FIRST PUBLICATION NO. 2802

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety Eight.

AN ORDINANCE

In amendment to the ordinance entitled "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" is hereby amended by adding at the end thereof a new Chapter 10.18 entitled "Parking and Transportation Demand Management Planning; Parking Space Registration."

Passed to a second reading at the City Council meeting held on September 28, 1998 and on or after October 12, 1998 the question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
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 Zoning 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.

Ted Hollman, Holworthy Street, stated that for the ordinance to become successful, good coordination and cooperation with the private sector is necessary. If the business community sees the benefits, the ordinance has a good chance of succeeding.

Councillor Born asked why it is taking so long to finalize this proposal, and what is the present status of the parking freeze.

Ms. Rubenstein said that part of the reason for the time is because the business community had several concerns and Community Development Department has worked to try to clarify language and respond to these concerns.

With regard to the parking freeze, the City has been working with the state Department of Environmental Protection, and has entered into an agreement to end the commercial parking freeze. The agreement was entered into last December. There is one more step required; the federal Environmental Protection Agency must approve the agreement.

Attorney Drisdell stated that the parking freeze technically only applied to commercial parking, which means off-street parking spaces available to the general public for a fee, not employee parking. In exchange for removing the commercial parking freeze, the city agreed that for any increase in commercial parking, there will be an offset by other reductions in single vehicle occupancy trips.

Councillor Born asked whether a developer is free to build a 1000 parking garage for its employees if the developer had the necessary zoning approvals, etc. Mr. Drisdell answered in the affirmative.

Councillor Born asked whether changes in the zoning, such as reducing lessening the required parking or the density would constitute a demonstration of offset.

Mr. Drisdell stated that the argument is often made that reducing required parking does not reduce the number of cars; it just results in additional cars parked on the streets.

Ms. Rubenstein said that while the city is interested in looking at the relation between density and traffic, there is not necessarily a one-to-one reduction; it is a complex issue.

Stash Horowitz, 12 Florence Street, co-chair of Cambridgeport Neighborhood Initiative (CNI), stated that many positive meetings among citizens, Community Development Department staff, traffic experts and developers have taken place in connection with the issue. Community Development staff looked carefully at Spaulding & Slye's proposed Parking Transportation Demand Management plan and improved it. CNI applauds this work. Mr. Horowitz stated that there was also positive cooperative work that led to a change in the signal times on Memorial Drive. He stated that Cambridge is moving in the right direction, although he personally believes this proposed ordinance is too weak. To vote down this meager step in the right direction would be to send the wrong message.

Attorney Drisdell stated that there was never any link between the Parking Transportation Demand Management ordinance and the City's negotiations with respect to the Charles River Crossing.

Councillor Born moved that the proposed ordinance be a referred to the full City Council with a favorable recommendation. The motion passed without objection on a voice vote.

Councillor Davis thanked all those present for their attendance. The meeting was adjourned at 6:17 p.m.

For the Committee,

Councillor Henrietta Davis,
Chair

DRAFT

Cambridge Law Department
September 16, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, it is the intent of this Ordinance to manage the parking and transportation demand through encouragement of alternative transportation options and reduction of Single Occupnacy Vehicle trips in the City; and,

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken

consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements

10.__070 Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating

license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group ~~of~~ of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly

authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this ~~c~~hapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-

commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following facts, projections ~~factors~~ and commitments:

(i) Facts and Projections~~Factors~~:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;

- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a detailed description of the measures ~~programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge. The percent reduction will be based on PTDM practices successfully implemented in reasonably comparable environments and as identified in professional and academic literature and based on analysis of existing trip reduction measures in Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan [~~and the proposed requested number of parking spaces for each category of use~~] based on the above-listed facts, projections, ~~factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within 90 ~~60~~ days of receipt of the proposed PTDM Plan. The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan. [~~If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed.~~] If the project proponent elects to make a request pursuant to 10.__.060, the decision of the Planning Officer shall be expanded to ~~also~~ include a recommendation about whether offsite parking should be

allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, or his designee, ~~the Director~~ and ~~two~~ ~~one~~ other City staff members ~~person~~ designated by the City Manager none of whom may have participated ~~and who did not participate~~ in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall ~~not~~ be automatically transferrable by and among private parties~~. At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan~~, provided that the proposed new owner ~~or operator~~ (the "Transferee") shall continue to operate under the existing PTDM Plan and shall ~~either~~ submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect~~; or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan. In the event the Transferee elects to submit a~~ The certification~~, it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility; (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer within thirty (30) days of title transfer regarding appropriate revisions to the existing plan~~, then~~ Bbased on such consultation, the Planning Officer may require information from the Transferee ~~proposed new owner and/or operator~~ concerning ~~(i) likely~~ proposed changes in use of the parking facility and associated buildings and~~; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes~~, and commitment of the proposed new owner and/or operator to~~

~~implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval of the revised plan ~~for the transfer of the existing PTDM Plan~~ and obligations to the Transferee, ~~proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the Transferee ~~proposed new owner and/or operator~~ for review, condition, approval and/or denial. Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~annual periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Upon the written request of the project proponent, Bbased on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer may ~~shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) ~~At its option, a~~A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Upon the written request of the project proponent, Bbased on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer may ~~shall~~ make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of

measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall provide a first written notice of violation to ~~notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director ~~Such order~~ may order ~~require~~ shutdown of the parking facility. Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice. A determination and order of the Director may be

appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

C. C. 106

City of Cambridge

The Ordinance Committee held a public meeting on September 16, 1998, beginning at 5:30 p.m. in the Sullivan chamber for the purpose of continuing discussion of a proposed amendment to the Municipal Code entitled the "Parking and Transportation Demand Management (PTDM) Ordinance.

Present at the hearing were Councillor Henrietta Davis, Chair of the Committee, Councillor Kathleen Leahy Born, and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Acting Assistant City Manager for Community Development, Donald Drisdell, Deputy City Solicitor.

Councillor Davis convened the hearing and explained the purpose. She invited Beth Rubenstein to describe interim progress on resolving the outstanding issues described at the last Ordinance Committee meeting on this subject.

Ms. Rubenstein submitted a revised draft of the proposed ordinance (attached) and outlined the changes the Community Development Department staff has made in the proposal:

- Added a time to cure noncompliance before penalties kick in. (page18)
- Clarified the appeal process. (page 13)
- Clarified the relation of this ordinance to the zoning ordinance. Changes to the number of parking spaces may be part of a Parking Transportation Demand Management plan, but there will be no attempt to coerce or require such changes. (page 14)
- Added more time for compliance when there is a new owner due to death, etc. (page 14)
- Clarified the effect of minor changes in use of parking spaces. (page 13)
- On page two added, a new "whereas" for further clarification.
- On page twelve, changed the proposal to include basis for percent reduction requirements.

Ms. Rubenstein stated that since the first introduction of this ordinance over a year ago, there has been a lot of very good input from concerned residents and members of the business community.

Councillor Davis then invited public testimony.

Michael Halle, 2 Westacott Court, member of the Bicycle Committee, stated that there are many people who care a lot about vehicle trip reduction. The ordinance is technical, so there not necessarily a lot of those people here to testify, but they support the purpose of the ordinance and the effect it will have.

Elie Yarden, 143 Pleasant Street, spoke in favor of forwarding the proposed ordinance to the City Council at this time. He stated that all of the consequences of this ordinance cannot be foreseen. He has begun to worry about the problem of this ordinance making room on the roads for more cars. During a recent trip to Los Angeles, he saw that people were perfectly willing to wait in traffic for a hour to go 5 miles as long as the car was equipped with air conditioning a cellular phone and a CD player. Mr. Yarden also said that there should be no minimum number of parking spaces in zoning law.

Cal. 11

O 29

Committee Report #3

Communitication was received from D. Margaret Drury on a report from Councillor Davis for a meeting held on September 16, 1998 for the purpose of continueing discussion of a proposed amendment to the Municipal Code entitled the "Parking and Transportation Demand Management (PTDM) Ordinance.

10/26/98
No Action Taken

11/16/98
Passed to be Ordained
9-0-0.

In City Council Septmeber 28, 1998

Report Accepted.
Passed to a second reading.

10/5/98
No Action Taken
10/19/98
No Action Taken

City of Cambridge

Councillor Triantafillou asked what the difference was between commercial and non-residential parking. Ms. Rubenstein responded that commercial parking is parking available for a fee. Non-residential parking is parking for customers, students, patients, etc. She stated that before any permits would be issued by the city, developers will have to come to the city with a PTDM plan and have it approved by the city. On smaller projects, she stated, developers would be required to adopt three PTDM measures from a list provided by the city and would be required to maintain a report of such actions. Ms. Rubenstein stated that the PTDM plan represents an approach to minimize the parking associated with projects and to reduce single occupancy vehicle trips in and around the city. She informed the Committee that the PTDM plans will be based on :

nature of development and property use
proximity of transit
availability of and accessibility to offsite parking
number of employees and places of origin
number and type of patrons to use parking and their place of origin
number of vehicle trips anticipated to be generated by project
detailed description of vehicle trip reduction program including, but not limited to:
- subsidized T passes
- shuttle services
- ride sharing services
- bike and pedestrian facilities
- flexible work hours
- preferential parking for vans
- proposed mitigation.

The PTDM plan would be reviewed by the PTDM officer appointed by the City Manager who has the authority to review, condition, approve or deny the plan.

Councillor Davis asked if the PTDM proposal will affect city parking and metered parking. Mr. Drisdell, Deputy City Solicitor, stated that unmetered parking is not part of the parking freeze and off-street parking facilities are permitted under the parking freeze ordinance.

Councillor Russell stated that the 60 day time limit for review by the PTDM officer is a long time. City Manager Healy stated that this is the maximum time limit.

Councillor Triantafillou stated that this proposal does not apply to residential parking. The City Manager responded in the affirmative. Councillor Triantafillou asked what was the point. Robert W. Healy responded that the proposal applies to office, hotels and new commercial development, but does not apply to condo complexes. She asked how the ordinance would work. He responded that for any new development with twenty or more parking spaces the ordinance would apply Councillor Triantafillou ask if the Holmes project would be affected by the ordinance. The City Manager stated that the project does not provide commercial parking. The City Manager stated that only residential parking is provided for this project and thus the project is exempt from the ordinance. He further stated that since the Millennium Project has 600 employees and no certificate of occupancy, they would be required to submit a PTDM plan. The emphasis, he said was on the certificate of occupancy piece. Councillor Triantafillou asked if the proposed amendment would apply to the Bulfinch project. The City Manager responded in the affirmative. He stated that the ordinance would apply to any building other than residential that requires more than twenty parking spaces. Councillor Triantafillou stated that the ordinance would not apply to condos with underground parking. The City Manager responded in the affirmative. She asked if the ordinance would apply to existing commercial buildings. City Manager Healy stated that it applies only if they increase their parking. She asked if the ordinance applied to the TRW project. The City Manager responded in the negative because the project is all residential. Councillor Triantafillou asked if the TDM plan has been challenged in another city. The City Manager responded he did not know of any legal challenge.

Councillor Davis stated that the state of Washington uses PTDM. She stated that the plans are very standard. Oregon and California also have PTDM.

Councillor Triantafillou asked if there is a connection between traffic mitigation and single occupancy vehicles (SOV), does it result in less traffic and pollution. Is this documented anywhere? Ms. Rubenstein stated that data is being collected by MIT and Harvard and it is documenting that SOVs are affected by a plan.

Councillor Davis stated that we do not expect a decrease in traffic, we expect a decrease in rate of traffic growth. Mr. Healy stated that the increase will be less than it would be if there were no plan. Councillor Davis stated that the PTDM ordinance cannot do better that 10%. This will help but it is not the entire answer. It is not going to solve the problem, she said.

Councillor Davis asked about percentages or numeric goals. Ms. Rubenstein stated that specific numeric goals were not included because all development and all businesses are not the same. There are a lot of factors, she stated. The intent of the ordinance was to change the behavior of individuals. She further stated that it was felt that it was better to leave it flexible.

Councillor Davis stated that she would like to have an opportunity for neighbors who would be affected by the decrease of parking spaces at a development to be heard by the officer.

Councillor Davis stated that there is a hybrid type of buildings, how do we relate the ordinance. Mr. Healy stated that for 5-19 parking spaces, the ordinance does not apply. If there will be twenty or more spaces it applies, except for residential spaces. Attorney Jacobs stated that how the parking spaces will be segregated will have to be laid out in the plan per commercial use.

Councillor Davis asked how the city can capture underutilized commercial parking spaces. Mr. Healy stated that if a business has parking spaces it wants to share with another business for a fee the spaces could be commercial and an agreement between businesses would need to be made. Ms. Jacobs stated that commercial spaces can only be used for business and residential spaces cannot be used for business. Councillor Davis asked if parking spaces can be sold as other commercial spaces. Ms. Jacobs stated there may be a zoning restriction. She further stated under the proposal if parking spaces are in existence and used as non residential they can be used in that fashion as long as they are not used for a fee.

Councillor Davis asked for clarification of the supervision of the PTDM officer. Mr. Healy responded that the operation and enforcement of the ordinance is under the direction of the Director of Traffic, Parking and Transportation. Planning and analysis is a function of the Community Development Department. This ordinance is a coordinated function, he said.

At this time Councillor Davis opened the meeting to the public.

Steve Kaiser, 191 Hamilton Street, stated that the proposal is not strong enough. He feels that the enforcement aspect has no backbone. He stated that the reduction of SOV could be accomplished by employees sharing rides to work which would show a 1% reduction of SOV's. The plan submitted goes to the PDTM officer which places this person in a bad position. He further stated that the ordinance needs additional support such as zoning requiring a minimum driveway width of ten feet.

Stash Horowitz, 12 Florence Street, stated that there is no requirement for neighborhood input and no requirement for a traffic study which could include the number of daily vehicle trips into the city. He urged that language from the Traffic Analysis and Report Guidelines prepared by Community Development in 1990 be included in the PTDM ordinance. He feels a report without numbers and standards is ineffective. He stated that the parking freeze ordinance was initially a good thing, then it was challenged and now only applies to parking for a fee.

Councillor Russell stated that this issue is an important issue and she feels another meeting should be held.

Jonathan Ginsberg, 2 James Way, stated that he agrees with the goals of the ordinance, but the ordinance needs to be smoothed out. He feels the ordinance lacks regionality. He feels good work has been done on the ordinance but more input is needed from the City Council, the neighborhoods and the business community. He expressed his concern with pass through traffic in the city.

Tom Lucey, Forest City Development, expressed his thanks to the Community Development Department for their help.

Bill Zamparelli, 7 Emmons Place, stated that Chamber of Commerce members need more time to review the PTDM ordinance. He stated that the rewritten version was reviewed in April. Their concerns have been sent to the Community Development Department and are not reflected tonight. He requested the Committee review the rewritten version. Councillor Davis stated that as Chair of the Committee she wanted the ordinance to proceed and urged Mr. Zamparelli to meet with the Community Development Department. Mr. Zamparelli stated that the Chamber is concerned about non-regionality. He stated that no other community will be subject to the

provisions of this ordinance. The Ride Share policy, he said, has been encouraged by business. Business, he said, would be at a disadvantage and there would be an exodus of business from the city. A sunset provision was requested but it does not appear in the proposal. He further stated that the enforcement provision is a concern. The PTDM officer has no definite criteria. He stated that the ordinance needs more work. Councillor Davis requested that Mr. Zamparelli forward his specific concerns to her, in writing.

Councillor Russell asked Councillor Davis if the state of Washington PTDM plan was adopted by an elected body. Councillor Davis responded she has not had an opportunity to read the document. Councillor Davis requested information from the Community Development Department about other communities who have adopted PTDM plans.

Rachel Solem 14 Ellsworth Avenue, stated she is a resident and a business owner. Most business are acting in good faith and are using PTDM measures now in an attempt to reduce cars coming into the city, she said. She stated that this is too complicated an ordinance to pass quickly.

John Pitkin, 18 Fayette Street, urged the committee to make the effort to implement the PTDM and work out the measures. He stated there has been a forty percent (40%) increase in traffic in the city over the years. He stated that the city needs to monitor the numbers and then we can be less concerned about development.

Ken Field, 108 Pleasant Street, stated that the PTDM officer would have discretionary power. He stated that he supported bicycle racks.

Michael Halle, 2 Westacott Court, suggested more flexibility in implementing a time table. He stated that there are a lot of businesses that benefit from PTDM today and incentives should be emphasized.

Pebble Gifford, 15 Hilliard Street, asked why the citizens had to be at this meeting if the City Council is not here to listen to citizens concerns? The City Council votes on this ordinance and they do not know what the citizens concerns are. She stated the ordinance is a "band-aid" effect. She further stated that the SOVs are up in every category and bicycles are down. Ms. Gifford stated that commercial parking spaces are not staying in this category, are not being enforced or counted. A traffic study is essential, she said, before the ordinance is enacted. She wanted to know what is actually happening in other communities? Why was residential parking exempted? How many residential spaces are on line? Does the PTDM officer have a staff? Will he be riding around the city enforcing the ordinance and will the parking control officers be included? She also wanted to know why the City Manager and his staff met with the Chamber of Commerce? Why don't they meet with the residential community?

Ms. Rubenstein stated the City Council requested the City Manager to have the staff meet with the Chamber of Commerce.

Councillor Russell requested Ms. Gifford to write down her questions in an effort to obtain the answers for them.

Ms. Gifford stated that the only hope to reduce density is through the Zoning Ordinances.

Jim Gascoigne, Charles River Transportation Management Association, requested the hearing be continued for more discussion. He stated that traffic has increased in Arlington. This is a regional problem, he said. Businesses don't drive, people do, he said. He stated that convenience is the number one choice for the transportation mode used. He further stated that business and residents all have concerns and they should be brought together to resolve the problems. The residential piece needs to be added, he said. He informed the committee that the state has a fund for TMA. There was a grant funded for a TMAs in Alewife, he said. Mr. Gascoigne stated that his organization will benefit from any PTDM ordinance if passed. He urged the committee to hear from the full spectrum before enacting this ordinance.

Councillor Davis stated that commuters who face intolerable congestion and will participate in alternate modes of transportation. Mr. Gascoigne stated that parking spaces are expensive and it makes sense for business to become involved in this.

Ms. Rubenstein suggested that the ordinance be referred back to the full City Council and that some amendments could be made on the floor.

Councillor Russell stated that there are too many issues. She suggested that the ordinance remain in committee and that another Traffic and Transportation hearing be held. On her motion the ordinance remained in committee on a voice vote.

The meeting adjourned at eight o'clock and fifty five minutes p. m. on motion of Councillor Davis.

For the Committee,

Henrietta

Councillor Henrietta Davis,
Chair

Parking and Transportation Demand Management Ordinance

May 6, 1998

What is Transportation Demand Management?

TDM consists of a variety of measures to reduce the number of auto trips made by single occupancy vehicles (SOVs) and to increase trips by high occupancy vehicles (HOVs) such as vans, carpools, public transit, biking or walking. TDM aims to reduce traffic congestion, improve air quality and promote livable communities.

Goals of the Ordinance:

- Assist City in managing vehicle trips associated with new development
- Provide process for City to track non-residential parking supply
- Promote City's efforts to reduce air pollution and traffic congestion

Ordinance Requires Preparation and Approval by City of a PTDM Plan for:

- construction of any commercial parking facility of 5 + spaces
- construction of any non-residential parking facility over 20 spaces (e.g. student, customer, staff)
- approval of PTDM plan required prior to receipt of any building permit, commercial parking permit, special permit or variance under the zoning ordinance, operating license, certificate of occupancy

Applicability of Ordinance to **Smaller Projects:**

- projects constructing or operating 5-19 non-residential parking spaces must implement at least 3 PTDM measures from a list provided by the City and must maintain a record of such actions

Ordinance Requirements **Apply to:**

- new commercial parking facilities for which C of O or license not obtained before new ordinance
- existing commercial facility at which no. of parking spaces increased after new ordinance
- any parking facility at which existing parking spaces changed to commercial use after new ordinance
- new project to build or operate 20 + non-residential parking spaces
- any project to expand existing parking facility to 20 + non-residential spaces

PTDM Plans will provide an approach to **minimize the parking** associated with the project and to **reduce SOV trips** in and around Cambridge

Plans Based on the Following Elements:

- nature of development and property use
- proximity to transit
- availability of and accessibility to offsite parking
- # of employees and places of origin
- # and type of patrons to use parking and their place of origin
- # of vehicle trips anticipated to be generated by project
- detailed description of vehicle trip reduction program including, but not limited to: subsidized T passes, shuttle services, ride-sharing services, bike and pedestrian facilities, flexible work hours, preferential parking for vans
- proposed mitigation

Plans **Reviewed by:**

- PTDM officer, appointed by City Manager
- PTDM officer has authority to review, condition, approve and/or deny the plan

- at request of proponent, PTDM officer may recommend reduction in # parking spaces required by zoning
- at request of proponent, PTDM officer may recommend increase in # and/or distance of offsite parking allowed by zoning
- PTDM Ordinance does not override zoning approvals

Enforcement Provisions

- enforcement by Director of Traffic, Parking & Transportation
- Director may investigate possible violations
- violators will be notified in writing of violations
- Director may require shutdown of facility
- may be fines of $10/day, per space for non-compliance with ordinance

Changes Since Summer 1997 Draft

- time limits added for action by PTDM officer: 60 days to act

- clarification of who PTDM officer is: appointed by City Manager, reports to Assistant City Manager for Community Development, consults with Asst City Manager and Director of Traffic & Parking

- appeal process added for proponents whose PTDM plans have been rejected

- definition of parking facility changed to include only those cases where there is a net increase in the number of parking spaces [allows internal shifts which do not result in net increases in parking]

- added process for City to provide "off the shelf" PTDM plans, where developers don't want to prepare their own plans; consultation with PTDM officer still required

- clarification that actions by PTDM officer do not override zoning or the powers and duties of the Planning Board or BZA

- definition of parking facility, in case of colleges and universities, changed to include the stock of parking spaces maintained by the university or college which supports their activities in the city

- in the case of property transfers, if no change in nature, type or extent of current use of parking facility, existing PTDM plans can remain in effect; new owner can also choose to consult with officer about appropriate revisions to PTDM plan

C. C. 106

City of Cambridge

The Ordinance Committee conducted a public meeting on Wednesday, May 6, 1998 at six o'clock and forty minutes p. m. in the Sullivan Chamber to discuss a proposed amendment to the Municipal Code entitled "Parking and Transportation Demand Management Planning; Parking Space Registration".

Present at the meeting were Councillor Henrietta Davis, Chair of the Committee, Councillors Sheila Russell and Katherine Triantafillou, Mayor Francis H. Duehay, Robert W. Healy, City Manager, Richard Rossi, Deputy City Manager, Beth Rubenstein, Deputy Director of Community Development, Don Drisdell, Deputy City Solicitor, Sue Clippinger, Director of Traffic, Parking and Transportation, Suzanne Rasmussen, Community Development, Wendy Jacobs, Foley, Hoag and Eliot, LLP and Donna P. Lopez, Deputy City Clerk.

Councillor Davis stated that Councillor Kathleen Born was unable to attend this evenings meeting due to family obligation. She further stated that the purpose of the meeting was to hear public testimony on the proposed amendment to the Municipal Code entitled "Parking and Transportation Demand Management Planning; Parking Space Registration" (PTDM).

City Manager Robert W. Healy outlined the ordinance as submitted on March 30, 1998.

Councillor Russell asked what departments worked on the ordinance. Mr. Healy responded that the Traffic, Parking and Transportation and Community Development worked on the document which was submitted to the City Council in June of 1997. The ordinance was referred back to the City Manager by the City Council and changes were made to the ordinance.

The Committee heard from Beth Rubenstein, Deputy Director of Community Development who read from a document prepared by the Community Development Department. Her presentation covered topics such as what is Transportation Demand Management, the goals of the ordinance, the requirements of the ordinance, how they apply to small projects, who would review the plans and the enforcement of the ordinance which is attached as ATTACHMENT A.

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Committee Report #1

A communication was received from Donna Lopez, Deputy City Clerk, transmitting a report from Councillor Davis, Chair of the Ordinance Committee, for a meeting held on May 6, 1998 to discuss a proposed amendment to the Municipal Code entitled "Parking and Transportation Demand Managmenet Planning; Parking Space Registration.

See Committee Report #3
of September 28, 1998
Remained in Committee 9/28/98
Report Accepted
Passed to a second reading

11/16/98
Passed to be Ordained as amended
9-0-0.

In City Council June 1, 1998

Accept Report.
Placed on file.

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council 11-16, 1998

TT re amend to require PTDM officer to be a Cambridge resident w/in 6 mos of assuming the position

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
	✓			Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

8 1

C. C. 106

City of Cambridge

MASSACHUSETTS

In City Council 11-16, 1995

MAS

Amend #2 Change 90 days to 60 days on p. 10 in Sec. 10.—030

YEA	NAY	ABSENT	PRESENT	
	✓			Ms. Kathleen L. Born
	✓			Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
	✓			Ms. Katherine Triantafillou
	✓			Mayor Francis H. Duehay

5 4

C. C. 106

City of Cambridge

MASSACHUSETTS

#10 In City Council 11-16, 1998

An ordinance PTDM Ordinance

YEA	NAY	ABSENT	PRESENT	
✓				Ms. Kathleen L. Born
✓				Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
✓				Mayor Francis H. Duehay

9 0 0 0

TT mosp 4/9 RF 09

C. C. 106

Unfinished Bus # 10 **City of Cambridge**

MASSACHUSETTS

In City Council 11-16, 1998

Ordination of Parking + Transportation Demand Management (PTDM) Ordinance

	YEA	NAY	ABSENT	PRESENT
Ms. Kathleen L. Born	V			
Ms. Henrietta Davis	V			
V. Mayor Anthony Galluccio	V			
Mr. Kenneth E. Reeves	V.			
Ms. Sheila T. Russell	V			
Mr. Michael A. Sullivan	V			
Mr. Timothy J. Toomey, Jr.	V			
Ms. Katherine Triantafillou	V			
Mayor Francis H. Duehay	V			

9 0 0 0

C. C. 106

City of Cambridge

MASSACHUSETTS

#10 Unfinished Business

In City Council 11-16, 1998

Amendment - Express 3 yrs

YEA	NAY	ABSENT	PRESENT	
	✓			Ms. Kathleen L. Born
	✓			Ms. Henrietta Davis
✓				V. Mayor Anthony Galluccio
✓				Mr. Kenneth E. Reeves
✓				Ms. Sheila T. Russell
✓				Mr. Michael A. Sullivan
✓				Mr. Timothy J. Toomey, Jr.
✓				Ms. Katherine Triantafillou
	✓			Mayor Francis H. Duehay

6 3

LEGAL NOTICES

PASSAGE TO INDIA LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Mohinder Kaur Grewal d/b/a Passage to India, Mohinder K. Grewal, Manager, holder of a Wine and Malt Beverages as a Restaurant license at 1900 Massachusetts Avenue, has applied to transfer its license to Guhania Corporation d/b/a Passage to India, Narinder Singh, Manager, at said address.

The Officers and Directors are: Narinder Singh, President, Treasurer, Clerk, and Director.

The 100% Stockholder is: Narinder Singh

The Premise Description is: Dining room, kitchen, on first floor with basement thereunder; approx. 1300 square feet, front exit on Massachusetts Avenue and rear exit from kitchen.

This applicant has also applied for an Entertainment license to include background music only.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672255
Cambridge Chronicle, 10/1/98

PILGRIM ESTATE
LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX, SS
DOCKET NO: 98P4017FE
ALLOWANCE OF FOREIGN WILL
NOTICE
To all persons interested in the estate of Joseph W. Pilgrim late of Hartford and State of Connecticut, deceased.

A petition has been presented to said Court, with certain papers purporting to be copies of the last will of said deceased, and of the Probate thereof in said State of Connecticut duly authenticated, by Kerby Roberson of Boston in the county of Suffolk praying that the copy of said will may be filed and recorded in the Registry of said County of Middlesex, and that he be appointed executor.

If you desire to object to the allowance of said petition, you or your attorney should file a written appearance in said court at Cambridge, on or before ten o'clock in the forenoon on the fourth day of November 1998.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the eighteenth day of September 1998.

Marie A. Gardin
Acting Register of Probate Court

AD #671527
Cambridge Chronicle, 10/1/98

SIGNAL BIDS
LEGAL NOTICE
CITY OF CAMBRIDGE
PURCHASING DEPARTMENT
Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass., until 11:00 o'clock A.M. **THURSDAY, OCTOBER 15, 1998** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

TRAFFIC SIGNAL INSTALLATION (1)
FLEET VEHICLE PARTS
AND LABOR (2)

The City of Cambridge reserves the right to waive any minor informalities or to reject any or all bids if it is in the City's best interest to do so.

Specifications may be obtained at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass.

Each bid must be in a sealed envelope plainly marked "Bid for 'Designate Item'" and addressed to Gail A. Cohen, Purchasing Agent, City Hall, Cambridge, Massachusetts.

Gail A. Cohen
Purchasing Agent

AD #673837
Cambridge Chronicle, 10/1/98

SINGHA HOUSE LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that Singha House, Inc., D.L. Nargbunshart, Manager, holder of a Wine and Malt Beverages as a Restaurant license at 1105 Massachusetts Avenue, has applied to transfer its license to Johnny's Luncheonette, Inc. d/b/a Johnny's Luncheonette, Neal Solomon, Manager, at said address.

The Officers and Directors are: John Furst, President, Clerk, and Director; Neal Solomon, Treasurer and Director.

The Stockholders are: John Furst and Neal Solomon.

The Premise Description is: Dining room, kitchen, with storage area off kitchen with two rear entrances and two front entrances.

This applicant has also applied for an Entertainment license to include background music and one juke box only.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672254
Cambridge Chronicle, 10/1/98

STARBUCKS LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given that Starbucks Corporation d/b/a Starbucks Coffee, Stephen DelRose, Manager, has applied for a Common Victualer license to be exercised on the first floor at 100 Cambridgeside Place, space 108. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 28 persons. Said license if granted would be exercised from 7:00 a.m. to 11:00 p.m. seven days.

