

Impact Fees and Land Dedication Requirements

Parks Recreation and Golf Commission

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Director of Community Development



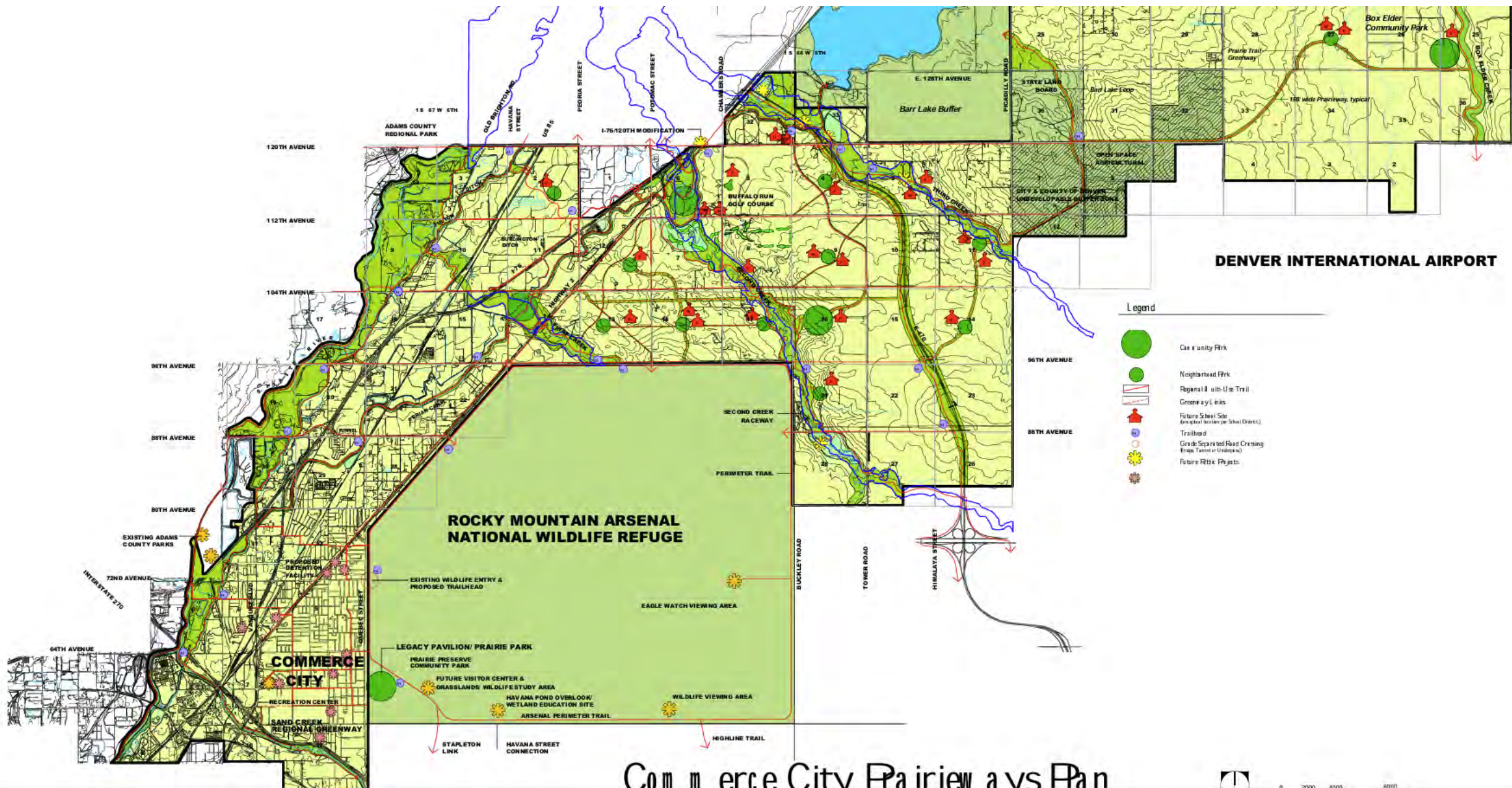
Presentation Topic

- How do Community Development and Parks Recreation and Golf Departments work together to apply Land Development Code and Municipal Code requirements when new land development proposals come into the City?
 - Impact fees and land dedication requirements

Early in the Land Development Process

Preapplication Process:
Community Development
engages Parks staff about
likely park, trail dedications
or easements will be
required with each
development proposal

The approved Planned
Unit Development or
Overall Development Plan
for a specific area will
identify locations for future
parks, trail connections
and school sites.



Commerce City Prairie and Plan

Subdivision Process



Subdivision Plat is the land use document that creates single-family or multi-family lots, commercial or mixed-use lots.



