

# **Communities Are Embracing Development near Transit:**

## **A Snapshot of Transit-Oriented Development Support across the United States**

### **Appendix B 2015–16 Transit-Oriented Development Snapshot**

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Real Possibilities

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# Appendix B: 2015-16 Transit-Oriented Development Snapshot

**TABLE 1. STATE TOD SUPPORT**

State	Program Name and Website(s)	Type (Policy & Planning, Zoning, Funding & Financial Incentives, Program)	Program Description
CA	Caltrans Sustainable Transportation Planning Grant Program <a href="http://www.dot.ca.gov/hq/tpp/grants.html">http://www.dot.ca.gov/hq/tpp/grants.html</a>	Funding & Financial Incentives	Grants to create plans that strengthen the connection between transportation and community goals. Transit-oriented development (TOD) plans are eligible activities, and the program gives priority consideration to projects that integrate transportation programs with community preservation and environmental activities. Funded from the state highway account; up to \$3 million allocated annually.
CA	Transit-Oriented Development (TOD) Housing Program <a href="http://www.hcd.ca.gov/grants-funding/active-no-funding/tod.shtml">http://www.hcd.ca.gov/grants-funding/active-no-funding/tod.shtml</a>	Funding & Financial Incentives	Low-interest loans are available as gap financing for rental housing developments that include affordable units, and as mortgage assistance for homeownership developments. In addition, grants are available to cities, counties, and transit agencies for infrastructure improvements necessary for the development of specified housing developments, or to facilitate connections between these developments and the transit station. Maximum program loan or grant, or combination of the two, for a single housing development or for a single housing developer applicant, including any affiliates of such applicant, shall be limited to \$17 million per funding and financial incentives round. The maximum total amount of program assistance for applications based on a single qualifying transit station and all awards of program funds over the life of the program shall be \$50 million.
CT	Transit-Oriented Development (TOD) Planning Grant Program <a href="http://www.ct.gov/opm/cwp/view.asp?a=2985&amp;q=567428">http://www.ct.gov/opm/cwp/view.asp?a=2985&amp;q=567428</a>	Funding & Financial Incentives	This competitive grant program is intended to provide financial support for (a) construction projects that expand on previous state investment in transit-oriented development, as defined in section 13b-79o of the Connecticut General Statutes, and/or (b) planning or construction projects that demonstrate responsible growth through their consistency with Conservation & Development Policies: The Plan for Connecticut 2013-2018.
CT	Transit-Oriented Development Pre-Development and Acquisition Fund <a href="http://www.chfa.org/Press%20Room/Press%20Releases/pressreleaseviewer.aspx?id=542">http://www.chfa.org/Press%20Room/Press%20Releases/pressreleaseviewer.aspx?id=542</a>	Funding & Financial Incentives	In 2014, the Governor announced the creation of a \$15 million Transit-Oriented Development Pre-Development and Acquisition Fund to provide financing that will encourage developers to carry out transit-oriented development in communities with station stops along the CTfastrak and New Haven-Hartford-Springfield transit corridors. The state and the Connecticut Housing Finance Authority will each contribute \$1 million to the fund, which will be added to \$13 million of private capital provided by Local Initiatives Support Corporation Connecticut, which will also serve as the fund manager.
CT	Housing Incentive Zone Program, Connecticut Department of Housing <a href="http://www.ct.gov/doh/cwp/view.asp?a=4513&amp;Q=530592">http://www.ct.gov/doh/cwp/view.asp?a=4513&amp;Q=530592</a>	Policy & Planning Funding & Financial Incentives Program	Provides technical assistance and financial incentives for municipalities to create housing incentive zones, which must be near transit stations or in existing developed locations. The zones must allow for higher-density development than surrounding areas and set aside 20% of new residential units for those making up to 80% of area median income (AMI). The state pays municipalities \$2,000 per multifamily unit or \$5,000 per single-family unit for each building permit issued in the zone.

