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# **Parks & Trails Plan**

**Spring Lake Township**

**February 2006**

**Updated November 2007, February 2009**

**Project Number 001862-05101-0**

2335 Highway 36 W  
St. Paul, MN 55113

Tel 651-636-4600  
Fax 651-636-1311

[www.bonestroo.com](http://www.bonestroo.com)

February 2, 2008



Mr. Eugene Berens, Chairman of the Board  
Spring Lake Township  
20381 Fairlawn Avenue  
Prior Lake, MN 55372

Re: Spring Lake Township Parks & Trails Plan  
Bonestroo File No.: 1862-05101-0

Dear Chairman Berens:

In February of 2006 the Township Board approved the Spring Lake Township Parks & Trails Plan. Regular revisions and updates to the plan were recommended in order to ensure the accuracy of the Park Dedication Fee.

In November 2007 the initial update was made in order to accommodate the addition of a Greenway Corridor from Fish Lake Park to Spring Lake. Additional updates were made in late 2008 and early 2009. These updates included the inflation of costs to 2009 dollars and the revision of the Park & Trail System Map to incorporate Scott County's 2030 comprehensive plan update.

Sincerely,

BONESTROO

Mark Statz  
Township Engineer

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## I. EXECUTIVE SUMMARY

Spring Lake Township's parks and trails will be an important element of the community's life as the Township population grows. The park system will offer residents desired recreational opportunities, while it preserves and makes accessible lakes and other natural resources that are part of the Township's character.

This Park and Trail Plan describes the system to be developed in Spring Lake Township over the next 20 years. The plan includes the following:

- Needs analysis, based on expected population growth and typical park and trail needs
- Identification of future locations for active community parks, nature parks, and trails
- Estimated costs of the proposed park and trail system
- Park ordinance and dedication fee

Careful planning of public parks, trails and open space areas will help to preserve and create the type of community and environment that Township residents desire. The Township has the opportunity to acquire quality open space and trail corridors before development occurs. This plan encourages this progressive approach to preserve and create quality neighborhoods and recreational opportunities for current and future residents, and make the best possible use of available financial resources.

This plan was adopted by the Township Board in February, 2006. Revisions to the plan were adopted in November 2007 and February 2009 respectively.

## II. EXISTING PARKS

Spring Lake Township currently has two public parks. Fish Lake Park is located along County Highway 10 between 200th St. and 205th St., on the west side of Fish Lake, and a neighborhood park is located near Spring Lake in the northern portion of the Township. Much of the northern portion of the Township (north of 190th Street East) is either part of an Orderly Annexation Agreement with the City of Prior Lake, or is shown as urban expansion area for annexations outside the Agreement area.

Fish Lake Park includes a picnic shelter and open picnic areas, play equipment, and facilities for volleyball, baseball, and an informal soccer field. In 2008, the Township added a Community Center building that is also used as a meeting hall and contains the town's administrative offices. The park and its facilities are in good condition, and have attractive views of Fish Lake. The Township is considering improving additional play fields to this park site, as the Township grows. Cost for the additional land and facilities are included in the cost estimate for future park and trail facilities.

The existing neighborhood park includes play equipment, open green space, and benches. The park has attractive views of the lake and surrounding neighborhood.

The Township also owns a potential park site on Spring Lake that is currently undeveloped. The Township is proposing to develop this site in cooperation with the City of Prior Lake, as this portion of the Township will be annexed to Prior Lake as development occurs through 2024, as per the orderly annexation agreement. The site has excellent views of the lake and attractive wooded areas. This site offers potential areas for boating access to the lake, or access could be developed at a nearby lot that is also owned by the Township. Facilities to be developed at this site could include walking trails along the lake and through the woods, a bridge to connect the park to trails to the east, boat access and/or fishing pier, and picnic tables and benches. Thomas Ryan Memorial Park in Prior Lake is surrounded by Township land, and includes 4 baseball fields and two soccer fields.

The County has developed or is in the process of developing three parks in or near the Township—Spring Lake Regional Park, Cedar Lake Farm Regional Park, and Doyle-Kennefick Regional Park. The County has also proposed several trail corridors through the Township that connect these parks.

Existing Township and County parks and proposed future parks and trails are shown on Figure 1. Figure 1 has been updated with the County's most recent trail plan as of February 2009.

## III. PARK AND TRAIL NEEDS AND STANDARDS

### A. PARK AND TRAIL TYPES AND STANDARDS

Most communities have adopted park system standards based on population and/or desired geographic distances from some facilities. In 2000, Spring Lake Township's population was 3681. By 2030, the population is expected to grow to 5,500 residents.

The Township expects to remain rural, with relatively large residential lots. Therefore, there may be little need to develop "tot lots" or small neighborhood parks within the township. Instead, the Township can focus its resources on the development of "community" parks, play fields, nature parks and trails. The Interim Scott County Parks, Trails, and Open Space System Policy Plan (June, 2004) notes that the County is responsible for development of regional park facilities, and recognizes that community level parks athletic facilities are city and township responsibilities.

Typical standards for such parks and trails include the following:

#### COMMUNITY PARKS

Community parks provide recreational opportunities for people of all ages, and serve several neighborhoods. These parks may also preserve unique landscapes and views of natural areas. A Community Park may also serve the neighborhood playground needs of immediate residents, or may be integrated with community play fields.

*Sites.* Sites used for community parks should include interesting terrain and natural areas, such as woodlands and wetlands. They should be easily accessible from a major transportation route, and may be located near other community facilities. Community parks should be linked to County and Township trails to provide optimum access for residents.

- These parks serve up to a 2 mile radius
- About 3 acres of this total should be for "active" recreation
- These parks are typically 20-30 acres or more in size
- Typical Community Park elements may include the following:
  - Building/shelter
  - Picnic area
  - Internal trail system
  - Play equipment (may be more extensive than for neighborhood park)
  - Play fields for baseball, soccer, football
  - Tennis court(s)
  - Site furnishings such as benches, bike racks, trash containers, and signs
  - Landscape plantings
  - Specialized play areas
  - Parking area

### **COMMUNITY PLAY FIELDS**

Community play fields are designed for athletic activities, providing facilities for organized sports and games that require more space than is available at neighborhood park playgrounds. Play fields may be integrated into community parks, or co-located with school athletic facilities.

*Sites.* Sites should be level, with suitable soils and good drainage for athletic field development.

- 1.5-3 acres of Community Play Fields should be developed per 1,000 people.
- Play fields may be co-located and developed in cooperation with school play fields
- Play field facilities may include the following:
  - Baseball, soccer, football or other sport fields
  - Volleyball court(s)
  - Basketball and/or tennis courts
  - Site furnishings such as benches, bike rack, trash containers, and signs
  - Equipment building
  - Concession/multi-purpose building
  - Parking area

### **OPEN SPACE PARKS OR NATURAL PARKS**

These parks contain high quality natural resource areas, such as lakes, wetlands, or woodlands. Recreational uses are secondary to the preservation of natural open space and the conservation functions of these areas. Compatible recreational uses include hiking, picnicking, and nature study.

Open space parks should be connected by trails to other parks. Conservation parks will be left in a natural or semi-natural state, with a minimum of development.

- These parks serve a community-wide audience
- The size of the parks may vary based on the natural resources or other special features (such as historic sites) in the community
- Facilities development at these parks should be minimal, but may include the following:
  - Trails
  - Site furnishings such as benches, bike racks, trash containers, and signs
  - Parking area

### **GREENWAY CORRIDORS**

Greenway corridors are a commonly used application in zoning to identify special areas in a community and the requirements that correspond to these areas. They are usually a linear, open space that can include path or trails. Greenway corridors seek to protect and preserve unique features and natural resources of the community through the regulation of development within and around its boundaries.

*Sites.* Linear sites used for greenway corridors should be located so as to include interesting natural areas, such as streams and wetlands.

- Greenway corridors should serve the entire community
- The size and location will be based on the natural alignment of the resources it is meant to protect
- Greenway corridors should include a buffer area to reduce the impacts of surrounding land uses on the natural area
- Facility development within the greenway corridor should be limited to:
  - Trails
  - Site furnishings such as benches, bike racks, trash containers, and signs

## **B. PROJECTIONS BY PARK TYPE**

Based on the standards described above, the following are the projected park needs in Spring Lake Township through 2030:

- The Township could develop 2 or 3 additional Community Parks by 2030 (20 acres each)—in addition to the current Fish Lake Park—in order to have park facilities available for each 2-3 square mile area of the Township. This includes the lake access park to be added near Spring Lake.
- The Township will need about 5-10 acres of additional play fields by 2030 (in addition to the current playfields adjacent to the City Park). These may be co-located with Community Park facilities.
- Open Space parks and greenway corridors may be acquired based on needs and opportunities to protect important natural resource areas as development occurs.
- Trails should be developed so that residents can access a public trail ½ to one mile from their homes that is connected to Township parks and County Parks
- The standard trail in the Township will be an 8’ wide bituminous trail, with 2’ clear area on each side (12’ total trail width), and a right of way of 20’. The trail detail is provided in the Attachments.
- Trails shall be bituminous, unless otherwise designated by the Township Board, due to soil conditions or other site characteristics.

Proposed parks and trails are identified on the Parks and Trails System Map.

## **C. PARK AND TRAIL MAPS**

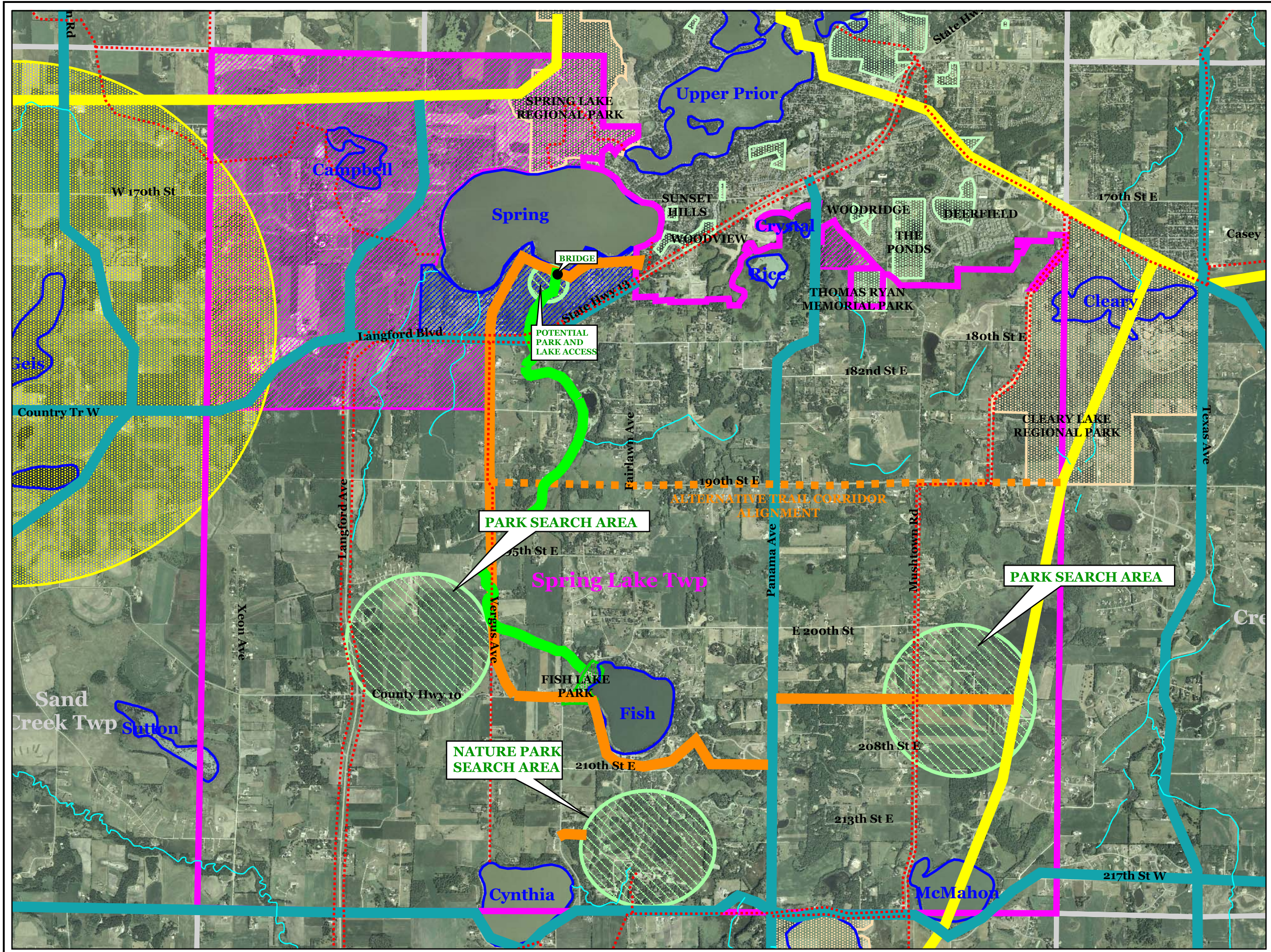
The map that follows is the proposed future Park and Trail System Map for Spring Lake Township. The map identifies general search areas for parks and trails. The City will work with developers and other landowners to identify the exact location and size of parks and trail alignments, as development or park acquisition is proposed.



Spring Lake Township  
**PARKS AND TRAILS PLAN**

**Park System**

**Figure 1**



- Future Study Area
- Park Search Area
- State Grant-in-Aid Snowmobile Trails
- Roads
- County Parks
- City Parks
- Township Parks
- County Trail Corridor
- Regional Trail Corridor Search Area
- Proposed Township Trail Corridor
- Proposed Greenway Corridor
- 10-Year Annexation Boundary
- 20-Year Annexation Boundary
- Spring Lake Twp Boundary
- Township Boundary

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January  
 2009

**Bonestroo**

## IV. Park and Trail System Costs and Dedication

State law requires that the amount of park dedication that communities require should be clearly tied and proportionate to the need for park facilities generated by development.

In the past, many cities used a “10% rule” to determine the standard for park dedication. However, recent legislation requires cities to account for and justify the basis for all fees charged to new development, including park fees. Tying the park dedication requirements closely to the Comprehensive Plan and identified park needs and costs is more defensible than the old practice of assuming a 10% dedication of land or equivalent cash.

The Township completed the following steps to develop the Park Dedication Fee recommended as a part of this plan:

- Identified needs for parks in the community through 2030
- Identified the parks and trails system to be developed in the City through 2030
- Completed cost estimates for the proposed system
- Identified developable acres remaining in the Township
- Developed a proposed park ordinance and dedication fee that would support development of the proposed system based on estimated costs.

The needs analysis and proposed park and trail system are described in earlier sections of this report. The cost estimates and proposed park dedication fee and ordinance are discussed in the next sections.

### A. PARK SYSTEM COST ESTIMATES

The estimate of costs for the proposed park and trail system in Spring Lake Township is shown on Table 1. The following are some assumptions used to develop the cost estimates for Spring Lake Township’s proposed Park and Trail system:

- The Township based the estimated costs of the proposed park and trail system on actual costs for parks and trails developed in communities in the Twin Cities Metro Area during 2004. These costs were then updated as of February 2009. The costs include estimates for materials, construction, design, and engineering. The costs estimated for parks and trails were compared to the cost estimates used in other park plans in the Metro Area, and the costs estimated for the Township were consistent with those used by other communities.
- The cost estimates use an estimated land value of \$23,000 per acre. As the land values in the Township have been rising rapidly during the past few years, this plan recommends that the Town Board continue to annually review the estimated cost table, and update costs for land or facilities as needed to reflect changes. This would allow for updating the Park Dedication Fee annually or as needed to ensure that the Township is collecting adequate fees to support development of the proposed park and trail system.

- Build-out analysis done by Scott County indicates that as of 2008 approximately 400 platted lots currently exist in the Spring Lake Township DAP study area. These lots are assumed to subdivide at a density of one home per 2.5 acres. According to Brad Davis of Scott County there will be 2,694 new platted lots in the Township's DAP area at full build-out. Outside the DAP study area a rural interim density of one lot per ten acres is assumed. This equates to approximately 340 parcels. This area will be further segmented as parcels subdivide in the future.
- The analysis indicates that a per unit fee of \$1,700 would be needed to develop the proposed system. This assumes a typical lot of 2.5 acres in the DAP study area and 10 acres outside of the study area.

The Township should consider continuing to update the park cost estimates and park fee annually or bi-annually to insure that the data and fee keep pace with current construction and land costs, and that the fee is adequate to develop the proposed system. Most communities review and update their park fees annually.

SPRING LAKE TOWNSHIP  
 Cost Estimates for Parks and Trails Development  
 January, 2009

ITEM	FACILITY COSTS				LAND COSTS			
	Unit	Unit Cost	Quantity	Total Cost	Unit	Unit Cost	Quantity	Total Cost
Trails, Hiking/ Biking 10' Bituminous, 20' Easement On-Road Trails <sup>1</sup>	LF	\$ 20.00	33,500 <sup>3</sup>	\$ 670,000.00	AC	\$ 23,000.00	15.5 <sup>3</sup>	\$ 356,500.00
Community Parks (20 acres each, average)	EA	\$ 1,018,000.00	2	\$ 2,036,000.00	AC	\$ 23,000.00	40	\$ 920,000.00
Nature Parks 20 acres each, trails, misc.	EA	\$ 34,000.00	1	\$ 34,000.00	AC	\$ 23,000.00	10	\$ 230,000.00
Fish Lake Park Expansion 50% of building considered a "new" park facility and eligible for park dedication fees	EA	\$ 1,375,500.00 <sup>2</sup>	0.5	\$ 687,750.00	AC	\$ 23,000.00	2.5	\$ 57,500.00
TOTAL				\$ 3,427,750.00				\$ 1,564,000.00
<b>GRAND TOTAL</b>								<b>\$ 4,991,750.00</b>

2,694 platted lots in the DAP study area -Brad Davis, Scott County

340 platted lots outside the DAP study area

Per unit estimate is approximately \$1,700 per unit.

<sup>1</sup>Estimated land cost is a Dec. 2008 value. This estimate will be updated annually.

<sup>2</sup>Actual Cost based on final pay request

<sup>3</sup>Revised Jan. 2009 based on Scott County's 2030 Comprehensive plan update

## V. Park Dedication Ordinance and Fee

Minnesota Statutes indicate that cities and townships may require that a reasonable portion of any proposed subdivision be dedicated to the public as parkland, trails, or open space, or preserved for conservation purposes. Cities and townships may chose to accept an equivalent amount in cash based upon the undeveloped land value.

State law requires that the amount of dedication should be clearly tied and proportionate to the need for park facilities generated by the development.

Therefore, the Park Dedication Ordinance developed by the Township is based on future population estimates, proposed Township land uses, and on the costs estimated for the park and trail system.

Key elements of the ordinance include the following:

- The Township will determine the total area and location of land that should be conveyed or dedicated within each development as parkland or trail corridor.
- When the Township determines that a cash equivalency payment should be made by the applicant in lieu of land dedication, it will determine the amount of the park dedication fee to be paid in cash.
- The Township is also authorized to receive gifts or other donations of money and property for parks and trails.

The text of the Township's Park Dedication Ordinance (adopted 2006) is attached.

# ATTACHMENTS

**TOWN OF SPRING LAKE  
COUNTY OF SCOTT  
STATE OF MINNESOTA**

**ORDINANCE NO. 06-003**

**AN ORDINANCE ESTABLISHING REGULATIONS FOR  
PARK DEDICATION WITH THE SUBDIVISION AND  
PLATTING OF LAND**

The Town Board of Spring Lake Township, Scott County, Minnesota hereby ordains as follows:

Section 1 – Authority: This Ordinance is adopted pursuant to the authority granted in Minnesota Statutes Section 462.358 Subd. 2b.

Section 2 - Purpose: All subdivisions of land hereafter submitted shall fully comply in all respects with these regulations and those contained in the Scott County Land Subdivision Ordinance Number 7; or successor ordinance, to:

- A. Provide for the preservation and development of parks, playgrounds, trails and open space areas within the Township, which are essential to maintaining a healthy and desirable environment for residents. The presence of parks, trails and open space amenities also enhances the value and attractiveness of the Township to landowners, developers, and purchasers of property within the Township. The Township must not only provide for its present citizens, but it must also provide for the future.
- B. Require that new Developments contribute toward the Township's Park system in proportion to the relative burden they will place upon the park system. Development results in increased population, increased intensity of use and greater demands on the Township's parks, trails and open space system. As new Developments place a burden upon the Township's parks, trails and open space system, new facilities must be developed concurrently with development in order to provide the desired level of service and the quality of the environment for the residents of the Township.
- C. Set the minimum requirements necessary to protect the public health, safety, comfort, convenience and general welfare.

Section 3 – Jurisdiction and Scope:

- A. The rules and regulations governing plats and subdivision of land contained herein shall apply within the boundaries of the Town of Spring Lake.
- B. This Ordinance is not intended to repeal, annul or in any way impair or interfere with existing provisions of other laws, ordinances or with restrictive covenants running with the land except those specifically repealed by or in conflict with this Ordinance.
- C. The regulations contained in this Ordinance are to be considered as additional and more restrictive requirements to those contained in the Scott County Land Subdivision Ordinance Number 7, or successor ordinances. Compliance with the provisions of both Ordinances and approvals of both the Township and Scott County are required for the subdivision of land within the boundaries of the Town of Spring Lake.

Section 4 – Separability: Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not effect the validity of the remaining sections and provisions of this Ordinance.

Section 5 – Interpretation: In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare. Where the provisions of this Ordinance impose greater restrictions than those of any statute, other ordinance or regulation, the provisions of this Ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this Ordinance, the provisions of such statute, or other ordinance or regulation shall be controlling.

Section 6 - Public Sites and Open Spaces (Park Land Dedication):

- A. As a prerequisite to final plat, subdivision approval, or the issuance of building permits within a development on any land previously divided by plat, metes or bounds or any other means, applicants and/or developers shall dedicate a reasonable amount of land for parks, playgrounds, public open spaces or trails and/or shall make a cash contribution to the Township's Park & Trail Fund roughly related to the anticipated effect of the plat or development on the park and trail system. The amount of land required to be dedicated or the cash contribution provided in this ordinance are the Township's best estimate of the contribution needed to offset the effect of the plat or development on those systems.



