

**AGENDA**



**Recommendation for Council Action**

**AUSTIN CITY COUNCIL**

**Regular Meeting: October 4, 2018**

Item Number: **014**

**Planning and Zoning**

Approve an ordinance authorizing the negotiation and execution of an interlocal agreement regarding the release of approximately 33 acres of extraterritorial jurisdiction ('ETJ') to the City of Dripping Springs. This action concerns land located within the Barton Springs Zone.

<b>Lead Department</b>	Planning and Zoning.
<b>Fiscal Note</b>	This item has no fiscal impact.
<b>For More Information</b>	Virginia Collier, Planning and Zoning Department, (512) 974-2022
<b>Council Committee, Boards and Commission Action</b>	September 5, 2018 - Approved by the Environmental Commission on an 8-1-2 vote with Commissioner Neely voting no, Commissioner Thompson absent and one vacant position.

**Additional Backup Information:**

The City of Dripping Springs has requested the release of approximately 33 acres of Austin’s extraterritorial jurisdiction (“ETJ”) to be included in Dripping Springs’ETJ. The subject tracts are located in Hays County near the intersection of US 290 West and Nutty Brown Road. Current development on the properties includes retail and food trailer uses. Approval of an interlocal agreement releasing this area to Dripping Springs’ETJ will allow for effective and efficient urban planning, the review and approval of land development, and the planning of future municipal services for this area.

In accordance with the City Council adopted policy regarding ETJ adjustments, requests for ETJ release are typically reviewed by staff from several city departments and evaluated in terms of:

- Annexation potential
- Environmental impacts
- Impact on infrastructure investments
- Long-term effects of cumulative ETJ releases
- Hardship or extenuating circumstances

Annexation of these tracts by the City of Austin is not anticipated in the long term. In accordance with the terms and provisions of the proposed interlocal agreement, upon release the City of Dripping Springs will be solely responsible for providing urban planning for the released area and will review, provide oversight, and provide inspections to enforce all relevant portions of the City of Dripping Springs development codes and standards within the area, including, but not limited to, regulations addressing site development, subdivision, water quality, and stormwater management. Further, the City of Dripping Springs and the property owners have agreed that development in the release area will be limited to a maximum of thirty percent (30%) impervious cover on a gross site area basis and will comply with Dripping Springs' water quality treatment requirements in effect at the time of the permit application. While these requirements are not an exact duplication of current City Code, they will provide environmental protection for new development that is similar to that of the City of Austin.

These tracts are currently subject to the City of Austin Save Our Springs Ordinance. Release of these tracts from the City of Austin ETJ to the City of Dripping Springs would remove the tracts from the City of Austin Save Our Springs Ordinance requirements.

This interlocal agreement will accomplish legitimate public purposes of both cities and should be approved as a continuing process in regional coordination and cooperation with our neighboring jurisdictions. This release will permit dependable urban planning that will benefit the public health, safety, and welfare of the cities' respective present and future citizens and will assist and enhance the planning and development of capital improvement programs and services.

The product of several years of discussions and meetings with officials from Dripping Springs, staff recommends this interlocal agreement and release of ETJ.