

Stakeholder Feedback.

Topics: Parkland Dedication (PLD); Transfer of Development Rights (TDR); & Redevelopment.
January 6, 2012.

Parkland Dedication

What is "parkland"?

- Defining what parkland means is very important.
- Park means public access.
- Not necessarily green space – plazas, etc. can also be parks.
- Need some vegetation component.
- What is purpose of the space? Primarily water quality: shift our focus when looking at park space.
- Want to mix development and nature: open areas, trails, wild areas with nature trails.
- Parks used by different people for different purposes: gathering places for neighbors, different ages (playground, benches).
- Tragedy of commons: heavy concentration of use leads to degradation (Lady Bird Lake vs. Barton Creek). The more we connect space, the more we spread out the use: less impact.
- More connectivity – use parkland requirements in different ways.
- Dream of having city completely connected through waterways.
- Balance watershed protections issues with creating liveable, connected neighborhoods (can sometimes conflict).
- Need concise understanding of parkland vs. water quality land.
- Concerned about label of parkland – citizens assume certain level of maintenance – certain amount used as parkland, preserve water quality function.
- Expand definition of what is parkland – especially with reference to connectivity.
 - E.g.: if you can put fields on it – it should count as parkland.
- Change name from "parkland" dedication to "open space" dedication – and choose greatest need on case-by-case basis .
- Parkland dedication needs to be clarified – maybe parkland is not correct label – open space / green space / conservation easement / parkland.
- Just call it land dedication and city decides how it can be used.
- Codify greenbelts separate from "dedicated park land."
- We want more fee-simple dedication to COA of land along creeks; it doesn't need to be "parkland".
- We are generally interested wilder, less maintained lands along creeks. Public access is important; traditional parks belong in the uplands.
- Concern about lack of codification of wildlife preservation.
- No disk golf in buffers.
- Riparian acquisition.
 - Via mitigation.
 - In trade for a variance (the variance mustn't gut the intent of an ordinance). .
 - Set up a fund to accumulation several cases of mitigation. And incentives for cost-sharing with developers.
- Wildlife corridors.
 - Predators use trails.
 - Most wildlife move away from trails.
 - Locate wildlife corridors nearest the waterways.
 - Locate trails mostly the farthest away from waterways.
 - Codify the significance/importance of wildlife corridors in the ordinance.
 - Re-vegetate with diverse native plant species that are known to provide food for wildlife.

How Parkland Dedication System Works/Use of Parkland

- How does Travis County parkland dedication work?
- Do developers have the option to write a check without offering land? Answer: is at PARD's discretion.
- Who "dedicates" parkland?

- Can fee-in-lieu money be used toward maintenance too? Answer: No. Monies from fee-in-lieu can only be used for acquisition and improvements, not for maintenance or salaries.
- Want to understand next steps once PARD takes over.
- Different types and uses and regulation of city-owned open space.
- State law and city charter restrict parkland to remaining so in perpetuity; requires a public process to change.
- Can be used for something else?
- Should we call it something else to get around parkland restrictions (state restrictions)?

Parkland Dedication Credit: Floodplains

- PARD: if the percent credit is increased for floodplains, this will reduce the acres of land dedicated.
- Cannot build anything in 25-year floodplain: is a major limitation; also once parkland, PARD is limited in how the land can be modified.
- Floodplain areas suitable for trails, but trail system alone is not enough: also need diversity, e.g., playgrounds.
- We're trying to achieve balance – people want pocket parks.
- Pocket parks might be "open" [public], but no one outside the neighborhood will use them .
- Allow inclusion of floodplain for greenbelt: have a percent for improved parkland, e.g., swing sets, etc.
- Broad floodplains.
 - Scary.
 - Maybe in a wide floodplain some credit might be possible .
 - Approval expressed for option of height and/or impervious cover credit.
 - Need a clear floodplain to allow creek to meander.
- How do we feel about parkland dedication in FP? No credit should be given.
- Do not allow water quality control structures if "ugly".
- Have to reduce dedication requirement.
- More credit for "more useable" areas.
- How can we use PLD & TDRs to maximize incentives for developer and achieve city goals?
- How might future parkland acquisition support community goals for trails and watershed protection *and financial goals for reduced maintenance costs.*
- Floodplains are a cost/liability that developer doesn't want anyway. Why is such an incentive needed? City is making it too complicated for developers to give land in the floodplain.
- If we assume that the floodplain boundaries and setbacks will be coincident, then I would give zero park credit. A floodplain is not a park, especially a floodplain with natural character. If that is a big deal for developers, I suggest this approach. If a developer typically gets credit for one of five acres of parkland (or whatever the fraction is) by claiming credit for floodplains, I would just make a requirement that developers provide 4 acres of upland park/1000 residents and eliminate the setback from the discussion.
- Credit other than parkland for dedication: public access is a big hurdle (some areas too sensitive).
- Would like to have recognition [credit] for improved pedestrian easements (sidewalks) as trails.
 - City is constrained also by state law with regard to parks; parkland enjoys protections of both city and state – right of way (ROW) is different.
 - But what about expanded easements?
 - No: parks is parks!.
- 50% floodplain credit may help protect water quality.
- Proposal to reduce restrictions on parkland dedication most valuable part of creeks is between banks – still high usability in 25-year floodplain (likelihood of flooding low).
- Still keep structures out as per FEMA, but ball fields, hiking trails should be permitted.
- Initial development of active uses (basketball court) could be built up-front, then PARD develop in future.
- At least some percentage of the 25-year floodplain should be granted: 25 or 50% credit.
- The main driver is to buffer [creeks from] development, not sure if it is possible to truly understand impact of 25 vs. 50 percent; the bottom line policy should encourage a buffer.
- Less money available for existing park projects if take land more often.

