

## Summary Report: Transit Oriented Development Rules

### Objectives:

To promote transit-oriented development (TOD) near METRO light rail and bus rapid transit (BRT) stations.

### *Key Principles:*

- Establish objective criteria to determine what streets near transit stations are eligible for TOD rules
- Extend distance from the transit station where TOD rules may apply to ½ mile
- Designate certain streets within ¼ mile of some transit stations where TOD rules are required standards
- Update rules to improve pedestrian friendly environment for new development and certain redevelopment along designated streets
- Preserve existing process for the Planning Director to prepare and periodically update the map(s) showing streets eligible for TOD rules. All map updates are presented to the Planning Commission.

### *Key Terms:*

- **Ground Floor Façade** is the area of the building façade measured between the finished floor height of the ground floor and a vertical height of 8 feet.
- **Pedestrian Realm** is the area that includes hardscape, publicly accessible sidewalks, clear pedestrian spaces, pedestrian amenities, softscape, and utilities along the TOD Street between the back-of-curb and the ground floor building façade
- **Primary TOD Street** is a TOD Street within a ¼ mile walking distance of specific transit stations that is further designated so that TOD rules are required standards
- **Secondary TOD Street** is a TOD Street within a ½ mile walking distance from the transit station platform where properties along the street may opt-in to the TOD rules
- **Street Segment** is the length of a public street between two intersecting streets, or between an intersecting street and the logical termination of the roadway at a well-defined physical barrier
- **TOD Street** is a qualified street segment within a ½ mile walking distance from the transit station platform where properties along the street may be eligible for the TOD rules. There are two types of TOD Street: Primary TOD Street and Secondary TOD Street.
- **Transit Corridor Street** is the street with the existing or proposed METRO light rail or BRT line
- **Walking Distance** is a ¼ mile or ½ mile distance, as applicable, along a continuous path within a public street or public pedestrian easement

### Determining Streets Eligible for TOD Designation:

The Planning Director will use the attached Exhibit A *Process to Determine TOD Streets* to evaluate each street segment within ½ mile walking distance from each transit station to find the street segments that qualify for designation under the TOD rules.

**Key Principles:**

- Three-step process: 1) Identify eligible TOD Streets near transit station; 2) Determine if the transit station is eligible for Primary TOD Streets; and 3) Determine the type of TOD Streets
- Designations apply to the entire street segment, regardless of where the walking distance measurement may end along the segment.

**When TOD Rules Apply:**

The TOD Rules apply for all new development along a Primary TOD Street or an opt-in development along a Secondary TOD Street. When changing an existing development along a Primary TOD Street or an opt-in development along a Secondary TOD Street, upgrading existing conditions to meet the TOD Rules applies when:

<b>Scenario:</b>	<b>Pedestrian Realm Width<sup>1</sup></b>	<b>Widen Existing Sidewalk</b>	<b>Building &amp; Site Design</b>	<b>Parking Rules</b>
Parking lot modification/expansion, or driveway modification	X <sup>2</sup>	X <sup>2</sup>	X	
Changed use only				X
Interior remodeling w/o changed use				
Interior remodeling w/ changed use				X
Exterior remodeling w/o changed use	X		X <sup>3</sup>	
Exterior remodeling w/ changed use	X		X <sup>3</sup>	X
Addition (250 sqft or less) w/in 15' of the minimum pedestrian realm	X		X	X
Addition (250 sqft or more) w/in 15' of the minimum pedestrian realm	X	X <sup>4</sup>	X	X
Addition (more than 25% of the building sqft) and beyond 15' of the minimum pedestrian realm	X	X <sup>4</sup>	X	X
Addition (less than 25% of the building sqft) and beyond 15' of the minimum pedestrian realm	X			X

<sup>1</sup> Any existing, lawfully permitted physical feature (building, auto-related use, fence, etc) w/in the pedestrian realm may remain as-built.

<sup>2</sup> All new parking lots or parking lot expansion are required to meet the WP pedestrian realm width and unobstructed sidewalk width requirements

<sup>3</sup> Applies when exterior remodeling exceeds more than 50% of the Ground Floor Façade along the TOD Street.

<sup>4</sup> If the existing sidewalk is 6' or wider, then no sidewalk widening is needed. If the existing sidewalk is less than 6' wide, then the segment of sidewalk in front of the new addition must be widened to sidewalk standard established within the TOD Rules.

