

CITY OF EVERETT

Transportation Demand Management Ordinance

Applicant's User Guide and Reference Tables April 2023

The City of Everett's Transportation Demand Management Ordinance (Section 34 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.

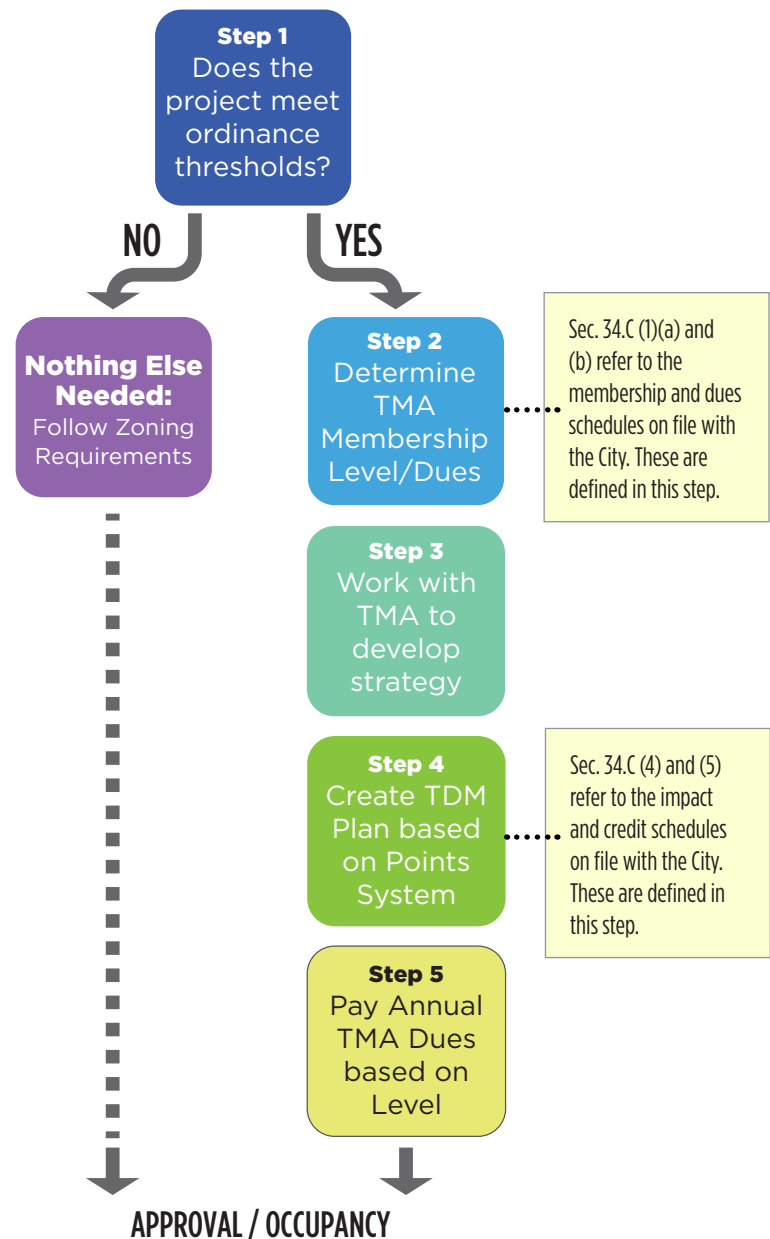
Purpose of the Ordinance

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

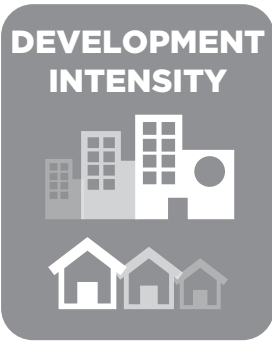


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Step 1

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.

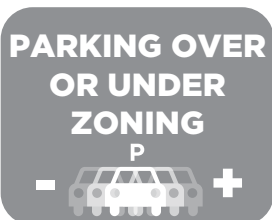
LAND USE TYPE	THRESHOLD INTENSITY
Residential uses other than single-family detached dwellings	10 units
Hotel Rooms	10 units
School Classrooms	10 rooms
Commercial square footage, which may include office, retail, or restaurants	10,000 gross square feet



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.

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Step 2

The ordinance will apply to my development. What do I do now?

The City has established a transportation management association (TMA) to work in partnership with the City’s Planning and Zoning 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 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.

FEE SCHEDULE FOR TMA MEMBERSHIP: Referred to in Sec. 34.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 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.

