



Comments on New Jersey Transit's Draft TOD Policy Statement

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New Jersey Future commends New Jersey Transit for prioritizing transit-oriented development (TOD) and releasing a draft policy statement for public comment. We endorse the draft policy overall and offer focused comments and recommendations to improve its effectiveness. These are organized by the sections of the policy statement and are followed by more general comments and observations.

Comments on the Draft Policy Statement, by Section

I. Purpose Section

- When creating value around stations, it is important not to displace current residents. The purpose statement to “increase affordable housing and diversify housing types close to transit” should include language to minimize and mitigate displacement of current residents through the development by NJ Transit of effective anti-displacement policies in partnership with host communities that include mechanisms that allow existing residents to remain in their neighborhoods when new market-rate development puts upward pressure on rents and on property tax bills for those who own their homes.
- Redevelopment is a great opportunity to facilitate growth while optimizing existing infrastructure. A purpose statement should be added: “Prioritize redevelopment whenever possible.”
- The list of benefits should include reducing the length of trips that are still taken by car. A 10% reduction in average trip length, for example, would produce the same reductions in VMT (vehicle-miles traveled) and greenhouse gas emissions as electrifying 10% of the vehicle fleet or replacing 10% of driving trips with transit. Compact TOD involves putting destinations closer together, which reduces the amount of travel required between them, including car trips.
- Similarly, the list of benefits should include increased safety for pedestrians, cyclists, and drivers alike, which TOD areas can facilitate through pedestrian-friendly street improvements—narrower lanes, on-street parking, and other complete streets and traffic-calming measures. Some trips in TOD areas will still be taken by car, but safer trips on well-designed local streets are especially important for older drivers.

II. Goals and Objectives

1. Ridership

- Establishing a goal to “increase ridership outside of traditional commuter patterns” is important, and you may even want to strengthen the focus on

this, given the drop in work-related transit ridership in the wake of COVID and the subsequent rise in remote work. In this new environment, transit agencies are having to reevaluate what types of trips are most likely to be taken by transit, at what times of day, and by whom. Answers to these questions will inform strategies for which land uses make the most sense to locate near transit.

2. Complete Communities

- The complete communities goal provides a great opportunity to implement complete and green street policies emphasizing both age-friendly and climate-resilient enhancements. Perhaps this goal should explicitly include language about complete streets, i.e. making sure local streets are designed in such a way as to make sure that density and mixed uses actually translate into accessibility and walkability. Facilitating access without needing a car involves making sure that non-car options are safe and comfortable, and this is less a function of the specific destinations being located near transit and more of a function of the spaces connecting those destinations. Additionally, language about green streets, such as green infrastructure improvements, should be included to address climate resilience in communities. [Note that complete streets policies are mentioned in Implementation Action 3.c as one of the criteria for choosing municipalities to work with, and similarly in Supportive Policy #12 on p.7, “Coordination with Local Jurisdictions”.]

3. Transportation Choices

- We endorse the goal of “creating safe, complete, direct, varied, redundant, ADA-compliant and well-appointed routes for active modes of transportation near and around transit stations” as critical to the success of TOD projects. Accessible and safe active transportation infrastructure is needed for community members to get to and from the transit station without driving.
- This goal should not limit itself to active transportation modes but should also recommend that driving trips be made shorter and safer for those trips that are still taken by car (including, for example, by older people who can’t walk very far but who don’t want to drive on busy multi-lane roads for every trip purpose). The criteria mentioned in Section 3.b could also help make car trips shorter (and in some cases, can also help make them safer by lowering speeds). Goal 3.b could be reworded as “Create a network of streets and other paths that offer access routes to transit and to other transit-adjacent destinations that are safe, direct, redundant, ADA-compliant, and well-appointed for all users and all modes of access, including both driving and active transportation modes.”

5. Sustainability

- Language should be added to the sustainability goal to emphasize and require green building practices and green infrastructure enhancements.

6. Value Capture

- NJ Transit’s goal for value capture must be explicitly stated to have a long-term time horizon. Otherwise, in many cases, it will override the

agency's primary goal to expand TOD. For example, current surface parking lots generate revenue, which in the short term may be greater than net revenues from real estate development, including expenses such as site remediation, construction of expensive structured parking lots, and other real estate development costs. In such situations, a short-term priority for value capture from surface parking lots would preclude the possibility of redevelopment, even though the development will add greater value, and value capture, over the long term, not to mention generating significant new ridership.

7. Community Engagement

- The policy should encourage meaningful and inclusive engagement of the local community from the design/planning phase to the outcome phase of prospective projects. Community engagement should build on existing and relevant community engagement efforts beyond traditional partners. This can be done by identifying and leveraging community assets/anchor institutions such as but not limited to libraries, places of worship, community centers, hair salons, grocery stores, etc, as part of a meaningful, inclusive community engagement process.
- The community engagement policy should also ensure community accessibility needs inform the community engagement outreach process and represent the community diversity of the area where the project is being considered. This can include but is not limited to linguistic accessibility of materials, outreach events held in accessible locations, providing translation services during community engagement events, etc.
- At the same time, the policy should be careful not to put too much emphasis on community input, since in some places existing residents might be resistant to efforts to increase density, eliminate surface parking, or other aspects of TOD. Resistance among existing neighbors should not be allowed to override broader goals or to keep future residents out.

