

Category	Question	Response
affordability	Have you done an economic impact statement to measure the affordability impact of this proposed additional fee? \$2 psf for office is not small and creates concern that office rents will be raised impacting jobs and pay rates.	City Code § 2-5-2 states the that city manager shall prepare a fiscal note for a proposed ordinance, resolution, or policy that could create an expense for the City, including a modification to the City's budget, a capital improvement project, or a council initiated matter before it is submitted to the council. To clarify, the combined per square foot fee for office is \$1.75. This fee would have a positive impact on the city's budget by accounting for the impact to the park system caused by new commercial development. PARD shall confirm with the Housing and Planning Department on the issuance of an Economic Impact Statement regarding affordability.
affordability	In the different categories, are there any excluded categories? Different types of businesses that don't have to do parkland dedication?	We are still evaluating the applicability of the ordinance based on stakeholder and survey feedback. Draft ordinance outlines an exemption for civic uses including but not limited to schools, governmental agencies, and hospitals: "(4) civic uses as defined in Section 25-2-6 (Civic Uses)."
affordability	In the office example, what is the proportion of the impact of the fees to the overall cost of the office development?	According to a proforma prepared by Cummings in 2021, cost per square foot to build a typical commercial building is anywhere between \$148/sq ft - \$657/sq ft, depending on the construction type, in Dallas, Texas. This estimate only accounts for 'hard costs' of construction, not the land acquisition, building design or contractor/developer overhead. Cost of parkland dedication fees currently range from \$0.63/sq ft to \$1.75/sq ft depending on the commercial building category. This is equivalent to about 0.27- 0.42% of the 'hard costs'.
affordability	Can you provide a list of all COA development related fees in addition to proposed commercial PLD fee, including a Brief explanation/estimate/range of what a developer would pay for each of the fees.	The Development Services Website lists several fee schedules for different types of developments: https://www.austintexas.gov/department/fees . A worksheet is provided specific to the fees applied to Commercial Developments.
affordability	Any language about why fees are not the reason for "affordability issues." What percent of the total project cost the PLD fees would be.	According to a proforma prepared by Cummings in 2021, cost per square foot to build a typical commercial building is anywhere between \$148/sq ft - \$657/sq ft, depending on the construction type, in Dallas, Texas. This estimate only accounts for 'hard costs' of construction, not the land acquisition, building design or contractor/developer overhead. Cost of parkland dedication fees currently range from \$0.63/sq ft to \$1.75/sq ft depending on the commercial building category. This is equivalent to about 0.27- 0.42% of the 'hard costs', and an even lower percentage of the overall project costs. Parkland dedication can actually contribute to lower land costs and an increased demand for affordable units, please see the attached flow chart in attached Exhibit A.
affordability	Can you speak to this statement in a recent news article? We are having donors come to us with concerns about this specifically and want to be able to answer appropriately. "Austin ranks as one of the most expensive cities in Texas for building new homes based on "the amount of development fees charged by local municipalities," according to a new report. Each unit of "a suburban style development" in Austin charges \$18,168 in development fees, which is over \$8,000 higher than average per-unit fees for the same developments in the state's five biggest cities."	Recent report by the Texas A&M Real Estate Research Center surveyed development fee rates across Texas municipalities, but did not draw a correlation between fee rates and the price of homes. Development fees are a one-time cost only assessed to new units, and are one of the many factors that impact the cost of housing construction including materials and labor cost. They do not affect rents or home sales over time, after the fee has been paid. Market demand would affect those prices. Prices in housing have been increasing a similar paces all across Texas, despite variance in development fees. In comparing rents at similar + proximate apartment complexes, those that had satisfied parkland dedication were no more expensive than those that did not.
affordability	My observation - market determines price, not fees. PLD team has pointed out that parkland fees would be a small percentage of costs. Argument for affordability seems disingenuous. Seems that Real Estate Council has focused on Parkland fees amongst all others.	The parkland dedication fee is a one-time fee, not an annual fee that could affect the rent of the residential units in a building. Parkland can act as a catalyst, whereby new parkland generates support for new development by providing those public amenities needed to create community as our city grows. This is evidenced during public engagement at the rezoning stage of development, where community groups support increased density knowing that parkland will be included with a future project.
affordability	Is Crompton's research based on our City vs. other cities?	The report referenced is entitled "An Analysis of Parkland Dedication Ordinances in Texas" and the research is based on municipalities across the state. https://www.austintexas.gov/sites/default/files/files/Parks/Parkland_Development/parkland_crompton.pdf
affordability	Could the question that was asked to Dr. John Crompton from the TAMU Recreation, Park & Tourism Sciences Department related to the impact on development projects also be submitted to the Texas Real Estate Research Center?	PARD staff can follow up with TAMU researchers. Note that the recent report by the Texas A&M Real Estate Research Center surveyed development fee rates across Texas municipalities, but did not draw a correlation between fee rates and the price of homes.
affordability	How does this relate to other ordinances in the City of Texas?	Hutto, El Paso, and Colleyville currently have Parkland Dedication Ordinance that are applied to commercial developments. Many other municipalities have Parkland Dedication Ordinances which apply to residential developments.
applicability	Will the new PLD apply to the Tesla factory? If so, what will the implications be? Thank you.	Requirements would apply to any net new square footage of commercial space within the zoning jurisdiction filing for Subdivision, Site Plan, or Building permit following the proposed effective date of January 1st, 2023

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applicability	Please do not exempt Hospitals from commercial PLD. Good opportunities for connection to green space.	Council direction cited office, industrial and commercial uses be subject to the new commercial parkland dedication ordinance. Hospitals fall under a civic use as defined by the code (see answer below) and were not included in the council direction for establishing a commercial parkland dedication ordinance. PARD can still purchase parkland adjacent to hospitals using parkland dedication and bond fees in order to serve that population.
applicability	Why exactly are schools, hospitals etc. exempt from this? Sounds like they would benefit from the added green space the most.	Civic uses are distinct from commercial requirements, and were not part of the scope of Council direction. Furthermore, civic may be exempt as they “include the performance of utility, educational, recreational, cultural, medical, protective, and governmental functions, and other uses that are strongly vested with public or social importance”, as stated in the Land Development Code. Seeing that parkland is already a use strongly vested with public or social importance, staff believed that it would be demanding a civic use to doubly perform its responsibilities for the public should they be subject to commercial parkland dedication requirements. Some civic uses, such as schools, are already exempt from certain development requirements.
applicability	Will governmental entities (like the City of Austin, the State of Texas, Travis County, etc) be subject to the commercial parkland dedication requirements?	Requirements are applied to the following use categories: HOTEL-MOTEL: Hotel-Motel use as described in Section 25-2-4(36). INDUSTRIAL: Any uses described in Section 25-2-5 (Industrial Uses Described). OFFICE means Administrative and Business Offices, Medical Offices, Professional Office, Software Development and Research Services uses as described in 25-2-4 (Commercial Uses Described). RETAIL means any uses described in 25-2-4 (Commercial Uses Described) except for Hotel-Motel and Office uses. If a governmental entity proposes one of the uses above, it will be subject to the commercial parkland dedication requirements (unless other agreements or laws dictate otherwise).
applicability	To Aan's point, for downtown projects, the code often allows exemptions for requirements that take up land SF so that zero lot line developments are not discouraged. In the LDC Revision, there would have been an exemption for open space for sites less than 2 acres. Can this be reflected in this new ordinance?	Within the Urban Core, park space is capped at 15% of the gross site acreage. In the case of many downtown developments this would result in a park dedication of less than a quarter acre, which would not meet the standards established under the Parkland Dedication Operating Procedures. In these instances, requirements would be satisfied through the payment of fee-in-lieu and no on-site land dedication would be required. Additionally, much of downtown is currently outside of the park deficient area and not along a critical connection, meaning it is less likely that land will be required to satisfy the parkland dedication requirement, instead full fees-in-lieu would be required and reinvested into the parks that already serve the development.
applicability	Will the new commercial parkland ordinance apply to "projects in progress" that are grandfathered under Chapter 245 of the Texas Local Government Code?	Requirements would apply to any net new square footage of commercial space within the zoning jurisdiction filing for Subdivision, Site Plan, or Building permit submitted following the proposed effective date of January 1st, 2023. For example, a site plan submitted in December 2022 would not be subject to the new requirements.
applicability	So if we renovate an office building or do an addition that would require an SDP those would not have to dedicate parkland?	Parkland Dedication requirements are only applied to new square footage being permitted that had not previously satisfied the requirement.
applicability exceptions	Is there a scale of where these fees will apply? small commercial, medium and large commercial??	There is no proposed minimum development size. Any additional square footage of commercial space must satisfy parkland dedication requirements.
applicability exceptions	Could there be some MBE/WBE/etc. developments that City would want to be exempt?	At this time only Civic Uses as defined by the code are exempt from the Commercial Parkland Dedication Ordinance.
covid	How does the proposed PLD commercial calculation take into account companies or business that offer Hybrid work schedules (meaning employees work from the office some days and from home other days)?	Parkland dedication fees are adopted annually as part of the budget process. Fees go into effect annually on October 1 without exception. The development community can rely on and anticipate this annual fee change. The Commercial Parkland Dedication formula takes occupancy rates of leased office space into account when setting the fee rate. Occupancy rates are adopted from third party reporting and incorporated into the formula in the April preceding the October 1 fee adoption annually. The April occupancy rate reporting remains in effect until the following year, where it is adjusted. If a development application is submitted in February of 2024, they will be subject to the April 2023 occupancy rates, and have until October 1, 2024 to pay those fee rates. If a development application is submitted in September 2024, they will be subject to April 2023 fee rates until October 1, 2024. If the development application has not paid their fees by October 1, then they will be subject to April 2024 occupancy/fee rates. Several parts of the formula are reevaluated on an annual basis, including the building occupancy rates (percentage of commercial spaces leased out), the percentage of commuting workforce, and the per person cost of parkland acquisition and development.
covid	Businesses are changing drastically in part due to covid, when occupancy load and hours work change in the future, how do staff make sure the fee fluctuations are fair and equitable knowing that there is a significant gap between the time of fee determination vs actual development permit? How does the proposed PLD commercial calculation take into account companies or business that offer Hybrid work schedules (meaning employees work from the office some days and from home other days)?	Parkland dedication fees are adopted annually as part of the budget process. Fees go into effect annually on October 1 without exception. The development community can rely on and anticipate this annual fee change. The Commercial Parkland Dedication formula takes occupancy rates of leased office space into account when setting the fee rate. Occupancy rates are adopted from third party reporting and incorporated into the formula in the April preceding the October 1 fee adoption annually. The April occupancy rate reporting remains in effect until the following year, where it is adjusted. If a development application is submitted in February of 2024, they will be subject to the April 2023 occupancy rates, and have until October 1, 2024 to pay those fee rates. If a development application is submitted in September 2024, they will be subject to April 2023 fee rates until October 1, 2024. If the development application has not paid their fees by October 1, then they will be subject to April 2024 occupancy/fee rates. Several parts of the formula are reevaluated on an annual basis, including the building occupancy rates (percentage of commercial spaces leased out), the percentage of commuting workforce, and the per person cost of parkland acquisition and development. PARD shall investigate sources for updating employee density to account for changes in work arrangements. PARD anticipates employers will consider post-pandemic occupancy levels when planning their future offices.

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covid	How will the work from home changes be accounted for going forward?	Parkland dedication fees are adopted annually as part of the budget process. Fees go into effect annually on October 1 without exception. The development community can rely on and anticipate this annual fee change. The Commercial Parkland Dedication formula takes occupancy rates of leased office space into account when setting the fee rate. Occupancy rates are adopted from third party reporting and incorporated into the formula in the April preceding the October 1 fee adoption annually. The April occupancy rate reporting remains in effect until the following year, where it is adjusted. If a development application is submitted in February of 2024, they will be subject to the April 2023 occupancy rates, and have until October 1, 2024 to pay those fee rates. If a development application is submitted in September 2024, they will be subject to April 2023 fee rates until October 1, 2024. If the development application has not paid their fees by October 1, then they will be subject to April 2024 occupancy/fee rates. Several parts of the formula are reevaluated on an annual basis, including the building occupancy rates (percentage of commercial spaces leased out), the percentage of commuting workforce, and the per person cost of parkland acquisition and development.
covid	How will the work from home changes be accounted for going forward? Proposed: Look at occupancy rate based on percentage of population that actually commutes in as opposed to work at home/hybrid.	Parkland dedication fees are adopted annually as part of the budget process. Fees go into effect annually on October 1 without exception. The development community can rely on and anticipate this annual fee change. The Commercial Parkland Dedication formula takes occupancy rates of leased office space into account when setting the fee rate. Occupancy rates are adopted from third party reporting and incorporated into the formula in the April preceding the October 1 fee adoption annually. The April occupancy rate reporting remains in effect until the following year, where it is adjusted. If a development application is submitted in February of 2024, they will be subject to the April 2023 occupancy rates, and have until October 1, 2024 to pay those fee rates. If a development application is submitted in September 2024, they will be subject to April 2023 fee rates until October 1, 2024. If the development application has not paid their fees by October 1, then they will be subject to April 2024 occupancy/fee rates. Several parts of the formula are reevaluated on an annual basis, including the building occupancy rates (percentage of commercial spaces leased out), the percentage of commuting workforce, and the per person cost of parkland acquisition and development.
covid	Are we truly accounting for post-pandemic occupancy?	New requirements are only imposed on new commercial development. New office developments will be built to account for shifts in physical occupancy as a result of the COVID-19 pandemic and new hybrid work models. Requirements are calculated on a per square foot basis, meaning if new office space is reduced to account for a decrease in usage, any requirements associated will be decreased as a result. For companies adopting a hybrid work model, it is typical that employees "hotel" wherein multiple employees share a work station and are required to be in office on separate days. In these cases, the office operational hours remain the same and the physical occupancy of the development remains the same. Additionally, the functional population calculation includes a reduction based on market occupancy percentage. This percentage would be updated annually similar to the hotel occupancy rate. During the COVID-19 pandemic, occupancy rates for hotels dropped drastically in the Austin area, as a result the requirements dropped as well.
covid	The commuting data appears to be from 2019 which is before the pandemic. Has PARD looked to see if there is updated data that may reflect the work from home and commuting patterns that organizations have adopted since the pandemic?	The data used is the most recent (2019) Longitudinal Employment Household Dynamics (LEHD) data available from the United States Census through the CensusontheMap online tool: https://onthemap.ces.census.gov/ . This figure is to be updated annually with latest available data.
covid	What does "corporate limits" mean in (D)(3)?	Full Purpose Jurisdiction
covid	We know that many downtown office buildings are nearly fully leased, but almost all tenants are allowing some work from home policies. Therefore, the number of leases in an office building is not indicative of the number of employees using the building. Does the study use full occupancy 5 days/week in its formula? The actual usage is much lower.	The study does assume full-occupancy of the building. However, it does not assume that individual employees are at an office 5 days/week. The Commercial Parkland Dedication requirements will only apply to new square footage submitted for permit application. Additional commercial square footage planned for development will take hybrid work from home/in the office trends into consideration when planning the proposed total square feet. It is unlikely a project will be proposed that exceeds the square feet that can reasonably be sold or leased to a company, and it is unlikely that a company will lease more square feet than they reasonably need to satisfy their employee space requirements. Employee densities may be revisited in a future update to the nexus study, should those densities change over time.
covid	From your presentation: "The commercial formula includes a reduction based upon community patterns." Please elaborate and demonstrate what this is.	Commuting patterns are derived from the latest Longitudinal Employment Household Dynamics (LEHD) data available from the United States Census. Commuter patterns indicate the percentage of workforce residing outside of Austin who commute into the city for work. This accounts for workforce members who would use the city's parks system without residing in the city.
covid	Company Occupancy Rate vs Actual Occupancy Rate?	The Commercial Parkland Dedication requirements will only apply to new square footage submitted for an permit application. It is anticipated that additional commercial square footage planned for development will take hybrid work from home/in the office trends into consideration when planning the proposed total square feet. It is unlikely a project will be proposed that exceeds the square feet that can reasonably be sold or leased to a company, and it is unlikely that a company will lease more square feet than they reasonably need to satisfy their employee space requirements. Note that hybrid work models now account for hoteling/hot seating, whereby workforce densities remain the same as workplaces can accommodate more individuals over the workweek.

