
The proposed:

Town of Avon Recreation Zone Improvement Plan 2012-2021

For:

Town Parks & Recreation Facilities

Prepared for:

**Town of Avon Parks Council
Town of Avon Plan Commission
Town of Avon Town Council**

Avon, Indiana

Prepared by:

Lehman & Lehman, Inc.
Landscape Architects and Planners
Mishawaka, Indiana

With Review by:

Jack Lashenik, P.E.
Reviewing Professional Engineer
Town of Avon

May 2012


LEHMAN & LEHMAN
Transforming Horizons



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Town of Avon Recreation Zone Improvement Plan 2012-2021

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Completed May 2012

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Avon Recreation Zone Improvement Plan Study

May 2012

In 1991, the Indiana General Assembly passed an impact fee bill that created an alternative funding mechanism for infrastructure improvements in fast growing areas. The essence of the legislation was to allow local governments the option of passing onto new residents the cost of building the new infrastructure demanded by those same new residents.



This Zone Improvement Plan for Parks and Recreation Facilities (Recreation Impact Fee Study) for the Town of Avon began several months ago, following the process as outlined by the 1991 Indiana Code (IC) 36-7-4-1300. An Impact Fee Advisory Committee was established and worked with the Consultant to update the current recreation component inventory along with the related standards. Population projections were determined, related residential building permits forecast, both current deficiencies and future recreation component needs calculated, and costs for these infrastructure improvements established for both current (2012) deficiencies and future (2021) needs. The impact fee was then determined by dividing the estimated costs of the 10-year needs by the number of projected new residential building permits during that same period.

The Recreation Impact Fee will be collected prior to the issuance of each residential building permit, with the first fee to occur six (6) months after the final approval by the Town Council of the Impact Fee ordinance. The fees will then be placed in an interest bearing account and related improvement expenses will then be paid from that account. Since impact fees cannot be used to fund current deficiencies, those improvements will come from other Town resources. It is clearly defined that Recreation Impact Fees can only be used for the costs of the projected 10-year needs determined by future populations. An impact fee may not be collected for more than five years without a review and update of the Infrastructure Plan and new adoption of the fee by Town Council.

This document was prepared by the Town of Avon Staff with assistance from *Lehman & Lehman, Inc.* After preparation, the plan was submitted to *Jack Lashenik, P.E.*, Reviewing Professional Engineer for the Town of Avon, Indiana, for final review and comment. The plan establishes new park and recreation standards for Avon and recommends the Recreation Impact Fee necessary to achieve the Town of Avon's Park and Recreation standards with the forecast growth.

After careful analysis, the Avon Park Impact Fee Advisory Committee and the Town's Administrative Staff feels that the recommended Recreation Impact Fee of **\$987.00** is a responsible fee for the recommended standards. The Avon Park Impact Fee Advisory Committee recommends acceptance of the fee by the Avon Parks and Recreation Council and Plan Commission before being placed before the Avon Town Council for final adoption.

Adoption of these parks and recreation standards will ensure the continued delivery of quality Parks and Recreation services for all of the citizens of Avon.

Sincerely,

Ryan Cannon, Director of Public Works
Town of Avon

Acknowledgments

Impact Fee Advisory Committee

Committee Members:

- Michael Bowron, *Citizen*
- Darrel Brosius, *Real Estate Agent / Developer*
- Ryan Cannon, *Public Works Director*
- Jason Flint, *Plan Commission*
- Susan Hamman, *Washington Twp. Parks*
- Jack Lashenik, *Professional Engineer*
- John Lazaro, *Builder / Developer*
- Michelle Morris, *Real Estate Agent*
- Scott Thompson, *Builder / Developer*
- Pat Tutsie, *Parks Council*

Staff and Consultant Members

- Darren Chadd, *Town Attorney*
- Dave Jackson, *Town Council Liaison to Park Department*
- Al Salzman, *Town Planning and Building Director*
- Chuck Lehman, *Lehman & Lehman, Inc. (Consultant)*

Town Manager

- Tom Klein

Clerk/Treasurer

- Sharon Howell

Parks Council

- Charlotte Martin, *President*
- Tom Veatch, *Vice President*
- Nathan Hunt, *Secretary*
- Sara Hubbard, *Member*
- Tim Calahan, *Member*
- Jennifer Turner, *Member*
- Pat Tutsie, *Member*

Town Council

- Mike Rogers, *President, Ward 3*
- Beverly Austin, *Vice President, Ward 2*
- Dave Jackson, *Ward 1*
- Dave Cox, *At-Large*
- Marcus Turner, *At-Large*

Plan Commission

- Jason Flint, *President*
- Dr. Robert Aiello
- Nicole Gordy
- Paul Guckenberger
- Khasif Khan
- James Petrides
- Marcus Turner
- Al Salzman, *Recording Secretary*

Table of Contents

PREFACE

Cover Letter	3
Acknowledgments	4
Table of Contents	5
Executive Summary	7
Recreation Impact Fee Study Process	12
Population and Residential Development Trends.....	13
Expectations of Population Growth / Building Permit Projections	20
Existing Infrastructure of Park Land	21
Existing Infrastructure of Recreation Facilities.....	24
Community Level of Service Needs and Cost Estimates	28
Recommended Recreation Impact Fee	30
Summary of Impact Fee Study	37

APPENDIX

Appendix A: Indiana Code (IC) 36-7-4-1300	42
Appendix B: Sources and Dollars spent for Infrastructure Improvements over the years 2005-2011	58
Appendix C: Impact Fee One Zone Recommendation Logic	59
Appendix D: Park and Recreation Infrastructure Inventory.....	60
Appendix E: Letter of Study Review from Reviewing Professional Engineer	61

LIST OF TABLES

Table 1 – Town of Avon, Potential Residential Growth Work Sheet of Undeveloped Land Parcels	16
Table 2 – Town of Avon, Potential Residential Growth Work Sheet of Existing Developments	18
Table 3 – Town of Avon, Potential Residential Growth Build Out	19
Table 4 – Current and Projected Population and Building Permits Growth.....	20
Table 5 – Park Acres Inventory and Graphics.....	22
Table 6 – Land Inventory – Current & Community Levels of Service	23
Table 7 – Facilities – Current & Community Levels of Service	25
Table 8 – Current Deficiencies and Future Needs	26
Table 9 – Acreage Needs for Recreation Components	27
Table 10 – Cost of Recreation Components to Overcome Deficiencies and Future Needs	28
Table 11 – Recreation Impact Fee Scenarios	29
Table 12 – “A” Priority Recreation Components and RIF	30
Table 13 – Funding Sources for Current Deficiencies.....	31
Table 14 – Recommended Recreation Impact Fee	32
Table 15 – Recreation Impact Fee Revenue Calculations.....	33
Table 16 – Implementation Schedule for Current Deficiencies	33
Table 17 – Implementation Schedule for Future Needs	34

Avon Recreation Zone Improvement Plan Study

LIST OF FIGURES

Figure 1 – Avon Planning Area Map	9
Figure 2 – Avon Zoning Map	10
Figure 3 – Community Level of Service Illustration	12
Figure 4 – Avon Historic Residential Growth	13
Figure 5 – Avon Future Land Use Planning Area	14
Figure 7 – Avon Residential Growth Potential	15
Figure 8 – Historic and Projected Population of the Town of Avon	21
Figure 10 – Recreation Impact Fee Revenues Graph	33
Figure 11 – Implementation Schedule Capital and Revenues Chart	35



Executive Summary

Background

The residential growth of the Town of Avon and its surrounding area is forecast to experience significant growth in residential development over the next decades. As a result, the public infrastructure systems (roads, drainage, water/sanitary utilities and parks) are, or will become, strained to keep pace with the demands placed on them.

In anticipation of these demands, the Town of Avon is in the process of implementing and updating one of these public infrastructure systems by way of a Recreation Impact Fee Ordinance. Both the Town's previous *Comprehensive Plan 2005-2025* and the *Parks and Recreation Master Plan Update (currently under planning development)* have clearly indicated that the demand for recreational facilities will intensify because of the demographics of the growing population base. It is also recognized that a quality system of parks, green spaces and pathways/trails adds to the economic value and quality of life of the entire community.

The demands placed on the Park System by rapid growth have, and will, outpace the Town's financial ability to provide the new and expanded facilities identified in the Parks and Recreation Master Plan. The current revenues are devoted almost entirely to maintaining and operating existing park facilities and programs. New sources of capital improvement revenue are needed. The Recreation Impact Fee Ordinance will benefit the Town and community in the future by keeping pace with the population growth while maintaining the level of adopted recreation standards.

The Plan does acknowledge that the 2010 Census data provides new data on population and demographics for the Town. The Town is encouraged to continually project population based on growth using the 2010 Census as a basis.

History of Recreation Impact Fees

In 1991, the Indiana General Assembly passed an impact fee bill that created an alternative funding mechanism for infrastructure improvements in fast growing areas.

The essence of the legislation was to allow local governments the option of passing onto new residents the costs of building the new infrastructure expected by those same residents.

Impact Fees Facts

Need for and Application of Impact Fees

- Best applied to Fast Growing Communities (or projected)
- Considered as an "Entrance Fee" for residents to build and live in the Community
- Funds are applied directly to the infrastructure needs caused by the growth

Different Types of Impact Fees

- Recreation, Roads, Water/Sanitary Utilities, and Drainage

Impact Fee Studies

- Cover 10-year projection period
- Must be updated, at a minimum, every five years
- Also used to define development standards

Benefits of Recreation Impact Fees

- Future residents pay for the increased demand on infrastructure services (defined as Community Level of Service)
- Current residents do not bear the burden of infrastructure expansion due to population growth
- Maintains quality of life as community grows

Development Impact Fees

Development Impact Fees, as described by this Zone Improvement Plan (herein Plan), will shift part of the cost of new and expanded park facilities from the community at large to the new developments that are generating the need for those new and expanded facilities. ***Impact fees, however, cannot be used to finance the current needs of improvements required to raise the Current Level of Service to the Community Level of Service, hereafter referred to as “deficiencies.”***

Impact fee logic has long been debated, discussed and endorsed by those who are involved in public finance. In 1991, the Indiana General Assembly enacted legislation [Indiana Code (IC) 36-7-4-1300] (see *Appendix A*) that enables localities to impose Development Impact Fees for certain types of infrastructure improvements, including park and recreational facilities. Among other things required of the locality, the legislation stipulates that:

- An Impact Fee Advisory Committee be appointed
- An Impact Fee Zone be established
- A Zone Improvement Plan be prepared
- An Impact Fee be determined
- An Ordinance be prepared and adopted by the governing body and
- An Impact Fee Review Board be appointed

Recreation Impact Fee Advisory Committee

The Town Administrator/Council of Avon appointed a Recreation Impact Fee Advisory Committee in the summer of 2010. The Committee consisted of members of various Town Agencies and Boards in addition to others appointed to fulfill statutory requirements. The Committee, listed on the acknowledgment page, met on several occasions to research and review data, to establish standards for park facilities, and to formulate the plan and strategies as described herein.

Although the Town Council has jurisdiction only within the Avon Town limits, the Committee concluded early in its deliberations that the Study Area of this Plan should include all of the Avon Planning Area Boundary (the same area as encompassed with its Comprehensive Plan) for the following reasons:

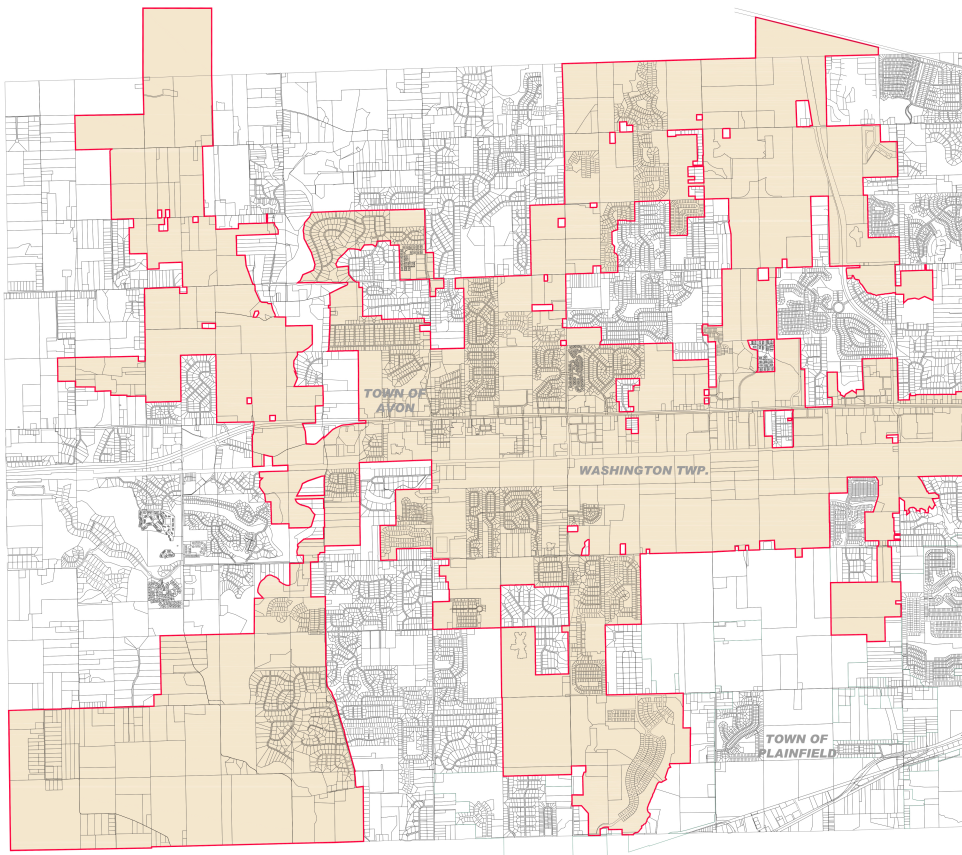
- It is reasonable to expect that some properties adjacent to the current corporate boundaries will become part of the Town of Avon in the time frame of this study
- The Town is continuing to grow into the planning area through voluntary annexation, and
- The Town’s entire land use planning area is within the future service area of the Town

During the course of this study planning discussions between the Town and Washington Township have been held over the potential future merger of the two entities. If, and when, such a merger would occur an update to the Recreation Zone Improvement Plan should be seen as a priority.

Impact Zone

Within the Study Area, the Committee established a single (one) Impact Zone to coincide with the corporate and Comprehensive Planning boundary of the Town as it continues to expand in the future through annexations. Thus, the Impact Zone is expected to expand through annexation until it encompasses the entire Study Area (Avon Existing Land Use Planning Area) in Hendricks County. More particular the Impact Zone boundaries for the Town of Avon are co-terminus with the existing corporate boundaries of the Town, as such boundaries may be extended from time to time through annexation, and over which boundaries the Town exercises planning and zoning jurisdiction.

A map in **Figure 1** (below) shows the Avon Planning Area and corporate limits shading. The planning limits of the Town of Avon include the corporate limits and that of Washington Township. Projected land use plan for the Avon Planning Limits is illustrated in **Figure 2**. For purposes of this study the current Town Corporate Limits as well as the unincorporated Washington Township area were determined by the Advisory Committee to be anticipated growth boundaries for this Infrastructure Improvement Plan Study for the next ten years.



**Figure 1 –
Avon
Planning
Area and
Corporate
Limits Map**
Source:
Town of
Avon – 2011

Avon Recreation Zone Improvement Plan Study

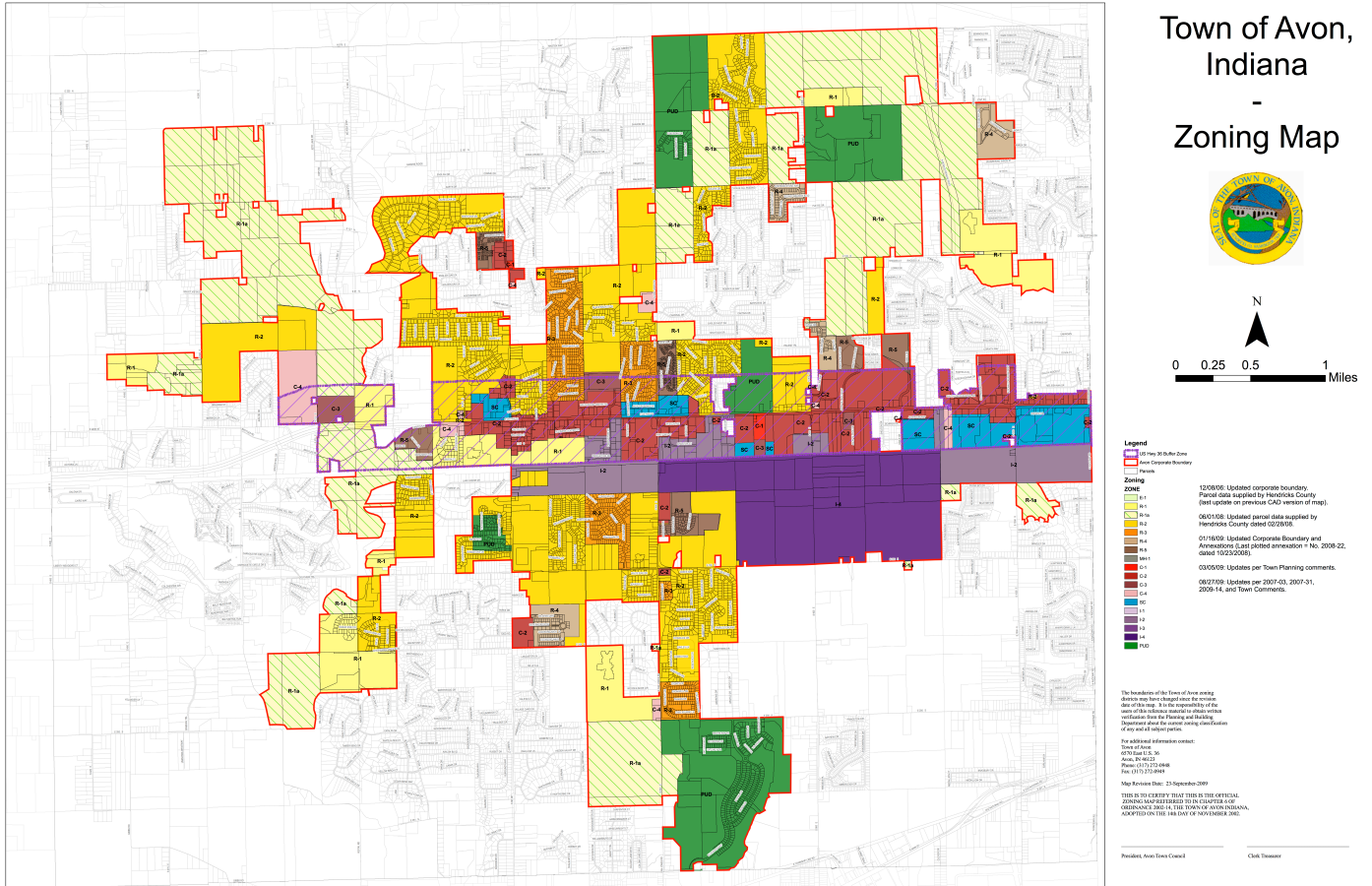


Figure 2 – Avon Zoning Map
Source: Town of Avon 2009

Zone Improvement Plan

The Zone Improvement Plan examines the existing park facilities inventory and determines the costs (A) to overcome existing deficiencies and (B) to meet future needs according to Community Level of Service standards.

Impact Fee Review Board

As required by Indiana Code 36-7-4-1338, and before the Impact Fee is implemented and soon after the adoption of the related ordinance, the Town will establish an *Impact Fee Review Board*, consisting of Avon citizens. The law requires that the Impact Fee Review Board include one real estate broker and one engineer, both licensed in Indiana, and one certified public accountant.

Recreation Impact Fee Recommendation

The recommended Recreation Impact Fee of **\$987.00** per new dwelling unit is based on the cost to provide new and expanded park facilities required by new development according to the established community standards. The Impact Fee will be collected at the time that the building permit is issued for the individual dwelling unit. Again, impact fees cannot be used to finance improvements needed to overcome existing deficiencies in the park facilities.

Other Planning Efforts Acknowledged in this Plan

This Recreational Impact Fee study acknowledges the Town's *Comprehensive Plan 2005-2025* (prepared by *The Planning Workshop* dated 2005), the *2001-2005 Parks and Recreation Master Plan Update* (prepared by *DLZ* dated 2000 – Note: master plan update is currently under planning development), *The Avon Bicycle & Pedestrian Master Plan* (prepared by *RW Armstrong* – 2010) as constituting the vision for the Town and its Park System. The Impact Fee recommended in this Plan is a financial strategy that will help achieve that vision.

Conclusions

1. The Recreation Impact Fee Advisory Committee recommends to the Town of Avon that a Recreation Impact Fee (RIF) Ordinance be adopted instituting a new Recreation Impact Fee of **\$987.00**. It is also recommended that an annual inflation rate or an annual adjustment could be made using a Gross Domestic Product (GDP) factor be a consideration in establishing the annual impact fee amount.
2. Following the State Code [IC 36-7-4-1340(a)], RIF collection will start six months after approval of the ordinance. The funds collected will be kept in a "Recreation Impact Fee" line item of the Town's Budget.
3. The Town of Avon should establish criteria, as policy, for the acceptance of land donations for park use and/or open space. Also, the Town of Avon, through its Parks Council, will address, annually, the distribution priorities of the RIF revenues.
4. The Town's Park and Recreation Master Plan Update should reflect the standards and goals established as part of this RIF study.
5. Collection of the RIF will occur when residential building permits are pulled. As an option, payments can be established using an installment plan as per IC 36-7-4-1324.
6. Reporting of RIF's transactions will be done annually. Annual adjustments to the RIF can be considered with annual inflationary factors. A new RIF update study will be considered annually but will be done no later than five years from the date of this study.

