

# 6

Given the environmental sensitivity of Oak Hill, land use and zoning recommendations need to delicately balance protecting the environment with providing development opportunities to meet the community's desire for commercial services and housing opportunities. This balance is reflected in the overall vision statement created by the community stakeholders, which states that Oak Hill should "support **measured, sustainable growth** in residential and commercial development while **maintaining the existence and integrity of its environmental resources**, and that of the community and its neighborhoods."

These land use and zoning recommendations attempt to meet this balance and also take into consideration the land use goals and objectives created by community stakeholders.

This planning area is different from the other areas with neighborhood plans in Austin, which are all within the urban core. A third of the land in this planning area is undeveloped, compared with only 13% in the urban core (Figure 6-1). Proportionally, undeveloped land comes at the expense of commercial, office, industrial, civic, and multifamily land uses, all of which are less present in Oak Hill than in the urban core.

**Figure 6-1: Land uses in the urban core and the planning area**

Description	Urban Core		Oak Hill	
	Area (acres)	Percent	Area (acres)	Percent
Single Family	12,878	25%	2,801	25%
Mobile Home	307	1%	196	2%
Duplex	1,357	3%	51	1%
Large Lot Single Family	115	0%	255	2%
Multi-family	3,911	7%	429	4%
Commercial	3,615	7%	325	3%
Office	2,736	5%	169	2%
Industrial	3,152	6%	227	2%
Civic	3,681	7%	371	3%
Open Space	3,515	7%	1,161	10%
Transportation	340	1%	0	0%
Right-of-way	9,974	19%	1,331	12%
Utilities	134	0%	15	0%
Undeveloped	6,609	13%	3,792	34%
Water	61	0%	0	0%
Total	52,385		11,123	



### GOALS, OBJECTIVES AND RECOMMENDATIONS:

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#### **6.A. Provide opportunities for high-quality new development and re-development.**

##### **6A.1**

Ensure quality of new construction and renovations.

6.A.1a—Bring back businesses that have left the Oak Hill area (example: loss of Alberston's store).

6.A.1b—Businesses that redevelop should meet Development Code standards and should meet the goals and objectives of the Oak Hill Combined Plan.

6.A.1c—Find ways to attract quality development in Oak Hill, such as Escarpment Village. Development should be innovative, mixed use, walkable, and transit oriented.

#### **6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment.**

##### **6.B.1**

Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land.

6.B.1a—Rework zoning to allow/support the vision of the Oak Hill Neighborhood Plan.

6.B.1b—Cluster higher density development in appropriate areas, striving to balance the interests of all stakeholders while taking into consideration environmental concerns.

##### **6.B.2**

Provide business and residential expansion without creating urban sprawl.

6.B.2a—Provide support of targeted development, which are areas with existing infrastructure at commercial nodes.

#### **6.C. Create a mix of uses in existing corridors of commercial development that will provide a diversity of local services convenient to neighborhoods and establish commercial “nodes” (concentrated**

activity areas) at strategic locations.

**6.D. Create a Town Center with cultural, educational, arts, and community gathering opportunities.**

**6.D.1**

The Town Center should be a multi-functional public gathering space.

6.D.1a—Town Center should have a library, movie theater, park and ride, civic and recreational space, public performance and meeting space, elder center/ retirement center.

**6.E. Encourage locally-owned businesses to locate in the Oak Hill area and find ways for local businesses and employers to prosper.**

**6.E.1**

Oak Hill stakeholders desire more small-scale businesses with less strip commercial establishments

6.E.1a—Explore opportunities to replace anchor tenants with new tenants who can attract customers to support local small businesses.

6.E.1b—Establish/explore tax credits to help in the development of local businesses.

6.E.1c—Create a small business incubator for the Oak Hill area, to help foster the creation of locally-owned and operated businesses in the planning area.

6.E.1d—Finds ways to attract businesses that will enhance services available to the community.

6.E.1e—Encourage more doctors, dentists, and other medical professionals to locate in the area.

6.E.1f—Encourage the exploration of appropriate State and City governmental small business grants and/or loans.



