

**CITY OF JORDAN
ORDINANCE NO. 2021-01**

AN ORDINANCE OF THE CITY OF JORDAN, MINNESOTA AMENDING SECTION 153.11(L) OF THE CITY CODE AND TABLE A OF CHAPTER 153 OF THE CITY CODE TO CHANGE METHODS FOR CALCULATING PARKLAND DEDICATION AND CASH IN LIEU FOR SUBDIVISIONS

Subdivision 1. PURPOSE. The City finds that it is in the best interest to update its methods for calculating parkland dedication and cash in lieu payments to align more with surrounding communities.

Subdivision 2. AMENDMENT. NOW BE IT ORDAINED AND ENACTED by the City Council of the City of Jordan that Section 153.11(L) and Table A of Chapter 153 are hereby amended to read as follows:

153.11 DESIGN STANDARDS.

(L) Public land open space dedication; requirements.

(1) As a prerequisite to subdivision approval, subdividers shall dedicate land for parks, playgrounds, public open space and trails, pedestrian ways and sidewalks and/or shall make a cash payment to the city's park fund as provided by this subdivision. The dedication of land for public use shall be without restriction or reservation and shall be transferred to the city by dedication in the plat. The city shall give due consideration to the open space or park facilities that the developer proposes to include in the subdivision when calculating the amount to be dedicated.

(2) In all new residential subdivisions, 10% of buildable acres shall be dedicated for parks, playgrounds, public open space or other public use. For commercial or industrial subdivisions, 5% of buildable acres shall be dedicated. This land shall be in addition to the property dedicated for streets, alleys, drainage ways, pedestrian ways or other public ways. Slopes in excess of 18%, wetlands, ponding areas and natural waterways shall not be accepted by the city as a part of the park land dedication requirements. The City shall make a finding that it actually needs the park dedication as a result of the city's approval of the subdivision, prior to the acceptance of the land or fee-in-lieu of.

(3) Where a proposed park, playground, school site or other public site shown on the Comprehensive Plan, Growth Development Plan or official map is embraced in whole or in part by a boundary of a proposed subdivision and such public sites are not dedicated to the city, such public ground shall be dedicated in the plat to the city. If the subdivider does not choose to dedicate an area in excess of the amount required of the proposed site, the city may take other action to obtain use of the site.

(4) Land to be dedicated shall be reasonably suitable for its intended use and shall be at a location convenient to the people to be served. Factors used in evaluating the adequacy of proposed parks, playgrounds, open space or other public lands and recreation areas shall include size, shape, topography, geology, soil types, hydrology, tree cover, access and location.

(5) No areas may be dedicated as park, playground, or public land until the area has been approved for the purpose to which it is to be dedicated. The subdivider shall leave the dedicated land in a condition acceptable to the city.

(6) If in the judgment of the Council the area proposed to be dedicated is not suitable or desirable for park/playground purposes because of location, size or other reason, the city may require a cash payment in lieu of land dedication. For residential subdivisions, cash in lieu payments will be calculated by using Table A of this Subdivision Chapter. For commercial and industrial subdivisions, cash-in-lieu payments shall be determined by taking 5% of the value of the land being platted. The amount of cash payment shall be in accordance with the payment schedules as set forth by ordinance adopted by the Council. The city may elect to accept a combination of land dedicated for park use and a cash payment.

(7) The park cash payment shall be calculated at the time of final plat approval. The Council may require the payment at the time of final plat approval or at a later time under terms agreed upon in the subdivision contract. Delayed payment shall include interest at a rate set by the city.

(8) Cash payments shall be deposited in the city's Park and Recreation Department Fund and shall only be used for acquisition or development of parks, playgrounds, public open space and for trails, pedestrian ways and sidewalks.

(9) Parks bordered on 1 or more sides by existing creeks or streams shall ensure access to the park is provided from a public street and that pathways that allow emergency motorized vehicle traffic within the park are present.

(10) Property being re-platted with the same number of lots and same number of dwelling units shall be exempt from all park land dedication requirements. If the number of lots or the number of dwelling units is increased, or if land outside the previously recorded plat is added, then the park land dedication and/or park cash contributions shall be based on the additional lots and on the additional land being added to the plat. If the additional land does not create additional lots, then each 1/3 acre added shall be considered a new lot for purposes of calculating the dedication requirements.

(11) When land is dedicated and deeded to the city for park purposes, it shall be the responsibility of the city to maintain such dedicated property.

(12) Land dedication to the city shall be in the form of lots or outlots with approved lot and block numbers.

(13) The developer shall be responsible for grading and seeding or sodding of required parkland, to city specifications.

TABLE A
CALCULATION FOR CASH IN LIEU PAYMENTS FOR RESIDENTIAL SUBDIVISIONS

Step 1: Calculate the Per Capita Residential Share of Parks in Jordan

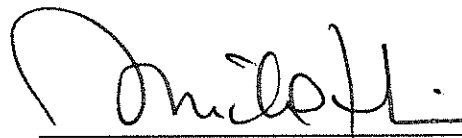
- a. Reference the most recently adopted Comprehensive Plan for total parkland acres in the City
- b. Multiply total parkland acres by 95%, which is the estimated residential share of park use
- c. Divide the acres calculated in part b. by the total population of Jordan. The most recent Met Council projection shall be used to determine the City population.

Step 2: Determine Cash in Lieu Payment

- a. Determine the number of housing units of the proposed subdivision
- b. Multiply the number of housing units by the average household size of Jordan. The most recent Met Council projection shall be used to determine the City's average household size.
- c. Multiply the number calculated in part b. by the per capita residential share (calculated in step 1 above). This will provide the amount of acres used to determine the cash in lieu payment.
- d. Determine the fair market value of the number of acres calculated in part c. by using the fair market value of the unplatted land of the proposed subdivision.


Subdivision 3. EFFECTIVE DATE. This ordinance shall be effective as of February 1, 2021.

ORDAINED by the City Council of the City of Jordan, Scott County, Minnesota this 1st day of February, 2021.



Mike Franklin, Mayor

ATTEST:



Tom Nikunen, City Administrator

Moved by:
Seconded by:

Published:
Filed with Scott County: