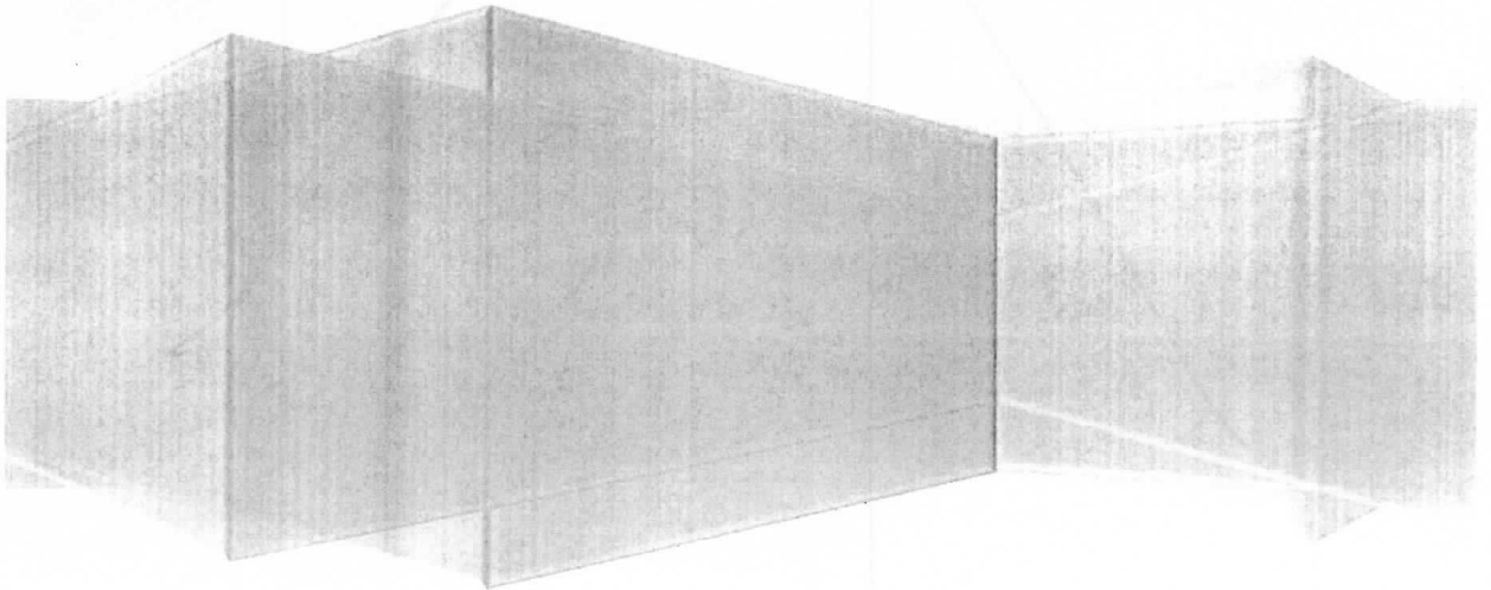


Fairfax County Department of Transportation

# TDM Guidelines

For Fairfax County

January 1st, 2013



## TDM Guidelines for Locations in Fairfax County

1. Review case and determine location, type (residential, commercial, mixed use, etc) and size of development and existing and planned transit options and retail. Determine if TDM proffers are applicable to this case.
2. Use case information to determine peak hour SOV trip reduction goals from ITE rates using these charts: Non-Tysons Trip Reduction Goals or Tysons Trip Reduction Goals
3. Use case information and Trip Reduction Goals to determine the level of TDM program participation that is appropriate based on this chart: TDM Level of Participation.  
A description of the program elements to be included in the “TDM Plan” can be found here: TDM Components  
\*Not all programmatic elements must be included in every TDM plan. Review program components with applicant to determine which are appropriate for that particular case. Applicant should include these components in their “TDM Plan”
4. TDM Proffer requirements are based on the distance from the metro and are outlined in this chart: Requirements by Location
5. Sample proffers for Full, Moderate and Light TDM Programs can be found in this folder: Sample Proffers
6. When goals are not achieved for Full and Moderate programs, the applicant will be required to utilize Remedy funds to enhance their program or pay Penalty Funds to the County based on a schedule outlined in these charts: Remedy & Penalty Fund Payment Schedule
7. For a development with multiple buildings in Tysons, the remedy fund can be released back to the applicant over time if goals are met based on the this chart: Remedy Fund Release Chart
8. Annual Reports must be submitted for every case, and standardized templates and charts can be located in this folder: Annual Report Templates