# ENVIRONMENTAL CONTEXT FOR LAND DEVELOPMENT

## DRINKING WATER PROTECTION ZONE

The planning area is located within the Drinking Water Protection Zone (DWPZ). The DWPZ and the Desired Development Zone (DDZ) attempt to direct growth into areas that are less environmentally sensitive. The Oak Hill land use and zoning recommendations recognize that development in the area is happening now despite being entirely within the DWPZ and will continue in the future with or without a neighborhood plan. The goal of these recommendations is to create land development scenarios that encourage more sustainable development practices over the Edwards Aquifer.

## EDWARDS AQUIFER RECHARGE ZONE

East Oak Hill is primarily located over the recharge zone of the Edwards Aquifer. Although this is the most environmentally sensitive area in Oak Hill, it is also the most intensely developed, due to its proximity to downtown Austin and its location near the major interchange of U.S. Highway 290 West and Loop 1 (MoPac). The maximum impervious cover limit for new development in the recharge zone is 15%.

The land use and zoning recommendations made in this plan take into consideration the roadway and utility infrastructure that already exist in this area including the intersection of U.S. Highway 290 and Loop 1 (MoPac), which will continue to make this a desirable place to conduct business.

## BARTON SPRINGS WATERSHED CONTRIBUTING ZONE

West Oak Hill, located in the Barton Springs Watershed Contributing Zone, is less developed than East Oak Hill. West Oak Hill still has large tracts of undeveloped land zoned Rural Residential (RR) and Agriculture (AG) and includes areas outside the Austin city limits where the city has no zoning authority, but can apply subdivision regulations and water quality controls. This part of West Oak Hill, which is outside city limits, is primarily developed as large residential lots, although there are also scattered businesses. West Oak Hill is where the westernmost limit of the city of Austin's wastewater services is located. The maximum impervious cover for new development here is 25%.

The land use and zoning recommendations for this area are decidedly more conservative due to the SOS Ordinance, limited infrastructure in some areas, and the consideration of Oak Hill's goal to "provide business and residential expansion without creating urban sprawl."

## SUSTAINABLE BUILDING PRACTICES

### 6.A. Provide opportunities for high-quality new development and re-development.

#### 6.A.1

Ensure quality of new construction and renovations.

6.A.1a—Bring back businesses that have left the Oak Hill area (example: loss of Alberston's store).

6.A.1b—Businesses that redevelop should meet Development Code standards and should meet the goals and objectives of the Oak Hill Combined Plan.

6.A.1c—Find ways to attract quality development in Oak Hill, such as Escarpment Village. Development should be innovative, mixed use, walkable, and transit oriented

## RESTRICTIVE COVENANTS

Currently, when new zoning cases are applied for in Oak Hill, zoning planners recommend including restrictive covenants requiring participation in the following programs:

- Green Building Program: Commercial structures should be designed for at least two stars.
- Integrated Pest Management (IPM) system.
- Grow Green program for site landscaping.

This practice should be continued, and should also be applied when owners request rezonings.

### City of Austin's Green Building Program

Austin Energy's Green Building program is the country's first comprehensive program to encourage the use of sustainable building techniques in residential, multifamily, commercial, and municipal construction. Sustainability means meeting our present needs without compromising the needs of future generations.

The residential green building program rates new and remodeled homes using sustainable guidelines on a scale of 1 to 5 stars; more stars means more green features. Homes are rated in six areas: energy efficiency, testing, water efficiency, materials efficiency, health and safety, and community. Although the plan recommendation does not include a minimum two-star rating for single family homes, this information is provided in the event homeowners or builders want to pursue this for their developments and remodels.

The commercial green building program promotes teamwork and sound business practices in



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the design and construction of commercial facilities. The commercial program helps architects, engineers, and construction professionals set realistic goals for energy and water use, indoor air quality, occupant productivity, resource conservation, and pollution control; select appropriate building site, orientation, systems, and materials; reduce construction operations waste; evaluate short and long-term costs; consider impacts on, and benefits to, the environment, clients, and tenants.

The multi-family green building program helps building professionals design and build comfortable condominium and apartment homes that are energy, water, and resource efficient. The multifamily program services include: sustainable consultation and design charrette coordination for developers, designers, owners, and builders for new construction and renovation; assistance with incentives for electric, gas, and water conservation; marketing assistance; S.M.A.R.T. Housing compliance, consulting, and review.

