

**CITY OF WALKER  
CASS COUNTY, MINNESOTA  
ORDINANCE No. 2020-04**

**AN ORDINANCE ADDING DEDICATION TO PUBLIC STANDARDS**

**The City Council of Walker, Minnesota ordains:**

**Section 1.** PART II-LAND DEVELOPMENT AND LAND USE ORDINANCES; CHAPTER 109-ZONING AND SUBDIVISIONS; Article VII. Subdivisions; of the City of Walker Code is hereby amended by adding the following to the City Code:

**Section 109-280. Dedication to Public-Standards**

1. In accordance with the provisions of Section 462.358 of the Minnesota Statutes, or amendments thereto, the sub divider shall dedicate, to the public, lands for highway rights-of-way, street rights-of-way, utility easements, wetland easements, and similar lands required for perpetual and public improvements.
2. The City of Walker finds it in the public interest and necessary to provide future parks, trails and other public open and recreational spaces for the citizens of Walker. As such, for every new subdivision of land involving three or more lots which are to be developed for residential purposes, the City Council, with the recommendation of the Planning Commission, shall require a payment or dedication to the City of any one of the following, to be reviewed on an annual basis at the beginning of each calendar year:
  - a. A reasonable portion of a land dedication for conservation purposes or for public use as parks, recreational facilities, playgrounds, trails, wetlands, or open space, up to 0.018 acres per resident expected in the proposed development, using the most recent average household size as determined by the Minnesota State Demographer's Office and the U.S. Census Bureau.  
The City has the option to condition approval of the subdivision upon the developer's agreement to construct and provide needed public improvements such as streets, utilities, and similar improvements. This agreement should be formalized in a written development agreement.
  - b. A cash payment in lieu of land will be determined by the Cass County parcel report for the undeveloped land value at the time.
  - c. A combination of land dedication and cash payment to the City for parks and open space purposes that reflects the values contained herein and in the City's Comprehensive Plan and Master Park Plan.
3. The amount of land and/or payment shall be set by the City Council, from the recommendation of the Planning Commission, after taking into consideration the open space, park, recreational, or common areas facilities which the applicant proposes to reserve for public use within the subdivision. The City shall grant preference to payment in lieu of land dedication unless an area within the land to be platted has been identified by the City for park acquisition. The following factors shall be taken into consideration when reviewing potential lands for park dedication:
  - a. The suitability of the land for its intended purpose.
  - b. The future needs of the community regarding parks, trails, and open spaces.
  - c. The amount of any fees imposed, consistent with the requirements and limitations contained in this Section.
  - d. Whether the land is adjacent to or near other public recreation lands.
  - e. Whether there is an opportunity to extend an existing or proposed trail or to enlarge an existing or proposed park or recreational facility.

- f. Whether the land dedication would protect environmentally or historically significant or sensitive sites.
  - g. Whether the land dedication provides a unique public benefit or contains unique natural features.
4. Funds received by the City, in lieu of land dedication, shall be placed in a special fund in accordance with Section 462.358 Subdivision 2b, of the Minnesota Statutes.
  5. All land dedication pursuant to this Ordinance shall be conveyed to the City through a Warranty Deed drafted by the City Attorney
  6. The city will record the money collected and the manner in which it is spent to further those purposes, including how each cash payment was used.

**Section II.** This Ordinance becomes effective from and after its passage and publication.

PASSED AND ADOPTED by the City Council of the City of Walker, Minnesota, this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Jed Shaw, Mayor

ATTEST: \_\_\_\_\_

Terri Bjorklund, City Administrator

MOTION:

SECOND:

Hansen:

Moore:

Senenfelder:

Shaw:

Wilkening: