

**PROPOSED LANGUAGE FOR PROJECT CONNECT ORDINANCE
DRAFT SUBJECT TO ADDITIONAL CHANGES**

PART 1. Project Connect is the City’s high-capacity transit system expansion, which will ultimately consist of multiple light rail lines, a downtown subway, an expanded bus system, and associated transportation terminals. To facilitate the construction of this critical transportation infrastructure, certain modifications and waivers to City Code are necessary to ensure that construction of a high-capacity transit system is completed in a timely manner.

PART 2. This ordinance and the attached Exhibits A and B consist of the “Transit System Regulations”. Development of the Transit System shall conform to the limitations and conditions set forth in this ordinance. If this ordinance and the attached exhibits conflict, this ordinance controls. Except as otherwise provided by this ordinance, all other rules, regulations, and ordinances of the City apply.

PART 3. The attached exhibits are incorporated into this ordinance in their entirety as though set forth fully in the text of this ordinance. The exhibits are as follows:

- A. Transit System Exhibit
- B. Transit System Noise and Mitigation Plan Requirements

PART 4. Definitions.

- A) Transit System Project means a transportation project with any related appurtenances, including but not limited to a rail and public transit line, rail station, or a transportation terminal, funded by a public entity that is located on publicly owned land, either in fee or public easement and generally depicted on attached Exhibit A.
- B) Unless otherwise specifically defined, all terms in this ordinance shall have the meaning established in Title 25 of Code of the City of Austin, Texas (the “Land Development Code”).

PART 5. Any construction activities associated with a Transit System Project must comply with a noise and mitigation plan approved by the City that meets the requirements listed in Exhibit B. To the extent there is a conflict with Chapter 9-2 (*Noise and Amplified Sound*), the Transit System Noise and Mitigation Plan will control.

PART 6. Transit System Uses

- A) The use of a site for a traction powered substation is a Local Utility Service use as described in 25-2-6(28).

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- B) The use of a site for the provision of maintenance, repair, vehicular or equipment servicing, material storage, or similar activities for light rail lines is a Maintenance and Facilities use as described in 25-2-6 (29).

PART 7. Code Modifications. The following code modifications apply to a site plan application for a Transit System Project.

A) Site Plan

1. Subsection (B) of Section 25-5-21 (*Phased Site Plan*) is modified to allow the director to approve development phasing if the date on the final phase is not more than ten years after the approval date of the site plan. Planning Commission approval is required for development phasing if the date proposed for beginning construction of a phase is more than ten years after the approval date of the site plan.
2. Section 25-5-22 (*Engineering Plans for a Phased Site Plan*) is modified to allow additional development phases to be added to an approved site plan. Any additional development phases shall be considered an update under Section 25-5-113 (*Updates*).
3. Section 25-5-23 (*Fast Track Permit*) is modified to allow the director to approve a fast-track permit that does not require a certificate of occupancy. Section 25-5-23 (*Fast Track Permit*) is further modified to allow the director to approve a fast-track permit that requires a variance.
4. Section 25-5-81 (*Site Plan Expiration*) is modified to allow a site plan to expire 10 years after its approval.
5. Section 25-5-113 (*Updates*) is modified to allow an applicant to file an update to a site plan up to five years after the date the application is filed. Days may still be added to the update deadline under Section 25-1-88 (A) (*Extension of Update Deadline*).

B) Fiscal

City Code Section 25-1-112 (*Fiscal Security*) is modified such that a Transit System Project is not required to post fiscal.