Transit-Oriented Development

Guidelines

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1. INTRODUCTION

1.1 PURPOSE OF THE TOD GUIDELINES

In BART's three decades of experience in the development of its property, BART's Transit-Oriented Development (TOD) program has continued to evolve. TOD has become a prominent fixture in the Bay Area's future propelled in part by a tailwind of rapidly-growing transit ridership; shifting consumer-housing preferences and business locational decisions in support of transit rich locations; supportive state, regional and local government plans; and favorable real estate market trends.

A new framework for how BART approaches TOD planning, design and development

In light of changes in the Bay Area including adoption of aggressive greenhouse gas reduction targets, a growing housing affordability crisis, and the loss of Redevelopment as a tool to support infill development, the BART Board adopted a new TOD policy in June 2016. A link to the policy can be found in **Appendix A.**

The TOD Policy was followed by adoption of performance targets in December 2016 that greatly increase the pace and scale of BART's TOD projects, and set new goals for growth envisioned within the half mile station area. These targets are described in Chapter 2 and **Appendix B.** To achieve these targets and implement the new policy, these Guidelines are intended to clearly articulate BART's process for development, and expectations for station area planning.

The Guidelines have been written with many different audiences in mind. The purpose of this document is to:

BART stations are expected to shoulder a growing share of Bay Area growth

- Disseminate information about BART's updated TOD program to developers, local governments and BART staff.
- Provide greater transparency in the BART development process by identifying the roles and responsibilities of the BART Board of Directors, the General Manager and BART staff, local governments, developers and the community.
- Increase predictability by laying out a road map for defining, offering, evaluating, refining, and selecting and constructing TOD projects.
- Delineate what BART requires and encourages in TOD projects, such as building and street design, financial performance, partnerships and blending with the community.
- Offer guidance to cities and developers in creating transit-supportive station area plans for the areas surrounding BART stations, TOD projects and approvals within the station area.
- Provide a checklist to facilitate discussion about BART's expectations in the planning and design of individual TOD projects.
- Advance implementation of BART's Strategic Plan framework, which calls for BART to "connect and create great places" through TOD, station access, art and placemaking.

1.2 ORGANIZATION OF THE GUIDELINES

The TOD Guidelines are organized into this introduction and five additional chapters:

Chapter 2: What BART Expects in TOD describes BART's expectations for Transit-Oriented Development as guided by the TOD Policy and Performance Targets. It gives a sense of how BART intends to meet its goals based on an evaluation of the property that BART owns, but is primarily a guide, as the specifics of each development deal will be

worked out with partner jurisdictions and in the context of specific market and financial conditions.

The four-year work plan for this strategy can be accessed though a link in **Appendix J**, it outlines BART's planned activities which will support implementation of a coordinated approach to TOD, as described in these guidelines. This work plan is part of BART's agency-wide Strategic Plan.

TOD success will come from many players with diverse skills and capabilities collaborating

Chapter 3: BART's TOD Process lays out the four distinct phases involved in the BART TOD solicitation and development process. The roles and responsibilities of the BART Board, BART staff, developers, local jurisdictions and the community are defined, as are the expected outcomes from each phase of the process.

Chapter 4: Station Area Planning Guidance provides a framework for what BART will encourage jurisditions to do in the planning and design of areas around BART stations. This guide is intended to provide best practices for how to plan and design station areas that are sustainable, attractive, active, safe pedestrian-friendly places that feature good connectivity, an inviting public realm, and a greater mix of transit-supportive land uses along with higher densities close to the station.

Chapter 5: Designing TOD with BART: A Guide for BART's Developer Partners highlights typical policies and procedures that influence the design, scope and term sheet for a TOD project on BART property These are policies that address the need for BART facilities to first and foremost ensure transit functionality, serve the entire BART district, and be responsive to the public need.

Chapter 6: TOD Planning & Urban Design Checklist can be used for station area planning, or for site planning where properties are large enough to be master planned. The checklist covers the elements BART would typically like to see in a high performance TOD project. BART and its partner developers can use the guidebook as a guide to clearly discuss expectations, and evaluate projects and plans for consistency with BART's TOD goals.

2. WHAT BART EXPECTS IN TOD

BART desires high performance TODs that enhance both livability & the rider experience

BART's nationally recognized leadership in TOD has created benefits for the transit system and BART's partner cities. TOD has helped create new transit-friendly destinations along the BART system and has generated new ridership for BART. If implemented well in the future, TOD can generate ridership at times and locations when the BART system has the capacity to grow. BART's 11 completed TOD projects, with a total estimated value of $1.2 billion, generate over a million rides annually on BART and an estimated $3.9 million in additional annual fare revenue. BART has leveraged TOD to capture over $275 million in critical station area infrastructure investments, and to improve the communities BART serves. And, TOD brings a diversity of uses, amenities and a host of benefits to the communities surrounding BART stations.

The 205 BART TOD Policy was revised in 2016 by the BART Board of Directors (See page 10), in order to establish BART's role in responding to three critical changes to the regional and state context:

Greenhouse Gas Reduction: State-mandated greenhouse gas reduction targets and laws have led to the creation of Plan Bay Area, a coordinated land use-transportation vision for the 9-County Bay Area. *The TOD Policy states that BART will lead in the implementation of Plan Bay Area,* which involves significant increases in housing, jobs, and other amenities near

stations. BART's TOD progress will be measured not just in terms of ridership and revenue, but also in terms of greenhouse gas reduction and reduced auto dependence, in alignment with Plan Bay Area performance targets.

Loss of Redevelopment: The 2012 elimination of Redevelopment as a funding and implementation tool for infill development and affordable housing has placed cities at a disadvantage in creating Complete Communities. The TOD policy states that BART will play an important role in creating complete communities, and creating and capturing the value of transit.

Affordable Housing: The Bay Area is in the midst of a critical and growing housing affordability crisis. Over 250,000 low income households do not have access to an affordable home. The TOD Performance Targets set a goal for 35% of housing produced on BART property – 7,000 units by 2040 - to be affordable, with priority given to low and very low income households and transit dependent populations.

BART Ridership Growth: BART has experienced unprecedented growth in ridership since 2013, but growth is primarily to and from downtown San Francisco, leading to crowded conditions at the peak direction in peak periods. The TOD Policy addresses this by seeking to grow ridership at times and locations when the system has capacity. The BART Board further adopted a target to grow ridership faster to East Bay job centers, which will require BART's TOD program to more concertedly focus on job growth and economic development.

Shifting market demand for TOD: Car ownership and mobility patterns have changed in 45 years of BART operations. Workers living within ½ mile of BART stations are three times more likely to walk, bike, or take transit to work, and nearly ¾ of households own 1 or fewer cars. BART will take a leadership role in building catalytic TOD projects that respond to these changes in mobility. TOD projects on BART land will meet a minimum net residential density standard of 75 units per acre, reduce auto use by lowering parking requirements below 1 space per unit on average and 1.6 spaces per 1,000 square feet of office space, and strive to provide incentives to take transit, bike and walk. At some stations, BART will seek to replace park and ride lots with TOD, in concert with station area access improvements guided by BART's Station Access Policy.

Transit-Oriented Development Policy (excerpt)

Adopted June 9, 2016

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.

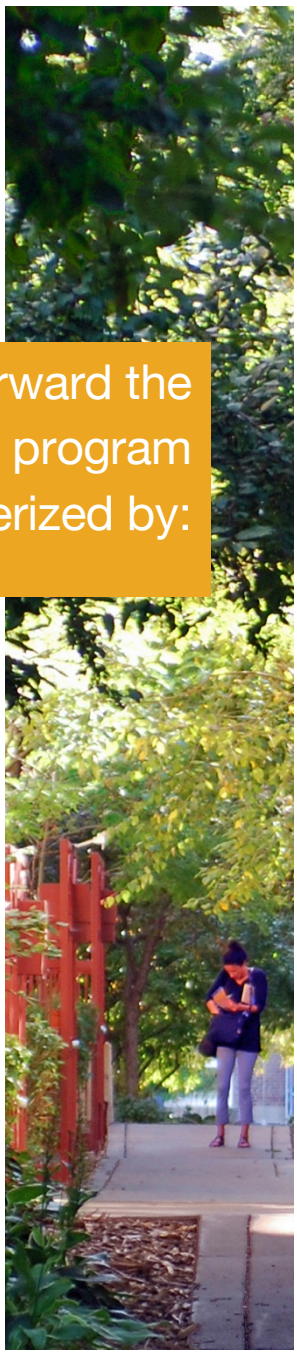
E. Transportation Choice. Leverage land use and urban design to encourage non-auto transportation choices both on and off BART property, through enhanced walkability and bikeability, and seamless transit connectivity.

F. Affordability. Serve households of all income levels by linking housing affordability with access to opportunity.

(for the entire TOD Policy please see link in the Appendix)

2.1 BART'S TOD ACTIVITIES

BART's involvement in TOD as envisioned in the TOD Policy and Performance Targets which were adopted by the Board in 2016, will be characterized as follows:



Going forward the BART TOD program will be characterized by:

Going where TOD is wanted.

The TOD Policy states that BART will only solicit projects for development in areas with transit supportive land use regulations. BART understands it can be successful in TOD only by being a team player, that means only developing there are willing partners and where local governments have demonstrated through their plans, policies and actions that they are transit-supportive.

Speaking with one voice.

TOD projects have implications that cut across all of BART's functions. BART recognizes the importance of speaking with one voice, with a high level of transparency and predictability. BART has therefore clarified the process for how BART solicits, reviews, and approves TOD projects at both the staff and Board levels. This new process is reflected in Chapter 3.

Proactively aligning market with BART's objectives.

BART knows that it can't just wait for TOD to happen, especially since localities lost their Redevelopment agency functions and tools. That means BART's TOD program must be more proactive by clearly articulating what BART desires, by proactively pursuing outside financing for TOD and access related improvements, and acting first where its TOD objectives and the market, political, and financial support for TOD align.

Partnering locally to maximize impacts.

BART's best TOD projects were built as part of a shared vision in partnership with local communities. BART realizes the importance of working with cities and communities to help assure that station area plans and specific plans are achievable, support TOD and bolstered with implementation and finance tools. TOD projects on and around BART stations shouldn't simply grow bigger, but are greener, more walkable, and offer community amenities and services that are complementary with local visions and needs. This could take many forms: ensuring that a minimum of 20% of units are affordable to low and very low income households, and considering supportive services for residents with special needs; identifying

Transit Supportive Land Use Regulations

For BART stations and the surrounding areas BART encourages local governments to adopt transit supportive land use regulations that:

- Enable a minimum net density of 75 units/acre
- Include no minimum parking requirement
- Help BART achieve its portfolio wide target of .9 spaces /residential unit and 1.6 spaces /1000 sq. ft. of office
- Encourage parking management & unbundling
- Support affordable housing
- Assure walkable streets and active transportation improvements
- Encourage a mix of uses that reduce the need to drive

appropriate civic uses such as open space or civic services; and establishing an appropriate scale of retail to increase walkability in the neighborhood. BART has established a target to increase the average Walkscore® at BART stations from 75 to 85 as a policy for increasing amenities within walking distance including shopping, parks, schools, culture and entertainment.

Getting a return on investment that meets BART's TOD goals.

BART knows there is a profound shortage of staffing and funding for affordable housing, infrastructure, land assembly and replacement parking – that means prudently and strategically bringing BART and other financial resources to the table. To this end, BART will provide biannual performance reports that evaluate the investment BART is making in projects against the returns in terms of achieving the Performance Targets, generating ridership and fare box revenue, and leveraging other funds.

Catalytic TOD

BART is committed to delivering catalytic TOD projects that push the market in terms of urban design, density, housing affordability, reduced parking, mix of uses, sustainability, construction type, parcel assembly, or other features that are not currently found in a local area.

Delivering catalytic TOD.

BART recognizes that TOD needs to deliver more than simply development near transit – building great places near transit means 'upping the ante' on urban design, adaptability, sustainability and housing affordability in TOD projects. The expectations are high for public agency land, especially land immediately adjacent to transit. It is BART's responsibility to ensure the highest caliber TOD is built at the stations, to demonstrate the potential for surrounding areas. Therefore BART has adopted a target to deliver one catalytic project a year through 2025, and two catalytic projects a year from 2025 to 2040.

Meaningful community engagement.

City led Station Area and Speific Plans set the table for BART's TOD Program and provides a framework for how the development of catalytic

TOD projects can also give back to the community. More open space, safer streets and grocery stores are examples. BART desires to engage in planning efforts and studies as a partner with cities, and to ensure cities have the technical resources they need to create plans that reflect community vision. BART, City and Developer partners will develop a community process that will engage the community throughout the development process as well, so that community input will inform the project development, design and delivery and to ensure that the project will meet community goals, objectives and expectations.

Links to the TOD Policy and Performance Targets are in the **Appendix.**

2.2. BART'S LAND USE STRATEGY

Land around BART stations is a scarce resource. BART owns roughly 250 acres of developable land spread across 27 current and under construction stations (not including 7 stations where BART has built TOD or negotiation is underway). However, this land also offers some of the most critical development opportunities for cities to achieve high-quality transit-oriented districts. This precious inventory of land for TOD underscores why it is critical for BART and its partners to act strategically in catalyzing high performance TOD – both on BART land and on land surrounding BART stations.

