

**DRAFT - MINUTES
OF THE NEW BRAUNFELS PARKS AND RECREATION ADVISORY BOARD
REGULAR MEETING OF TUESDAY, FEBRUARY 10, 2026**

AGENDA

1. CALL TO ORDER

Jason Vreeland called the meeting to order at 6:00pm.

2. ROLL CALL

Board members present: Jason Vreeland, Katie Rae Preston, Joyce Compton, Eric Reed, Courtney Lyons-Garcia, Destin Singleton, Laurie Wehring.

3. APPROVAL OF MINUTES

A) Discuss and consider approval of the January 13, 2026 Minutes of the Parks and Recreation Advisory Board.

Jason Vreeland introduced the item.

Eric Reed made a motion to approve the minutes, Courtney Lyons-Garcia seconded.

4. RECOGNITIONS/ANNOUNCEMENTS

A) February Recognitions and Announcements

Jason Vreeland introduced the item.

Stephanie Chelar, Recreation Manager, shared some exciting accomplishments from John Henry Perez, Athletic Supervisor. He has been selected as the TAAF Region 3 Executive Director and the Chair for the TAAF Sports & Innovation Team. He has also recently been inducted into the 2026 Texas USSSA Hall of Fame.

Upcoming Events:

- Fischer Park Dog Rodeo - March 21st
- Park Foundation 5th Annual Golf FORE Parks Golf Tournament - April 10th
- Thru the Chute - April 11th
- Earth Day: Grow Green with Parks and Headwaters - April 18th

5. CITIZENS' COMMUNICATIONS

This time is for citizens to address the Park and Recreation Advisory Board on issues and items of concerns not on this agenda. There will be no Board action at this time.

Jason Vreeland introduced the item.

No citizens spoke at this time.

6. PRESENTATIONS

A) System-Wide Master Plan Update

Jason Vreeland introduced the item.

Jeff Bransford, Park Development Manager, presented an update on the System-Wide Master Plan. This presentation covered draft site master plans to be included in the full plan. The site master plans are a general on how a park is programmed. Items outlined for each park...

Cypress Bend Park - Improvements to traffic flow and parking, capacity, updated restroom facility

Alves Lane Park - Trail around the park, pavilion, playground, U10/U8 fields, drainage study needed

Neighborhood Park - TPWD Grant to add playground, pavilion, paths, design to begin in 2027

Ernest Eikel Park - Relocated playground, additional pavilions, updated restrooms, upgrade to basketball court, add pickleball court, shade structures

Solms Park - New playscape, update restroom, U10/U8 fields, install irrigation

Morningside Park - Phase 2 improvements, additional parking, trail improvements, additional playscapes, drainage improvements

7. DISCUSSION AND ACTION

A) Park Ordinance Updates

Jason Vreeland introduced the item.

Jeff Bransford presented proposed technical revisions to the Park Land Dedication and Development Ordinance located in Chapter 118 - Subdivision Planning, Article V. Park Land (see attached; highlighted text indicates administrative edits resulting from Advisory Board input).

Shannon Jackson, Park Analyst, presented minor updates to Chapter 86 - Parks and Recreation.

86-8 (a) (b) Removal of the word 'beverage' to align with the 2005 update to the title of the section. Ordinance verbiage updated to: It shall be considered a misdemeanor offense for anyone exhibiting, using, carrying or disposing of glass containers in all city parks, trails and sports facilities.

86-10 Removal of the incomplete listing of parks. Ordinance verbiage updated to: (a) It shall be unlawful for anyone to consume intoxicating liquor or any alcoholic beverage, or possess an open container of intoxicating liquor or alcoholic beverage within the boundaries of any public parks or city-owned property within the city limits, with exception of public parks listed in (b).

(b) Recommended addition of Fischer Park, Market Plaza, Mission Hill Park, Zipp Family Sport Park.

86-12 Addition of verbiage to allow the sale of goods, wares, or services in the park with an approved and paid Vendor Permit when the vendor is associated with an approved special event.

Recommended removal of 86-17 and 86-97.

