

- 31 (ii) clearing;
- 32 (iii) grading;
- 33 (iv) construction equipment access;
- 34 (v) driveway reconstruction;
- 35 (vi) temporary installations, including portable buildings,
36 construction trailers, storage areas for building materials, spoil
37 disposal areas, erosion and sedimentation controls, and
38 construction entrances;
- 39 (vii) landscaping; and
- 40 (viii) other areas that the director determines are part of the
41 construction site;
- 42 (2) construction of a storm sewer not more than 30 inches in diameter that is
43 entirely in a public right-of-way or an easement;
- 44 (3) construction of a utility line not more than eight inches in diameter that is
45 entirely in a public right-of-way;
- 46 (4) construction of a left turn lane on a divided arterial street;
- 47 (5) construction of street intersection improvements;
- 48 (6) widening a public street to provide a deceleration lane if additional right-
49 of-way is not required;
- 50 (7) a residential infill project that is not a re-subdivision;
- 51 (8[7]) depositing less than two feet of earth fill, if the site is not in a 100-year
52 floodplain and the fill is not to be deposited within the dripline of a
53 protected tree;
- 54 (9[8]) construction of a boat dock as an accessory use to a single-family
55 residential use, duplex residential use, two-family residential use, or
56 secondary apartment special use if shoreline modification or dredging of
57 not more than 25 cubic yards is not required; or

58 (10[9]) construction of a retaining wall, if the wall is less than 100 feet in length
59 and less than eight feet in height, and the back fill does not reclaim a
60 substantial amount of land except land that has eroded because of the
61 failure of an existing retaining wall;

62 (11[40]) minor development that the director determines is similar to that
63 described in Subsections (B)(1) through (9) of this section;

64 (12[41]) the replacement of development that is removed as a result of right-of-
65 way condemnation; and

66 (13[42]) the construction of a telecommunications tower described in Subsection
67 25-2-839(F) or (G) (*Telecommunication Towers*).

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

70 (E) If the standards in Subsection (A) are met, the director shall approve a site plan
71 for residential infill projects in 90 days.

72 **PART 4.** City Code Chapter 25-7 (*Drainage*) is amended to add a new Section 25-7-67
73 to read:

74 **§ 25-7-67 MODIFIED DRAINAGE STANDARDS FOR RESIDENTIAL INFILL.**

75 (A) An application for a residential infill project is not required to comply with
76 Section 25-7-61 (*Criteria for Approval of Development Applications*),
77 Section 25-7-151 (*Stormwater Conveyance and Drainage Facilities*), or
78 Section 25-7-152 (*Dedication of Easements and Right-of-Way*) if the amount
79 of impervious cover proposed on the site is equal to or less than:

- 80 (1) 45% for a residential infill project that is a re-subdivision on property
81 zoned SF-1, SF-2, or SF-3; or
82 (2) 65% for all other residential infill projects.

83 (B) An application for a residential infill project that proposes an amount of
84 impervious cover that exceeds the percentages established under Subsection
85 (A) must:

- 86 (1) provide infrastructure, studies, fees, or analyses to demonstrate the
87 additional amount of impervious cover complies with Section 25-7-61

88 (Criteria for Approval of Development Applications), Section 25-7-
89 151 (Stormwater Conveyance and Drainage Facilities), or Section
90 25-7-152 (Dedication of Easements and Right-of-Way) into right-of-
91 way; or

92 (2) provide a drainage plan demonstrating that all stormwater runoff from
93 the additional impervious cover will be discharged:

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

95 (b) into the right-of-way and deposit with the City a nonrefundable
96 cash payment, based on a formula approved by Council with
97 recommendations from the Director.

98 (C) The director shall deposit a payment made under Subsection (B) in the
99 Residential Infill Drainage Fund.

100
101 (D) A Residential Infill Drainage Fund is established for use in the design and
102 construction of local flood solutions.

103
104 (E) An application for a residential infill project must demonstrate all proposed
105 improvements will be outside the erosion hazard zone, unless protective
106 works are provided as prescribed in the Drainage Criteria Manual.

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108 (F) The owner of real property proposed to be developed shall provide an
109 easement for stormwater flow to the limits of the 100-year floodplain, as
110 prescribed in the Drainage Criteria Manual.

111 **PART 5.** Subsection (B) of City Code Section 25-8-64 (*Impervious Cover*
112 *Assumptions*) is amended to read:

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

114 (1) for each lot greater than three acres in size, 10,000 square feet of
115 impervious cover is assumed.

116 (2) for each lot greater than one acre and not more than three acres in
117 size, 7,000 square feet of impervious cover is assumed;

118 (3) for each lot greater than 15,000 square feet and not more than one acre
119 in size, 5,000 square feet of impervious cover is assumed;

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- (4) for each lot greater than 10,000 square feet and not more than 15,000 square feet in size, 3,500 square feet of impervious cover is assumed; ~~and~~
- (5) for each lot greater than 5,750 square feet and not more than 10,000 square feet in size, 2,500 square feet of impervious cover is assumed~~[-]; and~~
- (6) for each residential lot not more than 5,750 square feet in size, the amount of impervious cover assumed is;
 - (a) the maximum amount of impervious cover allowed under the applicable zoning district regulations; or
 - (b) for lots in the extraterritorial jurisdiction, 2,500 square feet of impervious cover.

PART 6. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 §
 §
 §

Kirk Watson
Mayor

APPROVED: _____
Deborah Thomas
Interim City Attorney

ATTEST: _____
Myrna Rios