

# **City of Westfield 2013-2018 Parks and Recreation Zone Improvement Plan**

## **Appendix**



**CITY OF**

**Westfield**

**Parks & Recreation**

**Appendix A: IC 36-7-4-1300 Series**

**Appendix B: Westfield Ordinance 97-23**

**Appendix C: Osborne Park Development Study (HCLA)**

**Appendix D: Westfield Ordinance 07-32**

**Appendix E: Westfield Road Impact Zone Improvement Plan  
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**Appendix G: Park Impact Fees of Neighboring Communities**

# **Appendix A: IC 36-7-4-1300 Series**

under other law; or

(2) a petition, requesting a referendum on the question "Shall the township withdraw from joinder with (the municipality), or (the county), for planning and zoning purposes?", is sent to the township executive and is signed by at least the number of the voters of the township required under IC 3-8-6-3 to place a candidate on the ballot.

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If the petition is received, the township executive shall certify the petition to the county election board under IC 3-10-9-3. The board shall place the question on a ballot to be submitted at the next general election for the township in the form prescribed by IC 3-10-9-4. If the township repays the amount expended for planning and zoning purposes that exceeds the amount contributed by the township and a majority of the voters voting in the election vote in the affirmative, the township may withdraw from its joinder with the municipality or county.

*As added by Acts 1981, P.L.309, SEC.23. Amended by P.L.3-1987, SEC.566; P.L.12-1995, SEC.131.*

### **IC 36-7-4-1213**

#### **Township joinder; authorization**

Sec. 1213. ADVISORY. This series authorizes each municipality and county to effect joinder with a contiguous township.

*As added by Acts 1981, P.L.309, SEC.23.*

### **IC 36-7-4-1300**

#### **1300 Series Impact Fees**

Sec. 1300. This series (sections 1300 through 1399 of this chapter) may be cited as follows: 1300 SERIES IMPACT FEES.

*As added by P.L.221-1991, SEC.1.*

### **IC 36-7-4-1301**

#### **"Community level of service" defined**

Sec. 1301. As used in this series, "community level of service" means a quantitative measure of the service provided by the infrastructure that is determined by a unit to be appropriate.

*As added by P.L.221-1991, SEC.2.*

### **IC 36-7-4-1302**

#### **"Current level of service" defined**

Sec. 1302. As used in this series, "current level of service" means a quantitative measure of service provided by existing infrastructure to support existing development.

*As added by P.L.221-1991, SEC.3.*

### **IC 36-7-4-1303**

#### **"Development" defined**

Sec. 1303. As used in this series, "development" means an improvement of any kind on land.

*As added by P.L.221-1991, SEC.4.*

### **IC 36-7-4-1304**

#### **"Fee payer" and "person" defined**

Sec. 1304. (a) As used in this series, "fee payer" means the following:

- (1) A person who has paid an impact fee.
- (2) A person to whom a person who paid an impact fee has

made a written assignment of rights concerning the impact fee.

- (3) A person who has assumed by operation of law the rights concerning an impact fee.

(b) As used in this series, "person" means an individual, a sole proprietorship, a partnership, an association, a corporation, a fiduciary, or any other entity.

*As added by P.L.221-1991, SEC.5.*

#### **IC 36-7-4-1305**

##### **"Impact fee" and "capital costs" defined**

Sec. 1305. (a) As used in this series, "impact fee" means a monetary charge imposed on new development by a unit to defray or mitigate the capital costs of infrastructure that is required by, necessitated by, or needed to serve the new development.

(b) As used in this section, "capital costs" means the costs incurred to provide additional infrastructure to serve new development, including the following:

(1) Directly related costs of construction or expansion of infrastructure that is necessary to serve the new development, including reasonable design, survey, engineering, environmental, and other professional fees that are directly related to the construction or expansion.

(2) Directly related land acquisition costs, including costs incurred for the following:

(A) Purchases of interests in land.

(B) Court awards or settlements.

(C) Reasonable appraisal, relocation service, negotiation service, title insurance, expert witness, attorney, and other professional fees that are directly related to the land acquisition.

(3) Directly related debt service, subject to section 1330 of this chapter.

(4) Directly related expenses incurred in preparing or updating the comprehensive plan or zone improvement plan, including all administrative, consulting, attorney, and other professional fees, as limited by section 1330 of this chapter.

*As added by P.L.221-1991, SEC.6.*

#### **IC 36-7-4-1306**

##### **"Impact fee ordinance" defined**

Sec. 1306. As used in this series, "impact fee ordinance" means an ordinance adopted under section 1311 of this chapter.

*As added by P.L.221-1991, SEC.7.*

#### **IC 36-7-4-1307**

##### **"Impact zone" defined**

Sec. 1307. As used in this series, "impact zone" means a geographic area designated under section 1315 of this chapter.

*As added by P.L.221-1991, SEC.8.*

#### **IC 36-7-4-1308**

##### **"Infrastructure" defined**

Sec. 1308. As used in this series, "infrastructure" means the capital improvements that:

(1) comprise:

(A) a sanitary sewer system or wastewater treatment facility;

(B) a park or recreational facility;

(C) a road or bridge;

(D) a drainage or flood control facility; or

(E) a water treatment, water storage, or water distribution facility;

(2) are:

(A) owned solely for a public purpose by:

(i) a unit; or

(ii) a corporation created by a unit; or

(B) leased by a unit solely for a public purpose; and

(3) are included in the zone improvement plan of the impact zone in which the capital improvements are located.

The term includes site improvements or interests in real property needed for a facility listed in subdivision (1).

*As added by P.L.221-1991, SEC.9.*

#### **IC 36-7-4-1309**

##### **"Infrastructure type" defined**

Sec. 1309. As used in this series, "infrastructure type" means any of the following types of infrastructure covered by an impact fee ordinance:

- (1) Sewer, which includes sanitary sewerage and wastewater treatment facilities.
- (2) Recreation, which includes parks and other recreational facilities.
- (3) Road, which includes public ways and bridges.
- (4) Drainage, which includes drains and flood control facilities.
- (5) Water, which includes water treatment, water storage, and water distribution facilities.

*As added by P.L.221-1991, SEC.10.*

#### **IC 36-7-4-1310**

##### **"Infrastructure agency" defined**

Sec. 1310. As used in this series, "infrastructure agency" means a political subdivision or an agency of a political subdivision responsible for acquiring, constructing, or providing a particular infrastructure type.

*As added by P.L.221-1991, SEC.11.*

#### **IC 36-7-4-1311**

##### **Ordinance; jurisdiction to adopt; impact fees and other charges**

Sec. 1311. (a) The legislative body of a unit may adopt an ordinance imposing an impact fee on new development in the geographic area over which the unit exercises planning and zoning

jurisdiction. The ordinance must aggregate the portions of the impact fee attributable to the infrastructure types covered by the ordinance so that a single and unified impact fee is imposed on each new development.

(b) If the legislative body of a unit has planning and zoning jurisdiction over the entire geographic area covered by the impact fee ordinance, an ordinance adopted under this section shall be adopted in the same manner that zoning ordinances are adopted under the 600 SERIES of this chapter.

(c) If the legislative body of a unit does not have planning and zoning jurisdiction over the entire geographic area covered by the impact fee ordinance but does have jurisdiction over one (1) or more infrastructure types in the area, the legislative body shall establish the portion of the impact fee schedule or formula for the infrastructure types over which the legislative body has jurisdiction. The legislative body of the unit having planning and zoning jurisdiction shall adopt an impact fee ordinance containing that portion of the impact fee schedule or formula if:

(1) a public hearing has been held before the legislative body having planning and zoning jurisdiction; and

(2) each plan commission that has planning jurisdiction over any part of the geographic area in which the impact fee is to be imposed has approved the proposed impact fee ordinance by resolution.

(d) An ordinance adopted under this section is the exclusive means for a unit to impose an impact fee. An impact fee imposed on new development to pay for infrastructure may not be collected after January 1, 1992, unless the impact fee is imposed under an impact fee ordinance adopted under this chapter.

(e) Notwithstanding any other provision of this chapter, the following charges are not impact fees and may continue to be imposed by units:

- (1) Fees, charges, or assessments imposed for infrastructure services under statutes in existence on

January 1, 1991, if:

(A) the fee, charge, or assessment is imposed upon all users whether they are new users or users requiring additional capacity or services;

(B) the fee, charge, or assessment is not used to fund construction of new infrastructure unless the new infrastructure is of the same type for which the fee, charge, or assessment is imposed and will serve the payer; and

(C) the fee, charge, or assessment constitutes a reasonable charge for the services provided in accordance with IC 36-1-3-8(6) or other governing statutes requiring that any fees, charges, or assessments bear a reasonable relationship to the infrastructure provided.

(2) Fees, charges, and assessments agreed upon under a contractual agreement entered into before April 1, 1991, or fees, charges, and assessments agreed upon under a contractual agreement, if the fees, charges, and assessments are treated as

impact deductions under section 1321(d) of this chapter if an impact fee ordinance is in effect.  
*As added by P.L.221-1991, SEC.12.*

### **IC 36-7-4-1312**

#### **Ordinance; prerequisites to adoption**

Sec. 1312. (a) A unit may not adopt an impact fee ordinance under section 1311 of this series unless the unit has adopted a comprehensive plan under the 500 SERIES of this chapter for the geographic area over which the unit exercises planning and zoning jurisdiction.

(b) Before the adoption of an impact fee ordinance under section 1311 of this chapter, a unit shall establish an impact fee advisory committee. The advisory committee shall:

(1) be appointed by the executive of the unit;

(2) be composed of not less than five (5) and not more than ten (10) members with at least forty percent (40%) of the membership representing the development, building, or real estate industries; and

(3) serve in an advisory capacity to assist and advise the unit with regard to the adoption of an impact fee ordinance under section 1311 of this chapter.

(c) A planning commission or other committee in existence before the adoption of an impact fee ordinance that meets the membership requirements of subsection (b) may serve as the advisory committee that subsection (b) requires.

(d) Action of an advisory committee established under subsection (b) is not required as a prerequisite for the unit in adopting an impact fee ordinance under section 1311 of this chapter.

*As added by P.L.221-1991, SEC.13.*

### **IC 36-7-4-1313**

#### **Other permissible fees and charges of adopting unit**

Sec. 1313. This series does not prohibit a unit from doing any of the following:

(1) Imposing a charge to pay the administrative, plan review, or inspection costs associated with a permit for development.

(2) Imposing, pursuant to a written commitment or agreement and as a condition or requirement attached to a development approval or authorization (including permitting or zoning decisions), an obligation to dedicate, construct, or contribute goods, services, land or interests in land, or infrastructure to a unit or to an infrastructure agency. However, if the unit adopts or has already adopted an impact fee ordinance under section 1311 of this chapter the following apply:

(A) The person dedicating, contributing, or providing an improvement under this subsection is entitled to a credit for the improvement under section 1335 of this chapter.

(B) The cost of complying with the condition or requirement imposed by the unit under this subdivision may not exceed

the impact fee that could have been imposed by the unit under section 1321 of this chapter for the same

infrastructure.

(3) Imposing new permit fees, charges, or assessments or amending existing permit fees, charges, or assessments. However, the permit fees, charges, or assessments must meet the requirements of section 1311(e)(1)(A), 1311(e)(1)(B), and 1311(e)(1)(C) of this chapter.

*As added by P.L.221-1991, SEC.14.*

#### **IC 36-7-4-1314**

##### **Ordinance; application**

Sec. 1314. (a) Except as provided in subsection (b), an impact fee ordinance must apply to any development:

(1) that is in an impact zone; and

(2) for which a unit may require a structural building permit.

(b) An impact fee ordinance may not apply to an improvement that does not create a need for additional infrastructure, including the erection of a sign, the construction of a fence, or the interior renovation of a building not resulting in a change in use.

*As added by P.L.221-1991, SEC.15.*

#### **IC 36-7-4-1315**

##### **Ordinance; establishment of impact zones**

Sec. 1315. (a) An impact fee ordinance must establish an impact zone, or a set of impact zones, for each infrastructure type covered by the ordinance. An impact zone established for a particular infrastructure type is not required to be congruent with an impact zone established for a different infrastructure type.

(b) An impact zone may not extend beyond the jurisdictional boundary of an infrastructure agency responsible for the infrastructure type for which the impact zone was established, unless an agreement under IC 36-1-7 is entered into by the infrastructure agencies.

(c) If an impact zone, or a set of impact zones, includes a geographic area containing territory from more than one (1) planning and zoning jurisdiction, the applicable legislative bodies and infrastructure agencies shall enter into an agreement under IC 36-1-7 concerning the collection, division, and distribution of the fees collected under the impact fee ordinance.

*As added by P.L.221-1991, SEC.16.*

#### **IC 36-7-4-1316**

##### **Impact zones; geographical area**

Sec. 1316. A unit must include in an impact zone designated under section 1315 of this chapter the geographical area necessary to ensure that:

(1) there is a functional relationship between the components of the infrastructure type in the impact zone;

(2) the infrastructure type provides a reasonably uniform benefit

throughout the impact zone; and

(3) all areas included in the impact zone are contiguous.

*As added by P.L.221-1991, SEC.17.*

#### **IC 36-7-4-1317**

##### **Ordinance; identification of responsible infrastructure agency**

Sec. 1317. A unit must identify in the unit's impact fee ordinance the infrastructure agency that is responsible for acquiring, constructing, or providing each infrastructure type included in the impact fee ordinance.

*As added by P.L.221-1991, SEC.18.*

**IC 36-7-4-1318****Ordinance; zone improvement plan preparation; contents of plan**

Sec. 1318. (a) A unit may not adopt an impact fee ordinance under section 1311 of this chapter unless the unit has prepared or substantially updated a zone improvement plan for each impact zone during the immediately preceding one (1) year period. A single zone improvement plan may be used for two (2) or more infrastructure types if the impact zones for the infrastructure types are congruent.

(b) Each zone improvement plan must contain the following information:

(1) A description of the nature and location of existing infrastructure in the impact zone.

(2) A determination of the current level of service.

(3) Establishment of a community level of service. A unit may provide that the unit's current level of service is the unit's community level of service in the zone improvement plan.

(4) An estimate of the nature and location of development that is expected to occur in the impact zone during the following ten (10) year period.

(5) An estimate of the nature, location, and cost of infrastructure that is necessary to provide the community level of service for the development described in subdivision (4). The plan must indicate the proposed timing and sequencing of infrastructure installation.

(6) A general description of the sources and amounts of money used to pay for infrastructure during the previous five (5) years.

(c) If a zone improvement plan provides for raising the current level of service to a higher community level of service, the plan must:

(1) provide for completion of the infrastructure that is necessary to raise the current level of service to the community level of service within the following ten (10) year period;

(2) indicate the nature, location, and cost of infrastructure that is necessary to raise the current level of service to the community level of service; and

(3) identify the revenue sources and estimate the amount of the revenue sources that the unit intends to use to raise the current level of service to the community level of service for existing

development. Revenue sources include, without limitation, any increase in revenues available from one (1) or more of the following:

(A) Adopting or increasing the following:

(i) The county adjusted gross income tax.

(ii) The county option income tax.

(iii) The county economic development income tax.

(iv) The annual license excise surtax.

(v) The wheel tax.

(B) Imposing the property tax rate per one hundred dollars (\$100) of assessed valuation that the unit may impose to create a cumulative capital improvement fund under IC 36-9-14.5 or IC 36-9-15.5.

(C) Transferring and reserving for infrastructure purposes other general revenues that are currently not being used to pay for capital costs of infrastructure.

(D) Dedicating and reserving for infrastructure purposes any newly available revenues, whether from federal or state revenue sharing programs or from the adoption of newly authorized taxes.

(d) A unit must consult with a qualified engineer licensed to perform engineering services in Indiana when the unit is preparing the portions of the zone improvement plan described in subsections (b)(1), (b)(2), (b)(5), and (c)(2).

(e) A zone improvement plan and amendments and modifications to the zone improvement plan become effective after adoption as part of the comprehensive plan under the 500 SERIES of this chapter or adoption as part of the capital improvements program under section 503(5) of this chapter. If the unit establishing the impact fee schedule or formula and establishing the zone improvement plan is different from the unit having planning and zoning jurisdiction, the unit having planning and zoning jurisdiction shall incorporate the zone improvement plan as part of the unit's comprehensive plan and capital improvement plan.

(f) If a unit's zone improvement plan identifies revenue sources for raising the current level of service to the community level of service, impact fees may not be assessed or collected by the unit unless:

(1) before the effective date of the impact fee ordinance the unit has available or has adopted the revenue sources that the zone improvement plan specifies will be in effect before the impact fee ordinance becomes effective; and

(2) after the effective date of the impact fee ordinance the unit continues to provide adequate funds to defray the cost of raising the current level of service to the community level of service, using revenue sources specified in the zone improvement plan or revenue sources other than impact fees.

*As added by P.L.221-1991, SEC.19.*

### **IC 36-7-4-1319**

#### **Amendment to ordinance or zone improvement plan**

Sec. 1319. (a) A unit shall amend a zone improvement plan to make adjustments in the nature, location, and cost of infrastructure and the timing or sequencing of infrastructure installations to respond to the nature and location of development occurring in the impact zone. Appropriate planning and analysis shall be carried out before an amendment is made to a zone improvement plan.

(b) A unit may not amend an impact fee ordinance if the amendment makes a significant change in an impact fee schedule or formula or if the amendment designates an impact zone or alters the boundary of a zone, unless a new or substantially updated zone improvement plan has been approved within the immediately preceding one (1) year period.

*As added by P.L.221-1991, SEC.20.*

### **IC 36-7-4-1320**

#### **Ordinance; fee schedule and formula**

Sec. 1320. (a) An impact fee ordinance must include:

(1) a schedule prescribing for each impact zone the amount of the impact fee that is to be imposed for each infrastructure type covered by the ordinance; or

(2) a formula for each impact zone by which the amount of the impact fee that is to be imposed for each infrastructure type covered by the ordinance may be derived.

(b) A schedule or formula included in an impact fee ordinance must provide an objective and uniform standard for calculating impact fees that allows fee payers to accurately predict the impact fees that will be imposed on new development.

*As added by P.L.221-1991, SEC.21.*

### **IC 36-7-4-1321**

#### **Fee schedule or formula; requirements; limitations**

Sec. 1321. (a) An impact fee schedule or formula described in section 1320 of this chapter shall be prepared so that the impact fee resulting from the application of the schedule or formula to a development meets the requirements of this section. However, this section does not require that a particular methodology be used in preparing the schedule or formula.

(b) As used in this section, "impact costs" means a reasonable estimate, made at the time the impact fee is assessed, of the proportionate share of the costs incurred or to be incurred by the unit in providing infrastructure of the applicable type in the impact zone that are necessary to provide the community level of service for the development. The amount of impact costs may not include the costs of infrastructure of the applicable type needed to raise the current level of service in the impact zone to the community level of service in the impact zone for development that is existing at the time the impact fee is assessed.

(c) As used in this section, "nonlocal revenue" means a reasonable estimate, made at the time the impact fee is assessed, of revenue that:

(1) will be received from any source (including but not limited to state or federal grants) other than a local government source; and

(2) is to be used within the impact zone to defray the capital costs of providing infrastructure of the applicable type.

(d) As used in this section, "impact deductions" means a reasonable estimate, made at the time the impact fee is assessed, of the amounts from the following sources that will be paid during the ten (10) year period after assessment of the impact fee to defray the capital costs of providing infrastructure of the applicable types to serve a development:

(1) Taxes levied by the unit or on behalf of the unit by an applicable infrastructure agency that the fee payer and future owners of the development will pay for use within the geographic area of the unit.

(2) Charges and fees, other than fees paid by the fee payer under this chapter, that are imposed by any of the following for use within the geographic area of the unit:

(A) An applicable infrastructure agency.

(B) A governmental entity.

(C) A not-for-profit corporation created for governmental purposes.

Charges and fees covered by this subdivision include tap and availability charges paid for extension of services or the provision of infrastructure to the development.

(e) An impact fee on a development may not exceed:

(1) impact costs; minus

(2) the sum of nonlocal revenues and impact deductions.

*As added by P.L.221-1991, SEC.22.*

#### **IC 36-7-4-1322**

#### **Fee assessment date; increase or decrease in fees; developments against which fees may not be assessed; existing contracts**

Sec. 1322. (a) Except as provided in subsection (b), an impact fee ordinance must require that, if the fee payer requests, an impact fee on a development must be assessed not later than thirty (30) days after the earlier of:

(1) the date the fee payer obtains an improvement location permit for the development; or

(2) the date that the fee payer voluntarily submits to the unit a development plan for the development and evidence that the property is properly zoned for the proposed development. The plan shall be in the form prescribed by the unit's zoning ordinance and shall contain reasonably sufficient detail for the unit to calculate the impact fee.

(b) An impact fee ordinance may provide that if a proposed development is of a magnitude that will require revision of the zone improvement plan in order to appropriately serve the new development, the unit shall revise the unit's zone improvement plan and shall assess an impact fee on a development not later than one

hundred eighty (180) days after the earlier of the following:

(1) The date on which the fee payer obtains an improvement location permit for the development.

(2) The date on which the fee payer submits to the unit a development plan for a development and evidence that the property is properly zoned for the proposed development. The development plan must be in the form prescribed by the unit's zoning ordinance and must contain reasonably sufficient detail for the unit to calculate the impact fee.

(c) An impact fee assessed under subsections (a) or (b) may be increased only if the structural building permit has not been issued for the development and the requirements of subsection (d) are satisfied. In the case of a phased development, only a portion of an impact fee assessed under subsection (a) or (b) that is attributable to the portion of the development for which a permit has not been issued may be increased if the requirements of subsection (d) are satisfied.

(d) Unless the improvement location permit or development plan originally submitted for the development is changed so that the amount of impact on infrastructure the development creates in the impact zone is significantly increased, an impact fee assessed under:

(1) subsection (a)(1) or (b)(1) may not be increased for the period of the improvement location

permit's validity; and

(2) subsection (a)(2) or (b)(2) may not be increased for three (3) years.

(e) An impact fee assessed under subsection (a) or (b) shall be decreased if the improvement location permit or development plan originally submitted for the development is changed so that the amount of impact on infrastructure that the development creates in the impact zone is significantly decreased. If a change occurs in the permit or plan that results in a decrease in the amount of the impact fee after the fee has been paid, the unit that collected the fee shall immediately refund the amount of the overpayment to the fee payer.

(f) If the unit fails to assess an impact fee within the period required by subsection (a) or (b), the unit may not assess an impact fee on the development unless the development plan originally submitted for the development is materially and substantially changed.

(g) Notwithstanding other provisions in this chapter, a unit may not assess an impact fee against a development if:

(1) an improvement location permit has been issued for all or a part of a development before adoption of an impact fee ordinance that is in compliance with this chapter; and

(2) the development satisfies all of the following criteria:

(A) The development is zoned for commercial or industrial use before January 1, 1991.

(B) The development will consist primarily of new buildings or structures. As used in this clause, the term "new buildings or structures" does not include additions or expansions of existing buildings or structures.

(C) The parts of the development for which a structural building permit has not been issued are owned or controlled by the person that owned or controlled the development on January 1, 1991.

(D) A structural building permit is issued for the development not more than four (4) years after the effective date of the impact fee ordinance.

(E) The development is part of a common scheme of development that:

(i) involves land that is contiguous;

(ii) involves a plan for development that includes a survey of the land, engineering drawings, and a site plan showing the anticipated size, location, and use of buildings and the anticipated location of streets, sewers, and drainage;

(iii) if plan approval is required, resulted in an application being filed with an appropriate office, commission, or official of the unit before January 1, 1991, that resulted or may result in approval of any phase of the development plan referred to in item (ii);

(iv) has been diligently pursued since January 1, 1991;

(v) resulted before January 1, 1991, in a substantial investment in creating, publicizing, or implementing the common scheme of development; and

(vi) involved the expenditure of significant funds before January 1, 1991, for the provision of improvements, such as roads, sewers, water treatment facilities, water storage facilities, water distribution facilities, drainage systems, or parks, that are on public lands or are available for other development in the area.

(h) Notwithstanding any other provision of this chapter, this chapter does not impair the validity of any contract between a unit and a fee payer that was:

(1) entered into before January 1, 1991; and

(2) executed in consideration of zoning amendments or annexations requested by the fee payer.

*As added by P.L.221-1991, SEC.23.*

### **IC 36-7-4-1323**

#### **Fee due date; proration; repeal or lapse of ordinance**

Sec. 1323. (a) Except as provided in section 1324 of this chapter, an impact fee assessed in compliance with section 1322 of this chapter is due and payable on the date of issuance of the structural building permit for the new development on which the impact fee is imposed.

(b) For a phased development, an impact fee shall be prorated for purposes of payment according to

the impact of the parcel for which a structural building permit is issued in relation to the total impact of the development. In accordance with section 1324 of this chapter, only the prorated portion of the assessed impact fee is due and payable on the issuance of the permit.

(c) If an impact fee ordinance is repealed, lapses, or becomes ineffective after the assessment of an impact fee on a development but before the issuance of the structural building permit for part or all of the development:

(1) any part of the impact fee attributable to the part of the development for which a structural building permit has not been issued is void and is not due and payable, in the case of a phased development; and

(2) the entire impact fee is void and is not due and payable, in the case of a development other than a phased development.

*As added by P.L.221-1991, SEC.24.*

#### **IC 36-7-4-1324**

##### **Ordinance; installment payment plan; fee upon permit issuance; interest; penalty for late payment**

Sec. 1324. (a) An impact fee ordinance must include an installment payment plan. The installment payment plan must at least offer a fee payer the option of paying part of an impact fee in equal installment payments if the impact fee is greater than five thousand dollars (\$5,000). In an installment plan under this section:

(1) a maximum of five thousand dollars (\$5,000) or five percent (5%) of the impact fee, whichever is greater, may become payable on the date the structural building permit is issued for the development on which the fee is imposed;

(2) the first installment may not become due and payable less than one (1) year after the date the structural building permit is issued for the development on which the fee is imposed; and

(3) the last installment may not be due and payable less than two (2) years after the date the structural building permit is issued for the development on which the fee is imposed.

(b) An impact fee ordinance may require an impact fee of five thousand dollars (\$5,000) or less to be paid in full on the date the structural building permit is issued for the development on which the impact fee is imposed.

(c) An impact fee ordinance may provide that a reasonable rate of interest, not to exceed the prejudgment rate of interest in effect at the time the interest accrues, may be charged if the fee payer elects to pay in installments. If interest is charged, the ordinance must provide that interest accrues only on the portion of the impact fee that is outstanding and does not begin to accrue until the date the structural building permit is issued for the development or the part of the development on which the impact fee is imposed.

(d) An impact fee ordinance may provide that if all or part of an installment is not paid when due and payable, the amount of the installment shall be increased on the first day after the installment is due and payable by a penalty amount equal to ten percent (10%) of the installment amount that is overdue. If interest is charged under subsection (c), the interest shall be charged on the penalty amount.

*As added by P.L.221-1991, SEC.25.*

#### **IC 36-7-4-1325**

##### **Collection of unpaid fees; lien; receipt for payments**

Sec. 1325. (a) A unit may use any legal remedy to collect an impact fee imposed by the unit. A unit must bring an action to collect an impact fee and all penalties, costs, and collection expenses associated with a fee not later than ten (10) years after the fee or the prorated portion of the impact fee first becomes due and payable.

(b) On the date a structural building permit is issued for the development of property on which the impact fee is assessed, the unit acquires a lien on the real property for which the permit is issued. For a phased development, the amount of the lien may not exceed the prorated portion of the impact fee due and payable in one (1) or more installments at the time the structural building permit is issued.

(c) A lien acquired by a unit under this section is not affected by a sale or transfer of the real property subject to the lien, including the sale, exchange, or lease of the real property under IC 36-1-11.

(d) A lien acquired by a unit under this section continues for ten (10) years after the impact fee or the prorated portion of the impact fee becomes due and payable. However, if an action to enforce the lien is filed within the ten (10) year period, the lien continues until the termination of the proceeding.

(e) A holder of a lien of record on any real property on which an impact fee is delinquent may pay the delinquent impact fee and any penalties and costs. The amount paid by the lien holder is an additional lien on the real property in favor of the lien holder and is collectible in the same manner as the original lien.

(f) If a person pays an impact fee assessed against any real property, the person is entitled to a receipt for the payment that is:

- (1) on a form prescribed by the impact fee ordinance; and
- (2) issued by a person designated in the impact fee ordinance.

*As added by P.L.221-1991, SEC.26.*

### **IC 36-7-4-1326**

#### **Ordinance; special reduced rates for affordable housing development**

Sec. 1326. (a) An impact fee ordinance may provide for a reduction in an impact fee for housing development that provides sale or rental housing, or both, at a price that is affordable to an individual or a family earning less than eighty percent (80%) of the median income for the county in which the housing development is located. If the housing development comprises more than one (1) residential unit, the impact fee reduction shall apply only to the residential units that are affordable to an individual or a family earning less than eighty percent (80%) of the median income of the county.

(b) If the impact fee ordinance provides for a reduction in an impact fee under subsection (a), the ordinance must:

(1) contain a schedule or formula that sets forth the amount of the fee reduction for various types of housing development specified in subsection (a);

(2) require that, as a condition of receiving the fee reduction, the owner execute an agreement that:

(A) is binding for a period of at least five (5) years on the owner and subsequent owners; and

(B) limits the tenancy of residential units receiving the fee reduction to individuals or families who at the time the tenancy is initiated are earning less than eighty percent (80%) of the median income of the county;

(3) contain standards to be used in determining if a particular housing development specified in subsection (a) will receive a fee reduction; and

(4) designate a board or an official of the unit to conduct the hearing required by subsection (c).

(c) A fee reduction authorized by this section must be approved by a board or official of the unit at a public hearing.

*As added by P.L.221-1991, SEC.27.*

### **IC 36-7-4-1327**

#### **Fee reduction; appeal procedures**

Sec. 1327. An impact fee ordinance must provide a procedure through which the fee reduction decision made under section 1326 of this chapter may be appealed by the following persons:

(1) The person requesting the fee reduction.

(2) An infrastructure agency responsible for infrastructure of the applicable type for the impact zone in which the impact fee reduction is granted.

*As added by P.L.221-1991, SEC.28.*

### **IC 36-7-4-1328**

#### **Fee reduction; complementary payment by granting unit**

Sec. 1328. A unit that provides a fee reduction under section 1326 of this chapter shall pay into the account or accounts established for the impact zone in which the fee was reduced an amount equal to the amount of the fee reduction.

*As added by P.L.221-1991, SEC.29.*

#### **IC 36-7-4-1329**

##### **Fund for impact fee collections; establishment; management; reports**

Sec. 1329. (a) A unit imposing an impact fee shall establish a fund to receive amounts collected under this series.

(b) Money in a fund established under subsection (a) at the end of the unit's fiscal year remains in the fund. Interest earned by the fund shall be deposited in the fund.

(c) The fiscal officer of the unit shall manage the fund according to the provisions of this series. The fiscal officer shall annually report to the unit's plan commission and to each infrastructure agency responsible for infrastructure in an impact zone. The report must include the following:

(1) The amount of money in accounts established for the impact

zone.

(2) The total receipts and disbursements of the accounts established for the impact zone.

(d) A separate account shall be established in the fund for each impact zone established by the unit and for each infrastructure type within each zone. Interest earned by an account shall be deposited in that account.

*As added by P.L.221-1991, SEC.30.*

#### **IC 36-7-4-1330**

##### **Use of fees**

Sec. 1330. An impact fee collected under this series shall be used for the following purposes:

(1) Providing funds to an infrastructure agency for the provision of new infrastructure that:

(A) is necessary to serve the new development in the impact zone from which the fee was collected; and

(B) is identified in the zone improvement plan.

(2) In an amount not to exceed five percent (5%) of the annual collections of an impact fee, for expenses incurred by the unit that paid for the consulting services that were used to establish the impact fee ordinance.

(3) Payment of a refund under section 1332 of this chapter.

(4) Payment of debt service on an obligation issued to provide infrastructure described in subdivision (1).

*As added by P.L.221-1991, SEC.31.*

#### **IC 36-7-4-1331**

##### **Infrastructure construction**

Sec. 1331. (a) An infrastructure agency shall, within the time described in the zone improvement plan, construct infrastructure for which:

(1) a zone improvement plan has been adopted;

(2) an impact zone has been established; and

(3) an impact fee has been collected.

(b) A unit may amend the unit's zone improvement plan, including the time provided in the plan for construction of infrastructure, only if the amount of expenditures provided for the construction of infrastructure in the original plan does not decrease in any year and the benefit to the overall impact zone does not decrease because of the amendment.

*As added by P.L.221-1991, SEC.32.*

**IC 36-7-4-1332****Impact fee refunds**

Sec. 1332. (a) A fee payer is entitled to a refund of an impact fee if an infrastructure agency:

(1) has failed to complete a part of the infrastructure for which the impact fee was imposed not later than:

(A) twenty-four (24) months after the time described in

section 1331 of this chapter; or

(B) a longer time as is reasonably necessary to complete the infrastructure if unforeseeable and extraordinary circumstances that are not in whole or in part caused by the unit have delayed the construction;

(2) has unreasonably denied the fee payer the use and benefit of the infrastructure during the useful life of the infrastructure; or

(3) has failed within the earlier of:

(A) six (6) years after issuance of the structural building permit; or

(B) the anticipated infrastructure completion date as specified in the zone improvement plan existing on the date the impact fee was collected;

to make reasonable progress toward completion of the specific infrastructure for which the impact fee was imposed or thereafter fails to make reasonable progress toward completion.

(b) An application for a refund under subsection (a) must be filed with the unit that imposed the impact fee not later than two (2) years after the right to a refund accrues. A unit shall issue a refund in part or in full or shall reject the application for refund not later than thirty (30) days after receiving an application for a refund.

(c) If a unit approves a refund in whole or in part, the unit shall pay the amount approved, plus interest from the date on which the impact fee was paid to the date the refund is issued. The interest rate shall be the same rate as the rate that the unit's impact fee ordinance provides for impact fee payments paid in installments.

(d) If a unit rejects an application for refund or approves only a partial refund, the fee payer may appeal not later than sixty (60) days after the rejection or partial approval to the unit's impact fee review board established under section 1338 of this chapter by filing with the board an appeal on a form prescribed by the board. The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person.

(e) An impact fee ordinance shall designate the employee or official of the unit who is responsible for accepting, rejecting, and paying a refund and interest.

(f) A unit's impact fee review board shall hold a hearing on all appeals for a refund under this section. The hearing shall be held not later than forty-five (45) days after the application for appeal is filed with the board. A unit's impact fee review board shall provide notice of the application for refund to the infrastructure agency responsible for the infrastructure for which the impact fee was imposed.

(g) An impact fee review board holding a hearing under subsection (f) shall determine the amount of a refund that shall be made to the fee payer from the account established for the infrastructure for which the fee was imposed. A refund ordered by the board must include interest from the date the impact fee was paid to the date the refund is issued at the same rate the ordinance provides for impact fee payments paid in installments.

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(h) A party aggrieved by a final decision of an impact fee review board in a hearing under subsection (f) may appeal to the circuit or superior court of the county in which the unit is located and is entitled to a trial de novo.

*As added by P.L.221-1991, SEC.33.*

**IC 36-7-4-1333****Impact fees; appeal of amount before impact review board; judicial review; effect on pending fee**

**payments**

Sec. 1333. (a) A person against whom an impact fee has been assessed may appeal the amount of the impact fee. A unit may not deny issuance of a structural building permit on the basis that an impact fee has not been paid or condition issuance of the permit on the payment of an impact fee. However, in the case of an impact fee of one thousand dollars (\$1,000) or less a unit may require a fee payer to:

- (1) pay the impact fee; or
- (2) bring an appeal under this section;

before the unit issues a structural building permit for the development for which the impact fee was assessed.

(b) A person must file a petition for a review of the amount of an impact fee with the unit's impact fee review board not later than thirty (30) days after issuance of the structural building permit for the development for which the impact fee was assessed. An impact fee ordinance may require a petition to be accompanied by payment of a reasonable fee not to exceed one hundred dollars (\$100). A fee payer shall receive a full refund of the filing fee if:

- (1) the fee payer prevails;
- (2) the amount of the impact fee or the reductions or credits against the fee is adjusted by the unit, the board, or a court; and
- (3) the body ordering the adjustment finds that the amount of the fee, reductions, or credits were arbitrary or capricious.

(c) A unit's impact fee review board shall prescribe the form of the petition for review of an impact fee under subsection (b). The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person. The form must require the petitioner to specify:

- (1) a description of the new development on which the impact fee has been assessed;
- (2) all facts related to the assessment of the impact fee; and
- (3) the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitations set forth in this series.

(d) A unit's impact fee review board shall prescribe a form for a response by a unit to a petition for review under this section. The board shall issue instructions for completion of the form. The form must require the unit to indicate:

- (1) agreement or disagreement with each item indicated on the petition for review under subsection (c); and
- (2) the reasons the unit believes that the amount of the fee

assessed is correct.

(e) Immediately upon the receipt of a timely filed petition on the form prescribed under subsection (c), a unit's impact fee review board shall provide a copy of the petition to the unit assessing the impact fee. The unit shall not later than thirty (30) days after the receipt of the petition provide to the board a completed response to the petition on the form prescribed under subsection (d). The board shall immediately forward a copy of the response form to the petitioner.

(f) An impact fee review board shall:

- (1) review the petition and the response submitted under this section; and
- (2) determine the appropriate amount of the impact fee not later than thirty (30) days after submission of both petitions.

(g) A fee payer aggrieved by a final determination of an impact fee review board may appeal to the circuit or superior court of the county in which the unit is located and is entitled to a trial de novo. If the assessment of a fee is vacated by judgment of the court, the assessment of the impact fee shall be remanded to the board for correction of the impact fee assessment and further proceedings in accordance with law.

(h) If a petition for a review or an appeal of an impact fee assessment is pending, the impact fee is not due and payable until after the petition or appeal is finally adjudicated and the amount of the fee is

determined.

*As added by P.L.221-1991, SEC.34.*

#### **IC 36-7-4-1334**

##### **Ordinance; appeal provision for amount of fees**

Sec. 1334. An impact fee ordinance must set forth the reasons for which an appeal of the amount of an impact fee may be made. The impact fee ordinance must provide that an appeal of the amount of an impact fee may be made for the following reasons:

(1) A fact assumption used in determining the amount of an impact fee is incorrect.

(2) The amount of the impact fee is greater than the amount allowed under sections 1320, 1321, and 1322 of this chapter.

*As added by P.L.221-1991, SEC.35.*

#### **IC 36-7-4-1335**

##### **Fee payer credits; infrastructure or improvements; amount of credit**

Sec. 1335. (a) As used in this section, "improvement" means an improvement under section 1313(2) of this chapter or a site improvement, land, or real property interest as follows:

(1) That is to be used for at least one (1) of the infrastructure purposes specified in section 1309 of this chapter.

(2) That is included in or intended to be used relative to an infrastructure type for which the unit has imposed an impact fee in the impact zone.

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(3) That is not a type of improvement that is uniformly required by law or rule for the type of development on which the impact fee has been imposed.

(4) That is or will be:

(A) public property; or

(B) furnished or constructed under requirements of the unit and is or will be available for use by other development in the area.

(5) That is beneficial to existing development and future development in the impact zone and is not beneficial to only one (1) development.

(6) That either:

(A) allows the removal of a component of infrastructure planned for the impact zone;

(B) is a useful addition to the zone improvement plan; or

(C) is reasonably likely to be included in a future zone improvement plan for the impact zone.

(7) That is:

(A) constructed, furnished, or guaranteed by a bond or letter of credit under a request by an authorized official of the:

(i) applicable infrastructure agency; or

(ii) unit that imposed the impact fee; or

(B) required to be constructed or furnished under a written commitment that:

(i) is requested by an authorized official of the applicable infrastructure agency or the unit that imposed the impact fee;

(ii) concerns the use or developing of the development against which the impact fee is imposed; and

(iii) is made under section 1015 of this chapter.

(b) A fee payer is entitled to a credit against an impact fee if the owner or developer of the development constructs or provides:

(1) infrastructure that is an infrastructure type for which the unit imposed an impact fee in the impact zone; or

(2) an improvement.

(c) A fee payer is entitled to a credit under this section for infrastructure or an improvement that:

- (1) is constructed or furnished relative to a development after January 1, 1989; and
- (2) meets the requirements of this section.

(d) The amount of a credit allowed under this section shall be determined at the date the impact fee is assessed. However, if an assessment is not requested, the amount of the credit shall be determined at the time the structural building permit is issued. The amount of the credit shall be:

- (1) determined by the:
  - (A) person constructing or providing the infrastructure or improvement; and
  - (B) applicable infrastructure agency; and
- (2) equal to the sum of the following:

- 
- (A) The cost of constructing or providing the infrastructure or improvement.
  - (B) The fair market value of land, real property interests, and site improvements provided.

(e) The amount of a credit may be increased or decreased after the date the impact fee is assessed if, between the date the impact fee is assessed and the date the structural building permit is issued, there is a substantial and material change in the cost or value of the infrastructure or improvement that is constructed or furnished from the cost or value determined under subsection (d). However, at the time the amount of a credit is determined under subsection (d), the person providing the infrastructure or improvement and the applicable infrastructure agency may agree that the amount of the credit may not be changed. The person providing the infrastructure or improvement may waive the person's right to a credit under this section.

*As added by P.L.221-1991, SEC.36. Amended by P.L.126-2011, SEC.43.*

#### **IC 36-7-4-1336**

##### **Fee payer credits; petition to determine amount; proceeding before impact review board**

Sec. 1336. (a) If the parties cannot agree on the cost or fair market value under section 1335(d) of this chapter, the fee payer or the person constructing or providing the infrastructure or improvement may file a petition for determination of the amount of the credit with the unit's impact fee review board not later than thirty (30) days after the structural building permit is issued for the development on which the impact fee is imposed. A petition under this subsection may be made as part of an appeal proceeding under section 1334 of this chapter or may be made under this section.

(b) An impact fee review board shall prescribe the form of the petition for determination of the amount of a credit under this section. The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person.

(c) An impact fee review board shall prescribe a form for a response by the applicable infrastructure agency to a petition under this section for determination of a credit amount. The board shall issue instructions for completion of the form.

(d) Immediately after receiving a timely filed petition under this section for determination of a credit amount, an impact fee review board shall provide a copy of the petition to the applicable infrastructure agency. Not later than thirty (30) days after receiving a copy of the petition, the infrastructure agency shall provide to the board a response on the form prescribed under subsection (c). The board shall immediately provide the petitioner with a copy of the infrastructure agency's response.

- (e) The impact fee review board shall:
  - (1) review a petition and response filed under this section; and

- 
- (2) determine the amount of the credit not later than thirty (30) days after the response is filed.

- (f) A fee payer aggrieved by a final determination of an impact fee review board under this section:
  - (1) may appeal to the circuit or superior court of the county in which the unit is located; and
  - (2) is entitled to a trial de novo.

*As added by P.L.221-1991, SEC.37.*

#### **IC 36-7-4-1337**

##### **Ordinance; allocation of credits to fee payer provisions**

Sec. 1337. An impact fee ordinance shall do the following:

(1) Establish a method for reasonably allocating credits to fee payers in situations in which the person providing infrastructure or an improvement is not the fee payer.

(2) Allow the person providing infrastructure or an improvement to designate in writing a reasonable and administratively feasible method of allocating credits to future fee payers.

*As added by P.L.221-1991, SEC.38.*

### **IC 36-7-4-1338**

#### **Impact fee review board; membership; powers and duties**

Sec. 1338. (a) Each unit that adopts an impact fee ordinance shall establish an impact fee review board consisting of three (3) citizen members appointed by the executive of the unit. A member of the board may not be a member of the plan commission. An impact fee ordinance must do the following:

(1) Set the terms the members shall serve on the board.

(2) Establish a procedure through which the unit's executive shall appoint a temporary replacement member meeting the qualifications of the member being replaced in the case of conflict of interest.

(b) An impact fee review board must consist of the following members:

(1) One (1) member who is a real estate broker licensed in Indiana.

(2) One (1) member who is an engineer licensed in Indiana.

(3) One (1) member who is a certified public accountant.

(c) An impact fee review board shall review the amount of an impact fee assessed, the amount of a refund, and the amount of a credit using the following procedures:

(1) The board shall fix a reasonable time for the hearing of appeals.

(2) At a hearing, each party may appear and present evidence in person, by agent, or by attorney.

(3) A person may not communicate with a member of the board before the hearing with intent to influence the member's action on a matter pending before the board.

(4) The board may reverse, affirm, modify, or otherwise

establish the amount of an impact fee, a credit, a refund, or any combination of fees, credits, or refunds. For purposes of this subdivision, the board has all the powers of the official of the unit from which the appeal is taken.

(5) The board shall decide a matter that the board is required to hear:

(A) at the hearing at which the matter is first presented; or

(B) at the conclusion of the hearing on the matter, if the matter is continued.

(6) Within five (5) days after making a decision, the board shall provide a copy of the decision to the unit and the fee payer involved in the appeal.

(7) The board shall make written findings of fact to support the board's decision.

*As added by P.L.221-1991, SEC.39.*

### **IC 36-7-4-1339**

#### **Declaratory relief; challenge of ordinance**

Sec. 1339. (a) This section applies to a person having an interest in real property that may be subject to an impact fee ordinance if the development occurs on the property.

(b) A person may seek to:

(1) have a court determine under IC 34-26-1 any question of construction or validity arising under the impact fee ordinance; and

(2) obtain a declaration of rights, status, or other legal relations under the ordinance.

(c) The validity of an impact fee ordinance adopted by a unit or the validity of the application of the ordinance in a specific impact zone may be challenged under this section on any of the following grounds:

(1) The unit has not provided for a zone improvement plan in the unit's comprehensive plan.

