



# City of Austin

## Recommendation for Action

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File #: 26-2711, Agenda Item #: 59.

1/22/2026

### **Posting Language**

Conduct a public hearing and consider an ordinance amending City Code Section 25-7-152 (Dedication of Easements and Rights-of-Way) to allow for an administrative variance to the drainage easement dedication requirement for park improvements on City parkland. Funding: This item has no fiscal impact.

### **Lead Department**

Austin Watershed Protection.

### **Fiscal Note**

This item has no fiscal impact.

### **For More Information:**

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### **Council Committee, Boards and Commission Action:**

July 16, 2025, Code amendment initiation recommended by Codes and Ordinances Joint Committee, 6 - 0.  
August 12, 2025, Code amendment initiated by Planning Commission, 9-0.  
October 15, 2025, Recommended by Environmental Commission with a condition to present to the Austin Parks and Recreation Board, 8-1.  
October 27, 2025, Recommended by Parks and Recreation Board, 8-1-1.  
November 19, 2025, Recommended by the Codes and Ordinances Joint Committee, 4-0.  
December 9, 2025, Recommended by Planning Commission, 10-0.

### **Additional Backup Information:**

City Code Section 25-7-152 requires property owners to dedicate a public drainage easement to the limits of the 100-year floodplain as a part of the site development permit approval process. Section 25-7-152(E) allows the Director of Austin Watershed Protection to grant an administrative variance to the drainage easement dedication requirement under certain circumstances described in that subsection.

Drainage easements alert present and future property owners that there is flood risk on the property and limit the use of property within the easement area. The use of property within these areas is also limited by floodplain regulations that impose restrictions and development requirements within the 100-year floodplain. Importantly, an approved administrative variance waiving the drainage easement dedication requirement does not waive or alter other existing floodplain regulations. The proposed amendment would only apply to the dedication of a drainage easement for park improvements on City of Austin parkland.

Additionally, if parkland is later sold through the Chapter 253 process and voter approval, the new property owner would be required to dedicate a drainage easement as part of any future site plan application. The process for the sale of public parkland must follow the requirements outlined in Chapter 253 of the Texas statutes, which serve as a protection for public parks and recreational lands from programs or projects that would change their use or require taking of public land.

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A benefit of this proposed code change is to reduce the fiscal and administrative burden on new parkland projects by improving efficiency during the permit review process. Austin Parks and Recreation and Austin Watershed Protection agree that this change is appropriate and beneficial.

Codifying this exception will streamline the process and reduce unnecessary administrative work for both departments. Additionally, there will be no impact or change on maintenance or operational responsibilities as a result of the code amendment.

Staff supports the amendment to City Code Section 25-7-152(E) to allow for an administrative variance to drainage easement dedication requirement associated with park improvements on City of Austin parkland.