

## MEMO

TO: Downtown Davis Plan Advisory Committee (DPAC)

COPY: Mayor Brett Lee  
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FROM: Greg Rowe, Planning Commissioner

DATE: November 26, 2019

SUBJECT: Recommendation to Remove TDM and TMA Requirements from the Draft Downtown Davis Specific Plan ("Downtown Plan")

This memo reiterates the statement I made at the November 13 DPAC meeting. I believe the proposed TDM and TMA mandates will be detrimental to the goals of stimulating downtown revitalization, residential development and economic vitality. If implemented as currently written, the punitive nature of these directives could put Davis at a competitive disadvantage with other cities. The comments herein are strictly my own, and do not represent a position of the Planning Commission.

1. **Recommendations:** That the DPAC modify the Downtown Plan and proposed Downtown Zone Article 40.14.050 by removing the following transportation regulations and compulsory requirements.
  - a. **Development-Level Transportation Demand Management Plans (TDMs):** Delete the requirement that new downtown development prepare and implement a TDM Plan.
    - i. Delete verbiage recommending a target of no more than 50 percent of employees driving alone.
    - ii. Delete verbiage requiring developments to achieve a performance standard for reducing vehicle trips from residential development.
  - b. **Transportation Management Association (TMA) Membership:** Delete the requirement that all non-residential developments join Yolo Commute, Yolo County's TMA, and that all downtown businesses remain dues paying TMA members in perpetuity.
    - i. Delete the requirement that development applicants designate an Employee Transportation Coordinator (ETC) that would serve as the point of contact for the TMA and be responsible for demonstrating compliance with the TDM and monitoring requirements.

2. **Background:** The mandatory TDM and TMA provisions are described in these sections:
  - a. Downtown Plan Section 6.7, page 170: “Regulating Private Development: Parking, Loading and Traffic Reduction.” See Attachment 1, a copy of Downtown Plan p. 170.
  - b. Downtown Plan Section 8, page 219: Table 8E – Implementation Actions: Parking and Transportation Demand Management, items 3D (Require TDM Plans and Performance Standards) and 3H (Require TMA membership). See Attachment 2, a copy of Table 8E.
  - c. Article 40.14: Supplemental to Downtown Zones. Details on the TDM and TMA requirements appear in Article 40.140.050.J. – Commercial Transportation Demand Management (TDM) Standards. See Attachment 3.
  
3. **Concerns:** The imposition of TDM standards and regulations, coupled with obligatory TMA membership, will impose unnecessary financial, logistical and administrative burdens that could dissuade potential developers and employers from locating in downtown Davis. The net result would be to impede the commercial and residential development the City desires. Requiring development applicants to create and implement a TDM and compelling permanent TMA membership will impose uncompetitive costs and bureaucratic administrative burdens on downtown Davis developments and tenancy. Based on my experience described below, compulsory TMPs and TMA participation are ineffective, and are a prime example of misguided government efforts to manipulate transportation modal behavior.
  
4. **Experience Working with TMPs and TMAs**

Mather Airport: I dealt with a TMA during 13 years (2002-2015) as Senior Environmental Analyst with the Sacramento County Department of Airports (Airports). During the 1990s an air quality management plan requiring TMA participation was imposed on Mather Airport by the California Air Resources Board (ARB). The ARB periodically audited program compliance, and expressed frustration because ridesharing goals were continually unmet. The airport had numerous tenants, ranging from companies such as UPS and other air freighters, corporate fleets, aircraft sales and service, etc. Some tenants were small companies with limited financial resources. As required by the air quality plan, the airport belonged to the 50 Corridor TMA, and the airport manager served on the TMA’s Board of Directors. He and I continually urged airport tenants to become dues-paying members of the TMA, and to provide incentives for their employees to commute by modes other than single occupancy vehicles. These efforts fell short, however, because: (1) Airports had no legal means for compelling tenants to join the TMA; and (2) employers cannot legally dictate how their employees commute to work.

Sacramento International Airport (SMF): Attempts to reduce VMT by limiting the availability of parking spaces can actually have the reverse of the intended outcome. For example, during the development of Terminal A at SMF, the ARB attempted to restrict flight operations,

the number of passengers served, and the number of airport parking spaces. ARB's goal in restricting the number of customer parking spaces was to reduce vehicle emissions by ostensibly inducing travel to SMF by mass transit, which was limited in schedule and viewed as inconvenient by most airport customers. (Subsequent congressional action blocked ARB's action and similar efforts in other states.)

It was ultimately realized that the result of ARB's actions was the exact opposite of the intent. As airport users became aware that they were unlikely to find parking at SMF, many resorted to having someone drive them to SMF for their departing flight and then pick them up when they returned; i.e., a friend or relative would drive them to the airport for their departing flight and then pick them up from their arriving flight. *Thus, instead of incurring one roundtrip to the airport, these passengers required two roundtrips, thereby doubling vehicle emissions.* This is an excellent example of unintended consequences, and one that was confirmed by surveys of airline passengers. It shows that most people will find a way to use the transportation mode most convenient to them, regardless of government edicts.

Attachments 1 – 3 appear on the following pages.

## Attachment 1 – Page 170 of Draft Downtown Plan

## 6.7 Regulating Private Development: Parking, Loading, and Traffic Reduction

**A system of incentives and regulations for new development can improve transportation choices and reduce motor vehicle traffic, pollution, and traffic-related fatalities and injuries.**

### Strategies for Regulating Private Development

The following requirements for private development are described in detail in Section 40.14.050 (Parking and Loading) of the Downtown Code.

