

**ROSEVILLE**  
**REQUEST FOR COUNCIL ACTION**

Date: May 10, 2021  
Item No.: 7.b

Department Approval



City Manager Approval



Item Description: Park Dedication Ordinance Discussion

**BACKGROUND**

State law allows cities to have a park dedication ordinance (see Attachment A) in their subdivision code whereby land, cash or a combination of such can be required to help to satisfy plans for recreational facilities, open space and address the new needs that the development creates. To have a park dedication ordinance, cities must have a Parks and Recreation System Master Plan, a parks and recreation section in the City Comprehensive Plan and a Capital Improvement Plan.

At the January joint meeting with the Parks and Recreation Commission, the City Council requested that the Commission review the park dedication ordinances of neighboring communities to see what is being done, or can be done differently in Roseville, in order to be able to capture park dedication on developments that significantly impact the city's park and recreation system. This request was made because there have been several recent high-density residential developments that have occurred that did not contribute park dedication under the current ordinance.

To conduct this analysis, staff reviewed numerous neighboring community ordinances and followed up with the staff from those cities seeking clarification. A summary of some ordinances that appear different from Roseville's is included in your packet. With this analysis, it seems as though other communities are able to capture park dedication on the types of developments that we have not.

A redlined ordinance with possible changes that appears consistent with how several other cities are managing park dedication is included in your packet (Attachment A). This language would allow Roseville to better maximize park dedication on a greater number of these impactful developments.

Suggested adjustments for considerations include the following:

1. Remove "Net Increase in Development Sites" Requirement

The current language requires a "net increase of development sites." This language appears to have excluded at least one recent significant development from the park dedication contribution even though it will have a significant impact on the Parks and Recreation system. Staff spoke with seven other metropolitan cities who confirmed that they would assess park dedication in incidences where a development increases the number of users on the Parks and Recreation system but does not yield an increase in lots.

2. Remove "Land involving one acre or more"

This language appears to limit the city's ability to assess park dedication on small developments and does not appear to be present in other cities' ordinances that were reviewed. The percentage assessment for land and per unit cash ensures that the amount of park dedication assessed is based upon the actual impact to the Parks and Recreation system.

39 3. Non-Residential Land vs. Cash Amount

40 The Parks and Recreation Commission annually reviews a rate analysis and makes a  
41 recommendation on the following year's fees (see attachment C, 2020 rate analysis). The fee  
42 amount is reviewed and set annually by a City Council resolution. The land amount is set  
43 periodically by ordinance.

44  
45 The cash amount for a non-residential parcel is currently 10% of the Fair Market Value  
46 (FMV) of the total land value and is keeping pace. The land amount has lagged behind and is  
47 currently at 5% of the total land. At this point, they are inconsistent and the land amount  
48 should be considered for reconciliation to 10%, which is equal to the cash.

49  
50 4. Utility Dedications Not Qualified

51 Another item that seems to have come up more often recently is a developer seeking credit  
52 on their park dedication requirement for sidewalks and/or pathways that are required through  
53 other planning methods. The suggested language is a clarification of the existing practice that  
54 "required" pathways should not be considered to satisfy the park dedication requirement (see  
55 adjusted language in red on draft potential ordinance). If they are not required and they make  
56 sense for a park and recreational amenity and/or special connection, then the city can  
57 consider those as separate cases.

58  
59 Included in your packet is a summary of park dedication revenues and expenses since 2009 (see  
60 Attachment D).

61  
62 A preliminary analysis of this information was presented to the Parks and Recreation Commission  
63 on April 6, 2021. The Commission indicated their strong support for moving forward with the  
64 suggested language amendments to the city's ordinance related to park dedication.

65  
66 **POLICY OBJECTIVE**

67 To ensure that adequate resources are captured to accommodate the impact that new development  
68 has on the Parks and Recreation system.

