



# Watershed Protection Ordinance (WPO) Stakeholder Meeting: Barton Springs Zone (BSZ) Redevelopment Exception Part 2

January 17, 2014

# WPO Process Update

- Watershed Protection Ordinance adopted on October 17, 2013
- Council requested further deliberation on the changes to the BSZ Redevelopment Exception
- Meet with stakeholders to gather additional information, concerns, and suggestions
- Stakeholder input will be used to make appropriate adjustments to staff recommendation to Council

# Meeting Objective

Complete review and suggest improvements for the Barton Springs Zone Redevelopment Exception (per Council resolution)

# Council Resolution 20121213-066

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
3. Other amendments that could encourage redevelopment while providing environmental benefits in and beyond the Barton Springs Zone

Click [here](#) for full resolution.

# 2007 BSZ Redevelopment Exception

## **Goal:**

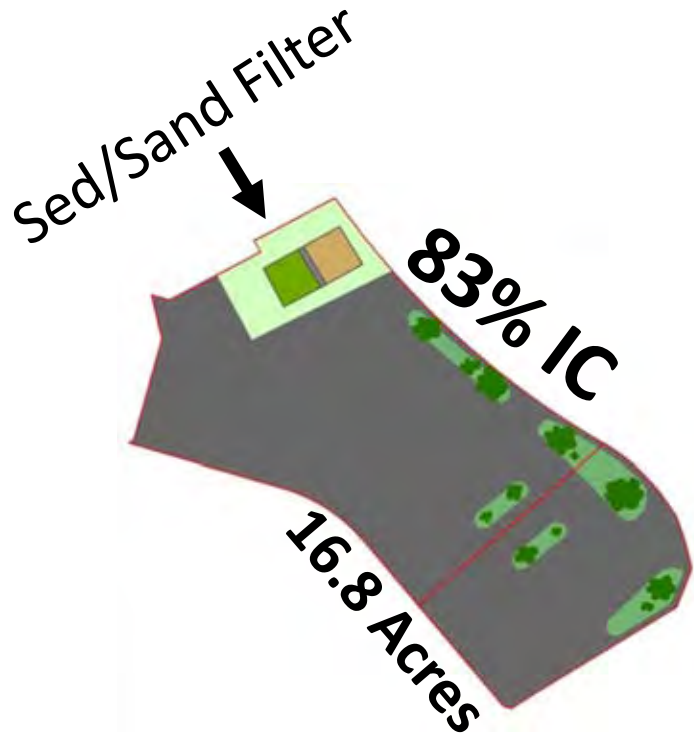
- Achieve better environmental controls and enhanced water quality by providing an opportunity for high-quality redevelopment

## **Strategies:**

- Retrofit water quality structural controls where no or poor controls existed before
- Offset highly impervious sites with off-site land mitigation

# Case Study: IC Above 40%

(Oak Hill Plaza)