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<b>CT</b>	<p>Connecticut Department of Transportation (CTDOT) New Haven-Hartford-Springfield Commuter Rail Line</p> <p><a href="https://www.transit.dot.gov/funding-financial-incentives/grants/recipients-pilot-program-transit-oriented-development-tod-planning-awards">https://www.transit.dot.gov/funding-financial-incentives/grants/recipients-pilot-program-transit-oriented-development-tod-planning-awards</a></p> <p><a href="http://www.ct.gov/opm/lib/opm/secretary/rfp/opm-igp-20151209-rg-tod.pdf">http://www.ct.gov/opm/lib/opm/secretary/rfp/opm-igp-20151209-rg-tod.pdf</a></p>	<p>Policy &amp; Planning</p> <p>Funding &amp; Financial Incentives</p>	<p>The Federal Transit Administration (FTA) awarded CTDOT a pilot program for a TOD development planning grant to advance TOD at four new and two relocated stations proposed for the New Haven-Hartford-Springfield Commuter Rail Line. CTDOT will analyze housing and employment opportunities along the entire corridor, examine state and local policies that inhibit TOD, identify strategies and financing mechanisms to encourage TOD, and conduct outreach to residents and developers.</p>
<b>DC</b>	<p>Comprehensive Plan</p> <p><a href="http://planning.dc.gov/node/637932">http://planning.dc.gov/node/637932</a></p> <p><a href="http://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/tax-increment_financing_analysis_methodology.pdf">http://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/tax-increment_financing_analysis_methodology.pdf</a></p>	<p>Policy &amp; Planning</p>	<p>The District's Comprehensive Plan calls for capitalizing on the investment in the Metrorail system. Area plans have been developed for five stations, each tailored to the unique needs and desires of the neighborhood. TOD Comprehensive Plan principles include a preference for vertical, mixed-use residential and commercial uses; diversity of market-rate and housing affordable units, including housing for seniors and others with mobility impairments; pedestrian-friendly design; well-programmed open spaces; comfortable access to the bus and rail system; and pedestrian and bicycle connectivity between and among stations.</p>
<b>DC</b>	<p>Tax Increment Financing (TIF)</p> <p><a href="https://cfo.dc.gov/publication/2016-tx0-tax-increment-financing-tif-program">https://cfo.dc.gov/publication/2016-tx0-tax-increment-financing-tif-program</a></p> <p><a href="http://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/tax-increment_financing_analysis_methodology.pdf">http://planning.dc.gov/sites/default/files/dc/sites/op/publication/attachments/tax-increment_financing_analysis_methodology.pdf</a></p>	<p>Funding &amp; Financial Incentives</p>	<p>The District has used its TIF authority to help finance TOD.</p>

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FL	<p>Framework and Handbook for TOD in Florida</p> <p><a href="http://www.fltod.com/">http://www.fltod.com/</a></p>	Policy & Planning	<p>The Florida Department of Transportation (FDOT) developed TOD strategies and guidance to promote land use policy and design that leverages statewide investments in multimodal transportation systems. In Phase I (2011), FDOT, in partnership with the Florida Department of Community Affairs, developed “A Framework for Transit-Oriented Development (in Florida)” to promote and guide the implementation of “transit-ready” development patterns in Florida. For Phase II (2013), FDOT contracted with the Treasure Coast Regional Planning Council to examine TOD implementation. The handbook provides model land use policies and land development codes in support of TOD.</p>
FL	Fla. Stat. §343.91 Regional Transportation Authorities	Policy & Planning	<p>The law defines TOD as a mixed-use residential or commercial area designed to maximize access to public transportation that often incorporates features to encourage transit ridership. Typically, a TOD neighborhood has a center with a train station, tram stop, or bus station surrounded by relatively high-density development with progressively lower-density development spreading outward from the center, typically within one-half mile of the stop or station.</p>
FL	Fla. Stat. §343.962 Public Private Partnerships	Policy & Planning Funding & Financial Incentives	<p>This law allows the Tampa Bay Area Regional Transportation Authority to enter into agreements (public-private partnerships) with private entities for the building, operation, ownership, or financing of multimodal transportation systems, TOD nodes, transit stations, or related facilities.</p>
FL	Fla. Stat. §349.22 Public Private Transportation Facilities	Policy & Planning Funding & Financial Incentives	<p>This law allows the Jacksonville Transportation Authority to enter into agreements with private entities (public-private partnerships) for the building, operation, ownership, or financing of highways, bridges, multimodal transportation systems, TOD nodes, transit stations, or related transportation facilities.</p>
GA	Ga. Comp. R. & Regs. r. 110-12-7-02 Georgia Department of Community Affairs	Policy & Planning	<p>The Georgia legislature allows the Atlanta Regional Commission to expedite review of transit-oriented developments of regional impact if the proposed development is located within one-quarter mile of an existing rail transit station or stop, and if the proposed development (a) is consistent with local government TOD zoning; (b) is consistent with Regional Plan, Unified Growth Policy Map, Regional Development Guide, local TOD guidelines, or Metropolitan Atlanta Rapid Transit Authority TOD Guidelines; and (c) has parking limited to no more than minimum required by local government.</p>
GA	<p>Amendments to Title 36 and Title 50 of the Georgia Code Annotated related to local government and the Department of Community Affairs</p> <p><a href="http://www.legis.ga.gov/Legislation/20152016/154053.pdf">http://www.legis.ga.gov/Legislation/20152016/154053.pdf</a></p>	Funding & Financial Incentives	<p>In 2015, Governor Nathan Deal signed into law Senate Bill 4 to enable public-private partnership financing for public infrastructure in the BeltLine corridor, including transit, trails, streetscapes, and parks.</p>

