



UDC Update Request Application for External Parties ***(neighborhoods, external agencies, stakeholders, etc.)***

Part 1. Applicant Information

Name: Deborah Reid Organization (if applicable): Greater Edwards Aquifer Alliance
Address: [REDACTED]
Phone: [REDACTED] Email: [REDACTED]
Signature: Deborah Reid Digitally signed by Deborah Reid
Date: 2020.04.22 16:50:53 -05'00' Date: April 22, 2020
(Include title if representing a governmental agency or public/private organization)

Part 2. Basis for Update (check only one)

- ☐ Clarification amendments to provide for ease of interpretation and understanding of the existing provisions of the UDC
(Note: Clarification amendments should not change or alter the intent or meaning of existing UDC provisions)
- ☐ Editing change that does not alter the impact of the provisions being addressed including changes such as spelling, grammar correction, formatting, text selection, or addition of text in compliance with existing ordinance, statutes or case law
- ☐ Completed Rule Interpretation Determination (RID)
- ☒ Requested by the Zoning Commission, Planning Commission, Board of Adjustment, HDRC, City Council or other appropriate city board or council (CCR, resolution or signature of the chairperson is required)

Part 3. Reason(s) for Update (check all that apply)

- ☐ Modify procedures and standards for workability and administrative efficiency
- ☐ Eliminate unnecessary development costs
- ☐ Update the procedures and standards to reflect changes in the law or the state of the art in land use planning and urban design
- ☒ See Part 4 (if none of the provided choices in this section apply, please discuss the reasons for the proposed update in Part 4)

Part 4. Summary of Proposed Update with Suggested Text (see application instructions)

These amendments will not only address the shortage of parks within the city, but will ensure that dedications increase the city's open green space. This open space will continue to provide air and water quality while reducing stormwater runoff in a manner to provide outdoor recreational opportunities and safe pedestrian access.

UDC 2021 Proposed Amendment

Amendment 14-9**Applicant:** Greater Edwards Aquifer Alliance**Amendment Title** – ‘Sec. 35-503. – Parkland Dedication Requirement.’**Amendment Language:****Sec. 35-503. – Public Parkland and Open Space Dedication Requirement.**

Parks and open space provide a valuable asset to the urban form of the city, its historical development, its environmental integrity and the general welfare of its residents. Parks and open space have provided a significant role in the history of the City of San Antonio. The Laws of the Indies provided that the size of the parks and open spaces, such as plazas, shall be proportioned to the number of inhabitants and should take into consideration the growth of the community. Consistent with the historical development of the city, it is the intent of this section that parks and open space should provide focal points for new communities. A central square or green, for example, may comprise a majority of the area required for dedication.

(a) Applicability.

(3) The provisions of this section are reduced or do not apply to:

A. A proposed subdivision located within:

1. An infill development zone,
2. Form based zoning district (FBZD), or
3. In the CRAG area, as defined, for a development that includes a designation and rehabilitation of an eligible historic landmark not previously designated; or
4. When a non-residential use is proposed (examples include: public or private schools, assisted living facilities, nursing homes, churches, "D" - downtown district, and ROW).

B. A proposed subdivision located within a planning area which has a surplus of improved neighborhood parks/open space, as designated in the parks system plan is able to reduce requirements by 50% if the parkland provides connectivity to existing or proposed parkland or trails, unless the surplus has been eliminated by the subsequent approval of residential dwelling units within the planning area, as measured by the level of service standard established in Table 503-1, column (B).

(b) Required Parkland.

(1) The following areas shall not be considered parkland pursuant to this subsection:

- B. Utility easements, drainage easements, or street rights-of-way, unless such areas are useable for public recreational purposes and will not be permanently converted to a street or trench. Land underneath overhead utility lines shall in no instance be considered a park/open space except where used for jogging trails, bicycle trails, or parking areas accessory to a park/open space. Trails shall conform to standards set forth in Table 503-4 ~~and credit will be given for trail only.~~ It is encouraged that rights-

of-way be used as the public accessible portion and with an additional 30 ft width, may be used to meet other requirements including but not limited to the provisions of Sec. 35-512 - Streetscape Planting Standards and 13.7.2.2 - On-Site Storm water Management feature when designed as green infrastructure or with nature-based storm water management practices.

(c) **Parkland Characteristics.**

- (1) **Generally.** Land designated as parkland shall be maintained as a park or open space and may not be separately sold, subdivided, or developed except as provided below. A minimum of 60% of the surface of the property to be used to meet the parks and open space requirement must remain in a pervious condition and a note to this affect shall be added to the plat. The applicant shall provide at least three (3) acres of contiguous parkland if land is to be dedicated to the city.
The applicant shall meet the requirements for parkland dedication through either subsection (c)(3), (c)(4) or (c)(5) detailed below.

Table 503-5 at the end of this section provides a variety of options that may be utilized to meet the parkland dedication requirements. This table is for illustrative purposes only, and the language within each category is to serve as descriptive and not a requirement.

- (d) **Suitability.** In order to ensure that all designated parkland has suitable size, location, dimension, topography and general character, and proper road and/or pedestrian access, as may be appropriate, to be usable parkland, the following standards shall apply:

- (7) **Access.** A minimum of 60% of required dedicated parkland will be accessible to the residents of the city. If streets are planned within a proposed single-family project, parkland provided pursuant to this section shall have direct access to said streets. Direct access shall not be less than fifty (50) contiguous feet along a public street or private street maintained by a homeowner's association. If no streets are planned within a proposed single-family project, parkland provided pursuant to this section shall have direct access of not less than fifty (50) contiguous feet along a public street. Parkland provided within proposed multi-family projects shall have direct access to a public street or private maintained by a homeowner's association or condominium association, or an interior driveway maintained by an apartment association.

