

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2013-025 Lake Austin Boat Dock and Shoreline Amendments

Description: Consider an amendment to City Code Title 25 relating to Lake Austin (LA) District zoning regulations and general regulations for boat dock and shoreline development.

Proposed Language: See attached draft ordinance for details.

Summary

- Clarifies that pedestrian access facilities in the Lake Austin District shoreline setback must be non-mechanized.
- Removes on-site sewage facility requirements from the Lake Austin District Zoning regulations
- Moves vegetation protection requirements in the Lake Austin District to 25-8, and creates a new requirement that within 25 feet of the shoreline 50% of the area must be preserved or restored to a natural condition if disturbed.
- Requires vegetation to be restored with native vegetation on slopes greater than 15% in the Lake Austin District that are disturbed by construction.
- Limits appurtenances to docks to storage closets up to 48 ft², roofs, second floors, marine lockers, non-potable water pumps, electrical connections, lighting, gates, fans, slides/swings, no more than 2 boat slips and non-mechanized pedestrian access.
- Moves limitations on habitable structures on docks to 25-2-893.
- Specifies that if a house crosses multiple lots, it can have only one dock.
- Removes requirements that modification of non-complying docks must reduce the size and number of slips by 50%.
- Removes allowance for replacing up to 50% of the pilings of a non-complying dock or bulkhead. All of the structural members of legal, non-complying dock or bulkhead may now be maintained as long as the location, footprint and degree of non-compliance are not increased and work is done under a site plan.
- Allows for legal, non-complying docks to replace structural components and keep the existing horizontal and vertical footprints in perpetuity.
- Modification of a bulkhead under a site plan exemption is limited to less than 25% of the length and is not repeated more than once every 3 years.
- Limits site plan exemptions for work on docks to work only on non-structural components. Site plans are required for modification or maintenance of dock structural components.
- Allows that docks constructed before 1984 do not have to prove that they were legally constructed as long as they remain in their pre-1984 configuration, or otherwise were legally altered after 1984.
- Requires that an engineer must sign and seal site plans for docks.

- Adds boat lifts to the definition of docks.
- Defines cluster docks.
- Changes dock lighting specifications from watts to lumens to allow for use more energy saving lighting.
- Adds a new allowance for a one slip boat dock up to 14 ft wide for lots less than 70 feet wide.
- Limits docks to less than 1,200 ft² in total footprint or 600 ft² per associated residential use for cluster docks, and limits dock to no more than 30 feet in height.
- Limits docks to no longer than 30 ft and not more than 20% of the width of the lake as measured from shoreline to opposite shoreline.
- Limits docks to moor or store not more than 2 boats, 1 boat and 2 jet ski or 4 jet skis.
- Allows for administrative approval of dredging if necessary for navigation up to 25 cubic yards.
- Allows for a one-time replacement of a bulkhead 6" in front of an existing bulkhead if there is no other alternative that would be less damaging to the lake.
- Moves land capture provisions from 25-2 to 25-8.
- Moves allowance for docks in the 100-year floodplain to the 25-year floodplain.
- Changes variance approvals from Planning Commission to Zoning and Platting Commission, and removes a prohibition on administrative variances within 500 feet of Lake Austin.

Background: Initiated by Council Resolution 20130829-078.

The Lake Austin Task Force was commissioned by the Austin City Council to develop recommendations for future regulatory controls and enforcement mechanisms relevant to Lake Austin to promote, preserve and protect this critical public asset. In August 2013, the Lake Austin Task Force published a final report providing recommendations to Austin City Council to improve management of Lake Austin.

In August 2013, the Austin City Council directed the City Manager to develop code amendments relating to boat dock registration, boat dock development and shoreline development (Resolution No 20130829-078).

Staff Recommendation: Staff recommends the proposed code amendment.

Board and Commission Actions

March 18, 2014: Recommended by the Codes and Ordinances Subcommittee on a 5-0 vote.

March 19, 2014: Recommended by the Environmental Board on a 6-0-0-1 vote.

March 25, 2014: A public hearing was conducted at Planning Commission, but action was postponed to April 8, 2014.

April 8, 2014: Recommended with amendments by the Planning Commission on an 8-0 vote, Commissioner Hernandez was off the dais.

Council Action

April 17, 2014: A public hearing was conducted and the ordinance was passed on first reading only one a vote of 7-0.

June 12, 2014: The ordinance was approved on second reading on a vote of 6-1. The proposed removal of a prohibition on administrative variances within 500 feet of Lake Austin in 25-8-42 was removed by Council.

June 26, 2014: The ordinance is scheduled to be approved on third reading.

Ordinance Number: NA

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