

Transportation Demand Management (TDM) in Campus Institutional Zones

Administrative Rule and Procedures Guide

Discussion Draft

I. Purpose

The intent of this administrative rule is to provide guidance to Portland Bureau of Transportation (PBOT), applicants, and the public to implement the Transportation Demand Management and Parking Demand Management requirements for CI zones in Title 17 and Chapter 33.

II. Authority

Title 17.1076.060 provides the Portland Bureau of Transportation the authority to develop this administrative rule: “The Director of Transportation shall adopt administrative rules necessary to achieve the purpose of this Chapter.”

III. Applicability

This rule applies to the Campus Institutional 1 and 2 (CI1 and CI2) zones as described in Chapter 33.150. It shall take effect with the City of Portland’s enactment and adoption of the 2035 City of Portland Comprehensive Plan. The applicability of this administrative rule to campuses or institutions with approved conditional use, conditional use master plans, or impact mitigation plans is described in Chapter 33.150.050.

Per Title 33.266.420, an applicant that proposes: a) 20,000 or more square feet in floor area of development; and/or b) increasing the number of on-site parking spaces by more than 4 shall be required to submit a Transportation Impact Review. A Transportation Demand Management Plan is a required element of a Transportation Impact Review.

IV. Definitions

- A. Chapter 17.04 includes a general list of defined terms.
- B. **Early Assistance Request – Zoning and Infrastructure Bureaus** is an initial meeting that the applicant attends with City staff, including the infrastructure Bureau reviewers, to help applicants prepare a complete proposal, inform them of the procedures and requirements of the City Code, and identify policies or regulations that create opportunities or problems for the proposal. In the Campus Institutional zones, it is required prior to submitting a Transportation Impact Review. The Early Assistance meeting requirement for this administrative rule is an “Early Assistance Request – Zoning and Infrastructure Bureaus Meeting and Written Notes” as listed in the City of Portland Bureau of Development Services Land Use Services Fee Schedule (www.portlandoregon.gov/bds).

- C. For the purposes of this administrative rule, the TDM Plan includes **employees** as defined by the Oregon Department of Environmental Quality’s administrative rule for the ECO Rule, Chapter 340 Section 242.0050: “any person on the employer’s payroll, full or part-time (part-time is 80 or more hours per 28-day period), for at least six consecutive months at the same work site, including business owners, associates, partners, and partners classified as professional corporations.” Applicants may choose to include students, visitors, and volunteers into their TDM Plan. In such cases, PBOT will consider any TDM actions tied to these latter groups toward the overall **efficacy** of the TDM Plan. For example, a college or university that requires students to live on campus or does not allow first-year students to obtain a parking permit would be considered as part of the applicant’s TDM Plan.
- D. The **Employee Commute Options** survey is referenced in Chapter 17.106.045.
- E. The **Ongoing Participation and Adaptive Management** element is identified in 17.106.20. Its purpose is to outline a plan of successive actions, should the applicant not meet its modal split Performance Targets or fail to implement the approved TDM Plan. The timing of this element is tied to Chapter 17.106.045, Required Reporting.
- F. Portland’s 2035 Comprehensive Plan identified five fundamental **Pattern Areas** in the city, stating future development and public infrastructure should respond to each area’s positive characteristics, strengths and assets. Transportation System Plan Policy 9.49.e established 2035 non-drive alone trip goals for each pattern area (Central City: 85%; Inner Neighborhoods: 70%; Western Neighborhoods: 65%; Eastern Neighborhoods: 65%; Industrial and River: 55%).
- G. **Transportation Impact Review** in the Campus Institutional zones are required per Chapter 33.266.420 and defined in Chapter 33.852.
- H. **Transportation and Parking Demand Management** (as cited in Chapter 33.266.410): “also known as **TDM**, encompasses a variety of strategies to encourage more efficient use of the existing transportation system by reducing reliance on the personal automobile. This is achieved by encouraging people through education, outreach, financial incentives, and pricing to choose other modes, share rides, travel outside peak times, and telecommute, among other methods. Effective transportation demand management also incorporates management of parking supply and demand. TDM strategies help reduce traffic congestion, reduce the amount of money that must be spent to expand transportation system capacity, improve air quality, and ensure road capacity is available for those who need it most.”
- I. **TDM Plan** is described in Chapter 17.106. PBOT expects that every TDM Plan will at a minimum include the following: a) financial incentives for transit; b) parking management; and c) TDM encouragement. It is a required element of the Transportation Impact Review as required in the Campus Institutional zones.

