

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTERS 25-7, 25-8, 25-12, 30-4 AND 30-5 RELATING TO REGULATION OF DEVELOPMENT WITHIN THE 25-YEAR AND 100-YEAR FLOODPLAINS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 25-7-2 (*Definitions*) is amended to add a definition of “Atlas 14” and to renumber the other definitions in this section accordingly:

- (2) ATLAS 14 means the National Oceanic and Atmospheric Administration’s Precipitation-Frequency Atlas 14 of the United States, Volume 11, Version 2.0: Texas.

PART 2. City Code Section 25-7-2 (*Definitions*) is amended to change the definitions of “100-Year Floodplain” and “25-Year Floodplain” to read as follows:

- (10) 100-YEAR FLOODPLAIN means an area within a floodplain subject to a one percent or greater chance of flooding in any year as calculated in accordance with Section 25-7-6 (*Determination of the 100-Year Floodplain*) [~~the 100-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual~~].
- (11) 25-YEAR FLOODPLAIN means an area within a floodplain subject to a four percent or greater chance of flooding in any year as calculated in accordance with Section 25-7-7 (*Determination of the 25-Year Floodplain*) [~~the 25-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual~~].

PART 3. City Code Section 25-7-6 (*Computation of Stormwater Runoff*) is amended to read as follows:

§ 25-7-~~8~~[6] - COMPUTATION OF STORMWATER RUNOFF.

(A) Except as provided in Subsection (B), stormwater [~~Stormwater~~] runoff shall be computed on the basis of a fully developed contributing drainage area or watershed as determined under the Drainage Criteria Manual.

1 (B) When determining the runoff generated from the 500-year flood for the
2 purpose of determining the 100-year floodplain under Subsection (B) of Section 25-7-6
3 (Determination of the 100-Year Floodplain), stormwater runoff shall be computed on
4 the basis of an existing developed contributing drainage area or watershed.

5 **PART 4.** City Code Chapter 25-7 (*Drainage*) is amended to add a new Section 25-7-6
6 and 25-7-7 to read as follows:

7 **§ 25-7-6 DETERMINATION OF THE 100-YEAR FLOODPLAIN.**

8 For purposes of this chapter, the 100-year floodplain shall be:

- 9 (A) For areas amended to incorporate Atlas 14 data, the 100-year
10 floodplain calculated under fully developed conditions as
11 prescribed by the Drainage Criteria Manual and incorporating Atlas
12 14 data;
- 13 (B) For areas not yet amended to incorporate Atlas 14 data, the 500-
14 year floodplain either as depicted on the FEMA Flood Insurance
15 Rate Map as of January 6, 2016, as subsequently revised, or as
16 calculated under existing conditions as prescribed by the Drainage
17 Criteria Manual; or
- 18 (C) For the Colorado River, the 100-year floodplain as depicted on the
19 FEMA Flood Insurance Rate Map dated January 6, 2016, or as
20 subsequently revised.

21 **§ 25-7-7 DETERMINATION OF THE 25-YEAR FLOODPLAIN.**

22 For purposes of this chapter, the 25-year floodplain shall be:

- 23 (A) For areas amended to incorporate Atlas 14 data, the 25-year
24 floodplain calculated under fully developed conditions as
25 prescribed by the Drainage Criteria Manual and incorporating Atlas
26 14 data;
- 27 (B) For areas not yet amended to consider Atlas 14 data, the 100-year
28 floodplain calculated under fully developed conditions as
29 prescribed by the Drainage Criteria Manual; or

- 1 (C) For the Colorado River, the 25-year floodplain as calculated under
2 exiting conditions as prescribed by the Drainage Criteria Manual.

