

To City of Sacramento
From Steer
Date May 16, 2024
Project TDM Ordinance Update

Memo

Project no. 24246801

Best Practices Memo

As part of the effort to update the City of Sacramento's Transportation Demand Management (TDM) Ordinance, the Project Team has conducted a best practice review of relevant TDM programs to inform how the ordinance could evolve to help the City meet its Climate Action and Adaptation Plan (CAAP) and 2040 General Plan goals, support stronger implementation and enforcement mechanisms, and expand beyond work trips to consider all travel purposes.

Case studies were selected to align with key indicators that were identified as important characteristics of the city or challenges to examine further. Based on review of existing conditions and partner input, the following indicators were identified:

- **Ordinance enforcement** – Community partners and the Project Development Team (PDT) members express that enforcement of the ordinance has not been effective. Therefore, the review includes case studies with strong enforcement processes that have been effective in reaching compliance with entitled developments.
- **Strong Transportation Management Association (TMA) presence** – Sacramento benefits from the presence of multiple TMAs serving the city. Therefore, the project team included a review of how other cities have leveraged the support and assistance from TMAs to aid in TDM administration and enforcement as well as how cities support TMAs.
- **Presence of other governmental agencies and educational bodies** – As the State capitol, Sacramento is home to a multitude of state and regional agencies as well as colleges and universities. Since the City does not have jurisdiction over these bodies, the City does not have a mechanism require these bodies to provide TDM benefits to their employees. Therefore, it is necessary to understand how other other government-based cities have navigated this challenge and fostered strong partnerships to advance TDM in their regions.
- **Distinct neighborhoods with mixed densities** – Sacramento is a relatively suburban city with higher density neighborhoods (Midtown, Downtown, Del Paso Boulevard, etc.). As a result, these distinctive neighborhoods have varying levels of access to sustainable modes of transportation. It is, therefore, helpful to identify case studies in which geographic differences are taken into consideration, especially in a more suburban setting with higher density cores, to understand how flexibility can be built into the ordinance.
- **Applies to existing properties and/or employers** – The current ordinance only applies to large new development projects. However, the City is interested in expanding the application of the updated ordinance to existing properties and employers to ensure TDM services are available to more residents and employees. To do so, the City would need to understand the available legal mechanisms as well as best practice for including previously entitled development projects.

- **Prioritizes active transportation** – The latest draft CAAP includes mode share goals with active transportation being the priority, followed by transit, carpool/vanpooling, then Zero-Emission Vehicle (ZEV)s. Therefore, it is helpful to look at how other cities have prioritized active transportation.

Each case study description below includes the following information:

- A brief background about the city in the case study;
- The rationale for their inclusion in the report (aligned with the key indicators);
- An in-depth review of the TDM Ordinance, including program applicability and thresholds, requirements, and monitoring plan;
- Resources and tools provided by the agency to applicants; and
- Reference contacts and links to program websites or documents.

Case Studies

The following jurisdiction were selected for in depth review:

Jurisdiction	Ordinance Enforcement	Applies to Existing Properties and/or Employers	Strong TMA Presence	Mixed Densities	Interaction with Other Agencies	Active Transportation
Cambridge, MA	X					
Santa Monica, CA	X	X	X			
Montgomery County, MD		X	X	X	X	
Alexandria, VA	X	X		X		
Vaughan, Ontario, CA	X		X	X		

Please note in our review of best practices, we were not able to find any examples of case studies with strong, formalized processes to require implementation of active transportation-supportive strategies.

Case Studies

Case Study #1: Ordinance Enforcement

Cambridge, MA

Background

Cambridge is a suburban city in the Greater Boston metropolitan area, located on the north bank of the Charles River in eastern Massachusetts. Spanning approximately 6.4 square miles, it is home to over 117,000 residents and several major educational institutions, such as Harvard University and Massachusetts Institute of Technology (MIT).

Served by the Massachusetts Bay Transit Authority (MBTA) which offers commuter rail, subway, bus, and ferry service in the region, many residents, commuters and visitors in Cambridge travel by transit throughout the city. Cambridge is regarded as a national leader in walkability and for its high percentage of residents who get to work without using a personal vehicle.

TDM Ordinance

In 1998, the City of Cambridge adopted its Parking and Transportation Demand Management (PTDM) Ordinance, which was then made permanent in 2006. The intent of the ordinance is to reduce vehicle trips and traffic congestion within the city. The ordinance was also established to formalize parking and TDM planning, programming, and coordination.

The PTDM Ordinance is the responsibility of the City's PTDM Planning Officer in the Traffic, Parking and Transportation Department. The PTDM Officer reports to the City Manager and is responsible for reviewing, conditioning, approving and/or denying PTDM plans. Any project that is subject to the ordinance must obtain approval of their PTDM Plan prior to issuance of any required permits (e.g., building permit, Special Permit, occupancy permit, etc.). In addition, projects that violate the terms of the ordinance may be subject to daily fines and other remedies available to the City.

Applicability & Thresholds

The PTDM Ordinance is triggered when a developer of a non-residential property proposes to add parking above the registered number (note: each land parcel in the City is assigned a registered number of parking spaces). The PTDM ordinance applies to both new and existing developments that want to add parking above the zoning threshold and projects are categorized by size.

- **Small Projects** - total of 5-19 parking spaces;and
- **Large Projects** - total of 20 or more parking spaces.

Requirements

Depending on the project size the developer must submit either a Small Project Form (Small Projects) or draft PTDM Plan (Large Projects).

Small Projects

Small projects must:

- Choose and implement at least three TDM measures from a list of acceptable measures from the Planning Officer which includes:
 - T-pass subsidies;

- Bicycle parking;
- Changing facilities;
- Carpool/vanpools;
- Financial incentives not to drive alone; or
- Or similar measures.
- Submit the **Small Project Form**.

Small projects are not required to submit annual monitoring reports but are required to maintain records of implementation for the project's chosen TDM measures.

Large Projects

Large projects must create a PTDM Plan, which includes:

- A single-occupancy vehicle (SOV) mode-share commitment based on either similar project's traffic impact study assumption, ten percent reduction below 1990 US Census Journey to Work data, or baseline survey, depending on the PTDM Officer determination;
- A comprehensive set of TDM measures, and
- Annual monitoring and reporting.

Each PTDM Plan includes a condition specifying that the City has the right to inspect the subject facility and audit PTDM implementation records. Monitoring and reporting must commence one year following occupancy.

Monitoring & Reporting

The annual monitoring and reporting of PTDM Plans must report on the site's mode share, biennial vehicle and bicycle parking occupancy counts, as well as biennial driveway activity (ins/outs) for two days during the Survey Week. The annual reporting process also requires qualitative information relating to the status of required TDM measures. The City has two monitoring cycles – spring and fall – and projects are assigned to one of the two cycles. There are five steps required for Large Projects to complete for their Annual Transportation Monitoring Report:

1. Verify contact information.
2. Update project information and prepare for the Survey Week, including bike and vehicle parking spaces.
3. Update the status of TDM measures.
4. Conduct the annual survey and parking occupancy, driveway, and bicycle parking occupancy counts (if required).
5. Complete the report.

The survey asks employees, residents, or patrons about their transportation choices during that week. All surveys must achieve a minimum response rate determined by survey type. The City's Transportation Monitoring Tool (**[City of Cambridge Transportation Monitoring Tool - Overview \(cambridgema.gov\)](#)**) calculates the number of responses needed, and if the number of required responses is not met, the survey must be readministered. Based on the survey data, the PTDM Planning Officer prepares an **annual report** of the status and effectiveness of the ordinance.

In addition to the developer-required PTDM annual reporting, the City's PTDM Planning Office prepares an annual report on the status and effectiveness of the ordinance. This report summarizes the total number of projects which are subject to the PTDM Ordinance and the overall outcomes related to response rates and whether the subject projects achieved their PTDM mode split commitments. The report also describes key challenges faced by projects that were not able to meet their mode split targets. Some of these challenges

include an over-supply of parking, projects being located further than 0.5 miles from rapid transit, and projects that are in their first year of monitoring and reporting.

Enforcement

The PTDM Planning Officer has authority over enforcement violations. If the Planning Officer determines there is a violation, through investigation, s/he will provide a written notification to the developer. The developer then has 30 days to cease the violation. If the violation is not remedied after the 30 days of issuance, the Planning Officer may proceed to assess the fines:

- One hundred dollars per day for each violation and required to be corrected within twenty-four hours; or
- Ten dollars per day for each violation and required to be repaired in an amount of time determined by the Inspectional Service Department but, in any event, no more than thirty days.

In addition to fines, the Planning Officer may order a shutdown of the parking facility. Second written notices for the same violation are immediately effective and will not provide the 30-day opportunity to cure contained in the first notice. A determination and order of the Planning Officer may be appealed to the City Manager within the first 30 days of issuance of the Director's determination and order.

In addition to other remedies available to the City, developers who build or modify a parking facility without complying to the PTDM provisions are subject to a fine of \$10.00 per-day per parking space for every day that such parking space was operated without a registration accepted by the Planning Officer or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. After investigation, by the Director, and the exhaustion of any appeal to the City Manager, the Planning Officer must take steps to enforce regulation by causing complaint to be made before the District Court and/or by applying for an injunction in the Superior Court.

The Planning Officer has independent authority to inspect a parking facility and audits its records to determine whether it follows its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

Projects that are non-compliant are offered technical assistance by the City. Staff engage project owners in instances where the owner has successfully implemented their PTDM Plan strategies but are not able to meet their mode split targets. In these instances, Staff will work with the owner to develop additional TDM measures as appropriate.

Transportation Management Association

Developers may select TMA membership as a TDM measure in the PTDM plan. There are two TMAs in the area:

- The Charles River TMA (CRTMA) which serves employers, institutions, property managers, and residential properties in the Cambridgeport, Kendall Square, East Cambridge area. The City of Cambridge is an employer member; and
- Alewife TMA which services employers, institutions, multi-tenant office buildings and residential complexes in the Alewife/Fresh Pond area.

Supportive Resources

To support developers in their compliance with the PTDM Ordinance, the City provides several resources on their [website](#)¹ including:

- [Detailed instructions on how to write a PTDM plan;](#)
- [Training course on how to submit the annual report;](#)
- [Sample annual monitoring report;](#) and
- [Property Transfer Form](#)

Part of the annual monitoring report includes completion of a City Reporting form. The City's website also provides a summary of sample TDM measures that developers may consider. This list is periodically updated by City staff and includes measures such as: transit pass subsidies, bicycle parking, showers and changing facilities for bike/walk commuters, carpool/vanpool, financial incentives, and other related measures.

