact Fees is to mitigate the impact of development projects that generate a demand for additional affordable housing in the City.

Amount of Fee: Housing Mitigation Fee (PerSMC 19.22.035) \$ 13.00 per applicable sq. ft.
 Housing Impact Fee for Nonresidential Development and Rental Housing
 (Per SMC 19.75)
 A. Office/Industrial/R&D
 • First 25,000 net new sq. ft. \$ 9.80 per applicable sq. ft.
 • All remaining net new sq. ft. \$ 19.50 per applicable sq. ft.
 B. Retail/Lodging \$ 9.80 per applicable sq. ft.
 C. Rental Housing
 • Small rental projects (4-7 units) \$ 11.00 per applicable sq. ft.
 • Large rental projects (8 + units) \$ 21.50 per applicable sq. ft.
 D. Ownership Housing In-Lieu fees are 7% of contract sales price of each unit

Fund: Housing Fund/Housing Mitigation Sub fund (2021)

FY 2022/23 Receipt and Use:

Beginning Balance	\$ 53,859,450
Resources	
New Fees Collected	419,430
Other Revenue – Loan Repayments	500,578
Rental Income	12,000
Interest	1,278,822
Total Resources	\$ 56,070,280

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Expenditures:

10503 - Local Housing/ Projects and Programs \$ 745,245

% Funded by Fee: 100%

Origination Year: FY 18/19

Planned Completion Year: On-going

826520 – Pre-Development Costs on Affordable Housing Sites \$ 13,643

% Funded by Fee: 100%

Origination Year: FY 06/07

Planned Completion Year: On-going

831340 – Civic Center Modernization \$ 74,038

% Funded by Fee: < 1%

Origination Year: FY 16/17

Planned Completion Year: FY 23/24

Transfers Out \$ 160,917

General Fund In-Lieu/Employee Benefits

Origination Year: On-going

Planned Completion Year: On-going

Interfund Transfer To: General Fund

Total Expenditures/Transfers Out \$ 993,843

Ending Balance \$ 55,076,438

Description of Projects:

10503 Local Housing/ Projects and Programs

This operation function provides an operational budget to support activities carried out by staff.

826520 Pre-Development Costs on Affordable Housing Sites

This project will allow for professional services to be secured as needed to analyze feasibility of large-scale affordable housing projects proposed and associated programs. These costs can be awarded to a developer of affordable housing or can be used by the City for City-owned land that will be developed into affordable housing.

831340 Civic Center Modernization

This project is a 20-year, multi-phased vision of the Civic Center campus. The plan builds three new facilities: City Hall, Public Safety Emergency Operations Center Addition, and Library. It also increases open space and moves more parking underground.

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General Fund In-Lieu

Transfer to the General Fund to cover the indirect costs realized during the course of managing Housing activities not directly associated with a specific capital improvement project.

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Fee: **Park Dedication Fee**

Fee Description: Fee assessed on certain residential subdivisions to purchase land, buy equipment, or construct improvements in neighborhood and district parks and recreational facilities serving the subdivision. (Sunnyvale Municipal Code, Chap. 19.74 — Non-exempt from Mitigation Fee Act reporting requirements.)

Purpose of Fee: Park dedication fees are collected pursuant to Chapters 18.10 and 19.74 of the Sunnyvale Municipal Code to mitigate increased demands for park and recreational facilities due to new residential development. Park dedication fee revenues are expended to develop new or rehabilitate existing neighborhood or community parks or recreational facilities, to purchase land, buy equipment or construct improvements in neighborhood and community parks. Ongoing operational or maintenance costs are excluded.

Amount of Fee: \$185.00 per square foot.

Fund: Park Dedication Fund – Multi-Family Residential (2103)

FY 2022/23 Receipt and Use:

The City of Sunnyvale collects two different types of Park Dedication Fees. Fees authorized by the Quimby Act (California Government Code §66477) (part of the Subdivision Map Act) are codified in Sunnyvale Municipal Code, Chapter 18.10. Quimby Fees are imposed on developers of residential subdivisions and may be used to purchase land, buy equipment or construct improvements in neighborhood parks, district parks, and recreational facilities serving the residential subdivision. The fees collected for this type of development are exempt from reporting requirements, and details are not included in this report.

