



# **2022 Environmental Code Amendments**

**Briefing to the Environmental Commission**

**June 15, 2022**



# Council Resolution

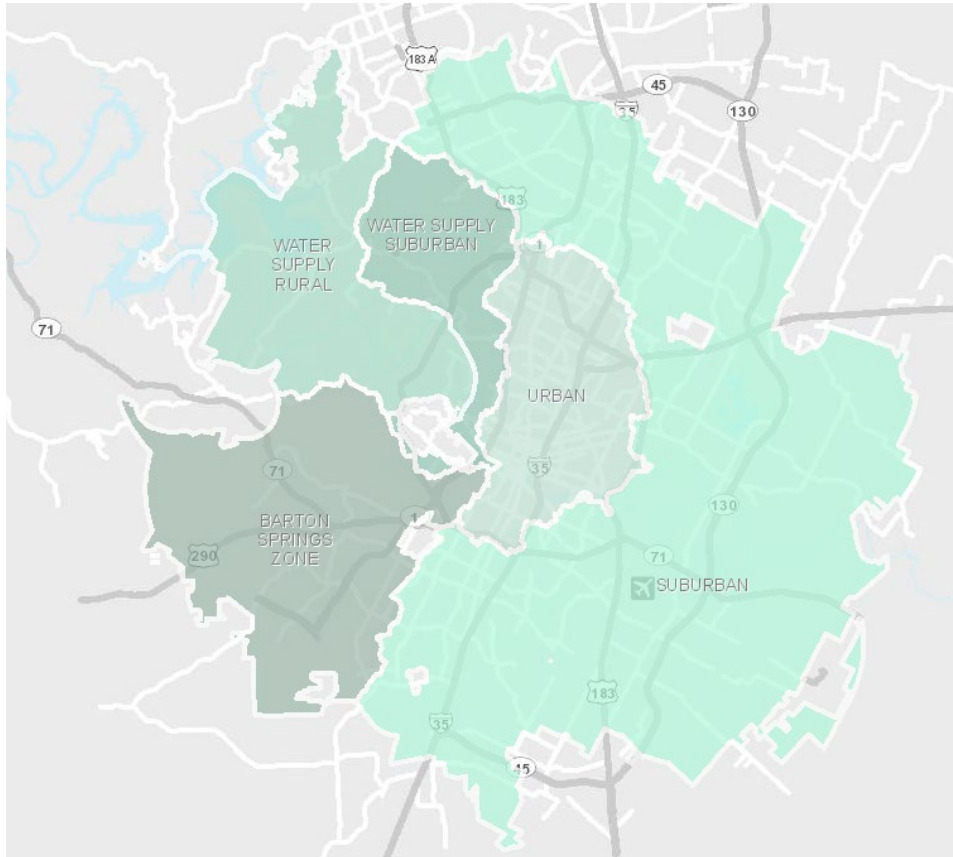
## #20220609-061

**Directs City Manager to act on environmental and drainage concerns and evaluate impacts of proposed process and code changes on affordability, housing, and cost**

- Bring forth a plan to address environmental equity
- Increase monitoring of high risk/industrial sites
- Process improvements to better address high bacteria levels in creeks related to leaky wastewater infrastructure
- **Bring forth code amendments related to environmental protection and flood reduction:**
  - **Subset of code changes identified by previous Land Development Code revision process**
  - **Minor revisions and inconsistencies**
  - **Improve protections for Colorado River downstream of the Longhorn Dam**
  - **Evaluate impacts to housing**



# Affected Land Development Code (LDC) Chapters



Map of Watershed Regulation Areas

## LDC Chapter 25-2 (Zoning)

- Landscape requirements (Functional Green)
- DSD is lead department

## LDC 25-7 (Drainage)

- No adverse impact (greenfield detention requirements)

## 25-8 Subchapter A (Water Quality)

- Slopes
- Wetland
- Waterway buffers
- Water quality

All code/criteria/standards manuals are online at <https://library.municode.com/tx/austin>



# Why revise the Land Development Code?

**Land Development Code Rewrite process identified many changes included in IFC**

- Many environmental and flood reduction items were identified by the community and staff during CodeNext & subsequent LDC rewrite until lawsuit stopped the process
- No major code changes to environmental rules have occurred since 2013 WPO and 2014 Lakefront Development Ordinance
- Broad support among environmental stakeholders

## Supporters

- Environment Texas
- Go Austin, Vamos Austin (GAVA)
- The Nature Conservancy
- PODER
- Save Barton Springs
- Sierra Club



# Key Subject Areas

## • Functional Green

- Implement Functional Green requirements for properties with more than 80% allowable impervious cover

## • Stormwater

- Establish criteria that prioritize when green stormwater methods should be required or incentivized over conventional stormwater controls
- Require surface parking lot stormwater to enter pervious parking lot islands, landscaped medians, and perimeter landscapes as a method of water quality and require that pavement be graded to allow runoff to enter planting areas
- Allow cisterns to be sized beyond the required storm capture amount and remove requirement for stormwater release so that they can supply irrigation needs throughout the year
- Require new and redeveloped projects to use greenfield conditions as a baseline when calculating drainage requirements
- Prohibit in-channel detention ponds, except for capital projects or private/public partnerships where no other alternative is feasible



# Key Subject Areas

## • **Miscellaneous Environmental**

- Require that all subdivisions and site plans in Urban Watersheds meet steep slope protections
- Require projects to relocate replaced or upsized wastewater pipes outside of the inner half of the critical water quality zone
- Provide wetland protections and buffers equally along Lady Bird Lake to help to stabilize and prevent erosion along the shoreline
- Require utility easements to meet the same standards as utility pipes within the creeks and creek buffers
- Address current environmental code inconsistencies and other minor code revisions in Chapters 25-7 and 25-8 that staff have previously identified and reviewed as part of the Code Next and the Land Development Code revision processes
- The City Council directs the City Manager to evaluate the effectiveness of existing Critical Water Quality Zone and Erosion Hazard Zone buffers on the Colorado River downstream of the Longhorn Dam and to propose protections that will provide adequate protections to the river that will ensure a healthy riparian corridor to stabilize the riverbank and protect property from erosion



# **Balance code and process changes with impacts to affordability, housing, costs**

- **Affordability Impact Analysis**
- **Fiscal Impact Analysis**
- **Costs of doing nothing**
- **Additional considerations for changes related to greenfield conditions for drainage requirements, expansion of slope protections to Urban watersheds**
- **Ensure that code changes do not incentivize single family homes over small scale missing middle projects**



# Timeline

## September Items

Code changes unrelated to Greenfield drainage requirements and steep slope protections

- **June 15 – Briefing to Environmental Commission**
- **August 17 – Joint Committee Codes and Ordinances**
- **August 3 or September 7 – Environmental Commission**
- **September 13 – Planning Commission**
- **September 22 – City Council**

## November Items

Code changes related to greenfield drainage requirements, expanded steep slope protection, and ensuring code does not disincentivize missing middle over single family

- **June 15 – Briefing to Environmental Commission**
- **August TBD Stakeholder Engagement**
- **September 21 – Joint Committee Codes and Ordinances**
- **October 5 – Environmental Commission**
- **October 25 – Planning Commission**
- **November 3 – City Council**