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HI	2016 Hi. ALS 130 Statewide Community Planning	Policy & Planning Funding & Financial Incentives	Relates to statewide community planning; provides for smart growth; designates the Office of Planning as the lead agency to coordinate TOD planning; establishes an interagency council; authorizes the Department of Education to use impact fees from TOD projects for existing schools to address increases in populations due to TOD; and provides for school impact districts.
HI	2016 Hi. ALS 131 Mixed-use development	Policy & Planning	The purpose of this act is to enable the Hawaii Housing Finance and Development Corporation to develop mixed-use developments in partnership with state and county departments and agencies, as well as to further the objective of encouraging walking and active areas by locating affordable housing, jobs, shops, and services within close proximity. Act 131 does not explicitly mention TOD; however, mixed-use development is the hallmark of TOD.
HI	2016 Hi. ALS 127 Affordable housing strategy	Policy & Planning	Act 127 establishes an affordable rental-housing goal for state government and a special action team,, led by the director of the Office of Planning. The team is directed to provide recommendations for targeting rental-housing development in TOD areas.
HI	2016 Hi. ALS 132 Dwelling Unit Revolving Fund	Funding & Financial Incentives	The purpose of this act is to provide grants and loans to state agencies, and loans to the counties and private developers, for infrastructure improvements. Furthermore, this act is intended to allow for innovative financing techniques, such as tax increment financing and improvement districts, and to fund loans based on the use of the new infrastructure capacity. The proceeds in the revolving fund shall be used to reimburse the general fund to pay the interest on general obligation bonds issued for the purposes of the revolving fund, for the necessary expenses in administering housing development programs and regional state infrastructure programs, including but not limited to the expansion of community facilities and regional and state infrastructure constructed in conjunction with housing and mixed-use TOD projects.
HI	State TOD Strategy (in progress) <a href="http://planning.hawaii.gov/lud/state-tod/">http://planning.hawaii.gov/lud/state-tod/</a> <a href="http://planning.hawaii.gov/wp-content/uploads/2013/04/Hi-State-TOD-Strategies-Final-Report-FINAL.pdf">http://planning.hawaii.gov/wp-content/uploads/2013/04/Hi-State-TOD-Strategies-Final-Report-FINAL.pdf</a>	Policy & Planning Funding & Financial Incentives	The State of Hawaii is the largest landowner along the 20-mile rail transit corridor from Kapolei to Honolulu, owning about 2,000 acres of land within a half-mile radius of the 21 stations. As such, the Office of Planning is helping to coordinate a state TOD strategy to leverage Hawaii's significant TOD opportunities. State agency working groups have been formed. The state legislature provided \$500,000 in FY2017 Capital Improvement Program (CIP) funds for TOD, master planning for state lands in TOD areas that have significant development/redevelopment potential, and infrastructure assessments and planning for improvements in areas where multiple agencies are involved.
IL	Business Location Efficiency Incentive Act (SB 2885, 2006) <a href="http://ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0966">http://ilga.gov/legislation/publicacts/fulltext.asp?Name=094-0966</a>	Funding & Financial Incentives	Provides 10% tax credits to businesses selecting sites within 1 mile of affordable housing and public transportation. The incentives are part of a larger Economic Development for a Growing Economy program, which provides tax incentives for businesses to locate in Illinois when they are actively considering a competing location in another state.

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<p><b>LA</b></p>	<p>La. Rev. Stat. § 51:1783 La. R.S. § 51:1787</p>	<p>Policy &amp; Planning Funding &amp; Financial Incentives</p>	<p>TOD is defined in state law, enabling it to qualify as an eligible enterprise zone and receive sales and use tax rebates, or a refundable investment income tax credit equal to 1.5% of the amount of qualified expenditures. When a taxpayer purchases an existing building and capital expenditures are used to rehabilitate the building, the costs of the rehabilitation only shall be considered qualified expenditures. Other limitations apply.</p>
<p><b>MA</b></p>	<p>Commercial Area Transit Node Housing Program (CATNHP) St. 2002, c. 244, Item 7004-7016, a.k.a., the 2002 Housing Bond Bill, and reauthorized by St. 2008, c. 119, Item 7004-0038 <a href="http://www.mass.gov/hed/docs/dhcd/hd/catnhp/catnhpguidelines.pdf">http://www.mass.gov/hed/docs/dhcd/hd/catnhp/catnhpguidelines.pdf</a> <a href="http://www.mass.gov/hed/housing/affordable-rent/commercial-area-transit-node-housing-program.html">http://www.mass.gov/hed/housing/affordable-rent/commercial-area-transit-node-housing-program.html</a></p>	<p>Funding &amp; Financial Incentives</p>	<p>The CATNHP authorizing legislation includes a funding and financial incentives set-aside for TOD. The program is administered by the Massachusetts Department of Housing and Community Development and is intended to produce rental housing units in commercial areas served by public transit. CATNHP applicants may seek funds in the form of 30-year deferred payment loans at zero interest, low-interest loans, or deferred payment loans. At least 50% of the units in a project receiving CATNHP financial support must be occupied by and affordable to households at or below 80% of the area median income. Projects must be located within a quarter mile of existing or planned transit stations. Priority is given to projects within existing TIF areas. Project funding and financial incentives are available for up to \$1 million, or \$50,000 per unit.</p>
<p><b>MA</b></p>	<p>MassWorks Infrastructure Program <a href="http://www.mass.gov/hed/economic/eohed/pro/infrastructure/massworks/">http://www.mass.gov/hed/economic/eohed/pro/infrastructure/massworks/</a></p>	<p>Funding &amp; Financial Incentives</p>	<p>The MassWorks Infrastructure Program provides a one-stop shop for municipalities and other eligible public entities seeking public infrastructure funding and financial incentives to support economic development and job creation. Applicants are encouraged to demonstrate the project's proximity to transit and potential to support transit-oriented development around rail or bus stations. Funding and financial incentives are available to communities of all sizes, including those with a population of less than 7,000. The program is administered by the Executive Office of Housing and Economic Development in consultation with the Massachusetts Department of Transportation and the Executive Office for Administration and Finance.</p>

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<b>MA</b>	<p>Smart Growth Zoning Overlay District Act, chapter 149 of the Acts of 2004, codified as M.G.L. chapter 40R</p> <p><a href="http://www.mass.gov/hed/community/planning/chapter-40-r.html">http://www.mass.gov/hed/community/planning/chapter-40-r.html</a></p>	Funding & Financial Incentives	<p>Encourages communities to create dense residential or mixed-use smart-growth zoning districts, including a high percentage of affordable housing units, to be located near transit stations, in areas of concentrated development such as existing city and town centers, and in other highly suitable locations. Projects must be developable under the community's smart growth zoning adopted under chapter 40R, either as of right or through a limited plan review process akin to site plan review. Upon state review and approval of a local overlay district, communities become eligible for payments from a Smart Growth Housing Trust Fund, as well as other financial incentives. Chapter 40R seeks to substantially increase the supply of housing and decrease its cost, by increasing the amount of land zoned for dense housing. It targets the shortfall in housing for low- and moderate-income households, by requiring the inclusion of affordable units in most private projects. In return for adopting the zoning and streamlining the development process for 40R districts, cities and towns can get between \$10,000 and \$600,000 in state funding and financial incentives, plus an additional \$3,000 for every new home created.</p>
<b>MA</b>	<p>Smart Growth School Cost Reimbursement (chapter 40S), Commonwealth of Massachusetts</p> <p><a href="http://www.mass.gov/hed/community/planning/chapter-40-s.html">http://www.mass.gov/hed/community/planning/chapter-40-s.html</a></p>	Funding & Financial Incentives	<p>Works with chapter 40R: Housing and Smart Growth incentives (above), to ensure that municipalities are able to accommodate an increase in public school enrollment that may accompany increased density around transit stops. Provides direct payments, in grant form. Qualifying communities will be reimbursed for the net cost of educating students living in new housing in smart-growth districts. The reimbursement equals the cost of educating students living in new housing in smart-growth districts less an amount equal to the sum of (a) new property and excise taxes in the smart-growth district multiplied by the average percent of total local spending on education across the commonwealth (about 52%), and (b) any increases in other state education funding and financial incentives that directly results from these new students.</p>
<b>MD</b>	<p>2008 TOD Law (section 7-101(m) of the Transportation Article), Maryland state legislation</p> <p><a href="https://www.charlescountymd.gov/sites/default/files/pgm/planning/wurc_app10_mdotaq.pdf">https://www.charlescountymd.gov/sites/default/files/pgm/planning/wurc_app10_mdotaq.pdf</a></p>	Funding & Financial Incentives	<p>Maryland passed legislation in 2008 that makes TOD a transportation purpose, making it eligible for funding and financial incentives from the Transportation Trust Fund and for support from state staff. The law allows Maryland Department of Transportation (MDOT) to designate specific TOD projects and then direct departmental resources and support to these projects (14 sites were designated in June 2010). Designated TOD sites are eligible for financing from MD Economic Development Corporation, priority assistance from MDOT and other agencies, predevelopment planning and feasibility analysis funded by MDOT, and priority consideration for the location of state offices. The MDOT capital program has \$3 million in dedicated funds for the implementation of TOD projects.</p>