+

0% IC

55.8 Acres



= 20% IC

72.6 Acres  
Combined

# All Non-Single Family Developed

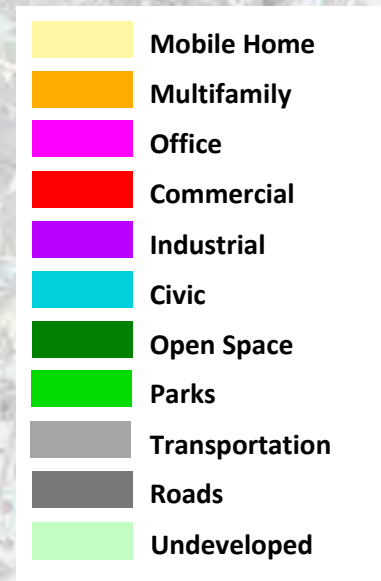
1,885 Acres

**2.8%**

of City BSZ Juris.\*

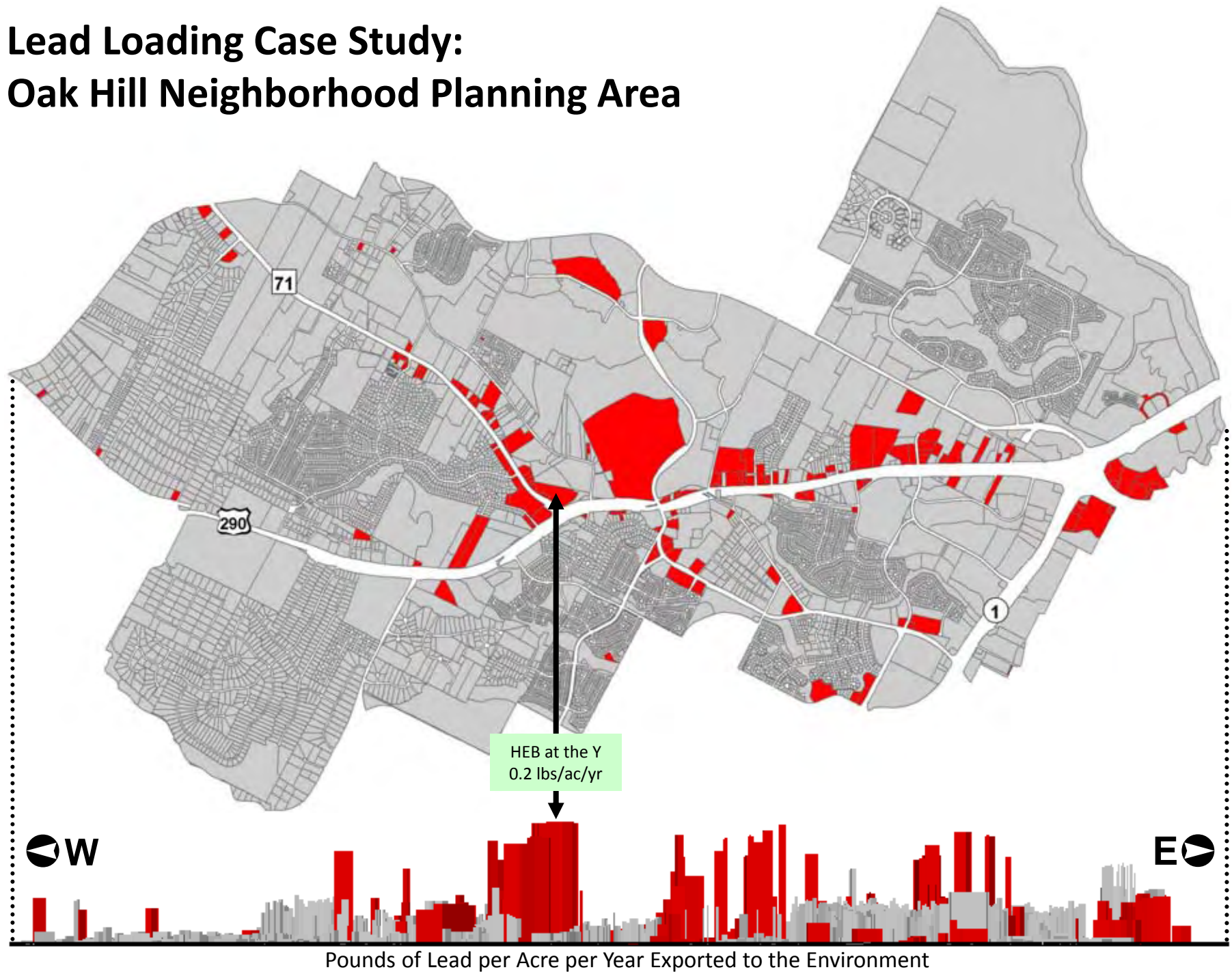
Permitted: 1.8%

Not Permitted: 1.0%  
by Existing Ordinance



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

# Lead Loading Case Study: Oak Hill Neighborhood Planning Area





# Staff Recommendation Summary

## **1. More Eligible Properties**

Expand to all uses except single-family residential & duplex

## **2. Use on Portion of a Site**

Allow a portion of a site to use (not always entire)

## **3. Water Quality Controls for Equivalent Area**

Allow required on-site treatment be done in equivalent area

## **4. Multifamily Units & Council Approval**

Change Council approval requirement from more than 25 residential units to 25 additional units

## **5. Civic Uses & Council Approval**

Remove Council approval requirement from civic land uses

# Contact Information

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[http://www.austintexas.gov/page/  
watershed-protection-ordinance](http://www.austintexas.gov/page/watershed-protection-ordinance)

# Recommendation: Extend to Additional Land Uses

Extend the application of the section to existing authorized residential development with greater than two dwelling units per lot.

- Increase potential for water quality retrofits and preservation of open space
- Exclude single-family and duplex residential to protect existing neighborhoods
- Retain existing Council approval thresholds to provide additional scrutiny for more intense projects

## **Recommendation: Allow Use on a Portion of a Site**

Change the water quality requirement from the “entire site” to the “redeveloped area or an equivalent area on the site”.

