



# Project Connect Foundational Ordinance and Regulations

October 19, 2022

Downtown Commission



CapMetro





# Project Connect Overview

# Project Connect: Program Components

## PROJECT CONNECT – PROGRAM COMPONENTS

Orange Line – NLTC to Stassney Phase 1 (LRT), Enhanced MetroRapid

Blue Line – Riverside Corridor (LRT)

Gold Line – MetroRapid, NEPA completion for LRT

Downtown Tunnel (Orange, Blue Lines)

MetroRapid – Expo, Pleasant Valley, Burnet to Menchaca/Oak Hill

Green Line to Colony Park – NEPA, Final Design, Construction

Red Line Improvements

MetroExpress, Park & Rides, Transit Centers (3 New Routes, 9 P&R, 1 TC)

Neighborhood Circulators (15 New Zones / Vehicles)

Maintenance Facility Improvements

Customer Technology Systems

Anti-Displacement Investments

### LEGEND

#### LIGHT RAIL

- Orange Line
- Potential Future Extension
- Blue Line

#### METRO RAIL

- Red Line
- Green Line
- Potential Future Extension

#### METRO RAPID

- Gold Line
- Enhanced MetroRapid Route
- Potential Future Extension

#### METROBUS

- Current Frequent Local Routes

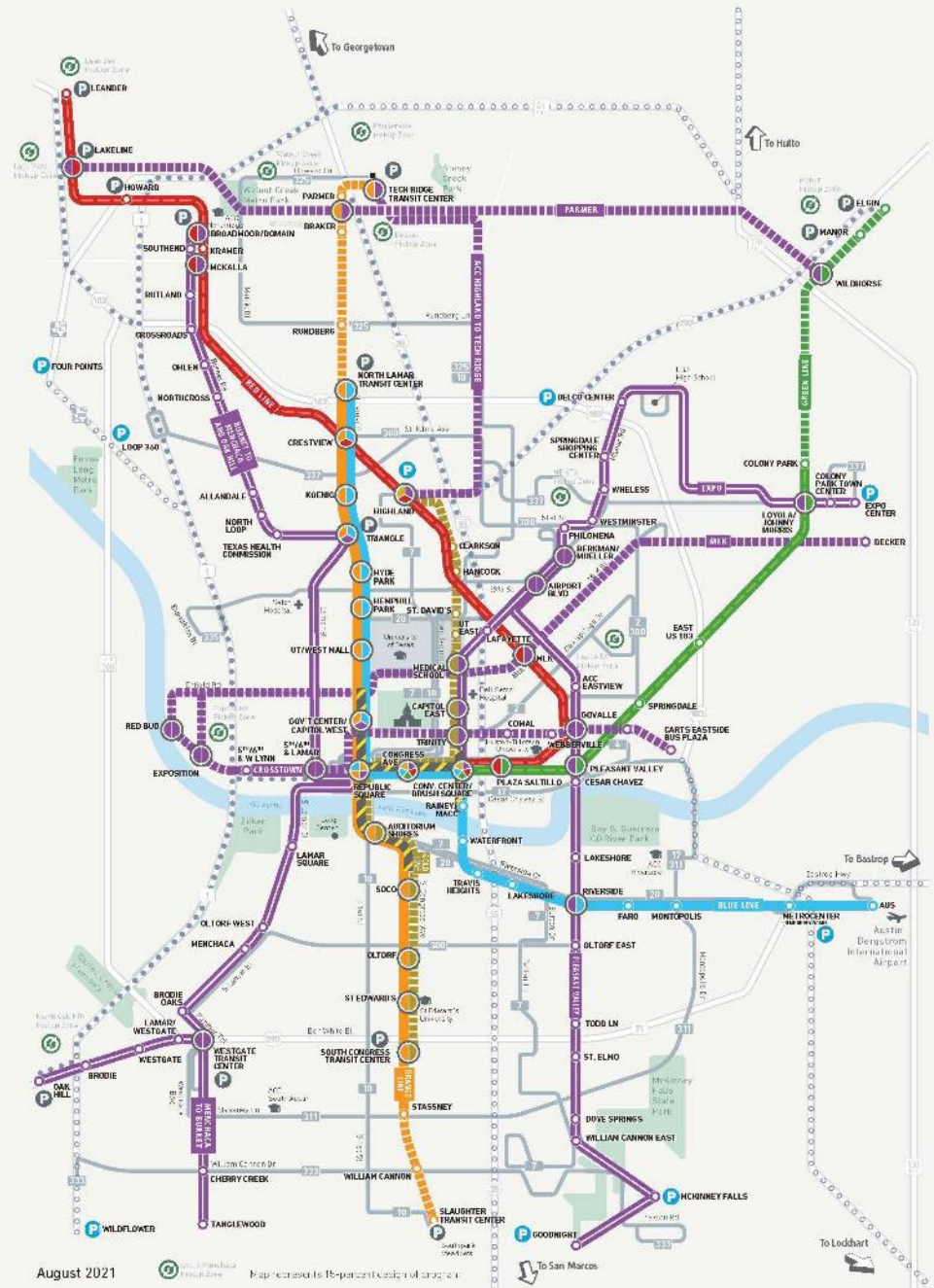
