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## RESOLUTION NO.

**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;

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

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

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

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

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

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

45 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE**  
46 **CITY OF AUSTIN:**

- 47       1. The City Council directs the City Manager to:
- 48           a. Review City Code, including, but not limited to, the Land Development  
49           Code, Criteria Manuals, and permitting procedures to identify  
50           impediments to the design, construction, implementation, and operation of  
51           Project Connect;
- 52           b. Develop new regulations and procedures to address the impediments and  
53           assure implementation and construction of Project Connect consistent with  
54           the sequence plan approved in the Contract with Voters and in a manner

cognizant of other City policies including commitments in the Project Connect Joint Powers Agreement and environmental protections in various adopted plans that identify the benefits of reducing 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 recognizes the framework established by the Contract with the Voters, and other applicable City policies, and that supports implementation of Project Connect.

**ADOPTED:** \_\_\_\_\_ 2021    **ATTEST:** \_\_\_\_\_  
Jannette S. Goodall  
City Clerk