



The redline version of the ordinance submitted herewith reflects the deletions required by Metro in italic print, on pages 5-6 and 15-16.

**PROGRAMS, DEPARTMENTS OR GROUPS AFFECTED**

The Department of Transportation, and the Planning and Development Department, will implement the proposed ordinance.

**FISCAL IMPACT**

There is no fiscal impact implementing the proposed amendments to the Trip Reduction Ordinance.

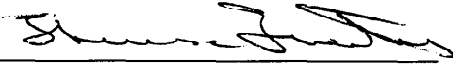
**ENVIRONMENTAL REVIEW**

On March 19, 2007, Council found the proposed ordinance to be exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061 and Section 15378.

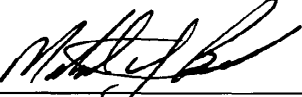
Respectfully submitted,

  
Michele Beal Bagneris  
City Attorney

Prepared by:

  
Theresa E. Fuentes  
Assistant City Attorney

Concurred by:

  
Michael J. Beck  
City Manager

Introduced by: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF PASADENA AMENDING TITLE 17 (THE ZONING CODE) AND AMENDING TITLE 10 (VEHICLES AND TRAFFIC) TO MODIFY TRIP REDUCTION REQUIREMENTS FOR NEW DEVELOPMENT**

**WHEREAS**, by Ordinance No. 6172, in 1986, the City of Pasadena (“City”) enacted its first trip reduction ordinance, in recognition that new development and sizable additions to existing development would generate travel and parking demands with resulting adverse impacts on traffic flow and parking in surrounding areas; and

**WHEREAS**, by Ordinance No. 6573, in 1993, the City revised its trip reduction ordinance consistent with the provisions of the model trip reduction ordinance approved by the Los Angeles County Transportation Commission (now the Los Angeles County Metropolitan Transportation Authority (“Metro”), to implement the County’s Congestion Management Program (“CMP”) in accordance with California Government Code Sections 65089, et seq.; and

**WHEREAS**, in 2004, the City adopted the current version of the Land Use Element of its General Plan, wherein one of the guiding principles is that “Pasadena will be a city where people can circulate without cars;” and

**WHEREAS**, the City has adopted an “Environmental Charter” as follows:

“The City of Pasadena elects to be an environmental advocate and a leader in environmental compliance and protection. The City shall cultivate superior environmental standards that will provide for sustainable municipal development.

The City recognizes that growth and opportunity cannot be conducted at the expense of environmental protection and enhancement, and that growth and environmental stewardship are intimately related.

The City believes that the implementation of an environmental ethic need not interfere with economic development, and that practicing such environmental ethic can ultimately be expected to enhance economic affairs and provide for responsible, farsighted development.

The City believes that the protection of the urban and natural environments is a social responsibility and a fundamental obligation of a democratic government, and that an ecologically impoverished and polluted environment adversely impacts human health.

The City is striving to become a model for environmental excellence and a prevailing force in environmental protection. To accomplish these goals, the City shall establish policies that will incorporate environmental responsibility into its daily management of urban and industrial growth, education, energy and water use, air quality, transportation, waste reduction, economic development, and open space and natural habitat.”; and

**WHEREAS**, in support of and in compliance with Metro’s CMP, and consistent with the City’s Land Use Element and Environmental Charter, the City Council of the City of Pasadena hereby finds that the following updates to the City’s trip reduction ordinance are required; and

**WHEREAS**, the City submitted this ordinance to Metro, which approved of the ordinance by letter dated September 30, 2008.

**NOW THEREFORE**, the People of the City of Pasadena ordain as follows:

**SECTION 1.** This ordinance, due to its length and corresponding publication, will be published by title and summary as permitted in Section 508 of the Pasadena City Charter. The approved summary of this ordinance is as follows:

**“Summary**

“Ordinance No. \_\_\_\_\_ amends the Pasadena Municipal Code, Title 17 (the Zoning Code), Article 4, Chapter 17.46, and Title 10 (Vehicles and Traffic), Chapter 10.64, to revise the existing trip reduction requirements consistent with the provisions of the model trip reduction ordinance approved by the Los Angeles County Metropolitan Transportation Authority (“Metro”), to implement Metro’s Congestion Management Program in accordance with California Government Code Sections 65089 and 65089.3. Certain projects will be exempt from these amendments as set forth in the ordinance.