Commented [HS1]: Question of physicians – if they are contractors are they counted? (Jim Edelson – LNA). Still could be considered as an impact as part of larger TIR.

Commented [HS2]: Suggest that place in the opening sentence that only employees are required and that students and visitors are optional (Mike Robinson – Providence).

Commented [HS3]: Recommending using a more objective word. (Mike Robinson – Providence)

Commented [HS4]: Incentives for annual survey b/c gap is too long (LNA – Bill Hamilton). Want to have apples to apples comparison (Jen Massa Smith - Providence) .

V. **Procedure**

- A. PBOT encourages active dialogue between institutions and neighboring residents and businesses. At a minimum, this engagement must include the actions described in

Title 33.150.060, ~~and the Early Assistance meeting as defined in Section IV.~~ Applicants shall invite the PBOT-staff assigned to your land use case file neighborhood and business association meetings described in Chapter 33.150.060.

B. The proposed TDM plan shall be submitted as part of the complete Transportation Impact Review application.

C. The applicant is ~~encouraged~~ ~~required~~ to schedule and attend an Early Assistance meeting as defined in Section IV. ~~The applicant is encouraged to meet with the affected Neighborhood Association and Business Association prior to the meeting.~~ The applicant may choose to utilize a Pre-Application Conference in lieu of the Early Assistance meeting requirement. PBOT staff are available to answer additional questions outside of the Early Assistance meeting relating to the TDM plan. The applicant should submit their proposed TDM plan, and if applicable, the previous plan, as part of the Early Assistance package. Providing a proposed plan as part of the Early Assistance maximizes the opportunity to resolve any questions and remedy any problems prior to submission of the Transportation Impact Review. PBOT staff will provide written notes on the proposed TDM Plan.

D. The approval criteria for a TDM Plan are listed in Chapter 33.852.110. In evaluating the TDM Plan, PBOT staff will consider:

1. Incorporation of TDM strategies that PBOT views as minimum components of a successful TDM Plan: a) TDM encouragement; b) financial incentives for transit (or carpooling in areas not served by transit; and c) parking management;
2. Applicant's mode split performance in the past 10 years;
3. Applicant's implementation of its previous TDM actions required in its Conditional Use Master Plan, Transportation Impact Plan, Master Plan, or TDM Plan;
4. Other TDM actions or transportation investments by applicant;
5. Applicants' past efforts to communicate with the affected neighborhood and business associations and accommodate their concerns; and
6. Other relevant actions or circumstances.

E. Applicants can propose **Alternative Performance Targets** described in Chapter 17.106.107.020.C4a. TDM Plans with approved Alternative Performance Targets will still need to include the minimum elements as described in Section IV. If the applicant proposes an alternative, it will need to demonstrate why it is not feasible to meet the given target. The following factors will play into PBOT's determination:

1. Existing and anticipated transportation facilities;
2. Transportation connectivity;
3. Availability of transit service;
4. Compliance with previous TDM plan; and
5. Situations unique to an institution.

F. ~~The City is committed to working with institutions to achieve their performance targets.~~ Applicants are required to submit Employee Commute Options surveys at least every two years, beginning with two years from initial Transportation Impact Review approval. This is referenced in Chapter 17.106.045, Required Reporting.

Commented [HS5]: Whether this is the right place, need to capture that as part of Chapter 33.150.D - applicant should share the results of Commute Options survey at annual meeting. (Jim Edelson - LNA)

Commented [HS6]: Need to look at again. Chapter 33 requires meeting with Neighborhood and Business Associations, but how does this relate to Early Assistance Meeting?

Commented [HS7]: PBOT Staff: Will rewrite to match 17.107.020 #4

Commented [HS8]: See Bill Hamilton, LNA's comment up in Employee section, annual review option.

1. At that time, PBOT will review the applicants' adherence to the approved TDM Plan and its mode split performance. Applicants are required to schedule a meeting with PBOT staff to review progress and discuss challenges. If the applicant has not implemented the TDM Plan or achieved the mode split performance, then PBOT staff may require that additional actions outlined in **Ongoing Participation and Management** section be implemented. Exhibit A provides some potential examples to illustrate potential additional actions.

Commented [HS9]: Request to add time frame for applicant to schedule meeting. (PBOT – BH).

2. Employers are only required to report mode split performance for Employees as defined in Section IV.

Commented [HS10]: PBOT action when changes to plan occur – notifying the applicant and NA and BA. (Bill Hamilton - LNA).

Formatted: No bullets or numbering

VI. Enforcement and Penalties

A. Violations of Chapter 17.106 are outlined in 17.106.050.

DRAFT