

ORDINANCE NO: 032116D

**AN ORDINANCE OF THE CITY OF FISHERS, INDIANA
AMENDING ITS PARK IMPACT FEE ORDINANCE**

WHEREAS, City of Fishers Ordinance, Title IX, General Regulations, Chapter 96, Parks and Receptions, consistent with and pursuant to Ind. Code § 36-7-4-1300 *et. seq.*, provides for the assessment and collection of park impact fees by the City of Fishers, Hamilton County, Indiana (“City”);

WHEREAS, park impact fees are equitably assessed on future development to accommodate and fund necessary future growth and infrastructure improvements; and

WHEREAS, pursuant to Ind. Code § 36-7-4-1340, a park impact fee ordinance must be updated every five (5) years.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Fishers meeting in regular session as follows:

SECTION 1. 96.03 ZONE IMPROVEMENT PLAN IS AMENDED AS FOLLOWS:

As a precondition to the amendment of this subchapter, the City undertook a comprehensive and detailed park and recreational impact analysis performed by Kieser Consulting Group, LLC (“Study”). The Study constitutes a zone improvement plan pursuant to Ind. Code § 36-7-4-1300 *et. seq.* The City hereby adopts the Study as its zone improvement plan and finds that the Study contains the following elements:

- (1) Reasonable estimates relating to the nature and location of development that is expected within the impact zone during the planning period, which, for the purposes of this subchapter is defined to be a period of five years commencing with the date of adoption hereof.
- (2) A reasonable determination of the community level of service for the impact zone.
- (3) A reasonable determination of the current level of service provided within the impact zone.
- (4) A reasonable estimate of the nature, location, sequencing, and timing of the park and recreational requirements and costs necessary to provide the community level of service for the developments contemplated in division (A)(1) of this section.
- (5) A reasonable estimate of the share of the park and recreational costs identified in division (A)(4) of this section that will be used to:
 - (a) Raise the current level of service for existing development or provide service to existing development; or

- (b) Provide service to new development.
- (6) A reasonable estimate of revenues that:
 - (a) Are from sources other than impact fees; and
 - (b) Will be used to finance the cost identified in division (A)(5)(a) of this section.
- (7) A description of the nature and location of existing infrastructure in the impact zone.
- (8) A general description of the sources and amounts of money used to pay for infrastructure during the previous five years.

Additionally, the City Council hereby specifically adopts the zone improvement plan as an official part of the City Comprehensive Plan, pursuant to Ind. Code § 36-7-4-500 *et. seq.* and - 1318.

SECTION 2. 96.04 ESTABLISHMENT OF PARK AND RECREATIONAL IMPACT FEE
is amended as follows:

- (A) Based upon the Park and Recreation Master Plan and Infrastructure Improvement Plan, the City Council determined that the cost per single-family dwelling unit is \$1070.00 and the cost per multi-family dwelling unit varies according to type of unit. The cost per a townhome or duplex is \$1017.00, the cost per a three-bedroom apartment is \$1070.00, the cost per a two-bedroom apartment is \$1017.00 and the cost per a one-bedroom apartment is \$696.00. The City Council hereby incorporates all of the data collected, the calculations made, and the conclusions reached by Kieser Consulting Group, LLC, when developing the zone improvement plan and directs City employees to make such data and other information available for review during regular business hours.
- (B) If any parcel of real estate considered in the creation of the zone improvement plan undergoes a change in use, redevelopment, or a modification that requires a structural building permit and creates a need for new infrastructure, an impact fee shall only be assessed for the increase in the burden on infrastructure.

SECTION 3. Provisions of the Ordinance not specifically changed by this Amendment shall continue in full and effect. The provisions of the Ordinance specifically changed by reference in this Amendment shall control and supersede those specific provisions of the Ordinance. All capitalized terms not otherwise defined in this Amendment shall have the meaning ascribed to them in the Ordinance. The effective date of this ordinance shall be the six (6) months from and after the adoption hereof in accordance the law.

**COMMON COUNCIL OF THE CITY OF FISHERS,
HAMILTON COUNTY, INDIANA**

YAY

NAY

	John Weingardt, President	
	David George, Vice-President	
	Richard Block, Member	
	Cecilia C. Coble, Member	
	Brad DeReamer, Member	
	Eric Moeller, Member	
	Pete Peterson, Member	
	Selina M. Stoller, Member	
	Todd P. Zimmerman, Member	

I hereby certify that the foregoing Ordinance/ Resolution was delivered to City of Fishers Mayor Scott Fadness on the _____ day of _____ 2016, at _____ m.

ATTEST: _____
Jennifer L. Kehl, City Clerk

MAYOR'S APPROVAL

Scott A. Fadness, Mayor

DATE

MAYOR'S VETO

Scott A. Fadness, Mayor

DATE

This instrument prepared by: Christopher P. Greisl, City Attorney, City of Fishers, Hamilton County, Indiana, 1 Municipal Drive, Fishers, Indiana, 46038