- B. The form of contribution (cash, land, or any combination thereof) shall be determined by the Township Board in its sole discretion based upon need and the Parks and Trails Plan.
- C. Land to be dedicated shall be reasonably suitable for its intended use, as determined by the Township, and shall be at a location convenient to the public to be served. Factors used in evaluating the adequacy of proposed park and recreation areas shall include size, shape, topography, geology, hydrology, rare species and other significant wildlife habitats, tree cover, access, location and consistency with the Township Parks and Trails Plan.
- D. The applicant or developer shall confer with the Town Board, Township Staff and the Township Engineer at the time the preliminary plat is under consideration by the County, to secure a recommendation as to the location of any property that should be dedicated to the public, such as parks, playgrounds or other public property. The preliminary plat shall show the location and dimensions of all areas to be dedicated in this manner. Such contribution requirement recommendation(s) will be sent to the Town Board for its approval.
- E. When a proposed park, playground, recreational area, or other public ground has been indicated in the Township Parks and Trails Plan, official map or the Scott County Comprehensive Plan and is located in whole or in part within a proposed plat, it shall be dedicated to the appropriate governmental unit, as determined by the Township. If the applicant elects not to dedicate an area in excess of the land required hereunder for a proposed public site that the Township feels is in the public interest to acquire, the Township may consider acquiring the excess land through purchase or condemnation.
- F. Land area conveyed or dedicated to the Township shall not be used in calculating density requirements of the Scott County Zoning Ordinance and shall be in addition to and not in lieu of open space requirements for planned unit developments/cluster plats.
- G. Where private open space for park and recreation purposes is provided in a proposed subdivision, such areas shall not be used for credit against the requirement of dedication for park and recreation purposes, unless the Town Board finds it is in the public interest to do so.
- H. The Township, upon consideration of the particular type of development, may require that a lesser parcel of land should be dedicated due to

particular features of the development. In such cases, a cash contribution shall be required in addition to the land dedication to insure that compensation is received for the full amount of the impact on the Township's park and trail system.

- I. In all new subdivisions, up to ten (10) percent of the gross area subdivided, or a different percentage as the Town Board shall determine to be reasonably necessary as a result of the development or subdivision approval, shall be dedicated for public recreation space or other public use as established by Town Board as a condition of plat approval. The dedicated percent of the gross area subdivided shall be in addition to property dedicated for streets, alleys, easements, or other public ways. No areas may be dedicated for public use until such areas have been approved by the Town Board as suitable and necessary for the health, safety, convenience and general welfare of the Township.
- J. The Developer/Applicant shall make a dedication of land for public park and trail use, or shall pay a fee in lieu of such land dedication as follows:
  1. Land Dedication. When land is to be dedicated to satisfy the park dedication requirement, separate lots or outlots shall be indicated on the plat drawings for the area(s) to be dedicated. Such lots or outlots in the Town Board's discretion shall be deeded to the Township and recorded at the time of the recording of the final plat or prior to the issuance of any permits within the plat. The developer shall be responsible for finished grading, ground cover and construction of trails in all lands to be dedicated to the Township. No credit toward the required dedication shall be given for this work.
  2. Cash Fee. When a cash fee is to be paid in lieu of land dedication:
    - a. Residential Development: a fee in lieu of land dedication as follows: \$2,000.00 per dwelling unit or lot. The fee shall be paid prior to the Township's release of the signed final plat mylars for recording with Scott County.
    - b. Commercial and Industrial Development: a fee in lieu of land dedication as follows: \$1,000.00 per gross acre of the subdivision. The fee shall be paid prior to the Township's release of the signed final plat mylars for recording with Scott County.
    - c. In plats that include outlots for future development, the subdivider may pay to the Township i.) the development's proportional share

for the entire subdivision, including said outlots, or ii.) the development's proportional share excluding such outlots, providing that the park dedication requirement shall be satisfied when such out lots are replatted in accordance with the Township's park dedication requirements in effect at the time of such replatting.

