

1 **RESOLUTION NO.**

2 **WHEREAS**, the City Charter, Article V stresses the importance of the
3 provision of parks and recreational facilities; and

4 **WHEREAS**, provision of adequate parks and recreation facilities plays a
5 major role in achieving the six key City goals established in the Imagine Austin
6 Comprehensive Plan: 1) Preserving Livability; 2) Expanding Transportation
7 Choices; 3) Tackling the Ethnic Divide; 4) Protecting our Natural Resources; 5)
8 Promoting Prosperity for All; and 6) Collaborating Regionally; and

9 **WHEREAS**, parks provide recreational opportunities, create community,
10 preserve the City’s character and natural resources, increase transportation
11 opportunities, and keep Austin beautiful; and

12 **WHEREAS**, park trails and greenbelts expand multi-modal access to
13 transportation across the city; and

14 **WHEREAS**, parkland provides relief from urban life, green space to those
15 who do not have access to a yard, opportunities to gather and recreate, and
16 numerous physical and mental health benefits; and

17 **WHEREAS**, investing in parkland in historically underserved areas is
18 investing in the physical and mental wellbeing of those residents; and

19 **WHEREAS**, Austinites have a strong connection to nature and consider the
20 trails, greenways and parks ‘a core part of what makes Austin special’; and

21 **WHEREAS**, Austin’s parks help Austin attract high-tech industries,
22 creative professionals, and local entrepreneurs alike; and

23 **WHEREAS**, parks are key to addressing regional challenges such as
24 transportation, water resources, growth and development, climate change,
25 environmental protection and economic prosperity; and

26 **WHEREAS**, the St. David's Healthy Parks Plan for Travis, Bastrop and
27 Caldwell counties confirms that parks are essential to public health for the Central
28 Texas region and provides recommendations for expanding park service; and

29 **WHEREAS**, the Parkland Dedication Ordinance helps the Parks and
30 Recreation Department (PAR) provide critical park service to the people of
31 Austin in accordance with goals and mandates set forth in the City Charter,
32 Imagine Austin Comprehensive Plan, the PAR Long Range Plan, and various
33 Council resolutions; and

34 **WHEREAS**, the City passed its first Parkland Dedication Ordinance in
35 1985, updated it in 2007 and again in 2016; and

36 **WHEREAS**, in 1984, the Texas Supreme Court ruled parkland dedication to
37 be constitutionally legal and regulating laws stipulate that parkland dedication
38 requirements imposed on a developer should be "roughly proportional" to the
39 increased demands of the proposed development on a city's park system; and

40 **WHEREAS**, parkland dedication helps PAR to comply with Resolution
41 No. 20091119-068 to provide parks within a walking distance of all of the people
42 of Austin, defined by a park service area of ¼ mile in the urban core and ½ mile
43 outside the urban core along a street network; and

44 **WHEREAS**, Resolution No. 20120301-051 establishes that families and
45 children are critical to the growth, diversity, vibrancy and economic vitality of the
46 City and directs PAR to adopt the Urban Infill Park Initiative Implementation

47 Plan developed by the Urban Parks Stakeholder Workgroup, of which Parkland
48 Dedication is an essential contributor; and

49 **WHEREAS**, accessibility to parks, trails, and recreational opportunities is
50 identified as a key Council Priority within the Strategic Direction 2023 and the
51 City continues to underperform our goals; and

52 **WHEREAS**, currently PARD is able to expand access to parks and increase
53 its service area through parkland dedication requirements on residential and
54 hotel/motel uses in the city which recognize the stress these new developments
55 place on our parks system; and

56 **WHEREAS**, currently office, industrial and commercial developments
57 located in park deficient areas, along greenbelts or adjacent to parks are not subject
58 to parkland dedication requirements; and

59 **WHEREAS**, parkland dedication provides an opportunity to ensure that
60 Austin stays competitive in attracting jobs nationwide by providing high-quality
61 parks, trails, natural spaces and recreational opportunities that are critical for
62 physical and mental well-being as well as maintaining a healthy work-life balance;
63 and

64 **WHEREAS**, there are long-term economic and health benefits of providing
65 active and passive recreational opportunities adjacent to places of employment and
66 retail space; and

67 **WHEREAS**, in the PARD Long Range Plan, community stakeholders
68 identified trails as a number one priority for park planning and development
69 initiatives and highlighted the Parkland Dedication Ordinance as an essential tool
70 to expand the parks system; and

71 **WHEREAS**, some, but not all, critical gaps in Austin’s recreational and
72 transportation trail networks can be addressed through the Parkland Dedication
73 Ordinance on residential and hotel/motel site development permits; and

74 **WHEREAS**, many new commercial projects may be located along
75 greenbelts and planned trails where the City seeks to expand and complete
76 Austin’s trail infrastructure; and

77 **WHEREAS**, many critical connections trails and greenbelts are adjacent to
78 or located on private land hampering the City’s ability to provide valuable bike and
79 pedestrian opportunities across the city; and

80 **WHEREAS**, currently PARD is not able to close critical gaps in park and
81 trail infrastructure without negotiating for land on new commercial development
82 sites from willing sellers, even in undevelopable sections of the commercial
83 properties; and

84 **WHEREAS**, expanding the parkland dedication ordinance to include office,
85 industrial and commercial would have the dual benefit of closing critical gaps to
86 expand park service in accordance with Council direction as well as address the
87 legitimate impact of the commercial occupants on the adjacent park system; and

88 **WHEREAS**, over the last 20 years, nearly 80% of PARD’s investment
89 through land acquisition and parkland development has been in the Eastern
90 Crescent; and

91 **WHEREAS**, parkland dedication funds can be leveraged with bond funding
92 to be invested in historically park deficient neighborhoods; and

93 **WHEREAS**, providing a park or trail through parkland dedication ensures
94 the preservation of that natural recreation space for generations into the future,
95 which in turn preserves critical green infrastructure such as trees and pervious
96 surface so that the natural environment can continue to provide clean air and water;
97 and

98 **WHEREAS**, the current Parkland Dedication Ordinance recognizes the
99 nexus of the demand placed on our parks system by new residential development
100 and hotel visitors, but does not capture the impact from new commercial
101 development, thereby placing a disproportionate burden on residential and hotel
102 development costs; and

103 **WHEREAS**, on February 25, 2020, the Parks and Recreation Board passed
104 Recommendation 20200225-B3, which included the provision that commercial
105 developments be subject to parkland dedication requirements; and

106 **WHEREAS**, the Parks and Recreation Department conducted a study
107 outlining the applicability of said provision to expand the Parkland Dedication
108 Ordinance to commercial developments, as well as a methodology by which it may
109 be adopted; and

110 **WHEREAS**, the methodology involves quantifying the demand for public
111 parkland based on workforce growth, and calculates requirement levels based on
112 the cost of satisfying that increased demand; **NOW, THEREFORE,**

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

114 City Council initiates code amendments to the Parkland Dedication
115 Ordinance in City Code Chapter 25-1 (*General Requirements and Procedures*) to
116 require parkland dedication for office, industrial, and commercial developments.

117 The City Council directs the City Manager to engage with stakeholders as part of
118 developing this code amendment and to place the code amendment on an
119 upcoming Council agenda that provides Council with sufficient time to adopt the
120 ordinance and place the fee into the Fiscal Year 2023 budget.

121

122

123 **ADOPTED:** _____, 2022 **ATTEST:** _____

124

Myrna Rios
City Clerk

125

DRAFT