Courtney Lyons-Garcia made a motion to approve the ordinance updates as written, Joyce Compton seconded. The motion passed unanimously.

B) March Meeting Date

Jason Vreeland introduced the item.

March 3rd was selected as the next meeting date.

Destin Singleton made a motion to approve the date change, Joyce Compton seconded. The motion passed unanimously.

8. AGENDA ITEMS FOR NEXT MEETING

Jason Vreeland introduced the item.

Agenda items the Board would like to see next meeting:

-Master Plan Capital Projects

-Bike racks

9. ADJOURNMENT

ARTICLE V. PARK LAND¹

Sec. 118-57. Purpose.

This article is adopted to provide public recreational areas in the form of neighborhood ~~/~~ community and regional park facilities as a function of subdivision and site development in the city and its extra-territorial jurisdiction (ETJ). This article is enacted in accordance with the home rule powers of the city granted under the Texas Constitution, and the statutes of the State of Texas, including, but not by way of limitation, V.T.C.A., Local Government Code ch. 212 as may be amended from time to time.

It is hereby declared by the city council that public recreational areas in the form of neighborhood ~~/~~ community and regional parks are necessary and in the public welfare, and that the only adequate procedure to provide neighborhood ~~/~~ community and regional parks is to integrate such requirements into the procedure for planning and developing property or subdivisions in the city and its ETJ.

Neighborhood ~~and~~ community parks are those parks providing for a variety of outdoor recreational opportunities. Neighborhood parks are generally between ~~five-one~~ to ten acres, are located within half-mile to one-mile from a majority of the residences to be served and can be linear in nature. Community parks are generally ~~over~~ ten ~~to 75~~ acres, are located within one-mile to three-mile of the majority of the residences to be served and can be linear in nature.

Regional parks are those parks that provide outdoor recreational opportunities for all city residents, rather than only those residents who reside proximate to them. The acquisition and development of the "basic" infrastructure and facilities for the usage of these parks should be based upon the demand from the area residents they are intended to serve. The primary cost of regional parks should be borne by all city residents.

The city has adopted by council action the comprehensive plan and the parks and recreation ~~strategic~~ ~~systemwide~~ master plan, as well as other master plans which serve as planning policy and guidance for the development of a municipal park and recreation system for the city. The plans assess the needs for park land and park improvements.

The park districts established by the city council are shown in appendix A to this article and shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The primary cost of neighborhood ~~and~~ community parks should be borne by the landowners of residential property who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities.

(Ord. No. 2018-33, 5-14-18)

¹Editor's note(s)—Ord. No. 2018-33, adopted May 14, 2018, amended article V in its entirety to read as herein set out. Formerly, article V, sections 118-57—118-65 pertained to similar subject matter, and derived from Ord. No. 2006-84, § 1(Exh. A), adopted September 11, 2006.

Ord. No. 2018-33, adopted May 14, 2018, enacted provisions intended for use as sections 118-67—118-74. Inasmuch as there are already provisions so designated, and at the discretion of the editor, said provisions have been redesignated as sections 118-65.1—118-65.8.

The appendices referred to in this article are not set out at length in this Code, but may be found in the offices of the city.

Sec. 118-58. Applicability.

- (a) This article applies to a landowner who develops land for residential use located within the city or within its ETJ. Typically, the landowner of a proposed residential development is the developer.
- (b) Non-residential use is exempt.
- (c) This article does not apply to activities involving the remodeling, rehabilitation or other improvements to an existing residential structure, or to the rebuilding of a damaged structure.
- (d) If a dedication requirement arose prior to enactment or amendment of this article, subsequent development for the subject tract to which the dedication requirement applies may be subject to vesting as set forth in V.T.C.A., Local Government Code ch. 245. Additional dedication may be required if there is an increase in the number of dwelling units from what was originally proposed.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-59. Reserved.

Sec. 118-60. General requirements.

