
SOUTH CENTRAL WATERFRONT REGULATING PLAN

Working DRAFT – December 17, 2018

Note: This is a WORKING DRAFT of the South Central Waterfront Regulating Plan. It has been produced by the City of Austin Planning and Zoning Department for the purposes of discussion only. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Table of Contents

- A. [Purpose](#)
- B. [Context](#)
- C. **How to Use This Document - Section TBD**
- D. [Applicability](#)
- E. [Application Requirements](#)
- F. [Affordable Housing](#)
- G. **Land Use - Section TBD**
- H. **Building Design Standards - Section TBD**
- I. [Development Standards](#)
- J. **Transportation Demand Management - Section TBD**
- K. [Environmental Regulations](#)

SCW Regulating Plan Text

A. Purpose

The purpose of this South Central Waterfront District (SCWD) Regulating Plan is to implement the goals of the South Central Waterfront Vision Framework Plan (the Vision Framework Plan), which was adopted as an amendment to Imagine Austin in June of 2016. This Regulating Plan is incorporated as part of the Vision Framework Plan, and provides applicable procedures and development standards for eligible properties electing to opt into the provisions of the SCWD Overlay Zone, set forth in 23-4D-9120 of the Land Development Code.

B. Context

The South Central Waterfront district as identified in the Vision Framework Plan contains City right-of-way for four arterials, one city-owned property, and over thirty separate private properties and owners, which collectively comprises 118 acres. Forecasts indicate that many properties within this district, directly across the Lady Bird Lake from Downtown Austin, are very likely to choose to redevelop over the next twenty years. The Vision Framework Plan lays the groundwork to leverage this pending redevelopment in order to create a districtwide network of connected green streets, parks, trails and public open spaces, upgrade infrastructure, as well as achieving significant numbers of new affordable housing units for the district.

The Vision Framework Plan promotes a vision and a set of recommendations which include new financial tools, district governance, strategic city capital investments, and programs in order to guide redevelopment for this district over the next twenty years. The Vision Framework Plan provides a roadmap to foster public-private partnerships in order to transform this district into a sustainable, equitable and beautiful mixed-use urban neighborhood, and to provide a model which could be replicated in other redeveloping areas in Austin. This Regulating Plan provides a pathway for eligible properties to gain site-specific enhancements of development entitlements above the base zoning. To take advantage of the enhanced entitlements, developers must provide on-site and districtwide community benefit contributions which further the public realm, infrastructure, and/or affordable housing goals of the Vision Framework Plan. These community benefit contributions may be in-kind.

C. How to Use This Document

Section TBD

D. Applicability

1. General Applicability

- a. Eligibility: An Applicant whose property is identified on the Regulating Plan Height Map may supersede the standards of the base zone, density limits, FAR requirements, the Combined Waterfront Overlay, the Parkland Dedication Ordinance, and Commercial Design Standards by opting to follow the provisions of the SCWD Overlay and this Regulating Plan. Eligible properties that choose the option of participation in the SCWD Overlay must follow the standards of the Regulating Plan described herein, as well as comply with the development standards and land uses set forth in the **Urban Center (UC-Unlimited)** zoning district described in the **Land Development Code (Chapter 23-4D-6070)**. The following development standards shall supplement those of the Code; where there are inconsistencies, these standards shall apply.
- b. The Regulating Plan Height Map (Figure 1) describes properties within the SCWD Overlay that are eligible for additional height by following the provisions of this Regulating Plan. Future amendments to the Vision Plan may allow for other properties within the SCWD to be considered for additional entitlements, subject to the standards set forth in this Regulating Plan.



Figure 1: Regulating Plan Height Map

¹ Open space includes required setbacks from existing and proposed regulations and PUDs.

2. Exemptions from Subchapter E of the Land Development Code

For properties within the South Central Waterfront District opting into the SCWD Overlay, this Regulating Plan supersedes “Subchapter E: Design Standards and Mixed Use” of the Land Development Code where there are conflicts between Subchapter E and this Regulating Plan.

3. Conflicting Provisions

If the provisions of this Document are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin, this Document shall control unless otherwise expressly provided.

4. Accessibility

Accessibility, integration and inclusion of people with disabilities are fundamental components of our vision for the future of the City of Austin. This Document shall not supersede any applicable state or federal accessibility statutes and regulations. Administration and enforcement of this Document shall comply with all such statutes and regulations. All pedestrian routes constructed within the public right-of-way shall be constructed so as to provide legally accessible transitions to pedestrian routes on adjacent properties.

5. State and Federal Provisions

Compliance with the standards of this Document at all state and federal facilities is strongly encouraged so that the South Central Waterfront Plan Vision for the SCW District is supported and reinforced.

E. Application Requirements

1. Review Authority:

The Development Services Department Director administers the SCWD Regulating Plan and review applications in compliance with Chapter 25-1 (General Requirements and Procedures).

2. Schematic Plan:

The applicant must submit to the Development Services Department Director a schematic level site plan, building elevations, and other drawings, simulations or other documents necessary to fully describe the urban design character of the development and the relationship of the development to the Vision Framework Plan and Regulating Plan.

3. South Central Waterfront Advisory Board Review:

Following Staff review, the South Central Waterfront Advisory Board (SCWAB) shall evaluate and make recommendations regarding whether the development is in substantial compliance with the Vision Framework Plan and the Regulating Plan, and the Development Services Department Director shall consider comments and recommendations of the SCWAB.

4. Affordable Housing Review:

Following the initial submittal to the Development Services Department Director, the applications for the SCWD affordability component shall be submitted to the Housing Director for the initial review and processing procedures in compliance with **Chapter 25-4 (Application and Approval) of the Land Development Code**.

- a. Housing Director's Approval: Following the submittal and approval of an application in compliance with this Division, the Housing Director shall issue an Affordability Certification Letter to the applicant. The Affordability Certification Letter is required prior to the Site Plan approval by the Development Services Director.
- b. Applicant's Obligation: Before the Building Official may issue a Certificate of Occupancy in compliance with **Section 23-2H-4020 (Certificate of Occupancy)**, the applicant must fulfill all obligations including but not limited to the payment of all fees and execution of land use restrictions to ensure that the applicant meets all applicable Regulating Plan requirements.

5. On-Site Public Realm Improvements:

The applicant shall execute a restrictive covenant committing to provide all new streets, streetscape, landscape, water quality, open space, block structure, and ground level uses which are mapped on their property, if any, to be consistent with the provisions of this Regulating Plan.

6. Building Design Standards:

A site plan must comply with the **building design** and development standards prescribed in this Regulating Plan.

7. Green Building:

All development must achieve a minimum Two-Star rating in Austin Energy's Green Building Program.

8. Community Enhancement Fee:

Upon approval of the Site Plan, the applicant shall submit payment of a Community Enhancement Fee as established by ordinance in the South Central Waterfront Public Improvement District fund dedicated to SCWD community enhancements.

9. Changes in Building Design:

If the design of a building changes after a site plan is approved under this Section, the Development Services Department Director shall review the new design for compliance with this Section prior to Building Permit approval. A Building Permit for a final design will not be approved until the design complies with this Section and the restrictive covenants are amended to reflect adherence to the Regulating Plan development standards and required community amenity contributions.

F. Affordable Housing

1. Benefit Contribution:

The applicant shall provide an affordable housing community benefit by using one or more of the following:

- a. On-site Affordable Housing for Residential Development. For residential developments, an applicant may satisfy the affordable housing gatekeeper requirement by providing a percentage of residential units as on-site affordable housing within the development.
 - i. Affordable units must be delivered and maintained such that the mix of one-bedroom and two-bedroom affordable units is the same as the mix of one-bedroom and two-bedroom market-rate units, except that the provision of dedicated two- or three-bedroom affordable units may count toward the affordability requirement as two or three one-bedroom/efficiency units at the discretion of the Housing Director.
- b. On-site Affordable-Housing for Mixed-Use Development. For mixed-use developments, an applicant may satisfy the affordable housing gatekeeper requirement by providing a percentage of residential units as on-site affordable housing within the development and paying a fee into the Housing Trust Fund for the proportion of the area in the development that is applied to non-residential uses.
 - i. Affordable units must be delivered and maintained such that the mix of one-bedroom and two-bedroom affordable units is the same as the mix of one-bedroom and two-bedroom market-rate units, except that the provision of two-bedroom or three-bedroom affordable units may count as two or three one-bedroom/efficiency affordable units at the discretion of the Housing Director.
- c. Alternatives to On-site Production of Affordable Housing for Residential and Mixed Use Developments. Any request to meet the affordable housing gatekeeper requirements through an alternative other than production of on-site affordable units under this section requires review and approval by the Housing Director.
 - i. Housing Fee in Lieu of Affordable Units. An applicant may pay a fee in lieu of providing the affordable units. The total fee-in-lieu amount required for a residential development or the residential portion of a mixed use development is determined by multiplying the

bonus square feet by the corresponding per square foot fee or multiplying the affordable units required by the corresponding per unit fee as published in the City's fee schedule at the time the project's site plan is submitted.

