

# Overview of Available Tools to Support Equitable Transit Oriented Development

	Policy Tool	Summary	Examples	Example Source	Additional Examples	Currently used in Montgomery County	Currently used in Prince George's County
C o m m u n i t y  P l a n n i n g  T o o l s	<b>Broad-based Community Engagement</b>	Community-based organizations and nonprofits can work together to ensure that a broad cross-section of community residents participate effectively in local land use planning efforts around transit stations.	Great Communities Collaborative (San Francisco Bay Area, CA)	<a href="http://www.greatcommunities.org/">http://www.greatcommunities.org/</a>		Done on a limited scale	Done on a limited scale
	<b>Comprehensive TOD Strategy</b>	Communities can develop comprehensive strategies to preserve existing affordable housing and produce additional affordable housing in neighborhoods near existing or planned transit stations and then follow up to ensure their implementation.	San Leandro CA Downtown TOD Strategy	<a href="http://www.sanleandro.org/">http://www.sanleandro.org/</a>		Conducted at selected stations	The approved New Carrollton and Largo Town Center Plans recommend this approach, as does the adopted PlanPGC2035.
	<b>Community Benefits Agreements</b>	When community coalitions negotiate community benefit agreements with developers of transit oriented and other development projects, cities often incorporate the terms into their development approvals and therefore ensure that the deal is legally binding.	Multiple	<a href="http://communitybenefits.blogspot.com/">http://communitybenefits.blogspot.com/</a>		No	No
	<b>Community Land Trusts</b>	A non-profit "trust" holds ownership of the land; gives long-term leases.	Twin Cities Community Land Bank	<a href="http://www.tcclandbank.org/">http://www.tcclandbank.org/</a>	Albuquerque Sawmill Community Land	No	No
	<b>Green Tape Zones</b>	Expedited review by planning departments for preferred category of projects	Expedited Transit-Oriented Development Site Plan Applications (Prince George's County, MD)	<a href="http://www.pgplanning.org/Resources/ETOD.htm">http://www.pgplanning.org/Resources/ETOD.htm</a>		Under consideration	Recently approved County Council legislation mandates expedited review of proposed development near Metro stations.
	<b>Housing Trust Funds and other Acquisition Funds</b>	Housing trust funds and other land acquisition resources not exclusively targeted to transit-oriented development can be used to acquire sites for affordable housing developments near existing and planned transit stations.	Affordable Housing Trust Fund (Charlotte, NC)	<a href="http://www.charmeck.org/city/charlotte/nbs/housing/Pages/HousingTrustFund.aspx">http://www.charmeck.org/city/charlotte/nbs/housing/Pages/HousingTrustFund.aspx</a>	Land Acquisition for Affordable New Development Initiative (MN)	On a limited scale. DHCA has a Housing Initiative Fund, but it doesn't have dedicated funding, nor is it specific to TOD.	No
	<b>Incentive Programs for Housing Production</b>	In order to overcome local resistance to zoning allowing for construction of dense, affordable housing, states can create incentive programs which reward local communities that create such zoning near transit.	Chapter 40R Smart Growth Housing Districts (MA)	<a href="http://www.mapc.org/sites/default/files/Chapter_40R_Report.pdf">http://www.mapc.org/sites/default/files/Chapter_40R_Report.pdf</a>		Recently adopted zoning code incentivizes the production of additional affordable housing in CR zones.	Enabling legislation to allow density bonuses for workforce housing near Metro stations is under Council consideration.
	<b>Transit Corridor Planning</b>	Community development corporations (CDCs) can play a critical role in planning for equitable transit-oriented development around existing and planned transit stations along a transit corridor and then in implementing the planned transit-oriented development.	The Fairmount Line CDC Collaborative (Boston, MA)	<a href="http://www.dbedc.org/fairmount.html">http://www.dbedc.org/fairmount.html</a>		Recently approved Countywide Transit Corridor Functional Master Plan provides planning recommendations on transit corridors to improve accessibility and mobility throughout the County.	The Purple Line TOD Study was completed in May 2013 to help guide future TOD at 5 Purple Line stations. TOD implementation is under way for the Central Avenue-Blue Line corridor.
