



DOCKET ITEM #4
Zoning Text Amendment # 2022-00012

Issue: Public hearing and consideration of (1) a Text Amendment to the Zoning Ordinance to add Sections 11-715 relating to Transportation Management Plans and (2) a Transportation Management Program (TMP) Policy.	Planning Commission Hearing:	March 7, 2023
	City Council Hearing:	March 18, 2023
Staff: Katie North, Division Chief, Transportation and Environmental Services Hillary Orr, Deputy Director Transportation and Environmental Services Rob Kerns, Division Chief, Planning and Zoning Christina Brown, Deputy City Attorney		
<u>PLANNING COMMISSION ACTION, DECEMBER 6, 2022:</u> On a motion by Commissioner Lyle, seconded by Vice Chair McMahon, the Planning Commission voted to defer Zoning Text Amendment #2022-00012. The motion carried on a vote of 7-0.		
<u>Reason:</u> The Planning Commission was supportive of the changes for new development, but had several questions about how the Policy would be applied to new development. The Commission noted they would provide staff with specific questions to address.		
<u>Speakers:</u> Morgan Babcock with the Carlyle Community Council expressed concern about the updated Policy and how it would apply to existing developments with TMPs, such as Carlyle. She noted there were still many questions about the proposal that had not been addressed.		

I. Issue

The purpose of this Text Amendment is to make changes to the Transportation Management Plan requirements outlined in the Zoning Ordinance. The proposed changes would eliminate the requirement for a Special Use Permit (SUP) and instead adopt the Transportation Management Program (TMP) Policy. This policy will establish expectations for transportation management from new development, similar to the existing Green Building and Affordable Housing policies.

The new Policy changes how new development participates in the TMP by:

- Requiring all but the largest developments to pay into a GO Alex Fund, which is managed by the City, rather than managing individual funds themselves. (Developments over a certain size can still manage their own program with City oversight, but without paying into a City fund). The GO Alex Fund will be used to make transportation investments Citywide.
- Encouraging investments in mobility by providing incentives for paying total TMP obligation up front, building transportation improvements on site, and locating in an enhanced transit area
- Having the City manage the evaluation and survey process to determine the effectiveness of meeting mode split goals and reducing SOV trips
- Ending the funding obligation after 30 years

In addition, the text amendment will allow properties with an existing Transportation Management Plan SUP to opt in to the new policy framework through an administrative change.

II. Background

The Transportation Management Plan requirement has been in place since 1987 and is codified in the City's Zoning Ordinance under Section 11-700. Despite minor changes over the years, the basic requirements have remained the same. Developments above a certain threshold apply for an SUP to develop and administer a TMP, which runs concurrently with the DSUP. TMPs often outline specific transportation requirements a development must carry out, such as offering an incentive program or shuttle bus to Metrorail. Developments fund their individual TMPs through an annual contribution into an account they manage and oversee. The City currently has 106 active TMPs. A chart below shows the age range of these TMPs.

Active TMPs by Age

Age	Number of TMPs
20 years or more	30
10-19 years old	33
9 years or fewer	43
TOTAL	106

A Zoning Ordinance change in 2014 standardized annual rates and established updated development tiers for TMPs. The smallest developments are in Tier 1 and pay into the City-

managed Go Alex Fund. Medium size development is considered Tier 2 and could choose either option. Large developments are Tier 3 and manage their own funds.

An update to the TMP requirements is necessary for several reasons:

- Developers negotiate the terms of the transportation management plan but are often not involved in the implementation and management of the program.
- Administration of TMPs typically falls on property management, who often lack tools, expertise, and time to implement and oversee an effective TMP.
- Too many TMPs are doing different things with varying degrees of success, and many are not compliant with the requirements spending and reporting.
- Compliance is low because penalties are nominal. For example, TMPs created before 2014 only receive a \$50 fine for noncompliance.
- It is difficult to measure the success of TMPs since the surveys used to evaluate travel behaviors are administered by each TMP, and the data is unreliable due to low response rates.
- TMPs often accrue funds faster than they can be spent.
- It is administratively time-consuming for staff to coordinate with over 100 different TMP Coordinators that are frequently changing and have different levels of expertise.

The proposed amendment and Policy bring TMP requirements in line with other communities (Attachment #1).

III. Discussion of Proposed Text Changes

In addition to the adoption of the new policy, there are two changes to the Zoning Ordinance that are required to implement the proposed update to the TMP (Attachment #2):

1. Section 11-704: Eliminates the requirement for an SUP for all DSUP applicants after July 1, 2023. Instead, applicants would follow the TMP Policy which will be referenced in the DSUP conditions of approval.
2. Section 11-715: Adds a new section that establishes an administrative process for existing TMP SUPs to amend their SUPs to follow the TMP Policy instead.

The new Section 11-715 is an important amendment that will allow existing developments with TMPs to benefit from the new Policy. Typically, amendments to SUPs must be approved by Council. This new section of the Zoning Ordinance establishes an administrative process where the Director of Transportation and Environmental Services can allow an existing TMP SUPs to be governed by the new policy. Staff will have an application process and ensure that existing TMPs fulfill conditions, such as paying outstanding TMP balances.

The remainder of Section 11-700 would still be in place but would only apply to TMP SUPs with an application date before July 1, 2023 that did not opt to administratively amend their TMP SUP to follow the new policy.

IV. Discussion of Policy

The Proposed TMP Policy (Attachment #3) will change how TMPs are administered. Some of the most important changes are highlighted below:

Change in Program Administration

The primary change to the TMP is most developments with this existing Transportation Management Plan requirements would now pay into the City managed GO Alex fund, instead of managing their own funds. The City would manage this fund and make investments into transportation projects and programs that advance the strategies of the Alexandria Multimodal Plan (AMP) and other city goals. The benefit of this change is that the single fund achieves economies of scale that individual TMP funds cannot. There are currently over a hundred separate funds, each of which have different programs to administer with different levels of available funding. By combining funding into one City-managed fund, the funding can be used more effectively.

Additionally, the City proposes spending on transportation projects that also have a broader City impact. While all projects are intended to offset the impact of SOV trips that new development creates, the City will have a targeted list of city-wide and planning area specific projects jointly developed with stakeholders and the reviewed annually with the Transportation Commission.

Changes to Allowed Land Uses

The policy has also modified the land uses subject to TMP requirements. Commercial combines office, retail, laboratory, and academic space into one category. Industrial is no longer included because the majority of trips generated by this land use are freight uses, which should be addressed through a separate policy if needed. The residential and hotel thresholds for participation remain similar to the existing TMP requirements in the Zoning Ordinance.

Payment and Credit Structure

With this proposed update, TMP requirements ends after 30 years, as opposed to lasting forever under the current requirements. This aligns with best practices for TDM ordinances elsewhere, and that very little meaningful change to travel behavior occurs after a development exists for 30 years.

Additionally, the Policy also establishes several credits that can be achieved to reduce the amount a development is required to pay.

1. *Participation in the Citywide TMP* – The policy proposes a 5% credit for participating in the Citywide TMP. This was intended to encourage developers to participate in the City-managed program which will allow for easier coordination of funding for projects.
2. *Building within an Enhanced Transit Area* – Recognizing that developing in areas well served by transit has huge implications on the success of a TMP program, staff proposed a 15% credit for developing within an Enhanced Transit Area. This is similar to the existing credit in the Zoning Ordinance for building near transit, which is based on proximity to a Metrorail or bus rapid transit station entrance. However, using the Enhanced Transit Area expands eligible areas for this credit and ties the Policy to the parking requirements in the

Zoning Ordinance that require less parking in these areas. There was discussion of linking TMP payments to parking built since the amount of parking at a development has significant impact on the number of SOV trips. However, linking parking more closely with TMPs would likely require additional coordination with the City's parking standards and changes to the Zoning Ordinance, which was outside the scope of this Policy. Instead, staff recommends the 15% credit referencing the Enhanced Transit Area.

