



## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Victoria J. Li, P.E., Director  
Watershed Protection Department

**DATE:** April 19, 2013

**SUBJECT:** Recommendations for Improving the Redevelopment Exception  
([Resolution No. 20121213-066](#))

On December 13, 2012, City Council adopted a resolution directing staff to work with stakeholders to develop recommendations for improving both redevelopment opportunities and environmental protection, and to report the recommendations to City Council not later than April 30, 2013. Specifically, staff was asked to consider:

- the impact of expanding the Barton Springs Zone Redevelopment Exception to include existing residential development;
- the impact of expanding the application of the exception to include redevelopment of a portion of a site; and
- other code amendments that could encourage redevelopment while providing environmental benefits in the Barton Springs Zone; and if appropriate, in other areas of the City.

In developing recommendations, staff first completed an analysis of properties within the Drinking Water Protection Zone that would have potential to redevelop (i.e., existing development exceeds the allowed watershed impervious cover limit). Staff then conducted public stakeholder meetings as part of the Watershed Protection Ordinance process on March 8 and April 1. In addition, staff reached out to key stakeholders that were involved with the creation of the original Barton Springs Zone Redevelopment Exception. Adopted in 2007, the Barton Springs Zone Redevelopment Exception provided a process for landowners to redevelop existing commercial properties in the Barton Springs Zone (BSZ) and retain their existing impervious cover if water quality controls and mitigation land were provided to address the overall water quality goals of the Save Our Springs (SOS) Ordinance.

The existing Barton Springs Zone Redevelopment Exception has been used sparingly since adoption (two applications in six years). Although the national economic downturn and uncertainty of transportation infrastructure in the Oak Hill area have likely played a role in the

limited activity, based on conversations with members of the development community it is also likely that the narrow scope of the existing ordinance has contributed to the lack of redevelopment under this ordinance. Staff believes there are opportunities to further extend the exception and streamline the process to allow more properties to be redeveloped in a manner that achieves the economic and environmental goals of the City. This includes properties within Water Supply Suburban and Water Supply Rural watersheds that are currently limited to redevelopment of only 25 percent of existing impervious cover.

Based on analysis and stakeholder discussions, staff proposes the following recommendations:

- **Barton Springs Zone**
  - Extend the application of the section to existing authorized residential development with greater than two dwelling units per lot (multifamily and manufactured homes);
  - Change the water quality requirement from the “entire site” to the “redeveloped area or an equivalent area on the site”;
  - Adjust Council approval requirement to 25 additional multifamily dwelling units (rather than 25 total units); and
  - Remove Council approval requirement for civic uses.
  
- **Water Supply Watersheds**
  - Extend the Barton Springs Zone Redevelopment Exception to “Water Supply Suburban” and “Water Supply Rural” watersheds (draining to Lake Travis, Lake Austin, Bull Creek, etc.). Use a similar structure to Barton Springs Zone Redevelopment Exception (including the modifications listed above), except:
    - Remove references to SOS Ponds (not applicable);
    - Change the combined impervious cover limit for the mitigation land and redevelopment to 40 percent for Water Supply Suburban and 20 percent for Water Supply Rural; and
    - Consider the use of mitigation payment for the upgrade of outdated water quality ponds or restoration of degraded riparian zones.
  
- **Urban and Suburban Watersheds**
  - Add provision for not increasing non-compliance with Critical Water Quality Zone and Critical Environmental Feature setbacks.
  
- **All Watersheds**
  - Add provision to prohibit redevelopment within the Erosion Hazard Zone; and
  - Remove the 25 percent option for the Drinking Water Protection Zone (no longer needed).

The amount of land affected by extending the option to non-single family residential properties within the Drinking Water Protection Zone is small (less than 3 percent of the total area), but represents a comparatively high pollutant load (as much as 10 times higher than for an equally sized property built with current water quality controls). Concerns expressed by stakeholders include the protection of existing single-family neighborhoods and the secondary environmental

impacts of increased density and traffic. In response to these comments, the proposal will not include existing single-family or duplex residential uses. However, staff believes that the environmental and community benefits of extending the exception to multi-family and mobile home uses in exchange for water quality treatment and off-site preservation of open space outweigh the potential impacts of increased density and traffic. In addition, existing thresholds for Council approval (including significant increases in dwelling units and vehicle trips) will provide additional public scrutiny for more intense projects. More information and justifications for the staff recommendations can be found at [this link](#) to the April 1 stakeholder meeting.

