

CITY OF EVERETT

Transportation Demand Management Ordinance

Applicant's User Guide and Reference Tables

October 2021

The City of Everett's Transportation Demand Management Ordinance (Section 35 of the Zoning Appendix, adopted in 2021), is designed to make it easier and more predictable for private development to manage its transportation impacts and make a growing range of travel options available to a development's future residents, tenants, and customers.

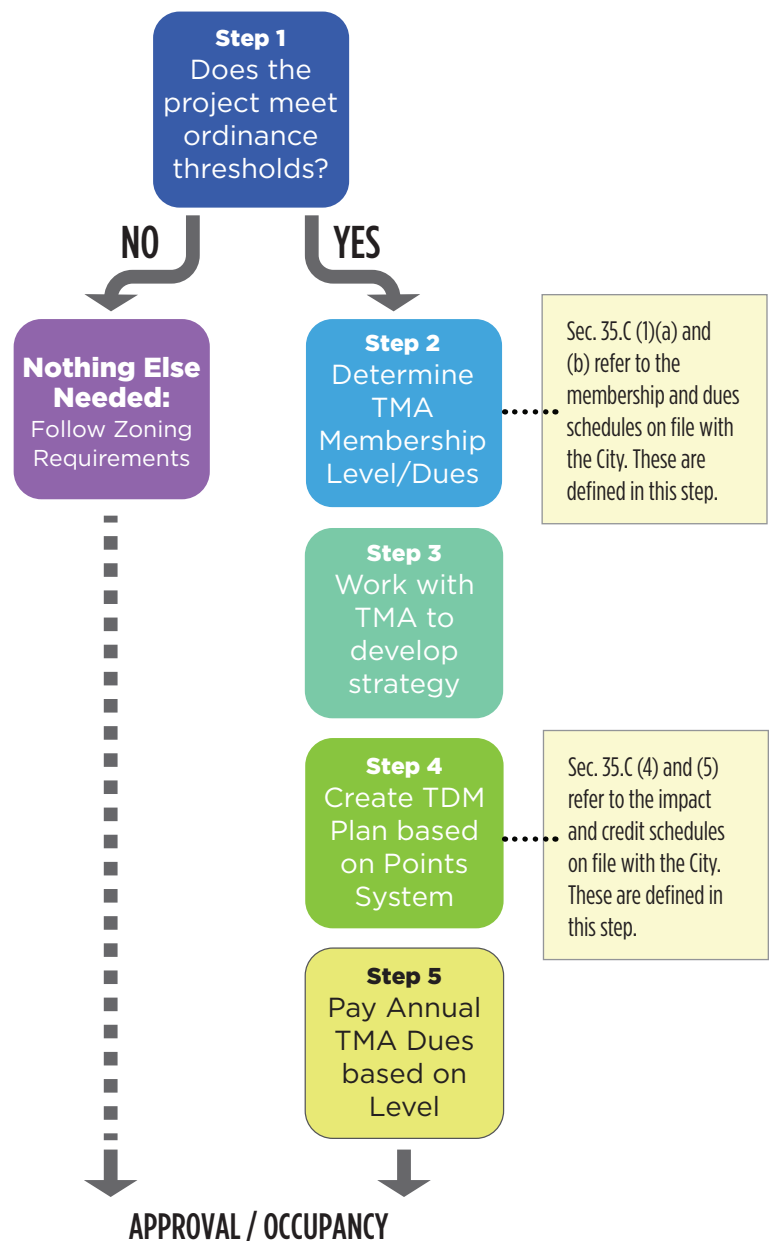
Purpose of the Ordinance

The City created this Ordinance so it could streamline its development review, relying less on variances and making the review process faster, but it also asks developers to make contributions to managing their impacts that are in line with similar programs in other Boston-area communities. The Ordinance is the part of the City of Everett Bylaws that defines these requirements.

Using This Guide

This standalone reference guide is the 'how-to' manual for the Ordinance that helps applicants understand how it works. Importantly, it also includes specific tables and schedules—such as the fee schedule for TMA membership to which the ordinance refers. It will walk you through what to do if you meet the Ordinance's requirements, but also allows you to refer directly to a specific table or schedule if that is all you need. Follow the steps as detailed here, which the City or its Transportation Management Association will help you understand as part of a pre-application conference that you may request.

STEP-BY-STEP HOW THE ORDINANCE WORKS



1

Step 1 Does the ordinance apply to my development?