- Allow gradual redevelopment of larger sites/projects
- Smaller projects often more feasible/practical
- Water quality retrofit and open space preservation on a shorter time-scale
- Reduced footprint of disturbance during construction

# Recommendation: Water Quality Controls for Equivalent Area

Allow on-site, water quality control treatment required to be done for an equivalent area, not necessarily the exact footprint redeveloped.

- The equivalent area would have to be at least the same area, imperviousness, and use intensity as the redeveloped area.

# Recommendation: Encourage Small Multifamily Projects

Adjust Council approval requirement to 25 “additional” multifamily dwelling units (instead of 25 total units).

- Allows small-scale multifamily projects or modest increases in multifamily units without Council action
- Potential to increase housing options & affordability

# Recommendation: Administrative Approval for Small Civic Projects

Remove Council approval requirement for civic uses.

- Current requirement onerous for projects such as small schools and churches
- Existing Council thresholds for dwelling units and traffic trips will catch more intense projects
- Maintain Council threshold for existing industrial uses

**HEB/Center of the Hills**  
12.6 acres. 91% IC. No WQ Controls. Built 1985.

Direct  
discharge to  
Williamson  
Creek

100 ft  
20 m





## **Oak City Strip Mall**

**1.8 acres. 84% IC. No WQ Controls. Built 1970.**



# Barton Creek Square Mall

119.3 acres. 72% IC. Sand filter only. Built in 1980.

200 ft  
50 m



## Oak Hill Plaza

16.8 acres. 83% IC. No WQ Controls. Built 1982.

# BSZ Redevelopment Exception: The Basics

- **Property gets to keep (but not exceed) all existing impervious cover**
- **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 required on-site
  - Must be mitigated by the purchase of off-site land to reach an overall impervious cover (IC) target of 20%

# Case Study: IC Above 40%

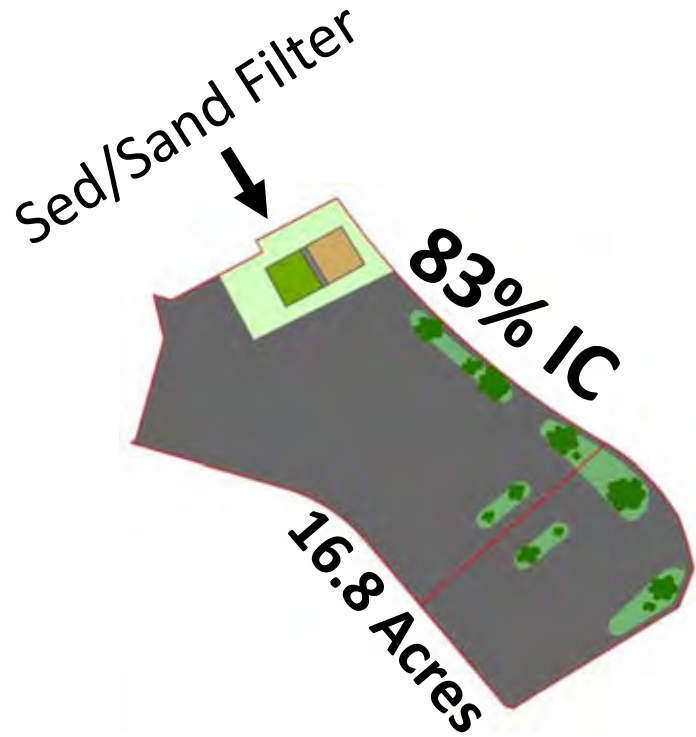
## Oak Hill Plaza

- 16.8 acres
- 83% IC
- Flood control only  
(no WQ controls)



# Case Study: IC Above 40%

(Oak Hill Plaza)



