

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

AMENDMENT TO  
INTERIM FREEZE  
PROPOSED  
5/13/92

AN ORDINANCE

In amendment to an Ordinance designated as the "Cambridge Municipal Code."

WHEREAS, the City of Cambridge ("City") and the Massachusetts Department of Environmental Protection ("DEP") have agreed to cooperate in an effort to amend the State Implementation Plan ("SIP") under the Clean Air Act, 42 U.S.C. § 7401, et seq., as amended, regarding the measures to be taken by the City toward attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

WHEREAS, the City, as part of a settlement of a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge, entered into a Memorandum of Agreement ("MOA") with the Department of Environmental Protection ("DEP") on August 15, 1990 and passed Ordinance No. 1112 on November 26, 1990 (the "Interim Ordinance"); and

WHEREAS, the MOA and the Interim Ordinance require the City Manager to present to the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

directed toward attainment and maintenance of the National Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

**WHEREAS**, the City recognizes that attainment of the National Primary Ambient Air Quality Standards will require a regional program of transportation control measures to reduce vehicle miles travelled; and

**WHEREAS**, the 1990 Clean Air Act Amendments specifically prohibit states and localities from implementing transportation control measures which will relocate traffic from one city or one area of a region to another; and

**WHEREAS**, in light of amendments to the federal Clean Air Act in November 1990, after execution by the City of the MOA and enactment by the City of the Interim Ordinance, the SIP amendment process may take another year or more; and

**WHEREAS**, DEP and the City amended the MOA on May \_\_, 1992; and

**WHEREAS**, the Interim Ordinance should be amended to be consistent with the policies of the City, the amended MOA, and the federal Clean Air Act during the interim period; and

**WHEREAS**, the City will implement the terms of the Interim Ordinance, as amended, until a SIP amendment is approved which will replace and supersede the Interim Ordinance; and

**WHEREAS**, the City has authority to enact the provisions of

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

this Ordinance pursuant to G.L. Chapter 111, § 31C, as well as by authority derived from the City's general police power.

NOW, THEREFORE, be it ordained by the City Council of the City of Cambridge as follows:

Title 10 of the Code (Vehicles and Traffic), Chapter 10.16 (Parking Freeze) is hereby amended by adding the following Sections:

10.16.060	Procedure for Obtaining CPFPP or Determination of Exclusion
10.16.070	Number of CPFPPs to be Issued
10.16.071	Restrictions on Unrestricted On-Street Parking Spaces
10.16.090 1990, as amended	Memorandum of Agreement of August 15,
10.16.100	Effective Date

**10.16.060 Procedure for Obtaining CPFPP or Determination of Exclusion.**

- (a) Not amended.
- (b) Not amended.
- (c) Add at the end of this subsection a new subparagraph 13 as follows:
  - 13. A detailed statement of any public policy considerations which support the application.
- (d) Not amended.
- (e) Not amended.
- (f) Not amended.
- (g) Amended to strike the third sentence thereof and ~~the~~

**amended section to** read as follows:

The Director shall approve or disapprove the application in accordance with the Committee's determination. When the decision is made to approve an application, the decision shall state the name, address and authorized number of spaces of the facility and any conditions upon which the application is approved. All CFFPs shall include a provision requiring that any spaces in the facility open to the general public for which there will be an hourly or daily fee shall not be available for occupancy prior to 9:30 a.m. on weekdays.

**10.16.070 Number of CFFP's to be Issued.**

This section shall be stricken and replaced by the following:

The City, in accordance with the procedures set forth in this Chapter, may issue permits only for parking spaces which are in the parking space bank. The parking space bank shall be comprised of parking spaces from the following sources:

(a) Parking spaces which the City has eliminated or against which the City has initiated an enforcement action in accordance with section 10.16.080; plus

(b) Commercial parking spaces which were permitted in accordance with the November 15, 1984 MOA and which are no longer being used; plus

(c) Fifty percent (50%) of those unrestricted on-street parking spaces identified in the City's on-street parking space inventory which become subject to restrictions on use pursuant to Section 10.16.071; plus

(d) The twenty-two remaining Controlled Parking Spaces available for allocation pursuant to Section 10.16.070 as originally enacted; plus

(e) Such additional parking spaces as the DEP may from time to time approve for inclusion in the parking space bank.

Rights to parking spaces that are eliminated by enforcement cannot be transferred between persons, but must revert back to the City for allocation under the procedure set forth in section 10.16.060.

**10.16.071 Restrictions on Unrestricted On-Street Parking Spaces.**

Within one (1) month of the effective date of this provision, the Traffic and Parking Department shall, based on the City's inventory dated \_\_\_\_\_ of all unregulated on-street parking in the City, submit to the City Manager a written recommendation specifying appropriate restrictions to discourage the use of some or all of these spaces for long-term commuter parking. These restrictions may include, without limitation, an absolute prohibition against parking, installation of parking meters, imposition of time restrictions, and/or restriction for use by residents with permits. The recommendation may also identify some areas that are primarily adjacent to business uses, where restriction of on-street spaces would impose a hardship on employers in those areas. The Director of the Traffic and Parking Department shall make the recommendations for

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

~~restrictions on spaces in specified locations~~ available for public review and shall schedule one or more public meetings, as appropriate, for public discussion of the recommendations. Within one month after the public meetings, the Traffic and Parking Department shall submit a revised recommendation to the City Manager. After consultation with the City Manager the Director of the Parking and Traffic Department shall cause the ~~recommendation~~ ~~recommendations~~ to be implemented promptly.

10.16.090 Memorandum of Agreement of August 15, 1990.

This section is stricken and replaced by the following:  
The City agrees to fulfill the obligations set forth in the MOA between the City and the Massachusetts DEP, dated August 15, 1990, as amended on May \_\_, 1992.

The City Manager shall prepare for submission to the Metropolitan Planning Organization and DEP a proposed amendment to the SIP and a form of ordinance approved by the City Council. The proposed SIP amendment and the form of ordinance shall include, inter alia, provisions whereby certain provisions of such ordinance (i) shall not take effect prior to the sixtieth (60) day after the final approval of a SIP amendment by the U.S. Environmental Protection Agency ("EPA") which contains a program of transportation control measures that are applicable ~~imposed~~ equally ~~to~~ ~~on~~ all communities in the Commonwealth, such as an employer-based vehicle trip reduction program and which revokes

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

the provisions of 40 C.F.R. section 52.1135 which apply to Cambridge; and (ii) ~~revokes the provisions of 310 C.M.R. section 7.16 and (iii)~~ whereby such ordinance shall supersede and replace this Chapter upon approval of such SIP amendment.

Upon final approval of such SIP amendment(s) by all governmental authorities with jurisdiction thereof, the City Manager shall notify the City Council of the impact of such SIP amendment(s) on Cambridge.

The provisions of this Chapter shall continue in effect for the interim period.

**10.16.100 Effective Date**

The provisions of this amendment shall take effect upon enactment.

05/13/92

**AN ORDINANCE**

In amendment to an Ordinance designated as the "Cambridge Municipal Code."

**WHEREAS**, the City of Cambridge ("City") and the Massachusetts Department of Environmental Protection ("DEP") have agreed to cooperate in an effort to amend the State Implementation Plan ("SIP") under the Clean Air Act, 42 U.S.C. § 7401, et seq., as amended, regarding the measures to be taken by the City toward attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

**WHEREAS**, the City, as part of a settlement of a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge, entered into a Memorandum of Agreement ("MOA") with the Department of Environmental Protection ("DEP") on August 15, 1990, amended on May \_\_, 1992 and passed Ordinance No. 1112 on November 26, 1990 (the "Interim Ordinance"), amended on May \_\_, 1992; and

**WHEREAS**, the MOA and the Interim Ordinance require the City Manager to present to the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

directed toward attainment and maintenance of the National Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

**WHEREAS**, the City recognizes that attainment of the National Primary Ambient Air Quality Standards will require a regional program of transportation control measures to reduce vehicle trips and vehicle miles travelled; and

**WHEREAS**, the 1990 Clean Air Act Amendments specifically prohibit states and localities from implementing transportation control measures which will relocate traffic from one city or one area of a region to another; and

**WHEREAS**, the elements of this Ordinance are consistent with the policies of the City, the Interim Ordinance, and the federal Clean Air Act to reduce vehicle trips and vehicle miles travelled and encourage and develop greater use of public transit, bicycles, walking, and other alternative modes of travel; and

**WHEREAS**, implementation of this Ordinance will demonstrate the commitment of the City to promote the objective of the Clean Air Act by discouraging automobile traffic within and to the City; and

**WHEREAS**, enforcement of this Ordinance will achieve a reduction in vehicle miles travelled and promote attainment and

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

**WHEREAS**, the City has authority to enact the provisions of this Ordinance pursuant to G.L. Chapter 111, § 31C, as well as by authority derived from the City's general police power.

**NOW, THEREFORE**, be it ordained by the City Council of the City of Cambridge as follows:

A new chapter 10.17 shall be added to Title 10 of the Code (Vehicles and Traffic), as follows:

**Chapter 10.17**

**Vehicle Trip Reduction Ordinance**

Sections: 10.17.010	Time Period of Chapter
10.17.020	Findings
10.17.030	Definitions
10.17.040	Expanded Commuter Mobility Program
10.17.050	Bicycle and Pedestrian Mobility Program
10.17.060	Restrictions on Visitor Passes
10.17.070	Fees for Residential Parking Stickers
10.17.080	Study of Zoning Revisions
10.17.090	Improved Coordination with MBTA
10.17.100	Regulation of Idling Busses, Trucks, and Taxis
10.17.110	Taxicab Improvements

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

- 10.17.120 Alewife Station and Garage
- 10.17.130 Annual Survey of Commuting Characteristics of City Employees and Employees of Selected Employers
- 10.17.140 Consultation with Employers and Residents about Elements of Regional Employer Vehicle Trip Reduction Program
- 10.17.150 Use of Fees
- 10.17.160 Recommendations for a SIP Amendment Applicable to all Communities in the Commonwealth
- 10.17.170 Municipal Vehicle Trip Reduction Program
- 10.17.180 Expansion of Local Employment Opportunities
- 10.17.190 Further Expansion of Commuter Mobility Program
- 10.17.200 Restrictions on Parking Supply
- 10.17.210 Promotion of Clean Fuels
- 10.17.220 Development of Traffic Policy
- 10.17.230 Sunset Clause

**Section 10.17.010 - Time Period of Chapter.** Sections 10.17.040 through 10.17.150 of this Chapter shall take effect sixty (60) days after final approval by the City Council. The remaining provisions shall not take effect until, and shall at that time supersede and replace Chapter 10.16, sixty (60) days after final approval by the U.S. Environmental Protection Agency

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

("U.S. EPA") of a SIP amendment for Massachusetts which (i) contains a program of transportation control measures that are applicable equally to all communities in the Commonwealth such as an employer-based vehicle trip reduction program; and (ii) revokes any provisions of 40 C.F.R. Section 52.1135 that are applicable to ~~Cambridge, Cambridge, and (iii) revokes the provisions of 310 C.M.R. Section 7.16.~~

**Section 10.17.020 - Findings.** The City of Cambridge finds and determines that:

a. High levels of vehicle traffic and congestion add to air pollution, noise, and inconvenience and erode the quality of the living and working environment.

b. An increasing number of automobile registrations and jobs in the City has resulted in growth of traffic in and around Cambridge.

c. While the City has pursued programs to mitigate these conditions, new measures must be implemented by the City and the Commonwealth involving the participation of all sectors of the community on a local and regional basis to make more efficient use of mass transit, bicycling, walking, and other alternatives to trips by single-occupancy vehicles.

d. The Clean Air Act Amendments of 1990 call for the

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

attainment of compliance with the National Ambient Air Quality Standard for Ozone within the Commonwealth by 1999.

e. Attainment of the Ozone Standard will require increased control of vehicle-related air pollution ("transportation control measures") throughout the Commonwealth, as well as the Nation.

f. Throughtrips and other traffic over which Cambridge has no control contribute significantly to the degradation of air quality in the region. The degradation of air quality, particularly ozone, is a regional problem which requires global and regional solutions.

g. A large portion of vehicle traffic on Cambridge streets is attributable to trips that neither originate nor end in Cambridge ("throughtrips"). The City of Cambridge has virtually no control over these throughtrips. Accordingly, it is imperative that DEP amend the SIP to include transportation control measures applicable equally to all communities in the Commonwealth, including an employer-based vehicle trip reduction program, to achieve reductions in the number of vehicle trips and vehicle miles travelled throughout the region.

h. Increasing the use of commuting alternatives and reducing the number of trips by single-occupancy vehicles is beneficial for the City and the Commonwealth in reducing vehicle

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

miles travelled, traffic and associated air pollution, fuel use, noise, and congestion.

i. Programs offered through City Departments, employers, institutions, owners of multiple-tenant buildings and complexes and other organizations to encourage the use of mass transit, bicycling, walking, and other alternatives to commuting by single-occupancy vehicles are effective and should be expanded on a city-wide and regional basis.

j. The approach best suited to accommodate the diverse needs and capabilities of the governmental, business and institutional communities in the City, and recommended for adoption by DEP for state-wide application, is a flexible approach which establishes performance goals and permits government and private employers, institutions, and automobile owners to select from among a variety of measures designed to contribute toward reaching the goals.

k. The vehicle trip reduction program recommended for adoption by DEP on a state-wide basis should give credit to those employers which have already made substantial progress in encouraging the use of mass transit, bicycling, walking, and alternative means of commuting and in providing such alternatives.

PROPOSED  
5/13/92

1. Measures to discourage, and provide alternatives to, vehicle trips and trips by single-occupancy vehicles made by residents of and visitors to Cambridge are also necessary to further the goals of the Clean Air Act.

m. Some of the measures contained in this Ordinance will achieve immediate reductions in vehicle miles travelled; others are designed to collect information and otherwise lay the foundation for future actions to reduce vehicle miles travelled and improve air quality. To maximize air quality benefits, some types of transportation control measures must be adopted and applied on a regional basis.

**Section 10.17.030 - Definitions.**

- a. City shall mean the City of Cambridge, Massachusetts.
- b. Clean Fuel shall mean any fuel or power source used in a vehicle that complies with the applicable standards for clean fuel vehicles contained in Sections 241-245 of the Clean Air Act, 42 U.S.C. §§ 7581-7585.
- c. Clean-Fuel Vehicle shall mean a vehicle in a class or category of vehicles which has been certified to meet the applicable clean-fuel vehicle standards as defined by and pursuant to the federal Clean Air Act Amendments of 1990.
- d. Fleet shall mean ten (10) or more vehicles which are

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

(i) owned, leased, controlled or operated by a single person or entity; or (ii) parked at the same location, excluding vehicles held for lease or rental to the general public, vehicles held for sale by dealers, vehicles used for law enforcement or emergency purposes.

e. Ozone Standard shall mean the National Ambient Air Quality Standard for ozone established pursuant to Section 109 of the Clean Air Act, 42 U.S.C. § 7409.

f. Region shall mean those communities located in Massachusetts between Interstate 495 and the Atlantic Ocean.

g. Selected Employers shall mean those employers in Cambridge who voluntarily agree to participate in the Annual Pilot Survey of Employee Commuting Characteristics Program set forth in Section 10.17.130.

h. Throughtrips shall mean vehicle traffic on City of Cambridge streets attributable to trips that neither originate nor end in the City of Cambridge.

i. Transportation Control Measures are transportation control strategies aimed at reducing transportation-related emissions of pollutants and controlling the growth of future vehicle trips and vehicle miles travelled.

j. VMT is an abbreviation for vehicle miles travelled.

PROPOSED  
5/13/92

- k. AER is an abbreviation for Automobile Efficiency Rate, a rate determined as set forth in Section 10.17.130(d).
- l. Base AER is a term for the Automobile Efficiency Rate for the City of Cambridge, more fully described in Section 10.17.130(e).

Section 10.17.040 - Expanded Commuter Mobility Program.

In addition to continuing activities currently in progress, the Commuter Mobility Coordinator shall develop and submit to the Assistant City Manager for Community Development and the City Manager a schedule for implementing additional programs including, but not limited to:

- \* a bicycle commuter program, in conjunction with the Cambridge Traffic and Parking Department and the Bicycle Advisory Committee, involving consultation with Cambridge residents and businesses;
- \* a program to assist employers in establishing bicycle commuting incentives;
- \* a feasibility study of the potential use of an in-city paratransit system of jitney services or shuttles to transit locations, areas of major employment, and major commercial/retail destinations; and
- \* a program for publicizing successes achieved by businesses and institutions in decreasing the number of single-occupancy vehicle commuters to their establishments.
- \* an education program, including newspaper articles, cable television programs, and public meetings, to inform residents and employees of the need for, and the benefits to be realized from, changes in commuting

PROPOSED  
5/13/92

**behavior.**

**Section 10.17.050 - Bicycle and Pedestrian Mobility Program.**

The position of Bicycle and Pedestrian Coordinator is created within the Cambridge Traffic and Parking Department. The City Manager shall, within one month of the effective date of this provision, designate the Bicycle and Pedestrian Coordinator. The Bicycle and Pedestrian Coordinator shall devote at least 50% of his/her time to carrying out the tasks required by this provision. The Bicycle and Pedestrian Coordinator shall, in conjunction with the Commuter Mobility Coordinator and the City's existing Bicycle Advisory Committee, (i) design and implement a program to encourage greater use of bicycles as alternatives to single-occupancy vehicles within the City and (ii) focus the attention of the City on the needs of pedestrians. The program will include, but is not limited to:

- \* development of a Cambridge Bicycle Master Plan;
- \* development of a Cambridge Pedestrian Master Plan;
- \* development and evaluation of recommendations for a regional network of bicycle paths and bicycle priority streets favoring both bicycles and pedestrians;
- \* consultation with Cambridge ~~residents and businesses,~~ residents, businesses, institutions, and property owners;
- \* funding of bicycle amenities and storage facilities;
- \* funding of pedestrian amenities; and

PROPOSED  
5/13/92

- \* provision of bicycles for use by City police and Traffic and Parking Department staff.

The program shall be funded at an initial level of [\$25,000] annually; these funds shall be in addition to, and not utilized for, the salary of the Bicycle and Pedestrian Coordinator.

**Section 10.17.060 - Restrictions on Visitor Passes.**

a. **Official City Visitor Passes.** The Citywide visitor passes that have been distributed to authorized individuals will be invalid thirty (30) days after the effective date of this provision. The Cambridge Traffic and Parking Department is authorized to issue stickers to individuals who would be authorized to receive a Citywide visitor pass. A list of all recipients of City-wide visitor passes shall be maintained by the Cambridge Traffic and Parking Department and shall be made available for public inspection upon request. In order to be effective, a sticker must be affixed to a vehicle and must display the vehicle registration number and an expiration date.

b. **Residential Visitor Passes.** Beginning on the January first following the effective date of this provision, each residential visitor pass issued by the Traffic and Parking Department shall be designed to display a calendar for the year during which it is valid. Upon issuing a pass, the Traffic and Parking Department shall write the resident's address on the

PROPOSED  
5/13/92

front of the pass. To be valid on a given date, the pass must be displayed in the windshield and the date of use must be circled.

**Section 10.17.070 - Fees For Residential Parking Stickers.**

The fees for residential parking stickers shall be as follows:

1st Sticker per Household	\$ 8.00
2nd Sticker per Household	\$ 12.00
3rd Sticker per Household	\$ 50.00
4th Sticker per Household	\$100.00
5th and additional Stickers per Household	\$200.00

For the purpose of this measure, all vehicles registered at the same residential address shall constitute the vehicles registered to a household. Reductions and waivers available under current law to elderly and handicapped residents shall remain in effect.

**Section 10.17.080 - Study Of Zoning Revisions**

The Cambridge Planning Board (the "Board") shall consider revising the required parking space ratios specified in the City of Cambridge Zoning Ordinance and shall evaluate the effectiveness of such revisions in reducing VMT and traffic congestion and encouraging the increased use of commuting alternatives other than by single-occupant vehicles. **The Board shall also consider the economic impact of such revisions.** Consideration shall be given, without limitation, to such potential revisions as reduction of minimum and maximum parking

PROPOSED  
5/13/92

requirements, special provisions for carpools and vanpools, and encouragement of mixed-use developments.

The Board shall invite testimony from residents, businesses, institutions, and property owners and shall publicly report its recommendations within one year of the effective date of this provision.

**Section 10.17.090 - Improved Coordination with MBTA.**

The Commuter Mobility Staff shall undertake a survey of residents and commuters to identify barriers to use of the MBTA. Based on the survey results, the Commuter Mobility Staff and the Department of Traffic and Parking shall meet with representatives of the MBTA to (i) improve public transportation schedules and routes; (ii) improve bus stop signage; and (iii) review placement of bus stops. Examples of points where coordination should be improved include:

- \* Busses from Belmont to Lechmere;
- \* Express busses between North Station and Kendall Square;
- \* Connecting routes through Harvard and Central Square; and
- \* Synchronizing schedules of busses from Belmont, Arlington, and along Huron Avenue in Cambridge.

Meetings with representatives of the MBTA should also focus on conversion of busses to clean fuels.

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

**Section 10.17.100 - Regulation of Idling Busses, Trucks, and Taxis.**

The Police Department shall promptly review and improve its enforcement of the statutory prohibitions against idling by busses, trucks, and taxis set forth at M.G.L. ch. 90, section 16A. Within two (2) months of the effective date of this provision, the Commissioner of the Police Department shall report to the City Manager on the Department's implementation of this provision.

**Section 10.17.110 - Taxicab Improvements.**

The License Commission, through the Taxicab Advisory Committee, shall consult with the taxicab industry, residents, and commercial establishments in the City and prepare recommendations:

- \* to make taxicabs more accessible for use by multiple passengers with different destinations. The object of this recommendation shall be to decrease single-occupant use of taxicabs by providing monetary incentives for the taxicab drivers and reducing the cost for passengers; and
- \* about the potential role of taxicabs in a paratransit system for the City. ~~City; and~~
- \* ~~about conversion of taxi fleets to clean fuels.~~

**Section 10.17.120 - Alewife Station and Garage.**

The Assistant City Manager for Community Development or his

PROPOSED  
5/13/92

designee shall consult with Alewife neighborhood groups and other interested persons concerning the demand for (i) a railroad station at Alewife and (ii) an expansion of the Alewife garage.

