

439 Eccles Transportation Demand Management Plan

FEHR  PEERS

Prepared for:
City of South San Francisco
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Introduction

This report presents a Transportation Demand Management (TDM) Plan, per City of South San Francisco Zoning Code Chapter 20.400, for the proposed office/research and development building at 439 Eccles Avenue, herein referred to as the “Project.” A description of the proposed Project is included on the following pages.

The City of South San Francisco TDM Ordinance strives to accomplish the following goals:

- Reduce the amount of traffic generated by new non-residential development.
- Ensure that expected increases in traffic resulting from growth in employment opportunities in the City of South San Francisco will be adequately mitigated.
- Reduce drive-alone commute trips during peak traffic periods by using a combination of services, incentives, and facilities.
- Promote the efficient utilization of existing transportation facilities and ensure new developments are designed in ways that maximize the potential for alternative transportation usage.
- Establish an ongoing monitoring and enforcement program to ensure that the desired alternative mode use percentages are achieved.

The City requires the Project to enact a TDM program to achieve a maximum drive-alone commute mode share of 40 percent pursuant to the City’s Municipal Code Chapter 20.400. These requirements are consistent with a Tier 3 classification (office/R&D project) under the TDM Ordinance and also meet the TDM requirements established by the City/County Association of Governments of San Mateo County (C/CAG).

This TDM Plan identifies a set of strategies, measures, and incentives to encourage future tenant employees at the Project to walk, bicycle, ride transit, carpool, or telecommute when commuting to and from work. In order to accomplish this goal, this plan presents a range of proven strategies and measures used across the Bay Area.

Project Description

The Project is located approximately 700 feet north of the intersection of Forbes Boulevard and Eccles Avenue and presently has an unoccupied one-story, 40,224 square-foot warehouse building. The Project would replace the existing land use with a seven-story, 298,470 square-foot office/R&D building with one below-grade basement level and a six-story parking garage. The proposed parking structure includes 448 proposed stalls.

Figure 1 illustrates the Project location, while **Figure 2** depicts the Project site plan.








