

Metropolitan Transportation Commission Policy Advisory Council

June 8, 2022

Agenda Item 9

Transit-Oriented Communities (TOC) Policy

Subject:

Draft TOC Policy and summary of comments from the Joint MTC Planning Committee with the ABAG Administrative Committee.

Background:

Staff presented a draft TOC Policy proposal to the Joint MTC Planning Committee with the ABAG Administrative Committee (Committee) at its [January 14, 2022 \(Agenda Item 5b\)](#) meeting. The Committee expressed general support for the draft TOC Policy proposal goals, and its overall focus on implementing Plan Bay Area 2050 strategies. The Committee also expressed concern that the proposed policy requirements did not sufficiently consider the varied land use and transportation needs and conditions that exist throughout the region, particularly in smaller jurisdictions, or the time necessary to achieve compliance. The Committee directed staff to conduct additional outreach with local jurisdictions to seek feedback on the proposed TOC Policy requirements and develop a revised draft policy.

In February and March 2022, staff met with local jurisdiction and other agency staff throughout the region. Staff also presented the draft policy approach to the [ABAG Executive Board on March 17, 2022 \(Agenda Item 11a\)](#), the Contra Costa County Transportation Authority Board, and the City/County Association of Governments of San Mateo County Board. Staff has also held several meetings with advocacy organizations, including Enterprise Community Partners, SPUR, Transform, and the East Bay Leadership Council.

Staff presented the draft TOC Policy Proposal to the [Policy Advisory Council \(Agenda Item 6\) on April 13, 2022](#). Council members requested that staff return to the Council once a revised, draft policy was developed.

Draft TOC Policy:

The draft TOC Policy is provided in **Attachment A**. Key revisions to the draft policy proposal are summarized below and reflect the feedback received from local jurisdictions and other stakeholders:

- **Focus on Priority Development Area (PDAs) and Transit Rich Area (TRAs) around existing and planned fixed-guideway transit stops and stations.** The TOC Policy would apply to PDAs and TRAs that are served by the following types of fixed-guideway transit: regional rail, commuter rail, light-rail transit (LRT), bus rapid transit (BRT), and ferries. The TOC Policy applies to the PDA or TRA area (if a PDA has not been designated) that is within one half-mile of the applicable transit station, stop, or terminal. For ferry terminals where no PDA has been designated, only the TOC Policy's station access and circulation requirements will apply.
- **Relationship to regional discretionary funding.** To provide jurisdictions with both funding support and time to comply with TOC Policy requirements, staff proposes that MTC use regional discretionary funding through the One Bay Area Grant (OBAG3) program and the Regional Early Action Planning Grants of 2021 (REAP 2.0) program to support local jurisdictions' actions to implement the TOC Policy. Staff also recommends that MTC prioritize funding in future regional discretionary funding cycles (i.e. OBAG4) to geographies that are in TOC Policy compliance.
- **Increased clarity around density requirements for new residential and commercial office development.** Staff have revised the proposed density requirements to accommodate a broader range of development intensities and reflect different types of transit and service levels around the region. The allowable densities continue to align with Plan Bay Area 2050.
- **Expanded menu of affordable housing policies for production, protection, and preservation.** The draft Policy includes additional policy options and greater specificity for affordable housing and anti-displacement policies, including policies that address potential displacement of small business.

- **Clarification of station access and circulation requirements.** Staff have added specificity to provide a clearer link to MTC's Complete Streets Policy and Active Transportation Plan implementation.

Joint MTC Planning and ABAG Administrative Committee (Committee) Feedback

Staff presented the draft TOC Policy to the [Committee \(Agenda Item 5b\) at its May 13, 2022 meeting](#). The Committee affirmed the draft Policy Goals and overall approach and policy requirements. The Committee directed staff to consider potential exceptions to the density requirements for environmental conditions or small lot sizes and to modify the Tier 1 parking minimums for new office development. Some Committee members supported making certain affordable housing policies mandatory, while others expressed concern about the inclusion of housing policies that would require jurisdictions to potentially go beyond state law or require local funding to implement.

Next Steps:

Based on feedback from the Committee, the Policy Advisory Council and other stakeholders, staff will revise the draft TOC Policy and return to the Committee with a draft final TOC Policy for review and action in July 2022.

