



Update on Assembly Bill 2923: Transit-Oriented Development

BART Board of Directors

July 23, 2020



Presentation Overview

- Transit-Oriented Development (TOD) Program Updates
- AB 2923 Overview
- Critical Milestones & Public Documents
- Upcoming Board Actions



TOD Program Update

Transit-Oriented Development Grants in June 2020

- CA Affordable Housing & Sustainable Communities (AHSC) – Cap & Trade
 - All BART-involved applications (8) awarded
 - \$39M to BART for rail cars, station and access projects
 - Supporting 913 affordable housing units
- Federal Transit Administration TOD Planning Pilot Grant
 - \$2M for TOD planning along the Richmond corridor
- Caltrans Sustainable Transportation Planning Grant
 - \$700K awarded for a TOD corridor-level station access study from El Cerrito del Norte to Ashby stations

Locations of AHSC Awards



Regional Context Affecting TOD Implementation

Regional Housing Needs Allocation (RHNA)

- Embedded in Plan Bay Area
- MTC drafting RHNA allocations for 2023 to 2031
- BART-served jurisdictions expecting large regional housing allocation
- Some jurisdictions considering BART land for housing in their updated Housing Elements
- September 2021 adoption

SB 2 Local Planning Funds

- Formula allocation to local jurisdictions to plan for housing

Bay Area Housing Finance Authority (BAHFA)

- Financially supports production and preservation of affordable housing and tenant protections
- Not pursuing 2020 bond measure

AB 2923 Overview

Assembly Bill (AB) 2923

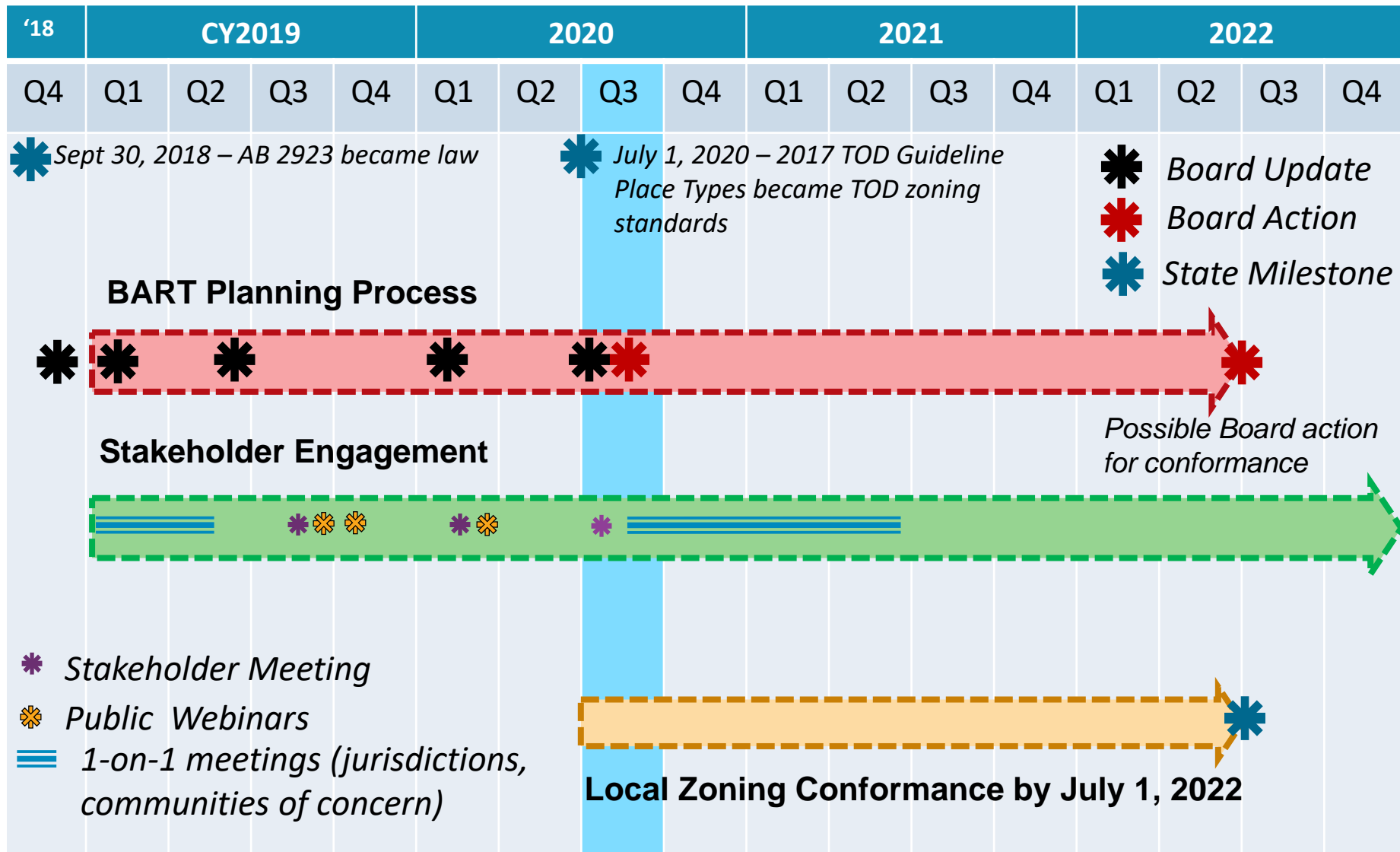
- Background

- Signed into law on September 30, 2018
- Requires TOD zoning on BART-owned land in counties that elect BART Board representation
- Local zoning conformance to baseline standards by July 1, 2022

- AB 2923 relationship to BART's TOD Program

- Greater regional and statewide focus on BART's efforts
- Potentially accelerates TOD project opportunities
- Requires BART to be more transparent about development priorities

AB 2923 Timeline



AB 2923 Board Meetings

Dec 2018: Reviewed legislative requirements

Jan 2019: Discussed preliminary implementation approaches

Jun 2019: Summarized local jurisdiction outreach; discussed intention not to adopt new zoning standards

Feb 2020: Reviewed outlines of Technical Guide and TOD Work Plan

Jul 2020 (current): Review Technical Guide draft; consider upcoming Board actions

Aug 2020 (future): Review TOD Work Plan draft, act on AB 2923 Development Principles



AB 2923 Stakeholder Workshop February 22, 2020

AB 2923

Critical Milestones & Public Documents

Critical Milestones & Public Documents

Milestone	Required by Law	Timeframe
AB 2923 Technical Guide*		June 2020
Online mapping and database of affected properties (AB 2923 and TOD Work Plan)		June 2020
TOD Work Plan*		August 2020
Travel demand management (TDM) requirements	X	August 2020
Model zoning and conformance checklist		Fall 2020
Parking replacement framework	X	Fall 2020
Future stakeholder & community engagement	X	Summer/Fall 2020
Anti-displacement strategy	X	Fall 2020
Bi-annual report to State's Department of Housing and Community Development	X	Fall 2020

* Discussed at Feb 2020 Board Workshop

A. AB 2923 Technical Guide

Purpose

- Guide local jurisdictions on reviewing and amending local zoning ordinances

Target Audience

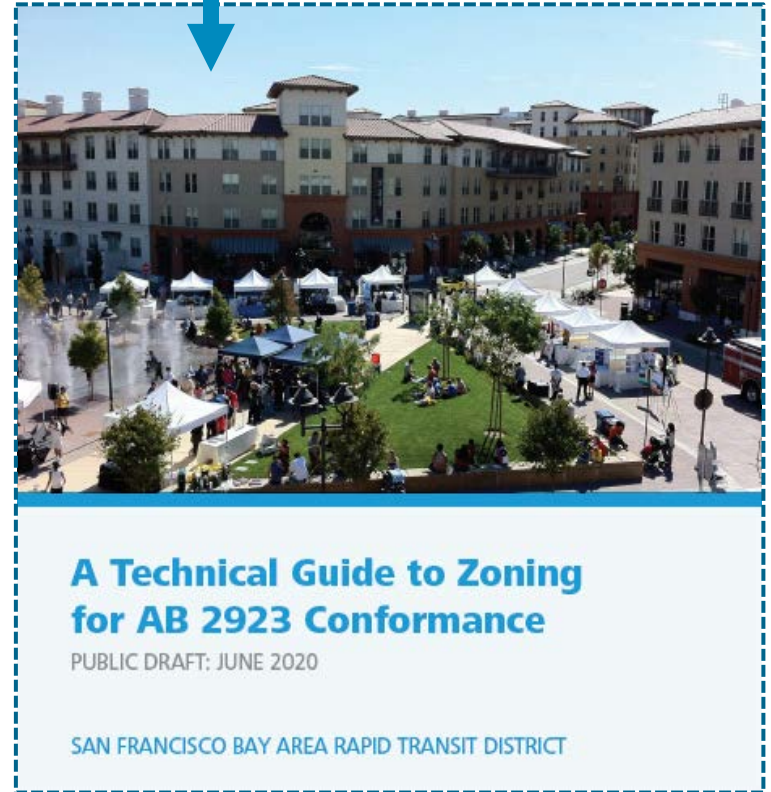
- Staff at local jurisdictions, many of whom actively participated in its development

Zoning Envelope

- Allowable residential density, building height, and floor area ratio
- Requirements for vehicle and bicycle parking

All materials available at
www.bart.gov/AB2923

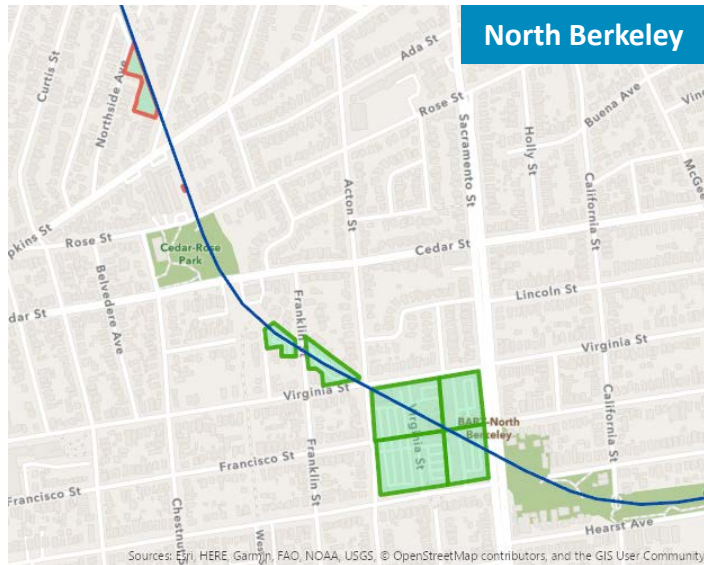
Public draft released June 24
Comments due August 7



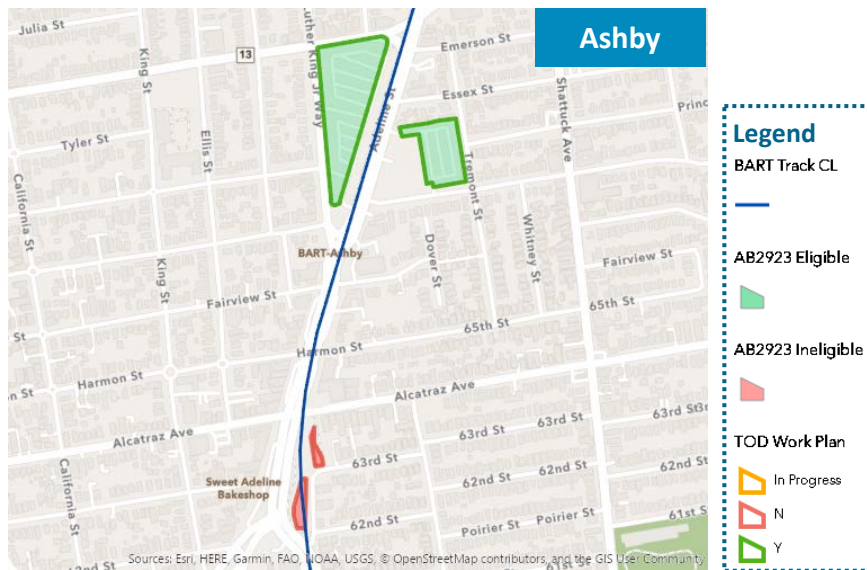
A. AB 2923 Technical Guide: General Approach

- 1 Clarifications about the authority that state law provides to BART
- 2 Defer to local definitions when there is interpretation
 - **Building height**: conversion of stories to feet
 - **Residential density**: definition of units per acre
 - **Floor area ratio**: definition
- 3 BART conformance process
 - **Local jurisdictions** demonstrate AB 2923 **conformance** by July 1, 2022
 - **BART** makes conformance **determinations**
 - **Cross-check** if/when a developer makes a proposal

