



Late Backup

MEMORANDUM

TO: Mayor and City Council
FROM: Sara L. Hensley, CPRP, Director
Austin Parks and Recreation Department
DATE: September 16, 2015

SUBJECT: Parkland Dedication Ordinance Amendment Request for Additional Information

On December 11, 2014, City Council passed Resolution No. 20141211-219 initiating amendments to City Code Chapter 25-1, Article 14 (*Parkland Dedication*) and approving the Parks and Recreation Department's (PARP) staff calculation methodology as found in the *Parkland Dedication Fee Methodology Report* ("Report") issued by PARP on November 19, 2014. The resolution directed the City Manager to develop a draft ordinance implementing the Report's recommendations.

On June 23, 2015 the proposed changes were taken to the Planning Commission for review and approval. The Commission unanimously adopted staff's recommendation for changes to the parkland dedication ordinance and requested the following information be included as backup when the ordinance moves forward to City Council:

Explore a formula for calculating the fee in lieu of land that incorporates the surrounding land value.

The proposed ordinance recommends a fee in-lieu of land formula that averages parkland acquisition costs for Austin in the last five years. The proposed formula will create a fee-in-lieu of land ranging from \$626 to \$1,030 per unit. Staff then examined how the fee would differ using various zones for value including: an urban core and suburban method; a Council District method; a Parks Planning Area method; and an individual parcel method, which all rely on the use of different boundary lines. These four methodologies explored created fees-in-lieu of land of up to \$34,000 per unit. Using an arbitrary boundary line establishes a situation where a fee may be one price on one side of a street and another on the other side of the street and may not be reflective of the price of land available for purchase if it is on the border of two zones.

PARP staff recommends using the proposed method of prior acquisitions as a better proxy of the type of land typically acquired for parks, and as a method that avoids arbitrary lines. This approach is consistent with the Report and the proposed draft ordinance.

Provide examples of developments that show how the proposed methodology would affect density, particularly in infill.

Much of the land that has been accepted for parkland dedication includes acreage that restricts density on sites. This land cannot be developed due to the presence of heritage trees; the need for building setbacks for compatibility; impervious coverage caps; and floodplain restrictions and is often included in acreage dedicated. It is likely that density levels will not be affected further by parkland dedication.

It is difficult to provide examples of parkland dedication cases because they vary widely due to topography, amount of land owed, and other regulations required throughout the Land Development Code that affect site development. The current Land Development Code allows the PARD to work with applicants that have limited lot acreage to meet their parkland dedication requirement. For instance, an infill development could owe more land for parks than is on the site. The PARD has used different options in the past including payment of fees-in-lieu of land, the dedication of a fraction of the land owed, and the use of 25-1-604 (the dedication of private parkland open to the public) to assist applicants in meeting their parkland dedication without altering their density. Further, some zoning regulations (such as Transit Oriented Developments) require dedication of land in infill and these developments have successfully moved forward with more than 1 acre of parkland dedicated.

Should you have any questions regarding this information, please contact Ricardo Soliz at (512) 974-9452 or ricardo.soliz@austintexas.gov.

cc. Marc A. Ott, City Manager
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Marty Stump, Assistant Director, Parks and Recreation Department
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