

Austin Parks and Recreation Department

HB 1526 and Impacts to Parkland Dedication in Austin

Parks and Recreation Board. October 23rd, 2023

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Overview

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- Changes to Parkland Dedication Ordinance
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- Questions

Background

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| Signed into Law | June 10, 2023 |
| Impacts | Texas cities with population over 800,000 |
| Applies to | Site plan and subdivision applications |
| Adoption deadline | December 1, 2023 |
| Effective date (for new applications) | January 1, 2024 |

Changes to the PLD Ordinance

Existing PLD Requirements

9.4 acres of parkland per 1,000 residents

Commercial PLD Requirements

Based on **nexus** between new development and impact on parkland

Parkland dedication **capped at 15% in urban core & NOT capped** in suburban area

PLD fees paid at time of development permit (site plan or final plat)

New HB 1526 PLD Requirements

0.075 - 3 acres of parkland per 1,000 residents

No Commercial PLD Requirements

Based on assumption that residents expect less **parkland in increasingly urban environments**

Parkland dedication **capped at 10% city-wide**

PLD fees paid at time of Certificate of Occupancy (CO)
(1-to-5-year delay in fee collection)

Term Sheet

- Applies to **multifamily and hotel/motel**; single and two-family not affected.
- City-wide designated geographic areas as “CBD, Urban and Suburban” to set average appraised property values for fee collection. **Staff proposed areas are consistent with Imagine Austin.**
- Parkland dedication can be satisfied with fee payment and or land dedication.

- **Formula if satisfying by fee payment:**

$$\text{Residential Fee} = \frac{DU \times .005 \times \text{Avg Land Value of Area}}{\text{Density Factor (1, 4 or 40)}}$$

$$\text{Hotel Fee} = \frac{DU \times .004 \times \text{Avg Land Value of Area}}{\text{Density Factor (1, 4 or 40)}}$$

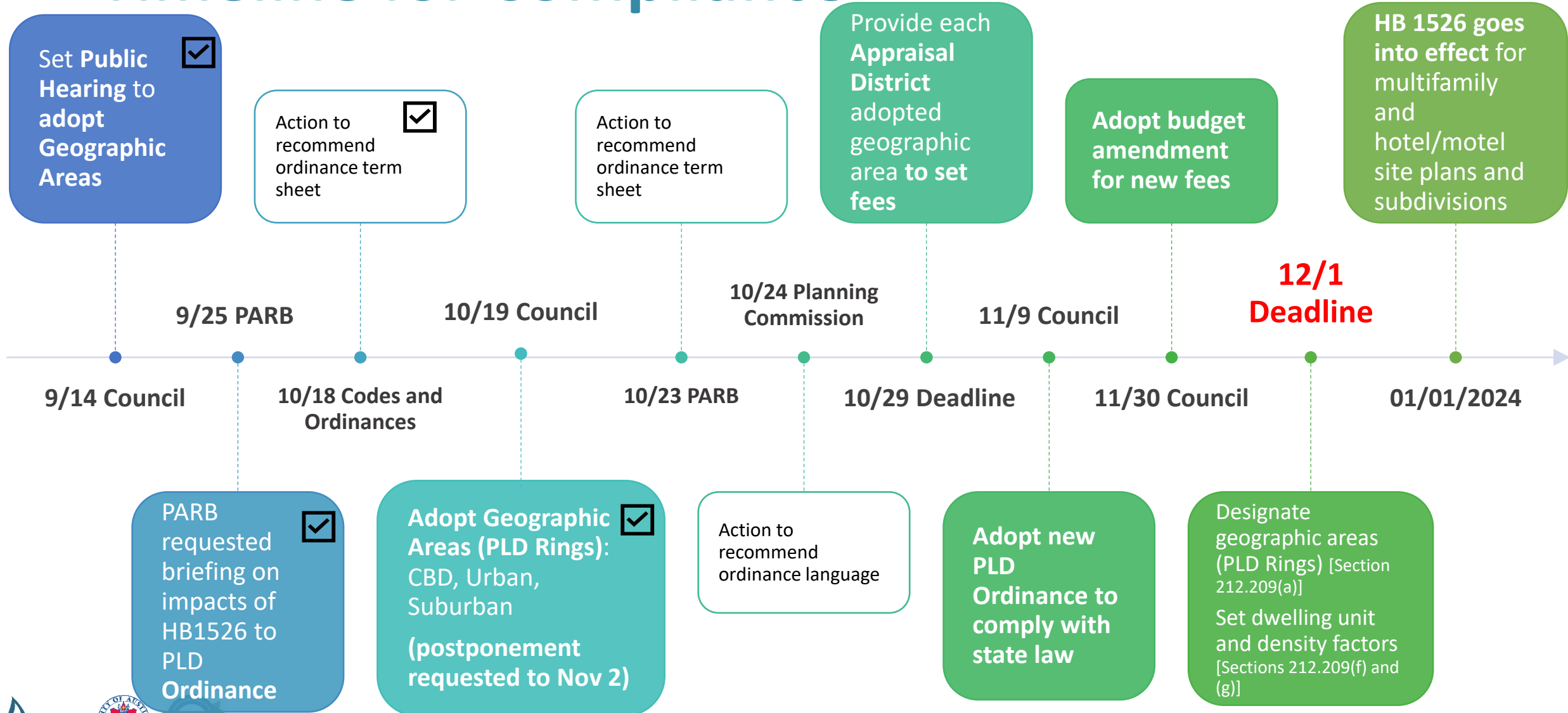
- **Formula if satisfying by land dedication:**

$$\text{Remaining Fee} = \text{Fee} \left(\frac{DU \times .005 \times \text{Avg Land Value of Area}}{\text{Density Factor (1,4 or 40)}} \right) - \text{Value of Parkland (Acres} \times \text{Avg Land Value of Area)}$$

Term sheet

- Only one fee type which can be used for acquisition or construction of new amenities.
- Dwelling unit and density factors prescribed by the bill set the new parkland level of service **between roughly 0.075 and 3 acres per 1,000 people.**
- Modified Appeals processes: **any park requirement can be appealed to Planning Commission**, and decision can be appealed to Council.
- Modified Standards for Dedicated Parkland and Private Parkland.
- Mentioned on Slide 4: **Commercial development exempt, Fees paid prior to Certificate of Occupancy, Modified PED Review, Land dedication capped at 10%.**

Timeline for Compliance



Questions?