- Requirements of the Historic Preservation Ordinance supersede the TOD Rules, as applicable.
- When a new street tree is required per Chapter 33 along a Primary TOD Street or an opt-in development along a Secondary TOD Street, then the corresponding minimum caliper street is required
- The minimum sidewalk and safety buffer width are the required standard for all new development and any new or replacement sidewalks along all designated TOD Streets to ensure a safe and continuous pedestrian experience along the TOD Street no matter the adjacent development or use of opt-in TOD Rules.
- A development subject to the TOD Rules may seek a modification to the rules from the Planning Commission using the existing variance process.

**The TOD Rules:**

The TOD rules are broken down into three categories: Pedestrian Realm Standards, Building/Site Design Standards, and Off-Street Parking Standards.

**Pedestrian Realm Standards:**

	<b>Transit Corridor Street/ TOD Streets also designated as a Major Thoroughfare</b>	<b>All Other TOD Streets</b>
<b>Min. Pedestrian Realm Width</b>	20 feet <sup>5</sup>	15 feet
<b>Min. Unobstructed Sidewalk Width</b>	8 feet <sup>6</sup>	6 feet
<b>Min. Street Tree Size</b>	3-inch caliper	2-inch caliper
<b>Max. Softscape</b>	35%	
<b>Min. safety buffer width</b>	4 feet <sup>7</sup>	
<b>Fences</b>	Max. height of 54-inch within the pedestrian realm. A fence located between the back of curb and the ground floor building façade shall be non-opaque, decorative fence. <sup>8</sup>	
<b>Auto-Related Uses</b>	No auto-related uses, except: <ol style="list-style-type: none"> <li>1. Driveway(s) perpendicular with the TOD Street; or</li> <li>2. Pedestrian drop-off/loading area beyond minimum pedestrian realm width on a Secondary TOD Street where the design is approved by the City Traffic Engineer</li> <li>3. Upon request by the Planning Director, City Traffic Engineer may approve pedestrian drop-off/loading area beyond minimum pedestrian realm width along a Primary TOD Street when unique traffic circulation/conditions make it impractical to have the pedestrian drop-off/loading area along a Secondary TOD Street</li> </ol>	

<sup>5</sup> Exceptions: 1) Min 15’ pedestrian realm along Transit Corridor Streets if there is only one vehicular through traffic lane on each direction; 2) Min 15’ pedestrian realm measured from the final determined curb along TOD Streets also designated as Major Thoroughfare 80’ or less in width.

<sup>6</sup> Exception: Min 6’ unobstructed sidewalk is allowed along Transit Corridor Streets/ TOD Streets which are eligible for min 15’ pedestrian realm.

<sup>7</sup> Except along an approved on-street cutback parking or loading area where: 1) the cutback parking or loading area design is approved by City Traffic Engineer; and 2) the minimum width of the pedestrian realm next to the cutback or loading area is 10’.

<sup>8</sup> Requirements for the screening of bulk solid waste containers supersede the WPP Rules, as applicable.

- Other Chapter 42 building line performance standards are not applicable along a TOD Street
- Any unobstructed sidewalk must be within the TOD Street right-of-way or within a public pedestrian easement in the Pedestrian Realm along the TOD Street
- A sidewalk across any driveway along a TOD Street must have a clear visual delineation across the driveway

### Building/Site Design Standards

Building/ Site Design Elements	Building/ Site Design Standards
<b>Non-single family residential:</b>	
<b>Public entrance to the Pedestrian Realm</b>	Minimum one (1) for each Primary TOD Street and opt-in Secondary TOD Street
<b>Ground Floor Façade fenestration/ decorative features<sup>9</sup></b>	Along Primary TOD Street: Min 30% fenestration or decorative features, with min 15% fenestration <sup>10</sup>
	Along Secondary TOD Street: Min 20% fenestration or decorative features with min 10% fenestration <sup>10</sup> for opt-in streets
	Exception: Building fronting three (3) or more TOD Streets may have one (1) non-Primary TOD street that is exempt from the fenestration or decorative feature requirement
<b>Minimum unobstructed vertical clearance within the pedestrian realm on private property</b>	Decorative shade structures/ unenclosed balconies: 8 feet
	Other overhang buildable areas: 10 feet
<b>Below grade structures</b>	Allowed up to the property line
<b>Driveway location &amp; dimensions for each property under common ownership or legal interest</b>	Max one 30' wide two-way driveway or two 15' wide one-way driveways along the TOD Street for every 300'  Exceptions: <ol style="list-style-type: none"> <li>1. For properties fronting more than one street, no new driveways are allowed along the Primary TOD Street.<sup>11</sup> If two or more streets are Primary TOD Streets, then the property owner may select one street to meet the driveway standards</li> <li>2. Properties fronting three (3) or more TOD Streets may have one (1) non-Primary TOD Street that is exempt from driveway location and dimension requirements</li> </ol>

<sup>9</sup> Decorative Features include: murals, artwork, mosaics, photographs, water features, sculptures, plantings or “living walls” on the building façade. Signs or advertisements as defined by the Sign Code, dominant paint schemes or construction materials, and basic building elements do not qualify. The Planning Director is authorized to promulgate rules and procedures for the efficient administration of this requirement.

<sup>10</sup> If property owners initiate the designation process, they will be allowed to create higher percentage of ground floor façade fenestration/decorative features than the minimum ordinance requirements if they obtain 100% support from all property owners.

<sup>11</sup> Exceptions: 1. When there is 1 or more existing driveway(s) along the Primary TOD Street, the owner will be allowed to modify or relocate the driveway(s) and keep maximum 1 driveway along the Primary TOD Street. 2. When there is no existing driveway along the Primary TOD Street and the parcel has its sole frontage along the Primary TOD Street, 1 new driveway will be allowed to meet the TOD driveway requirements.

<b>Single family residential:</b>	
<b>Front door facing the TOD Street w/ pedestrian access</b>	Required for each dwelling unit that abuts the TOD Street
<b>Lot access</b>	If a tract is further subdivided, lot access must be from a shared driveway, Type 2 PAE, alley, or new public street created by the same subdivision plat

- Single family residential Building/ Site Design Standards are the required standard for all new development along a Primary TOD Street or a Secondary TOD Street.

**Off-street Parking Standards:**

	<b>Off-street parking standards</b>
<b>Non-single family residential</b>	
Primary TOD Street	No requirement (Market-Based)
Secondary TOD Street	50% reduction
Additional bicycle parking	1 bicycle space for every 5,000 SQFT GFA for uses that require bicycle parking
	1 bicycle space for every 20 dwelling units for apartments
<b>Single family residential</b>	
Primary TOD Street	No requirement (Market-Based)
Secondary TOD Street	No requirement (Market-Based)

## **EXHIBIT A**

### **Process to Determine TOD Streets**

#### **Step 1: Determine eligible TOD Streets adjacent to each transit station**

Identify all public street segments (excluding alleys) within a ½ mile walking distance from the end of an existing or proposed transit station platform.

Determine if the street segment meets one or more of the following criteria:

- A. Less than 50% of street length is single-family residential (SFR) lots that are 3,500 SF or larger that front on the street (Excludes Transit Corridor Streets and Major Thoroughfares)
- B. Less than 50% of street segment length is industrial, manufacturing bulk warehouse, or truck terminal (Excludes Transit Corridor Streets)
- C. Not designated as Special Minimum Building Line or Special Minimum Lot Size
- D. Not a freeway or freeway frontage road (except where the freeway is below-grade and covered by an at-grade cap structure)
- E. Not grade-separated or limited access roadway
- F. Not open-ditch drainage system
- G. Existing roadway meets applicable Infrastructure Design Manual standards, or there are approved plans showing the location of the curb after reconstruction
- H. There is connection to the transit station via a Transit Corridor Street or other eligible TOD Street for the transit station after evaluating for criteria A. through G.

If **Yes**→ Street segment is eligible for TOD Street designation [*Continue to Step 2*]

#### **Step 2: Determine transit station eligible for Primary TOD Streets**

Based on the TOD Streets found in Step 1, determine if the transit station meets one or more of the following criteria:

- A. Within a designated Major Activity Center<sup>12</sup>
- B. Within a census tract where car ownership is 80% or less
- C. High Activity Population Density<sup>13</sup> within ¼ mile
- D. High Intersection Density<sup>14</sup> within ¼ mile
- E. Within ¼ mile of a college or university campus

If **Yes**→ TOD Streets around station are eligible for both Primary TOD Street and Secondary TOD Street designation [*Continue to Step 3*]

If **No**→ TOD Streets around the station are only eligible for Secondary TOD Street designation

