
[Chapter 10.52 - TRANSPORTATION SYSTEM MANAGEMENT PROGRAM](#)

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10.52.010 - Findings.

The council of the city finds and determines that:

A.

There has been a significant increase in traffic in this general region, and this trend is anticipated to continue in the future.

B.

Future development and redevelopment within the city and in the surrounding area will lead to increased traffic in the area.

C.

Transportation system management (TSM) programs have been shown to be capable of reducing vehicle trips and increasing vehicle occupancy rates, and can be effective in reducing the need for costly major road improvements.

D.

Decreasing the number of vehicular miles and trips, especially on the regional road network, both absolutely and within peak traffic periods, will help alleviate traffic congestion, energy consumption, and noise levels and will help to improve and maintain air quality. These improvements will contribute to making the city an attractive and convenient place to live, work, visit and do business, and will help employers recruit and retain a qualified work force.

E.

Cooperation with and coordination of TSM programs with nearby cities and other local agencies with transportation roles and participation in a joint powers agency with some or all of these agencies will assist the city in meeting the goals and objectives of this chapter.

F.

Adoption of the TSM ordinance codified in this chapter is one component of implementing a comprehensive approach to reducing traffic problems that should be supported by complementary land use policies and transportation and transit improvements.

G.

Adoption of the TSM ordinance codified in this chapter will promote public health, safety, economic vitality, mitigate the effects of traffic congestion including associated noise and air quality impacts on the environment, and is in furtherance of the general welfare, both within the city and region, and said ordinance is consistent with this city's general plan.

H.

Participation of private and public employers, sponsors, employer organizations, and employee organizations is critical to the successful implementation of this TSM chapter.

I.

This chapter will implement provisions of that certain "Joint Powers Agreement Establishing the Multi-City Transportation System Management (TSM) Agency," a joint exercise of powers agreement entered pursuant to the provisions of Government Code Section 6500 et seq., of which agency this city is a member.

J.

Since the Bay Area Air Quality Management District's (BAAQMD) Regulation 13, Rule 1 is the current trip reduction regulation with which our large employers (one hundred (100) and over employees) must comply and the jurisdictions within the county of San Mateo did not elect to accept delegation of the rule, the provisions in the ordinance codified in this chapter are intended to assist employers in the region in achieving their trip reduction goals to improve air quality and reduce traffic congestion.

(Ord. 398 § 2(part), 1995).

10.52.020 - Goals and objectives.

A.

Goals. The goals of this chapter are to:

1.

Urge that all existing and future employers and sponsors participate in mitigating traffic problems by implementing TSM measures;

2.

Encourage coordination and consistency between public agencies and the private sector in planning and implementing transportation programs;

3.

Increase public awareness and encourage added public use of alternatives to commuting by single-occupant vehicles;

4.

Reduce traffic impacts within the city and the region by reducing the number of automobile trips, daily parking demand, and total vehicle miles per person traveled that would otherwise be generated by commuting.

B.

Objectives: The objectives of this chapter are:

1.

To participate in a multi-city agency that works in partnership with employers to promote programs and services that help employers achieve their trip reduction goals in an effort to improve air quality and reduce traffic congestion in the region;

2.

To facilitate the achievement of vehicle to employee ratio (VER) standards by public and private employers subject to Regulation 13, Rule 1, a regional employer-based trip reduction mandate effective for employers with one hundred (100) or more employees in San Mateo County beginning July 1, 1994;

3.

To encourage participation by employers with twenty-five (25) to ninety-nine (99) employees in promoting commute alternatives for their employees.

(Ord. 398 § 2(part), 1995).

10.52.030 - Definitions.

As used in this chapter the following words and phrases have the meanings respectively ascribed thereto in this section:

"Alternative work hours program" means any system for shifting the workday of an employee so that the workday starts or ends outside of the peak periods. Such programs include but are not limited to: (a) compressed work weeks; (b) staggered work hours involving a shift in the set work hours of employees at the work place; and (c) flexible hours involving individually determined work hours within guidelines established by the employer.

"Carpool" means a motor vehicle occupied by two (2) or more employees commuting together.

"Commute" means a home-to-work or work-to-home trip.

"Complex" means either:

a.

Any nonresidential use or development which is operated as a unit, whether in common or separate ownership. A complex may have more than one but not necessarily all of the following characteristics:

i.

It is known by a common name,

ii.

It is governed by a common set of covenants, conditions, and restrictions,

iii.

It was approved, or is to be approved, as an entity by the city,

iv.

It is covered by a single subdivision or parcel map,

v.

It is operated by a single management,

vi.

It shares common parking;

b.

Any multitenant, nonresidential building or group of buildings under common ownership, which is not included within the definition of complex stated above.