Recommendation:

This is an information item.

Attachments:

- Attachment A: Draft TOC Policy
- Attachment B: Presentation

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DRAFT TRANSIT-ORIENTED COMMUNITIES POLICY

GOALS

MTC's Transit-Oriented Communities (TOC) Policy seeks to support the region's transit investments by creating communities around transit stations and along transit corridors that not only support transit ridership, but that are places where Bay Area residents of all incomes can live, work and access services, such as education, childcare and healthcare. The TOC Policy is rooted in Plan Bay Area 2050 (PBA2050), the region's Long Range Transportation Plan/Sustainable Communities Strategy, and addresses components in all four elements of the Plan, including transportation, housing, the economy, and the environment. Four goals guide the TOC Policy and advance PBA 2050 implementation:

- Increase residential densities for new development and prioritize affordable housing in transit-rich areas.
- Increase commercial densities for new development in transit-rich areas near regional transit hubs served by multiple transit providers.
- Prioritize bus transit, active transportation, and shared mobility within and to/from transit-rich areas, particularly to Equity Priority Communities located more than one half-mile from transit stops or stations.
- Support and facilitate partnerships to create equitable transit-oriented communities within the San Francisco Bay Area Region.

DEFINITIONS

Transit-oriented communities (TOCs) are locations within one half-mile, or about a ten-minute walk, from transit stops and stations, that are designed to enable people to access and use transit more often for more types of trips. TOCs accomplish this through greater land use density and diversity of uses, implementation of Complete Streets¹, effective parking management, and robust multimodal access that maximizes the geographic area accessible from a stop or station via space-efficient forms of mobility (walking, cycling, shared mobility, and public transit) over space-intensive modes (single-occupancy vehicle travel). **Equitable TOCs** seek to ensure

¹ See [MTC Resolution No. 4493](#).

opportunity for people from all income levels to live and work in transit-accessible locations by prioritizing the production, preservation, and protection of affordable housing and community-serving businesses from potential displacement that may result from new development and increasing land values or rents.

TOCs directly support implementation of PBA2050 *Strategies H3: Allow a greater mix of housing densities and types in Growth Geographies* and *EC4: Allow greater commercial densities in Growth Geographies*. More specifically, the TOC Policy applies to Priority Development Areas (PDAs) and Transit-Rich Areas (TRAs)² that are served by the following types of existing and planned **fixed-guideway transit**³: regional rail (e.g., Bay Area Rapid Transit, Caltrain), commuter rail (e.g., Capitol Corridor, Altamont Corridor Express, Sonoma-Marín Area Rail Transit), light-rail transit (LRT), bus rapid transit (BRT), and ferries. If a PDA has been designated, then the TOC Policy applies to the portion of the PDA area that is within one half-mile of the applicable transit station, stop, or terminal. If a PDA has not been designated, then the TOC Policy applies to the TRA within one half-mile of the applicable transit station, stop, or terminal. For ferry terminals where no PDA has been designated, only the TOC Policy station access and circulation requirements will apply.

² Plan Bay Area 2050 defines PDAs as “Areas generally near existing job centers or frequent transit that are locally identified (i.e., identified by towns, cities or counties) for housing and job growth” and TRAs as “Areas near rail, ferry or frequent bus service that were not already identified as PDAs. Specifically, these are areas where at least 50% of the area is within 1/2 mile of either an existing rail station or ferry terminal (with bus or rail service), a bus stop with peak service frequency of 15 minutes or less, or a planned rail station or planned ferry terminal (with bus or rail service).”

³ “Fixed guideway means a public transportation facility that uses and occupies a separate right-of-way or rail line for the exclusive use of public transportation and other high occupancy vehicles, or uses a fixed catenary system and a right of way usable by other forms of transportation. This includes, but is not limited to, rapid rail, light rail, commuter rail, automated guideway transit, people movers, ferry boat service, and fixed-guideway facilities for buses (such as bus rapid transit) and other high occupancy vehicles.” (49 CFR § 611.105)

Existing Transit and Transit Enhancements or Improvements

As noted, the TOC Policy will apply to jurisdictions with PDAs and TRAs served by fixed-guideway transit service, as defined above, as well as any enhancements and improvements to these services, including infill stations. Future OBAG funding cycles (i.e., OBAG 4) will consider funding revisions for the PDA minimum investments to prioritize investments in PDAs and TRAs that are subject to and comply with the TOC Policy. (Please see FUNDING section for further detail.)

