

ORDINANCE AMENDMENT REVIEW SHEET

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

Description: Repeal and Replace Article 14 to comply with HB 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To ensure that the City complies with the new law, the current parkland dedication ordinance must be repealed and replaced with a new ordinance.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 in 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 which are 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 Legal Department

Staff Recommendation: Repeal and replace parkland dedication ordinance to comply with state law (HB 1526)

Board and Commission Action:

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

Codes and Ordinances Joint Committee, 10/18/23 recommendation of term sheet

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

Planning Commission, 11/14/23, recommendation of ordinance language

Council Action: Repeal and replace parkland dedication ordinance to comply with state law (HB 1526) 11/30/2023

Sponsor Department: Parks and Recreation

City Staff: Scott Grantham, principal planner

