

SEC. 14-1-84 FEES IN LIEU OF LAND.

(a) Method of Calculation.

- (1) Where, in the opinion of the Plan Commission, there is no land suitable for parks within the proposed subdivision or the dedication of land would not be compatible with the City's comprehensive development or park plan, or City officials determine that a cash contribution would better serve the public interest, the Plan Commission may require the subdivider to contribute cash payment in lieu of land.
- (2) The subdivider may be required to pay a fee equivalent to ten percent (10%) of the value of the land proposed to be subdivided. In determining said fee, the undeveloped land value shall be used. In the case of land divisions other than subdivisions, the subdivider shall be required to pay a fee according to the schedule set forth in Subsection (b) of this Section. The fees collected shall be held in a nonlapsing fund to be used for purchase, development, improvement and maintenance of parks, playgrounds, open spaces and other recreational sites and facilities.

(b) Computation of Fees in Lieu of Dedication.

- (1) Undeveloped Land Value. As used in this Section, the term "undeveloped land value" shall mean the estimate of fair market value of the property included in the subdivision as of the date of approval of the final plat as determined by the City Assessor.
- (2) Fee Schedule. In the case of land divisions other than subdivisions, the subdivider shall pay the following fees:

Single-Family Residence	\$150.00
Multi-Family Residence	
Three (3) or more bedrooms	\$100.00
Two (2) bedrooms	\$100.00
One (1) bedroom and efficiency	\$100.00

The total fee shall be computed on the basis of the maximum residential use of each lot or parcel permitted in the particular zoning district under the Zoning Code.

- (3) Exemptions. Where a lot or parcel for which payment has once been made is further divided, payment shall be required only for the additional lots or parcels created.
- (4) Time of Payment. Payment shall be made before certification of approval is affixed to the final plat. As an alternative, payment of fifty percent (50%) of the fee may be made prior to certification and the balance paid within one (1) year of certification if the portion which is deferred is guaranteed by surety bond or other financial guarantee satisfactory to the City.

(c) Dedication Criteria. The Plan Commission shall determine whether the subdivider shall be required to dedicate land or pay a fee in lieu of dedication. The Plan Commission shall also determine the location of sites dedicated to such public uses and the types of uses to which said sites shall be put. In making these determinations, consideration shall be given to the needs of the community in general and of the residents of the proposed subdivision or other land division, correlation with existing and planned sites and facilities dedicated for such public uses, feasibility and practicality of requiring dedication of land, zoning

regulations and compatibility with a comprehensive community development plan or a park and open space plan.

- (d) **Park Fund.** Funds paid to the City under any Fees in Lieu of Land provision or contributed from other sources for park development and improvement are to be placed in a separate account designated for park development and improvement projects. The Common Council shall have the final right to approve or reject such projects. Said account shall be a continuing account and shall not lapse at the end of a budget period.

SEC. 14-1-85 THROUGH SEC. 14-1-89 RESERVED FOR FUTURE USE.