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MD	<p>Sustainable Communities (formerly known as Community Legacy Program)</p> <p><a href="http://dhcd.maryland.gov/Communities/Pages/dn/default.aspx">http://dhcd.maryland.gov/Communities/Pages/dn/default.aspx</a></p> <p><a href="http://dhcd.maryland.gov/Communities/Pages/programs/CL.aspx">http://dhcd.maryland.gov/Communities/Pages/programs/CL.aspx</a></p>	Funding & Financial Incentives	<p>As a result of the Sustainable Communities Act of 2010, Community Legacy Areas are now known as Sustainable Communities. Funding and financial incentives, in the form of grants and loans, are available for projects located in these Sustainable Communities and are meant to complement and supplement other state funding and financial incentives programs.</p> <p>The program provides local governments and community development organizations with funding and financial incentives for essential projects aimed at strengthening communities through activities such as business retention and attraction, encouraging homeownership, and promoting commercial revitalization. Projects/activities typically include, but are not limited to: mixed-use development consisting of residential, commercial, and/or open space; business retention, expansion, and attraction initiatives; streetscape improvements; increasing homeownership and home rehabilitation among residents; residential and commercial façade improvement programs; real estate acquisition, including land banking and strategic demolition; and establishing funds to provide loan guarantees and credit enhancement to leverage other public or private financing.</p>
MD	<p>Sustainable Communities Tax Credit Program</p> <p><a href="http://dhcd.maryland.gov/Communities/Documents/dn/Benefits-3-2.pdf">http://dhcd.maryland.gov/Communities/Documents/dn/Benefits-3-2.pdf</a></p>	Funding & Financial Incentives	<p>Under the Sustainable Communities Act of 2010, existing nonhistoric structures within the state's designated TODs may be eligible for a 10% state tax credit for qualified commercial rehabilitation projects. Eligible historic structures across the state may receive a 20% state tax credit for commercial and residential rehabilitation projects. This would include eligible historic structures within TODs.</p>
MD	<p>Low Income Housing Tax Credit (LIHTC) Program</p> <p><a href="http://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx">http://dhcd.maryland.gov/HousingDevelopment/Pages/lihtc/default.aspx</a></p>	Funding & Financial Incentives	<p>The federal LIHTC has been the primary source of funding and financial incentives for building new or preserving existing affordable housing since 1986. State housing agencies have the discretion to determine which developments receive funding and financial incentives and can target resources to address pressing local housing needs, such as providing or maintaining affordable rental housing near transit. Criteria are set out in each state agency's Qualified Allocation Plan. In Maryland, projects in TOD designations receive additional points in this scoring system. Administered by the Maryland Department of Housing and Community Development.</p>
ME	<p>Me. Rev. Stat. Ann. tit. 5, § 13056-D CMR 19-498-023 Communities for Maine's Future Bond Program</p> <p><a href="http://www.maine.gov/decd/meocd/other_programs/maines_future.shtml">http://www.maine.gov/decd/meocd/other_programs/maines_future.shtml</a></p>	Funding & Financial Incentives	<p>Establishes the Communities for Maine's Future (CMF) program to assist and encourage communities to revitalize and promote community development and enhance projects. CMF is part of a \$25,000,000 bond initiative that was approved by Maine voters on June 8, 2010. \$3.5 million of these funds will be allocated to the CMF program for the purpose of downtown revitalization in Maine communities. Priority is given to projects that encourage sustainable, mixed-use, pedestrian-oriented or transit-oriented development.</p>



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<b>ME</b>	Me. Rev. Stat. Ann. tit. 30-A, §522 1 et seq. Municipal Development Districts	Funding & Financial Incentives	The statute establishes authority for the creation of TOD districts under the tax increment financing laws. It defines “transit-oriented development” as a type of development that links land use with transit facilities to support and be supported by a transit system. It combines housing with complementary public uses such as jobs, retail, or service establishments that are located in transit-served nodes or corridors. A TOD area must be no more than one-quarter mile from an existing or planned transit facility. Eligible capital costs for a TOD district include but are not limited to transit vehicles such as buses, rail conveyances, and related equipment; bus shelters and other transit-related structures; benches, signs, and other transit-related infrastructure; bicycle lane construction and other bicycle-related improvements; and pedestrian improvements such as crosswalks, crosswalk signals and warning systems, and crosswalk curb treatments.
<b>MI</b>	Mich. Comp. Laws § 123.632	Funding & Financial Incentives	TOD is defined in state law. By doing so, TOD may be eligible for tax exemptions, tax increment financing, and brownfield redevelopment.
<b>MN</b>	Minn. Stat. Ann. §469.351 Transit Improvement Area Loan Program	Policy & Planning	The statute defines transit improvement areas as those that must increase the effectiveness of a transit project by incorporating one or more public transit modes with commercial, residential, or mixed-use development and by providing for safe and pedestrian-friendly use. The commissioner, in consultation with relevant state and regional agencies, must designate transit improvement areas that meet the objectives under this subdivision.
<b>MN</b>	Minnesota Stat. Ann. §473.25 Metropolitan Livable Communities Fund <a href="http://metro council.org/Communities/Services/Livable-Communities-Grants.aspx">http://metro council.org/Communities/Services/Livable-Communities-Grants.aspx</a>	Funding & Financial Incentives	The law requires the Metropolitan Council to establish criteria for uses of the Metropolitan Livable Communities Fund provided in section 473.25 1 to revitalize economies, create affordable housing, and link different land uses and transportation.
<b>NC</b>	Congestion Relief and Intermodal 21st-Century Transportation Fund (N.C. Gen. Stat. § 136-252)	Policy & Planning Funding & Financial Incentives	Local government entities are eligible to receive grants from the Congestion Relief and Intermodal 21st Century Transportation Fund for public transportation purposes, which include planning and engineering. The applicant must approve a transit plan that includes a number of criteria, including, among other things, promotion of a pedestrian- and bike friendly environment around and connected to transit stations; promotion of mixed-use and transit oriented developments and other land use tools that encourage multimodal mobility; and promotion of access to public transportation for those who live in areas with a disproportionate number of households below the area median income.

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NC	Municipal Service Districts N.C. Gen. Stat. § 160A-536	Policy & Planning	The following services and facilities are included in the definition of TOD if they are provided within a transit area (also defined in the statute): any service or facility that may be provided in a downtown area as a downtown revitalization project under subdivision (a)(2) and subsection (b) of this section; passenger stops and stations on a mass transit line; parking facilities and structures associated with passenger stops and stations on a mass transit line; and any other service or facility, whether public or public-private, that the city may by law provide or participate in within the city, including retail, residential, and commercial facilities. A public transit area is an area within a one-quarter mile radius of any passenger stop or station located on a mass transit line, including a rail line, busway, or guideway dedicated to public transportation service. A busway is not a mass transit line if a majority of its length also is also generally open to passenger cars and other private vehicles more than two days a week.
NJ	N.J. Rev. Stat. §34:1B-207 through §34:1B-209 Urban Transit Hub Tax Credit Act	Funding & Financial Incentives	Directs the New Jersey Commerce Commission to designate “urban transit hubs” in nine communities. A business that invests \$50 million of qualified capital in a business facility in an urban transit hub and employs at least 250 people at that facility may qualify for tax credits equal to 100% of the qualified capital investment that may be applied against corporation business tax, insurance premiums tax, or gross income tax liability. Annually for 10 years, the taxpayer may use a credit equal to 10% of the qualified capital investment. “Urban transit hub” is defined as a property located within one-half mile radius surrounding the midpoint of a New Jersey Transit Corporation, Port Authority Transit Corporation, or Port Authority Trans-Hudson Corporation rail station platform area, including all light rail stations, and property located within a one-mile radius of the midpoint of the platform area of such a rail station if the property is in a qualified municipality; a property located within one-half mile radius surrounding the midpoint of one of up to two underground light rail stations’ platform areas that are closest to an interstate rail station; or a property adjacent to or connected by rail spur to a freight rail line if the business uses that freight line for loading and unloading freight cars on trains. Since the creation of the Urban Transit Hub Tax Credit Program, 19 projects have been approved for a total benefit of more than \$ 1 billion.
NJ	N.J. Rev. Stat. §34:1B-209.2 and 209.3 Capital Investment Credit	Funding & Financial Incentives	“Qualified residential project” means any building, complex of buildings, or structural components of buildings consisting predominantly of residential units, located in an urban transit hub within an eligible municipality. A developer, upon application to and approval from the authority, shall be allowed a credit of up to 35% of its capital investment in a qualified residential project.
NJ	N.J. Rev. Stat. §52:27D-489c Economic Stimulus	Funding & Financial Incentives	“Transit Village” means a community with a bus, train, light rail, or ferry station that has developed a plan to achieve its economic development and revitalization goals and has been designated by the New Jersey Department of Transportation as a transit village. Urban Transit Hubs and Transit Villages are exempt from the imposition of a nonresidential development fee. There are currently 26 designated Transit Villages.

