City of El Paso – City Plan Commission Staff Report

Amendments to Title 19

The City Development Department and the Parks Department recommend the following revisions to regulations for parkland dedication in Title 19, to provide more park options and to encourage developers to use a variety of park typologies. The amendment will implement several Plan El Paso policies including:

Policy 5.8.5: The City will continue to require improved neighborhood greens or parks when land is subdivided, with adequate regulations that ensure they will become important features in the new neighborhood:

a. The edges of small greens and parks are critical to their success; the fronts and sides of buildings, not the backs, must face the park to provide natural surveillance and a well-maintained edge.
b. Greens and parks must be separated from private buildings with a street or public path.
c. Drought-tolerant shade trees should define the edges of parks and greens.

Policy 5.8.6: The City will encourage the provision of small parks within new neighborhoods by providing flexibility in the required amenities for parks. The requirement that all parks must be provided with the same amenities should be reconsidered in favor of more creative and diverse small parks.

Policy 5.16.1: Civic spaces are outdoor gathering places dedicated for public use. Civic spaces can be defined by a combination of physical factors including their size, intended use, landscaping, and the character of their edges.

Policy 5.16.2: El Paso development regulations should define the following types of civic spaces:

a. Parks, both passive and active; neighborhood parks often have buildings on at least one side.
b. Greens, for structured or unstructured recreation; greens are defined by buildings on at least one side.
c. Squares, which are located at the intersection of important thoroughfares and clearly defined by adjoining buildings.
d. Plazas, which are usually hardscaped and are clearly defined by adjoining buildings.

A major change is the addition of the "Alternative Park Type Table" that would allow five new park types by right (Tot Lot, Pocket Park, Green, Plaza and Square) with standards for each. These recommended park types are based on civic spaces used in SmartCode and are already defined in the subdivision code, but currently approval of an alternative design by the City Plan Commission is required to use these park types. The proposed change would provide greater certainty to developers. Other changes include:

- Removing the requirement that all park sites be a minimum size of ¼ acre to receive credit
- Adding conditions for a park to be located adjacent to an arterial roadway
- Adding options/alternatives in required park equipment and amenities
- Amending requirements for street trees and shade trees abutting and within a park

- Clarify that extensions granted to a developer for a subdivision will also extend the time for commitment of park fees.

The CPC Subdivision subcommittee reviewed the proposed amendment at meetings on March 7, 2013 and April 4, 2013 and recommend approval.

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 19 (SUBDIVISIONS), CHAPTER 19.20 (PARKS AND OPEN SPACE), SECTION 19.20.030 (PARKLAND CALCULATION), SECTION 19.20.050 (STANDARDS FOR DEEDED PARKLAND) AND SECTION 19.20.120 (PARKLAND FEES SPECIAL FUND) OF THE CITY OF EL PASO CITY CODE TO AMEND THE REQUIREMENTS FOR PARKLAND DEDICATION AND FEES. THE PENALTY BEING AS PROVIDED IN CHAPTER 19.42 OF THE CITY OF EL PASO CITY CODE.

WHEREAS, Title 19 (Subdivisions) of the El Paso City Code (the "Code") was adopted to promote the health, safety, morals and general welfare of the community; and,

WHEREAS, the Subdivision Ordinance helps guide the physical development of the community by promoting orderly and healthful design, and particularly by providing adequate public facilities and,

WHEREAS, there is a need to amend specific parkland calculations, to amend the standards for deeded parkland, and to amend the parkland fees special fund; and,

WHEREAS, the City desires to amend the Code to carry out the purpose and spirit of the policies set forth in The Plan for El Paso as adopted by the El Paso City Council on March 6, 2012.

WHEREAS, the City Plan Commission has recommended approval of the amendments, and the El Paso City Council finds that the amendments proposed herein will further protect and provide for the public health, safety, morals and general welfare of the community, and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. That Title 19, Subdivisions, Chapter 19.20, Parks and Open Space, Section 19.20.030, Parkland calculation, of the El Paso City Code be amended to delete Section 19.20.030 (B)(1)(a)(i),(ii),(iii) and read as follows:

19.20.030 Parkland calculation

B. Types of parkland that may be dedicated. The following park configurations of land may be proposed by the subdivider to meet the dedication requirements of this chapter. The lands to be dedicated and the type of dedication to be provided shall be based on the affirmative recommendation of the director of parks and recreation and the approval of the city plan commission.

