

ORDINANCE AMENDMENT REVIEW SHEET

Amendment: C20-2022-005a, Land Development Code Amendments

Description: Consider an ordinance regarding amendments to Title 25 related to environmental protection and landscape requirements.

Proposed Language: Draft language is included in backup.

Summary of proposed code changes: A summary of the proposed code changes is included as Attachment A.

Background: This ordinance responds to Council Resolution No. 20220609-061, which initiated Land Development Code amendments related to environmental, drainage, and landscape requirements. The resolution directed staff to present most of the initiated amendments to Council for consideration by September 15, 2022. The initiated code amendments and a summary of the staff proposal is provided below:

1. Establish criteria that prioritize when green stormwater methods should be required or incentivized over conventional stormwater controls;

The proposed code amendments would require most sites to use green stormwater infrastructure, or GSI, to meet water quality treatment requirements. This amendment was previously proposed and reviewed as part of the Land Development Code (LDC) Revision.

Under current code, many sites meet water quality treatment requirements by building a sedimentation/filtration pond. Sedimentation/filtration devices provide some water quality benefits by filtering polluted runoff and helping control stream-channel erosion, but they do not significantly address other important ancillary goals such as supporting on-site vegetation, increasing rainwater infiltration, and reducing potable water consumption. Requiring most sites to use GSI instead of conventional grey stormwater infrastructure will provide myriad benefits, including stormwater infiltration, soil health, wildlife habitat, urban heat island mitigation, water conservation, aesthetic value, and other ecosystem services.¹ GSI also provides enhanced water quality benefits compared to sedimentation/filtration devices, including better removal of nutrients from stormwater and further reductions in erosive flows.²

The proposed code amendments would allow developments to choose from a variety of green stormwater controls, including biofiltration ponds, rain gardens, rainwater harvesting systems, porous pavement, and retention-irrigation systems (which can be built in conjunction with green roofs). All of these systems beneficially use rainwater to infiltrate and/or offset potable

¹ Christman et al. 2022. Stormwater Control Measure Audit. City of Austin, Unpublished.

² Richter, A. 2018. Structural Stormwater Control Measure Performance Update 2018. City of Austin, SR-18-08.

water. Staff also proposes to increase the beneficial use benefits of these controls over time through improvements to the design criteria in the Environmental Criteria Manual.

The proposed code amendments provide some exceptions from the GSI requirement, allowing conventional controls to be used for sites with more than 90 percent impervious cover, regional ponds, difficult site conditions, and “hot-spot” land uses with highly contaminated runoff (e.g., auto repair facilities).

In addition to the requirement that most sites to provide water quality treatment using GSI, the ordinance includes several additional provisions that encourage or enable the use of green stormwater controls. First, rain gardens and biofiltration ponds can be integrated into landscaped areas to simultaneously meet water quality and Functional Green landscaping requirements. Second, the ordinance includes a new administrative variance to allow voluntary green stormwater infrastructure retrofits within the inner half of the critical water quality zone. Third, the ordinance exempts rainwater harvesting tanks from impervious cover calculations to promote greater use.

2. 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;

The proposed amendments would allow stormwater to enter parking lot landscape areas by removing an existing requirement that all parking lot landscape areas be protected by a 6-inch curb and requiring applicants to drain stormwater to landscape areas where possible. Staff do not recommend requiring that all parking lot landscape areas serve as water quality controls that comply with water quality treatment requirements. However, these amendments would increase the infiltration and beneficial use of stormwater and provide an incentive for sites to integrate rain gardens into landscaped areas. Staff is also proposing that the amendments replace an existing requirement to irrigate 50 percent of a site’s required landscape area with stormwater, which has proven difficult to implement and can be cumbersome to demonstrate compliance with on landscape plans.

3. Implement Functional Green requirements for properties with more than 80% allowable impervious cover;

The proposed amendments implement the Functional Green Landscape requirements previously proposed in the LDC Revision, with minor formatting edits to improve clarity and fit the requirements into the appropriate location within Title 25. Functional Green Landscape is based on the ecosystem service value created by landscape areas. It is intended to improve ecological balance, replenish native vegetation, and enhance public health, safety, and welfare for development projects that are more urban in context rather than the suburban or greenfield development projects to which the existing landscape code is more applicable.