A. AB 2923 Technical Guide: Supporting Materials



- Station Area Fact Sheets
(Appendix II)
- **Online GIS mapping of AB 2923-eligible property** and the universe of parcels BART owns that could support TOD



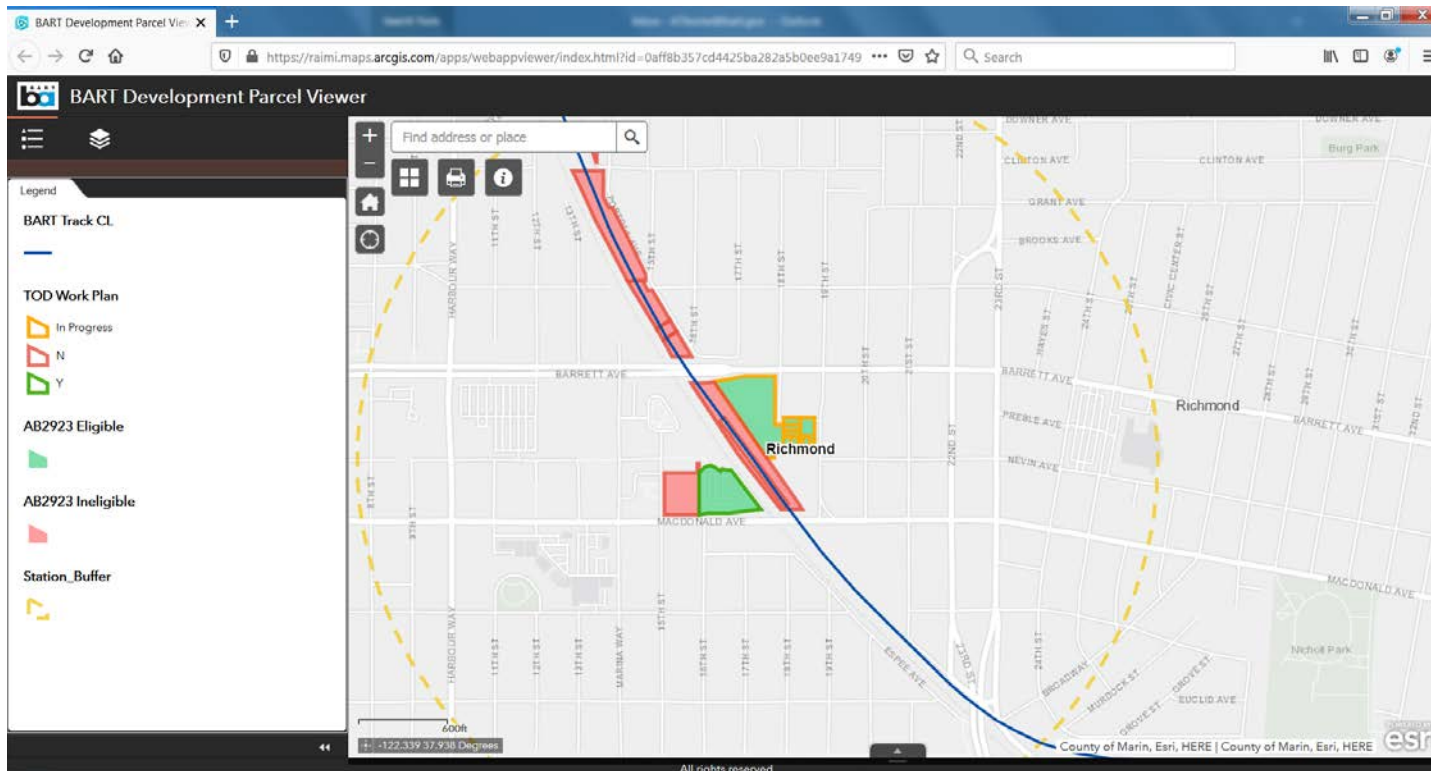
- Glossary and Acronyms
(Appendix I)
- Found at www.bart.gov/ab2923

B. Online Mapping: AB 2923 and TOD

Objective: provide full transparency on affected BART properties

Audience: All interested stakeholders, especially local jurisdictions

Highlight: The “crosswalk” between what is affected by AB 2923, and what BART might consider for development