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covid	How do you account for employees who work a 1/2 day at the office or only come in 2 days per week but still count as an employee occupying sq ft?	Employees are not counted on an individual basis. The study does assume full-occupancy of the building. However, it does not assume that individual employees are at an office 5 days/week. The study assumes that new commercial uses will develop and permit projects suited to their workforce needs, whether that is reduced or increases from hoteling/hot-seating.																				
effective date	At what point in the development process will projects be grandfathered?	The proposed effective date will be January 1, 2023. Fees will go into the budget in 2022.																				
effective date	Suggestion: other ordinances the SDP fees are vested at site plan submittal date. At what point in the development process will projects be grandfathered?	Thank you for your suggestion, this will be taken into consideration. January 1, 2023 is the proposed effective date.																				
effective date	Is there an implementation plan? Is there a phasing plan?	The proposed effective date will be January 1, 2023. Fees will go into the budget in 2022.																				
input	Community stakeholders will have future opportunities to meet? Is the survey close date June 12 a hard date?	The survey will now run through Sunday, July 10th, the date has been moved to accommodate a new Boards and Commission schedule and allow more time for stakeholder feedback.																				
input	Is there communication to ensure that this isn't a punishment for commercial development and how it can benefit their business?	There are several benefits to having parkland adjacent to a commercial business, including increased customer dwell time, leading to additional sales, increased lease retention, meaning less vacant store fronts and many others. These benefits are stated in the Nexus Study. In the public survey for the new Commercial Parkland Dedication Ordinance, 74% of respondents indicated that business operations would improve if it was adjacent to parkland.																				
input	Of the 196 who have answered the survey; where do they live/ where do they work?	See survey results (Exhibit D)																				
open space	Will commercial properties get credit for onsite open space and facilities that employees can use (similar to how residential properties get credit for private amenities)?	On-site open space that meets park dedication requirements and is dedicated by easement or deed would be eligible for credit towards parkland dedication requirements																				
open space	Has PARD met with other departments to determine how this new ordinance affects other parts of the code, if there are overlaps or conflicts?	PARD has meet with other departments to discuss the ordinance and does not anticipate overlaps or conflicts.																				
open space	DSD has open space requirements that are separate from impervious cover requirements. It may result in double the amount of land being dedicate. Want to ensure that DSD is not requiring additional open space if parkland is already dedicated.	Private open space is a broad category that has more to do with site design standards than providing any actual recreation. These spaces often have zero recreational value, and are distinct from parks in their design and public access. Parks are specifically for creating community, as our Director has stated in her mission, and private open spaces are incapable of that given their private nature. Fundamentally, the difference is in how the land is conveyed to the public for use. 'Private Common Open Spaces and Pedestrian Amenities' are not conveyed to the public in either deed or easement, but remain in private control and can be changed or closed at the discretion of the building management. They are also not subject to the same accessibility standards as public open space. Parkland is conveyed to the City via a Charter Protected easement or deed and remains open to the public in perpetuity, becoming part of the essential park infrastructure in the city. As in the existing residential parkland dedication ordinance, dedicated parkland may be counted toward open space requirements.																				
open space	Do I get credit for open space that I am providing for commercial development? It should be given because that is often recreational space.	Yes, as with the existing residential parkland dedication ordinance: If private parkland is allowed, a recreation easement must be recorded prior to site plan or subdivision approval. Parkland provided through easement would be counted towards any open space requirements.																				
precedent	Show fee comparison between other cities? Show the chart in the presentation, where our fee sits in comparison to the other commercial fees across the country.	A table has been added to the presentation to show where PARD's fees sit in comparison to the per square foot cost of Belmont, California and Atlanta, Georgia. Note that both Belmont and Atlanta's fees are park impact fees, not parkland dedication. The other commercial parkland dedication ordinances mentioned in the study include El Paso, Hutto and Colleyville, and all their fees are proportionate to the number of acres of the development's land parcel, not the square feet of the building. The fees are therefore not comparable in the same table. <table><tr><th>City</th><th>Office</th><th>Retail</th><th>Industrial</th><th>Hotel</th></tr><tr><td>Belmont, California*</td><td>\$3.16 per SF</td><td>\$1.90 per SF</td><td>\$1.27 per SF</td><td>\$569 per room</td></tr><tr><td>Atlanta, Georgia*</td><td>\$1.20 per SF</td><td>\$0.54 per SF</td><td>\$0.23 per SF</td><td>\$538 per room</td></tr><tr><td>Austin, Texas</td><td>\$1.75 per SF</td><td>\$1.55 per SF</td><td>\$0.64 per SF</td><td>\$1.135 per SF + \$1,478.62 per unit**</td></tr></table>	City	Office	Retail	Industrial	Hotel	Belmont, California*	\$3.16 per SF	\$1.90 per SF	\$1.27 per SF	\$569 per room	Atlanta, Georgia*	\$1.20 per SF	\$0.54 per SF	\$0.23 per SF	\$538 per room	Austin, Texas	\$1.75 per SF	\$1.55 per SF	\$0.64 per SF	\$1.135 per SF + \$1,478.62 per unit**
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precedent	In Hutto or Colleyville or El Paso- please provide talking points or examples of how they're charging and expending their fees.	Colleyville uses parkland dedication fees to fund capital improvement projects throughout the City. In 2021, Parkland Dedication funds accounted for .75% of the funding sourced for CIP projects. Funds have contributed to CIP projects including the planned purchase/construction of new amenities at City Park. In FY2020 El Paso added 22.16 acres to their park system through Parkland Dedication (residential and commercial requirements). In the same year, the City received over \$9M in Parkland Dedication fees, over \$8M of which has been allocated to park acquisitions and improvements across the City. Notable projects include a new playscape at Inca Dove Park, as well as the dedication of North Desert Park and Holly Springs Linear Park.																				
precedent	Please send examples of park trail connections that are not captured in the existing ordinance.	4900 S Congress is a good example of a commercial development along an existing greenbelt. The property is the only remaining gap in the Williamson Creek East Greenbelt from S 1st Street to Pleasant Valley Drive. 8522 Connor Drive is another example of a commercial development along a greenbelt. The property has over 2,600 linear feet of creek frontage along Little Walnut Creek Greenbelt. PARD completed several recent acquisitions along this greenbelt in the last year and the trail system is an important east-west connection.																				

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precedent	Some "success stories" of the current PLD program. What specific parcels have been purchased? What amenities have been added to parks? We would prefer this in a compelling narrative form rather than us having to make sense of a spreadsheet.	Our Parkland Dedication Storymap provides several examples embedded in the webpage. We also have a Parkland Dedication Gallery featuring some older parkland dedication parks. Our 2020 Parkland Dedication Year in Review storymap features 3 significant park projects that were funded or dedicated by parkland dedication. Fontaine Plaza and Wood Street in particular are both adjacent to commercial developments and act as a recreational resource for residents, employees and customers alike. We also have a Youtube Channel Playlist specifically for parkland dedication parks. Finally, we put together a comprehensive video on the success of leveraging parkland dedication funding with bond funding to purchase parkland, and reviews all the parkland acquired or developed from October 2018-October 2021. Growing Austin's Parkland: Acquisition Overview 2021 . Review of parkland dedication starts at 8:10.
procedure	Shouldn't there be a way to qualitatively measure the level of service in system wide park to validate this requirement? (Not just a survey of how people feel about parks but counting traffic at different times of days, different days of the week and parks at different land context)	The expectation of parkland, set by Council Resolutions, is to provide accessible, open parkland to all Austinites within a quarter or half mile walking distance, depending on location in or out of the urban core. The level of service is measured by the number of acres of parkland per 1,000 residents. This is a standard measurement of service level throughout the U.S. The level of service is not directly tied to park usage, as park usage varies throughout the day, week as well as by facility type, and a count across the various types of facilities would not provide a universal level of service measurement.
procedure	Can you please remind the stakeholders about when the proposed PLD commercial requirement would apply to a property? Does it only get applied when a property goes through a zoning case, or when a site plan is applied for, etc.? For existing property owners, would the PLD commercial requirement be applied if a business decides to expand their existing building?	Parkland dedication is a local government requirement imposed on subdivision and site plan applications mandating the dedication of land for a park and/or the payment of a fee to be used by the governmental entity to acquire land and/or develop park facilities. The City of Austin passed its first Parkland Dedication Ordinance in 1985, updated in 2007 and again in 2016.
procedure	Does PARD plan to use the revenue generated from the PLD commercial to offset and lower the PLD fees for residential?	Setting the fees of residential parkland dedication is a policy decision made by City Council. City staff recommends a fee schedule annually to City Council based on the methodology established by City Code.
procedure	Will PARD proactively conduct public outreach each year about the PLD fees (residential and commercial) in advance of the budget similar to what DSD does? So that the public is adequately aware of any proposed changes in PDL fees.	Yes, PARD conducts public outreach annually to inform stakeholders of new parkland dedication fees.
procedure	How long do these fees sit in an account before they are used?	See City Code Section 25-1-607 - FEE PAYMENT AND EXPENDITURE: (C)The City shall expend a fee collected under this article within five years from the date the fees are appropriated for expenditure by the director. This period is extended by five years if, at the end of the initial five-year period, less than 50 percent of the residential units within a subdivision or site plan have been constructed.(D)If the City does not expend a fee payment by the deadline required in Subsection (C), the subdivision or site plan applicant who paid the fee may request a refund under the requirements of this subsection.(1)A refund may only be requested for unbuilt units for which a fee in-lieu of dedication was paid. The refund request must be made in writing and filed with the Parks and Recreation Department not later than 180 days after the expiration of the deadline under Subsection (C).(2)If the refund request is timely filed, the director shall:(a)refund the amount of unspent fees that were collected under this article in connection with approval of a subdivision or site plan; and(b)if a site plan for which fees were assessed was subsequently revised to reduce the number of units, recalculate the amount due based on the reduced number of units and refund any fees paid in excess of that amount.
procedure	When does the developer have to pay this fee? What part of the permit process?	See City Code Section 25-1-605 (Fee In-Lieu of Parkland Dedication) and Section 25-1-606 (Parkland Development Fee) (1)If a fee in-lieu of dedication or a parkland development fee is required as a condition to subdivision approval, the applicant must deposit the fee with the City before final plat approval. The applicant may defer payment of a fee until site plan approval unless development proposed within the subdivision is exempt from the requirement to submit a site plan under Section 25-5-2 (Site Plan Exemptions).(2)If a fee in-lieu of dedication or a parkland development fee is required as a condition to site plan approval, the applicant must deposit the fee with the City before the site plan may be approved.
procedure	Is the ordinance going to have a term? How do the fees change from year to year?	Per the existing parkland dedication ordinance "25-1-605 (D)The amount of the fee in-lieu of parkland dedication is established in the annual fee schedule based on a recommendation by the director in accordance with this subsection." The commercial parkland requirements for office, retail, industrial and hotel can be calculated with the formula attached in Exhibit C.
procedure	Besides supporting recreation and human use, would these funds be available for natural system protection and stewardship such as increasing preserve lands?	Funds may be used consistent with the requirements established by City code. Purchasing new parkland increases preserved land and promotes natural systems protection. (B)The director shall place fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) and Section 25-1-606 (Parkland Development Fee) into separate funds and use the fees consistently with the requirements of this subsection.(1)Except as provided in Subsection (B)(3), the director shall use fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) solely to acquire parkland or recreational easements that will benefit residents of the development for which the fees are assessed and are located within a service area designated by the director under the Parkland Dedication Operating Procedures.(2)The director shall use fees paid under Section 25-1-606 (Parkland Development Fees) solely to acquire and develop recreational amenities that will benefit residents of the development for which the fees are assessed and are located within a service area designated by the director under the Parkland Dedication Operating Procedures.(3)The director may use fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) consistent with the purposes described in Subsection (B)(2) if, within one year from the date the fees are appropriated for expenditure, the director determines that land which meets the requirements of Section 25-1-603 (Standards for Dedicated Parkland) is unavailable for purchase within the service area for which the fees were assessed.

