

**Sec. 100-53. - Parkland dedication.**

- (a) All residential subdivision applications and requests for plat approval submitted to the city, including property being platted within the city's extraterritorial jurisdiction, shall show the area proposed for parkland to be dedicated to the public. All properties that are subdivided for residential use, including but not limited to single-family residences, multifamily housing, condominiums, town homes and manufactured home communities are subject to either a parkland dedication plan acceptable by the city or payment of cash in lieu of designated parkland. This area shall be no less than five percent of the gross area of the property being platted, and shall have a suitable means of access from a public street.
- (b) In all instances, the city shall have the right to accept the dedication of parkland or to refuse it. Any parkland dedicated to the city shall be suitable for either active or passive recreational use. For example, a drainage area that serves no useful recreational purpose shall not be accepted as parkland.
- (c) If the city accepts the parkland dedication, the dedication shall be made on the final plat. Parkland dedication by separate instrument shall not be accepted. No final plat dedicating parkland shall be approved until the parkland dedication requirements are met.
- (d) A subdivider involved in the following platting situations may apply for a parkland dedication exemption, provided that the subdivider can show evidence of no or limited impact on the existing parks and recreational facilities of the city:
 - (1) Vacating plats;
 - (2) Vacating and resubdivision plats;
 - (3) Amending and correcting plats; or
 - (4) Plats for projects designed specifically as elderly housing.
- (e) Exemption applications shall be made to the city council. Exemptions, if granted, may be full or partial as judged appropriate by city council.
- (f) *Cash payment in lieu of dedication.*
 - (1) *Initiation by the city.* The city may require a subdivider to pay cash in lieu of parkland dedication. In the event that the city requires cash in lieu of parkland dedication, the subdivider shall pay a fee equal to five percent of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.
 - (2) *Small subdivisions.* When a subdivision will result in less than 100 residential units or less than five total acres, the subdivider shall make a cash payment in lieu of parkland dedication. The subdivider shall pay a fee equal to five percent of the total appraised value of the subdivided property, as determined by the Medina County Appraisal District.
 - (3) *Parkland fund.* Cash paid in lieu of parkland dedication shall be paid into a "parkland fund" to be created by the city, and shall be expended by the City for the acquisition, development, or rehabilitation of parkland or for improvements to existing parkland.

(Ord. No. 2002-003, art. III, § 3, 1-14-2002; Ord. No. 2014-005, § 1, 12-10-2013)

Sec. 100-54. - Lots.