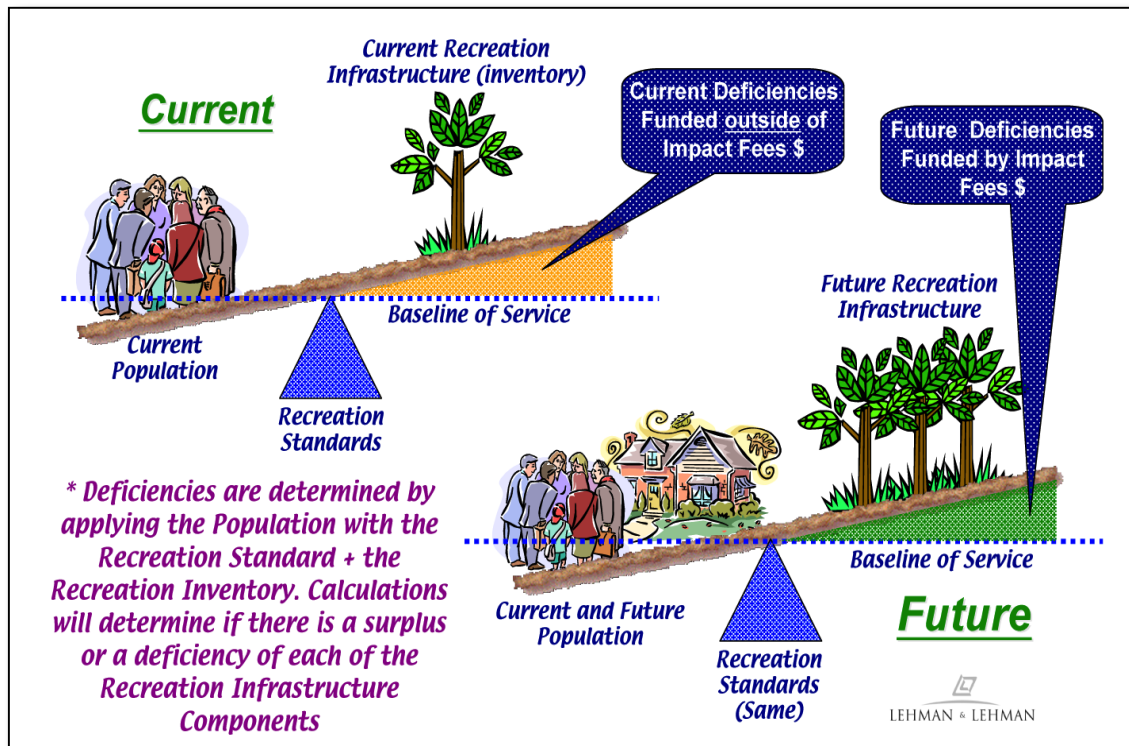


Recreation Impact Fee Study Process

The process of defining a Recreation Impact Fee for a community involves a series of steps. Those steps include the following:

1. Establish the Park Impact Fee Advisory Committee
2. Define the Impact Zone
3. Collect current census populations and trends
4. Inventory the current recreation infrastructure for land and facilities (*Current Level of Service*)
5. Establish *Community Level of Service* for recreation land and facilities
6. Analyze housing building permits and trends (both inside Town limits and within the planning area)
7. Analyze current deficiencies and 10-year infrastructure needs based on *Community Level of Service* and 10-year projected population forecasts
8. Determine costs for meeting current deficiencies and future needs based on *Community Level of Service*
9. $RIF = \text{Future Recreation Infrastructure Need Costs} / \text{Projected 10-year Residential Building Permits}$
(As per IC 36-7-4-1321 which states that the Impact Fee = Impact Costs – Non-Local Revenues – Impact Deductions / 10-Year Forecast Building Permits)
10. Prepare a Zone Improvement Plan
11. Recommendations to the Park Council and the Plan Commission
12. Ordinance for Town Council’s Review and Adoption

Figure 3 – Community Level of Service Illustration



Population and Residential Development Trends

The Town of Avon completed its most recent comprehensive plan in 2005 and projected through 2025. This plan provides a framework for the Town as it grows into the future. The Town’s *Comprehensive Plan* illustrates projected land uses, including residential, and related densities.

The Town’s *Comprehensive Plan* forecasts that the surrounding future land use planning area to have development and population growth in the coming decades. In 2000 the Census had the Town’s population at 6,248. The 2010 Census had the Town’s population at 12,446. It is estimated by the Town Planning Department that the population at the end of 2011 was at 13,027.

The current growth rate of residential development within the Town of Avon (as well as most of Indiana) has been greatly slowed and impacted by the current economic conditions. It is still anticipated that residential development will pick up again in the next ten years. How much of an increase will continue to be monitored. This study will look at various sources to determine the new residential growth rate over the next ten years. Keep in mind that these projections should be reviewed and updated with the 2020 Census information as well as when this Zone Improvement Plan is updated no greater than five years per IC 36-7-4-1340(b).

Trends in Residential Building Permits

Various population projection resources were reviewed including that of the 2005 Comprehensive Plan, past twenty-year trends in new residential building permits, as well as another population growth model discussed below. *Figure 4* (below) illustrates Avon’s Growth History in residential building permits per year between the years 1996 to 2009. The last sixteen-year average (1996 to 2011) was about 190 residential building permits per year. Applying the 2.77 persons per household (2010 Census), this 190 residential building permits would equal around 526 persons per year.

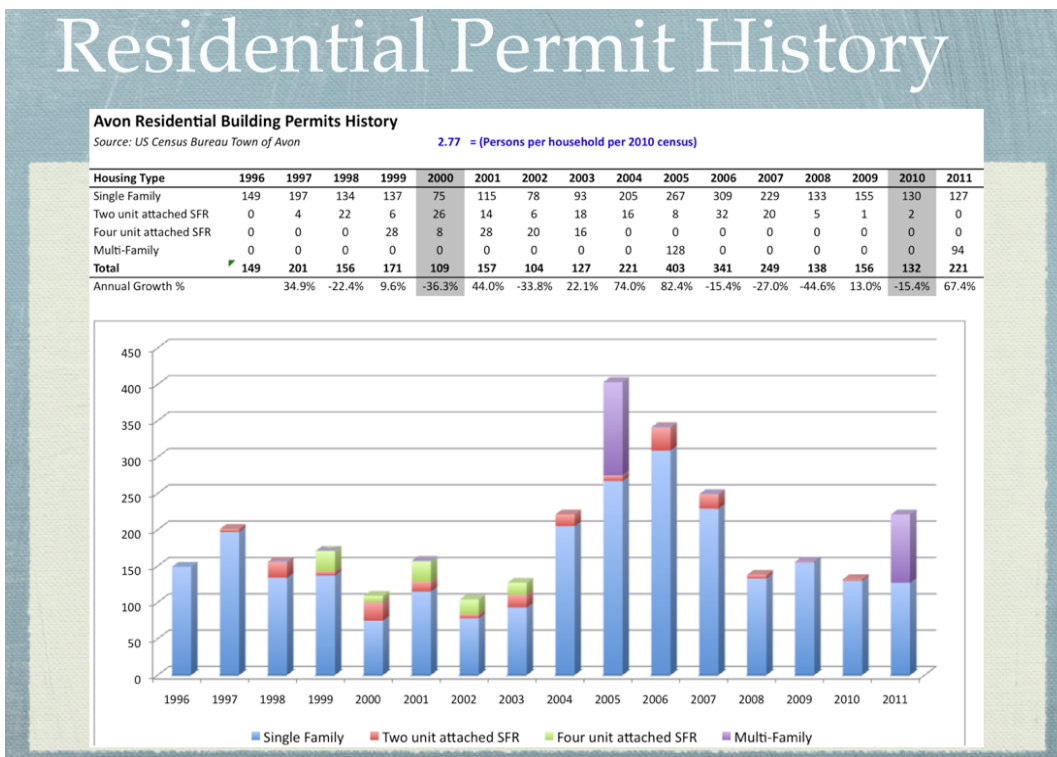


Figure 4 – Avon Historical Residential Growth
Source: Town of Avon

Avon Recreation Zone Improvement Plan Study

Future Growth of the Town will follow the future land use patterns and zoning densities as per the Town's Comprehensive Plan and Zoning Ordinance. The following figure illustrate the proposed land use plans for the Comprehensive Planning Boundary and the proposed land use for the current planning limits.

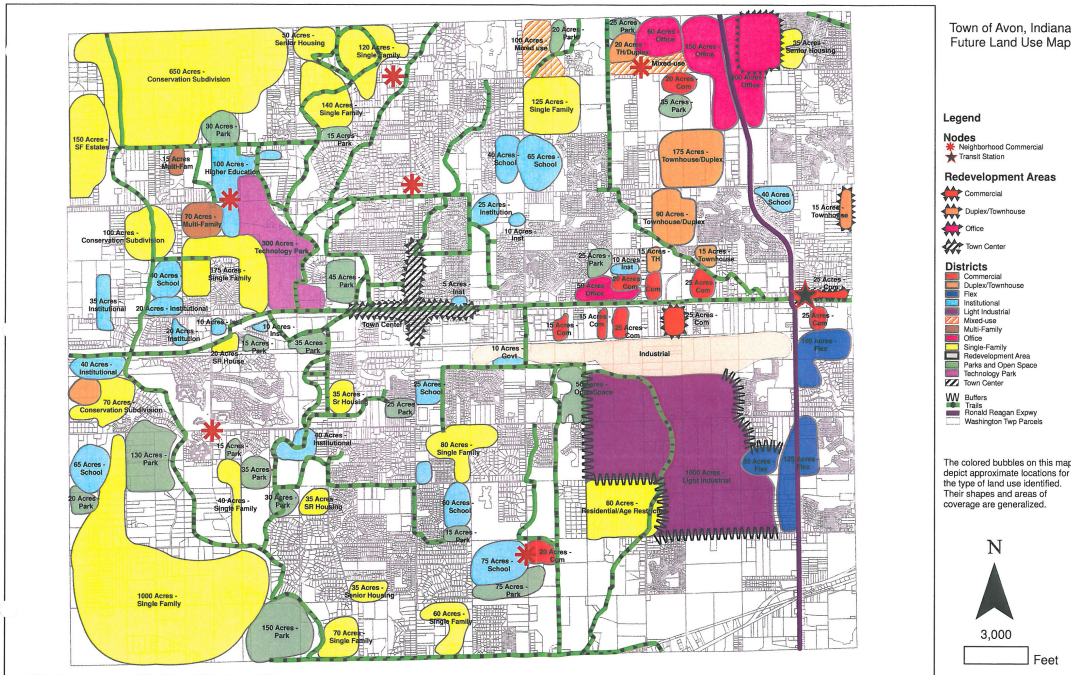


Figure 5 – Avon Future Land Use Planning Area
Source: Town of Avon

Parcel Growth by Development Population Projections

The Growth Model adopted by the Advisory Committee was termed Parcel Growth by Development Model. This model is based on the following:

- *Acknowledgment of existing developments and growth projections within the current corporate limits*
- *Identification of land parcels within the current corporate limits of the Town whose projected land use is residential development*
- *The Town's own growth strategies are factored into the growth model*
- *Growth will occur with stimulations of other developments and infrastructure*

The analysis examined residential development capacities based on the actual densities of the planned development or the densities permitted in the Town's Zoning Ordinance. It is noted, and assumed, that the growth analysis scenarios used do not reflect the intentions of the existing landowners or the intention of the Town regarding annexation.

The Consultant worked with the Town and created an inventory of development parcels within the Comprehensive Plan's Planning Boundaries; more particularly the Current Corporate Limits. Following the Future Land Use Plan, of the Comprehensive Plan, each residential development parcel had a development density (housing units per acre) applied to the parcel to determine what "build out" potential each parcel could carry. Besides the un-development parcels, existing developments that have not been completely built out were also inventoried for this analysis.

Avon Recreation Zone Improvement Plan Study

The Analysis process of this growth model involved the Consultant and Town's planning staff going through each of the undeveloped parcels, existing developments and subdivisions to determine how much of the development could be built out (by percentage) over the next ten years. By applying a different percentage to each parcel different scenarios of growth, from more aggressive and more conservative were generated.

For planning purposes the Consultant, Planning Staff and Advisory Committee analyzed the potential future populations of the Town (this included only the current corporate limits of the Town), based on the Future Land Use Map and the known housing developments in and around the Town. Land tract parcels were drawn on an aerial map (*Figure 7*) of the Town and study area.

Figure 7 (below) illustrates the planning area and the residential growth potential for the Town. This area covers the Impact Fee Zone of the planning area and includes the current corporate limits of the Town.

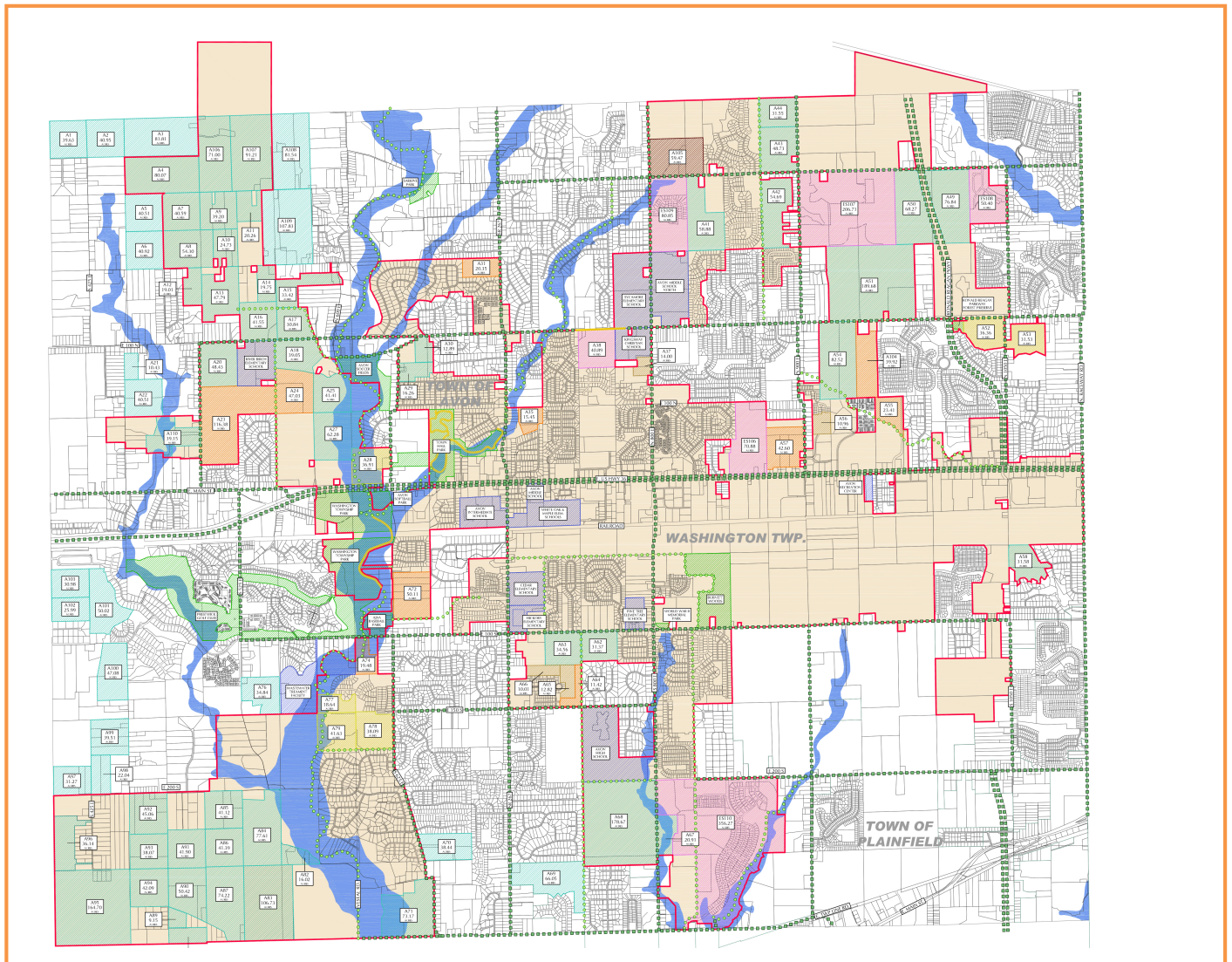


Figure 7 – Avon Residential Growth Potential (Both within and outside of current corporate limits)
Source: Town of Avon development resources and interactions with Town Staff and Consultant
(Larger version of the above map available at the Town's Planning Department.)

Avon Recreation Zone Improvement Plan Study

Population Growth Potential of Planning Area

The following work sheets illustrate the residential growth potential. **Table 1** identifies undeveloped land parcels, its acreage, land use zone, the parcels' potential for residential units, and related populations. The Town Planning Department provided a residential density base on the GIS information of existing residential developments in Avon. Developable areas of each parcel were calculated with regard to flood plain and typical site infrastructure areas (i.e. retention areas, street right of ways, etc.). The remaining columns identify the 10-year growth potential (as a percentage) and the relative number of residential units and populations.

Table 1 – Town of Avon, Potential Residential Growth Work Sheet of Undeveloped Land Parcels

Town of Avon – Potential Residential Growth Work Sheet

3/5/12

Zone	E1	R1	R1a	R2	R3	R4	R5	Mixed Use To Be Determined through other Planning
Lot Size	30,000	20,000	15,000	12,500	12,500	Varies (Max. Used)	Varies (Max. Used)	
Units / Acre	1.45	2.18	2.90	3.48	3.48	11.62	14.52	0.00

****Note: Net Developable Area is based on 20% of land being used for infrastructure**

Map Parcel ID	Acres (Approx.)	Flood Hazard Area	Net Developable Acres **	Residential Zone	Units per Acre	Potential of Planned Residential Units	Potential Residential Population	Percentage of Development over next 10 Yrs.	Potential 10 Yr. Forecast of Residential Units	Potential 10 Yr. Forecast of Population	NOTES
A1	39.63	0.00	31.70	R1a	2.90	92	255	0%	0	0	Outside Town
A2	40.95	0.00	32.76	R1a	2.90	95	263	0%	0	0	Outside Town
A3	81.81	0.00	65.45	R1a	2.90	190	526	0%	0	0	Outside Town
A4	80.07	0.00	64.05	R1a	2.90	186	515	0%	0	0	Outside Town
A5	40.51	0.00	32.41	R1a	2.90	94	260	0%	0	0	Outside Town
A6	40.92	0.00	32.74	R1a	2.90	95	263	0%	0	0	Outside Town
A7	40.59	0.00	32.47	R1a	2.90	94	261	0%	0	0	
A8	54.30	0.00	43.44	R1a	2.90	126	349	0%	0	0	
A9	39.20	0.00	31.36	R1a	2.90	91	252	0%	0	0	
A10	24.73	0.00	19.79	R1a	2.90	57	159	0%	0	0	
A11	20.26	0.00	16.21	R1a	2.90	47	130	0%	0	0	
A12	19.01	0.00	15.20	R1a	2.90	44	122	0%	0	0	
A13	47.79	0.00	38.23	R1a	2.90	111	307	0%	0	0	
A14											
A15	33.42	0.00	26.74	R1a	2.90	78	215	0%	0	0	
A16	41.55	0.00	33.24	R1a	2.90	96	267	0%	0	0	
A17	30.84	0.00	24.67	R1a	2.90	72	198	5%	4	10	
A18	39.05	0.00	31.24	R1a	2.90	91	251	10%	9	25	
A19											Removed - River Birch Elementary
A20	48.43	0.00	38.74	R1a	2.90	112	311	10%	11	31	
A21	10.43	0.00	8.34	R1a	2.90	24	67	0%	0	0	Outside Town
A22	40.51	0.34	32.13	R1a	2.90	93	258	0%	0	0	Outside Town
A23	116.38	0.00	93.11	R2	3.48	324	898	25%	81	224	
A24	47.03	0.00	37.62	R2	3.48	131	363	25%	33	91	
A25	41.41	9.63	25.42	R1a	2.90	74	204	0%	0	0	
A26											Removed - 100% of parcel in FH
A27	62.28	34.58	22.16	R1a	2.90	64	178	5%	3	9	
A28	36.91	26.39	8.41	R1	2.18	18	51	0%	0	0	
A29	16.26	0.00	13.01	R1a	2.90	38	104	0%	0	0	Outside Town
A30	12.89	0.00	10.31	R1a	2.90	30	83	0%	0	0	Outside Town
A31	20.35	0.00	16.28	R2	3.48	57	157	0%	0	0	
A32	33.54	7.59	20.76	R1a	2.90	60	167	0%	0	0	Outside Town
A33											Removed - 95% of parcel in FH
A34	42.63	7.16	28.38	R1a	2.90	82	228	0%	0	0	Outside Town
A35	15.45	0.00	12.36	R2	3.48	43	119	0%	0	0	
A36	32.75	0.00	26.20	-	0.00	153	424	100%	153	424	
A37	11.47	0.00	9.18	R2	3.48	32	88	0%	0	0	
A38	40.89	0.00	32.71	R2	3.48	114	315	0%	0	0	
A39	38.62	0.00	30.90	R2	3.48	108	298	0%	0	0	Bought by ACSC
A40											Avon Middle School North
A41	58.88	0.00	47.10	Other	N/A	126	349	100%	126	349	Commit - 126 max
A42	54.69	0.00	43.75	R1a	2.90	127	351	5%	6	18	
A43	48.73	0.00	38.98	R1a	2.90	113	313	0%	0	0	
A44	31.55	0.00	25.24	R1a	2.90	73	203	0%	0	0	
											Removed - Economic Devel. Area
											Removed - Economic Devel. Area
											Removed - Economic Devel. Area
											Removed - Economic Devel. Area
A49	76.84	0.00	61.47	R1a	2.90	178	494	0%	0	0	
A50	68.27	0.00	54.62	R1a	2.90	158	439	0%	0	0	
A51	189.68	0.00	151.74	R2	3.48	528	1,463	40%	211	585	PUD Reagan Park - Permits issued
A52	36.36	0.00	29.09	PUD	TBD	160	443	100%	160	443	PUD - Reagan Crossing
A53	31.53	0.00	25.22	R1	2.18	55	152	0%	50	139	
A54											Our Shepard Lutheran Church & School
A55	23.41	0.00	18.73	R5	14.52	272	753	0%	0	0	
A56	10.96	0.00	8.77	R4	11.62	102	282	50%	51	141	
A57	42.60	0.00	34.08	R2	3.48	119	328	0%	0	0	

Avon Recreation Zone Improvement Plan Study

Town of Avon – Potential Residential Growth Work Sheet

3/5/12

Zone	E1	R1	R1a	R2	R3	R4	R5	Mixed Use
Lot Size	30,000	20,000	15,000	12,500	12,500	Varies (Max. Used)	Varies (Max. Used)	To Be Determined through other Planning
Units / Acre	1.45	2.18	2.90	3.48	3.48	11.62	14.52	0.00

****Note: Net Developable Area is based on 20% of land being used for infrastructure**

2010 Census Pop. / Household = 2.77

2000 census was 2.94

Updated: 30-Apr-12

Map Parcel ID	Acres (Approx.)	Flood Hazard Area	Net Developable Acres **	Residential Zone	Units per Acre	Potential or Planned Residential Units	Potential Residential Population	Percentage of Development over next 10 Yrs.	Potential 10 Yr. Forecast of Residential Units	Potential 10 Yr. Forecast of Population	NOTES
A58	31.58	0.00	25.27	R1a	2.90	73	203	0%	0	0	Removed - Annexed by Plainfield
											Removed - Annexed by Plainfield
											Removed - Annexed by Plainfield
A62	31.37	0.00	25.09	R1a	2.90	73	202	10%	7	20	
A63	34.56	0.00	27.65	R1a	2.90	80	222	10%	8	22	
A64	11.42	0.00	9.14	R2	3.48	32	88	0%	0	0	
A65	12.82	0.00	10.26	R4	11.62	119	330	25%	30	83	
A66	10.01	0.00	8.01	R4	11.62	93	258	25%	23	64	
A67	20.91	10.87	8.03	R1a	2.90	23	65	0%	0	0	
A68	178.67	8.32	136.28	R1a	2.90	395	1,095	0%	0	0	
A69	66.05	0.00	52.84	R1a	2.90	153	424	0%	0	0	Outside Town
A70	38.44	0.00	30.75	R1a	2.90	89	247	0%	0	0	Outside Town
A71	73.17	30.22	34.37	R1a	2.90	100	276	0%	0	0	Outside Town
A72	50.11	0.00	40.09	R2	3.48	140	386	0%	0	0	
A73											Washington Township Park
A74	19.48	13.66	4.66	R2	3.48	16	45	0%	0	0	
A75											Removed - 100% of parcel in FH
A76	34.84	0.00	27.87	R1a	2.90	81	224	0%	0	0	Outside Town
A77	18.64	6.75	9.51	R1	2.18	21	57	100%	21	57	
A78	38.09	0.00	30.47	R1	2.18	66	184	50%	33	92	
A79	41.63	11.33	24.24	R1	2.18	53	146	50%	26	73	
A80	106.86	76.99	23.89	R1a	2.90	69	192	10%	7	19	
A81											Removed - 90% of parcel in FH
A82	16.02	5.25	8.62	R1a	2.90	25	69	0%	0	0	Outside Town
A83	106.73	0.00	85.38	R1a	2.90	248	686	0%	0	0	Outside Town
A84	77.61	3.41	59.36	R1a	2.90	172	477	0%	0	0	Outside Town
A85	41.12	0.00	32.90	R1a	2.90	95	264	0%	0	0	Outside Town
A86	41.39	0.00	33.11	R1a	2.90	96	266	0%	0	0	Outside Town
A87	74.22	0.00	59.37	R1a	2.90	172	477	0%	0	0	Outside Town
A88	17.54	0.00	14.03	R1a	2.90	41	113	0%	0	0	Outside Town
A89	9.15	0.00	7.32	R1a	2.90	21	59	0%	0	0	Outside Town
A90	50.42	0.00	40.34	R1a	2.90	117	324	0%	0	0	Outside Town
A91	41.90	0.00	33.52	R1a	2.90	97	269	0%	0	0	Outside Town
A92	45.06	0.00	36.05	R1a	2.90	105	290	0%	0	0	Outside Town
A93	38.07	0.00	30.46	R1a	2.90	88	245	0%	0	0	Outside Town
A94	42.09	0.00	33.67	R1a	2.90	98	271	0%	0	0	Outside Town
A95	44.70	0.00	35.76	R1a	2.90	104	287	0%	0	0	120 acres is Gibbs County Park
A96	36.14	0.00	28.91	R1a	2.90	84	232	0%	0	0	Outside Town
A97	31.27	0.00	25.02	R1a	2.90	73	201	0%	0	0	Outside Town
A98	22.04	0.00	17.63	R1a	2.90	51	142	0%	0	0	Outside Town
A99	39.51	0.00	31.61	R1a	2.90	92	254	0%	0	0	Outside Town
A100	47.08	0.00	37.66	R1a	2.90	109	303	0%	0	0	Outside Town
A101	50.02	0.00	40.01	R1a	2.90	116	321	0%	0	0	Outside Town
A102	25.99	0.00	20.80	R1a	2.90	60	167	0%	0	0	Outside Town
A103	30.98	0.00	24.78	R1a	2.90	72	199	0%	0	0	Outside Town
A104	39.92	0.00	31.94	R2	3.48	111	308	5%	6	15	Outside Town
A105	59.47	0.00	47.57	R5	14.52	691	1,913	30%	207	574	Wynne Farms PUD
A106	71.00	0.00	56.80	R1a	2.90	165	456	0%	0	0	Outside Town
A107	91.21	0.00	72.97	R1a	2.90	212	586	0%	0	0	Outside Town
A108	81.54	0.00	65.23	R1a	2.90	189	524	0%	0	0	Outside Town
A109	107.83	0.00	86.27	R1a	2.90	250	693	0%	0	0	Outside Town
ES106	70.88	0.00	56.70	PUD	TBD	200	554	100%	200	554	HRH/YMCA PUD
ES107	206.71	0.00	165.37	R1a	2.90	480	1,328	0%	0	0	Legacy PUD
ES108	50.40	0.00	40.32	PUD	0.00	190	526	100%	172	476	Persimmon Grove; How many?
ES109	80.85	7.17	58.95	PUD	4.00	86	210	100%	44	122	Mapleton at Wynne Farms; How many?
ES110	356.27	0.00	285.02	PUD	3.48	465	1,288	100%	413	1,144	The Settlement
Totals	5,020	260	3,808			12,076	33,452		2,096	5,805	

**Table 1 (continued) –
Town of Avon, Potential
Residential Growth Work
Sheet of Undeveloped
Land Parcels**

Avon Recreation Zone Improvement Plan Study

Similarly, **Table 2** identifies the existing or planned residential developments within the Town. These existing subdivisions currently contain vacant lots for development. The Town provided this inventory information to the Consultant for inclusion with this analysis. In the same fashion as the analysis in **Table 1**, assumptions were made on these developments' 10-year build out. The remaining columns identify the 10-year growth potential (as a percentage) and the relative number of residential units and populations.

BUILDABLE SUBDIVISION LOTS & DEVELOPERS – TOWN OF AVON					
Updated 4/2/12	Information provided by the Town of Avon				
Subdivision Name	Developer	Builders	Approved Lots	Lots Built	Vacant Lots
Arailia @ The Settlement	Cedar Run Limited	Pulte Homes	55	52	3
Austin Lakes	Dura-Builders, Inc.	N/A	236	236	0
Avon Creek Apartments	Unknown	N/A	256	256	0
Avon Heights	Unknown	N/A	64	64	0
Avon Woods	Unknown	N/A	43	43	0
Beechwood Farms	Bay Development	Beazer Homes/custom builders	38	34	4
Bluewood @ The Settlement	Cedar Run Limited	Pulte Homes/Fischer Homes	326	262	64
Cobblestone Springs	Cranfill Development	N/A	172	170	2
Eden Gate, Section 1	Hills Communities	Hills Homes of IN	26	21	5
Glenfield	Stafford Development	Paul Shoopman	142	123	19
Groves of Beechwood Farms	Bay Development	Beazer Homes	153	106	47
Harvest Ridge	N/A	Custom Builders	203	167	36
Heathermor	Republic	Fischer Homes	198	152	46
Hickory Mill	Triton Development, LLC	Westport Homes	83	71	12
Hollow Brook	N/A	N/A	104	92	12
Hollow Brook West	N/A	Custom Builders	21	12	9
Ian's Pointe, Sections 2 & 3	Ian's Pointe, L.P.	Paul Shoopman/M I Homes	116	116	0
Lexington Woods	Davis Homes, LLC	Westport Homes	162	160	2
Oak Bend Estates	Hardin & Associates	N/A	178	176	2
Oriole Point	Stafford Development	Westport Homes	134	118	16
Park Place	Crossmann Communities	N/A	188	188	0
Park Square Gardens	The Augusta Group, LLC	N/A	92	92	0
Persimmon Grove	Portrait Homes, LLC	unknown	190	18	172
Pine Tree Estates	J.R. Lazaro Builders, Inc.	J.R. Lazaro Builders, Inc.	72	51	21
Pines of Avon	John Lawrence	N/A	192	192	0
Pines West	Davis Homes, LLC	N/A	94	94	0
The Preserve of Avon	Pedcor Investments, LLC	N/A	128	128	0
Reserve at Shiloh Creek	J.R. Lazaro Builders, Inc.	J.R. Lazaro Builders, Inc.	47	3	44
Stone Mill	Crossmann Communities	N/A	110	110	0
Stoney Meadow	Stoney Meadow @ Avon, LLC	Larry Good Homes	114	33	81
Stratford of Avon	Stratford of Avon, LLC	N/A	207	207	0
Sycamore Creek	Avon Square Development Corporation	N/A	75	75	0
Thornbury Village	Avon Senior LLC	NRP Contractors	94	94	0
Thorn Ridge	Thorn Ridge, Inc.	N/A	85	85	0
Villages of Turner Trace	Turner Trace, LLC	Custom Builders	241	19	222
Washington Quarters	Crossmann Communities	N/A	256	256	0
Waterford Lakes	Waterford Lakes Associates	N/A	106	106	0
Waterleaf @ The Settlement	Cedar Run Limited	Pulte Homes	126	71	55
Westover Woods	Schmadeke Development	unknown	110	66	44
Whispering Pines	Bay Development	Estridge Group	136	131	5
Winton Meadows	Arbor Development Inc.	Arbor Homes/Beazer homes	183	127	56
Woodland Heights	C.P. Morgan	N/A	95	95	0
Wynne Farms (Mapleton)	Platinum Properties, LLC	M/I Homes/Westport Homes	86	42	44
TOTALS			5,737	4,714	1,023

Table 2 – Town of Avon, Potential Residential Growth Work Sheet of Existing Developments

Avon Recreation Zone Improvement Plan Study

Summary of the Development Potential

When combining the information from the previous two tables the summary provides a forecast of both a 10-year population growth and a build out population projection within the current corporate limits of the Town. The summary of the Town's Residential growth potential is illustrated in **Table 3** below. This summary projects a 10-year population growth of an additional 8,639 persons. Using the analysis above the potential future build out population for the Town (within the current corporate limits) would be 33,452. Adding the estimated 2012 population the Town build out population would be 46,837.

Town of Avon – Potential Residential Growth Projections Summary

15-Jul-11

Update: April 2012

2010 Census Pop. / Household = **2.77**

2000 census was 2.94

FORECAST GROWTH OF RESIDENTIAL TRACTS

Potential or Planned Residential Units	Potential Buildout Residential Population	Percentage of Development over next 10 Yrs.	Potential 10 Yr. Forecast of Residential Units	Potential 10 Yr. Forecast of Population	NOTES
12,076	33,452	17.35%	2,096	5,805	
	13,385	= estimated 2012 population			
	46,837	= estimated Town Buildout Population			

PROJECTED GROWTH OF RESIDENTIAL LOTS IN EXISTING DEVELOPMENTS

Approved Platted Lots	Developed Lots	Available Undeveloped Lots	Potential 10 Yr. Forecast of Population	NOTES
5,737	4,714	1,023	2,834	Assume 100% in 10 yrs.

TOTAL RESIDENTIAL GROWTH PROJECTIONS 10-YEARS

Total Residential Units	Potential 10 Yr. Forecast of Population
3,119	8,639

Scenario for Population Growth over next 10 years

Growth % Scenarios	YEAR	Assumed Existing Population	New Building Permits	New Population Growth	NOTES and annual growth rate changes
	2010	12,446			2010 Census Population
4.67%	2011	13,027	210	581	4.67%
2.75%	2012	13,385	129	358	-1.92%
3.00%	2013	13,787	145	402	0.25%
3.50%	2014	14,270	174	483	0.50%
4.00%	2015	14,840	206	571	0.50%
4.50%	2016	15,508	241	668	0.50%
5.25%	2017	16,322	294	814	0.75%
6.00%	2018	17,302	354	979	0.75%
6.75%	2019	18,470	422	1,168	0.75%
7.75%	2020	19,901	517	1,431	1.00%
8.87%	2021	21,666	637	1,765	1.12%
	TOTALS		3,119	8,639	

10-Year Growth Building Permits	3,119	Projected Population 2021:
10-Year Growth Population	8,639	21,666

Table 3 – Town of Avon Potential Residential Growth Build Out
(within the current corporate limits of the Town)

Population Growth Potential Summary

The 2010 Census stated the average number of persons per household in Avon to be 2.77 persons. In 2000 the population of Avon was noted as 6,248 persons. The 2010 Census the population grew to 12,446. The Town estimates that the projected 2012 population will be 13,385 persons.

When applying the agreed upon population model to the 2010 estimated population, the 10-year (2021) population is projected to be 21,666 persons. It needs to be pointed out that annual updates on population growth will aid in the continual population projections and updates.

Expectations of Population Growth / Residential Building Permit Projections

The population growth forecast over the next 10 years is tabulated in the following table (*Table 4*) and includes projected new residential building permits applying 2.77 persons per household.

Town of Avon Population

Current and Projected – All Development Potential

2010 Census of Persons per Household = 2.77

	2000	2010	2011	2012	2013	2014
Total Town of Avon	6,248	12,446	13,027	13,385	13,787	14,270
Annual Growth Rate (Est.)			4.67%	2.75%	3.00%	3.50%
Households (at 2.77 / house)	2,256	4,493	4,703	4,832	4,977	5,151
Total New Households			210	129	145	174
Growth / Year (Persons)				358	402	483
Growth / Year Annexation				0	0	0

	2015	2016	2017	2018	2019	2020	2021
Total Town of Avon	14,840	15,508	16,322	17,302	18,470	19,901	21,666
Annual Growth Rate (Est.)	4.00%	4.50%	5.25%	6.00%	6.75%	7.75%	8.87%
Households (at 2.77 / house)	5,358	5,599	5,893	6,246	6,668	7,184	7,822
Total New Households	206	241	294	354	422	517	637
Growth Per Year (Persons)	571	668	814	979	1,168	1,431	1,765
Growth / Year Annexation	0	0	0	0	0	0	0

4/25/12

Year	New Building Permits	New Pop.
2012	129	358
2013	145	402
2014	174	483
2015	206	571
2016	241	668
2017	294	814
2018	354	979
2019	422	1,168
2020	517	1,431
2021	637	1,765
Total:	3,119	8,639
Average:	312	864

5.24% = assumed average annual growth rate

Table 4 – Current and Projected Population and Building Permit Growth

Applying the agreed upon growth model the preceding table indicates that Avon’s growth potential for the next ten years will average 5.24% per year.

The growth model assumption starts out slower at the beginning of the ten-year (2012-2021) period (2.75% in 2012) and grows at a faster rate at the end of the 10-year period (8.87% in 2021). This assumes that other development infrastructure components (public utilities, roads, drainage, etc.) will need to be implemented in advance of the residential developments.

Also noted in *Table 4* are the projected new building permits. The new residential building permits are calculated using the new population figures and dividing by the 2.77 person per household. Over the ten-year period (2012-2021) approximately 8,639 new persons are projected. This new population figure is divided by the

Avon Recreation Zone Improvement Plan Study

average number of persons per household (2.77) to arrive at a total of 3,119 new residential building permits over that same ten-year period. This is an average of 312 new residential building permits per year over ten years. **Figure 8** is a graphic form of the historic and projected populations.

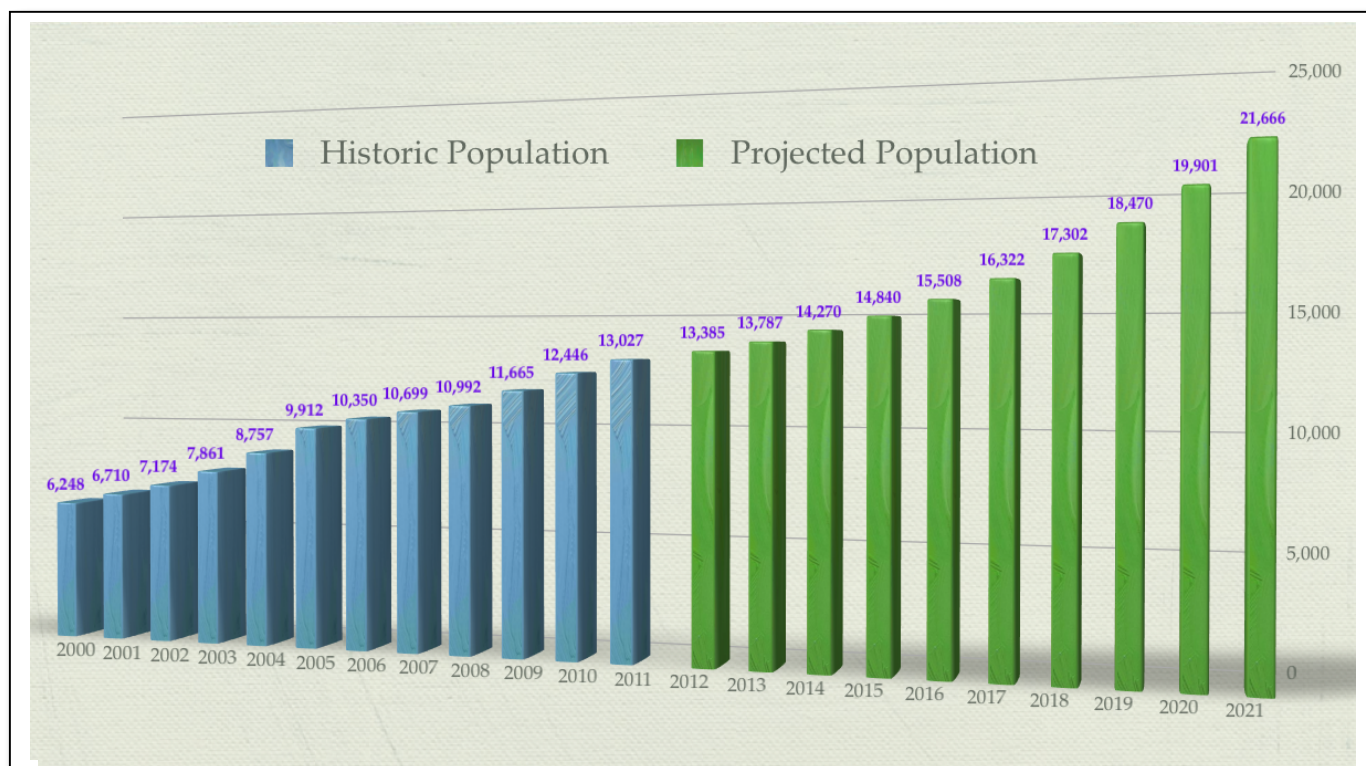


Figure 8 – Historic and Projected Population of the Town of Avon

Existing Infrastructure of Park Land

Park Land – Current Level of Service [IC 36-7-4-1318 (b)(2)]

Avon's Five Year Park Master Plan Update (currently under planning update) categorized parks as block, neighborhood, community or special parks, depending on the size of the park and the population the park is intended to serve. The following definitions are consistent with those found in the Department's Park and Recreation Master Plan.

Definitions:

- **Block Park** – A small park located within residential areas that serves concentrated or limited population.
- **Neighborhood Park** – An area that provides recreation opportunities within walking distance of residents.
- **Community Park** – An area that provides recreation opportunities for two or more neighborhoods.
- **Special / Linear Park** – An area that provides recreation resources and opportunities to all local communities as well as those within the local region. These sites also carry unique uses including trails, greenways and natural open space properties.

Avon Recreation Zone Improvement Plan Study

Table 5 inventories the existing park properties of the Park Department. There are 96.38 acres of land that make up the Avon Park System. There are other park/open space areas that are acknowledged as having “open space” but were not factored into the park/open space standards for the Town since they are not part of the Park System. These include various churches and other service organizations. In the same way, the existing school properties were acknowledged as having some open space but were also not factored into the analysis.

Table 5 – Park Acres Inventory and Graphics

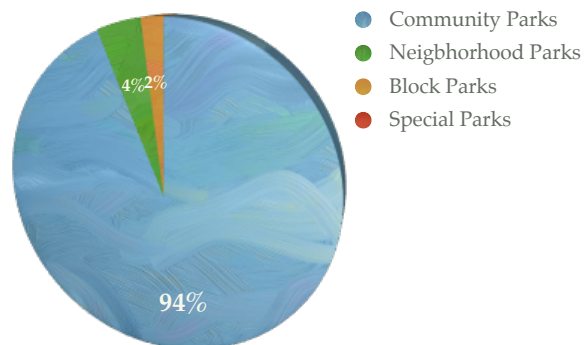
Avon – Park Inventory

Park Department Facilities	Acres	Park Type
Town Hall Park	81.17	Community
HRH & YMCA Public Park & Trail	7.46	Community
Gable Park	4.00	Neighborhood
Dan Jones Roundabout Green Space	0.48	Block
900 East Roundabout Green Space	0.52	Block
Ronald Reagan Parkway Forest Preserve	1.80	Special
WWII Memorial Park	0.95	Block
Totals	96.38	

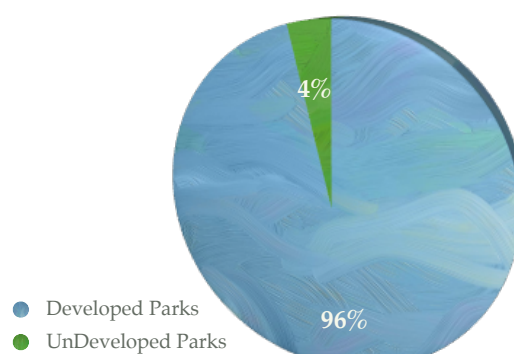
Park Type	Acres	Percent.
Community Park Acres	88.63	91.96%
Neighborhood Park Acres	4.00	4.15%
Block Park Acres	1.95	2.02%
Special / Linear Park Acres	1.80	1.87%
Totals	96.38	100.00%

Developed or UnDeveloped	Acres	Percent.
Developed Park Acres	92.63	96.11%
UnDeveloped Park Acres	3.75	3.89%
Totals	96.38	100.00%

Park Types



Developed Parks



There are standards that exist for the amount of acres of various park/open space land for each of the above park types. The Parks Five Year Master Plan (study in-progress) is calling for an acreage standard of 8.0 acres per 1,000 persons. In Avon the total existing park acreage equals 96.38 acres (**Table 5**). When applying the current population (2012) against the acreage inventory the Current Level of Service standard is calculated to be 7.20 acres per 1,000 persons [IC 36-7-4-1318 (b)(2)]. (Refer to Appendix D: Park and Recreation Infrastructure Inventory.)

The Advisory Committee and the Park Council recommended adjusting the Avon Standard (Community Level of Service) for Park and Open Space land to 8.0 acres per 1,000 persons. The following **Table 6** illustrates the surpluses and deficiencies of land for park and open space purposes. The bottom portion of the table indicates the Avon Land Standards of 8.0 acres /1,000. Based on the current 2012 inventory and the land standard (8.0 acres/1000) there will be a deficiency of 10.70 acres of park / open space land in 2012. Yet, in order to meet the standard for the projected population there will be the need for an additional 66.25 acres of park and open space in 2021.

Avon Recreation Zone Improvement Plan Study

Avon – Recreation Impact Fee – Park System Analysis

LAND INVENTORY – CURRENT LEVEL OF SERVICE

4/24/12

Town Wide Analysis							Estimated 2012 and Projected Populations =	
							13,385	21,666
A	B	C	D	E	F	G	H	
Park Type	Typical Park Size (Acres)	Total Existing Acreage	Acres Standards / 1,000	Current Acreage Stds./1,000	Current Acreage Needs	2012 Surplus or Deficiency	2021 Needed if current deficiency IS NOT met	
Block Park	1 to 5	1.95	0.50	0.15	6.69	(4.74)	(8.88)	
Neighborhood Park	4 to 15	4.00	1.50	0.30	20.08	(16.08)	(28.50)	
Community Park	10 to 70	88.63	5.00	6.62	66.93	21.70	(19.70)	
Special Park	0.5+	1.80	1.00	0.13	13.39	(11.59)	(19.87)	
Total Surplus or Deficiency		96.38	8.00	7.20	107.08	(10.70)	(76.95)	

Data updated from the Park and Recreation Master Plan.

Total future need if current deficiency is met: (66.25)

Using the Current Land Inventory as the Standard for Park Land and Open Space the Acres Standard per 1,000 persons would be (includes current population) =	7.20
--	------

LAND INVENTORY – COMMUNITY LEVEL OF SERVICE

Avon Acres Standard						2021 Pop.	
Est. 2012 Population =						21,666	
I	J	K	L	M	N	O	
Park Type	Total Existing Acreage	Community Level of Service - Acres Standards / 1,000	2012 Acreage Needs	2012 Surplus or Deficiency	2021 Acreage Needs	2021 Needed if current deficiency IS met	
Total Surplus or Deficiency		96.38	8.00	107.08	(10.70)	173.33	(66.25)

Adjusted Master Plan's standard acres / 1,000 persons -----^

Table 6 – Land Inventory – Current Level of Service and Community Level of Service

Using the school sites to help meet future park needs will help to reduce both the total cost for the Park System and the amount of the impact fee needed to help pay for the system. This strategy has been successful where the Town and school districts work cooperatively with each other, developing land jointly and sharing facilities whenever possible for the mutual benefit of the Town and the School District. Such inter-governmental cooperation leads to the development of schools and parks adjacent to one another. For example, the same ball field might be used during school hours for physical education classes and during non-school hours for Town-sponsored league play.

