



## Legislation Text

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**File #:** CPC CA 19-00135, **Version:** 6

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Ordinance No. 21-24 repealing and reordaining Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to park land dedication

(Legislative)

**Presenter:**

Peter Wysocki, Director of Planning and Community Development  
Britt Haley, Parks Development Manager/TOPS Program Manager  
Chris Lieber, N.E.S. Inc.

**Background:**

The Planning and Community Development Department, and the Parks, Recreational and Cultural Services Department mutually request the proposed code amendment. The new ordinance was initiated by the Administration in an effort to update the park land dedication/payment of fees in-lieu of dedication requirements that have been in effect and fundamentally unchanged since the original adoption in 1974.

Please see the attached presentation for detailed background and information.

Amendments to the Chapter 7 - the zoning and subdivision code - are authorized by Section 7.5.602 and may be initiated by staff, Planning Commission, City Council or the Mayor.

There are four parts and four separate motions recommended:

First: action on the “new” park land dedication ordinance.

Second: action on a resolution adopting the park land dedication criteria manual, which sets forth administrative procedures to assist in administration of the PLDO.

Third: action on the Neighborhood Park Geographic Service Area map. Under the current PLDO, there are no service areas - in other words, fees in lieu of land dedication collected in the Southeast part of the City could be spent on acquiring land in the North part of the City. Establishing Neighborhood Park Geographic Service Areas is a concept identified during the process designed to assure that when fees in-lieu of land are paid for neighborhood parks, and the fees are spent in relative proximity to the development generating the additional park needs. For the neighborhood park component of the fees, these geographic service areas assure the fees will “stay home” and be spent to acquire parkland in those geographic service areas.

Fourth: action on the in-lieu of park land dedication fee schedule. The current and proposed PLDO provide an option for payment of fees in-lieu of parkland dedication in the event a park site is not desired by the City or there is simply not a sufficient amount of land to be dedicated in the development project. The in-lieu fee is calculated based on the per-acre value of land. When the in-lieu fees are collected, they are placed in restricted accounts and used for park land acquisition or limited park capital improvements authorized under PLDO. The proposed fee is based on an appraisal prepared specifically for the PLDO update. In addition to the base value, the fee schedule also requires the payment of “platting fees”.

Should the Council adopt the new PLDO, the final “clean-up” step is action on an ordinance bifurcating the park land dedication requirements from the school site dedication requirements.

### **Financial Implications:**

Financial analysis, in-lieu fee calculation methodology and examples of per unit costs are provided in the attached PowerPoint presentation.

### **City Council Appointed Board/Commission/Committee Recommendation:**

Parks, Recreation and Cultural Services Advisory Board (Parks Board) considered the proposed PLDO on November 12, 2020. On a 5 to 4 vote, the Parks Board recommends approval of the proposed PLDO with a change of the land dedication requirement from 5.5 acres to 7.5 acres per 1000 new residents.

The City Planning Commission considered the proposed PLDO on December 17, 2020. The Planning Commission recommends approval of the proposed PLDO as recommended by staff with the land dedication requirement of 5.5 acres per 1000 new residents.

Both the Planning Commission and the Parks Board recommend establishment of the Neighborhood Park Geographic Service Areas and adoption of the fee schedule reflective of the land values identified through the appraisal process and the additional platting fees.

Both the Planning Commission and the Parks Board recommend adoption of the PLDO administrative manual.

### **Stakeholder Process:**

A PLDO Stakeholder Steering Committee was formed to help guide the process and policy analysis.

The Steering Committee included members of City Council, Parks Board, Planning Commission, park and open space advocates, and building industry among others.

The Steering Committee recommends the PLDO with the land dedication requirement of 5.5 acres and the establishment of the Neighborhood Park Geographic Service Areas.

**Alternatives:**

1. Adopt the items as recommended by staff
2. Adopt the items with modifications
3. Remand the items back to the Parks Board and Planning Commission for further review and consideration
4. Do not adopt the items

**Proposed Motion:**

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A motion to approve, as presented, an ordinance repealing and reordaining Part 12 (Park and School Site Dedications) of Article 7 (Subdivision Regulations) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, pertaining to park land dedication.

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