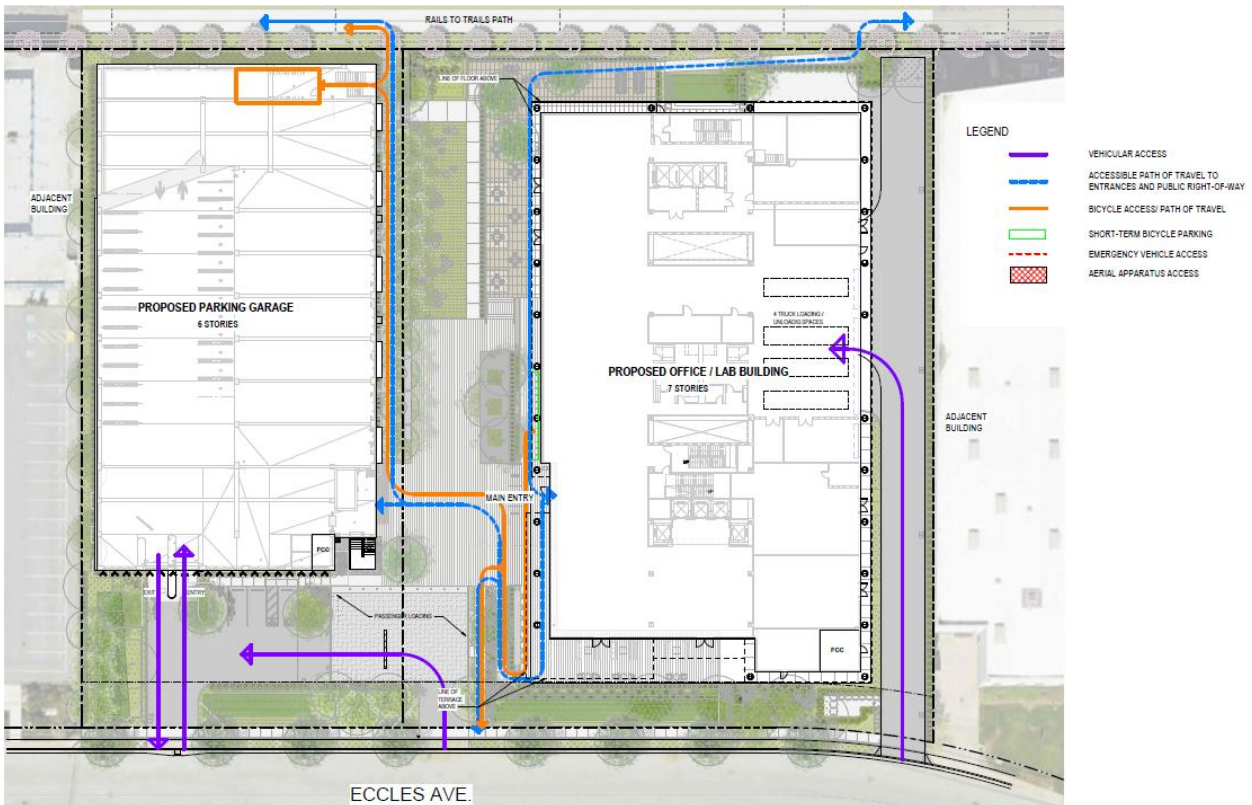
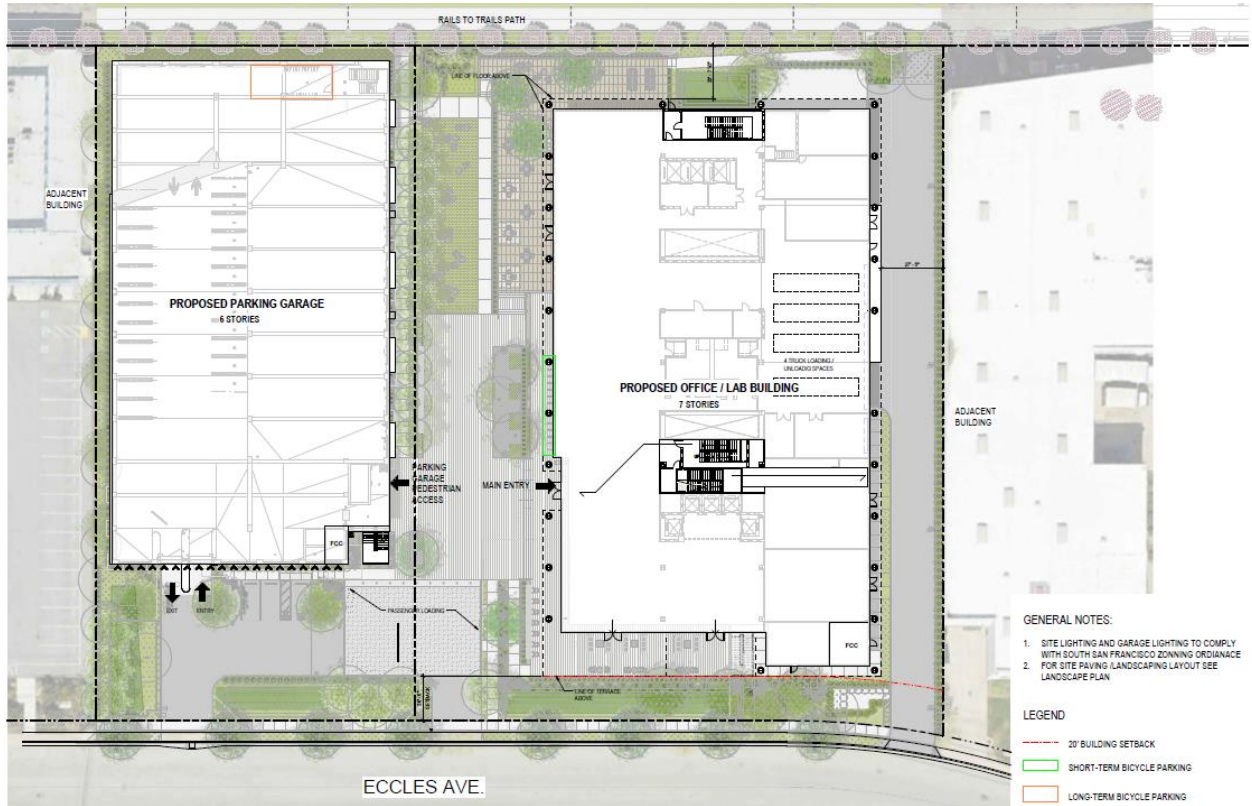
-  Project Site
-  Caltrain Station
-  Ferry Terminal



Figure 2: Project Site Plan & Circulation Diagram



Project Setting

Transit Connections

The following transit services operate within South San Francisco near the Project site. Existing transit services are shown in **Figure 3**. Descriptions provided in this section reflect transit operations in Spring 2023.

BART

BART provides regional rail service between the East Bay, San Francisco, and San Mateo County. The South San Francisco BART Station is located approximately 2.7 miles west of the Project site. Two BART lines serve South San Francisco Station: the Yellow Line connecting Antioch with San Francisco International Airport, and the Red Line connecting Richmond and Millbrae. Both lines travel to the East Bay via San Francisco. Each BART line operates every 15 minutes throughout the day.

Caltrain

Caltrain provides passenger rail service on the Peninsula between San Francisco and San José, and limited service to Morgan Hill and Gilroy during weekday commute periods. The South San Francisco Caltrain Station serves local and limited trains, with approximately 30 minute headways during peak times and 60 minute headways during off-peak times. Station access to the East of 101 area is located at the intersection of East Grand Avenue/Poletti Way. The Caltrain Station is located approximately 0.5 miles to the west of the Project site. In 2024, Caltrain plans to complete its electrification Project to support the operation of faster and more frequent rail service on the Peninsula.

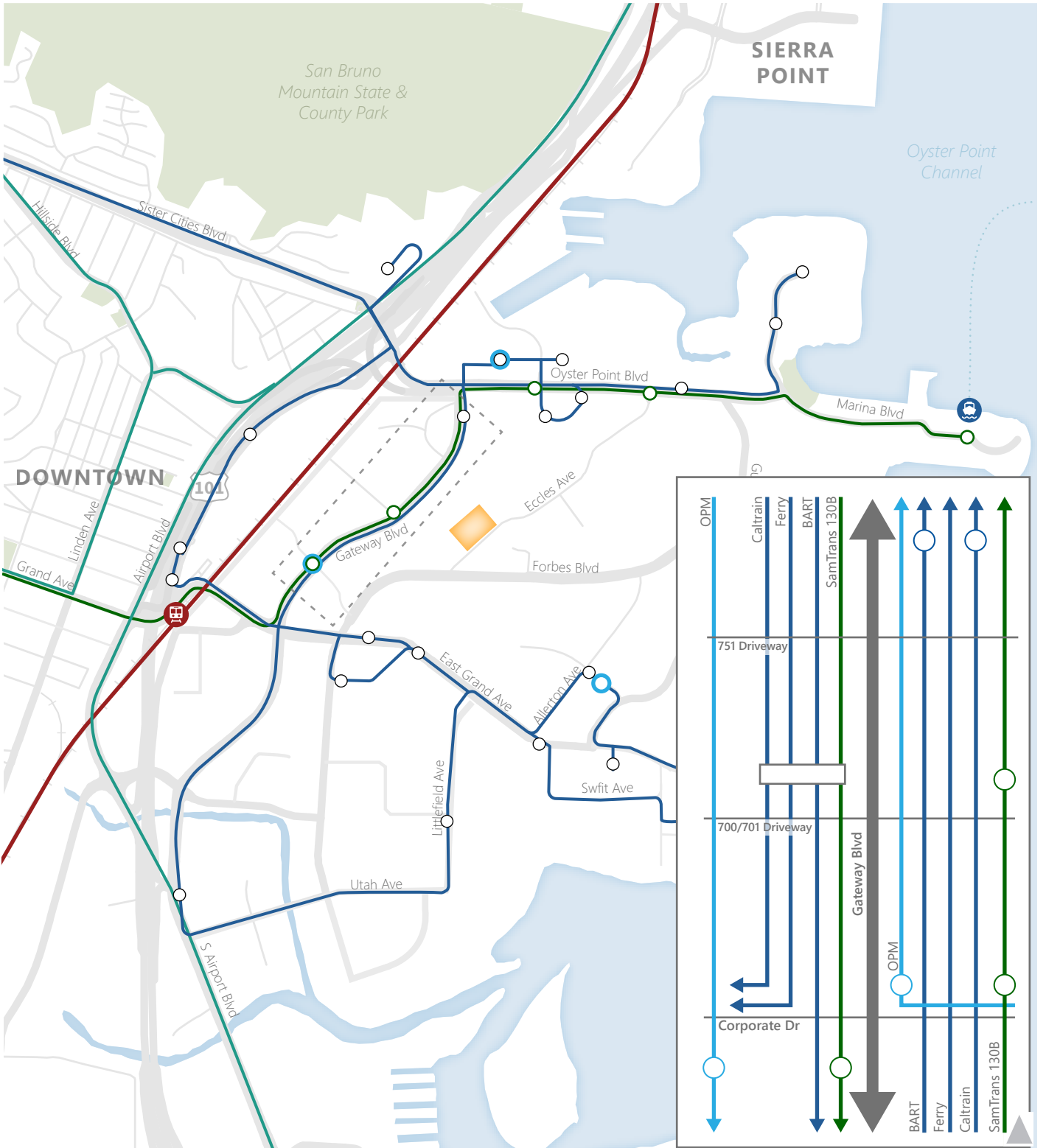
WETA (San Francisco Bay Ferry)





The Water Emergency Transportation Authority (WETA) provides weekday commuter ferry service between the Oakland/Alameda ferry terminals and the South San Francisco Ferry Terminal. There are three morning departures from Oakland/Alameda to South San Francisco, and three evening departures from South San Francisco to Oakland/Alameda. The Ferry Terminal is located approximately 1 mile to the northeast of the Project site.





SamTrans

SamTrans is the regional bus provider for San Mateo County. SamTrans route 130B currently provides service through the East of 101 employment area, from the South San Francisco Ferry Terminal to downtown South San Francisco via Oyster Point Boulevard.





-  Caltrain Alignment and Station
-  SamTrans Routes
-  SamTrans Route 130B and Stops
-  South San Francisco Ferry Terminal

-  Oyster Point Mobility Shuttle Route and Stops
-  Commute.org Shuttle Stops
-  Commute.org Shuttles
-  Project Site



East of 101 Commuter Shuttle Service

Commute.org and Oyster Point Mobility provide weekday commute period first/last mile shuttles connecting employers with BART, Caltrain, and the ferry. All shuttles operate along Gateway Boulevard, Oyster Point Boulevard, and East Grand Avenue; there are presently no shuttles with stops along Eccles Avenue or Forbes Boulevard. The following shuttles operate near the Project site:

BART Service

Commute.org operates the Utah-Grand BART Shuttle between the South San Francisco BART Station and East Grand Avenue corridor via Gateway Boulevard. Shuttles run every 30 minutes during peak commute periods. The nearest southbound/eastbound stop is located at 701 Gateway Boulevard, while the nearest northbound/westbound stop is located at 1000 Gateway Boulevard. A second Commute.org shuttle operates along Oyster Point Boulevard with similar frequency and service span.

Oyster Point Mobility operates a shuttle service between the Glen Park BART Station to the Genentech Campus via Gateway Boulevard. Shuttles run every 15 minutes during peak commute periods and every 30 minutes during the midday period. The nearest stop is located at the intersection of Gateway Boulevard and Corporate Drive approximately one quarter-mile from the Project site.

Caltrain Shuttle Service

Commute.org operates the Oyster Point Caltrain Shuttle between the South San Francisco Caltrain Station and Oyster Point Boulevard corridor via Gateway Boulevard. Shuttles run every 30 minutes during peak commute periods. The nearest southbound/westbound stop is located at 701 Gateway Boulevard, while the nearest northbound/eastbound stop is located at 1000 Gateway Boulevard.

Oyster Point Mobility operates a shuttle service between the Glen Park BART Station to the Genentech Campus via Gateway Boulevard. Shuttles run every 30 minutes during peak commute periods. The nearest stop for the morning peak period service is located approximately 600 feet away along Gateway Boulevard, while the nearest evening peak period shuttle stop is located at the intersection of Gateway Boulevard and Corporate Drive approximately one quarter-mile from the Project site.

Ferry Shuttle Service

Commute.org operates the Oyster Point Ferry Shuttle between the South San Francisco Ferry Terminal and South San Francisco Caltrain Station via Gateway Boulevard. Shuttles run hourly during peak commute periods. The nearest southbound/westbound stop is located at 701 Gateway Boulevard, while the nearest northbound/eastbound stop is located near the Oyster Point Boulevard/Gateway Boulevard intersection.

Bicycle and Pedestrian Connections

Pedestrian facilities include sidewalks, crosswalks, trails, and pedestrian signals. Pedestrian facilities near the Project site tend to serve walking trips connecting to shuttle and bus stops along with nearby offices and businesses. The following pedestrian facilities exist near the Project site:



- Eccles Avenue has a sidewalk on the north side of the street that provides direct pedestrian access to the Project site. There is no sidewalk on the south side of Eccles due to the freight railroad.
- On the northern frontage of the Project site, there is an under-construction multi-use trail running between Forbes Boulevard to the south and Oyster Point Boulevard to the north that will provide access to the Project Site.
- Forbes Boulevard has a sidewalk on the north side of the street. There is no sidewalk on the south side of Forbes Boulevard.
- Gateway Boulevard has sidewalks on both sides of the street.
- Oyster Point Boulevard has sidewalks on both sides of the street

Although the Project site is located only 700 to 900 feet from bus/shuttle stops at 700/701 Gateway Boulevard, no direct pedestrian connection is present (a retaining wall blocks access via the Gateway of the Pacific site). Pedestrians may divert to the north via the Gateway of the Pacific site, but this adds approximately 1,600 feet (about six minutes) of walking distance to reach the stop. Due to asymmetry in the northbound/southbound stops, the nearest northbound shuttle stop is presently located 2,200 feet to the north in front of 1000 Gateway Boulevard.

Bicycle facilities consist of separated bikeways, bicycle lanes, routes, trails, and paths, as well as bicycle parking, bicycle lockers, and showers for cyclists. The California Department of Transportation (Caltrans) recognizes four classifications of bicycle facilities as described below.

Class I – Shared-Use Pathway: Provides a completely separated right-of-way for the exclusive use of cyclists and pedestrians with crossflow minimized (e.g., off-street bicycle paths).

Class II – Bicycle Lanes: Provides a striped lane for one-way travel on a street or highway. May include a “buffer” zone consisting of a striped portion of roadway between the bicycle lane and the nearest vehicle travel lane.

Class III – Bicycle Route: Provides for shared use with motor vehicle traffic; however, these facilities are often signed or include a striped bicycle lane.

Class IV – Separated Bikeway: Provides a right-of-way designated exclusively for bicycle travel adjacent to a roadway and that is protected from vehicular traffic. Types of separation include, but are not limited to, grade separation, flexible posts, inflexible physical barriers, or on-street parking.

Current bicycle facilities in the Project vicinity as designated by the Active South City: Bicycle and Pedestrian Master Plan are shown in **Figure 4** and discussed below.

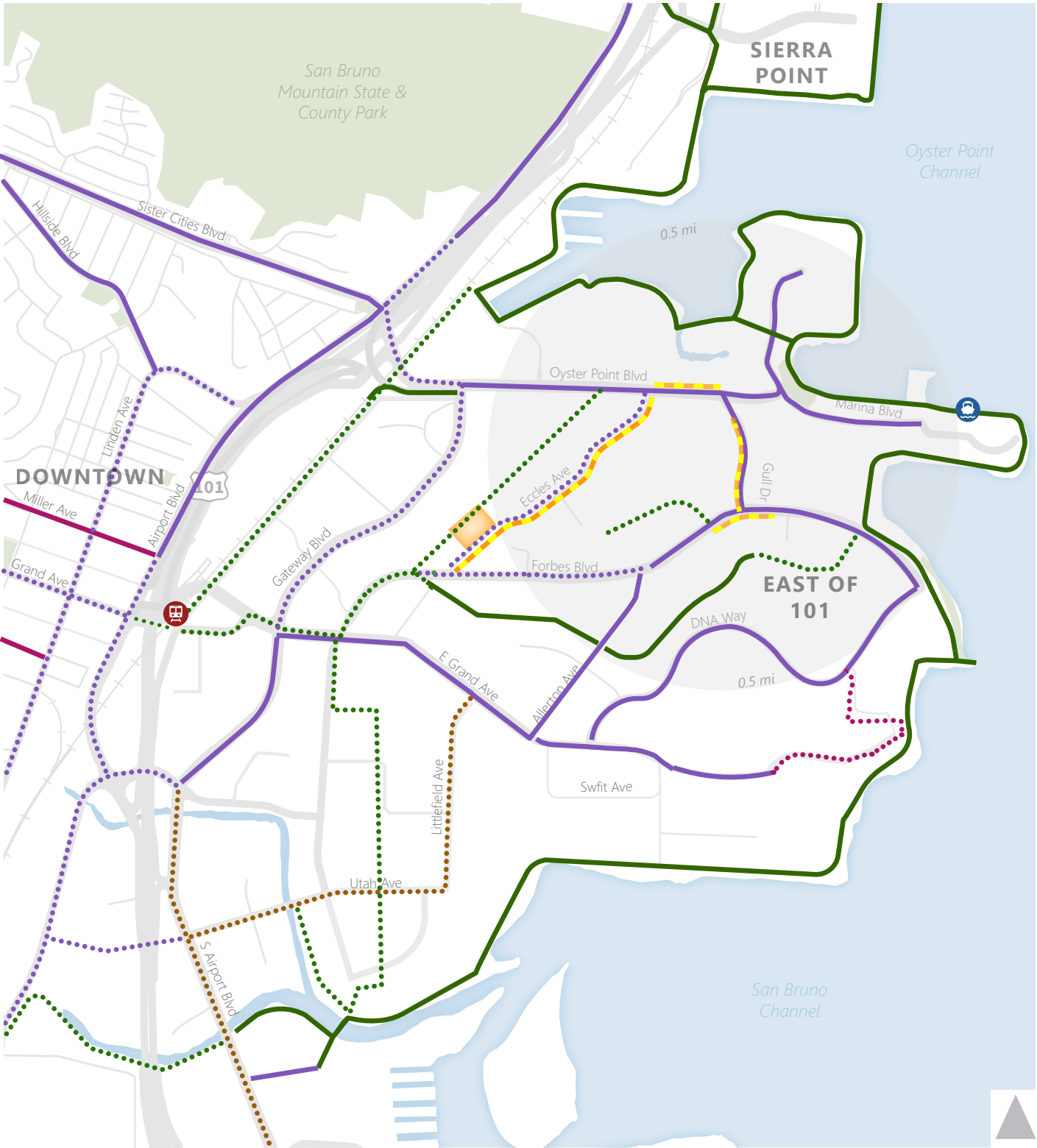
- There are currently no bike facilities on Eccles Avenue. Class II buffered bicycle lanes are planned on Eccles Avenue from Forbes Boulevard to Oyster Point Boulevard.



- The under-construction multi-use trail on the Project site's northern frontage will provide an off-street bicycle connection between the Project site, Oyster Point Boulevard and Forbes Boulevard. The multi-use trail will connect to a planned Class I shared path along Forbes Boulevard and East Grand Avenue, allowing for a protected cycling route from the Project site to the South San Francisco Caltrain Station.
- Forbes Boulevard has Class II bicycle lanes between Allerton Avenue and DNA Way. An extension of the Class II bike lanes between East Grand Avenue and Allerton Avenue is planned. A Class I shared path on Forbes Boulevard is also planned from Eccles Avenue to East Grand Avenue.
- Gateway Boulevard is a Class III bicycle route from East Grand Avenue to Oyster Point Boulevard and has Class II buffered bicycle lanes from Airport Boulevard to East Grand Avenue. An extension of Class II bike lanes from East Grand Avenue to Oyster Point Boulevard is planned.
- East Grand Avenue has Class II bicycle lanes from the South San Francisco Caltrain Station to the San Francisco Bay. A Class I shared path is planned on East Grand Avenue from Forbes Boulevard to the South San Francisco Caltrain Station.
- Oyster Point Boulevard has Class II bicycle lanes from Gateway Boulevard to Marina Boulevard. A planned extension of Class II bicycle lanes across US 101 to Sister Cities Boulevard is planned on Oyster Point Boulevard.