3. Capital Improvements – Staff proposes allowing up to 25 percent of the value of transportation improvements to offset the total TMP obligation, so long as those improvements are listed on the site plan. Capital Bikeshare stations, bus shelters, and other improvements are examples.
4. Upfront Payments – Earlier payment is helpful reduces the number of TMPs to invoice and coordinate with. It also allows for better budgeting and project planning for the GO Alex Fund. To incentivize early payment, staff proposes two credits that would reduce the overall TMP obligation.
 - a. Up-Front Payment – The current value of 30 annual payments is reduced by thirty-five percent (35%) if a development makes the entire payment prior to issuance of the certificate of occupancy. The development may also exercise this option at a future date at the then current rate for the payments, with the lump sum and discount prorated to future years. Under this option, the TMP funding requirement is fully satisfied upon payment.
 - b. Partial Up-Front Payment – The current value of 30 annual payments is reduced by twenty-five percent (25%) if the development makes a partial upfront payment. Under this option, 25% of the total reduced payment is required prior to the issuance of the certificate of occupancy. The remainder of the TMP obligation will be split into five payments made annually for the next five years.

Staff believe this credit will likely be more attractive to smaller developments who wish to satisfy their TMP requirements early. Larger developments would have larger sums to pay, even with the credit, and would likely prefer to amortize the payments over thirty years to finance with future rents and assessments, even with the annual adjustment for consumer price index (CPI). The below table illustrates this point. While a residential development of 20 units would pay just under \$40,000 for an upfront payment, a 200-unit building would pay \$393,000. Rate requirements can be viewed in Attachment 2.

	Annual Payment	30 Year Cumulative Annual Payments (without adjusting for inflation)	Total Up-Front Payment after 35 percent credit
20 unit	\$2,015	\$60,468	\$39,304
200 unit	\$20,156	\$604,680	\$393,042

GO Alex Fund

The City's GO Alex fund will pay for transportation improvements to address the impacts created by the proposed developments, reduce single occupant vehicles, and increase multimodal access. The fund shall be spent on various transportation projects and programs across the City and in specific neighborhoods. Funds will generally be allocated as outlined below, however, the split may change from year to year depending on project needs and city priorities. Staff will review and receive input on the annual work plan with the Transportation Commission.

Citywide Transportation Projects and Programs – 70%

Most of the funds will be used for Citywide transportation projects and programs aimed at lowering single occupant vehicle use across the City or specific neighborhoods. Staff will use the Alexandria Mobility Plan (AMP) as a guiding document for these Citywide projects and programs. Projects that affect the entire City have a greater impact on SOV rates, including those generated by each development. Examples include sidewalks, Capital Bikeshare infrastructure and operations, and marketing for mobility programs.

Local Projects and Programs – 30%

The remainder of the funding will be used for projects and programs within the specific Small Area Plan boundaries where the development has occurred. Staff will consider unfunded projects in the Transportation chapters of the individual Small Area Plans or the AMP. Additionally, owners can work with staff to propose transportation projects if that were not built as part of their development and will reduce SOV trips. The lower target for local funds is due to less expensive projects than those projects in the Citywide category.

Examples include widening sidewalks, Capital Bikeshare stations and bikes, or bus shelter improvements.

Evaluation

Another key change resulting from this Policy is that the City will manage the evaluation of the TMP rather than individual TMP coordinators, who are currently required to administer surveys. These TMP coordinators usually do not have a background in administering surveys, and there is a lot of variation in how the data is collected and response rates are typically low. The City oversight provides a consistent approach to measuring mode split through intercept surveys, standard data collection or measurement software. The City will measure each development at least once every three years.

Developments will be evaluated against the mode split goals assumed through their traffic study. For developments that did not trigger a traffic study during the approval process, staff will use SOV data from a variety of sources to establish appropriate SOV mode split goals for these developments. These sources could include the Metropolitan Washington Council of Government's State of the Commute reports, the City's biannual AlexMoves survey, or other surveys or reports that become available. Staff recognizes that SOV targets to measure TMPs against need to be adjusted over time to continue progress in reducing SOV trips.