This applicant has also applied for an Entertainment license to include Background Music only.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672257
Cambridge Chronicle, 10/1/98

SULLY'S LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given that Sully's Sandwich Shoppe, LLC d/b/a Sully's Sandwich Shoppe, Paul Sullivan, Manager, has applied for a Common Victualer license to be exercised on the first floor at 359 Huron Avenue. Said license if granted would allow food and non-alcoholic beverages to be sold, served, and consumed on said premises, and to have a total occupancy of 8 persons (for standing at the counter only). Said license if granted would be exercised from 6:00 a.m. to 4:00 p.m. six days a week.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672250
Cambridge Chronicle, 10/1/98

SUNDAY OPENING HEARING
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given that the Board of License Commissioners will review the Sunday openings policy for Thanksgiving through New Year's, considering whether or not to allow package stores to be open again this year from the Sunday before Thanksgiving and each Sunday thereafter until New Year's Day. This would be subject to the License Commission's approval with a number of conditions: 1) Approval is required in the form of a permit after a public hearing. A permit may be fixed duration or, in the discretion of the Commission, may be approved as a term of the alcoholic beverage license, remaining in effect for al renewals subject to further action of the Commission. 2) Stores may not be open before noon. 3) Stores may not be open on January 1, when a Sunday, or on December 25th. 4) Stores must close no later than 11 pm (11:30 p.m., if the following day is a Monday holiday). The Commission may require an earlier closing. 5) Employees must be paid at a rate not less than one and one-half times the employee's regular rate. 6) No employee shall be required to work, and refusal to work on a Sunday shall not be grounds for discrimination, dismissal, deduction of hours, or any other penalty. 7) The fee shall be $25.00 per Sunday.

The following Sundays would be allowed: November 22 and 29, 1998; December 6, 13, 20, 27, 1998.

A hearing on this application will be held on Tuesday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #671921
Cambridge Chronicle, 10/1/98

UNITY AUTO LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given that Jean Joseph d/b/a Unity Used Auto Sale and Parts has applied for a Used Car Dealer Class II license at 333 Elm Street for an office only and twenty-seven vehicles.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672253
Cambridge Chronicle, 10/1/98

UNIT DEVELOPMENT HEARING
LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF
THE CITY CLERK
PUBLIC NOTICE
RELATIVE TO ZONING
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on **Tuesday, October 20, 1998 at 7:30 p.m.** in the **Sullivan Chamber, City Hall, 795 Massachusetts Avenue, 2nd floor,** Cambridge, Massachusetts, on a proposed amendment to the zoning ordinance by the Planning Board to:

A. Amend the Text of the Zoning Ordinance of the City of Cambridge by deleting in its entirety the text of Section 13.10 - Planned Unit Development in IC Districts.
B. Amend the Text of the Zoning Ordinance of the City of Cambridge by creating a new Special District 3 to read as follows, and inserting that text in its appropriate location in Article 17.00.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Henrietta Davis, Chair

AD #673833
Cambridge Chronicle, 10/1, 10/8/98

UNIVERSITY PARK HOTEL LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended, that FC University Park, Inc. d/b/a University Park Hotel, Robert McCarthy, Manager, holder of an All Alcoholic Beverages as a Hotel license at 20 Sidney Street, has applied to transfer its license to University Park, Phase II Limited Partnership d/b/a University Park Hotel at MIT, Robert McCarthy, Manager, at said address.

The General Partner of University Park Phase II Limited Partnership is FC University Park II, Inc. The Limited Partners are: Massachusetts Institute of Technology and FC University Park II, Inc.

The Officers and Directors of FC University Park II, Inc. are: James A. Ratner, President and Director; Samuel H. Miller, Treasurer and Director; Thomas G. Smith, Clerk; Albert B. Ratner, Director.

This applicant has also applied to pledge its license to Teachers Insurance Annuity Association.

This applicant has also applied for an Entertainment license to include dancing by patrons; comedy show; light show; one dart board; reading of poetry or other works; live musical instruments and/or live vocalists, with amplification; dancing exhibition; floor show; one audio tape machine/CD only playing background music below ordinary conversation level; one audio tape machine/CD which may play music below, at, or above conversation level; five t.v.'s and one radio.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672258
Cambridge Chronicle, 10/1/98

VONGROSSMAN HEARING
LEGAL NOTICE
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF
THE CITY CLERK
PUBLIC NOTICE
RELATIVE TO ZONING
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on **Tuesday, October 20, 1998 at 6:30 p.m.** in the **Sullivan Chamber, City Hall, 795 Massachusetts Avenue, 2nd floor,** Cambridge, Massachusetts, on a proposed amendment to the zoning ordinance on the petition of Gretchen J. VonGrossman, et al to:

I. Amend the Zoning Map of the City of Cambridge by striking the existing zoning designation Industrial C (IC) on the Map and inserting in its place the new zoning district designation Special District 3 (SD-3) for the entire area currently shown as IC thereon.
II. Amend Article 13.00 of the Zoning Ordinance of the City of Cambridge by deleting in their entirety Sections 13.10 through 13.18.4, inclusive.
III. Amend the Zoning Ordinance of the City of Cambridge by creating a new Section 17.30.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Henrietta Davis, Chair

AD #673831
Cambridge Chronicle, 10/1, 10/8/98

WATERHOUSE HEARING
LEGAL NOTICE
CAMBRIDGE
HISTORICAL COMMISSION
Notice is hereby given that a public hearing will be held **on Thursday, October 8, 1998, at 4:00 PM at City Hall,** 795 Massachusetts Ave., 2nd Fl., to consider the following matters under M.G.L. Ch. 40C and Ch. 2.78 of the Code of the City of Cambridge:

Alterations to Designated Properties:
Case 868: 9 Waterhouse St., by Conflict Management Group. Install new sign.
Case 869: 22 Craigie St., by Peter and Helen Randolph. Change paint color.
Case 870: 63 Mount Vernon St., by Chip and Joy Phinney, Lesli Gordon, Donna Meek, and Richard Wulsin. Install replacement windows.
Case 871: 10 Frost St., by Peter Tufano. Construct paths and retaining wall.

Landmark Designation Studies:
Case L-45: 50 Quincy St., Corporation of the New Church, owner. (No discussion anticipated).
Case L-46: 25 Central Sq., Central Property Limited Partnership, owner. (No discussion anticipated).

William B. King, Chairman
AD #665414
Cambridge Chronicle, 9/24, 10/1/98

WRAP LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS
Notice is hereby given that Under Wraps, Inc. d/b/a The Wrap, Johan S. Pepper, Manager, holder of a Common Victualer license at 71 Mt. Auburn Street has applied for seasonal outside seating for four seats to be taken from inside capacity of 18.

A hearing on this application will be held on Thursday evening, October 13, 1998 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139.

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #672256
Cambridge Chronicle, 10/1/98

10/17 AUCTION
LEGAL NOTICE
TO: GULF TRAVEL AGENCY
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RANDOLPH, MA 02368
B&B TOWING OF CAMBRIDGE, MA HAS HAD IN ITS POSSESSION A 1993 MITSUBISHI LAST REGISTERED TO YOU IN 1998.
VIN #JA3CH4606PZ017039
THIS VEHICLE HAS NOT BEEN CLAIMED AFTER DUE NOTICE. THIS VEHICLE WILL BE SOLD AT PRIVATE SALE AT THE ABOVE ADDRESS ON OCTOBER 17, 1998

MICHAEL SORRENTINO
OFFICER & OWNER
B&B TOWING

AD #657335
Cambridge Chronicle, 10/1, 10/8, 10/15/98

K. JEAN RISME ESTATE
LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 98P4238AD
ADMINISTRATION
WITHOUT SURETIES
Estate of Kevin Jean Risme
of Montreal in the Province of Quebec in the Country of Canada leaving an estate in Cambridge
in the County of Middlesex
NOTICE
A petition has been presented in the above-captioned matter praying that Peters Jean Risme of Montreal in the Province of Quebec in the Country of Canada be appointed administrator of said estate without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on October 23, 1998.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty-first day of September in the year of our Lord one thousand nine hundred and ninety eight.

Marie A. Gardin
Acting Register of Probate Court

AD #672503
Cambridge Chronicle, 10/1/98

LEWIS
LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL
WITHOUT SURETIES
MIDDLESEX, SS DIVISION
DOCKET NO. 98P2574EP
ESTATE OF Catherine Marceline Lewis
Also Known as Catherine M. Lewis Also Known as Catherine Lewis
LATE OF Cambridge
IN THE COUNTY OF MIDDLESEX
NOTICE
A petition has been presented in the above captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Frank G. Lewis of Malden in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 a.m. in the forenoon on October 16, 1998.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the eleventh day of September in the year of our Lord one thousand nine hundred ninety eight.

Marie A. Gardin
Acting Register of Probate Court

AD #667356
Cambridge Chronicle, 10/1/98

ORDINANCE #2802
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2802
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-EIGHT.
AN ORDINANCE
In Amendment to an ordinance entitled "Cambridge Municipal Code"

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

That Title 10 entitled "Vehicles and Traffic" is hereby amended by adding at the end thereof a new Chapter 10.18 entitled "Parking and Transportation Demand Management Planning; Parking Space Registration."

Passed to a second reading at the City Council meeting held on September 28, 1998 and on or after October 12, 1998 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
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 Zoning 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.

AD #674422
Cambridge Chronicle 10/1/98

ORDINANCE #2803
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2803
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-EIGHT
AN ORDINANCE
In Amendment to the ordinance entitled "Zoning Ordinance of the City of Cambridge."

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

Amend the Zoning Map of the City of Cambridge by striking the existing designation Residence C-3 (C-3) and substituting therefor the designation Residence B (B) for that area bounded by the northeasterly sidelines of lots #12 and #7 and their extensions to the centerlines of Churchill Avenue and Clarendon Avenue, the centerlines of Churchill Avenue and Clarendon Avenue, and a line 100 feet distant from and parallel to the northeast sideline of Massachusetts Avenue, the Business A-2 zoning district line.

1.00 Said area includes all or parts of the following parcels of land:

1.01 Premises shown on Assessor's Plat #184.

Lots #7, 8, 9, 10, 11, and 12;

Inclusive of addresses 8-22 Churchill Avenue, 9-21 Clarendon Avenue, 2519-2525 Massachusetts Avenue.

Passed to a second reading at the City Council meeting held on September 28, 1998 and on or after October 12, 1998 the question comes on passing to be ordained.

ATTEST:

-D. Margaret Drury
City Clerk

AD #674423
Cambridge Chronicle, 10/1/98

ORDINANCE 2804
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION NO. 2804
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY EIGHT.
AN ORDINANCE
In amendment to the ordinance entitled "Zoning Ordinance of the City of Cambridge.

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

3.14 - Further Limitations on new Construction and Installation of Additional Accessory Parking Spaces in Residence A-1, A-2, B, C and C-1 Districts

Notwithstanding the provisions of this Ordinance affecting the above referenced residential zoning districts, the following further limitations with regard to the construction of additional gross floor area on a lot and the addition of new parking spaces on any lot occupied by an existing residential structure shall apply in these districts until September 30, 1998:

(a) For any lot having one or more existing residential dwelling units, no additional gross floor area that extends beyond the existing footprint shall be permitted on the lot, in a separate detached structure or as an addition to an existing structure, that has the effect of creating one or more additional dwelling units; the inclusion of both a kitchen and a bathroom in said new gross floor area shall be deemed to be the creation of a new dwelling unit.

(b) For any lot having one or more existing residential dwelling units, no additional accessory parking spaces shall be permitted that brings the total number of accessory spaces on the lot to three or more.

The provisions of this Section 3.14 shall not apply to the construction of affordable dwelling units sponsored by the Cambridge Housing Authority, a non-profit housing agency, the Cambridge Affordable Housing Trust, or any other entity assisted by city, state or federal governments housing assistance programs meeting the objectives of Section 11.200 of the Zoning Ordinance.

Passed to a second reading at the City Council meeting held on September 28, 1998 and on or after October 12, 1998 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD# 673716
Cambridge Chronicle, 10/1/98

To place your legal notice call 1-800-624-7355 or fax to 781-453-6650.

Tuesday is special day at Matignon High School

High school examines Lou Gehrig's disease through book 'tuesdays with Morrie'

This year Matignon High School found an inspiring way to celebrate the end of summer with "tuesdays with Morrie" day.

Based on Mitch Albom's best-selling book, "tuesdays with Morrie," which was the school-wide summer reading book, Matignon marked the summer solstice with a day of thought-provoking questions and conversations as well as a fundraiser to benefit amyotrophic lateral sclerosis, or Lou Gehrig's disease.

The book tells the story of Morrie Schwartz, a Brandeis University professor diagnosed with ALS who embraces the life he has and faces death valiantly. Albom, a sports writer for the "Detroit Free Press," was a student of Schwartz's in the late 1970s and reconnected with him for a series of 14 Tuesdays, during which Schwartz taught Albom lessons of living.

During the visits, the teacher and the student discussed the world, feeling sorry for yourself, regrets, death, family, emotions, aging, money, how love goes on, marriage, our culture, forgiveness and the perfect day. Albom recorded these conversations and shares them in this book as a final thesis to honor the teacher who taught life's greatest lessons on how to live.

These lessons were seen as universal and the main idea that Schwartz shares, "Love wins. Love always wins," are ones Matignon faculty believed would be beneficial to share as a community. The idea for the entire school to read "tuesdays with Morrie" was conceived last spring during the school trip to Paris and London. During the week-long trip each of the five chaperones took time to read the book and they decided that it would be a powerful experience for the whole school to read it.

For Cambridge's Michael Neil, a junior, the day was particularly moving, as his father died of ALS last year.

"It was nice... all of the kids finally got some awareness of the disease," Neil said. "But for me it was tough. It was hard to see the disease progress and you have no ability to stop it."

> ***"It was multiple experiences to learn about Lou Gehrig's disease..."***
>
> **Gary LeFave, principal**

On his own experience reading the book, Neil said, "I felt like I was at home — in the same experience I had at home."

In addition to the various subject and level summer reading books, each student, faculty and staff member took time to read "tuesdays with Morrie" over the summer. Faculty members generated questions and ideas for discussion and evaluation to bring the experience together.

On Tuesday, Sept. 22, students donated a dollar each to dress in summer attire for the summer reading day. This effort, combined with additional donations from students, faculty, their families and their friends, raised $870 for the Massachusetts General Hospital Angel Fund.

At the beginning of each class, students answered questions regarding the book and had the opportunity to discuss the questions. Through these questions, students were asked to put themselves in conversation with Schwartz and write about what they would discuss with him or to analyze what continued to draw Albom to visit his former professor or to think of individuals in their lives who taught them life lessons. During the final class of the day, the school watched Ted Koppel's Nightline interviews with Schwartz, which were the impetus for Albom to reconnect with him.

According to Cambridge resident Caitlin O'Callaghan, a senior and student council president, the book and the video made lasting impressions.

"Each aphorism gave me a new way of looking at each situation," O'Callaghan said. "I think the interview brought the book to life."

Matignon Principal Gary LeFave believes the whole day brought the book to life for the school.

"'tuesdays with Morrie' provided for the Matignon community an organic moment," LeFave said. "It was multiple experiences to learn about Lou Gehrig's disease, contribute to ongoing research, read and see Morrie cope with the disease and share his life and his philosophy. It was very moving and blended with our philosophy and mission."

Family Day

PHOTO BY WENDY MIMRAN

Amanda, 1 month old and one of the youngest participants in the Danehy Park Family Day on Saturday, poses during the event with brother Isaac, mom Yan Jiang, and dad Ling Xia. The event featured free music, dance and other activities for hundreds of families — sponsored by the city.

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YOUR DENTAL HEALTH

by John J. Ambarik, D.D.S.

INFECTIOUS SMILES

It pays to brush and floss teeth conscientiously if only to prevent gum disease. Now, new research indicates there is even more reason to maintain good oral health. If oral bacteria are allowed to build up between the tooth and gum, there is the potential that they may enter the blood stream through tears in the gum. Dentists have known for years that oral bacteria pose a risk to heart valves, and recent research suggests that dental infections may also be implicated in hardening of the arteries & heart attacks. Thus, removing buildups of bacteria-laden plaque to avoid gum disease can have a positive effect that extends to other areas of the body as well.

Your teeth and gums are a key part of your health and appearance, no matter what your age. At the office of DR. JOHN J. AMBARIK, D.D.S., you will receive the finest in comprehensive dental care, but your conscious brushing and flossing is also important. Our office is located at 36 Bow St., Union Square (776-5550). Se Habla Español. Falamos Portugués. Mass. Health accepted.

P.S. Roughly half of all adults suffer from the first stages of symptom-free infections at, or beneath, the gumline, known as gingivitis.

OFFICE OF THE VICE MAYOR

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139
(617) 349-4323
FAX (617) 349-4287
TTY/TDD (617) 349-4242

Anthony D. Galluccio
Vice Mayor

November 16, 1998

The Honorable, The City Council:

Attached are amendments, which I plan to move for consideration should the VDTM Parking Ordinance be moved for consideration at tonight's meeting.

If you have any questions, please feel free to speak to me. Page 1 amendment was drafted by our Law Department and Page 2 amendment was drafted by the Chamber of Commerce.

Thank you.

Sincerely,

Anthony Galluccio
Vice Mayor

Attachment

Enclosure

Substitute for Page 1

PTDM Proposed Amendments

In order to prevent possible application of the ordinance to a project that has been through a recent, substantial review leading to the grant of a special permit or a variance, the following amendments would exempt such projects from the application of the ordinance.

1. **Page 7**:

The definition of "New Project" should be changed by adding after the word "license" the following: "variance, special permit,".

2. **Page 7**:

The definition of "Small Project" should be amended by adding after the word "license" in the first sentence the following: "variance, special permit,".

3. **Page 10**:

Amend §10.__.50 (b) (i) by adding after the word "license" the following: "variance, or special permit,".

w/9

AMENDMENT TO THE PTDM ORDINANCE:

10.__.090 Three Year Evaluation and Re-certification Vote

In recognition that this Ordinance will uniquely place the City of Cambridge in a position of being the only community in the region to implement such a PTDM Ordinance, and to insure that the program is effective and efficient and does not result in unintended consequences, the Community Development Department will record all businesses relocating from the City of Cambridge to other communities in the region after the enactment of this ordinance. Additionally, to the extent possible, Massachusetts businesses opting for other locations in the regions over a Cambridge location should be tracked. The Cambridge City Council will then conduct a review of the statistics and impacts of this ordinance and vote to either re-certify or reconsider the continuation of this municipal ordinance after three years of operation from the date of initial enactment.

ORDINANCE #1211

Final publication Number 2809. First publication in the Chronicle on October 1, 1998

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety Eight.

AN ORDINANCE

In amendment to the ordinance entitled "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" is hereby amended by adding at the end thereof a new Chapter 10.18 entitled "Parking and Transportation Demand Management Planning; Parking Space Registration."

Chapter 10.18

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.18.010	Purpose
10.18.020	Definitions
10.18.030	PTDM Planning Officer
10.18.040	Registration of All Parking Spaces
10.18.050	Parking and Transportation Demand Management Plans
10.18.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.18.070	Requirements Applicable to Small Projects
10.18.080	Enforcement
10.18.090	Evaluation

10.18.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.18.050 and 10.18.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.18.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this Chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, variance, special permit, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, variance, special permit, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-commercial, non-residential parking spaces at the parking facility must remain at

or below nineteen (19).

10.18.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the City Manager. Said officer shall be a Cambridge resident within six months of employment in this position. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant the Director and the Assistant City Manager for Community Development.

10.18.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;
(ii) name and address of parking facility operator;
(iii) address of parking facility;
(iv) total number of existing parking spaces;
(v) number of existing parking spaces in each of the following categories:
- residential
- commercial
- non-commercial
- customer
- employee
- patient
- student
- client
- guest

(vi)number of parking spaces proposed to be added to the parking facility in each of the following categories:
- residential
- commercial
- non-commercial
- customer
- employee
- patient
- student
- client
- guest

(vii) identification of any existing parking permits for the parking facility; and
(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.18.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license, variance or special permit was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following facts, projections and commitments:

(i) Facts and Projections:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction measures including some or all of the following:

  subsidized MBTA passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures). This commitment must be accompanied by a detailed description of the measures proposed to be implemented; and

- commitment to establish and make reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge. The percent reduction will be based on PTDM practices successfully implemented in reasonably comparable environments and as identified in professional and academic literature and based on analysis of existing trip reduction measures in Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- non-commercial
- customer

- employee
- patient
- student
- client
- guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

"I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan based on the above-listed facts, projections, and commitments. The Planning Officer shall issue his/her decision in writing within 60 days of receipt of the proposed PTDM Plan. The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said sixty (60) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan. If the project proponent elects to make a request pursuant to 10.18.060, the decision of the Planning Officer shall be expanded to include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the City Manager, or his designee, and two other City staff members designated by the City Manager none of whom may have participated in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.18.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.18.050 (g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall be automatically transferrable by and among private parties, provided that the proposed new owner (the "Transferee") shall continue to operate under the existing PTDM Plan and shall submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect. The certification shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee commits to implement the existing PTDM plan, as approved; and acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. The Transferee may elect instead to and consult with the Planning Officer within thirty (30) days of title transfer regarding appropriate revisions to the existing plan. Based on such consultation, the Planning Officer may require information from the Transferee concerning proposed changes in use of the parking facility and associated buildings andthe relevant facts and projections regarding the proposed changes. Within thirty (30) days of receipt of such information, the

Planning Officer may issue a written approval of the revised plan and obligations to the Transferee, or the Planning Officer may require submittal of a new PTDM Plan from the Transferee for review, condition, approval and/or denial. Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including annual reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.18.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Upon the written request of the project proponent, based on an evaluation of the facts, projections, and commitments listed at 10.18.050 (c), the Planning Officer may make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Upon the written request of the project proponent, based on an evaluation of the facts, projections, and commitments listed at 10.18.050 (c), the Planning Officer may make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.18.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.18.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall provide a first written notice of violation to the person charged with the violation, or the duly authorized representative thereof, of the determination of violation and shall order that the violation cease within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addtion to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director may order shutdown of the parking facility. Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

10.18.090 Evaluation

This ordinance shall expire three years from the date of enactment unless the City Council votes prior to the expiration of said three years to extend the validity of the ordinance.

In City Council November 16, 1998.
Passed to be ordained as amended by a yea and nay vote:-
Yeas 9; Nays 0; Absent 0.
Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-
D. Margaret Drury
City Clerk

In Council packets 6/12/98

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

Memorandum

To: The Honorable, The City Council

From: Robert W. Healy, City Manager

Date: June 12, 1998

Re: Revised version of the proposed Parking and Transportation Demand Management (PTDM) Ordinance

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In anticipation of the June 16th Ordinance Committee hearing on the proposed Parking and Transportation Demand Management (PTDM) Ordinance, I am enclosing the most current draft of the ordinance for your review. This draft includes changes made by the Law Department as a result of comments received at the May 6th Ordinance Committee hearing. If you have any questions or need additional information about the ordinance, please contact Beth Rubenstein at 349-4611 (email: *brubenstein@ci.cambridge.ma.us)*. I look forward to seeing you at the hearing.

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Cambridge Law Department
June 8, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

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the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

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WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects
10.__.080	Enforcement

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10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the

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PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the

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Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in

the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

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10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant, the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

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- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has

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been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

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(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following ~~facts, projections~~ factors and commitments:

(i) ~~Facts and Projections~~ Factors:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~ passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a

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detailed description of the measures ~~programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the proposed ~~requested~~ number of parking spaces for each category of use based on the above-listed ~~facts, projections, factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within ~~90~~ 60 days of receipt of the proposed PTDM Plan. ~~The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan.~~ If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent ~~elects to~~ make a request pursuant to 10.__.060, the decision of the Planning Officer shall ~~be expanded to also~~ include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, ~~or his designee, the Director~~ and ~~two~~ one other City staff ~~members~~ ~~person~~ designated by the City Manager ~~none of whom may have participated and who did not participate~~ in the initial review of the Plan.

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(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall ~~not~~ be automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan,~~ provided that the proposed new owner ~~or operator~~ (the "Transferee") shall continue to operate under the existing PTDM Plan and shall ~~either~~ submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect ~~or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan.~~ ~~In~~

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~~the event the Transferee elects to submit a~~ The certification, ~~it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility, (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer ~~within thirty (30) days of the transfer regarding appropriate revisions to the existing plan, then~~ Based on such consultation, the Planning Officer may require information from the ~~Transferee proposed new owner and/or operator concerning (i) likely proposed~~ changes in use of the parking facility and associated buildings ~~and, and (ii) the ability~~ the relevant facts and projections regarding the proposed changes, ~~and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval ~~of the revised plan for the transfer of the existing PTDM Plan~~ and obligations to the ~~Transferee proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the ~~Transferee proposed new owner and/or operator~~ for review, condition, approval and/or denial. ~~Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.~~

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(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~annual periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Upon the written request of the project proponent, Bbased on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer may ~~shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) ~~At its option, a~~ A project proponent may ~~elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent,~~ Based on an evaluation of the ~~parts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall~~ make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall

investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall ~~provide a first written notice of violation to notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease ~~within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director~~ ~~Such order may order require~~ shutdown of the parking facility. ~~Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice.~~ A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and

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Cambridge Law Department
June 8, 1998

the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

c:\dat\ordnew.rev

Revised Traffic and Parking Demand Management Ordinance.

June 15, 1998

6.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

March 30, 1998

To the Honorable, The City Council:

Please find attached for your consideration a revised Parking and Transportation Demand Management (PTDM) Ordinance. An earlier version of this ordinance was submitted to the City Council on June 23, 1997 and was referred to the Ordinance Committee on July 28. Over the last several months, we have reviewed the ordinance and made a number of revisions to address technical concerns which were raised regarding implementation of the ordinance.

The primary goal of the ordinance is to assist the City in managing vehicle trips associated with new projects, as part of the City's ongoing commitment to reduce traffic congestion, discourage drive-alone car trips and encourage less polluting alternatives. The ordinance requires proponents of non-residential projects over a certain size to prepare and have approved by the City a plan to minimize the amount of traffic associated with the project. Approval of the plan is required before the project proponent can obtain any building permit, commercial parking permit, special permit or variance, operating license or certificate of occupancy. In addition, the ordinance requires submission of a parking registration form associated with the construction or modification of any existing non-residential parking facility which results in an increase in the number of spaces, to assist the City in managing the non-residential parking supply.

Since July, when the Council last considered the PTDM ordinance, a number of revisions have been made which we believe have clarified and strengthened the ordinance. Provisions have been added providing an appeal process for project proponents, providing time limits for action by the City's PTDM officer, adding an option for adoption of "off-the-shelf" PTDM plans by proponents, and clarifying the relationship between PTDM review and compliance with the Zoning Ordinance, among other changes. The ordinance provides a good balance between the City's commitment to reducing automobile trips associated with development and the proponent's interest in a process which is well understood and can be complied with without undue requirements or delays.

We look forward to discussing the Parking and Transportation Demand Management Ordinance with you.

Very truly yours,

Robert W. Healy
City Manager

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in the City; and to restrict the use of previously

unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects
10.__.080	Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years.

This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated

by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group or buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this

Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director prior to the effective date of this Chapter that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which, on or before the effective date of this Chapter, (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor

vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of parking spaces at the parking facility must remain at or below nineteen (19).

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City

Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial

- customer
- employee
- patient
- student
- client
- guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall approve, reject or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The Plan shall be based on the following factors and commitments:

(i) Factors:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction programs including some or all of the following: subsidized T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/ carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction programs). This commitment must be accompanied by a detailed description of the programs proposed to be implemented; and
- commitment to establish and make all reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

"I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the requested number of parking spaces for each category of use based on the above-listed factors and commitments. The Planning Officer shall issue his/her decision in writing within 60 days of receipt of the proposed PTDM Plan. If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent makes a request pursuant to 10.__.060, the decision of the Planning Officer shall also include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the Assistant City Manager for Community Development, the Director and one other City staff person designated by the City Manager and who did not participate in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent written approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall not be automatically transferrable by and among private parties. At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan, the proposed new owner or operator (the "Transferee") shall either submit to the Planning Officer a certification that the existing PTDM plan will remain in effect or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan. In the event the Transferee elects to submit a certification, it shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee (i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the

current use of the parking facility; (iii) commits to implement the existing PTDM plan, as approved; and (iv) acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. In the event that the Transferee elects instead to consult with the Planning Officer, then based on such consultation, the Planning Officer may require information from the proposed new owner and/or operator concerning (i) likely changes in use of the parking facility and associated buildings; and (ii) the ability and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan. Within thirty (30) days of receipt of such information, the Planning Officer may either issue a written approval for the transfer of the existing PTDM Plan and obligations to the proposed new owner and/or operator or the Planning Officer may require submittal of a new or revised PTDM Plan from the proposed new owner and/or operator for review, condition, approval and/or denial.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including periodic reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) At its option, a project proponent may include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Based on an evaluation of the factors and commitments listed at 10.__.050(c), the Planning Officer shall make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) At its option, a project proponent may include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Based on an evaluation of the factors and commitments listed at 10.__.050(c), the Planning Officer shall make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease. Such order may require shutdown of the parking facility. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to

a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

In Council packets 6/12/98

CITY OF CAMBRIDGE
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TEL 349-4300
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EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

Memorandum

To: The Honorable, The City Council

From: Robert W. Healy, City Manager

Date: June 12, 1998

Re: Revised version of the proposed Parking and Transportation Demand Management (PTDM) Ordinance

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In anticipation of the June 16th Ordinance Committee hearing on the proposed Parking and Transportation Demand Management (PTDM) Ordinance, I am enclosing the most current draft of the ordinance for your review. This draft includes changes made by the Law Department as a result of comments received at the May 6th Ordinance Committee hearing. If you have any questions or need additional information about the ordinance, please contact Beth Rubenstein at 349-4611 (email: *brubenstein@ci.cambridge.ma.us)*. I look forward to seeing you at the hearing.

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Cambridge Law Department
June 8, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

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June 8, 1998

the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

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June 8, 1998

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
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10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the

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June 8, 1998

PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the

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Cambridge Law Department
June 8, 1998

Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in

the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

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10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to and obtaining acceptance from the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has

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been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

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(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following facts, projections factors and commitments:

(i) ~~Facts and Projections Factors~~:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a

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detailed description of the ~~measures programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

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(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the ~~proposed requested~~ number of parking spaces for each category of use based on the above-listed ~~facts, projections, factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within ~~20~~ 60 days of receipt of the proposed PTDM Plan. ~~The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan.~~ If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent ~~elects to~~ make a request pursuant to 10.__.060, the decision of the Planning Officer shall ~~be expanded to also~~ include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, ~~or his~~ designee, ~~the Director~~ and ~~two~~ one other City staff ~~members person~~ designated by the City Manager ~~none of whom may have participated and who did not participate~~ in the initial review of the Plan.

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(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written ~~decision indicating~~ approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and ~~may~~ incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. ~~No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.~~

(g) Approvals issued by the Planning Officer shall ~~not be~~ automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan,~~ provided that the proposed new owner ~~or operator~~ (the "Transferee") ~~shall continue to operate under the existing PTDM Plan and~~ shall ~~either~~ submit to the Planning Officer ~~within thirty (30) days of the title transfer~~ a certification that the existing PTDM plan will remain in effect~~, or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan.~~ ~~In~~

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~~the event the Transferee elects to submit a~~ The certification, ~~it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility, (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer ~~within thirty (30) days of the transfer regarding appropriate revisions to the existing plan, then~~ Based on such consultation, the Planning Officer may require information from the ~~Transferee proposed new owner and/or operator concerning (i) likely proposed~~ changes in use of the parking facility and associated buildings ~~and; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes ~~and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval ~~of the revised plan for the transfer of the existing PTDM Plan~~ and obligations to the ~~Transferee proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the ~~Transferee proposed new owner and/or operator~~ for review, condition, approval and/or denial. ~~Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.~~

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(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~annual periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent ~~may elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent, B~~based on an evaluation of the ~~facts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

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(b) ~~At its option, a~~ A project proponent may ~~elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for utilizing off-site parking spaces . that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent,~~ Based on an evaluation of the ~~facts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall~~ make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall

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investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall provide a first written notice of violation to notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director Such order may order require shutdown of the parking facility. Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and

the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

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Revised Traffic and Parking Demand Management Ordinance.

June 15, 1998

In Council packets 6/12/98

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

Memorandum

To: The Honorable, The City Council

From: Robert W. Healy, City Manager

Date: June 12, 1998

Re: Revised version of the proposed Parking and Transportation Demand Management (PTDM) Ordinance

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In anticipation of the June 16th Ordinance Committee hearing on the proposed Parking and Transportation Demand Management (PTDM) Ordinance, I am enclosing the most current draft of the ordinance for your review. This draft includes changes made by the Law Department as a result of comments received at the May 6th Ordinance Committee hearing. If you have any questions or need additional information about the ordinance, please contact Beth Rubenstein at 349-4611 (email: *brubenstein@ci.cambridge.ma.us)*. I look forward to seeing you at the hearing.

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City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

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the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

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WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects
10.__.080	Enforcement

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10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the

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PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the

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Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in

the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of ~~non-commercial, non-residential~~ parking spaces at the parking facility must remain at or below nineteen (19).

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10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant, the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

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- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has

been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following ~~facts, projections~~ factors and commitments:

(i) ~~Facts and Projections~~ Factors:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a

detailed description of the ~~measures programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

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(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the proposed ~~requested~~ number of parking spaces for each category of use based on the above-listed facts, projections, ~~factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within ~~90~~ 60 days of receipt of the proposed PTDM Plan. ~~The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan.~~ If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent elects to make a request pursuant to 10.__.060, the decision of the Planning Officer shall be expanded to ~~also~~ include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, or his designee, ~~the Director~~ and ~~two~~ one other City staff members ~~person~~ designated by the City Manager ~~none of whom may have participated and who did not participate~~ in the initial review of the Plan.

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(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. ~~No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.~~

(g) Approvals issued by the Planning Officer shall ~~not be~~ automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan,~~ provided that the proposed new owner ~~or operator~~ (the "Transferee") shall continue to operate under the existing PTDM Plan and shall ~~either~~ submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect ~~or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan.~~ ~~In~~

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~~the event the Transferee elects to submit a~~ The certification, ~~it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility, (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer ~~within thirty (30) days of the transfer regarding appropriate revisions to the existing plan, then~~ Based on such consultation, the Planning Officer may require information from the ~~Transferee proposed new owner and/or operator concerning (i) likely proposed~~ changes in use of the parking facility and associated buildings ~~and; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes ~~and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval ~~of the revised plan for the transfer of the existing PTDM Plan~~ and obligations to the ~~Transferee, proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the ~~Transferee proposed new owner and/or operator~~ for review, condition, approval and/or denial. ~~Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.~~

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(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~initial periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent ~~may elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent, B~~based on an evaluation of the ~~facts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

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(b) ~~At its option, a~~ A project proponent may ~~elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent,~~ Based on an evaluation of the ~~facts, projections, factors and~~ commitments listed at 10.__.050(c), the Planning Officer ~~may shall make~~ a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall

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investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall ~~provide a first written notice of violation to notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease ~~within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director~~ Such order may ~~order~~ require shutdown of the parking facility. ~~Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice.~~ A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and

the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

c:\dad\ordnew.rev

Revised Traffic and Parking Demand Management Ordinance.

June 15, 1998

(2)

Proposed
6/23/97

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Six

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide subsidies and services to assist private employers with the development of employee and customer vehicle trip reduction programs, ride-share programs, shuttle services, and bicycle use programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and

safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with

the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the

Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group or buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the

use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director prior to the effective date of this Chapter that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Existing Parking Facility" shall mean a parking facility for which, on or before the effective date of this Chapter, (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by

the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to twenty (20) non-residential parking spaces.

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and

Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans. Prior to rendering his/her determination(s), the Planning Officer shall consult with the Director.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or modify a parking facility for non-residential parking spaces, regardless of the size or use of the parking facility, without first submitting a parking registration form to the Director. A parking facility with a PTDM Plan approved under Chapter 10.16 or this Chapter shall be exempt from this registration requirement as to all parking spaces covered by such PTDM Plan.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student

- client
- guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to July 17, 1996;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after July 17, 1996;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after July 17, 1996;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The Plan shall take into account the following factors:

(i) nature of development and property use;

(ii) proximity of project to public transit;

(iii) availability of and accessibility to offsite parking spaces which could serve the project;

(iv) number of employees and their likely place of origin;

(v) commitment to work with the Cambridge Office of Work Force Development;

(vi) type and number of patrons/users of proposed parking supply and their likely place of origin;

(vii) detailed description of and commitment to implement vehicle trip reduction programs including some or all of the following: subsidized T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction programs);

(viii) number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and

(ix) other factors published by the Planning Officer.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

"I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the requested number of parking spaces for each category of use based on the above-listed factors. The Planning Officer shall issue his/her decision in writing. If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. The decision shall also specify whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance.

(e) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent written approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirement of 10.___.050(f), below.

(f) Approvals issued by the Planning Officer shall not be automatically transferrable by and among private parties. At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan, the proposed new owner or operator shall consult with the Planning Officer. Based on such consultation, the Planning Officer may require information from the owner and/or operator concerning (i) likely changes in use of the parking facility and associated buildings; and (ii) the ability and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan. Based on such consultation and information, the Planning Officer may either issue a written approval for the transfer of the PTDM Plan and obligations to the proposed new owner and/or operator or the Planning Officer may require submittal of a new or revised PTDM Plan from the proposed new owner and/or operator for review, condition, approval and/or denial.

(g) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including periodic reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer

thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) A project proponent may include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about the maximum number of parking spaces for the project.

(b) A project proponent may include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License

Commission. The types of measures to be included in the list are providing: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease. Such order may require shutdown of the parking facility. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration

accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

21.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 23, 1997

To The Honorable, The City Council:

Enclosed for your consideration are two proposed ordinances, one addressing permits for commercial parking and the other addressing parking and transportation demand management planning in the City. These ordinances grow out of our ongoing efforts to reduce air pollution from motor vehicles and traffic congestion.

The first proposed ordinance would replace the interim parking freeze ordinance set forth at Chapter 10.16 of the Code in order to conform the City's procedures for issuing commercial parking permits to the Memorandum of Agreement entered into between the City and the Department of Environmental Protection on July 17, 1996. The proposed ordinance sets certain limits on commercial parking space permits and requires traffic mitigation and implementation of parking and transportation demand management measures at new commercial parking facilities.

The second proposed ordinance would add a new chapter to the Code to formalize parking and transportation demand management planning and programs that have been ongoing for a number of years. Pursuant to this proposed ordinance, a planning officer will be designated to review, condition, approve, and/or deny parking and transportation demand management plans in order to regulate and control air pollution from motor vehicles and reduce traffic congestion. Based on site-specific factors, the plan will specify vehicle trip reduction measures to be undertaken as well as the appropriate number and location of parking spaces for a project. A project proponent who receives approval for a plan specifying fewer parking spaces than the minimum set forth by zoning or for spaces at a greater off-site distance than allowed by zoning will need to obtain a special permit. It may be useful to add language to the Zoning Ordinance to assist in coordination and streamlining of the planning and permitting process.

This second proposed ordinance also requires registration of parking spaces at projects that are not subject to the plan requirements.

Very truly yours,

Robert W. Healy

273845.1

(2)

Proposed
6/23/97

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Six

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide subsidies and services to assist private employers with the development of employee and customer vehicle trip reduction programs, ride-share programs, shuttle services, and bicycle use programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and

safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with

the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
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10.__070	Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the

Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group or buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the

use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director prior to the effective date of this Chapter that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Existing Parking Facility" shall mean a parking facility for which, on or before the effective date of this Chapter, (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by

the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to twenty (20) non-residential parking spaces.

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and

Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans. Prior to rendering his/her determination(s), the Planning Officer shall consult with the Director.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or modify a parking facility for non-residential parking spaces, regardless of the size or use of the parking facility, without first submitting a parking registration form to the Director. A parking facility with a PTDM Plan approved under Chapter 10.16 or this Chapter shall be exempt from this registration requirement as to all parking spaces covered by such PTDM Plan.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student

- client
- guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to July 17, 1996;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after July 17, 1996;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after July 17, 1996;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The Plan shall take into account the following factors:

(i) nature of development and property use;

(ii) proximity of project to public transit;

(iii) availability of and accessibility to offsite parking spaces which could serve the project;

(iv) number of employees and their likely place of origin;

(v) commitment to work with the Cambridge Office of Work Force Development;

(vi) type and number of patrons/users of proposed parking supply and their likely place of origin;

(vii) detailed description of and commitment to implement vehicle trip reduction programs including some or all of the following: subsidized T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction programs);

(viii) number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and

(ix) other factors published by the Planning Officer.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

"I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the requested number of parking spaces for each category of use based on the above-listed factors. The Planning Officer shall issue his/her decision in writing. If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. The decision shall also specify whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance.

(e) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent written approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirement of 10.___.050(f), below.

(f) Approvals issued by the Planning Officer shall not be automatically transferrable by and among private parties. At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan, the proposed new owner or operator shall consult with the Planning Officer. Based on such consultation, the Planning Officer may require information from the owner and/or operator concerning (i) likely changes in use of the parking facility and associated buildings; and (ii) the ability and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan. Based on such consultation and information, the Planning Officer may either issue a written approval for the transfer of the PTDM Plan and obligations to the proposed new owner and/or operator or the Planning Officer may require submittal of a new or revised PTDM Plan from the proposed new owner and/or operator for review, condition, approval and/or denial.

(g) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including periodic reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer

thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) A project proponent may include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about the maximum number of parking spaces for the project.

(b) A project proponent may include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License

Commission. The types of measures to be included in the list are providing: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease. Such order may require shutdown of the parking facility. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration

accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

21.

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

June 23, 1997

To The Honorable, The City Council:

Enclosed for your consideration are two proposed ordinances, one addressing permits for commercial parking and the other addressing parking and transportation demand management planning in the City. These ordinances grow out of our ongoing efforts to reduce air pollution from motor vehicles and traffic congestion.

The first proposed ordinance would replace the interim parking freeze ordinance set forth at Chapter 10.16 of the Code in order to conform the City's procedures for issuing commercial parking permits to the Memorandum of Agreement entered into between the City and the Department of Environmental Protection on July 17, 1996. The proposed ordinance sets certain limits on commercial parking space permits and requires traffic mitigation and implementation of parking and transportation demand management measures at new commercial parking facilities.

The second proposed ordinance would add a new chapter to the Code to formalize parking and transportation demand management planning and programs that have been ongoing for a number of years. Pursuant to this proposed ordinance, a planning officer will be designated to review, condition, approve, and/or deny parking and transportation demand management plans in order to regulate and control air pollution from motor vehicles and reduce traffic congestion. Based on site-specific factors, the plan will specify vehicle trip reduction measures to be undertaken as well as the appropriate number and location of parking spaces for a project. A project proponent who receives approval for a plan specifying fewer parking spaces than the minimum set forth by zoning or for spaces at a greater off-site distance than allowed by zoning will need to obtain a special permit. It may be useful to add language to the Zoning Ordinance to assist in coordination and streamlining of the planning and permitting process.

This second proposed ordinance also requires registration of parking spaces at projects that are not subject to the plan requirements.

Very truly yours,

Robert W. Healy

273845.1

21.

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273845.1

Consent Agenda #21

Relative to two proposed ordinances, one addressing permits for commercial parking and the other addressing parking and transportation demand management planning in the City.

In City Council June 23, 1997

Referred to Ordinance Committee

Copy sent 6-25-97 mc

(2)

Proposed
6/23/97

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Six

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide subsidies and services to assist private employers with the development of employee and customer vehicle trip reduction programs, ride-share programs, shuttle services, and bicycle use programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and

safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with

the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

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(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the

Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

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"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

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(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

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(i) nature of development and property use;

(ii) proximity of project to public transit;

(iii) availability of and accessibility to offsite parking spaces which could serve the project;

(iv) number of employees and their likely place of origin;

(v) commitment to work with the Cambridge Office of Work Force Development;

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(vii) detailed description of and commitment to implement vehicle trip reduction programs including some or all of the following: subsidized T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction programs);

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thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) A project proponent may include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about the maximum number of parking spaces for the project.

(b) A project proponent may include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Based on an evaluation of the factors listed at 10.__.050(c), the Planning Officer shall make a written determination about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License

Commission. The types of measures to be included in the list are providing: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease. Such order may require shutdown of the parking facility. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration

accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

C. C. 106

City of Cambridge

The Ordinance Committee held a public hearing on June 16, 1998, beginning at 7:28 p.m. in the Sullivan Chamber for the purpose of further consideration of a proposed new ordinance, the Parking and Transportation Demand Management (PTDM) Ordinance.

Present at the hearing were Henrietta Davis, Chair of the Committee, Councillor Kathleen Leahy Born, Councillor Sheila Doyle Russell, and City Clerk D. Margaret Drury. Also present were Donald Drisdell, Deputy City Solicitor, Beth Rubenstein, Deputy Director of the Community Development Department, Susanne Rasmussen, Community Development Department and Lauren Preston, Traffic, Parking and Transportation Department.

Councillor Davis convened the hearing and explained the purpose. She requested that the Community Development Department (CDD) report on changes in the newest proposed version (Attachment A) and respond to questions that were raised at the May 6, 1998 hearing on this proposal.

Beth Rubenstein, Deputy Director, Community Development Department, listed the changes that have been made since the summer, 1997 draft:

-time limits added for action by PTDM officer: 90 days to act or plan deemed approved;

-clarification of who PTDM officer is: appointed by City Manager, reports to Assistant City Manager for Community Development, consults with Assistant City Manager and Director of Traffic and Parking;

-appeal process added for proponents whose PTDM plans have been rejected;

-definition of parking facility changed to include only those cases where there is a net increase in the number of parking spaces (allows internal shifts which do not result in net increases in parking);

-added process for City to provide "off the shelf" PTDM plans, where developers don't want to prepare their own plans; consultation with PTDM officer still required;

-clarification that actions by PTDM officer do not override zoning or the powers and duties of the Planning Board or BZA'

-project proponent may choose to ask for zoning variance to reduce parking requirement or increase distance to off-site parking; may not be compelled to do so;

-definition of parking facility, in case of colleges and universities, changed to include the stock of parking spaces maintained by the university or college which supports their activities in the city;

Committee Report #3

Communication was received from Councillor Davis, Chair of the Ordinance Committee for a meeting held on June 16, 1998 for the purpose of further consideration of a proposed new ordinance, the Parking and Transportation Demand Management (PTDM) Ordinance.

In City Councillor July 27, 1998

Report Accepted

PLACED ON FILE

City of Cambridge

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-clarification of who PTDM officer is: appointed by City Manager, reports to Assistant City Manager for Community Development, consults with Assistant City Manager and Director of Traffic and Parking;

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-clarification that actions by PTDM officer do not override zoning or the powers and duties of the Planning Board or BZA.

-project proponent may choose to ask for zoning variance to reduce parking requirement or increase distance to off-site parking; may not be compelled to do so;

-definition of parking facility, in case of colleges and universities, changed to include the stock of parking spaces maintained by the university or college which supports their activities in the city;

-in the case of property transfers, if no change in nature, type or extent of current use of parking facility, existing PTDM plans can remain in effect or new owner can choose to consult with officer about new PTDM plan. 30 days to decide on which course to take.

-added right to cure non-compliance by owner before penalties may be imposed.

Ms. Rubenstein then provided highlights of staff research on trip reduction ordinances in other municipalities. There are at least 50 in place; 75% are at the city level. Some examples include Pleasanton, California, Seattle, and Alexandria, Virginia. Most apply to business and not residential settings.

Ms. Rubenstein stated that the CDD staff expect a reduction of at least 10% in single occupancy vehicle trips, and actually believes it is not unreasonable to assume that Cambridge can do as well as a 15% reduction in vehicle trips.

Ms. Rubenstein then discussed the factors that will influence success. One is access to alternative modes of transportation. The economy also has an impact and they suspect when the economy is strong, PTDM will be stronger. The size of a business may have an impact as well.

Councillor Russell asked whether the Vehicle Trip Reduction Ordinance already does this. Ms. Rubenstein stated that this ordinance ties development approval to having a PTDM plan.

Councillor Russell asked if it would be easier to amend the Vehicle Trip Reduction Ordinance. Deputy Solicitor Donald Drisdell stated that it is clearer to approach parking and transportation demand management as a separate ordinance.

Councillor Russell asked if any communities around Cambridge will be adopting a similar ordinance. Ms. Rubenstein stated that she does not know of any other communities with plans to adopt such an ordinance.

Councillor Russell asked whether Cambridge should have a provision that if no other community adopts one, Cambridge's PTDM will be void.

Attorney Drisdell stated that the City Manager considered such a clause but decided against it for the following reasons:

1. Parking freeze consideration. The U.S. Environmental Protection Agency has not yet accepted the Massachusetts Department of Environmental Protection's agreement with Cambridge to modify its parking freeze. This is an important step to demonstrate Cambridge's continuing commitment to vehicle trip reduction; and

2. In effect, these plans are already being required and do have a benefit to Cambridge in terms of traffic and mitigation.

Ms. Rubenstein stated that this ordinance targets trips to work, which amount to about 30% of all trips in the city.

Councillor Born asked about the relation to traffic studies. She asked whether this ordinance could include such a requirement.

Ms. Rubenstein stated that the traffic study requirement is another and different piece of the traffic and parking puzzle.

Councillor Born stated that if the plan is to have a set-up that might separately require both a traffic study and a PTDM, it seems like a burdensome bureaucracy may be established. She expressed concern about the effects on smaller projects.

Councillor Born noted the need to clarify the language "reconfigure" in the registration requirement of sec. 10.___.040(a) . Mr. Drisdell noted that this is intended as an information gathering tool. It is not intended to be punitive or intrusive.

Councillor Born stated that the registration process is a big undertaking. It is important to be aware of the possible ramifications.

Councillor Born asked if a similar reduction could occur by reducing the parking required under zoning, or reducing the allowable FAR in a development. Ms. Rubenstein stated that these are interesting ideas which deserve study. There can be issues of unintended effects.

Councillor Russell asked why a compliance officer is needed if this is not a punitive ordinance. She said that it makes her think of rent control and the parking freeze. Councillor Russell then asked what happens under the ordinance if an owner adds parking spaces. Ms. Rubenstein stated that the addition of five "ticket-spitter" spaces or twenty commercial or residential spaces would trigger preparation of a PTDM plan.

Councillor Davis stated that during her time on the City Council, she has heard the most concerns regarding development in the area of traffic. She asked whether any of this ordinance would benefit employers.

Ms. Rubenstein stated that many of the measures are good business practices that appeal to employees.

Councillor Davis asked if technical assistance will be available to businesses.

Ms. Rubenstein stated that it will be; in fact, many companies are already doing PTDM and staff assistance is available to them now.

Councillor Davis stated that if the traffic concerns of residents could be addressed, the residents would be willing to tolerate more development. Development "maxes out" on traffic issues first.

Ms. Rubenstein stated that Cape Cod provides an example of this. The Cape Cod Regional Commission has a regulatory scheme to deal with this. Councillor Davis stated that in Cambridge, Alewife would seem to be an example of that phenomenon.

Councillor Davis then invited public testimony in support of the proposed amendment.

Stash Horowitz, 12 Florence Street, Cambridgeport Neighborhood Initiative, stated that the Cambridge Neighborhood Initiative has been meeting with the Community Development Department staff on this issue. This ordinance is a wonderful start, progress has been made. Ms. Rubenstein has done an excellent job of chairing these meetings. Mr. Horowitz said that the goals, aims and objectives of the ordinance are wonderful. The problem is that the ordinance is entirely voluntary. There is no firm commitment to numbers here. A PTDM Ordinance that has any teeth in it should require a traffic study. Another problem is that total review authority is granted to a PTDM officer. There needs to be a mechanism for neighborhood participation in the appeal process, not just the City Manager. Objective criteria are needed.

Elie Yarden, 143 Pleasant Street, stated that the greatest disincentive to traffic is the lack of a parking space. There is a fundamental planning issue of the relationship of land use and transportation. He noted that TAD closed and resulted in the loss of 181 jobs. Of those, only 21 were Cambridge residents. The PTDM Ordinance is well meaning and raises consciousness.

Craig Kelley, 6 St. Gerard Terrace, stated that he does not see anything in the ordinance that is going to reduce traffic. He suggests mandating a trip reduction of 15%, and letting businesses do it any way they can.

Councillor Davis then invited speakers in opposition to the proposed amendment.

Tom Lucey, Director of Government Affairs, Forest City Development, a member of the Chamber of Commerce, stated that the Chamber appreciates the City's work in this area. He provided examples of the ways in which Chamber members have been involved in many measures to reduce vehicular trips. Transportation demand management is a common practice in the business world. While the Chamber supports the concept, it has problems with the specific ordinance. There is the problem of making Cambridge less attractive as a business location in comparison with other locations.

Neil Meisner, Metropolitan Moving and Storage, Massachusetts Avenue, and a member of the Chamber of Commerce, discussed the problems with the PTDM formulation process. The plan must be formulated at the beginning of the development when the information of necessity is very speculative. There will always be a fair amount of inaccuracy, which means that most plans will generally be in violation of the ordinance.

Ms. Rubenstein agreed that it is true that there will be speculation involved early in the process. There are opportunities for annual updates.

Mr. Meisner stated that the power of the planning officer is also a problem. He also stated that since PTDM is already being widely practiced, there should be a sunset clause.

Steve Kaiser, 191 Hamilton Street, stated that in comparison with the 1990 proposed ordinance, this proposal is "squishy." The basic idea of this ordinance is that the developer will take the initiative to produce the plan and the City will review and approve it. But developers are in denial about the traffic problems. What is needed is a system that rewards mitigation. Start with one 10' driveway and reward mitigation with more driveway space. He complimented the Community Development Department on its work but said a stronger ordinance is necessary.

Jonathan Ginsberg, 2 James Way, stated that most developers are doing traffic demand management. If there were regional planning, this ordinance could work, but in the present situation, it will put unfair burdens on Cambridge.

Edward Gulesarian, Adams Realty, Sheraton Commander, urged the committee to grandfather projects that have already received permitting approvals.

William Zamparelli, 7 Emmons Place, stated that he is employed by ComEnergy and that he is the Chair of Government and Community Relations for the Chamber of Commerce. He submitted a letter setting forth the Chamber's testimony on this matter (Attachment B) and summarized this material in his remarks. He emphasized that this ordinance attempts to regulate parking supply and that it is really a zoning ordinance.

Ms. Rubenstein stated that the request to reduce parking requirements under zoning at the BZA would be totally at the option of the applicant.

Mr. Zamparelli expressed concern about what coercion will be used by the parking officer to try to push for a parking reduction. The plan will force long term businesses to move because even a modest expansion subjects their entire business to this plan. The Chamber's recommendation is that the ordinance be divided. They have no problem with the PTDM part; the parking supply provision that talks about setting parking maximums by category should be forwarded to the Growth Management Advisory Committee.

Councillor Russell stated that there are still significant questions about the ordinance. She would like to see a sunset clause prepared for the City Council's consideration.

Elie Yarden protested that dialogue with Committee members accorded to Chamber members but not to neighborhood members.

It was agreed without objection that the proposal will remain in committee and the notes for this committee meeting will be sent to members of the City Council.

Councillor Davis thanked all those present for their attendance.

The meeting was adjourned at 9:50 p.m.

For the Committee,

Councillor Henrietta Davis
Chair

RECEIVED
JUL 23 1998
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

Daphne Abeel
148 Pleasant Street
Cambridge, MA 02139
June 11, 1998

Henrietta Davis
Chair, Ordinance Committee
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Dear Henrietta:

I know an Ordinance Committee meeting is coming up next week and I am not certain I can attend, but I did have a chance to read the amendment to the "Cambridge Municipal Code." I think there are many people in the city, both officials and private citizens, who are concentrating on the problems of traffic and parking in the city, and that is to be applauded.

However, I find the amendment very disappointing in terms of imaginative ideas as to how to deal with the constantly growing burden of automobile traffic on city streets. It also lacks provisions for any real enforcement.

I would suggest that some new ideas be explored. Perhaps they aren't really new, but I haven't heard them discussed. What about making Harvard Square a walking center, i.e. just keep through traffic out of Harvard Square entirely. It is a mess now, and I am betting that the decision to allow the trolleys to park in front of Cardullo's (two per hour for fifteen minutes each) will prove unpleasant. The city needs a real public information campaign concerning the use of public transportation and the need to

encourage all companies and businesses in the city to use shuttle buses and driving pools.

This is just anecdotal, but I know it takes me a full five minutes longer to get from my house in Cambridgeport to any location in Harvard square or north of the square than it used to. I have lived in Cambridge for 20 plus years and have watched the streets become steadily more clogged, dangerous and polluted.

We do not want to give up our cars. I know. I don't want to give up mine, but I think the city could enforce some measures and offer some carrots that might persuade me I could use my car less often and use it only for longer trips. Walking should also be heavily promoted as a public health measure. I think the bicycle lanes are probably good. I consider it too dangerous to bicycle in Cambridge even with the new lanes and as a driver, I know I have had to increase my vigilance in order to avoid hitting bicyclists. All this is merely to say that the roads are overused.

Developers who come to the city with new projects that generate more automobile traffic should be mandated to seek mitigation measures. And there should be enforceable penalities, not just reasonable suggestions.

I hope your discussion will focus on some new approaches and also firm up some enforcement measures.

Sincerely,

Daphne Abeel

Consent Communication #63

A communicationw s received from Daphne Abeel, 148 Pleasant Street, transmitting a letter of concern regarding the constantly growing burden of automobile traffic on city streets.

In City Council July 27, 1998

Referred to Committee Report #3

In Council packets 6/12/98

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

Memorandum

To: The Honorable, The City Council

From: Robert W. Healy, City Manager

Date: June 12, 1998

Re: Revised version of the proposed Parking and Transportation Demand Management (PTDM) Ordinance

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In anticipation of the June 16th Ordinance Committee hearing on the proposed Parking and Transportation Demand Management (PTDM) Ordinance, I am enclosing the most current draft of the ordinance for your review. This draft includes changes made by the Law Department as a result of comments received at the May 6th Ordinance Committee hearing. If you have any questions or need additional information about the ordinance, please contact Beth Rubenstein at 349-4611 (email: *brubenstein@ci.cambridge.ma.us)*. I look forward to seeing you at the hearing.

DRAFT

Cambridge Law Department
June 8, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

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Cambridge Law Department
June 8, 1998

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects
10.__.080	Enforcement

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Cambridge Law Department
June 8, 1998

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the

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Cambridge Law Department
June 8, 1998

PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the

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Cambridge Law Department
June 8, 1998

Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in

the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

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Cambridge Law Department
June 8, 1998

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant, the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

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Cambridge Law Department
June 8, 1998

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has

been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

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Cambridge Law Department
June 8, 1998

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following ~~facts, projections~~ factors and commitments:

(i) ~~Facts and Projections~~ Factors:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a

detailed description of the ~~measures programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- ~~non-commercial~~
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

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Cambridge Law Department
June 8, 1998

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the ~~proposed~~ requested number of parking spaces for each category of use based on the above-listed ~~facts, projections, factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within ~~90~~ 60 days of receipt of the proposed PTDM Plan. ~~The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan.~~ If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent ~~elects to~~ make a request pursuant to 10.__.060, the decision of the Planning Officer shall ~~be expanded to also~~ include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, or his designee, ~~the Director~~ and ~~two~~ one other City staff ~~members~~ ~~person~~ designated by the City Manager ~~none of whom may have participated and who did not participate~~ in the initial review of the Plan.

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Cambridge Law Department
June 8, 1998

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written ~~decision indicating~~ approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and ~~may~~ incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. ~~No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.~~

(g) Approvals issued by the Planning Officer shall ~~not be~~ automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan,~~ provided that the proposed new owner ~~or operator~~ (the "Transferee") ~~shall continue to operate under the existing PTDM Plan and~~ shall ~~either~~ submit to the Planning Officer ~~within thirty (30) days of the title transfer~~ a certification that the existing PTDM plan will remain in effect ~~or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan.~~ ~~In~~

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Cambridge Law Department
June 8, 1998

~~the event the Transferee elects to submit a~~ The certification, ~~it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility; (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer ~~within thirty (30) days of the transfer regarding appropriate revisions to the existing plan, then~~ Based on such consultation, the Planning Officer may require information from the ~~Transferee proposed new owner and/or operator~~ concerning ~~(i) likely~~ proposed changes in use of the parking facility and associated buildings ~~and; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes, ~~and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval ~~of the revised plan for the transfer of the existing PTDM Plan~~ and obligations to the ~~Transferee, proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the ~~Transferee proposed new owner and/or operator~~ for review, condition, approval and/or denial. ~~Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.~~

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Cambridge Law Department
June 8, 1998

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~annual periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent ~~may elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. ~~Upon the written request of the project proponent, B~~based on an evaluation of the ~~facts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

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Cambridge Law Department
June 8, 1998

(b) ~~At its option, a~~ A project proponent may ~~elect to request that the Planning Officer~~ include as an element of its PTDM Plan a plan for utilizing off-site parking spaces ~~that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance.~~ ~~Upon the written request of the project proponent,~~ Based on an evaluation of the ~~facts, projections, factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may shall make~~ a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall

investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall ~~provide a first written notice of violation to notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease ~~within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director~~ Such order may ~~order~~ require shutdown of the parking facility. ~~Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice.~~ A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and

the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

c:\ded\ordnew.rev

Revised Traffic and Parking Demand Management Ordinance.

