Meeting Notice and Agenda

Regional Planning Technical Working Group
The Regional Planning Technical Working Group (TWG) may take action on any item appearing on this agenda.

Thursday, October 11, 2018
1:15 to 3:15 p.m.
SANDAG, 7th Floor Conference Room
401 B Street, Suite 800
San Diego, CA 92101

Please take the elevator to the 8th floor to access the meeting room.

Staff Contacts: Carolina Illic
(619) 699-1989
carolina.illic@sandag.org

Seth Litchney
(619) 699-1943
seth.litchney@sandag.org

Agenda Highlights

- **TransNet Routine Accommodation Requirement Evaluation**

Please silence all electronic devices during the meeting

Mission Statement
The 18 cities and county government are SANDAG serving as the forum for regional decision-making. SANDAG builds consensus; makes strategic plans; obtains and allocates resources; plans, engineers, and builds public transit; and provides information on a broad range of topics pertinent to the region’s quality of life.
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Both agenda and non-agenda comments should be sent to the Clerk of the Committee via clerk@sandag.org. Please include the meeting date, agenda item, your name, and your organization. Any comments, handouts, presentations, or other materials from the public intended for distribution at the meeting should be received by the Clerk no later than 5 p.m. two working days prior to the meeting. All public comments and materials received by the deadline become part of the official public record and will be provided to the members for their review at the meeting.

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Regional Planning Technical Working Group  
Thursday, October 11, 2018

Item No.  Recommendation

1. Welcome and Introductions

2. Public Comments and Communications
   Members of the public shall have the opportunity to address the Regional Planning Technical Working Group (TWG) on any issue within the jurisdiction of SANDAG that is not on this agenda. Anyone desiring to speak shall reserve time by completing a Request to Comment form and giving it to the Clerk prior to speaking. Public speakers should notify the Clerk if they have a handout for distribution to TWG members. Public speakers are limited to three minutes or less per person. TWG members also may provide information and announcements under this agenda item.

+3. Approval of Meeting Minutes
   The TWG is asked to review and approve the minutes from its August 9, 2018, meeting.

   Approve

Chair’s Report

+4. Election of Second Vice Chair
   Based on the anticipated workload included in the FY 2019 TWG Strategic Work Plan discussed at last month’s meeting, the TWG is asked to elect a second vice chair.

Recommend

Reports

+5. Revised Schedule for San Diego Forward: The 2019–2050 Regional Plan (Coleen Clementson)
   Staff will provide an update on the decision to extend the timeline for San Diego Forward: The 2019–2050 Regional Plan to allow for additional public input on the transportation network concepts and scenarios.

Information

+6. Board Direction on the Regional Housing Needs Assessment and the Role of the Regional Planning Technical Working Group (Seth Litchney)
   Staff will provide an update on the Board of Directors discussion of the Regional Housing Needs Assessment (RHNA) objectives and factors used to determining the distribution of housing units in the region. The TWG is asked to discuss methodologies that could be used to meet the objectives and factors.

   Discussion

   Additionally, staff will provide an update on the Board of Directors discussion of the roles of the Regional Planning Committee, the TWG, and the public in the RHNA Plan-development process.
+7. **TransNet Routine Accommodation Requirement Evaluation**  
(Chris Kluth)  
Discussion  
Section 4(E)(3) of the TransNet Ordinance requires all new congestion-relief projects to accommodate the needs of people walking and biking where it is needed and feasible to do so. Board Policy No. 031: TransNet Ordinance and Expenditure Plan Rules, describes how this provision will be implemented. The recent TransNet Triennial Performance Audit recommended a reevaluation of this process in light of current Complete Streets requirements and best practices. TWG members are asked to discuss how the process has worked in their jurisdictions and to begin a discussion of potential improvements.

8. **Upcoming Agenda Topics and Potential Ad Hoc Working Groups**  
Upcoming topics include the Mobility Management Toolbox Workshop on November 7, the joint meeting with the Regional Energy Working Group on November 8, and the Regional Housing Needs Assessment discussion on December 13. The TWG is asked to discuss the need for ad hoc working groups to consider these or any other upcoming items.

9. **Member Communications**  
Information  
TWG members will have the opportunity to provide updates on the latest planning projects occurring in their jurisdictions.

10. **Upcoming Meetings**  
Information  
The next TWG meeting will be a joint meeting with the Regional Energy Working Group and is scheduled for Thursday, November 8, 2018, at 1:15 p.m.

11. **Adjournment**
August 9, 2018, Meeting Minutes

Please note: The audio file of the meeting is available on the SANDAG website, sandag.org, on the Regional Planning Technical Working Group (TWG) page.

Chair Karen Brindley (City of San Marcos) called the meeting of the TWG to order at 1:17 p.m.

1. Welcome and Introductions
   Self-introductions were made.

2. Public Comments/Communications/Member Comments
   No public comments or communications were made.

3. Approval of Meeting Minutes (Approve)
   Action: Upon a motion by Vice Chair Tony Shute (City of El Cajon) and a second by Mike Hansen (City of San Diego), the TWG approved the minutes from the May 10, 2018, meeting. Yes: Chair Brindley, Vice Chair Shute, Don Neu (City of Carlsbad), Kelly Broughton (City of Chula Vista), Rich Grunow (City of Coronado), Mike Strong (City of Escondido), Jim Nakagawa (City of Imperial Beach), David DeVries (City of Lemon Grove), Jeff Hunt (City of Oceanside), Mr. Hansen, Joseph Lim (City of Solana Beach), John Conley (City of Vista), and Noah Alvey (County of San Diego). No: None. Abstain: Shaun McMahon (City of Del Mar), Kerry Kusiak (City of La Mesa), Robert Manis (City of Poway), and Melanie Kush (City of Santee). Absent: City of Encinitas and City of National City.

   Chair’s Report

   Brendan Reed, San Diego County Regional Airport Authority, provided an overview of the San Diego International Airport Development Plan Draft Environmental Impact Report. The public review period was extended to September 7, 2018.

Reports

5. Regional Planning Technical Working Group Strategic Work Plan for FY 2019 (Discussion)
   Coleen Clementson, Principal Regional Planner, discussed the roles of the TWG in FY 2019 related to the preparation of San Diego Forward: The 2019–2050 Regional Plan (2019 Regional Plan). The key tasks include continued development of the Regional Growth Forecast, lead advisory role on the Regional Housing Needs Assessment (RHNA) methodology, housing and California Environmental Quality Act (CEQA) legislation, transportation network alternatives, enhanced climate-planning coordination, and public participation. Ms. Clementson asked how the group could best perform this work and what kinds of resources or structural improvements would be helpful in accomplishing it. TWG members provided the following comments and suggestions:
• TWG members could meet to discuss agenda items ahead of time

• Staff could provide a draft agenda prior to the meetings to improve discussion

• Staff could provide the overall work plan for the 2019 Regional Plan to provide context for the big picture

• The TWG could hold “check-ins” with the Regional Planning Committee and the Board of Directors to ensure connections to ultimate decisions

• Staff could provide status reports on transportation and climate-change legislation in addition to housing legislation (including pending legislation)

Ms. Clementson introduced the idea of adding a second vice chair. The TWG supported the idea and Mr. Hansen expressed interest in the position.

**Action:** Upon a motion by Mr. DeVries and a second by Mr. Conley, the TWG voted to elect a second vice chair at its next meeting. Yes: Chair Brindley, Vice Chair Shute, Mr. Neu, Mr. Broughton, Mr. Grunow, Mr. McMahon, Brenda Wisneski (City of Encinitas), Mr. Strong, Mr. Nakagawa, Mr. Kusiak, Mr. DeVries, Ray Pe (City of National City), Mr. Hunt, Mr. Manis, Mr. Hansen, Ms. Kush, Mr. Lim, Mr. Conley, and Mr. Alvey. No: None. Abstain: None.

6. Regional Housing Needs Assessment (Discussion)

Seth Litchney, Senior Regional Planner, discussed the final RHNA Determination from the Department of Housing and Community Development (HCD). Mr. Litchney provided an overview of the RHNA process, the final RHNA Determination, the SANDAG letter to HCD requesting the final RHNA Determination, and strategies to incorporate feedback from stakeholders.

Mr. Litchney directed TWG members to break into three groups to discuss the three topics included in the letter to HCD. The following list briefly summarizes some of the comments from each group.

• Incentivize Local Planning Efforts
  - Coordination between regulatory agencies
  - By-right housing legislation
  - Housing Element self-certification for jurisdictions that accept more housing

• CEQA Reform
  - Improving categorical exemptions for infill development
  - Eliminating late legal challenges to housing projects
  - Expand by-right approval from projects with 20 percent affordable housing

• Stable State Funding
  - Formula-based approach to state grant programs
  - Funding for moderate-income housing

The TWG discussed ways to incorporate additional input from stakeholders during the development of the RHNA plan. TWG members provided the following suggestions:
• Invite a variety of stakeholders, including builders, financial institutions, community-planning groups, and environmental groups to participate in TWG meetings

• Stakeholder participation in TWG meetings should occur during TWG member discussions rather than at a designated time before the agenda item

• Include community input in the RHNA allocation

7. **Preliminary 2018 Regional Growth Forecast (Information)**

Ms. Clementson and Rachel Cortes, Associate Research Analyst, provided an update on the latest assumptions included in the regional growth forecast and shared preliminary forecast results at the jurisdiction level. The three assumptions approved by the Board of Directors were a 4 percent vacancy rate by 2035, a constant count of 57,000 unoccupiable units over the forecast period, and allocation of accessory dwelling units to 5 percent of all available lots that are 5,000 square feet or larger in the region by 2050. The San Diego region is expected to need about 450,000 additional housing units between 2016 and 2050. Staff asked TWG members to review the preliminary results and provide comments by August 13, 2018.

8. **Funding Awards for Cycle 4 TransNet Smart Growth Incentive Program and Active Transportation Grant Program (Information)**

Carolina Ilic, Senior Regional Planner, presented the funding awards approved by the Board of Directors for the Smart Growth Incentive Program Planning Grants, the Active Transportation Grant Program Capital Grants, and the Active Transportation Grant Program Non-Capital Grants. The Smart Growth Incentive Program Capital Grants are expected to be presented to the Board of Directors in September.

9. **Upcoming Meetings (Information)**

The next TWG meeting is scheduled for Thursday, September 13, 2018, at 1:15 p.m.

10. **Adjournment**

Chair Brindley adjourned the meeting at 2:40 p.m.
Confirmed Attendance at SANDAG Regional Planning Technical Working Group Meeting

August 9, 2018

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<th>Jurisdiction</th>
<th>Name</th>
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<tr>
<td>City of Carlsbad</td>
<td>Don Neu</td>
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<td>City of Chula Vista</td>
<td>Kelly Broughton</td>
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<td>Rich Grunow</td>
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<td>Jesse Brown, Alternate</td>
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<td>Kathy Garcia</td>
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<td>Shaun McMahon attended as delegate for Kathy Garcia</td>
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<td>Amanda Lee, Alternate</td>
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<td>Tony Shute, Vice Chair</td>
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<td>Melissa Devine, Alternate</td>
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<td>City of Encinitas</td>
<td>Brenda Wisneski</td>
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<td>Roy Sapa’u, Alternate</td>
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<td>Diane S. Langager, Alternate</td>
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<td>Bill Martin</td>
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<td>Michael (Mike) Strong, Alternate</td>
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<td>Steve Dush</td>
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<td>Jim Nakagawa, Alternate</td>
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<td>Brad Raulston</td>
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<td>Jeff Hunt</td>
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<td>Russ Cunningham, Alternate</td>
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<td>Mike Hansen</td>
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<td>Laura Black, Alternate</td>
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<td>Brian Schoenfisch, Alternate</td>
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<td>Karen Brindley, Chair</td>
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<td>Saima Qureshy, Alternate</td>
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<tr>
<td>City of Santee</td>
<td>Melanie Kush</td>
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<td>City of Solana Beach</td>
<td>Joseph Lim</td>
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<td>County of San Diego</td>
<td>Eric Lardy</td>
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<td>Noah Alvey, Alternate</td>
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**Advisory Members**

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<td>Air Pollution Control District</td>
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<td>Caltrans</td>
<td>Ann Fox</td>
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<td>Barby Valentine, Alternate</td>
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<td>Local Agency Formation Commission</td>
<td>Robert Barry, AICP</td>
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<td>Keene Simonds, Alternate</td>
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<td>Metropolitan Transit System</td>
<td>Denis Desmond</td>
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<td>North County Transit District</td>
<td>Katie Persons</td>
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<td>San Diego County Regional Airport Authority</td>
<td>Brendan Reed</td>
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<td>San Diego County Regional Water Authority</td>
<td>Seevani Bista</td>
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<td>San Diego Unified Port District</td>
<td>Lesley Nishihira</td>
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<td>U.S. Department of Defense</td>
<td>Mary Beth Dreuske</td>
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**Other Attendees**

Catherine Thibault, Circulate San Diego  
Kim Vander Bie, City of Chula Vista  
Leilani Hines, City of Chula Vista  
Michael Prinz, City of San Diego  
Dan Wery, Michael Baker International

**SANDAG Staff**

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<tr>
<td>Alison Millard</td>
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<td>Allison Wood</td>
<td>John Delmer</td>
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<td>Andrew Hall</td>
<td>Keith Greer</td>
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<td>Carolina Ilic</td>
<td>Nick Ozanich</td>
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<td>Charles &quot;Muggs&quot; Stoll</td>
<td>Rachel Cortes</td>
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<tr>
<td>Coleen Clementson</td>
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<td>Cynthia Burke</td>
<td>Seth Litchney</td>
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<td>Daniel Flyte</td>
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Proposed Amendment to the Regional Planning Technical Working Group Charter

Overview

The Regional Planning Technical Working Group (TWG) serves as a standing working group that advises the Regional Planning Committee on activities associated with the preparation and implementation of San Diego Forward: The Regional Plan, the Regional Growth Forecast, and other SANDAG land use and environmental planning activities.

Periodically, the TWG charter is updated to reflect the changing nature of the TWG’s work. The Regional Planning Committee approved updates to the TWG charter earlier this year (in March 2018) to incorporate public health, social equity, and environmental justice as part of broader regional planning efforts.

At its August 9, 2018, meeting, the TWG recommended that its charter be amended to allow for the election of a second Vice Chair, on a temporary basis, through the adoption of San Diego Forward: The 2019-2050 Regional Plan (2019 Regional Plan).

Key Considerations

During FY 2019, the TWG will participate in various regional planning efforts, particularly as they relate to the 2019 Regional Plan. Specifically, the TWG will advise on the Regional Housing Needs Assessment methodology and allocation process, development of the transportation network alternatives for the 2019 Regional Plan, enhanced climate planning coordination, public participation on the 2019 Regional Plan, and collaboration with other working groups on transportation demand/system management techniques and climate change/energy projects. The TWG also will be asked to participate in the review of California Environmental Quality Act and housing legislation and implementation.

The recommended changes to the Charter are shown in tracked changes in Attachment 1. Adding a second Vice Chair to the TWG would help to share the workload during this time of heightened work activity.

Next Steps

Currently, Karen Brindley of San Marcos holds the Chair position, and Tony Shute of El Cajon serves as the Vice Chair of the TWG. Pending approval by the Regional Planning Committee, the TWG will vote to elect a second Vice Chair at its October 11, 2018, meeting.

Charles “Muggs” Stoll, Director of Land Use and Transportation Planning

Key Staff Contact: Carolina Illic, (619) 699-1989, carolina.illic@sandag.org
Attachment: 1. Regional Planning Technical Working Group Charter with Proposed Revisions
WORKING GROUP CHARTER
Regional Planning Technical Working Group

PURPOSE

The purpose of the Regional Planning Technical Working Group (TWG) is to review and make recommendations on key activities associated with the preparation and implementation of San Diego Forward: The Regional Plan, the Regional Growth Forecast, and other SANDAG land use, transportation, housing, public health, social equity, environmental, and related planning activities.

LINE OF REPORTING

The TWG acts in an advisory capacity to the Regional Planning and Transportation Committees primarily on regional planning activities. The Regional Planning and Transportation Committees report to the SANDAG Board of Directors. The Board makes final decisions on San Diego Forward: The Regional Plan and other related planning activities.

RESPONSIBILITIES

The TWG makes recommendations on key regional planning and implementation activities. These tasks include the preparation of San Diego Forward: The Regional Plan, and the development/update of the Smart Growth Concept Map, the Smart Growth Incentive Program/Active Transportation Grant Program, land use, housing, and transportation efforts, including transit oriented development and complete streets, the Regional Housing Needs Assessment, public health as related to the built environment, social equity and environmental justice, and other related items. The TWG also assists with associated public outreach activities and helps inform and encourage active public participation by citizens and groups throughout the region. In general, the TWG’s focus is on land use, transportation, and environmental planning activities of regional significance.

MEMBERSHIP

The membership of the TWG includes the planning/community development directors of the 19 local jurisdictions in the region (or their alternates). Representatives of Caltrans, the Local Agency Formation Commission, San Diego Unified Port District, San Diego County Water Authority, San Diego County Air Pollution Control District, San Diego County Regional Airport Authority, U.S. Department of Defense, North County Transit District, and Metropolitan Transit System are advisory members.

MEETING TIME AND LOCATION

The TWG meets on a monthly basis at SANDAG. Meetings are generally held on the second Thursday of the month from 1:15 to 3:15 p.m. in the Seventh Floor Conference Room at SANDAG. Additional meetings may be scheduled as deemed necessary by the TWG Chair.

SELECTION OF THE CHAIR

The TWG elects a Chair and Vice Chair of the TWG are chosen by the members of the group on a periodic basis. At the discretion of the Chair, the TWG may elect a second Vice Chair as needed to help manage the group’s workload and responsibilities. The Chair will coordinate with staff to determine the time period for the second Vice Chair’s term prior to the time of the election.

DURATION OF EXISTENCE

The TWG is a standing working group.
Revised Schedule for San Diego Forward: The 2019–2050 Regional Plan

Staff will provide an update on the decision to extend the timeline for San Diego Forward: The 2019–2050 Regional Plan to allow for additional public input on the transportation network concepts and scenarios.

Carolina Ilic, Senior Regional Planner; Seth Litchney, Senior Regional Planner

Key Staff Contact: Coleen Clementson, (619) 699-1944, coleen.clementson@sandag.org

Attachments:
1. September 14, 2018, Board of Directors Meeting Agenda Item 5: San Diego Forward: The 2019–2050 Regional Plan – Proposed Timeline Extension
2. Summary of Public Input on Network Themes (Spring 2018)
SAN DIEGO FORWARD: THE 2019-2050 REGIONAL PLAN – PROPOSED TIMELINE EXTENSION

Overview

Over the past year, the Board of Directors has taken several actions to advance the development of San Diego Forward: The 2019-2050 Regional Plan (2019 Regional Plan). Consistent with the Plan of Excellence, considerable work has been done to ensure the integrity of the 2019 Regional Plan’s forecasting models and data. In addition, significant public outreach is being carried out to inform and seek input from stakeholders about the Regional Plan’s development. To continue to support these efforts, the Board of Directors is asked to consider an extension of the timeline for completing the 2019 Regional Plan by approximately four to six months, which would shift plan adoption from fall 2019 to spring 2020.

Discussion

The time it has taken to conduct quality assurance reviews as part of the 2019 Regional Plan development has resulted in a more compressed timeframe for plan adoption by next fall. In addition, a variety of stakeholders have requested that SANDAG allocate more time in the process for meaningful discussion regarding the transportation projects, policies, and programs that may be included in the 2019 Regional Plan.

Comprehensive public outreach efforts are being undertaken for each major phase of the preparation of the 2019 Regional Plan. In spring 2018, prior to development of the draft transportation network scenarios, SANDAG reached out and heard from thousands of people through a series of open houses, focus groups, an online survey, and social media engagement. Diverse input was received from individuals across the region (Attachment 1).

A proposed timeline has been developed that would allow this type of meaningful outreach to continue through the remainder of the 2019 Regional Plan development process. The updated timeline also would provide for additional Board deliberation and involvement in the development of the 2019 Regional Plan. In particular, the additional time would allow for the creation and review of one more set of transportation network scenarios to ensure distinct options are presented and explored before a final selection of the preferred network is made.

Key Considerations

The proposed timeline would provide direct and meaningful public involvement benefits to the development of the 2019 Regional Plan. However, there also are potential implications associated with the proposed extension, as outlined below.

State Funding and Deadline: The current Regional Plan was adopted by the Board of Directors on October 9, 2015, and the Plan and its Conformity Determination was subsequently approved by the
Federal Highway Administration on December 2, 2015. Under state law, SANDAG is required to adopt the 2019 Regional Plan by October 9, 2019. Several state grant programs require that projects be consistent with the Regional Plan in order to be eligible for funding. It is unclear if SANDAG (and other applicants for funding in the region) would be able to use the 2015 Regional Plan for purposes of consistency determinations between October 9, 2019, and when the 2019 Regional Plan is adopted. To mitigate this risk, SANDAG could pursue state legislation that would extend the current adoption deadline and make clear that the 2015 Regional Plan can be used for the purpose of funding eligibility in the interim.

Project Changes and Funding: Under federal law, SANDAG would have a 12-month grace period to adopt the 2019 Regional Plan in order to maintain air quality conformity. During the grace period, only administrative amendments could be made to the Regional Transportation Improvement Program.¹ This means that prior to entering the grace period, SANDAG and local agencies would need to process any significant funding or project changes anticipated to occur during the grace period.

Regional Housing Needs Assessment: Local Housing Elements must be updated every eight years but no later than 18 months after adoption of the Regional Plan. If SANDAG delayed adoption of the RHNA Plan to correspond with the proposed Regional Plan extension, local jurisdictions would have less than the full 18 months to revise their Housing Elements to be consistent with the adopted RHNA allocation. The Board of Directors could finalize the RHNA allocation in October 2019 (as currently scheduled) “for planning purposes only” until the 2019 Regional Plan is adopted.² This approach would be consistent with preliminary feedback SANDAG has received from the local planning directors and allow the local jurisdictions the entire 18-month period to update their Housing Elements with the new RHNA housing allocations.

The longer SANDAG remains in the grace period, the more risk there could be for SANDAG, local jurisdictions, and Caltrans as it relates to the implications described above. By extending the 2019 Regional Plan deadline by four to six months (as opposed to using the entire 12-month grace period), SANDAG can mitigate some of these risks while still providing sufficient time for meaningful deliberation and development. In particular, this would reduce the time between finalizing the RHNA allocation and adopting the 2019 Regional Plan and help to maintain a reasonable window of time before the next required Regional Plan update is due in 2023.

KIM KAWADA
Chief Deputy Executive Director

Attachments: 1. Summary of Public Input on Network Themes (Spring 2018)
2. San Diego Forward: The 2019-2050 Regional Plan Proposed Updated Timeline

Key Staff Contact: Phil Trom, (619) 699-7330, phil.trom@sandag.org,
Seth Litchney, (619) 699-1943, seth.litchney@sandag.org
Julie Wiley, (619) 699-6966, julie.wiley@sandag.org

¹ Prohibited amendments would include, but not be limited to, changes that equal more than 10 percent of the total project cost or $40 million. Capacity-increasing projects that are not included in the 2015 Regional Plan also would not be able to receive National Environmental Policy Act approval or funding during the grace period.

² Accepting the RHNA allocation “for planning purposes only” would mitigate the risk of the RHNA Plan being considered a “project” subject to California Environmental Quality Act compliance.
We Heard You

Thank you for sharing your priorities for our region’s future. Using the guiding question of what our transportation network should look like in 30 years, thousands of residents across the region provided their input on the network themes most important to them through open houses, focus groups, emails, online and print surveys, comment cards, and social media. We greatly appreciate all of the input and ideas regarding your big-picture vision for the future of transportation in the San Diego region. This input will be used to help develop network scenarios, which will be available for public input later this summer.

### Survey Results

**When it comes to our region’s future, what is most important to you?**

<table>
<thead>
<tr>
<th>Theme</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Congestion relief</td>
<td>60</td>
</tr>
<tr>
<td>Economic prosperity</td>
<td>40</td>
</tr>
<tr>
<td>Smart growth</td>
<td>20</td>
</tr>
<tr>
<td>Healthy communities</td>
<td>15</td>
</tr>
<tr>
<td>Climate change and air quality</td>
<td>10</td>
</tr>
<tr>
<td>Cross-border travel</td>
<td>5</td>
</tr>
<tr>
<td>Use of emerging technologies</td>
<td>0</td>
</tr>
</tbody>
</table>

**Given the reality of limited transportation funding, what transportation issues are most important to your quality of life?**

<table>
<thead>
<tr>
<th>Theme</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shorter commute times/reduce congestion</td>
<td>60</td>
</tr>
<tr>
<td>More transit options</td>
<td>40</td>
</tr>
<tr>
<td>More walking and biking options</td>
<td>20</td>
</tr>
<tr>
<td>Connections to regional employment</td>
<td>10</td>
</tr>
<tr>
<td>Transportation system safety</td>
<td>5</td>
</tr>
<tr>
<td>Road repair and maintenance</td>
<td>0</td>
</tr>
</tbody>
</table>

**How much do you think emerging and future technologies should be considered?**

- 47% A lot
- 39% A moderate amount
- 12% A little
- 3% Not at all

---

Visit SDForward.com/subscribe to receive updates about the development of the 2019 Regional Plan and how to get involved.
We’ve carefully reviewed the comments shared by residents. Some of the input and ideas we heard include:

**Congestion Relief**
- Expand the bus and Trolley system to employment centers
- Enhance frequency, efficiency, choices, and reliability of transit
- Expand and maintain highway infrastructure in highly congested areas
- Enhance cross border travel infrastructure and connections
- Incentivize employers providing transit passes
- Expand carpool and Managed Lanes
- Consider double-decker freeways

**Climate Change and Environment**
- Protect air quality
- Encourage production and support of alternative energy sources (solar, electric)
- Preserve open space and natural habitats
- Reduce greenhouse gas emissions by encouraging alternative transportation to help support local jurisdictions’ Climate Action Plans
- Support electric vehicles and increase the number of charging stations
- Reduce transportation-related pollution levels in disadvantaged communities
- Use more electric or solar-powered buses

**Emerging Technologies**
- Create infrastructure to support autonomous and connected vehicles
- Use technology to help relieve congestion
- Support mobility hubs and the services/programs they contain
- Use real time phone alerts to enhance traffic flow

**Healthy Communities**
- Invest in infrastructure to support active transportation, such as protected bike lanes, transit connections, bike parking, and trails
- Increase safety for bike riders and pedestrians
- Enhance first mile/last mile connections
- Accommodate the travel needs of seniors and other vulnerable populations
- Reduce congestion to lower commute times and enhance quality of life
- Reduce transit fares to increase ridership

**Housing, Jobs, and Economy**
- Improve transportation connections between where people currently work and live, as well as where people will work and live in the future especially for disadvantaged communities
- Support more affordable, mixed-use housing along major transit corridors
- Increase mixed-use, smart growth development in the existing urban areas
- Improve transportation to improve the economy

### 2019 Regional Plan Development Timeline

San Diego Forward: The 2019-2050 Regional Plan will build upon the 2015 Regional Plan, which merged local planning efforts, emerging issues, and innovative concepts into an overall vision for the region’s future, including specific actions to turn that vision into reality. The public input gathered during the network theme outreach phase will be used to inform development of transportation network scenarios. These draft networks will include a variety of projects, programs, and services that will be evaluated by performance measures approved by the SANDAG Board of Directors in March 2018. Later this summer, there will be several opportunities for the public to weigh in and provide input on these network scenarios. A preferred scenario, which will form the core of the 2019 Regional Plan, will be selected by the Board of Directors in fall 2018.
<table>
<thead>
<tr>
<th>Major Tasks</th>
<th>FY 2017</th>
<th>FY 2018</th>
<th>FY 2019</th>
<th>FY 2020</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Q1</td>
<td>Q2</td>
<td>Q3</td>
<td>Q4</td>
</tr>
<tr>
<td></td>
<td>July - Sept 2017</td>
<td>Oct - Dec 2017</td>
<td>Jan - March 2018</td>
<td>April - June 2018</td>
</tr>
<tr>
<td>Update Regional Plan Work Program and Public Involvement Plan</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Conduct Public Outreach and Involvement</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Refine San Diego Forward: The Regional Plan Vision, Goals and Policy Objectives</td>
<td></td>
<td></td>
<td>October 2017</td>
<td></td>
</tr>
<tr>
<td>Approve Preliminary Regional Growth Assumptions</td>
<td></td>
<td>May 2018</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prepare Draft Regional Housing Needs Assessment (RHNA) for the Sixth Housing Element Cycle</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop and Evaluate Alternative Multimodal Transportation Network Scenarios</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Select Preferred Transportation Network</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Perform Air Quality Analyses for Transportation Conformity</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Produce Draft Regional Plan and Draft Environmental Impact Report (EIR)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Address Formal Public Comments on Draft Regional Plan and EIR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Adopt Final Regional Plan, RHNA, Air Quality Conformity Determination, approve Regional Growth Forecast, and Certify Final EIR</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Legend:**
- Major Task
- Completed Milestones
Regional Planning Technical Working Group

October 11, 2018

Action Requested: Discussion

Board Direction on the Regional Housing Needs Assessment and the Role of the Regional Planning Technical Working Group

Staff will provide an update on the Board of Directors discussion of the Regional Housing Needs Assessment (RHNA) objectives and factors used to determining the distribution of housing units in the region. The Regional Planning Technical Working Group (TWG) is asked to discuss methodologies that could be used to meet the objectives and factors.