3 **PART 5.** City Code Section 25-7-93 (*General Exceptions*) is amended to read as
4 follows:

5 **§ 25-7-93 - GENERAL EXCEPTIONS.**

- 6 (A) A site plan with a proposed building or parking area that encroaches on
7 the 100-year floodplain may be approved if the encroachment is:

- 8 (1) a parking area that is smaller than 5,000 square feet or an
9 unoccupied structure that has an area of less than 1,000 square feet,
10 and the director determines that the proposed development:

- 11 (a) will not have an adverse effect on the 100-year floodplain or
12 surrounding properties; and

- 13 (b) otherwise complies with the requirements of this title;

- 14 (2) a new single-family residential structure, duplex residential
15 structure, or accessory dwelling unit that replaces an existing
16 legally constructed single-family residential structure, duplex
17 residential structure, or accessory dwelling unit on the same
18 property and does not increase the number of legal dwelling
19 units on the property;

20 [~~a single family or duplex residential structure in a subdivision:~~

- 21 (~~a) recorded before September 25, 1983; and~~

- 22 (~~b) in which only one residential structure is built on a single~~
23 ~~lot;]~~

- 24 (3) a building authorized by a waterway development permit issued
25 under Chapter 9-10 before September 25, 1983;

- 26 (4) a building in the 100-year floodplain of:

- 27 (a) Lady Bird Lake; [or]

1 (b) the Colorado River downstream from Longhorn Dam;

2 (c) Lake Austin; or

3 (d) Lake Travis.

4 (B) To be approved under this section, [A] development [application that may
5 be approved under this section] must:

6 (1) be no lower than two feet above the 100-year floodplain, as
7 measured from the lowest floor elevation of any proposed building
8 [comply with the flood proofing requirements of Chapter 25-12,
9 Article 1 (*Building Code*); and];

10 (2) comply with the requirements in Chapter 25-12, Article 1,
11 Section 25-12-3 Appendix G (*Flood Resistant Construction*)
12 and Section 1612 (*Flood Loads*);

13 (3) compensate for the floodplain volume displaced by the
14 development; and

15 (4) result in no additional adverse flooding impact on other properties,
16 as determined by the director.

17 **PART 6.** City Code Section 25-7-96 (*Requirements in the 25-Year Floodplain*) is
18 amended to read as follows:

19 **§ 25-7-96 - REQUIREMENTS IN THE 25-YEAR FLOODPLAIN.**

20 (A) The [This section establishes] requirements of this section [that] apply to
21 development in the 25-year floodplain.

22 (B) A development application with a proposed building or parking area that
23 encroaches on the 25-year floodplain may be approved if:

24 (1) the building or parking area is located on parkland, a golf course, or
25 other public or recreational land;

26 (2) the building, if any, is:

1 (a) a new single-family residential structure, duplex residential
2 structure, or accessory dwelling unit that replaces an existing
3 legally constructed single-family residential structure, duplex
4 residential structure, or accessory dwelling unit on the same
5 property and does not increase the number of legal dwelling
6 units on the property;

7 (b)[(i)] a restroom or bath facility, concession stand, tool shed, or
8 pump house, with an area of less than 1,000 square feet; or

9 (c)[(ii)] a dock that is located in the 25-year floodplain of Lady
10 Bird Lake, Lake Walter E. Long, or Lake Austin and
11 constructed, or proposed to be constructed, in compliance
12 with the regulations of this title;

13 (3) the parking area, if any, is smaller than 5,000 square feet; and

14 (4) the director determines that the proposed development:

15 (a) will not result in additional adverse flooding impact on other
16 properties; and

17 (b) otherwise complies with the requirements of this title.

18 (C) To be approved under this section, [A] development [application
19 approved under this section] must:

20 (1) be no lower than two feet above the 100-year floodplain, as
21 measured from the lowest floor elevation of any proposed
22 building;

23 (2) comply with the requirements in Chapter 25-12, Article 1,
24 Section 25-12-3 Appendix G (*Flood Resistant Construction*)
25 and Section 1612 (*Flood Loads*);

26 (3) compensate for the floodplain volume displaced by the
27 development; and

28 (4) result in no additional adverse flooding impact on other
29 properties, as determined by the director.

1 [comply with the flood proofing requirements of Chapter 25-12,
2 Article 1 (Building Code).]

