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## Chapter 10.58 - FACILITIES TRIP REDUCTION

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### 10.58.010 - Definitions.

For the purpose of this chapter, the following words and phrases are defined and explained:

- A. "Alternative transportation modes" means any mode of travel that serves as an alternative to the single-occupant vehicle. This can include all forms of ridesharing such as carpooling or vanpooling, public transit, bicycling, walking or alternative methods such as telecommuting.
- B. "Applicable development" means any new development that will meet or exceed the fifty-employee threshold or any existing development that applies to increase its floor areas by twenty-five thousand gross square feet. Applicable developments include complexes exceeding the fifty-employee threshold and residential developments with twenty-five or more units. The following employee generation factors, categorized by type of use, may be used for purposes of determining whether a new or expanding development is subject to this chapter:

Land Use Category	Number of Employees
Commercial (regional,) community or neighborhood)	1/500 gross square feet
Office/professional	1/250 gross square feet
Industrial	1/525 gross square feet
Hotel/motel	0.8 per room
Mixed use	Sum of individual figures for each use
Restaurant	1 per 10 seats
Hospital/other medical	1 per 4 beds

Note: Locally generated data concerning employment may be substituted for the employee generation factors set forth above upon approval of the city.

- C. "Average vehicle ridership (AVR)" means the figure derived by dividing the number of employees (including those telecommuting) at a regulated work site who commute to and from work between six a.m. to ten a.m., Monday through Friday, by the number of vehicles driven by these employees between home and the work site over the five-day period. The methodology for calculating AVR is contained in Appendix 2, on file in the

city clerk's office.

- D. "Buspool" means a heavy-duty vehicle occupied by at least sixteen passengers and the routing/scheduling for which is arranged between employer(s) and transit operators.
- E. "Carpool" means a light-duty motor vehicle occupied by at least two but not more than six employees traveling together.
- F. "Commercial developer" means a developer of commercial project that falls under the definition of "applicable development" in this section.
- G. "Complex" means any business park, shopping center or mixed use development in separate or common ownership, which can be identified by two or more of the following characteristics:
1. It is known by a common name given to the project by its developer.
  2. It is governed by a common set of covenants, conditions and restrictions.
  3. It was approved, or is to be approved, as an entity by the city.
  4. It is covered by a single tentative or final subdivision map or has been represented to the city as a single-site development.
  5. It is located on a single assessor's parcel.
- At the discretion of the jurisdiction, a complex may also include the central business district and/or strip commercial areas.
- H. "Congestion management program (CMP)" means the countywide program developed in accordance with California Government Code Sections 65088, et seq. requiring local jurisdictions and congestion management agencies to adopt and implement a trip reduction and travel demand element. The CMP law also requires designation of a CMP principal arterial network, a transit network, a land use impact analysis program, a deficiency plan and level of service monitoring system, and a seven-year capital improvement program.
- I. "Developer" means the individual or company who is responsible for the planning, design and/or construction of an applicable development project. The developer is the individual who signs all permit applications on behalf of the property owner.
- J. "Discretionary development/use permit" means any permit issued and/or approved by the planning director, planning commission or city council, including but not limited to a conditional use permit, a site plan permit, or a temporary use of land permit (as defined in Soledad Municipal Code [Chapter 17.08](#)), for the purpose of regulating property development use.
- K. "Facility(ies)" means the total of all buildings, structures and grounds that encompass a development site, at either single or multiple locations, that comprise or are associated with an applicable development project.
- L. "Mixed use development" means any development projects that combine residential with any one of these land uses: day care, office, commercial, light industrial, retail and business park.
- M. "Monterey Bay Unified Air Pollution Control District (MBUAPCD)" means the regional governmental body responsible for the development and enforcement of regulations for control of air pollution within the counties of Monterey, Santa Cruz and San Benito.
- N. "Park-and-ride lot" means a parking lot located near residential communities or along highways or other appropriate areas which can be used by commuters as a staging area for carpool formation.
- O. "Parking cash-out program" means an employer-funded, tax-deductible program where employers provide a cash allowance to an employee equivalent to the parking subsidy

the employer would otherwise provide. State law requires cities and counties to grant appropriate parking requirement reductions for developments that implement parking cash-out programs.

- P. "Residential developer" means an individual, group or designee responsible for the development of single-family or multiple-family housing units in which twenty-five or more housing units will be constructed as a part of a single application.
- Q. "Special event" means a seasonal, recurring activity or a singular event which attracts both residents and nonresidents to a facility for recreational or other activities.
- R. "Telecommuting" means a method of conducting work without leaving one's residence and thereby eliminating the commute round trip.
- S. "Tourist oriented development" means a development that will attract visitors or nonresidents to the jurisdictions within Monterey County.
- T. "Transportation demand management (TDM)" means the implementation of programs, plans, pricing or policies designed to encourage changes in individual travel behavior. TDM can include pricing to effect travel mode change; an emphasis on alternative travel modes to the single-occupant vehicle ("SOV") such as carpools, vanpools and transit; reduction or elimination of vehicle trips; or shifts in the time of vehicle commutes to other than the peak period. A listing of TDM techniques is included as Appendix 1, on file in the city clerk's office.
- U. "Transportation management association (TMA)" means a group of employers or other uses joining together in a formal association with the intent to reduce trips.
- V. "Trip reduction" means reducing the number of trips made in single-occupant vehicles.
- W. "Trip reduction checklist" means the mechanism to be used by developers to outline TDM measures they will implement to reduce trips.
- X. "Vanpool" means seven or more persons traveling to or from work in one vehicle.
- Y. "Vehicle trip" means a point-to-point journey or trip in one direction utilizing a motorized vehicle. For example, an employed mother driving a car and dropping off two children at two day care facilities and then going to an instant cash facility on the way to her job, makes a total of four vehicle trips.

*(Ord. 537 § 1 (Exbt. A) (part), 1994)*

### **10.58.020 - Voluntary employer trip reduction program.**

The transportation agency, local jurisdictions, AMBAG, MST and the private sector will implement a two-year voluntary trip reduction demonstration program focused on areas experiencing traffic congestion, LOS deficiencies and/or parking congestion. The effectiveness of the demonstration program will be evaluated by TAMC and summarized at the end of the two-year program. Program evaluations will also be performed by TAMC as specific programs are implemented so that programs can be finetuned as needed. At the end of the two-year demonstration program, mandatory trip reduction will go into effect at employment sites of over two hundred fifty employees if the 1.35 AVR or sixty percent drive alone rate or 1.6 percent per year trip reduction goals have not been met at the demonstration sites.

*(Ord. 537 § 1 (Exbt. A) (part), 1994)*

### **10.58.030 - Facilities component.**

- A. Purpose. The purpose of this section is to outline the requirements for the facilities trip reduction ordinance. It includes residential, tourist and commercial land use considerations for assisting in achieving the overall goals of 1.3 percent per year trip reduction, 1.35 average

vehicle ridership, or sixty percent drive alone rate.

The intent is to ensure that new development, redevelopment and expansion of existing development contain the needed infrastructure and programs to both reduce the need to travel and to encourage alternative transportation usage. "Trip" as used herein refers to all trip purposes.