III. Implementation Actions

A. Internal Actions

1. Define TOD performance measures for assessing TOD program success and informing future program actions.

- The policy should specify whether these performance measures will pertain only to NJ Transit-owned properties or if they will be designed to assess the success of TOD efforts more broadly. We recommend that at least some of the metrics be oriented toward tracking the success of TOD more generally (with indicators related to both transit ridership and land uses surrounding stations) since feedback about the entire system and its relationship to travel behavior will inform decisions about individual stations and properties,
- For metrics designed to measure TOD progress more broadly, ferries and ferry terminals and PATH and PATCO stations should be included when assessing the success of TOD programs, even though not owned by NJ Transit.

2. Develop a system to prioritize TOD real estate development.

f. Physical/geographic constraints

- Environmental elements and climate risks must be considered when identifying locations for TOD projects, including projected sea-level rise and future flood risks.

3. Create ridership, housing, and job targets for all place types (described in the [Transit Friendly Planning Guide](#), place types relate to density around rail, light rail, and bus facilities) across the system.

- It is unclear if NJ Transit means to establish target numbers for each individual station area, or if target densities (expressed in per-capita or per-acre terms) will be developed for each category. Assigning targets on a town/station basis may be too prescriptive, subjective, and time-consuming. The Transit-Friendly Planning Guide currently characterizes densities, for example, for the five place types in qualitative terms but does not set specific quantitative targets for them. We recommend building on the typology in the Guide to develop targets that pertain to place types rather than individual stations.

B. Collaborative Actions

10. Formulate a NJ TRANSIT Equitable TOD Policy with input from internal and external stakeholders.

- The equitable TOD policy should include or call for the development of equity performance measures to assess the social impact of TOD projects and programs.

13. Strengthen relationships with public agencies....

- This is an important recommendation, especially regarding the relationship between NJ Transit and the NJ Department of Transportation (NJDOT). As just one example, NJ Transit should coordinate its TOD projects with NJDOT's "transit village" grant recipients. Coordination between NJ Transit and transit village grant recipients will provide the awarded municipalities with the necessary capacity and resources to prepare for future TOD projects. However, NJ Transit cannot implement this recommendation on its own. See our final recommendation under our "General comments" below.

IV. Supporting Policies

A. Community Design

2. Affordable Housing

- It is important for TOD to include and emphasize the importance of including affordable housing units. That said, we agree with the draft policy statement that there are situations when affordable housing goals should be secondary. However, the statement must be made more specific. We recommend you replace this sentence in paragraph 3, "*Moreover, there may be similarly compelling benefits that mitigate the decision to forego prioritization of affordable housing goals to realize other beneficial objectives on these particular sites.*" with the following: "*Moreover, in lower-income communities there may be ~~similarly~~ compelling benefits that*"

*mitigate the decision to forego prioritization of affordable housing goals to realize other beneficial objectives on these particular sites and to **not concentrate poverty.***”

3. Parking & Transportation Demand Management (“TDM”)

- Electric vehicle (EV) charging stations should be required where commuter parking is included.
- This would be an excellent opportunity to institute a data collection effort and compare notes with the Rutgers Center for Real Estate about parking usage rates and how they relate to unit size, household income, distance from transit, etc.

General Comments on NJ Transit’s TOD Policy Statement

New Jersey Future commends New Jersey Transit for drafting its TOD policy statement. We also want to take the opportunity to highlight a few of the areas where NJ Transit will need support from other state agencies, the Governor, and the Legislature to achieve its goals:

1. TOD areas near busy transit stations are “areas of statewide significance.” Unfortunately, in some places, municipal ownership of land and/or municipal zoning prevents transit-oriented development. The Legislature should consider incentives for municipalities and zoning reforms used in other states to ensure the adoption of the land use plans and zoning necessary to enable TOD to proceed.
2. Many of NJ’s underutilized transit-station areas are surrounded by surface parking. In these locations, creating space for TOD may involve building structured parking if existing parking capacity needs to be retained. Unfortunately, in weak real estate markets, developer’s profit margins may be inadequate to absorb the cost. The NJ Economic Development Authority and the Legislature should work together to find ways to provide subsidies to offset the cost of building structured parking to enable TOD to proceed in weak real estate markets.
3. NJ Transit rightly calls for measures to make TOD areas safe for pedestrians. Unfortunately, local street design is a decentralized process involving many factors, most of which are not under NJ Transit’s control. For example, where state highways abut or are near train stations, the NJDOT controls street design and the ability to add pedestrian safety features. But even on streets that are under the jurisdiction of the host municipality, features like lane width, crosswalks, sidewalks, traffic-signal timing, presence of on-street parking, street furniture, etc. that affect pedestrian safety and comfort depend on decisions made by local governments based on a range of regulations and resources, including the Residential Site Improvement Standards, the AASHTO Roadside Design Guide, the federal government’s Manual of Uniform Traffic Control Devices, and local and state Complete Streets policies. Some of these are mandatory, while others are merely advisory but treated as the default practice. The Governor and the appropriate state agencies should work together to provide a mechanism to ensure that the safety and design goals of this policy are prioritized within state agencies like the NJDOT, including state agency actions and policies that influence the decisions that are ultimately made by

local government.

4. In section B. (13), NJ Transit correctly recommends that it “strengthen relationships with public agencies,” which are critical to the success of its TOD policy. But NJ Transit cannot accomplish this on its own; it requires support from the governor’s office to facilitate inter-agency coordination. We recommend that the Governor issue an Executive Order that can describe and ensure the inter-agency coordination needed to implement the goals of this policy.

We thank you for considering these comments and look forward to working with NJ Transit to advance TOD. Please contact Chris Sturm, New Jersey Future’s Policy Director, Land Use, at csturm@njfuture.org with any questions.