At the end of the day, TOD at a BART station is more than a transit-supportive real estate development project near a station. It may also involve intentional changes to BART's facilities to hasten the implementation of BART's Station Access policy; to capture value to expand facilities to help BART function; and to help communities reduce their overall auto dependence.

BART has evaluated its property across the existing four-county service area, in order to carefully identify ways in which the TOD Performance Targets can be monitored and ultimately achieved. This section describes some of BART's portfolio-wide intentions with respect to its own land.

Transit Supportive Land Uses

The TOD Policy states that BART will only develop in areas with transit supportive land uses. A qualitative definition of transit supportive land uses is shown to the right. Additionally, BART has developed three TOD Place Types that are inspired by the Priority Development Area Place Types defined in Plan Bay Area in 2013, in order to set more quantitative, station-specific expectations. These types and expected parking and height expectations are shown **in table 1** on the following page.

Maximum parking requirements & flexible design.

With a proliferation of new transportation choices on the horizon – including Transportation Network Companies like Lyft and Uber, and autonomous vehicles – there are new opportunities to reduce car ownership and parking need in transit-oriented neighborhoods.

BART prefers that cities adopt no minimum parking requirement next to BART stations in order to allow the market to determine parking. Further, BART has adopted a target that by 2025, the portfolio-wide average parking for development will not exceed 0.9 spaces per residential unit, and 1.6 spaces per 1,000 square feet of commercial.

Since the market for lower parking ratios may take some time to materialize in certain communities, BART will encourage the design and economic structure of future development projects to separately structure parking and unbundle

Table 1. Proposed TOD Place Types, Parking Maximums and Development Targets

BART Draft Parking Proposal for TOD Guidelines				Development (75 res units/acre min)	
BART TOD Place Type	Parking Overall	Residentical Auto Parking Maximum (Spaces/Unit)	Office Auto Parking Maximum (Spaces/ 1,000 sf)	Residential Target Height	Office Target Height
Regional Center	No Auto Parking Minimum. Shared /Unbundled. Secure Bike Parking – min 1 space/unit	0.375	0	High rise (if feasible) – Minimum 12 stories	
Urban Neighborhood/ City Center		0.5	1.6	Mid-rise - 7 stories minimum	
Neighborhood / Town Center		1	2.5	Mid-rise - 5 stories minimum	

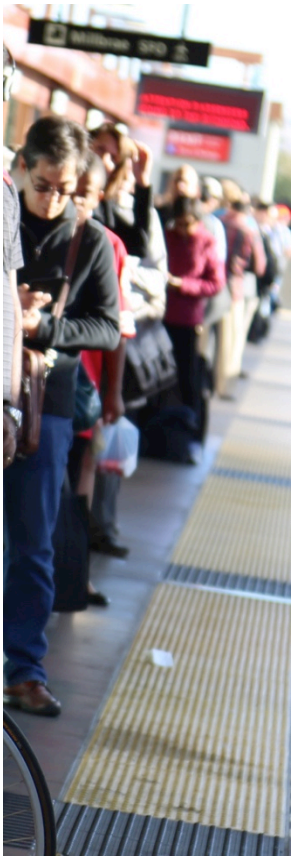
parking as much as possible in a way that future projects could share in the supply of parking and the ratio could gradually be reduced. Additionally, BART would encourage parking garages to be designed in such a way that they could be adapted for other uses over time, with flat rather than angled floors, and higher clearance for each level of parking. However, the feasibility/ financeability of such design features has yet to be determined.

BART Staff have classified each station into these place types, and have reached out to local jurisdisction staff to verify their regulatory and political feasibility. **Figure 1,** on the following page, shows the assigned place types and BART's evaluation of whether local regulations are currently supportive of development meeting the above parking and density thresholds.

Figure 1. BART Staff Evaluation of Transit Oriented Place Types, Parking and Density Thresholds

Land Reserved for Job Generating Uses.

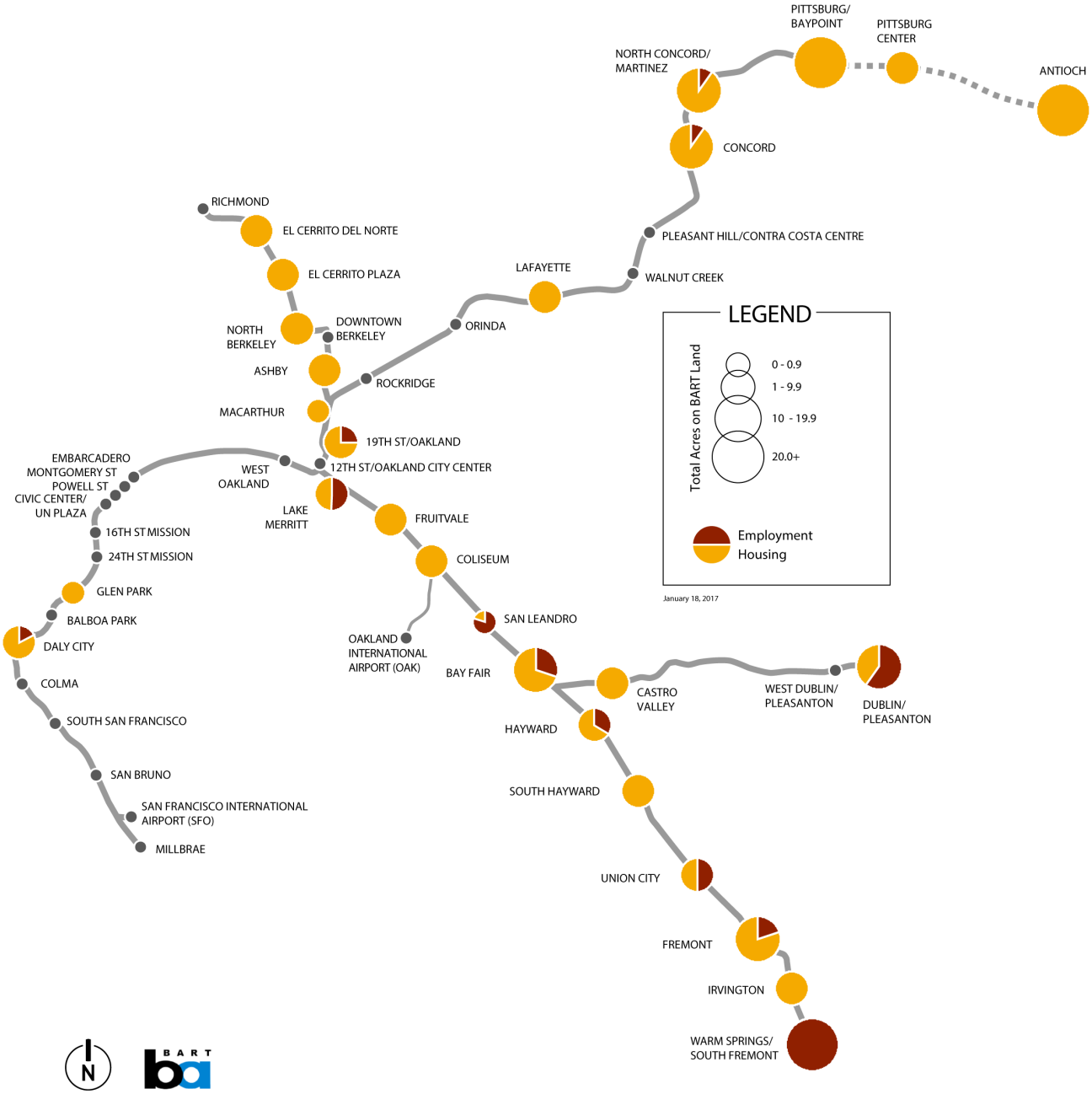
BART will prioritize TODs that grow off & reverse-peak ridership



To meet its goal of producing 4.5 million square feet of commercial space by 2040, and the overarching goal of increasing ridership in times and locations when the system has capacity, BART has assumed that land at specific stations would be reserved for employment generating uses. These stations are areas where market conditions required for new office development could be met in the long run (e.g. sites are proximate to downtowns or other existing job centers; near freeways; etc.). It is important to reserve land most proximate to transit for jobs, as research shows that commuters are willing to walk longer distances on the home side of their transit trip than on the work side. Therefore setting aside land for jobs will be an especially critical strategy for BART to achieve its ridership goals. These assumptions are shown in **Figure 2.**

Beyond development on just BART property, BART hopes to find ways to encourage transit-oriented job growth in surrounding areas. BART serves many job centers and downtown areas throughout the East Bay. Both BART's TOD and Station Access Policies set targets for growth of transit use in these job centers, and BART will be exploring ways to encourage transprotation demand management and other investments.

Figure 2. Potential Allocation of Developable BART Land for Employment and Housing



From Parking Oriented to Transit Oriented

Its been said the defining characteristic of a "real" TOD is whether parking has been right sized to reflect the impact of transit.

A case in point is "Transforming Tysons," the strategy underway around four new Metrorail stations to fundamentally redevelop Tysons, Virginia in suburban Washington, DC into America's largest TOD. Tysons 1,700 acres are evolving from 46 million square feet (SF) of single use development and 40 million SF of parking into 160 million SF of mixed-use, walkable, transit oriented development.

Some 10+ million SF in new development is underway consistent with the plan and new transit oriented zoning. The zoning puts limits on parking linked to distance from transit and implements Transportation Demand Management strategies. Developers supported the limits on parking in part based on real world experience with transit oriented parking ratios nearby in the Rosslyn Ballston Corridor.

Tysons Virginia Transit Oriented Zoning

Parking Spaces Allowed Per 1000 Sq Ft of Gross Leasable Area

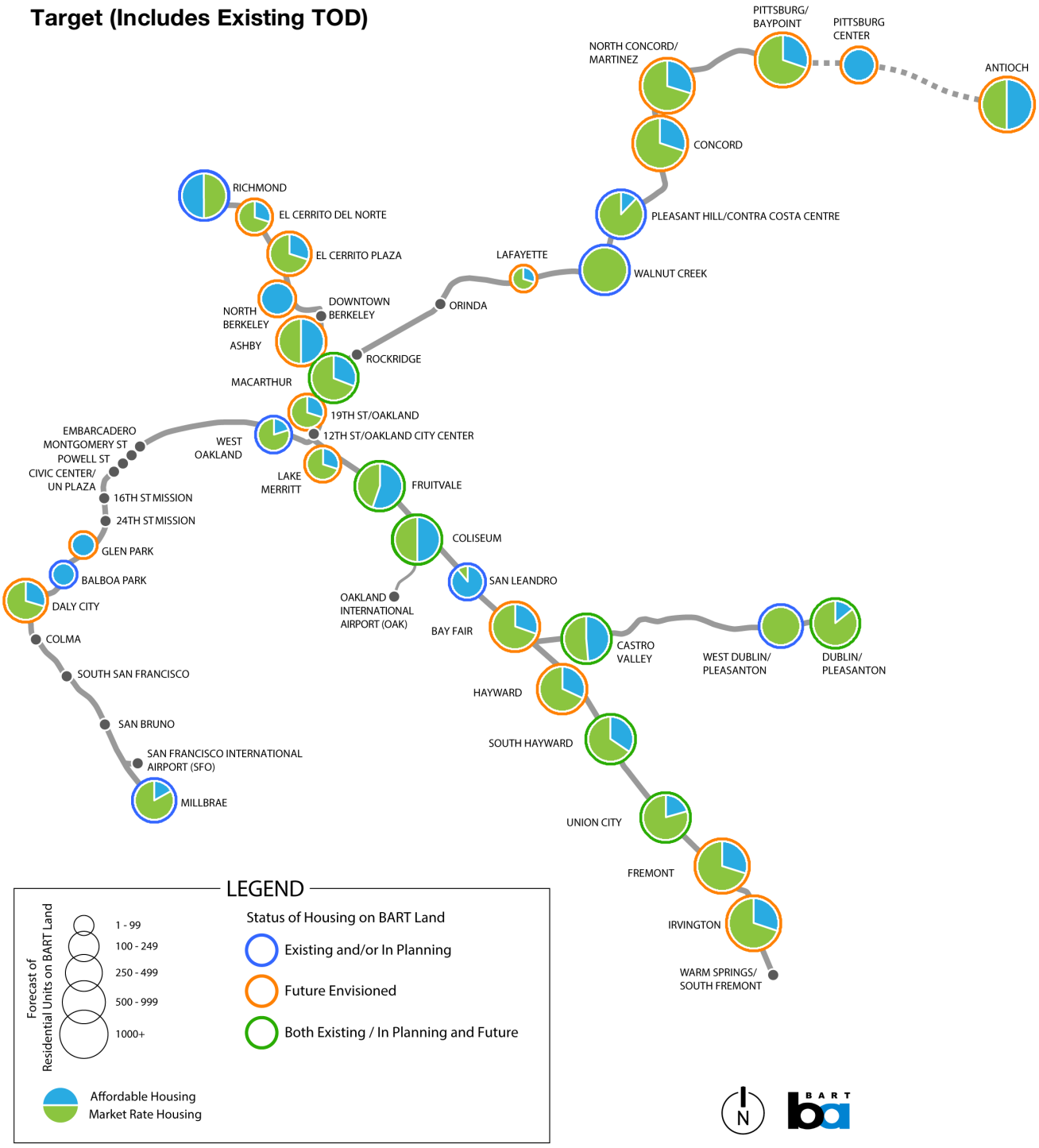
	< 1/8th mile from Metro		1/8 to ¼ mile from Metro		¼ to ½ mile from Metro	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
Hotel	None	1.0	None	1.0	None	1.05
Office	None	1.6	None	2.0	None	2.2

Fairfax County

Land Reserved for Affordable Housing.

