

Amendments to Subchapter 3 Procedures and Subchapter 23 Definitions

Subchapter 3 - Procedures

35.3.7 Staff Review Procedure.

D. Appeals:

1. A Staff decision on Site Design reviews may be appealed to the Planning and Zoning Commission.
2. A Staff decision on Minor Plats is final and may not be appealed.
3. A staff determination pursuant to Sections 35.3.7.A.3 and A.4 may be appealed to the Board of Adjustment.
4. A Staff decision on a Watershed Protection Permit or a Gas Well Development Plat may be appealed to the Planning and Zoning Commission pursuant to law, Home Rule authority and its authority under Tex. Loc. Gov't Code Chapter 212.
5. A Staff decision on an Environmentally Sensitive Areas (ESAs) field assessment may be appealed to the Zoning Board of Adjustment.

Subchapter 23 – Definitions

35.23.2 Definitions and Terms.

~~**Developed Floodplains:** Any area defined as a floodplain within the FEMA 100-year floodplain. These areas have typically been channelized or the land within these areas has been graded, filled, or otherwise disturbed.~~

Developed Floodplains: Areas within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain) for which the natural streams have been redesigned and no longer exhibit characteristics of a natural channel and/or their floodplains have been significantly modified, graded, filled, or otherwise disturbed.

Nuisance: Physical or environmental conditions resulting in regular and/or continuous problems affecting the health, safety, and quality of life of citizens.

~~**Riparian Buffers:** Areas identified as 100 feet from the stream centerline for streams draining a basin of greater than one square mile, and 50 feet from any streams that drain areas of one square mile or less. It also includes any areas identified as riparian through any Army Corps of Engineers Section 404 Permit Process.~~

Riparian Buffers: Areas within 100 feet, measured from both sides of the stream centerline, with drainage areas greater than one square mile, and 50 feet from both sides of any streams centerline that drain areas of one square mile or less. This also applies to the outer edges of surface water bodies.

Streams: Linear geographic features that convey flowing waters. Headwater streams are the uppermost, low-order streams of a watershed and comprise the majority of streams in the United States, both in terms of number and length. Streams can be perennial, intermittent or ephemeral.

Surface Water Body: Term to include streams, ponds, lakes, and freshwater wetlands.

~~**Undeveloped Floodplains:** Areas within the FEMA 100-year floodplain, or other floodplain that is undeveloped and in its natural state.~~

Undeveloped Floodplains: Areas within the FEMA 1% Annual Chance Floodplain (a.k.a. 100-year floodplain), that are undeveloped and in their natural state.

~~**Upland Habitat:** Areas, a minimum of ten acres in size, that contain remnants of the eastern Cross Timbers Habitat.~~

Upland Habitats: Contiguous areas ten acres or larger of Cross Timbers habitat.

Valley Storage: Water storage capacity of a stream and is a volume that is measured below the base flood elevation.

~~**Water Related Habitats:** Areas designated for wetland, tree and understory preservation and including significant stands of predominately native water related habitat. These areas include wetlands.~~

Water Related Habitats: Areas designated as wetlands, and trees and understory vegetation containing 50 percent or more of predominately native bottomland hardwood. Bottomland hardwoods occur on the first terrace of floodplains and flats along channels. Periodic inundation prevents establishment of upland species and maintains the functioning of this type of vegetation.

~~**Wetlands:** Jurisdictional wetlands as defined by the Federal Clean Water Act and the standards and guidelines in use by the United States Army Corps of Engineer, including the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Those areas that are inundated or saturated by surface or ground water (hydrology) at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation, and are (hydrophytes) typically adapted for life in saturated soil conditions (hydric soils). Wetlands generally include swamps, marshes, bogs, and similar areas.~~

Wetlands: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Includes adjacent and isolated wetlands.