The ordinance defines four thresholds for applicability. If your development project meets one or more of these, it is subject to the ordinance’s requirements.



If the development has at least as much intensity as any one of these four components, it passes this threshold. One is all that is required—not all four.

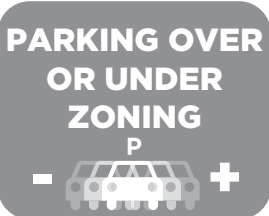
LAND USE TYPE	THRESHOLD INTENSITY
Residential uses other than single-family detached dwellings	10 units
Hotel Rooms	10 units
School Classrooms	10 rooms
Commercial square footage, which may include office, retail, or restaurants	10,000 gross square feet



Even if a development does not surpass any of the four intensity triggers defined in the Development Intensity threshold, any development generating at least 500 daily trip ends (with a trip end being either a trip originating on the site or a trip destined for the site) will be subject to the TDM ordinance requirements. All development applications will now need to provide a trip generation analysis so that this is always assessed as a potential threshold.



Development sites with a notably constrained pattern of access, as determined by the Planning Director or a designee from staff, will be subject to the ordinance requirements. The purpose of this is to manage the congestion and other transportation impacts that might result from having to use a single entry point for a large development, a single constrained road, or a type of street not designed for the traffic volumes expected to result from the development.



Projects that propose to add less parking than what is required in Section 17 of the City of Everett Zoning Ordinance OR more parking than this minimum requirement will be subject to the TDM ordinance. In other words, a development project may provide parking to meet the minimum requirements exactly and it is not subject to the TDM ordinance, but any other amount of parking, whether above or below that minimum-requirement amount, means the development is subject to the ordinance.

Any developments not passing any of these thresholds are not subject to the requirements of the TDM ordinance, although they must continue to meet all other requirements of the City’s Zoning Ordinance. Projects not meeting these thresholds may also voluntarily meet the regulations of the TDM Ordinance in lieu of meeting the parking ratio requirement under Section 17.

2

Step 2

What should I do if the ordinance applies to me?

The City has established a transportation management association (TMA) to work in partnership with the City’s Planning and Development office to make sure that development is managing its transportation impacts and that any projects that meet the TDM Ordinance’s thresholds are able to fulfill their requirements easily and successfully.

This TMA is designed to do much of the work of managing demand, and is here to serve as a resource for developers required to comply with the ordinance—as well as for the City in general. For this reason, **the main requirement for developers who meet the ordinance’s thresholds is simply to join the TMA**, based on a membership dues structure outlined in the following table. All members pay the base membership fee on an annual level, and if you are required by the TDM ordinance to join the TMA, you will pay the Permitted Membership Level fees on top of that. The Partner Membership Level defined in the table is for organizations that choose to join the TMA outside of the development process (i.e. they are operating in buildings and development that already exist today). You will pay a prorated amount of dues to the TMA for the portion of your first calendar year, and a full amount every year after that. **Projects that do not meet the Development Intensity threshold but that opt to join the TMA and follow the requirements of the TDM ordinance will be required to make a one-time payment for five (5) years of membership at Permitted Membership levels and will be exempt from future membership dues.**

FEE SCHEDULE FOR TMA MEMBERSHIP: Referred to in Sec. 35.C (1)(a) and (b) of the Ordinance				
Development Type and Intensity Level	Annual Membership Payments			
	Base Membership (everyone joining pays this)	Added Dues for Partner Membership (for organizations that choose to join the TMA outside of the development process)	Added Dues for Permitted Membership (for organizations required to join the TMA through the ordinance)	Added Dues for Associate/ Permitted Membership (for Permitted Member organizations until CO is issued)
Residential Development				
Fewer than 50 units	\$500	\$18 per unit	\$25 per unit	\$12.50 per unit
51 up to 200 units	\$750	\$18 per unit	\$25 per unit	\$12.50 per unit
201 up to 350 units	\$1,000	\$18 per unit	\$25 per unit	\$12.50 per unit
351 units and greater	\$1,500	\$18 per unit	\$25 per unit	\$12.50 per unit
Commercial Development (includes hotels)				
Less than 50,000 SF	\$500	\$0.02 per square foot	\$0.03 per square foot	\$0.015 per square foot
50,001 - 250,000 SF	\$750	\$0.02 per square foot	\$0.03 per square foot	\$0.015 per square foot
250,001 - 500,000 SF	\$1,000	\$0.02 per square foot	\$0.03 per square foot	\$0.015 per square foot
Over 500,000 SF	\$1,500	\$0.02 per square foot	\$0.03 per square foot	\$0.015 per square foot

Associate-Level TMA Membership

If your development application is approved but there is any length of time between receiving a building permit and/or site plan approval and receiving a full certificate of occupancy (CO), you join the TMA at an ‘Associate’ level, which means you pay 50 percent of the dues as described above during that time. You would pro-rate your dues for the first calendar year in which your TMA membership takes effect, just as you would for a full membership. However, you only have to pay this reduced Associate rate until you receive a CO, at which time your membership transitions to full status and you pay a pro-rated portion of the balance for whatever remains of the fiscal year. This amount is collected prior to issuance of the CO.