(2) The unit did not prepare or substantially update the unit's zone improvement plan in the year

preceding the adoption of the impact fee ordinance.

(3) The unit has not identified the revenue sources the unit intends to use to implement the zone improvement plan, if identification of the revenue sources is required under section 1318(c) of this chapter.

(4) The unit has not complied with the requirements of section 1318(f) of this chapter.

(5) The unit has not made adequate revenue available to complete infrastructure improvements identified in the unit's zone improvement plan.

(6) The impact fee ordinance imposes fees on new development that will not create a need for additional infrastructure.

(7) The impact fee ordinance imposes on new development fees that are excessive in relation to the infrastructure needs created by the new development.

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(8) The impact fee ordinance does not allow for reasonable credits to fee payers.

(9) The unit imposed a prohibition or delay on new development to enable the unit to complete the adoption of an impact fee ordinance.

(10) The unit otherwise fails to comply with this series in the adoption of an impact fee ordinance.  
*As added by P.L.221-1991, SEC.40. Amended by P.L.1-1998, SEC.206.*

#### **IC 36-7-4-1340**

##### **Ordinance; effective date; duration; replacement**

Sec. 1340. (a) An impact fee ordinance may take effect not earlier than six (6) months after the date on which the impact fee ordinance is adopted by a legislative body.

(b) An impact fee may not be collected under an impact fee ordinance more than five (5) years after the effective date of the ordinance. However, a unit may adopt a replacement impact fee ordinance if the replacement impact fee ordinance complies with the provisions of this series.

*As added by P.L.221-1991, SEC.41.*

#### **IC 36-7-4-1341**

##### **Delay of new development pending fee process**

Sec. 1341. A unit may not prohibit or delay new development to wait for the completion of all or a part of the process necessary for the development, adoption, or updating of an impact fee.

*As added by P.L.221-1991, SEC.42.*

#### **IC 36-7-4-1342**

##### **Application of 1300 Series to certain towns; expiration of provision**

Sec. 1342. The general assembly finds that the powers of a local governmental unit to permit and provide for infrastructure are not limited by the provisions of this chapter except as expressly provided in this chapter.

*As added by P.L.221-1991, SEC.43.*

#### **IC 36-7-4-1400**

##### **1400 Series Development Plans; application of certain amendments to chapter**

Sec. 1400. (a) This section and sections 1401, 1401.5, 1402, 1403, 1404, 1405, and 1406 of this chapter apply only to development plans initially submitted after December 31, 1995.

(b) This series (sections 1400 through 1499 of this chapter) may be cited as follows: 1400 SERIES DEVELOPMENT PLANS.

*As added by P.L.320-1995, SEC.22. Amended by P.L.220-2011, SEC.662.*

#### **IC 36-7-4-1401**

##### **"Development requirement" defined**

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# **Appendix B: Westfield Ordinance 97-23**

## ORDINANCE NUMBER 97-23

9709755374  
Filed for Record in  
HAMILTON COUNTY, INDIANA  
MARY L CLARK  
On 12-23-1997 At 12:21 pm.  
ORDINANCE 73.00

### AN ORDINANCE TO ESTABLISH AN IMPACT FEE FOR THE PURPOSE OF PLANNING AND FINANCING PARK AND RECREATIONAL INFRASTRUCTURE NEEDED TO SERVE RESIDENTIAL DEVELOPMENT

**WHEREAS**, the procedures for enacting an Impact Fee Ordinance are contained in IC 36-7-4-1300-1341; and

**WHEREAS**, the Westfield Washington Township Plan Commission and the Impact Fee Advisory Committee, have reviewed certain information prepared by the Community Development Department; and

**WHEREAS**, the Westfield-Washington Township Plan Commission is required to hold public hearings for the Westfield Town Council on any Impact Fee Ordinance established; and

**WHEREAS**, the Impact Fee Advisory Committee, as established under IC 36-7-4-1312, at its meetings on November 11, 1997 and November 18, 1997 recommended the establishment of an Impact Fee that is not onerous on the payer; and

**WHEREAS**, such Impact Fee Ordinance will only apply to certain improvements and developments within the impact zone as specified in the Parks & Recreation Zone Improvement Plan (October 1997); and

**WHEREAS**, the Westfield-Washington Township Plan Commission did properly advertise and conduct a public hearing on the establishment of Impact Fees as required by IC 36-7-4-1311 on Monday, November 24, 1997; and

**WHEREAS**, the Westfield-Washington Township Plan Commission did send a positive recommendation to the Westfield Town Council regarding the Park Impact Fee Ordinance.

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT PURSUANT TO IC 36-7-4-1311 THE WESTFIELD TOWN COUNCIL ADOPT THIS PARK AND RECREATION IMPACT FEE ORDINANCE AS AN AMENDMENT TO THE WESTFIELD TOWN ORDINANCES AND ADD ARTICLE III SECTIONS 40-51 THROUGH 40-65 ENTITLED PARKS AND RECREATION IMPACT FEES TO READ AS FOLLOWS:**

## **Article III Parks and Recreation Impact Fee**

### **Section 40-51 Establishment of impact zone; application of article**

a. There is hereby established a parks and recreation infrastructure Impact Zone, the borders of which are coterminous with the existing corporate limits of the town, as they may be extended from time to time through annexation, and over which the town exercises planning and zoning jurisdiction.

b. The council finds that all areas within the Impact Zone are contiguous as required in IC36-7-4-1316.

c. Except as provided below, this Ordinance shall apply uniformly to all developments within the Impact Zone hereby established for which the Town of Westfield may require an improvement location permit and which creates a need for new and additional Parks and Recreation Infrastructure.

d. This ordinance shall not apply to:

1. Improvements which do not require an improvement location permit;

2. Improvements which do not create a need for new and additional Parks and Recreation infrastructure, including the erection of a sign, construction of accessory building, structures or fences or the alteration, renovation or expansion of an improvement where the use or intensity thereof, has not changed; or

3. the replacement of a destroyed or partially destroyed improvement, provided that the replacement improvement does not create a need for new and additional parks and recreation infrastructure over and above the infrastructure needed by the original improvement prior to the destruction or partial destruction thereof.

4. a single-family dwelling that is located on a lot in a subdivision which is more than 80 percent developed as of the effective date of the ordinance from which this article is derived (June 8, 1998).

### **Section 40-52 Zone Improvement Plan**

The Council has heretofore adopted by resolution the Zone Improvement Plan and finds in this regard that the Zone Improvement Plan does contain the following elements:

a. Reasonable estimates relating to the nature and location of development that is expected within the Impact Zone during the planning period as defined in the Zone Improvement Plan.

**Ordinance 97-23 (cont.)**

- b. A reasonable determination of the community level of service for the Impact Zone
- c. A reasonable determination of the current level of service provided within the Impact Zone.
- d. A reasonable estimate of the nature, location, sequencing, and timing of the park and recreational improvements and costs necessary to provide the community level of service for the developments contemplated in subparagraph (a) hereof.
- e. A description of the nature and location of existing infrastructure in the Impact Zone.
- f. A general description of the sources and amounts of money used to pay for infrastructure during the previous five years.

In addition the Council has specifically adopted the Zone Improvement Plan as an official part of the Westfield Washington Township Comprehensive Plan pursuant to IC 36-7-4-500 et seq.

**Section 40-53                      Establishment of Parks and Recreation Impact Fees**

Based upon the Zone Improvement Plan previously referred to and which is made a part of the Ordinance the Council determines that the impact costs, minus the sum of nonlocal revenues and impact deductions ( as defined in IC 36-7-4-1321), equal the amount of two hundred six dollars (\$206.00) per equivalent dwelling unit, and that, therefore, the impact fee to be imposed on every development subject to this ordinance shall equal the product of: (a) Two hundred and six Dollars(\$206.00), times (b) the number of equivalent dwelling units to be constructed pursuant to the improvement location permit obtained by the fee payer.

The Council does hereby make as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached in the creation of the Zone Improvement Plan, and specifically instructs the Community Development Department to make such data and other information inclusively available to anyone for review during regular business hours.

**Section 40-54            Credit in Lieu of Payment: Exemptions**

Pursuant to IC 36-7-4-1335, any person obligated to pay a fee pursuant to the terms of this ordinance may be granted the option of financing, constructing and dedicating Parks and Recreation Infrastructure instead of making all or part of any impact fee payment which may be due, so long as such financing, construction, and dedication are accomplished pursuant to the Zone Improvement Plan and with the consent and acceptance of the Town Council. Such fee payer, or other person providing the infrastructure or improvement, shall be allowed a credit in an amount equal to the sum of (a) the actual cost of constructing or providing the infrastructure or improvements, plus (b) the fair market value of the land, real property interests, and site improvements provided. The amount of the credit shall be determined by agreement (the "Credit Agreement") between the person constructing or providing the infrastructure or improvement and the Town Council. A fee payer shall make a request for credit prior to the issuance of the improvement location permit. In the event the credit is less than the amount of the impact fee due pursuant to Section 40-52 above, the remaining balance shall be due in accordance with the provisions stated hereafter.

Credits against impact fees otherwise due shall be allowed pursuant to this section for all infrastructure and improvements constructed or furnished in accordance with IC 36-7-4-1313 and IC 36-7-4-1335 since January 1, 1989.

Any person otherwise obligated to pay the fee established by the Ordinance whose property was totally or partially destroyed by fire, storm or other casualty beyond his or her control, shall be exempt from said fee if such person repairs or replaces the destroyed structure without creating a burden on Parks and Recreation Infrastructure greater than the burden imposed by the destroyed structure. In the event of such additional burden, the fee shall be calculated based only on the increased burden created by the structure.

**Section 40-55            Impact Fee Due Upon Issuance of Improvement Location Permit**

The impact fee imposed pursuant to the terms of this Ordinance shall be due and payable upon the issuance of an improvement location permit. The entire fee which is calculated pursuant to the terms of this Ordinance shall be due at said time unless the amount of the fee upon calculation is greater than Five Thousand Dollars (\$5,000), in which case an installment plan may be requested by the applicant in accordance with the terms set forth in IC 36-7-4-1324(a),(b),(c) and (d). The Impact Fee Review Board shall establish specific rules consistent with said code provisions for installment payments. The interest rate on any installment plan or deferred payment shall be the pre-judgment rate of interest set forth in the Indiana code as from time to time amended. If a fee payer requests, the amount of the impact fee shall be assessed upon the voluntary submission of a development plan or upon the issuance of the improvement location permit, whichever is earlier. For purposes of this section, "assessment" means the act of

**Ordinance 97-23 (cont.)**

calculating the amount of the impact fee which shall be due. The Community Development Department shall make such assessment within thirty (30) days of the date of such voluntary request or at the issuance of the improvement location permit with or without a request.

**Section 40-56 Lien Rights Established**

Pursuant to IC 36-7-4-1325, the Town of Westfield acquires a lien against the real estate which is the subject of the impact fee. Upon adoption, this ordinance shall be recorded, and, thereafter, it shall constitute constructive notice of the lien rights of the Town. The Town may, in its discretion, file a specific instrument setting forth its lien rights with respect to a parcel of real estate which is the subject of an installment payment plan for an impact fee, and such instrument shall constitute actual notice in addition to the constructive actual notice provided for by the recording of this Ordinance.

**Section 40-57 Form of Receipt**

The Clerk-Treasurer of the Town of Westfield shall issue a receipt for any and all impact fees collected, and the following information shall be contained on or attached to the receipt as applicable:

- a. Name from who fees are received
- b. Date Received
- c. Amount Received
- d. Balance due if fee paid in installments
- e. Parcel number of real estate, address, or location

**Section 40-58 Establishment of Impact Fee Review Board; Hearing of Appeals**

The Impact Fee Review Board and their qualifications as prescribed by IC 36-7-4-1338(b) has already been established by the Town of Westfield and continues to be governed by IC 36-7-4-1338(c) and all other applicable provisions of the Impact Fee Statute.

Any fee payer who believes himself to be aggrieved by the calculation of an impact fee may appeal from such calculation to the Review Board and the Review Board shall conduct a hearing with regard thereto. At such hearing, the fee payer shall bear the burden of going forward with the evidence and shall present evidence addressing either of the following propositions:

- (a) A fact assumption used in determining the amount of the impact fee is incorrect: or
- (b) The amount of the impact fee is greater than the amount allowed under IC 36-7-4-1320, IC 36-7-4-1321, and IC 36-7-4-1322.

**Ordinance 97-23 (cont.)**

Upon conclusion of the presentation of evidence the Review Board shall make a determination within thirty (30) days , upon the facts presented and may make such adjustments in

the impact fee as it deems are appropriate under the circumstances, if any. An appeal under this Section 40-57 must be filed not later than thirty (30) days after the issuance of the improvement location permit. The appeal shall be initiated with the filing of a Petition for Review with the Community Development Department, together with a filing fee in the amount of One Hundred Dollars (\$100.00). the filing fee shall be refunded in full:

(1) if the Petition of Review is granted and the impact fee is eliminated, reduced, or adjusted by the Review Board, by independent action of the Community Development Department, or by a court having jurisdiction, and

(2) if the reviewing body determines that the amount of the fee, reductions, or credits were arbitrary or capricious.

The Petition for Review shall be in a form calculated to inform the Review Board of the nature of the complaint, the parties to the action, and the relief requested. In addition, the petition shall describe the new development on which the impact fee has been assessed, all facts related to the assessment of the impact fee, and the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitations set forth in the Impact Fee Statute. The Community Development Department shall not deny the issuance of an improvement location permit on the basis that the impact fee has not been paid, or condition issuance of the permit on the payment of the impact fee. However, unless the impact fee exceeds One Thousand Dollars (\$1,000.00) the fee payer shall pay the impact fee or initiate an appeal under this section before being issued the permit.

#### **Section 40-59                    Establishment of Impact Fee Account**

There is hereby established the "Parks & Recreation Fund", an impact fee fund with the Town of Westfield to receive any and all sums collected pursuant to this Ordinance to be utilized in connection with the purposes set forth herein. Interest earned on the fund shall be deposited and maintained within the fund. The Clerk-Treasurer of the Town of Westfield shall manage the Impact Fee Fund according to the provision of the Impact Fee Statute and maintain records of the status of any such account. Pursuant to IC 36-7-4-1329, the Clerk-Treasurer shall make an annual report to the Town Council of said accounts which shall be available to the public in general an fee payers, upon request, in particular.

#### **Section 40-60                    Refund of Fees**

The right to any refund of an impact fee shall be determined strictly in accordance with IC 36-7-4-1332, and the Clerk-Treasurer is designated, pursuant to IC 36-7-4-1332(e) as the responsible party for acting upon any refund applications that may be filed by fee payers. In order to facilitate the payment of any refunds when they may be due, the Clerk-Treasurer is directed to

**Ordinance 97-23 (cont.)**

identify the purpose of any impact fee paid in order that a refund, if any, may be paid from the account into which the fee was originally deposited.

**Section 40-61 Use of Impact Fees Collected**

The impact fees collected under the provisions of this ordinance shall be applied to implementing the Zone Improvement Plan as adopted by resolution or as hereafter amended. Should the collection of fees be less than the amount necessary to implement the Zone Improvement Plan, the Town Council shall be authorized to apply such fees on a pro rata basis in conformance with the plan objectives.

Any and all fees collected pursuant to the provisions of this Ordinance may be utilized only for the following purposes:

- (a) Providing funds to be utilized by the Town Council for the purpose of paying the capital costs of parks and recreation infrastructure that is necessary to serve new development within the Impact Zone which is identified in the Zone Improvement Plan;
- (b) Providing funds not to exceed Five Percent (5%) of the annual collections of the fees to be utilized by the Town Council for expenses incurred by such Town for the consulting services that are used with regard to the establishment and maintenance of this impact fee program.
- (c) To pay any refund that may be due under IC 36-7-4-1332;
- (d) To pay the debt service cost on an obligation issued to provide Parks and Recreation infrastructure described in subparagraph (a) above, in accordance with IC 36-10-3-27.

**Section 40-62 Infrastructure Agency**

For the purpose of this Ordinance the Westfield Town Council is identified as the "Infrastructure Agency" contemplated by IC 36-7-4-1317.

**Section 40-63 Conflicts with the Impact Fee Statute**

The Council specifically acknowledges the existence of the Impact Fee Statute, which regulates the adoption of impact fee ordinances by municipal corporations within the State of Indiana. It is the intent of the Council to comply with such legislation, and this Ordinance shall be construed in all respects to be consistent with the Impact Fee Statute. The substantive and procedural requirements of the Impact Fee Statute shall control in the event of conflicts, which are unintended by the Council.

**Section 40-64                      Amendments and Review**

The impact fee provided for herein is based upon information that ,in large part, is subject to inflation and other economic and market forces over which the Council has no control. The Council may cause a review to be made by the Community Development Department or such consultants as may be required, to determine the continuing validity of the Impact Fee, the Impact Zone, and the Zone Improvement Plan. The Council may consider and adopt such amendments as are necessary to cause a substantive compliance with all constitutional and statutory requirements. To the extent required by the facts and circumstances, this process shall include the steps necessary to update the Zone Improvement Plan and Comprehensive Plan.

**Section 40-65                      Effective Date and Expiration Date**

Pursuant to IC 36-7-4-1340, this Ordinance shall be effective six (6) months following its adoption in accordance with the Impact Fee Statute. This Ordinance shall expire five (5) years following such effective date, and no impact fee may be collected under this Ordinance after such expiration date. However, the Council may adopt a replacement impact fee Ordinance to take effect before, on, or after such expiration date if the replacement Ordinance complies with the provisions of the Impact Fee Statute.

Ordinance 97-23 (cont.)

ADOPTED AND PASSED THIS 8 DAY OF DECEMBER 1997, BY THE  
WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD TOWN COUNCIL**

Voting For

Voting Against

Abstain

<u>Jack Hart</u>	_____	_____
<u>Michael McDonald</u>	_____	_____
<u>David Mitchell</u>	_____	_____
<u>Tracy Rogers</u>	_____	_____
_____	_____	_____

ATTEST:

Teresa A. Otis  
Clerk-Treasurer, Teresa Otis

This document prepared by Brian Zaiger

# **Appendix C: Osborne Park Development Study (HCLA)**

# Hamilton County Leadership Academy

Class of 2011

Westfield Parks Department  
Osborne Park Development



Study Completed by Hamilton County Leadership Academy

Members:

Ken Lay

Chad Spitznagle

Gavin Fisher

Jim Moran



## Westfield Parks Department Osborne Park Development

### Executive Summary

With growing populations, Westfield citizens are looking for appropriate, local places to spend time with their families. An ever growing number of families count a dog as one of their members and many of the residents live in multi-family facilities or have small yards not conducive to exercise for pets.

The Parks Department believes Osborne Park, located at 17001 Ditch Road, could be an ideal site for this type of facility. By providing a designated park for dogs this will allow pet owners the opportunity to enjoy spending time in an environment specifically designed for their use as well as the ability to interact with other pet owners. A side benefit of this park will be the assist it gives to helping maintain the other parks in the city which are designed specifically for human play and recreation.

Working with the Westfield Parks Department, and in particular, with Director Melody Jones, this H.C.L.A. team has listened to ideas that not only encompass the study of building a Bark Park, but has also been engaged in investigating the possibilities of how best to utilize the majority of the 30 acres of property over and above a Bark Park. Those studies include parking, walking trails, public fishing and playground area to name just a few.

By determining the future use(s) of this site the H.C.L.A. team, along with the Westfield Parks Department, will help move the master planning for this location forward.

Studies of Bark Parks included making in-person visits to Bark Parks in Marion and Johnson Counties. As a part of those visits time was spent with the Parks Department officials of the respective counties. The H.C.L.A. team also "visited" parks via the web.

The cost for development of the Phase 1 Bark Park is approximately \$875,000 and those costs breakdowns are indicated within the report. Cost estimations for optional future uses are also included.



## Westfield Parks Department Osborne Park Development

**Target**- The area known as Osborne Park encompasses 30 acres of currently undeveloped land. In addition, a 3 acre pond exists on this property. The parcel is located off of 171<sup>st</sup> street and Ditch Road and adjacent to the Kingsbridge subdivision.

**Vision** - The development of Osborne Park into a destination facility for the entire family. The inquiries received by the Parks department indicate a strong need for recreational facilities for canines. The size of this park allows for activity areas for both small and large canines as well as future development of a public fishing site, playground equipment and walking trails.

**Process**- The Hamilton County Leadership Academy team, in conjunction with Melody Jones and the Westfield Parks Department met on a regular basis to shape the personality of the park. With inputs received from Westfield residents, in person visits to local Bark Parks (Broad Ripple and Greenwood) and virtual visits to Bark Parks via the internet, the team was able to see firsthand what dog owners deemed important to have in their community parks. Discussions with the local parks department officials help this team shape local wants and needs along with issues like security and control.

The team has also entered the City of Westfield in a contest with an opportunity to win, for Westfield, \$100,000. A Bark for Your Park event sponsored by Pet Safe. The H.C.L.A. team will promote the Pet Safe contest entry program to assist the city in having as many people as possible "Bark for their Park" on the Pet Safe website.

**Recommendation**- It is this committee's recommendation to the city of Westfield that the Parks Department develop Osborne Park in two to three phases. Beginning with the development of the Bark Park, roads and walking trail. At the Parks Department's discretion, the additional phases consisting of playground and pond/fishing development can be implemented when funding sources come available.



Westfield Parks Department  
Osborne Park Development

**Dog Park**

It is the committee's recommendation that the initial phase of the project includes three (3) fenced in areas for dog play and exercise. Two (2) areas will be designed for "large" dogs. The first "large" dog zone is 122,226 sq/ft or 2.8 acres and the second being 126,218 sq/ft or 2.9 acres. Then one (1) "small" dog area of 56,960 sq/ft or 1.3 acres. Classifications will be defined below.

As noticed on our visits to other bark parks, the entrance area past the gate is a high traffic area used by dog owners and the zone is usually muddy, sloppy, and all dirt. Our proposal is to install a concrete patio established for owners to congregate and socialize with other owners. There will also be a path to the center of the park where a shelter area will be placed. This area will offer seating as well as shade during the summer months. Another shelter area similar to a bus stop will be placed in each dog area for wind blockage but will not obstruct the visibility of their dog.

Each bark park area will have strategically placed waste bag stations. This will make for convenient waste pick up not only for the only owner but easy disposal for Parks staff. All information we have received regarding dog waste has been positive. The majority if not all of owners who properly take time to exercise their animal(s) also take responsibility for their dogs actions/waste.

Exercise equipment such as tunnels to run through and ramps to cross will be provided as entertainment in the park. Frisbees and tennis balls seem to be shared among dog owners as all parks that we visited had "toys" in the park that were not provided by the Parks Department

Dog Drinking fountains will also be provided for the proper hydration of the animals. These will be maintained on the concrete area with proper drainage to reduce the chance of a mud around the entrance to the Park. There is a bowl area in the bottom of the fountain as well as an area for owners to have a drink.



## Westfield Parks Department Osborne Park Development

Advertisements can be placed along the fence throughout the park upon request. Fees for the space will be established by the Parks Department and dependent on size and quantity.

The need for two (2) areas for large dogs is the ability to allow grass to regenerate itself in order to provide the highest quality experience for both dog and owner. If an owner knows he or she is coming home with a wet and muddy dog in their car or truck that may deter their participation and ultimately the overall success of the park. The ability to "rotate" parks is something other communities have not had the ability/luxury to do. With thirty (30) plus acres and four (4) proposed designated areas, Westfield most certainly has that ability.

Each location will need an access card to enter the zone. Through registration at the Westfield City Services Center, registrants will be issued an access card. The software will only allow registered owners to access the park they are registered for. For example, the owner of a "large" dog may not take their animal into the "small" dog area. Plus having two (2) locations proposed for each "large" and "small dogs, the access card will only let the owner enter the proper open zone. Internet access will be needed at the park and each dog park entrance to properly read stored information. The software will also keep data for Parks staff to analyze to learn more about the tendencies of the park and each zone.

Irrigation and drainage will be a must for the Bark Park zones. Similar to a golf course, proper irrigation will be needed for the daily wear and tear from human and dog traffic. On the other hand, as rain falls or snow melts, proper drainage of the park is needed so excess water does not stand at any time. These dog zones will need to be available every day of the year so all situations need to be planned for. There is approximately 7.96 acres planned in dog zones at 5k/acre for an estimate of \$39,800. Drainage will be on ongoing estimate due to bio-swell costs and other inlet features planned for parking lot.

**Dog Classification**-Parks staff holds the right to classify or reclassify a dog between the "large" and "small" dog parks. Owners will and should know the demeanor of their dog(s) and will have some good idea where they feel



## Westfield Parks Department Osborne Park Development

comfortable. This is a topic without much research since most parks only have one (1) area for all dogs.

### **Fishing Pond**

As established through the Parks Master Plan was the need for a public fishing area. The idea for good safe place to take your child or grandchild and teach them how to fish, but the ability to park close, have restroom facility, and a playground area if boredom kicks in! The fishing area will provide an ADA accessible deck in the center of the south side of the pond. As well as benches periodically placed around the pond, some with shade and some with full sun. Part of the enjoyment of teaching a child how to fish is the ability to catch fish so that will need be examined as progress continues. Stocking the pond may be an option in the short term so it's ready once the pond is all ready to go. Native grasses and natural walking trails will allow for access around the pond, but also make it so fishers are not getting tangled.

### **Park Amenities**

**Restroom**- A restroom facility will be tactically placed in the park so that it is close to all individuals using the property. With over thirty (30) acres we do not want someone to walk a mile inside the Park to use the restroom. The building will be similar to another structure used in Freedom Trail Park. This will reduce cost of engineering and design. The building will provide for cleaning and bathroom supplies as well all mechanical needs for the building. Vending machines will be placed outside this building in a lean-to type design. Price estimates for the Freedom Trail restroom, shelter (1), engineering, and design total approximately \$200k. With plans for the restroom staying the same for both Freedom Trail and Osborne Park, \$200k should cover the restroom facility and two (2) shelters since all engineering and design fees will be complete.

**Playground**- To keep Osborne functional like all Parks around the city, the need for a playground is crucial. This medium sized playground will allow for moderate traffic but also keep to a reasonable price for a playground. A structure similar in size would be to that of the playground at Asa Bales Park off of SR 32 on Camilla Ct. Anticipated costs for a small/medium structure is \$75,000.

**Shelters**- Shelters have been a source of additional income to the Parks Department for some time and while only two (2) shelters are planned for this location, the ability to expand that option is open. The shelters will be located near the playground to allow for shade and weather protection for both dog and fishing visitors.

**Solar Panels**- Solar Panels are being researched for the ability to generate our own electricity for lights in shelters as well as security lights around the park. We will need dependable electricity for the use of park entrance gates and restroom facilities but the ability to go green and reduce cost and potentially create excess electricity that we can sell back to the grid would be ideal. The Hamilton County Parks Department currently utilizes a 15,680 watt solar photovoltaic array consisting of 64 245-watt solar modules. The county website at <http://www.hamiltoncounty.in.gov/apps/solar/default.asp> gives a great description of whole solar energy process. Initial cost of the panels is approximately \$121,000. Hamilton County does not have any return on investment information since their data is not available yet. The County Nature Center requires electricity 27/7/365. That will not be required at Osborne, therefore greatly reducing the need for as many panels as the County.

**Storage Barn**- A maintenance barn for Parks staff use will be placed in the park. This will allow for storage of a truck, trailer, mowing equipment, as well as offer a work area. The need for bathrooms is not necessary at this time but may be designed to include that in additional phases. Since internet is needed for the gates of the dog park, modem and computer equipment will need proper storage. This barn can also serve as safe easy access storage for that equipment.



Westfield Parks Department  
Osborne Park Development

**Trees**- To maintain a basic maintenance schedule for the park and due to the location in an open area, no landscape beds will be planned. A plan for planting approximately 625 trees throughout the park will be scheduled in 4 phases. The first phase will include the dog park areas to establish the main purpose of the park. The first phase will also establish shade for areas around the fishing pond. The other 3 phases will be planned out over time to take care of the bio-swell, entrances and wind block, and a "light forested area." The light forested area will be designed by Parks staff and placed on the southeast side of the property. This area will give the property a "buffer" between neighboring homeowners to ease any concerns about noise or other issues. With large open fields to the south and west of the property, establishing some wind blocking trees is essential. Wind blockage will also increase the winter usage of the park as staff time removing snow in the winter.

**Disk Golf**-Disk golf is an exploding recreational sport for all ages and individuals. The Parks Master Plan has tagged disk golf as a major interest of residents and something that definitely needs to be considered in a current or future park.



**Westfield Parks Department  
Osborne Park Development**

<b>FENCING</b>		<b>Bark Park Areas</b>
K & K Fencing Keith Cochran 317.359.5425		<b>Linear Feet</b>
	Small park	<b>917</b>
	Large Park (2)	<b>2,155</b>
	Check in Area	<b>2,340</b>
	<b>Total Fence(Linear Feet)</b>	<b>5,412</b>
	Cost of 5' Black Vinyl Fence	\$20 per ft <b>\$108,240.00</b>
	Key Fob Central Indiana Security 536-1818	\$1,250ea (12) <b>\$15,000.00</b>
	Gate	\$300 each (4) <b>\$1,200.00</b>
	Double Gate	\$600 each (4) <b>\$2,400.00</b>
	<b>Park Fencing Total</b>	<b>\$126,840.00</b>
<b>Bike Racks (Outdoorbikeracks.com)</b>		
	9 bikes per rack (3)	\$400 ea <b>\$1,200.00</b>
<b>Doggy Stations (zerowasteusa.com)</b>		
	Gladiator Zero Waste (9)	\$425ea <b>\$3,681.00</b>
<b>Solar Panels</b>		
	County Contract	<b>\$120,579.00</b>
<b>Exercise Equipment</b>		
	ultraplay.com	<b>\$12,000.00</b>
<b>Playground Equipment/Swing set</b>		
	Asa Bales South	<b>\$75,000.00</b>
<b>Restroom facilities/Shelters (2)</b>		
	Freedom Trail Park	<b>\$200,000.00</b>
<b>Watering Stations</b>		
	Dog-On-it-parks.com	\$3,353ea <b>\$6,706.00</b>
<b>Dock Deck</b>		
		\$1,000ea <b>\$3,000.00</b>
<b>Maintenance Barn</b>		
	Home Depot	\$25/sq/ft/900sq/ft <b>\$22,500.00</b>
<b>Bus Stop Stations(For wind shelter)3</b>		
	Belson.com	\$1,725.00 ea <b>\$5,175.00</b>
<b>Irrigation</b>		
	7.96 Acres @ \$5,000/acre	<b>\$39,800.00</b>

<b>Road</b>	54,624 sq.ft @2.5sq/ft.		<b>\$136,560.00</b>
<b>Mulch seeding</b>	.01/sq/ft	500000sq/ft	<b>\$5,000.00</b>
<b>Sod for Dog Zones</b>	\$90/600 sq/ft	237032sq/ft	<b>\$35,554.00</b>
<b>Benches/Trash Receptacles</b>	Wabash Valley		<b>\$20,000.00</b>
<b>Electrical/Utility Quote</b>	Meter/Conduit/Gas		<b>\$5,000.00</b>
<b>8ft Path quote</b>	20980 sq/ft 2.5sq/ft		<b>\$52,450.00</b>
<b>Mach III Disc Golf Baskets (9)</b>		\$479ea	<b>\$4,311.00</b>
	<b>Totals</b>		<b>\$875,356.00</b>



Westfield Parks Department  
Osborne Park Development

Appendix

Kathy FitzGerald  
Park Manager / Indy Parks  
City of Indianapolis Department of Parks & Recreation

Jeffrey E. Madsen  
Director of Recreation  
Greenwood Parks & Recreation

Cosmo Dog Park  
Gilbert, Arizona  
<http://www.gilbertaz.gov/parks/popups/cosmo-park.cfm>

Freedom Park  
Lowell, Indiana  
<http://www.freedombarkpark.org/>

Point Isabel Regional Shoreline Dog Park  
Richmond California  
[http://www.ebparks.org/parks/pt\\_isabel](http://www.ebparks.org/parks/pt_isabel)

Bear Dog Park  
Roseville, California  
[http://www.rosevilledog.org/Dog%20Parks/bear\\_dog\\_park1.htm](http://www.rosevilledog.org/Dog%20Parks/bear_dog_park1.htm)

# **Appendix D: Westfield Ordinance 07-32**

**ORDINANCE 07-32**

**AN ORDINANCE TO AMEND THE PARK IMPACT FEE  
ORDINANCE OF THE TOWN OF WESTFIELD**

**WHEREAS**, the procedures for enacting an Impact Fee Ordinance are contained in IC 36-7-4-1300-1341 and were previous approved by ordinance 97-23 dated December 8, 1997, updated by ordinance 04-09 dated March 8, 2004, updated by ordinance 06-54 dated November 13, 2006; and

**WHEREAS**, the Westfield Washington Township Advisory Plan Commission, the Impact Fee Advisory Committee, and the Westfield Parks Advisory Committee have reviewed certain information prepared by the Westfield Park Department addressing a revised park impact fee; and

**WHEREAS**, the Westfield-Washington Township Advisory Plan Commission held a public hearing for the Westfield Town Council on November 26, 2007 to review a proposed modification to the park impact fee amount referenced in Westfield Town Ordinances Chapter 40, IMPACT FEES, Article III. Parks and Recreation Impact fee, Sec.40.53; and

**WHEREAS**, the Impact Fee Advisory Committee, as established under IC 36-7-4-1312, at its meetings on November 1, 2007 recommended to the Westfield Town Council the modification of the fee structure for the park impact fee that was reviewed at the public hearing; and

**WHEREAS**, such Impact Fee Ordinance will only apply to certain improvements and developments within the impact zone as specified in the Parks & Recreation Zone Improvement Plan (February 2004);

**NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN  
COUNCIL THAT THE FOLLOWING AMENDMENT BE MADE TO THE WESTFIELD  
TOWN ORDINANCES.**

**SECTION 1.** Amend Chapter 40, IMPACT FEES, Article III. Parks and Recreation Impact Fee, Sec.40.53 to read as follows:

**Chapter 40**  
**IMPACT FEES**  
**Article III Parks and Recreation Impact Fee**

**Section 40-53 Establishment of Parks and Recreation Impact Fees**

Based upon the Zone Improvement Plan previously referred to and which is made a part of the Ordinance, the Council determines that the impact costs, minus the sum of nonlocal revenues and impact deductions (as defined in IC 36-7-4-1321), equal the amount of nine hundred and thirty dollars (\$930.00) per equivalent dwelling unit, and that, therefore, the impact fee to be imposed on every development subject to this ordinance shall equal the product of: (a) nine hundred and thirty dollars(\$930.00), times (b) the number of equivalent dwelling units to be constructed pursuant to the improvement location permit obtained by the fee payer.

The Council does hereby make as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached in the creation of the Zone Improvement Plan, and specifically instructs the Parks Department to make such data and other information inclusively available to anyone for review during regular business hours.

**SECTION 2.** This ordinance shall be in full force and effect in accordance with Indiana Law, upon its passage by the Town Council, its publication in accordance with law, and upon the passage of any applicable waiting period, all as provided by the laws of the State of Indiana.

**[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK]**

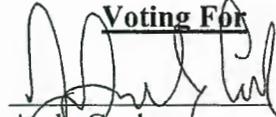
ADOPTED AND PASSED THIS 17 DAY OF Dec, 2006, BY THE WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD TOWN COUNCIL**

Voting For

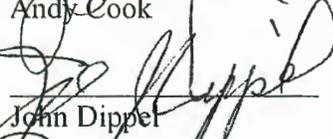
Voting Against

Abstain

  
Andy Cook

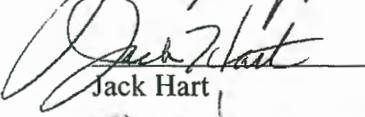
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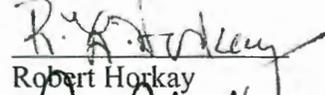
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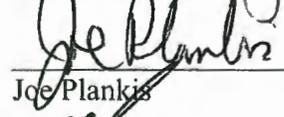
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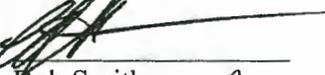
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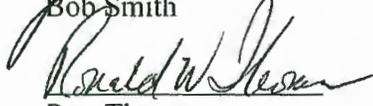
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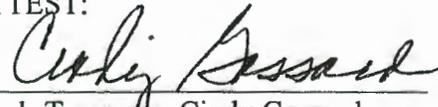
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Bob Smith

  
Ron Thomas

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Ron Thomas

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Ron Thomas

ATTEST:

  
Clerk-Treasurer, Cindy Gossard

**Appendix E: Westfield Road Impact Zone  
Improvement Plan pp. 21-26**

# WESTFIELD ROAD IMPACT FEE

## Zone Improvement Plan



PREPARED BY

**HNTB Corporation**

111 Monument Circle

Suite 1200

Indianapolis, IN 46204

Phone: (317) 636-4682

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**HNTB**

## **4.2 Travel Demand Model Calibration**

A travel demand model should be able to replicate existing traffic patterns when given existing housing, employment, school enrollment and road network inputs. Calibration is the process of modifying the assumptions made about input data and the internal model calculations to ensure that the model is capable of replicating existing conditions within a certain variance. Once the model calibration process produces a model that can replicate existing conditions within this acceptable range, the model is considered to be validated and can be used to forecast future conditions.

For the Westfield model, calibration was performed by adjusting internal model calculations, such as trip generation rates, and by adjusting road network attributes, such as the location of centroid connectors and the facility types of roads. More detailed information on model calibration and validation is provided in Appendix D.

## **4.3 Housing and Employment Growth Forecast**

Household data for 2011 was estimated by aggregating block-level household counts from the 2010 Census to the model TAZ level. City of Westfield building permit information was used to estimate the number and location of new households established between the 2010 Census and the middle of 2011. Additional household statistics necessary for modeling—the number of workers, vehicles, and persons per household—were obtained from the 2010 Census and assumed to remain constant throughout the forecast period. Employment data for 2011 was developed based on point-level employment data obtained from Neilson-Claritas. This information was error-checked for major omissions, double-counts, and erroneous business locations, and corrected as necessary.

The forecast of 2021 households and employment was a two-step process. The first step was to use past trends and forecasts to develop target forecasts of 2021 households and employment for Washington Township as a whole. The second step was to use the Westfield Comprehensive Plan and more detailed planning data to identify where within Washington Township the household and employment growth would occur.

Overall 2021 population and housing unit forecasts for Washington Township were developed using the linear growth rates observed during the 2000-2010 time period. This resulted in a 2021 forecast of approximately 48,900 residents and 18,700 housing units, which is consistent with forecasts in the Westfield Comprehensive Plan. An overall 2021 employment forecast of 15,200 for Washington Township was developed by assuming that existing employment would grow at the same overall 3.5% annual rate that was observed for Hamilton County between 2000 and 2010.

The overall township-wide housing and employment forecasts were used as targets for aggregating more specific information about planned development provided by the City of Westfield. Based on this information, development in the next 10 years is expected to focus in three primary areas: Grand Park, Grand Junction and the Springmill Trails Planned Unit Development. Information about anticipated 10-year build-out of these areas and other approved developments was identified in conjunction with the Westfield Community and Economic Development Department. Development in these three areas is expected to account for nearly all of the 10-year employment growth, with the remainder to occur in industrial areas north of 191<sup>st</sup> Street and east of US 31. Housing development is expected to be less concentrated, with these three primary development areas accounting for approximately 38% of the new housing over the next 10 years. The remaining housing unit growth was distributed through Washington Township based on analysis of available infill residential areas using aerial mapping and on discussions of likely development locations among City of Westfield staff.

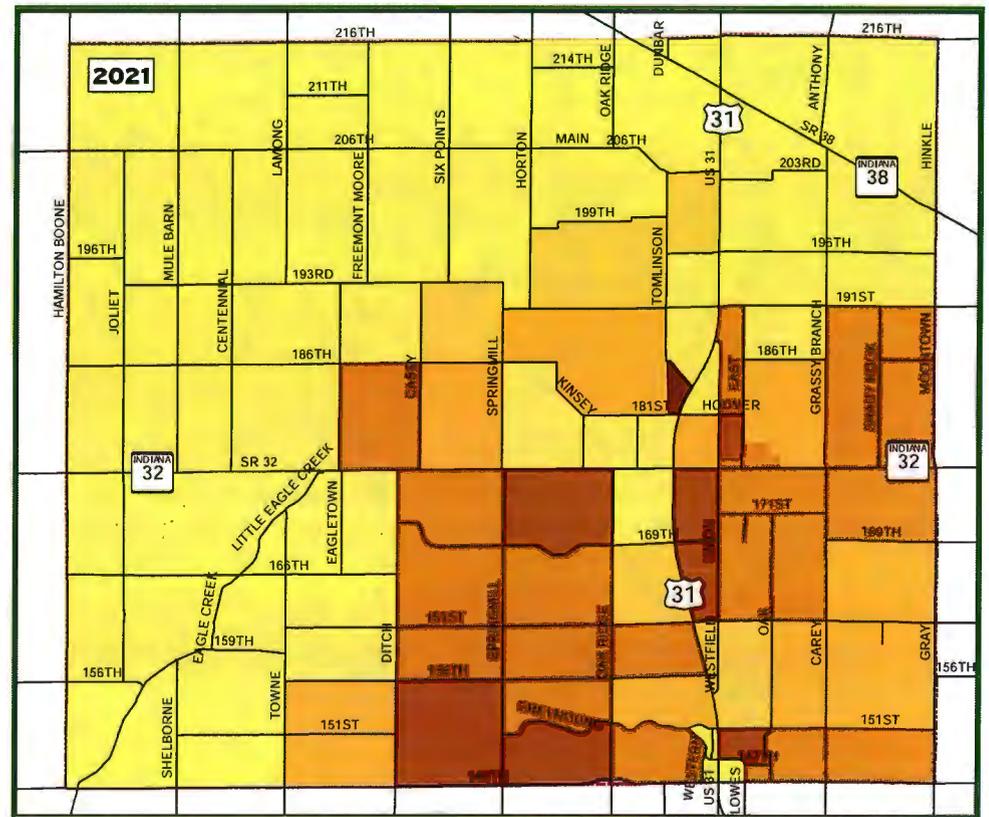
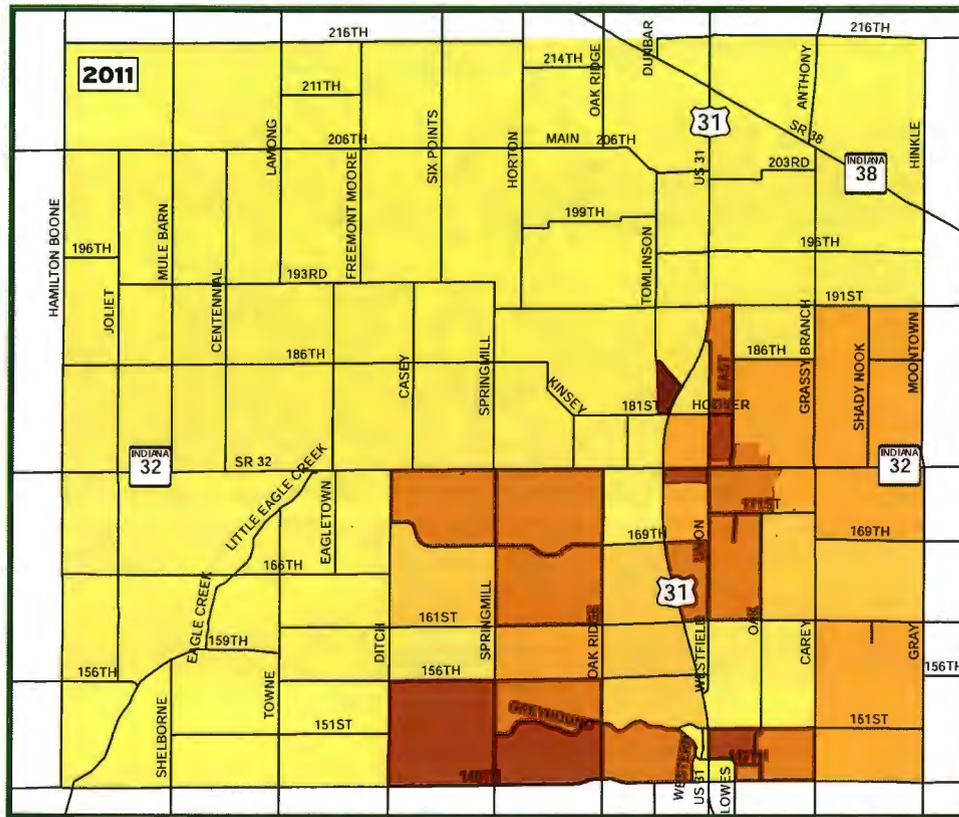
Table 4-1 summarizes the household and employment projections for each TAZ in Washington Township; **Figure 4-3** and **Figure 4-4** show this information in a graphic format. The final analysis resulted in a 2021 Washington Township forecast of 18,149 households (18,149 housing units) and a 2021 Washington Township employment forecast of 16,563. For more detailed information on the assumptions for planned developments, refer to **Appendix E**. For more information on household and employment projections in areas outside Washington Township, refer to **Appendix D**, which describes travel demand modeling procedures.

**Table 4-1: Household and Employment Projections**

TAZ	2011 Households	2021 Households	HH Growth	2011 Employment	2021 Employment	Emp. Growth
7001	16	16	0	0	0	0
7002	13	13	0	4	4	0
7003	40	40	0	27	27	0
7004	55	55	0	3	3	0
7005	33	33	0	0	0	0
7006	8	8	0	12	12	0
7007	22	22	0	5	5	0
7008	13	13	0	3	157	154
7009	24	24	0	0	0	0
7010	18	18	0	27	27	0
7011	13	13	0	350	350	0
7012	35	35	0	0	0	0
7013	8	88	80	0	245	245
7014	50	50	0	1	1	0

TAZ	2011 Households	2021 Households	HH Growth	2011 Employment	2021 Employment	Emp. Growth
7015	36	243	207	0	300	300
7016	144	157	13	0	6	6
7017	30	30	0	6	6	0
7018	33	33	0	9	9	0
7019	6	6	0	3	3	0
7020	31	31	0	2	2	0
7021	62	62	0	46	46	0
7022	13	13	0	6	6	0
7023	17	17	0	13	13	0
7024	43	43	0	11	11	0
7025	23	23	0	0	0	0
7026	58	507	449	9	9	0
7027	63	397	334	170	408	238
7028	13	13	0	122	1443	1321
7029	3	3	0	489	1157	668
7030	29	715	686	6	888	882
7031	10	34	24	38	692	654
7032	0	0	0	145	145	0
7033	90	90	0	506	672	166
7034	236	354	118	247	247	0
7035	54	54	0	14	14	0
7036	655	1017	362	57	57	0
7037	478	564	86	504	504	0
7038	201	282	81	78	78	0
7039	247	247	0	363	379	16
7040	146	412	266	29	29	0
7041	380	524	144	20	20	0
7042	100	349	249	213	218	5
7043	21	21	0	728	728	0
7044	98	98	0	502	502	0
7045	819	904	85	358	358	0
7046	914	1039	125	537	562	25
7047	468	762	294	104	104	0
7048	236	641	405	6	6	0
7049	28	28	0	61	61	0
7050	47	47	0	74	74	0
7051	54	54	0	25	25	0

TAZ	2011 Households	2021 Households	HH Growth	2011 Employment	2021 Employment	Emp. Growth
7052	25	25	0	3	3	0
7053	18	18	0	37	37	0
7054	67	316	249	79	79	0
7055	256	430	174	29	29	0
7056	69	295	226	17	17	0
7057	31	169	138	212	212	0
7058	62	213	151	4	4	0
7059	344	382	38	228	228	0
7060	241	473	232	103	103	0
7061	258	258	0	2000	2000	0
7062	0	0	0	538	538	0
7063	1	1	0	177	177	0
7064	325	406	81	58	58	0
7065	84	190	106	210	210	0
7066	513	513	0	43	43	0
7067	834	834	0	40	40	0
7068	1281	1330	49	160	160	0
7069	11	355	344	0	0	0
7070	7	7	0	6	6	0
7071	23	23	0	1	1	0
7072	69	69	0	3	3	0
7073	5	5	0	4	4	0
7074	38	38	0	0	0	0
7075	6	106	100	0	0	0
7076	222	222	0	95	95	0
7077	178	178	0	286	286	0
7078	158	158	0	64	64	0
7079	91	91	0	194	207	13
7080	286	332	46	75	75	0
7081	78	78	0	87	214	127
7082	19	19	0	0	0	0
7083	6	6	0	2	2	0
7084	0	0	0	409	409	0
7085	367	367	0	496	646	150
<b>Total</b>	<b>12207</b>	<b>18149</b>	<b>5942</b>	<b>11593</b>	<b>16563</b>	<b>4970</b>



**Road Impact Fee Study:**

**Figure 4-3  
Household Growth**

- |  |                                    |  |                                 |
|--|------------------------------------|--|---------------------------------|
|  | Less than 0.25 Households per Acre |  | 1 - 2 Households per Acre       |
|  | 0.25 - 0.5 Households per Acre     |  | 2 - 3 Households per Acre       |
|  | 0.5 - 1 Households per Acre        |  | More than 3 Households per Acre |

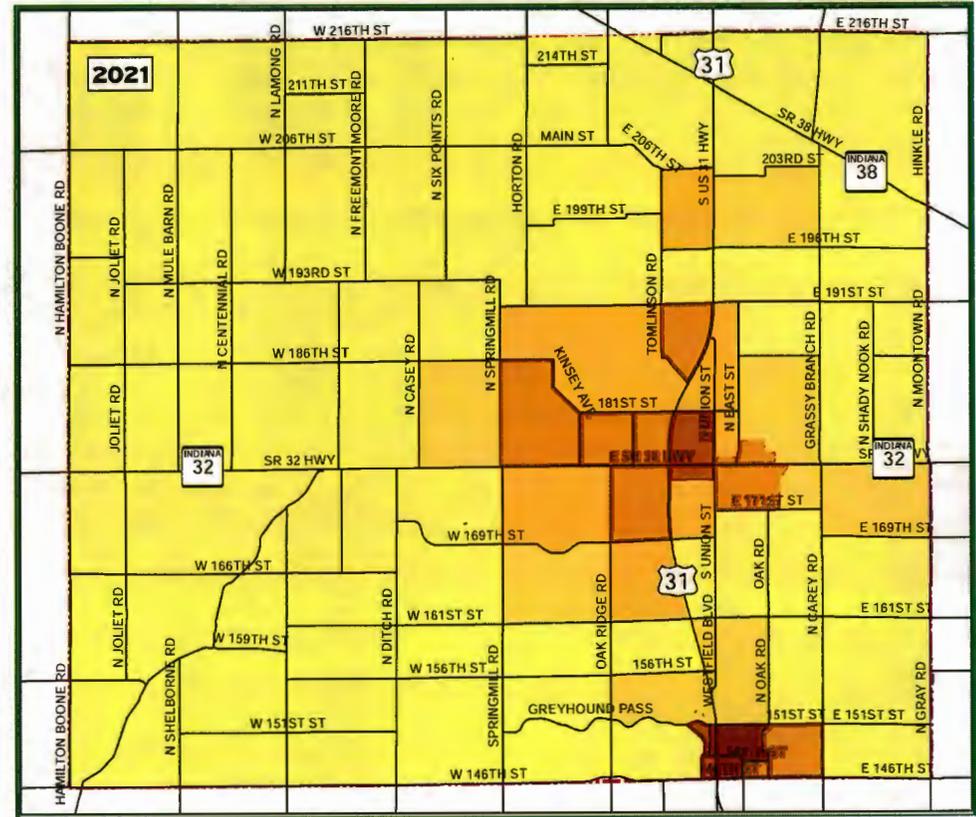
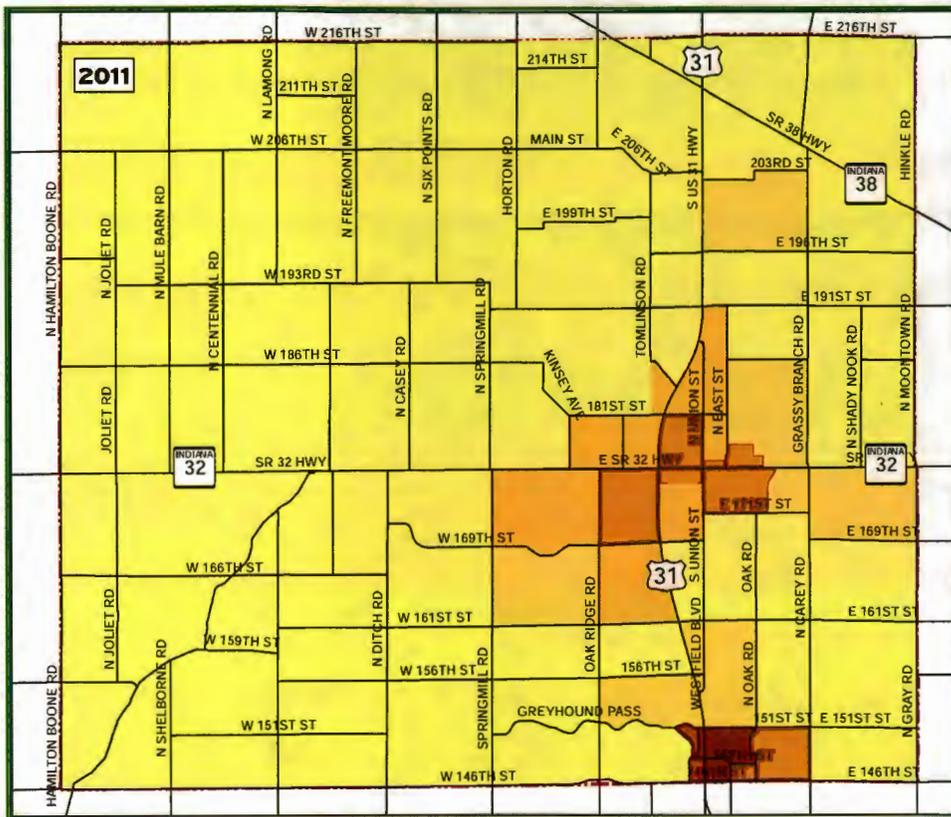
Washington Township



February 2012



DRAFT - February 2012

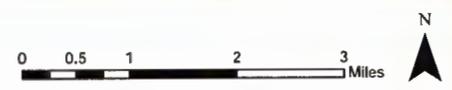


**Road Impact Fee Study:**

**Figure 4-4  
Employment Growth**

- Less than 0.5 Employees per Acre
- 0.5 - 1 Employees per Acre
- 1 - 2 Employees per Acre
- 2 - 5 Employees per Acre
- 5 - 10 Employees per Acre
- More than 10 Employees per Acre

Washington Township



February 2012



DRAFT - February 2012

# **Appendix F: Westfield Parks and Recreation Master Plan**



**CITY OF WESTFIELD  
PARKS AND RECREATION MASTER PLAN**





## **Westfield Parks and Recreation Master Plan**

**Prepared for:** City of Westfield, Parks and Recreation Department,  
Westfield, Indiana

**Prepared by:** Landstory, Inc.  
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Phone: 317.951.0000

**With:** Leisure Services Management  
2926 Struble Road  
Cincinnati, Ohio 45251  
Phone: 513.825.7798

**May, 2011**

### **Westfield City Council:**

J. Andrew Cook (Andy), Mayor  
Bob Smith, Westfield City Council  
Tom Smith, Westfield City Council  
John Dippel, Westfield City Council  
Rob Stokes, Westfield City Council  
Steve Hoover, Westfield City Council  
Robert Horkay, Westfield City Council  
Kenneth Kingshill, Westfield City Council

### **Westfield Parks & Recreation Department:**

Melody Jones, Director  
Jeremy Miller, Natural Resources  
Stephanie Fix, Administrative Assistant  
Chris McConnell, Maintenance Supervisor  
Scott Thompson, Grounds and Facility Foreman

### **Stakeholder / User Assistance:**

Nick Verhoff, Westfield Washington Schools  
Birch Dalton, WYSI  
Mick Trompen, WYSI  
Bob Smith, Westfield City Council  
Tom Smith, Westfield City Council  
Brian Zaiger, Westfield City Attorney  
Kurt Wanninger, Westfield Public Works  
John Dippel, Westfield City Council  
Rob Stokes, Westfield City Council  
Matthew Skelton, Westfield Community Development  
David Gill, Washington Township Trustee  
Chris Stice, Hamilton County Parks  
Al Patterson, Hamilton County Parks  
Anne Poynter, Downtown Westfield Association  
Chuck Watson, Grand Junction Task Group  
Beau Wilfong, Wilfong Land Company

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**Section 1: Introduction**

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## **Section 1: Introduction**

### **Introduction:**

The Landstory Planning Team was retained in December, 2010 to prepare a master plan for the Westfield Parks and Recreation Department (WPRD). The current primary funding source for park improvements are from park impact fees enacted on new residential development in 2005. Facilities are budgeted out of the City of Westfield's general fund.

The City of Westfield has experienced considerable growth and change in the last decade. The current population is 30, 068, an increase of approximately 223% from the 2000 U.S. Census Bureau population figure for Westfield. In addition, Westfield changed from a town to a third-class city in 2008, with an elected Mayor and City Council. As part of these changes and an increased emphasis on quality of life, park department budgets have increased considerably in the last three years.

The parks and recreation master plan was finalized and adopted in May, 2011 to enable the city to continue balanced planning for the overall park system, meeting local recreation needs within available resources, while meeting long-term goals and objectives. This planning document is divided into three primary sections:

- + Fact Finding
- + Discovery
- + Plan Implementation

### **Planning Team:**

The Planning Team consisted of the lead consultant, Landstory, a landscape architecture and planning firm with considerable park and recreation planning experience, and Leisure Services Management, who assisted Landstory with the public opinion survey, demographic research, staff recommendations and a market assessment. Local citizens and park and recreation professionals played an important role in the development of the plan and are the true park and recreation experts in Westfield because of ongoing daily involvement in park and recreation planning and management. One of the primary responsibilities of the Landstory Planning Team was to facilitate the planning process and provide information to Westfield which enabled the community to make informed park and recreation planning decisions.

### **Process Summary:**

The planning process established for the parks and recreation facilities in this master plan generally followed guidelines published by the Indiana

Department of Natural Resources (IDNR) for the preparation of five-year park and recreation master plans. Westfield desires to maintain local control of planning for park and recreation opportunities and will not submit this plan to IDNR for review and approval. The following provides a brief summary of the steps of the planning process:

- + **Fact Finding:** Review of available reports, planning sessions, public opinion survey, demographics research, input and general background received from various users and stakeholders.
- + **Discovery:** This section provides additional planning team observations and findings regarding current programming, facilities and staff. These findings are augmented with identification of needs, recreation trends and community desires. The input received from stakeholders, staff and the public informs the planning observations and findings.
- + **Plan Implementation:** Steps to assisting the community in moving forward with implementing this plan. This section discusses action items relating to administration, programming and capital improvement activities are identified with associated priorities and funding options. In addition, a market assessment emphasizing the park and recreation identity and staffing recommendations was provided.

Formal notice to proceed was issued the end of December, 2010 and the final master plan report was submitted for Westfield City Council review on April 11, 2011.

#### **Input Summary:**

A wide variety of input methodologies were utilized in the preparation of this plan. These included:

- + Progress meetings with park and recreation staff.
- + Stakeholder meetings with various park and recreation interest groups.
- + Public opinion survey.
- + Public input meeting.



**Section 2: Fact Finding**

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## Section 2: Fact Finding

### Project Initiation:

The Westfield Parks and Recreation Master Plan process commenced with a staff meeting on December 20, 2010 to confirm the project schedule, deliverable(s), coordination requirements and lines of communication.

A follow up meeting was held on January 12, 2011 to review available information, stakeholder meeting details and format of the public input meeting. Discussion included the existing facility inventory and components of current planning, formatting of stakeholder meetings and the public input meeting.

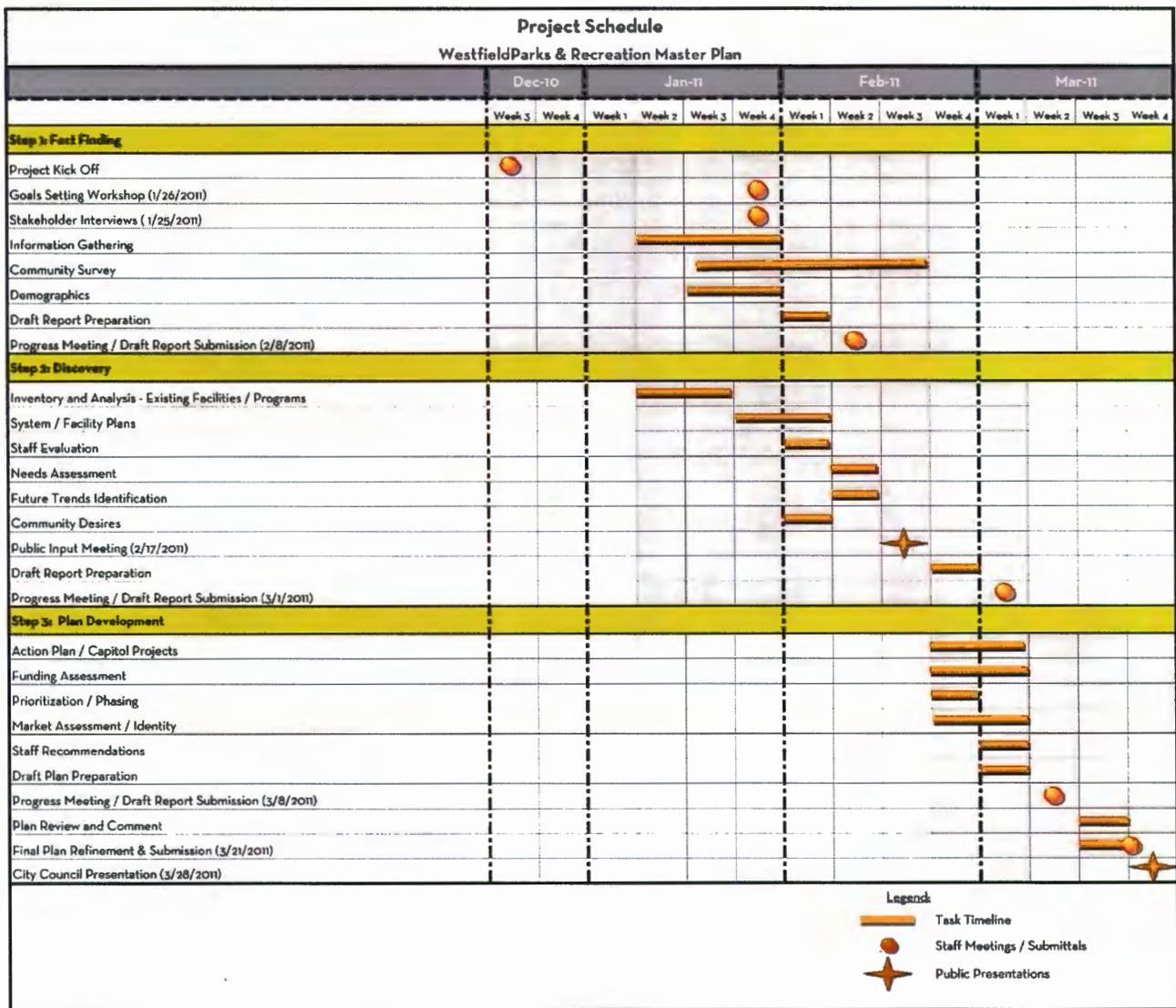


Figure 2.1: Project Schedule.\*

## **Planning Goals and Vision:**

The emphasis on identification of goals and a park and recreation vision in Westfield is to define a long-term framework as a reference for officials to make decisions regarding park and recreation opportunities. Primary goals include continuing planning and implementation of regional and local multi-use trails in Westfield in support of promoting the city as a “hub for multi-use trails in Central Indiana”. Additionally the development of “Grand Park: The Sports Campus at Westfield”, slated for completion in 2012, will serve to establish Westfield as the rightful leader in the provision of youth sports in Indiana.

A January 26, 2011 meeting discussed these goals and identified objectives for achieving these goals. This meeting was attended by the following people:

- + Melody Jones, WPRD.
- + Jeremy Miller, WPRD.
- + Stephanie Fix, WPRD.
- + Chris McConnell, WPRD.
- + Brad Henke.
- + John Dippel.
- + Steve Henke.
- + Tom Smith.
- + Barth Hendrickson.
- + Carrie Cason.
- + Joann Green, Landstory, Inc.
- + Jess Parrett, LSM.

Most of the discussion centered on various facilities and programming opportunities. A list of 50 ideas was identified and condensed based on attendee priorities. A list of the highest priority items follows:

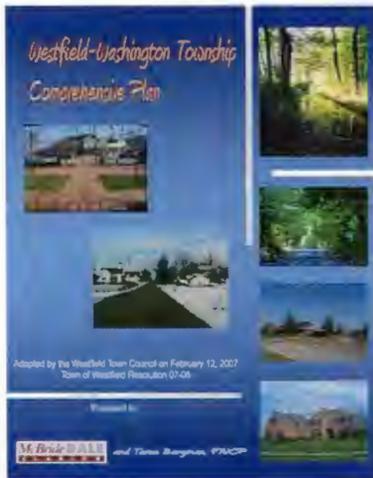
- + Adult sports leagues.
- + Fishing area.
- + Paddle boat / canoe opportunities.
- + Ice skating rink.
- + Disk golf.
- + Recreation Center development.
- + Grand Park development.
- + Multi-use Trails.

Based on the discussion above, the overarching goal for the Westfield Parks and Recreation Department and the Parks and Recreation Master Plan included the following:

***Establish the Westfield Parks and Recreation Department and system as a recognized leader in providing the highest quality and unique parks and recreation services and opportunities in Indiana.***

Objectives for achieving this goal included the following steps:

- + Continue planning and implementation of multi-use trails connecting Westfield neighborhoods and parks with regional destinations and points of interest with the Monon Trail and Midland Trace Trail being the highest priority corridors.
- + Develop Grand Park as a national and regional hub for youth sports and as a significant local economic development tool while serving local youth sports needs.
- + Work with the Grand Junction Task Force to develop Grand Junction.
- + Establish a clear and unique identity for Westfield Parks and Recreation in coordination with the City of Westfield's new brand image.
- + Achieve public consensus on the effective use of volunteers.
- + Park foundation establishment.
- + Maximize the park and recreation potential by utilizing a wide range of creative resources for revenue and funding purposes.
- + Continue partnership opportunities with Washington Township Park operations and expand the range of joint programs and facilities.
- + Maintain ongoing discussions with other providers; Hamilton County Association (HAMPA) and Westfield Washington School Corporation to identify unique and complementary park and recreation opportunities.



#### Information Review:

A variety of information sources were reviewed to determine the current status of park and recreation opportunities and facilities. Information sources included:



#### Grand Junction Addendum

City of Westfield Washington Township Comprehensive Plan

- + City of Westfield and Washington Township Zoning Ordinance
- + Washington Township Park and Recreation Master Plan
- + Westfield-- Washington Township Comprehensive Plan
- + Westfield Park Impact Fee Ordinance
- + Hamilton County Tourism Statistics
- + Westfield Thoroughfare Plan
- + 2008 -2012 Westfield Parks & Recreation Master Plan
- + Westfield Parks and Recreation Department Budgets

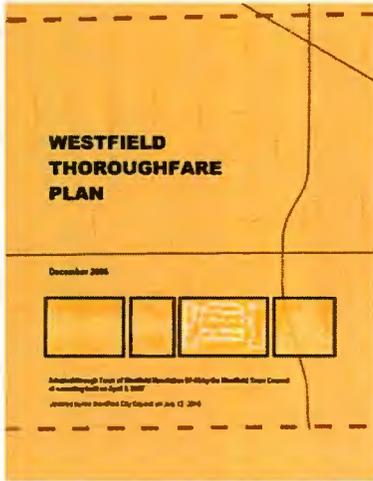
Brief summaries of each of the documents are included below; except for the park department budgets which are summarized in Section 4, Plan Implementation, starting on page 43.

#### Washington Township Park and Recreation Master Plan:

Action items contained in the current master plan prepared in 2010 include hiring a park director, designs for the newly acquired land adjacent to MacGregor Park and land acquisition for new parks.

Westfield- Washington Township Comprehensive Plan:

The current Westfield - Washington Township Comprehensive Plan was adopted in 2007; major themes include encouragement of connectivity and provision of adequate open space and recreation areas.



Implementation steps applying to connectivity and the provision of adequate open space and recreation areas included the following:

- + Preparation and adoption of a community-wide pedestrian and bicycle connectivity plan including Washington Township.
- + Zoning requirements for pedestrian and bicycle facilities in all new developments. Green belts are required to be contiguous with other green belts where applicable.
- + Design of open space areas to form interconnected networks with linkages to existing and proposed open space.
- + Maintain stream corridors and other natural and historic resources.
- + Locate open space to maintain visual qualities of scenic roads.
- + Require usable open space in all new developments.
- + Preservation of natural features including woodlands, water bodies and wetlands.
- + Protect Little Eagle Creek.
- + Provide passive and active recreation for community residents.
- + Provide park and recreation facilities in new development to meet growth needs.
- + Use open space as part of an integrated storm water management system.

Westfield Parks and Recreation Department  
Five-Year Master Plan



Areas of Washington Township and Westfield were subdivided in the plan with various planning recommendations for each area. Comprehensive plan recommendations relating to the park and recreation plan identified multi-jurisdictional park and recreation provider issues, and unique assets of the existing trail and bicycle plan.

Westfield Park Impact Fee Ordinance:

Fees associated with the park impact fee ordinance are restricted to areas identified in the 2004 Park and Recreation Zone Improvement Plan and are assessed at the rate of \$930 per detached unit. The Park Impact Fee Ordinance was adopted by the Westfield Town Council in December, 2006.

City of Westfield and Washington Township Zoning Ordinance:

Single family residential developments larger than five acres are required to set aside a percentage of the development as green belt space. Key components of subdivision control requirements contained in the zoning ordinance included green belt requirements in all new developments and pedestrian ways on each side of all streets. Green belts are required to be contiguous to green belt space on adjoining properties.

Hamilton County Tourism Statistics:

Hamilton County tourism ranks third in the state behind Indianapolis / Marion County and Lake County. Trails are identified as one of the most participated tourism activities in the county.

Westfield Thoroughfare Plan:

Westfield is on the northern fringe of the Indianapolis Metropolitan Planning Organization (MPO) planning area. The MPO coordinates transportation planning in the Indianapolis Metropolitan Area, including alternative transportation planning. The City of Westfield is responsible for transportation planning in Westfield and Washington Township. The Westfield Thoroughfare Plan, funded by the MPO, has an alternative transportation section guiding implementation of trails in Westfield. The Hamilton County Alternative Transportation Plan recommended provision of bicycle and pedestrian facilities along most major thoroughfares. The Indianapolis MPO Regional Pedestrian Plan identified opportunities for trail corridors in Westfield including recommended design guidelines. Improvements to the U.S. 31 (Meridian Street) corridor including a new interchange at SR 32 (Main Street) will require realignment of the Monon Trail and Midland Trace Trail corridors. A new Monon and Midland Trace Trail Loop is identified to respond to the new interchange.

2008 - 2012 Westfield Park and Recreation Master Plan:

Key issues identified in this plan include new trail development, construction of an aquatics center; youth sports facilities, additional parks, maintenance, improvements to existing parks and development of a recreation center. Various recreation facilities at schools were identified, including playing fields and playgrounds. Action items were included for administrative items and for each park. Specific action items which have been accomplished will be identified in Section 3, Discovery.

**Stakeholder Input:**

Meeting with actual park users and interest groups provides an effective means of identifying current conditions, opportunities and the correction of deficiencies. For the Westfield Parks and Recreation Master Plan, the Landstory Planning Team conducted five separate stakeholder meetings. Similar discussion questions were used to facilitate each meeting. Meeting participants were selected based on particular aspects of local recreational interest. Summaries of the stakeholder meeting discussion and stakeholder questionnaires are included in the Appendix. Summaries for each meeting follow:

Active Recreation / Sports Groups:

Held on January 25, 2011, attendees represented Westfield - Washington School System and Westfield Youth Sports. The greatest strength of

Westfield parks and recreation opportunities is green space, trails and Freedom Trail Park. Prior to development of the parks and recreation department, the school system was the primary driver of recreational opportunities. The school system's desire is to improve the quality of life, economic development and a return on investment. An example of a successful program is the profitable AAU tournaments held in the schools.

Meeting consensus is:

- + A public swimming pool is not needed.
- + The park department should not compete against private providers.
- + Playing fields at Monon Elementary School meet current needs.
- + The most important aspect of ongoing growth is continued expansion and improvement of open space.

Government Officials:



There were ten at this meeting held on January 25, 2011. Attendees included representatives of the City Council, the City Attorney and local government staff. The following perceptions of Westfield Parks were shared:

- + Cool Creek Park (Hamilton County Parks) is the most visible.
- + There is confusion between park and recreation providers and private parks operated by homeowner associations.
- + People go to parks for the amenities offered and do not care who operates the park.
- + A portion of tax revenues should be used to support parks. Citizens are willing to support paying taxes for parks if high quality recreational experiences are provided.
- + It is important for citizens to understand the extent of park and recreation services being provided.

It is recommended the Washington Township Park Department be consolidated with WPRD to become the Greater Westfield Parks and Recreation Department. Programming would be the responsibility of the combined department.

The most significant parks and recreation use in Westfield is trails. The goal is to make Westfield the "trail hub of Central Indiana". In summary, the following are needs to be considered:

- + Goals need to be established for the parks department.
- + Local parks need to become a regional destination.
- + Each park should have a particular emphasis.
- + The park and recreation master plan needs to fall out of a larger community vision.
- + Potential of the planned Grand Junction project.
- + A new community / recreation center.

The greatest impediment to continued growth is lack of funding. Currently there are no tax revenues and inadequate park impact fee revenues,

Park and Recreation Providers:

Participants represented Hamilton County Parks and Washington Township Parks. Input consisted of the following:

- + Seamless melding of trails with adjacent communities is key.
- + Westfield has done a good job with available resources.
- + Recent hosting of special events has elevated the park and recreation status and brought the community together.
- + Westfield has taken the lead in development of a live / work / play community with the Grand Junction and Grand Park projects.
- + Integral role of parks and recreation in the overall quality of life.

It was noted that users are willing to pay reasonable fees if quality services are received. Washington Township has a fee structure that is competitive with nearby communities; if the maximum participation level is achieved the program is profitable.

Various options for maintaining interest in park and recreation facilities included:

- + Development of a community center.
- + Development of a profitable aquatics center will be difficult; installation of spray grounds is more realistic.
- + Development of a smartphone park application along with a phone-in number for on-site park information and walking tours.
- + Make nature "cool".
- + Linear play concepts as part of adding interest to trails.
- + Interactive and adventure play opportunities; including outdoor museum building, thinking and creating.
- + Geocaching.

Various aspects of each department working together was reviewed. The consensus was that providers complement each other very well. There is good collaboration with other providers and each are careful to not compete with one another. Because of the good relationship among providers and the high quality of park and recreation services offered, it is not important for users to differentiate between providers.

As Westfield moves forward it is important to:

- + Know where development is occurring.
- + Provide appropriate parks and facilities serving new developments.
- + People need to know where parks are located.
- + Westfield parks need to offer unique and different facilities that homeowner associations do not offer.
- + Facilities need to be connected and within walking / biking distances.

Tourism and Business Development Stakeholders:

Representatives of local developers and Downtown Westfield Association attended this meeting. The following input was collected:

- + The overall perception of parks and recreation in Westfield is that Cool Creek Park stands out.
- + There is confusion regarding park and recreation providers; this includes who to call with problems.
- + There is more confusion with Washington Township rather than Hamilton County Park facilities.
- + Deficiencies include a lack of programming and brand identity.
- + Increased programming will improve park perceptions through identification by activities and facilities, i.e. Asa Bales Park is known as the park with the skate park.
- + Communications deficiencies can be solved with development of a newsletter and park consolidation with Washington Township.
- + Many neighborhoods have private swimming pools; an aquatic center is not necessary.
- + Trails and connectivity is critical including connectivity to Grand Park and safe alternative transportation options.
- + The local park and recreation environment and settings for park facilities is very good.

Local needs included the following:

- + Creation of a brand identity including effective signage and communications such as a newsletter.
- + Mountain bike and equestrian trails.
- + Destination amenities such as restaurants and shops along trails and next to parks.
- + Increased use of technology to connect people recreationally and socially.
- + Facilities should cater to all ages, especially families and "baby boomers".
- + Increased green space including reforestation and tree planting programs.
- + Additional programming.

Planning Staff Meeting:

A meeting with the City of Westfield Community Development staff was held on February 8, 2011 to review current planning efforts and parks and recreation opportunities. Community Development staff provided a department overview including:

- + Economic development inquiries in 2010 were up 44%, with permits up 17%.
- + The City is making an investment in the quality of life for residents to lure future residential investment.
- + A major competitive economic development win was luring the Automatic Pool Covers facility to Westfield.

- + The Community Development Department participates in creating a strong and unique identity for Westfield.
- + Westfield growth and development is envisioned to eventually include all of Washington Township.

Major planning and development initiatives underway include Grand Park, Grand Junction and U.S 31 corridor improvements. Segments of U.S.31 in Westfield are scheduled for construction in 2011. Access will be provided at 146<sup>th</sup> Street, 151<sup>st</sup> Street, 161<sup>st</sup> Street, Main Street (SR 32), 191<sup>st</sup> Street and SR 38.



Figure 2.2: Rendering of Grand Park, source City of Westfield

It is envisioned Grand Park will be developed in one phase, with construction starting in 2011 and will include an 80,000 square foot recreation facility. Various topics related to development of the 300-acre complex were discussed and include:

- + Land has been secured by the City. One of the goals of the project is for the City to acquire additional land in the future.
- + The recreation capacity will meet all needs including WYSI, WYSA and other groups.
- + A scheduling document detailing groups' usage rights and priorities.
- + Emphasizing multiple sports as a unique attribute and marketing tool.
- + Opportunities to bring in sports-related businesses to Westfield.

A complementary project to Grand Park is the Grand Junction project. This project will provide a live / work / play environment close to the Monon Trail and Midland Trace Trails adjacent to downtown and Grand Park. A goal is to

maximize residential opportunities. Westfield has currently invested approximately \$4 million in the project. This project will develop incrementally as land becomes available and will be supported by development of Grand Park.

Other discussion related to park and recreation topics included:

- + Outside providers of physical fitness / community center facilities have indicated a desire to work with the City in developing a facility in Westfield.
- + A physical fitness / community center may include indoor and outdoor swimming facilities.
- + Westfield is the youngest park and recreation provider and has yet to create an identity separate from other providers.
- + The school corporation wants to get out of the “recreation business”; it is unlikely new outdoor park and recreation facilities will be developed with new schools. Existing surplus land will likely be developed privately.
- + While much of the current parkland inventory consists of donated properties, most future parkland will need to be acquired. Acquisition emphasis needs to be on regional and larger community parks.
- + The Washington Township Parks role has decreased in the community since the establishment of WPRD.
- + Parks and recreation is emphasized by local government as an essential component of quality of life and an economic development driver.
- + More can be done to let people know what WPRD has to offer in the way of facilities and programs.

<b>2000 Population 3+ by School Enrollment</b>	
Total	14,428
Enrolled in Nursery/Preschool	3.0%
Enrolled in Kindergarten	2.5%
Enrolled in Grade 1-8	15.3%
Enrolled in Grade 9-12	5.6%
Enrolled in College	3.0%
Enrolled in Grad/Prof School	0.6%
Not Enrolled in School	70.0%
<b>2010 Population 25+ by Educational Attainment</b>	
Total	16,509
Less than 9th Grade	1.4%
9th - 12th Grade, No Diploma	4.5%
High School Graduate	24.6%
Some College, No Degree	19.0%
Associate Degree	7.1%
Bachelor's Degree	30.5%
Graduate/Professional Degree	12.8%

Figure 2.4: Population Distribution, source 2000 U.S. Census and ESRI 2015 forecasts

### Demographics:

Westfield is an affluent growing community with a high percentage of families with children. Residents spend considerably more on recreation services than the national average. The statistics contained in this section are based on information provided by the U.S. Census, ESRI Business Analyst data, ESRI Tapestry Segmentation data, and local and regional government information. ESRI utilizes data from a wide variety of public and private data sources to provide forecast information for a wide variety of business interests.

Summary	2000	2010	2015
Population	9,293	30,068	35,230
Households	3,386	9,621	11,344
Families	2,904	7,024	8,198
Average Household Size	2.72	2.80	2.78
Owner Occupied Housing	2,524	7,286	8,563
Renter Occupied Housing	862	2,335	2,781
Median Age	30.2	32.5	32.6

### Trends: 2010 - 2015 Annual Rate

City	State	National
------	-------	----------

Figure 2.3: Demographic Summary, source 2000 U.S. Census

Ave. Household Income 2010	
Westfield	\$ 95,102
Hamilton Co.	\$ 114,588
Indiana	\$ 64,526

Figure 2.5: Westfield Household Income

Occupation Profile	Westfield	U.S. Average
Professional	75.90%	61.6%
Blue Collar	12.8%	21.1%
Service	11.30%	17.3%

Figure 2.6: Westfield Occupation Make Up

Unemployment 2010	
Westfield	6.9%
Hamilton Co.	7.3%
Indiana	10.9%

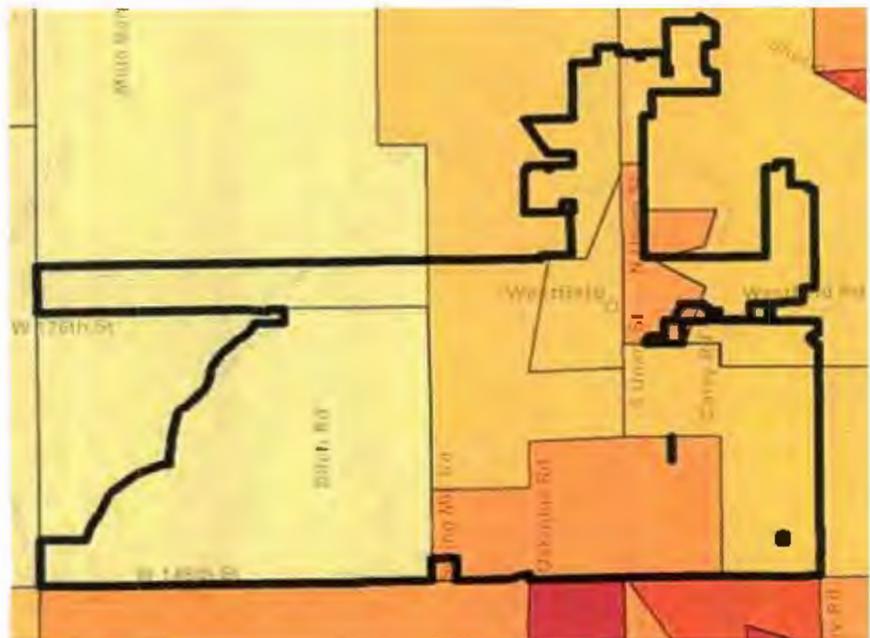
Figure 2.7: Unemployment Comparison

Ethnicity	2000	2010
White	94.7%	90.5%
African American	1.3%	2.1%
Hispanic	3.8%	5.0%
Asian	2.2%	2.9%

Figure 2.8: Westfield Ethnic Composition

The current 2010 population is 30,068 representing an increase of 20,775 over the official Town of Westfield, 2000 population of 9,293. This represents a population increase of 223 percent in ten years. The 2000 population figure is for a much smaller geographic area. The planning team for purposes of the demographic analysis and projection purposes has used a 2000 population figure of 15,437 using the current geographic area of the City. Using the modified 2000 population figure an average annual growth rate of approximately 7% is derived this is slightly higher than the county growth rate. The population in 2015 is projected to be 35,230. Thirty seven percent of Westfield residents are between the ages of 25 and 44; one third (34%) of the population is below the age of 19. Senior citizens over the age of 65 represent less than 15% of the population this is considerably less than the state average of 24.7%. Ninety percent of the population is white. Diversity has increased recently with the percentage of African American, Asian and Hispanic residents doubling in the last ten years.

Home ownership rates are within recognized norms for a stable community. Average annual household income is \$95,102, below the Hamilton County average of \$114,588 but much higher than the state average of \$64,526. Westfield is highly educated, 30% of the population has a college degree and nearly 13% has an advanced degree. Consistent with the highly educated population, most workers, 75.9%, have a professional or white collar occupation. Nearly 90% of workers drive alone to work with the average commute time of 24 minutes. This indicates most people work outside Westfield.



## Population by Age

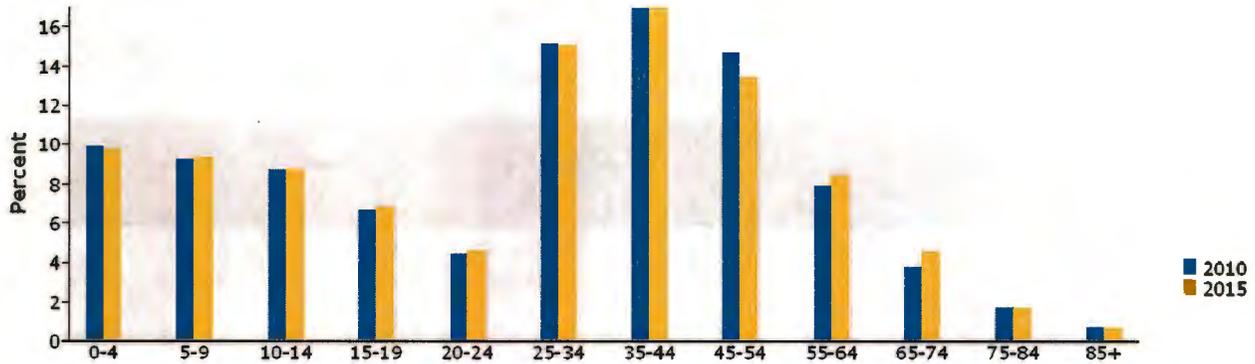


Figure 2.10 Age Distribution Chart, source US Census

The highest population density in Westfield is in the downtown area and north of 146<sup>th</sup> Street between Spring Mill Road and Carey Road. These areas have population densities between 1,100 and 2,000 people per square mile. The lowest population densities are in rural areas west of Spring Mill Road.

Tapestry Segmentation profiles are used to determine a profile of Westfield citizens. Tapestry Segmentation divides the United States into 65 distinctive segments based on socioeconomic and demographic characteristics to provide a detailed description of neighborhoods. Westfield can be divided into four tapestry segments as follow:

- + **Up-and-Coming Families:** Consist of a mix of Gen Xer's and Baby Boomers with a median age, for the parents, of 32. This is the youngest of the affluent family markets. Residents have young children. Most families own their homes and live in newer houses with an average family income of \$78,000. Primary recreational pursuits are active recreation such as softball and visits to zoos and theme parks.
- + **Boomburbs:** Are the fastest growing market in the United States and consist of busy, affluent families with the parents median age of 34. Residents are well educated and have the highest percentage of two income families. The median family income is twice the national average at \$123,000. Many Boomburb residents work outside their home county (35%). Family vacations are a top recreational pursuit including visits to theme parks. At home residents participate in exercise, tennis, golf, skiing and jogging. Boomburbs like to attend baseball and basketball games.
- + **Midland Crowd:** the median parents' age of 37 parallels that of the U.S. population; most residents are two couple families, half of which have children. Median family income is slightly lower than the United States at \$51,000. Most Midland Crowd residents live in rural villages and towns.
- + **Milk and Cookies:** Are young families starting to have children and are affluent, living on an allowance. The median age of the parents is 34 and half the households have children. The median household income is \$65,000. Most residents live in single family neighborhoods with housing stock between 20 and 30 years old. Milk and Cookie residents play video games, go bowling and visit theme parks.

Top Tapestry Segments	City Households	U.S. Households
Tapestry Segment	Percent	Percent
Up and Coming Families	59.1%	3.5%
Boomburbs	35.4%	2.3%
Midland Crowd	3.3%	3.8%
Milk and Cookies	2.1%	2.0%

Figure 2.11: Westfield Tapestry Segments

Over 93 % of Westfield residents consist of either Up and Coming Families (59%) or Boomburb residents (35%). The willingness of Westfield residents to spend money on recreational pursuits is much higher than national averages in several categories. The figure 2:12, Westfield Recreation Spending summarizes this spending. The spending index is based on national index of 100. This table illustrates Westfield residents may be willing to pay fees for programs and events that provide appropriate value.

	Spending Potential Index	Average Amount Spent	Total
<b>Entertainment / Recreation Fees / Admissions</b>	150	\$926,39	\$8,912,840
Movie / Theater / Opera / Ballet Admission	142	\$215.76	\$2,075,838
Sporting Event Admission (Excludes Trips)	161	\$95.79	\$921,615
Participant Sport Fees ( Excludes Trips)	150	\$160.45	\$1,543,667
Recreational Lesson Fees	161	\$219.81	\$2,114,840
Social / Recreation / Civic Club Memberships	143	\$233.85	\$2,249,915
Dating Services	94	\$0.72	\$6,965
Video Rental	142	\$58.67	\$564,492

100 Equals National Spending Potential Average

Figure 2.12 Westfield Recreation Spending, source 2006 - 2007, Consumer Expenditure Surveys, Bureau of Labor Statistics

### Public Opinion Survey:

Various public opinion surveys were reviewed at the initial kick off meeting with the City of Westfield staff. Methodologies reviewed include a random sample telephone survey, mail-in survey with local utility bills, on-site kiosks and random sampling at schools and an internet survey.

The internet survey was determined to be the survey methodology that could best meet the desired survey outcomes. Desired outcomes include a broad sampling in a format that can be easily tabulated and fits in the planning schedule.

The survey method utilized “Survey Monkey” software placed and distributed to groups and individuals in the WPRD database and on the City of Westfield website. Questions were compiled by Landstory and Leisure Services Management. Key aspects of questions included demographic profiles, type and frequency of park and recreation participation, perceptions of park and recreation opportunities, perceived park and recreation needs and payment of park and recreation improvements.

A total of 449 people responded to the survey, providing a good representative park user profile and assisting the planning team to understand respondents’ parks perception. The survey was conducted for six weeks in January and February. Approximately two-thirds of the respondents were between 30 and 50 years old, a little over half were women, 86% of respondents were married with children and over 90% were white.

The following points summarize the survey results:

- + 90% of respondents stated they were aware of WPRD.
- + Over half the respondents felt facilities and programs were very good or excellent.
- + Two-thirds respondents were very aware or somewhat aware of events, programs and facilities.
- + Parks with the greatest awareness were Asa Bales, Monon Trail, Freedom Trail Park, and Quaker Park.
- + Parks with the least awareness were Osborne Park, Raymond Worth Park, and Maple Knoll Park.
- + Three-fourths of the respondents felt that having three park departments operating in Westfield was very confusing.