BART's TOD projects will implement the District's adopted Affordable Housing Policy, and aim for a portfolio-wide target that 35 percent of all units are affordable with a priority to very low (<50% AMI), low (51-80% AMI) and/or transit-dependent populations. BART is currently completing an affordable housing strategy to evaluate potential funding strategies to achieve this target, but BART will primarily set aside land for affordable housing development as part of a given solicitation. **Figure 3** on the following page shows assumptions about areas where land would be set aside for affordable housing. Generally in evaluating its ability to meet the specified Performance Targets, BART has assumed that sufficient parcels would be set aside at each station to achieve a 35 percent affordability rate. Where land is more constrained BART would either pursue a 100% affordable project, or accept a lower share, to a minimum of 20% affordability. BART will not identify specific sites for affordable verse market rate housing- this will be defined in project development.

Figure 3. Potential Distribution of Affordable and Market Rate Housing to achieve a 35% Affordability Target (Includes Existing TOD)



November 3, 2016

Reduced Vehicle Trips and Greenhouse Gas Emissions.

BART will encourage projects to adopt transportation demand management (TDM) measures that reduce vehicle trips, and hence parking demand and greenhouse gas emissions (GHG). TDM is especially critical for job generating uses both on and off BART property. By 2025, BART aims for half of all development on BART property to incorporate TDM programs such as transit passes or discounts, car sharing, and unbundled parking. By 2040, BART aims for three quarters of development on BART property to meet this standard. BART will also encourage cities with major job centers to establish robust TDM programs. BART will evaluate the GHG savings as part of the cost-benefit analysis of BART projects.

Ground Lease Terms.

The BART TOD Policy favors long-term ground leases of no more than 66 years - rather than sale of property - as the standard disposition strategy for TOD projects, except in cases where alternative approaches are required to achieve specific development objectives or where other strategies would generate greater financial return to the District. This is to ensure that BART continues to be able to have a long-term stake in its limited portfolio of land.

Financial performance.

BART will 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, and grant resources, other financial participation, and/or cost savings. BART will consider the market, political, and financial opportunity costs to the District of delaying or accelerating development opportunities.

Create and capture value.

TOD can enhance the stability of BART's financial base by capturing the value of transit, and reinvesting in the program to maximize TOD goals. As such BART is open to using a variety of financing and governance mechanisms, including joint powers authorities, memoranda of understanding, assessment districts, improvement districts, and lease credits to achieve station area TOD objectives. BART will continue to

TOD projects need to be good neighbors

pursue innovative value capture strategies and approaches in partnership with cities and other landowners to help raise the bar. BART's goal is to ensure the value capture tools needed to replace the redevelopment function are in place by 2040, by testing potential tools as needed.

TOD on and off BART property.

BART understands successful TOD requires effective partnerships. BART will look to form partnerships with public agencies, developers and landowners, community development organizations, finance entities, and consider strategic land acquisition techniques to help build TOD both on and off BART property. BART will work with other partners to complete a land use strategy that explores potential options for parcel assembly in 2017.

Community Benefits and Placemaking.

TOD projects need to be good neighbors by employing sensitive design, but also by bringing missing social and civic amenities to station areas, and reinforcing that each station area has a unique sense of place and identity. BART will work with partner jurisdictions to identify these areas and balance amenities within the market and financial realities of a project. At a minimum, BART's 35% affordability target will require affordable housing to be one of these community benefits.

Feasibility and Flexibility.

While BART's expectations for TOD are high, BART realizes that a project must ultimately also be financially feasible. For this reason, BART is committed to working with developers to find the right balance of amenities that both raise the bar on TOD projects, but also result in a viable project. BART will work with selected developers to pursue entitlements from cities, secure external grants and support for "add-on" elements, and develop innovative funding and financing options.

3. BART'S TOD PROCESS

3.1 ROLES AND RESPONSIBILITIES

The BART TOD program is implemented through the combined efforts of the Board, the General Manager and BART staff, local jurisdictions, developers and the community. An overview of their major roles and responsibilities are outlined below:

BART is committed to a timely, predictable & transparent TOD process

BART BOARD. The BART Board of Directors establishes TOD policies, exercises specific approvals at key timelines within the TOD process, and maintains oversight of the TOD program. The Board's responsibilities include:

1. Review of TOD Program Performance Measures and Work Plan activities.
2. Review and concur on development objectives and requirements for each solicitation.
3. Approval of preliminary developer selection and a non-binding term sheet allowing sufficient time for the developer and BART staff to complete due diligence and negotiate final terms (typically, the exclusive negotiating agreement) based on a staff recommendation.

4. Approval of terms of a binding TOD Agreement with term sheet (typically, the ground lease option agreement) with the designated developer.

GENERAL MANAGER & STAFF. The General Manager is responsible for the overall management, administration and conduct of TOD activities on behalf of BART. The General Manager oversees staff in completing the following responsibilities:

1. Establishment of development priorities and station access needs.
2. Establishment of a process leading to internal and external decisions on use of BART property.
3. Authorization of TOD solicitations.
4. Prioritization of projects and establishing overall program pace to achieve outcomes consistent with the TOD Policy.
5. Establishment of annual work programs that broadly emphasize enhancement of land development potential and, ultimately, development of land, and more specifically, include: station access planning; participation in, and advocacy for, station area TOD planning; marketing of development opportunities; selection of development partners; and negotiation of final agreements.
6. Establishment and monitoring of TOD Program performance and evaluation measures.
7. Development of strategy to achieve performance targets, including the Affordable Housing policy and TOD policy requirements.
8. Increased transparency and predictability to minimize the time required to reach agreement with development partners.
9. Presentation of development projects to communities along with local jurisdictions and developers.
10. Collaboration with developers to design an appropriate project for BART land, and provide support during the zoning and development approvals process (with the level of BART involvement dependent on project specifics).
11. Use of tools and process to maximize developer interest and competitive pricing of TOD projects.

12. Work with cities and community groups to ensure transit supportive land use policies and plans are in place at a majority of BART stations.

For developers embarking on the TOD process with BART, a link to **Appendix D** describes the involvement and responsibilities of staff from various BART departments.

LOCAL GOVERNMENTS. Local governments are key partners in BART's TOD program, and play an important role in the planning and implementation of BART TOD projects. BART will only solicit proposals for TOD in localities that have an adopted plan allowing for transit-supportive land uses consistent with BART's TOD Guidelines.

1. BART and local jurisdictions maintain ongoing, informal communications regarding planning and zoning changes at and around BART sites; developer interest in such sites; and jurisdictional TOD planning and initiatives.
2. Local jurisdictions participate with BART and consultants in identifying sites to be assessed for TOD potential, analyzed in terms of their station access needs, the potential to enhance the livability of surrounding communities and be offered as TOD projects.
3. Local jurisdictions, at their discretion, are encouraged to work with BART to advance TOD projects that will enable implementation of Plan Bay Area within their boundaries.
4. Local jurisdictions participate in the review and evaluation of non-economic aspects of developer proposals.
5. Local jurisdictions at their discretion, will participate with BART staff in helping fund and implement community benefits and civic infrastructure.

DEVELOPERS. Public and private development entities, landowners, and/or their agents may participate in the planning and implementation phases of the TOD program. Examples of such participation and implementation are as follows:

1. Proposals will be processed as set forth in BART's TOD process.

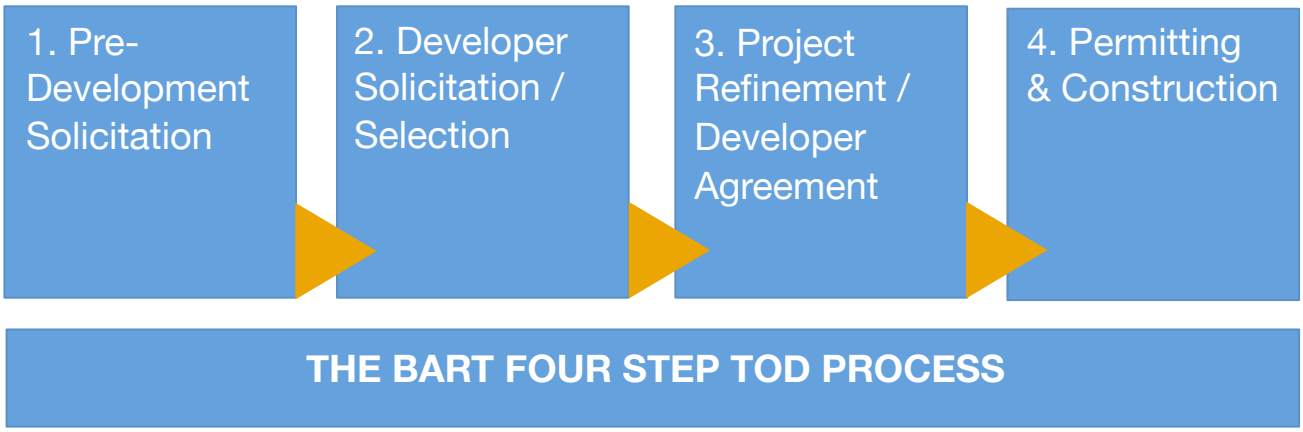
BART TOD projects flow from a collaboration of many partners

2. A selected developer will, with BART's assistance, obtain all necessary plan approvals, zoning and permits from the local jurisdiction.
3. In coordination with BART, a selected developer will plan and construct, typically at their cost and expense, any and all required replacement facilities at the TOD site. The plans for replacement facilities will be subject to BART approval.
4. A selected developer will plan, construct and operate a TOD project, under the pertinent Development Agreements and jurisdictional laws and requirements.
5. Adjacent landowners: BART is currently exploring possible approaches to work with adjacent landowners in order to expand TOD projects beyond the boundaries of BART's property.

COMMUNITY. BART wants to better connect its stations to the community, be a good neighbor, and enter into effective partnerships and programs to better integrate BART to the community it serves. BART staff will meet with local jurisdictions and potentially affected communities prior to the solicitation of development proposals. The level of engagement for an individual project will vary depending on how recent community engagement occurred for an area plan that included envisioning future uses for BART property. Community members will also be updated throughout the project refinement stage. Additionally, community members are invited to participate in all public meetings with the BART Board of Directors and local commissions and councils during the entitlement and approvals process.

OTHER PARTNERS. Other jurisdictions including business improvement districts (BIDs), county transportation, congestion management, and housing authorities, regional agencies such as the Metropolitan Transportation Authorty, or state agencies may provide funding for supportive infrastructure, or affordable housing, or technical support for TOD projects.

3.2 THE FOUR STEPS OF BART TOD



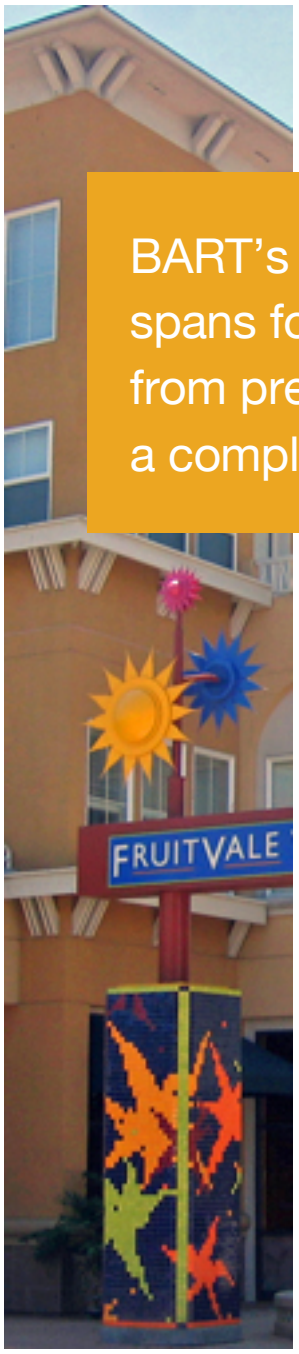
Like many of its peer transit agencies, the BART TOD solicitation and development process involves four distinct phases:

I. Pre-solicitation;
II. Developer solicitation / selection;
III. Project refinement / developer agreement / ground lease negotiations, and;
IV. Permitting and construction.

A link to **Appendix D** and **Figure 4** on page 31 provides a more detailed description of the internal review and approvals process at BART.

