

ORDINANCE NO. 2019-694

AN ORDINANCE OF THE CITY OF CEDAR HILL, TEXAS, AMENDING CHAPTER 20, ARTICLE II, SECTIONS 20-42 AND 20-43 OF THE CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS; PROVIDING REVISED REGULATIONS FOR PARK LAND DEDICATION AND CASH PAYMENT, OR PARK LAND DEDICATION AND PARK CONSTRUCTION, OR CASH PAYMENT IN LIEU OF PARK LAND DEDICATION, AS A CONDITION TO RESIDENTIAL SUBDIVISION PLAT APPROVAL; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Cedar Hill, Texas, finds and determines that the platting of residential subdivisions and development of lots results in an increase of population, which in turn necessitates additional park land and park improvements;

WHEREAS, on February 22, 2000, the City Council passed, approved and adopted Ordinance No. 2000-17 thereby establishing the City's Park Land Dedication regulations.

WHEREAS, Ordinance No. 2000-17 is codified as Chapter 20, Article II of the City's Code of Ordinances; and,

WHEREAS, based on the review and recommendation of the City's Parks & Recreation Department, the City Council finds and determines that certain provisions of the Ordinance are in need of amendment as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CEDAR HILL, TEXAS:

SECTION 1. AMENDMENT OF CHAPTER 20, ARTICLE II, SECTIONS 20-42(A), (B) AND (C) OF CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

Chapter 20, Article II, Section 20-42(a) of the Code of Ordinances of the City of Cedar Hill, Texas is hereby amended to provide as follows:

- (a) Prior to a plat being filed with the County Clerk of Dallas County, Texas, or with the County Clerk of Ellis County, Texas, for a development of a residential area within the City of Cedar Hill and in accordance with the planning and zoning

ordinances of the City of Cedar Hill, such plat shall contain a clear fee simple dedication of one acre of land for each 50 proposed dwelling units. As used in this article, a "dwelling unit" means each individual residence, including individual residences in a multi-family structure, designed and/or intended for inhabitation by a single family.

Any proposed plat submitted to the City of Cedar Hill for approval shall show the area proposed to be dedicated under this section. The required land dedication of this section may be met by a payment in lieu of land where permitted by the City of Cedar Hill or required by other provisions in this article.

In the event a plat is not required, the dedication of land required under this section shall be met prior to the issuance of a building permit.

(b) The City Council of the City of Cedar Hill declares that development of an area less than five acres for neighborhood park purposes is impractical. Therefore, if fewer than two hundred fifty (250) dwelling units are proposed by a plat filed for approval, the city council may require the developer to pay the applicable cash in lieu of land amount, as provided in section 20-43 hereto.

(c) In addition to the required dedication of land, as set forth above, there shall also be a park development fee paid to the City of Cedar Hill as a condition to subdivision plat approval or issuance of a building permit. Such park development fee shall be set from time to time by ordinance of the City Council of the City of Cedar Hill sufficient to provide for the development of amenities and improvements on the dedicated land to meet the standards for a neighborhood park to serve the area in which the subdivision is located. Unless and until changed by resolution of the City Council of the City of Cedar Hill, the park development fee shall be calculated on the basis of seven hundred dollars (\$700.00) per dwelling unit.

SECTION 2. AMENDMENT OF CHAPTER 20, ARTICLE II, SECTION 20-43(A) OF CODE OF ORDINANCES OF THE CITY OF CEDAR HILL, TEXAS

Chapter 20, Article II, Section 20-43(a) of the Code of Ordinances of the City of

Cedar Hill, Texas is hereby amended to provide as follows:

- (a) A developer responsible for land dedication under this article shall be required, at the city council's option, to meet the dedication requirements in whole or in part by a cash payment in lieu of land, in the amount set forth below. Such payment in lieu of land shall be made prior to filing the final plat for record, or prior to the issuance of a building permit where a plat is not required.

The cash payment in lieu of land dedication shall be met by the payment of a fee set from time to time by ordinance of the city council sufficient to acquire neighborhood park land. Unless and until changed by the city council, such fee shall be computed on the basis of five hundred dollars (\$500.00) per dwelling unit.

A cash payment in lieu of land dedication, as set forth in this section, does not relieve the developer of its obligation to pay the park development fee set forth in section 20-42(c) above. The cash payment in lieu of land dedication is in addition to the required park development fee.

SECTION 3. SAVINGS CLAUSE

In the event that any other Ordinance of the City of Cedar Hill heretofore enacted is found to conflict with the provisions of the Ordinance, this Ordinance shall prevail.

SECTION 4. SEVERABILITY CLAUSE

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

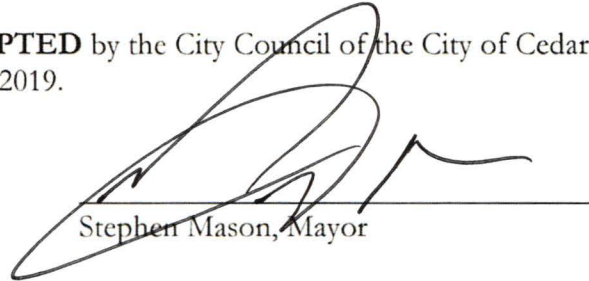
SECTION 5. EFFECTIVE DATE

Because of the nature of the interest and safeguard sought to be protected by this Ordinance, and in the interest of the health, safety and welfare of the citizens of the City of Cedar Hill, this Ordinance shall take effect immediately after passage, approval and publication, as required by law.

SECTION 6. PUBLICATION

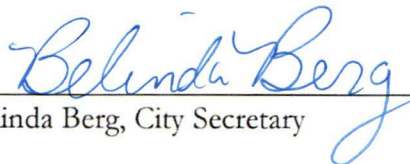
The City Secretary is hereby authorized and directed to cause publication of the descriptive caption and penalty clause hereof as an alternative method of publication provided by law.

PASSED, APPROVED and ADOPTED by the City Council of the City of Cedar Hill, Texas, on this 24th day of September, 2019.



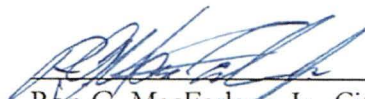
Stephen Mason, Mayor

ATTEST:



Belinda Berg, City Secretary

APPROVED AS TO FORM:



Ron G. MacFarlane, Jr., City Attorney