
DISTRIBUTION DRAFT 12-20-21

XX.xx. Transportation Demand Management.

- (1) Purpose. The Madison Common Council finds that ongoing development increases demands on Madison's transportation infrastructure, causes travel delays for Madison residents and visitors, and threatens the local environment through increased carbon emissions. Moreover, Madison's isthmus and other factors make expanding Madison's existing transportation infrastructure for additional vehicle traffic either impossible or impractical. The purpose of this ordinance is therefore to create a Transportation Demand Management (TDM) program which implements Comprehensive Plan policies calling for reduction of vehicle miles traveled (VMT); reduction of single occupancy vehicle (SOV) trips; equitable access to multi-modal transportation options such as rideshare, public transit, bicycling, and walking; reduction of travel delays and air emissions; and increased support for transportation oriented land-use development (TOD).

 - (2) Applicability. This section applies to the following buildings, uses, or additions constructed or established after the effective date of this ordinance:
 - (a) Residential buildings, uses, or additions.
 - (b) Employment buildings, uses, or additions.
 - (c) Commercial buildings, uses, or additions.
 - (d) Institutional buildings, uses, or additions.
 - (e) Mixed-use buildings, uses, or additions with one or more of the uses mentioned above.

 - (3) Exemptions. This following buildings, uses, or additions constructed or established after the effective date of this ordinance are exempted:
 - (a) Residential buildings, uses, or additions with less than 10 dwelling units or containing 10-25 dwelling units with a proposed parking ratio of less than 1.0;
 - (b) Employment buildings, uses, or additions of between of less than 10,000 square feet of floor area or between 10,000-25,000 square feet of floor area and a proposed parking ratio less than 1.0
 - (c) Commercial buildings, uses, or additions of less than 40,000 square feet of floor area and a proposed parking ratio of less than 1.25 their parking minimums or within the following use categories: day care center, nursery school, animal daycare facilities
 - (d) Institutional buildings, uses, or additions of less than 40,000 square feet of floor area and a proposed parking ratio of less than 1.25 their parking minimums or within the following use categories: elementary school, middle school, institutions with campus master plans, places of worship, public safety facilities
 - (e) Mixed-use buildings, uses, or additions that meet some or all of the exemption criteria outlined above.

 - (4) Program requirements. No building permit shall be issued for any building, use, or addition subject to this section until the City of Madison Department of Transportation ("DOT") has approved a TDM plan that meets all of the following requirements:
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- (a) TDM Plan submission and approval. The TDM plan must be submitted and approved as part of site plan review as provided in M.G.O. Sec. 28.186.
- (b) Fee. The TDM plan shall be accompanied by payment of an initial \$____.00 TDM program fee. Bi-annual TDM Compliance and Recertification Plan fees are as provided in sec. (6) below.
- (c) Plan content. All TDM plans shall contain at a minimum the following:
 - i. The identity and contact information of the TDM Coordinator;
 - ii. A description of the building, use, or addition subject to TDM requirements;
 - iii. The number of mitigation points required by this ordinance;
 - iv. The mitigation measures chosen by the property owner to achieve the required number of mitigation points during the two (2) calendar years succeeding the issuance of the certificate of occupancy for the building, use, or addition;
 - v. A statement that the TDM plan expiration date shall be two (2) calendar years after the issuance of the certificate of occupancy; and
 - vi. A statement acknowledging that a bi-annual TDM Compliance and Recertification Plan will be required during the life of the building, use, or addition.
- (d) Recording Notice of TDM Plan. Within thirty (30) days of approval of the initial TDM Plan, the property owner shall record a Notice of Transportation Demand Management Plan with the Dane County Register of Deeds stating that a Transportation Demand Management Plan exists for this property pursuant to Madison General Ordinance XX.xx and that the property owner may obtain a copy of said plan from Traffic Engineering.

- (5) Mitigation point requirements. Every building, use, or addition subject to the provisions of this ordinance is required to meet a set number of TDM mitigation points during the entire two-year TDM Plan period. Mitigation points required are calculated as a function of the following:
 - i. The size of the proposed building, use, or addition
 - ii. The number of parking stalls proposed for the project
 - iii. Proximity to existing or proposed transit, as outlined in Figure 14 – “TDM Requirement Modifiers Based on Location” of the “Transportation Demand Management Program”

To determine the required points mitigation points for a project, the “raw mitigation points” are multiplied by the “modifiers based on location”

- (a) Residential raw mitigation points.

Residential uses	10-25 DU	26-50 DU	51-100 DU	101-150 DU	150+ DU
Parking Stalls per DU					
< 0.5	no TDM	5	7	9	12
0.5-0.99	no TDM	9	12	15	17
1.0-1.49	12	15	17	19	22
1.5-1.99	17	19	22	25	27
2.0-2.50	22	25	27	29	32
> 2.5	27	29	32	35	37

DU = Dwelling Units

(b) Employment raw mitigation points.

Employment uses	10,000-25,000 sf	25,0001-50,000 sf	50,001-100,000 sf	100,001-150,000 sf	>150,000 sf
Parking Stalls per 500 sf of floor area					
< 0.5	no TDM	5	7	9	12
0.5-0.99	no TDM	9	12	15	17
1.0-1.49	12	15	17	19	22
1.5-1.99	17	19	22	25	27
2.0-2.50	22	25	27	29	32
> 2.5	27	29	32	35	37

DU = Dwelling Units; sf = Square Feet

(c) Commercial raw mitigation points.

Commercial uses	<40,000 sf	40,001-100,000 sf	100,001-150,000 sf	150,001-200,000 sf	>200,000 sf
PP to PM Ratio					
Below PM	no TDM	5	7	9	12
1.00-1.24 x PM	no TDM	9	12	15	17
1.25-1.49 x PM	12	15	17	19	22
1.50-1.74 x PM	17	19	22	25	27
1.75-2.00 x PM	22	25	27	29	32
> 2 x PM	27	29	32	35	37

PP = Proposed Parking; PM = Parking Minimum; sf = Square Feet

(d) Institutional raw mitigation points.

Educational uses	<500 students	501-1000 students	1001-2000 students	2001-5000 students	>5000 students
Other institutional uses	<40,000 sf	40,001-100,000 sf	100,001-150,000 sf	150,001-200,000 sf	>200,000 sf
PP to PM Ratio					
Below PM	no TDM	5	7	9	12
1.00-1.24 x PM	no TDM	9	12	15	17
1.25-1.49 x PM	7	12	17	19	22
1.50-1.74 x PM	12	17	22	25	27
1.75-2.00 x PM	17	22	27	29	32
> 2 x PM	22	27	32	35	37

PP = Proposed Parking; PM = Parking Minimum; sf = Square Feet

- (6) Mitigation point measures. To satisfy the mitigation points required under sec. (6) above, property owners may choose from a menu of mitigation measures approved initially by the Common Council and updated annually by the Transportation Commission. The TDM measures shall represent the best

practices for the reduction of vehicle miles travelled (VMT) within the context of Madison’s transportation system and be grouped into nine broad categories: Active Transportation, Transit, Parking Management, Shared Mobility, Information & Communication, Delivery, Land Use, Employer Policies, Other Measures. Each mitigation measure shall be accompanied by mitigation point values, which can be added to other mitigation measure point values until the mitigation point requirement is met. The DOT is responsible for maintaining the list of TDM mitigation measures and, if requested by the property owner, assisting in the selection of the most effective mitigation measures for their project.

- (7) Bi-annual TDM Compliance and Recertification Plan and Fee. The property owner shall recertify their TDM Plan every two years by submitting a TDM Compliance and Recertification Plan within 60 days of the expiration date of any existing TDM Plan. TDM Compliance and Recertification Plans shall meet all the requirements in this ordinance, except that the ongoing bi-annual fee shall be calculated as a function of the development’s size (see table below). The DOT shall review and either reject or approve the proposed TDM Recertification Plan within thirty (30) days of the expiration the existing TDM Plan. Failure to obtain an approved TDM Recertification Plan within 30 days of the expiration of an existing TDM plan is a violation of this ordinance, subject to enforcement under sec. (8) below.

Bi-annual TDM Recertification Fees

	Small	Low-Medium	Medium	High-Medium	Large
Residential	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Employment	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
Mixed-use, commercial, and institutional	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____

- (8) Enforcement and Penalties.

- (a) This ordinance shall be administered and enforced by Traffic Engineering.
- (b) Any person who violates or refuses to comply with or resists the enforcement of any of the provisions of this ordinance, or violates or refused to comply with the TDM Plan required by this ordinance, shall, upon conviction thereof, be subject to a forfeiture of not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000) for each and every violation thereof. Each day that a violation exists shall constitute a separate offense.
- (c) As a substitute for or as an addition to forfeiture action, the City Attorney is authorized to seek enforcement of any part of this ordinance by court action seeking injunctive relief. It shall not be necessary for the City Attorney to take corrective action or prosecute for forfeiture before resorting to injunctive relief.

- (9) Effective Date. This ordinance shall take effect on [insert effective date].