Functional Green Landscape requirements would apply to sites with total allowable impervious cover greater than 80 percent gross site area, including downtown properties zoned Central

Business District (CBD) and Downtown Mixed-Use (DMU). Sites would be required to provide landscaping elements that achieve a Functional Green Score of at least 0.3. The Functional Green Score measures the total amount of ecosystem services provided by the landscape elements proposed on a site. The scoring is based on the assigned value per square foot of each landscape element in relation to the area of the site.

4. Require that all subdivisions and site plans in Urban Watersheds meet steep slope protections;

The Council resolution directed staff to engage stakeholders about this proposed amendment and to return to Council for consideration in November. Therefore, no code amendments are proposed at this time and will instead be proposed at a later date.

5. 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;

The Land Development Code and Environmental Criteria Manual currently allow cisterns to be sized beyond the required storm capture amount, and there is no requirement that the additional volume be released in 48 to 72 hours. The additional volume can therefore supply irrigation needs throughout the year.

Since code currently allows for rainwater harvesting systems that provide redundant functions, staff does not recommend code amendments at this time. However, the recommended next step is to move towards allowing systems that can use one volume to take credit for providing dual functions (potable water offset and stormwater quality treatment). To this end, Austin Water and the Watershed Protection Department will work together to update the Environmental Criteria Manual to provide technical guidance on the design of rainwater harvesting systems that can provide potable water offset and receive a credit towards the stormwater quality volume. This change will be enacted by December 2023, when the rainwater harvesting mandate for large developments will go into effect.

6. Require new and redeveloped projects to use greenfield conditions as a baseline when calculating drainage requirements;

The Council resolution directed staff to engage stakeholders about this proposed amendment and to return to Council for consideration in November. Therefore, no code amendments are proposed at this time and will instead be proposed at a later date.

7. Prohibit in-channel detention ponds, except for capital projects or private/public partnerships where no other alternative is feasible;

Under current code, in-channel detention basins and in-channel wet ponds are only allowed in the critical water quality zone if they do not create additional erosion or sedimentation downstream. A development must perform complex modeling to prove that it meets this standard, so in-channel detention ponds and in-channel wet ponds are relatively rare. However,

the in-channel ponds that have been built have had significant negative impacts on the creek and riparian habitat. The proposed amendment prohibits in-channel detention ponds and in-channel wet ponds unless they are proposed as part of a public capital improvement project or public-private partnership and no alternative location outside of the channel is feasible. This preserves the ability for Watershed Protection Department to achieve its regional flood reduction goals by allowing in-channel detention ponds when no alternative is feasible.

8. Provide wetland protections and buffers equally along Lady Bird Lake to help to stabilize and prevent erosion along the shoreline; and

Under current code, wetlands associated with the shores of Lake Bird Lake are not protected in the downtown area, between Lamar Boulevard and I-35. The proposed amendments remove this exception and ensure that all wetlands along the shores of Lady Bird Lake are protected. (The proposed amendments retain the existing exemption for any wetlands located along creeks within the downtown area, which are also exempt from critical water quality zone requirements.)

9. 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.

Staff are proposing a variety of minor code amendments that were previously included in the LDC Revision. A summary of all the proposed code amendments is included in Attachment A.

In addition to initiating the above code amendments, Council Resolution No. 20220609-061 provided the following direction:

The initiated ordinances will ensure that, for the same environmental impact as a single-family home, the City does not disincentivize small-scale missing middle housing projects.

Under the current code, most of the existing water quality regulations in Chapter 25-8, Subchapter A are written such that they apply to all types of development, whether that be a single-family house, a downtown tower, or a 500-acre residential subdivision. However, in practice there has long been a significant difference in review process between residential building permits and site plans or subdivisions. This has created two problems for small-scale residential development. First, one- to two-unit residential projects are not reviewed for all environmental/water quality regulations, which leads to confusion about code applicability, inconsistent enforcement, and occasionally poor environmental outcomes. Second, the development cost, submittal requirements, and review time needed to comply with all the existing regulations are a deterrent for small-scale missing middle housing. While new residential subdivisions are reviewed for environmental requirements, and therefore single-family residential building permits should in theory not need any additional environmental review, there is significant gray area for previously platted single-family homes that fall under previous regulations. Additionally, some environmental regulations are enforced with single-family residential permits in the field, including erosion and sedimentation controls.

