

Draft Transportation Demand Management Program for the Oak Knoll Project

Prepared for:
Oak Knoll Venture Acquisition
City of Oakland

April 2016

OK14-0026

FEHR  PEERS



Table of Contents

INTRODUCTION AND PROJECT OVERVIEW.....	1
Project Overview	1
Mixed-Use Development	2
Complete Streets Plan	2
TDM PROGRAM GOALS AND STRATEGIES	5
TDM Program Goals	5
Proposed TDM Strategies	5
Additional TDM Strategies.....	9
MONITORING, EVALUATION AND ENFORCEMENT.....	10

Appendices

Appendix A: City of Oakland Standard Condition of Approval for TDM

List of Tables

Table 1 Project and Proposed TDM Program Components That Reduce Vehicle trips	7
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INTRODUCTION AND PROJECT OVERVIEW

This Draft Transportation Demand Management (TDM) program is for the proposed Oak Knoll Project, which would consist of residential and commercial uses in southeast Oakland. The Project's proposed TDM strategies are presented in this Plan. The TDM program was prepared in accordance with the City of Oakland's Standard Conditions of Approval (SCA), which is presented in **Appendix A**.

PROJECT OVERVIEW

The Project is located in southeast Oakland in a suburban environment approximately four miles from the nearest BART/Amtrak station (the Oakland Coliseum Station). The Project would consist of the following:

- 363 single-family homes,
- 572 townhomes,
- 72,000 square feet of commercial development,
- 4,000 square feet of community center, and
- 10,000 square feet of additional commercial space for the redeveloped Club Knoll.

The Project site is currently mostly vacant, except for Club Knoll, which will be moved to another location on the Project site as part of the Project. The Seneca School and Credit Union buildings are nearby, but are not part of the Project site.

According to the Draft Supplemental Environmental Impact Report (DSEIR) prepared for the Project, the proposed Oak Knoll Project is estimated to generate 624 AM peak hour, 965 PM peak hour, and 11,275 daily external automobile trips (e.g. trips with an origin or destination outside of the Project site). The Project is also estimated to generate 18 AM peak hour, 184 PM peak hour and 1,110 daily internal automobile trips (e.g. trips with an origin and destination within the Project site) to account for the mix of residential and commercial land uses proposed by the Project. The Project is also estimated to generate about 1,600 pedestrian, 170 bicycle and 770 transit daily trips.

MIXED-USE DEVELOPMENT

As described above, the Project would consist of 935 residential units and 82,000 square feet of commercial uses. The estimated trips generated by the residential and commercial components of the Project were adjusted to account for internal trips between the residential and commercial components of the Project. Internal trips are not considered as new trips on the external roadway network because they are made within the Project site. About nine percent of total daily automobile trips generated by the Project are estimated to be internal trips.

The mixed-use characteristics of the Project would reduce the external automobile trips generated by the Project, but since the traffic impact analysis for the Project already accounts for the nine percent internalization reduction as part of the Project analysis, the internalization reduction is not counted towards the trip reduction goal to be achieved by the proposed TDM program described in this Plan.

COMPLETE STREETS PLAN

The Oak Knoll Project would implement a Complete Street Plan that would provide design elements that encourage and promote comfortable and safe transportation for all users. The Complete Streets Plan is not considered part of this TDM program since it is already part of the Project. As described below, the Complete Streets Plan proposes various on-site features that encourage Project residents and visitors to walk or bike to and from commercial and recreational destinations within the site. In addition, the Complete Streets Plan proposes connections to off-site multimodal infrastructure that would allow Project residents, employees and visitors to access the site via walking, biking or transit. For example, the proposed on-site Class 1 multi-use path would connect to the planned Class 2 bicycle lanes on Mountain Boulevard and the City's bicycle network. Since the transportation impact analysis for the Project accounts for a three percent mode split reduction, the Complete Streets Plan reduction is not counted towards the trip reductions to be achieved by the proposed TDM program described in this Plan. The TDM outlines the Project's complete street elements for informational purposes.

For pedestrians, the Project proposes the following complete streets elements:

- Minimum six foot sidewalks are proposed along the majority of the streets within the Project site, and only the Gardencourt and Creekside Village alleyways would not provide sidewalks. Excluding the alleyways, the Project would provide a connected sidewalk network throughout the site.
- The Project would provide minimum six foot sidewalk along the Project site frontage on Mountain Boulevard, in addition to retaining the existing sidewalks along the site frontage on Keller Avenue.

- Landscaped buffers ranging between five and six feet wide are proposed between the sidewalk and the street along all streets within the site, except alleys and courts. Landscaped buffers can improve pedestrian comfort and enhance streetscape aesthetics.
- Curb extensions (also known as bulb-outs) are proposed at intersection crossings along all streets that provide on-street parking. Curb extensions encourage lower automobile speeds and provide shorter crossing distances at pedestrian crossings.
- A 14-foot Class 1 multi-use trail is proposed between the Rifle Range Creek and the Creekside Parkway. The trail would connect Mountain Boulevard and Keller Avenue.
- In addition, off-street pedestrian paths that connect residential neighborhoods to commercial and recreational destinations within the site are also proposed. Pedestrian paths are proposed along the southern and eastern residential neighborhoods, with direct connections between the Village Commercial and Creekside Village developments. Hiking trails in the vicinity of the creek and along the northern and eastern edges of the site are also proposed. The Project would provide a pedestrian/bicycle only bridge across Rifle Range Creek, connecting the Class I multi-use trail with the proposed hiking trail along Rifle Range Creek near the Village Commercial.
- Narrow automobile travel lane widths (10-11 feet, one lane per direction), which encourage lower automobile speeds, are proposed on all streets within the Project site.

For bicyclists, the Project proposes the following complete streets elements:

- A 14-foot Class 1 multi-use trail is proposed between the Rifle Range Creek and Creekside Parkway. The Class 1 facility would connect to the planned Class 2 bicycle lanes along Mountain Boulevard.
- Class 2 bicycle lanes along the Mountain Boulevard frontage are proposed, which is consistent with the City of Oakland's plan to implement Class 2 bicycle lanes along the Mountain Boulevard corridor as part of an effort to connect it to the MacArthur Boulevard bikeway at Mills College and the Bancroft Avenue bikeway at 106th Avenue.
- Class 3 bicycle routes are proposed along Creekside Loop and Main Street. Both of these streets would provide on-street parking and one travel lane per direction with a 25 mph posted speed limit.
- A minimum of eight long-term and 43 short-term bicycle parking spaces are proposed throughout the site; a large majority of these would likely be located within the Village Commercial center; however, the specific locations of bicycle parking spaces have not yet been identified.

For transit riders, the Project proposes the following complete streets elements:

- Improve the pedestrian connections between the Project site and existing bus stops adjacent to the site on Mountain Boulevard at Creekside Parkway and on Keller Avenue at Creekside Parkway. A connected sidewalk network with minimum six foot widths is proposed throughout the site with sidewalk connections to bus stops adjacent to the site. The Project proposes to signalize the Mountain Boulevard/Creekside Parkway intersection and implement all-way-stop controls at the Keller Avenue/ Creekside Parkway intersection, which would improve pedestrian access to bus stops across Mountain Boulevard and Keller Avenue at Creekside Parkway.
- Enhance existing bus stops at the following intersections along the Project frontage:
 - Mountain Boulevard/Creekside Parkway,
 - Mountain Boulevard/Sequoyah Road, and
 - Keller Avenue/Creekside Parkway.
- Bus stop enhancements include:
 - Bus shelter and bench,
 - Wayfinding information,
 - Pedestrian scale lighting,
 - Minimum 80 foot red curb, and
 - Improved pedestrian connections between Project site and existing bus stops adjacent to the site.

TDM PROGRAM GOALS AND STRATEGIES

TDM PROGRAM GOALS

The SCA sets a goal for the required TDM program to reduce automobile trips by 10 percent for projects generating between 50 and 99 net new peak hour trips and by 20 percent for projects generating 100 or more net new peak hour trips. Since the proposed Project would generate over 100 AM and PM peak hour trips, the goal of this TDM program is to reduce the drive alone automobile trips by 20 percent. For a project such as this one that has incorporated many standard TDM measures into the Project, an additional 20 percent reduction is difficult to achieve.

Implementation of an effective TDM program can help reduce usage of the automobile as a primary mode of travel for the developments' residents, employees and visitors. In dense urban areas with high transit availability, robust TDM programs have been shown to reduce automobile trips by as much as 25 percent. However, since the Project site is located in a suburban area with limited transit options, is not within walking or biking distance of major commercial or employment centers, and has already incorporated standard TDM measures, including proposing a mix of uses and a Complete Streets Plan, a TDM program cannot realistically achieve such reductions. Residential projects are also more difficult than institutional or commercial developments to design TDM programs for. As documented in the next section of this Plan, the TDM program is estimated to reduce automobile trips by 10 percent, which would accomplish the following:

- Reduce automobile trip generation by 62 AM peak hour, 97 PM peak hour, and 1,125 daily trips, which would result in the Project generating 562 AM peak hour, 868 PM peak hour, and 10,125 daily trips.

