Illinois Association of Park Districts

Land-Cash Donation Ordinance Survey

Summary – Report of Findings

October 2003

Prepared by
Illinois Association of Park Districts
## Table of Contents

Introduction ........................................................................................................................................... 1

Summary of Findings ...................................................................................................................... 2

Questions 1-6

Appendix 1 ............................................................................................................................................ 4

Land-Cash Donation Ordinance Survey

Appendix 2 ............................................................................................................................................ 5

Land-Cash Donation Ordinance Survey Participants

Appendix 3 ............................................................................................................................................ 6

Limitations or Conditions of the Ordinance that Impact Your Agency

Appendix 4 ............................................................................................................................................ 9

Suggestions to Other Agencies

Appendix 5 ............................................................................................................................................ 12

Explain the Value and Benefits of the Ordinance to Your Agency
Introduction

In June 2003, the Illinois Association of Park Districts conducted a survey of 95 select agencies that have an adopted land-cash donation ordinance within their community or county. Through this survey, we were attempting to gain more insights into these unique ordinances, their benefits and impact on parks and recreation needs, and identify the range of values for acres and cash used statewide.

The initial letter was sent on June 26 to those agencies with an adopted land cash donation ordinance based on records within the IAPD. By the July 15 deadline, 45 agencies had responded; a second request was mailed to the 44 non-respondents. An additional 18 replies were received by July 30 for a total of 63 total returned surveys (over 66 % response rate). A complete list of those 63 responding agencies is included in the Appendix, along with a copy of the survey form.

Information gathered from this survey is intended to assist agencies better understand how their adopted land-cash donation ordinance compares to others. In addition, agencies and communities or counties considering such an ordinance would gain valuable insights on issues to consider based on the experiences shared by the respondents.

We appreciate the generous sharing of information and valuable input received from the agencies responding to the survey. We welcome your review and comments on this summary of findings. Please contact Ted Flickinger or John Comerio at the IAPD if you have any suggestions or recommendations regarding land-cash donation ordinances.

Illinois Association of Park Districts
211 E. Monroe St
Springfield, IL 62707
217/ 523-4554
Fax 217/ 523-4273
www.ILparks.org
Question 1.
Does your agency have a land-cash donation ordinance currently in place? Yes/No

Ninety-two percent, or 58 of the respondents indicated their community or county had an adopted ordinance in place.

If yes, what year was it enacted and/or revised?

Unfortunately, this question was not completed by a significant number of respondents to determine any meaningful pattern. IAPD’s research indicates that the first set of ordinances began to be adopted in the mid 70’s. Naperville Park District appears to have been the first agency to have an ordinance that had been adopted by their city in 1972. This particular ordinance had its roots in a visionary commitment to maintaining a high quality of life for current and future residents by preserving open space for schools and public parks. The landmark ordinance served as a model for other Illinois communities and placed responsibility on the developers who create the need for more schools and parkland.

Twenty-six of the respondents indicated their community or county had revised their original land-cash donation ordinance since 2000.

Question 2.
Based on the ordinance, what acreage amount are developers required to donate per 1000 residents?

Fifty-eight respondents supplied acreage amounts in reply to this question. Thirty percent (19 agencies) of those responding indicated the acreage requirement was 5.5 acres. Twenty-seven percent of the respondents (17 agencies) indicated the required acreage was 10 acres per 1000 population added as a result of a proposed residential development. Three agencies identified the required acreage was 15 acres per 1000.

Question 3.
Based on the ordinance, what dollar amount are developers required to donate in-lieu of an acre of land?

We received a wide range of dollar values in response to this question, varying from as little as $113.00 to $500,000.00 per acre in lieu of land. Based on the fifty-four agencies supplying data on this question, the average amount required was $94,594.24 per acre.

Question 4.
Please identify any limitations or conditions of the ordinance that impact your agency.

