

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C2O-2009-007

Description:

Amend Chapters 2-1 and 25-2 of the City of Austin Land Development Code, amending and adding sections relating to the Waterfront Overlay Combining District and the Waterfront Overlay Planning Advisory Board.

Background:

The Waterfront Overlay Task Force was created in 2007 to review provisions of the City Code to identify ambiguities and inconsistencies between the City Code and the 1986 Waterfront Overlay Ordinance. After a nine-month public process, the Waterfront Overlay Task Force presented its final report to the City Council, and it included a recommendation that the City Code be revised to correct issues identified in its final report.

On February 12, 2009, the City Council approved a resolution directing the City Manager to process code amendments to implement certain recommendations of the Waterfront Overlay Task Force Report.

Departmental Comments:

The draft ordinance implements four of the main recommendations of the Waterfront Overlay Task Force, as directed by City Council. These recommendations are:

1. **State the goals of the Town Lake Corridor Study in the Waterfront Overlay.** The 1985 Town Lake Corridor Study was the basis for the original Waterfront Overlay Ordinance. The proposed ordinance would state those goals in the Waterfront Overlay code to provide background, and a context for interpretation of the code.
2. **Establish a new Waterfront Planning Advisory Board.** This would re-establish a city board to review and provide comment on all projects within the Waterfront Overlay.
3. **Re-establish the sub-district maximum heights.** Currently the Waterfront Overlay does have maximum heights provisions. The ordinance would place a maximum height on developments subject to the Waterfront Overlay. These maximums would vary by subdistrict.
4. **The revised Waterfront Overlay District ordinance should supersede all other city-wide design policies and regulations.** Currently sections of the Commercial Design Standards supersede the Waterfront Overlay. The ordinance includes provisions to reverse this.

Board and Commission Actions

- **Planning Commission Subcommittee on Codes and Ordinances** – March 17, 2009: Recommended the amendments be forwarded to the full Planning Commission for public hearing, discussion and action. (5-0).

- **Design Commission** – March 30, 2009: On a vote of 6-0, recommended approval of the amendments with the following changes:
 - 1) Part 1 (C): Added a new (4) “Policy recommendations that update the goals of the Town Lake Corridor Study including integrating parkland acquisition with planning for roadway and other public improvements, with particular attention to the area east of Longhorn Dam to the city limit line.”
 - 2) Part 1 (C) (4): renumbered to Part 1 (C) (5).
 - 3) Part 3 (C): add to the end “as defined by the subdistrict goals of the Town Lake Corridor Study.”
- **Environmental Board** – April 1, 2009: On a vote of 4-2 recommended approval of the amendments with the following changes:
 - 1) The Waterfront Overlay would apply to Planned Unit Developments (PUDs) and Planned Development Areas (PDA’s)
 - 2) The Environmental Board would review and provide recommendations on all projects within the Waterfront Overlay that request variances to provisions of the Waterfront Overlay addressing environmental protection,
 - 3) Any consideration of impervious cover in any future bonus provisions should be consistent with the Waterfront Overlay Task Force’s recommendations, and eliminate any subjective judgment of superiority.

Pending Board and Commission Dates

- Planning Commission– April 28, 2009
- Downtown Commission– April 15, 2009
- Waterfront Overlay Task Force – Friday April 24, 2009
- Zoning and Platting Commission– April 21, 2009
- Parks Board– April 28, 2009

City Council Date and Action:

November 29, 2007: Council approved Resolution No. 20071129-042 directing the City Manager to establish a Waterfront Overlay Task Force to evaluate the current ordinance for ambiguities and inconsistencies.

March 27, 2008: Council approved Resolution No. 20080327-039 adopting the Waterfront Overlay Task Force composition and action plan, and directing the City Manager to notify the designated boards and commissions to make their appointments.

October 16, 2008: Council approved Ordinance No. 20081016-034 extending the due date to report findings from the Waterfront Overlay Task Force.

December 18, 2008: Waterfront Overlay Task Force presented its final report to the City Council.

February 12, 2009: Council approved Resolution No. 20090212-025 directing the City Manager to process code amendments to implement certain recommendations of the Waterfront Overlay Task Force Report.

April 2, 2009: Council sets a public hearing on this item for May 30, 2009

May 30, 2009: City Council is set to schedule a public hearing for May 30, 2009

Ordinance Readings:

1st

2nd

3rd

Ordinance Number:

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