### **Integrated Pest Management Plan**

Integrated pest management (IPM) is an environmentally-sound method of controlling pests and weeds. Pests and weeds are identified, action thresholds are considered, all possible control options are evaluated, and selected controls are implemented. Control options include:

- Biological—recognize, encourage, and/or introduce beneficial predators into the landscape.
- Cultural—use native, pest-resistant plant varieties, and give them proper care.
- Mechanical—hand-pick insects or use traps, barriers, or water to clear infected areas.
- Chemical—use botanical, mineral, and insecticidal soap or synthetic chemicals.

Choice of control options is based on effectiveness, environmental impact, site characteristics, economics, and the health and safety of workers and the public. IPM takes advantage of all appropriate pest management options.

The restrictive covenant would require that when a site plan is submitted for development of a property, or any portion thereof, an Integrated Pest Management Plan should be included.

### **Grow Green Landscaping**

The Grow Green program provides earth-wise solutions designed for Central Texas, with an emphasis on water quality protection. For Oak Hill, 90% of the total plant material used, exclusive of turf, should be native to Central Texas. The restrictive covenant would include a list of native and adapted landscape plants to choose from, as well as a list of invasive species and problem plants to be avoided. A sample list is included in the Appendix C.

## **ZONING RECOMMENDATIONS**

### **Interim-zoned properties**

There are approximately 141 properties in the planning area with interim zoning. Interim zoning was placed on properties when land was annexed into the city in the mid-1980s. Over the years, for one reason or another, property owners did not seek permanent zoning on their



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property. These zoning districts are Development Reserve (DR), Interim Rural Residential (I-RR), Interim Single Family Residential Large Lot (I-SF-1), Interim Single Family Residential Standard Lot (I-SF-2), and Interim General Office (I-GO). These properties are the ones that staff has given priority to rezone. In some cases, however, a property with an interim zoning was not proposed for rezoning due to one or more of the following factors: 1) the property is located within the critical water quality zone or the water quality transition zone, 2) the property is currently being used as a water detention pond, or 3) only the interim designation needs to be removed because the base district is appropriate for the current use or for the area.

### **Other zoning recommendations**

Some properties in the planning area have a use that is not allowed under the current zoning district. This is called a non-conforming use. For example, a commercial use operating under a single family zoning district would be non-conforming. Typically, staff recommends zoning to bring the property into compliance. If, however, the non-conforming use poses a high risk to nearby creeks or critical environmental features, or if it poses a threat to the water supply, staff may recommend a zoning district that does not allow the current use. High-risk land uses are discussed below.

Other properties proposed for rezoning are some residentially-zoned properties that are scattered along U.S. Highway 290 and State Highway 71. Depending on the property's location, zoning recommendations are for either office or commercial zoning for these properties.

### **Existing Conditional Overlays and Restrictive Covenants**

The Oak Hill Neighborhood Planning area has a large number of existing conditional overlays and restrictive covenants. This situation increases the complexity when making rezoning recommendations for this area.

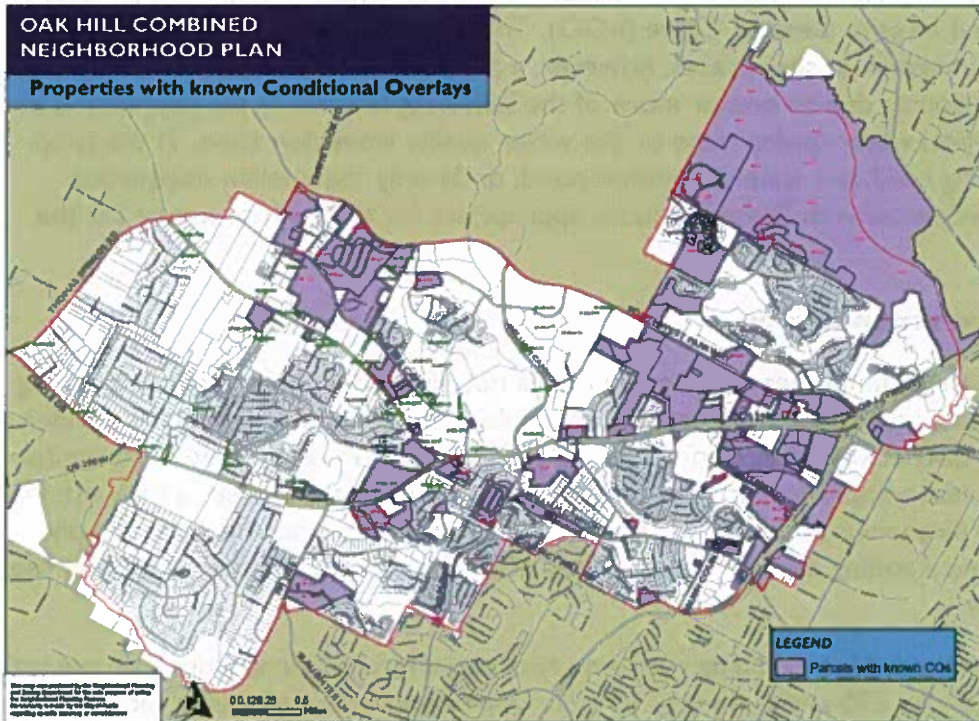
Conditional overlays are additional restrictions that the City places on a property that limits the development rights that would otherwise be allowed under a particular zoning district. For example, if a zoning district allows 60 feet in height, a conditional overlay could restrict that limit to 50 feet. A conditional overlay may prohibit uses that would normally be allowed under a zoning district, but cannot allow uses or standards not allowed under the base zoning district. Figure 6-2 shows current known conditional overlays in Oak Hill.