Transit Extensions

In the case of fixed-guideway transit extensions, jurisdictions must comply with TOC Policy requirements prior to the allocation of regional discretionary capital funding or endorsement for the transit project extension. For jurisdictions that have been planning for fixed-guideway transit extensions based on MTC's Resolution No. 3434⁴ Transit-Oriented Development Policy (TOD Policy)⁵, if the jurisdiction is in compliance with the existing TOD Policy, MTC may program or allocate regional discretionary capital funding for project construction, but the jurisdiction must commit to achieving TOC Policy compliance by the adoption of the One Bay Area Grant (OBAG) 4 program, estimated in 2026, through written documentation with MTC.

TOC POLICY REQUIREMENTS

TOC Policy requirements consist of the following four elements: 1) minimum required and allowed residential and/or commercial office densities for new development; 2) policies focused on housing production, preservation and protection, and commercial anti-displacement and stabilization policies; 3) parking management; and 4) transit station access and circulation. These requirements, described further below, apply to PDAs and TRAs with the following types of existing and planned fixed-guideway transit investments: regional rail, commuter rail, light-rail transit (LRT), and bus rapid transit (BRT). For ferry terminals where no PDA has been designated, only the TOC Policy station access and circulation requirements will apply.

⁴ See [MTC Resolution No. 3434](#).

⁵ See [MTC Resolution 3434 Transit-Oriented Development \(TOD\) Policy for Regional Transit Expansion Projects](#).

1A. Minimum Required and Allowed Density for New Residential Development

The TOC Policy seeks to ensure that any new residential development built within one half-mile of existing or planned fixed-guideway transit stops or stations is built at sufficiently high densities to support transit ridership and increase the proportion of trips taken by transit. The TOC Policy does not require that areas within a PDA or TRA be zoned for residential uses. It also does not specify any zoning standards for parcels that are currently occupied by existing single- or multi-family dwelling units to minimize the risk of potential displacement.

For parcels in PDAs or TRAs where residential uses are allowed but that are not currently occupied by existing single- or multi-family dwelling units, zoning should require or allow the residential densities described in Table 1 below. Jurisdictions may require or allow higher densities than those described in the table, if desired. While the TOC Policy does not specify requirements for building height limits, local jurisdictions should not limit building heights such that new residential development at the densities specified by the TOC Policy becomes infeasible.

As shown in Table 1 below, the TOC Policy establishes the following zoning standards for parcels where residential uses are allowed but that are not occupied by existing single-or multi-family residential units:

- **Required Minimum Density:** Zoning must require that new residential development be built at or above the minimum required densities specified in Table 1. In other words, a local jurisdiction's zoning could require minimum densities that are higher than those specified in Table 1, but zoning could not allow densities that are lower than those specified in Table 1.
- **Allowable Density:** Zoning must allow new residential development to be built at or above the specified allowable density. In other words, a local jurisdiction's zoning could allow higher densities than those specified in Table 1, but zoning could not set a density limit that is lower than that specified in Table 1. The allowable densities are based on PBA2050 modeling for Strategy H3 (see [Forecasting and Modeling Report](#), pp.44-45).

Table 1: Minimum Required and Allowed Density for New Residential Development

Level of Transit Service	Required Minimum Density ¹	Allowable Density ^{1,2}
Tier 1: Rail station served by 3 BART lines or a BART line and Caltrain Baby Bullet	100 units/net acre	150 units/net acre
Tier 2: Stop/station served by 2 BART lines or Caltrain Baby Bullet	75 units/net acre	100 units/net acre
Tier 3: Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	50 units/net acre	75 units/net acre
Tier 4: Commuter rail (SMART, ACE, Capitol Corridor, Valley Link) or ferry terminal ³	25 units/net acre	35 units/net acre
<p>Notes:</p> <ol style="list-style-type: none"> 1. Or equivalent in Floor Area Ratio, or Form-Based development standards; excludes parcels currently occupied by homes. 2. The allowable densities are based on PBA2050 modeling for Strategy H3 (see Forecasting and Modeling Report, pp.44-45). 3. Density requirements only apply to PDAs (not TRAs) within one half-mile of ferry terminals. 		

1B. Minimum Required and Allowed Density for New Commercial Office development

The TOC Policy seeks to ensure that any new commercial office development built within one half-mile of existing or planned fixed-guideway transit stops or stations is built at sufficiently high densities to support transit ridership, increase the proportion of work trips taken by transit, and increase the number of jobs that are accessible via transit. While the TOC Policy does not specify requirements for other types of commercial uses, jurisdictions are strongly encouraged to plan and zone for a diverse mix of land uses within transit station areas to support the service and recreational needs of residents, workers, and/or visitors.

The TOC Policy does not require that areas within a PDA or TRA be zoned for commercial office uses. It also does not specify any zoning standards for parcels that are currently occupied by existing single- or multi-family dwelling units to minimize the risk of potential displacement. For parcels in PDAs or TRAs where commercial office uses are allowed but that are not currently occupied by existing single- or multi-family dwelling units, zoning should require or allow the commercial office densities described in Table 2 below. Jurisdictions may require or allow higher densities than those described in the table, if desired. While the TOC Policy does not specify requirements for building height limits, local jurisdictions should not limit building heights such that new commercial office development at the densities specified by the TOC Policy becomes infeasible.

As shown in Table 2 below, the TOC Policy establishes the following zoning standards for parcels where commercial office uses are allowed but that are not occupied by existing single-or multi-family residential units:

- **Required Minimum Density:** Zoning must require that new commercial office development be built at or above the minimum required densities specified in Table 2. In other words, a local jurisdiction's zoning could require minimum densities that are higher than those specified in Table 2, but zoning could not allow densities that are lower than those specified in Table 2.

- **Allowable Density:** Zoning must allow new commercial office development to be built at or above the specified allowable density. In other words, a local jurisdiction's zoning could allow higher densities than those specified in Table 2, but zoning could not set a density limit that is lower than that specified in Table 2. The allowable densities are based on PBA 20505 modeling for Strategy EC4 (see [Forecasting and Modeling Report](#), pp. 57-58).

Table 2: Minimum Required and Allowed Density for New Commercial Office Development

Level of Transit Service	Required Minimum Density ¹	Allowable Density ^{1,2}
Tier 1: Rail station served by 3 BART lines or a BART line and Caltrain Baby Bullet	4 Floor Area Ratio (FAR)	8 FAR
Tier 2: Stop/station served by 2 BART lines or Caltrain Baby Bullet	3 FAR	6 FAR
Tier 3: Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	2 FAR	4 FAR
Tier 4: Commuter rail (SMART, ACE, Capitol Corridor, Valley Link) or ferry terminal ³	1 FAR	3 FAR
<p>Note:</p> <ol style="list-style-type: none"> 1. For mixed-use projects that include a commercial office component, this figure shall not be less than the equivalent of the applicable allowed or permitted FAR standard. 2. The allowable densities are based on PBA 20505 modeling for Strategy EC4 (see Forecasting and Modeling Report, pp. 57-58). 3. Density requirements only apply to PDAs (not TRAs) within one half-mile of ferry terminals. 		

2A. Affordable Housing Production

Two (2) or more of the policies listed in Table 3 below should apply in PDAs or TRAs (except ferry terminal TRAs) that are subject to the TOC Policy. MTC/ABAG will issue subsequent guidance that provides further detail as to what should be included in affordable housing production policies for them to be considered compliant with the TOC Policy requirement.

Table 3: Affordable Housing Production Policies that Fulfill TOC Policy Requirement

Affordable Housing Production Policy	Description
Inclusionary Zoning	Requires that 15% of units in new residential development projects above a certain number of units be deed-restricted affordable to low-income households.
Affordable Housing Funding	A dedicated local funding stream for production of deed-restricted affordable housing.
Affordable Housing Overlay Zones	Area-specific incentives, such as density bonuses and streamlined environmental review, for development projects that include at least 15% of deed-restricted affordable housing; exceeds any jurisdiction-wide inclusionary requirements or benefits from state density bonus.
Public Land for Affordable Housing	Policies to prioritize the reuse of publicly owned land for affordable and mixed-income housing that go beyond existing state law, typically accompanied by prioritization of available funding for projects on these sites.
Ministerial Approval	Grant ministerial approval of residential developments that include, at a minimum 15% affordable housing if projects have 11 or more units, or that exceed inclusionary or density bonus affordability requirements and does not exceed 0.5 parking spaces per unit.

