



Code Amendment C20-2025-009 Parkland Drainage Easements

Austin Watershed Protection | January 22, 2026

Intent of Current Code: Drainage Easements

LDC 25-7-152(A)

The owner of real property proposed to be developed shall dedicate to the public an easement for stormwater flow to the limits of the 100-year floodplain

- Ensures that the current and future property owners know that flood risk exists on their property
- Accomplished by surveying the floodplain area on the property



Impacts Under Current Code

- Requires solicitation and contract negotiation
- Requires multiple rounds of staff review
- A Declaration of Use (DOU) requires Real Estate and Legal review
- Final approval requires multiple levels of executive review, signatures and recording with associated County fees
- Overall process cost:
 - Consultant for survey (increased significantly over time)
 - Cost of staff time charged to the project (reducing available money for construction)
 - Adds cost/time to the site plan review process
- Park property remains city-owned unless voter approved for sale through a Chapter 26 process



Proposed Code



- Add City of Austin parkland to the list of options for a variance.
- Would not exempt parkland from following all code requirements for development in the floodplain.
- If a property is approved for sale, the new owner would be required to dedicate the easement once a subdivision or site plan application is submitted.

Proposed Code Language



§ 25-7-152 - DEDICATION OF EASEMENTS AND RIGHTS-OF-WAY

E. For property in the full-purpose limits of the city, the director may grant a variance to Subsection (A) if the director determines:

- 1) development with the variance does not result in additional adverse flooding of other property; and
- 2) the development:
 - a) is permitted by a variance granted under Section 25-7-92(C) (Encroachments on Floodplain Prohibited);
 - b) is permitted in a floodplain under Section 25-7-93 (General Exceptions), Section 25-7-94 (Exceptions in Central Business Area), Section 25-7-95 (Exceptions for Parking Areas), or Section 25-7-96 (Exceptions in the 25-Year Floodplain);
 - c) is not a building or parking area;
 - d) is a non-conforming use, as defined by Chapter 25-12, Article 3 (Flood Hazard Areas); or
 - e) is for park improvements on City of Austin parkland.

Schedule



Meeting	Date
Codes and Ordinances Joint Committee: Initiation Recommendation (approved)	July 16, 2025
Planning Commission: Initiation Recommendation (approved, initiated)	August 12, 2025
Parks and Recreation Board: Code amendment memo sent	September 5, 2025
Environmental Commission: Considered for recommendation (passed with recommendation to go to Parks and Recreation Board)	October 15, 2025
Parks and Recreation Board: Considered for recommendation (passed)	October 27, 2025
Codes and Ordinances Joint Committee: Considered for recommendation (passed)	November 19, 2025
Planning Commission: Considered for recommendation (passed on consent agenda)	December 9, 2025
City Council: Considered and action	January 22, 2026

Questions?



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