**Section 10.17.130 - Annual Pilot Survey of Commuting Characteristics of City Employees and Employees of Selected Employers.**

a. The City City, in consultation with the Selected Employer Steering Committee, shall develop an Employer Survey Kit which will may include an Employee Survey Form, administration plan, and Automobile Efficiency Rate ("AER") (defined below) calculation sheet, designed to elicit commuting data and actual AER from all City employees and employees of Selected Employers. Employers which will permit the calculation of an actual AER for each Selected Employer and City Department and will also provide the statistical basis for determining such other characteristics of commuting patterns as may be useful in designing measures to achieve the goals of the Clean Air Act. The Employer Survey Kit shall be prepared and distributed to City Departments and Selected Employers within six (6) months of the effective date of this provision. Each City Department and Selected Employer shall distribute copies of the Employee Survey Form to and to, and as a goal shall endeavor to collect completed forms from a minimum of seventy-five percent (75%) from, a statistically significant

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

sample of its employees. Each City Department and Selected Employer shall, no later than three (3) months from the date the Employer Survey Kit is distributed, submit to the Assistant City Manager for Community Development all completed Employee Survey Forms, provided that, any Selected Employer may instead submit a report of the results of the employee survey on a standard AER calculation sheet, signed and certified as to its accuracy by an officer of the Company. A Selected Employer that does not submit the Employee Survey Forms shall retain such forms for a minimum of three (3) years. These forms shall be made available to the Assistant City Manager for Community Development or his designee, upon request.

b. The Selected Employer Steering Committee shall:

(i) participate with the City in the design of the Pilot Survey;

(ii) assist in educating and encouraging participation of the Selected Employer group;

(iii) review with the City the results of the Pilot Survey; and

(iv) participate in the design of any city-wide employer based vehicle trip reduction program.

b. c. Each Selected Employer shall cooperate with the Assistant City Manager for Community Development and the Commuter Mobility Staff in providing information about plans and programs

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

being utilized to encourage commuter travel modes other than by single occupancy vehicles. At such time as the City implements or enforces an employer-based vehicle trip reduction program on a city-wide basis, each Selected Employer which has cooperated with the Community Development Department and the Commuter Mobility Staff and which has complied with paragraph a "a" hereof shall be entitled to use the AER reflected in its initial Employer Survey Response as its baseline AER regardless of the extent of improvements in its AER produced as a result of its cooperation with the Community Development Department or its own commuter mobility initiatives.

e- d. The Assistant City Manager for Community Development shall make arrangements with the Commuter Mobility Staff to coordinate: (i) ~~designation of and written agreements with participation of the~~ Selected Employers; (ii) preparation and distribution of the Employer Survey Kits; (iii) calculation of the Base AER; (iv) review and tabulation of the Pilot

Survey Responses; (v) recalculation of the Base AER based on review and analysis of the Pilot Survey Responses. The Assistant City Manager for Community Development shall have the authority to engage the services of technical consultants to assist with these tasks.

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

d. e. The phrase Automobile Efficiency Rate ("AER") shall mean the figure calculated by dividing the number of employees who report to a Worksite within the City of Cambridge between 6:00 a.m. and 10:00 a.m. (inclusive Monday through Friday to achieve a five consecutive weekday average) by the number of vehicles used by those employees to reach the Worksite during those hours. Bicycles, public transit vehicles, and approved Clean-Fuel Vehicles shall be excluded from the vehicles counted. Motorcycles and light trucks shall be included in the vehicles counted.

e. ~~The term Base AER for the City of Cambridge shall be derived from the 1990 census modal share data and travel statistics. The Base AER is subject to recalculation as provided above.~~

f. The City shall define and make calculations of a Base AER for the City of Cambridge as a whole, and such other AER's for categories such as geographical areas of the City, employer types, employer sizes, and the like, as may be determined through the consultative process provided for in Section 10.17.140. Such AER's shall initially be derived from the 1990 Census modal share data and travel statistics, the results of the Pilot Survey of Selected Employers, and such other data as may be relevant, and

PROPOSED  
5/13/92

shall be recalculated periodically to reflect additional data or changes in data as may become available.

~~f.~~ **g.** The term Carpool shall mean a private motor vehicle occupied by two to six employees travelling together for at least 75% of their commute trip distances.

~~g.~~ **h.** The term Commute Alternatives shall mean carpooling, vanpooling, private bus service, use of public transit, bicycling and/or walking.

~~h.~~ **i.** The term Employee shall mean any person hired by a public or private employer, including part-time and seasonal employees, who reports to work at least two (2) days a week during five (5) or more months of the year.

~~i.~~ **j.** The term Worksite shall mean a building or grouping of buildings which are located within the City of Cambridge and are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-ways and which are owned, operated, or leased by the same Employer.

**Section 10.17.140 - Consultation with Employers and Residents about Employer Vehicle Trip Reduction Program.**

The Assistant City Manager for Community Development or his designee shall consult with Cambridge businesses, institutions,

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

City departments, the Selected Employer Steering Committee, and residents to evaluate recommendations for a regional employer-based vehicle trip reduction program. During this consultation process, issues to be considered shall include:

- (i) whether different areas of the City should be subject to different AER goals, depending on their proximity to public transit;
- (ii) what the annual rate of improvement in the AER Goal should be;
- (iii) which, if any of the vehicle trip reduction plan elements identified in Section 10.17.170 should be required to be implemented by all employers in the City;
- (iv) the definition of City-wide AER and the potential appropriateness and definition of AER's for categories such as geographical areas of the City, employer types, employer sizes, and the like;
- (v) ways to recognize the uniqueness of employers and their differing needs for employee mobility;
- (vi) appropriate AER or other references to be used in setting goals for Cambridge employers within a regional Vehicle Trip Reduction Program;
- (vii) whether employers should be required to achieve a City-wide or other AER Goal within a specified time period or whether penalties should only be imposed for an employer's failure to implement its plan;
- ~~(v)~~ (viii) identification and development of mechanisms for transferring and/or sharing use of parking spaces as demand for parking spaces decreases at a given worksite; and
- (ix) evaluation of potential impacts on employment and economic impacts on affected employers and on the City of any proposed measures; and

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

~~(vi)~~ (x) whether any categories of employers should be exempt.

**Section 10.17.150 - Use of Fees.**

One hundred percent (100%) of the funds raised through the sale of residential parking stickers shall be used for implementing the tasks and programs specified in this Chapter.

**[THE FOLLOWING SECTIONS ONLY TAKE EFFECT AFTER STATE AND FEDERAL ACTION TO ADOPT A REGIONAL OR STATE-WIDE PROGRAM]**

**Section 10.17.160 - Recommendations for a SIP Amendment Applicable to all Communities in the Commonwealth.**

In order to ensure that the vehicle trip reduction measures in this Ordinance achieve their intended effect of reducing vehicle miles travelled and enhancing air quality in the Commonwealth, the City shall include in its submittal to the Metropolitan Planning Organization ("MPO") and DEP recommendations for an amendment to the State Implementation Plan under the federal Clean Air Act applicable equally to all communities in the Commonwealth. These recommendations shall include, but not be limited to:

- (1) a proposal for an employer-based vehicle trip reduction program;
- (2) a proposal for measures applicable to new development

PROPOSED  
5/13/92

projects to mitigate the traffic impacts of such projects and reduce vehicle miles travelled to and from such projects;

- (3) a proposal for revising state taxing policies concerning employer-paid transportation and parking subsidies;
- (4) a proposal for evaluating the utility of imposing fees on single-occupant commuter vehicles and/or commuter parking;
- (5) a proposal for achieving appropriate convenient public transportation from the west and north to Cambridge, including but not limited to support of a circumferential transit system;
- (6) preventing the diversion of traffic oriented toward Cambridge to other areas with more limited transit availability;
- (7) assuring that Cambridge is not placed at a competitive disadvantage within the Region or the Commonwealth;
- (8) reducing the growth in volume of throughtrips on Cambridge roadways which is outside the control of the City; and
- (9) improved and extended use of water taxis.

**Section 10.17.170 - Municipal Vehicle Trip Reduction Plans.**

Based on its review of the Employee Survey Forms collected pursuant to Section 10.17.130, the Commuter Mobility Staff shall prepare a vehicle trip reduction plan for implementation by City Departments. The plan shall contain a program of measures identical to the program developed after consultation as set forth in Section 10.17.140 which shall be designed to reduce

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

vehicle trips and vehicle miles travelled by municipal employees and thereby improve the City's AER, as computed on the annual AER calculation sheets. The plan may include a variety of measures including, but not limited to:

- \* dissemination and periodic updating of information on all available transit service to and from the Worksite;
- \* advertising, promoting and making available for purchase on the Worksite any pass program offered by transit authorities;
- \* recommendations to individual employees of employee-specific travel options to reduce VMT;
- \* incentives and assistance for bicycle commuting including secure parking facilities, shower/changing facilities, and education and training programs;
- \* coordinating, facilitating and providing subsidies for employer-sponsored rideshare programs;
- \* preferential parking for carpools and vanpools;
- \* transportation allowances;
- \* expanding opportunities for alternative work schedules including 4-day weeks and flexible schedules to facilitate ridesharing;
- \* elimination or reduction of parking subsidies for single-occupant vehicles;
- \* shuttle service to transit stops; and/or
- \* elimination of employee parking spaces.

After consultation with the Assistant City Manager for Community Development and the City Manager about the plan, the Commuter

PROPOSED  
5/13/92

Mobility Staff shall promptly distribute it to City Departments for implementation. The Commuter Mobility staff shall assist City Departments with implementation of the plan.

**Section 10.17.180 - Expansion of Local Employment Opportunities.**

To demonstrate and further its commitment to increase the number of Cambridge residents employed by Cambridge businesses and reduce vehicle miles associated with work commutes, the annual budget for expansion of local employment opportunities shall be increased to [\$130,000]. That budget shall be applied as follows:

1. To continue and expand the Cambridge Employment Program within the Community Development Department;
2. To sponsor an annual job fair to inform residents of local employment opportunities;
3. To sponsor and coordinate educational partnerships between Cambridge employees and schools in Cambridge; and
4. To develop a Local Employment Opportunity Plan.

These functions shall be coordinated and carried out by the Community Development Department in conjunction with the Department of Human Services and under the supervision of the Assistant City Manager for Community Development. The Local Employment Opportunity Plan shall be developed within one year of the effective date of this provision.

PROPOSED  
5/13/92

**Section 10.17.190 - Further Expansion of Commuter Mobility Program.**

The Assistant City Manager for Community Development, in consultation with the City Manager, shall have authority to hire additional staff to implement the tasks and programs specified in this Chapter. Within three (3) months of the effective date of this provision, at least one additional Commuter Mobility staff member shall be hired. The Commuter Mobility Coordinator shall ~~develop and promptly implement~~ **recommend** additional programs including but not limited to:

- \* a program encouraging the use and sharing of computer ride-sharing information between and among businesses and institutions in the City;
- \* a program to encourage commercial and retail businesses to offer discounts to patrons with MBTA transit passes;
- \* a residential trip reduction program for apartment and condominium complexes of 50 or more units; and
- \* implementation of an in-city paratransit system, to the extent funds are available, to supplement MBTA services.

**Section 10.17.210 - Restrictions on Parking Supply.**

a. **Expansion of Parking Regulation.** Within six (6) months of the effective date of this provision, the Traffic and Parking Department shall submit to the City Manager an updated written inventory of all on-street parking spaces specifying the restrictions applicable to each such parking space. As to any

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

space which has not been restricted or removed from the supply of on-street spaces pursuant to Chapter 10.16.071 of Title 10, the Traffic and Parking Department shall prepare a recommendation for restriction of each such space to discourage its use for long-term commuter parking. These restrictions may include, without limitation, an absolute prohibition against parking, installation of parking meters, imposition of time restrictions, and/or restrictions for use by residents with permits. The recommendation may also identify some areas that are primarily adjacent to business uses, where restriction of on-street spaces would impose a hardship on employers in those areas. The Director of Traffic and Parking shall make the recommendations available for public review and shall schedule one or more public meetings, as appropriate, for public discussion of the recommendations. Within one month after the public meetings, the Traffic and Parking Department shall submit its revised recommendation to the City Manager. After consultation with the City Manager, the Traffic and Parking Department shall promptly implement the recommendations.

b. Municipal Parking Rates. The rates for daily and monthly parking at all City-owned off-street parking facilities shall be increased by twenty-five percent (25%) over current

PROPOSED  
5/13/92

rates, to be effective within sixty (60) days of the effective date of this provision.

c. **Exclusive Residential Parking Near MBTA Stations.** The Traffic and Parking Department, in consultation with neighborhood groups, residents, commercial establishments, and the City Manager, shall prepare a proposal for establishing exclusive residential parking zones on primarily residential streets located near MBTA stations. The object of the proposal shall be to limit residential parking on targeted streets close to MBTA stations to residents of those neighborhoods by means of appropriate signage and special resident stickers. The Traffic and Parking Department shall convene a public meeting on its proposal within four (4) months of the effective date of this provision. Within one (1) month after such public meeting, and after consultation with the City Manager, the Director of Traffic and Parking shall cause the proposal to be implemented.

**Section 10.17.210 - Promotion of Clean Fuels.**

The Department of Public Works shall study, promote, encourage, and identify incentives for the use of Clean Fuel in fleets of vehicles operating within the City. The study shall include an evaluation of the use of such fuels as methanol, compressed natural gas, and reformulated gasoline based on

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

characteristics of fleets in Cambridge and implementation costs. The study shall also identify reasonably available incentives which could be offered by the City, such as tax credits, to encourage use of Clean Fuel in fleets of vehicles. The sum of [\$15,000] shall be appropriated for this program.

**Section 10.17.220 - Development of Traffic Policy.**

The Assistant City Manager for Community Development and the Director of the Traffic and Parking Department, or their designees, shall with ~~within~~ one year of the effective date of this provision, conduct a study of major highways, city through streets, streets with schools, different types of residential streets, and streets at the borders of the City. Based on that study, they shall prepare a written recommendation of:

- (i) Appropriate speeds and volumes for Cambridge streets; and
- (ii) Means of encouraging travel and traffic patterns that reduce VMTs.

This written recommendation shall be submitted to the City Council for review and appropriate action.

**Section 10.17.230 - Sunset Clause.**

The provisions of this Chapter shall cease to be effective on the date either the Department of Environmental Protection or the U.S. Environmental Protection Agency adopts a final rule or

Chamber of Commerce  
Clean Air Committee  
Comments 6/1/92

PROPOSED  
5/13/92

regulation that imposes a freeze, cap, or other fixed limit on the number of parking spaces in Cambridge, unless such freeze, cap, or other limit is applicable equally to communities throughout the Region. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement the numerous provisions of this Chapter in the event that it is singled out and subjected to state or federal regulation that puts it at a competitive or other disadvantage in the Region.

*Joel:*

*This is the file  
I had re: the SIP*

PROPOSED  
05/13/92

In amendment to  
Municipal Code."

*hearings*

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WHEREAS, the C  
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Implementation Plan ("SIP") under the Clean Air Act, 42 U.S.C.  
§ 7401, et seq., as amended, regarding the measures to be taken  
by the City toward attainment and maintenance of the National  
Primary Ambient Air Quality Standards necessary to protect public  
health in the Commonwealth; and

WHEREAS, the City, as part of a settlement of a legal  
dispute pertaining to the terms and implementation of a parking  
freeze in Cambridge, entered into a Memorandum of Agreement  
("MOA") with the Department of Environmental Protection ("DEP")  
on August 15, 1990, amended on May \_\_, 1992 and passed Ordinance  
No. 1112 on November 26, 1990 (the "Interim Ordinance"), amended  
on May \_\_, 1992; and

WHEREAS, the MOA and the Interim Ordinance require the City  
Manager to present to the City Council a proposal for, together  
with a form of ordinance concerning, a proposed amendment of the  
SIP that includes a program of transportation control measures  
directed toward attainment and maintenance of the National  
Primary Ambient Air Quality Standards to protect public health in  
the Commonwealth; and

PROPOSED  
05/13/92

AN ORDINANCE

In amendment to an Ordinance designated as the "Cambridge Municipal Code."

WHEREAS, the City of Cambridge ("City") and the Massachusetts Department of Environmental Protection ("DEP") have agreed to cooperate in an effort to amend the State Implementation Plan ("SIP") under the Clean Air Act, 42 U.S.C. § 7401, et seq., as amended, regarding the measures to be taken by the City toward attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

WHEREAS, the City, as part of a settlement of a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge, entered into a Memorandum of Agreement ("MOA") with the Department of Environmental Protection ("DEP") on August 15, 1990, amended on May \_\_, 1992 and passed Ordinance No. 1112 on November 26, 1990 (the "Interim Ordinance"), amended on May \_\_, 1992; and

WHEREAS, the MOA and the Interim Ordinance require the City Manager to present to the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures directed toward attainment and maintenance of the National Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

PROPOSED  
05/13/92

**WHEREAS**, the City recognizes that attainment of the National Primary Ambient Air Quality Standards will require a regional program of transportation control measures to reduce vehicle trips and vehicle miles travelled; and

**WHEREAS**, the 1990 Clean Air Act Amendments specifically prohibit states and localities from implementing transportation control measures which will relocate traffic from one city or one area of a region to another; and

**WHEREAS**, the elements of this Ordinance are consistent with the policies of the City, the Interim Ordinance, and the federal Clean Air Act to reduce vehicle trips and vehicle miles travelled and encourage and develop greater use of public transit, bicycles, walking, and other alternative modes of travel; and

**WHEREAS**, implementation of this Ordinance will demonstrate the commitment of the City to promote the objective of the Clean Air Act by discouraging automobile traffic within and to the City; and

**WHEREAS**, enforcement of this Ordinance will achieve a reduction in vehicle miles travelled and promote attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

**WHEREAS**, the City has authority to enact the provisions of this Ordinance pursuant to G.L. Chapter 111, § 31C, as well as by authority derived from the City's general police power.

PROPOSED  
05/13/92

**NOW, THEREFORE,** be it ordained by the City Council of the City of Cambridge as follows:

A new chapter 10.17 shall be added to Title 10 of the Code (Vehicles and Traffic), as follows:

**Chapter 10.17**

**Vehicle Trip Reduction Ordinance**

Sections:	10.17.010	Time Period of Chapter
	10.17.020	Findings
	10.17.030	Definitions
	10.17.040	Expanded Commuter Mobility Program
	10.17.050	Bicycle and Pedestrian Mobility Program
	10.17.060	Restrictions on Visitor Passes
	10.17.070	Fees for Residential Parking Stickers
	10.17.080	Study of Zoning Revisions
	10.17.090	Improved Coordination with MBTA
	10.17.100	Regulation of Idling Busses, Trucks, and Taxis
	10.17.110	Taxicab Improvements
	10.17.120	Alewife Station and Garage
	10.17.130	Annual Survey of Commuting Characteristics of City Employees and Employees of Selected Employers
	10.17.140	Consultation with Employers and Residents about Elements of Regional Employer Vehicle Trip Reduction Program
	10.17.150	Use of Fees

PROPOSED  
05/13/92

- 10.17.160 Recommendations for a SIP Amendment  
Applicable to all Communities in the  
Commonwealth
- 10.17.170 Municipal Vehicle Trip Reduction Program
- 10.17.180 Expansion of Local Employment  
Opportunities
- 10.17.190 Further Expansion of Commuter Mobility  
Program
- 10.17.200 Restrictions on Parking Supply
- 10.17.210 Promotion of Clean Fuels
- 10.17.220 Development of Traffic Policy
- 10.17.230 Sunset Clause

**Section 10.17.010 - Time Period of Chapter.** Sections 10.17.040 through 10.17.150 of this Chapter shall take effect sixty (60) days after final approval by the City Council. The remaining provisions shall not take effect until, and shall at that time supersede and replace Chapter 10.16, sixty (60) days after final approval by the U.S. Environmental Protection Agency ("U.S. EPA") of a SIP amendment for Massachusetts which (i) contains a program of transportation control measures that are applicable equally to all communities in the Commonwealth such as an employer-based vehicle trip reduction program; and (ii) revokes any provisions of 40 C.F.R. Section 52.1135 that are applicable to Cambridge.

**Section 10.17.020 - Findings.** The City of Cambridge finds and determines that:

a. High levels of vehicle traffic and congestion add to air pollution, noise, and inconvenience and erode the quality of the living and working environment.

b. An increasing number of automobile registrations and jobs in the City has resulted in growth of traffic in and around Cambridge.

c. While the City has pursued programs to mitigate these conditions, new measures must be implemented by the City and the Commonwealth involving the participation of all sectors of the community on a local and regional basis to make more efficient use of mass transit, bicycling, walking, and other alternatives to trips by single-occupancy vehicles.

d. The Clean Air Act Amendments of 1990 call for the attainment of compliance with the National Ambient Air Quality Standard for Ozone within the Commonwealth by 1999.

e. Attainment of the Ozone Standard will require increased control of vehicle-related air pollution ("transportation control measures") throughout the Commonwealth, as well as the Nation.

f. Throughtrips and other traffic over which Cambridge has no control contribute significantly to the degradation of air quality in the region. The degradation of air quality, particularly ozone, is a regional problem which requires global and regional solutions.

g. A large portion of vehicle traffic on Cambridge streets

is attributable to trips that neither originate nor end in Cambridge ("throughtrips"). The City of Cambridge has virtually no control over these throughtrips. Accordingly, it is imperative that DEP amend the SIP to include transportation control measures applicable equally to all communities in the Commonwealth, including an employer-based vehicle trip reduction program, to achieve reductions in the number of vehicle trips and vehicle miles travelled throughout the region.

h. Increasing the use of commuting alternatives and reducing the number of trips by single-occupancy vehicles is beneficial for the City and the Commonwealth in reducing vehicle miles travelled, traffic and associated air pollution, fuel use, noise, and congestion.

i. Programs offered through employers, institutions, owners of multiple-tenant buildings and complexes and other organizations to encourage the use of mass transit, bicycling, walking, and other alternatives to commuting by single-occupancy vehicles are effective and should be expanded on a city-wide and regional basis.

j. The approach best suited to accommodate the diverse needs and capabilities of the governmental, business and institutional communities in the City, and recommended for adoption by DEP for state-wide application, is a flexible approach which establishes performance goals and permits

government and private employers, institutions, and automobile owners to select from among a variety of measures designed to contribute toward reaching the goals.

k. The vehicle trip reduction program recommended for adoption by DEP on a state-wide basis should give credit to those employers which have already made substantial progress in encouraging the use of mass transit, bicycling, walking, and alternative means of commuting and in providing such alternatives.

l. Measures to discourage, and provide alternatives to, vehicle trips and trips by single-occupancy vehicles made by residents of and visitors to Cambridge are also necessary to further the goals of the Clean Air Act.

m. Some of the measures contained in this Ordinance will achieve immediate reductions in vehicle miles travelled; others are designed to collect information and otherwise lay the foundation for future actions to reduce vehicle miles travelled and improve air quality. To maximize air quality benefits, some types of transportation control measures must be adopted and applied on a regional basis.