3 **PART 7.** City Code Section 25-8-1 (*Definitions*) is amended to change the definition
4 of “floodplain modification” to read as follows:

5 (10) FLOODPLAIN MODIFICATION means development that results in any
6 vertical or horizontal change in the cross section of the 100-year
7 floodplain as determined under Section 25-7-6 (*Determination of the 100-*
8 *Year Floodplain*) [~~calculated under fully developed conditions as~~
9 ~~prescribed by the Drainage Criteria Manual~~].

10
11 **PART 8.** Subsections (A), (C), and (F) of City Code Section 25-8-92 (*Critical Water*
12 *Quality Zones Established*) are amended to read as follows:

13 (A) In the water supply rural watersheds, water supply suburban watersheds,
14 and Barton Springs Zone, a critical water quality zone is established along
15 each waterway classified under Section 25-8-91 (*Waterway*
16 *Classifications*).

17 (1) The boundaries of a critical water quality zone coincide with the
18 boundaries of the 100-year floodplain as determined under Section
19 25-7-6 (*Determination of the 100-Year Floodplain*), [~~calculated~~
20 ~~under fully developed conditions as prescribed by the Drainage~~
21 ~~Criteria Manual~~] except:

- 22 (a) for a minor waterway, the boundaries of the critical water
23 quality zone are located not less than 50 feet and not more
24 than 100 feet from the centerline of the waterway;
- 25 (b) for an intermediate waterway, the boundaries of the critical
26 water quality zone are located not less than 100 feet and not
27 more than 200 feet from the centerline of the waterway;
- 28 (c) for a major waterway, the boundaries of the critical water
29 quality zone are located not less than 200 feet and not more
30 than 400 feet from the centerline of the waterway; and

- (d) for the main channel of Barton Creek, the boundaries of the critical water quality zone are located 400 feet from the centerline of the creek.
- (2) Notwithstanding the provisions of Subsections (A)(1)(a), (b), and (c), a critical water quality zone does not apply to a previously modified drainage feature serving a railroad or public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition, as prescribed in the Environmental Criteria Manual.
- (C) In an urban watershed, a critical water quality zone is established along each waterway with a drainage area of at least 64 acres. This does not apply in the area bounded by IH-35, Riverside Drive, Barton Springs Road, Lamar Boulevard, and 15th Street.
- (1) The boundaries of the critical water quality zone coincide with the boundaries of the 100-year floodplain as determined under Section 25-7-6 (Determination of the 100-Year Floodplain), [~~calculated under fully developed conditions as prescribed by the Drainage Criteria Manual;~~] provided that the boundary is not less than 50 feet and not more than 400 feet from the centerline of the waterway.
- (2) Notwithstanding the provisions of Subsection (C)(1), a critical water quality zone does not apply to a previously modified drainage feature serving a railroad or public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition.
- (F) Critical water quality zones are established along and parallel to the shorelines of the Colorado River downstream of Lady Bird Lake.
- (1) The shoreline boundary of a critical water quality zone coincides with the river's ordinary high water mark, as defined by Code of Federal Regulations Title 33, Section 328.3 (*Definitions*).
- (2) The inland boundary of a critical water quality zone coincides with the boundary of the 100-year floodplain as determined under Section 25-7-6 (Determination of the 100-Year Floodplain) [~~delineated by the Federal Emergency Management Agency~~],

1 except that the width of the critical water quality zone, measured
2 horizontally inland, is not less than 200 feet and not more than 400
3 feet.

4 **PART 9.** Subsection (A) of City Code Section 25-8-121 (*Environmental Resource*
5 *Inventory Requirement*) is amended to read as follows:

- 6 (A) An applicant shall file an environmental resource inventory with the
7 director for proposed development located on a tract:
- 8 (1) within the Edwards Aquifer recharge or contributing zone;
 - 9 (2) within the Drinking Water Protection Zone;
 - 10 (3) containing a water quality transition zone;
 - 11 (4) containing a critical water quality zone; or
 - 12 (5) ~~[containing a floodplain; or~~
 - 13 ~~(6)]~~ with a gradient of more than 15 percent.