## Attachments

Non-Tysons Trip Reduction Goals .....	03
Tysons Urban Center Trip Reduction Goals .....	04
TDM – Level of Participation .....	05
TDM Requirements by Location .....	06
Remedy & Penalty Fund Payment Schedule .....	07
Remedy Fund Release Chart .....	08

## Non-Tysons Trip Reduction Goals

Development		Non-Tysons TOD Locations		Non-TOD Locations (More than 1/2 Mile from Station)
		0 to 1/4 Mile from Station	1/4 to 1/2 Mile from Station	
Office	Baseline*	30%	25%	20%
	TDM Goal**	45% - 35%	40% - 30%	35% - 25%
Residential	Baseline	30%	25%	15%-10%
	TDM Goal	45% - 35%	40% - 30%	25% - 15%

\*Baseline refers to the inherent reduction from ITE trip rates observed in Fairfax County without any formal TDM program elements in place. These reductions include the following: vehicle trip reduction due to transit use, peak hour spreading and existing TDM activities (prior to a formal TDM program)

\*\*Use of the higher end of the reduction range should be considered especially for developments in areas of high existing or planned urban accessibility, located close to and with easy and convenient pedestrian access to transit stations (<1/4 mile for rail, <1/8 mile for bus service), and in a walkable, mixed-use environment. Mixed-use development supports higher levels of vehicle trip reduction due to internal trip capture and as well as to walk and bicycle trips within the development or to adjacent developments. A project with TDM that is part of a larger mixed-use development may, therefore, support greater vehicle trip reductions than a smaller, single-use, stand-alone project that implements the same site-level TDM measures.

## Tysons Corner Trip Reduction Goals

Square Feet of GSA in Tysons	Distance from Metro Station			
	0 to 1/8 Mile	1/8 to 1/4 Mile	1/4 to 1/2 Mile	Beyond 1/2 Mile
	Trip Reduction Goal			
Up to 65,000,000	45%	35%	30%	25%
65,000,000	50%	40%	35%	30%
84,000,000	55%	45%	40%	35%
90,000,000	58%	48%	43%	38%
96,000,000	60%	50%	45%	40%
105,000,000	63%	53%	48%	43%
113,000,000+	65%	55%	50%	45%

TDM Levels of Participation			
General TDM Elements	Full	Moderate	Light
Bus Benches	X	X	X
Provide Transportation Kiosk or Information Display	X	X	X
OnSite Transportation Fairs	X	X	---
Web Site/OnLine Commuter Store	X	X	X
Participation in FCDOT Rideshare Program	X	X	X
Vanpool Accessible Parking and DropOff	X	X	X
NonSOV Preferred Parking (Office Only)	X	X	X
Pedestrian Facilities	X	X	X
Designate Program Manager	X	X	X
Join area Transportation Management Association	If Available	If Available	If Available
<b>Bicycle Programs</b>			
Bicycle Racks	X	X	X
Protected Bicycle Storage or Lockers	X	X	---
Shower Facilities (Office Only)	X	X	---
Bicycle Routes, Lanes, and/or Paths	X	X	---
Bike Share Participation	If Available	If Available	---
<b>Transit Programs</b>			
Bus Shelters or Bus Stop Improvements	X	X	When Requested
Free or Reduced Cost Transit Passes	X	X	---
RealTime Transit Information	If Available	If Available	---
Shuttle	When Requested	X	---
<b>Marketing Programs</b>			
Access Guide	X	X	---
Bricks and Mortar Commuter Store	If Feasible	---	---
<b>Incentive Programs</b>			
Individualized Marketing Programs	X	---	---
Off Peak Travel Programs (Residential Only)	X	X	---
Shop Near Home Marketing (Residential Only)	X	X	---
Live or Shop Near Work Marketing	X	X	---
<b>Parking Programs</b>			
Occasional Parking Program	X	X	X
Promote Paid Parking	X	---	---
Promote Parking Cashout	X	X	---
Promote Unbundled Parking	X	X	---
<b>Rideshare Programs</b>			
Vanpool Program	X	X	---
<b>Alternative Work Programs</b>			
Promote Compressed Work Weeks (Office Only)	X	X	X
Promote Flexible Work Schedules (Office Only)	X	X	X
Promote Telework Programs (Office Only)	X	X	X
Maintain Onsite Business Center (Residential Only)	X	X	---
<b>Other Programs</b>			
CarShare Program	If Available	If Available	If Available
Concierge Service	X	---	---
Guaranteed Ride Home (Office Only)	X	X	X
Participation in Events & Campaigns	X	X	---
<b>Monitoring</b>			
Surveys	Every 3 Years	Every 3 Years	Every 3 Years
Trip Counts	Annually*	Annually*	Biennially
Reports	Annually	Annually	Annually
Non-Compliance Fee	X	X	X
Incentive Fund	X	X	X
Remedy Fund	X	X	---
TMA Contribution	X	---	---
Penalty Fund	X	---	---

