

ORDINANCE 474

AN ORDINANCE RATIFYING PARK DEVELOPMENT REQUIREMENTS AND FEES IN THE TOWN OF BAYFIELD AND CORRECTING THE ORDINANCE NUMBER

WHEREAS, the Board of Trustees desires to mitigate the impacts of new residential development on the availability of open space land and park and recreational facilities; and

WHEREAS, in order to provide or to assist in providing the financing required to acquire, develop and maintain Town parks, trails and open space; Park Facility Impact Fees, Park Land Dedication or Fees In-Lieu are established by the Board of Trustees to be paid by property owners desiring to develop property; and

WHEREAS, in the reasonable judgment of the Board of Trustees, the fees are hereby established at levels no greater than necessary to defray the impacts hereby determined by the Board to be directly related to residential development; and

WHEREAS, the Town commissioned Rural Planning Institute (RPI) to conduct a Parks Facility Impact Fee and Park Land Dedication/ Fee in lieu Study (“the Study”) in 2005; and

WHEREAS, the Study, dated April of 2005, was presented to the Board of Trustees on May 17, 2005; and

WHEREAS, the Board of Trustees, after public hearing, approved the fee schedule recommended by the Study on June 7, 2005; and

WHEREAS, the current Board of Trustees desires to ratify that decision in the form of an Ordinance.

WHEREAS, the Ordinance 473 was passed and adopted April 5, 2022, however the Ordinance number 473 repeats a previous Ordinance number and this Ordinance corrects the number to Ordinance 474.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN OF BAYFIELD BOARD OF TRUSTEES:

Section 1: Section 5-4 of the Bayfield Land Use Code is hereby repealed and readopted to read:

5-4. Park Land and Facilities.

- (a) Park sites shall be dedicated to the Town of Bayfield as part of any residential subdivision. Park land must be reserved as to location and size as depicted by the Bayfield Comprehensive Plan, Town of Bayfield Parks, Open Space, Trails and Recreation Plan, or as determined by the Town of Bayfield.

- (b) The Board of Trustees, in their sole determination, may determine that developer shall pay fee in-lieu of land dedication if they deem the parcel of land proposed for dedication is not suitable or necessary for park purposes.
- (c) The amount of land required for dedication or fee in-lieu shall be established by Resolution of the Board of Trustees, which may be amended from time to time.
- (d) Park Land Dedication or Fee in Lieu shall be paid prior to the recording of Final Plat. Language should be included in the Annexation Agreement and/or Subdivision Improvement Agreement.
- (e) Park Facility Impact Fees shall be assessed at time of building permit, which fee shall be established by Resolution of the Board of Trustees, which may be amended from time to time.

Effective Date. Effective thirty (30) days after publish.

Safety Clause. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town of Bayfield, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be obtained.

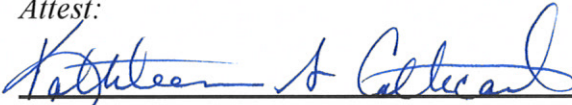
Passed and adopted this 19th day of April, 2022.

Mayor:



Ashleigh Tarkington

Attest:



Kathleen S. Cathcart, Town Clerk