Takeaways for Sacramento:

- In addition to the robust monitoring requirements placed on projects, the City's PTDM Planning Office produces an annual report on the status and effectiveness of the ordinance. This allows the City to not only report on the status and impact of the ordinance but, by making it publicly available, holds the City accountable for identifying challenges and areas of improvement. Sacramento should consider a similar effort to ensure active management of the ordinance, perhaps with support from the TMAs.
- The City's monitoring tool helps determine whether a survey is required by the applicant, and if so, tracks the number of responses. The technical tool holds applicants accountable to reach the number of required survey responses. This eliminates the uncertainty of whether a project must comply and reduces the amount of consultant/review by the City or TMA.
- The ordinance also authorizes the Planning Officer to enforce compliance with remedies ranging from daily fines to the closure of the facility. Some of these options should be considered by Sacramento.
- The relationship between the City Manager and the Planning Officer is close, which allows processes and enforcement to be seamless. Sacramento will need to have a similar seamless process for the administration and enforcement of the ordinance to ensure projects do not fall through the cracks or unnecessary delays hinder the progression of application reviews and approvals.
- The Ordinance has a strong link between TDM measures and parking initiatives. As Sacramento updates its parking policies, it will be important to ensure the two policies support, rather than contradict, one another.

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¹ City of Cambridge. (n.d.). *Parking and Transportation Demand Management Ordinance*. Retrieved October 10, 2022 from <https://www.cambridgema.gov/CDD/Transportation/fordevelopers/ptdm>

Case Study #2: Ordinance Enforcement, Applies to Existing Properties and/or Employers, Strong TMA Presence,

Santa Monica, CA

Background

The City of Santa Monica is a beachfront city in western Los Angeles County with a diverse economy hosting companies in the entertainment, media, and software industries. Spanning 8.4 square miles, the city has a population size of 93,000. Santa Monica is recognized as one of the top ten sustainable cities in the United States and is transit, bike, and walk-friendly.

The City of Santa Monica has a TDM Ordinance that applies to employers and developers to manage congestion, reduce vehicle dependency, and enhance access to transportation choices. The Ordinance has strict environmental targets, clear procedures for compliance, monitoring, and penalties.

TDM Ordinance

The City's TDM Ordinance was adopted in 2015 and was revised in 2020 due to the changes in travel patterns and surge of teleworking due to the COVID-19 pandemic. This revision is planned to be effective until 2024 at which time the City will update its TDM Ordinance.²

The ordinance aligns with and supports local South Coast Air Quality Management District (SCAQMD) emissions reductions requirements such that the ordinance requirements meet or exceed those of SCAQMD's.

Applicability & Thresholds

The ordinance applies to development projects over a certain size:

- Commercial (non-residential): 7,500 square feet or more;
- Mixed-use: 16 or more residential units with any associated non-residential floor area or 7,500 square feet or more of non-residential floor area with any number of residential units; and
- Residential: 16 or more residential units.

New and existing employers whose employee population increases to more than 10 employees must comply with the ordinance:

- Employers of 10-29 employees; and
- Employers of 30 or more employees.

Requirements

In alignment with SCAQMD Average Vehicle Ridership³ (AVR) targets, the City has designated AVR targets based on land use and proximity to transit factors such as project location, land use type, project size, and anticipated trip generation rates. There is a survey that takes place during AM peaks of a five-day work period where AVR is calculated as part of the ERP. See Table 1 for the target breakdown.

² City of Santa Monica. (n.d.). Emission Reduction Plan. Retrieved December 22, 2023 from [FY 22-23 Emission Reduction Plan due 7/1/22 to 6/30/23 - City Of Santa Monica \(citygrows.com\)](#)

³

Table 1 AVR Targets by Districts

The AVR targets are for non-residential projects and range from 1.6 to 2.2 depending on the site’s location, land use, and distance to transportation stops and stations. The highest AVR targets are located in the Downtown area (AVR target of 2.2) while lower targets pertain to sites closer to the City limits.

LAND USE DESIGNATION	AVR TARGET
Mixed Use Boulevard: northside of Wilshire Boulevard from Lincoln Boulevard to eastern City Limits, and southside of Wilshire Boulevard from Lincoln Court to eastern City Limits	1.75
Mixed Use Boulevard: 4th Street from Olympic Drive to Pico Boulevard and area bounded by Cloverfield Boulevard, Olympic Boulevard, 20th Street and Colorado Avenue	2.0
Mixed Use Boulevard: Wilshire Boulevard from 2nd Court to 7th Street, and Lincoln Boulevard from Wilshire Boulevard to Olympic Boulevard	2.2
Mixed Use Boulevard Low: Pico Boulevard from Main Court to Centinela Avenue, Lincoln Boulevard from Santa Monica Freeway to Bay Street, Main Street from Pico Boulevard to southern City Limits	1.75
Mixed Use Boulevard Low: Santa Monica Boulevard from 23rd Street to Centinela Avenue, Broadway from Lincoln Court to 26th Street, Colorado Avenue from Lincoln Court to Cloverfield Boulevard, Olympic Boulevard from Euclid Court to 17th Street	2.0
Bergamot Transit Village; Mixed Use Creative; Conservation: Art Center; Conservation: Creative Sector	2.0
Downtown Core	2.2
General Commercial: Pico Boulevard from Lincoln Boulevard to 11th Street, Lincoln Boulevard from Santa Monica Freeway to Bay Street	1.75
General Commercial: Santa Monica Boulevard from Lincoln Court to 20th Street	2.0
Industrial Conservation: Euclid Court to Stewart Street	2.0
Neighborhood Commercial: Pico Boulevard from Main Court to Centinela Avenue	1.75
Neighborhood Commercial: Olympic Boulevard from 14th Street to 16th Street	2.0
Office Campus: south of Ocean Park Boulevard	1.75
Office Campus: east of Cloverfield Boulevard, north of Olympic Boulevard	2.0
Oceanfront District, north of Santa Monica Pier	1.75
Ocean Front District, Santa Monica Pier and south	2.0
Healthcare Mixed Use	2.0
Institutional/Public Lands: bounded by Pico Boulevard, 20th Street, Pearl Street and 16th Street	1.75
Institutional/Public Lands: bounded by Santa Monica Freeway, Lincoln Boulevard, Pico Boulevard and Ocean Avenue	2.2
Institutional/Public Lands: other than specified above	1.6
All remaining districts	1.6

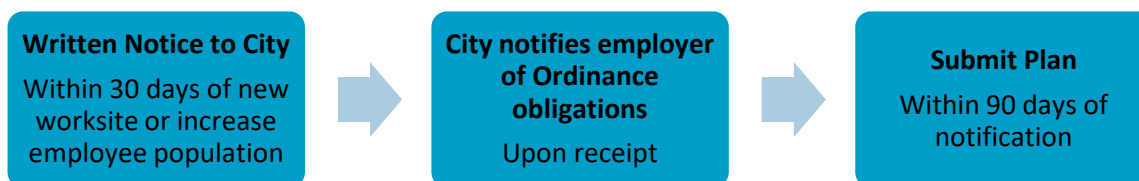
Employers

The requirements for employers are dependent on the type of plan required.

- **Emission Reduction Plans (ERP) (30+ employees):** In the ERP, employers must select one or both of the following options to reduce emissions related to employee commute trips:
- **Purchase Mobile Source Emission Reduction Credits (MSERCs):** emission reduction factors are determined by SCAQMD. This program provides opportunities to generate mobile source emission reduction credits from on- and off-road mobile sources. Mobile sources are determined based on a variety of purchase, retrofit, repower or scrapping projects. Once approved by the SCAQMD, MSERCs can be traded or sold on the open market and used to offset emissions from stationary sources, RECLAIM, or employee commute programs. Employers are still required to survey their employees annually, prepare a Marketing Plan to educate employees about alternative commute options, and submit a parking cash out plan in line with California Health and Safety Code Section 43845 (if applicable).
- **Implement an Employee Trip Reduction Plan (ETRP):** a document that outlines the strategies the employer will implement to encourage employees to use alternative transportation options to commute to work, reduce employee vehicle commute trips during the AVR window (i.e., 6:00 a.m. to 10:00 a.m. and 3:00 p.m. to 7:00 p.m.) and designate an Employee Transportation Coordinator (ETC). The ETRP needs to be updated every 12 months with an annual report submitted on the anniversary date of the initial plan approval date.
- **Worksite Transportation Plan (WTP) (10-29 employees):** In the WTP, employers must attend a City-sponsored training seminar and provide details about the business (contact information, number of employees, type of business), transportation options within one-half mile of the worksite, and commitment to display transportation options information for employees.

Figure 1 describes the plan submission process for employers. Employers are required to provide a notice in writing within 30 calendar days of establishing a new worksite or increasing employee population. Upon receipt of the notice, the City provides written notification to the employer and 90 calendar days thereafter the employer shall submit a plan.

Figure 1 Santa Monica Employer TDM Plan Process



Developers

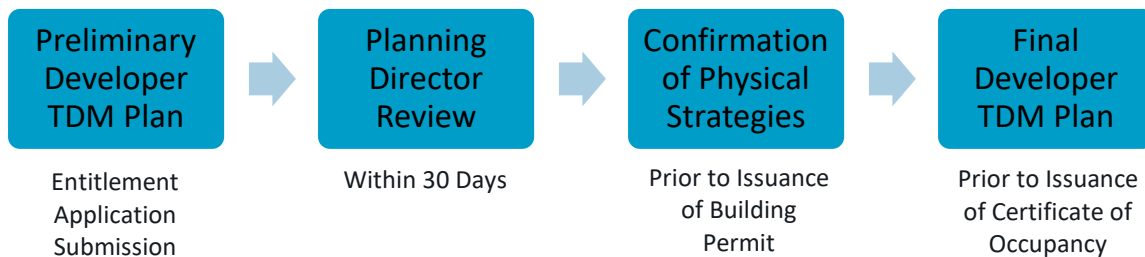
Developers meeting the ordinance thresholds must submit a Developer TDM Plan which includes the following:

- **Project description**, including the designated Project Transportation Coordinator (PTC); and
- **Physical and Programmatic Elements** – specifies requirements for residential, nonresidential, and mixed-use projects.
 - **Residential:** elements required include Transportation Welcome Package for Residents, a Marketing Plan, TMO Participation, and Transportation Allowance (a financial incentive offered to residents instead of a parking subsidy to provide flexibility in mode choice) of at least 50% of the current cost of a monthly regional transit pass of the resident’s choice.

- **Nonresidential and mixed-use projects:** elements required include new employee orientation, parking cashout, free on-site shared bicycles, transportation information, transportation allowance equal to at least 50% of current cost of a monthly regional transit pass of the employee’s choice, and any additional measures that would result in the developer achieving the applicable AVR target.

Figure 2 describes the Developer TDM Plan process. Developers are required to submit a Preliminary Developer TDM Plan at the time of application for the project’s planning entitlement. The Planning Director shall provide initial comments of approval or disapproval within 30 calendar days of application submittal. Prior to issuance of a building permit, physical components of the Plan must be shown on the construction drawings and be approved by the Planning Director. A Final Developer TDM Plan must be submitted for review and approval by the Planning Director prior the issuance of the Certificate of Occupancy.

