

Park Dedication Ordinance Comparison  
June 7, 2017

	League City	Friendswood	Houston
HOA Park Dedication Requirement	One acre per 90 residential units Minimum 1/4 acre (less than 22.5 lots) Developments less than 1 acre are exempt	None	None
HOA Park Distance Requirement	All lots must be within 1/2 mile of an HOA park	None	None
Park Land Dedication Requirement	Allowed only by recommendation from Parks Board and City Council approval. Amount of land based on cost of land/improvements at 100% credit toward required fee.	One acre per 133 dwelling units. Minimum site is five acres (with special exceptions granted by City Council); therefore, subdivisions of less than 665 dwellings pay the in-lieu of fee.	Based on a formula, but equivalent to one acre per 55.5 dwelling units. Parks Director may require fee in lieu of land if park would be less than 1/2 acre (inside 610) or one acre (outside 610)
Park Dedication Fee	\$1,000 per dwelling unit or \$800 per dwelling unit if paid with master plan	\$600 per dwelling unit (if land is not dedicated)	\$700 per dwelling unit Developer can choose fee, land, or combination, but Parks Director also has authority to specify; appeal to Planning Commission
Approval of Dedicated Land Acceptance	HOA park acceptance by Planning & Zoning Commission via final plat approval. Land in lieu of fee reviewed by Parks Board and approved by City Council	Final acceptance by City Council; approval/appeals process starts with city staff, then parks and recreation Board, then Planning and Zoning Commission Fee or land at discretion of City	Land or fee approved by Parks Director Internal private parks dedicated by plat; external public dedications approved by City Council
Requirements for Dedicated Land	Case by case consideration by Parks Board & City Council: -Located within city limits or ETJ  -accessible to the public  -suitable for public park & consistent with future parks needs -greater than five acres  -improved by the donor unless city has adequate means to improve -fee simple dedication -100% credit based upon the cost of land and improvements -50% credit for Clear Creek/Clear Lake recreational easement	Preferred Criteria: -only if in best interests of the city  -users not required to cross arterials to access  -should be adjacent to schools -should be adjacent to greenbelt systems  -no unusual topography not suitable for organized rec. -should have and retain existing trees -not more than 25% encumbered by easement or ROW -developer must provide phase 1 environmental study  -should be easy to access and in public view -should be bounded by streets or other public uses -access from adjacent subdivisions may not be restricted  -if adjacent to non-residential, screening required -should discourage motorized access via alleys  -city may require additional street paving width for parking  -drainage areas acceptable if use is not impaired	Shall meet the following criteria: -bound by streets or other public uses where physically feasible  -consideration for access to parks by adjacent homes  -consideration for protection of adjacent homes from light and noise -street or pedestrian access between parks and subdivisions  -minimum 10' width access ways if property blocked by adjacent development -land must comply with Parks Master Plan -developer must provide phase 1 environmental study -floodplain or floodway land is acceptable so long as other criteria are met  -land must be improved to Parks Department standards
Land Disallowed for Dedication	-Within 100 year floodplain which can't be drained in reasonable time  -Unusual topography not suitable for organized rec activities or has no passive value  -Subject to easement or ROW comprising more than 25% of area -More than 50% used as drainage area -No ready access to public streets	City reserves right to decline any proposed dedication	City Council may reject proposed land dedications based on:  -size, dimension, topography, or general character do not meet requirements of Parks Plan  -size is less than one acre (inside 610) or two acres (outside 610) -land does not meet Requirements for Dedicated Land
Credits	HOA park requirement may not be waived or satisfied by payment of a fee.  100% credit for land in lieu of fee based on cost of land and any improvements  Up to 50% of land dedication may be satisfied by recreational easement along Clear Creek or Clear Lake Developer improvements to HOA parks NOT eligible as credit offsets	Parks and Recreation Board with concurrence of Director of Community Services may approve credits for up to 50% of either the fee or land requirements:  -private parks within the same subdivision  -private park area must be leveled and seeded (with exceptions)  -restrictive covenants for maintenance -recreational improvements made to private parks -common open space such as greenbelts -trail improvements	Up to 100% credit for private park land provided within he subdivision, subject to acceptability standards Up to 100% credit for park land provided as a greenbelt along a creek or around the perimeter of the subdivision  Up to 100% credit for park land that links one or more parks
Allowable Uses for Park Fee	Acquisition and Development	Acquisition and Development	Acquisition and Development
Required Time of Payment or Dedication	Fee due prior to Final Plat Approval	Dedication of entire park land requirement with final plat of first phase. Payment of in-lieu of fee due before final plat approval and may be paid in phases commensurate with the plat phases. Performance bonds allowed in order to defer time of dedication or improvement up to four years	Land must be dedicated prior to final plat recordation either via plat or separate instrument. Fee in lieu of land due prior to plat recordation unless plat note stipulates fee deferred until payment of fee prior to building permit for each lot
Maximum Period for Expenditure of Funds	Five years; released upon approval of a spending plan	10 years; Affected owners must request refund within one year of eligibility.	Three years with option for up to 2 one-year extensions requested by Parks Director, approved by City Council. Affected owners must request refund within one year of eligibility.
Incompletion of Increased Density	Not addressed	If developer fails to complete obligations, any credits from prior phases applied to incomplete work. If land dedicated and density subsequently increases, additional land or fee required.	If developer fails to complete obligations, any credits from prior phases applied to incomplete work. If land dedicated and density subsequently increases, additional land or fee required.
Questions	Sec 102.57(e): What is the intent of "No more than 50% of the project may be considered for trails." ?		Conflict between minimum park sizes specified in 42-252(f) and 42-257(c)(1)