To address these issues and respond to Council's direction to not disincentivize small-scale missing middle housing, this ordinance establishes a set of scaled and streamlined water quality requirements that apply to all one- to two-unit residential development and some small-scale missing middle development. To qualify for the modified regulations, the missing middle development must meet the following requirements:

- It can only include a maximum of 11 units. If the project is participating in the Affordability Unlocked program, the unit cap is raised to 12 or 16 units for Type 1 or Type 2 projects, respectively.
- It must be located on a platted residential lot (i.e., a lot that was originally part of a single-family residential subdivision). This requirement does not supersede any zoning requirements and does not change the number of units that can be constructed on a lot; see the explanation below for additional information.
- It must comply with the lot's zoning impervious cover limit, but may not exceed 55 percent impervious cover.
- It is not subject to Article 13, Save Our Springs Initiative.

The unit cap and impervious cover limit ensure that the missing middle development that is eligible for the streamlined regulations resembles one- to two-unit projects in scale. Limiting the eligibility to projects on residentially platted lots is important because applicable water quality requirements would have been applied at the time of subdivision. It establishes regulatory parity between the missing middle development and the one- to two-unit residential development that would otherwise be located on the lot. Establishing a uniform set of regulations that apply to both single-family and small-scale missing middle development ensures that projects of very similar scale, with the same potential for environmental and drainage impacts, are subject to the same requirements. This level playing field helps eliminate an incentive to build one or two large units on a residentially platted lot instead of several smaller units.

One- and two-unit residential development and three- to 11-unit residential development (or 12–16-unit Affordability Unlocked projects) that meets the above conditions will be required to comply with the following water quality regulations in Chapter 25-8, Subchapter A:

- Critical Water Quality Zone and floodplain modification requirements, for legal tracts or lots platted on or after May 18, 1986 and for development associated with boat docks, shoreline access, or shoreline modifications;
- Erosion and sedimentation control and overland flow standards;
- Cut and fill standards (applicable to properties outside of Urban watersheds);
- Requirements for clearing of vegetation, temporary storage, and topsoil protection;
- Requirements for development along Lake Austin, Lady Bird Lake, and Lake Water E. Long;

- Save Our Springs (SOS) requirements, as applicable (SOS applies in the Barton Springs Zone but includes some existing exemptions for one- and two-unit development); and
- Applicable municipal regulatory restrictions on a recorded plat or covenant.

The proposed amendments only modify the applicability of requirements in Chapter 25-8, Subchapter A, Water Quality. All other requirements that currently apply to one- and two-unit development or three- to 11-unit development would continue to apply, including drainage requirements in Chapter 25-7 and tree protection standards in Chapter 25-8, Subchapter B. However, the proposed amendments would allow qualifying three- to 11-unit development to go through a more streamlined review process as a “small project” site plan. The small project site plan designation allows the Development Services Department to waive submittal requirements, does not require notice to be sent to neighboring properties, and has lower fees and a faster review time than a standard site plan. Additionally, the “small project” site plan already exists as a process and therefore review disciplines can already be included in the review as needed without inventing a new process that does not have an existing application or established review fees.

The proposed code amendments are similar to the residential development regulations included in the LDC Revision. The maximum number of units (11, or 12/16 for Affordability Unlocked projects) is the same, but the maximum impervious cover is slightly lower (55 percent instead of 60 percent). The most significant difference is that this ordinance does not modify any drainage regulations for three to 11-unit development.

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.

Under current code, the critical water quality zone (CWQZ) for the Colorado River is 200 to 400 feet wide, depending on the width of the 100-year floodplain. Erosion hazard zone analysis is required for any development within 100 feet of the Ordinary High Water Mark (OHWM) of the river. However, the banks of the Colorado River downstream of Longhorn Dam are very sandy and erosive. The critical water quality zone and erosion hazard zone analysis buffer are therefore not sufficiently protective to stabilize the riverbank and protect property from erosion.

