



Susan Barr
Board of Adjustment Board Meeting – September 13, 2021

Building a Better Austin Together

- The purpose of the **Lake Austin (LA) Zoning** and 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

§ 25-2-551 LAKE AUSTIN (LA) DISTRICT REGULATIONS.

(A) In this section:

- (1) SHORELINE means the 492.8 topographic contour line along the shores of Lake Austin.
- (2) SHORELINE SETBACK means a line parallel to the shoreline and at a distance from the shoreline that is prescribed in this section.
- (3) SHORELINE SETBACK AREA means an area between the shoreline and the shoreline setback.

(B) This subsection specifies shoreline setbacks in a Lake Austin (LA) district.

(1) The shoreline setback is:

- (a) 75 feet; or
- (b) 25 feet, if:
 - (i) the lot is located in a subdivision plat recorded before April 22, 1982, or is a legal tract exempt from the requirement to plat; and
 - (ii) the distance between the shoreline and the front lot line, or the property line of a legal tract, is 200 feet or less.

(2) A shoreline setback area is excluded from impervious cover calculations.

(3) No structures are allowed in a shoreline setback area, except that:

- (a) a bulkhead, retaining wall, fence, dock, public boat ramp, non-mechanized pedestrian access facility, or marina may be constructed and maintained in accordance with applicable regulations of this title; and
- (b) an on-site sewage facility may be constructed and maintained in accordance with the applicable regulations of Chapter 15-5 (*Private Sewage Facilities*).

(C) This subsection specifies lot width and impervious cover restrictions in a Lake Austin (LA) district.

(1) If a lot fronts on a cul-de-sac and is included in a subdivision plat recorded after April 22, 1982 or is exempt from the requirement to plat it must have:

- (a) a chord width of not less than 33 feet at the front lot line;
- (b) a width of not less than 60 feet at the front yard setback line; and
- (c) a width of not less than 100 feet at all points 100 feet or more behind the front lot line.

(2) For a lot included in a subdivision plat recorded after April 22, 1982, impervious cover may not exceed:

- (a) 20 percent, on a slope with a gradient of 25 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (c) if impervious cover is transferred under Subsection (D), 30 percent.

(3) For a lot included in a subdivision plat recorded before April 22, 1982, or a tract that is not required to be platted, impervious cover may not exceed:

- (a) 35 percent, on a slope with a gradient of 15 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 15 percent and not more than 25 percent;
- (c) 5 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (d) 40 percent, if impervious cover is transferred under Subsection (D).

(D) This subsection authorizes the transfer of impervious cover in a Lake Austin (LA) district.

(1) Impervious cover may be transferred only:

- (a) between tracts within an LA district; and
- (b) from land with a gradient of 35 percent or less, to land with a gradient of 15 percent or less.

(2) Land from which impervious cover is transferred must remain undisturbed, if the land exists in a natural condition, or be restored to a natural condition as prescribed by the Environmental Criteria Manual.

(3) A transfer of impervious cover must be documented in a manner approved by the director and documented in the county deed records.

(E) This subsection specifies additional development standards based on slope gradient in a Lake Austin (LA) district.

(1) On a slope with a gradient of more than 15 percent:

- (a) vegetation must be restored with native vegetation, as prescribed by the Environmental Criteria Manual, if it is disturbed or removed as a result of construction; and
- (b) construction uphill or downhill from the slope must comply with the Environmental Criteria Manual.

(2) On a slope with a gradient of more than 35 percent, development is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs.

(F) In an LA district, a person may transfer impervious cover in accordance with this subsection.

(1) Impervious cover may be transferred only:

- (a) between tracts within an LA district; and
- (b) from land with a gradient of 35 percent or less, to land with a gradient of 15 percent or less.

(2) Land from which impervious cover is transferred may not be developed. The land must either remain undisturbed or be restored to a natural state.

(3) A transfer of impervious cover must be described in a restrictive covenant that runs with the land, is approved by the city attorney, and is recorded in the county deed records.

Source: Section 13-2-631; Ord. 990225-70; Ord. 031211-11; Ord. No. 20140626-113, Pt. 2, 7-7-14; Ord. No. 20160922-048, Pt. 1, 10-3-16.



25-2-551 - LAKE AUSTIN (LA) DISTRICT REGULATIONS.

(A) In this section:

- (1) SHORELINE means the 492.8 topographic contour line along the shores of Lake Austin.