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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. 34.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. 34.C (5) of the Ordinance		
TDM Category	TDM Option	Credit Value
Shuttle and Circulator Transit	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	MBTA Link Pass through MBTA Subsidy Program For All Residents at no Cost	4 points
	MBTA Link Pass Available at no Cost to Residents in Units That do Not Have at Least One Parking Space Available For Rent. Minimum of 1 Pass Per Month Per Eligible Unit Required. (Required For Projects With a Parking Ratio <1 Space Per Unit)	2 Points
	Pre-Tax Payroll Deduction (Commercial Developments Only)	1 point
Rideshare Incentive Programs (Commercial Development Only)	Rideshare Matching Services	1 point
	Vanpool Program (Provided by Applicant)	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 (Not Applicable if Parking Ratio is < 1 Space/Unit)	2 points
	Use of Shared Parking/Off Site Parking That Provides at Least 25% of The Total Parking Count or at Least 5 Spaces, Whichever is Greater (Applicant Must Provide Letter of Intent For at Least 5 Years)	2 points
Active Transportation Programs and Project Contributions	Blue Bikes (Bikeshare) Membership for Interested Employees/Residents	1 point
	Short Term Bicycle Parking at a Ratio of 1 Space Per 300 Gross Sq. ft of Retail (max 2pts)	1 point
	Long Term Bike Parking (Covered or Indoor) at a Ratio of 1 Space Per Each 500 Sq. ft of Office (2 pts max)	1 point
	Long Term Bike Parking (Covered or Indoor) at a Ratio of 1 Space Per Each Residential Unit (2 pts max)	1 point
	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 point
Neighborhood/ Public Amenities: A Minimum of 2 Pts or 25% of Total Points (Whichever is Greater) Must be Taken From This Category	On-Site Daycare (Commercial/Office Projects Only)	2 point
	On-site green-space: Each 10% of lot area on the ground floor preserved as green-space, landscaping or other non-imperious surface. 50% of which must be visible from the street and landscaping plan approved by the Planning Department (max 4 pts)	2 points
	On-site affordable housing: Every additional 2.5 percent of units, and not less than one additional unit (based on total number of units) reserved for 80% of AMI or less, beyond existing city requirements (4 pts max)	2 points
	At least 75% of street frontage reserved/constructed for ground floor retail or other active-use space of which at least 50% shall be reserved for retail/commercial space with up to 25% allocated for other active uses including building amenity spaces (excluding parking) for residents. Sites that front multiple streets, shall count frontage of along all streets in their calculations.	2 points
	Preservation of a Historic Structure That Maintains And Restores The Façade And Footprint of an Existing Structure Deemed to Have Landmark Value to The Neighborhood	1 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 parking under 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
Bicycle-Interior Storage for 40 bicycles (one per unit), accessible only to residents	Indoor bike storage/service room providing one space 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 Opt-In Form for Small Developments

The Transportation Demand Management Ordinance (Section 34 of the Zoning Appendix, adopted in 2021) applies to projects of at least 10 residential units or 10,000 square feet of commercial space. Applicants for projects under these amounts may use this form to opt in to the TDM ordinance if they intend to meet any of the thresholds for larger projects, especially by providing less parking than the standard requirements of Section 17.

SECTION 1: INFORMATION FROM APPLICANT

Name of proposed project: _____



1.1	
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Number of residential units in the Applicant's proposed project

1.2	
-----	--

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



1.3	
-----	--

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

1.4	
-----	--

Number of parking spaces applicant intends to provide



1.5	
-----	--

AM Peak Hour Trip Ends Generated

1.6	
-----	--

PM Peak Hour Trip Ends Generated

SECTION 2: APPLICANT'S TDM IMPACT

2.1	
-----	--

Subtract 1.4 from 1.3 if 1.4 is the smaller number, or Subtract 1.3 from 1.4 if 1.3 is the smaller number

2.2	
-----	--

List the greater value of 1.5 or 1.6

2.3	
-----	--

Calculate your **Impact Score** based on the table below by adding the values in Box A and Box B

Item 2.1 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 2.2 is:	Impact score is:	Fill in with applicable:
0 to 100 trip ends, inclusive	3 points	[B]
101 to 200 trip ends, inclusive	5 point	

SECTION 3: APPLICANT'S TMA MEMBERSHIP FEES

3.1 **\$500**

TMA Base Membership fee

3.2

Multiply Item 1.1 by **\$25.00**

3.3

Multiply Item 1.2 by **\$0.03**

3.4

Add items 3.1 through 3.3. This is the maximum Applicant will owe to the City of Everett for TDM participation in the development's **first year**.

[Applicant will owe a prorated amount of 3.2 and 3.3 for the portion of the development application calendar year after the application is approved.]

3.5

Add items 3.2 through 3.3. This is the amount Applicant will owe to the City of Everett for TDM participation for every **subsequent year**, based on the dues structure in effect at the time of this form.

SECTION 4: APPLICANT ACKNOWLEDGMENTS

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

Applicant Initials

4.1

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 34 of the Zoning Appendix.

4.2

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.

4.3

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 designated Credit Score equal to or greater than the Impact Score in Item 2.3 of this form.

4.4

Applicant acknowledges that the City 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 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)