I. Pre-Solicitation

Phase I Process: As part of the four year work plan for the BART TOD Program, BART prioritizes the sites to offer for development based on a system-wide assessment. The assessment considers the ripeness of the real estate market for TOD, availability of funding for affordable housing and other amenities; community support and need; and whether transit supportive station area plans have been adopted by the local jurisdiction. Based on the assessment a small number of stations are selected as priorities. BART will engage with cities as they complete and update station area plans, in order to prepare cities for TOD that supports BART's Performance Targets.



BART's TOD process spans four phases from pre-solicitation to a completed project

For each of the selected priority stations, BART staff will undertake local government consultation and community engagement, resulting in the definition of a desired TOD development program, performance targets, desired and required features and conceptual term sheet. The level of engagement will be determined by the extent to which engagement has been recently done envisioning various uses for the project (e.g. for a station area plan). Areas with recently completed station area plans may not require as much separate engagement by BART staff.

Consistent with the BART Station Access Policy, BART staff will also complete a list of Access Goals and Priorities to identify desired changes as part of a TOD project. The initial list will provide a prospective developer with BART's best thinking at a high level on required changes to access and parking for a particular station.

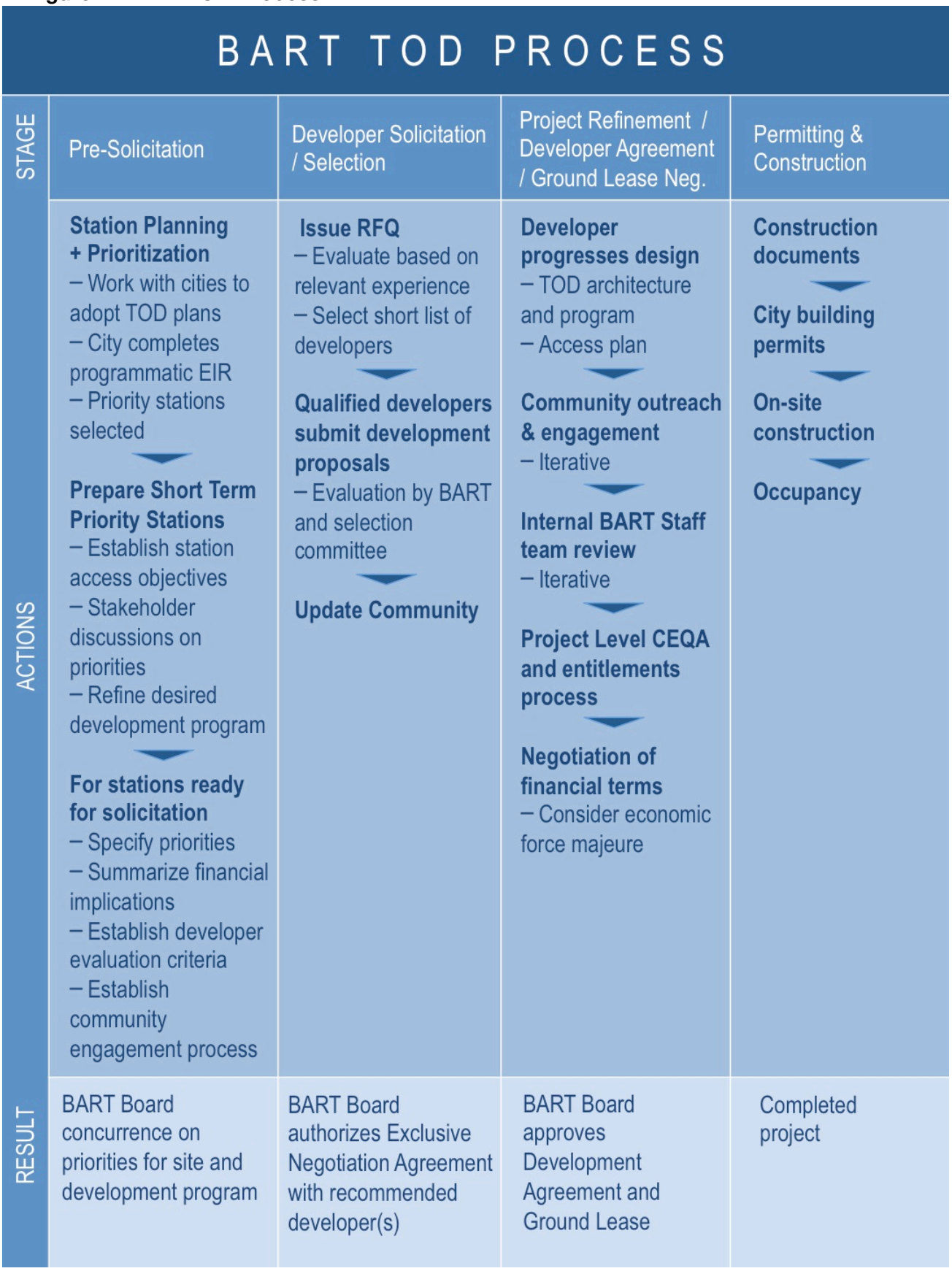
Phase I Outcome: The result of this phase is a draft list of priorities for each site, which will be reviewed, modified and concurred upon by the BART Board. Following this step staff will issue a Request For Qualifications (RFQ) with clear evaluation criteria that align with site priorities.

II. Developer Solicitation

Phase II Process: In the developer solicitation phase, BART will broadly distribute notification and information on an RFQ seeking a developer with relevant experience to partner with BART to complete the desired development program and access plan.

Respondents will be asked to provide a summary of their development team, a description of relevant experience, references, a description of their preliminary development concept, and demonstrate their financial capacity to undertake and complete their development concept.

Figure 4. BART TOD Process



Evaluation criteria (including the TOD Checklist in Chapter 6) for a specific solicitation will be clearly laid out in each RFQ as stated in Phase I.

After an evaluation chaired by BART staff, a short list of qualified developers will be asked to submit detailed development proposals. BART will evaluate the proposals with its local government partners based on criteria identified in the pre-solicitation process. During this process BART staff will seek guidance from the Board as appropriate, and update the local community.

Phase II Outcome: This phase results with the BART Board authorizing an Exclusive Negotiation Agreement with the recommended developer.

III. Project Refinement

Phase III Process: During the project refinement / developer agreement / ground lease negotiations phase the ultimate definition of the TOD project takes shape in detailed architectural plans. The process starts with the development team adding detail to their initial development concept, how it fits with the community and how changes to BART facilities including access would be accomplished. The developer will fund an access plan, under the direction of BART and the local jurisdiction, to ensure the station is accessible with continued ridership growth.

BART and the developer will use the access model (described on the next page) to evaluate parking replacement alternatives and their revenue and ridership implications for the District. See chapter 5 for details on the access policy and access model. The BART Board will approve of the final replacement parking plan as part of the larger approvals process. A core team including BART real estate and property development, customer access, maintenance and engineering, and the district architect will regularly review and concur upon the project design and other BART departments including BART policeand operations will consult as needed.

As details of the project are refined, an integrative community process would be undertaken together with the process of getting planning entitlements and CEQA approval from the city.

BART PARKING REPLACEMENT MODEL

BART uses a Parking Replacement Model as a planning tool to quantify the ridership and revenue impacts of different TOD scenarios. Building TOD on BART property brings new riders, but the ridership boost may be offset if the number of parking spaces is reduced and some park & ride users stop taking BART. The tool calculates the revenue generated by ridership and parking in an easily communicable format, so different development scenarios can be compared against each other. The analysis approach for the Parking Replacement Model was documented in "Replacement Parking for Joint Development. An Access Policy Methodology" (Richard Willson, 2005).

The South Hayward Parking Replacement Study (see figures below) is an example of how the model compared four development and parking replacement alternatives. Ultimately the results shown below indicated that – when looking at the combined revenue BART fares and ridership, and a development ground lease – the "Balanced" option (Scenario A) was optimal from a financial standpoint. The result varies depending on assumptions about parking revenue and costs, market strength and residual land value from development, and BART trip generation and fares. Since the South Hayward study was completed in 2011, BART has increased parking fees and done an analysis of parking costs could change the potential outcome today

South Hayward	No Project	Scenario A	Scenario B	Scenario C
Housing Units	0	788	681	886
Commercial Square Feet	0	60,000	60,000	60,000
On-Site BART Parking	1,252	910	1,083	0
Satellite Parking	0	0	0	910
Replacement BART Parking	100%	73%	87%	73%

South Hayward	No Project	Scenario A	Scenario B	Scenario C
Change in Fare Revenue	$0	$639,000	$719,000	$373,000
Parking Revenue	$372,541	$279,400	$326,500	$0
Revenue at 10% Land Rent	$0	$1,363,240	$1,178,130	$1,532,780
Revenue at 5% Land Rent	$0	$681,620	$589,065	$766,390
O&M Costs	($723,944)	($720,500)	($820,500)	($1,629,027)
BART Annual Fiscal Impact (land rent 10% of property value)	($351,000)	$1,561,000	$1,403,000	$277,000
BART Annual Fiscal Impact |(land rent 5% of property value)	($351,000)	$888,000	$814,000	$490,000

At this point BART staff and the developer need to reach closure on financial terms for the TOD. Throughout this process the developer will work with BART staff and provide Board updates, typically following the internal review process described in the **Appendix D** link.

Phase III Outcome: The result of this phase is CEQA clearance, city entitlements and then approval by BART Board of a development agreement and ground lease. During the process BART will work with partner agencies to ensure continued bus and shuttle access. Following approval by the Board, staff will work with the developer to execute the agreement.

IV. Permitting and Construction

Phase IV Process: The developer is now in a position to prepare development documents, get city building permits, undertake and complete construction of the project. To ensure timely completion of the project, BART may negotiate a development timeline during the approvals process. On an ongoing basis, if the developer modifies specific elements such as station access and parking management or pricing, ongoing approvals from BART staff may be required. Such provisions will be included in the final ground lease agreement.

Phase IV Outcome: This phase concludes with project occupancy.

3.3 FEDERAL REQUIREMENTS

Some of BART's TOD properties at the four San Mateo County Stations were purchased with some federal funding. For those projects, the project timeline will reflect the federal agency for transit funding; the Federal Transit Administration therefore must review and concur TOD on land that was acquired with any federal funds. In other instances federal funding may be used for parts of a TOD process, such as access improvements, and will bring with them a variety of federal requirements. Federal requirements[1] are regularly updated through a "Joint Development" circular published by the Federal Transit Administration.

[1] https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/federal-transit-administration-guidance-joint-development

BART will work with project partners to clarify the particular federal requirements and as necessary secure the required federal concurrences.

BLENDING BART WITH THE COMMUNITY
The Pleasant Hill/Contra Costa Centre Transit Village

The Pleasant Hill/Contra Costa Centre Transit Village is a four block, mixed-use TOD project. The TOD is on BART-owned property and includes 442 residential units (20% affordable), 39,000 sq. ft. of retail and a 1,552 space replacement parking garage. The first phase was completed in 2010, phase two will break ground in 2017 adding 200 market rate apartments and 2,300 sq. ft. of retail.

As the project was being designed, BART worked with Contra Costa County to redesign the streets on either side of the station to blend with the surrounding community. In a first for BART, the one way pick up and drop off areas were replaced with more traditional two-way city streets. To enable the streetscape to be compatible with other streets in the transit village BART dropped the requirement for a canopy to connect with the station. The bus intermodal facility was also redesigned. BART fixtures were replaced with lighting fixtures consistent with the rest of the TOD. BART is working to ensure the BART Facility Standards enable a quality streetscape off of BART property continues onto BART property as well.

4. STATION AREA PLANNING GUIDANCE

A framework for what BART is encouraging in station area planning

BART's TOD Program is about more than just development on BART-owned property. BART Staff are active participants with cities in the planning and design of the area around the station. This area can typically be defined as the half mile around the station, but may in some cases extend beyond that to a larger area of influence.

BART also focuses on station area planning because stations don't work well as islands to themselves. BART stations need to serve riders *and* support neighboring communities. For both BART and neighboring jurisdictions, that means "thinking outside the box" of BART's property line to enable BART to better connect its stations to the community, support implementation of Plan Bay Area, create value, be a good neighbor, and enter into effective partnerships and programs to better integrate BART with the many communities it serves.

TOD on and beyond BART property can be a powerful tool for putting more riders within walking and biking distance of stations and connecting communities. TOD projects need to achieve transit-supportive outcomes in terms of blending BART with nearby areas in a manner that will benefit the surrounding communities; creating well designed, high quality districts with active public spaces; a mix of complementary uses, and incomes that are oriented to transit; a place

Create a Place

Incorporating the “creation of place” is an important aspect in the evolution of BART stations and TOD projects. Enhancements to BART stations and TOD projects need to demonstrate how they create sustainable, adaptable, attractive, active, safe pedestrian-friendly places that feature good connectivity, an inviting public realm, and a greater mix of transit-supportive land uses along with higher densities close to the station. Sometimes that will mean strategically repurposing BART parking for TOD / redevelopment of the station area.

