

# Memorandum



CITY OF DALLAS

DATE February 8, 2018

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT Park Land Dedication Ordinance

On Monday, February 12, 2018, you will be briefed on the Park Land Dedication Ordinance. The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata  
Assistant City Manager

c: Honorable Mayor and Members of City Council  
T.C. Broadnax, City Manager  
Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Billierae Johnson, City Secretary (Interim)  
Daniel F. Solis, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, P.E., Assistant City Manager (Interim)  
Jon Fortune, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Nadia Chandler Hardy, Chief of Community Services  
Raquel Favela, Chief of Economic Development & Neighborhood Services  
Theresa O'Donnell, Chief of Resilience  
Directors and Assistant Directors

# Park Land Dedication Ordinance

Quality of Life, Arts and Culture Committee

February 12, 2018

David Cossum, Director  
Sustainable Development  
and Construction

Willis Winters, FAIA, Director  
Park and Recreation

Ryan O'Connor, Program Manager  
Park and Recreation



**City of Dallas**

# Requested Action

To recommend the proposed Park Land Dedication Ordinance as unanimously approved by the City Plan Commission on December 14, 2017, for City Council consideration

# Ordinance Rationale

- As Dallas experiences rapid growth, the park system is not growing at the same rate
- A park land dedication ordinance ensures developers share the cost of providing new park land and amenities for new residents

# Background

- First park land dedication ordinance in Texas – 1955 (Corpus Christi)
- Largest cities in Texas (Houston, Austin, San Antonio, Fort Worth) have existing park land dedication ordinances
- Most surrounding DFW suburbs have existing park land dedication ordinances

# Background (continued)

- The Park and Recreation Board requested and was briefed on a park land dedication ordinance in November 2016
- The City Council Quality of Life Committee was briefed four times in 2017
- Five meetings were conducted with the Subdivision Review Committee of the City Plan Commission
- The City Plan Commission approved the ordinance on December 14, 2017
- The Park and Recreation Board approved a resolution on January 4, 2018, supporting the action by the CPC

# Background (continued)

Staff convened a working group to discuss and make recommendations for the proposed ordinance:

- Comprised of members/representatives from TREC, Dallas Builders Association, AIA, multifamily developers, single-family developers and park system advocates (former City Council and Park Board members)
- Met five times in April and May of 2017

# Proposed Ordinance Requirements and Fees

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# Requirements and Fees

- The dedication requirements and fees contained in the proposed ordinance are based on existing criteria and factors of the Dallas park system
  - Additional information and calculations can be found in the appendix
- Land dedication requirements and fee recommendations are not arbitrary
- Methodology uses best practices from other cities in Texas

# Recommendation: Land Dedication

- Single-Family
  - 1 acre per 100 dwelling units
- Multifamily
  - 1 acre per 255 one-bed units
  - 1 acre per 127 two-bed units
- Hotel/Motel
  - 1 acre per 233 rooms

# Recommendation: Total Fee-in-Lieu

- Single-Family
  - \$1,165 per dwelling unit
- Multifamily
  - \$457 per dwelling unit, 1BR or less
  - \$917 per dwelling unit, 2BR or greater
- Hotel/Motel
  - \$500 per room
- Proposed fees are in line and competitive with surrounding communities
  - Range from \$325 (Rowlett) to \$1,802 (Colleyville)

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# Land Dedication and Fee Examples

- Single-Family
  - 20-home shared-access development
  - Land dedication: 0.2 acres
  - Fee: \$23,000
- Multifamily
  - 150-unit development (120 one-bed units and 30 two-bed units)
  - Land dedication: 0.71 acres
  - Fee: \$82,350
- Hotel/Motel
  - 250-room hotel
  - Land dedication: 1.07 acres
  - Fee: \$125,000

