

# Agenda Report

TO: CITY COUNCIL

Date: March 19, 2007

FROM: CITY MANAGER

SUBJECT: MUNICIPAL CODE AMENDMENTS – TRIP REDUCTION  
REQUIREMENTS

## RECOMMENDATION

It is recommended that the City Council:

1. Approve the proposed amendments to the Municipal Code (Zoning Code and Title 10) and the Trip Reduction Ordinance as contained in this report;
2. Find that the proposed amendments are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061 and Section 15378;
3. Adopt a finding that the proposed amendments are consistent with the General Plan as outlined in this report; and
4. Direct the City Attorney to prepare an ordinance within 60 days amending the Pasadena Municipal Code and the Trip Reduction Ordinance to codify the changes.

## RECOMMENDATION BY TRANSPORTATION ADVISORY COMMISSION

The Transportation Advisory Commission (TAC) reviewed the proposed program changes at meetings held on July 14, 2006 and September 7, 2006 and endorsed the recommendations found in this report with one modification. TAC is recommending that the participants in Transit-Oriented Development (TOD) areas be given a period of one year to meet a 1.75 average vehicle ridership, while staff is recommending that they be given a three year period.

### **RECOMMENDATION BY PASADENA PLANNING COMMISSION**

The Pasadena Planning Commission reviewed the proposed program changes on January 24, 2007 and approved the staff recommendations found in this report including the three year phase in period for participants in Transit-Oriented Development (TOD) areas to reach a 1.75 average vehicle ridership. The Planning Commission also recommended the addition of a fourth recommendation: that City Council direct staff to report back to the Transportation Advisory Commission in June 2008 on the status of the Trip Reduction Program; the report to include an analysis of the impact of the program changes.

### **EXECUTIVE SUMMARY**

The 2004 Mobility Element highlighted the need to implement programs to manage demand on the existing transportation system. Department of Transportation staff and a Transportation Advisory Commission (TAC) working group met to review the Trip Reduction Ordinance (TRO) and related Municipal Code regulations to examine alternative program elements that will strengthen the program and provide for improved compliance. The recommendations included in this report focus on:

- Consolidation of rideshare activities;
- Changing the threshold from 100,000 sq. ft. for certain transportation program requirements to 75,000 sq. ft.;
- Applying trip reduction requirements to multi-family projects with 100 units or more and mixed use projects with 50 or more units; and
- Rename and restructure the transportation management plan including:
  - Monitoring and enforcement measures and a \$250 daily penalty for non-compliance; and
  - Require trip reduction performance goals.

The performance targets are set with the intention that the City will act as a leader in meeting those goals. The City will aggressively move toward increasing vehicle ridership for City staff with the objective of achieving an average vehicle ridership of 1.65 next year and 1.75 within three years. In addition staff will focus next year on private sector organizations with average vehicle ridership below 1.5. This is an area that is likely to achieve an immediate and substantial reduction in vehicle trips.

Staff has conducted workshops where the proposed changes have been reviewed and discussed. Notices were sent to regulated sites as well as real estate organizations and companies. (See Attachment 1 for the information provided at the meetings.)

## **BACKGROUND**

The City's trip reduction requirements were enacted in 1993. The trip reduction requirements are found in the Municipal Code in Title 17 (Zoning – Chapter 17.46.290, Trip Reduction Requirements for Nonresidential Projects) and in Title 10 (Vehicles and Traffic – 10.64.010, Employee Transportation Service and Chapter 10.64.020, Transportation Systems Management Program). The Zoning Code portion defines development projects subject to trip reduction requirements and describes features that projects must provide. The Title 10 portion provides thresholds for projects such that they must provide commuter matching services for employees. Title 10 requires that projects exceeding 100,000 square feet have an approved Transportation System Management (TSM) Program prior to qualifying for issuance of building permits and submit reports on the TSM Program annually.

The following summarizes the proposed recommendations.

- I. Consolidate activities related to commuter rideshare programs into one area of the Municipal Code. Nonresidential developments and the nonresidential portion of mixed-use development projects, which exceed 25,000 square feet are required to provide commuter rideshare matching services for all employees on an annual basis, and for new employees upon hiring (Title 10). These projects are also required to have transportation information displays and informational items that promote the use of public transit, bicycles, ridesharing, and walking (Zoning Code). It is recommended that these activities be regulated under Title 10.
- II. Lower the threshold for certain transportation management program elements from 100,000 square feet to 75,000 square feet to include more projects in the program. There are relatively few projects that meet the 100,000 square foot threshold; lowering the threshold will enable the City to have a greater impact on the traffic generated by projects.
  - a. Under the Zoning Code projects 75,000 square feet or greater will be required to have established carpool and vanpool loading areas; designated pedestrian sidewalks or paths that connect the development site to the external pedestrian system; and provide for physical bus stop improvements.
  - b. Under Title 10's Transportation Management Program, projects 75,000 square feet or greater will be required to have a program in place to manage transportation demand to the project site.