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<b>NM</b>	N.M. Rev. Stat. §5-15-5 Tax Increment for Development Act	Policy & Planning Funding & Financial Incentives	As part of the Tax Increment for Development Act to provide tax financing for public infrastructure, the law requires a tax increment development plan to include a description of innovative planning techniques, including mixed-use TOD, traditional neighborhood design, or sustainable development techniques, that are deemed by the governing body to be beneficial and that will be incorporated into the tax increment development project.
<b>NV</b>	Nev. Rev. Stat. §278 Comprehensive Regional Policy Planning	Policy & Planning	This section of law deals with planning and zoning. A number of provisions within the section deal with planning commissions and certain guidelines in respect to TOD.
<b>NV</b>	Nev. Rev. Stat. §278.150 et seq. Master Plan	Policy & Planning	Creates guidelines for a master plan to be adopted by a city, county, or region, which must include, among other things, a land use element. The land use element must address mixed-use development, TOD, and master-planned communities.
<b>NV</b>	Nev. Rev. Stat. §278.235 Affordable Housing in Master Plan	Policy & Planning Funding & Financial Incentives	The law provides for financial incentives or density bonuses to promote appropriate transit-oriented housing developments that would include an affordable housing component.
<b>NV</b>	Nev. Rev. Stat. §278.02535 & §278.02632 Development Incentives Study	Policy & Planning	Requires the regional planning commission to study and develop incentives for mixed-use development, TOD, brownfield site development, and low-environmental-impact development. Requirements are established for studies in counties whose population is 700,000 or more and counties whose population is between 100,000 and 700,000.
<b>NY</b>	State Smart Growth Public Infrastructure Policy/N.Y. Environmental Conservation Law §6-0103 and §6-0107	Policy & Planning	The State Smart Growth Public Infrastructure Policy Act prohibits a state agency from financing a public infrastructure project unless it is consistent with state smart growth public infrastructure criteria. These criteria include, among other things, fostering mixed land uses and compact development, diversity and affordability of housing near places of employment, recreation and commercial development, and integration of all income and age groups; advancing projects for the use, maintenance, or improvement of existing infrastructure; and providing mobility through transportation choices, including improved public transportation and reduced automobile dependency. The chief executive officer of a state infrastructure agency shall attest in a written smart growth impact statement that the project, to the extent practicable, meets the relevant criteria.

State	Program Name and Website(s)	Type (Policy & Planning, Zoning, Funding & Financial Incentives, Program)	Program Description
<b>OH</b>	<p>Broadening Urban Investment to Leverage Transit (Built) in Ohio (2009-2010)</p> <p><a href="http://www.reconnectingamerica.org/news-center/half-mile-circles/2011/cnt-reports-broadening-urban-investment-to-leverage-transit">http://www.reconnectingamerica.org/news-center/half-mile-circles/2011/cnt-reports-broadening-urban-investment-to-leverage-transit</a></p> <p><a href="http://greenaffordable.org/news/built-ohio-innovative-approaches-smart-growth">http://greenaffordable.org/news/built-ohio-innovative-approaches-smart-growth</a></p> <p><a href="http://freepdfhosting.com/237b3cc3e7.pdf">http://freepdfhosting.com/237b3cc3e7.pdf</a></p> <p><a href="http://www.cnt.org/sites/default/files/publications/CNT_BULLTinCleveland.pdf">http://www.cnt.org/sites/default/files/publications/CNT_BULLTinCleveland.pdf</a></p>	Policy & Planning	<p>This one-time effort by the governor's office and the Center for Neighborhood Technology (CNT), in partnership with regional leaders in Cincinnati, Cleveland, and Columbus, sought to identify smart growth strategies for each region by building on existing urban assets. Dozens of stakeholders in each region discussed a strategy to organize and accelerate smart growth. Participants identified specific policies to spur urban development, like retrofitting older housing for the needs of seniors and an accelerated approval process for mixed-use development. CNT identified key market opportunities for TOD and cargo-oriented development that could keep each region economically competitive. The project was funded by Living Cities, a philanthropic group dedicated to addressing urban problems in a comprehensive way.</p>
<b>OR</b>	<p>Transit Oriented Development Tax Exemption (TOTE) ORS 307.600 to 307.637</p> <p><a href="http://www.oregonmetro.gov/sites/default/files/financial_incentives_toolkit_final.pdf">http://www.oregonmetro.gov/sites/default/files/financial_incentives_toolkit_final.pdf</a></p>	Funding & Financial Incentives	<p>The Transit-Oriented Development Tax Exemption encourages the construction of transit-supportive, multiple-unit housing in urban centers in order to improve the balance between the residential and commercial nature of those areas. It seeks to ensure full-time use of urban centers as places where citizens have an opportunity to live as well as work. Local jurisdictions design the local application of the TOTE to encourage dense, mixed-use projects in transit-oriented areas by reducing operating costs through a property tax exemption on the improvements. With immediate relief from a significant increase in taxes, projects become feasible and developers can invest additional funds in these neighborhoods.</p>
<b>OR</b>	<p>Vertical Housing Program (2005) Dept. of Housing and Community Services</p> <p><a href="http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_813/813_013.html">http://arcweb.sos.state.or.us/pages/rules/oars_800/oar_813/813_013.html</a></p> <p><a href="https://www.oregon.gov/ohcs/Pages/multifamily-housing-finance-vertical-housing.aspx">https://www.oregon.gov/ohcs/Pages/multifamily-housing-finance-vertical-housing.aspx</a></p>	Funding & Financial Incentives	<p>The program encourages mixed-use commercial/residential development in areas designated by communities through a partial property tax exemption. The exemption varies in accordance with the number of residential floors on a project with a maximum property tax exemption of 80% over 10 years. An additional property tax exemption on the land may be given if some or all of the residential housing is for low-income persons (80% of area median income or below). Although transit proximity is not required, the program often supports TOD projects.</p>