Thirty-five agencies offered comments in response to this question. Circumstances unique to each community or region have a significant impact on the limitations or conditions established for each ordinance. Each unit of local government has addressed
this matter in differing ways to benefit their area. Agencies stressed that the city or county are the enforcers of the ordinance. Not all collected lands or dollars are directed to a park district or forest preserve district. Some municipalities retain a select amount of funds for use by the city. Some ordinances require a majority of the funds collected be spent in the subdivision or closest park to the proposed development. Reduced development fees have caused agencies to expend other resources to address park and recreation needs for a planned development. Numerous other comments were supplied and are included in Appendix 3.

**Question 5.**
*Do you have any suggestions for agencies considering a land-cash donation ordinance? Yes____, or No____. If yes, please explain:*

Thirty-eight agencies offered suggestions for others to consider when working with their local unit of government to adopt a land-cash donation ordinance. The input received offers a wide range of ideas and guidance based on past experience. A majority of the responses urge communities to adopt such an ordinance. In many rapidly developing areas of Illinois, concern was expressed for land values being regularly updated to ensure adequate funds are supplied to address expected demands for parks and recreation. Other suggestions were also made and are included in Appendix 4.

**Question 6.**
*Please explain the value and benefits of the land-cash donation ordinance to your agency.*

We received generous input to this request from 55 of the 63 respondents (over 87% response rate). Agencies report receiving thousands of acres of new land and, over time, millions of dollars to develop new park and recreation facilities for the population increase due to planned residential development(s). It would appear that each agency negotiates with its local unit of government to ensure needs are addressed in a fair and timely fashion. Agencies must maintain a close working relationship with their municipal officials to ensure the ordinance is current and uniformly enforced. Agencies should guard against extensive new park and recreation facility development in select areas of the community due to provisions of an ordinance while other neighborhoods lack similar improvements. Agencies should have the flexibility to apply land or cash received as a result of the ordinance to the overall community and not be limited to a select subdivision or planned development area. The full range of comments received on the values and benefits of the land-cash ordinance are in included in Appendix 5.
1. Does your agency have a Land-Cash Donation Ordinance currently in place? 
   Yes___No___
   If Yes, what year was it enacted ___________; year revised:___________
   If No, skip to question 7.

2. Based on the ordinance, what acreage amount are developers required to donate per 1000 residents? ________._______Acres/1000 population.

3. Based on the ordinance, what dollar amount are developers required to donate in lieu of an acre of land? $________._______Cash in lieu of land.

4. Please identify any limitations or conditions of the ordinance that impact your agency._________________________________________________________________
   _______________________________________________________________________

5. Do you have any suggestions for agencies considering a Land-Cash Donation Ordinance? Yes__ No__.  If YES, please explain:________________________________
   _______________________________________________________________________

6. Please explain the value and benefit of the Land-Cash Donation Ordinance to your agency:_________________________________________________________________
   _______________________________________________________________________
   _______________________________________________________________________

7. Agency Name:__________________________________ County:__________________
   Address:________________________________________________________________
   City: ______________________________________ Zip:_____________________
   Contact Name: _________________________________________________________
   PhoneNumber:(_____)____________________ Fax: (_____)_______________________
   E Mail Address:__________________________________________________________

Please mail us a copy of your ordinance for our records.

Complete this form in black ink and Fax to 217/523-4273; or mail to: IAPD, 211E. Monroe St. Springfield, 62701.

We would appreciate your response on or before July 30, 2003.
Thank you for your assistance with this survey.
A summary report of findings will be supplied to all responding agencies.
## Appendix 2