Staff proposes to expand the CWQZ to a consistent width of 400 feet from the OHWM of the Colorado River downstream of Longhorn Dam. Staff also proposes to expand the erosion hazard zone analysis buffer to 400 feet from the OHWM. This means that if any development is proposed within the CWQZ, the applicant will also need to analyze the erosive potential of the banks and either relocate the proposed development or provide protective works if needed to ensure that it is protected from erosion. Additionally, staff proposes to limit the amount of

stormwater discharge points directly to the Colorado River by requiring applicants to locate drainage outfalls upstream of the main stem of the Colorado River whenever possible.

Next Steps

If Council adopts the proposed code amendments, staff will make any necessary updates to the supporting technical criteria in the Environmental Criteria Manual. The only criteria changes that must go into effect immediately are the criteria for Functional Green, which are proposed to be adopted as an emergency rule concurrently with the code amendments. Most of the other criteria changes will either repeat or provide additional detail about how to apply the adopted code amendments. However, as mentioned above, staff plans to undertake a more comprehensive update of the criteria for green stormwater controls currently located in section 1.6.7 of the Environmental Criteria Manual. Examples of potential updates including requiring a saturated zone for biofiltration ponds and filtration-only rain gardens, which would increase stormwater infiltration, and modifying the planting requirements to increase plant survival and reduce maintenance costs. As mentioned above, the Watershed Protection Department (WPD) and Austin Water will also work together to develop criteria to allow a dual-function rainwater harvesting system that can provide potable water offset and receive a credit towards the water quality treatment volume.

Staff have also identified the need for additional clean up edits to the Landscape requirements, which are located in LDC Chapter 25-2 - Zoning. The recommendation from Law Department staff is that ultimately all Landscape requirements should be moved from Zoning into a new subchapter located in Chapter 25-8 - Environment. Staff propose that the new Functional Green requirements be located in this new subchapter and request direction from Council to return with a future code amendment to consolidate the remainder of the landscape code into the new subchapter.

Finally, staff will also be returning to Council with the additional items requested in Resolution No. 20220609-061. First, staff is preparing a memo to Mayor and Council regarding a proposed approach for the water quality monitoring and coordination on the repair of leaking wastewater pipes. This memo is scheduled to be released by September 15, as directed in the resolution. Second, staff is currently working on two additional code amendments initiated by the resolution – relating to drainage requirements for redevelopment and steep slope protections in Urban watersheds – which will return to Council at a later date. Finally, WPD is currently in the process of creating *Rain to River*, our department's new strategic plan. Staff will prepare a memo to Mayor and Council in November with information about the planning process and how *Rain to River* will address the equitable protection of the environmental throughout Austin.

Staff Recommendation: Staff recommends approval of the proposed code amendments. Staff also recommends that either Planning Commission or City Council initiate code amendments that would allow staff to bring forth an ordinance to remove existing landscape requirements from Chapter 25-2 - Zoning and consolidate those requirements in a new Subchapter C in

Chapter 25-8 - Environment along with the new Functional Green requirements. Additionally, Tier 2 Planned Unit Development superiority elements that are outlined in Title 25 Chapter 2 - Zoning should be updated in the near future to reflect updated GSI requirements and current best practices related to innovative design, climate resiliency, environmental justice, and other potential superiority elements that provide a more wholistic view of environmental superiority.

Board and Commission Actions:

August 17, 2022: The Codes and Ordinances Joint Committee discussed the proposed ordinance and took no action.

September 6, 2022: The Zoning and Platting Commission discussed the proposed ordinance and took no action.

September 7, 2022: The Environmental Commission discussed the proposed ordinance and postponed consideration until September 21, 2022.

September 13, 2022: Scheduled to go before the Planning Commission.

September 20, 2022: Recommended by Zoning and Platting Commission with additional recommendations.

September 21, 2022: Recommended by Environmental Commission with additional recommendations.

September 27, 2022: Public Hearing postponed to October 11, 2022.

Council Action:

June 9, 2022: City Council approved Resolution No. 20220609-061, initiating amendments to Title 25 related to environmental, drainage, and landscape requirements.