PROPOSED TDM STRATEGIES

A combination of the commercial tenants and the proposed developments' Homeowners Association (HOA) shall implement the strategies described below. **Table 1** lists these TDM strategies and summarizes their effectiveness based on research compiled in *Quantifying Greenhouse Gas Mitigation Measures* (California Air Pollution Control Officers Association, CAPCOA, August 2010). This report is a resource for the Project Sponsor and the City of Oakland to quantify the benefit, in terms of reduced travel demand, of implementing various TDM strategies.

As described above, the mix of residential and commercial land uses along with the Complete Streets Plan proposed by the Project have trip reduction benefits that are considered Project components that are already accounted for in the net trip generation used in the transportation impact analysis. Therefore neither component is considered part of the TDM Program and are not included in the total trip reduction estimated for the TDM strategies presented below.

The following TDM strategies are proposed for the Project:

- **BART Shuttle** – Provide a frequent (30 – 40 minute headways), direct weekday shuttle service between the Project and the Coliseum BART station for three hours during both the peak morning and evening commute periods. This service could be operated by a private contractor or by AC Transit. Shuttles shall be fully accessible to passengers using wheelchairs and other mobility services and have the capacity to transport bicycles. In addition, explore providing a real-time smart-phone app that tracks real-time arrivals to make shuttle use more reliable and convenient. This Draft TDM Plan assumes operations of a single shuttle (20-25 passenger capacity) with 30 – 40 minute headways during the peak periods.
- **Car-Share Spaces** – Coordinate with car-sharing service (such as City Car Share, Zip Car, etc.) to designate at least two free on-site parking spaces for car-sharing vehicles. Monitor the usage of the carsharing spaces and adjust if necessary. Suggested locations for on-site car-sharing parking include the Village Commercial and Community Center parking lots, and on-street spaces adjacent to areas of higher townhome density.
- **Carpool and Ride-Matching Assistance Program** – The HOA shall offer personalized ride-matching assistance to pair residents and/or employees interested in forming commute carpools. Similar to the “Casual Carpool” system used in the Bay Area, pre-determined locations around the Project site can be identified for carpoolers to pick up passengers. Suggested locations include Creekside Parkway near Mountain Boulevard or Keller Avenue. As an enhancement, the HOA may consider using specific services such as ZimRide, TwoGo by SAP, Enterprise RideShare, or 511.org RideShare. Commercial employers are encouraged to offer a similar personalized ride-matching assistance program.
- **Pre-tax Commuter Benefits** – Encourage commercial tenants to enroll in WageWorks or other services to help with pre-tax commuter savings. This strategy allows employees to deduct monthly transit passes or other amount using pre-tax dollars. This can help to lower payroll taxes and allows employees to save on transit.

TABLE 1
PROJECT AND PROPOSED TDM PROGRAM COMPONENTS THAT REDUCE VEHICLE TRIPS

Project Component	Responsible Party	Implementation Timing	Estimated Trip Reduction¹
Mixed-Used Project with Residential and Commercial Land Uses	Project Sponsor	Ongoing as Project is constructed	9% ²
Complete Street Plan	Project Sponsor	Ongoing as Project is constructed	3% ²
TDM Strategy	Responsible Party	Implementation Timing	Estimated Trip Reduction¹
Provide BART shuttle	HOA	Final phase of the Project	5%
Designate On-Site Car-Share Spaces	HOA	First phase of the Project	1%
Carpool and Ride-Matching Assistance	Commercial Tenants and HOA	First phase of the Project	2%
Employee Transit Fare Subsidy/Pre-Tax Commuter Benefit	Commercial Tenants	By completion of Village Center	<1% ³
Bicycle Facility Monitoring	Commercial Tenants	First phase of the Project	NA ⁴
Guaranteed Ride Home	Commercial Tenants and HOA	First phase of the Project	NA ⁴
TDM Coordinator	Commercial Tenants and HOA	First phase of the Project	NA ⁴
TDM Marketing and Education	Commercial Tenants and HOA	First phase of the Project	2%
Coordinate with AC Transit	Project Applicant or HOA	Final Phase of the Project	NA ⁴
Total			10%

Notes:

1. This analysis assumes that the automobile trip reduction would be the same as the VMT reduction. See the BAAQMD Transportation Demand Management Tool User's Guide (June 2012) for more detail.
2. The mix of residential and commercial land uses and the Complete Streets Plan proposed by the Project are not considered in the total trip reduction for the proposed TDM strategies since these are existing Project components and are accounted for in the transportation impact analysis.
3. It is estimated that the measure would reduce the commercial employee automobile trip generation by about 10 percent, which corresponds to less than one percent of the overall trip generation.
4. The effectiveness of this strategy cannot be quantified at this time. This does not necessarily imply that the strategy is ineffective. It only demonstrates that at the time of the CAPCOA report development, existing literature did not provide a

robust methodology for calculating its effectiveness. In addition, many strategies are complementary to each other and isolating their specific effectiveness may not be feasible. In addition, the effectiveness of coordinating with AC Transit cannot be quantified because it is unknown at this time if AC Transit would be willing to make route changes or provide additional service.

Sources: *Quantifying Greenhouse Gas Mitigation Measures* (CAPCOA, August 2010); Fehr & Peers, 2016.

- **Employee Transit Fare Subsidy** – Encourage commercial employers to provide free or reduced cost transit in order to increase transit mode share. Options include:
 - Employers can offer a monthly commuter check (or alternatively Clipper Card, which is accepted by BART, AC Transit, and other major transit providers in the Bay Area) to employees to use public transit. Note that as of 2016, IRS allows up to \$255 per employee per month. This strategy allows employers to deduct monthly transit passes or other amount using pre-tax dollars. This can help to lower payroll taxes and allows employees to save on transit.
 - Employers can participate in AC Transit’s EasyPass program, which enables employers to purchase annual bus passes for employees in bulk at a discount. The passes allow unlimited rides on all AC Transit buses for all employees. For more information, see www.actransit.org/rider-info/easypass.
- **Bicycle Facility Monitoring** – The Project would meet the City’s requirements by providing at least 43 short-term (e.g., bicycle racks) and eight long-term (e.g., bicycle lockers or bicycle garages) bicycle parking spaces for the commercial components of the Project. The commercial tenants shall monitor the usage of these facilities and provide additional bicycle parking if necessary.
- **TDM Coordinator** – The HOA and Commercial Tenants shall designate a TDM coordinator to coordinate and promote the TDM activities for the Project.
- **Guaranteed Ride Home** – Encourage on-site employees and residents to register for the Guaranteed Ride Home (GRH) program. Employees and residents may be hesitant to commute by any other means, besides driving alone, since they lose the flexibility of leaving work in case of an emergency. GRH programs encourage alternative modes of transportation by offering free rides home in the case of an illness or crisis, if the employee is required to work unscheduled overtime, if a carpool or vanpool is unexpectedly unavailable, or if a bicycle problem arises. The Alameda County Transportation Commission offers a GRH service for all registered permanent employees who are employed within Alameda County, live within 100 miles of their worksite, and do not drive alone to work. The GRH program is offered at no cost to the employer, and employers are not required to register in order for their employees to enroll and use the program.

- **TDM Marketing and Employee/Resident Education** – On-site employers and the HOA shall provide employees, residents and visitors information about various transportation options in the Project area and the available TDM strategies. This information would also be posted at central location(s), such as the Community Center, and be provided to each commercial tenant. The information shall be regularly updated. Marketing strategies can promote transit and active transportation trips by making commuters aware of the options and incentives of using non-automobile transportation modes. Implementing commute trip reduction strategies with a complementary marketing strategy can increase the overall effectiveness of the program.
- **Coordinate with AC Transit** – The Project applicant or HOA would coordinate with AC Transit to investigate the potential for re-routing existing AC Transit service through the Project site along Creekside Parkway between Mountain Boulevard and Keller Avenue. The Project applicant or HOA also may choose to coordinate with AC Transit to provide peak period weekday shuttle service between the Project site and the Coliseum BART station.

As shown in **Table 1**, proposed TDM strategies are estimated to achieve a combined 10 percent total trip reduction, which is less than the City's 20 percent reduction goal. Since the Project already includes features that reduce trips as compared to existing Oakland Hills development and the Project site is located in a suburban area with fewer transit options than other areas in Oakland near major transit corridors, and is not within walking or biking distance of major commercial or employment centers, a TDM program cannot achieve an additional 20 percent reduction in Project automobile trips.

