

Regular Workshop – March 20, 2013
Agenda Item 8

Agenda Item: Discussion of Parks and Open Space Land Acquisition Fees

Presenter: Town Manager

Summary: Staff is reviewing Section 158.017, Parks and open space land acquisition, as part of our analysis of the different code sections relating to 158.180, Distribution of 250 tourism units. The purpose of this review is to take a look at the requirements for providing park and open space land as a requirement of 158.017 in relation to the 85 tourism units the Hilton would be requesting as part of their remodel/expansion, to determine if the standard is valid.

As part of our review we noticed that the standard for providing park and open space land acquisition in the Town of Longboat Key in both the Comprehensive Plan and the Land Development Code is 12 acres of park and open space land per 1000 population. However, the adopted formula for calculating the actual land dedication or fee in lieu of dedication is calculated at only 5 acres per 1000 population. A review of the Town's past ordinances related to the parks and open space fee revealed that the two conflicting standards were first adopted in 1994 without a stated reason for the difference. The formula also uses 2.01 persons per unit for population; our current Comprehensive Plan uses 1.78 persons per unit for population. Since the difference in the amount of the fee collected is substantial staff will present the two methodologies to the Commission seeking direction as to how the fee should be calculated in the future.

Attachments: 3-11-13 Memo, PZB Director to Manager;
PowerPoint presentation.

Recommended Action: Pending discussion, provide direction to Manager.

MEMORANDUM

DATE: March 11, 2013

TO: Dave Bullock, Town Manager

FROM: Robin Meyer, Director
Planning, Zoning and Building Department

SUBJECT: 158.017 - Parks and open space land acquisition

Staff is reviewing Section 158.017 - Parks and open space land acquisition, as part of our analysis of the different code sections relating to 158.180-Distribution of 250 tourism units. The purpose of this review is to take a look at the requirements for providing park and open space land as a requirement of 158.017 in relation to the 85 tourism units the Hilton would be requesting as part of their remodel/expansion, to determine if the standard is valid.

As part of our review we noticed that the standard for providing park and open space land acquisition in the Town of Longboat Key in both the Comprehensive Plan and the Land Development Code is 12 acres of park and open space land per 1000 population. However, the adopted formula for calculating the actual land dedication or fee in lieu of dedication is calculated at only 5 acres per 1000 population. A review of the Town's past ordinances related to the parks and open space fee revealed that the two conflicting standards were first adopted in 1994 without a stated reason for the difference the formula also uses 2.01 persons per unit, our current Comprehensive plan uses 1.78 persons per unit for population. Since the difference in the amount of the fee collected is substantial staff will present the two methodologies to the Commission seeking direction as to how the fee should be calculated in the future.

Formula for Determining Fees

Section 158.017(D)(1)(c) states:

To determine the amount of land for parks and open space to be conveyed in accordance with the general standard, the following shall be used:

Average number of persons per dwelling or tourism unit divided by 1,000 population, multiplied by acres of land required, equals acreage requirement per dwelling or tourism unit. Example: For single dwelling or tourism unit: 2.01 divided by 1,000 \times 5 = .010 per dwelling or tourism unit.

Section 158.017(D)(2)(a) states:

(2)

Formula for fees in lieu of land conveyance.

(a)

If it is determined that the proposed development does not include any land that can be used as open space, to serve the immediate and future needs of the town residents, and the developer is unwilling or unable to deed to the town lands outside the proposed development that are so designated, then the developer shall, in lieu of conveying land, pay a fee to the town equal to the value of the land acreage that would otherwise have been required to be conveyed as determined by the formula herein, and in an amount determined in accordance with the provisions set out below, the fee to be used by the town for acquisition of land and parks and open space which is intended to exclusively serve the residents of the town.

A dedication of land is required from the applicant's site, so in order to calculate the amount of the "fee in lieu" staff uses the value of the applicants land divided by the numbers of acres of the property to determine the price per acre of the land. If there is no current sales data to establish market value for the land, staff uses the property appraiser's values plus 20% as provided for in this section to establish land value

Please find below three examples of the Land Acquisition Fee formula with corrections. The first example shows the formula currently shown in the Land Development Code. The second example shows a correction for the person per household (1.78 p.p.h.) that is currently being used in the Comprehensive Plan. The third uses the 1.78 p.p.h. and the stated goal of the Land Acquisition Fee of providing 12 acres per 1,000 residences adopted in the Comprehensive Plan and Land Development Code. The formulas all use the current price per acre to simplify the calculation.

Existing Code based on 5 acres and 2.01 persons per household

For single dwelling or tourism unit: 2.01 persons per household (p.p.h.) divided by 1,000 du. × 5 ac. = .01005 ac. per dwelling or tourism unit.

$$\# \text{ new units } \underline{\hspace{2cm}} \times \frac{\text{Current market value of the land}}{\text{Acres of the land}} \times .01005 \text{ ac.} =$$

Corrected Code based on 5 acres and 1.78 persons per household

For single dwelling or tourism unit: 1.78 p.p.h. divided by 1,000 du × 5 ac. = .0089 ac. per dwelling or tourism unit.

$$\# \text{ new units } \underline{\hspace{2cm}} \times \frac{\text{Current market value of the land}}{\text{Acres of the land}} \times .0089 \text{ of an acre} =$$

Corrected Code based on 12 acres and 1.78 persons per household

For single dwelling or tourism unit: 1.78 p.p.h. divided by 1,000 du × 12 ac. = .02136 ac. per dwelling or tourism unit.

$$\# \text{ new units } \underline{\hspace{2cm}} \times \frac{\text{Current market value of the land}}{\text{Acres of the land}} \times .02136 \text{ of an acre} =$$

Example: Adding 85 tourism units, using the Hilton site which is 4.76 acres and the land is valued by the Property Appraiser's Office at \$10,663,839 (which includes the 20% increase).

Existing Code using 2.01 p.p.h and 5 acres per 1,000 du:

$$85 \text{ units} \times (\$10,663,839 \text{ divided by } 4.76 \text{ acres}) \times .01005 \text{ acres} = \mathbf{\$1,913,778}$$

Corrected Code using 1.78 p.p.h and 5 acres per 1,000 pop:

$$85 \text{ units} \times (\$10,663,839 \text{ divided by } 4.76 \text{ acres}) \times .0089 \text{ acres} = \mathbf{\$1,694,789}$$

Corrected Code using 1.78 p.p.h and 12 acres per 1,000 pop.:

$$85 \text{ units} \times (\$10,663,839 \text{ divided by } 4.76) \times .02136 \text{ acres} = \mathbf{\$4,067,493}$$

Staff is requesting that the Commission review the formulas and direct staff on any changes it wishes us to process as an ordinance.



Discussion of Parks and Open Space Land Acquisition Process

Town Commission
Regular Workshop Meeting
March 20, 2013



● Section 158.017- Parks and Open Space Acquisition:

Section 158.017(D)(1)(a) states:

It is hereby found and determined that the public interest, convenience, health, welfare and safety require that **12 acres** of land or equivalent money value be deeded or paid to the town for each potential **1,000 persons** residing in the town to be devoted for the park and open space purposes of this section as implemented by subsection (b) below.



● Section 158.017- Parks and Open Space Acquisition:

Section 158.017(D)(1)(b) states:

...to require a developer to pay an amount roughly proportional to the demand the development places upon open space within the town; **five acres** of land or equivalent money value will be deeded or paid to the town for each potential **1,000 persons** residing in the town to be devoted for parks and open space purposes of this section.



