

Accessed November 8, 2013 at <http://library.municode.com/index.aspx?clientId=13406>

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

Sections:

[15.52.010 Definitions.](#)

[15.52.020 Purpose.](#)

[15.52.030 Policy.](#)

[15.52.040 Applicability.](#)

[15.52.050 Facility standards.](#)

[15.52.060 Administration and monitoring.](#)

[15.52.070 Fees.](#)

[15.52.080 Appeals.](#)

[15.52.090 Enforcement—Penalties.](#)

15.52.010 Definitions.

For purposes of this chapter, the definitions for the following terms shall apply:

- 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, as well as public transit, bicycling or walking.
- B. "Applicable development" means any new development project that is determined to meet or exceed the employment threshold using the criteria contained in [Section 15.52.040](#)
- C. "Developer" means the builder who is responsible for the planning, design and construction of an applicable development project. A developer may be responsible for implementing the provisions of this chapter as determined by the property owner.
- D. "Employee" means any person employed by a firm, person(s), business, educational institution, nonprofit agency or corporation, government agency or other entity which employs one hundred or more persons at a single worksite.
- E. "Employment generation factors" refers to factors developed for use by the jurisdiction for projecting the potential employment of any proposed development project.
- F. "Facility(s)" means the total of all buildings, structures and grounds that encompass a worksite, at either single or multiple locations, that comprises or is associated with an applicable development project.
- G. "Level of service (LOS)" means a measure of the operational quality of road or intersection ranging from LOS A (best) to LOS F (worst). As required by CMP Legislation, the LOS standard for the CMP Highway System must be at "E" or at the existing LOS, whichever is further from LOS "A," for any intersection or roadway segment.
- H. "Mixed-use development" means new development projects that combine any one of these land uses with another: residential, office, commercial, light industrial, and business park.

Title 15 - BUILDINGS AND CONSTRUCTION

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

- I. "New development project" means any nonresidential project being processed where some level of discretionary action by a decision-making body is required. (Note: Projects covered by development agreements are not exempt from the TDM requirement of the CMP.)
- J. "Peak period" means those hours of the business day between six a.m. and ten a.m. inclusive, Monday through Friday.
- K. "Site development plan/permit" means a precise plan of development that may be subject to public hearing before the Planning Commission and as more fully described in Section 7-9-150.1 of the 1989 Orange County Zone Code.
- L. "Transportation Demand Management (TDM)" means the implementation of programs, plans or policies designed to encourage changes in individual travel behavior. TDM can include an emphasis on alternative travel modes to the single occupant vehicle (SOV) such as carpools, vanpools and transit; reduction or elimination of the number of vehicle trips, or shifts in the time of vehicle commutes to other than the peak period.

(Ord. 91-682 §2, 1991)

15.52.020 Purpose.

This chapter is intended to meet the requirements of AB 1791, Section 65089 (b) (3) which requires development of a trip reduction and travel demand element to the CMP, and Section 65089.3 (b) which requires adoption and implementation of trip reduction and travel demand ordinance.

(Ord. 91-682 §3, 1991)

15.52.030 Policy.

New commercial, industrial, and mixed-use development including employment centers of one hundred persons or more may adversely impact existing transportation and parking facilities, resulting in increased motor vehicle emissions, deteriorating levels of service, and possible significant additional capital expenditures to augment and improve the existing transportation system. In order to more efficiently utilize the existing and planned transportation system and to reduce vehicle emissions, it is the policy of the City to:

- A. Reduce the number of peak-period vehicle trips generated in association with additional development;
- B. Promote and encourage the use of alternative transportation modes such as ridesharing, carpools, vanpools, public bus and rail transit, bicycles and walking, as well as those facilities that support such modes;
- C. Achieve related reductions in vehicle trips, traffic congestion, and public expenditure and achieve air quality improvements through utilization of existing local mechanisms and procedures for project review and permit processing;
- D. Promote coordinated implementation of strategies on countywide basis to reduce transportation demand;
- E. Achieve the most efficient use of local resources through coordinated and consistent regional and/or local TDM programs.

(Ord. 91-682 § 4, 1991)

Title 15 - BUILDINGS AND CONSTRUCTION

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

15.52.040 Applicability.

- A. The ordinance codified in this chapter shall be effective thirty days after adoption and shall apply to all new development projects that are estimated to employ a total of one hundred or more persons as determined by the methodology of subsection B of this section.
- B. For purposes of determining whether a new development project is subject to this chapter, the total employment figure will be determined as follows:
 - 1. Employment projections developed by the project applicant, subject to approval by the City; or
 - 2. Employment projections developed by the City using the following employee generation factors by type of use:

<i>Land Use Category</i>	<i>Gross Square Feet/ Employee</i>
Commercial	
Regional	500
Community	500
Neighborhood	500
Office/professional	250
Industrial	525
Hotel	0.8-1.2/room
Mixed or multiple use	To be calculated on a case by case basis based upon the proportion of development devoted to each type of use.

(Ord. 91-682 §5, 1991)

15.52.050 Facility standards.

All applicable developments shall be subject to the facility standards as specified in this section and shall include in their project site development plan's provision to provide for the following:

- A. Preferential Parking for Carpool Vehicles.
 - 1. At least fifteen percent of the employee parking spaces shall be reserved and designated for carpool vehicles by marking such spaces "Carpool Only".