+

0% IC

55.8 Acres

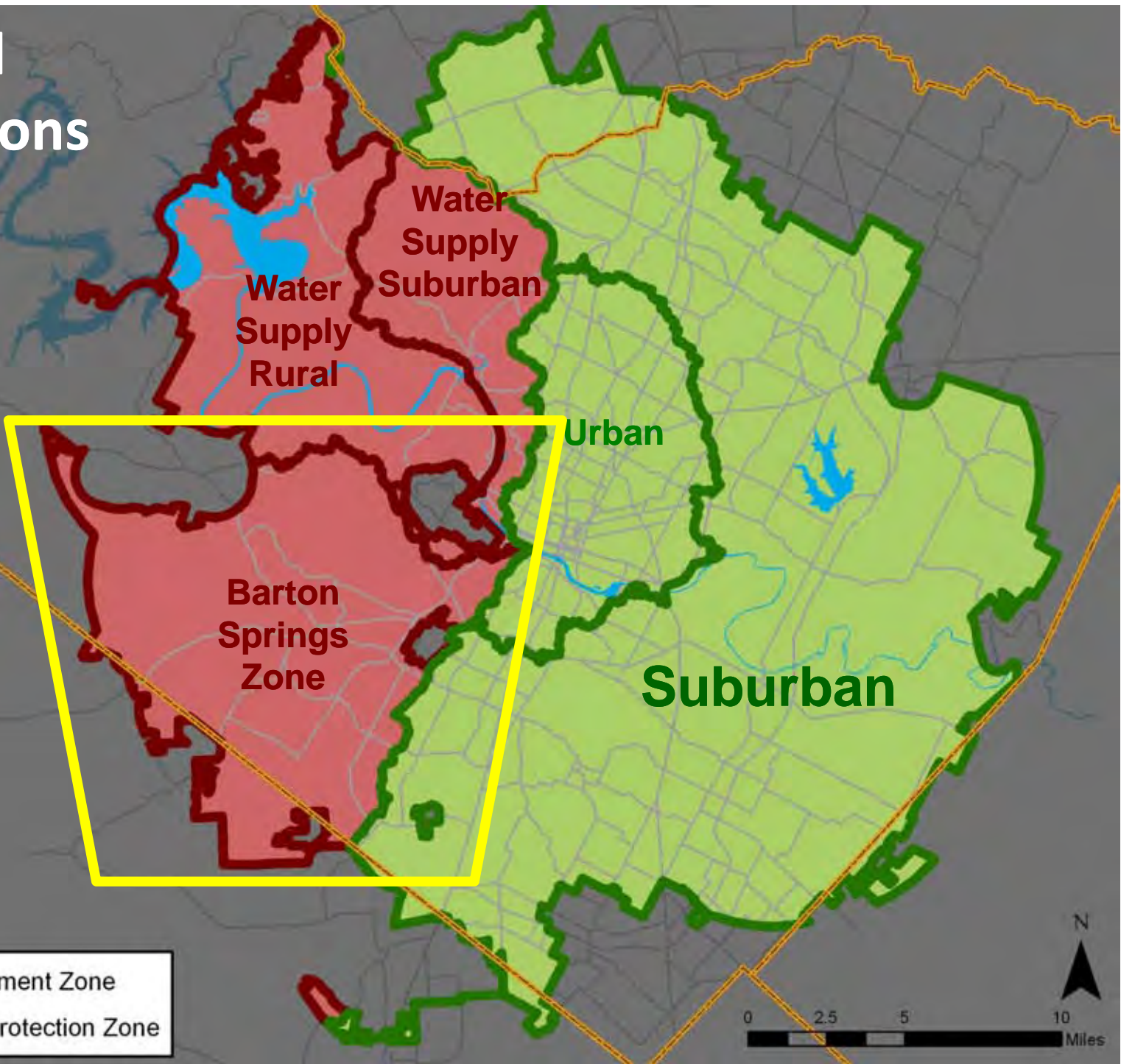




= 20% IC

72.6 Acres  
Combined

