

AN ORDINANCE

**ADOPTING PARKLAND DEDICATION REQUIREMENTS, AND THE
COMPLIANCE EXHIBIT AS A COMPONENT OF THE CITY'S
COMPREHENSIVE MASTER PLAN, IN ACCORDANCE WITH CHAPTER 212,
SUBCHAPTER H, OF THE TEXAS LOCAL GOVERNMENT CODE.**

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WHEREAS, the City of San Antonio adopted the SA Tomorrow Comprehensive Plan on August 11, 2016; and

WHEREAS, Chapter 213 of the Texas Local Government Code provides that the Comprehensive Master Plan may consist of a coordinated set of plans organized by subject and geographic area, and may be adopted and amended by ordinance following a public hearing and review by the Planning Commission; and

WHEREAS, changes to state law in 2023, House Bill 1526, Legislative Session 88(R), created Chapter 212, Subchapter H, of the Texas Local Government Code, entitled “Multifamily, Hotel, and Motel Parkland Dedication: Municipalities with Population of more than 800,000”; and

WHEREAS, Chapter 212, Subchapter H, of the Texas Local Government Code establishes the process for municipalities to require parkland dedication and fees; and

WHEREAS, Chapter 212, Subchapter H, of the Texas Local Government Code requires the municipality to designate all territory within its municipal boundaries as a suburban area, urban area, or central business district area and provides for amendments to the designation through the amendment of a municipal comprehensive plan; and

WHEREAS, Chapter 212, Subchapter H, of the Texas Local Government Code requires the municipality to set dwelling unit and density factors for the purpose of calculating parkland dedication fees; and

WHEREAS, the City of San Antonio’s existing Parkland Dedication Ordinance does apply to multifamily uses, and does not apply to non-residential uses such as hotels and motels; and

WHEREAS, the Planning Commission has been briefed on the proposed area designation map (“Compliance Exhibit”), dwelling unit factors, and density factors, and has considered public comments and proposed changes to the draft compliance processes, and found the compliance processes to be consistent with City policies, plans, and regulations, therefore meeting all requirements; and

WHEREAS, the San Antonio Planning Commission held a public hearing on October 11, 2023, at which time the public was given the opportunity to give testimony and present written evidence; and

WHEREAS, the San Antonio Planning Commission recommended adoption of the Parkland Dedication Processes, including the Compliance Exhibit as a component of the City’s Comprehensive Plan; **NOW THEREFORE**;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Parkland Dedication Processes, including the Compliance Exhibit as a component of the City’s Comprehensive Master Plan and designating all territory within the municipal boundaries as a suburban area, urban area, or central business district area, and setting the dwelling unit factor for

multifamily units to 0.005 and the density factor to one for the suburban area, four for the urban area, and 40 for the central business districts area, as provided for by Chapter 212, Subchapter H, of the Texas Local Government Code, are hereby adopted.

SECTION 2. The Compliance Exhibit is attached and incorporated herein as **Attachment I**.

SECTION 3. The Compliance Exhibit is not intended to update or replace any other land use map or designation associated with a component of the City's Comprehensive Master Plan.

SECTION 4. City Council directs staff to notify each appraisal district, in which the municipality is wholly or partly located, of the location of each area designation, in a manner sufficient to allow the appraisal district to make the calculations required to comply with Chapter 212, Subchapter H, of the Texas Local Government Code, not later than the 10th day after the City Council approval.

SECTION 5. City Council directs staff to update the Unified Development Code to comply with Chapter 212, Subchapter H, of the Texas Local Government Code.

SECTION 6. Any property annexed into the City for Limited Purpose or Full Purpose, shall be designated as a Suburban Area, unless otherwise designated by action of the City Council.

SECTION 7. For any property found to have more than one designation resulting from the initial designation process, the single designation that applies to the largest area of the property shall be used to calculate parkland dedication fees for the entire property. For any property that has more than one designation as the result of an action occurring after the initial designation process, the designations may only be amended through the municipal comprehensive plan amendment process, as provided for by Chapter 212, Subchapter H, of the Texas Local Government Code.

SECTION 8. This ordinance is effective immediately upon passage by eight or more affirmative votes; otherwise, it is effective on the tenth day after passage.

PASSED AND APPROVED on this 9th day of November 2023.

**M A Y O R
Ron Nirenberg**

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney