



To: Mary Shavallier, HART
From: GB Arrington, PB's PlaceMaking group
Date: September 16, 2009
Subject: TOD Goals, Objectives, and Policies

As you requested I have completed a review of the draft TOD Goals, Objectives, and Policies; Station Area Typologies and Design Principles for the City of Tampa and Hillsborough County. In reviewing the draft I've tried to consider two factors:

1. How the Federal Transit Administration (FTA) is likely to view them in a future New Starts submittal, and
2. How likely the policy and planning framework will be effective in encouraging TOD outcomes.

In general the policy framework for TOD is well thought out, consistent with national best practices for TOD and moves Tampa in the direction FTA will be looking for as part of the New Starts rating process. It is certainly encouraging to see a policy framework that would allow and take some steps to encourage TOD to happen in Tampa. That said, I have a number of concerns on whether the policy goes far enough and suggestions for how to proceed.

Moving the clock forward, by the time Tampa finishes its alternatives analysis and seeks to enter preliminary engineering FTA will want to see demonstrated progress for how the city and county have taken specific legally binding steps to assure new development in the areas surrounding stations will be transit-friendly. The project will need to paint a clear picture for FTA of what the City of Tampa and Hillsborough County have done to take deliberate and legally binding steps to create a pattern of development around the proposed stations that are transit friendly. Today one could characterize Tampa as a place for cars; local governments and HART will need to delineate specific actions which have been taken to assure that the areas within an easy walk of the stations develop in a transit-friendly pattern. For FTA that means future planning and development for the areas surrounding stations will result in parking ratios, density, a mix of uses and an urban realm materially different than development not served by high quality transit.



Specific Comments

How effective the policy will be in encouraging TOD or well received by FTA is a matter of opinion and conjecture. In comparison to communities with a robust TOD planning framework the draft reveals a number of major short coming which ought to be addressed as the draft is refined. Some of those short comings can be expected in any community taking the first steps down the path to TOD.

Based on experience from across the United States and around the world it is reasonable to assume these policies and follow-on planning guided by them will be ineffective in achieving meaningful outcomes. The recommendations and analysis section at the end of this memorandum makes some specific suggestions for tweaking the framework which is mindful of the need to take small but deliberate steps toward TOD.

Many of the issues on the TOD policies go back to the question of how far is Tampa willing to go along the continuum of:

1. allowing TOD to happen
2. encouraging TOD to happen
3. incentivizing TOD to happen
4. requiring TOD to happen

More times than not the policies take the mini-step of "allowing" TOD as a policy framework as opposed to more directive language. The proposed framework tends to use the weakest language (consider, encourage, where feasible) when addressing development forms which are transit supportive. For example: "*encourage* pedestrian activity," "*encourage* placement of new buildings along the street," or "*where feasible* locate surface parking lots behind buildings." The strongest language (shall and will) directs that a plan be done and in seeking to limit the impact of TOD. For example: "station area plans *will* be prepared" and the plans "*shall* protect" and "*will* recognize community character."

While a toe in the water is progress, it will be important to take targeted steps to strengthen the policy. As currently drafted the policies are unlikely to score well in an FTA rating or to move Tampa very far down the path toward seeing TOD on the ground.



Transit Station Area Policies

Policy 17.2.1 - establishing a TOD floating zone for ½ mile of the station is appropriate. As a general note ½ mile works well for residential. It should not apply to retail or office where it should extend no more than ¼ mile. See recommendations for some additional ideas on distance.

Objective 17.3 - preparing station area plans before construction is appropriate. Given the FTA New Start process plans ought to be underway well before construction. We recommend this planning be underway by the time you request to enter PE.

Policy 17.3.2 - the requirement for market analysis in a station area to seems premature and out of place. 17.3.4 covers this.

Policy 17.3.4 - this policy places the financial requirement for public TOD planning on HART. In practice the most successful plans are ones where the local planning agency is also contributing funding. In private lead TOD planning there should also be a requirement to involve the transit agency in the planning.

The list of activities for station area planning is on point. The consideration of parks and open space, affordable or work force housing appears to be an omission.

The narrative has a tone of hesitancy on TOD which is surprising for a TOD policy. Intensity minimums (*where appropriate*), *incremental* parking reduction policies, station development *evolution / timed requirements*. Certainly those are legitimate issues but this seems to foreshadow an outcome and point of view.

Policy 17.3.6 - it may be premature to determine whether you need development and density incentives. The market work in 17.3.4 certainly needs to address that.

Policy 17.4.2 - protecting stable residential neighborhoods is always a good idea. Distance based requirements such as this one ("This transition will typically occur in the 0.25-mile to 0.5-mile radius from the station platform.") can create unintended consequences such as prohibiting TOD where you would otherwise want to encourage it. Design and density should be considered as an alternative to distance.



17.4.6 - changes to roadway design to calm traffic and create a pedestrian friendly environment is at the core of principles. The policy that design elements like complete streets should be “considered” seems overly soft. Stronger guidance should be sought for key street sections.

17.4.7 - requiring sidewalks on both sides of the street within ½ mile of a station is laudable.

17.4.8 - “guidelines” ... “to encourage” pedestrian activity and protection are another example of a weak policy for an area important to developing TOD.

17.4.12 - “encouraging placement” of new buildings to create an active environment says nice things, but is unlikely to result in good outcomes. Building placement is a critical issue in TOD; this is an important area to increase the impact of the policies.

17.4.13 - locating parking to the side or behind buildings is a key design principle for TOD. Guidance to so “where feasible” seems overly weak.

TOD Design Principles

These comments capture some points not addressed in the Transit Station Area Policies. In many instances the principles are stronger and more directive than the policies - was that intended?

Land Use Principles

- The narrative on densities seems a little inconsistent on what it expects between ¼ and ½ mile. Residential can extend to ½ mile; non-residential should be no more than ¼ mile or even tighter.
- Encouraging a variety of housing types and price points makes sense, whether incentives are necessary needs to be better understood. In many communities affordable and work force housing are part of this conversation. Is that intended here?
- A minimum of .5 FAR for ½ mile from the station seems high.
- Encouraging FAR based entitlements for mixed-use needs to be linked to stronger design principles than the draft includes - buildings to the edge of streets, active street edges ...



Connectivity Principles

- Reduced parking through maximums is an effective strategy, waiting until there are “certain development thresholds” is a weak and uncertain way to get there. You could consider parking districts, and disconnecting parking from individual building along with maximums as a better way to address phasing.

Community Design Principles

- Think some clarification is needed on “permit TOD rezoning” ... once FTA has issued a ROD. By the time you ask for a ROD you want rezoning recommended and well underway.
- Many communities do not have urban public open space requirements, for a TOD you will need to make sure the requirements reflect the needs and demographics of a TOD.

Recommendations and Analysis

Part of the challenge faced by Tampa and other cities just starting down the path toward TOD is how aggressive to be in charting a new direction. Will there be market, community or political support for a new direction? Are the transit investments really going to materialize, will the ridership be there? In response to those types of questions the current draft takes a cautious approach by developing a framework where developers are ‘encouraged to consider TOD where feasible.’ This stands in contrast to the Portland’s, Denver’s, suburban Washington, D.C. and Seattle’s of the world which Tampa will compete with for New Starts funding where developers are ‘required to develop projects consistent with TOD principles within walking distance of stations and automobile oriented development is prohibited.’

The risk with the current draft is two fold. First, FTA is likely to give you credit for taking a positive step, but not rate it highly because it encourages rather than requires TOD. Second, in terms of the development response, if other areas of the United States are an indication, the outcome may be “TOD light” and the more likely outcome would be no TOD at all.

The middle ground I’d recommend in modifying the policy is to:

- focus on a smaller area where the impact of transit will be higher and where land use changes matter the most,



- include a shorter list of topics carefully chosen to include the things that matter the most in getting TOD outcomes, and
- set a higher standard of requirements for the small list of important things you are seeking.

Distance matters tremendously with transit, as you get further from a station the impact of transit on urban form drops off precipitously. The current draft targets ½ mile around stations (503 acres). Instead tighten your focus to a ¼ mile (125 acres) or even tighter to 800 feet (46 acres). For the remainder of the station area continue to encourage TOD, but don't require it.

Rewrite the transition language for established residential neighborhoods to include density and design as a means to address transitions rather than just relying on distance.

Finally, in determining what factors to target I'd suggest starting with the following principles to guide a revised draft. In our experience these are the most important factors in TOD policies / principles. These are the places Tampa should closely consider a stronger more directive framework to incentivize and require TOD through:

1. Density higher than the community average
2. A mix of land uses to create an active place
3. Reducing and managing parking
4. Street, building and site orientation to favor pedestrians