69  
70 **FINANCIAL IMPACT**

71 Park dedication plays an important role in ensuring that the Parks and Recreation system can  
72 accommodate the increase in usage that development brings. When these funds are not captured,  
73 improvements that are necessary to accommodate increased use must be funded in other ways.  
74 Although park dedication does not cover ongoing operation and maintenance costs, the land or cash  
75 received from park dedication can ensure that the infrastructure is in place to accommodate demand.

76  
77 **STAFF RECOMMENDATION**

78 Discuss and consider guidance and adjustments to the park dedication ordinance

79  
80 **REQUESTED COUNCIL ACTION**

81 Discuss and consider guidance and adjustments to the park dedication ordinance

Prepared by: Matthew Johnson, Assistant Parks and Recreation Director;  
Lonnie Brokke, Parks and Recreation Director.

Attachments: A: Park Dedication Code (1103.06), Including Possible Changes  
B: Summary of Dedication Triggers from Neighboring Communities  
C: 2020 Rate Analysis  
D: Summary of Park Dedication Revenue and Expenses Since 2009

## Draft Potential Language 3-30-21

### 1103.06: PARK DEDICATION:

A. Authority: Minnesota Statutes 462.358, subdivisions 2b and 2c permits the City to require dedication of park land, or cash in lieu of land, as part of the subdivision process in order to fulfill its plans for recreational facilities and open spaces. The City Council, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. To properly use this authority, the City will base its determination on existing development, the need created by the proposed development, and the plans and policies of the City embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.

B. Condition to Approval: Park dedication will be required as a condition to the approval of any subdivision, **plat, replat or lot split** ~~of land involving one-acre or more and resulting in a net increase of development sites.~~

The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit.

C. Park Dedication Amount: The portion of land to be dedicated in all ~~residentially zoned~~ areas shall be 10% ~~and 5% in all other areas~~. Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code, and the fee shall be paid as part of the Development Agreement required in Section 1102.05 of this Title.

D. Utility Dedications Not Qualified: Land dedicated required for **pathways**, street right-of-way or utilities, including drainage, does not qualify as park dedication.(Ord. 1530, 7/10/2017)

### **FEES**

Park Dedication fees are set annually by resolution of the City Council as part of the fee schedule. Currently, the amount is set at \$4,250 per unit. For non-residential, the fee is calculated as 10% of the fair market value of the property.

### Dedication Triggers From Neighboring Communities

City	Trigger (Written in Ordinance)	Dedication applies without an increase in lots.
Andover	City of Andover shall require all owners or developers, as a prerequisite to approval of a plat, subdivision or development of land, to convey to the City or dedicate to the public use for park or playground purposes, a reasonable portion of the area being platted, subdivided or developed as hereinafter specified.	Yes
Arden Hills	<p>A. Pursuant to Minn. Stat. Section 462.358, Subd. 2b, except as otherwise provided in this section, the City requires all owners or developers, as a prerequisite to approval of a subdivision to convey to the City or dedicate to the public use a reasonable portion of any such proposal for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities, playgrounds, trails, wetlands, or open space, in such portions to be approved and acceptable to the City.</p> <p>B. As a condition of any conditional use permit or planned unit development under City Code Section 1355.06, the City may require as a term and condition of approval, the dedication of land or payment in lieu of dedication and park improvement fees if the project is determined to result in an increased demand for park land or park improvements. In establishing the amount required the City will take into consideration land and facilities provided by the developer and previous payments or dedications.</p> <p>6. Property being subdivided without an increase in the number of lots shall be exempt from park dedication requirements if similar requirements were satisfied in conjunction with an earlier subdivision. If the number of lots is increased, then the dedication shall be based on the additional lots created.</p>	It seems that the “new lots” provision only applies to parcels that paid park dedication once.
Burnsville	The city council shall require all developers requesting platting or replatting, or the development of unplatted land in the city to contribute lands, in the amounts listed below, to be dedicated to the public for their use as either parks, playground, public open space.	Yes
Champlin	The approval of all applications for every new development, subdivision of land, lot split or planned unit development in the city shall be conditioned on the dedication to the public by the applicant, or owner of the land to be developed if different from the applicant, of a reasonable portion of the proposed development, subdivision,	Yes