Figure 2 Santa Monica Developer TDM Plan Process



Fees

The Employer Annual Transportation Fee and TDM Developer Annual Fee are used to pay for the costs of administration, including TDM outreach and City TMO formation activities, implementation, inspection, and audit/enforcement.

Employer Fees

The City requires employers pay an Employer Annual Transportation Fee for filling an ERP or WTP based on the formula:

$$Fee = (number\ of\ employees) \times (employee\ cost\ factor)$$

The employee cost factor is established by resolution of the City Council and amended each July according to the Consumer Price Index or COLA, whichever is higher or by the resolution of the City Council. Employers of 30 or more employees can receive discounts if they:

- demonstrate attainment of the applicable AVR Target and/or;
- join a Transportation Management Organization (TMO) certified by the City.

Developer Fees

The City requires a TDM Developer Annual Fee of \$367.97 for developers exceeding a certain amount of square feet and/or units.

Monitoring & Reporting

Employer

The employer must meet their AVR target as part of the ERP (Emissions Reduction Plan), which includes an annual report submitted on the anniversary date of the initial approval date. If they do not meet the AVR targets, they must submit an ETRP which needs to be updated every 12 months (with an annual report submitted on the anniversary date of the initial plan approval date) and include the information such as:

- AVR calculations and documentation;
- List of plan strategies, changes to plan strategies, and a schedule for implementation;
- Marketing strategy, indicating changes from the previous plan year;
- Inventory of parking facilities, bike facilities, and public transit services;
- Contact information for the certified ETC; and
- Letter of commitment.

Developer

Developers are required to submit an annual monitoring report starting on the first anniversary of issuance of the project's Certificate of Occupancy or Temporary Certificate of Occupancy, if applicable. The annual monitoring report shall include the following:

- Confirmation of compliance with all Developer TDM Plan elements;
- AVR calculations and documentation (nonresidential and nonresidential components of mixed-used projects only);
- Updated statement of commitment from property owner;
- Updated annual budget to implement Developer TDM Plan;
- Contact information including name, e-mail address, and proof of certification of the PTC who is responsible for the preparation, implementation, and monitoring of the Developer TDM Plan;
- Effect of the Developer TDM Plan on on-site transportation choice, parking availability, and transit ridership; and
- Updated implementation strategy.

Enforcement

Employer

The City performs audits on a selective basis and will notify the employer 5 days prior to the compliance inspection, at which time the employer must provide documentation of monitoring and implementation.

The following are considered violations to the ordinance by an employer:

- Failure to pay the fees required by the ordinance;
- Failure to submit plan when due and upon receipt of second disapproval notice;
- Failure to have a certified ETC (if required);
- Falsification of records;
- If the Emission Reduction Plan is chosen by the employer and fails to meet the target reduction; and
- If the Employee Trip Reduction is chosen by the employer and fails to meet AVR targets.

Based on the violations described above, the City may take some of the following enforcement actions:

- Require additional elements to either plan;
- Revoke any approval of either plan;

- Revoke the business license; or
- Other administrative remedies.

Developer

The following are considered violations to the ordinance by a developer:

- Submit a TDM Annual Status Report;
- Pay the Developer TDM Fee;
- Implement strategies contained in the Developer TDM Plan; or
- Achieve the established AVR requirement.

Remedies for violations include:

- If the developer commits a violation other than not achieving the applicable AVR target, the City shall issue a written warning and the developer shall have 30 calendar days from receipt of the notice to correct the violation.
- If the annual monitoring report shows that the applicable AVR Target has not been achieved for the project, then the developer shall submit a list of modifications to the Developer TDM Plan to the Planning Director for approval within 60 calendar days of the report submittal.
- If the project continues to not be in substantial compliance with the Developer TDM Plan, the City shall have the option to:
 - Withhold the issuance of building permits, certificates of occupancy, and other City issued permits or licenses;
 - Issue a stop work order; and/or
 - Request that the City Attorney take appropriate enforcement action. Referral to the City Attorney is not a condition precedent to any enforcement action by the City Attorney.

Transportation Management Associations

Santa Monica’s TMO, GoSaMo is City-funded and helps employers and property managers comply with TDM regulations. GoSaMo provides an abundance of detailed toolkits and guides for all of its program targets, including one-to-one phone and/or email sessions, transit resources, map routes, and commuter-related flyers such as Overcoming Bike Commuting Concerns and Transportation Apps.⁴ These resources can be accessed through the TMO’s [website](#). According to the City’s TDM ordinance, employers and developers may use a TMO to help implement the Emission Reduction or Employer Trip Reduction plans.

Supportive Resources

The City provides the following resources and tools to help developers and employers with compliance:

- [Online portal](#) for submitting the Emission Reduction Plan⁵;
- Link to the [GoSaMo TMO](#), which includes resources for completing the TDM ordinance requirements;
- [Emission Reduction Plan Guide](#);
- [Developer TDM Guide](#); and
- Employee Transportation Certified Coordinator [Online Trainings](#).

Average Vehicle Ridership (AVR) compares how many vehicles are coming to your worksite versus the number of employees. [GoSaMos’s Emission Reduction Plan](#)

⁵ City of Santa Monica. (n.d.). *GoSaMo TMO*. Retrieved December 22, 2023 from <https://www.santamonica.gov/gosamo>

⁵ City of Santa Monica. (n.d.). *Emission Reduction Plan*. Retrieved October 21, 2022 from <https://go.citygrows.com/city-of-santa-monica/emission-reduction-plan-8a49dbf4-f583-4af1-a62e-71a66a08d210>

Takeaways for Sacramento:

- Santa Monica's TMO is funded by the City itself through the Employer Annual Transportation Fee which employers are required to pay with their Emission Reduction Plan filing. This provides an ongoing funding source for the administration of the ordinance and provision of TDM services in the city. Sacramento could consider a similar approach.
- The ordinance applies to new and existing employers as well as residential and nonresidential projects. This expands the ordinance's reach beyond just new projects as well as provides a mechanism for the City to have ongoing engagement with businesses.
- In addition to incorporating TMO membership as a requirement for residential projects, the City also incorporates incentives for employers to participate in the TMO. TMO services, such as ETC training and TDM education and outreach, are free which ensures employers and developers have access to and utilize the available TDM support to prepare better plans.
- The City clearly describes what is considered a violation and the penalties for non-compliance directly into the code. Worth noting is the use of the business license renewal as an enforcement mechanism. While the withholding of a business license may not be feasible in Sacramento, the other financial and administrative remedies may be options for Sacramento.

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Case Study #3: Applies to Existing Properties and/or Employers, Strong TMA Presence, Mixed Densities, Interaction with Other Agencies

Montgomery County, MD

Background

Montgomery County is a large suburban county located outside of Washington DC covering 507 square miles. The county has a population of just over one million and is part of the Washington Metropolitan area. Montgomery County has experienced rapid growth in the past decade and, as a result, traffic congestion has become a major problem in the county. In this context, TDM is an important strategy to allow the area to accommodate further economic growth while reducing traffic congestion and its associated impacts. The County Department of Transportation (“the Department” or “MCDOT”) is the agency primarily responsible for implementing TDM in the county.

TDM Ordinance

Since 1982, the County has had a Transportation Demand Management (TDM) Ordinance which was created to achieve specific transportation goals in areas where air pollution and congestion were an issue. Montgomery County established its TDM Ordinance through legislation based on the County’s overall Growth Policy. The 2020-2024 Montgomery County Growth and Infrastructure Policy (formerly Subdivision Staging Policy, SSP) outlined a new approach to managing growth in the county. Under this policy, the county is divided into regions based upon the existing or planned level of transportation infrastructure and the resulting transportation capacity of each area. To incorporate this revised approach into the County’s TDM Ordinance, and to streamline the process for ensuring new projects adopt strategies to achieve the goals for each of the SSP Areas, revisions were proposed to the county’s TDM Ordinance. The TDM Ordinance was amended in 2019 and made effective in 2020 ([Chapter 42A, Article II of the County Code](#)).

The amended TDM Ordinance uses the color-coded Policy Areas (Figure 3) and Transportation Management Districts (TMDs) as a basis for actions designed to achieve commuting goals. TMDs are urban and suburban areas that contain higher employment and residential density and which, by legislation, have specific numerical goals regarding Non-Auto Driver Mode Share (NADMS) commuting during the peak periods. The NADMS goals for the different TMDs range from 18% to 50%.

Each TMD has a local TMD office that provides concentrated services to encourage the use of transit and other commuting options within the district. The TMD staff works primarily with employers and employees within the TMD to promote adoption of commuter benefits programs by employers and to inform employees about their commuting options. Since 1987, Montgomery County has created six TMDs (Figure 4) throughout the county to guide transportation activities.