The second type of Park Dedication Fee was established pursuant to the Mitigation Fee Act (California Government Code §66000(b)) and codified by the City in the Sunnyvale Municipal Code, Chapter 19.74. These Park Dedication Fees are assessed on developers of multi-family residential rental housing projects and may be used to purchase land, buy equipment, or construct improvements in neighborhood parks, district parks, and recreational facilities serving the multi-family residential unit. The fees collected for this type of development are subject to the reporting requirements included in the Mitigation Fee Act.

Beginning Balance	\$ 38,411,264
Resources	
New Fees Collected	17,666,095
Interest	1,093,180
Total Resources	\$ 57,170,539

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Total Expenditures/Transfers Out	\$	0
Ending Balance	\$	57,170,539

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Fee: **Sense of Place Fee**

Fee Description: Fees paid by developers in areas where planned public improvements exceed the requirements of other areas of the City, including those with special land use or public improvement plans.

Purpose of Fee: The City Council has adopted Sense of Place Fees for certain geographic regions of the City in order to fund streetscape and other improvements that will encourage pedestrian, bicycle, and public transit use. These improvements are necessary to mitigate the impact of higher intensity development on the surrounding environment that results from increased population and traffic. The funds are used for improvements such as bike lanes, pedestrian crossings, area markers and other elements identified in the applicable Sense of Place plan adopted by the City Council. The geographic areas subject to Sense of Place fees are the Tasman/Fair Oaks Area, the Duane/Lawrence Expressway Industrial-to-Residential area, the Fair Oaks Junction area, the Peery Park Area, and Lawrence Station Area (LSAP).

<u>Amount of Fee:</u>	Tasman Crossing/Fair Oaks Junction	\$ 1,572 per unit in the applicable areas
	East Sunnyvale, residential unit	\$ 3,008 per unit in the applicable areas
	East Sunnyvale, nonresidential sf	\$ 1.10 per sq. ft. in the applicable areas
	Perry Park Sense of Place	Ad hoc fees per conditions of approval
	LSAP, residential	\$2,302.00 per unit
	LSAP, nonresidential sf.	\$2.40 per sq. ft. in the applicable areas

Fund: Capital Projects Fund/Sense of Place Fees Sub-fund (3113)

FY 2022/23 Receipt and Use:

Beginning Balance	\$ 11,018,093
Resources	
New Fees Collected	17,809
Interest	215,870
Total Resources	\$ 11,251,772
 Total Expenditures/Transfers Out	 \$ 0
Ending Balance	\$ 11,251,772

Note: No interfund loans or refunds were made during FY 2022/23.

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Fund: **Traffic Mitigation Fee**

Fee Description: Specific fee amounts assessed as a condition of development to mitigate increased demands for traffic improvements. This fee was superseded by the Transportation Impact Fee (TIF) in FY 2003/04.

Purpose of Fee: Transportation Mitigation Fees were collected from developers of projects that contributed to traffic to the local roadway system at levels defined as significant per the criterion of the City of Sunnyvale General Plan and the Santa Clara Valley Transportation Authority Congestion Management Program Transportation Impact Analysis Program. Funds are used for projects identified in the Sunnyvale General Plan Land Use and Transportation Element, adopted November 11, 1997 as required to maintain roadway intersection levels of service per City General Plan policy. Projects to improve the regional transportation system are identified through the City's Resource Allocation Plan process and are listed in the Resource Allocation Plan. These public improvements require various sources of funding in addition to development impact fees, including federal, state and regional apportionments and/or grant funding. Such funds are budgeted to the extent they can be reasonably projected. The City of Sunnyvale has adopted a Capital Improvement Program (CIP) which provides the approximate location, estimated cost and status of each proposed capital project, which is available to the public upon request and is posted on the City's website. In addition, the City adopts the CIP as a component of its annual budget process which is subject to extensive public input and public hearing. All transportation system improvements to support General Plan land use are anticipated to be completed by 2030.