\*Or per proffered agreement

### TDM Requirements by Location

TDM Components		Tyson	Non-Tyson TOD (Within 1/2 Mile of Metro)	Non-Tyson TOD (Within 1-1/2 Mile of Metro)	All other TDM Programs
TMA Contribution	Office	\$0.10/sq ft	N/A	N/A	N/A
	Residential	\$0.05/sq ft			
Incentive Fund	Office	\$0.02/sq ft	\$0.02/sq ft	\$0.01/sq ft	\$0.01/sq ft
	Residential	\$0.02/sq ft	\$0.02/sq ft	\$0.01/DU	\$0.01/sq ft
Remedy Fund	Office	\$0.40/sq ft	\$0.20/sq ft	\$0.10/sq ft	N/A
	Residential	\$0.30/sq ft	\$0.10/sq ft	\$0.05/sq ft	
Penalty Fund	Office	\$0.10/sq ft	N/A	N/A	N/A
	Residential	\$0.05/sq ft			
Non-Compliance Fee		\$100/Day	\$75/Day	\$50/Day	N/A
TMA Membership		Optional	Participate	Participate	Participate
Trip Counts		Annually	Annually until 3 consecutive counts show goal has been met, then biennially		Biennially, unless otherwise requested by FCDOT
Surveys		Every 3 Years, unless otherwise approved by FCDOT			
Report		Annually	Annually	Annually	Annually
End of Applicant Control Period		Post build-out, after 3 consecutive counts show goal has been met			

## Remedy & Penalty Fund Payment Schedule

### **Tyson's Remedy Fund: Payment Schedule**

<b>Failure to Meet Trip Goals</b>	<b>Remedy Expenditure</b>
1% - 3%	1% of Remedy Fund
3.1% - 6%	2% of Remedy Fund
6.1% - 10%	4% of Remedy Fund
Over 10%	8% of Remedy Fund

### **Non-Tyson's Remedy Fund: Payment Schedule**

<b>Failure to Meet Trip Goals</b>	<b>Remedy Expenditure</b>
1% - 3%	3% of Remedy Fund
3.1% - 6%	6% of Remedy Fund
6.1% - 10%	10% of Remedy Fund
Over 10%	15% of Remedy Fund

### **Penalty Fund: Payment Schedule**

<b>Failure to Meet Trip Goals</b>	<b>Penalty Owed</b>
1% - 3%	5% of Penalty Fund
3.1% - 6%	10% of Penalty Fund
6.1% - 10%	15% of Penalty Fund
Over 10%	20% of Penalty Fund



## Remedy Fund Release Chart

Up to 65,000,000 Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	30%
5% - 10%	50%
10.1% - 15%	65%
15.1% - 18%	80%
18.1 - 20%	90%
<b>Reach Final Goal</b>	<b>100%</b>