Figure 3: Growth and Infrastructure Policy Areas

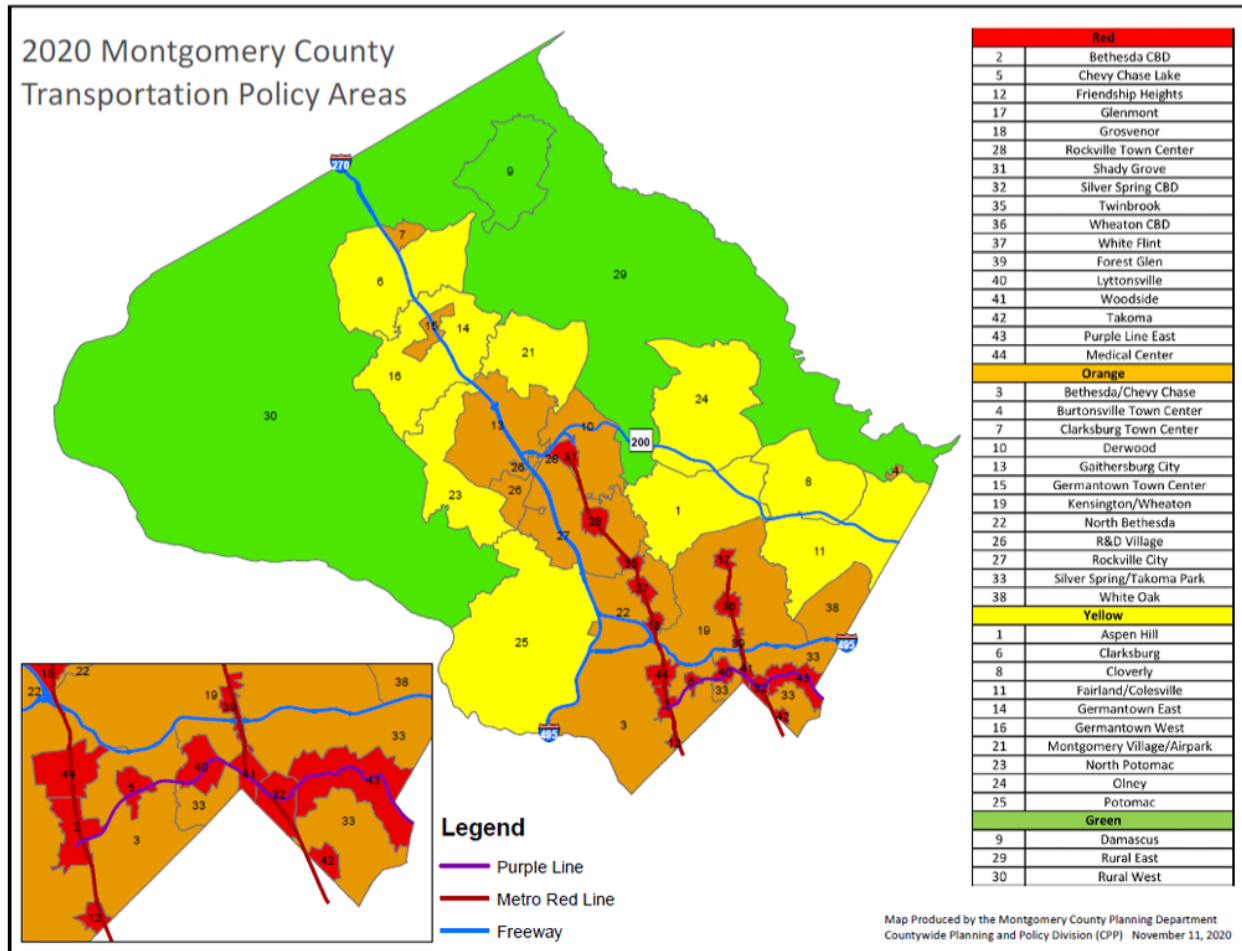
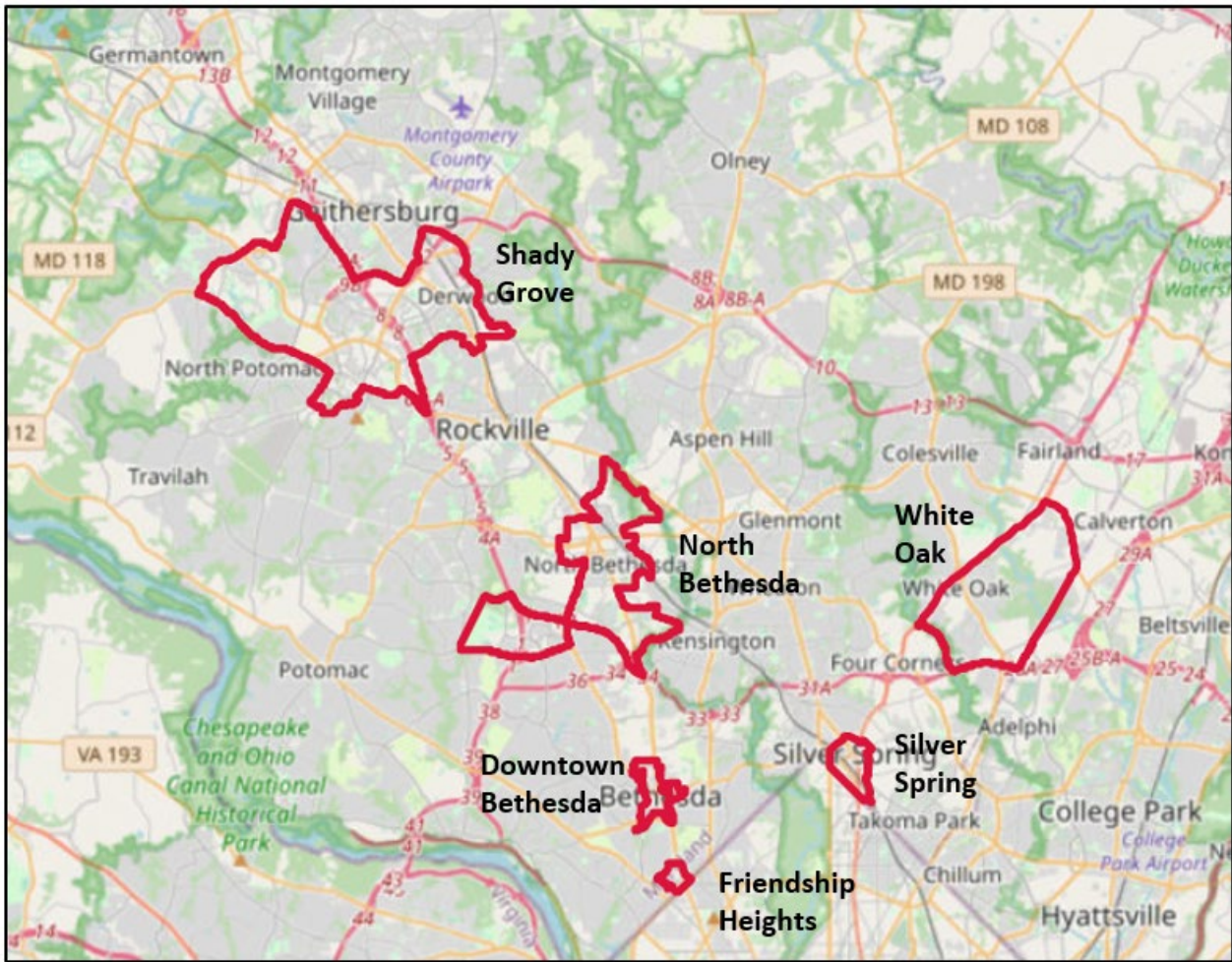


Figure 4: Transportation Management Districts



Applicability & Thresholds

Employers

Under County’s TDM legislation, employers must submit a TDM Plan (also known as Traffic Mitigation Plan) if:

- the employer is in a Red Policy Area under the Subdivision Staging Policy and has 25 or more employees reporting to or assigned to that workplace;
- the employer is in an Orange Policy Area and has 100 or more employees;
- the employer is in a Yellow Policy Area and has 200 or more employees; or
- the employer is within a TMD and has 25 or more employees.

For employers subject to the ordinance, a TDM Plan is required to be submitted within 90 days after receiving written notice from the Director of the MCDOT that a TDM Plan is required. Employers must also participate in the County’s biennial commuter survey and submit an annual report of employer actions to assist with reducing traffic congestion by helping employees with their commutes.

Developers

Any new construction or development project in a TMD must obtain approval from MCDOT for a Project-based TDM Plan (also known as Traffic Mitigation Agreement). This approval must be obtained prior to the issuance of any building permit by the Department of Permitting Services. Projects subject to this requirement include developments:

- in a Red, Orange or Yellow Subdivision Staging Policy Area and larger than the minimum sizes in gross square feet (GSF) shown in Table 3;
- that do not have a fully-executed traffic mitigation agreement in effect; and
- where the MCDOT decides, under standards adopted by the Council for the adequacy of transportation, including Non-Auto Driver Mode Share goals and other commuting goals adopted in Master Plans, Sector Plans and the Subdivision Staging Policy, that more transportation facilities or transportation demand management measures are necessary to meet the County’s commuting goals.

An owner or applicant of a new development or construction project may be required to submit a Level 1 TDM Basic Plan, a Level 2 TDM Action Plan, or a Level 3 TDM Results Plan based on the size and location of the project as shown below. See Table 5 below.

Table 2: Project Based TDM Plans Levels⁶

Growth and Infrastructure Policy Area	No Requirements	Level 1: TDM Basic Plan	Level 2: TDM Action Plan	Level 3: TDM Results Plan
Red Policy Area	Not Applicable	A project with ≤40K GSF	Not Applicable	A project with >40K GSF
Orange Policy Area	A project with <40K GSF	A project with 40K – ≤80K GSF	A project with >80- ≤160K GSF	A project with >160K GSF
Yellow Policy Area	A project with <60K GSF	A project with 60K – ≤150K GSF	A project with >150K GSF	TDM Results Plan not required - may be used upon request by Applicant

⁶ Montgomery County Executive Regulation on Transportation Demand Management. Regulation No. 8-21. Retrieved January 4, 2023 from <https://www.montgomerycountymd.gov/dot-dir/Resources/Files/commuter/NextGen%20TDM/TDM-Exec-Reg-8-21-Final-with-Revisions-Clean-copy-2023-11-9.pdf>

Existing buildings are also subject to the TDM ordinance. For existing non-residential buildings, and for existing multi-unit residential buildings with at least 100 dwelling units, the Director of the MCDOT may require the owner to submit a TDM Plan if the Director finds that a plan is necessary to achieve the purpose of the ordinance or if the building is not subject to either a traffic mitigation agreement currently in effect or a Project-based TDM Plan.

The Director may require a building owner to resubmit a plan that the Director finds inadequate to achieve any Non-Auto Driver Mode Share goals or other commuting goals. Once a plan has been approved, the Director must not require a building owner to submit a revised plan that meets the requirements of this Section more than once every two years.

Requirements

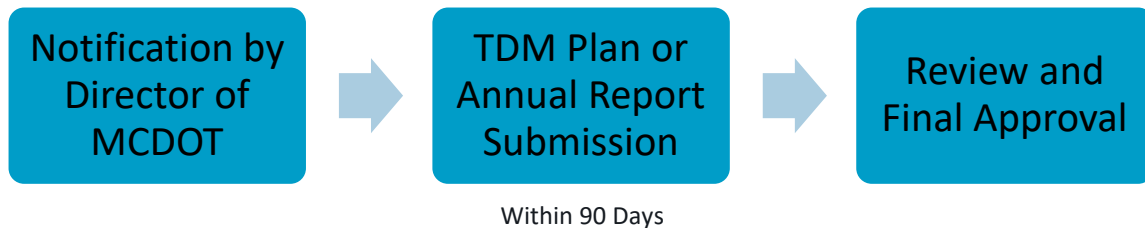
Employers and developers have different requirements, as outlined below.

Employers

Employers that are required to submit a TDM Plan will receive a notice from the Director of the MCDOT and will have 90 days upon notification to submit a TDM Plan or Annual Report. After submission, the plan will be reviewed by the TMD staff and the TMD Advisory Committee for the area. Recommendations will be made for approval or the inclusion of additional strategies. The Director of the MCDOT has final approval authority. For information and assistance submitting the TDM Plan, employers could contact the local TMD office.

Figure 5 outlines the TDM Plan submission process for employers

Figure 5 Montgomery County Employer TDM Plan Process



The TDM Plan must be consistent with and contribute to the achievement of any NADMS Goal or other commuting goals set in the Subdivision Staging Policy, Master Plans, Sector Plans, and any individual project-based goals or goals. The TDM Plan must include the following strategies:

- Designate a contact person (Transportation Coordinator);
- Distribute information on transportation alternatives;
- Present TMD information to employees;
- Offer a Guaranteed Ride Home Program;
- Provide ADA information;
- Participate in the County Biennial Commuter Survey; and
- File an Annual Report on Progress of the TDM Plan.

Employers may propose additional strategies as long as they are approved by the Director of the MCDOT. Additional strategies may include an alternative work hours program, carpool or vanpool incentives, subsidized transit passes, preferential parking for carpools and vanpools, parking management strategies, peak period or single-occupancy vehicle parking charges, improved transit, bicycle and pedestrian access and

safety, telework, and other transportation demand management measures. The menu of TDM Optional Strategies can be found in the [regulation](#) implementing the County's TDM ordinance.

The TDM Plan can be submitted online through a [web-based form](#) and can be custom tailor to the need of each organization.

Existing Buildings

When a TDM Plan is required to be submitted for an existing building (non-residential building or multi-unit residential building), the Plan must include the same requirements as the ones required for an individual employer TDM Plan (see 'TDM Plan Process for Employers' section above), including an Annual TDM Plan report.

Developers

The Project-based TDM Plan must be submitted by the owner or applicant and approved by the MCDOT. The required and optional components of each type of the Project-based TDM Plans are summarized below and described in detail in the Executive Regulation of the TDM ordinance.

Level 1 TDM Basic Plan: The Basic Plan must include the following components:

- Transportation Coordinator;
- Notification of Designated Coordinator;
- Access to the Project: Provision of on-site space for for the Department to promote TDM, including surveys; and
- TDM Information: Displays of Real-Time Transit and Dissemination of Other Information.

Level 2 TDM Action Plan: A Project-based TDM Action Plan requires a commitment to take specific actions by the owner or applicant to achieve a base Non-Auto Driver Mode Share that is 5% higher than the District's NADMS goal to help the County achieve district-wide commuting goals.⁷ The TDM Action Plan must include the required components for Level 1, plus the additional ones shown below:

- Selection of Strategies: the required strategies shown for Level 1, plus optional strategies selected by the project applicant or owner, such as those included on the Menu of TDM Optional Strategies. The optional strategies will be selected by the owner or applicant with advice from the MCDOT and must be sufficient to contribute toward achieving a NADMS goal that is five percent higher than the NADMS goal for that District, to help achieve the district-wide commuting goals;
- Commitment to Fund and Implement the Plan: Each TDM Action Plan must be accompanied by a financial commitment to fund the program with adequate financial resources and at a level at least equivalent to 50 percent of the annual TDM fee level for the Project;
- Self-Monitoring – Beginning Year 2;
- Biennial Report;
- Addition and Substitution of Strategies – Beginning Year 4: if the strategies initially selected do not result in the project contributing toward continued progress in achieving the District or Policy Area goals four years after Date of Final Occupancy; and
- Additional Funding Commitment – Beginning Year 6: if the project is not contributing toward progress in achieving the TMD goals six years after Date of Final Occupancy.

⁷ County Code Article II Sec. 42A Transportation Demand Management (n.d.) Retrieved from [County-Code-Article-II-Sec-42A-TDM-2020-07-30.pdf \(montgomerycountymd.gov\)](#)

Level 3 TDM Results Plan: This plan must include all components required for the Level 2 Project-based TDM Action Plan, plus the following:

- **Independent Monitoring and Additional Funding Commitments:** In the sixth year following Date of Final Occupancy, the owner or applicant must retain an independent consultant to collect data, monitor program implementation, and provide a comprehensive review of the program in place at the project, including funds expended and results achieved. This review shall determine whether the project is meeting its goals as established in the development approvals – and if it is not, what additional level of resources must be committed to the Project-based program. This monitoring must be done on a regular basis consistent with the Executive Regulations.

Fees

Since 2006, the Transportation Management District fees have been 10 cents per square foot of non-residential space. The fees apply to commercial developments first occupied after the effective date of the legislation (July 1, 2006) and to commercial developments occupied before that where payment of the fees was made a condition of the development approval. Fee revenue is used to support Transportation Demand Management efforts in each TMD.

Monitoring & Reporting

As per the current TDM Ordinance, employers are required to submit an annual report on strategies used to implement the TDM Plan, including progress achieved under that plan. Annual TDM Plan Reports must be submitted to the MCDOT by August 31 each year for the County's prior fiscal year ending June 30. The annual TDM Plan Report can be submitted as an online form.

Employers are required to distribute a Biennial Commuter Survey. Employers receive the Commuter Surveys from Montgomery County's Commuter Services in the Spring or Fall and are required to distribute the Commuter Surveys to their employees within 45 days. The completed surveys are submitted to the Employers' TMDs. These surveys are used to create a database of employee commuting patterns in the TMD and to monitor progress on commuting goals set in the County's Growth Policy. These are incorporated into the TMD Performance Reports⁸. They also help MCDOT determine what changes to programs and services are necessary. Employers are asked to make an effort to achieve at least an 80% response rate from their employees.

Ongoing (self and independent) monitoring and biennial reporting requirements are also required for developers submitting Level 1 and Level 2 Project-based TDM Plans as described above.

Enforcement

Employers and developers must comply with these requirements. Any of the following may be a violation of the ordinance:

- An employer or owner that does not submit a Traffic Mitigation Plan or required report or provide survey data within 30 days after a second notice; and
- Developers that do not comply with the approved Project-based Transportation Demand Management Plan within 30 days after notice of noncompliance;

⁸ <https://www.montgomerycountymd.gov/DOT-DIR/commuter/tmd/index.html#top>

Interactions with Other Agencies

Federal agencies located in Montgomery County are not required to submit Traffic Mitigation Plans according to the current TDM ordinance. However, Montgomery County works with all federal agencies within the county to have them voluntarily undertake the same types of strategies promoted with private sector employers.

National Capital Planning Commission (NCPC) policies recommend that federal agencies in the National Capital Region (NCR) prepare facility master plans with TMPs to manage employee/visitor travel and to minimize adverse transportation network impacts.⁹ The NCPC has developed a handbook, intended for federal agency use, that outlines the process for preparing, monitoring and evaluation a Transportation Management Program or Plan (TMP). Federal government employers in Montgomery County use this resource for designing and implementing their TMPs.

Other public agency representatives support the City's TDM efforts through TMD participation as non-voting board members. Agencies could participate in the Biennial Commuter Survey to provide additional data points related to travel patterns through the city.

Transportation Management Associations

While not formally branded as a Transportation Management Organization, TMDs provide concentrated services to encourage the use of transit and other commuting options in Montgomery County's major business districts. Since 1987, Montgomery County has created six transportation management districts (TMDs) throughout the county to guide transportation activities. Each TMD is located in an urban center where traffic congestion and air quality have increasingly become county concerns. Three of the TMDs are operated directly by MCDOT with contractor assistance while the other two are operated by contractors with MCDOT oversight. The six TMDs are:

- Friendship Heights TMD - operated directly by MCDOT;
- Silver Spring - operated directly by MCDOT;
- Greater Shady Grove - operated directly by MCDOT;
- Downtown Bethesda - operated by Bethesda Urban Partnership;
- North Bethesda - operated by Transportation Action Partnership; and
- White Oak – not yet funded for operations.

Advisory Committees for each TMD provide input to TMD staff and the County from diverse perspectives; employers, residents, developers, owners/managers and public agencies. The TMD staff works primarily with employers, employees and residents within the TMD to promote adoption of commuter benefits programs by employers and to inform employees and residents about their commuting options.

Supportive Resources

- To support developers completing their TDM Plans, the County provides a sample employer TDM Plan on their [website](#); and
- Both the TDM Plan and the Annual Report can be submitted online through a [web-based form](#) available on the county's website. TMD representatives are available to assist employers with any questions that they may have regarding the filing system. Information on how to contact the TMD representatives including their contact details is also available in their website.

⁹ https://www.ncpc.gov/docs/TMP_Handbook_August2021.pdf

Takeaways for Sacramento:

- The county is divided into regions based upon the existing or planned level of transportation infrastructure. These zones then factor into the thresholds and NADMS targets for projects subject to the ordinance. While this may be more complicated than the partners in Sacramento have appetite for (via partner input), setting the thresholds or the targets based on available transportation options may be an option for Sacramento.
- Montgomery County benefits from the presence of multiple TMDs serving the county major business districts. The TMD serves as a liaison among commuters, employers in the region, and the County government. TMDs help employers set up TDM Plans, which aids the county with the ordinance implementation. The TMD fees collected as part of the development approval process help fund the local TMDs. In addition, the County directly operates three TMDs. This may be a potential model for Sacramento where there are multiple TMAs as well as areas not served by a TMA.
- Montgomery County works closely with federal government employers (that the County has no authority to put TDM requirements on) to encourage them to voluntarily develop TDM plans similar to the ones promoted with private sector employers. The City may need to consider fostering a similar working relationship with State agencies to encourage voluntary participation in the ordinance.
- Existing buildings may be required to submit a TDM Plan if the MCDOT finds that a plan is necessary to achieve the purpose of the ordinance or if the building is not subject to either a traffic mitigation agreement currently in effect or a Project-based TDM Plan. While this may be a helpful authority for the Planning Director, Sacramento may want to consider the parameters around which how these buildings are identified.

Contact Information

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Case Study #4: Ordinance Enforcement, Applies to Existing Properties and/or Employers, Mixed Densities

Alexandria, VA

Background

Alexandria is an independent city with no county affiliation located within the District-Maryland-Virginia (DMV) metropolitan area. It is home to over 155,500 residents and covers approximately 15.5 square miles. Due to its proximity to Washington Planning Officer, D.C., many federal agencies are headquartered or have offices in Alexandria. The majority of residents (87%) commute into the district compared to those who live and work in the city (13%).¹⁰ The City of Alexandria, through their GO Alex Program, is the agency responsible for implementing TDM in the city.

TDM Ordinance

The City enacted its Transportation Management Plan Ordinance (Ordinance) in 1987, which was later updated in March 2014 to require certain new developments to submit a multimodal transportation study and a Transportation Management Plan (TMP) which is a site-specific plan of strategies to encourage residents and employees to take public transportation, walk, bike, or rideshare, as opposed to driving alone. In May 2023, the ordinance was further updated to include new requirements for developments subject the TMP (Transportation Management Plan) Policy.

The TMP is required by ordinance through the City's development review process, depending on the size of the development. Only developments that meet or exceed the pre-defined thresholds for number of units or square footage must comply with the ordinance.

Applicability & Thresholds

The defined thresholds for developments that are subject to the ordinance are as follows:

- Residential: 20 or more dwelling units (du);
- Commercial 10,000 square feet (SF) or more;
- Retail: 10,000 square feet or more;
- Hotel: 30 or more rooms;
- Industrial: 30,000 square feet or more; and
- Mixed Use: For a development or building that includes more than one use, each use shall be separately assessed and the highest applicable tier shall apply to the whole development. If a development has more than one use in the same tier, then the next highest tier will be used to define the TMP development tier.