### Land-Cash Donation Ordinance Survey Participants

<table>
<thead>
<tr>
<th>Number</th>
<th>Park District/Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Addison Park District</td>
</tr>
<tr>
<td>2</td>
<td>Arlington Heights Park District</td>
</tr>
<tr>
<td>3</td>
<td>Bartlett Park District</td>
</tr>
<tr>
<td>4</td>
<td>Batavia Park District</td>
</tr>
<tr>
<td>5</td>
<td>Belvidere Park District</td>
</tr>
<tr>
<td>6</td>
<td>Bloomingdale</td>
</tr>
<tr>
<td>7</td>
<td>Bolingbrook Park District</td>
</tr>
<tr>
<td>8</td>
<td>Boone County Conservation District</td>
</tr>
<tr>
<td>9</td>
<td>Buffalo Grove Park District</td>
</tr>
<tr>
<td>10</td>
<td>Burr Ridge Park District</td>
</tr>
<tr>
<td>11</td>
<td>Carol Stream Park District</td>
</tr>
<tr>
<td>12</td>
<td>Cary Park District</td>
</tr>
<tr>
<td>13</td>
<td>Champaign Co. Forest Preserve</td>
</tr>
<tr>
<td>14</td>
<td>Channahon Park District</td>
</tr>
<tr>
<td>15</td>
<td>Clarendon Hills Park District</td>
</tr>
<tr>
<td>16</td>
<td>Crete Park District</td>
</tr>
<tr>
<td>17</td>
<td>Crystal Lake Park Dist.</td>
</tr>
<tr>
<td>18</td>
<td>Darien Park District</td>
</tr>
<tr>
<td>19</td>
<td>Deerfield Park District</td>
</tr>
<tr>
<td>20</td>
<td>DeKalb Park District</td>
</tr>
<tr>
<td>21</td>
<td>Dundee Township Park District</td>
</tr>
<tr>
<td>22</td>
<td>Elmhurst Park District</td>
</tr>
<tr>
<td>23</td>
<td>Forest Preserve District of DuPage County</td>
</tr>
<tr>
<td>24</td>
<td>Fox Valley Park District</td>
</tr>
<tr>
<td>25</td>
<td>Frankfort Park District</td>
</tr>
<tr>
<td>26</td>
<td>Geneva Park District</td>
</tr>
<tr>
<td>27</td>
<td>Genoa Township Park District</td>
</tr>
<tr>
<td>28</td>
<td>Glen Ellyn Park District</td>
</tr>
<tr>
<td>29</td>
<td>Grayslake Park District</td>
</tr>
<tr>
<td>30</td>
<td>Gurnee Park District</td>
</tr>
<tr>
<td>31</td>
<td>Hoffman Estates</td>
</tr>
<tr>
<td>32</td>
<td>Homewood Flossmoor</td>
</tr>
<tr>
<td>33</td>
<td>Joliet Park District</td>
</tr>
<tr>
<td>34</td>
<td>Kane County Forest Preserve</td>
</tr>
<tr>
<td>35</td>
<td>Lake in the Hills Park &amp; Recreation Dept.</td>
</tr>
<tr>
<td>36</td>
<td>Lemont Park District</td>
</tr>
<tr>
<td>37</td>
<td>Lindenhurst Park District</td>
</tr>
<tr>
<td>38</td>
<td>Lisle Park District</td>
</tr>
<tr>
<td>39</td>
<td>Lockport Township Park Dist.</td>
</tr>
<tr>
<td>40</td>
<td>Mokena Park District</td>
</tr>
<tr>
<td>41</td>
<td>Mundelein Parks &amp; Recreation District</td>
</tr>
<tr>
<td>42</td>
<td>Naperville Park District</td>
</tr>
<tr>
<td>43</td>
<td>New Lenox Park District</td>
</tr>
<tr>
<td>44</td>
<td>Northbrook Park District</td>
</tr>
<tr>
<td>45</td>
<td>Oak Forest Park District</td>
</tr>
<tr>
<td>46</td>
<td>Oswegoland Park District</td>
</tr>
<tr>
<td>47</td>
<td>Palatine Park District</td>
</tr>
<tr>
<td>48</td>
<td>Park District of Highland Park</td>
</tr>
<tr>
<td>49</td>
<td>Peoria Park District</td>
</tr>
<tr>
<td>50</td>
<td>Pleasant Dale Park District</td>
</tr>
<tr>
<td>51</td>
<td>Salt Creek Rural Park District</td>
</tr>
<tr>
<td>52</td>
<td>South Holland Parks &amp; Recreation Dept.</td>
</tr>
<tr>
<td>53</td>
<td>Sycamore Park District</td>
</tr>
<tr>
<td>54</td>
<td>Vernon Hills</td>
</tr>
<tr>
<td>55</td>
<td>Village of Hinsdale Parks &amp; Rec. Dept.</td>
</tr>
<tr>
<td>56</td>
<td>Village of Orland Park</td>
</tr>
<tr>
<td>57</td>
<td>Village of Romeoville</td>
</tr>
<tr>
<td>58</td>
<td>Village of Western Springs</td>
</tr>
<tr>
<td>59</td>
<td>Wauconda Park District</td>
</tr>
<tr>
<td>60</td>
<td>West Chicago Park District</td>
</tr>
<tr>
<td>61</td>
<td>Wheaton Park District</td>
</tr>
<tr>
<td>62</td>
<td>Winfield Park District</td>
</tr>
<tr>
<td>63</td>
<td>Woodridge Park District</td>
</tr>
</tbody>
</table>
Appendix 3
Please Identify any Limitations or Conditions or the Ordinance that Impact Your Agency.