**Section 10.17.030 - Definitions.**

- a. City shall mean the City of Cambridge, Massachusetts.
- b. Clean Fuel shall mean any fuel or power source used in a vehicle that complies with the applicable standards for clean

fuel vehicles contained in Sections 241-245 of the Clean Air Act, 42 U.S.C. §§ 7581-7585.

c. Clean-Fuel Vehicle shall mean a vehicle in a class or category of vehicles which has been certified to meet the applicable clean-fuel vehicle standards as defined by and pursuant to the federal Clean Air Act Amendments of 1990.

d. Fleet shall mean ten (10) or more vehicles which are (i) owned, leased, controlled or operated by a single person or entity; or (ii) parked at the same location, excluding vehicles held for lease or rental to the general public, vehicles held for sale by dealers, vehicles used for law enforcement or emergency purposes.

e. Ozone Standard shall mean the National Ambient Air Quality Standard for ozone established pursuant to Section 109 of the Clean Air Act, 42 U.S.C. § 7409.

f. Region shall mean those communities located in Massachusetts between Interstate 495 and the Atlantic Ocean.

g. Selected Employers shall mean those employers in Cambridge who agree to participate in the Annual Survey of Employee Commuting Characteristics Program set forth in Section 10.17.130.

h. Throughtrips shall mean vehicle traffic on City of Cambridge streets attributable to trips that neither originate nor end in the City of Cambridge.

i. Transportation Control Measures are transportation control strategies aimed at reducing transportation-related emissions of pollutants and controlling the growth of future vehicle trips and vehicle miles travelled.

j. VMT is an abbreviation for vehicle miles travelled.

**Section 10.17.040 - Expanded Commuter Mobility Program.**

In addition to continuing activities currently in progress, the Commuter Mobility Coordinator shall develop and submit to the Assistant City Manager for Community Development and the City Manager a schedule for implementing additional programs including, but not limited to:

- \* a bicycle commuter program, in conjunction with the Cambridge Traffic and Parking Department and the Bicycle Advisory Committee, involving consultation with Cambridge residents and businesses;
- \* a program to assist employers in establishing bicycle commuting incentives;
- \* a feasibility study of the potential use of an in-city paratransit system of jitney services or shuttles to transit locations, areas of major employment, and major commercial/retail destinations; and
- \* a program for publicizing successes achieved by businesses and institutions in decreasing the number of single-occupancy vehicle commuters to their establishments.

**Section 10.17.050 - Bicycle and Pedestrian Mobility Program.**

The position of Bicycle and Pedestrian Coordinator is created within the Cambridge Traffic and Parking Department. The City Manager shall, within one month of the effective date of

PROPOSED  
05/13/92

this provision, designate the Bicycle and Pedestrian Coordinator. The Bicycle and Pedestrian Coordinator shall devote at least 50% of his/her time to carrying out the tasks required by this provision. The Bicycle and Pedestrian Coordinator shall, in conjunction with the Commuter Mobility Coordinator and the City's existing Bicycle Advisory Committee, (i) design and implement a program to encourage greater use of bicycles as alternatives to single-occupancy vehicles within the City and (ii) focus the attention of the City on the needs of pedestrians. The program will include, but is not limited to:

- \* development of a Cambridge Bicycle Master Plan;
- \* development of a Cambridge Pedestrian Master Plan;
- \* development and evaluation of recommendations for a regional network of bicycle paths and bicycle priority streets favoring both bicycles and pedestrians;
- \* consultation with Cambridge residents and businesses;
- \* funding of bicycle amenities and storage facilities;
- \* funding of pedestrian amenities; and
- \* provision of bicycles for use by City police and Traffic and Parking Department staff.

The program shall be funded at an initial level of [\$25,000] annually; these funds shall be in addition to, and not utilized for, the salary of the Bicycle and Pedestrian Coordinator.

**Section 10.17.060 - Restrictions on Visitor Passes.**

a. **Official City Visitor Passes.** The Citywide visitor passes that have been distributed to authorized individuals will

be invalid thirty (30) days after the effective date of this provision. The Cambridge Traffic and Parking Department is authorized to issue stickers to individuals who would be authorized to receive a Citywide visitor pass. In order to be effective, a sticker must be affixed to a vehicle and must display the vehicle registration number and an expiration date.

b. Residential Visitor Passes. Beginning on the January first following the effective date of this provision, each residential visitor pass issued by the Traffic and Parking Department shall be designed to display a calendar for the year during which it is valid. Upon issuing a pass, the Traffic and Parking Department shall write the resident's address on the front of the pass. To be valid on a given date, the pass must be displayed in the windshield and the date of use must be circled.

Section 10.17.070 - Fees For Residential Parking Stickers.

The fees for residential parking stickers shall be as follows:

1st Sticker per Household	\$ 8.00
2nd Sticker per Household	\$ 12.00
3rd Sticker per Household	\$ 50.00
4th Sticker per Household	\$100.00
5th and additional Stickers per Household	\$200.00

For the purpose of this measure, all vehicles registered at the same residential address shall constitute the vehicles registered to a household. Reductions and waivers available under current law to elderly and handicapped residents shall

remain in effect.

**Section 10.17.080 - Study Of Zoning Revisions**

The Cambridge Planning Board (the "Board") shall consider revising the required parking space ratios specified in the City of Cambridge Zoning Ordinance and shall evaluate the effectiveness of such revisions in reducing VMT and traffic congestion and encouraging the increased use of commuting alternatives other than by single-occupant vehicles. Consideration shall be given, without limitation, to such potential revisions as reduction of minimum and maximum parking requirements, special provisions for carpools and vanpools, and encouragement of mixed-use developments.

The Board shall publicly report its recommendations within one year of the effective date of this provision.

**Section 10.17.090 - Improved Coordination with MBTA.**

The Commuter Mobility Staff shall undertake a survey of residents and commuters to identify barriers to use of the MBTA. Based on the survey results, the Commuter Mobility Staff and the Department of Traffic and Parking shall meet with representatives of the MBTA to (i) improve public transportation schedules and routes; (ii) improve bus stop signage; and (iii) review placement of bus stops. Examples of points where coordination should be improved include:

- \* Busses from Belmont to Lechmere;

PROPOSED  
05/13/92

- \* Connecting routes through Harvard and Central Square; and
- \* Synchronizing schedules of busses from Belmont, Arlington, and along Huron Avenue in Cambridge.

**Section 10.17.100 - Regulation of Idling Busses, Trucks, and Taxis.**

The Police Department shall promptly review and improve its enforcement of the statutory prohibitions against idling by busses, trucks, and taxis set forth at M.G.L. ch. 90, section 16A. Within two (2) months of the effective date of this provision, the Commissioner of the Police Department shall report to the City Manager on the Department's implementation of this provision.

**Section 10.17.110 - Taxicab Improvements.**

The License Commission, through the Taxicab Advisory Committee, shall consult with the taxicab industry, residents, and commercial establishments in the City and prepare recommendations:

- \* to make taxicabs more accessible for use by multiple passengers with different destinations. The object of this recommendation shall be to decrease single-occupant use of taxicabs by providing monetary incentives for the taxicab drivers and reducing the cost for passengers; and
- \* about the potential role of taxicabs in a paratransit system for the City.

**Section 10.17.120 - Alewife Station and Garage.**

The Assistant City Manager for Community Development or his designee shall consult with Alewife neighborhood groups and other

interested persons concerning the demand for (i) a railroad station at Alewife and (ii) an expansion of the Alewife garage.

**Section 10.17.130 - Annual Survey of Commuting Characteristics of City Employees and Employees of Selected Employers.**

a. The City shall develop an Employer Survey Kit which will include an Employee Survey Form, administration plan, and Automobile Efficiency Rate ("AER") (defined below) calculation sheet, designed to elicit commuting data and actual AER from all City employees and employees of Selected Employers. The Employer Survey Kit shall be prepared and distributed to City Departments and Selected Employers within six (6) months of the effective date of this provision. Each City Department and Selected Employer shall distribute copies of the Employee Survey Form to and collect completed forms from a minimum of seventy-five percent (75%) of its employees. Each City Department and Selected Employer shall, no later than three (3) months from the date the Employer Survey Kit is distributed, submit to the Assistant City Manager for Community Development all completed Employee Survey Forms, provided that, any Selected Employer may instead submit a report of the results of the employee survey on a standard AER calculation sheet, signed and certified as to its accuracy by an officer of the Company. A Selected Employer that does not submit the Employee Survey Forms shall retain such forms for a minimum of three (3) years. These forms shall be made

PROPOSED  
05/13/92

available to the Assistant City Manager for Community Development or his designee, upon request.

b. Each Selected Employer shall cooperate with the Assistant City Manager for Community Development and the Commuter Mobility Staff in providing information about plans and programs being utilized to encourage commuter travel modes other than by single occupancy vehicles. At such time as the City implements or enforces an employer-based vehicle trip reduction program on a city-wide basis, each Selected Employer which has cooperated with the Community Development Department and the Commuter Mobility Staff and which has complied with paragraph a hereof shall be entitled to use the AER reflected in its initial Employer Survey Response as its baseline AER regardless of the extent of improvements in its AER produced as a result of its cooperation with the Community Development Department or its own commuter mobility initiatives.

c. The Assistant City Manager for Community Development shall make arrangements with the Commuter Mobility Staff to coordinate: (i) designation of and written agreements with Selected Employers; (ii) preparation and distribution of the Employer Survey Kits; (iii) calculation of the Base AER; (iv) review and tabulation of the Employer Survey Responses; (v) recalculation of the Base AER based on review and analysis of the Employer Survey Responses. The Assistant City Manager for

Community Development shall have the authority to engage the services of technical consultants to assist with these tasks.

d. The phrase Automobile Efficiency Rate ("AER") shall mean the figure calculated by dividing the number of employees who report to a Worksite within the City of Cambridge between 6:00 a.m. and 10:00 a.m. (inclusive Monday through Friday to achieve a five consecutive weekday average) by the number of vehicles used by those employees to reach the Worksite during those hours. Bicycles, public transit vehicles, and approved Clean-Fuel Vehicles shall be excluded from the vehicles counted. Motorcycles and light trucks shall be included in the vehicles counted.

e. The term Base AER for the City of Cambridge shall be derived from the 1990 census modal share data and travel statistics. The Base AER is subject to recalculation as provided above.

f. The term Carpool shall mean a private motor vehicle occupied by two to six employees travelling together for at least 75% of their commute trip distances.

g. The term Commute Alternatives shall mean carpooling, vanpooling, use of public transit, bicycling and/or walking.

h. The term Employee shall mean any person hired by a public or private employer, including part-time and seasonal employees, who reports to work at least two (2) days a week

during five (5) or more months of the year.

i. The term Worksite shall mean a building or grouping of buildings which are located within the City of Cambridge and are on physically contiguous parcels of land or on parcels separated solely by private or public roadways or rights-of-ways and which are owned, operated, or leased by the same Employer.

**Section 10.17.140 - Consultation with Employers and  
Residents about Employer Vehicle Trip  
Reduction Program.**

The Assistant City Manager for Community Development or his designee shall consult with Cambridge businesses, institutions, City departments, and residents to evaluate recommendations for a regional employer-based vehicle trip reduction program. During this consultation process, issues to be considered shall include:

- (i) whether different areas of the City should be subject to different AER goals, depending on their proximity to public transit;
- (ii) what the annual rate of improvement in the AER Goal should be;
- (iii) which, if any of the vehicle trip reduction plan elements identified in Section 10.17.170 should be required to be implemented by all employers in the City;
- (iv) whether employers should be required to achieve a City-wide AER Goal within a specified time period or whether penalties should only be imposed for an employer's failure to implement its plan;
- (v) identification and development of mechanisms for transferring and/or sharing use of parking spaces as demand for parking spaces decreases at a given worksite; and

(vi) whether any categories of employers should be exempt.

**Section 10.17.150 - Use of Fees.**

One hundred percent (100%) of the funds raised through the sale of residential parking stickers shall be used for implementing the tasks and programs specified in this Chapter.

**[THE FOLLOWING SECTIONS ONLY TAKE EFFECT AFTER STATE AND FEDERAL ACTION TO ADOPT A REGIONAL OR STATE-WIDE PROGRAM]**

**Section 10.17.160 - Recommendations for a SIP Amendment  
Applicable to all Communities in the  
Commonwealth.**

In order to ensure that the vehicle trip reduction measures in this Ordinance achieve their intended effect of reducing vehicle miles travelled and enhancing air quality in the Commonwealth, the City shall include in its submittal to the Metropolitan Planning Organization ("MPO") and DEP recommendations for an amendment to the State Implementation Plan under the federal Clean Air Act applicable equally to all communities in the Commonwealth. These recommendations shall include, but not be limited to:

- (1) a proposal for an employer-based vehicle trip reduction program;
- (2) a proposal for measures applicable to new development projects to mitigate the traffic impacts of such projects and reduce vehicle miles travelled to and from such projects;
- (3) a proposal for revising state taxing policies

concerning employer-paid transportation and parking subsidies;

- (4) a proposal for evaluating the utility of imposing fees on single-occupant commuter vehicles and/or commuter parking;
- (5) a proposal for achieving appropriate convenient public transportation from the west and north to Cambridge, including but not limited to support of a circumferential transit system;
- (6) preventing the diversion of traffic oriented toward Cambridge to other areas with more limited transit availability;
- (7) assuring that Cambridge is not placed at a competitive disadvantage within the Region or the Commonwealth;
- (8) reducing the growth in volume of throughtrips on Cambridge roadways which is outside the control of the City; and
- (9) improved and extended use of water taxis.

**Section 10.17.170 - Municipal Vehicle Trip Reduction Plans.**

Based on its review of the Employee Survey Forms collected pursuant to Section 10.17.130, the Commuter Mobility Staff shall prepare a vehicle trip reduction plan for implementation by City Departments. The plan shall contain a program of measures designed to reduce vehicle trips and vehicle miles travelled by municipal employees and thereby improve the City's AER, as computed on the annual AER calculation sheets. The plan may include a variety of measures including, but not limited to:

- \* dissemination and periodic updating of information on all available transit service to and from the Worksite;
- \* advertising, promoting and making available for purchase on the Worksite any pass program offered by

transit authorities;

- \* recommendations to individual employees of employee-specific travel options to reduce VMT;
- \* incentives and assistance for bicycle commuting including secure parking facilities, shower/changing facilities, and education and training programs;
- \* coordinating, facilitating and providing subsidies for employer-sponsored rideshare programs;
- \* preferential parking for carpools and vanpools;
- \* transportation allowances;
- \* expanding opportunities for alternative work schedules including 4-day weeks and flexible schedules to facilitate ridesharing;
- \* elimination or reduction of parking subsidies for single-occupant vehicles;
- \* shuttle service to transit stops; and/or
- \* elimination of employee parking spaces.

After consultation with the Assistant City Manager for Community Development and the City Manager about the plan, the Commuter Mobility Staff shall promptly distribute it to City Departments for implementation. The Commuter Mobility staff shall assist City Departments with implementation of the plan.

**Section 10.17.180 - Expansion of Local Employment Opportunities.**

To demonstrate and further its commitment to increase the number of Cambridge residents employed by Cambridge businesses and reduce vehicle miles associated with work commutes, the annual budget for expansion of local employment opportunities

PROPOSED  
05/13/92

shall be increased to [\$130,000]. That budget shall be applied as follows:

1. To continue and expand the Cambridge Employment Program within the Community Development Department;
2. To sponsor an annual job fair to inform residents of local employment opportunities;
3. To sponsor and coordinate educational partnerships between Cambridge employees and schools in Cambridge; and
4. To develop a Local Employment Opportunity Plan.

These functions shall be coordinated and carried out by the Community Development Department in conjunction with the Department of Human Services and under the supervision of the Assistant City Manager for Community Development. The Local Employment Opportunity Plan shall be developed within one year of the effective date of this provision.

**Section 10.17.190 - Further Expansion of Commuter Mobility Program.**

The Assistant City Manager for Community Development, in consultation with the City Manager, shall have authority to hire additional staff to implement the tasks and programs specified in this Chapter. Within three (3) months of the effective date of this provision, at least one additional Commuter Mobility staff member shall be hired. The Commuter Mobility Coordinator shall develop and promptly implement additional programs including but not limited to:

- \* a program encouraging the use and sharing of computer

ride-sharing information between and among businesses and institutions in the City;

- \* a program to encourage commercial and retail businesses to offer discounts to patrons with MBTA transit passes;
- \* a residential trip reduction program for apartment and condominium complexes of 50 or more units; and
- \* implementation of an in-city paratransit system, to the extent funds are available, to supplement MBTA services.

**Section 10.17.210 - Restrictions on Parking Supply.**

a. **Expansion of Parking Regulation.** Within six (6) months of the effective date of this provision, the Traffic and Parking Department shall submit to the City Manager an updated written inventory of all on-street parking spaces specifying the restrictions applicable to each such parking space. As to any space which has not been restricted or removed from the supply of on-street spaces pursuant to Chapter 10.16.071 of Title 10, the Traffic and Parking Department shall prepare a recommendation for restriction of each such space to discourage its use for long-term commuter parking. These restrictions may include, without limitation, an absolute prohibition against parking, installation of parking meters, imposition of time restrictions, and/or restrictions for use by residents with permits. The Director of Traffic and Parking shall make the recommendations available for public review and shall schedule one or more public meetings, as appropriate, for public discussion of the recommendations. Within one month after the public meetings, the Traffic and

PROPOSED  
05/13/92

Parking Department shall submit its revised recommendation to the City Manager. After consultation with the City Manager, the Traffic and Parking Department shall promptly implement the recommendations.

b. Municipal Parking Rates. The rates for daily and monthly parking at all City-owned off-street parking facilities shall be increased by twenty-five percent (25%) over current rates, to be effective within sixty (60) days of the effective date of this provision.

c. Exclusive Residential Parking Near MBTA Stations. The Traffic and Parking Department, in consultation with neighborhood groups, residents, commercial establishments, and the City Manager, shall prepare a proposal for establishing exclusive residential parking zones on primarily residential streets located near MBTA stations. The object of the proposal shall be to limit residential parking on targeted streets close to MBTA stations to residents of those neighborhoods by means of appropriate signage and special resident stickers. The Traffic and Parking Department shall convene a public meeting on its proposal within four (4) months of the effective date of this provision. Within one (1) month after such public meeting, and after consultation with the City Manager, the Director of Traffic and Parking shall cause the proposal to be implemented.

**Section 10.17.210 - Promotion of Clean Fuels.**

The Department of Public Works shall study, promote, encourage, and identify incentives for the use of Clean Fuel in fleets of vehicles operating within the City. The study shall include an evaluation of the use of such fuels as methanol, compressed natural gas, and reformulated gasoline based on characteristics of fleets in Cambridge and implementation costs. The study shall also identify reasonably available incentives which could be offered by the City, such as tax credits, to encourage use of Clean Fuel in fleets of vehicles. The sum of [\$15,000] shall be appropriated for this program.

**Section 10.17.220 - Development of Traffic Policy.**

The Assistant City Manager for Community Development and the Director of the Traffic and Parking Department, or their designees, shall with one year of the effective date of this provision, conduct a study of major highways, city through streets, streets with schools, different types of residential streets, and streets at the borders of the City. Based on that study, they shall prepare a written recommendation of:

- (i) Appropriate speeds and volumes for Cambridge streets; and
- (ii) Means of encouraging travel and traffic patterns that reduce VMTs.

This written recommendation shall be submitted to the City Council for review and appropriate action.

**Section 10.17.230 - Sunset Clause.**

The provisions of this Chapter shall cease to be effective on the date either the Department of Environmental Protection or the U.S. Environmental Protection Agency adopts a final rule or regulation that imposes a freeze, cap, or other fixed limit on the number of parking spaces in Cambridge, unless such freeze, cap, or other limit is applicable equally to communities throughout the Region. The purpose of this sunset clause is to give the City the opportunity to decide whether to continue to implement the numerous provisions of this Chapter in the event that it is singled out and subjected to state or federal regulation that puts it at a competitive or other disadvantage in the Region.

JEC

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WENDY B. JACOBS

May 13, 1992

Robert W. Healy, City Manager  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

Re: SIP Revision

Dear Bob:

At the request of the Chair of the City Council Committee on Ordinances, I am enclosing a proposed ordinance to amend the Interim Parking Freeze Ordinance to improve its continued implementation during the period until a SIP Amendment replacing it has been approved by the U.S. Environmental Protection Agency (EPA). Also enclosed for submission to the Committee on Ordinances is a redraft of the Vehicle Trip Reduction Ordinance which incorporates the measures recommended by the Chair.

As requested in the Chair's memorandum to the Committee, some of the provisions in the redrafted Vehicle Trip Reduction Ordinance are studies which may lead to additional transportation control measures in the future. Other provisions would achieve reductions in vehicle miles travelled soon after implementation.

In view of the recent City Council and Ordinance Committee hearings and the City Council Resolution of April 27, 1992, the employer-based trip reduction measure and the new development measure originally proposed for the Council's consideration are not included in the redrafted Ordinance and thus would only become applicable in Cambridge as part of a transportation control program adopted by the Department of Environmental Protection (DEP) for application throughout the Commonwealth. I do note, however, that pursuant to the special permit process in Cambridge, significant new developments are typically required to prepare and implement traffic mitigation and/or transportation management plans. Furthermore, the redrafted Ordinance contains a provision by which the City would submit recommendations to DEP for a broad-based program of transportation control measures applicable throughout the Commonwealth. These would include, for example, an employer-based trip reduction program, a new development-based trip reduction program, an evaluation of

Robert W. Healy, City Manager  
May 13, 1992  
Page 2

pricing and taxing strategies to shift the cost of inefficient driving behaviors onto drivers, and improvements to public transit.

I call your specific attention to my attempt to respond to a sequencing issue raised by the City Council Resolution dated April 27, 1992 that was not directly addressed in the Chair's earlier memorandum. As I understand the concerns expressed by the Committee and the Council, there is reluctance by the members to adopt measures now that will place Cambridge employers and businesses at a competitive disadvantage in relation to those in other communities or to subject Cambridge residents to inconveniences not yet being imposed on residents of other communities. To address this concern, Section 10.17.010 provides that some provisions would be effective immediately but others would not take effect until a later date. That later date is keyed to adoption by DEP of a program of transportation control measures designed to reduce vehicle miles travelled and apply equally to communities throughout the Commonwealth.

I anticipate that DEP may, during the next few years, adopt a SIP containing an employer-based vehicle trip reduction measure similar to the one you originally submitted to the Council. Given the substantial benefit to air quality that would result from such a measure (particularly if it is made applicable equally throughout the Commonwealth), the City would reasonably expect that the interim parking freeze would be lifted so that the Cambridge would then be subject to the same transportation control measures imposed on all communities in the region. There is, however, a likelihood that given the history of litigation surrounding the parking freeze in Cambridge and the Conservation Law Foundation's ongoing efforts to link the Cambridge parking freeze to the Central Artery project, the state may seek to minimize further litigation on the issue by taking no action to lift the Cambridge parking freeze or by otherwise incorporating some form of a parking freeze in its future SIP revisions. If this were to happen, then, contrary to what the Council may intend by adopting a comprehensive program of transportation control measures, Cambridge may nonetheless remain at a competitive disadvantage to other communities.