Ordinance No. \_\_\_\_\_ shall take effect 30 days after publication.”

**SECTION 2.** The title of Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.290 is amended as follows:

“Trip Reduction Requirements for Residential and Nonresidential Projects.”

**SECTION 3.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.290, Paragraph A is amended as follows:

**“A. Purpose.** The purpose of the trip reduction requirements is to reduce the demand for vehicle commute trips by ensuring that the design of major residential and nonresidential development projects accommodates facilities for alternative modes of transportation.”

**SECTION 4.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.290, Paragraph B is amended as follows:

**“B. Projects exceeding 25,000 square feet of gross floor area.** Nonresidential development projects, and the nonresidential portion of mixed-use development projects, which exceed 25,000 square feet of gross floor area, as a result of new construction or an expansion of an existing use, shall provide the following:

1. **Carpool and vanpool parking.** A minimum of 10 percent of the employee parking spaces shall be for, and designate as, preferential parking for carpool and vanpool vehicles. The parking area shall be in a location more convenient to the place of employment than parking spaces for single occupant vehicles, and shall be located as close as possible to the employee entrance.
2. **Bicycle parking.** Bicycle parking shall be provided on site in compliance with Section 17.46.320 (Bicycle Parking Standards).
3. **Trip reduction plan.** A transportation plan for smaller projects, or a Transportation Demand Management Program (“TDM”) Plan, shall be submitted which complies with Chapter 10.64 of the Municipal Code (Transportation Management Program).

**SECTION 5.** Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.290, Paragraph C, is amended as follows:

**“C. Projects exceeding 75,000 square feet of gross floor area.** Nonresidential development projects, and the nonresidential portion of mixed-use development projects, which exceed 75,000 square feet of gross floor area, as a result of new construction or an expansion of an existing use, shall meet the requirements of Subsection B., immediately above, in addition to the following:”  
(The rest of the paragraph remains unchanged.)

**SECTION 6.** A new Paragraph D is added to Pasadena Municipal Code, Title 17, Article 4, Chapter 17.46, Section 17.46.290, as follows:

**“D. Residential projects.** Multi-family projects with 100 units or more, or mixed use projects with 50 units or more, shall submit a TDM Program Plan as required by Chapter 10.64 of the Municipal Code (Transportation Management Program).”

**SECTION 7.** The table of contents to Chapter 10.64 is amended as follows:

**“10.64.005 Purpose**

**10.64.010 Transportation plan for smaller projects.**

**10.64.020 Transportation Demand Management Program Plan.”**

**SECTION 8.** Pasadena Municipal Code, Title 10, Chapter 10.64, Section 10.64.005, is added as follows:

**“10.64.005 Purpose**

It is the purpose of this Chapter 10.64 to implement the requirements of the Los Angeles County Metropolitan Transportation Authority’s (“Metro”) Congestion Management Program in accordance with California Government Code Sections 65089 and 65089.3, and consistent with

the provisions of Metro’s model trip reduction ordinance; and to be a leader in environmental compliance and sustainability efforts.”

**SECTION 9.** Pasadena Municipal Code, Title 10, Chapter 10.64, Section 10.64.010, is amended as follows:

**“10.64.010 Transportation plan for smaller projects.**

Nonresidential projects, and the nonresidential portion of mixed-use projects, which are between 25,000 square feet and 75,000 square feet of gross floor area, shall provide employee transportation information services and a transportation plan which conforms to the program requirements approved by the City Department of Transportation. This transportation plan shall be reviewed and approved by the Director of Transportation prior to the issuance of a building permit. Thereafter, these projects shall submit for review an annual update on the implementation of the pre-existing transportation plan. The plan requirements include, but are not limited to, the following:

- A. Project description;
- B. Carpool and vanpool preferential parking designation;
- C. Bicycle parking designation;
- D. Commuter matching services, to be provided for all employees on an annual basis, and for all new employees upon hiring;
- E. Transportation information displays, to be provided on site, situated so as to be seen by the greatest number of employees. Information displayed shall include, without limitation, current maps, routes, and schedules for public transit routes



serving the development; the telephone number and web sites of referrals for transportation information including the numbers and web sites for the regional ridesharing agency and local transit operators; ridesharing promotional materials; bicycle routes and facility information; and a listing of facilities available for bicyclist, carpoolers, pedestrian, transit riders, and vanpoolers at the development; and

F. Contact information for responsible party at the site.”

**SECTION 10.** Pasadena Municipal Code, Title 10, Chapter 10.64, Section 10.64.020, is amended as follows:

**“10.64.020 Transportation Demand Management Program Plan.**

**A. Transportation Demand Management Program Plan.** TDM Program Plans will be required by the following projects:

1. Multi-family residential developments that are 100 or more units;
2. Mixed-use developments with 50 more residential units; or 50,000 sq. ft. or more of non-residential development; or
3. Nonresidential projects which exceed 75,000 sq. ft.

**B. Transportation Demand Management Program Plan requirements.** TDM Program Plans shall conform to the program requirements approved by the City Department of Transportation. The TDM Program Plans shall be reviewed and approved by the Director of Transportation prior to the issuance of a building permit

and thereafter shall be reviewed and approved annually. Program requirements will include, but not be limited to, the following:

1. Project description;
2. Site conditions that affect commute travel;
3. TDM Program Plan measures;
4. Evaluation criteria for reviewing TDM Program Plans; and
5. Duties, responsibilities and qualifications of a certified Employee Transportation Coordinator.

**C. Average vehicle ridership requirements.** Nonresidential development projects, and the nonresidential portion of mixed-use development projects, shall strive to achieve a minimum average vehicle ridership (“AVR”) between 6 a.m. and 9 a.m., Monday through Friday, as follows:

1. All projects shall strive to meet an AVR of 1.5 starting one year from the effective date of this ordinance.
2. All projects that are located within a “Transit Oriented Development” area (as defined in Title 17, Article 8) shall strive to meet a 1.75 AVR starting three years from the effective date of this ordinance.
3. The TDM Program Plan shall include a statement of the property owner’s Chief Executive Officer confirming the owner’s commitment to strive to meet the AVR requirements.

**D. Transportation Demand Management Program statement of commitment.** The property owner's Chief Executive Officer shall make the following commitments to the program:

1. Commitment to conduct annual surveys in conformance with South Coast Air Quality Management District's guidelines to determine commute travel behavior including collection of data on employee means of travel, arrival time, and interest in information on ridesharing opportunities.
2. Commitment to monitor the TDM Program activities; and
3. Commitment to report on the TDM Program annually in a manner required by the City (e.g., TDM Status Report).

**E. Annual Transportation Demand Management Status Report.**

1. Property owners shall submit an annual "TDM Status Report" to the City beginning with the first annual reporting date assigned by the City. The City shall provide the property owner with written notification indicating whether the TDM Status Report is approved or is deemed unacceptable within three months of its receipt. Alternatively, the City may notify the owner in writing of an extension of this deadline of no more than 30 days.
2. Annual reports will be reviewed by the City to determine if the property owner has implemented and/or maintained the TDM Program.
3. City staff will determine if a property has met the applicable AVR as measured by responses from the annual commuter survey.

4. City staff may request auditable documentation to determine compliance.
5. If the performance objective has not been achieved, City staff will determine if progress has been made toward meeting the AVR. This will be determined by, among other things, any change in the reported AVR from the prior year.
6. If the AVR requirement has not been met and a property owner has not made progress toward the requirement, the City shall work collaboratively with the owner to identify modifications to the TDM Program and shall direct the owner to revise its program within 60 days to incorporate the modifications. In response to the recommended modifications, the owner shall submit a revised TDM Program Plan, including the requested modifications or equivalent measures, within 60 days of receiving written notice to revise its program. The City shall review the revisions and notify the owner of acceptance or rejection of the revised program. If a revised program is not accepted, the City will send written notice to that effect to the owner within 60 days.