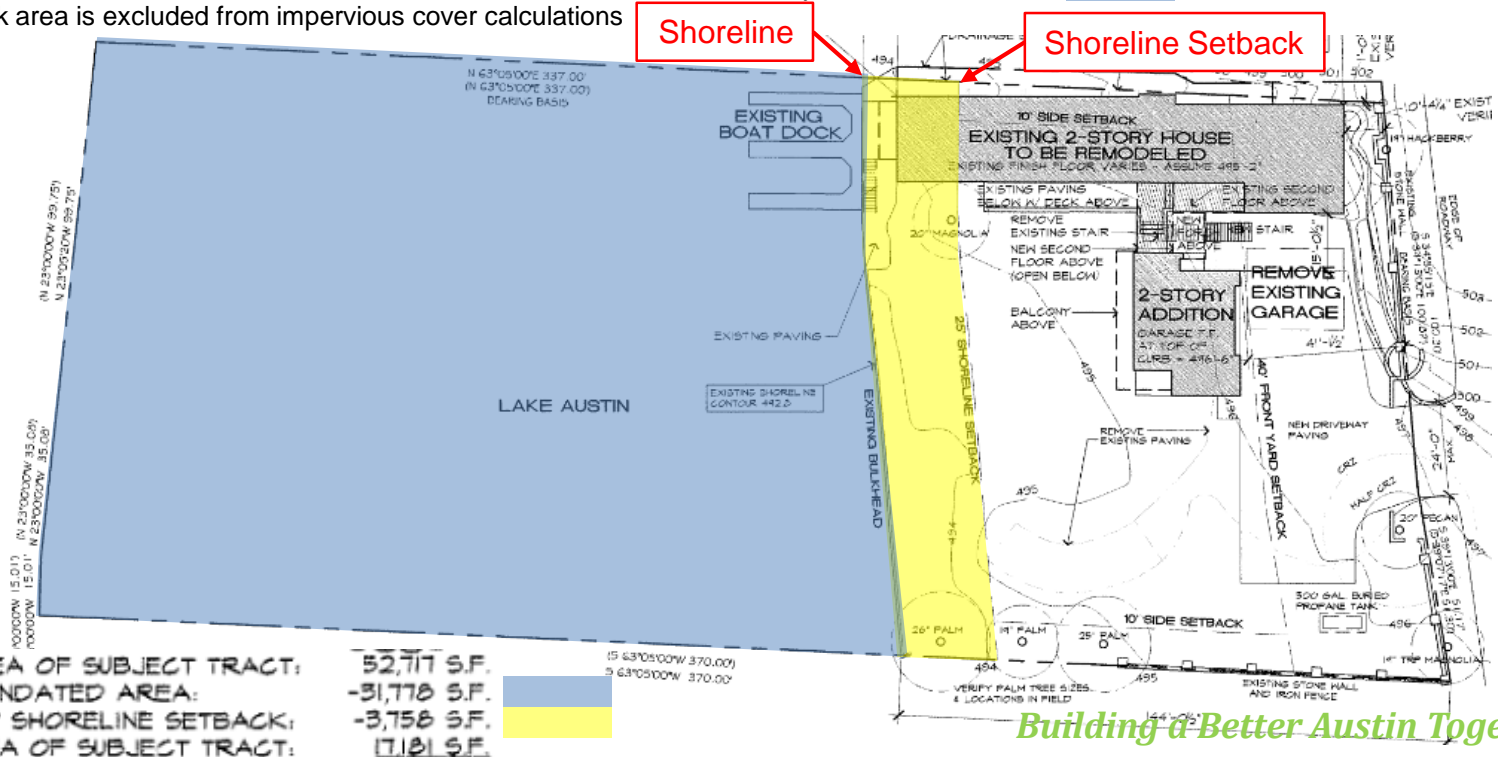
25-2-551 - LAKE AUSTIN (LA) DISTRICT REGULATIONS.

- (A) (2) SHORELINE SETBACK (492.8' elevation contour line)
- (A) (3) SHORELINE SETBACK AREA
- (B) (2) shoreline setback area is excluded from impervious cover calculations

Property stats:

- Property is legal tract exempt from plat
- distance between the shoreline and the front lot line is 200 feet or less
- 25' shoreline setback

- 25-1-22 - Measurements (A) Lot area...excluding the portion...
- (2) that is located below 492.8' of elevation above sea level, if adjacent to Lake Austin.