The following topics relate to respondent park use:

- + Nearly one-fourth of the respondents use parks at least once a week.
- + Over half of the respondents visit a park at least once a month.
- + The top participation is in the following activities:
  - o Walking / Jogging / Running.
  - o Participating in play activities with children.
  - o Biking.
  - o Reading, enjoying nature or just relaxing.
  - o Walking Dog.
  - o Participating in organized sports leagues.

Respondents felt the following programs or activities should be added:

- + Walking paths/biking trails.
- + Paved bike trails.
- + Playgrounds.
- + Nature programs / natural areas.
- + Concerts or other special events.
- + Children’s programs /day camps.

Overall, Westfield Parks were rated good to excellent by most respondents. The highest ratings were given to cleanliness, safety, trails and friendly staff.

The most effective ways to provide information about parks and recreation in Westfield is the internet, newsletters and e-mail. Half of the respondents were interested in volunteering; many were unaware of volunteer opportunities. 40% of respondents are willing to pay real estate taxes for park services; while 75% of the respondents are willing to pay for additional programs.

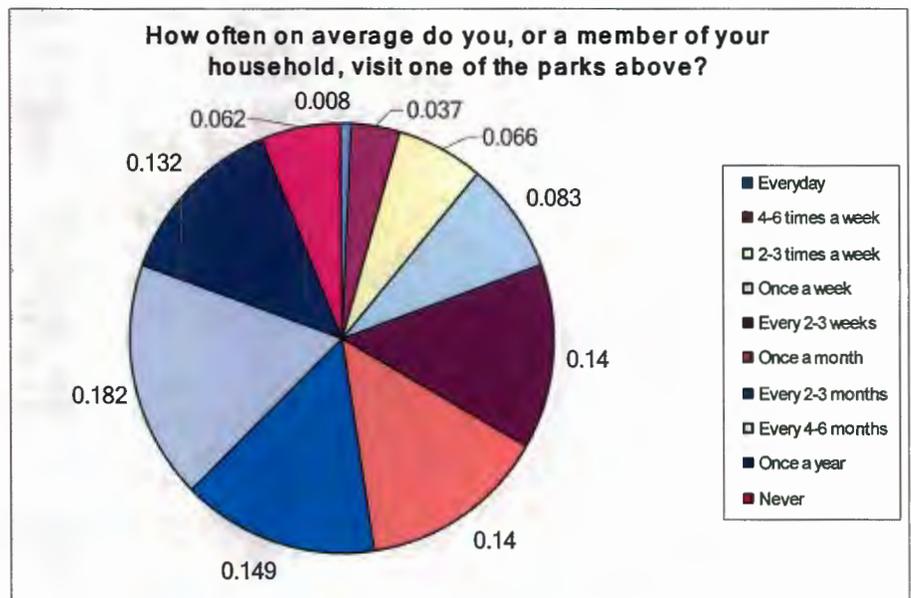


Figure 2.13: Survey Park Visitation Frequency

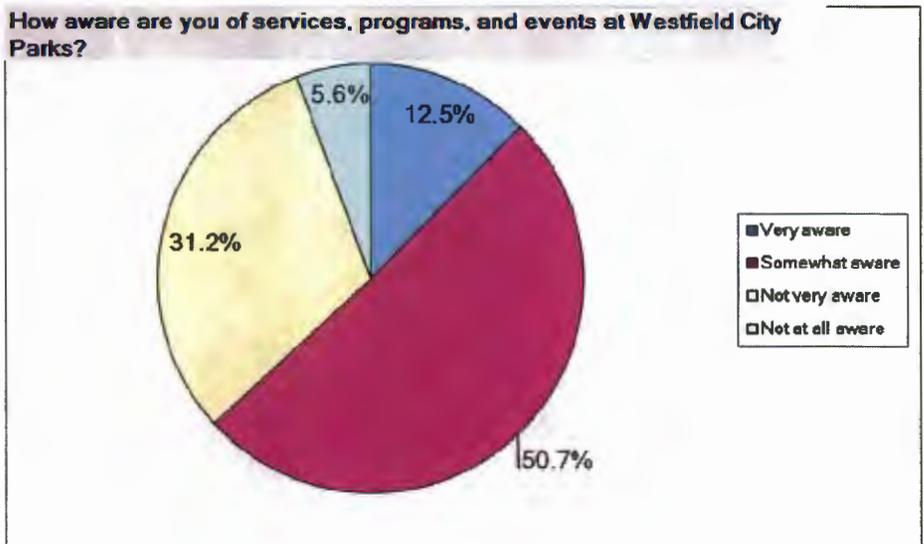


Figure 2.14: WPRD Program Awareness

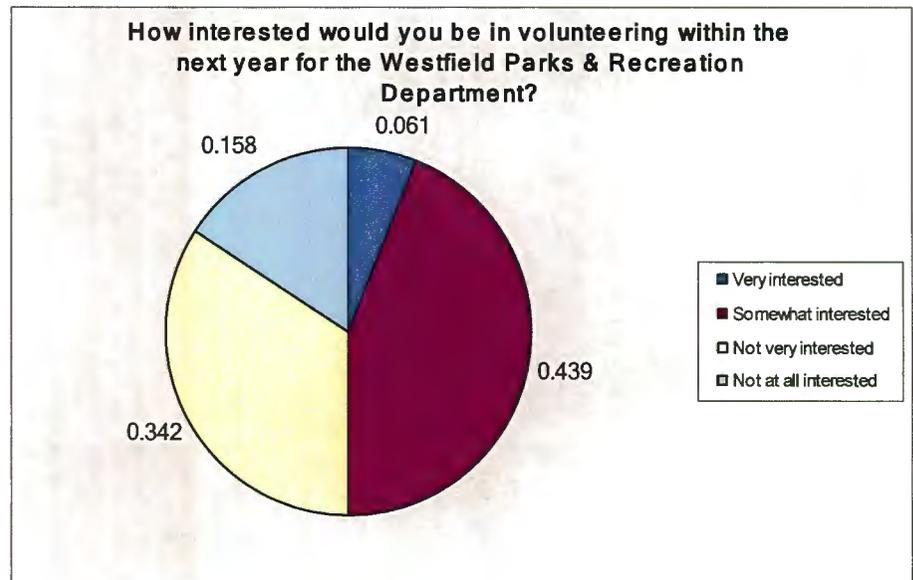


Figure 2.15: Volunteerism

### Staff Input:

A progress meeting was conducted with WPRD staff on February 8, 2011 in conjunction with a meeting with Mayor Cook. Items discussed included the schedule, Section 2, Fact Finding information, facility inventory and assessment and a preview of the public input meeting presentation.

Discussion focused on accomplishments, short-term trail and facility improvements and a long-term vision. Specific discussion items included:

- + Emphasis on existing trails should continue.
- + Coordination with Washington Township Parks and Recreation.
- + Preservation of existing natural areas such as Little Eagle Creek and existing woodlands.
- + Parkland acquisition.
- + Regional park feasibility.
- + Continued development of long-term vision.
- + Thematic park improvements and opportunities and their role in future park development; i.e. parks emphasizing the agricultural evolution or the local impact of the Underground Railroad.
- + Themes are important in all parks.
- + Neighborhood park needs are currently met with the homeowner associations.
- + Current facility issues include the Liberty Park wetland and boardwalk, and Asa Bales Park vandalism and security.
- + Water-based recreation feasibility.
- + Traffic roundabouts: landscape theming, maintenance responsibilities.
- + US 31 landscape maintenance responsibilities.
- + New signage.



### **Section 3: Discovery**

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### Section 3: Discovery

#### Programming Assessment:

WPRD in its short existence as a parks and recreation department has successfully managed a number of programs and special events due to the extent of active volunteers and local groups. A list of programs and special events requiring extensive volunteerism includes:

- + Easter Egg Hunt, Asa Bales Park, organized by Washington Township Parks Department.
- + Arbor Day; 2009 - Simon Moon Park, 140 volunteers planted 87 trees; 2010 - Freedom Trail Park, 100 volunteers planted over 60 trees.
- + Community Plant Day, Quaker Park, organized by Westfield In Bloom, 40 volunteers assisted in planting 8000 annual plants.
- + Westfield Rocks the 4<sup>th</sup>, Fourth of July Festival. Events included a car show, children's activities, vendor booths, outdoor market, live music and a fireworks display.
- + Fireside Tales, Simon Moon Park, three themed story time events were conducted in 2010 at the Council Ring fire pit.
- + YMCA Summer Camps, the YMCA utilizes Quaker Park for summer children's programs.
- + Westfield In Bloom, Floral Competition.
- + Race to the New Year, 5-K Run.
- + Westfield In Lights

Volunteer groups include Westfield In Bloom, Arbor Day volunteers, Master Gardeners, Wabash College Alumni, Girl and Boy Scouts, Westfield Youth Soccer Association, Westfield Youth Sports Inc., Downtown Westfield Association, and Westfield Washington School Corporation. Local government programming assistance has also been provided by Washington Township Parks and Recreation and the Hamilton County Parks Department.

Local park and recreation programming needs are also being met by several outside providers; a provider list and a brief summary follows:

- + Hamilton County Parks Department: Numerous nature oriented programming occurs throughout the year at Cool Creek Park. This includes organized nature hikes, bird watching activities and various children's programs. In addition, a concert series takes place in the park during the summer months.
- + Washington Township Parks and Recreation: This department offers numerous children's programs and adult programs throughout the year including art and science activities, exercise and many other programs.
- + Westfield Youth Soccer Association (WYSA): Active in developing youth soccer in the community through the development of competitive leagues, teaching and recreational soccer. WYSA manages the Habig Field Soccer Fields.
- + Westfield Youth Sports, Inc.; Promotes the development of amateur youth sports for school age children in Westfield and Washington Township. Competition is encouraged with various local and national youth sports organizations. The focus is on instructional, recreational and competitive

- leagues including baseball, basketball, cheerleading, football, lacrosse, softball, track and field, volleyball and wrestling.
- + Westfield Washington School Corporation: Indoor and outdoor facilities are available at many schools. Primary utilization of these facilities is for school-sanctioned events and programming. These are made available to outside groups including WYSI.

Currently WPRD relies on outside groups to operate and manage the programs they sponsor. To expand programming offerings in the future and gain more control of programming management, WPRD will need additional facilities to support programs and staff to manage the volunteer efforts. Initial staffing requirements may warrant the hiring of a program specialist and development of additional classrooms and meeting space.

### **Facility Inventory / Assessment:**

Each of the park facilities managed by WPRD was discussed in detail with park staff on January 12, 2011. This discussion included existing inventory, park needs, operations, management concerns and potential park improvements. The planning team provided a separate on-site assessment the following day. This included photography and field checking of existing conditions. The facility assessment discussion in this section also reviews park and recreation facilities managed by other providers. Administrative, operational and maintenance assessment items are also included. Administrative and facility needs are included as part of the needs assessment in this section and in Section 4, Plan Implementation, as part of the action plan and facility summaries.

#### Administrative Assessment:

The park department offices are housed in the City Service Center on 171<sup>st</sup> Street adjacent to Simon Moon Park. This is a new building with good support facilities including quality office space, technology and front office support. The maintenance staff offices are with the rest of the park staff. Material and equipment storage is shared with the public works staff in the Public Works garage on-site.

The shared use arrangement of equipment and material storage is generally sufficient. Expansion opportunities with this arrangement are not available. On occasion this is evident with the need for park maintenance staff to borrow public works equipment. Park maintenance staff, for larger more complicated tasks, also rents equipment from outside vendors. Additional WPRD staff is required. Primary concerns are the ability of current staff to adequately monitor the many volunteers WPRD uses for various programs and activities and provide the proper level of maintenance required at WPRD facilities.

#### Other Providers:

WPRD coordination with other providers is very good. There are close working relationships with Washington Township Parks and Recreation and Hamilton County Parks, as well as Westfield Washington Schools. Current programs and activities provided by each entity are complementary with very

little overlap in programs and activities. WPRD is a member of Hamilton Parks Association (HAMPA), a consortium of park and recreation and tourism providers in Hamilton County. A list of HAMPA members includes the following:

- + Westfield Parks and Recreation Department.
- + Washington Township Parks and Recreation.
- + Hamilton County Parks.
- + Fishers Parks and Recreation.
- + Noblesville Parks and Recreation.
- + Cicero Parks and Recreation Department.
- + Carmel - Clay Parks and Recreation Department.
- + Zionsville Parks and Recreation Department.
- + Conner Prairie Living History Museum.
- + Hamilton County Convention and Visitors Bureau.



Figure 3.1: Cool Creek Park



Figure 3.2: Mac Gregor Park

In the City of Westfield other public park and recreation facilities include Cool Creek Park and Nature Center (Hamilton County Parks), Bray Park, currently under construction (Hamilton County Parks) and MacGregor Park (Washington Township Parks and Recreation). Cool Creek Park is Hamilton County Parks' flagship facility with over 90 acres. The park contains administrative offices, a maintenance facility and nature center. A wide variety of outdoor passive and active recreation elements are provided; four miles of nature trails, vehicular drives and parking, playgrounds, softball, soccer, basketball, wetland areas, prairies and shelters.

MacGregor Park is the primary park facility operated by Washington Township Parks and Recreation. This park was recently expanded to 50 acres with a 13-acre acquisition. Facilities are focused on natural and passive activities and include a park drive, parking, approximately two miles of nature trails and restrooms. Much of the park contains conservation easements which limit recreational use. The recent acquisition is well-suited for active recreational uses. Redbud Park is a less than one-acre passive park at the Washington Township offices and consists of a gazebo and sitting area.

Westfield Washington Schools is currently the largest provider of active recreation in the community. There are a number of playing fields and courts jointly used by local sports groups and the schools. Figure 3.3 provides an inventory summary for WPRD facilities and other providers.

Facility	Acres	Baseball	Soccer	Tennis	Basketball	Football/Lacrosse	Pool	Shelter	Lake	Playground	Spryground	Trail	Restroom	Natural Area	Slidding	Skate Park
<b>Westfield Parks</b>																
Asa Bales Park	13.05						3			2		1	1	1		1
Freedom Trail Park	29.95					3				1		2		1		
Hadley Park	0.15							1						1		
Liberty Park	14.79													1		
Quaker Park	6.89				1		4			1	1	1	1			
Simon Moon Park	5.81						1			2		1			1	
Monon Trail	23.84											1				
Midland Trace Trail	9.12											1				
Natalie Wheeler Trail	3.04											1				
Armstrong Park	15.62											1				
Maple Knoll Parkland	6.03													1		
Raymond Worth Park	16.62											1		1		
Osborne Park	30.45							1								
Old Friends Cemetery	0.79											1		1		
Grand Junction Trail	1.00											1				
Cool Creek Trail	7.44											1				
Anna Kendall Trail	3.47											1				
<b>Other Public Providers</b>																
Westfield HS		3	1	10		2								1		
Westfield MS & IS		3				1										
Carey Ridge ES		1	1		5					1				1		
Maple Glen ES										1				1		
Washington Woods ES		1	1			3				1		1		1		
Shamrock Springs ES		4	9		4	4				1		1		1		
Oak Trace ES		2	1							1				1		
Monon ES		3	4							1				1		
Cool Creek Park		2	1		1			6		1		1	2	1		
Bray Park														1		
MacGregor Park												1	1	1		
Redbud Park							1									
Habig Fields		2	20													
<b>Total Units in Community</b>	<b>188.1</b>	<b>21</b>	<b>41</b>	<b>10</b>	<b>11</b>	<b>9</b>	<b>0</b>	<b>17</b>	<b>1</b>	<b>14</b>	<b>1</b>	<b>17</b>	<b>5</b>	<b>17</b>	<b>1</b>	<b>1</b>
Units per 1000 Residents	6.27	0.7	1.37	0.3	0.3	0.3	0.0	0.5	0.0	0.4	0.0	0.5	0.17	0.5	0.0	0.0

Figure 3.3: Existing Park Inventory

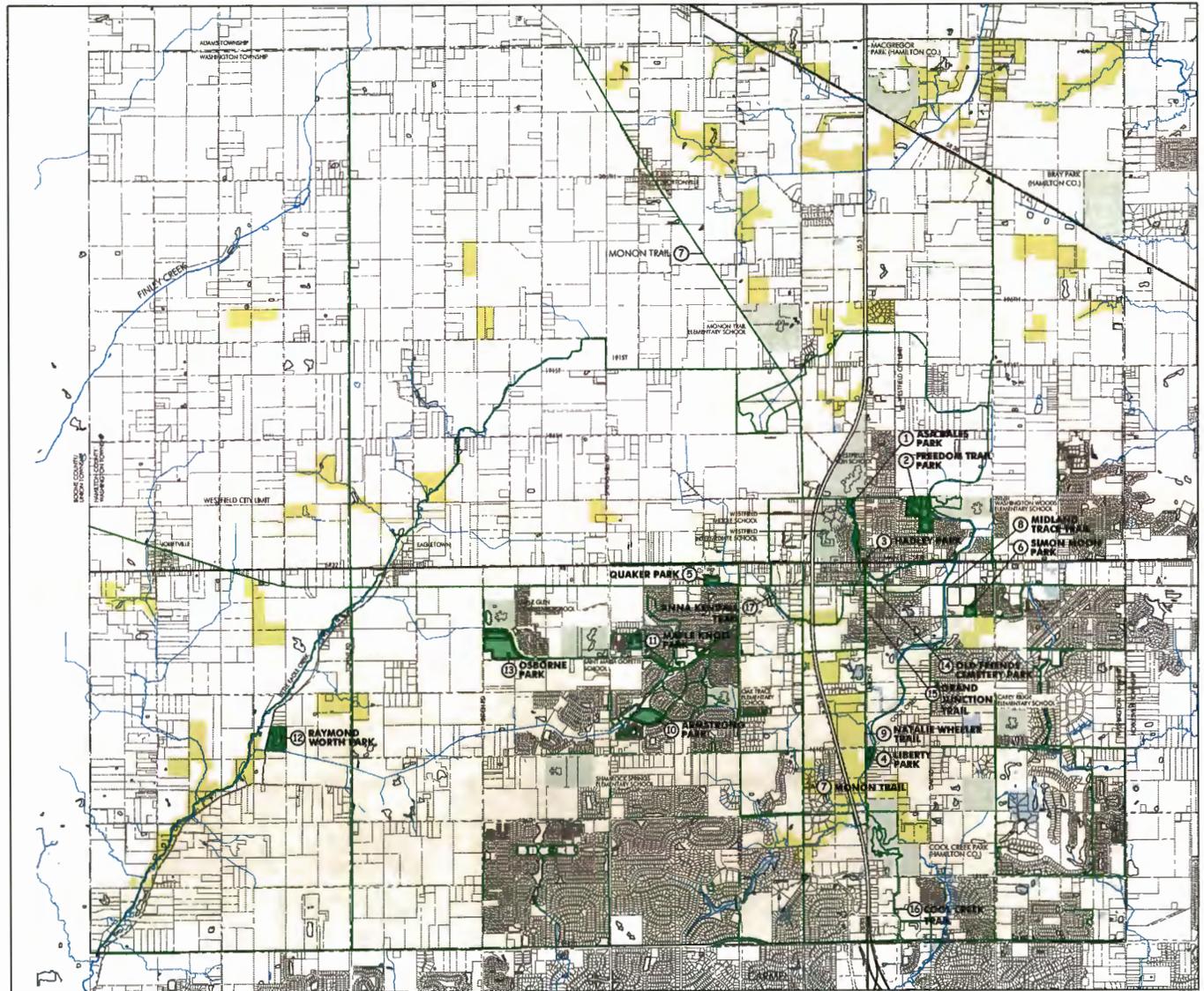
### FACILITY LEGEND

SYM	DESCRIPTION
1	ASA BALES PARK (NP)
2	FREEDOM TRAIL PARK (CP)
3	HADLEY PARK (NP)
4	LIBERTY PARK (NP)
5	QUAKER PARK (NP)
6	SIMON MOON PARK (NP)
7	MONON TRAIL
8	MIDLAND TRACE TRAIL
9	NATALIE WHEELER TRAIL
10	ARMSTRONG PARK (NP)
11	MAPLE KNOLL PARK (NP)
12	RAYMOND WORTH PARK (NP)
13	OSBORN PARK (CP)
14	OLD FRIENDS CEMETERY PARK (NP)
15	GRAND JUNCTION TRAIL
16	COOL CREEK TRAIL
17	ANNA KENDALL TRAIL

(NP) = NEIGHBORHOOD PARK  
(CP) = COMMUNITY PARK

### PLAN KEY

SYM	DESCRIPTION
	WESTFIELD TRAIL NETWORK
	WRPD OPEN SPACE/PARKS (EXISTING)
	PUBLIC OPEN SPACE (EXISTING)
	EXISTING WATER RESOURCES
	EXISTING WOODLAND RESOURCES (20+ ACRES)
	CITY OF WESTFIELD
	TOWNSHIP LIMITS
	CREEK / STREAM



Facilities Assessment:

Westfield currently has 130 acres of parkland and 36 acres of trail inventory. Most of the parks have been developed. Several parks have unique elements such as Asa Bales Park skate park, Freedom Trail Park's inclusive playground and sensory garden and the Simon Moon Park sledding hill. General existing park inventory is deficient as a percentage of the overall land mass and population. Many park and recreation needs are being met by outside providers such as the school corporation and homeowner associations. School corporation playing fields and other active recreation components meet much of today's need. Parkland that has not been developed includes Armstrong Park and Osborne Park. Specific WPRD facility inventory in addition to information provided in Figure 3.3, Existing Park Inventory, is provided in the facility summaries located in Section 4, Plan Implementation.

**Staff Evaluation**

WPRD has full-time staff of five people with four additional seasonal part time employees. The Administrative Assistant position was filled in January. The staff evaluations identified below are divided into administrative, natural resources and maintenance functions. The maintenance description also discusses current equipment owned and used by the parks department.

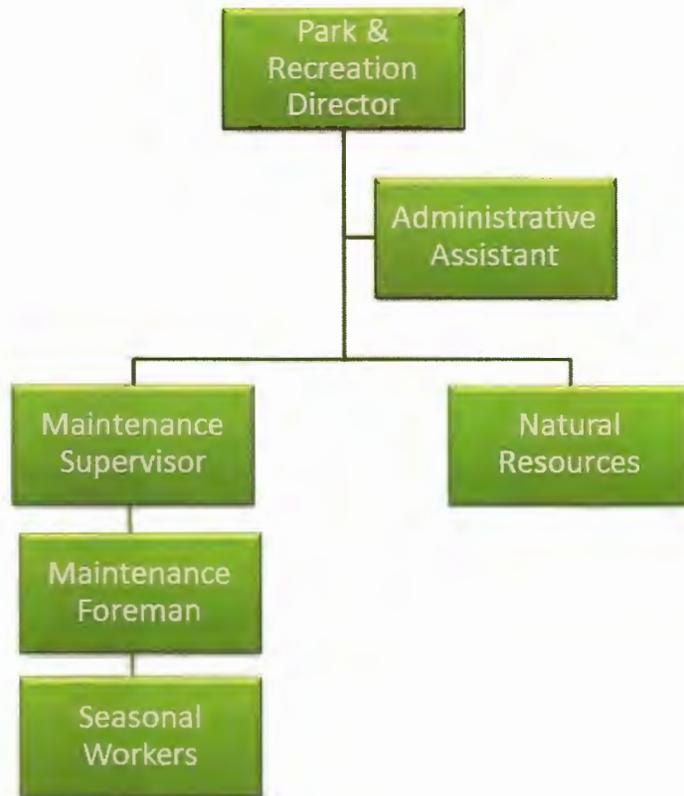


Figure 3.4: WPRD Organization Chart

### Administrative Staff

The **Director of Parks** reports directly to the Mayor. The Director is responsible for all park and recreation functions and oversees the park department staff. The director is responsible for the following functions:

- + Park Department budget, fundraising, grant writing.
- + Day-to-day operations of the Parks and Recreation Department.
- + Long-range planning, program design, special events, volunteer management.
- + Public relations and marketing.
- + Facility maintenance and safety issues oversight.
- + Operating and capital budgets.
- + Manages and oversees all capital projects.

The **Administrative Assistant** performs office operations and clerical and administrative tasks. Additional responsibilities include:

- + Research and respond to requests for park information.
- + Research grant opportunities.
- + Updating web site and prepares newsletters and promotional materials.
- + Maintaining calendars and schedules.
- + Providing overall support to the department but assigned primarily to the Director.

### Natural Resources Staff:

Presently one employee is assigned to completing the **Natural Resources** work in the park system. Responsibilities include:

- + Planning and design of park and city sites and landscape.
- + Specifying plant materials in parks.
- + Urban forestry including tree assessments and inventories.
- + Landscape design for traffic roundabouts and landscape medians.
- + Assistance with various administrative tasks.
- + Consultation with maintenance staff on plant selection and landscape care.
- + Volunteer management.
- + Management of community planting events.
- + Technical support.

### Maintenance Staff:

The **Supervisor of Maintenance** reports to the Director and oversees one full-time employee and four part-time seasonal workers. The staff maintains 130 acres of parkland and 17 miles of trails. Maintenance Staff responsibilities include:

- + Mowing, plantings, tree trimming /removal.
- + Fertilization and herbicide applications.

- + Irrigation system maintenance and watering, including downtown hanging flower baskets.
- + Traffic roundabout maintenance.
- + Management of volunteers.
- + Assistance with capital improvements; playgrounds, park equipment and landscaping.
- + Playground inspections.
- + Ongoing repair of indoor and outdoor facilities.
- + Restroom maintenance.
- + Vandalism repairs and graffiti removal.

Repairs needed beyond the capabilities of maintenance staff are completed by skilled trades from Public Works staff or outside contractors. In winter the maintenance staff assists city staff with snow removal responsibilities. Most athletic field maintenance is completed by school staff, volunteers and user groups.

WPRD staff has offices located in the City Service Center. Fieldwork and maintenance activities are conducted out of the Public Service garage. The parks department has a small area assigned in the garage, for equipment storage and service such as oil changing, mower adjusting and blade sharpening. Major repairs are done under contract with outside vendors.

Current WPRD owned equipment includes the following:

- + 3 Trucks
- + 2 Trailers
- + 2 Utility work vehicles
- + Toro 4000 D mower
- + Zero Turn mower
- + Various weed eaters, blowers and hand tools

For larger complicated maintenance and service activities, maintenance staff has access to Public Works equipment if it is available. This includes bobcats, backhoes, dump trucks and tractors. WPRD staff seems motivated and enthusiastic about their jobs and the work environment. They are well educated for the positions and in some cases over qualified for those positions. They have appropriate experience, skills and knowledge to complete assigned tasks. The work environment appears to be friendly and open. A sense of team spirit exists which seems to extend to all city departments. The greatest current staff needs relate to programming assistance and performance of maintenance responsibilities.

Westfield Park Budget Dollar per Resident	
2010 operating Budget	\$ 486,556
2010 Capital Budget	\$ 1,000,000
Total 2010 Parks Expenditures	\$ 1,486,556
2010 Population	30,068
Dollars per Resident	\$ 49.44
2008 Average of Largest Cities in U.S.	\$ 102.00

Figure 3.5: Westfield Per Capita Recreation Spending

Large City	Park Acreage	% Land Area	Population	\$/Resident	\$/Acre	# Employees	\$ Spent	Employ/acre	Employee /1000
Cincinnati	6,945.0	14%	314,154	\$ 166	\$ 5,135	343	\$ 35,659,499	0.049	1.090
Cleveland	2,930.0	5.9%	458,684	\$ 84	\$13,209.55	559	\$ 38,703,975	0.191	1.220
Toledo	2,206.0	4.3%	304,937	\$ 23	\$ 3,227.11	92	\$ 7,119,000	0.042	0.300
Columbus	12,937.0	9.6%	730,008	\$ 82	\$ 2,186.24	304	\$ 28,283,406	0.023	0.420
Indianapolis	11,020.0	4.8%	784,242	\$ 47	\$ 2,896.99	374	\$ 31,924,843	0.034	0.480
Louisville	15,402.0	6.3%	700,030	\$ 41	\$ 1,565.39	472	\$ 24,110,187	0.031	0.670
Average	8,573.3	7.5%		\$ 74	\$ 4,703.31	357.33	\$ 27,633,485	0.062	0.697

Similar Cities										Acres
Fairfield, Ohio	300	2.2%	45,000	\$ 86.00	\$12,900.00	71	\$ 3,870,000	0.237	1.58	13,504
Liberty Township, Ohio	277	1.5%	33,000	\$ 35.61	\$ 4,241.88	4	\$ 1,175,000	0.014	0.121	17,920
Mason, Ohio	370	3.3%	25,000	\$300.59	\$20,309.82	136	\$ 7,514,634	0.368	5.44	11,264
Carmel	515	4.5%	85,000	\$217.65	\$35,922.33	393	\$ 18,500,000	0.763	15.72	11,456
Noblesville	854	7.5%	51,000	\$113.92	\$ 6,803.28	59	\$ 5,810,000	0.069	2.36	11,456
Average	463.2	3.8%	47,800	\$150.75	\$16,035.46	132.6	\$ 7,373,927	0.290	5.04	
Westfield	188.1	0.8%	30,068	\$ 49.44	\$ 8,391.51	10	\$ 1,486,556	0.056	0.33	
Westfield	Active	Passive								
	38%	62%								
Proposed Standard	350	1.6%								

Figure 3.6: System Comparisons

**Needs Assessment:**

There are presently 130 acres of parkland under the control of WPRD. This acreage makes up 0.8% of the land mass of the City. Averages of other local and regional cities are 3.8% of dedicated parkland mass. A standard for Westfield given the light population density and amount of undeveloped rural land in the city should be about 1.8% of the city land mass or double the amount of existing parkland. The City of Westfield spends about \$49 per resident on park and recreation services each year. Similar cities locally and regionally spend an average of \$151 per resident. A recommended budget standard for Westfield is approximately \$100 per resident or twice the current budget amount.

The acquisition of parkland should be done within the next five years. Land prices will rise quickly as the economy recovers and development begins again. New development will likely occur on the western edge of the city; where efforts to secure additional parkland acquisition should be focused. Land is likely the least expensive in the western portion of the city and has the greatest concentration of undeveloped natural areas including stream

corridors and woodland. These areas should be preserved as open space or parkland.

The Westfield Parks are well distributed in the community. A park is located within a 5 minute drive of most of the citizens as shown in Figure 3.7 on the Five Minute Drive Time map.

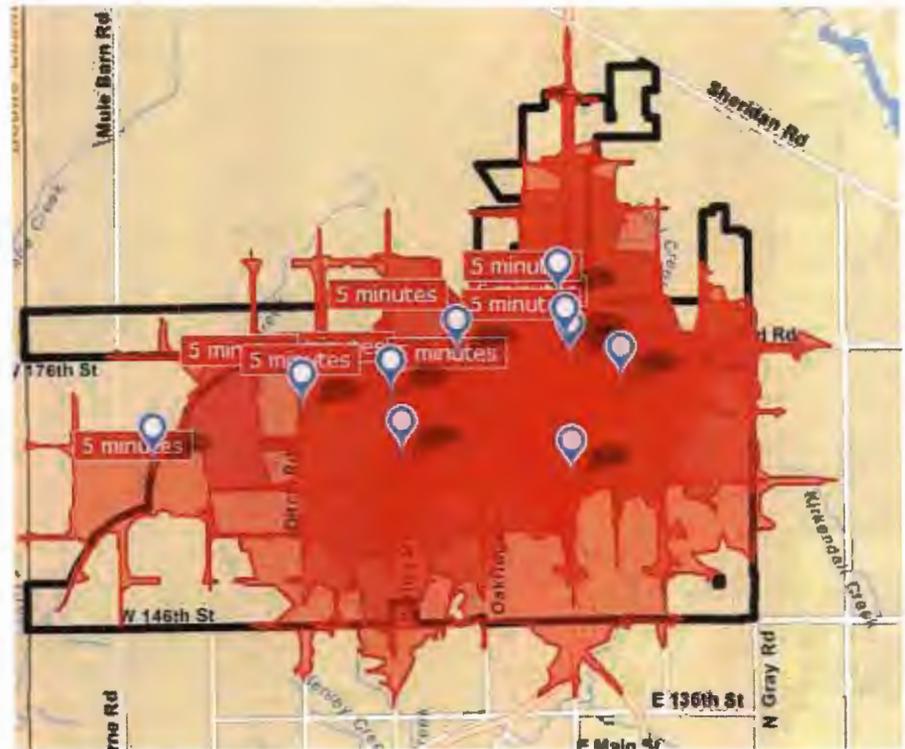


Figure 3.7: WPRD Drive Time Chart

Presently parkland distribution is 38% active and 62% passive. Nationally, average distribution is approximately 1/3 passive to 2/3 active. The heavy reliance on schools for active recreation explains the higher use of parklands for passive activities. As long as schools continue to provide the active field sites, Westfield parkland active/passive use will remain in appropriate balance.

Athletic fields in the city presently fulfill the needs of the residents except for additional fields for the growing sport of rugby. Quaker Park provides the only basketball court in the system. The school system presently has ten tennis courts at the high school campus but public access is limited. Westfield does not currently offer an off-leash dog park. Many survey respondents and other input received by the planning team identify the need for a dog park.

A plan for a major commercial development centered on the 300-acre Grand Park is under way. Grand Park will provide a venue for local user groups and will host regional and national tournaments. The plan proposes to provide all outdoor sports fields for youth and adult leagues. Development of additional playing fields may occur following usage evaluations. If the public use portion of this development is not sufficient to meet local needs then additional fields and courts may need to be built to accommodate local needs.



Westfield is a growing city with a park department that has been established less than two years. Historically programs have been provided by Washington Township Parks and Recreation and Hamilton County Parks. As Westfield grows in population, programs will fill quickly and additional programs and space will need to be expanded.



WPRD presently has no indoor space for programs. The schools have a number of gyms, classrooms, and meeting areas which can provide important space for expanded programs. The present structure of the school rental / use policy restricts available use for WPRD programs. Many communities get double use of tax dollars by having school facilities available for education functions during the day and recreational use in the evening

Swimming pool facilities in the community are mostly provided by home owner associations. These are primarily small swimming pools. Quaker Park has a small spray ground which is heavily used. Westfield currently does not have a large scale community center. There is a stated need for a large scale community center. There is a need for a smaller community building for senior programs during the day and adult and youth programs in the evenings.

Westfield is aggressively pursuing development of trails with separate east/west and north/south regional trails. It is developing a secondary loop trail system to provide connections to the major trails, parks and neighborhoods. Needs exist for feeder trails from neighborhoods to access regional and loop trails. A gap study has been completed by the City and is being used to support the creation of a connective feeder system for safe and reasonable access to the trail system for all residents.

Administratively as WPRD responsibilities increase, staffing needs also increase; these are discussed in the staffing evaluation.

### **Recreation Trends:**

Recreation trends in recent years have been concentrated on budget and finance issues. Doing more with less is a park and recreation standard but has come to the forefront with the recent economic down turn. Many departments have started charging for programs which have traditionally been free. Nationally, parks departments on average produced approximately 20% of their budgets from fees for programs and rentals. Many progressive departments produce nearly 40% of operating budgets from fees. Cincinnati, Ohio has produced 35% of Recreation Commission budgets by charging for after school day care, programs, classes and rentals. Hamilton County, Ohio collects fees making up 38% of its budget with pay to play for golf, horseback riding, and wedding event hosting, fishing, boating and vehicle use fees. This is in addition to a standalone, county park operating levy passed by voters which produces operating and capital funding for the entire county park system. Many communities have established off-leash dog parks.

Many park systems have added off-leash dog parks to their facilities in recent years. These facilities in some cases were beyond the budgets of the local park departments and were constructed using private funds raised by pet owning

citizens on park lands. Other departments saw the need and used park capital budgets for the creation of these facilities.

Park departments are increasingly forming not-for-profit 501C3 foundations to receive gifts and be eligible for more grant monies. A foundation can effectively use volunteers. Nationally, parks receive about 1% of funding from donations; some park departments with foundations and aggressive fundraising policy receive as much as 8% from gifts and endowments.

In recent years facility rentals for weddings and corporate meetings have been used to support overall park operations. Drees Wedding Center at Devou Park in Covington, Kentucky produces a \$400,000 profit annually to help operate historic Devou Park. Many parks departments take advantage of their wonderful landscapes and historic buildings as venues for corporate meetings, weddings and special occasions.

Park systems have recently increased environmental demonstration projects. The Cincinnati Parks administration building has its power needs supplemented by a large array of solar panels and a wind turbine located in Eden Park. The system not only saves power but is an interpretive education element in the park. This demonstrated how we can have an impact on energy use and earn revenue by selling power back to the grid. A small Ohio city installed heating systems supplemented by heat pump systems to draw heat from the waters of a nearby lake. The system was used as an interpretive element to demonstrate energy saving resources.



Wi-Fi has been installed in some systems to enable increased visitation and enhance the visitor experience. Park departments use GPS equipped vehicles to enable efficient vehicle routing, wise use of fuel, and time for maintenance. A Midwest city has installed litter receptacles in high use areas which alert the department with a Wi-Fi signal when they are full, saving time, money and operations.

Major changes have occurred in aquatics facilities. The "L" shaped olympic pool, a standard for many years in communities, is being replaced with regional water park type facilities with zero depth entries and play features in shallow splash areas. Many of these water parks also provide concessions, picnicking and the ability to host large groups, enabling a return on investment. Small neighborhood pools are being replaced with spray grounds with no standing water which means no life guards are required.



Community centers have gone from 25,000 square foot neighborhood facilities with one gymnasium to large multi-use buildings with gymnasiums, fitness facilities, classrooms and indoor / outdoor aquatic playgrounds. Many are joint venture facilities with the parks department partnered with other groups such as YMCA's, Girls & Boys Clubs and health facilities.

Many manicured turf areas in parks are being replanted using non-traditional turf and native plants and prairies to reduce mowing, save energy and minimize maintenance costs. Exotic invasive plants and animals are becoming more harmful to the environment and to parklands because of the deleterious effect on native plants and landscape improvements in parks. Park departments have begun proactive efforts to control these plants before they negatively impact

the urban forest and other desired landscape plantings. Over population of deer has become a major problem, decimating plants in parks. Many systems are systematically thinning herds to protect and preserve park plant life.

Recent planning efforts in Westfield are responding to these trends including water spray grounds, use of native plant material and utilization of GPS technology. WPRD is also responding to the need of large scale community centers and aquatic centers by actively seeking partners and other outside providers for these facilities.

### **Community Desires:**

Community desires have been expressed in a variety of methods as part of the planning process. These methods include stakeholder meetings, public opinion surveys, public input meeting(s) and various discussions with WPRD staff. To compare community desires with park and recreation needs, comparisons have been made to similar communities' park departments and recreation trends. Desired park and recreation activity and facility goals expressed by the community include:

- + Establish Westfield as a community with a unique park and recreation experience and facilities, to raise the bar and set examples for other cities and towns similar in size and demographics.
- + Utilize parks and recreation as an important quality of life component and driver of economic development.
- + Utilize trails as a critical component of the communities' growth and economic development strategy.

Additional improvements and facilities which will enable WPRD to achieve the goals above include:

- + Aquatic and water based facilities.
- + Community Center.
- + Improved park signage including identification, directional, informational, interpretive and warning signs.
- + Additional playing fields and courts.
- + Improved trail connections to neighborhoods.

### **Public Input:**

The public input meeting was held in the Westfield City Hall, Public Assembly Room on February 17, 2011. Approximately two dozen people were in attendance including WPRD staff, local citizens and members of the planning team. Previous stakeholder and user input, information summaries, demographics and planning observations were presented by the planning team.

Several questions were asked by the public during the presentation, addressing the importance of trails and connectivity and various park and facility needs. Brief questionnaires were distributed for attendees to fill out and submit to the planning team. Following the presentation, the public was

invited to discuss park and recreation assets and needs in more detail with staff members and the planning team at four stations set up in the meeting room. Public participants were requested to submit comments on notes affixed to system maps.

Needs identified by the public included:

- + Internal loop paths connecting to trails.
- + Improved connectivity including neighborhood and trail links.
- + Sufficient shelters at future parks.
- + Tennis courts, ice skating, dog parks, disk golf and fishing.
- + Retention of existing natural resources and qualities, including increased use of best management practices.
- + Utilization of utility easements for trails.
- + Land rights and options to secure future parklands.
- + Visible parks and open space at main roadways.
- + Increased public availability of school facilities including open swim times at pools.

At the completion of the presentation, plan completion steps including preparation and submission of the master plan report were reviewed, including the Westfield City Council presentation on April 11, 2011. Meeting attendees were invited to complete the public opinion survey prior to February 25.

#### **Staff Input:**

The March 1, 2011 progress meeting focused on reviews of the public input meeting, the public opinion survey, park and recreation inventory, needs assessment, identification of potential planning themes and preliminary planning recommendations.

The following topics were discussed in the meeting:

- + The Washington Township Parks and Recreation Department relies on the Central Indiana Community Foundation Legacy Fund for some of their revenue. A benefit of a park foundation will be to have a reliable source of trained volunteers.
- + Westfield In Bloom is a volunteer group within WPRD.
- + The overall park acreage should include acreage for trails managed by WPRD.
- + Westfield is developing a regional stormwater management plan to enable development of Grand Park and Grand Junction.
- + Planning for Grand Park has included input from the local youth sports organizations.
- + Westfield is currently developing a sign system for Grand Junction that will be expanded to include signage for other park facilities.
- + It is important for community attitudes and perceptions to be expressed in the City Council presentation.



#### **Section 4: Plan Implementation**

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Funding Assessment	Page 92
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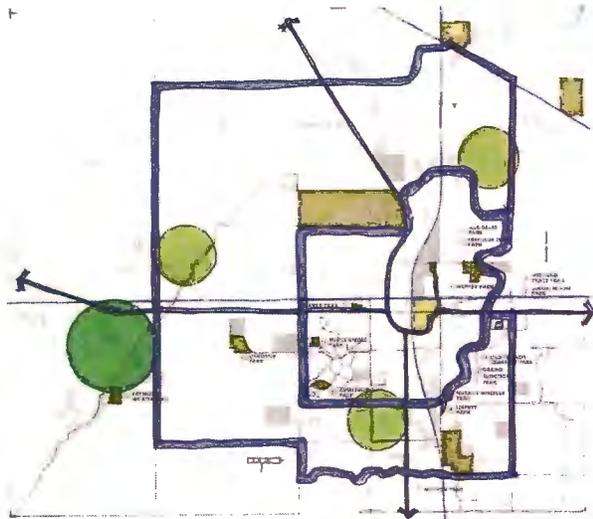


Figure 4.1: Loop Framework Concept

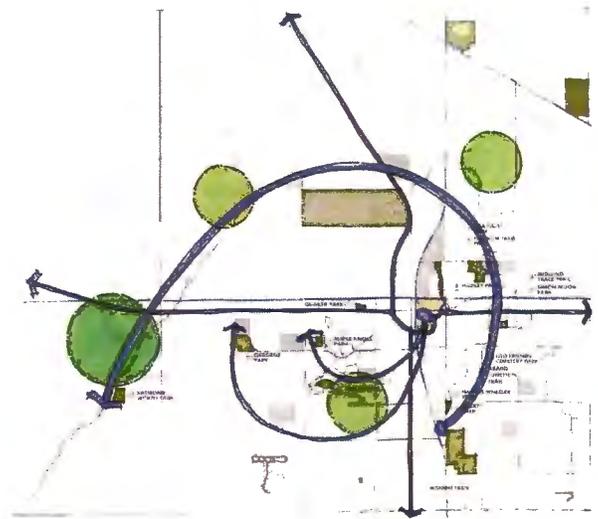


Figure 4.2: Spiral Framework Concept

## Section 4: Plan Implementation

### Planning Framework:

The initial step in formalizing the master plan action items and implementation was the formation of a planning framework which synthesized the goals and planning themes identified earlier in the planning process. Two planning framework concepts were developed and presented to WPRD. Each concept utilized a series of linear park loops to expand existing multi-use trails for connections between parks and emerging growth areas. One concept utilized natural stream corridors to connect the community with central focal points.

The second concept involved two loops utilizing existing and proposed trail corridors to connect to parks, neighborhoods and community destinations such as public facilities, schools and commercial districts. An inner loop in developed areas is focused on connections to existing parks and neighborhoods. A companion outer loop provided linear park connections to future development areas. Existing regional trails such as the Monon and Midland Trace Trail were utilized to connect the inner and outer loops.

The loop framework was the preferred concept. It was best suited for meeting future growth and development. This concept maximizes overall connectivity and neighborhood integration.

The inclusion of various themes has been discussed during the course of the master plan process. Thematic integration in the linear park loops and park facilities include the following:

- + Parks emphasizing local agricultural or cultural history, such as the Quaker influence.

- + Development of parks focused on current agricultural trends including small scale “artisan farms” and an arboretum.

Thematic integration can include the inner loop designation as a heritage / community loop and the outer loop as an agricultural / tourism theme. Each of the loops is envisioned as a wide linear park corridor, using existing stream corridors as a linear park or in combination with roadway corridors as a parkway.

The linear parks should be approximately 75 to 125 feet in width, exclusive of vehicular right-of-way requirements. This width will enable the inclusion of some recreation opportunities integrated in the corridor. In developing an integrated system of linear park loops, regional trails and collector trails connected to neighborhoods, corridor standards establishing a clear hierarchy for each corridor type should be established. Thematic elements that can be integrated in the linear park loops include the use of colors, materials or repeated use of iconic items. Recreational elements may include inclusion of non-structured play areas, disk golf, interpretive nodes and other linear activities.

#### **Action Plan:**

The Action Plan provides a specific menu of implementation actions over the course of the next 20 years. Additional information on facility priorities is described in the Plan Priorities / Phasing section on page 94. Preliminary budget costs associated with various system-wide and facility related physical improvements are described in the Budget / Cost section on page 90. Action items are organized around administrative actions such as programming, maintenance and improvements related to specific park and trail facilities.

