

# **Watershed Protection Ordinance (WPO): Summary of Proposed Ordinance Elements**

**Introducing proposed code changes for  
the Watershed Protection Ordinance to  
kick off the second round of  
Stakeholder meetings.**

**December 5, 2012**

# **Council Resolution**

- 1. Creek Protection**
- 2. Floodplain Protection**
- 3. Development Patterns & Greenways**
- 4. Improved Stormwater Controls**
- 5. Mitigation Options**
- 6. Simplify Regulations & Maintain Opportunity**
- 7. Coordinate with Regional Partners**

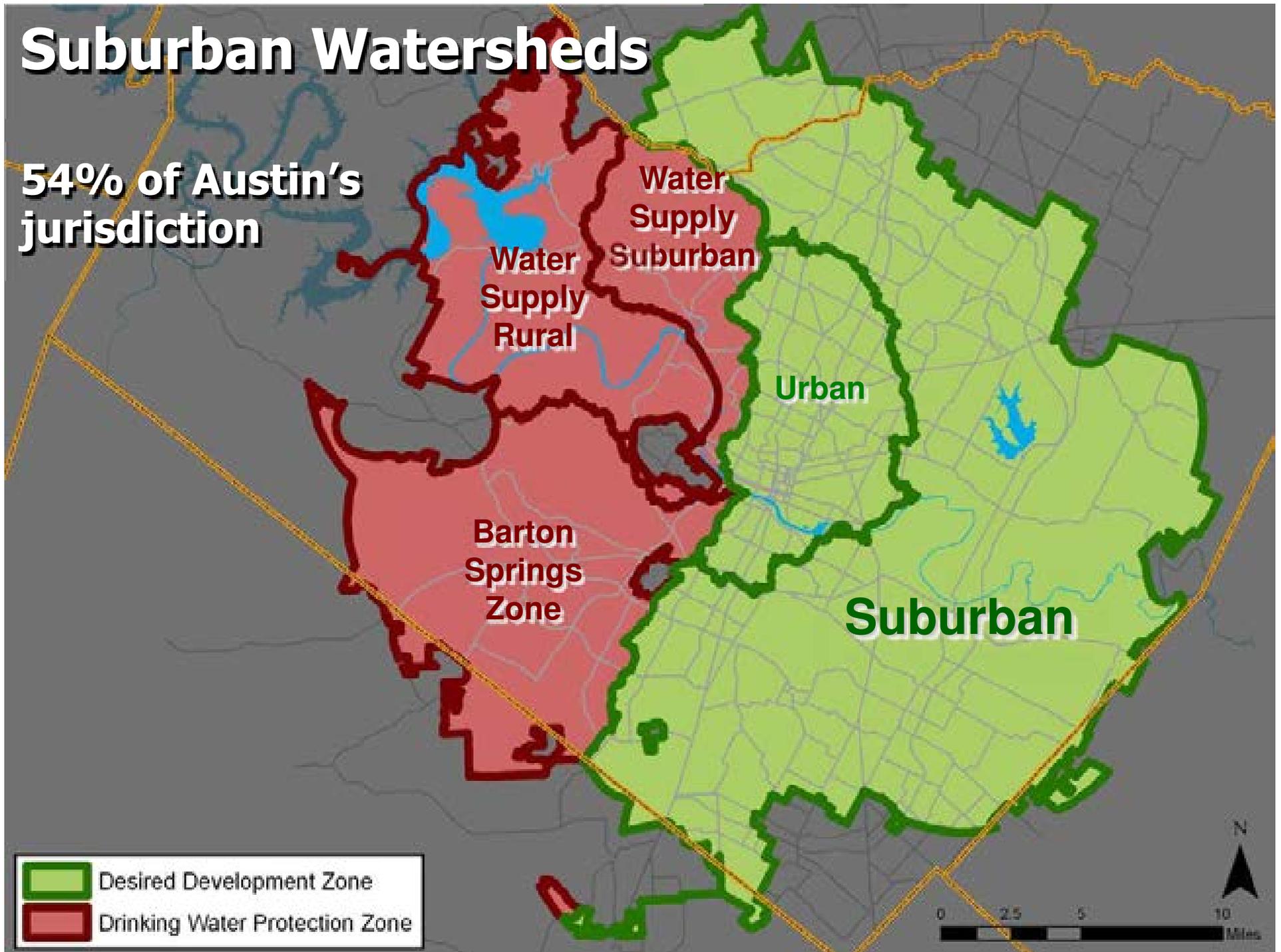
**(Resolution #20110113-038)**

# Anticipated Benefits

- **Bring best of watershed science into code**
- **Improved stream buffers, especially in east**
- **Restoration of natural floodplain function**
- **Sustainable maintenance of waterways**
- **Complements trail & greenway system**
- **Simpler buffer & site rules**
- **Majority of properties maintain existing development potential & increase flexibility**