June 15, 1998

029
1 of 3

Parking and Transportation Demand Management (PTDM) Ordinance

November 16, 1998

Councillor Davis asked about the size requirements - are even small projects required to have a PTM plan? Ms. Epstein stated that small projects are subject to different requirements. Small projects are those that would result in fewer than twenty non-residential spaces. They are required to choose and implement three transportation management measures.

Councillor Davis asked whether there are three measures that are practical for a small project. Ms. Epstein said that the measures are specifically tailored to small projects, e.g, providing transit information, bike racks, etc.

Councillor Davis asked how the ordinance would affect the Polaroid development. Ms. Epstein said that the proposed Polaroid development would be subject to these requirements. The ordinance would require a TMP to be produced and approved before the project can go forward. For a project that would require twenty or more spaces that does not need any zoning variance or special permit, the City will scrutinize the plan very carefully.

Councillor Davis asked about potential zoning conflicts. Attorney Jacobs stated that if this ordinance goes forward, the City may want to propose some amendments to the zoning ordinance. The City will expect that the zoning authority will pay due deference to the city-approved plan in considering whether to grant relief from the zoning requirements.

Councillor Davis asked how the License Commission's authority over shuttles can be harmonized with this ordinance. Ms. Epstein said that the License Commission reviews these projects with cognizance of the City's air quality concerns; and will give deference to these city goals. Councillor Davis noted the importance of communication of a coherent set of city values.

Councillor Duehay agreed that the City has separate boards and committees which must know each other and must receive ongoing training in the area of overlapping goals and objectives of the City. We cannot have a situation where developers work long and hard on a transportation plan just to have it turned down by the License Commission or the Board of Zoning Appeal without thought as to how to harmonize their policies and regulations with other important city policies and priorities.

Councillor Davis suggested a motion to request that the proposed ordinances be passed on to the License Commission. Councillor Duehay agreed that the City Manager should be encouraged to consult any boards and commissions that may be involved, but suggested that such a motion would be premature at this point.

Ms. Epstein said that over several months there has been a cross-training system among departments. She said that she would expect this communication to be done though this process.

Councillor Duehay noted that the members of the Boards and Commissions also need this information.

Mr. Drisdell said that the Law Department has been doing some training of boards and commissions and has found that they are eager for this training and for additional information.

Councillor Davis noted that this issue will involve issues related to the regulation of taxis as well.

Vice Mayor Born asked for an explanation of the criteria and expressed some concern with the work required for property owners.

Mr. Healy said that the plan is not intended to be onerous. There is flexibility and a built-in opportunity to adapt the plan to particular circumstances.

Vice Mayor Born said that she hears complaints, from small businesses especially, about the difficulty of the degree of regulation that exists in Cambridge. Ms. Jacobs said that the City has worked hard to ensure that the plan is not onerous. The City also expects to develop "model plans" and to provide customer-friendly technical assistance.

Vice Mayor Born asked what will happen when there are disagreements with the planning officer. Is there an appeal procedure? Ms. Jacobs stated that there is no appeal procedure. The ordinance could be amended to provide some appeal, perhaps to the Assistant City Manager.

Vice Mayor Born noted that the ordinance will apply to Polaroid and University Park, both of which may have dissatisfied persons seeking some appeal.

Ms. Jacobs stated that the ordinance does not apply if it is an existing parking facility, that is, there is a certificate of occupancy, an operating license or a letter from the Director of Traffic, Parking and Transportation stating that the spaces were in existence as commercial spaces in 1973. If none of those three exemptions apply, the facility would be subject to this ordinance.

Vice Mayor Born asked where in the permitting process this will occur. Ms. Jacobs stated that it will be happening very early in the permitting process. Most of the key permits should not be issued until the plan is approved.

Vice Mayor Born asked if there are figures to support the statement in the "Whereas" on page 2 that the City has reduced vehicle trips. Ms. Jacobs stated that the City has actually done the calculations. The data was submitted to the DEP in September ad there was a hearing on it.

Vice Mayor Born asked if this data collection will continue. Ms. Jacobs said that the City is committing to the state to submit bi-annual reports of this information. Vice Mayor Born asked if there is anything in this ordinance that is more onerous for a small business owner than the existing ordinance. Ms. Jacobs said that a small business will not have to apply for a permit for controlled parking spaces. The business will have to check off three traffic management measures on a short application form and implement them. There will be no hearing requirement, as there is now for controlled parking space permit applications.

Mr. Healy noted that the proposed amendment to chapter 10.16 is necessary to put the ordinance in conformance with the current Memorandum of Understanding with DEP. The second ordinance is implementation of a policy and can be widely discussed and considered by many groups who may persuade the City Council that the current proposal should be amended.

Ms. Jacobs said that it is also important to amend 10.17 to conform with the SIP amendments which are in process at the state level.

Councillor Duehay stated that the second and third "Whereas" clauses indicate that there has been substantial progress in reducing vehicle trips and improving air quality. He requested that data be provided as part of the record of this hearing (Attachment A). Councillor Duehay asked how the City will know whether the proposed new trip management will be successful. Mr. Healy said that these items can be measured. Councillor Duehay noted the importance of systematic evaluation of effectiveness.

Ms. Jacobs stated that the proposal provides for a two pronged enforcement measurement. Both the Traffic, Parking and Transportation Department and the Community Development Department can measure and evaluate.

Councillor Duehay asked if the plan could be amended annually. Ms. Jacobs said that there is no requirement but there is also no prohibition regarding amendment.

Councillor Duehay asked whether this proposal flows out of commitments to the state. Ms. Jacobs said that there is no commitment for a particular program, but there is a commitment to a bi-annual demonstration to the state of why and how these plans are working.

Councillor Duehay asked whether programs that are currently in existence in Cambridge are required by the state. Mr. Healy said that the plans in effect now are mostly voluntary. In some cases they are required as binding requirements in special permit cases.

Councillor Duehay asked how many institutions in the City are currently using these plans. Ms. Epstein said that there are about twenty. Ms. Epstein said that the Community Development Department has just received a grant for transportation kiosks around the City.

Councillor Duehay asked how many businesses are aware of these possibilities. Ms. Epstein said that there is information available and the Community Development Department has new resources to increase dissemination of this information. In response to Councillor Duehay's question, she said that Harvard and MIT are cooperating with the city.

Councillor Davis asked whether a fee will be charged for this transportation planning assistance. Mr. Healy said no. The City has struggled to balance business needs with clean air objectives.

Councillor Duehay raised the question of whether there would be issues with regard to the zoning authority making different recommendation in applications for relief from parking requirements under the Zoning Ordinance. Ms. Jacobs stated that of course there must be a reasonable basis for treating applications differently.

Vice Mayor Born asked about the cost of staffing and administration of this program. Ms. Epstein stated that a full staff analysis has not been done.

Councillor Duehay then invited public testimony in support of the proposed ordinance.

Tom Lucey, 40 Lake Street, Wakefield, Cambridge Chamber of Commerce, stated that the Chamber supports the intent of the proposal but requests that the proposal be held in committee to allow more time to research, consider and discuss the particulars.

James Gascoyne, Charles River Transportation Management Association, stated that his association agrees with the Chamber's proposal to allow more time for discussion. The measures are not that difficult. Newer businesses are likely to support these measures. It is more difficult for existing businesses to modify and change policies, although many businesses have been making strides. He emphasized that the plans must be business specific, for example outside salesmen will always need their cars. He also pointed out that businesses that have made progress should get credit for this. Mr. Gascoyne stated that there is also a need to look at residential parking as well.

Councillor Duehay asked whether the organizations that belong to his association deal with the issue of persons who live and work in Cambridge. Mr. Gascoyne said that on a public policy level, it is important to encourage better, more convenient public transportation. Nationally, seventy percent of individuals drive to work, and Cambridge is not going to reverse this statistic.

Councillor Davis said that she has been talking to Mr. Gascoyne about how to help residents, for example, shuttles to grocery stores, etc. This is her concern with the License Commission, which wants to limit the number of people who can ride on shuttles.

Jonathan Ginsberg, Forest City Development, stated that Forest City supports this proposal and utilizes transportation management plans. They are examining a number of programs that provide financial incentives to employees to the use of public transportation. However, the issue is complicated and needs more consideration.

Councillor Duehay then invited testimony in opposition. There was none.

Councillor Duehay asked if there was any objection to keeping the proposal in committee to give the City Manager and his staff an opportunity for further discussion with the business community.

Councillor Davis requested that there be another meeting by early September because there are specific projects being proposed. Councillor Duehay stated that this proposal is too important to be tied to the timing of a specific project. He said that he does believe there can be a meeting in early September.

Vice Mayor Born noted her concern about putting these ordinances on separate time tracks. She asked Mr. Drisdell how important it is to have the first amendment enacted very soon. Mr. Drisdell said that there are inherent risks of confusion until the present ordinance is connected. Ms. Jacobs stated that, in addition, the City and the State are still in the process of amending the SIP. Failure to act quickly on the first amendment will send mixed messages to the DEP and the EPA.

It was agreed without objection that the proposed amendment will remain in committee so that the City Manager's staff can have additional discussions with businesses and other members of the community, and that the next meeting will take place in early September.

Councillor Duehay thanked all those present for their attendance. The hearing was adjourned at 8:22 p.m.

For the Committee,

Francis H. Duehay DMD

Councillor Francis H. Duehay,
Chair

A

FOLEY, HOAG & ELIOT LLP

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Wendy B. Jacobs
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July 30, 1997

RECEIVED BY
OFFICE OF CITY CLERK
97 JUL 30 AM 11:56
CAMBRIDGE MA.

Via Hand Delivery

Margaret Drury, City Clerk
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Ordinance Hearing on July 28, 1997

Dear Margaret:

Chairman Duehay requested that the City Manager submit a copy of the document prepared by the City's staff last fall to document progress made in achieving vehicle trip reductions and vehicle miles traveled within the City as a result of various City programs. The report on the City's Monitoring and Demonstration Plan was submitted to the Department of Environmental Protection and the Environmental Protection Agency on September 30, 1996. A copy is enclosed for inclusion in the record on the hearing. Please do not hesitate to call me if you have any questions.

Very truly yours,

Wendy B. Jacobs

WBJ:adg
Enclosures

cc: Councilor Duehay (w/enc.)
Robert Healy
Donald Drisdell

A

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RECEIVED
OCT 1 1996

September 30, 1996

BY HAND

Mr. David B. Struhs
Commissioner
Department of Environmental Protection
One Winter Street, 3rd Floor
Boston, Massachusetts 02108

Mr. John DeVillars
Regional Administrator
Environmental Protection Agency
One Congress Street, 10th Floor
Boston, Massachusetts 02203

Re: Upcoming SIP Revision Regarding Cambridge Parking Freeze

Dear Gentlemen:

On behalf of the City of Cambridge, I enclose for your review the City's report on its vehicle trip reduction program and demonstration of some of the reductions in vehicle trips and vehicle miles travelled achieved by the City between 1992 and 1996. This Monitoring and Demonstration Report is submitted in support of the upcoming rulemaking to replace the Cambridge parking freeze. This Report is also submitted pursuant to Paragraph 6 of the July 17, 1996 Memorandum of Agreement between the Commonwealth of Massachusetts and the City of Cambridge.

The Memorandum of Agreement also provides in Paragraph 3 that the City and the Commonwealth will consult with EPA prior to October 30, 1996 about the monitoring plan and proposed rule developed jointly by the City and DEP and which were submitted to EPA on July 22, 1996 and September 13, 1996, respectively. Accordingly, by way of this letter, the City hereby requests that we proceed to schedule this meeting. Please contact me at your earliest convenience with dates on which you or your staff are available for this meeting.

Very truly yours,

Wendy B. Jacobs

WBJ:dc
Enclosures

MONITORING AND DEMONSTRATION PLAN

Report of the City of Cambridge on its Vehicle Trip Reduction Programs Submitted to DEP and EPA Pursuant to the July 17, 1996 Memorandum of Agreement Between the Commonwealth and Cambridge

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1. DESCRIBE THE STAFFING, TASKS, AND BUDGET FOR THE PERSONNEL AND DEPARTMENTS ASSIGNED BETWEEN 1992 AND 1996 TO IMPLEMENT THE CITY'S VEHICLE TRIP REDUCTION PROGRAMS.

1.A Staffing

The Cambridge Environmental Program was established in 1992 to implement the Cambridge vehicle trip reduction programs. In 1995, in recognition of their close working relationships, the Environmental Program joined with the Community Development Department's ("CDD's") Transportation Planning Division to become the CDD's Environmental and Transportation Planning Division. The Division is also aided by the Traffic, Parking and Transportation Department in implementing the City's vehicle trip reduction ("VTR") programs.

1.B Tasks

Staff members of the two departments are responsible for carrying out activities in the following areas:

- improving bicycle facilities
- improving pedestrian facilities
- improving public transportation in Cambridge for commuter and non-commuter use
- developing and carrying out a commuter mobility outreach program to encourage ridesharing and use of public transit by commuters and non-commuters and to discourage single-occupant vehicle commuting trips by both private and municipal employees
- promoting alternative transportation to reduce single-occupant vehicle trips by commuters and non-commuters

1. STAFFING, TASKS AND BUDGET TO IMPLEMENT CITY'S VTR PROGRAMS (continued)

- undertaking traffic calming measures to discourage through traffic and encourage mode switches for short trips
- promoting local employment opportunities for Cambridge residents (this task is performed by the City's Human Services Department)

1.C Budget

Cambridge Environmental Program and CDD expenses to implement the City's vehicle trip reduction programs between FY93 and FY96 include: $474,185 for salaries in the Environmental Program and CDD and $229,530 for Environmental and Transportation Planning Division program expenses. Program expenses include printing of maps and other information, manufacture and installation of bicycle parking facilities, consultant services, conducting and tabulating results of the municipal and private employee commuting surveys, staff training, bicycle purchases, and promotional activities.

$703,715.00

Major expenses of the vehicle trip reduction program involve creating bicycle lanes and guidelines for bicyclists, improving crosswalks and traffic signals for pedestrians, and other support, implementation, and enforcement of air quality programs by the Cambridge Traffic, Parking and Transportation Department. These costs include annual maintenance of bicycle and pedestrian facilities, equipment and staff time at an annual cost of approximately $720,000 between FY93 and FY96.

$2,880,000.00

Expenses for additional, specific interdepartmental vehicle trip reduction projects are $2,600,930. Listed costs include the Arsenal Square redesign, the North Cambridge railroad crossing, the Fresh Pond Parkway redesign, and 25% of the cost of Central Square renovations. Some of these projects are detailed below.

$2,600,930.00

1. STAFFING, TASKS AND BUDGET TO IMPLEMENT CITY'S VTR PROGRAMS (continued)

Central Square Redesign
This project is being undertaken to make Central Square more accessible and appealing to pedestrians and bicyclists, to improve the urban design, and to reduce traffic capacity on Massachusetts Avenue. Upgrading this commercial district is important for air quality. Creating viable, appealing shopping, service, and entertainment options near where people live and work and near major subway and bus stops, is of major significance in cutting down on vehicle miles traveled. Design features to promote foot, bicycle, and transit travel include increasing the width of sidewalks; eliminating a motor vehicle travel lane on Massachusetts Avenue; constructing bicycle lanes; narrowing the roadway at intersections to make it easier for pedestrians to cross; eliminating a right-turn-only lane at the major intersection; providing more spacious bus shelters; and improving lighting, seating, and other pedestrian amenities.

The first phase of construction has been completed, and the second phase is proceeding on schedule. The total funding commitment by the City to the Central Square project is more than $3.8 million. A conservative estimate is that $1,175,890 of this is directly related to vehicle trip reduction elements.

Arsenal Square Redesign
This project was designed to improve safety for motorists, pedestrians, and bicyclists. The complexity of the intersection made it difficult for pedestrians to navigate. Changing the traffic signals and closing off two streets enabled the City to include a "pedestrian only" traffic signal phase to facilitate safe crossing of the roadways on foot. Neck downs at three nearby intersections have also made the area safer and more pleasant for pedestrians. The cost of the Arsenal Square project was $228,360.

Quincy Square
The square was reconfigured to reclaim road space for pedestrians. A small park and traffic island were carved out of what had been pavement, neck downs were created at several intersections, and a bicycle lane was added to Massachusetts Avenue. The cost for design and construction of Quincy Square exceeds $594,000.

North Cambridge Railroad Crossing
Commuter rail tracks separate a dense residential neighborhood, including two large low-income housing developments, from a nearby shopping center. This project will enable residents to walk to the shopping center safely and conveniently. The cost for redesign of the North Cambridge Railroad Crossing has been approximately $82,180 thus far.

1. STAFFING, TASKS AND BUDGET TO IMPLEMENT CITY'S VTR PROGRAMS (continued)

Fresh Pond Parkway Project
Fresh Pond Parkway is an exceptionally difficult area for pedestrians and bicyclists to navigate. Fast traffic, a lack of sidewalks, and rotaries that are intimidating even for motorists have prevented much of this area from being accessible to people on foot, despite the nearby Red Line T stop at Alewife. Major work sites, shopping, and Fresh Pond, one of the City's primary recreational spaces, are difficult for pedestrians and cyclists to reach because of the lack of non-automobile travel space along the parkway and the lack of street-crossing opportunities. Improvements to Fresh Pond Parkway and Kingsley Park Bridge are underway to facilitate the use of public transportation for commuting as well as for local bicycle and pedestrian trips. The design cost for these improvements is $202,500.

Cambridge Employment Program
The Cambridge Employment Program, which promotes and facilitates local employment opportunities for Cambridge residents cost approximately $307,000 between FY93 and FY96.

Bikeway Connection From Minuteman To Alewife T
The City's design costs to create this connection and facilitate cross-city bicycle commutes and recreational trips were $11,000.

The cost to implement vehicle trip reduction programs between FY93 and FY96 exceeded $6,184,645.00

2. IDENTIFY THE LOCATIONS AND NUMBER OF ON-STREET PARKING SPACES WHICH THE CITY HAS RESTRICTED BETWEEN 1992 AND 1996 BY OBSTRUCTING OR PROHIBITING ALL USE, CONVERTING TO RESIDENTIAL USE, OR IMPOSING TIME-USE CONSTRAINTS TO PRECLUDE/DISCOURAGE COMMUTER USE.

See Attachment A for the listing. 465 spaces have been restricted. Spaces that were redistributed through the interim parking space bank are not included in this listing. The VMT reductions associated with these parking space restrictions are calculated by reference to the numeric value of 15.2 (hereafter referred to as the "VMT Value"). The VMT Value was established by the City and DEP in the July 17, 1996 Memorandum of Agreement (the "1996 MOA"). An explanation of the derivation of the VMT Value is provided in Attachment B hereto. 465 spaces restricted multiplied by 15.2 VMT/space equals 7,068 daily VMT reductions.

7,068 daily VMT reductions

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3. IDENTIFY DEVELOPMENT PROJECTS THAT RECEIVED PERMISSION FROM THE CITY BETWEEN 1992 AND 1996 TO OPERATE FEWER NON-RESIDENTIAL PARKING SPACES THAN WERE ALLOWED BY THE MAXIMUM PARKING RATIOS UNDER THE CAMBRIDGE ZONING ORDINANCE AND CALCULATE THE DAILY VMT REDUCTIONS ACHIEVED BY REFERENCE TO THE VMT VALUE.

See Attachment C for the listing of commercial projects and Attachment D for the listing of institutional projects between 1992 and 1996 that were given approval for fewer than the maximum spaces allowed by the Cambridge Zoning Ordinance.

Between 1992 and 1996 project proponents received 460 fewer parking space authorizations than could have been allowed under the Cambridge Zoning Ordinance. The associated VMT savings is: 460 spaces x 15.2 VMT/space = 6,992 daily VMT savings.

6,992 daily VMT savings

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4. CALCULATE IMPACTS OF THE MUNICIPAL EMPLOYEE VEHICLE TRIP REDUCTION MEASURE IMPLEMENTED BY THE CITY FROM 1992 TO 1996, INCLUDING:

4.A Estimated daily VMT reductions achieved by municipal employees using City-subsidized transit passes:

The City initiated a transit pass subsidy for municipal employees in January 1996. The number of passes purchased through payroll deduction increased from approximately 20 before the subsidy was offered to 275 for the July 1996 pass. This participation rate for T-pass usage results in a daily VMT reduction of 885. This figure was determined by surveying all MBTA pass purchasers in July 1996 to determine how many trips have been reduced due to the T-pass subsidy. Respondents were asked to provide their home location and to enumerate how many trips per week they made by transit prior to the subsidy and how many after the subsidy became available. The difference between these two figures was multiplied by the average distance from the home location. For respondents who did not provide the distance to their home location, a 24 mile average round trip commute distance was assumed. This figure was provided by the Massachusetts Central Transportation Planning Staff ("CTPS") as the average commute distance for employees commuting to Cambridge. See Attachment E for the CTPS explanation of its derivation of the average commute distance. A copy of the City's survey can be found as Attachment F. A copy of the survey results can be found as Attachment G. The survey had 90 responses out of 275 for a response rate of 33%.

855 daily VMT reductions

Note: Also in January 1996, the City adopted an ordinance requiring certain categories of new municipal employees to reside within the City. This ordinance, like the T-pass subsidy, will reduce VMT associated with the commute trips of some municipal employees.

4. IMPACT OF VTR PROGRAMS ON TRIPS BY MUNICIPAL EMPLOYEES (continued)

4.B Estimated daily VMT reductions achieved by employee use of municipal shuttle services in lieu of driving.

The Cambridge Hospital runs an employee shuttle from a remote parking lot to the hospital. Employees are signed up to use the shuttle when they sign up for parking at the remote lot. Approximately two hundred employees are currently signed up to use the Cambridge Hospital shuttle which carries employees approximately one mile each way to and from the hospital. VMT reductions associated with shuttle use were calculated by multiplying the number of current riders (200) by the distance (two miles round trip). Shuttle usage is expected to increase in the near future as on-site parking is being eliminated or significantly reduced for most employees because of major renovations at the Cambridge Hospital. Reduction of available on-site parking also reduces use of employee cars for errands and lunch trips during the workday.

400 daily VMT savings

4.C Estimated daily VMT reductions achieved by employee use of City-supplied bicycles in lieu of driving.

The City purchased 7 bicycles for use by any municipal employee for trips during the workday. Usage of the bicycle at the City Hall Annex was logged 40 times between August 1, 1995 and July 31, 1996. Usage of the City Hall Annex bicycle is monitored closely. Data from other City sites are unavailable at this time. For this reason, the usage rate of the bicycle at City Hall Annex was extrapolated to the other six City bicycles. Note that the bicycles are used primarily in warm weather, when ozone levels are typically highest and it is most important to reduce automobile trips.

The average intra-Cambridge bicycle trip is 4.6 miles. This figure is based on CTPS's intra-Cambridge commute distance of 2.3 miles each way (see Attachment E) and on several typical municipal work trips. Examples of typical trips by City employees between worksites would be from 147 Hampshire Street (Department of Public Works) to Danehy Park in North Cambridge, which measures approximately 2.0 miles each way and from 57 Inman Street (City Hall Annex) to Fresh Pond (Cambridge Water Department) in West Cambridge, which measures approximately 2.3 miles each way. Multiplying the average intra-city roundtrip of 4.6 miles by 40 trips by 7 bicycles results in an annual VMT reduction of 1,288 miles. This figure is then divided by 260 annual workdays, resulting in daily VMT reduction of 4.95 miles.

5.0 daily VMT savings

4. IMPACT OF VTR PROGRAMS ON TRIPS BY MUNICIPAL EMPLOYEES (continued)

4.D Estimated daily VMT reductions achieved by required bicycle and foot patrols for Cambridge police in lieu of driving.

There are 28 officers assigned to police bicycle and foot patrols during each 24-hour period. These patrols save approximately 1400 VMT per day. A typical automobile patrol covers an average of 50 miles per shift.

1,400 daily VMT savings

4.E Compare with CSI's predicted VMT reductions.

Cambridge Systematics Inc.'s ("CSI") predicted VMT savings for the municipal employee trip reduction measure was 700 to 7,600 daily VMT. Actual daily VMT reductions achieved by the City's municipal employee vehicle trip reduction program exceed 2,660 as of July 1996.

The City's municipal employee vehicle trip reduction measures are achieving 2,660 daily VMT reductions

5. **IDENTIFY DEVELOPMENT PROJECTS BETWEEN 1992 AND 1996 FOR WHICH THE CITY HAS REQUIRED AGGRESSIVE PARKING AND TRANSPORTATION DEMAND MANAGEMENT ("TDM") PROGRAMS (I.E., MUNICIPAL PROJECTS AND ISSUANCE OF SPECIAL PERMITS FOR PRIVATE DEVELOPMENT PROJECTS) AND DESCRIBE OTHER CITY EFFORTS BETWEEN 1992 AND 1996 TO ENCOURAGE AND FACILITATE EMPLOYERS TO PROMOTE PRIVATE EMPLOYEE VEHICLE TRIP REDUCTIONS.**

5.A Development projects with required TDM programs:

The Cambridge Planning Board has incorporated TDM requirements into Special Permits for the following projects:

Cambridgeside Galleria;
One Brattle Square;
Cambridge College;
Lotus Development Corporation;
15 Monsignor O'Brien Highway (North Point); and
Fresh Pond Square.

Required TDM elements for these projects include on-site MBTA pass sales, shuttle services, distribution of rideshare information and/or on-site ridematching, preferential parking for carpools and vanpools, bicycle parking, employee transportation surveys, and designation of a transportation coordinator.

5.B Other City programs to promote private employee vehicle trip reductions:

In addition to imposing permit conditions, the City has instituted policies and devoted significant staff and financial resources to an aggressive TDM program to promote alternative modes of transportation to reduce single-occupant vehicle ("SOV") trips. The City has recruited voluntary participation in its TDM program by key employers in Cambridge. The City's program (also known as the expanded commuter mobility program) has included promotion, education, information, and facilitation of ways to decrease SOV commuting to private worksites. City staff have held meetings and seminars and made presentations to help employers develop their own TDM programs appropriate for their particular site. For example, City staff evaluate transit service to the site as well as employees' home zip code information to determine what techniques would be most effective in reducing SOV commuting by their employees. City staff then assist employers in implementing appropriate techniques, such as shuttle-to-transit services, T-pass sales, priority parking for carpools and vanpools, bicycle parking facilities, and guaranteed ride home programs. Staff also support and initiate cooperative efforts of employers in pooling their resources to form TDM programs and participate in transit awareness days and other events to promote alternative transportation. City staff supported the formation and activities of the Charles River

5. PROJECTS REQUIRED BY CITY TO HAVE AGGRESSIVE TDM PROGRAMS; CITY'S TDM PROGRAMS TO REDUCE VEHICLE TRIPS BY PRIVATE EMPLOYEES (continued)

Transportation Management Association. City staff attend Charles River TMA meetings, provide technical assistance, and facilitate collaboration among Charles River TMA employees.

The City's TDM program has enjoyed wide acceptance and participation by private employers. City staff have worked closely with numerous businesses in Cambridge and have successfully assisted them in reducing the number of drive-alone trips by their employees. The City's efforts have created an environment in which businesses have been encouraged and assisted in implementing programs to reduce SOV commuting. The results are demonstrated below.

5.C Estimated vehicle trip and/or daily VMT reductions associated with City efforts to promote and increase ridesharing by private employees.

The following calculations were done to determine the daily VMT reductions associated with carpooling and vanpooling by employees at companies with which City staff have worked closely to develop and/or improve the success of ridesharing programs. These companies are not subject to the state's rideshare rule. The calculations are based on a telephone survey of these employers conducted by the City in June and July 1996 to confirm current information. See Attachment H. The survey indicates that 622 employees of these companies carpool to work. See Attachment I.

The daily VMT reductions were determined by dividing the total number of carpoolers (622) by 2. This figure was multiplied by 24 miles, which is the average round trip commute distance derived by the Massachusetts Central Transportation Planning Staff ("CTPS") for work trips to Cambridge. See Attachment E for explanation of CTPS average daily VMT.

7,464 daily VMT reductions

City staff have also worked closely with many of the largest employers in Cambridge, including Harvard University, MIT, Mount Auburn Hospital, Polaroid, and Arthur D. Little, to assist them in reducing SOV commuting to their worksites. For example, the City worked with Harvard, Polaroid and ADL to conduct surveys of their employees to determine baseline data on commuting trends by their employees. The City made presentations to employees and management at Polaroid and Mount Auburn Hospital to educate them about and encourage

5. PROJECTS REQUIRED BY CITY TO HAVE AGGRESSIVE TDM PROGRAMS; CITY'S TDM PROGRAMS TO REDUCE VEHICLE TRIPS BY PRIVATE EMPLOYEES (continued)

their participation in ridesharing and alternative transportation modes. Ridesharing at these institutions results in 64,968 daily VMT reductions: dividing the total number of carpoolers by 2 and vanpoolers by 5 results in a total of 2,707 carpools/vanpools multiplied by the CTPS average roundtrip to commute to Cambridge of 24 miles. See Attachment I. Approximately 10% (6,497 daily VMT savings) of ridesharing by these employees is attributable to the City's efforts.

6,497 daily VMT reductions

5.D Estimated vehicle trip and/or daily VMT reductions associated with City efforts to promote private employee use of transit passes purchased through payroll deduction.

This was determined by multiplying the number of T-passes purchased through payroll deduction per month by private employees by the CTPS average commute distance of 24 miles. See Attachment J. This calculation reflects only T-pass purchases by employees of companies with which the City has collaborated on TDM programs. These companies are not subject to the state's rideshare rule. The City has a policy of working with employers in Cambridge to support their TDM efforts and carries out this policy through public education events, distribution of transit information, and home zip code analysis to determine the most effective promotional efforts. In one notable case, a company with which City staff worked closely more than doubled its monthly transit pass purchases through introduction of a subsidy recommended and explained by the City.

24,648 daily VMT savings

The City also works with companies and institutions that are subject to the state rideshare rule. The City's efforts and assistance have helped improve and expand TDM programs and results at these companies and institutions. In one example, after the City staff worked with and educated Mount Auburn Hospital staff for several months, the hospital increased its subsidy for T-pass purchases from 10% to 25%. Initially the number of pass purchases increased more than 20% from approximately 200 to 250. Currently 268 employees purchase passes. The City's efforts have assisted increased mode shifts by other private employees too.

5. PROJECTS REQUIRED BY CITY TO HAVE AGGRESSIVE TDM PROGRAMS; CITY'S TDM PROGRAMS TO REDUCE VEHICLE TRIPS BY PRIVATE EMPLOYEES (continued)

For example, the City has worked closely with the MBTA and MIT to improve service in the MIT-Kendall Square area. This effort resulted in establishment of a new cross-town bus route, CT1. See discussion below at page 18, ¶8.A. Taking a conservative approach, the City's efforts account for 10% (7,992) of daily VMT reductions associated with transit use by employees at Harvard University, MIT, Mount Auburn Hospital, Polaroid, and Arthur D. Little (total of 79,920 daily VMT reductions). See Attachment J.

7,992 daily VMT reductions

5.E Estimated vehicle trip and/or VMT reductions associated with use of shuttle services which the City helped to promote.

The City has worked closely with private developers and employers to provide shuttle-to-transit and shuttle-to-offsite-parking service for employees, customers, and visitors. One notable example is the Cambridgeside Galleria shuttle, which transports approximately 750,000 riders each year. The VMT reductions associated with use of such shuttles were determined by multiplying the number of riders per day by the distance the shuttle traveled either to another worksite, an off-site parking facility and/or to a transit station. See Attachment K. This calculation reflects only shuttle use by employees of companies with which the City has collaborated on TDM programs. These companies are not subject to the state's rideshare rule.

4,906 daily VMT savings

City staff have also worked closely with Arthur D. Little to encourage and assist it to provide a shuttle bus for employees and visitors to its Acorn Park offices. City staff worked with the Company and supported its proposal to obtain a permit to operate the shuttle. The shuttle goes from the Alewife T Station every 20 minutes during rush hours and on request at other times. Ridership of the shuttle is approximately 25 riders per day. The City works to encourage expansion of service and utilization of other shuttle services, such as those provided by Mount Auburn Hospital and Harvard University. The Harvard University shuttle logs more than 1.1 million passengers annually. The City does not have sufficient information at this time to quantify its impact on these shuttle services.

5. PROJECTS REQUIRED BY CITY TO HAVE AGGRESSIVE TDM PROGRAMS; CITY'S TDM PROGRAMS TO REDUCE VEHICLE TRIPS BY PRIVATE EMPLOYEES (continued)

5.F Number of bicycle, carpool/LEV/ZEV parking spaces which the City helped to promote.

(1) The City has installed 130 racks, each holding 2 bicycles, at locations across the City to facilitate recreational, commercial, and commuting trips by bicycle in lieu of driving. City staff have worked closely with more than 40 businesses to facilitate bicycle parking at their facilities. In addition, a brochure titled "Does Your Business have a Parking Problem? Here's One Solution" was recently produced and circulated by the Environmental & Transportation Planning Division. The focus of the brochure is to assist businesses in selecting and siting adequate bicycle parking facilities at their worksite. It includes information about the City's post-and-ring rack as well as other bicycle parking options and how to best locate them. To date this brochure has been distributed to more than 100 businesses in Cambridge.

(2) The City's Zoning Ordinance requires new development to provide a certain amount of bicycle parking as a percentage of parking spaces at non-residential developments and as a percentage of units at residential developments. Since 1992, 499 such bicycle parking units have been required.

(3) There are now more than 445 bicycle parking spaces provided by businesses not subject to the state rideshare rule with which the City has collaborated closely on TDM programs. This information was confirmed during the telephone survey conducted by City staff in June and July 1996. See Attachment H. Assuming conservatively that only 50% of these spaces are regularly used during warm weather months for short-distance, intra-city commute trips, the resulting daily VMT savings are 506. (223 riders x 4.6 miles x 180.365 = 505.87).

506 daily VMT savings

(4) The City works closely with MIT, Harvard, and other large employers to develop bicycle programs to reduce automobile travel to their sites. For example, City staff are working with MIT regarding bicycle lanes to be constructed by the City on Massachusetts Avenue which bisects the MIT campus. The City has installed bicycle racks in locations convenient to these institutions and employers. Harvard University distributes the City's "How To Get Around Cambridge" Map to all incoming students and through its parking office. The map shows alternative ways to travel to and within Cambridge. In addition, staff from MIT and Harvard sit on the Cambridge Pedestrian Advisory Committee and the Cambridge Bicycle Committee. Estimated VMT savings associated with bicycling to and from Harvard University, MIT, Mount Auburn Hospital, Polaroid, and Arthur D. Little was determined by multiplying the

number of bicyclists per day by 4.6 miles; 2.3 miles is the average commute distance for intracity trips according to CTPS calculations. Total daily VMT savings is 18,207. See Attachment L. Twenty percent of this figure is attributable to the City's efforts which include subsidizing and installing bicycle racks at privately-owned locations and installing and maintaining bicycle lanes and guidelines.

3,641 daily VMT savings

5.G Compare with CSI's predicted VMT reductions.

CSI's predicted VMT savings for the City's Expanded Commuter Mobility-TDM Program was 23,500 daily VMT. Total daily VMT reductions associated with non-SOV commuting trips by Cambridge employers participating in the City's Expanded Commuter Mobility-TDM Program is 55,654.

55,654 daily VMT reductions attributable to City's Expanded Commuter Mobility-TDM program between 1992 and 1996

6. DESCRIBE THE IMPACT OF BICYCLE AND PEDESTRIAN MOBILITY IMPROVEMENTS THAT HAVE BEEN IMPLEMENTED BY THE CITY BETWEEN 1992 AND 1996, INCLUDING:

6.A Linear feet of exclusive bicycle lanes and guidelines;

17,115 feet or 3.24 miles of bicycle lanes 34,320 feet or 6.5 miles of guidelines

6.B Number of bicycle parking facilities;

The bicycle rack program includes installations by the City on public property, including T stations and City buildings, as well as a public-private partnership between the City and local businesses. Businesses in the City interested in having bike racks installed in front of their property pay half of the cost with the City paying the other half and providing installation.

130 post-and-ring racks installed, parking for 260 bicycles

In addition, the City has been awarded a competitive grant of $55,000 for installation of bike racks throughout the city as well as purchase of 10 additional City Bikes with accessories. A portion of the grant will be used to fund part of the cost for an enclosed, secured bicycle parking facility for employees of the Cambridge Hospital. Two vehicle parking spaces at the Cambridge Hospital are being eliminated to accommodate the bicycle parking facility. The elimination of these two parking spaces results in daily VMT savings of 2 x 15.2 VMT/space = 30.4.

30.4 daily VMT savings

6. IMPACT OF BICYCLE AND PEDESTRIAN MOBILITY IMPROVEMENTS (continued)

6.C Number of City-owned bicycles available for use by municipal employees;

(1) 7 bicycles are available at 7 locations throughout the city for employees to take to meetings, site visits, other departments, etc.

(2) 2 bicycles are available for exclusive use by Department of Traffic, Parking & Transportation employees.

(3) 8 bicycles are used by Cambridge Police officers.

17 bicycles dedicated to City employee use

6.D Number of pedestrian crosswalk and sidewalk improvements;

69 crosswalk improvements

6.E Number of traffic signage and/or signal improvement locations:

Improved pedestrian warning signage at 20 locations; signal improvements for pedestrians at 12 locations

6.F Linear feet of crosswalk crossing distances reduced (by curb extensions, travel lane reductions, addition of islands);

766 feet of crossing distance reductions

6. IMPACT OF BICYCLE AND PEDESTRIAN MOBILITY IMPROVEMENTS (continued)

6.G Programs for maintenance of infrastructure improvements;

Bicycle lanes, guidelines, crosswalk improvements, pedestrian signs, and signal improvements are maintained by the Cambridge Traffic, Parking and Transportation Department or under annual maintenance contracts for traffic signals or pavement markings. The actual sidewalk street paving along with the traffic islands are maintained by the Cambridge Department of Public Works. Annual installation and maintenance of bicycle lanes and guidelines and alteration of crosswalks and traffic signals for pedestrians costs the Traffic & Parking Department approximately $720,000 per year.

6.H Compare with CSI's predicted VMT reductions.

CSI predicted that VMT reductions resulting from the Citywide Bicycle and Pedestrian Mobility Program would be 4,500 daily VMT. Counts on Huron Avenue, where bicycle lanes were installed last year, were taken at the time of installation and are scheduled for October, 1996. Counts at other locations will also be performed and reported in the future.

4,500 daily VMT reductions

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7. DESCRIBE RESTRICTIONS IMPOSED AND ENFORCED BY THE CITY ON USE OF OFFICIAL VISITOR PARKING PASSES AND RESIDENT VISITOR PARKING PASSES.

Resident visitor parking passes have been reduced from 2 per household to 1 per household to reduce abuse by residents giving the second visitor pass for continuous use by non-visitors. The use of transferable, paper city-wide official parking permits has been discontinued and replaced by a sticker with restrictions. The number of permits issued has been reduced from more than 1,000 to fewer than 500 currently. Each city-wide sticker is issued with a map showing where it is not valid.

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8. DESCRIBE CITY EFFORTS TO INCREASE THE USE AND ACCESSIBILITY OF PUBLIC TRANSIT:

8.A Documentation of City efforts to improve routing of buses to reduce number of connections and changes.

For a number of years Cambridge staff have worked closely with the MBTA to provide better and more efficient transit service to meet the travel needs of those living and working in the City. Major improvements worked out with the MBTA over the last few years include the extension of Route 64 (Oak Square) from Central Square to Kendall Square at rush hours. This improvement eliminated the need for a transfer to the Red Line at Central Square by providing direct bus service from Allston/Brighton to the Kendall Square employment center. In addition, the extension provided bus service for the first time to the New Town Court and Washington Elms Public Housing Complexes. This route was also improved by rerouting its inbound trip to Central Square by moving the buses to Magazine Street from River Street which is served by other routes. This change was made in order to provide better service to the residents of Cambridgeport.

Cambridge staff continued the effort to improve bus service by working with the MBTA, City of Boston and Town of Brookline to reorganize three bus routes serving the three communities: Route 63, Cleveland Circle-Central Square; Route 66, Allston-Dudley Square; and Route 86, Sullivan Square-Union Square (Allston). In order to improve service and streamline bus operations, Route 63 was eliminated; Route 66 was extended to Harvard Square creating direct, no transfer, service from Harvard Square to Dudley Square via Allston/Brighton and Brookline; and Route 86 was extended to Cleveland Circle creating direct, no transfer service from Sullivan Square (Charlestown) to Cleveland Circle (Brookline) via Union Square (Somerville), Harvard Square (Cambridge) and Allston/Brighton.

These changes reflected the effort initiated by Cambridge and Boston to create new circumferential transit service around the urban core of the region which resulted in the creation of Route 47, Central Square-Dudley Square. More recently, Cambridge staff worked with Boston and the MBTA to implement new limited stop "Crosstown" bus service connecting the two cities. This effort resulted in the creation of two limited stop routes serving Cambridge: CT 1, Central Square (Cambridge) to B.U. Medical Center/BCH and CT 2, Kendall Square to Ruggles Station via the Longwood Medical Area. At the time these new routes were being implemented, Cambridge staff prepared a proposal for an additional circumferential bus route connecting Kendall Square Station on the Red Line with Sullivan Square Station on the Orange Line. This bus connection is vital in order to provide more direct public transportation service from the Orange Line to the large employment centers in Cambridge. Unfortunately, the MBTA has not implemented this worthwhile service. The proposal and a copy of the letter requesting implementation are attached. See Attachment M.

Cambridge staff are currently negotiating with the MBTA to implement a change in the destination of Route 83; Central Square-Rindge Avenue (North Cambridge). This change would extend the route from its present terminus at Comeau Field on Rindge Avenue to the Fresh Pond Shopping Center on Alewife Brook Parkway, a distance of about one mile for the round trip. This proposed extension is a recommendation made by the North Cambridge Railroad Safety Committee which was established jointly by the City and the MBTA to look

at ways to improve safety along the Fitchburg Division Commuter Rail Line. The committee and the City believe that the extension of public transportation will provide an alternative for those nearby pedestrians now crossing the railroad tracks. In addition, this route extension would serve the residents of Rindge Towers, Fresh Pond Apartments, Jefferson Park Public Housing Complex and the very high density corridor between the Fresh Pond Shopping Center and Central Square. Many people would thus, for the first time, have public transportation service to specialty department stores such as Toys-R-Us and Staples not now accessible by public transportation.

In addition, the Cambridge-CA/T Services Agreement called for a study to evaluate bus service to and within Cambridge and analyze alternative improvements to this service. Cambridge staff met with the MBTA to determine the scope of work for this study.

Since 1992, City Staff have taken part in approximately 100 meetings with the MBTA, Boston, and other communities and organizations focusing on efforts to improve public transportation serving Cambridge. In addition, Cambridge has continually taken an active part, including holding elective offices, in regional organizations such as the MBTA Advisory Board, the Joint Regional Transportation Committee ("JRTC"), and the Metropolitan Area Planning Council ("MAPC") in an effort to improve public transportation in Cambridge and the region.

8.B Number of bicycle parking facilities at or near subway and bus transit nodes.

The City has installed parking for approximately 18 bicycles directly at T stations in Cambridge. Forty-one racks (parking for 82 bikes) are being installed in Central Square, a key multi-modal transit node. Additional bike racks are scheduled for installation at T entrances in Harvard Square in Fall 1996.

8.C Number of locations and volume of distribution of T routes and schedule information.

Schedules are distributed at the City Hall Annex at 57 Inman Street, the Cambridge Hospital, and the Cambridge Public Libraries as well as all T stations in the city. At each location approximately 2,000 schedules are distributed each quarter.

8.D Improved multi-modal linkages between T stations and bike and pedestrian facilities.

The following efforts demonstrate the City's commitment to improving connections to key transit notes for non-vehicle modes of travel. These efforts improve safety for bicyclists and pedestrians in order to encourage mode shifts from SOV travel to walking, biking and transit use.

(1) Construction of a connection between the Minuteman Bicycle Path and the Alewife T Station is scheduled to commence in Fall 1996. The City and the Town of Arlington funded design of these improvements. The Massachusetts Highway Department in cooperation with the City is also working on improving bicycle connections on Linear Park from the Alewife T Station leading eventually up to Davis Square.

(2) In 1993 the City Council adopted the Cambridge Growth Policy Document as an interim document during development of more detailed plans for key development areas in the city. The focus on transportation issues in the Growth Policy Document is to provide facilities for and accommodate alternative transportation modes. This has continued to be a guiding principle in the City's numerous roadway and other reconstruction projects.

(3) The reconstruction of Central Square includes a number of multi-modal amenities. For example, a vehicle travel lane will be removed in order to accommodate bike lanes on Massachusetts Avenue from Lafayette Square to Harvard Square. Pedestrian improvements such as widening of sidewalks, improved crosswalks and other urban design amenities will improve the pedestrian experience in and around Central Square, a key transportation node for the city. The bike lanes through Central Square will connect to bike lanes being constructed on Massachusetts Avenue from MIT to Lafayette Square. The reconstruction of the MIT section of Massachusetts Avenue will entail removal of parking on one side of the street in order to accommodate the bike lanes.

(4) The Fresh Pond Parkway enhancement project is intended to improve pedestrian and bicycle safety and mobility throughout this travel corridor by providing facilities for bicyclists and pedestrians. This project will provide safe crossings and help pedestrians and bicyclists to travel between key shopping, recreational and transit nodes in the Alewife area.

(5) In the North Point area of Cambridge, the City is working closely with a developer to provide infrastructure in that area. Roadways will include bike lanes and pedestrian amenities. The improvements in North Point will serve as a key link for the bicycle paths in the Lower Charles River Basin. The North Point development will also include a shuttle bus to the Lechmere MBTA Station.

(6) The Cambridgeport Roadways project is intended to redistribute the traffic away from residential streets thereby providing a more pedestrian/bicycle-friendly environment.

8. EFFORTS TO INCREASE USE OF PUBLIC TRANSIT (continued)

This project will include bike facilities, pedestrian amenities, and traffic calming measures.

(8) The North Cambridge Railroad Safety project is currently in final design for three grade-separated crossings and a pathway along the tracks. These crossings will enable residents of North Cambridge to safety cross the tracks to reach key shopping and recreational centers. One design option being considered for the project is a bikeway parallel to the tracks to connect Alewife and Porter Square.

ATTACHMENT A

Listed below are the locations and number of on-street parking spaces which the City has (between September 1993 and April 1996) restricted by obstructing/prohibiting all use, converting to residential use, or imposing time-use constraints to minimize commuter use. The following list does not include spaces that were redistributed through the interim parking space bank.

Street/Location	Side	# of Spaces	Date	Work Order #	Type of Space+
Fifth St. - Charles St. to Bent St.	E	4	09/28/93	17380	RP
Fifth St. - Charles St. to Bent St.	W	1	09/28/93	17380	RP
Third St. - Rogers St. to Munroe St.	E	9	09/29/93	17381	NP
Third St. - Rogers St. to Bent St.	W	3	09/29/93	17393	TL
Third St. - Rogers St. to Binney St.	W	5	09/29/93	17392	NP
Otis St. - Fulkerson St. to RR Tracks	N	3	09/24/93	17367	RP
Otis St. - Fulkerson St. to RR Tracks	S	4	09/24/93	17367	RP
Rogers St. - First St. to Second St.	N	10	09/23/93	17376	TL
Rogers St. - First St. to Second St.	S	8	09/23/93	17376	TL
Rogers St. - Second St. to Third St.	S	13	09/22/93	17374-17373	TL
Waterhouse St. - Concord Ave. to Mass. Ave.	S	6	10/18/93	17423	RP
Huron Ave. - Grove St. to Cushing St.	S	1	11/03/93	17450	NP
Second St. - Hurley St. to Rogers St.	E	8	11/02/93	17432	TL
Second St. - Charles St. to Linskey Way	W	15	11/01/93	17433	TL
Amherst St. - Mass. Ave. to Danforth St.	N	23	11/04/93		MIT
Amherst St. - Mass. Ave. to Danforth St.	S	13	11/04/93		MIT
Amherst St. - Danforth St. to Endicott St.	S	11	11/04/93		MIT
Second St. - Linskey Way to Rogers St.	E	6	11/23/93	17464	NP
Lawn St. - Oxford Ave. to May St.	N	6	01/24/94	17487	RP
Lawn St. - Oxford Ave. to May St.	S	5	01/24/94	17487	RP

ATTACHMENT A (continued)

Street/Location	Side	# of Spaces	Date	Work Order #	Type of Space+
Lawn St. - St. Saveur Ct. to Cushing St.	S	14	01/24/94	17487	RP
Belmont St. - Norman St. to Norumbega St.	N	1	03/25/94	17476	RP
Belmont St. - Norumbega St. to E.T. Sullivan Rd.	N	2	03/25/94	17476	RP
Belmont St. - E.T. Sullivan Rd. to Belmont Line	E	1	03/25/94	17476	RP
Cushing St. - Spruce Ave. to Belmont St.	E	1	03/25/94	17482	RP
Cushing St. - Thingvalla Ave. to Belmont St.	W	7	03/25/94	17482	RP
Cushing St. - Huron Ave. to Vineyard St.	W	8	03/25/94	17482	RP
Cushing St. - Thingvalla Ave. to Belmont St.	W	1	03/25/94	17483	TL
Cushing St. - Huron Ave. to Locust St.	E	1	03/25/94	17483	TL
Holworthy St. - Belmont St. to Holworthy Pl.	E	10	03/29/94	17481	RP
Holworthy St. - Belmont St. to Spruce Ave.	W	3	03/29/94	17481	RP
Lawn St. - Lawn Ct. to St. Saveur Ct.	E	1	03/25/94	17487A	RP
Lawn St. - Lawn Ct. to St. Saveur Ct.	W	2	03/25/94	17487A	RP
Locust St. - Locust Ter. to Cushing St.	N	1	03/25/94	17491	TL
Thorndike St. - Second St. to First St.	N	7	06/01/94	17382	TL
Wadsworth St. - Main St. to Amherst St.	W	4	06/14/94	17581	TL
Main St. - Windsor St. to Osborn St.	S	6	06/14/94	17577	TL
Main St. - Osborn St. to Portland St.	S	7	06/14/94	17577	TL

Street/Location	Side	# of Spaces	Date	Work Order #	Type of Space+
Osborn St. - State St. to Albany St.	W	9	06/16/94	17584	TL
Portland St. - Main St. to Albany St.	W	8	06/14/94	17579	TL
Portland St. - Main St. to Albany St.	E	6	06/14/94	17579	TL
Broadway - Clark St. to Moore St.	S	2	06/13/94	17567	RP
Broadway - Moore St. to Portland St.	S	8	06/03/94	17568	TL
Hancock St. - Mass. Ave. to Centre St.	NW	4	06/15/94	17564-17563	TL
Line St. - Cambridge St. to City Line	E	3	06/15/94	17573	TL
Remington St. - Mass. Ave. to Harvard St.	W	2	06/14/94	17565-17566	TL
Felton St. - Cambridge St. to Broadway	E	8	06/22/94	17576-17575	TL
Lee St. - Mass. Ave. to Broadway	W	3	07/05/94	17571	TL
Amherst St. - Wadsworth St. to Hayward St.	N	4	09/05/94	17590	TL
Broadway - Ellery St. to Trowbridge St.	N	6	08/16/94	17629	RP
Felton St. to Ellery St.	S	15	08/16/94	17629	RP
Clark St. to Windsor St.	N	5	08/16/94	17630	RP
Clark St. to Windsor St.	S	6	08/16/94	17630	RP
Windsor St. to Columbia St.	N	11	08/16/94	17627	TL (-1RP)
Windsor St. to Columbia St.	S	11	08/16/94	17627-17628	TL
Columbia St. to Norfolk St.	S	9	08/17/94	17631	RP
Columbia St. to Norfolk St.	N	7	08/17/94	17631	TL
Hampshire St. - Clark St. to Portland St.	S	10	08/20/94	17585	TL
Hampshire St. - Card. Medeiros to Webster Ave.	N	3	02/26/92	16977	TL
Rogers St. - First St. to Second St.	S	8	09/07/93	17379	RP

ATTACHMENT A (continued)

Street/Location	Side	# of Spaces	Date	Work Order #	Type of Space+
Spring St. - First St. to Second St.	S	5	09/20/93	17403	TL
Hurley St. - First St. to Second St.	S	9	10/04/93	17399	TL
Hampshire St. - Card. Medeiros to Broadway	N	5	08/10/94	17587	TL
Amherst St. - Wadsworth St. to Hayward St.	N	4	09/05/94	17590	RP
Wadsworth St. - Amherst St. to Main St.	W	4	10/28/94	17582	RP
Broadway - Prospect St. to Scouting Way	S	2	03/30/95	17625	TL
Main St. - Windsor St. to Portland St.	N	17		17802	TL
Meacha Rd. - Mass. Ave. to Somerville Line	S	2	09/14/95	17950	NP
Hampshire St. - Norfolk St. to Elm St.	N	2	04/04/96	18035	RP
Elm St. to Columbia St.	N	4	04/04/96	18035	RP
Columbia St. to Union St.	N	4	04/04/96	18035	RP
Union St. to Windsor St.	N	4	04/04/96	18035	TL
Bristol St. to Portsmouth St.	N	3	04/04/96	18034	TL
Portsmouth St. to Windsor St.	N	3	04/04/96	18034	TL
Columbia St. to Union St.	S	5	04/04/96	18037	RP
Union St. to Windsor St.	S	5	04/04/96	18034	4TL 1RP
Windsor St. to Bristol St.	S	6	04/04/96	18038	RP
Bristol St. to Clark St.	S	2	04/04/96	18038	RP
		465.00			

\+ RP = Resident Parking; TL = Time Limit; NP = No Parking; MIT = spaces removed from public parking supply and restricted to use by MIT.

Parking Status
Major Commercial/Retail Development

Year	Address	Company	GFA	Spaces Allowed Under Zoning	Spaces Authorized to be Built or Used	Difference Between Allowable and Actual
1992	38-40 Brattle St.	One Brattle Square	97,000 sf	144	52 authorized to be built plus 31 spaces authorized to be leased nearby	144 - 83 = 61
1996	15 Monsignor O'Brien Hwy.	Congress Group	159,000 sf	358*	132	358 - 132 = 226
1996	85 Otis St.	East Cambridge Savings Bank	27,000 sf	90	17	90 - 17 = 73
TOTAL						360

* Reduced from 438 to reflect residential component of project.

ATTACHMENT C

Parking Status
Major Institutional Development

Year	Address	Company	GFA	Spaces Allowed Under Zoning	Spaces Authorized to be Built or Used	Difference Between Allowable and Actual
1995	116 Cushing St.	Haggerty School	48,000 sf	33	16 spaces off site	33 - 16 = 17
1995	91 Oxford St.	Agassiz School	67,000 sf	100	17 spaces off site	100 - 17 = 83
TOTAL						100

ATTACHMENT D

ATTACHMENT E

CTPS

State Transportation Bldg
Ten Park Plaza, Suite 2150
Boston, MA 02116-3968
(617) 973-7100
Fax: (617) 973-8855

CENTRAL
TRANSPORTATION
PLANNING
STAFF

FACSIMILE TRANSMITTAL

DATE: 6/21/96 TIME: 10:50 ~~10:30 AM~~

TO:
Name: Dick Easler
Of: City of Cambridge
FAX No: 349-4669

FROM:
Name: Scott Peterson
Tel. No: 973-7078
FAX No: 973-8855

RE: Cambridge Travel Data

Remarks: I am enclosing a sheet of VMT characteristics for Cambridge + a map of the study area. If you have any questions please call.

Number of Pages including this Cover Page: 3

Please call if you do not receive the number of pages indicated above.

...ublication is sponsored in part through grants from the Executive Office of Transportation and Construction, Massachusetts Bay Transportation Authority, Massachusetts Port Authority, and the Metropolitan Area Planning Council.

Total VMT Generated by Commuter Trips Destined to Cambridge, One-way

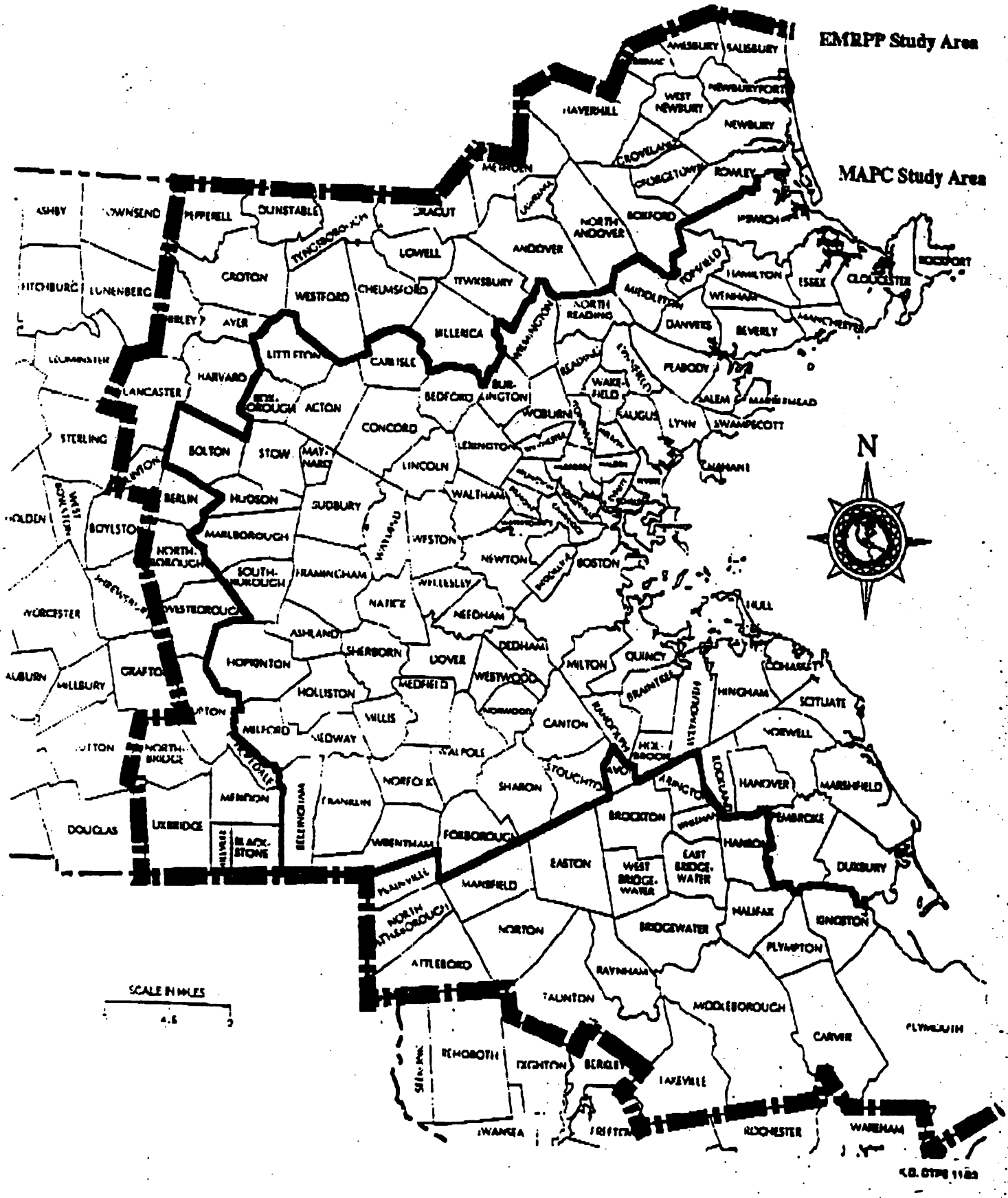
(Based on 1990 Census Data & Regional Model)

Characteristic of Trip	EMRPP Region	Externals	Totals
Trips			
Total Person Trips to Cambridge	105,340	3,908	109,248
Transit Person Trips to Cambridge	40,803	965	41,768
Auto Person Trips to Cambridge	64,537	2,943	67,480
Vehicle Trips to Cambridge	58,912	2,615	61,527
Intra City Vehicle Trips	7,496	0	7,496
VMT			
EMRPP Region to Cambridge	599,576	130,750	730,326
Intra City Trips	17,209	0	17,209
VHT			
EMRPP Region to Cambridge	21,573	3,736	25,309
Intra City Trips	887	0	887
Average Speed			
EMRPP Region to Cambridge	27.79	35.00	28.86
Intra City Trips	19.40	0	19.40
Average VMT per Vehicle			
EMRPP Region to Cambridge	10.2	50.0	11.9
Intra City Trips	2.3	0.0	2.3

Notes:

EMRPP Region is defined as the Eastern MA Regional Planning Project Study Area.
Intra city trips are a subset of the EMRPP Region.
Externals include all trips beyond the EMRPP study area.
Average VMT / Vehicle for externals has been approximated.

