



MEMORANDUM

TO: Kevin Ramberg, Environmental Commission Chair and Commissioners

FROM: Katie Coyne, AICP, Certified Ecologist – ESA
Environmental Officer / Assistant Director
Watershed Protection Department

THROUGH: Leslie Lilly, Environmental Program Coordinator, Watershed Protection Department

DATE: December 1st, 2023

SUBJECT: Code Amendments related to the Ann and Roy Butler Hike and Bike Trail and environmental protection.

On December 6th, 2023, the Environmental Commission will consider a proposed amendment to City Code Title 25 (Land Development) as it relates to the Ann and Roy Butler Hike and Bike Trail (Butler Trail) and environmental protections. The Watershed Protection Department requests a recommendation from the Environmental Commission to approve the amendment to allow the Butler Trail to be built and reconstructed within the existing 50 ft Critical Water Quality Zone (CWQZ) setback while also providing protection of the shoreline through mitigation or alternative means.

Project Description and Background

In 1971, Lady Bird Johnson, Ann Butler, and the Town Lake Beautification Committee worked together to establish the Town Lake Metropolitan Park Trail, now known as the Ann and Roy Butler Hike and Bike Trail. The Butler Trail was constructed by the City of Austin, in accordance with the Land Development Code rules and regulations in place at the time of its construction and extends from MoPac Expressway to Pleasant Valley Road, forming a 10 mile loop that serves almost 5,000,000 users annually.

In 2017, provisions were added to the Land Development Code section 25-8-261 (CRITICAL WATER QUALITY ZONE DEVELOPMENT) restricting development within the 50 ft setback of Lady Bird Lake including the construction of trails like the existing Butler Trail, approximately 85% of which is currently located within the 50 ft setback of Lady Bird Lake. This restriction makes it more difficult to enhance, reconstruct and build the Butler Trail in its current alignment.

Code Amendment and Variance

While the intent of the 2017 CWQZ code update was done to protect the shoreline of Lady Bird Lake, it unintentionally impacted the existing Butler Trail by making the majority of the trail system non-compliant. Staff requests an update to the language that would accommodate the current Butler Trail alignment and width while continuing to provide protection to the shoreline through mitigation and

improvements to the health of the floodplain. Mitigation would include restoration to areas within the CWQZ in a ratio of 2:1 (i.e. 2 sqft of restoration for every 1 sqft of impact) using the Zone 4 Functional Assessment of Floodplain Health to improve areas scoring "Poor" or "Fair" to a score of "Good" or better; or providing alternative restoration such that trail projects would provide improvements to the condition of the site that increase water quality treatment, restore or preserve otherwise unprotected riparian areas, reduce erosive conditions, and otherwise demonstrate a significant improvement in ecological function.

Three specific amendments to 25-8-261 (CRITICAL WATER QUALITY ZONE DEVELOPMENT) are proposed:

- 25-8-261 (B)(3)(c) to allow the Butler Trail to exceed 12 feet width
- 25-8-261 (B)(3)(f-g) to allow the Butler Trail to be located within 50 feet of the shoreline of Lady Bird Lake with mitigation for impact.
- 25-8-261 (C)(2) to remove the requirement for additional restoration for shoreline disturbance associated with shoreline access for the Butler Trail.

Staff Recommendation

City staff recognize the need to accommodate necessary improvements and updates to the Butler Trail for the benefit of the community especially those related to safety and mobility. The proposed code amendment provides a pathway forward to allow approval of future Butler Trail capital improvement project while balancing the needs of water quality protection and environmental function.

cc: Jorge Morales, P.E., CFM, Director, Watershed Protection Department