§ 50.37 - IMPERVIOUS COVER.

(A) *Maximum limitations.* A 30 percent max mum limitation on impervious cover is hereby established for any new development or redevelopment added together with the existing development for the site.

(B) *Impervious cover limit calculations.* Impervious cover limits in this section are expressed as a percentage of the gross site area of the subject tract. For purposes of calculation of impervious cover limits, the gross site area includes water qualify buffer zone (WQBZ) areas and critical environmental feature (CEF) setback areas.

(C) *Human-made improvements.* Impervious cover shall include all human-made improvements which prevent the infiltration of water into the natural soil or prevent the migration of the infiltration as base flow. The following shall be considered as impervious cover:

(1) Roads, pavements and driveways;

(2) Parking areas;

(3) Buildings;

(4) Pedestrian walkways and sidewalks;

(5) Concrete, asphalt, masonry, surfaced areas and paving stone surfaced areas;

(6) One hundred percent of the horizontal water surface area of a swimming pool, spa, hot tub, or aquatic facility as listed in the 2015 ISPSC International Swimming Pool and Spa Code;

(7) Densely compacted natural soils or fills which result in a coefficient of permeability less than 1x10-6 cm/sec;

(8) All existing human-made impervious surfaces prior to development;

(9) Water quality and storm water detention basins lined with impermeable materials;

(10) Storm water drainage conveyance structures lined with impermeable materials; and

(11) Fifty percent of the horizontal surface area of an uncovered deck that has drainage spaces between the deck boards that is located over a pervious surface.

(D) *Exceptions to impervious cover calculations.*

(1) Existing roads adjacent to the development and not constructed as part of the development at an earlier phase;

(2) Naturally occurring impervious features, such as rock out crops;

(3) Landscaped areas and areas remaining in their natural state;

(4) Water quality controls and storm water detention basins not lined with impermeable materials; and

(5) Storm water drainage conveyance structures not lined with impermeable materials.

(6) Interlocking or "permeable pavers" based on percent of permeability;

(7) Functioning rainwater harvesting systems.

(E) *Reduction incentives.*

(1) *Rainwater harvesting.* Rainwater harvesting consists of a series of components designed to capture, store and reuse rainwater. A rainwater harvesting system consists of six basic components including:

(a) Catchment area/roof, which is the surface on which the rain falls;

(b) Gutters and downspouts, which transport the water from the catchment area to storage;

(c) Leaf screens and roof washers, which are used to filter out debris;

(d) Cisterns or storage tanks where collected rainfall is stored;

(e) Conveyance, which is the method of delivering the water either by gravity or pump; and

(f) Water treatment, which includes filters and equipment that are used to settle, filter, and disinfect the water if it is to be used for drinking water.

(2) A rainwater harvesting system approved under this article shall comply with the following minimum requirements:

(a) The entire system, including rainwater collection, conveyance and storage, shall be isolated from the site storm water system.

(b) The collected rainwater shall be used for on-site irrigation or other purposes as approved by the City.

(c) The system shall comply with the pollution control performance standards of § 50.35.

(d) The on-site irrigation system shall be designed in accordance with standard irrigation practices considering such factors as soil type, slope, and vegetative uptake rates.

(3) Rainwater collection and containment structures functioning as a rainwater harvesting system are not considered impervious cover. Such structures and/or improvements can be used to obtain credit towards any impervious cover requirement set forth in this article. Structures and/or improvements (e.g., building roofs, patios, awnings, etc.) from which stormwater is harvested are considered impervious cover.

(4) In order to qualify to receive credit for a rainwater harvesting system, the system must be designed to exceed normal draw (i.e., no credit will be given if the tank routinely stays full). Credit is just for the tank cover. In order to qualify, the applicant must demonstrate where water is going, (e.g., how it will be drawn down, use as non-potable source rainwater, or irrigation).

(5) Credits can zero-out impervious cover for purposes of calculating runoff treatment for the captured area. Applicants may also get up to ten percentage points credit toward additional cover. The calculation procedures are found in the *Cypress Creek Technical Resource Guide*.

(F) R*estrictions on siting of impervious cover.*

(1) Impervious cover shall not be constructed downstream of water quality controls except for specific instances reviewed and approved by the City Engineer.

(2) Impervious cover shall not be constructed within WQBZs except as allowed by this chapter.

(3) Impervious cover shall not be constructed within critical environmental feature setback areas.

(4) Impervious cover shall not be constructed within the areas designated for on-site irrigation of treated wastewater effluent disposal and/or captured stormwater.

(Ord. 10-139, 2-10-2010; Ord. 14-194, 6-11-2014; Ord. 20-278 , 2-12-2020; Ord. No. 21-289 , § 2, 1-13-2021; Ord. No. 22-301 , 2-9-2022)

Cross reference— Penalty, see § 50.99