Each land use was divided into three tiers based on size, which determined the requirements. The specific thresholds for the tiers are outlined in Table 2 below.¹¹

¹⁰ Virginia Employment Commission. *Commute Profile: Alexandria, Virginia*. Retrieved from original PDF https://web.archive.org/web/20180823042031/http://virginialmi.com/report_center/community_profiles/5104000510.pdf

¹¹ City of Alexandria, Virginia. (n.d.). *Transportation Management Plans*. Retrieved from <https://www.alexandriava.gov/transportation-planning/transportation-management-plans>

Table 3: Alexandria VA: Development Tier Thresholds

Land Type	Tier 1 TMP		Tier 2 TMP		Tier 3 TMP
	From	To	From	To	-
Residential	20 du	99 du	100 du	349 du	350 du or more
Office	10,000 SF	100,000 SF	100,000 SF	250,000 SF	250,000 SF or more
Retail	10,000 SF	75,000 SF	75,000 SF	150,000 SF	150,000 SF or more
Hotel	30 rooms or more	-	n/a	n/a	n/a
Industrial/Warehouse	30,000 SF or more	-	n/a	n/a	n/a

Requirements

All new developments subject to the Ordinance must submit a TMP Special Use Permit (SUP) as well as designate a TMP Coordinator who is responsible for supporting the implementation of site-based TDM programmatic measures such as surveys, mailings, and events hosting. Tier-specific requirements are shown in Table 3.¹²

Table 4: Alexandria, VA: Development Tiers for Level of Program Participation

TMP	Required Participation
Tier 1 Development	Citywide TDM Program
Tier 2 Development	1. Citywide TDM program, or 2. Partner with adjacent TMP
Tier 3 Development	1. Partner with adjacent TMP, or 2. Create stand-alone TMP

Citywide TDM Program

To guide TDM investments, the City established a dedicated, City-managed TDM fund to promote and establish alternatives to single occupancy vehicles use through the City’s dedicated TDM Program, Go Alex. Any payments made to the city as a result of the conditions or requirements of an approved TMP Supplemental Use Permit (SUP) shall be deposited into the city TDM fund (see Fees section below). All payments go toward the City’s GO Alex Fund to be used for transportation investments that address the impacts of additional traffic generated by the new development. The funds have been spent on various transportation projects and programs across the City and in specific neighborhoods.

Funds can be used for staff time to manage and implement projects. Funds were allocated as follows:

- Citywide Transportation Projects and Programs (50%) – The City selected projects based on the Alexandria Mobility Plan (AMP) with the aim to fund projects that were proximate to developments that had paid into the fund; and
- Neighborhood Projects and Programs (50%) – The City selected projects within specific Small Area Plan boundaries where the development had occurred, including unfunded projects in the Transportation chapters of the individual Small Area Plans or the AMP. Additionally, owners worked with staff to propose transportation projects that were not built as part of their development plans.

¹² City of Alexandria, Virginia. (n.d.). *Transportation Management Plans*. Retrieved October 6, 2022 from <https://www.alexandriava.gov/transportation-planning/transportation-management-plans>

Developments participating in the Citywide TMP program must:

- Designate a TMP coordinator;
- Make regular payments into the TDM fund in accordance with the TMP Plan; and
- Provide access to the property by the city in order to implement TDM measures such as surveys, mailings, and hosting events to encourage participation.

TMP Coordinator Responsibilities

Each TMP project shall appoint a coordinator responsible for the implementation of the TMP and for coordination with the city. TMP Coordinator services include:

- Producing required reports, which detail and summarize TMP activities and funding;
- Conducting annual surveys to capture tenant, resident, and employee transportation behavior, as required by the City; and
- Managing TMP funds, contributions, and administration.

Self-Managed TMP

A tier two or three project may create an operate its own stand-alone TMP which must include at a minimum the following:

- Strategies that influence travel behavior by mode, frequency, time, route, or trip length in order to reduce vehicle occupancy trips; and
- Specific program components which may include, but are not limited to, a combination of the following: subsidies for transit, carpool, vanpool and shuttles; parking for carpool and vanpool vehicles; carshare or rideshare programs; marketing; teleworking facilities; bicycle facilities.

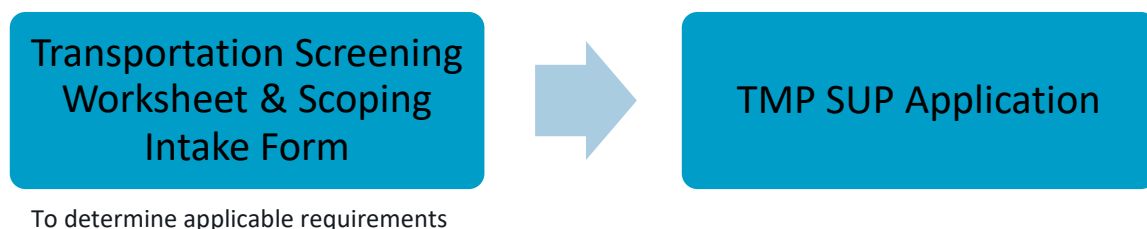
Partnering with an adjacent TMP

The requirements for partnering with an adjacent TMP include:

- Joint proposal submitted by both TMP parties to the City’s Director of Transportation and Environmental Services; and
- If a partnership is approved, each use involved in such a TMP partnership must still independently meet the requirements of its TMP, including independently submitting all required reports.

Figure 6 describes the order in which forms must be submitted. Prior to submitting a TMP SUP application, applications need to complete a Transportation Screening Worksheet and Scoping Intake Form to the Transportation Division of Transportation and Environmental Services (T&ES) to determine the applicable requirements.

Figure 6 Alexandria TMP Submission Process



Once it is determined that a TMP is required, applicants will need to include in their proposed TMP application:

- Strategies that influence travel behavior by mode, frequency, time, route, or trip length in order to reduce single occupancy vehicle trips;
- Specific program components such as subsidies for transit, carpool, vanpool, and shuttles; parking for carpool and vanpool vehicles; carshares or rideshare programs; marketing; teleworking facilities; bicycle facilities;
- Compliance and reporting requirements for the project based on the requirements in the Zoning Ordinance.
- The annual TMP rates for the present year and acknowledgment that the fund rate applicable to the project will be the TMP base fund rate at the time of the certificate of occupancy when the TMP becomes active; Estimated site population (number of expected employees and residents who work or live on site daily, respectively);
- Mode split goal based upon the transportation study results submitted by the applicant, taking into account the trip generation rates and modal reduction in addition to available census, COG and other modal split data; and
- Statement of perpetuity that states “Any SUP granted by City Council under section 11-700, unless revoked or expired, shall run with the land and shall be mandatory and binding upon the applicant, all owners of the land and all occupants and upon all of their heirs, successors and assigns.”¹³

TDM Policy Update

Currently, TMP SUPs have no end date and contributions and measures, such as shuttle service, are required in perpetuity. With the new TMP Policy, developments are required to contribute to the Citywide TDM Fund to support various transportation management programs and policies. Developments are eligible for various credits to reduce their TMP fee (e.g., participation in the Citywide TDM Fund, early payment, capital improvements, and location in an enhanced transit area). The Policy also specifies that TMP obligations would end after 30 years, consistent with requirements in other jurisdictions. In the case of a multi-phased development, 30 years would be assessed for each phase depending on the date of occupancy for that phase.

Existing developments with a TMP may choose to opt into the new Policy by submitting an application for an administrative amendment to the TMP SUP under the Zoning Ordinance. This would shorten the payment period for existing TMP SUPs to 30 years from the date of the Certificate of Occupancy and eliminate some the need to implement certain measures, such as a shuttle service, provided that alternative strategies are implemented that will effectively reduce vehicle occupancy trips. Existing developments that opt into the Policy are eligible to manage their own TMPs if they chose so long as they meet the requirements outlined under the Self-Managed TMPs section of the [TDM Policy](#).

Fees

The required contributions are dependent on the proposed project’s use and size. When the City updated its Ordinance in 2014, it established a base assessment rate applicable to TMP projects. This base rate is adjusted each year on July 1st, in line with the US Department of Labor, Bureau of Labor Statistics Consumer Price Index. The CPI-U adjustment for FY 2024 is 5.0% and the new rates are shown in Table 4. Contribution rates from previously-adopted TMPs are also expected to be increased by this amount. The Ordinance does provide

¹³ City of Alexandria. *Transportation Planning Administrative Guidelines, Multimodal Transportation Studies (2013)*. Retrieved from https://media.alexandriava.gov/docs-archives/tes/info/transportation-planning-administrative-guidelines-march-25-2013.pdf?_gl=1*111wl4m*_ga*MjMwOTc3ODUzLjE3MDQzODI5MzU.*_ga_249CRKJTH*MTcwNDM4ODY0NS4yLjEuMTcwNDM5MTY3NC4wLjAuMA..

provisions for reduced rates for early payment, capital improvements, and locations in enhanced transit areas (ETA).

Table 5 City of Alexandria TMP Fees (FY 2024)

Land Use	Base Rates
Residential	\$105.82 per unit
Office	\$0.33 per sf
Retail	\$0.26 per sf
Hotel	\$52.55 per hotel room
Industrial	\$0.15 per sf

Developments would be eligible for reductions to the TMP rate under the following four conditions:

1. Participation in the City Managed TMP: reduction of 5%
2. Location within an Enhanced Transit Area (ETA) as defined in the Zoning Ordinance: reduction by 15%
3. Capital Improvements listed in Attachment B: reduction up to 25%
4. Payment Plans: there are three options for payments:
 - a. Annual Payments (for thirty years);
 - b. Up-Front Payment: if the fully 30 annual payments are paid prior to the issuance of the Certificate of Occupancy, the fee would be reduced by 35%. Developer or owner may exercise this option at a future date at the then current rate for payments, with the lump sum and discount prorated for future years; or
 - c. Partial Up-Front Payment: If a quarter of the 30 annual payments is paid prior to the issuance of the Certificate of Occupancy, the fee will be reduced by 25%. The remainder of the payments would be made annual for five years.

Monitoring & Reporting

Annual surveys provided by the City and administered by the TMP Coordinators must be completed by residents, tenants, and employees of affected properties to gauge the effectiveness of the property’s TMP measures. Further, each TMP project must report to the City on its activities on a yearly basis. This report is a narrative of the activities carried out during the year and indicates what activities are planned for the coming year. This reporting is reviewed by the City to assess compliance.

If a TMP project is found to not be in compliance with the requirements, the City’s ordinance includes provisions for cumulative civil penalties, including fines of up to \$5,000 per occurrence of non-compliance as outlined in the ordinance.

Interactions with Other Agencies

While Federal agencies within the City of Alexandria are exempt from the TDM Ordinance, the City of Alexandria has worked with several agencies to voluntarily participate and provide TDM benefits to its employees. Many Federal agencies also provide the City with on-going reporting on TDM activities.

