

ORDINANCE NO. F-0570

AN ORDINANCE AMENDING CHAPTER 62 (SUBDIVISIONS) OF THE WHEATON CITY CODE (SCHOOL AND PARK SITE DEDICATIONS)

WHEREAS, the City of Wheaton, Illinois, is an Illinois home rule municipality pursuant to the provisions of Article VII, Section 6, of the Illinois Constitution, 1970, and, as such, the city may exercise any power or perform any function pertaining to its government and affairs; and

WHEREAS, the City has previously established a procedure for School and Park Site Dedications; and

WHEREAS, the land value criteria in the current donation ordinance needs to be modified as a result of escalating land prices in the City of Wheaton.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Illinois, pursuant to its home rule powers as follows:

SECTION 1: That subparagraph (e) of Section 62-329 (Criteria for requiring a cash contribution in lieu of park and school site dedications) of the Wheaton City Code is deleted in its entirety and replaced with the following:

“(e) Amount of cash contribution. The cash contribution in lieu of land shall be based on the fair market value of the land within the development that otherwise would have been dedicated for park and school sites. The fair market value of vacant land in and near the city is hereby determined to be \$150,000.00 per acre, which shall be used in the calculation of the required cash contribution, except as follows:

- (1) If the city council determines that the specifics of the subdivision or development so warrant, it may require a formal appraisal.
- (2) If the subdivider files a written objection to the use of \$150,000.00 per acre value, the subdivider shall submit a formal appraisal.
- (3) When a home or number of existing homes are removed as part of a subdivision or development, the applicant shall be responsible for donations for any net increase in the number of homes and/or bedrooms within the homes to be constructed on the subject property, from the number of homes and/or bedrooms previously existing on the property.

Such appraisals shall show the fair market value of the land in the area of the subdivision. Final determination of the fair market value per acre of land shall be made by the city council, based upon the appraisal or appraisals, and upon other information which may be submitted by park

districts, school districts or others. The subdivider shall pay all appraisal fees. When any cash contribution is required prior to recording of the final plat, the contribution shall be based upon a four-bedroom detached single-family dwelling, a two-bedroom attached family dwelling, or a two-bedroom apartment dwelling, unless building plans have been previously submitted and are on file with the city indicating the exact number of bedrooms to be constructed within each specific dwelling unit. Adjustments to the initial cash contribution shall be made at the time of issuance of the building permit.”

SECTION 2: That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are repealed.

SECTION 3: That this ordinance shall become effective from and after its passage, approval and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Evelyn M. Conzelmann
City Clerk

James Carr
Mayor

Roll Call Vote:

Ayes: Councilwoman Davenport
Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays: None
Absent: None

Motion Carried Unanimously

Passed: March 19, 2001
Published: March 20, 2001