#### Administrative Actions

WPRD has made great strides since the formal creation of the department less than two years ago. While great strides have been made, considerable effort will be required to achieve the goals of the community and WPRD. The most important administrative actions relate to increased programming, improved marketing and promotion, and sufficient staff, for day to day functions of the department and to maintain the current forward momentum. Marketing and promotion actions are described in the Market Assessment / Identity section (page86); while staff actions are described as part of Staffing Recommendations on page 89.

Close coordination exists with other park and recreation providers, Westfield Washington Schools and local youth sports groups. Some coordination deficiencies and needs have been identified. There is a strong desire by many in the community to merge WPRD and Washington Township Parks. Initially additional joint programming is recommended along with negotiations to merge both departments. This may include the creation of a “Greater

Westfield Parks and Recreation Department". One benefit of a combined park and recreation department will be increased efficiencies and the availability of the Washington Township park tax levy, for WPRD facilities and MacGregor and Redbud Parks

While there is a good relationship between WPRD and Westfield Washington Schools, the need for improved public access to school facilities was heard by the planning team on several occasions. A more affordable open use policy should be negotiated with Westfield Washington Schools. This policy should address scheduled times for open use, liability concerns and preferential rental rates or free use of school facilities by WPRD.

It was noted in the park stakeholder meeting there is close coordination among park and recreation providers and a seamless and complementary provision of park and recreation services. Improvements to the WPRD identity will minimize current confusion among park users. Elements of marketing, WPRD promotion and identity enhancement are discussed in the Marketing Assessment / Identity section.

The formation of a park foundation consisting of key individuals in the community with legal, marketing and financial backgrounds is highly recommended. This would provide the director with ongoing direction and assist in raising funds for WPRD from outside sources. A park foundation would provide marketing and promotion and would encourage development of a larger pool of volunteers.

#### Programming

An important aspect of WPRD growth and expansion is the provision of additional programs and special events to increase visibility and park visitation and to appeal to a broad range of groups, interests and abilities. Appropriate facilities and spaces to support programs need to be developed and can possibly be achieved by partnering with other groups such as Westfield Washington Schools. In the short-term, it is recommended that existing church, school or private spaces be utilized.

Appropriate program leaders and facilitators need to be trained and developed. Increased utilization of available volunteers will assist in developing program leaders. It is important that volunteer training is provided to ensure a high level of service consistent with WPRD expectations. Program expansion should be paid for by user fees given the level of community affluence and citizen willingness to spend 50% more than the U.S. average for recreation services. Input received from the survey and users indicated the desire for additional community events. Increased programming and additional special events will promote WPRD visibility in the community. Aspects of special events and programming related to the Market Assessment / Identity are discussed in that section.

**Westfield Parks and Recreation Master Plan**

**Action Plan**

Action	Priority	Budget	Remarks
<b>Administrative Actions</b>			
Prepare Strategic Marketing Plan	◆	NA	
Implement WPRD market / brand identity program	◆	NA	
Increase programming	◆	NA	
Increase maintenance staff	◆	NA	
Hire programming coordinator	◆	NA	
Evaluate Grand Park operation	◆	NA	
Investigate feasibility of joint Park Dept.	◆	NA	
Institute affordable joint use agreement with school corporation	◆	NA	
Institute parks advisory committee	◆	NA	
Form Park Foundation	◆	NA	
Develop volunteer training program	◆	NA	
<b>System Actions</b>			
Complete inner loop trail system	◆	\$ 3,500,000	12 mile
Complete outer loop trail system	◆	\$ 6,000,000	20 mile
Complete neighborhood trail connections	◆	\$ 2,000,000	8 mile
Acquire land for new regional park	◆	\$ 5,250,000	150 acres
Construct new regional park	◆	\$ 25,000,000	
Community Center development feasibility & agreement	◆	NA	
Acquire land and construct new community center	◆	\$ 15,000,000	
Construct Park Maintenance Facility	◆	\$ 1,000,000	
<b>Facility Actions</b>			
<b>01 - Asa Bales Park</b>			
Increase patrol frequency	◆	NA	
Install new park signs	◆	\$ 50,000	
Convert existing building (south) to recreation center	◆	\$ 200,000	
Replace south playground	◆	\$ 65,000	
Replace north playground	◆	\$ 65,000	
<b>02 - Freedom Trail Park</b>			
Provide trail connection to Cool Creek Trail	◆	\$ 50,000	
Install new park signs	◆	\$ 50,000	
Increase native prairie landscape areas	◆	\$ 25,000	
Install shelter and tables	◆	\$ 50,000	
Construct restroom facility	◆	\$ 150,000	
Construct new entrance from Hoover Road Extension	◆	\$ 100,000	
Install new playground	◆	\$ 65,000	
Replace all inclusive playground	◆	\$ 200,000	
<b>03 - Hadley Park</b>			
Decommissioning activities	◆	\$ 25,000	
<b>04 - Liberty Park</b>			
Construct overlook structure	◆	\$ 25,000	
Improve existing boardwalk	◆	\$ 25,000	
Provide additional native landscape and tree plantings	◆	\$ 25,000	
Reconfigure parking area	◆	\$ 25,000	
Install new park signs	◆	\$ 15,000	
Provide Natalie Wheeler Trail connection	◆	\$ 25,000	
<b>05 - Quaker Park</b>			
Install new park signs	◆	\$ 15,000	
Provide Midland Trace Trail connection	◆	\$ 25,000	
Display garden planting	◆	\$ 5,000	
Provide additional tree plantings	◆	\$ 10,000	
Recondition turf areas	◆	\$ 25,000	
Replace playground	◆	\$ 65,000	
<b>06 - Simon Moon Park</b>			
Install new park signs	◆	\$ 15,000	
Acquire vacant lot	◆	\$ 20,000	
Construct restroom facility	◆	\$ 150,000	
Realign existing path	◆	\$ 25,000	
Evaluate sledding hill operation	◆	NA	
Construct sidewalk connection to City Service Center parking	◆	\$ 15,000	
Replace playground	◆	\$ 65,000	

Action	Priority	Budget	Remarks
<b>07 - Monon Trail</b>			
Install new park signs	◆	\$ 2,100,000	
Acquire trail right of way, 191st St. to Township Line	◆	\$ 25,000	
Construct trail - Oak Ridge Road to 191st Street	◆	\$ 550,000	
Pave trail between 161st Street to Oak Ridge Road	◆	\$ 500,000	
Construct trail - 191st Street to Township Line	◆	\$ 125,000	
Construct trailhead @ 161st Street	◆	\$ 900,000	
Construct trailhead @ 161st Street	◆	\$ 250,000	
<b>08 - Midland Trace Trail</b>			
Install new park signs	◆	\$ 1,975,000	
Acquire land for trail as part of Anna Kendall / Monon Trail	◆	\$ 25,000	
Construct gravel trail Carey Road to Gunther Boulevard	◆	\$ 150,000	
Install additional trail amenities	◆	\$ 50,000	
Construct trail from Quaker Park to Boone County Line	◆	\$ 25,000	
Construct trail from Gunther Boulevard to Gray Road	◆	\$ 1,475,000	
Construct trail from Gunther Boulevard to Gray Road	◆	\$ 250,000	
<b>09 - Natalie Wheeler Trail</b>			
Install new park signs	◆	\$ 160,000	
Construct trail connection to Grand Junction Trail	◆	\$ 10,000	
Construct trail connection to Grand Junction Trail	◆	\$ 150,000	
<b>10 - Armstrong Park</b>			
Install new park signs	◆	\$ 1,015,000	
Develop park design documents	◆	\$ 15,000	
Construct paved parking lot, shelter, restroom & playground	◆	\$ 100,000	
Construct playing fields & additional trails	◆	\$ 350,000	
Install native tree and landscape plantings	◆	\$ 450,000	
Install new park signs	◆	\$ 100,000	
<b>11 - Maple Knoll Park</b>			
Install new park signs	◆	\$ 60,000	
Preserve existing woodland	◆	\$ 10,000	Maintenance activity
Provide understory tree plantings at edge	◆	\$ 10,000	
Install woodland path	◆	\$ 5,000	
Install on-street parking spaces	◆	\$ 25,000	
Construct accessible path	◆	\$ 5,000	
<b>12 - Raymond Worth Park</b>			
Install new park signs	◆	\$ 75,000	
Pave and expand parking area	◆	\$ 10,000	
Improve existing equestrian trails	◆	\$ 30,000	App. 20 spaces
Acquire land & construct trail to Little Eagle Creek	◆	\$ 10,000	
Construct dog park	◆	\$ 25,000	
Construct park improvements & water based recreation	◆	\$ 3,475,000	
Install native tree and landscape plantings	◆	\$ 25,000	
Develop park design documents	◆	\$ 200,000	
Construct paved parking lot, shelter, restroom & playground	◆	\$ 350,000	
Construct park improvements & water based recreation	◆	\$ 300,000	
Install native tree and landscape plantings	◆	\$ 2,500,000	
<b>14 - Old Friends Cemetery Park</b>			
Install new park signs	◆	\$ 100,000	
Implement interpretive research findings	◆	\$ 65,000	
Construct trail between Freedom Trail Park and Main Street	◆	\$ 15,000	
Coordinate trail with Grand Junction project	◆	\$ 50,000	
Establish rain garden plants	◆	\$ 20,000	
Establish rain garden plants	◆	\$ 10,000	Maintenance activity
<b>16 - Cool Creek Trail</b>			
Install new park signs	◆	\$ 1,810,000	
Construct trail between Freedom Trail Park and Main Street	◆	\$ 10,000	
Construct trail between Main Street and Liberty Park	◆	\$ 500,000	
Construct trail between Main Street and Liberty Park	◆	\$ 1,300,000	
17 - Anna Kendall Trail	◆	\$ 10,000	
Install new park signs	◆	\$ 10,000	

Legend:

High Priority (1 - 5 years) ◆

Medium Priority (5 - 10 years) ◆

Low Priority (10 - 20 years) ◆

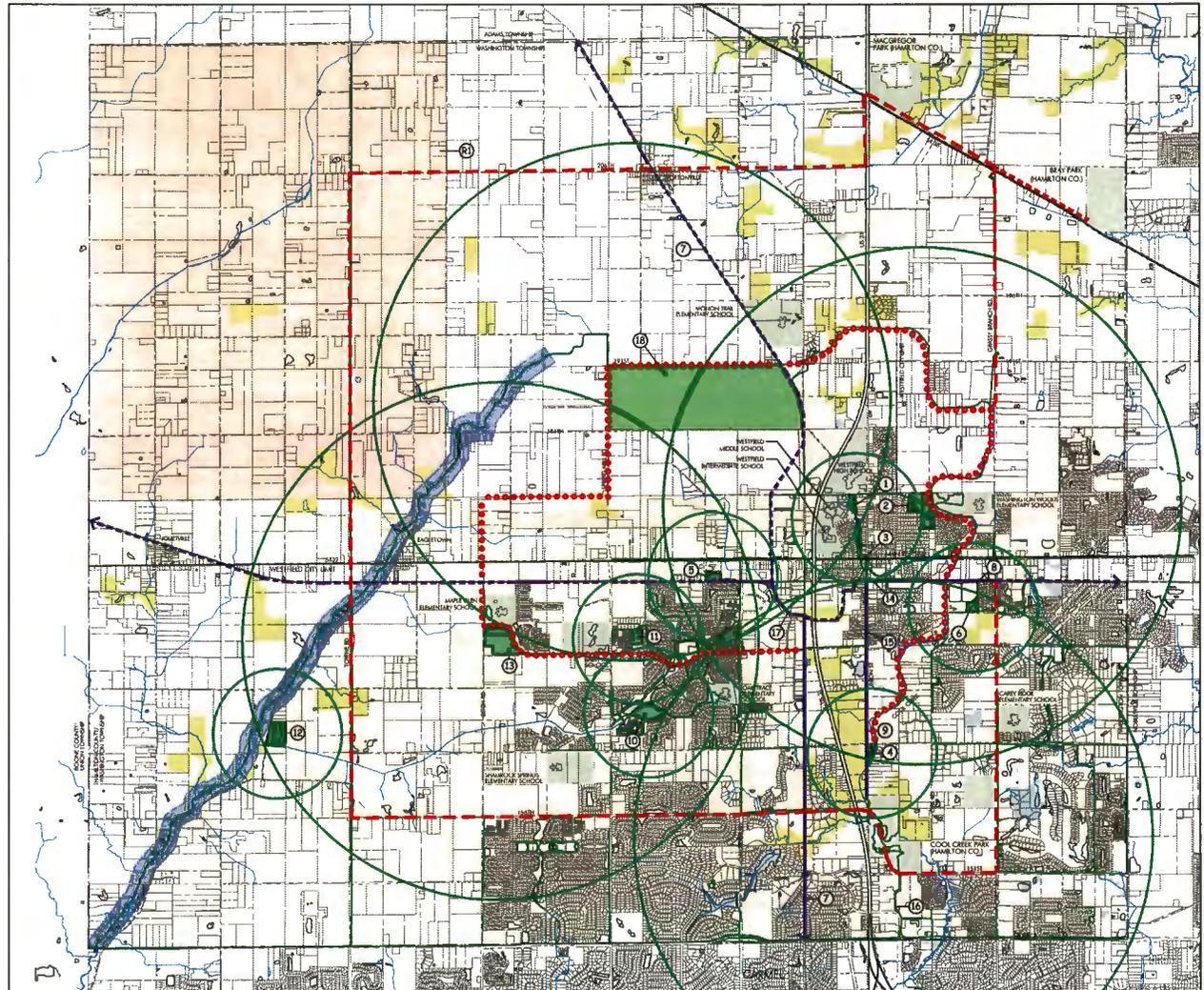
**FACILITY LEGEND**

SYM	DESCRIPTION
1	ASA BALES PARK (NP)
2	FREEDOM TRAIL PARK (CP)
3	HADLEY PARK (NP)
4	LIBERTY PARK (NP)
5	QUAKER PARK (NP)
6	SIMON MOON PARK (NP)
7	MONON TRAIL
8	MIDLAND TRACE TRAIL
9	NATALIE WHEELER TRAIL
10	ARMSTRONG PARK (NP)
11	MAPLE KNOLL PARK (NP)
12	RAYMOND WORTH PARK (NP)
13	OSBORN PARK (CP)
14	OLD FRIENDS CEMETERY PARK (NP)
15	GRAND JUNCTION TRAIL
16	COOL CREEK TRAIL
17	ANNA KENDALL TRAIL
18	GRAND PARK
19	PROPOSED REGIONAL PARK (RP)

(CP) = COMMUNITY PARK  
(NP) = NEIGHBORHOOD PARK  
(RP) = REGIONAL PARK

**PLAN KEY**

SYM	DESCRIPTION
	WESTFIELD TRAIL NETWORK
	WPRD OPEN SPACE/PARKS (EXISTING)
	OPEN SPACE (EXISTING)
	EXISTING WATER RESOURCES
	GRAND PARK CITY OWNED (PROPOSED)
	EXISTING WOODLAND RESOURCES (20+ ACRES)
	WESTFIELD CITY LIMITS
	GENERAL AREA OF PROPOSED REGIONAL PARK
	TOWNSHIP LIMITS
	CREEK / STREAM
	MULTI-USE TRAIL (EXISTING)
	MULTI-USE TRAIL (PROPOSED)
	GREENWAY TRAIL (PROPOSED)
	PARKWAY TRAIL (PROPOSED)
	EXISTING NEIGHBORHOOD PARK (1/2 MILE SERVICE AREA RADIUS)
	EXISTING COMMUNITY PARK (2 MILE SERVICE AREA RADIUS)
	LITTLE EAGLE CREEK CONSERVATION CORRIDOR



LANOSTORY LSM, Inc.

Figure 4.4 - Parks, Recreation, Facilities and Trails Master Plan  
May 2011

PARKS AND RECREATION MASTER PLAN



### System / Maintenance:

Addressing improved connectivity between neighborhoods and parks with the linear park loop system is a critical park and recreation component. The linear park will utilize existing trails, stream corridors and roadway rights of way to accomplish this connectivity. Many of the inner / heritage loop linear park components are already in place or planned, such as the Anna Kendall Trail, Monon Trail, Midland Trace Trail and Cool Creek Trail. Completion of missing segments of this loop will complete connections between many established neighborhoods, parks and schools. Opportunities to provide linear park components such as play nodes and a broad linear park corridor should be explored. Development of specific linear park standards, as part of a trail hierarchy should be prescribed for all sections of the linear park loops to include:

- + Corridor types, such as greenway, parkway, regional trail, and collector trail.
- + Overall linear park width.
- + Trail width.
- + Shared linear park elements such as roadways, landscaping and development buffers.
- + Linear park intersections, gateways and connections.

The outer loop identified on the system map provides linear park extensions and connectivity to undeveloped areas of Washington Township. This loop provides improved opportunities to integrate linear park elements because of the relatively undeveloped nature of the corridors. To enable this, sufficient right-of-way needs to be provided on roadway corridors. This can be accomplished as roadways are widened and improved and with developer requirements for buffer areas adjacent to the linear parks.

To address current deficiencies in the existing parkland inventory, development of one regional park is recommended. The regional park is suggested to have an emphasis on passive recreation to complement the active nature of Grand Park. It is assumed that Grand Park will be publicly accessible and will be able to function as a new community park. The key to success for Grand Park will be to ensure public access for informal use including opportunities for informal pick-up type field recreation. It is unlikely WPRD will have management or operational responsibilities for Grand Park; as such a facility map and description of this park have not been included in this report.

Current residential greenbelt zoning requirements generally provide for neighborhood scale park and recreation requirements, in many cases this is common space owned and managed by the HOA. It is recommended the Westfield Thoroughfare Plan be modified to require developers to set aside public green space suitable for development of the linear park loops. To determine the sufficiency of community parks, the distribution of existing community parks was considered. Community parks include Osborne and

Freedom Trail Park because of their size and potential community park functionality. In addition, Cool Creek Park was considered because it currently is the largest developed park in Washington Township and functions as a community park. The inclusion of Grand Park to be constructed in 2011 will potentially fill the need for a new community park in the northwest quadrant of Westfield.

A new regional scale park should also be provided; this park should be in the 100 to 250 acre range and emphasize passive recreation in a natural setting. The optimum area for this park will be in the northwest quadrant of Washington Township, north of SR 32 and west of Towne Road.

Various facilities and park improvements need to be considered as WPRD moves forward in responding to community needs and desires. Many of these facilities will be addressed in the Facility Actions section.

Several activities and facilities that are not site specific are discussed here. A stand-alone community aquatic facility is not recommended at this time because of the availability of nearby facilities, development cost, and high maintenance and operating requirements. In its place, additional spray grounds and small scale aquatic opportunities should be considered to address this need. Creation of a multi-purpose community center is recommended. This will require partnering with an outside entity. The facility should be a full size center with indoor and outdoor aquatic facilities, gymnasiums, fitness facilities, classrooms, meeting and program spaces.

Prior to development of a multi-purpose community center a small community / recreation center could provide a revenue stream. During the week this could be used for programming and available for rent during weekends for special events. Additional facility needs based on input received from the public and WPRD staff includes rugby fields, basketball courts, tennis, a dog park and expanded trails and neighborhood connections.

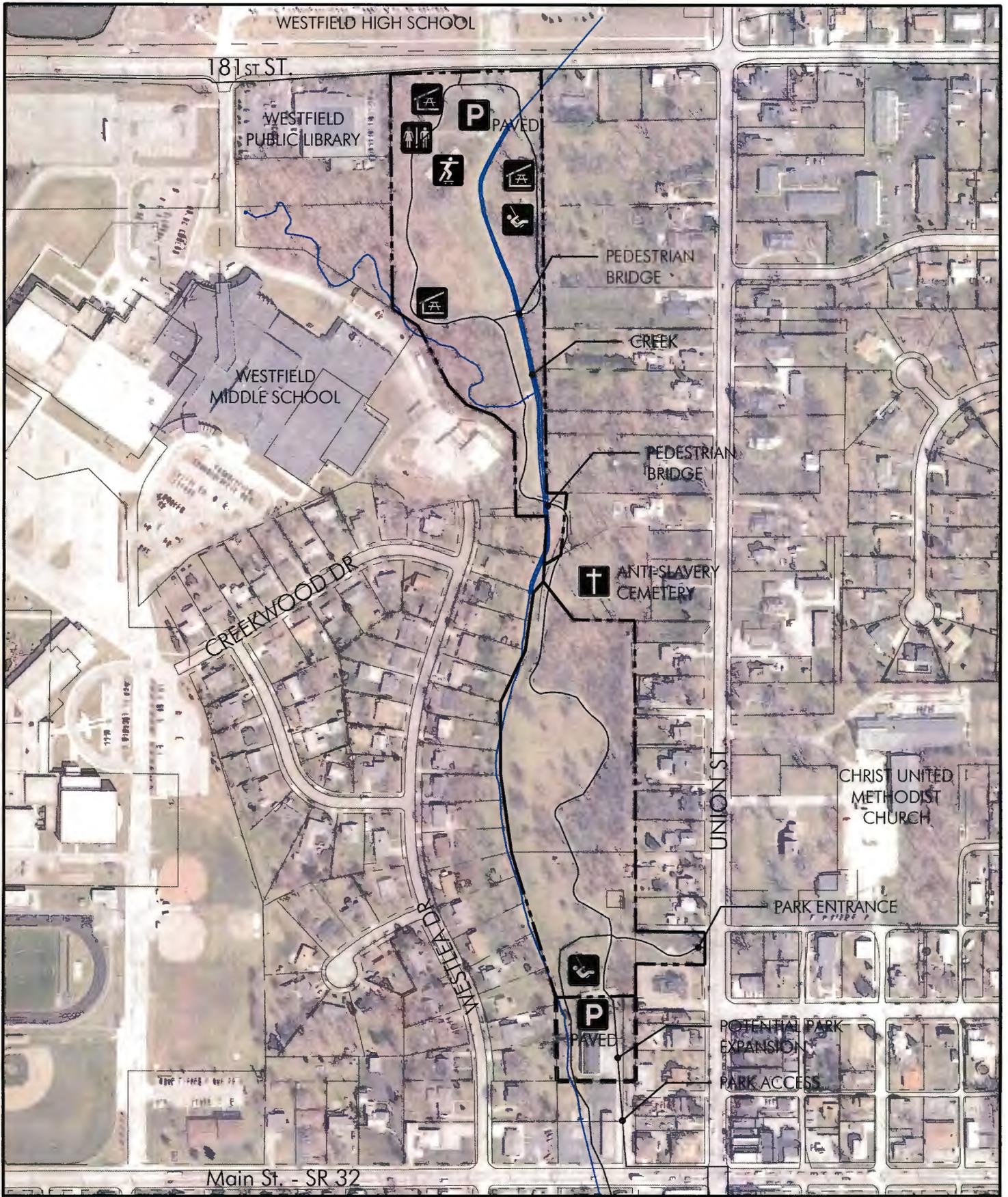
Discussion of current maintenance practices and needs was reviewed with the staff. Currently the parks maintenance staff uses Public Works equipment and space for parks maintenance. This is becoming more difficult as space and equipment needs are increase. A short-term solution is to rely more on outside contractors for equipment rentals and material needs. A separate park maintenance facility and budget for equipment is needed. Ideally, a park maintenance facility should be centrally located in an existing park or on city-owned property. As the park system grows and expands, separate satellite maintenance facilities should be considered.

Park maintenance staff prefers to contract out playing field maintenance. Contract maintenance includes field maintenance, and operation responsibilities. Maintenance staff is in the process of developing best management maintenance practices. An example is the recent conversion of Freedom Trail Park turf areas to native prairie plantings. Utilization of best management practices converting high maintenance unprogrammed turf areas to native plantings such as prairies should be extended to other parks.

In addition to best management practices, replacement of park amenities such as playgrounds, benches, shelters, tables, litter receptacles, grills, bike racks, signs and other items need to be provided on a rotating basis. The replacement interval will depend on the life cycle of each amenity item. Consistency needs to be maintained system wide with these elements in order to maintain replacement stock.

Facility Actions:

The following pages provide maps and fact sheets for each of the existing WPRD park facilities. The fact sheets identify the existing recreation inventory, current needs and recommended actions based on their priority. Action items have been based on input received by the planning team from survey responses, the public meeting, stakeholder meetings, staff input, recreation trends and standards.



01

# Asa Bales Park

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011



Scale: 1"=300'



**Address:** 205 West Hoover Street (North Entrance)  
200 Camilla Court (South Entrance)  
211 North Union Street (Pedestrian Entrance)

**Size:** 13.05 Acres

**Existing Site:**

- + Established linear park close to downtown core and adjacent to Westfield High, Middle and Intermediate Schools.
- + Park is primarily open lawn with scattered mature tree plantings; bisected by small stream.
- + Anti-Slavery Cemetery adjacent and accessible to park.
- + Vehicle access from Hoover Street on north. South access is from Camilla Court and pedestrian access is from Union Street.
- + Park is completely developed. There is space available for smaller recreation elements such as playgrounds and shelters.
- + Park has experienced vandalism and graffiti problems in the past.
- + On-site security features include video surveillance.
- + City-owned lot on south with structure offers parking and small recreation center potential.

**Existing Inventory:**

- + 3 shelters.
- + 2 playgrounds.
- + 1 drinking fountain
- + 1 trail, paved.
- + 1 restroom.
- + 1 natural area.
- + 1 skate park.
- + 2 paved parking area.
- + Amenities include benches, tables, grills, drinking fountain.

**High Priority Actions:**

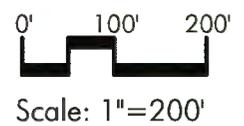
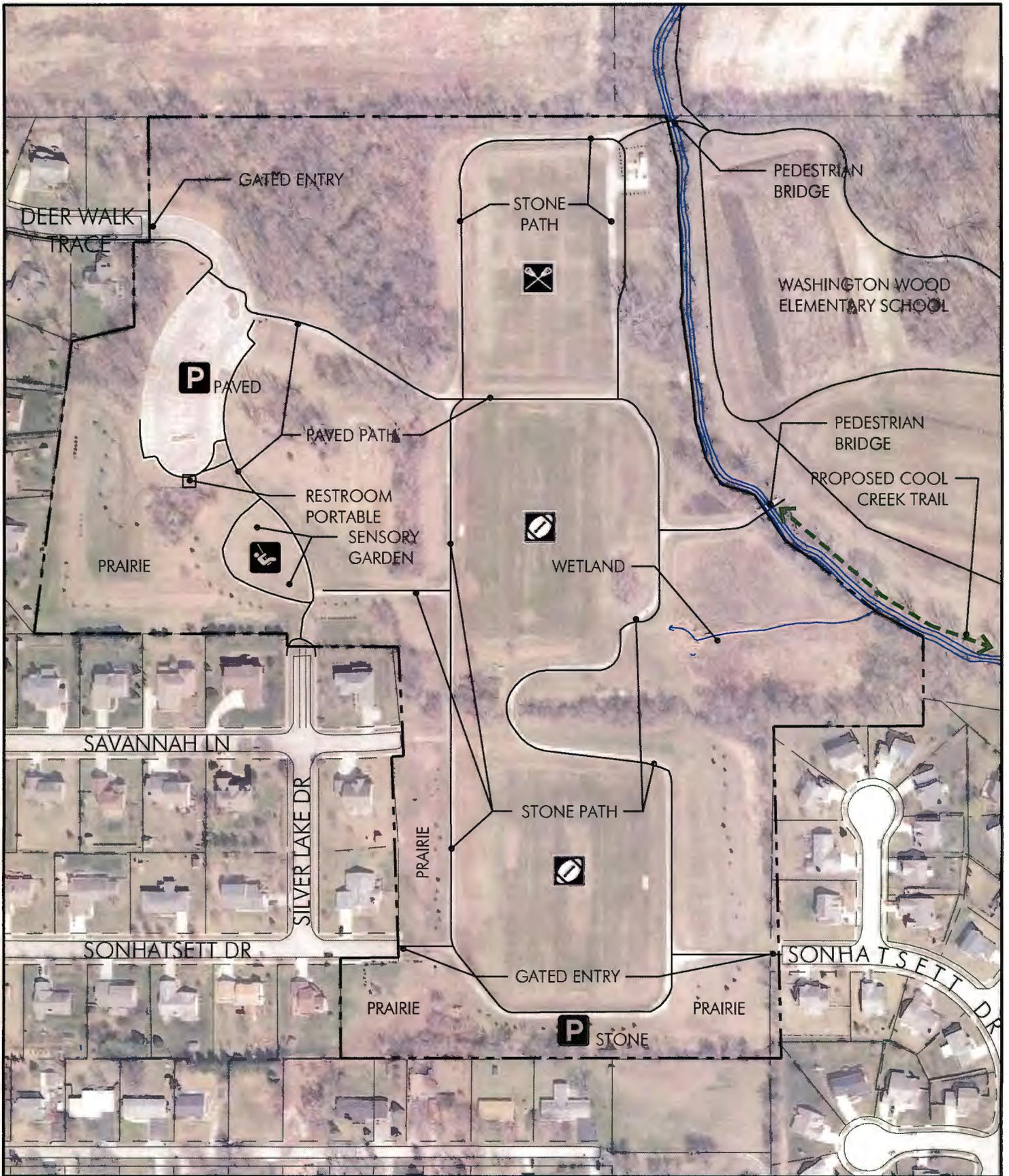
- + Increase frequency of law enforcement patrols to deter vandalism.
- + Incorporate new identification signs at park entrances and information signs in park utilizing new brand image.
- + Rehabilitate existing building on south lot into small recreation center.

**Intermediate Priority Actions:**

- + Replace 1 playground.

**Low Priority Actions:**

- + Replace 1 playground.





**Address:** 500 Deer Walk Trace

**Size:** 29.95 Acres

**Existing Site:**

- + Limited vehicular access through existing Silver Lakes and Willow Creek subdivisions, with gated entries at each vehicular park entry.
- + Parkland part of developer and school land donation.
- + Planned Hoover Street extension provides good opportunity for improved vehicular access from City thoroughfare.
- + Cool Creek extends along east park boundary.
- + Mix of open lawn / playing fields, mature tree plantings and native plantings including recently installed low stature prairie.
- + Adjacent to Washington Woods Elementary School with pedestrian access.
- + Sensory garden completed in 2010 as part of Rotary Signature project.
- + All inclusive playground completed in 2010.

**Existing Inventory:**

- + 2 football fields.
- + 1 lacrosse field.
- + 1 playground.
- + 1 trail, paved.
- + 1 trail, gravel.
- + 1 natural area - prairie / sensory garden.
- + 1 paved parking area.
- + 1 gravel parking area.
- + Amenities include benches, tables, bicycle racks.

**High Priority Actions:**

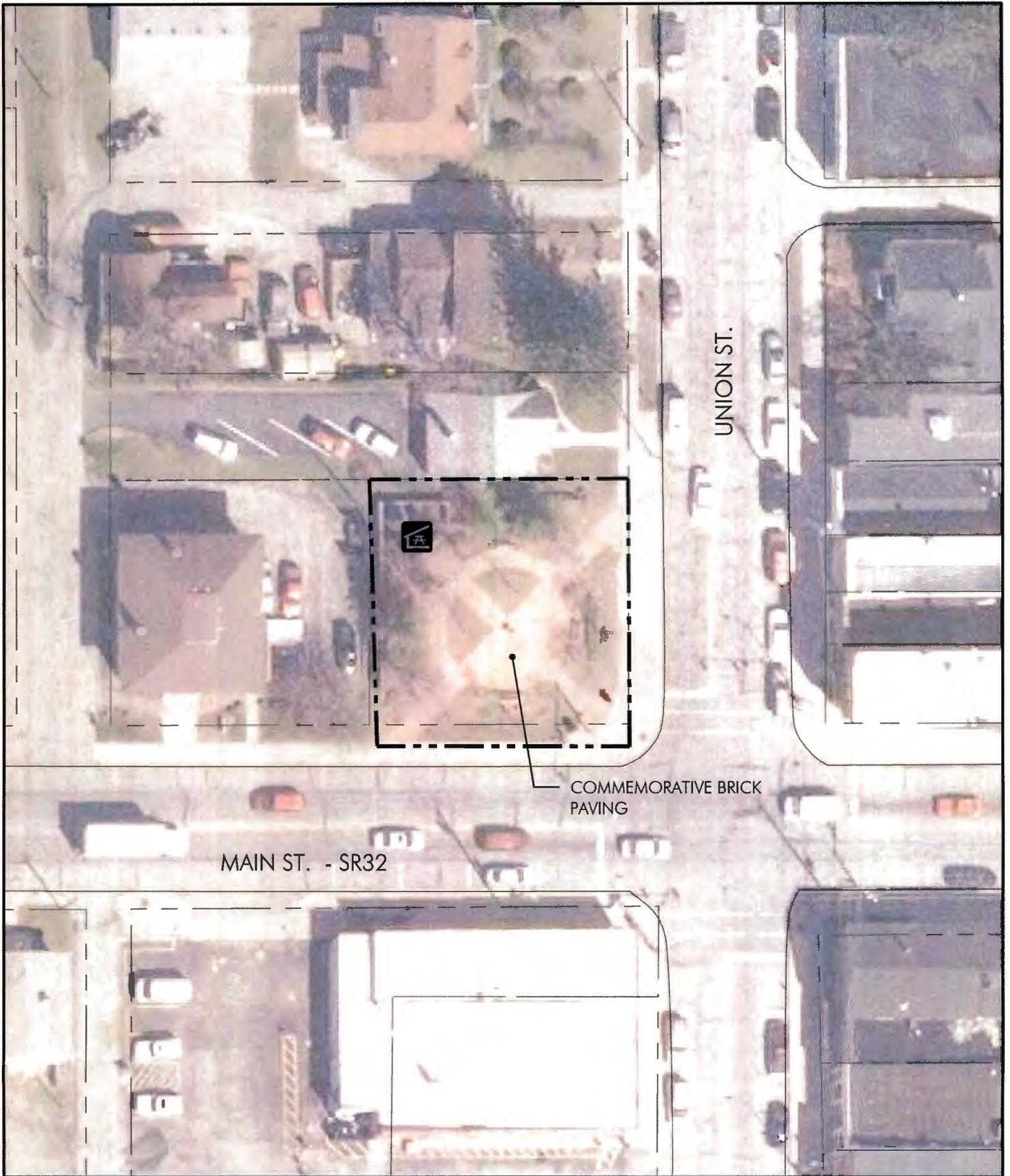
- + Incorporate new identification signs at park entrances and information signs in park utilizing new brand image.
- + Extend existing native prairie areas.
- + Install shelter, tables and grill.
- + Construct restroom facility.
- + Construct new drive access from planned Hoover Street extension.
- + Continue working with Westfield Rotary Club for natural area development.

**Intermediate Priority Actions:**

- + Install new playground

**Low Priority Actions:**

- + Replace all-inclusive playground



MAIN ST. - SR32

UNION ST.

COMMEMORATIVE BRICK PAVING

03

### Hadley Park

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011



Scale: 1"=40'



**Address:** 100 West Main Street

**Size:** .15 Acres

**Existing Site:**

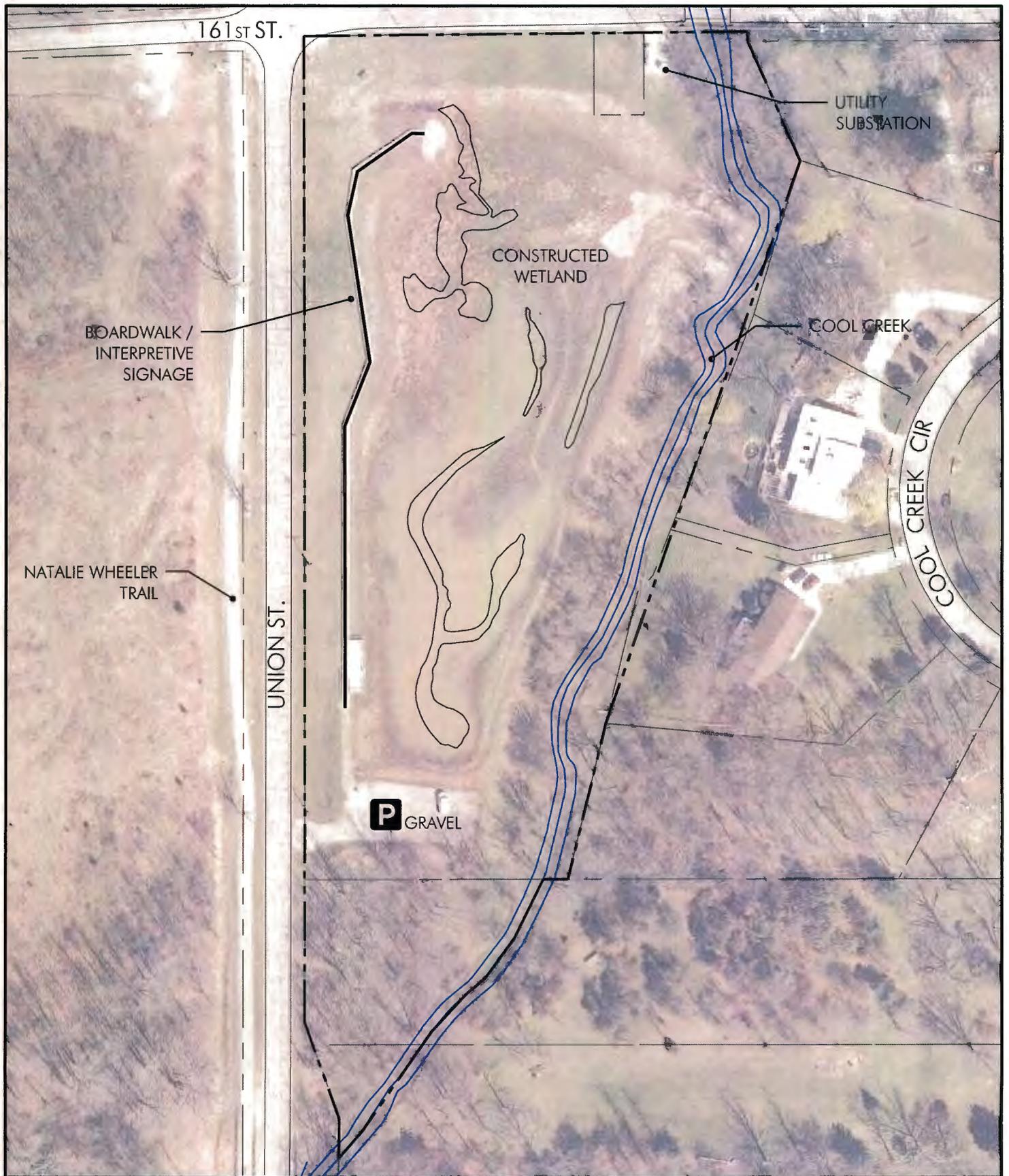
- + Historic pocket park at core downtown intersection of Union Street and Main Street (SR 32).
- + Plans to redevelop park commercially following replacement of park elements to Grand Junction project.

**Existing Inventory:**

- + 1 shelter, landscape structure.
- + 1 natural area - garden area.
- + 1 brick path and sitting area.
- + Amenities include decorative lighting, benches.

**High Priority Actions:**

- + Reuse existing commemorative brick pavers and other landscape elements at Grand Junction project.
- + Consider redevelopment options for the park site.



Scale: 1"=100'



**Address:** 16001 Westfield Boulevard

**Size:** 14.79 Acres

**Existing Site:**

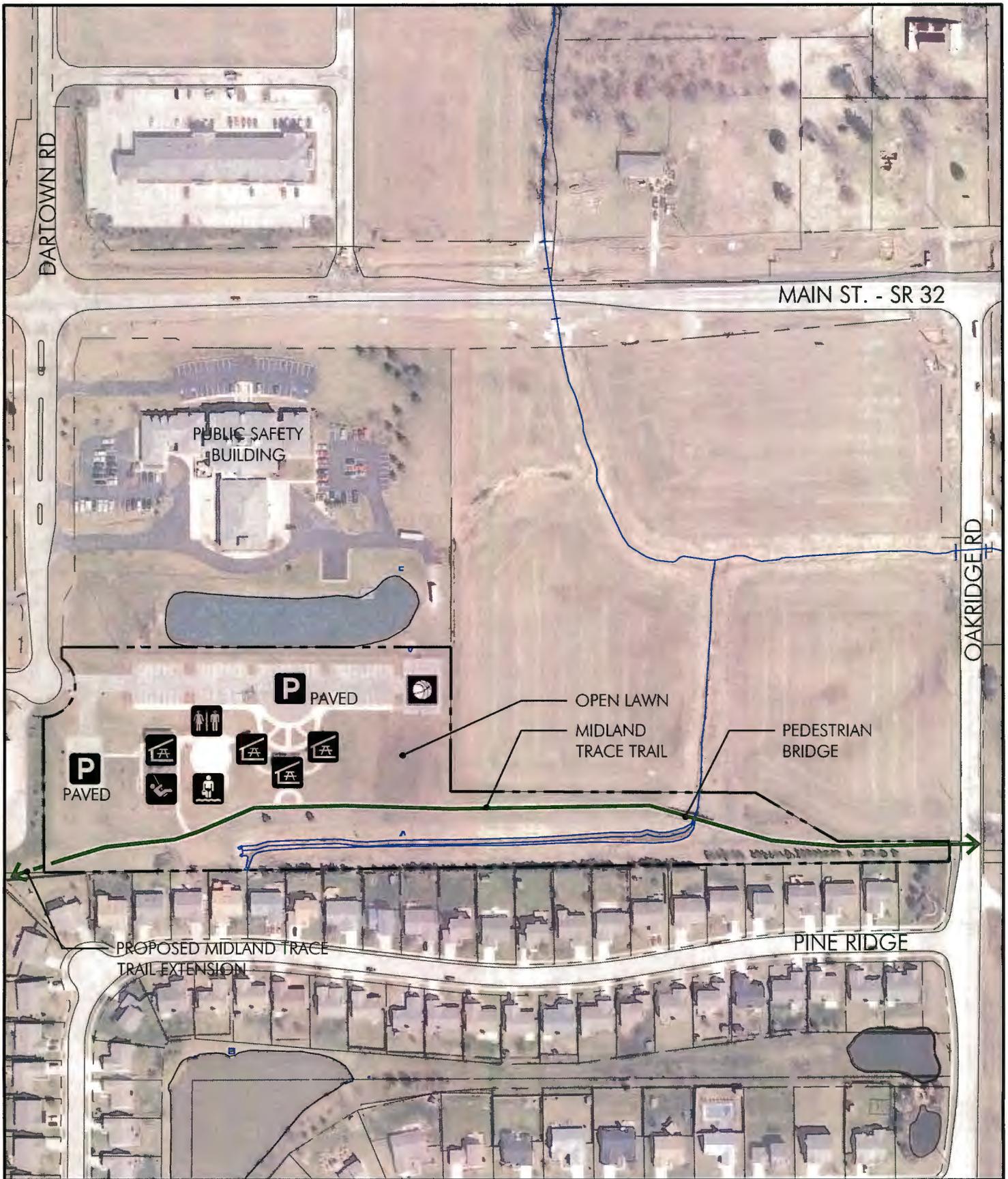
- + Constructed wetland adjacent to Cool Creek.
- + Passive park with emphasis on wetland interpretation.
- + Frontage on 161<sup>st</sup> Street and Westfield Boulevard.
- + Natalie Wheeler Trail near park on Union Street.
- + Need identified for boardwalk improvements.
- + IDEM approval of wetland mitigation requirements is pending.

**Existing Inventory:**

- + 1 boardwalk with interpretive signs.
- + 1 natural area - wetland.
- + 1 gravel parking area.

**High Priority Actions:**

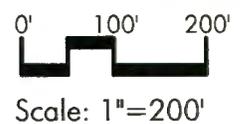
- + Construct overlook structure in coordination with Boy Scouts.
- + Improve existing boardwalk.
- + Provide additional native tree and prairie plantings next to boardwalk.
- + Reconfigure existing gravel parking area.
- + Incorporate new identification and information signs in park utilizing new brand image.
- + Provide connection to Natalie Wheeler Trail with Union Street crosswalk and traffic calming features.



05

## Quaker Park

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011





**Address:** 17501 Dartown Road  
**Size:** 6.89 Acres

**Existing Site:**

- + Fully developed park adjacent to Westfield Public Safety Building.
- + Adjacent to Pine Ridge subdivision, with access at Oak Ridge Road.
- + Access to Main Street (SR 32) by way of Dartown Road.
- + Section of Midland Trace Trail on south edge of park.
- + Most popular park in WPRD system.
- + Utilized for current YMCA summer camp and programs.
- + Westfield In Bloom site.
- + Site of 2011 Westfield Arbor Day event.



**Existing Inventory:**

- + 1 basketball court.
- + 4 shelters.
- + 1 playground.
- + 1 spray ground.
- + 4 drinking fountains
- + 1 trail, paved.
- + 1 restroom.
- + 2 paved parking areas.
- + Amenities include benches, tables, and grills.



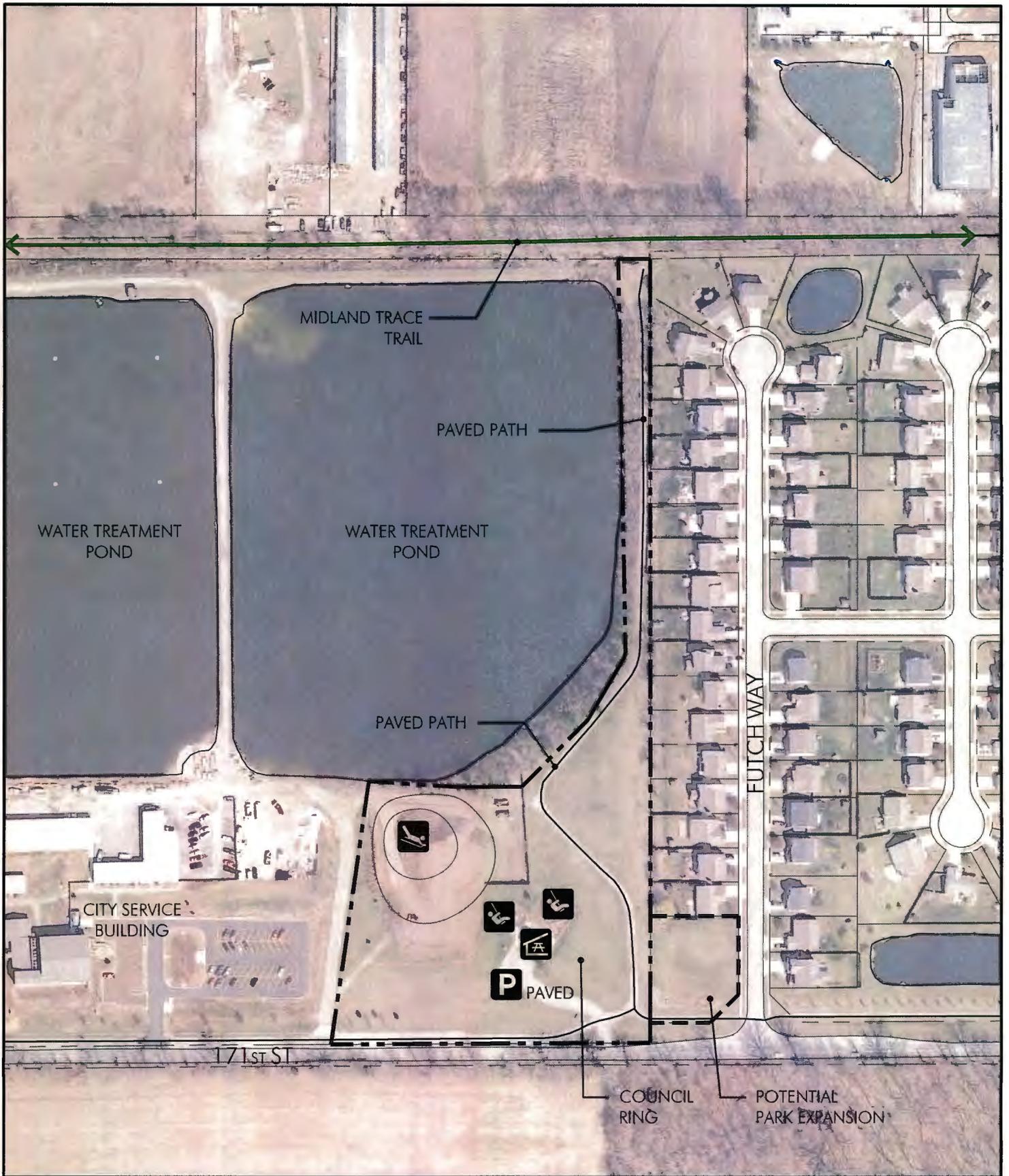
**High Priority Actions:**

- + Incorporate new park entrance identification and information signs in park utilizing new brand image.
- + Provide trail connection to Midland Trace Trail by way of Monon Trail and proposed Anna Kendall Trail.
- + Display garden planting (annual event).
- + Install additional tree plantings.
- + Rejuvenate existing turf areas.



**Intermediate Priority Actions:**

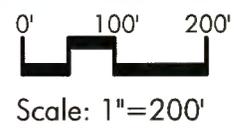
- + Replace playground.



06

# Simon Moon Park

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011





**Address:** 2710 East 171st Street

**Size:** 5.81 Acres

**Existing Site:**

- + Developed park adjacent to City Service Center.
- + Open lawn areas with park elements and small tree.
- + Adjacent building lot is in process of being acquired for park expansion.
- + Adjacent to Carey Commons subdivision.
- + Frontage on 171<sup>st</sup> Street.
- + Path connection to Midland Trace Trail.



**Existing Inventory:**

- + 1 shelter.
- + 2 playgrounds.
- + 1 trail, paved.
- + 1 sledding hill.
- + 1 paved parking area.
- + Council Ring with fire pit.
- + 1 drinking fountain.
- + Amenities include benches, tables, and grills.

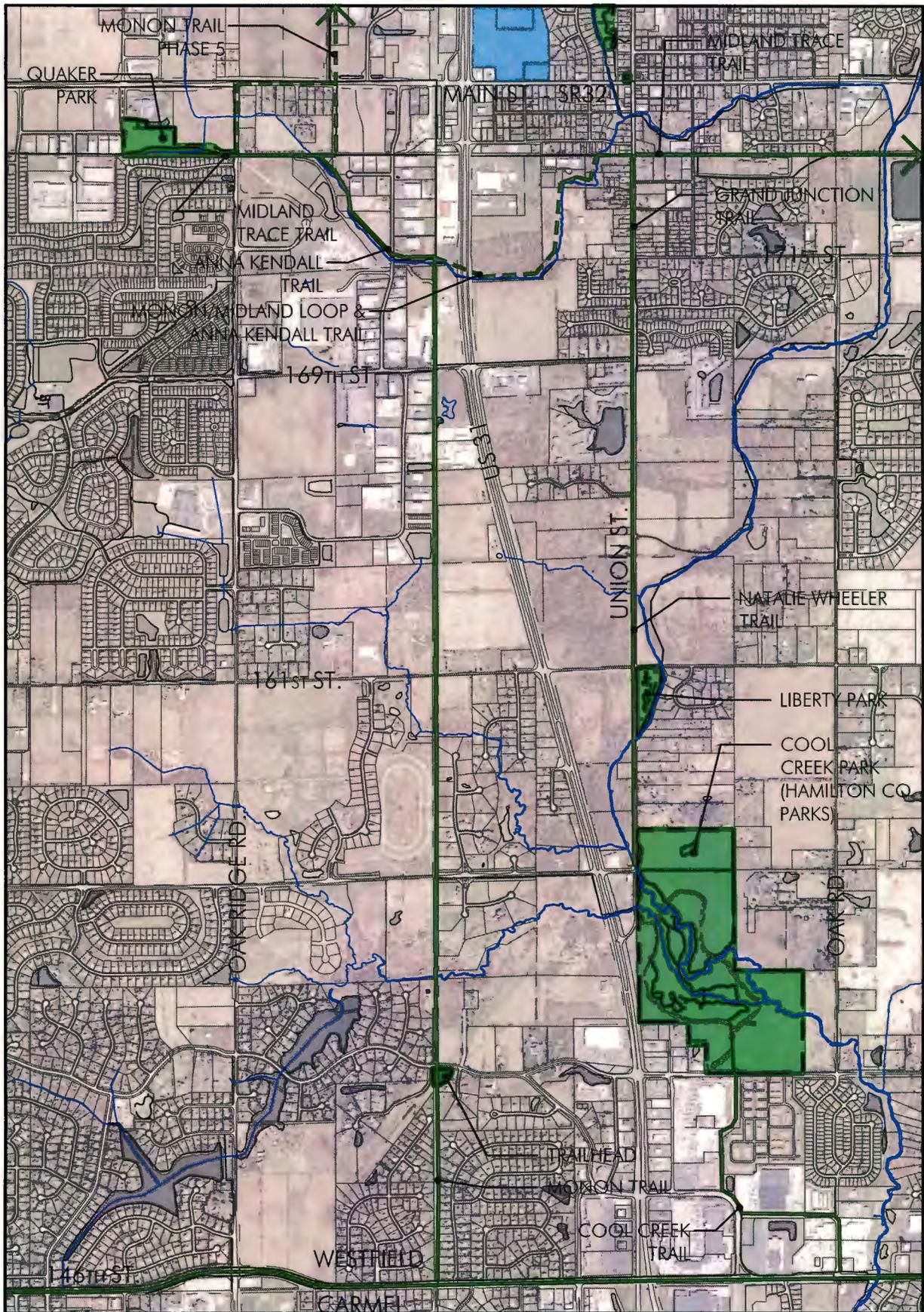


**High Priority Actions:**

- + Incorporate new park entrance identification and information signs in park utilizing new brand image.
- + Acquire vacant lot east of park.
- + Construct restroom facility.
- + Realign existing path to east property line to facilitate sledding.
- + Evaluate sledding hill operation.
- + Construct pedestrian connection to City Service Center parking area.

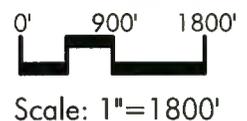
**Intermediate Priority Actions:**

- + Replace playground.



# Monon Trail

WESTFIELD PARKS AND RECREATION MASTER PLAN  
 May 2011





**Size:** 23.84 Acres

**Existing Site:**

- + 2.5 mile regional rail trail, offering direct trail connection to downtown Indianapolis on completed segments.
- + Trailhead at 1155 East Greyhound Pass and Quaker Park.

**Existing Inventory:**

- + Paved regional rail trail, 146<sup>th</sup> Street to 161<sup>st</sup> Street.
- + Gravel regional rail trail, 161<sup>st</sup> Street to Oak Ridge Road.
- + Paved parking area at trailheads.
- + Greyhound Pass Trailhead, amenities include benches, bike racks, restrooms, drinking fountain.
- + Quaker Park Trailhead amenities include park elements.
- + Mile markers with emergency notification information.

**High Priority Actions:**

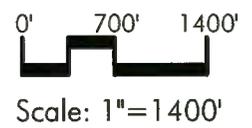
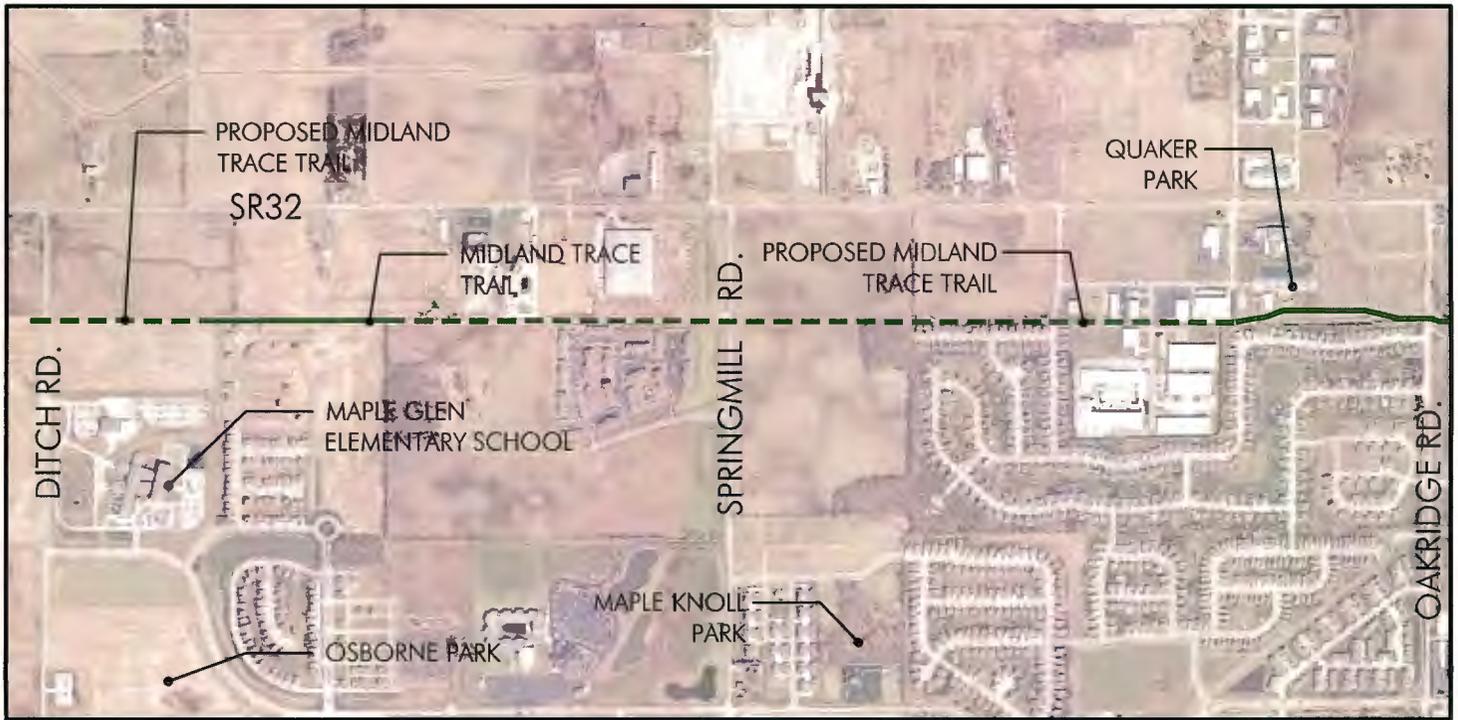
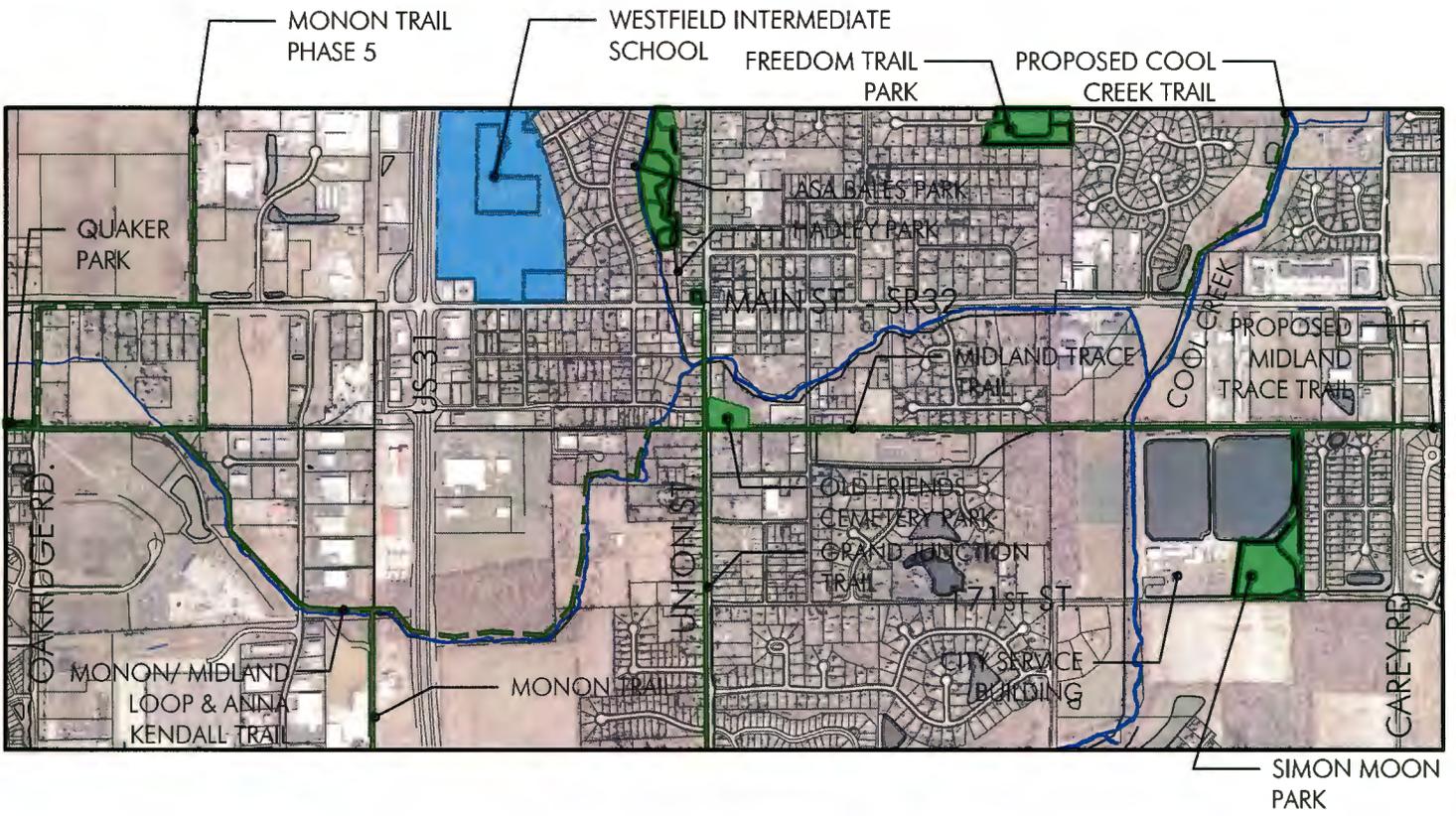
- + Incorporate new identification and information signs utilizing new brand image.
- + Acquire additional right-of-way needed to complete trail.
- + Construct trail from Oak Ridge Road and Midland Trace Trail to 191<sup>st</sup> Street as part of Grand Park.
- + Pave trail segment between 161<sup>st</sup> to Oak Ridge Road.

**Intermediate Priority Actions:**

- + Construct trail from 191<sup>st</sup> Street to north township limit

**Low Priority Actions:**

- + Trailhead at 161<sup>st</sup> or 169<sup>th</sup> Street





**Size:** 9.12 Acres

**Existing Site:**

- + 1.5 mile trail on old rail corridor between Carey Road and Union Street at Old Friends Cemetery Park.
- + 12-foot wide trail with connecting paths to Simon Moon Park.
- + Initial segment of planned east/west regional trail.
- + Future phases will provide connections to Monon and Anna Kendall Trail.

**Existing Inventory:**

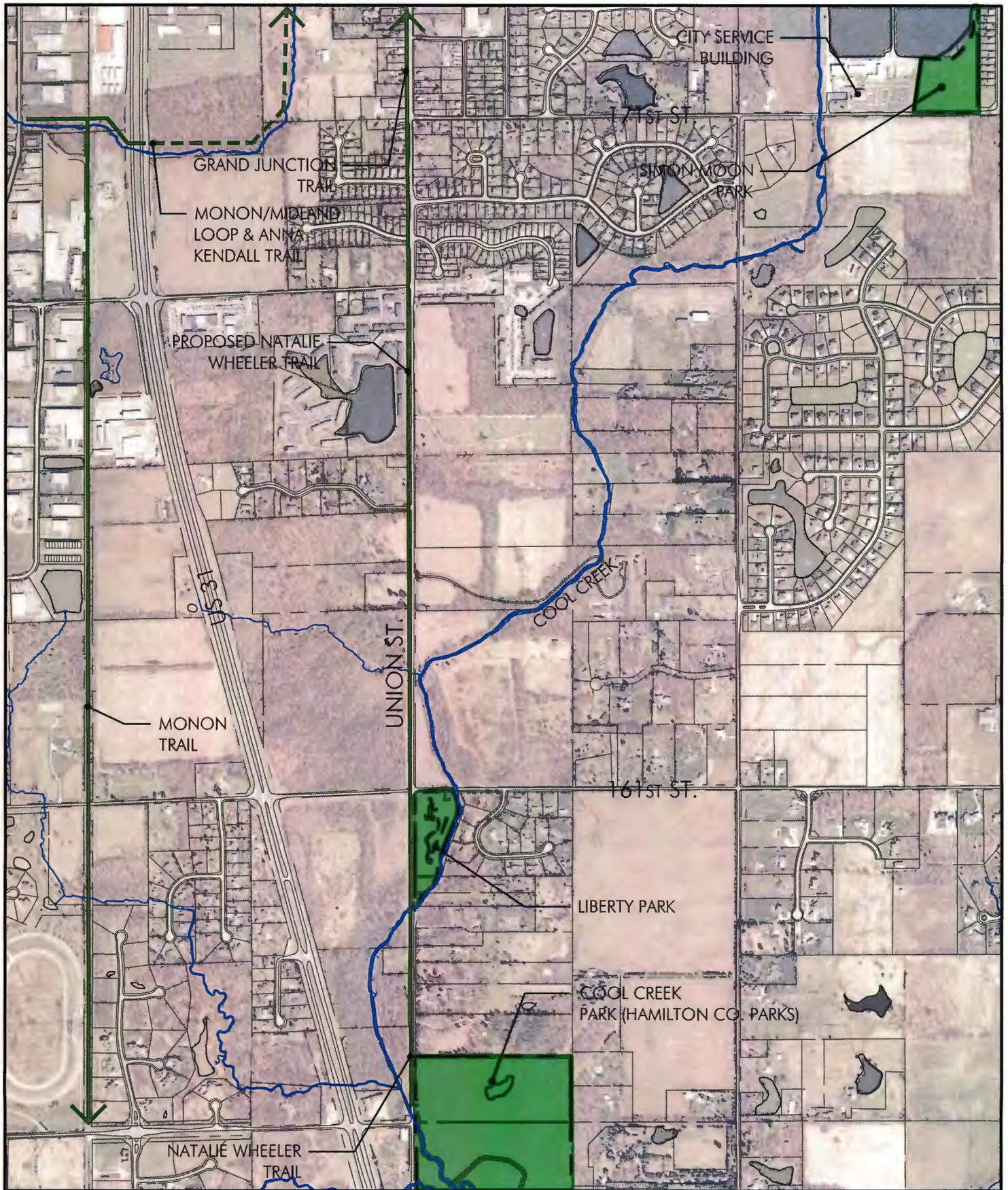
- + 1 paved regional rail trail, completed sections include:
  - o Carey Road to Union Street.
  - o Quaker Park.
  - o Sonoma Subdivision.
- + Trailhead amenities at Old Friends Cemetery Park include benches, bike racks, and drinking fountains.
- + Mile markers with emergency information.

**High Priority Actions:**

- + Incorporate new identification and information signs utilizing new brand image.
- + Acquire necessary right-of-way and construct trail between Union Street and Quaker Park as part of combined Monon and Anna Kendall Trail.
- + Construct gravel section from Carey Road to Gunther Boulevard.
- + Provide additional trail amenities including benches, bicycle racks and pet waste stations.

**Intermediate Priority Actions:**

- + Construct trail from Quaker Park to Hamilton / Boone County line.
- + Construct trail from Gunther Boulevard to Gray Road.



## Natalie Wheeler Trail

WESTFIELD PARKS AND RECREATION MASTER PLAN  
 May 2011



Scale: 1"=1000'



**Size:** 3.04 Acres

**Existing Site:**

- + 1.5 mile trail on west side of Union Street / Westfield Boulevard.
- + 8-foot and 10-foot wide asphalt trail connecting to Cool Creek Park and Grand Junction Trail on north.

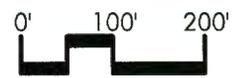
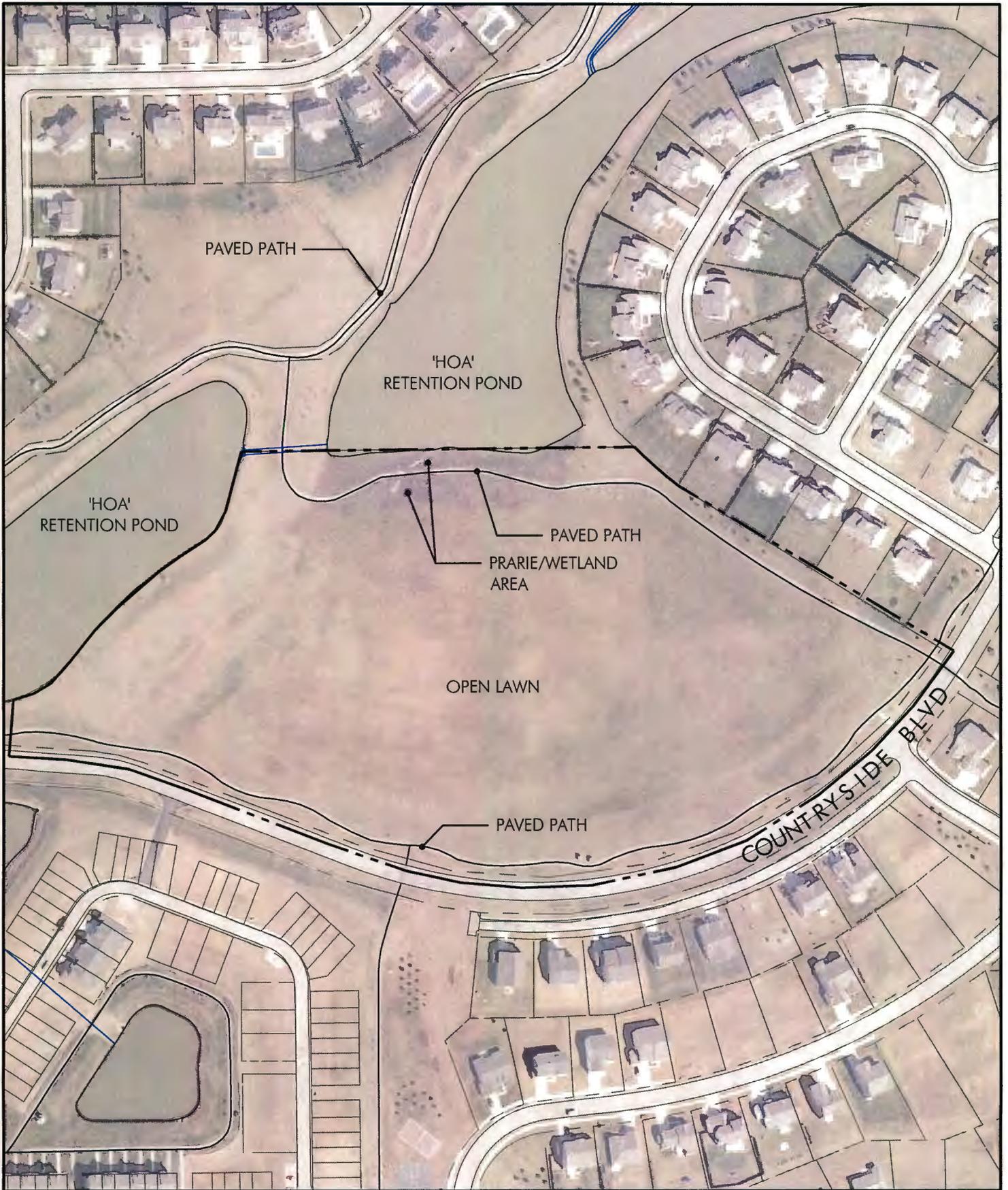


**Existing Inventory:**

- + Paved shared use right-of-way trail, Cool Creek Park to 171<sup>st</sup> Street.

**High Priority Actions:**

- + Incorporate new identification and information signs utilizing new brand image.
- + Provide connection to Liberty Park with Union Street crosswalk and traffic calming features.



Scale: 1"=200'



**Address:** 16200 Countryside Boulevard

**Size:** 15.62 Acres

**Existing Site:**

- + Developer land donation, internal to Countryside subdivision.
- + Two adjacent retention ponds.
- + Frontage on Countryside Boulevard.
- + Undeveloped parkland with open lawn and a few small tree plantings.

**Existing Inventory:**

- + 1 paved trail.

**High Priority Actions:**

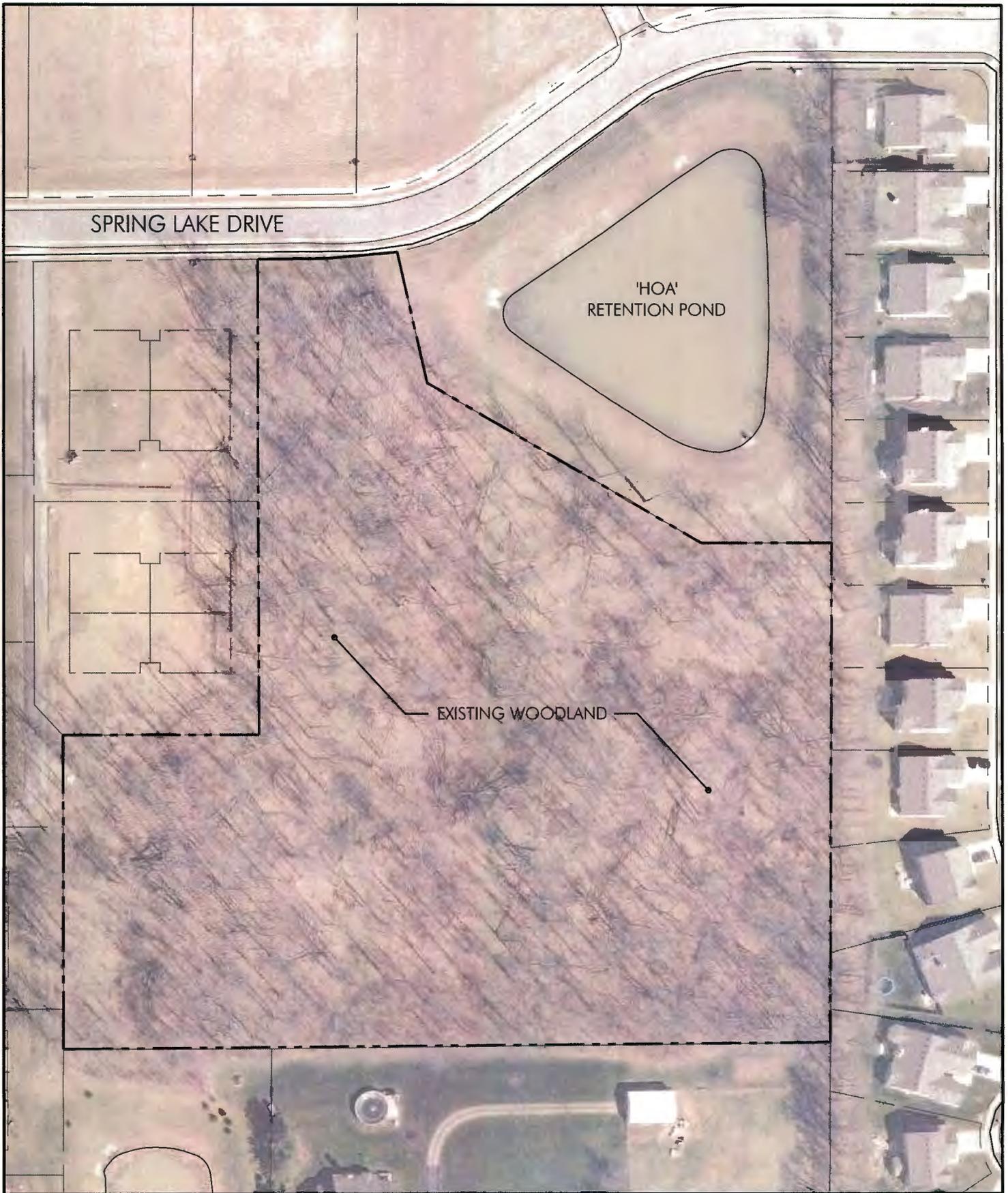
- + Incorporate new identification and information signs in park utilizing new brand image.
- + Develop park designs and construction documents, including public input.
- + Construct paved parking lot, shelter, restroom and playground.

**Intermediate Priority Actions:**

- + Construct additional park improvements, including playing fields and additional trails.

**Low Priority Actions:**

- + Install additional tree plantings and native prairie areas.



Scale: 1"=100'



**Address:** 201 Spring Lake Drive

**Size:** 6.03 Acres

**Existing Site:**

- + Land donation from nearby developer.
- + Internal to Maple Knoll subdivision with frontage on Spring Lake Drive.
- + Entirely wooded with small retention pond adjacent.
- + Previous timbering has caused considerable damage to existing trees.
- + Forestry recommendations are to limit park access over approximately 20 years to allow natural restoration of woodland.

**Existing Inventory:**

- + 1 natural area - woodland

**High Priority Actions:**

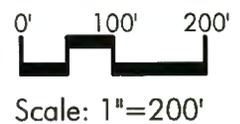
- + Incorporate new identification signs in park utilizing new brand image.
- + Preserve existing woodlands

**Intermediate Priority Actions:**

- + Provide understory tree plantings to naturalize woodland edge.

**Low Priority Actions:**

- + Identify potential location for “woodland path”.
- + Stripe Spring Lake Drive for dedicated on-street parking spaces.
- + Construct accessible path from Spring Lake Drive to woodland edge.





**Address:** 16301 Little Eagle Creek Road

**Size:** 16.62 Acres

**Existing Site:**

- + Undeveloped park near Little Eagle Creek in undeveloped area of western Washington Township.
- + Remote location with poor connectivity to trails and developed areas of community.
- + Frontage on Little Eagle Creek Road.
- + Utilized for informal equestrian use.

**Existing Inventory:**

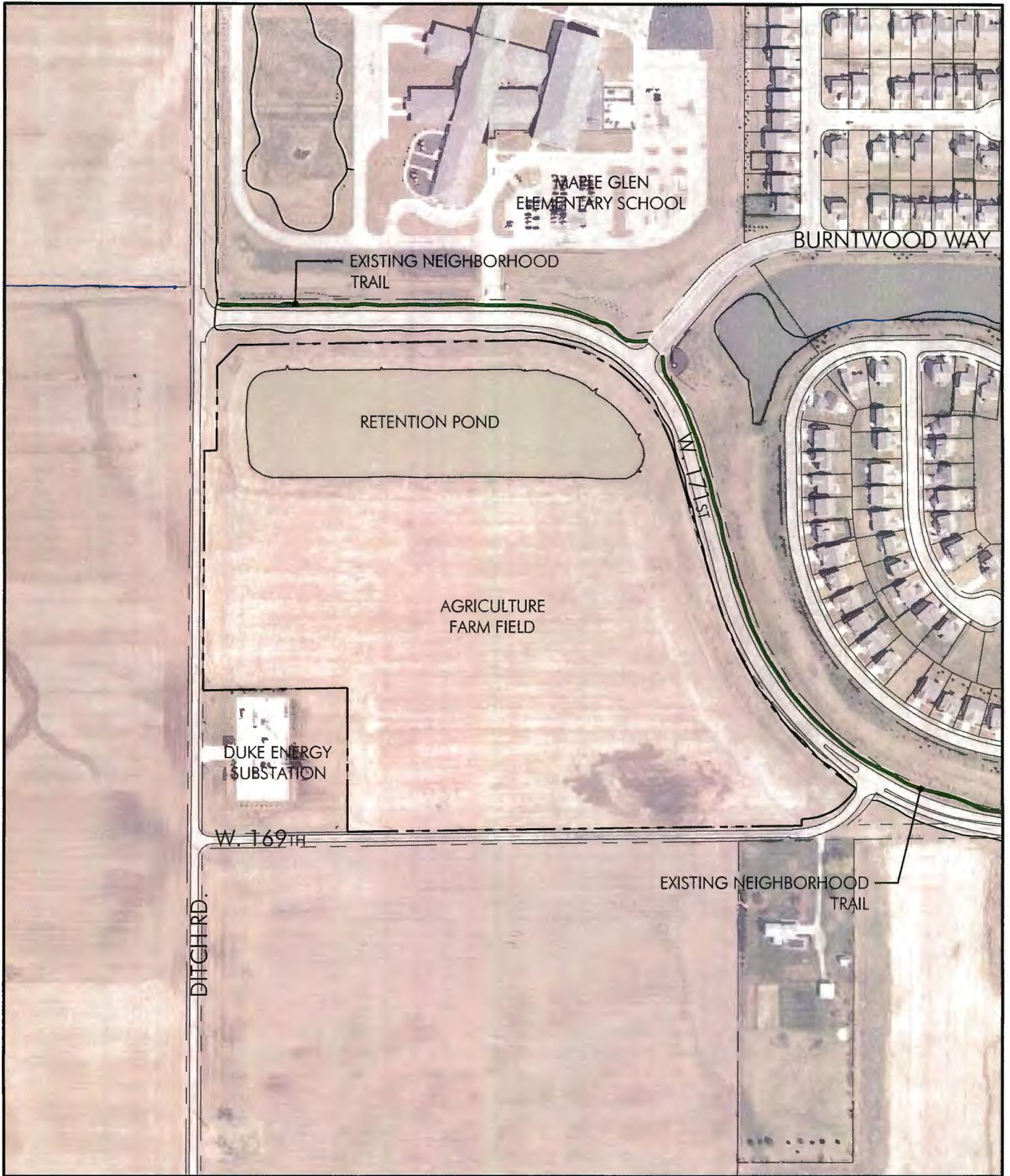
- + 1 lawn surface trail.
- + 1 gravel parking area.

**High Priority Actions:**

- + Incorporate new identification and information signs in park utilizing new brand image.
- + Pave and expand parking area to accommodate horse trailers, provide trailer loading / unloading capability.
- + Improve existing equestrian trails.

**Low Priority Actions:**

- + Provide trail connection to proposed Little Eagle Creek Conservation Corridor.



Scale: 1"=300'



**Address:** 17001 Ditch Road

**Size:** 30.45 Acres

**Existing Site:**

- + Land donation from Westfield Washington School Corporation.
- + Adjacent to Maple Glen Elementary School.
- + Frontage on Ditch Road and 169<sup>th</sup> Street.
- + Existing Duke Energy substation adjacent.
- + Small lake / retention pond with water recreation potential.
- + Hamilton County Leadership Academy is studying park development options.
- + Good potential as small community park.

**Existing Inventory:**

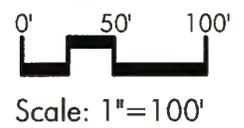
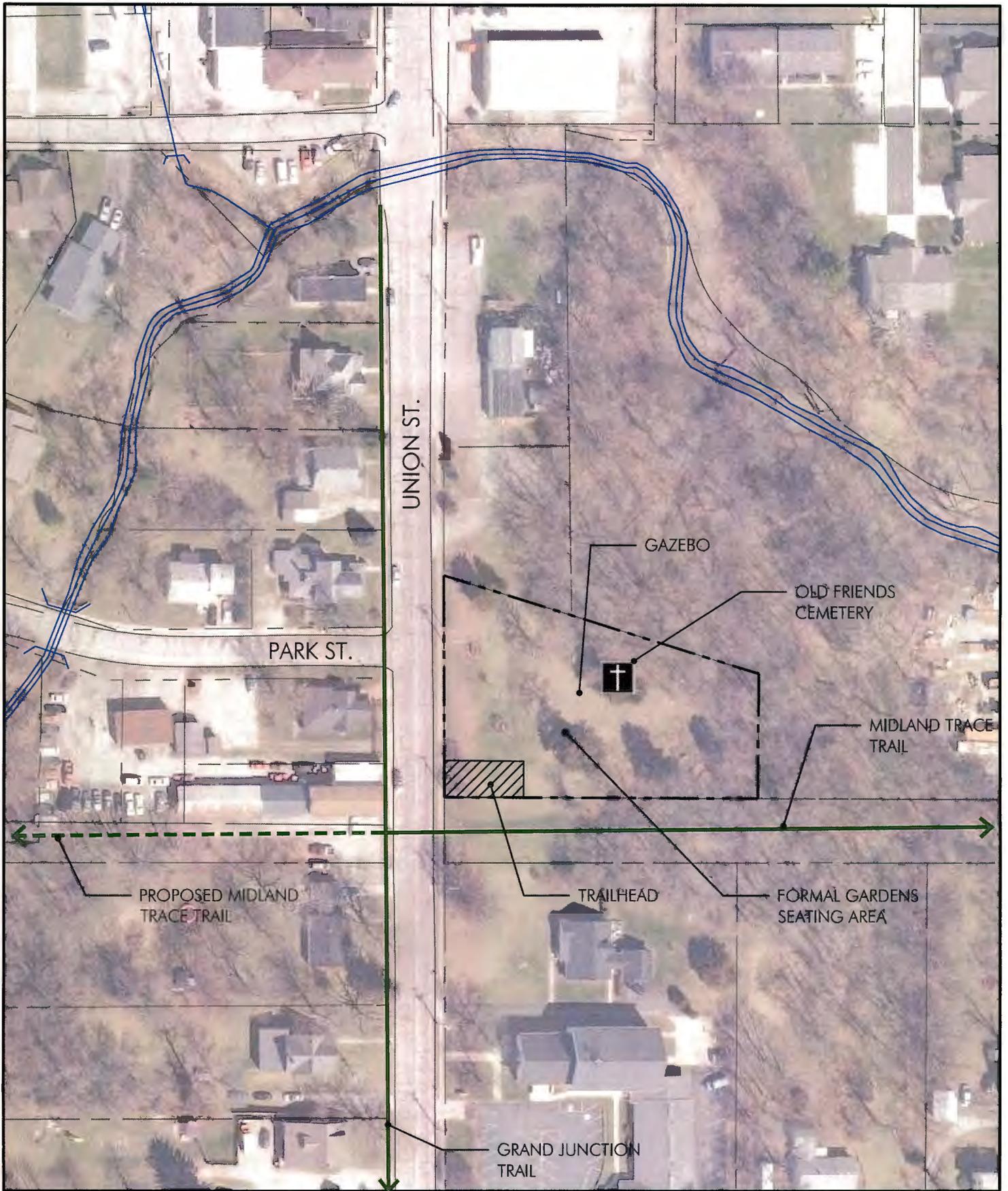
- + 5-acre retention pond.
- + 20 acres of tillable farmland.

**High Priority Actions:**

- + Incorporate new identification and information signs in park utilizing new brand image.
- + Develop park designs and construction documents, including public input.
- + Construct paved parking lot, shelter, restroom and playground.
- + Construct dog park.

**Intermediate Priority Actions:**

- + Construct additional park improvements, may include playing fields, water based recreation.
- + Naturalize open areas where possible to reduce lawn maintenance requirements.





**Address:** 302 South Union Street

**Size:** .79 Acres

**Existing Site:**

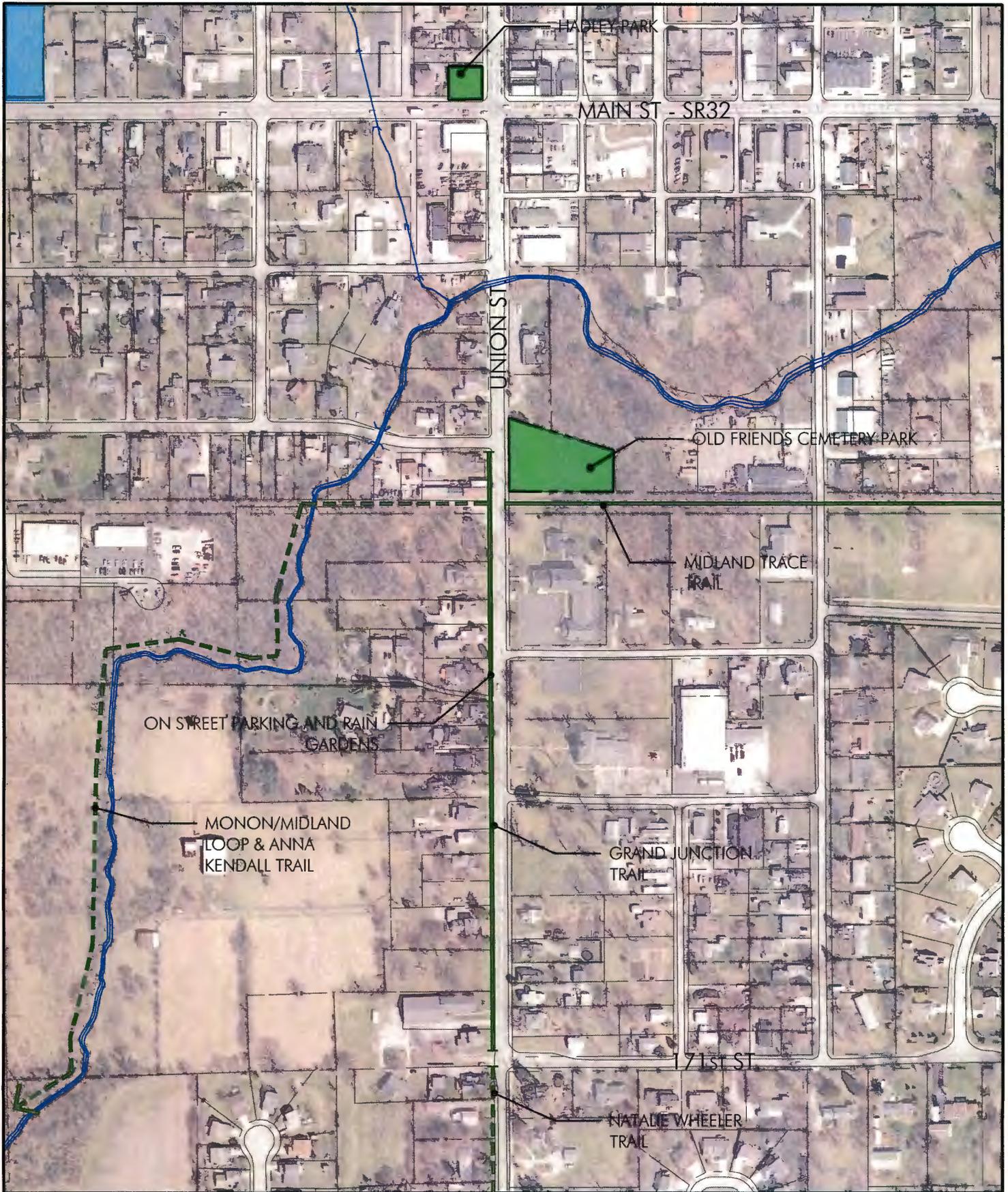
- + Located in original town area adjacent to proposed Grand Junction project.
- + Park site is a cemetery at Union Street and Midland Trace Trail.
- + Martha Doan Memorial Garden.
- + Construction completed in 2011 with trailhead components and garden area.
- + Existing cemetery burial history and interpretive research is being conducted.

**Existing Inventory:**

- + Existing 1800's Quaker (Friends) Cemetery.
- + 1 open frame gazebo.
- + 1 natural area - garden.
- + 1 trail - gravel.
- + 1 paved trail connection to Midland Trace Trail.
- + Amenities include benches, bike racks, drinking fountain.

**High Priority Actions:**

- + Incorporate new identification and information signs in park utilizing new brand image.
- + Complete construction of Martha Doan Memorial Gardens and cemetery improvements.
- + Implement interpretive research with signs, artwork or other interpretive elements.