# Suburban Watersheds

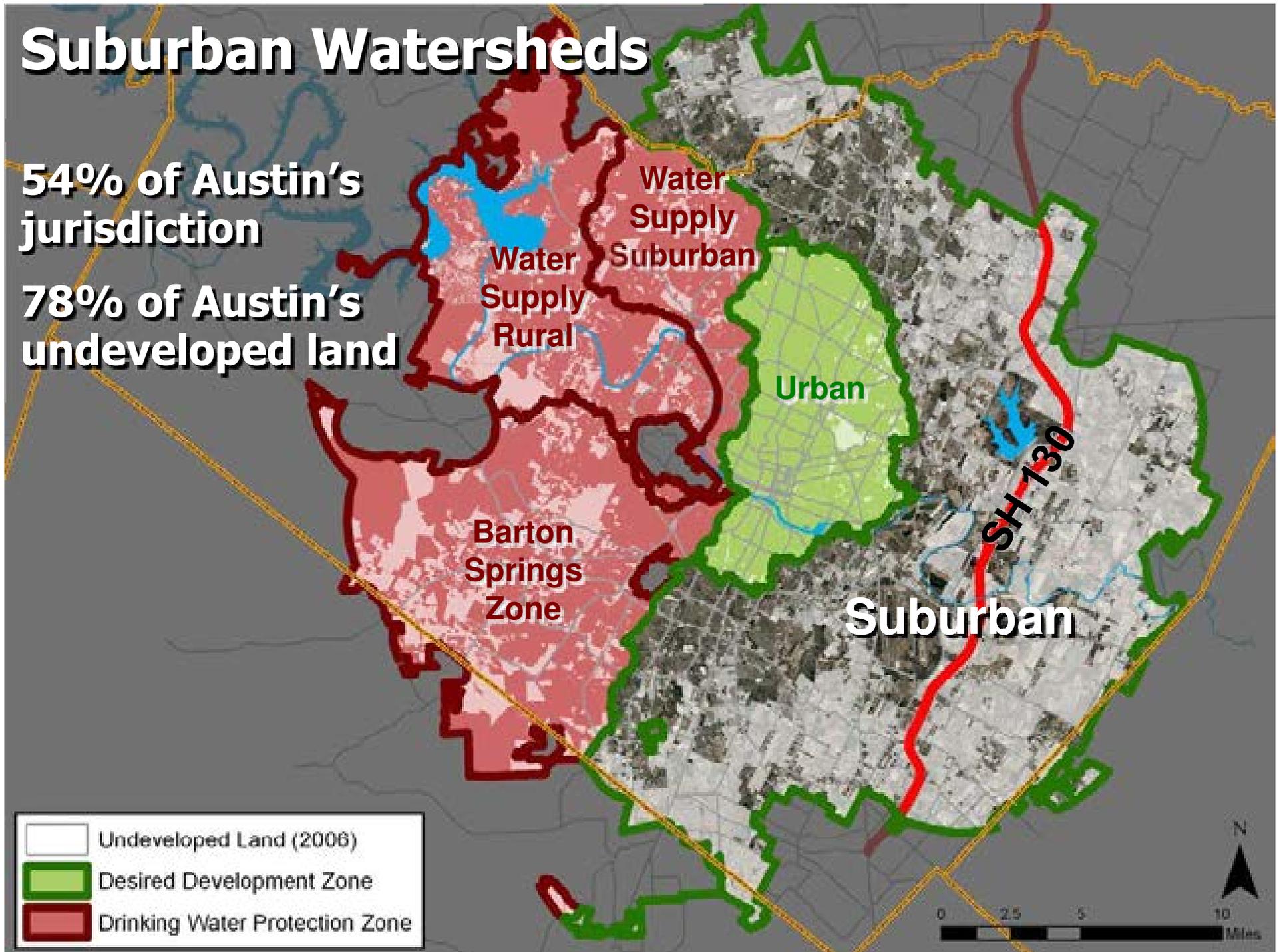
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# Suburban Watersheds