14 **PART 10.** Subsection 202.1 (*Amended Definitions*) of City Code Section 25-12-3
15 (*Local Amendments to the Building Code*) is amended to delete and replace the
16 definitions of “base flood”, “design flood”, “flood hazard area”, and “floodway” with
17 new definitions to read as follows:

18 **BASE FLOOD.** A flood that has the following characteristics:

- 19 1. For areas amended to incorporate Atlas 14 data, a flood that has a
20 one percent chance of being equaled or exceeded in any given year
21 (100-year flood) calculated under fully developed conditions as
22 prescribed by the Drainage Criteria Manual and incorporating Atlas
23 14 data;
- 24 2. For areas not yet amended to incorporate Atlas 14 data, a flood that
25 has a 0.2 percent chance of being equaled or exceeded in any given
26 year (500-year flood) calculated under the conditions underlying
27 the FEMA Flood Insurance Rate Map as of January 6, 2016, as
28 subsequently revised, or as calculated under existing conditions as
29 prescribed by the Drainage Criteria Manual; or
- 30 3. For the Colorado River, a flood that has a one percent chance of
31 being equaled or exceeded in any given year (100-year flood)
32 calculated under the conditions underlying the FEMA Flood

Insurance Rate Map dated January 6, 2016, or as subsequently revised.

DESIGN FLOOD. A flood that has the following characteristics:

1. For areas amended to incorporate Atlas 14 data, a flood associated with an area of a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) based on projected full development in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data;
2. For areas not yet amended to incorporate Atlas 14 data, a flood associated with an area of a floodplain subject to a 0.2 percent or greater chance of being flooded in any year (500-year flood) calculated under the conditions underlying the FEMA Flood Insurance Rate Map as of January 6, 2016, as subsequently revised, or as calculated under existing conditions as prescribed by the Drainage Criteria Manual; or
3. For the Colorado River, a flood associated with an area of a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

FLOOD HAZARD AREA. An area that has the following characteristics:

1. For areas amended to incorporate Atlas 14 data, an area within a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) based on projected full development in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data;
2. For areas not yet amended to incorporate Atlas 14 data, an area of a floodplain subject to a 0.2 percent or greater chance of being flooded in any year (500-year flood) calculated under the conditions underlying the FEMA Flood Insurance Rate Map as of January 6, 2016, as subsequently revised, or as calculated under

existing conditions as prescribed by the Drainage Criteria Manual;
or

3. For the Colorado River, an area within a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

FLOODWAY. The channel of the river, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. An area that has the following characteristics:

1. For the Colorado River, an area with a floodplain subject to a four percent or greater chance of flooding in any year (25-year flood) based on existing developed conditions as prescribed by the Drainage Criteria Manual; or
2. For all other rivers, creeks, and watercourses, an area with a four percent or greater chance of flooding in any year (25-year flood) based on a projected full development in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data.

PART 11. Subsection 1612.3 (*Establishment of Flood Hazard Areas*) of City Code Section 25-12-3 (*Local Amendments to the Building Code*) is amended to read as follows:

1612.3 Establishment of flood hazard areas. Flood hazard areas are:

1. the flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Austin, Texas," dated September 26, 2008, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and related supporting data, along with any amendments or revisions thereto,

are hereby adopted by reference and declared to be a part of this section; and

2. the 100-year and 25-year floodplains as defined [~~based on projected full development as specified~~] in the Austin City Code and Drainage Criteria Manual are adopted by reference and declared to be part of this section.

PART 12. Subsection 1612.4.1 (*Freeboard*) of City Code Section 25-12-3 (*Local Amendments to the Building Code*) is amended to read as follows:

1612.4.1 Freeboard. A minimum freeboard of two feet [~~one foot~~] shall be added where the design flood elevation or other elevation requirements are specified, unless otherwise specified in Title 25 (Land Development).

