

**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;

**WHEREAS**, in a report entitled *Saving Time and Making Cents: A Blueprint for Building Transit Better* (“Eno Report”), published in 2021, the Eno Center for Transportation identified local regulation, permitting, and decision-making procedures throughout the United States as an obstacle to achieving viable, cost-effective transit systems on par with those of peer nations;

**WHEREAS**, noting that local development codes are generally ill-suited to the nature and scale of mass transit, the Eno Report found that jurisdictions that have successfully constructed mass transit systems apply modified regulations and review procedures to accommodate the unique challenges

transit construction presents and the ways it differs from private development or conventional transportation and public works projects;

**WHEREAS**, the City of Austin's Land Development Code does not provide for the design and permitting of linear construction required for mobility and transit facilities that encompass large areas, include subsurface and above-ground elements, and span multiple zoning districts and watersheds;

**WHEREAS**, greater flexibility and more carefully tailored regulations are required to facilitate construction of Project Connect;

**WHEREAS**, City staff routinely interprets and applies City Code to development and capital improvement applications;

**WHEREAS**, the Land Development Code, existing regulations, criteria, and procedures should be flexibly applied to facilitate construction of Project Connect to the greatest extent possible until existing requirements can be amended;

**WHEREAS**, there are Project Connect MetroRapid and MetroRail projects currently moving forward in advance of the Orange and Blue Line light rail projects; and

**WHEREAS**, motor vehicle trip conversion to high-capacity transit and other sustainable modes yields benefits to the environment; **NOW,**

**THEREFORE,**

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

1. The City Council directs the City Manager to:
  - a. Review City Code, including, but not limited to, the Land Development Code, Criteria Manuals, and permitting procedures to identify

impediments to the design, construction, implementation, and operation of Project Connect;

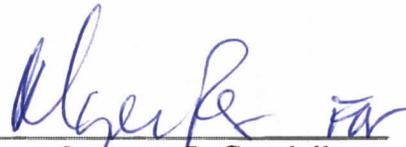
- b. Develop new regulations and procedures to address the impediments and assure implementation and construction of Project Connect consistent with the sequence plan approved in the Contract with Voters in a manner cognizant of other City policies, including commitments in the Project Connect Joint Powers Agreement and consistent with environmental protections in various adopted plans, including but not limited to those that identify the range of environmental benefits that can be achieved by reducing single occupancy motor vehicle trips;
- c. Present any Code amendments necessary to accomplish the goals of Paragraphs 1.a and 1.b to City Council no later than April 2022; and
- d. After Council adoption of Code amendments, follow appropriate procedures to issue any rules necessary to implement the Code amendments;

**BE IT FURTHER RESOLVED:**

Until City Council adopts new or amended Code provisions, the City Council directs the City Manager to interpret and apply existing requirements to Project Connect permits and approvals in a manner that considers the framework established by the Contract with the Voters, and other applicable City policies while working to support implementation of Project Connect.

**ADOPTED:** October 29, 2021

**ATTEST:**

  
Jannette S. Goodall  
City Clerk