## Grand Junction Trail

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011



Scale: 1"=300'



**Address:** Union Street  
**Size:** 1 Acre

**Existing Site:**

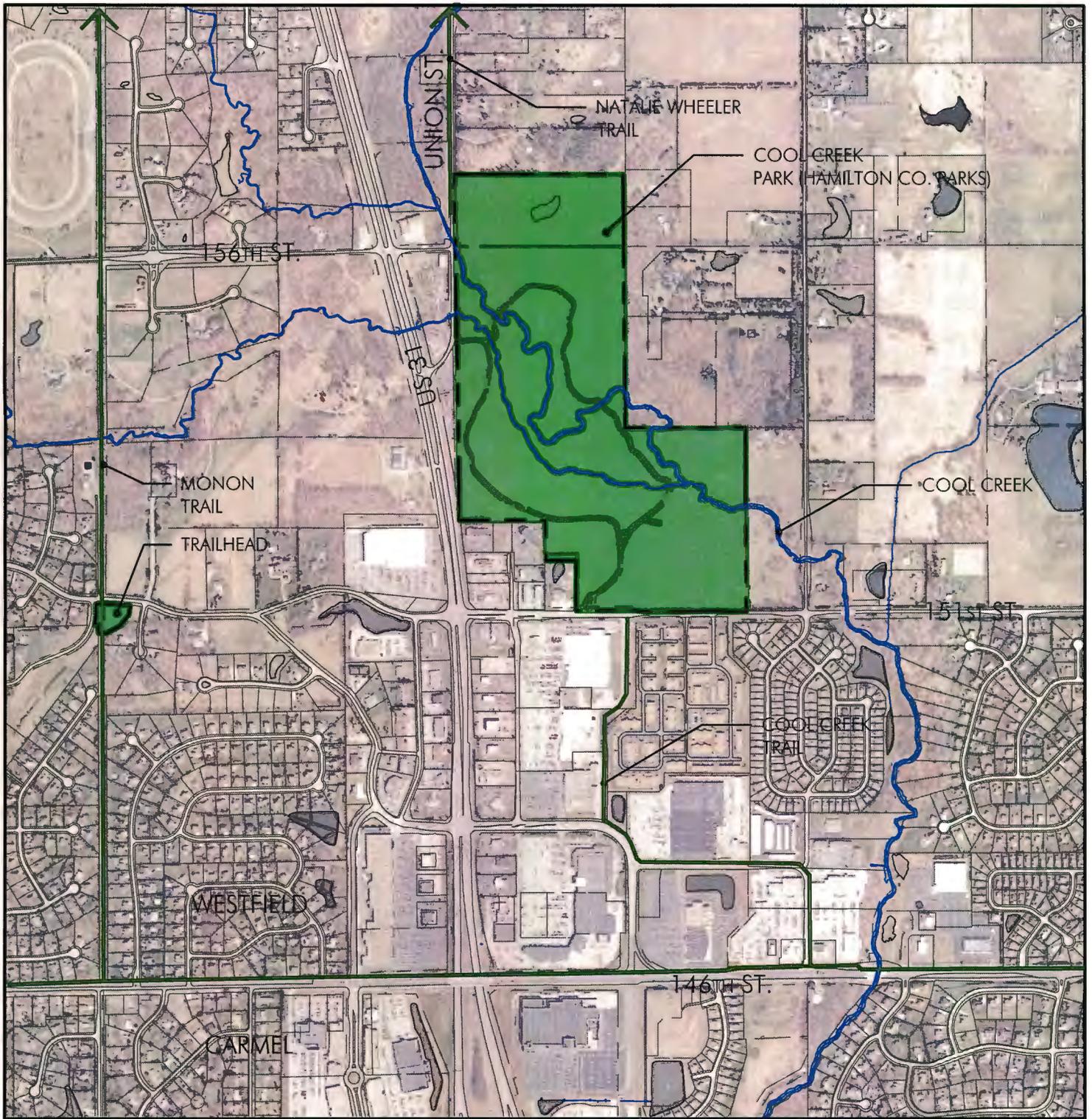
- + Urban shared use right-of-way trail on west side of Union Street connecting to Midland Trace and Natalie Wheeler Trail.
- + Trail is between Jersey Street and 171st Street.
- + Utilizes sustainable design feature with rain gardens and salvaged paving brick.

**Existing Inventory:**

- + .4 mile long trail.
- + 8-foot wide asphalt, with brick pavement in areas.

**High Priority Actions:**

- + Incorporate new identification and information signs utilizing new brand image.
- + Coordinate Grand Junction improvements with trail at Jersey Street.
- + Evaluate establishment of rain garden plants; supplement with new plantings if required.



## Cool Creek Trail

WESTFIELD PARKS AND RECREATION MASTER PLAN  
May 2011



Scale: 1"=1000'

**Size:** 7.44 Acre

**Existing Site:**

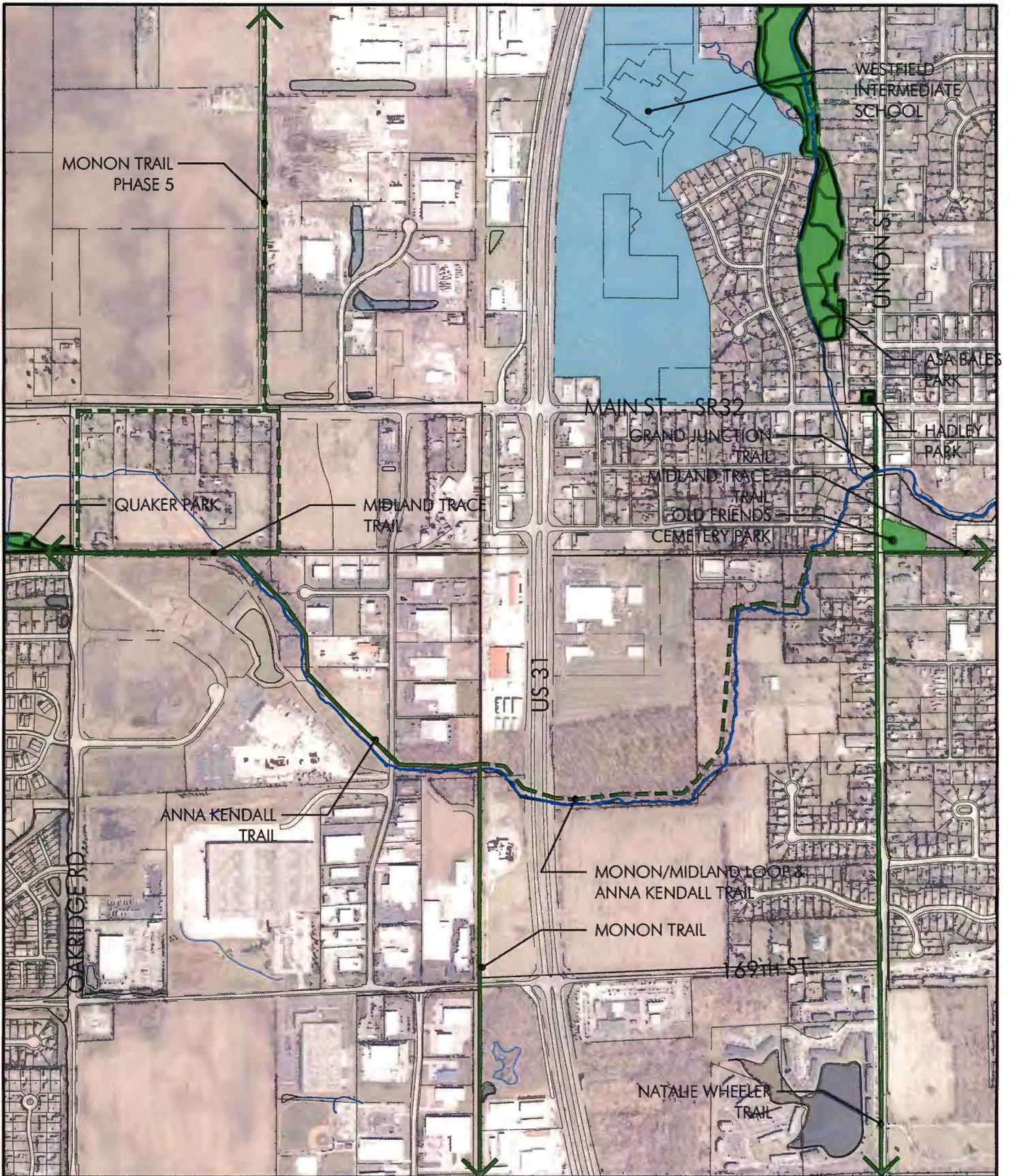
- + Urban shared use right-of-way trail south of Cool Creek Park (Hamilton County Parks) connecting to Natalie Wheeler Trail.
- + Planned trail extensions will provide connection to Freedom Trail Park following Cool Creek stream corridor.
- + Build-out will yield 7.6 mile trail.

**Existing Inventory:**

- + .9 mile long trail.
- + 8-foot wide asphalt.

**High Priority Actions:**

- + Incorporate new identification and information signs utilizing new brand image.
- + Construct trail between Freedom Trail Park and Main Street (SR 32).
- + Acquire right-of-way and construct trail between Main Street (SR 32) and Natalie Wheeler Trail at Liberty Park.



Scale: 1"=800'

**Size:** 3.47 Acre

**Existing Site:**

- + Greenway trail between Monon Trail and Midland Trace Trail at Oak Ridge Road.
- + Forms section of inner loop linear park.
- + Build-out will yield 2.1 mile trail.

**Existing Inventory:**

- + .4 mile long trail.
- + 8-foot wide asphalt.

**High Priority Actions:**

- + Incorporate new identification and information signs utilizing new brand image.



Figure 4.3: 360 Brand Marketing Diagram

## Market Assessment:

### Identity

It is apparent confusion exists on behalf of the public between roles and responsibilities of WPRD, Washington Township Parks and Hamilton County Parks. Washington Township has MacGregor Park and offers a number of programs. Hamilton County Parks has the long-established Cool Creek Park as well as Bray Park. Based upon the various meetings and survey, it was clear the citizens do not understand the differences between the three departments. During the stakeholder meetings, this was viewed as a positive; a demonstration of seamless service delivery. The concern with this seamless delivery is citizens do not realize which government entity and tax base is responsible for the park facilities and services.

WPRD needs to build its brand so that every citizen clearly understands who provides services and who to contact for information and to report problems. Full realization of the WPRD brand identity is dependent on various resources. Resources beyond the park budget should be utilized to maximize the WPRD brand identity. Most public park systems leverage marketing from other initiatives and sources.

### Signage and Wayfinding

A uniform signage and wayfinding system is recommended. Currently the system has several different styles of identification signs and logos. The first objective is to create a wayfinding and signage standard. The system should have uniform identifiable color schemes, consistent logos; shape and type face

which tells the user they are in a Westfield Park. The Grand Junction project affords an opportunity to create a sign system to be used for all WPRD facilities. A list of sign types that need to be included in the overall wayfinding and sign system include:

- + Park and facility identification signs.
- + Directional signs.
- + Informational signs, such as park regulation and warning signs.
- + Interpretive signs and posters.
- + Directories and park displays.

A logical extension of this wayfinding and sign system is a city-wide wayfinding system directing people to major destinations in Westfield. The introduction and use of a uniform signage system will correct much of the confusion about who operates various park facilities in Westfield and build the WPRD brand.

#### Events:

A secondary initiative is recommended to improve identity for WPRD and would involve the use of special events and program expansion. Events sponsored by WPRD would attract citizens and are critical to building the brand. Presently, two major events are held each year, “Westfield Rocks The 4<sup>th</sup>” celebration and the Spring Community Plant Day event. Both are successful financially, provide increased WPRD visibility and do much to build the brand.

To increase interest in special events over the entire year, WPRD should consider adding a fall festival and a winter celebration. The fall event could be a Halloween theme with costume parades or contests and perhaps a farmers market offering harvest products or crafts. The winter event could be held with bonfires perhaps at Simon Moon Park and weather permitting, use of the sledding hill. WPRD may also consider a summer concert series at various parks or movie night in the parks. A park system in northwestern Indiana purchased a fully functioning portable stage including a sound system for their concert series. This would be available for lease to other departments. The new festivals or concerts should be partnerships with local businesses or non-profit groups providing funding, volunteers and publicity.

#### Programs

Programming is another way to build identity and brand the park system. Program offerings define the identity of a park system. The Westfield logo should be prominent on all informational pieces, sign up forms and program printed materials. This sort of care should be taken on all partnership printed materials to assure proper visibility and credit is given to WPRD.

Additional youth and senior programs were indicated as a need in the survey, public, and stakeholder meetings and should be pursued to provide users with additional program options. In the short-term, before in-house programming



space and staff resources are available, expansion can be done using volunteers, outside contractors and space in churches, non-profit organizations and for-profit facilities. Public / private partnerships in programming with for-profit companies can be beneficial to the business and the park system. Partnerships are normally very cost effective for the park system through shared resources and costs. Specific types of programs can be developed using interests contained in the Community Tapestry profiles in the demographic section. The survey also had some open ended questions which indicated potential program topics.

#### Outreach to the Public

The citizen survey indicated the most effective ways to reach the public are word of mouth, e-mail, newsletters, and the internet. WPRD has a section on the city web site with a calendar link and announcement page which could be expanded. Recommended webpage improvements include:

- + Utilizing facility maps produced for the master plan.
- + Trail maps with access points, trail heads, mile markers and amenities clearly defined.
- + Link to an internet map page for park directions.
- + Seasonal program catalog with online program sign up as programs are added.
- + Special events section with descriptions, dates, times and locations.
- + Online sign up for volunteers, partnerships and sponsorships. Volunteer opportunities should be listed on the web site.
- + An ongoing survey about customer service with a link using Survey Monkey may be desirable.
- + Links to the other park and recreation providers in the community would be valuable.
- + Consideration of a standalone web site for WPRD linked to the City site. This would give WPRD more latitude to be inventive in appearance and responsive to citizen needs.

The Department may wish to create a quarterly or monthly newsletter with program and event information. Articles on gardening, landscape, environmental issues, youth sports, bicycling, hiking and fitness might be topics included in the newsletter. The newsletter should be electronic and distributed via e-mail with an annual hardcopy included with utility bills. WPRD should develop an e-mail database including all Westfield residents. Signup sheets and information requests should include space for e-mail addresses for transfer into a user data base.

#### Volunteer Initiatives:

A strong volunteer program helps to build support for the department and contribute to building the brand. Volunteers need to be valued, nurtured, and encouraged and only asked to perform tasks that staff would normally complete. Volunteer projects should have a highly visible end product that is

significant to the volunteer. To properly utilize volunteers, a volunteer coordinator needs to be designated. The volunteer coordinator should have special training in volunteer management. All programs should have a volunteer leader, organizing and directing volunteer efforts. It is necessary to pre-train volunteer leaders to assure successful results from the program or event. Follow up with each volunteer should always occur to stress their significance to the department

Brand Consistency:

The Westfield Park logo and name needs to be shown consistently in the same color families and type faces on all printed collateral, banners, electronic graphics, staff attire and vehicle graphics. All published pieces distributed by WPRD should have the logo prominently displayed with phone numbers, mailing address, web address and e-mail address. Staff should be identified by uniforms or staff shirts with the logo and WPRD name. All signage should follow sign and wayfinding standards and prominently display the WPRD logo.

**Staffing Recommendations:**

It is important that WPRD staffing increase as facilities and responsibilities increase. In addition, staff development is important and must include on-going training and professional development. Staff training provides benefits in potential attainment of preferential insurance rates and in remaining current with changing park and recreation standards and trends. Recommended staffing additions for WPRD are noted below.

Administrative Staff:

Discussions with staff indicate expanded programming and events are a goal for the coming years. The department should review and assess that arrangement following the 2011 season. The department should consider the use of outside groups and volunteers to conduct programs. A full-time program specialist may be required as programs are increased. Adding a program coordinator would release the Director to concentrate on expanded marketing, planning, grantsmanship and administrative duties.

Natural Resources Staff:

Staff levels seem appropriate at the present work load levels. Additional staff may be needed as park acreage and / or design duties are added.

- + The natural resources staff is presently completing an inventory of city owned trees. A subsequent tree care program should be developed, including inspection and development of preventative maintenance programs. An emergency response plan for downed trees should be provided. This information can be added to Westfield's geographic information system database and updated periodically.

- + A reforestation planting plan should be developed to replace trees reaching the end of life expectancy and expand the tree canopy in the city.
- + Natural resources staff should create a preferred species list, along with a list of trees that are not recommended for planting.
- + The Department needs to create a removal / treatment policy for ash trees with the recent invasion of Emerald Ash Borers. Natural resources staff should implement a monitoring plan for existing ash trees in the public right-of-way and policies for removal of affected trees. Indiana Department of Natural Resource foresters and removal policies will be a helpful resource.

Maintenance Staff:

The addition of traffic roundabouts, park land, and trails will add maintenance responsibilities and necessitate additional staff. Presently there are two full-time maintenance staff with four additional seasonal employees. There is a need for an additional full-time maintenance foreman and crew leader. In the short-term, additional seasonal workers will be required as work programs and acreage is added to park responsibilities. In the long-term, additional full-time or lead staff will be required to oversee seasonal staff and to oversee crews. More equipment will be required to outfit additional crews.

- + Presently the director and maintenance supervisor have playground inspection certification. The maintenance supervisor passed the certification examination in January. WPRD should always have at least one certified inspector.
- + Presently one employee has a spray applicators license for herbicides. The department should keep at least one licensed employee responsible for the proper and safe application of chemicals.
- + The use of Public Works equipment is a very efficient and cost effective method given existing workloads. Backup plans for peak use periods should include contracts for equipment rental with private vendors. The contracts could be bid on an annual or bi-annual basis and would be available for all City departments as needed.
- + Equipment and material storage is available in the Public Works garage, as equipment and staff increase, more space will be required. The creation of a standalone park maintenance facility, centrally located with appropriate amounts of indoor and outdoor storage for equipment and materials is recommended.

**Budgets / Costs:**

The 2011 WPRD budget is \$1,574,644. This represents a tenfold increase over the park budget since 2006. The current capital budget represents an appropriated amount dependent on revenues from outside grants, donations

and park impact fees. None of the budget is derived from tax revenues dedicated to parks and recreation. The current budget, while considerably larger, lags behind similar park system budgets. To arrive at a logical budget recommendation, statistics and budgets for large regional cities and departments in comparable communities were reviewed. The statistics were summarized to determine an average dollar per resident for recreation spending. These averages were compared to Westfield's current spending. The 2011 WPRD budget provides spending of approximately \$50 per resident. This is one third of the average spending of \$150 per resident of the sampled cities. The Carmel Clay Parks and Recreation Department spends \$217 per resident, while Noblesville provides \$114 per resident in recreation spending. It is recommended the WPRD budget be increased to \$3,500,000 by 2015. This represents spending of \$100 per resident based on a projected population of 35,000.

Projected high priority capital identified in the Action Plan for system and park facility actions exceed \$19,000,000. This represents over \$3,500,000 annually in each of the first five years.

<b>Westfield Budget</b>						
Year	Operating Budget	Capital Budget	Total Budget	Funding sources for capital	City Levy	% to Parks
<b>2005</b>	\$ 118,111	\$ 40,000	<b>\$ 158,111</b>			
<b>2006</b>	\$ 84,624	\$ 40,000	<b>\$ 124,624</b>		\$ 4,059,957	2.08%
<b>2007</b>	\$ 99,736	\$ 130,003	<b>\$ 229,739</b>		\$ 4,131,305	2.41%
<b>2008</b>	\$ 132,270	\$2,000,000	<b>\$ 2,132,270</b>	Grants, donation and Park Impact fees	\$ 7,612,037	1.74%
<b>2009</b>	\$ 144,994	\$2,000,000	<b>\$ 2,144,994</b>	Grants, donation and Park Impact fees	\$ 11,536,049	1.26%
<b>2010</b>	\$ 543,554	\$1,000,000	<b>\$ 1,543,554</b>	Grants, donation and Park Impact fees	\$ 11,715,227	4.64%
<b>2011</b>	\$ 574,644	\$1,000,000	<b>\$ 1,574,644</b>	Grants, donation and Park Impact fees	\$ 13,459,401	4.27%
<b>Fairfield, Ohio Budget</b>			<b>\$ 3,870,000</b>			
<b>Liberty Township, Ohio Budget</b>			<b>\$ 1,175,000</b>			
<b>Mason, Ohio Budget</b>			<b>\$ 7,514,634</b>			
<b>Carmel, Indiana Budget</b>			<b>\$18,500,000</b>			
<b>Noblesville, Indiana Budget</b>			<b>\$ 5,810,000</b>			

Figure 4.4: Budget Chart

### **Funding Assessment:**

WPRD is reliant on a combination of outside grants, donations and proceeds from a park impact fee for department funding. There is not a dedicated tax levy for parks and recreation in Westfield. Washington Township has a park tax levy that is utilized for Washington Township Parks operations and capital improvements. While Westfield residents pay a portion of this tax levy proceeds are not used for WPRD facilities.

Westfield has been very successful in garnering outside grants to fund a large percentage of trails they own, maintain, and operate. In addition, much of the land for the trails has been donated by residents. Future trail segments need to continue to maximize the use of donated land. WPRD needs to continue to aggressively seek outside grants for continued trail and park development. This will minimize the need for local funding of capital improvements.

Westfield currently utilizes grants, donations and park impact fees to fund capital improvements. A \$930 park impact fee is assessed for each new dwelling unit permit issued in Westfield. The use of park impact fees provides a considerable amount of funding for improvements in a positive development climate. In the current building slump, projected to last several more years, revenues from park impact fees may not be as high as projected.

The current WPRD reliance on a relatively narrow source of revenue suggests the need for increased funding sources and revenue for WPRD to adequately respond to growth and development. Revenue enhancement has been identified as one of the biggest financial needs of the department. Revenue enhancement can take a variety of forms from programming, user fees, separate park taxes and tapping into new sources of outside funds.

The vast majority of successful park and recreation departments rely on some form of tax revenue to meet their financial needs. 40% of the survey respondents indicated a willingness to pay some form of real estate tax in support of WPRD. A carefully studied approach to a Westfield park and recreation levy to tangible returns is recommended by the planning team.

Currently all park and recreation programming is offered by outside providers. Current program revenues accrue to these outside providers and not WPRD. WPRD provides staff support for many of the current programs. It is recommended that much of the current and planned programs be provided by WPRD with the appropriate staff and facility resources. This will enable program revenues to remain with the department to fund expanded programming opportunities.

Perhaps the type of revenue enhancement offering the most effective long-term potential will be the formation of a park foundation. Formation of a foundation provides benefits beyond revenue enhancement to build volunteer resources to augment WPRD staff. Reasons to consider in the formation of a foundation include:

- + Providing an organized vehicle for private donations, allowing the donor in some instances to claim important tax deductions under IRS 501c3 regulations.
- + Foundations inspire greater confidence in the management and use of gifts.
- + Adding a needed funding source beyond the budget process to extend tax dollars and allow completion of department goals and initiatives.
- + Allowing influential friends of the department to do fundraising and promote the goals of the department while formally and consistently serving as trustees. Trustees often make donations to the foundation they serve which can be substantial.
- + Providing a process for the department to make capital improvements in addition to city bidding and purchasing requirements, allowing safe, creative funding and cost savings without loss of ultimate administrative control.
- + Allowing the department to be eligible for private grants from a broader spectrum of non-profit sources.
- + Providing an umbrella for local service organizations fundraising efforts that support department initiatives and provides a formal safe receptacle for smaller fundraising proceeds.
- + Allows for the creation of comprehensive fundraising plans including annual campaigns, capital programs, major gifts and planned giving to support park initiatives.

A foundation is first formed by creating a non-profit corporation under state laws. The corporation applies for 501c3 designation under IRS statutes. WPRD will require a lawyer to prepare the incorporation papers to fit Westfield's government procedures and limitations. The foundation will be required to appoint three initial trustees to the foundation. The initial trustees should be residents who work in the City, who have demonstrated a commitment to the park programs or initiatives. They should be well connected in the community and be leaders known and trusted by the general public. The City Council will most likely be responsible for appointing the trustees and should initially look for candidates from legal, accounting and public relations/marketing occupations. The first three trustees will be the work horses of the foundation and will be asked to do much of the ground breaking work.

The occupations of the new trustees are important because they will perform those functions on behalf of the foundation. The attorney will be helping with the set up of the foundation; will be instrumental in guiding the basic tenets of the work program, making sure it operates within the legal bounds set by the non-profit incorporation. The accountant will help to set up and keep the books for the foundation. The marketing trustee will help with the creation of the initial public relations campaigns to raise money, awareness and name recognition.

The trustees will be required to commit to terms of various lengths for staggered reappointment and replacement. The trustees should understand

they are expected to make donations to the foundation. This is necessary because trustees will need to demonstrate to others their level of commitment.

After the initial trustees are appointed, the trustees working with the Mayor and Park Director will find additional trustees to fill the board. The second wave of trustee selection need not be based on occupation. The same attributes of leadership and commitment to a strong park and recreation philosophy are important in the selection criteria, however. The additional trustees will be primarily involved in fundraising and should be able to influence local citizens who have the ability to support projects and programs of the park system. While volunteers are strong and integral parts of the system, unless he or she has broad or unique skills in many areas they may not be a good choice for trustee. The overreaching attribute is the ability to raise money for the foundation in making support of capital improvements and programs possible beyond WPRD budgets.

For WPRD to grow as needed, a broader more stable variety of revenue sources need to be implemented. These revenues need to remain under the management and control of WPRD in the form of non-reverting funds, rather than being returned to the city's general fund.

#### **Plan Priorities / Phasing:**

While park and recreation plans prepared for many communities focus on short-term improvements and actions over five years, much of the emphasis of this plan is long-term growth and development of park and recreation opportunities in Westfield over the next 20 years. Plan priorities and phases have been identified for each facility, the park system and administrative actions consistent with the format of the Action Plan section. Plan priorities for each project are indicated in the Action Plan on page 46 based on the following criteria:

- + Phase 1, high priority, near term improvements to be completed within five years.
- + Phase 2, intermediate priorities to be completed within the next ten years.
- + Phase 3, lower priority improvements to be completed within the next approximately twenty years.

Phase 1 projects primarily consist of existing WPRD projects with an urgent need and focus on existing development areas. Intermediate priority projects are those which have a level of complexity requiring multiple steps and approvals to implement. Examples of these projects include development of new park properties and larger facilities, and requiring partnership agreements with outside groups. Low priority projects are focused on undeveloped areas of the township that do not have immediate park and recreation needs.

### **Staff Input:**

Two progress meetings were conducted as part of the Plan Implementation tasks. The first meeting held on March 8 emphasized the planning framework concepts. The second meeting held on April 6 previewed the City Council presentation.

Two separate planning framework concepts were presented at the March 8 meeting. Each concept proposed a network of linear parks utilizing existing and proposed trail and stream corridors connecting to neighborhoods and park facilities. Potential new community and regional park locations were shown. The selected framework concept illustrated a dual loop linear park system and a new regional park in the western portion of Washington Township. It was decided to maintain Little Eagle Creek as a conservation corridor. High priority improvements include:

- + Development of Osborne and Armstrong Park.
- + Park foundation establishment.
- + Hiring of additional maintenance staff and a program coordinator.
- + Completion of Monon, Midland Trace, Anna Kendall and Cool Creek Trails.
- + Additional programs.
- + Construction of a park maintenance facility within seven years.

Important topics that need to be presented at the City Council presentation on April 11 include the identification of current park and recreation deficiencies and requirements to meet stated park and recreation goals and public perceptions.

### **Plan Adoption:**

The Westfield Parks and Recreation Master Plan was presented to the Westfield City Council at the April 11, 2011 meeting. Each council member was provided a draft copy for review prior to the meeting. The City Council, at their May 9 meeting, passed a resolution adopting the master plan as a planning tool to guide park and recreation growth and development in Westfield.

As WPRD moves forward with implementation of this plan, it will be helpful to use recommendations in this plan to shape other local planning and regulatory tools such as the Westfield Thoroughfare Plan, the Westfield - Washington Township Comprehensive Plan, City of Westfield and Washington Township Zoning Ordinance and development initiatives. Specifically the Westfield Thoroughfare Plan should be amended to include developer set-asides that will enable implementation of the linear park loops.

**Appendix G: Park Impact Fees of  
Neighboring Communities**

## WHAT ARE PARK IMPACT FEES?

Park Impact Fees were established by the Indiana General Assembly to create an alternative funding mechanism for infrastructure improvements for fast growing areas. The Park Impact Fees are established by the City Council, after an update to the Recreation Infrastructure Plan is completed which helps to promote orderly development of park and recreational infrastructure by establishing a fee for new residential units. The recreational/infrastructure improvement plan cost of implementing the recommendations relies on the income capacity of the City through its tax receipts and other tax distributions allocated to park and recreational improvements; the general obligation bond capacity of the City based on the net valuation; or the revenue bond potential of the City based upon the means of acquiring revenue related to such improvements. In essence, the collection of the fee allows a government entity the option of passing on to new residents the cost of building new infrastructure demanded by those new residents.



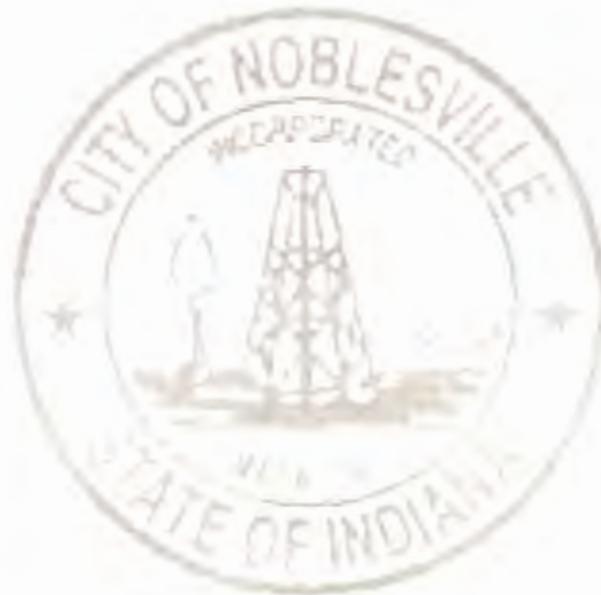
For questions regarding park impact fees, please feel free to contact any of these City Departments:

### **Department of Parks and Recreation**

Forest Park Inn  
Noblesville, Indiana 46060  
776-6350 Office  
524-1585 Fax

### **Department of Planning**

16 South 10th Street Suite 150  
Noblesville, Indiana 46060  
776-6325 Office  
776-4638 Fax



# **PARK IMPACT FEES**



**EFFECTIVE  
OCTOBER 15, 2006**

**CITY OF  
NOBLESVILLE, INDIANA**

**DEPARTMENT OF PLANNING**

# **THE WHY, WHO, & HOW OF PARK IMPACT FEES:**

## **WHY ARE THESE FEES NEEDED?**

Because of the increasing population and geographic area and the distribution of both private and public institutions, services, and other facilities through the City to which any park and recreational improvement(s) benefit ALL citizens of the community equally. These collected fees help to defray the costs of the park improvements.

<b><u>ZONE 1</u></b>	<b><u>ZONE 2</u></b>
<b>ALL AREAS OF THE CITY OF NOBLESVILLE OTHER THAN WAYNE TOWNSHIP</b>	<b>ALL AREAS OF WAYNE TOWNSHIP WITHIN THE CITY OF NOBLESVILLE</b>

## **HOW ARE THESE FEES USED?**

These fees are used to finance park infrastructure improvements needed for the City based on established community standards. The improvements could include but are not limited to purchasing new park playground equipment, creation of a new soccer field, undeveloped areas, new basketball courts, the construction of a new parking lot for a park facility, and/or the installation of new trails as based on the Noblesville Alternative Transportation Plan.

## **WHO PAYS THE PARK IMPACT FEE?**

Any individual seeking a building permit to construct a new residential structure and is located within the corporate limits of Noblesville. At the time a building permit is issued for a new residential structure including single-family dwellings; apartments, condominiums, etc.; and mobile homes; the park impact fee is collected and established in a separate fund to be used for new park and/or recreational infrastructure. The fees collected cannot be used to overcome existing deficiencies in the park facilities.

### **City of Noblesville Park Impact Fees**

	<b>ZONE 1</b>	<b>ZONE 2</b>
<b>SINGLE FAMILY</b>	<b>\$1,136.00</b>	<b>\$1,426.00</b>
<b>DUPLEX (each unit)</b>	<b>\$1,080.00</b>	<b>\$1,355.00</b>
<b>APARTMENTS/CONDOS</b>		
<b>ONE BEDROOM</b>	<b>\$ 738.00</b>	<b>\$ 927.00</b>
<b>TWO BEDROOM</b>	<b>\$ 966.00</b>	<b>\$1,212.00</b>
<b>THREE BEDROOM</b>	<b>\$1,136.00</b>	<b>\$1,426.00</b>
<b>MOBILE HOME</b>	<b>\$ 738.00</b>	<b>\$ 927.00</b>

**FIGURING FEES FOR ALL PERMIT TYPES**  
**Building & Code Services**  
**Fees as of 4/2/12 Increase**

**NOTE:** The total of all fees under each permit type makes up the building permit fee. This fee is due after a plan review has been completed, when the permit is ready for issuance. We accept checks, made payable to the City of Carmel, or exact cash for transactions. We cannot accept credit/debit card payment.

**RESIDENTIAL NEW STRUCTURE FEES—NOT MULTI-FAMILY**

**Single Family Dwellings & "True" Town Homes**

**(1 permit per dwelling unit/home)**

**Note:** To qualify as a "true" town home, the structure must meet the following criteria:

1. It must have a TOWNHOUSE Occupancy Classification from the State of Indiana Department of Homeland Security, Division of Fire & Building Safety.
2. Wall construction must have a minimum 2-hour separation by means of either one 2-hour wall or two 1-hour walls.
3. Plans must be reviewed using residential code by both state and local agencies.
4. Each dwelling unit must be on a separately platted lot, where private ownership of the land includes the land areas both inside the dwelling unit and outside of the dwelling unit, within the property lines of the lot.

- Flat rate fee of \$441.50 (filing/review); plus
- \$0.11 per square foot (including finished & unfinished areas, garages, & covered porches); plus
- \$63.00 for each assessed, required inspection for the permit. For an estimate, five (5) is the most common number of required inspections, which would amount to \$315.00; but four (4) would be \$252.00, or six (6) at \$378.00 could apply depending on the type of foundation and/or whether or not a walk-out basement was being constructed; plus
- \$61.00, for the Certificate of Occupancy; plus
- \$1,387.00 for the Park and Recreation Impact Fee (PRIF) until **06/15/12** then \$1,526.00

**Two-Family Dwellings: (1 permit for 2 dwelling Units)**

- Flat rate fee of \$450.00 (filing/review); plus
- \$0.11 per square foot (including finished & unfinished areas, garages, & covered porches); plus
- \$63.00 for each assessed, required inspection for the permit. For an estimate, five (5) is the most common number of required inspections, which would amount to \$315.00; but four (4) would be \$252.00, or six (6) at \$378.00 could apply depending on the type of foundation and/or whether or not a walk-out basement was being constructed; plus
- \$123.00, for the Certificate of Occupancy; plus
- \$2774.00 for the Park and Recreation Impact Fee (PRIF) until **06/15/12** then \$3,052.00

**OTHER FEE AMOUNTS TO BE AWARE OF FOR SINGLE & TWO FAMILY, & "TRUE" TOWN HOME NEW STRUCTURES:**

<u>FEE TYPE:</u>	<u>Amount:</u>
➤ STARTING WITHOUT PERMIT	Twice the normal permit fee
➤ Re-inspection fee	\$63.00
➤ Re-inspection & Temporary C/O	\$93.50
➤ Temporary C/O	\$30.50
➤ Partial C/O	\$123.00
➤ Late fee on inspection (per occurrence) (for pouring, covering, or occupying prior to an approved inspection.)	\$928.50
➤ Time Extension (one time for starting late or completing late) OR /Re-Review after original first failed review.	\$183.50
➤ Plan Amendment/Revision	\$154.00
➤ (NOTE: can also be charged for additional sq.ft. and additional inspections which may be required.)	

## **RESIDENTIAL "OTHER" PERMIT TYPE FEES:**

### **RESIDENTIAL ROOM(S) ADDITION:**

- \$150.50 (filing/review); plus
- \$0.13 per square foot; plus
- \$63.00 for each assessed, required inspection for the permit. (This is usually at least 3 inspections-footing, rough-in, and final-for your estimate. If you are moving the electrical meter or increasing meter service capacity, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL PORCH ADDITION: (This includes 2<sup>nd</sup> story/floor decks, as these structures actually serve as a roofing structure over a lower area.)**

- \$150.50 (filing/review); plus
- \$0.13 per square foot; plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually at least 3 inspections-footing, rough-in, and final-for your estimate. If you are moving the electrical meter or increasing meter service amount, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL PORCH & DECK COMBINATION ADDITION:**

- \$150.50 (filing/review); plus
- \$0.13 per square foot of the covered porch area only; plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually at least 3 inspections-footing, rough-in, and final-for your estimate. If you are moving the electrical meter or increasing meter service amount, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL DECK ADDITION: (For deck structures that have NO covering/roof/awning structure over any of their area, are more than 30 inches above the ground, but are not 2<sup>nd</sup> story/floor decks—where the deck structure is actually a roofing structure for an area below. Those are considered porch additions.)**

- \$63.00; for each assessed, required inspection for the permit. (This is usually at least 2 inspections—the footing and the final-for your estimate.); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL ROOM(S) ADDITION AND REMODEL COMBINATION:**

- \$150.50 (filing/review); plus
- \$0.13 per square foot for the addition area only (not the area of existing living space that is being remodeled); plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually at least 3 inspections-footing, rough-in, and final-for your estimate. If you are moving the electrical meter or increasing meter service capacity, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL REMODEL (Interior remodel—no addition of new area):**

- 150.50 (filing/review); plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually 2 inspections—the rough-in and the final. If you are increasing meter service capacity, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

### **RESIDENTIAL ACCESSORY BUILDING: (Accessory buildings under 120 Sq. Ft. do not require a building permit, at this time. However, these structures should still meet all zoning requirements for such structures.)**

- \$92.00 (filing/review); plus
- \$0.11 per square foot for any area over 150 sq. ft.; plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually at 2 or 3 inspections-footing, rough-in, and final-for your estimate, depending if a rough-in is necessary. If you are adding an electrical meter, a meter base inspection may also be required); plus
- \$61.00, for the Certificate of Occupancy

**RESIDENTIAL DETACHED GARAGE OR CARPORT:** *(NOTE—if these structures fall within 10 feet of the primary structure, they may be considered as "attached" and would therefore be permitted as an addition.)*

- \$150.50 (filing/review); plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually at least 3 inspections—footing, rough-in, and final—for your estimate. If you are moving the electrical meter or increasing meter service capacity, a meter base inspection may also be required); plus
- \$61.00 for the Certificate of Occupancy

**RESIDENTIAL SWIMMING POOL:**

- \$308.00 (filing/review); plus
- \$0.11 per square foot of pool and deck area; plus
- \$63.00; for each assessed, required inspection for the permit. (This is usually is either 2 or 3 inspections—bonding & grounding and final—for your estimate. (Certain pool types require more than 1 of the required bonding & grounding inspection.); plus
- \$61.00, for the Certificate of Occupancy

**RESIDENTIAL DEMOLITION:**

- \$154.00 (filing/review); plus
- \$92.00 for each additional structure on the parcel; plus
- \$63.00 for the final/site inspection which must be scheduled when demolition is complete and the site is clear; plus

**RESIDENTIAL SEPARATE ELECTRICAL/METER-BASE Permit:**

- \$63.00 for inspection fee only. (NOTE: If the first inspection fails, and a re-inspection fee is assessed, it should be paid before we do the re-inspection. ALSO: Permits for an electrical/meter inspection for an entire subdivision [like entry sign lighting meter, or meter for street lights] is considered COMMERCIAL, and charged as such.)

**OTHER FEE AMOUNTS TO BE AWARE OF FOR RESIDENTIAL "OTHER" PERMITS:**

FEE TYPE:	Amount:
➤ STARTING WITHOUT PERMIT	Permit fee, plus \$123.00 late fee (If taken to court, \$30.50 per day may also be added up to \$2,500.00.)
➤ Re-inspection fee	\$63.00
➤ Re-inspection & Temporary C/O	\$93.50
➤ Temporary C/O	\$30.50
➤ Partial C/O	\$123.00
➤ Late fee on inspection (per occurrence) (for pouring, covering, or occupying prior to an approved inspection.)	\$618.50
➤ Time Extension (one time for starting late or completing late) OR /Re-Review after original first failed review.	\$183.50
➤ Plan Amendment/Revision (NOTE: can also be charged for additional sq.ft. and additional inspections which may be required.)	\$154.00
➤ Duplicate placard	\$18.00

**MULTI-FAMILY NEW STRUCTURE AND ADDITION OF MULTIPLE UNIT PERMITS:**  
***REMODELS OR ADDITION OF SQ.FT. TO A SINGLE UNIT WOULD BE CONSIDERED***  
***COMMERCIAL REMODEL AND/OR ADDITION.***

**Multi-Family Permits: (1 permit per building; Apartments, Condominiums, HPR projects)**

**Note:** There are presently developments which market themselves as "Town Homes," which do not meet the above construction and property division criteria. (For what our office terms "true" town homes) These would be projects using HPR, or working under that same model. For these, there is a building of multiple dwelling units which sits on a single parcel of land. Each unit owner privately owns only that which is within the walls of their personal unit, and are issued a separate tax ID for that area only. However, all owners within the building and/or entire development commonly own all land area exterior of the structures themselves. This is considered a commercial class of construction. Their separation wall requirements are also less than the criteria listed above for "true" town homes. Additional inspections are also required for this type of construction, as both the Fire Marshal and the Urban Forestry division must inspect each building.

*Fee figuring continued on next page...*

*Multi-family fees...*

- > Flat rate fee of \$450.00 (filing/review); plus
- > \$308.00 per dwelling unit; plus
- > \$115.00 for each assessed, required inspection for the permit. Six inspections are usually required for this type of construction; plus
- > \$61.00 per dwelling unit, for the Certificate of Occupancy; plus
- > \$1,387.00 per dwelling unit, for the Park and Recreation Impact Fee (PRIF) ---- until **06/15/12** then \$1,526.00

**MULTI-FAMILY DEMOLITION:**

- > SEE COMMERCIAL DEMOLITION Permit

**MULTI-FAMILY SEPARATE ELECTRICAL/METER-BASE Permit:**

- > SEE COMMERCIAL SEPARATE ELECTRICAL/METER-BASE Permit

**OTHER FEE AMOUNTS TO BE AWARE OF FOR MULTI-FAMILY—AS IT IS ACTUALLY COMMERCIAL TYPE CONSTRUCTION:**

<u>FEE TYPE:</u>	<u>Multi-Family (HPR):</u>
> STARTING WITHOUT PERMIT	Twice the normal permit fee
> Re-inspection fee:	\$115.00
> Re-inspection & Temporary C/O:	\$176.00
> Temporary C/O:	\$61.00 (can be charged per unit)
> Partial C/O:	\$123.00 (can be charged per unit)
> Late fee on inspection (per occurrence) (for pouring, covering, or occupying prior to an approved inspection.)	\$1,237.50
> Time Extension (one time for starting late or completing late)	\$183.50
> Re-Review after original first failed review:	\$308.00
> Plan Amendment/Revision (NOTE: can also be charged for additional sq.ft. and additional inspections which may be required.)	\$308.00
> Duplicate placard	\$18.00

**COMMERCIAL & INSTITUTIONAL PERMIT FEES: (When not exempt)**

**NEW STRUCTURES, ADDITIONS, & ACCESSORY STRUCTURES: (Including POOLS & combined addition/remodels.)**

- Square feet (gross) X's \$0.22, plus (pool square feet total would include pool and deck area)
- \$450.00 flat rate fee for filing/review, plus
- \$115.00 for each inspection that is assessed as required (There are usually six (6) different inspections assessed for these types of permits; which would therefore total \$690.00), plus
- \$123.00 for the Certificate of Occupancy (C/O) or Certificate of Substantial Completion. (C.S.C.)

**INTERIOR TENANT FINISHES/REMODELS:**

- Square feet (of area of work) X's \$0.20, plus
- \$327.00 flat rate fee for filing/review, plus
- \$115.00 for each inspection that is assessed as required (There are usually two (2) different inspections assessed for these types of permits; which would therefore total \$230.00), plus
- \$123.00 for the Certificate of Occupancy (C/O) or Certificate of Substantial Completion. (C.S.C.)

**COMMERCIAL/INSTITUTIONAL DEMOLITION:**

- \$154.00 (filing/review); plus
- \$92.00 for each additional structure on the parcel; plus
- \$115.00 for the final/site inspection which must be scheduled when demolition is complete and the site is clear; plus

**COMMERCIAL/INSTITUTIONAL SEPARATE ELECTRICAL/METER-BASE Permit:**

- \$115.00 for inspection fee only. (NOTE: If the first inspection fails, and a re-inspection fee is assessed, it should be paid before we do the re-inspection. ALSO: 1 permit is required per meter. FINALLY: Permits for an electrical/meter inspection for an entire subdivision [like entry sign lighting meter, or meter for street lights] is considered COMMERCIAL, and charged as such.)

