



Assembly Bill 2923 Development Principles

BART Board of Directors

August 27, 2020 DRAFT



Presentation Overview

- AB 2923 – Critical Milestones & Public Documents
- TOD Work Plan Overview
- TDM Requirements
- Revised AB 2923 Development Principles
- Motion

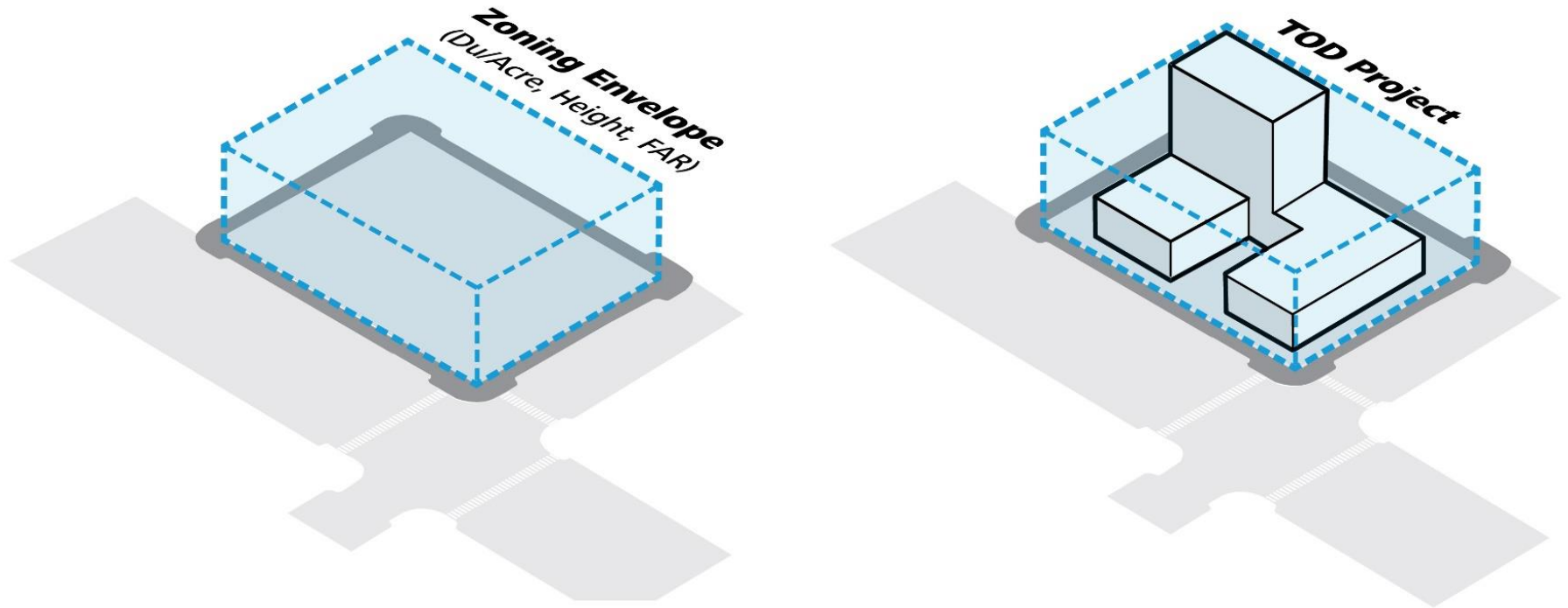


Critical Milestones & Public Documents

	Milestone	Required by Law	Timeframe
A	AB 2923 Technical Guide		June 2020
B	Online mapping and database of affected properties (AB 2923 and TOD Work Plan)		June 2020
C	TOD Work Plan		August 2020
D	Travel demand management (TDM) requirements	X	August 2020
E	Model zoning and conformance checklist		Fall 2020
F	Parking replacement framework	X	Fall 2020
G	Upcoming stakeholder & community engagement	X	Summer/Fall 2020
H	Anti-displacement strategy	X	Fall 2020
I	Bi-annual report to State	X	Fall 2020

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

TOD Work Plan

- **A “Business Plan” for BART’s TOD Work**
- Provides progress update on 2025 and 2040 TOD Performance Goals
- Sets TOD program priorities for next 5-10 years
- Describes BART process for advancing TOD on its land
- Outlines evaluation process for prioritizing TOD sites – Identifies barriers, opportunities, needs
- Forecasts potential TOD work plan outcomes and benefits



