

Chapter 4.10 Transportation Demand Management

4.10.100 Purpose and Intent

The purpose and intent of this Chapter is to establish a Transportation Demand Management (TDM) program that:

- A. Reduces the number of single-occupancy vehicle trips and vehicle miles traveled generated by new development and the expansion of existing development.
- B. Promotes accessible, affordable, and sustainable transportation options within the City and encourage the utilization of existing transportation facilities.
- C. Ensures that new developments are designed to maximize transit, shuttle service, active transportation, carpooling, and vanpooling usage.
- D. Establishes a robust, ongoing, and consistent monitoring and enforcement program to ensure that TDM strategies are implemented at all new developments.
- E. Aligns the City's approach to TDM with other local and regional policies, processes, and requirements.

4.10.104 Definitions

The following definitions apply to words and phrases used in this Chapter:

- A. "TDM Program" shall mean the requirements outlined in this Chapter and the strategies for reducing single occupancy vehicle trips and vehicle miles traveled.
- B. "TDM Program Guidelines" shall mean a set of administrative guidelines that is maintained by City staff and provides additional details regarding TDM requirements and guidance for successful implementation of required TDM strategies.
- C. "Project" shall mean a tract or parcel of land developed, or to be developed, as a unit under single ownership or unified control which is to be used for any business or industrial purpose or is to contain one or more residential dwelling units.
- D. "Property Owner" shall mean the individual or legal entity that owns a property in the City of San Leandro that is subject to the requirements of this Chapter.
- E. "Vehicle Miles Traveled (VMT)" shall mean the total number of vehicular trips multiplied by the total length of those trips.

- F. “Mixed-use” shall refer to any project which include both residential and non-residential components.

4.10.108 Applicability

- A. **New developments.** The requirements of this Chapter shall apply to the following:
1. **New Developments, Large Non-Residential.**
 - a. All new non-residential developments that are at least 50,000 gross square feet.
 - b. All new mixed-use projects that include at least 50,000 gross square feet of non-residential uses.
 2. **New Developments, Large Residential.**
 - a. All new residential developments, including townhomes, that include at least 25 residential units.
 - b. All new mixed-use projects that include at least 25 residential units.
- B. **Renovations, significant additions or changes of use.** The requirements of this Chapter shall apply to the following:
1. **Renovations and Significant Additions.**
 - a. All renovations or additions that result in a net increase of at least 40,000 gross square feet of non-residential uses or at least 20 residential units.
 2. **Changes of Use.**
 - a. All changes of use that impact at least 20% of existing project gross square footage.
- C. **Mixed-Use Projects.** Mixed-use projects which meet multiple thresholds in Section 4.10.108.A shall separately complete the requirements for all components that meet the applicability thresholds.

4.10.112 Exemptions

The requirements of this Chapter do not apply to:

- A. Residential developments or additions to existing developments which are 100% deed-restricted affordable housing.
- B. Single-family residential developments, including townhomes which include less than 25 residential units.

4.10.116 TDM Strategies

Each project shall implement both mandatory and optional TDM strategies. Implementation shall be fully consistent with the TDM Program Guidelines.

A. **Mandatory TDM Strategies.** Each project must implement all the required Mandatory TDM Strategies listed below.

1. Non-Residential Projects must implement all of the following:
 - a. Distribute a Commute Survey.
 - b. Provide Commute Information and Education.
 - c. TDM-Supportive Parking Management.
 - d. Provide a Bicycle Repair Station
2. Residential Projects must implement all of the following:
 - a. Distribute a Commute Survey.
 - b. Provide Commute Information and Education.
 - c. Provide a Bicycle Repair Station

B. **Optional TDM Strategies.** Each project must also implement least one additional Optional TDM Strategy to be selected from the lists below.

1. Non-Residential Projects must implement at least one of the following:
 - a. Offer Flexible Work Arrangements
 - b. Offer Pre-Tax Transit Benefits
 - c. Fund or Operate Shuttle Service
 - d. Provide End-of-Trip Amenities
 - e. Provide Real-Time Information Displays
 - f. Provide Financial Incentives for Alternative Modes
2. Residential Projects must implement at least one of the following:
 - a. Provide Real-Time Information Displays
 - b. Provide Financial Incentives for Alternative Modes
 - c. Provide Delivery-Supportive Amenities
 - d. Provide On-Site Car Share Service

4.10.120 Submittal Requirements

- A. **TDM Checklist.** Each project shall be required to submit a TDM Checklist at the time of development application. The Zoning Enforcement Official has the discretion to determine if the TDM Checklist is complete and complies with the documentation needs for the TDM Program. Each TDM Checklist shall include:
1. Contact information for the property owner, property manager, employer, and/or designated TDM Coordinator who will be responsible for compliance of the ongoing requirements of this Chapter;
 2. A detailed project description, with square footages and number of residential dwelling units, that documents clearly which TDM requirements (residential and/or non-residential) apply to the project, and an acknowledgement thereof;
 3. An acknowledgement of understanding about the required TDM strategies and receipt of the TDM Program Guidelines;
 4. A completed TDM checklist indicating which mandatory and optional TDM strategies will be implemented for the project;
 5. The rationale for the selection of the optional TDM strategy;
 6. A description of how each mandatory and optional TDM strategy will be implemented, including identification of all parties and partners who will be responsible for day-to-day implementation; and
 7. An acknowledgement of the required monitoring and compliance requirements of the TDM Program, including details of how these will be completed throughout the ongoing operation of the development.

4.10.124 Monitoring

- A. **Commute Mode Survey Requirements.** Every two years, each project shall conduct a survey of residents and/or on-site employees to document commute mode choices.
1. **Survey timing.** Commute surveys shall be conducted during a single non-holiday week during the month of October every other year, beginning within one year of the issuance of a certificate of occupancy for the project.
 2. **Survey response rate.** Surveys shall achieve a minimum response rate of 50% of all on-site employees and a minimum response rate of 50% for all residents.
 3. Mixed-use projects shall conduct both residential and non-residential surveys.

- B. **Annual Self-Certification Letter.** Every year by January 31, each project shall submit an annual self-certification letter that must include all required information and supporting documentation detailed in this Chapter, and shall include at a minimum:
1. Updated contact information for the property owner, property manager, employer, and/or designated TDM Coordinator;
 2. Tenant information, as applicable, including but not limited to: on-site land uses; tenant business names; on-site employee count; number of dwelling units; number of residents; on-site parking supply and parking access management (permits, pricing, etc.); and project shared parking arrangements;
 3. A copy of the most recently approved TDM Checklist for the project;
 4. A summary of self-certification findings that either (a) confirms that each individual TDM strategy continues to be implemented as required and defined in the City code, or (b) identifies which TDM strategies are not fully compliant with City requirements and describes remedial steps that will be taken to regain compliance before the next self-certification process occurs; and
 5. In the years a mode share survey was administered, a summary report that includes survey results and a description of how the survey was distributed.

4.10.128 Compliance

- A. **Compliance Status.** The compliance status of a project shall be determined by the Zoning Enforcement Official, based on the fulfillment of all required elements identified in this Chapter and described in the TDM Program Guidelines. Any one of the following conditions shall qualify a project as non-compliant:
1. Failure to implement one or more TDM strategies as identified in an approved project TDM Checklist.
 2. Failure to fulfill biennial monitoring requirements, including failure to achieve required commute survey response rates.
 3. Falsifying or knowingly submitting inaccurate information as part of a TDM Checklist or annual self-certification letter.
- B. **Good Faith Effort.** At the discretion of the Zoning Enforcement Official, penalties and abatement procedures may be modified or waived if it is determined that the Property Owner has acted in good faith to fulfill the requirements of this Chapter.