



**MEMORANDUM**

**DATE:** November 19, 2024  
**TO:** Adam Politzer, Interim City Manager  
**FROM:** Chadrick Smalley, Community Development Director  
**SUBJECT:** **Resolution Of The City Council Of The City Of Emeryville Authorizing The City Manager To Submit An Application For Transit Oriented Communities (TOC) and Planning Implementation Grant Funds From The Metropolitan Transportation Commission (MTC) For An Amount Up to \$1,700,000**

**RECOMMENDATION**

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to submit an application for up to \$1,700,000 in funding in response to the Metropolitan Transportation Commission's call for Transit-Oriented Communities (TOC) Planning and Implementation grants.

**BACKGROUND**

In September 2022, the Metropolitan Transportation Commission (MTC) adopted the TOC Policy to support the region's transit investments by creating communities around transit stations and along transit corridors that not only enable transit ridership, but also are places where Bay Area residents of all abilities, income levels, and racial and ethnic backgrounds can live, work, and access services.

The TOC Policy focuses on the core elements of land use density, affordable housing, parking management, and complete streets/multimodal access to implement Plan Bay Area 2050 strategies. The TOC Policy applies to the half-mile area around existing and planned fixed guideway transit stops and stations (i.e., regional rail, commuter rail, light-rail transit, bus rapid transit, and ferries).

On September 30, 2024, MTC announced that they are releasing approximately \$20 million for local planning and policy development across all four components of the TOC Policy to help achieve these goals:

- (1) Increasing residential and commercial densities around station areas,
- (2) Adopting housing policies from the "3Ps" menu (production, preservation, and protection),
- (3) Adjusting minimum and maximum parking ratios as well as transportation demand management policies, and
- (4) Planning for station access that includes active transportation uses and mobility hub infrastructure.

Eligible uses of funding include technical assistance and staff time to create and implement policies that will help jurisdictions to comply with each policy area. Jurisdictions may apply for as little as one or up to all categories of projects across this Call for Projects based on need and capacity to become TOC-compliant in each area. Applying for funding in multiple categories will neither advantage nor disadvantage an applicant if the applicant demonstrates commitment to fulfilling the requirements across the TOC policy.

Eligible applicants are jurisdictions with at least one TOC area and must have an adopted Housing Element. Emeryville qualifies as an eligible applicant due to the presence of the Amtrak station and because the City has an adopted and certified Housing Element.

All applications submitted must demonstrate that the plans and policies developed with this funding shall be connected to overall TOC Policy compliance.

Applications are due on November 22, 2024, and grant approval by the MTC Commission is tentatively scheduled for their February 14, 2024 meeting.

## **DISCUSSION**

There are four Program Funding that the City can apply for. These include:

- (1) Specific Plans and Zoning Changes
- (2) Implementation of Housing Policies
- (3) Parking Management
- (4) Station Access and Circulation

Staff proposes to apply for two of the Program Funds: Specific Plans and Zoning Changes and Implementation of Housing Policies.

### Specific Plans and Zoning Changes

Under this category, the maximum grant award is \$1.2 million, and staff intends to apply for the full amount in order to facilitate its General Plan update. The City's General Plan was last updated 15 years ago, in 2009, and the City will need to do an overall update to maintain compliance with current State law and TOC policy. While the grant amount will not be sufficient to complete an overall update, it will assist in covering costs which would benefit the City fiscally.

### Implementation of Housing Policies

Under this category, grant awards can range between \$100,000 and \$500,000 and staff intends to apply for the maximum grant amount to hire a consultant and cover staff time to develop an inclusionary housing zoning policy and make modifications to the just cause, tenant relocation and anti-harassment components of the Residential Landlord and Tenant Relations Ordinance. These policy modifications, which are under discussion with the Budget and Governance Committee and Housing Committee, align with action

steps in the 2023-2031 Housing Element Program A (Housing Development Regulatory Program) and Program QQ (Tenant Protection Measures).

### **FISCAL IMPACT**

Adoption of the resolution authorizing the application for funds has no direct fiscal impact. In the event the City's application for MTC'S TOC grant is awarded, up to \$1,700,000 will be available for the activities described above.

### **STAFF COMMUNICATION WITH THE PUBLIC**

None.

### **CONFLICT OF INTEREST**

None.

### **CONCLUSION**

Staff recommends that the City Council adopt the attached resolution authorizing the City Manager to submit an application for up to \$1,700,000 in grant funding in response to the MTC's call for applications for TOC and Planning grants.

**PREPARED BY:** Miroo Desai, Planning Manager, Navarre Oaks, Senior Planner,  
and Valerie Bernardo, Economic & Community Development Coordinator II,

**REVIEWED BY:** Chadrick Smalley, Community Development Director

**APPROVED AND FORWARDED TO THE  
CITY COUNCIL OF THE CITY OF EMERYVILLE:**



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Adam Politizer, Interim City Manager

### **ATTACHMENT**

- Draft Resolution