BART's Land Use Priorities



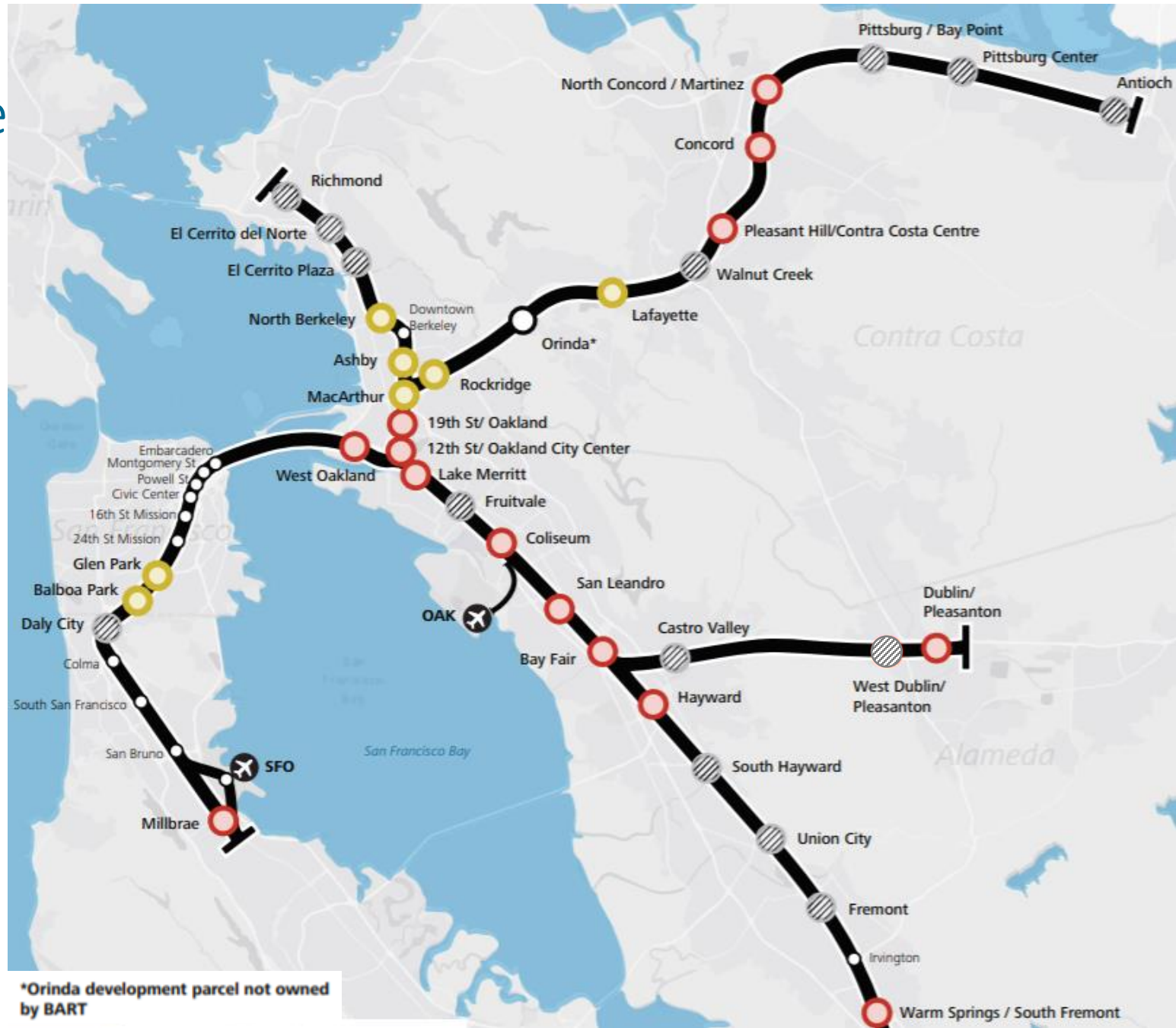
Affordable
Housing Priority



Office/Mixed-Use
Priority



Flexible on Use



Evaluation Process to Prioritize TOD Sites

Prioritize Stations for Development Based on:

Market Feasibility for TOD

- Separate residential and commercial evaluations
- Reserving sites for job-generating uses based on long-term economic competitiveness
- Flexible on use

Local Support

- Approved zoning; adequate to support highest feasible densities
- Recent community engagement
- Anti-displacement; tenant protection laws

Infrastructure Needs

- Minimal impact on BART operations
- Low Parking replacement needs
- No structural needs

PHASING	STRATEGY	STATIONS CURRENTLY UNDER WAY	
Current Pipeline	Complete Projects Currently Underway	Balboa Park Fruitvale Lake Merritt MacArthur Millbrae North Concord	Pleasant Hill Richmond Walnut Creek West Dublin/Pleasanton West Oakland
PHASING	STRATEGY	POTENTIAL STATIONS (ONLY 1-2 PER YEAR)	
Near Term: 2020-2025	Affordable Housing & Mixed-Income Projects in High Opportunity Areas / High Displacement Risk Areas	Ashby El Cerrito Plaza MacArthur	North Berkeley Rockridge
	Job Generating Uses	Hayward	Warm Springs/South Fremont
Mid-Term: 2025-2030	Prioritize Fulfilling 2031 RHNA Needs	Orinda Pittsburg Center	El Cerrito del Norte Pittsburg/Bay Point South Hayward
	Mixed-Use Projects	19 th St/Oakland Bay Fair Castro Valley Concord	Coliseum/Oakland Airport Dublin/Pleasanton Fruitvale San Leandro Union City