PART 13. Subsection G103.3 (*Determination of Design Flood Elevations*) of Appendix G (*Flood Resistant Construction*) of City Code Section 25-12-3 (*Local Amendments to the Building Code*) is amended to read as follows:

G103.3 Determination of design flood elevations. If design flood elevations are not specified, the building official is authorized to require the applicant to:

1. Obtain, review and reasonably utilize data available from a federal, state or other source; or
2. Determine the design flood elevation in accordance with the 100-year floodplain as defined in the Austin City Code [~~based on projected full development in accordance with the City of Austin Drainage Criteria Manual~~]. Such analyses shall be performed and sealed by a Professional Engineer licensed by the State of Texas. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the building official. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

PART 14. Subsection 320.2 (*Establishment of Flood Hazard Areas*) of City Code Section 25-12-133 (*Local Amendments to the 2015 Uniform Mechanical Code*) is amended to read as follows:

320.2 Establishment of flood hazard areas. A flood hazard area is:

1. a flood hazard area identified by the Federal Emergency Management Agency (FEMA) in a certain scientific and engineering report entitled "The Flood Insurance Study for Austin, Texas," dated September 26, 2008, with accompanying Flood Insurance Risk Maps and Flood Boundary-Floodway Maps (FIRM and FBFM), related supporting data, and any amendments or revisions; or
2. a 100-year or 25-year floodplain as defined ~~[based on projected full development as specified]~~ in the Austin City Code ~~[and Drainage Criteria Manual]~~.

PART 15. Subsection 321.8 (*Establishment of Flood Hazard Areas*) of City Code Section 25-12-153 (*Local Amendments to the Uniform Plumbing Code*) is amended to read as follows:

321.8 Establishment of flood hazard areas. The City establishes a flood hazard area that includes the following:

1. Flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Austin, Texas" dated September 26, 2008, with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) and related supporting data along with any amendments or revisions are adopted by reference and declared to be part of this section.
2. The 100-year and 25-year floodplains as defined in the Austin City Code ~~[based on projected full developments as specified in the City Code and Drainage Criteria Manual]~~ are adopted by reference and declared to be part of this section.

PART 16. Subsection R202 (*Definitions*) of City Code Section 25-12-243 (*Local Amendments to the International Residential Code*) is amended to delete and replace the definitions of "25-year flood plain", "base flood", "design flood", "flood hazard area", and "floodway" to read as follows:

25-YEAR FLOOD PLAIN means an area that has the following characteristics:

- 1 (A) For areas amended to incorporate Atlas 14 data, the 25-year
2 floodplain calculated under fully developed conditions as
3 prescribed by the Drainage Criteria Manual and incorporating Atlas
4 14 data;
- 5 (B) For areas not yet amended to consider Atlas 14 data, the 100-year
6 floodplain calculated under fully developed conditions as
7 prescribed by the Drainage Criteria Manual; or
- 8 (C) For the Colorado River, the 25-year floodplain as calculated under
9 exiting conditions as prescribed by the Drainage Criteria Manual.

10 **BASE FLOOD** means a flood that has the following characteristics:

- 11 1. For areas amended to incorporate Atlas 14 data, a flood that has a
12 one percent chance of being equaled or exceeded in any given year
13 (100-year flood) calculated under fully developed conditions as
14 prescribed by the Drainage Criteria Manual and incorporating Atlas
15 14 data;
- 16 2. For areas not yet amended to incorporate Atlas 14 data, a flood that
17 has a 0.2 percent chance of being equaled or exceeded in any given
18 year (500-year flood) calculated under the conditions underlying
19 the FEMA Flood Insurance Rate Map as of January 6, 2016, as
20 subsequently revised, or as calculated under existing conditions as
21 prescribed by the Drainage Criteria Manual; or
- 22 3. For the Colorado River, a flood that has a one percent chance of
23 being equaled or exceeded in any given year (100-year flood)
24 calculated under the conditions underlying the FEMA Flood
25 Insurance Rate Map dated January 6, 2016, or as subsequently
26 revised.