# Watershed Classifications

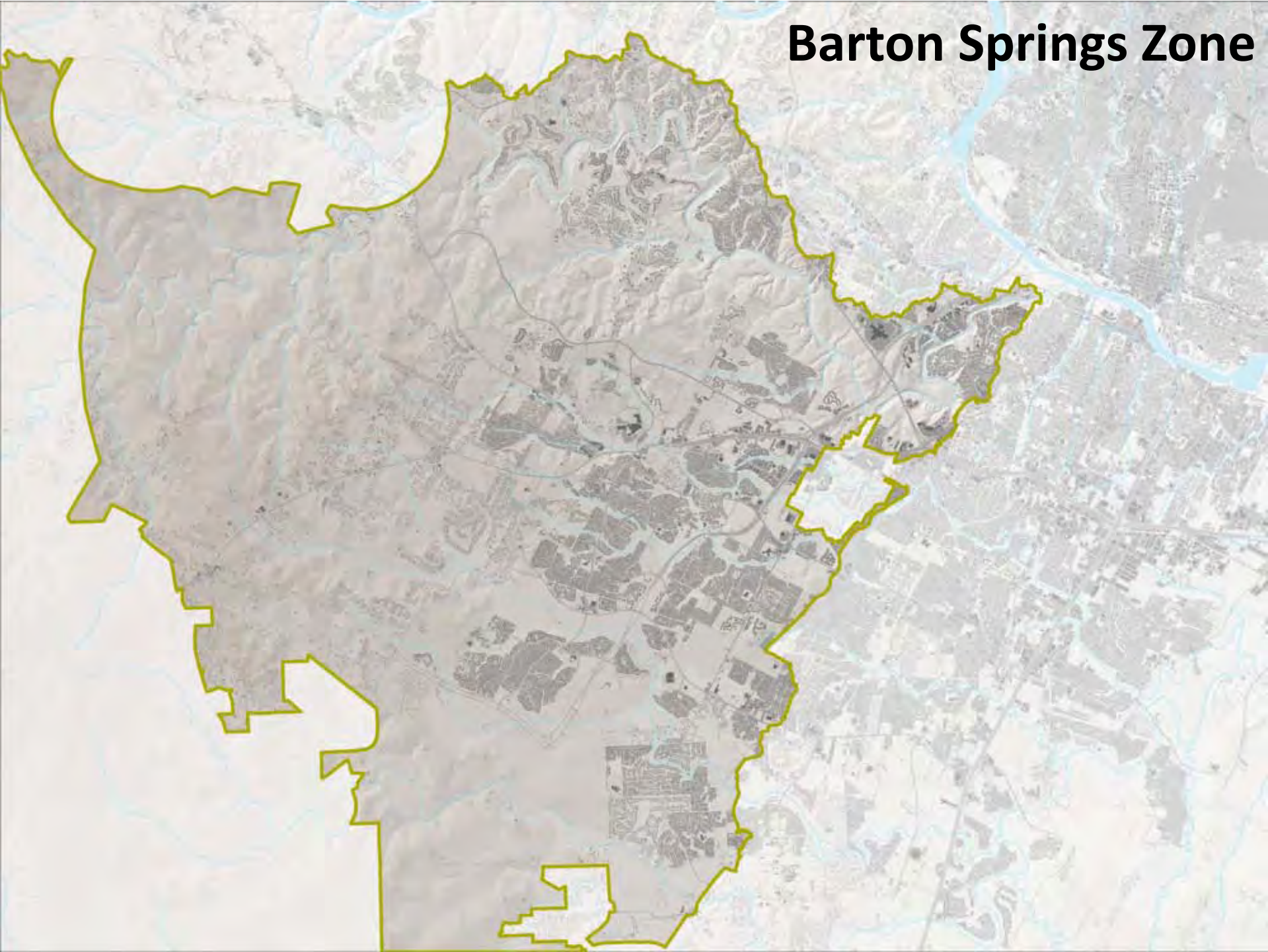
## Barton Springs Zone (BSZ)