Transportation Management Associations

Go Alex, the City's dedicated TDM Program, works with businesses to encourage the reduction of automobile dependence, increasing mobility, and improvement air quality through the promotion of public transit, ridesharing, bicycling, and walking. The GO Alex Program is funded by the City through required developer contributions (described in the previous sections) and various grants.

Go Alex provides complimentary assistance to businesses with:

- Employee Transportation Survey;
- Transit benefit assistance;
- Parking Management Plan development; and
- Ongoing implementation.

Supportive Resources

The City provides applicants the following resources to support TDM Ordinance compliance:

- [Transportation Planning Administrative Guidelines](#);
- [Transportation Screening Worksheet](#); and
- [Semi-Annual TMP Fund Report](#).

Takeaways for Sacramento:

- The Citywide TDM Fund provides developers an option to pay into a fund to satisfy the TDM requirements in lieu of implementing strategies themselves. Based on PDT and TMA input, this may be an attractive option for businesses in Sacramento.
- The TMP application requires applicants to add a “statement of perpetuity” to commit the requirements to the land rather than the property owner at the sign of approval.
- A combination of the Citywide TDM Fund and CMAQ/STBG grant funding supports Go Alex operations, enabling the TMA to provide complementary services to businesses. As Sacramento wants the TDM program to be fully self-sufficient, this means the fees will need to encompass all anticipated costs of operating the program while remaining cost-neutral.
- The ordinance includes penalties for non-compliance, including an initial non-compliance fine and a monthly penalty for every month of non-compliance. As withholding building permits/Certificates of Occupancy do not seem feasible in Sacramento, financial penalties may be an alternative option to encourage compliance.
- The City included incentives to encourage participation in the new TDM Policy, such as a horizon window and elimination of certain requirements. This may be an option for the City of Sacramento to bring properties with existing TMPs into the updated ordinance.

Contact Information

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Case Study #5: Ordinance Enforcement, Strong TMA Presence, Mixed Densities

Vaughan, Ontario, CA

Background

The City of Vaughan is part of the network of cities within the Greater Toronto and Hamilton Area (GTHA) in Ontario, Canada with a population size of approximately 320,000. Often considered a suburb of Toronto, many residents live in Vaughan and commute to Toronto. Vaughan has an auto-centric built form, which has historically contributed to a high automobile mode-share among residents. More recently there have been greater investments in transit and active mobility, and the City is hoping to encourage behavior change through TDM initiatives and TDM-supported infrastructure, especially in the Vaughan Metropolitan Centre.

TDM Ordinance

The City of Vaughan has developed a Transportation Demand Management (TDM) Guideline and Toolkit which requires developers to submit a TDM Plan and provide details at the site-specific level of measures that will encourage residents, visitors, or employees to travel sustainably and reduce the reliance on single-occupancy vehicle usage. The overall objective being to manage congestion, provide benefits to the environment, and improve quality of life.

Applicability & Thresholds

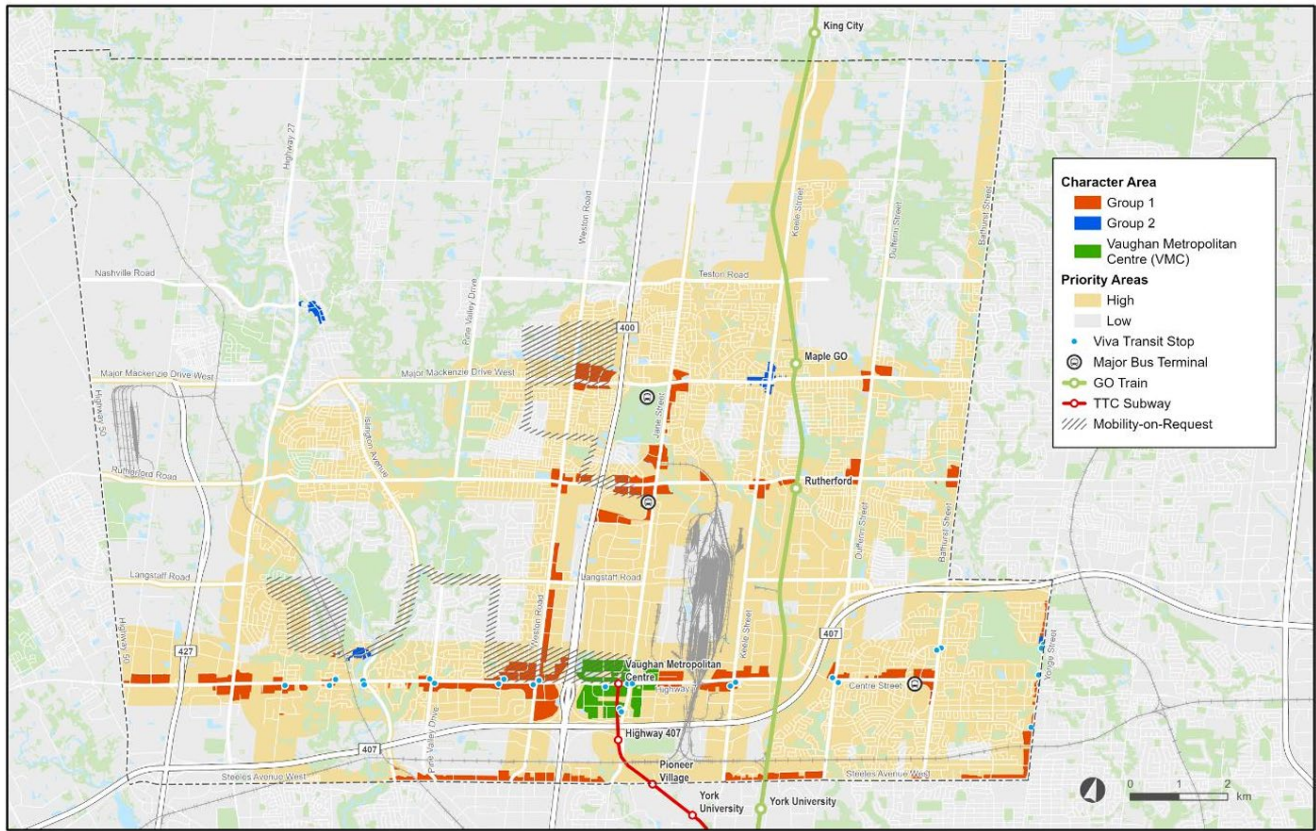
To provide a context-sensitive approach, the city is divided into four areas based on land use, location, available and planned transportation options. The areas also align with the city's parking space requirements. Table 6 describes the zones within each Character Area.

Table 6 Character Areas

Character Area	Comprehensive Zoning By-Law Groups
Vaughan Metropolitan Centre (VMC)	Vaughan Metropolitan Centre (VMC)
Group 1	<ul style="list-style-type: none">• Mid-Rise Mixed-Use Zone (MMU)• High-Rise Mixed-Use Zone (HMU)• Community Commercial Mixed-Use Zone (CMU)• General Mixed-Use Zone (GMU)• Employment Commercial Mixed-Use Zone (EMU)
Group 2	<ul style="list-style-type: none">• Low-Rise Mixed-Use Zone (LMU)• Main Street Mixed-Use – Kleinberg Zone (KMS)• Main Street Mixed-Use – Maple Zone (MMS)• Main Street Mixed-Use – Woodbridge Zone (WMS)
Other Zones	Other Zones

Developments are further categorized into high and low priority areas based on proximity to high frequency transit, a bike network, or within a York Region Major Transit Station area. Figure 7 shows the map of Character Areas and Priority Areas.

Figure 7 Character Area and Priority Area Map



Thresholds for the TDM requirements are based on gross peak trip generation of the proposed land use. Based on the character area of the development, the estimated trips generated, and priority, developments need to complete either Level 1 or Level 2 requirements. Table 7 details the levels based on character area and priority. Table 8 describes the requirements for each level.

Table 7 TDM Triggers

	Less than 20 trips	Less than 20 trips	20 to 50 trips	20 to 50 trips	More than 50 trips	More than 50 trips
	Low Priority Area	High Priority Area	Low Priority Area	High Priority Area	Low Priority Area	High Priority Area
VMC	Level 1	Level 1	Level 2	Level 2	Level 2	Level 2
Group 1	Level 1	Level 1	Level 2	Level 2	Level 2	Level 2
Group 2	Level 1	Level 1	Level 2	Level 2	Level 2	Level 2
Other	-	Level 1	Level 1	Level 2	Level 2	Level 2

Table 8 TDM Requirements by Level

Category	Level 1	Level 2
Description	<ul style="list-style-type: none"> Comprehensive Zoning By-Law and Official Plan requirements York Region Mobility Plan Guidelines requirements 	<ul style="list-style-type: none"> All Level 1 TDM initiatives Additional requirements depending on the character and priority area and gross number of peak trips generated

Minimum Score Required	All Level 1 TDM Initiatives must be implemented	Complete Section 1 of the TDM Toolkit. The minimum score required varies depending on the project characteristics.
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Requirements

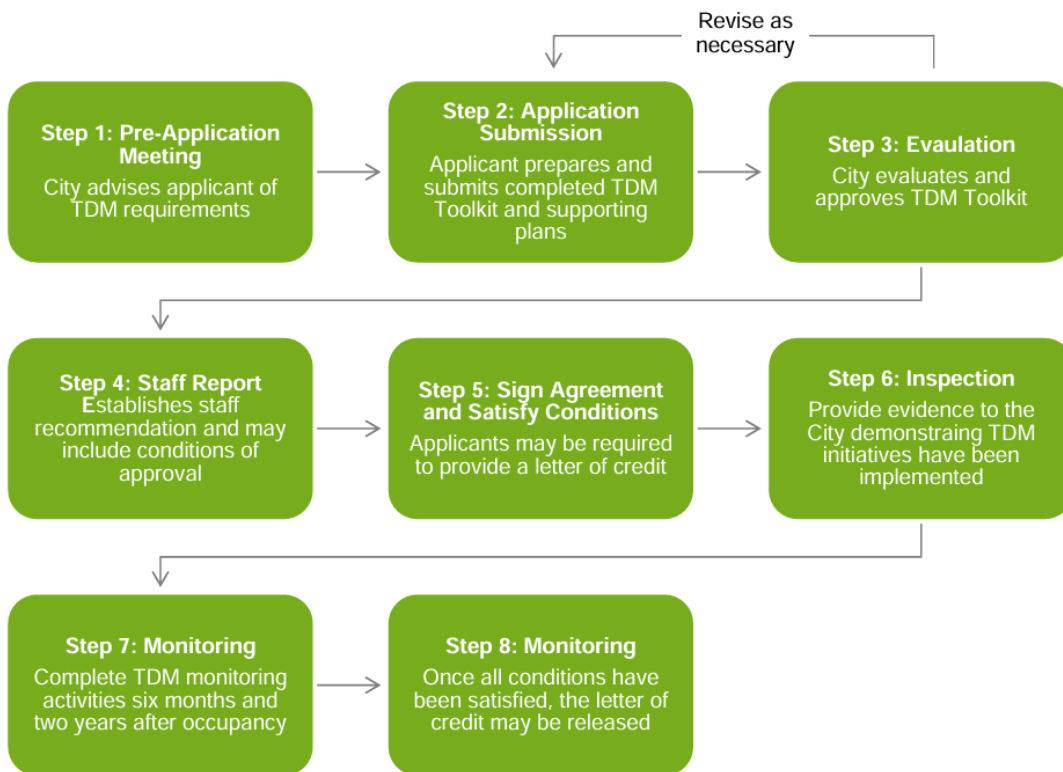
When submitting a development application, applicants are required to attend a pre-application meeting to confirm the submission requirements for the application. The TDM requirements are determined by City staff during the pre-application meeting, which includes

- Completed TDM Toolkit, which provides the project details and lists the selected TDM strategies for the project;
- Site and floor plans highlighting proposed physical TDM initiatives; and
- Completed Cost and Implementation Table.