	A proactive, facilitated process can be used to bring all interested parties together to shape development projects along transit corridors before they are submitted to a municipal agency for approval.	The Corridor Development Initiative (Twin Cities, MN)	<a href="http://www.corridordevelopment.org/">http://www.corridordevelopment.org/</a>				

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Transit Oriented Development	<b>Corridor-Based Tax Increment Financing (TIF) Districts</b>	Instead of conventional Tax Increment Financing districts that apply to a single geographic area around one transit station, cities can create corridor-based districts designed to allow revenue sharing among neighborhoods in the transit corridor.	Dallas TOD Tax Increment Financing District (TX)	<a href="http://www.housingpolicy.org/toolbox/strategy/policies/tif.html">http://www.housingpolicy.org/toolbox/strategy/policies/tif.html</a>		Enabling legislation was passed in 2013 but no corridor-wide TIF has been created	Enabling legislation was passed in 2013 but no corridor-wide TIF has been created
		Tax Increment Financing districts can be created on a corridor-wide basis and a portion of the revenues generated can be dedicated specifically to the preservation and development of affordable housing throughout the corridor.	BeltLine Affordable Housing Trust Fund (Atlanta, GA)	<a href="http://www.atlantada.com:8080/buildDev/BeltlineHousingTrustFund.jsp">http://www.atlantada.com:8080/buildDev/BeltlineHousingTrustFund.jsp</a>		Enabling legislation was passed in 2013 but no corridor-wide TIF has been created	Enabling legislation was passed in 2013 but no corridor-wide TIF has been created
	<b>Incorporating Affordable Housing in Joint Development</b>	Transit agencies can leverage the production of affordable housing near transit and increase their ridership by adopting joint development and transit-oriented development policies that encourage production of affordable housing as part of joint development efforts.	Washington Metropolitan Area Transit Authority (DC)	<a href="http://www.practitionerresources.org/cache/documents/673/67333.pdf">http://www.practitionerresources.org/cache/documents/673/67333.pdf</a>	Portland TriMet (OR) or Denver Regional Transit District (CO)	Yes	Workforce housing is recommended at New Carrollton joint development site but not yet built.
	<b>TOD Acquisition Funds</b>	Acquisition funds for transit-oriented development can be used to acquire sites near transit for future development of affordable housing or to acquire and preserve existing affordable housing before planned transit projects drive up land and property values.	Bay Area Affordable Transit-Oriented Development Fund (CA)	<a href="http://bayareatod.com/">http://bayareatod.com/</a>	South Corridor Land Acquisition Fund (Charlotte, NC)	No	No
			Denver Transit Oriented Development Fund (CO)	<a href="http://www.urbandc.org/denver-transit-oriented-development-fund/">http://www.urbandc.org/denver-transit-oriented-development-fund/</a>			
	<b>Incentive Programs for Housing Production</b>	Federal transportation funds can be used by metropolitan planning organizations to encourage the production of dense affordable housing near transit and thereby boost transit ridership.	Housing Incentive Program (San Francisco, CA)	<a href="http://www.mtc.ca.gov/planning/smart_growth/housing/">http://www.mtc.ca.gov/planning/smart_growth/housing/</a>		No	No
	<b>Transit Incentives for Housing Developments</b>	Transit agencies may be able to increase ridership by residents of transit-rich neighborhoods and TODs by selling discounted transit passes to housing developers for distribution to their residents.	Santa Clara Valley Transportation Authority ECO pass program (CA)	<a href="http://www.vta.org/getting-around">http://www.vta.org/getting-around</a> <a href="http://www.firsthousing.com/wp-content/uploads/2009/05/ecopass1.pdf">http://www.firsthousing.com/wp-content/uploads/2009/05/ecopass1.pdf</a>	Pilot TOD Pass Programs in Portland, OR and Contra Costa, CA	Yes, in Central Business Districts	No
	<b>Reduced Parking Requirements for Residential Development</b>	Reducing or eliminating off-street parking requirements for housing developments in transit-rich neighborhoods both helps reduce vehicle ownership and use and makes housing more affordable.	Zoning codes in San Francisco, CA, Portland, OR and Seattle, WA	<a href="http://www.itdp.org/documents/ITDP_US_Parking_Report.pdf">http://www.itdp.org/documents/ITDP_US_Parking_Report.pdf</a>	<a href="http://www.mtc.ca.gov/planning/smart_growth/parking/">http://www.mtc.ca.gov/planning/smart_growth/parking/</a>	Recently adopted zoning code utilizes a lower parking formula for projects near transit then elsewhere in the County	Recently approved TDDPs for West Hyattsville, Capitol Heights, & New Carrollton eliminate parking minimums within the TDOZs.
<b>Unbundling the Price of Parking</b>	Encouraging or requiring the separate pricing of residential parking, often called unbundling, can reduce demand for parking as well as combined housing/transportation costs for residents.	San Francisco, CA unbundling requirements Buckman Heights and Buckman Terrace, Portland OR	<a href="http://www.mtc.ca.gov/planning/smart_growth/">http://www.mtc.ca.gov/planning/smart_growth/</a>		Recently adopted zoning code allows for reduced parking requirements where parking is unbundled from the residential units	No	

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<b>Z o n i n g  T o o l s</b>	<b>Inclusionary Zoning</b>	Communities with transit stations can adopt inclusionary zoning requirements to ensure that a modest share of newly-constructed rental and homeownership units in the area around the station are affordable.	Montgomery County, MD; Carlsbad, CA	<a href="http://www.housingpolicy.org/toolbox/strategy/policies/inclusionary_zoning.html">http://www.housingpolicy.org/toolbox/strategy/policies/inclusionary_zoning.html</a>		Yes, through the County's Moderately Priced Dwelling Unit (MPDU) program	Not currently within the Zoning Ordinance but is being evaluated as part of the ongoing Zoning Rewrite effort
	<b>Flexible Zoning/ Overlay Districts</b>	Allow developers density/ FAR bonuses for including affordable units. The advantage of an overlay or "combining" district is to allow the community the flexibility to impose specific requirements for area-specific or site specific needs.	Overlay Districts in Mountain View, CA	<a href="http://laserfiche.mountainview.gov/WebLink/0/doc/65488/Page1.aspx">http://laserfiche.mountainview.gov/WebLink/0/doc/65488/Page1.aspx</a>		Yes, in select zones	Yes
	<b>Form-Based Code</b>	Form-based codes offer a powerful alternative to conventional zoning; they are regulations, not mere guidelines, adopted into city or county law. They try to achieve a community vision based on time-tested forms of urbanism.	Columbia Pike Form-Based Code (Arlington County, VA)	<a href="http://www.columbiapikeva.us/revitalization-story/columbia-pike-initiative/columbia-pike-form-based-code/">http://www.columbiapikeva.us/revitalization-story/columbia-pike-initiative/columbia-pike-form-based-code/</a>	<a href="http://www.formbasedcodes.org/what-are-form-based-codes">http://www.formbasedcodes.org/what-are-form-based-codes</a>	Recently approved zoning code incorporates features of form-based design and building types	Not currently within the Zoning Ordinance but is being evaluated as part of the ongoing Zoning Rewrite effort
	<b>Multi-Family Housing Districts</b>	Increase number and/or size of areas zoned for such housing; can stipulate that an area can be used for multi-family housing, but only if affordable component is included.	Arlington, VA			No	No
	<b>Transfer of Development Rights (TDR)</b>	Allows landowners to transfer development rights from one property to another landowner who wants to develop his land at higher densities (certain conditions apply; may require zoning changes).	Montgomery County, MD; Arlington County, VA	<a href="http://www.montgomeryplanning.org/community/plan_areas/rural_area/planning_process/about_the_process/tdr.shtm">http://www.montgomeryplanning.org/community/plan_areas/rural_area/planning_process/about_the_process/tdr.shtm</a>		Yes	No

