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ARTICLE 6. WATER QUALITY CONTROLS					23
Additional changes to this article may be presented in near future. See WPO Website for updates:					http://www.austintexas.gov/page/watershed-protection-ordinance-0
41. <i>Structural Water Quality Controls</i> §25-8-211	Outside of the BSZ and Urban Watersheds, current code does not require permanent water quality controls ("ponds") on sites with less than 20% impervious cover (IC), no matter how much total IC is proposed. Projects with hydraulically connected impervious cover can have significant water quality impacts.	Require WQ controls for projects with over 8,000 square feet of IC per existing Environmental Criteria Manual requirement model for Urban watersheds. (Note: Urban requirements is for 5,000 ft ² IC; propose 8,000 ft ² to match SOS §25-8-516 small-project exception.)	Prevents large areas of hydraulically connected IC from creating problems; reduces public costs to repair downstream erosion & water quality problems created without controls; controls on low IC sites typically low cost.	Minor increase in private cost to build certain projects.	24
42. <i>Structural Water Quality Controls</i> §25-8-211	Currently not clear that water quality control requirements do not apply to individual single-family or duplex lots, but rather to the residential subdivision as a whole.	Clarify that the requirements do not require water quality controls on a single-family or duplex lot but apply to the residential subdivision as a whole.	Clarity.	None.	24
43. <i>Water Quality Control Standards: Pond Accessibility</i> §25-8-213(A)(3)	Commercial ponds are being constructed that are not reasonably accessible either for City inspection or for private maintenance.	Add requirement that ponds must be accessible for maintenance and inspection. (Must design for needed equipment & personnel to reach pond, perform repairs, etc.)	Ensures that ponds continue to function properly over time. Removes burden of problematic access from future property owners/managers.	Limitation on design flexibility.	24
44. <i>Structural Water Quality Controls: Water Quality Volume Isolation</i> §25-8-213(B)	Current code requires the "isolation" of the water quality volume, making it difficult to combine flood and water quality volumes for space efficiency and reduced cost.	Delete the term "isolate" from this section; where appropriate, require isolation of the water quality volume in the Environmental Criteria Manual, but on a control-by-control basis.	Allow the "stacking" of water quality & flood capture volumes to reduce cost & increase space efficiency; increase WQ function for most storms; reduce complexity of designs.	Isolation of water quality volume originally done to avoid "re-suspension" of captured pollutants and to prevent damage to the WQ pond; but both concerns can be addressed using design criteria.	24
45. <i>Structural Water Quality Controls: Water Supply Rural</i> §25-8-213(C)(3)	Existing code for Water Supply Rural development rely on the 40% buffer zone for water quality control; with the new 8,000 square foot impervious threshold, this will no longer be necessary and the 40% buffer should be better protected to avoid damage.	Add provision to cap disturbance of the 40% buffer at 50% or less. (50% threshold taken from the Hill Country Roadway Ordinance.)	Reduce modifications & construction-phase damage in 40% buffer.	None. Should be sufficient space remaining to locate controls.	25
46. <i>Payment-in-Lieu of Water Quality Controls in Urban Watersheds</i> §25-8-214(C)	Current code does not refer to the Environmental Criteria Manual, which contains key information on the administration of this provision. The current requirement that the director accept or deny requests within 15 days is not practical due to the complexity of these requests.	Add a reference to the Environmental Criteria Manual. Delete the requirement to process within 15 days.	Clarity (reference to ECM). Pragmatism (processing time).	None.	25