65-84,000,000 Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	50%
5% - 10%	65%
10.1% - 13%	80%
13.1% - 15%	90%
<b>Reach Final Goal</b>	<b>100%</b>

84-90,000,000 Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	65%
5% - 8%	80%
8.1% - 10%	90%
<b>Reach Final Goal</b>	<b>100%</b>

90-96,000,000 Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	80%
5% - 8%	90%
<b>Reach Final Goal</b>	<b>100%</b>

96-113,000,000 Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	90%
5%	100%

113,000,000+ Square Feet of GSA in Tysons	
Meet or Exceed Trip Goal for 3 Years By:	Cumulative % Remedy Fund Returned
(Meet) 0 - 4.9%	100%

SAMPLE PROFFERS: NON-TYSONS TOD MAJOR DEVELOPMENT

TRANSPORTATION DEMAND MANAGEMENT ("TDM")

1. Transportation Demand Management. This Proffer sets forth the programmatic elements of a transportation demand management program that shall be implemented by the Applicant, and subsequently, as appropriate, the property owner or Condominium Owners Association (COA), to encourage the use of transit (Metrorail and bus), other high-occupant vehicle commuting modes, walking, biking and teleworking, all in order to reduce automobile trips generated by the residential and or commercial uses constructed on the Property

- A. Transportation Demand Management Plan. The proffered elements of the TDM Program as set forth below are more fully described in the X Transportation Demand Management Plan prepared by Firm, dated Date, (the "TDM Plan"). A copy of the cover sheet and table of contents of the TDM Plan is attached hereto as Exhibit X. It is the intent of this Proffer that the TDM Plan will adapt over time to respond to the changing transportation related circumstances of the Subject Property, the surrounding community and the region, as well as to technological and/or other improvements, all with the objective of meeting the trip reduction goals as set forth in these Proffers. Accordingly, modifications, revisions, and supplements to the TDM Plan as coordinated with FCDOT can be made without the need for a PCA provided that the TDM Plan continues to reflect the proffered elements of the TDM Program as set forth below.
- B. Transportation Management Association. The Applicant shall participate in or otherwise become associated with a larger Transportation Management Association should one be established for this area.
- C. Trip Reduction Goals. The objective of the TDM Plan shall be to reduce the number of weekday peak hour vehicle trips generated by the residential uses located within the Property through the use of mass transit, ridesharing and other strategies including but not limited to those outlined in the TDM Strategic Plan. In addition, the implementation of enhanced pedestrian and bicycle connections/facilities will provide safe and convenient access to nearby Metrorail and bus facilities thereby encouraging commuting options other than the automobile to residents, employees and visitors to the Property.
  - (i) Baseline. The baseline number of weekday peak hour residential vehicle trips for the proposed units within the Property against which the TDM Goals (as defined in subparagraph C.ii) will be measured shall be derived upon the number of residential units site plan approved, constructed and occupied on the Property as part of the proposed development at the time traffic counts are conducted

in accordance with subparagraph H.1.or as qualified below and using the trip generation rates/equations applicable to such residential uses as set forth in the Institute of Transportation Engineers, Trip Generation, 8th Edition for Land Use Code = XX. In the event at Build Out, the Applicant has constructed fewer than AAA multifamily residential units as part of the proposed development, then the Baseline Trip generation numbers applicable upon Build Out shall be calculated as if AAA residential units had actually been constructed as reflected in the Traffic Impact Study for the Applicant prepared by Firm dated DATE, 201X.

- (ii) TDM Goal. The TDM strategies shall be utilized to reduce the P.M. peak hour vehicular trips by a minimum of xxx-xxx percent (XX%) for the residential uses.

D. Process of Implementation. The TDM Program shall be implemented as follows, provided that modifications, revisions, and supplements to the implementation process as set forth herein as coordinated with FCDOT can be made without requiring a PCA.

