ORDINANCE C-94-04

AN ORDINANCE TO AMEND SECTION 1101.09 OF THE CODIFIED ORDINANCES OF GROVE CITY, OHIO, TITLED DEVELOPMENT FEES

WHEREAS, it is desirous to make certain amendments to the Recreational Development Fees to provide for improved open space and recreational development within the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Section 1101.09(a)(1) is hereby amended to read, in part:

(a) Recreation ~~and~~ Development Fees. . . . .

(1) For each single-family dwelling construction in:

~~1990 - $125.00~~ 2004 - $200.00 ~~1992 - $175.00~~ 2005 and thereafter - $550.00

~~1991 - $150.00~~ ~~1993 - $200.00~~

SECTION 2. Section 1101.09(a)(2) is hereby amended to read:

(2) For each unit in a multi-family dwelling constructed in:

~~1990 - $125.00~~ 2004 - $200.00 ~~1992 - $175.00~~ 2005 and thereafter - $550.00

~~1991 - $150.00~~ ~~1993 - $200.00~~

SECTION 3. Section 1101.09(a)(7) is hereby deleted in its entirety.

SECTION 4. Section 1101.09(b) is hereby renumbered to 1101.09(*c*).

SECTION 5. Section 1101.09 (b) shall read:

(b) Public Sites/Open Space Requirements.

(1) Upon the submission of a proposed residential development there shall be dedicated on said plan, areas dedicated to the City for public purposes, or reserved for park, playground, recreational, educational or open space. Said dedication shall be exclusive of public right-of-way and any street, road, highway, sidewalk, entrance feature areas, landscape areas without recreational amenities (i.e. buffer landscaping adjacent to right-of-way) and areas within the 100-year floodplain. The dedicated land can include passive recreational areas including bike paths, certain commercial recreational areas, tree stands or dedicated green space and storm water retention areas (not detention or dry basins) that meet the City's Pond Design Criteria and are incorporated into the overall development plan for aesthetic purposes. In the event that a storm-water retention area is proposed to be dedicated to satisfy the provisions of this section the same shall not constitute more than fifteen percent (15%) of the area dedication required by this provision. In addition, areas containing overhead utilities and/or easements may be used to meet the land requirement only if approved by Planning Commission and City Council.

(2) The foregoing is intended as examples of appropriate public site/open space dedication and not as an exclusive list. Appropriate public site/open space dedication shall be determined as set forth below:

A. The goal of the City is to provide twenty (20) acres of appropriate open space/public land or other recreational areas for every 1,000 residents.

B. The land dedication requirement of this section shall be computed as follows for single-family developments:

1. Determine the number of proposed single-family dwelling units.

2. Multiply the number of proposed units times the "average single family household size" as established by the most current U.S. Census Summary of Occupancy and Housing Characteristics for Grove City. The current figure according to the 2000 census data is 2.73 occupants per household;

3. Divide the figure determined in subsection (B) (2) hereof by 1,000 (people); and

4. Multiply the figure determined in subsection (B) (3) hereof by 20 (acres/1000 people). This figure represents the amount of acreage that must be dedicated to satisfy the public sites/open space requirement of this section for single-family developments.

C. The land dedication requirement of this section shall be computed as follows for all other residential developments:

1. Determine the number of proposed dwelling units.

2. Multiply the number of proposed units times the "average multi-family household size" as established by the most current U.S. Census Summary of Occupancy and Housing Characteristics for Grove City. The current figure according to the 2000 census data is 2.29 occupants per household;

3. Divide the figure determined in subsection (C) (2) hereof by 1,000 (people); and

4. Multiply the figure determined in subsection (C) (3) hereof by 20 (acres/1000 people). This figure represents the amount of acreage that must be dedicated to satisfy the public sites/open space requirement of this section for other than single-family developments.

D. For developments that include both single-family and non-single family residential units, the respective calculations shall be made for the entire site.

(3) The proposed dedicated land, together with the restrictions imposed on the same, must be deemed to be appropriate by the Planning Commission and City Council before the development plan and/or plat is approved. The Planning

Commission and City Council shall determine the dedicated land to be appropriate only if the proposed dedicated land can be used to accomplish the goals of this section and the provisions of subsections (1) and (2) hereof. When making a determination of whether the proposed dedicated land is appropriate, the Planning Commission and City Council shall consider the comments received through the Administrative Review process. Other information and comments that the Planning Commission and City Council deems appropriate may be used in determining the appropriateness of the land to be dedicated.

(4) To the extent that the required land dedication established by this Section is not sufficient either because no land is dedicated or the land that is proposed for dedication is determined not to be appropriate due to size, configuration, location or type, by the Planning Commission and City Council, then a Monitory Payment shall be made. All payments made pursuant to this paragraph shall be deposited in the Recreation Development Fund.

(5) Calculation of the Monitory Payment in lieu of land shall be made as follows and paid prior to the approval of the record plat:

A. Determine the total amount of acreage required pursuant to subsections (2 B), (2 C) and (2 D) hereof;

B. Subtract the total amount of acreage approved as appropriate by the Commission and City Council, pursuant to subsection (3) hereof;

C. Multiply the amount of acreage determined above by thirty thousand dollars ($30,000) which represents the average cost of an acre of developed park land; and

(6) All public sites/open space shall be deemed final by dedication through an approved Plat or dedication ordinance by Council.

(7) Deviations from the foregoing requirements regarding either the Land Contribution or the Park Fee may be granted for "good cause". Nothing herein shall be interpreted as requiring the grant of any deviations. "Good cause" shall be limited to situations where the applicant is providing significant infrastructure improvements that benefit areas outside the proposed development area or contributing land directly to the school district for school purposes.

SECTION 3. This ordinance shall take effect at the earliest opportunity allowed by law.

William E. Saxton, President of Council

Passed: 10-18-04
Effective: 11-17-04

Cheryl L. Grossman, Mayor

Attest:

Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.

Thomas R. Clark, Director of Law