Self-Managed TMPs

Larger developments often maintain a transportation program of their own. For instance, Carlyle Community Council runs a comprehensive transportation program with shuttle buses, transit incentives, and marketing. The new policy permits developments to manage their own TMP if they have either more than 500,000 square feet of commercial space, or more than 300 dwelling units. If a development does not meet the size criteria for self-management, the policy allows them to become a self-managed TMP if they meet certain SOV mode split targets. Furthermore, City will take over management if they fail to meet these targets.

Fiscal Impact of the Policy

The City anticipates total annual funds from existing TMPs that convert to the Citywide program to be between \$750,000 and \$1.5 million in the first year. These figures are based on the TMP funding assessed in FY22, the last year from which full data is available. The lower estimate assumes half of the existing TMPs will convert to the Citywide program and comply, while the latter assumes all TMPs convert and are in full compliance with payments.

As TMPs reach the end of their 30-year obligation, funding from existing TMPs will continue to decrease. However, new developments will come online and provide an additional revenue stream for the GO Alex Fund which will offset the funding lost from TMPs that expire. Staff conservatively estimates annual contributions of \$500,000 to \$1 million in future years taking into account TMPs that are older than 30 years and new development paying into the fund. This figure could fluctuate based on the number and size of new developments that are approved each year. The current Go Alex fund balance from existing Tier 1 TMPs is approximately \$185,000.

V. Recommendation

Staff recommends that the Zoning Text Amendment, contained in Attachment #2, be initiated and recommends approval of the attached Zoning Ordinance text changes. Staff also recommend approval of the new TMP Policy, contained in Attachment #3.

Staff:

Christina Zechman Brown, Deputy City Attorney

Hillary Orr, Deputy Director, T&ES

Rob Kerns, Division Chief, Planning and Zoning

Katie North, Division Chief, Mobility Services, T&ES

Thomas Hamed, TDM Coordinator, Mobility Services, T&ES (Previous Staff)

Attachments:

1. TDM Ordinances from Peer Jurisdictions
2. Proposed Zoning Ordinance Amendment
3. Proposed Policy

ATTACHMENT 1 – TDM ORDINANCES FROM PEER JURISDICTIONS

Program	How it Works	How it is Measured
Cambridge, MA	Building TDM requirements linked to number of parking spaces a property is required to build	Biannual commute survey, audit of TDM measures taken
Bellevue, WA	TDM requirements set for almost all commercial buildings in Bellevue. Buildings must develop workplans based on city's TMP guidelines.	Biannual commute survey
Arlington County, VA	Negotiation with County on a menu of features meant to reduce SOV rate, and monitors site and conducts studies annually of efficacy. Effective for 30 years with fee	Annual intercept survey plus additional studies based on site conditions
Fairfax County, VA	Developers fund a TDM plan as a condition of their approval, and prefund both implementation funds, as well as a penalty fund (which is released as a reward fund if targets are met)	SOV reduction goal based on location near Metro station, additional targets for properties in Tysons

ATTACHMENT 2 -- PROPOSED ZONING ORDINANCE TEXT CHANGES

Section 11-704 - Application of TMP program to development; required participation.

Until July 1, 2023, Each development for which a site plan is required pursuant to section 11-400 of this ordinance may be required to obtain approval of a TMP SUP, depending on its development tier and the requirements for participation outlined in this section 11-704.

Section 11-715 -- Administrative amendment of TMP SUP.

(A) For all special use permits approved prior to July 1, 2023, the director of transportation and environmental services is authorized to establish policies and procedures for applications to amend TMP SUPs, to allow TMP SUPs to be governed by the TMP policy adopted by council.

(B) Approval of an administrative amendment is subject to the following:

(1) Balance of funds prior to application for amendment.

(a) For TMPs making payments to the city, any unpaid balance must be paid to the city.

(b) For TMPs that are managed by the pavor, all funds under pavor management must be paid to the city.

(2) Determination of payment period.