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<b>PA</b>	<p>Transit Revitalization Investment District (TRID) Act (2004)</p> <p><a href="http://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2004&amp;sessInd=0&amp;act=238">http://www.legis.state.pa.us/cfdocs/legis/li/uconsCheck.cfm?yr=2004&amp;sessInd=0&amp;act=238</a></p> <p><a href="http://www.rhls.org/documents/Interface%20-%20TRIDexecutivesummary.pdf">http://www.rhls.org/documents/Interface%20-%20TRIDexecutivesummary.pdf</a></p>	Funding & Financial Incentives	<p>TRID was enacted in 2004 by the Commonwealth of Pennsylvania. TRIDs enable municipal governments and transit authorities to more closely coordinate transportation infrastructure, land use, and private development in the following ways: providing incentives for transit-oriented development; encouraging community involvement in the location, design, and implementation of development activities; and receiving priority for grants and technical assistance through the state's Department of Community and Economic Development. Importantly, TRIDs enable municipalities to capture the value of new development. Value capture is simply the local public attainment of an increase in tax revenue gained by the increase in private land values resulting from new public investments. When a TRID is formed, the increase in tax revenue is solely available for public improvement and development projects within that TRID area, thus enticing investment in that community. By capturing the value of new development, TRIDs channels dollars toward the improvements necessary to help overcome the barriers that can make TOD difficult to implement.</p>
<b>RI</b>	R.I. Gen. Laws § 42-64.20 Rebuild Rhode Island Tax Credit	Policy & Planning Funding & Financial Incentives	Awards tax credits for up to 30% of project costs for qualifying TOD development.
<b>TN</b>	Tenn. Code Ann. §64-8-201 et seq. Regional Authorities	Policy & Planning	<p>This law defines “transit oriented development to mean, without limitation, land use development centrally located around a transit station, sometimes part of the station, or where the station is a prominent feature of the development, that has a mixture of land uses in close proximity to one another, including office, residential, retail, public and civic uses, occurring at a relatively high density. TOD is designed to be walkable and easy to navigate by bicycles and other nonmotorized modes of transportation. The law requires that each regional transportation authority have a board that develops a plan for operation and expansion of mass transit services in the authority’s region. The plan must include an overview of the authority’s intent to pursue TOD or transit-adjacent development. The law allows the authority to purchase or acquire real property by eminent domain in furtherance of the authority’s plan. The law defines/ lists the methods by which the authority may raise money for building and operating a transit system.</p>
<b>TX</b>	Texas Tax Code Ann. §311.01005 Tax Increment Financing Act	Funding & Financial Incentives	This law states that revenue from a tax increment fund may pay for the cost of acquiring land if the zone will be served by a rail transportation project or a bus rapid transit (BRT) project.

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<b>UT</b>	Utah Code Ann. §17B-2a-802 and 804 Public Transit District Act	Funding & Financial Incentives	This law allows a public transit district to become a limited liability partner in a mixed-use transit-oriented development in the proximity of transit stations and rights of way. Transit-oriented development means a mixed-use residential or commercial area that is designed to maximize access to public transit. Five projects can be undertaken before an automatic review by the legislature. A public transit district may contribute property owned along transit lines. Participating developers must make an equity contribution of at least 25% of the value of the property contributed by the public transit district. Contribution of the property to such a private development removes existing tax exemptions, thus providing local governments with additional property tax and sales tax revenues. The public transit district will receive a priority return on its capital contribution and a share in the profits to offset system operating expenses that would otherwise come from tax funds. The law does not provide a public transit district with land use and/or eminent domain authority.
<b>UT</b>	Utah Code Ann. §63A-5-224 Land Transfer	Funding & Financial Incentives	The Division of Facilities Construction and Management may transfer title to a parcel of land it owns to a public transit district to facilitate development of a commuter rail transit station and associated transit-oriented development if (a) the parcel is within 1 mile of the proposed commuter rail transit station and associated transit-oriented development and (b) the division receives in return fair and adequate consideration.
<b>WA</b>	Wash. Rev. Code §36.70A.350 Local Infrastructure Financing Tool Program	Policy & Planning	A county required or choosing to plan under Wash. Rev. Code §36.70A.040 may establish a process as part of its urban growth areas for reviewing proposals to authorize new, fully contained communities located outside the initially designated urban growth areas if the community meets certain criteria, including, but not limited to, implementation of transit-oriented site planning and traffic demand management programs.
<b>WA</b>	Wash. Rev. Code §39.102.040 Local Infrastructure Financing Tool Program	Policy & Planning Funding & Financial Incentives	Before applying to the Community Economic Revitalization Board to use local infrastructure financing, a sponsoring local government must designate a revenue development area. The board shall, in consultation with the Washington State Economic Development Commission, develop the relative weight to be assigned to certain criteria, including the project's ability to encourage mixed use and TOD and the redevelopment of a geographic area.