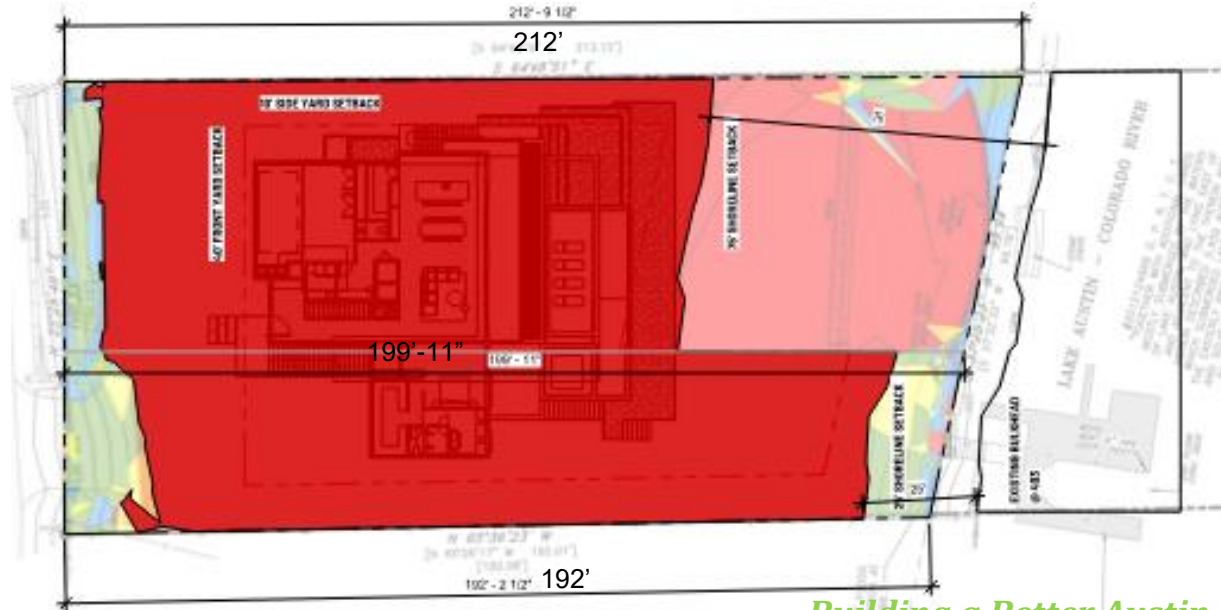
(B) (1) Shoreline Setback:

- (a) 75 feet; or
- (b) 25 feet, if:

- (i) the lot is located in a subdivision plat recorded before April 22, 1982, or is a legal tract exempt from the requirement to plat; and
- (ii) the distance between the shoreline and the front lot line, or the property line of a legal tract, is 200 feet or less.

Property stats:

- Property is legal tract exempt from plat
- distance between the shoreline and the front lot line is 200 feet or less
- 25' shoreline setback where distance is 200' or less, 75' where >200'



(B) (1) **Shoreline Setback:**

(a) 75 feet; or

(b) 25 feet, if:

(i) the lot is located in a subdivision plat recorded before April 22, 1982, or is a legal tract exempt from the requirement to plat; and

(ii) the distance between the shoreline and the front lot line, or the property line of a legal tract, is 200 feet or less.



Date LA zoning became code.

Slope Map requirements:

(C) (2) For a lot included in a subdivision plat recorded **after April 22, 1982**, impervious cover may not exceed:

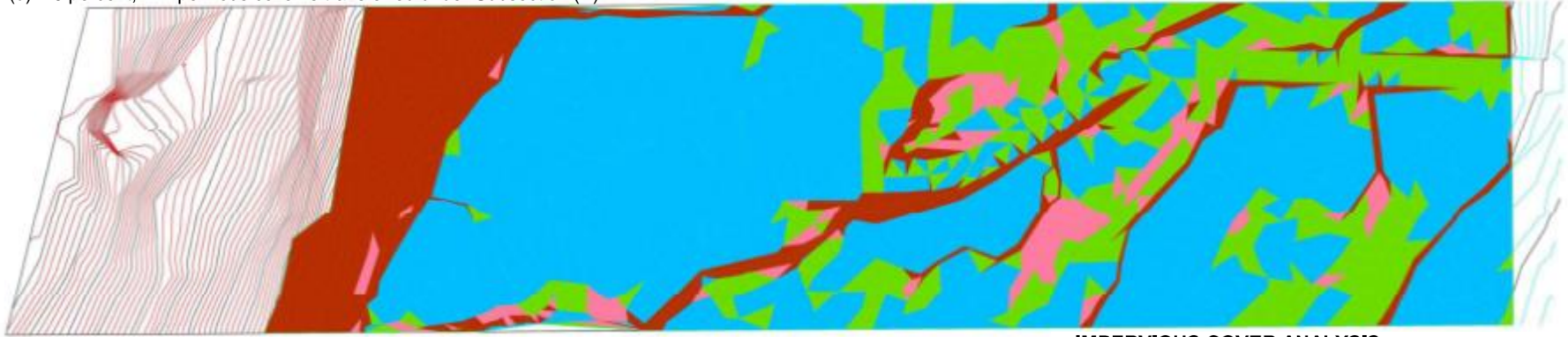
- (a) 20 percent, on a slope with a gradient of 25 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (c) if impervious cover is transferred under Subsection (D), 30 percent.