- (a) The city manager or his/her designee shall administer this article, with certain review, recommendation and approval authorities being assigned to the ~~planning and development services~~neighborhood and community planning department, transportation and ~~capital improvements~~construction services department, the planning commission, the parks and recreation advisory board and various city departments as specified herein.
- (b) As a condition of subdivision development, a developer of residential property shall be required to dedicate land for neighborhood, ~~community~~ and regional parks, ~~pay of a fee in lieu thereof,~~ or a sanctioned alternative, or a combination of both. In addition to the land dedication a developer of residential property shall pay park development fees for neighborhood, ~~community~~ and regional parks.
- (c) Requirements herein are based on actual dwelling units for an entire development. Increases or decreases in final unit count ~~may shall~~ require an adjustment in fees paid or land dedicated.
- (d) The required land dedications and schedules of fees are attached hereto as Appendix B and incorporated and made a part of this article for all purposes.
- (e) Implementation process, minimum design and ~~construction other~~ standards are set forth by the parks and recreation department in the park land dedication manual and the minimum drainage standards set forth by the city's drainage manual, as may be amended from time to time, referenced herein and incorporated by reference.
- (f) The total amount of land dedicated for the development, public or private, shall be dedicated in fee simple by filed deed, and:
 - ~~(1) In fee simple by filed deed, if dedicated to the city; and~~
 - ~~(2) For a multi-family development, prior to the issuance of any site development building permits, or~~
~~Prior to the issuance of any site development building permits for multi-family development,~~
 - ~~(3) For a single-family, duplex, or townhouse development without phased development, P~~prior to or concurrent with recordation of the ~~final plat for a single-family, duplex, or townhouse development,~~ or

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- (4) For a ~~single-family, duplex, or townhouse~~ phased development, ~~the entire park shall be platted concurrently with the plat of the first phase(s) of the development that includes the park land to be dedicated.~~

(Ord. No. 2018-33, 5-14-18; Ord. No. 2024-20, § 1, 2-26-24)

Sec. 118-61. Park land dedication procedures.

Any land dedicated under this article must be suitable for park and recreation uses and meet requirements in this article. The following guidelines and requirements shall be used in the dedication and design of park land in conjunction with the park land dedication manual.

When considering park land dedication, the developer should meet with the parks and recreation department (PARD) before a development application is submitted to evaluate the suitability of the land. Additionally, ~~as part of its determination of accepting land dedication, PARD may request a site visit and information including but not limited to the following as a part of its determination. The following information may be required as a part of the process for prior to accepting public park dedication:~~

- (1) Lot dimensions or metes and bounds acreage of park land to be dedicated;
- (2) Total acreage of floodplain, as well as land located outside floodplain;
- (3) A tree survey;
- (4) A slope analysis; and
- (5) An environmental survey identifying critical environmental features, such as but not limited to species, habitat, and water features.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-62. Park land acceptance criteria.

- (a) *General guidelines.* Any park land dedicated to the city pursuant to the terms, conditions and requirements under this article must be suitable for park and recreation uses and shall be:
- (1) Encumbrances. Free and clear of any and all liens and encumbrances that interfere with its use for park purposes and permit the city's representatives to make onsite inspections of the property for the purposes of determining site suitability and identification of any visual hazards or impediments to park development and use.
 - (2) Environmental assessment. If the property owner or developer has any form of environmental assessment on the tract, a copy of that assessment shall be provided to the city. The city may initiate and/or require the developer to initiate specific environmental studies or assessments if the visual inspection of the site gives rise to the belief that an environmental problem may exist on the site. The director of parks and recreation may require the employment of consultants necessary to evaluate any environmental issues relating to the site providing that the city makes such determination in good faith. If an environmental hazard is identified on the site, the developer must remove the hazard prior to its acceptance into the park and recreation system of the city. The city ~~will~~ may not accept park land dedication sites encumbered by hazardous and or waste materials or dump sites.
 - (3) Utilities. Require the developer to be responsible for certain minimum utilities as listed below. The director of parks and recreation or designee will be required to approve such location prior to final approval and release of fiscal requirements of said subdivision.

