

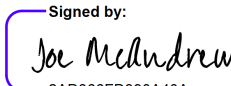


Supporting Document: MDOT 657.1

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Signed by:

 Approved by: _____
 2AD366FD300A40A
 Assistant Secretary for Project Development and Delivery

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Joint Development Principles

A. MDOT will evaluate Joint Development proposals and the Development Plan based on the following joint development principles. While the below points are all important priorities, specific joint development opportunities may place greater emphasis on selected priorities based on context and needs. In each respective Joint Development project, MDOT will specify which elements will receive greater emphasis over others as outlined within the Joint Development solicitation.

- 1. Transit Integration** - Proposed development must consider integration with the transit serving the proposed Joint Development site. This not only includes any rail station or bus stop but also connecting other modes to the site. Ensuring connectivity and universal accessibility to all the on-site or adjacent transit modes should be fundamental to any Development Plan. If present, different transit modes should be located as close together as possible to facilitate efficient intermodal connections.
- 2. Replacement Facilities** - When transit facilities are modified or replaced as part of a Joint Development project, MDOT will seek to right-size, modernize, and improve station access as part of the project. In evaluating the scope and size of replacement of transit facilities affected by Joint Development, the proposed Joint Development plan should take into account:
 - i. The future need of the transit facilities based on the existing and projected number of boardings and alightings at the Transit station, estimated number of new transit riders resulting from Joint Development; and estimated ridership from new development reasonably expected within the half-mile walkshed of a Transit station;
 - ii. Avoidance of unreasonable impacts to transit operations, service, vehicular and passenger flow, and customer experience;
 - iii. Cost effectiveness and life-cycle costs for facilities and operations; and,
 - iv. Long-term asset management plan(s) for MDOT's facilities.

MDOT may consider reducing the replacement of existing facilities based on projected changes in ridership, access needs, and long-term multimodal strategy. Any such proposal to reduce the quantity of a replacement facility (e.g., a reduction in parking spaces) must be supported by a comprehensive justification that includes, but is not limited to:

- i. The financial case, which considers the combined projected revenue from Joint Development (e.g., ground lease payments, participatory rent, etc.)



and any revenue increases generated by induced ridership from the joint development.

- ii. The strategic case, including alignment with MDOT's goals, objectives, and principles.
- iii. The economic case, such as broader community benefits, state and local tax generation impacts, and the private investment enabled by the joint development project.
- iv. The operational case, ensuring that multimodal access is maintained and that users can continue to access transit conveniently via other modes (e.g., biking, walking, bus, drop-off).

In all cases, proposals to reduce replacement facilities (e.g., fewer parking spaces than currently exist) must demonstrate that the total projected financial and non-financial benefits outweigh the value or utility of maintaining existing facility levels.

3. **Density and Mix of Uses** - Proposed Development Plans must reflect a level of density that will drive transit ridership and activity for the site. MDOT encourages that density levels be at the higher range of allowable density in the applicable land use or zoning requirements. Projects should allow for a mix of uses, with specific priority given to residential use, while also providing appropriate commercial use and other amenities that not only support activity within the station area but also draw transit riders. MDOT discourages automobile-dependent uses (e.g., vehicle repair businesses, drive-thrus, etc.). In such cases where MDOT's Joint Development goals related to density and uses may be feasible, but may conflict with local zoning, MDOT may seek to establish the applicable development requirements through an approved TOD Plan as authorized pursuant to Maryland Land Use Article § 4-104.
4. **Housing** - Ensuring that Joint Development projects provide residential components that advance State housing goals, including affordable housing as feasible, is a key priority for MDOT. Given the diversity of markets and jurisdictional goals in the State, MDOT does not establish specific affordability targets in this document, however providing affordable units is a priority. MDOT will seek and evaluate affordability targets for any development proposal and subsequently work with the Joint Development partner, the Department of Housing and Community Development (DHCD), and the local jurisdiction to ensure that any Development Plan and subsequent build-out include a meaningful component of affordable units while maintaining the financial feasibility of the project.
5. **Parking** - MDOT is looking for a rationalized and efficient approach to parking. Providing rationalized parking is a critical component to successful TOD. The joint development project should not provide parking over what is minimally needed for the site. Development Plans must consider several factors when planning for parking on Joint Development sites. These factors include:
 - i. The amount of parking required to support transit ridership, and the initial location(s) for where that parking may be located will be determined pre-



solicitation and may be provided as part of the Joint Development Solicitation, if applicable.

- ii. The amount and location of parking provided for the development must consider the type of transit service serving the site. If the transit serving the site is a high-capacity transit service, MDOT expects a lower provision of parking to support the development. Joint development sites should target a ratio of less than 1 space per unit. However, if the site is served by lower frequency service or within suburban or rural areas, additional parking for development may be required and a 1 space per unit ratio could be justifiable. Pursuant to Maryland Land Use Article § 4-104, local jurisdictions are unable to enforce minimum parking requirements in certain areas. In such areas where the law is applicable to MDOT, Baltimore City, or WMATA land, the Applicable Public Landowner will coordinate with its development partners to ensure that a reasonable, market driven and transit-supportive amount of parking is provided to serve the site's development program. In other areas where parking minimums may be enforceable, MDOT will seek to coordinate with local jurisdictions prior to solicitation to reconcile zoning regulations that require minimum parking ratios above target levels conducive of TOD.
- iii. Location of parking facilities should give priority to bus, pick-up & drop-off, micromobility, and pedestrian facilities.
- iv. Opportunities for shared and/or structured parking are preferred, so long as they do not negatively impact passenger or vehicular traffic flow, safety, transit operations, and lifecycle costs. Such approaches should be considered and proposed by the Joint Development partner for MDOT's review and approval, if not specified as part of the Joint Development solicitation.
- v. In all cases, parking for the private development should not negatively impact flow or accessibility to the Transit Station and meet [MTA's Designing for Transit: Transit-Oriented Development Guidelines](#).

6. Land Value Investment - MDOT will seek to achieve fair market value of real property in all joint development transactions. The fair market value of real property will be determined through consultation with real estate advisory firms and/or qualified third-party appraisers. MDOT will contemplate offsets to land value and/or ground rent to achieve the goals, objectives, and principles of the Joint Development project or to fund public improvements such as transit facilities as needed based on a case-by-case basis. Any proposed reduction in fair market value must demonstrate that the value of the public asset contributed to the joint development is equal to or greater than the fair share of the costs of the joint development project, or that MDOT will receive benefits (including non-monetary) equal to or greater than FMV. MDOT may also seek to participate in any monetization opportunities as a result of the Joint Development project.

7. Operations and Maintenance Costs - MDOT will seek to allocate operations and maintenance responsibilities associated with parking, open space, stormwater



management, landscaping, cleaning, general maintenance, snow and ice removal, and graffiti removal to the Joint Development partner, or an approved designee, in a manner that is consistent with applicable MDOT Modal standards and does not increase MDOT's administrative burden.

8. **Electric Vehicle Charging Facilities** - Wherever possible, Joint Development projects should provide electric vehicle charging as part of a parking program for transit customers, the requirements of which will be outlined within the Joint Development solicitation. Providing charging stations promotes the use of electric vehicles and is a major step towards achieving the State's climate goals and clean vehicle mandates. Where practical, a parking program should incentivize electric vehicle use by allocating priority parking spaces (such as those immediately adjacent to transit station entrances, or multiple spaces on the ground level of a parking garage) for electric vehicle charging with compliant signage indicating the designated electric vehicle charging spaces. Joint Development proposals should consider the necessary infrastructure for electric vehicle charging stations, such as electric grid capacity for both near-term installations as well as future proofing for future installations. Note that the Americans with Disabilities Act requires provision of a "reasonable number" of accessible electric vehicle charging stations in an electric vehicle parking facility but does not specify an exact number or ratio. Where a requirement for the number of accessible electric vehicle charging stations exists, developers must provide at least that minimum number. Developers should reference federal and state guidelines for further guidance on the provision and design of accessible electric vehicle parking or to the local authority having jurisdictions standards and specifications.
9. **Micromobility Facilities** - A primary TOD outcome is to reduce car-dependence and promote multi-modal options; Joint Development projects are encouraged to incorporate facilities that promote micromobility access for bicycle and scooter travel. These amenities include protected shared use paths and connections to the local transportation system as well as secure and dedicated parking with electric charging stations for e-bikes and scooters which will be defined within the Joint Development solicitation. Joint Development projects should include micromobility facilities as identified in the local jurisdiction's bicycle and pedestrian master plans, bicycle and pedestrian priority action plan, comprehensive plans, standards, and specifications. Developers should refer to the [MTA's Designing for Transit: Transit-Oriented Development Guidelines](#) for further guidance on bicycle and scooter parking. To determine an appropriate bicycle facility, please reference Appendix D: Bicycle Facility Selection Guide of the [2050 Maryland Bicycle & Pedestrian Master Plan](#).
10. **Site and Area Connectivity Improvements** - The Development Plan for Joint Development projects should promote convenient, accessible intermodal access to the transit service. What this means in practice will depend on site context, though it could include:
 - i. Parking garages, pick-up and drop-off areas, and micromobility facilities should be located proximate to the station and transit facilities but give deference and space for overall pedestrian flow, public spaces and



wayfinding to the station for all users. Pedestrian pathways should be safe and direct to walk from the parking facility to the station platform or other transit boarding area.