Additionally, staff will provide an update on the Board of Directors discussion of the roles of the Regional Planning Committee, the TWG, and the public in the RHNA Plan-development process.

Carolina Ilic, Senior Regional Planner; Seth Litchney, Senior Regional Planner,

Key Staff Contact: Seth Litchney, (619) 699-1943, seth.litchney@sandag.org

Attachments:
1. September 14, 2018, Board of Directors Meeting Agenda Item 6: Regional Housing Needs Assessment
2. Housing and Community Development Final Regional Housing Needs Assessment Determination (Sixth Housing Element Cycle, 2018)
3. Regional Housing Needs Assessment Plan Statutory Objectives and Factors
4. Draft Timeline for Preparing the Regional Housing Needs Assessment for the Sixth Housing Element Cycle
5. Summary of Comments from September 14, 2018, SANDAG Board of Directors Meeting
REGIONAL HOUSING NEEDS ASSESSMENT  
File Number 3102000

Introduction

On July 5, 2018, SANDAG received the Final Regional Housing Needs Assessment (RHNA) Determination (Attachment 1) from the California Department of Housing and Community Development (HCD). The RHNA Determination calculated 171,685 units would be needed in the region during the sixth cycle (covering June 2020 through April 2029). The next step is for SANDAG to develop a methodology – called the RHNA Plan – to allocate the units by four income categories to each of the 19 local jurisdictions in the San Diego region.

The Board of Directors is asked to provide direction on the RHNA Plan. In particular, the Board is asked to consider the following questions:

1. What objectives and factors are most important when determining the distribution of housing units in the region?
2. What should the role of SANDAG Board members, the Regional Planning Committee, Regional Planning Technical Working Group, and the public be in the RHNA Plan development process?

Discussion

What objectives and factors are most important when determining the distribution of housing units in the region?

State law requires that all of the following objectives be used to develop the RHNA Plan methodology (Attachment 2) but does not require any particular weighting of the objectives:

- Promote infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns
- Increase the supply and the mix of housing types and affordability levels in all jurisdictions within the region in an equitable manner which shall result in all jurisdictions receiving an allocation of units for low and very low-income households.
- Promote an improved relationship between jobs and housing within the region
- Avoid concentrating low-income housing in jurisdictions that already have a disproportionately high share of low income households
State law also provides factors that the Board of Directors shall consider as part of the RHNA allocation to the extent that sufficient data is available. Some of the factors most relevant to the San Diego region include:

- Opportunities to maximize the use of public transportation and existing transportation infrastructure.

- The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities.

- High-housing cost burdens.

- The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction.

In addition to the objectives and factors described above, SANDAG is authorized to use other factors it deems appropriate for the development of the RHNA allocation. In the previous RHNA cycle, SANDAG used existing plans and zoning capacity by jurisdiction as the basis for the RHNA methodology. This approach avoided exceeding existing general plan capacities with a goal of facilitating housing element certification; however, it did result in some jurisdictions taking a larger share of housing units.

Similar to the approach used in the last RHNA cycle, SANDAG could prioritize housing in areas near existing and planned high frequency transit. Utilizing this approach could assist in the implementation of local climate action plans, many of which include improved public transit and active transportation strategies as a means of meeting local greenhouse gas emission reduction goals.

As the Board of Directors considers which objectives and factors are most important in the distribution of housing units, there may be a need to balance competing priorities. For example, focusing all housing in urbanized areas could lead to an overconcentration of low income housing in jurisdictions that already have a disproportionately high share of low income households (such as in the cities of Oceanside, San Diego, and National City) and potentially contribute to an imbalance between jobs and housing in job rich communities (such as the cities of Carlsbad and Poway).

Similarly, if the Board wanted to prioritize the placement of housing units near public transit, it may result in jurisdictions with minimal high-quality transit receiving few units, potentially not meeting the objective of ensuring a mix of housing types in all jurisdictions.

**What should the role of SANDAG Board members, the Regional Planning Committee, Regional Planning Technical Working Group, and the public be in the RHNA Plan development process?**

State law requires public participation in the development of the RHNA Plan and states that organizations other than local jurisdictions and Councils of Governments shall be solicited in a diligent effort to achieve public participation of all economic segments of the community.

Historically, SANDAG staff has worked with the Regional Planning Technical Working Group (TWG) to engage organizations other than local jurisdictions to be included in the process to develop the
RHNA Plan. The TWG is composed of the 19 planning directors from each of the 19 local jurisdictions in the region. Representatives of Caltrans, the Local Agency Formation Commission, San Diego Unified Port District, San Diego County Water Authority, San Diego County Air Pollution Control District, San Diego County Regional Airport Authority, U.S. Department of Defense, North County Transit District, and Metropolitan Transit System are advisory members.

With input from external stakeholders, the TWG has developed recommendations for the Regional Planning Committee to consider and ultimately forward on to the Board of Directors. This approach allows the Planning Directors to provide input from a technical perspective on the methodology to allocate housing units based on policy direction from the Board of Directors and Regional Planning Committee.

Another option could be to create an ad hoc group composed of Board members to provide input from a policy perspective on the methodology to allocate housing units. The ad hoc working group could provide the policy input to the TWG to refine from a technical perspective. Alternatively, the ad hoc group also could include TWG members or other stakeholders.

**Timeline**

The proposed timeline for the RHNA process is included in Attachment 3. It is anticipated that the Board of Directors will be asked to finalize the RHNA methodology and allocation in fall 2019.

KIM KAWADA
Chief Deputy Executive Director

Attachments: 1. HCD Final RHNA Determination (Sixth Housing Element Cycle, 2018) 2. RHNA Plan Statutory Objectives and Factors 3. Draft Timeline for Preparing the RHNA for the Sixth Housing Element Cycle

Key Staff Contact: Seth Litchney, (619) 699-1943, seth.litchney@sandag.org
July 5, 2018

Kim Kawada
Chief Deputy Executive Director
San Diego Association of Governments
401 B Street, Suite 800
San Diego, CA 92101-4231

Dear Kim Kawada:

RE: Final Regional Housing Need Determination

This letter provides the San Diego Association of Governments (SANDAG) its Final Regional Housing Need Determination. Pursuant to state housing element law (Government Code (Gov. Code) section 65584, et seq.), the Department of Housing and Community Development (Department) is required to provide the determination of SANDAG's existing and projected housing need.

In assessing SANDAG's regional housing need, the Department and SANDAG staff completed an extensive consultation process from October 2016 through June 2018 covering the Department's methodology, data sources, and timeline for both the Department's Regional Housing Need Determination and SANDAG's Regional Housing Need Allocation (RHNA). The Department also consulted with Walter Schwarm of the California Department of Finance (DOF) Demographic Research Unit.

Attachment 1 displays the minimum regional housing need determination of 171,885 total units among four income categories for SANDAG to distribute among its local governments. Attachment 2 explains the methodology applied pursuant to Gov. Code section 65584.01. In determining SANDAG's housing need, the Department considered all the information specified in state housing law (Gov. Code section 65584.01(c)).

As you know, SANDAG is responsible for adopting a methodology and RHNA Plan for the projection period beginning June 2020 and ending April 2029. Within 30 days from the adoption date, SANDAG must submit the RHNA Plan to the Department for approval. Local governments are in turn responsible for updating their housing element for the planning period beginning April 2021 and ending April 2029 to accommodate their share of new housing need for each income category.
Pursuant to Gov. Code section 65584(d), the methodology to prepare SANDAG's RHNA plan must be consistent with the following objectives:

(1) Increasing the housing supply and mix of housing types, tenure, and affordability
(2) Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns
(3) Promoting an improved intraregional relationship between jobs and housing
(4) Balancing disproportionate household income distributions

Pursuant to Gov. Code section 65584.04(d), to the extent data is available, SANDAG should include the factors listed in Gov. Code section 65584.04(d)(1-10) to develop its RHNA plan, and pursuant to Gov. Code section 65584.04(e), SANDAG must explain in writing how each of these factors was incorporated into the RHNA plan methodology.

The Department commends SANDAG for its leadership in fulfilling its important role in advancing the state's housing, transportation, and environmental goals. SANDAG is also recognized for its actions in proactively educating and engaging its board and subcommittees on the RHNA process and the regional housing need, as well as encouraging regional collaboration on best practices around housing and land use. The Department especially thanks Seth Litchney, Coleen Clementson, Carolina Illic, Rachel Cortes, Dmitry Messen, Muggs Stoll, Daniel Flyte, and Kim Kawada for their significant efforts and assistance. The Department looks forward to its continued partnership with SANDAG and its member jurisdictions and assisting SANDAG in its planning efforts to accommodate the region's share of housing need.

If the Department can provide any additional assistance, or if you, or your staff, have any questions, please contact Megan Kirkeby, Assistant Deputy Director for Fair Housing, at (916) 263-7428 or megan.kirkeby@hcd.ca.gov.

Sincerely,

[Signature]

Zachary Olmstead
Deputy Director

Enclosures
## HCD REGIONAL HOUSING NEED DETERMINATION

San Diego County Governments: June 30, 2020 through April 15, 2029

<table>
<thead>
<tr>
<th>Income Category</th>
<th>Percent</th>
<th>Housing Unit Need</th>
</tr>
</thead>
<tbody>
<tr>
<td>Very-Low*</td>
<td>24.7%</td>
<td>42,332</td>
</tr>
<tr>
<td>Low</td>
<td>15.5%</td>
<td>26,627</td>
</tr>
<tr>
<td>Moderate</td>
<td>17.3%</td>
<td>29,734</td>
</tr>
<tr>
<td>Above-Moderate</td>
<td>42.5%</td>
<td>72,992</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>100.0%</strong></td>
<td><strong>171,685</strong></td>
</tr>
</tbody>
</table>

* Extremely-Low 13.6% Included in Very-Low Category

**Notes:**

**Income Distribution:**
Income categories are prescribed by California Health and Safety Code (Section 50093, et. seq.). Percents are derived based on Census/ACS reported household income brackets and County median income.
ATTACHMENT 2

HCD REGIONAL HOUSING NEED DETERMINATION: SANDAG June 30, 2020 - April 15, 2029

Methodology

1. San Diego County: June 30, 2020 – April 15, 2029 (8.8 years)
   HCD Determined Population, Households, & Housing Unit Need

2. Population: April 15, 2029 (DOF June 30, 2029 projection adjusted minus 2.5 months to April 15, 2029)
   3,613,215

3. Group Quarters Population (DOF June 30, 2029 projection adjusted minus 2.5 months to April 15, 2019)
   -118,075

4. Household (HH) Population
   3,495,140

<table>
<thead>
<tr>
<th>Household Formation Groups</th>
<th>HCD Adjusted DOF Projected HH Population</th>
<th>DOF HH Formation Rates</th>
<th>HCD Adjusted DOF Projected Households</th>
</tr>
</thead>
<tbody>
<tr>
<td>under 15 years</td>
<td>3,495,140</td>
<td>n/a</td>
<td>n/a</td>
</tr>
<tr>
<td>15 – 24 years</td>
<td>648,185</td>
<td>9.98%</td>
<td>50,356</td>
</tr>
<tr>
<td>25 – 34 years</td>
<td>504,775</td>
<td>37.25%</td>
<td>150,099</td>
</tr>
<tr>
<td>35 – 44 years</td>
<td>402,920</td>
<td>46.54%</td>
<td>186,020</td>
</tr>
<tr>
<td>45 – 54 years</td>
<td>399,705</td>
<td>50.72%</td>
<td>217,455</td>
</tr>
<tr>
<td>55 – 64 years</td>
<td>428,715</td>
<td>53.69%</td>
<td>208,648</td>
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<tr>
<td>65 – 74 years</td>
<td>388,650</td>
<td>57.98%</td>
<td>220,348</td>
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<tr>
<td>75 – 84 years</td>
<td>380,010</td>
<td>62.03%</td>
<td>155,414</td>
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<tr>
<td>85+</td>
<td>91,630</td>
<td>68.51%</td>
<td>62,775</td>
</tr>
</tbody>
</table>

5. Projected Households (Occupied Unit Stock)
   1,251,115

6. + Vacancy Adjustment (2.52%)
   31,500

7. + Overcrowding Adjustment (3.09%)
   38,700

8. + Replacement Adjustment (0.50%)
   6,255

9. - Occupied Units (HHs) estimated January 1, 2020
   -1,155,883

6th Cycle Regional Housing Need Assessment (RHNA)
   171,685

Explanation and Data Sources

1. Projection period: Gov. Code 65588(f) specifies RHNA projection period start is December 31 or June 30, whichever date most closely precedes end of previous RHNA projection period end date. RHNA projection period end date is set to align with planning period end date. The planning period end date is eight years following the Housing Element due date, which is 18 months following the Regional Transportation Plan adoption rounded to the 15th or end of the month.

2-5. Population, Group Quarters, Household Population, & Projected Households: Pursuant to Government Code Section 65584.01, projections were extrapolated from Department of Finance (DOF) projections. Population reflects total persons. Group Quarter Population reflects persons in a dormitory, group home, institute, military, etc. that do not require residential housing. Household Population reflects persons requiring residential housing. Projected Households reflect the propensity of persons, by age groups, to form households at different rates based on Census trends.

6. Vacancy Adjustment: HCD applies a vacancy adjustment (standard 5% maximum to total housing stock) and adjusts the percentage based on the County's current "for rent and sale" vacancy percentage to provide healthy market vacancies to facilitate housing availability and resident mobility. Adjustment is difference between standard 5% vacancy rate and County's current vacancy rate based on the 2012-2016 American Community Survey (ACS) data.

7. Overcrowding Adjustment: In Counties where overcrowding is greater than the U.S. overcrowding rate of 3.34%, HCD applies an adjustment based on the amount the County's overcrowding rate exceeds the U.S. overcrowding rate. Data is from the 2012-2016 ACS.

8. Replacement Adjustment: HCD applies a replacement adjustment between 0.5% and 5% to total housing stock based on the current 10-year annual average percent of demolitions, applied to length of the projection period. Data is from County local government housing survey reports to DOF.

9. Occupied Units: This figure reflects DOF's estimate of occupied units at the start of the January closest to the projection period start date, per DOF E-5 report.
Regional Housing Needs Assessment Plan Statutory Objectives and Factors

Objectives

Government Code Section 65584 (d)

The regional housing needs allocation plan shall be consistent with all of the following objectives:

1. Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in all jurisdictions receiving an allocation of units for low and very low-income households.

2. Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.

3. Promoting an improved intraregional relationship between jobs and housing.

4. Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category.

Factors

Government Code Section 65584.04(d)

To the extent that sufficient data is available from local governments pursuant to subdivision (b) or other sources, each council of governments, or delegate subregion as applicable, shall include the following factors to develop the methodology that allocates regional housing needs:

1. Each member jurisdiction’s existing and projected jobs and housing relationship.

2. The opportunities and constraints to development of additional housing in each member jurisdiction, including all of the following:

   a. Lack of capacity for sewer or water service due to federal or state laws, regulations or regulatory actions, or supply and distribution decisions made by a sewer or water service provider other than the local jurisdiction that preclude the jurisdiction from providing necessary infrastructure for additional development during the planning period.

   b. The availability of land suitable for urban development or for conversion to residential use, the availability of underutilized land, and opportunities for infill development and increased residential densities. The council of governments may not limit its consideration of suitable housing sites or land suitable for urban development to existing zoning ordinances and land use restrictions of a locality, but shall consider the potential for increased residential development under alternative zoning ordinances and land use restrictions. The determination of available land suitable for urban development may exclude lands where the Federal Emergency Management Agency or the Department of Water Resources has determined that the flood management infrastructure designed to protect that land is not adequate to avoid the risk of flooding.
c. Lands preserved or protected from urban development under existing federal or state programs, or both, designed to protect open space, farmland, environmental habitats, and natural resources on a long-term basis.

d. County policies to preserve prime agricultural land, as defined pursuant to Section 56064, within an unincorporated area.

3. The distribution of household growth assumed for purposes of a comparable period of regional transportation plans and opportunities to maximize the use of public transportation and existing transportation infrastructure.

4. The market demand for housing.

5. Agreements between a county and cities in a county to direct growth toward incorporated areas of the county.

6. The loss of units contained in assisted housing developments, as defined in paragraph (9) of subdivision (a) of Section 65583, that changed to non-low-income use through mortgage prepayment, subsidy contract expirations, or termination of use restrictions.

7. High-housing cost burdens.

8. The housing needs of farmworkers.

9. The housing needs generated by the presence of a private university or a campus of the California State University or the University of California within any member jurisdiction.

10. Any other factors adopted by the council of governments.
Draft Timeline for Preparing the Regional Housing Needs Assessment for the Sixth Housing Element Cycle

September 2018

<table>
<thead>
<tr>
<th>Anticipated Date</th>
<th>Anticipated Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring 2018</td>
<td>SANDAG consults with the California Department of Housing and Community Development (HCD) on the <strong>Regional Housing Needs Assessment (RHNA) Determination</strong></td>
</tr>
<tr>
<td>Summer 2018</td>
<td>HCD provides <strong>RHNA Determination</strong> for the San Diego region</td>
</tr>
<tr>
<td>September 2018 – July 2019</td>
<td>SANDAG develops the <strong>RHNA Plan</strong> (methodology and allocations)</td>
</tr>
<tr>
<td>July – August 2019</td>
<td>SANDAG prepares <strong>Draft RHNA</strong> for adoption and public review</td>
</tr>
<tr>
<td>October 2019</td>
<td>SANDAG Board of Directors adopts <strong>Final RHNA Plan</strong></td>
</tr>
<tr>
<td>April 2021</td>
<td>Housing elements by local jurisdictions due (18 months after the adoption of San Diego Forward: The 2019-2050 Regional Plan)</td>
</tr>
</tbody>
</table>
Summary of Comments from September 14, 2018, SANDAG Board of Directors Meeting

What objectives and factors are most important when determining the distribution of housing units in the region?

- The 2011 Regional Housing Needs Assessment (RHNA) allocation should not be used in the new RHNA Plan.
- Existing land uses should play a role in the RHNA Plan.
- The income levels of a jurisdiction’s residents should be considered in the RHNA Plan to avoid concentrating low-income housing in areas with low-income residents and housing imbalances.
- Jurisdictions that exclude areas for development should not be given a lower number of housing units.
- RHNA used to be a planning process. Jurisdictions must now consider the impacts of RHNA as a production target mandate with consequences for not meeting the target.
- Multiple cities may be close to a job center. This should be considered in the RHNA Plan to reduce vehicle miles traveled.
- Cities attempting to meet their affordable housing allocation through inclusionary housing ordinances should get credit. Requiring 15 percent to 20 percent of a development be affordable housing meets the intent of RHNA.
- Housing near job centers is important, but city boundaries are not the best measurement.
- Cities should be promoting infill development and protecting resources, so it needs to be considered in the RHNA Plan. Built out cities should take more housing so distant areas in the County do not need more housing.
- Distribution fairness should be considered in the RHNA Plan. Imbalance would create impacts on the region.
- The region should avoid overconcentrating low income housing in areas with high share of low-income households.
- Jurisdictions should focus housing around job centers and review the commute patterns.
- Jurisdictions approving low-income housing should get credit for their actions.
- Places with higher-income jobs may not need low-income housing nearby.
- The location of low-income jobs should be tracked to determine where housing near jobs is needed.
Regional Planning Technical Working Group

October 11, 2018

Item: 7

Action Requested: Discussion

TransNet Routine Accommodation Requirement Evaluation

Section 4(E)(3) of the TransNet Ordinance requires all new congestion-relief projects to accommodate the needs of people walking and biking where it is needed and feasible to do so. Board Policy No. 031: TransNet Ordinance and Expenditure Plan Rules, describes how this provision will be implemented. The recent TransNet Triennial Performance Audit recommended a reevaluation of this process in light of current Complete Streets requirements and best practices. Regional Planning Technical Working Group members are asked to discuss how the process has worked in their jurisdictions and to begin a discussion of potential improvements.

Carolina Ilic, Senior Regional Planner; Seth Litchney, Senior Regional Planner

Key Staff Contact: Chris Kluth, (619) 699-1952, chris.kluth@sandag.org

Attachments:
1. October 4, 2018, Cities/County Transportation Advisory Committee Meeting Agenda Item 4: TransNet Routine Accommodation Requirement Evaluation
2. TransNet Extension Ordinance: Local Street and Road
3. Board Policy No. 31: TransNet Ordinance and Expenditure Plan Rules
TransNet Routine Accommodation Requirement Evaluation

Section 4(E)(3) of the TransNet Ordinance requires all new congestion-relief projects to accommodate the needs of people walking and biking. Board Policy No. 031, TransNet Ordinance and Expenditure Plan Rules, describes how this provision will be implemented. The recent FY 2018 TransNet Triennial Performance Audit recommended a reevaluation of this process in light of current Complete Streets requirements and best practices. The CTAC is asked to continue its discussion and provide additional input about what types of bicycle and pedestrian improvements could be included and how to effectively track implementation and benefits.

Alex Estrella, Senior Regional Planner

Key Staff Contact: Chris Kluth, (619) 699-1952, chris.kluth@sandag.org

Attachments:
1. TransNet Extension Ordinance: Local Street and Road
2. Board Policy No. 31: TransNet Ordinance and Expenditure Plan Rules
Chapter 4: Local Street and Road

The 2004 TransNet Extension Ordinance allocated 29.1 percent of annual sales tax revenues to the 19 local jurisdictions to fund improvements on the local street and road network. With approximately $714 million provided through June 2017, this program is the second largest TransNet Program after major corridor capital construction.

KEY RESULTS

Absent standard performance outcome data, improvements to the local street and road network was limited to the reporting of pavement condition as a measure of road quality. Additionally, both the Ordinance and SANDAG Board policy requirements pertaining to local jurisdictions’ compliance with bike and pedestrian accommodations and the applicability of splitting local funding 70/30 for congestion relief and maintenance need to be reevaluated.

- Over the last three years, pavement condition decreased by one percent. This follows the trend since the start of TransNet where pavement condition in the San Diego region declined from a good condition to the current at-risk condition rating.
- 70/30 congestion relief and maintenance project split may not allow local jurisdictions sufficient flexibility in linking TransNet monies to current individual infrastructure needs at the local level.
- While the SANDAG Board Policy No. 031, Rule 21 requires local jurisdictions to provide appropriate accommodations for bicycle and pedestrian travel when building new or reconstructing existing local streets and roads, compliance with the rule is not regularly monitored by SANDAG—except for a review performed in 2014, that identified continued efforts were required to ensure compliance. Yet, in light of SANDAG’s Complete Streets policy emerging at the same time, Rule 21 compliance has since not been further pursued by SANDAG and has been deferred to monitoring efforts as part of the Complete Streets policy implementation.

Pavement in the San Diego region is considered in at-risk condition and has declined over recent years. But recent pavement rehabilitation efforts by the City of San Diego will result in improved conditions over the next few years.

RECOMMENDATION HIGHLIGHTS

- Revisit the TransNet Extension Ordinance congestion relief and maintenance split to be more relevant with local needs as the TransNet lifecycle matures by considering elimination of the 70/30 split, change to the percentage limitations, or modification of the categorical definitions within the TransNet Extension Ordinance limitations.
- Use results from SANDAG Board Policy No. 031, local Rule 21 review to make identified changes to the Ordinance definitions and follow-up on areas of noncompliance noted during the review.
- Work with locals to determine a method to demonstrate compliance with Board Policy No. 031, Rule 21.
- Amend or establish a SANDAG Board Policy to require local jurisdictions to track and report on the number of bike and pedestrian facilities implemented using TransNet funds.
- Conduct another review of local projects and considering whether any adjustments are warranted in light of SANDAG’s Complete Streets Policy.

Note: Refer to Report Exhibit 2 for TransNet allocations of nearly $714 million for Local Street and Road Program.
Chapter Introduction

Local streets and roads feed the highway system, provide paths for transit, and provide neighborhood-level transportation access. As such, TransNet set aside 29.1 percent of sales tax collections to fund improvements on the region’s approximate 7,800 center line miles of local streets and roads. Specifically, TransNet stipulated that local jurisdictions propose a variety of congestion relief and maintenance projects through the biennial Regional Transportation Improvement Program for spending TransNet money and committing other state, federal, and local funds allocated. To deliver these projects, local jurisdictions followed common public construction project delivery and procurement methods and employed a mix of in-house and consultant staff to plan, design, and oversee projects. Capital construction was still typically outsourced, while routine maintenance of assets was generally performed in-house by designated public works crews. Since 2008, nearly $714 million was provided to local jurisdictions for their streets and roads making it the second largest TransNet Program after major corridor capital construction.34

Pavement Condition Declined, but Recent Efforts may Reverse Trend

Given the lack of local street and road performance outcome data to demonstrate congestion relief improvements and greater mobility, local street and road performance outcome communication was limited to the reporting of road quality. A typical measure of road quality is the pavement condition index (PCI) initially developed by the U.S. Army Corps of Engineers. This measure rates of pavement distress with scores ranging from 0 (failed) to 100 (perfect). Points are deducted from 100 for distress such as cracking, rutting, and other distortions. Thus, the higher a PCI score, the better average road condition. Typically, an index of 70 to 100 indicates good or excellent condition, 50 to 69 is at-risk condition, and 49 and below is poor to failed condition.

While this data was not tracked or analyzed by SANDAG at the regional level, external reports indicated the average PCI for roads in cities within San Diego County dropped from a PCI rating of 66 to 65 between 2014 and 2016 as shown in Exhibit 33. This is part of an overall declining trend where San Diego pavement condition dropped from a PCI of 74 in 2008, indicating a good condition, when TransNet started.35

EXHIBIT 33. BIENNIAL PAVEMENT CONDITION INDEX FOR CALIFORNIAN COMPARISON COUNTIES, 2014 AND 2016

Source: League of California Cities Biennial California Statewide Local Street and Road Needs Assessment reports.

34 Refer to Report Exhibit 2 for TransNet allocations of nearly $714 million for Local Street and Road Program.
35 Based on the League of California Cities biennial California Statewide Local Street and Road Needs Assessment Report showing PCI ratings for all California counties.
Individual local jurisdiction pavement survey results showed improving conditions

To capture most current pavement condition at the local jurisdictional level, we surveyed the 19 local jurisdictions. While not all jurisdictions used TransNet funds to maintain their roadways, survey responses from 14 local jurisdictions showed the average current PCI for the San Diego region was 71, which is considered a "good" condition. This number differed from the results presented by the California Statewide Local Street and Road Assessment in its 2016 report perhaps due to timing of the City of San Diego reported data. Recently, the City of San Diego invested significant TransNet resources and other funding sources to improve its roadways and reported an increased PCI of 71 in 2017 based on road condition survey results conducted in 2016. Given that streets and roads in the City of San Diego account for approximately 38 percent of the roadways in San Diego County, an increase in PCI for the City of San Diego will likely positively reflect on the overall PCI for San Diego County in future League of California Cities' reports.

Congestion Relief and Maintenance Split May Need to Be Revisited

The TransNet Extension Ordinance requires that at least 70 percent of the revenues provided for the Local Street and Road Program be spent on congestion relief projects and no more than 30 percent spent on maintenance projects—commonly known as the “70/30 Split Rule.” Examples of each category are shown in Exhibit 34. While SANDAG Board Policy No. 031: TransNet Ordinance and Expenditure Plan Rules provided a mechanism for local agencies to request an exemption to the 30 percent maintenance limitation with justification, some local jurisdictions expressed that the process was cumbersome.

EXHIBIT 34. EXAMPLES OF LOCAL STREET AND ROAD 70/30 SPLIT RULE DEFINITIONS

<table>
<thead>
<tr>
<th>Congestion Relief (70%)</th>
<th>Maintenance (30%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>New or widened roads and bridges</td>
<td>Lane removal for bikes</td>
</tr>
<tr>
<td>Pavement overlay 1-inch thick or greater</td>
<td>Pavement overlay less than 1-inch</td>
</tr>
<tr>
<td>Bridge retrofit</td>
<td>Bridge replacement for aesthetic purposes</td>
</tr>
<tr>
<td>New traffic signals or upgrades</td>
<td>Traffic signal replacement or software</td>
</tr>
<tr>
<td>Pedestrian crossings and lighting</td>
<td>Light bulb replacement</td>
</tr>
</tbody>
</table>


In the past, local jurisdictions conveyed that these definitions established in 2006 have restricted their use of TransNet funds because the 70/30 Split Rule did not adequately reflect their needs, particularly for pavement rehabilitation projects. Some jurisdictions felt they must wait until a roadway deteriorated to meet eligibility definitions as a 70 percent congestion relief project. Based on interviews conducted during the current and prior performance audits, local jurisdictions have voiced preferences for a more flexible approach on how TransNet monies can be spent for local projects. Some jurisdictions were fairly built-out and felt that the 70/30 split prohibits them from using TransNet monies on other needed maintenance projects. Even jurisdictions with space for congestion relief projects may welcome a different split allowing

36 The following local jurisdictions did not respond to the survey—Del Mar, Imperial Beach, National City, and Solana Beach.
for larger allocations towards maintenance as maintenance will become a more significant issue for locals over the next decade as congestion relief improvements begin to deteriorate as well.