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47. <i>WQ Control Maintenance & Inspection: Subsurface Controls §25-8-231(E&F)</i>	Construction of subsurface water quality (WQ) & flood controls is not currently limited & results in facilities that are expensive, and difficult to inspect and maintain. City staff not equipped to inspect these systems.	Require maintenance plan and 3rd party inspections with annual reporting for all subsurface water quality controls.	Control the quality of designs and ensure proper inspection & maintenance of subsurface controls.	Expense to property owners (though otherwise no maintenance assured); administrative cost to City.	26
ARTICLE 8. URBAN WATERSHED REQUIREMENTS					28
81. <i>Urban Watersheds Requirements Article 8 [New]</i>	Current code provides a special section for all watershed classifications except Urban Watersheds; this omission has led to gaps in protection and clarity.	Add "Urban Watershed Requirements" section to spell out that development is prohibited in the CWQZ and clarify impervious cover limits in the Uplands Zone & ETJ.	Clarifies requirements.	None.	38
ARTICLE 9. SUBURBAN WATERSHED REQUIREMENTS					38
82. <i>Critical Water Quality Zone §25-8-392 [Deleted]</i>	Critical Water Quality Zone items moved to §25-8-261 Critical Water Quality Zone Development section (see item 48 above). (No change in regulations.)				38
83. <i>Water Quality Transition Zone §25-8-393 [Deleted]</i>	Water Quality Transition Zone setbacks proposed to be eliminated for Suburban Watersheds. See discussion in item 34 above: §25-8-93 Water Quality Transition Zone.				38
84. <i>Uplands Zone: Gross Site Area Impervious Cover §25-8-392(A)</i>	Current rules use "Net Site Area" formula which is complex and complicates development on properties with stream buffers.	Use "Gross Site Area" basis for impervious cover calculations.	Reduces complexity of IC calculations; increases opportunities to develop properties with buffers, thus especially key with introduction of headwaters buffers.	For sites where IC increases, will decrease baseflow and increase reliance on structural controls to mitigate stormwater runoff impacts.	38
85. <i>Uplands Zone: Impervious Cover (IC) Limits §25-8-392(B)</i>	Not clear that Brushy Creek watershed includes the subwatersheds of South Brushy and Buttercup.	Clarify that Brushy Creek watershed includes the subwatersheds of Buttercup and South Brushy.	Clarification.	None.	38
86. <i>Transfer of Development Intensity: Impervious Cover Limits Apply §25-8-393(A)</i>	Current code does not clarify that impervious cover (IC) transferred from other areas to the Uplands must still respect Upland impervious cover limits.	Add text to clarify that Uplands impervious cover is subject to IC limits. (Note that IC levels are higher with transfers than without.)	Clarity.	None.	39
87. <i>Transfers: Critical Water Quality Zone §25-8-393(A)(1)</i>	Text not consistent with other transfer sections. Only option is to dedicate land to City.	Add text to make consistent with other sections. Add option to allow land to be transferred to "another entity" (e.g., County, a land trust).	Clarity. Extend more options for transfers, which confer environmental & community benefits.	None.	39
88. <i>Transfers: WQ Transition Zone Deleted §25-8-393(A)(2-4) [Deleted]</i>	Transfer sections for Water Quality Transition Zone buffers are no longer applicable: these buffers eliminated for Suburban Watersheds (see 25-8-93).	Delete these sections.	Consistency.	None.	39-40

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89. <i>Transfers: CEF Buffer Transfers §25-8-393(A)(5) [Deleted]</i>	Current code allows increased impervious cover in the Uplands if land within Critical Environmental Features (CEF) buffers is left in an undisturbed state; but this is already the expectation.	Delete this section.	Consistency. Expectation is for all CEF buffers to remain in natural condition.	None.	40
90. <i>Transfers: Wastewater Disposal §25-8-393(A)(6) [Deleted]</i>	Current code allows increased impervious cover in the Uplands if land within wastewater irrigation areas is left in an undisturbed state; but does not provide public benefit.	Delete this section.	Seeking to emphasize transfer system to be for public and environmental benefit.	None.	40