	Desired Development Zone
	Drinking Water Protection Zone



# Barton Springs Zone





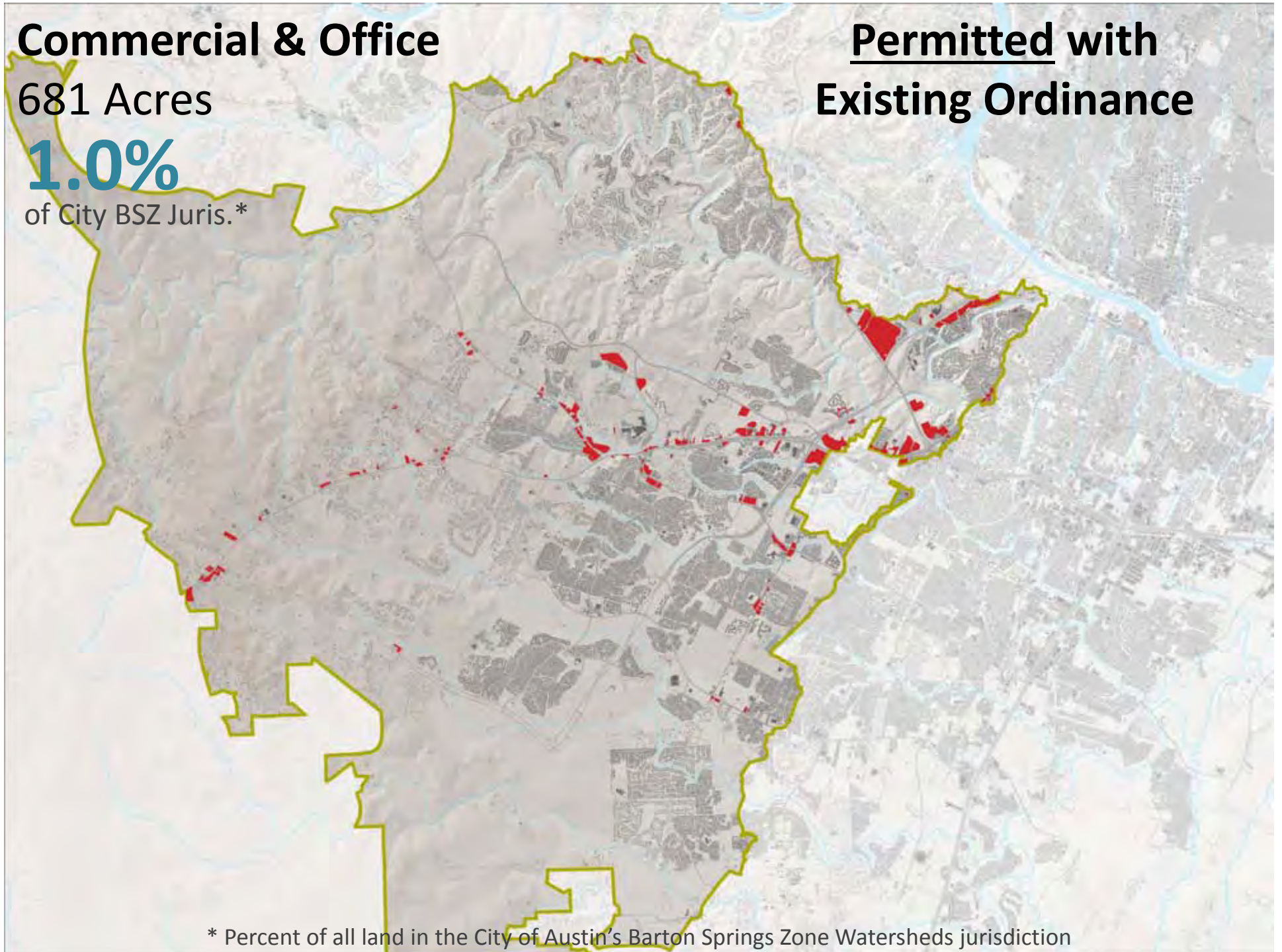
# Commercial & Office

681 Acres

**1.0%**

of City BSZ Juris.\*

Permitted with  
Existing Ordinance



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

# Industrial

232 Acres

**0.4%**

of City BSZ Juris.\*

**Permitted with  
Council Approval by  
Existing Ordinance**

# Civic

355 Acres

(e.g., schools,  
churches,  
recreation)