[Click here to access GIS Database](https://raimi.maps.arcgis.com/apps/webappviewer/index.html?id=0aff8b357cd4425ba282a5b0ee9a1749)

B. Online Mapping: AB2923 and TOD

BART properties not affected by AB 2923:

- Do not meet basic statutory requirements (1/4 acre, within ½ mile of existing stations, 3 counties only)
- Critical BART facilities such as trackway, substations, etc.
- Development would structurally compromise the BART system
- Limited by physical constraints such as terrain/sloping issues or seismic faults

BART properties not in BART's long range TOD Work Plan:

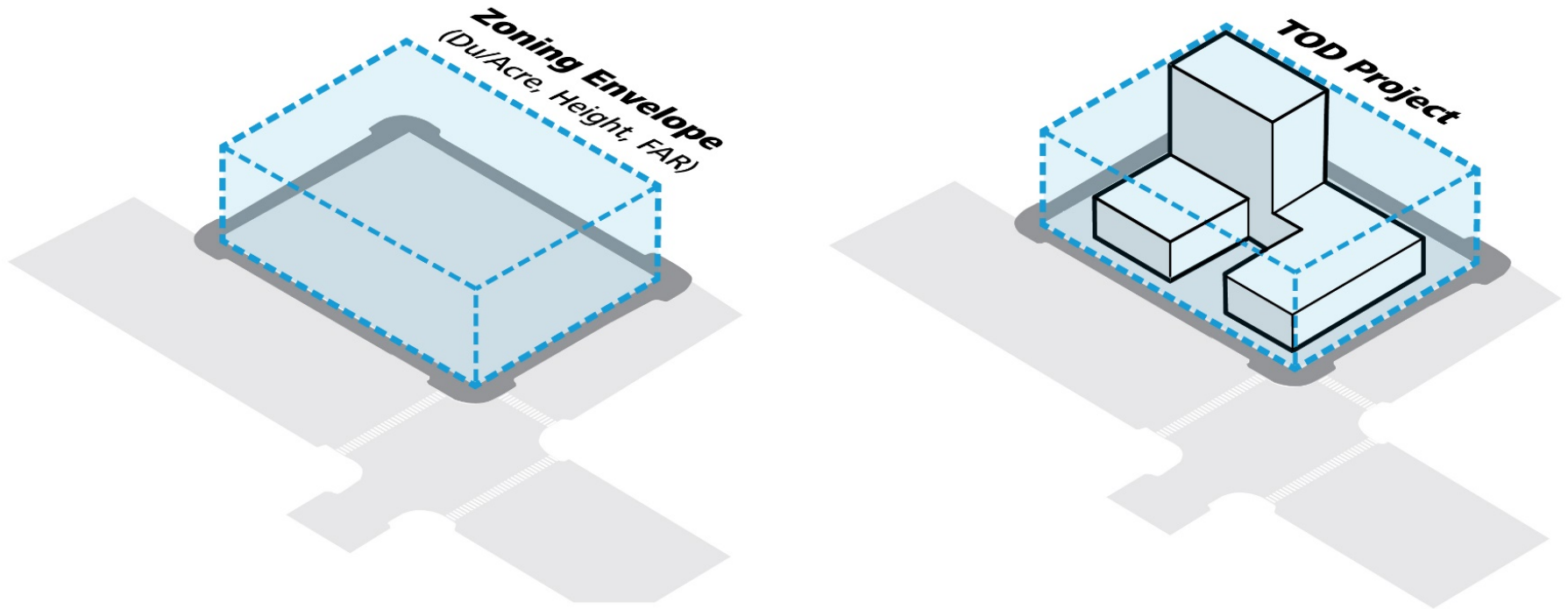
- Critical BART facilities such as trackway, substations, etc.
- Development would compromise the BART system
- Physical constraints such as terrain/sloping or seismic issues
- Improvements exist that are expected to remain for at least 50 years (e.g. existing TOD projects)

Includes any property that could potentially be developed – if only in very long term

Consistent methodology for determining what is included and excluded

C. Transit-Oriented Development Work Plan

Distinguish Zoning from Development



Jurisdictions may want to know whether BART would actually consider developing properties before they decide to place resources towards rezoning

C. TOD Work Plan

Objective: A “business plan” for BART’s TOD work. Describes how BART advances projects, barriers and opportunities, development priorities, needs

