

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 4051

(SENATE AUTHORS: BOLDON)

DATE	D-PG	OFFICIAL STATUS
02/22/2024	11702	Introduction and first reading Referred to State and Local Government and Veterans

1.1A bill for an act

1.2relating to local government; authorizing cities to impose a public park dedication

1.3fee on certain new property developments; proposing coding for new law in

1.4Minnesota Statutes, chapter 430.

1.5BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6Section 1. **[430.16] PUBLIC PARK DEDICATION FEE.**

1.7Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision

1.8have the meanings given.

1.9(b) "Accessory dwelling unit" means a secondary dwelling unit to a principal

1.10single-family dwelling within or attached to a single-family dwelling or in a detached

1.11accessory building on the same zoning lot.

1.12(c) "Affordable housing" means housing targeted at households with incomes at or below

1.1360 percent of the area median income, adjusted for household size, as determined by the

1.14United States Department of Housing and Urban Development.

1.15(d) "Sacred community" means a residential settlement established on or contiguous to

1.16the grounds of a religious institution's primary worship location primarily for the purpose

1.17of providing permanent housing for chronically homeless persons, extremely low-income

1.18persons, and designated volunteers.

1.19(e) "Senior housing" means housing intended and operated for occupancy by senior

1.20households with at least 80 percent of the units occupied by senior households and for which

1.21there is publication of and adherence to policies and procedures that demonstrate an intent

1.22by the owner or manager to provide housing for seniors.

2.1 Subd. 2. **Dedication.** (a) A statutory or home rule charter city may require that a
2.2 reasonable portion of land be dedicated to the public or may impose a dedication fee in
2.3 conjunction with the construction permit required for new housing units within existing
2.4 subdivisions and any other development that creates a proportional impact on the park
2.5 system in the city, wherever located, for public parks, playgrounds, recreational facilities,
2.6 wetlands, trails, or open space. The dedication of land or dedication fee must be imposed
2.7 by an ordinance enacted by the city council or other chief governing body of the city.

2.8 (b) The ordinance may establish how federal or state housing tax credits available for
2.9 single-family affordable housing developments are distributed.

2.10 (c) The ordinance may exempt developments for senior housing units, accessory dwelling
2.11 units, or sacred community units from the dedication of land or the dedication fee
2.12 requirements under this section.

2.13 (d) Units meeting affordable housing thresholds in developments for affordable housing
2.14 are exempt from the dedication of land or the dedication fee requirements under this section.

2.15 Subd. 3. **Dedication fee.** (a) An ordinance enacted under subdivision 2 may set a
2.16 dedication fee based on current land prices at the time the permit is issued or set a flat fee
2.17 rate per net new housing unit or other standard basis as an essential nexus between the fees
2.18 or dedication imposed on the proposed development and the municipal purpose sought to
2.19 be achieved by the fee or dedication. The fee or dedication must bear a rough proportionality
2.20 to the need created by the proposed development.

2.21 (b) The ordinance may specify when the dedication fee must be paid, but the ordinance
2.22 must specify that payment is due no later than the date the construction permit is issued.