Bicyclists traveling from the South San Francisco Caltrain Station and other locations west of US 101 primarily access the Project site from Forbes Boulevard. A trail connection between the intersection of Forbes Boulevard/Eccles Avenue and the Caltrain station is planned via the Active South City Plan.





- Existing Class I Shared Path
- Existing Class II Bicycle Lane
- Existing Class III Bicycle Route
- Existing Class IV Separated Bikeway
- Planned Class I Shared Path
- Planned Class II Bicycle Lane
- Planned Class III Bicycle Route
- Planned Class IV Separated Bikeway
- South San Francisco Ferry Terminal
- South San Francisco Caltrain Station
- Project Site



Auto Connections

The Project site is located on the north side of Eccles Avenue near the intersection of Eccles Avenue/Forbes Boulevard. Regional access to the Project site is provided via US 101 accessed via Oyster Point Boulevard to the north and East Grand Avenue via Forbes Boulevard to the south. Vehicular access is provided via driveways on Eccles Avenue.

San Mateo County TDM Resources

The Project would have access to trip reduction services offered by Commute.org. Commute.org is a public agency whose mission is to reduce the number of drive-alone vehicles traveling to, from, or through San Mateo County. The agency's goal is to help residents and commuters find alternatives to driving alone that are less stressful, less costly, and better the environment. The agency provides information and commute planning assistance to employees, employer programs, and city transportation demand management partnerships. Commute.org provides various promotional programs for carpooling, vanpooling, bicycling, and transit use, and operates first/last mile shuttles along Oyster Point Boulevard and East Grand Avenue as previously noted.

Figure 5. Commute.org Promotional Programs



Proposed TDM Program

Overview

The City's TDM Ordinance has two components: a points-based planning checklist and annual performance monitoring thresholds. As a Tier 3 Project, the Project is required to submit a completed TDM checklist that achieves a minimum threshold of 40 points, consistent with achieving a 60 percent drive alone mode share target (via survey). The City requires that all Projects implement seven TDM measures (adding up to 20 points) while providing flexibility to select from 15 optional measures (to achieve the remaining 20 points).

The Project would implement all required measures per the City's TDM Ordinance, including the following:

- 50% Transit Pass Subsidies and Pre-Tax Transit Benefits
- Participation in Commute.org Programs
- Carpool/Vanpool Programs and Parking
- Bicycle Storage, Showers, and Lockers
- Designated TDM Coordinator
- Bicycle and Pedestrian-Oriented Site Access
- Encourage Telecommuting and Flexible Work Schedules

The Project would implement three discretionary measures:

- Enhanced shuttle commitment
- Fully subsidized transit passes
- Bicycle repair station

A summary of each TDM measure is provided in the following section.

Summary of Required TDM Measures

50% Transit Pass Subsidies and Pre-Tax Transit Benefits

The Project will offer public transit passes or subsidies equivalent to at least 50 percent of the cost of a monthly two-zone Caltrain pass to incentivize transit use. This measure does not include funding/participation in the Commute.org shuttle program. This measure may be implemented through either a direct voucher program provided by the property manager, or through lease terms obligating employers at the site to provide said subsidies. In the Bay Area, the Bay Area Air Quality Management District (BAAQMD) requires that employers with 50+ employees within the Air District provide commuter benefits and annual employer registration.



Participation in Commute.org Programs

The Project will partner Commute.org, San Mateo County's Transportation Management Agency, to provide connections to nearby regional rail and ferry services. To implement this measure in accordance with the City of South San Francisco's General Plan, the Project will pursue the following measures:

1. Obtain certification of participation with Commute.org
2. Provide commute assistance and ride-matching program
3. Participate in Commute.org's shuttle program
4. Provide Guaranteed Ride Home, offering a free ride home for future employees of the Project site in case of emergency (illness, family crisis, unscheduled overtime)
5. Supply orientation, education, and promotional programs and/or materials for tenants

Carpool/Vanpool Programs and Parking

The Project will include a carpooling and vanpooling program to promote and incentivize shared vehicle use. The carpool and vanpool program will include promotional incentives and ride-matching services to help facilitate these shared trips.

Bicycle Storage, Showers, and Lockers

The Project will provide safe and convenient bicycle parking per City code requirements.

Designated TDM Coordinator

The Project will provide a TDM coordinator to provide oversight and management of the TDM program. The TDM coordinator will lead implementation and promotion of the TDM program as well as monitoring efforts.

Bicycle and Pedestrian-Oriented Site Access

The Project site design will accommodate travel choices and give people the option to walk, ride transit, or bike to the Project site. This will include a direct connection to an under-construction multi-use path on the northern frontage of the Project site.

As a condition of approval described in the TIA, the Project Sponsor shall prepare a feasibility analysis for a new direct pedestrian connection between the Project site and 700/701 Gateway stops via the 700 Gateway driveway sidewalk. This feasibility analysis shall involve coordination with adjacent property owners and a conceptual layout of a ramp and stairwell.