(a) Single Phase Development – For developments that are approved under a single final site plan, the 30 year period commences on the date of the issuance of the first certificate of occupancy or the approval of the TMP SUP, whichever is later.

(b) Multi-Phase Development – For phased developments that are approved through multiple final site plans, the 30 year period is assessed for each phase and commences on the date of the issuance of the first certificate of occupancy for that phase.

(3) Credits.

(a) Credits will be assessed as of the date of the application for the amendment.

(b) TMP SUPs approved prior to July 1, 2023 are not eligible for credits for capital improvements that were constructed prior to July 1, 2023.

(4) Shuttles.

(a) Shuttle service required under TMP SUPs will cease after review and approval of information required in the application.

TMP POLICY

Draft - February 24, 2023

Policy Statement

The purpose of this policy is to mitigate the traffic, transportation, and related impacts of certain land uses and development through the creation of a Transportation Management Program (TMP). The intent of the TMP Policy is to reduce single occupancy vehicle (SOV) trips, particularly from new development, by encouraging and promoting transportation and mobility options, including transit, ridesharing, walking, and bicycling. These impacts are considered in the review of the development special use permits (SUPs) pursuant to Zoning Ordinance Section 11-504.

Background

TMPs have historically been a tool for addressing congestion resulting from new development. Responding to this, City Council enacted legislation in 1987 to require developments to reduce trips and shift trip mode away from SOV trips. The Zoning Ordinance required that each TMP be approved as an SUP for nearly all properties over a certain size. As of September 2022, there are over one hundred approved TMPs.

The City is proposing to change this approach to make the program more effective. While intended to reduce congestion and improve multimodal access, individual TMP SUPs are either overly prescriptive (such as requiring shuttles where high frequency buses exist) or allow too much leeway. With over a hundred different TMPs, the effectiveness of TMPs and associated funding is diluted across multiple programs with varying degrees of success. TMP coordinators often have very little training in transportation and administering the TMP is often a task added to their other property management responsibilities. This requires additional City staff time to provide training and instruction to TMP coordinators at various levels of experience. Finally, measurement of TMP success is difficult because most developments assign measurement responsibilities to the TMP coordinator, who again does not have training nor incentive to collect an objective, unbiased result.

Overview

With the proposed policy updates, the majority of new developments would pay into a City-managed GO Alex Fund, which would be used to fund both citywide and neighborhood specific transportation programs and projects. This would promote economies of scale for spending on transportation projects by allowing multiple developments to help fund bigger projects and programs rather than dozens of smaller projects and programs. Instead of requiring each development to have their own TMP with designated coordinator and required reporting, the City would administer the program, assess performance and work with the developments to implement transportation improvements.

Additionally, developers would have the option to reduce the amount of their TMP contributions. The policy includes credits for early payment, capital improvements, and location in an enhanced transit area (ETA). These credits are explained in more detail below.

Further, TMP obligations would end after 30 years, consistent with requirements in other jurisdictions. Currently, TMP SUPs have no end date and contributions are required in perpetuity.

This policy would replace the existing TMP SUP requirement for new development, which currently requires a separate approval and application fee. Instead, conditions related to TMPs and consistent with this policy would be included in the approvals for development special use permits (DSUP). Enforcement of those conditions would align with other development conditions. For draft standard conditions, see Attachment A.

Land Uses Subject to the Policy

The following land uses reviewed through the DSUP process are subject to this policy:

Residential: Any new or significantly altered building with 20 or more dwelling units.

Commercial: Any new or significantly altered development with more than 9,999 square feet of commercial space. This includes office, retail, academic and laboratory space.

Hotel: Any new or significantly altered hotel with 30 or more rooms.

Annual Rates

The base rate in the table below applies to all developments approved after the date of the adoption of the policy and Zoning Ordinance amendments by City Council. Thereafter, rates would adjust annually each Fiscal Year on July 1 based on the average change the Consumer Price Index for all Urban Consumers (CPI-U) between April of the previous year to March of the current year. For example, the CPI-U for FY24 will average CPI-U change between April 2022 and March 2023.

