Managing Transportation Demand in the NH Route 120 Corridor: Policy, Finance, and Governance Options

Submitted to the City of Lebanon, NH
December 2012
Acknowledgments

In January 2012, the Lebanon Planning Board allocated funds from the City’s TDM Impact Fee fund to the Upper Valley Transportation Management Association (TMA) and Vermont Law School’s Land Use Clinic to examine local policy and finance options to manage transportation in the NH Route 120 corridor. The purpose of this effort is three-fold:

Propose strategies to locally fund mobility projects for the corridor, such as new transit routes and bicycle and pedestrian infrastructure
Develop policies that promote sustainable transportation options over the long term
Enable a concurrent NH Department of Transportation engineering study to assess alternatives to new roadway and turn lanes for addressing capacity needs in the corridor.

This study builds upon previous and concurrent planning efforts to address capacity and mobility option needs in this important commuter thoroughfare.

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The Working Committee thanks the student research team at Vermont Law School for providing excellent insight into available strategies and case studies from around the country: Kyle Davis, Josh Donabedian, Adam Falcheck, Annie Honrath, and Elizabeth Spellman.
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Summary

This report examines potential policies, finance mechanisms, and governance options to manage transportation demand in the Route 120 corridor. The strategies discussed here can, however, be applied to other geographical areas and major issues. The City of Lebanon should consider three recommendations:

1. **The City of Lebanon should adopt a Commute Trip Reduction Ordinance that requires a commute trip reduction plan from new and existing commercial developments with 100 or more employees.**
2. **The City of Lebanon should charge for City-owned parking and consider establishing a special parking assessment district in the Route 120 corridor.**
3. **The City of Lebanon and surrounding municipalities should consider the option of creating a multi-jurisdictional authority to manage the Route 120 corridor.**

State of Route 120

To the unknowing driver, the stretch of NH Route 120 between Lebanon and Hanover may seem like any other four-lane state highway. It connects to I-89 and has traffic lights, some schools, a few auto dealers, and an old red brick armory. Fields, forests, and lawns surround the built environment. On an average day, around eleven in the morning, one might zip along the road at fifty miles per hour and get from one town to the other without thinking much about what this place is.

The corridor, however, is a unique ecological and economic asset to the greater Upper Valley region. It contains the last major black bear habitat in Lebanon as well as the state’s largest private employer – Dartmouth-Hitchcock Medical Center. Ponder this situation for another moment: the corridor simultaneously serves as a hub for employment, a sanctuary for wildlife, and an enjoyable place to hike.

*The Route 120 corridor features spectacular scenery and wildlife habitat, such as Mink Brook. Photo credit: Hanover Conservancy.*
The communities of Hanover and Lebanon have approved large-scale industry in this area for years, but few people want more lanes of pavement and increased traffic to threaten its natural beauty. Local municipalities have approved new developments along Route 120, such as a conference center, apartment complexes, medical offices, and an industrial training facility. But they have also – and justifiably so – expressed concerns about adding more cars to a road that already sees about 20,000 vehicle trips per day.¹

Consider a few other statistics. Traffic is particularly heavy during the morning and afternoon rush hours – a few places have an “F” service rating – and cars occasionally back up onto the I-89 ramp.² In total, about 10,000 people travel to the Corridor for work, and numerous others use it get to work in downtown Hanover.³ The New Hampshire Department of Transportation estimates that the hours of 7:00-8:00 AM and 4:00-5:00 PM currently experience 2,200-2,300 vehicle trips each.⁴ Developments approved by the Lebanon and Hanover Planning Boards in recent years could generate an additional 1,800-2,400 trips during peak hours (see Appendix A for more details).

Cars will account for a large majority of new peak hour trips, particularly if there are no new ways to travel around the corridor by bus, bike, or foot. Recent planning efforts, however, have laid the foundation for new transit and bicycle and pedestrian options. This report is a guide on how to fund those projects and foster policies that can promote transportation-friendly development.

³ Upper Valley Lake Sunapee Regional Planning Commission, Route 120 Corridor Study: Phase I Interim Report, p. 10.
Potential Transportation Improvements in the Route 120 Corridor

Public Transit Improvements

Concurrent to this report, Advance Transit has also been working on its five-year transit system development plan. It will contain specific route improvements for the Corridor. Based on past system performance, this study recommends paying particular attention to the following potential projects:

1. **Increased frequency of the Blue Route from downtown Lebanon.** When Advance Transit increased the peak-hour frequency of Blue Route buses from Hanover to Dartmouth-Hitchcock Medical Center in 2007, overall ridership on the route increased by nearly 40,000 boardings. In securing new funds for transit projects in the Route 120 corridor, increased frequency on the Blue Route should be a priority.

2. **Commuter bus service from Claremont.** In 2011, the Upper Valley Lake Sunapee Regional Planning Commission and the Community Alliance for Transportation Services completed the “Route 120 Claremont-Lebanon/Hanover Bus Feasibility Study.” This service could enjoy great success with an estimated 15,000-41,000 boardings per year.

3. **Bus Signal Prioritization.** Long term, the City might consider giving transit buses signal prioritization during peak hours. This system would incentivize transit ridership by ensuring that bus travel is a fast, easy way to travel through the Corridor. Additionally, the City could allow emergency vehicles to use the same technology, which would drastically reduce ambulance travel times to Dartmouth Hitchcock Medical Center.

More frequent trips from Hanover to DHMC dramatically increased ridership on the AT Blue Route in 2007.

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5 Historical ridership data obtained from Van Chesnut, Advance Transit.
Bicycle and Pedestrian Improvements

Bicycling and walking currently have the lowest mode shares within the Route 120 corridor, but many opportunities exist to increase the modes’ viability as a transportation option. Over the past two years, an ad hoc group consisting of Hanover and Lebanon officials, planners, and citizens has met to prioritize bicycle and pedestrian improvements in the Route 120 area. The following map shows draft recommendations for new walking and cycling routes in the corridor. Known as the “NH Route 120 Summary of Bicycle/Pedestrian Improvement Alternatives” study, this working report identifies ten promising commuter and recreational bike-ped projects. We recommend that the City of Lebanon use this plan to prioritize active transportation improvements in the Corridor.
The New Federal Transportation Scene under MAP-21

When this study began, federal transportation programs had been in a proverbial state of limbo for three years. Our previous national transportation law – known as SAFETEA-LU – intended to fund transportation projects from August 2005 to September 2009. When fall 2009 arrived, Congress was not prepared to enact a new transportation law and passed a continuing resolution to keep the programs in place. Lawmakers passed resolutions again nine times before a new transportation bill was finally passed during the summer of 2012. The situation annoyed bus companies, among others, that depend on federal transportation dollars. Funds were not adjusted for inflation, and services were difficult to maintain with less buying power. New services were particularly difficult, but not impossible, to fund.

A new two-year transportation funding bill – Moving Ahead for Progress in the Twenty-First Century (MAP-21) – was signed July 6, 2012. The law took effect October 1, 2012. This study does not address every aspect of MAP-21, but we can draw a few conclusions about that voluminous law. It will maintain the status quo for transit, hinder bicycle and pedestrian projects, and potentially double the number of vanpools nationally.

**Transit**

- MAP-21 adjusts transit funding for inflation, which should allow local bus companies to maintain current services. Again, Congress had level-funded transit for a number of years, which made it difficult for bus companies to maintain their service levels as costs rose.

- It will likely be difficult to start new additional services without state support for transit, but strong local support could increase the frequency or otherwise improve the routes of existing ones.

**Bicycle and Pedestrian Projects**

- MAP-21 consolidates three previous active transportation resources – Transportation Enhancements (TE), Recreational Trails, and Safe Routes to School – into one program with a perhaps pejorative name: Transportation Alternatives.

- Another bad sign for active transportation projects, overall funding will fall by 25%.

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7 A Middlebury-Burlington commuter service is one new transit route that began operating during the uncertain times of SAFETE-LU extensions. It was made possible in part thanks to robust state and corporate support. New Hampshire communities do not currently enjoy state support for transit. See www.actr-vt.org for more information about the Middlebury-Burlington route.

8 Jason Pavluchuk, “MAP-21: An Overview and Impact on TDM,” available at www.actweb.org. The Upper Valley TMA knows of approximately ten vanpools operating in the Upper Valley. Dartmouth College currently has the most vanpools, but other major workplaces have been actively planning for them.

9 “Bus Companies Struggle to Meet Demand,” Valley News, April 10, 2012
• States may transfer any unused Transportation Alternative funds to surface transportation projects, such as highways, that haven’t been spent by August 2014. In recent years, New Hampshire spent half its TE funding on the expansion of I-93.

• States must spend half of their Transportation Alternatives funding on urbanized areas.

**Bottom line:** Lebanon and Hanover have a number of exciting bike-ped projects at different stages in the planning process. Improvements like the Mascoma River Greenway and Route 120 bike commuter routes, however, will likely need to rely on strong local support and non-traditional funding sources, such as energy efficiency and public health programs.

**Vanpools**

• MAP-21 allows “public sector agencies” to contract for vanpool services and use passenger revenue as local match for FTA funds.

• Local governments, transit providers, and non-profits are eligible public sector agencies under FTA program 5311.¹⁰

**Bottom line:** a municipality could potentially start a vanpool program as could a local non-profit or transit provider. The service could be made available to residents, municipal employees, or people who commute from other towns. A contracted service provider would manage the day-to-day operations. Passenger fees – not municipal finances – would provide the necessary local match.

**Other Federal Grants**

Some nontraditional grants could be used to support transportation improvements in the Route 120 corridor. The U.S. Department of Energy has become increasingly involved in addressing the transportation-related energy costs of our economy. The stimulus Energy Efficiency and Conservation Block Grant program (EECBG), for example, provided substantial funds for the Upper Valley TMA to develop a Route 120 employer outreach program known as Smart Commute. The future of the EECBG program is unknown, but it could provide considerable funding for future transportation projects, include traffic signal improvements, alternative fuel infrastructure, and other programs that reduce commuter vehicle fuel use.¹¹

The Land and Water Conservation Fund (LWCF), administered in New Hampshire by the Department of Parks and Recreation, is a promising source of grant funding for certain types of bike and pedestrian trails. Qualifying projects must create high-quality outdoor recreational facilities and be maintained as public resources in perpetuity. LWCF can support infrastructure costs, such as trail alignments, but not planning expenses. New Hampshire Parks and


Recreations may soon conduct a two-year grant round to support larger projects, and trails identified in the “NH Route 120 Summary of Bicycle/Pedestrian Improvement Alternatives” study could qualify for this source of funding.\(^\text{12}\)

The Tidewater Park Trail in Oakland, CA, is a multi-use path that received $183,000 from the Land and Water Conservation Fund program. See [www.nhstateparks.org](http://www.nhstateparks.org) for more information.

