

LAND SUBDIVISION TEXT AMENDMENT SUMMARY

<i>Initiator:</i>	Council President Johnson
<i>Introduction Date:</i>	August 19, 2016
<i>Prepared By:</i>	Brad Carter, Development Coordinator III, (612) 673-2877
<i>Specific Site:</i>	Citywide
<i>Ward:</i>	Citywide
<i>Neighborhood:</i>	Citywide
<i>Intent:</i>	To update the park land dedication requirements by including a severability clause and removing governmental units from the adopted definition of a developer.

APPLICABLE SECTION(S) OF THE LAND SUBDIVISION ORDINANCE

- Title 22, Chapter 598, Article V. – Parkland Dedication

BACKGROUND

City staff has prepared updated text language to the adopted Parkland Dedication ordinance for City Council consideration. The ordinance is authored by Council President Barbara Johnson. The adopted ordinance requires developers to either dedicate land within or near their development site for public open space or in lieu thereof to pay a Park Dedication Fee (PDF).

The intent of the proposed text amendment to the City's Land Subdivision Regulations is to include a severability clause (similar to other adopted ordinances) and to remove governmental units from the adopted definition of a developer.

This amendment also includes a retroactivity clause for any payments by governmental units since implementation of the current ordinance on January 1, 2014.

PURPOSE

What is the reason for the amendment?

This amendment is intended to add a severability clause to the current ordinance to correct an omission that occurred with the original adoption. The proposed amendment language also revises and clarifies the adopted definition of "developer" to make clear that the parkland dedication ordinance does not apply to governmental units. Since implementation of the adopted ordinance in January 2014, it has become apparent that, similar to affordable housing units which often rely on public sector financing (and are currently exempt from the parkland dedication ordinance), requiring governmental development projects to meet the provisions of the parkland dedication ordinance increases the overall development costs as the government agency must now obtain additional public funds for the proposed project and then transfer public funds from one government agency to another.

COMPREHENSIVE PLAN

The amendment will implement the following applicable policies of *The Minneapolis Plan for Sustainable Growth*:

Open Space & Parks Policy 7.1: Promote the physical and mental health of residents and visitors by recognizing that safe outdoor amenities and spaces that support exercise, play, relaxation and socializing.

- 7.1.4 Ensure open spaces provide peaceful, meditative, and relaxing areas as well as social, recreational, and exercise opportunities.
- 7.1.5 Provide equipment, programming, and other resources when possible that promote the physical and mental health of citizens.
- 7.1.8 Encourage the development of open spaces that provide amenities for year round use.

Open Space & Parks Policy 7.3: Maintain and improve the accessibility of open spaces and parks to all residents.

- 7.3.2 Encourage the development of a broad array of recreation facilities and opportunities in response to a diverse range of resident interests.

- 7.3.3 Support the development of additional publicly accessed open spaces in underserved areas.

Open Space & Park Policy 7.4: Work to restore and preserve ecosystem functions in green open space areas.

- 7.4.2 Support the acquisition and retention of land which performs important ecosystem functions.

Open Space & Parks Policy 7.6: Continue to beautify open spaces through well designed landscaping that complements and improves the City’s urban form on many scales – from street trees to expansive views of lakes and rivers.

- 7.6.2 Provide visual and physical connections between urban areas and open spaces including lakes and rivers.
- 7.6.4 Provide landowners and developers with incentives to create and maintain publicly accessible open spaces or green infrastructure.

Open Space & Parks Policy 7.7: Support the expansion and maintenance of open spaces and parks in order to increase economic development and to promote tourism.

- 7.7.2 Work with business representatives to better understand the open space needs of employees and how they can be served.
- 7.7.4 Invest in open space to help improve economically challenged neighborhoods.

Open Space & Parks Policy 7.9: Work to develop high quality open spaces in Downtown.

- 7.9.1 Encourage the creation of new parks and plazas that are easily accessible by Downtown workforce and residents.
- 7.9.2 Support the incremental greening of Downtown through the addition of more trees, plantings and small open areas.

RECOMMENDATIONS

The Department of Community Planning and Economic Development recommends that the City Planning Commission and City Council adopt staff findings to amend Title 22, Chapter 598 of the Minneapolis Code of Ordinances, as follows:

A. Text amendment.

Recommended motion: **Approve** the text amendment that will update the park land dedication requirements to include a severability clause and remove governmental units from the adopted definition of a developer.

Chapter 598 related to Land Subdivision: *Article V. – Parkland Dedication*

ATTACHMENTS

- I. Ordinance amending Chapter 598, Land Subdivision Regulations