11-12-25

ORDINANCE NO. **33280**

An ordinance amending Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," and Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by amending Section 51A-1.105, Division 51A-4.1000, and Section 51A-8.405; adding a new Article VIIIA, "Park Land Dedication"; amending the parkland dedication requirements; providing a penalty not to exceed $2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the 88th Texas Legislature met in regular session between January 10, 2023 and May 29, 2023; and

WHEREAS, H.B. 1526 was filed on January 23, 2023; and

WHEREAS, H.B. 1526 provides requirements for parkland dedication and parkland dedication fees for multifamily, hotel and motel uses; and

WHEREAS, H.B. 1526 was approved by both chambers of the Texas Legislature; and

WHEREAS, H.B. 1526 was signed by Governor Greg Abbott on June 10, 2023 and took effect immediately; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Chapter 51, "Dallas Development Code: Ordinance No. 10962, as amended," of the Dallas City Code is amended by adding a new Article VIIIA, "Park Land Dedication," to read as follows:

"**Article VIIIA.**

PARK LAND DEDICATION.

This article incorporates by reference the language of Article VIIIA, "Park Land Dedication," of Chapter 51A of the Dallas City Code, as amended, as that division exists today and as it may be amended in the future."

SECTION 2. That Paragraph (3) of Subsection (k), "Fees for Miscellaneous Items," of Section 51A-1.105, "Fees," of Article I, "General Provisions," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(3) Fee schedule.

Type of Application	**Application Fee**	**Area of Notification for Hearing**
Minor plan amendment	$825.00	
Appeal of the decision of the director to city plan commission or the decision of the city plan commission to the city council for a minor plan amendment	$300.00	
Detailed development plan when submitted after passage of an ordinance establishing a planned development district	$600.00 for each submission	
Waiver of the two-year waiting period under Section 51A-4.701(d)(3)	$300.00	
Extension of the development schedule under Section 51A-4.702(g)(3)	$75.00	
Waiver of the requirement of proof that taxes, fees, fines, and penalties are not delinquent under Section 51A-1.104.1	$200.00	
Appeal to the city council of a moratorium on a zoning or nonzoning matter handled by the department	$300.00	
Request for a letter from the department explaining the availability of water services for a development site	Refer to Section 303.17.1 in Chapter 52 of the Dallas City Code	
Request for a letter from the department explaining the availability of wastewater services for a development site.	Refer to Section 303.17.1 in Chapter 52 of the Dallas City Code	
Request for performance of a wastewater capacity analysis on an existing wastewater line to determine its capacity for a proposed development or land use	Refer to Section 303.17.1 in Chapter 52 of the Dallas City Code	
Appeal of an apportionment determination to the city plan commission	$600.00	

Appeal an apportionment determination decision of the city plan commission to the city council	$600.00	
Appeal a decision of the landmark commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding a single family use or a handicapped group dwelling unit use	$300.00	
Appeal a decision of the landmark commission on a predesignation certificate of appropriateness, certificate of appropriateness, or certificate for demolition or removal to the city plan commission regarding any other use	$700.00	
Request for a sidewalk width waiver under Section 51A-4.124(a)(8)(C)(v)	Refer to Section 303.5.6 in Chapter 52 of the Dallas City Code	
Request for an administrative parking reduction under Section 51A-4.313	Refer to Section 303.12.5 in Chapter 52 of the Dallas City Code	
Appeal of a park land dedication determination to the city plan commission	$900.00	
Appeal of a park land dedication determination decision of the city plan commission to the city council	$900.00	
Note: The director shall also send notification of minor plan amendments to the city plan commission members, any known neighborhood[~~s~~] associations covering the property, and persons on the early notification list at least 10 days prior to the city plan commission meeting."		

SECTION 3. That Subsection (z), "Fee-in-Lieu for Park Land Dedication and Park Development Fees," of Section 51A-1.105, "Fees," of Article I, "General Provisions," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(z) Fee-in-lieu for park land dedication [~~and park development fees~~].

(1) The developer shall pay the filing fee to the director of the park and recreation department [~~building official~~]. The director of the park and recreation department [~~building official~~] shall deposit fees received in the official city depository not later than the next business day following receipt of the fees.

(2) Fee schedule for park land dedication fee-in-lieu.

Type of Development	Fee-in-lieu
Single family or duplex	Two percent of the median family income [~~$762.00~~] per dwelling unit
Multifamily (one bedroom)	One percent of the median family income per dwelling unit [~~$299.00~~]
Multifamily (two or more bedrooms)	One and three-fourths percent of the median family income per dwelling unit [~~$600.00~~
~~College dormitory, fraternity, or sorority house~~	~~$299.00 per sleeping room~~]
Hotel and motel	One percent of the median family income per dwelling unit [~~$327.00 per guest room~~]

(3) On January 1 of each year, the director shall calculate the fee-in-lieu for each type of development. The fees in Paragraph (2) automatically update each year on January 1 based on the latest median family income data.