*Photo credit: National Park Service.*

### The Continued Need for Local Support

MAP-21 does not magically negate the need to develop local policies and finance mechanisms for transportation projects. Local match requirements remain in place for most federal programs – transportation and non-transportation – and New Hampshire will not likely change its tax system to provide more state funding to serve as local match.\(^\text{13}\) Rather, New Hampshire communities – meaning local government and businesses – must continue to provide the dollars needed to access federal funds.

The following sections address different strategies to collect funds and develop policies that support transit and bike-pedestrian projects. The Lebanon and Hanover planning communities suggested researching some of the strategies (ex: transportation authority), while others were discovered independently during the course of research.

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\(^\text{12}\) Correspondence with Jane Carey, Program Specialist, DRED Division of Parks and Recreation, August 31, 2012.

\(^\text{13}\) New Hampshire’s only major sources of tax revenue are the property tax and a small income tax on dividends and interest. This system severely limits state funding for projects of all varieties, and, indeed, the state has in recent years provided no operating assistance to bus companies.
Potential Local Strategies

Engaging New and Existing Employers: the Commute Trip Reduction Ordinance

*The City of Lebanon should adopt a Commute Trip Reduction Ordinance that requires a commute trip reduction plan from new and existing commercial developments with 100 or more employees.*

Lebanon and Hanover planners have done an admirable job in recent years encouraging major developments to address transportation improvements in their site planning. The Timberwood Commons development, for example, put forward over $200,000 for bicycle and pedestrian improvements along Mount Support Road and worked with Advance Transit to realign a transit route off Route 120. The current system, however, is carried out on a project-by-project basis, and there’s no guarantee that all developers will simply “do the right thing.”

A more formal and systematic approach could improve the consistency and ensure the quality of transportation improvement projects. Indeed, a number of municipalities across the United States – and the entire state of Washington – have built transportation demand planning into their site plan review process and also require existing large employers to submit annual transportation plans. Several New England communities provide case studies and different ordinance strategies as models.\(^{14}\)

A parking and TDM ordinance engages major employers in addressing ways to meet travel demands other than providing ample parking for single-occupancy vehicles. The most effective models require developers to establish a percentage-based goal for non-drive alone trips, develop and implement a plan to meet that goal, and monitor progress toward meeting that goal annually. This type of ordinance maintains the need to do an initial traffic analysis, which is commonly found in the site plan review process, for larger projects. It offers the distinct advantages, however, of (1) promoting development that provides adequate bus, pedestrian, and bicycle access and (2) engaging major employers that already exist in the City of Lebanon.

A model trip reduction ordinance is found in Appendix A. The Ordinance was based largely on the one used by the City of Durham, NC, though changes have been made to conform with the City of Lebanon code. The system recommended in this report has several major features:

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\(^{14}\) The City of Portland, Maine is perhaps the most recent example of a New England municipality that has established a new commute trip reduction ordinance.
Major Features of Model Commute Trip Reduction Ordinance

| Community Goals | This ordinance requires major employers to increase the use of commuting options (carpooling, transit, etc.) over time, starting with a goal of 8% non-drive alone commuting and reaching 20% by 2020. A percentage-based goal is suggested for each year through 2020. |
| Affected Parties | This ordinance affects new and existing employers with 100 or more employees. |
| Commute Trip Reduction Plan | This ordinance requires major employers (100 or more employees) to submit a plan that details how they will reach the Community Goal for each year. |
| Measuring Progress | A variety of enforcement measures could be used to measure progress toward meeting community goals. Based on trip reduction ordinances from other areas of the United States, the model ordinance requires major employers to field employee commuting surveys annually. A minimum participation rate for different sized employers is established in the ordinance. |
| Non-Compliance | The ordinance suggests a civil penalty of $100/week for failure to produce a commute trip reduction plan by a deadline established by the City of Lebanon Planning Department. Any funds for non-compliance should be used to fund local transportation improvements. Employers do not face a penalty for failure to meet annual Community Goals. |

Generating Revenue from Existing Resources: the Potential for Parking Fees

*The City of Lebanon should charge for City-owned parking and consider establishing a special parking assessment district in the Route 120 corridor.*

The City of Lebanon offers ample free parking to visitors, residents, and businesses, despite the fact that parking is expensive to build and maintain. Lebanon should charge for City-owned parking and consider establishing a special parking assessment district in the Route 120 corridor. Revenue from this system should be used to cover administrative costs of the parking program and create a new municipal transportation fund for transit, bike-ped infrastructure, and other innovative transportation programs.
City-Owned Parking

According to Planning Department staff, the City currently owns and maintains approximately 800 public parking spaces. Many of these spaces are located in prime commercial areas and are used 90% of the time or more. Other City-owned parking spaces are found in residential and commercial areas with fewer capacity issues. While it is outside the scope of this report to provide an exhaustive analysis of all City-owned parking, some general assumptions and calculations are provided to show the potential impact of a City parking fee structure.