#### Districtwide Employee Mode Share Target

A districtwide mode share target helps to reduce the traffic impacts of new development. The Specific Plan recommends a target of at least 50 percent of employees commuting by walking, bicycling, ridesharing, or taking public transit or employer shuttles; and no more than 50 percent of employees driving alone by 2040.

#### Development-Level Transportation Demand Management Plans

Requiring new development to develop a Transportation Demand Management (TDM) Plan helps monitor and achieve mode share targets. The Specific Plan recommends setting a target of no more than 50 percent of employees driving alone. Developments should also be required to achieve a performance standard for reducing vehicle trips from residential development.

#### Traffic-Minimizing Parking Standards

The Specific Plan recommends that developments be required to unbundle the cost of parking from the cost of other goods and services by charging a separate fee for parking; and to provide carshare

and preferential carpool spaces. Maximum parking requirements should be applied to all developments and there should be no minimum parking requirements. This will allow the emergence of a market for parking where spaces are bought and sold, rented, and leased.

#### Parking Cash Out

In new developments, parking cash-out programs should be offered by any employer who provides a parking subsidy to employees, to give employees who do not drive a cash benefit equivalent to the value of the offered parking subsidy.

#### Free Transit for Employees and Residents

Developments should be required to provide passes for local transit service (e.g., a deep-discount group pass similar to YoloBus and Unitrans' unlimited access pass for UC Davis undergraduates) to the development's residents and employees free of charge.

#### Transportation Management Association (TMA) Membership

All non-residential developments should be required to join Yolo Commute, Yolo County's TMA (described on the next page) and all tenants should remain members in perpetuity.

#### Monitoring

Monitoring of the results of ongoing efforts should be carried out at both the districtwide level and the level of the individual development.

**Attachment 2 – Page 219 of Draft Downtown Plan  
Note: Deletion of items 3D and 3H is recommended**

<b>Table 8E. Implementation Actions: Parking and Transportation Demand Management</b>	
<b>Action</b>	<b>Methodology/ Steps</b>
<p><b>3. Regulate Private Development</b></p> <p><i>Note that the actions listed here for regulating private development apply only to new development, as described in the Downtown Code (DMC Articles 40.13 and 40.14). The development standards in the Downtown Code set forth the specific applicability standards and exemptions.</i></p>	<p><b>3A.</b> Remove minimum parking requirements.</p> <p><b>3B.</b> Set maximum parking requirements.</p> <p><b>3C.</b> Require unbundling of parking costs from the cost of other goods and services.</p> <p><b>3D.</b> Require Transportation Demand Management (TDM) plans and set performance standards for reducing motor vehicle trips from new developments.</p> <p><b>3E.</b> Require provision of spaces for carshare vehicles and carpools when parking is provided.</p> <p><b>3F.</b> Require parking cash-out programs.</p> <p><b>3G.</b> Require provision of free transit passes to residents and employees.</p> <p><b>3H.</b> Require membership in Transportation Management Association.</p> <p><b>3I.</b> Monitor ongoing efforts and results at the Plan Area level and the development-specific level.</p>
<p><b>4. Improve Transportation Choices</b></p>	<p><b>4A.</b> Strengthen the existing countywide Transportation Management Association serving Davis.</p> <p><b>4B.</b> Establish deep-discount group transit pass program.</p> <p><b>4C.</b> Review and expand local transit networks.</p> <p><b>4D.</b> Continue improving bicycling facilities and programs.</p>

**Attachment 3 – Article 40.14.050.J of Supplemental to Downtown Codes****Note: Deletion of entire subsection 050.J. is recommended****J. Commercial Transportation Demand Management (TDM) Standards.**

1. **TDM Plan Required.** Developments shall be required to prepare and implement a TDM Plan with programs and measures designed to achieve a 50 percent drive-alone employee mode share target. TDM Plans shall comply with the following requirements:
  - a. **TDM Plan Baseline Requirements.** The TDM plan shall include the following measures and shall describe how these measures will be implemented. If any of the measures listed below are provided by a Transportation Management Association (TMA) such as Yolo Commute (the region's TMA) or a similar organization, then those measures may be implemented by ensuring that the development's occupants are enrolled as members in the TMA or similar organization:
    - (i) Employers and employees in the development shall be enrolled as members in a TMA, such as Yolo Commute;
    - (ii) On-site employee transportation coordinator to serve as a liaison between the employer/property owner and the TMA and to oversee the TDM program;
    - (iii) Shared bicycles, if a bikeshare service is not available in the Plan Area;
    - (iv) Telecommute/flexible work schedule program, when feasible;
    - (v) Guaranteed ride home program;
    - (vi) Occupants of the development shall be enrolled as members in a TMA, such as Yolo Commute;
    - (vii) Carpool matching services; and
    - (viii) Marketing of TDM programs to employees.
  - b. **Approval of TDM Plan.** The applicant shall submit the TDM plan to the City for approval. The City may request additional program measures to ensure the proposed plan will achieve the 50 percent drive-alone employee mode share target. The City may require that an applicant hire a third party to review the TDM plan to determine its efficacy in achieving the mode share requirement.
    - (1) The City may allow applicants to provide funding for district-wide programs as part of the TDM plan if it is not possible to achieve the 50 percent employee drive-alone target through a site-specific TDM Plan.
  - c. **Employee Transportation Coordinator.** The applicant shall designate an Employee Transportation Coordinator (ETC). The ETC will serve as the point of contact for the TMA and will provide the TMA and City with materials and data showing compliance with TDM and monitoring requirements.