It is also important to note that in order to satisfy requirements of the State impact fee legislation, the Town would not be able to use money collected from the proposed impact fee to help pay for acreage needed to overcome a current deficiency. With respect to land acquisition, money generated by the impact fee can be used only toward acquiring acreage needed to meet the community level of service cause from the projected population growth.

Existing Infrastructure of Recreation Facilities

Park Facilities and Current Level of Service

In order to know whether existing park and recreation facilities are adequate to meet the needs of the current population, the Town established standards for the amount of various types of facilities needed to adequately serve a given population. The desirable local standards for the various types of facilities are stated in the column titled “Avon Community Level of Service” in **Table 7**.

For example, the Town has established a standard for softball fields that calls for one (1) softball diamond for every 8,000 persons. Potential refinements to the park master plan on the standards were evaluated for each recreation facility component. Recreation components were added to this listing that were not part of the previous Five Year Master Plan and include: *skate/bike parks, climbing/challenge elements, park shelters, gazebos, park restrooms, environmental center kiosk, interpretive center, community & neighborhood playgrounds, spraygrounds/splashpads, dog park area, and maintenance facilities*. The inventory of recreation components found within the Park System and those found in the community as a whole can be found in **Appendix D: Park and Recreation Infrastructure Inventory**.

In tallying the recreation facilities the Advisory Committee included both the facilities of the Avon Parks and Recreation as well as those other facilities serving the public in their usage. These two inventories are tallied and included in **Table 7** [IC 36-7-4-1318 (b)(2)].

The recreation facility standards were updated from the previous five-year master plan. New standards were established for the additional recreation facilities added to this list. State and/or National standards were used as a reference but much analysis was done as to the current inventory and the community needs for each of the facilities.

The application of the local standard to the current population enables the current need to be established and surpluses or deficiencies calculated. The various columns in the top of **Table 7** show:

1. *The recreation facility component being considered*
2. *The standard for the number of persons that each facility should serve*
3. *Total existing number of each type of recreational facility (baseball fields, softball fields, basketball courts, tennis courts, etc.) in both the Park System as well as in the community*
4. *The needed number of each facility type based on application of the standard to the present population*
5. *The surplus or deficiency of each facility relative to current population, based on the applicable standard*

For example, referring to softball diamond in **Table 7**, there are no (0) softball diamonds as part of the Park System and yet there are an additional thirteen (13) fields in the community having public access to some degree. In meeting the Community Level of Service the Town should have 1.67 softball diamonds. Considering the current Park System inventory there is a current deficit of 1.67 softball diamonds needed to meet current population. In applying the same standard to the projected 2021 population, it is anticipated that 2.71 softball diamonds will be needed to serve that projected population. If the current needs for this component are met, there will be a need for only 1.04 additional softball diamonds for the 2021 future population. However, in **Column K** of **Table 7** if factoring in both the inventory of the Park System and those found in the community there would be a current surplus of 11.33 softball diamonds. For purposes of calculating the Recreation Impact Fee only those facilities within the Town’s Park System (or other similar Town properties) can be factored into the formula.

Avon Recreation Zone Improvement Plan Study

The Consultant worked with the Park Staff in establishing priorities of recreation components. These priorities were established based on the Park Department’s perception, user feedback from master planning, etc. along with which components might best benefit in the inclusion of the Recreation Impact Fees. The priority ranking was “A”- Primary Top Priority, “B”- Top Priority, “C”- Need Priority, and “D”- Marginal Needed Priority.

The following **Table 7** represents the Facility Inventory and Needs projections for the current and future populations. This table indicates the Avon Recreation Standards, the current number of facility components, the needed component number based on both current and future populations and the surplus or deficiency of the recreation component. This table also includes the parkland (acres) component.

Avon Park System Analysis

4/30/12

FACILITY INVENTORY • LEVEL OF SERVICE • NEEDS

Town Wide Analysis (All Facilities)													13,385	= Estimated 2012	21,666	= Projected 2021 Pop.
A	B	C	D	E	F	G	H	I	J	K	L	M	N	Priorities (Per Dept.)		
Facility	Avon Community Level of Service	Community Level of Service / 1,000 Pop.	Current Level of Service / 1,000 Pop.	Current Facilities in the Park Dept.*	Current Facilities within the Comm.**	Total Inventory of Facilities	Community Level of Service 2012 Population	2012 Surplus or Deficiency	Current Deficiencies (Community Level of Service)	2012 Surplus or Deficiency (CLS) Factor All Facilities	Community Level of Service 2021 Population	2021 Needs if current deficiency IS met	2021 Needs (Community Level of Service)			
Baseball Diamonds	1/8,000	0.13	0.00	0	12	12	1.67	(1.67)	1.67	10.33	2.71	(1.04)	1.04			
Softball Diamonds	1/8,000	0.13	0.00	0	13	13	1.67	(1.67)	1.67	11.33	2.71	(1.04)	1.04			
Multi Purpose Fields	1/8,000	0.13	0.07	1	18	19	1.67	(0.67)	0.67	17.33	2.71	(1.04)	1.04	B		
Football Fields	1/8,000	0.13	0.00	0	4	4	1.67	(1.67)	1.67	2.33	2.71	(1.04)	1.04			
Soccer Fields	1/8,000	0.13	0.00	0	17	17	1.67	(1.67)	1.67	15.33	2.71	(1.04)	1.04			
Tennis Courts	1/10,000	0.10	0.00	0	20	20	1.34	(1.34)	1.34	18.66	2.17	(0.83)	0.83			
Running / Walking Track (Comm)	1/30,000	0.03	0.00	0	5	5	0.45	(0.45)	0.45	4.55	0.72	(0.28)	0.28			
Basketball Courts (outdoors)	1/5,000	0.20	0.00	0	38	38	2.68	(2.68)	2.68	35.32	4.33	(1.66)	1.66			
Volleyball Courts (outdoors)	1/8,000	0.13	0.00	0	1	1	1.67	(1.67)	1.67	(0.67)	2.71	(1.04)	1.04			
Skate/Bike Park (Neighborhood)	1/25,000	0.04	0.00	0	0	0	0.54	(0.54)	0.54	(0.54)	0.87	(0.33)	0.33			
Climbing / Challenge Elements	1/25,000	0.04	0.00	0	1	1	0.54	(0.54)	0.54	0.46	0.87	(0.33)	0.33	B		
Park Shelters	1/4,000	0.25	0.15	2	9	11	3.35	(1.35)	1.35	7.65	5.42	(2.07)	2.07	B		
Gazebo	1/4,000	0.25	0.00	0	2	2	3.35	(3.35)	3.35	(1.35)	5.42	(2.07)	2.07			
Park Restrooms	1/5,000	0.20	0.15	2	7	9	2.68	(0.68)	0.68	6.32	4.33	(1.66)	1.66			
Interpretive Center	1/30,000	0.03	0.00	0	0	0	0.45	(0.45)	0.45	(0.45)	0.72	(0.28)	0.28			
Environmental Center Kiosk	1/25,000	0.04	0.00	0	1	1	0.54	(0.54)	0.54	0.46	0.87	(0.33)	0.33	B		
Outdoor Entertainment Venue	1/40,000	0.03	0.00	0	1	1	0.33	(0.33)	0.33	0.67	0.54	(0.21)	0.21			
Recreation Centers	1/50,000	0.02	0.00	0	0	0	0.27	(0.27)	0.27	(0.27)	0.43	(0.17)	0.17			
Playgrounds (Comm./Destination)	1/20,000	0.05	0.00	0	3	3	0.67	(0.67)	0.67	2.33	1.08	(0.41)	0.41	A		
Playgrounds (Neighborhood)	1/4,000	0.25	0.22	3	12	15	3.35	(0.35)	0.35	11.65	5.42	(2.07)	2.07			
Skating Rinks (hockey)	1/80,000	0.01	0.00	0	0	0	0.17	(0.17)	0.17	(0.17)	0.27	(0.10)	0.10			
Skating Area (non-hockey)	1/25,000	0.04	0.00	0	0	0	0.54	(0.54)	0.54	(0.54)	0.87	(0.33)	0.33			
Pool / Aquatics Facilities (Indoor)	1/20,000	0.05	0.00	0	1	1	0.67	(0.67)	0.67	0.33	1.08	(0.41)	0.41			
Sprayground / SplashPad	1/10,000	0.10	0.00	0	1	1	1.34	(1.34)	1.34	(0.34)	2.17	(0.83)	0.83	B		
Disk Golf Course 18-hole	1/8,000	0.13	0.07	1	0	1	1.67	(0.67)	0.67	(0.67)	2.71	(1.04)	1.04			
Golf Course 18-hole***	1/50,000	0.02	0.00	0	1	1	0.27	(0.27)	0.27	0.73	0.43	(0.17)	0.17			
Driving Range***	1/50,000	0.02	0.00	0	0	0	0.27	(0.27)	0.27	(0.27)	0.43	(0.17)	0.17			
Dog Park Area	1/10,000	0.10	0.00	0	1	1	1.34	(1.34)	1.34	(0.34)	2.17	(0.83)	0.83			
Maintenance Facilities (Hub)	1/50,000	0.02	0.07	1	1	2	0.27	0.73	0.00	1.73	0.43	0.57	0.00			
Maintenance Facilities (Satellite)	1/15,000	0.07	0.00	0	2	2	0.89	(0.89)	0.89	1.11	1.44	(0.55)	0.55			
Multi-use / Nature Pathways (miles)	1 mile /1,500	0.67	0.59	7.89	9	16.89	8.92	(1.03)	1.03	7.97	14.44	(5.52)	5.52	A		
Park / Open Space Acres	8.0 ac. / 1,000	8.00	7.20	96.381	943.39	1,039.77	107.08	(10.70)	10.70	932.69	173.33	(66.25)	66.25	A		

* Current Facilities Data updated by the Town's Park and Recreation.

** Current Facilities Inventory found within the community provided by schools, churches and other providers.

Note: These may not be the same Priority Rankings as the Park Master Plan

DEVELOPMENT PRIORITY:	
Primary Top Priority	A
Top Priority	B
Needed Priority	C
Marginal Needed Priority	D

Table 7 – Facilities – Current Level of Service and Community Level of Service

Table 7 contains current level of recreation service offered by Avon. The Advisory Committee reviewed and established new standards, or Community Level of Service, to reflect the desired needs of the various recreational infrastructure components. These standards are based on current assumptions of the needs of the community so they need to be reviewed annually by the Park Board. Current facilities not part of the Park System but found within the zone were also noted. Many of these non-park system components serve a need in the level of service. Therefore, the standards used reflect the impact of all recreation infrastructure components to the level of service found within the community. Again, only the inventory of the Park System was used in determining the current deficiencies and future needs reflected in the Recreation Impact Fee analysis.

For the purposes of this study analysis the current and future needs and their related costs were leveraged using the prioritized recreation components.

Park Facilities – Community Level of Service [37-7-4-1318 (b)(3)] Summary of Park Facilities Analysis

The number and types of recreational facilities needed currently and in the future were determined using the standards established earlier in the plan and applied to only those components found within the Park System. To overcome current (2012) deficiencies the Town needs to add the following recreation components over the next ten-year period through funding outside of Recreation Impact Fees. As well to meet the 2021 projected growth and factoring in that the current deficiencies will be met, the Town will need to add to its Park System the following recreation components over the next ten-year period, using RIF proceeds. (Note the components have been listed in priority groupings...*Table 8*)

Current Deficiencies and Future Needs

Current Deficiencies and Future Needs			
<i>Current Deficiencies (2012)</i>		<i>Future Needs (2021)</i>	
"A" Priorities	Number	"A" Priorities	Number
Playgrounds (Comm./Destination)	0.67	Playgrounds (Comm./Destination)	0.41
Multi-use / Nature Pathways (miles)	1.03	Multi-use / Nature Pathways (miles)	5.52
Park / Open Space Acres	10.70	Park / Open Space Acres	66.25
"B" Priorities	Number	"B" Priorities	Number
Multi Purpose Fields	0.67	Multi Purpose Fields	1.04
Climbing / Challenge Elements	0.54	Climbing / Challenge Elements	0.33
Park Shelters	1.35	Park Shelters	2.07
Environmental Center Kiosk	0.54	Environmental Center Kiosk	0.33
Sprayground / SplashPad	1.34	Sprayground / SplashPad	0.83
Remaining Components	Number	Remaining Components	Number
Baseball Diamonds	1.67	Baseball Diamonds	1.04
Softball Diamonds	1.67	Softball Diamonds	1.04
Football Fields	1.67	Football Fields	1.04
Soccer Fields	1.67	Soccer Fields	1.04
Tennis Courts	1.34	Tennis Courts	0.83
Running / Walking Track (Comm)	0.45	Running / Walking Track (Comm)	0.28
Basketball Courts (outdoors)	2.68	Basketball Courts (outdoors)	1.66
Volleyball Courts (outdoors)	1.67	Volleyball Courts (outdoors)	1.04
Skate/Bike Park (Neighborhood)	0.54	Skate/Bike Park (Neighborhood)	0.33
Gazebo	3.35	Gazebo	2.07
Park Restrooms	0.68	Park Restrooms	1.66
Interpretive Center	0.45	Interpretive Center	0.28
Outdoor Entertainment Venue	0.33	Outdoor Entertainment Venue	0.21
Recreation Centers	0.27	Recreation Centers	0.17
Playgrounds (Neighborhood)	0.35	Playgrounds (Neighborhood)	2.07
Skating Rinks (hockey)	0.17	Skating Rinks (hockey)	0.10
Skating Area (non-hockey)	0.54	Skating Area (non-hockey)	0.33
Pool / Aquatics Facilities (Indoor)	0.67	Pool / Aquatics Facilities (Indoor)	0.41
Disk Golf Course 18-hole	0.67	Disk Golf Course 18-hole	1.04
Golf Course 18-hole***	0.27	Golf Course 18-hole***	0.17
Driving Range***	0.27	Driving Range***	0.17
Dog Park Area	1.34	Dog Park Area	0.83
Maintenance Facilities (Hub)	0.00	Maintenance Facilities (Hub)	0.00
Maintenance Facilities (Satellite)	0.89	Maintenance Facilities (Satellite)	0.55

Table 8 – Current Deficiencies and Future Needs

Avon Recreation Zone Improvement Plan Study

Acres Needed for New Facilities – Community Level of Service

The new recreation components that will fill both the current deficiencies and future needs will require land area for their development. Keep in mind that the new components can be sited within existing parkland as well as in new parkland. The following *Table 9* indicates the approximate acreage required for each of the deficient recreation components. In addition, the prioritized groupings of the recreation components have been summarized at the bottom of the table. These acreage figures have been established by examining the spatial definitions of existing component developments and their related infrastructure throughout the Midwest.

When applying the size needs for all of the recreation components the current deficiencies will require approximately 110.61 acres (15.58 acres of “A” Priorities not including the land component). The future needs for all of the future needs recreation components will require approximately 158.65 acres with 25.53 acres of “A” Priorities not including the future need land component.

Avon – Recreation Impact Fee – Park System Analysis

ACREAGE NEEDS FOR RECREATION COMPONENTS

Recreation Components	Approximate Acres Required for Facility	Acres with a 15% Contingency Added	2012 Facility Needs	2012 Acres Needed	2021 Facility Needs	2021 Acres Needs of Future Populations
A	B	C	D	E	F	G
Baseball Diamonds	3.23	3.71	1.67	6.22	1.04	3.84
Softball Diamonds	2.25	2.59	1.67	4.33	1.04	2.68
Multi Purpose Fields	2.07	2.38	0.67	1.60	1.04	2.46
Football Fields	2.07	2.38	1.67	3.98	1.04	2.46
Soccer Fields	0.17	0.20	1.67	0.33	1.04	0.20
Tennis Courts	2.07	2.38	1.34	3.19	0.83	1.97
Running / Walking Track (Comm)	0.20	0.23	0.45	0.10	0.28	0.06
Basketball Courts (outdoors)	0.10	0.12	2.68	0.31	1.66	0.19
Volleyball Courts (outdoors)	0.35	0.40	1.67	0.67	1.04	0.42
Skate/Bike Park (Neighborhood)	0.10	0.12	0.54	0.06	0.33	0.04
Climbing / Challenge Elements	0.10	0.12	0.54	0.06	0.33	0.04
Park Shelters	0.10	0.12	1.35	0.15	2.07	0.24
Gazebo	0.75	0.86	3.35	2.89	2.07	1.79
Park Restrooms	1.50	1.73	0.68	1.17	1.66	2.86
Interpretive Center	3.00	3.45	0.45	1.54	0.28	0.95
Environmental Center Kiosk	1.50	1.73	0.54	0.92	0.33	0.57
Outdoor Entertainment Venue	0.50	0.58	0.33	0.19	0.21	0.12
Recreation Centers	0.30	0.35	0.27	0.09	0.17	0.06
Playgrounds (Comm./Destination)	0.15	0.17	0.67	0.12	0.41	0.07
Playgrounds (Neighborhood)	2.00	2.30	0.35	0.80	2.07	4.76
Skating Rinks (hockey)	0.26	0.30	0.17	0.05	0.10	0.03
Skating Area (non-hockey)	15.00	17.25	0.54	9.24	0.33	5.71
Pool / Aquatics Facilities (Indoor)	0.50	0.58	0.67	0.38	0.41	0.24
Sprayground / SplashPad	0.15	0.17	1.34	0.23	0.83	0.14
Disk Golf Course 18-hole	0.10	0.12	0.67	0.08	1.04	0.12
Golf Course 18-hole***	135.00	155.25	0.27	41.56	0.17	25.71
Driving Range***	30.00	34.50	0.27	9.24	0.17	5.71
Dog Park Area	3.00	3.45	1.34	4.62	0.83	2.86
Maintenance Facilities (Hub)	2.00	2.30	0.00	0.00	0.00	0.00
Maintenance Facilities (Satellite)	1.00	1.15	0.89	1.03	0.55	0.63
Multi-use / Nature Pathways (miles)	4.01	4.61	1.03	4.77	5.52	25.46
Park / Open Space Acres	N/A	N/A	10.70	10.70	66.25	66.25
Total Park Acres Needed to Accommodate ALL of the Recreation Components				110.61		158.65
Total Acres Needed to Accommodate "A" Priority Components (not including new park acres)				15.58		25.53
Total Acres Needed to Accommodate "B" Priority Components (not including new park acres)				2.97		3.45
Total Acres Needed to Accommodate the Remaining Components (not including new park acres)				81.35		63.42

Table 9 – Acreage Needs for Recreation Components

Community Level of Service Needs and Cost Estimates

The cost estimates of the recreational amenities required to overcome both the current deficiencies and future needs were estimated by establishing facility costs for each of the recreation components. The information in **Table 10** illustrates the estimated costs required for both the current deficiencies and future needs. Note, the green shaded lines are the recommended “A” priorities to be applied to the recreation impact fee calculations. The facility cost column was established from past and current construction projects throughout the Midwest. Again, remember that current deficiencies cannot use Recreation Impact Fee resources, whereas *future needs* can use Impact Fees resources.

Town of Avon – Recreation Impact Fee – Park System Analysis

Facility Needs – Costs

4/30/12

Town Wide Analysis	Est. 2012 Pop. = 13,386		Proj. 2021 Pop. = 21,666			
Recreation Components	Current Park Facilities	Facility Costs (assuming on existing land)	Components to Remove Current Deficiencies	Costs to Remove Current Deficiencies	Components for 2021 Needs	Costs for 2021 Needs
Baseball Diamonds	0	\$ 80,000	1.67	\$ 133,855	1.04	\$ 82,807
Softball Diamonds	0	\$ 60,000	1.67	\$ 100,391	1.04	\$ 62,105
Multi Purpose Fields	1	\$ 45,000	0.67	\$ 30,293	1.04	\$ 46,579
Football Fields	0	\$ 45,000	1.67	\$ 75,293	1.04	\$ 46,579
Soccer Fields	0	\$ 45,000	1.67	\$ 75,293	1.04	\$ 46,579
Tennis Courts	0	\$ 45,000	1.34	\$ 60,235	0.83	\$ 37,263
Running / Walking Track (Comm)	0	\$ 100,000	0.45	\$ 44,618	0.28	\$ 27,602
Basketball Courts (outdoors)	0	\$ 7,500	2.68	\$ 20,078	1.66	\$ 12,421
Volleyball Courts (outdoors)	0	\$ 5,000	1.67	\$ 8,366	1.04	\$ 5,175
Skate/Bike Park (Neighborhood)	0	\$ 100,000	0.54	\$ 53,542	0.33	\$ 33,123
Climbing / Challenge Elements	0	\$ 40,000	0.54	\$ 21,417	0.33	\$ 13,249
Park Shelters	2	\$ 50,000	1.35	\$ 67,318	2.07	\$ 103,509
Gazebo	0	\$ 30,000	3.35	\$ 100,391	2.07	\$ 62,105
Park Restrooms	2	\$ 90,000	0.68	\$ 60,939	1.66	\$ 149,053
Interpretive Center	0	\$ 400,000	0.45	\$ 178,473	0.28	\$ 110,409
Environmental Center Kiosk	0	\$ 10,000	0.54	\$ 5,354	0.33	\$ 3,312
Outdoor Entertainment Venue	0	\$ 750,000	0.33	\$ 250,978	0.21	\$ 155,263
Recreation Centers	0	\$ 3,000,000	0.27	\$ 803,129	0.17	\$ 496,842
Playgrounds (Comm./Destination)	0	\$ 100,000	0.67	\$ 66,927	0.41	\$ 41,404
Playgrounds (Neighborhood)	3	\$ 45,000	0.35	\$ 15,587	2.07	\$ 93,158
Skating Rinks (hockey)	0	\$ 2,500,000	0.17	\$ 418,296	0.10	\$ 258,772
Skating Area (non-hockey)	0	\$ 300,000	0.54	\$ 160,626	0.33	\$ 99,368
Pool / Aquatics Facilities (Indoor)	0	\$ 6,500,000	0.67	\$ 4,350,280	0.41	\$ 2,691,230
Sprayground / SplashPad	0	\$ 125,000	1.34	\$ 167,318	0.83	\$ 103,509
Disk Golf Course 18-hole	1	\$ 15,000	0.67	\$ 10,098	1.04	\$ 15,526
Golf Course 18-hole***	0	\$ 5,000,000	0.27	\$ 1,338,548	0.17	\$ 828,071
Driving Range***	0	\$ 750,000	0.27	\$ 200,782	0.17	\$ 124,211
Dog Park Area	0	\$ 20,000	1.34	\$ 26,771	0.83	\$ 16,561
Maintenance Facilities (Hub)	1	\$ 750,000	0.00	\$ -	0.00	\$ -
Maintenance Facilities (Satellite)	0	\$ 350,000	0.89	\$ 312,328	0.55	\$ 193,216
Multi-use / Nature Pathways (miles)	7.89	\$ 250,000	1.03	\$ 258,413	5.52	\$ 1,380,118
Park / Open Space Acres	96.38	\$ 25,000	10.70	\$ 267,570	66.25	\$ 1,656,141
TOTALS				\$ 9,683,507		\$ 8,995,262
Recreation Components coded by priority in considering which to apply to Recreation Impact Fees				Cost of Facilities Needed to Remove Current Deficiency (2012):	\$	9,683,507
				Cost of Facilities Needed to Accommodate Future Development (2021):	\$	8,995,262
				Total Facility Costs:	\$	18,678,769

Table 10 – Cost of Recreation Components to Overcome Deficiencies and Future Needs

Avon Recreation Zone Improvement Plan Study

The component cost estimates were based on current construction estimates and those of actual projects. They are broad estimates at this point in time since there are many variables to consider. The current (2012) deficiencies (raising Current Level of Service to Community Level Service) for ALL recreation facilities total \$9,683,507 and would need to be completed within the next ten years (2021).

The component cost estimates for future (2021) needs, including ALL of the recreation components, total \$8,995,262. The funding for these costs would come from Recreation Impact Fees. Costs for ALL current deficiencies AND future recreation facility needs total \$18,678,769.

In the same manner the "A" Prioritized Groups were summarized. The current deficiencies (2012) for the "A" Priorities would be \$592,911. The "A" Priority components cost estimates for the future (2021) needs would be \$3,077,662.

Recreation Impact Fee Scenarios

The Advisory Committee and the Consultant looked at various scenarios created by selection and combinations of components. **Table 11** lists each scenario and its current deficiency dollar amount and its future need dollar amount. The table then lists what the impact fee amount would be for each identified scenario. This calculation applies the total 10-year projected residential building permits (3,119 residential building permits) into the costs of the recreation components to determine a "gross" Recreation Impact Fee amount (without any applied deductions). The last two columns of **Table 11** show the ratio of the current deficiencies (what the Town will be responsible for outside of RIF dollars) and the future needs (or available RIF dollars).

Recreation Impact Fee Scenario Analysis

Note: RIF Amounts do not reflect any Adjustments and are Gross Dollar Amounts (prior to any applied deductions)

4/30/12

Forecast 10-Year Residential Building Permits Total: **3,119**

Recreation Components Included in Scenario	Priority Rank	Current Deficiencies	Future Needs	RIF Amount	Ratio (Town Share)	Ratio (RIF Share)
Priority "A" Components Only	A	\$ 592,911	\$ 3,077,662	\$ 987	16.2%	83.8%
Priority "B" Components Only	B	\$ 291,701	\$ 270,158	\$ 87	51.9%	48.1%
Priority "C" Components Only	C	\$ -	\$ -	\$ -	#DIV/0!	#DIV/0!
Priority "D" Components Only	D	\$ -	\$ -	\$ -	#DIV/0!	#DIV/0!
				\$ 1,073		
Baseball Diamonds		\$ 133,855	\$ 82,807	\$ 27	61.8%	38.2%
Softball Diamonds		\$ 100,391	\$ 62,105	\$ 20	61.8%	38.2%
Multi Purpose Fields	B	\$ 30,293	\$ 46,579	\$ 15	39.4%	60.6%
Football Fields		\$ 75,293	\$ 46,579	\$ 15	61.8%	38.2%
Soccer Fields		\$ 75,293	\$ 46,579	\$ 15	61.8%	38.2%
Tennis Courts		\$ 60,235	\$ 37,263	\$ 12	61.8%	38.2%
Running / Walking Track (Comm)		\$ 44,618	\$ 27,602	\$ 9	61.8%	38.2%
Basketball Courts (outdoors)		\$ 20,078	\$ 12,421	\$ 4	61.8%	38.2%
Volleyball Courts (outdoors)		\$ 8,366	\$ 5,175	\$ 2	61.8%	38.2%
Skate/Bike Park (Neighborhood)		\$ 53,542	\$ 33,123	\$ 11	61.8%	38.2%
Climbing / Challenge Elements	B	\$ 21,417	\$ 13,249	\$ 4	61.8%	38.2%
Park Shelters	B	\$ 67,318	\$ 103,509	\$ 33	39.4%	60.6%
Gazebo		\$ 100,391	\$ 62,105	\$ 20	61.8%	38.2%
Park Restrooms		\$ 60,939	\$ 149,053	\$ 48	29.0%	71.0%
Interpretive Center		\$ 178,473	\$ 110,409	\$ 35	61.8%	38.2%
Environmental Center Kiosk	B	\$ 5,354	\$ 3,312	\$ 1	61.8%	38.2%
Outdoor Entertainment Venue		\$ 250,978	\$ 155,263	\$ 50	61.8%	38.2%
Recreation Centers		\$ 803,129	\$ 496,842	\$ 159	61.8%	38.2%
Playgrounds (Comm./Destination)	A	\$ 66,927	\$ 41,404	\$ 13	61.8%	38.2%
Playgrounds (Neighborhood)		\$ 15,587	\$ 93,158	\$ 30	14.3%	85.7%
Skating Rinks (hockey)		\$ 418,296	\$ 258,772	\$ 83	61.8%	38.2%
Skating Area (non-hockey)		\$ 160,626	\$ 99,368	\$ 32	61.8%	38.2%
Pool / Aquatics Facilities (Indoor)		\$ 4,350,280	\$ 2,691,230	\$ 863	61.8%	38.2%
Sprayground / SplashPad	B	\$ 167,318	\$ 103,509	\$ 33	61.8%	38.2%
Disk Golf Course 18-hole		\$ 10,098	\$ 15,526	\$ 5	39.4%	60.6%
Golf Course 18-hole***		\$ 1,338,548	\$ 828,071	\$ 266	61.8%	38.2%
Driving Range***		\$ 200,782	\$ 124,211	\$ 40	61.8%	38.2%
Multi-use / Nature Pathways (miles)	A	\$ 258,413	\$ 1,380,118	\$ 443	15.8%	84.2%
Park / Open Space Acres	A	\$ 267,570	\$ 1,656,141	\$ 531	13.9%	86.1%
All Components		\$ 9,683,507	\$ 8,995,262	\$ 2,884	51.8%	48.2%
Recreation Impact Fees for "A" Components of Destination Playground, Multiuse Trails and Park Acres				\$ 987	16.2%	83.8%

Table 11 – Recreation Impact Fee Scenarios

Avon Recreation Zone Improvement Plan Study

It should be pointed out that the maximum Impact Fee Scenario, where all identified recreational components would be factored in, would be \$2,884 per new housing unit (refer to *Table 11*).

Recommended Recreation Impact Fee Scenario

After review of the various RIF scenarios it was the recommendation of the Advisory Committee to consider only the “A” Priority recreational infrastructure components as part of the Recreation Impact Fee calculations. All of these components rated in the top requested recreation amenities from the public during the most recent master plan update. These components include destination playground, multi-use trails, and park / open space land. The costs for the current deficiencies of these components totals \$592,911. The costs for the Future Needs of the same components totals \$3,077,662. The gross amount of the RIF for these three components would be \$987.00 before any adjustments due to impact deductions or non-local revenues would be applied. (Refer to *Table 12*).

It was felt that the other remaining “A” priorities, while high priorities would be best funded with a possible general obligation bond or other funding sources that could be implemented in a short amount of time and the components’ implementation could be done soon after. To apply RIF to these remaining “A” priorities would require the waiting of close to 10 years before funding would be accumulated for their application.

It is felt that it is critical to establish these components now since it is forecast that the availability of land for park / open space uses will be limited in the future. Connections between the parks, schools, and destination points and neighborhoods are a priority. There is the need for larger tracts of park and open space land where recreational components could be developed.

Recreation Components Included in Scenario	Priority Rank	Current Deficiencies	Future Needs	RIF Amount	Ratio (Town Share)	Ratio (RIF Share)
Playgrounds (Comm./Destination)	A	\$ 66,927	\$ 41,404	\$ 13	61.8%	38.2%
Multi-use / Nature Pathways (miles)	A	\$ 258,413	\$ 1,380,118	\$ 443	15.8%	84.2%
Park / Open Space Acres	A	\$ 267,570	\$ 1,656,141	\$ 531	13.9%	86.1%
Priority "A" Components Only		\$ 592,911	\$ 3,077,662	\$ 987	16.2%	83.8%

Table 12 – “A” Priority Recreation Components and RIF

Recommended Recreation Impact Fee

Funding for Current Deficiencies Based on Community Level of Service

[IC 36-7-4-1318(c)(3)]

Again, Recreation Impact Fees cannot be used to cover the costs of identified current deficiencies. The noted current deficient recreation components have been listed in *Table 13* along with each project’s funding sources and projected cost budget.

The current deficiencies of the selected “A” Priority components total \$592,911. The Consultant worked with the Town and Advisory Committee regarding the various funding sources that could be used to fund the current deficiencies. *Table 13* outlines the funding sources and their applied distribution. The funding sources and their related percentage of distribution include: Food / Beverage Tax (100.0%). It is anticipated that an additional \$800,000 will be used to fund trails and pathways outside of the Future Needs for the recreational component.

Avon Recreation Zone Improvement Plan Study

Town of Avon – Park Department

30-Apr-12

Forecast Funding for Current Recreation Component Deficiencies

Prepared by: Town of Avon and Lehman & Lehman, Inc.

Project Description	Quantities		Project Amount		Funding Source(s)							
	Needs	Costs	Grants	Park Capital Improvement Budget	Town Economic Development Fund	Food / Beverage Tax	Bonds	Donations	Other	TOTALS		
Playgrounds (Comm./Destination)	0.67	\$ 66,927				\$ 66,927				\$ 66,927		
Multi-use / Nature Pathways (miles)	1.03	\$ 258,413	\$ 800,000			\$ 258,413				\$ 1,058,413		
Park / Open Space Acres	10.70	\$ 267,570	\$ -			\$ 267,570				\$ 267,570		
		\$ 592,911	\$ 800,000	\$ -	\$ -	\$ 592,911	\$ -	\$ -	\$ -	\$ 1,392,911		
10 Year Total =		\$ 800,000	\$ -	\$ -	\$ -	\$ 592,911	\$ -	\$ -	\$ -	\$ -		
10 Year Annual Average =		\$ 80,000	\$ -	\$ -	\$ -	\$ 59,291	\$ -	\$ -	\$ -	\$ -		
Funding Sources Percentages =			134.93%	0.00%	0.00%	100.00%	0.00%	0.00%	0.00%	0.00%		

Table 13 – Funding Sources for Current Deficiencies

Analysis of Non-Local Revenue and Impact Deductions

Following IC 36-7-4-1321 the Recreation Impact Fee Formula is as follows:

Recreation Impact Fee =

Impact Costs – Non-Local Revenues – Impact Deductions / 10-Yr. Residential Building Permits

- **Impact Costs** = Cost estimate [made at time of study] needed to fund projected future infrastructure needs of the next 10-year period
- **Non-Local Revenue** = Reasonable estimate [made at time of study] of revenues that will be received from any source other than a governmental source that will be used in the Impact Zone
- **Impact Deduction** = Reasonable estimate [made at time of study] of revenues from taxes levied and charges & fees that will be paid during the 10-year period after assessment of the impact fee to defray the capital costs of providing infrastructure in the Impact Zone
- **10-Year Building Permits** = Forecast of residential building permits projected in the next ten year period

From the analysis and work with the Town there were no “Non-Local Revenues” anticipated to be used to cover the current deficiencies of the RIF calculations. Similarly from the analysis and discussions with the Town it was determined there were no Impact Deductions anticipated to be used to cover the current deficiencies of the RIF calculations.

As shown in **Table 14** the total estimated cost of improvements (“A” Priorities) needed to accommodate projected future growth is \$3,077,662 (Adjusted Impact Costs which include the Impact Deductions of \$0.00 and Non-Local Revenues of \$0.00). Therefore, the Recreation Impact Fee is calculated as indicated in **Table 14**. Using this formula the result is a recommended Impact Fee of **\$987**.

This recommended Recreation Impact Fee assumes that there will be a growth in housing permits at an average of 312 units per year over the next ten years (2012-2021). Future recreation facility needs will be funded using the suggested Recreation Impact Fee of \$987. There will be the need to perform an update to this recreation impact fee study by or before 2016.

Please note that to remove the current (2012) deficiency of \$592,911, costs will need to be budgeted and funded **without** using Recreation Impact Fee dollars. Over the next 10 years, this is an average of \$59,291 per year. It is assumed that Food and Beverage Tax will fund the current deficiencies. (*Refer to Table 13.*)

Avon Recreation Zone Improvement Plan Study

Recommended Recreation Impact Fee – Town of Avon

30-Apr-12

"A*" Priorities: Destination Playgrounds, Multi-use Trails and Park Acres

Costs Needed to Remove Current Deficiency =	\$	592,911
Average Projected Costs / Year (2011 to 2020) =	\$	59,291

As per IC 36-7-4-1321: The Impact Fee Formula is as follows:
Impact Costs – Non-Local Revenues – Impact Deductions / 10-Yr Building Permits = Impact Fee

	2021 Population
Projected 2021 Populations =	21,666
Number of Expected Residential Building Permits in the next 10 years =	3,119
<i>Impact Costs</i> Needed to Meet Future (2021) Needs =	\$ 3,077,662
Less Anticipated <i>Non-Local Revenues</i> Available towards Future (2021) Needs =	\$ -
Less Anticipated <i>Impact Deductions</i> against Future (2021) Needs =	\$ -
Adjusted Future Needs Costs =	\$ 3,077,662
Projected Recreation Impact Fee =	\$ 987

Non-Local Revenue and Impact Deductions % of Impact Costs = 0.00%

Table 14 – Recommended Recreation Impact Fee

Annual Inflationary Adjustments

In order to keep pace with the increase of construction costs some communities have adopted their Recreation Impact Fee Ordinance with a stepped increase over the ten-year period. Other communities have adopted an annual inflationary adjustment. This will need to be determined by the Town of Avon. The Advisory Committee recommends consideration be given by the Town of Avon of an annual 3.0% inflation factor be applied to the Recreation Impact Fee. *Table 18* and *Figure 10* illustrate the projected revenue for Recreation Impact Fees with and without the inflation factor applied. A flat inflationary percentage could be used for this adjustment or annual adjustments could be made using a Gross Domestic Product (GDP) factor.

Donations or In Lieu Of Impact Fee Components

As is being experienced in other communities that have Recreation Impact Fee ordinances, residential developers sometimes prefer to have the option to develop noted recreation components themselves and receive credit against impact fee charges. It was felt that both the multi-use trails and the land/open space are components where credit against Recreation Impact Fees could be considered. The Town will need to develop the policy for such credit considerations.

Annual Revenue Forecasts

The collection of Recreation Impact Fee revenues cannot begin until six (6) months after the approval of the ordinance by the Town. Assuming that the Town Council will approval the RIF ordinance in June/July 2012 the six-month period will end in January 2013. Based on this there will not be any RIF collection during the remaining year of 2012. *Table 15* and *Figure 10* reflects this analysis.

Avon Recreation Zone Improvement Plan Study

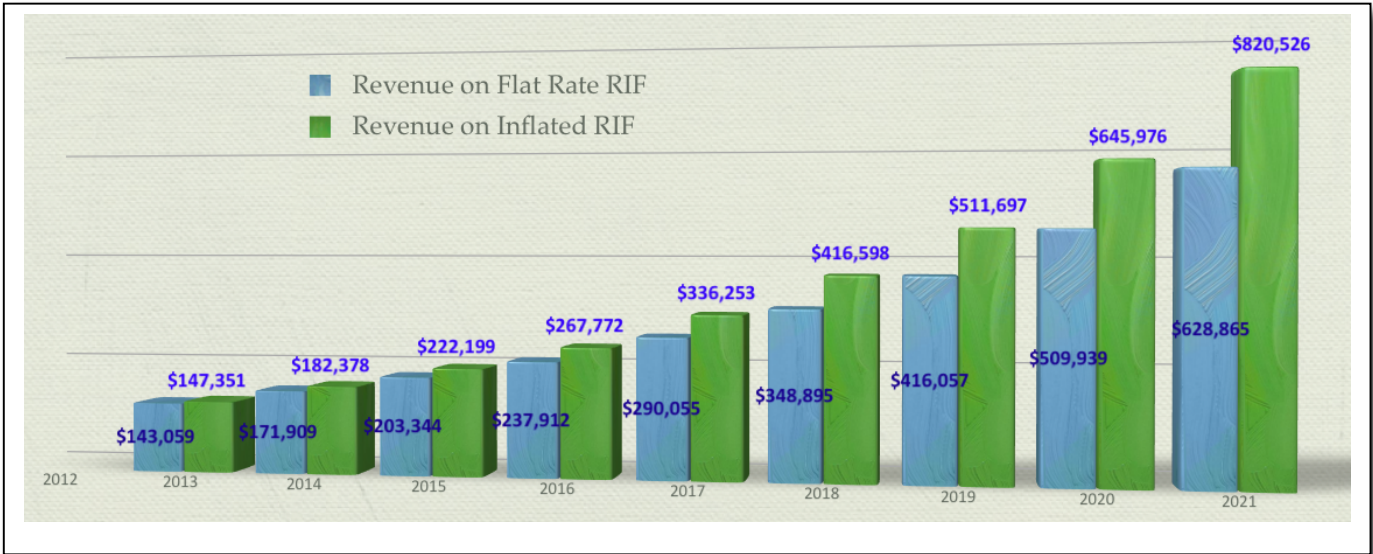


Figure 10 – Recreation Impact Fee Revenues Graph

The source for the information in Figure 10 (above) is tabulated in Table 15 below. This table illustrates the 3.0% inflation factor. Note that in both the Figure and the Table \$0.00 of revenue is factored for the year 2012 due to the six month delay requirement in RIF collections.

Projected Future Annual Collections of Recreation Impact Fees

	2012 **	2013	2014	2015	2016	2017	2018	2019	2020	2021
*Projected New Residential Building Permits:	129	145	174	206	241	294	354	422	517	637
Applied RIF: \$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987
Projected Recreation Impact Fee Collections:	\$ -	\$ 143,059	\$ 171,909	\$ 203,344	\$ 237,912	\$ 290,055	\$ 348,895	\$ 416,057	\$ 509,939	\$ 628,865
Cumulative RIF Gained:	\$ -	\$ 143,059	\$ 314,968	\$ 518,312	\$ 756,224	\$1,046,279	\$1,395,174	\$1,811,230	\$2,321,170	\$2,950,035
Applied RIF: \$ 987	\$ 987	\$ 1,016	\$ 1,047	\$ 1,078	\$ 1,111	\$ 1,144	\$ 1,178	\$ 1,214	\$ 1,250	\$ 1,288
Projected RIF with 3.0% Inflation Factor:	\$ -	\$ 147,351	\$ 182,378	\$ 222,199	\$ 267,772	\$ 336,253	\$ 416,598	\$ 511,697	\$ 645,976	\$ 820,526
Cumulative RIF Gained with Inflation:	\$ -	\$ 147,351	\$ 329,729	\$ 551,928	\$ 819,701	\$1,155,954	\$1,572,552	\$2,084,250	\$2,730,225	\$3,550,752

** NOTE: The six month waiting period from ordinance approval before collecting RIF has been reflected in the above table. It is assumed that recreation impact fees will begin to be collected in the end of December 2012 (assuming Ordinance approval in June 2012).

Table 15 – Recreation Impact Fee Revenue Calculations

Implementation Schedule – For Raising Current Deficiencies to Community Level of Service [IC 36-7-4-1318(c)(1)(2)]

The following Table (Table 16) represents a tentative implementation schedule to meet the baseline of service for the identified current deficiencies. At the bottom of this table is a summary of all recreation components. Only the recreation components related and factored into the Recreation Impact Fee are summarized on an annual basis. For the recommended option under consideration, an annual inflation factor has NOT been figured into the annual tallies in the table.

Current Deficiencies Implementation - Non-Recreation Impact Fees

Recreation Component	Component Unit Cost	Current Deficiency	Component Costs	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
				E	F	G	H	I	J	K	L	M	N
Playgrounds (Comm./Destination)	\$ 100,000	0.67	\$ 66,927		\$ 66,927								
Multi-use / Nature Pathways (miles)	\$ 250,000	1.03	\$ 258,413				\$ 129,206			\$ 129,206			
Park / Open Space Acres	\$ 25,000	10.70	\$ 267,570				\$ 133,785			\$ 133,785			
		Current Deficiency Total:	\$ 592,911	\$ -	\$ 66,927	\$ -	\$ 262,992	\$ -	\$ -	\$ 262,992	\$ -	\$ -	\$ -
IMPLEMENTATION PER YEAR:													
		Playgrounds (Comm./Destination)			0.67								
		Multi-use / Nature Pathways (miles)					0.52			0.52			
		Park / Open Space Acres					5.35			5.35			

The following park sites / facilities are suggested to facilitate the deficient recreational components:
 LOCATIONS OF COMPONENTS: Playgrounds (Comm./Destination) Various Locations
 Multi-use / Nature Pathways (miles) Various Locations
 Park / Open Space Acres Various Locations

Table 16 – Implementation Schedule for Current Deficiencies

Avon Recreation Zone Improvement Plan Study

The Advisory Committee recommends that the 10-year implementation schedule begin in 2013 with the Destination Playground. The implementation of the multi-use trails and the land acquisition is suggested to take place over the years 2015 and 2018 and to be funded using Food / Beverage Tax. The location of these components will be determined by the Town’s Recreation Council and Town based on need.

Implementation Schedule – Future Anticipated Needs Based on Community Level of Service [IC 36-7-4-1318(b)(4)(5)]

The following Table (Table 17) represents a tentative implementation schedule to meet the baseline of service for the identified future needs. These needs are fundable via Recreation Impact Fees. The Component Costs column (column D) is adjusted to reflect the “impact deductions” and the not collected recreation impact fees during the six-month period after the ordinance approval. The recommended option for consideration, an annual inflation factor, has NOT been figured into the annual tallies in the table.

Future Needs Implementation – Recreation Impact Fees				Note: The various components not a part of the Impact Fee Calculations have not been included in the list below.									
Recreation Component	Component Unit Cost	Future Need	Component Costs (Adjusted for Non-Local Rev. & Impact Deductions)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
A	B	C	D	E	F	G	H	I	J	K	L	M	N
Playgrounds (Comm./Destination)	\$ 100,000	0.41	\$ 41,404		\$ 41,404								
Multi-use / Nature Pathways (miles)	\$ 250,000	5.52	\$ 1,380,118				\$ 460,039				\$ 460,039		\$ 460,039
Park / Open Space Acres	\$ 25,000	66.25	\$ 1,656,141					\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024
Future Needs Total: \$ 3,077,662				\$ -	\$ 41,404	\$ -	\$ 460,039	\$ 276,024	\$ 276,024	\$ 276,024	\$ 736,063	\$ 276,024	\$ 736,063
IMPLEMENTATION PER YEAR:													
Playgrounds (Comm./Destination)					0.41								
Multi-use / Nature Pathways (miles)							1.84				1.84		1.84
Park / Open Space Acres								11.04	11.04	11.04	11.04	11.04	11.04

The following park sites / facilities are suggested to facilitate the future needed recreational components:
 LOCATIONS OF COMPONENTS:
 Playgrounds (Comm./Destination) Various Locations
 Multi-use / Nature Pathways (miles) Various Locations
 Park / Open Space Acres Various Locations

Table 17 – Implementation Schedule for Future Needs

The Advisory Committee recommends that the implementation for future needs be done starting in year 2013 with the Destination Playground and continuing each year starting in 2015 and continuing through 2021. The implementation of the multi-use trails and acquiring park / open space acres is suggested to take place over the same years. The location of these components will be determined by the Town’s Recreation Council and Town based on need.



Recreation Impact Fee Revenues / Implementation Schedule

The anticipated revenue from Recreation Impact Fees over the next ten-year period (2012-2021) along with the implementation schedules of both the current deficiencies and future needs is illustrated in *Figure 11*. (Based on Implementation Schedules of *Tables 16 and 17*).

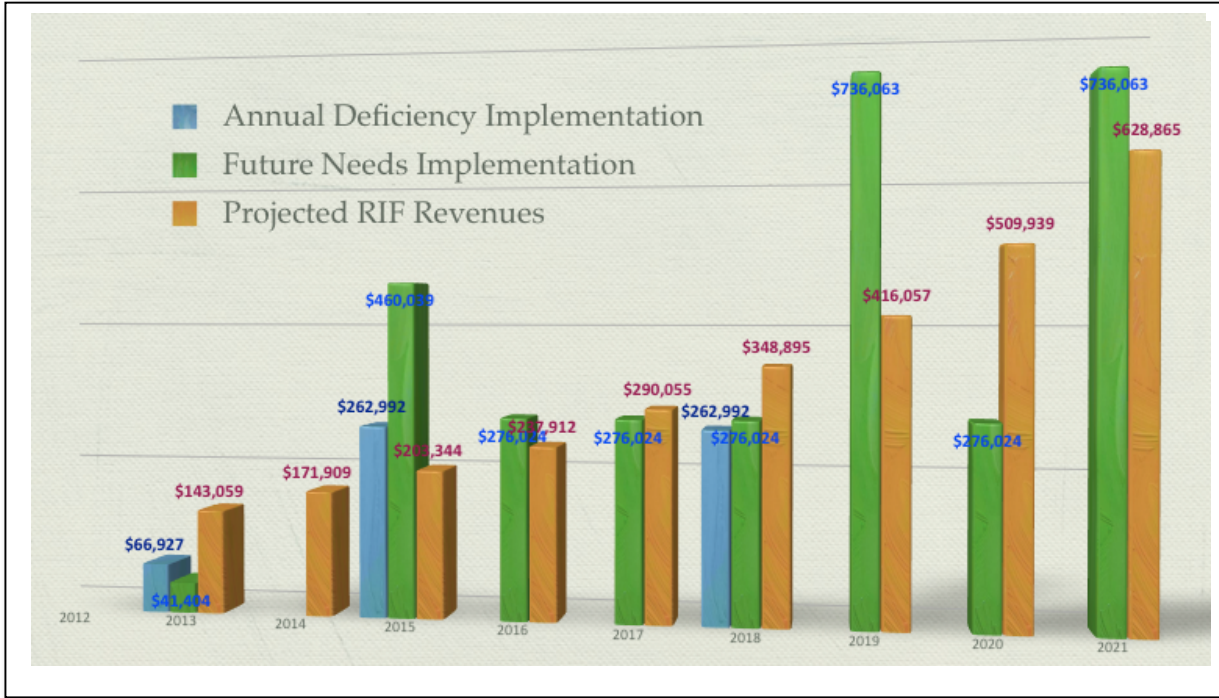


Figure 11 – Implementation Schedule Capital and Revenue Chart

Avon Recreation Zone Improvement Plan Study

National Averages of Recreation Impact Fees

The firm of *Clancy Mullen, Duncan Associates* annually tracks Impact Fees throughout the country. Their *2011 National Impact Fee Survey* results **serve only as a reference to this study**. The averages of the 2011 survey found the following:

- Average Recreation Impact Fees of 274 municipalities -----\$3,089

Recreation Impact Fee Statistics – State of Indiana

Current Recreation Impact Fees of the noted municipalities (with ordinance dates noted).

- City of Noblesville (ordinance updated in 2011)-----\$1,300
- City of Valparaiso (ordinance updated in 2010) ----- \$974
- City of Carmel (current ordinance, 2011) ----- \$1,526
- City of Fishers (current ordinance, 2006)-----\$1,070
- City of Franklin (current ordinance, 2005) ----- \$870
- City of Westfield (current ordinance, 2007 – currently being updated) ----- \$930
- City of Plainfield (current ordinance, 2007 – currently being updated) ----- \$850
- City of Portage (ordinance updated in 2006 – currently being updated)----- \$754
- City of Chesterton (ordinance established in 2007 – currently being updated) ----- \$1,171
- City of Cicero (ordinance established in 2007 – currently being updated)----- \$920
- Town of Brownsburg (ordinance established in 2008 – update planned in 2011) ----- \$810
- City of Greenwood (ordinance updated in 2009) ----- \$1,175
- City of Greenfield (ordinance established in 2009) ----- \$955
- **Average Recreation Impact Fees of the above noted communities ----- \$1,023**
- ***Proposed Recreation Impact Fee for Town of Avon ----- \$987***



Avon Recreation Zone Improvement Plan Study

Summary of Impact Fee Study

The following previously illustrated tables summarize the inventory, need analysis, and cost projections for this study.

Town of Avon Population

Current and Projected – All Development Potential

4/25/12

2010 Census of Persons per Household = **2.77**

	2000	2010	2011	2012	2013	2014
Total Town of Avon	6,248	12,446	13,027	13,385	13,787	14,270
Annual Growth Rate (Est.)			4.67%	2.75%	3.00%	3.50%
Households (at 2.77 / house)	2,256	4,493	4,703	4,832	4,977	5,151
Total New Households			210	129	145	174
Growth / Year (Persons)				358	402	483
Growth / Year Annexation				0	0	0

	2015	2016	2017	2018	2019	2020	2021
Total Town of Avon	14,840	15,508	16,322	17,302	18,470	19,901	21,666
Annual Growth Rate (Est.)	4.00%	4.50%	5.25%	6.00%	6.75%	7.75%	8.87%
Households (at 2.77 / house)	5,358	5,599	5,893	6,246	6,668	7,184	7,822
Total New Households	206	241	294	354	422	517	637
Growth Per Year (Persons)	571	668	814	979	1,168	1,431	1,765
Growth / Year Annexation	0	0	0	0	0	0	0

Year	New Building Permits	New Pop.
2012	129	358
2013	145	402
2014	174	483
2015	206	571
2016	241	668
2017	294	814
2018	354	979
2019	422	1,168
2020	517	1,431
2021	637	1,765
Total:	3,119	8,639
Average:	312	864

5.24% = assumed average annual growth rate

Avon – Recreation Impact Fee – Park System Analysis

LAND INVENTORY – CURRENT LEVEL OF SERVICE

4/24/12

Town Wide Analysis								Estimated 2012 and Projected Populations =	
								13,385	21,666
A	B	C	D	E	F	G	H		
Park Type	Typical Park Size (Acres)	Total Existing Acreage	Acres Standards / 1,000	Current Acreage Stds./1,000	Current Acreage Needs	2012 Surplus or Deficiency	2021 Needed if current deficiency IS NOT met		
Block Park	1 to 5	1.95	0.50	0.15	6.69	(4.74)	(8.88)		
Neighborhood Park	4 to 15	4.00	1.50	0.30	20.08	(16.08)	(28.50)		
Community Park	10 to 70	88.63	5.00	6.62	66.93	21.70	(19.70)		
Special Park	0.5+	1.80	1.00	0.13	13.39	(11.59)	(19.87)		
Total Surplus or Deficiency		96.38	8.00	7.20	107.08	(10.70)	(76.95)		

Data updated from the Park and Recreation Master Plan.

Total future need if current deficiency is met: (66.25)

Using the Current Land Inventory as the Standard for Park Land and Open Space
the Acres Standard per 1,000 persons would be (includes current population) = **7.20**

LAND INVENTORY – COMMUNITY LEVEL OF SERVICE

Avon Acres Standard						2021 Pop.
Est. 2012 Population =						21,666
I	J	K	L	M	N	O
Park Type	Total Existing Acreage	Community Level of Service - Acres Standards / 1,000	2012 Acreage Needs	2012 Surplus or Deficiency	2021 Acreage Needs	2021 Needed if current deficiency IS met
Total Surplus or Deficiency		96.38	8.00	107.08	(10.70)	173.33

Adjusted Master Plan's standard acres / 1,000 persons -----^

Avon Recreation Zone Improvement Plan Study

Avon – Park Inventory

Inventory provided by the Town of Avon (Jun 2011)

Park Department Facilities	Acres	Park Type
Town Hall Park	81.17	Community
HRH & YMCA Public Park & Trail	7.46	Community
Gable Park	4.00	Neighborhood
Dan Jones Roundabout Green Space	0.48	Block
900 East Roundabout Green Space	0.52	Block
Ronald Reagan Parkway Forest Preserve	1.80	Special
WWII Memorial Park	0.95	Block
Totals	96.38	
Park Type	Acres	Percent.
Community Park Acres	88.63	91.96%
Neighborhood Park Acres	4.00	4.15%
Block Park Acres	1.95	2.02%
Special / Linear Park Acres	1.80	1.87%
Totals	96.38	100.00%
Developed or UnDeveloped	Acres	Percent.
Developed Park Acres	92.63	96.11%
UnDeveloped Park Acres	3.75	3.89%
Totals	96.38	100.00%

Town of Avon – Recreation Impact Fee – Park System Analysis

Facility Needs – Costs

4/30/12

Town Wide Analysis		Est. 2012 Pop. =	13,386	Proj. 2012 Pop. =	21,666	
Recreation Components	Current Park Facilities	Facility Costs (assuming on existing land)	Components to Remove Current Deficiencies	Costs to Remove Current Deficiencies	Components for 2012 Needs	Costs for 2012 Needs
Baseball Diamonds	0	\$ 80,000	1.67	\$ 133,855	1.04	\$ 82,807
Softball Diamonds	0	\$ 60,000	1.67	\$ 100,391	1.04	\$ 62,105
Multi Purpose Fields	1	\$ 45,000	0.67	\$ 30,293	1.04	\$ 46,579
Football Fields	0	\$ 45,000	1.67	\$ 75,293	1.04	\$ 46,579
Soccer Fields	0	\$ 45,000	1.67	\$ 75,293	1.04	\$ 46,579
Tennis Courts	0	\$ 45,000	1.34	\$ 60,235	0.83	\$ 37,263
Running / Walking Track (Comm)	0	\$ 100,000	0.45	\$ 44,618	0.28	\$ 27,602
Basketball Courts (outdoors)	0	\$ 7,500	2.68	\$ 20,078	1.66	\$ 12,421
Volleyball Courts (outdoors)	0	\$ 5,000	1.67	\$ 8,366	1.04	\$ 5,175
Skate/Bike Park (Neighborhood)	0	\$ 100,000	0.54	\$ 53,542	0.33	\$ 33,123
Climbing / Challenge Elements	0	\$ 40,000	0.54	\$ 21,417	0.33	\$ 13,249
Park Shelters	2	\$ 50,000	1.35	\$ 67,318	2.07	\$ 103,509
Gazebo	0	\$ 30,000	3.35	\$ 100,391	2.07	\$ 62,105
Park Restrooms	2	\$ 90,000	0.68	\$ 60,939	1.66	\$ 149,053
Interpretive Center	0	\$ 400,000	0.45	\$ 178,473	0.28	\$ 110,409
Environmental Center Kiosk	0	\$ 10,000	0.54	\$ 5,354	0.33	\$ 3,312
Outdoor Entertainment Venue	0	\$ 750,000	0.33	\$ 250,978	0.21	\$ 155,263
Recreation Centers	0	\$ 3,000,000	0.27	\$ 803,129	0.17	\$ 496,842
Playgrounds (Comm./Destination)	0	\$ 100,000	0.67	\$ 66,927	0.41	\$ 41,404
Playgrounds (Neighborhood)	3	\$ 45,000	0.35	\$ 15,587	2.07	\$ 93,158
Skating Rinks (hockey)	0	\$ 2,500,000	0.17	\$ 418,296	0.10	\$ 258,772
Skating Area (non-hockey)	0	\$ 300,000	0.54	\$ 160,626	0.33	\$ 99,368
Pool / Aquatics Facilities (Indoor)	0	\$ 6,500,000	0.67	\$ 4,350,280	0.41	\$ 2,691,230
Sprayground / SplashPad	0	\$ 125,000	1.34	\$ 167,318	0.83	\$ 103,509
Disk Golf Course 18-hole	1	\$ 15,000	0.67	\$ 10,098	1.04	\$ 15,526
Golf Course 18-hole***	0	\$ 5,000,000	0.27	\$ 1,338,548	0.17	\$ 828,071
Driving Range***	0	\$ 750,000	0.27	\$ 200,782	0.17	\$ 124,211
Dog Park Area	0	\$ 20,000	1.34	\$ 26,771	0.83	\$ 16,561
Maintenance Facilities (Hub)	1	\$ 750,000	0.00	\$ -	0.00	\$ -
Maintenance Facilities (Satellite)	0	\$ 350,000	0.89	\$ 312,328	0.55	\$ 193,216
Multi-use / Nature Pathways (miles)	7.89	\$ 250,000	1.03	\$ 258,413	5.52	\$ 1,380,118
Park / Open Space Acres	96.38	\$ 25,000	10.70	\$ 267,570	66.25	\$ 1,656,141
TOTALS				\$ 9,683,507		\$ 8,995,262
Recreation Components coded by priority in considering which to apply to Recreation Impact Fees		Cost of Facilities Needed to Remove Current Deficiency (2012):				\$ 9,683,507
		Cost of Facilities Needed to Accommodate Future Development (2021):				\$ 8,995,262
		Total Facility Costs:				\$ 18,678,769

Avon Recreation Zone Improvement Plan Study

Recommended Recreation Impact Fee – Town of Avon

30-Apr-12

"A*" Priorities: Destination Playgrounds, Multit-use Trails and Park Acres

Costs Needed to Remove Current Deficiency =	\$	592,911
Average Projected Costs / Year (2011 to 2020) =	\$	59,291

As per IC 36-7-4-1321: The Impact Fee Formula is as follows:
Impact Costs – Non-Local Revenues – Impact Deductions / 10-Yr Building Permits = Impact Fee

	2021 Population
Projected 2021 Populations =	21,666
Number of Expected Residential Building Permits in the next 10 years =	3,119
<i>Impact Costs</i> Needed to Meet Future (2021) Needs =	\$ 3,077,662
Less Anticipated <i>Non-Local Revenues</i> Available towards Future (2021) Needs =	\$ -
Less Anticipated <i>Impact Deductions</i> against Future (2021) Needs =	\$ -
Adjusted Future Needs Costs =	\$ 3,077,662
Projected Recreation Impact Fee =	\$ 987

Non-Local Revenue and Impact Deductions % of Impact Costs = 0.00%



Avon Recreation Zone Improvement Plan Study

Current Deficiencies Implementation – Non-Recreation Impact Fees

Note: The various components not a part of the Impact Fee Calculations have not been included in the list below.

Recreation Component	Component Unit Cost	Current Deficiency	Component Costs	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021			
A	B	C	D	E	F	G	H	I	J	K	L	M	N			
Playgrounds (Comm./Destination)	\$ 100,000	0.67	\$ 66,927		\$ 66,927											
Multi-use / Nature Pathways (miles)	\$ 250,000	1.03	\$ 258,413				\$ 129,206			\$ 129,206						
Park / Open Space Acres	\$ 25,000	10.70	\$ 267,570				\$ 133,785			\$ 133,785						
		Current Deficiency Total:	\$ 592,911	\$ -	\$ 66,927	\$ -	\$ 262,992	\$ -	\$ -	\$ 262,992	\$ -	\$ -	\$ -			
IMPLEMENTATION PER YEAR:																
Playgrounds (Comm./Destination)				0.67												
Multi-use / Nature Pathways (miles)				0.52												
Park / Open Space Acres				5.35												

The following park sites / facilities are suggested to facilitate the deficient recreational components:

LOCATIONS OF COMPONENTS:	Playgrounds (Comm./Destination)	Multi-use / Nature Pathways (miles)	Park / Open Space Acres
	Various Locations	Various Locations	Various Locations
		Various Locations	Various Locations

Future Needs Implementation – Recreation Impact Fees

Note: The various components not a part of the Impact Fee Calculations have not been included in the list below.

Recreation Component	Component Unit Cost	Future Need	Component Costs (Adjusted for Non-Local Rev. & Impact Deductions)	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021			
A	B	C	D	E	F	G	H	I	J	K	L	M	N			
Playgrounds (Comm./Destination)	\$ 100,000	0.41	\$ 41,404		\$ 41,404											
Multi-use / Nature Pathways (miles)	\$ 250,000	5.52	\$ 1,380,118				\$ 460,039				\$ 460,039		\$ 460,039			
Park / Open Space Acres	\$ 25,000	66.25	\$ 1,656,141					\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024	\$ 276,024			
		Future Needs Total:	\$ 3,077,662	\$ -	\$ 41,404	\$ -	\$ 460,039	\$ 276,024	\$ 276,024	\$ 276,024	\$ 736,063	\$ 276,024	\$ 736,063			
IMPLEMENTATION PER YEAR:																
Playgrounds (Comm./Destination)				0.41												
Multi-use / Nature Pathways (miles)				1.84												
Park / Open Space Acres				11.04												

The following park sites / facilities are suggested to facilitate the future needed recreational components:

LOCATIONS OF COMPONENTS:	Playgrounds (Comm./Destination)	Multi-use / Nature Pathways (miles)	Park / Open Space Acres
	Various Locations	Various Locations	Various Locations
		Various Locations	Various Locations

Projected Future Annual Collections of Recreation Impact Fees

	2012 **	2013	2014	2015	2016	2017	2018	2019	2020	2021
*Projected New Residential Building Permits:	129	145	174	206	241	294	354	422	517	637
Applied RIF: \$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987	\$ 987
Projected Recreation Impact Fee Collections:	\$ -	\$ 143,059	\$ 171,909	\$ 203,344	\$ 237,912	\$ 290,055	\$ 348,895	\$ 416,057	\$ 509,939	\$ 628,865
Cumulative RIF Gained:	\$ -	\$ 143,059	\$ 314,968	\$ 518,312	\$ 756,224	\$1,046,279	\$1,395,174	\$1,811,230	\$2,321,170	\$2,950,035
Applied RIF: \$ 987	\$ 987	\$ 1,016	\$ 1,047	\$ 1,078	\$ 1,111	\$ 1,144	\$ 1,178	\$ 1,214	\$ 1,250	\$ 1,288
Projected RIF with 3.0% Inflation Factor:	\$ -	\$ 147,351	\$ 182,378	\$ 222,199	\$ 267,772	\$ 336,253	\$ 416,598	\$ 511,697	\$ 645,976	\$ 820,526
Cumulative RIF Gained with Inflation:	\$ -	\$ 147,351	\$ 329,729	\$ 551,928	\$ 819,701	\$1,155,954	\$1,572,552	\$2,084,250	\$2,730,225	\$3,550,752

** NOTE: The six month waiting period from ordinance approval before collecting RIF has been reflected in the above table. It is assumed that recreation impact fees will begin to be collected in the end of December 2012 (assuming Ordinance approval in June 2012).

Appendix

- *Appendix A: Indiana Code (IC) 36-7-4-1300*
- *Appendix B: Sources (2005-2011) and Dollars (2006-2011) spent for Infrastructure Improvements by Avon Parks*
- *Appendix C: Impact Fee One Zone Recommendation Logic*
- *Appendix D: Park and Recreation Infrastructure Inventory*
- *Appendix E: Letter of Study Review from Reviewing Professional Engineer*



Appendix A: INDIANA CODE (IC) 36-7-4-1300

INDIANA SERIES IMPACT FEES

INDIANA CODE (IC) 36-7-4-1300

Assembled by:



LEHMAN & LEHMAN

Transforming Horizons
Landscape Architects and Planners
Mishawaka, Indiana 46544

INDIANA SERIES IMPACT FEES

INDIANA CODE (IC) 36-7-4-1300

IC 36-7-4-1300

Sec. 1300.

This series (sections 1300 through 1399 of this chapter) may be cited as follows: 1300 SERIES IMPACT FEES. As added by P.L.221-1991, Sec.1.

IC 36-7-4-1301

Sec. 1301.

As used in this series, “community level of service” means a quantitative measure of the service provided by the infrastructure that is determined by a unit to be appropriate.

As added by P.L.221-1991, Sec.2.

IC 36-7-4-1302

Sec. 1302.

As used in this series, “current level of service” means a quantitative measure of service provided by existing infrastructure to support existing development.

As added by P.L.221-1991, Sec.3.

IC 36-7-4-1303

Sec. 1303.

As used in this series, “development” means an improvement of any kind on land.

As added by P.L.221-1991, Sec.4.

IC 36-7-4-1304

Sec. 1304.

(a) As used in this series, “fee payer” means the following:

- (1) A person who has paid an impact fee.
- (2) A person to whom a person who paid an impact fee has made a written assignment of rights concerning the impact fee.
- (3) A person who has assumed by operation of law the rights concerning an impact fee.

(b) As used in this series, “person” means an individual, a sole proprietorship, a partnership, an association, a

corporation, a fiduciary, or any other entity. As added by P.L.221-1991, Sec.5.

IC 36-7-4-1305

Sec. 1305.

(a) As used in this series, “impact fee” means a monetary charge imposed on new development by a unit to defray or mitigate the capital costs of infrastructure that is required by, necessitated by, or needed to serve the new development.

(b) As used in this Section, “capital costs” means the costs incurred to provide additional infrastructure to serve new development, including the following:

(1) Directly related costs of construction or expansion of infrastructure that is necessary to serve the new development, including reasonable design, survey, engineering, environmental, and other professional fees that are directly related to the construction or expansion.

(2) Directly related land acquisition costs, including costs incurred for the following:

(A) Purchases of interests in land.

(B) Court awards or settlements.

(C) Reasonable appraisal, relocation service, negotiation service, title insurance, expert witness, attorney, and other professional fees that are directly related to the land acquisition.

(3) Directly related debt service, subject to Section 1330 of this chapter.

(4) Directly related expenses incurred in preparing or updating the comprehensive plan or zone improvement plan, including all administrative, consulting attorney, and other professional fees, as limited by Section 1330 of this chapter. As added by P.L.221-1991, Sec.6.

IC 36-7-4-1306

Sec. 1306.

As used in this series, “impact fee ordinance” means an ordinance adopted under Section 1311 of this chapter. As added by P.L.221-1991, Sec.7.

IC 36-7-4-1307

Sec. 1307.

As used in this series, “impact zone” means a geographic area designated under Section 1315 of this chapter. As added by P.L.221-1991, Sec.8.

IC 36-7-4-1308

Sec. 1308.

As used in this series, “infrastructure” means the capital improvements that:

- (1) comprise:
 - (A) a sanitary sewer system or wastewater treatment facility;
 - (B) a park or recreational facility;
 - (C) a road or bridge;
 - (D) a drainage or flood control facility; or
 - (E) a water treatment, water storage, or water distribution facility;
- (2) are:
 - (A) owned solely for a public purpose by:
 - (i) a unit; or
 - (ii) a corporation created by a unit; or
 - (B) leased by a unit solely for a public purpose; and
- (3) are included in the zone improvement plan of the impact zone in which the capital improvements are located. The term includes site improvements or interests in real property needed for a facility listed in subdivision (1). As added by P.L.221-1991, Sec.9.