Ordinance Number: N/A

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Attachments:

- A. Summary of Proposed Code Amendments
- B. Fiscal Impact Analysis
- C. Fiscal Impact Summary Table
- D. Watershed Protection Department Equity Review, Summary, and Recommendations

Summary of Proposed Code Amendments Related to Resolution No. 20220609-061

Code Section		Type of Change	Current Status/Concern	Proposed Improvement	Benefits
Chapter 25-2, Zoning - Article 9, Landscaping					
1	25-2-1007 Parking Lots	Policy	Parking lot islands are typically surrounded by a 6" curb that prevents stormwater from flowing into the landscape area.	Require parking lot islands to have an edge-of-pavement treatment that allows overland flow of stormwater into the landscape area. Allow exceptions for areas that are not required to drain to a stormwater control and sites located in the Edwards Aquifer Recharge Zone.	Increases beneficial use of stormwater and reduces irrigation needs by directing stormwater into areas that are typically required to provide on-site irrigation.
2	25-2-1008 Irrigation Requirements	Policy	The existing requirement to irrigate 50% of the required landscape area with stormwater has proven problematic and difficult to implement.	Remove existing irrigation requirements and replace with simplified requirement to remove barriers to overland flow into parking lot islands (described above).	Simplified design requirements and reduced cost.
Chapter 25-2, Zoning - Article 13, Docks, Bulkheads, and Shoreline Access					
3	25-2-1179 Environmental Protection	Clarification	Bulkhead wave abatement requirements are currently located in the zoning chapter of the Land Development Code, which is inappropriate.	Move bulkhead construction requirements to Chapter 25-8, Subchapter A, Water Quality.	Improves review process and clarifies intent of regulations.
Chapter 25-5, Site Plans					
4	25-5-3 Small Projects	Policy	Small-scale multifamily residential projects must go through a longer, more expensive permitting process than single-family residential projects with the same percent impervious cover.	Allow multifamily residential projects with up to 11 units, or more if allowed under a qualifying Affordability Unlocked project, to follow the Small Project site plan process if they meet certain conditions.	Fewer review fees, faster review times, and no neighborhood notice requirement for qualifying small-scale multifamily residential projects.

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Code Section		Type of Change	Current Status/Concern	Proposed Improvement	Benefits
Chapter 25-7, Drainage					
5	25-7-32 Director Authorized to Require Erosion Hazard Zone Analysis	Policy & Clarification	The current requirement to analyze the erosion hazard zone within 100' of the Colorado River downstream of Longhorn Dam is not sufficiently protective given the erodibility of the river bank.	Require erosion hazard zone analysis for development within 400' of the Colorado River downstream of Longhorn Dam. Clarify the WPD director's role in determining additional areas where an erosion hazard zone analysis must be performed.	Protects public infrastructure and private development from being damaged or destroyed by erosion.
Chapter 25-8, Environment					
6	25-8-1 Definitions	Clarification	Code sections that refer to the director of Planning and Development Review do not accurately reflect the role of the Environmental Officer, who is housed in the Watershed Protection Department (WPD) and works on behalf of the Director of WPD.	Change the default director reference from the Planning and Development Review Department to the Watershed Protection Department.	Reflects the Environmental Officer's role and current alignment within the Watershed Protection Department.
7	25-8-2 Description of Regulated Areas	Clarification	Existing language is not clear and does not reflect current status of online resources available to the public.	Clarify language to reflect where the public can find reference maps and reflect the change to the definition of director.	Clarity.