Public Restrictive Covenants are agreements between a property owner and the City, which may limit certain development rights on a property (rights that cannot be restricted through a conditional overlay) or may require additional standards over what would normally be allowed. The City cannot put a restrictive covenant on a property without the property owner's consent, nor can the City terminate or amend a restrictive covenant without a property owner's consent.

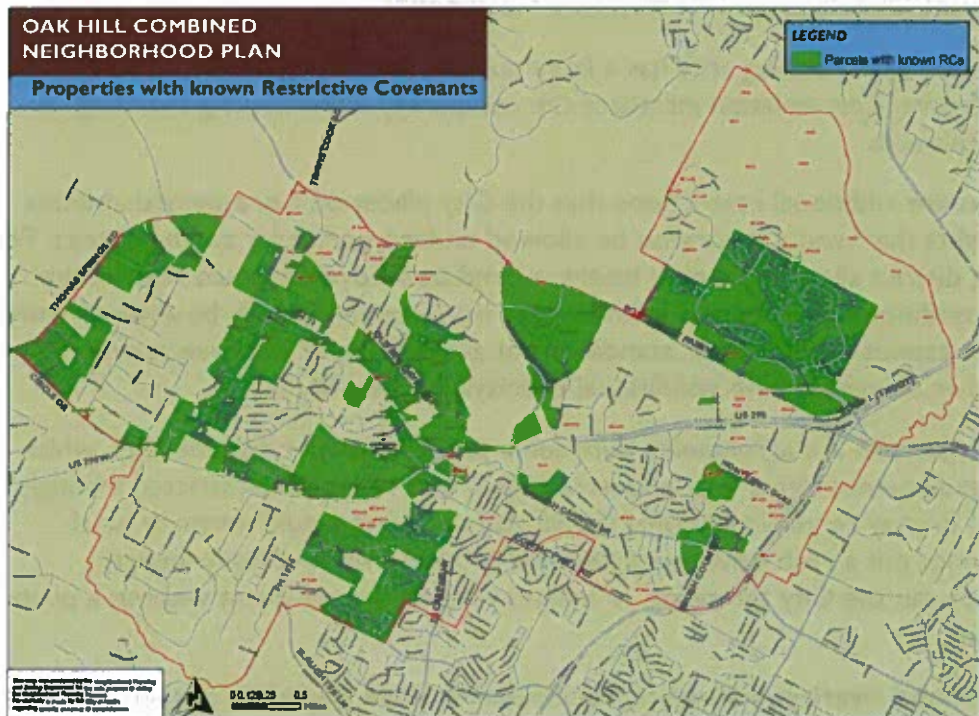
Many of these conditional overlays and restrictive covenants were placed on property through negotiations that occurred when property was annexed into the city in the mid-1980s or when a property owner initiated an individual zoning case. Because these agreements and



**Figure 6-2: Properties currently known to have conditional overlays (COs)**



**Figure 6-3: Properties currently known to have restrictive covenants (RCs)**



**NOTE:** Both maps are for illustrative purposes only and are not intended to represent all the restrictive covenants and conditional overlays in the planning area.



overlays have already been negotiated between the city staff, property owners and surrounding neighborhoods, staff does not recommend a zoning change on properties with existing conditional overlays and restrictive covenants. Figure 6-3 shows current known restrictive covenants in Oak Hill.