1. The village has the option to keep $25,000 an acre for their "conservation and open space fund."

2. Developers may apply to the Village Board for partial credit, if their development provides their own open space and recreation amenities.

3. Many acceptance conditions are placed on developers such as turf condition, street frontage, utilities, etc. Very positive in quantity of donations. No credit for detention acres.

4. Adopted by park district - not village- makes a little more difficult to administer.

5. Money has to be spent in the park closest to the lot. Difficult accounting for each donation separately.

6. An acre of land in Darien is worth over $250,000.

7. Currently revising ordinance to 7.5 acres per 1000 and $70 - 75,000 per acre.

8. Must be within our township boundaries & already approved development is under the old ordinance & rates

9. The village enforces the donation agreement by collecting the appropriate amount from the developed process to using building permits. When the development not in boundaries, problem collecting funds.

10. Don't count last 15 new people

11. Only 5. Versus 10 acres/1000 population

12. Village at time wants to determine location & conditions - depends on developer & his relation to mayor

13. Use proceeds so that benefit comes to those living in the subdivision

14. A majority of the dollars collected (75% or more) has to be spent in the subdivision or closest park site to the subdivision were the dollars are collected.
15. We've received over $500k since ordinance enacted w/another $1.0 M expected in the next 18 months. Required to sign indemnification and hold harmless w/village in order to receive funds.

16. Our ordinance has not kept pace with the current "true value" of land. We're in the process of having the village update the cash donation amount per acre.

17. The low development fee does not provide enough funds to keep up with development growth. We have to provide funding from other sources - gifts, grants & taxes.

18. Needs to be increased - otherwise excellent ordinance.

19. The dollars are limited to capital projects only. Code enforcement dept. coordinates collection. Park & Rec. receive notification later in process.

20. Most developers choose to pay the minimal import fee leaving new development without any open space.

21. Village board decides whom to give the money to - it can be to any local government agency, including themselves.

22. Per acre donation is too low.

23. Village enforcement

24. Rather than a per acre valuation, a demographic projection is used, with $450 paid on a three bedroom home.

25. $ is to be held by the village or P.D. "solely for the acquisition" of parkland - However, this $ has been used for a variety of purposes.

26. City doesn't force developer to donate land when park district requests land - City give developer the option - most choose to give the cash.

27. The amount of cash in lieu of land is too low and it needs to be raised, which has been a difficult sell to the Village Board.

28. Need for Land & Quality of land are addressed in the Ord.

29. The village of Clarendon Hills collects the funds and has veto power over how the funds would be used.
30. It is the municipality’s ordinance, not the park district. Our request (i.e. land usually) is most often respected. But not always.

31. Funds can be used only for land acquisition or certain infrastructure improvements

32. No limitations or conditions that negatively impact our agency. Limitations and conditions included in both ordinances help provide high quality donation.