(4) For purposes of this subsection only, median family income means the United States Census Bureau's most recent American Community Survey's five-year estimate of median family income for all families within Dallas. [~~Park development fees.~~

~~Type of Development~~	~~Park land development fee~~
~~Single family or duplex~~	~~$403.00 per dwelling unit~~
~~Multifamily (one bedroom)~~	~~$158.00~~
~~Multifamily (two or more bedrooms)~~	~~$317.00~~
~~College dormitory, fraternity, or sorority house~~	~~$158.00 per sleeping room~~
~~Hotel and motel~~	~~$173.00 per guest room~~]"

SECTION 4. That Division 51A-4.1000, "Park Land Dedication," of Article IV, "Zoning Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"**Division 51A-4.1000. Reserved [~~Park Land Dedication~~].**

[~~SEC. 51A-4.1001. PURPOSE.~~

~~Dedication of park land provides new residents and visitors with recreational amenities and green infrastructure consistent with the current level of park services for existing residents.~~

~~SEC. 51A-4.1002. APPLICABILITY.~~

~~(a) In general. Except as provided in this section, park land dedication requirements apply to:~~

~~(1) a single family or duplex residential plat or building permit for new construction; and~~

~~(2) a development plan or building permit that includes multifamily residential units or a hotel or motel use.~~

~~(b) Exceptions. These regulations do not apply to:~~

~~(1) plats, replats, or issuance of building permits for new construction on land owned by a governmental unit; and~~

~~(2) developments in planned development districts, existing on July 1, 2019, with open space or park land requirements.~~

~~(c) Waivers. Only developments that are enrolled in a program administered by the housing and neighborhood revitalization department and authorized by the city council, that furthers the public purposes of the city's housing policy may be eligible to have some or all of these requirements waived.~~

~~SEC. 51A-4.1003. DEFINITIONS AND INTERPRETATIONS.~~

~~(a) Definitions. In this division:~~

~~(1) COMMUNITY PARK means a park that is larger than a neighborhood park and serves several neighborhoods.~~

~~(2) DIRECTOR means the director of the park and recreation department.~~

~~(3) HOTEL AND MOTEL USE means a hotel or motel use, extended stay hotel or motel use, lodging or boarding house use, or residential hotel.~~

~~(4) MULTIFAMILY USE means a college dormitory, fraternity, or sorority house, group residential facility, multifamily use, or retirement housing.~~

~~(5) NEIGHBORHOOD PARK means a park that serves a variety of age groups within a limited area or neighborhood.~~

~~(6) PARK DEDICATION ZONE means an area as illustrated on the park land dedication map created by the park and recreation department defining the area where dedication may occur.~~

~~(7) PRIVATE PARK LAND means privately owned park land, common area, or green spaces provided on-site that is accessible to the residents of a development.~~

~~(8) SINGLE FAMILY OR DUPLEX USE means a duplex use, handicapped group dwelling unit, or single family use.~~

~~(b) Interpretations. For uses or terms found in Chapter 51 the regulations in Section 51A-4.702(a)(6)(C) apply in this division.~~

~~SEC. 51A-4.1004. DEDICATION.~~

~~(a) General. Dedication may be accomplished by dedication to and acceptance of suitable land by the city or by payment of a fee-in-lieu of dedication.~~

~~(b) On-site dedication. For single family or duplex residential subdivisions, on-site dedication must be shown on the preliminary and final plat. For multifamily or hotel and motel uses, on-site dedication must be shown on the development plan or other plan submitted with a building permit application.~~

~~(c) Off-site dedication. Off-site dedication must be evidenced by a deed to the city that has been accepted by the director.~~

~~(d) Deferral. Payment of the fee-in-lieu may be deferred from the time of platting to the time of issuance of building permits.~~

~~(e) Dedication calculation. The following formula applies to determine the amount of land required to be dedicated.~~

~~(1) For a single family or duplex residential development:~~

~~One acre per 100 dwelling units. Less than 100 dwelling units on a pro rata basis.~~

~~(2) For a multi-family development:~~

~~One acre per 255 single bedroom dwelling units. Less than 255 dwelling units on a pro rata basis.~~

~~One acre per 127 two bedroom or greater dwelling units. Less than 127 dwelling units on a pro rata basis.~~

~~For a college dormitory, fraternity, or sorority house, one acre for 255 sleeping rooms. Less than 255 sleeping rooms on a pro rata basis.~~

~~(3) For a hotel or motel use development:~~

~~One acre per 233 guest rooms. Less than 233 guest rooms on a pro rata basis.~~

(f) Single family and duplex development. For single family or duplex developments, park land dedication may occur at either the subdivision or permitting phase. Dedication is only required once.

(1) Residential subdivision.

(A) Unless dedication has been deferred to the permitting phase, final approval of a single family or duplex residential subdivision plat requires at least one of the following to satisfy the requirements of Subsection (e) of this section including any credits or off-sets authorized pursuant to Section 51A-4.1007

(i) For park land dedicated within the subdivision, a fee simple dedication on the subdivision plat of the required park land approved by the director.

(ii) For park land dedicated outside the subdivision, evidence of recording in the appropriate real property records of a general warranty deed of the required park land approved and accepted by the director.

(iii) For land platted as a private park, the land must be identified on the plat.

(iv) Confirmation of deposit into the park land dedication fund of the fee-in-lieu of dedication in the amount established pursuant to Section 51A-4.1005.

(B) Land established as a private park for the purposes of this section may not be replatted to change the designation without the approval of the city plan commission. The city plan commission shall not approve a replat that would change the designation unless it determines that:

(i) alternative private park land that satisfies the requirements of this subsection is identified within the original subdivision that meets the dedication requirement; or

(ii) park land dedication requirements are met with an off-site dedication or fee-in-lieu meeting the requirements of this division.

(C) For phased plats, park land dedication plats may only be accepted for the active phase.