If a new pedestrian connection is deemed feasible and mutually agreeable between the Project Sponsor and adjacent property owners, the Project sponsor shall design and construct the ramp and stairwell while also obtaining an easement for this connection. The Project Sponsor shall also coordinate the addition or relocation of a shuttle stop at 700 Gateway Boulevard with Commute.org and Oyster Point Mobility, such that all shuttle services along Gateway Boulevard stop in both directions at the 700/701 Gateway stops shared with SamTrans. If a new pedestrian connection is not deemed feasible and mutually agreeable, the



Project Sponsor shall proceed with the bus and shuttle connections via the Gateway of the Pacific campus as-is.

However, should these access constraints limit the Project's ability to meet its TDM mode share targets, the Project Sponsor may need to modify its TDM program to provide a site-specific shuttle service or other measures to achieve compliance.

Encourage Telecommuting & Flexible Work Schedules

The Project will encourage employees to work remotely at least one day per week to reduce overall vehicle trips and when employees commute to work, encourage flexible work schedules that encourage travel outside of peak hours.

Summary of Discretionary TDM Measures

Enhanced Shuttle Commitment

In addition to participation in Commute.org services, the Project will participate in Genentech's Oyster Point Mobility consortium to provide first/last mile shuttle service to the Project site. Oyster Point Mobility provides shuttles to the Glen Park BART station and Millbrae Caltrain Station operating along Forbes Boulevard. Oyster Point Mobility would provide more frequent service to the Project site. The Project Sponsor will work with Genentech to consider adding stops at 700/701 Gateway Boulevard. The cost of participation in the Oyster Point Mobility consortium would be in addition to Commute.org service; consequently, this measure is classified as an enhanced shuttle commitment and would receive 10 points in the TDM Checklist.

Fully Subsidized Transit Fares

Project tenant employees would be eligible to receive a subsidy of 100 percent of transit fares (up to the maximum IRS benefit for pre-tax commuter benefits). This measure adds 10 points to the checklist.

Bicycle Repair Station

The Project will provide an on-site bicycle repair station for routine maintenance of bicycles. This measure adds one point to the checklist.

Relationship to Conditions of Approval

As previously noted, the Project is located approximately 700 to 900 feet away from the nearest bus/shuttle stops along Gateway Boulevard, which are served by a combination of SamTrans, Commute.org, and Oyster Point Mobility services. However, there is no direct path of access to these stops: while there is a driveway present along the southwestern edge of Gateway of the Pacific (700 Gateway), a retaining wall prevents a connection to the Class I trail or Project site. Consequently, transit riders must divert to the north via the Gateway of the Pacific campus, but this adds approximately 1,600 feet (about six minutes) of walking



distance to reach the stop. The added travel time and meandering diversion may discourage transit use and limit the Project's ability to meet its TDM mode share targets.

There is some uncertainty around potential changes to shuttle service near the site. Shuttle operations by Commute.org and Oyster Point Mobility are expected to adapt to completion of future phases of Gateway of the Pacific and nearby developments, which may result in new stops along Gateway Boulevard and possible restoration of service along Eccles Avenue and/or Forbes Boulevard. However, the Project by itself is too small to warrant a diversion of shuttle service to directly serve the site, as such a diversion would delay other passengers. Therefore, the Project's approach to shuttle service should be adaptable to different potential conditions that may include indirect access provided via Gateway of the Pacific as well as direct access via a site-specific shuttle stop.

Consequently, the Transportation Impact Analysis recommends that as condition of approval, the Project Sponsor shall implement the following measures to ensure adequate access to transit services can be provided:

- Provide a letter of support from the owners of Gateway of the Pacific into the final TDM Plan stating that the two developments will make a good faith effort to ensure pedestrian access from 439 Eccles to bus and shuttle stops on Gateway Boulevard via the Gateway of the Pacific site.
- Incorporate space for an on-street shuttle stop along the Project's frontage on southbound Eccles Avenue to provide the ability for shuttles to serve the site (including red curb, an eight foot by five foot accessible landing pad and a pole that operators may attach signage to).



TDM Checklist

Based on the required and optional measures described above, the Project would meet the required 40-point threshold for Tier 3 Projects as illustrated in **Table 1**.

Table 1: Tier 3 TDM Certification Checklist

Type	TDM Measure (*Description Required as Attachment)	Eligible Points	Proposed Project Points
Required Measures (20 Points)	50% Transit Pass Subsidies and Pre-Tax Transit Benefits	7	7
	Participation in Commute.org Programs	5	5
	Carpool/ Vanpool Programs and Parking	3	3
	Bicycle Storage, Showers, and Lockers	2	2
	Designated TDM Coordinator	1	1
	Bicycle and Pedestrian-Oriented site Access	1	1
	Encourage Telecommuting & Flexible Work Schedules	1	1
Optional Measures	Paid Parking or Parking Cash-Out	10	
	Enhanced Shuttle Commitment	10	10
	Fully Subsidized Transit Passes	10	10
	Affordable Housing	6	
	Active Transportation Gap Closure	Up to 6	
	Transit Capital Improvements	Up to 6	
	Reduced Parking	Up to 5	
	On-site Pedestrian-Oriented Amenities	3	
	Bikeshare Program Participation	3	
	Shared Parking Approach	2	
	Cash Incentives	2	
	On-site Carshare	2	
	Active Transportation Subsidies	1	
	Increased Bicycle Parking (>50% Greater than City Code)	1	
	Bicycle Repair Station	1	1
Required	Tier 3 Projects	40	41



Monitoring and Enforcement

The TDM program will be monitored based on the requirements in the South San Francisco TDM Ordinance. The Project would comply with any future changes to the City's monitoring and enforcement practices as described in its TDM Ordinance.