Recently passed California Senate Bill 1 legislation is likely to help in this area by providing nearly $1.5 billion statewide to local jurisdictions for maintenance needs. This influx of funds will certainly help rebuild the region's roadway infrastructure, but there could still be areas that have greater maintenance needs while having fewer capital projects that meet the current TransNet congestion relief definitions. While there is a mechanism to get approval for changes to the 70/30 split, it appears to be cumbersome and time-consuming. To allow local jurisdictions more flexibility on how to best spend TransNet monies on local project needs, the SANDAG Board may want to consider modifying the rule's definitions or changing the 1-inch or thicker requirement for congestion relief-type pavement overlays.

**Continued Effort is Needed to Ensure Compliance with Bike and Pedestrian Accommodations**

In February 2008, the SANDAG Board added Rule 21 to its Board Policy No. 031: TransNet Ordinance and Expenditure Plan Rules requiring local jurisdictions to provide appropriate accommodations for bicycle and pedestrian travel during street and road reconstruction for new projects or major reconstruction projects. The rule also allowed for exceptions where bike and pedestrians are prohibited by law from using the facility or where the costs of including bikeways and walkways would be excessively disproportionate to the need or probable use. Compliance and requested exceptions were tracked through self-certifications made during biennial Regional Transportation Improvement Program updates by selecting a check-box in the electronic ProjectTrak system and written requested exceptions presented to SANDAG's Cities/County Transportation Advisory Committee. SANDAG performed a detailed evaluation of bike and pedestrian accommodations in 2014; yet, continued efforts are needed to ensure compliance with this policy.

Specifically, to determine whether the rule was effectively encouraging a balanced transportation network, SANDAG staff conducted a three-part evaluation in 2014 consisting of surveying local public works staff to collect data on how they implement the requirement, determining which projects included the accommodations, and conducting a field review of those projects to determine compliance with the requirement. Those efforts found that not all street maintenance overlay projects included the minimum bicycle and pedestrian accommodations or project accommodations did not cover the entire length of the projects. However, it was difficult to evaluate the impact of the rule on the bicycle and pedestrian infrastructure since only six local agencies tracked bike facilities funded with TransNet and only three agencies tracked pedestrian facilities. From this review, SANDAG identified that additional types of projects should be subject to Rule 21 and should be added to the policy such as median landscape projects and traffic signal installation projects. Additionally, the review determined that a checklist to evaluate projects was needed and learned that local agencies had compliance questions.

While the compliance review was a sound practice employed, it was only completed once in 2014 and has not been regularly performed on an ongoing basis. Moreover, SANDAG did not follow-up on the evaluation's results to revise the Rule 21 definitions, develop the evaluation checklist, or work with the local agencies to improve compliance.

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jurisdictions to solve perceived compliance issues. According to SANDAG, it did not make changes because the SANDAG Board approved the Complete Streets Policy at the same time that committed to a process that ensures the needs of people using all modes of travel are considered on every street or network of streets. However, SANDAG’s Complete Streets Policy is applicable only to SANDAG infrastructure projects whereas locals are required by the California Complete Streets Act of 2008 to incorporate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highway elements into their general plans. Further, SANDAG’s Complete Streets Policy stated that SANDAG would periodically evaluate the effectiveness of Rule 21 to ensure compliance with the provision and that the rule reflects current best practices in Complete Streets implementation.

Thus, SANDAG should follow through with the results from the Rule 21 evaluation conducted in 2014 and continue to monitor compliance with the rule, until otherwise amended. Further, SANDAG should require local agencies to track and report on the number of bike and pedestrian facilities implemented using TransNet funds.

**Recommendations**

To better understand whether Local Street and Road Program spending is delivering projects that result in the best performance outcomes and value for taxpayer investment, the ITOC should request the SANDAG Board to direct staff to perform the following:

11. Revisit the Ordinance congestion relief and maintenance split to be more relevant with local needs as the TransNet lifecycle matures by considering elimination of the 70/30 split, change to the percentage limitations, or modification of the categorical definitions within Ordinance limitations.

12. Continue to monitor compliance with SANDAG Board Policy No. 031, Rule 21, until otherwise amended, by implementing the following:

   a. Following-up on the results from the SANDAG Board Policy No. 031, Rule 21 evaluation conducted by SANDAG in 2014.

      1. Use results from SANDAG Board Policy No. 031, local Rule 21 review to make identified changes to the Ordinance definitions and follow-up on areas of noncompliance noted during the review.

      2. Work with locals to determine a method to demonstrate compliance with SANDAG Board Policy No. 031, Rule 21.

      3. Amend or establish a SANDAG Board Policy to require local jurisdictions to track and report on the number of bike and pedestrian facilities implemented using TransNet funds.

   b. Conducting another review of local projects and considering whether any adjustments are warranted in light of SANDAG’s Complete Streets Policy.
BOARD POLICY NO. 031

TransNet ORDINANCE AND EXPENDITURE PLAN RULES

The following rules have been adopted and amended by the SANDAG Board of Directors in its role as the San Diego County Regional Transportation Commission (RTC). The purpose of these rules is to implement the provisions of the original TransNet Ordinance (87-1) and the TransNet Extension Ordinance (04-01) and amendments thereto.

Rule #1: Procedure for Distribution of Revenues for Transportation Services for Seniors and the Disabled

Adoption Date: February 26, 1988 (Resolution RC88-2)

Amendment: Repealed November 18, 2005. This rule was superseded by Rule #11.

Rule #2: Loan of Funds for Privately Funded Projects

Adoption Date: April 22, 1988 (Resolution RC88-5)

Amendment: Amended November 18, 2005

Text: The Commission may approve a loan of sales tax funds to a city or county from its formula-based share of Local Street and Road funds to finance a project which is prohibited from receiving funding under Section 9 of Commission Ordinance 87-1 or Section 8 of Ordinance 04-01 if the following terms and conditions are met.

1. A finding is made by the Commission that absent private sector funding, the project would be an eligible street and road project.

2. The City or County agrees to enter into an agreement to repay the loan plus interest (at a rate determined by the Commission) prior to the termination of the sales tax in accordance with Section 3 of Commission Ordinance 87-1 or Section 3 of Ordinance 04-01.

3. That the City or County agrees to guarantee repayment of the loan if private developer funding is determined to be inadequate to repay the loan prior to termination of the sales tax.

Rule #3: Reimbursement of Local Funds to Advance Approved Projects

Adoption Date: May 27, 1988 (Resolution RC88-6)

Amendment: Amended November 18, 2005

Text: A city or county may advance improvements on a project(s) which is included in the approved transportation sales tax Program of Projects with local agency funds (other than private developer funds as set forth in Section 9 of Ordinance 87-1 or Section 8 of Ordinance 04-01) prior to sales tax
funds being available and receive reimbursement including interest from sales tax funds if it is
determined by the Commission that the following terms and conditions are met.

1. The project(s) is included in the approved transportation sales tax Program of Projects, and no
other financing technique is found to be more desirable or cost effective to utilize in order to
advance the improvement.

2. The city or county shall be reimbursed for the local funds expended as soon as sales tax funds
become available, or on a schedule agreed to between the local agency and the Commission.

3. That no more than 30 percent of the funds will be used for maintenance projects if the funds
are borrowed from TransNet revenues pursuant to Section 2(C)(1) of Ordinance 04-01.

Rule #4: SR 78 Corridor Reserve Fund Allocation Policies

Adoption Date: Originally Adopted May 26, 1989 (Resolution R-89-82), Wording changed
December 14, 1990 (Resolution RC91-10)

Amendment: Amended November 18, 2005

Text: For purposes of allocating funds under Section 2(a)(3) in Ordinance 87-1:

1. Only those projects designated as “funded” on the SR 78 Corridor project list approved on
December 13, 1990 by the SR 78 Corridor Policy Committee are eligible to receive SR 78 Corridor
Reserve Funds.

2. The list of SR 78 Corridor projects and their priority and funding eligibility may be revised by a
majority vote of the SR 78 Corridor Policy Committee and the approval of the Board of
Directors.

3. The basic contribution for a non-Caltrans project on the SR 78 Corridor Reserve funded list is
50 percent of the estimated right-of-way, engineering, and construction costs. However, the
total amount of Corridor Reserve Funds designated for projects within one jurisdiction may be
allocated to vary from the basic 50 percent for any given project as long as the cumulative total
for programmed projects at any point in time does not exceed 50 percent.

4. The basic contribution for a Caltrans project on the SR 78 Corridor Reserve funded list is
100 percent of the estimated right-of-way, engineering, and construction costs.

5. Contributions from the SR 78 Corridor Reserve Fund to any one jurisdiction cannot exceed
50 percent (100 percent for Caltrans) of the project cost estimates shown on the approved
funded list of December 13, 1990. If actual project costs are less than estimated, a maximum
contribution of 50 percent (100 percent for Caltrans) of the new costs shall be in effect.

6. A project that for any reason is removed from the funded list can only be replaced by the next
highest ranked unfunded project (or projects), regardless of jurisdiction and only if the funded
list of projects does not exceed the total Corridor Reserve dollars available. As with other
funded projects, Corridor Reserve funds can only be used to improve the replacement project(s)
to minimal four-lane standards (six lanes at freeway interchanges).
Added June 22, 1990 (Resolution RC90-40):

7. SR 78 Corridor Reserve funds for right-of-way will not be encumbered until a project has environmental clearance and the first 25 percent of the total value of the right-of-way is acquired. When a total of 75 percent of the right-of-way has been acquired, the construction funds will be encumbered at the request of the agency.

Added December 14, 1990 (Resolution RC91-10):

8. All agencies submitting projects from the SR 78 Corridor Funded Project List for programming are encouraged to pursue matching funds from the state's SB 300 program.

Added February 22, 1991 (Resolution RC91-13):

9. Any new source of state highway funds for the San Diego region should be considered for allocation to the TransNet SR 78 Corridor Reserve to offset local funds which were used for projects which are normally the responsibility of the State, such as freeway-freeway interchange improvements and ramp metering systems.

Rule #5: Use of Local Street and Road TransNet Funds for the Development of Transportation Demand Management Programs

Adoption Date: August 25, 1989 (Resolution RC90-23)

Amendment: Amended November 18, 2005

Text: The development and implementation of a Transportation Demand Management Program shall be an eligible use of Local Street and Road funds pursuant to Section 19(E) of Ordinance 87-1 and Section 21(c) of Ordinance 04-01. Transportation Demand Management shall mean a comprehensive set of strategies designed to influence travel behavior with respect to mode, time, frequency, route, or distance in order to improve the efficiency and effectiveness of local streets and roads. Principal strategy measures involve, but are not limited to, ridesharing, alternative work hours, and parking management.

Rule #6: Fund Accounting and Interest Allocation

Adoption Date: March 23, 1990 (Resolution RC90-35)


Text: For the purposes of determining compliance with Section 12 of Ordinance 87-1 and Section 13 of Ordinance 04-01, each agency shall maintain a separate fund (fund accounting) for TransNet revenues, if possible. Where the creation of a separate fund is not possible due to accounting methodology used by the agency, an alternative approach to maintaining separate accountability for TransNet revenue and expenditures must be developed and submitted to the Commission staff for concurrence. Interest earned on TransNet revenues received by the agency must be allocated to the TransNet fund and used only for projects approved by the Commission in the Program of Projects. Except as allowed below for the Local Street and Road Program and Transit System Service Improvements Program, interest accrued must be applied to each active project that carries an
outstanding balance. The agency can determine the method of the interest distribution to be validated by the audit.

For the Local Street and Road Program and Transit System Service Improvements Program that receive annual funding allocations, interest accrued may be pooled and must be applied to one or more active projects in accordance with the RTIP process. All interest earned on Local Street and Road Programs is subject to Section 2.C.1. of Ordinance 04-01.

**Rule #7: Program of Projects Approval Process and Amendments**

**Adoption Date:** March 23, 1990 (Resolution RC90-35)


**Text:** Each local agency shall develop a five-year list of projects to be funded with TransNet revenues under Section 2D of Ordinance 87-1 and Section 4D of Ordinance 04-01 in accordance with the Regional Transportation Improvement Program (RTIP) update schedule. All projects a local agency wishes to include in its Program of Projects (POP) must be consistent with the long-range Regional Transportation Plan and approved by the Commission for inclusion in the RTIP. A local agency’s projects shall not receive Commission approval until the Commission receives a resolution from the local agency that documents that the local agency held a noticed public hearing with an agenda item that clearly identified the proposed list of projects prior to approval by the local agency’s legislative body of the projects. The language that must be included in the resolution and the deadlines for submission shall be prescribed by the Commission. The resolution shall contain the provisions set forth in Rule #15.

A POP amendment shall be initiated when a local agency desires to revise the approved POP, which includes but is not limited to, adding a new project, deleting an existing project, revising the project scope, or otherwise changing the TransNet funds programmed. A TransNet POP amendment must be consistent with the requirements outlined in the RTIP. Projects proposed in the amendment must first be approved by the governing body of the local agency within the preceding 12 months. The local agency shall initiate the amendment process by holding a noticed public hearing with an agenda item that clearly identifies the proposed project amendments and submitting a resolution using the language and deadlines prescribed by the Commission as documentation of governing body approval. The amendment must be approved by the Commission prior to the expenditure of funds on the new or amended projects.

**Rule #8: Determination of New Transit Services**

**Adoption Date:** March 23, 1990 (Resolution RC90-35)

**Amendment:** Amended November 18, 2005

**Text:** For the purpose of determining compliance with Section 4(B)(2)(c) of Ordinance 87-1, the level of service provided in FY 1988 shall be considered at the base level of service in existence prior to the availability of TransNet revenues which must be maintained through other funding sources. Compliance with the “new” service requirement shall be determined using the following procedure:
1. Determine the number of vehicle service miles operated during the fiscal year using TransNet revenues for any given operator by dividing the TransNet revenues for operations by the total systemwide operating cost for that operator and multiplying the total vehicle service miles operated by the quotient.

2. Subtract the number of miles determined in Step 1 from the total system vehicle service miles operated during the year.

3. If the adjusted number of miles from Step 2 is greater than or equal to the FY 1988 base level, then the compliance test is met.