Land Use	Base Rate in FY23
Residential	\$100.78 per dwelling unit
Commercial	\$0.31 per square foot
Hotel	\$50.05 per hotel room

Payments

Each development would pay into the GO Alex Fund for thirty (30) years. All developments would be required to pay annually for 30 years unless they pay an equivalent amount of funds upfront (as discussed in the Credits section). 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. Payments are due no later than September 30 of the year in which the rate is assessed. At the end of the thirty (30) years, the TMP payment requirement would end, although other obligations of the TMP program will continue where noted in the Policy.

Credits to Reduce the TMP Rate

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

1. Participation in City Managed TMP – Developments that pay into the City managed GO Alex Fund (as opposed to managing their own funds) may reduce the Base Rate by 5%.

2. Enhanced Transit Area (ETA) – An ETA is a defined area that has access to high-capacity transit services as shown on a map as described in Zoning Ordinance Section 2-142.1. Developments within these areas may reduce the Base Rate by 15%.
3. Capital Improvements – Transportation improvements may count toward a reduction in the overall TMP payment. Eligible improvements are listed in Attachment B and the total GO Alex Fund payment can be reduced by 25% of the value of these improvements. This list would be updated annually by staff during the review process with the Transportation Commission.
4. Payment Plans – While this TMP policy would require annual payments for 30 years, discounts are possible for early payment. There are the following three options for payments:
 - a. Annual Payments – The owner would make thirty (30) annual payments. Payments are adjusted based on the rate of inflation. Staff would send an invoice in July and all payments must be received by September 30.
 - b. Up-Front Payment – The current value of 30 annual payments would be reduced by 35% if a development makes the entire payment prior to issuance of the Certificate of Occupancy. Developer or owner may also exercise this option at a future date at the then current rate for the payments, with the lump sum and discount prorated to future years. Under this option, the TMP payment requirement would be fully satisfied upon payment.
 - c. Partial Up-Front Payment – The current value of 30 annual payments is reduced by 25% if the development makes a partial upfront payment. Under this option, a quarter of the total reduced payment is required prior to the issuance of the Certificate of Occupancy. The remainder of the payments would be made annually for five years. Staff would send an invoice in July and all payments must be received by September 30.

Self-Managed TMPs

Under this policy, developments may manage their own TMPs if they meet one of the following size criteria:

- Have more than 500,000 square feet of commercial space
- Have more than 300 dwelling units

If a development does not meet the size criteria for self-management, they are still eligible under the following conditions:

- Development provides detailed information showing they would run the program well (e.g, hire a competent outside consultant or have a dedicated staff person for TMP management).
- Demonstrates consistent good faith effort through the following and additional measurements as identified by staff for a specific development:
 - responding to staff requests within 5 business days (this means acknowledge receipt of the request and identify how it will be addressed)
 - providing semi-annual progress & fund balance reports
 - meeting with City staff on a semi-annual basis (unless a different schedule is agreed to by staff)

- Meets SOV goals set by City. This would be independently verified by the City using measurement tools, such as surveys and data analysis. Measurement costs would be paid by the property owner.

Developments that do not meet the SOV targets for three years in a row may be required to participate in the Citywide TMP program at the discretion of the Director of T&ES. Separate conditions of approval would be added for any development managing its own TMP. See Attachment A for draft condition language.

GO Alex Fund

All payments will go toward the City's GO Alex Fund to be used for transportation investments that will address the impacts of additional traffic generated by the new development. The fund will be spent on various transportation projects and programs across the City and in specific neighborhoods. Funds would be allocated as follows:

Citywide Transportation Projects and Programs – 70%

The majority of the funding received from developments would be used for Citywide transportation projects and programs that are documented to lower single occupant vehicle use. Staff would use the Alexandria Mobility Plan (AMP) as a guiding document for these Citywide projects and programs.

