



## Recommendation for Action

**File #:** 23-3360, **Agenda Item #:** 86.

11/30/2023

### **Posting Language**

Conduct a public hearing and consider an ordinance amending Section 25-9-411 of the City Code relating to reclaimed water connection requirements to extend the variance for reclaimed water connection requirements for large development projects with a multifamily component.

### **Lead Department**

Austin Water.

### **Fiscal Note**

This item has no fiscal impact.

### **Prior Council Action:**

November 29, 2018 - City Council approved the Water Forward Plan on a 10-0 vote.

December 11, 2019 - City Council approved an ordinance on first reading adopting a comprehensive revision to the Land Development Code on a 7-4 vote.

February 13, 2020 - City Council approved an ordinance on second reading adopting a comprehensive revision to the Land Development Code on a 7-4 vote.

May 20, 2021 - City Council adopted a resolution directing staff to prepare an ordinance amending City Code Chapter 25-9 (*Water and Wastewater*) to establish water benchmarking, expand reclaimed water connection requirements, and add onsite reuse requirements on an 11-0 vote.

June 10, 2021 - City Council adopted an ordinance waiving Planning Commission review of Land Development Code amendments in order to expedite implementation of water conservation strategies in the Water Forward Plan.

September 30, 2021 - City Council adopted an ordinance amending City Code Chapter 25-9 (*Water and Wastewater*) to establish new requirements for water conservation in the implementation of the Water Forward Plan, including expansion of the reclaimed water connection requirement, water benchmarking, and mandatory onsite water reuse for certain new developments, and requiring an affordability report, on a 10-1 vote.

November 9, 2023 - City Council adopted an ordinance waiving the requirement in City Code Section 25-1-502 (*Amendment; Review*) for Planning Commission review of an amendment to the Land Development Code extending a variance of the reclaimed water connection requirements for large developments with a multifamily component.

### **For More Information:**

Inquiries should be directed to Blanca Madriz, Austin Water Program Coordinator, at 512-972-0115 or [blanca.madriz@austintexas.gov](mailto:blanca.madriz@austintexas.gov). [<mailto:blanca.madriz@austintexas.gov>](mailto:blanca.madriz@austintexas.gov)

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**Council Committee, Boards and Commission Action:**

November 12, 2019 - Planning Commission adopted Planning Commission Land Development Code amendments.

**Additional Backup Information:**

**Reclaimed Water Connection Requirements**

Austin Water continues to expand its centralized reclaimed water infrastructure (known as “purple pipe”) throughout Austin. This system delivers non-potable water for irrigation, cooling towers, and virtually any use not requiring higher-quality drinking water. Reclaimed water is a renewable resource that is less expensive to treat, resulting in rates lower than those charged for drinking water. Since 2015, City Code has required new commercial developments or redevelopments within 250 feet of a reclaimed water main to connect to Austin Water’s reclaimed water system for irrigation, cooling, and other significant non-potable water uses. The September 2021 amendments expanded the mandatory connection distance from 250 feet to 500 feet for development projects with a gross floor area of 250,000 square feet or larger. The expanded requirements also require developments that fall within the mandatory reclaimed water connection range to use reclaimed water for toilet flushing, which requires dual plumbing.

**Connection Requirement Variance for Multifamily Development**

Subsection D of City Code Section 25-9-411 (*Reclaimed Water Connection Requirements*) currently requires that the Austin Water Director grant a variance from reclaimed connection requirements for large developments (250,000 square feet or more of gross floor area) with a multifamily component that are located more than 250 feet from (but within 500 feet of) a reclaimed water line. This variance as currently codified expires on December 1, 2023.

This action proposes an amendment to City Code Section 25-9-411 (*Reclaimed Water Connection Requirements*) to extend the variance to April 1, 2024, in order to allow more time to consider further Code changes related to both on-site water reuse systems and connecting to Austin Water’s reclaimed water system and to consider exemptions for affordable housing. By March 7, 2024, additional ordinance changes will be submitted for Council consideration to further refine reclaimed connection requirements and exemptions for certain affordable housing units.