3 Step 3 What will the TMA do for me?

The TMA is a new organization in Everett and is starting out providing basic assistance in commuting reduction and commuting alternatives. Its main purpose is to help developers (and the property managers, tenants, and owners that manage and occupy properties after development is finished) understand what their travel options are. It will function as a strategic advisor or a mobility manager, and will work closely with specific developers, tenants, or property managers to determine the best way to meet travel needs.

Each of the different TMA membership levels discussed in Step 2 brings its own range of possible services.

	TDM Option	Base Level	Partner Level	Permitted Level	Permitted/ Associate Level
Consulting and Technical Assistance	Custom Survey Analysis		X	X	X
	Initial Shuttle Planning			X	X
	Site Specific Zipcode Analysis/Mobility Report		X	X	X
	Survey Distribution	X	X	X	X
	TDM Site Plan Assessment and Implementation			X	X
Marketing	Customized Marketing Materials			X	
	Customized Marketing Plan		X	X	
	Marketing Materials (Standard)	X	X	X	X
	On site Marketing Events		X	X	
TDM Services	Blue Bike Subsidy Program		X	X	
	Carpool/Vanpool Subsidy Program		X	X	
	Carshare Subsidy Program		X	X	
	Emergency Ride Home		X	X	
	MBTA Subsidy Program		X	X	
	Personalized Trip Planning		X	X	
	Private Ride Matching Platform/Network			X	
	Ride matching/Trip Planning	X	X	X	X
	Trip Logging Incentive Program		X	X	
	Vanpool Formation Assistance		X	X	
Support and Recognition	Annual Member Meeting	X	X	X	X
	Member Recognition	X	X	X	X
	News and Educational Resources	X	X	X	X
	TMA Board Seat		X	X	
	Transportation Coordinator Network Events		X	X	
	Transportation Coordinator Training		X	X	
	Trip Reduction/Program Usage Reporting		X	X	

4 Step 4 Create TDM Plan based on Points System

The main requirement for any development projects that pass the thresholds from Step 1 is to join the TMA and work closely with the TMA to ensure that you're reducing transportation-related impacts as much as possible. During the first years the TMA is in operation, its membership will continue growing and the organization will take on greater capacity to provide services and develop custom solutions for developers.

The specific ways the TMA can support a development project will be captured in the development review process in a way that allows developers a greater range of options for how to manage impacts, but also asks for more specific documentation of this impact itself. This is a points-based system that makes it very clear what a development project's scale of impact will be, but also allows a greater range of choices in addressing it. The TMA will continue to be a key partner and facilitator in this.

TDM Plans will follow a simple points system that assigns an impact score based on the cumulative total of all transportation impacts, and a credit score based on a series of TDM-based approaches intended to offset that impact.

The table below details how much each type of impact is to be scored. Applicants must calculate all impacts listed here and compute a score that adds up all of the corresponding points totals with each.

SCHEDULE OF TDM IMPACTS: Referred to in Sec. 35.C (4) of the Ordinance		
Impact Category	Specific Impact	Impact Value
Peak Hour Trip Ends	0 to 100 trip ends, inclusive	3 points
	101 to 200 trip ends, inclusive	5 point
	201 to 300 trip ends, inclusive	8 points
	Every additional 100 trip ends, or portion thereof	3 points
Traffic Operations	Intersection within traffic study with a level of service reduction of two letter grades (e.g. C to E)	2 points for each
	Intersection within traffic study reaching failing level of service (LOS F)	3 points for each
	Intersection within traffic study with multimodal LOS below D	2 points for each
Amount of Parking Provided Above or Below the Minimum Requirements of Section 17 of the Zoning Ordinance	1 to 20 spaces, inclusive	2 points
	21 to 40 spaces, inclusive	4 points
	41 to 60 spaces, inclusive	6 points
	61 to 80 spaces, inclusive	8 points
	81 to 100 spaces, inclusive	10 points
	Every additional 20 spaces, or portion thereof, from 101 to 200 spaces, inclusive	3 points
	Every additional 20 spaces, or portion thereof, above 201 spaces	4 points

The table below details how much each TDM option is worth in points. Applicants are required to document which of these options will be used and the sum total of the credit points assigned to each, and for a TDM Plan to be approved the credit score must be equal to or exceed the impact score.

