

**MEMORANDUM**

TO: Mayor and Council

FROM: Michael L. Personett, Acting Director
Watershed Protection Department *MLP*

DATE: September 21, 2017

SUBJECT: Code Amendment Postponement

The Watershed Protection Department (WPD) has recently proposed amendments to Chapter 25-8 of the Land Development Code. The proposed amendments include revisions to the watershed redevelopment exception in the Barton Springs Zone and other watersheds, and certain other water quality control requirements. The proposed code amendments are currently set for public hearing on the October 5, 2017 Council agenda. However, WPD will be requesting an indefinite postponement.

One of the proposed code amendments would allow partial redevelopment of a site with proportionate water quality treatment and mitigation for impervious cover twice the area of the redeveloped impervious area. The redevelopment exception provides a path to clean up some of the most polluting sites in the Barton Springs Zone developed under pre-SOS ordinance requirements, which would bring those properties closer to compliance with the SOS Ordinance, and would reduce existing sources of water pollution of the Edwards Aquifer and Barton Springs. WPD staff believe that the proposed amendment would provide significant environmental and community benefits.

The Environmental Commission reviewed the proposed amendments on August 16, 2017 and recommended denial. Most of the discussion in that meeting focused on amendments to the Barton Springs Zone Redevelopment Exception. Concerns were raised by the Commissioners and other stakeholders about the effectiveness of the proposed amendment and concerns were also expressed about the timing given the current focus on CodeNEXT. We are therefore postponing further review of the proposed amendments until after the CodeNEXT process is concluded. All that said, we are optimistic that the proposal can be refined and eventually brought forward for your consideration.

If you have any questions on this matter, please contact Chuck Lesniak, Environmental Officer at (512) 974-2699 or chuck.lesniak@austintexas.gov.

CC: Elaine Hart, Interim City Manager
Joseph G. Pantaloni, Interim Assistant City Manager
Chuck Lesniak, Environmental Officer, Watershed Protection Department