

RESOLUTION NO.

WHEREAS, the City of Austin recognized Lady Bird Lake as a treasured resource in the heart of Austin by adopting the citizen lead Waterfront Overlay Ordinance to protect Lady Bird Lake's water quality and scenic assets; and

WHEREAS, it is important that property owners within the Waterfront Overlay and adjacent neighborhoods and city staff are all in agreement with what the ordinance states and the review process for administrative approvals and variances; and

WHEREAS, avoiding future litigation regarding the interpretation of the Waterfront Overlay is in the best interest of all concerned parties; and

WHEREAS, in order to evaluate potential inconsistencies and ambiguities, the City Council passed Resolution No. 20071129-042 on November 29, 2007, directing the City Manager to establish a Waterfront Overlay Taskforce to include members from relevant city boards and commissions, neighborhood advocates and members of the development community, and

WHEREAS, after a nine-month public process devoted to reviewing relevant provisions of the Land Development Code, the Waterfront Overlay Taskforce presented its final recommendation to the City Council on December 18, 2008; **NOW THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

The City Manager is directed to:

- (1) Process Code amendments necessary to implement Recommendation Nos. 1, 2, 3, and 5 in the Executive Summary of the Waterfront Overlay Task Force Final Report, which is attached hereto as Exhibit A. The amendments may include, but are not limited to: City Code Chapter 25-2 (*Zoning*), Subchapter C (*Use and Development Regulations*), Division 6 (*Waterfront Overlay District Requirements for Town Lake Park*), Division 7 (*Waterfront Overlay District and Subdistrict Uses*), and Division 8 (*Waterfront Overlay District and Subdistrict Development Regulations*), and other related provisions of the Land Development Code.
- (2) Develop a recommended approach for awarding development bonuses in exchange for community benefits, consistent with Recommendation No. 4 in final Task Force report. The City Council intends that this recommendation will provide a starting point for subsequent development of proposed Code amendments through a collaborative process involving city staff and the Waterfront Planning Advisory Board, to be created in accordance with Task Force Recommendation No. 3.

BE IT FURTHER RESOLVED THAT:

The City Manager is directed to complete work on the foregoing items on or before April 23, 2009, and to provide an opportunity for the Waterfront

Overlay Task Force to comment on the draft ordinance prior to review by City boards and commissions.

ADOPTED: _____, 2009 **ATTEST:** _____

Shirley A. Gentry
City Clerk

DRAFT