

ORDINANCE NO.

AN ORDINANCE WAIVING CITY CODE SECTION 15-5-10 (D)(2) RELATING TO MINIMUM LOT SIZING REQUIREMENTS FOR SUBDIVISIONS OF SINGLE FAMILY DWELLINGS TO BE SERVED BY AN ON-SITE SEWAGE FACILITY FOR PROPERTY LOCATED AT 1750 CHANNEL ROAD, AUSTIN TEXAS.

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

PART 1. FINDINGS.

- (A) The lot located at 1750 Channel Road is located in the full purpose boundaries of the City of Austin. This lot has not been platted. The current property owner plans to replace the existing house and on-site sewage facility ("OSSF").
- (B) City Code requires that the property be platted. The current owner of this property is also proposing to combine the existing lot (0.14 acres) with 0.035 acres and 0.025 acres of adjacent tracts. Austin Water OSSF's review and approval is required as part of the subdivision process for joining the lots. Per City Code Section 15-5-10 (D)(2), the minimum size of a lot to be served by an OSSF and platted or created after October 14, 2013 is one acre, if served by a private water supply.
- (C) Texas Commission on Environmental Quality ("TCEQ") has delegated to the City of Austin authority to enforce OSSF regulations. Although the property does not meet the current State lot sizing requirements, TCEQ staff provided Austin Water written clarification that the lot is grandfathered from the State's sizing requirements.
- (D) Austin Water staff recommends waiving City Code Section 15-5-10 (D)(2) relating to the minimum lot size for an OSSF to serve the property located at 1750 Channel Road.

PART 2. The Council waives requirements of City Code Section 15-5-10 (D)(2) relating to the minimum lot size for an OSSF for the property located at 1750 Channel Road, Austin, Texas. All other OSSF regulations regarding the design (including separation distances and setback requirements), construction, and maintenance of the OSSF will apply. This waiver shall not be construed as approval of an OSSF design.

PART 3. This ordinance takes effect on _____, 2016.

PASSED AND APPROVED

_____, 2016 § _____
Steve Adler
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Jannette S. Goodall
City Clerk