K. The Township may elect at its sole discretion to receive a combination of cash, land, and/or improvements to the land for park use. When the Township elects to accept combination of cash, land, and/or improvements to the land the following formulas will be used to determine the dedication requirement:

1. The Township will determine what percentage of the total land dedication requirement for the development will be satisfied by the land accepted for dedication. The additional cash contribution required for the unsatisfied portion of the land dedication requirement will be calculated by taking required cash contribution for the entire plat as calculated in section J (2) and multiplying it by the remaining unsatisfied percentage of the total land dedication requirement.
2. The value of any accepted improvements to the parkland shall be subtracted from the total cash contribution, which would be required to be paid by the Developer as calculated in Section J (2) of this Ordinance. Developer shall submit an estimate of the cost of construction of the improvements. The Township will review the estimated costs of construction. If the Township Board and the Developer are unable to agree on the value of the improvements, the Township Board will make the determination as to the value of said improvements.

L. Planned unit developments/cluster plats with mixed land uses shall make cash and/or land contributions in accordance with this Ordinance based upon the percentage of land devoted to the various uses.

M. Park cash contributions are to be calculated and established at the time of final plat approval based upon the rate in affect at the date of application. Any park cash contribution requirements by the Township, shall be conveyed to Scott County for inclusion as a condition of Preliminary and Final Plat approval or approval of any other subdivision of land or development, however if such contribution is not included as a condition of County approval it still remains an obligation of the applicant and the Township will not execute a Developer's Agreement, accept public roads or approve construction, issue a building permit or sign any plat until such

time as the requirements of this Ordinance have been met. The Town Board may require the payment at the time of final plat approval, development or at a later time at the discretion of the Town Board. Delayed payment may include interest at a rate of 12%.

- N. Cash contributions for parks and trails shall be deposited in the Township's Park & Trail Fund and shall only be used for park and trail acquisition, debt retirement related thereto or improvements to the system as determined by the Township. Additionally, said funds may be utilized anywhere within the Township park and trail systems
- O. Wetlands, ponding areas, and drainage ways accepted by the Township may not be considered in the parkland and/or cash contribution to the Township.
- P. Property being replatted shall be subject to the requirements of this Ordinance in its entirety if the area to be replatted has not previously been subject to the Park Dedication Requirements imposed hereunder. The replatting of land from which previous park dedication, whether in the form of land, cash or both, was received shall be subject to the terms of this Ordinance only to the extent that the number of lots or the number of dwelling units is increased, or if land outside the previously recorded plat is added, then the park land dedication and/or park cash contributions shall be based on the additional lots and on the additional land being added to the plat. The requirements of this Ordinance shall apply to any Outlots replatted.
- Q. When land is dedicated and deeded to the Township for park purposes, it shall be the responsibility of the Township to maintain such dedicated property.
- R. If the applicant or developer does not believe that the estimates contained in this section fairly and accurately represent the effect of the subdivision on the park or trail system of the Township, the applicant or developer may request that the Township prepare an in-depth study of the effect of the subdivision on the park and trail system and an estimate of that effect in money and/or land. All costs of such study shall be borne by the developer or applicant. If the developer or applicant requests the preparation of such a study, no application for development submitted shall be deemed complete until the study has been completed and a determination is made as to the appropriate amount of land or money necessary to offset the effects of the subdivision.

Section 7 - Penalty:

- A. Any person found in violation of any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by penalty established in State Statute for a misdemeanor as may be amended from time to time. Any person convicted of a violation of this ordinance shall be required to pay the reasonable costs of prosecution.
- B. The Township may in its discretion, seek any civil remedies available to it including remedies at law, in equity or other relief. In the event that civil remedy is pursued, the Township may seek reimbursement of any and all costs, disbursements, witness or other fees, as well as reasonable attorney's fees expended by the Township in order to enforce this Ordinance.
- C. Other Remedies. Each right or remedy accruing to the Township under this Ordinance or at law is separate and distinct and may, at the Township's discretion, be exercised independently or simultaneously with any other right or remedy.

This ordinance shall be effective upon its passage and publication in the official newspaper of the Township.

Passed the \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Gene Berens  
Chair, Spring Lake Town Board

ATTEST:

\_\_\_\_\_  
Kathy Nielsen  
Clerk, Spring Lake Township