27 **DESIGN FLOOD** means a flood that has the following characteristics:

- 28 1. For areas amended to incorporate Atlas 14 data, the flood
29 associated with an area of a floodplain subject to a one percent or
30 greater chance of being flooded in any year (100-year flood) based
31 on projected full development in accordance with the City of
32 Austin Drainage Criteria Manual and incorporating Atlas 14 data;

2. For areas not yet amended to incorporate Atlas 14 data, the flood associated with an area of a floodplain subject to a 0.2 percent or greater chance of being flooded in any year (500-year flood) calculated under the conditions underlying the FEMA Flood Insurance Rate Map as of January 6, 2016, as subsequently revised, or as calculated under existing conditions as prescribed by the Drainage Criteria Manual; or
3. For the Colorado River, the flood associated with an area of a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

FLOOD HAZARD AREA means an area that has the following characteristics:

1. For areas amended to incorporate Atlas 14 data, an area within a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) based on projected full development in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data;
2. For areas not yet amended to incorporate Atlas 14 data, an area within a floodplain subject to the 500-year floodplain either as depicted on the FEMA Flood Insurance Rate Map as of January 6, 2016, as subsequently revised, or as calculated under existing conditions as prescribed by the Drainage Criteria Manual; or
3. For the Colorado River, an area within a floodplain subject to a one percent or greater chance of being flooded in any year (100-year flood) as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

FLOODWAY means the channel of the river, creek, or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. An area that has the following characteristics:

1. For the Colorado River, an area with a floodplain subject to a four percent or greater chance of flooding in any year (25-year flood) based on existing developed conditions as prescribed by the Drainage Criteria Manual; or
2. For all other rivers, creeks, and watercourse, an area with a four percent or greater chance of flooding in any year (25-year flood) based on a projected full development in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data.

PART 17. Subsection R202 (*Definitions*) of City Code Section 25-12-243 (*Local Amendments to the International Residential Code*) is amended to add a new definition of “100-year flood plain” to read as follows:

100-YEAR FLOOD PLAIN means an area that has the following characteristics:

- (A) For areas amended to incorporate Atlas 14 data, the 100-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual and incorporating Atlas 14 data;
- (B) For areas not yet amended to incorporate Atlas 14 data, the 500-year floodplain either as depicted on the FEMA Flood Insurance Rate Map as of January 6, 2016, as subsequently revised, or as calculated under existing conditions as prescribed by the Drainage Criteria Manual; or
- (C) For the Colorado River, the 100-year floodplain as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

PART 18. Subsection R322.1.4 (*Establishing the Design Flood Elevation*) of City Code Section 25-12-243 (*Local Amendments to the International Residential Code*) is amended to read as follows:

R322.1.4 Establishing the design flood elevation. The design flood elevation defines areas prone to flooding and describes, at a minimum, the base flood

elevation at the depth of peak elevation of flooding based upon: [~~with the ultimate development of the watershed, which has a one percent (100-year flood) or greater chance of being equaled or exceeded in any given year.~~]

1. For areas amended to incorporate Atlas 14 data, the 100-year floodplain calculated under fully developed conditions in accordance with the City of Austin Drainage Criteria Manual and incorporating Atlas 14 data;
2. For areas not yet amended to incorporate Atlas 14 data, the 500-year floodplain either as depicted on the FEMA Flood Insurance Rate Map as of January 1, 2019, as subsequently revised, or as calculated under existing conditions as prescribed by the Drainage Criteria Manual; or
3. For the Colorado River, the 100-year floodplain as depicted on the FEMA Flood Insurance Rate Map dated January 6, 2016, or as subsequently revised.

PART 19. Subsection R322.2 (*Establishment of Flood Hazard Areas [Including A Zones]*) of City Code Section 25-12-243 (*Local Amendments to the International Residential Code*) is amended to read as follows:

R322.2 Establishment of flood hazard areas (including A Zones). A flood hazard area is:

1. a flood hazard area identified by the Federal Emergency Management Agency (FEMA) in a certain scientific and engineering report entitled "The Flood Insurance Study for Austin, Texas," dated September 26, 2008, with accompanying Flood Insurance Risk Maps and Flood Boundary-Floodway Maps (FIRM and FBFM), related supporting data, and any amendments or revisions; or
2. a 100-year or 25-year floodplain as defined [~~based on projected full development as specified~~] in the Austin City Code [~~and Drainage Criteria Manual~~].

PART 20. City Code Section 30-4-1 (*Definitions*) is amended to add a definition of “Atlas 14” and to renumber the other definitions in this section accordingly:

- (9) ATLAS 14 means the National Oceanic and Atmospheric Administration’s Precipitation-Frequency Atlas 14 of the United States, Volume 11, Version 2.0: Texas.

PART 21. City Code Section 30-4-1 (*Definitions*) is amended to change the definitions of “100-Year Floodplain” and “25-Year Floodplain” to read as follows:

- (10) 100-YEAR FLOODPLAIN means an area within a floodplain subject to a one percent or greater chance of flooding in any year as calculated in accordance with Section 30-4-5 (*Determination of the 100-Year Floodplain*) ~~[the 100-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual]~~.
- (11) 25-YEAR FLOODPLAIN means an area within a floodplain subject to a four percent or greater chance of flooding in any year as calculated in accordance with Section 30-4-6 (*Determination of the 25-Year Floodplain*) ~~[the 25-year floodplain calculated under fully developed conditions as prescribed by the Drainage Criteria Manual]~~.

PART 22. City Code Section 30-4-5 (*Computation of Stormwater Runoff*) is amended to read as follows:

§ 30-4-7[5] COMPUTATION OF STORMWATER RUNOFF.

- (A) Except as provided in Subsection (B), stormwater [Stormwater] runoff shall be computed on the basis of a fully developed contributing drainage area or watershed as determined under the Drainage Criteria Manual.
- (B) When determining the runoff generated from the 500-year flood for the purpose of determining the 100-year floodplain under Subsection (B) of Section 30-4-5 (*Determination of the 100-Year Floodplain*), stormwater runoff shall be computed on the basis of an existing developed contributing drainage area or watershed.

PART 23. City Code Chapter 30-4 (*Drainage*) is amended to add a new Section 30-4-5 and 30-4-6 to read as follows:

1 **§ 30-4-5 DETERMINATION OF THE 100-YEAR FLOODPLAIN.**

2 For purposes of this chapter, the 100-year floodplain shall be:

- 3 (A) For areas amended to incorporate Atlas 14 data, the 100-year
4 floodplain calculated under fully developed conditions as
5 prescribed by the Drainage Criteria Manual and incorporating Atlas
6 14 data;
- 7 (B) For areas not yet amended to incorporate Atlas 14 data, the 500-
8 year floodplain either as depicted on the FEMA Flood Insurance
9 Rate Map as of January 6, 2016, as subsequently revised, or as
10 calculated under existing conditions as prescribed by the Drainage
11 Criteria Manual; or
- 12 (C) For the Colorado River, the 100-year floodplain as depicted on the
13 FEMA Flood Insurance Rate Map dated January 6, 2016, or as
14 subsequently revised.

15 **§ 30-4-6 DETERMINATION OF THE 25-YEAR FLOODPLAIN.**

16 For purposes of this chapter, the 25-year floodplain shall be:

- 17 (A) For areas amended to incorporate Atlas 14 data, the 25-year
18 floodplain calculated under fully developed conditions as
19 prescribed by the Drainage Criteria Manual and incorporating Atlas
20 14 data;
- 21 (B) For areas not yet amended to consider Atlas 14 data, the 100-year
22 floodplain calculated under fully developed conditions as
23 prescribed by the Drainage Criteria Manual; or
- 24 (C) For the Colorado River, the 25-year floodplain as calculated under
25 existing conditions as prescribed by the Drainage Criteria Manual.

26 **PART 24.** City Code Section 30-5-1 (*Definitions*) is amended to change the definition
27 of “floodplain modification” to read as follows:

- 28 (10) FLOODPLAIN MODIFICATION means development that results in any
29 vertical or horizontal change in the cross section of the 100-year

1 floodplain as determined under Section 30-4-5 (*Determination of the 100-*
2 *Year Floodplain*) [~~calculated under fully developed conditions as~~
3 ~~prescribed by the Drainage Criteria Manual~~].