Examples include bus rapid transit, Capital Bikeshare infrastructure and operations, and marketing for mobility programs. The funding will also be used to conduct assessments, collect data and help determine if the new developments are meeting their assumed mode split goals. Depending on funding and number of projects to be implemented, staff time to manage and implement these projects could be paid for from this funding.

Neighborhood Projects and Programs – 30%

The remainder of the funding would be used for projects and programs within the specific Small Area Plan boundaries where the development is located. As much as possible, the City will aim to fund citywide transportation projects that are proximate to developments that have paid into the fund. Staff would consider unfunded projects derived from relevant planning documents, such as the Transportation chapters of the individual Small Area Plans. Additionally, owners can propose transportation improvements if these improvements were not built as part of their development and staff concurs that these improvements would reduce SOV.

Examples include widening sidewalks, Capital Bikeshare stations, bus shelter improvements, transportation studies, design, and certain signal improvements.

TMP Coordinator

All developments would be required to designate a single point of contact as the TMP coordinator. The coordinator shall be responsible for paying City invoices for participation in the program, assisting City staff with surveys and event programming, and serving as a point of contact for the City. For developments that manage their own TMP, the coordinator will manage the program and the TMP fund for that development.

A development is expected to maintain a coordinator for the life of the building(s), even after the payment obligation has ended, to continue serving as a point of contact for the City for surveys, disbursement of information, event programming, and other activities as necessary to administer the Citywide TMP program.

Evaluation and Survey of TMP

The City will evaluate projects participating in the Citywide GO Alex Fund for mode split. In general, the City would look for downward or stable single occupancy vehicle rates and use that data in decisions on projects using GO Alex Funds. The City would review mode split utilizing best practices for SOV trip measurement and staff may propose new surveying methods as technology evolves.

The City would conduct an evaluation of each property at least once every three years and the evaluation would be paid for with GO Alex Funds. A development may be evaluated even after the TMP payment requirement has expired. The City will coordinate with the designated coordinator prior to any survey activity occurring for the development. All developments participating in the TMP fund shall provide the City with updated parking garage data upon request.

Annual Review Process

T&ES staff will provide a report and work plan to the Transportation Commission each year for approval. The annual report will outline total annual revenue, expenditures, and remaining fund balance. The funding report will also provide a breakdown of citywide funds versus funds available for specific neighborhoods. When surveys are conducted, staff will provide performance metrics of each participant in the TMP, as well as reporting on self-managed TMPs. The City will track development metrics over time. The annual work plan will include the budget and proposed projects for the upcoming fiscal year. The report and work plan will be a public hearing item, and the Transportation Commission and members of the public will have an opportunity to comment on the budget and proposed expenditures prior to adoption by the Commission.

Existing TMPs

Developments that have approved TMP SUPs may be eligible to opt into this policy by submitting an application for an administrative amendment to the TMP SUP under the Zoning Ordinance. Section 11-715 outlines the criteria for approval of an amendment. This would shorten the payment period for existing TMP SUPs to 30 years from the date of the Certificate of Occupancy. For phased developments, the 30-year payment period will be assessed for per phase and will be based on the date of the Certificate of Occupancy for each phase.

Some existing TMPs are currently required to provide a shuttle service, typically to a nearby Metro station. By opting into the Policy, this requirement would be eliminated. However, prior to approval of the elimination of shuttle service, a requirement of the application for an administrative amendment will be to provide more information about the shuttle service. The TMP Coordinator must work with City staff to determine the usefulness of the shuttle in meeting SOV targets and must provide the following upon request:

- Ridership information for the previous 2 years broken down by individual pick-up and drop-off locations.

- An outreach plan identifying how the TMP will notify residents or employees that the service will be ending and information and incentives that will be provided to existing shuttle users to encourage them to use existing bus service.
- Other site-specific improvements as determined by staff that will help the transition to using existing public transit. Existing TMP funds from the development can be used as approved by staff to complete these requirements.
- Provide follow-up feedback from previous shuttle users regarding impact and mode shift due to termination of shuttle.

If staff determines that the shuttle provides a necessary transportation service that is not otherwise provided by current public transportation service, the City may elect to use the TMP Fund to provide a shuttle or similar service.