Category	Question	Response
procedure	Will the CPD be in addition to existing Residential and not replace	Commercial Parkland Dedication will apply to new commercial square footage, and only for the commuting workforce occupying the building during business hours, to account for their direct impact on parkland. This is in addition to the residential ordinance, which accounts for the impact on parks of new residents in Austin. The proposed formula accounts for only the commuting workforce when calculating the impact of new commercial developments; as such, there is no overlap between the residential and commercial ordinances, as the residential ordinance does not currently account for the impact of the workforce. The commercial ordinance excludes the impact of existing residents who also work in the city limits.
procedure	With Commercial PLD, may be some appetite from Council to redo existing residential.	City staff submit fee schedules to the City Manager's office per the criteria set out in City Code. The City Manager submits the fee schedules to City Council for the annual budget. City Council approves the budget as provided by the City Manager's office or Council can vote to adopt fees at a different rate.
procedure	(FYI: I'm still learning the process developers/developments go through.) Can PLD/CPD be required after Council approves a zoning change?	Requirements would apply to any net new square footage of commercial space within the zoning jurisdiction filing for Subdivision, Site Plan, or Building permit following the proposed effective date of January 1st, 2023
procedure	Can fees be used for park programming or is it only for developing a park?	Fee expenditure is dictated by City Code. Fees collected for park acquisition and park development must be used for those purposes. (B)The director shall place fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) and Section 25-1-606 (Parkland Development Fee) into separate funds and use the fees consistently with the requirements of this subsection.(1)Except as provided in Subsection (B)(3), the director shall use fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) solely to acquire parkland or recreational easements that will benefit residents of the development for which the fees are assessed and are located within a service area designated by the director under the Parkland Dedication Operating Procedures.(2)The director shall use fees paid under Section 25-1-606 (Parkland Development Fees) solely to acquire and develop recreational amenities that will benefit residents of the development for which the fees are assessed and are located within a service area designated by the director under the Parkland Dedication Operating Procedures.(3)The director may use fees paid under Section 25-1-605 (Fee In-Lieu of Parkland Dedication) consistent with the purposes described in Subsection (B)(2) if, within one year from the date the fees are appropriated for expenditure, the director determines that land which meets the requirements of Section 25-1-603 (Standards for Dedicated Parkland) is unavailable for purchase within the service area for which the fees were assessed.
procedure	What implications occur if a development doesn't pay the fee?	The proposed project will not receive subdivision, site plan, or building permit approval.
procedure	If an office or retail building is converted into residential housing, would that trigger the property owner to pay another parkland development fee?	The requirement will apply to any new development that had not previously satisfied the requirement, consistent with the current residential requirements. If a site that has already satisfied parkland dedication requirements previously and is slated for redevelopment, the requirements will be based on the net new demand on that park system. If the office development paid parkland dedication fees and was then converted into residential housing, the number of net new people/functional population would first be calculated to see if the residential housing had an additional impact on the park system. If the number of people proposed by the residential housing exceeds what was already accounted for in the commercial development, the delta would result in the fee.
procedure	How are these new land purchases to be maintained and developed?	Land purchased or dedicated through parkland dedication can be developed with parkland dedication development fees, bond funding, through partnerships or the general/capital improvement funds. Often, developers opt to maintain dedicated parks adjacent to their property in order to keep them maintained to the same level as the rest of their development. Otherwise, PARD maintains new parkland in accordance with their development/service level.
procedure	I have questions about the extent to which a downtown office tower impacts the park space elsewhere in the city. Does the city have research indicating the extent? Downtown office employees are not burdening the entire city's park system, but they are doing so on downtown's park system	The commercial parkland dedication requirements are tied to an essential nexus, the impact of the new population on the city service of parkland. The new commercial development downtown impacts the parks within a 1/4 mile of the development, the park service area. Much of downtown is not park deficient, and park improvements to existing parkland can help offset the impact of new commercial development on the existing parks. Additional park development will expand access and accommodate additional users in the existing parks, and according to the city code, fees-in-lieu of land collected can be converted into park development funding a year after collection. Fees collected from new developments downtown can be invested in the existing parks such as Shoal Creek Greenbelt, Waller Creek Greenbelt, Republic, Wooldridge, and Brush Squares, as well as the Roy and Ann Butler Hike and Bike Trail, among others. Fees are expended within the service area from which they are acquired. See parkland Dedication Operating Procedures and City Code Section 25-1-605 and -606.
procedure	Further, the graph on page 8 of the study shows downtown VISITORS, not office employees, and should not be used to determine impact.	The reference to the chart indicates that there is "a spike in activity in downtown public spaces during the lunch hour, specifically on weekdays" and does not imply that the chart is only demonstrating employee visitation. It can be reasonably assumed that a portion of the visitors to downtown public spaces during the workday are employees of nearby offices and other businesses. The nexus report makes no attempt to say that all park usage is from employees or that the total impact on nearby parks is brought on by employees of commercial developments, only that employees do have a demonstrative impact on the park system. This is evident in the 'Functional Population' equation for the office use category where 1 office employee is discounted to represent only 13% of a full-time resident.

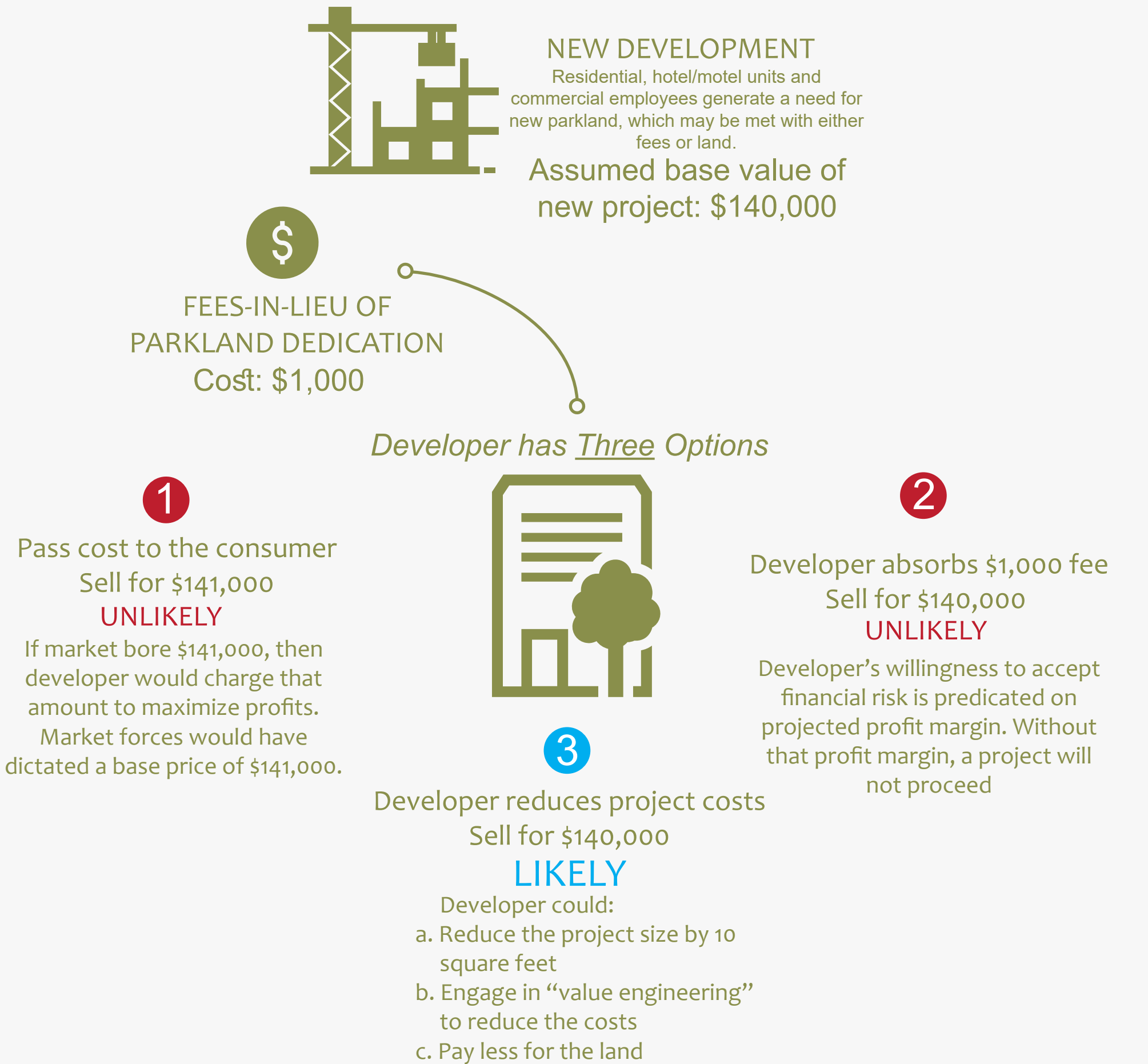
Category	Question	Response
procedure	In earlier meetings, you mentioned creative methods of compliance—many of the office developments have private amenities for their tenants (gym, outdoor seating, breezeways, etc.) that would offset the additional impact of the tenants and workers even though it is private. How could credit for some of those offsets to the need for additional parkland be codified and counted in this ordinance?	As with the existing residential ordinance, credit could be allocated if provided in a recreational easement granting public access to amenities.
procedure	Definition of Commercial Occupancy Rate (D)(2) – says “determined by the Director” –this should be expanded upon and made more explicit based on what we have been discussing in past meetings (with occupancy levels, changes to items, etc.). Also seems like we should encourage a process to change, if it will, vs. just having it at the discretion of the director	The occupancy rates for Office and Industrial were derived from the Austin Area Profile published by the Austin Chamber of Commerce for Q1 of 2022 and the Retail occupancy rate was derived from a report published by NAI Partners for Q1 2022. Occupancy rates are to be researched and updated annually. For this coming budget cycle, occupancy rates were researched in June of 2022 in order to meet internal reporting deadlines with Q1 2022 being the latest available information at the time. It can be anticipated that occupancy rates will be researched at this same time annually and will reflect Q1 of that year. Latest occupancy rates published by the Austin Chamber of Commerce is available on their website: https://www.austinchamber.com/economic-development/austin-profile . Annual updates thereby encourage a process to change as the economy changes.
procedure	Do you have other data for use for parks in addition to only the Butler Trail? Butler Trail is somewhat of an anomaly.	Trail and park count data are limited.
procedure	Would like to receive credit for ongoing maintenance (e.g. PIMA).	Fees are intended to only be used for land acquisition or capital improvements such as new park amenities. This intention may be in conflict with assigning credit for ongoing maintenance. Case law will need to be further reviewed so as to support credit for maintenance, as it is not a capital cost, whereas parkland dedication is meant for facilities expansion.
procedure	How much increase is parkland is this estimating that the city will receive in 1/5/10 years?	It is anticipated that a commercial parkland dedication requirement could generate approximately \$4 million in annual fees. Based on the current cost to acquire parkland, this could be used acquire 11 acres annually.
procedure	If office is paying into parks are the park amenities specific to the use (i.e. not playgrounds or splash pads) but uses relevant to office users(trails, exercise equipment, etc.)	If amenities are constructed by the applicant, they develop the amenities plan in coordination with PARD staff with consideration of the future occupants of the site. If amenities are to be constructed by PARD, depending on the size of the dedication parkland, a community visioning process would be used to determine the amenities within the park.
requirements	Will there be a mechanic to adjust the requirement based on surrounding land context (a worker in an office at the edge of the city vs urban core will have different demand)?	Yes, the park deficiency map is adjusted using the boundaries of the ‘Urban Core’. This map is a factor in determining whether parkland dedication requirements should be met with land dedication or fees-in-lieu. A commercial development outside of the ‘Urban Core’ is subject to a ¼ mile walking distance service area, meaning there is a greater distance between park deficient areas outside the Urban Core to account for the surrounding land context. A commercial development inside the ‘Urban Core’ is subject to a ¼ mile walking distance service area, meaning there is a smaller distance between park deficient areas, creating a more frequent occurrence of parkland dedication requirements being satisfied w land dedication.
requirements	Is this ordinance applied to only new development?	Yes: Parkland dedication is a local government requirement imposed on subdivision and site plan applications mandating the dedication of land for a park and/or the payment of a fee to be used by the governmental entity to acquire land and/or develop park facilities
requirements	When/if downtown becomes built out and your site has already paid. What happens when that building gets demolished and another one goes in?	Net new units or square footage would be required to satisfy any parkland dedication requirements. Square footage or units that have previously satisfied parkland dedication requirements would not be required to satisfy them again. See existing exemption language: "§ 25-1-601 - GENERAL PROVISIONS. C) The following are exempt from the requirements of this article:(1)a subdivision or site plan for which parkland was previously dedicated or payment made under this title, except for the dwelling units or lots that exceed the number for which dedication or payment was made;(2)development within the City's extraterritorial jurisdiction that is within Travis County and governed by Title 30 (Austin/Travis County Subdivision Regulations); and(3)affordable dwelling units that are certified under the S.M.A.R.T. Housing Policy approved by the city council."

Category	Question	Response
requirements	Can you symbolize which numbers in your formula are static and which are annually updated.	In each of the formulas below Occupancy Rate and Percent Commuter will be updated annually: Office: 300 sq ft / person X occupancy rate for use (92 percent) X operation time (23.8 percent) X percent commuter (58 percent) Retail: 550 sq ft / person X occupancy rate for use (95 percent) X operation time (37.5 percent) X percent commuter (58 percent) Industrial: 2,500 sq ft / person X occupancy rate for use (94 percent) X operation time (70.8 percent) X percent commuter (58 percent) Hotel: 1,500 sq ft / person X operation time (70.8 percent) X percent commuter (58 percent) Additionally, the per person Parkland Cost Factor and Park Development Cost Factor used to calculate the fee-in-lieu of dedication and park development fee are updated annually as with the existing residential ordinance. See existing formula: (2)For purposes of determining the fee in-lieu under Subsection (C)(1): Land Cost Per Person = Parkland Cost Factor / Parkland Level-of-Service, where: (a)"Parkland Cost Factor" is determined by the director based on the average purchase price to the City for acquiring an acre of parkland, excluding a metro or district park or golf course; and(b)"Parkland Level-of-Service" is: City Population / Net Park Acreage, where "City Population" is determined by the city demographer and "Net Park Acreage" is the total citywide acreage of neighborhood parks, pocket parks, and greenways, as determined by the director prior to adoption of the annual fee ordinance by the city council. (2)For purposes of determining the development fee under Subsection (B)(1): Park Development Cost = Park Development Cost Factor / Park Facilities Level-of-Service, where: (a)"Park Development Cost Factor" is determined by the director based on the average cost of developing an acre of parkland up to the standards of a neighborhood park; and(b)"Park Facilities Level-of-Service" is: City Population / Number of Developed Parks, where "City Population" is determined by the city demographer and "Number of Developed Parks" is the total number of parks developed with a recreational amenity or trail, as determined by the director prior to adoption of the annual fee ordinance by the city council. The formula is also found in Exhibit C.
requirements	How often is land required? How often is ALL land required.	Currently we estimate that land is required for residential developments about 10% of the time. It is typical for a development to satisfy the parkland requirement with a combination of land dedication and fees-in-lieu. It is rare for a development to satisfy 100% of their land requirement with land dedication, it is more likely that a portion will be satisfied by land dedication and the rest by payment of fees-in-lieu. New commercial developments account for approximately 11% of all new development in Austin based on square feet submitted for development review. Since there is a lower frequency of commercial development applications, there will likely be a lower frequency of land dedication requirements. The land requirement for commercial developments will be determined utilizing criteria matching or similar to the current residential criteria: § 25-1-605 - FEE IN-LIEU OF PARKLAND DEDICATION. (A)The director may require or allow a subdivision or site plan applicant to deposit with the City a fee in-lieu of parkland dedication under Section 25-1-602 (Dedication of Parkland) if:(1)the director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B) of this section; and(2)the following additional requirements are met:(a)less than six acres is required to be dedicated under Section 25-1-602 (Dedication of Parkland); or(b)the land available for dedication does not comply with the standards for dedication under Section 25-1-603 (Standards for Dedicated Parkland).(B)In determining whether to require dedication of land under Section 25-1-602 (Dedication of Parkland) or allow payment of a fee in-lieu of dedication under this section, the director shall consider whether the subdivision or site plan:(1)is located within the Deficient Park Area Map;(2)is adjacent to existing parkland;(3)has sufficient acreage to meet the standards for dedicated parkland under the Parkland Dedication Operating Procedures;(4)is needed to address a critical need for parkland or to remedy a deficiency identified by the Deficient Park Area Map; or(5)would provide increased connectivity with existing or planned parks or recreational amenities.
requirements	Is the fee calculated on lot size or building size? Before we start paying fees for site plan, we need to know what we are on the hook for.	Fee is calculated based on building size, measured in square feet. As with the residential ordinance, the fee schedule would be posted on the Parkland Dedication webpage as well as the Development Services Fee webpage. Additionally, commercial properties would be included in the PED process as with residential development. A Parkland Early Determination (PED) is a process which allows the Parks and Recreation Department (PARD) to review a project early to determine parkland requirements: land dedication; payment of a fee in-lieu; or a combination of fee and land. This process and the resulting document are required as part of any subdivision application, with the exception of a Project Assessment (these will have a PED generated as part of the review).
requirements	Residential fee- is there an operation hour in that calculation?	The residential fee does not include an operation hour in the calculation. This is because a resident is assumed to live, shop, work and recreate in Austin 100% of the time, they count for 1 whole person in the ordinance. Conversely, the Commuter Commercial Parkland Dedication Ordinance intends to capture a population that only has the opportunity to utilize the park part of the day/week. Each commuter captured in the new ordinance represents a percentage of a full-time resident. The existing ordinance does provide a factor for calculating the number of residents per dwelling unit, ranging from 1.7 people per high density unit (multifamily/apartment) and 2.8 people per low density unit (single family homes). The existing ordinance also adjusts an annual occupancy rate for hotel rooms based on annual reporting. This number is updated to reflect the percentage of hotel rooms that are occupied each year.
requirements	Define district and metro parks, those that are excluded from the total park service acreage. Explain why metro and district parks are not included in either residential or commercial park level of service.	According to the PARD Long-Range Plan, district parks are parks between 31-200 acres. Metro parks are parks over 200 acres. District and Metro parks are considered 'destination' parks with service areas beyond their immediate neighborhood. These parks are more likely to be funded by bonds than parkland dedication.
requirements	Explain why metro and district parks are not included in either residential or commercial park level of service.	District and Metro parks are considered 'destination' parks with service areas beyond their immediate neighborhood.