	lot split or planned unit development or, at the discretion of the city council, an equivalent amount in cash for part or all of the portion to be dedicated, for conservation purposes or for public use as parks,	
Cottage Grove	The City requires that when land develops or is subdivided, land shall be dedicated to the City for public use, or in lieu of dedicating land, cash shall be paid to the City for purposes of developing recreational facilities.	Yes
Mounds View	In all subdivisions to be developed for residential, commercial, industrial or other uses or as a planned development which includes residential, commercial and industrial uses or any combination thereof, a subdivider shall dedicate a reasonable portion of the buildable land of the proposed subdivision to the public or to be preserved for public use as parks, recreational facilities, playgrounds, trails or public open space.	Yes
New Brighton	The owners of land being subdivided shall dedicate to the City a reasonable portion of the land for use as public parks, playgrounds, trails or open space.	Yes
Shoreview	If the City Council reasonably determines that a proposed development or subdivision will increase the demand for public recreational uses, such as parks, playgrounds, trails and open space, the City Council, as part of any subdivision or development, may require the developer to dedicate, reserve, or otherwise convey to the City a reasonable portion of the total area of the proposed development or subdivision for public use as parks, playgrounds, trails or open space;	Yes
St. Louis Park	As a prerequisite to subdivision approval, subdividers shall dedicate land for parks, playgrounds, public open spaces and trails and/or shall make a cash contribution to the city's park fund and trail fund, as provided by this section.  (d) Any increase in density of subdivisions shall be reviewed by the parks and recreation commission for reconsideration of park land and/or cash contribution requirements.	It seems that the “new lots” provision only applies to parcels that paid park dedication once.

## 2020 Park Dedication Rate Comparison

City	2019 Residential (Per Unit)	2020 Residential (Per Unit)	2019 Non-Residential	2020 Non-Residential
Andover	\$3,415	\$3,475	\$10,246 / Acre or 10% of FMV, whichever is less	\$10,424 / Acre or 10% of FMV, whichever is less
Apple Valley	\$1,935 - Single Family, \$3,509.69 - Townhouse, \$3,342.50 - Multi	\$1,935 - Single Family, \$3,509.69 - Townhouse, \$3,342.50 - Multi	\$1,272 / 1,000 Sq. Ft.- Retail, \$1881.50 / 1,000 Sq. Ft.- Office, \$636.00 / 1,000 Sq. Ft.- Institutional	\$1,272 / 1,000 Sq. Ft.- Retail, \$1881.50 / 1,000 Sq. Ft.- Office, \$636.00 / 1,000 Sq. Ft.- Institutional
Blaine	\$4,320	\$4,449	\$8,704 / Acre	\$8,704 / Acre
Bloomington	\$5,700	\$5,700	\$585 / 1,000 Sq. Ft.	\$585 / 1,000 Sq. Ft.
Brooklyn Center	\$0 / Acre	\$0 / Acre	\$0	\$0
Brooklyn Park	\$4,600	\$4,600	\$8,000 / Acre	\$8,000 / Acre
Burnsville	\$2,717	\$2,717	\$17,500 / Acre	\$17,500 / Acre
Chanhassen	\$5,800 - Single Family, \$5,000 - Duplex, \$3,800 - Multi	\$5,800 - Single Family, \$5,000 - Duplex, \$3,800 - Multi	\$12,500 / Acre	\$12,500 / Acre
Champlin	\$4,370	\$4,370	\$8,323 / Acre	\$8,323 / Acre
Cottage Grove	\$3,400	\$3,400	\$6,000 / Acre	\$6,000 / Acre
Eagan	\$3,579	\$3,722	\$939 / 1,000 Sq. Ft.	\$977 / 1,000 Sq. Ft.
Eden Prairie	\$6,500	\$6,500	\$11,500 / Acre	\$11,500 / Acre
Falcon Heights	8%	8%	10% FMV	10% FMV
Fridley	\$1,500	\$1,500	\$.023 / SF	\$.023 / SF
Golden Valley	6%	6%	6% FMV	6% FMV
Inver Grove Hights	\$2,850	\$2,850	\$7,000 / Acre	\$7,000 / Acre
Lakeville	Low Density: \$4,294, Medium Density: \$2,922, High Density: \$2,240	Low Density: \$4,509, Medium Density: \$3,068, High Density: \$2,352	\$7,693 / Acre	\$7,693 / Acre
Little Canada	\$3,500	\$3,500	7% FMV or 10% of Land	7% FMV or 10% of Land
Maple Grove	\$4,262	\$4,177	\$11,000 / Acre	\$11,000 / Acre
Maplewood	\$3,540	\$3,540	9% FMV	9% FMV
Moundsview	\$3,500	\$3,500	10% FMV	10% FMV
Oakdale	\$2,886	\$2,886	Retail \$467 / 1,000 Sq. Ft., Office: \$534 1,000 Sq. Ft.	Retail \$467 / 1,000 Sq. Ft., Office: \$534 1,000 Sq. Ft.
Plymouth	\$8,000	\$8,000	\$8,000 / Acre	\$8,000 / Acre
Richfield	\$0	\$0	\$0	\$0
Roseville	\$4,000	\$4,000	10% FMV	10% FMV
Shakopee	\$5,340	\$5,340	\$9,500 / Acre	\$9,500 / Acre
Shoreview	4%	4%	10% FMV	10% FMV
St. Louis Park	\$1,500	\$1,500	5% FMV	5% FMV
Woodbury	\$3,500	\$3,500	\$6,000 / Acre	\$6,000 / Acre
<b>Average</b>	<b>\$3,319</b>	<b>\$3,329</b>		

