

ORDINANCE NO. CS-350

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARLSBAD, CALIFORNIA, ADDING CARLSBAD CHAPTER 18.51 (TRANSPORTATION DEMAND MANAGEMENT) TO TITLE 18 OF THE CARLSBAD MUNICIPAL CODE.

WHEREAS, on September 22, 2015, the City Council of the City of Carlsbad approved Resolution No. 2015-244, approving the Climate Action Plan (CAP) which aims to reduce communitywide greenhouse gas emissions (GHG); and

WHEREAS, in connection with approval of the CAP, the City Council certified a program environmental impact report (EIR 13-02) in compliance with the California Environmental Quality Act (CEQA), which evaluated the potential environmental effects of CAP implementation, including adoption and enforcement of various ordinances intended to reduce GHG; and

WHEREAS, this Transportation Demand Management (TDM) ordinance fulfills CAP Measure K-2 to address transportation-related GHG; and

WHEREAS, the City Planner has determined that: 1) adoption of this ordinance is a subsequent activity of the CAP for which program EIR 13-02 was prepared; 2) a notice for the activity has been given, which includes statements that this activity is within the scope of the program approved earlier, and that program EIR 13-02 adequately describes the activity for the purposes of CEQA Section 15168(c)(2) and (e); 3) the project has no new significant environmental effect not analyzed as significant in the prior EIR 13-02; and 4) none of the circumstances requiring a subsequent or a supplemental EIR under CEQA Guidelines Sections 15162 or 15163 exist.

NOW, THEREFORE, the City Council of the City of Carlsbad, California, ordains as follows that:

SECTION 1: The above recitations are true and correct.

SECTION 2: That Chapter 18.51 is added to the Carlsbad Municipal Code to read as follows:

Chapter 18.51 Transportation Demand Management

18.51.10 Purpose

This chapter establishes policies and guidelines for Transportation Demand Management in the City of Carlsbad that implements the Carlsbad Climate Action Plan (the "CAP"). The purpose of this chapter is to:

1. Reduce single-occupancy vehicle trips and increase alternative mode share among Carlsbad workers to levels indicated in the CAP to meet 2035 greenhouse gas reduction targets.
2. Support citywide efforts to promote multi-modal streets and neighborhoods consistent with the Mobility Element of the General Plan including Livable Streets Guide.
3. Mitigate the effects of increased traffic on city infrastructure and maintain adequate provision of public facilities consistent with the City's Growth Management Plan and Local Facilities Management Plan.
4. Provide more viable travel options and improve health, quality of life, and safety for City of Carlsbad residents and employees.

18.51.20 Authority

The City Engineer or designee shall administer this chapter.

18.51.30 Incorporation of Transportation Demand Management Manual by Reference

The City Engineer shall establish rules and procedures as necessary to administer this chapter. Such rules and procedures shall be referred to as the "Transportation Demand Management Handbook" ("TDM Handbook") and is incorporated by reference into this chapter. The City Engineer is hereby authorized to modify the TDM Handbook as necessary provided such amendments are consistent with this chapter and state law. Should any provisions of the TDM Handbook conflict with any provisions of this chapter, the provisions of this chapter shall control.

18.51.40 Findings

This chapter implements the CAP. The requirements of this chapter will help to reduce greenhouse gas emissions associated with motor vehicles through application of strategies and policies to reduce travel demand by shifting single occupancy vehicle trips to alternative modes.

18.51.50 Definitions

"Alternative Modes" means all modes of transportation that do not include single-occupancy vehicle trips, including transit, walking, biking, ridesharing and others

"Commuter Survey" means paper or electronic survey that includes questions about commuter behaviour, preferences, motivations, and barriers. A commuter survey is typically distributed to establish and monitor mode share at a work site.

"Mode share" means percentage of commuters who use different modes of transportation, such as drive-alone, transit, bike, walking, etc.

"Single-Occupancy Vehicle (SOV)" means one occupant per vehicle. SOV trips can be used interchangeably with drive-alone or solo driving trips.

“TDM Plan” means strategies and investments to reduce SOV mode share tailored to a specific work-site, including facilities improvements, programs, incentives/disincentives, education, marketing, and outreach.

“Transportation Demand Management (TDM)” means strategies, policies, and programs that reduce demand on roadway infrastructure by reducing single-occupancy vehicle trips.

18.51.60 Applicability

This chapter, together with the TDM Handbook, shall apply to all non-residential development projects where employees produce a minimum of 110 average daily trips (ADT). Trip generation rates determined as according to the TDM handbook. All projects that are subject to this ordinance shall submit a TDM plan in accordance with the TDM handbook.

18.51.80 Enforcement

A. The city manager, or designee, shall investigate and enforce this chapter. Any city authorized personnel or enforcement officer may exercise any enforcement power as set forth in Chapters 1.08 and 1.10 of the Carlsbad Municipal Code.

B. Upon approval of the city council, the city manager, or designee, may delegate to or enter into a contract with a local agency or other person to implement and administer any of the provisions of this chapter on behalf of the city.

C. TDM amenities approved and installed pursuant to the provisions of this chapter shall be maintained in accordance with the policies and requirements of the TDM Handbook. Failure to do so may be subject to enforcement to the provisions of this section.

18.51.90 Fees

An applicant for a project subject to this chapter shall include with the application, all fees established by the city council by resolution to cover the city’s cost to review an application, any required TDM documentation package and any other documents that the city staff reviews pursuant to the requirements of this chapter and the TDM Plan and TDM Handbook.

EFFECTIVE DATE: This ordinance shall be effective thirty days after its adoption; and the City Clerk shall certify the adoption of this ordinance and cause the full text of the ordinance or a summary of the ordinance prepared by the City Attorney to be published at least once in a newspaper of general circulation in the City of Carlsbad within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a Regular Meeting of the Carlsbad City Council on the 26th day of February 2019, and thereafter

PASSED, APPROVED AND ADOPTED at a Regular Meeting of the City Council of the City of Carlsbad on the 12th day of March 2019, by the following vote, to wit:

AYES: Hall, Blackburn, Bhat-Patel, Schumacher, Hamilton.

NOES: None.

ABSENT: None.

APPROVED AS TO FORM AND LEGALITY:


CELIA A. BREWER, City Attorney


MATT HALL, Mayor


for BARBARA ENGLERSON, City Clerk

(SEAL)