4. The attached table of base statistics from FY 1988 (Attachment 1) will be used to determine compliance. These figures reflect all publicly funded operators within the MTDB (MTS) and North County Transit District (NCTD) service areas (Articles 4, 4.5, and 8) because TransNet revenues could potentially be used by the operators to fund service improvements on any of these systems.

**Rule #9: Use of TransNet Revenue for Bus Purchases**

**Adoption Date:** March 23, 1990 (Resolution RC90-35)

**Amendment:** Amended November 18, 2005

**Text:** TransNet revenues may be used to support the purchase of buses required to operate new services funded with TransNet revenues. The number of buses which can be purchased with TransNet revenues shall be determined using the following procedures.

1. Determine the number of annual new vehicle service miles service being operated in accordance with Rule Number 8 – Determination of New Transit Services.

2. Divide the number of new miles of service by the systemwide average annual vehicle services miles per bus for a given operator to determine the equivalent number of buses required to operate the new service. Round up to the nearest whole number of bus equivalents.

The TransNet revenues used for bus purchases shall come out of the revenues available under Section 4(B)(2)(c) of Ordinance 87-1. The use of TransNet revenues for bus purchases shall be used to the maximum extent possible as matching funds for available state and federal capital funds. If, at some point in the future, the number of buses purchased with TransNet revenues cannot be justified based on the number of new miles being operated with TransNet revenues, then a prorated reimbursement to the TransNet fund will be required based on the remaining useful life of the vehicles. TransNet revenues may not be used to support the purchase of replacement buses for the “existing” (FY 1988) level of service. Any buses purchased with TransNet revenues will remain under the ownership of MTDB (MTS) or NCTD and be made available to the operator chosen to operate the new services.

**Rule #10: Use of TransNet Revenues to Replace Reduced State and Federal Operating Support**

**Adoption Date:** March 23, 1990 (Resolution RC90-35)
Amendment: Amended November 18, 2005

Text: For purposes of determining compliance with Section 4(B)(2)(c) of Ordinance 87-1, the maximum amount of TransNet funds that MTDB (MTS) or NCTD are eligible to use to replace federal funds in a given year is equal to the FY 1987 base year levels of federal and state operating support ($6,113,307 for MTS and $2,511,816 for NCTD) less the amount of state and federal operating support available in that year. The priority on the use of funds under this section is to provide new service improvements. MTS and NCTD are encouraged to use other available revenues, such as Transportation Development Act (TDA) funds, to offset reductions in state and federal funds, if possible, and to use TransNet funds under these sections for new service improvements.

Rule #11: Use of TransNet Revenues for Transportation Services for Seniors and the Disabled

Adoption Date: March 23, 1990 (Resolution RC90-35)

Amendment: Amended November 18, 2005, and December 21, 2007

Text: The funds made available under Section 4(B)(1) of Ordinance 87-1 or Section 4(c)(1) of Ordinance 04-01 for improved transportation services for seniors and the disabled shall be used to augment the revenues made available under the Transportation Development Act (TDA) Article 4.5 program for the same purposes. These TransNet funds shall be allocated to eligible service providers using the fund distribution formula approved by the SANDAG Board of Directors for use in distributing the TDA Article 4.5 funds. For accounting purposes, following the expenditure of fare revenues and other local and other local operating revenues, the interest earnings on the TransNet and TDA funds shall be considered to be spent first, followed by the TDA funds, then the TransNet funds.

Rule #12: Use of TransNet Revenues for Accessibility Improvements

Adoption Date: March 23, 1990 (Resolution RC90-35)

Text: In the development of TransNet-funded local street and road projects, local jurisdictions may include, within the street right-of-way, improvements to enhance accessibility to the transportation system, including, but not limited to, accessibility improvements to bus stop areas.

Rule #13: Investments

Adoption Date: July 27, 1990 (Resolution RC91-2)

Amendment: Repealed November 18, 2005. This rule has been superseded by the Annual Investment Policy Update (see Resolution No. 2006-06 approved at the September 23, 2005, SANDAG Board of Directors meeting).

Rule #14: Capital Equipment Acquisition Loans to SANDAG

Adoption Date: November 16, 1990 (Resolution RC91-6)
Text: The loan of unused administrative allocations from TransNet funds to SANDAG for the purpose of acquiring office and computer equipment is authorized when lower cost financing is not available. The repayment schedule shall be based upon funding authorized in the SANDAG-approved budget and will include interest at a rate equal to the interest earning rate of the San Diego County Pooled Money Fund.

Rule #15: Local Agency Hold Harmless Agreements

Adoption Date: October 25, 1992 (Resolution RC92-7)

Text: Each local agency shall be required to hold harmless and defend the Commission against challenges related to local TransNet projects. This rule is to be implemented by requiring that each local agency agree in its resolution approving its projects for TransNet funding to hold the Commission harmless.

Rule #16: Repayment of Commercial Paper Program Proceeds

Adoption Date: September 23, 2005

Amendment: Amended November 18, 2005, and October 25, 2013

Text: Each agency receiving proceeds from the TransNet Commercial Paper Program shall be responsible for its proportionate share of the ongoing interest and related administrative costs from the date the proceeds are received until the principal amount of the loan is fully repaid. Repayment of the principal amount shall commence within three years of the agency’s receipt of the proceeds and shall be completed within five years of the agency’s receipt of the proceeds. Unless otherwise prohibited by law or regulation, repayment of the proceeds may be accomplished by rolling the outstanding amount into a long-term bond issue during the five-year repayment period. In such cases, the agency would then be responsible for its proportionate share of the bond issuance costs and annual debt service costs. The repayment of debt, in all cases, is the first priority on the use of the agency’s share of annual TransNet revenues.

Rule #17: Fiscal and Compliance Audits

Adoption Date: November 18, 2005


Text:

I. Fiscal and Compliance Audit Procedures

The fiscal and compliance audit is an essential tool to determine that TransNet funds are being used for the intended purposes. The Commission has the fiduciary responsibility to ensure that the public funds are used in accordance with the TransNet Ordinance and Expenditure Plans (87-01 and 04-01).

Pursuant to the TransNet Extension Ordinance (04-01), the Independent Taxpayer Oversight Committee (ITOOC) is responsible for the conduct of an annual fiscalaudit and compliance audit of
all TransNet-funded activities beginning with the FY 2009 audit. In order to complete the audits in a timely manner, the following audit schedule is set forth:

A. July/August: ITOC designee and appropriate SANDAG staff coordinate with the auditors to review the audits required for the year and provide all necessary documentation/information for the auditors to begin work.

B. September to November: Auditors schedule and perform site visits. Recipient agencies must be ready and available to meet with the auditors and provide requested financial schedules and other information necessary for the completion of the audit.

C. December 1 (required deadline): Regional Transportation Congestion Improvement Program (RTCIP) expenditure plan and financial records must be submitted for a review and audit.

D. November/December: Auditors issue preliminary draft reports to both SANDAG and the recipient agencies no later than December 31. Recipient agencies must be available to review and comment on the draft report in a timely manner. All outstanding issues should be resolved within four weeks of preliminary draft report issuance.

E. March: Auditors issue a report of compliance audit results and present to ITOC at its March meeting. ITOC presents initial finding(s) of the audit and its recommendations to the Transportation Committee.

F. May: ITOC issues all compliance reports and adopts the annual report.

G. June: The ITOC annual report, which includes results of the annual audit and its process, is presented to the SANDAG Board of Directors.

ITOC Responsibility: In accordance with the ITOC Responsibilities Section of the attachment to Commission Ordinance CO-04-01 entitled “STATEMENT OF UNDERSTANDING REGARDING THE IMPLEMENTATION OF THE INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE FOR THE TRANSNET PROGRAM,” ITOC will conduct an annual fiscal and compliance audit of all TransNet-funded activities using the services of an independent fiscal auditor to assure compliance with the voter-approved Ordinance and Expenditure Plan, and will prepare an annual report for presentation to the SANDAG Board of Directors that includes the results of the annual audit process.

SANDAG Responsibility: SANDAG will provide all information necessary to complete the audit.

Agency Responsibility: All agencies must be ready for the site visit, provide requested information, and review and comment on the draft reports in a timely manner.

If the auditor is unable to complete the audit for initial draft acceptance by the ITOC (per Rule #17(I)(E)), because an agency was not ready or did not provide the required information or reviews in a timely manner, then the agency will be deemed in noncompliance of the Ordinance. SANDAG will withhold future TransNet payments (except for required debt service payments) until the audit draft is completed and accepted by the ITOC.
II. Ordinance Requirements

Section 4(C)(5) of the TransNet Extension Ordinance contains the fiscal and compliance audit requirements applicable beginning in FY 2009.

Section 8 of the Ordinance contains the Maintenance of Effort requirements for the local agencies.

Section 9 of the Ordinance and the attachment “TransNet EXTENSION REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM” contain the Regional Transportation Congestion Improvement Program (RTCIP) requirements for the local agencies.

Section 11 of the Ordinance and the attachment to Commission Ordinance CO-04-01 entitled “STATEMENT OF UNDERSTANDING REGARDING THE IMPLEMENTATION OF THE INDEPENDENT TAXPAYER OVERSIGHT COMMITTEE FOR THE TRANSNET PROGRAM” contains the ITOC spending requirements.

Section 12 of the Ordinance contains the Administrative Expenses requirements for SANDAG.

III. Audit Adjustments

The audit identifies the status of each project funded with TransNet funds – i.e., completed projects, projects that have negative balances, inactive projects, and ongoing projects. The agencies are responsible to work with the auditors to make proper adjustments as follows:

A. This section applies to funding allocated for the specified projects under the Highway and Transit Programs under Ordinance 87-1, including funding allocated for bicycle facility improvements. Under the TransNet Extension (Ordinance 04-01), this section applies to the Major Corridor funding – Section 4(A) and (B) and the four discretionary programs: (1) Transit Senior program – Section 4(C)(2); (2) Local Environmental Mitigation program – Section 4(D)(2); (3) Local Smart Growth Incentive program – Section 4(D)(3); and (4) Bicycle, Pedestrian, and Neighborhood Safety Program – Section 2(E).

1. Completed projects: once a project is identified as completed and there are TransNet funds remaining with that project, the agency is required to return the money back to the program. After the fiscal audit determines that the project has been completed, SANDAG will transmit a letter to the agency to return the unexpended funds, including any unexpended interest earned, to the Commission. The agency must remit the balance within 60 days of the letter. Should an agency fail to respond in a timely manner, all future TransNet payments (including funds from the other programs) to that agency will be suspended until the funds are returned.

2. Projects with negative balances: if a project ending balance is negative, then a footnote should be provided detailing the subsequent year’s intended action.

3. Inactive projects: if a project has had no activity over a period of two audits, the agency must either close out the project or note when the project will be completed (see Board Policy No. 035 for project completion deadlines and other Competitive Grant Program Procedures). Closed projects should no longer show in the following year’s audit and any funds remaining must be returned to SANDAG (see instructions in Section III(A)(1)).
B. This section applies to funding allocated for the specified projects under the Local Street and Road Formula Program (Section 4(C) of Ordinance 87-1 and Section 4(D)(1) of Ordinance 04-01) and Transit Funding (Section 4(B) of Ordinance 87-1 and Sections 4(C)(1), 4(C)(3), and 4(C)(4) of Ordinance 04-01).

1. Completed projects: once a project is identified as completed and there are TransNet funds remaining with that project, the agency is required to transfer the unexpended principal balance to another TransNet-eligible project (projects included in the approved Program of Projects and in accordance with Section 2(C)(1) of the Ordinance 04-01 for Local Street and Road Formula projects) while the interest may be so transferred or pooled in accordance with Rule #6. The audit should make note to which project the principal funds will be transferred. Completed projects should no longer show in the following year’s audit.

2. Projects with negative balances: if a project ending balance is negative, then a footnote should be provided detailing the subsequent year’s intended action.

3. Inactive projects: if a project has had no activity over a period of two audits, other than interest earnings, the agency must either close out the project or note when the project will be completed. Closed projects should no longer show in the following year’s audit. Any remaining TransNet funds must be transferred to another TransNet-eligible project (projects included in the approved Program of Projects and in accordance with Section 2(C)(1) of the Ordinance 04-01 for Local Street and Road Formula projects).

4. Transfer of funds: any transfer of TransNet funds from one project to another requires the local agency to provide documentation that its governing body consents to the transfer proposed prior to or concurrent with the final issuance of the annual fiscal and compliance audit. Such documentation shall consist of a signed staff report or resolution. Transfers that require an amendment to the RTIP must follow the amendment process outlined in Rule #7. Transfers between Local Street and Road Formula projects are subject to Rule #18.

IV. Local Agency Balance Limitations

Based on the audit, an agency that maintains a balance of more than 30 percent of its annual apportionment (after debt service payments) must use the remaining balance to fund projects. SANDAG will defer payment until the recipient agency’s Director of Finance, or equivalent, submits to SANDAG a certification that the unused balance has fallen below the 30 percent threshold, and will remain below the threshold until such time that a new threshold is determined.

V. Annual Fiscal and Compliance Audit Report to the Board

Pursuant to the TransNet Extension Ordinance, beginning with the FY 2009 audits, ITOC is responsible for the annual fiscal and compliance audit of all TransNet-funded activities.

**Rule #18: Local Street and Road Program**

Adoption Date: June 23, 2006

**Amendment:** Amended July 24, 2009
As specified in Section 2(C)(1) of the Ordinance 04-01, at least 70 percent of the revenues provided for local street and road purposes should be used for congestion relief purposes and no more than 30 percent for maintenance purposes. Grade separation projects are identified in Section 2(C)(1) of Ordinance 04-01 as projects that qualify as congestion relief projects. Attachment 2 provides a set of guidelines to be used in the implementation of this 30 percent maintenance limitation beginning with the 2006 Regional Transportation Improvement Program (RTIP) update. These guidelines apply to the programming of all available local TransNet funding (annual formula funds and prior year original TransNet carry-over balances) beginning with July 1, 2008 (Fiscal Year 2008-09).

It is the intent of this Section that over the life of Ordinance 04-01, local agencies do not cumulatively use more than 30 percent of the revenues for maintenance-related projects.

**Rule #19: Conflict of Interest for ITOC Representatives**

**Adoption Date:** December 15, 2006

**Text:** The Board intends to make every effort to ensure the representatives selected to serve on the Independent Taxpayers Oversight Committee (ITOC) are free from any bias that would interfere with objective decision making by the ITOC. The Conflict of Interest section of the “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee for the TransNet Program,” which is part of the TransNet Extension Ordinance, states in part: “ITOC members shall not have direct commercial interest or employment with any public or private entity, which receives TransNet sales tax funds authorized by this Ordinance.” The Board interprets this language to impose the same level of restrictions on the ITOC representatives as those that apply to SANDAG Board members pursuant to California state law found at Government Code sections 87100 et seq. and 1090 et seq.