Potential TOD Work Plan Outcomes

Phasing	Development Capacity*	Jobs Created*	New Annual Property Tax*	New Annual Lease Revenue to BART*
Current Pipeline	3,400 units 1.8 M Sq Ft	23,000	\$22.3 M	\$1.9 M
Near Term: 2020-2025	5,700 units 2.6 M Sq Ft	36,000	\$30.4 M	\$2.9 M
Mid Term: 2025-2030 (Current program)	5,000 units 0.7 M Sq Ft	26,000	\$21.3 M	\$1.6 M
Mid-Term: 2025-2030 (Expanded program)	7,400 units 1.2 M Sq Ft	38,000	\$32.4 M	\$2.6 M

Potential TOD Work Plan Outcomes – Economic Recovery

- Every home built on BART property generates **4.5 direct, indirect and induced jobs** in California
- Every 1,000 square feet of commercial space generates **4.3 direct, indirect and induced jobs** in California
- **62% of those jobs are “middle skill” jobs** – requiring on-the-job training rather than a college degree, but offering a living wage



Potential TOD Work Plan Outcomes – Generating Revenue for BART

- Current and planned pipeline of projects could generate additional estimated **\$6.5 million annually** in ground lease revenue by 2030
- With TDM enhancements, tenants more likely to take BART
- Ridership estimates forthcoming



Potential TOD Work Plan Outcomes – Balancing Local Budgets

- BART land not currently taxed – developers pay a “possessory interest tax” with private development
- Current pipeline of projects will generate **~\$22 million in annual property tax**
- Future projects by 2030 could generate **over \$50 million additional property tax** revenue annually
- With additional staff, BART could generate **\$30 million more in property tax** annually by 2030



Travel (Transportation) Demand Management (TDM): Proposed BART Program

- Focus on mobility of future TOD residents, employees, and visitors
- Goal is 20% reduction in Vehicle Miles Traveled (VMT) compared to project without TDM
- In addition to VMT reduction from locating at BART
- TDM strategies earn points - each point = 1% VMT reduction
- Inspired by SF Shift

TDM BART Program Structure:

- Developers pick from a menu of strategies
- Lessees will conduct annual travel behavior surveys
- Enforcement: Penalty fees apply in the event of non-compliance – incorporated in ground lease

Figure 1 TDM Toolkit, Applicable Land Use Groups, and Associated Points

Category	Strategy	Land Use Group			Recommended Points	
		Residential	Office	Retail, Community		
Active-1	Bicycle Parking	X	X	X	1 - 4	••••
Active-2	Bicycle Repair Station	X	X	X	1	•
Active-3	Bicycle Maintenance Services	X	X	X	1	•
Active-4	Showers and Changing Facilities Lockers		X	X	1	•
Active-5	Bike Valet			X	1	•
Family-1	Family TDM Amenities	X			1 - 2	••
Family-2	On-Site Daycare	X	X	X	1-2	••
Family-3	Affordable Healthy Food Retail	X			2	••
Info-1	Education, Marketing, and Outreach	X	X	X	1 - 4	••••
Info-2	Multimodal Wayfinding Signage	X	X	X	1	•
Info-3	Real-Time	X	X	X	1	•

Excerpt from TDM Toolkit –
Available at

www.bart.gov/TOD



Transportation Demand Management: Toolkit of TDM Strategies

- TDM strategies may include reduced parking supply, bike parking, real-time transit information, free or subsidized Clipper Cash, etc.
- One parking strategy is required:
 - Market rate housing: unbundled parking cost
 - Affordable housing: parking supply capped at 80% of the TOD Place Type maximum (max ranges from 0.375–1 space/unit)
 - Office: Parking cannot be free; cost must be unbundled; and either....
 - a) Parking supply capped at 90% of the TOD Place Type maximum
 - OR
 - b) Parking rented on daily or hourly basis, not monthly or long-term

AB 2923 Development Principles – Four Areas

- 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

AB 2923 Development Principles: Changes Since July

A. Prioritization

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

- Define “major infrastructure costs”
- Emphasize job quality
- Explore possible incentives to attract job generating uses

AB 2923 Development Principles: Changes Since July

B. Local & Regional

Meet regional goals while respecting local planning.

- Clarify that jurisdictions should express interest in development
- Address risk of political fluctuations throughout development process

AB 2923 Development Principles: Changes Since July

C. Design of Buildings & Public Space

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

- Ensure design standards are reasonable and do not impede feasibility
- Incorporate language on community serving uses and connecting to other amenities (trails, open space)

AB 2923 Development Principles: Changes Since July

D. AB 2923 Required Policies

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

- Add language about district-based strategies that may help support shuttles, connecting transit
- Call for framework explaining how replacement parking and customer access decisions are made

Board Motion

Adopt the attached AB 2923 Development Principles.

(supplements BART's existing Board-adopted policies guiding transit-oriented development)

www.bart.gov/AB2923