

March 8, 2016

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Ms. Katherine Schultz, Chair  
City of Portland Planning and Sustainability Commission  
1900 SW Fourth Avenue, Suite 7100  
Portland, OR 97201

**Re: Proposed Transportation System Plan**

Dear Chair Shultz and members of the Planning and Sustainability Commission (“PSC”):

This office represents Providence Health & Services—Oregon (“Providence”). I am writing on behalf of Providence to comment on the review draft dated December, 2015 of the Transportation System Plan (“TSP”).

Providence has the following comments on TSP Section 14: “Transportation & Parking Demand Management” (**Exhibit 1**).

1. The commentary for Section 14, page 1 describes the purpose of a TDM. Providence has a very successful TDM in effect for Providence Portland Medical Center (“PPMC”). (**Exhibit 2**, Executive Summary of Transportation Plan for PPMC). As the chart on page 5 of the Executive Summary shows, Providence has reduced the percentage of single occupancy vehicle trips (“SOV”) to PPMC from 85 percent in 1996 to just 66 percent in 2014, the last full reporting year. This shows that PPMC’s TDM, approved by the City of Portland in the 2012 Conditional Use Master Plan (“CUMP”) for PPMC, continues to be successful in implementing the goal of reduced SOV trips. Therefore, Providence believes that Portland City Code Titles 33 and 17 should provide for continued use of a successful TDM.

2. Proposed Portland City Code Title 17 amendments at Section 15, page 3 do not explain what is required for an approvable TDM. Providence has provided this same testimony to the PSC in the past (**Exhibit 3**).

3. Title 17 proposes that the TDM be implemented through an administrative rule consistent with Portland City Code Titles 17 and 33. The administrative rule has not been drafted. It is impossible to be comfortable with the TDM process that will be implemented by an administrative rule when the administrative rule has not been drafted and is unavailable for public review.

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Additionally, an administrative rule can be easily changed. While this flexibility has advantages, it also has disadvantages because the review and approval process is quite different than if the TDM requirements were in Title 33.

4. The Title 33 language recommended to the Portland City Council by the PSC at its January 29, 2016 meeting includes PCC 33.852.115 (Exhibit 4). This language provides:

**“Duration of a Transportation Impact Review. An approved Transportation Impact review remains in effect for ten (10) years or until development allowed by the review has been completed whichever occurs first”.**

As explained by City staff to Providence, this means that Providence could apply for one Transportation Impact review and TDM if it included all of its proposed parking space and building improvements for the ten (10) year period in one application. However, if Providence were to do that, the process would be about the same as the current CUMP process, which means Providence is treated less like a permitted use in the CI-2 zone and more like a conditional use.

Providence requests that the PSC leave the record open for further testimony on the TSP until it, other institutions, and City staff have been able to have additional discussions about how a TDM is triggered and what may be used to satisfy the TDM requirement.

Very truly yours,



Michael C. Robinson

MCR:GHS  
Enclosures

cc: Ms. Michelle Bernard (via email) (w/ encls.)  
Mr. Jeff West (via email) (w/ encls.)  
Ms. Karen Weylandt (via email) (w/ encls.)  
Ms. Dana White (via email) (w/ encls.)  
Ms. Julia Kuhn (via email) (w/ encls.)  
Ms. Marty Stiven (via email) (w/ encls.)

**City of Portland  
Transportation System Plan**

**Proposed Draft  
December 18, 2015**

**Section 14:  
Transportation & Parking  
Demand Management**

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## Commentary

Transportation and Parking Demand Management, 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.

For example, employers can provide a reduced cost transit pass to employees, increasing transit use, reducing traffic congestion, and saving employees the cost of driving and parking. Apartment building property managers can provide tenants transit or bikeshare incentives, increasing the number of car-free households and reducing neighborhood parking and traffic impacts.

Transportation demand management and parking demand management are complementary, synergistic strategies. Doing a good job with one helps the other succeed; doing a good job with both can significantly improve the economic and environmental benefits for both residents and businesses. See page 16 for an update on the link between the Centers and Corridors Parking Project and TDM.

