

1 **PART 1.** On March 9, 2000, City Council adopted Ordinance No. 000309-114 to  
2 designate a future rail corridor consisting of the Fourth Street right-of-way between  
3 Interstate 35 and Rio Grande Street, and West Third Street right-of-way from Shoal Creek  
4 to North Lamar Boulevard. The rail itself was not approved. This ordinance repeals  
5 Ordinance No. 000309-114.

6  
7 **PART 2.** On November 15, 2022, City Council adopted Ordinance No. 20221115-048  
8 (the “Original Ordinance”), approving the Transit System Project Regulations to facilitate  
9 the construction of Project Connect, the City’s high-capacity transit system expansion.

10  
11 **PART 3.** The attached exhibits are incorporated into this ordinance in their entirety as  
12 though set fully in the text of this ordinance. The exhibits are as follows:

- 13 Exhibit A and A-1: Transit System Project Map
- 14 Exhibit C: Preliminary Water Quality Treatment Map

15  
16  
17 **PART 4.** This ordinance and the attached exhibits amend the Original Ordinance as  
18 amended for the Transit System Project Regulations, modifying conditions and replacing  
19 any likewise named or identified exhibits in the Original Ordinance as amended.  
20 Development of and uses for the Transit System Project shall conform to the limitations  
21 and conditions set forth in this ordinance and in the attached exhibits. If this ordinance and  
22 the attached exhibits conflict, this ordinance controls. Except as otherwise specifically  
23 provided by this ordinance, all other rules, regulations and ordinances of the City of Austin  
24 (“City”) apply to a Transit System Project.

25  
26 **PART 5. Definitions.**

- 27  
28 (A) Austin Light Rail means the light rail system generally depicted on Exhibit A-1  
29 with any related appurtenances funded by a public entity.
- 30  
31 (B) Offsite Treatment Area may include adjacent rights-of-way and single-family  
32 subdivisions.
- 33  
34 (C) Unless otherwise specifically defined, all terms in this ordinance shall have the  
35 meaning established in City Code Title 25 (Land Development).
- 36  
37  
38  
39  
40

41 **PART 6. Code Modifications.** The following code modifications apply to development  
42 of the Austin Light Rail.

43  
44 (A) General Requirements and Procedures

- 45  
46 (1) City Code Section 25-1-21(108) (*Definitions, Site*) is modified to provide  
47 that a site may be a noncontiguous area and may cross a public street or  
48 right-of-way.  
49  
50 (2) The Director of Austin Development Services may allow development to  
51 be reviewed and approved in multiple layers within one overall site plan.  
52

53 (B) Transportation

- 54  
55 (1) City Code Section 25-6-171 (*Standards for Design and Construction*) is  
56 modified to allow Project Connect Design Criteria to supersede any  
57 conflicting requirements in Chapter 25-6 (*Transportation*), subject to final  
58 approval by the City Traffic Engineer or Director of Austin Transportation  
59 and Public Works.  
60  
61 (2) Notwithstanding any provision in Title 25 (*Land Development*) excluding  
62 Chapter 25-2 (*Zoning*), the planting of street trees in the right-of-way shall  
63 follow the criteria of this subsection.  
64  
65 (a) Street trees planted in the right-of-way that have a root barrier  
66 placed between the street tree and the street curb may have a  
67 horizontal clearance, measured from the outer edge of the root  
68 barrier to the outer edge of an existing storm drain that runs parallel  
69 to the light rail alignment, of:  
70  
71 (i) five feet; or  
72  
73 (ii) three feet if the sum of the minimum required widths for the  
74 utility review zone, separation distances for underground  
75 utilities, and required tree planting zones exceeds the  
76 available right-of-way width.  
77  
78 (b) Street trees are prohibited from being planted in a location where the  
79 location and vegetation planting height negatively impacts the  
80 visibility of traffic control devices or the sight distance visibility at  
81 intersections as determined by the City Traffic Engineer.