ADDITIONAL TDM STRATEGIES

If the TDM program does not meet the 10 percent trip-reduction goal, the implementation of additional measures will be considered for inclusion in the ongoing TDM efforts, such as, but not limited to, the following:

- **Expanded Shuttle Service** – Increase the frequency of the BART shuttle and/or expand the service area to include other destinations, such as Downtown Oakland or other employment or commercial areas. The effectiveness of the shuttle service would depend on the destinations served and the frequency of the service
- **Resident Transit Fare Subsidy** – Similar to the employee transit fare subsidy, the HOA can provide free or discounted transit fares for residents (such as commuter check, Clipper Card, pre-paid high-value BART tickets, AC Transit EasyPass, etc). The effectiveness of the transit fare subsidy would depend on the amount of subsidy provided.

MONITORING, EVALUATION AND ENFORCEMENT

Consistent with the requirements of the City's Standard Conditions of Approval, this TDM program requires regular periodic evaluation of the program to determine if the program goals in reducing automobile trips are satisfied and to assess the effectiveness of the various strategies implemented. The Project sponsor¹ shall prepare an annual TDM monitoring report consisting of the following:

- On-site employee and resident transportation survey to monitor the number of driving trips to and from the site.
- Summary of TDM measures implemented by on-site employers and HOA and their effectiveness (e.g., bicycle parking occupancy, number of transit passes issued, etc.).
- Weekday AM and PM peak period and daily traffic volume counts at the site access points along Mountain Boulevard and Keller Avenue to verify peak hour trip generation for the site.

The monitoring report shall describe the TDM programs and services that are currently offered to employees/residents and summarize the findings of the vehicle counts and mode share surveys, noting if they comply with the established vehicle trip reduction goals. The first monitoring report shall be prepared six months after full occupancy of the final phase of the Project. Subsequent monitoring reports shall be prepared annually.

If in two successive years after the full project buildout/occupancy occurs the Project's TDM goals are not satisfied, site management shall prepare and submit for City approval a Corrective Action Plan. The Corrective Action Plan shall detail additional TDM measures to be implemented on-site and their expected automobile trip reductions.

If, one year after the Corrective Action Plan is implemented, the required automobile mode trip reduction target is still not being achieved, or if site management fails to submit a report as described above, or if the reports do not meet City requirements outlined above, the City may, in addition to its other remedies, (a) assess the Project a financial penalty based on the observed reduction in the automobile trips compared to the target; or (b) refer the matter to the City Planning Commission for scheduling of a compliance hearing to determine whether additional corrective measures and/or penalties shall be imposed.

In determining whether a financial penalty or other remedy is appropriate, the City shall not impose a penalty if the Project has made a good faith effort to comply with the TDM program. The City would only

¹ The Project sponsor may designate the HOA and/or commercial tenants to prepare the annual trip monitoring report.

have the ability to impose a monetary penalty after a reasonable cure period and in accordance with the enforcement process outlined in Planning Code Chapter 17.152. If a financial penalty is imposed, such penalty sums shall be used by the City solely toward the implementation of the TDM plan.

If in five successive years the Project is found to meet the stated TDM goal, additional surveys and monitoring shall be suspended until such a time as the City deems they are needed.

**APPENDIX A:
CITY OF OAKLAND STANDARD CONDITION OF APPROVAL FOR TDM**



CITY OF OAKLAND TDM PLAN REQUIREMENTS

Preparation of a TDM plan is a requirement of the City of Oakland's Standard Conditions of Approval (Department of Planning and Building, Bureau of Planning, Revised July 22, 2015). The Standard Conditions of Approval (SCA) states the following:

Transportation and Parking Demand Management

a. Transportation and Parking Demand Management (TDM) Plan Required

Requirement: The project applicant shall submit a Transportation and Parking Demand Management (TDM) Plan for review and approval by the City.