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- a. A metered water supply located 12 feet behind the curb in accordance with the size of the park; and
 - b. A six-inch sewer stub, or in accordance with the size of the park, ten feet behind the curb.
- (4) Soils. ~~If disturbed, the developer shall be restored, and stabilize the soil stabilized by with vegetative cover approved by the city by the developer~~ prior to dedication to the city.
 - (5) Parks should be easy to access and open to public view to benefit area development, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land use.
 - (6) Park land may provide a connection to existing or future city park land; the land available for dedication provides an opportunity to expand an existing or future city park or trail; and
 - (7) Park land should support the goals of the parks strategic and recreation systemwide master plan and the city's comprehensive plan.
 - (8) A current title report must be provided ~~with prior to~~ the land dedication.
 - (9) The property owner shall pay all taxes or assessments owed on the property up to the date of acceptance of the dedication by the city. A tax certificate from the county tax assessor shall be submitted with the dedication or plat.
- (b) *Land requirements.*
- (1) Park land ~~requirements will shall~~ be no less than ~~two 2.00~~ acres of contiguous land, or the total park land required by appendix B, ~~whichever is greater.~~
 - (2) ~~Park land shall be suitable for present and future development of a neighborhood or community park. Land parcels that are unsuitable for development are typically unsuitable for a neighborhood park, and therefore should be selected prior to a subdivision being platted and acquired as a part of the development process.~~
 - (3) Park ~~sites land~~ should be adjacent to residential areas in a manner that serves the greatest number of users and ~~should shall~~ be located to ~~minimize avoid~~ users having to cross arterial roadways to access them.
 - (4) ~~Walkable access to the park land shall be provided for all residences in the residential area. The maximum walkable distance from any residence to the nearest pedestrian entrance to the park land shall not exceed 1.00 mile. Walkable access shall be free and uninterrupted, meaning that access routes shall not contain physical barriers including, but not limited to, unbridged water features, roadways without safe pedestrian crossing points, or fences. Must be located within one mile from all residences and the distance should be uninterrupted by roads or free from physical barriers that would prohibit walkable access to the park.~~
 - (5) Where feasible, park ~~sites land~~ should be located adjacent to schools to encourage shared facilities and joint development of new sites, access ways may be required to facilitate access to the park.
 - (6) ~~Sites~~ Park land shall have well-drained and suitable soils and generally level topography. ~~Park land~~ should not be severely sloping or have unusual topography which would render the land unusable for recreational activities.
 - (7) ~~Park land Mm~~ must not exceed a 20 percent grade on more than 50 percent of the land.
 - (8) ~~Where feasible, P~~ park land must should be centrally located within the residential area with and provide connectivity to looped trails and if feasible citywide hike and bike trail ~~current or future trails identified on the city bike and pedestrian plan or other local trails.~~
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- (9) At least 25 percent, ~~or proportionate to the size of the park,~~ of the perimeter of ~~a~~ the park shall abut a public street.
 - (10) Park land must be adjacent to a public street for ease of pedestrian, bike or parking accommodations.
 - (11) Where feasible, Nno more than two sides of the park may abut the rear of homes.
 - (12) Park must include ~~at least~~ visible, attractive and suitable means of ingress and egress proportionate to the size and amenities in the park.
 - (13) ~~The site should~~ Park land shall not be encumbered by any type of utilities, easements, covenants, restrictions, or encumbrances overhead utility lines or easements of any type which might limit the current or future provision of park and recreation facilities or services. ~~opportunity for park and recreation development.~~
 - (14) Where appropriate, sites with existing trees or other scenic elements are preferred and may be reviewed by the city's urban forester to make recommendations.
 - (15) Rare, unique, endangered, historic or other significant natural areas will be given a high priority for dedication pursuant to this article. Areas that provide an opportunity for linkages between parks or that preserve the natural character of the surrounding environment may be required by the city to be included in the park land dedication. ~~Park should have well drained and suitable soils and level topography.~~
 - (16) Consideration will be given to land that is in the floodplain or may be considered "floodable" even though not in a federally regulated floodplain if, due to its elevation, it is suitable for park improvements. At the discretion of the city, land in floodplains may be considered as part of a dedication requirement, in which case land in floodplains or land considered floodable may be accepted on a three for one (3:1) basis. That is, three acres of floodplain will be equal to one acre of park land ~~or not more than 50 percent shall be allowed in a floodplain.~~
 - (17) Detention ~~areas,~~ retention areas, and areas encumbered by drainage easements, may not be used to meet dedication requirements but may be accepted in addition to the required dedication at the discretion of the city. If accepted as part of the park, the design(s) of the detention area(s), retention area(s), and drainage easements /retention area design must meet specific all specifications in the city's drainage manual.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-63. Fee in lieu of park land.