#### METROEXPRESS

- Current MetroExpress
- Future MetroExpress

#### ADDITIONAL AVAILABLE SERVICES

- MetroAccess
- MetroBike
- CURRENT PARK & RIDE
- PROPOSED PARK & RIDE
- CIRCULATOR
- TUNNEL

SCHEMATIC MAP  
NOT TO SCALE



# Integrated Program Delivery



## Program Element Leads



- Orange Line
- Blue Line
- Tunnel
- Green Line – Phase 1
- Facilities

- MetroRapid
- MetroExpress
- Pickup
- Customer technology upgrades
- Red Line improvements

- Permitting
- Right of Way Coordination
- Utility Design and Coordination
- Active Transportation & Traffic Coordination
- Anti-displacement investments



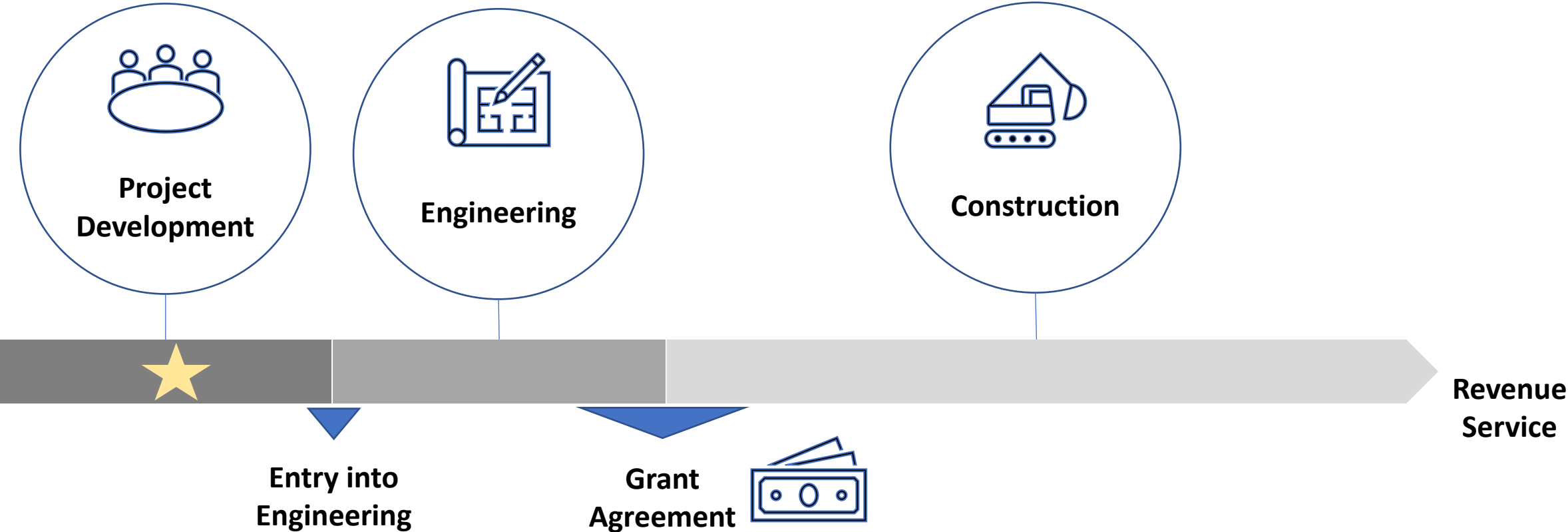
# Project Connect in Progress

## MetroRapid Expansion, Red Line Improvements, Pickup Service Expansion

- Summer 2021: Three new Circulator Pickup Zones
- December 2021: MetroRapid Expo Center Groundbreaking
- February 2022: MetroRapid Pleasant Valley Groundbreaking
- July 2022: Red Line McKalla Station Groundbreaking
- August 2022: MetroBike Program incorporated into CapMetro
- Summer 2023: Target for new MetroRapid in Service
  - All-electric, Zero emission buses, Solar where possible



# Light Rail Project Development Process



Note: Project Development includes Preliminary Engineering





# Light Rail Project Cost Considerations



## COST BASIS ASSUMPTIONS

Original cost estimates (2019-2020) were based on 5% design and peer transit system comparison data

2022: costs have increased significantly (up to 70%-80%), due to the following drivers:



Right-of-way and real estate prices (Austin market)



Inflation, labor shortage, and anticipated supply chain barriers



Program scope changes as a result of community input and technical requirements (e.g. Tunnel length increase from 1.5 to 4 miles)



## NEXT STEPS

- NEED TO ALIGN PROGRAM SCOPE AND SEQUENCING TO AVAILABLE FUNDING
- Community input will be essential to defining project scope, phasing and next steps.

Tax increment rate will not be increased to cover ongoing program costs



# Federal Environmental Review Process

The National Environmental Policy Act (NEPA) process requires federal agencies to:

- Assess the potential impacts of their actions on the human and natural environment
- Avoid, minimize or mitigate adverse effects where reasonably feasible
  - Where impacts are identified, mitigation strategies are defined, and could include items such as maintaining property access, tree relocation, or noise monitoring during construction
- Inform the public that environmental concerns were considered in their decision-making process



## Cultural Environment



Historic and  
Archeological



Park and  
Recreation



Visual and  
Aesthetic



## Physical and Natural Environment



Air  
Quality



Water  
Quality



Noise and  
Vibration



Trees



## Human Environment



Environmental  
Justice



Neighborhood &  
Community



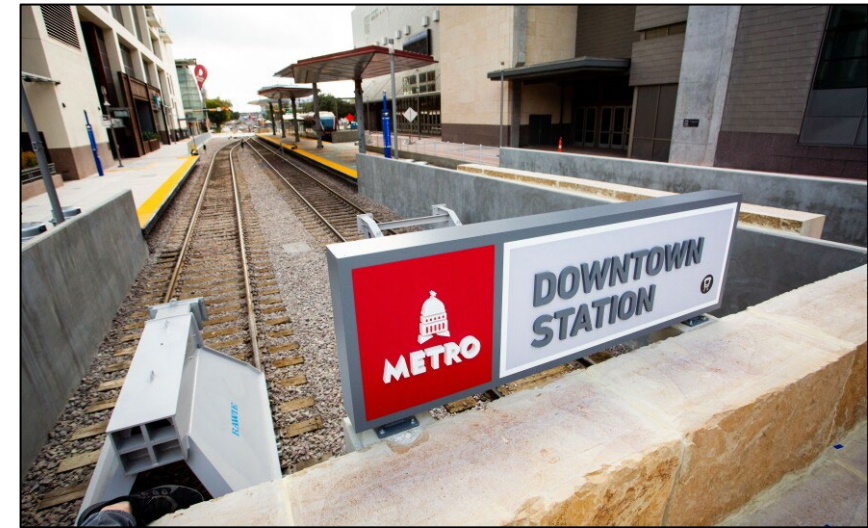




# Foundational Ordinance

# Project Connect is Unique and Complex

- A project of this type and magnitude has never been built in our city.
- Existing code and criteria focused on vertical, site-specific development, not miles of linear rail
- Most complex retrofitting of existing Right-of-Way the city has ever undertaken
- Once in a generation program
  - Environmental benefits including climate equity plan goals
  - Support ASMP mode shift goals
  - Health and safety improvements
  - Transforming transit network
  - Connecting communities





# Regulations and Permitting Create Obstacles and Increase Costs

- 2021 ENO Report – local regulations and permitting in US is one obstacle to viable cost-effective rail
- Project Connect size, scope and timeline will require greater flexibility and tailored regulations
- Successful rail construction has benefited from modified regulations and review procedures
- Opportunity to be proactive, address obstacles where code is silent on how to do this



# Council Directed Staff to Review City Code, Criteria and Regulations

- October 29th, 2021– City Council passed Resolution #202111029-003
- The Austin Strategic Mobility Plan (ASMP), voter approval of Project Connect, and the ENO report findings **drove the need** for this review and ordinance initiation.
- Resolution Directs staff to:
  - “Review City Code, including LDC, Criteria Manuals and permitting procedures to identify impediments to design, construction, implementation and operation of Project Connect.”
- The proposed amendments in **this ordinance address needs we know about today** that will benefit the project as it proceeds.