(2) Residential building permit. Issuance of a building permit for a single family or duplex development requires at least one of the following to satisfy the requirements of Subsection (e) of this section including any credits or off-sets authorized pursuant to Section 51A-4.1007:

~~(A) For dedicated park land, evidence of recording in the appropriate real property records of a general warranty deed for the required park land approved and accepted by the director; or~~

~~(B) Confirmation of deposit into the park land dedication fund of the fee in lieu of dedication in the amount established pursuant to Section 51A-4.1005.~~

~~(C) For private park land and publicly accessible private park land, the final plat must be filed or an instrument acceptable to the city attorney must be filed in deed records.~~

~~(g) Multifamily and hotel or motel use developments. Issuance of a building permit for a multifamily or hotel or motel use development requires at least one of the following to satisfy the requirements of Subsection (e) of this section including any credits or off-sets authorized pursuant to Section 51A-4.1007:~~

~~(1) For dedicated park land, evidence of recording in the appropriate real property records of a general warranty deed for the required park land approved and accepted by the director;~~

~~(2) Identification of the required amount of private park on the preliminary and final plats or development plan if applicable; or~~

~~(3) Confirmation of deposit into the park land dedication fund of the fee-in-lieu of dedication in the amount established pursuant to Section 51A-4.1005.~~

~~(h) Minimum size. If the calculation in Subsection (e) of this section results in less than one acre, the director may require the developer to pay the fee-in-lieu of land dedication as provided in Section 51A-4.1005. The director may approve the dedication of less than one acre of property if the proposed park meets or addresses a need in the park system or presents an opportunity to enhance the city parks system as recommended by the comprehensive plan.~~

~~SEC. 51A-4.1005. FEE-IN-LIEU.~~

~~(a) The owner of property for which dedication is required may pay a fee-in-lieu of dedication in the amount determined in Subsection (c) of this section, and the director shall not refuse any payment of a fee- in-lieu of dedication.~~

~~(1) In some instances, the director may require the developer to pay fees-in-lieu of dedicating land. In making this determination, the director shall consider the following factors:~~

~~(A) Whether sufficient park land and open space exists in the area of the proposed development; and~~

~~(B) Whether recreation potential for an area would be better served by expanding or improving existing parks, by adding land or additional recreational amenities.~~

~~(2) The director shall notify the developer in writing of the director's decision to require a fee-in-lieu of dedication and the reason for the decision. The developer may appeal the decision to the park and recreation board by filing a written notice with the director within 15 days after the date of the decision.~~

~~(b) Payment of the fee-in-lieu is required at the time of approval of the final plat or issuance of building permits. Cash payments may be used only for acquisition or improvement of park land and facilities located within the same park dedication zone as the development. Fees may be applied to any type of park site or improvement within the park dedication zone in accordance with park and recreation department prioritization.~~

~~(c) For developments in more than one park dedication zone, or that abut another park dedication zone, fees-in-lieu may be spent in either park dedication zone.~~

~~(d) For Park Dedication Zone Seven (the Downtown/Uptown Zone) as shown on the parkland dedication zone map, fees-in-lieu may be used to increase connectivity in the city's trail system for the recreational benefit of the residents of that area.~~

~~SEC. 51A-4.1006. PARK DEVELOPMENT FEE.~~

~~(a) In general. To provide recreational amenities on existing park land for new residents and visitors, a park development fee is required to be paid at the time of dedication or payment of fee-in-lieu. Except as provided in this section, park development fees must be applied to parks within the park dedication zone in accordance with park and recreation department prioritization.~~

~~(1) Credit may be provided on a dollar for dollar basis for capital improvements on adjacent park land if the capital improvements:~~

~~(A) meet minimum park and recreation standards;~~

~~(B) are needed and are appropriate for the park land; and~~

~~(C) are accepted by the director.~~

~~(2) Credit may be provided on a dollar for dollar basis for capital improvements on publicly accessible private park land if the capital improvements:~~

~~(A) meet minimum park and recreation standards;~~

~~(B) are needed and are appropriate for the park land; and~~

~~(C) are accepted by the director.~~

(3) A maximum credit of 50 percent of the total requirement may be provided for capital improvements on non-publicly accessible private park land if the capital improvements:

(A) meet minimum park and recreation standards;

(B) are needed and are appropriate for the park land; and

(C) are accepted by the director.

(b) Location. For developments in more than one park dedication zone, or that abut another park dedication zone, park development fees may be spent in either park dedication zone.

(c) Timing. Park development fees must be paid at the time all other dedications or payments are made.

SEC. 51A-4.1007. CALCULATIONS, DEDUCTIONS, AND CREDITS.

(a) Initial calculations. The director shall determine the amount of land required to be dedicated, or fees-in-lieu of dedication to be paid, in accordance with Sections 51A-1.105(z), 51A-4.1004, 51A-4.1005, and this section.

(1) The director shall first calculate the amount of park dedication required in Section 51A-4.1004;

(2) If the owner of the subdivision or development elects to pay a fee-in-lieu of dedication, or the director requires the payment of a fee-in-lieu of dedication, the director shall calculate the fee according Section 51A-4.105(z);

(3) If the owner of the subdivision or development chooses to satisfy the requirements of this division by a combination of dedication of land and payment of a fee-in-lieu of dedication, the director shall:

(A) First, calculate the total park dedication requirement;

(B) Second, subtract from the total park land dedication requirement the amount of park land to be dedicated;

(C) Third, calculate amount of fee-in-lieu for the remaining amount of park land dedication required by multiplying the remaining land area by the fee-in-lieu per square foot cost factor.

(b) Deductions and credits.

(1) The number of dwelling units, guest rooms, or sleeping rooms requiring dedication is based on a total increase in dwelling units, guest rooms, or sleeping rooms. The director shall deduct from the initial calculation the number of dwelling units, guest rooms, or

~~sleeping rooms in existence within five years of the approval of the preliminary plat or the issuance of the first building permit for the proposed new development. The burden is on the applicant to demonstrate to the satisfaction of the director that the dwelling units, guest rooms, or sleeping rooms existed before the application for the subdivision plat or building permits generating the dedication requirement;~~

~~(2) The director shall reduce the dedication requirement of Section 51A-4.1004 or the fee-in-lieu of dedication requirement of Section 51A-4.1005, as applicable, by one or more of the following credits:~~

~~(A) The director shall grant a maximum credit of 100 percent of the total dedication requirement for publicly accessible private park land provided within the subdivision or development generating the dedication requirement that meets the requirements of this paragraph.~~

~~(i) To be eligible for credit, publicly accessible private park land must be:~~

~~(aa) made accessible to the public on an instrument approved by the city attorney;~~

~~(bb) of a size approved by the director to appropriately meet the needs of the development;~~

~~(cc) provide landscaping and recreational amenities approved by the director; and~~

~~(dd) be open to the public during all times it is accessible to the residents of the development.~~

~~(ii) Equipment in a private park must comply with city standards applicable to the type of equipment.~~

~~(iii) A publicly accessible private park land instrument must:~~

~~(aa) contain a legal description of the development and the publicly accessible private park land;~~

~~(bb) be signed by all owners and lienholders of the development property and is binding on lienholders by a subordination clause;~~

~~(cc) be approved by the director;~~

~~(dd) be approved as to form by the city attorney;~~

~~(ee) create a covenant running with the land;~~

~~(ff) provide that the owners of the property development are responsible for all general park maintenance at a level consistent with minimum park and recreation standards;~~

~~(gg) provide necessary easements for access to the publicly accessible private park land;~~

~~(hh) give the city the right, but not the obligation, to take any action needed to make necessary repairs or improvements within the publicly accessible private park land, and to place a lien on all lots within the development until the city has received full compensation for that action;~~

~~(ii) provide that the owners of property in the development agree to defend and indemnify the city, and to hold the city harmless from and against all claims or liabilities arising out of or in connection with publicly accessible private park land or publicly accessible private park land instrument;~~

~~(jj) provide that it is governed by the laws of the State of Texas; and~~

~~(kk) provide that it may only be amended or terminated:~~

~~(I) with the consent of all the owners and lienholders of property in the development;~~

~~(II) upon the dedication of any park land or payment of a fee-in-lieu necessary to meet the requirements of this section; and~~

~~(III) after approval as to form by the city attorney, and approval by the director.~~

~~(B) A maximum credit of 50 percent of the total requirement will be given for non-publicly accessible private park land provided within the subdivision or development generating the dedication requirement that meets the requirement of this subparagraph. Private park land eligible for credit must:~~

~~(i) be of a size approved by the director to appropriately meet the needs of the development;~~

~~(ii) be maintained at a level consistent with minimum park and recreation maintenance standards;~~

~~(iii) provide landscaping and recreational amenities approved by the director;~~

~~(iv) have equipment that complies with city standards applicable to the type of equipment; and~~

~~(v) not be an interior common area.~~

~~(C) Developments located within a community unit development with open space meeting the requirements of Subparagraph (A) or Subparagraph (B) may receive credit for park land dedication as provided in this section.~~

~~(3) Credits are cumulative, up to a maximum of 100 percent of the required dedication and are only applicable to the original property being developed.~~

~~SEC. 51A-4.1008. PARK LAND DEDICATION STANDARDS.~~

~~(a) Park land location standards. It is the purpose of this section to ensure that parks are easy to access, can be linked with nearby park and recreational facilities, and are generally open to public view or accessible by easement to benefit area development, enhance the visual character of the city, protect public safety, and minimize conflict with adjacent land uses. Land proposed to be dedicated for parks must meet the following location standards:~~

~~(1) Where physically feasible, parks should be bound by streets or by other public uses (e.g., school, library, recreation center) to facilitate access and possible joint use.~~

~~(2) Where residential lots directly abut a park, consideration should be given to future owners' access to the facility and protection from future park uses, such as lighting and noise.~~

~~(3) Dedicated park land must be in a location that is accessible by the public.~~

~~(4) The director may accept dedication of property within the park dedication zone that provides for access to parks other than community and neighborhood parks.~~

~~(5) The land must comply with current park standards.~~

~~(b) Park land acceptance standards.~~

~~(1) The city may accept or reject an offer of dedication, after consideration of the recommendation of the director, and require the payment of fees in lieu of dedication as provided in Section 51A-4.1005.~~

~~(2) Land dedicated for park and recreational areas must be of such size, dimensions, topography and general character as is reasonably required by the city for the type of use necessary to meet the current park system requirements.~~

~~(3) Land proposed to be dedicated for parks must generally meet the following requirements. The director may recommend the acceptance of the dedication of property that does~~

~~not meet these criteria if the property is adjacent to an existing park or other public space, provides access to a park, or otherwise presents an opportunity to enhance the city parks system consistent with the park and recreation department's comprehensive plan update.~~

~~(A) Minimum size and configuration standards.~~

~~(i) Unless determined otherwise by the director pursuant to Subsection 51A-4.1004(h), the minimum size of land dedicated for a park is one acre.~~