(C) (3) For a lot included in a subdivision plat recorded **before April 22, 1982, or a tract that is not required to be platted**, impervious cover may not exceed:





- (a) 35 percent, on a slope with a gradient of 15 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 15 percent and not more than 25 percent;
- (c) 5 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (d) 40 percent, if impervious cover is transferred under Subsection (D).

Slope Map per (C) (3) :

- (a) 35 percent, on a slope with a gradient of 15 percent or less;
- (b) 10 percent, on a slope with a gradient of more than 15 percent and not more than 25 percent;
- (c) 5 percent, on a slope with a gradient of more than 25 percent and not more than 35 percent; or
- (d) 40 percent, if impervious cover is transferred under Subsection (D).



IMPERVIOUS COVER ANALYSIS

	SLOPE (%)	AREA (SF)	MULTIPLIER	IMPERVIOUS COVER ALLOWED (SF)
	0-15%	21,160	(.35)	7,406
	15-25%	7227	(.10)	722
	25-35%	1,725	(.05)	86
	>35%	5,855	(.00)	0

Add'l development standards on slope gradient:

- (E) (1) slope with a gradient >15%:
 - (a) vegetation must be restored with native vegetation per Environmental Criteria Manual (ECM); and
 - (b) construction uphill or downhill from the slope per ECM
- (2) slope with a gradient >35%, development is prohibited except for the construction of a fence, driveway, road or utility that cannot be reasonably placed elsewhere, or a non-mechanized pedestrian facility, such as a foot path, sidewalk, or stairs.



Slope Transfer:





(D)/(F) (1) Impervious cover may be transferred only:

(a) between tracts within an LA district; and

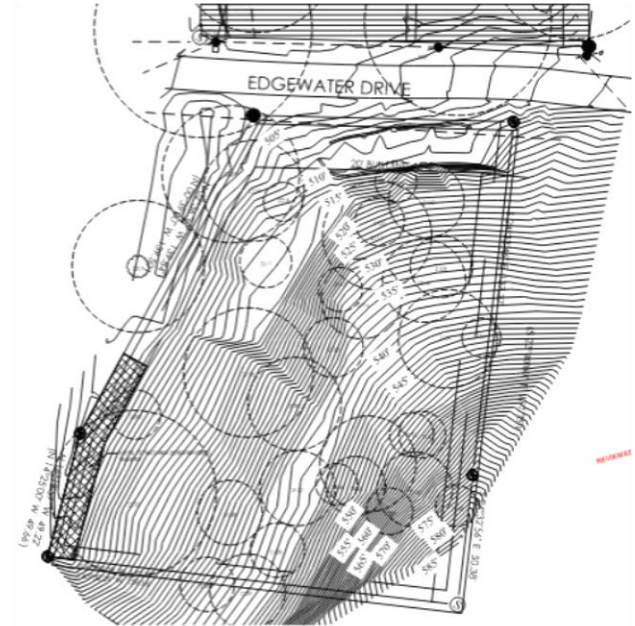
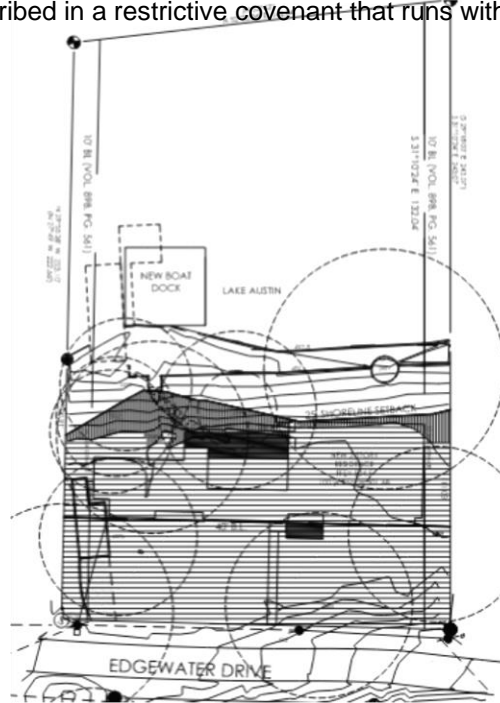
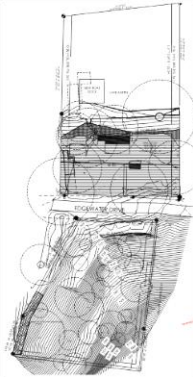
(b) from land with a gradient of 35 percent or less, to land with a gradient of 15 percent or less.