If DEP fails to lift the Cambridge parking freeze and the City has already enacted an Ordinance by which all measures take effect immediately, the result may be that Cambridge will be saddled with whatever regional program is imposed by DEP, all of the additional local measures contained in the Chair's list, and a parking freeze. It was not clear to me that the Committee members understood this possible outcome or that they would be content with such a result.

Robert W. Healy, City Manager  
May 13, 1992  
Page 3

To anticipate such an outcome and yet continue the City's efforts to advance the objectives of the Clean Air Act, the City could adopt several measures now and provide for other measures to take effect shortly after the adoption by the state of a regional or state-wide program provided that the state agrees to lift the parking freeze in Cambridge. In addition, the City could preserve its right to decide whether to continue to implement the entire Ordinance in the event that at a future date DEP or EPA were to single the City out and subject it to additional measures that are not applicable elsewhere in the Region and thus place the City at a disadvantage. It is these objectives that Sections 10.17.010 and 10.17.230, the Effective Date and Sunset Clause, are designed to achieve.

In summary, as drafted, the Ordinance proposes the immediate effectiveness of certain measures beyond those being implemented by other cities in the Commonwealth to address clean air issues. The provisions that would take effect immediately are largely drawn from the Chair's list of "effective non-controversial measures to adopt now" and also include certain important study measures identified in the Chair's list of items for possible future implementation. While significant to the City's ongoing efforts to contribute to improvements in air quality, the measures proposed to take immediate effect would not unreasonably burden the City's residents or businesses. Rather, the City as an institution would bear the brunt of any burden. Some of the measures proposed for immediate implementation are: some expansion of the Commuter Mobility Program, creation of a Bicycle and Pedestrian Mobility Program, restrictions on visitor passes, study of zoning revisions, coordination with the MBTA, an annual survey of the commuting characteristics of City employees and employees of those employers who volunteer to participate in the survey program, and consultation with employers and residents about the types of goals and measures for employer-based vehicle trip reduction programs deemed appropriate for Cambridge so that Cambridge can participate in a meaningful way in the state's development of such a program for application regionally or Commonwealth-wide.

These provisions will enable the City to work toward improved transportation management proposals within the City while waiting for the state decision on a regional transportation control plan for the SIP.

Additional measures in the Ordinance would not take effect until DEP and EPA amend the SIP to include transportation control measures applicable equally throughout the Commonwealth. These additional measures include: a municipal vehicle trip reduction program, further expansion of the commuter mobility program,

Robert W. Healy, City Manager  
May 13, 1992  
Page 4

expansion of local employment opportunities, restrictions on the parking supply, and study of clean fuels for City fleets. At such time as a broad regional or Commonwealth-wide program of measures is instituted by DEP and EPA, then the City would be subject to the regional plan and would also implement the above-listed additional measures locally. These additional measures would further reduce vehicle miles travelled by a significant amount and would thus be in lieu of and would justify lifting the parking freeze in the City. Cumulatively, all of the measures in the Ordinance, as the technical data previously submitted to the Committee and DEP show, would produce significant savings in vehicle miles travelled. The technical data demonstrates the superiority of the measures in the Ordinance in combination with an employer-based vehicle trip reduction program in reducing air pollution as compared with a parking freeze. If the City immediately implements all of these measures, there is no way to ensure that Cambridge does not remain the only City in the Commonwealth subject to both a city-wide parking freeze and a regional vehicle trip reduction plan.

If the Council decides to adopt this approach, it can submit the adopted Ordinance to the Metropolitan Planning Organization ("MPO"). We can also prepare a memorandum for the MPO that explains the value of an employer-based trip reduction measure and new development-based measure applicable to communities across the Commonwealth and provide supporting technical data to assist the MPO and DEP in developing such a regional program. The City will still have the opportunity through the public hearing process to comment on any proposals generated by the MPO and DEP and to use the input received from Cambridge employers and residents.

Very truly yours,



Wendy E. Jacobs

WBJ:cmh  
Enclosures



# CAMBRIDGE CITY COUNCIL

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Alice K. Wolf  
City Councillor

Mayor  
1990-1991

## SUGGESTED ACTION ON CAMBRIDGE RESPONSE TO SIP

### Introduction

The City Council has the opportunity to recommend a plan to put Cambridge in compliance with The Clean Air Act, as amended. This plan would focus on reducing emissions from moving sources of pollution, largely automobiles, and would become part of the Commonwealth's draft State Implementation Plan (SIP). This draft will provide a regional plan for reducing air pollution; it will require extensive public hearings. The Commonwealth is required to submit a plan by November, 1993.

The City Council has before it a plan submitted by the City Manager. It has a number of components. They are largely focussed at reducing the number of vehicle miles travelled in the City.

The City Council also has testimony and recommendations from citizens, businesses, and groups, including an extensive proposal from Cambridge Citizens for Livable Neighborhoods.

The clearest points to come from the submissions and testimony so far are:

1. Residents and business people alike recognize the importance of cleaning up current levels of air pollution.
2. Residents and business people alike feel that there must be a regional solution for the environmental clean-up.
3. Residents are unalterably opposed to the 4-zone solution for reducing VMTs generated by residents.
4. Business people are unalterably opposed to stringent

mandatory regulations that reduce travel and parking options unless others in the region must comply with similar regulations.

#### **Recommendation on Procedure**

In keeping with this understanding, I recommend to the City Council that it proceed in the following manner:

I recommend that the City Council take three types of actions:

- 1. The City Council should adopt effective but non-controversial parts of the City Manager's vehicle trip reduction ordinance or of other proposals.** These are actions that can readily be implemented in the near future, will make some gains, or can provide the base in information or funds for future actions. These actions should be submitted to the Commonwealth as part of the regional plan.
- 2. The City Council should improve the interim ordinance to make its continued implementation better and more palatable.** Such improvement would include converting some of the presently unregulated spaces into spaces in the parking bank, assuring that those needs that meet a public purpose get priority, and filling the unfilled positions on the IPC. The goal is to complete the regional plan to supercede the interim ordinance.
- 3. The City Council should identify potentially useful measures in the various proposals for additional study and later implementation.** These are components of the proposals that are more complex, need careful discussion and analysis, and/or need to tie down funding; however, they are seen as having good potential for the long-run and for the regional plan. The City Council and the Manager should put in place a careful process with businesses and citizens to develop the details of those proposals. These proposals should become part of the discussion within the regional planning process as well, but would not be commitments of the City unless and until fully worked out and adopted by the City Council.

## **Specific Measures for Each Action**

### **Effective, non-controversial measures to adopt now**

1. Expanded mobility program, as outlined in the City Manager's plan. The City has implemented the start of a commuter mobility program. Though it has been lightly staffed, it has made substantial contributions to the goals and to the business community. Now the program should receive adequate staffing; work toward utilizing computer ride-sharing; highlight successes achieved by businesses in their programs; ensure credit to businesses which adopt traffic mitigation measures such as T pass subsidies or carpool preferential parking. In addition, it would spur the work of in-city paratransit system, by continuing support of shuttles being developed, and helping to coordinate them for greater impact.
2. Bicycle and pedestrian program. Adopt proposals and utilize the Bicycle Advisory Committee. In addition, focus the attention of the City on the needs of pedestrians.
3. Control on use of official city visitor passes and improvements in visitor parking pass program.
4. Promote local employment program for Cambridge residents.
5. Coordinate with the MBTA. Pressure the MBTA to improve public transportation schedules and routes. For example, route busses from Belmont through to Lechmere; synchronize Belmont, Arlington and Huron bus schedules; connect routes at Harvard and Central squares; improve coordination of schedules at transfer point. Improve bus stop signage and review placement of bus stops. Undertake survey of residents and commuters to better understand barriers to use of the MBTA.
6. Regulate and enforce regulation of idling busses, trucks, and taxis.
7. Implement appropriate transportation Management plans for new developments.
8. Begin mobility program for municipal employees.
9. Develop and do an employer survey of employees' transportation needs to get a better understanding of issues around developing effective and feasible employer trip reduction plans.
10. Promote clean fuels for vehicle fleets.
11. Develop a traffic policy. This policy will identify major highways, city through streets, streets with schools, and

different types of residential streets. The city will then establish appropriate speeds and volumes for these streets.

12. Increase off-street municipal fees for all-day parking.  
-----

Useful, but more controversial:

13. Progressive fee schedule for residential parking stickers.

**Improve the interim ordinance**

1. Convert some presently unregulated spaces into spaces in the parking space bank. That is make them residential, metered, or no parking.

2. Ensure that public policy priorities receive priority in receiving spaces.

3. The City Manager to fill unfilled positions on the IPCC.

**Work toward future implementation after feasibility study**

1. For those unregulated spaces not dealt with in 1. above, work toward appropriate resolution of these spaces.

2. Regional Cambridge through-trip reduction program. Study roadways at the borders of Cambridge to see if alternative routes that do not increase VMTs can be encouraged.

3. Employer Trip Reduction Plans. Work with representatives of the business community to assess different approaches. Utilizing results of the employer surveys, develop employer trip reduction approach that most meets the needs of the business community and the clean air goals.

4. Zoning revisions. Work toward zoning revisions that join together reductions in required parking with access to public transportation.

5. Study and develop mechanisms for transferring parking spaces and generally dealing with different parking needs when the program is successful.

6. Evaluate the effectiveness, feasibility, and means of pricing strategies for parking for a fee or other means of passing the costs of driving along to the drivers.

7. In-city paratransit system. Drawing on the experience with shuttles, work to develop a broader in-city system for residents and commuters, through planning, following up alternative financing strategies for start-up, such as federal transportation or clean fuel dollars, coordinating with the MBTA, working with the taxi

industry.

8. Commuter public transportation. Get help from the State, our legislators, etc. to get appropriate convenient public transportation from the West and the North in the near future. Work toward more long term public transportation, such as the circumferential transit system.

9. Taxicab improvements. Work with the cab industry, residents, and business people to make taxi fares oriented to increased passengers, making higher fees for drivers and lower cost for users. Evaluate taxi industry's potential role in the paratransit.

10. Residential parking near MBTA stations. Work with residents to assess the possibility of special residential zones in the streets abutting subway stations.

11. Work with Alewife groups and others to assess need of railroad station and/or expansion of Alewife garage.

Qec



# CAMBRIDGE CITY COUNCIL

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Alice K. Wolf  
City Councillor

Mayor  
1990-1991

May 13, 1992

To: The Honorable Members of the Ordinance Committee  
From: Councillor Alice Wolf, Chair

On April 14, this Committee discussed an ordinance submitted by the City Manager regarding Cambridge's participation in the State Implementation Plan (SIP) of the Clean Air Act. At that time, I submitted to you a memorandum of suggested action.

Today, I am submitting an amended version of the recommendations, including many suggestions of City Councillors and the public. The City Manager will also submit an amended version of the ordinance that reflects these comments.

In addition to the commitment to a regional approach, some of the broad concerns that have been expressed are that we must:

- ✓ Commit only to actions that we really can accomplish.
- ✓ Have some clear, quantifiable measures for progress.
- ✓ Create an advisory structure for residents and business people.
- ✓ Get credit from the State for parking reductions achieved before a statewide SIP and pass similar credits on to businesses.
- ✓ Have adequate resources to meet our commitments.
- ✓ Address, in the long run, the issue of a cap on parking versus complex vehicle trip reduction measures.
- ✓ Have a real working plan with the State's DEP and the MBTA to develop a regional response.

RECOMMENDATION After further discussion at this meeting, the memorandum and ordinance be reported out to the City Council. Additional amendments would be made at the City Council level.



# CAMBRIDGE CITY COUNCIL

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City Councillor

Mayor  
1990-1991

## SUGGESTED ACTION ON CAMBRIDGE RESPONSE TO CLEAN AIR ACT

Submitted to the Ordinance Committee of the City Council  
May 13, 1992

### Introduction

The City Council has the opportunity to recommend a plan to put Cambridge in compliance with The Clean Air Act, as amended. This plan would focus on reducing emissions from moving sources of pollution, largely automobiles, and would become part of the Commonwealth's draft State Implementation Plan (SIP). This draft will provide a regional plan for reducing air pollution; it will require extensive public hearings. The Commonwealth is required to submit a plan by November, 1993.

The City Council is committed to working cooperatively within the city, with residents and the business community, and to induce state agencies to work cooperatively with the City as well. It has become clear that it will only be with extensive, cooperative work that a satisfactory permanent total plan will emerge. This will require the development of a clear participation plan.

The City Council has had before it a plan submitted by the City Manager. It has a number of components. They are largely focussed at reducing the number of vehicle miles travelled in the City.

In response to that plan, the City Council also has had testimony and recommendations from citizens, businesses, and groups. The City Council also received an extensive proposal from the Cambridge Citizens for Livable Neighborhoods.

The clearest points to come from the submissions and testimony so far are:

1. Residents and business people alike recognize the

importance of cleaning up current levels of air pollution.

2. Residents and business people alike feel that there must be a regional solution for the environmental clean-up.

3. Residents are unalterably opposed to the 4-zone solution for reducing VMTs generated by residents. In response, the City Council voted to delete the 4-zone plan.

4. Business people are unalterably opposed to stringent mandatory regulations that reduce travel and parking options unless others in the region must comply with similar regulations. In response, the City Council voted a resolution that commits itself to a regional approach for such regulations.

5. The key to effective measures will be alternative forms of transportation. Public transportation, shuttles, car-pooling, highway improvements that give advantages to pooled transportation will be necessary to make other measures effective.

In response to the hearings, testimony, recommendations, and correspondence, City Councillors have made additional recommendations. These recommendations along with others have, to the extent possible, been incorporated into this document.

These responses of the City Councillors and the public have shown the strong commitment of all sectors of the community to work on this difficult project in a collaborative manner as long as we assure that Cambridge is not singled out for actions that are really required at the regional level.

#### **Recommendation on Procedure**

In keeping with this understanding, I recommend to the City Council that it proceed in the following manner:

I recommend that the City Council take three types of actions:

1. The City Council should adopt effective but non-controversial parts of the City Manager's vehicle trip reduction ordinance or of other proposals. These are actions that can readily be implemented in the near future, will make some gains, or can provide the base in information or funds for future actions. These actions should be submitted to the Commonwealth as part of the regional plan.

2. The City Council should improve the interim ordinance to make its continued implementation better and more palatable. Such improvement would include converting some of the presently

unregulated spaces into spaces in the parking bank, assuring that those needs that meet a public purpose get priority, and filling the unfilled positions on the IPC. The goal is to complete the regional plan to supercede the interim ordinance.

3. The City Council should identify potentially useful measures in the various proposals for additional study and later implementation. These are components of the proposals that are more complex, need careful discussion and analysis, and/or need to tie down funding; however, they are seen as having good potential for the long-run and for the regional plan.

The City Council and the Manager should put in place a careful process with businesses and citizens to develop the details of those proposals. These proposals should become part of the discussion within the regional planning process as well, but would not be commitments of the City unless and until fully worked out and adopted by the City Council.

In adopting this approach, the City must find a way to measure progress. There must be a way to measure the impact of the actions to be adopted immediately. In addition, there must be a way to measure the manner in which individual companies are contributing to this progress.

#### **Specific Measures for Each Action**

##### **Effective, non-controversial measures to adopt now**

1. Expanded mobility program, as outlined in the City Manager's plan. The City has implemented the start of a commuter mobility program. Though it has been lightly staffed, it has made substantial contributions to the goals and to the business community.

Now the program should receive adequate staffing; work toward utilizing computer ride-sharing; highlight successes achieved by businesses in their programs; ensure credit to businesses which adopt traffic mitigation measures such as T pass subsidies or carpool preferential parking. In addition, in order to spur the work of in-city paratransit system, the programs must give substantive help to newly proposed shuttles, and help to coordinate them for greater impact.

The commuter mobility program should be a key part of developing employer plans, as described in 9. of this section.

2. Bicycle and pedestrian program. Adopt proposals and utilize the Bicycle Advisory Committee. To support the use of bicycles, bicycles should be included in all infrastructure planning and developers should be assisted in including plans for bicycles in

new and remodeled development.

In addition, focus the attention of the City on the needs of pedestrians -- organize a pedestrian campaign.

3. Control on use of official city visitor passes and improvements in visitor parking pass program.

4. Promote local employment program for Cambridge residents. Since this constitutes the second largest reduction of VMTs in the City Manager's proposal, adequate resources and a strong plan would have to be put together for this to be meaningful.

5. Coordinate with the MBTA. Pressure the MBTA to improve public transportation schedules and routes. For example, route busses from Belmont through to Lechmere; synchronize Belmont, Arlington and Huron bus schedules; connect routes at Harvard and Central squares; improve coordination of schedules at transfer point. Improve bus stop signage and review placement of bus stops. Undertake survey of residents and commuters to better understand barriers to use of the MBTA.

This will not work unless a major, high level commitment is made to implementing such measures.

6. Look at issues around regulating and enforcing regulation of idling busses, trucks, and taxis, which are major pollutants. Try to come up with an enforcable plan. There is concern that it is not possible to come up with something that is actually enforcable.

7. Implement appropriate transportation Management plans for new developments.

8. Begin mobility program for municipal employees.

9. Develop and do an employer survey of employees' transportation needs to get a better understanding of issues around developing effective and feasible employer trip reduction plans.

The planning must recognize the uniqueness of employers and their differing needs. Some attention should be given to the cost of current parking needs and alternatives that will help to lower these costs for employers. Employers should be asked to participate in voluntary plans for vehicle trip reduction in connection with the expanded commuter mobility program; these plans should be studied to see if a future mandated trip reduction plan is really feasible and likely to be effective.

10. Promote clean fuels for vehicle fleets.

11. Develop a pilot project in one neighborhood to learn how a

traffic policy could be developed city-wide. This policy would identify major highways, city through streets, streets with schools, and different types of residential streets. The city would then establish appropriate speeds in accordance with State laws, and volumes for these streets.

12. Increase off-street municipal fees for all-day parking.

-----  
Useful, but more controversial:

13. Progressive fee schedule for residential parking stickers.

**Improve the interim ordinance and amend MOU**

1. Convert some presently unregulated spaces into spaces in the parking space bank. That is make them residential, metered, or no parking.

2. Ensure that public policy priorities receive priority in receiving spaces.

3. The City Manager to fill unfilled positions on the IPCC.

4. Assure that provisions of this plan and of the MOA are properly enforced.

5. Consider creating a time limit on future permits issued concurrent with other permits.

**Work toward future implementation after feasibility study**

A. Efforts for City agencies, working in cooperation with residents and businesses.

1. For those unregulated spaces not dealt with in 1. above, work toward appropriate resolution of these spaces.

2. Regional Cambridge through-trip reduction program. Study roadways at the borders of Cambridge to see if alternative routes that do not increase VMTs can be encouraged.

3. Employer Trip Reduction Plans. Work with representatives of the business community to assess different approaches. Utilizing results of the employer surveys, develop employer trip reduction approach that most meets the needs of the business community and the clean air goals.

4. Zoning revisions. Work toward zoning revisions that join together reductions in required parking with access to public transportation. Most likely density reductions will be necessary

to achieve reduction in required parking; in this connection, the zoning provision that excludes parking from the calculation of FAR should be studied.

5. Study and develop mechanisms for transferring parking spaces and generally dealing with different parking needs when the program is successful.

6. Evaluate the effectiveness, feasibility, and means of pricing strategies for parking for a fee or other means of passing the costs of driving along to the drivers.

7. Taxicab improvements. Work with the cab industry, residents, and business people to make taxi fares oriented to increased passengers, making higher fees for drivers and lower cost for users. Evaluate taxi industry's potential role in the paratransit. Find ways to increase use of local cabs by local people.

8. Residential parking near MBTA stations. Work with residents to assess the possibility of special residential zones in the streets abutting subway stations.

B. Efforts for City agencies, residents and businesses that can only be accomplished if there is the specific cooperation of State and Federal agencies.

1. In-city paratransit system. Drawing on the experience with shuttles, work to develop a broader in-city system for residents and commuters, through planning, following up alternative financing strategies for start-up, such as federal transportation or clean fuel dollars, coordinating with the MBTA, working with the taxi industry.

2. Commuter public transportation. Get help from the State, our legislators, etc. to get appropriate convenient public transportation from the West and the North in the near future. Work toward more long term public transportation, such as the circumferential transit system.

3. Work with Alewife groups and others to assess need of railroad station and/or expansion of Alewife garage.

C. The Transportation Committee of the City Council should take a major role in the para-transit system, taxi improvements, and public transportation improvements.

D. The City, in conjunction with the DEP should give further study to how stationary source reduction can be achieved.

RECEIVED BY  
OFFICE OF CITY CLERK

1992 MAY 13 PM 6:47

CAMBRIDGE MA.

EDWARD H. LINDE  
PRESIDENT

May 13, 1992

Honorable Cambridge City Council  
Cambridge City Hall  
795 Massachusetts Avenue  
Cambridge, MA 02139

Re: Proposed SIP Ordinance

Dear Councilors:

On behalf of Boston Properties, I would like to express our appreciation for the opportunity that the Council has given to members of the business community to express their opinions regarding a proposed new SIP Ordinance, and for the action the Council took on April 27 in passing a resolution that took those views into consideration. We see this as consistent with the balanced way in which the City has addressed such issues in the past, and it reinforces our own long held view that Cambridge is a terrific place for businesses to locate, operate and grow.

In regard to the specific issues at hand, we have seen the letter previously submitted to you by the Clean Air Committee of the Chamber of Commerce and are in agreement with many of the positions expressed there. We have, however, some additional comments, which we hope you will consider in the context of our experience and situation as a developer in Cambridge.

Specifically, since starting our first building at Cambridge Center in 1980, we have completed over 1.5 million square feet of development and become the largest commercial landlord and second largest taxpayer in Cambridge. Our objective for the future is not only to retain tenants in our existing buildings in Cambridge, but also to build additional buildings for expansion of Cambridge companies and for firms that will be started in the future or can be attracted from other parts of the Boston region.