Park Dedication Ordinance Comparison  
June 3, 2017

	League City	Pearland	Sugar Land
HOA Park Dedication Requirement	One acre per 90 residential units Minimum 1/4 acre (less than 22.5 lots) Developments less than 1 acre are exempt	None	None
HOA Park Distance Requirement	All lots must be within 1/2 mile of an HOA park	None	None
Park Land Dedication Requirement	Allowed only by recommendation from Parks Board and City Council approval. Amount of land based on cost of land/improvements at 100% credit toward required fee.	Based on a formula, but equivalent to one acre per 111 single family lots or one acre per 151 multi-family units	Single Family: one acre per 100 lots; Multi-family: one acre per 145.8 units
Park Dedication Fee	\$1,000 per dwelling unit or \$800 per dwelling unit if paid with master plan	Single Family: \$910; Multi-Family: \$668. Phased up to SF \$1,517 & MF \$1,114 by 10/1/18	Single Family: \$350; Multi-Family: \$240 Acceptance of in lieu of fee at discretion of City Council with recommendations from Development Review Committee and Parks Director up to 100%
Approval of Dedicated Land Acceptance	HOA park acceptance by Planning & Zoning Commission via final plat approval. Land in lieu of fee reviewed by Parks Board and approved by City Council	Fee or land at discretion of Parks Director, P&Z Commission, and City Council  Subdivision less than 50 lots pays fee; land dedication one acre or less prohibited	City Council has final approval of land to be dedicated to City  Fee or land at discretion of City
Requirements for Dedicated Land	Case by case consideration by Parks Board & City Council: -Located within city limits or ETJ  -accessible to the public  -suitable for public park & consistent with future parks needs -greater than five acres  -improved by the donor unless city has adequate means to improve -fee simple dedication -100% credit based upon the cost of land and improvements -50% credit for Clear Creek/Clear Lake recreational easement	Shall meet the following criteria: -at least 50% of the dedication must be useable as "active recreation" space -Detention ponds acceptable upon approval of Parks Director and Commission if developed as a lake amenity -Native, unaltered 100-year floodplain land is acceptable -Must be consistent with goals and objectives of the Parks Plan  -Dedication must be in same park zone as the subdivision -Land must be clearly visible to public safety vehicles and neighborhood residents -Land must front on at least one public street -Suitable width, depth, topography, and size per the Parks Plan -Potable water, sanitary sewer, and electrical power available on adjacent street -Free of easements, pipelines, or overhead utilities which restrict use of the property -Developer must remove all trash and dead trees  -Must have adequate drainage	Appropriate in area, shape, and terrain for intended uses. City Council approval for street, ditch, or easement infringements.  Must have ready access to a public street  Developer must provide owner's title policy to establish land value HOA responsible for perpetual maintenance must be established
Land Disallowed for Dedication	-Within 100 year floodplain which can't be drained in reasonable time  -Unusual topography not suitable for organized rec activities or has no passive value  -Subject to easement or ROW comprising more than 25% of area -More than 50% used as drainage area -No ready access to public streets	-Generally, drainage ditches, power & pipeline easements prohibited unless Parks Director and Commission find "exceptional value"; may comprise no more than 50% of dedication	Not specified
Credits	HOA park requirement may not be waived or satisfied by payment of a fee.  100% credit for land in lieu of fee based on cost of land and any improvements Up to 50% of land dedication may be satisfied by recreational easement along Clear Creek or Clear Lake	Up to 50% of dedication/fee requirements can be met by improvements to existing parks in same zone.  Parks Director approves allowable improvements and inspects upon completion	Up to 50% of the requirement may be met by provision of private park and recreation facilities
Allowable Uses for Park Fee	Acquisition and Development	Acquisition and Development	Not specified
Required Time of Payment or Dedication	Fee due prior to Final Plat Approval	Fee or land conveyance due prior to recordation of final plat	Dedication made or fee paid prior to plat recordation. Deferments for large or complex projects must be made by binding agreement.
Maximum Period for Expenditure of Funds	Five years; released upon approval of a spending plan	10 years; Affected owners must request refund within one year of eligibility.	Not specified
Incompletion of Increased Density	Not addressed	Increased number of dwelling units requires additional land dedication or fee.	Not specified
Questions	Sec 102.57(e): What is the intent of "No more than 50% of the project may be considered for trails." ?		