Amount of Fee: Amount is subject to the Fee Schedule that was in effect at the time the development project was approved.

Fund: Capital Projects Fund/Traffic Mitigation Sub-fund (3109)

FY 2022/23 Receipt and Use:

Beginning Balance	\$	425,041
Resources		
Interest		8,141
Total Resources	\$	433,182

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Expenditures:

816000 – Future Traffic Signal Construction	\$ 19,876
% Funded by Fee:	35%
Origination Year:	FY 95/96
Planned Completion Year:	On-going

Total Expenditures/Transfers Out	\$ 19,876
Ending Balance	\$ 413,306

Note: No interfund loans or refunds were made during FY 2022/23

Description of Projects:

816000 Future Traffic Signal Construction

This project provides funding for traffic signal construction and modification and involves installing new traffic signals and traffic signal communications. The locations of these signal improvements are often determined by safety and operational analysis of the intersections, community input or by changes in traffic conditions.

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Fee: **Transportation Impact Fee**

Fee Description: Fees adopted pursuant to the Transportation Strategic Program to fund major transportation projects necessary to support land use plans. (Sunnyvale Municipal Code, Chap. 3.50)

Purpose of Fee: Transportation impact fees are collected from developers of projects that contribute to traffic to the local roadway system at levels defined as significant per the criterion of the City of Sunnyvale General Plan and the Santa Clara Valley Transportation Authority Congestion Management Program Transportation Impact Analysis Program. Funds are used for projects identified in the Sunnyvale General Plan Land Use and Transportation Element, adopted November 11, 1997 as required to maintain roadway intersection levels of service per City General Plan policy. Projects to improve the regional transportation system are identified through the City's *Resource Allocation Plan* process and are listed in the *Resource Allocation Plan*. These public improvements require various sources of funding in addition to development impact fees, including federal, state and regional apportionments and/or grant funding. Such funds are budgeted to the extent they can be reasonably projected. The City of Sunnyvale has adopted a Capital Improvement Program (CIP) which provides the approximate location, estimated cost and status of each proposed capital project, which is available to the public upon request and is posted on the City's website. In addition, the City adopts the CIP as a component of its annual budget process which is subject to extensive public input and public hearing. All transportation system improvements to support General Plan land use are anticipated to be completed by 2030.

<u>Amount of Fee:</u>	A. Impact Fee — Area South of State Route 237	
	• Single Family detached, per dwelling unit	\$ 3,896.00
	• Multi-family attached, per dwelling unit	\$ 2,415.00
	• Office, per 1,000 square feet	\$ 5,806.00
	• Retail, per 1,000 square feet	\$ 7,227.00
	• Industrial, per 1,000 square feet	\$ 3,780.00
	• Research and Development, per 1,000 square feet	\$ 4,169.00
	• Hotel, per room	\$ 2,337.00
	• Uses not enumerated, per trip	\$ 3,896.00
	B. Impact Fee — Industrial Area North of State Route 237	
	• Industrial, per 1,000 square feet	\$ 7,230.00
	• Research and Development, per 1,000 square feet	\$ 7,977.00
	• Destination Retail, per 1,000 square feet – check this	\$ 13,828.00
	• Neighborhood Retail, per 1,000 square feet	\$ 6,914.00

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- Hotel, per room \$ 4,474.00
- Uses not enumerated, per trip \$ 7,454.00

- C. Impact Fee – Lawrence Station Area Plan (LSAP)
- Per Residential Unit \$ 1,472.00

Fund: Capital Projects Fund/Transportation Impact Fees Sub-fund (3111)

FY 2022/23 Receipt and Use:

Beginning Balance	\$	44,391,221
Resources		
New Fees Collected		2,789,114
Rental Income		435,410
Interest		972,652
Total Resources	\$	48,588,397

Expenditures:

