

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL
Regular Meeting: October 5, 2017
Item Number: 053
Public Hearing and Possible Action

Conduct a public hearing to consider an ordinance amending City Code Section 25-8-25 (Redevelopment Exception in Urban and Suburban Watersheds), City Code Section 25-8-26 (Redevelopment Exception in the Barton Springs Zone), City Code Section 25-8-27 (Redevelopment Exception in the Water Supply Rural and Water Supply Suburban Watersheds), City Code Section 25-8-211 (Water Quality Control Requirement), and City Code Section 30-5-211 (Water Quality Control Requirement). This action concerns land located within the Barton Springs Zone.

Fiscal Note	A fiscal is not required.
<u>Prior Council Action</u>	December 13, 2012 - Council adopted Resolution 20121213-066 on a 7-0 vote.
<u>For More Information</u>	Chuck Lesniak, Environmental Officer, 974-2699; Andrea Bates, Environmental Program Coordinator, 974-2291
<u>Council Committee, Boards and Commission Action</u>	August 16, 2017 - The Environmental Commission recommended denial of the proposed amendments with a 7-2 vote. September 20, 2017 - The Codes and Ordinances Joint Committee recommended postponement of the proposed amendments with a 5-0 vote. September 26, 2017 - Scheduled to go before the Planning Commission.

Additional Backup Information:

Amendments to the Barton Springs Zone Redevelopment Exception (BSZRE) are proposed to (1) allow redevelopment of a portion of a site with proportional water quality treatment and mitigation; (2) allow multifamily residential properties to utilize the BSZRE; (3) allow properties to use the redevelopment exception if any unpermitted development has been removed and the area restored; (4) allow projects with civic land uses to be approved administratively; and (5) encourage redevelopment projects to restore degraded waterways and critical environmental features.

The proposed amendments to the BSZRE respond to City Council Resolution 20121213-066, which directed staff to work with stakeholders to develop recommendations for improving both redevelopment opportunities and environmental protection within the Barton Springs Zone. Staff began working with stakeholders on potential revisions to the BSZRE in conjunction with the Watershed Protection Ordinance (WPO) in 2013. Staff held two stakeholder meetings about potential revisions to the BSZRE in March and April 2013. Proposed amendments to the BSZRE were then incorporated into the WPO and reviewed by the Environmental Board and Planning Commission during a series of public meetings from June through August 2013. Council considered the proposed amendments to the BSZRE as part of the WPO in October 2013, but deferred the BSZRE amendments to a later date pending additional stakeholder input. Staff held two follow-up meetings about the BSZRE amendments in December 2013 and January 2014. Staff then revised the proposed amendments to address this additional stakeholder input.

The current proposal is similar to the amendments that were proposed with the WPO in 2013, but the requirements for partial site redevelopment have been revised based on the additional stakeholder input in early 2014. Staff released the current proposal for public review on March 6, 2017 and held a stakeholder meeting about the proposed amendments on March 21, 2017. The Environmental Commission began their review of the proposal on April 5, 2017, and requested that the amendments be deferred to allow for additional stakeholder input. Staff conducted additional stakeholder outreach, and the amendments returned to the Environmental Commission on August 16, 2017.

In addition to the amendments to the BSZRE, the proposed ordinance also includes equivalent amendments to City Code Sections 25-8-26 and 25-8-27 to allow sites that previously contained unpermitted development to utilize the redevelopment exceptions for the urban, suburban, and water supply watersheds, and to encourage redevelopment projects in the water supply watersheds to restore degraded waterways and critical environmental features. Amendments to Sections 25-8-211 and 30-5-211 are also proposed to exempt certain agricultural facilities from water quality control requirements.

Staff will be requesting an indefinite postponement of the proposed code amendments. Please see the memo included as backup for additional information.