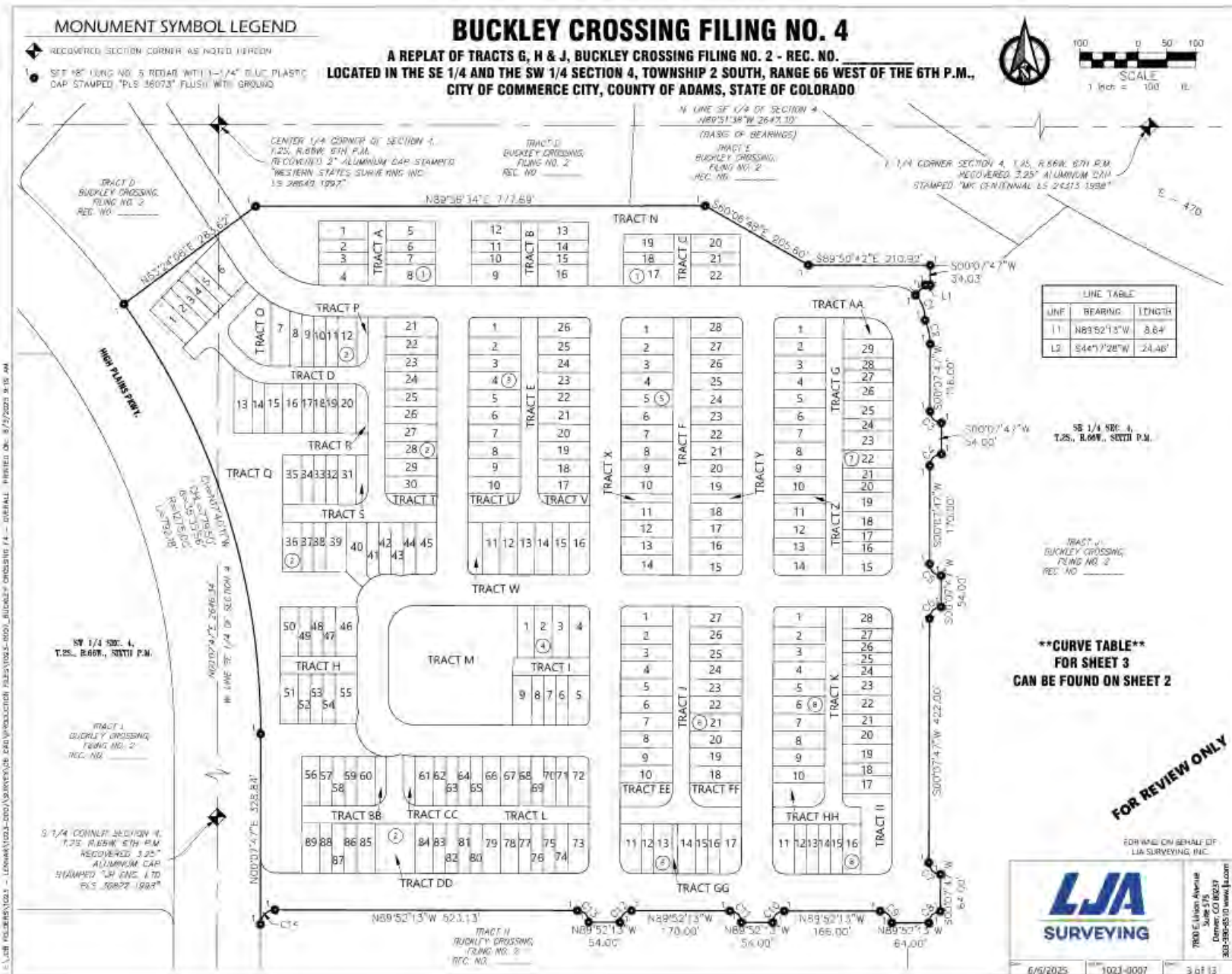
A Development Agreement accompanies the Subdivision Plat and outlines the required park/trail land or easement dedications and park impact fees



Residential Development: Generates more need for park land dedication



Commercial Development: Can also require trail, land or easement dedications



Coordination with School Districts



Commerce City works closely with 27-J and Adams 14 because park and school site planning are often coordinated



The Planned Unit Development identifies future locations for park and school sites

