

# Late Backup

## STAFF RECOMMENDATION

### Recommendation #1

Staff recommends amending Part 54 (section 25-8-453) and Part 133 (section 30-5-453) to require the 40% buffer (which is required in water supply rural watersheds) receive overland drainage from the development only if a water quality control is not provided.

The exact ordinance language has been provided to the City Clerk and distributed on the dais.

**Ordinance Language: *changes from ordinance in back up are in different font and bold:***

### Part 54

#### **§ 25-8-453[454] UPLANDS ZONE.**

- (A) This section applies to development in an uplands zone. Density and impervious cover limits are based on net site area.
- (B) For a duplex or single family residential use, density may not exceed:
  - (1) one unit for each two acres, with a minimum lot size of three-quarters acre; or
  - (2) if development intensity is transferred under Section 25-8-454[455] (*Transfer Of Development Intensity*), one unit for each acre, with a minimum lot size of one-half acre.
- (C) This subsection applies to cluster housing. [~~For a cluster housing use, density~~]
  - (1) Density may not exceed:
    - (a) [~~(1)~~]one unit for each acre; or
    - (b) [~~(2)~~]if development intensity is transferred under Section 25-8-454[455] (*Transfer of Development Intensity*), two units for each acre.
  - (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.
- (D) This subsection applies to a commercial, [~~or~~]multifamily residential use, or mixed use.
  - (1) Impervious cover may not exceed:
    - (a) 20 percent; or
    - (b) if development intensity is transferred under Section 25-8-454[455] (*Transfer Of Development Intensity*), 25 percent.

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- (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The ~~[-the]~~ buffer must be contiguous to the development, and ~~[-the buffer]~~ must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.

### Part 133

#### § 30-5-453[454] UPLANDS ZONE.

- (A) This section applies to development in an uplands zone. Density and impervious cover limits are based on net site area.
- (B) For a duplex or single family residential use, density may not exceed:
- (1) one unit for each two acres, with a minimum lot size of three-quarters acre; or
  - (2) if development intensity is transferred under Section 30-5-454 [455](*Transfer Of Development Intensity*), one unit for each acre, with a minimum lot size of one-half acre.
- (C) This Subsection applies to ~~For a~~ cluster housing ~~use,~~.
- (1) density may not exceed:
    - (a)[(1)] one unit for each acre; or \_\_\_\_\_
    - (b)[(2)] if development intensity is transferred under Section 30-5-454[455](*Transfer Of Development Intensity*) two units for each acre.
  - (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The buffer must be contiguous to the development, and must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated with wastewater disposal, and access for site construction. A wastewater disposal area may not be located in the buffer.
- (D) This subsection applies to a commercial, ~~or~~ multifamily residential use or mixed use.
- (1) Impervious cover may not exceed:
    - (a) 20 percent; or
    - (b) if development intensity is transferred under Section 30-5-454[455] (*Transfer Of Development Intensity*), 25 percent.
  - (2) At least 40 percent of the uplands area of a site must be retained in or restored to its natural state to serve as a buffer. The~~[-the]~~ buffer must be contiguous to the development, and ~~[-the buffer]~~ must receive overland drainage from the developed areas of the site unless a water quality control is provided. Use of the buffer is limited to fences, utilities that cannot reasonably be located elsewhere, irrigation lines not associated

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### Recommendation #2

Staff recommends amending Part 62 (25-8-652) to correct an error in numbering. City Code section 25-7-63 was combined with 25-8-652, but a numbering error in the newly revised 25-8-652 could inadvertently change the meaning.

The exact ordinance language has been provided to the City Clerk and distributed on the dais.

### **Ordinance Language: *changes from ordinance in back up in different font and bold:***

#### **§ 25-8-652 FILLS AT LAKE AUSTIN, LADY BIRD [TOWN] LAKE, AND [DECKER] LAKE WALTER E. LONG.**

- (A) Approval by the Parks and Recreation Board is required to place fill in Lake Austin, Lady Bird [Town] Lake, or Lake Walter E. Long.
- (B) A person must file a written application with the Parks and Recreation Board for an approval under this section.
- (C) This **Subsection[section]** applies to a development application that includes a proposal to[=

**(1)**— ]modify the shoreline of Lake Austin, Lady Bird Lake, or Lake Walter E. Long; or [

**(2)**— ]dredge in or along that lake.

**(1)(D)** Before the director may approve the development application, the director must submit the development application to the Parks and Recreation Board.

**(2)(E)** The board shall review and comment on:

**(a)(1)** the navigational safety of the proposed development; and

**(b)(2)** the effect of the development on the recreational and natural character of the lake.

**(3)(F)** The board may develop specific criteria for determining:

**(a)(1)** the navigational safety of a proposed development; or

**(b)(2)** the effect of a proposed development on the recreational and natural character of Lake Austin, Lady Bird Lake, or Lake Walter E. Long.