1. The fee payment shall be reserved for use in the South Central Waterfront District. If the funds are not allocated to an affordable housing activity in the South Central Waterfront District within ten years following the payment of the fee, the Housing Director may use the funds outside of the district.
 2. The Housing Director shall evaluate and, if necessary, may provide recommendations annually to the City Council to adjust the fee.
- ii. Off-site Production. Off-site production of affordable units may be proposed if the off-site production of affordable units produces more affordable units or a greater community benefit, as determined by the Housing Director. Off-site affordable units:
1. Must be deed-restricted to achieve at least the same affordability period and income restrictions as the project accessing the SCWD Overlay, in accordance with Subsection 3 below, and may include any combination of new units or units in an existing structure;
 2. Must include at least the same number of units and same bedroom count mix as would be required of the on-site affordable units, except that the provision of dedicated two- or three-bedroom affordable units may count as two or three one-bedroom/efficiency affordable units at the discretion of the Housing Director;
 3. Must be within the SCWD or in a location approved by the Housing Director, such as a high opportunity area;
 - a. If located outside the SCWD, income restrictions on affordable units must comply with the following requirements:
 - i. For rental units, the affordable units must be rented to income-eligible households at or below 60 percent of the Median Family Income HOME Limits per household size, as defined by the US Department of Housing and Urban Development for the Austin-Round Rock Metropolitan Statistical Area;
 - ii. For ownership units, the affordable units must be sold to income-eligible households at or below 80 percent of the Median Family Income HOME Limits per household size, as defined by the US Department of Housing and Urban Development for the Austin-Round Rock Metropolitan Statistical Area.
 4. Must include the payment of a fee equal to the total fee-in-lieu amount due for the development accessing the SCWD Overlay, which is held in escrow, until a final Certificate of Occupancy is issued for the off-site units; and
 5. Must receive Certificate of Occupancy for the off-site units within 36 months of the date that the final Certificate of Occupancy is issued for the property seeking the bonus.
- iii. Land Dedications. Land dedication may be proposed as an alternative to on-site production of affordable units. The applicant may donate to the City land that is within the SCWD, within one mile of the property seeking the bonus, within a high opportunity area, or that the Housing Director determines is suitable for the construction of affordable

units and is of equivalent or greater value than is produced by applying the fee-in-lieu for affordable units. Any dedicated land must be within the full purpose jurisdiction of the City of Austin.

- d. Non-Residential Fee for Affordable Housing. If a property includes only non-residential uses, the applicant shall pay a fee into the Housing Trust Fund as published in the City's fee schedule at the time that the project's site plan is submitted to the City.
 - i. The Housing Director shall evaluate and, if necessary, may provide recommendations annually to the City Council to adjust the fee.
 - ii. The fee payment shall be reserved for use in the South Central Waterfront District. If the funds are not allocated to an affordable housing activity in the South Central Waterfront District within ten years following the payment of the fee, the Housing Director may use the funds outside of the district.
- e. Subject to funding availability, the City of Austin may fund the provision of additional affordable units to achieve affordability for twenty percent of the units in the development. The City may elect to subsidize residential units in the development for rental or ownership purposes in any amount and at any level of affordability pursuant to criteria and procedures established by the Housing Director.

2. Affordability Requirements for Owner-occupied Units

- a. The landowner must enter into a restrictive covenant, as amended at the time of the receipt of the Affordability Certification Letter, unless the landowner is required to comply with **Subsection (C)**. The restrictive covenant must include, but is not limited to the following:
 - i. The affordability period;
 - ii. The agreement that the unit must be sold to an income eligible household at or below 120 percent of the Median Family Income (MFI) HOME Limits, per household size, as defined by the U.S. Department of Housing and Urban Development for the Austin-Round Rock Metropolitan Statistical Area. The income determination is conducted by the Housing Director; and
 - iii. The agreement that the maximum sales price for an affordable ownership unit must not exceed three times the annual income for a household at 120 percent MFI, adjusted for unit size where one bedroom equals 1.5 persons. Up to 3.5 times the annual income for a household at 120 percent MFI can be spent on housing costs if a household member has completed a City-approved homebuyer counseling or education class.

3. Affordability Requirements for Rental Units

- a. The landowner must enter into a restrictive covenant prior to the release of the final building permit. The restrictive covenant must include, but is not limited to the following:
 - i. The affordability period;
 - ii. The units must be rented to an income eligible household at or below 80 percent of the Median Family Income (MFI) HOME Limits, per household size, as defined by the U.S.

Department of Housing and Urban Development for the Austin-Round Rock Metropolitan Statistical Area;

- iii. The maximum monthly rental rate for an affordable rental unit shall not exceed 30 percent of the average gross monthly income for a household at 80 percent MFI, adjusted for unit size where one bedroom equals 1.5 persons; and
 - iv. The set aside requirements for ownership units applicable in the event of occupancy conversion to ownership units.
- b. An applicant may not deny a prospective tenant affordable rental housing based solely on the prospective tenant's participation in the Housing Choice Voucher Program or in any other housing voucher program that provides rental assistance.

4. Reporting, Compliance, and Enforcement:

The Housing Director may adopt program rules, guidelines, and procedures related to reporting, monitoring, and compliance requirements needed to implement the affordable housing requirements of this plan.

G. Land Use Standards

Section TBD

H. Building Design Standards

Section TBD

I. Development Standards

1. Eligibility:

An Applicant may supersede the standards of the base zone, density limits, FAR requirements, the Combined Waterfront Overlay, the Parkland Dedication Ordinance and Commercial Design Standards by opting to follow the provisions of the SCWD Overlay and this Regulating Plan. Properties within the SCW district, eligible for additional height per the Regulating Plan Height Map are eligible to opt-in to the SCWD Overlay and this Regulating Plan. In addition to the development standards of the Regulating Plan described herein, eligible properties will comply with the development standards and land uses set forth in the **Urban Center (UC-Unlimited)** zoning district described in the **Land Development Code (Chapter 23-4D-6070)**. The following development standards shall supplement those of the Code; where there are inconsistencies, these standards shall apply.

2. The Regulating Plan Height Map

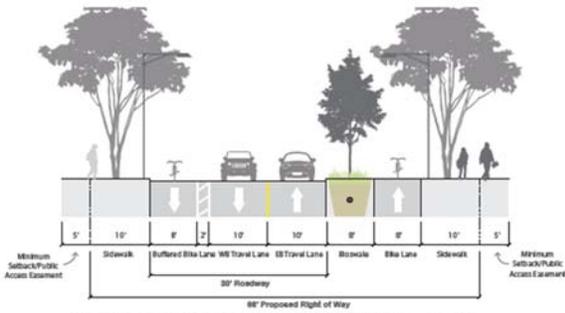
The Regulating Plan Height Map (Figure 1) describes properties within the SCWD Overlay that are eligible for additional height. Future amendments to the Vision Plan may allow for other properties within the SCWD to be considered for additional entitlements, subject to the standards set forth in this Regulating Plan.

3. Required Streets:

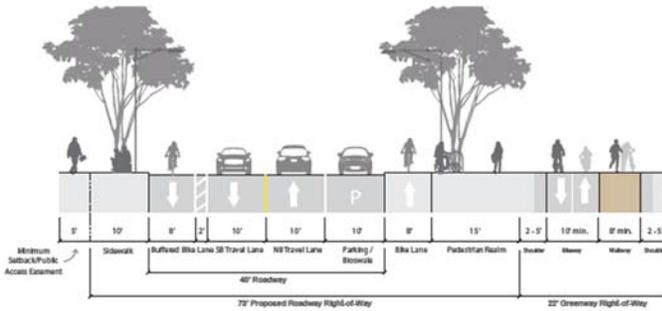
Because the SCWD lacks the necessary infrastructure to support the intensity of anticipated development, the Regulating Plan sets forth two new streets to break up the large superblocks that exist in the area. These include:

a. The Eastern Extension of Barton Springs Road:

Properties seeking redevelopment along the eastern frontage of South Congress Avenue between East Riverside Drive and Lady Bird Lake or along the northern frontage of East Riverside Drive between South Congress Avenue and Bouldin Creek shall provide right-of-way for the eastern extension of Barton Springs Road from South Congress Avenue to East Riverside Drive. The alignment of the roadway shall follow eastward from the intersection of Barton Springs Road and South Congress Avenue generally along the joint property line of existing parcels and southward to East Riverside Drive. The right-of-way of the east-west segment of the roadway shall be no less than 66 feet in width, with minimum 5-foot setbacks along each side, consistent with the configuration of the street section set forth in the Vision Plan (Figure 2a). The north-south segment of the roadway, including the adjacent greenway, shall have a right-of-way width no less than 95 feet, with a minimum 5-foot setback along the west side, consistent with the configuration of the roadway and trail sections set forth in the Vision Plan (Figure 2b). The setbacks along these street segments shall be designated as public access and utility easements. Figure 3 illustrates two possible alignments for this extension of Barton Springs Road. Final alignment and configuration of the roadway shall be negotiated with the affected property owners and approved by the Director of the Austin Transportation Department.



2a. East-West Segment of Barton Springs Road Extension



2b. North-South Segment of Barton Springs Road Extension

Figure 2: Barton Springs Road Extension Cross Sections



Figure 3: Possible Alignments of Barton Springs Road Extension

b. Texas Center Drive:

Properties seeking redevelopment along the western frontage of South Congress Avenue, south of East Riverside Drive and west of Barton Springs Road, shall provide right-of-way for the creation of a new street – Texas Center Drive - connecting South Congress Avenue with Barton Springs Road. The alignment of the road shall generally follow westward from South Congress Avenue along existing property lines to Barton Springs Road. The right-of-way of the roadway shall be no less than 50 feet in width, with minimum 5-foot setbacks along each side, consistent with the configuration of the street section set forth in the Vision Plan (Figure 4). The setbacks along the street shall be designated as public access and utility easements. Figure 5 illustrates one possible alignment for Texas Center Drive. Final alignment and configuration of the roadway shall be negotiated with the affected property owners and approved by the Director of the Austin Transportation Department.

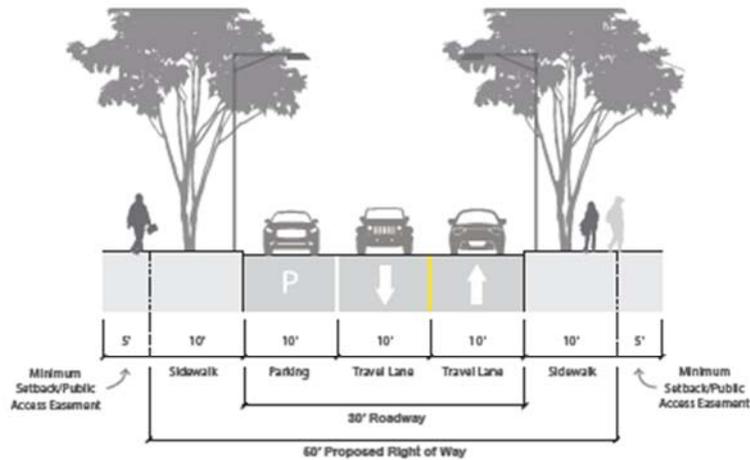


Figure 4: Texas Center Drive & Local Streets Cross Section



Figure 5: Possible Alignment of Texas Center Drive

4. Required Open Space:

The SCWD will include a network of public open spaces that provide generous access to and along Lady Bird Lake, Bouldin Creek and between the various activity centers within the district. Properties seeking redevelopment as part of the SCWD Overlay shall provide the following open spaces at a level of improvement consistent with the cost estimates described in Appendix II of the Vision Plan, escalated to current dollars. More specifically:

a. Statesman Waterfront Park:

Redevelopment of the Statesman site as part of the SCWD Overlay will include development of a publicly accessible waterfront park of no less than 9.6 acres along Lady Bird Lake. Figure 6 illustrates two possible configurations for the Statesman Waterfront Park. The final boundaries

and configuration of the park shall be negotiated with the property owner, subject to the following criteria:

- i. No development shall be located within 150 feet of the shoreline;
- ii. The park shall be bounded by at least 350 linear feet of local public streets; the remainder of the perimeter shall be provided in publicly-accessible trails, walkways or promenades.



Figure 6: Possible Configurations for Statesman Waterfront Park

b. Crockett Square:

Redevelopment of the Crockett property east of South Congress Avenue and north of East Riverside Drive will include an open space – Crockett Square, along the extension of Barton Springs Road East with an area no less than one acre and no dimension less than 150 feet; the square shall be bounded on all four sites by public streets. Figure 7 illustrates two possible configurations for this open space, the final boundaries and configuration of which shall be negotiated with the affected property owner(s).



Figure 7: Possible Configurations for Crockett Square

c. Bouldin Creekfront:

Redevelopment of properties along the northern banks of Bouldin Creek shall be required to improve the creekfront as a publicly accessible trail and open space that will ultimately link South Congress Avenue with South First Street. Buildings shall be set back from the centerline of the creek by at least 100 feet to provide for this open space. Low impact green infrastructure shall be incorporated to capture and filter run-off. Pedestrian access to the creekfront shall be provided from Texas Center Drive and from East Riverside Drive within public access easements no less than 40 feet in width (Figure 8).



Figure 8: Bouldin Creekfront & Access

5. Local Streets and Blocks:

Redevelopment sites shall include a network of local streets and blocks with no block face (measured at the lot line) greater than 400 feet in length and no block perimeter greater than 1400 linear feet. The perimeter of each block shall be bounded by at least two public streets, with the remaining block faces bounded by publicly accessible open space with a minimum depth of 100 feet and/or by a pedestrian way with a minimum width of 50 feet. Figure 9 illustrates two possible block patterns that would meet this standard. The right-of-way of local roadways shall be no less than 50 feet in width, with minimum 5-foot setbacks along each side, consistent with the configuration of the street sections set forth in the Vision Plan (Figure 4). Setbacks shall be designated as public access and utility easements.

6. Streetscape:

All streets within the SCWD shall be improved, consistent with the streetscape requirements of the City of Austin Great Streets standards adopted by Resolution No. 040205-14. Green infrastructure elements (e.g., rain gardens) are encouraged to enhance the ecological performance of the streetscape.

7. Building Placement:

Buildings shall be constructed to within 10 feet of the property line of all new streets within the SCWD, provided that those streets are designed consistent with the cross sections depicted in Figure 2. Greater setbacks will be permitted if such setbacks provide useable and active public space.

8. Ground Level Uses:

The ground floor of buildings in the SCWD Overlay are required to meet minimum frontage requirements as follows:

- a. Pedestrian Priority Frontages: At least 75% of block frontages designated as Pedestrian Priority (Figure 10) shall be in uses classified as **Civic** or as Commercial Group A in Table 1 below. Parking garage access and loading areas are not permitted along Pedestrian-Priority frontages.
- b. Other Street Frontages: All other street frontages shall have at least 60% of the block frontage in uses classified as **Civic**, **Residential** or as Commercial Group B as provided in Table 1 below.

Table 1	
Use Category	Uses
Commercial Group A	Alcohol sales
	Bar/nightclub
	Business and Financial/Professional services
	Food sales
	General retail
	Hotel-motel
	Performance Venue/Theater
	Personal services
	Library, Museum, or Public Art Gallery
	Restaurant
	Studio, art, dance, martial arts, and music
Commercial Group B	Commercial Group A
	Animal Service/Boarding, Level 1
	Commercial food preparation
	Commercial services and repair
	Day Care