**0.5%**

of City BSZ Juris.\*

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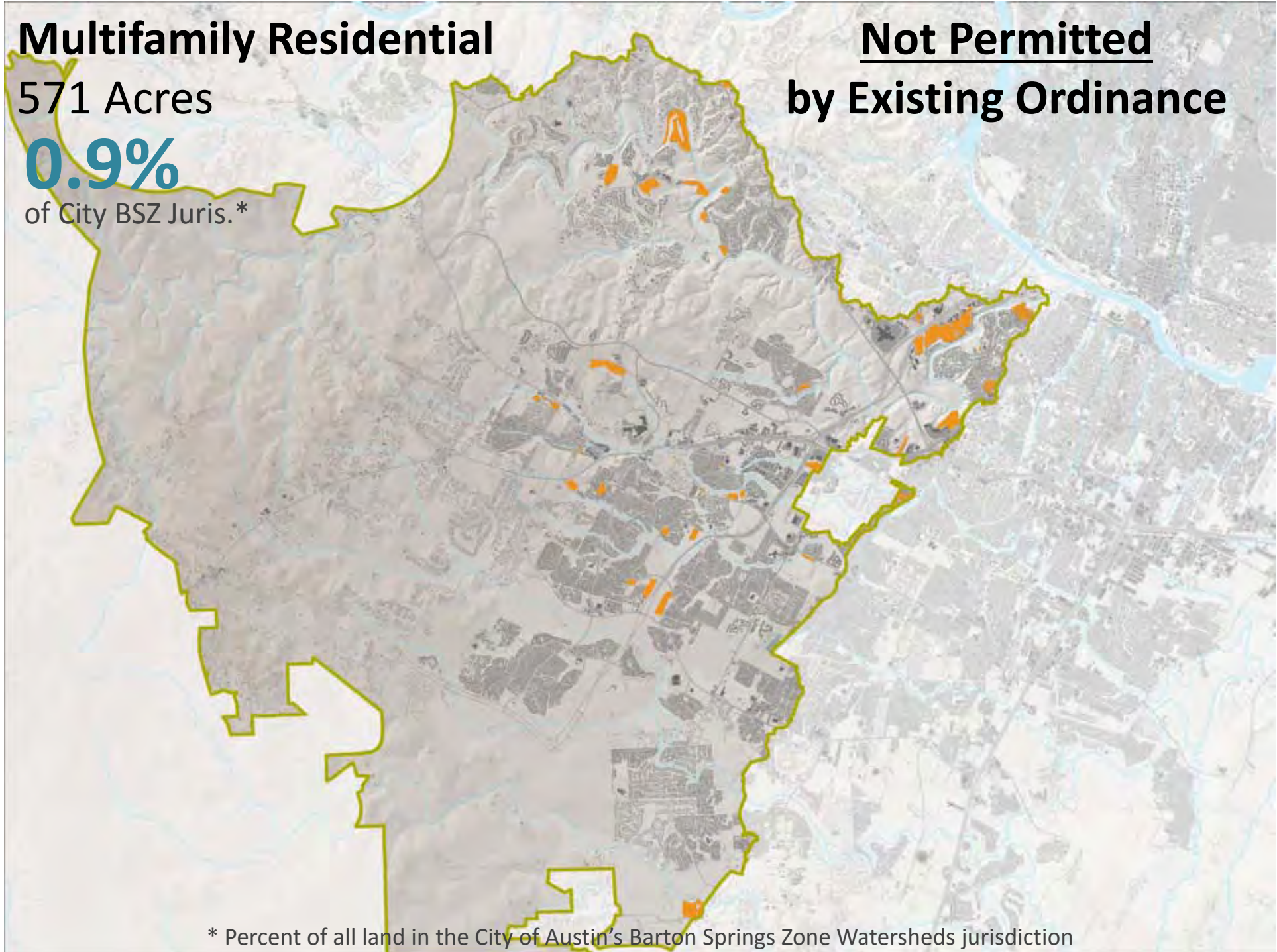
# Multifamily Residential

