

**DIVISION 6. - AQUIFER RECHARGE ZONE AND WATERSHED PROTECTION**  
**Subdivision D. - Pollution Prevention Criteria**

**Sec. 34-912. - Floodplain preservation area.**

(a) Floodplain preservation area definition.

(1) Minor, intermediate and major floodplain shall be designated for any channel, creek, stream, branch, or watercourse within the Edwards Aquifer Recharge Zone having a watershed greater than one hundred (100) acres. Minor, intermediate and major floodplain shall be defined as follows:

| Floodplain   | Drainage Area (acres) |
|--------------|-----------------------|
| Minor        | 100—320               |
| Intermediate | 320—640               |
| Major        | over 640              |

(2) The floodplain delineation shall be based on a 100-year frequency, a channel in its unaltered state, and shall assume conditions consistent with the City of San Antonio floodplain regulations contained in Chapter 35 of this Code. Where such floodplains are not designated on maps of the City of San Antonio, mapping showing such floodplain features shall be submitted as an element of the requirements of section 34-911 hereof.

(b) Allowable activities in floodplain preservation areas: The floodplain preservation area shall remain free of all construction activity, development, and alterations except for the following:

(1) Arterial, collector and residential street crossings only as provided below:

a. A major floodplain may be crossed by arterial streets that are identified on the City of San Antonio Major Thoroughfare Plan as approved by city council; provided however, that the arterial street is constructed in accordance with standards provided for in section 34-965.

b. An intermediate floodplain may be crossed by arterial and collector streets, provided, however, that the arterial or collector streets are constructed in accordance with standards provided for in section 34-965.

c. A minor floodplain may be crossed by arterial, collector, or local residential streets, provided, however, that such streets are constructed in accordance with standards provided for in section 34-965.

(2) Utilities as provided by subsection (c) below.

(3) Fences that do not obstruct flood flows.

(4) Public and private parks and open space, with development in the parks and open space limited to trails and facilities (other than stables and corrals for animals) for hiking, jogging, non-motorized biking, and nature walks.

(5) Water quality or flood control systems with minimum disruption.

(6) Where a floodplain has been altered by a manmade activity such as a highway, railroad etc. then the floodplain can be remediated to its natural limits.

(7) Public projects that are for the public benefit such as projects to enhance recharge, provide flood prevention, and other capital improvements are exempt from these requirements.

(c) Permitted utility/construction.

(1) All underground utilities, other than wastewater, shall be located outside the floodplain preservation area, except for crossings (which should incorporate shared trenching where practical), and shall comply with the provisions of Chapter 35 of this Code (UDC).

(2) At the time of site development plan review, the director of the resource protection and compliance department shall make a report to the director of wastewater management on any significant environmental impact, with an emphasis on protecting potential recharge, and possible alternatives related to wastewater line locations in the floodplain preservation area. Construction within the ordinary high water mark is discouraged unless approved by the San Antonio Water System upon consideration of reports by the resource protection and compliance department.

(Ord. No. 81491, § 1(App. I), 1-12-95; Ord. No. 2006-02-16-0241, § 5, 2-16-06)

**Sec. 34-913. - Floodplain buffer zone.**

(a) Floodplain buffer zones (FBZ) shall be established parallel to all floodplain preservation areas. The outer perimeter of each FBZ shall extend outward from the outer boundaries of the floodplain preservation area, based on the appropriate slope, in accordance with the following table:

| % Slope           | 0-2.5 | >2.5-5.0 | >5.0-7.5 | >>7.5-10.0 | >10.0-12.5 | >12.5 |
|-------------------|-------|----------|----------|------------|------------|-------|
| Buffer Width (ft) | 60    | 70       | 80       | 90         | 100        | 100   |

The appropriate slope will be determined by taking the average slope of the first fifty (50) feet of buffer width from the floodplain preservation area. In no case shall the length over which the average is determined exceed three hundred (300) feet; and, in no event shall the buffer zone exceed the extent of the watershed.

(b) No impervious cover will be allowed in the buffer zones except as outlined in subsection (c) below.

(c) Construction activities in the buffer zones shall be restricted to the activities allowed in section 34-912.

(Ord. No. 81491, § 1(App. I), 1-12-95)

**Sec. 34-914. - Drainage area.**

(a) The floodplain preservation area shall be extended to the EARZ drainage area in the Extra-Territorial Jurisdiction (ETJ). This floodplain preservation area will be applied to creeks with watersheds greater than three hundred (300) acres and the allowable activities will be as described in section 34-912(b) Allowable Activities in Floodplain Preservation Area.

(b) The floodplain buffer zone shall be required adjacent to the floodplain preservation area using the buffer width formula established in this division. The maximum impervious cover in the drainage area buffer zone shall be ten (10) percent. This requirement is considered to be more flexible in the drainage area than in the recharge zone.

