

RESOLUTION 2010 64

A RESOLUTION OF THE CITY OF LARAMIE, WYOMING CITY COUNCIL ESTABLISHING A FEE IN-LIEU OF DEDICATION OF LAND FOR PARKS AND OPEN SPACE WITH SUBDIVISIONS

Whereas, in 2007, the Laramie Planning Commission adopted and the City Council certified the 2007 Laramie Comprehensive Plan;

Whereas, the goals and implementation strategies of the 2007 Laramie Comprehensive Plan recommend that the City of Laramie continue to acquire land and develop parks and open space for active and passive recreation;

Whereas, Chapter 4 of the 2007 Laramie Comprehensive Plan provides a quantitative analysis of existing and future demand on parks, and identifies a shortage of park land;

Whereas, on March 2, 2010, the Laramie City Council adopted the Laramie Unified Development Code, establishing zoning and subdivision regulations implementing various goals of the 2007 Laramie Comprehensive Plan;

Whereas, in accordance with implementation strategies of the 2007 Laramie Comprehensive Plan, Section 15.14.070 of the Unified Development Code requires all residential subdivisions to dedicate land for parks or open space, or pay a fee in-lieu of dedication;

Whereas, the City Council took public comments and considered the proposed fee at the September 7, 2010 City Council meeting;

THEREFORE, THE LARAMIE CITY COUNCIL RESOLVES:

Section 1 The fee for in-lieu dedication of land for parks or open space as required by Section 15.14.070 of the Laramie Unified Development Code shall be calculated by multiplying the amount of land that would be required to be dedicated (using the formula in Section 15.14.070 of the Unified Development Code) by \$50,000 per acre. The per-acre cost shall be reviewed by the City Council at least every 5 years.

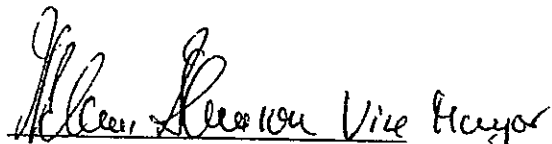
Section 2 The fee shall be paid in full with the submittal of the final plat or in part with the submittal of each final plat if the subdivision is final platted in phases, based on each final plat's proportionate amount of land that would be required to be dedicated. The City Council shall not approve a final plat unless the fee is paid. If the actual number of residences constructed within the subdivision exceeds the number of residences anticipated at the time of approval of the final plat(s), additional fee will be collected by the City. If the actual number or residences constructed within the subdivision is less than the number of residences anticipated at the time of approval of the final plat(s), a portion of the fee will be refunded by the City to the payer of the fee.

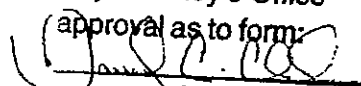
Section 3 As an alternative to the fee established in Section 1, above, the payer of the fee may submit an appraisal, prepared by a certified commercial appraiser, determining the value of the land that would be dedicated for park or open space, and pay the per acre fee as determine by the appraisal.

Section 4 The fee shall be placed in a park dedication fund and be used for acquisition of land for parks, trails or open space, or purchase or replacement of recreational equipment.

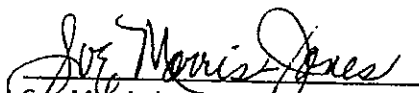
Section 5 This fee shall become effective immediately upon adoption of this Resolution.

PASSED, APPROVED AND ADOPTED the 07<sup>th</sup> day of Sept., 2010.

  
Jodi Guerin,  
Mayor and President of the  
Laramie City Council

City Attorney's Office  
approval as to form:  
  
Date: 9/21/10

Attest:

  
Sue Morris-Jones, MMC  
City Clerk