



City of Austin

Recommendation for Action

File #: 24-4073, **Agenda Item #:** 3.

3/7/2024

Posting Language

Approve an ordinance amending City Code Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*) to establish development project requirements and clarify onsite water reuse regulations.

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 a Land Development Code amendment directing Austin Water to establish a regulatory program and an incentive program for onsite water reuse systems on first reading on a 7-4 vote.

February 13, 2020 - City Council to approved a Land Development Code amendment directing Austin Water to establish a regulatory program and an incentive program for onsite water reuse systems on second reading on a 7-4 vote.

December 10, 2020 - City Council approved an ordinance adding new City Code Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*) relating to treatment, monitoring, and reporting regulations for onsite water reuse systems on a 10-0 vote.

April 22, 2021 - City Council approved an initial Pilot Incentive Program for the voluntary installation of alternative onsite water reuse systems on a 10-1 vote.

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

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.

September 30, 2021 - City Council voted to reauthorize the pilot incentive program for the voluntary installation of alternative onsite water reuse systems on a 10-1 vote.

September 29, 2022 - City Council voted to reauthorize the pilot incentive program for the voluntary installation of alternative onsite water reuse systems on an 8-0 vote.

November 9, 2023 - City Council adopted an ordinance to amend Ordinance No. 20210930-117 to defer the effective date for onsite water reuse requirements for large development projects on a 7-1 vote.

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)

Council Committee, Boards and Commission Action:

February 14, 2024 - Recommended by the Water and Wastewater Commission on an 7-0 vote with Commissioner Pandurangi recused and Commissioners Navarro, Angoori and Musgrove absent.

February 20, 2024 - Recommended by the Resource Management Commission on Commissioner Silverstein's motion, Commissioner Carugati's second on a 7-0-1 vote with Commissioner Gary abstaining, Commissioner Scaffidi absent, and two vacancies.

Additional Backup Information:

This action is one of four proposed Council items related to implementing Austin Water's new GoPurple Program to accelerate the expansion of Austin's centralized reclaimed system and onsite reuse. These are essential strategies in Austin's Water Forward plan to meet long-range needs for a secure and sustainable water future.

City Council adopted an ordinance on September 30, 2021, to amend City Code Chapter 25-9 (*Water and Wastewater*) establishing water benchmarking, expanding reclaimed water connection requirements, and adding onsite water reuse requirements. The ordinance also required the City Manager to provide City Council with a report and possible actions for consideration concerning the impact of the requirements for an onsite water reuse system and the expansion of the current reclaimed water connection mandate on housing affordability by September 28, 2023. The required report was provided to City Council on October 25, 2023, along with recommendations for additional Code amendments to address impacts to housing affordability from the new requirements. City Council adopted ordinances in November 2023 to defer the effective dates for reclaimed water connection and onsite water reuse requirements for large development projects until April 1, 2024, to allow more time for consideration of the proposed ordinance changes and to establish exemptions to the requirements for certain affordable housing projects.

Onsite Water Reuse System Requirements

In December 2020, City Council adopted the onsite water reuse systems ordinance to regulate the collection, treatment, and use of alternative water sources for non-potable uses in multi-family and commercial buildings. Onsite water sources include rainwater, condensate from heating/air conditioning systems, foundation drain water, and graywater from certain sinks, bathing, and laundry. In April 2021, City Council approved an initial pilot incentive program to encourage voluntary installation of onsite water reuse systems prior to initiating regulations to make onsite water reuse systems mandatory for certain development projects. In September 2021, City Council adopted an ordinance to require onsite water reuse systems for all new commercial, multi-family, and mixed-use site plan applications submitted on or after December 1, 2023,

for development projects with a gross floor area of 250,000 square feet or greater.

This ordinance will amend City Code Chapter 15-13 (*Regulation of Onsite Water Reuse Systems*) to specify the required onsite water reuse sources (rainwater and air conditioner condensate) and required non-potable end uses (irrigation, toilet/urinal flushing, cooling, and laundry) to meet the onsite water reuse mandate for large development projects. The amendment also adds clarifying language to the treatment, monitoring, and reporting requirements to address questions received from project applicants during the voluntary, incentivized onsite water reuse program period that began in 2020.