BART stations can evolve to become great places that people will enjoy visiting for their own positive qualities - rather than just wanting to pass through on their way to other more desirable locations. A successful, pedestrian-friendly station area should be comfortable and inviting to the surrounding community. It should be attractive to pedestrians for a variety of reasons in addition to transit. Station areas have the potential to be great public places, which should contribute to the community’s character. Consequently, the application of ‘placemaking’ approaches should vary in response to community context of any given station.

Growing Demand for Walkable Urbanism

According to *Foot Traffic Ahead* walkable urban real estate product in the 30 largest metros commands a 72% rent-per-square-foot premium over rents in drivable sub-urban areas:

Office space: +90%
Retail space: +71%
Multi-family residential: +66%

that is pedestrian-friendly and higher density with limited parking reflecting the presence of high quality transit and transportation demand management.

This guide is intended to provide best practices for how to plan and design station areas that are sustainable, attractive, active, safe pedestrian-friendly places that feature good connectivity, an inviting public realm, and a greater mix of transit-supportive land uses along with higher densities close to the station.

4.1 PLANNING PRINCIPLES FOR STATION AREAS

Planning and implementation of a successful TOD involves many small decisions to assure development is consistent with broad TOD principles.

The principles directly influence the land use, circulation, urban form and overall performance of a place. It is not enough for development to be near transit; it needs to be shaped by the presence of transit to be a TOD. The opportunity for TOD may extend to the entire district surrounding a BART station, between a 5 and 10-minute walk from the station entrance. It is expected each TOD district will reflect the local context and have a different mix of activities, but each successful TOD will have applied these core principles in a manner unique to the place.

4.2 ALLOW FOR TRANSIT-SUPPORTIVE LAND USES

4.2.1 Meaningful community engagement.

Local context is key in creating a successful station area plan, and engaging a wide range of stakeholders is an important part of the planning process to ensure the final plan incorporates community needs.

Meaningful community engagement will also result in a plan that has community buy-in, and subsequently, development projects that have stronger support in the entitlements process.

It is critical to engage with community members in various ways to reach the widest audience process. Community members who typically attend evening meetings may not reflect the view points of other local community members who are unable to do so. It is also important to engage local businesses, institutions, and others with a stake in community reinvestment.

Principle attributes:

- A multi-phased engagement strategy that reaches a diversity of view points from the community.
- Strong communication of the impacts of changes to the land use and transportation plans, and education on market and economic realities.

Minimum Density & Affordability Threshold

Board-adopted requirements for development on BART property include a minimum net density of 75 units per acre, and a minimum of 20% affordable units for residential space.

CREATING THE RIGHT MIX OF COMMUNITY AMENITIES

Community amenities - such as grocery stores, smaller shops, services, medical offices, child care, libraries and other civic and commercial spaces – are critical to the formula of creating great, walkable urban places. But the right mix of these amenities will vary greatly, and different types of commercial uses have different spatial requirements that are very specific to the context for each station area. For this reason, BART is not measuring performance of its TOD projects based on meeting a minimum threshold of retail or civic space.

To plan for the right mix of office, retail and civic space it is important to understand the unmet needs in a community (in particular, access to healthy food, childcare, health services, banks and open space) and to conduct a market analysis to determine what can be supported by community and to identify the spatial and economic requirements for desired uses. BART and other transit can also support access to nearby amenities that aren't feasible within a particular station area. Rather than trying to accommodate every retail and service need at a single station area, considering amenities provided at nearby stations or along other transit corridors can both fulfill demand for these needs and encourage transit use.

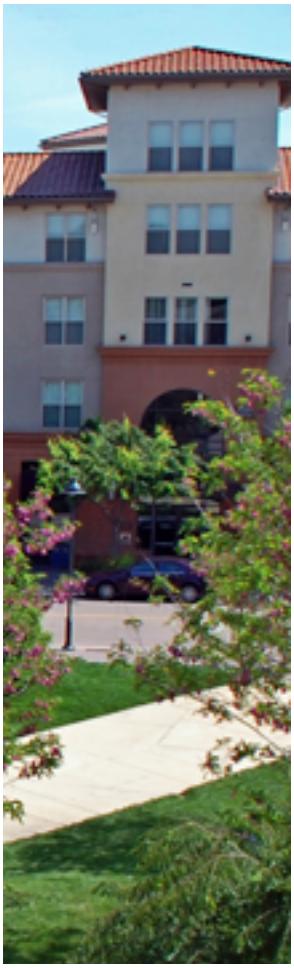
Ground floor retail is not always an appropriate design solution to activate streets and pedestrian walkways; there are many examples of buildings with long vacant ground floors that were required by cities. Instead, concentrate retail where it will work based on a market analysis, establish a retail strategy to fill vacant space, and activate ground floors through design strategies where retail is not competitive.

4.2.2 Medium to High Density Development that is Greater than the Community Average.

Density matters in TOD, to increase transit ridership, lower auto dependence, and create enough market demand to support other retail and services. Density is all about scale, with the goal being to create a compact walkable district that offers enough people to support the retail and other amenities needed to reduce car trips. Even if some neighborhoods are preserved as is within a station area, density within individual new TOD projects increases the net average of people per acre in a station area, resulting in greater ridership and greater ability to support other needs within a 5 to 10-minute walk of transit. If neighborhoods near transit are lower density, it is all the more important to intensify new development in order to generate the performance needed for a successful station and vibrant community.

Principle Attributes:

- Highest densities immediately around the BART station, taper down to transition density at the edges of the TOD district.
- Site design for major projects should allow for greater intensification of densities over time, preserving sites until the greatest desirable densities can be achieved.
- Retail and office uses located closest to the BART station.



BART's performance targets set a minimum density of at least 75 units per acre on BART land

Walking and Transit – Distance Matters

Proximity to transit has a bigger impact on ridership than the absolute total number of jobs and residents near transit. This is because as distance increases from the station, walking rates decline significantly. Importantly for employment areas, this "distance decay" effect is more pronounced for work trips.

Some key takeaways for TOD planning:

- Put office & retail closest to station
- Transit mode share for office drops about 1% every 100 feet from the station

Workers with jobs near transit are much more likely to use transit than those with homes near transit. The best outcome is jobs and homes near transit as this 2015 Denver study from the Journal of Transportation Research illustrates.

Overall, the proportion of transit riders walking to transit is greatest within 1/4 mile or less of a station, typically declining by one-half between 1/4 and 1/2 mile, and becoming insignificant beyond 1/2 mile. The quality of the walking environment also matters. Increasing the mix of uses, safety from traffic and crime, proximity to a center, and the directness of the route all can affect walking rates.

Denver Transit Commute Mode Share By Workers Distance From Transit

	Live Only	Work Only	Live + Work
¼ mile	26%	37%	62%
½ mile	18%	31%	50%
1 mile	11%	26%	35%

4.2.3 A Mix of Uses.

Creating a mix of land uses will provide diversity and variety, encouraging people to walk to meet their needs regardless of how they arrive at the TOD. Since the commute trip only comprises 20% of trips made by a typical household, it is important to ensure the other 80% of trips (for shopping, child care, and services) can be completed without a car in order to maximize the reduced auto dependence opportunities created by BART stations. The key is to locate the various compatible uses close together, making them easily accessible to each other in order to improve walkability and reduce automobile use.

It is also important to remember that one great benefit of BART stations is the connectivity created to other nearby neighborhoods. Consider evaluating amenities that are provided at nearby stations and bus stops, and leveraging the existence of those to provide complementary uses.

Principle Attributes:

- Evaluate which amenities are provided elsewhere along the transit corridors, and consider how those existing amenities can be leveraged.
- Where it is feasible "active" first floor uses are oriented to serve pedestrians along key street edges.
- A mix of uses including residential (with a variety of housing types), commercial, service, employment, and public uses.

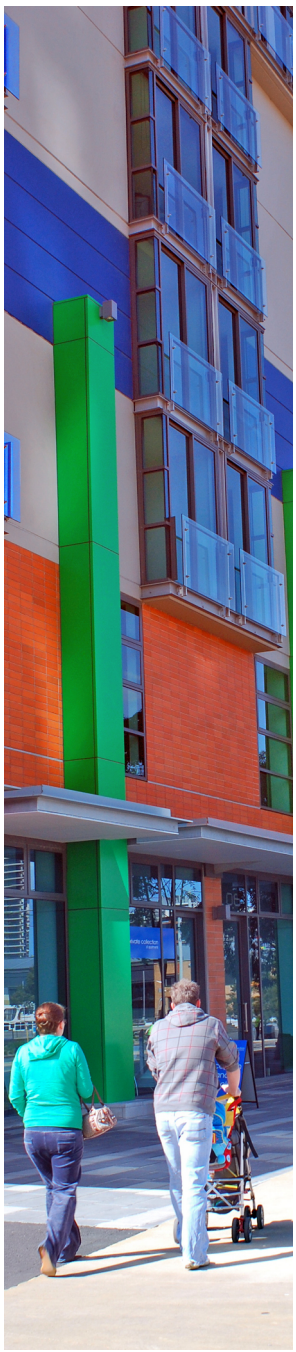
Too Much Ground Floor Retail?

In the quest for creating vibrant places contemporary TOD plans have often over required ground-floor retail.

That is one of the important lessons learned from the past decade or so of TOD planning – regulations don't translate into market demand for a particular type of retail.

Despite planners best intentions, the private real estate market has been unable to deliver the scale of ground-floor retail envisioned in many plans.

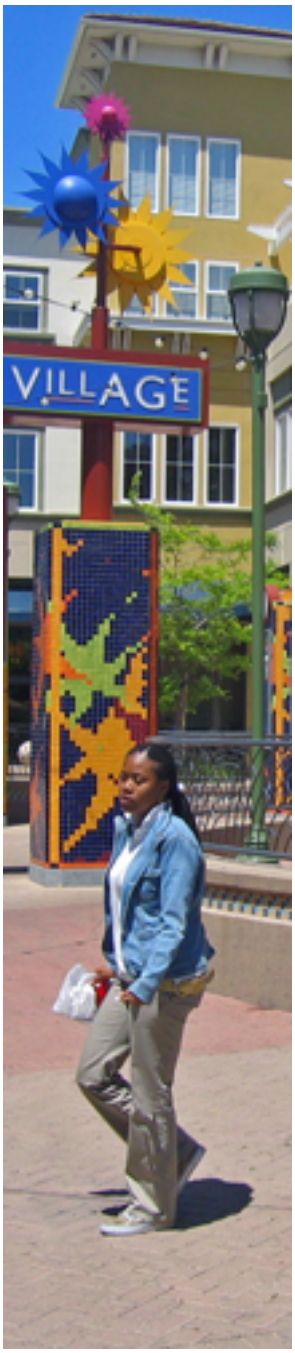
TOD plans will be well served by giving more attention to market factors that support ground floor retail and the practical design requirements of retail floor plates.



- Vertical and/or horizontal mixed-use.
- Land uses that emphasize pedestrians and de-emphasize motorists within 1/4 mile of the BART station.
- Prohibition of auto-oriented uses, such as drive-thru facilities, nearest to BART.
- A mix of uses consistent with the character, needs, opportunities, and constraints of the area.
- Encourage work-live and other job incubating uses, especially as a ground floor where there is a limited market for retail.
- Ensure the plan supports the revitalization of nearby retail corridors – rather than supplanting with new retail - if appropriate.

4.2.4 Economic and Market Analysis

BART's TOD Policy places a priority on locating jobs near transit in a way that encourages greater ridership in times and directions when the system has capacity. To successfully grow transit-oriented job centers, station area land use regulations should be grounded in the economic realities of a sub-regional market. Market analysis can help ensure that zoning is creating the type of job-generating land use that will actually attract potential tenants, for both retail and office space. Identification of local growing businesses and industries, and interviews with employers who might potentially grow and be drawn to the amenities of a station area will help right size the particular building type, size and scale for job generating uses. While it may be tempting to over-zone for office, or to zone for types of business that are unlikely to be drawn to a particular area, this strategy can potentially result in long term vacant properties rather than vibrant business districts. Working with local employers, brokers, and economic development staff on a station area plan is a critical element to boosting job growth and BART ridership outside of downtown San Francisco.



4.2.5 A Resilient, Compact, high quality pedestrian-oriented environment.

Vibrant communities are convenient and comfortable places for pedestrians. Subtle factors, focused on a pleasant environment for the pedestrian, encourage people to walk. The setbacks and treatment of the interface between new development projects and the sidewalk are critical items to address in a new land use plan.

Principle Attributes:

BART encourages design solutions that incorporate resilient design – for example, parking structures that can be unbundled from a particular project, and/or adapted to other uses in the long term. Places designed for walking, blocks sized for a 5-minute walk. Blocks should be a maximum of 400 feet, or a circumference of 1,600 feet.

- Entrances oriented to be easily accessible from the public sidewalk.