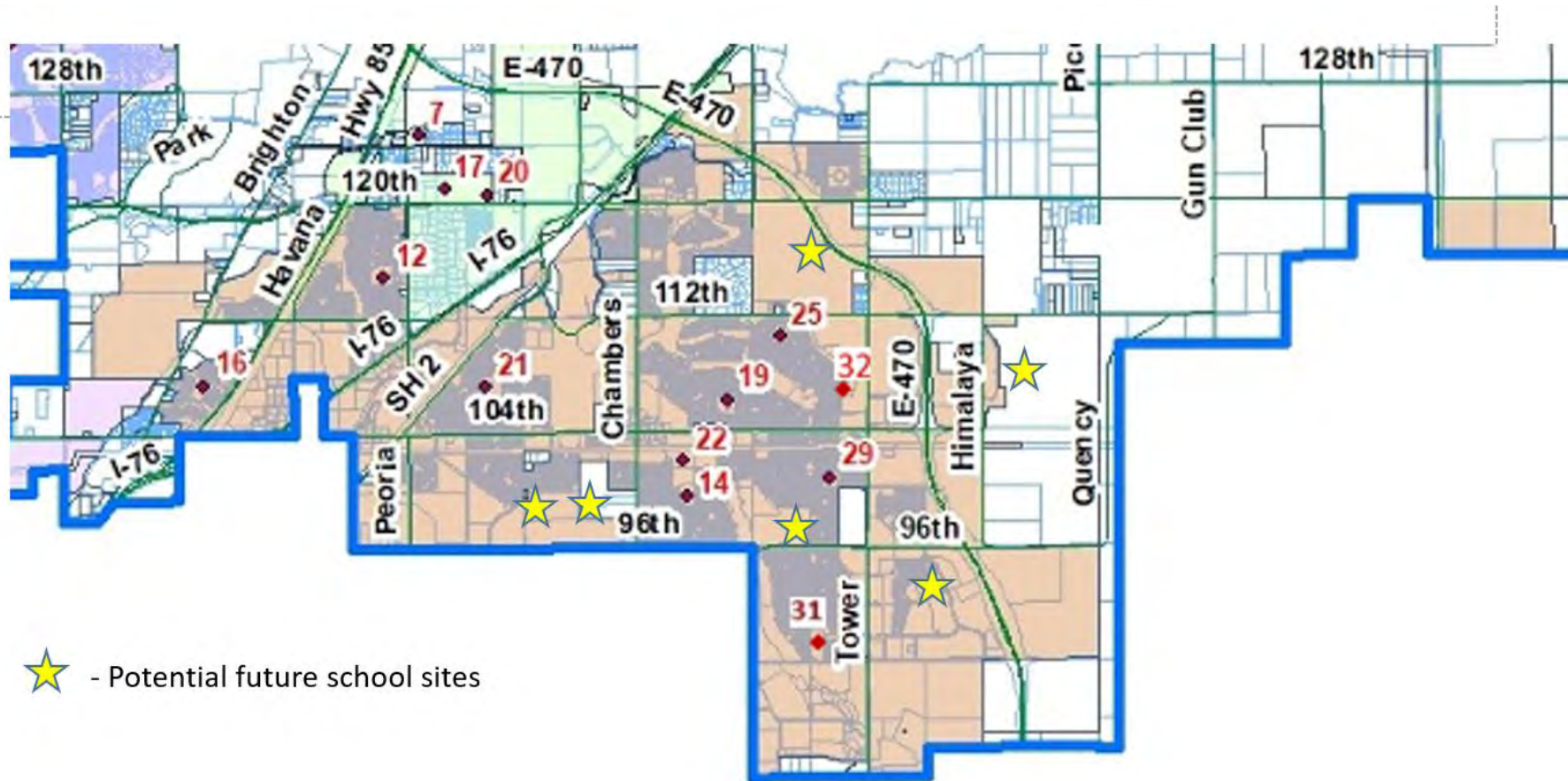


Developer is often required at the time of Subdivision Plat to dedicate land for a park and a school.



The City and the School District often have shared use agreements for the use of fields/tracks/tennis courts and parks

School District 27-J Future School Sites



Nexus and Rough Proportionality

- Supreme Court decisions have established the need to find a “nexus” and “rough proportionality” between the dedication and impact fee requirements
- Colorado municipalities are required to follow the “Exactions Act”
- Requires local governments to find that exactions requiring private property owners to dedicate real property or pay cash-in-lieu fees
 - ❖ Essential Nexus between dedication and legitimate local interest
 - ❖ Rough Proportionality both in nature and extent to the impact and the development of the property

Public Park Development Fee

- SINGLE-FAMILY DETACHED HOME \$5,251 PER DWELLING UNIT
- MULTI-FAMILY \$3,988 PER DWELLING UNIT
- COMMERCIAL \$48 PER 1,000 SF
- OFFICE \$144 PER 1,000 SF
- INDUSTRIAL \$51 PER 1,000 SF

Calculating Park Impact Fees

- One time charges assessed on new residential construction to fund the acquisition, development and improvement of publicly owned parks, open space and recreational facilities
- Underlying principle is that “growth should pay for growth”, ensuring that new residents contribute proportionally to the cost of park infrastructure needed to serve them

Step 1: Determine the Level of Service standard

Step 2: Identify Park Systems Costs

Step 3: Allocate Costs to New Development

Step 4: Adjust for Fee Districts

Step 5: Calculate the Fee per Unit

Step 6: Review Legal and Planning Requirements