



Agenda Memo

TO: City Council

FROM: Sharon Payne – City Clerk

SUBJECT: Chapter 151 – Subdivision Regulations and Park Dedication

DATE: March 15, 2022

Background:

From the February 15, 2022, meeting:

Change made to definition of Boulevard: That part of the right-of-way not occupied by the street.

The park dedication fee requirement was discussed. The clerk was directed to send the Subdivision Regulations to the city planner, and engineer for their comments.

Engineer/Planner response:

We can look at all this in more detail, but I can share what I know about the park dedication piece. The courts in Minnesota have ruled that park dedication must be based on an actual plan and costs, not just a percentage pulled out of the air or taken from another city. For instance, if the city has a study noting that we need to spend \$100,000 on park improvements and we anticipate 100 new units of housing, then the city would be fully justified to require a park dedication fee of \$1,000 per unit. Or maybe there is a plan that says the city needs 100 acres of park land and we anticipate 1,000 acres of new development; therefore, we can require 10% of the land to be dedicated as park. I don't know where the 10% for residential and 7.5% for commercial-industrial came from, but we need to have some sort of rough calculation on the record to justify the costs involved. Is there a park plan or even some very rough planning work that has been done in Stacy? If so, we could look at that and see how we can justify a number. Or if not, we could do some rough calculation and get it in front of the Planning Commission and City Council to adopt as the city's park standards.

Reviewing the entire subdivision code would be a bigger job. Let's look to the April 19th meeting for that.

My Action:

The Park Plan has been given to the Park and Recreation Committee for their review. They began the review of the plan on March 8, 2022.