



## MAYOR AND COUNCIL COMMUNICATION

DATE: 1/15/13

**CONSENT**

ITEM #: 12

**ORDINANCE**

**AGENDA ITEM:** Subdivision Ordinance Amendments related to Public Land Dedication and Planned Unit Developments

**SUBMITTED BY:** Kyle Klatt, Planning Director

**THROUGH:** Dean A. Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Nick M. Johnson, City Planner

### **SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to consider text amendments to the Lake Elmo Subdivision Ordinance to amend two sections of this code as follows:

- **153.12 Planned Unit Developments.** The proposed amendments bring this section into conformance with proposed updates to the PUD Ordinance.
- **153.14 Public Land Dedication Requirements.** The proposed amendments add the new zoning districts to the dedication table and make other modifications to clarify the intent of the ordinance.

The proposed amendments represent the first step at updating the City's Subdivision Regulations in order to bring these regulations up to date with the rest of the City Code. Staff will be reviewing other portions of this ordinance as work continues on the Zoning Ordinance with the objective of preparing for development within the City's new urban districts.

The recommended motion to act on this request is as follows:

*“Move to approve Ordinance 08-065 concerning amendments to the Subdivision Ordinance.”*

### **BACKGROUND INFORMATION:**

In preparation for the amendments that are being proposed, Staff reviewed several other subdivision ordinances from developing communities and found that most were requiring that 10% of land be set aside for park purposes in residential districts. Lake Elmo has also used this standard for its R-1 and higher density zoning districts. The other proposed revisions are intended to clarify how cash contributed in lieu of park land dedication may be used.

**PLANNING COMMISSION REPORT:**

The Planning Commission reviewed the proposed Subdivision Ordinance Amendments at its December 10, 2012 meeting and conducted a public hearing on the draft revisions at this time. No public comments were received concerning the changes, although Staff did relay comments received from a property owner who suggested that the fee in lieu of land dedication for commercial areas should be set at a fixed amount.

The Commission made several minor modifications to the text and recommended approval of the ordinance amendments with a 4-3 vote. The members that voted against the revisions noted their desire to see private park space counted towards the overall land dedication requirement.

**PLANNING COMMISSION RECOMMENDATION:**

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve amendments to the Subdivision Ordinance related to Planned Unit Developments and public land dedication requirements by undertaking the following action:

*“Move to approve Ordinance 08-065 concerning amendments to the Subdivision Ordinance.”*

**ATTACHMENTS:**

- 1. Ordinance 08-065 Subdivision Ordinance Text Amendments

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item ..... City Administrator
- Report/Presentation.....Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates