



Environmental Code and Common Variances

**Environmental Commission Retreat
August 25, 2021**

Atha Phillips

Environmental Program Coordinator

Watershed Protection Department



Land Development Code 25-8 Environment and the Environmental Criteria Manual



25-8 Environment



SUBCHAPTER A – WATER QUALITY

Development Services Department:

Land Use Review — Environmental Review

Watershed Protection Department

CEF and Floodplain Modification Review

SUBCHAPTER B – TREE AND NATURAL AREA PROTECTION; ENDANGERED SPECIES

Development Services Department:

Community Tree Division

Land Use Review — Environmental Review (notification of Endangered Species only)



25-8 Environment

SUBCHAPTER A – WATER QUALITY

- **25-8-211 Water Quality Control Requirement**
- **25-8-261 Critical Water Quality Zone Development**
- **25-8-262 Critical Water Quality Zone Street Crossings**
- **25-8-281 Critical Environmental Features**
- **25-8-301 and 302 Construction on Slopes**
- **25-8-341 and 342 Cut and Fill**
- **Article 8-13 Limits Impervious Cover**
- **Article 13 Save Our Springs**



25-8 Environment



25-8-211: CRITICAL WATER QUALITY CONTROL REQUIREMENT

Water quality must be provided for all commercial and multi-family projects, and subdivisions as a whole.

- Sedimentation/Filtration is most standard
- Green Stormwater Infrastructure
 - Raingardens
 - Bio-filtration
 - Vegetated Filter strips
 - Retention Irrigation

No Variance but some projects can apply for payment in lieu.



Water Quality Controls



Sedimentation/Filtration Pond



Raingarden



25-8 Environment



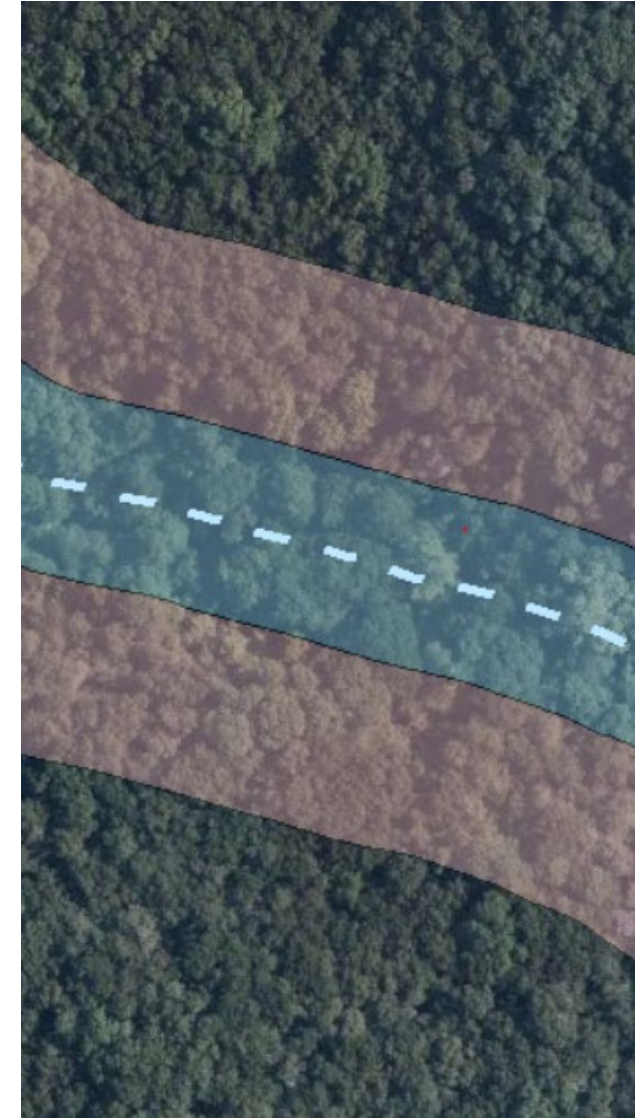
25-8-261: CRITICAL WATER QUALITY ZONE DEVELOPMENT

Only certain development is allowed within a creek buffer

- Open Space along with trails
- Sustainable Urban Agriculture
- Athletic fields
- Utility Lines
- Certain types of water quality ponds

Variance

- Construction within the critical due to constrained conditions
- Utility alignments
- Anything else that is not listed as allowable





Creek Erosion and Creek Health





Creek Erosion and Creek Health



Wastewater and manhole



Wastewater pipe and concrete



25-8 Environment



25-8-262: CRITICAL WATER QUALITY ZONE STREET CROSSINGS

Only certain development is allowed within a creek buffer

- Only certain crossings are allowed
- Depending on the size of the Critical Water Quality Zone
- Trails are allowed to cross the creek

Variance

- To have a private drive cross the Critical Water Quality Zone
- To cross the CWQZ multiple times within one project





Creek Crossings



**WATERSHED
PROTECTION**



Culverts



Span Bridge



25-8 Environment

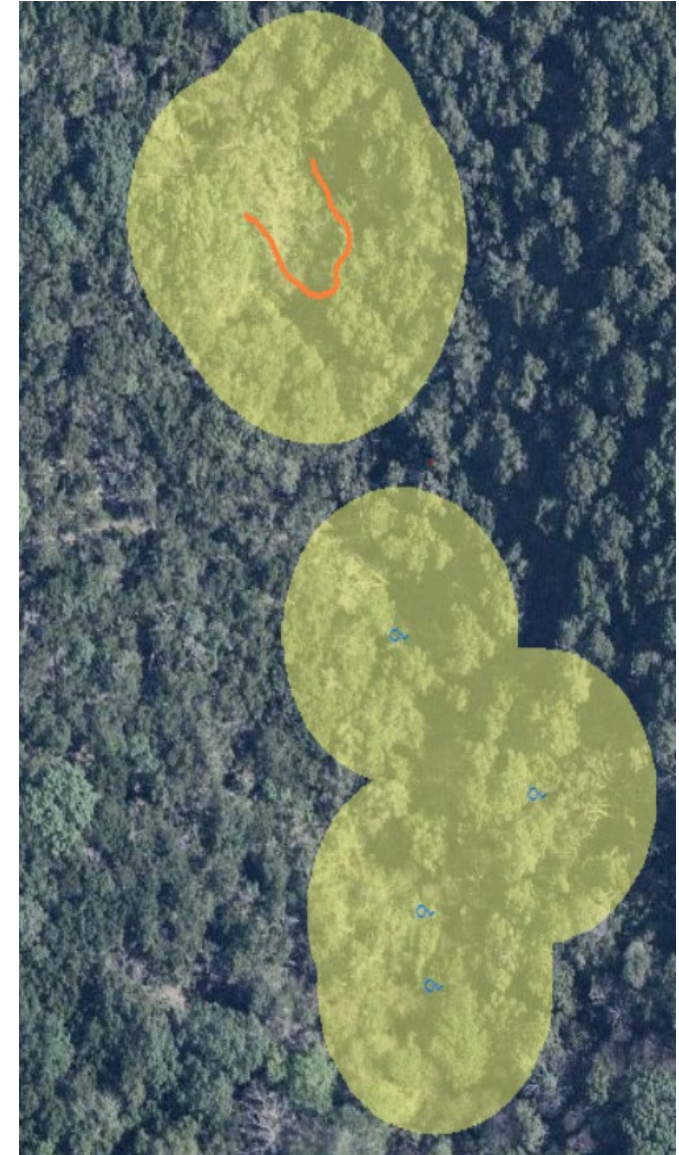
25-8-281: CRITICAL ENVIRONMENTAL FEATURE

Development is not allowed within the buffer

- Must protect the feature by maintaining drainage and staying out of the buffer
- Buffers can be modified administratively but cannot be less than 50 feet.

Variance

- Variances within 500 feet from Lake Austin are not allowed by code
- Boat docks constructed within the buffer require a variance





Critical Environmental Features



Bull Creek Rimrock



Tram Installation on Bluff



25-8 Environment



25-8-341 and 25-8-342: Cut and fill

Cut and Fill are limited to maintain the natural character of the land.

- Limited to 4 feet.
- Urban and Suburban watershed classifications can administratively vary up to 8 feet.

Variance

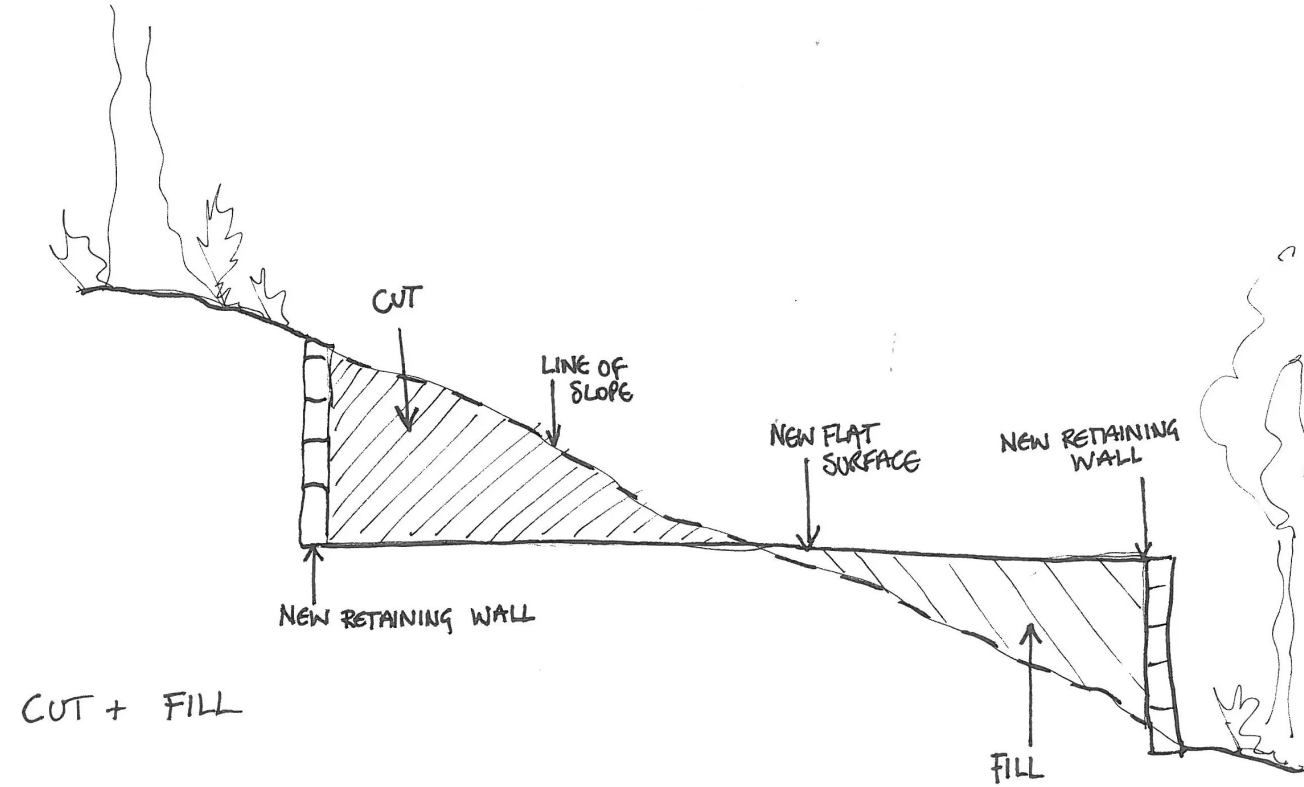
- To exceed the allowable amount of 4 feet.
- If the administrative variance does not meet the requirements:
 - Not less than 100 feet from a classified waterway
 - Not on a slope with a gradient of more than 15%



Cut and Fill



Barton Creek Mall





25-8 Environment

25-8-301: Construction of roadway or driveway on slopes

25-8-302: Construction of building or parking area on slopes

Construction on slopes is limited to maintain the natural character of the land and protect the integrity of the slope.

- 25-8-301: Roads or drives cannot cross slopes greater than 15% unless it is necessary to provide primary access to 2 contiguous acres with less than 15% slope or a building site with at least 5 units.
- 25-8-302: No building or parking structure on slope greater than 25% and no parking lot on slope greater than 15%.

Variance

- Secondary access crossing slopes greater than 15%
- Not meeting requirements for crossing slopes
- Building on slopes greater than 25%



Construction of Slopes



Erosion



Retaining wall



25-8 Environment



Article 8 thru Article 13: Impervious Cover

Limiting impervious cover allows water to infiltrate on site which recharges ground water and helps to control run-off and flooding.

- Allowable impervious cover varies due to watershed classification and use
- Desired Development Zone uses gross site area to calculate impervious cover
- Drinking Water Protection Zone use net site area to calculate impervious cover
- Net site area = Gross area minus CWQZ, WQTZ, WW fields, and % of certain slopes
- Barton Springs Zone is the most restrictive

Variance

- To increase the allowable impervious cover
- Impervious cover increase within the BSZ requires an SOS amendment



25-8 Environment



Article 13: Save Our Springs

Limits impervious cover and requires additional water quality.

- Includes all area within the Barton Springs Zone watershed classification
 - Edwards Aquifer Recharge Zone - 15% NSA impervious cover
 - Barton Creek watershed- 20% NSA impervious cover
 - Edwards Aquifer Contributing Zone - 25% NSA impervious cover
- Requires SOS non-degradation water quality

**No variances allowed to impervious cover or water quality requirements.
Modification will require a site-specific amendment to SOS.**



Questions?



Liz Johnston, Deputy Environmental Officer

Liz.Johnston@austintexas.gov

Atha Phillips, Environmental Program Coordinator

Atha.Phillips@austintexas.gov