- III. Add a new requirement for multi-family projects with 100 units or mixed use projects with 50 units or more to submit a transportation management plan. The specific program requirements will be established in Title 10, Vehicles and Traffic; however, information about the program will be placed in the Zoning Code to ensure that developers are aware of the requirements. Large developments generally have a management company that provides marketing and residential support and have an opportunity to assist residents with information regarding transportation options. In addition, they are generally located in areas with public transit.
- IV. Rename and restructure the transportation management plan requirements found in Title 10 as follows:
  - a. Change the name from Transportation Systems Management (TSM) Program to Transportation Demand Management (TDM) Program. The term Transportation Demand Management is a general term for strategies that result in more efficient use of transportation resources. The goal of these strategies is to reduce single occupant auto trips.
  - b. It is recommended that the City have established Transportation Demand Management (TDM) Program Plan requirements for each project type: multi-family, mixed-use and non-residential, that will ensure that submitted TDM plans have all the program elements (Attachments 2-4). The Plan requirements will be made part of Title 10 and will establish new program criteria, review criteria, monitoring measures and include an enforcement element.
    - 1) A significant element for non-residential projects will be the inclusion of a trip reduction performance goal. The recommended minimum average vehicle ridership for non-residential projects is 1.5 or 1.75 in a transit-oriented development (TOD) area of the City. For the projects in the TOD areas, there will be a three year period from the adoption of the Trip Reduction Ordinance to meet the 1.75 goal. The three year period is different from TAC's recommendation; however, the move in one year from a 1.5 average vehicle ridership to a 1.75 average vehicle ridership would be very difficult to achieve based on the City's own experience, as noted below.

The goal of 1.5 average vehicle ridership is consistent with the standard set by the South Coast Air Quality Management District for San Gabriel Valley. It was determined that the goal in the TOD areas should be higher because there are more alternative modes of travel available. The City's annual rideshare survey was conducted in

November 2006 and the results were received in early January 2007. The results of the survey show that the City employees in the Civic Center area (a TOD zone) have an average vehicle ridership of 1.6. Staff also reviewed updated information on other regulated properties and found that the majority are below the 1.5 threshold. The City will aggressively move toward increasing vehicle ridership for City staff with the objective of achieving 1.65 next year and 1.75 within three years. In addition staff will focus next year on private sector organizations with ridership below 1.5. This is an area that is likely to achieve an immediate and substantial reduction in vehicle trips.

The annual review process will require staff to make a finding that the performance objective was achieved. If the performance objective was not met, a finding must be made that substantial progress was made toward meeting the performance objective. The finding of substantial progress will be based on improved performance over prior years and an audit of program activities. If there is no substantial progress, the regulated site will not be in compliance with the program and enforcement actions noted in the following section would apply.

The establishment of a trip reduction performance goal for residential projects is not recommended. It was determined that it would be impractical for residential properties to under take the survey and follow the methodology used by non-residential properties.

- 2) A new element in the TDM Program Plans is the provision of enforcement measures and consequences for non-compliance. This program change is needed to ensure submittals of program reports and annual project updates. Currently the Transportation Department expends many hours of work collecting this information from program participants. It is proposed that sites who fail to maintain compliance with the program may have one or more of the following actions taken:
  - i. Withholding issuance of building permits, certificates of use and occupancy, and/or other City issued permits or licenses; or
  - ii. Issuing a stop work order; or
  - iii. Assessment of civil penalties, to be set by the City Council, for each day a property owner is found to be out of compliance. The recommended amount is \$250.00 a day.

A table showing the regulated sites and their current status is shown on Attachment 5.

- 3) A program plan requirement for residential projects is the submittal of a plan showing the management of tenant parking spaces. The plan would have to describe how the parking spaces for each unit beyond the first space will be allocated and identify the cost for this additional parking space so that it can be separated from the lease of the unit.

The City is moving towards unbundling the cost of parking units. This concept was recently introduced to the City Council during the discussion on traffic reduction strategies. Staff has been directed to study the feasibility of amending the Zoning Code and Central District Specific Plan to require the unbundling of parking costs for the second space per unit for all new residential structures over ten dwelling units in the Central District and in the Transit Oriented Development Zones.

- V. Require any facility which legally existed on the effective date of adoption, which increases its gross floor area by 25 percent or more, and after such increase, the total area (existing and new) exceeds the 25,000 sq. ft. or 75,000 sq. ft. designation, to comply with the terms of this section. As existing facilities increase in size, it is important to minimize the impact of traffic generated by the projects.
- VI. Amend the trip reduction ordinance to include alternative trip reduction measures at the discretion of the Director of Transportation, after consultation with the Los Angeles County Metropolitan Transportation Authority (Metro). The intent is to provide for greater flexibility and be able to respond to the specifics of a project. The applicant will be required to provide adequate information to demonstrate to the City and Metro that alternative TDM measures have equal or greater ability to reduce trips. Such review will be done on a case-by-case basis. Failure to achieve the target goal established would result in a one-year period to take corrective action. Failure to meet the goal the second year would result in the re-institution of the City's established program requirements. The Director of Transportation will provide the Transportation Advisory Commission (TAC) with a report on any project requesting an alternative trip reduction measure.

**REVIEW AND APPROVAL BY THE LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (Metro)**

Modifications to the City of Pasadena's TDM ordinance must be submitted to Metro prior to the City of Pasadena's adoption of the ordinance. These ordinances are kept on file with Metro as documentation of local Congestion Management Program implementation.

