



# MTC Res. No. 4530 Transit-Oriented Communities Policy

Joint MTC Planning Committee with the  
ABAG Administrative Committee

July 8, 2022



ASSOCIATION OF BAY AREA GOVERNMENTS  
METROPOLITAN TRANSPORTATION COMMISSION



Photo credit: Karl Nielsen



# Presentation Overview

1. Summary of comments on the draft policy
2. Key revisions to the draft policy
3. Next steps for policy implementation
4. Recommendation: Refer Res. No 4530 to Commission for approval



# Summary of Comments

- Committee: work with Technical Advisory Committee to refine density and parking requirements
- Request to make some housing policies requirements instead of options
- Concerns about local jurisdiction capacity for TOC Policy implementation given timing with Housing Element cycle.
- Policy Advisory Council: Policy should provide for universal design and access, aligned with the Americans with Disabilities Act (ADA)
- Advocacy Stakeholders:
  - Density and parking requirements should apply to all commercial uses, not just office.
  - Policy should apply to the entire ½ mile station area regardless of PDA designation.
  - No density, parking exception for ferry terminals where no PDA is designated.
  - Condition more discretionary \$\$ on policy compliance.



# Where will the TOC Policy Apply? Fixed-Guideway Transit



PDA and TRAs within the half-mile station/stop/terminal area of existing or planned **fixed-guideway transit**.

- Regional rail: BART, Caltrain
- Light Rail Transit: Muni Metro, VTA
- Bus Rapid Transit: AC Transit (1T) Tempo, Van Ness BRT, Geary BRT, San Pablo BRT
- Commuter rail: Capitol Corridor, ACE, SMART, Valley Link
- Ferry terminals (limited to certain requirements only)

**ADDED:** Opt-in for areas served by bus:

- PDAs that only have bus service are encouraged to “opt-in” to the TOC Policy. The Tier 4 requirements would apply for densities and parking management.





# Density for New Residential Development



- **ADDED:** On average, densities should be at or above the specified ranges. Provides exceptions for small lots, environmental factors, conflicts with Airport Land Use Compatibility Plans, etc.

Level of Transit Service	Required Min Density	Required Allowable Density
<b>Tier 1:</b> Rail stations serving regional centers* <del>served by 3 BART lines or a BART line and Caltrain Baby Bullet</del>	100 units/net acre or higher	150 units/net acre or higher
<b>Tier 2:</b> Stop/station served by 2 <b>or more</b> BART lines <b>or BART and Caltrain</b> <del>Baby Bullet</del>	75 units/net acre or higher	100 units/net acre or higher
<b>Tier 3:</b> Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	50 units/net acre or higher	75 units/net acre or higher
<b>Tier 4:</b> Commuter rail (SMART, ACE, Capitol Corridor) stations, <b>Caltrain stations south of Tamien</b> , or ferry terminal (only if PDA at ferry terminal)	25 units/net acre or higher	35 units/net acre or higher

\*Applies to the following stations: Downtown San Francisco (Embarcadero, Montgomery, Powell, Civic Center); Downtown Oakland (19<sup>th</sup>, 12<sup>th</sup>, Lake Merritt); and Downtown San Jose (Diridon)



# Density for New Commercial Office Development



- **ADDED:** On average, densities should be at or above the specified ranges. Provides exceptions for small lots, environmental factors, conflicts with Airport Land Use Compatibility Plans, etc.

Level of Transit Service	Required Min Density	Required Allowable Density
<b>Tier 1:</b> Rail stations serving regional centers served by <del>3 BART lines or a BART line and Caltrain Baby Bullet</del>	4 Floor Area Ratio (FAR) or higher	8 FAR or higher
<b>Tier 2:</b> Stop/station served by 2 or more BART lines or <del>BART and Caltrain Baby Bullet</del>	3 FAR or higher	6 FAR or higher
<b>Tier 3:</b> Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	2 FAR or higher	4 FAR or higher
<b>Tier 4:</b> Commuter rail (SMART, ACE, Capitol Corridor) stations, <del>Caltrain stations south of Tamien</del> , or ferry terminal (only if PDA at ferry terminal)	1 FAR or higher	3 FAR or higher



# Parking Management

- No parking minimums for all Tiers (e.g, parking is allowed, but cannot be required)
- At least 1 secure bike parking space per dwelling unit; or per 5,000 square feet of office.
- Allow unbundled parking for residential uses.
- Allow shared parking between different uses.
- Additional policies or programs from the Parking Policy Playbook to address curb management and transportation demand management.
- Requirements met through individual projects or creation of a parking district.