Staff will incorporate the above recommendations in this memo into the Watershed Protection Ordinance (WPO), which is currently being finalized. Boards, Commissions and Council will, starting this summer, have the opportunity to consider each proposed element along with the rest of the WPO. If you have any questions or require further assistance regarding this proposal, please contact Matt Hollon at 974-2212.

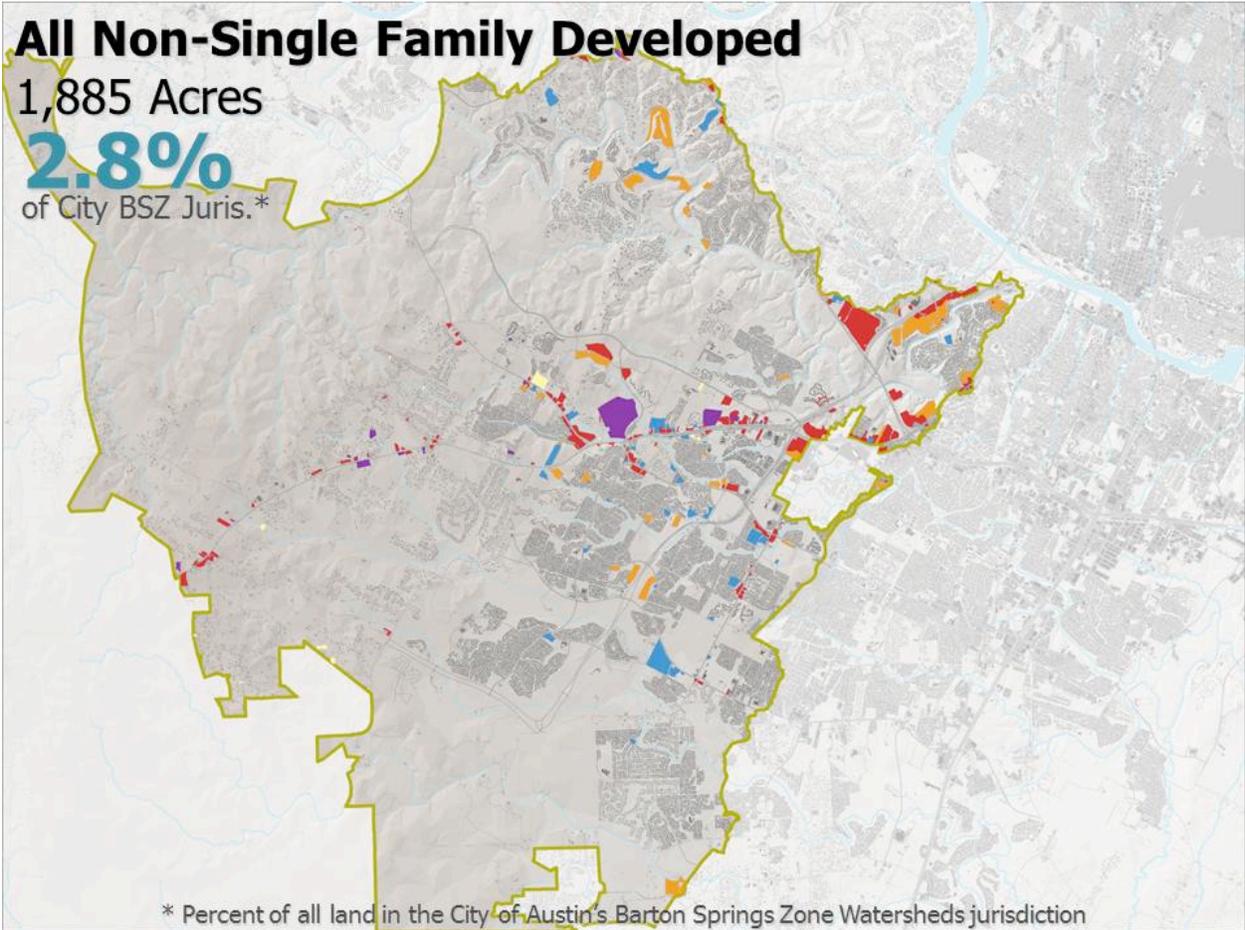
Attachments: Map figures (see page 4) show eligible properties to use expanded Redevelopment Exception in Barton Springs Zone and Water Supply watersheds.