● Section 158.017- Parks and Open Space Acquisition:

Section 158.017(D)(1)(c) states:

To determine the amount of land for parks and open space to be conveyed in accordance with the general standard, the following shall be used:

Average number of persons per dwelling or tourism unit divided by 1,000 population, multiplied by acres of land required, equals acreage requirement per dwelling or tourism unit. Example: For single dwelling or tourism unit: **2.01** divided by 1,000 \times 5 = .01005 per dwelling or tourism unit.



● Section 158.017- Parks and Open Space Acquisition:

For single dwelling or tourism unit: 2.01 persons per household (p.p.h.) divided by 1,000 du. x 5 ac. = .01005 ac. per dwelling or tourism unit.

Current market value of the land

new units _____ x ----- x .01005 ac. = \$ _____

Acres of the land



● Section 158.017- Parks and Open Space Acquisition:

For single dwelling or tourism unit: 1.78 p.p.h. divided by 1,000 du × 5 ac. = .0089 ac. per dwelling or tourism unit.

Current market value of the land

new units _____ x ----- x .0089 of an acre = \$___

Acres of the land



● Section 158.017- Parks and Open Space Acquisition:

For single dwelling or tourism unit: 1.78 p.p.h. divided by 1,000 du × 12 ac. = .02136 ac. per dwelling or tourism unit.

Current market value of the land

new units _____ x ----- x .02136 of an acre = \$____
Acres of the land



Hilton Example

Example: Adding 85 tourism units, using the Hilton site which is 4.76 acres and the land is valued by the Property Appraiser's Office at \$10,663,839 (which includes the 20% increase).

Existing Code using **2.01 p.p.h** and **5 acres** per 1,000 du:

85 units x (\$10,663,839 divided by 4.76 acres) x .01005 acres.= **\$1,913,778**



Hilton Example

Example: Adding 85 tourism units, using the Hilton site which is 4.76 acres and the land is valued by the Property Appraiser's Office at \$10,663,839 (which includes the 20% increase).

Consistent with Comp Plan using **1.78 p.p.h** and **5 acres** per 1,000 pop:

85 units x (\$10,663,839 divided by 4.76 acres) x .0089 acres = **\$1,694,789**



Hilton Example

Example: Adding 85 tourism units, using the Hilton site which is 4.76 acres and the land is valued by the Property Appraiser's Office at \$10,663,839 (which includes the 20% increase).

Consistent with Comp Plan using **1.78 p.p.h** and **12 acres** per 1,000 pop.:

85 units x (\$10,663,839 divided by 4.76) x .02136 acres = **\$4,067,493**



Section 158.017- Parks and Open Space Acquisition:

Example: Adding 85 tourism units, using the Hilton site which is 4.76 acres and the land is valued by the Property Appraiser's Office at \$10,663,839 (which includes the 20% increase).

2.01 p.p.h and 5 acres per 1000

85 units x (\$10,663,839 divided by 4.76 acres) x .01005 acres.= **\$1,913,778**

1.78 p.p.h. and 5 acres per 1000

85 units x (\$10,663,839 divided by 4.76 acres) x .0089 acres = **\$1,694,789**

1.78 p.p.h. and 12 acres per 1000

85 units x (\$10,663,839 divided by 4.76) x .02136 acres = **\$4,067,493**



Options for Parks and Open Space Fee

1.78 p.p.h. and 6 acres per 1000

85 units x (\$10,663,839 divided by 4.76 acres) x .01068 acres = **\$2,033,746**

1.78 p.p.h. and 7 acres per 1000 = .01246 = **\$2,372,704**

1.78 p.p.h. and 8 acres per 1000 = .01424 = **\$2,711,661**

1.78 p.p.h. and 9 acres per 1000 = .01602 = **\$3,050,619**

1.78 p.p.h. and 10 acres per 1000 = .0178 = **\$3,389,577**

1.78 p.p.h. and 11 acres per 1000 = .01958 = **\$3,728,535**



Section 158.017- Parks and Open Space Acquisition:

Questions/Direction



End of Agenda Item