Category	Question	Response
requirements	Who decides whether the requirement will be met with fee or land dedication?	PARD planners review each and every project to determine how the parkland dedication requirements will be met according to dedication criteria written in the code (25-1-605). These criteria include adjacency to existing parkland, location within a park deficient area, total number of acreage generated by the development, location along a greenbelt or trail system etc. In approximately 90% of developments, the parkland dedication requirement is satisfied by fees-in-lieu. See existing language below: § 25-1-605 - FEE IN-LIEU OF PARKLAND DEDICATION. (A)The director may require or allow a subdivision or site plan applicant to deposit with the City a fee in-lieu of parkland dedication under Section 25-1-602 (Dedication of Parkland) if:(1)the director determines that payment of a fee in-lieu of dedication is justified under the criteria in Subsection (B) of this section; and(2)the following additional requirements are met:(a)less than six acres is required to be dedicated under Section 25-1-602 (Dedication of Parkland); or(b)the land available for dedication does not comply with the standards for dedication under Section 25-1-603 (Standards for Dedicated Parkland).(B)In determining whether to require dedication of land under Section 25-1-602 (Dedication of Parkland) or allow payment of a fee in-lieu of dedication under this section, the director shall consider whether the subdivision or site plan:(1)is located within the Deficient Park Area Map;(2)is adjacent to existing parkland;(3)has sufficient acreage to meet the standards for dedicated parkland under the Parkland Dedication Operating Procedures;(4)is needed to address a critical need for parkland or to remedy a deficiency identified by the Deficient Park Area Map; or(5)would provide increased connectivity with existing or planned parks or recreational amenities.
requirements	Residential fee- is there an operation hour in that calculation?	The residential fee does not include an operation hour in the calculation. This is because a resident is assumed to live, shop, work and recreate in Austin 100% of the time, they count for 1 whole person in the ordinance. Conversely, the Commuter Commercial Parkland Dedication Ordinance intends to capture a population that only has the opportunity to utilize the park part of the day/week. Each commuter captured in the new ordinance represents a percentage of a full-time resident. The existing ordinance does provide a factor for calculating the number of residents per dwelling unit, ranging from 1.7 people per high density unit (multifamily/apartment) and 2.8 people per low density unit (single family homes). The existing ordinance also adjusts an annual occupancy rate for hotel rooms based on annual reporting. This number is updated to reflect the percentage of hotel rooms that are occupied each year.
requirements	Could the project ‘only’ dedicate land or pay the fee? If they’re dedicating land, could the rest of the fee be excused?	Parkland dedication can be satisfied by dedication of land, payment of fee or a combination. In every case 100% of the parkland dedication requirement must be satisfied. If the development dedicates a portion of the land owed (which represents the new need generated by the new people in the development), then they may satisfy the remainder of the requirement with payment of fees-in-lieu or invest in the park’s development.
requirements	Why are we not considering the time before and after work that the employees utilize park time? The warehouse operation time is set at the park hours, but the office and industrial operation times are much lower, even though our parks are impacted before and after work by those employees. Shouldn’t all the operation times be at 0.71 percent- the hours the parks are open?	The operation hours of the commercial development are used as a factor in quantifying an employee's relative opportunity to access parkland. Operation hours indicate when employees would be occupying any given commercial development and thus impacting the park level of service surrounding the development. While it may be likely that employees use parks outside of these hours, it is assumed that they are more likely to use parks adjacent to their residences at this time.
requirements	Anticipated commercial PLD funds annually (or an example, in 2021 if commercial PLD had been in place we would have been able to get X acres of parkland)	Please see the attached Exhibit B showing a ratio of parkland funding between bond funds, residential parkland dedication fees and projected commercial parkland dedication fees. In 2021, 1,182,000 industrial square feet, 1,105,698 office square feet, 707,000 hotel square feet and 547,149 retail square feet were permitted, approximately 10 acres of new parkland demand would have been generated. In 2021, those commercial developments would have owed \$4.3 million in fees-in-lieu of land. More important than the number of acres or amount of fees owed is the expanded access to parkland that could have been provided with those commercial developments. Several critical connections and greenbelt gaps could have been closed throughout the city, including along Bull Creek Greenbelt, Williamson Creek Greenbelt, Little Walnut Creek Greenbelt, West Bouldin Creek Greenbelt to name a few.
requirements	Clarifying questions about the number of units and the functional population. Recommended updates to the presentation for clarity.	The presentation has been updated to show the number of actual employees as well as the functional population of each example. See project webpage.
requirements	Will parks at commercial developments be open to the public?	Yes, as with the existing residential parkland dedication ordinance: If private parkland is allowed, a recreation easement allowing public use must be recorded prior to site plan or subdivision approval.
requirements	How is the percent commuter number calculated?	The data used is the most recent (2019) Longitudinal Employment Household Dynamics (LEHD) data available from the United States Census through the CensusontheMap online tool: https://onthemap.ces.census.gov/ . This figure is to be updated annually with the latest available data. The data published has a 3 year lag, but is the most accurate data available. The FY 2023 Commercial Parkland Fees reflect 2019 commuter data, the FY 2024 Commercial Parkland Fees is anticipated to reflect 2020 commuter data, etc.
requirements	And what does this do if the operation hours are increases (Tesla, and other manufacturing facilities operate 24/7!)	Though many industrial uses operate 24/7, the parkland dedication formula operation hours are capped at park operation hours (70.8%) as employees are not able to access park spaces outside of these times. This is to ensure the ordinance is roughly proportionate to the potential impact of the employees on the park system.
requirements	Does the parkland on site have to be put in an easement to be counted toward dedicated parkland?	Yes, as with the existing residential parkland dedication ordinance: If private parkland is allowed, a recreation easement must be recorded prior to site plan or subdivision approval. This ensures the public can access the parkland in perpetuity.
requirements	In the mixed use example, will the dedication requirement be the sum of residential requirement and the office requirement?	The total requirements of the development would be the sum of the residential and the commercial requirements.

Category	Question	Response
requirements	What exactly are "the occupancy rates of leased office space"? What source is being used?	The occupancy rates are 'market' occupancy rates representing the total percentage of each use class that is leased. The occupancy rates for Office and Industrial were derived from the Austin Area Profile published by the Austin Chamber of Commerce for Q1 of 2022 and the Retail occupancy rate was derived from a report published by NAI Partners for Q1 2022.
requirements	Is there a downtown site example you can demonstrate?	A downtown office example will be included in the updated Nexus study.
requirements	(D)(14) if we are including medical offices, we should look at the office calculation differently. Medical offices have very few daytime employees and instead more visitors.. so densities used for other types of office would not apply. You would likely need to break this out into further categories, for both office, industrial and retail because sub-uses of those types have very different densities, and an average very much punishes certain types of development.	Densities are derived from the U.S. Green Building Council estimates. According to the Green Building Council, Medical Office have a greater employee density than Professional Offices at 225 sf per employee.
requirements	Similarly to the above, some industrial developments operate at regular office hours--since these fees are being levied before the building is on the ground, will there be a way to adjust to not punish people from deviating from the averages you list for each category?	Operation hours are based on researched estimates of the typical operating hours of each use type. Should a development change the amount of permitted square footage, the applicant will be able to seek a refund. Note that operation hours function as discount on the actual number of employees present based on square footage. Operation hours are capped across all uses to the parks' operations hours.
requirements	Why do you count hours of operation for the developments when your chart shows that people likely use parks for one hour before and two hours after their shift (rather than during)? Shouldn't you then count 3-4 hours a day (with lunch hour added) as the number of hours the parks would be used?	Operation hours are an indicator of when a commuting employee may be in the area with the opportunity to access public parkland and amenities and thereby impacting the park level of service.
requirements	How does this PLD commercial proposal account for overlapping usage hours? That is, residents and employees would typically use the parks at different days and times. Does the PLD Commercial proposal address that a park provided by either type of project will be shared?	In a mixed-use development, a single park could be used toward the combined requirements of each use. That is if the residential portion created the demand for .75 acres of parkland and the commercial portion created the demand for .25 acres of parkland, then a single 1 acre park would satisfy the entirety of the requirements. Residential and commercial developments in proximity to one another will both invest into the parks system within that service area through additional park acquisitions and development.
requirements	Where did you get your retail occupancy numbers? Whole Foods doesn't have one employee per 550 sf.	Employee densities are derived from the U.S. Green Building Council. Employee densities for general retail are stated at 550 sf per employee and Grocery employee densities are 550 sf per employee.
requirements	Regarding a downtown resi or hotel development, has the city produced research outlining how the existing residential and hotel PLD fees have been used to mitigate "the needs created by said development" on the availability of park space elsewhere in the city?	Fees are expended within geographic proximity of where they were paid, per City Code requirements. Downtown residential and hotel development is not used to mitigate the needs created by said development on the available of park space elsewhere in the city. Fee expenditure can be tracked on the City's interactive map. Residential parkland dedication funds from downtown have been invested into Town Lake, Waller Creek, Waterloo Park, Brush Square, Shoal Creek, and the historic Wood Street.

