

ORDINANCE NO. 2661

An Ordinance adding a new Chapter to the Longview Municipal Code to be known as chapter 19.79, requiring dedications of land to the City of Longview in all future plats of residential property that include 25 acres or more, to provide parks and recreational facilities for persons who reside in single family dwellings and/or multiple family dwellings that are constructed or the construction of which is a permitted use, within or nearby such platted land.

WHEREAS, public parks and recreation facilities, playgrounds and open spaces enhance the quality of life in the community; and

WHEREAS, the City Council finds that residential development activity and population growth in the City of Longview has and will continue to create additional demand and need for park facilities, particularly within and near newly platted residential areas; and

WHEREAS, the City Council recognizes that as land is subdivided and developed, provision should be made to provide parks and recreation facilities for the residents thereof, at the time of such subdivision, and at the time that the final plat of such land is approved; and

WHEREAS, the City of Longview is authorized by RCW 58.17.110 to require dedications of land for park and recreational purposes to serve the needs of newly platted, developed and occupied areas of the city; and

WHEREAS, the minimum size of park areas to be required in newly platted areas is based on minimum park size standards established by the National Recreation and Park Association and the ratio of park size to population in the city of Longview; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LONGVIEW DO ORDAIN AS FOLLOWS:

SECTION 1. A new chapter is hereby added to the Longview Municipal Code, to be numbered as chapter 19.79 entitled “ Park Land Dedication” and reading as follows, to-wit:

CHAPTER 19.79
PARK LAND DEDICATION

**SECTION 19.79.010 PARK LAND DEDICATION REQUIRED AS
CONDITION OF SUBDIVISION APPROVAL:**

Approval, under Chapter 19.80 of this Code, of all subdivisions of more than 25 acres that provide for residential use of land, shall be contingent upon the developer’s or subdivider’s dedication of land to the city for the purpose of providing park and recreational land for use by residents of such subdivision.

**SECTION 19.79.020 LOCATION AND CHARACTERISTICS OF
LAND DEDICATED FOR PARK AND RECREATIONAL PURPOSES:**

The following criteria shall serve as a basis for the Department of Parks and Recreation’s determination whether land proposed for dedication is of sufficient size, character and quality:

1. The area proposed for park dedication may be located either within or outside the boundaries of the property described in the subdivision, but must either be adjacent to an existing or proposed city park site or within the same park service area in which the subdivision is located. Park service area is considered to be within one half (1/2) mile of the subdivision for which it is required.

2. The area proposed for park dedication shall have characteristics and location which make it suitable for future inclusion into the city parks system, as determined by the Director of Parks and Recreation.

3. With the approval of the Planning and Building Department, the area proposed for park dedication or portion thereof may contain valuable or sensitive environmental features, preservation of which is consistent with the city's comprehensive plan and/or parks and recreation plan.

4. All lots within the subdivision for which park dedication is required shall have legal and convenient access to the area proposed for park dedication, at the time of final plat approval.

5. The area proposed by the subdivider for park dedication must consist of an area that is equal or greater in size than the size computed as necessary by the Department of Parks and Recreation using the formula described in section 19.79.030.

6. The area of proposed park dedication shall have a street frontage of at least twenty percent (20%) of its perimeter, to allow for regular observation of play areas by residents of the subdivision. Alternative design measures that accomplish the same purpose of security may be approved by the city.

7. The topography, soils, hydrography and other physical characteristics of the area proposed for park dedication shall be of such quality as to allow the development of community or neighborhood parks, or to create a flat, dry, obstacle-free space on at least ninety (90) percent of the total required area in a configuration which allows for active recreation; shall have no known safety hazards; and shall have no known physical problems such as the presence of hazardous waste, pipeline of power easements, drainage, erosion, or flooding that the Director of Parks and Recreation determines would cause inordinate demands upon public resources for maintenance and operation of the property to be dedicated to the city. Park

sites should also be located so that persons living within the service area will not have to cross a major arterial street to get to the site.

**SECTION 19.79.030 MINIMUM SIZE OF LAND DEDICATED
FOR PARK PURPOSES:**

Developers and Subdividers who dedicate open space for park land pursuant to this chapter shall dedicate at least seven (7) acres per one thousand (1,000) population generated by the proposed subdivision. This requirement is based on the development needs of a neighborhood or community park including but not limited to such amenities as play equipment, athletic areas such as baseball/softball diamonds, soccer/football fields, volleyball courts, hard surface areas such as tennis courts, basketball courts, in-line skating rinks, picnic areas, walk/trail systems, restrooms, natural areas, open spaces and buffer zones. Suggested Facility Development Standards and Recommended Standards For Local Developed Open Space, published by the National Recreation and Park Association (NRPA), combined with the ratio of park size to population in the city of Longview shall be used to determine dedicated acreage requirements. Presently NRPA recommends that between 6.25 acres and 10.5 acres of open space per 1,000 population is required for municipal parks, and the present ratio in the city of Longview is approximately 8 acres per 1,000 population. For purposes of this chapter, the formula for determining how many acres are needed for park dedications shall require 7 acres per 1,000 population. For purposes of determining population, and determining the average number of occupants per dwelling unit, the average household size based on Cowlitz County Council of Governments' current figures for Longview of the average number of persons expected to live in a dwelling unit within a single or multiple family subdivision or development will be used. The formula for determination of the required minimum park dedication, based on the foregoing, is:

SINGLE FAMILY DWELLING USE DISTRICTS: .0186666 acres of park area per permitted single family dwelling unit within the plat, based on one single family dwelling on each lot of 6,000 square feet or more.

MULTIPLE FAMILY DWELLING USE DISTRICTS OR AREAS:

.012248343 acres of park area per permitted dwelling unit within the plat, based on the maximum number of multiple-family dwelling units that may be constructed in buildings that are not more than three stories high and which include required off-street parking, in those areas of the proposed subdivision in which multiple family dwellings are to be permitted.a

The miniumum size of any single tract of park land dedicated hereunder shall be not less than 2.5 acres.

SECTION 19.79.040 FINAL PLAT APPROVAL CONDITIONED UPON PARK LAND DEDICATION:

When approval of the final plat of a subdivision is conditioned upon the dedication of land for park purposes the final plat shall not be approved or recorded until:

1. The Director of Parks and Recreation has determined in writing that any land to be dedicated is shown on the face of the final plat, or in a deed conveying the land to the city has been recorded with the Cowlitz County Auditor's office; or
- 2 The instrument conveying the land to the city has been transmitted to the City Council for acceptance of the dedication by ordinance; or

SECTION 2. This ordinance shall be in full force and effect from and after 30 days following its passage and publication.

Passed by the City Council this _____ day of _____, 1997.

Approved by the Mayor this _____ day of _____, 1997.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published:_____