

City Council
Date: 9/4/07
REGULAR
Item: 10
Direction

ITEM: Consider a process for establishing a fee for future development to cover the costs of the Village AUAR environmental study

SUBMITTED BY: Ben Gozola, Senior Planner

REVIEWED BY: Susan Hoyt, City Administrator
Kelli Matzek, Assistant City Planner

SUMMARY AND ACTION REQUESTED:

At a future meeting, the City Council will be asked to consider an ordinance to create a new fee for all development applications within the area analyzed by the Village AUAR. The new fee will be targeted at properties directly benefiting from the AUAR through land use and infrastructure planning, as well as the complete environmental assessment for development in the area. Such a fee will provide the mechanism by which the City can recover the costs being incurred for completion of the AUAR.

PROPOSED PROCESS:

Prior to making a formal recommendation to council on a proposed fee, staff will undertake the following steps to ensure the public is well informed on “why” the City is considering this fee:

1. The staff will review mechanisms to collect fees on land use applications using a model ordinance available from Lion Lakes which did a very comprehensive AUAR as a foundation to work off of to develop the Lake Elmo ordinance.
2. The staff will meet with the major property owners to discuss this concept and to get input since they will be impacted by the fees.
3. Attorney input on the ordinance will be sought prior to finalizing the draft.
4. The staff will draft an ordinance and have a follow up meeting on it with property owners.
5. The city council will be asked to review, revise and adopt an ordinance to allow the city to charge for the AUAR costs associated with the Village development.

RECOMMENDATION:

Direct staff to begin the process of crafting the proposed fee and associated ordinance.

ORDER OF BUSINESS:

- Introduction Susan Hoyt, City Administrator
- Report by staff..... Ben Gozola, Senior Planner

- Questions from the Council..... Mayor & Council Members
- Questions/Comments from the public..... Mayor facilitates
- NO MOTION necessary
- Discussion Mayor facilitates
- Direction Council

ATTACHMENTS (1):

- Example Lino Lakes Ordinance establishing an AUAR fee for benefiting properties

CITY OF LINO LAKES
ORDINANCE NO. 07-06
AMENDING ORDINANCE NO. 12-05 (the 2006 Fee Schedule)
BY ADDING A FEE FOR COSTS RELATED TO THE
I-35E CORRIDOR ALTERNATIVE URBAN AREA WIDE REVIEW

The City Council of the City of Lino Lakes, Anoka County, Minnesota does ordain:

Section 1. Findings.

The City Council makes the following findings:

The City Council approved the final I-35E Corridor Alternative Urban Area wide Review (AUAR) on October 24, 2005 with Resolution 05-159.

The northeast portion of the City of Lino includes identified growth areas, existing rural land uses, existing commercial uses, the Rice Creek Chain of Lakes Regional Park Reserve, and the I-35 E, I-35 W, and County Road 14 transportation corridors.

The development within the area analyzed by the AUAR likely would have required environmental review for numerous development projects in accordance with the Minnesota Environmental Review Program. Development that is consistent with the assumptions of the AUAR and that comply with the mitigation plan are exempt from requirements to prepare an Environmental Assessment Worksheet or an Environmental Impact Statement, as stated in MN Rules 4410.3610. This is a benefit to the property owners.

The AUAR process gave the City the opportunity to assess the impact of potential development on the area's natural resources prior to receiving and considering individual development proposals for approval.

Information and analyses in the AUAR will be used in the next comprehensive plan update that will guide planning for the development of the area. Planning benefits property owners in the planning area by ensuring adequate infrastructure.

The City incurred costs in the preparation of the AUAR.

The City Council adopted Ordinance No. 12-05 established the 2006 fee schedule and has amended it from time to time.

Section 2.

The fee schedule established by Ordinance No. 12-05 as amended is hereby amended to include the following fee that shall be applied to all development applications that require a preliminary plat, conditional use permit, site and building plan, or planned unit development within the area analyzed by I-35E Corridor AUAR (see Exhibit A):

PLANNING & ZONING FEE

ALTERNATIVE URBAN AREAWIDE REVIEW (AUAR) FEE \$269 per acre
To be charged to land development applications within I-35E Corridor AUAR area that require preliminary plats, conditional use permits, site and building plans, and planned unit developments. Once paid, the same land will not be charged again.

Section 3.

As above amended, said fee schedule shall stand as initially passed and previously amended.

Section 4.

This ordinance shall be in force and effect from and after its passage and publication according to the Lino Lakes City Charter.

Passed by the Lino Lakes City Council this 22nd day of May, 2006.

John Bergeson, Mayor

ATTEST: Julianne Bartell, City Clerk.

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