"Employee" means any person hired by an employer for work at the workplace, including part-time and seasonal persons working twenty (20) hours or more weekly, but excluding independent contractors. Partners, joint ventures, and the like shall be considered as employees for the purpose of calculating the number of employees.

"Employer" means any public or private employer, including the city, who has a permanent place of business in the city. "Employer" shall not include contractors or other business entities with no permanent place of business in the city and other businesses with no permanent workplace location.

"Joint powers agency" means that agency created under the "Joint Powers Agreement Establishing the Multi-City Transportation System Management (TSM) Agency."

"Local employment" means the employment of an individual who resides within three (3) road miles of their place of employment.

"Multi-city agreement" means the agreement approved by the city and one or more other cities to establish an organization and procedures for governing a joint TSM program.

"Peak traffic periods," "peak hour" and "peak periods" mean the periods of highest traffic volume and congestion which are from six (6:00) a.m. to ten (10:00) a.m. and three (3:00) p.m. to seven (7:00) p.m. during the work days Monday through Friday. A peak period trip shall mean an employee commute trip to or from a work place when the employee's workday begins or ends within a peak period.

"Public transit" means publicly provided transportation, usually either by bus or rail.

"Ridesharing" means transportation of persons in a motor vehicle for commute purposes where the driver is not employed for that purpose. The term includes arrangements known as carpools and vanpools.

"Single-occupant vehicle" shall mean any passenger car, or a truck of less than three (3) tons, occupied by one individual traveling to or from work for a distance greater than three (3) road miles.

"Sponsor" means the owner(s) or developer(s) or manager(s) of a commercial development project or complex.

"Transportation system management" (TSM) means a program to improve the movement of persons through better and more efficient use of the existing transportation system.

"TSM administrator" means the person employed by the joint powers agency to manage the program developed under this chapter.

"TSM board of directors" means the group responsible for policy direction of the TSM organization, with membership and responsibilities as defined in the multi-city agreement.

"TSM supervisory committee" means the group of city managers or their designees responsible for general direction of the TSM administrator and program as set forth in the multi-city agreement.

"Vanpool" means a van occupied by five (5) or more employees traveling together during a commute.

"Workplace" means the permanent place of employment or principal work location, including a complex, of an employee.

"Employee transportation coordinator (ETC)" shall mean a person, who could be an employee or an employer or sponsor, designated to implement BAAQMD's TSM trip **reduction** program and to carry out any other activities of the ordinance codified in this chapter at a work place.

(Ord. 398 § 2(part), 1995).

10.52.040 - TSM administrator.

The TSM administrator shall be employed by the joint powers agency and shall serve as staff in administering the TSM provisions of this chapter as provided in the multi-city agreement. Duties shall include, but are not limited to, assisting employers in carrying out TSM responsibilities, providing commute alternative assistance, reviewing and evaluating TSM programs, preparing summary reports, and developing incentives for employer participation in the TSM program.

(Ord. 398 § 2(part), 1995).

10.52.050 - TSM advisory committee.

The advisory committee shall monitor the implementation of TSM programs, in accordance with the goals and objectives of this chapter, and serve as an advisory body to the joint powers agency.

A.

Composition and Term of Office. The advisory committee shall be established as provided in the multi-city agreement approved by the city council.

B.

Functions. The advisory committee shall:

1.

- Advise the joint powers agency on any TSM matter brought to its attention by any person;
2. Recommend changes to this chapter as may be necessary to meet the goals and objectives established herein; and
 3. Recommend the establishment and composition of any local area groups of employers and/or sponsors to aid compliance with TSM requirements.

(Ord. 398 § 2(part), 1995).

10.52.060 - TSM requirements.

- A. Each employer within San Mateo County that is subject to the Bay Area Air Quality Management District's (BAAQMD) Regulation 13, Rule 1 (regional employer-based trip **reduction** rule) shall conform to the employer-based trip **reduction** requirements established and enforced by BAAQMD.
- B. Each employer of twenty-five (25) or more employees, and every sponsor of twenty-five (25) or more employees, is encouraged to distribute to its employees on a regular basis, commute alternatives information on ridesharing, transit, bicycling and other commute alternatives; and participate when possible in programs, sponsored by the joint powers agency, that may contribute to the **reduction** of single-occupant-vehicle commute trips.
- C. Each employer of twenty-five (25) or more employees shall follow the progression of current and new rules under Regulation 13 so as to be prepared to comply with new mandates that may come into effect for such employer's worksite.

(Ord. 398 § 2(part), 1995).

10.52.070 - Limitations.

Nothing in this chapter or the multi-city agreement may be construed to require an employer or sponsor to: (a) breach a lease existing prior to the effective date of the ordinance codified in this chapter; (b) require structural modifications or additions to property, the nature of which would require the issuance of a permit pertaining to existing structures; or (c) violate any planning approvals issued by a member of the joint powers.