## RESOLUTION NO. 20211029-003

**WHEREAS**, the Austin Strategic Mobility Plan ("ASMP") (Ordinance No. 20190411-033) is the transportation element of the Imagine Austin Comprehensive Plan and calls for a 50/50 mode share by 2039, which includes increasing use of sustainable modes such as walking, bicycling, teleworking and transit;

**WHEREAS**, City Council adopted Resolution No. 20190808-081 directing the City Manager to "analyze and report on options for the City of Austin and other related or interested public or private entities to leverage resources to support the creation, operation, and maintenance of a high-capacity transit system";

**WHEREAS**, Austin voters approved Project Connect, the regional high-capacity transit system, on November 3, 2020;

**WHEREAS**, on December 18, 2020, the City of Austin and the Capital Metropolitan Transportation Authority created a local government corporation named the Austin Transit Partnership Local Government Corporation to aid the City and Capital Metro and act on their behalf to accomplish the governmental purpose of implementing the Project Connect System Plan;





# Components of This Ordinance

1. Structure for Transit System Project (TSP) Regulations
2. TSP Construction Noise and Mitigation Plan Requirements
3. Adjustments to Permitting Process
4. Transit System Uses
5. Fiscal Exemption Outside the ROW



# 1. Structure for Transit System Project Regulations

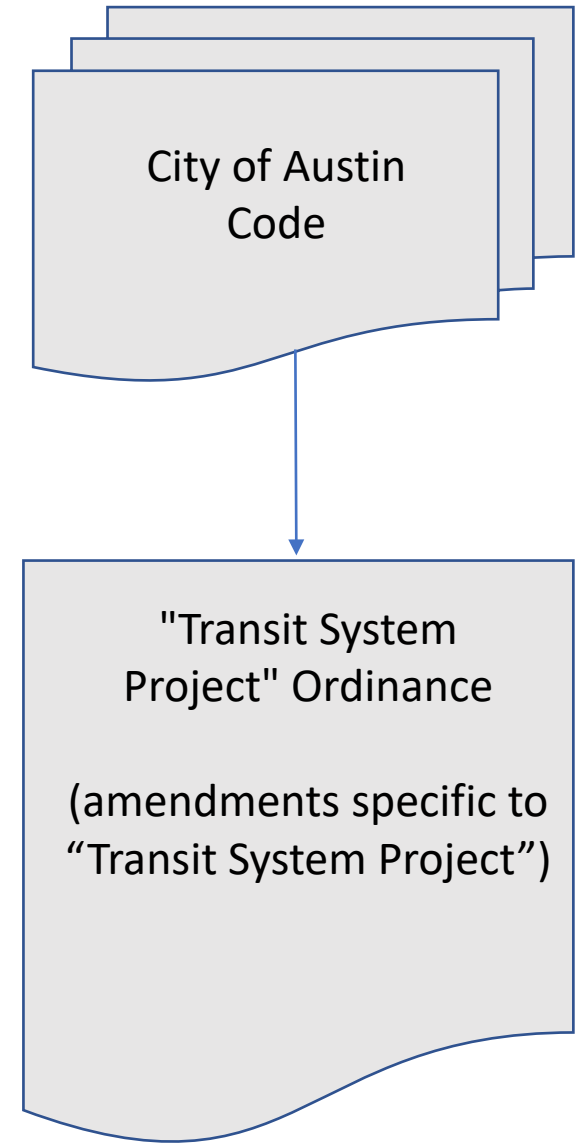
## Ordinance Structure

Freestanding ordinance that will house regulations targeted for Transit System Projects.

## New Definition

### *Transit System Project*

A transportation project generally depicted on Exhibit A (the Project Connect System Map) 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.