- ii. Passengers with limited mobility should have an accessible, direct route to transit service entrances with limited detours.
- iii. Infrastructure should, to the extent possible, not interrupt the flow of people to and from the transit station.

Joint Development projects are a significant investment with potential community-wide impacts. Pedestrian and cyclist infrastructure built as part of a Joint Development project can serve as a foundation for further sidewalk and bike lane networks, for instance. MDOT will seek to collaborate with local jurisdictions, using Joint Development projects as a catalyst to achieve pedestrian, cyclist, and other “alternative mobility” goals, and advance pedestrian, cyclist, and other alternative mobility infrastructure projects laid out in local comprehensive plans, pedestrian/bike plans, “Vision Zero” plans, and other similar local planning documents. Some Joint Development projects may require roadway capital projects or improvements in State-owned rights-of-way. In such cases, these improvements must adhere to [MDOT 750 Complete Streets Policy](#) and such requirements will be outlined within the Joint Development solicitation.

11. Urban Design, Placemaking, Wayfinding, and Branding/Identity - In general, a Joint Development project should aim to provide superior urban design and connectivity to all modes of transit serving the site. Plans should adhere to the urban design principles laid out in [MTA's Designing for Transit: Transit-Oriented Development Guidelines](#). Joint Development projects should also adhere to any applicable local urban design guidelines. The branding, marketing, and identity of Joint Development projects – both development and wayfinding elements – should have a direct relationship to the transit station on which they are centered. For example, developers could incorporate the name of the transit station into the name of development projects where practical. The aim is for the development to promote and encourage its relationship to the modes of transit which serves that project. Wayfinding elements should clearly and prominently guide both pedestrians and drivers – whether they are area residents, workers, or visitors – to key station area assets including but not limited to the transit station, retail and other activity centers, and any public services and open space. Wayfinding elements can include signs, lighting, and surface finishes that promote legibility of the public realm. They should have a consistent visual identity (e.g., typefaces, colors) across separate wayfinding elements such that visitors to an area are able to easily identify them.

12. Public Space - MDOT aims to enhance and expand public space in communities through its Joint Development program. Developers may be required to construct or improve public spaces as part of a Joint Development project. These requirements will be outlined in the Joint Development solicitation and may include elements such as parks, plazas, squares, sidewalks, and shared-use paths. MDOT's priority is that public spaces created through Joint Development are welcoming, safe, and vibrant, serving the joint development, broader TOD, and the



community. To support placemaking and reinforce the role of the station as a community anchor, developers should prioritize locating required open space near or adjacent to station entrances to create an active and enticing focal point. To minimize long-term costs to the State, public spaces should be conveyed to the local jurisdiction or operated and maintained by the Joint Development partner, or an approved designee such as the ground lessee, homeowners' association, or residents' association. Public space design must not obstruct access to the station or impede clear sightlines and should comply with the standards and specifications of the authority having jurisdiction. When new public spaces are proposed, developers are expected to coordinate closely with MDOT, MTA, and local jurisdictions to define programming and activation plans, and to establish clear roles and responsibilities for ongoing operations and maintenance.

13. Phasing and Implementation - Joint Development project phasing will typically involve the upfront or concurrent completion of infrastructure projects, followed by vertical development. However, MDOT will consider alternative Joint Development project phasing that balances the ongoing needs of transit riders with the market viability of vertical development. Any construction activities should minimize disruption to the transit operations. Any disruptions or changes in transit service needed for construction must be approved by MTA.

14. Construction of MDOT Facilities - As part of a Joint Development project, it may be required to modify or construct replacement transit facilities such as parking and bus facilities, roads, pick up and drop off spaces, roadways, station ingress and egress, and potentially other types of transit infrastructure in order to achieve an optimized TOD. Design for all MDOT facilities will be approved by the mode that either owns or operates the facility. Allowing for the design and construction or improvement of MDOT facilities to be led by developers can benefit both parties. MDOT benefits from cost and time efficiencies derived from a single entity being responsible for all capital improvements. Developers benefit because:

- i. Developers have increased control over the timeline of infrastructure delivery (and therefore when vertical development may begin).
- ii. Transit facilities may be better integrated into the overall development, which increases overall development potential and making it more attractive to prospective tenants and increase achievable rents.

MTA, or the applicable mode, must approve of the design, construction, and delivery of its facilities in accordance with the mode's design and construction standards and specifications. Construction activities will commence after MDOT issues a notice to proceed to the developer, and the developer has received all other necessary State and local permits. These will likely include a permit for the use of State property with agreements on maintenance of traffic, maintenance of station activities, and more. The developer will execute design and construction contracts with its subcontractors necessary to deliver the transit facilities.