From this perspective, we think transportation management plan requirements for new development as part of a SIP can not be categorized as a non-controversial measure. We ask that such requirements not be immediately adopted, but be deferred until they are further reviewed and assessed, for the following reasons:

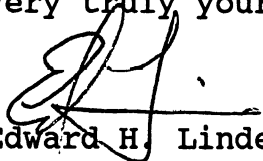
May 13, 1992  
Page 2

- (1) As you know, it is extremely difficult to make new development work under current conditions in the regional economy and real estate markets. If you wish to see any new development added to the City's economy and tax base, traffic management plans should be carefully designed to accommodate this, and at the very least should not intentionally or by result discriminate against new development.
- (2) Any plan that is implemented should address the specific expansion needs of existing businesses.
- (3) Traffic management requirements might best be included as part of zoning and special permit procedures (as they have been in the past) rather than added or duplicated in separate SIP requirements.
- (4) Most importantly, the amount of completed development in the City is vastly larger than whatever relatively small amount will be added in the years immediately ahead, and there is relatively little to be gained by even the most draconian measures focused on new development.

As it happens, tomorrow Boston Properties will be celebrating "World Class Commuting Day" on the plaza at Cambridge Center for the third year in a row, as part of National Transportation Week. We have initiated centralized efforts at Cambridge Center in MBTA pass distribution, car-pooling, commuter van access and the like, and believe more widespread and enhanced efforts of this sort can be implemented on a voluntary basis across the City as a whole. This can do much to achieve clean air goals, and the very limited opportunities for new development that will present themselves during the coming years should be encouraged rather than stifled by uniquely burdensome requirements.

We look forward to continuing to work with the City on measures to achieve the goals of the Clean Air Act while being careful to avoid unnecessary obstacles to new development at this particularly sensitive time, and to assure that no disadvantages are established for businesses in Cambridge that would limit their abilities to function and adversely affect the economy and tax base of the City.

Very truly yours,



Edward H. Linde

cc: Robert Healy



Commonwealth of Massachusetts  
Executive Office of Environmental Affairs

**Department of  
Environmental Protection**

Daniel S. Greenbaum  
Commissioner

July 3, 1991

Richard L. Taylor  
Metropolitan Plan  
State Transportat  
10 Park Plaza  
Boston, MA 02116

*Copies*

*STR*

*WHW*

*W/S*

Dear Chairman Tay

As a followup to  
Environmental Pro  
completeness revi  
MPO-approved "Mem  
Quality Mitigatio  
(CA/T) Project" a  
State Implementat  
review for Item 4  
items of the MOU

he Department of  
administrative  
as part of the  
: Traffic and Air  
Harbor Tunnel  
the Massachusetts  
ative completeness  
from the other  
of each existing

and proposed parking freeze. Historically, parking freeze programs have been developed separately for each area due to differences in types of parking and the vehicle miles travelled (VMT) and air quality emissions generated by the parking supply. To provide an update of the status of individual parking freeze programs, DEP has received proposed SIP revisions for the East Boston/Revere and South Boston freezes and has processed the Logan Airport/East Boston Freeze as a SIP revision with EPA approval pending. The City of Cambridge and the City of Boston are in the process of evaluating their respective parking freeze programs.

Item 4 of the MOU is presented in the MPO's submittal as a measure which will have a positive impact on traffic volumes as determined in a Sensitivity Analysis of the Final Supplementary Environmental Impact Report (FSEIR) for the CA/T project. DEP's administrative completeness review consists of two parts: a determination of whether the item of the MOU meets federal SIP submittal requirements and whether it is consistent with air quality goals in the SIP and suitable for a SIP revision.

Before DEP can process this item of the MOU as a SIP revision, there is certain supporting information which must be submitted. The submittal must contain a clear definition of who/where the measure is applicable to, the standards the affected party must meet, dates by which the standards must be met, and specific



Commonwealth of Massachusetts  
Executive Office of Environmental Affairs

**Department of  
Environmental Protection**

Daniel S. Greenbaum  
Commissioner

July 3, 1991

Richard L. Taylor, Chairman  
Metropolitan Planning Organization  
State Transportation Building, Room 2150  
10 Park Plaza  
Boston, MA 02116

Dear Chairman Taylor:

As a followup to my letter on April 29, 1991, the Department of Environmental Protection (DEP) has performed an administrative completeness review of Item 4, Parking Freezes, as part of the MPO-approved "Memorandum of Understanding (MOU): Traffic and Air Quality Mitigation For the Central Artery/Third Harbor Tunnel (CA/T) Project" as proposed as an amendment to the Massachusetts State Implementation Plan (SIP). The administrative completeness review for Item 4 has been performed separately from the other items of the MOU due to the unique requirements of each existing and proposed parking freeze. Historically, parking freeze programs have been developed separately for each area due to differences in types of parking and the vehicle miles travelled (VMT) and air quality emissions generated by the parking supply. To provide an update of the status of individual parking freeze programs, DEP has received proposed SIP revisions for the East Boston/Revere and South Boston freezes and has processed the Logan Airport/East Boston Freeze as a SIP revision with EPA approval pending. The City of Cambridge and the City of Boston are in the process of evaluating their respective parking freeze programs.

Item 4 of the MOU is presented in the MPO's submittal as a measure which will have a positive impact on traffic volumes as determined in a Sensitivity Analysis of the Final Supplementary Environmental Impact Report (FSEIR) for the CA/T project. DEP's administrative completeness review consists of two parts: a determination of whether the item of the MOU meets federal SIP submittal requirements and whether it is consistent with air quality goals in the SIP and suitable for a SIP revision.

Before DEP can process this item of the MOU as a SIP revision, there is certain supporting information which must be submitted. The submittal must contain a clear definition of who/where the measure is applicable to, the standards the affected party must meet, dates by which the standards must be met, and specific

requirements of conduct. All of the criteria must be federally enforceable as defined by EPA, which usually means codified by state regulation. This is a departure from past practice where some measures were included in the SIP in a narrative or tabular form without a supporting regulation or enforceable program.

In evaluating each request for a SIP revision, DEP reviews the submitted information in relation to the EPA completeness checklist (a copy of which is enclosed). Where feasible and practical, SIP submittals are codified by a state regulation and adopted by DEP. This was the case in the instance of the parking freezes adopted in East Boston and at Logan Airport in 1989.

Item 4 of the MOU applies to parking freezes in Downtown Boston, Cambridge, South Boston and East Boston/Revere. DEP has reviewed this item in light of existing parking freeze regulations and commitments. In short, the MOU requires that: each freeze area shall have a firm numerical limit on the total number of parking spaces in the geographical area in which the freeze applies; freeze limits shall be calculated to ensure attainment of levels-of-service and air quality objectives; the Boston MPO shall submit language on the permitting of parking facilities with each parking freeze submission to DEP (this language shall be included in a plan submitted to the Governor); the parties to the MOU shall take all necessary steps to ensure submission and adoption of all parking freezes which shall apply to all off-street parking spaces and address exempt employee spaces.

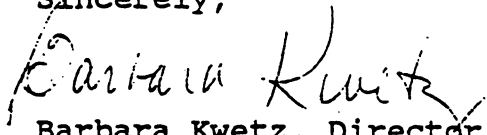
DEP's administrative completeness review for Item 4 of the MOU consisted of reviewing the item in terms of the "SIP Completeness Criteria" listed in the attached "SIP Submittal Completeness Checklist". In summary, the review indicates the need for supporting documentation in each of the following areas: Applicability, Effect of Change, Standards of Conduct, Record Keeping, Test Methods, Exemptions (if applicable), Economic Impacts and Variances (if applicable) (see the attached SIP Submittal Completeness Checklist).

In addition to the documentation needed for the areas mentioned above, there is certain key information DEP needs to process a parking freeze regulation. For each individual freeze area mentioned in the MOU, the MPO should submit the following: the geographic boundaries of the freeze areas not already defined; numerical parking space limits (see the attached matrix for DEP's best judgement of current freeze numbers) and the types of parking spaces controlled (i.e. commercial, employee, mixed-use, off-street, on-street, etc.); technical support information which demonstrates that the parking freezes will lead to decreases in vehicle miles travelled (VMT) and air quality emissions, or at a minimum, limits in the growth of VMT and air quality emissions and a demonstration that controlling parking in the specific areas will not cause VMT to be relocated to other parts in the

region to comply with Clean Air Act Amendments of 1990. It is important to note that the Sensitivity Analysis in the FSEIR is not sufficiently comprehensive to support to this item of the MOU as proposed as a SIP revision.

I look forward to receiving from you the information identified above so that DEP can move forward as quickly as possible to schedule a public hearing on this item of the proposed SIP revision. My staff and I would be happy to provide further guidance to you if you have any questions about this letter or the SIP revision process.

Sincerely,



Barbara Kwetz, Director  
Division of Air Quality Control

attachments

cc. Tom Powers, DEP  
Doug McGarrah, DPW  
Steve Burrington, CLF  
Steve Lipman, DEP  
Tom McShane, EOE  
Wendy Jacobs

**PARKING FREEZE NUMERICAL LIMITS: PARKING FREEZES AT EXISTING LEVELS WITH A 20% GROWTH INCREMENTS ALLOWED FOR SOUTH BOSTON AND EAST BOSTON II/REVERE**

<b>Freeze Region</b>	<b># of spaces in 2010 *</b>
Boston Proper	68,464
Industrial South Boston	15,960 (13,300 + 20%)
Cambridge	51,830
Logan Airport	19,315 (commercial and employee)
East Boston I	6,487 (rental and park 'n fly)
East Boston II/ Revere	? + 20% + 1000 Logan Remote employee parking

Total = 163,056 + E. Boston II/  
Revere

\* Sources for freeze numbers:

Boston Proper:	CA/T FSEIR Sensitivity Analysis
Industrial South Boston:	South Boston Proposed Amendment to the TESIP
Cambridge:	Current Inventory
Logan Airport:	310 CMR 7.30(3) Parking Space Inventory
East Boston I:	East Boston Parking Facility Inventory as certified by DEP
East Boston II/Revere:	East Boston/Revere Proposed Amendment to the TESIP

SIP SUBMITTAL COMPLETENESS CHECKLIST

SIP # TBA

CMR REF: 310 CMR 7.3X

TITLE: Memorandum of Understanding: Traffic and Air Quality Mitigation for the Central Artery/Third Harbor Tunnel Project (CA/T), Item 4 - Parking Freezes

APPLICANT: Boston MPO

COMPLETENESS REVIEW

[R] to be included in regulation  
[B] to be included in background document

SIP COMPLETENESS CRITERIA

COMMENTS ON SUBMITTAL

Applicability (who/where)  
[B][R]

The CA/T Memorandum of Understanding (MOU) Item 4., Parking Freezes, applies to parking spaces in East Boston/Revere, South Boston, Downtown Boston and Cambridge. Specific freeze area boundaries should be defined geographically.

Standards/Terms [B][R]

Each freeze area shall have a firm numerical limit on the total number of parking spaces in the geographical area in which the freeze applies; Freeze limits shall be calculated to ensure attainment of levels-of-service and air quality objectives; With each freeze submission to DEP, the Boston MPO shall submit language on the permitting of parking facilities where such language has been included in a plan submitted to the Governor; The parties to the MOU shall take all necessary steps to ensure submission and adoption of all parking freezes; Freezes shall apply to all off-street parking spaces and address exempt employee spaces.

Effect of Change  
(Emissions reductions, AQ impact criteria and and non-criteria [B])

The MOU references the Sensitivity Analysis contained in the transportation appendix of the FSEIR and estimates that full parking freezes for Cambridge (the sensitivity analysis for Cambridge only covers that part of Cambridge encompassed by the CA/T study area) and

Boston would lower regional trip ends by 135,000 (this estimate should be documented and full parking freeze should be further defined, i.e. How many and what types of spaces should be frozen?). This reduction of regional trip ends should be converted into reductions in VMT and air quality emissions (both NMHC and CO). Additional estimates of VMT and air quality emission reductions should be similiarly presented for the East Boston/Revere and South Boston Parking Freezes as well as the remainder of Cambridge. In addition to estimates of VMT and air quality emission reductions, the proposal should include a demonstration that the numerical parking space limits will be consistent with acceptable Levels-of-service and air quality objectives and that the implementation of the parking freezes will not have the effect of relocating VMT to other areas in the region.

Standards of Conduct (how standards will be met and and managed) [B][R]

The MOU designates certain steps to be taken and responsibilities to the parties to the MOU. The submittal does not address how the standards will be met.

Incorporation of Reference

Not applicable to this SIP

Transfer Efficiency

Not applicable to this SIP

Compliance Period (length of compliance averaging time) [B][R]

Not in submittal but assumed instantaneous

Record Keeping [B][R]

Not in submittal

Test Methods (how compliance will be determined) [B][R]

Not in submittal

Exemptions (size of exempt source)

Not in submittal

Variances (how triggered and managed) [B][R]

Not in submittal

#### ADDITIONAL STATE CRITERIA

#### COMMENTS ON SUBMITTAL

Economic Impacts (small

Not in submittal

Business, Cities, Towns) [B]

**ADDITIONAL COMMENTS:**

- o Background and support material required for public hearings and SIP submittal are absent from the submittal.
- o Regulation designation: 310 CMR 7.35.

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CONSERVATION LAW FOUNDATION OF )  
NEW ENGLAND, INC.; CHARLES RIVER )  
WATERSHED ASSOCIATION; MASSACHUSETTS )  
AUDUBON SOCIETY; CAMBRIDGE CITIZENS )  
FOR LIVEABLE NEIGHBORHOODS; )  
FRANCIS W. HATCH; WILLIAM BOSSERT; )  
JAMES A. FAY; ROBERT L. FRENCH; )  
MRS. THOMAS B. GANNETT; MICHAEL B. )  
MOSKOW; KATHARINE PRESTON; JONATHAN M. )  
SACHS; FRANCIS SARGENT; GEORGE T. SHAW; )  
JAMES W. STOREY; JOHN M. TEAL; and )  
THOMAS L. WINSHIP, )

Plaintiffs, )

Civil Action )

VERSUS )

No. 91-12222-K )

FEDERAL HIGHWAY ADMINISTRATION; THOMAS )  
D. LARSON, in his official capacity as )  
ADMINISTRATOR OF THE FEDERAL HIGHWAY )  
ADMINISTRATION; DONALD E. HAMMER, )  
in his official capacity as DIVISION )  
ADMINISTRATOR FOR THE MASSACHUSETTS )  
DIVISION OF THE FEDERAL HIGHWAY )  
ADMINISTRATION; WILLIAM F. WELD, in )  
his official capacity as GOVERNOR OF )  
THE COMMONWEALTH OF MASSACHUSETTS; )  
RICHARD L. TAYLOR, in his official )  
capacity as MASSACHUSETTS SECRETARY OF )  
TRANSPORTATION AND CONSTRUCTION; )  
MASSACHUSETTS DEPARTMENT OF PUBLIC )  
WORKS; and JAMES J. KERASIOTES, in his )  
official capacity as MASSACHUSETTS )  
COMMISSIONER OF PUBLIC WORKS, )

Defendants. )

STIPULATION AND JOINT MOTION FOR STAY OF PROCEEDINGS

1. WHEREAS, the plaintiffs commenced this action on August 21, 1991, seeking relief under the Clean Air Act, Administrative Procedure Act, National Environmental Policy Act, and Section 4(f) of the Department of Transportation Act; and

2. WHEREAS, the plaintiffs and federal defendants

subsequently filed motions for summary judgment, the parties filed their respective oppositions thereto, and the Court scheduled a trial on liability on March 13, 1992; and

3. WHEREAS, the plaintiffs allege that the federal defendants have unlawfully failed to adopt in their Record of Decision for the Central Artery/Third Harbor Tunnel Project mitigation measures necessary to minimize or avoid adverse impacts on traffic volumes and air quality, and have unlawfully failed to minimize the use of and harm to parks; and

4. WHEREAS, the defendants do not admit their liability herein, but intend to comply with the requirements of federal and state law as they apply to mitigation for the Central Artery/Tunnel Project and to implementation of commitments in the Final Supplemental Environmental Impact Statement/Report ("Final SEIS/R"), and the state defendants intend to implement mitigation measures necessary to avoid or minimize impacts on traffic volumes, air quality, and parks, and specifically to comply with requirements in the Certificate of the Secretary of Environmental Affairs on the Final Supplemental Environmental Impact Report (January 2, 1991); in the Department of Environmental Protection ("DEP") Conditional Acceptance of Preconstruction Certification of the Central Artery/Third Harbor Tunnel Project (July 3, 1991) (with the modifications thereof which the state defendants intend to submit to DEP); and in the following DEP Air Pollution Control Regulations: 310 CMR 7.36 - Transit System Improvements (1991), 310 CMR 7.37 - High Occupancy

Vehicle Lanes (1991), and 310 CMR 7.38 - Certification of Tunnel Ventilation Systems (1991); and

5. WHEREAS, since the commencement of this action, the Intermodal Surface Transportation Efficiency Act of 1991 ("ISTEA") has been enacted into law, declaring it to be "the policy of the United States to develop a National Intermodal Transportation System that is economically efficient and environmentally sound, provides the foundation for the Nation to compete in the global economy, and will move people and goods in an energy efficient manner," and providing that that system "shall include significant improvements in public transportation"; and

6. WHEREAS, the enactment of ISTEA, together with certain developments in state air quality law that have occurred since the commencement of this action, could help ensure that mitigation commitments in the Final SEIS/R for the project will be fully implemented; and

7. WHEREAS, the plaintiffs and defendants mutually intend to cooperate with one another and with other interested parties both in resolving concerns about implementation of commitments for the Central Artery/Tunnel Project, and in broader regional transportation planning; and

8. WHEREAS, the parties consider it desirable for the concerns and disputes that have prompted this action to be addressed through means other than litigation, and recognize that certain opportunities exist for resolving those concerns and

disputes and could obviate the need for a trial or hearing on dispositive motions herein;

IT IS NOW STIPULATED AND AGREED by and between the plaintiffs and defendants that:

9. The state defendants will proceed with the reform of existing controls on parking supply in the following manner. By June 30, 1992, the state defendants will provide DEP with the additional information necessary to process a revision to the Massachusetts State Implementation Plan for Ozone and Carbon Monoxide ("SIP") with a regulation for the management of parking supply in accordance with the pending proposals of the Metropolitan Planning Organization. The state defendants and plaintiffs agree to confer with DEP for the purpose of establishing a schedule for the processing and submission to the U.S. Environmental Protection Agency ("EPA") of a proposed SIP amendment with a regulation for the management of parking supply based on the outcome of the DEP regulatory process for the pending proposals. The state defendants and plaintiffs agree to advise the Court within 14 days from the date of this stipulation of the schedule for processing and submission of the proposed SIP amendment, and the state defendants will then use good faith in adhering to said schedule. Nothing in this paragraph shall be construed as abridging full and open public discussion and hearings on any proposed regulation or SIP amendment.

10. The state defendants will complete their evaluation of recommended alternative designs for the Charles River crossing

within six months from the date of this stipulation, and will take no action during that period that would materially prejudice the adoption or implementation of any of the alternatives under consideration by the Bridge Design Review Committee, now known as "CIP 3.1," "CIP 5.3" and "CIP 8.1.D."

11. On the basis of this stipulation, the parties hereby request the Court to stay this case in its entirety until EPA has approved the following as amendments to the SIP, and any proceeding for judicial review of EPA's action and any EPA action on remand following any such proceeding has been completed:

- (1) 310 CMR 7.36 - Transit System Improvements, and  
310 CMR 7.37 - High Occupancy Vehicle Lanes;
- (2) 310 CMR 7.38 - Certification of Tunnel Ventilation Systems; and
- (3) Regulation with parking supply controls submitted in accordance with paragraph 9 of this stipulation.

Nothing in this paragraph shall be construed as abridging EPA's exercise of its regulatory responsibilities.

12. The parties agree that the Court should lift the stay upon motion by any party only in the event of noncompliance with the terms of this stipulation or a substantial violation by any of the state defendants, occurring after the date of this stipulation, of a requirement of federal or state law pertaining to mitigation for the Central Artery/Tunnel Project or to

implementation of commitments in the Final SEIS/R, including any requirement in the Certificate of the Secretary of Environmental Affairs on the Final Supplemental Environmental Impact Report (January 2, 1991); in the Department of Environmental Protection Conditional Acceptance of Preconstruction Certification of the Central Artery/Third Harbor Tunnel Project (July 8, 1991) (with the modifications thereof which the state defendants intend to submit to DEP); and in the following DEP Air Pollution Control Regulations: 310 CMR 7.36 - Transit System Improvements (1991), 310 CMR 7.37 - High Occupancy Vehicle Lanes (1991), and 310 CMR 7.38 - Certification of Tunnel Ventilation Systems (1991).

13. On the basis of this stipulation, the parties further request that, upon final EPA approval of all three SIP amendments referred to in paragraph 11, the Court dismiss counts 1-16 and 19 of plaintiffs' complaint, and that, upon the defendants' adoption of a design for the Charles River crossing which is substantially equivalent to CIP 8.1.D or otherwise satisfactory to the plaintiffs, the Court dismiss counts 17 and 18 of plaintiffs' complaint. The plaintiffs agree that, in the event that the Court dismisses counts of the plaintiffs' complaint as contemplated by this paragraph, they shall not appeal that dismissal and that dismissal would have the same effect on the same claims brought against the defendants in another action as on the claims in this action.

14. At the end of each calendar quarter, the state defendants will provide counsel for the plaintiffs a written

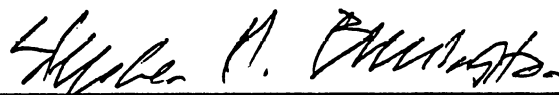
summary of actions taken to fulfill mitigation commitments and requirements cited herein, and in that summary will identify and state the reasons for any failure to fulfill any such mitigation commitment or requirement.

15. The parties have entered into this stipulation to facilitate an extrajudicial resolution of the dispute giving rise to this action, and agree that no party should be prejudiced in any way as a result of entering into this stipulation, either on a theory of admission, estoppel, waiver or otherwise, should a trial on the merits or a hearing on a dispositive motion take place.

