



**CITY OF NEWPORT
PLANNING COMMISSION WORKSHOP MEETING
NEWPORT CITY HALL
OCTOBER 9, 2014 - 6:00 P.M.**

Chairperson:	Dan Lund	City Administrator:	Deb Hill
Vice-Chair:	Anthony Mahmood	Executive Analyst:	Renee Eisenbeisz
Commissioner:	Susan Lindoo	Planner:	Sherri Buss
Commissioner:	Matt Prestegaard	Council Liaison:	Tom Ingemann
Commissioner:	Kevin Haley		

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. DISCUSSION REGARDING PARKING REGULATIONS FOR MIXED-USE DISTRICTS**
- 4. DISCUSSION ON PARK DEDICATION FEE**
- 5. ADJOURNMENT**



11 East Superior Street, Suite 340
Duluth, MN 55802
218.724.8578
tkda.com

Memorandum

To:	Newport Planning Commission	Reference:	Parking Requirements in MX Zoning Districts
Copies To:	Deb Hill, City Administrator		
	Renee Helm, Executive Assistant		
		Project No.:	15482.000
From:	Sherri Buss, RLA, AICP, Planner	Routing:	
Date:	October 2, 2014		

City staff indicated that the Commission wants to review the parking requirements in the Mixed Use zoning districts. This memo presents a summary of the current requirements, and discusses the origin of the requirements.

Origin and Purpose of the MX Districts

The Mixed Use Districts in Newport originated with the Comprehensive Plan that was completed around the year 2000, and the purpose and goals for the districts were further refined during a Visioning process that the City Council completed prior to the Comprehensive Plan that was completed in 2010.

The roadway project that was completed on Highway 61 influenced both Comp Plans. The Council and Planning Commission saw the project as an opportunity to redevelop the areas along Highway 61 over the long-term. The goals in the plans focus on redeveloping the areas along Highway 61 with a mix of residential and commercial uses, with less emphasis on the highway-oriented uses which dominated the area in the past, given the reduced access to Highway 61.

The purposes of the MX Districts are discussed in the Zoning Ordinance, and are consistent with the goals for the districts that were identified in the Comprehensive Plan. The requirements and standards for parking in the zoning ordinance are related to the purposes identified for the districts in the Comprehensive Plan and in the zoning ordinance.

- The purpose of the MX-1 District is to create a Downtown area. The Council and Planning Commission envisioned the area to have a mix of residential and commercial uses, with an emphasis on smaller-scale commercial, office and service uses. Redevelopment should focus on higher densities and creating a walkable area like a traditional downtown.
- The purpose of the MX-2 District is to foster commercial development, with lot sizes larger than the MX-1 District. The Zoning Ordinance says that parking areas should be restricted in this district to limit the impact of parking on the neighborhood and areas that

are visual gateways to the City. Residential uses are allowed, but more commercial development is likely than in the other MX districts.

- The purpose of the MX-3 District is to provide for a mix of residential, commercial, office and civic uses that support the commuter rail station, and create the densities and intensities of use that support transit use.
- The purpose of the MX-4 District is to provide a mix of residential and commercial uses that would provide for a transition over the long-term from auto-oriented uses to those that are more compatible with surrounding residential and mixed-use areas.

The vision for a transition to mixed-use areas along Highway 61 has been slow to materialize. Much of this may be attributed to the recession that occurred around 2007. There is still limited demand in most of the Metro Area, including Newport, for new office, retail, commercial and industrial development. New residential development has been focused on rental projects in Minneapolis in particular, and the completion of some other residential projects that were started in the early 2000's, like Dancing Waters in Woodbury.

Parking Standards in the MX Districts

The dimensional standards listed below apply to new development in the MX Districts. The performance standards apply to both new and existing uses.