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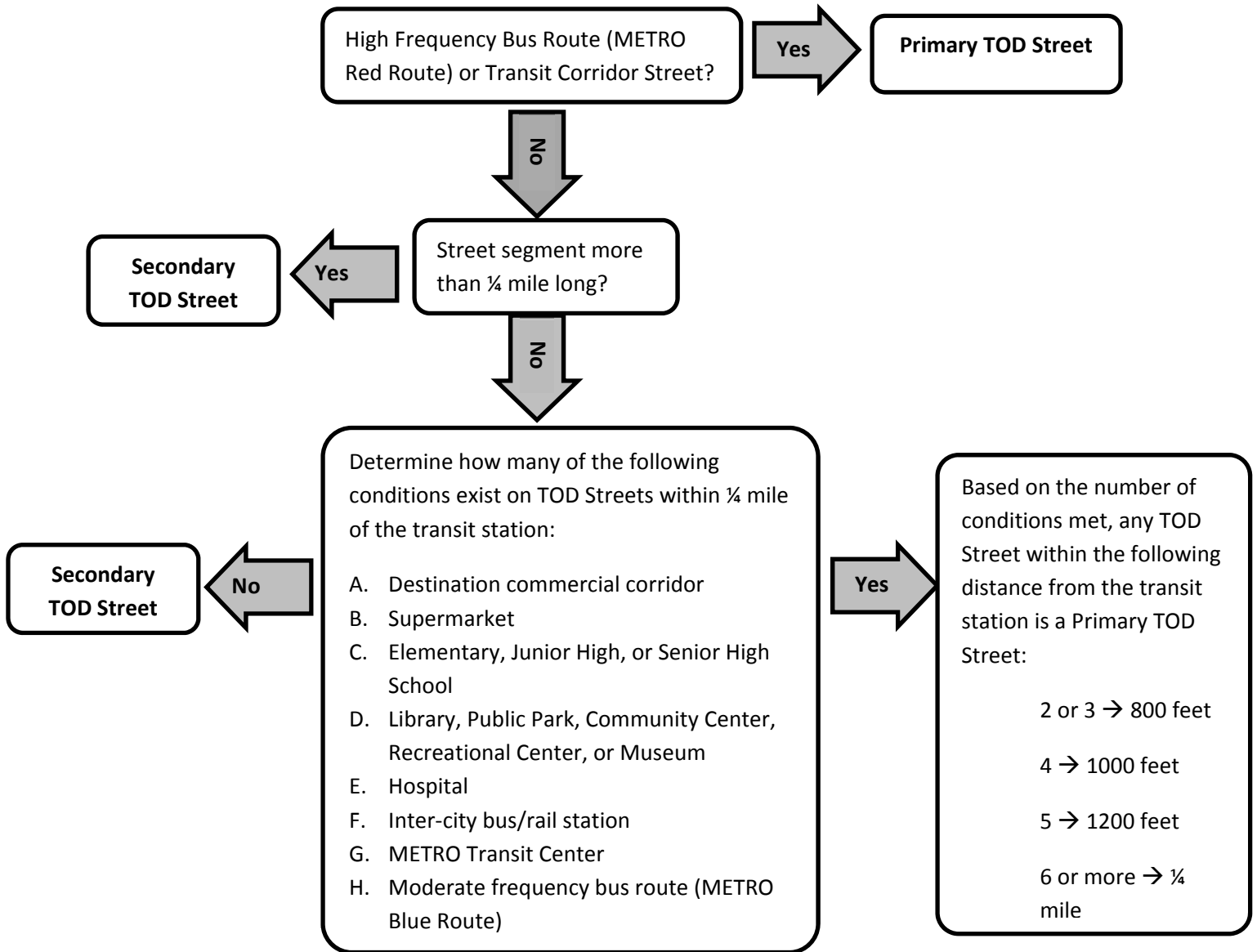
<sup>12</sup> As defined by Chapter 42 of the Code.

<sup>13</sup> 7,200+ activity population/square mile

<sup>14</sup> 76+ intersections/square mile

**Step 3: Determine the type TOD Streets**

Use the following process to evaluate TOD Streets around a transit station identified in Step 2.



Any TOD Street that is street segment less than 300 feet in length and connects two Primary TOD Streets is automatically designated as a Primary TOD Street.

\* Planned (but unconstructed) transit corridor stations approved and adopted by the Major Thoroughfare and Freeway Plan are eligible for Secondary TOD Street designation.

\* Transit corridor stations along the University Line with approved contract for construction will be eligible for Primary TOD Street designation.