Affordable Housing Production Policy	Description
Public/Community Land Trusts (This policy may be used to fulfill either the housing production or preservation requirement, but not both.)	Investments or policies to expand the amount of land held by public- and non-profit entities such as co-operatives, community land trusts, and land banks with permanent affordability protections.

2B. Affordable Housing Preservation

Two (2) or more of the policies listed in Table 4 below should apply in PDAs or TRAs (except ferry terminal TRAs) that are subject to the TOC Policy. MTC/ABAG will issue subsequent guidance that provides further detail as to what should be included in affordable housing preservation policies for them to be considered compliant with the TOC Policy requirement.

Table 4: Affordable Housing Preservation Policies that Fulfill TOC Policy Requirement

Affordable Housing Preservation Policy	Description
Funding to Preserve Unsubsidized Affordable Housing	Public investments to preserve unsubsidized housing affordable to lower- or moderate-income residents (sometimes referred to as "naturally occurring affordable housing") as permanently affordable.
Tenant/Community Opportunity to Purchase	Policies or programs that provide tenants or mission-driven nonprofits the right to purchase a property at the market price when it is offered for sale, retaining existing residents and ensuring long-term affordability of the units by requiring resale restrictions to maintain affordability.
SRO Preservation	Limits the conversion of occupied SRO rental units to condominiums or other uses that could result in displacement of existing residents.

Affordable Housing Preservation Policy	Description
Condominium Conversion Restrictions	Require that units converted to condos be replaced 1:1 with comparable rental units, unless purchased by current long-term tenants or converted to permanently affordable housing with protections for existing tenants.
Public/Community Land Trusts (This policy may be used to fulfill either the housing production or preservation requirement, but not both.)	Investments or policies to expand the amount of land held by public- and non-profit entities such as co-operatives, community land trusts, and land banks with permanent affordability protections.
Funding to Support Preservation Capacity	Dedicated local funding for capacity building or other material support for community land trusts or other community-based organizations engaged in affordable housing preservation.
Mobile Home Preservation	Policy or program to preserve mobile homes from conversion to other uses that may result in displacement of existing residents.
Preventing Displacement from Substandard Conditions and Associated Code Enforcement Activities (This policy may be used to fulfill either the housing preservation or protection requirement, but not both.)	Policies, programs, or procedures designed to minimize the risk of displacement caused by substandard conditions, including through local code enforcement activities.

2C. Affordable Housing Protection and Anti-Displacement

Two (2) or more of the policies listed in Table 5 below should apply in PDAs or TRAs (except ferry terminal TRAs) that are subject to the TOC Policy. MTC/ABAG will issue subsequent guidance that provides further detail as to what should be included in affordable housing protection and anti-displacement policies for them to be considered compliant with the TOC Policy requirement.

Table 5: Affordable Housing Protection and Anti-Displacement Policies that Fulfill TOC Policy Requirement

Affordable Housing Protection and Anti-Displacement Policy	Description
“Just Cause” Eviction	Defines the circumstances for evictions, such as nonpayment of rent, violation of lease terms, or permanent removal of a dwelling from the rental market, with provisions that are more protective of tenants than those established by AB 1482 (2019, Chiu) . ⁶
No Net Loss and Right to Return to Demolished Homes	Include the no net loss provisions currently outlined in SB 330 (2019, Skinner) without a sunset date. Require one-to-one replacement of units that applies the same or a deeper level of affordability, the same number of bedrooms and bathrooms, and comparable square footage to the units demolished. Provide displaced tenants with right of first refusal to rent new comparable units at the same rent as demolished units.
Legal Assistance for Tenants	Investments or programs that expand access to legal assistance for tenants threatened with displacement. This

⁶ This could include, for example, greater limitations on no fault evictions such as “substantial remodels” and/or permanently implementing just cause protections (the protections provided by AB 1482 expire on January 1, 2030).

