

ORDINANCE NO. 685

AN ORDINANCE ESTABLISHING THE PARK LAND DEDICATION AND PARK DEVELOPMENT FEES FOR THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO.

Whereas the Board of Trustees has determined that new development creates an increased demand on the Town's park facilities; and

Whereas new development should bear the costs of creating and improving the parks of the Town;

Now, therefore, be it ordained by the Board of Trustees of the Town of Berthoud, Larimer County, Colorado:

Section 1. Evaluation of Park Land Dedication and Development Fees

a. Upon the zoning or rezoning of a parcel of property the Town's staff shall evaluate whether the use contemplated by the zoning will result in increased demands on the Town's parks. The applicant for the zoning or rezoning may be required to provide applicable data from which the Town's staff may establish the effects of the use of the property on the Town's parks.

i. Each applicant for a building permit shall specify the amount of park land and park development fees which were paid to the Town as a result of the creation or improvement of the applicable property. In the event no fees were paid or they are less than the current fees, they shall be re-established as required above. This requirement shall not be applicable to applications for remodeling of dwelling units which were legally occupied at the date this ordinance becomes effective.

b. The fee for park land dedication for a dwelling unit shall be \$300.00 and shall be payable at the time the building permit is issued unless there has been a credit for prior park land dedication made at the time the master plan or subdivision plat was submitted.

c. The fee for park development for a dwelling unit shall be \$800.00 and shall be paid at the time the building permit is issued.

i. These fees shall be reviewed by the Board of Trustees not less frequently than annually and revised, if necessary, by resolution during the first quarter of each calendar year.

ii. A dwelling unit is defined as any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, as required by the 1991 Uniform Zoning Code, for not more than one family, or a congregate residence for six or less persons.

Section 2. Dedication of Land or Park Improvements in Lieu of Fees

a. In the event the zoning or rezoning involves more than one acre, the applicant may request that land or park improvements or both which are satisfactory to the Town be dedicated in lieu of the payment of the fees.

i. Upon acceptance by the Town, the dedication of land or improvement of parks or both shall be prorated or a credit given for the applicable fee throughout the property being zoned.

Section 3. Allocation of Funds

The money generated from these fees shall be separately identified and allocated for these purposes in the Town's budget process.

Section 4. Effective Date

The Board of Trustees of the Town of Berthoud herewith finds, determines and designates that this Ordinance shall take effect and be in force thirty (30) days after publication.

At its meeting March 9, 1993, a public hearing was set by the Board of Trustees of the Town of Berthoud for its meeting held on the 23rd day of March, 1993. This Ordinance was ordered to be published at its meeting on March 9, 1993.

ATTEST:

Diabellie Denker
Town Clerk

TOWN OF BERTHOUD:

Brinkley Berthoud
Mayor

Published: March 11, 1993
Berthoud Recorder