- (i) TDM Program Manager. The applicant shall appoint and continuously employ, or cause to be employed, a TDM Program Manager (TPM) for Subject Property/COA. If not previously appointed, the TPM shall be appointed by no later than sixty (60) days after the issuance of the first building permit for the first new building to be constructed on the Subject Property. The TPM duties may be part of other duties associated with the appointee. The TPM shall notify FCDOT in writing within 10 days of the appointment of the TPM. Thereafter the AG shall do the same within ten (10) days of any change in such appointment.

- (ii) Annual Report and Budget. The TPM shall prepare and submit to FCDOT an initial TDM Work Plan ("TDMWP") and Annual Budget no later than 180 days after issuance of the first building permit for the first new building on the Subject Property. Every calendar year thereafter but no later than (select date – January 1-May 15), the TPM shall submit an Annual Report, based on a report template provided by FCDOT, which may revise the Annual Budget in order to incorporate any new construction on the Subject Property.

The Annual Report and Budget shall be reviewed by FCDOT. If FCDOT has not responded with any comments within sixty (60) days after submission, then the Annual Report and Budget shall be

deemed approved and the program elements shall be implemented. If FCDOT responds with comments on the Annual Report and Budget, then the TPM will meet with FCDOT staff within fifteen (15) days of receipt of the County's comments. Thereafter, but in any event, no later than thirty (30) days after the meeting, the TPM shall submit such revisions to the program and/or budget as discussed and agreed to with FCDOT and begin implementation of the approved program and fund the approved TDM Budget. Thereafter, the TPM, in conjunction with each annual report summarizing the results of the TDM Program to be submitted no later than Selected Date (the "Annual Report"), shall update the Annual Report and TDM Budget for each succeeding calendar year, modify or enhance program elements and establish a budget to cover the costs of implementation of the program for such year. The expected annual amounts of the TDM Budget are further described in the TDM Plan.

- (iii) TDM Account. The TPM shall establish a separate interest bearing account with a bank or other financial institution qualified to do business in Virginia (the "TDM Account") within 30 days after approval of the TDMWP and TDM Budget. All interest earned on the principal shall remain in the TDM Account and shall be used by the TPM for TDM purposes.

Funding of the TDM Account shall be in accordance with the budget for the TDM Program elements to be implemented in a year's TDMWP. In no event shall the TDM Budget exceed \$\$\$\$ (this amount shall be adjusted annually from the date of rezoning approval for the Subject Property (the "Base Year")) and shall be adjusted on each anniversary thereafter of the Base Year in accordance with Proffer X. The TPM shall provide written documentation to FCDOT demonstrating the establishment of the TDM Account within ten (10) days of its establishment. The TDM Account shall be replenished annually thereafter following the establishment of each year's TDM Budget. The TDM Account shall be managed by the TPM.

- (iv) TDM Remedy Fund. At the same time the TPM creates and funds the TDM Account, the TPM shall establish a separate interest bearing account (referred to as the "TDM Remedy Fund") with a bank or other financial institution qualified to do business in Virginia. Funding of the TDM Remedy Fund shall be made one time on a building by building basis at the rate of \$0.20 per gross square foot of new office uses and \$0.10 per gross square foot of

new residential uses on the Subject Property. Funding shall be provided by the building owners prior to the issuance of the first initial RUP or Non-RUP for each applicable new building. This amount shall be adjusted annually from the date of rezoning approval of the Subject Property (the "Base Year") and shall be adjusted on each anniversary thereafter of the Base Year as permitted by VA. Code Ann. Section 15.2-2303.3. Funds from the TDM Remedy Fund shall be drawn upon only for purposes of immediate need for TDM funding and may be drawn on prior to any TDM Budget adjustments as may be required.

