



Recommendation for Action

File #: 22-3291, **Agenda Item #:** 21.

11/3/2022

Posting Language :

Set a public hearing to consider an ordinance amending City Code Title 25 and Chapter 9-2 to allow construction of certain transit system projects and related transportation infrastructure. (Suggested date: December 1, 2022, Austin City Hall, 301 West Second Street, Austin, TX).

Lead Department :

Project Connect Office, Management Services Department.

Fiscal Note :

This item has no fiscal impact.

Prior Council Action:

October 29, 2021 - Council approved resolution No. 20211029-003, which directed City Staff to review City Code, Criteria Manuals and permitting processes to identify impediments to the design, construction, and implementation of Project Connect. The resolution also directed staff to develop new regulations and procedures to address impediments and present these Code amendments to City Council.

For More Information:

Donna Galati, Capital Delivery Project Manager, 512-974-2733; Liane Conte, Chief of Staff, 512-974-7922; Annick Beaudet, Mobility Officer, 512-974-7959.

Council Committee, Boards and Commission Action:

September 21, 2022 - Codes and Ordinances Joint Commission was unable to hear the item due a to lack of quorum.
October 4, 2022 - Urban Transportation Commission voted in support of the ordinance as presented on a vote of 8-0; 1 abstention.
October 5, 2022 - Environmental Commission approved a recommendation for the ordinance on a vote of 8-0; 3 absences.
October 11, 2022 - Planning Commission approved a recommendation for the ordinance on a vote of 11-0; 1 absence.
October 18, 2022 - Zoning and Platting Commission postponed action on the item to November 1, 2022.
October 19, 2022 -Downtown Commission approved a recommendation for the ordinance on a vote of 5-4.
October 24, 2022 - Scheduled to go before the Design Commission.

Additional Backup Information:

This ordinance is in response to Council resolution No. 20211029-003 and brings forth amendments to City Code that lay an initial foundation to support the permitting and construction of a Transit System Project. The items in this ordinance are not predicated on a specific design or scope, but rather are provisions that expand permitting options, clarify uses, and provide a programmatic approach to noise mitigation that the program will need from the outset as it determines the best approach to permitting and construction.

The need for this work was in part inspired by a report released in 2021 by the ENO Center for Transportation

titled "Saving Time and Making Cents: A Blueprint for Building Transit Better" that identified local regulation, permitting, and decision-making procedures throughout the United States as an obstacle to achieving viable, cost-effective transit systems. The report also noted that successfully constructed mass transit systems apply modified regulations and review procedures to accommodate the unique challenges of transit construction.

Current City Code, criteria manuals and permitting processes do not make provisions for long, linear rail projects of this size and scope. Acting on Council direction and with the information currently available, staff identified areas where amendments or new regulations could be tailored or provide greater flexibility to facilitate successful construction of these projects.

Strategic Outcome(s):

Mobility.