Title 15 - BUILDINGS AND CONSTRUCTION

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

2. Carpool spaces shall be used only by carpool vehicles in which at least two of the persons will be employees or tenants of the proposed project, or where a reciprocal preferential carpool parking agreement with other developments has been established.
3. Such carpool spaces shall be located near the building's employee entrance(s) or at other preferential locations within the employee parking areas as approved by the City Manager or his designee.

(The intent of this section is not to preclude parking arrangements for visitors and handicapped, but to provide preferential carpool parking within the general employee parking areas. The factors listed below shall be used to determine the number of employee parking spaces.)

4. The total number of employee parking spaces shall be determined by using the following factors by type of use as specified in the City zoning code:

<i>Type of Use</i>	<i>Percent of Total Parking Devoted to Employee Parking</i>
Commercial	30 percent
Office/professional	85 percent
Industrial	90 percent
Hotel	30 percent

B. Bicycle Parking and Shower Facilities.

1. Bicycle parking and locker facilities shall be provided in a secure location for use by employees or tenants who commute to the site by bicycle. The number of facilities/racks to be provided shall be at the rate of at least five racks for every one hundred employees or fraction thereof.
2. A minimum of two shower facilities shall be provided, one each for men and women.

C. Information on Transportation Alternatives.

1. A commuter information area shall be provided that offers employees appropriate information on available transportation alternatives to the single-occupancy vehicle. This area shall be centrally located and accessible to all employees or tenants.
2. Information in the area shall include, but not be limited to, the following:
 - a. Current maps, routes and schedules for public transit;
 - b. Ridesharing match lists;
 - i. Available employee incentives;
 - ii. Ridesharing promotional material supplied by commuter-oriented organizations.

D. Rideshare Vehicle Loading Areas.

Title 15 - BUILDINGS AND CONSTRUCTION

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

1. The need for, design, and location of passenger loading areas to embark and disembark passengers from rideshare vehicles shall be reviewed by the Community Development Director or his designee.
 2. Passenger loading areas shall be of a size large enough to accommodate the number of waiting vehicles equivalent to the rate of at least five spaces per every one hundred of the required parking spaces for the project.
 3. The passenger loading areas shall be located as close as possible to the building's employee entrance(s), and should be designed in a manner that does not impede vehicular circulation in the parking area.
- E. Vanpool Vehicle Accessibility.
1. The design of all parking facilities shall incorporate provisions for access and parking of vanpool vehicles.
 2. Where applicable, vanpool vehicle accessibility shall include a minimum seven feet two inches vertical clearance for those parking spaces and ramps to be used by such vehicles.
 3. Vanpool parking spaces shall be located near the building's employees entrance(s) or other preferential locations as approved by the City Manager or his designee.
 4. The number of accessible vanpool parking spaces shall be at the rate of at least two spaces per every one hundred of the total required employee parking spaces as determined in subsection A of this section. The vanpool parking spaces shall be a minimum of nine and one-half feet wide and nineteen feet long.
- F. Bus Stop Improvements.
1. Bus stop improvements including bus pullouts, bus pads, and right-of-way for bus shelters shall be required for all applicable developments located along high traffic volume streets and established bus routes.
 2. Bus stop improvements shall be determined in conformance with standard traffic engineering principles including, but not limited to, the following:
 - a. The frequency and relative impact of blocked traffic due to stopped buses;
 - b. The level of transit ridership at the location.

All the facility standards in this section are mandatory except the requirements for loading areas or bus stop improvements which could be waived if determined to be unnecessary by the Director of Community Development.

(Ord. 91-682 §6, 1991)

15.52.060 Administration and monitoring.

- A. For the purposes of determining whether applicable developments are complying with the provisions of this chapter, the City shall monitor such compliance in a manner it deems appropriate and reasonable. Monitoring mechanisms may include, but not be limited to the following:
1. Local procedures for site development plan review, as appropriate;
 2. Field/site inspections;
 3. Other building site reports/surveys which the City may deem appropriate;
- B. The plan process shall include;
1. Compliance with facility standards as defined in [Section 15.52.050](#) shall be reviewed;

Title 15 - BUILDINGS AND CONSTRUCTION

Chapter 15.52 TRANSPORTATION DEMAND MANAGEMENT

2. All facility standards required shall be completed prior to issuance of building occupancy permits.
3. Periodic checks of the applicable developments shall be made after the completion of the projects to ensure continued compliance of the chapter.

(Ord. 91-682 §7, 1991)

15.52.070 Fees.

For purposes of meeting its obligations under this chapter, the City may impose fixed fees charged to all applicable developments for purposes of defraying the costs of processing and reviewing trip reduction/TDM strategy plans. The amount of these fees shall be as established from time to time by the City Council.

(Ord. 91-682 §9, 1991)

15.52.080 Appeals.

- A. An appeal may be made by the property owner(s) or designee(s) of any applicable development regarding decisions made by the City and any provision of Sections 17.52.040 through 17.52.060 and 17.52.090.
- B. Such appeal may be fixed with the City Council for resolution, who must act on such appeal within ninety days of such filing in accordance with existing law.

(Ord. 91-682 §10, 1991)

15.52.090 Enforcement—Penalties.

For the purpose of ensuring that applicable developments comply with provisions of this chapter, the City shall, following written notice to subject property owner or designee, initiate enforcement action(s) which may include, but not be limited to, the following:

- A. Withholding issuance of a building permit or certificate of use and occupancy;
- B. Issuance of stop work order(s).

(Ord. 91-682 §8, 1991)