82 (C) **Environmental.**

- 83
- 84 (1) Site plans for the Austin Light Rail may demonstrate compliance with
- 85 Section 25-8-211 (*Water Quality Control Requirement*) under this
- 86 subsection.
- 87
- 88 (a) Once the total amount of new and redeveloped impervious cover
- 89 within the area of a site plan exceeds 8,000 square feet cumulatively,
- 90 water quality treatment will be required before a site plan layer may
- 91 be approved. This includes impervious cover that was constructed
- 92 under a previously approved site plan layer.
- 93
- 94 (b) The first site plan layer that requires water quality treatment under
- 95 subsection (a) must include a Water Quality Treatment Plan for the
- 96 Austin Light Rail that is reviewed and approved by the Director of
- 97 Austin Watershed Protection. The Water Quality Treatment Plan
- 98 shall include, at a minimum, the following information:
- 99
- 100 (i) a water quality treatment map;
- 101
- 102 (ii) impervious cover exhibits and calculations;
- 103
- 104 (iii) calculations for proposed off-site treatment areas and any
- 105 amount of proposed payment in lieu; and
- 106
- 107 (iv) a water quality tracking table.
- 108
- 109 (c) Subsequent site plan layers must include any updates or changes to
- 110 the Water Quality Treatment Plan for the Austin Light Rail. These
- 111 updates or changes are required to be reviewed and approved by the
- 112 Director of Austin Watershed Protection Department.
- 113
- 114 (d) Site plans may demonstrate compliance with water quality treatment
- 115 requirements across multiple watersheds.
- 116
- 117 (e) The “Preliminary Water Quality Treatment Map” attached as
- 118 “Exhibit C” generally describes the location and number of
- 119 proposed water quality control ponds. The Director of Austin
- 120 Watershed Protection may amend the exact locations and number of
- 121 ponds as applications are submitted.
- 122

- 123 (f) The Director of Austin Watershed Protection may allow payment  
124 instead of construction of water quality controls. The amount of  
125 payment required is based on a formula in Appendix U of the  
126 Environmental Criteria Manual. Any payment collected shall be  
127 deposited in the Urban Watersheds Structural Control Fund or the  
128 Suburban and Water Supply Structural Control Fund based on the  
129 watershed designation in the site plan area.
- 130
- 131 (g) The Director of Austin Watershed Protection may allow an off-site  
132 treatment area to demonstrate compliance with water quality  
133 requirements if the off-site treatment area is:
- 134
- 135 (i) treated by a permitted or constructed water quality control  
136 regarding or related to Austin Light Rail; and
- 137
- 138 (ii) not used to demonstrate compliance for another site plan.
- 139
- 140 (h) The Director of Austin Watershed Protection may agree to  
141 reimburse a public entity constructing the Austin Light Rail for any  
142 water quality treatment provided that exceeds regulatory  
143 requirements for development approval.
- 144
- 145 (2) City Code Section 25-8-604 (*Development Application Requirements*) is  
146 modified to allow the use of tree surveys up to 10 years from date of  
147 survey to align with the extended site plan, applying agreed-upon proxy  
148 growth rates accordingly if the survey is certified by a registered  
149 professional land surveyor in the State of Texas and conducted in  
150 accordance with the most current land surveying practice pertaining to  
151 topographic, easements, and boundary surveys.
- 152
- 153 (3) City Code Section 25-8-604 (*Development Application Requirements*) is  
154 further modified to allow site plans that include parkland that has received  
155 City Council approval for a permanent change of use for non-park  
156 purposes, the tree survey will follow the standards outlined in Section 3  
157 (Tree and Natural Area Preservation).
- 158
- 159 (4) City Code Section 25-8-643 (*Land Use Commission Variance*) is modified  
160 to grant the City Arborist the administrative authority to consider and  
161 approve removal of a heritage tree that has at least one stem that is 30  
162 inches or larger in diameter measured four and one-half feet above natural  
163 grade based on criteria in City Code Sections 25-8-642 and 25-8-643.

