

MOTION SHEET

Morrison

Amending the ordinance in back-up to remove changes to the Barton Springs Zone Redevelopment Exception

Specifically, amend Part 8 (section 25-8-27), subsections (A), (E)(4), (E)(6), (E)(7), (F)(1), and (F) (3) to remove substantive changes from these subsections.

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

PART 8.

§ 25-8-26[27] REDEVELOPMENT EXCEPTION IN THE BARTON SPRINGS ZONE.

- (A) This section applies to property located in the Barton Springs Zone that has existing commercial development ~~[or existing residential development with greater than two dwelling units per lot]~~ [and is located in the Barton Springs Zone] if:
- (1) no unpermitted development occurred on the site after January 1, 1992, and
 - (2) [the property owner files a site plan application and an election for the property to be governed by this section.

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- (E) [(F)] The requirements of this subchapter do not apply to the redevelopment of property if the redevelopment meets all of the following conditions:
- (1) The redevelopment may not increase the existing amount of impervious cover on the site.
 - (2) The redevelopment may not increase non-compliance, if any, with Article 7, Division 1 (Critical Water Quality Zone Restrictions)~~[Section 25-8-261 (Critical Water Quality Zone Development)]~~, Section 25-8-281 (Critical Environmental Features), Section 25-8-282 (Wetland Protection), ~~[Section 25-8-482 (Critical Water Quality Zone)]~~ or Section 25-8-482 [25-8-483] (Water Quality Transition Zone).
 - (3) The redevelopment must comply with construction phase environmental requirements in effect at the time of construction, including Chapter 25-8, Article 5 (Erosion and Sedimentation Control; Overland Flow) and Section 25-8-234 (Fiscal Security in the Barton Springs Zone).
 - (4) The water quality controls on the redevelopment site [for [on] the redeveloped areas or an equivalent area on the

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~~[redevelopment]~~ **site**] must provide a level of water quality treatment that is equal to or greater than that which was previously provided.

- (5) For a commercial or multifamily redevelopment, the owner or operator must obtain a permit under Section 25-8-233 (*Barton Springs Zone Operating Permit*) for both sedimentation/filtration ponds and SOS ponds.
- (6) For a site with more than 40 percent net site area impervious cover, the redevelopment must have:
 - (a) sedimentation/filtration ponds for the ~~[redeveloped area or an equivalent area on the]~~ **entire** site; or
 - (b) ~~[if approved by the director of the Watershed Protection and Development Review Department,]~~ SOS ponds for a portion of the site, and sedimentation/filtration ponds for the remainder of the redeveloped **site. [area[site] or an equivalent area on the site, as prescribed by the Environmental Criteria Manual.]**
- (7) For a site with 40 percent or less net site area impervious cover, the redevelopment must have SOS ponds for the **entire site. [redeveloped area or an equivalent area on the]** ~~[entire] site.]~~
- (8) The property owner must mitigate the effects of the redevelopment, if required by and in accordance with Subsection ~~(H)~~ **[(H)]**.
- (9) Redevelopment may not be located within the Erosion Hazard Zone, unless protective works are provided as prescribed in the Drainage Criteria Manual.

~~(F)~~ **[(G)]** City Council approval of a redevelopment in accordance with Subsection ~~(G)~~ **[(H)]** is required if the redevelopment:

- (1) includes more than 25 **[additional]** dwelling units;
- (2) is located outside the City's zoning jurisdiction;
- (3) is proposed on property with an existing industrial **or civic** ~~[or civic]~~ use;
- (4) is inconsistent with a neighborhood plan; or
- (5) will generate more than 2,000 vehicle trips a day above the estimated traffic level based on the most recent authorized use on the property.

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