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<b>R e g u l a t o r y  T o o l s</b>	<b>Code Enforcement</b>	To protect against using bad conditions to force out tenants.	Multiple	<a href="http://www.policylink.org/site/c.lkIXLbMNJrE/b.8013265/k.9949/Code_Enforcement/apps/nl/newsletter2.asp">http://www.policylink.org/site/c.lkIXLbMNJrE/b.8013265/k.9949/Code_Enforcement/apps/nl/newsletter2.asp</a>		Yes	Yes
	<b>"Condo Conversion Ordinance"</b>	An condo conversion ordinance requires a portion of units be kept as affordable when multi-family rental building is converted to condo.	Vancouver, BC	<a href="https://circle.ubc.ca/bitstream/handle/2429/26916/UBC_1987_A8%20S47.pdf?sequence=1">https://circle.ubc.ca/bitstream/handle/2429/26916/UBC_1987_A8%20S47.pdf?sequence=1</a>		Yes	Yes
	<b>Database Tracking</b>	Having a current and regularly updated database of market rate affordable properties—along with up-to-date contact information of owners—would assist with early identification of rent increases or property sales.	In Chicago and LA, the database is used to set up financing well in advance of potential sales or expiring subsidies.	<a href="http://www.crala.org/internet-site/Housing/housing_Residents.cfm">http://www.crala.org/internet-site/Housing/housing_Residents.cfm</a>		DHCA and HOC provide listings of apartment rental and affordable housing as well as Section 8 housing	No
	<b>Eviction Controls/ Just Cause Eviction Policy</b>	Leases are assumed to be renewed except for a "just cause" such as non-payment of rent, or the unit is being taken off the market, and similar reasons specified in the statute; This protects the most vulnerable against eviction without cause.	Chicago, DC, Seattle, Los Angeles, NYC, San Francisco, West Hollywood	<a href="http://www.policylink.info/EDTK/JustCause/">http://www.policylink.info/EDTK/JustCause/</a>		Yes (eviction controls), No (just cause)	Yes
	<b>First Right of Refusal Requirements</b>	Gives tenants certain rights that allow them to purchase their own rental property, which may be a unit or a building, prior to its sale to non-residents; For use by county, could be extended to non-profit affordable housing entities.	California; DC; Illinois; Maine; Maryland; Rhode Island; Texas; Portland, OR; San Francisco, CA	<a href="http://www.peoples-law.org/node/532">http://www.peoples-law.org/node/532</a>		Yes	Yes
	<b>Notification Policies + Relocation Assistance</b>	Advance notice of the sale of unsubsidized affordable rental properties could allow for local government, nonprofits, or tenant organizations to purchase a property prior to condo conversion or subsidy expiration.	Boston, State of MD			Yes	Yes
	<b>"No Net Loss" Policy/ Replacement Ordinance</b>	A policy that prevents a designated area from losing affordable housing below a baseline amount; developers are required to replace all or some portion of units when properties are redeveloped.	Portland's "No Net Loss Policy"	<a href="http://www.portlandonline.com/portlandplan/index.cfm?a=191228&amp;c=47107">http://www.portlandonline.com/portlandplan/index.cfm?a=191228&amp;c=47107</a>	St Paul, MN	No	Yes
		Arlington County's Rosslyn-Ballston Corridor	<a href="http://www.arlingtonva.us/Departments/CPHD/Documents/4558Af%20Hsg%20Tools%203%2028%2006.pdf">http://www.arlingtonva.us/Departments/CPHD/Documents/4558Af%20Hsg%20Tools%203%2028%2006.pdf</a>				
<b>Rent Stabilization/ Rent Control Measures</b>	Tied to inflation, or otherwise	Rent Stabilization in Takoma Park, MD	<a href="https://s3.amazonaws.com/hcd-takomapark/public/landlord-tenant/documents/annual-rent-allowance-2012-07.pdf">https://s3.amazonaws.com/hcd-takomapark/public/landlord-tenant/documents/annual-rent-allowance-2012-07.pdf</a>		Yes, in Takoma Park	No	