- (g) **Fee in Lieu of Land Dedication (Optional).** The intent of the park dedication requirement is to provide parks in neighborhoods. However, circumstances may arise that do not allow parkland dedication.

- (3) For purposes of computing the fair market value of property, variable V in equation above, the applicant may select one (1) of the following:
- A. The fair market value at the time of application of the undeveloped land as determined by ~~a~~ **an** MAI certified real estate appraiser at the applicant's expense; or
 - B. The actual purchase price of the property as evidenced by the applicant's most recent purchase money contract or closing statement dated within two (2) years of the date of application.
- (4) The fair market value, variable V, shall not be less than fifty thousand dollars (\$50,000) and shall not exceed one hundred fifty thousand dollars (\$150,000.00) ~~(\$50,000.00)~~ per acre. The fair market value cap may be revised annually during the city's budget adoption process beginning with the adoption of the fiscal year 2007 budget. The annual revision shall be based upon no more than the cumulative Consumer Price Index. Beginning in 2010, and once every fifth year thereafter, the fair market value cap may be adjusted based on the evaluation and recommendation of a consultant selected and engaged by the city.

Table 503-4
Park Facilities Credit

(A) Criteria List	(B) Design Criteria	(C) Credit Acres
Playground	See subsection (3), below.	1.25
Picnic Area	Picnic areas shall have a minimum area of 2,500square feet and contain two (2) picnic units. A picnic unit is defined as a concrete, metal, or approved material picnic table, two (2) benches,and a cooking grill all permanently anchored to the slab. For every three (3) acres of parkland required, credit for one (1) picnic area may be awarded.	0.25
Athletic Courts	The court slab shall have a slope not exceeding two (2) percent and shall be constructed of concrete or approved substitute. A basketball court must be a minimum of fifty (50) feet by forty (40) feet, with two (2) metal goals, nets, backboards, and poles at each end. A tennis courtmust be a minimum of sixty (60) feet by one hundred twenty (125) feet, with net and metal posts. A volleyball court must be a minimum of thirty (30) feet by sixty (60) feet, with net and metal posts, and the court must be constructed with either sodded Bermuda grass or a twelve (12) inch course of washed masonry sand or silicasand. If the park dedication requirement exceeds five (5) acres, then an additional three-fourths $\frac{3}{4}$ acre credit may be awarded for a second athletic court.	.75
Open Play Areas	An open play area shall include a minimum area of 20,000 square feet. The areas shall be unobstructed by trees, shrubs, or utilities, with a slope not to exceed five (5) percent. Common Bermuda or approved substitute grass shall be established in these areas. Maximum of one (1) open play area for every five (5) acres of parklanddedication.	1.00

Swimming Pool	Minimum 500 square feet of water surface, with adjacent deck and lawn areas. A maximum of one and one-half (1½) acres credit may be awarded. A swimming pool may not count towards more than fifty (50) percent of the parkland dedication requirement.	0.3 acres per five hundred (500) square feet of surface area
Recreation Center Building	The building shall be in habitable condition and shall have a minimum one thousand (1,000) square feet of gross floor area. The covenants and restrictions of the homeowners' association shall restrict the building for use as a recreational and/or meeting area for use by all residents of the subdivision. Architectural design shall	.50 for 1,000—1,500 square feet; 1.00 for over 1,500 square feet.
	conform to the restrictive covenants recorded for the subdivision. Credit shall be awarded for only one (1) building. A recreation building may not count towards more than fifty (50) percent of the parkland dedication requirement.	
Recreation Community Gardening	Community gardens shall have a minimum area of ten thousand (10,000) square feet with a slope not exceeding two (2) percent. Maximum of one (1) community garden for every five (5) acres of parkland dedication requirement.	0.25
Pavillion/Gazebo	Pavilions must be constructed with galvanized metal roofing or, an approved substitute and posts constructed of wood, metal, stone, or an approved substitute, and shall be a minimum of twenty (20) feet in width by twenty (20) feet in length. Gazebos may be constructed of either wood, metal, or approved substitute, and shall be a minimum of one hundred (100) square feet in size. Architectural design for overhead structures shall conform to the restrictive covenants recorded for the subdivision. Maximum of one (1) overhead structure for every five (5) acres of parkland dedication requirement.	0.25

Outdoor Gymnasium Facilities	Outdoor Gym must meet minimum dimensions of forty (40) feet in width by forty (40) feet in length (or 1,600 square feet), and consist of at least six (6) stations constructed of metal or an approved substitute material. Stations must be secured as recommended by the manufacturer. A maximum of 1.0 acres credit may be awarded.	1.0
Fitness, Jogging or Walking Trails	Trails shall have a minimum length of one-quarter (¼) mile. Trails shall be constructed of crushed granite, concrete, or asphalt, with a minimum thickness of four (4) inches, a minimum width of eight (8) feet, and shall be sloped to drain. A maximum of two and one-fourth (2¼) acres credit	1.50 for first quarter (¼) mile length; .75 for an additional quarter (¼) mile length <u>unless the property connects to an existing or proposed trail system as a part of another property to allow continuous access for 1.25</u>

	may be awarded for trails.	<u>credit.</u>
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