**Rule #20: Selection Procedures for ITOC Representatives**

**Adoption Date:** December 21, 2007

**Text:** The “Statement of Understanding Regarding the Implementation of the Independent Taxpayer Oversight Committee for the TransNet Program,” which is part of the TransNet Extension Ordinance, Section 3 under the heading “Membership and Selection Process” of that document states that a Selection Committee shall be established to select the ITOC members from the list of qualified candidates recommended by the technical screening committee. The Selection Committee is to consist of two members of the County of San Diego Board of Supervisors; the Mayor of the City of San Diego; and a mayor from each of the four subregions. It is the mayors from each of the subregions that are to select from among themselves to sit on the Selection Committee, not the representatives who sit on the Board who may or may not be a mayor. The members of the Selection Committee who are mayors from the subregions shall serve for a period of two years or until the designee no longer holds the office of mayor. At the end of this term, the mayors from the affected subregion(s) shall either inform the Clerk of the SANDAG Board that the same representative is being redesignated or identify the new mayor who they have selected to represent their subregion on the Selection Committee.
Rule #21: Accommodation of Bicyclists and Pedestrians

Adoption Date: February 22, 2008

Text: Adequate provisions for bicycle and pedestrian travel is determined within the context of the roadway type, its existing and planned surrounding land uses, existing bicycle and pedestrian plans, and current or planned public transit service. When addressing the access needs dictated by land use, the responsible agency must consider demand created by current and expected land uses (as determined by the local general plan) within the useful life of the TransNet project. The table Appropriate Bicycle and Pedestrian Accommodation Measures provides a guide to appropriate accommodation measures for each transportation facility type and land use context. In the table, “urban” means within the urbanized area as defined by U.S. Census Bureau.

<table>
<thead>
<tr>
<th>Context/Facility Type</th>
<th>Bicycle Measures</th>
<th>Pedestrian Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Urban Highway</td>
<td>• Required facility type will be based on the recommendations for any regional bikeway corridors in urban highway alignments developed through the 2007 Regional Bicycle Plan. Pending completion of this plan, appropriate bicycle accommodation will be developed on a project by project basis by local and regional authorities in consultation with appropriate stakeholders. • Freeways and freeway interchanges may not eliminate existing bikeways or preclude planned bikeways on local streets and roads.</td>
<td>• Continuous sidewalks and marked crosswalks through freeway interchanges where sidewalks exist or are planned on the intersecting roadway. • Where new freeway construction severs existing pedestrian access, grade separated pedestrian crossings with no more than 0.3 mile between crossings.</td>
</tr>
<tr>
<td>Transit Project</td>
<td>• Bicycle lockers and racks at stations sufficient to meet normal expected demand. • Bicycle access to all transit vehicles except those providing exclusive paratransit service to the disabled as required by the Americans with Disabilities Act. • Transit priority measures on roadways may not prevent bicycle access.</td>
<td>• Direct sidewalk connections between station platforms and adjacent roadway sidewalks. • Pedestrian crossings where a new transit way severs existing pedestrian access with no more than 0.3 miles between crossings.</td>
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### Appropriate Bicycle and Pedestrian Accommodation Measures

<table>
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<tbody>
<tr>
<td>Major Urban Street</td>
<td>• Class 2 bike lanes</td>
<td>• Continuous sidewalks or pathways(^2), both sides of the street with marked crosswalks at traffic controlled intersections. • ADA compliant bus stop landings for existing and planned transit service.</td>
</tr>
<tr>
<td>Urban Collector Street (design speed &gt;35 mph)</td>
<td>• Class 2 bike lanes</td>
<td>• Continuous sidewalks or pathways(^2), both sides of the street with marked crosswalks at traffic controlled intersections. • ADA compliant bus stop landings for existing and planned transit service.</td>
</tr>
<tr>
<td>Urban Collector Street (design speed ≤ 35 mph)</td>
<td>• Shared roadway. Where planned average daily motor vehicle traffic exceeds 6,500, the outside travel lane should be at least 14 feet wide.</td>
<td>• Continuous sidewalks or pathways(^2) both sides of the street. • ADA compliant bus stop landings for existing and planned transit service.</td>
</tr>
<tr>
<td>Urban Local Street</td>
<td>• Shared roadway</td>
<td>• Continuous sidewalks or pathways(^2) both sides of the street. • ADA compliant bus stop landings for existing and planned transit service.</td>
</tr>
<tr>
<td>Rural Highway</td>
<td>• Minimum 8-foot paved shoulder</td>
<td>• ADA compliant bus stop landings for existing bus stops.</td>
</tr>
<tr>
<td>Rural Collector Road</td>
<td>• Minimum 8-foot paved shoulder</td>
<td>• Not required with no fronting uses. • Paved or graded walkway consistent with community character on streets with fronting uses. • ADA compliant bus stop landings for existing bus stops.</td>
</tr>
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</table>
### Appropriate Bicycle and Pedestrian Accommodation Measures

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<tr>
<td>Rural Local Road</td>
<td>• Minimum 6-foot paved shoulder</td>
<td>• Not required with 85th percentile speeds ≤ 25 mph.</td>
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<td>• Paved or graded walkway consistent with community character on streets with</td>
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<td>fronting uses and 85th percentile speeds &gt; 25 mph.</td>
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<td></td>
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<td>• ADA compliant bus stop landings for existing bus stops.</td>
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1 Application of these accommodation measures is subject to sound planning and engineering judgment to ensure the facility is reasonable and appropriate within the land use and transportation context of the overall project.

2 Unpaved pathways of decomposed granite or other suitable material that are set back from the roadway where feasible would be considered appropriate only on roads serving areas that are rural in nature.

Where a local jurisdiction has a bicycle or pedestrian master plan adopted by the city council or Board of Supervisors and approved by SANDAG, the local agency may use that plan to determine the appropriate means of accommodating bicyclists and pedestrians in a given project and at a minimum provide the facilities called for in the plan. These plans must be updated and approved no less than every five years to qualify as a means of satisfying this provision.

**Best Available Standards.** All bicycle facilities must be designed to the standards established in the California Highway Design Manual, Chapter 1000. Bicycle parking facilities should conform to the guidelines established in the Regional Bicycle Plan adopted by SANDAG. Shared roadways on collector streets should have a curb lane or curb lane plus shoulder that measures at least 14 feet. Where parallel parking is in place, consideration should be given to installing the shared lane pavement marker. All sidewalks must be designed consistent with the design standards established in the AASHTO Guide for the Planning, Design, and Operation of Pedestrian Facilities, the Department of State Architect’s California Access Compliance Reference Manual, and the U.S. Department of Transportation ADA Accessibility Guidelines for Buildings and Facilities (ADAAG). Consistency with the design recommendations in SANDAG’s *Planning and Designing for Pedestrians* is encouraged.

**Bicycle and Pedestrian Accommodation in Reconstruction Projects.** Street and road reconstruction is the time to re-evaluate the function of a road and its context, and to reallocate the right-of-way if appropriate to meet the needs of bicyclists and pedestrians. An agency is not required to acquire additional right of way to improve bicycle and pedestrian access. However, the agency should consider reduced motor vehicle lanes and lane widths, and reduced median widths as a means of providing the appropriate bicycle or pedestrian facility. While such an evaluation is recommended for reconstruction projects of any size, compliance with these guidelines is required for “major” reconstruction projects meeting the definitions established under Rule 18 of SANDAG Board Policy No. 031 regarding the guidelines for implementing the “70/30” requirement.
When Provisions for Bicyclists and Pedestrians Accommodation May Be Excluded. Section 4(E)(3) is based on the premise that pedestrians and bicyclists need safe and convenient access to the same destinations as other users of the public right of way. Consequently, those portions of the transportation network where pedestrians and bicyclists need not be accommodated are the exception, and the decision not to provide for them in a construction or major reconstruction project must be made by the responsible agency for good cause such as severe topographic or biological constraints. Any impacts on the roadway’s motor vehicle capacity that result from providing for pedestrian and bicycle access would not, in themselves, justify excluding bicycle and pedestrian facilities. However, these impacts and their mitigation costs should be considered in determining if the cost of providing the facilities is disproportionate to the probable use.

This provision only requires an agency to provide appropriate bicycle or pedestrian facilities that are within the construction or reconstruction area of the project. Consideration of the provision of sidewalks as part of major rehabilitation roadway projects involving only new pavement overlays of 1-inch thickness or greater (see Rule 18 under Board Policy 031) on streets where sidewalks do not currently exist would only be required if curb, gutter, and related drainage facilities were already in place.

The cost of providing for bicycle and pedestrian access can vary significantly relative to the overall project cost. For this reason, specifying a proportional or absolute limit on spending for bicycle or pedestrian improvements relative to probable use would not allow the kind of discretion necessary to make a significant investment in facilities when necessary, or to withhold an investment when the benefits are marginal. Therefore, the decision to exclude accommodations for bicyclist and pedestrians must be a policy-level decision made by the Board or city council based on the body of information about context, cost, and probable use available at the time. Such a decision must be made in the public hearing required by Section 5(A) of the Ordinance.

Pedestrian Access. Sidewalks or other walkways may be excluded from a project when it can be demonstrated that there are no uses (including bus stops) that would create demand for pedestrian access. In making this determination, the agency must consider the potential for future demand within the useful life of the project. Access to and from public transit, including crossing improvements, also must be considered and accommodated where there is existing or planned transit service.

Bicycle Access. A new project or major reconstruction project may not include the expected bikeway treatment when a suitable parallel route with the appropriate accommodations exists that would require no more than ¼-mile total out of direction travel.

Procedures for Excluding Accommodations for Pedestrians and Bicyclists from Projects. When an agency determines not to include bicycle or pedestrian accommodations in a project because the cost of doing so would be excessively disproportionate to the need or probable use, the agency must include a notice of that decision in the notice of the public hearing required by Sections 5(A) and Section 6 of the Ordinance. In submitting the project to SANDAG for inclusion in the TransNet Program of Projects as part of the Regional Transportation Improvement Program (RTIP) process, the agency must notify SANDAG that bicycle and/or pedestrian facilities, as described in Table 1 or in its bicycle or pedestrian master plan, will not be included in the project along with written justification for that decision. The decision and justification is subject to review and comment by SANDAG through the Bicycle-Pedestrian Working Group, which would forward its
comments to the SANDAG Transportation Committee. The Independent Taxpayer Oversight Committee also would review and comment on such projects as part of its role in the RTIP process. The Transportation Committee in approving the TransNet Program of Projects must make a finding that the local decision not to provide bicycle or pedestrian facilities is consistent with the provisions of this Ordinance prior to approving the project for funding under the TransNet Program. If this consistency finding is not made, the agency would have the opportunity to revise its fund programming request for consideration in a future RTIP amendment.

**Effective Implementation.** This rule will be effective for projects added to the TransNet Program of Projects subsequent to their adoption by the SANDAG Board of Directors. Within three years of their adoption, the rule will be re-evaluated by SANDAG to ensure they are effectively encouraging provision of a balance transportation network without imposing an excessive cost burden on projects funded under the program.

**Rule #22: TransNet Extension Ordinance Maintenance of Effort (MOE) base level implementation guidelines**

**Adoption Date:** March 28, 2008

**Text:** Section 8 of the Extension Ordinance provides guidelines regarding the MOE base level calculation and implementation.

Section 8 of the Extension Ordinance states the intended purpose of the MOE requirement is to ensure that revenues provided from TransNet be used to augment, not supplant, existing local revenue. Some flexibility in accounting for spikes in expenditures would be consistent with the intent of ensuring that the local agencies do not supplant local funds with TransNet funds. Therefore, one-time expenditures that were a result of “banking” general fund monies and subsequently expending those funds during the base period Fiscal Years 2001 – 2003 may be isolated and removed so that the MOE is representative of a normal annual spending level, subject to review by the ITOC and approval by the Board of Directors.

In addition, the language in Section 8 of the Extension Ordinance states the MOE will be determined on the basis of “discretionary funds expended for street and road purposes...as was reported in the State Controller’s Annual Report of Financial Transactions for Streets and Roads.” The Extension Ordinance also states “the MOE also shall apply to any local agency discretionary funds being used for the other purposes specified under Section 4.” Based on this language, the MOE levels are to be established separately for each category in Section 4 of the Ordinance: major highway and transit congestion relief projects; transit programs to support seniors and disabled persons; specialized transportation services for seniors; monthly transit passes for seniors, disabled, and youth riders; transit operations; local streets and roads; habitat-related mitigation costs of local transportation projects; and the smart growth incentive program. The annual audits of the MOE expenditure requirement will report the expenditures for each of these separate categories.

**Rule #23: Application of TransNet Extension Ordinance Regional Transportation Congestion Improvement Program (RTCIP) Requirements**

**Adoption Date:** July 10, 2009

**Amendment:** Amended January 22, 2010, and November 19, 2010
A. Section 9 of Ordinance 04-01 provides that starting on July 1, 2008, each local agency in the San Diego region shall contribute $2,000 in exactions from the private sector, for each newly constructed residential housing unit in that jurisdiction to the RTCIP. Each agency is required to establish its own collection program, known as its RTCIP Funding Program. Each jurisdiction is required to either establish a new Fund for the RTCIP or to set up accounts specific to the RTCIP for tracking purposes. Interest earned on RTCIP revenues received by the jurisdiction must be allocated to the RTCIP Fund.

B. Local agencies, SANDAG staff, hired auditors, and the Independent Taxpayers Oversight Committee (ITOC) are subject to the timelines set forth in Rule #17, Section I (Fiscal and Compliance Audit Procedures) in this Board Policy, Ordinance 04-01, and the attachment to Ordinance 04-01 entitled “REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM” (RTCIP Attachment). Section 9 of Ordinance 04-01 states that any local agency that does not provide its “full” RTCIP contribution in a given fiscal year will not be eligible to receive funding for local streets and roads for the immediately following fiscal year. It further provides that any funding not allocated under 4(D)(1) as a result of this requirement shall be reallocated to the remaining local agencies that are in compliance with Section 9. This Rule #23 is intended to provide clarification regarding how this language will be implemented.

1. By June 30 of each year, which is the last day of SANDAG’s fiscal year, each local agency must record as revenue, the full amount of each RTCIP exaction due for any new residential unit subject to the RTCIP within its jurisdiction. This means that if the RTCIP exaction is not yet collected, the local agency should invoice, but does not need to collect all of the RTCIP exactions due in a given fiscal year by June 30. Each local agency may choose when the exaction is due, but in no event can the local agency allow a residential unit subject to the RTCIP to be occupied by a resident prior to receipt of the RTCIP exaction. The local agency must record the revenue in the fiscal year the exaction is due according to its Funding Program or when the revenue is received, whichever occurs first.