- i. The goals of the TDM Plan shall be the following:
 - Reduce vehicle traffic and parking demand generated by the project to the maximum extent practicable, consistent with the potential traffic and parking impacts of the project.
 - Achieve the following project vehicle trip reductions (VTR):
 - Projects generating 50-99 net new AM or PM peak hour vehicle trips: 10 percent VTR
 - Projects generating 100 or more net new AM or PM peak hour vehicle trips: 20 percent VTR
 - Increase pedestrian, bicycle, transit, and carpool/vanpool modes of travel. All four modes of travel shall be considered, as appropriate.
 - Enhance the City's transportation system, consistent with City policies and programs.
- ii. TDM strategies to consider include, but are not limited to, the following:
 - Inclusion of additional long-term and short-term bicycle parking that meets the design standards set forth in chapter five of the Bicycle Master Plan and the Bicycle Parking Ordinance (chapter 17.117 of the Oakland Planning Code), and shower and locker facilities in commercial developments that exceed the requirement.
 - Construction of and/or access to bikeways per the Bicycle Master Plan; construction of priority bikeways, on-site signage and bike lane striping.
 - Installation of safety elements per the Pedestrian Master Plan (such as crosswalk striping, curb ramps, count down signals, bulb outs, etc.) to encourage convenient and safe crossing at arterials, in addition to safety elements required to address safety impacts of the project.
 - Installation of amenities such as lighting, street trees, and trash receptacles per the Pedestrian Master Plan and any applicable streetscape plan.
 - Construction and development of transit stops/shelters, pedestrian access, way finding signage, and lighting around transit stops per transit agency plans or negotiated improvements.
 - Direct on-site sales of transit passes purchased and sold at a bulk group rate (through programs such as AC Transit Easy Pass or a similar program through another transit agency).

- *Provision of a transit subsidy to employees or residents, determined by the project applicant and subject to review by the City, if employees or residents use transit or commute by other alternative modes.*
- *Provision of an ongoing contribution to transit service to the area between the project and nearest mass transit station prioritized as follows: 1) Contribution to AC Transit bus service; 2) Contribution to an existing area shuttle service; and 3) Establishment of new shuttle service. The amount of contribution (for any of the above scenarios) would be based upon the cost of establishing new shuttle service (Scenario 3).*
- *Guaranteed ride home program for employees, either through 511.org or through separate program.*
- *Pre-tax commuter benefits (commuter checks) for employees.*
- *Free designated parking spaces for on-site car-sharing program (such as City Car Share, Zip Car, etc.) and/or car-share membership for employees or tenants.*
- *On-site carpooling and/or vanpool program that includes preferential (discounted or free) parking for carpools and vanpools.*
- *Distribution of information concerning alternative transportation options.*
- *Parking spaces sold/leased separately for residential units. Charge employees for parking, or provide a cash incentive or transit pass alternative to a free parking space in commercial properties.*
- *Parking management strategies including attendant/valet parking and shared parking spaces.*
- *Requiring tenants to provide opportunities and the ability to work off-site.*
- *Allow employees or residents to adjust their work schedule in order to complete the basic work requirement of five eight-hour workdays by adjusting their schedule to reduce vehicle trips to the worksite (e.g., working four, ten-hour days; allowing employees to work from home two days per week).*
- *Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours.*

The TDM Plan shall indicate the estimated VTR for each strategy, based on published research or guidelines where feasible. For TDM Plans containing ongoing operational VTR strategies, the Plan shall include an ongoing monitoring and enforcement program to ensure the Plan is implemented on an ongoing basis during project operation. If an annual compliance report is required, as explained below, the TDM Plan shall also specify the topics to be addressed in the annual report.

When Required: *Prior to approval of construction-related permit*

Initial Approval: *Bureau of Planning*

Monitoring/Inspection: *N/A*

b. TDM Implementation – Physical Improvements

Requirement: *For VTR strategies involving physical improvements, the project applicant shall obtain the necessary permits/approvals from the City and install the improvements prior to the completion of the project.*

When Required: Prior to building permit final

Initial Approval: Bureau of Building

Monitoring/Inspection: Bureau of Building

c. TDM Implementation – Operational Strategies

Requirement: For projects that generate 100 or more net new AM or PM peak hour vehicle trips and contain ongoing operational VTR strategies, the project applicant shall submit an annual compliance report for the first five years following completion of the project (or completion of each phase for phased projects) for review and approval by the City. The annual report shall document the status and effectiveness of the TDM program, including the actual VTR achieved by the project during operation. If deemed necessary, the City may elect to have a peer review consultant, paid for by the project applicant, review the annual report. If timely reports are not submitted and/or the annual reports indicate that the project applicant has failed to implement the TDM Plan, the project will be considered in violation of the Conditions of Approval and the City may initiate enforcement action as provided for in these Conditions of Approval. The project shall not be considered in violation of this Condition if the TDM Plan is implemented but the VTR goal is not achieved.

When Required: Ongoing

Initial Approval: Bureau of Planning

Monitoring/Inspection: Bureau of Planning