According to recent modeling work by the City, a strong and effective TDM program is one of the most important current strategies to moving toward meeting our traffic, access, and climate goals.

The focus of Portland's current TDM upgrade is to improve the effectiveness of transportation and parking demand management requirements for mid-to-large scale development.

In collaboration with the Bureau of Planning and Sustainability's comprehensive plan implementation projects, this TDM upgrade will:

- 1) Clarify and standardize performance-based requirements to reduce traffic and automobile parking demand at campuses and institutions, primarily those sites owned and managed by organizations with properties in the proposed **Campus Institutional Zones** and other large institutions;
- 2) Clarify and standardize performance-based requirements to reduce traffic and auto parking demand from development covered by **conditional use permits and master plans**;
- 3) Establish new standards to reduce traffic and auto parking demand from mixed-use development over certain thresholds, specifically those covered by the proposed **Mixed Use Zones** project;
- 4) Establish new standards to reduce traffic and auto parking demand from development in **Central City Plan District mixed use and employment zones** over certain thresholds.

This proposal distinguishes between **discretionary and by-right permits**, allowing by-right applicants to choose a pre-approved TDM plan or to develop a custom plan. Discretionary permits tend to cover larger or more sensitive sites, and are thus more likely to result in a custom TDM plan.

PBOT is proposing to establish a new section in Title 17, 17.106, "Transportation and Parking Demand Management," to standardize Transportation and Parking Demand Management Plan requirements (see next page). The zoning code, Title 33, will establish TDM plan thresholds and reference 17.106. Administrative details would be included in a new administrative rule developed and adopted in 2016.

**17.106 Transportation and Parking Demand Management**

**17.106.010 Purpose.**

Providing residents, employees, and visitors information and incentives to walk, bicycle, ride transit, carpool, and otherwise reduce the need to own and use automobiles can be a relatively quick, inexpensive, and effective strategy to achieve city goals and prevent traffic and parking impacts. Requiring transportation and parking demand management (TDM) is intended to prevent, reduce, and mitigate the impacts of development on the transportation system, neighborhood livability, safety, and the environment while reducing transportation system costs.

**17.106.020 Required Elements of a Transportation and Parking Demand Management Plan.** A TDM Plan shall include, at a minimum, the following elements:

- A. Site and proposed development descriptions; baseline information and analysis, including proposed auto and bicycle parking;
- B. Performance Targets;
- C. TDM Strategies likely to achieve the performance targets;
- D. Automobile parking demand reduction strategies;
- E. Performance Monitoring plan;
- F. Ongoing participation and Adaptive Management plan;

**17.106.030 Approval Required.**

The TDM Plan, approved in writing by the Portland Bureau of Transportation, is required prior to development approval.

**17.106.040 Ongoing Participation.**

The development shall be required to commit to ongoing participation in the TDM Plan in its deeds, Codes, Covenants, and Restrictions.

**17.106.050 Enforcement and Penalties.**

It shall be a violation of this Chapter for any entity or person to fail to comply with the requirements of this section or to misrepresent any material fact in a document required to be prepared or disclosed by this Chapter. Any building owner, employer, tenant, property manager, or person who fails, omits, neglects, or refuses to comply with the provisions of this Chapter shall be subject to a civil penalty of up to \$1,000 for every 7 day period during which the violation continues.

**17.106.060 Administrative Rule Authority.**

City Council authorizes the Director of the Bureau of Transportation to adopt administrative rules for Transportation and Parking Demand Management consistent with City codes Title 33 and Title 17.

**17.106.070 Fees.**

The City may charge fees for Transportation and Parking Demand Management goods and services provided, including but not limited to application review, incentives and education, performance monitoring, adaptive management, and compliance and enforcement.

## Commentary

In general, TDM plans will be required for development:

- In Campus Institutional Zones (discretionary TDM plans);
- In Mixed Use Zones (pre-approved TDM plans);
- In Central City Plan District office employment zones (pre-approved TDM plans);
- Requiring approval(s) that currently specify a transportation or parking management plan.

For proposed Title 33 code amendments, please see the Campus Institutional Zoning Update Project draft proposal (<https://www.portlandoregon.gov/bps/63692>), the Mixed Use Zones Project draft proposal (<https://www.portlandoregon.gov/bps/63621>), and the Central City 2035 project (<https://www.portlandoregon.gov/bps/article/304042>).

In addition, BPS and PBOT will develop amendments updating other sections in Title 33 which currently reference transportation or parking demand management to ensure consistency of TDM plan requirements.

Below is a general TDM update timeline.

2015-16	2016	Future
<p><b>Proposed Draft (this document)</b></p> <p><b>Code Changes (Title 33 and Title 17 changes)</b></p> <ul style="list-style-type: none"> <li>• Campus &amp; Institution</li> <li>• Mixed Use Zones</li> <li>• Central City residential and employment sites</li> <li>• Standardize language in Title 33 sections that have transportation and parking demand management references</li> <li>• Add TDM section to Title 17</li> </ul> <p><b>Thresholds (Title 33 changes)</b></p> <ul style="list-style-type: none"> <li>• Number of units or parking spaces</li> <li>• Square footage</li> </ul> <p><b>Administrative Rule</b></p> <ul style="list-style-type: none"> <li>• Council authorization</li> </ul>	<p><b>Planning &amp; Sustainability Commission on Proposed Draft and City Council hearings on Recommended Draft</b></p> <p><b>Administrative Rule</b></p> <ul style="list-style-type: none"> <li>• Develop detailed language</li> </ul> <p><b>Implementation Preparation</b></p> <ul style="list-style-type: none"> <li>• Clarify staff roles &amp; responsibilities, including who is eligible to provide TDM services</li> <li>• Develop and publicly review fee proposal</li> <li>• Enhance tracking and reporting system</li> <li>• Develop promotional materials</li> <li>• Ensure staffing</li> </ul>	<p style="text-align: center;"><b>2017</b></p> <p><b>Implementation</b></p> <ul style="list-style-type: none"> <li>• Test application and review process</li> <li>• Develop applicant forms and information</li> <li>• Train staff and frequent applicants</li> <li>• Consider expanding TDM plan requirements to multifamily residential zones</li> </ul> <p style="text-align: center;"><b>2018</b></p> <p><b>Refinement</b></p> <ul style="list-style-type: none"> <li>• Consider expanding TDM plan requirements to large commercial development outside Central City.</li> <li>• Performance reporting</li> <li>• Applicant and neighborhood feedback</li> <li>• Adjustments as needed</li> </ul>

Another view of the flow from high level to specific details is shown on page 6.

Title 17 Amendment

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Transportation System Plan Update: Proposed Draft

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## Commentary

### TDM Plan Development Process

High Level ("Trees") TSP Stage 1	Medium Level ("Shrubs") TSP Stage 2	Details ("Groundcover") Implementation
<p>Comprehensive Plan and Transportation System Plan establish the policy support for TDM (goals, policies, objectives). City Council is holding public hearings on these elements in December 2015 and January 2016.</p>	<p>Title 33 (zoning code) establishes the type and size of development requiring a TDM plan. Title 17 establishes TDM plan required components. Planning &amp; Sustainability Commission hearings start in February 2016.</p>	<p>Administrative Rule establishes details for TDM plans, such as service provider options, performance targets and multimodal financial incentive levels. Administrative rule development and stakeholder engagement initiated in 2016.</p>

### Who might provide each TDM service?

TDM plan review	City
Establish project in tracking system	City
Provide education & information materials	City
Provide multimodal financial incentive	City, other public agency, Transportation Management Association (TMA), building manager, or other City-certified organization
Conduct employee/resident surveys	City, other public agency, Transportation Management Association (TMA), building manager, or other City-certified organization
Work with building to ensure compliance, and implement adaptive management plan if performance falls below targets	City, other public agency, Transportation Management Association (TMA), building manager, or other City-certified organization
Conduct enforcement, if building fails to participate	City
Produce annual TDM program reports	City