91. <i>Transfers: Floodplains, Environmentally Sensitive Areas & Land Dedication §25-8-393(2) [New]</i>	Current code offers transfer credits to uplands if Critical Water Quality Zone (CWQZ) buffer areas are dedicated to the City fee simple; no option exists for floodplain or other environmentally sensitive areas outside the CWQZ.	Offer transfers of impervious cover for land dedicated to City in (a) 100-year floodplains or (b) environmentally sensitive upland areas (e.g., remnant prairies, woodlands) determined by environmental resource inventory) that are left in a natural state, accepted by the City or other entity, and not included in IC calculations elsewhere.	Protect key areas otherwise degraded by development pressure; incentivizes their protection and potential public use. Could serve a similar role to the Conservation Subdivision option used by Travis County.	Must ensure maintenance requirements for additional land can be met.	40
92. <i>Transfer of Development Intensity: Transfer Proximity & Timing §25-8-393(B)</i>	Current code requires that transferred development intensity not be applied to tracts more than one (1) mile from the "sending" site and must be platted concurrently; these limitations may discourage some potential transfers.	Allow the transfer for development intensity within the same watershed classification; allow transfers on site plans (not just plats).	Encourage more use of transfers of development intensity to realize the benefits to the environment & community.	Some areas could see a much larger impact than others; could address by ensuring that the "receiving areas" are within Comp. Plan-approved centers & corridors. Requires additional administrative burden to track over time.	40-41
ARTICLE 10. WATER SUPPLY SUBURBAN WATERSHED REQUIREMENTS					41
93. <i>Critical Water Quality Zone §25-8-422 [Deleted]</i>	Critical Water Quality Zone items moved to §25-8-261 Critical Water Quality Zone Development. See item 48 above. No change in regulations.				41
94. <i>Water Quality Transition Zone (WQTZ) §25-8-422(A)&(C)</i>	Current code prohibits the placement of WQ controls in WQTZs in Water Supply Suburban watersheds, despite the allowance of development in these areas.	Allow minor drainage facilities and water quality controls in the Water Quality Transition Zone over the recharge zone (language aligned with Barton Springs Zone). Allow water quality controls in the Water Quality Transitions Zone outside on the recharge zone.	Ensures that permitted development can receive on-site water quality treatment using structural controls.	None.	41
95. <i>Transfer of Development Intensity §25-8-424(A)</i>	See descriptions and discussion of equivalent changes for §25-8-393(A), (A)(1), (A)(5) and (A)(6). (Items 86, 87,89, and 90, respectively.)				42

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96. <i>Transfers: Water Quality Transition Zone §25-8-424(A)(2)</i>	Only option is to dedicate land to City.	Add option to allow land to be transferred to "another entity" (e.g., County, a land trust).	Clarity. Extend more options for transfers, which confer environmental & community benefits.	None.	42
97. <i>Transfers: Golf Courses §25-8-424(A)(3) [Deleted]</i>	Current code allows increased impervious cover in the Uplands if golf courses in the water quality transition zone use native plants and minimize fertilizer use; but does not provide public benefit.	Delete this section.	Seeking to emphasize transfer system to be for public and environmental benefit.	None.	42
98. <i>Transfers: WQTZ Wastewater Disposal §25-8-424(A)(4) [Deleted]</i>	Current code allows increased impervious cover in the Uplands if wastewater irrigation areas are placed within the water quality transition zone; but does not provide public benefit.	Delete this section.	Seeking to emphasize transfer system to be for public and environmental benefit.	None.	42
99. <i>Transfer of Development Intensity §25-8-424(B)</i>	See descriptions and discussion of equivalent changes for §25-8-393(B) in item 92 above.				42-43
ARTICLE 11. WATER SUPPLY RURAL WATERSHED REQUIREMENTS					43
100. <i>Critical Water Quality Zone §25-8-452 [Deleted]</i>	Critical Water Quality Zone items moved to §25-8-261 Critical Water Quality Zone Development. See item 48 above. No change in regulations.				43