SCHEDULE OF TDM CREDITS: Referred to in Sec. 35.C (5) of the Ordinance		
TDM Category	TDM Option	Credit Value
Shuttle and Circulator Transit	Internal Shuttles	2 points
	External Shuttle Service to one MBTA Station, Weekday Peak Hour Operations Only (7 AM to 9 AM and 4 PM to 6 PM)	6 points
	External Shuttle Service to one MBTA Station, All-Day Weekday Service (a service span of at least 7 AM - 10 PM)	8 points
	External Shuttle Service to one MBTA Station, 7-day, all-day service (a service span of at least 7 AM - 10 PM)	10 points
Transit Incentive Programs	Universal Transit Passes through MBTA Subsidy Program	4 points
	Pre-Tax Payroll Deduction	1 point
Rideshare Incentive Programs	Rideshare Matching Services	1 point
	Vanpool Program	2 points
	Vanpool/Carpool Preferred Parking Spaces, up to 3 spaces	1 point
	Vanpool/Carpool Preferred Parking Spaces, each additional space beyond 3	1 point
Parking Management Programs	Unbundling Parking from Commercial Leases	3 points
	Unbundling Parking from Residential Leases	2 points
	Use of a Shared Parking Program per Zoning Ordinance	2 points
Active Transportation Programs and Project Contributions	Blue Bikes (Bikeshare) Membership for Interested Employees/Residents	1 point
	Short-term bicycle parking provided at a ratio of 1 space per each 300 gross square feet of retail and restaurant (a maximum of 2 points can be awarded with this TDM option)	1 point
	Long-term bicycle parking (covered or indoor) provided at a ratio of 1 space per each 500 gross square feet of office use (a maximum of 2 points can be awarded with this TDM option)	1 point
	Long-term bicycle parking (covered or indoor) provided at a ratio of 1 space per each residential unit (a maximum of 2 points can be awarded with this TDM option)	1 point
	Sponsorship of Blue Bikes (Bikeshare) station on site adjacent to right-of-way	3 points
	Sponsorship of Blue Bikes station in right-of-way adjacent to the site	2 points
Site Amenities and Development Components	On-Site Daycare	2 points
	On-Site Public Realm: publicly-accessible space equivalent to 5 percent of a lot area beyond existing City requirements	2 points
	On-Site Affordable Housing: every additional 2 percent of units (based on total number of units) reserved for 80% of AMI or less beyond existing City requirements (a maximum of 4 points can be awarded with this TDM option)	2 points
	Ground level commercial space in mixed use developments: every 1,000 square feet beyond existing City requirements where applicable	2 points

Applicants will document how their development project scores in a TDM plan that will be included as part of an application—and that the City must approve prior to the project receiving final approval and permitting. This will be on file with the City and the requirements that it sets out will run with the development’s certificate of occupancy, meaning anyone who controls the property after the original developer is also committed to meet the TDM plan requirements. However, as in earlier steps of the process, the TMA will help the developer (or subsequent property manager or tenant) to administer the TDM plan and, as necessary, amend it should TDM options that are more effective or more suitable to a development become available.

The tables below show how an example TDM plan program might be structured on a fictional development project.

Development Example A:
 40 residential units
 5,000 square feet of retail

Per Step 1, This development meets TDM ordinance requirements because of the residential component. Per this step, it must assemble a TDM plan for how its impacts will be offset with credits.

Transportation Impacts:
 33 PM peak trip ends
 One intersection with reductions in level of service by two grades
 50 parking spaces provided (97 would be required in zoning)

Per Step 4, the TDM plan must document three main types of traffic impacts: the trips generated, effects on the performance of adjacent intersections, and parking spaces provided. Keep in mind that meeting the Zoning Ordinance’s minimum parking requirements—but not exceeding them—constitutes no parking impact.

IMPACTS

Transportation Impact Factor	Impact	Impact Score
Trip generation	33 trips (PM peak)	2 points
Traffic Operations	One affected intersection	2 points
Parking Spaces Provided	50 (47 below zoning minimum)	6 points
TOTAL IMPACT SCORE		10 points

Overall impact is based on the calculation values in this step. This development sees its greatest impacts from proposed parking being below the zoning minimum rates.