The city may, from time to time, require that a fee be submitted in lieu of land dedication in amounts as set forth in appendix B for, either, both, some or all of neighborhood, ~~community~~ and regional park land dedications. Likewise, the city may, from time to time, require that land be dedicated in amounts as set for th in appendix B and that no fee in lieu of land will be accepted required. Such fees shall be due at the same time as park development fees are due ~~for final platting.~~

(Ord. No. 2018-33, 5-14-18)

Sec. 118-64. Park development fee.

In addition to the park land dedication requirements, park development fees are established herein, sufficient to develop neighborhood, ~~community~~ and regional public parks in ways that meet the city's s standards.

The amount of development fees assessed to a development and the basis for the calculation is as shown in appendix B. ~~Park development fees shall be due at the time of application for platting/plat recordation.~~ The process for the approval and collection of development fees shall be the same as those for the park land dedication requirements as specified in sections 118-60.1(f) and 118-60.3. ~~The park development fees shall be processed simultaneously with the park land dedication requirements.~~

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65. Public park improvement in lieu of park development fees.

- (a) With express written approval of the city, a developer may ~~elect to~~ construct required park improvements in lieu of paying the associated development fee as set forth herein. In such event, facilities and improvements provided by a developer shall be constructed on lands dedicated as public park land and shall be designed and installed to meet the terms, conditions and requirements under this article, or as otherwise approved by the director of parks and recreation, in accordance with related federal, national, state or local codes including but not limited to the following:
- (1) International Play Equipment Manufacturer's Association (IPEMA);
 - (2) Consumer Product Safety Commission (CPSC) Handbook for Public Safety;
 - (3) American Society for Testing and Materials (ASTM and ASTM F08);
 - (4) Accessibility Standards for Play Areas through the ADA Accessibility Guidelines (ADAAG);
 - (5) Illuminating Engineering Society of North American (IESNA RP-6-01); and
 - (6) Sports Turf Management Association (STMA).
- (b) General requirements for public park improvements.
- (1) A park site plan, developed in cooperation with the parks and recreation department staff, ~~is shall be~~ submitted and approved by the director of the parks and recreation department or his/her designee prior to ~~submission of final plat or upon application for a site building permit, whichever is applicable~~ dedication of the park land.
 - (2) Any and all public park improvements must be shown on the site plan ~~or construction plan and reviewed and approved by the city engineer,~~ unless the director of parks and recreation authorizes another method of approval, ~~and requires review and approval of the city engineer.~~
 - (3) Detailed plans and specifications for park improvements hereunder shall be due and processed in accordance with the procedures and requirements pertaining to public improvements for final plats and for building permit issuance, whichever is applicable.
 - (4) All plans and specifications shall meet or exceed the city's standards in effect at the time of the submission.
 - (5) If the improvements are constructed on land that has already been dedicated to and/or is owned by the city, then the developer must post payment and performance bonds equal to park development fees or value of the park agreed upon, whichever is greater, to guarantee the payment to subcontractors and suppliers and to guarantee the developer completes the work in accordance with the approved plans, specifications, ordinances, and other applicable laws. This includes guaranteeing performance in lieu of completing the park improvements prior to final plat recordation.
 - (6) Park improvements may be constructed on park land dedicated to the city that satisfies requirements of section 118-62; or, if approved by the director of parks and recreation, improvements may be made in an existing or proposed city park or other land owned by the city that is located in the ~~appropriated~~