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**78% of Austin's undeveloped land**



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**78% of Austin's undeveloped land**

**Nearly 1 in 6 acres in 100-year floodplain**

Water Supply Suburban 4%

Water Supply Rural 5%

Urban 6%

Barton Springs Zone 9%

Suburban 16%



# Description of Phases

- **Phase 1**
  - **Main components of resolution discussed during the stakeholder process (e.g., headwater buffers, floodplain protection)**
- **Phase 2**
  - **Evaluation of additional stormwater measures (e.g., volume-based hydrology, pay-in-lieu)**
  - **Redevelopment provisions**
- **Phase 3**
  - **Imagine Austin Code Revisions**
  - **Centers & Corridors, Impervious Cover**

# Creek Protection



## Major Changes

- Extend minor “headwater” stream buffers to 64 acres of drainage citywide §25-8-91
- Standardize Critical Water Quality Zone (CWQZ) buffer drainage area thresholds citywide:
  - 64 ac. – 320 ac. drainage area (minor)
  - 320 ac. – 640 ac. drainage area (intermediate)
  - > 640 ac. drainage area (major) §25-8-91
- Simplify CWQZ buffer widths in Urban & Suburban watersheds:
  - 100 feet (minor)
  - 200 feet (intermediate)
  - 300 feet (major) §25-8-92

# Major Changes

- Eliminate Water Quality Transition Zone buffers in Suburban watersheds (like Urban) §25-8-93
- Use Gross Site Area basis for impervious cover in Suburban watersheds (discontinue Net Site Area) §25-8-392
- Allow “buffer averaging” in Urban & Suburban watersheds to reduce buffers by up to one-half if the overall area protected remains the same §25-8-92

## Major Changes

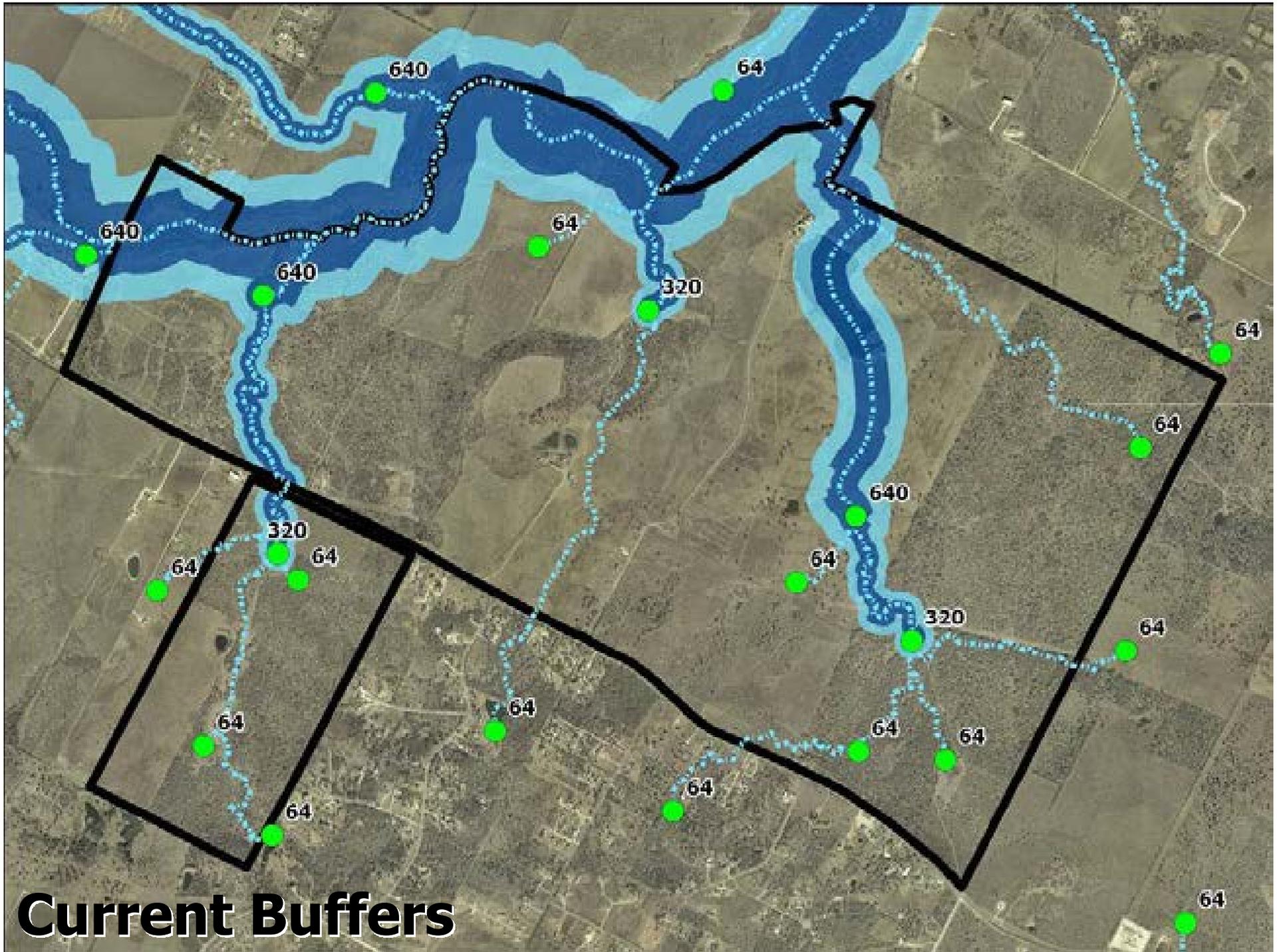
- Allow “green” water quality controls in the upper half of CWQZ buffers (but out of 100-yr floodplain) in Urban & Suburban watersheds  
§25-8-261
- Allow utility lines in the upper half of CWQZ buffers (but out of the erosion hazard zone) in Urban & Suburban watersheds  
§25-8-261
- Modify redevelopment exception to consider minimum stream setback & disallow additional non-compliance  
§25-8-26, 27, 28

