



ZONING AND PLATTING COMMISSION RECOMMENDATION 20220816-19

Date: August 16, 2022

Subject: Floodplain Commercial Redevelopment Exception Code Amendments

Motioned By: Commissioners Smith

Seconded By: Commissioner Stern

Whereas the new National Oceanic Atmospheric Association “NOAA” ATLAS 14 rainfall information indicated increased rainfall levels within the City of Austin and the city adopted new regulations in an effort to protect the residents from flooding based on a better understanding of flood risk with this new rainfall information; and

Whereas the Austin City Council directed City staff, boards, and commissions to initiate public processes to consider proposed code amendments to City floodplain regulations based on Atlas 14 floodplain data; and

Whereas The City of Austin contacted more than 2,700 people at 110 different meetings and following that outreach on November 14, 2019 the City of Austin adopted new regulations with four basic elements:

- Floodplain definitions,
- Residential redevelopment exception,
- Colorado River exception,
- Increased Freeboard, and

Whereas A significant number of residential and commercial properties are in the floodplain and that number increased when the new Atlas 14 regulations were adopted; and

Whereas the City has a goal to create an administrative approval process for commercial redevelopment that decreases flood risk compared to the existing conditions and increases public safety; and

Whereas the City Council and City of Austin are committed to equity in the development and implementation of land development policies and code amendments.

Now, therefore, be it resolved that the Zoning and Platting Commission encourages the City Council to consider the following recommendations regarding the proposed floodplain commercial redevelopment exception code amendments:

1. The administrative approval process for a commercial building in a floodplain should include:
 - a. Replaces or modifies an existing commercial building
 - b. Finished floor elevation is at least 2 feet above the 100-year floodplain
 - c. Does not increase the building square footage on the property
 - d. Does not include the following uses:

- i. E (educational)
 - ii. F (Factory)
 - iii. H (High Hazard)
 - iv. I (Institutional)
 - e. Does not increase the number or flood level of parking spaces within the flood plain on the property unless otherwise required; and
 - f. No adverse flooding impact as defined in LDC Sections 25.7-2 and 25.7-66.
2. Direct the City Manager to provide annual public updates on the following recommendations from the Flood Mitigation Task Force:
 - a. City Council should conduct a periodic (e.g. every 5 years) financial and organizational audit of the Watershed Protection Department to evaluate staffing resource allocations, program effectiveness, and the successful implementation of master plan goals and objectives,
 - b. The City should not grant variances for development or redevelopment that may lead to future flooding or annex property that may already be a flood concern, and
 - c. Work with city, state, and county authorities to continue to restrain development in 100-year floodplains,
 3. Direct the City Manager to direct the Watershed Equity Coordination Team to review the proposed code amendments and provide recommendations for equitable implementation of the code amendments and equitable public safety protections for communities of color and low-income families, and
 4. Direct the City Manager to provide annual public reports on the efficacy of floodplain redevelopment exceptions and the goals to increase public safety and decrease flood risks in floodplains, and
 5. Require public notice of redevelopment exception applications to adjacent property owners, renters, residents, tenants, and businesses that includes assigned staff contact information; and,
 6. Consider an appeals process.

Be if further resolved that properties that utilize the residential or commercial redevelopment exception will be ineligible for any future City of Austin buyout(s).

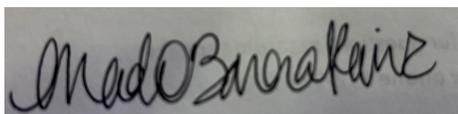
Vote : 6-2

For: Chair Barrera-Ramirez, Vice-Chair Kiolbassa and Commissioners Denkler, Stern, Smith and King

Against: Commissioners Greenberg and Thompson

Absent: Commissioner Boone off the dais. Commissioners Acosta and Woody absent.

Attest:



Chair of the Zoning and Platting Commission