IC 36-7-4-1309

Sec. 1309.

As used in this series, “infrastructure type” means any of the following types of infrastructure covered by an impact fee ordinance:

- (1) Sewer, which includes sanitary sewerage and wastewater treatment facilities.
- (2) Recreation, which includes parks and other recreational facilities.
- (3) Road, which includes public ways and bridges.
- (4) Drainage, which includes drains and flood control facilities.
- (5) Water, which includes water treatment, water storage, and water distribution facilities.

As added by P.L.221-1991, Sec.10.

IC 36-7-4-1310

Sec. 1310.

As used in this series, “infrastructure agency” means a political subdivision or an agency of a political subdivision responsible for acquiring, constructing, or providing a particular infrastructure type. As added by P.L.221-1991, Sec.11.

IC 36-7-4-1311

Sec. 1311.

- (a) The legislative body of a unit may adopt an ordinance imposing an impact fee on new development in the geographic area over which the unit exercises planning and zoning jurisdiction. The ordinance must aggregate the portions of the impact fee attributable to the infrastructure types covered by the ordinance so that a single and unified impact fee is imposed on each new development.
- (b) If the legislative body of a unit has planning and zoning jurisdiction over the entire geographic area covered by the impact fee ordinance, an ordinance adopted under this Section shall be adopted in the same manner that zoning ordinances are adopted under the 600 SERIES of this chapter.
- (c) If the legislative body of a unit does not have planning and zoning jurisdiction over the entire geographic area covered by the impact fee ordinance but does have jurisdiction over one (1) or more infrastructure types in the area, the legislative body shall establish the portion of the impact fee schedule or formula for the infrastructure types over which the legislative body has jurisdiction. The legislative body of the unit having planning and zoning jurisdiction shall adopt an impact fee ordinance containing that portion of the impact fee schedule or formula if:
 - (1) a public hearing has been held before the legislative body having planning and zoning jurisdiction; and
 - (2) each plan commission that has planning jurisdiction over any part of the geographic area in which the impact fee is to be imposed has approved the proposed impact fee ordinance by resolution.
- (d) An ordinance adopted under this Section is the exclusive means for a unit to impose an impact fee. An impact fee imposed on new development to pay for infrastructure may not be collected after January 1, 1992, unless the impact fee is imposed under an impact fee ordinance adopted under this chapter.

Avon Recreation Zone Improvement Plan Study

- (e) Notwithstanding any other provision of this chapter, the following charges are not impact fees and may continue to be imposed by units:
- (1) Fees, charges, or assessments imposed for infrastructure services under statutes in existence on January 1, 1991, if:
 - (A) the fee, charge, or assessment is imposed upon all users whether they are new users or users requiring additional capacity or services;
 - (B) the fee, charge, or assessment is not used to fund construction of new infrastructure unless the new infrastructure is of the same type for which the fee, charge, or assessment is imposed and will serve the payer; and
 - (C) the fee, charge, or assessment constitutes a reasonable charge for the services provided in accordance with IC 36-1-3-8(6) or other governing statutes requiring that any fees, charges, or assessments bear a reasonable relationship to the infrastructure provided.
 - (2) Fees, charges, and assessments agreed upon under a contractual agreement entered into before April 1, 1991, or fees, charges, and assessments agreed upon under a contractual agreement, if the fees, charges, and assessments are treated as impact deductions under Section 1321(d) of this chapter if an impact fee ordinance is in effect. *As added by P.L.221-1991, Sec.12.*
 - (3) serve in an advisory capacity to assist and advise the unit with regard to the adoption of an impact fee ordinance under Section 1311 of this chapter.
- (c) A planning commission or other committee in existence before the adoption of an impact fee ordinance that meets the membership requirements of subsection (b) may serve as the advisory committee that subsection (b) requires.
- (d) Action of an advisory committee established under subsection (b) is not required as a prerequisite for the unit in adopting an impact fee ordinance under Section 1311 of this chapter.

As added by P.L.221-1991, Sec.13.

IC 36-7-4-1313

Sec. 1313.

This series does not prohibit a unit from doing any of the following:

- (1) Imposing a charge to pay the administrative, plan review, or inspection costs associated with a permit for development.
- (2) Imposing, pursuant to a written commitment or agreement and as a condition or requirement attached to a development approval or authorization (including permitting or zoning decisions), an obligation to dedicate, construct, or contribute goods, services, land or interests in land, or infrastructure to a unit or to an infrastructure agency. However, if the unit adopts or has already adopted an impact fee ordinance under Section 1311 of this chapter the following apply:
 - (A) The person dedicating, contributing, or providing an improvement under this subsection is entitled to a credit for the improvement under Section 1335 of this chapter.
 - (B) The cost of complying with the condition or requirement imposed by the unit under this subdivision may not exceed the impact fee that could have been imposed by the unit under Section 1321 of this chapter for the same infrastructure.
- (3) Imposing new permit fees, charges, or assessments or amending existing permit fees, charges, or assessments. However, the permit fees, charges, or assessments must meet the requirements of Section 1311 (e) (1) (A), 1311 (e) (1) (B), and 1311 (e) (1) (C) of this chapter. *As*

IC 36-7-4-1312

Sec. 1312.

- (a) A unit may not adopt an impact fee ordinance under Section 1311 of this series unless the unit has adopted a comprehensive plan under the 500 SERIES of this chapter for the geographic area over which the unit exercises planning and zoning jurisdiction.
- (b) Before the adoption of an impact fee ordinance under Section 1311 of this chapter, a unit shall establish an impact fee advisory committee. The advisory committee shall:
 - (1) be appointed by the executive of the unit;
 - (2) be composed of not less than five (5) and not more than ten (10) members with at least forty percent (40%) of the membership representing the development, building, or real estate industries; and

Avon Recreation Zone Improvement Plan Study

added by P.L.221-1991, Sec.14.

IC 36-7-4-1314

Sec. 1314.

- (a) Except as provided in subsection (b), an impact fee ordinance must apply to any development:
- (1) that is in an impact zone; and
 - (2) for which a unit may require a structural building permit.
- (b) An impact fee ordinance may not apply to an improvement that does not create a need for additional infrastructure, including the erection of a sign, the construction of a fence, or the interior renovation of a building not resulting in a change in use. *As added by P.L.221-1991, Sec.15.*

IC 36-7-4-1315

Sec. 1315.

- (a) An impact fee ordinance must establish an impact zone, or a set of impact zones, for each infrastructure type covered by the ordinance. An impact zone established for a particular infrastructure type is not required to be congruent with an impact zone established for a different infrastructure type.
- (b) An impact zone may not extend beyond the jurisdictional boundary of an infrastructure agency responsible for the infrastructure type for which the impact zone was established, unless an agreement under IC 36-1-7 is entered into by the infrastructure agencies.
- (c) If an impact zone, or a set of impact zones, includes a geographic area containing territory from more than one (1) planning and zoning jurisdiction, the applicable legislative bodies and infrastructure agencies shall enter into an agreement under IC 36-1-7 concerning the collection, division, and distribution of the fees collected under the impact fee ordinance. *As added by P.L.221-1991, Sec.16.*

IC 36-7-4-1316

Sec. 1316.

A unit must include in an impact zone designated under Section 1315 of this chapter the geographical area necessary to ensure that:

- (1) there is a functional relationship between the components of the infrastructure type in the impact zone;
- (2) the infrastructure type provides a reasonably

uniform benefit throughout the impact zone; and

- (3) all areas included in the impact zone are contiguous. *As added by P.L.221-1991, Sec.17.*

IC 36-7-4-1317

Sec. 1317.

A unit must identify in the unit's impact fee ordinance the infrastructure agency that is responsible for acquiring, constructing, or providing each infrastructure type included in the impact fee ordinance. *As added by P.L.221-1991, Sec.18.*

IC 36-7-4-1318

Sec. 1318.

- (a) A unit may not adopt an impact fee ordinance under Section 1311 of this chapter unless the unit has prepared or substantially updated a zone improvement plan for each impact zone during the immediately preceding one (1) year period. A single zone improvement plan may be used for two (2) or more infrastructure types if the impact zones for the infrastructure types are congruent.
- (b) Each zone improvement plan must contain the following information:
- (1) A description of the nature and location of existing infrastructure in the impact zone.
 - (2) A determination of the current level of service.
 - (3) Establishment of a community level of service. A unit may provide that the unit's current level of service is the unit's community level of service in the zone improvement plan.
 - (4) An estimate of the nature and location of development that is expected to occur in the impact zone during the following ten (10) year period.
 - (5) An estimate of the nature, location, and cost of infrastructure that is necessary to provide the community level of service for the development described in subdivision. The plan must indicate the proposed timing and sequencing of infrastructure installation.
 - (6) A general description of the sources and amounts of money used to pay for infrastructure during the previous five (5) years.
- (c) If a zone improvement plan provides for raising the current level of service to a higher community level of service, the plan must:
- (1) provide for completion of the infrastructure that

Avon Recreation Zone Improvement Plan Study

is necessary to raise the current level of service to the community level of service within the following ten (10) year period;

- (2) indicate the nature, location, and cost of infrastructure that is necessary to raise the current level of service to the community level of service; and
- (3) identify the revenue sources and estimate the amount of the revenue sources that the unit intends to use to raise the current level of service to the community level of service for existing development. Revenue sources include, without limitation, any increase in revenues available from one (1) or more of the following:
 - (A) Adopting or increasing the following:
 - (i) The county adjusted gross income tax.
 - (ii) The county option income tax.
 - (iii) The county economic development income tax.
 - (iv) The annual license excise surtax.
 - (v) The wheel tax.
 - (B) Imposing the property tax rate per one hundred dollars (\$100) of assessed valuation that the unit may impose to create a cumulative capital improvement fund under IC 36-9-14.5 or IC 36-9-15.5.
 - (C) Transferring and reserving for infrastructure purposes other general revenues that are currently not being used to pay for capital costs of infrastructure.
 - (D) Dedicating and reserving for infrastructure purposes any newly available revenues, whether from federal or state revenue sharing programs or from the adoption of newly authorized taxes.
- (d) A unit must consult with a qualified engineer licensed to perform engineering services in Indiana when the unit is preparing the portions of the zone improvement plan described in subsections (b) (1),(b) (2),(b) (5), and (c) (2).
- (e) A zone improvement plan and amendments and modifications to the zone improvement plan become effective after adoption as part of the comprehensive plan under the 500 SERIES of this chapter or adoption as part of the capital improvements program under Section 503(5) of this chapter. If the unit establishing the impact fee schedule or formula and establishing the zone

improvement plan is different from the unit having planning and zoning jurisdiction, the unit having planning and zoning jurisdiction shall incorporate the zone improvement plan as part of the unit's comprehensive plan and capital improvement plan.

- (f) If a unit's zone improvement plan identifies revenue sources for raising the current level of service to the community level of service, impact fees may not be assessed or collected by the unit unless:
 - (1) before the effective date of the impact fee ordinance the unit has available or has adopted the revenue sources that the zone improvement plan specifies will be in effect before the impact fee ordinance becomes effective; and
 - (2) after the effective date of the impact fee ordinance the unit continues to provide adequate funds to defray the cost of raising the current level of service to the community level of service, using revenue sources specified in the zone improvement plan or revenue sources other than impact fees. *As added by P.L.221-1991, Sec.19.*

IC 36-7-4-1319

Sec. 1319.

- (a) A unit shall amend a zone improvement plan to make adjustments in the nature, location, and cost of infrastructure and the timing or sequencing of infrastructure installations to respond to the nature and location of development occurring in the impact zone. Appropriate planning and analysis shall be carried out before an amendment is made to a zone improvement plan.
- (b) A unit may not amend an impact fee ordinance if the amendment makes a significant change in an impact fee schedule or formula or if the amendment designates an impact zone or alters the boundary of a zone, unless a new or substantially updated zone improvement plan has been approved within the immediately preceding one (1) year period. *As added by P.L.221-1991, Sec.20.*

IC 36-7-4-1320

Sec. 1320.

- (a) An impact fee ordinance must include:
 - (1) a schedule prescribing for each impact zone the amount of the impact fee that is to be imposed for each infrastructure type covered by the ordinance; or
 - (2) a formula for each impact zone by which the

amount of the impact fee that is to be imposed for each infrastructure type covered by the ordinance may be derived.

- (b) A schedule or formula included in an impact fee ordinance must provide an objective and uniform standard for calculating impact fees that allows fee payers to accurately predict the impact fees that will be imposed on new development. *As added by P.L.221-1991, Sec.21.*

IC 36-7-4-1321

Sec. 1321.

- (a) An impact fee schedule or formula described in Section 1320 of this chapter shall be prepared so that the impact fee resulting from the application of the schedule or formula to a development meets the requirements of this Section. However, this section does not require that a particular methodology be used in preparing the schedule or formula.

- (b) As used in this Section, “impact costs” means a reasonable estimate, made at the time the impact fee is assessed, of the proportionate share of the costs incurred or to be incurred by the unit in providing infrastructure of the applicable type in the impact zone that are necessary to provide the community level of service for the development. The amount of impact costs may not include the costs of infrastructure of the applicable type needed to raise the current level of service in the impact zone to the community level of service in the impact zone for development that is existing at the time the impact fee is assessed.

- (c) As used in this Section, “non-local revenue” means a reasonable estimate, made at the time the impact fee is assessed, of revenue that:

- (1) will be received from any source (including but not limited to state or federal grants) other than a local government source; and
- (2) is to be used within the impact zone to defray the capital costs of providing infrastructure of the applicable type.

- (d) As used in this Section, “impact deductions” means a reasonable estimate, made at the time the impact fee is assessed, of the amounts from the following sources that will be paid during the ten (10) year period after assessment of the impact fee to defray the capital costs of providing infrastructure of the applicable types to serve a development:

- (1) Taxes levied by the unit or on behalf of the unit by an applicable infrastructure agency that the

fee payer and future owners of the development will pay for use within the geographic area of the unit.

- (2) Charges and fees, other than fees paid by the fee payer under this chapter, that are imposed by any of the following for use within the geographic area of the unit:
- (A) An applicable infrastructure agency.
 - (B) A governmental entity.
 - (C) A not-for-profit corporation created for governmental purposes. Charges and fees covered by this subdivision include tap and availability charges paid for extension of services or the provision of infrastructure to the development.
- (e) An impact fee on a development may not exceed:
- (1) impact costs; minus
 - (2) the sum of non-local revenues and impact deductions. *As added by P.L.221-1991, Sec.22.*

IC 36-7-4-1322

Sec. 1322.

- (a) Except as provided in subsection (b), an impact fee ordinance must require that, if the fee payer requests, an impact fee on a development must be assessed not later than thirty (30) days after the earlier of:
- (1) the date the fee payer obtains an improvement location permit for the development; or
 - (2) the date that the fee payer voluntarily submits to the unit a development plan for the development and evidence that the property is properly zoned for the proposed development. The plan shall be in the form prescribed by the unit’s zoning ordinance and shall contain reasonably sufficient detail for the unit to calculate the impact fee.
- (b) An impact fee ordinance may provide that if a proposed development is of a magnitude that will require revision of the zone improvement plan in order to appropriately serve the new development, the unit shall revise the unit’s zone improvement plan and shall assess an impact fee on a development not later than one hundred eighty (180) days after the earlier of the following:
- (1) The date on which the fee payer obtains an improvement location permit for the development.

Avon Recreation Zone Improvement Plan Study

- (2) The date on which the fee payer submits to the unit a development plan for a development and evidence that the property is properly zoned for the proposed development. The development plan must be in the form prescribed by the unit's zoning ordinance and must contain reasonably sufficient detail for the unit to calculate the impact fee.
- (c) An impact fee assessed under subsections (a) or (b) may be increased only if the structural building permit has not been issued for the development and the requirements of subsection (d) are satisfied. In the case of a phased development, only a portion of an impact fee assessed under subsection (a) or (b) that is attributable to the portion of the development for which a permit has not been issued may be increased if the requirements of subsection (d) are satisfied.
- (d) Unless the improvement location permit or development plan originally submitted for the development is changed so that the amount of impact on infrastructure the development creates in the impact zone is significantly increased, an impact fee assessed under: (1) subsection (a) (1) or (b) (1) may not be increased for the period of the improvement location permit's validity; and
- (e) An impact fee assessed under subsection (a) or (b) shall be decreased if the improvement location permit or development plan originally submitted for the development is changed so that the amount of impact on infrastructure that the development creates in the impact zone is significantly decreased. If a change occurs in the permit or plan that results in a decrease in the amount of the impact fee after the fee has been paid, the unit that collected the fee shall immediately refund the amount of the overpayment to the fee payer.
- (f) If the unit fails to assess an impact fee within the period required by subsection (a) or (b), the unit may not assess an impact fee on the development unless the development plan originally submitted for the development is materially and substantially changed.
- (g) Notwithstanding other provisions in this chapter, a unit may not assess an impact fee against a development if:
- (1) an improvement location permit has been issued for all or a part of a development before adoption of an impact fee ordinance that is in compliance with this chapter; and
 - (2) the development satisfies all of the following criteria:
 - (A) The development is zoned for commercial or industrial use before January 1, 1991.
 - (B) The development will consist primarily of new buildings or structures. As used in this clause, the term "new buildings or structures" does not include additions or expansions of existing buildings or structures.
 - (C) The parts of the development for which a structural building permit has not been issued are owned or controlled by the person that owned or controlled the development on January 1, 1991.
 - (D) A structural building permit is issued for the development not more than four (4) years after the effective date of the impact fee ordinance.
 - (E) The development is part of a common scheme of development that:
 - (i) involves land that is contiguous;
 - (ii) involves a plan for development that includes a survey of the land, engineering drawings, and a site plan showing the anticipated size, location, and use of buildings and the anticipated location of streets, sewers, and drainage;
 - (iii) if plan approval is required, resulted in an application being filed with an appropriate office, commission, or official of the unit before January 1, 1991, that resulted or may result in approval of any phase of the development plan referred to in item (ii);
 - (iv) has been diligently pursued since January 1, 1991;
 - (v) resulted before January 1, 1991, in a substantial investment in creating, publicizing, or implementing the common scheme of development; and
 - (vi) involved the expenditure of significant funds before January 1, 1991, for the provision of improvements, such as roads, sewers, water treatment facilities, water storage facilities, water distribution facilities, drainage systems, or parks, that are on public lands or are

available for other development in the area.

- (h) Notwithstanding any other provision of this chapter, this chapter does not impair the validity of any contract between a unit and a fee payer that was:
- (1) entered into before January 1, 1991; and
 - (2) executed in consideration of zoning amendments or annexations requested by the fee payer.

As added by P.L.221-1991, Sec.23.

IC 36-7-4-1323

Sec. 1323.

- (a) Except as provided in Section 1324 of this chapter, an impact fee assessed in compliance with Section 1322 of this chapter is due and payable on the date of issuance of the structural building permit for the new development on which the impact fee is imposed.
- (b) For a phased development, an impact fee shall be prorated for purposes of payment according to the impact of the parcel for which a structural building permit is issued in relation to the total impact of the development. In accordance with Section 1324 of this chapter, only the prorated portion of the assessed impact fee is due and payable on the issuance of the permit.
- (c) If an impact fee ordinance is repealed, lapses, or becomes ineffective after the assessment of an impact fee on a development but before the issuance of the structural building permit for part or all of the development:
- (1) any part of the impact fee attributable to the part of the development for which a structural building permit has not been issued is void and is not due and payable, in the case of a phased development; and
 - (2) the entire impact fee is void and is not due and payable, in the case of a development other than a phased development. *As added by P.L.221-1991, Sec. 24.*

IC 36-7-4-1324

Sec. 1324.

- (a) An impact fee ordinance must include an installment payment plan. The installment payment plan must at least offer a fee payer the option of paying part of an impact fee in equal installment payments if the impact fee is greater than five thousand dollars

(\$5,000). In an installment plan under this Section:

- (1) a maximum of five thousand dollars (\$5,000) or five percent (5%) of the impact fee, whichever is greater, may become payable on the date the structural building permit is issued for the development on which the fee is imposed;
 - (2) the first installment may not become due and payable less than one (1) year after the date the structural building permit is issued for the development on which the fee is imposed; and
 - (3) the last installment may not be due and payable less than two (2) years after the date the structural building permit is issued for the development on which the fee is imposed.
- (b) An impact fee ordinance may require an impact fee of five thousand dollars (\$5,000) or less to be paid in full on the date the structural building permit is issued for the development on which the impact fee is imposed.
- (c) An impact fee ordinance may provide that a reasonable rate of interest, not to exceed the prejudgment rate of interest in effect at the time the interest accrues, may be charged if the fee payer elects to pay in installments. If interest is charged, the ordinance must provide that interest accrues only on the portion of the impact fee that is outstanding and does not begin to accrue until the date the structural building permit is issued for the development or the part of the development on which the impact fee is imposed.
- (d) An impact fee ordinance may provide that if all or part of an installment is not paid when due and payable, the amount of the installment shall be increased on the first day after the installment is due and payable by a penalty amount equal to ten percent (10%) of the installment amount that is overdue. If interest is charged under subsection (c), the interest shall be charged on the penalty amount. *As added by P.L.221-1991, Sec. 25.*

IC 36-7-4-1325

Sec. 1325.

- (a) A unit may use any legal remedy to collect an impact fee imposed by the unit. A unit must bring an action to collect an impact fee and all penalties, costs, and collection expenses associated with a fee not later than ten (10) years after the fee or the prorated portion of the impact fee first becomes due and payable.
- (b) On the date a structural building permit is issued for

the development of property on which the impact fee is assessed, the unit acquires a lien on the real property for which the permit is issued. For a phased development, the amount of the lien may not exceed the prorated portion of the impact fee due and payable in one (1) or more installments at the time the structural building permit is issued.

- (c) A lien acquired by a unit under this Section is not affected by a sale or transfer of the real property subject to the lien, including the sale, exchange, or lease of the real property under IC 36-1-11.
- (d) A lien acquired by a unit under this Section continues for ten (10) years after the impact fee or the prorated portion of the impact fee becomes due and payable. However, if an action to enforce the lien is filed within the ten (10) year period, the lien continues until the termination of the proceeding.
- (e) A holder of a lien of record on any real property on which an impact fee is delinquent may pay the delinquent impact fee and any penalties and costs. The amount paid by the lien holder is an additional lien on the real property in favor of the lien holder and is collectible in the same manner as the original lien.
- (f) If a person pays an impact fee assessed against any real property, the person is entitled to a receipt for the payment that is:
 - (1) on a form prescribed by the impact fee ordinance; and
 - (2) issued by a person designated in the impact fee ordinance. *As added by P.L.221-1991, Sec.26.*

IC 36-7-4-1326

Sec. 1326.