Affordable Housing Protection and Anti-Displacement Policy	Description
	could range from a “right to counsel” ⁷ to dedicated public funding for tenant legal assistance.
Foreclosure Assistance	Provide a dedicated funding source to support owner-occupied homeowners (up to 120% AMI) at-risk of foreclosure, including direct financial assistance (e.g., mortgage assistance, property tax delinquency, HOA dues, etc.), foreclosure prevention counseling, legal assistance, and/or outreach.
Rental Assistance Program	Provide a dedicated funding source and program for rental assistance to low-income households.
Rent Stabilization	Restricts annual rent increases based upon a measure of inflation or other metric, with provisions exceeding those established by AB 1482 (2019, Chiu) . ⁸
Preventing Displacement from Substandard Conditions and Associated Code Enforcement Activities (This policy may be used to fulfill either the housing preservation or protection requirement, but not both.)	Policies, programs, or procedures designed to minimize the risk of displacement caused by substandard conditions, including through local code enforcement activities. This may include, but not be limited to, proactive rental inspection programs, assistance to landlords for property improvements in exchange for anti-displacement commitments, and enhanced relocation assistance requirements for temporary displacement due to substandard conditions that pose an immediate threat to health and safety.

⁷ “Right to counsel” extends the right to an attorney, required in criminal procedures, to tenants in eviction trials, which are civil procedures.

⁸ For example, restricting maximum annual rent increases to the percent change in the Consumer Price Index, or permanently implementing rent stabilization protections.

Affordable Housing Protection and Anti-Displacement Policy	Description
Tenant Relocation Assistance	Policy or program that provides relocation assistance (financial and/or other services) to tenants displaced through no fault of their own, with assistance exceeding that required under state law.
Mobile Home Rent Stabilization	Restricts annual rent increases on mobile home residents based upon a measure of inflation or other metric.
Fair Housing Enforcement	Policy, program, or investments that support fair housing testing, compliance monitoring, and enforcement.
Tenant Anti-Harassment Protections	Policy or program that grants tenants legal protection from unreasonable, abusive, or coercive landlord behavior.

2D. Commercial Protection and Stabilization

One (1) or more of the policies in Table 6 should apply in PDAs or TRAs (except ferry terminal TRAs) that are subject to the TOC Policy unless the jurisdiction can document that there are no potential impacts to small businesses and/or community non-profits. MTC/ABAG will issue subsequent guidance that provides further detail as to what should be included in commercial protection and stabilization policies for them to be considered compliant with the TOC Policy requirement.

Table 6: Commercial Protection and Stabilization Policies that Fulfill TOC Policy Requirement

Commercial Protection and Stabilization Policy	Description
Small Business and Non-Profit Overlay Zone	Establish boundaries designated for an overlay, triggering a set of protections and benefits should development impact small businesses (including public markets) or community-serving non-profits.
Small Business and Non-Profit Preference Policy	Give priority and a right of first offer to local small businesses and/or community-serving non-profits when selecting a tenant for new market-rate commercial space.
Small Business and Non-Profit Financial Assistance Program	Dedicated funding program for any impacted small business and community-serving non-profits.
Small Business Advocate Office	Provide a single point of contact for small business owners and/or a small business alliance.

3. Parking Management

Off-street vehicle parking standards for new residential or commercial office development should meet the standards listed in Table 7 below. Standards may apply to individual projects or may be met through creation of a parking district that provides shared vehicle parking for multiple land uses within an area.

All new residential or commercial office development should provide the following:

- A minimum of one secure bicycle parking space per dwelling unit.
- A minimum of one secure bicycle parking space per 5,000 occupied square feet for commercial office.
- Allow unbundled parking for residential uses.
- Allow shared parking between different land uses.

Jurisdictions with PDAs or TRAs (except ferry terminal TRAs) subject to the TOC Policy should also adopt policies or programs included in MTC’s [Parking Policy Playbook](#) to address transportation demand management (TDM) and curb management in these locations.

Table 7: Parking Management Requirements

Level of Transit Service	New Residential Development	New Commercial Office Development
Tier 1: Rail station served by 3 BART lines or a BART line and Caltrain Baby Bullet	No minimum parking requirement allowed. Parking maximum of 0.375 spaces per unit or lower.	No minimum parking requirement allowed. No parking allowed (e.g., parking maximum of 0).
Tier 2: Stop/station served by 2 BART lines or Caltrain Baby Bullet	No minimum parking requirement allowed. Parking maximum of 0.5 spaces per unit or lower.	No minimum parking requirement allowed. Parking maximum of 1.6 per 1,000 square feet or lower.
Tier 3: Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	No minimum parking requirement allowed. Parking maximum of 1.0 spaces per unit or lower.	No minimum parking requirement allowed. Parking maximum of 2.5 spaces per 1,000 square feet or lower.
Tier 4: Commuter rail (SMART, ACE, Capitol Corridor, Valley Link) or ferry terminal ¹	No minimum parking requirement allowed. Parking maximum of 1.5 spaces per unit or lower.	No minimum parking requirement allowed. Parking maximum of 4.0 spaces per 1,000 square feet or lower.
<p>Note:</p> <ol style="list-style-type: none"> 1. Parking management requirements only apply to PDAs (not TRAs) within one half-mile of ferry terminals. 		

4. TRANSIT STATION ACCESS AND CIRCULATION

Local jurisdictions, in coordination with transit agencies, community members, and other stakeholders, should complete the following in all PDAs or TRAs subject to the TOC Policy:

1. Adopt policies and design guidelines that comply with MTC's Complete Streets Policy⁹ and prioritize implementation of the regional Active Transportation Plan and any relevant [Community Based Transportation Plans](#).
2. Complete an access gap analysis and accompanying capital and/or service improvement program for station access via a 10-minute walk, and 15-minute bicycle or bus/shuttle trip (including areas outside PDA and TRA boundaries) that, at a minimum, includes the following:
 - a. The area that can currently be accessed via a 10- or 15-minute trip by these modes, with particular focus on access to Equity Priority Communities and other significant origins and/or destinations;
 - b. Infrastructure and/or service improvements that would expand the geographic area that can be accessed via a 10- or 15-minute trip by these modes; and
 - c. Incorporation of recommended improvements into a capital improvement or service plan for the local jurisdiction and/or transit agency (if applicable).
3. In coordination with transit operators, other mobility service providers, and the community, identify opportunities for [Mobility Hub](#) planning and implementation using [MTC Mobility Hub locations](#) and MTC's [Mobility Hub Implementation Playbook](#).

FUNDING

To assist jurisdictions with TOC Policy compliance, MTC's One Bay Area Grant (OBAG3) program and the Regional Early Access Planning Grants of 2021 (REAP 2.0) will offer and prioritize planning support to jurisdictions subject to the Policy.

⁹ See [MTC Resolution No. 4493](#).

Future OBAG funding cycles (i.e., OBAG 4) will consider funding revisions for the PDA minimum investments as follows: in the region's most populous counties (Alameda, Contra Costa, San Mateo, San Francisco, and Santa Clara), a minimum of 70% of County & Local Program investments will be directed to PDAs and TRAs that are subject to and compliant with the TOC Policy and to PDAs that are not subject to the TOC Policy because they are not served by fixed-guideway transit. In the remaining counties (Marin, Napa, Solano, and Sonoma), a minimum of 50% in County & Local Program investments will be directed to PDAs and TRAs that are subject to and compliant with the TOC Policy and to PDAs that are not subject to the TOC policy because they are not served by fixed-guideway transit.

IMPLEMENTATION

The TOC Policy shall be implemented by requiring local jurisdictions with PDAs and TRAs subject to the policy to provide documentation to MTC demonstrating that the policy requirements have been satisfied. MTC will provide specific guidance regarding documentation that local jurisdictions should provide to demonstrate TOC Policy compliance within six months of policy adoption.

The TOC Policy complements the regional PDA Planning and Technical Assistance Program, which provides funding and technical guidance for comprehensive community planning in PDAs. MTC/ABAG will update PDA planning guidelines to include TOC Policy requirements and will use the PDA Planning and Technical Assistance Program to assist local jurisdictions with TOC Policy implementation.

EVALUATION AND POLICY UPDATES

In conjunction with major Plan Bay Area updates, MTC will evaluate the TOC Policy and its outcomes every four (4) years. Staff will recommend any revisions or modifications to the TOC Policy based on these evaluations.

TECHNICAL ASSISTANCE

In addition to the guidance referenced in the Policy, MTC will provide further guidance on TOC Policy requirements to local jurisdictions with PDAs or TRAs subject to the Policy, including assistance with determining appropriate housing policies, transportation demand management, parking and curb management policies and programs, and transit station access and circulation.