Park Dedication Summary  
Revenue and Expenses 2009-4/30/2021 (includes interest earnings)

Year	Revenues	Expenses	End Balance
			\$ 265,002
2009	\$ 6,394	\$ 43,928	\$ 227,468
2010	\$ 4,498	\$ 56,003	\$ 175,963
2011	\$ 528,458	\$ 12,218	\$ 692,203
2012	\$ 10,412	\$ 0	\$ 702,615
2013	\$ 590,056	\$ 5,175	\$ 1,287,496
2014	\$ 63,322	\$ 256,281 *	\$ 1,094,437
2015	\$ 205,726	\$ 52,500	\$ 1,247,663
2016	\$ 253,611	\$ 127,536 *	\$ 1,373,738
2017	\$ 24,826	\$ 10,719	\$ 1,387,845
2018	\$ 250,830	\$ 1,126,504 *	\$ 512,171
2019	\$ 560,584	\$ 63,499	\$ 1,009,256
2020	\$ 162,848	\$ 11,154	\$ 1,160,950
2021	\$ 71,731	\$ 3,725	\$ 1,228,956

\* 2014 - expenses tied to purchase of property adjacent to Langton Lake Park

\* 2016 - expenses tied to purchase of Owasso Ballfields

\* 2018 - expenses tied to Cedarholm Community Building and Unity Park Development

**PARK DEDICATION**  
PARKS & RECREATION



1. January 25, 2020 Joint Meeting
  - Interest in Park Dedication
    - What others are doing, what can be done differently to maximize
    - Mentioned recent examples
    - Review of Neighboring Communities and Ordinances
2. Consideration of two other areas in the ordinance
  - Park Dedication Amount
  - Utility Dedications Not Being Qualified
3. Research
4. Parks and Recreation Commission Review and Recommendation on April 6, 2021
5. Summarize information in packet

# PARK DEDICATION

## OVERVIEW

# Background Information

## HISTORY

- 1989 – Ordinance
- Commission Involvement
- Guided by planning efforts, CIP, PIP .....

