

Revisions to the text are in red.  
Added delayed effective date.

Revised Staff Recommendation

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**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CITY CODE SECTIONS 25-5-3, 25-5-112 AND 25-8-64 AND CREATING A NEW CITY CODE SECTION 25-7-67 TO MODIFY THE DEFINITION OF SMALL PROJECTS TO INCLUDE DEVELOPMENT APPLICATIONS FOR RESIDENTIAL INFILL PROJECTS; TO CREATE DRAINAGE REGULATIONS APPLICABLE TO RESIDENTIAL INFILL PROJECTS; AND TO MODIFY IMPERVIOUS COVER ASSUMPTIONS.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** Subsection (B) of City Code Section 25-5-3 (*Small Projects*) is amended to read:

(B) The following are small projects:

(1) construction of a building or parking area if the proposed construction:

(a) does not require a variance from a water quality regulation;

(b) does not exceed 5,000 square feet of impervious cover; and

(c) the construction site does not exceed 10,000 square feet, including the following areas:

(i) construction;

(ii) clearing;

(iii) grading;

(iv) construction equipment access;

(v) driveway reconstruction;

(vi) temporary installations, including portable buildings, construction trailers, storage areas for building materials, spoil disposal areas, erosion and sedimentation controls, and construction entrances;

(vii) landscaping; and

27 (viii) other areas that the director determines are part of the  
28 construction site;

- 29 (2) construction of a storm sewer not more than 30 inches in diameter that is  
30 entirely in a public right-of-way or an easement;
- 31 (3) construction of a utility line not more than eight inches in diameter that is  
32 entirely in a public right-of-way;
- 33 (4) construction of a left turn lane on a divided arterial street;
- 34 (5) construction of street intersection improvements;
- 35 (6) widening a public street to provide a deceleration lane if additional right-  
36 of-way is not required;
- 37 (7) construction of five to 16 dwelling units on a lot that does not exceed a  
38 gross site area of 1.50 acres [that meet all applicable requirements for  
39 review under Section 25-7-67 (Modified Drainage Standards for  
40 Residential Infill)];
- 41 (8[7]) depositing less than two feet of earth fill, if the site is not in a 100-year  
42 floodplain and the fill is not to be deposited within the dripline of a  
43 protected tree;
- 44 (9[8]) construction of a boat dock as an accessory use to a single-family  
45 residential use, duplex residential use, two-family residential use, or  
46 secondary apartment special use if shoreline modification or dredging of  
47 not more than 25 cubic yards is not required; or
- 48 (10[9]) construction of a retaining wall, if the wall is less than 100 feet in length  
49 and less than eight feet in height, and the back fill does not reclaim a  
50 substantial amount of land except land that has eroded because of the  
51 failure of an existing retaining wall;
- 52 (11[10]) minor development that the director determines is similar to that  
53 described in Subsections (B)(1) through (9) of this section;
- 54 (12[11]) the replacement of development that is removed as a result of right-of-  
55 way condemnation; and

56 (13[12]) the construction of a telecommunications tower described in Subsection  
57 25-2-839(F) or (G) (*Telecommunication Towers*).

58 **PART 3. City Code Section 25-5-112 (*Director's Approval*) is amended to add a new**  
59 **subsection (E) to read:**

60 **(E) If the standards in Subsection (A) are met, the director shall approve a site plan**  
61 **for 5 to 16 dwelling units on a legal lot or tract that does not exceed a gross site**  
62 **area of 1.00 acre in 90 days.**

63 **PART 3[2].** City Code Chapter 25-7 (*Drainage*) is amended to add a new Section 25-7-  
64 67 (*Modified Drainage Standards for Residential Infill*) to read:

65 **§ 25-7-67 MODIFIED DRAINAGE STANDARDS FOR RESIDENTIAL INFILL.**

66 (A) This section applies to:

67 (1) a resubdivision that:

68 (a) does not exceed a gross site area of one acre;

69 (b) includes only land within a subdivision that was originally  
70 platted as a residential subdivision; and

71 (c) does not require a plat vacation; and

72 (2) a site plan that:

73 (a) does not exceed a gross site area of 1.00 ~~[0.50]~~ acre[s]; and

74 (b) is limited to development of 5 to 16 dwelling units on a legal lot  
75 or tract.

76 (B) A development application is not required to comply with Section 25-7-61  
77 (*Criteria for Approval of Development Applications*), Section 25-7-151  
78 (*Stormwater Conveyance and Drainage Facilities*), or Section 25-7-152  
79 (*Dedication of Easements and Right-of-Way*) if:

80 (1) The application is a resubdivision that does not exceed a gross site  
81 area of 11,500 square feet; or

82 (2) The applicant provides a drainage plan demonstrating that ~~[, without~~  
83 ~~altering natural topography,]~~ all stormwater runoff from the  
84 development will be discharged:

- 85 (a) to an existing storm drainage system; or  
86 (b) into right-of-way.
- 87 (C) A development application must demonstrate all proposed improvements  
88 will be outside the erosion hazard zone, unless protective works are provided  
89 as prescribed in the Drainage Criteria Manual.
- 90  
91 (D) The owner of real property proposed to be developed shall be required to  
92 provide an easement for stormwater flow to the limits of the 100-year  
93 floodplain, as prescribed in the Drainage Criteria Manual.

94  
95 **PART 4[3].** Subsection (B) of City Code Section 25-8-64 (*Impervious Cover*  
96 *Assumptions*) is amended to read:

- 97 (B) Except as provided in Subsection (C):
- 98 (1) for each lot greater than three acres in size, 10,000 square feet of  
99 impervious cover is assumed.
- 100 (2) for each lot greater than one acre and not more than three acres in  
101 size, 7,000 square feet of impervious cover is assumed;
- 102 (3) for each lot greater than 15,000 square feet and not more than one acre  
103 in size, 5,000 square feet of impervious cover is assumed;
- 104 (4) for each lot greater than 10,000 square feet and not more than 15,000  
105 square feet in size, 3,500 square feet of impervious cover is assumed;  
106 [~~and~~]
- 107 (5) for each lot greater than 5,750 square feet and not more than 10,000  
108 square feet in size, 2,500 square feet of impervious cover is  
109 assumed~~[.]; and~~
- 110 (6) for each residential lot not more than 5,750 square feet in size, the  
111 amount of impervious cover assumed is;
- 112 (a) the maximum amount of impervious cover allowed under the  
113 applicable zoning district regulations; or
- 114 (b) for lots in the extraterritorial jurisdiction, 2,500 square feet of  
115 impervious cover.

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**PART 5.** This ordinance takes effect on March 12, 2025.

**PASSED AND APPROVED**

\_\_\_\_\_, 2024      § \_\_\_\_\_

Kirk Watson  
Mayor

**APPROVED:** \_\_\_\_\_  
Deborah Thomas  
Interim City Attorney

**ATTEST:** \_\_\_\_\_  
Myrna Rios

