

**CITY OF RICE
MINNESOTA
ORDINANCE NO. 2018-5**

**AN ORDINANCE REGULATING PARK DEDICATION FOR
COMMERCIAL/INDUSTRIAL SEBDIVIONS.**

The City Council of the City of Rice:


Section 1. Section 1520 of the Rice City Code is hereby deleted and replaced with the following: Park Dedication for Commercial/Industrial Subdivisions.

- A. In every subdivision of land for commercial or industrial purposes, a reasonable portion of the buildable land, not to exceed 10 percent, shall be dedicated by the owners to the City for the parks, recreational facilities, playgrounds, trails or public open space. For purposes of this section, buildable land means the gross acreage of the subdivisions excluding designated wetlands and land set aside as open space in a manner approved by the City. The land must be suitable for public use for one or more of the described purposes. The City shall not be required to accept land which is not suitable for one or more of the described purposes or which would require extensive public expenditures to be made usable. In establishing the amount of land to be dedicated or the amount of the cash in lieu contribution, the City will give due consideration to the open space, recreational or common space and facilities open to the public that the developer proposes to reserve in the subdivision.
- B. The City may, at its option, require a cash contribution in lieu of dedication or require a portion of the required dedication to be in land and a cash contribution in lieu for the balance thereof. The contribution of cash in lieu shall be equal to eight percent of the value of the land. Cash in lieu contributions shall be calculated on the average value of the un-subdivided land for which park dedication fees have not already been paid based on fair market value no later than the time of final approval. If the land is being redeveloped, the cash in lieu contribution shall be based on fair market value of the land no later than the time of final approval.
- C. Any cash contribution so paid to the City shall be placed in a special fund identified as the park dedication fund. The money shall be used only for: a) the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands or open space based on the approved park system plan; b) redevelopment or rehabilitating of existing facilities or sites; or c) debt service in connection with land previously acquired or improvements thereto previously constructed. No portion of the park dedication funds shall be used for ongoing operation or, maintenance of existing parks, recreational facilities, playgrounds, trails, wetland or open spaces.
- D. Previously subdivided property from which a park dedication or cash in lieu contribution has been received, upon re-subdivision with the same number of lots, is exempt from park dedication requirements. If, as a result of the re-subdivision of the property, the

number of lots is increased, the park dedication or cash in lieu contribution shall be applied only to the net increase in the number of lots.


Section 2. Effective Date. This Ordinance shall be in full force and effect from and after its passage and the first day of publication.

Adopted by the Rice City Council this 15th day of October, 2018.



Dale Rogholt, Mayor

ATTEST:



Julie Fandel, City Clerk