

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 previously 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 twenty eight 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 twenty eight 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 _____ DAY OF _____, 2006, BY THE WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD TOWN COUNCIL

Voting For

Voting Against

Abstain

Andy Cook

Andy Cook

Andy Cook

John Dippel

John Dippel

John Dippel

Jack Hart

Jack Hart

Jack Hart

Robert Horkay

Robert Horkay

Robert Horkay

Joe Plankis

Joe Plankis

Joe Plankis

Bob Smith

Bob Smith

Bob Smith

Ron Thomas

Ron Thomas

Ron Thomas

ATTEST:

Clerk-Treasurer, Cindy Gossard

**WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION
CERTIFICATION**

The Westfield-Washington Township Advisory Plan Commission met on Monday, November 26, 2007, to conduct a public hearing for a proposed change in the Park Impact Fees for parks development and improvements within the Town of Westfield. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana.

A Public Hearing was held at the Westfield Washington Advisory Plan Commission Meeting.

A motion was made and passed to send a positive recommendation to the Town Council on the proposed Park Impact Fee Structure Ordinance (7-0).

I, Gregory Anderson, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on November 26, 2007.



Gregory J. Anderson, AICP, Secretary

November 27, 2007
Date

Amendment Town of Westfield Park Impact Fee rate structure.

Mr. Curt Cooley, Westfield Parks Director, presented the details of the annual review of the Park Impact Fee Rate Structure. He stated annually the deficiencies and needs of the community and reviewed and compared to the five year plan done in 2004. Presently, the fee for a single family housing unit is \$875. Study looks at a recommended increase to \$930.00. He stated future projects included development of Armstrong and Osborn Parks, Freedom Trails Parks improvements, and Woods at the Maples.

Spoljaric asked about the amounts in the surrounding communities.

Cooley responded Noblesville has two different fees, \$1,200 and \$1,300; Carmel's fee is \$1,100; Cicero is about the same as Westfield.

Plankis asked to see figures at the Town Council meeting in December on what values other communities use to determine their fees.

A Public Hearing opened at 10:15 p.m.

Ms. Melody Sweat asked where in the budget are park impact fees accounted for, are they their own line item, and are they used for improvements of undeveloped land for new parks.

Zaiger responded that the Park Impact Fees are collected through the permitting process and given their own account number and fund. He further stated they are not required to be used for the acquisition of park area; they are used to raise the level of services of the Parks Department, infrastructure, land acquisition, etc.

The Public Hearing closed at 10:17 p.m.

Plankis moved to send the Park Impact Fee Structure Ordinance to the Town Council.....Brian was mumbling.

Horkay seconded, and the motion passed 7-0. (Kelleher absent from vote)