

Memorandum



CITY OF DALLAS

DATE February 22, 2019

TO Honorable Members of the Mobility Solutions, Infrastructure and Sustainability Committee

SUBJECT **Annual and One-Time License Fees for Use of Public Right-of-Way**

This memo is in response to questions raised at the Mobility Solutions, Infrastructure & Sustainability Committee meeting on February 11, 2019 concerning annual and one-time license fees for the use of the public right-of-way. Annual fees to use the public right-of-way are required by Section 43-115 of the Dallas City Code and are based on the per square foot value as determined by DCAD of the fee simple interest of the abutting property. Annual fees are charged for the following uses:

- Encroachment of historically significant structures: \$1,000
- Sidewalk café: \$200

The annual fee for a license to use the public right-of-way for uses other than those above-mentioned is \$1,000 or calculated in accordance with one of the following formulas, whichever is greater:

- Surface use: $\text{area} \times \text{market value} \times 85\% \times 12\%$.
- Subsurface use: $\text{area} \times \text{market value} \times 30\% \times 12\%$.
- Air rights use (including awning and canopies with a premise sign): $\text{area} \times \text{market value} \times 85\% \times 85\% \times 12\%$.

Some examples of uses requiring an annual fee and calculated in accordance with one of the above-mentioned formulas are as follows:

- Surface uses: Building encroachments, screening walls, electrical vaults
- Subsurface uses: Fiber optic conduits, basement areas, pedestrian tunnels
- Aerial uses: Signs, balconies, pedestrian skybridges

Section 43-115.1 provides for special fees to be charged for the use of the public right-of-way instead of an annual fee charged under Section 43.115 of the City Code. As a means of creating pedestrian friendly environments and encouraging increased use of street amenities, one-time fees are assessed for the following uses:

- Landscaping and appurtenant irrigation systems: \$100
- Awnings and canopies (without a premise sign): \$100 per awning or canopy
- Subdivision and monument signs: \$100 per sign

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- Other streetscape elements, including planters, crosswalk texturing and coloring, artwork, lighting, benches, flag poles, bollards, and trash receptacles: \$100 per element

Should you have any questions or concerns, please contact Kris Sweckard, Director of the Department of Sustainable Development and Construction at 214-670-4127.



Majed Al-Ghafry, P.E.
Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (Interim)
Carol A. Smith, City Auditor (Interim)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Laila Aleqresh, Chief Innovation Officer
Directors and Assistant Directors