Cc: Marc A. Ott, City Manager  
Sue Edwards, Assistant City Manager  
Greg Guernsey, Planning & Development Review Department  
George Adams, Planning & Development Review Department  
Joe Pantalione, Watershed Protection Department  
Jean Drew, Watershed Protection Department  
Chuck Lesniak, Watershed Protection Department  
Matt Hollon, Watershed Protection Department  
Erin Wood, Watershed Protection Department

## All Non-Single Family Developed

1,885 Acres

**2.8%**  
of City BSZ Juris.\*

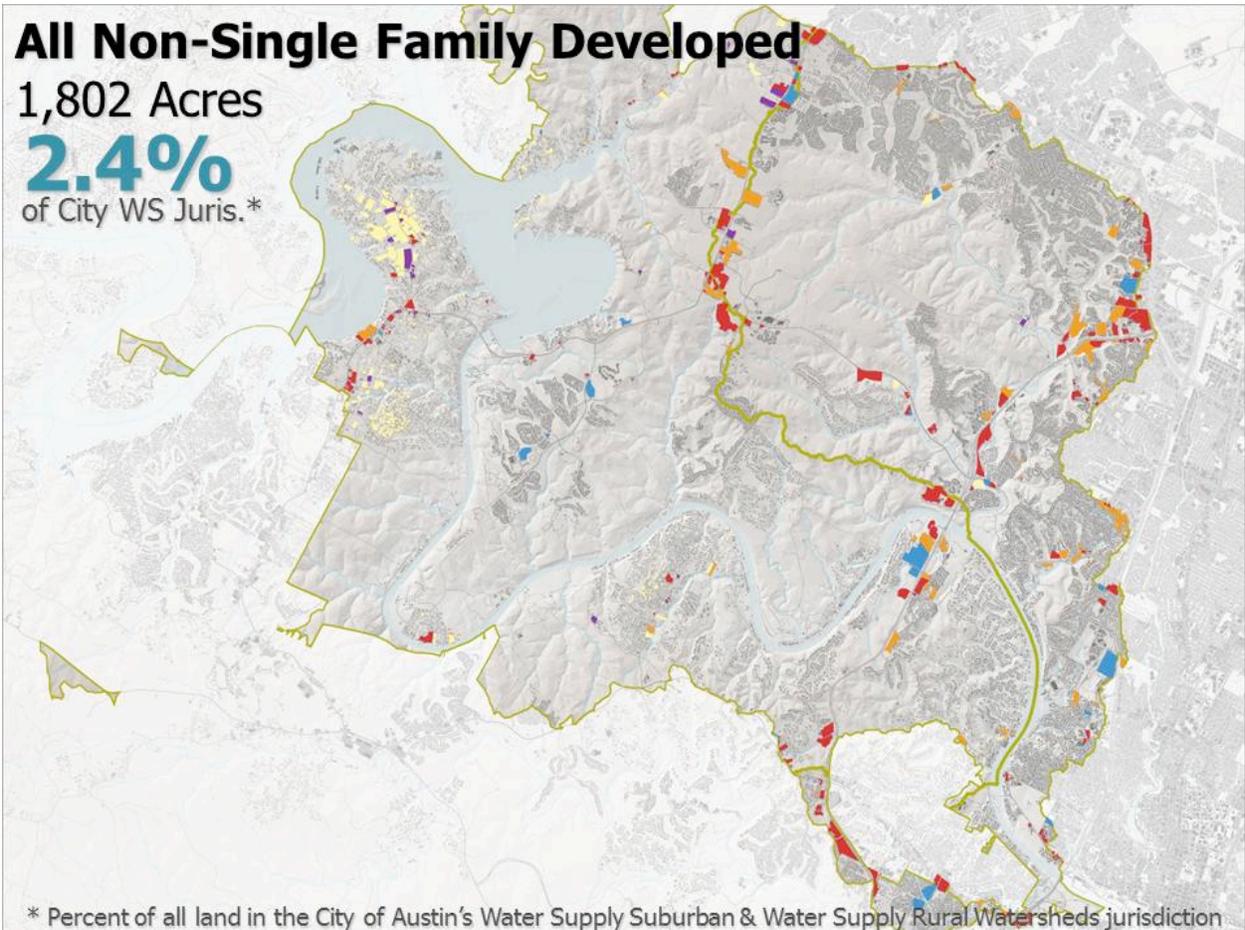


\* Percent of all land in the City of Austin's Barton Springs Zone Watersheds jurisdiction

## All Non-Single Family Developed

1,802 Acres

**2.4%**  
of City WS Juris.\*



\* Percent of all land in the City of Austin's Water Supply Suburban & Water Supply Rural Watersheds jurisdiction