The parking standards in the MX Districts include both dimensional standards and performance standards. Dimensional standards include:

- Parking is allowed in the “front yard” (area between the street right of way and required front setback line for buildings) in the MX-1 and MX-4 districts, but not in the MX-2 and MX-3 districts. In those districts, new development will be required to locate parking to the side and rear of buildings. The Commission's rationale for prohibiting parking in the front yard of the MX-2 and MX-3 districts is related to the purposes of the districts—to protect the visual appearance of properties in MX-2, and to create a higher density and intensity of uses in MX -3 by limiting the area used for surface parking.
- The required front setback for parking in MX-1 and MX-4 is 20 feet if across from non-residential areas; 50 feet if across from residential areas.
- The required side yard setback for parking in all MX districts is 5 feet if adjacent to non-residential districts; 30 feet for MX-1, 2 and 3 if adjacent to residential districts, and 30 feet for MX-4 if adjacent to residential districts.
- The minimum rear yard setback in all MX districts is 5 feet if adjacent to nonresidential uses; 10 feet in the MX-1, 2 and 3 Districts if adjacent to residential uses; and 50 feet in the MX-4 District if adjacent to residential uses.
- The standards in the MX-4 District are the same as those for parking in the B and I districts.

Performance standards for parking in the MX-Districts include the following:

- The front setback area in the MX-1 and MX-4 districts shall include a planted boulevard (typically over-story trees planted 50 feet on center, with grass understory).
- Parking requirements for each district are included in Section 1350.18 and 1350.19. Requirements for specific residential and commercial uses are listed in 1330.06. In the MX-1 District, on-street parking can count toward the parking requirements.



- Parking lots for more than 8 cars shall landscape 10 percent of the parking lot surface area. The zoning ordinance includes requirements for the dimensions of landscaped islands in parking lots, and for landscaping restrictions at corners to protect sight-lines.
- Off-street parking, loading and service areas shall be improved with a durable and dustless surface, and shall be graded and drained to manage surface water. Parking areas with 3 or fewer spaces are exempt from this standard.
- The ordinance includes dimensional standards for parking spaces, and requires handicapped parking to meet state and federal requirements.
- All off-street parking spaces shall have access from a private driveway, and shall not access directly onto a public street.
- Temporary, daily parking of vehicles, for a period of no more than 48 consecutive hours, for employees or patrons of a business need not be screened in side and rear yards adjacent to business or industrial uses, but shall be completely screened from residential uses. In front yards, all such vehicles need to be screened to a height of 3 feet.
- Any vehicle parked for more than 48 consecutive hours shall be completely screened from the eye-level view of adjacent residential property and public streets, and from the public front and office sides of business and industrial uses.
- Any outside storage or display of vehicles for sale, rent or lease shall be by conditional Use Permit only, and shall include only operable new vehicles or operable used vehicles in good working order and of good appearance.
- All parking areas and drives shall be constructed of concrete, blacktop, or similar durable hard surface free of dust. The periphery of all parking areas and drives shall be constructed with poured in-place concrete curbing unless otherwise approved by the City.

The Commission may discuss the requirements and standards for parking in the Mixed Use districts, and determine if it will recommend changes in the standards to the City Council.





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The Planning Commission recently discussed park dedication fees for new subdivisions. The Commission and Council recognized a need to review the current park fee in light of current conditions. This memo provides background information about park dedication fees to start the discussion. The City’s current park dedication requirement is 10% of the buildable land area of a proposed subdivision, or \$3400 per residential unit.

In 2004, 2006 and 2007 the Minnesota Legislature amended state statutes regarding park dedication fees. The information in this memo reflects the most recent changes that the Legislature made to the statute.