Audience: Local jurisdictions, developers, advocates, community groups

Draft for release in early August
More info to be provided at August Board meeting



D. Travel Demand Management Requirements

Objective: Grow BART ridership and reduce Vehicle Miles Traveled (VMT) and greenhouse gases (GHGs) from residents and employees of BART TOD projects

Highlights:

- Inspired by SF SHIFT – TDM program grounded in data on reducing vehicle travel
- Aim to reduce VMT by 20% via:
 - Project parking reductions / unbundling
 - Developers choose from toolkit of options to reduce VMT by ~20%
 - Examples: Free/discounted Clipper cash; bike parking; bike share; car share; on-site food market; on-site childcare.
- Requires compliance reporting and performance monitoring



F. Parking Replacement Policy

Existing Station Access Policy and TOD Policy establish many goals for parking replacement:

- One size does not fit all
 - Access needs of stations vary, and so will access investments
- Parking replacement approach determined site-by-site
 - Full station access study funded by developer, managed by BART
 - Net gain in revenue and ridership
 - Study looks at access investments comprehensively, not parking alone

Section 29010.6(d)
The district shall establish, and amend as necessary, a parking replacement policy, consistent with the district's practice at auto-dependent stations and the district's station access policy

F. Parking Replacement Policy

BART's station access practice and policy are consistent with AB 2923 requirements

BART Station Access Typology



FIGURE 2: STATION ACCESS INVESTMENT FRAMEWORK

STATION TYPE	PRIMARY INVESTMENTS	SECONDARY INVESTMENTS	ACCOMMODATED	NOT ENCOURAGED
URBAN	Walk, Bicycle	Transit and Shuttle	Taxi and TNC, Drop-Off and Pick-Up	Auto Parking*
URBAN WITH PARKING	Walk, Bicycle	Transit and Shuttle	Taxi and TNC, Drop-Off and Pick-Up	Auto Parking*
BALANCED INTERMODAL	Walk, Bicycle	Transit and Shuttle, Drop-Off and Pick-Up	Taxi and TNC, Auto Parking*	
INTERMODAL/AUTO RELIANT	Walk	Bicycle, Drop-Off and Pick-Up, Transit and Shuttle	Taxi and TNC, Auto Parking*	
AUTO DEPENDENT	Walk	Bicycle, Drop-Off and Pick-Up, Auto Parking*, Transit and Shuttle	Taxi and TNC	

Upcoming Board Actions

AB 2923: Zoning Standards will not be adopted at this time

As noted June 2019: Board will not adopt new zoning standards at this point, per earlier cost-benefit analysis:

- BART could only increase zoning intensity, and law's baseline standards already align with achievable development types
- Infeasible to create and adopt zoning standards within limited time and resources provided by the State



AB 2923: Areas Needing Further Board Direction

- A. TOD Prioritization:** Factors to prioritize sites for development
- B. Local & Regional:** Balancing regional goals with local context and interests
- C. Design of Buildings and Public Space:** BART's approach to design, in light of potential reduction of local design requirements
- D. AB 2923 Required Actions:** Addressing requirements of the law on transportation demand management, parking replacement

Recommended AB 2923 Development Principles

A. Prioritization

Prioritize TOD projects that cost effectively implement BART's TOD related policies

A1. Prioritize projects that best meet BART's adopted policies and performance standards without major infrastructure costs

A2. Address the regional jobs-housing imbalance

Recommended AB 2923 Development Principles

B. Local & Regional

Meet regional goals while respecting local planning

B1. Focus on TOD projects in jurisdictions demonstrating support for development

B2. Meaningful engagement with local communities, especially low-income communities of color

Recommended AB 2923 Development Principles

C. Design of Buildings & Public Space

Work with jurisdictions to incorporate local design standards in order to create vibrant, safe, well-designed TOD Projects

C1. Honor local design requirements and local context

C2. Foster safe, engaging, and vibrant public spaces on and beyond BART property

Recommended AB 2923 Development Principles

D. AB 2923 Required Policies

Encourage sustainable mobility for residents, workers, visitors and BART customers

D1. Developers will adhere to BART's TDM requirements

D2. BART parking replacement will be guided by Board-adopted TOD & station access policies and the station access typology

www.bart.gov/AB2923