

Meeting Agenda - Final

Joint MTC Planning Committee with the ABAG Administrative Committee

MTC Committee Members:

James P. Spring, Chair Eddie Ahn, Vice Chair

*David Canepa, Damon Connolly, Carol Dutra-Vernaci,
Victoria Fleming, Sam Liccardo, and Libby Schaaf*

Non-Voting Members: Dorene M. Giacomini and Vacant

Friday, May 13, 2022

9:40 AM

REMOTE (In person option available)

In light of Governor Newsom's State of Emergency declaration regarding COVID-19 and in accordance with Assembly Bill 361's (Rivas) provisions allowing remote meetings, this meeting will be accessible via webcast, teleconference, and Zoom for all participants.

A Zoom panelist link for meeting participants will be sent separately to Committee members.

Meeting attendees may opt to attend in person for public comment and observation at 375 Beale Street, Board Room (1st Floor). In-person attendees must adhere to posted public health protocols while in the building.

The meeting webcast will be available at <http://mtc.ca.gov/whats-happening/meetings>. Members of the public are encouraged to participate remotely via Zoom at the following link or phone number. Committee Members and members of the public participating by Zoom wishing to speak should use the "raise hand" feature or dial *9. When called upon, unmute yourself or dial *6. In order to get the full Zoom experience, please make sure your application is up to date.

Attendee Link: <https://bayareametro.zoom.us/j/89928263148>

iPhone One-Tap: US: +13462487799,,89928263148# or +12532158782,,89928263148#

Join by Telephone (for higher quality, dial a number based on your current location) US: +1 669 900 6833 or +1 408 638 0968 or +1 346 248 7799 or +1 253 215 8782 or +1 646 876 9923 or +1 301 715 8592 or +1 312 626 6799 or 888 788 0099 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 899 2826 3148

International numbers available: <https://bayareametro.zoom.us/j/kd9OsxMXhA>

Detailed instructions on participating via Zoom are available at:

<https://mtc.ca.gov/how-provide-public-comment-board-meeting-zoom>

Members of the public may participate by phone or Zoom or may submit comments by email at info@bayareametro.gov by 5:00 p.m. the day before the scheduled meeting date. Please include the committee or board meeting name and agenda item number in the subject line. Due to the current circumstances there may be limited opportunity to address comments during the meeting. All comments received will be submitted into the record.

1. Call to Order / Roll Call / Confirm Quorum

Quorum: A quorum of the ABAG Administrative Committee shall be a majority of its regular voting members (6).

Quorum: A quorum of the MTC Planning Committee shall be a majority of its regular voting members (5).

2. ABAG Compensation Announcement – Clerk of the Board

3. ABAG Administrative Committee Consent Calendar

- 3a. [22-0763](#) Approval of ABAG Administrative Committee Summary Minutes of the April 8, 2022 Meeting

Action: ABAG Administrative Committee Approval

Attachments: [3a ABAG Administrative Committee Minutes 202204208_Draft.pdf](#)

4. MTC Planning Committee Consent Calendar

- 4a. [22-0764](#) Approval of MTC Planning Committee Minutes of the April 8, 2022 Meeting

Action: MTC Planning Committee Approval

Attachments: [4a 2022-04-08 Joint MTC Planning Committee with the ABAG Administrat](#)

5. Information

- 5a. [22-0765](#) Exploring the Successes and Shortcomings of Senate Bill 375 (Steinberg, 2008)

Overview of successes and shortcomings in implementing regional plans such as Plan Bay Area over the past decade, highlighting initial findings from state reports required under Assembly Bill 285 (Friedman, 2019) and Senate Bill 150 (Allen, 2017) as well as potential opportunities for State legislative reform in the coming months.

Action: Information

Presenter: Dave Vautin

Attachments: [5ai SB375 Successes and Shortcomings Summary Sheet.pdf](#)
[5aii PowerPoint SB375 Successes and Shortcomings.pdf](#)

5b. [22-0766](#) Transit-Oriented Communities (TOC) Policy

Update on outreach conducted and comments received on the initial draft of the proposed TOC Policy and seek feedback on revisions to the draft policy.

Action: Information

Presenter: Kara Vuicich

Attachments: [5bi Draft Transit-Oriented Communities Policy Summary Sheet and Attach](#)
[5bii PowerPoint Transit-Oriented Communities Policy.pdf](#)
[Item 5b Public Comment Combined.pdf](#)

6. Public Comment / Other Business

*Committee Members and members of the public participating by Zoom wishing to speak should use the “raise hand” feature or dial *9. When called upon, unmute yourself or dial *6.*

7. Adjournment / Next Meeting

The next meeting of the MTC Planning Committee will be Friday, June 10, 2022 at 9:45 a.m. Any changes to the schedule will be duly noticed to the public.

Public Comment: The public is encouraged to comment on agenda items at Committee meetings by completing a request-to-speak card (available from staff) and passing it to the Committee secretary. Public comment may be limited by any of the procedures set forth in Section 3.09 of MTC's Procedures Manual (Resolution No. 1058, Revised) if, in the chair's judgment, it is necessary to maintain the orderly flow of business.

Meeting Conduct: If this meeting is willfully interrupted or disrupted by one or more persons rendering orderly conduct of the meeting unfeasible, the Chair may order the removal of individuals who are willfully disrupting the meeting. Such individuals may be arrested. If order cannot be restored by such removal, the members of the Committee may direct that the meeting room be cleared (except for representatives of the press or other news media not participating in the disturbance), and the session may continue.

Record of Meeting: Committee meetings are recorded. Copies of recordings are available at a nominal charge, or recordings may be listened to at MTC offices by appointment. Audiocasts are maintained on MTC's Web site (mtc.ca.gov) for public review for at least one year.

Accessibility and Title VI: MTC provides services/accommodations upon request to persons with disabilities and individuals who are limited-English proficient who wish to address Commission matters. For accommodations or translations assistance, please call 415.778.6757 or 415.778.6769 for TDD/TTY. We require three working days' notice to accommodate your request.

可及性和法令第六章：MTC 根據要求向希望來委員會討論有關事宜的殘疾人士及英語有限者提供服務/方便。需要便利設施或翻譯協助者，請致電 415.778.6757 或 415.778.6769 TDD / TTY。我們要求您在三個工作日前告知，以滿足您的要求。

Acceso y el Título VI: La MTC puede proveer asistencia/facilitar la comunicación a las personas discapacitadas y los individuos con conocimiento limitado del inglés quienes quieran dirigirse a la Comisión. Para solicitar asistencia, por favor llame al número 415.778.6757 o al 415.778.6769 para TDD/TTY. Requerimos que solicite asistencia con tres días hábiles de anticipación para poderle proveer asistencia.

Attachments are sent to Committee members, key staff and others as appropriate. Copies will be available at the meeting.

All items on the agenda are subject to action and/or change by the Committee. Actions recommended by staff are subject to change by the Committee.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 22-0763 **Version:** 1 **Name:**

Type: Minutes **Status:** Informational

File created: 4/8/2022 **In control:** Joint MTC Planning Committee with the ABAG Administrative Committee

On agenda: 5/13/2022 **Final action:**

Title: Approval of ABAG Administrative Committee Summary Minutes of the April 8, 2022 Meeting

Sponsors:

Indexes:

Code sections:

Attachments: [3a ABAG Administrative Committee Minutes 202204208 Draft.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Approval of ABAG Administrative Committee Summary Minutes of the April 8, 2022 Meeting

Recommended Action:

ABAG Administrative Committee Approval

Attachments:



Meeting Minutes - Draft

ABAG Administrative Committee

Friday, April 8, 2022

9:40 AM

REMOTE (In person option available)

Association of Bay Area Governments Administrative Committee

The ABAG Administrative Committee may act on any item on the agenda.
The meeting is scheduled to begin at 9:40 a.m., or immediately following the preceding
ABAG/MTC committee meetings, whichever occurs first.
Agenda, roster, and webcast available at <https://abag.ca.gov>
For information, contact Clerk of the Board at (415) 820-7913.

Roster

Jesse Arreguin, Pat Eklund, Neysa Fligor, Dave Hudson, Otto Lee, Rafael Mandelman,
Karen Mitchoff, Raul Peralez, David Rabbitt, Belia Ramos, Carlos Romero

1. Call to Order / Roll Call / Confirm Quorum

Chair Arreguin called the meeting to order at about 9:44 a.m. Quorum was present.

Chair Arreguin noted that at the last meeting on March 11, 2022 quorum of the ABAG Administrative Committee was not present. Therefore, the action taken by the Administrative Committee to approve its consent calendar was not valid and the item to approve minutes will be taken up at this meeting.

Present: 9 - Arreguin, Eklund, Fligor, Hudson, Lee, Mitchoff, Rabbitt, Ramos, and Romero

Absent: 2 - Mandelman, and Peralez

2. ABAG Compensation Announcement – Clerk of the Board

The ABAG Clerk of the Board gave the compensation announcement.

3. ABAG Administrative Committee Consent Calendar

Upon the motion by Eklund and second by Mitchoff, the ABAG Administrative Committee approved the Consent Calendar. The motion passed unanimously by the following vote:

Aye: 8 - Arreguin, Eklund, Fligor, Lee, Mitchoff, Rabbitt, Ramos, and Romero

Absent: 3 - Hudson, Mandelman, and Peralez

- 3.a. [22-0411](#) Approval of ABAG Administrative Committee Summary Minutes of the February 11, 2022 and March 11, 2022 Meetings

4. MTC Planning Committee Consent Calendar

The MTC Planning Committee took action on this item.