I. PARK DEDICATION REQUIREMENTS

Background

Minnesota Statutes Section 462.358.Subd.2b allows local governments to require that a reasonable portion of any proposed subdivision be dedicated to the public, preserved for conservation purposes, or dedicated for public use as parks, playgrounds, trails, wetlands or open space. A key requirement for establishing the fee is that the fee must be proportional to the need for parks and open space that is created by the proposed development. The statute requires the following:

- The local government must establish the park fee by ordinance or resolution.
- The local government must have an adopted capital improvements budget and an adopted parks and open space plan.
- The portion of land to be dedicated must be calculated based solely upon the “buildable” land in the subdivision as defined by the local ordinance
- The local government must reasonably determine that it will need to acquire that portion of land for park and trail purposes as a result of the approval of the subdivision. There must be an essential nexus (nexus means a “substantial connection”) between the fees or dedication required and the municipal purpose. “The fee or dedication must bear a rough proportionality to the need created by the proposed subdivision or development.”

Cash in lieu fee

As a part of its park dedication requirements, as an alternative to accepting dedicated land, a local government may accept an equivalent value of money, known as a “park dedication fee.” The fee must be based on the fair market value of the unplatted land for which park fees have not already been paid. Cash in lieu fees are typically applied if the area where the subdivision is located is not part of a proposed park or trail identified in the Comprehensive Park and Trail plan.

Cash payments received must be placed in a special fund to be used only for the acquisition and development or improvement of parks, recreational facilities, playgrounds, trails, wetlands or open space based on the approved park systems plan. Cash payments may not be used for ongoing operation or maintenance of parks, recreational facilities, playgrounds, trails, wetlands or open space.

Process for Park Fee Calculation

The park fee must be proportional to the need for parks and open space that is created by proposed development. In order to determine the need that will be created by each new subdivision, the community must have an adopted park system plan that substantiates the community’s need for new parks and trails, and the proportion of the need that will be generated by each new development. Calculating the park dedication fee typically includes the following steps:

- Analysis of existing park and trail system, and determination of the adequacy of the current system. This usually includes:
 - Determine current use levels and adequacy of existing facilities to serve the current population of the community.
 - Comparison to national park and recreation standards for park facility needs based on population and geography.
- Analysis of needs for future park facilities. This usually includes:
 - Information from park users, local athletic associations and residents regarding trends in use and expected future demand for facilities
 - Estimation of expected growth in population and households (usually based on Comprehensive Plan time frame)
 - Comparison to national park and recreation standards and to existing levels of park and recreation facilities.
 - If the current level of park facilities available is meeting local needs, it is difficult to justify a much higher level of need for future residents.
- Identification and mapping of a park and trail system that will meet the identified needs based on projected growth in population and households.
- Identification of the park system costs and a phasing plan for implementation.
- Adoption of the park system plan
- Calculation of a park fee based on identified future need, proposed system, and development that is projected during the planning horizon. This creates the “nexus” between the fee and the needs that will be created by future development.
- Adoption of the park dedication ordinance and fee.



Newport Process for Determining a Park Dedication Fee

The current Newport park dedication fee was established in 2010. The City's Administrator used the park and trail plan adopted in the Comprehensive Plan (attached) as a starting point for fee determination. Staff completed an estimate of the cost to complete the park system identified, and a calculation of potential developable areas in the City. The fee was established based on the projected need to complete the system, and potential for new development in the City.