~~(ii) Land dedicated for a park must be a contiguous piece of property that can physically accommodate improvements associated with a neighborhood or community park.~~

~~(B) Location and access standards.~~

~~(i) The land must meet the applicable location requirements of Paragraph (4).~~

~~(ii) The land must have connectivity to a public street appropriate for the size and use of the park.~~

~~(C) Physical characteristics standards.~~

~~(i) Unless otherwise approved by the director, land must be vacant and cleared of nonvegetative material.~~

~~(ii) The land must be in full compliance with all ordinances, rules, and regulations of the city.~~

~~(iii) Except when approved by the director, the land must not have severe slopes or unusual topography that would not allow the park to be used for its intended purpose without recontouring the property.~~

~~(D) Minimum environmental conditions standards. Unless provided otherwise in rules promulgated by the director, the land must be reasonably free of recognized environmental conditions.~~

~~(i) If land is proposed to be dedicated by plat, before submittal of a final plat, the applicant shall submit either a phase I environmental assessment that shows no environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.~~

~~(ii) If land is proposed to be dedicated by separate instrument, before acceptance the applicant shall submit either a phase I environmental assessment that shows no environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.~~

~~(4) Land in a federally designated floodplain or floodway may be dedicated as park land if the land otherwise meets the acceptance standards for park land in this section and all other ordinances, rules, and regulations of the city. Floodplain and floodway areas may only be used to meet a maximum of 50 percent of the dedication requirements. Stormwater detention/ retention areas and associated access easements do not meet the standards for acceptance of park land.~~

~~(5) For developments in more than one park dedication zone, property may be dedicated in either park dedication zone.~~

~~SEC. 51A-4.1009. PARK LAND DEDICATION FUND.~~

~~(a) In general.~~

~~(1) There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this section. The fund will be known as the "Park Land Dedication Fund." Except as provided in this section and Section 51A-4.1005, funds will only be released from the Park Land Dedication Fund to buy, build, or enhance a park within the park dedication zone, from which the funds originated.~~

~~(2) Fees paid into the park land dedication fund must be spent by the city within 10 years after the payment of the required fees. If the funds cannot be spent within the 10 year period, the owners of the property on the last day of the 10 year period will be entitled to a refund of the unexpended sum upon request. The owners of the property, as shown on the current tax roll or proven by other instrument, must request a refund within one year of the expiration of the 10 year period. The request must be made in writing to the director.~~

~~(3) Where funds have been paid or a dedication for a phased development has been made in accordance with this section, and the original developer does not complete all phases of the entire development, credit for any prior dedication or payment will be applied to subsequent replats or development plans for the same land on a pro-rata basis by dwelling unit for a period of 10 years. Increased density requires the dedication of additional park land or payment of additional fees.~~

~~(b) Expenditures. The park land dedication fund must be used for the acquisition and improvement of parks and may not be used for park maintenance or city staff overhead expenses. Indirect costs reasonably incurred in connection with park acquisition and improvement, such as appraisal fees, environmental assessment costs, legal expenses, and engineering and design costs, are limited to a maximum of 10 percent of total acquisition or improvement costs.~~

~~SEC. 51A-4.1010. TREE MITIGATION.~~

~~(a) In general. Trees on dedicated park land may be used to meet tree mitigation requirements in accordance with Article X.~~

~~(b) Tree mitigation credits. To be eligible for Article X tree mitigation credits, dedicated park land and private park land must meet the conservation easement standards in Sections 51A-10.135(f)(1), 51A-10.135(f)(3), and 51A-10.135(f)(5).~~

~~(c) Conservation easements. Park land dedication requirements may be met on an acre for acre basis for any land dedicated as a conservation easement under Article X that meets the conservation easement standards in Article X and the requirements for publicly accessible private park land in Section 51A-4.1007(b)(2)(A)(i) and is accepted by the director.~~

~~**SEC. 51A-4.1011. APPEALS.**~~

~~Except for appeals of apportionment of exactions, all appeals of the director's decisions are appealable to the park and recreation board following the same procedure as an appeal of an administrative official's decision to the board of adjustment. Notice of appeal must be made within 15 days of the date of that decision.~~

~~**SEC. 51A-4.1012. REVIEW.**~~

~~The director shall review this ordinance every five years from the effective date.~~]

SECTION 5. That Subsection (b) of Section 51A-8.405, "Apportionment of Exactions and Park Land Dedication," of Division 51A-8.400, "Procedures," Article VIII, "Plat Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code is amended to read as follows:

"(b) See Article VIIIA, [~~Division 51A-4.1000~~] for regulations and procedures concerning park land dedication."

SECTION 6. That Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," is amended by adding a new Article VIIIA, "Park Land Dedication," to read as follows:

"**Article VIIIA.**

PARK LAND DEDICATION.

SEC. 51A-8A.1001. PURPOSE.

Dedication of park land provides new residents and visitors with recreational amenities and green infrastructure consistent with the current level of park services for existing residents.

SEC. 51A-8A.1002. APPLICABILITY.

This article does not apply to plats, replats, or issuance of building permits for new construction on land owned by a governmental unit.

SEC. 51A-8A.1003. DEFINITIONS AND INTERPRETATIONS.

(a) Definitions. In this article:

(1) CPI means the Consumer Price Index for All Urban Consumers (CPI-U), U.S. City Average, published by the Bureau of Labor Statistics of the United States Department of Labor

(2) DIRECTOR means the director of the park and recreation department.