CREDITS

TDM Factor	Application on Site	Credit Score
Unbundling Residential Parking from Leases	All units will have to lease parking separately	2 points
Long-term bicycle parking for 80 bicycles (two per unit), accessible only to residents	Indoor bike storage/service room providing two spaces per unit	2 points
Universal transit passes through MBTA Subsidy Program	Property/HOA manager provides to residents, or TMA distributes directly	4 points
Blue Bikes station adjacent to street right-of-way	Station installed along adjacent street near building entrance	2 points
TOTAL CREDIT SCORE		10 points

Applicants have numerous ways to meet their credit needs to offset the impact score. This particular development focused on unbundling parking space permissions from leases and on encouraging bicycle use through an on-site facility.

5 Step 5 Pay Annual TMA Dues

This is simply the step where developers make a dues payment to the TMA, who in turn certifies this payment to the City so that full COs and other necessary permits can be issued. The dues schedule is defined in the table in Step 2 of this user guide.

Referring to our example development from Step 4 and assuming that development's application and TDM plan were approved at the end of June of a calendar year, the applicant would pay a pro-rated amount of dues for the that same year and then a full year's dues by January 1 of the following year. The pro-rate calculation would simply be based on the number of days remaining in that year from the effective membership of the TMA. This is detailed as follows.

Development Example A:

40 residential units
5,000 square feet of retail

Land Use Type	Rate	Amount Owed in First Year (from July 1)	Amount Owed in Next Year (and subsequent years, by January 1)
Residential	\$25/unit	\$500 (based on July 1)	\$1,000
Commercial	\$0.03/SF	\$75 (based on July 1)	\$150
TOTAL DUES TO BE PAID		\$575 (based on July 1)	\$1,150

? Looking Ahead What about non-compliance?

The City has developed this ordinance to be as user-friendly as possible and reached out to numerous developers, property owners, and businesses to gauge interest and support. However, there may still be instances where a developer, property owner, tenant, or manager does not follow the previous steps and continue keeping up their obligations under the ordinance. Here is some basic guidance if this happens.

There is a grace period, and the TMA is here to help

Developers or their successors are considered non-compliant after 60 days of not making required TMA membership payments to the City by their due date or not providing a program or service documented in an approved TDM plan. Upon entering non-compliance after the initial 60-day window, the City will notify developers or their successors of their non-compliance, and after this notice is issued, developers or their successors will have 30 days either to remedy the non-compliance (for example, by paying any unpaid TMA membership dues) or to request guidance or partnership from the TMA to determine a path to returning to compliance.

Fines only begin if you make no attempts at compliance

If this 30-day period passes and neither of these actions has happened, the City may begin imposing fines on the developer or its successor, based on the following structure, currently defined in the Ordinance as \$300 per day.

CITY OF EVERETT Transportation Demand Management Ordinance

TDM Worksheet for Developments under 100 Residential Units/100,000 SF of Commercial Space

This form documents an applicant's compliance with the City of Everett Transportation Demand Management Ordinance (Section 35 of the Zoning Appendix, adopted in 2021) for smaller and mid-sized developments (under 100 residential units and/or 100,000 square feet of commercial space).

SECTION 1: INFORMATION FROM APPLICANT

Name of proposed project: _____



1.1	<input style="width: 100%;" type="text"/>
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Number of residential units in the Applicant's proposed project

1.2	<input style="width: 100%;" type="text"/>
------------	---

Commercial (retail, office, hotel, or services) square footage in the Applicant's proposed project



1.3	<input style="width: 100%;" type="text"/>
------------	---

Minimum number of parking spaces required per Zoning Appendix, Section 17

1.4	<input style="width: 100%;" type="text"/>
------------	---

Number of parking spaces applicant intends to provide

1.5	<input style="width: 100%;" type="text"/>
------------	---

Subtract the smaller number from the larger number of 1.3 and 1.4



1.6	<input style="width: 100%;" type="text"/>
------------	---

AM Peak Hour Trip Ends Generated

1.7	<input style="width: 100%;" type="text"/>
------------	---

PM Peak Hour Trip Ends Generated

1.8	<input style="width: 100%;" type="text"/>
------------	---

Greater Value of 1.6 or 1.7



1.9	<input style="width: 100%;" type="text"/>
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Number of intersections where peak hour Level of Service (LOS) fell two letter grades (such as from LOS C to LOS E)