- 4.a. [22-0509](#) Approval of MTC Planning Committee Minutes of the March 11, 2022 Meeting
- 4.b. [22-0510](#) Federal Performance Target-Setting Update - 2022 State of Good Repair for Transit Assets Targets
- 4.c. [21-1510](#) MTC Resolution No. 4500: San Francisco County Transportation Authority's Draft Sales Tax Reauthorization Expenditure Plan

5. MTC Planning Committee - Approval

- 5.a. [22-0511](#) MTC Resolution No. 4514: Community-Based Transportation Planning Program Guidelines

Share findings of staff's evaluation of the Community-Based Transportation Planning (CBTP) program and present revised CBTP guidelines for adoption (MTC Resolution No. 4514).

The MTC Planning Committee took action on this item.

The following gave public comment: Bob Allen, Urban Habitat; Helen-Marie Gordon.

6 Information

- 6.a. [22-0512](#) Regional Growth Framework Implementation Funding Options

Overview of potential programs to implement Plan Bay Area 2050's Regional Growth Framework, leveraging near-term funding from Regional Early Action Planning Grant (REAP 2.0) Program and the One Bay Area Grant (OBAG 3) Program.

Daniel Saver gave the report.

The following gave public comment: Jonathon Kass, SPUR; Justine Marcus, Enterprise Community Partners; James Perez, East Bay Asian Local Development Corporation; Shannon Dodge, BART; Bob Allen, Urban Habitat; Ja'Nai Aubry, NPH; Liz Gonzalez, South Bay Community Land Trust; Amy Johnson, TransForm; Rich Hedges; and Helen-Marie Gordon.

- 6.b.** [22-0400](#) Plan Bay Area 2050 Implementation Initiatives: Public Land Reuse and Mall/Office Reuse
- Highlight of concepts for advancing implementation of key Plan Bay Area 2050 Housing Strategies: Public Land Reuse and Mall & Office Reuse.
- Mark Shorett gave the report.
- 6.c.** [22-0534](#) California High-Speed Rail draft 2022 Business Plan - MTC Comments
- Discussion on comments submitted on California High-Speed Rail's draft 2022 Business Plan.
- Kara Vuicich gave the report.

7. Public Comment / Other Business

8. Adjournment / Next Meeting

Chair Arreguin adjourned the meeting at about 11:52 a.m. The next regular meeting of the ABAG Administrative Committee is on May 13, 2022.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 22-0764 **Version:** 1 **Name:**

Type: Minutes **Status:** Consent

File created: 4/8/2022 **In control:** Joint MTC Planning Committee with the ABAG Administrative Committee

On agenda: 5/13/2022 **Final action:**

Title: Approval of MTC Planning Committee Minutes of the April 8, 2022 Meeting

Sponsors:

Indexes:

Code sections:

Attachments: [4a 2022-04-](#)

Date	Ver.	Action By	Action	Result
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Subject:

Approval of MTC Planning Committee Minutes of the April 8, 2022 Meeting

Recommended Action:

MTC Planning Committee Approval

Attachments:

Meeting Minutes - Draft

Joint MTC Planning Committee with the ABAG Administrative Committee

MTC Committee Members:

James P. Spering, Chair Eddie Ahn, Vice Chair

*David Canepa, Damon Connolly, Carol Dutra-Vernaci,
Victoria Fleming, Sam Liccardo, and Libby Schaaf*

Non-Voting Members: Dorene M. Giacomini and Vacant

Friday, April 8, 2022

9:40 AM

REMOTE (In person option available)

1. Call to Order / Roll Call / Confirm Quorum

Present: 7 - Commissioner Connolly, Commissioner Liccardo, Chair Spering, Vice Chair Ahn,
Commissioner Canepa, Commissioner Dutra-Vernaci and Commissioner Fleming

Absent: 1 - Commissioner Schaaf

Non-Voting Member Absent: Commissioner Giacomini

Ex Officio Voting Members Present: Commission Chair Pedroza and
Commission Vice Chair Josefowitz

Ad Hoc Non-Voting Members Present: Commissioner Papan, Commissioner Rabbitt, and
Commissioner Worth

ABAG Administrative Committee Members Present: Arreguin, Eklund, Fligor, Hudson, Lee, Mitchoff,
Rabbitt, Ramos, and Romero.

2. ABAG Compensation Announcement – Clerk of the Board

3. ABAG Administrative Committee Consent Calendar

- 3a. [22-0508](#) Approval of ABAG Administrative Committee Summary Minutes of the
February 11, 202 and March 11, 2022 Meetings

Action: ABAG Administrative Committee Approval

Attachments: [3ai ABAG Administrative Committee Minutes 20220211 Draft.pdf](#)
[3aii ABAG Administrative Committee Minutes 20220311 Draft.pdf](#)

4. MTC Planning Committee Consent Calendar

Upon the motion by Commissioner Dutra-Vernaci and second by Commissioner Liccardo, the MTC Planning Committee Consent Calendar was approved. The motion carried by the following vote:

Aye: 6 - Commissioner Connolly, Commissioner Liccardo, Chair Spering, Vice Chair Ahn, Commissioner Dutra-Vernaci and Commissioner Fleming

Absent: 2 - Commissioner Canepa and Commissioner Schaaf

- 4a.** [22-0509](#) Approval of MTC Planning Committee Minutes of the March 11, 2022 Meeting
Action: MTC Planning Committee Approval
Attachments: [4a 2022-03-11 Joint MTC Planning Committee with the ABAG Administrative Committee Meeting Minutes Draft v3.pdf](#)
- 4b.** [22-0510](#) Federal Performance Target-Setting Update - 2022 State of Good Repair for Transit Assets Targets
Action: Information
Presenter: Raleigh McCoy and Bryan Redmond
Attachments: [4b Federal Performance Target-Setting Update Transit Asset 2022 .pdf](#)
- 4c.** [21-1510](#) MTC Resolution No. 4500: San Francisco County Transportation Authority's Draft Sales Tax Reauthorization Expenditure Plan
Action: MTC Commission Approval
Presenter: Krute Singa
Attachments: [4c MTC Res 4500-SFCTA 2022 EP.pdf](#)
[4c Public Comment.pdf](#)
- Written public comments were received from: San Francisco Transit Riders, Community Living Campaign, Wesley Tam, Walk San Francisco, and San Francisco Bicycle Coalition.

5. MTC Planning Committee - Approval

- 5a. [22-0511](#) MTC Resolution No. 4514: Community-Based Transportation Planning Program Guidelines

Share findings of staff's evaluation of the Community-Based Transportation Planning (CBTP) program and present revised CBTP guidelines for adoption (MTC Resolution No. 4514).

Action: MTC Commission Approval

Presenter: Raleigh McCoy

Attachments: [5a Community-Based Transportation Planning Program Guidelines Adoption..pdf](#)

Bob Allen, Urban Habitat, spoke on this item.

Helen-Marie Gordon spoke on this item.

Upon the motion by Vice Chair Ahn and second by Commissioner Dutra-Vernaci, MTC Resolution No. 4514: Community-Based Transportation Planning Program Guidelines was approved to be forwarded to the Commission for approval. The motion carried unanimously by the following vote:

Aye: 7 - Commissioner Connolly, Commissioner Liccardo, Chair Spering, Vice Chair Ahn, Commissioner Canepa, Commissioner Dutra-Vernaci and Commissioner Fleming

Absent: 1 - Commissioner Schaaf

6. Information

6a. [22-0512](#) Regional Growth Framework Implementation Funding Options

Overview of potential programs to implement Plan Bay Area 2050's Regional Growth Framework, leveraging near-term funding from Regional Early Action Planning Grant (REAP 2.0) Program and the One Bay Area Grant (OBAG 3) Program.

Action: Information

Presenter: Daniel Saver

Attachments: [6a_Regional_Growth_Framework_Implementation_Funding_Options.pdf](#)

The following individuals spoke on this item:

Jonathon Kass, SPUR;

Justine Marcus, Enterprise Community Partners;

James Perez, East Bay Asian Local Development Corporation;

Shannon Dodge, BART;

Bob Allen, Urban Habitat;

Ja'Nai Aubry, NPH;

Liz Gonzalez, South Bay Community Land Trust;

Amy Johnson, TransForm;

Rich Hedges; and

Helen-Marie Gordon.

6b. [22-0400](#) Plan Bay Area 2050 Implementation Initiatives: Public Land Reuse and Mall/Office Reuse

Highlight of concepts for advancing implementation of key Plan Bay Area 2050 Housing Strategies: Public Land Reuse and Mall & Office Reuse.

Action: Information

Presenter: Mark Shorett

Attachments: [6b_Plan_Bay_Area_2050_Implementation_Initiatives_Public_Land_Reuse_and_Mall_and_Office_Reuse.pdf](#)

6c. [22-0534](#) California High-Speed Rail draft 2022 Business Plan - MTC Comments

Discussion on comments submitted on California High-Speed Rail's draft
2022 Business Plan.

Action: Information

Presenter: Kara Vuicich

Attachments: [6c_CHSR_Bus_Plan_Comments.pdf](#)

7. Public Comment / Other Business

8. Adjournment / Next Meeting

The next meeting of the MTC Planning Committee will be Friday, May 13, 2022 at 9:45 a.m. remotely and by webcast as appropriate. Any changes to the schedule will be duly noticed to the public.

Metropolitan Transportation Commission

Legislation Details (With Text)

File #: 22-0765 **Version:** 1 **Name:**

Type: Report **Status:** Informational

File created: 4/8/2022 **In control:** Joint MTC Planning Committee with the ABAG Administrative Committee

On agenda: 5/13/2022 **Final action:**

Title: Exploring the Successes and Shortcomings of Senate Bill 375 (Steinberg, 2008)

Overview of successes and shortcomings in implementing regional plans such as Plan Bay Area over the past decade, highlighting initial findings from state reports required under Assembly Bill 285 (Friedman, 2019) and Senate Bill 150 (Allen, 2017) as well as potential opportunities for State legislative reform in the coming months.

Sponsors:**Indexes:****Code sections:**

Attachments: [5ai_SB375 Successes and Shortcomings Summary Sheet.pdf](#)
[5aii PowerPoint SB375 Successes and Shortcomings.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Exploring the Successes and Shortcomings of Senate Bill 375 (Steinberg, 2008)

Overview of successes and shortcomings in implementing regional plans such as Plan Bay Area over the past decade, highlighting initial findings from state reports required under Assembly Bill 285 (Friedman, 2019) and Senate Bill 150 (Allen, 2017) as well as potential opportunities for State legislative reform in the coming months.

Presenter:

Dave Vautin

Recommended Action:

Information

Attachments:

**Metropolitan Transportation Commission and Association of Bay Area Governments
Joint MTC Planning Committee with the ABAG Administrative Committee**

May 13, 2022

Agenda Item 5a

Exploring the Successes and Shortcomings of Senate Bill 375 (Steinberg, 2008)

Subject:

Overview of successes and shortcomings in implementing regional plans such as Plan Bay Area over the past decade, highlighting initial findings from state reports required under Assembly Bill 285 (Friedman, 2019) and Senate Bill 150 (Allen, 2017) as well as potential opportunities for State legislative reform in the coming months.

Background:

Since the passage of Senate Bill (SB) 375, regions across California have been required to integrate land use and climate mitigation into their regional planning processes, which historically focused solely on transportation. With greenhouse gas reduction targets set by the California Air Resources Board (CARB), this sparked greater focus on environmental issues in the regional planning process and a more thoughtful consideration of the connections between transportation and land use. However, SB 375 neither provided any additional implementation authorities to regions nor authorized new funding streams to regions, local jurisdictions, or project sponsors to turn these visionary plans into reality.

Much has changed since 2008. The Bay Area has now completed three iterations of Plan Bay Area, including the latest iteration adopted in fall 2021. Plan Bay Area 2050 was more comprehensive than ever before, laying out a blueprint for transportation, housing, economic development, and environmental resilience through 2050. Beyond planning for the future, the region has innovated through efforts like the One Bay Area Grant Program to support climate-smart investments and assist local jurisdictions with Priority Development Area planning. The State has provided new, albeit limited, funding opportunities like the Regional Early Action Planning program to assist local jurisdictions with Housing Element updates. Partnerships between the State, the region, local jurisdictions, and non-profit organizations have enabled pilot programs from the emerging Bay Area Housing Financing Authority to start moving forward.

Findings from Recent State Reports:

Yet despite this progress, action in the Bay Area and across the State has not been progressing as quickly as envisioned to meet ambitious climate goals. Two draft State reports, mandated by Assembly Bill 285 and Senate Bill 150, have been drafted by the Strategic Growth Council (SGC) and CARB, respectively, to delve further into the root causes of these challenges. These findings are summarized as follows:

- **It is important to acknowledge the long timelines and complex delivery process for transportation projects in California.** Changing course is challenging at all levels of government due to the significant time and effort required to translate vision into reality. It will be important for the State to create meaningful and collaborative opportunities for projects to improve their alignment with 21st century goals.
- **That being said, the State has identified a meaningful divergence between near-term transportation investments and urgent climate and equity priorities.** Capacity-increasing freeway investments that contribute to greenhouse gas emission increases continue to be delivered, especially in the Central Valley and Southern California.
- **The State correctly flags that a lack of housing production at all income levels in climate-efficient places is contributing to rising emissions.** Given that land use plays an even greater role in emissions reductions than transportation investments, the lack of new housing opportunities, especially for lower-income Californians, in walkable, transit-oriented communities is central to this narrative as well.
- **Notably, the State acknowledged that it has contributed to these challenges – for example, by funding projects that undercut its climate ambitions.** When compared to prior iterations of similar reports, this cycle acknowledges that regions are not singularly responsible for this challenge, and specifically identifies State agencies and programs needing reform in the years ahead.

- **While the State notes that the Bay Area leads on issues like greenfield preservation and transit funding, our region is not immune from these broader trends.** While the latest reports do acknowledge some areas the Bay Area has succeeded – for example, by containing sprawl much more effectively than other peer metro areas – the broader finding is that no region in California is currently successfully achieving climate goals.
- **The State argues that bolder action is required to realign priorities, acknowledging Plan Bay Area 2050 and San Diego Forward as best-practice examples.** Notably, the Bay Area and San Diego plans were specifically listed as the direction that other regions need to follow as they pivot toward a more climate-friendly future. Perhaps more importantly, the high-impact strategies in plans like Plan Bay Area 2050 need to be realized through partnership and collective action at the State, regional, and local levels.
- **In addition to strengthening partnerships, we believe the State will need to better prioritize its goals across divergent agencies and programs.** Statewide planning efforts are typically fiscally-unconstrained, meaning that the challenging but meaningful tradeoff discussions in efforts like Plan Bay Area 2050 are not occurring at the statewide scale. Better coordination in Sacramento could provide regions and local jurisdictions greater clarity on the State's priorities and advance shared goals.

Next Steps:

Staff will continue to advocate for additional State funding and tools to accelerate implementation of the strategies and implementation actions in Plan Bay Area 2050. Scaling up successful programs like REAP that could fund a wide range of transportation and housing investments is one piece of the puzzle. Engaging with the State as it considers potential reforms to existing funding programs to better align with 21st century goals are equally important.

Going beyond funding, the reality is that the bulk of greenhouse gas emission reductions come from strategies that are lower-cost but politically-challenging – such as roadway pricing or densification near frequent transit hubs. As noted earlier, strengthening existing partnerships to accelerate progress in this space will be key, bringing together a broad range of stakeholders from local governments to non-profit organizations to State agencies.

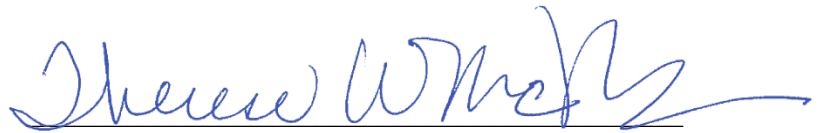
Last but not least, MTC/ABAG staff continue to work with legislative staff on Senate Bill 1217 (Allen/Cortese) to improve the regional planning process, consistent with the MTC/ABAG advocacy platform. This work seeks to address some of the shortcomings of the original 2008 law to streamline the time-consuming and at times, opaque review process established by CARB and re-focus State and regional energies toward implementation commitments and progress tracking, similar to the recently adopted Plan Bay Area 2050 Implementation Plan.

Issues:

None identified.

Attachments:

- Attachment A: Presentation



Therese W. McMillan

Exploring the Successes & Shortcomings of Senate Bill 375

Joint MTC Planning Committee with the
ABAG Administrative Committee
May 13, 2022



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Senate Bill 375 (2008)

- **Transformative law integrating land use & climate mitigation** into the core of regional planning in California
- **Set greenhouse gas targets** for regions and empowered CARB to review and approve plans
- **Lacked any significant implementation or funding provisions** to enable MPOs to turn plans into reality



**Governor Schwarzenegger &
Senate Majority Leader Steinberg**

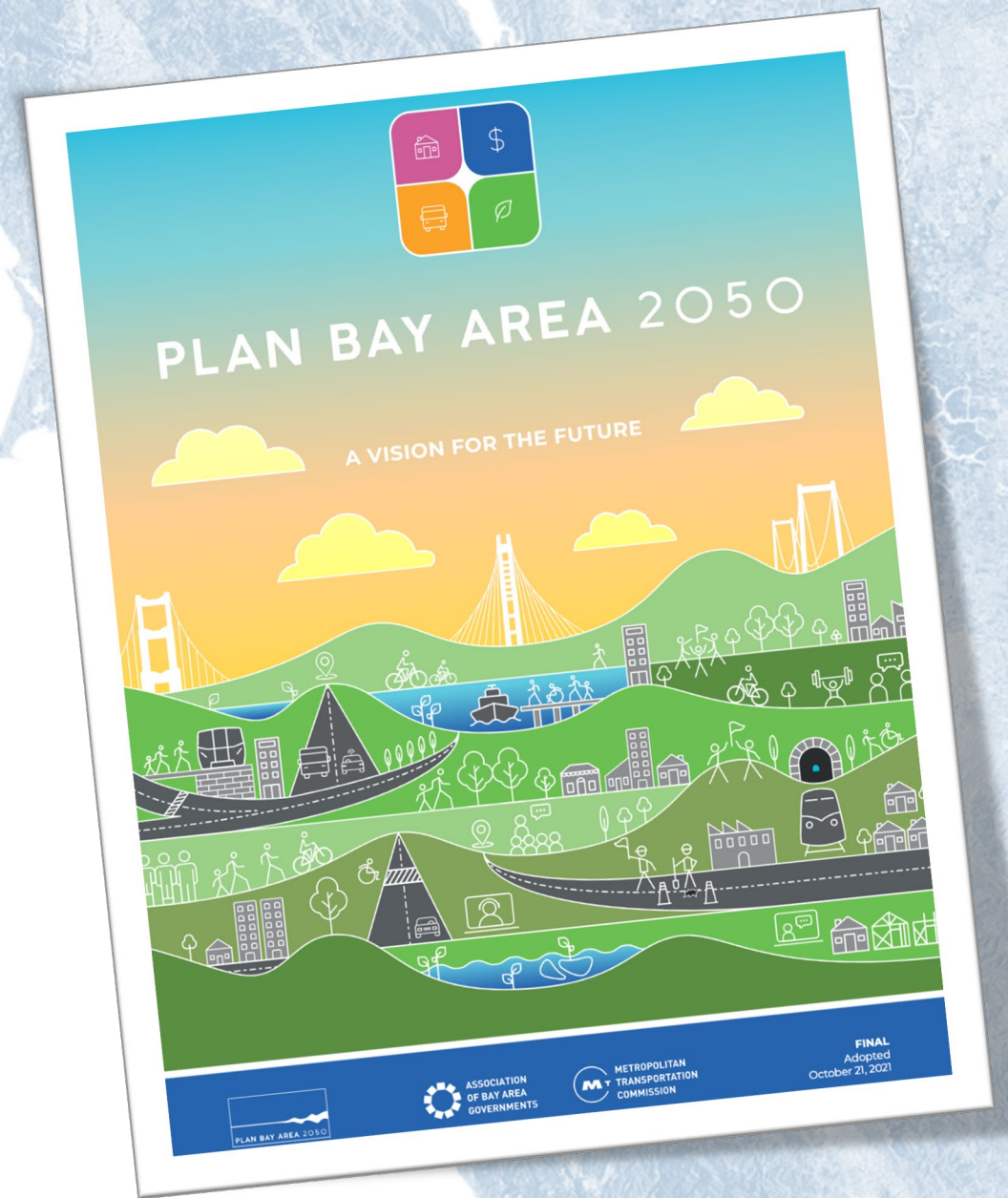
Image Source: Spokesman-Review



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Three Iterations of Plan Bay Area (So Far)

- **Plan Bay Area (2013):** first plan to integrate and achieve state-mandated climate target
- **Plan Bay Area 2040 (2017)**:** “limited and focused” update with specific lens on growing housing crisis
- **Plan Bay Area 2050 (2021)**:** stronger integration of equity & resilience; new Environment & Economy elements added to Plan



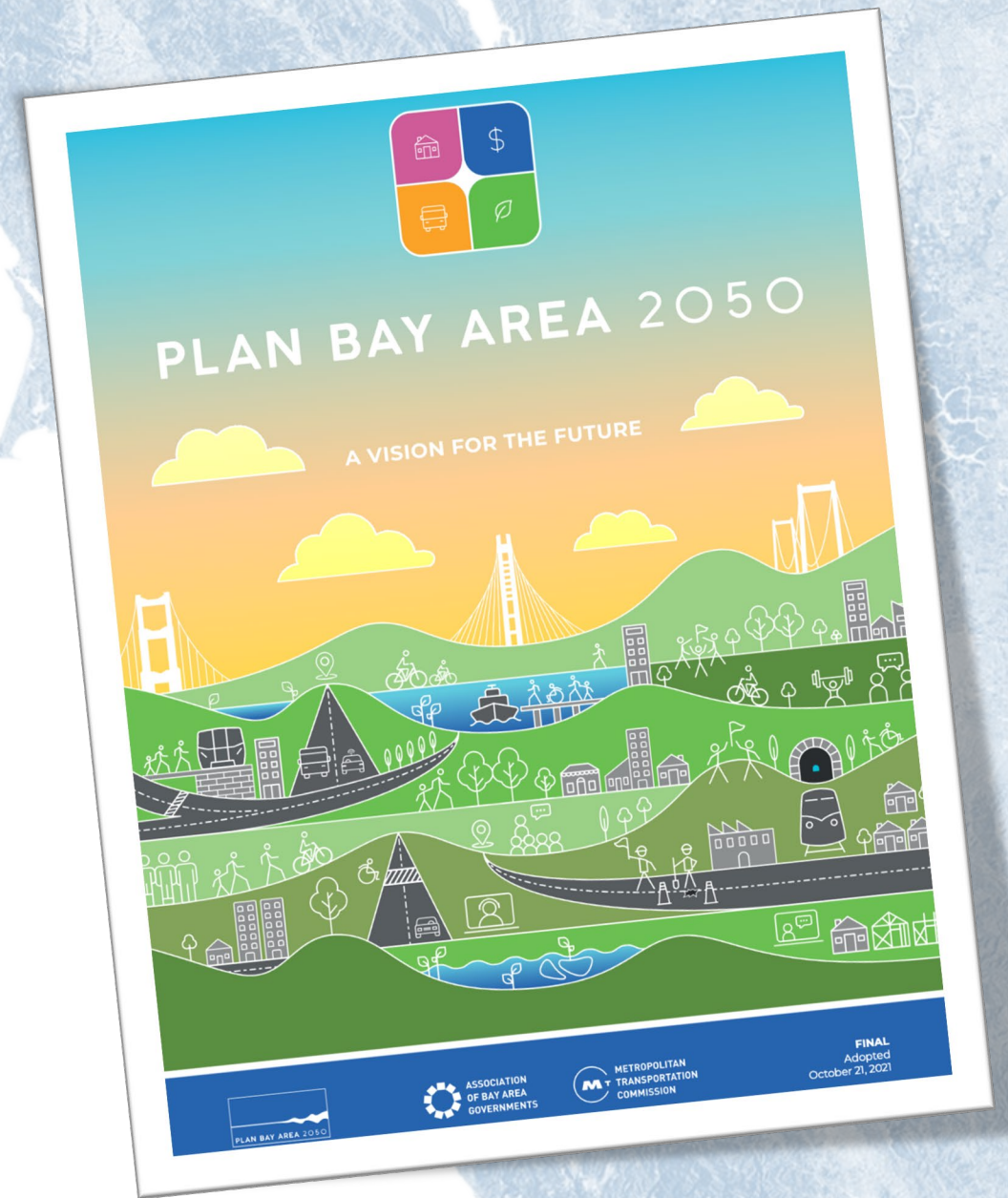
**** Note:** Both Plan Bay Area 2040 and Plan Bay Area 2050 paired *long-range strategies* with *near-term implementation actions*.



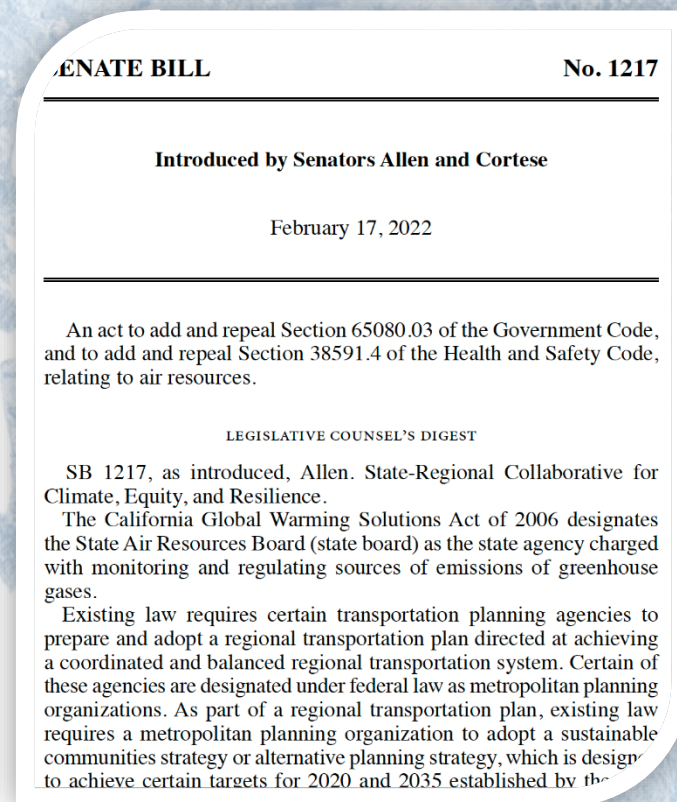
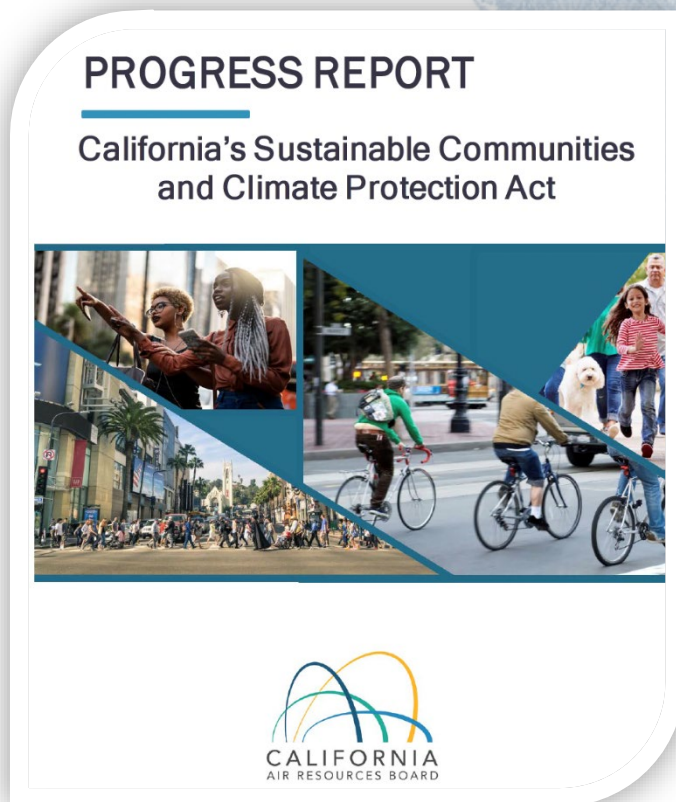
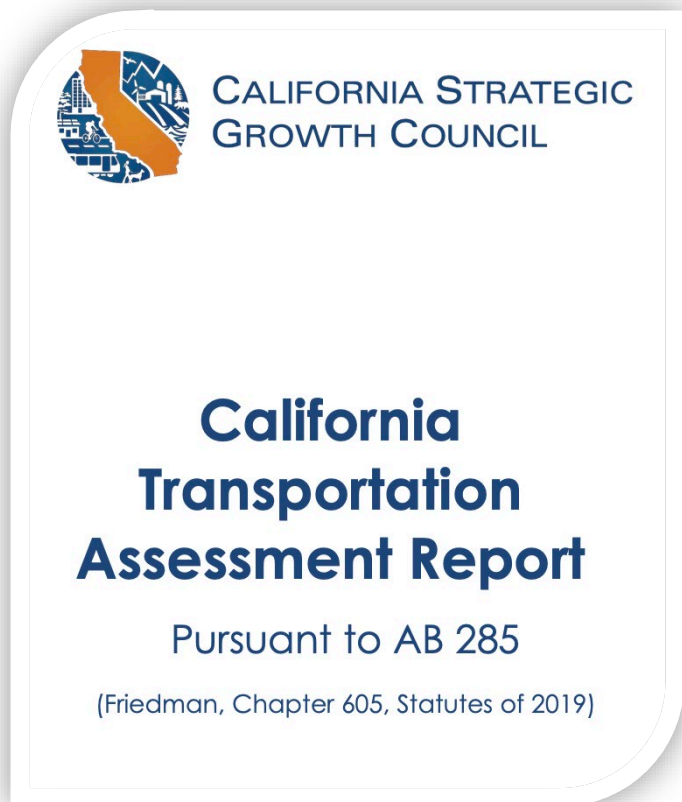
ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Implementation Efforts: Partnership is Key

- **One Bay Area Grant Program (OBAG):** funding climate investments, local land use planning, active transportation, and more
- **Regional Early Action Planning (REAP):** assisting local jurisdictions with Housing Elements & local zoning updates to tackle ongoing housing crisis
- **BAHFA Pilot Programs:** addressing urgent needs related to affordable housing with focus on “3 P” framework



2022: An Opportunity for Reflection on What's Working – and What's Not Working – with SB 375

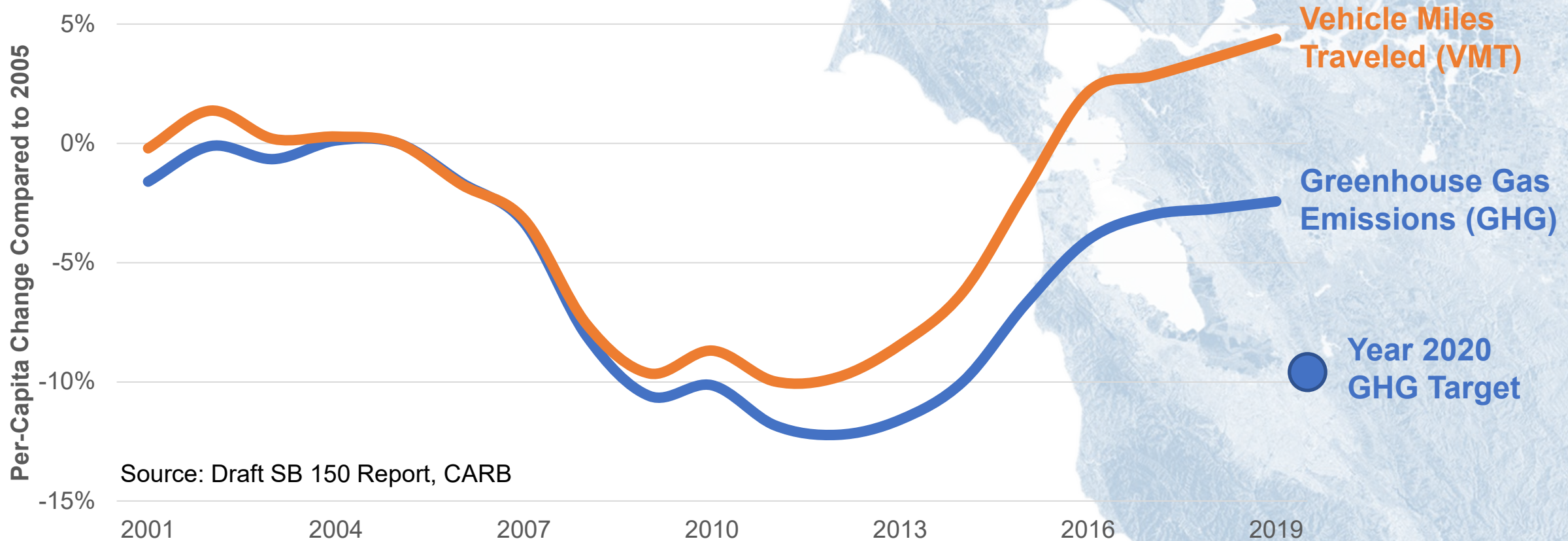


AB 285 Report (SGC; 2022)
Assessment of state and regional transportation planning and funding

Draft SB 150 Report (CARB; 2022)
Progress report on SB 375 implementation related to housing, land use, and transportation

SB 1217
Proposed legislation to reform the SB 375 planning process by Sen. Cortese and Sen. Allen

Statewide GHG and VMT Performance: Not on Track to Meet 2020 Climate Goals



Note: Bay Area progress towards VMT/GHG reduction goals is generally similar, or slightly underperforming, when compared to statewide trends. The Bay Area ultimately did meet the year 2020 GHG target, primarily due to COVID-19 stay-at-home orders.



It is important to acknowledge the long timelines and complex delivery process for transportation projects in California.



BART Extension to Silicon Valley (2020)

Image Source: Flickr/Creative Commons

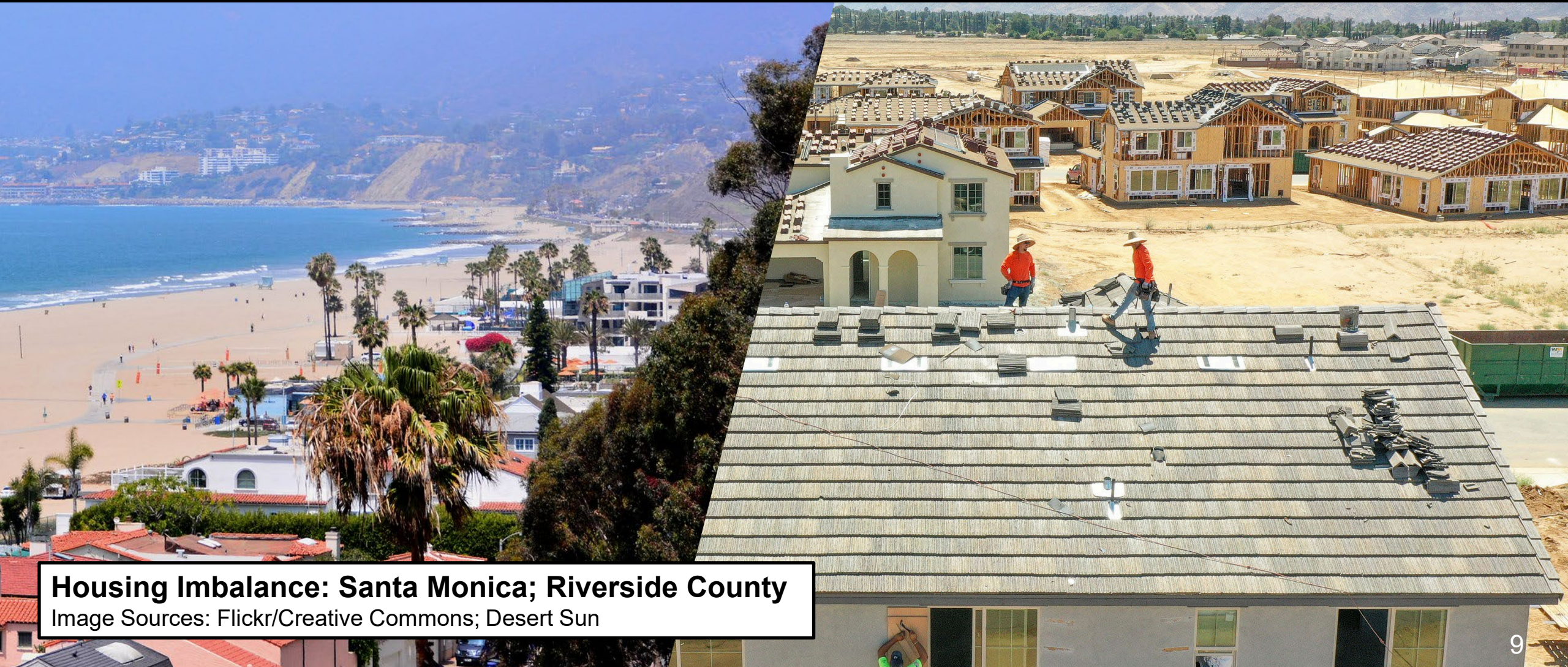
That being said, the State has identified a meaningful divergence between near-term investments and urgent climate & equity priorities.



Neighborhood Demolished for New SR-58 Freeway (2010s)

Image Source: City of Bakersfield

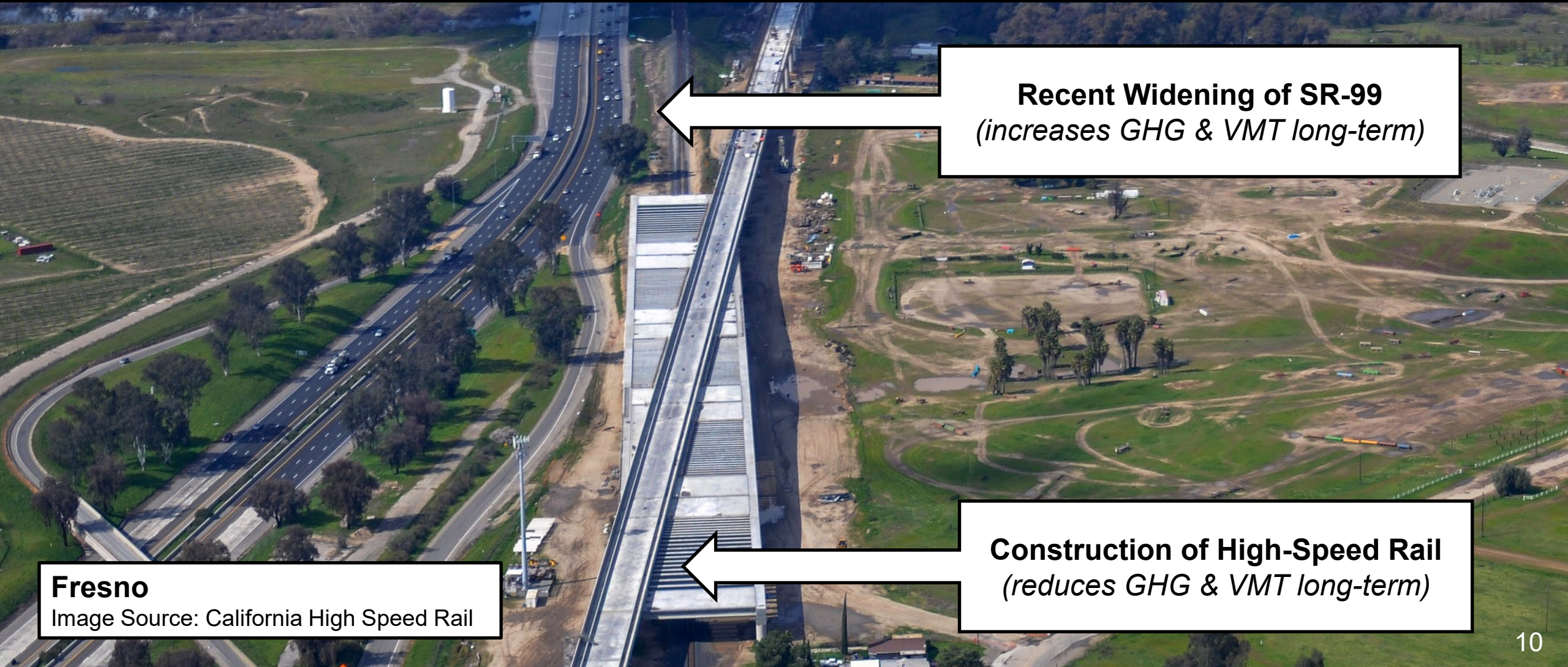
The State correctly flags that the lack of housing production at all income levels in climate-efficient places is contributing to rising emissions.



Housing Imbalance: Santa Monica; Riverside County

Image Sources: Flickr/Creative Commons; Desert Sun

Notably, the State acknowledges that it has contributed to these challenges – for example, by funding projects that undercut its climate ambitions.



Recent Widening of SR-99
(increases GHG & VMT long-term)

Construction of High-Speed Rail
(reduces GHG & VMT long-term)

Fresno

Image Source: California High Speed Rail

While the State notes that the Bay Area leads on issues like greenfield preservation & transit funding, our region is not immune from these broader trends.



Marin Headlands

Image Source: Flickr/Creative Commons

The State argues that bolder action is required to realign priorities, acknowledging Plan Bay Area 2050 and San Diego Forward as best-practice examples.



San Diego

Image Source: Flickr/Creative Commons

In addition to strengthening partnerships, we believe the State will need to better prioritize its goals across divergent agencies and programs.



Sacramento

Image Source: Flickr/Creative Commons

Priorities for State Action: Scaling Up Implementation

- **Continue investing and growing successful programs like REAP** that enable a broad range of investments to accelerate Plan implementation
- **Opportunity for the State to embark on a prioritization process** with consideration of financial capacity; consider shifting transportation monies to advance local priority projects that advance sustainability and equity



Priorities for State Action: Going Beyond Funding

- While additional funding is critical, the reality is that **many of most high-impact actions are lower-cost but politically-challenging to advance**, e.g.:
 - Road Pricing Pilots (*nexus with Next-Generation Freeways Study*)
 - Speed Limit Enforcement (*nexus with Vision Zero Initiatives*)
 - Additional Density Near Frequent Transit (*nexus with TOC Policy & PDA Planning Grant Program*)
- **Strong partnerships between local jurisdictions, regions, and the State will be essential** in the months & years ahead



What About Reforming the SB 375 Process Itself?

- While **improving implementation is a top priority**, the planning process could similarly be **rebalanced to refocus on near-term implementation commitments** rather than precise forecasts & projections
- **Continue working with legislative staff on SB 1217:**
 - Require regions to develop Implementation Plans & track progress
 - Allow regions to “opt in” to a simplified & streamlined CARB review process
 - Continue to integrate key issues that have emerged since 2008 into state framework (e.g., social equity, climate resilience)



Metropolitan Transportation Commission

Legislation Details (With Text)

File #:	22-0766	Version:	1	Name:	
Type:	Report	Status:		Informational	
File created:	4/8/2022	In control:		Joint MTC Planning Committee with the ABAG Administrative Committee	
On agenda:	5/13/2022	Final action:			
Title:	Transit-Oriented Communities (TOC) Policy				

Update on outreach conducted and comments received on the initial draft of the proposed TOC Policy and seek feedback on revisions to the draft policy.

Sponsors:**Indexes:****Code sections:**

Attachments: [5bi Draft Transit-Oriented Communities Policy Summary Sheet and Attachment A.pdf](#)
[5bii PowerPoint Transit-Oriented Communities Policy.pdf](#)
[Item 5b Public Comment Combined.pdf](#)

Date	Ver.	Action By	Action	Result
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Subject:

Transit-Oriented Communities (TOC) Policy

Update on outreach conducted and comments received on the initial draft of the proposed TOC Policy and seek feedback on revisions to the draft policy.

Presenter:

Kara Vuicich

Recommended Action:

Information

Attachments:

Transit-Oriented Communities (TOC) Policy

Subject:

Update on outreach conducted and comments received on the initial draft of the proposed TOC Policy and seek feedback on revisions to the draft policy.

Background:

The proposed TOC Policy will replace the 2005 Transit-Oriented Development (TOD) Policy included in the Regional Transit Expansion Program (MTC Resolution No. 3434). Given the completion of most of the transit expansion projects that were subject to the TOD Policy and significant legislative and policy changes at both the state and regional levels, the Commission requested that staff undertake an update of the 2005 TOD policy.

Staff presented a draft TOC Policy proposal to the Joint Committee at its January meeting. The committee expressed general support for the draft TOC Policy proposal goals and focus on implementing Plan Bay Area 2050 strategies by establishing specific requirements for Priority Development Areas (PDAs) and Transit-Rich Areas (TRAs) related to residential and office density for new development, affordable housing and anti-displacement policies, parking management, and transit station access and circulation. The committee also expressed concern that the proposed 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.

Outreach to Local Jurisdictions and Other Stakeholders:

In February and March 2022, staff met with local jurisdiction planning staff throughout the region and heard feedback from the ABAG Executive Board at their March meeting. Staff held several follow-up meetings with county transportation agency (CTA) staff and executive directors and provided an informational update at the March 16 Contra Costa County Transportation Authority board meeting. Staff also presented the TOC Policy at the East Bay

Leadership Council's Housing and Transportation Task Force meetings, and the MTC Policy Advisory Council.

Staff has distributed a survey to local jurisdiction staff in April to gain a better understanding of the level of planning and technical assistance that local jurisdictions may need to comply with potential TOC Policy requirements.

Draft TOC Policy:

The draft TOC Policy is provided in **Attachment A**. The following summary of revisions to the draft policy proposal reflect the feedback received from local jurisdictions and other stakeholders:

- **Focus on PDAs and TRAs around fixed-guideway transit.** 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. If a PDA has been designated, then the TOC Policy applies to 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.
- **Relationship to regional discretionary funding.** To provide jurisdictions time to comply with TOC Policy requirements, staff proposes that MTC prioritize regional discretionary funding through the One Bay Area Grant (OBAG3) program and the Regional Early Action Planning Grants of 2021 (REAP 2.0) program for planning in geographies subject to 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 align to Plan Bay Area 2050, with more modest minimum density requirements.

- **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.

Next Steps:

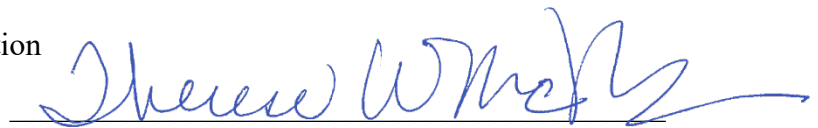
Based on feedback from the Committee and other stakeholders, staff will revise the draft TOC Policy and return to the Committee with a final TOC Policy for final review and action in July 2022.

Issues:

None identified.

Attachments:

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



Therese W. McMillan

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
Notes: 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
Note: <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.
Note: 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.



Transit-Oriented Communities Policy

Joint MTC Planning Committee with the
ABAG Administrative Committee

May 13, 2022



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION



Photo credit: Karl Nielsen

Overview of Today's Presentation

1. Outreach and feedback to date
2. Draft TOC Policy
3. Next steps



Outreach to Local Jurisdictions and Stakeholders

February

- Santa Clara County Planning Directors
- Alameda County Planning Directors
- City of Livermore
- Sonoma County Planning Directors
- Solano County Planning Directors
- Solano Transportation Authority TAC
- Contra Costa Planning Directors
- VTA Comm Design & Transp. Network

March

- East Bay Leadership Council:
Housing, Transportation Task Force Meetings
- Marin County Planning Directors
- CCTA Board*
- San Mateo County Planning Directors
- ABAG Executive Board*
- Follow up meetings with city planning staff

April

- MTC Policy Advisory Council
- CTA Executive Directors
- Local jurisdiction survey (collecting responses through May)

May

- CTA Planning Directors
- Napa County Planning Directors
- CCAG Board (invited)*
- Ad hoc follow-up meetings, as requested

*Meetings with local elected officials



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Summary of Feedback Addressed in Draft Policy

- General support for policy goals and intent.
- Focus on fixed-guideway or “more permanent” transit services.
- Clarify policy application and relationship to funding.
- Clarify density requirements to reflect differing levels of transit service across the region.
- Enhance and better define policy options across the “3 P’s.”
- Incorporate Complete Streets Policy, Active Transportation Plan, and Community Based Transportation Plans into station access requirement.





Draft TOC Policy



Photo credit: Noah Berger



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What are Transit-Oriented Communities?

- Located within one half-mile (or ~10-min walk) of transit stations
- Places enabling more people to use transit more often for more types of trips through:
 - Land use density and diversity of use
 - Complete Streets
 - Parking management
 - Robust multimodal access that maximizes space for people
 - Urban design and placemaking
 - Providing opportunities for people of all income levels to live and work in transit-accessible locations
- TOC Policy focuses on core elements of land use density, affordable housing, parking management, and complete streets/multimodal access to implement Plan Bay Area 2050 strategies.





TOC Policy Goals

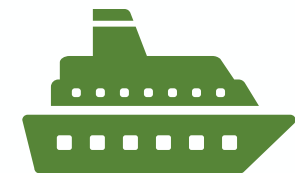
1. Increase residential densities for new development and prioritize affordable housing in transit-rich areas.
2. Increase commercial densities for new development in transit-rich areas near regional transit hubs served by multiple transit providers.
3. Prioritize bus transit, active transportation,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

Where will the TOC Policy Apply? Fixed-Guideway Transit



PDAs 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)



Where will the TOC Policy Apply? PDAs or TRAs

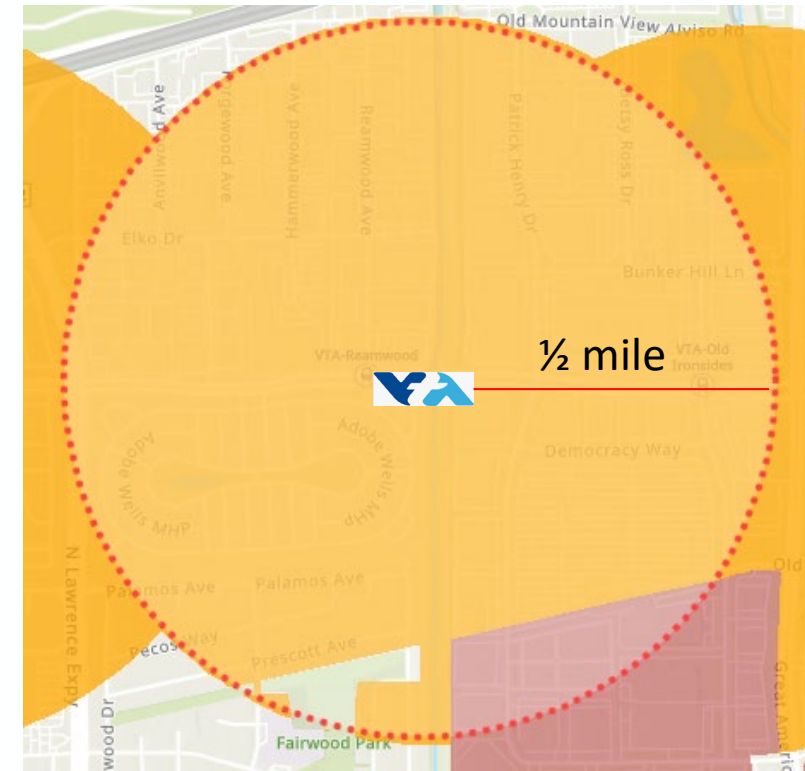


PDAs and TRAs within the half-mile station/stop/terminal area of fixed-guideway transit.

North Berkeley BART: Applies to the portion of PDA within $\frac{1}{2}$ mile radius



VTA Reamwood: Applies to the entire TRA within $\frac{1}{2}$ mile radius



Density for New Residential Development

- Requirement is for density, not use; zoning may allow residential, commercial, or mixed-use.
- Required or allowed densities can be higher, but should not be lower.



Level of Transit Service	Required Min Density	Allowable Density*	Examples
Tier 1: Rail station served by 3 BART lines or a BART line and Caltrain Baby Bullet	100 units/net acre or higher	150 units/net acre or higher	Mid- to High-Rise Housing
Tier 2: Stop/station served by 2 BART lines or Caltrain Baby Bullet	75 units/net acre or higher	100 units/net acre or higher	4-5 Stories
Tier 3: 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	3-4 Stories
Tier 4: Commuter rail (SMART, ACE, Capitol Corridor) or ferry terminal (only if PDA at ferry terminal)	25 units/net acre or higher	35 units/net acre or higher	2-3 Stories

*Allowable densities are based on PBA 2050 modeling for Strategy H3 (see [Forecasting and Modeling Report](#), p.44).



Density for New Commercial Office Development

- Requirement is for density, not use; zoning may allow residential, commercial, or mixed-use.
- Required or allowed densities can be higher, but should not be lower.



Level of Transit Service	Required Min Density	Allowable Density*	Examples
Tier 1: Rail station served by 3 BART lines or a BART line and Caltrain Baby Bullet	4 Floor Area Ratio (FAR) or higher	8 FAR or higher	6+ Stories
Tier 2: Stop/station served by 2 BART lines or Caltrain Baby Bullet	3 FAR or higher	6 FAR or higher	4-6 Stories
Tier 3: Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit	2 FAR or higher	4 FAR or higher	3-5 Stories
Tier 4: Commuter rail (SMART, ACE, Capitol Corridor) or ferry terminal (only if PDA at ferry terminal)	1 FAR or higher	3 FAR or higher	2-4 Stories

*Allowable densities are based on PBA 2050 modeling for Strategy EC4 (see [Forecasting and Modeling Report](#), p. 57).



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

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



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Anti-Displacement: Commercial Protection & Stabilization

One of the following for small businesses:

- Overlay zone for protections/benefits
- Preference policy
- Financial assistance program
- Advocate office



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

Station Access and Circulation

- 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

PLAN BAY AREA 2050

STRATEGY T3
SEAMLESS
MOBILITY

STRATEGY T8
COMPLETE
STREETS

Policy Implementation

Fixed-Guideway Transit *Existing and Improvements:*





- Jurisdictions to provide documentation of compliance – MTC will issue subsequent guidance.
- Plan Bay Area Growth Framework Planning and Technical Assistance Program will assist with policy implementation.
- More detailed guidance for some policy requirements will be forthcoming and coordinated across regional programs to ensure consistency.

Fixed-Guideway Transit *Extensions:*

- Jurisdictions to comply with TOC Policy requirements prior to allocation of regional discretionary capital funding or endorsement.
- For projects that have been planning based on 2005 TOD Policy, transit project may receive funds based on 2005 TOD Policy compliance, but jurisdiction must commit to TOC Policy compliance by adoption of OBAG 4 (~2026).



Supporting Policy Implementation through OBAG 3 and REAP 2.0: Overview of Proposed Programs

	Program Category	Amount	PBA 2050 Strategies	Implementation Plan Actions	Co-Benefits
	Growth Framework Planning Grants	\$25 million <i>(OBAG 3)</i>	H3, H4, H5, H6, H8, EC 4, EC6, EN4, T8-9	Housing: 2(c), 2(e) Economy: 5(d) Transportation: 7(c)-(d)	TOC Policy, Complete Streets Policy, RHNA
	Regional Housing Technical Assistance & Local Grants	\$15 million <i>(REAP 2.0)</i>	H1, H3, H5, H6, H7, H8	Housing: 1(e), 2(a), 2(c), 2(e), 2(h)	TOC Policy, RHNA, OBAG
	Housing Preservation Pilot	\$15 million <i>(REAP 2.0)</i>	H2	Housing: 1(b), 1(c)	BAHFA
	Priority Sites Pilot	\$28 million <i>(REAP 2.0)</i>	H3, H4, H6 and H8	Housing: 2(b), 2(c), 2(h), 2(i), 3(d), 3(f)	TOC Policy, RHNA, BAHFA
		Total: \$83 million			

Relationship to Funding

- OBAG3 and REAP 2.0 support policy implementation through planning and technical assistance.
- OBAG4 and beyond:
 - Increased emphasis on County & Local Program investments directed to PDAs and TRAs that are subject to and comply with policy.
 - PDAs with no fixed-guideway transit will continue to be prioritized.



Next Steps to Policy Adoption

Staff contact:

Kara Vuicich, AICP
Principal Planner

kvuicich@bayareametro.gov

May

- Additional stakeholder outreach

June

- Policy Advisory Council

July

- Draft Final Policy to Joint MTC Planning/ABAG Admin Committee



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DEVELOPMENT SERVICES CENTER

17575 Peak Avenue Morgan Hill CA 95037 (408) 778-6480 Fax (408) 779-7236

Website Address: www.morgan-hill.ca.gov

May 10, 2022

Joint MTC Planning/ABAG Administrative Committees
375 Beale Street,
Suite 800
San Francisco, CA 94105-2066

Subject: File #22-0766 Transit-Oriented Communities (TOC) Policy

Dear Chairs Sperring and Arreguin and Committee members:

Thank you for the opportunity to comment on the initial draft policy approach and requirements for the update to MTC's Transit-Oriented Communities (TOC) Policy.

