



## Recommendation for Action

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**File #:** 22-2622, **Agenda Item #:** 98.

9/1/2022

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### **Posting Language**

Conduct a public hearing and consider an ordinance to amend Land Development Code Chapter 25-7 relating to regulation of development within the 25-year and 100-year floodplains.

### **Lead Department**

Watershed Protection Department.

### **Fiscal Note**

There is no fiscal impact.

### **Prior Council Action:**

N/A.

### **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 Qureshi, Schiera, Ramberg, Bristol, Barrett Bixler, Aguirre, Thompson, Bedford, and Nickells voting for and Brimer and Scott voting against.

July 5, 2022 - Heard by the Zoning and Platting Commission.

July 12, 2022 - Recommended the by the Planning Commission with a vote of 8-2 with Commissioners Shaw, Howard, Thompson, Hempel, Schneider, Azhar, Anderson, and Shieh voting for and Commissioners Mushtaler and Cox voting nay. Commissioners Flores, Praxis and Llanes Pulido absent.

### **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 we 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.

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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.

**Strategic Outcome(s):**

Safety.