## 2. TSP Construction Noise and Mitigation Plan Requirements

- As part of the National Environmental Project Act (NEPA) process, ATP will have to identify mitigations for construction noise and these **mitigations are binding**.
  - The public will review mitigations when the Draft Environmental Impact Statement is released.
  - **Regular monitoring during construction** will be required
    - Current code does not require monitoring until noise escalation process is initiated after verified complaints
- FTA has additional **best practice recommendations that the City will require** as part of their Noise Policy.





## 2. TSP Construction Noise and Mitigation Plan Requirements

***Submission of three plan components for review and approval:***

### Noise Mitigation and Monitoring Plan

- Documents mitigation commitments identified through NEPA environmental process
- Submitted to FTA
- Mitigation commitments are binding

### Contractor-specific Noise Control Plan Requirements

- ATP will submit their requirements for contractor-specific Noise Control Plans that addresses mitigation for their specific equipment and methods of construction

### Programmatic Project Communication Plan

- Procedures for:
  - Dedicated webpage
  - Posting information
  - Public Notification
  - Noise complaints
  - Posting periodic monitoring information





### 3. Adjustments to Permitting Process

- The Land Development Code (Chapter 25-5) provides for existing Fast Track and Phased Engineering Site Plan processes, but some adjustments are needed to accommodate the project.
- We are proposing minor changes to Fast Track, Phased Engineering and other site plan provisions:
  - The inclusion of a building is not a pre-requisite for entering the Fast Track process
  - Variances can be processed at the phase level within the Fast Track process
  - Allowing additional phases in Phased Engineering or Fast Track site plans to be added as updates, not revisions
  - Site plans have a 10-year life



## 4. Transit System Uses

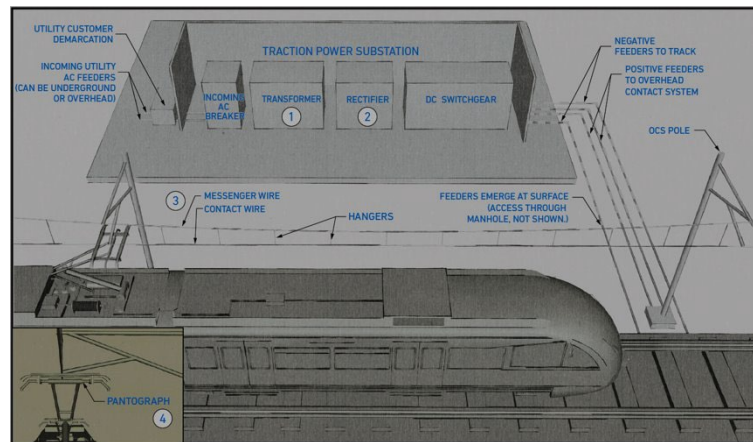
- The LDC defines certain broad use categories and lists examples of the types of uses that fall into the broad categories.
- Because this is our first light rail project, there is equipment the City has not previously seen; therefore, we want to define the use in this ordinance.



## 4. Transit System Uses

Local Utility Service use includes: **Traction-Powered Substations (TPSS)**

A **Local Utility Service** is the use of a site for the provision of services that are necessary to support the development in the area and involve only minor structures including lines and poles.



## 4. Transit System Uses

Maintenance and Service Facilities use includes:  
**a light rail maintenance facility**

**Maintenance and Service Facilities** is the use of a site for the provision of maintenance, repair, vehicular or equipment servicing, material storage, or similar activities, and includes equipment service centers and similar uses having characteristics of commercial services, contracting, or industrial activities.



Sound Transit, Operations & Maintenance Facility East - Bellevue, WA



## 5. Fiscal Exemption Outside the ROW

- The Corridor Program Office (CPO) ordinance approved in May 2022 exempted Public Mobility Projects inside the Right-of-Way (ROW) from the requirement to post fiscal surety.
- This ordinance expands the fiscal exemption to Transit System Projects **outside of the ROW** such as a Park and Ride.



# City of Austin Boards & Commissions – Project Connect Roles

- Fulfill regulatory requirements:
  - Subject specific ordinances & code updates
  - Commission level variances or other approvals needed for permitting / project delivery
- Subject specific presentations to subject-relevant commissions (e.g. NEPA to Environmental Commission)
- Regular program updates on an *annual* basis



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