100 50 0 ft

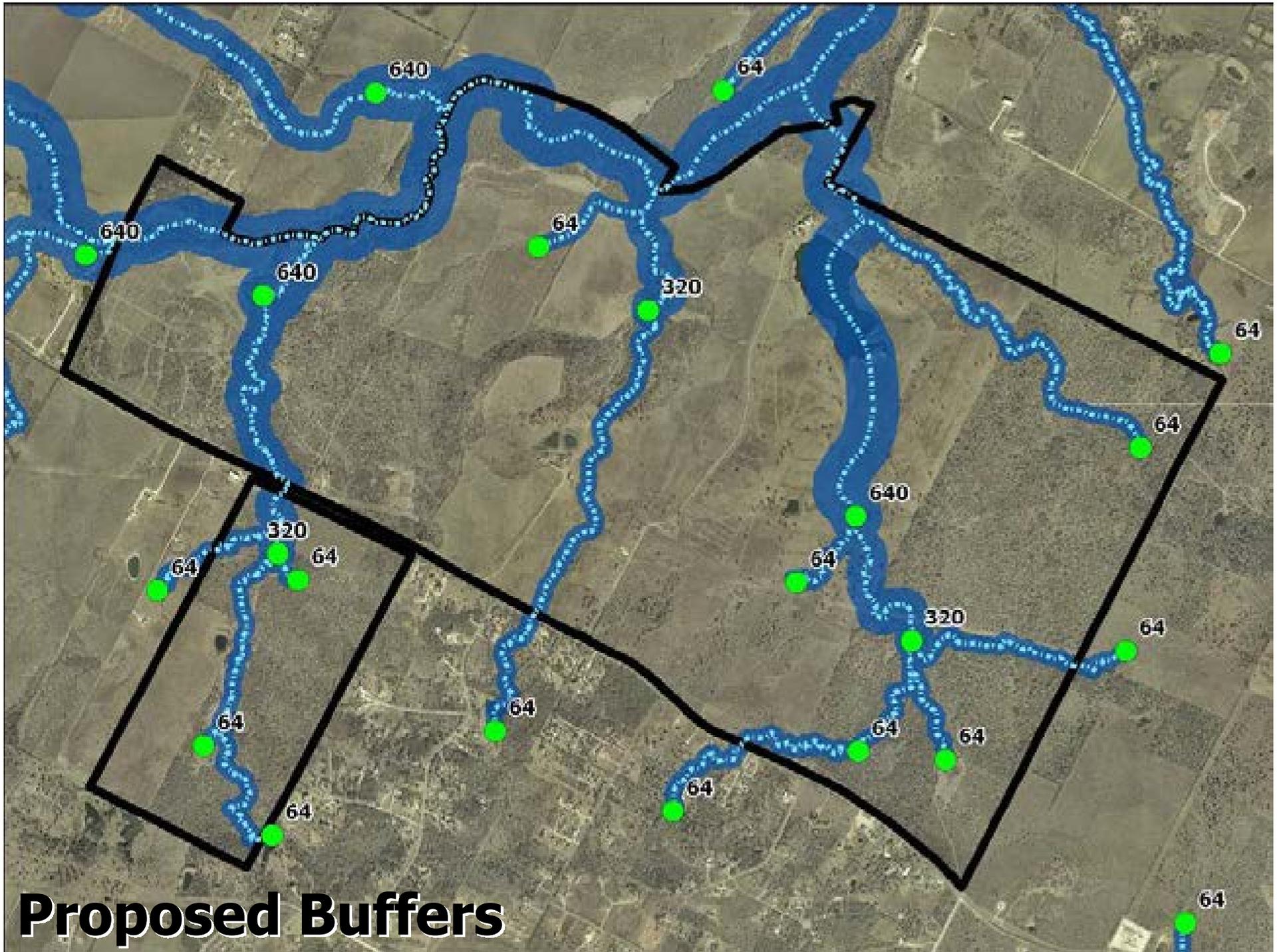


**Proposed Buffers**

**Centerline**



**Current Buffers**



**Proposed Buffers**

## Elements Not Changing

- Retain current CWQZ buffer widths in Drinking Water Protection Zone
- Retain WQ Transition Zone buffers in Drinking Water Protection Zone
- Retain Net Site Area in Drinking Water Protection Zone
- No buffers within Downtown area
- No change to buffers on lakes or Colorado River

# Floodplain Protection



## Major Changes

- Adjust definition of "natural & traditional character" to protect & enable the recovery of degraded waterways §25-7-61, 25-8-364
- Add new floodplain modification section to Code
  - Disallow modification in the Critical Water Quality Zone and areas with existing natural and traditional character
  - Exceptions for cases of protecting the environment or public health & safety
  - Sites proposing modification must restore natural and traditional character and design for both existing and fully-vegetated conditions §25-8-364
- Make improvements to the Floodplain Modification guidelines in the Environmental Criteria Manual

# Development Patterns & Greenways



## Major Changes

- Align definitions of impervious cover for zoning and watershed regulations §25-1-23, 25-8-63
- Add exemptions to impervious cover calculations:
  - Public multi-use trails
  - Porous pavement for pedestrian walkways
  - Interlocking pavers for fire lanes §25-8-63
- Eliminate the Boundary Street Deduction §25-8-65
