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1**ORDINANCE AMENDMENT REVIEW SHEET**

Amendment: C20-2013-024 Lake Austin Overlay

Description: Consider an amendment to City Code Title 25 to create a Lake Austin (LA) District Zoning overlay extending environmental protections from the LA base zoning district to properties within 1,000 feet of Lake Austin.

Proposed Language: See attached draft ordinance for details.

Summary

- Preserves protections that are currently a part of the Lake Austin (LA) zoning district, such as impervious cover, setbacks, minimum lot size, slope, and vegetation requirements
- Would apply only to properties within 1000 ft of the lake that are zoned LA, I-LA on or after the effective date of the ordinance
- The LA overlay would impact approximately 2200 parcels that are currently zoned LA, out of 6000 total, that are within 1000 feet of the lake
- Would not impact properties not zoned LA or I-LA

Background: Initiated by Council Resolution 20130829-113.

The Lake Austin Task Force was commissioned by the Austin City Council to develop recommendations for future regulatory controls and enforcement mechanisms relevant to Lake Austin to promote, preserve and protect this critical public asset. In August 2013, the Lake Austin Task Force published a final report providing recommendations to Austin City Council to improve management of Lake Austin.

The Lake Austin Task Force report noted that upzonings along the lake, where properties upzoned out of the LA zoning district, caused certain environmental protections to be lost. In addition, the report noted that the Board of adjustment cases often involved requests for additional impervious cover and slope construction; construction of former and on the latter are thought to contribute to water quality degradation (LATF Report, p. 36).

In August 2013, the Austin City Council directed the City Manager was directed to develop recommendations for preserving the environmental protections currently codified in the Lake Austin Residential District zoning for properties within 1,000 feet of the Lake Austin shoreline via new zoning overlay (Resolution No 20130829-113).

City of Austin zoning regulations only apply within the full and limited purpose jurisdiction of Austin. Even if property is within 1,000 feet of Lake Austin, but is not within the full or limited purpose jurisdiction of Austin, the proposed zoning overlay would not apply.

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Staff Recommendation: Staff recommends the proposed code amendment.

Board and Commission Actions

March 18, 2014: Recommended by the Codes and Ordinances Subcommittee on a 5-0 vote.

March 19, 2014: A public hearing has been scheduled for Environmental Board.

March 25, 2014: A public hearing has been scheduled at Planning Commission.

Council Action

April 27, 2014: A public hearing has been set.

Ordinance Number: NA

City Staff: Greg Dutton **Phone:** 974-3509 **Email:** Greg.Dutton@austintexas.gov

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ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE CHAPTER 25-2 TO ESTABLISH A LAKE AUSTIN ZONING OVERLAY DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Chapter 25-2, Subchapter A, Article 2, Division 6 (*Combining Districts and Overlays*) is amended to renumber Section 25-2-178 (*University Neighborhood Overlay District Purpose and Boundaries*) as Section 25-2-179 and to add a new Section 25-2-180 to read:

§ 25-2-180 LAKE AUSTIN (LA) OVERLAY DISTRICT.

(A) The purpose of the Lake Austin (LA) overlay district is to protect the scenic, recreational, and environmental benefits of Lake Austin by restricting the scale and intensity of development near the lake.

(B) The boundaries of the Lake Austin (LA) overlay district include all land that is:

(1) located within 1,000 feet of the shoreline of Lake Austin, as defined under Section 25-2-551 (*Lake Austin (LA) District Regulations*) and located within the Lake Austin (LA) or Interim Lake Austin (I-LA) base zoning district on or after the effective date of this ordinance.

(C) The official map of the Lake Austin Overlay district is on file with the Planning and Development Review Department, which shall resolve any uncertainty regarding the boundary of the district.

PART 2. City Code Chapter 25-2, Article 3, Subchapter C, Division 5 (*Combining and Overlay Districts*) is amended to add a new Section 25-2-647 to read:

(A) Development within the Lake Austin (LA) overlay district must comply with the regulations applicable to the LA zoning district under Section 25-2-551 (*Lake Austin (LA) District Regulations*) and minimum lot size, minimum lot width, and setbacks applicable to the LA zoning district under section 25-2-491 (*Site Development Regulations*).

PART 3. This ordinance takes effect on _____.

PASSED AND APPROVED

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_____, 2013

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Lee Leffingwell
Mayor

APPROVED: _____
Karen M. Kennard
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk