

Land Use 2



EXISTING LAND USE

Existing Conditions

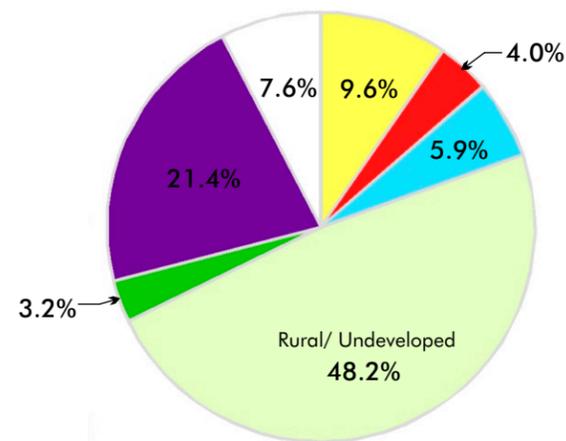
This section of the Plan provides a summary of the existing land use along the Colorado River Corridor and trends in land use development that have been occurring over the previous 10 years and may continue into the future. The data was provided by the Travis County Appraisal District (TCAD) and is composed of an inventory of existing land uses based on Texas Property Tax Assistance Division (PTAD) property category codes.

An evaluation of the Corridor's current land use and development patterns is the initial step in formulation of goals and a vision for future growth patterns. Such an analysis includes reviewing the existing land uses, the amount and location of each use and how much vacant land is available in the study area for future development. Table 2.1-Existing Land Use identifies the existing land uses and the acreage and percentage of each use.

The study area consists of approximately 30,565 acres, which includes 2,333 acres of right-of-way (ROW) and Colorado River. Roughly 2,927 acres, 9.6 percent of the land area, are currently identified as residential use. The area is experiencing an increase in residential development; however, the number of residential housing units is relatively small in comparison to other parts of the County. Approximately 14,738 acres, 48.2 percent of the study area, are currently being utilized for agriculture and farm/ranch activity or is undeveloped. Nearly 1,227 acres, 4 percent, are identified as commercial land use, and 6,549 acres, 21.4 percent, are classified as mining. The team was able to identify that mines are currently being operated on approximately 6,549 acres, including 2,193 acres of inactive mining operations. Table 2-1 Existing Land Use provides an overview of the current land use distribution in the study area.

Table 2-1. Existing land use.

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	Residential	2,927 Ac 9.6 %
	Commercial	1,227 Ac 4.0 %
	Civic/Institutional	1,802 Ac 5.9 %
	Ag/Rural/Undeveloped	14,738 Ac 48.2 %
	Recreation and Natural Areas	989 Ac 3.2 %
	Mining	6,549 Ac 21.4 %
	ROW & Colorado River	2,333 Ac 7.6 %



The Corridor begins inside the City of Austin's extra-territorial jurisdiction limits and continues to south of Webberville, about 40 miles below the Longhorn Dam, extending northwest to southeast. The river banks are lined with sycamore, willow and elm trees as well as native grasses and small brush plants. A wide variety of wildlife, including deer, beavers, raccoons, squirrels, armadillos, reptiles, birds and many others can be seen along the banks. The river itself is home to many species of aquatic plants that provide habitat and cover for a variety of fish and amphibians that populate this section of the Colorado River.

Regulatory Framework

The jurisdictions within the corridor include the City of Austin, the Village of Webberville, Travis County, and the State of Texas. Both the County and the cities have shared authority in the extra-territorial jurisdiction. With the federal control of environmental concerns, basic policy is laid down by the federal government, but administration of environmental programs has been delegated to the State in most cases. The control of land use, both rural and urban, has continued under the State or has been delegated to local jurisdictions.

Travis County, as a subdivision of the state, has limited authority as specified in the Texas Local Government Code. The specific authority includes approval of subdivision platting and setting standards for public roadways associated with subdivisions. Travis County also has authority in all unincorporated areas of the corridor as the floodplain administrator, overseeing approximately 13,000 Acres (2008 FEMA). Travis County implements this authority by review of all development proposals to ensure that the integrity and capacity of floodplains are not compromised.

In addition to this limited land use authority, Travis County has defined responsibilities under the federal Clean Water Act (CWA) and Texas Water Code to control pollutant discharges. In accordance with a CWA permit, Travis County has implemented requirements for the management of storm water associated with urbanized land use, including requirements to eliminate or reduce the discharge of pollutants from construction sites and industrial facilities and to ensure permanent best management practices (BMPs) are in place to capture and treat storm water in completed subdivisions or commercial sites.

The City of Austin and Travis County formed a single office for review and approval of residential subdivision proposals. They have approved a joint development code and executed an inter-local agreement to implement this joint regulatory function. An inter-local agreement on storm water management is nearing completion and approval to better establish roles and responsibilities between the City and the County for the joint protection of waterways and management of stormwater in the extra-territorial jurisdiction.

City land use authority can be achieved through limited purpose annexation or development agreements (with property owners' consent but no service obligations) or full purpose annexation (with service obligations but does not require property owners' consent).

During the first public meeting for the Colorado River Corridor, concerns were raised about how increased development accompanying major transportation projects, mining operations and growth from Austin and Bastrop might contribute to the loss of rural character, water quality and riparian

habitats.

Participants questioned whether current regulations are adequate and consistent among jurisdictions and whether voluntary measures are sufficient to address the more undesirable impacts of growth. As a result of growth and development, issues such as the potential for increased flood damage and downstream storm water impacts are a major concern for the local residents. There is recognition that all types of building (homes, roads, businesses, etc.) depend on the availability of sand and gravel resources, but that mining near the river raises concerns about the effects on water quality.

Mine restoration, however, can create opportunities for new wetland and pond resources when mineral resource removal is complete. There is a need to balance the sand and gravel industry's needs with the public's and the river's needs.

Opportunities and Constraints

Mining Reclamation

The City of Austin has existing reclamation standards for aggregate mining and rock quarrying in the Pollutant Attenuation Plan rule (Section 1.3.4 of the Environmental Criteria Manual). In place since 2005, the standards require that clean backfill be used, that the side slopes be contoured to 3:1 and that the disturbed areas be re-vegetated. Fiscal surety must be posted to ensure that re-vegetation occurs. Presently, there are no initiatives to update the Pollutant Attenuation Plan rule. Under consideration for a future rule update is the requirement to have a professional engineer establish performance standards for reclamation and to verify that those performance standards are met. The City of Austin's environmental inspectors periodically inspect active aggregate mining facilities to ensure compliance with approved site plans. Under the Pollutant Attenuation Plan rule, the environmental inspectors have the authority to require verification testing of backfill and to review file records of backfill load certificates.

Travis County established interim water quality protection standards in 2005 for areas of the county outside of all municipal extra-territorial jurisdictions. Notably, only a small sliver of the Colorado River Corridor area (near the Bastrop County line) is outside of the extra-territorial jurisdictions. In 2009, the Texas Legislature and Governor acted to establish more explicit water quality protection authority for Travis County in Local Government Code Chapter 573. Under this authority and a 2012 deadline required by the TCEQ's storm water general permit, Travis County is proceeding to develop new water quality protection regulations. The regulations would supersede the interim requirements and to include as the scope all areas of County jurisdiction, including areas within City extra-territorial jurisdictions. The regulations would establish requirements for mine and quarry post-mining reclamation, fiscal surety to ensure re-vegetation, setbacks from waterways and sensitive environmental features and standards for management of storm water generated at mining sites. Travis County is considering the City of Austin requirements with an aim towards expanding consistent standards, but is also considering requirements of other jurisdictions.

Statewide, there do not appear to be any legislative initiatives to establish reclamation standards for aggregate extraction or quarrying. Currently, there are rules for a specific portion of the Brazos River known as the John Graves Scenic Riverway. Title 30, TAC Chapter 311, Subchapter H regulates

quarrying activities only in this scenic river way. TCEQ does not have any plans to develop regulations and rules that would apply statewide. The Texas Concrete and Aggregate Association (TCAA) does not have any initiative for establishing voluntary reclamation standards.

Post-Mining Land Use

Over the next five years it is anticipated that over half the acreage currently allocated to resource extraction will transition to alternate land uses. Over the next 25 years it is anticipated that mining will be isolated to the TXI Webberville site along FM 969 and the Shumaker site along SH 71 (areas in red on map below). Open space and agricultural land uses will most likely be the dominant forms of reclamation for most mining properties in the Corridor. These uses may include lakes, ponds, wetlands, waterfowl habitat, flood storage, hay fields, farming, livestock pastures, greenbelt connections, trails, fishing areas, etc. (See Appendix B - Wetland Mitigation Banks)

Of the approximately 10,825 acres currently dedicated to mining, very few of these holdings are located outside of the 100-year floodplain and therefore few of these sites have commercial redevelopment opportunities. It is estimated that currently 5,781 acres are actively being mined with an additional 2,851 acres permitted in the future and 2,193 acres having been previously mined. The TXI SH-130 site is proposed to transition to a 2,100-acre mixed-use project with approximately 1,000 acres of development and 1,100 acres of open space. Another area for redevelopment is the "Dog's Head" area north of Austin-Bergstrom International Airport (ABIA). Transportation issues, land fragmentation and the ABIA noise contour overlays are some issues that will make this area difficult to redevelop.

Impact of Aggregate Mining on Residential Development

The potential conflict between mining and residential uses (noise, traffic, air quality, visual impacts, etc.) is likely to continue as increased residential development and mining activity are planned within the Corridor. The opportunity to plan the necessary and orderly progression of these non-compatible land uses is also a challenge. Mining areas have been identified to support nearby development. Once depleted, a post-mining phase of the life cycle should allow for the orderly transition of land uses around and within the mining areas. Plans are being considered to reduce truck traffic, mitigate visual impacts and establish baseline environmental monitoring conditions against which planners can evaluate future affects.

City of Austin Annexation Plans

Objectives such as improving neighborhood connectivity, encouraging cluster development and reducing corridor sprawl along roadways may be best achieved using the City's land use authority, but the City does not currently have any areas within the Corridor scheduled for annexation. The City, however, may consider annexation of areas with potential for development that are contiguous to the city limits where city services can be provided. The most recent annexation was the Water's Edge Development off SH 71 south of the river.

County Land Use Authority

There is a strong interest of the County and other rapidly urbanizing Texas counties to obtain explicit authority to enforce land use regulations and to implement zoning and/or setback requirements to protect land owners from incompatible adjacent land uses. Greater control

would require legislation to be passed by the Texas Legislature and approved by the Governor.

Public Facilities

There is a strong linkage between new development and the provision of public facilities services, efficient land use, and the delivery of other vital government services. Public facilities include arterial stormwater management systems, emergency services such as police and fire, solid waste disposal facilities and public school facilities.

While this document does not include guidance about future public facilities that are listed above, it does recognize the importance to ensure the availability of public facilities and the adequacy of those facilities including acceptable levels of service as the area develops. The quantity of public facilities that is needed to meet the needs of future growth shall be determined for each public facility when such need is determined. Identify and define types of public facilities, establish standards for levels of service for each such public facility, and determine what quantity of additional public facilities is needed in order to achieve and maintain the standards.

