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State of Minnesota

HOUSE OF REPRESENTATIVES

First Division Engrossment

NINETY-SECOND SESSION

H. F. No. 1350

02/22/2021

Authored by Boldon and Huot  
The bill was read for the first time and referred to the Committee on State Government Finance and Elections

Division Action

02/23/2021

Referred by Chair to the Local Government Division

03/03/2021

Returned to the Committee on State Government Finance and Elections as Amended

1.1

A bill for an act

1.2

relating to municipal planning; providing authority for cities of the first class to

1.3

impose ordinances on the dedication of land or dedication fees on certain permit

1.4

applications; amending Minnesota Statutes 2020, section 462.358, by adding a

1.5

subdivision; Laws 2006, chapter 269, section 2, as amended; Laws 2013, chapter

1.6

85, article 5, section 44.

1.7

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8

Section 1. Minnesota Statutes 2020, section 462.358, is amended by adding a subdivision

1.9

to read:

1.10

Subd. 2d. **Dedication fee; first class cities.** Notwithstanding subdivisions 2b and 2c,

1.11

the city council or other chief governing body of a city of the first class, as defined in section

1.12

410.01, may require that a reasonable portion of land be dedicated to the public, or may

1.13

impose a dedication fee in conjunction with the construction permit required for new housing

1.14

units and new commercial and industrial development in the city, wherever located, for

1.15

public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The city

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council or other chief governing body of the city must enact an ordinance to impose a

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dedication of land or a dedication fee. The ordinance may exempt senior housing and

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affordable housing applicants from the dedication of land or the dedication fee requirements.

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The ordinance may set the cash fee based on current land prices at the time the permit is

1.20

issued or set at a flat fee rate per net new residential unit or other standard basis for

1.21

commercial and industrial property.

1.22

**EFFECTIVE DATE.** This section is effective for ordinances enacted on or after August

1.23

1, 2021.

Sec. 2. Laws 2006, chapter 269, section 2, as amended by Laws 2008, chapter 331, section 11, Laws 2008, chapter 366, article 17, section 5, and Laws 2013, chapter 85, article 5, section 43, is amended to read:

**Sec. 2. DEDICATION FEE.**

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the Minneapolis Park and Recreation Board and the Minneapolis City Council may jointly require that a reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction with the construction permit required for new housing units and new commercial and industrial development in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication of land or dedication fee must be imposed by an ordinance jointly enacted by the park board and the city council. The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude senior housing and affordable housing from paying the fee or the dedication of land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b), and 2c, apply to the application and use of the dedication of land or the dedication fee.

**EFFECTIVE DATE.** This section is effective August 1, 2021.

Sec. 3. Laws 2013, chapter 85, article 5, section 44, is amended to read:

**Sec. 44. CITY OF ST. PAUL DEDICATION FEE.**

Notwithstanding Minnesota Statutes, section 462.358, subdivision 2d, the city of St. Paul may require that a reasonable portion of land be dedicated to the public or impose a dedication fee in conjunction with the construction permit required for new housing units and new commercial and industrial development in the city, wherever located, for public parks, playgrounds, recreational facilities, wetlands, trails, or open space. The dedication of land or dedication fee must be imposed by an ordinance enacted by the city council. The cash fee may be set at a flat fee rate per net new residential unit. The ordinance may exclude senior housing and affordable housing from paying the fee or the dedication of land. The provisions of Minnesota Statutes, section 462.358, subdivisions 2b, paragraph (b); and 2c, apply to the application and use of the dedication of land or the dedication fee.

**EFFECTIVE DATE.** This section is effective August 1, 2021.