4 **PART 25.** Subsections (A), (C), and (F) of City Code Section 30-5-92 (*Critical Water*
5 *Quality Zones Established*) are amended to read as follows:

6 (A) In the water supply rural watersheds, water supply suburban watersheds,
7 and Barton Springs Zone, a critical water quality zone is established along
8 each waterway classified under Section 30-5-91 (*Waterway*
9 *Classifications*).

10 (1) The boundaries of a critical water quality zone coincide with the
11 boundaries of the 100-year floodplain as determined under Section
12 30-4-5 (*Determination of the 100-Year Floodplain*), [~~calculated~~
13 ~~under fully developed conditions as prescribed by the Drainage~~
14 ~~Criteria Manual~~] except:

15 (a) for a minor waterway, the boundaries of the critical water
16 quality zone are located not less than 50 feet and not more
17 than 100 feet from the centerline of the waterway;

18 (b) for an intermediate waterway, the boundaries of the critical
19 water quality zone are located not less than 100 feet and not
20 more than 200 feet from the centerline of the waterway;

21 (c) for a major waterway, the boundaries of the critical water
22 quality zone are located not less than 200 feet and not more
23 than 400 feet from the centerline of the waterway; and

24 (d) for the main channel of Barton Creek, the boundaries of the
25 critical water quality zone are located 400 feet from the
26 centerline of the creek.

27 (2) Notwithstanding the provisions of Subsections (A)(1)(a), (b), and
28 (c), a critical water quality zone does not apply to a previously
29 modified drainage feature serving a railroad or public roadway
30 right-of-way that does not possess any natural and traditional

character and cannot reasonably be restored to a natural condition,
as prescribed in the Environmental Criteria Manual.

(C) In an urban watershed, a critical water quality zone is established along each waterway with a drainage area of at least 64 acres. This does not apply in the area bounded by IH-35, Riverside Drive, Barton Springs Road, Lamar Boulevard, and 15th Street.

(1) The boundaries of the critical water quality zone coincide with the boundaries of the 100-year floodplain as determined under Section 30-4-5 (Determination of the 100-Year Floodplain), ~~[calculated under fully developed conditions as prescribed by the Drainage Criteria Manual;]~~ provided that the boundary is not less than 50 feet and not more than 400 feet from the centerline of the waterway.

(2) Notwithstanding the provisions of Subsection (C)(1), a critical water quality zone does not apply to a previously modified drainage feature serving a railroad or public roadway right-of-way that does not possess any natural and traditional character and cannot reasonably be restored to a natural condition.

(F) Critical water quality zones are established along and parallel to the shorelines of the Colorado River downstream of Lady Bird Lake.

(1) The shoreline boundary of a critical water quality zone coincides with the river's ordinary high water mark, as defined by Code of Federal Regulations Title 33, Section 328.3 (*Definitions*).

(2) The inland boundary of a critical water quality zone coincides with the boundary of the 100-year floodplain as determined under Section 30-4-5 (Determination of the 100-Year Floodplain) ~~[delineated by the Federal Emergency Management Agency]~~, except that the width of the critical water quality zone, measured horizontally inland, is not less than 200 feet and not more than 400 feet.

PART 26. Subsection (A) of City Code Section 30-5-121 (*Environmental Resource Inventory Requirement*) is amended to read as follows:

(A) An applicant shall file an environmental resource inventory with the director for proposed development located on a tract:

- 1 (1) within the Edwards Aquifer recharge or contributing zone;
2 (2) within the Drinking Water Protection Zone;
3 (3) containing a water quality transition zone;
4 (4) containing a critical water quality zone; or
5 (5) [~~containing a floodplain; or~~
6 (~~6~~] with a gradient of more than 15 percent.

7 **PART 27.** Parts 1 through 19 of this ordinance take effect on
8 _____, 2019. Parts 20 through 26 of this ordinance take
9 effect on the effective date of a Travis County ordinance enacting the same or
10 substantially similar provisions.

11 **PASSED AND APPROVED**

12
13 §
14 §
15 _____, 2019 § _____
16
17 Steve Adler
18 Mayor

19
20 **APPROVED:** _____ **ATTEST:** _____
21 Anne L. Morgan Jannette S. Goodall
22 City Attorney City Clerk