ATTACHMENT A – PROPOSED STANDARD CONDITIONS

The following are proposed standard conditions to include with the development's conditions of approval. The specific language in these conditions may be modified through the current process for updating standard conditions.

City Managed TMPs

1. Contribute to the Citywide Transportation Management Plan (TMP) at the rate specified by the TMP policy. Unless the upfront payment or partial upfront payment option is chosen as described below, payments will be made once a year no later than September 30 for thirty years. For the purposes of determining the first year of assessment, this assessment will be made for any development that obtains a Certificate of Occupancy prior to July 1. Rates shall be adjusted each subsequent year based on the April-to-March Consumer Price Index change as reported by the Bureau of Labor Statistics.
 - a. A development may receive a 35% discount for paying the entire 30-year amount (unadjusted for inflation) prior to Certificate of Occupancy. Under this option, no further TMP payments are required.
 - b. A development may receive a 25% discount for paying a quarter of the entire 30-year amount (unadjusted for inflation) before Certificate of Occupancy and five subsequent payments over the next five years. The five annual payments will be made no later than September 30 each year. After these payments are made, no further TMP payments are required. (T&ES)
2. Upon determination of the Director (T&ES) after receiving a formal request by a development, the development can manage its own TMP and fund, provided that property has met specific single occupancy vehicle targets for at least three years in a row and has provided the City with detailed information about how they will manage the TMP for the development. Development would retain the annual TMP contributions and must spend it exclusively on transportation related activities approved by the Director of T&ES or designee. (T&ES)
3. Designate an on-site TMP Coordinator prior to the issuance of the first Certificate of Occupancy. Provide the name, address, email, and telephone number of the coordinator to the City's Mobility Services Division, updating this information as needed. This person will be the City's point of contact for the development and will be responsible for paying invoices, coordinating with staff on TMP related activities as needed. (T&ES)

Self-Managed TMPs

1. Contribute to a development Transportation Management Plan (TMP) at the rate specified by the TMP policy. Rates shall be adjusted each subsequent year based on the April-to-March Consumer Price Index change as reported by the Bureau of Labor Statistics. Submit to the Mobility Services Division an annual funding report for the TMP outlining the

funding for the program and the expenditures. Payments into this fund shall be for 30 years. (T&ES)

2. Designate an on-site TMP Coordinator for the entire development prior to the issuance of the first Certificate of Occupancy. Provide the name, address, email, and telephone number of the coordinator to the City's Mobility Services Division, updating this information as needed. This person will be responsible for implementing and managing all aspects of the TMP for the development. (T&ES)
3. The Director of T&ES may require that the funds be paid to the City upon determination that the responsible person or entity has not made a reasonable effort to use the funds for activities that support single occupant vehicle reduction. The Director may determine effort based on plans proposed by TMP coordinator, implementation of plans, and communication with staff. As so determined, any unencumbered funds remaining in the TMP account at the end of each reporting year may be either reprogrammed for TMP activities during the ensuing year or paid to the City for use in transportation support activities which benefit the site. Should the Director determine that a reasonable effort has not been made, the TMP will be required to participate in the City managed TMP. (T&ES)

ATTACHMENT B – TRANSPORTATION IMPROVEMENTS ELIGIBLE FOR CREDIT

The following is a list of transportation improvements that are eligible for credit towards the developments overall TMP obligation. This list may be modified during the annual review before the Transportation Commission. Credit will be for up to 25 percent of construction costs or value established by the City and must be included in the original site plan to receive credit. For items where the cost has not been set by the City, an invoice will be required to justify the construction cost.

- Capital Bikeshare capital improvements
- Bus Shelter/Pad/Bench
- Real Time Signage
- Bicycle Repair Station
- Bicycle Parking
- Bike Runnel
- Rapid Flash Beacon/Other high visibility pedestrian beacon
- Raised Crosswalk
- Carshare/Vanpool spaces
- New Mobility Improvements, as approved by the Director of T&ES