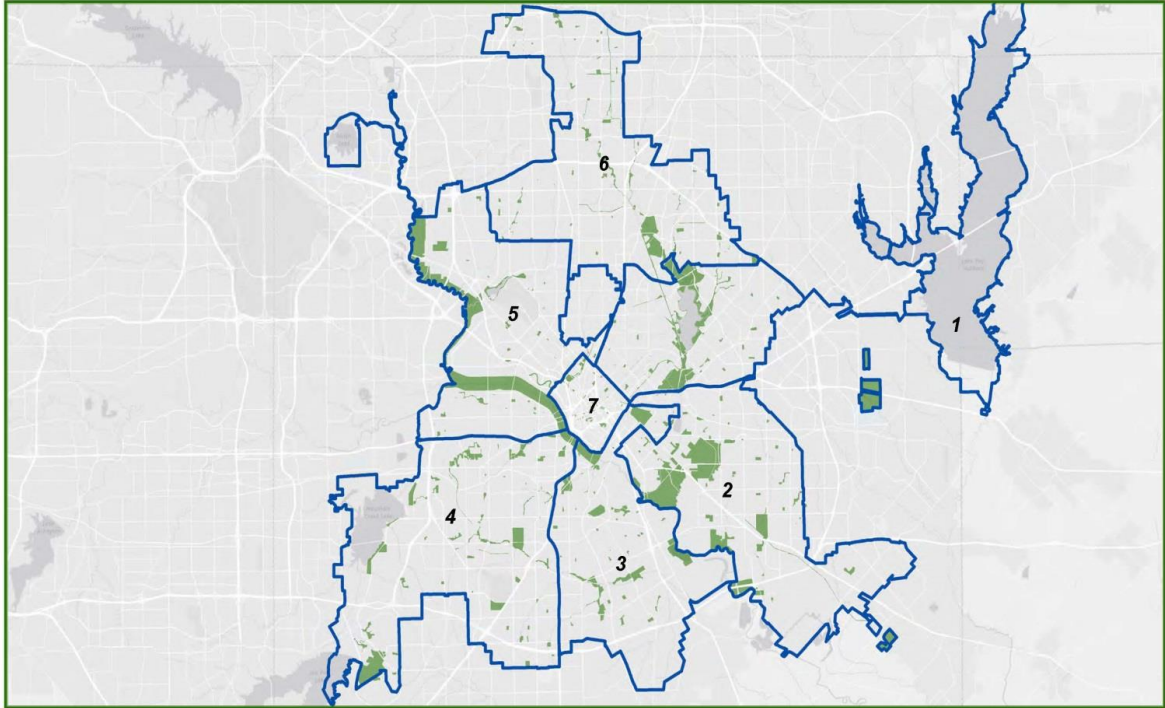
# Additional Ordinance Components

Consensus recommendations of the developer and park advocate working group

# Recommendation: Nexus Zones

- Use six existing park districts and create a new zone for downtown and the surrounding neighborhoods (as defined by Downtown360 Plan) for a total of seven zones
- Nexus zone rationale:
  - Zones are established and do not require the creation of new arbitrary boundaries
  - Zones are large enough for the Park and Recreation Department to acquire land and expend fees
  - Zones are small enough to be responsive to individual developments but large enough to provide land dedication options to developers

# Park Nexus Zones

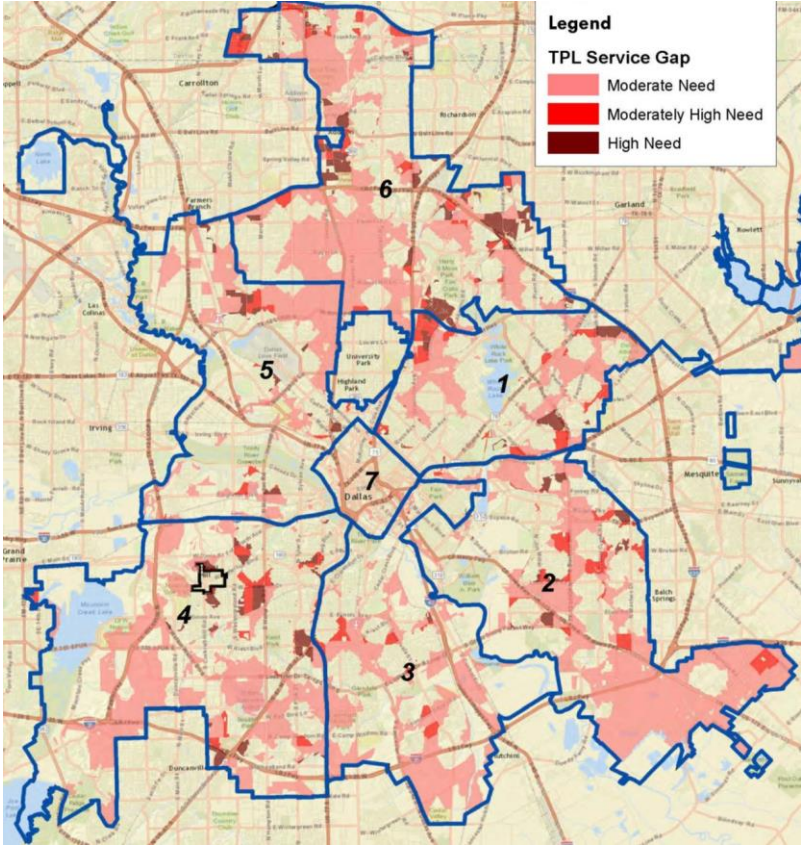


**Park Nexus Zones**



November 12, 2017

# Park Nexus Zones





# Recommendation: Addt'l Components

- Time limit for expending fees
  - 10 years
- Minimum dedication size
  - One acre with allowance for exceptions by Park and Recreation Director
- Fee adjustment review
  - Annually with escalator based on Dallas Central Appraisal District (DCAD) Single-Family Residential (SFR) value with maximum increase/decrease of 5%