1. Neighborhood parks. Lands for parks that serve a neighborhood shall meet the following requirements:

a. The quantity of the parkland shall be as determined by the density of the residential subdivision submitted pursuant to Section 19.20.030. The developer may satisfy Section 19.20.030 by providing multiple park sites that comply with Section 19.20.050, for a residential subdivision application.

Section 2. That Title 19, Subdivisions, Chapter 19.20, Parks and Open Space, Section 19.20.050, Standards for deeded parkland, of the El Paso City Code be amended as follows:

19.20.050 Standards for deeded parkland

A. General characteristics. Parkland deeded to the city as provided in this chapter shall meet the standards set forth below and in the DSC:

1. The parkland should be placed in a central location within the subdivision or subdivisions that it serves, with the expressed goal that the park is no further than one-quarter mile measured by walking distance from any residence within the subdivision that it serves;

2. Where the subdivision is an initial phase of multiple phases, the park may be located so that it is accessible to the future phases, provided that the park meets the goal established in subsection A.1. above;

3. Parklands submitted for dedication shall be located so that users are not required to cross arterial roads to access the park site, except in the following circumstances:

a. Parks over twelve acres may abut an arterial on one side; or

b. The arterial has no more than 4 lanes and has on-street parking; or

c. Parks permitted in Section B.4.a (Alternate Park Type Table).

4. The entire boundary of the parkland shall abut either a public or private street, dedicated open space or arroyo. Buildings on lots that have frontage on streets that abut the park shall face the park, except that residential lots may abut parkland provided that the subdivider incorporates the following standards:

a. Pedestrian connectivity between the parkland and adjacent lots is provided, and

b. That a front build-to line, in accordance with the zoning ordinance, is delineated on the plat so that residential structures face the park, and

c. The park site shall share at least one boundary line with a public or private street;

5. The parkland should, when possible, be located adjacent to school sites, ponding areas, or public open space to facilitate shared facilities;

6. When parkland is deeded to the city as required by this title, the area of the park shall be calculated from the nearest property line or street right-of-way line, and not from the existing or proposed curb line of an adjacent street, unless park features are incorporated into the parkway, subject to an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. Sidewalks and signs shall not count as park features that allow the inclusion of the parkway area as part of the park area calculation; and

7. Where possible, and as approved by the director of the parks and recreation department, parkland shall be designed and located within a subdivision to allow for an extension or connection to a public park or other public recreational facility within an abutting subdivision.

B. Minimum Improvements for Lands to be Dedicated as Parklands. Parkland deeded to the city shall meet the following minimum improvements described by this subsection.

1. The subdivider shall indicate the proposed parkland improvement(s) within the subdivision improvement plans as required in Section 19.08.010

2. Construction of the required minimum parkland improvement(s) shall be in accordance with the approved subdivision improvement plans, and shall be completely installed and constructed by the subdivider within the time period specified for construction of subdivision improvements in this title.

3. An improved park shall, at a minimum, include the following:

a. Paving frontage, curbing, and gutter for all street frontages abutting the outside perimeter of the parkland;

b. Utility (water, sanitary sewer and electricity) extensions to the perimeter of the park at a location indicated by the director of parks and recreation and that are consistent with published EPWU rules;

c. An accessible route shall be installed per the Texas Accessibility Standards (TAS) on all street frontages abutting the outside perimeter of the parkland of a minimum width and construction to provide accessibility to individuals with disabilities as provided by the Texas Accessibility Standards (TAS). The sidewalk alignment and width shall be approved by the Director of parks and recreation;

d. Grading, automatic irrigation and turf within the parkland boundaries shall be installed prior to the acceptance of the proposed parkland submittal. The design and installation shall be approved by the director of the parks and recreation department. The city plan commission may, upon an affirmative recommendation from the director of the parks and recreation department, allow parkland to remain undisturbed in its natural state;

e. One age appropriate play structure unit, for either 2-5 year olds or 5-12 years olds, with a minimum 50' x 50' user zone, from an approved park department list of acceptable alternatives, including an appropriate safety surface that meets industry requirements;

f. A minimum of two accessible shaded picnic tables, or four benches or a combination of benches and tables, per acre on concrete pads;