2. Section G(4) of the RTCIP Attachment states that each local agency shall have up to, but no more than seven years after receipt of the revenue to expend the revenues on Regional Arterial System or regional transportation infrastructure projects. To ensure consistency in implementation, this provision shall mean that the seven year term shall begin on the July 1 following the date on which the local agency recorded the exaction as revenue or received the revenue, whichever occurred first. If it is not spent within seven years it will be subject to the reallocation process in Section G(4) of the RTCIP Attachment.

3. Pursuant to Ordinance 09-01, which amended Ordinance 04-01, the audit reports for all RTCIP Funding Programs are to be completed by June of the fiscal year immediately following the end of the fiscal year being audited. If during the audit process it is determined that a local agency failed to collect the full amount of exactions due under its Funding Program, the local agency may cure the defect by recording the amount due as an account receivable for the fiscal year being audited and avoid losing its TransNet funding. If the local agency has already closed out its books for the fiscal year being audited by the time the RTCIP audit discloses the defect, the local agency may record the revenue and cure the defect in the current fiscal year in order to avoid losing its TransNet funding. The seven-year period discussed in Section B(2) of this Rule will commence from the fiscal year in which the revenue is recorded if this latter situation occurs.
4. The following exceptions will be permitted to the requirement that each local agency record as revenue, the full amount of each RTCIP exaction due for any new residential unit subject to the RTCIP within its jurisdiction by the June 30 deadline. These exceptions are permissible because the purpose of the RTCIP exactions is to mitigate residential traffic impacts on the regional transportation infrastructure. If a new unit subject to the RTCIP is not occupied this impact does not occur.

   a. If litigation, bankruptcy, or other similar situation occurs that delays occupation of a new residential unit pending resolution by the courts or another body assigned to resolve the dispute, and the local agency has invoiced, but been unable to collect amounts due under its Funding Program, the local agency may delay recording the account receivable until the outcome is known or the unit is occupied, whichever occurs first. The local agency shall provide documentation to the auditor establishing litigation, bankruptcy, etc. has occurred that has precluded the local agency from collecting the exaction.

   b. If a local agency records an RTCIP exaction as revenue and subsequently determines that the amount is uncollectible (i.e., the developer never completes the project or goes bankrupt), the local agency may write-off the RTCIP exaction until such time, if ever, the unit is occupied and subject to the RTCIP. The local agency shall provide documentation to the auditor establishing that the write-off was justified.

5. Due to the timeline for completion of RTCIP audits, it may be up to one year after the fiscal year being audited has ended before ITOC adopts a final report that includes a finding that a local agency failed to provide the full amount of RTCIP exactions due under its Funding Program. During this interim audit period, SANDAG will make the payments due to local agencies for local streets and roads pursuant to Section 4(D)(1) of Ordinance 04-01 in good faith by presuming that the audit will establish each local agency is in compliance. If, however, the audit establishes a local agency did not provide its full monetary contribution under the RTCIP and the local agency does not cure defects of which it was notified by the time the audit is finalized and adopted by the ITOC, then the local agency will have forfeited its Section 4(D)(1) contribution. Any amount paid to the local agency in the fiscal year following the year that was the subject of the audit will be retroactively owed to the Commission. SANDAG will deduct any such amount, with interest at the monthly Local Agency Investment Fund (LAIF) rate. This amount will be deducted from the local agency annual allocation during the next fiscal year in which the local agency is eligible for Section 4(D)(1) funding.

C. The purpose of the RTCIP’s requirement that each local agency have a Funding Program is “to provide additional revenue to fund those facility and service improvements on the Regional Arterial System necessitated by development of newly constructed residences.” If a new unit will have a lower impact on the Regional Arterial System (RAS) than a typical residential unit, then it is unlikely to necessitate facility and service improvements on the RAS. The Board has determined that a nursing home, home for the aged, assisted living facility, or similar institutional unit (“institutional unit”) is not the type of unit the RTCIP was intended to cover. Local agencies are not required to charge for a new institutional unit for purposes of compliance with the Ordinance’s RTCIP Funding Program requirements when the local agency
documents that it has made the following findings prior to issuance of a final certificate of occupancy:

1. The individual unit\(^1\) will not have both a bathroom and permanent built-in kitchen facilities equipped with a cooking range, refrigerator, and sink; and

2. The principal reason a person will live in the unit is because the person needs medical and/or nursing care; and

3. The unit will cause a lower impact on the RAS than a typical residential unit in a similar location; and

4. The local agency has required that the developer agree that the unit in substance will be used as health care facility rather than as a residence.

D. Section G(2) of the *TransNet Extension Regional Transportation Congestion Improvement Program*, as amended on July 24, 2009, states that ‘each jurisdiction must submit its Funding Program documents, including an expenditure plan and financial records pertaining to its Funding Program, to the Independent Taxpayer Oversight Committee for a review and audit by December 1 of each year beginning December 1, 2009.

\[\]

\(^1\) All references to “unit” in these criteria are intended to apply to an individual living unit, not the institutional facility as a whole.

Adopted: February, April, and May 1988; August 1989; March, July, and November 1990; October 1992; September and November 2005

Amended: June and December 1990; February 1991; November 2005; December 2006; December 2007; February 2008; March 2008; September 2008; July 2009; January and November 2010; February and July 2012; October 2013; and January 2017
# Attachment 1

*FY 1988 Base Year Statistics*  
*(for use in TransNet Ordinance Rule #8)*

Metropolitan Transit Development Board (MTS) Area

<table>
<thead>
<tr>
<th>Fund Source</th>
<th>Operator/Service</th>
<th>Vehicle Service Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 4.0</td>
<td>Chula Vista Transit</td>
<td>559,734</td>
</tr>
<tr>
<td></td>
<td>National City Transit</td>
<td>276,303</td>
</tr>
<tr>
<td></td>
<td>County Transit System:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Suburban Service</td>
<td>646,904</td>
</tr>
<tr>
<td></td>
<td>Rural Bus</td>
<td>170,953</td>
</tr>
<tr>
<td></td>
<td>Poway Fixed Route</td>
<td>313,425</td>
</tr>
<tr>
<td></td>
<td>San Diego Transit</td>
<td>10,473,323</td>
</tr>
<tr>
<td></td>
<td>San Diego Trolley</td>
<td>1,033,084</td>
</tr>
<tr>
<td></td>
<td>Strand Express Agency</td>
<td>400,738</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>13,874,464</td>
</tr>
</tbody>
</table>

| Article 8   | County Transit System:              |                       |
|-------------|-------------------------------------|                       |
|             | Express Bus                         | 189,276               |
|             | Total                               | 189,276               |

| Article 4.0 | Dial-A-Ride                          |                       |
|-------------|--------------------------------------|                       |
|             | El Cajon Express                     | 308,331               |
|             | La Mesa Dial-A-Ride                  | 251,516               |
|             | Lemon Grove Dial-A-Ride              | 62,090                |
|             | County Transit System:              |                       |
|             | Poway Dial-A-Ride                    | 23,030                |
|             | Poway Air Porter                     | 103,925               |
|             | Spring Valley Dial-A-Ride            | 73,298                |
|             | San Diego Transit DART               | 309,370               |
|             | Total                                | 1,131,560             |

<table>
<thead>
<tr>
<th>Article 4.5</th>
<th>Chula Vista Handytrans</th>
<th>2 128,807</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>County Transit System – WHEELS</td>
<td>219,906</td>
</tr>
<tr>
<td></td>
<td>National City Wheels</td>
<td>15,159</td>
</tr>
<tr>
<td></td>
<td>Poway Call-A-Ride</td>
<td>60,156</td>
</tr>
<tr>
<td></td>
<td>San Diego Dial-A-Ride</td>
<td>1,149,541</td>
</tr>
<tr>
<td></td>
<td>Total</td>
<td>1,573,623</td>
</tr>
</tbody>
</table>

| MTDB (MTS) Area Total | 16,768,923 |
North County Transit District

<table>
<thead>
<tr>
<th>Fund Source</th>
<th>Operator/Service</th>
<th>Vehicle Service Miles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Article 4.0</td>
<td>NCTD Fixed Route</td>
<td>7,651,408</td>
</tr>
<tr>
<td>Article 4.0</td>
<td>NCTD FAST</td>
<td>126,744</td>
</tr>
<tr>
<td>Article 4.0</td>
<td>Total</td>
<td>7,778,152</td>
</tr>
<tr>
<td>Article 4.5</td>
<td>NCTD Lifeline</td>
<td>386,680</td>
</tr>
<tr>
<td>Article 4.5</td>
<td>Total</td>
<td>386,680</td>
</tr>
</tbody>
</table>

NSDCTDB (NCTD) Area Total 8,164,832

REGIONAL TOTAL 24,933,755
The TransNet Ordinance requires that at least 70 percent of the revenues provided for local street and road purposes should be used to fund direct expenditures for facilities contributing to congestion relief. No more than 30 percent of these funds should be used for local street and road maintenance purposes. The required multi-year Regional Transportation Improvement Program (RTIP) project lists submitted by local agencies that are found to be out of compliance with this requirement will not be approved. Local agencies may request an exception to this requirement and must provide justification for such a request as part of its project list submittal.

The following table categorizes and lists the more typical types of facilities that are considered to contribute to congestion relief. For other facilities not listed, it must be demonstrated that congestion relief can be obtained before the project can be considered part of the 70 percent Congestion Relief category. Maintenance costs of items listed in the 70 percent Congestion Relief category are eligible under the 30 percent category. Facilities that are not considered to contribute to congestion relief (Items 28-30) are eligible under the 30 percent category.

<table>
<thead>
<tr>
<th>Congestion Relief (at least 70%)</th>
<th>Maintenance and Non-Congestion Relief (no more than 30%)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>New or Expanded Facilities</strong></td>
<td>- Lane removal for bike lanes</td>
</tr>
<tr>
<td>1. New roadways and bridges</td>
<td>- Pavement overlay (less than 1 inch)</td>
</tr>
<tr>
<td>2. Roadway and bridge widening</td>
<td>- Pot hole repair, chip seal, fog seal, crack seal</td>
</tr>
<tr>
<td>3. Roadway widening for bike lanes</td>
<td>(except when part of roadway rehabilitation project)</td>
</tr>
<tr>
<td><strong>Major Rehabilitation and Reconstruction</strong></td>
<td>- Roadway realignment that does not increase roadway capacity</td>
</tr>
<tr>
<td>4. Roadway rehabilitation (grinding and overlay, or new structural pavement, or new overlay 1-inch thick or greater)</td>
<td>- Bridge replacement for aesthetic purposes</td>
</tr>
<tr>
<td>5. Roadway realignment</td>
<td>- Minor drainage improvements not part of a congestion relief project</td>
</tr>
<tr>
<td>6. Bridge retrofit or replacement</td>
<td></td>
</tr>
<tr>
<td>7. Roadway drainage improvements for the purpose of improving capacity-impeding conditions such as significant and frequent roadway flooding</td>
<td></td>
</tr>
<tr>
<td>8. New sidewalk or sidewalk widening</td>
<td></td>
</tr>
<tr>
<td><strong>Traffic Operations</strong></td>
<td>- Stand-alone landscaping project of an existing median</td>
</tr>
<tr>
<td>9. Median installation for safety improvement or left-turn movement</td>
<td>- Traffic signal replacement, bulb replacement, hardware, software, inductive loop repair</td>
</tr>
<tr>
<td>10. New traffic signal, passive permissive left turn (PPLT) installation, signal removal for congestion relief reasons, traffic signal upgrades, intersection lighting</td>
<td></td>
</tr>
<tr>
<td>11. Traffic signal coordination</td>
<td></td>
</tr>
<tr>
<td>12. Traffic signal interconnection</td>
<td></td>
</tr>
<tr>
<td>13. Centrally controlled traffic signal</td>
<td></td>
</tr>
<tr>
<td>Congestion Relief (at least 70%)</td>
<td>Maintenance and Non-Congestion Relief (no more than 30%)</td>
</tr>
<tr>
<td>---------------------------------</td>
<td>-------------------------------------------------------</td>
</tr>
<tr>
<td>optimization system</td>
<td>Light bulb replacement</td>
</tr>
<tr>
<td>14. Traffic surveillance or detection system (video)</td>
<td>Bus-only lanes that do not provide congestion relief</td>
</tr>
<tr>
<td>15. Traffic data collection system for performance monitoring purposes (in pavement detection, radar)</td>
<td>Non-Congestion Relief</td>
</tr>
<tr>
<td><strong>Smart Growth-Related Infrastructure</strong> *</td>
<td></td>
</tr>
<tr>
<td>16. Traffic calming measures</td>
<td>28. Erosion control (unless required as part of a congestion relief project)</td>
</tr>
<tr>
<td>17. Pedestrian ramps</td>
<td>29. Landscaping (unless required as part of a congestion relief project)</td>
</tr>
<tr>
<td>18. Pedestrian traffic signal activation</td>
<td>30. Roadway signing and delineation (unless it is a congestion relief project)</td>
</tr>
<tr>
<td>19. Pedestrian crossings/overcrossings</td>
<td></td>
</tr>
<tr>
<td>20. Buffer area between sidewalk and street</td>
<td></td>
</tr>
<tr>
<td>21. Pedestrian roadway lighting</td>
<td></td>
</tr>
<tr>
<td><strong>Transit Facilities</strong></td>
<td></td>
</tr>
<tr>
<td>22. New bus stops</td>
<td></td>
</tr>
<tr>
<td>23. Bus stop enhancements</td>
<td></td>
</tr>
<tr>
<td>24. Bus-only lanes</td>
<td></td>
</tr>
<tr>
<td>25. Queue jumper lanes for buses</td>
<td></td>
</tr>
<tr>
<td>26. Traffic signal priority measures for buses</td>
<td></td>
</tr>
<tr>
<td>27. Transit operational costs for shuttle and circulator routes</td>
<td></td>
</tr>
</tbody>
</table>

Note: Staff costs for congestion relief project development (environmental, preliminary engineering, design, right-of-way acquisition, and construction management) are eligible expenditures under the 70 percent category. Staff costs for transportation infrastructure maintenance or traffic operations efforts are eligible under the 30 percent category. Costs for general TransNet fund administration and transportation planning are eligible up to 1 percent of annual revenues.

*To receive credit for providing congestion relief under the 70 percent category, smart growth-related infrastructure must be provided in one of the existing or planned (not potential) seven Regional Comprehensive Plan smart growth land use type characteristic areas: Metropolitan Center, Urban Center, Town Center, Community Center, Transit Corridor, Special Use Center, or Rural Community. Smart growth-related infrastructure built outside of one of the seven types of characteristic areas is eligible under the 30 percent category.