# Recommendation: Addt'l Components

- Change of density/teardowns
  - Use delta for a period of five years, after which full number of units are assessed
  - Example:
    - Developer buys property with 100 apartment units and intends to replace with 200-unit complex
    - Only charged fees based upon new 100 units if work commences within five years
    - If work does not commence within five years, developer would be charged fees based upon the full 200 units
- Ordinance implementation (as approved by CPC) on January 1, 2019

# Recommendation: Land Acceptance Standards

- Connectivity to a public street appropriate for the size and use of the park
- Cleared of any non-vegetative material
- No severe slope or extreme topography inconsistent with the intended recreational use
- No water detention or retention areas
- Free of adverse environmental conditions
- Does not exceed 50% floodplain designation

# Recommendation: Developer Options

- Adjacency to park or trail
  - 100% credit applied to park development fee for capital improvements made to an existing park or trail if designed/built according to park standards
- Private parks
  - 100% credit applied to park land dedication and park development fees if parks and amenities are accessible to public and designed/built according to park standards
  - 50% credit for private parks not accessible to public; must be located at grade and of appropriate size for development

# Recommendation: Developer Offsets/Credits

Dedicated park land may be used to meet tree mitigation requirements in accordance with Article X Landscaping and Tree Preservation if it meets specific requirements:

- Contains protected trees
- Configured for urban forest conservation
- Suitable size, dimension and topography
- Not narrower than 50' in width
- Documentation provided describing legal and physical characteristics of land
- Meets publicly accessible park standards

# Requested Action

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# Next Step

Schedule proposed ordinance for City Council briefing

# Park Land Dedication Ordinance

Quality of Life, Arts and Culture Committee

February 12, 2018

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# Appendix

# Land Dedication Methodology

- Establish baseline level of service
  - Population/acreage of applicable parks = existing level of service
  - $1,197,816/4,276.9 = 280$  residents per acre, or 3.57 acres per 1,000 residents
- Establish land dedication requirement for development type
  - Residents per acre/census dwelling unit density = dwelling unit acreage requirement
    - SF = 2.8
    - MF 2+ beds = 2.2
    - MF 1 bed = 1.1
    - Hotel/Motel = 1.7

# Fee-in-Lieu Methodology

- Determine value per square foot to acquire park land
  - \$1.75 per square foot = \$76,230 per acre
  - Park land acquisition typically ranges between \$0.50 and \$5.00 per sq. ft.
- Identify unit-level price per development type
  - Single acre price/unit count per acre dedication requirement
    - Single-family example:  $\$76,230/100 = \$762$  per dwelling unit

# Park Development Fee Methodology

- Establish cost to develop park land: \$600,000
- Determine number of people per park
  - Population/number of applicable parks
    - $1,197,816/287 = 4,174$
- Determine cost per person to develop a park
  - $\$600,000/4,174 = \$144$
- Determine cost per development type
  - Census density value x cost per person to develop a park
    - Single-family example:  $2.8 \times \$144 = \$403$

# Recommendation: Fee-in-Lieu

- Single-Family
  - \$762 per dwelling unit
- Multifamily
  - \$299 per 1-bedroom dwelling unit
  - \$600 per 2+ bedroom dwelling unit
- Hotel/Motel
  - \$327 per room

# Recommendation: Development Fee

- Single-Family
  - \$403 per dwelling unit
- Multifamily
  - \$158 per 1-bedroom dwelling unit
  - \$317 per 2+ bedroom dwelling unit
- Hotel/Motel
  - \$173 per room

# Park Land Dedication Research

- Dr. John Crompton, Distinguished Professor, Texas A&M University has conducted definitive research on park land dedication ordinances in Texas
- Published two academic papers that thoroughly detail dedication requirements and fees-in-lieu around the state
  - An Analysis of Parkland Dedication Ordinances in Texas
  - Parkland Dedication Ordinances in Texas: A Missed Opportunity?

# Fee Benchmarking

- Arlington
  - Residential fee: \$1,257 to \$1,391 per unit
- Austin
  - Residential fee: \$1,075 to \$1,771 per unit
  - Hotel/Motel fee: \$837 per room
- Colleyville
  - Residential fee: \$1,802 per unit
  - Commercial fee: \$800 per acre
- Frisco
  - Residential fee: \$1,561 per unit



# Fee Benchmarking

- Fort Worth (under revision – fees likely to increase)
  - Residential fee: \$500 per unit
  - Park development fee: \$30,000 per acre
- Grapevine
  - Residential fee: \$1,416 per unit
- Houston
  - Residential fee: \$700 per unit
- Lancaster
  - Residential fee: \$1,400 per unit
- Lewisville
  - Park development fee: \$750 per unit

# Fee Benchmarking

- McKinney
  - Residential fee: Based on appraisal district value or independent appraisal of land
- San Antonio
  - Residential fee: Based on fair market value but “shall not exceed \$50,000 per acre”
  - Park development fee: Number of dwelling units x \$250
- Southlake
  - Residential fee: Based on annual land appraisal approved by City Council
  - Commercial fee: \$8,000 per acre