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Code Section		Type of Change	Current Status/Concern	Proposed Improvement	Benefits
8	25-8-21 Applicability	Policy	Although many environmental regulations technically apply to single-family residential construction, they have not been consistently applied during the building permit process. Small-scale multifamily residential projects are subject to more regulations than single-family residential projects with similar impacts.	Clarify which environmental regulations apply to single-family residential construction and apply only those regulations to qualifying small-scale multifamily projects.	Staff will be able to provide clear guidance to residential owners and homebuilders regarding applicability of environmental regulations to their projects. Small-scale multifamily projects will be subject to the same requirements as single-family residential projects with similar impacts.
9	25-8-25 Redevelopment Exception in Urban and Suburban Watersheds	Policy & Clarifications	Current redevelopment exception standards are too restrictive regarding unpermitted development and too permissive regarding existing disturbance adjacent to waterways. Requirements related to vehicle trips and land use create barriers to projects that would otherwise be allowed by zoning.	Align language with the LDC Revision proposal. Require unpermitted development to be removed. Require existing impervious cover within a certain distance of a protected waterway to be removed and the area restored. Remove the vehicle trip limit and reference to a neighborhood plan. Reorganize and clarify language.	More projects would be able to use the redevelopment exception, which would result in improved water quality. Removing impervious cover immediately adjacent to a waterway would improve riparian habitat and water quality. Reorganization and wording changes improve clarity.
10	25-8-26 Redevelopment Exception in the Barton Springs Zone	Clarification	Current code uses the term "sedimentation/filtration pond" to refer to any water quality control that complies with Section 25-8-213.	Change the defined term from "sedimentation/filtration pond" to "standard pond" to clarify that green stormwater infrastructure can meet this requirement.	Clarity.

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	Code Section	Type of Change	Current Status/Concern	Proposed Improvement	Benefits
11	25-8-27 Redevelopment Exception in the Water Supply Rural and Water Supply Suburban Watersheds	Policy & Clarifications	Current redevelopment exception standards are too restrictive regarding unpermitted development and too permissive regarding existing disturbance adjacent to waterways. Requirements related to dwelling units, vehicle trips, and land use create barriers to projects that would otherwise be allowed by zoning.	Align language with the LDC Revision proposal. Require unpermitted development to be removed. Require existing impervious cover within a certain distance of a protected waterway to be removed and the area restored. Remove requirement for Council approval based on dwelling units, vehicle trips, and land use.	More projects could use the redevelopment exception, which would result in improved water quality. Removing impervious cover immediately adjacent to a waterway would improve riparian habitat and water quality. Reorganization and wording changes improve clarity.
12	25-8-42 Administrative Variances	Policy & Minor Edits	The code sections allowed to be varied administratively by staff need to be updated for clarity and to reflect other proposed amendments.	Allow administrative variances for properties along Lake Austin. Allow administrative variances to allow a development to use conventional water quality ponds; to allow green stormwater infrastructure in the critical water quality zone (CWQZ); to allow driveways and private streets to cross a CWQZ; to allow residential construction in the CWQZ; and to allow cut or fill up to 8' for residential construction. Provide applicable conditions that must be met in order for staff to grant the proposed administrative variances.	Streamlines the review process and allows reasonable development that minimizes environmental impacts.
13	25-8-62 Net Site Area	Clarification	Existing language is not clear.	Clarify that net site area excludes areas designated for surface or subsurface wastewater irrigation.	Clarifies existing policy.

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Code Section		Type of Change	Current Status/Concern	Proposed Improvement	Benefits
14	25-8-63 Impervious Cover Calculations	Minor Edits	Rainwater harvesting cisterns are considered impervious cover. Calculation of impervious cover does not align with residential review processes.	Remove rainwater harvesting cisterns from impervious cover calculations. Clarify when eaves, overhangs, balconies, etc. are considered impervious cover for residential building permits.	Removes disincentive to install rainwater harvesting cisterns. Improves consistencies between review departments.
15	25-8-64 Impervious Cover Assumptions	Clarification	Current code does not clearly require an applicant to demonstrate the buildability of subdivided lots.	Align language with the LDC Revision proposal. Require subdivision applicants to submit a buildability exhibit.	Protects future homebuilders by ensuring that platted lots can be developed in compliance with environmental regulations.
16	25-8-92 Critical Water Quality Zones Established	Policy & Clarification	The width of the critical water quality zone (CWQZ) setback along the Colorado River is not sufficiently protective. Existing language that exempts roadside ditches from CWQZs is not clear.	Increase the width of the CWQZ along the Colorado River downstream of Longhorn Dam from 200-400' to 400'. Clarify language that exempts roadside ditches from CWQZ requirements.	Provides greater protection of the Colorado River downstream of the Longhorn dam. Provides greater clarity regarding the intent of the roadside ditch exemption.
17	25-8-121 Environmental Resource Inventory Requirement	Minor Edits	The current environmental resource inventory (ERI) triggers do not accurately reflect whether Critical Environmental Features (CEFs) are likely to be present on a property.	Remove requirement to prepare ERIs in areas where CEFs are not more likely to be encountered, and require ERIs when they are.	Removes ERI waiver requirement for certain properties and clarifies the need for an ERI when CEFs are more likely to be present.
18	25-8-182 Development Completion	Clarification	Reference to Planning and Development Review Department does not accurately reflect the current process.	Update reference to the Watershed Protection Department.	Reflects the Environmental Officer's current alignment within the Watershed Protection Department and the change to the definition of director.

