

RULE NO.: R161-17.09

NOTICE OF RULE ADOPTION

ADOPTION DATE: May 16, 2017

By: Rodney Gonzales, Director
Development Services Department

The Director of the Development Services Department has adopted the following rule. Notice of the proposed rule was posted on April 5, 2017. Public comment on the proposed rule was solicited in the April 5, 2017 notice. This notice is issued under Chapter 1-2 of the City Code. The adoption of a rule may be appealed to the City Manager in accordance with Section 1-2-10 of the City Code as explained below.

EFFECTIVE DATE OF ADOPTED RULE

A rule adopted by this notice is effective on May 16, 2017.

TEXT OF ADOPTED RULE

R161-17.09 Revises The Environmental Criteria Manual, Appendix O – Landscape/Irrigation Notes. The revisions align Appendix O with Texas Commission on Environmental Quality requirements and The International Plumbing Code. Local water conservation amendments have also been included at the request of Austin Water.

The adopted rule contains no changes from the proposed rule. A copy of the complete text of the adopted rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Development Services Department, located at 505 Barton Springs Road, Suite 750;
and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

SUMMARY OF COMMENTS

The Development Services Department did not receive comments regarding the rule adopted in this notice.

AUTHORITY FOR ADOPTION OF RULE

The authority and procedure for adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is provided in Chapter 1-2 of the City Code. The authority to regulate application and approval requirements is established in Section 25-2-1008 of the City Code.

APPEAL OF ADOPTED RULE TO CITY MANAGER

A person may appeal the adoption of a rule to the City Manager. **AN APPEAL MUST BE FILED WITH THE CITY CLERK NOT LATER THAN THE 30TH DAY AFTER THE DATE THIS NOTICE OF RULE ADOPTION IS POSTED. THE POSTING DATE IS NOTED ON THE FIRST PAGE OF THIS NOTICE.** If the 30th day is a Saturday, Sunday, or official city holiday, an appeal may be filed on the next day which is not a Saturday, Sunday, or official city holiday.

An adopted rule may be appealed by filing a written statement with the City Clerk. A person who appeals a rule must (1) provide the person's name, mailing address, and telephone number; (2) identify the rule being appealed; and (3) include a statement of specific reasons why the rule should be modified or withdrawn.

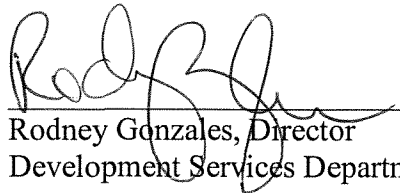
Notice that an appeal was filed will be posted by the City Clerk. A copy of the appeal will be provided to the City Council. An adopted rule will not be enforced pending the City Manager's decision. The City Manager may affirm, modify, or withdraw an adopted rule. If the City Manager does not act on an appeal on or before the 60th day after the date the notice of rule adoption is posted, the rule is withdrawn. Notice of the City Manager's decision on an appeal will be posted by the city clerk and provided to the City Council.

On or before the 16th day after the city clerk posts notice of the City Manager's decision, the City Manager may reconsider the decision on an appeal. Not later than the 31st day after giving written notice of an intent to reconsider, the City manager shall make a decision.

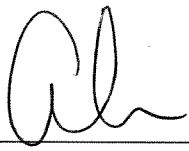
CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Rule Adoption (R161-17.09), the City Attorney certifies that the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEWED AND APPROVED


Rodney Gonzales, Director
Development Services Department

Date: 5-8-2017


Anne Morgan
City Attorney

Date: 5/10/17

APPENDIX O: - LANDSCAPE/IRRIGATION NOTES

SITE DEVELOPMENT PERMIT - IRRIGATION NOTES

Automatic irrigation systems shall comply with TCEQ Chapter 344, as well as the following requirements:

1. These requirements shall be noted on the Site Development Permit and shall be implemented as part of the landscape inspection:
 - a. the system must provide a moisture level adequate to sustain growth of the plant materials;
 - b. the system does not include spray irrigation on areas less than ten (10) feet wide (such as medians, buffer strips, and parking lot islands);
 - c. circuit remote control valves have adjustable flow controls;
 - d. serviceable in-head check valves are adjacent to paved areas where elevation differences may cause low head drainage;
 - e. a master valve installed on the discharge side of the backflow preventer;
 - f. above-ground irrigation emission devices are set back at least six (6) inches from impervious surfaces;
 - g. an automatic rain shut-off device shuts off the irrigation system automatically after more than a one half inch (1/2") rainfall; and
 - h. newly planted trees shall have permanent irrigation consisting of drip or bubblers.
2. The irrigation installer shall develop and provide an as-built design plan to the City at the time the final irrigation inspection is performed;
 - a. unless fiscal security is provided to the City for the installation of the system, it must be operational at the time of the final landscape inspection.
3. The irrigation installer shall also provide exhibits to be permanently installed inside or attached to the irrigation controller, including:
 - a. a laminated copy of the water budget containing zone numbers, precipitation rate, and gallons per minute; and a zone map with the isolation valve location.
4. The irrigation installer shall provide a report to the City on a form provided by Austin Water certifying compliance with Subsection 1 when the final plumbing inspection is performed by the City.

~~the following requirements. These requirements shall be noted on the Site Development Permit and shall be implemented as part of the landscape inspection:~~

- ~~1. A new commercial and multi-family irrigation system must be designed and installed so that:~~
 - ~~(a) there is not direct overspray onto non-irrigated areas;~~
 - ~~(b) the system does not include spray irrigation on areas less than six (6) feet wide (such as medians, buffer strips, and parking lot islands)~~

- ~~(c) above ground irrigation emission devices are set back at least six (6) inches from impervious surfaces;~~
 - ~~(d) the irrigation system has a master valve;~~
 - ~~(e) circuit remote control valves have adjustable flow controls;~~
 - ~~(f) serviceable in head check valves are adjacent to paved areas where elevation differences may cause low head drainage;~~
 - ~~(g) the irrigation system has a City approved weather based controller;~~
 - ~~(h) an automatic rain shut off device shuts off the irrigation system automatically after not more than a one half inch (1/2") rainfall;~~
 - ~~(i) zone valves and circuits are separated based on plant water requirements;~~
 - ~~(j) an irrigation emission device (such as spray, rotor, or drip emitter) does not exceed the manufacturer's recommended operating pressure; and~~
 - ~~(k) no component of the irrigation system deviates from the manufacturer's recommended use of the product.~~
- ~~2. The maximum spacing between spray or rotary sprinkler heads must not exceed the radius of throw of the head unless manufacturer of the sprinkler head specifically recommends a greater spacing. The radius of throw is determined by reference to the manufacturer's specifications for a specific nozzle at a specific operating pressure.~~
- ~~3. The irrigation installer shall develop and provide an as-built design plan and water budget to the City at the time the final plumbing inspection is performed. The water budget shall include:~~
- ~~(a) a chart containing zone numbers, precipitation rate, and gallons per minute; and~~
 - ~~(b) the location of the emergency irrigation system shut off valve. A laminated copy of the water budget shall be permanently installed inside the irrigation controller door.~~
- ~~4. The irrigation installer shall provide a report to the City on a form provided by the Austin Water Utility Department certifying compliance with Subsection 1 when the final plumbing inspection is performed by the City.~~