### PROHIBITED HIGH-RISK LAND USES

**6.B. Balance development and environmental protection by maintaining a vibrant residential and commercial community that demonstrates caring stewardship of the environment.**

#### **6.B.1**

Encourage zoning to be compatible with existing and neighboring land uses and seek optimal and most appropriate use of land.

6.B.1a—Rework zoning to allow/support the vision of the Oak Hill Neighborhood Plan.

6.B.1b—Cluster higher density development in appropriate areas, striving to balance the interests of all stakeholders while taking into consideration environmental concerns.

#### **6.B.2**

Provide business and residential expansion without creating urban sprawl.

6.B.2a—Provide support of targeted development, which are areas with existing infrastructure at commercial nodes.

**The uses listed in Figure 6-4 are prohibited in all tracts rezoned through this planning process; uses listed in Figure 6-5 are prohibited in all portions of rezoned tracts in the Critical Water Quality Zone (CWQZ), Water Quality Transition Zone (WQTZ), Critical Environmental Feature (CEF) buffer, and the 100-year floodplain. Figure 6-6 defines the prohibited uses. These prohibitions apply only to properties being rezoned with the adoption of this plan, but should be extended to future rezonings.**

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**Figure 6-4: High risk uses: Prohibit everywhere in the planning area**

High risk uses	Rationale
Basic Industry	Spill risk from use and transport of hazardous chemicals and solvents. Sediment loads and highly alkaline wastewater generated by concrete batch plants.
Laundry Services	Risk of dry cleaning solvents, such as tetrachloroethene (also known as perc or PCE), being leaked or discharged from dry cleaning facilities. An 11-acre perc spill has already occurred in the Northern Edwards Aquifer in the Bull Creek watershed. (Note: Non-toxic, wet laundry is not prohibited.)
Maintenance and Service Facilities	Spill risk from petroleum products (e.g., motor oil, gasoline) from maintenance and service of equipment; new large-scale public infrastructure not encouraged in the Drinking Water Protection Zone.
Railroad Facilities	Spill risk from petroleum products from outdoor maintenance and service of equipment. (Note: Passenger rail is not prohibited.)
Resource Extraction	Large sediment loads generated; risk of chemical releases during mining processes; potential disruption of surface and ground water flows.
Scrap and Salvage Services	Spill risk from petroleum products (e.g., motor oil, gasoline), antifreeze, and battery acid from outdoor storage and salvage of vehicles.
Stockyards	Animal waste generated can cause nutrient pollution (eutrophication) in surface and ground waters. Concentrated animal feeding operations (CAFOs) already prohibited in the Edwards Aquifer recharge zone by TCEQ.



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**Figure 6-5: Medium and low risk uses: Prohibit in Sensitive Areas (CWQZ, WQTZ, CEF buffer, and 100-year floodplain)**

Medium risk uses	Rationale
Agricultural Sales and Services	Spill risk associated with bulk outdoor storage and transport of agricultural chemicals (e.g., fertilizers and pesticides).
Custom Manufacturing	Spill risk from chemicals used in manufacturing processes (e.g., metal plating & mercury from neon sign shops).
Equipment Repair Services	Spill risk from petroleum products (e.g., motor oil, gasoline) from maintenance and service of equipment.
Equipment Sales	Spill risk from petroleum products (e.g., motor oil, gasoline) from maintenance and service of equipment; sediment loads generated from washing of rental equipment.
Exterminating Services	Spill risk associated with bulk storage and transport of pesticides.
Service Station	Spill risk from gasoline from everyday customer use, refilling of and storage in underground storage tanks (USTs), and tanker transport.
Low risk uses	Rationale
Automotive Repair Services	Spill risk from petroleum products (e.g., motor oil, gasoline) from repair services and leaking vehicles.
Construction Sales and Services	Spill risk associated with lumber companies which sell and store materials treated with chemicals (e.g., wood preservatives) harmful to water supplies and receiving waters.
Recreational Equipment Maintenance and Storage	Spill risk from petroleum products (e.g., motor oil, gasoline) and cleaning/resurfacing chemicals from maintenance and service of equipment.

