



METROPOLITAN
TRANSPORTATION
COMMISSION

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Memorandum

TO: Commission

DATE: May 23, 2018

FR: Executive Director

RE: AB 2923 (Chiu): BART Transit Oriented Development –
Summary of MTC Legislation Committee Amendment Recommendations

Background

On May 11th, the MTC and ABAG Legislation Committees met jointly and discussed AB 2923 (Chiu). The MTC Legislation Committee approved a recommendation of “support and seek amendments” while the ABAG Legislation Committee approved a recommendation of “support if amended.” The amendments sought by each committee were the same and are summarized below. At its May 17th meeting, however, the ABAG Executive Board changed course and voted by a margin of 13 – 11 to take an “oppose unless amended” position on the bill. The amendments sought were the same as those shown below except with regard to amendment #3, which the ABAG Executive Board proposed should limit the bill’s scope to land owned by BART as of July 1, 2018, with no exceptions.

1. Limit BART Standards to Density and Parking (Amendments Proposed in original May 4th Legislation Committee Memo)

Strike references to height limits and floor area ratio from the AB 2923 so that the BART standards would be limited to density and parking.

2. Codify BART’s Current Parking Policy as it Relates to Replacement Parking

To address concerns about the impact on access to BART if it redevelops land that is currently used for BART parking, the committee directed staff to seek amendments to codify BART’s current parking policy which, in practice, recognizes a need for 1:1 replacement at its auto-dependent stations (including Dublin, Orinda, Lafayette and West Dublin/Pleasanton). To address the potential that BART may change this policy in the future, the amendments would propose a floor of 1:1 parking replacement for development of BART land at auto-dependent stations.

3. Limit Bill’s Reach to Existing or Adjacent Land

To address a concern that the bill could apply to a potentially unlimited amount of land that BART could purchase in the future (notwithstanding its significant budget limitations), limit the applicability of the bill’s new TOD guidelines to currently-owned land (approximately 250 acres) within one-half mile of existing or future BART stations, with an allowance provided for parcels purchased by BART at a future date only if they are: 1) adjacent to land owned *as of July 1, 2018* and 2) if BART adopts a finding that the new contiguous parcels are necessary to complete a TOD project.

4. *End-of-Line Stations*

Pursue an amendment that excludes from the scope of the bill “end-of-line stations” in recognition that auto access is often the predominant way to access such stations and thus those stations have significant parking needs overall. The proposed amendment could be drafted so that “end-of-line” stations are revised as BART expands and correspond with those that truly function as “end-of-line” stations.



Steve Heminger

SH:st

Attachment