- (v) TDM Incentive Fund. The "TDM Incentive Fund" is an account into which the building owners, through the TPM, shall deposit contributions to fund a multimodal incentive program for initial purchasers/lessees within X. Such contributions shall be made one time on a building by building basis at the rate of \$0.02 per gross square foot of new office or residential uses to be constructed on the Subject Property and provided prior to the issuance of the first RUP or Non-RUP for each individual building. In addition to providing transit incentives, such contributions may also be used for enhancing/providing multimodal facilities within and proximate to the Subject Property.
- (vi) Monitoring. The TPM shall verify that the proffered trip reduction goals are being met through the completion of Person Surveys, Vehicular Traffic Counts of residential and/or office uses and/or other such methods as may be reviewed and approved by FCDOT. The results of such Person Surveys and Vehicular Traffic Counts shall be provided to FCDOT as part of the Annual Reporting process. Person Surveys and Vehicular Traffic Counts shall be conducted for the Subject Property beginning one year following issuance of the final initial RUP or Non-RUP for the first new building to be constructed on the Subject Property. Person Surveys shall be conducted every three (3) years and Vehicular Traffic Counts shall be collected annually until the results of three consecutive annual traffic counts conducted upon Build Out show that the applicable trip reduction goals for the Subject Property have been met. Any time during which Person Survey response rates do not reach 20%, FCDOT may request additional surveys be conducted the following year. At such time and notwithstanding Paragraph X below, Person Surveys and Vehicular Traffic Counts shall thereafter be provided every five (5) years. Notwithstanding the aforementioned, at any time prior to or after Stabilization,

FCDOT may suspend such Vehicle Traffic Counts if conditions warrant such.

E. Remedies.

(i) If the Maximum Trips After Reduction for the Subject Property is exceeded as evidenced by the Vehicular Traffic Counts outlined above, then the TPM shall meet and coordinate with FCDOT to address, develop and implement such remedial measures as may be identified in the TDM Plan and annual TDMWP.

a. Such remedial measures shall be funded by the Remedy Fund, as may be necessary, and based on the expenditure program that follows:

Maximum Trips Exceeded	Remedy Expenditure
Up to 1%	No Remedy needed
1.1% to 3%	3% of Remedy fund
3.1% to 6%	6% of Remedy Fund
6.1% to 10%	10% of Remedy Fund
Over 10%	15% of Remedy Fund

b. There is no requirement to replenish the TDM Remedy Fund at any time. Upon expiration of the Applicant Control Period, the Applicant shall transfer any funds remaining in the Remedy Fund to the COA or successor developer/management company for TDM purposes.

F. Additional Trip Counts. If an Annual Report indicates that a change has occurred that is significant enough to reasonably call into question whether the applicable vehicle trip reduction goals are continuing to be met, then FCDOT may require the TPM to conduct additional Vehicular Traffic Counts (pursuant to the methodology set forth in the TDM Plan) within 90 days to determine whether in fact such objectives are being met. If any such Vehicular Traffic Counts demonstrate that the applicable vehicle trip reduction goals are not being met, then the TPM shall meet with FCDOT to review the TDM strategies in place and to develop modifications to the TDM Plan to address the surplus of trips.

G. Review of Trip Reduction Goals. At any time and concurrent with remedial actions and/or the payment of penalties as outlined in Proffer X., the Applicant may request that FCDOT review the vehicle trip reduction goals established for the Subject Property and set a revised lower goal for the Subject Property consistent with the results of such surveys and

vehicular traffic counts provided for by this Proffer. In the event a revised lower goal is established for the Subject Property, the Maximum Trips After Reduction shall be revised accordingly for the subsequent review period without the need for a PCA.

- H. Continuing Implementation. The TPM shall bear sole responsibility for continuing implementation of the TDM Program and compliance with this Proffer. The TPM shall continue to administer the TDM Program in the ordinary course in accordance with this Proffer including submission of Annual Reports.
- I. Notice to Owners. All owners of the Subject Property shall be advised of the TDM Program set forth in this Proffer. The then current owner shall advise all successor owners and/or developers of their funding obligations pursuant to the requirements of this Proffer prior to purchase and the requirements of the TDM Program, including the annual contribution to the TDM Program (as provided herein), shall be included in all initial and subsequent purchase documents.
- J. Enforcement. If the TPM fails to timely submit a report to FCDOT as required by this Proffer, the TPM will have sixty (60) days within which to cure such violation. If after such sixty (60) day period the TPM has not submitted the delinquent report, then the applicant shall be subject to a penalty of \$75 per day not to exceed \$27,375 for any one incident. Such penalty shall be payable to Fairfax County.