571 Acres

**0.9%**

of City BSZ Juris.\*

**Not Permitted**  
**by Existing Ordinance**



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

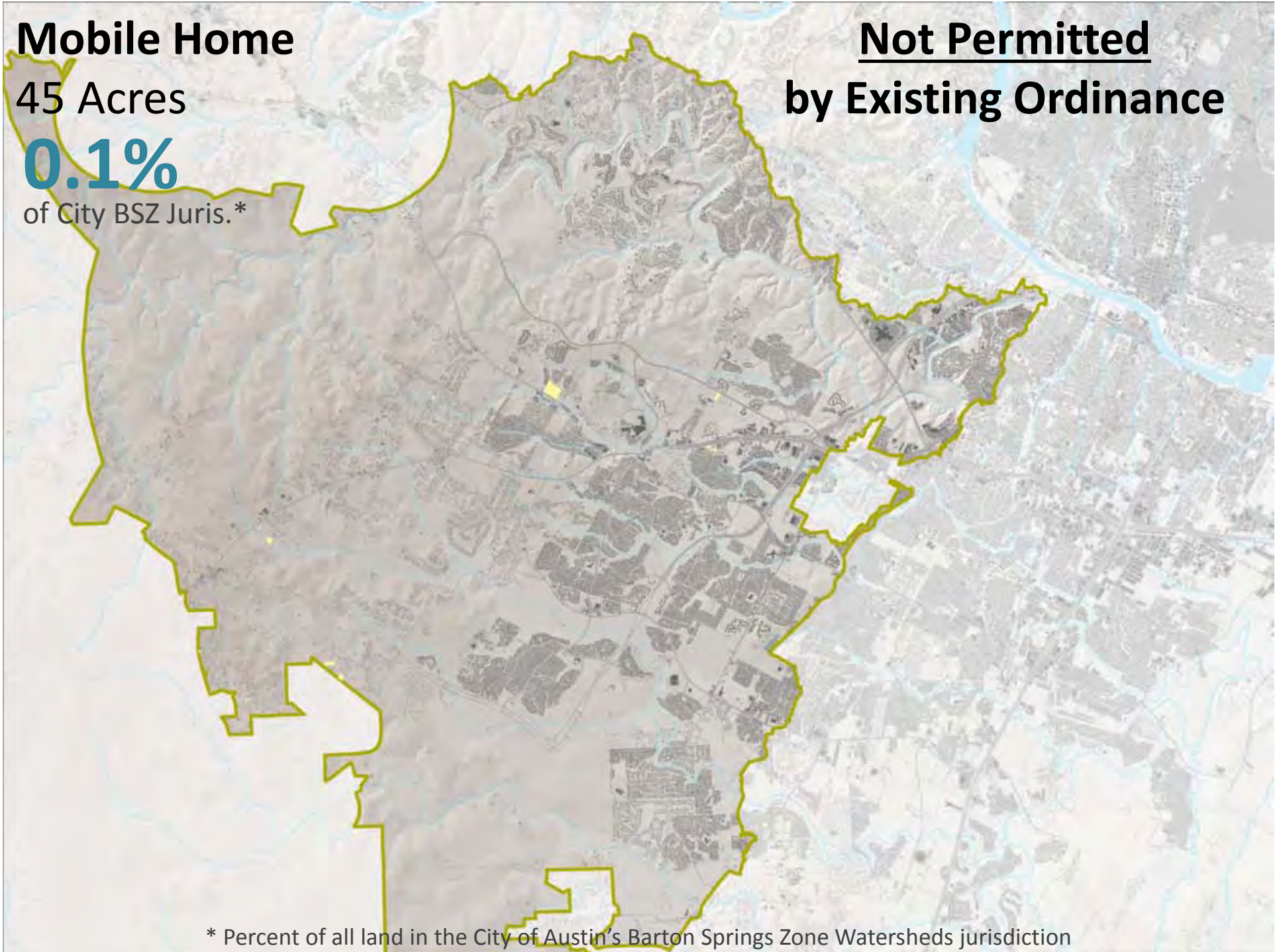
# Mobile Home

45 Acres

**0.1%**

of City BSZ Juris.\*

**Not Permitted**  
**by Existing Ordinance**



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

# All Non-Single Family Developed

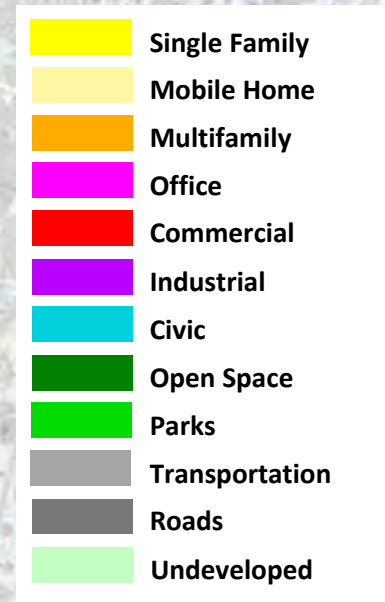
1885 Acres

**2.8%**

of City BSZ Juris.\*

Permitted: 1.8%

Not Permitted: 1.0%  
by Existing Ordinance



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

# Benefits of BSZ Redevelopment Exception

- Meet spirit and function of SOS Ordinance
- Remove existing pollution with WQ controls
- More open space preserved
- Reuse existing development vs. loss of greenfields & sprawl
- Private funding pays for retrofit
- Improved community benefits from centrally located properties

# Stakeholder Concerns Raised

- Water quality impacts from construction phase (issues with inspection and enforcement)
- Ordinance should require removal of impervious cover and/or greater water quality treatment
- Potential growth and density impacts from redevelopment (e.g., apartments along Barton Creek greenbelt)
- Ordinance should require a public hearing for every case (Council and/or Environmental Board)
- Requirements are too costly/burdensome and will not incentivize use of the ordinance

# Staff Findings

- Few uses of existing BSZ Redevelopment Exception (2 times in 6+ years)
- Amount of land affected by extending option to non-single family residential properties is small (1%\*) but represents a high pollutant load relative to its size (~10x higher)
- Environmental & community benefits of extending ordinance to older, under or un-treated properties outweighs risks
- Propose retaining Council oversight for larger projects

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\* *Multifamily 0.9% + Mobile Home 0.1% = 1.0% of COA juris. in BSZ*