

AFFORDABLE HOUSING POLICY

It shall be the policy of the District that at each station where the District intends to pursue development that the cumulative development consist of a number of affordable housing units amounting to no less than 20 percent of the total proposed housing units on the property. This goal is for the total aggregate number of residential units on BART property at the station, regardless of the planned phasing of the project.

Each Request for Qualifications (RFQ) or Request for Proposals (RFP) issued by the District relating to proposed residential development projects at BART stations shall include the current percentage of affordable housing constructed at that station along with the cumulative 20 percent goal of affordable housing units per station.

The percentage of affordable units and/or depth of unit affordability based on Area Median Income (AMI) categories in any residential developments at its stations shall be a part of the District's assessment of RFQ/RFP responsiveness. There shall be a priority on residential units made available to very low (< 50% AMI) and low (51-80% AMI) income households. The General Manager or his/her designee will develop an approach to evaluating respondents' affordability housing proposals, that will consider a proposal's quantity and depth of affordability, as well as the proposal's validity and feasibility with respect to this policy.

If a party responding to the RFQ or RFP determines that such a goal is not feasible, that party shall provide an impact analysis, which will be assessed by the District to determine if the goal cannot be attained.

Upon selection of a Developer, the District commits to working with the Developer throughout the development's negotiation process to achieve the pre-established affordable housing goal.

As the negotiations of the proposed development proceed, the General Manager or his/her designee will provide periodic updates to the Board regarding the financial details of each component of the development, culminating in a term sheet for Board approval.

BART also affirms its commitment to develop sustainable partnerships to achieve thriving Priority Development Areas (PDA) at or near BART stations with housing opportunities for residents of all income levels – particularly those populations most reliant on public transit – in order to reduce Greenhouse Gas Emissions (GHG), encourage use of public transit and active transportation, and decrease reliance on automobiles.

On a project-by-project basis, the General Manager or his/her designee may request from the Board an exception to this Policy if staff determines it is infeasible for a specific project.

This policy shall be prospective, and shall not be applicable to past or present development projects for which exclusive negotiating agreements, option agreements for ground leases, or ground leases have already been executed between BART and developers.

Adopted: January 28, 2016