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T a x  R e l a t e d  T o o l s	<b>Low-Income Housing Tax Credits</b>	Both preservation and production of affordable housing can be financed in part through the Low Income Housing Tax Credit (LIHTC) program, particularly in states that favor transit-accessible projects in their qualified allocation plans.	California or Georgia LIHTC allocation	<a href="http://www.practitionerresources.org/cache/documents/674/67410.pdf">http://www.practitionerresources.org/cache/documents/674/67410.pdf</a>		Yes	Yes
	<b>Historic Tax Credits</b>	The Federal Historic Tax Credit (HTC) encourages the preservation and reuse of the nation's built environment by offering federal tax credits to the owners of historic properties.	Arlington, VA	<a href="http://www.nps.gov/tps/tax-incentives/before-you-apply.htm">http://www.nps.gov/tps/tax-incentives/before-you-apply.htm</a>		Yes, and MoCo has it's own historic tax credit as well	Yes
	<b>Condo Conversion Tax</b>	Assessing developers a condo conversion tax.	NYC, Honolulu	<a href="http://www.nyc.gov/html/dof/html/property/coop_condo_abatement.shtml">http://www.nyc.gov/html/dof/html/property/coop_condo_abatement.shtml</a>		Yes	No
	<b>Demolition Taxes</b>	A tax imposed on residential demolitions within a jurisdiction which could be used to help fund an affordable housing efforts (e.g. a trust fund). Payment of the demolition tax is required prior to receipt of a demolition permit.	City of Highland Park Affordable Housing Demolition Tax	<a href="http://www.cityhpil.com/documents/21/housing_demoTax.PDF">http://www.cityhpil.com/documents/21/housing_demoTax.PDF</a>		No	No
	<b>Federal Capital Gains Tax Modification</b>	Encourages transfer of ownership to nonprofit entities; Modify so as to encourage preservation, e.g. when owner retires.				No	No
	<b>Property Tax exemptions for improvements</b>	Annual exemptions that excuse classes of properties from a certain percentage of property taxes, generally by freezing assessed values or by taxing at a lower rate. The exemption is generally applied for 5-15 years, under the agreement that rents are maintained at a certain level, remain affordable to certain income levels, or don't rise more than a stated percentage each year.	Austin, CA, Chicago, Dallas, DC, NYC, Portland, OR, Spokane, WA			Yes - limited PILOTs (Payment in Lieu of Taxes) available	Yes
	<b>Tax abatements</b>	Allow property owners who provide affordable housing to improve buildings with the assurance that taxes will not exceed a pre-arranged ceiling.	California, Oregon			No	No
	<b>New Market Tax Credits</b>	While a loan or investment in an apartment building comprised entirely of rental apartment units would not qualify for the NMTC, a mixed-use building could qualify for the credit. Generally available for investments in mixed-use projects where more than 20 percent of the gross rental income from the building is from non-residential rentals.	Oxford Mills (Philadelphia, PA) Adaptive reuse of 170,000 sf historic factory complex; 114 units of mixed-income rental housing targeted to public school teachers; 40,000 sf office space for education/ social service nonprofits.	<a href="http://www.enterprisecommunity.com/financing-and-development/new-markets-tax-credits/portfolio-and-approach/oxford-mills">http://www.enterprisecommunity.com/financing-and-development/new-markets-tax-credits/portfolio-and-approach/oxford-mills</a>		Yes	No