### Draft TDM Administrative Rule Outline

#### TRN - xx.xx Transportation and Parking Demand Management Standards for Development

1. Purpose
2. Required Elements of a Transportation and Parking Demand Management Plan
3. Performance Targets
4. Site Improvements
5. Education & Information
6. Multi-modal Financial Incentives
7. Transportation Coordinator/Service Provider
8. Ongoing Participation
9. Performance Monitoring
10. Adaptive Management
11. Compliance & Enforcement
12. Approval Criteria (if needed)
13. Fees



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**Section 14: Transportation and Parking Demand Management**

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## Commentary

**Outstanding Questions:** There are several outstanding questions which will be decided in 2016, including those below. Decisions on these elements are likely to be incorporated into the Administrative Rule and/or Pre-Approved TDM Plan. We welcome comments on the following:

- **Service delivery:** who should provide TDM services, such as delivery of transit passes and bikeshare membership benefits, to residents and tenants/employees in buildings with a TDM plan? Options include City staff, Transportation Management Associations (TMA's), and organizations certified by the City;
- **TDM Plan Duration:** Should the TDM plan requirements be in effective for 10 years, 20 years, 30 years, life of building?
- **Ongoing participation:** How to ensure the TDM plan requirements run with the property, regardless of ownership?
- **Performance Targets:** What are the appropriate mode share and auto ownership performance targets for different areas of the city? Areas with different zoning designations, land use and transportation characteristics, described as "pattern areas" in the comprehensive plan, chapter 3.
- **Site Improvements:** Should site improvements, such as bikeshare stations or lockers and showers, be required? If so, do they belong in Title 33 or the TDM Pre-Approved Plan?
- **Multimodal Financial Incentive:** What elements should be required in a Multimodal financial incentive, e.g. bike and walk bucks as an option to a transit pass? What is the optimum amount and duration for a financial incentive?
- **Responsible Party:** Who should be responsible for employee multimodal incentives, the building owner/manager or the employer?
- **Affordable Housing:** Should qualified affordable housing projects be required to have a TDM plan? To provide multimodal financial incentives to tenants? What methods could we use to reduce costs to building owners while providing multimodal incentives to residents of affordable housing projects? Affordable housing tenants tend to have lower automobile ownership rates and to be more transit dependent, so would disproportionately benefit from receiving multimodal incentives. The intent would be to reduce overall housing + transportation costs for building management and residents.
- **Transportation System Development Charges:** Can projects providing multimodal financial incentives receive a credit on their TSDC charges?
- **Adaptive Management:** Should buildings that consistently fall below performance targets be required to expand multimodal financial incentives to improve performance? If so, under what circumstances?
- **Compliance and Enforcement:** PBOT prefers working with building owners to ensure they have the resources they need to be successful. How should we establish an effective "compliance" program to limit enforcement to only those buildings that choose not to meet the ongoing participation requirement?
- **TDM for Existing Buildings:** Is there a method to fund TDM programs for existing buildings, particularly low income building residents?
- **Relationship to Parking Requirements:** We received multiple comments requesting that we integrate parking and TDM requirements. How do we best do so?
- **Fees:** Should the City charge one larger, up-front fee at the time of development review for application review and ongoing performance monitoring, or a smaller fee at the time of development review (only for application review) plus a small fee each time performance reports are reviewed and if adaptive management, compliance and enforcement are required?