<table>
<thead>
<tr>
<th>Potential Revenue – Fee on City-Owned Parking</th>
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<tbody>
<tr>
<td>Type of Parking</td>
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<tr>
<td>Commercial/employment on-street and lot</td>
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<td>Commercial/employment on-street and lot</td>
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<td>Commercial/employment on-street and lot</td>
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Special Assessment Parking District

The Lebanon City Charter Chapter 147 allows for the creation of a special assessment district to cover the “expense of a specifically described public improvement.” Neighboring Hanover, NH, has had a special assessment district on parking for a number of years, funds from which support the maintenance of parking spaces and Advance Transit. While public support for a special assessment district on parking is not known, the City should consider it as an option to generate revenue for transportation system improvements and to discourage people from driving alone.

A special assessment would levy a per space fee, which a workplace could pay outright as a benefit to its employees or pass along to employees in the form of an annual parking fee. Under the current federal tax code, employers can deduct up to $240/month for each employee who is provided with a parking space. In situations where commuters are required to pay for parking at their workplace, they can deduct the same amount pre-tax and reduce their total tax liability.

Using 20,000 as a rough estimate of the number of parking spaces in the Route 120 corridor, the Special Assessment District could generate nearly $2 million annually at a daily rate of $0.25/parking space. At this rate, employers could easily write off the expense under the IRS code, which allows over $10/day to be deducted for parking. Should a workplace not wish to

15 Even if the City limited this fee to the 200 most-used spaces, this type of fee could generate over $400,000 per year for transportation funding.
16 See Town of Hanover, NH, Ordinance #23, at http://www.hanovernh.org/Pages/HanoverNH_Manager/Ordinances/PDF/Ord%2023-Parking%20District.pdf.
pursue the IRS deduction, a $0.25 daily parking rate could be passed on to employees in the form of an annual parking fee. Assuming 220 work days per year, a $0.25 daily fee would amount to $55 annually.

Advanced meters can be powered by sunlight and accept a wide range of payments, including coins, cash, and debit or credit cards. This meter is located on the Hanover Green.

Governing the Future Affairs of the Route 120 Corridor: a Multi-Jurisdictional Authority

The City of Lebanon and surrounding municipalities should consider the option of creating a multi-jurisdictional authority to manage the Route 120 corridor.

The project working committee asked whether a municipal authority could serve as a long-lasting instrument to fund transportation improvements and whether bi-state bridge authorities provide insight into how multiple jurisdictions generally operate authorities.

Of the several authority structures available to Lebanon and Hanover, a municipal transit authority best meets the goals of this study. NH RSA 38(A) explicitly grants municipalities the right to form Municipal Transit Authorities. These Authorities have the power to issue bonds, apply for loans and grants, and “adopt other rules and regulations as may be necessary to enable

it to exercise the powers and perform the duties conferred or imposed upon it.” RSA 38(A)(VII) provides municipal transit authorities broad power over local transit systems. A municipal authority, for example, could have direct control over route design and fare systems. This study therefore, recommends that the authority be structured to include all local and commuter transit providers on its governance board, as well as local municipal staff and officials. Representatives from major destinations (workplaces, medical centers, etc.) should be included as well. Additionally, we recommend that Lebanon and Hanover draft a mission statement for the authority that charges it with the duty of overseeing transportation generally within the corridor and promoting multi-modal connections to the transit system, such as commuter park-and-rides and bike-to-bus connections.

Inter-municipal Agreement

NH RSA 53(A) enables and encourages intermunicipal agreements that allow local governments to pool resources and form entities from which they would benefit, but might not create on their own. The law “permits municipalities and counties…to cooperate with other municipalities and counties on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population and other factors influencing the needs and development of local communities.” Examples cited in the law include school districts, water districts, and other “special districts.”

A multi-municipal transit authority is a legally viable option to encourage regional cooperation in the management of our area’s most important commuting corridor. In addition to Hanover and Lebanon, other nearby towns could enter the inter-municipal agreement to support transit service from their communities to the Route 120 area. Major residential communities, for example, could use the transit authority to develop park-and-rides in their communities and cut down on commuter traffic to the corridor.

One major advantage of forming an inter-municipal agreement is the flexibility granted to each participating municipality. For example, Town A might levy a special vehicle registration fee to fund transportation improvements, while Town B could pay its share of the authority by charging for parking.

Case Study: A local example of an intermunicipal agreement is a multi-town assessment department shared by Newbury, New London, and Sunapee. Formed in late 2005, the department provides tax assessment services to the three municipalities.

Pros: Authorities provide several ways to procure funding for transit improvements. They are explicitly authorized under New Hampshire law and do not require new development to function.


Authorities can allow flexibility in participation – municipalities can self-determine funding mechanisms, different stakeholders can be engaged.

Cons: RSA 38(A) gives transit authorities the power to determine routes, which may discourage support from existing transit providers. Authorities could feasibly not engage the business community. One should be established with language that specifies the need to include bicycle and pedestrian infrastructure within the transit system.