- Minimized curb cuts concentrated in a single area if possible
- When large scale development is possible and blocks can be broken up, encourage a multi-modal street grid and pedestrian paths connecting to the street grid.
- Use new development as an opportunity to redesign streets to calm traffic using National Association of City Transportation Officials (NACTO) street design principles.
- Wide sidewalks. The more dense the development, the wider the sidewalk.
- Street trees to soften the urban environment by blending natural features with built features.
- Pedestrian-scale lighting to ensure safety and to deter criminal activity.
- High quality architectural design and detail conveying a sense of place and relating to the street and the pedestrian environment.

4.2.6 Limited, Managed Parking.

One of the most challenging and important aspects of any TOD district is right sizing parking when an area is evolving to become less auto dependent. By creating a more limited parking supply, and moving parking away from surface parking lots to managed on-street parking and shared parking structures, residents, shoppers and employees are encouraged to use transit, bike, and walk within a station area. A TOD parking plan should consider four fundamental components: size, location, design and management.

Principle Attributes:

- Parking unbundled provided on a district basis (i.e., shared uses) rather than building by building. Ultimately, parking should be managed by the city or a business district as a shared resource.
- Eliminate minimum parking requirements.
- Reduce maximum parking requirements to meet BART's performance targets.
- Parking facilities should be located behind buildings, in parking structures with ground floor retail, and screened from adjacent land uses with minimal curb cuts.
- On street parking on all key streets in station area.
- Parking design integrated with the development to relate to the streetscape and circulation routes.
- Design parking in early developments that require more parking to be unbundled from housing costs and designed to be readily shared with other projects later on to reduce overall parking ratio of the station area.
- Paid parking or time-limited free parking.

TOD's Produce 50% Fewer Auto Trips

The national research confirmed what practitioners have assumed for some time: residential TODs produce half as many daily automobile trips as conventional development.

The key conclusion of TCRP Report 128 is that Institute of Traffic Engineers trip generation and parking generation rates overestimate automobile trips for TOD housing by approximately 50 percent.

TOD multi-family housing produces 3.55 automobile trips a day compared to 6.77 for conventional multi-family and 10 trips a day for single family.

4.2.7 Placemaking: Parks, Open Space, Public Art, Civic Space

To add value to the community and support TOD's higher densities, a variety of parks and public open spaces should be integrated into walkable station areas to provide a balance between what is 'built' and what is 'green'. Combined with well designed multi-modal streets and public art, these spaces help to form a station area 'public realm' – spaces between the buildings that are open and accessible for all.

These features will help communities preserve and enhance their unique identities while allowing new development.

Principle Attributes:

- Typically 10 to 15% of the land area in a TOD district is dedicated to parks and open space.
- Provide parks and open space within a 5-minute walk of residents.
- Maximize the relationship between adjacent land uses and provide a range of formal and informal gathering places
- Consider parks as part of a comprehensive approach to traffic calming.
- Incorporate public art as a requirement of new development and integrate with other placemaking improvements.

4.3 IMPLEMENTATION OF STATION AREA PLANS

Successful implementation of a station area plan is perhaps the most challenging phase of the process. There are steps a city can take to prepare themselves for implementation during the station area planning phase, such as setting up solid financing strategies, identifying catalytic sites (such as BART land), and establishing a data-driven story about the transformation likely to occur so that new political leaders are aware of the benefits. Two of these aspects are described below.

4.3.1 Capturing Value to Finance Public Needs

Major changes to the physical environment - such as the introduction of new fixed-guideway transit stations or a modification of land use regulations that enables new development – can create significant value for landowners. A recent study showed that BART creates a property value premium of 11 to 18 percent for condominiums and single family homes, respectively within the half mile of a station versus comparable property more than five miles away, and an 18 percent rent premium for office space within a quarter mile of BART versus outside of the half mile.

This change in value can be leveraged to help finance critical public needs, including:

- Affordable housing
- Street improvements
- Transit improvements
- Parks, libraries, schools and other public infrastructure
- Programmatic investments, such as business improvement districts, transportation demand management districts, parking management districts and other ongoing services to an area

Because increases in land values may occur from the adoption of a plan or the approval of a new transit stop, it is important to identify these public needs up front, establish the potential financing mechanisms to pay for them, and adopt any inclusionary zoning policies, financing districts (e.g., community facilities districts, benefit assessment districts, enhanced infrastructure financing districts), development impact fees, or

other such value capture policies early on. Adopting these mechanisms later in the process may place an unfair burden on property owners who have already paid a higher land value for the premium rendered, and could generate additional political resistance to new financing mechanisms.

Principle Attributes:

- Plans identify and quantify public or shared district-wide needs.
- Identify potential funding and financing sources and feasibility.
- Establish value capture mechanisms up front in plans and prior to introduction of projects or plans that change the market for development.
- Consider zoning based mechanisms, such as increases in allowable density (where the market can support them) in exchange for community benefits.

CAPTURING PUBLIC BENEFITS IN EL CERRITO

The City of El Cerrito adopted the San Pablo Avenue Specific Plan in 2014. This plan encourages transit-oriented development at El Cerrito's two BART stations through a form based code. While it sets height requirements it does not dictate use, and establishes no minimum requirement for parking paired with TDM requirements for developments providing less than 0.5 spaces per unit. The Plan enables flexibility on Specific Plan regulations for projects "strengthening a sense of place, enhancing and humanizing the public realm, and catalyzing mode shift" or that "provide a public benefit which is consistent with the goals of the Specific Plan and further an important goal(s) as stated in adopted city policy documents" In this way, the City is able to provide developers with greater value if they in turn offer public benefits.

4.3.2 Public Leadership

BART will only solicit proposals for TOD in localities that have an adopted plan *and supportive leadership* allowing for TOD. Historically, BART's TOD projects have occurred when the public sector has taken on a primary leadership role and initiative before the private sector is willing to commit time and money. Public leadership is needed as a station area is being developed, and dedicated public champions will need to manage the evolution of a changing station area throughout its life span.

Principle Attributes:

- Plans articulate the benefits of TOD to achieve desired uses and amenities, so that these are understood over time.
- "Political will" is regularly aligned with the TOD objectives.
- Transit and commercial corridor strategies identify priorities, and linkages between station areas & surrounding context.
- Public improvements identified in station area plans are incorporated into the City's capital improvements budget.
- Necessary staff and capital resources are dedicated to carry out implementation.
- Commitment to innovative development, a flexible approach, and removal of challenges to development.
- Inclusion of implementing organizations such as Business Improvement Districts, nearby institutions and others with a long term stake in the process
- Early engagement and continued relationships with developers to encourage and facilitate TOD.

PERSISTENCE: SAN LEANDRO TOD STRATEGY

The City of San Leandro adopted its Downtown TOD Strategy in 2007 and has taken steps over the last decade to see plans become a reality. Despite political and staffing changes and the loss of Redevelopment, the City has stuck to implementation of its plan. Grants were secured to calm San Leandro Blvd. and improve pedestrian scale lighting and connectivity between the BART Station and Downtown San Leandro. In 2014, Downtown property owners approved a Community Benefit District to further enhance the area. The first phase of new construction included a retail center, an office complex and 115-units of affordable family housing. Additional Zoning Code revisions to allow more intense/dense development were completed in 2016 bringing the Zoning Code in alignment with the TOD Strategy and setting the stage for additional residential, mixed use and office development.

5. TOD WITH BART: A GUIDE FOR BART'S DEVELOPER PARTNERS

The guidelines in chapter 4 can be used for station area planning, or for site planning where properties are large enough to be master planned. To ensure developers working with BART on a solicitation have the maximum clarity in the BART approvals process, this chapter describes the BART expectations, policies and practices beyond the TOD Policy and Performance Targets that will guide the project scoping and term sheet process following BART's award of an Exclusive Negotiating Agreement to a developer (and in some cases, prior to the solicitation process).

BART wants the prime space near its stations to be active customer friendly uses

5.1 Other Policies Guiding BART's TOD Scoping Process

Beyond the TOD Policy, a number of other policies, standards and regulations guide the design, development and construction process for projects on BART Property. Together these guiding documents address the need for BART facilities to be safe, ensure transit functionality, serve the entire BART district, and be responsive to the public need.

5.1.1 Station Access Policy

BART's Station Access Policy (**Appendix E**), adopted in tandem with the TOD Policy, explicitly addresses how access to each station is envisioned to change in the future, and specifically prioritizes the most sustainable access modes. The TOD Program and Station Access program will set joint land use and access priorities for stations to maximize progress towards the programs' mutual goals.

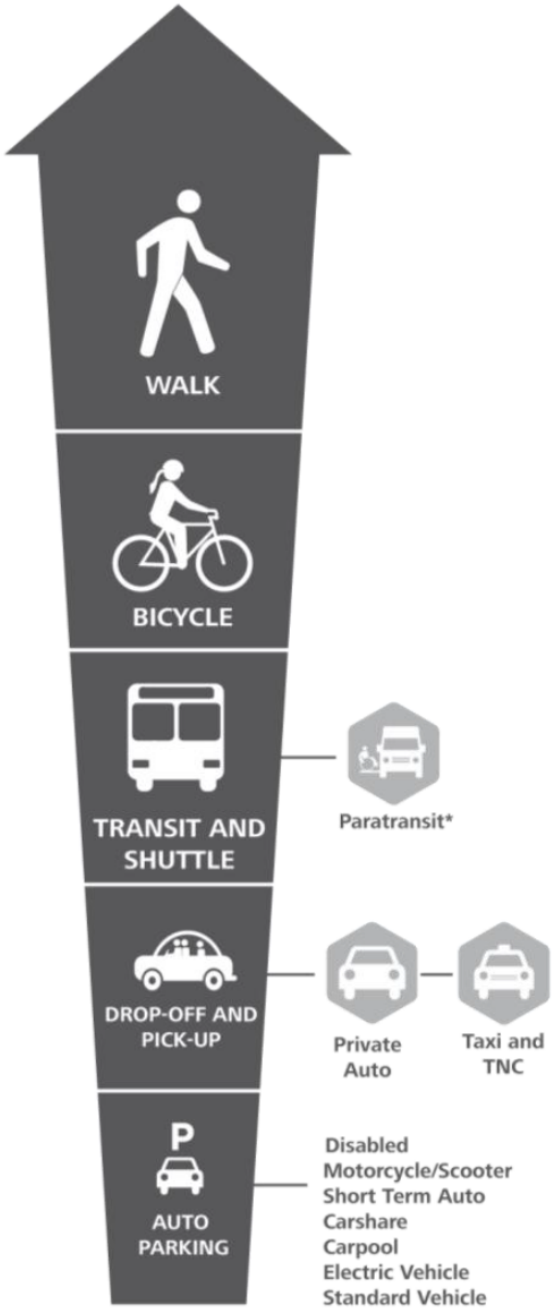


Figure 4. Station Access Hierachy

The Access Policy establishes a Station Access Design Hierarchy (Figure 4), that prioritizes the pedestrian, bicycle, and transit/shuttle modes in the design of station access infrastructure,of a BART station. The design of TOD projects on BART property should reflect this hierarchy: safe, convenient pedestrian and bicycle paths take priority in site design. Transit and shuttle drop off areas, as well as auto passenger drop off and pickup should be convenient to the station itself, but should not be designed in a way that impinges upon pedestrian and bicycle access. With the exception of parking for the disabled, auto parking should be located further from the station, real estate near the station should be available for active uses.

The Access Policy was accompanied by a map (see Figure 5) that categorizes stations into five existing and aspirational station types: Urban; Urban with Parking; Balanced Intermodal; Intermodal - Auto-Reliant; and Auto Dependent. For the first two station types (Urban and Urban with Parking), BART's will strive for no to limited parking replacement when building TOD, so the current parking supply may be reduced over time. In these stations, any proposal to maintain the parking supply post-TOD should be

accompanied by a cohesive argument explaining why the parking is needed, and entities arguing for parking replacement (e.g. local jurisdictions) will need to work closely with BART and the TOD team to determine the appropriate amount of replacement, which should be the minimum amount acceptable. For the remaining types (Balanced Intermodal, Intermodal - Auto Reliant, and Auto Dependent) the presumption is that the station will continue to have at least some parking. In these cases, proposed reductions in parking supply should be accompanied by an analysis demonstrating that such reduction will not adversely impact access and cause a decrease in ridership.

The map, which will be regularly updated, shows the current and aspirational type for each station. TOD projects should be consistent with the objective of moving a station from the current to aspirational station type. For example, Lake Merritt is currently designated as an Urban with Parking station and aspires to be an Urban Station – a station with no parking. In this case, the developer would propose a new project with no BART replacement parking, and would include other placemaking and access improvements for pedestrians, bikes, and transit consistent with an urban environment to help balance out the loss of parking. Concord is currently an Intermodal Auto-Reliant station that aspires to be a Balanced Intermodal station. In that scenario, the onus would be on a developer and BART staff, working with the local government and community to develop a project that would help make a shift toward more balanced ridership. For instance, the project design would include placemaking and access improvements for pedestrians, bikes, and transit that are substantial enough to shift riders to those modes. An analysis would be completed to determine the right amount of parking replacement required, consistent with the community vision design elements noted above. The responsibility for making additional access improvements could be borne by any or all parties: the developer, local jurisdictions, or BART. The Station Access Typology Map is intended to be a dynamic tool that can change as local governments and communities evolve over time.

