



## Recommendation for Action

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**File #: 22-2310, Agenda Item #: 101.**

**7/28/2022**

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### **Posting Language**

Set a public hearing to consider an ordinance amending City Code Chapter 25-7 relating to regulation of development within the 25-year and 100-year floodplains. (Suggested date: September 1, 2022, at Austin City Hall, 301 West Second Street, Austin, TX.).

### **Lead Department**

Watershed Protection Department.

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

Kevin Shunk, 512-974-9176.

### **Council Committee, Boards and Commission Action:**

May 18, 2022 - Recommended by the Environmental Commission with a vote of 9-2 with Brimer and Scott against.

A public hearing will be conducted regarding the proposed ordinance at the following boards and commissions: Zoning and Platting Commission on July 5 and Planning Commission on July 12.

### **Additional Backup Information:**

In November 2019, City Council approved the most significant changes to our floodplain regulations in their 38-year history. This process was initiated due to an updated understanding of flood risk in our community because of a rainfall study called Atlas 14.

One of the changes was what is referred to as the residential redevelopment exception (25-7-93 (A) (2) and 25-7-96 (C)). This is a new exception that gives staff the administrative authority to approve a residential building that encroaches in the 25-year or 100-year floodplains as long as it meets certain criteria that reduces the risk of flooding on the property.

During our stakeholder process, we heard that we should consider a commercial redevelopment exception. We chose not to include this in the initial code change process, and we pledged to Council that we would bring back a commercial redevelopment exception code revision for their consideration.

Similar to the residential redevelopment exception, the proposed code revision would make it easier to redevelop a commercial property when the changes reduce the risk of flooding on the property. According to the proposed code revision, in order to redevelop a commercial property in the floodplain, the development must:

- Replace or modify an existing commercial building;
- Not increase the building square footage on the property;
- Not include certain building uses;

- Not increase flood risk to parking spaces on the property;
- Provide a finished floor elevation that is at least 2 feet above the 100-year floodplain; and
- Not create an adverse flooding impact to other properties.