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## Commentary

Draft TDM Pre-Approved Plan for By-Right Development (The Outstanding Questions on prior commentary page will be addressed and specific details determined with development of the administrative rule in 2016)

### 1. Application Information

Applicant(s): \_\_\_\_\_

Contact Information: \_\_\_\_\_

Development Site Address or Location: \_\_\_\_\_

Site tax account numbers: \_\_\_\_\_

### 2. Project Description (focus on the topics below; form will be revised to meet BDS needs)

Project Description (include site and building square footage by use, number of residential units, proposed auto parking stalls, proposed short term and long-term (secure) bike parking and parking types, other bicycle facilities): \_\_\_\_\_

Approvals Required: \_\_\_\_\_

### 3. Performance Targets

The project shall achieve the following performance targets:

- Area-specific mode share targets provided by the City, based on Portland's adopted 70% citywide non-SOV mode share target, modified to reflect land use patterns and travel options, pro-rated over time.
  - Commute Non-Auto Mode Share (employment only)
  - Daily Non-Auto Mode Share (residential only)
- Auto Ownership (residential only) target could average ~ 30% and will reflect land use patterns, projected growth, and available travel options)

Regular monitoring to gather data and track ongoing participation:

- Frequency and duration of monitoring (every year, 5 years, etc.)

4. **Site Improvement:** Building owner (select one or encouraged) to implement one or more physical site improvements. The intent is to offer incentives for building owners to build improvements, including the following, which go above and beyond minimum code requirements:

- Transit supportive plaza
- Bike sharing station
- Carpool and carshare vehicles

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## Commentary

### 5. Education & Information Requirement

- Offer every new resident within x weeks of move-in the opportunity to order free PBOT-approved TDM materials to tenants at move-in and to employees at hire. Information includes but is not limited to transit schedules and system maps; bicycle infrastructure information and maps; building bicycle facilities; pedestrian infrastructure and maps; carpool and car sharing resources.
- Deliver information and conduct conversations with participants about transportation choices and information requested.
- Send personalized follow-up communications with targeted messaging based on materials ordered and/or conversations to continue reinforcing transportation choices.
- Offer an order form reminder to all new residents that have not ordered transportation information.
- Send 2-4 newsletters highlighting community events, active transportation opportunities, and healthy living information.
- Continue quarterly communications promoting transportation choices to participants who elect to continue to receive.
- Conduct at least two guided walks highlighting the active transportation network and neighborhood amenities that support healthy living for the building residents and/or in collaboration with other buildings in the area. Alert building residents about the clinic.
- Conduct at least two guided bicycle rides highlighting the active transportation network and neighborhood amenities that support healthy living for the building residents and/or in collaboration with other buildings in the area. Alert building residents about the clinic.
- Conduct at least two bicycle repair, safe riding, and/or trip planning clinics in the building and/or in collaboration with other nearby buildings. Invite building residents to the clinics.

### 6. Advertising Requirement (discuss whether or not this would produce results)

Provide PBOT-approved advertising for no-car and low-car households on building website and any other building advertising.

### 7. Transportation Coordinator/Service Provider

Building owner shall engage a PBOT-certified service provider or PBOT to conduct transportation management activities. Please identify your service partner:

- PBOT  
 Other

If Other please document the company or organization's expertise to provide this service.

### 7. Multimodal Incentive Requirement

Building owner(s) shall offer financial incentives to new residents and/or employees (pro-rated by full-time equivalency) equal to the value of a TriMet pass for at least the first one – six (to be determined) month(s) of their tenancy/employment. Each new resident or employee shall be offered a choice to use this multimodal incentive for one or more of the following:

- TriMet pass
- Portland Streetcar pass
- Portland Bikeshare membership and/or use credits
- Bicycle & Walk Bucks (for use to purchase bicycling and walking gear)

### 8. Automobile Parking

## Title 17 Amendment

Building owner(s) shall "unbundle" the cost of any automobile parking from leases so that end users pay the area market price, or a minimum of \$\_\_ per (day/week/month) for an automobile parking stall.

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## Commentary

### 9. Performance Reporting

Building owner(s) shall provide a performance report on the schedule in section 3, above, meeting the minimum requirements in TRN 10.xx (administrative rule section covering questions to be asked, when survey will be done, survey response rate, etc.)

### 10. Adaptive Management

If the building does not meet one or more of the performance targets in section 3, the building owner(s) agrees to the following until PBOT-verified Performance Reporting shows the building meeting all performance targets: extend multimodal incentives equivalent to 50% of the current TriMet retail annual pass cost to all current residents and employees (pro-rated to full-time equivalency). The building owner(s) may choose to provide an annual performance report in non-required years.