Route 120 Corridor Management Authority

Transportation is not the only challenge facing the Route 120 corridor. Lebanon and Hanover recognize that sewage capacity, for example, is a major issue requiring multi-jurisdictional cooperation. The City might consider advocating for a state law permitting more general corridor management authorities that have the rights to bond, secure loans and grants, and create corridor growth management plans. The corridor management authority board could have representatives from local public works departments, transit agencies, major employers, etc.

Other Options Explored in this Study

The research team from Vermont Law School’s Land Use Clinic were tasked with exploring several additional policy and funding options, including Tax Increment Finance (TIF) districts and Business Improvement Districts (BIDs). While these well-known strategies are appropriate for certain types of projects – including sewage lines, a major issue for Lebanon and Hanover at the present – they are particularly helpful for transit and bike-ped improvements. BIDs are currently limited to collecting $20,000 annually. TIFs pose a significant challenge as well: they are designed to pay off bonds associated with capital expenditures that promise future revenues (ex: water and sewage utility fees). Under current law, it is not clear that TIFs can be used to pay for on-going operating expenses, such as tires and fuel for a transit bus.

This study does not recommend pursuing a TIF or BID for the purpose of improving transportation in the Route 120 corridor.
Appendix A

COMMUTE TRIP REDUCTION ORDINANCE

WHEREAS, traffic congestion in the City of Lebanon has created, and will continue to create roads that are overcrowded and present a danger to the health, safety, and welfare of citizens; and

WHEREAS, the City of Lebanon Master Plan (2012) encourages businesses and industry to provide commuter benefits, promotes the goal of a transportation policy and development plan that is based on the Complete Network and Complete Streets models, and strives for a balanced and integrated multi-modal (the combination of transit, motor vehicle, air, rail, pedestrian, and bicycle transportation) transportation system that provides incentives for increased use of transit, bicycle and pedestrian modes; and

WHEREAS, pursuant to the Charter of the City of Lebanon §C419:22 and C419:23, municipal legislation shall be by ordinance and the City Council has the powers to pass ordinances; and

WHEREAS, the City Council has determined that it is necessary to mitigate the impact of traffic by regulating businesses which produce significant levels of traffic and congestion due to the number of employees working for the businesses.

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS:

1) That the City of Lebanon Code of Ordinances is hereby amended by adding an article, to be numbered Article XV of Chapter 168, which article reads as follows:

Article XV. Commute Trip Reduction Program

Creation of Commute Trip Reduction Program.

1. There is hereby created a program to address the issue of traffic congestion in the City of Lebanon. In implementing this program, the City may contract with another governmental or quasi-governmental agency to provide for the efficient and effective provision of services and reviews as set out hereafter.

2. The purpose of the program shall be to provide education and consultative services to businesses, industries, and the general public on alternatives to the use of single occupied vehicles to commute to and from work; to provide information on travel demand reduction strategies which are designed to reduce congestion on the roadways of the City of Lebanon; to gather statistical data on transportation usage; to set!goals on reduction of peak period single occupancy vehicle use and average commute trip reduction in vehicle miles traveled; and to provide, to the extent practicable, a program of incentives, including yearly recognition, for businesses and industries which excel in reducing traffic congestion by implementing exceptional travel demand management programs.

Community Goals.

It is recognized that the reduction of single occupancy vehicle use, especially during peak hours, is an important goal for the entire City of Lebanon community in order to reduce congestion on highways and City roads.
The following community-wide goals are therefore adopted:

<table>
<thead>
<tr>
<th>Year</th>
<th>Percentage of Total Commute Trips Made by Non-Drive Alone Options (%)</th>
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<tbody>
<tr>
<td>2014</td>
<td>8</td>
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<tr>
<td>2015</td>
<td>10</td>
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<td>2018</td>
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<td>2019</td>
<td>18</td>
</tr>
<tr>
<td>2020</td>
<td>20</td>
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</tbody>
</table>

**Requirements for Major Employers.**

In each year, each Major Employer shall:

1. Provide each full time, part-time, contract, or other employee with information on Non-Drive Alone options and required travel reduction measures and related incentives. This may include, but is not limited to: any bus routes and schedules, information on any ride share programs, and any bicycle routes. This information shall also be provided to all new employees, as described above, at the time of hiring.

2. (a) Participate in a survey and reporting effort, as directed and scheduled by the City Department of Planning staff or its authorized agent, hereafter referred to as the Lead Agency. All surveys or other reporting efforts as approved by the Lead Agency shall be completed by at least the number of employees as shown in the following table to meet the required sample size:

<table>
<thead>
<tr>
<th>NUMBER OF EMPLOYEES</th>
<th>REQUIRED SAMPLE SIZE</th>
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<tbody>
<tr>
<td>100-119</td>
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<td>550-599</td>
<td>301</td>
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<tr>
<td>600-649</td>
<td>312</td>
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</table>
(b) The results of the survey or other reporting efforts which are accurate, verifiable and comparable to a survey for determining single occupancy vehicle use during peak periods and vehicle miles traveled, and as approved by the Lead Agency, shall be used to determine if the traffic congestion and reduction targets have been achieved. Employee participation and trip reduction shall be based on the total number of employees.

3. Prepare and submit a travel reduction plan to Department of Planning staff. Hired agencies may assist in preparing the required plans at the discretion of the Major Employer and the Lead Agency. Major Employers shall submit plans according to a schedule set by the Lead Agency. If not notified earlier by the Lead Agency, Major Employers shall submit plans by December 31 of each year. One plan may be submitted for each Major Employer which addresses the travel reduction measures for all of the Major Employer’s facilities located in Lebanon. Each Major Employer shall work toward achieving the community goals set forth herein.