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	Code Section	Type of Change	Current Status/Concern	Proposed Improvement	Benefits
19	25-8-184 Additional Erosion and Sedimentation Control Requirements in the Barton Springs Zone	Clarification	Reference to Planning and Development Review Department does not accurately reflect the current process.	Update reference to the Watershed Protection Department.	Reflects the Environmental Officer's current alignment within the Watershed Protection Department and the change to the definition of director.
20	25-8-185 Overland Flow	Policy & Clarification	The intent of the overland flow section is to maintain infiltration and recharge of all waterbodies, not just seeps and springs. Overland flow should be directed to landscaped areas where possible in order to increase infiltration and reduce the need for irrigation of landscape areas.	Require stormwater to be directed to landscape areas when feasible. Update existing requirement to maintain infiltration and recharge to include waterways.	Increases infiltration, recharge, and beneficial use of stormwater. Clarifies the intent behind the need to maintain overland flow.
21	25-8-213 Water Quality Control Standards	Policy & Clarification	Development is allowed but generally not required to use green stormwater infrastructure (GSI) to provide water quality treatment.	Require most development to use GSI (e.g., rain gardens, biofiltration, and other green controls prescribed in the ECM) to provide required water quality treatment. Allow exceptions for highly polluting land uses, regional ponds, and sites with more than 90% impervious cover. Clarify existing load reduction standards and liner requirements.	Increases infiltration, recharge, and beneficial use of stormwater. Provides additional ecosystem services and enhanced aesthetic benefits of stormwater control measures so that they can more seamlessly tie into open space areas available to end users.
22	25-8-214 Optional Payment Instead of Structural Controls in Urban Watersheds	Clarification	Language is outdated.	Change Environmental Board to Environmental Commission and update language to match current process.	Clarity.

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	Code Section	Type of Change	Current Status/Concern	Proposed Improvement	Benefits
23	25-8-232 Dedicated Fund	Clarification	Language does not reflect the new definition of director (used without a qualifier).	Add reference to Development Services Department.	Clarity.
24	25-8-233 Barton Springs Zone Operating Permit	Clarification	Reference to Planning and Development Review Department does not accurately reflect the current process.	Update reference to the Watershed Protection Department.	Reflects the Environmental Officer's current alignment within the Watershed Protection Department and the change to the definition of director.
25	25-8-261(B), (C), (E), (G), and (H) Critical Water Quality Zone Development	Minor Edits & Clarifications	Lakefront development requirements are not included in the critical water quality zone (CWQZ) code section. The Colorado River is not sufficiently protected. Existing language regarding floodplain modification is not clear.	Consolidate environmental protections that specifically apply to the lakes into the CWQZ section. Include Lake Walter E. Long in code related to lakes. Update the minimum distance some types of development must be from the Colorado River to 200' instead of 100' to reflect the wider CWQZ proposed in Section 25-8-92. Clarify floodplain modification requirements.	Improves clarity and organization. Provides greater protection of the Colorado River downstream of Longhorn Dam.
26	25-8-261(D) and (F) Critical Water Quality Zone Development	Clarification & Policy	Allowing in-channel detention ponds and wet ponds creates significant disturbance to a creek and existing requirements are not sufficiently protective.	Allow additional flexibility if a utility line is installed with boring or tunneling, as currently described in the Environmental Criteria Manual. Require that stormwater outfalls minimize disturbance to the bank of the Colorado River. Only allow in-channel detention basins and in-channel wet ponds proposed as part of a public project or public-private partnership.	Improves clarity and provides greater protection for creeks and the Colorado River.