

RECOMMENDATION FOR CODE AND CRITERIA CHANGES REGARDING ACCESS TO SHORELINE (TRAMS) AND SHORELINE MODIFICATIONS

Description:

Amend the City Code, Chapter 25-2, Subchapter C, Article 13 relating to docks, bulkheads and shoreline access, Chapter 25-5-2 relating to site plan exemptions and Chapter 25-8-92 relating to Critical Water Quality Zone boundaries. This Code amendment proposes to clarify regulations for shoreline access (i.e. trams or incline elevators) and modify shoreline protection requirements to include the prevention of vertical bulkheads, promotion of stable and environmentally-functional shorelines that provide wave abatement, and additional guidance to protect the integrity, water quality and safety of Lake Austin, Lady Bird Lake, and Lake Walter E. Long as requested by the Parks Board, Environmental Board and Planning Commission in 2009. Amendments to 25-5-2 (Site Plan Exemption) will clarify related site plan exemptions for maintenance. Amendments to 25-8-92 will provide unambiguous clarification that the inundated areas of the lakes are considered part of the Critical Water Quality Zone. A new section of the ECM will be proposed to support the amended code.

Background:

There has been an increase in permitting requests for incline elevators (trams) as a means of providing access to the lake shore over cliffs or slopes. While traditional methods of access such as footpaths, stairs or sidewalks are addressed in the code, additional requirements are needed to regulate incline elevators and protect Critical Environmental Features.

Vertical bulkheads currently compose approximately one half of the natural shoreline of Lake Austin and do not support the environmental, water quality and wave abating benefits that naturally sloped and vegetated shorelines provide. WPD Environmental Resource Management Division has provided a webpage summarizing the disadvantages of vertical bulkheads and benefits of sloped and vegetated shorelines http://www.ci.austin.tx.us/watershed/bulkhead_shoreline.htm

Summary of Proposed Changes to the LDC:

LDC 25-2 Article 13 (Boat Docks)

- Change Article 13 title to “Docks, Bulkheads and Shoreline Access”
- Replace “Town Lake” with “Lady Bird Lake” to reflect current name.
- Prohibit new boat ramps
- Prohibit storage of toxic or hazardous materials over water (fuel, herbicides, insecticides, etc)
- Include definitions for bulkhead and shoreline access (trams)
- Require site plan and building permit for shoreline access (trams)
- Require a licensed third-party inspection for trams (to meet State regulations)
- Construction of shoreline access must minimize disturbance to vegetation, preserve canopy, replace herbaceous ground cover and be screened from view with vegetation
- Shoreline stabilization to minimize wave action and wave return, demonstrate design guidelines and materials as specified in ECM (forthcoming), no bulkhead or revetment slopes greater than 45 degrees (unless in narrow man-made channels)
- Prohibit capturing or recapturing of land

LDC 25-8-92 (CWQZ)

- Clearly establish that inundated areas are part of the CWQZ

LDC 25-2-1066 (Screening Requirements)

- Trams must be screened from the view of property that is in an urban residence (SF-5) or more restrictive zoning district by providing vegetation and tree canopy as prescribed by rule.

LDC 25-5-2 (Site Plan Exemptions) and 25-5-3 (Small Projects)

- Site plan is not required for maintenance if structure was legally constructed, no variance is required, no board or commission approval required, no change to footprint, and no addition or replacement of piles unless the structure is compliant with current code
- Shoreline access exceeding 50ft and 35% gradient is not considered a small project

Boards and Commissions:

- Feb 19, 2009, Parks Board resolution to recommend amending the LDC to require review and permitting of trams
- July 15, 2009, Environmental Board resolution to recommend to the Planning Commission to initiate staff development of code and criteria changes as necessary to clarify shoreline protection requirements
- Aug 25, 2009, Parks Board moved to support the Environmental Board resolution
- Oct 27, 2009, Planning Commission initiates staff development of code changes
- Spring 2010, Parks Board, Environmental Board status presentations
- June/July 2010, Environmental Board Subcommittee Meetings (with stakeholder input)
- July 21, 2010, Environmental Board Motion to support draft amendments
- Aug 24, 2010, Parks Board Motion to support draft amendments
- Planning Commission is scheduled for September 28, 2010

Backup Material Resource Links:

The following list presents resources on shoreline stabilization provided by federal, regional, state and municipal entities. Included resources include: a literature review, handbooks for landowners, alternative method recommendations and technical guidance.

- **The Construction, Aesthetics, and Effects of Lakeshore Development: A Literature Review**
(Wisconsin Department of Natural Resources)
http://dnr.wi.gov/org/es/science/publications/PUBL_SS_577_99.pdf
- **Shoreline Stabilization Handbook for Lake Champlain & Other Inland Lakes**
(Northwest Regional Planning Commission, NOAA)
<http://nsgd.gso.uri.edu/lcsg/lcsg04001.pdf>
- **Streambank and Shoreline Stabilization Guidance**
(Georgia DNR)
http://www.gaepd.org/Files_PDF/techguide/wpb/Streambank_and_Shoreline_Stabilization_Guidance.pdf
- **Shore Erosion Control, the Natural Approach**
(NRCS, NOAA, Maryland DNR)
ftp://ftp-fc.sc.egov.usda.gov/MD/web_documents/programs/rcd/shore_esrcd.pdf
- **Green Shorelines Report**
(City of Seattle)
http://www.cityofseattle.net/dpd/static/Green_Shorelines_Final_LatestReleased_DPDS015777.pdf
- **Understanding, Living With, and Controlling Shoreline Erosion: A Guidebook for Shoreline Property Owners**
(Tip of the Mitt Watershed Council)
<http://www.watershedcouncil.org/resources%20and%20publications/files/Shoreline%20Erosion%203rd%20Edition.pdf>
- **Erosion Control: Non-Structural Alternatives. A Shorefront Property Owner's Guide**
(North Carolina Coastal Federation)
www.nccoast.org/newsroom/images-pdfs/guides/ErosionBro.pdf
- **Engineering Field Handbook: Chapter 16 – Streambank and Shoreline Protection**
(USDA Natural Resource Conservation Service)
<ftp://ftp-nhq.sc.egov.usda.gov/NHQ/pub/outgoing/jbernard/CED-Directives/efh/EFH-Ch16.pdf>

City Staff:

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