**Minimum Travel Reduction Plan Requirements**
The plan shall contain the following elements:
A. The name, address, e-mail address, and phone and fax number of a formally designated Transportation Coordinator.

B. A description of employee programs designed to achieve the designated transportation reduction goals and other travel reduction measures which have been completed to date or during the previous year.

C. A description of travel reduction measures to be undertaken by the Major Employer in the upcoming year of the plan. The following measures may be included:

  a. Participate in a commuter matching service to facilitate employee Ridesharing for work trips.
  b. Provision of vans for Vanpooling.
  c. Subsidized Carpooling or Vanpooling which may include payment for fuel, insurance, or parking.
  d. Use of company vehicles for Carpooling.
  e. Provision of preferential parking for Carpool or Vanpool users, which may include close-in parking or covered parking facilities.
f. Reduction of on-site employees parking or re-designation of existing parking for pooling employees.
g. Subsidized bus fares.
h. Construction of special loading and unloading facilities for transit, Carpool, and Vanpool users.
i. Cooperation with the City of Lebanon or State of New Hampshire in the construction of sidewalks or bicycle routes for the work site.
j. Provision of bicycle racks, lockers, and showers for employees who walk or bicycle to and from work.
k. Provision of a special information center, including a web page on the company's Internet site, where information on non-drive alone options and other travel reduction measures will be available.
l. Establishment of a work-at-home program, including telecommuting, for employees.
m. Establishment of a program of adjustable work hours which may include compressed work weeks and employee selected starting and stopping hours. Work hour adjustments should not interfere with or discourage use of ridesharing and transit.
n. Establishment of a program of parking incentives and disincentives; such as a fee for parking and/or a "rebate" for employees who do not use the parking facility.
o. Implementation of other measures designed to reduce Commute Trips such as provision of day-care facilities, on-site restaurant services, or emergency ride home services.

D. A Travel Reduction Plan shall meet all the following criteria:
1. The plan shall designate a Transportation Coordinator.
2. The plan shall describe a mechanism for routine distribution of transportation information to employees.
3. The plan shall accurately and completely describe current and planned travel reduction measures.
4. The plan shall state the travel reduction goals adopted by the Major Employer, including both Non-Drive Alone or Non-Peak Commute Trip Reductions.
5. The plan shall be signed by the Site Executive.

Approval Process.
1. After the Major Employer's proposed travel reduction plan is received, the lead agency shall have 60 days to object to any component of the plan; otherwise the plan is automatically approved. Any such objection shall be based solely on a failure to include a required component in the plan or an obvious mistake in the plan. If the lead agency objects, the plan is not approved and shall be returned to the employer with appropriate comments for review and revision. The employer will then have fifteen work days to re-submit the required plan. Any Major Employer who fails to submit a travel reduction plan or pay the processing fee shall be referred to the City Manager by the Lead Agency for possible enforcement action.
2. A processing fee in the amount of two hundred dollars ($200) shall be submitted annually with the travel reduction plan. The processing fee shall be used to cover City costs associated with the administration of this Ordinance. Should funds exist in excess of the City’s costs to administer this Ordinance, those additional funds shall be used to supplement existing expenditures to local and commuter transit services.
Civil Penalties.
Any Major Employer who fails to conduct the survey, or other reports as approved by the Lead Agency, of employees as provided herein or who fails to submit a Travel Reduction Plan as provided herein shall be subject to a civil penalty in the amount of one hundred dollars ($100.00) per week for each week in which the Major Employer fails to comply up to a maximum of five thousand dollars ($5,000.00) per year. The City Manager or his designee shall have authority to assess the civil penalty as provided herein. If the Major Employer fails to pay the civil penalty within a reasonable time as determined by the City Manager or his designee, the City Attorney shall have authority to file a suit for the collection of the civil penalty. Civil penalties collected as a result of this Ordinance shall be used to supplement existing expenditures to local and commuter transit services.

Review of Effectiveness of the Ordinance.
The Department of Planning after consultation with the Lead Agency, if other than the City Staff, shall report to the City of Lebanon Planning Board, the Lebanon City Council and the Town of Hanover Selectboard, if the two municipalities have allowed this ordinance to be enforced in their jurisdictions or enacted a substantially similar ordinance and have entered into an interlocal government cooperation agreement with the City of Lebanon for the administration of this or a substantially similar ordinance, and to other jurisdictions which have enacted a substantially similar ordinance and have entered into an interlocal government cooperation agreement, and every five years thereafter, on the effectiveness of this Ordinance, and shall, as part of this report, make recommendations for changes in the Ordinance or implementing program as deemed appropriate.