g. A minimum of one trash can per acre on a concrete pad;

h. Pedestrian-oriented perimeter lighting along adjacent public and private street rights-of-way and one light at the playground or focal point of the park;

i. Where open space lands to be left in an undisturbed state are accepted as required parklands, grading, automatic irrigation and turf establishment requirements shall be waived;

j. Facilities and improvements provided by a subdivider on lands dedicated as parkland shall be designed and installed to meet the minimum standards of this chapter, the DSC and the parks and recreation department as established in the parks facilities standards, a copy of which is maintained by the director of the parks and recreation department. The parks facilities standards shall be approved by the city plan commission and the city council. The parks facilities standards may be changed from time to time, but each change shall be approved by the city plan commission and the city council.

k. Street trees shall be provided in the parkway abutting the park at twenty-foot intervals. If the park does not abut street ROW on all sides, in addition to the street trees, shade trees shall be provided at a minimum of ten trees per ¼ acre.

4. The subdivider may use one or more of the designs in the approved Alternate Park Type Table (a) and shall receive full credit towards parkland dedication requirements (unless otherwise stated in the table), provided all requirements listed in the Table are met. In developments larger than thirty (30) acres, at least two different park types are required.

a. Alternate Park Type Table

Park Type	Tot Lot	Pocket Park	Green	Plaza	Square
Size	< ¼ acre	¼ - ½ acre	½ - 8 acres	¼ - 2 acres	½ - 5 acres
Location	Residential / Commercial / Mixed Use	Residential/ Commercial/ Mixed Use	Low –Medium Density Residential	Commercial/ Mixed Use/High Density Residential @ Intersection of roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the plaza.	Mixed Use/ High Density Residential @ Intersection roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the square.
Requirements	B.3.a-k;	B.3.a-k; except that e. (play structure) is required in a residential area; but any of the following may be substituted in a commercial or mixed-use area: basketball court, outdoor exercise stations or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination.	B.3.a-k; except that the following may be substituted with approval of Parks Director for e. (play structure) when a play structure within a dedicated park already exists within ¼ mile of the green: basketball courts, outdoor exercise stations, splash pad, gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination, trails, amphitheaters.	B.3.a-d, f-k; primarily hardscape surface; a focal point must be provided (such as a fountain or water feature or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination).	B.3.a-d, f-k; a focal point must be provided (such as a fountain, water feature, splash pad, outdoor exercise stations or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables, benches or a combination).
Optional	N/A	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.
Conditional	N/A	N/A	10-30% of the dedicated acreage may be open space left in an undisturbed state depending on topography, wildlife habitat, or aesthetic value; up to 50% credit for open space subject to approval of Parks Director.	N/A	N/A

Section 3. That Title 19, Subdivisions, Chapter 19.20, Parks and Open Space, Section 19.20.120, Parkland fees special fund, of the El Paso City Code be amended as follows:

19.20.120 Parkland fees special fund

A. Fund Established. The city shall establish a special fund for the deposit of all sums paid in lieu of parkland dedication pursuant to this Chapter. The city shall account for all sums paid in lieu of parkland dedication with reference to the individual subdivisions involved, and all sums received shall be committed by the city within three years from the subdivision recordation. If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.

B. When Funds are Considered to be Committed. For purposes of this chapter, funds shall be considered committed:

1. When funds are encumbered for expenditure on equipment and materials;
2. When funds are set aside under an earnest money agreement for the purchase of parkland;
3. When funds are to be awarded under a bid in process; (or)
4. When funds encumbered are not expended because of delays by reason of strikes, court action or any similar impediment which renders it impossible or illegal to spend the money.

C. Time Extensions. Where the sums cannot be committed within the initial three-year time period, the director of the parks and recreation department may request time extensions for expenditure of the sums from the city plan commission in one-year intervals; except that no more than two one-year time extensions may be granted by the city plan commission. The extension request(s) shall be submitted in writing to the city manager or designee sixty days prior to the expiration period for sums to be committed by the city, and shall include a detailed justification for the extension request(s). If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.

Section 4. Except as herein amended, Title 19, Subdivisions, of the El Paso City Code shall remain in full force and effect.

PASSED AND APPROVED this _____of _____2013.