	Office, General (Non-Medical)
	Recreation, Indoor

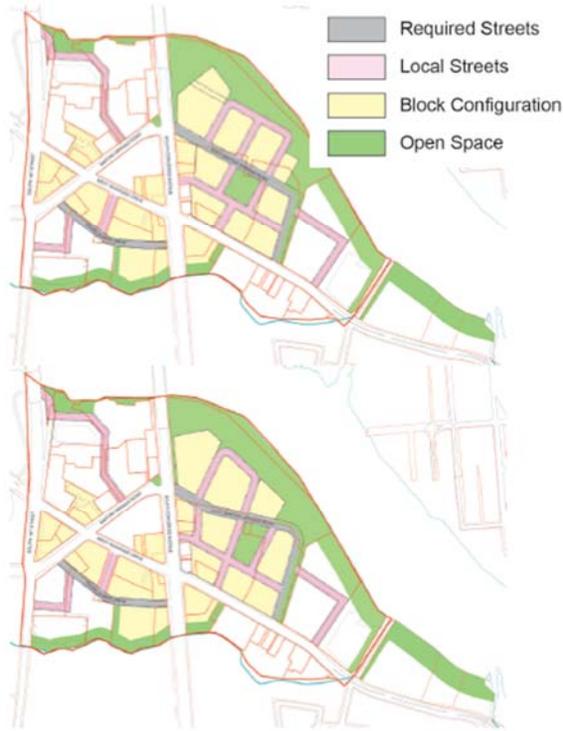


Figure 9: Possible Local Streets & Block Configurations



Figure 10: Pedestrian Priority Frontages Under Possible Block Configuration

9. Parking:

Parking structures at the ground level must be set back from Pedestrian Priority Frontages by at least 50 feet. Upper level parking structures may be exposed to a street front provided that the structure façade maintains a high quality pattern of fenestration, consistent and/or complementary with the primary building.

J. Transportation Demand Management

Section TBD

K. Environmental Regulations

This section is still under revision to reflect staff recommendations from CodeNEXT

In addition to applicable regulations of the Land Development Code, the following environmental regulations apply to developments opting into the SCWD Overlay District:

1. Tree Protections:

- a. 100 percent of heritage trees shall be preserved, unless a tree is dead, fatally diseased, or poses an imminent hazard to life or property which cannot reasonably be mitigated without removing the tree. Heritage trees may be transplanted, if approved by the City Arborist. Transplanting is not considered removal.
- b. 75 percent of the caliper inches associated with native protected size trees shall be preserved, unless a tree is dead, fatally diseased, or poses an imminent hazard to life or property which cannot reasonably be mitigated without removing the tree. Protected trees may be transplanted, if approved by the City Arborist. Transplanting is not considered removal. This requirement applies to the regulating plan area overall, not on an individual subdivision or site plan basis.
- c. The Landowner shall remove existing impervious cover and no new impervious cover shall be placed within the full critical root zone (CRZ) of Protected and Heritage Trees, except as follows:
 - i. If more than 50% of the full critical root zone has impervious cover a private certified arborist shall investigate the tree and root system condition. If determined by the investigation and concurred by the City Arborist the tree is in decline and removal of impervious cover is not a viable option or will not result in tree recovery, the tree can be removed. For Heritage Trees greater than 30 inches in diameter, the land use commission variance process is required. All other Protected or Heritage trees shall be preserved.
 - ii. Structures and access drives from a public street may be located within the outer half of the CRZ in compliance with ECM Section 3.5.2;
 - iii. Internal drive aisles and surface parking may be located within the outer half of the CRZ in compliance with ECM Section 3.5.2 or within the inner half of the CRZ as long as at least 75% of the entire area of the full CRZ is free of impervious cover.

2. Street Trees:

- a. At least 1,000 cubic feet of soil volume shall be provided per tree. The City Arborist may approve a smaller soil volume if necessary due to utility conflicts or other unavoidable constraints; however, the project must meet the standards in the Environmental Criteria Manual (ECM).
 - i. Overhead utilities shall be relocated underground to avoid any conflicts with the planting of shade trees.
 - ii. All new utilities shall be located under the street, and with sufficient clearances to allow for the tree planting zone. Lateral lines may cross the planting zone.

-
- iii. Root barriers shall be introduced and located solely on the utility side, rather than creating boxes around the tree.

3. Lake and Creek Protection:

- a. All projects must comply with Sections 25-8-261 (Critical Water Quality Zone Development) and 25-8-262 (Critical Water Quality Zone Street Crossings); a project shall not use the redevelopment exception or receive an administrative modification under Section 25-8-42(B)(2) to keep existing non-compliant development in the critical water quality zone (CWQZ).
- b. Projects on sites that contain the Ann and Roy Butler Hike-and-Bike Trail shall realign the trail so that it is at least 50 feet away from the shoreline of Lady Bird Lake, unless a lesser distance is required for a connection to an existing off-site trail or a designated lake access point.
- c. Projects on sites along Lady Bird Lake shall restore the CWQZ between the lake and the Ann and Roy Butler Hike-and-Bike Trail.
 - i. The area shall be restored to “good” or “excellent” condition pursuant to ECM Appendix X.
 - ii. The restored area shall be managed as a Grow Zone.
 - iii. Designated access points may be created to provide views to the lake while avoiding impacts to the remainder of the Grow Zone.
- d. Any proposed trails along East Bouldin Creek shall be located at least 50 feet from the creek centerline.

4. Water Quality Controls:

- a. Except as allowed by Subsection (b), all projects must provide on-site water quality treatment using green stormwater control measures, as prescribed in the ECM; payment in lieu shall not be allowed.
- b. Sites with greater than 80 percent gross site area impervious cover may use other on-site stormwater control measures for part of the required water quality treatment if the project installs a rainwater harvesting system sized to meet the on-site demand for landscape irrigation as demonstrated by a water balance in compliance with the ECM.
- c. The required water quality treatment for all new public and private roads shall be provided using green stormwater control measures, as prescribed in the ECM.
- d. Development shall provide water quality treatment for existing, adjacent roads to the extent feasible (considering utility conflicts, etc.), using green stormwater control measures as prescribed in the ECM. If the Watershed Director determines that water quality treatment of an existing, adjacent road is not feasible, the site may provide water quality treatment for an alternative equivalent area, as prescribed in the ECM.
- e. Rain gardens shall be planted with native and adapted plant species.

5. Flood Risk Reduction:

- a. Development proposed as part of a site plan or subdivision will be designed such that proposed post-development peak runoff conditions do not exceed undeveloped peak runoff conditions.
- b. The requirements of Subsection (a) do not apply to:
 - i. Existing development that is not proposed to be redeveloped unless the existing development failed to comply with detention requirements applicable at the time it was constructed; or
 - ii. Redevelopment of existing impervious cover for public roadway projects.
- c. Regional Stormwater Management Program participation, if approved by the director, must be based on the difference between undeveloped and post-development conditions for all new or redeveloped impervious cover, unless the redeveloped impervious cover previously participated in the Regional Stormwater Management Program. The calculation does not include existing development that is not proposed to be redeveloped unless the existing development failed to comply with detention requirements applicable at the time it was constructed.

6. Landscaping:

- a. All properties along East Bouldin Creek shall be required to include a green wall on the creek side of the development.
- b. All landscape areas (including landscape areas within the CWQZ) shall be irrigated with an onsite non-potable water reuse system (collection and distribution of rainwater, graywater, condensate water, or any other approved alternate water source per the adopted **Plumbing Code**). Potable water shall only be used as a backup supply if the alternative water sources are depleted or unavailable.
 - i. Reclaimed water may not be used for irrigation within a CWQZ, 100-year floodplain, critical environmental feature setback, or water quality control.
- c. Projects must provide and follow an Integrated Pest Management Plan for all landscape areas.
- d. Turf may be allowed within the CWQZ in compliance with the requirements for open space, but shall be located not less than 25 feet from the centerline of a creek or 50 feet from the shoreline of Lady Bird Lake, unless approved by the Watershed Director.

7. Dual Distribution Piping within Buildings

- a. Any development project will be constructed using a dual distribution pipe system to allow all non-potable water uses within the buildings to be met by an alternative water supply (reclaimed water or alternative onsite water).

8. Reclaimed Water:

- a. Any development project within 250 feet of a reclaimed water main is required to obtain and utilize permitted connections to reclaimed water for irrigation, cooling, and other significant non-potable water uses, as outlined in the in 6-4-11(E) and 6-4-30(H) of the City Code.
- b. If a development project is further than 250 feet from of a reclaimed water main, the development shall install a reclaimed water main adjacent to their property within the right-of-way which will allow for future connection and expansion of a reclaimed water distribution system for the South Central Waterfront district.
 - i. The development shall make provision to supply drinking water temporarily to the non-potable distribution system within the buildings until such time that the reclaimed water main is completed and in service.
- c. Reclaimed water shall not be used for irrigation in a CWQZ, 100-year floodplain, critical environmental feature setback, or water quality control.

9. Non-Potable District Scale Water Reuse

- a. A district scale alternate water reuse system shall be constructed where feasible and/or envisioned in the Council adopted South Central Waterfront Vision Framework Plan. Potable water shall only be used as a backup supply if the primary sources are depleted or unavailable.

-- END --