825530 - Transportation Model Update	\$	46,444
% Funded by Fee:		100%
Origination Year:		FY 05/06
Planned Completion Year:		On-going
832440 - Mary Ave Overcrossing Environmental Impact Report	\$	157,100
% Funded by Fee:		100%
Origination Year:		FY 16/17
Planned Completion Year:		FY 23/24
832910 - Bernardo Avenue Bicycle Undercrossing Environmental Analysis	\$	85,506
% Funded by Fee:		42%
Origination Year:		FY 17/18
Planned Completion Year:		FY 23/24
832920 - East Sunnyvale Area Transportation Improvements	\$	970
% Funded by Fee:		21%
Origination Year:		FY 18/19
Planned Completion Year:		FY 22/23
832930 - Fair Oaks Avenue Bike Lanes and Streetscape – Phase 2	\$	11,914
% Funded by Fee:		21%
Origination Year:		FY 19/20
Planned Completion Year:		FY 22/23

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832950 - Java Drive Road Diet and Bike Lanes	\$ 12,070
% Funded by Fee:	21%
Origination Year:	FY 17/18
Planned Completion Year:	FY 23/24
832960 - Lawrence Station Area Sidewalks and Bicycle Facilities	\$ 64,775
% Funded by Fee:	100%
Origination Year:	FY 17/18
Planned Completion Year:	FY 22/23
833000 - Sunnyvale SNAIL Neighborhood Improvements - ATP	\$ 141,684
% Funded by Fee:	20%
Origination Year:	FY 17/18
Planned Completion Year:	FY 28/29
833020 - Future Traffic Signal Construction - 3111	\$ 68,881
% Funded by Fee:	100%
Origination Year:	FY 17/18
Planned Completion Year:	On-Going
833790 - Pedestrian and Bicyclist Infrastructure Improvements	\$ 19,803
% Funded by Fee:	21%
Origination Year:	FY 18/19
Planned Completion Year:	FY 22/23
833850 - Sunnyvale Safe Routes to School Improvements	\$ 38,256
% Funded by Fee:	20%
Origination Year:	FY 18/19
Planned Completion Year:	FY 23/24
834490 - Enhanced Crosswalk on California Avenue at Pajaro Avenue	\$ 108,811
% Funded by Fee:	100%
Origination Year:	FY 18/19
Planned Completion Year:	FY 22/23
835000 - Pedestrian & Bicycle Safety Improvements at Fremont Ave. & Manet Drive/Bobwhite Ave.	\$ 8,000
% Funded by Fee:	2%
Origination Year:	FY 19/20
Planned Completion Year:	FY 23/24
835630 - Stevens Creek Trail Extension (W. Remington Ave to W. Fremont Ave)	\$ 33,839
% Funded by Fee:	10%
Origination Year:	FY 19/20

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Planned Completion Year: FY 24/25

835740 - Acquisition of 970 W. Evelyn Avenue \$ 20,000

% Funded by Fee: 100%

Origination Year: FY 20/21

Planned Completion Year: FY 22/23

835980 – Evelyn Avenue Multi-use Trail \$ 50

% Funded by Fee: 2%

Origination Year: FY 21/22

Planned Completion Year: FY 23/24

Transfers:

General Fund In-Lieu \$ 17,155

Origination Year: On-going

Planned Completion Year: On-going

Total Expenditures/Transfers Out \$ 835,258

Ending Balance \$ 47,753,139

Note: No interfund loans or refunds were made during FY 2022/23

Description of Projects:

825530 - Transportation Model Update

This project provides funding for the Transportation Model Update. The City's Transportation Impact Fee is based upon long range projections of roadway capacity needs from a computerized Transportation Model. Updating the Transportation Model provides the City with a basis for upholding a fair valuation of the Transportation Impact Fee. This important source of transportation improvement revenue benefits residents, travelers, and developers in the City by allocating a fair share of the cost of transportation system expansion to the land development contributing to the need for the improvements. These improvements will be needed to support the build-out of the land use projections of the General Plan. Therefore, the model update is necessary every five years over the life of the General Plan.