33. Requirement reduced to 5.5-acres/1000 population if subdivision zoned R-1, R-2, or R-2A "self-sustaining facilities such as golf courses and swimming pools which charge fees do not qualify.

34. Limited area of land available for new residential developments
Appendix 4
Suggestions to Other Districts considering Land Cash Ordinances

1. Make sure the funds and or land go straight to the park district. Make sure wetlands and unusable land does not count toward contribution.

2. If you do not have such an ordinance, work with your village administration to enact one.

3. Work closely with city, have conditional acceptance clauses not just land and money factors.

4. Make sure village is on board and will administer

5. Active use land, don't count detention/retention for credit

6. Land value should be updated more regularly

7. Get the realtors involved on a positive level upfront, or be prepared for their opposition.

8. Make sure the acre price is close to real costs.

9. We use the ordinance as a negotiating tool to acquire more land than the ordinance requires. We average about 10 acres per 1000.

10. As much as possible - have uses written into development agreements between the dev. and the village

11. Make sure criteria is based on National Standards (for land) and fair market value for cash payment

12. Do it! It is the best way to protect open space, parklands, and greenways!

13. Try to get as much as possible from the developments & explain the impact they will have on your parks & facilities

14. Deal with water management areas within ordinance.

15. Developer must deed land or pay cash donation before construction permits are issued.

16. Get it in place

17. Get land/$ as high as possible
Suggestions to Other Districts considering Land Cash Ordinances – Page 2

18. Try to get the $ amount as high as possible

19. This is a village ordinance, not a park district ordinance

20. Must work closely with local municipality

21. Need to put a lot of specific details in the ordinance.

22. Try to get city - or village to enact; they have enforcement powers (e.g.: withhold occupancy permits).

23. Have a flexible formula built in so that it can be updated annually

24. The fee should be $1000/unit of housing

25. Include: 1) usable ph space 2) must grade & seed 3) have a sliding scale for cash.


27. Make the decision of cash or land agencies choice

28. Get Land Value High enough - keep updating

29. Get involved in the wording; be sure the land value is revised each year (e.g.: land sells in C.S. for $200k/acre - not $85k)

30. Ask for right to approve plan and be involved in planning process.

31. Updating the ordinance is very important.

32. This is a great asset. Need to sell its benefits and tie onto neighboring school districts, as they can be a bigger draw. Joint cooperation and bigger impact.

33. A good working relationship with your village or city is required.

34. Include an ? (i.e. CPI) that automatically raises cash value periodically rather than trying to revise ordinance in future to keep up w/ rising land values.

35. Do It. Stipulate that land must be high / dry buildable land. Do not allow developers to pass off storm water facilities or wetlands in lieu of parkland.

36. Ordinances should clearly spell out what land is acceptable and what condition the land should be donated in (i.e. graded, seeded, water and sewer stubs, electrical service, etc.)
37. Well-maintained schools and parks is what make new development attractive. Land/Cash for schools and parks is necessary to at least preserve the status quo.

38. Do not include private open space as a credit towards district requirements.
Appendix 5
Please Explain the Value & Benefits of the Land-Cash Donation Ordinance to Your Agency

1. Developers know up front what they have to contribute. We have received over 200 acres of land and 1 million dollars in cash.

2. Provides a fair way to ensure that all new developers compensate the district for the increased burden placed on the park system due to their development. This helps to ensure quality parks & recreation services for all residents.

3. Quality and location of donations, lower cost to develop when ready. An absolute, necessity for growing/sprawling areas.

4. Needed land in areas of new development. $ to build & improve parks.

5. Most developers contribute cash rather than land. City has collected over $125,000 in ten years for the BCCD.

6. Very valuable to fund capital dollar/projects for matching grant applications.

7. Cash in lieu of land has helped tremendously for capital improvements.

8. Without the land cash requirement, CPD would not be able to purchase land in new growth areas. Neighborhood parks and playgrounds would not exist.

