

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2023-027, Parkland Dedication Ordinance Repeal and Replace

Description: Amend City Code Title 25 to repeal and replace Article 14 Parkland Dedication as required by House Bill 1526.

Background:

On June 10, 2023, House Bill 1526 was signed into law. The new state law concerns parkland dedication in cities with more than 800,000 residents and will apply to new site plan and subdivision applications, submitted on or after January 1, 2024.

To ensure that the City complies with the new law, the current parkland dedication ordinance must be repealed and replaced with a new ordinance. The law provides limited discretion for these changes and prescribes formulas for dedication of land and fees-in-lieu of parkland dedication. It applies only to site plan and subdivision applications that include multifamily or hotel/motel uses. Certified affordable units, which are exempt from parkland requirements under existing code, will continue to be exempt. The law does not propose additional requirements for single family applications. It preempts the City from placing any parkland requirements on commercial development. The law also refers to other administrative changes listed on the term sheet. The term sheet will serve as a primary reference for the City's Legal Department in drafting the new ordinance.

To comply with the law, the new ordinance must be approved no later than December 1, 2023, and must go into effect by January 1, 2024.

Summary of Proposed Code Amendment: See attached term sheet summary.

Code Amendment Text: Pending final text from the City of Austin Law Department

Staff Recommendation: Recommended

Staff recommends adoption term sheet language to comply with state law (HB1526)

Board and Commission Action:

Parks and Recreation Board - 09/25/23, briefing only

Codes and Ordinances Joint Committee, to be heard on 10/18/23

Parks and Recreation Board – 10/23/23, recommendation on term sheet

Planning Commission, to be heard on 10/24/23

Council Action: Repeal and replace parkland dedication ordinance to comply with state law (HB 1526) 11/09/2023

Sponsor Department: Parks and Recreation Department

City Staff: Scott Grantham, Principal Planner, Scott.Grantham@austintexas.gov,

(512) 974-9457