(c) The regulations contained in this section shall not apply to any activity allowed by a floodplain development permit issued before the effective date of this division, or for which application was made before the effective date of this division.

(Ord. No. 81491, § 1(App. I), 1-12-95) Secs. 34-915—34-919. - Reserved.

**Sec. 34-920. - Recharge feature protection and buffer zone.**

Within the Edwards Aquifer Recharge Zone, the applicant shall identify potential recharge features on the development plan which provide a conduit from the earth's surface to subsurface water.

(a) Significant recharge features.

(1) Sealing of significant recharge features shall be prohibited.

(b) Significant recharge feature buffer zone.

(1) A buffer area will be placed surrounding "significant" recharge features which will be maintained in a natural condition. The width of the buffer area shall be based on the requirements of section 34-913, based on measurements from the outer perimeter of the recharge feature, according to the following chart:

| % Slope           | 0-2.5 | >2.5-5.0 | >5.0-7.5 | >>7.5-10.0 | >10.0-12.5 | >12.5 |
|-------------------|-------|----------|----------|------------|------------|-------|
| Buffer Width (ft) | 60    | 70       | 80       | 90         | 100        | 100   |

(2) "Significant" features are those defined as "high concern features" by present TNRCC regulations.

(c) Additional recharge feature protection. SAWS shall require the identification of significant recharge features and shall prescribe protective measures deemed reasonable and necessary to eliminate the entry of pollutants into subsurface water through such recharge features. Whether on or off-site, protective measures include but are not limited to:

- 1) additional buffer zones covered with grass or other appropriate vegetation,
- 2) installation of diversion methods or structures outside the buffer zone,
- 3) termination of the point source activity which creates the pollution hazard, and
- 4) removal of substances and objects from the recharge feature. The protective measures prescribed together with the date by which such measures must be completed shall be set forth

in writing and sent to the landowner(s) involved by certified mail, return receipt requested. The landowner shall take the corrective and protective actions prescribed by SAWS.

(Ord. No. 81491, § 1(App. I), 1-12-95)  
Secs. 34-921—34-924. - Reserved.

**Sec. 34-925. - Pollution prevention criteria.**

For the purpose of regulating activities within the areas regulated by this division, while acknowledging and respecting the interests of property owners, projects in the area affected by this division shall be classified according to the following three (3) categories:

Category 1: A project for which an application for a permit, as defined in Chapter 245, Texas Local Government Code, has been filed, before the effective date of this division.

Category 2: A project located on property within the corporate limits of the city, that is not in category1;

Category 3: A project located on property within the Edwards Aquifer Recharge Zone which is within the extraterritorial jurisdiction of the city, and which does not meet the requirements of category 1 or category 2, above.

(Ord. No. 81491, § 1(App. I), 1-12-95; Ord. No. 2006-02-16-0241, § 2, 2-16-06; Ord. No. 2014-08-14-0581, § 3, 8-14-14)

**Sec. 34-926. - Pollution prevention criteria in Category 1.**

(a) Unless otherwise specified in this division, the development criteria and regulations of the city which were in effect at the time the original application for the permit was filed pursuant to, and as defined by Chapter 245, Texas Local Government Code, shall govern the development of a project that is classified as category 1 because of the filing of said application.

(b) A project which satisfies the category 1 requirements of section 34-925 because it was the subject of an application submitted or permit issued before the effective date of this division, will be automatically placed in its appropriate category after the application or permit expires pursuant to the laws in effect at the time the application was submitted or the permit was issued.

(c) To the extent allowed by law, if a project classified as category 1 is substantially altered, then the category 1 status of such project, or portion thereof, shall be lost, unless such project is classified category 1 by reason of another valid permit, and the project shall be appropriately classified pursuant to section 34-925.

In applying this provision "substantially altered" shall be considered as any action done through the initiative of the property owner or the property owner's agent provided however that "substantially altered" does not include those actions classified as minor amendments in section 35-412 and section 35-715 of chapter 35.

(d) A developer may voluntarily go to category 2 or 3 as appropriate, with the ability to transfer platting fees to the new category 2 or 3 project.

(e) If a project is classified as category 1 under section 34-925, then the San Antonio Water System shall, when commenting to the Texas Commission on Environmental Quality regarding an application for a water pollution abatement plan (WPAP), recommend that the WPAP include, at a minimum, the elements contained in section 34-911.

(Ord. No. 81491, § 1(App. I), 1-12-95; Ord. No. 2006-02-16-0241, § 2, 2-16-06; Ord. No. 2014-08-14-0581, § 3, 8-14-14)

Secs. 34-927—34-929. - Reserved.

