

**RULE NO.: R161-14.23**

**NOTICE OF PROPOSED RULE**

**POSTING DATE: July 8, 2014**

The Director of the Department of Planning Development Review proposes to adopt the following rule after August 9, 2014.

Comments on the proposed rule are requested from the public. Comments should be submitted to Sylvia Arzola, Planning and Development Review Department, 505 Barton Springs Road, 5<sup>th</sup> Floor, 512-974-5448. To be considered, comments must be submitted before August 9, 2014, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

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.

**EFFECTIVE DATE OF PROPOSED RULE**

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before August 9, 2014 (the 32nd day after the date of this notice) or not after October 6, 2014, (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before October 6, 2014, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

**TEXT OF PROPOSED RULE**

A copy of the complete text of the proposed 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:

Department of Planning and Development Review, located at 505 Barton Springs Road, 5<sup>th</sup> Floor; and

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

**BRIEF EXPLANATION OF PROPOSED RULE**

Rule R161-14.23 - The proposed rule amends the Environmental Criteria Manual. It will add criteria related to the use of aggregate soil cover to Section 2.4.5 (Soil Conditioning and Mulching) and Section 2.7.0 (Hill Country Roadway).

**AUTHORITY FOR ADOPTION OF PROPOSED 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 landscape requirements is established in City Code Chapter 25-2, Subchapter C, Article 9 (*Landscaping*).

**CERTIFICATION BY CITY ATTORNEY**

By signing this Notice of Proposed Rule (R161-14.23), the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director’s administrative authority.

**REVIEW AND APPROVED**

\_\_\_\_\_  
Greg Guernsey, Director  
Planning and Development Review Department

Date: \_\_\_\_\_

\_\_\_\_\_  
Karen M. Kennard  
City Attorney

Date: \_\_\_\_\_

This Notice of Proposed Rule was posted on a central bulletin board at City Hall by the City Clerk. Date and time stamp is on the front of the notice.