832440 - Mary Avenue Overcrossing Environmental Impact Report

The project will complete the environmental impact report (EIR) for the Mary Avenue Overcrossing between the intersection of Mary Avenue and Almanor Avenue to the intersection of 11th Avenue and E Street. The overcrossing will span Routes 101 and 237. The project provides multimodal connectivity to support the level and type of development envisioned in the Moffett Park Specific Plan. The project will complete traffic analyses and environmental impact review associated with four project options including:

- A four-lane Mary Avenue with dedicated bike lanes and sidewalks
- A two-lane Mary Avenue with enhanced bike lanes and sidewalks

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- A bicycle and pedestrian crossing
- Removal of the Mary Avenue overcrossing from the General Plan

832910 - Bernardo Avenue Bicycle Undercrossing Environmental Analysis

The Bernardo Avenue Undercrossing environmental analysis project will provide environmental clearance to allow the undercrossing to be built at a later date. The undercrossing will provide a bicycle and pedestrian connection on Bernardo Avenue near Evelyn Avenue and Central Expressway under the Caltrain Railroad tracks and Central Expressway.

832920 East Sunnyvale Area Transportation Improvements

This project includes improvements in the East Sunnyvale Area Sense of Place. All improvements are located in the East Sunnyvale Area as defined in the plan and include bicycle lanes and enhancements, transit stop upgrades, crosswalk installation and enhancements, Americans with Disabilities Act (ADA) compliant curb ramps, reduced curb radii at intersections, and bike box signal modifications.

832930 Fair Oaks Avenue Bike Lanes and Streetscape - Phase 2

This project is necessary to complete the bicycle lanes on Fair Oaks Avenue, between California Avenue to Wolfe Road, to provide a continuous facility for bicycle riders. It will also provide visible enhancements including green bike lanes to the existing bicycle lane between Old San Francisco Road to Ahwanee Avenue, and the bike detection systems throughout the corridor where possible.

832950 Java Drive Road Diet and Bike Lanes

This project will construct approximately 5,000 linear feet of Class II bike lanes or Class IV separated bikeway via a road diet on Java Drive. The project will also include bicycle detection at five signalized intersections for added bicycle travel convenience and may include color pavement treatments for vehicle conflict zones and protected intersections to improve bicycle safety. The new bicycle lanes on Java Drive will provide a connection to the Fair Oaks Avenue bicycle lanes south of Crossman Avenue.

832960 - Lawrence Station Area Sidewalks and Bicycle Facilities

The Lawrence Station Area project includes transportation improvements within the Lawrence Station Area Plan. All improvements are located in the Lawrence Station Area Plan as defined in the plan and include bicycle lanes on Willow Avenue from Aster Avenue to Reed Avenue, including color pavement for conflict zones, and a bicycle path adjacent to Santa Clara Valley Water District property from Willow Avenue to Reed Avenue. The project is necessary to achieve the multi-modal transportation options for the area near the Lawrence Caltrain Station. Many of the improvements included will require routine maintenance.

833000 - Sunnyvale SNAIL Neighborhood Improvements – ATP

The project will upgrade six intersections, including traffic signal equipment and hardware, will install Americans with Disabilities Act (ADA) audible countdown interactive pedestrian signals, and infrared detection systems. The project will also close slip lanes, enhance existing bike lanes, add green bike lanes, create new bicycle lanes/routes and boulevards. The project will also add

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high visibility crosswalks at selected locations in the Sunnyvale Neighbors of Arbor including La Linda (SNAIL) and San Miguel Neighborhoods. The intersection of Wolfe Road and Fair Oaks Avenue has always been challenging to navigate by pedestrians and bicyclists. The project will consider the possibility of re-configuring this to a T-Intersection or a possible roundabout.

833020 - Future Traffic Signal Construction

This project provides funding for traffic signal construction and modification. This project involves installing new traffic signals and traffic signal communications. The locations of these signal improvements are often determined by safety and operational analysis of the intersections, community input or by changes in traffic conditions.