**ENVIRONMENTAL DETERMINATION**

The Environmental Administrator has determined that this code amendment will not result in a direct or reasonably foreseeable indirect physical change in the environment and therefore is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Section 15061 and Section 15378.

**CONSISTENCY WITH THE GENERAL PLAN**

The proposed amendments are consistent with the General Plan's Mobility Element. One of the four major objectives of the Mobility Element is to encourage non-auto travel. Another objective is to manage multimodal corridors.

**Encourage Non-Auto Travel:** Promoting non-auto travel alternatives for traveling within and outside of the community along with parking management strategies represents an important and environmentally friendly way of controlling congestion and promoting active and vibrant City streets.

**Policy 2.9 – Foster programs and initiatives that promote non-auto travel such as vanpools, ride-sharing and car-sharing membership services.**

**Manage Multimodal Corridors:** Achieving the City's transportation objectives and policies necessitate a transportation system capable of serving both existing and future demand. One way to meet this need is to implement programs designed to manage demand.

**Policy 4.10 – Assist employers in developing transportation benefit programs for transit users to provide options that are competitive with automobiles.**

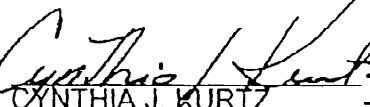
**Policy 4.13 – Coordinate auto and bicycle parking management policies with other transportation and project review efforts such as transit enhancements and transportation demand management programs.**

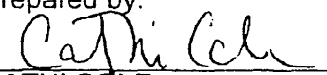
**TRIP REDUCTION PROGRAM MONITORING**


The Department of Transportation will prepare an annual report providing information on the regulated sites. The report will include information on the status of the annual report submittals by the regulated sites; a comparison of the reported average vehicle ridership (AVR) with prior year information; and activities conducted during the year. The annual report will be presented to the Transportation Advisory Commission in June 2008 and to the City Council in July 2008. This action is consistent with the recommendation of the Planning Commission.

**FISCAL IMPACT**

The proposed trip reduction program changes will not require additional financial resources.

Respectfully Submitted by:  
  
CYNTHIA J. KURTZ  
City Manager

Prepared by:  
  
CATHI COLE  
Transit Manager

Reviewed by:  
  
JOYCE Y. AMERSON  
Director of Transportation

Attachments:

1. Questions and Answers Regarding Proposed Changes to the City's Trip Reduction Program
2. Transportation Demand Management (TDM) Program Plan - Residential Projects
3. Transportation Demand Management (TDM) Program Plan - Mixed-Use Projects
4. Transportation Demand Management (TDM) Program Plan - Non-Residential Projects
5. Table of Regulated Sites



## QUESTIONS AND ANSWERS REGARDING PROPOSED CHANGES TO THE CITY'S TRIP REDUCTION PROGRAM

### ***1. What is the trip reduction program?***

The City's trip reduction requirements were enacted in 1993. The trip reduction requirements are found in the Municipal Code in the Zoning (Chapter 17.46.290, Trip Reduction Requirements for Nonresidential Projects) and Vehicles and Traffic (10.64.010, Employee Transportation Service and Chapter 10.64.020, Transportation Systems Management Program) chapters. The Zoning Code portion defines development projects subject to trip reduction requirements and describes features that projects must provide. The Title 10 portion provides thresholds for projects such that they must provide commuter matching services for employees. Title 10 requires that projects exceeding 100,000 square feet have an approved Transportation System Management (TSM) Program prior to qualifying for issuance of building permits and to submit reports on the TSM Program annually.

### ***2. Why is the City making changes to the trip reduction program?***

The 2004 Mobility Element highlighted the need to implement programs designed to manage demand on the existing transportation system. One of the Department of Transportation's goals was the review of the City's Trip Reduction Ordinance (TRO) to examine alternative program elements that would strengthen the program and provide for improved compliance.

### ***3. What are the major changes being proposed?***

There are several major changes, these include:

- A. The threshold for nonresidential projects to implement specific program requirements will be changed from 100,000 sq. ft. to 75,000 sq. ft.

#### ***What program requirements will this change impact?***

Under the Zoning Code this change pertains to site improvements such as carpool and vanpool loading areas, sidewalks that connect internal movement to the external pedestrian system, and bus stop improvements.

Under Title 10 this change relates to the requirement to submit a transportation demand management program to the City prior to the issuance of a building permit.

- B. Multi-family projects with 100 units or mixed use projects with 50 units or more would be required to submit a transportation demand management program to the City prior to the issuance of a building permit. The specific program requirements will be established in Title 10, Vehicles and Traffic; however, information about the program will be placed in the Zoning Code to ensure that developers are aware of the requirements.

#### ***Why are residential projects being included in the trip reduction program?***

These projects concentrate large numbers of individuals in a compressed area, generally in an area that has significant transit resources. Requiring these types of projects to promote alternative transportation modes of travel can have an impact on single occupant vehicle trips.

***Why target only large residential projects?***

Large developments generally have a management company that provides marketing and resident support and will have an opportunity to assist residents with information regarding transportation options, they are generally located in areas with public transit and they can provide support for residential programs.

C. Changes are proposed for the transportation demand management plan requirements.

***4. Besides the inclusion of large residential projects, what other changes are proposed for the transportation management plan?***

A. Currently the program is referred to as the Transportation System Management Program, it is proposed to have the name changed to Transportation Demand Management Program. The use of the term "system" is more closely identified with strategies such as signal synchronization, bicycle paths and intersection modifications. The term Transportation Demand Management is a general term for strategies that result in more efficient use of transportation resources.

B. It is recommended that the City have established Transportation Demand Management (TDM) Program Plan requirements for each project type: multi-family, mixed-use and non-residential, that will ensure that submitted TDM plans have all the program elements. The Plan requirements will be made part of Title 10 and will establish new program criteria, review criteria, monitoring measures and include an enforcement element.

***5. What are the significant elements of the proposed Transportation Demand Management (TDM) Program Plan?***

A significant element for non-residential projects will be the inclusion of a trip reduction performance goal. The recommended minimum average vehicle ridership for non-residential projects that are not located in a transportation oriented development (TOD) area is 1.5. For non-residential projects that are located in a TOD the goal is 1.75 to be obtained within three years of the implementation of the Trip Reduction Ordinance update.

***6. How were the goals selected?***

The goal of 1.5 average vehicle ridership (AVR) is consistent with the standard set by the South Coast Air Quality Management District for San Gabriel Valley. It was determined that the goal in the TOD areas should be higher because there are more alternative modes of travel available.

***7. What happens if the project does not meet the goal?***

If the project complies with all the provisions of the approved TDM Program Plan but fails to meet the AVR goals it will not be considered a violation of the Trip Reduction Ordinance. However, the Department of Transportation shall retain the right to require the project to provide additional incentives and marketing strategies to the existing TDM Program Plan that have the potential to increase the AVR.

***8. Will residential projects be required to meet a performance goal?***

The establishment of a trip reduction performance goal for residential projects is not recommended. It was determined that it would be impractical for residential properties to under take the survey and follow the methodology used by non-residential properties.

***9. What happens if a project does not submit a TDM Program Plan?***

The project must have an approved plan on file with the Department of Transportation before a building permit is issued. A new element in the TDM Program Plans is the provision of enforcement measures and consequences for non-compliance. The City may impose an enforcement fee of \$250 per day.

**10. *What will the City do with enforcement fees collected?***

A fund will be established in the City's General Fund to receive revenue from fines for violations. Revenue from fines will be allocated to activities or incentives to reduce vehicle trips in the City. The Director of Transportation will recommend how these funds should be allocated.

**11. *Are there any significant requirements that residential projects have to include in their TDM Program Plans?***

A program plan requirement for residential projects is the submittal of a plan showing the management of tenant parking spaces. The plan would have to describe how the parking spaces for each unit beyond the first space will be allocated and require the second and any additional space to have cost separate from the lease of the unit.

**12. *Will these program changes only apply to new developments?***

These program changes will impact new developments; however, Any facility which legally existed on the effective date of adoption, which increases its gross floor area by 25 percent or more, and after such increase, the total area (existing and new) exceeds the 25,000 sq. ft. or 75,000 sq. ft. designation, must comply with the terms of this section. As existing facilities increase in size, it is important to minimize the impact of traffic generated by the projects.

**13. *Will new and existing projects be able to request modifications to the TDM Program requirements?***

The Director of Transportation, after consultation with the Los Angeles County Metropolitan Transportation Authority (Metro), would have the authority to modify trip reduction program requirements found in either the Zoning Code or Title 10. The intent is to provide for greater flexibility and be able to respond to the specifics of a project. The applicant would be required to provide adequate information to demonstrate to the City and Metro that the project can achieve a mutually agreed upon mode split through an alternative plan. Failure to achieve the target goal established would result in a one-year period to take corrective action. Failure to meet the goal the second year would result in the re-institution of the City's established program requirements. The Director of Transportation will provide the Transportation Advisory Commission (TAC) with a report on any project requesting an alternative trip reduction measure.

**Transportation Demand Management (TDM) Program Plan  
Residential Projects**

The Transportation Demand Management (TDM) Program Plan for multifamily residential projects that are 100 or more units shall contain the following information:

Section 1: Project Description:

- Type of use(s) (e.g., residential multi-family, mixed use)
- Square footage (total and by type of use)
- Site plan showing building entrances relative to parking facilities, public sidewalks, and street(s). Plans of parking facilities should also be provided.
- Estimate of building population
- Hours of operation for common areas – normal and after hours

Section 2: Site Conditions Affecting Peak Period Travel:

This section will provide both a narrative description and site plans that show the following conditions that may affect peak period travel patterns:

- building location
- neighboring streets
- locations of transit stops (bus and/or rail)
- location and amount of on and off-site parking that is dedicated to the site
- bicycle routes/lanes/paths
- pedestrian routes to the project site
- amenities, if any, serving the site (e.g., ATM, food services).

Section 3: TDM Program Measures:

This section will provide a description of the measures that will be implemented to reduce peak period travel demand, including how the actions will be implemented, and a schedule. TDM Programs shall include:

- The name and contact information for the designated property management person.
- Budget for the proposed program including anticipated expenditures by program element.

- Commuter ridematching – describe how and how often the service will be provided.
- Bicycle parking - Identify the location of spaces on site or parking facility plan.
- Transportation information area - Identify the location on site where information will be available. Describe the type of display area and or technology that will be used to provide information, i.e., static display boards; web based on-line access to information; interactive kiosks, etc.
- Marketing and information about travel demand management – Describe the type of activity, frequency, and materials to be produced (e.g., brochure, access guide).
- Management of tenant parking spaces – describe how the parking spaces for each unit beyond the first space will be allocated. Should a unit have a second or more space assigned; the cost of the space(s) will be separate from the lease of the unit.
- Additional actions may include car-sharing parking spaces.

#### Section 4: Monitoring:

- TDM Program Plans shall have a statement committing the property owner to account for usage of TDM Program measures and describing how usage of TDM Program measures will be monitored.
- TDM Program Plans shall have a statement committing the property owner to reporting on the TDM Program annually in a manner prescribed by City requirements (e.g., Annual Status Report.).

#### Evaluation of TDM Programs

TDM Programs shall be evaluated by City staff using the following criteria:

- Completeness and accuracy
- Appropriateness of the proposed measures to achieve the performance objective given the project's characteristics and setting
- Documentation to support measures being proposed
- Clarity of statements of commitment to implement and operate the TDM Program

#### Annual Status Reports

TDM Program Plans will be reviewed and approved annually by the Director of Transportation. Annual Status Reports will be reviewed to determine if property

owners have implemented and/or maintained the TDM Program. City staff may request auditable documentation to determine compliance.

#### Commitment to Continuing Operation

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:

- Guarantee adherence to the TDM objectives and perpetual operation of the TDM program for all legal parcels within the site regardless of property ownership.
- Inform all subsequent property owners of requirements of the TDM plan.
- Inform the City of Pasadena Transportation Department of any change in property ownership.
- Identify consequences of non-performance.

#### Enforcement

Property owners shall submit an Annual Status Report and relevant data/reports to document compliance with Section Xxx of the Municipal Code. 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:

- Printed documentation of site features
- Field-site inspections by City staff

Failure to comply includes:

- Submit a TDM Program
- Implement measures contained in approved TDM Programs
- Submit Annual Status Reports

The City shall issue a written notice of non-compliance to owners of properties that are out of compliance with Chapter XXX (trip reduction requirements). The notice shall indicate the cause for non-compliance (e.g., failure to submit an approved TDM Program or Annual Status Report) and identify actions necessary to attain compliance. Property owners shall be given xxx days to provide documentation of compliance.

Failure to attain compliance may result in one or more of the following actions:

- Withholding issuance of building permits, certificates of use and occupancy, and/or other City issued permits or licenses
- Issuing a stop work order
- Assessment of civil penalties, to be set by the City Council.

**Transportation Demand Management (TDM) Program Plan  
Mixed-Use Projects**

The Transportation Demand Management (TDM) Program Plan for mixed-use projects where the number of residential units are 50 or greater and/or the non-residential component of the project is 50,000 square feet or greater, shall contain the following information:

Section 1: Project Description:

- Type of use(s) (e.g., office, medical, retail, mixed use)
- Square footage (total and by type of use)
- Site plan showing building entrances relative to parking facilities, public sidewalks, and street(s). Plans of parking facilities should also be provided.
- Estimate of building population
- Hours of operation – normal and after hours

Section 2: Site Conditions Affecting Commute Travel:

This section will provide both a narrative description and site plans that show the following conditions that may affect commute travel patterns:

- building location
- neighboring streets
- locations of transit stops (bus and/or rail)
- location and amount of on and off-site parking that is dedicated to the site
- bicycle routes/lanes/paths
- pedestrian routes to the project site
- amenities, if any, serving the site (e.g., ATM, food services).

Section 3: Performance Objective:

The TDM Program shall include measures designed to achieve a minimum average vehicle ridership of 1.5 or 1.75 in a Transportation Oriented District (TOD) for the non-residential portion of the project. This will be done by encouraging employees traveling to the site by carpool, vanpool, transit, bicycle, walking, or not making a trip to the site as a result of working a compressed work week schedule or teleworking.

The TDM Plan will include a statement by the Chief Executive Officer for the operating firm confirming the organization's commitment to meet the performance objective.

#### Section 4: TDM Program Measures:

This section will provide a description of the measures that will be implemented to achieve the performance objective; including how the action will be implemented, the entity responsible for implementation and/or financial support (i.e., property owner, developer, and/or tenants), and a schedule. TDM Programs shall include:

- Name and contact information for the designated Transportation Coordinator for the project. If the mixed-use project has 50,000 Sq. Ft. or more of non-residential area, the Transportation Coordinator will have or will secure within 90 days of approval of the TDM Plan (or within 90 days of designation as the site's Transportation Coordinator) an approved certification.
- Budget for the proposed program including anticipated expenditures by program element.
- If the project has 25,000 Sq. Ft. or more of non-residential area, commuter ridematching will be required – describe how and how often the service will be provided.
- If the project has 25,000 Sq. Ft. or more of non-residential area, carpool and vanpool preferential parking will be required – identify the location of spaces on a plan of the parking facility. Indicate the signage used to identify spaces.
- If the project has 25,000 Sq. Ft. or more of non-residential area, parking that allows for vanpool parking will be required – Identify height clearance of parking facility, if appropriate.
- Bicycle parking for all components of the project as required by City Code - Identify the location of spaces on site or parking facility plan for both the residential and non-residential components of the project.
- Transportation information area - Identify the location on site where information will be available to both the residential and non-residential components of the project. Describe the type of display area and or technology that will be used to provide information, i.e., static display boards, web based on-line access to information, interactive kiosks, etc.
- Marketing and information – Describe the type of activity, frequency, and materials to be produced (e.g., brochure, access guide).