## PURPOSE

- Fulfill plans for recreation facilities and open space
- Assist with the funding of Park improvements
- Assist with additional parkland acquisition needs
- Address the impact of new development/redevelopment, i.e. more people more use

## OPTIONS

- Land – set by ordinance, needs to be for park purpose, needs to be usable and is up to the city
  - Residential: 10%
  - Non-Residential: 5% of the Land
- Cash –set by resolution, used for park improvements and/or land acquisition
  - Residential - \$4,250/unit
  - Non –Residential - 10% of FMV
- Combination

**Park Dedication Process Established 4/25/11 - Updated 12-18**

**The City Ordinances as it pertains to Park Dedication is as follows:**

**1103.07: PARK DEDICATION:**

**A. Authority:** Minnesota Statutes 462.358, subdivisions 2b and 2c permits the City to require dedication of park land, or cash in lieu of land, as part of the subdivision process in order to fulfill its plans for recreational facilities and open spaces. The City Council, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. To properly use this authority, the City will base its determination on existing development, the need created by the proposed development, and the plans and policies of the City embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.

**B. Condition to Approval:** Park dedication will be required as a condition to the approval of any subdivision of land involving one acre or more and resulting in a net increase of development sites. The Parks and Recreation Commission shall recommend, in accordance with Statute and after consulting the approved plans and policies noted herein, either a portion of land to be dedicated to the public, or in lieu thereof, a cash deposit given to the City to be used for park purposes, or a combination of land and cash deposit.

**C. Park Dedication Amount:** The portion of land to be dedicated in all residentially zoned areas shall be 10% and 5% in all other areas. Park dedication fees shall be reviewed and determined annually by City Council resolution and established in the fee schedule in Chapter 314 of this Code, and the fee shall be paid as part of the Development Agreement required in Section 1102.05 of this Title.

**D. Utility Dedications Not Qualified:** Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication. (Ord. 1530, 7/10/2017)

# PARK DEDICATION

## Key Factors that Activate “Trigger” Park Dedication in Roseville

1. A “net increase” in development sites
2. Involves 1 acre or more

Summary of key language difference appears to be:

1. Do not require a “net increase” in sites but rather focus on increased density.
2. Do not have a minimum acreage.

**Dedication Triggers From Neighboring Communities**

City	Trigger (Written in Ordinance)	Dedication applies without an increase in lots.
Andover	City of Andover shall require all owners or developers, as a prerequisite to approval of a plat, subdivision or development of land, to convey to the City or dedicate to the public use for park or playground purposes, a reasonable portion of the area being platted, subdivided or developed as hereinafter specified.	Yes
Arden Hills	<p>A. Pursuant to Minn. Stat. Section 462.358, Subd. 2b, except as otherwise provided in this section, the City requires all owners or developers, as a prerequisite to approval of a subdivision to convey to the City or dedicate to the public use a reasonable portion of any such proposal for public use as streets, roads, sewers, electric, gas, and water facilities, storm water drainage and holding areas or ponds and similar utilities and improvements, parks, recreational facilities, playgrounds, trails, wetlands, or open space, in such portions to be approved and acceptable to the City.</p> <p>B. As a condition of any conditional use permit or planned unit development under City Code Section 1355.06, the City may require as a term and condition of approval, the dedication of land or payment in lieu of dedication and park improvement fees if the project is determined to result in an increased demand for park land or park improvements. In establishing the amount required the City will take into consideration land and facilities provided by the developer and previous payments or dedications.</p> <p>6. Property being subdivided without an increase in the number of lots shall be exempt from park dedication requirements if similar requirements were satisfied in conjunction with an earlier subdivision. If the number of lots is increased, then the dedication shall be based on the additional lots created.</p>	It seems that the “new lots” provision only applies to parcels that paid park dedication once.
Burnsville	The city council shall require all developers requesting platting or replatting, or the development of unplatted land in the city to contribute lands, in the amounts listed below, to be dedicated to the public for their use as either parks, playground, public open space.	Yes
Champlin	The approval of all applications for every new development, subdivision of land, lot split or planned unit development in the city shall be conditioned on the dedication to the public by the applicant, or owner of the land to be developed if different from the applicant, of a reasonable portion of the proposed development, subdivision,	Yes

