

Legislation Details (With Text)

File #:	17-771	Name:	
Type:	Ordinance	Status:	Individual Item Ready
File created:	11/16/2017	In control:	City Council
On agenda:	3/12/2018	Final action:	
Title:	Discuss and consider approval of the first reading of an ordinance amending the Code of Ordinances Chapter 118, Article V, Parkland.		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Copy of Park Neighborhood and Community Estimates, 2. Park Acreage Comparisons, 3. Parkland Dedication Fee Worksheet 5 2017, 4. Draft-Park-Ord, 5. 2018 Park Dedication Manual

Date	Ver.	Action By	Action	Result
3/12/2018	1	City Council		

Presenter/Contact

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SUBJECT:

Discuss and consider approval of the first reading of an ordinance amending the Code of Ordinances Chapter 118, Article V, Parkland.

BACKGROUND / RATIONALE:

The City's first Park Land Dedication and Development Ordinance was passed in 2006. Since that time, population, land values, and other costs associated with park development have increased; therefore, it is incumbent on the City to periodically review the ordinance for currency.

Staff has worked with Dr. John Crompton of Texas A&M University, to update the ordinance. An overview of the ordinance was presented on the following dates:

- January 11, 2016 City Council Presentation
- April 10, 2016 Development Community Workshop (Dr. Crompton)
- April 11, 2016 City Council Workshop (Dr. Crompton)
- May 3, 2016 Planning Commission (Dr. Crompton)
- September 29, 2016 Development Community Workshop (Dr. Crompton)
- May 11, 2017 Development Community Workshop
- June 6, 2017 Joint Park Board/Planning Commission Meeting
- June 13, 2017 Development Community Workshop
- June 20, 2017 Parks & Recreation Advisory Board Presentation
- July 5, 2017 Planning Commission
- October 16, 2017 City Council Presentation
- March 6, 2018 Planning Commission

- March 12, 2018 City Council Presentation

Fees in-lieu-of land dedication and park development fees are one tool the City uses to acquire and develop new park land. This new Ordinance will help to fiscally sustain the City’s need to acquire and develop new parks as population increases. The Parks and Recreation Strategic Master Plan will guide the identification of service levels needed for park land acquisition and construction.

The proposed changes are highlighted below in the table.

	NEW ORDINANCE	OLD ORDINANCE
Use of park funds	Funds must be spent within 7 years	Previously 10 years
Review and update Park Development Fee	Every 3 years	No review
Cash in-lieu-of park land dedication - Neighborhood/Community	\$208 per dwelling unit	\$100 per dwelling unit
Park Development Fee Neighborhood/Community	\$2,035 per dwelling unit	\$500 per dwelling unit
Cash in-lieu-of park land dedication - Regional Park	\$142 per dwelling unit	No regional park fee
Park Development Fee Regional Park	\$1,387 per dwelling unit	No regional park fee
Private Park Credit	Fee in-lieu-of park land dedication 50% eligible for credit; No credit for park development fee; New guidance manual provides park standards for private park credit process 2-acre minimum	Fee in-lieu-of and park development fee 100% eligible for credit for private parks; No manual or standards; 2-acre minimum

Additional changes to the ordinance include:

- A Park Land Dedication and Development Ordinance Manual has been developed to accompany the ordinance providing details on ordinance application.
- Park Quadrants will be referred to as Park Districts.
- Codification of the cities right to reimburse itself for the purchase of park land from the park development fund.
- Requirement for close out procedure to submit affidavit and receipts for private park development are codified.
- Warranty required for public park improvements is clarified.
- The formula to calculate fees is equivalent to the current level of service vs. Master Plan goals.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

<input checked="" type="checkbox"/>	Yes	City Plan/Council Priority	Maintain fiscal stability of City operations, update user fees
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FISCAL IMPACT:

In recent history, 1,000 dwelling units per year have been assessed the parkland dedication fee. Therefore, if this trend were to continue and the proposed fee fully implemented, total fee collection would increase from approximately \$600,000 to \$1,750,000 annually.

COMMITTEE RECOMMENDATION:

The Parks and Recreation Advisory Board recommended approval of the revised ordinance and associated fees at their meeting on June 20, 2017.

At its March 6, 2018 meeting, the Planning Commission voted 5-2 to recommend a \$1,000 Neighborhood/Community Park Development Fee, a \$200 Cash In-Lieu-Of Neighborhood/Community Park Land Dedication, \$0 Regional Park Development Fee, \$0 Cash In-Lieu-Of Regional Park Land Dedication, 100% credit eligibility for fee in-lieu-of-and park development fee for private parks, implementation of 120 days upon approval date to grandfather Master Plans submitted to the Planning Division, and to allow funding to be provided in a trust bond or letter of credit. Commissioners Bowers and Laskowski voted in opposition, and Commissioners Sonier and Tubb were absent.

STAFF RECOMMENDATION:

In order to provide the City Council a sound methodology to maintain the community's investment in parks for New Braunfels, staff recommends approval of the ordinance.