



Agenda Memorandum

Planning Commission Meeting
August 11, 2026

Subject: Ordinance 763 - Article 8.803 Discussion

Prepared By: Matthew Larson

Background of Issue:

Section 803. Public Open Space

In all new subdivisions to be developed for residential or as a planned development, the City may require a minimum reservation of 5% of the land within the proposed subdivision for public use as parks, playgrounds, public open space or trails. The area to be dedicated shall be delineated on the preliminary plan and final plat. Such portion to be dedicated may be adjusted by resolution of the City Council from time to time.

In lieu of the minimum reservation of land in this Section, the City may require the subdivider to contribute an equivalent amount in cash for part or all of the portion required to be dedicated to such public uses or purposes based on the fair market value of the land. Cash contributions shall be paid by the subdivider prior to the approval of the final plat. Cash contributions shall be placed by the City in a special fund and used only for the acquisition of land for parks, playgrounds, public open space, development of existing park and playground sites, public open space and debt retirement in connection with land previously acquired for public purposes.

Where a proposed park, playground, public open space, school site or other public site which is shown on the Comprehensive Plan is located in whole or in part in a proposed subdivision to be developed for residential, commercial, industrial or as a planned development, and such public sites are not dedicated, such public ground shall be reserved and no action taken towards approval of a preliminary plan or final plat for a period not to exceed ninety days to allow the opportunity to consider and take action towards acquisition of such public ground or park by purchase or other causes.

Recommendation

Consider suggesting to council a revision to Subdivision Ordinance Section 803 (Public Open Space). The current language notes that the city **MAY** require a minimum reservation of land for public parks, etc. Staff suggests amending the language to **SHALL** require.

ATTACHMENTS: