

Transit-Oriented Development Policy

Adopted June 9, 2016 | Amended April 23, 2020 | Amended April 23, 2026

VISION

The San Francisco Bay Area Rapid Transit District (BART) is a steward of a large scale public investment. This includes real estate assets essential to BART's transit operations, and real estate assets that can be used to catalyze transit-oriented development in furtherance of BART's purpose and goals. BART leverages these opportunities by working in partnership with the communities it serves in order to implement the regional land use vision and achieve local and regional economic development goals. Strengthening the connections between people, places, and services enhances BART's value as a regional resource.

GOALS

- A. Complete Communities.** Partner to ensure BART contributes to neighborhood/district vitality, creating places offering a mix of uses and incomes.
- B. Sustainable Communities Strategy.** Lead in the delivery of the region's land use and transportation vision to achieve quality of life, economic, and greenhouse gas reduction goals.
- C. Ridership.** Increase BART ridership, particularly in locations and times when the system has capacity to grow.
- D. Value Creation and Value Capture.** Enhance the stability of BART's financial base by capturing the value of transit, and reinvesting in the program to maximize TOD goals.
- E. Transportation Choice.** Leverage land use and urban design to encourage non-auto transportation choices both on and off BART property, through enhanced walkability and bikeability, and seamless transit connectivity.
- F. Affordability.** Serve households of all income levels by linking housing affordability with access to opportunity.

STRATEGIES

- A. Manage Resources Strategically to Support Transit-Oriented Development**
 - 1. Develop a 4-Year Work Plan to assess how staff and financial activities toward TOD will be most fruitful. Identify BART staffing priorities and assignments to promote TOD on and around District property, including contributions to efforts such as planning and development, community engagement, funding and financing strategies.
 - 2. Favor long-term ground leases of no more than 66 years, rather than sale of property, as the standard disposition strategy for joint development projects, except in cases where alternative approaches are required to achieve specific development objectives (e.g., Low Income Housing Tax Credit-funded affordable housing, requiring a ground lease term of no less than 75 years), or where other strategies would generate greater financial return to the District.
 - 3. Solicit proposals for transit-oriented development in localities that have an adopted plan allowing for transit-supportive land uses as defined in the TOD Guidelines. Utilize a competitive selection process but ensure the solicitation process considers property assembly with adjacent land owners for optimal TOD.

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4. Develop a procedure that will allow BART to respond to unsolicited proposals for property development on BART-owned land. Although BART does not encourage unsolicited proposals, they can be a valuable means for BART to partner with local communities and/or the development community to produce innovative or unique developments that deliver benefits in excess of what is typically provided by the market.
5. Revisit the Transit-Oriented Development Policy every 10 years.

B. Support Transit-Oriented Districts

1. Proactively support local jurisdictions in creating station area plans and land use policies that: a) encourage transit-supportive, mixed-use development on and around station properties, b) enhance the value of BART land, and c) enhance the performance of the BART system as a whole.
2. Form partnerships with public agencies, developers and landowners, community development organizations, finance entities, and consider strategic land acquisition to help build TOD both on and off BART property.
3. For BART system expansion, ensure that transit-oriented development and value capture opportunities are explicitly accounted for in major investments such as the location of new station sites, design and construction of station facilities, and acquisition of new properties.

C. Increase Sustainable Transportation Choices using Best Practices in Land Use and Urban Design

1. Utilize BART's TOD Guidelines to ensure future development and investments seamlessly connect BART stations with surrounding communities.
2. Ensure that combined TOD/parking/access improvements on and around each BART station encourage net new BART ridership, utilizing corridor-level, shared, and off-site approaches to parking replacement as appropriate. Following the aspirational Station Access Policy place types, use the following guidelines to replace current BART parking as follows when developing BART property with TOD: strive for no or limited parking replacement at "Urban with Parking" Stations; and use the access model to maximize revenue to BART from development and ridership when determining a parking replacement strategy at all station types.
3. Utilize strategies including mixed-use development, transportation demand management, and pedestrian-friendly urban design to encourage reverse-commute, off-peak, and non-work trips on BART and other modes of non-auto transportation, thereby reducing greenhouse gas emissions.