- B. **Applicability.** The provisions of this section shall apply to expansion of existing development and all proposed residential, commercial or tourist oriented developments. The following responsibilities are imposed upon developers:
1. All developers of applicable new residential developments with twenty-five or more units shall submit a trip reduction checklist as part of the application for any discretionary development/use permit. The checklist shall identify proposed design elements and facilities that encourage alternative transportation usage by residents of the development.
  2. All developers of applicable new tourist oriented developments shall submit a trip reduction checklist as part of the application for any discretionary development/use permit. The checklist shall identify proposed design elements and facilities that encourage alternative transportation usage by visitors to the development.
  3. All developers of applicable new commercial developments shall submit a trip reduction checklist as part of the application for any discretionary development/use permit. The checklist shall identify proposed design elements and facilities that encourage alternative transportation usage by the customers and employees of the development.
- C. **Responsibility of City.**
1. The city shall take into consideration the nature and size of the project when reviewing the trip reduction checklist. The city will determine the necessary programs as part of the permit approval process. After review of the trip reduction checklist prepared by the developer, the city may require, but not be limited to, one or more of the following appropriate programs:
    - a. Provide ridesharing and nearby licensed child care facility information to employees/customers/tenants/buyers as part of move-in materials;
    - b. Install bicycle amenities, such as bicycle racks and bicycle lanes (where appropriate);
    - c. Provide for future transit stops as part of the site plan, as described in the MST Development Review Guidebook or subsequent publications;
    - d. Provide resources for site amenities that reduce vehicular tripmaking;
    - e. Park-and-ride facilities;
    - f. On-site child care facilities;
    - g. Facilities to encourage telecommuting;
    - h. Mixed land uses designed to reduce the length and number of vehicle trips;
    - i. Pedestrian and bicycle system improvements;
    - j. Pedestrian oriented design;
    - k. Educational and marketing strategies designed to induce tourists to reduce their vehicular trips;
    - l. Programs and projects to provide alternatives to automobile transportation into Monterey County;
    - m. Provide on-site banking automatic teller machines (ATMs), restaurants, dry cleaners, grocery and other typically needed services to reduce the need to travel. Link these uses with convenient and pedestrian oriented paths;
    - n. Provide preferential parking for employees who rideshare;

- o. The city may require other measures to be added to or substituted for, as appropriate, any or all of the above. Additional measures which reduce trips are also acceptable.

*(Ord. 537 § 1 (Exbt. A) (part), 1994)*

### **10.58.040 - Implementation schedule.**

The city shall incorporate measures and amenities into its zoning ordinance, development standards and subdivision ordinance as appropriate within six months of adopting the ordinance codified in this chapter.

*(Ord. 537 § 1 (Exbt. A) (part), 1994)*

### **10.58.050 - Enforcement.**

- A. Reporting of City.
  - 1. As part of the annual conformance process of the congestion management program, the city shall make materials and documentation available to TAMC for review.
  - 2. Trip logs and surveys of employees, as required pursuant to any subsequently implemented voluntary trip reduction demonstration program, shall be shared resources housed by the city and used to plan transit services, carpool matching, transportation modeling and emission reductions.
  - 3. TAMC will from time to time monitor the effectiveness of various TRO implementation programs and provide reports and information on effectiveness to the city and other interested parties.
- B. Enforcement and Penalties. Notwithstanding the enforcement of the provisions of this chapter through the procedures set forth in subsection C of this section, the city waives the imposition of penalties against employers failing to achieve target AVR of trip reduction goals established as a result of the two-year voluntary trip reduction demonstration program during the pendency of such program.
- C. Violations. A violation of any of the provisions of this chapter shall be an infraction.
 

For purposes of ensuring that the provisions of this chapter are fully adhered to, the city shall, following written notice, initiate enforcement action(s) against such party(ies) or designee(s) which may include, but not be limited to, the standard infraction procedures which may include a fine.
- D. Administrative Appeals. The city council shall serve as the appeals board for any dispute arising out of this chapter. The appeals board shall have the authority to hear appeals, issue orders and dispose of cases.
 

A property owner/developer required to revise a submittal pursuant to this chapter may, within thirty days and upon written notice to this city, appeal such action to the appeals board. The hearing shall be held before the appeals board within sixty days of receipt of the notice of appeal. The decisions of the appeals board shall be final.
- E. Severability. If any subsection, division, sentence, clause, phrase or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter.

*(Ord. 537 § 1 (Exbt. A) (part), 1994)*