**FOR ALL TYPES OF COMMERCIAL/INSTITUTIONAL PROJECTS:**

If inspections are to be phased, (example: A Rough-in inspection on one area one day, and on the remaining area another day) the first inspection of each type has no charge, as it was paid for as part of the building permit fee. HOWEVER, a fee\* will be assessed for each extra/additional inspection of that type which is requested. These extra/additional inspection fees are tallied at the end of construction, and will be due prior to the Certificate of Occupancy (C/O) or Certificate of Substantial Completion (C.S.C.) being issued.

If an inspection fails, a re-inspection fee\* may be assessed. Any re-inspection fees assessed throughout the project will be due either prior to the C/O being issued, or at the request of our office—if a large number have accumulated.

Re-inspection and additional/extra inspection fees will be charged at the rate that is under ordinance at the time of the inspection at which they occurred. The current rate for re-inspection and/or extra/additional inspections is \$115.00 per inspection.

**ADDITIONAL FEES WHICH MAY BE ASSESSED ON COMMERCIAL PROJECTS:**

<u>FEE TYPE:</u>	<u>Multi-Family (HPR):</u>
➤ STARTING WITHOUT PERMIT	Twice the normal permit fee
➤ Temporary Certificate of Occupancy:	\$61.00
➤ Partial Certificate of Occupancy:	\$247.00
➤ Late Fee for proceeding with construction past the point of a required inspection: (example: pouring prior to Footing/Under-slab; insulating, covering, or dry-walling prior to Rough-in; occupying prior to Final, or occupying further than the level allowed by or with an expired Temporary or Partial C/O)	\$1237.50
➤ Time Extension (one time for starting late or completing late)	\$183.50
➤ Re-Review after original first failed review	\$308.00

- Plan Amendment/Revision (NOTE: can also be charged for additional sq.ft. and additional inspections which may be required.) \$308.00

### **WATER / SEWER FEES: EFFECTIVE AS OF 4/9/12:**

#### **WATER PERMIT ONLY:**

The two fees now applicable when only a water connection permit is being issued are:

1. The \$2,717.00 water connection that has always been assessed.
  2. The new \$102.00 water tap inspection fee.
- **The total for permits that are strictly for water (not combined sewer/water) is: \$2,819.00.**

#### **COMBINED WATER & SEWER PERMIT:**

There are now four fees to be paid when a combined water and sewer connection permit is being issued:

1. The is the \$102.00 sewer inspection fee that has always been assessed.
  2. The \$1,498.00 sewer connection fee that has always been assessed.
  3. The \$2,717.00 water connection fee that has always been assessed.
  4. The new \$102.00 water tap inspection fee.
- **The total for a permit for combined sewer/water is: \$4,419.00.**

\*The City of Utilities' office (317-571-2443) should be contacted for water availability/connection fees for multi-family, commercial & institutional projects. (This includes availability fees only for new subdivisions.)

### **OTHER PERMIT TYPES:**

**TEMPORARY USE PERMIT FOR MODEL HOMES, OUTDOOR SALES, SEASONAL SALES, OUTDOOR DISPLAY, SALES OFFICE, SALES TRAILER FACILITY, TEMPORARY PORTABLE CLASSROOM, or FIREWORKS: (Construction facilities are fee exempt; as are temporary use/special event permits for non-for profit organizations.)**

- \$308.00 (filing/review); plus (possibly)
- \$92.00 for the sign permit fee; plus (possibly)
- \$115.00 for the site inspection fee; plus (possibly)
- \$115.00 if a meter-base inspection or other type of building inspection is also required, per inspection

**TEMPORARY USE EXTENSION: (Construction facilities are fee exempt; as are temporary use/special event permits for non-for profit organizations.)**

- \$92.00 (Up to 6 months) (May ask for a total of 3 extensions, equaling a total of 18 additional months, but must do so in 6 month increments, and pay the \$92.00 each time. If additional time is requested, they must go to the BZA for a variance.)

**SPECIAL EVENT: (5 day permit) (Construction facilities are fee exempt; as are temporary use/special event permits for non-for profit organizations.)**

- \$154.00

**SPECIAL EVENT EXTENSION: (for up to 5 additional days) (Construction facilities are fee exempt; as are temporary use/special event permits for non-for profit organizations.)**

- \$92.00

#### **TEMPORARY SIGN ONLY:**

- \$92.00

#### **MESSAGE THERAPIST PERMIT:**

- \$20.50

ORDINANCE NO 2011- 14  
OF THE TOWN OF ZIONSVILLE, INDIANA

AN ORDINANCE TO ESTABLISH AN EQUITABLE IMPACT FEE  
FOR THE PURPOSE OF PLANNING AND FINANCING  
PARK AND RECREATIONAL INFRASTRUCTURE  
TO SERVE NEW DEVELOPMENTS  
IN THE TOWN OF ZIONSVILLE, INDIANA,  
PURSUANT TO INDIANA CODE CHAPTER 36-7-4-1300 ET AL.

WHEREAS, the Town Council of the Town of Zionsville, Indiana ("Town Council") has determined that it is reasonable and necessary to promote and accommodate orderly growth and development, and to promote the general public health, safety and general welfare of the citizens of the Town of Zionsville, Indiana ("Town"), by providing for an equitable program to fund the capital costs of new park and recreational infrastructure necessary to serve new development within of the Town; and

WHEREAS, the Town Council has further determined that it is reasonable and necessary to promote the orderly development of the Town by establishing standards by which the Town may require new development to pay an impact fee representing the development's proportionate share of the capital costs of new park and recreational infrastructure necessary to serve the development within the Town; and

WHEREAS, the Town Council has further determined that new development should not be required to pay a fee for the capital costs of such new park and recreational infrastructure greater than the development's proportionate share of the capital costs of such infrastructure necessary to serve such development; and

WHEREAS, the Town has engaged H.J. Umbaugh & Associates Certified Public Accountants, LLP ("Umbaugh") to prepare Zone Improvement Plan for Parks and Recreation Facilities (the "Zone Improvement Plan"), referred to by Umbaugh as a "Special Purpose Report", as a supplement to the [insert year of Plan] Parks and Recreation Master Plan, and as an amendment to the Town of Zionsville Comprehensive Plan, which Zone Improvement Plan is attached as Exhibit A and made a part of this Ordinance; and

WHEREAS, the cost of implementing the park and recreational recommendations of the Zone Improvement Plan in their entirety exceeds:

1. the income capacity of the Town through its ad valorem property tax receipts or other tax distributions allocated to park and recreational improvements relative to the chronological needs of the Town for said improvements; and
2. the general obligation bond capacity of the Town based upon net assessed valuation; and

3. the revenue bond potential of the Town based upon any existing means of acquiring revenue related to such improvements; and

WHEREAS, because of the Town's size, considering both its population and geographic area, as well as the distribution of public and private institutions, services and other facilities throughout the Town, park and recreational improvements benefit all citizens of the Town equally; and

WHEREAS, it is the Town's objective for the Zone Improvement Plan to result in the determination of an impact fee that meets the rational nexus test as that test is understood by current applicable Indiana statutory and case law; and

WHEREAS, the Town of Zionsville Advisory Plan Commission, having conducted a public hearing upon, and given due deliberation to, the Zone Improvement Plan has forwarded a favorable recommendation of the Zionsville Advisory Plan's adoption to the Town Council by a vote of 6 in favor and 0 opposed; and

WHEREAS, the Town Council previously has appointed the Town of Zionsville Impact Fee Advisory Committee to advise the Town Council pursuant to Ind. Code § 36-7-4-1312; and

WHEREAS, the purpose of this Ordinance is not to deter growth, nor remedy existing infrastructure deficiencies or pay for maintenance or other non-capital costs.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Town Council of the Town of Zionsville, Indiana, that:

1. Limitation on Imposition of Impact Fee. This Ordinance shall expire and become void five (5) years after its effective date as required by Ind. Code § 36-7-4-1340, however, the Town may adopt a replacement impact fee ordinance consistent with Ind. Code §36-7-4-1300 et seq.

2. Establishment of Impact Zone. There is hereby established one (1) Infrastructure Impact Zone, the boundaries of which are co-terminus with the existing corporate boundaries of the Town, as such boundaries may be extended from time to time through annexation, and over any boundaries for which the Town exercises planning and zoning jurisdiction. In this regard, the Town Council specifically finds: there is a functional relationship between the components of the infrastructure type in the Impact Zone; the infrastructure type provides a reasonably uniform benefit to all citizens throughout the Impact Zone; that all areas within the Impact Zone are contiguous as required by Ind. Code § 36-7-4-1316. Except as provided herein, this Ordinance shall apply uniformly to single-family detached, duplex/condo and townhouse, and multi-family apartment residential developments within the Impact Zone for which the Town may require an Improvement Location Permit, and which creates a need for new and additional park and recreational infrastructure. This Ordinance shall not apply to:

- a. development meeting the requirements set forth in Ind. Code § 36-7-4-1322(g);
- b. improvements which do not require an Improvement Location Permit;
- c. improvements which do not create a need for new and additional infrastructure, including the erection of a sign, construction of accessory buildings, structures or fences, or the alteration, renovation or expansion of an improvement where the use, or intensity thereof, has not changed;
- d. the replacement of a destroyed or partially destroyed improvement, provided that the replacement improvement does not create a need for new and additional infrastructure over and above the infrastructure needed by the original improvement prior to the destruction or partial destructions thereof; and
- e. non-residential development.

3. Zone Improvement Plan. As a precondition of the adoption of this Ordinance, the Town Council engaged Umbaugh to prepare a comprehensive and detailed park and recreational impact analysis, referred to as a "special purpose report" by Umbaugh. The Town Council hereby adopts the Special Purpose Report prepared by Umbaugh dated October 26, 2011, as its Zone Improvement Plan. Additionally the Town Council hereby adopts specifically the Zone Improvement Plan as part of the Comprehensive Plan for the Town of Zionsville, Indiana, pursuant to Ind. Code § 36-7-4-500 *et seq.*

- a.
- b.
- c.
- d.
- e.
  - 1)
  - 2)
- f.
  - 1)
  - 2)
- g.
- h.

4. Establishment of Park and Recreation Impact Fee. Based on the Plan, the Town Council determines that the cost for each residential dwelling unit is as follows:

Single-family detached dwelling unit	\$1,221
Duplex/Condo/Townhouse	\$ 977

The Town Council hereby makes all of the data collected, the calculations made and the conclusions reached by Umbaugh in the process of developing and drafting the Zone Improvement Plan a part of the official record considered by the Town Council in enacting this Ordinance, and specifically instructs the employees of the Town to make such data and other information available to the public for review during regular business hours.

5. Credit in Lieu of Payment: Exemptions. Pursuant to Ind. Code §36-7-4-1335, any person obligated to pay a fee pursuant to the terms of this Ordinance may have the option of financing, constructing and dedicating park and recreational infrastructure owned and operated by a neighborhood association for the public benefit, all as described and defined in the Plan and in accordance with the park and recreational specifications for such park and recreational infrastructure to be improved, instead of paying all or part of any impact fee to the Town. The fee payer, or other person or entity providing the infrastructure or improvement, shall be given credit for the actual costs of planning, financing and constructing such park and recreational infrastructure for the Town. A request for credit shall be presented prior to the issuance of the Improvement Location Permit. In the event the actual cost of such planning, financing and construction do not equal the amount of the impact fee pursuant to the calculation provided for in Section 4 hereof, the remaining balance shall be due in accordance with the provisions stated hereafter.

Credits against impact fees otherwise due shall be allowed pursuant to this Section for all infrastructure improvements constructed or furnished in accordance with Ind. Code § 36-7-4-1313 and Ind. Code § 36-7-4-1335. In addition, a fee payer or other person or entity responsible for installing infrastructure or improvements shall be allowed to designate in writing a method of allocating its credits to future fee payers who may be successors in interest to the credits earned by the fee payer or others, as part of the certification provided for above.

Any person or entity otherwise obligated to pay the fee established by this Ordinance whose property was totally or partially destroyed by fire, storm, or other casualty beyond his or her control, shall be exempt from said fee if he or she repairs or replaces the destroyed structure without creating a burden on infrastructure greater than the burden imposed by the destroyed infrastructure. In the event of such additional burden, the fee shall be calculated based only on the increased burden created by the structure.

6. Impact Fee Upon Issuance of Improvement Location Permit. The impact fee imposed pursuant to the terms of this Ordinance shall be due and payable upon the issuance of an Improvement Location Permit by the Town. It is understood that the Improvement Location Permit is synonymous with the term "structural building permit" as that term is used in Ind. Code § 36-7-4-1323, in that the issuance of an Improvement Location Permit authorizes the applicant to commence construction activities, structural or otherwise. The entire fee which is calculated pursuant to the terms of this Ordinance shall be due at said time unless the aggregate amount of the fee is greater than Five Thousand Dollars (\$5,000.00), in which case an installment plan may be requested by the applicant in accordance with the terms set forth in Ind. Code § 36-7-4-

1324(a) through (d). The Zionsville Impact Fee Review Board shall establish specific rules consistent with Ind. Code § 36-7-4-1324(a) through (d) for installment payments. The interest rate on any installment plan or deferred payment shall not exceed the pre-judgment rate as established by Indiana law, as amended, and shall only accrue on the outstanding portion of the impact fee beginning on the date the Improvement Location Permit is issued.

If a fee payer requests, the amount of the impact fee shall be assessed upon the voluntary submission of a development plan or upon the issuance of the Improvement Location Permit, whichever is earlier. For purposes of this Section, "assessment" means the act of calculating the amount of the impact fee which shall be due. The Town shall make such assessment within thirty (30) days of the date of such voluntary request or at the issuance of the Improvement Location Permit with or without the request.

7. Lien Rights Established. Pursuant to Ind. Code §36-7-4-1325, the Town acquires a lien against the real estate which is the subject of the impact fee. The Town may, in its discretion, file a specific instrument setting forth its lien rights with respect to a parcel of real estate which is the subject of an installment payment of an impact fee, and such instrument shall constitute actual notice in addition to the constructive notice provided for by the recording of this Ordinance.

8. Form of Receipt. The Zionsville Clerk/Treasurer shall issue a receipt for any and all impact fees collected and the form of such receipt shall be as follows:

Received of \_\_\_\_\_ (fee payer), this \_\_\_\_\_ day of \_\_\_\_\_ the sum of \$ \_\_\_\_\_ in (full) (partial) satisfaction of Park and Recreation Impact Fees due pursuant to Zionsville town Council Ordinance No. \_\_\_\_\_ relating to improvements to be constructed on the real estate described on Exhibit A, attached hereto, made part hereof, and subject to the collection remedies and lien rights in favor of the Town of Zionsville in the event or partial payment with payments remaining due pursuant to Ind. Code §36-7-4-1325. The remaining balance due (if any) is in the following amount: \$ \_\_\_\_\_. This impact fee is dedicated to the creation of the following infrastructure element in accordance with the Zone Improvement Plan: \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_, Clerk-Treasurer  
Town of Zionsville, Indiana

9. Appeals. Any fee payer who believes he or she is aggrieved by the calculation of the impact fee may appeal from such calculation to the Zionsville Impact Fee Review Board, and the Zionsville Impact Fee Review Board shall conduct a hearing with regard thereto. At such hearing, the fee payer shall bear the burden of going forward with the evidence and shall present evidence addressing either of the following propositions:

- a. A fact assumed in determining the amount of the impact fee is incorrect;  
or
- b. The amount of the impact fee is greater than the amount allowed under Ind. Code §§36-7-4-1320, 1321 and 1322.

Upon conclusion of the hearing, the Zionsville Impact Review board shall make a determination based upon the facts presented, and may reverse, affirm, modify or make such adjustments in the impact fee as it believes are appropriate under the circumstances, if any, including establishing the amount of an impact fee, a credit, a refund or any combination of fees, credits or refunds.

The Zionsville Impact Review Board shall provide a copy of its decision to the Town and the fee payer involved in the appeal within five (5) days after making its decision, and shall make written findings of fact to support its decision.

An appeal under this Section must be filed no later than thirty (30) days after the issuance of the Improvement Location Permit. The appeal shall be initiated with the filing of a Petition for Review with the Zionsville Clerk/Treasurer's Office, together with a filing fee in the amount of One Hundred Dollars (\$100.00). The filing fee shall be refunded in full if (i) the Petition for Review is granted and the impact fee is eliminated, reduced or adjusted by the Zionsville Impact Fee Review Board, by independent action the Town or by a court having jurisdiction; and (ii) the reviewing body determines that the amount of the fees, reductions, or credits were arbitrary or capricious.

The Petition for Review shall be in a form calculated to inform the Zionsville Impact Fee Review Board of the nature of the complaint, the parties to the action and the relief requested. In addition, the petition shall describe the new development on which the impact fee has been assessed, all facts related to the assessment of the impact fee and the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitation set forth in the enabling statute.

The Town shall not deny the issuance of an Improvement Location Permit on the basis that the impact fee has not been paid, or condition issuance of the permit on the payment of the impact fee; however, if the impact fee is less than One Thousand Dollars (\$1,000.00), the Town may require the fee payer to pay the impact fee or initiate an appeal under this section before the Improvement Location Permit is issued.

10. Establishment of Zionsville Impact Fee Review Board. The Town Council hereby establishes an Impact Fee Review Board ("Board"), which shall consist of three (3) citizen members appointed by the Town Council President and who shall qualify as follows:

- one (1) member shall be real estate broker licensed in Indiana;
- one (1) member shall be an engineer licensed in Indiana; and
- one (1) member shall be a certified public accountant.

No Board member shall be a member of the Zionsville Advisory Plan Commission.

- a. The term of office of the members of the Board shall commence from the date of their appointment and expire five (5) years from the date of appointment.
- b. At the expiration of the respective terms of each of the Board members originally appointed, their respective successors shall be appointed in the same manner as the original appointee, and each such succeeding member shall serve for a term of five (5) years. Each member shall continue to serve until his or her successor is appointed and qualified.
- c. In the event any person appointed as a Board member shall fail to qualify as provided within ten (10) days after the mailing to him or her of notice of his or her appointment, or if any member after qualifying shall die, resign, vacate office, or in the event a member is unable to hear a petition due to a conflict of interest, the Town Council President shall fill such vacancy with a new or temporary (in the event of a conflict of interest) member meeting the qualifications of the member being replaced. A new member shall serve out the remainder of the vacated term, while a temporary member shall serve for the period necessary to dispose of the petition giving rise to the conflict.
- d. The Board shall be governed by Ind. Code §36-7-4-1338(c) and all other applicable provisions of Indiana's Impact Fee Statute.

11. Establishment of Park and Recreation Impact Fee Fund. The Town Council hereby establishes the Park and Recreation Impact Fee Fund ("Fund") for the Town. This Fund shall be a non-reverting fund and shall receive any and all sums collected pursuant to this Ordinance to be utilized in connection with the purposes set forth herein. The Fund shall consist initially of one (1) account, based upon the current existence of one (1) Impact Zone. In the event, and only in the event, an additional Impact Zone is created hereafter, a separate account shall be maintained for each separate Impact Zone established within the Town. Interest earned on the Fund, or on any account with the Fund, shall be deposited and maintained within the Fund or the separate account. The Zionsville Clerk/Treasurer shall maintain records of the status of the Fund, or any account established therein, and shall make an annual report of the Fund available to the public, in general, and fee payers, upon request.

Pursuant to Ind. Code §36-7-4-1332(e), the Clerk/Treasurer is designated as the Town official responsible for accepting, rejecting and paying on refund requests. In order to facilitate refunds when they may be due, the Clerk/Treasurer is directed to identify the purpose of any impact fee paid in order that a refund, if any, may be paid from the Fund or account into which the fee was originally deposited.

12. Use of Impact Fees Collected Pursuant to this Ordinance. Any and all fees collected pursuant to the provisions of this Ordinance may be utilized for the following purposes only by the Town, acting by and through its Town Council, which for the purposes of this Ordinance is identified as the "infrastructure agency" contemplated by Ind. Code §36-7-4-1317:

- a. providing funds to be utilized by the Town for the purpose of paying the capital costs of new park and recreational infrastructure that is necessary to serve the new development within the corporate limits of the Town and that is identified in the Plan;
- b. an amount not to exceed Five Percent (5%) of the annual collections of the fee to be utilized for expenses incurred by the town for the consulting services used to establish this Ordinance.
- c. to pay any refund amounts due pursuant to the terms of this Ordinance;
- d. to pay the debt service cost on any obligation issued to provide new park and recreational infrastructure described in sub-paragraph (a) above.

13. House Enrolled Act 1467. The Town Council specifically acknowledges the existence of House Enrolled Act 1467 ("Act") adopted by the General Assembly of the State of Indiana which regulates the imposition of impact fee ordinances by municipal corporations within the State of Indiana. It is the intent of the Town to comply with the Act, and this Ordinance shall be construed in all respects to be consistent with the Act. The substantive and procedural requirements of Ind. Code §36-7-4-1300 et seq. shall control in the event of conflicts between this Ordinance and the Act, which conflicts are unintended by the Town Council.

14. Amendment and Review. The impact fee provided for herein is based upon data which, in large part, is subject to inflation and other economic and market forces over which the Town has no control. The town Council may, not less than once each year, cause a review to be made by Town staff or consultants, as may be required, to determine the continuing validity of the impact fee, the Impact Fee Zone and the Zone Improvement Plan. The Town Council shall consider and adopt such amendments as are necessary to cause substantive compliance with all constitutional and statutory requirements. To the extent required by the facts and circumstances, this process shall include all steps necessary to update the Zone Improvement Plan and the Comprehensive Plan.

15. Effective Date. This Ordinance shall be in full force and effect six (6) months after its adoption by the Town Council in accordance with Ind. Code §36-7-4-1340.

16. Construction of Clause Headings. The clause headings appearing herein have been provided for convenience and reference and do not purport and shall not be deemed to define, limit or extend the scope or intent of the clause to which they appertain.

17. Repeal of Conflicting Ordinances. The provisions of all other Town ordinances in conflict with the provisions hereof, if any, are of no further force or effect and are hereby repealed.

18. Severability. If any part of this Ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remainder of this Ordinance.

Introduced and filed on the 5<sup>TH</sup> day of DECEMBER, 2011. A motion to consider on First Reading was sustained by a vote of 7 in favor and 6 opposed, pursuant to Indiana Code §36-6-2-9.8.

DULY PASSED AND ADOPTED this 5<sup>th</sup> day of DECEMBER, 2011, by the Town Council of the Town of Zionsville, Boone County, Indiana, having been passed by a vote of 7 in favor and 0 opposed.

TOWN OF ZIONSVILLE, INDIANA  
BY ITS TOWN COUNCIL

Matt Price

Matt Price, President

For

Opposed

Tim Haak

Tim Haak, Vice-President

For

Opposed

Welton W. Harris, II

Welton W. Harris, II

For

Opposed

Valerie Swack

Valerie Swack

For

Opposed

Candace L. Ulmer

Candace Ulmer

For

Opposed

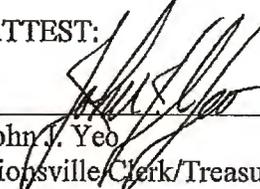
Gene W. Mundy

Steve Mundy

✓  
For

          
Opposed

ATTEST:

  
John J. Yeo  
Zionsville Clerk/Treasurer

Jeff Papa SM

✓  
For

          
Opposed

GREENWOOD COMMON COUNCIL

ORDINANCE NO. 09-28

AN ORDINANCE TO ESTABLISH AN EQUITABLE IMPACT FEE FOR THE  
PURPOSE OF PLANNING AND FINANCING PARK AND RECREATIONAL  
INFRASTRUCTURE TO SERVE NEW DEVELOPMENT IN THE CITY OF  
GREENWOOD

WHEREAS, it has been determined that it is reasonable and necessary to promote and accommodate orderly growth and development and to promote the general public health, safety and general welfare of the citizens of the City of Greenwood by providing for an equitable program to fund the capital costs of new park and recreational infrastructure necessary to serve newly developing areas of the City; and

WHEREAS, it has further been determined that it is reasonable and necessary to promote the orderly development of the City by establishing standards by which the City may require that new development shall pay an Impact Fee representing the development's proportionate share of the cost of capital costs of new park and recreational infrastructure necessary to serve the new development; and

WHEREAS, it is determined that new development should not be required to pay a fee for the capital costs of such new park and recreational infrastructure greater than the development's proportionate share of the capital costs of such infrastructure which is needed to serve such development; and

WHEREAS, the City of Greenwood has caused to be prepared a Recreation Zone Improvement Plan 2009-2018 for Parks and Recreation Facilities ("the Plan"), a supplement to the 2007-2012 Parks and Recreation Master Plan, by Lehman & Lehman, Inc., which Plan is attached hereto as Exhibit "A" to this Ordinance, which the same document also includes the Greenwood Recreation Impact Fee Study both made a part hereof by reference; and

WHEREAS, the cost of implementing the park and recreational recommendations of said Plan in their entirety exceeds:

- (1) the income capacity of the City through its ad valorem property tax receipts or other tax distributions allocated to park and recreational improvements relative to the chronological needs of the City for said improvements;
- (2) the general obligation bond capacity of the City based upon net assessed valuation; and
- (3) the revenue bond potential of the City based upon any existing means of acquiring revenue related to such improvements; and

WHEREAS, because of the size of the City, considering both its population and geographic area, as well as the distribution of public and private institutions, services and other facilities through the City, any park and recreational improvement benefits all citizens of the City equally; and

WHEREAS, it has been the objective of the City that the Plan should result in the determination of an impact fee which meets the rational nexus test as that test is understood by current applicable statutory law and case law; and

WHEREAS, the Greenwood Parks and Recreation Board has passed a Resolution approving the Plan by Lehman & Lehman, Inc. and has recommended adoption of the Plan by the City of Greenwood Advisory Plan Commission and the City of Greenwood Common Council; and

WHEREAS, the City of Greenwood Advisory Plan Commission, having conducted a public hearing upon, and given due deliberation to, the Zone Improvement Plan encompassed by the Plan prepared by Lehman & Lehman, Inc., has recommended its adoption (9-0) to the Common Council; and

WHEREAS, the Mayor has previously appointed the Greenwood Impact Fee Advisory Committee to advise the Common Council pursuant to I.C. § 36-7-4-1312; and

WHEREAS, the purpose of this Ordinance is declared not to deter growth, remedy existing infrastructure deficiencies or pay for maintenance or other "non-capital costs",

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF GREENWOOD, INDIANA, THAT:

Section 1. Limitation on Imposition of Impact Fee. This Ordinance shall expire and become void five (5) years after its effective date as required by I.C. § 36-7-4-1340, unless action is undertaken to extend its life consistent with the provisions of said Code section which contemplates a replacement ordinance.

Section 2. Establishment of Impact Zone. There is hereby established one Infrastructure Impact Zone, the boundaries of which are co-terminus with the existing corporate boundaries of the City of Greenwood, Indiana, and, as they may be extended from time to time through annexation or reorganization, and over which the City of Greenwood exercises planning and zoning jurisdiction. In this regard, the Common Council specifically finds that there is a functional relationship between the components of the Plan and that such Park and Recreational Plan provides a reasonably uniform benefit to all citizens throughout the Impact Zone as of the adoption of this ordinance. The Common Council further finds that all areas within the Impact Zone are contiguous as required by I.C. § 36-7-4-1316. Except as provided herein, this Ordinance shall apply uniformly to all residential developments within the Impact Zone hereby established for which the City of Greenwood may require a structural building permit and which creates a need for new and additional park and recreational infrastructure. This Ordinance shall not apply to:

- (a) developments meeting the requirements set forth in I.C. § 36-7-4-1322(g);
- (b) improvements which do not require a structural building permit;
- (c) improvements which do not create a need for new and additional infrastructure, including the erection of a sign, construction of accessory buildings, structures or fences or the alteration, renovation or expansion of an improvement where the use, or intensity thereof, has not changed.
- (d) the replacement of a destroyed or partially destroyed improvement, provided that the replacement improvement does not create a need for new and additional infrastructure over and above the infrastructure needed by the original improvement prior to the destruction or partial destruction thereof;
- (e) non-residential development.

Section 3. Zone Improvement Plan. As a precondition to the adoption of this Ordinance, the Common Council undertook a comprehensive and detailed park and recreational impact analysis through the employment for that purpose of Lehman & Lehman, Inc. The Common Council now finds that the resulting study and data base constitute a sufficient study to constitute a "Zone Improvement Plan" as contemplated by I.C. § 36-7-4-1318. The Common Council does hereby adopt the Plan prepared by Lehman & Lehman, Inc., dated September 2009, as its Zone Improvement Plan and specifically finds that said Zone Improvement Plan contains the following elements:

- (a) Reasonable estimates relating to the nature and location of development that is expected within the Impact Zone during the planning period, which, for purposes of

this Ordinance is defined to be a period of ten (10) years commencing with the date of adoption hereof.

- (b) A reasonable determination of the community level of service for the Impact Zone.
- (c) A reasonable determination of the current level of service provided within the Impact Zone.
- (d) A reasonable estimate of the nature, location, sequencing, and timing of the park and recreational requirements and costs necessary to provide the community level of service for the developments contemplated in Sub-paragraph (a) hereof.
- (e) A reasonable estimate of the share of the park and recreational costs identified in Sub-Paragraph (d) hereof that will be used to:
  - (1) Raise the current level of service for existing development or provide service to existing development; or
  - (2) Provide service to new development.
- (f) A reasonable estimate of revenues that:
  - (1) are from sources other than impact fees; and
  - (2) Will be used to finance the cost identified in Sub-Paragraph (e)(1) above.
- (g) A description of the nature and location of existing infrastructure in the Impact Zone.
- (h) A general description of the sources and amounts of money used to pay for infrastructure during the previous five years.

Additionally, the Common Council hereby specifically adopts the Zone Improvement Plan as an official part of the Comprehensive Plan of the City of Greenwood, pursuant to I.C. § 36-7-4-500 et seq.

Section 4. Establishment of Park and Recreational Impact Fee. Based upon the Plan previously referred to and which is made a part of this Ordinance, the Common Council determines that the cost per equivalent single-family dwelling unit is One Thousand One Hundred Seventy-Five Dollars (\$1,175). Based on the equivalent dwelling unit calculations used by the City, the Common Council hereby establishes the Park and Recreation Impact Fee in the following amounts for single-family units, duplexes, apartments, condominiums, and mobile homes:

<u>Type of Unit</u>	<u>Fee Per Dwelling Unit</u>	<u>Full Equivalent</u>
Single-Family	\$1,175	100%
Duplex	\$1,117	95%
One Bedroom Apartment or Condo	\$ 764	65%
Two Bedroom Apartment or Condo	\$ 999	85%
Three Bedroom or Larger Apt. or Condo	\$1,175	100%
Mobile Home	\$ 764	65%

***The Park and Recreation Impact Fee shall be increased by three percent (3%) annually to account for inflationary costs of construction, and such annual inflationary adjustment shall be effective January 1 of each calendar year beginning January 1, 2011.***

The Common Council hereby makes as a part of the record of these proceedings, all of the data collected, the calculations made, and the conclusions reached by Lehman & Lehman, Inc. in the process of developing the Zone Improvement Plan and the Recreation Impact Fee Study, and specifically instructs the employees of the City to make such data and other information inclusively available to anyone for review during regular business hours.

In the event that any parcel of real estate considered in the creation of the Zone Improvement Plan undergoes a change in use, redevelopment, or a modification which requires a structural building permit, and creates a need for new infrastructure, an impact fee will only be assessed for the increase in the burden on infrastructure.

**Section 5. Credit in Lieu of Payment: Exemptions.** Any person or entity obligated to pay a fee pursuant to the terms of this Ordinance may have the option of financing, constructing and dedicating park and recreational infrastructure to be owned and operated by the City for the public benefit, all as described and defined in the Plan, instead of making all or part of any impact fee payment which may be due, so long as such financing, construction and dedication are accomplished pursuant to the Plan of the City, and in accordance with the park and recreational specifications for such park and recreational infrastructure to be improved in force within the City's jurisdiction at the time. Such fee payer, or other person or entity providing the infrastructure or improvement, shall be given credit for the actual costs of planning, financing, and constructing such park and recreational dedicated to the City. Such request for credit shall be presented prior to the issuance of the structural building permit. In the event the actual cost of such planning, financing, and construction do not equal the amount of the impact fee pursuant to the calculation provided for in the schedule set forth in Section 4 hereof, the remaining balance shall be due in accordance with the provisions stated hereafter.

Credits against impact fees otherwise due shall be allowed pursuant to this Section for all infrastructure improvements constructed or furnished in accordance with I.C. § 36-7-4-1313 and I.C. §36-7-4-1335 since January 1, 1989. In addition, a fee payer or other person or entity responsible for installing infrastructure or improvements may designate in writing a method of allocating its credits to future fee payers who may be successors in interest to the credits earned by the fee payer or others, as part of the certification provided for above.

Any person or entity otherwise obligated to pay the fee established by this Ordinance whose property was totally or partially destroyed by fire, storm, or other casualty beyond his/her/its control, shall be exempt from said fee if he/she/it repairs or replaces the destroyed structure without creating a burden on infrastructure greater than the burden imposed by the destroyed infrastructure. In the event of such additional burden, the fee shall be calculated based only on the increased burden created by the structure.

**Section 6. Impact Fee Due Upon Issuance of Structural Building Permit.** The impact fee imposed pursuant to the terms of this Ordinance shall be due and payable upon the issuance of a structural building permit by the City of Greenwood. It is understood that the structural permit is synonymous with the term "structural building permit" as that term is used in I.C. § 36-7-4-1323, in that the issuance of a structural building permit authorizes the applicant to commence construction activities, structural and otherwise. The entire fee which is calculated pursuant to the terms of this Ordinance shall be due at said time unless the amount of the fee upon calculation is greater than Five Thousand Dollars (\$5,000.00), in which case an installment plan may be requested by the applicant in accordance with the terms set forth in I.C. § 36-7-4-1324(a) through (d). The Greenwood Impact Fee Review Board shall establish specific rules consistent with said code provisions for installment payments. The interest rate on any installment plan or deferred payment shall be at the rate allowed on judgments established by Indiana Code, as from time to time amended. Interest shall only accrue on the portion of the impact fee that is outstanding and does not begin to accrue until the date the structural building permit is issued for the development or part of the development on which the impact fee is imposed. If all or part of an installment payment is not paid when due and payable, the amount

of the installment shall be increased on the first day after the installment is due and payable by a penalty amount equal to ten percent (10%) of the installment amount that is overdue, and interest shall be charged on the penalty amount.

If a fee payer requests, the amount of the impact fee shall be assessed upon the voluntary submission of a development plan or upon the issuance of the structural building permit, whichever is earlier. For purposes of this section, "assessment" means the act of calculating the amount of the impact fee which shall be due. The City shall make such assessment within thirty (30) days of the date of such voluntary request or at the issuance of the structural building permit with or without a request.

For a phased development, the impact fee shall be prorated for purposes of payment according to the impact of the parcel for which a structural building permit is issued in relation to the total impact of the development. In accordance with I.C. 36-7-4-1324, only the prorated portion of the assessed impact fee is due and payable on the issuance of a permit.

Section 7. Lien rights Established. Pursuant to I.C. § 36-7-4-1325, the City of Greenwood acquires a lien against the real estate which is the subject of the impact fee. Upon adoption, this Ordinance shall be recorded, and, thereafter, it shall constitute constructive notice of the lien rights of the City of Greenwood with respect to a parcel of real estate which is the subject of an installment payment of an impact fee. The City, may, in its discretion, file a specific instrument setting forth its lien rights with respect to a parcel of real estate which is the subject of an installment payment of an impact fee, and such instrument shall constitute actual notice in addition to the constructive notice provided for by the recording of this Ordinance.

Section 8. Form of Receipt. The Greenwood Clerk-Treasurer shall issue a receipt for any and all impact fees collected, and the form of such receipt shall be as follows:

"Received of \_\_\_\_\_ (fee payer) \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_ the sum of \$ \_\_\_\_\_ in (full) (partial) satisfaction of Park and Recreation Impact Fees due pursuant to Greenwood Common Council Ordinance No. \_\_\_\_\_ relating to improvements to be constructed on the real estate described on Exhibit A, attached hereto, made part hereof, and subject to lien rights in favor of the City of Greenwood in the event of partial payment with payments remaining due. The remaining balance due (if any) is in the following amount: \$ \_\_\_\_\_. This impact fee is dedicated to the creation of the following infrastructure element in accordance with the Zone Improvement Plan: \_\_\_\_\_

\_\_\_\_\_  
, Clerk-Treasurer  
City of Greenwood, Indiana

Section 9. Appeals. Any fee payer who believes itself to be aggrieved by the calculation of the impact fee, may appeal from such calculation to the Greenwood Impact Fee Review Board and the Greenwood Impact Fee Review Board shall conduct a hearing with regard thereto. At such hearing, the fee payer shall bear the burden of going forward with the evidence and shall present evidence addressing either of the following propositions:

- (a) A fact assumption used in determining the amount of the impact fee is incorrect; or
- (b) The amount of the impact fee is greater than the amount allowed under I.C. § 36-7-4-1320, 1321 and 1322.

Upon conclusion of the hearing at which the matter is first presented, or at the conclusion of the hearing if the matter is continued, the Greenwood Impact Review Board shall make a determination based upon the facts presented and may reverse, affirm, modify, or make such adjustments in the impact fee, as it believes are appropriate under the circumstances, if any,

including establishing the amount of an impact fee, a credit, a refund, or any combination of fees, credits, or refunds.

The Greenwood Impact Review Board shall provide a copy of its decision to the City, the Infrastructure Agency and the fee payer involved in the appeal within five (5) days after making its decision, and shall make written findings of fact to support its decision.

An Appeal under this Section must be filed not later than thirty (30) days after the issuance of the structural building permit. The appeal shall be initiated with the filing of a Petition for Review with the Greenwood Clerk-Treasurer's office, together with a filing fee in the amount of One Hundred Dollars (\$100.00). The filing fee shall be refunded in full if:

- (c) The Petition for Review is granted and the impact fee is eliminated, reduced or adjusted by the Greenwood Impact Fee Review Board, by independent action of the City of Greenwood, or by a court having jurisdiction; and
- (d) The reviewing body determines that the amount of the fees, reductions, or credits were arbitrary or capricious.

The Petition for Review shall be in a form calculated to inform the Greenwood Impact Fee Review Board of the nature of the complaint, the Parties to the action, and the relief requested. In addition, the petition shall describe the new development on which the impact fee has been assessed, all facts related to the assessment of the impact fee, and the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitations set forth in the enabling statute.

The City shall not deny the issuance of a structural building permit on the basis that the impact fee has not been paid, or condition issuance of the permit on the payment of the Impact Fee. If the Impact Fee totals One-Thousand Five-Hundred Dollars (\$1,500.00) or more, the City may require the fee payer to pay the impact fee or initiate an appeal under this section before the structural building permit is issued.

Section 10. Establishment of Greenwood Impact Fee Review Board. The Common Council hereby establishes an Impact Fee Review Board, which shall consist of three (3) citizen members appointed by the Mayor and who shall qualify as follows:

One (1) member shall be a real estate broker licensed in Indiana;

One (1) member shall be an engineer licensed in Indiana;

One (1) member shall be a certified public accountant.

A Board member may not be a member of the Greenwood Advisory Plan Commission.

- (a) The term of office of the members of the Greenwood Impact Fee Advisory Board shall commence from the date of their appointment and expire five (5) years from the date of appointment.
- (b) At the expiration of the respective terms of each of the Board Members originally appointed, their respective successors shall be appointed in the same manner as the original appointee, and each such succeeding member shall serve for a term of five (5) years. Each member shall continue to serve until his/her successor is appointed and qualified.
- (c) In the event any person appointed as a Board Member shall fail to qualify as provided within ten (10) days after the mailing to him/her of notice of his/her appointment, or if any member after qualifying shall die, resign, vacate office, or in the event a member is unable to hear a petition due to a conflict of interest, a new or temporary member shall be chosen to fill such vacancy in the same manner as provided for the member in respect to whom such vacancy occurred, and the member so chosen and

appointed shall serve for the remainder of the vacated term in the event of death, resignation, or vacation of office, and in the event of a temporary replacement due to conflict of interest, the member shall serve for the period necessary to dispose of the petition giving rise to the conflict.

- (d) Such board members shall receive no salaries but shall be entitled to reimbursement for any expenses necessarily incurred in the performance of their duties.
- (e) The Board shall elect one of its members as President, one as Vice-President, each of which officers shall serve from the day of his/her election until the 31<sup>st</sup> day of January next following his/her election and until his successor is elected and qualified.
- (f) The Board is authorized to adopt by-laws, rules, regulations and procedures as it may deem necessary for the proper conduct of its proceedings, and the carrying out of its duties. Meeting and hearings shall be held at such time as it may determine and upon such notice as it may fix, in accordance with the provisions of the by-laws, rules and regulations adopted and Indiana Law.
- (g) A majority of the Board shall constitute a quorum and the concurrence of a majority shall be necessary to authorize any action.
- (h) The Board shall conduct its review of the amount of an impact fee assessed, the amount of a refund, and the amount of a credit using the procedures established in I.C. § 36-7-4-1338(c).

Section 11. Continuation of the Established Park and Recreation Infrastructure Improvement Fund. The Park and Recreational Infrastructure Improvement Fund of the City of Greenwood established by Ordinance No. 03-22, "An Ordinance to Establish an Equitable Impact Fee for the Purpose of Planning and Financing Park and Recreation Infrastructure to Serve New Development in the City of Greenwood" ("Ord. No. 03-22"), continues in existence. This Fund is a non-reverting fund and shall receive any and all sums collected pursuant to Ordinance No. 03-22 and this Ordinance to be utilized in connection with the purposes set forth in Ord. No. 03-22 and herein. Said Fund shall consist initially of one account based upon the current existence of one Impact Zone. In the event, and only in the event, that an additional Impact Zone is created hereafter, a separate account shall be maintained for each separate Impact Zone established within the City of Greenwood. Interest earned on the Fund or on any account within the Fund, shall be deposited and maintained within the Fund or the separate account. The Greenwood Clerk-Treasurer shall maintain records of the status of the Fund or any account which may be established therein, and shall make an annual report of said Fund and accounts which shall be available to the public in general and fee payers, upon request, in particular.

Pursuant to I.C. § 36-7-4-1332(e), the Clerk-Treasurer is designated as the City official responsible for acting upon refund requests. In order to facilitate refunds when they may be due, the Clerk-Treasurer is directed to identify the purpose of any impact fee paid in order that a refund, if any, may be paid from the Fund or account into which the fee was originally deposited.

Section 12. Use of Impact Fees Collected Pursuant to this Ordinance. Any and all fees collected pursuant to the provisions of this Ordinance may be utilized for the following purposes only by the City of Greenwood, acting by and through the Greenwood Parks and Recreation Board, which, for the purposes of this Ordinance is identified as the "infrastructure agency" contemplated by I.C. § 36-7-4-1317:

- (a) Providing funds to be utilized by the City of Greenwood for the purpose of paying the capital costs of new park and recreational infrastructure that is necessary to serve the new development within the corporate limits of the City and that is identified in the Plan;
- (b) An amount not to exceed Five Percent (5%) of the annual collections of the fee to be utilized for expenses incurred by the City for the consulting services used to establish this Ordinance;

- (c) To pay any refund due pursuant to the terms of this Ordinance;
- (d) To pay the debt service cost on an obligation issued to provide new park and recreational infrastructure described in subparagraph (a) above.

Section 13. House Enrolled Act 1467. The Greenwood Common Council specifically acknowledges the existence of a law adopted by the General Assembly of the State of Indiana which regulates the imposition of impact fee ordinances by municipal corporations within the State of Indiana. It is the intent of the City of Greenwood to comply with such legislation, and this Ordinance shall be construed in all respects to be consistent with the Act. The substantive and procedural requirements of I.C. § 36-7-4-1300 et seq. shall control in the event of conflicts, which are unintended by the Common Council.

Section 14. Amendment and Review. The impact fee provided for herein is based upon data which, in large part, is subject to inflation and other economic and market forces over which the City of Greenwood has no control. The Common Council may, not less than once each year, cause a review to be made by City staff or consultants as may be required, to determine the continuing validity of the Impact Fee, the Impact Fee Zone, and the Zone Improvement Plan. The Common Council shall consider and adopt such amendments as are necessary to cause a substantive compliance with the rational nexus test to continue, to insure that procedural due process is maintained or enhanced and to insure that this Ordinance meets the requirements of the Indiana Code § 36-7-4-1300 series. To the extent required by the facts and circumstances, this process shall include the steps necessary to update the Zone Improvement Plan and the Comprehensive Plan.

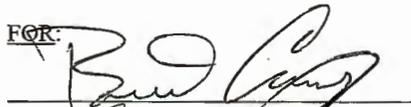
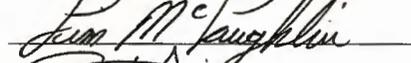
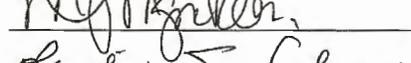
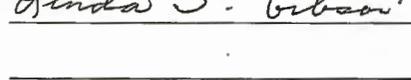
Section 15. Effective Date. This Ordinance shall be in full force and effect six (6) months after its passage, approval and publication according to law.

**(Remainder of the Page Intentionally Left Blank)**

Passed by the Common Council of the City of Greenwood, Indiana, this 19th day of October, 2009.

  
Ronald Deer, President  
Greenwood Common Council

FOR:

AGAINST:

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ATTEST:

  
Jeannine Myers, Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 19th day of October, 2009, is presented by me this 20th day of October, 2009, at 9:00 O'Clock A.M., to the Mayor of the City of Greenwood, Indiana.

  
Jeannine Myers Clerk-Treasurer

The foregoing within and attached Ordinance passed by the Common Council of the City of Greenwood, Indiana, on the 19th day of October, 2009, is signed and approved by me this 20th day of October, 2009, at 12:30 O'Clock P.M.

  
CHARLES E. HENDERSON, Mayor of  
the City of Greenwood, Indiana