Monitoring Methods

Survey monitoring would apply to commute trips only. The Project is expected to make a good faith effort to reduce non-commute trips, but these trips would only be monitored via vehicle trip counts.

The Project has two options to administer a survey:

1. Administer a statistically valid survey sufficient to achieve a margin of error of +/- 3 percent at a 90 percent confidence interval, with documentation of the survey methods and calculations by an independent consultant to support the validity of the survey.
2. Administer an online survey with a minimum response rate of 75 percent of the employee population.

Vehicle trip counts would be conducted for AM and PM peak periods (6-10 AM and 3-7 PM) on a Monday through Friday period to capture a typical week of site activity. Video counts are recommended for accuracy.

In all instances, the Project must provide raw data to the City as part of their compliance package, including the following:

1. Respondent-level survey response data (deletion of columns containing emails or non-required fields is acceptable).
2. Count data as delivered by the contractor providing the counts for each location, with data separated into 15 minute increments or less.
3. Current employee population.



Survey Approach

The following survey language would be included in all mode share surveys based on guidance provided by the City of South San Francisco. The site’s TDM coordinator may expand upon this survey language to seek additional information as needed.

1. Which of the following best represents your employment at [location]? (check one)

- Full-time Employee
- Part-time Employee
- Contract Employee

2. In what ZIP code is your home located? (enter 5-digit ZIP code; for example, 94901)

____ [Fill in the blank]

- Prefer Not to Answer
 - If prefer not to answer:* Approximately how many miles is it from your home to your office in South San Francisco?

3. In the past week, what time did you usually arrive to work (check one)?

____ [Drop down in increments of 30 minutes, from 6 AM – 10AM, before 6AM, or after 10AM]

4. In the past week, what time did you usually leave work (check one)?

____ [Drop down in increments of 30 minutes, from 3 PM – 7PM, before 3PM, or after 7PM]

5. In the past week, on which days did you use each of the following transportation modes to travel to work? If you used more than one mode, (e.g., you ride Caltrain and then bicycle), identify the mode that was the longest part of your trip.

Transportation Mode	Monday	Tuesday	Wednesday	Thursday	Friday
Drove a car or motorcycle alone					
Rode as a carpool passenger					
Drove a carpool with one or more other adults					
Vanpooled or carpooled with six or more people					
Rode a bus, train, ferry, or other public transit					
Rode a bicycle or scooter					
Walked all the way					
Dropped off by a friend/family member					



Dropped off by Uber, Lyft, taxi, etc.					
Worked from home / telecommuted / worked offsite					
Did not work this day					
Other (please specify)					

6. [Only ask if respondent answered transit] Which of the following services did you use last week? (Check all that apply)

- Caltrain
- BART
- SamTrans
- Ferry
- Shuttle (shorter distance service to/from regional transit such as BART, Caltrain, or ferry)
- Express bus (longer distance service to/from my home or a park & ride)

7. [Only ask if respondent answered carpool] If you travel by carpool, how many total people traveled with you to work (not including yourself)?

- 1 other person
- 2 other people
- 3 other people
- 4+ other people

8. [Only ask if respondent answered drive alone] What is the primary reason you choose to drive alone?

_____ [Fill in the blank]

Survey results would be provided to the City in a standardized format as specified by staff. Formatted reports would be optional but not required.

In order to calculate drive-alone mode share, the TDM coordinator and City staff would sum the total number of trips completed via the following modes:

- Drove a car or motorcycle alone
- Dropped off by a friend/family member
- Dropped off by Uber, Lyft, taxi, etc.
- Non-responses if greater than 25 percent of the site’s employee population



Triennial Midday Parking Occupancy Survey

In addition to annual surveys and trip counts, the Project shall prepare a midday parking occupancy count every three years per City Ordinance requirements. The parking occupancy survey shall be for informational purposes and is not associated with a performance target.

Enforcement & Fines

If the Project does not meet the required performance targets, the following penalties shall apply per the TDM Ordinance:

- **First Violation:** The City will direct the Project to modify its TDM program to achieve compliance. Modifications are likely to include adding or modifying TDM measures to increase mode shift.
- **Second Violation:** The City will direct the Project to coordinate with Commute.org or retain an independent consultant to identify additional program modifications to achieve compliance. Modifications are likely to include adding or modifying TDM measures to increase mode shift.
- **Third Violation (and any subsequent violations):** The City may assess a penalty per the City's fee schedule. Penalties shall be assessed for each additional violation in subsequent years.

The Project may appeal the decision to administer a penalty if special circumstances prevented meeting the required performance targets.