Respectfully submitted,

CONSERVATION LAW FOUNDATION,  
et al.,


By:



Douglas I. Foy (BBO 176900)  
Stephen H. Burrington (BBO 556354)  
Conservation Law Foundation  
3 Joy Street  
Boston, Massachusetts 02108-1497  
(617) 742-2540  
Counsel for Plaintiffs

SCOTT HARSHBARGER  
Attorney General  
Commonwealth of Massachusetts

By:



William L. Pardee  
Assistant Attorney General  
Government Bureau, Room 2019  
One Ashburton Place  
Boston, Massachusetts 02108  
(617) 727-2200  
Counsel for State Defendants

WAYNE A. BUDD  
United States Attorney

By: Judith S. Yogman  
Judith S. Yogman  
Associate U.S. Attorney  
District of Massachusetts  
1107 J.W. McCormack P.O.  
and Courthouse  
Boston, Massachusetts 02109  
(617) 223-9419

BARRY M. HARTMAN  
Acting Assistant Attorney General

By: Beverly S. Nash (By)  
Beverly Sherman Nash  
Attorney  
General Litigation Section  
Environment and Natural Resources  
Division  
U.S. Department of Justice  
P.O. Box 663  
Washington, D.C. 20044-0663  
(202) 272-6867  
  
Counsel for Federal Defendants

Dated: March 12, 1992



## Conservation Law Foundation

3 Joy Street  
 Boston, Massachusetts  
 02108-1497  
 (617) 742-2540  
 Fax: (617) 523-8019

March 26, 1992

By Hand

The Honorable Robert E. Keeton  
 United States District Judge  
 J.W. McCormack Post Office and Courthouse  
 Post Office Square  
 Boston, Massachusetts 02109

Re: Conservation Law Foundation, et al. v. Federal Highway  
 Administration, et al., Civil Action No. 91-12222-K

Dear Judge Keeton:

On behalf of the plaintiffs and state defendants, I am writing pursuant to paragraph 9 of the Stipulation and Joint Motion for Stay of Proceedings filed on March 12, 1992, to advise the Court of the state defendants' schedule for processing and submission to the U.S. Environmental Protection Agency of a proposed amendment to the state implementation plan with a regulation for the management of parking supply. The schedule is set out in the attached copy of a letter from Thomas B. Powers, Massachusetts Department of Environmental Protection, to Robert Baum, Massachusetts Executive Office of Transportation and Construction, and myself.

Very truly yours,

Stephen H. Burrington  
 Counsel for the Plaintiffs

Enclosure

cc (with enclosure): Judith S. Yogman, Esq.  
 Beverly Sherman Nash, Esq.  
 William L. Pardee, Esq.

Vermont Office: 21 East State Street, Suite 301, Montpelier, Vermont, 05602-2152 • (802) 223-5992

Maine Office: 60 Ocean Street, Rockland, Maine 04841 • (207) 594-8107



Commonwealth of Massachusetts  
 Executive Office of Environmental Affairs  
**Department of  
 Environmental Protection**

William F. Weld  
 Governor  
 Daniel S. Greenbaum  
 Commissioner

March 26, 1992

Robert Baum, Undersecretary  
 Executive Office of Transportation  
 and Construction  
 10 Park Plaza  
 Boston, MA 02116

Stephen Burrington, Esquire  
 Conservation Law Foundation  
 3 Joy Street  
 Boston, MA 02108

Dear Messrs. Baum and Burrington:

I have spoken with each of you about the provision in your recent court settlement agreement which provides that the parties will confer with DEP to provide an appropriate schedule for our review and processing of the presently pending MPO proposals regarding parking supply management. My best estimate of the time required is set forth in the schedule below. However, I would stress that this schedule assumes that there is not a need for further analyses or information once we receive and review the information due to us by June 30, 1992, given the complex issues involved. I would also stress that the federal Clean Air Act Amendments of 1990, and subsequent U.S. Environmental Protection Agency regulations, place enormous demands on state air programs over the next twelve months. We will do our best to meet the schedule set out below, but you should recognize that federal demands beyond our control may make that impossible. Although DEP is not a party to your court proceeding, if it appears that the agency will be unable to meet a milestone date, I will contact each of you.

**SCHEDULE**

June 30, 1992	EOTC completes submittal of required information
Sept. 15, 1992	DEP provides EPA its required advance notice of SIP change

Oct. 1, 1992 DEP provides advance notice to agencies required by Executive Order # 145

Oct. 15, 1992 Publication of notice of public hearings

Nov. 16-20, 1992 Public Hearings

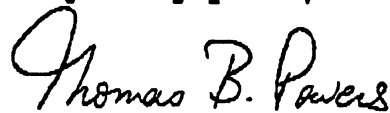
Nov. 30, 1992 Close of written comment period

February 1, 1993 Submission of final regulation to Massachusetts Secretary of State for promulgation

I must make it clear, as I believe each of you understand, that nothing in this estimated schedule should be taken as intended to constrain the substantial public debate that may accompany these proposed regulations or to abridge the open, public and independent hearing process we are required to adhere to.

Meeting this schedule will require preparatory work to occur this spring prior to the June 30 deadline and close coordination between our agencies. I look forward to working with both of you in our efforts to improve the Commonwealth's air quality.

Very truly yours,



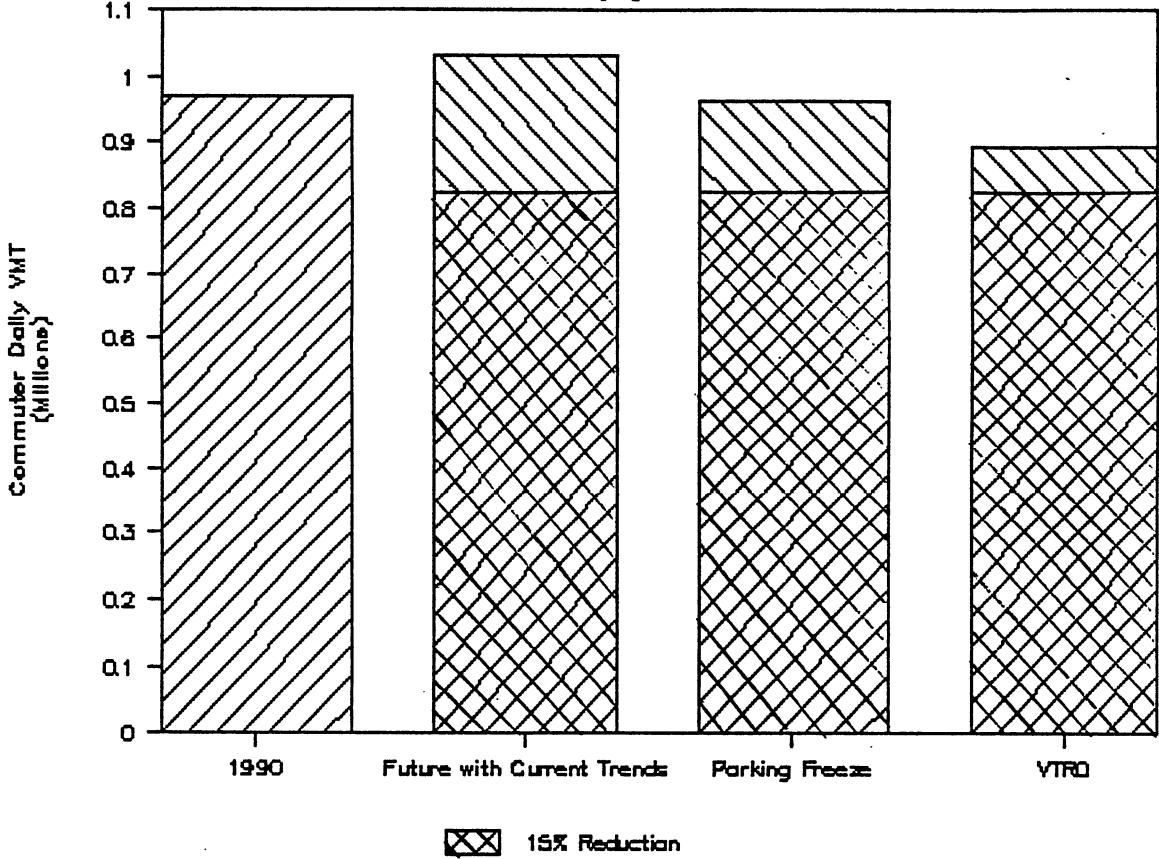
Thomas B. Powers  
Deputy Commissioner

TBP/ag

cc: Commissioner Greenbaum  
Barbara Kwetz

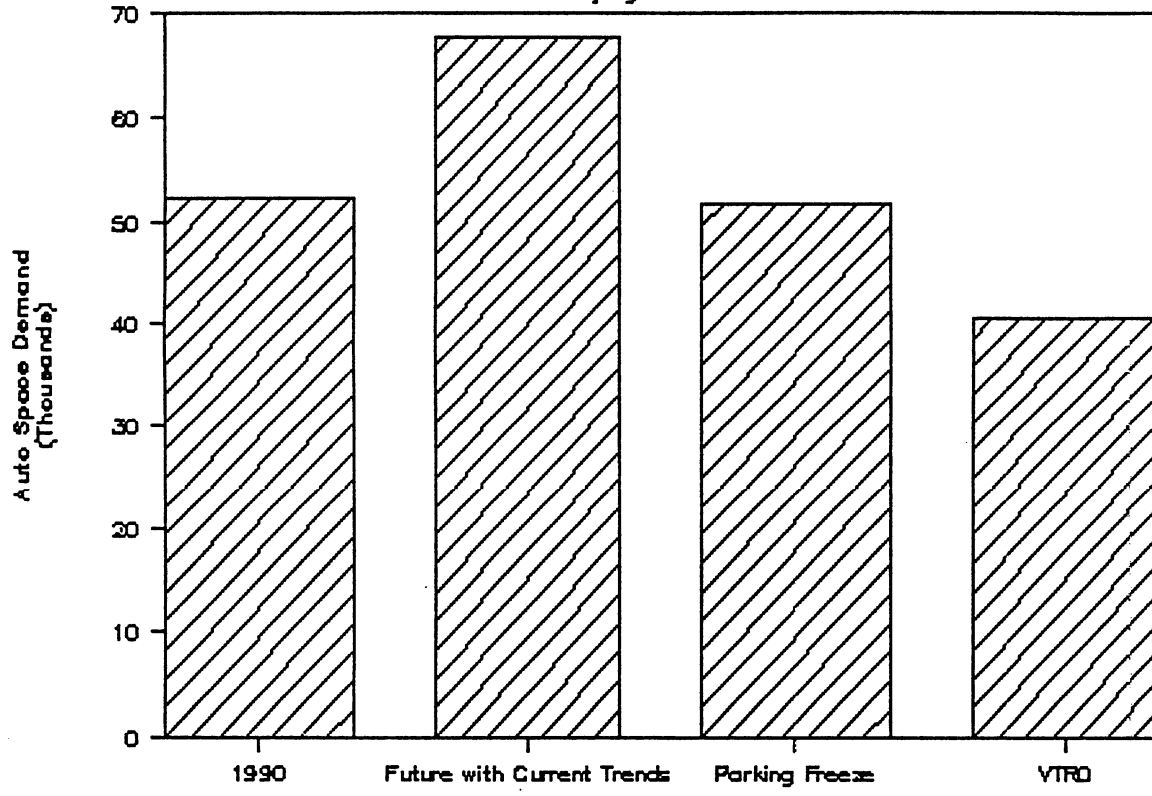
# Cambridge Commuter VMT

Year 5, Varying Conditions



# Cambridge Parking Demand

Under Varying Conditions





## CAMBRIDGE CHAMBER OF COMMERCE

The Honorable Cambridge City Council  
City Hall  
795 Massachusetts Avenue  
Cambridge, Massachusetts 02139

June 1, 1992

Dear Councillors:

The Clean Air Committee of the Cambridge Chamber of Commerce would like to again express its appreciation to the Cambridge City Council and to its Committee on Ordinances, chaired by Councillor Alice Wolf, for the opportunity to provide public comment during the several hearings before the Ordinance Committee and again this evening, on the ordinances which are being considered for revision of the State Implementation Plan (SIP).

We support most of the concepts set forth in Councillor Wolf's memorandum to the Ordinance Committee dated May 13, 1992, as positive steps toward our collective goals of cleaner air, reduced traffic, and more efficient use of our energy resources. In our previous letter to the Council dated April 23, 1992, we expressed general support to the three -tiered approach being followed by the Council. We also appreciate the order passed by the Council at its April 27th, 1992 meeting which: a) responded to concerns expressed by residents, business, and institutional representatives, b) resolved to consider in a deliberative manner, options available for reducing vehicle miles travelled and, c) supported a regional approach to implementing provisions of the Clean Air Act amendments of 1990. The ordinances which are before you for consideration are clearly pointed in the right direction.

The Clean Air Committee of the Chamber is composed of representatives of large and medium sized businesses, institutions, property owners and developers, all of whom would be impacted by the proposed ordinances. These representatives have committed the time necessary to follow the complicated steps in developing these ordinances. The Committee includes members who served as business and institutional representatives on the City Manager's Working Committee on the SIP, which examined a variety of options available for encouraging changes in travel behavior by all sectors of the Cambridge Community.

After reviewing the most recent drafts of the proposed ordinances which were made available on May 13th, 1992, the Clean Air Committee met to consolidate comments from its constituencies.

Attached are copies of the City's draft of May 13th, 1992 on which we have indicated some suggested language changes, by lining through language to be deleted and by highlighting new language with shading.

The language changes suggested for the Interim Ordinance are minor and should be self explanatory.

The changes proposed for the Vehicle Trip Reduction Ordinance are, in summary:

1. recommendation for conversion of busses and taxi fleets to clean fuels.
2. clarification of the initial survey of commuting characteristics of Selected Employers.
3. establishment of a Steering Committee of Selected Employers for the purpose of facilitating participation and cooperation in designing the survey, reviewing the results, and designing any citywide employer based vehicle trip reduction program.
4. clarification of the Automobile Efficiency Rate (AER) and flexibility as to the use of the data obtained from surveys in developing an appropriate citywide and regional program.

In addition to the suggested language changes indicated on the attached drafts, we have several further general comments:

- a) The terms Commonwealth and Region are used inconsistently and the documents should be reviewed to determine the appropriate term for each use.
- b) Members of our committee found the use of the various AER modifiers confusing, such as: AER, Base AER, baseline AER (small "b"), AER Goal, Citywide AER, City's AER. Perhaps the use of these various terms can be clarified further in the definition section of the ordinance.

- c) In forwarding the material to the State and Federal agencies for further review, the City should make clear that any citywide or regional employer based vehicle trip reduction ordinance should apply to all governmental agencies with operations within Cambridge (such as County, State, and Federal departments), not merely to City agencies.

Representatives of the Clean Air Committee are ready to meet with representatives of the City during the next few days to discuss and to clarify any of the suggested changes.

Thank you for this further opportunity to present our comments on this complex issue. As stated earlier, we strongly endorse the need for a regional solution to air pollution. Every business, institution, neighborhood, and community in the region must work together to improve the quality of our environment. We extend our continuing support and commitment to this end.

Sincerely,

Cambridge Chamber of Commerce  
Clean Air Committee

*Karl P. Fagans* *KPF*

Karl P. Fagans, Chairman

c.c. Robert W. Healy, City Manager  
John E. Flynn, Deputy City Clerk  
Wendy B. Jacobs, Esquire -Foley, Hoag & Eliot  
Donald A. Drisdell, Esquire -Deputy City Solicitor

JUNE 19, 1992  
AMENDMENT TO MEMORANDUM OF AGREEMENT  
BETWEEN  
THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
AND THE CITY OF CAMBRIDGE (DATED AUGUST 15, 1990)

WHEREAS, the City of Cambridge (City) and the Massachusetts Department of Environmental Protection (DEP) (collectively, the "parties") have agreed to cooperate in an effort to amend the State Implementation Plan (SIP) under the Clean Air Act 42 U.S.C. § 7401 et seq., regarding the measures to be taken by the City toward attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

WHEREAS, the City and DEP as part of a settlement of a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge, entered into a Memorandum of Agreement (MOA) on August 15, 1990 without waiving any rights or claims relative to said legal dispute; and

WHEREAS, the MOA and the Interim Ordinance enacted by the City to implement the MOA require the City Manager to present to the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures directed toward attainment and maintenance of the National Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

WHEREAS, upon execution of the original MOA, the parties expected the SIP amendment process to take approximately one year; and

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MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION  
1800 STATE STREET  
CAMBRIDGE MA 02142

WHEREAS, Congress amended the Clean Air Act in November 1990; and

WHEREAS, the parties expect the SIP amendment process could take another year or more; and

WHEREAS, the City has been implementing the MOA; and

WHEREAS, pursuant to the MOA and the Interim Ordinance enacted by the City to implement the MOA, the City Manager has presented the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures directed toward attainment and maintenance of the National Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

WHEREAS, said proposal and form of Ordinance have undergone review, revision, and adoption by the City Council; and

WHEREAS, the City agrees to continue to implement the terms of the MOA, as amended hereby, until a SIP amendment is approved, said period to be known as the "interim period."

NOW, THEREFORE, the MOA shall be amended as follows.

A new paragraph A.14.A. shall be added as follows:

14.A. In addition to the permits authorized by paragraph 13, the City may, during the interim period, issue Controlled Parking Facility Permits (CPFP) for 50% of the number of currently unrestricted on-street parking spaces which the City henceforth subjects to restrictions as set forth in this section and which unrestricted spaces are located in a non-residential zone or in a

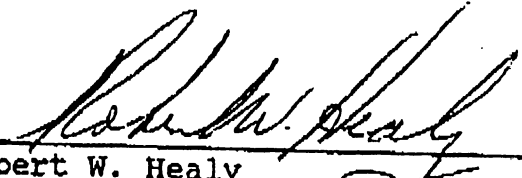
residential zone within five hundred feet by public or private way of an MBTA bus line or subway stop. The total number of additional spaces for which the IPCC may issue permits under this paragraph shall not exceed 1,100. Restrictions shall be designed to discourage or prohibit use of such spaces by commuters and shall include without limitation the following types of restrictions: an absolute prohibition against parking, installation of parking meters, imposition of other time restrictions, and/or restriction for use by residents with resident parking permits. The IPCC shall not issue any CFPF based on such restrictions, until thirty days after the City has submitted to the DEP a written inventory identifying the location of each such space and the nature of the parking restriction imposed.

A new paragraph A.14.B. shall be added as follows:


14.B. Each CFPF issued after the date hereof shall be for a specified term.

The terms of this Amendment to the MOA become effective upon signing by all parties.

6/18/92  
Dated

  
Robert W. Healy  
City Manager

6/29/92  
Dated

  
Daniel S. Greenbaum  
Commissioner, DEP

CAMBRIDGE MA.  
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Conservation Law Foundation

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COMMENTS OF THE CONSERVATION LAW FOUNDATION  
ON THE PROPOSED AMENDMENT TO THE STATE  
IMPLEMENTATION PLAN AND CAMBRIDGE  
VEHICLE TRIP REDUCTION ORDINANCE

Stephanie Pollack  
Senior Attorney

April 1, 1992

The Conservation Law Foundation ("CLF") is pleased to have the opportunity to comment on this proposed ordinance, which has the potential to significantly reduce traffic and air pollution in the Cambridge region and contribute to broader regional and statewide efforts to meet the stringent requirements of the Clean Air Act. We view the Ordinance as a good-faith effort by the City to accept some responsibility for curbing its contribution to regional growth in Vehicle Miles Travelled ("VMT") and an acknowledgment that both employer trip reduction requirements and changes in parking policy will be needed to achieve this goal.

In reviewing the proposal and accompanying technical support, the City Council should be asking itself the same questions CLF has been contemplating in our review:

- o Where does this proposal fit into the broader regulatory scheme of transportation control measures that must be put in place both as part of Central Artery project mitigation agreements and under the 1990 amendments to the Clean Air Act?
- o Will the various measures in the proposed ordinance achieve its stated goals -- especially in the absence of any legal limits on the amount of off-street parking that can be constructed?
- o What are the relative merits -- in technical, not just legal terms -- of the proposed ordinance, a parking freeze, or some combination of the two?

My understanding is that the Council is particularly interested in CLF's position on the first, legal question and so that will be the focus of my testimony tonight. The answers to the second and third questions turn largely on technical issues; CLF will be

conducting further review of the technical support material and meeting with Cambridge Systematics and we plan to provide more detailed technical comments as soon as possible. I will, however, say a few brief words about CLF's preliminary assessment of the efficacy and merits of the proposed Ordinance.

- I. The proposed ordinance, standing alone, will not meet the transportation control requirements of either the Commonwealth's Central Artery mitigation commitments or the 1990 amendments to the Clean Air Act.

CLF has long held, and continues to believe, that there are legally enforceable requirements now in place which mandate the continued existence and enforcement of a parking freeze in Cambridge. While a trip reduction ordinance can and should serve as a complement to such parking restrictions, the proposed Ordinance is not -- in the legal sense -- a substitute for a parking freeze.

- A. The Commonwealth has made an enforceable commitment to capping the amount of parking in Cambridge (and elsewhere) as part of the Central Artery project.

As the Supporting Memorandum acknowledges, a high proportion -- 33% -- of traffic within Cambridge consists of "throughtrips" which neither begin nor end within Cambridge. Many of the trips undoubtedly make use of Interstate 93 and roads leading to it and the Artery High Bridge. It is therefore in the best interests of Cambridge to ensure that the Commonwealth of Massachusetts makes all possible efforts to identify and carry out mitigation measures to control traffic on these roads following the opening of the depressed Central Artery. Among the long list of mitigation measures to which the Commonwealth has committed itself is the establishment and/or improvement of parking restrictions in downtown Boston, South Boston, East Boston/Revere and throughout Cambridge.

Let me briefly trace the evolution of the Commonwealth's commitment to implementing parking restrictions as part of the Central Artery project. The environmental review and air quality analysis prepared in connection with the Artery project assumed that parking restrictions would be in place in Cambridge and Boston and a "sensitivity analysis" conducted as part of the review demonstrated that such restrictions would be crucial to controlling traffic levels and air quality after the new road is open. On December 19, 1990, the Conservation Law Foundation signed a Memorandum of Understanding ("MOU") with the Executive Office of Transportation and Construction ("EOTC") and the Department of Public Works ("DPW") concerning measures needed to mitigate the traffic and air quality effects of the Central Artery Project. With respect to parking freezes for downtown Boston, South Boston, East Boston/Revere and Cambridge, the MOU

stated that "[e]ach freeze shall impose a firm limit on the total number of parking spaces in the geographical area to which the freeze applies. Each such limit shall be calculated to ensure the attainment of level of service and air quality objectives." This MOU was incorporated into the Secretary of Environmental Affairs' approval for the Central Artery project under the Massachusetts Environmental Policy Act. In addition, many of the mitigation measures were included in the Department of Environmental Protection's July 8, 1991 "Preconstruction Certification" of the project. The Certification requires the Department of Public Works to apply its best efforts to promote "legally enforceable parking control measures" in Cambridge and Boston, including freezes which "impose a firm limit of the total number of parking spaces in the geographical area to which the freeze applies."

In addition, this paragraph and all of the other substantive measures contained in the MOU were promptly adopted by the Metropolitan Planning Organization as an amendment to the Commonwealth's Clean Air Act State Implementation Plan ("SIP"). Transportation-related amendments to the SIP are first adopted by the MPO, then submitted to the Department of Environmental Protection ("DEP") for approval, and finally submitted to the Environmental Protection Agency ("EPA") for approval.