833790 Pedestrian and Bicyclist Infrastructure Improvements

This project will improve safety for students walking and biking to school in Sunnyvale by enhancing and/or modifying signing and striping and installing Americans with Disabilities Act (ADA) compliant curb ramps at thirty-four locations and installing Rectangular Rapid Flashing Beacons systems (RRFB) at five locations.

833850 - Sunnyvale Safe Routes to School Improvements

At selected locations in the vicinity of Bishop Elementary School, the project will install bike lanes, high visibility crosswalks, raised or paved crosswalks, and curb extensions. New bike lanes on Maude Avenue between Pastoria Avenue and Wolfe Road will improve safety, and will connect surrounding neighborhoods to Bishop Elementary School and to other destinations like Fair Oaks park, Sunnyvale High and the commercial corridor on Mathilda Avenue. Despite this, new bikeway barriers will remain for students travelling along Sunnyvale Avenue. Therefore, this project will consider a variety of improvements including removing slip lanes where possible to eliminate conflicts and reduce crossing distances, upgrading traffic signals and installing ADA compliant pedestrian signals, infrared bike detection systems, green bike box, high visibility crosswalks, and potentially installing of a raised or paved crosswalk in front of the school. In addition to the improvements, the project will provide bicycle and pedestrian education programs.

834490 - Enhanced Crosswalk on California Avenue at Pajaro Avenue

The project will include the plans, specifications and estimates (PS&E) of an enhanced crosswalk, along W. California Avenue on the west side of the intersection to facilitate park users crossing W. California Avenue, which may include enhanced crosswalk striping, signage, ADA ramps, advance flashing beacons, and rapid rectangular flashing beacons (RRFB).

835000 - Pedestrian & Bicycle Safety Improvements at Fremont Ave. & Manet Drive/Bobwhite Ave.

The City received grant funds through the Transportation Development Act (TDA) grant for bicycle and pedestrian projects. The City will use the funds for the Design and Implementation of Pedestrian and Bicycle Safety Improvements at the intersection of Fremont Avenue and Manet Drive/Bobwhite Avenue.

The project includes:

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- Curb extension on the northwest corner with bi-directional ADA compliant curb ramps.
- Installation of high visibility crosswalks.
- Installation of accessible pedestrian push buttons.
- Replace 8” vehicle signal heads with 12” vehicle signal heads to improve visibility.

835630 - Stevens Creek Trail Extension (W. Remington Ave to W. Fremont Ave)

The Stevens Creek Trail was originally planned to extend approximately five miles from the Bay Trail at Shoreline Park to McClellan Ranch Preserve in Cupertino. There is an existing gap from Dale Avenue/Heatherstone Way I Mountain View to McClellan Road in Cupertino. This gap is within the City of Sunnyvale from Remington Drive to Homestead Road. The project will perform environmental studies and preliminary design for trail extension from Remington Drive to Fremont Avenue. At the end of this project scope, the trail extension from Remington Drive to Fremont Avenue will be environmentally cleared and will move into final design.

835740 - Acquisition of 970 W. Evelyn Avenue

This project is to provide for the purchase of 970 W. Evelyn Avenue required for the Mary Avenue Grade Separation project. The purchase price of the property is \$8.5M and the expenses to complete the sale is estimated to be \$80,000. These expenses include due diligence items like environmental investigations, phase I, phase II and any other reports or work needed to investigate the property. Also all title and escrow expenses to close the purchase.

835980 - Evelyn Avenue Multi-use Trail

This project will design and construct a bicycle and pedestrian two way separated trail on the north side of Evelyn Avenue from the City limit at Bernardo Avenue to Mathilda Place. The existing bike lanes on Evelyn Avenue will be converted into this trail. The project will connect to a future City of Mountain View project that will install a bicycle and pedestrian two way separated trail to connect the two downtowns for active transportation modes.

General Fund In-Lieu

Transfer to the General Fund to cover the indirect costs realized during the course of managing transportation related activities not directly associated with a specific capital improvement project.