Eastern Massachusetts Region



ATTACHMENT F

City of Cambridge
MBTA Pass Program
User Survey

1. In what City department do you work? _____

2. How many miles from your work site is your home? If you are not sure, please provide your home zip code? _____

3. Prior to establishment of the T pass subsidy, how did you travel to work most days? If you used several methods, please explain, such as drove 2 days, took transit 3 days.

_____

3. How did you travel to work each day of last week? Please use the following abbreviations:

BK = bike W = walk D = drive alone (including motorcycles) B = bus
S = subway C = carpool (# of riders) V = vanpool (# of riders)
DO = dropped off by taxi or person returning home

Monday	Tuesday	Wednesday	Thursday	Friday	Sat./Sun.

Dates of commuting: _____

4. Did the introduction of the subsidy encourage you to reduce the number of drive alone trips you make to work, during work and/or outside of work?

Yes No (Please circle)

5. For how many trips (each way) for any reason during the last work week did you use your pass? _____

6. For how many trips did you use your pass during the most recent weekend? _____

7. How long (in minutes) do you usually have to walk to work from the bus or transit stop during your commute? _____

8. Do you use one of the City-provided bikes for work trips? _____

Thank you for taking the time to fill out this survey.

PLEASE RETURN TO: Community Development Department, 57 Inman Street

If you have any questions or would prefer to provide your answers by telephone, please call Kathleen Brown at 349-4628.

City of Cambridge

Commuter Mobility Program
VMT Reductions for Municipal Transit Subsidy

Survey	Department	Distance in miles[a]	Transit Trips Before[b]	Round Trips (x 2)	Work week transit trips [c]	Weekend Transit Trips[d]	Total Transit Trips [e]	Total Transit VMT Per Week[f]	Total Transit VMT Per Day[g]	Net Trips Reduced [h]	Net VMT Reduction Per Week[i]	Net VMT Reduction Per Day[j]
1	Arts	4.00	5	10	2	0	2	8	2	N/A	0	0
2	CDD	12.00	2	4	12	5	17	204	41	13	156	31
3	CDD	12.00	0	0	5	0	5	60	12	5	60	12
4	CDD	12.00	5	10	10	0	10	120	24	0	0	0
5	CDD	3.00	5	10	10	0	10	30	6	0	0	0
6	CDD	8.00	0	0	8	2	10	80	16	10	80	16
7	CDD	3.00	5	10	25	10	35	105	21	25	75	15
8	CDD	9.80	5	10	16	0	16	157	31	6	59	12
9	CDD	1.50	5	10	5	4	9	14	3	N/A	0	0
10	CDD	12.00	2	4	8	4	12	144	29	8	96	19
11	CDD	4.00	2	4	4	0	4	16	3	0	0	0
12	CDD	12.00	5	10	12	0	12	144	29	2	24	5
13	Health	3.00	5	10	9	2	11	33	7	1	3	1
14	Executive	3.00	5	10	10	4	14	42	8	4	12	2
15	Retirement	12.00	0	0	10	4	14	168	34	14	168	34
16	LAW	20.00	0	0	4	0	4	80	16	4	80	16
17	Affirm. Action	12.00	5	10	16	4	20	240	48	10	120	24
18	DHSP	12.00	5	10	12	0	12	144	29	2	24	5
19	Personnel	5.00	5	10	7	0	7	35	7	N/A	0	0
20	LAW	12.00	0	0	4	0	4	48	10	4	48	10
21	LAW	1.50	0	0	0	0	0	0	0	0	0	0
22	LAW	3.00	2	4	4	0	4	12	2	0	0	0
23	LAW	3.00	0	0	8	8	16	48	10	16	48	10
24	Personnel	78.00	2	4	4	0	4	312	62	0	0	0
25	Personnel	2.00	5	10	15	2	17	34	7	7	14	3
26	Traffic	12.00	5	10	20	3	23	276	55	13	156	31

ATTACHMENT G

City of Cambridge

Commuter Mobility Program
VMT Reductions for Municipal Transit Subsidy

Survey	Department	Distance in miles[a]	Transit Trips Before[b]	Round Trips (x 2)	Work week transit trips [c]	Weekend Transit Trips[d]	Total Transit Trips[e]	Total Transit VMT Per Week[f]	Total Transit VMT Per Day[g]	Net Trips Reduced [h]	Net VMT Reduction Per Week[i]	Net VMT Reduction Per Day[j]
27	Finance	12.00	2.5	5	20	4	24	288	58	19	228	46
28	Printing	2.50	5	10	10	0	10	25	5	0	0	0
29	Printing	12.00	0	0	4	7	11	132	26	11	132	26
30	DHSP	2.00	2	4	2	2	4	8	2	0	0	0
31	DHSP/OWD	8.00	2	4	10	2	12	96	19	8	64	13
32	DHSP	2.00	1	2	8	2	10	20	4	8	16	3
33	Library	1.50	3	6	8	0	8	12	2	2	3	1
34	DHSP/OWD	10.00	0	0	10	2	12	120	24	12	120	24
35	DHSP	1.00	0	0	2	0	2	2	0	2	2	0
36	CDD	2.00	0	0	2	0	2	4	1	2	4	1
37	DHSP	12.00	5	10	12	2	14	168	34	4	48	10
38	Finance	2.00	0	0	0	0	0	0	0	0	0	0
39	Personnel	35.00	1	2	14	0	14	490	98	12	420	84
40	DHSP	5.50	2.5	5	8	6	14	77	15	9	50	10
41	City Clerk	12.00	2	4	10	1	11	132	26	7	84	17
42	Purchasing	10.00	0	0	4	0	4	40	8	4	40	8
43	Traffic	5.00	0	0	5	8	13	65	13	13	65	13
44	Traffic	5.00	5	10	6	4	10	50	10	0	0	0
45	Traffic	0.75	5	10	16	2	18	14	3	8	6	1
46	Traffic	1.00	0	0	10	10	20	20	4	20	20	4
47	Traffic	3.00	N/A	0	10	N/A	10	30	6	10	30	6
48	DHSP/COA	8.00	2.5	5	5	0	5	40	8	0	0	0
49	Traffic	1.00	5	10	11	4	15	15	3	5	5	1
50	Traffic	12.00	5	10	4	2	6	72	14	N/A	0	0
51	Emerg. Com.	3.00	0	0	12	4	16	48	10	16	48	10
52	DHSP	5.00	0	0	6	0	6	30	6	6	30	6

ATTACHMENT G
(CONTINUED)

City of Cambridge

Commuter Mobility Program
VMT Reductions for Municipal Transit Subsidy

Survey	Department	Distance in miles[a]	Transit Trips Before[b]	Round Trips (x 2)	Work week transit trips [c]	Weekend Transit Trips[d]	Total Transit Trips[e]	Total Transit VMT Per Week[f]	Total Transit VMT Per Day[g]	Net Trips Reduced [h]	Net VMT Reduction Per Week[i]	Net VMT Reduction Per Day[j]
53	DHSP	10.00	0	0	8	2	10	100	20	10	100	20
54	DHSP	5.00	5	10	14	5	19	95	19	9	45	9
55	DHSP/CLC	8.00	0	0	6	0	6	48	10	6	48	10
56	DHSP	12.00	5	10	13	0	13	156	31	3	36	7
57	duplicate of 55											
58	DHSP	6.00	3	6	5	3	8	48	10	2	12	2
59	DHSP	12.00	5	10	12	0	12	144	29	2	24	5
60	Inspectional	50.00	5	10	10	0	10	500	100	0	0	0
61	MIS	20.00	5	10	14	0	14	280	56	4	80	16
62	Auditing	0.30	1	2	2	2	4	1	0	2	1	0
63	Traffic	12.00	5	10	11	0	11	132	26	1	12	2
64	Rent Control	8.00	5	10	8	0	8	64	13	N/A	0	0
65	DHSP	35.00	4	8	10	0	10	350	70	2	70	14
66	Health	3.00	5	10	9	2	11	33	7	1	3	1
67	DHSP	5.00	5	10	12	4	16	80	16	6	30	6
68	Library	1.50	0	0	3	0	3	5	1	3	5	1
69	Library	1.00	0	0	2	1	3	3	1	3	3	1
70	DHSP	12.00	0	0	10	0	10	120	24	10	120	24
71	Human Rights	5.00	5	10	8	6	14	70	14	4	20	4
72	Hospital	4.00	N/A	0	6	0	6	24	5	6	24	5
73	Hospital	55.00	5	10	12	N/A	12	660	132	2	110	22
74	Hospital/Macht	7.00	0	0	10	10	20	140	28	20	140	28
75	Hospital/Macht	10.00	5	10	8	0	8	80	16	N/A	0	0
76	Hospital/Beaco	5.00	5	10	10	0	10	50	10	0	0	0
77	Hospital/Rehab	4.00	4	8	7	0	7	28	6	N/A	0	0
78	Hospital/Primar	5.00	5	10	12	1	13	65	13	3	15	3

ATTACHMENT G
(CONTINUED)

City of Cambridge

Commuter Mobility Program
VMT Reductions for Municipal Transit Subsidy

Survey	Department	Distance in miles[a]	Transit Trips Before[b]	Round Trips (x 2)	Work week transit trips[c]	Weekend Transit Trips[d]	Total Transit Trips[e]	Total Transit VMT Per Week[f]	Total Transit VMT Per Day[g]	Net Trips Reduced[h]	Net VMT Reduction Per Week[i]	Net VMT Reduction Per Day[j]
79	Hospital	8.00	4	8	20	2	22	176	35	14	112	22
80	Hospital	2.00	5	10	4	0	4	8	2	N/A	0	0
81	Hospital	6.00	0	0	8	0	8	48	10	8	48	10
82	Hospital	2.60	0	0	0	0	0	0	0	0	0	0
83	Hospital	35.00	0	0	10	0	10	350	70	10	350	70
84	Hospital	5.00	0	0	7	0	7	35	7	7	35	7
85	Hospital	1.00	4	8	8	2	10	10	2	2	2	0
86	Hospital/Macht	2.50	3	6	13	4	17	43	9	11	28	6
87	Hospital	5.00	0	0	5	0	5	25	5	5	25	5
88	Hospital/Beaco	5.00	2	4	16	1	17	85	17	13	65	13
89	Hospital/Beaco	12.00	0	0	N/A	N/A	0	0	0	0	0	0
90	Hospital	5.00	0	0	10	0	10	50	10	10	50	10
91	Hospital/Neville	2.00	0	0	10	3	13	26	5	13	26	5
Total			229	457	782	162	944	8,682	1,736	514	4,275	855

Notes:

(a) Trip length assumed for those who provided zip code only was 12 miles each way (CTPS figure) for 19 out of 90 respondents.

(b) Transit trips before subsidy established. Question only addressed trips to work and multiplied by 2 to get round trips. For example, if someone previously drove 5 days to work, but took bus home, considered it 2.5 transit trips.

(c) Work week transit trips according to June 1996 survey of municipal employees participating in subsidized MBTA pass purchase program.

(d) Transit trips taken on weekend according to June 1996 survey.

(e) Sum of (c) and (d).

(f) Total Transit VMT Per Week is product of (a) and (e)

(g) Total Transit VMT per Day is (e) divided by 5.

(h) Net Trips Reduced is(e) minus Round Trips.

(i) Net VMT Reduction Per Week is the difference of (h) and (e) multiplied by (c).

(j) Net VMT Reduction Per Day is (j) divided by 5.

ATTACHMENT G
(CONTINUED)

Company Questionnaire for TDM Measures

Company: _____ Address: _____

Phone Number: _____ Fax Number: _____

Contact: _____

1a. Estimated number of successful matches or users through ridesharing services.

1b. Approximately how many employees carpool or vanpool to work?

2a. Estimated number of transit passes sold through payroll deduction

2b. Were any surveys done to determine how many people switched modes?

2c. Are pass purchases subsidized?

3a. Do they have a shuttle for employees or do they have any agreements with other nearby employers who operate shuttles for their employees to use?

3b. What is the ridership of shuttle used?

Company Questionnaire for TDM Measures

4. How many parking spaces have been set aside for carpool/vanpool/LEV/ZEV vehicles?

5. Is bicycle parking provided? For how many bicycles?

6. What other measures are implemented to reduce vehicle trips?

Notes:

Information collected by: _____
Date: _____

ATTACHMENT I

Carpool/Vanpool Information for Cambridge Businesses

City of Cambridge

Commuter Mobility Program Participants

Companies not subject to 310 CMR 7.16[1]

Based on a telephone survey conducted by City staff during June 1996 and July 1996, of eleven businesses with which the City has worked closely to develop ridesharing programs, the City has gathered data identifying 622 carpoolers and no vanpoolers.

Companies subject to 310 CMR 7.16

Company	*# of carpoolers*	*Carpoolers/2*	*# of Vanpoolers*	*Vanpoolers/5*	
Arthur D. Little	75	38	N/A	N/A	
Harvard University	4,314	2,157	74	15	
MIT	942	471	N/A	N/A	
Mount Auburn Hospital	5	3	N/A	N/A	
Polaroid	48	24	N/A	N/A	
		2,692		15	
Total					2,707

1. The City maintains information about the companies' identities and programs, but this information is considered confidential.

Transit Pass Purchases for Cambridge Businesses

City of Cambridge

Commuter Mobility Program Participants

Companies not subject to 310 CMR 7.16[1]

Based on a telephone survey conducted by City staff during June 1996 and July 1996, of eleven businesses with which the City has worked closely to develop TDM programs, the City has gathered data identifying sales of 1,027 transit passes per month.

Companies subject to 310 CMR 7.16

Company	*Passes Sold/Month*	*Daily VMT Reduction*[2]
Arthur D. Little	50	1,200
Harvard University	2,000	48,000
Massachusetts Institute of Technology	886	21,264
Mount Auburn Hospital	268	6,432
Polaroid	126	3,024
Total	3,330	79,920

1. The City maintains information about the companies' identities and programs, but this information is considered confidential.

2. The number of pass purchases was multiplied by 24, the CTPS average round trip commute distance.

Shuttle Use for Cambridge Businesses

City of Cambridge

Commuter Mobility Program Participants

Companies not subject to 310 CMR 7.16[1]

Company	*Employee/Customer Shuttle Route*	*Daily Shuttle Ridership*	*Shuttle Route Distance*	*Gross Daily VMT Reductions*
	To T station and off-site parking.	Approx. 60	Assumed 2 miles roundtrip.	120
	To T and other worksite.	240 total (40 from T)	.5 to other worksite; 1 mile to T[a]	180
	To T station.	Approx. 15	.5 miles roundtrip	8
	24 trips between worksite.	Approx. 30	38 miles roundtrip	1,140
	Shuttle to alternate parking lot.	Approx. 50	Assumed 1 mile roundtrip.	50
	From T station to retail and worksites.	Approx. 1,704	Assumed 2 miles roundtrip.	3,408
Total				4,906

a. Multiplied 200 riders by .5 miles (distance to other worksite) and multiplied 40 T riders by 2 mile roundtrip distance. Added 2 figures together.

Companies subject to 310 CMR 7.16

Company	*Employee Shuttle*	*Daily Shuttle Ridership*	*Shuttle Route Distance*	*Gross Daily VMT Reductions*
Arthur D. Little	14 scheduled trips to/from T	25	.5 mile each way	25
Harvard University	Cam., Allston & Longwood campuses.	Approx. 3,014	Assume 1 mile	3,014
Mount Auburn Hospital	To parking lot in Watertown.	N/A	N/A	N/A
Total				3,039

1. The City maintains information about the companies' identities and programs, but this information is considered confidential.

ATTACHMENT K

ATTACHMENT L

Bicycle Commuting Information for Cambridge Businesses

City of Cambridge

Commuter Mobility Program Participants

Companies not subject to 310 CMR 7.16[1]

City staff have worked with closely with more than 40 additional businesses to provide bicycle parking at their facilities. Racks have been installed at numerous worksites in the City. In addition, a brochure titled "Does Your Businesses Have a Parking Problem? Here's One Solution" was recently produced by the Environmental & Transportation Planning Division. The focus of the brochure is to assist businesses in selecting and siting adequate bicycle parking facilities at their worksite. It includes information about the City's post-and-ring rack as well as other bicycle parking options and how to best locate them. To date this brochure has been distributed to more than 100 businesses in Cambridge.

Companies subject to 310 CMR 7.16

Company	*Bicycle Commuters*	Daily VMT Reduction[1]
Arthur D. Little	9	41
Harvard University	3,208	14,757
MIT	696	3,202
Mount Auburn Hospital	25	115
Polaroid	20	92
Total		18,207

1. Intracity commute distance of 2.3 miles each way per CTPS calculation was used.

ATTACHMENT M

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

May 9, 1995

Mr. Robert L. Mabardy
Interim General Manager
Massachusetts Bay Transportation Authority
10 Park Plaza
Boston MA 02116

Dear Mr. Mabardy:

I am writing to request that you add a forth route to the MBTA's "Crosstown Transit" bus system. This new route would connect the Kendall Station on the Red line with Sullivan Station on the Orange Line thus greatly increasing transit use for trips into Cambridge from the Orange Line / I-93 corridor. During discussions last year with Geoffory Slater, your Director of Planning, he suggested that the City prepare a proposal and submit it for consideration. Attached is that proposal. Please have your staff review the document as soon as possible. If there are any questions please contact Mr. Richard Easler at 349-4615.

Thank you for your help in ensuring that this new route will be implemented in the near future.

Very truly yours,

Robert W. Healy
City Manager

Printed on Recycled Paper

PROPOSAL FOR A KENDALL STATION/ORANGE LINE CIRCUMFERENTIAL BUS SERVICE CONNECTION TO SERVE THE CAMBRIDGE PORTION OF THE URBAN RING CORRIDOR
May 1995

The Cambridge portion of the "Urban Ring" has long been the center of employment for Cambridge. This area, shown on Figure 1, is bounded approximately by the Charles River, Somerville, and the city's East Cambridge, Wellington/Harrington, and Cambridgeport residential neighborhoods. It is the current location of almost 50,000 jobs and home to several major development projects including University Park, Cambridge Center, One Kendall Square, and the East Cambridge Riverfront. The Metropolitan Area Planning Council's designation of this area, along with the downtown and Urban Ring sections of Boston, as the "Urban Economic Core" recognizes that this part of Cambridge is a vital component of the economic center of the Boston Metropolitan Region. It is thus essential that this area have, among other infrastructure needs, an efficient and environmentally sound public transportation system to serve its employees and residents.

Existing and Future Development

Currently the area contains almost 15 million square feet of nonresidential or institutional building space that is within one half mile of a rapid transit station. The detailed amount and location of this development is indicated in Table 1 and shown on Figure 2. According to the 1990 Cambridge Off Street Parking Inventory, parking for this development totals just over 20,000 spaces. Although this seems like a substantial amount of parking it is somewhat limited when compared with the amount of building square feet (1.37 spaces per 1,000 square feet of building).

Table 1
NON RESIDENTIAL/INSTITUTIONAL DEVELOPMENT

Area	Square Feet of Development
A. Kendall Square	4,190,954
B. Lechmere Square	2,116,967
C. East Cambridge Riverfront	2,926,595
D. Technology Square	3,524,272
E. Cambridgeport	2,158,041
Total	14,611,274

Source: Camb. Assessors 1/93

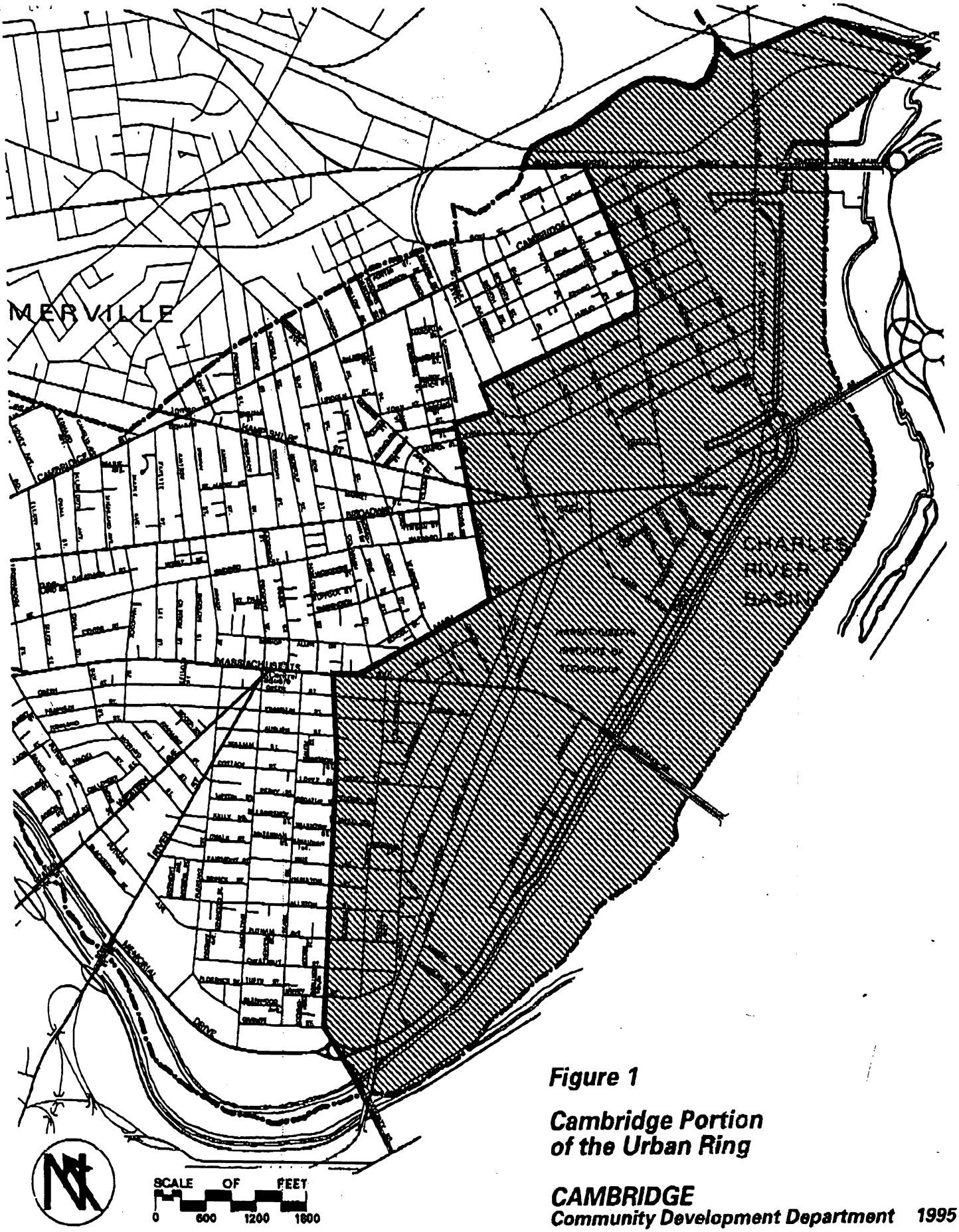


Figure 1

Cambridge Portion of the Urban Ring

CAMBRIDGE
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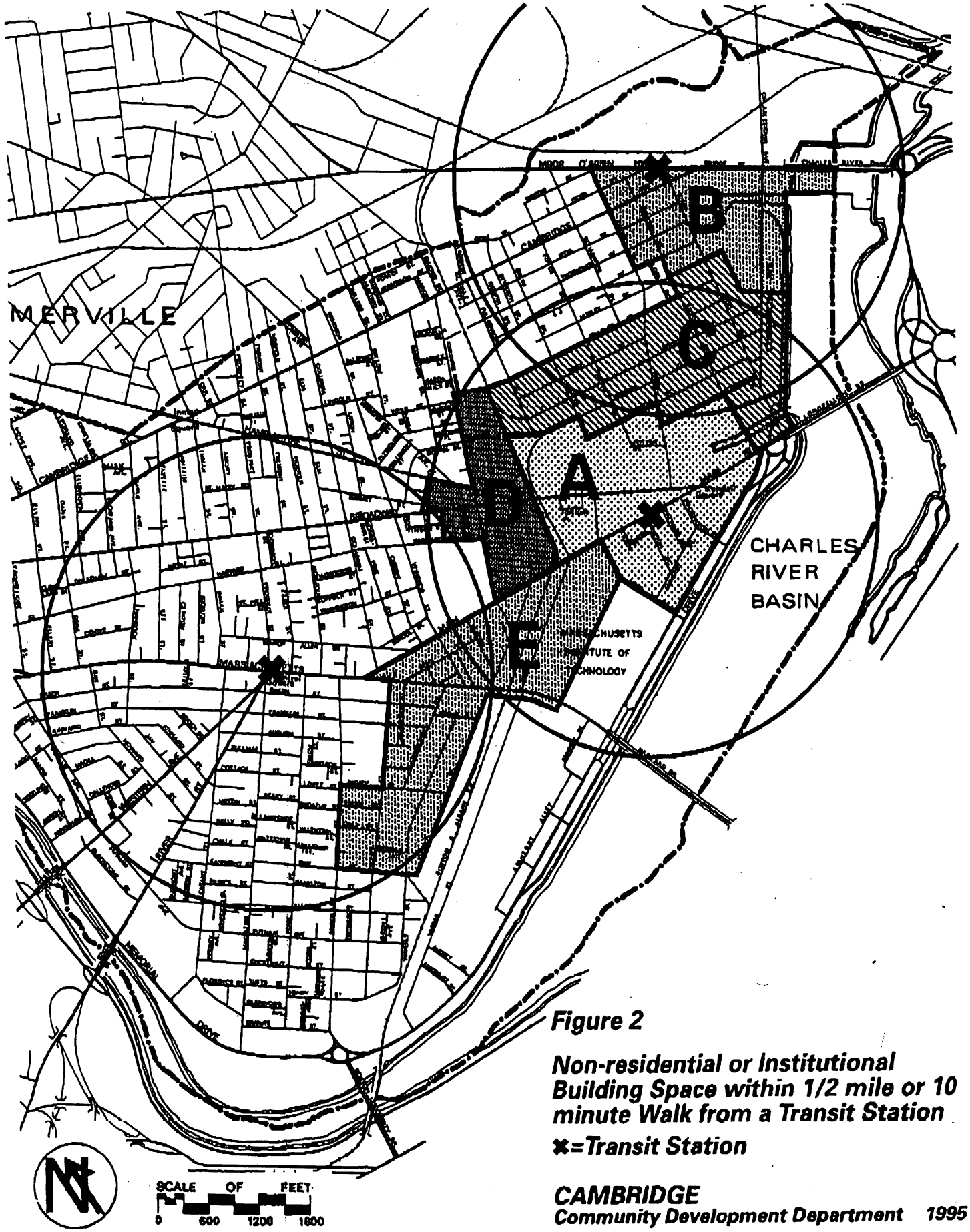

Figure 2

Non-residential or Institutional Building Space within 1/2 mile or 10 minute Walk from a Transit Station

✖=Transit Station

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Community Development Department 1995

There is also potential for substantial additional development in the future. Although University Park is "permitted" for 1.9 million square feet of office and research and development space and 150,000 square feet of retail, only 340,000 square feet of nonresidential space has been constructed to date. This should change now that the economy of the region is improving. Moreover, over one million square feet of development potential remains for the Cambridge Center Project, 500,000 for the One Kendall Square Project and 200,000 square feet for East Cambridge Riverfront Project. Future development will also take place in the Osborne Triangle and other sites in East Cambridge such as the Commonwealth Electric properties.

Existing MBTA Transportation Service

The area is currently served by two MBTA rapid transit stations, Kendall on the Red Line and Lechmere on the Green Line. These stations provide excellent service to and from downtown Boston, Quincy, and Braintree; and good service from the northwest suburbs via a bus transfer at the Alewife Station. Decent service is provided to other communities to the south and southwest via a convenient transfer from the Orange Line at Downtown Crossing and the Southside Commuter Rail System at South Station.

Direct bus service is also provided to Lechmere Station from Harvard Square via Route 69, Arlington Center and Medford Hillside via Route 80, Arlington Center and Clarendon Hill on Somerville Avenue via Route 87, and Clarendon Hill on Highland Avenue via Route 88. Kendall Station is served by Route 64 (peak periods only) from Oak Square Allston via Central Square and Route 85 from Spring Hill, Somerville, via Union Square. In addition, the Harvard/Dudley bus (Route 1) serves the corridor along Massachusetts Avenue.

Two of the recently established "Crosstown Transit" bus routes also serve the area. Route CT1 utilizes Massachusetts Avenue from Boston City Hospital as far as Central Square making connections with the Orange Line at the Massachusetts Avenue Station and the Green Line at Symphony and Auditorium Stations thus supporting regular Route 1 service. Route CT2 connects Kendall Square with the Longwood Medical Area and Ruggles Station on the Orange Line via the BU Bridge.

However, service from the North Shore (Blue Line), the North Suburban/I-93 Corridor (Orange Line), and the West Suburban/Mass. Turnpike Corridor (Green line) is very limited and substandard.

Privately Sponsored Shuttles

The most successful shuttle bus system in the City has been the operation run by the CambridgeSide Galleria and Lotus Development Corporation and known as

"The Wave". As can be seen by Table 2, patronage has grown steadily over the last four years to where ridership is now averaging almost 60,000 passengers per month.. The buses are operated primarily for patrons of the Galleria Shopping Center and employees of both Galleria tenants and Lotus Development Corporation. However, since there are no fares, other people with destinations in the area also use the system.

Table 2
CAMBRIDGESIDE GALLERIA / LOTUS SHUTTLE BUS
MONTHLY RIDERSHIP

MONTH	1991 Pass.	1992 Pass.	% Chg. 92/91	1993 Pass.	% Chg. 93/92
January	20,272	28,646	41.3 %	36,561	27.6 %
February	17,963	29,341	63.3 %	46,802	59.5 %
March	18,643	30,662	54.5 %	90,611	195.5 %
April	16,689	28,410	70.0 %	74,813	163.3 %
May	17,719	27,514	55.1 %	60,949	121.5 %
June	21,642	32,379	49.6 %	48,003	48.2 %
July	22,960	28,775	25.3 %	46,839	62.8 %
August	27,336	30,922	18.4 %	52,247	69.0 %
September	29,839	34,446	15.0 %	55,877	62.2 %
October	25,889	51,514	99.0 %	49,034	-4.8 %
November	29,699	41,833	41.0 %	46,290	10.7 %
December	38,000	53,315	40.3 %	63,409	18.9 %
Total	286,651	417,757	45.7 %	671,435	60.7 %
Pass./Month	23,888	34,813		55,953	

MONTH	1993 Pass.	1994 Pass.	% Chg. 94/93	1995 Pass.	% Chg. 95/94
January	36,561	43,649	19.4 %	57,312	31.3 %
February	46,802	36,600	-21.8 %	57,307	56.6 %
March	90,611	45,438	-49.9 %	64,699	42.3 %
April	74,813	53,639	-28.3 %	54,130	0.9 %
May	60,949	65,147	6.9 %		
June	48,003	66,366	38.3 %		
July	46,839	57,311	22.4 %		
August	52,247	74,724	43.0 %		
September	55,877	76,300	36.5 %		
October	49,034	76,297	55.6 %		
November	46,290	61,993	33.9 %		
December	63,409	88,773	40.0 %		
Total	651,324	746,237	11.1 %	233,418	30.2%
Pass./Month	54,277	62,186		58,354 (four months)	

Shuttle service is provided from Kendall Station to the CambridgeSide Galleria and, during peak hours, stops at Lotus Development Corporation headquarters. Buses operate Monday through Saturday, every 15 minutes, 7:00 a.m. to 10:30 p.m., and Sundays from 11:00 a.m. to 7 p.m.