# PARK DEDICATION

- Page 2—communities con't

	lot split or planned unit development or, at the discretion of the city council, an equivalent amount in cash for part or all of the portion to be dedicated, for conservation purposes or for public use as parks,	
Cottage Grove	The City requires that when land develops or is subdivided, land shall be dedicated to the City for public use, or in lieu of dedicating land, cash shall be paid to the City for purposes of developing recreational facilities.	Yes
Mounds View	In all subdivisions to be developed for residential, commercial, industrial or other uses or as a planned development which includes residential, commercial and industrial uses or any combination thereof, a subdivider shall dedicate a reasonable portion of the buildable land of the proposed subdivision to the public or to be preserved for public use as parks, recreational facilities, playgrounds, trails or public open space.	Yes
New Brighton	The owners of land being subdivided shall dedicate to the City a reasonable portion of the land for use as public parks, playgrounds, trails or open space.	Yes
Shoreview	If the City Council reasonably determines that a proposed development or subdivision will increase the demand for public recreational uses, such as parks, playgrounds, trails and open space, the City Council, as part of any subdivision or development, may require the developer to dedicate, reserve, or otherwise convey to the City a reasonable portion of the total area of the proposed development or subdivision for public use as parks, playgrounds, trails or open space;	Yes
St. Louis Park	As a prerequisite to subdivision approval, subdividers shall dedicate land for parks, playgrounds, public open spaces and trails and/or shall make a cash contribution to the city's park fund and trail fund, as provided by this section.  (d) Any increase in density of subdivisions shall be reviewed by the parks and recreation commission for reconsideration of park land and/or cash contribution requirements.	It seems that the "new lots" provision only applies to parcels that paid park dedication once.

# PARK DEDICATION

## Park Dedication Amount -cash

- Reviewed annually
- City fee schedule
- Residential is \$4250 per unit
- Non-Residential is 10% FMV

2020 Park Dedication Rate Comparison

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Woodbury	\$3,500	\$3,500	\$6,000 / Acre	\$6,000 / Acre
Average	\$3,318	\$3,328		

# PARK DEDICATION

## Land Amount – Set Periodically in Ordinance

- Residential - land amount is currently at 10% of the land
- Non-residential - land amount is currently at 5% of the land
- Non-residential has lagged behind and is not consistent with the cash amount of 10%

## D. Utility Dedications Not Qualified - Set Periodically in Ordinance

- D. Utility Dedications Not Qualified: Land dedicated for required street right-of-way or utilities, including drainage, does not qualify as park dedication.(Ord. 1530, 7/10/2017)
- Has come up more recently
- Pathways and sidewalks are typically required as a part of a Public Improvement Contract
- Suggest language to including “required pathways or sidewalks” be included
- Currently in practice

# PARK DEDICATION

- Potential language

**Draft Potential yet to be sorted out from a legal and final language 3-30-21**

## **1103.06: PARK DEDICATION:**

**A. Authority:** Minnesota Statutes 462.358, subdivisions 2b and 2c permits the City to require dedication of park land, or cash in lieu of land, as part of the subdivision process in order to fulfill its plans for recreational facilities and open spaces. The City Council, at its discretion, will determine whether park dedication is required in the form of land, cash contribution, or a combination of cash and land. To properly use this authority, the City will base its determination on existing development, the need created by the proposed development, and the plans and policies of the City embodied by the Parks and Recreation System Master Plan, Pathways Master Plan, and Comprehensive Plan.

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## **FEES**

Park Dedication fees are set annually by resolution of the City Council as part of the fee schedule. Currently, the amount is set at \$4,250 per unit. For non-residential, the fee is calculated as 10% of the fair market value of the property.

Q & A

**Discussion, Consideration and Guidance**