Definitions.
1. Alternate Mode means any mode of commute and transportation other than the single occupancy motor vehicle, including telecommuting.
2. Travel Reduction Plan means a plan submitted by a Major Employer that meets the requirements as set forth in this article.
3. Carpool means two or more persons traveling in a light duty vehicle (car, truck, or van) to or from work.
4. Peak Commute Trip means a trip taken by an employee to or from work during peak hours.
5. Commute Trip means a trip taken by an employee to or from work.
6. Commuter Matching Service means any system, whether it uses computer or manual methods, which assists in matching employees for the purpose of sharing rides to reduce drive alone travel.
7. Employer means a sole proprietor, partnership, corporation, unincorporated association, cooperative, joint venture, agency, department, district, or other individual or entity, either public or private, which employs workers. However, the term "employer" shall not include the State of New Hampshire, the United States of America, or any agency thereof.
8. Full-time equivalent (FTE) employees means the number of employees the employer would have if the employers work needs were satisfied by employees working 40 hours per work week. The number of full-time equivalent employees for any employer is calculated by dividing the total number of annual work hours paid by the employer, including work hours paid to contract
or other workers whether or not considered employees of the major employer, by 2080 work hours in a year.

9. **Lead Agency** means a governmental, quasi-governmental, or private agency hired to evaluate Major Employers’ travel reduction plans and the results achieved by the Major Employers due to the implementation of the plans.

10. **Major Employer** means an employer who employs, during a 24 hour period, 100 or more full-time equivalent employees with at least 50 employees at a work site for at least six months during the year. Not included in this calculation shall be employees who are required by the nature of their work to daily use a vehicle owned by the employer.

11. **Mode** means the type of conveyance used in transportation including single-occupancy motor vehicle, ride share vehicle (Carpool or Vanpool), transit, bicycle, and walking.

12. **Non-Peak Commute Trip** means a trip taken by an employee to or from work during hours which are not Peak Hours.

13. **Motor Vehicle** means every device in, upon or by which any property is or may be transported or drawn upon a highway by mechanical means including car, van, bus, motorcycle, and all other motorized vehicles.

14. **Peak Hours** mean the hours between 7:00 AM and 9:00 AM or 4:30 PM and 6:30 PM, Monday-Friday.

15. **Ridesharing** means transportation of more than one person for commute purposes, in a motor vehicle, with or without the assistance of a commuter matching service.

16. **Site Executive** means the highest ranking corporate officer in the City of Lebanon of a Major Employer.

17. **Transit** means a bus or other public conveyance system.

18. **Transportation Coordinator** means a person designated by employer as the lead person in developing and implementing a travel reduction plan. The Transportation Coordinator shall act as the agent for the Major Employer for purposes of this ordinance.

19. **Travel Reduction Plan** means a written report outlining travel reduction measures which will be submitted annually by each Major Employer.

20. **Travel Reduction Program** means a program, implementing a travel reduction plan by an employer, designed to achieve predetermined reductions in commute trips and vehicle miles traveled through various incentives and disincentives.

21. **Vanpool** means seven or more persons traveling to and from work together in one vehicle.

22. **Vehicle Occupancy** means the number of occupants in a motor vehicle including the driver.

23. **Vehicle Miles Traveled (VMT)** means the average (mean) number of miles traveled by a motor vehicle for commute trips.

24. **Work Site** means a building or any grouping of buildings, located within the City, which are physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-way, and which are owned or operated by the same employer.

**Severability**
The provisions of this ordinance are severable, and should any section or part hereof be declared unconstitutional or void, the rest and remainder of the ordinance shall remain in full force and effect.

**Date Effective**
The effective date of this ordinance shall be [INSERT DATE]
WHEREAS, traffic congestion in the City of Lebanon has created, and will continue to create roads that are overcrowded and present a danger to the health, safety, and welfare of citizens; and

WHEREAS, the City of Lebanon Master Plan (2012) encourages businesses and industry to provide commuter benefits, promotes the goal of a transportation policy and development plan that is based on the Complete Network and Complete Streets models, and strives for a balanced and integrated multi-modal (the combination of transit, motor vehicle, air, rail, pedestrian, and bicycle transportation) transportation system that provides incentives for increased use of transit, bicycle and pedestrian modes; and

WHEREAS, pursuant to the Charter of the City of Lebanon Chapter 147, the City Council shall, by resolution, declare that the expense of a specifically described public improvement shall be paid in whole or in part by a special assessment upon the properties which receive special benefit.

WHEREAS, the City Council has determined that it is necessary to mitigate the impact of traffic by regulating businesses which produce significant levels of traffic and congestion due to the number of employees working for the businesses.

NOW, THEREFORE, THE CITY OF LEBANON ORDAINS:

1) That the City of Lebanon Code of Ordinances is hereby amended by adding an article which reads as follows:

   1. Declaration of Purpose: The City Council of Lebanon does hereby establish the Route 120 Parking District pursuant to the authority contained in Chapter 147 of the City Charter, for the purpose of funding transportation improvements benefitting employers and residents of the Route 120 Corridor.

   2. Title: This Ordinance shall be known and may be cited as the “Route 120 Parking District Ordinance of the City of Lebanon.”

   3. Authority: City of Lebanon Charter, Chapter 147.

   4. Map of Districts: The area to be included in the Route 120 Parking District Ordinance shall be included.

   5. Description of Parking System Revenue and Expenditures: The parking enforcement system covers installation, maintenance and patrol/enforcement of all the metered public parking spaces and the monthly rental spaces maintained by the City. Expenditures for the parking enforcement category includes the salaries and fringe benefits for the enforcement personnel, rental and maintenance on municipal parking areas, operation and maintenance of parking enforcement computer system and vehicles. All annual revenue exceeding the annual operating expenses incurred
by the City shall be placed into a Route 120 Transportation Improvement Fund, which can be used to support bicycle and pedestrian capital projects or capital or operating expenses of local and regional public transit services, which benefit the residents or businesses of the Route 120 corridor.