101. <i>Water Quality Transition Zone (WQTZ) §25-8-452(A)(2) & (B)(3)</i>	Current code prohibits the placement of water quality controls in WQTZs in Water Supply Rural watersheds, despite the allowance of development in these areas.	Allow minor drainage facilities and water quality controls in WQTZ (language aligned with Barton Springs Zone) in Water Supply Rural watersheds.	Ensures that permitted development in WQTZs can receive on-site water quality treatment using structural controls.	None.	44
102. <i>Water Quality Transition Zone (WQTZ) §25-8-452(B)(4)</i>	Code unnecessarily permits parks and open space in the WQTZ; is already permitted in §25-8-451(B)(1).	Delete parks & open space reference (is covered by Article 7, Division 1 reference and therefore redundant).	Clarity.	None.	44
103. <i>Water Quality Transition Zone (WQTZ) §25-8-452(C)</i>	Current code requires that a Water Supply Rural lot that lies within a CWQZ must also include at least 2 acres in a WQTZ; leads to unnecessary variance requests.	Expand to two acre min. in WQTZ <u>or upland area</u> .	Eliminate unproductive variance requests.	None.	44
104. <i>Uplands Zone: Cluster Housing §25-8-453(C)(2)</i>	Much of the original text describing the use and requirements of cluster housing was inadvertently deleted from the code, leaving use of this provision unclear.	Add text from commercial section to cluster housing section. Also clarify that the 40% required natural buffer shall receive runoff from developed areas.	Clarify requirements to use cluster housing provisions for WS Rural watershed development; current code & criteria do not provide guidance; ensure treatment of runoff.	None.	44

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105. <i>Uplands Zone: 40 Percent Buffer §25-8-453(C)(2)</i>	Not clear that the 40 percent buffer must be located in the uplands and that the overland drainage received must come from the developed areas of the site.	Clarify that the 40 percent buffer is located within the uplands and must receive overland drainage from developed areas (e.g., impervious cover) of the site. Moved prohibition on wastewater disposal areas in the buffer from §25-8-361 (see 75 above).	Clarity.	None.	45
106. <i>Transfer of Development Intensity §25-8-454(A)</i>	See descriptions and discussion of equivalent changes for §25-8-393(A), (A)(1), (A)(5) and (A)(6). (Items 86, 87, 89, and 90, respectively.)				45
107. <i>Transfer of Development Intensity §25-8-454(A)</i>	See descriptions and discussion of equivalent changes for §25-8-424, (A)(2), (A)(3) and (A)(4). (Items 96, 97, and 98 respectively.)				45
108. <i>Transfer of Development Intensity §25-8-454(B)</i>	See descriptions and discussion of equivalent changes for §25-8-393(B) in item 92 above.				46
ARTICLE 12. BARTON SPRINGS ZONE WATERSHED REQUIREMENTS					46
109. <i>Critical Water Quality Zone §25-8-482 [Deleted]</i>	Critical Water Quality Zone items moved to §25-8-261 Critical Water Quality Zone Development. See item 48 above. No change in regulations.				46
110. <i>Water Quality Transition Zone (WQTZ) §25-8-482</i>	Language for water quality transition zone requirements differ slightly for Water Supply Suburban, Water Supply Rural, and Barton Springs Zone.	Align language as much as possible across the three sections.	Consistency.	None.	47
111. <i>Water Quality Transition Zone (WQTZ) §25-8-482(B)(5) [Deleted]</i>	Code unnecessarily distinguishes between vegetative filter strips and water quality controls.	Delete vegetative filter strip reference (is covered by "water quality control" and therefore redundant). Align text with other water supply sections for WQTZ.	Clarity.	None.	47
ARTICLE 13. SAVE OUR SPRINGS INITIATIVE					47
113. <i>SOS Amendment §25-8-512</i>	Original SOS Ordinance was prohibited from repeal or amendment within two years of its effective date on August 10, 1992. This two year period has passed and is no longer relevant to code compliance.	Delete reference to date.	Clarity. Does not impact implementation of ordinance.	None.	47
114. <i>SOS List of Pollutants §25-8-514</i>	Current list of pollutants includes fecal coliform and fecal streptococci, both of which are no longer the bacteria constituents monitored (should be E. coli).	Delete fecal coliform and fecal streptococci and replace with E. coli.	Reflect current science.	None.	48