Proposed Land Development Code Amendments

Environmental Commission Meeting
August 16, 2017
7 Proposed Code Amendments

Phase 1: 41 amendments adopted on June 15, 2017
Phase 2: 6 amendments deferred for further review; 1 additional amendment identified by staff

<table>
<thead>
<tr>
<th>Redevelopment Exception amendments</th>
<th>6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water quality control requirements for agricultural improvements</td>
<td>1</td>
</tr>
</tbody>
</table>
2007 BSZ Redevelopment Exception

Goal:

• Address the water quality pollution generated by existing non-compliant development in the Barton Springs Zone by providing an opportunity for high-quality redevelopment

Strategies:

• Retrofit water quality structural controls where no or poor controls existed before

• Offset highly impervious sites with off-site land mitigation
BSZ Redevelopment Exception: The Basics

• Available to sites with existing commercial development

• Property gets to keep (but not increase) all existing impervious cover and development in creek and CEF buffers

• Sites with less than 40% impervious cover
  – Must use non-degradation (SOS) water quality controls
  – No mitigation land required

• Sites with greater than 40% impervious cover
  – Minimum of sedimentation/filtration controls required on-site
  – Must be mitigated by the purchase of off-site land to reach an overall impervious cover target of 20%
Lead Loading Case Study:
Oak Hill Neighborhood Planning Area

HEB at the Y
0.2 lbs/ac/yr

Pounds of Lead per Acre per Year Exported to the Environment
To improve redevelopment opportunities and environmental protection, consider:

1. Impact of expanding Redevelopment Exception to **residential properties** in and beyond the Barton Springs Zone;
2. Impact of **partial site** Redevelopment Exception; and
3. **Other** amendments that could encourage redevelopment while providing environmental benefits in and beyond the Barton Springs Zone.
Redevelopment Exception Amendments

• **§25-8-26(A), Extend applicability to multifamily land use**
  – Allow BSZRE to be used for properties with existing residential development with greater than two dwelling units per lot (i.e., multifamily residential)
  – Require Council approval for properties with more than 25 existing dwelling units [§25-8-26(F)]

• **Benefits**
  – Increases potential for water quality retrofits and preservation of open space
  – Requiring Council approval provides additional scrutiny for large multifamily projects
§25-8-25(A)/26(A)/27(A), Extend applicability to sites that previously contained unpermitted development
- Allow the redevelopment exception to be used if any development constructed without a permit after January 1, 1992 has been removed and the area restored

Benefits
- Redevelopment cannot take advantage of illegal development
- Increases potential for water quality retrofits and preservation of open space
Redevelopment Exception Amendments

• §25-8-26(E)/(H), Allow use on a portion of a site
  – Change water quality and mitigation requirement from the entire site to an impervious area at least twice the size of the redeveloped impervious area

• Benefits
  – Allows gradual redevelopment of larger sites/projects
  – Smaller projects often more feasible/practical
  – Achieve water quality retrofit and open space preservation on a shorter time-scale
  – Doubles the treatment area proposed in 2013
  – Consistent with original partial site option (up to 25%) in 2000

Redevelopment Exception unintentionally eliminated by WPO
Case Study: Oak Hill Plaza

- 16.8 acres
- 83% IC
- Flood control only (no WQ controls)
Case Study: Existing Code
(Oak Hill Plaza)

Sed/fil pond for entire site

Mitigation land for entire site

52.9 acres or $1,458,817 mitigation fee
Case Study: Partial Site Redevelopment
(Oak Hill Plaza)

- 16,000 square feet / 0.37 acres
Case Study: Partial Site Redevelopment
(Oak Hill Plaza)

Mitigation land for 2x redeveloped area

2.78 acres or $76,526 mitigation fee

Sed/fil pond for 2x redeveloped area

0.74 acres
Redevelopment Exception Amendments

• §25-8-26(F), City Council approval
  – Require Council approval for properties with more than 25 existing dwelling units
  – Allow projects with existing civic land uses to be reviewed and approved administratively

• Benefits
  – Provides additional scrutiny for large multifamily projects
  – Simplifies use of redevelopment exception for small civic and multifamily projects
  – Other triggers for Council review remain in place
Redevelopment Exception Amendments

• §25-8-26(H)/27(G), Mitigation credit for on-site restoration
  – Provide 1:1 mitigation credit for removing impervious cover from and restoring creek or CEF buffers

• Benefits
  – Provides incentive to restore lost natural function in environmentally sensitive areas
  – Allowing on-site mitigation as an option will not be a barrier to redevelopment
• §25-8-211/30-5-211, Water quality control requirements
  – Exempt agricultural improvements (like barns) from water quality control requirements if they are located in an urban or suburban watershed and total impervious cover does not exceed 20% of gross site area
Andrea Bates
Watershed Protection Department
City of Austin
(512) 974-2291
andrea.bates@austintexas.gov