D. Enhance Benefits of TOD through Investment in the Program

1. Evaluate the financial performance of proposed projects based on sound financial parameters and the ability to generate transit ridership, fare revenue, lease payments, parking revenues, grant resources, other financial participation, and/or cost savings. Consider the opportunity cost to the District of delaying or accelerating development opportunities.
2. Use a variety of financing and governance mechanisms, including joint powers authorities, assessment districts, improvement districts, and lease credits to achieve station area TOD objectives.
3. As appropriate, and in consideration of District-wide financial needs, reinvest revenues from the sale and lease of BART land into the TOD Program, informed by the priorities identified in the 4-Year Work Plan.

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E. Invest Equitably

1. Increase scale of development at and near BART stations through catalytic investments in TOD, to help address the regional shortfall in meeting housing and other sustainable growth needs.
2. Implement BART's adopted Affordable Housing Policy and aim for a District-wide target of 35 percent of all units to be affordable, with a priority to very low (<50% AMI), low (51-80% AMI) and/or transit-dependent populations. To aid in achieving BART's 35% affordability goal, provide up to a 60 percent discount in ground lease for projects with at least 35% affordable housing (30% for projects with a high rise). Establish a framework for varying the eligible project discount based on the depth of affordability of the deed-restricted housing units, the demonstrated need for discounted ground rent, and efforts to benefit BART in other ways.
3. Pursue state, regional, and philanthropic partnerships that alleviate and prevent homelessness through production of affordable housing. BART's property will be offered at a greater discount if matched with regional-scale, external funding commitments for housing and homelessness.
4. Ensure the 4-Year Work Plan addresses how BART will achieve its affordable housing goals.

F. Surplus Lands Act (SLA) Portfolio

1. BART shall maintain a portfolio of real properties, which is a subset of BART's real property holdings which, in the aggregate, qualifies for the exempt surplus property category outlined in Cal. Gov. Code Sec. 54221(f)(1)(S) ("SLA Portfolio"). The SLA Portfolio is comprised of properties that have the potential to advance BART's TOD Policy.
2. BART shall ensure the SLA Portfolio complies with the SLA and any other state or federal requirements. Disposition of all land in the SLA Portfolio will adhere to the following requirements:
 - a. At least 50% of the gross acreage of the land in the SLA Portfolio will be used for residential purposes.
 - b. At a minimum, BART will develop at least 300 residential units or 10 residential units per gross acre, averaged across all land in the SLA Portfolio, whichever is greater.
 - c. At least 25% of all residential units to be developed on the land, but not necessarily on the individual parcels, within the SLA Portfolio, will be affordable for and made available to lower income households as provided in Chapter 2, Part 1, Division 31 of the California Health & Safety Code, as may be re-codified or amended from time to time.
 - d. At the time land in the SLA Portfolio is disposed of under this policy, BART shall record the above-mentioned affordability requirements in covenants or restrictions that run with the land.
 - e. Before entering into an agreement to dispose of land in the SLA Portfolio for nonresidential development BART must have entered into agreements to dispose of at least 25% of the land designated in the SLA Portfolio for affordable housing purposes pursuant to Strategy F.2.c.
 - f. In connection with disposition of any land within the SLA Portfolio for housing purposes, all entities identified in Government Code section 54222(a) shall be invited to submit proposals in connection with competitive solicitations issued pursuant to Strategy A.3 of this Policy.
3. The Director of Transit Oriented Development may add new properties to or remove properties from the SLA Portfolio from time to time to maintain alignment with the TOD Policy in particular, BART's TOD Work Plan. In the event that the addition or removal of property from the SLA Portfolio may impact the SLA Portfolio's consistency with the requirements identified in Strategy F.2, BART will immediately adjust its development plans to ensure the SLA Portfolio's continued consistency with the requirements of Government Code section 54221(f)(1)(S).