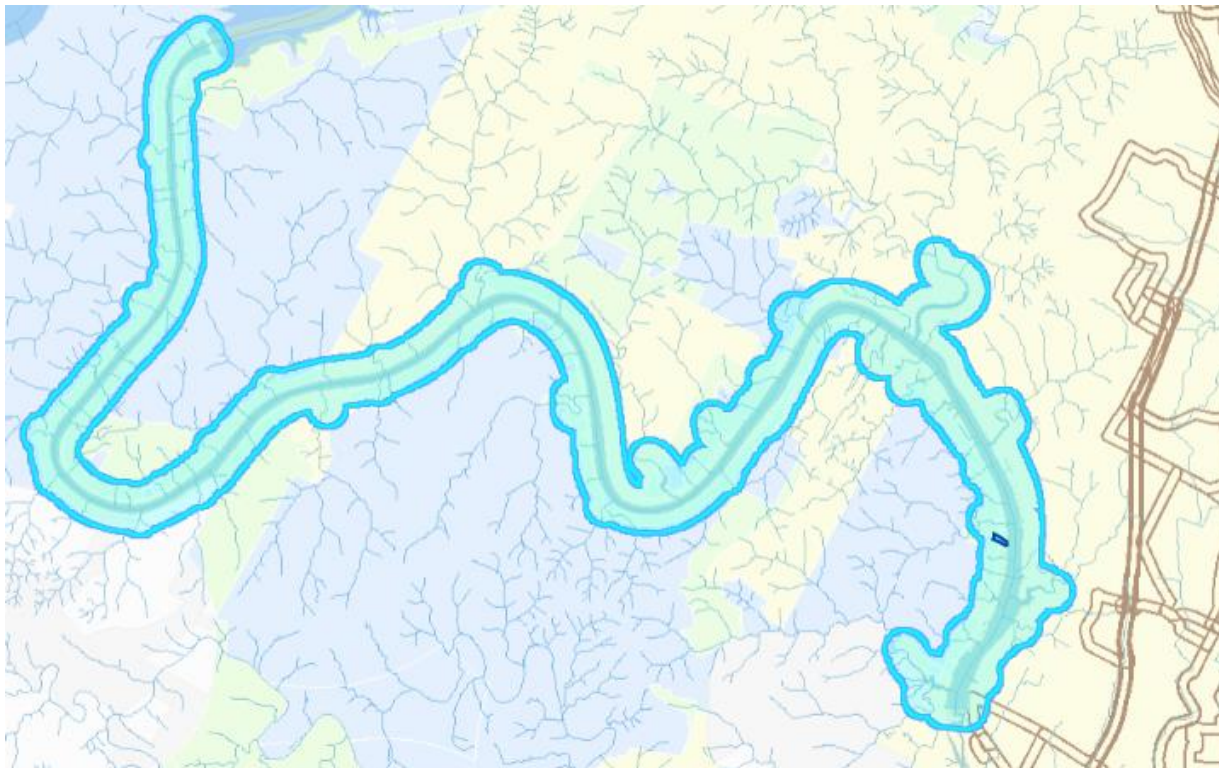
(2) Land from which impervious cover is transferred may not be developed. The land must either remain undisturbed or be restored to a natural state.

(3) A transfer of impervious cover must be described in a restrictive covenant that runs with the land, is approved by the city attorney, and is recorded in the county deed records.