DEP responded to the MPO submittal with respect to parking freezes on July 3, 1991, requesting more information. The DEP letter acknowledged that the MOU requires that "each freeze area shall have a firm numerical limit on the total number of parking spaces in the geographic area in which the freeze applies." Attached was a table containing the assumptions about allowable parking levels that were to be used in conducting the air quality analysis: the figure for Cambridge is 51,830 -- the current inventory. [See Attachment 1]

As you are undoubtedly aware, CLF became concerned that the Commonwealth might not carry out the promised mitigation measures because they were not included as conditions in the Federal Highway Administration's approval of the project. CLF accordingly filed a lawsuit in federal district court in Boston. The Commonwealth's position was that it fully intended to carry out the promised measures, including the parking restrictions, and that their enforceability could best be ensured by including them in the State Implementation Plan. CLF and the Commonwealth accordingly negotiated a Stipulation, which was filed with and approved by the Court on March 13, 1992, which provided that CLF would not prosecute the lawsuit as long as certain conditions were satisfied. The Stipulation states that the Commonwealth intends to implement mitigation measures including those in the January, 1991 MEPA approval for the project and the July, 1991 DEP certification -- both of which included requirements concerning parking freezes. The Stipulation also provided that

the Commonwealth would process a SIP revision containing "a regulation for the management of parking supply in accordance with the pending proposals of the Metropolitan Planning Organization." [See Attachment 2] Subsequently, on March 26, CLF and the Commonwealth filed with the court a schedule for the processing of the SIP revision on parking restrictions; the schedule calls for the Executive Office of Transportation and Construction to submit the required information by June 30, 1992, for DEP to hold public hearings in November and for a final parking management regulation to be completed by February 1, 1993. [See Attachment 3]

The City must assume that DEP will be guided by these Central Artery mitigation commitments. DEP may or may not be willing to process the proposed Ordinance as a revision to the State Implementation Plan -- but it will not affect the processing of a different SIP provision incorporating a parking freeze which is required by the various regulatory approvals for the Central Artery project. If the City of Cambridge would rather design its own program of parking restrictions -- rather than having DEP design one for it -- this Council must begin work on an Ordinance which fulfills the basic requirement of imposing a firm limit on the amount of parking within the City.

- B. Cambridge is currently subject to a parking freeze under Massachusetts' Clean Air Act State Implementation Plan and cannot lift this freeze simply by passing an ordinance.

The Conservation Law Foundation has been arguing for years that the applicable version of the Commonwealth's Clean Air Act State Implementation Plan includes an enforceable freeze on commercial parking within the City of Cambridge. On March 10, 1992, a judge of the Superior Court here in Cambridge accepted CLF's position and issues a declaratory judgment that "the Cambridge Parking Freeze remains valid and in effect." Jones v. Teso, No. 90-6444-E, slip op. at 7 (March 10, 1992).

In 1990, with the legal dispute over the existence and enforceability of the parking freeze unresolved, the City and the Department of Environmental Protection had signed a Memorandum of Agreement concerning future implementation of the freeze. That MOA is best understood as an agreement by DEP not to attempt to enforce the freeze or penalize Cambridge for failing to enforce the freeze -- as long as the City fulfilled the requirements of the agreement. One requirement (in Paragraph 9) is that the City "devote its best efforts to facilitate the submission to DEP in final form of a State Implementation Plan (SIP) revision, approved by the Metropolitan Planning Organization (MPO), which incorporates parking restrictions on all spaces other than residential parking and spaces within park-and-ride facilities operated by or in conjunction with the Massachusetts Bay

Transportation Authority." (This is one of two clear references to the SIP revision including a parking freeze; the third "whereas" paragraph states that "the final SIP amendments will include transportation control measures, including but not limited to parking restrictions, and a parking freeze.") This revision -- following approval by the City and the MPO -- was to have been submitted to DEP by February 15, 1991.

The proposed Ordinance simply is not the type of SIP revision contemplated by the MOA. Even if it is a good transportation control measure and a worthy SIP revision, it does not place restrictions on off-street parking. CLF therefore plans to inform DEP that it would not consider passage of this Ordinance to fulfill the terms of the MOA.

CLF also believes that passage of the proposed Ordinance would not permit the City to legally repeal the November, 1990 ordinance implementing the MOA. In both the MOA (in the seventh "whereas" paragraph) and the implementing ordinance adopted in November, 1990 (in section 10.16.90) the City has committed itself to following the terms of the Agreement -- which run "for the period until a SIP amendment is approved." The City Council can approve an ordinance but only the MPO, DEP and/or the Environmental Protection Agency can approve a SIP amendment. CLF would consider any attempt to repeal the November, 1990 parking freeze ordinance prior to DEP approval of a SIP amendment to be a violation of the MOA and of the Clean Air Act.

II. CLF is concerned that the ordinance provisions will not work in the absence of parking restrictions, will not generate the projected reductions in vehicle miles travelled and will not move the City far enough along with respect to meeting the emission reduction requirements of the Clean Air Act.

As noted above, CLF plans to submit additional testimony on technical issues. I would like to briefly make several points, however.

First, the Council should not be asking whether this ordinance should replace a parking freeze but whether it can work without a parking freeze. CLF believes that restrictions on off-street parking are necessary to make at least three of the ordinance provisions work: restrictions on unregulated on-street parking, increases in municipal parking fees and employer-based trip reduction requirements. Without capping off-street parking, these programs could simply move cars around without changing travel behavior.

Interestingly, the analysis by Cambridge Systematics seems to indicate that if the ordinance is successful the demand for parking will be depressed well below the amount contained in the current inventory. In the analysis of mode changes for the

scenario assuming 8 million square feet of development, for example, automobile use drops so drastically that only 40,000 spaces are needed by the ten-year mark. [See Attachment 4] If the City is confident that these projections are accurate, CLF challenges you to adopt both the ordinance and to freeze parking at the current level. If the ordinance is as effective as is promised, the city will not come close to bumping up against the freeze limit and development will never be limited. (The only question is how to reallocate spaces emptied by the ordinance measures -- an issue CLF will address in next week's testimony.)

Not surprisingly we have our doubts about the ability of the ordinance to achieve the projected results. Many of the measures are voluntary and the modelling simply assumes that they will work in the absence of both coercion and an external limit on off-street parking. We are particularly doubtful about three measures. First, the program for restricting currently unregulated on-street may or may not have the intended effects -- or any effect -- depending on where these spaces are located and how they are currently used. In addition, modelling must account for any new vehicle miles travelled that would be created by converting these spaces from long-term commuter use to either residential parking or retail use. Changing the use of a parking space does not mean that no one parks there -- it means that one or more different vehicles making different types of trips parks there.

Second, CLF is skeptical about the proposed impacts of the "Local Employment Opportunities" portion of the Ordinance. Increasing the share of the City's employment base composed of residents from 28% to 31% would require Cambridge employers to hire several thousand Cambridge residents for existing jobs and to hire 31% Cambridge residents for all new jobs created in the City. Yet elsewhere in the technical documentation it states that the jobs generated by new development will tend to focus on white-collar employment and attract workers from higher growth communities further distant from Cambridge.

Finally, are not sanguine that the employer trip reduction programs will produce the desired results if employees continue to have access to abundant and free or inexpensive parking. Recent evaluations of employer-based trip reduction programs in the United States and Canada establish unequivocally that the price and availability of parking is the single most critical determinant of mode choice and thus the success of transportation demand management programs. Without reducing the availability and/or increasing the price of parking, the types of employer-based strategies contemplated in the Ordinance have little hope of success.

To some extent, the debate about the ordinance versus a freeze is an academic one, for neither program alone will come

close to producing the emission reductions requirements contemplated by the Clean Air Act. New SIPs are supposed to demonstrate a 15% reduction in emissions from 1990 inventories over a five year period -- and additional reductions of 3%/year thereafter until clean air standards are met. The reams of technical documentation accompanying the ordinance do not support the conclusion that the ordinance measures would even come close to producing the needed emissions. [See Attachment 5]

### III. Conclusions

The proposed Ordinance may be an important step on the road to clean air in the Cambridge area, but CLF continues to believe that off-street parking restrictions must be added to the Ordinance. The intent of these parking management programs would not be to discourage growth but to ensure proper management of a limited resource: parking. Properly conceived and executed, a parking management program would channel development to those areas closest to the city's rich supply of regional transit services; encourage aggressive implementation of Vehicle Trip Reduction Plans; spur improvements in transit services, bicycling and pedestrian amenities, and ridesharing programs throughout the city; help preserve a supply of on-street residential spaces and short-term spaces for retail customers; and maintain roadway capacity for future development.



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TESTIMONY OF THE CONSERVATION LAW FOUNDATION  
ON THE PROPOSED TRIP REDUCTION ORDINANCE

Andrew Hamilton  
April 8, 1992

Good evening. My name is Andrew Hamilton. I am a staff scientist at the Conservation Law Foundation. Last week, you heard from CLF senior attorney Stephanie Pollack as to the legal necessity of incorporating off-street parking restrictions into the Trip Reduction Ordinance. I am here tonight to discuss the extent to which CLF believes that the estimated benefits of the Trip Reduction Ordinance are actually achievable, and, more generally, what a successful trip reduction plan must contain.

In addition to these legal arguments about the need for parking restrictions, CLF is skeptical about the validity of the claim that the proposed ordinance will reduce Vehicle Miles Travelled and air pollution at least as effectively as a parking freeze.

CLF has been asking similar questions for a variety of transportation planning exercises around New England. In most cases, we have been asking whether a proposed transportation improvement like the widening of Route 3 or the Maine Turnpike can be avoided by managing the demand for roadway space. Since the passage of the Clean Air Act, the question has become not one of avoiding a costly transportation investment, but one of cleaning up the region's seriously polluted air while sustaining desired economic growth and quality of life of local residents. Cambridge is only one of dozens of cities in New England which will have to struggle with this question.

There can be no doubt that, as recognized by the city's consultant, we are dealing with a regional problem which will require regional programs. CLF will working to ensure that other cities shoulder their share of the task of reducing air pollution and that there is an effective regional trip reduction strategy in the SIP. But there is much that a city the size of Cambridge can do on its own and no reason to delay developing an effective ordinance for Cambridge.

Design of the Proposed Ordinance

Regarding the proposed city ordinance, I would first like to make some general comments about its design. In several ways, the menu of programs included in the ordinance suggests the city is serious about playing its part in tackling the regional

problem of air quality degradation. First, the ordinance is inclusive, addressing mobile source emissions from existing institutions, businesses and residents, and with respect to future development. Second, it mandates continuing improvements over time. The overall approach of embracing both breadth and continuity is one which will ultimately prove successful.

While the general approach is sound, however, the specifics need considerable refinement. Because CLF has not yet had the opportunity to meet with the consultant, I cannot comment on one crucial issue - whether the model accurately predicts VMT reductions given the input assumptions. I will, instead, focus on the reasonableness of some key input assumptions and the question of whether the ordinance measures can achieve what is assumed. In other words, Cambridge Systematics has based its modelling on a large number of assumptions about the effectiveness of mandated programs, assumptions like

- raising municipal parking prices will cause several hundred people to stop using the lots and non one will use the newly-emptied spaces;
- a small number of voluntary measures will reverse the trends toward employment of fewer Cambridge residents in new developments; and
- employers can reduce single-occupant commuter trips without raising the cost or limiting the availability of parking.

I will begin by looking at the evidence on the efficacy of employer trip reduction programs.

There is a great deal of prior history from all parts of the United States and Canada to be consulted in setting up a trip reduction ordinance, and I would like to focus on what lessons from previous programs can be brought to bear on the process you are now undertaking.

#### Trip Reductions by Existing Employers

Since the early 1970's, literally hundreds of trip reduction plans have been implemented, at the level of the region, municipality, development, or company. A number of experts have compiled case studies and general treatises on what makes different programs successful.

Probably the most objective and systematic examination of trip reduction programs, known in transportation circles as Transportation Demand Management Measures, is a 1990 report by the Federal Highway Administration. I have provided each of you

a copy of this report, and encourage you to read through some of the case studies reported on there, as well as the general conclusions.

I believe I can assert with some confidence that, in writing this report, the Federal Highway Administration did not come to the task with a strong bias against auto use. After examining a number of TDM programs in a variety of settings, the report concluded as follows:

If travelers are presented with no alternative that realistically competes with the private auto, they will not stop driving. And if driving continues to be subsidized in the form of free (or heavily subsidized) on-site parking, alternative modes will represent bad economic choices for travelers. If these factors are confronted by a TDM program, trip reductions in the range of 20% to 40% can be the norm, rather than the exception. Where TDM programs have been observed with average or limited trip reductions, it is obvious that these fundamental relationships have not been incorporated in the design. (emphasis in original) p. 28.

The two key pieces of information here are that (1) you need truly viable alternatives to the solo commute automobile, and (2) if you continue to offer subsidized parking, then never mind about (1).

Example after example bears this out. I have also distributed to each of you a copy of a paper by Willson and Shoup (1990), two professors at UCLA, who specifically examined the way parking cost affects commuting habits. They analyzed side by side cases where two employers instituted aggressive TDM programs, but one charged for parking and the other did not. The consistent result where parking remained cheap was that solo drivers continued to drive alone, while those who already tended to rideshare simply looked for the best deal among the new alternatives offered. Often that meant some or most of those using public transit would be induced to carpool instead, actually increasing the number of vehicle trips to a site.

#### The Example of Hartford, CT

It is useful to look closely at the example of Hartford, Connecticut. This is a New England city with a workforce almost identical in number to Cambridge. Parking is very tight downtown, and the city is well-served by transit, in this case bus routes which use the highly successful High Occupancy Vehicle (HOV) lane system in Hartford.

Working with city officials, Hartford's business community set out to reduce solo driving from 48% to 39%. Aggressive trip

ing of

reduction programs were established throughout the city, but parking management was rejected for the time being. Despite a severe shortage of parking, 75% of employee parking was either subsidized or free. The results showed that over the course of five years, solo driving was decreased by only 3%.

What is most important about this story is the case of two employers who decided to implement parking management schemes. Both of these businesses are large insurance companies, one employing 10,000 people, the other employing 1100. In both cases, parking is kept expensive for solo drivers, with a sliding scale for carpools. Transit and vanpool service is subsidized in both cases. Within three years, the two companies attained an AER of 2.02 and 2.33, respectively, compared to the downtown average of 1.74. Both companies have a solo driver rate below 40%. The lesson here is that without managing the parking supply of existing businesses, you can expect fairly trivial results. Conversely, parking restrictions can result in very dramatic reductions in vehicle trips.

#### California's Regulation XV

The Proposed Ordinance is modeled after Southern California's "Regulation XV," which is part of a far-reaching, comprehensive plan to improve regional air quality. A major part of that program is the trip reduction plan requirement for employers of a given size. An advantage of this approach is that it leaves the specifics of program design to individual businesses. Most of the plans submitted, however, contain programs much like those envisioned in the proposed ordinance.

CLF has been in frequent contact with the South Coast Air Quality Management District (SCAQMD) for several years regarding the success of its trip reduction program. The initial goal of Regulation XV was to increase vehicle occupancy for work trips by 40% in a 12 month period. Initial results of the program indicate that the actual decrease is on the order of 5-7%. My discussions with the District staff reveal that the primary reason for lack of success has been the unwillingness of employers to create disincentives for solo drivers to park near their place of work.

The staff is most concerned that, not only did the program fall well short of the 40% goal, but that subsequent reductions in driving will be even harder to obtain than the initial 6% reduction. It is clear that future annual plans must in most cases contain a parking management element.

#### Other Evidence

This conclusion is supported by the work of Willson and Shoup (1990), whose recent study of the effect of free parking

mode choice concluded,

[t]he case studies reported here suggest that, on average, employer-paid parking increases the number of cars driven to work by 27 percent. p. 11.

The converse, of course, is also true; charging for parking would rather suddenly reduce vehicle trips to a work site by 27 percent, providing good alternatives are in place. Cambridge is blessed as the most transit-rich city in New England outside of Boston.

Two studies have examined the efficacy of various transportation control measures in reducing driving. Loudon and Dagang (1992), examined eight different measures for a metropolitan area of California -- including provision of transit, parking charges, variable work hours, telecommunications, land use management, signalization changes, gas tax increases, and ridesharing programs.

The results, which were based on measured elasticities, and were not dependent on the particular physical layout of the transportation system, indicated that parking charges were surpassed only by gas tax increases as the most effective way to reduce trips. Most importantly for Cambridge, the study showed that parking charges were consistently in the neighborhood of six times more effective than ridesharing programs alone in reducing VNT, increasing vehicle speeds, and in reducing emissions.

A second study examining TCM's was conducted by the Charles River Associates. Similar to Loudon and Dagang, this study indicated that, on a national average, parking charges for employees would be six times more effective than employer-based carpooling and vanpooling programs in reducing gasoline consumption. Assuming gasoline consumption is reasonably correlated with VNT, the results of the studies are remarkably consistent.

#### Trip Reductions in Future Development

When it comes to trip reduction programs, the best results for new developments have been nothing short of spectacular. The best example is the city of Bellvue, Washington, outside of Seattle. Like Cambridge, Bellvue is a secondary office center separated by water from a major downtown. In 1979, parking requirements were chopped in half, and since 1983, the city has required all new developers (and existing tenants) to create and implement trip reduction plans. Parking is in fairly short supply.

The results of the Bellvue program have been most dramatic for new developments. Three particular developments have been especially noteworthy: USWest (formerly Pacific Northwest Bell),

Puget Power, and CH2M Hill, a design firm. In the case of USWest, Bellvue was chosen as the site of a new office development partly because of the existing limits on parking. The company had a great interest in saving money on parking costs, and was confident its TDM program and the city's transit services could provide ample commuter services.

To get to the punchline, USWest managed to reduce trips by 47% below the local average, while CH2M Hill lowered its drive alone rate from 89% before its move to Bellvue from a suburban location, to 54% afterward. Much of CH2M Hill's success is due to its use of the "transportation allowance" concept, in which employees are offered a transportation allowance equivalent to the cost of parking, but allowed to use it in whatever way they choose.

It should be pointed out that not every company enthusiastically embraces the concept of reduced parking availability and higher parking costs. But, in time, these circumstances are considered by developers and employers to be a necessary evil, to which they grow very accustomed. Employees, on the other hand, tend to be very enthusiastic about the opportunity to avoid driving to work every day and the financial and psychological benefits associated with alternative modes of commuting.

With respect to new development, then, the lesson is that we can be very aggressive about setting AER targets for new developments -- so long as parking at these sites is restricted and/or expensive.

#### Efficacy of the Proposed Ordinance

Looking at the individual program elements in the ordinance, it would appear there is as yet very little to hang one's hat on. The programs may turn out to be as successful as claimed, but right now there is a large amount of uncertainty associated with the estimated benefits. Let me briefly discuss each program in turn.

#### Expanded Commuter Mobility Program

This program addresses primarily the residential population residents in Cambridge already use walking, bicycling, and transit to an unusually high degree. There is no basis for projecting further increases in this category unless further transit services are brought on line. For example, a jitney service is a great idea, but a jitney study is not a jitney service.

#### Regulation of Unregulated On-street Parking

Again, this is another good idea, but the two scenarios envisioned are overly generous in their assumptions. The two scenarios are as follows:

(1) All of the 4700 spaces are attributed to commuters, none of whom will drive to the city after these spaces are regulated, and

(2) 60% of the spaces are currently used by commuters, one-third of whom will continue to drive even after the spaces are regulated. Under this second assumption, there will be 931 drivers looking for alternative places to park. Remember this number; it will return.

We believe the actual proportion of unregulated on-street spaces used by commuters is considerably smaller than 60%, given their location. We do not believe that once regulated, these spaces will not be used by anyone, as assumed by the consultants.

#### Municipal Parking Fees

This program would raise by 25% the parking fee charged at two city-owned lots. It is estimated that 20% of the current users of these lots, or 275 drivers, will stop driving. But now remember the 931 people from the on-street parking market who will continue to drive. It isn't hard to imagine that 275 of them will want to take the spaces abandoned in the city-owned lots.

#### Resident Parking Zones

As far as I can tell, a 7000 VMT reduction from this program is a reasonable number.

#### Local Employment Opportunities

Here, the consultant assumes 33,000 vehicle trips can be eliminated. But he also projects a decreasing share of Cambridge residents taking jobs in any new development projects. What we are talking about here is manipulating the balance between jobs and housing. Experience elsewhere with this kind of program has only proven successful when developers were required to build housing units at the same time as their developments were built, and new workers were offered first crack at the new housing. Even then, as time goes on this housing stock tends to turn over to people who are not working locally, unless the developer or tenant retains title to each residence. Again, assertions of benefits for this program have no apparent basis in reality.

#### New Development Trip Reduction Plan

This program asserts that new development will avoid 27,000

VMT, which, if we calculate backwards using the expected rate of trip avoidance, indicates that without a parking freeze, new development can be expected to generate an additional 228,000 VMT. This increase would exceed the rosiest projected decrease from the ordinance, which is 170,500 VMT.

### Clean Air Act Compliance

The total VMT reductions projected apply only to work trips, which at best comprise 35% of all trips. To comply with the Clean Air Act -- that is to reduce VMT by 15% in five years, the city should decrease VMT by at least 290,700, VMT by year 5 after the SIP goes into effect. That assumes that the 33% of trips that are through-trips are someone else's responsibility. From work-trips, that means a reduction of 145,350 VMT (see Attachment 4), and a similar or much larger amount from non-work trips. The ordinance as modelled by the consultant does not reach this level of VMT reduction, even though their numbers also indicate that parking demand with the ordinance in effect and with 8 million square feet of new development will decrease by 22%.

If you believe the consultant's numbers, that the ordinance will reduce parking demand from the current 52,200 to 40,800 (see Attachment 5), even with 8 million square feet of development, then a parking freeze should in no way appear threatening. If you don't believe those numbers, then it's time to go back to the drawing board. And to get the mandated reductions, I assure you it will be necessary to implement both a modified version of the ordinance and a parking cap. There really is no way around that fact.

The key to an effective parking freeze is to outline the rules clearly for developers. Experience has shown that some developers and companies are actually attracted to cities with parking freezes, but they want to be clear about the rules.

Municipalities have been hesitant to require parking charges or restrict parking for new developments, except where the demand for commercial space is high. It is clear, however, that scarce and/or costly parking is a crucial part of the trip reduction calculus. Parking restrictions need not scare off developers.

For developers, parking availability is considered important but not determinative. Cambridge can remain competitive in attracting new development, but it will have to sell the idea of parking restrictions as an overall benefit, or at least a neutral requirement. To this end, it should be noted that a recent survey of 141 firms which have undertaken ridesharing programs have found them to be cost-effective in 75% of cases (Wegmann 1989). Twenty-three percent of respondents specifically cited the avoidance of expanding parking as a major benefit of such

programs.

One device which works well, but has not been used on a wide scale, is the "transportation allowance" concept, mentioned earlier. Developers or current employers offering or intending to offer free parking provide employees with a choice between the free parking and an equivalent cash travel allowance which can be used in any commuting mode. Those who drive are charged the entire allowance to park. New tenants entering into such arrangements save by eliminating the need for parking, the value of which lies between \$1000 and \$15,000 per space.

#### A Modest Proposal

CLF has prepared a proposal (attached) by which parking spaces are inventoried each year as part of the employer's trip reduction plan, and any parking spaces freed up as a result of successful trip reduction efforts can be traded as parking space credits on the open market. Our scheme also allows the city to immediately create new credits by eliminating on-street commuter spaces, as already envisioned. I have attached an outline of how this program would work. I invite you to read and consider it.

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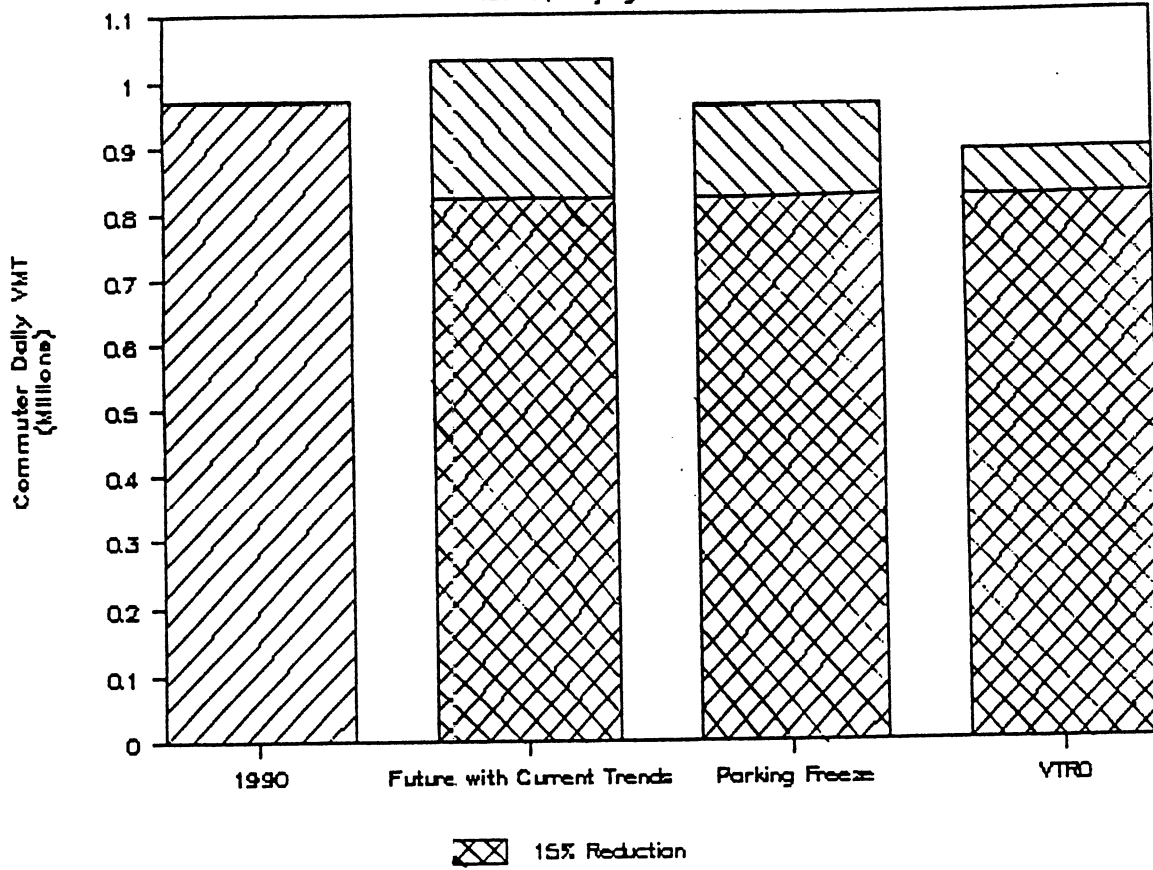
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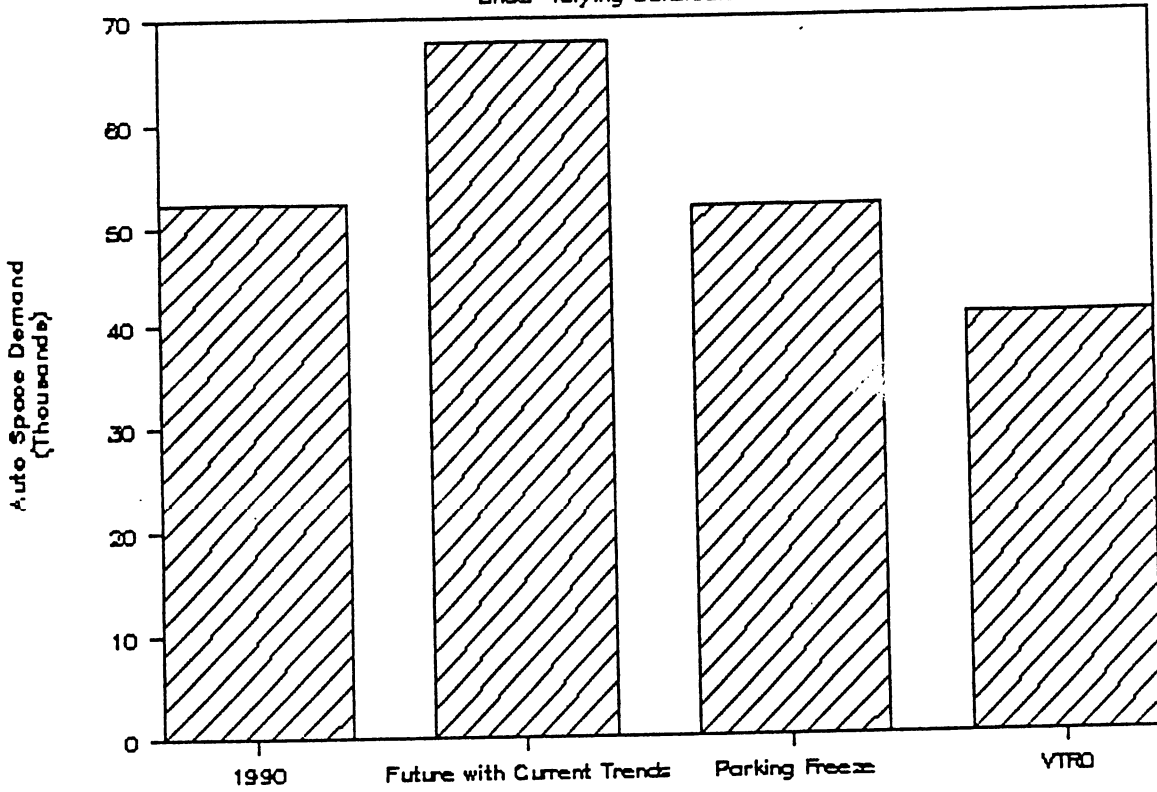
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# Cambridge Commuter VMT

Year 5, Varying Conditions



### Cambridge Parking Demand Under Varying Conditions





Conservation Law Foundation

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DISCUSSION DRAFT: A PROPOSAL FOR  
LINKING EMPLOYER TRIP REDUCTION MEASURES  
TO OFF-STREET PARKING RESTRICTIONS

Stephanie Pollack  
Andrew Hamilton

April, 1992

A successful employer trip-reduction ordinance should eliminate the need for substantial numbers of existing off-street parking spaces. Without limits on construction of new off-street parking, however, the trip reduction measures may not work (e.g. employees will park elsewhere) and parking constructed in association with new development will generate far more trips than will be eliminated by existing employers. A comprehensive ordinance would therefore include restrictions on construction of additional off-street parking. This proposal assumes that the total amount of non-residential, off-street parking in Cambridge would be capped at a number equal to the number of such spaces in existence on the effective date of the ordinance. The mechanism of marketable parking space credits -- rather than the freeze "bank" concept used in the past -- would be instituted in order to allocate use of the existing spaces, especially those rendered unnecessary by employer trip reduction efforts.

Existing Off-Street Parking

- o The City would have six months to revise and finalize its inventory of all off-street, non-residential parking (including municipal parking) and would be authorized to require all persons who own ten or more non-residential, off-street parking spaces to submit, under penalties of perjury, an inventory certifying the number of spaces they own. No new permits for new parking spaces or new developments would be approved until the inventory is completed and approved by the Department of Environmental Protection.
  
- o Any parking space listed in the inventory could be converted by its owner into a "parking space credit" by (1) physically destroying or permanently barring access to the space and (2) applying to the appropriate agency for certification that the space has been closed and converted into a parking space credit.

- o Persons who own parking spaces listed in the inventory who obtain such parking space credits would be permitted, after notifying the appropriate agency, to either use the credits at another site they own in Cambridge or to sell them.
- o All owners of ten or more parking spaces would have to submit reports to the City every other year certifying, under penalties of perjury, the number of spaces they own and their status (e.g. in use, converted to a parking space credit). Based on these reports and other information, the City would revise the parking inventory.

#### City-Owned Parking

- o All off-street parking owned by the city, including parking for city employees, would have to be designated and managed as either short-term parking spaces (charging at least \$1/hour) or long-term parking spaces (charging at least \$5/day). The City would have to prepare a plan for management of its off-street parking spaces within three months after passage of the ordinance.
- o The city would have six months to prepare an inventory of all unregulated on-street parking, including an assessment of the likely current use of each space (residential, retail, commuter), and a plan for regulating all such spaces. The plan would assess the parking needs in the area near the currently unregulated spaces (e.g. residential vs. retail), through a process including public hearings, and designate which spaces should be converted to resident-only parking and which to metered parking.
- o Restrictions would be imposed on all currently unregulated on-street parking within 90 days after the Department of Environmental Protection has completed its review of the above plan.
- o The city would create one parking space credit for every currently unregulated on-street parking space categorized as commuter parking which is converted to residential or short-term parking. The city could also generate credits by closing down off-street municipal spaces designated as long-term parking. These credits could be used to create additional long-term off-street municipal parking or could be given/sold to employers/developers who seek to build additional parking.

#### Construction of New Off-Street Parking

- o No person would be permitted to construct an off-street, non-residential parking space (except the MBTA, for park-and-ride spaces) after the effective date of the ordinance without (1) purchasing the appropriate number of parking space credits and (2) obtaining a permit from the

appropriate agency. Before issuing the permit, the agency would have to verify the validity of the parking space credits and would be permitted to impose conditions concerning traffic mitigation and other required measures.

- o Zoning would be changed to eliminate or substantially reduce the number of parking spaces required for new developments and to cap the allowable amount of parking (caps, expressed as number of spaces per 1000 square feet of non-residential use, could vary depending on use and for different zones depending on factors such as proximity to transit).
- o New developments -- defined as commercial, industrial or retail developments of 50,000 square feet or more which do not have a parking permit or exemption as of the effective date of the ordinance -- would also be required to prepare transportation management plans including
  - o Measures designed to ensure an Automobile Efficiency Rate of at least 3.0;
  - o Traffic analysis and mitigation plan to ensure that no intersection in the project area has a Level of Service of D or below; and
  - o Identification of measures to encourage employment of Cambridge residents, including assistance in obtaining housing in Cambridge.

#### Employer Trip Reduction Program

- o The City would have 6 months to calculate the current city-wide Automobile Efficiency Rate (# of vehicles arriving between 6 and 10 am divided by number of employees) and establish a series of annual AER targets for the next five years designed to eliminate all growth in commuter-related Vehicle Miles Travelled by 1996.
- o All persons employing more than 50 persons at any one location would be required to prepare and submit Vehicle Trip Reduction Plans one year after passage of the ordinance. New plans would have to be submitted within 60 days of a determination by the city that the plan was inadequate (either as submitted or because the plan subsequently failed to achieve the target AER).
- o Plans would include a calculation of the employer's current AER and measures to improve that AER by 10% per year until the citywide AER target is reached or for the next five years, whichever is shorter. Employers whose AER in any given year is above the citywide target would still have to improve their AER by 2.5%/year in all subsequent years. Initial plans would also state how many parking spaces are owned/controlled by the employer and all subsequent reports/plans would state how many spaces, if any, are no longer in use because of trip reductions.

- o All covered employers would, when submitting plans, pay a processing fee designed to cover the city's cost of hiring persons to provide technical assistance in preparing the plans and to review the plans.
- o Fines would be imposed for failing to either submit or implement plans.
- o Any new employer or any employer whose employment increases to above the 50-employee cut-off would have 90 days to develop the initial AER calculation and plan.
- o Employers implementing approved plans who claim that employees are no longer using all parking spaces owned by the employer can shut down unused spaces and obtain parking space credits as described above. Any employer whose AER is above the citywide target and who achieves trip reductions in excess of those mandated by the ordinance will be granted two parking space credits for each parking space removed from use above the number that would have been eliminated in order to achieve mandated trip reductions.



# OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON  
CITY CLERK

(617) 349-4260

June 3, 1992      JOHN E. FLYNN  
DEPUTY CITY CLERK

Mr. Russell B. Higley  
City Solicitor  
City Hall  
Cambridge, MA

Dear Sir:

Enclosed you will find copies of three proposed amendments to the Municipal Code of the City of Cambridge which were passed to a second reading at the City Council meeting held on June 1, 1992 as follows:

1. Vehicle Trip Reduction Ordinance
2. Parking Freeze
3. Street Performers

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

John E. Flynn  
Deputy City Clerk

JEF/dl

Encs. (3) First publication numbers 2588, 2589 & 2590

c.c. Councillor Wolf, Chair, Committee on Ordinances  
Joseph Cellucci, Inspectional Services Commissioner  
Birge Albright, Law Dept.



# City of Cambridge

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In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an ordinance entitled "The Municipal Code of the City of Cambridge."

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Title 10 entitled "Vehicles and Traffic" of the Municipal Code of the City of Cambridge is hereby amended by adding at new Chapter 10.17 entitled "Vehicle Trip Reduction Ordinance."

Passed to a second reading as amended at the City Council meeting held on June 1, 1992 and on or after June 15, 1992 the question comes on passing to be ordained.

ATTEST:- John E. Flynn  
Deputy City Clerk

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Municipal Ordinance may be examined and obtained at the City Clerk's office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- John E. Flynn  
Deputy City Clerk



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-Two

## AN ORDINANCE

In amendment to an Ordinance entitled "The Municipal Code of the City of Cambridge."

*Be it ordained by the City Council of the City of Cambridge as follows:*

That Chapter 10.16 entitled "Parking Freeze" of Title 10 of the Municipal Code entitled "Vehicles and Traffic" be and hereby is amended as follows:\_\_\_\_\_

WHEREAS, the city of Cambridge ("City") and the Massachusetts Department of Environmental Protection ("DEP") have agreed to cooperate in an effort to amend the State Implementation Plan ("SIP") under the Clean Air Act, 42 U.S.C. § 7401, et seq., as amended, regarding the measures to be taken by the City toward attainment and maintenance of the National Primary Ambient Air Quality Standards necessary to protect public health in the Commonwealth; and

WHEREAS, the City, as part of a settlement of a legal dispute pertaining to the terms and implementation of a parking freeze in Cambridge, entered into a Memorandum of Agreement ("MOA") with the Department of Environmental Protection ("DEP") on August 15, 1990 and passed Ordinance No. 1112 on November 26, 1990 (the "Interim Ordinance"); and

WHEREAS, the MOA and the Interim Ordinance require the City Manager to present to the City Council a proposal for, together with a form of ordinance concerning, a proposed amendment of the SIP that includes a program of transportation control measures directed toward attainment and maintenance of the National

Primary Ambient Air Quality Standards to protect public health in the Commonwealth; and

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WHEREAS, the City recognizes that attainment of the National Primary Ambient Air Quality Standards will require a regional program of transportation control measures to reduce vehicle miles travelled; and

WHEREAS, the 1990 Clean Air Act Amendments specifically prohibit states and localities from implementing transportation control measures which will relocate traffic from one city or one area of a region to another; and

WHEREAS, in light of amendments to the federal Clean Air Act in November 1990, after execution by the City of the MOA and enactment by the City of the Interim Ordinance, the SIP amendment process may take another year or more; and

WHEREAS, DEP and the City amended the MOA on June 1, 1992.  
and

WHEREAS, the Interim Ordinance should be amended to be consistent with the policies of the City, the amended MOA, and the federal Clean Air Act during the interim period; and

WHEREAS, the City will implement the terms of the Interim Ordinance, as amended, until a SIP amendment is approved which will replace and supersede the Interim Ordinance; and

WHEREAS, the City has authority to enact the provisions of this Ordinance pursuant to G.L. Chapter 111, § 31C, as well as by

authority derived from the City's general police power.

NOW, THEREFORE, be it ordained by the City Council of the City of Cambridge as follows:

Title 10 of the Code (Vehicles and Traffic), Chapter 10.16 (Parking Freeze) is hereby amended by adding the following

Sections:

- 10.16.060 Procedure for Obtaining CFPF or Determination of Exclusion
- 10.16.070 Number of CFPFs to be Issued
- 10.16.071 Restrictions on Unrestricted On-Street Parking Spaces
- 10.16.090 Memorandum of Agreement of August 15, 1990, as amended
- 10.16.100 Effective Date

10.16.060 Procedure for Obtaining CFPF or Determination of Exclusion.

(a) Not amended.

(b) Not amended.

(c) Add at the end of this subsection a new subparagraph 13 as follows:

13. A detailed statement of any public policy considerations which support the application.

(d) Not amended.

(e) Not amended.

(f) Not amended.

(g) Amended to strike the third sentence thereof and read as follows:

The Director shall approve or disapprove the application in accordance with the Committee's determination. When the decision is made to approve an application, the decision shall state the name, address and authorized number of spaces of the facility and any conditions upon which the application is approved. All CFPs shall include a provision requiring that any spaces in the facility open to the general public for which there will be an hourly or daily fee shall not be available for occupancy prior to 9:30 a.m. on weekdays.

10.16.070 Number of CFP's to be Issued.

This section shall be stricken and replaced by the following:

The City, in accordance with the procedures set forth in this Chapter, may issue permits only for parking spaces which are in the parking space bank. The parking space bank shall be comprised of parking spaces from the following sources:

(a) Parking spaces which the City has eliminated or against which the City has initiated an enforcement action in accordance with section 10.16.080; plus

(b) Commercial parking spaces which were permitted in accordance with the November 15, 1984 MOA and which are no longer being used; plus

(c) Fifty percent (50%) of those unrestricted on-street parking spaces identified in the City's on-street parking space

inventory which become subject to restrictions on use pursuant to Section 10.16.071; plus

(d) The twenty-two remaining Controlled Parking Spaces available for allocation pursuant to Section 10.16.070 as originally enacted; plus

(e) Such additional parking spaces as the DEP may from time to time approve for inclusion in the parking space bank.

Rights to parking spaces that are eliminated by enforcement cannot be transferred between persons, but must revert back to the City for allocation under the procedure set forth in section 10.16.060.

10.16.071 Restrictions on Unrestricted On-Street Parking Spaces.

Within one (1) month of the effective date of this provision, the Traffic and Parking Department shall, based on the City's inventory of all unregulated on-street parking in the City, submit to the City Manager a written recommendation specifying appropriate restrictions to discourage the use of some or all of these spaces for long-term commuter parking. These restrictions may include, without limitation, an absolute prohibition against parking, installation of parking meters, imposition of time restrictions, and/or restriction for use by residents with permits. The Director of the Traffic and Parking

Department shall make the recommendations available for public review and shall schedule one or more public meetings, as appropriate, for public discussion of the recommendations. Within one month after the public meetings, the Traffic and Parking Department shall submit a revised recommendation to the City Manager. After consultation with the City Manager the Director of the Parking and Traffic Department shall cause the recommendation to be implemented promptly.

10.16.090 Memorandum of Agreement of August 15, 1990.

This section is stricken and replaced by the following:

The City agrees to fulfill the obligations set forth in the MOA between the City and the Massachusetts DEP, dated August 15, 1990, as amended on June -, 1992.

The City Manager shall prepare for submission to the Metropolitan Planning Organization and DEP a proposed amendment to the SIP and a form of ordinance approved by the City Council. The proposed SIP amendment and the form of ordinance shall include, inter alia, provisions whereby certain provisions of such ordinance (i) shall not take effect prior to the sixtieth (60) day after the final approval of a SIP amendment by the U.S. Environmental Protection Agency ("EPA") which contains a program of transportation control measures that are applicable equally to

all communities in the Commonwealth, such as an employer-based vehicle trip reduction program and which revokes the provisions of 40 C.F.R. section 52.1135 which apply to Cambridge; and (ii) whereby such ordinance shall supersede and replace this Chapter upon approval of such SIP amendment.

Upon final approval of such SIP amendment(s) by all governmental authorities with jurisdiction thereof, the city Manager shall notify the City Council of the impact of such SIP amendment(s) on Cambridge.

The provisions of this Chapter shall continue in effect for the interim period.

10.16.100      Effective Date

The provisions of this amendment shall take effect upon enactment.

Passed to a second reading as amended at the City Council meeting held on June 1, 1992 and on or after June 15, 1992 the question comes on passing to be ordained.

ATTEST:- John E. Flynn  
Deputy city Celrk



# City of Cambridge

In the Year One Thousand, Nine Hundred Ninety Two

## AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code"

*Be it ordained by the City Council of the City of Cambridge as follows:*

Section 12.16.170 of the Code (Street performers) is hereby amended as follows:

1. Paragraph E. (Permitted performances), subparagraph 3. is amended to read as follows:

No performer or group of performers may generate noise exceeding a median sound level of 80 decibels measured at a distance of 25 feet from the performer or group of performers. A performer or group of performers may use sound amplification as long as this sound level is not exceeded. Upon a complaint by a resident, a designated staff person from the Cambridge Arts Council shall, with the permission of the resident, measure the sound level inside the residential dwelling. If the sound level exceeds a median sound level of 50 decibels, and exceeds the background noise by at least 10 dB(A), the performer or group of performers causing the excessive sound level shall either turn down the music or move to a distance from the residence so as to reduce the sound level within these limitations. Background noise for this purpose shall mean  $L_{90}$ .

That Section 12.16.170 entitled "Street Performer" in Paragraph F (1) be and hereby is amended by adding at the end thereof the following:

Unaccompanied drummers and groups of unaccompanied drummers are hereby forbidden to perform or play on drums in the following public areas:

Winthrop Park

Brattle Square Triangle

Cambridge Common

Passed to a second reading at the City Council meeting held on June 1, 1992 and on or after June 15, 1992 the question comes on passing to be ordained.

ATTEST:- John E. Flynn  
Deputy city Clerk

Parkway Freeze

0-26

June 15, 1992