

**03/23/2016 DRAFT: FOR REVIEW ONLY**  
**ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING SECTION 25-8-514 OF THE CITY CODE AND GRANTING A VARIANCE TO SECTIONS 25-8-281, AND 25-8-341 OF THE CITY CODE TO ALLOW CONSTRUCTION WITHIN THE BUFFER OF A CRITICAL ENVIRONMENTAL FEATURE, AND TO ALLOW A CUT EXCEEDING A DEPTH OF FOUR FEET.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** This ordinance grants a site-specific amendment to City Code Section 25-8-514 (*Save Our Springs Initiative*) and variances to City Code sections 25-8-281 (*Critical Environmental Features*) and 25-8-341 (*Cut Requirements*) subject to Site Plan 2012-0104D to facilitate spring outlet daylighting and stream restoration at Eliza Spring (hereinafter the “Restoration Project”).

**PART 2.** A variance is granted from Section 25-8-281 (*Critical Environmental Features*) and Section 25-8-341 (*Cut Requirements*) and an exemption is provided from Section 25-8-514 (*Pollution Prevention Required*) of the City Code as amended to allow construction within the buffer of a critical environmental feature, cut of a tract of land exceeding a depth of four feet and an exemption from pollution prevention requirements of the Save Our Springs Ordinance associated with the Restoration Project as shown in Exhibits A and B.

**PART 3.** Construction authorized by this ordinance must adhere to the following conditions:

- (A) Protection of endangered species using the Conservation Measures described in the U.S. Fish and Wildlife Service Incidental Take Permit TE-839031-1 issued to the City of Austin.
- (B) Areas disturbed by construction will use protections for trees as warranted and use erosion and sediment controls. After construction, all disturbed areas will be revegetated.
- (C) A plan for handling water originating from Eliza Springs to re-route it from the Eliza Spring amphitheater, around the excavation of the existing outlet pipe, and into Barton Creek or the Barton Creek bypass culvert.
- (D) A plan for handling groundwater infiltrating into the trench excavations during construction, filtering suspended solids from the water to applicable standards and discharging the water into Barton Creek or the Barton Creek bypass culvert.
- (E) After the Restoration Project is complete, the new stream channel will be vegetated.

**PART 4.** This ordinance takes effect on \_\_\_\_\_, 2016