

Updated Staff Recommendation

ORDINANCE NO. _____

AN ORDINANCE AMENDING CITY CODE SECTIONS **25-1-21**, **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. City Code Section 25-1-21(Definitions) is amended to add a new definition of “Residential Infill Project” to read as follows and to renumber the remaining definitions accordingly.

(96) RESIDENTIAL INFILL PROJECT means development of a site not exceeding 1.00 acre that consists of:

(a) five to sixteen dwelling units; or

(b) a re-subdivision of property that:

(i) is zoned SF-1, SF-2, or SF-3;

(ii) includes only land that was originally platted as a residential subdivision; and

(iii) does not require a plat vacation.

PART 2[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:

- 29 (i) construction;
- 30 (ii) clearing;
- 31 (iii) grading;
- 32 (iv) construction equipment access;
- 33 (v) driveway reconstruction;
- 34 (vi) temporary installations, including portable buildings,
35 construction trailers, storage areas for building materials, spoil
36 disposal areas, erosion and sedimentation controls, and
37 construction entrances;
- 38 (vii) landscaping; and
- 39 (viii) other areas that the director determines are part of the
40 construction site;
- 41 (2) construction of a storm sewer not more than 30 inches in diameter that is
42 entirely in a public right-of-way or an easement;
- 43 (3) construction of a utility line not more than eight inches in diameter that is
44 entirely in a public right-of-way;
- 45 (4) construction of a left turn lane on a divided arterial street;
- 46 (5) construction of street intersection improvements;
- 47 (6) widening a public street to provide a deceleration lane if additional right-
48 of-way is not required;
- 49 (7) construction of five to 16 dwelling units on a lot that does not exceed a
50 gross site area of 1.50 acres [that meet all applicable requirements for
51 review under Section 25-7-67 (Modified Drainage Standards for
52 Residential Infill)];
- 53 (8[7]) depositing less than two feet of earth fill, if the site is not in a 100-year
54 floodplain and the fill is not to be deposited within the dripline of a
55 protected tree;

56 (9[8]) construction of a boat dock as an accessory use to a single-family
57 residential use, duplex residential use, two-family residential use, or
58 secondary apartment special use if shoreline modification or dredging of
59 not more than 25 cubic yards is not required; or

60 (10[9]) construction of a retaining wall, if the wall is less than 100 feet in length
61 and less than eight feet in height, and the back fill does not reclaim a
62 substantial amount of land except land that has eroded because of the
63 failure of an existing retaining wall;

64 (11[10]) minor development that the director determines is similar to that
65 described in Subsections (B)(1) through (9) of this section;

66 (12[11]) the replacement of development that is removed as a result of right-of-
67 way condemnation; and

68 (13[12]) the construction of a telecommunications tower described in Subsection
69 25-2-839(F) or (G) (*Telecommunication Towers*).

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

72 **(E) If the standards in Subsection (A) are met, the director shall approve a site plan**
73 **for a residential infill project in 90 days.**

74 **PART 4[2].** City Code Chapter 25-7 (*Drainage*) is amended to add a new Section 25-7-
75 67 (*Modified Drainage Standards for Residential Infill*) to read:

76 **§ 25-7-67 MODIFIED DRAINAGE STANDARDS FOR RESIDENTIAL INFILL.**

77 (A) This section applies to **a residential infill project.**[:

78 ~~(1) a resubdivision that:~~

79 ~~(a) — does not exceed a gross site area of one acre;~~

80 ~~(b) — includes only land within a subdivision that was originally~~
81 ~~platted as a residential subdivision; and~~

82 ~~(c) — does not require a plat vacation; and~~

83 ~~(2) a site plan that:~~

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

85 (b) ~~is limited to development of 5 to 16 dwelling units on a legal lot~~
86 ~~or tract.]~~

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

- 91 (1) The application is a resubdivision that does not exceed a gross site
92 area of 11,500 square feet; or
- 93 (2) The applicant provides a drainage plan demonstrating that~~[, without~~
94 ~~altering natural topography,]~~ all stormwater runoff from the
95 development will be discharged:
- 96 (a) to an existing storm drainage system; or
- 97 (b) into right-of-way.

98 (C) A development application must demonstrate all proposed improvements
99 will be outside the erosion hazard zone, unless protective works are provided
100 as prescribed in the Drainage Criteria Manual.

101

102 (D) The owner of real property proposed to be developed shall be required to
103 provide an easement for stormwater flow to the limits of the 100-year
104 floodplain, as prescribed in the Drainage Criteria Manual.

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106 **PART 5[3].** Subsection (B) of City Code Section 25-8-64 (*Impervious Cover*
107 *Assumptions*) is amended to read:

- 108 (B) Except as provided in Subsection (C):
- 109 (1) for each lot greater than three acres in size, 10,000 square feet of
110 impervious cover is assumed.
- 111 (2) for each lot greater than one acre and not more than three acres in
112 size, 7,000 square feet of impervious cover is assumed;
- 113 (3) for each lot greater than 15,000 square feet and not more than one acre
114 in size, 5,000 square feet of impervious cover is assumed;