- Limit interbasin transfers §25-8-365

# Improved Stormwater Controls



## Major Changes

- Require Water Quality (WQ) controls for projects with over 8,000 sq. ft. of impervious cover (instead of 20% IC trigger) §25-8-211
- Allow potential for “stacking” WQ & flood detention volumes in one pond §25-8-213
- Require third-party inspections for subsurface controls §25-8-231
- Disallow wet ponds in the Barton Springs Zone and over the recharge zone §25-8-213

# Minimize Impact to Development

## Impact Analysis

- Council resolution: "...minimize the impact of any changes on individual and collective abilities to develop land."
- WPD conducting analysis of properties to evaluate effect of ordinance proposals on:
  - Creek buffer geometry
  - Developable area
  - Allowable impervious cover

# Adoption Schedule

Stakeholder Meetings	Sep. 2011 – April 2012
Staff develops Draft Ordinance	April – November
Informal Interdepartmental Review*	Nov. 2 – Nov. 30
Brief the Environmental Board	December 5
Stakeholder Feedback on Draft Ordinance*	Dec. 14 – March 2013
Formal Interdepartmental Review*	March 2013
Boards & Commissions	April – May 2013
City Council	June 2013
Travis County Commissioner's Court	Summer 2013

\* City staff also happy to meet with interested groups upon request.

# Contact/Additional Information

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**[www.austintexas.gov/page/  
watershed-protection-ordinance-0](http://www.austintexas.gov/page/watershed-protection-ordinance-0)**