**Figure 6-6: Development Code Definition of Uses**

**BASIC INDUSTRY:** The basic processing and manufacturing of materials or products predominately from extracted or raw materials; storage or manufacturing processes that involve flammable or explosive materials; or storage or manufacturing processes that involve hazardous or commonly recognized offensive conditions, including poultry processing

**LAUNDRY SERVICES:** The provision of laundering, dry cleaning, or dyeing services other than those classified as personal services. This use includes bulk laundry and cleaning plants, diaper services, and linen supply services.

**MAINTENANCE AND SERVICE FACILITIES:** The provision of maintenance, repair, vehicular or equipment servicing, material storage, or similar activities, and includes equipment service centers and similar uses having characteristics of commercial services, contracting, or industrial activities.

**RAILROAD FACILITIES:** Railroad yards, equipment servicing facilities, or terminal facilities.

**RESOURCE EXTRACTION:** On-site extraction of surface or sub-surface mineral products or natural resources. This use includes quarries, borrow pits, sand or gravel operations, oil or gas extraction, and mining operations.

**SCRAP AND SALVAGE SERVICES:** The storage, sale, dismantling or other processing of used or waste materials that are not intended for re-use in their original forms. This use includes automotive wrecking yards, junkyards, and paper salvage yards.

**STOCKYARDS:** The temporary keeping of livestock for slaughter, market, or shipping. This use includes stockyards, animal sales, and auction yards.

**AGRICULTURAL SALES AND SERVICES:** The on-site sale of feed, grain, fertilizers, pesticides and similar goods, or the provision of agricultural services with incidental storage of goods off-site. This use includes hay, feed, and grain stores and tree service firms

**CUSTOM MANUFACTURING:** The on-site production of goods by the use of hand tools, domestic mechanical equipment not exceeding five horsepower, or a single kiln not exceeding 12 kilowatts, and the incidental sale of those goods. This use includes candle-making shops and custom jewelry manufacturing.



**Figure 6-6: Development Code Definition of Uses (continued)**

**EQUIPMENT REPAIR SERVICES:** The repair of trucks of one ton or greater capacity, tractors, construction equipment, agricultural implements, or similar heavy equipment. This use includes truck repair garages, tractor and farm implement repair services, and machine shops, but excludes dismantling and salvage activity.

**EQUIPMENT SALES:** The sale or rental of trucks of one ton or greater capacity, tractors, construction equipment, agricultural implements, mobile homes, or similar heavy equipment, including incidental storage, maintenance, and servicing. This use includes truck dealerships, construction equipment dealerships, and mobile home sales establishments.

**EXTERMINATING SERVICES:** The eradication or control of rodents, insects, or other pests with incidental storage on sites other than where the service is rendered.

**SERVICE STATION:** The provision of fuel, lubricants, parts and accessories, or incidental services to motor vehicles.

**AUTOMOTIVE REPAIR SERVICES:** The repair of automobiles, noncommercial trucks, motorcycles, motor-homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. This use includes muffler shops, auto repair garages, tire sales and installation, wheel and brake shops, body and fender shops, and similar repair and service activities, but excludes dismantling or salvage.

**CONSTRUCTION SALES AND SERVICES:** Construction activities, the incidental storage of materials on sites other than construction sites, and the on-site sale of materials used in the construction of buildings or other structures, other than retail sale of paint, fixtures and hardware. This use includes building materials stores, tool and equipment rental or sales, and building contractor businesses, but excludes automobile sales, automobile rentals, automobile washing, automotive repair services, commercial off-street parking, equipment repair services, equipment sales, service stations, and vehicle storage.

**RECREATIONAL EQUIPMENT MAINTENANCE AND STORAGE:** The use of a site for the maintenance, service, or storage of sports equipment, watercraft, watercraft motors, trailers, motorcycles, or motorhomes.

**OAK HILL COMBINED NEIGHBORHOOD PLAN**

**Creek Buffers**

**Figure 6-7: Oak Hill Creek Buffers**

The map displays the Oak Hill area with various streets labeled, including STATE HWY 280, SOUTHWEST, BRODIE, and CANNON. The creek buffers are highlighted in blue, indicating areas designated for water quality protection. A legend in the bottom right corner defines the buffer zones: Critical Water Quality Zone (dark blue) and Water Quality Transition Zone (light blue). A scale bar indicates distances from 0 to 1 mile.

**LEGEND**

- Critical Water Quality Zone
- Water Quality Transition Zone

Scale: 0 0.25 0.5 1 Miles

North Arrow

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