~~same~~ park district, ~~within a one-half mile to one-mile walking or biking distance to the residents it will serve.~~

- (7) For a public park, the developer shall be required to provide a two-year maintenance bond that is equal in amount to the 20 percent of the construction cost of said park improvements and a manufacturer's letter stating any play structure, equipment, and safety surfaces were installed in accordance with the manufacturers' installation requirement.
- (8) For a public park, the developer shall provide a copy of the application and subsequent inspection report prepared by the state department of licensing and regulation of their contracted reviewer for compliance with the Architectural Barriers Act, codified as Vernon's Ann. Civ. St. art 9102.
- (9) For a public park, all manufacturers' warranties shall be provided for any equipment installed in the park as part of these improvements.
- (10) For a public park, upon issuance of a certificate of completion and acceptance, the developer shall warrant the improvements for a period of two years.
- (11) For a public park, the developer shall be liable for any costs required to complete park development if:
 - a. Developer fails to complete the improvements in accordance with the approved plans; or
 - b. Developer fails to complete any warranty work.
- (12) All public park improvements ~~shall~~may be inspected by the city while construction is in progress and when complete to verify park requirements have been satisfied.
- (13) Once the public park improvements are constructed, and after the director of parks and recreation has accepted such improvements, the developer shall convey such improvements to the city free and clear of any lien or other encumbrances.
- (14) The public park improvements will be considered complete with a letter of completion and acceptance from the city ~~and will be~~ issued after the following requirements are met:
 - a. Improvements have been constructed in accordance with the approved plans;
 - b. Improvements have been inspected and reviewed by ~~PARD-city~~ staff for satisfying park ordinance pursuant to the terms, conditions and requirements under this article.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.1. Credit for private parks; private park improvements requirements and standards.

- (a) The fee in-lieu-of land dedication is not eligible for reimbursement and shall be paid at the amount ~~calculated-specified~~ in ~~appendix B and~~ section 118-63.
- (b) Up to 75 percent of the park development fees paid by a developer may be eligible for reimbursement toward the construction of private park facilities pursuant to the terms, conditions and requirements under this article and in the park land dedication manual. The amount retained for deposit in the city's park land dedication fund are for purposes of defraying the financial burden private subdivisions impose on the existing public park system in New Braunfels.
- (c) Private park improvements requirements and standards.
 - (1) Private park land shall be no less than 2.00 acres of contiguous land, or the total park land required by appendix B, whichever is greater. Yards, court areas, setbacks and other open areas shall not be included in the computation of required acreage for a private park if such areas are required to be

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(Supp. No. 35)

~~provided and maintained for any purpose other than parks and recreation by any rule, regulation, ordinance, or law the zoning and subdivision rules and regulation ordinances shall not be included in the computation privately owned and maintained by the future residents of the subdivision or by the owner of the rental facility.~~