**Sec. 34-930. - Pollution prevention criteria in Category 2.**

The following criteria and restrictions shall apply to all regulated activity on a project that is classified as category 2 by section 34-925 of this division:

(a) Single-family residential. The projected impervious cover for all single-family residential development of a category 2 project shall not exceed a maximum of thirty (30) percent gross impervious cover.

(b) Multi-family residential. The projected impervious cover for multifamily residential development of a category 2 project shall not exceed a maximum of fifty (50) percent gross impervious cover.

(c) Commercial. The projected impervious cover for commercial development of a category 2 project shall not exceed a maximum of sixty-five (65) percent gross impervious cover.

(d) Special conditions. Development activities regulated by this section shall be subject to the following special conditions:

(1) Within a multi-use project, impervious cover limits may be exceeded in a given area if compensated for in another area which is within the same overall project and which is dedicated on a simultaneous basis.

(2) The allowable impervious cover in this section does not override requirements for significant recharge feature protection buffer zones or floodplain preservation areas and buffer zones.

(3) Additional control strategies as described in Subdivision E are required on all multi-family and commercial development.

(4) Non-Structural Best Management Practices as described in Subdivision E are required for all single-family developments

(5) Must be designed to prevent degradation.

(e) Monitoring. Monitoring of runoff for pollutant concentrations and loadings shall be required, according to standards established by the SAWS pursuant to its stormwater program and/or NPDES permit process, including but not limited to, baseline assessments, appropriate pollution prevention design, performance inspections, and nondegradation requirements. The monitoring methods, protocol and expense will be determined by SAWS at the time of permit review and approval. Expenses for monitoring will be the responsibility of the affiant.

(f) Major intersection nodes (node). For the purpose of this section a node shall mean a rectangular area centered on a major intersection, and having boundaries based on a linear distance from the outer limits of the rights-of-way (ROW) of the intersecting streets, roads, or highways (nodal distance). The length and width of the node is equal to the ultimate rights-of-way width of the street plus the nodal distance on each side of the street ROW, as determined by the resource protection and compliance department and the City of San Antonio. Percentages of impervious cover in Major Intersection Nodes may exceed the limits imposed elsewhere in this division, but shall be limited as follows:

|                           |                |                                |
|---------------------------|----------------|--------------------------------|
|                           |                |                                |
| Hwy-Hwy Intersection      | 2500'          | 80% Maximum                    |
| Hwy-Arterial Intersection | 1000'          | 75% Maximum                    |
| Type of Intersection      | Nodal Distance | Commercial Impervious Coverage |

(Ord. No. 2006-02-16-0241, § 2, 2-16-06; Ord. No. 2014-08-14-0581, §§ 3, 9, 8-14-14)  
Secs. 34-931—34-934. - Reserved.

**Sec. 34-935. - Pollution prevention criteria in Category 3.**

The following criteria and restrictions shall apply to all regulated activity on a project that is classified as category 3 by section 34-925:

(a) Single-family residential. The projected impervious cover for all single-family residential development of Category 3 property shall not exceed a maximum of fifteen (15) percent gross impervious cover, or the maximum impervious cover specified in accordance with subsection (d) of this section.

(b) Multi-family residential. The projected impervious cover for multi-family residential development of Category 3 property shall not exceed a maximum of fifteen (15) percent gross impervious cover, or the maximum impervious cover specified in accordance with subsection (d) of this section.

(c) Commercial. The projected impervious cover for commercial development of Category 3 property shall not exceed a maximum of fifteen (15) percent gross impervious cover, or the maximum impervious cover specified in accordance with subsection (d) of this section.

(d) Additional impervious cover. The maximum impervious cover requirements of subsection (a), (b), and (c) above shall apply unless the property owner or his agent provides clear and convincing evidence, which at a minimum shall consist of engineering documents submitted under the seal of a registered engineer, that the proposed impervious cover in excess of is fifteen (15) percent gross will not cause degradation as defined herein.

(e) Multi-use project. Within a multi-use project, impervious cover limits may be exceeded in a given area if compensated for in another area of the overall project if dedicated on a simultaneous basis.

(Ord. No. 81491, § 1(App. I), 1-12-95; Ord. No. 2006-02-16-0241, § 2, 2-16-06; Ord. No. 2014-08-14-0581, § 3, 8-14-14)

Secs. 34-936—34-944. - Reserved.

**Sec. 34-945. - Multi-category developments.**

Impervious cover allowances for development identified in sections 34-925 through 34-935 above, shall be prorated according to the categories within those areas when multi-category development is proposed.

(Ord. No. 81491, § 1(App. I), 1-12-95)

Secs. 34-946—34-959. - Reserved.