

ORDINANCE 2005-40  
Passed August 16, 2005

AN ORDINANCE AUTHORIZING AMENDMENT TO THE FEE SCHEDULE OF THE MUNICIPALITY OF POWELL.

WHEREAS, the Council has previously established a fee schedule within the Municipality of Powell, and

WHEREAS, the Development Committee has reviewed and recommended amendment to the Fee Schedule for approval which is attached hereto and incorporated herein by reference, and

WHEREAS, there is a desire to amend the fee schedule of the City of Powell, as identified on the document attached hereto and incorporated herein by reference.

NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: That the fee schedule is amended as proposed.

Section 2: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 3: That this Ordinance shall take effect at the earliest period allowed by law.

VOTE ON ORDINANCE 2005-40:

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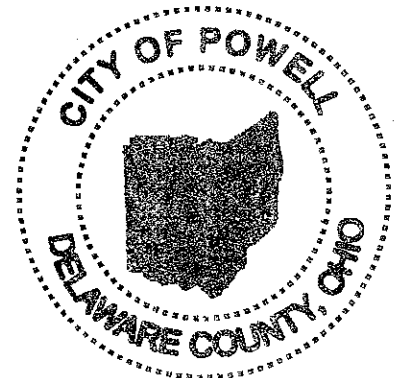
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Dan Wiencek 8/25/05  
Dan Wiencek Date  
Mayor

Susie Ross 8/25/05  
Susie Ross Date  
City Clerk

This legislation has been posted in accordance with  
the City Charter on this date 8/26/05.

Susie Ross  
Clerk of Council



#### IV. RECREATION FEES (Section 1105.06 Codified Ordinances of Powell)

Account No. 241-000-4523-00

##### A. Planned Residence District Developments

###### 1. Public Land Dedication

Planned Residence District developments shall provide, as part of the minimum open space to twenty percent (20%) of the gross acreage proposed for development, land suitable for public parks and playground facilities as reviewed and recommended by the Park & Recreation Advisory Board and Planning and Zoning Commission, with final approval by Council. The minimum land dedication requirement shall be .05 acres per dwelling unit proposed.

###### ~~2. Private Recreation Facilities~~

~~If the proposed land dedication is not suitable for public parks due to insufficient size or inappropriate location, or if public ownership or operation of such recreational facilities is not feasible, the Municipality may request the applicant plan for the provision of privately financed and owned recreational facilities. Such private park areas shall not be less than sixty-five percent (65%) of the required public land dedication above, provided that such private park areas shall be privately developed for recreational uses. The applicant shall be required to indicate:~~

- ~~a. The proposed size and location of the park area;~~
- ~~b. The proposed recreational facilities and site improvements to be made;~~
- ~~c. A schedule of how actual construction of the proposed park and improvements are to be phased in relationship to overall project phasing; and~~
- ~~d. How both ownership and maintenance of such park areas is to be undertaken.~~

###### 3.2. Park Fee in Lieu of Dedication

Should **PUBLIC LAND DEDICATION** ~~both previous options~~ be deemed inappropriate or unfeasible, the Municipality shall require an applicant to pay a park fee in-lieu-of land dedication. The per unit fee will be collected at the time of Final Plat approval is requested and shall be based on the total number of units contained within the final plat as determined by using the following formula:

- a. Total number of dwelling units = (1)
- b. Required land dedication = (1) x .05
- c. The estimated average value of land per acre shall be established every time the Delaware County Auditor performs the Triennial Revaluation and Sexennial Reappraisal of property values within Delaware County by utilizing a GIS analysis of said land valuation. The specific GIS analysis utilized is on file with the City Finance Director and is titled "City of Powell Recreation Fee Evaluation" which is adopted by Council as part of this Fee Schedule. This value is currently \$31,000 per acre based upon the 2002 Triennial Revaluation performed by the Delaware County Auditor.
- d. Value of land dedication: (a) x (b)