In addition, Forest City Development operates a shuttle service from University Park to Central Square Station every 15 minutes from 8:00 a.m. to 9:00 a.m. and 4:30 p.m. to 5:30 p.m. Monday through Friday.

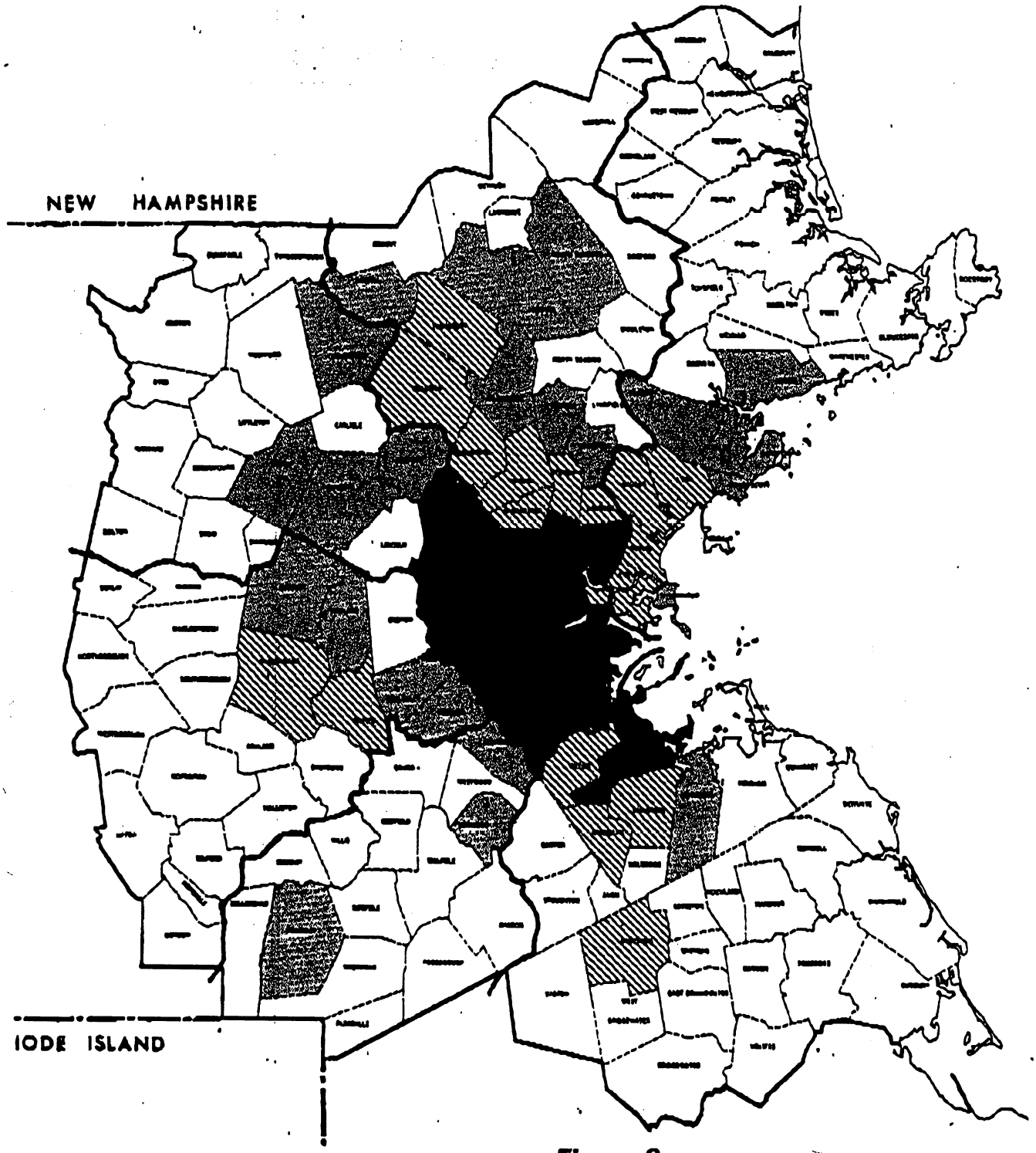
Employee Travel Patterns

According to figures from the U.S. Census Journey to Work Statistics, 47,980 commuter trips are made to the Cambridge portion of the Urban Ring each day. The distribution of origins for these trips are shown on Figure 3 and tabulated by subarea in Table 3. This table also indicates the percentage of transit use by subarea. This relationship is also shown graphically on Figure 4. As can be seen from Table 3, 23,247 or almost 50 percent (48.5%) of the total workers commute to this area from Cambridge or the communities immediately abutting Cambridge. The next two largest home locations for commuters is the North Suburban Corridor (7,214 or 15.0%) and the West Suburban Corridor (4,658 or 9.7%). These are the corridors with the worst transit service into the Cambridge part of the Urban Ring.

Table 3
TOTAL DAILY WORK TRIPS TO CAMBRIDGE URBAN RING
(1990 US Census)

SUBAREA	TOTAL TRIPS	PERCENT of TOTAL	TRANSIT TRIPS	PERCENT TRANSIT
Cambridge:	9,068	18.9%	1,298	14.3%
Abutting Com.:	14,179	29.6%	5,132	36.2%
North Shore:	3,303	6.9%	616	18.6%
North Suburban:	7,214	15.0%	742	10.4%
Northwest:	2,787	5.8%	264	9.5%
West Suburban:	4,658	9.7%	686	14.7%
Southwest:	1,039	2.2%	230	22.1%
South Shore:	3,096	6.4%	654	21.1%
Total Work Trips:	47,980	100.0%	10,001	20.8%

Although the U.S. Census figures indicate that overall 21% of commuters to this area use transit, including 32% or almost one-third of the commuters from Cambridge and its abutting communities, only 10.4% of the commuters from the North Suburban Corridor and 14.7% from the West Suburban Corridor use transit.



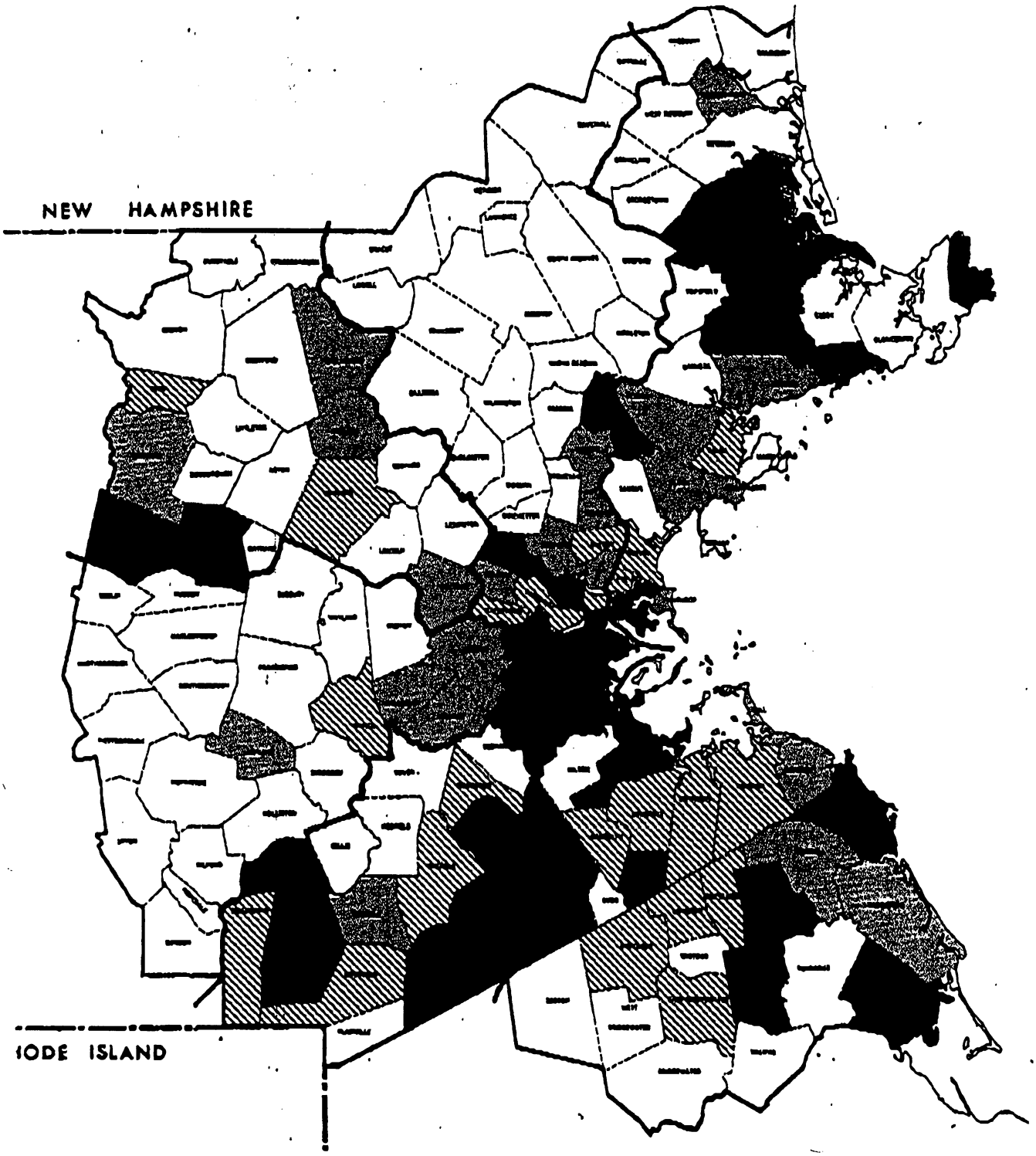
SubArea	Totals	& Percents
Cambridge	9,068	18.9%
Abutting Communities	14,179	29.6%
North Shore	3,303	6.9%
North Suburban	7,214	15.0%
Northwest	2,787	5.8%
West Suburban	4,658	9.7%
Southwest	1,039	2.2%
South Shore	3,096	6.4%
Rest of World	2,636	5.5%
Total Work Trips	**47,980**	**100.0%**

Figure 3

Total Daily Work Trips to Cambridge Urban Ring (1990 US Census)

- 500 or more trips
- 250 or more trips
- 125 or more trips

CAMBRIDGE
Community Development Department 1995



SubArea	Trips	& Percents
Cambridge	1,298	14.3%
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North Shore	616	18.6%
North Suburban	752	10.4%
Northwest	264	9.5%
West Suburban	686	14.7%
Southwest	230	22.1%
South Shore	654	21.1%
Rest of World	369	14.0%
Total Work Trips	**10,001**	**20.8%**

Figure 4

Percent Transit for Cambridge Urban Ring (1990 US Census)

- More than 30%
- More than 20%
- More than 10%

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This represents two of the three lowest transit usages of all the subareas. In addition, over 6,000 additional people commute from the North Suburban Corridor to work sites elsewhere in Cambridge that are served by the Red Line. This almost doubles the number of workers who could benefit from improved crosstown transit service from the Orange Line to Kendall Station.

Proposed Kendall Station/Orange Line Bus Service

The above information clearly indicates the need for improved circumferential transit service connecting the Cambridge portion of the Urban Ring to the Orange Line from the north. This can best be accomplished in the near term by initiating a new limited stop "Crosstown Transit" bus route connecting Kendall Station on the Red Line with either Community College or Sullivan Station on the Orange line.

Both options would utilize the same route from Kendall Station to Lechmere Station on the Green line (see Figure 5). Direct service would thus be provided to MIT, Polaroid, Lotus, Draper Labs, Badger Eng., US DOT, CDM, Bay State Health, Genzyme, Whitehead Inst., and Biogen. These are eleven of the top twelve employers in the Cambridge part of the Urban Ring with a combined employment of 17,468 or 36% of the jobs in this area. In addition the Middlesex County complex and the CambridgeSide Galleria would also be served by this new bus route.

For service to Community College Station, the proposed route from Lechmere Station would follow Cambridge Street to Msgr. O'Brien Highway, then left onto Charlestown Avenue and over the Gilmore Bridge, stopping at Community College Station, then turning around in Charlestown or continuing on to the Charlestown Navy Yard. The return would be over the same route in reverse direction from Community College Station to Lechmere Station. The routing through Charlestown would need to be coordinated with, and approved by the City of Boston.

The Sullivan Station option would utilize Cambridge Street from Lechmere Station, then right on Third Street and left on Msgr. O'Brien Highway to Washington Street in Somerville. The final leg would use Washington Street to Sullivan Station. This service could also then either continue on to The Navy Yard or be coordinated with a separate Sullivan Station to the Navy Yard route. As with the Community College Station option, the return to Lechmere Station would follow the same route. Specific routing for the Sullivan Station to the Navy Yard part of the corridor would also need to be coordinated with the City of Boston.

Based upon a late afternoon travel time study undertaken on Friday, November 10, 1994 by staff from both Boston and Cambridge, a bus would be able to make the round trip from Kendall Station to the Charlestown Navy Yard via either Community College or Sullivan Station and back within 45 minutes. However, the length of the round trip is six miles shorter via Community College rather than

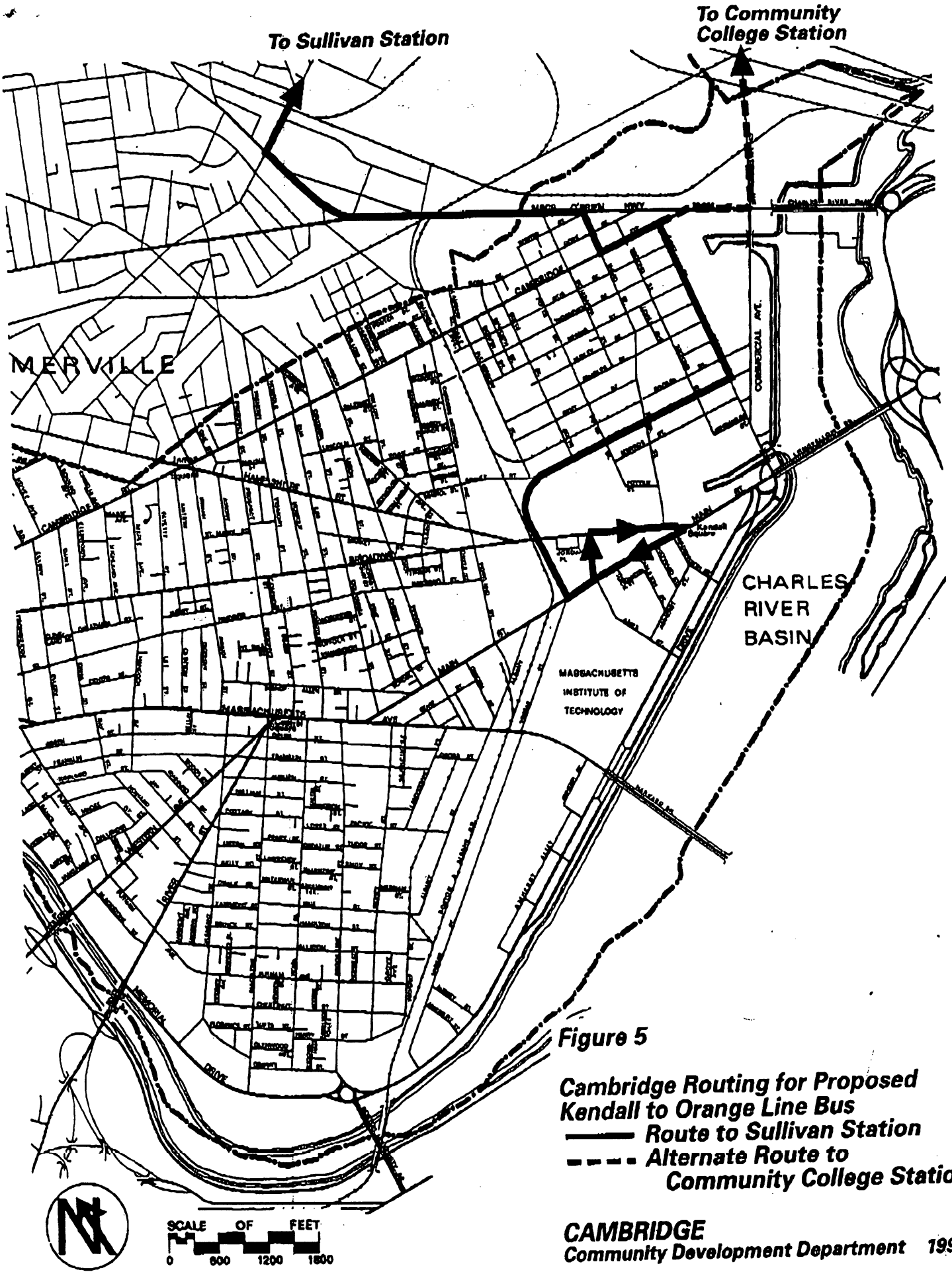

Figure 5

Cambridge Routing for Proposed Kendall to Orange Line Bus

——— Route to Sullivan Station

– – – – Alternate Route to Community College Station

CAMBRIDGE
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Sullivan Station (13 versus 7 miles).

The difference in mileage for the same trip time is due to congestion at the Msgr. O'Brien Highway intersection with Charlestown Avenue (Gilmore Bridge). Since for both options congestion will probably be greater during the peak traffic period, a full hour should be allowed for the round trip.

However, the round trip for a Kendall Station to Sullivan Station only route option could easily be made within a 45 minute time period.

Advantages and Disadvantages of Each Option

A suggested advantage of the Community College Station option is that a direct public transportation connection to Bunker Hill Community College would be provided for Cambridge residents. However, enrolment at the college in the fall of 1993 for both day and evening programs totaled 6,002 of which only 384 came from Cambridge. Given that many of these students would not have easy access to the proposed bus route, access to the college would not a major generator of patronage. Although this is the shorter and more direct route, its major disadvantage is that the route is very susceptible to traffic congestion which would effect travel time and thus patronage. Moreover, the bus would probably need to run from Kendall Station to the Navy Yard at all times without the option of turning around at Community College Station.

The Sullivan Station option has the great advantage of connecting with the 11 bus routes which terminate at that Orange Line station. This would allow "one transfer" bus service into Cambridge for many people living in the North Suburban Corridor. Since Sullivan Station has off-street bus loading facilities, the option also exists for operating different service frequencies for each part of the corridor (Kendall/Sullivan & Sullivan/Navy Yard) or operating one part without the other. In addition, commuter parking is available at this location which allows this option to function as a park and ride bus route.

This route option would also be able to maintain a more reliable schedule because buses could operate with a lower degree of traffic congestion and thus not be delayed as much as the Community College option. The only disadvantage is that service from Cambridge would not be provided to Bunker Hill community College.

Recommendation

Based upon the above analysis, Cambridge should insist on the implementation of the Sullivan Square option of this new "Crosstown Transit" bus route as quickly as possible. Service should be provided with a maximum 15 minute headway during peak periods and 30 minutes off peak. In addition, the City should work with Boston to coordinate this route with their need for service to Charlestown.

C. C. 106

City of Cambridge

The Ordinance Committee held a public hearing on July 28, 1997, beginning at 6:30 p.m. in the Sullivan Chamber for the purpose of considering a proposed amendment to add a new chapter to the code to formalize parking and transportation demand management planning and programs.

Present at the hearing were Councillor Francis H. Duehay, Chair of the Committee, Vice Mayor Kathleen L. Born, Councillor Henrietta Davis, Councillor Kenneth E. Reeves, Councillor Michael A. Sullivan, Councillor Katherine Triantafillou, and City Clerk D. Margaret Drury. Also present were Robert W. Healy, City Manager, Donald Drisdell, Deputy City Solicitor, Elizabeth Epstein, Deputy Director of Community Development Department, Susan Clippinger, Director of Traffic, Parking and Transportation, several other staff members and Attorney Wendy Jacobs who represents the City of Cambridge in state and federal negotiations regarding parking, transportation and air-quality issues.

Councillor Duehay convened the hearing and explained the purpose. He invited Mr. Healy to make a presentation. Mr. Healy gave a brief overview. He stated that the City is interested in working with all concerned to achieve the best possible ordinance, and welcomes comments and suggestions. He noted that in the past seven years the City has made a substantial investment in programs to reduce drive-alone car trips and encourage less polluting alternatives. As part of the City's ongoing commitment to reduce traffic congestion and to reduce vehicle trips he is proposing this ordinance to assist the City in managing the non-resident parking supply and vehicle trips associated with new development.

Mr. Healy then introduced Elizabeth Epstein, Deputy Director of the Community Development Department. Ms. Epstein stated that the purpose of the proposed ordinance is to manage non residential parking and to reduce single vehicle occupancy trips. An approved parking and transportation demand management plan will be required for any development project that will propose four or more commercial parking spaces or twenty or more other non-residential parking spaces.

An approved parking and transportation demand management plan (PTM Plan) must be in place before a special permit or variance can be issued. This requirement applies to commercial parking facilities that have no certificate of occupancy or license as of July 17, 1996 (the date of the Memorandum of Understanding between the City and DEP), or to increases after that date, or to proposed new spaces. The intent of the plans is to reduce the number of parking spaces associated with the project and to reduce single-occupant vehicle trips.

A project proponent has the option of reducing spaces below the zoning requirement or having more off site parking than allowed by present zoning. If the necessary zoning relief cannot be obtained, the plan can be modified. The ordinance includes enforcement provisions and provisions for review of the plan upon change in use or ownership.

Committee Report #2

A comunication was received from D. Margaret Drury, City Clerk, transmitting a report from Councillor Francis H. Duehay, Chair of the Ordinance Committee for a meeting held on July 28, 1997 for the purpose of considering a proposed amendment to add a new chapter to the code to formalize parking and transportation demand management planning and programs.

In City Council August 4, 1997

Report accepted

PLACED ON FILE

Remained in Committee

Consent Agenda #6

Relative to proposed amendments
to the Parking and Transportation
Demand Management (PTDM) Ordinance.

In City Council March 30, 1998

Referred to
Ordinance Committee

CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139
TEL 349-4300
FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

6.

March 30, 1998

To the Honorable, The City Council:

Please find attached for your consideration a revised Parking and Transportation Demand Management (PTDM) Ordinance. An earlier version of this ordinance was submitted to the City Council on June 23, 1997 and was referred to the Ordinance Committee on July 28. Over the last several months, we have reviewed the ordinance and made a number of revisions to address technical concerns which were raised regarding implementation of the ordinance.

The primary goal of the ordinance is to assist the City in managing vehicle trips associated with new projects, as part of the City's ongoing commitment to reduce traffic congestion, discourage drive-alone car trips and encourage less polluting alternatives. The ordinance requires proponents of non-residential projects over a certain size to prepare and have approved by the City a plan to minimize the amount of traffic associated with the project. Approval of the plan is required before the project proponent can obtain any building permit, commercial parking permit, special permit or variance, operating license or certificate of occupancy. In addition, the ordinance requires submission of a parking registration form associated with the construction or modification of any existing non-residential parking facility which results in an increase in the number of spaces, to assist the City in managing the non-residential parking supply.

Since July, when the Council last considered the PTDM ordinance, a number of revisions have been made which we believe have clarified and strengthened the ordinance. Provisions have been added providing an appeal process for project proponents, providing time limits for action by the City's PTDM officer, adding an option for adoption of "off-the-shelf" PTDM plans by proponents, and clarifying the relationship between PTDM review and compliance with the Zoning Ordinance, among other changes. The ordinance provides a good balance between the City's commitment to reducing automobile trips associated with development and the proponent's interest in a process which is well understood and can be complied with without undue requirements or delays.

We look forward to discussing the Parking and Transportation Demand Management Ordinance with you.

Very truly yours,

Robert W. Healy
City Manager

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in the City; and to restrict the use of previously

unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements
10.__070	Requirements Applicable to Small Projects
10.__.080	Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years.

This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated

by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group or buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this

Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director prior to the effective date of this Chapter that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which, on or before the effective date of this Chapter, (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor

vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of parking spaces at the parking facility must remain at or below nineteen (19).

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City

Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial

- customer
- employee
- patient
- student
- client
- guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall approve, reject or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The Plan shall be based on the following factors and commitments:

(i) Factors:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;
- commitment to implement vehicle trip reduction programs including some or all of the following: subsidized T-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/ carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction programs). This commitment must be accompanied by a detailed description of the programs proposed to be implemented; and
- commitment to establish and make all reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- customer
- employee
- patient
- student
- client
- guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

"I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan and the requested number of parking spaces for each category of use based on the above-listed factors and commitments. The Planning Officer shall issue his/her decision in writing within 60 days of receipt of the proposed PTDM Plan. If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed. If the project proponent makes a request pursuant to 10.__.060, the decision of the Planning Officer shall also include a recommendation about whether offsite parking should be allowed at distances greater than those allowed in the Zoning Ordinance and whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the Assistant City Manager for Community Development, the Director and one other City staff person designated by the City Manager and who did not participate in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent written approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall not be automatically transferrable by and among private parties. At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan, the proposed new owner or operator (the "Transferee") shall either submit to the Planning Officer a certification that the existing PTDM plan will remain in effect or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan. In the event the Transferee elects to submit a certification, it shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee (i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the

current use of the parking facility; (iii) commits to implement the existing PTDM plan, as approved; and (iv) acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. In the event that the Transferee elects instead to consult with the Planning Officer, then based on such consultation, the Planning Officer may require information from the proposed new owner and/or operator concerning (i) likely changes in use of the parking facility and associated buildings; and (ii) the ability and commitment of the proposed new owner and/or operator to implement an appropriate PTDM Plan. Within thirty (30) days of receipt of such information, the Planning Officer may either issue a written approval for the transfer of the existing PTDM Plan and obligations to the proposed new owner and/or operator or the Planning Officer may require submittal of a new or revised PTDM Plan from the proposed new owner and/or operator for review, condition, approval and/or denial.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including periodic reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) At its option, a project proponent may include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Based on an evaluation of the factors and commitments listed at 10.__.050(c), the Planning Officer shall make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) At its option, a project proponent may include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Based on an evaluation of the factors and commitments listed at 10.__.050(c), the Planning Officer shall make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall notify the person charged with the violation, or the duly authorized representative thereof, in writing of the determination of violation and shall order that the violation cease. Such order may require shutdown of the parking facility. A determination and order of the Director may be appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to

a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

OFFICE OF THE CITY CLERK
City Hall • Cambridge, Mass. 02139

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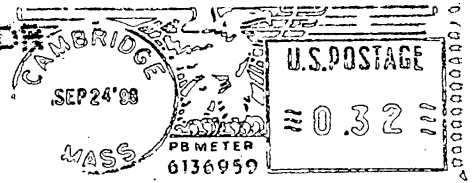

MR. ALVIN - HELFELD
CONCORD AVENUE
CAMBRIDGE,, MA 02138

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE
(617) 349-4260
FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

September 23, 1998

To Whom It May Concern:

Please be advised that Councillor Henrietta Davis, Chair of the Traffic and Transportation Committee, has scheduled two public meetings as follows:

Wednesday, October 7, 1998	**6:30 P. M.**	The Traffic and Transportation Committee will conduct a public meeting to discuss the nighttime truck ban and enforcement issues.
Wednesday, October 21, 1998	**6:30 P. M.**	The Traffic and Transportation Committee will conduct a public meeting to discuss cordon counts and hazardous cargo issues.

The public meetings will be conducted in the Sullivan Chamber, second floor, City Hall, 795 Massachusetts Avenue, Cambridge, MA.

You are invited to attend these meetings and be heard before the committee.

Very truly yours,

Donna P. Lopez

Donna P. Lopez
Deputy City Clerk

DPL/hs

cc: Councillor Davis

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cc: Councillor Davis

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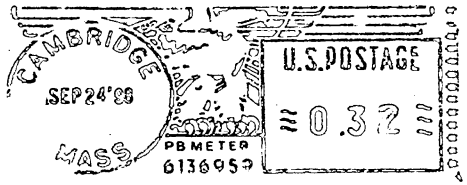
City Hall • Cambridge, Mass. 02139



MR. PAUL SCHIMEK
63 PAUL GORE STREET
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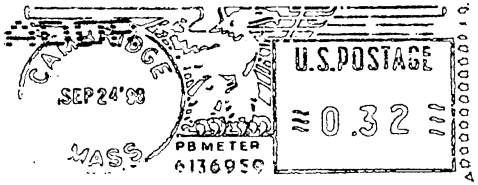

MARY ELLEN PAQUETTE
182 APPLETON ST, #3
CAMBRIDGE, MA 02138

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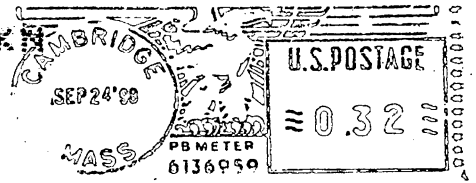

MR. RICHARD - HARLEY
246 BRATTLE STREET
CAMBRIDGE, MA 02138

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OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
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tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

September 23, 1998

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Very truly yours,

Donna P. Lopez

Donna P. Lopez
Deputy City Clerk

DPL/hs

cc: Councillor Davis

OFFICE OF THE CITY CLERK
City Hall • Cambridge, Mass. 02139

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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **ROBERT W. HEALY, CITY MANAGER**

FROM: **D. MARGARET DRURY, CITY CLERK** DMD

DATE: **SEPTEMBER 28, 1998**

RE: **TRAFFIC AND TRANSPORATION COMMITTEE**

****

Please be advised that Councillor Henrietta Davis, Chair of the Traffic and Transportation Committee, has scheduled two public hearings in the Sullivan Chamber as follows:

Wednesday, October 7, 1998	6:30 P.M.	The Traffic and Transportation Committee conduct a public meeting to discuss the night-time truck ban and enforcement issues.
Wednesday, October 21, 1998	6:30 P.M.	The Traffic and Transportation Committee will conduct a public meeting to discuss cordon counts and hazardous cargo issues.

