



AGENDA ITEM SUMMARY FORM

MEETING DATE: 2/22/2022

PREPARED BY: Megan Mainer, Director of Parks & Recreation

AGENDA CONTENT: Discussion and possible action fully repealing and replacing Chapter 23 – Land Development Code, Article II. – Subdivision and Development Design, Section 23-20. – Park Dedication and Recreation Improvements; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

AGENDA ITEM SECTION: Regular Agenda

BUDGETED AMOUNT: NA

FUNDS REQUESTED: NA

FUND: NA

EXECUTIVE SUMMARY:

The City's Strategic Plan notes park development fees will be assessed. Overall, our current Parkland Dedication ordinance outlined in the LDC has errors, omissions, unworkable and impractical provisions that staff recognized needed to be updated. In March 2020, staff was authorized to hire Dr. John Crompton from Texas A&M to assist with revisions of the City of Angleton's Parkland Dedication ordinance. Dr. John Crompton's expertise is set out below:

- Former member of the 7-person College Station City Council displaying political insight.
- Testifying expert witness in city ordinance disputes in numerous court cases.
- Analysis and expertise gained from working with and studying approximately 65 Texas cities with dedication ordinances analyses of 41 ordinances collected from the 100 largest U.S. cities that have such ordinances.
- University Distinguished Professor Texas A & M University, Recreation, Park & Tourism Sciences.
- Recipient of the National Park Foundation's Cornelius Amory Pugsley Award; National Recreation and Park Association's Distinguished Professional Award, National Literary Award, and Roosevelt Award; the Society of Park and Recreation Educators' Distinguished Colleague and Distinguished Teaching awards; and the Travel and Tourism Research Association's Travel Research Award.

The purpose of parkland dedication and associated development is to maintain the current level of service and quality of life we're offering residents without raising taxes. This ordinance is a financial mechanism that requires the developer to either build a park to the City's standards or pay fees in lieu of parkland dedication and development fees for park components. This ordinance puts the burden on the developer, or new residents/homes, to maintain the current level of service and quality of life standard Angleton has created.

Staff and the Parks & Recreation Board reviewed several iterations of the ordinance from April 2020 through April 2021. On April 12, 2021, the Parks & Recreation Board approved the revisions of the Parkland Dedication ordinance subject to the City Attorney's review for enforceability. The ordinance has been reviewed and revised for enforceability by Randle Law Office, Walter Reeves, and HDR, the City's contracted engineers, and Dr. John Crompton.

Over the past year, staff have informed developers during development meetings that the parkland dedication requirements are being revised and adopted revisions will impact parkland dedication requirements, fees in lieu of parkland, and park development fees.

Staff has included a chart of municipalities in Texas with parkland dedication ordinances and provided additional information for communities with a population of 30,000 or less. Staff, also, included an Analysis of Parkland Dedication Ordinances in Texas, as background information on parkland dedication ordinances.

The LDC requires any modification, monitoring or implementation of the development code to be considered by the Planning and Zoning Commission per Section 23-68. Also, per Section 28-22. (f). (2). of the Planning and Zoning Commission, the Planning and Zoning Commission shall make recommendations regarding amendments to zoning and subdivision ordinance amendments. In compliance with the Angleton Code of Ordinances, on February 3, 2022, staff presented the proposed ordinance change to the Planning & Zoning Commission. Some Planning and Zoning members had questions regarding developer credits, minimum park amenities, and fees in lieu of parkland and development fee calculations. The proposed ordinance was unanimously approved by the Planning & Zoning Commission, Ellen Eby was absent.

RECOMMENDATION:

Staff recommends approval fully repealing and replacing Chapter 23 – Land Development Code, Article II. – Subdivision and Development Design, Section 23-20. – Park Dedication and Recreation Improvements; providing a penalty; providing for severability; providing for repeal; and providing an effective date.

SUGGESTED MOTION:

I move we recommend approve Ordinance number **2022XXX** fully repealing and replacing Chapter 23 – Land Development Code, Article II. – Subdivision and Development Design, Section 23-20. – Park Dedication and Recreation Improvements; providing a penalty; providing for severability; providing for repeal; and providing an effective date.