- (2) Private ownership and perpetual maintenance of the private park and open space is adequately provided for by recorded agreement, covenants or restrictions.
- (3) Use of the private park is restricted for park and recreation purposes by recorded covenant, which runs with the land in favor of future owners of the property and which cannot be defeated or eliminated without the written consent of the city or its successors.
- (4) Facilities must be similar or comparable to what would be required to meet public park standards and recreational needs as set forth in sections 118-62 and 118-65 and the park land dedication manual, city drainage manual, and other national, federal, state and local laws.
- (5) Eligible private park improvements include various active and passive outdoor amenities.
- (6) Private park design must be reviewed and approved by the director of parks and recreation or their designee prior to the platting of the first or any unit, ~~if a multi-phased development.~~
- (7) Private park must include at least three signature elements, two complementary park elements and include the standard park improvements requirements set forth in the park dedication manual.
- (8) The cost of construction for the private parks must meet or exceed the full park development fee per dwelling unit from appendix B.
- (9) Before a reimbursement is approved, the city shall make written findings that the certain conditions are met, pursuant to this article and the park land dedication manual, including the following, but not limited to:
 - a. Developer is required to submit copies of all invoices, and checks paid, or other proof of payment deemed appropriate by the city toward the construction of the private park.
 - b. Developer must allow PARD staff to conduct a site visit to verify private park improvements.
 - c. Developer must provide an affidavit stating the cost of private park improvements meet or exceed the required full park development fee per dwelling unit from appendix B, and that all requirements of the park land dedication ordinance have been met.
- (10) ~~For phased developments, All~~ private parks improvements should be constructed and successfully verified by the city no later than prior to the application of the final unit. ~~Fees for in-lieu-of-land and park development are due at the time of recordation. After receiving written verification from the city of successful private park construction, only non-reimbursable fees may be collected by the city at the time of platting for remaining units.~~
- (11) ~~Required documentation.~~ In order to receive the reimbursement for private parks, the developer shall submit the all required documentation in section 118-60 specified in this article to the city at the time of final plat filing sufficient to establish that the all requirements ~~of above~~ have been satisfactorily met. The parks and recreation director shall evaluate and approve the documentation submitted prior to any credit being given.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.2. Reimbursement for city acquired park land.

The city may from time to time acquire land for parks in advance of actual or potential development. If the city does acquire park land in a park ~~quadrant-district~~ for a neighborhood, community or regional park, the city may require subsequent dedications to be in fee in lieu of land only. This will be to reimburse the city for the cost(s) of acquisition.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.3. Application review process.

With each subdivision application, planned development application, mixed-use and multifamily site development permit, the developer shall submit to planning and the parks departments a completed park land dedication worksheet, identified in appendix D and a letter indicating the developer's intent to meet the park land dedication requirements pursuant to this article.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.4. Appeal process.

Any decision under this article made by the director of parks and recreation may only be appealed to the city parks and recreation advisory board and must be appealed within ten ~~working-business~~ days of the city's decision.

The director of parks and recreation may refer approval of park land dedication or park development fees to the city parks and recreation advisory board for any reason.

Within ten ~~working-business~~ days, any decision made by the city parks and recreation advisory board may only be appealed in writing through the city manager to the city council.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.5. Submitting park fees.

Any fees required ~~pursuant to this article to shall~~ be paid in cash ~~pursuant to this article shall be and~~ remitted:

- (1) ~~For a multi-family or mixed-use development, p~~Prior to the issuance of any site development building permits ~~for multi-family development, or mixed-development;~~ or
- (2) ~~For At the time of plat recordation for a~~ single-family, duplex or townhouse development ~~without phased development, at the time of plat application recordation; however, or~~
- (3) ~~For a single-family, duplex, or townhouse phased development, at the time of plat application recordation for each phase; however,~~
- (34) All development in the ETJ must pay fees at the time of plat ~~recordation~~ application recordation for each phase.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.6. Use of park fees.

All park land dedication and park development fees for neighborhood and /community parks will be deposited in a fund referenced to the park district to which they relate. Regional park land dedication fees will be deposited in a fund referenced to regional parks. Funds shall be used solely for the acquisition or leasing of park land and the development, improvement, or upgrades of new and existing parks. All expenditures shall be administered in accordance with the current purchasing requirements of the city. Funds shall not be used for the operation and maintenance of parks.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.7. Article review and reporting.

The city shall review the fees established and the amount of park land dedication required in this article at least once every three years. Failure to review by the city council shall not invalidate this article.

(Ord. No. 2018-33, 5-14-18)

Sec. 118-65.8. Right to refund.

The city shall account for all fees in lieu of land and all development fees paid under this article with reference to the individual plat(s) involved. Any fees paid for such purposes must be expended by the city within seven years from the date received by the city for acquisition and/or development of a park as required herein. Such funds shall be considered to be spent on a first-in, first-out basis. If not so expended, the payor shall be entitled to a prorated refund of such sum, computed on a square footage of area basis. The payor must request such refund within one year of entitlement, in writing, or such right shall be barred.

(Ord. No. 2018-33, 5-14-18)