

CodeNEXT: Summary of Drainage and Water Quality Changes

Chapter 25-7 (Drainage) → 23-10E (Drainage)

Major Changes:

- Added provision requiring flood mitigation for redevelopment (reduce post-development peak rates of discharge to match peak rates of discharge for undeveloped conditions).
- Clarified that aside from reduction of peak flow to undeveloped conditions, the no adverse impact requirement shall compare proposed conditions to existing conditions. **(New)**
- Added reference to the Regional Stormwater Management Program (RSMP), which is currently outlined in the Drainage Criteria Manual.
- Clarified that RSMP eligibility will be based on a comparison to existing conditions, but participation will be based on a comparison to undeveloped conditions. **(New)**
- Added new applicability requirements for single-family, two-family, and “missing middle” projects (1 to 6 units). **(New)**
- Added exemption from requirement to reduce peak rates of discharge to undeveloped conditions for existing impervious cover associated with City roadway projects. [**New**. Note: Inadvertently left out of initial Draft 3 publication. This language will be included in the updated staff recommendation.]

Additional Changes:

- Added a purpose and findings statement for the article.
- Added clarifications to definitions because they are moving to a new general section.
- Added clarification for director references. **(New)**
- Corrected name of Division 2 to reflect Watershed Protection Ordinance revision. **(New)**
- Added clarification that the erosion hazard zone applies to creeks with a drainage area of at least 64 acres, rather than all waterways. Lakes will only be subject to the analysis where significant erosion is present. **(New)**
- Added reference to the floodplain modification standards in the Water Quality article to the standard for preserving the natural and traditional character of waterways. **(New)**
- Changed the standard for on-site control of the two-year peak flow to the stream protection volume as defined in the criteria manual. Using a more general reference will allow greater flexibility in defining the term to reflect the current state of the science to more effectively mitigate erosive flows. **(New)**
- Removed the ordinance for West Bouldin because the need for the location-specific ordinance is addressed by the new standard for flood mitigation. **(New)**
- Removed the development exception for buildings in the 100-year floodplain of Lady Bird Lake or the Colorado River downstream of Longhorn Dam.
- Restructured Detention Basin Maintenance and Inspection section to enhance clarity.
- Added adopted clean-up amendments to the Watershed Protection Ordinance.

Chapter 25-8A (Water Quality) → 23-3D (Water Quality)

Major Changes:

- Reorganized the Water Quality Article to consolidate requirements into broad themes (e.g., waterway protection, impervious cover).
- Added provision requiring the use of green stormwater infrastructure to capture and treat the entire water quality volume. Replaced requirement for retaining runoff from the 95th percentile rainfall event. **(New)**
 - Conventional water quality controls (e.g., sand filter) are allowed under certain conditions, including residential subdivisions, hot-spot land uses (e.g., automotive repair), and regional ponds.
 - Sites with greater than 80% impervious cover may also use conventional controls, but to do so would need to capture stormwater for onsite irrigation (or indoor use) based on a water budget.
 - Administrative variance for unique site conditions.

- Changed the reference to a sediment-filtration treatment standard to a more general load reduction standard.
- Added new applicability requirements for single-family, two-family, and “missing middle” projects (1 to 6 units). **(New)**
- Added a limited option for payment-in-lieu for small, infill subdivisions in Suburban Watersheds.
- Revised Critical Water Quality Zone Street crossing requirements to remove the existing spacing requirements in exchange for new design standards.
- Added provision that a residential lot may not contain the buffer associated with a critical environmental feature (in addition to not including the feature). **(New)**
- Added provision to require decompaction of soils post-construction.
- Added impervious cover exemption for rainwater harvesting tanks to promote water conservation.

Additional Changes:

- Added a purpose and findings statement to the article. **(New)**
- Minor clarifications, citations, and subsection headings added by the Law Department. **(New)**
- Added clarifications to definitions because they are moving to a new general section.
- Added clarification for director references. **(New)**
- Added definition for adverse water quality impact and made the language consistent across the article. **(New)**
- Added clarification to the definition of the Barton Springs Zone to account for watersheds other than the six listed that may contribute recharge to Barton Springs. **(New)**
- Removed unnecessary reference to special exceptions. **(New)**
- Added variance procedures and clarification that the Environmental Commission shall make recommendations on Land Use Commission variances. **(New)**
- Added clarification about surface spray wastewater irrigation to the calculation of net site area. **(New)**
- Added impervious cover exemption for small concrete pads necessary to comply with the Universal Recycling Ordinance for existing developments outside the Barton Springs Zone that have reached or exceeded allowed impervious cover. **(New)**
- Added a requirement for demonstrating usable lot area for subdivisions.
- Removed the existing Innovative Management Practices section and moved the provisions to the Critical Environmental Feature section and the Water Quality Control section to enhance clarity. **(New)**
- Added a provision for disconnecting impervious cover where possible.
- Added clarification that liners are required for structural water quality controls over the recharge zone (instead of where there is surface runoff to groundwater conductivity). **(New)**
- Restructured Water Quality Control Maintenance and Inspection section to enhance clarity.
- Added definition of low impact park development to Critical Water Quality Zone section.
- Added clarity on the uses associated with low impact park development. **(New)**
- Added bulkhead requirements to Critical Water Quality Zone section. (Previously located in the Zoning chapter.)
- Added clarification that the surrounding deck of a swimming pool is not exempt from cut standards. **(New)**
- Added clarification on submittal requirements to Critical Environmental Features section.
- Allowed restoration activities and education trails within a critical environmental feature setback, as approved by the Watershed Director. **(New)**
- Moved Endangered Species notification requirements into Water Quality article.
- Replaced list of specific endangered species habitat locations with a reference to the Environmental Criteria Manual. **(New)**
- Added adopted clean-up amendments to the Watershed Protection Ordinance.

CodeNEXT is NOT proposing changes to the major provisions of the Watershed Protection Ordinance, other than the clean-up items mentioned above.