

RESOLUTION NO.

WHEREAS, in the Fall of 2015 and January 2016 a group of community stakeholders, from a diversity of viewpoints, worked with the Austin Parks and Recreation Department (PARD) on revisions to the Parkland Dedication Ordinance No. 20070621-027 and City Code Chapter 25-1; and

WHEREAS, through this collaborative process PARD proposed their recommended revisions to the Parkland Dedication Ordinance; and

WHEREAS, many community stakeholders agreed that clarifying density calculations for non-dedicated portions of a development project was a critical piece of the parkland dedication ordinance revision; and

WHEREAS, based on advice from the City’s Law Department on this agreed upon item relating to changes to density calculations for non-dedicated portions of a development project, it was determined that the most appropriate process to initiate the changes was through a separate Council Resolution rather than as part of the ordinance amendments included in Item No. 86 on the January 28, 2016 Council Agenda, relating to parkland dedication requirements; and

WHEREAS, the City has already created the opportunity for transfers or allocations of density calculations, such as floor area ratio (FAR), impervious cover, building coverage and net site area, to non-dedicated portions of a development project in certain parts of the City; and

WHEREAS, the regulating plans for the Plaza Saltillo Transit Oriented Development (TOD), MLK TOD, and the Lamar Blvd./Justin Lane TOD are recent examples of when the City has defined both FAR and density calculations

based on the total site area prior to parkland dedication through the use of the following language:

“If, as part of a development project, the parkland dedication requirement is met in part or in full with a dedication of public parkland on site, FAR and density calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.”

WHEREAS, the regulating plans for the East Riverside Corridor Zoning District and the North Burnet/Gateway Zoning District are recent examples of when the City has defined FAR calculations based on the total site area prior to parkland dedication through the use of the following language:

“If, as part of a development project, the parkland dedication requirement established in Section 25-1 Article 14 of the LDC is met in part or in full with a dedication of public parkland on site, FAR calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.”

WHEREAS, it is in the City’s best interest to encourage parkland dedication while also minimizing the impacts on the cost of housing, especially housing near parks; and

WHEREAS, it is in the City’s best interest to support residential and commercial activity near parkland to support thriving and vibrant parks; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Council initiates amendments to the Land Development Code (Title 25), excluding Chapter 25-1, Article 14 (*Parkland Dedication*), and directs the City Manager to develop a recommendations and a proposed ordinance that offsets affordability impacts of dedicating parkland on site, which may include provides-site area calculation credits for the remaining developable site, or another similar mechanism, ~~to help offset the impacts of dedicating parkland on the remaining developable site.~~ The calculation credits or other mechanism may include density, floor-to-area ratio (FAR), impervious cover, building coverage, or other similar requirements.

BE IT FURTHER RESOLVED:

In addition to the public hearings required by Section 25-1-502 (*Amendment; Review*), the City Manager should conduct one or more meetings to provide stakeholders an opportunity to make recommendations regarding the proposed ordinance.

BE IT FURTHER RESOLVED:

The City Manager is directed to process the proposed code amendments required by this resolution and present them in ordinance form to Council for consideration no later than June 9, 2016.