- Parking Cash Out Programs – Describe how the employers at the site are complying with provisions of the State's required program.
- Management of residential tenant parking spaces – describe how the parking spaces for each unit beyond the first space will be allocated. Should a unit have a second or more space assigned, the cost of the space(s) will be separate from the lease of the unit.
- Additional actions to achieve the performance objective: additional actions may include, but not be limited to enhancements to transportation services (e.g., Guaranteed Ride Home, vanpooling, carsharing, shuttles), incentives (e.g., reduced parking fees for carpools and vanpools) and disincentives.

#### Section 5: Monitoring:

- Where the non-residential component of the project is 50,000 square feet or greater, TDM Program Plans shall have a statement committing the property owner to conducting a survey of commute travel behavior annually including collection of data on employee means of travel, arrival time, travel distance, and interest in information on ridesharing opportunities.
- TDM Program Plans shall have a statement committing the property owner to account for usage of TDM Program measures and describing how usage of TDM Program measures will be monitored.
- TDM Program Plans shall have a statement committing the property owner to reporting on the TDM Program annually in a manner prescribed by City requirements (e.g., Annual Status Report.).

#### Evaluation of TDM Programs

TDM Programs shall be evaluated by City staff using the following criteria:

- Completeness and accuracy
- Appropriateness of the proposed measures to achieve the performance objective given the project's characteristics and setting
- Documentation to support measures being proposed
- Clarity of statements of commitment to implement and operate the TDM Program

#### Annual Status Reports

TDM Program Plans will be reviewed and approved annually by the Director of Transportation. Annual Status Reports will be reviewed to determine if property owners have implemented and/or maintained the TDM Program and have

achieved the performance objective (as measured by responses from the annual commuter survey). City staff will determine if a property has met the Performance Objective (i.e., 1.5 AVR or 1.75 AVR if project is located in a TOD). City staff may request auditable documentation to determine compliance. If the performance objective has not been achieved, City staff will determine if substantial progress has been made toward meeting the Performance Objective. If substantial progress toward meeting the Performance Objective has not been demonstrated, City staff will assess if a 'good faith effort' has been made to implement the TDM Program.

#### Commitment to Continuing Operation

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:

- Guarantee adherence to the TDM objectives and perpetual operation of the TDM program for all legal parcels within the site regardless of property ownership.
- Inform all subsequent property owners of requirements of the TDM plan.
- Inform the City of Pasadena Transportation Department of any change in property ownership.
- Identify consequences of non-performance.

Where the non-residential component of the project is 50,000 square feet or greater, space use agreements (i.e., lease document) shall include provisions to inform and commit tenants to participate in measures of the property's TDM Program including:

- Allowing employees to participate in campaigns that promote use of carpools, vanpools, transit, walking, and bicycling
- Posting transportation information in employee common areas
- Participating in the annual employee travel survey
- Informing employees of the availability of car/vanpool parking spaces

#### Enforcement

Property owners shall submit an Annual Status Report and relevant data/reports to document compliance with Section Xxx of the Municipal Code. 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:

- Printed documentation of site features (e.g., location of carpool parking spaces) on site and/or parking plans
- Photographs of TDM Program facilities (e.g., carpool parking spaces)
- Field-site inspections by City staff

- Other building site reports/surveys which the City of Pasadena may deem appropriate.

Failure to comply includes:

- Submit a TDM Program
- Implement measures contained in approved TDM Programs
- Submit Annual Status Reports
- Not make a 'good faith effort' to attain the performance objective

The City shall issue a written notice of non-compliance to owners of properties that are out of compliance with Chapter XXX (trip reduction requirements). The notice shall indicate the cause for non-compliance (e.g., failure to submit an approved TDM Program or Annual Status Report) and identify actions necessary to attain compliance. Property owners shall be given xxx days to provide documentation of compliance.

Failure to attain compliance may result in one or more of the following actions:

- Withholding issuance of building permits, certificates of use and occupancy, and/or other City issued permits or licenses
- Issuing a stop work order
- Assessment of civil penalties, to be set by the City Council, for each day a property owner is found to be out of compliance.

**Transportation Demand Management (TDM) Program Plan  
Non-Residential Projects**

The Transportation Demand Management (TDM) Program Plan shall contain the following information:

Section 1: Project Description:

- Type of use(s) (e.g., office, medical, retail, mixed use)
- Square footage (total and by type of use)
- Site plan showing building entrances relative to parking facilities, public sidewalks, and street(s). Plans of parking facilities should also be provided.
- Estimate of building population
- Hours of operation – normal and after hours

Section 2: Site Conditions Affecting Commute Travel:

This section will provide both a narrative description and site plans that show the following conditions that may affect commute travel patterns:

- building location
- neighboring streets
- locations of transit stops (bus and/or rail)
- location and amount of on and off-site parking that is dedicated to the site
- bicycle routes/lanes/paths
- pedestrian routes to the project site
- amenities, if any, serving the site (e.g., ATM, food services).