Parkland Dedication Credit: Private Parks

- Why only 50 percent credit for private parkland? Seems like a big benefit for city.
- What about privately owned land open to the public? Why still only 50 percent credit?

Parkland Maintenance

- Want to know state requirements re: maintenance of parkland.
- Who pays for maintenance of open space? City doesn't have money. This is an obstacle: if we increase open space, who will maintain it?
- When we do erosion-related improvements on PARD land, WPD has to pay PARD: state code requires this.
- Can increase the levels of maintenance (e.g., mowing) as you move away from creek.
- "Maintenance" could be an entire meeting in itself.
- Could we allow a trail to be built by developer in a critical water quality zone in return for COA maintenance?
- Multi-use detention ponds (athletic fields, etc.) (maintenance issue).
- Plan in place to properly manage lands – improve riparian function - need to accept more land.
- Wilder maintenance still needs to consider fires, rats, abandoned mattresses, and our sense of safety.

Critical Areas Map (CAM)

- Look at Travis County Greenprint Map [to help develop the CAM].
- How is the CAM defined?
- What are the buffer needs? – where do we stand now?
- What are current open space regulations? What are community desires? Brainstorm priorities and that becomes the definition.
- Cultural elements should be considered in the CAM.
- Could be way to identify floodplain areas that could receive some sort of credit for dedication.
- PARD: existing Need Deficiency Map could be a component of CAM.
- Could encourage / support department coordination with rating of need – by Department, etc.
- Imagine Austin Priority to create Green Infrastructure, connectivity: make a component of map.
- Include wetlands, cultural assets, critical species.
- Cultural assets = Blackland Prairie, archeological / historical sites.
- Include trails master plan.
- Nice idea: map with layers showing departmental needs – e.g.: PARD, WPD, Public Works, Transportation - in relation to available parcels; also to have weights assigned to needs so that floodplain can be evaluated for best use.
 - A master plan of master plans with layered map - Imagine Austin.
 - E.g.: critical areas map overlaid on PARD needs.

Departmental & Agency Coordination

- Open space / parkland dedication needs better coordination between WPD & PARD.
- Concern about communication between city and county, and among city departments.
- City & county need to coordinate rules / requirements.
- Travis Co typically does not want parkland (HOA takes it on); city wants parkland.

Trails/Connectivity

- Possible to put trail in buffer? Currently being reconsidered / defined.
- Fort Worth example – building trails in creeks over box culverts.
- PARD: is safety issue.
- Steep slopes, etc., other considerations – FP itself not deterring factor – risks (slopes, access, etc.).
- Public Works: Main focus/concern is connectivity; must also consider ADA needs.
- PARD: TIA [Traffic Impact Analysis] credits as option.
- Considerations: cost, timing – need incentives; could funnel funds towards projects; Public Works wants to use money for transportation uses if can tie into .
- Referring to Dry Creek East – how would people access this park? As a stand alone park – travel via highways increases traffic congestion, etc. Goal is connectivity to reduce other impacts.

- High cost – \$1.8 million to construct trail (average) .
- One of my concerns is that we may create situations in which there is little connectivity across streams and floodplains, creating more congestion on the few streets that do provide connectivity. A well-connected street network (with facilities for transit, pedestrians, and bicyclists) is essential for promoting walking and biking and for creating alternate routes for all travel modes, thereby dispersing vehicular loads.

Transfer of Development Rights (TDR)