(3) DENSITY FACTOR means a number reflecting the diminishing expectation of park land acres per dwelling unit in increasingly dense urban environment.

(4) DWELLING UNIT FACTOR means a number reflecting the number of parkland acres for each dwelling unit proposed by a development plan.

(5) HOTEL AND MOTEL USE means a hotel or motel use, extended stay hotel or motel use, lodging or boarding house use, short-term rental lodging, or residential hotel.

(6) LAND VALUE means the market value of land per acre, not including improvements to the land.

(7) MULTIFAMILY USE means a college dormitory, fraternity, or sorority house, group residential facility, multifamily use, or retirement housing.

(8) PARK DEDICATION ZONE means an area as illustrated on the park land dedication map created by the park and recreation department defining the area where dedication may occur.

(9) PLAN has the meaning assigned by Texas Local Government Code Section 212.201.

(10) RESERVED DWELLING UNITS has the meaning assigned by Division 51A-4.1100.

(11) SINGLE FAMILY OR DUPLEX USE means a duplex use, handicapped group dwelling unit, or single family use.

(b) Interpretations.

(1) In general. For uses or terms found in Chapter 51 the regulations in Section 51A-4.702(a)(6)(C) apply in this article.

(2) Computation of time.

(A) In computing a period of days under this article, the first day is excluded and the last day is included.

(B) If the last day of any period is a Saturday, Sunday, or holiday, the period is extended to include the next day that is not a Saturday, Sunday, or holiday.

SEC. 51A-8A.1004. DEDICATION REQUIRED.

(a) In general. Except as provided in this section, dedication may be accomplished by dedication to and acceptance of suitable land as determined by the director that meets a need in the park system at the time of dedication, payment of a fee-in-lieu of dedication, or both. The director shall determine whether the owner of property is required to dedicate land, pay a fee-in-lieu of dedication, or both.

(b) On-site dedication. On-site dedication must be shown on the preliminary and final plat. If the director determines that the owner of property is required to dedicate land, the minimum size of land dedicated for a park is 0.5 acre. The director may require dedication of park land if the dedicated park land will be located within a 10-minute walk (approximately 0.5 miles) of 1,000 residents or more. If the director requires dedication of park land, city council must approve the expenditure of any funds for the acquisition of the land. For purposes of this subsection, a 10-minute walk is determined using the same or similar metrics used by the Trust for Public Land to determine its 10-minute walk score.

(c) Dedication for single family or duplex. See Section 51A-8A.1008.

(d) Dedication for multifamily or hotel and motel use. See Section 51A-8A.1009.

(e) Dedication calculation. The following formula applies to determine the amount of land required to be dedicated.

(1) For a single family or duplex residential development:

One acre per 100 dwelling units. Less than 100 dwelling units on a pro rata basis.

(2) For a multi-family development:

One acre per 255 single bedroom dwelling units. Less than 255 dwelling units on a pro rata basis.

One acre per 127 two bedroom or greater dwelling units. Less than 127 dwelling units on a pro rata basis.

(3) For a hotel or motel use development:

One acre per 233 guest rooms. Less than 233 guest rooms on a pro rata basis.

SEC. 51A-8A.1005. FEE-IN-LIEU.

(a) The owner of property for which dedication is required may pay a fee-in-lieu of dedication in the amount determined by this article and Section 51A-1.105.

(b) For single family or duplex uses, payment of the fee-in-lieu is required at the time of issuance of building permits. For multifamily and hotel and motel uses payment of the fee-in-lieu is required at the time of the issuance of a final certificate of occupancy.

(c) Payments may be used only for acquisition or improvement of park land and facilities located within the same park dedication zone as the development and to increase connectivity in the city's trail system located within the same park dedication zone as the development. Fees may be applied to any type of park site or improvement within the park dedication zone in accordance with park and recreation department prioritization.

(d) For developments in more than one park dedication zone, or that abut another park dedication zone, fees-in-lieu may be spent in either park dedication zone.

(e) For Park Dedication Zone One (the Downtown/Uptown Zone) as shown on the parkland dedication zone map, fees-in-lieu may be used to increase connectivity in the city's trail system for the recreational benefit of the residents of that area.

SEC. 51A-8A.1006. PARK LAND DEDICATION STANDARDS AND CREDITS.

(a) Park land location standards. It is the purpose of this section to ensure that parks are easy to access, can be linked with nearby park and recreational facilities, and are generally open to public view or accessible by easement to benefit area development, enhance the visual character of the city, protect public safety, and minimize conflict with adjacent land uses. Land proposed to be dedicated for parks must meet the following location standards:

(1) Where physically feasible, parks should be bound by streets or by other public uses (e.g., school, library, recreation center) to facilitate access and possible joint use.

(2) Where residential lots directly abut a park, consideration should be given to future owners' access to the facility and protection from future park uses, such as lighting and noise.

(3) Dedicated park land must be in a location that is accessible by the public.

(4) The director may accept dedication of property within the park dedication zone that provides for access to parks other than community and neighborhood parks.

(5) The land must comply with current park standards.

(b) Park land acceptance standards.

(1) Land dedicated for park and recreational areas must be of such size, dimensions, topography and general character as is reasonably required by the city for the type of use necessary to meet the current park system requirements.

(2) Land proposed to be dedicated for parks must generally meet the following requirements. The director may recommend the acceptance of the dedication of property that does not meet these criteria if the property is adjacent to an existing park or other public space, provides access to a park, or otherwise presents an opportunity to enhance the city parks system consistent with the park and recreation department's comprehensive plan update.