PARKLAND DEDICATION FINANCING CASE EXAMPLE



MAINTAINING A PARKS SYSTEM FOR ALL

Growing municipality has Three Options

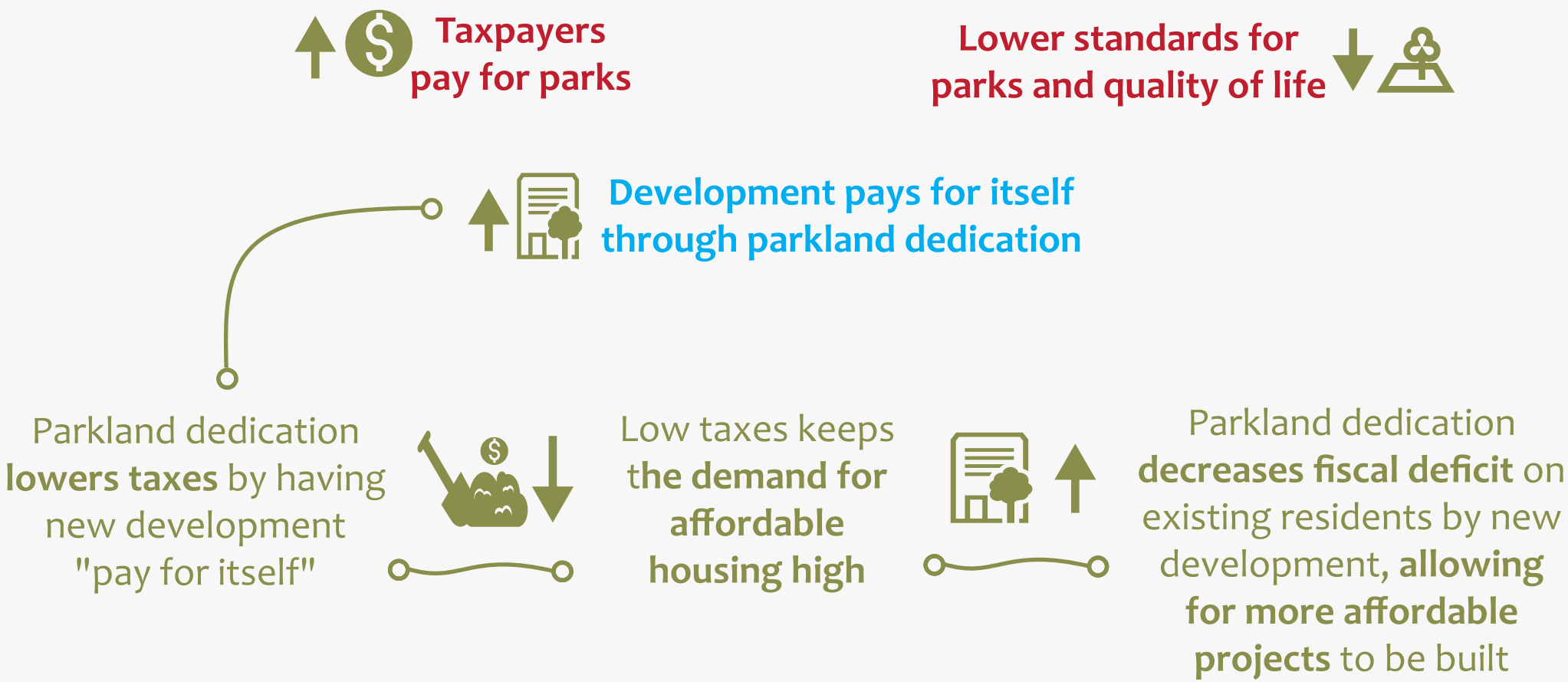
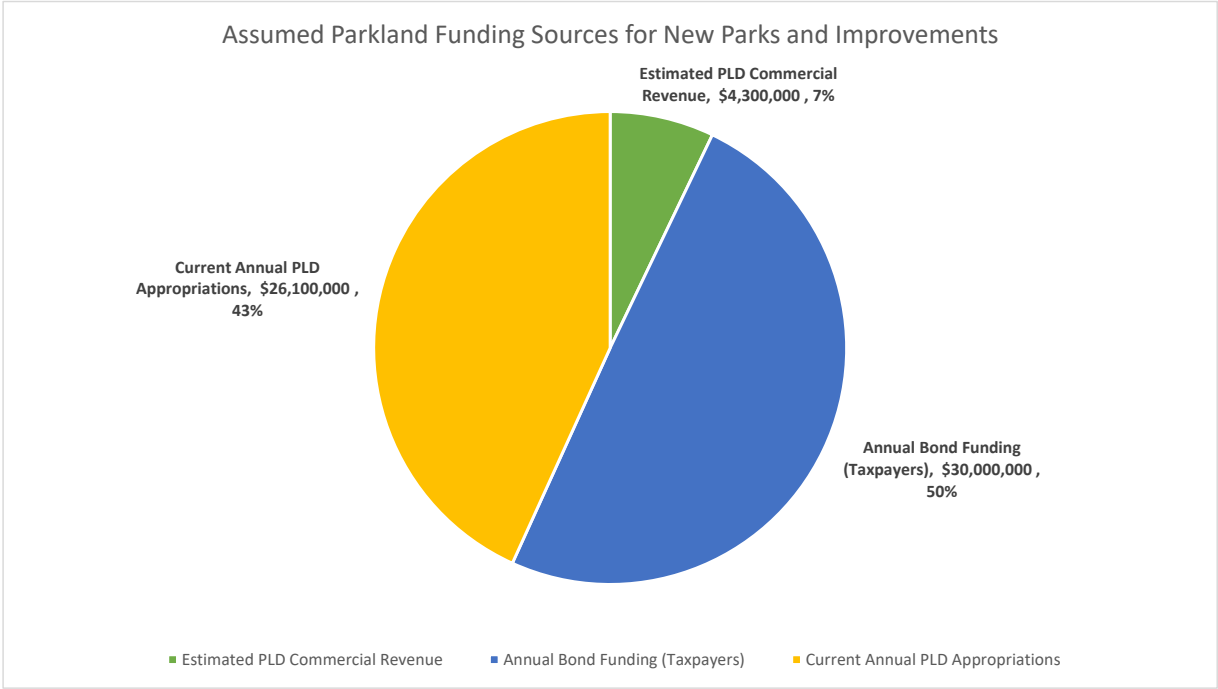


EXHIBIT B



DRAFT 2022-2023 Commuter Commercial Parkland Fee Calculation Methodology

In 2022 the City Council approved Ordinance XXXXXXXXXX which created a formula to determine the commercial fees required in-lieu of parkland dedication. The Ordinance requires an annual adoption of the parkland dedication fees during the annual fee schedule process. The fee calculation methodologies are established in § 25-X-XXX

The below 2022-2023 fees reflect the Council approved calculation methodology to be adopted annually. Several of the variables in the formula are static from year to year, including the square feet per person and the operations hours. Some of the variables will be reevaluated each year based on publicly available data, such as the occupancy rate and the percent commuter workforce, as well as the fees-in-lieu of parkland land dedication and park development. The only variable in the above formula that is unique to the new development is the total square feet of the development.

Variables	Calculation Factor	Description
Fee In-Lieu of Land		
Parkland Level of Service	96.70 Service Population per 1 acre	Service Population / Park Acres
Park Acres	10,086.32	Park Acres (excludes Metro and District Parks)
City Population	975,321 (2021 Population)	Current City Population
Parkland Cost Factor	\$365,653.44 per acre	Average land cost of acres purchased over the last five years
Park Development		
Facilities Level of Service	4,046.98 Service Population per park	Service Population / Number of Developed Parks
Number of Developed Parks	241	Count of all developed parks
City Population	975,321 (2021 Population)	Current city population
Park Development Cost Factor	\$1,423,928.42	Cost of developing one Neighborhood Park
Functional Population		
Office Employee Density	300 sq ft / person	U.S. Green Building Council estimate of the square feet per person in LEED BD+C: New Construction v4 - LEED v4. Appendix 2. Default occupancy counts
Office Occupancy	0.92	Austin area occupancy rates derived from the Chamber of Commerce 'Austin Area Profile' reflecting occupancy by use in Q2 2021
Office Operation Hours	0.238	Office use occurs 5 out of 7 days of the week, and 8 hours a day, equal to 23.8 percent (40 hours out of 168 hours a week) operation occupancy.
Retail Employee Density	550 sq ft / person	U.S. Green Building Council estimate of the square feet per person in LEED BD+C: New Construction v4 - LEED v4. Appendix 2. Default occupancy counts
Retail Occupancy	0.95	Retail occupancy rates derived from NAI Partners report published in Q2 2021
Retail Operation Hours	0.375	Retail use occurs 7 days of the week, and an average of 9 hours a day for operation, equal to 37.5 percent (63 hours out of 168 hours a week) operation occupancy

Industrial Employee Density	2,500 sq ft / person	U.S. Green Building Council estimate of the square feet per person in LEED BD+C: New Construction v4 - LEED v4. Appendix 2. Default occupancy counts
Industrial Occupancy	0.94	Austin area occupancy rates derived from the Chamber of Commerce 'Austin Area Profile' reflecting occupancy by use in Q2 2021
Industrial Operation Hours	0.708	Industrial use occurs 24 hours every day of the week, equal to 100 percent, but is capped to park operation hours from 5 am to 10 pm, 70.8 percent.
Hotel Employee Density	1,500 sq ft / person	U.S. Green Building Council estimate of the square feet per person in LEED BD+C: New Construction v4 - LEED v4. Appendix 2. Default occupancy counts
Hotel Operation Hours	0.708	Hotel/motel use occurs 24 hours every day of the week, equal to 100 percent, as staff is necessary to maintain building operations but operations hours are capped at 70.8 percent to reflect park hours.
Commuter Workforce	0.58	Percent of Austin's total workforce population that commutes into Austin from other Jurisdictions

A. Fee In-lieu of Land Formula

STEP 1. Land Cost Per Service Population = Parkland Cost Factor/Parkland Level of Service

$$\text{Land Cost Per Service Population} = \frac{365,653.44 \text{ per acre}}{96.70 \text{ Service Population per Acre}} = \$3,781.32 = \$3,781.32$$

STEP 2. Land Cost Per Sq Ft = (Land Cost Per Service Population / Employee Density) X Occupancy X Operation Hours

$$\text{Office} - \text{Land Cost Per Sq Ft} = \left(\frac{3,781.32}{300 \text{ Sf/Employee}} \right) \times 92\% \times 23.8\% \times 58\% = \$1.6007 \text{ Per Sq Ft}$$

$$\text{Retail} - \text{Land Cost Per Sq Ft} = \left(\frac{3,781.32}{550 \text{ Sf/Employee}} \right) \times 95\% \times 37.5\% \times 58\% = \$1.4206 \text{ Per Sq Ft}$$

$$\text{Industrial} - \text{Land Cost Per Sq Ft} = \left(\frac{3,781.32}{2,500 \text{ Sf/Employee}} \right) \times 94\% \times 70.8\% \times 58\% = \$0.5838 \text{ Per Sq Ft}$$

$$\text{Hotel} - \text{Land Cost Per Sq Ft} = \left(\frac{3,781.32}{1,500 \text{ Sf/Employee}} \right) \times 70.8\% \times 58\% = \$1.0352 \text{ Per Sq Ft}$$

STEP 3. Fee in-Lieu of Land = Sq Ft of Development x Land Cost Per Sq Ft

Office – Fee in-Lieu of Land = **Sq Ft of Development** × \$1.6007

Retail – Fee in-Lieu of Land = **Sq Ft of Development** × \$1.4206

Industrial – Fee in-Lieu of Land = **Sq Ft of Development** × \$0.5838

Hotel – Fee in-Lieu of Land = **Sq Ft of Development** × \$1.0352

B. Park Development Fee Formula

STEP 1: Development Cost Per Service Population = Facilities Level of Service / Service Population

$$\text{Development Cost Per Service Population} = \frac{1,423,928.42 \text{ park development cost factor}}{4,046.98 \text{ Service Population per Developed Park}} = \$351.85$$