Section 3: Performance Objective:

The TDM Program shall include measures designed to achieve a minimum average vehicle ridership of 1.5 or 1.75 in a Transportation Oriented District (TOD). The project will have three years This will be done by encouraging employees traveling to the site by carpool, vanpool, transit, bicycle, walking, or not making a trip to the site as a result of working a compressed work week schedule or teleworking.

The TDM will include a statement by the Chief Executive Officer for the operating firm confirming the organization's commitment to meet the performance objective.

#### Section 4: TDM Program Measures:

This section will provide a description of the measures that will be implemented to achieve the performance objective; including how the action will be implemented, the entity responsible for implementation and/or financial support (i.e., property owner, developer, and/or tenants), and a schedule. TDM Programs shall include:

- Name and contact information for the designated Transportation Coordinator. The Transportation Coordinator will have or will secure within 90 days of approval of the TDM Plan (or within 90 days of designation as the site's Transportation Coordinator) an approved certification.
- Budget for the proposed program including anticipated expenditures by program element.
- Commuter ridematching – describe how and how often the service will be provided.
- Carpool and vanpool preferential parking – identify the location of spaces on a plan of the parking facility. Indicate the signage used to identify spaces.
- Parking that allows for vanpool parking – Identify height clearance of parking facility, if appropriate.
- Bicycle parking - Identify the location of spaces on site or parking facility plan.
- Employee shower and locker facilities – for use by employees who bicycle to work.
- Transportation information area - Identify the location on site where information will be available to both the residential and non-residential components of the project. Describe the type of display area and or technology that will be used to provide information, i.e., static display boards, web based on-line access to information, interactive kiosks, etc.
- Carpool/vanpool loading area - Identify the location on site or parking facility plan.
- Marketing and information – Describe the type of activity, frequency, and materials to be produced (e.g., brochure, access guide).
- Parking Cash Out Programs – Describe how the employers at the site are complying with provisions of the State's required program.

- 
- Additional actions to achieve the performance objective: additional actions may include, but not be limited to enhancements to transportation services (e.g., Guaranteed Ride Home, vanpooling, carsharing, shuttles), incentives (e.g., reduced parking fees for carpools and vanpools) and disincentives.

#### Section 5: Monitoring:

- TDM Program Plans shall have a statement committing the property owner to conducting a survey of commute travel behavior annually including collection of data on employee means of travel, arrival time, travel distance, and interest in information on ridesharing opportunities.
- TDM Program Plans shall have a statement committing the property owner to account for usage of TDM Program measures and describing how usage of TDM Program measures will be monitored.
- TDM Program Plans shall have a statement committing the property owner to reporting on the TDM Program annually in a manner prescribed by City requirements (e.g., Annual Status Report.).

#### Evaluation of TDM Programs

TDM Programs shall be evaluated by City staff using the following criteria:

- Completeness and accuracy
- Appropriateness of the proposed measures to achieve the performance objective given the project's characteristics and setting
- Documentation to support measures being proposed
- Clarity of statements of commitment to implement and operate the TDM Program

#### Annual Status Reports

TDM Program Plans will be reviewed and approved annually by the Director of Transportation. Annual Status Reports will be reviewed to determine if property owners have implemented and/or maintained the TDM Program and have achieved the performance objective (as measured by responses from the annual commuter survey). City staff will determine if a property has met the Performance Objective (i.e., 1.5 AVR or 1.75 AVR if project is located in a TOD). City staff may request auditable documentation to determine compliance. If the performance objective has not been achieved, City staff will determine if substantial progress has been made toward meeting the Performance Objective. If substantial progress toward meeting the Performance Objective has not been

demonstrated, City staff will assess if a 'good faith effort' has been made to implement the TDM Program.

#### Commitment to Continuing Operation

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:

- Guarantee adherence to the TDM objectives and perpetual operation of the TDM program for all legal parcels within the site regardless of property ownership.
- Inform all subsequent property owners of requirements of the TDM plan.
- Inform the City of Pasadena Transportation Department of any change in property ownership.
- Identify consequences of non-performance.

Space use agreements (i.e., lease document) shall include provisions to inform and commit tenants to and participate in measures of the property's TDM Program including:

- Allowing employees to participate in campaigns that promote use of carpools, vanpools, transit, walking, and bicycling
- Posting transportation information in employee common areas
- Participating in the annual employee travel survey
- Informing employees of the availability of car/vanpool parking spaces

#### Enforcement

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## Trip Reduction Regulated Sites

