



Parks & Recreation Commission Planning Department Staff Report

Parks & Recreation Commission Meeting: November 16, 2020

Project Consultants: Brent Luck and Robyn Miga

Subject: Parkland Dedication Ordinance

Overview

The City of Dripping Springs' Parkland Dedication Ordinance was last revised in 2007, and since then, the city has seen tremendous growth both in the city limits, as well as the extraterritorial jurisdiction (ETJ). The population within the city limits has more than doubled since 2007, and with that, there is a definite need to revise the parkland dedication ordinance in an effort to ensure that the City's need for public parks and open space is met from the neighborhood, community, and regional park perspective to accommodate and serve the growing population of the city and surrounding area.

As presented at the last few work sessions with the Parks & Recreation Commission, this revision is proposing a few major changes that require vetting to ensure the goals are aligned with that of the commission.

Ordinance Details

The following are the proposed major revisions to the Parkland Dedication Ordinance:

Parkland Dedication Criteria

- Parkland dedication would only be required for residential developments;
 - o Today this is also required for commercial developments.
- 1 acre/29 units, or 5-percent of the overall acreage for the project for developments with fewer than 29 units proposed;
 - o *This calculation is based on 2010 Census data, and is likely to change slightly with 2020 information. Today the ordinance requires 25/LUE.*
- Properties within the Historic Districts with fewer than 29 dwelling units proposed are not subject to parkland dedication; and
- If the applicant meets the criteria of the ordinance exactly as is, they would not be required to go before the Commission, or City Council;
 - o *This was a topic of discussion at our workshops and is up for discussion if the Commission would like this removed.*

Fee-in-Lieu

- Fee-in-lieu is required instead of dedication of land for all properties not located within the city limits;
- Fee-in-lieu is required where less than ½ acre would be required to satisfy parkland dedication, or is an option if an applicant would rather pay fee-in-lieu in accordance with the fee schedule instead of dedicating land;
- If an applicant wants to propose a hybrid of fee-in-lieu and parkland dedication, this would be required to go before the Commission for recommendation, and City Council for final approval; and
- Fee-in-lieu amount is calculated as the average estimated fair market value per acre of land being

Planning Department Staff Report

subdivided within 24 months of the application for the plat/site development permit. This appraisal is a requirement to be provided by the developer.

- *The code today states that the value of the parkland dedication is determined by 5 times the average appraised value of all territory within the proposed subdivision in accordance with the most recent appraisal by Hays Central Appraisal District.*

Park Development Fee

- The proposed ordinance provides for a Park Development Fee and utilizes supplemental research as a backup for both neighborhood and community parks. The fee as it is stated in the supplemental documentation would require an assessed fee of \$828 per dwelling unit for developments that do not propose any sort of neighborhood park development, and a fee of \$1,619 per dwelling unit to meet the need for Community Parks in the City and ETJ.
 - *This has been the major topic of discussion at the Commission workshops, and staff and consultants wanted to provide additional research regarding assessing this fee, and proposals for how to implement it through the ordinance.*
 - *We are recommending that this fee be consolidated and that the language utilized be Park Development Fee, and that this fee be utilized to serve the city's need for Active Use Parks, which work to meet the sports and recreation need of the community. In changing this language, it would allow the monies to be able to serve this specific need, but not be tied to a radius the way neighborhood and community parks are defined.*

Surrounding Cities Comparison

City	Total Population (approximate)	Acreage/1000 population for Community Parks	Park Development Fee	Year OSMP Adopted
Kyle	46,874	13.2	\$600/dwelling unit	2016
Buda	16,449	17.8	\$40,000/acre of required parkland dedication.	2012
Boerne	17,106	5.85	Their current code does not have this requirement, but the draft UDC to be adopted in 2021 requires \$50,000/acre of required dedication.	2017
San Marcos	63,509	The city does not have any community parks, as identified by the OSMP, but has 33 acres/1000	\$400/unit	2019

Planning Department Staff Report

		residents.		
Dripping Springs	6,159	4.39	\$1,619/unit	2015

The following is an analysis of the required Park Development Fee for each city above based on their parkland dedication requirements:

Kyle – Requires the dedication of one acre per 75 dwelling units, as well as \$600/dwelling unit for the park development fee. Therefore, a development of 1,200 dwelling units would be required to pay **\$720,000** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu. They would also be allowed to construct the improvements in lieu of paying the fee to the city.

Buda – Requires the dedication of one acre per 50 dwelling units, as well as \$40,000 per acre of required parkland dedication. Therefore, a development of 1,200 dwelling units would be required to pay **\$960,000** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu. They would also be allowed to construct the improvements in lieu of paying the fee to the city.

Boerne – Requires one acre per 35 dwelling units, as well as \$50,000 per acre of required parkland dedication. Therefore, a development of 1,200 dwelling units would be required to pay **\$1,714,285** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu. They would also be allowed to construct the improvements in lieu of paying the fee to the city. *This ordinance has not been adopted yet but is what's proposed. The current ordinance does not have a park development fee.*

San Marcos – Requires 5-percent of the overall site or lot be held open to the public or dedicated as parkland, as well as a parkland development fee of \$400/dwelling unit. Therefore, a development of 1,200 dwelling units would be required to pay **\$480,000** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu. There are certain allowances to reduce this amount by constructing specific amenities on the land.

Dripping Springs – Proposing one acre per 29 dwelling units, as well as \$1,619/dwelling unit for the park development fee. Therefore, a development of 1,200 dwelling units would be required to pay **\$1,942,800** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu. There is the ability to reduce this fee by 25-percent with proposed improvements.

Conclusion

Based on direction from the Parks and Recreation Commission, consultants pulled data from the three mentioned cities, as well as San Marcos since it's also a community located in Hays County, to give context as to how the park development fee is required in those communities. The methodology that the city has today is based on community parks specifically, but it is proposed to be consolidated into one park development fee that would serve the need for active parks within the City of Dripping Springs and ETJ. In addition to the park

Planning Department Staff Report

development fee, the ordinance also proposes changes to the parkland dedication requirements, and fee-in-lieu. Staff and consultants would like direction on these changes, and how the Parkland Dedication Ordinance can best serve the City of Dripping Springs.

Requested Action

No action is requested, but staff and consultants would like direction on the Park Development Fee, as well as any comments or feedback on the draft ordinance to determine what changes need to be made prior to requesting a recommendation, potentially at the December 7, 2020 Parks and Recreation Commission meeting.

Attachments

Exhibit 1 – Draft Ordinance

Exhibit 2 – Appendix I (draft from 2014 that was previously provided to the Commission)