ALLOWABLE IMPERVIOUS COVER TABLE (AREAS EXCLUDE 25' SETBACK)						
HATCH SYMBOL	SLOPE GRADIENT	AREA SF	MULTIPLIER	I.C. ALLOWED	I.C. PROPOSED	I.C. NEEDED
	0-15	11,451	.35	4,007	4,134	126
	15-25	3,163	.10	316	122	
	25-35	N/A	.05			
	TRANSFER PER 25-2-551	810	.35	284		
	TOTAL	15,322 SF		4,571 SF	4,256 SF	

ALLOWABLE IMPERVIOUS COVER TABLE: TRACT 2, LOT 9, BLOCK 1		
SLOPE GRADIENT	AREA SF	
0-15	810	
15-25		transfer 810 SF
TOTAL	810	





25-2-180 – Lake Austin (LA) Overlay District

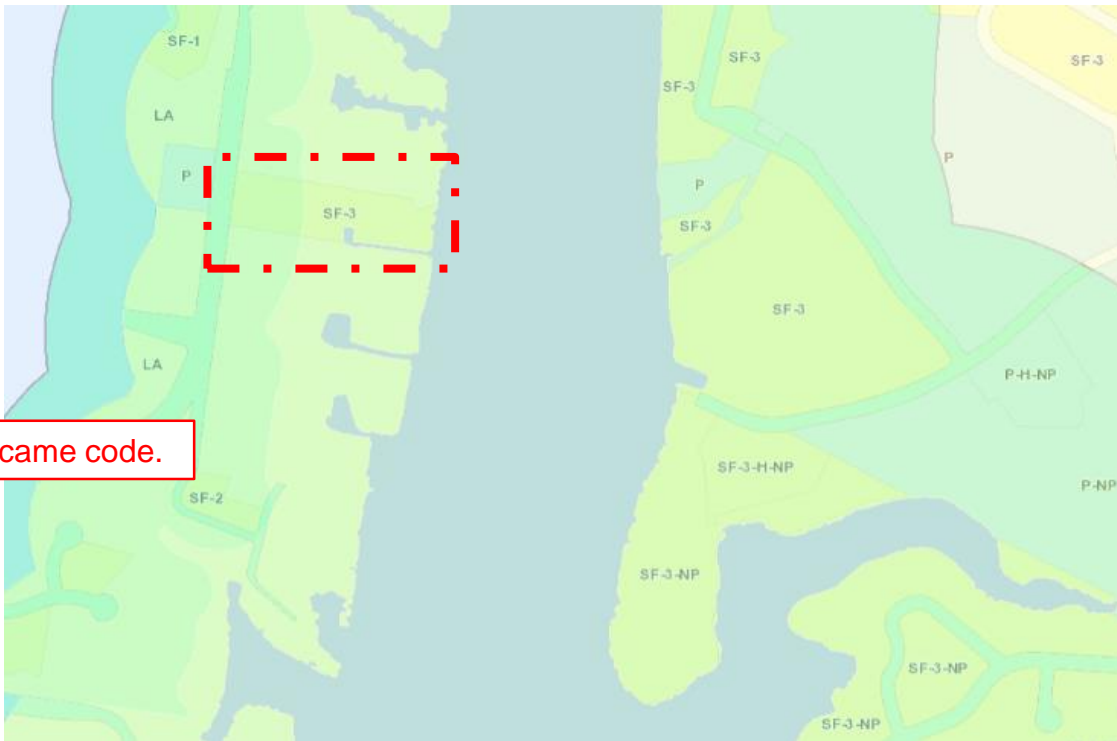
(B) ...land that is located within 1,000' of the shoreline of Lake Austin and is:

- (1) Located within LA, I-LA, DR, PUD, RR or I-RR; or
- (2) Located on a site of one acre or more that is:
 - (i) Comprised of 2 or more lots on or after June 24th, 2014; and
 - (ii) Zoned or rezoned SF-1, SF-2, SF-3, SF-4A, SF-5, or SF-6.

Date overlay became code.

25-2-647 – Lake Austin (LA) Overlay District Regulations

...must comply with 25-2-551 and the minimum lot size, minimum lot width and setbacks for LA under 25-2-491



(B) ...land that is located within 1,000' of the shoreline of Lake Austin and is:

- (1) ~~Located within LA, I-LA, DR, PUD, RR or I-RR;~~ or
- (2) Located on a site of one acre or more that is:
 - (i) Comprised of 2 or more lots on or after June 24th, 2014; and
 - (ii) Zoned or rezoned SF-1, SF-2, SF-3, SF-4A, SF-5, or SF-6.

Property stats:

- (2) individual lots, each over 1 acre.
- Would need to comply with the LA overlay if they were being developed together as a site.
- If developed individually, they would not need to comply with the LA overlay



F-2/14-PRESENTATION