SITE	AVR	COMPLIANT			NOTES
		YES	Pending Additional Actions	NO	
Art Center College of Design	1.19	X			In compliance; active TMA participant.
Avery International	1.15		X		Plan on file and working with staff to complete their annual update
BRCP 460 Sierra Madre Villa (Formerly Earthlink)					No contact with new owners
Caltech	1.45	X			In compliance; active TMA participant.
CB Richard Ellis-Trammel Crow Building 2N Lake	1.03	X			In compliance; active TMA participant.
CB Richard Ellis-Gateway Plaza	1.11	X			In compliance.
Crown City Center	....		X		First year annual update has not been submitted; working with staff to complete their update.
Equity Properties 155 N. Lake Ave (IndyMac)	1.18	X			In compliance
Equity Properties Pasadena Towers II 800 E. Colorado Blvd.	1.12	X			In compliance
Frostig Center 916 Altadena Dr.	NA			X	A minor project-plan on file; they have not submitted annual updates
Fuller Seminary	1.91				Recently regulated; staff is working with them to develop plan Fuller reports to AQMD under Rule 2202 and has AVR information available.
Hastings Ranch Business District, 580/600 N Sierra Madre Villa Cogent Systems Exchange new owner				X	Original plan on file; no recent annual updates
Huntington Hotel/ Ritz Carlton	1.16		X		Annual report submitted in September; report is incomplete, working with staff.
Huntington Memorial Hospital	1.20	X			In compliance; active TMA participant.
IndyMac Bank 3465 E Foothill	1.12	X			In compliance.
Kaiser Permanente 350 E. Corson Street	1.23	X			In compliance
Lake Avenue Congregational Church 393 N. Lake Ave.				X	Minor project; non-compliant in 2006.

## Trip Reduction Regulated Sites

SITE	AVR	COMPLIANT			NOTES
		YES	Pending Additional Actions	NO	
Las Encinas Hospital	NA		X		Have an approved plan; working with staff on annual report.
Macy's West and Paseo	1.14 1.28	X			In compliance.
Mayfield Senior School	NA	X			In compliance.
Old Pasadena Courtyard by Marriott			X		Annual update submitted; however, they are not working with staff to conducted necessary audits. No response to requests for meetings.
One Colorado	1.35	X			In compliance.
Operating Engineers – 100/150 E. Corson	1.30		X		Annual Report submitted pending approval – they are working with staff.
Operating Engineers – 301 N. Lake Ave	1.80		X		Annual Report submitted pending approval - they are working with staff.
Pasadena Collection 175 South Lake Ave.				X	Non-compliant. No responses to letter, voice message or emails
Paseo Colorado/Modern Parking 371 East Green Street			X		Working with staff.
PM Realty Group, 200 S. Los Robles	1.10		X		Annual Report submitted pending approval; they are working with staff.
PM Realty Group 1055 E. Colorado (Koll Development)	1.19	X			In compliance.
Polytechnic School	1.30	X			In compliance
Pottery Barn (one West Colorado) 1 West Colorado				X	Minor project – no response to past letters
Shops on Lake	1.00		X		Working with staff to complete Annual Report update.
St. Luke's Medical/Caltech	NA				Once developed, staff will work on this site with Caltech.
Target 3121 E. Colorado			X		Plan on file, status report submitted for 2006, working with staff
Terraces at Paseo	NA	X			In compliance with all reporting; not required to report AVRs.
The Westin Plaza Western Asset Plaza/Maguire	1.13	X			In compliance.

## Trip Reduction Regulated Sites

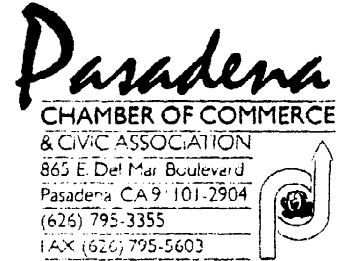
SITE	AVR	COMPLIANT			NOTES
		YES	Pending Additional Actions	NO	
Wescor Telephone Emp Credit Union 123 S. Marengo Ave. Pasadena, 91103				X	Major project. No plan on file, no status reports.
Vons Market 655 N. Fair Oaks Ave				X	Minor project; has refused to submit any information or reports.

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CITY OF PASADENA  
CITY OF PASADENA

February 20, 2008  
Bill Bogaard,  
Mayor,  
City of Pasadena  
100 N. Garfield Avenue  
Pasadena, CA 91109



Dear Mayor Bogaard,

First, I want to thank the Transportation Advisory Commission for taking up Pasadena's Trip Reduction Ordinance, in particular the questions surrounding the possible imposition of fines currently associated with the TRO. Commission members have been very careful in their deliberations and considered their recommendations thoroughly before coming up with a very reasonable alternative to the current Trip Reduction Ordinance.

As you know, I served on the City Council when the TRO was considered and I know I supported the addition of fines to the TRO. At the time, I was not aware of the impacts such a requirement and fine would have on those working to meet the TRO benchmarks. I also did not know how difficult it is to actually meet the benchmarks set by the Trip Reduction Ordinance and that imposing a penalty for not meeting the goals would be a disincentive to even attempting to meet the goals. Basically, why would anyone invest possibly hundreds of thousand of dollars and hundreds of hours trying to put a plan in place if the penalties will cost less?

Huntington Hospital, for example, has instituted programs, incentives, and opportunities for their employees to rideshare, use transit and find alternatives to single driver cars and have won awards for efforts, all at great expense to the hospital. Even with all these notable programs, and after considerable expenditures, they have not been able to reach the goals set by the TRO.

It is in everyone's best interest for Pasadena to increase carpool use, transit ridership and alternatives to single passenger cars. Since it is so difficult to meet the goals given Pasadena's current transit opportunities, it makes no sense to include a penalty against those companies that do submit plans and try to meet the goals of the TRO.

Please rescind the penalty provision of the Trip Reduction Ordinance as your Transportation Advisory Commission has recommended.

Thank you,  
  
Paul Little  
President and Chief Executive Officer

