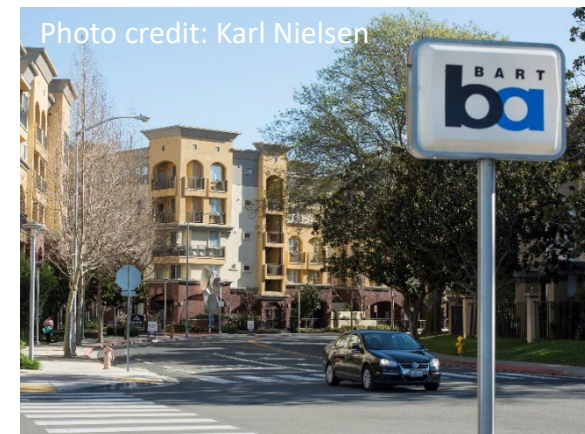




MTC Resolution No. 4530, Revised – Transit Oriented Communities (TOC) Policy Revision and Discussion on Compliance

Joint MTC Planning Committee with the
ABAG Administrative Committee

October 13, 2023



ASSOCIATION OF BAY AREA GOVERNMENTS
METROPOLITAN TRANSPORTATION COMMISSION

Agenda

- 1. Action Requested:** Proposed Amendment to Res. No. 4530: Transit Extensions and Funding Conditioning
- 2. Continued Committee Discussion & Direction on Defining “Compliance”**



Transit Extensions: Current Res. No. 4530 Language

- For OBAG funds, offers “phase in” period to allow jurisdictions until roughly 2026 to achieve compliance.
- Does not offer similar “phase in” period for all funding to fixed-guideway transit extensions.
 - **Res. No. 3434 (TOD Policy) projects** are granted “phase in” period but allocations of regional discretionary funding or endorsements between now and 2026 are conditioned on written commitment by jurisdictions to achieve compliance by 2026.
 - **All other projects** must immediately comply with the TOC Policy prior to allocation of regional discretionary funding or endorsement.
- Current language may disadvantage some transit projects included in Plan Bay Area 2050 and critical to boost local transit ridership.
- Staff have drafted a proposed revision to Res. No. 4350 to better align the TOC Policy’s purpose with the realities of transit project delivery timelines.



Transit Extensions: Proposed Amendment to Res. No. 4530

- Framework for extensions now to 2026; will apply to endorsements starting in 2026.
- Expectations based on three transit project delivery stages:
 - 1. Project Development/Environmental Review:** Allocations can proceed so long as project sponsors, and local jurisdictions as applicable, provide a letter acknowledging that future allocation requests to MTC will be subject to the TOC Policy pursuant to later phases.
 - 2. Project Design and Early Right-of-Way Acquisition:** Jurisdictions must commit in writing to take steps toward achieving compliance by 2026 for the station area(s) seeking funding.*
 - 3. Project Construction:** Jurisdictions do not need to submit a letter of commitment, but they should work with MTC staff to achieve compliance by 2026.
- TOC policy will also factor in MAP evaluations or updates. Changes in a project's MAP Stage Gate will be opportunity to ensure projects are in TOC compliance as appropriate.

* Expectations for compliance will be discussed later in the presentation.



Application of Potential Transit Extension Approach

Staff tested potential framework using existing transit extension projects:

Project Development/ Environmental Review Acknowledgement letter required	Project Design and Early Right-of-Way Acquisition* Written commitment required	Project Construction** No commitment required
<ul style="list-style-type: none"> • Transbay Rail Crossing • Berkeley Pier/Ferry Project • Oakland Ferry Expansion Feasibility • Dumbarton 	<ul style="list-style-type: none"> • DTX/The Portal • Diridon ROW • SMART • Tri-Valley Transit Access Improvements 	<ul style="list-style-type: none"> • Eastridge to BART Regional Connector • Mission Bay Ferry Landing • BART to Silicon Valley Phase II

* After 2026, MTC will condition regional discretionary funding or endorsements for projects in this delivery stage on the relevant jurisdictions' "compliance" with the TOC Policy (as described later in this presentation)

** Even after 2026, funding and endorsements for transit extension projects currently in this delivery stage will not be conditioned on the TOC Policy; however, future OBAG funding for jurisdictions where stations are located would be subject to TOC Compliance.



Requested Action by MTC Planning Committee

Refer *MTC Resolution No. 4530, Revised* to the Commission for approval.





Additional Committee Discussion: Defining “Compliance”



What Constitutes “Compliance”?

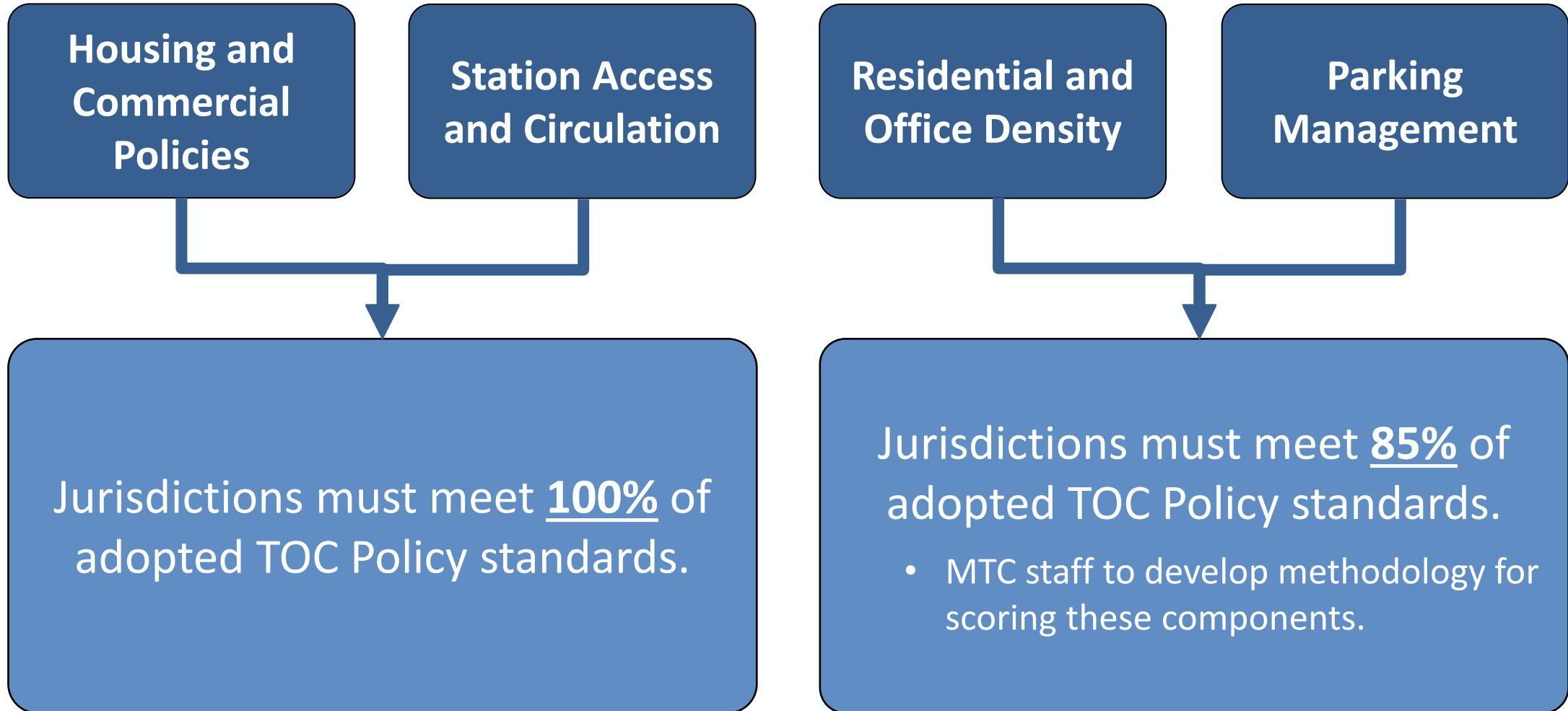
- TOC Policy does not define how “compliance” will be measured for MTC funding decisions.
- Feedback from Committee at September meeting: *Maintain TOC Policy standards but allow for some flexibility in implementation.*
- Guiding principles for MTC staff compliance verification:
 - Advance TOC Policy goals informed by local context.
 - Ensure communication and transparency throughout process.

TOC Policy Requirements Already Reflect Local Context

Component	Flexibility Embedded in TOC Policy
Residential and Office Density	<ul style="list-style-type: none"> • Requirements vary by transit tier. • Adopting maximum densities is optional. • Residential density requirements reduced for small jurisdictions.
Housing and Commercial Policies	<ul style="list-style-type: none"> • Jurisdictions can choose policies from a menu of options. • Tiered requirements for policies that require funding. • Jurisdictions can form collaboratives for policy implementation.
Parking Management	<ul style="list-style-type: none"> • Requirements vary by transit tier. • Jurisdictions can meet requirements with parking district. • Jurisdictions can choose parking management policies from menu of options.
Station Access and Circulation	<ul style="list-style-type: none"> • Compliance with MTC’s Complete Streets Policy already required for OBAG. • Variety of local plans/documents accepted to demonstrate compliance.



Proposed Approach for Defining “Compliance”



Scoring Implications for OBAG 4

- Using the proposed approach for defining compliance, jurisdictions would be sorted into 3 categories:

Jurisdictions that meet **100%** of all TOC Policy standards.

Jurisdictions that meet **85%** of applicable TOC Policy standards (and **100%** for others).

Jurisdictions that fail to meet TOC Policy standards.

- The Commission will decide how to incorporate TOC Compliance into the OBAG 4 Program.
- This flexible approach to defining compliance would apply to OBAG 4. The Commission can reevaluate in future OBAG cycles.
- The flexible definition of “compliance” will also apply to transit extensions



Proposed Evaluation Process

- MTC/ABAG staff will design the process and provide significant submission support for local staff.
- “Kitchen Cabinet” of Joint Committee members to support staff on challenging situations.
- Ongoing reports to the Joint Committee with updates about submissions from local governments (will aim for quarterly, depending on the pace of submissions)

Next Steps

October to November:

- MTC Planning Committee **Action** on proposed amendment to Res. No. 4350
- Joint Committee should provide direction to staff on evaluating compliance.
- Revise Administrative Guidance based on feedback on final draft.
- Additional outreach to jurisdictions and stakeholders.

December to January:

- Publish final Administrative Guidance and web-based submission portal.

2024 and beyond:

- Accept rolling submissions; technical support to jurisdictions.
- Begin providing updates (will aim for quarterly, depending on pace of submissions) to the Joint Committee



Thank you!

[TOC Policy Web Page:](https://mtc.ca.gov/planning/land-use/transit-oriented-communities-toc-policy)

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MTC/ABAG Staff Contacts:

- Gillian Adams, Principal Planner:
gadams@bayareametro.gov
- Eli Kaplan, Regional Planner:
ekaplan@bayareametro.gov
- tocpolicy@bayareametro.gov