The BART Board has adopted station access performance targets. By 2025, BART aims to increase the share of riders accessing the station by active transportation modes, as shown on the following page.

Figure 5. BART Board Adopted Station Access Performance Targets

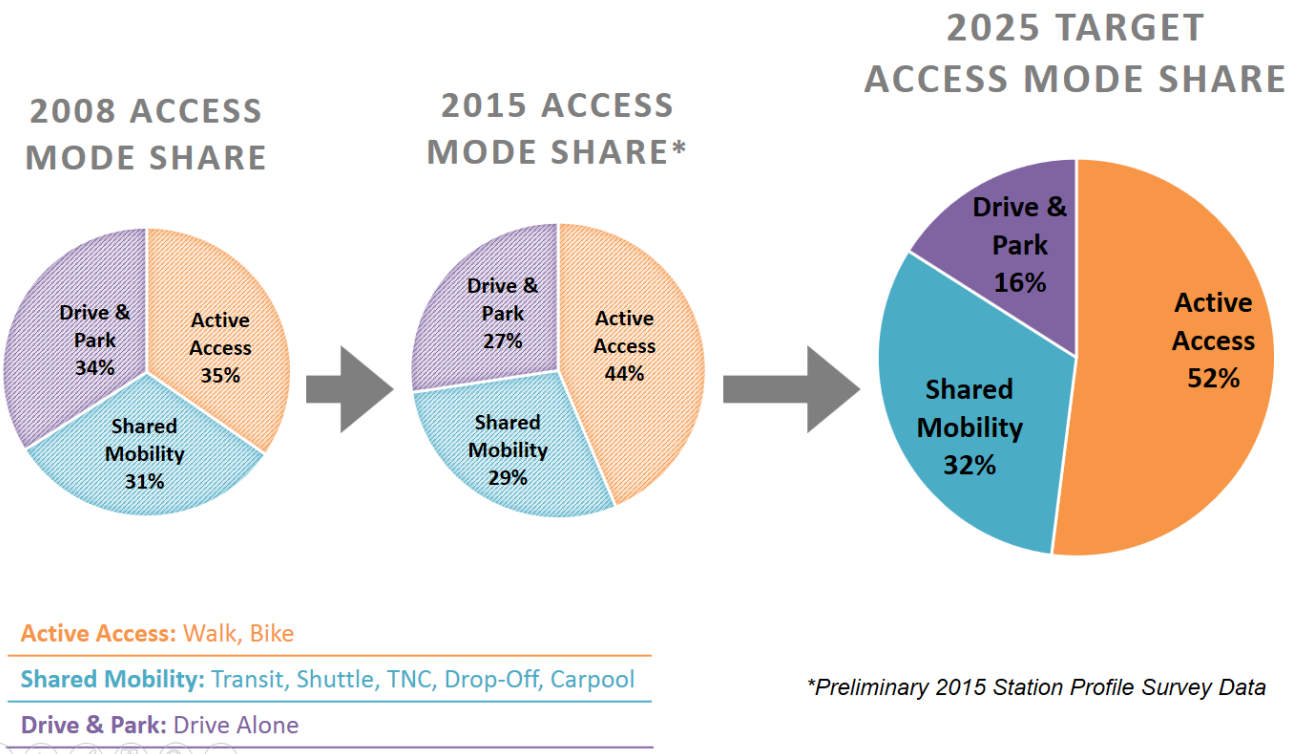
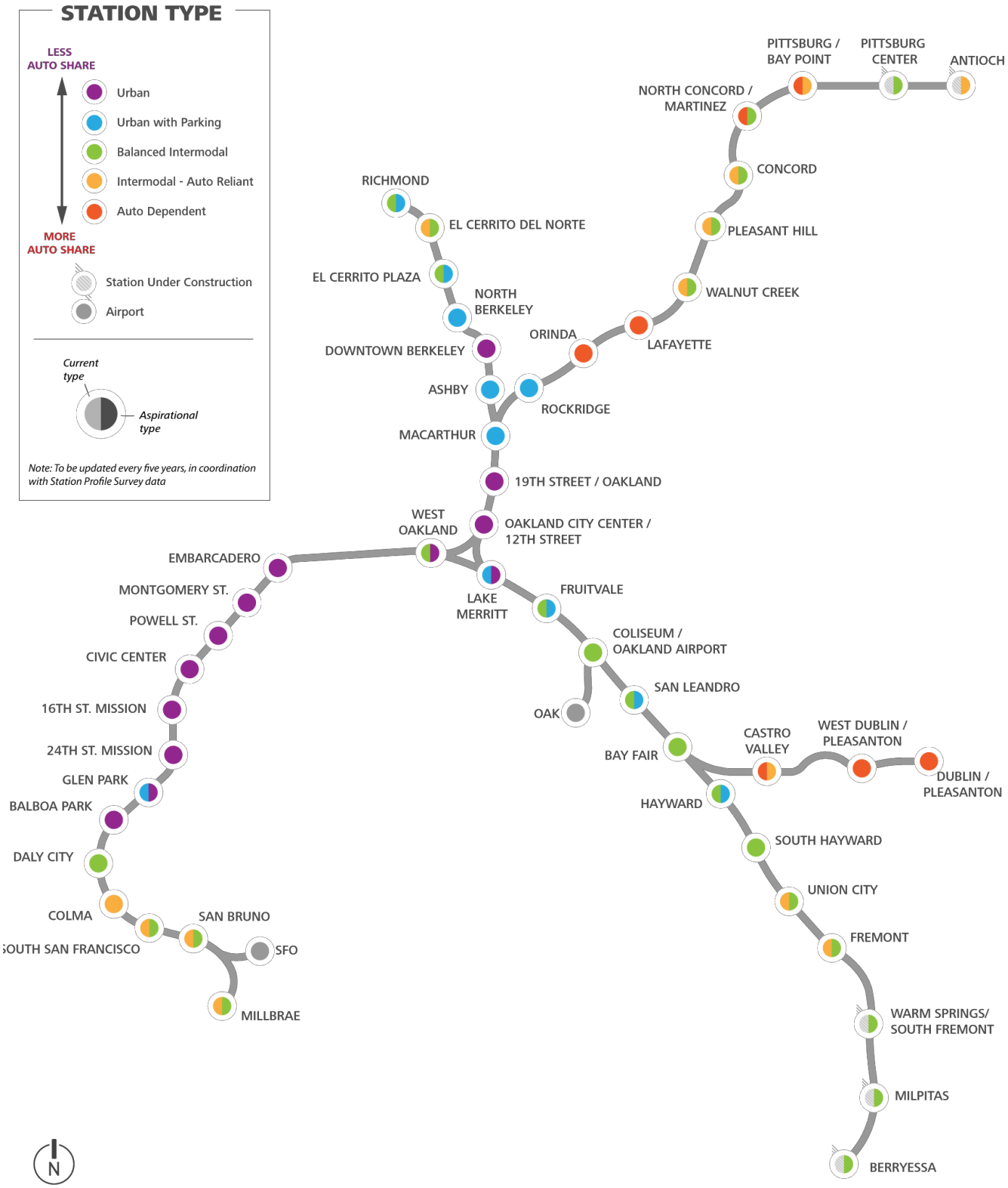


Figure 6. Station Access Typology Map - June 9, 2016



5.1.2 Multimodal Access Design Guidelines and Curb Use Guidelines

BART is preparing a new set of multimodal access design guidelines, which will be based on the National Association of City Transportation Officials (NACTO) Urban Street, Bicycle, and Transit Street Design Guides but tailored to BART's specific needs. These guidelines will ensure that streets internal to BART properties are designed utilizing best practices to ensure the needs of pedestrians, bicyclists, connecting transit services, and automobiles are all addressed. The guidelines are expected to be completed in mid-2017 and will be provided in a link in **Appendix F**.

Additionally, BART is preparing curb use guidelines, which will help manage limited curb space and prioritize what uses should be given space at the curb first based on a decision tree. These guidelines will help ensure the most efficient use of constrained drop off and pick up space at station areas where BART pursues TOD, and modifies these facilities.

NACTO Street Design Principles

Streets Are Public Spaces
Streets are often the most vital yet underutilized public spaces in cities. In addition to providing space for travel, streets play a big role in the public life of cities and communities and should be designed as public spaces as well as channels for movement.

Great Streets are Great for Businesses
Cities have realized that streets are an economic asset as much as a functional element. Well-designed streets generate higher revenues for businesses and higher values for homeowners.

Streets Can Be Changed
Transportation engineers can work flexibly within the building envelope of a street. This includes moving curbs, changing alignments, and redirecting traffic where necessary. Street space can also be reused for different purposes, such as, bike share, and traffic calming.

Design for Safety
In 2012 in the U.S., over 34,000 people were killed in traffic crashes. These deaths and hundreds of thousands of injuries are avoidable. Traffic engineers can and should do better, by designing streets where people walking, parking, shopping, bicycling, working, and driving can cross paths safely.

Streets Are Ecosystems
Streets should be designed as ecosystems where man-made systems interface with natural systems. From pervious pavements and bioswales that manage storm- water run-off to street trees that provide shade and are critical to the health of cities, ecology has the potential to act as a driver for long- term, sustainable design.

Image and text source: *the National Association of City Transportation Officials (NACTO)*

5.1.3 BART Facilities Standards (BFS)

Public facilities on BART property are subject to the BART Facilities Standards (BFS), which can be found online at https://webapps.bart.gov/BFS, which has been developed for the use of planners, designers, engineers, architects, and contractors in connection with all aspects of BART construction projects. The purpose of the BFS is to provide guidance and minimum design standards for the District's facilities; and practices for safeguarding customers, the general public, and employees, as well as safeguarding property and on-going operations. The BFS regulates and controls the design, construction, quality of materials, use and occupancy, and location, equipment and installation of facilities within the jurisdiction of the District. Portions of TOD projects that will be turned over to BART for operation and maintenance must conform with the BFS. Portions of TOD projects that are on land leased to developers are subject to local building codes but need not conform with the BFS. In either case, BART will review the design of the project to ensure it does not impede BART's operations or access to critical BART facilities.

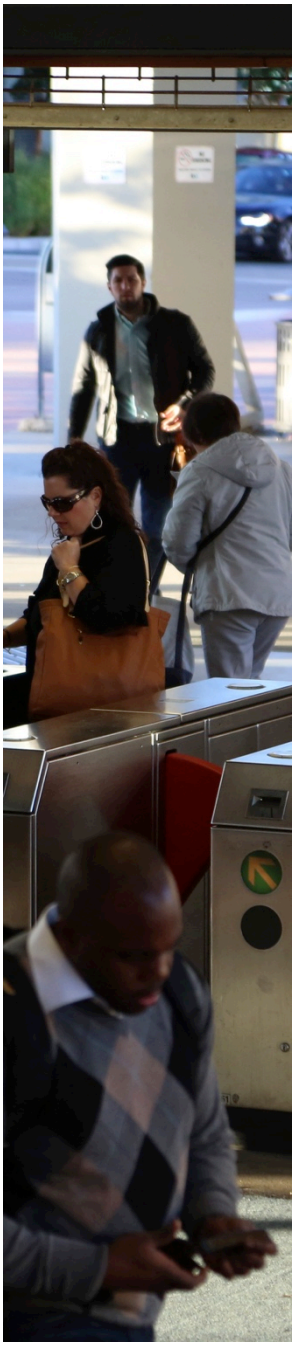
A number of BART Departments including the Office of the District Architect, Customer Access, and Maintenance and Engineering will work with selected developers to design a project that is consistent with BART's needs throughout the project development phase of TOD.

The *Architecture: Passenger Station Sites* section of the BFS is the primary section guiding station site design. This document has been attached in **Appendix G** but is updated regularly, so a developer working with BART should use the web based version in their project scoping.

5.1.4 BART Customer Parking

As previously noted, BART will strive for no to limited customer parking replacement at stations designated "Urban with Parking" in the Access Typology and utilize the Access model to define appropriate parking replacement levels at all other stations, based on the relative ridership/farebox recovery and revenue returns from TOD and parking. The Access Model is described on page 33.

BART is willing to collaborate with local jurisdictions and private property owners near stations to maximize utilization of existing and limited parking supplies on- and off-BART property and reduce the need to build costly additional parking. For example, BART has worked with cities to provide managed, on-street BART customer parking in areas where on-street parking is not constrained. Where on-street parking is constrained, BART has worked with local jurisdictions to create permitting and other management around BART to reduce on street BART customer parking.



Given improvements to shared mobility options, the demand for BART customer parking is dynamic and BART Staff is seeking innovative ways to utilize BART's parking facilities. BART seeks to work with developers to ensure the design and management of replacement parking facilities reflects the changing nature of parking demand , by enabling innovative pilot programs such as increased carpool spaces, shared parking strategies, and dynamic parking management, permitting and pricing.

5.1.4.1 Policies Addressing BART Customer Parking

BART has worked with developers in a variety of ways to finance and construct replacement parking garages. The terms of an individual deal may define some aspects of parking pricing and management, for example whether BART and the developer or city engage in revenue sharing. However, BART has several policies that define parking pricing, availability, design, and management.