STEP 2: Development Cost Per Sq Ft = (Development Cost Per Service Population / Employee Density) X Occupancy X Operation Hours

$$\text{Office} - \text{Development Cost Per Sq Ft} = \left(\frac{351.85}{300 \text{ Sf/Employee}} \right) \times 92\% \times 23.8\% \times 58\% = \$0.1489 \text{ Per Sq Ft}$$

$$\text{Retail} - \text{Development Cost Per Sq Ft} = \left(\frac{351.85}{550 \text{ Sf/Employee}} \right) \times 95\% \times 37.5\% \times 58\% = \$0.1322 \text{ Per Sq Ft}$$

$$\text{Industrial} - \text{Development Cost Per Sq Ft} = \left(\frac{351.85}{2,500 \text{ Sf/Employee}} \right) \times 94\% \times 70.8\% \times 58\% = \$0.0543 \text{ Per Sq Ft}$$

$$\text{Hotel} - \text{Development Cost Per Sq Ft} = \left(\frac{351.85}{1,500 \text{ Sf/Employee}} \right) \times 70.8\% \times 58\% = \$0.0963 \text{ Per Sq Ft}$$

STEP 3. Park Development Fee = **Sq Ft of Development** x Land Cost Per Sq Ft

$$\text{Office} - \text{Park Development Fee} = \text{Sq Ft of Development} \times \$0.1489$$

$$\text{Retail} - \text{Park Development Fee} = \text{Sq Ft of Development} \times \$0.1322$$

$$\text{Industrial} - \text{Park Development Fee} = \text{Sq Ft of Development} \times \$0.0543$$

$$\text{Hotel} - \text{Park Development Fee} = \text{Sq Ft of Development} \times \$0.0963$$

C: Total Parkland fee-in-lieu + Park Development Fee:

$$\text{Office} - \$1.6007 + \$0.1489 = \mathbf{\$1.7497 \text{ Per Sq Ft}}$$

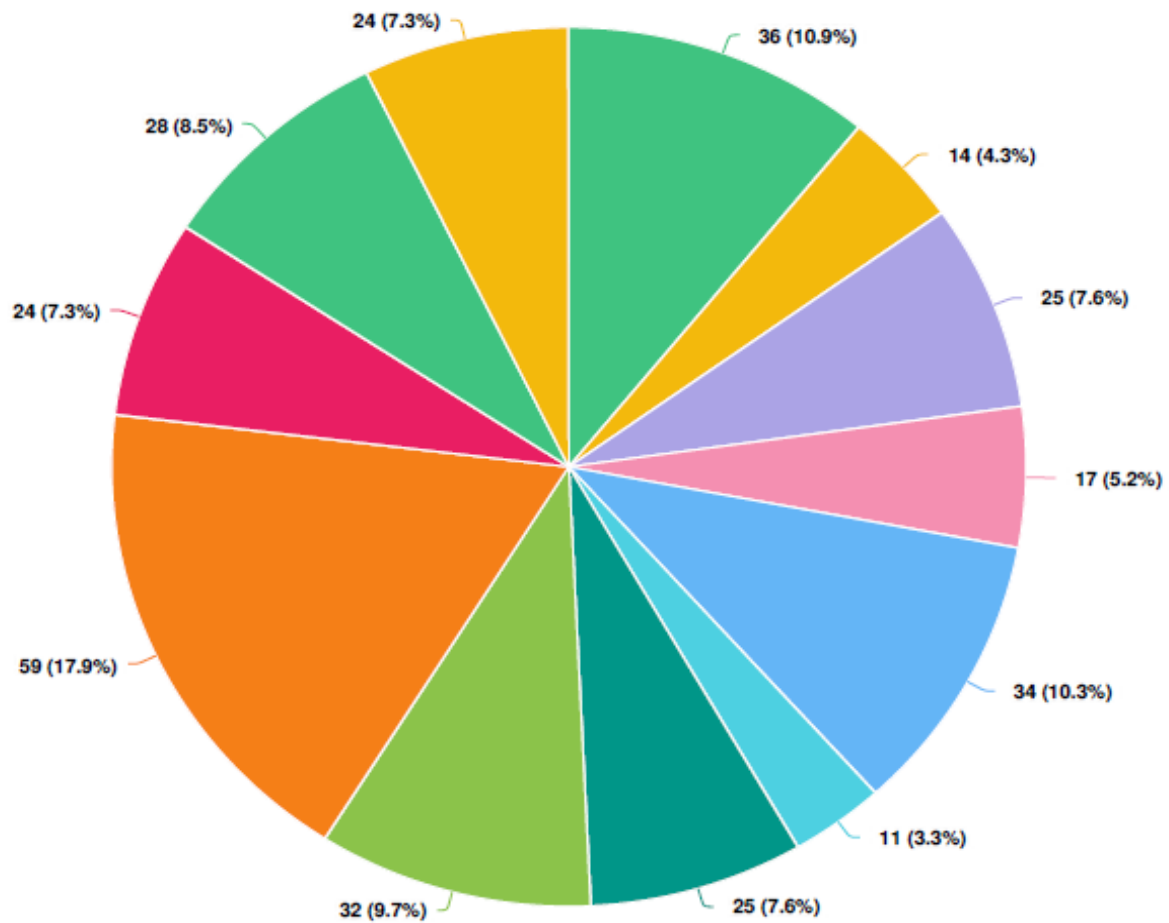
$$\text{Retail} - \$1.4206 + \$0.1322 = \mathbf{\$1.5528 \text{ Per Sq Ft}}$$

$$\text{Industrial/Warehouse} - \$0.5838 + \$0.0545 = \mathbf{\$0.6382 \text{ Per Sq Ft}}$$

$$\text{Hotel} - \$1.0352 + \$0.0963 = \mathbf{\$1.1315 \text{ Per Sq Ft}}$$

EXHIBIT D

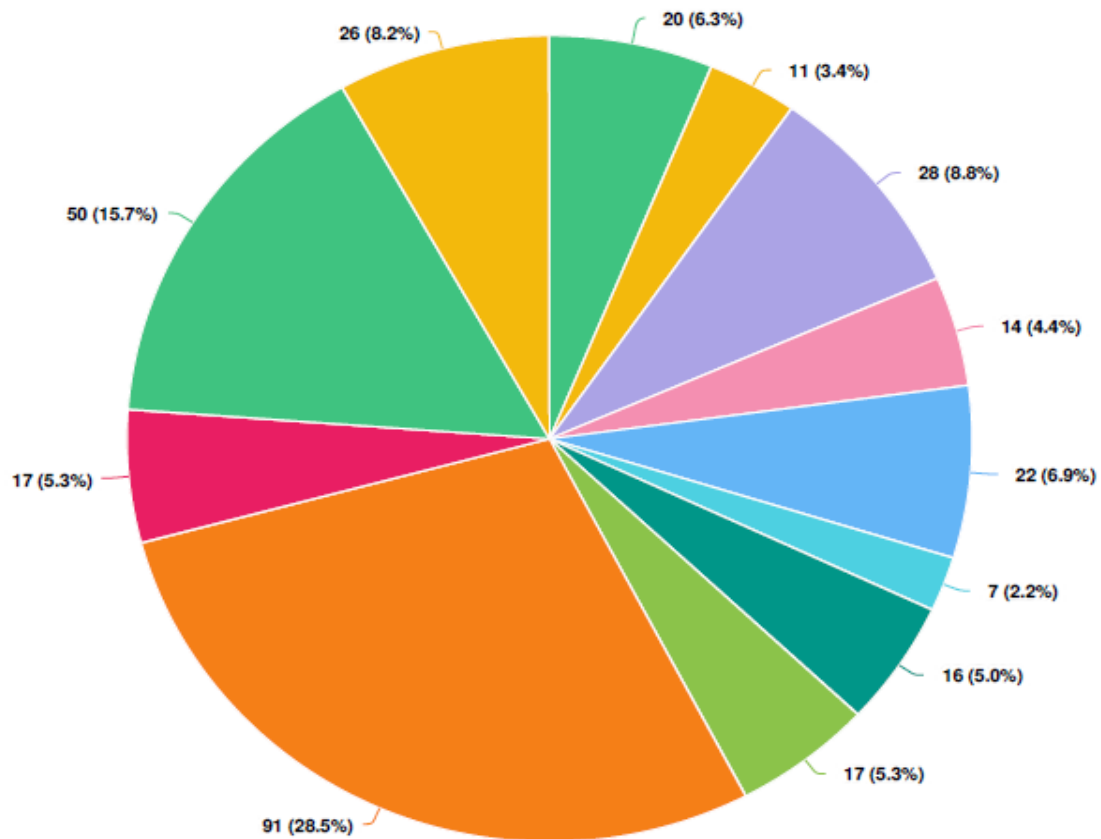
Q14 If you live in Austin, which City Council District do you live in? Find your district here: <https://www.austintexas.gov/GIS/CouncilDistrictMap/>.



Question options

- District 1 (Natasha Harper-Madison)
- District 2 (Vanessa Fuentes)
- District 3 (Sabino "Pio" Renteria)
- District 4 (Jose "Chito" Vela)
- District 5 (Ann Kitchen)
- District 6 (Mackenzie Kelly)
- District 7 (Leslie Pool)
- District 8 (Paige Ellis)
- District 9 (Kathie Tovo)
- District 10 (Alison Alter)
- I live in Austin, not sure which district
- I do not live in Austin

Q15 If you work in Austin, which City Council District do you work in? Find your district here: <https://www.austintexas.gov/GIS/CouncilDistrictMap/>.



Question options

- District 1 (Natasha Harper-Madison)
 ● District 2 (Vanessa Fuentes)
 ● District 3 (Sabino "Pio" Renteria)
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- District 8 (Paige Ellis)
 ● District 9 (Kathie Tovo)
 ● District 10 (Alison Alter)
 ● I work in Austin, not sure which district
- I do not work in Austin