1.10	<input style="width: 100%;" type="text"/>
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Number of intersections where peak hour Level of Service (LOS) fell to LOS F (count these in addition to any intersections under Item 1.8, even if they include the same intersection(s))

1.11	<input style="width: 100%;" type="text"/>
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Number of intersections with a multimodal LOS of D or lower

SECTION 2: APPLICANT'S TDM IMPACT

2.1

Calculate your **Impact Score** based on the table below by adding the values in Boxes A through E



Item 1.5 is:	Impact score is	Fill in with applicable:
1 to 20, inclusive	2 points	[A]
21 to 40, inclusive	4 points	
41 to 60, inclusive	6 points	
Item 1.8 is:	Impact score is:	Fill in with applicable:
0 to 100, inclusive	3 points	[B]
101 to 200, inclusive	5 points	
201 to 300, inclusive	8 points	
Greater than 300	3 points for every additional 100 or portion thereof above 300	
Item 1.9 is:	Multiply by this number	Resulting Value
	2	[C]
Item 1.10 is:	Multiply by this number	Resulting Value
	3	[D]
Item 1.11 is:	Multiply by this number	Resulting Value
	2	[E]

ADD TOTAL ABOVE

SECTION 3: APPLICANT'S TDM CREDITS (PRELIMINARY)

The TDM Ordinance requires that a participating development provide TDM services or measures that result in a credit score equal to or greater than the development's impact score. These services or measures can be selected and coordinated in a TDM Plan to be approved as part of the overall development review process. This section is for applicants to provide a preliminary statement, if desired, of TDM measures and their resultant credit score.

3.1

Calculate your **Credit Score** by selecting TDM options and their credit values



Proposed TDM Measure (from Schedule of TDM Credits)	Credit score is

ADD TOTAL ABOVE

SECTION 4: APPLICANT'S TMA MEMBERSHIP FEES

- | | | |
|-----|--|---|
| 4.1 | | TMA Base Membership fee (refer to fee schedule for TMA membership) |
| 4.2 | | Multiply Item 1.1 by \$25.00 |
| 4.3 | | Multiply Item 1.2 by \$0.03 |
| 4.4 | | If Item 1.1 is under 10 and Item 1.2 is under 10,000, add items 4.2 through 4.3, multiply the total by 5, then add Item 4.1. This is the amount Applicant will owe to the City of Everett upon building permit issuance, and Applicant is exempt from future TMA membership fee payments. Leave this blank if Item 1.1 is 10 or greater or Item 1.2 is 10,000 or greater. |
| 4.5 | | If Item 1.1 is 10 or greater or Item 1.2 is 10,000 or greater, add items 4.1 through 4.3. This is the maximum amount Applicant will owe to the City of Everett in the first year (the City will prorate 4.2 and 4.3 based on a part year basis). |
| 4.6 | | If Item 1.1 is 10 or greater or Item 1.2 is 10,000 or greater, add items 4.2 through 4.3. This is the amount Applicant will owe to the City of Everett for every subsequent year . |

SECTION 5: APPLICANT ACKNOWLEDGMENTS

Please initial acknowledgment of each of the terms below in the boxes to the left.

Applicant Initials

- | | | |
|-----|--|--|
| 5.1 | | Applicant acknowledges that this completed form will be accepted as Applicant's voluntary request to participate in the City of Everett's designated Transportation Management Association (TMA) as per Section 35 of the Zoning Appendix. |
| 5.2 | | Applicant acknowledges that participation in the TMA requires an initial and annual membership dues payment, and Applicant acknowledges that the TDM Ordinance authorizes the City to act in cases of non-compliance with this payment. |
| 5.3 | | Applicant acknowledges that this completed form will require a TDM Plan to be completed and approved by the City of Everett as part of development review and approval, and that in that plan Applicant must commit to providing TDM services resulting in a designated Credit Score equal to or greater than the Impact Score in Item 2.3 of this form. |
| 5.4 | | Applicant acknowledges that the City and/or TMA may periodically revise various elements of the ordinance, including the Fee Schedule for TMA Membership, the Schedule of TDM Impacts, and the Schedule of TDM Credits as featured in the TDM Ordinance User Guide. This means Applicant's annual membership dues are subject to change from what is calculated in this form. The City/TMA will notify Applicants of these changes by October 1 of the year prior to changes taking effect. |

Signed for Applicant by:

Applicant Signature

Date

Applicant name (print)