(Signatures on following page)

THE CITY OF EL PASO

_____
John F. Cook, Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

_____
Mathew McElroy, Director
City Development

APPROVED AS TO FORM:

_____
Lauren K. Ferris,
Assistant City Attorney

ORDINANCE NO. _____

Matter 13-1007-712/ Doc.# 174105
Title 19 Amendments Parks and Open Space
Parkland Dedication & Fees
LKF

19.20.030 - Parkland calculation.

B. Types of parkland that may be dedicated. The following park configurations of land may be proposed by the subdivider to meet the dedication requirements of this chapter. The lands to be dedicated and the type of dedication to be provided shall be based on the affirmative recommendation of the director of parks and recreation and the approval of the city plan commission.

1. Neighborhood parks. Lands for parks that serve a neighborhood shall meet the following requirements:

a. The quantity of the parkland shall be as determined by the density of the residential subdivision submitted pursuant to Section 19.20.030. The developer may satisfy Section 19.20.030 by providing multiple park sites that comply with Section 19.20.050, for a residential subdivision application~~, provided that under no circumstance shall a park site of less than one-fourth acres be approved by the city plan commission except where the commission finds that:~~

~~i. The residential subdivision application is submitted as an infill development,~~

~~ii. The subdivider demonstrates a derived public benefit based on usability and feasibility of the smaller park site, and~~

~~iii. The director of the parks and recreation department makes an affirmative recommendation on the smaller park site, provided that the parks director decision may be appealed to the city plan commission under the provisions of Section 19.20.030 B.~~

19.20.050 - Standards for deeded parkland.

A. General characteristics. Parkland deeded to the city as provided in this chapter shall meet the standards set forth below and in the DSC:

1. The parkland should be placed in a central location within the subdivision or subdivisions that it serves, with the expressed goal that the park is no further than one-quarter~~half~~ mile measured by walking distance from any residence within the subdivision that it serves;

2. Where the subdivision is an initial phase of multiple phases, the park may be located so that it is accessible to the future phases, provided that the park meets the goal established in subsection A.1. above;

3. Parklands submitted for dedication shall be located so that users are not required to cross arterial roads to access the park site, except in the following circumstances:

a. ~~that p~~Parks over twelve acres may abut an arterial on one side; or
b. The arterial has no more than 4 lanes and has on-street parking: or
c. Parks permitted in Section B.4.a (Alternate Park Type Table).

4. The entire boundary of the parkland shall abut either a public or private street, dedicated open space or arroyo. Buildings on lots that have frontage on streets that abut the park shall face the park., except that residential lots may abut parkland provided that the subdivider ~~submits an alternative design, per Section 19.26.040, that~~ incorporates the following standards:

a. Pedestrian connectivity between the parkland and adjacent lots is provided, and

b. That a front build-to line, in accordance with the zoning ordinance, is delineated on the plat so that residential structures face the park, and

c. The park site shall share at least one boundary line with a public or private street;

5. The parkland should, when possible,~~may~~ be located adjacent to school sites, ponding areas, or public open space to facilitate shared facilities;

6. When parkland is deeded to the city as required by this title, the area of the park shall be calculated from the nearest property line or street right-of-way line, and not from the existing or proposed curb line of an adjacent street, unless park features are incorporated into the parkway, subject to an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. Sidewalks and signs shall not count as park features that allow the inclusion of the parkway area as part of the park area calculation; and

7. Where possible, and as approved by the director of the parks and recreation department, parkland shall be designed and located within a subdivision to allow for an extension or connection to a public park or other public recreational facility within an abutting subdivision.

B. Minimum Improvements for Lands to be Dedicated as Parklands. Parkland deeded to the city shall meet the following minimum improvements described by this subsection.

1. The subdivider shall indicate the proposed parkland improvement(s) within the subdivision improvement plans as required in Section 19.08.010

2. Construction of the required minimum parkland improvement(s) shall be in accordance with the approved subdivision improvement plans, and shall be completely installed and constructed by the subdivider within the time period specified for construction of subdivision improvements in this title.

