



Planning & Zoning Commission Planning Department Staff Report

Planning & Zoning Commission Meeting: December 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 are met from the a neighborhood, community, and regional park perspective to accommodate and serve the growing population of the city and surrounding area.

The proposed ordinance went through several work sessions with the Parks & Recreation Commission, and at their regularly scheduled meeting on December 7, 2020, they unanimously recommended approval.

There are several significant changes that differ from the current ordinance, which are outlined below.

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/23 units, or 5-percent of the overall acreage for the project for developments with fewer than 23 units proposed;
 - o *Today the ordinance requires 25/LUE.*
- Properties within the Historic Districts with fewer than 23 dwelling units proposed are not subject to parkland dedication; and

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 one (1) 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

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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 the fee requirement. The fee would be \$983 per dwelling unit to meet the need for active recreation parks for the City and ETJ.
- The applicant cannot request a reduction, unless they are proposing regional trails that may connect to a larger park that serves the active recreation need, then it is subject to approval by the Parks & Recreation Commission, and City Council.

Rationale for Parkland Dedication and Park Development Fees

Current Level of Service	
Population (City & ETJ)	41,514 (based on DSISD Service area)
Total Existing Parkland	590.99 acres
Total Persons Per Acre	70 People
Land Dedication Requirements	
Persons per DU	3.03 (2019 Census)
Calculation	$41,514 / 590.99 = 70$ people per acre of parkland; $70 \text{ people} / 3.03 \text{ PPH} = 23.10$ or 23 DU
Dedication Criteria	1 acre of parkland/23 Dwelling Units
Fee-in-Lieu of Land Requirements	
Average Cost per Acre	Market Rate, determined by an appraisal performed at the time of the request
Dwelling Unit	Market Value Per Acre for each required acre of

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	dedication (1 acre/23 DUs)
Park Development Fee	
Cost of 50 Acre Park	\$6,739,129
Number of persons per active recreation community parks	20,757
Calculation	$\$6,739,129 / 20,757 =$ \$324/person; \$324 x 3.03 PPH
Fee Per Dwelling Unit	\$983

Surrounding Cities Comparison

City	Total Population (<i>approximate</i>)	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 residents.	\$400/unit	2019

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Dripping Springs	6,159 (41,514 with city and ETJ)	4.39	\$983/unit	2015
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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 requirements to the land.

Dripping Springs – Proposing one acre per 23 dwelling units, as well as \$983/dwelling unit for the park development fee. Therefore, a development of 1,200 dwelling units would be required to pay **\$1,179,600** at the time of subdivision, in addition to parkland dedication and/or fee-in-lieu.

Conclusion

Based on the direction that was received from the Parks & Recreation Commission regarding parkland dedication, staff and consultants have incorporated all requested changes, as well as made amendments based on new population numbers, the increase in the cost for an active recreation park (or comparable), as well as the addition of the acreage for Rathgeber Park, and the Harrison Hills Greenbelt to the existing parks acreage that is outlined in the Parks, Recreation, and Open Space Master Plan.

In addition, we also pulled data from several cities in the area to highlight their parkland dedication criteria, as well as the amount of their Park Development Fee. It's noteworthy to state that similar to other ordinances that incorporate a fee, this does not require action from the Planning & Zoning Commission, but staff wanted the present all of the information regarding the ordinance, and be able to present it to City Council with the Commission's feedback regarding the fee. City Council is slated to

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take action on the proposed ordinance, as well as the proposed fee schedule amendment at their January 12, 2021

Recommendation & Action

Staff and consultants held three workshops with the Parks & Recreation Commission regarding the proposed ordinance amendment, and received a unanimous recommendation for approval at their regularly scheduled December 7, 2020 meeting.

Staff is recommending approval of the proposed ordinance.

Attachments

Exhibit 1 – Draft Ordinance