164 (D) **Drainage.**

- 165
- 166 (1) Notwithstanding any provision in Title 25 (*Land Development*), excluding
- 167 Chapter 25-2 (*Zoning*), streets that have a light rail guideway and no more
- 168 than a single vehicular lane, in each direction and are unable to
- 169 accommodate a minimum clear width of 12 feet in each direction during
- 170 the 25-year storm shall have the flow of water that meets the requirements
- 171 in this subsection.
- 172
- 173 (a) Except as provided in paragraph (b), the flow of water shall meet the
- 174 following requirements:
- 175
- 176 (i) be contained below the top of the curb; and
- 177
- 178 (ii) maintain a minimum clear width of three feet in each
- 179 vehicular lane.
- 180
- 181 (b) If a minimum clear width of three feet cannot be achieved as
- 182 determined by the Director of Austin Watershed Protection, then a
- 183 clear width of zero feet is permissible if the vehicular lane cross
- 184 slope is a minimum of 1.5% and the gutter flow depth does not
- 185 exceed four inches.
- 186
- 187 (2) Vertical utility stacking within a common open-cut trench or excavation is
- 188 allowed if the lower utility is installed by tunneling, boring, or another
- 189 trenchless method that does not create overlapping embedment or
- 190 excavation zones and is not intended to be accessed by open trench in the
- 191 future.
- 192
- 193 (3) Section 25-7-64 (*Design and Construction of Facilities and Improvements*)
- 194 is modified to allow a reduced minimum horizontal separation of three feet
- 195 between Austin Watershed Protection infrastructure and all other non-
- 196 Austin Watershed Protection infrastructure if:
- 197
- 198 (a) the storm drains have diameters of 42 inches or less and depths of no
- 199 greater than nine feet as measured from ground to bottom of pipe;
- 200
- 201 (b) the Director of Austin Watershed Protection has approved the type
- 202 of backfill or flowable fill used;
- 203

- 204 (c) any pipe embedment complies with Standard Specification 510,  
205 unless otherwise approved by the Director of Austin Watershed  
206 Protection;
- 207
- 208 (d) the storm drain pipe joints are watertight and designed to withstand  
209 a minimum hydrostatic head of 25 feet (10.8 psi) without leakage  
210 per ASTM C443 when the storm drain is located adjacent to  
211 pressurized utilities; and
- 212
- 213 (e) the design of the storm drains does not include any of the design  
214 elements described in paragraph (4) below.
- 215
- 216 (4) A reduced minimum horizontal separation authorized under paragraph (3)  
217 is prohibited if the design includes one or more of the following design  
218 elements:
- 219
- 220 (a) trenches encountering groundwater conditions;
- 221
- 222 (b) excavations that encroach into the embedment zone of adjacent  
223 existing utilities; or
- 224
- 225 (c) installations adjacent to structures, building foundations, storm inlet  
226 boxes, traffic signal pedestals, light rail platforms, and retaining  
227 walls.

228

229 **(E) Utility Services.**

- 230
- 231 (1) Notwithstanding any provision in Title 25 (*Land Development*) excluding  
232 Chapter 25-2 (*Zoning*), communication conduits may have joint trenching  
233 if:
- 234
- 235 (a) the communication conduits are not above an Austin Energy main  
236 line duct bank;
- 237
- 238 (b) the communication conduits are constructed with separate manholes  
239 and pull boxes from those used by Austin Energy; and
- 240
- 241 (c) the proposed design has been approved by Austin Energy.
- 242
- 243
- 244

- 245 (2) Vertical utility stacking within a common open-cut trench or excavation is  
246 allowed if the lower utility is installed by tunneling, boring, or another  
247 trenchless method that does not create overlapping embedment or  
248 excavation zones and is not intended to be accessed by open trench in the  
249 future.
- 250
- 251 (3) Notwithstanding any provision in Title 25 (*Land Development*) excluding  
252 Chapter 25-2 (*Zoning*), a reduced minimum horizontal separation of three  
253 feet from outside edge of pipe to outside edge of pipe between Austin  
254 Water infrastructure and all other Austin Water infrastructure is allowed if:
- 255
- 256 (a) the proposed Austin Water pipes have diameters less than 24 inches;
- 257
- 258 (b) any controlled low strength material or Austin Water approved  
259 alternate backfill material is used for the Austin Water infrastructure  
260 and parallel non-Austin Water infrastructure;
- 261
- 262 (c) any pipe embedment complies with Standard Specification 510  
263 unless otherwise approved by Austin Water;
- 264
- 265 (d) the design meets applicable Texas Commission on Environmental  
266 Quality (“TCEQ”) rules and guidelines or documentation that  
267 approved TCEQ exceptions apply; and
- 268
- 269 (e) the design of the water or wastewater pipes does not include any of  
270 the design elements described in paragraph (4) below.
- 271
- 272 (4) A reduced minimum horizontal separation authorized under paragraph (3)  
273 is prohibited if the design includes one or more of the following design  
274 elements:
- 275
- 276 (a) trenches encountering groundwater conditions;
- 277
- 278 (b) excavations that encroach into the embedment zone of adjacent  
279 existing utilities; or
- 280
- 281 (c) installations adjacent to structures, building foundations, storm inlet  
282 boxes, traffic signal pedestals, light rail platforms, and retaining  
283 walls.
- 284
- 285