

Staff Recommendation

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

**AN ORDINANCE AMENDING CITY CODE SECTIONS 25-5-3 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 that meet all applicable  
38 requirements for review under Section 25-7-67 (Modified Drainage  
39 Standards for Residential Infill);
- 40 (8[7]) depositing less than two feet of earth fill, if the site is not in a 100-year  
41 floodplain and the fill is not to be deposited within the dripline of a  
42 protected tree;
- 43 (9[8]) construction of a boat dock as an accessory use to a single-family  
44 residential use, duplex residential use, two-family residential use, or  
45 secondary apartment special use if shoreline modification or dredging of  
46 not more than 25 cubic yards is not required; or
- 47 (10[9]) construction of a retaining wall, if the wall is less than 100 feet in length  
48 and less than eight feet in height, and the back fill does not reclaim a  
49 substantial amount of land except land that has eroded because of the  
50 failure of an existing retaining wall;
- 51 (11[10]) minor development that the director determines is similar to that  
52 described in Subsections (B)(1) through (9) of this section;
- 53 (12[11]) the replacement of development that is removed as a result of right-of-  
54 way condemnation; and
- 55 (13[12]) the construction of a telecommunications tower described in Subsection  
56 25-2-839(F) or (G) (*Telecommunication Towers*).

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

59 **§ 25-7-67 MODIFIED DRAINAGE STANDARDS FOR RESIDENTIAL INFILL.**

60 (A) This section applies to:

61 (1) a resubdivision that:

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

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

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

66 (2) a site plan that:

67 (a) does not exceed a gross site area of 0.50 acres; and

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

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

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

76 (2) The applicant provides a drainage plan demonstrating that, without  
77 altering natural topography, all stormwater runoff from the  
78 development will be discharged:

79 (a) to an existing storm drainage system; or

80 (b) into right-of-way.

81 (C) A development application must demonstrate all proposed improvements  
82 will be outside the erosion hazard zone, unless protective works are provided  
83 as prescribed in the Drainage Criteria Manual.  
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85 (D) The owner of real property proposed to be developed shall be required to  
86 provide an easement for stormwater flow to the limits of the 100-year  
87 floodplain, as prescribed in the Drainage Criteria Manual.

88 **PART 3.** Subsection (B) of City Code Section 25-8-64 (*Impervious Cover*  
89 *Assumptions*) is amended to read:

90 (B) Except as provided in Subsection (C):

- 91 (1) for each lot greater than three acres in size, 10,000 square feet of  
92 impervious cover is assumed.
- 93 (2) for each lot greater than one acre and not more than three acres in  
94 size, 7,000 square feet of impervious cover is assumed;
- 95 (3) for each lot greater than 15,000 square feet and not more than one acre  
96 in size, 5,000 square feet of impervious cover is assumed;
- 97 (4) for each lot greater than 10,000 square feet and not more than 15,000  
98 square feet in size, 3,500 square feet of impervious cover is assumed;  
99 [~~and~~]
- 100 (5) for each lot greater than 5,750 square feet and not more than 10,000  
101 square feet in size, 2,500 square feet of impervious cover is  
102 assumed[~~;~~]; and
- 103 (6) for each residential lot not more than 5,750 square feet in size, the  
104 amount of impervious cover assumed is;
  - 105 (a) the maximum amount of impervious cover allowed under the  
106 applicable zoning district regulations; or
  - 107 (b) for lots in the extraterritorial jurisdiction, 2,500 square feet of  
108 impervious cover.

109 **PART 4.** This ordinance takes effect on \_\_\_\_\_, 2024.

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112 **PASSED AND APPROVED**

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\_\_\_\_\_, 2024      § \_\_\_\_\_

Kirk Watson  
Mayor

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

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

DRAFT