15. Continuing Control - MDOT strongly prefers to structure transactions for



development as ground leases rather than fee simple sales as it creates opportunity for regular compensation for MDOT to offset transit operations and can also better enable MDOT to realize long-term value to offset its investment in transit infrastructure. Exceptions to this preference may be considered and may include instances where practical, site or legal reasons require fee simple sale, such as for home ownership opportunities, or if such a transaction can create significant added value for MDOT or be necessary to inject upfront capital to fund infrastructure improvements. To ensure Federal Transit Administration (FTA) continuing control requirements are met on FTA-assisted properties, MDOT will require certain assurances such as restrictive covenants, as applicable.

- 16. Community and Stakeholder Engagement** - MDOT will consult and work collaboratively with the community, state stakeholders, local jurisdictions and developers to encourage transit-supportive, high-quality development at transit stations and surrounding properties. Once a successful Joint Development partner is selected, the developer must actively and productively engage local communities with interest in the Joint Development site during planning and delivery of the project.
- 17. Local Planning and Approvals** - All Joint Development projects must follow applicable local laws, land use policies, development review processes, and permitting requirements, except as otherwise provided under Maryland law, including Maryland Land Use Article, § 4-104. MDOT will proactively engage with local jurisdictions to gather input on preliminary development concepts, gain local support, and where applicable and appropriate, secure any necessary zoning changes prior to publication of the Joint Development solicitation. The Joint Development partner will be responsible for securing all applicable permits and entitlements from the relevant local jurisdiction and any other authorities having jurisdiction.
- 18. Transit Oriented Development Plan Approval** - Pursuant to Maryland Land Use Article § 4-104, the MDOT Secretary may approve a TOD Plan for a Statutorily Eligible Joint Development Site. Such an approved Plan may establish the land use classification, height, setback, and other similar requirements for which a local jurisdiction may not impose limitations or restrictions. Local authority retained under Maryland Land Use Article, § 4-104, and other applicable law will continue to apply. The process for development, coordination, and approval of a Transit Oriented Development Plan is described in MDOT 657.3, Joint Development Implementation.
- 19. Sustainability** - Joint Development projects must meet local building sustainability requirements. In the absence of a local requirement, MDOT will require that the project meet a nationally recognized sustainability standard, such as LEED Silver, or equivalent, to be specified in the Joint Development solicitation.
- 20. MBE/DBE/SBE Contracting Goals** - The State of Maryland's Minority Business Enterprise ("MBE"), Disadvantaged Business Enterprise ("DBE"), and Small Business Enterprise ("SBE") Programs are designed to provide contracting opportunities to MBE, DBE, and SBE businesses in both State and federally



funded projects in accordance with State and federal law. MBE/DBE/SBE Contracting Goals may be defined in the Joint Development solicitation. Maryland MBEs, DBEs, and SBEs must complete the certification process with MDOT to be recognized as such for contracting purposes. Working with the awarded developer, MDOT will assist Joint Development partners in identifying opportunities for MBE, DBE, or SBE participation in the development and construction of the project.

- 21. Workforce Development and Labor Provisions** - Joint Developments may qualify as “large-scale public work contract” under [Executive Order 01.01.2024.18](#) regarding project labor agreements, apprenticeships, and community hiring. Certain projects may be subject to [Davis-Bacon Act](#) or [Maryland Prevailing Wage](#) requirements. Contractors and subcontractors awarded contracts by the State of Maryland or its political subdivisions for the construction of public works that fall within the State’s statutory requirements must compensate covered workers as governed by Maryland’s Prevailing Wage Law. These requirements will be further described in the Joint Development solicitation.
- 22. Americans with Disabilities Act** - The Americans with Disabilities Act (“ADA”) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and government activities. The development must comply with ADA requirements. Regarding infrastructure, where it is located will determine which requirements will apply. For WMATA and MTA-controlled stations, all spaces must meet at least Americans with Disabilities Access Guidelines (“ADAAG”) and FTA ADA Guidelines. Any improvements along State Highway Administration (SHA) managed facilities must meet SHA’s Accessibility Policy and Guidelines, which can be found in [SHA’s Accessibility Policy and Guidelines for Pedestrian Facilities Along State Highways](#).
- 23. Transfer or Assignment of Development Agreements** - MDOT understands that the developer or members of the development team may change during the term of a Joint Development project. Any changes to developer ownership following execution of the joint development agreements will be subject to MDOT’s approval at its sole and absolute discretion (including, where required, the approval of the Board of Public Works).
- 24. Business Ethics and Conflict of Interest** - All Joint Development partners must comply with applicable State law requirements relating to conflict of interest, political contribution disclosure, and financial disclosures as part of the Joint Development process.

ADDITIONAL AUTHORIZED DOCUMENTS

MDOT 657.2 Joint Development Roles and Responsibilities
MDOT 657.3 Joint Development Implementation