9. Allows the district to expand its parkland and allows the district to have additional monies for park development and improvements.

10. Darien Park District has acquired 42% of its land as a result of the land cash donation ordinance.

11. It uses where parks are already in place to serve new subdivisions. The cash can be used to develop these parks. Where there is no land in place, the ordinance produces it.

12. Crucial for development of new parks. With tax cap, any new money in cap IMP. Funds goes to replace /repair existing infrastructure.

13. Enhances our ability to meet the needs of the community as the demand for parks & recreation grows due to increased development.
Please Explain the Value & Benefits of the Land-Cash Donation Ordinance to Your Agency. Continued – page 2

14. Without this ordinance, the Frankfort Park District could not acquire and develop parks in our community.

15. More open space & parkland available. Cash used to purchase land or develop land to park space.

16. The land cash has provided the district with many valuable capital projects & open space.

17. Enabled PD to improve parks in areas related to development.

18. Not appropriate at this time due to being a built-out community. Ordinance enacted to only two specific sites.

19. 90 new acres in last 6 years.

20. Even small developments contribute cash that helps defray capital costs.

21. Joliet PD is requiring developers to donate “maximum” land (without cash) to insure larger park sites. This resolution decided by Board of Commissioners because of density of developments per acre.

22. We generally ask for land - usually to be a buffer to existing forest preserve.

23. We have received many parks, developed playgrounds and useable acres.

24. Over $1 million cash or land.

25. Tremendous; without it...we couldn’t do all the positive things we have done or will do. Also, these developers do have impact on us & justification for this Open Space Policy is understandable.

26. Covers new residents to live into existing improvements helps to stabilize parks to population ratio and then on helps to retain property values.

27. 1)Gets the park district into new neighborhoods - P.R. 2) service residents.

28. Enables P.D. to acquire & develop park sites.

29. Provides funding for capital improvements, as well as open space (park) needs in larger developments.

30. Is one of the few means we have to develop new park sites.
31. The ordinance has served the district well over the years providing open space throughout all areas in our district and providing cash (when suitable land was not available), which helped us, purchase additional land in desirable areas.

32. Because of the low fee, the positive impact has been minimal. Our ordinance is 30 years old, controlled by the city and does not provide adequate funding for a serious acquisition program.

33. We were able to obtain over 2 million cash & 100 acres of park space.

34. Several Parks were developed with this program. Dollars were held and used for down payment on our $5 million community center development.

35. It has been helpful in some instances - depends on the integrity of developers.

36. Over time it has resulted in hundreds of acres of free land for parks and over one million dollars in cash.

37. $ for capital projects - not in park district budget.

38. Provides land cash for open space which otherwise would be lost.

39. Has provided 13 park sites and over $500,000 to the district.

40. Recently it has helped with park improvements. In the boom years, most land was Detention/retention and is a maintenance headache w/little recreational value.

41. We have acquired three parcels of land and have accumulated enough money to buy additional land.

42. Has provided additional funds or land to provide or enhance recreational opportunities for the public.

43. We have been able to acquire nearly 2400 acres throughout the city in total.

44. Provide revenue to enhance existing parks and/or purchase land, which expands the need because of new growth.

45. Without this ordinance we could not possibly provide the necessary recreational areas to accommodate growth in our community.
46. Any land cash contribution received by the park district benefits the park and recreation participants.

47. Virtually all of our neighborhood parkland for new development over past 15 years has been acquired via land/cash. Therefore, we use dollars for park devt. Not land acquisition.

48. Has added 4 park sites in excess of 66 acres to our inventory of parkland.

49. Consistency. Discourage cash for 1 acre or more.

50. The Village of Oswego’s Land-Cash Ordinance has been the critical factor in providing neighborhood parks and connecting greenways and preserving important natural areas as part of residential development.

51. Allows for the preservation of adequate park facilities in light of the increased demand brought about by new development.

52. Without the requirement it would be difficult for our district to acquire land & develop playgrounds, etc.

53. Have received $1.2 million over the last 10 years.