### 11. Ongoing Participation

Building owner(s) agree to ongoing funding to meet the requirements of this plan and TRN 10.xx (administrative rule section covering by right TDM plans) for 20 years from building certificate of occupancy. TDM plan ongoing participation shall be recorded on the title with the county in which the building is located.

### 12. Enforcement

Building owner(s) acknowledges and accepts the enforcement provisions for a TDM Plan in Title 17.106.060, Enforcement and Penalties.

### 13. Signature and date blocks



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EXHIBIT 1  
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## Commentary

### Centers & Corridors Parking and Transportation Demand Management

Portland's Centers and Corridors Parking Project has recommended an expanded residential permit parking system as a tool to better manage parking in mixed use areas and surrounding residential neighborhoods. City staff worked with a Stakeholder Advisory Committee throughout 2015 to develop the project recommendations.

The committee recommended capping the number of permits issued in each permit area, to ensure that parking does not become completely saturated, and to provide enhanced TDM services in areas that opt-in to the permit system. The committee also recommended factoring the cost of TDM services into the base price of a parking permit (in addition to the cost of administration and enforcement) and to develop an escalating fee structure, where the 2<sup>nd</sup> permit issued to the same address costs more than the 1<sup>st</sup>, etc. The additional revenue would be dedicated to providing TDM services in the area, with a focus on residents and businesses that do not have access to permits, either because they are outside the permit area, or because no permits are available because the cap has been reached. Staff anticipates bringing the recommendations to City Council in early 2016.

### How Does Portland TDM Compare With Other Cities and Counties?

To inform our work on TDM proposals, City staff researched TDM best practices in other US cities and counties. The chart below summarizes key elements of other agencies' programs. These charts are a high level overview lacking implementation details. The first chart summarizes other agency requirements for new multi-family and mixed use development.

TDM Requirements Summary - Residential						
Agency	Incentive Duration	Incentive Amount	Service Provider	Fee	CC&R/ Deed	Performance Monitoring
Portland, OR						
Arlington County, VA	One time at initial occupancy	\$70	Municipality	Annual review		X
Berkeley, CA	Ongoing for building life	\$100/year	TMA			X
Boulder, CO	3 years	up to \$120/month	Developer			X
Contra Costa County, CA	Ongoing for building life	\$100/year	Property Owner		X	X
Pasadena, CA	Ongoing for building life	Specified by applicant	Property Owner	Initial and annual review	X	X
Redmond, WA	One time at initial occupancy	\$117	Owner or TMA		X	X
Rockville, MD	Specified by applicant	Specified by applicant	Developer	Initial	X	X
Santa Monica, CA	Ongoing for building life	\$55-\$110/month	TMO/A	Annual review		X

The second chart, below, summarizes other agency requirements for new employment development.

TDM Requirements Summary - Employer						
Agency	Incentive Duration	Incentive Amount	Service Provider	Fee	CC&R/ Deed	Performance Monitoring
Portland, OR						
Arlington County, VA	One time at initial occupancy	\$70	Municipality	Annual review		X
Bellevue, WA	Ongoing for building life	\$15/month	Property Owner		X	X
Berkeley, CA	Ongoing for building life	\$100/year	Employer or TMA			X
Boulder, CO	3 years	up to \$120/month	Employer			X
Cambridge, MA	life of special permit	Specified by applicant	TMA			X
Contra Costa County, CA	Ongoing for building life	\$100/year	Property Owner		X	X
Pasadena, CA	Ongoing for building life	Specified by applicant	Property Owner	Initial and annual review	X	X
Rockville, MD	Specified by applicant	Specified by applicant	Developer	Initial	X	X
Sacramento, CA	Specified by applicant	\$50-\$100/month	Employer			X
Santa Monica, CA	Ongoing for building life	\$55-\$110/month	TMO/A	Annual review		X