Request Use of Parkland

Before parkland may be used for any non-park project or program, Chapter 26 of the Texas Parks and Wildlife Code requires the Georgetown City Council (the “Council”) to hold a public hearing and determine that:

1. there is no feasible and prudent alternative to the use of parkland for the project, and
2. the program or project includes all reasonable planning to minimize harm to the land.

This is true for any project or program that proposes to use parkland for any non-park purpose.

Process to Obtain Council Authorization for Use of Parkland

If your project intends to use existing City parkland for a non-park purpose, such as for the extension of utilities to your site, construction access, or “downstream” drainage from your development, your development application (i.e. construction plans, site development plan, etc.) should call out the proposed use of parkland. Before the Development Engineer or Planning Director may recommend approval of the proposed plans to the Planning and Zoning Commission, City Staff will need to hold a public hearing and obtain Council authorization to use the parkland for such non-park purposes.

Notice is required for the hearing. There are two requirements:

1. Engineering / Planning shall, at least 30 days before the hearing, provide written notice to the City’s Parks and Recreation Department of the project and the Chapter 26 hearing date and place.

2. Engineering / Planning shall publish notice of the hearing in the Austin American Statesman three times (once per week). The last notice must be 7-14 days prior to the hearing. Publication costs should be billed directly to the applicant by the Austin American Statesman.

At the Council hearing, Engineering/Planning shall present why the other alternative routes are neither feasible nor prudent and present what actions are being taken to protect the parkland. Engineering/Planning may request additional information from you in order to present this information. Council will then open it up to a public hearing, and if Council agrees that there is no feasible or prudent alternative and that all planning is being done to minimize harm to the land, Council may vote to approve a resolution stating such.

[Please note that even if Council authorizes the use of parkland for a non-park use in accordance with Chapter 26 of the Parks and Wildlife Code, any private improvements will require a license to encroach from the City, and in no event can the City grant a permanent easement across its parkland without voter approval.]