3. An improved park shall, at a minimum, include the following:

a. Paving frontage, curbing, and gutter for all street frontage abutting the outside perimeter of the parkland;

b. Utility (water, sanitary sewer and electricity) extensions to the perimeter of the park at a location indicated by the director of parks and recreation and that are consistent with published EPWU rules;

c. An accessible route shall be installed per the Texas Accessibility Standards (TAS) ~~adjacent to the curb~~ on all street frontage abutting the outside perimeter of the parkland of a minimum width and construction to provide accessibility to individuals with disabilities as provided by the Texas Accessibility Standards (TAS) ~~in the subdivision improvement design standards~~. The sidewalk alignment and width shall be approved by the director of parks and recreation;

d. Grading, automatic irrigation and turf within the parkland boundaries shall be installed prior to the acceptance of the proposed parkland submittal. The design and installation shall be approved by the director of the parks and recreation department. The city plan commission may, upon an affirmative recommendation from the director of the parks and recreation department, allow parkland to remain undisturbed in its natural state;

e. One age appropriate play structure unit, for either 2-5 year olds or 5-12 years olds, with a minimum 50' x 50' user zone, from an approved park department list of acceptable alternatives, including an appropriate safety surface that meets industry requirements;

f. A minimum of two accessible shaded picnic tables, or four benches or a combination of benches and tables, per acre on concrete pads;

g. A minimum of one trash can per acre on a concrete pad;

~~g~~h Pedestrian-oriented ~~P~~perimeter lighting along adjacent public and private street rights-of-way and one light at the playground or focal point of the park;

~~h~~i. Where open space lands to be left in an undisturbed state are accepted as required parklands, grading, automatic irrigation and turf establishment requirements shall be waived;

~~i~~j. Facilities and improvements provided by a subdivider on lands dedicated as parkland shall be designed and installed to meet the minimum standards of this chapter, the DSC and the parks and recreation department as established in the parks facilities standards, a copy of which is maintained by the director of the parks and recreation department. The parks facilities standards shall be approved by the city plan commission and the city council. The parks facilities standards may be changed from time to time, but each change shall be approved by the city plan commission and the city council.

~~j~~k. Street trees shall be provided in the parkway abutting the park at twenty~~thirty~~-foot intervals. If the park does not abut street ROW on all sides, in addition to the street trees, shade trees shall be provided at a minimum of ten trees per ¼ acre.

4. The subdivider may use one or more of the designs in the approved Alternate Park Type Table (a) and shall receive full credit towards parkland dedication requirements (unless otherwise stated in the table), provided all requirements listed in the Table are met. In developments larger than 30 acres, at least two different park types are required.

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a. Alternate Park Type Table

Park Type	Tot Lot	Pocket Park	Green	Plaza	Square
Size	< ¼ acre	¼ - ½ acre	½ - 8 acres	¼ - 2 acres	½ - 5 acres
Location	Residential/ Commercial/ Mixed Use	Residential/ Commercial/ Mixed Use	Low –Medium Density Residential	Commercial/ Mixed Use/High Density Residential @ Intersection of roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the plaza.	Mixed Use/ High Density Residential @ Intersection roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the square.
Requirements	B.3.a-k;	B.3.a-k; except that e.(play structure) is required in a residential area; but any of the following may be substituted in a commercial or mixed-use area: basketball court, outdoor exercise stations or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination.	B.3.a-k; except that the following may be substituted with approval of Parks Director for e. (play structure) when a play structure within a dedicated park already exists within ¼ mile of the green: basketball courts, outdoor exercise stations, splash pad, gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination, trails, amphitheaters.	B.3.a-d, f-k; primarily hardscape surface; a focal point must be provided (such as a fountain or water feature or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables or benches or a combination).	B.3.a-d, f-k; a focal point must be provided (such as a fountain, water feature, splash pad, outdoor exercise stations or gazebo with a combined structured shade area at least 900 sf & 4 picnic tables, benches or a combination).
Optional	N/A	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.
Conditional	N/A	N/A	10-30% of the dedicated acreage may be open space left in an undisturbed state depending on topography, wildlife habitat, aesthetic value; up to 50% credit for open space subject to approval of Parks Director.	N/A	N/A

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Park Type	Tot Lot	Pocket Park	Green	Plaza	Formatted Table
Size	[redacted]	¼ - ½ acre	½ - 8 acres	¼ - 2 acres	½ - 5 acres
Location	[redacted]	Residential/ Commercial/ Mixed Use	Low - Medium Density Residential	Commercial/ Mixed Use/High Density Residential @ Intersection of roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the plaza	Mixed Use/ High Density Residential @ Intersection roads on the City's MTP with street frontage on 4 sides; abutting buildings must face the square
Requirements	[redacted]	B.3.a-k; except that e.(play structure) is required in a residential area; but a basketball court, outdoor exercise stations or gazebo with a combined structured shade area of at least 900 sf & 4 picnic tables or benches [redacted] may be substituted in a commercial or mixed-use area	B.3.a-k; [redacted]	B.3.a-d, f-k; primarily hardscape surface; a focal point must be provided (such as a fountain or water feature or gazebo with a combined structured shade area of at least 900 sf & 4 picnic tables or benches [redacted])	B.3.a-d, f-k; a focal point must be provided (such as a fountain, water feature, [redacted] or gazebo with a combined [redacted] & 4 picnic tables, benches [redacted])
Optional	N/A	Up to 10% of the dedicated acreage may be landscaped with shrubs, [redacted] rock	Up to 10% of the dedicated acreage may be landscaped with shrubs, screenings or crushed rock.	Up to 10% of the dedicated acreage may be landscaped with shrubs, [redacted] rock	Up to 10% of the dedicated acreage may be landscaped with shrubs, [redacted] rock
Conditional	N/A	N/A	10-[redacted]% of the dedicated acreage may be open space left in an undisturbed state [redacted] up to 50% credit subject to approval of Parks Director	N/A	N/A

b. All other ~~choose to submit an~~ alternative design~~development~~ proposals will indicate the proposed alternative park facilities, their locations, and the cost to install such facilities.~~for the parkland to be dedicated~~. The alternative proposal shall create a suitable park-like character and meet the intent of this title and the direction provided by the city's parks and recreation master plan and open space plan. ~~Alternative designs may include pocket parks, greens, plazas and squares. The proposal will indicate the proposed alternative park facilities, their locations, and the cost to install such facilities.~~ The proposal shall require an affirmative recommendation by the director of parks and recreation and approval by the city plan commission. The parks director decision may be appealed to the city plan commission under the provisions of Section 19.20.0301 B.

The cost of such facilities shall at a minimum be equal to that of the basic park infrastructure listed in items subsection B.3.a. through B.3.j. above. Upon approval of the proposed alternative park development proposal, the subdivider may authorize preparation of construction documents for neighborhood park development.

5. The subdivider shall be required to submit development construction plans that conform to this title, the DSC and the parks and recreation department design, construction and specification standards. The parks and recreation department will review the construction documents for compliance with city park construction requirements. The developer must agree to standard city construction inspections of the park improvements.

C. Exceptions. For purposes of this chapter, off-site dedications accepted pursuant to Section 19.20.080 shall not be required to satisfy the requirements of subsection (B)(3) of this section at the time of acceptance of the deed by the city. The city shall require the approval of a development agreement as a condition of acceptance of an off-site dedication, requiring such improvements within two years of the recording of the first subdivision plat within the development by the property owner who deeded the parkland, or a subsequent purchaser.

19.20.120 - Parkland fees special fund.

A. Fund Established. The city shall establish a special fund for the deposit of all sums paid in lieu of parkland dedication pursuant to this chapter. The city shall account for all sums paid in lieu of parkland dedication with reference to the individual subdivisions involved, and all sums received shall be committed by the city within three years from the subdivision recordation. If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.

B. When Funds are Considered to be Committed. For purposes of this chapter, funds shall be considered committed:

1. When funds are encumbered for expenditure on equipment and materials;
2. When funds are set aside under an earnest money agreement for the purchase of parkland;
3. When funds are to be awarded under a bid in process; (or)
4. When funds encumbered are not expended because of delays by reason of strikes, court action or any similar impediment which renders it impossible or illegal to spend the money.

C. Time Extensions. Where the sums cannot be committed within the initial three-year time period, the director of the parks and recreation department may request time extensions for expenditure of the sums from the city plan commission in one-year intervals; except that no more than two one-year time extensions may be granted by the city plan commission. The extension request(s) shall be submitted in writing to the city manager or designee sixty days prior to the expiration period for sums to be committed by the city, and shall include a detailed justification for the extension request(s). <u>If an extension is granted for the subdivision recordation or subdivision improvements, the same extension shall apply to the time for commitment of park fees.</u>