Morgan Hill is a small community of approximately 45,000 residents located in South Silicon Valley. The City of Morgan Hill has a robust housing program with a focus on affordable ownership and rental housing production. Morgan Hill is one of the fastest growing cities in Santa Clara County and proud of having 1 in 8 units in the City be deed restricted as affordable.

Morgan Hill is proud to share with MTC and our regional partners that we plan on meeting our RHNA housing requirements for the current cycle. And while we are deeply committed to being part of the solution to the housing crisis, we have great concerns about the minimum required residential densities and associated parking management plan as identified in the draft TOC Policy. Even though the City of Morgan Hill has a Caltrain stop located within our downtown PDA, it has extremely limited service. The current Caltrain service levels in Morgan Hill are below the service levels listed for Commuter Rail agencies located in Tier 4.

We urge MTC to take into consideration public transit levels of service as part of the overall TOC Policy. Under the proposed TOC transit tier levels, Morgan Hill would fall under Tier 3: Stop/station served by 1 BART line, Caltrain, light rail transit, or bus rapid transit. However, based on service levels, Morgan Hill would be more appropriately categorized under Tier 4: Commuter rail (SMART, ACE, Capitol Corridor, Valley Link) or ferry terminal.

The City of Morgan Hill like many other cities struggle with the existing transit station definition in state law without the recognition of level of service. We urge MTC to lobby the state to change Section 21064.3 of the Public Resources Code to clarify the need for regular service for a rail or bus rapid transit station to qualify as a "Major Transit Stop." The law as written considers a transit station with no or minimal service as a "major transit stop". This creates a situation where projects with unlimited density and limited parking can be built where transit

opportunities do not actually exist. This puts a severe burden on communities with limited transit service to accommodate vehicles that will be required by residents in order to travel to work.

The lack of public transportation service results in people living in communities like Morgan Hill to have a car - which is an absolute necessity for our residents. Our current land use regulations encourage reduced or shared parking, but until transit service is reliable for people to get to their place of employment or reach healthcare services and basic amenities, parking minimums (even reduced) need to stay in effect. We need MTC and our regional partners to help develop policies and solutions that provide opportunities for transit service increases to be focused on communities that are lacking in transit. As part of the effort to build more housing, increasing transit opportunities is at a heart of enabling denser developments that don't need parking.

Finally, the City recognizes the difficulty in establishing blanket policies that work for all jurisdictions the Bay Area. We are committed to collaborating with you to craft policy that accounts for the diversity of our communities and their needs while advancing housing production goals.

We look forward to working with you. If you have any questions regarding these comments, please contact me at (408)310-4657 or by email at jennifer.carman@morganhill.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jennifer Carman', with a long horizontal flourish extending to the right.

Jennifer Carman
Development Services Director



May 12, 2022

Re: Planning Committee Item 5b: Transit-Oriented Communities (TOC) Policy

Dear Commissioners:

We appreciate the Commission and staff for the thoughtful attention you have given to updating MTC's Transit-Oriented Communities (TOC) Policy. Much has changed in the Bay Area since the original Transit-Oriented Development policy was passed in 2005. Our converging crises of housing unaffordability; climate change; and racial and economic inequities have only deepened in scale and urgency.

You all unanimously adopted Plan Bay Area 2050 this past October, charting a path forward for more inclusive, equitable, affordable and sustainable communities. One of Plan Bay Area's central strategies is strong housing and job growth near transit, with commensurate shifts to more sustainable and affordable forms of transportation. The plan seeks to deliver 33,000 annual new homes (half to people with low incomes) and 25,000 annual new jobs within transit rich areas. Plan Bay Area further aims to reduce the share of trips made in single occupancy vehicles to just 36 percent, meaning even lower levels of signal occupant vehicle use in transit rich areas. These are ambitious goals, but Plan Bay Area's deep analysis demonstrated that they are achievable.

MTC now has an obligation to implement its sustainable communities strategy, and the TOC policy update is an essential part of the implementation strategy. It is an opportunity to operationalize Plan Bay Area 2050's goals for social and racial equity, including more sustainable transportation connections in Equity Priority Communities and meaningfully tackling housing affordability and anti-displacement.

Our organizations have closely followed the TOC policy development and offer the attached initial questions and recommendations based on the updated draft. Overall, we remain deeply impressed by the quality and sincerity of staff's engagement and are pleased with the general direction of the draft policy; we believe the changes and additions since January continue to demonstrate a commitment to maximizing the policies goals of housing affordability, ridership, mode-shift, and creating safe, livable communities.

Over the next month, we have two primary goals. First, we want to **ensure that the TOC that will set the Bay Area up to reach Plan Bay Area 2050 goals**. Second, we want to **ensure successful implementation** of the policy; this will require adequate, timely funding conditioning to ensure compliance as well as intentional policy design and

phasing to sync the TOC policy with the housing element updates and related rezoning currently underway by local jurisdictions. We look forward to engaging on the updated draft in greater depth over the next several weeks.

Respectfully,

Amy Thomson
TransForm

Ja’Nai Aubry
Nonprofit Housing Association of Northern California

Jonathon Kass
SPUR

Justine Marcus
Enterprise Community Partners

Zoe Siegel
Greenbelt Alliance

Kenneth Rosales
SV@Home

MTC TOC Policy Questions and Recommendations
MTC Planning Committee, May 13, 2022

1. The TOC policy must be consistent with Plan Bay Area 2050 and keep us on track to meet the Plan's stated

goals. The following changes included in the updated draft policy raise questions about the policy's ability to fulfill this role.

- a. First, the updated policy limits the geographic scope of the policy in a variety of ways. While we understand the rationale for many of these changes, we ask that staff confirm that the policy is still projected to meet PBA 2050 goals for transit-oriented housing, jobs, and modeshift. Further, we ask that staff assess the equity and fair housing implications of these changes to geographic scope. Specifically, we ask that staff assess whether any of these changes disproportionately exclude Equity Priority Communities and/or high resource areas. Relevant changes that should be assessed include:
 - Limiting the policy to PDAs when PDAs exist within the TRAs
 - Excluding unfixed bus service from the TOC policy and exempting ferry terminals from many requirements
 - Lowering the the minimum required and allowed density for new residential and commercial development
- b. We are impressed by the additional detail and strength of the affordable housing and anti-displacement provisions of the policy in this most recent draft -- these policies goals are central to Plan Bay Area 2050. As the policy continues to be refined, however, we recommend the following:
 - The 3 P's policy menus should be further refined to eliminate lower impact policies in order to focus these incentives for local jurisdictions to policies that will deliver the affordable housing and anti-displacement goals outlined in PBA 2050 – and at scale. As part of ensuring high-impact policies are implemented, staff may also consider whether it is appropriate to request more than two policies for each section, especially if the menu lists are longer.
 - In order to prevent direct displacement, no net loss and right to return for demolished homes should be a baseline requirement for all locations and not presented as an option within a menu.
 - Jurisdictions should not receive credit for adopting 3 P's policies that do not fit their local housing landscape.
 - The TOC Policy should allow for MTC to revisit the set of policies as the state housing landscape changes. We greatly appreciate staff's continued engagement on this aspect of the policy and look forward to continuing to work with staff to finalize and refine based on policy best practices.
- c. The transit station access gap analysis is a valuable part of the policy that will help ensure all residents have a safe and comfortable connection to transit without relying on a car. However, the draft does not require jurisdictions to actually deliver changes that would increase station access by clean and affordable transportation, nor does it include modeshift targets. Identifying access gaps will not help us meet the modeshift targets identified in PBA 2050, which includes an ambitious drop in single occupancy vehicle (SOV) car trips. Mode share is a good measure of whether alternatives to SOV travel are working. Setting maximum SOV targets per station type is a strong strategy to encourage jurisdictions to prioritize zero- and low-emission transportation options.

2. The policy must support successful implementation, which will require adequate, timely funding conditioning to ensure compliance as well as intentional policy design and phasing to sync the TOC policy with the housing element updates and related rezoning currently underway by local jurisdictions.

- a. We request that staff provide greater clarity on which planned transit extensions would be exempt from funding conditioning under the TOC policy. We request that staff work with transit agencies and other stakeholders to target where discretionary funding for transit expansion can be conditioned on TOC compliance without risking project delays. The policy proposes that jurisdictions that have been “planning for...extensions based on” the 2005 policy will not need to meet the updated TOC policy requirements in order to get their regional discretionary funding; instead they must “commit to achieving TOC Policy compliance by the adoption of OBAG4.” This is a step back from the 2005 TOD policy, which conditions new transit expansion funds on compliance. We agree that near-term projects should not be stalled while waiting for jurisdictions to come into compliance. However, where conditioning funding on TOC compliance by 2026 will not delay the project, then there is no reason to grandfather such projects.
- b. The policy requires a clearer explanation of what funding will be part of incentives for jurisdictions to comply with the policy, including and in addition to future OBAG cycles.
 - For example, would grade separations be conditioned on policy compliance?
 - Would any road funding be conditioned on compliance? If not, why not?
 - The policy notes that endorsements for new transit projects may be lost if those particular projects do not comply with the TOC policy. We recommend that jurisdictions not in compliance by the 2026 deadline lose all MTC endorsements for state and federal funding of local transportation projects until they achieve compliance.
- c. MTC should convene leaders to identify how implementation of RHNA and the TOC policy can be complementary and coordinated to the greatest extent possible. Local jurisdictions are in the midst of challenging work to update their housing elements to be consistent with RHNA. If the TOC policy is not a serious consideration in housing element updates, and is therefore not part of the rezoning that will take place over the three-year period following certification of the housing element -- many jurisdiction’s may be unable to achieve compliance by OBAG4 (2026). This challenge is worthy of direct, high-level, creative attention.