Level of Transit Service	New Residential	New Office
<b>Tier 1:</b> Rail stations serving regional centers served by 3 BART lines or a BART line and Caltrain Baby Bullet	<ul style="list-style-type: none"> <li>• Parking max of 0.375 spaces/unit or lower</li> </ul>	<ul style="list-style-type: none"> <li>• <del>No parking allowed as part of project (parking maximum of 0)</del></li> <li>• Parking max of 0.25 spaces per 1000 square feet or lower</li> </ul>
<b>Tier 2:</b> Stop/station served by 2 or more BART lines or BART and Caltrain Baby Bullet	<ul style="list-style-type: none"> <li>• Parking max of 0.5/unit or lower</li> </ul>	<ul style="list-style-type: none"> <li>• Parking max of 1.6 spaces per 1000 square feet or lower</li> </ul>
<b>Tier 3:</b> Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	<ul style="list-style-type: none"> <li>• Parking max of 1.0 spaces/unit or lower</li> </ul>	<ul style="list-style-type: none"> <li>• Parking max of 2.5 spaces per 1000 square feet or lower</li> </ul>
<b>Tier 4:</b> Commuter rail (SMART, ACE, Capitol Corridor) stations, Caltrain stations south of Tamien, or ferry terminal (only if PDA at ferry terminal)	<ul style="list-style-type: none"> <li>• Parking max of 1.5 spaces/unit or lower</li> </ul>	<ul style="list-style-type: none"> <li>• Parking max of 4.0 spaces per 1000 square feet or lower</li> </ul>



# Affordable Housing & Anti-Displacement

Two or more of the following from each category:

## Production

- Inclusionary zoning
- Funding
- Overlay zones
- Public land
- Ministerial approval
- Land trusts

**No significant changes to this requirement; only minor clarifications to some of the housing policy descriptions.**

## Preservation

- Funding to preserve unsubsidized housing for low/mod income
- Opportunity to purchase
- SRO preservation
- Condo conversion restrictions
- Land trusts
- Funding for preservation capacity
- Mobile home preservation
- Prevention of displacement from substandard conditions/code enforcement

## Protection

- Just cause eviction
- No net loss and right to return to demolished homes
- Legal assistance for tenants
- Foreclosure assistance
- Rental assistance
- Rent stabilization
- Prevention of displacement from substandard conditions/code enforcement
- Tenant relocation assistance
- Mobile home rent stabilization
- Fair housing enforcement
- Tenant anti-harassment protections

PLAN BAY AREA 2050



**STRATEGY H1**  
RENTER PROTECTIONS



**STRATEGY H2**  
AFFORDABLE HOUSING PRESERVATION



**STRATEGY H3**  
GREATER HOUSING MIX



**STRATEGY H4**  
AFFORDABLE HOUSING PRODUCTION



**STRATEGY H5**  
INCLUSIONARY ZONING



**STRATEGY H8**  
PUBLIC LAND REUSE





# Station Access and Circulation

Minor wording changes to clarify requirement for access gap analysis.

- Adopt policies/guidelines that comply with Complete Streets Policy.
- Prioritize implementation of Active Transportation Plan and relevant Community Based Transportation Plans.
- Complete an access gap analysis and accompanying capital and/or service improvement program.
- Identify opportunities for Mobility Hub planning and implementation.



Image by Nelson Nygaard Consulting Associates

# Relationship to Funding

## Implementation Phase

- Policy Implementation
- “Grandfathering” Transit Extensions Subject to 2005 TOD Policy

2022-2026

- OBAG3 and REAP 2.0 support policy implementation by local jurisdictions through planning and technical assistance.
- “Grandfathering” of transit extension projects subject to 2005 TOD Policy: local jurisdiction must commit to TOC Policy compliance by adoption of OBAG 4 (~2026).

## Compliance Phase

- OBAG 4
- Major Project Advancement Policy
- Discretionary Funding for Transit Extensions

2027 and Later Years

### Local Jurisdictions with PDAs or TRAs subject to TOC Policy:

- Increased emphasis on County & Local Program investments directed to PDAs and TRAs that are subject to and comply with the TOC Policy.
- PDAs with bus transit only will continue to be prioritized.

### Major Project Advancement Policy (MAP):

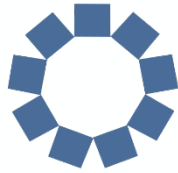
- MAP will consider TOC Policy in funding allocation and sequencing.

### Transit Extensions:

- Regional discretionary funding contingent on TOC Policy compliance.



# TOC Policy Implementation



ASSOCIATION OF BAY AREA GOVERNMENTS  
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**2023**

- Guidelines for TOC Policy Compliance (by February)
- REAP 2.0 and PDA Planning (\$25 M) and Technical Assistance Grants (\$15 M)
- Update to Priority Development Area Planning Guidelines
- Housing Policy Guidance (for multiple program areas)
- Housing Element Implementation

**2026**

- Housing Element Implementation Complete
- REAP 2.0 and PDA Planning & TA Grants Complete





# Requested Action by MTC Planning Committee

Refer MTC Resolution No. 4530, MTC's Transit-Oriented Communities Policy, to the Commission for approval.

