

ORDINANCE NO. _____

1 AN ORDINANCE amending Section 26.23.160 of the Lincoln Municipal Code
2 relating to Development Standards; Parks, Fire Stations, Libraries, Bikeways, Easement Along
3 Streams, and Other Public Areas to provide that the City may require subdividers to dedicate land
4 for neighborhood parks, provided the City reimburses the subdivider for the value of the land
5 dedicated from Neighborhood Park & Trail Impact Fees; and repealing Section 26.23.160 of the
6 Lincoln Municipal Code as hitherto existing.

7 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8 Section 1. That Section 26.23.160 of the Lincoln Municipal Code be amended to
9 read as follows:

10 **26.23.160 Parks, Fire Stations, Libraries, Bikeways, Easement Along Streams, and**
11 **Other Public Areas.**

12 (a) In subdividing property, consideration shall be given to suitable areas for schools,
13 parks, playgrounds, fire stations, libraries, and other common areas for public use in conformance
14 with the comprehensive plan.

15 (b) ~~All subdivisions for residential development shall~~ The City may require subdividers
16 to provide for the neighborhood park land needs of its future residents by dedicating suitable land
17 for neighborhood parks, paying the impact fees for neighborhood parks and trails pursuant to
18 Chapter 27.82, Impact Fees, or by a combination of the two methods. subject to the following
19 conditions:

20 (1) ~~Whether the neighborhood park land need will be satisfied by the dedication~~
21 ~~of land, payment of the impact fee, or some combination of the two methods shall be at the sole~~

1 ~~discretion of the City.~~ The subdivider shall be reimbursed from Neighborhood Park and Trail Impact
2 Fees for the value of the land being dedicated in accordance with Lincoln Municipal Code Section
3 27.82.090(1), (2) and (3)(i) and (ii).

4 (2) The maximum amount of land that can be required to be dedicated per unit
5 for neighborhood parks is as follows:

<u>Housing Type</u>	<u>Acres/Unit</u>
Single-Family Detached	0.00558
Townhouse	0.00460
Duplex	0.00414
Multi-Family	0.00328
Mobile Home Court (per pad site)	0.00474

12 (3) The area to be dedicated shall be shown on the preliminary plat (or other
13 approved plan) and final plat.

14 Section 2. That Section 26.23.160 of the Lincoln Municipal Code as hitherto existing
15 be and the same is hereby repealed.

16 Section 3. That this ordinance shall take effect and be in force from and after its
17 passage and publication according to law.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2006: _____ Mayor
