

ORDINANCE NO. 234

AN ORDINANCE AMENDING ORDINANCE NO. 191
(DEDICATION OF PARKLAND)

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, JOHNSON COUNTY, IOWA:

Part I: AMENDMENTS:

University Heights Ordinance No. 191 is amended as follows (with additions indicated by underline; deletions indicated by ~~strike-through~~; omissions by "****"):

SECTION 1. PURPOSE.

The purpose of this ordinance is to establish requirements and procedures for development entities to ensure that in, or within reasonable proximity to new developments, there will be sufficient park and recreational areas ("Parkland") to meet the demand and needs of future and current residents of the City of University Heights. In determining the size of the parcels that should be dedicated in this section, the City Council has taken into consideration the current and future needs of the City and its residents.

SECTION 2. APPLICABILITY.

Before the issuance of any building permit for (1) a subdivision or (2) a rezoning of land that would increase population or dwelling-unit density or (3) add two thousand five hundred square feet (2,500sqft) or more of non-residential finished space, Parkland must be dedicated to the City or a Park Development Fee must be paid to the City. Council approval for any zoning change is required by City Ordinance and Iowa law, and this Ordinance shall not be construed as authorizing or commenting upon any zoning change proposal.

Acceptance of public improvements shall not be issued for any (1) subdivision or (2) rezoning of land that would increase density or (3) add two thousand five hundred square feet (2,500sqft) or more of non-residential finished space unless Parkland is dedicated for such subdivision or rezoning or addition of non-residential finished space or unless cash shall have been paid in lieu of such dedication (or a combination thereof) for park, recreational or

open space purposed in accordance with the standards and criteria in this Ordinance.

SECTION 3. DEDICATION AND CHARACTER OF LAND.

A. AMOUNT OF LAND TO BE DEDICATED.

1. Residential uses. The minimum amount of Parkland to be dedicated pursuant to this Ordinance with respect to residential uses shall be one-half (1/2) of an acre for every ~~one hundred fifty~~ (10050) dwelling units ("DUs"). The required amount of Parkland shall be proportionate to the one-half acre for every ~~100~~ 50 DUs. For example, a ~~50~~ 25 DUs would require one-quarter (1/4) of an acre; ~~150~~ 75 DUs would require three-quarters (3/4) of an acre; and so on.

2. Non-residential uses. The minimum amount of Parkland to be dedicated pursuant to this Ordinance with respect to non-residential uses shall be one-half (1/2) of an acre for every fifty thousand square feet (50,000sqft) of finished space. The required amount of Parkland shall be proportionate to the one-half acre for every 50,000sqft of finished space. For example, 25,000sqft of finished space would require one-quarter (1/4) of an acre; 75,000sqft of finished space would require three-quarters (3/4) of an acre; and so on.

Part II: SAVING CLAUSE.

In the event any word, phrase, sentence, paragraph or section contained in this ordinance shall be held to be invalid, unlawful, or unconstitutional for any reason, then it is hereby declared that the remaining such portions and provisions of this ordinance would have been enacted and remain in full force and effect.

Part III: EFFECTIVE DATE.

This ordinance shall become effective upon its passage and publication as provided by law.

Part IV: REPEALER.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Adopted by the University Heights City Council this 9th day of October, 2018, and approved this 9th day of October, 2018.



Louise A. From, Mayor

(SEAL)

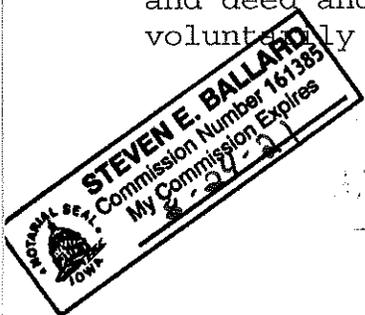
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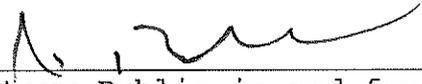
Christine M. Anderson, City Clerk

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

On this 9th day of October, 2018, before me, a notary public in and for the state of Iowa, personally appeared Louise A. From and Christine M. Anderson, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk of the City of University Heights, Iowa; that the seal affixed to this instrument is the corporate seal of the city; and that said instrument was signed and sealed on behalf of the city, and that Louise A. From and Christine M. Anderson acknowledged the execution of said instrument to be their voluntary act and deed and the voluntary act and deed of the city, by it and by them voluntarily executed.



STEVEN E. BALLARD
Commission Number 161385
My Commission Expires



Notary Public in and for the
State of Iowa

STATE OF IOWA)
) SS:
COUNTY OF JOHNSON)

I, Christine M. Anderson, being first duly sworn, certify that the above ordinance was published in the Iowa City Press-Citizen the 20th day of December, 2018.

Christine M. Anderson
Christine M. Anderson, City Clerk

Signed and sworn to before me on the 8th day of January, 2018, by Christine M. Anderson, Clerk of the City of University Heights.

[Signature]
Notary Public in and for the
State of Iowa