(A) Minimum size and configuration standards.

(i) The minimum size of land dedicated for a park is 0.5 acre.

(ii) Land dedicated for a park must be a contiguous piece of property that can physically accommodate improvements associated with a park.

(B) Access standards. The land must have connectivity to a public street appropriate for the size and use of the park.

(C) Physical characteristics standards.

(i) Unless otherwise approved by the director, land must be vacant and cleared of nonvegetative material.

(ii) The land must be in full compliance with all ordinances, rules, and regulations of the city.

(iii) Except when approved by the director, the land must not have severe slopes or unusual topography that would not allow the park to be used for its intended purpose without recontouring the property.

(D) Minimum environmental conditions standards. Unless provided otherwise in rules promulgated by the director, the land must be reasonably free of recognized environmental conditions.

(i) If land is proposed to be dedicated by plat, before submittal of a final plat, the applicant shall submit either a phase I environmental assessment that shows no

environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.

(ii) If land is proposed to be dedicated by separate instrument, before acceptance the applicant shall submit either a phase I environmental assessment that shows no environmental conditions exist on the property or a phase II environmental assessment that shows no remediation is required.

(3) For developments in more than one park dedication zone, property may be dedicated in either park dedication zone.

(c) Credits. The director shall grant a 50 percent credit for the total dedication requirement under this article if the owner allows access to a trail head that connects the development to a city trail. To be eligible for this credit:

(1) The trail head must be made accessible to the public on an instrument approved by the city attorney and accessible to the public at all times that the trail head is accessible to the development's residents; and

(2) The trail head must include trail serving amenities such as:

(A) Arch space.

(B) Event space.

(C) Exercise equipment.

(D) Gardens.

(E) Open space.

(F) Pet amenities.

(G) Restrooms.

SEC. 51A-8A.1007. PARK LAND DEDICATION FUND.

(a) In general.

(1) There is hereby established a special fund for the deposit of all sums paid in lieu of land dedication under this section. The fund will be known as the "park land dedication fund." Except as provided in this section and Section 51A-8A.1005, funds will only be released from the park land dedication fund to buy, build, enhance, or maintain a park within the park dedication zone, from which the funds originated and acquire or improve park land, facilities, and increase connectivity in the city's trail system located within the same park dedication zone from which the funds originated.

(2) Fees paid into the park land dedication fund must be spent by the city within 10 years after the payment of the required fees. If the funds cannot be spent within the 10-year period, the owners of the property on the last day of the 10-year period will be entitled to a refund of the unexpended sum upon request. The owners of the property, as shown on the current tax roll or proven by other instrument, must request a refund within one year of the expiration of the 10-year period. The request must be made in writing to the director.

(b) Expenditures. The park land dedication fund must be used for the acquisition and improvement of parks and may not be used for park maintenance or city staff overhead expenses. Indirect costs reasonably incurred in connection with park acquisition and improvement, such as appraisal fees, environmental assessment costs, legal expenses, and engineering and design costs, are limited to a maximum of 20 percent of total acquisition or improvement costs.

SEC. 51A-8A.1008. DEDICATION FOR SINGLE FAMILY OR DUPLEX.

(a) This section applies to dedication for single family or duplex uses only.

(b) Issuance of a building permit for a single family or duplex development requires confirmation of deposit into the park land dedication fund of the fee-in-lieu in the amount established pursuant to Section 51A-8A.1005 or on-site dedication shown on a final plat.

SEC. 51A-8A.1009. DEDICATION FOR MULTIFAMILY OR HOTEL AND MOTEL USE.

(a) Applicably.

(1) This section applies to dedication for multifamily or hotel and motel uses only.

(2) This section only applies to a development plan or building permit that includes a multifamily or hotel and motel use. If a development plan includes a combination of uses, the amount of parkland dedication is based only on the pro rata portion of the land proposed to be multifamily or hotel and motel use.

(3) This section does not apply to reserved dwelling units. If a development plan includes a combination of reserved dwelling units and market rate dwelling units, the amount of parkland dedication is based only on the pro rata share of the market rate dwelling units.

(b) Request for park land dedication determination.

(1) Request for determination. An owner of the subdivision or development may make a written request to the director to determine how much dedication is required under this section.

(2) Additional information required. The director may request additional information from the owner in paragraph (1) that is needed to determine the dedication required under this section. The requested additional information must be publicly and readily available.

(3) Director's determination.

(A) The director's determination must be in writing and sent to the owner of the subdivision or development within 30 days of the latter of:

(i) if the director does not request additional information under subsection (b), the date the director receives the request for determination;

(ii) the date the director receives the requested additional information under paragraph (2); or

(iii) the date the director receives a response from the owner of the subdivision or development saying the requested additional information will not be provided to the director because it is not publicly and readily available.

(B) The director's determination regarding the amount of dedication is binding for the lesser of two years, or the day the owner of the subdivision or development files a development plan that relies on the director's determination.

(4) Release. An owner of the subdivision or development may release in writing the director from a determination made under this section.

(c) Fee-in-lieu or land dedication required. Issuance of a final certificate of occupancy for a multifamily or hotel or motel use development requires confirmation of deposit into the park land dedication fund of the fee-in-lieu of dedication in the amount established pursuant to Section 51A-8A.1005 or on-site dedication shown on a final plat.

SEC. 51A-8A.1010. DESIGNATION OF CENTRAL BUSINESS DISTRICT, SUBURBAN, AND URBAN AREAS

(a) City council action.

(1) Before the city council holds the public hearing designating all the territory within the city as central business district, suburban, or urban areas, the city secretary shall give notice of the public hearing in the official newspaper of the city at least 30 days before the hearing.

(2) The affirmative vote of a majority of the city councilmembers present is needed to approve the designation of all the territory within the city as central business district, suburban, or urban areas.

(3) Within 10 days of the city council designating all the territory within the city as central business district, suburban, or urban areas, the city secretary shall notify each appraisal district of the designation.

(b) Amendments to the designation. The city council may only amend the designation during the adoption or amendment to a comprehensive plan under Section 51A-1.108.

SEC. 51A-8A.1011. VALUATION OF CENTRAL BUSINESS DISTRICT, SUBURBAN, AND URBAN AREAS.

(a) Years when the appraisal district calculates the value. Each appraisal district shall, not less than once every 10 years, calculate the average land value for each area and provide the average land values to the director in accordance with Texas Local Government Code Section 212.209(c).

(b) Years when the appraisal district does not calculate the value.

(1) In years when the appraisal district does not calculate the average land value of each area, the director shall determine the average land value.

(2) The director shall calculate the average land value using the following formula:

(A) First, average each of the previous year's monthly CPI rate.

(B) Second, add one to the rate in subparagraph (a).

(C) Third, multiply the figure in subparagraph (b) by the previous year's average land value.

(3) The calculations under this subsection are not required in the years when the appraisal districts make the calculations required under subsection (a). In those years, the director shall use the land valuation provided by the appraisal districts.

(c) Areas calculated by more than one appraisal district. If more than one appraisal district calculates the average land value of each area, the director shall determine the area's average land value using the following formula:

(1) First, determine the percentage each area is within an appraisal district.

(2) Second, multiply each appraisal district's calculated value of the area by the percentage in Paragraph (1).

(3) Third, add each figure resulting from the calculation made in Paragraph (2) together.

SEC. 51A-8A.1012. DWELLING UNIT FACTOR AND DENSITY FACTOR ESTABLISHED.

(a) Dwelling unit factor.

(1) Multifamily. The dwelling unit factor is 0.005 acres per dwelling unit.

(2) Hotel or motel uses. The dwelling unit factor is 0.004 acres per room ordinarily use for sleeping.

(b) Density factor.

(1) Central business district area. The density factor is 40.

(2) Suburban area. The density factor is four.

(3) Urban area. The density factor is one.

SEC. 51A-8A.1013. APPEALS.

(a) City plan commission. An owner of the subdivision or development may appeal the director's decision regarding any element of this article by filing a written notice with the director within 30 days after the date of the decision. If an appeal is filed, the city plan commission shall hear the appeal within 60 days after the date of its filing. The director shall forward to the city plan commission the complete record of the matter being appealed. The owner of the subdivision or development shall include a requested adjudication for the issue in controversy. The city plan commission shall hold a public hearing where the owner of the subdivision or development and director may present evidence and testimony under procedures adopted by the city plan commission. The owner of the subdivision or development shall have the burden of proof at the public hearing. The city plan commission shall have the same authority as the director and may uphold, reverse, or modify the director's decision. The city plan commission shall make its decision within 60 days after the appeal is filed. If the city plan commission fails to act in accordance with this subsection, the appeal is resolved in favor of the owner of the subdivision or development's requested adjudication.

(b) City council. An owner of the subdivision or development may appeal the city plan commission's decision regarding any element of this article by filing a written notice with the director within 30 days after the date of the city plan commission's decision. If an appeal is filed, the city council shall hear the appeal within 60 days after the date of its filing. The director shall forward to the city council the complete record of the matter being appealed. The owner of the subdivision or development shall include a requested adjudication for the issue in controversy. The city council shall hold a public hearing where the owner of the subdivision or development and director may present evidence and testimony under procedures adopted by the city council. The owner of the subdivision or development shall have the burden of proof at the public hearing. The city council shall have the same authority as the director and may uphold, reverse, or modify the

director's decision. The city council shall make its determination within 60 days after the appeal is filed. If the city council fails to act in accordance with this subsection, the appeal is resolved in favor of the owner of the subdivision or development's requested adjudication.

(c) County or district court. An owner of the subdivision or development may appeal the city council's decision to a county or district court of the county where the development project is located within 30 days after the date of the city council's determination. The sole issue on appeal is whether the city council erred in its review of the city plan commission's decision.

SEC. 51A-8A.1014. REVIEW.

The director shall review this article every five years from the effective date."

SECTION 7. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $2,000.

SECTION 8. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 9. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 10. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 11. That this ordinance shall take effect immediately from and after its passage and publication, in accordance with the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By Daniel Moore
Assistant City Attorney

Passed NOV 12 2025

PROOF OF PUBLICATION – LEGAL ADVERTISING

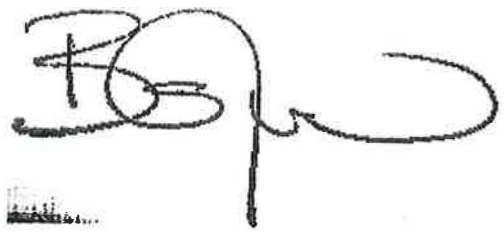
The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL NOV 12 2025

ORDINANCE NUMBER 33280

DATE PUBLISHED NOV 15 2025

ATTESTED BY:



OFFICE OF CITY SECRETARY
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