During the project refinement stage, when the developer is working with BART to define the project scope and term sheet, the BART Customer Access & Accessibility Department must review and approve the terms of BART Parking pricing and management to ensure that it meets BART's parking policies. Post-construction, if a developer desires to make changes to parking management that conflict with BART's policies, the developer will be required to obtain approval of the Customer Access & Accessibility Department. At a minimum BART will seek agreements that recoup the parking revenue needed to cover any maintenance, management or policing or other costs that BART incurs.

Design: The BFS guides the design of BART customer parking. In addition to specific design requirements, it requires that parking be publically accessible at all times and provide multiple entrances and exits.

BART intends to modify the BFS to allow and encourage construction of parking garages that can be converted to other uses in future. While the BFS currently does not have requirements around level parking floors and higher floor clearances in order to create adaptable parking garages, the feasibility of requiring this will be explored in future TOD projects. Where garages cannot be built to be adaptable to other uses in the future, they should be designed and managed in such a way that encourages parking to be shared with other uses in the future (for instance retail and/or entertainment uses that would have different peak parking needs of BART commuters (i.e. daytime parkers) and other users (i.e. nighttime parkers)).

Finally, at a minimum, the ground floor perimeter of parking garages must be designed to accommodate active land uses such as retail, services, offices, and art.

Placement: Since parking has the lowest priority in the Access Hierarchy, it should be sited only after infrastructure for the high priority modes has been sited. Parking garages should be sited so as not to present barriers to other forms of access and not create an access or visual divide between BART property and the surrounding community. Finally, parking garages should be sited so as to generate foot traffic along retail corridors within the TOD.

Pricing, Management and Availability: Appendix H and the BART website (http://www.bart.gov/guide/parking) provides current policies guiding the pricing and management of BART parking. Highlights of the current policies include:

- Ensuring parking is provided in a variety of different ways: monthly permits, daily reserved spaces, daily unreserved spaces;
- Current parking fees, and notification requirements for changes in fees;

- An objective to create parking policies that increase BART ridership by enabling riders to enter the system at different times of day, and enabling parking spaces to turn over more than once a day, if possible.

5.1.5 Affordable Housing Policy

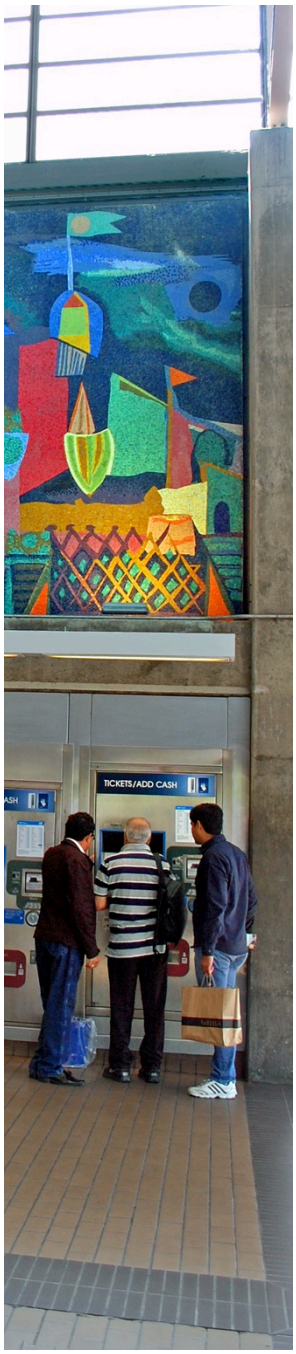
BART adopted an affordable housing policy in January 2016 (**Appendix C** has a link to the policy), which requires that cumulatively, a minimum of 20 percent of all residential units built on BART property must be affordable, with a preference for low and very-low income housing units and housing for transit-dependent populations. This policy is consistent with the TOD Policy's objective to ensure 35 percent of all units district-wide are affordable. BART is completing an Affordable Housing Strategy, which will offer a station-by-station affordability target (ranging from 20 to 100 percent of all units), identification of financial subsidies available to achieve the policies, and potential approaches to address any shortfall in subsidy.

5.1.6 Project Stabilization Agreements for TOD

In 2011, the BART Board adopted a Project Stabilization Agreement Policy for all transit-oriented development projects. The policy requires all developers and contractors to enter into a project stabilization agreement (PSA) with the relevant building and trades councils for each of the counties in which a TOD Project is being built. Further, the policy requires BART staff to negotiate the terms of a PSA with local hire provisions, to the extent allowable by law.

5.1.7 Small Business Enterprise Goals

BART has adopted a performance target to maximize participation of Small Business (SB) and Disadvantaged Business (DB) participation in the planning and development of TOD Projects. Small businesses will be those certified by either the California Department of General Services (DGS), by the California Unified Certification Program (CUCP) as disadvantaged business enterprises (DBE), or by BART as a Small Business Entity (SBE) or a Micro Small Business Entity (MSBE). The



Disadvantaged Business Enterprise (DBE) Program is a requirement for federally funded projects and encourage small business participation for non-federally funded projects. The BART DBE Program will be applied to professional service and construction contracts let by Master Developer that includes funds from the Federal Transit Administration (FTA). If funds from the Federal Highway Administration (FHWA) are used, contracts shall comply with Caltrans' DBE Program. BART's Office of Civil Rights will work with developers to provide resources needed to set SB and DB expectations on a project level, and to secure qualified contractors.

5.1.8 Public Art Policy and Master Plan

Public art is one way that BART can ensure TOD projects reflect the unique character of the surrounding communities. Many cities within BART's jurisdiction require that a minimum percentage of the construction cost of new development be allocated to pay for public art. Where a locality does not already stipulate such a requirement, BART will, as part of its own forthcoming Public Art Master Plan, require that a developer allocate a specific percent of the construction cost of TOD Projects on BART property to incorporate public art into the station area. BART's Art Program Manager will work with the developer and the city to establish a plan for incorporation of public art. The Public Art Master Plan will provide additional guidance on how to incorporate this requirement within a project, upon its completion in 2017.

6. TOD PLANNING CHECKLIST

A team of staff from BART's Real Estate and Property Development, Stations Planning, Customer Access, Police, and District Architect groups will regularly collaborate with a selected developer during project development. The following checklist can be used by BART and BART's partner developers as a guide to clearly communicate expectations, and evaluate projects and plans for consistency with BART's TOD goals. Not all items in the guidelines document or checklist will apply to all BART projects, but some items will always be required (e.g. clear pedestrian and bicycle access to the BART station). The checklist offers a conversational tool for regular use at various phases of the development process:

- Pre-Solicitation: To confirm priority elements of an RFQ
- Solicitation: To offer clear guidance during RFQ and proposal stage
- Project Refinement: As an ongoing tool in review of project
- Permitting & Construction: To ensure elements are not lost during final stages of design development, City approvals and construction.

A link in **Appendix D** provides a more detailed description of the internal BART approvals process for TOD Projects, and cites areas where this checklist could apply.

A Checklist For Evaluating Transit Supportive Development On or Near BART Stations	
0. Correspondence With BART Policies	
0.1	Is the project consistent with BART's Access Policy?
0.2	Is the project consistent with BART's TOD Policy?
0.3	Is the project consistent with BART's Multimodal Design Guidelines?
0.4	Is the project consistent with BART's Affordable Housing Policy?
0.5	Has the developer entered into a Project Stabilization Agreement, with a Local Hire Provision, and met its Small Business Enterprise targets?
0.6	Does the project incorporate a public art component consistent with City Policy or BART's forthcoming Art Master Plan, whichever is greater?
1. Transit Supportive Land Use	
1.1	Are the densities / height at or above BART's thresholds
1.2	Are key sites designated for "transit-friendly" uses and densities? (walkable, mixed-use, not dominated by activities with significant automobile use)
1.3	Are "transit-friendly" land uses and densities permitted outright, not requiring special approval?
1.4	Are the highest densities located nearest transit?
1.5	Are multiple compatible uses permitted within buildings near transit?
1.6	Are the first floor uses "active" and pedestrian-oriented?
1.7	Is a mix of uses generating pedestrian traffic concentrated within walking distance of transit?
1.8	Are auto-oriented uses discouraged or prohibited near transit?
1.9	Does the proposed project employ strategies to encourage reverse-commute, off-peak, and non-work trips on BART?
1.10	Does the mix of uses complement and enhance the surrounding community?

2. Site and Building Design	
2.1	Are buildings and primary entrances sited and oriented to be easily accessible from the street?
2.2	Do the designs of areas and buildings allow direct pedestrian movements between transit, mixed land uses, and surrounding areas?
2.3	Does the site's design allow for the intensification of densities over time?
2.4	Do buildings incorporate architectural features that convey a sense of place and relate to the street and the pedestrian environment?
2.5	Do designs of the area provide a "public square" (gathering place) in the TOD core?
2.6	Are building buildings and parks used to provide a focal point or anchor the area?
2.7	Are amenities, such as storefront windows, awnings, architectural features, lighting, and landscaping, provided to help create a comfortable pedestrian environment along and between buildings?
2.8	Are there sidewalks along the site frontage? Do they connect to sidewalks and streets on adjacent and nearby properties?
2.9	Are there trees sheltering streets and sidewalks? Pedestrian-scale lighting?
2.10	Are public open spaces designed in accordance with CPTED principles?
2.11	Can users easily identify the way toward the station entrance from all directions based on architectural queues or other wayfinding provided?
2.12	Does the project accommodate sufficient space for bus connections, shuttle connections, bicycle and pedestrian access adjacent to the station, as identified in the TOD access plan?
3. Street Patterns & Circulation	
3.1	Is secure and convenient bicycle parking available?
3.2	Are street patterns based on a small grid/interconnected system that simplifies access for all modes?
3.3	Does the pattern of streets and pedestrian paths optimize access to the station from the surrounding community?
3.4	Are pedestrian routes to the station buffered from fast-moving traffic and expanses of parking?

3.5	Does a high quality bicycle route (Class I, II, or IV) provide access to the station entrance from at least two directions?
3.6	Are there convenient crosswalks to other uses on-and off-site?
3.7	Can residents and employees safely walk or bicycle to a store, post office, park, café or bank?
3.8	Does the site's street pattern connect with streets in adjacent developments?
3.9	Does the street design in key pedestrian districts encourage slower traffic speeds?
4. Parking	
4.1	Are the parking ratios at or below the BART maximums
4.2	Are parking requirements reduced in close proximity to transit, compared to the norm?
4.3	For residential and small format retail is it possible to develop buildings with zero parking?
4.4	Is parking being managed on a district basis as opposed to building-by-building?
4.5	Is structured parking encouraged rather than surface lots in higher density areas?
4.6	Is most of the parking located to the side or to the rear of the buildings?
4.7	Where transit commuter parking is provided is it located on the edge or perimeter of the TOD core.
5. Equity & Sustainability	
5.1	Are there housing choices that appeal to all income levels and offer choices for a range of family types and individuals?
5.2	Are services for special needs (social services, senior center, child care, educational and training facilities, etc) provided elsewhere in the transit corridor or do they need to be provided here?
5.3	Are there adaptable buildings and parking structures that don't preclude future opportunities?
5.4	Are local and/or recycled materials being used?

5.5	Do buildings meet or exceed standards such as LEED Gold?
5.6	Are Low-Impact-Development (LID) strategies employed to minimize stormwater runoff?
5.7	Is the project GreenTRIP certified, or does it otherwise offer amenities that reduce car ownership and dependence?
6. High Performance TOD	
Does the project push the market beyond where it would otherwise go in terms of factors such as:	
6.1	Project design and activities enhance the transit rider experience
6.2	Project complements and enhances the surrounding community and adjacent areas along transit corridors
6.3	Greater density than recent projects in the area
6.4	Pedestrian & bike access from the community have been enhanced
6.5	Retail and office uses are located closest to the station
6.6	Project shifts overall mode to station without losing BART riders
6.7	Parking is managed, shared, and made flexible for change in long term
6.8	Project achieves greater affordability than the BART policy
6.9	Project uses innovative building materials that increase efficiency or sustainability
7. Making Transit Work	
7.1	Allows sufficient rights of way to meet BART's operational needs
7.2	Allows connecting buses and shuttles to have convenience access to station entrance, without impeding pedestrian and bicycle paths
7.3	Ensures visibility of station or visual cues to help patrons find station

LINKS TO APPENDICES

A. BART TOD Policy

B. TOD Performance Targets

C. BART Affordable Housing Policy

D. The Internal BART TOD Approvals Process (forthcoming)

E. BART's Station Access Policy

F. BART Multimodal Access Design Guidelines (forthcoming)

G. BART Facilities Standards: Architecture: Passenger Station Sites Chapter (as of January 2016)

H. Policies Guiding BART Customer Parking: Overview, 2013 Pricing Resolution, 2017 Board Presentation

I. Project Stabilization Resolution

J. BART Strategic Plan: Connect & Create Great Places 4-Year Work Plan (2016-2020)