- We are willing to accept higher density and flexibility in uplands.
- Simplify [the TDR system].
- A cumbersome, restrictive Land Development Code is necessary to make incentives work.
- Developers don't want to own the land within the setback, since they will pay taxes and incur maintenance costs. You are providing incentive to transfer the land to the City by taking it for free, removing the tax burden, and assuming all the maintenance liability. That should be plenty of incentive. You could also require them to put in a trail before you would be willing to accept it.
- It seems that the 20K sq ft additional impervious cover that a developer can obtain in exchange for deeding over an acre of CWQZ or TWQZ area is a pretty good deal for the developer. I would think that in numerous instances the developer wouldn't even want to keep the CWQZ/TWQZ area since they can't really develop it, they would be taxed on it , and they would likely have some maintenance responsibilities on it. In those cases, they are getting something for really nothing. This is something that Dr. Barrett mentioned in the last meeting as I was thinking the same thing. The City might consider reducing the 20K amount or require something more for this exchange although I realize that such changes might be difficult.
- Mitigation bank for trading development rights among developers. This is hard to keep track of.
 - In conjunction with City mapping / acquiring areas they want to acquire.
- Planned at plat stage with 1-mile limit.
 - But don't know at that time all details of wastewater system, site, etc.
 - Too many strings attached – .
 - If using GSA [Gross Site Area] vs. NSA [Net Site Area], then not really a benefit.
- How would TDR work with GSA proposal?
- What would be better? Total transferable IC total banked but not required to happen at same time.
 - Circle C example.
- Zoning trumps regardless.
- IC [impervious cover] "limits" are so high – meaningless from an environmental perspective. Not protective.
- Difficult to reuse [transferred IC credits] if [maximum] IC [limit] is already high.
 - Originally created 25 years ago for large tracts of undevelopable land.
- Unsure how this will work with revised setback.
- Allow transfers of development with site plans instead of having to replat.
- Alternative to concurrent platting, etc., in return for density.
- Larger buffer is already in itself a huge benefit to the public – so what are [landowners] getting?
- Give developer more incentives to dedicate open space. Credit may be dedicated review team – easier process and more coordination between groups (EV, drainage, PARD).
 - Need team to look at development vision and provide comments.
- Need buffers, offer incentives (e.g., density, smaller lot size) to promote them, but bottom line need / want buffers. Can't afford to continue development as is – don't want to get hung up in details.

Impervious Cover

- Why is the maximum IC percent allowed less outside the city limits?
- The impervious cover limits in the eastern watersheds are totally unnecessary. If they can build commercial at 80% impervious cover, then why restrict residential development? My pet peeve is that the City requires 60% of my lot to be landscaped and then every summer restricts my ability to water it. Allow small lots and high levels of impervious cover and conserve water at the same time.

- It would make good sense to allow some sort of added impervious cover incentive if a developer would protect and/or donate portions of floodplains for the smaller unprotected tributaries/small waterways on their property especially if those tribs tie into a bigger floodplain on the property. A lot of water quality benefit would accrue in headwater streams if they are protected and left in a more natural state although some stabilization may be required. It might even be a good idea to allow impervious cover incentives in upland areas if treated runoff was discharged through a level spreader onto adjacent open space/floodplain area or if a significant amount of runoff was given added treatment through one or more rain garden/bio-filtration areas.

Redevelopment

- Expand concept of Barton Springs Ordinance to other parts of City, other watersheds; expand on fee-in-lieu. But every creek will be different.
- [Need to discuss further in future.]

General/Other Topics for Later Consideration

- Be careful that we feel we have to incentivize to promote smarter development – may not have to create incentives.
- Need to incentivize stream bank restoration.
- Design water quality ponds as amenities instead of concrete boxes.
- Want to discuss other incentives. For example:
 - Can we reduce street width / size: reduces cost; reduces IC; .
 - Porous pavers for driveways.
- Narrower streets are likely to be recommended without upcoming Technical Criteria Manual amendment, so it will be important to think about this as an incentive in context with that amendment. I think it should be offered as an incentive for better environmental controls, but how to make it a financial incentive for the developer will need to be explored.
- Concerns about Bartholomew Park: issues with entrances and exits, swimming pool promised but not built yet.
- Wildlife road crossings – vegetated overpasses /camouflaged underpasses .
 - Example of wildlife deaths - foxes crossing at Blunn Creek Preserve on St. Ed's Dr.
 - Traffic-calming- speed humps, slower mph, large warning wildlife crossing signage with blinking yellow lights; use guard rails, etc as needed.
 - Education – neighborhood newsletters, utility bill enclosures.
 - Bridges/culverts need to be high enough and wide enough at wildlife corridor connections to allow the creek and the banks and some level area to continue under them, but not high enough to encourage human traffic.
 - Design/construct wildlife passageways to be obscured by vegetation cover.
 - Narrow the street width before wildlife crossings to encourage slowing.
 - Thicker, higher, evergreen (yaupon, mex. Persimmon, etc.) Vegetation is needed at road edges around these wildlife street corridor passages.
 - Establish a minimum land passageway between the waterway and the outer edge of the wildlife passageway. Suggestion – 30' on each side.
 - Establish standard for 8:1 passable creek bank slopes at these passageways.
 - Wide setbacks for development at these passageways to reduce other disturbances other than trail traffic.
 - Use clustering to reduce human activity/disturbances at these crossing point.
 - Use best designs for these crossings near areas of important wildlife habitat such as wetlands, prairie and prairie restorations, and mature/maturing woodlands.

Indecipherable (read: Pamela's Huh? List).

- Not ??? options created by value disparities (can be done by Council variance to Save Our Springs Ordinance [SOS]). However, this is not really related to TDR.
- A challenge is third party issues, but this is why platting requirements exist.

Procedural Issues/Suggestions

- Small group breakouts sometimes lack someone who knows the regulations/rules – so our comments are sometimes useless.
- Consider coordinating with impending Transportation Criteria Manual update.
- WPD should propose a straw dog for group to critique / consider.
- Need chance for data dump.
- Compile, full group discussion.
- Focus on TDR, Redevelopment.
- Need for proposal review by full group, but need more time.