The City of Vaughan reserves the right to request additional TDM initiatives for proposed developments that will have a significant impact on the local transportation system. The City will work with the applicant to develop a comprehensive TDM Plan that will address the City’s concerns.

Figure 8 outlines the TDM submission process.

Figure 8 Vaughan TDM Submission Process



The Letter of Credit is a financial contract to ensure implementation of the TDM strategies as agreed upon. The Letter of Credit issued will be required at a value that would allow the City to deliver any outstanding TDM initiatives and conduct travel surveys. Applicants must satisfy the conditions of the signed agreement(s) and complete required monitoring activities. To release the letter of credit, the applicant must demonstrate:

- All hard TDM initiatives on a site plan were installed;

- Provide a copy of their contract or agreements with a separate delivery agent for “soft” TDM initiatives (e.g. PointA contract for Smart Commute program services); and
- Demonstrate that a specific deliverable has been met (e.g. statistically significant baseline and follow-up survey results).

The City provides guidance to support developments in the selection of the most appropriate TDM “initiatives” based on the character area and land use. The initiatives are organized into five categories:

- **Promotion:** Programs that promote the use of sustainable travel options and monitors success of all TDM initiatives;
- **Active Transportation:** Implementing infrastructure that supports the use of human powered transportation (e.g. walking, cycling);
- **Transit:** Implementing infrastructure and trip planning resources that supports the use of transit
- **Parking:** Utilizing parking management strategies and programs that discourage driving alone and may reduce minimum parking requirements; and
- **Other TDM Initiatives:** Implementing additional TDM-supportive programs and preparing for future infrastructure and programs.

Table 9 lists the several strategies within each category, their recommended character area and land use applications, effectiveness and cost.

Table 9 TDM Initiatives

TDM Initiative		Recommended Character Areas				Recommended Land Uses				Effectiveness	Typical Costs
		VMC	Group 1	Group 2	Other Zones	Residential	Commercial	Industrial	Institutional		
Category 1: Promotion / Monitoring											
1.1	Provide Transit Incentives	✓	✓	✓	✓	✓	✓	✓	✓	●●●	\$\$
1.2	Communication Strategy	✓	✓	✓	✓	✓	✓	✓	✓	●	\$
1.3	Provide Financial Incentives for Sustainable Transportation	✓	✓	✓	✓	✓	✓	✓	✓	●	\$
1.4	Awards / Recognition Program	✓	✓	✓	✓	✓	✓	✓	✓	●	\$
1.5	Cycling Skills Courses	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$\$
1.6	Provide Individualized Marketing Programs & Travel Plans	✓	✓	✓	✓	✓	✓	✓	✓	●●●	\$\$\$
1.7	Guaranteed Ride Home Program (i.e. Emergency Ride Home)	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$\$
Category 2: Active Transportation											
2.1	Pedestrian Network Implementation	✓	✓	✓	✓	✓	✓	✓	✓	●●	Design cost
2.2	Cycling Network Implementation	✓	✓	✓	✓	✓	✓	✓	✓	●●●	\$\$\$
2.3	Provide Long and Short-Term Bicycle Parking	✓	✓	✓	✓	✓	✓	✓	✓	●●●	\$\$
2.4	Provide Separated Bicycle Access to Long-Term Bicycle Parking	✓	✓	✓	✓	✓	✓	✓	✓	●●	Design Cost
2.5	Provide Shower and Change Room Facilities	✓	✓	✓	✓	✓	✓	✓	✓	●●●	\$\$
2.6	Install Bike Repair Station	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$\$
Category 3: Transit											
3.1	Provide Transit Information Kiosks at Major Destinations	✓	✓			✓			✓	●	\$\$
3.2	Provide Weather-Protected Waiting Areas	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$\$
3.3	Provide Real-Time Transit Information	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$
3.4	Launch Shuttle Services		✓	✓	✓	✓	✓	✓	✓	●●●	\$\$\$
Category 4: Parking											
4.1	Provide Dedicated Carshare Vehicle Spaces	✓	✓	✓	✓	✓			✓	●●●	Design cost
4.2	Provide Preferential Carpool Parking Spaces	✓	✓	✓	✓		✓	✓	✓	●●●	Design cost
4.3	Unbundle Parking From Unit Cost	✓	✓	✓	✓	✓				●●●	Design cost
4.4	Implement Employee Parking Cash Out Program	✓	✓				✓		✓	●●●	\$\$\$
4.5	Implement Paid Parking	✓	✓	✓	✓		✓	✓		●●●	\$\$
4.6	Implement Pick-Up and Drop-Off Zones	✓	✓	✓	✓	✓	✓	✓	✓	●●●	Design cost
Category 5: Other TDM Initiatives											
5.1	Install Wayfinding Signage	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$\$
5.2	Offer Micromobility Services*	✓				✓	✓		✓	●●●	\$\$\$
5.3	Support the YRT Mobility On-Request Service	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$
5.4	Provide Ongoing Support for Working Remotely	✓	✓	✓	✓	✓	✓	✓	✓	●●	\$
5.5	Provide pointA Transportation Management Association Membership	✓	✓	✓	✓	✓	✓	✓	✓	●●●	Varies
5.6	Provide a Vanpool Program	✓	✓	✓	✓		✓	✓	✓	●●●	\$\$\$
5.7	Implement Innovative TDM Initiative	✓	✓	✓	✓	✓	✓	✓	✓	TBD	Varies

* Coordinate with City Staff

High Effectiveness = ●●●

Medium Effectiveness = ●●

Low Effectiveness = ●

High Cost = \$\$\$

Medium Cost = \$\$

Low Cost = \$



There are several implementation mechanisms that are utilized to guarantee the execution of the agreed-upon TDM initiatives. These include:

- Enshrining the requirement of TDM initiatives as part of the development approvals process in Provincial, Regional, and City policy documents;
- Integrating TDM initiatives into Zoning By-laws, allowing the City of Vaughn to mandate, administer, and enforce TDM initiatives;
- Requiring that physical TDM measures (e.g., bicycle parking and end-of-trip facilities) be displayed on site plans;
- Verifying TDM initiatives have been implemented through inspections or requested photo evidence;
- Including TDM initiatives as conditions of applicable agreements (e.g., conditions to a development agreement or subdivision agreement between the City and developer); and
- Finally, a letter of credit is required at a value that would allow the City to deliver any outstanding TDM initiatives and conduct travel surveys. To release the letter of credit, the applicant must demonstrate that all physical TDM initiatives detailed on the site plan were installed, agreements for soft TDM initiatives were announced, and that specific deliverables have been met.

Monitoring & Reporting

The City requires that all residential developments producing 50 or more gross peak hour trips (e.g., Level 2 residential and mixed-use developments) participate in a monitoring program to measure the impact of the TDM initiatives. Other non-residential or developments producing less than 50 trips may have to also participate on a case-by-case basis.

For all monitoring surveys, applicants meet a statistically significant response rate. The sample size must have a minimum of a 95% confidence level and 5% margin of error. Applicants can use the [sample size calculator](#) to determine the minimum responses required. The monitoring program consists of four steps:

1. **Baseline survey:** For all Level 2 residential developments generating more than 50 gross peak trips, the completion of a baseline and follow-up survey is required.
2. **Baseline report:** Applicants must distribute the baseline travel survey with a statistically significant response rate within the first year after occupancy and submit a short follow-up report detailing photo evidence of the installed TDM initiatives and completed survey.
3. **Follow up survey:** Two years post occupancy, applicants distribute the follow-up survey and confirm that a significantly high number of responses is received. Again, there is a short follow-up report detailing photo evidence of the installed TDM initiatives and completed survey, submitted to the City.
4. **Release of letter of credit:** Upon completion of the follow-up survey, submission of the follow-up report and other TDM-related conditions have been met, the letter of credit will be released to the applicant.

Transportation Management Association

The Greater Toronto and Hamilton Area (GTHA) TMO, also known as Smart Commute, operates several TMOs in the area, including one in Vaughan. In Vaughan, the Smart Commute program is delivered by a non-profit organization known as pointA. Smart Commute is a fee-for-service program whereby employers have the option to join the Smart Commute partnership but are not required to do so. Benefits of becoming a Smart Commute partner includes dedicated TMO staff to help implement Smart Commute programs and services, facilitation of sustainable commuting campaigns, workshops and events, telework support, marketing support, and reimbursements for Emergency Ride Home services. Smart Commute has 345 employer members (712,000 employees) throughout the network of local TMOs in the GTHA.

Applicants may also hire a third party such as a consultant or pointA to complete the monitoring and reporting requirements on their behalf.

Supportive Resources

The City's website offers three tools in their submission process.

- [City of Vaughan TDM Development Guideline](#) – the guidebooks explaining the TDM requirements and process.
- [TDM Toolkit](#) – the form applicants submit to report their project information and TDM measures.
- [Implementation Table](#) – form for applicants to complete to report the estimated costs and responsibility of their specific strategies.
- [TDM Guideline Tool](#) – a tool to assist applicants with the selection of measures based on the characteristics listed in the program, recommended land uses, effectiveness, and cost.
- [Sample Travel Survey](#) – if required, the survey that needs to be distributed annually to track how residents travel.

Takeaways for Sacramento:

- To support the selection of context-specific TDM strategies, the City of Vaughan divided the city into zones based on land use, location, and available and planned transportation options. The City then provided guidance on the recommendation strategies for each area. This level of guidance will be helpful in Sacramento as each neighborhood has its distinct challenges and transportation options.
- The requirement of a letter of credit commits the applicant to implementing the approved TDM strategies, and should they fail to do so, provides the City the funds to implement the strategies directly. Sacramento could explore a similar requirement to ensure the TDM strategies are implemented within the city as agreed upon, whether by the applicant, City, or a TMA.
- The City provides several resources to help applicants understand and comply with requirements, such as a guidebook, sample travel survey, and TDM Guideline tool. These tools reduce the uncertainty related to whether a project must comply and how it can comply.

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