B. Administration including financial activities and recordkeeping for the Parking System is provided by the City administration. Lot maintenance and landscaping is provided by the Public Works Department. Enforcement supervision and two-way radio communications are provided by the Police Department. These services are funded under the General Fund and charged to the Parking System on a charge-back arrangement.

C. Revenue to the Parking System comes from meter revenue, parking enforcement fines, monthly parking space fees, and interest earned from investment of available cash. All such revenues are paid into a parking fund which is separate and distinct from the Town General Fund.

6. Annual Budget for the Parking System: The City Council shall prepare and present a budget of anticipated expenditures and income for the Parking System. A public hearing shall be held on the proposed budget. Notice shall be given at least ten (10) calendar days before the public hearing, not including the day the notice is posted or the day of the public hearing. Notice shall be published in the Valley News, a newspaper circulating in Lebanon, and shall be posted in at least two (2) public places. The notice shall also indicate where a copy of the budget is on file for public inspection.

7. Payment of the Net Expenses of the Parking System: The amount of the net expenses for the operation of the Parking System within the District to be paid by the Route 120 Parking District shall be at least fifty percent (50%). The remainder of the net expenses shall be paid by taxes assessed on all real estate in Town. The determination and allocation contained in this paragraph and paragraph 5 shall be reviewed annually at the same time as the public hearing on the proposed budget.
8. **Allocation Between Fees and Taxes:** The amount of net expenses to be paid by the Route 120 Parking District shall be obtained as follows: fifty percent (50%) from parking space fees and fifty percent (50%) from a special service area tax on properties within the Central Business Parking District.

9. **Inventory of Off-Street Parking Requirements:** The City Council shall establish a separate inventory setting forth the off-street parking requirements for each property in each District by using as a measure the off-street parking requirements set forth in the City Zoning Ordinance regardless of whether or not such requirements apply under the City Zoning Ordinance to any particular property. The Zoning Administrator shall make the determinations with regard to off-street parking requirements and shall include as a credit any off-street parking spaces located on a lot other than the building served, as authorized by a special exception from the Zoning Board of Adjustment. An individual property required off-street parking spaces as reduced by the number of such parking spaces actually provided as of the first day of April in each year, shall be the "Adjusted Parking Requirement."

   A. **Report of Changes:** It shall be the obligation of each property owner to provide to the Zoning Administrator in writing, prior to April 1 of each year, notification of any changes to the number of parking spaces actually provided, including a description of the location of all off-street parking spaces. The purpose of this provision is to ensure that parking space fees are determined based on correct and current information.

   B. **Appeal of Adjusted Parking Requirement:** After the determination of the off-street parking requirements for each property by the Zoning Administrator, the property owner shall have the right to appeal that decision to the Board of Selectmen if it is claimed that such calculation is not in conformity with this Ordinance. The City Council shall hear the appeal at a public meeting and shall give notice to the property owner and the public in the same manner as notice in paragraph 6.

10. **Parking Space Fee/Lien/Adjustments:** The parking space fee for each property in the Districts shall be equal to the proportionate share that each property's Adjusted Parking Requirements bears to the total Adjusted Parking Requirements for all property in the District. All such parking space fees shall become a lien upon the property so charged and such lien may be enforced by a lawsuit on behalf of the City ordered by the City Council against the owner or owners of such property. The record in the office of the City Council and the charges for the parking space fee set forth therein shall be sufficient notice to maintain a lawsuit upon such lien against the subsequent purchasers or attaching creditors of such real estate. In the event that the off-street parking requirements set forth in the City Zoning Ordinance are amended, then the inventory of off-street parking requirements for each property in the proper District shall be adjusted accordingly as of April 1 of the year following the amendment.
11. **Boundary Changes:** Changes in the boundaries of the District shall be made by the City Council from time to time as a result of the change in nature of the property in the area or the services provided. Such changes may be made by the City Council upon thirty (30) days written notice of the proposed change being sent first class mail to the last known address on the tax rolls of the owners of each of the properties affected. Such changes shall not be effective until after a public hearing. Notice shall be given at least ten (10) calendar days before the public hearing, not including the day the notice is posted or the day of the public hearing. Notice shall be published in the Valley News, a newspaper circulating in Lebanon, and shall be posted in at least two (2) public places. The notice shall also indicate where a copy of the boundary changes is on file for public inspection.

12. **Inventory of Districts' Properties:** The Selectmen shall establish a separate inventory listing the properties in the District for the purpose of assessment of taxes.

13. **Amendment of this Ordinance:** This Ordinance may be amended after notice and public hearing. Notice of the public hearing shall be given by posting a copy of the notice, including a copy of the proposed amendment, at the Municipal Building at least ten (10) days prior to the hearing, not including the day the notice is posted or the day of the public hearing. Notice shall be published in the Valley News, a newspaper circulating in Lebanon, and shall be posted in at least two (2) public places. The notice shall also indicate where a copy of the amendment to the Ordinance is on file for public inspection.