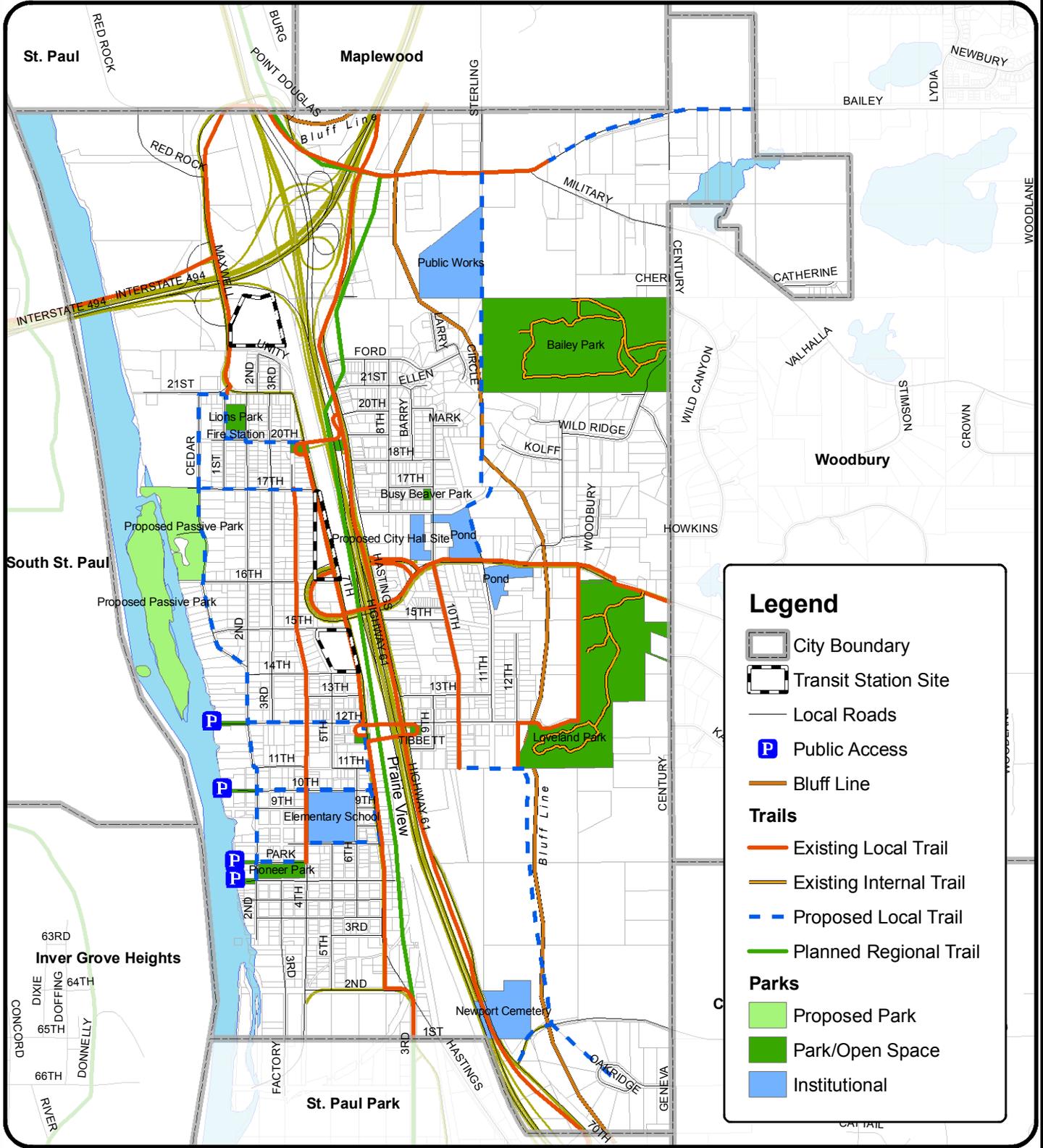
Since the fee was established, land prices have fallen significantly in many communities. The typical per unit fee in communities in Washington County is currently between \$2,000 and \$2,500 per unit.

The Planning Commission should discuss the statutory requirements for determining a park dedication fee, and provide a recommendation for working on this issue in Newport.





City of Newport City-wide Parks and Trails Comprehensive Plan



Legend

- City Boundary
- Transit Station Site
- Local Roads
- Public Access
- Bluff Line
- Trails**
- Existing Local Trail
- Existing Internal Trail
- Proposed Local Trail
- Planned Regional Trail
- Parks**
- Proposed Park
- Park/Open Space
- Institutional

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Data sources include the MN Department of Natural Resources, City of Newport, Metropolitan Council and TKDA.