- (a) An impact fee ordinance may provide for a reduction in an impact fee for housing development that provides sale or rental housing, or both, at a price that is affordable to an individual or a family earning less than eighty percent (80%) of the median income for the county in which the housing development is located. If the housing development comprises more than one (1) residential unit, the impact fee reduction shall apply only to the residential units that are affordable to an individual or a family earning less than eighty percent (80%) of the median income of the county.
- (b) If the impact fee ordinance provides for a reduction in an impact fee under subsection (a), the ordinance must:
 - (1) contain a schedule or formula that sets forth the

amount of the fee reduction for various types of housing development specified in subsection (a);

- (2) require that, as a condition of receiving the fee reduction, the owner execute an agreement that:
 - (A) is binding for a period of at least five (5) years on the owner and subsequent owners; and
 - (B) limits the tenancy of residential units receiving the fee reduction to individuals or families who at the time the tenancy is initiated are earning less than eighty percent (80%) of the median income of the county;
 - (3) contain standards to be used in determining if a particular housing development specified in subsection (a) will receive a fee reduction; and
 - (4) designate a board or an official of the unit to conduct the hearing required by subsection (c).
- (c) A fee reduction authorized by this Section must be approved by a board or official of the unit at a public hearing. *As added by P.L.221-1991, Sec.27.*

IC 36-7-4-1327

Sec. 1327. An impact fee ordinance must provide a procedure through which the fee reduction decision made under Section 1326 of this chapter may be appealed by the following persons:

- (1) The person requesting the fee reduction.
- (2) An infrastructure agency responsible for infrastructure of the applicable type for the impact zone in which the impact fee reduction is granted. *As added by P.L.221-1991, Sec.28.*

IC 36-7-4-1328

Sec. 1328.

A unit that provides a fee reduction under Section 1326 of this chapter shall pay into the account or accounts established for the impact zone in which the fee was reduced an amount equal to the amount of the fee reduction. *As added by P.L.221-1991, Sec.29.*

IC 36-7-4-1329

Sec. 1329.

- (a) A unit imposing an impact fee shall establish a fund to receive amounts collected under this series.
- (b) Money in a fund established under subsection (a) at the end of the unit's fiscal year remains in the fund.

Avon Recreation Zone Improvement Plan Study

Interest earned by the fund shall be deposited in the fund.

- (c) The fiscal officer of the unit shall manage the fund according to the provisions of this series. The fiscal officer shall annually report to the unit's plan commission and to each infrastructure agency responsible for infrastructure in an impact zone. The report must include the following:

(1) The amount of money in accounts established for the impact zone.

(2) The total receipts and disbursements of the accounts established for the impact zone.

- (d) A separate account shall be established in the fund for each impact zone established by the unit and for each infrastructure type within each zone. Interest earned by an account shall be deposited in that account. *As added by P.L.221-1991, Sec.30.*

IC 36-7-4-1330

Sec. 1330.

An impact fee collected under this series shall be used for the following purposes:

- (1) Providing funds to an infrastructure agency for the provision of new infrastructure that:
- (A) is necessary to serve the new development in the impact zone from which the fee was collected; and
 - (B) is identified in the zone improvement plan.
- (2) In an amount not to exceed five percent (5%) of the annual collections of an impact fee, for expenses incurred by the unit that paid for the consulting services that were used to establish the impact fee ordinance.
- (3) Payment of a refund under Section 1332 of this chapter.
- (4) Payment of debt service on an obligation issued to provide infrastructure described in subdivision (1). *As added by P.L.221-1991, Sec.31.*

IC 36-7-4-1331

Sec. 1331.

- (a) An infrastructure agency shall, within the time described in the zone improvement plan, construct infrastructure for which:

- (1) a zone improvement plan has been adopted;
- (2) an impact zone has been established; and
- (3) an impact fee has been collected.

- (b) A unit may amend the unit's zone improvement plan, including the time provided in the plan for construction of infrastructure, only if the amount of expenditures provided for the construction of infrastructure in the original plan does not decrease in any year and the benefit to the overall impact zone does not decrease because of the amendment. *As added by P.L.221-1991, Sec.32.*

IC 36-7-4-1332

Sec. 1332.

- (a) A fee payer is entitled to a refund of an impact fee if an infrastructure agency:
- (1) has failed to complete a part of the infrastructure for which the impact fee was imposed not later than:
 - (A) twenty-four (24) months after the time described in Section 1331 of this chapter; or
 - (B) a longer time as is reasonably necessary to complete the infrastructure if unforeseeable and extraordinary circumstances that are not in whole or in part caused by the unit have delayed the construction;
 - (2) has unreasonably denied the fee payer the use and benefit of the infrastructure during the useful life of the infrastructure; or
 - (3) has failed within the earlier of:
 - (A) six (6) years after issuance of the structural building permit; or
 - (B) the anticipated infrastructure completion date as specified in the zone improvement plan existing on the date the impact fee was collected; to make reasonable progress toward completion of the specific infrastructure for which the impact fee was imposed or thereafter fails to make reasonable progress toward completion.
- (b) An application for a refund under subsection (a) must be filed with the unit that imposed the impact fee not later than two (2) years after the right to a refund accrues. A unit shall issue a refund in part or in full or shall reject the application for refund not later than thirty (30) days after receiving an application for a refund.
- (c) If a unit approves a refund in whole or in part, the unit shall pay the amount approved, plus interest from the date on which the impact fee was paid to the date the refund is issued. The interest rate shall

Avon Recreation Zone Improvement Plan Study

be the same rate as the rate that the unit's impact fee ordinance provides for impact fee payments paid in installments.

- (d) If a unit rejects an application for refund or approves only a partial refund, the fee payer may appeal not later than sixty (60) days after the rejection or partial approval to the unit's impact fee review board established under Section 1338 of this chapter by filing with the board an appeal on a form prescribed by the board. The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person.
- (e) An impact fee ordinance shall designate the employee or official of the unit who is responsible for accepting, rejecting, and paying a refund and interest.
- (f) A unit's impact fee review board shall hold a hearing on all appeals for a refund under this Section. The hearing shall be held not later than forty-five (45) days after the application for appeal is filed with the board. A unit's impact fee review board shall provide notice of the application for refund to the infrastructure agency responsible for the infrastructure for which the impact fee was imposed.
- (g) An impact fee review board holding a hearing under subsection (f) shall determine the amount of a refund that shall be made to the fee payer from the account established for the infrastructure for which the fee was imposed. A refund ordered by the board must include interest from the date the impact fee was paid to the date the refund is issued at the same rate the ordinance provides for impact fee payments paid in installments.
- (h) A party aggrieved by a final decision of an impact fee review board in a hearing under subsection (f) may appeal to the circuit or superior court of the county in which the unit is located and is entitled to a trial *de novo*. *As added by P.L.221-1991, Sec.33.*

IC 36-7-4-1333

Sec. 1333.

- (a) A person against whom an impact fee has been assessed may appeal the amount of the impact fee. A unit may not deny issuance of a structural building permit on the basis that an impact fee has not been paid or condition issuance of the permit on the payment of an impact fee. However, in the case of an impact fee of one thousand dollars (\$1,000) or less a unit may require a fee payer to:

- (1) pay the impact fee; or
 - (2) bring an appeal under this Section; before the unit issues a structural building permit for the development for which the impact fee was assessed.
- (b) A person must file a petition for a review of the amount of an impact fee with the unit's impact fee review board not later than thirty (30) days after issuance of the structural building permit for the development for which the impact fee was assessed. An impact fee ordinance may require a petition to be accompanied by payment of a reasonable fee not to exceed one hundred dollars (\$100). A fee payer shall receive a full refund of the filing fee if:
 - (1) the fee payer prevails;
 - (2) the amount of the impact fee or the reductions or credits against the fee is adjusted by the unit, the board, or a court; and
 - (3) the body ordering the adjustment finds that the amount of the fee, reductions, or credits were arbitrary or capricious.
 - (c) A unit's impact fee review board shall prescribe the form of the petition for review of an impact fee under subsection (b). The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person. The form must require the petitioner to specify:
 - (1) a description of the new development on which the impact fee has been assessed;
 - (2) all facts related to the assessment of the impact fee; and
 - (3) the reasons the petitioner believes that the amount of the impact fee assessed is erroneous or is greater than the amount allowed by the fee limitations set forth in this series.
 - (d) A unit's impact fee review board shall prescribe a form for a response by a unit to a petition for review under this Section. The board shall issue instructions for completion of the form. The form must require the unit to indicate:
 - (1) agreement or disagreement with each item indicated on the petition for review under subsection (c); and
 - (2) the reasons the unit believes that the amount of the fee assessed is correct.
 - (e) Immediately upon the receipt of a timely filed petition on the form prescribed under subsection (c),

a unit's impact fee review board shall provide a copy of the petition to the unit assessing the impact fee. The unit shall not later than thirty (30) days after the receipt of the petition provide to the board a completed response to the petition on the form prescribed under subsection (d) . The board shall immediately forward a copy of the response form to the petitioner.

- (f) An impact fee review board shall:
- (1) review the petition and the response submitted under this Section; and
 - (2) determine the appropriate amount of the impact fee not later than thirty (30) days after submission of both petitions.
- (g) A fee payer aggrieved by a final determination of an impact fee review board may appeal to the circuit or superior court of the county in which the unit is located and is entitled to a trial de novo. If the assessment of a fee is vacated by judgment of the court, the assessment of the impact fee shall be remanded to the board for correction of the impact fee assessment and further proceedings in accordance with law.
- (h) If a petition for a review or an appeal of an impact fee assessment is pending, the impact fee is not due and payable until after the petition or appeal is finally adjudicated and the amount of the fee is determined. *As added by P.L.221-1991, Sec.34.*

IC 36-7-4-1334

Sec. 1334.

An impact fee ordinance must set forth the reasons for which an appeal of the amount of an impact fee may be made. The impact fee ordinance must provide that an appeal of the amount of an impact fee may be made for the following reasons:

- (1) A fact assumption used in determining the amount of an impact fee is incorrect.
- (2) The amount of the impact fee is greater than the amount allowed under Sections 1320, 1321, and 1322 of this chapter. *As added by P.L.221-1991, Sec.35.*

IC 36-7-4-1335

Sec. 1335.

- (a) As used in this Section, "improvement" means an improvement under Section 1313(2) of this chapter or a site improvement, land, or real property interest as follows:

- (1) That is to be used for at least one (1) of the infrastructure purposes specified in Section 1309 of this chapter.
 - (2) That is included in or intended to be used relative to an infrastructure type for which the unit has imposed an impact fee in the impact zone.
 - (3) That is not a type of improvement that is uniformly required by law or rule for the type of development on which the impact fee has been imposed.
 - (4) That is or will be:
 - (A) public property; or
 - (B) furnished or constructed under requirements of the unit and is or will be available for use by other development in the area.
 - (5) That is beneficial to existing development and future development in the impact zone and is not beneficial to only one (1) development.
 - (6) That either:
 - (A) allows the removal of a component of infrastructure planned for the impact zone;
 - (B) is a useful addition to the zone improvement plan; or
 - (C) is reasonably likely to be included in a future zone improvement plan for the impact zone.
 - (7) That is:
 - (A) constructed, furnished, or guaranteed by a bond or letter of credit under a request by an authorized official of the:
 - (i) applicable infrastructure agency; or
 - (ii) unit that imposed the impact fee; or
 - (B) required to be constructed or furnished under a written commitment that:
 - (i) is requested by an authorized official of the applicable infrastructure agency or the unit that imposed the impact fee;
 - (ii) concerns the use or developing of the development against which the impact fee is imposed; and
 - (iii) is made under Section 613, 614, or 921 of this chapter.
- (b) A fee payer is entitled to a credit against an impact fee if the owner or developer of the development

constructs or provides:

- (1) infrastructure that is an infrastructure type for which the unit imposed an impact fee in the impact zone; or
 - (2) an improvement.
- (c) A fee payer is entitled to a credit under this Section for infrastructure or an improvement that:
- (1) is constructed or furnished relative to a development after January 1, 1989; and
 - (2) meets the requirements of this Section.
- (d) The amount of a credit allowed under this Section shall be determined at the date the impact fee is assessed. However, if an assessment is not requested, the amount of the credit shall be determined at the time the structural building permit is issued. The amount of the credit shall be:
- (1) determined by the:
 - (A) person constructing or providing the infrastructure or improvement; and
 - (B) applicable infrastructure agency; and
 - (2) equal to the sum of the following:
 - (A) The cost of constructing or providing the infrastructure or improvement.
 - (B) The fair market value of land, real property interests, and site improvements provided.
- (e) The amount of a credit may be increased or decreased after the date the impact fee is assessed if, between the date the impact fee is assessed and the date the structural building permit is issued, there is a substantial and material change in the cost or value of the infrastructure or improvement that is constructed or furnished from the cost or value determined under subsection (d) . However, at the time the amount of a credit is determined under subsection (d), the person providing the infrastructure or improvement and the applicable infrastructure agency may agree that the amount of the credit may not be changed. The person providing the infrastructure or improvement may waive the person's right to a credit under this Section. *As added by P.L.221-1991, Sec.36.*

IC 36-7-4-1336

Sec. 1336.

- (a) If the parties cannot agree on the cost or fair market value under Section 1335(d) of this chapter, the fee payer or the person constructing or providing the infrastructure or improvement may file a petition for

determination of the amount of the credit with the unit's impact fee review board not later than thirty (30) days after the structural building permit is issued for the development on which the impact fee is imposed. A petition under this subsection may be made as part of an appeal proceeding under Section 1334 of this chapter or may be made under this Section.

- (b) An impact fee review board shall prescribe the form of the petition for determination of the amount of a credit under this Section. The board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to a lay person.
- (c) An impact fee review board shall prescribe a form for a response by the applicable infrastructure agency to a petition under this Section for determination of a credit amount. The board shall issue instructions for completion of the form.
- (d) Immediately after receiving a timely filed petition under this Section for determination of a credit amount, an impact fee review board shall provide a copy of the petition to the applicable infrastructure agency. Not later than thirty (30) days after receiving a copy of the petition, the infrastructure agency shall provide to the board a response on the form prescribed under subsection (c). The board shall immediately provide the petitioner with a copy of the infrastructure agency's response.
- (e) The impact fee review board shall:
 - (1) review a petition and response filed under this Section; and
 - (2) determine the amount of the credit not later than thirty (30) days after the response is filed.
- (f) A fee payer aggrieved by a final determination of an impact fee review board under this Section:
 - (1) may appeal to the circuit or superior court of the county in which the unit is located; and
 - (2) is entitled to a trial de novo. *As added by P.L.221-1991, Sec.37.*

IC 36-7-4-1337

Sec. 1337.

An impact fee ordinance shall do the following:

- (1) Establish a method for reasonably allocating credits to fee payers in situations in which the person providing infrastructure or an improvement is not the fee payer.
- (2) Allow the person providing infrastructure or an

improvement to designate in writing a reasonable and administratively feasible method of allocating credits to future fee payers. *As added by P.L.221-1991, Sec.38.*

IC 36-7-4-1338

Sec. 1338.

- (a) Each unit that adopts an impact fee ordinance shall establish an impact fee review board consisting of three (3) citizen members appointed by the executive of the unit. A member of the board may not be a member of the plan commission. An impact fee ordinance must do the following:
- (1) Set the terms the members shall serve on the board.
 - (2) Establish a procedure through which the unit's executive shall appoint a temporary replacement member meeting the qualifications of the member being replaced in the case of conflict of interest.
- (b) An impact fee review board must consist of the following members:
- (1) One (1) member who is a real estate broker licensed in Indiana.
 - (2) One (1) member who is an engineer licensed in Indiana.
 - (3) One (1) member who is a certified public accountant.
- (c) An impact fee review board shall review the amount of an impact fee assessed, the amount of a refund, and the amount of a credit using the following procedures:
- (1) The board shall fix a reasonable time for the hearing of appeals.
 - (2) At a hearing, each party may appear and present evidence in person, by agent, or by attorney.
 - (3) A person may not communicate with a member of the board before the hearing with intent to influence the member's action on a matter pending before the board.
 - (4) The board may reverse, affirm, modify, or otherwise establish the amount of an impact fee, a credit, a refund, or any combination of fees, credits, or refunds. For purposes of this subdivision, the board has all the powers of the official of the unit from which the appeal is taken.

(5) The board shall decide a matter that the board is required to hear:

- (A) at the hearing at which the matter is first presented; or
- (B) at the conclusion of the hearing on the matter, if the matter is continued.

(6) Within five (5) days after making a decision, the board shall provide a copy of the decision to the unit and the fee payer involved in the appeal.

(7) The board shall make written findings of fact to support the board's decision. *As added by P.L.221-1991, Sec.39.*

IC 36-7-4-1339

Sec. 1339.

- (a) This Section applies to a person having an interest in real property that may be subject to an impact fee ordinance if the development occurs on the property.
- (b) A person may seek to:
- (1) have a court determine under IC 34-26-1 any question of construction or validity arising under the impact fee ordinance; and
 - (2) obtain a declaration of rights, status, or other legal relations under the ordinance.
- (c) The validity of an impact fee ordinance adopted by a unit or the validity of the application of the ordinance in a specific impact zone may be challenged under this Section on any of the following grounds:
- (1) The unit has not provided for a zone improvement plan in the unit's comprehensive plan.
 - (2) The unit did not prepare or substantially update the unit's zone improvement plan in the year preceding the adoption of the impact fee ordinance.
 - (3) The unit has not identified the revenue sources the unit intends to use to implement the zone improvement plan, if identification of the revenue sources is required under Section 1318 (c) of this chapter.
 - (4) The unit has not complied with the requirements of Section 1318(f) of this chapter.
 - (5) The unit has not made adequate revenue available to complete infrastructure improvements identified in the unit's zone improvement plan.

- (6) The impact fee ordinance imposes fees on new development that will not create a need for additional infrastructure.
- (7) The impact fee ordinance imposes on new development fees that are excessive in relation to the infrastructure needs created by the new development.
- (8) The impact fee ordinance does not allow for reasonable credits to fee payers.
- (9) The unit imposed a prohibition or delay on new development to enable the unit to complete the adoption of an impact fee ordinance.
- (10) The unit otherwise fails to comply with this series in the adoption of an impact fee ordinance. *As added by P.L.221-1991, Sec.40. Amended by P.L.1-1998, Sec.206.*

IC 36-7-4-1340

Sec. 1340.

- (a) An impact fee ordinance may take effect not earlier than six (6) months after the date on which the impact fee ordinance is adopted by a legislative body.
- (b) An impact fee may not be collected under an impact fee ordinance more than five (5) years after the effective date of the ordinance. However, a unit may adopt a replacement impact fee ordinance if the replacement impact fee ordinance complies with the provisions of this series. *As added by P.L.221-1991, Sec.41.*

IC 36-7-4-1341

Sec. 1341.

A unit may not prohibit or delay new development to wait for the completion of all or a part of the process necessary for the development, adoption, or updating of an impact fee. *As added by P.L.221-1991, Sec.42.*

IC 36-7-4-1342

Sec. 1342.

The general assembly finds that the powers of a local governmental unit to permit and provide for infrastructure are not limited by the provisions of this chapter except as expressly provided in this chapter. *As added by P.L.221-1991, Sec.43.*

Avon Recreation Zone Improvement Plan Study

Appendix B: Sources and Dollars spent for Infrastructure Improvements over the years 2005-2009

The following table illustrates the Capital Improvements implemented by the Avon Park Department from 2004 to 2009. This information source was provided by the Town of Avon.

Parks Infrastructure Capital Expenditures – 2005–2011

Town of Avon

Source: Town of Avon

General Description of Sources and Amounts of Money Used to Pay for Infrastructure During the Previous 5-Years [IC 36-7-4-1318(b)(6)]

Infrastructure Expenditure	Revenue Source	Amount (Approx.)	Year	Year Total
Parking Lot South end of Park	Food and Beverage	\$ 207,150	2006	
2006 Totals				\$ 207,150
Maintenance Building	Food and Beverage	\$ 303,070	2007	
Trail and sidewalk project	Food and Beverage	\$ 30,580	2007	
Trail Extension to Library	Food and Beverage	\$ 309,500	2007	
2007 Totals				\$ 643,150
Park Shelter	Food and Beverage	\$ 293,385	2008	
Trail and sidewalk project	Food and Beverage	\$ 115,000	2008	
2008 Totals				\$ 408,385
Parking North End of Park	Food and Beverage	\$ 130,000	2009	
Purchased 12.5 acre Firkin's Land	Food and Beverage	\$ 142,000	2009	
2009 Totals				\$ 272,000
Wildflower Plantings in Park	Food and Beverage	\$ 25,000	2010	
CR 100 N trail and sidewalk	Food and Beverage	\$ 440,000	2010	
Northend of Park Playground Expansion	Food and Beverage	\$ 30,000	2010	
Trail under bridge White Licke Creek	Food and Beverage	\$ 8,600	2010	
2010 Totals				\$ 503,600
White Lick Creek Trail	Food and Beverage	\$ 915,000	2011	
Expanded Parking South end of park	Food and Beverage	\$ 72,000	2011	
Purchased 1 acre Crawford property	Food and Beverage	\$ 85,000	2011	
YMCA	Food and Beverage	\$ 66,000	2011	
2011 Totals				\$ 1,138,000
TOTAL		\$ 3,172,285		\$ 3,172,285

Town of Avon - Park Department							
Park Department Revenues – 2005–2011							
Year	Personal Property Tax Income	CVET Vehicle Excise Tax	License Excise Tax	Park Receipts (Special Non-Revert Account)	Food & Bev. (Revenues)	Hotel / Motel Tax (Revenue)	TOTALS
2005	\$ 83,397				\$ 104,598		\$ 187,995
2006	\$ 37,834				\$ 762,509		\$ 800,343
2007	\$ 31,425				\$ 800,590		\$ 832,015
2008	\$ 36,086				\$ 735,972		\$ 772,058
2009	\$ 50,635				\$ 787,533		\$ 838,168
2010	\$ 705				\$ 812,918		\$ 813,623
2011	\$ -				\$ 822,350		\$ 822,350
Totals	\$ 240,082	\$ -	\$ -	\$ -	\$ 4,826,470	\$ -	\$ 5,066,552
7 Yr. Average	\$ 34,297	\$ -	\$ -	\$ -	\$ 689,496	\$ -	\$ 723,793

Provided by: Town of Avon

Appendix C: Impact Fee One Zone Recommendation Logic

An Impact Zone needs to be established for each recreation infrastructure type covered by the ordinance. In studying multi-zone options it usually proves best **to establish a one Impact Fee Zone**. Refer to the below example of a one-zone vs. multi-zone option:

EXAMPLE

- Say one zone has 10 softball fields existing within it. The recreation standards when applied to the future population of that zone only requires 5 fields.
- Say in the next zone (which has no existing softball fields) when applying the recreation standards to its future population it calculates the need for 3 new fields.

Multiple Zones Sample	Zone A	Zone B
Existing Softball Inventory	10	0
Applied Softball Standard	5	3
Variance of Softball	5	(3)
	Surplus	Deficiency

- If you would have multiple zones (using the above example) you would need to develop an additional 3 softball fields providing a total inventory of 13 (existing plus new) or a total surplus of 5.
- Yet if these two zones would be part of the same the existing inventory of 10 fields would be more than enough with future needs of only 8 fields (5 existing plus 3 new).

One Zone Sample	One Zone
Existing Softball Inventory	10
Applied Softball Standard	8
Variance of Softball	2
	Surplus

Appendix E:

Letter of Study Review from Reviewing Professional Engineer

The following is the Letter of Study Review done by the Reviewing Professional Engineer, Jack Lashenik, P.E., Professional Engineer for the Town of Avon as per IC 36-7-4-1318(d).