**F. Commitment to maintain Transportation Demand Management compliance for the life of a project.**

1. Property owners subject to trip reduction requirements shall record a Covenant and Agreement to a property's Codes, Covenants and Restrictions (i.e., CC&Rs) that make the TDM Program a condition of property ownership. The CC&Rs shall include provisions to:

- a. Guarantee adherence to the TDM objectives and perpetual operations of the TDM Program Plan for all legal parcels within the site regardless of property ownership.
  - b. Inform all subsequent property owners of requirements of the TDM Program Plan.
  - c. Inform the City Department of Transportation of any change in property ownership.
  - d. Identify consequences of non-performance.
2. Space use agreements (i.e., lease documents) shall include provisions to inform and commit tenants to and participate in measures of the property's TDM Program, including:
    - a. Encouraging employees to participate in campaigns that promote use of carpools, vanpools, transit, walking and bicycling; and
    - b. Posting transportation information in employee common areas; and
    - c. Participating in the annual employee commute survey; and
    - d. Promoting the availability of preferential car/vanpool parking spaces to employees.

**G. Enforcement.**

1. Property owners shall submit an annual TDM Status Report and relevant data/reports to document compliance with this Chapter. The City shall monitor

such compliance in a manner it deems appropriate and reasonable. Monitoring mechanisms may include, but not be limited to, the following:

- a. Printed documentation of site features (e.g., location of carpool parking spaces);
  - b. Photographs of TDM Program facilities (e.g., carpool parking spaces);
  - c. Field-site inspections by City staff; or
  - d. Other building site reports/surveys which the City may deem appropriate.
2. Non-compliance includes failure to:
- a. Submit a Transportation Demand Management Program Plan;
  - b. Implement strategies contained in an approved TDM Program Plan;
  - c. Submit Annual TDM Status Reports; or
  - d. Substantially achieve the established AVR requirement.
3. The City shall issue a written notice of non-compliance to owner of properties that are out of compliance with this Chapter. The notice shall indicate the cause for non-compliance (e.g., failure to: submit an approved TDM Program Plan, submit an Annual TDM Status Report, substantially achieve the established AVR requirement) and identify actions necessary to attain compliance. Property owners shall be given 30 days to provide documentation of compliance. Each day that a property owner violates the provisions of this Chapter or the terms and conditions of any approved TDM Program Plan shall constitute a separate violation of this Chapter.

4. Non-compliance will result in one or more of the following:
  - a. Require the addition of elements to the property owner's TDM Program Plan.
  - b. Institute proceedings to revoke any approval of a TDM Program Plan.
  - c. Impose an administrative penalty as provided for in Title 1 (General Provisions) of the Municipal Code.
  - d. Withhold the issuance of building permits, certificates of use and occupancy, and/or other City issued permits or licenses
  - e. Issue a stop work order.
  - f. 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.

**SECTION 11.** This ordinance shall not apply to projects that have submitted a complete set of plans for building permits and paid for all plan check fees prior to the effective date of the ordinance, or which are exempt pursuant to the Subdivision Map Act's vesting tentative tract map provisions.

**SECTION 12.** The City Clerk shall certify the adoption of this ordinance and shall cause this ordinance to be published by title and summary.

**SECTION 13.** This ordinance shall take effect 30 days from its publication.

Signed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
Bill Bogaard  
Mayor of the City of Pasadena

I HEREBY CERTIFY that the foregoing ordinance was adopted by the City Council of the City of Pasadena at its meeting held this \_\_\_\_\_ day of \_\_\_\_\_ 2008, by the following vote:

AYES:

NOES:

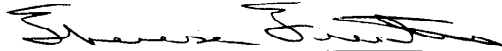
ABSENT:

ABSTAIN:

Date Published:

\_\_\_\_\_  
Mark Jomsky, CMC  
City Clerk

Approved as to form:

  
\_\_\_\_\_  
Theresa E. Fuentes  
Assistant City Attorney

TEF Ordinances/ Resolutions  
trip reduction ordinance as approved by Metro (clean version)