You or your designee is requested to be present at this time.

cc: Councillor Davis
Russell Higley

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **RUSSELL HIGLEY, CITY SOLICITOR**

FROM: **D. MARGARET DRURY, CITY CLERK**

DATE: **SEPTEMBER 28, 1998**

RE: **TRAFFIC AND TRANSPORTATION COMMITTEE**

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Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

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tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **COUNCILLOR RUSSELL**

FROM: **D. MARGARET DRURY, CITY CLERK**

DATE: **SEPTEMBER 28, 1998**

RE: **TRAFFIC AND TRANSPORTATION COMMITTEE**

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Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis

OFFICE OF THE CITY CLERK

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tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **COUNCILLOR BORN**

FROM: **D. MARGARET DRURY, CITY CLERK**

DATE: **SEPTEMBER 28, 1998**

RE: **TRAFFIC AND TRANSPORTATION COMMITTEE**

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cc: Councillor Davis

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **ALL INTERESTED PERSONS**

FROM: **D. MARGARET DRURY, CITY CLERK** DMD

DATE: **SEPTEMBER 28, 1998**

RE: **TRAFFIC AND TRANSPORTATION COMMITTEE**

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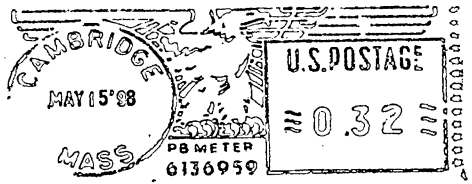
Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis

OFFICE OF THE CITY CLERK
City Hall • Cambridge, Mass. 02139



MARY ELLEN PAQUETTE
182 APPLETON ST, #3
CAMBRIDGE, MA 02138

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D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLEI

TO: ALL INTERESTED PARTIES

FROM: DONNA P. LOPEZ, DEPUTY CITY CLERK

DATE: MAY 15, 1998

RE: TRAFFIC AND TRANSPORTATION COMMITTEE MEETING

****

Please be advised that Councillor Henrietta Davis, Chair of the Traffic and Transportation Committee has scheduled a public meeting for Wednesday, May 27, 1998 at 6:30 p. m. in the Sullivan Chamber, 795 Massachusetts Avenue, 2nd floor, Cambridge, MA.

The purpose of this meeting is to continue discussions on the two truck reports submitted by the City Manager's Truck Traffic Advisory Committee.

Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis

OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

(617) 349-4260
FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

November 4, 1998

To Whom It May Concern:

Please be advised that Councillor Henrietta Davis, Chair of the Traffic and Transportation Committee, has scheduled a public meeting for Wednesday, November 18, 1998 at 6:30 p. m. in the Sullivan Chamber, 795 Massachusetts Avenue, Cambridge, Massachusetts.

The purpose of this meeting is to discuss the traffic impact of the University Park development.

You are kindly invited to attend this meeting and be heard.

Very truly yours,

Donna P. Lopez

Donna P. Lopez
Deputy City Clerk

DPL/hs

cc: Councillor Davis, Chair

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City Hall • Cambridge, Mass. 02139

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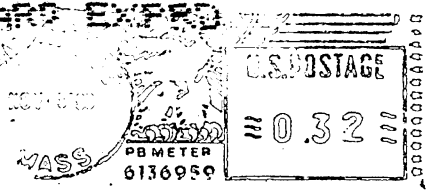

Mr. Robert LaTremouille
348 Franklin Street
Cambridge, MA 02139

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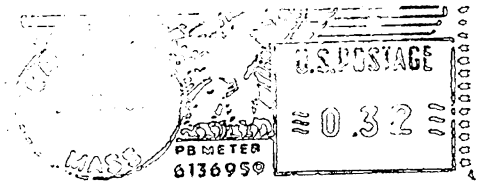
City Hall • Cambridge, Mass. 02139



MS REBECCA HALL
111 HAMPSHIRE STREET
CAMBRIDGE, MA 02139

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FAX (617) 349-4307
tty/TDD (617) 492-0235

D. MARGARET DRURY
CITY CLERK

DONNA P. LOPEZ
DEPUTY CITY CLERK

TO: **ALL INTERESTED PARTIES**

FROM: **DONNA P. LOPEZ, DEPUTY CITY CLERK**

DATE: **MAY 15, 1998**

RE: **TRAFFIC AND TRANSPORTATION COMMITTEE MEETING**

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The purpose of this meeting is to continue discussions on the two truck reports submitted by the City Manager's Truck Traffic Advisory Committee.

Your kind attention in this matter will be greatly appreciated.

cc: Councillor Davis

Bailey competes in U.S. swim meet

Thomas Bailey, Cambridge resident and member of the Mass Bay Marlins swim team, recently competed in the New England U.S. Swimming Championships for the 11-12 age group held at Salem State College.

Bailey, who recently turned 12, shaved 17 seconds off his 500-yard freestyle, finishing with a time of 5:31.26 and placing fifth. This was an outstanding showing given that three of the boys placing ahead of him had already turned 13 but were allowed to compete in the meet because pool scheduling conflicts had resulted in the 13-14 New England championships being held prior to the 11-12 championships.

A powerful distance swimmer, Bailey performed well in the 200-yard freestyle, placing seventh in a time of 2:07.12, eighth in the 200 individual medley in 2:24.53 and eighth in the 100-yard butterfly in 1:08.14. He swam in nine events over the three-day meet and qualified in the finals or consolation finals in all nine events with personal best times.

Based on his strong performance, he has been selected to represent New England and compete in the Northeast Zone Competition to be held April 1-4 in Philadelphia. There he will be joined by two other Cambridge residents — his brother James Bailey and Christopher Barnes also of the Mass Bay Marlins who have been selected as New England U.S. swim representatives in the 13-14 age group.

Soccer teams storm past foes

The Cambridge Tsunami under-16 boys team defeated the Woburn Tanners 7-2 Sunday.

Cambridge goalkeeper Collie Wendel made some outstanding saves, while Junior Desrosiers led the Cambridge offense with three goals.

Ian Chester, Nikias Stefanakis, Micah Pierce and Jake Hannon kept on the offensive pressure, while Nick Petschek, Ian Milligan-Pate, and Noah Sussman protected and controlled Cambridge's passing game in the midfield and defensive half. The Tsunami are now 3-0 this season.

In other indoor action, the Cambridge Samba, a men's open team featuring high school players and alumni from Cambridge Rindge and Latin School, defeated Avid Technologies Sunday at Acton Indoor Sports with a double-digit margin.

Josh Sussman, Felipe Vega, Alvaro Santalices, David Villalobos, Peter Mlaguzi, Javi Mejia-Blau, Anderson Dos Santos, Geraldo Moreira, Ian Milligan-Pate, Justin Colannino and Collie Wendel filled out the roster for the game, with goals contributed by Moreira, Santalices, Vega, Dos Santos and Mlaguzi.

Wendel went on to tend the goal for an undermanned team playing next, leading his team to a hard-fought 5-4 victory. The Samba are now 3-1, losing only to Harvard's junior varsity team.

Call for Falcons info

Information about Cambridge Rindge and Latin School spring sports teams is available through the Department of Athletics.

The department's phone numbers are 349-6690, 349-6696 and 349-6020. The CRLS sports hotline number is 349-6019.

The director of Health, Physical Education and Athletics is William E. Bates. The athletic administrative staff includes: Michael Weaver, teacher in charge; Charles Killilea, faculty manager; Kara Welch-Brown, sports medicine/trainer; Annie Powers, secretary.

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and will be deemed to be included in the contract as if written out in full.

The successful bidder will be required to furnish a Performance Bond and Payment Bond as set forth in the Specifications, each in the full amount of the contract.

The Awarding Authority reserves the right to reject any and all bids and to waive any informalities in the bidding if it is in the public interest to do so. The Cambridge Housing Authority also reserves the right to reject the bids if less than three bids are received.

The Cambridge Housing Authority is a tax-exempt organization. Bids shall not include sales tax on any and all building materials and supplies required for the work of the project. The exemption number assigned to the Authority will be given to the General Contractor at the Preconstruction Conference.

No interpretations of the meaning of the plans, specifications, and other pre-bid documents shall be made to any bidder orally. Every request for such interpretation must be in writing to the Architect:

Schreiber Associates
370 Washington Street
Brookline, Massachusetts, 02445
ATTN: Kathy Schreiber
Fax #617-566-0845

ALL BIDDERS PLEASE NOTE:

Equal Employment Opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the general requirements.

AD #801487
Cambridge Chronicle, 3/18/99

LODGING HOUSE LICENSE
LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS

Notice is hereby given that the License Commission will hold a policy hearing on whether to amend the rules and regulations of the Lodging House/Innholder category as passed on January 27, 1997 and under M.G.L. c.140, s. 22-32 and Special Acts of 1922, Chapter 95, to require a permit for possession of kegs and beer on the premises.

A hearing on this application will be held on Tuesday evening, March 30, 1999 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139. Anyone wishing to make comments should contact Richard V. Scali, Executive Officer, in writing or attend the hearing

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #801333
Cambridge Chronicle, 3/18/99

MCDONALD SUMMONS
LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 99E-0012GC
SUMMONS

FAITH MCDONALD EXTRIX. UNDER THE WILL OF ELLEN ELLINOR PEDERSEN LATE OF CAMBRIDGE, DECEASED, Plaintiff v.
MARGIT BERTHELSEN, JENS THORMOD PEDERSEN, VILLY PEDERSEN, ARNE PEDERSEN, ASGER PEDERSEN, IVONILDA PEDERSEN, EDGARD PEDERSEN, AND FINN I. LUDER, Defendants
To the above-named Defendant:

You are hereby summoned and required to serve upon Kevin P. Crane, plaintiff's attorney, whose address is 104 Mount Auburn St., P.O. Box 381030, Cambridge, MA 02238 an answer to the complaint which is filed in said Court and Demands which appear in this summons within 20 days after APRIL 2, 1999. If you fail to do so, judgment by default will be taken against you. You are also required to file your answer to the complaint in the office of the Register of this Court at CAMBRIDGE either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), Mass. R. Civ. P., your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, SHEILA E. McGOVERN, Esquire, First Justice of said Court at CAMBRIDGE

February 16, 1999

Marie A. Gardin
Acting Register of Probate

DEMANDS OF COMPLAINT:

Instructions as to the proper allocation of the settlement proceeds of a certain wrongful death action and their subsequent distribution.

AD #786415
Cambridge Chronicle, 3/4, 3/11, 3/18/99

ORDINANCE 2829
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2829
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

That the text of Article 11.502 of the Zoning Ordinance of the City of Cambridge be amended by adding after the words "The provisions of this section 11.500 apply to all new construction of 50,000 square feet or more gross floor area" the words "or of more than 150 spaces in a parking facility."

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801682
Cambridge Chronicle, 3/18/99

ORDINANCE 2830
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2830
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

Amend the text of the Zoning Ordinance of the City of Cambridge by striking Section 11.511 and replacing it with the following Section 11.511 as follows:

11.511 Before a building permit or a special permit for a project to which paragraph 11.502 applies can be issued, the project must receive a special permit called "planning overlay special permit." The application for the planning overlay special permit may be simultaneous with the application to the Planning Board for other special permits. No application for this permit will be accepted unless it is accompanied, at a minimum, by the following documents:

(a) the information required by the Large Project Submittal Requirements as described in paragraph 11.45 of this Ordinance.

(b) a traffic study certified as being done in a complete and reliable manner by the Traffic and Parking Department. Such certification must be issued or denied within ten (ten) days of its request and must only certify the methodology used, not necessarily the accuracy of the data.

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801683
Cambridge Chronicle, 3/18/99

ORDINANCE 2831
LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2831
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

1) Change provisions of PUD-3 district to increase requirement for open space and provide for publicly beneficial active recreational use.
A) Insert a new 13.45: - The minimum ratio of open space to the total area of the development parcel as defined at Article 2.000 and Section 5.22 shall be 50 percent.
B) Eliminate existing 13.45.1 and substitute existing 13.45.2. Open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, and active recreational uses.
C) 13.45.2 Limitation on Construction Below Existing Grade. No portion of a building or structure, including parking structures, shall be located below the existing mean grade of the ground adjacent to the proposed building or structure prior to construction except as may be required to reasonably accommodate necessary utility systems and building foundations (e.g. elevator shafts, foundation pilings, etc.)
D. 13.43.1 For maximum ratio of floor area to total area of development substitute 2 for 3.

2) Change requirements for open space in the Office 3A district
A) In Table 5.2 Column (7) minimum ratio of usable open space to lot areas substitute 50% for existing 10% requirement.
B) Add footnote e. to Office 3A, Limitation on Construction Below Existing Grade. No portion of a building or structure, including parking structures, shall be located below the existing mean grade of the ground adjacent to the proposed building or structure prior to construction except as may be required to reasonably accommodate necessary utility systems and building foundations (e.g. elevator shafts, foundation pilings, etc.)
C) Add footnote F. to Office 3A Open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, and active recreational uses.
D) Column 1 Maximum ratio of Floor Area to Lot Area: Substitute 2 for 3

3. Change existing 1B-1 district bounded the centerlines of Binney Street, Third Street, Doc Linksey Way and Second Street to Office 3-A.

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801684
Cambridge Chronicle, 3/18/99

CAMBRIDGE SCHOOLS

APRIL 8, 1999 STUDENTS, ISSUES AND CURRENT EVENTS IN THE CITY'S SCHOOLS PAGE 9

CRLS science team reflects on Olympiad victory

BY JESSICA LEIGHT
Student Correspondent

When the Cambridge Rindge and Latin School science team took first place at the state Science Olympiad competition recently, the 20 team members present shouted, cried, jumped, and even sang.

After the weeks of intense study and preparation, of graham crackers, microwave popcorn and crises in a classroom at the high school for hours after school, the tension was finally broken — and in the best possible manner.

March 20, the day of the competition, had not been easy. No one was certain that Cambridge would win, even after the medals for individual events had been announced. And so, when the trophy came, it was that much sweeter.

In the last two weeks before the Olympiad competition, the entire team spent five hours a day after school preparing under the supervision of coaches Tad Sudnick and Kris Newton, a commitment which is intense, draining, and undoubtedly a "bonding" experience.

"I've never worked so hard for something in my entire life, and I've never been in a situation where everyone was so focused on something," said senior Bushra Makiya. "Everyone worked so hard and there was not a single person who didn't contribute, which was awesome."

At the same time, the last few days were not easy.

"The week leading up to the competition had been really hard on some of us," said sophomore Ben Somberg. "The night before ... was especially tough for me when our Mission Possible [Rube Goldberg] device just wasn't working, and we knew we were going to have to come in the next day with something we weren't exactly proud of."

On the day of the competition, the pressure built, until the entire team was sitting together in the auditorium, waiting for the final results to be read.

KIDS ON THE BEAT

"It was incredibly tense until we heard that Wayland High School came in second, and we knew we must be in first place," said junior Walter Drisdell.

To senior captain Rabi Whitaker, the moment when Cambridge's name was read and the room exploded with cheers and whistles seemed almost too good to be true.

"Every year before the Olympiad, I think about our chances of winning, and how much time we've spent preparing," Whitaker said. "Every year, I think we have just as good a shot at the championship as any other team. But this year, when we actually won, I was in a state of complete shock. I never imagined just how thrilling it would be to get up on stage as the first place team."

To some extent, the triumphant atmosphere of those moments on the stage endured the next week. Currently on a break before resuming preparation for the national competition, held in Chicago in May, science teamers nonetheless find themselves drawn to the room where so many hours were spent studying. On the days when meetings were held, most students did not leave but lingered, joking and chatting with the people who they have spent so many hours with. Leaving any time before 4 p.m. was just too weird.

"I enjoy leaving school at 2:30, but at the same time it feels strange," said senior captain Noaman Vaidya. "This is the first time I've seen sunlight in two months. Everyone's been congratulating us all week. What a thrill it is to win!"

Especially for seniors, who saw the team come in fourth three years ago, then third, then second, and then first, this year's win and the upcoming trip to Chicago are the culmination of years of work. But for everyone on the team or connected with it, it is a hard-won victory, and one to be savored.

"This victory signifies the true strength of CRLS, and specifically of the science department," said junior Emma Stickgold. "We are so lucky to have so many great teachers who are willing to dedicate countless hours to help students in their events. The captains are to be commended for their excellent work in bringing the team together and making things work."

> ***"This victory signifies the true strength of CRLS, and specifically of the science department."***
>
> **Emma Stickgold, CRLS junior**

Things worked this year for the CRLS science team, and that's what they have been celebrating all week.

Jessica Leight is a ninth-grader in Leadership House.

PHOTO BY JENNIFER TAYLOR

Erica Sigal leads children in a dance workshop at the Collins branch library on Monday.

Trip to Russia marks 10th anniversary

Ten years ago this April, the CRLS Russian program hosted its first group of students and teachers from Russia.

The guests were here two weeks, then the CRLS Russian students, accompanied by Russian teacher Lucinda Leveille and science teacher Tad Sudnick, made the trek to Jaroslavl, Russia; thereby completing the first high school Russian exchange in Cambridge history.

Since 1990, the CRLS Russian Exchange has been paired with School #238 in St. Petersburg. The fifth round of exchange with this school will be completed with Leveille and five brave CRLS Russian students heading off April 10 for a 20-day expedition to St. Petersburg.

Stephen Huenneke, Ilya Luvish, Case Randall, Christina Roth, and Ronald Stewart will join the ranks of the 52 CRLS students who have traveled to Russia over the years.

Plans for St. Petersburg include sightseeing, helping out in English language classes at School #238, historic walks around the city, museum visits, cultural events like ballet, music performances and opera, outdoor picnics, and time at home with hosts.

CRLS homework is done on a daily basis so that students will not fall behind in their studies, and they keep a daily journal to remember and reflect upon their experience.

The Cambridge guests are always accompanied by their Russian hosts on excursions and walks around the city. With the political situation a bit tricky due to the NATO intervention in Serbia, Leveille will decide while in St. Petersburg whether or not to go to Moscow for the planned three-day visit. Plans for Moscow include the Bolshoi Theater, the Kremlin, the Tretyakov Gallery and the Tchaikovsky Conservatory.

The group will return Saturday, May 1, 1999, exactly 10 years after

RUSSIA, page 11

FROM THE LIBRARY

Poetry events continue

April is National Poetry Month.

Celebrate by submitting an original poem by April 16 to the Central Square library's children's room. Winners will be chosen from age groups 10, 11, 12 and 13. There will be a separate prize for the best poem submitted with "trees" as its theme. Winners will receive prizes and read their poems at a poetry party Thursday, April 29, at 6:30 p.m. at Central Square.

Storyteller Lena James will tell stories from Trinidad for families in celebration of National Library Week at O'Neill on April 12, at 6:30 p.m.

All are welcome to Family Reading Night at O'Connell on Tuesday, April 13, at 6:30 p.m. Bring your favorite child (or children), stories and songs. Juice and crackers will be served.

Erica from the Dance Complex will lead children in dance workshops at Collins on Mondays, April 12 and 26, from 4 to 4:45 p.m. Call 349-4021 for details.

Children in grades 2 to 5 are invited to dance programs at Valente on April 24 to 28, at 2:30 p.m.

At O'Connell, Erica will lead children in dance workshops Thursdays, April 8 and 15, at 3 p.m., and Jody will lead workshops Tuesday, April 20, at 11 a.m. and Wednesday, April 21, at 3 p.m.

Program spotlights Indian legend

The Underground Railway Theater will perform "Vision of Dreaming Branch" on Sunday, April 11, at 2 p.m. in the Sakey Lecture Hall of the main library, 449 Broadway.

A Hopi Indian legend come to life, this presentation is comic and poetic. It blends puppets, masks, music, instruments and ancient legends to tell the story of the adventures of an orphan girl as she searches for her heritage.

This program is free and open to the public. The Cambridge Public Library is handicapped accessible. For more information, call the library at 349-4040, fax 349-4028, or e-mail www.ci.cambridge.ma.us.

Pilot play debuts tonight

The Pilot School of Cambridge Rindge and Latin School debuts "Where's My Bubble?" tonight, April 8, at 7:30 p.m. in the CRLS Fitzgerald Theater, 459 Broadway.

Shows continue Friday and Saturday, also at 7:30 p.m. Tickets are $6 and will be available at the door. Advance tickets are available at the Pilot School Office, Room R510, at CRLS.

This year's play follows a 27-year-old progressive educational tradition of going boldly where few other school programs have dared to go. Students, entirely on their own, have written, directed, arranged and choreographed a series of satirical skits, musical parodies, hip hop dances and raps that laugh mockingly in the face of the controversial statewide high stakes, MCAS exit tests, and at the nationwide standardization movement.

The play's title, "Where's My Bubble?," refers to those forms students must fill out every time they are evaluated in a standardized test — the circles students must darken with No. 2 pencils look like bubbles.

Proceeds benefit Pilot School scholarship and activities funds. For more information, call 349-6674.

SCHOOL NOTEBOOK

Summer job applications available

Applications for the Cambridge Mayor's Summer Youth Employment Program will be available May 3-21 at all public elementary schools, Cambridge Rindge and Latin School, Matignon and North Cambridge Catholic High School, the city's five youth centers, the Office of Workforce Development, and the mayor's office at City Hall.

Applications must be returned weekdays, May 10-21, from 2:30 to 4:30 p.m. at Cambridge Rindge and Latin School, Youth Employment Center, Room 101, 459 Broadway or at the Office of Workforce Development, 51 Inman St., second floor, from 2:30 to 5 p.m. For more information, call 349-6234.

On Monday, April 12, at 5 p.m. on Channel 9, tune in to the Cambridge Community Television Be Live show. More information will be provided and residents can also call into the show with questions about the Mayor's Summer Youth Employment Program.

Spelling bee at Peabody School

The annual Cambridge Public Schools' spelling bee will be held Saturday, April 10, at 9 a.m. at the Peabody School, 44 Linnaean St. For information, call Peabody School Principal Ellen Varella at 349-6577.

Kennedy hosts fitness show

The Kennedy School will sponsor its annual Jog-A-Thon and Fitness Show on Friday, April 9, at 12:15 p.m. Kennedy School parents, relatives and special guests are invited to the program, which will be held in the school gym.

For information, call Kennedy School family liaison Joan Arruda at 349-6847.

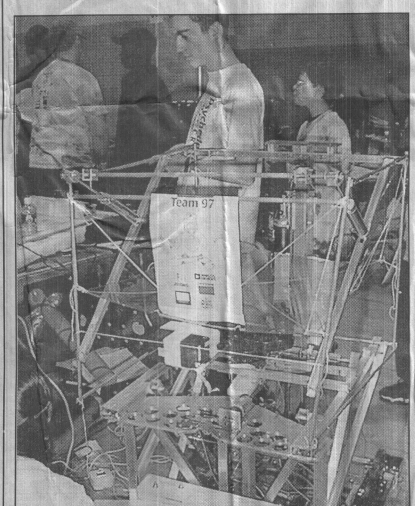
Early release

Cambridge elementary schools will have an early release day Wednesday, April 14.

Family therapist visits CRLS

Family therapist Howard Wolfe will return to Cambridge Rindge and Latin School on Wednesday, April 14, from 6:30 to 9:30 p.m. for a workshop, "Who's the Boss? — Surviving Power Struggles with Teens," in the CRLS media cafeteria.

NOTEBOOK, page 11



The Psychedelics' robot gets a pit stop between rounds at the New Jersey competition. From left are team members Rainuka Gupta (bottom left), Thaddeus Stefanov-Wagner, and Akiva Leffert.

MIT/CRLS robotics team finish strong in tourney

The MIT/CRLS FIRST robotics Team 97, "The Psychedelics," won second place in its alliance with the Somerville, N.J. "Dexterous Gearheads" at the recent Johnson & Johnson Mid-Atlantic Robotics Regional competition at Rutgers University.

Against 36 other teams, the Cambridge Rindge and Latin School squad had placed 13th in the qualifying rounds over two days, and was chosen by fourth-seeded Somerville as partner for the elimination rounds.

The team has qualified to compete in the nationals at Epcot in Florida on April 22-24.

The Cambridge team's robot driver, Dana Jones, a CRLS sophomore, helped the Psychedelics win the "Best Play of the Day" award for strategic play in an earlier seeding round with the Kintnerswille, Penn. "Cybersonics Technology" team.

"I'm proud of our team," said Rainuka Gupta, MIT senior and team coordinator. "It's great to be rewarded for our hard work. This is the first time we've placed at the regionals. We're excited by our success and are even more excited by what will come at nationals."

The competition pitted pairs of robots against each other to lift disk-shaped pillows to a height of eight feet, with bonuses awarded to robots which could mount a low platform on casters, called the puck, while defending against the opposition. The teams had designed and built the robots over a six-week period ending Feb. 22.

Malika Napoli, CRLS senior, described the process: "We broke up into groups to work on different parts of the robot. Then we collaborated together to build it. We went through some ordeals. For instance, we found near the end that we had too much weight, so we had to take the whole thing apart and put it back together."

Anton Abaya, a senior, could feel the excitement in the crowd.

"Our robot had the speed and power. It was also deceptive," Abaya said. "It looked like a tin can on wheels; you didn't think it could pack a punch. But it was a really powerful defender, and everyone in the stands said, 'Look at Team 97 go!'"

ROBOTICS, page 11

LEGAL NOTICES

Annual Meeting

LEGAL NOTICE
CAMBRIDGE SAVINGS BANK
1374 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS
02138

The Annual Meeting of Cambridge Savings Bank will be held at Cambridge Savings Bank, 1374 Massachusetts Avenue, Cambridge, Massachusetts, on Wednesday April 14, 1999 at 8:15 a.m.

Francis W.K. Smith
Clerk

AD#817799
Cambridge Chronicle, 4/8/88

Backyard Construction

LEGAL NOTICE
PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
OFFICE OF THE CITY CLERK

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto, that the Committee on Ordinances, composed of the entire membership of the City Council, will hold a public hearing on **Tuesday, April 27, 1999 at 5:30 p.m.** in the **Sullivan Chamber, City Hall, 795 Massachusetts Avenue, 2nd floor,** Cambridge, Massachusetts, on a petition to amend the text of the Zoning Ordinance of the City of Cambridge relative to Backyard Construction and Open Space Protection as follows:

A. Add a new Section 5.28

5.28 - Application of FAR and Minimum Lot Area per Dwelling Unit Where More Than One Number Appears in the Table of Section 5.30 - District Dimensional Regulations

B. In Table 5-1, make changes in Comuns (1), (3) and (5). (all other elements of the Table shall remain unchanged):

C. In Table 5-1, Paragraph 2 - Footnotes, delete footnote (j)

D. In Article 2,000 - Definitions, delete the current definitions "Green Area", "Publicly Beneficial Open Space"; and "Usable Open Space", and substitute there for the following in the appropriate alphabetical order. In addition, relocate the existing definition "Public Open Space" as indicated below.

E. IN Section 530 - District Dimensional-Regulations, delete the existing heading in Column (7) in all Tables and substitute therefor the following new heading: "(7) Minimum Ratio of Open Space to Lot Area"

F. In Table 5-1, make changes in Column (7).

G. Everywhere the phrase "green area" occurs in the Ordinance, substitute the new phrase "Landscaped Open Space". In Section 4.27.2 and 4.27.3 and Section 5.33-Business Districts, Paragraph 2 - Footnotes, Footnotes (d) and (e), substitute the phase "Landscaped Open Space" for the phrase "landscaped green space" wherever it occurs.

H. In Section 5.22, delete the existing text in its entirety and substitute text.

I. In Section 8.22.1 add two new Paragraphs J and K

J. Additions and alterations to a structure **in existence as of August 1, 1998,** which additions **and alterations** are located within the required rear yard in Residence A-1, A-2, B, C and C-1 districts, and which additions **and alterations** otherwise conform to all other requirements of this Ordinance.

k. Additions to a structure **in existence as of August 1, 1998** otherwise permitted by this Ordinance in Residence A-1, A-2, B, C and C-1 districts on lots where the amount of Open Space required to be present is not met, which additions further reduce the area of Open Space on the lot.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Henrietta Davis, Chair

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 Zoning 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.

Ad#: 819282
Cambridge Chronicle, 4/8 & 4/15/99

BLEUS

LEGAL NOTICE
MORTGAGEE'S SALE OF
REAL ESTATE
171 SHERMAN STREET
CAMBRIDGE

By virtue and in execution of the Power of Sale contained in a certain mortgage given by Rose Bleus and Norman Drayton to Homeowner's Rahab, Inc. dated May 16, 1996 and recorded with Middlesex County (Southern District) Registry of Deeds, at Book 26338, Page 354 of which mortgage the undersigned is the present holder for breach of the conditions of said mortgage, and for the purpose of foreclosing the same will be sold at Public Auction on the mortgaged premises hereinafter described namely

171 Sherman Street
Cambridge

Middlesex County, Massachusetts, on April 23, 1999 at 2:00 PM all and singular premises described in said mortgage as follows:

A certain parcel of land situated on the westerly side of Sherman Street in the City of Cambridge, in the County of Middlesex, Commonwealth of Massachusetts, bounded and described as follows:

Beginning at a point in the westerly sideline of said Sherman Street at the southerly corner of the granted premises at land now or formerly of Matthew B. and Eileen M. Hayes; thence

WESTERLY a distance of ninety-five and no hundredths feet (95.00) by land now or formerly of Matthew B. and Eileen M. Hayes to a point at land now or formerly of Roman Catholic Archbishop of Boston; thence

NORTHERLY a distance of thirty-eight and seventy-seven hundredths feet (38.77) by land now or formerly of Roman Catholic Archbishop of Boston to a point at Lot C; thence

EASTERLY a distance of forty-five and no hundredths feet (45.00) to a point; thence

NORTHERLY a distance of eleven and twenty-three hundredths feet (11.23) to a point; thence

EASTERLY a distance of fifty and no hundredths feet (50.00) to a point in the westerly sideline of said Sherman Street, the previous three (3) courses by Lot C; thence

SOUTHERLY a distance of fifty and no hundredths feet (50.00) along the westerly sideline of said Sherman Street to a point of beginning.

The above described parcel of land contains an area of 4,245 square feet, more or less and is more particularly shown as Lot B on a plan entitled "Compiled Subdivision Plan of Land in Cambridge, Mass. (Middlesex County) Scale: 20 feet to an inch, dated September 16, 1983 by Miller & Nylander Co., 114 Waltham Street, Lexington, MA." plan 688 of 1984, Book 15645, Page 19.

Said premises will be sold subject to a mortgage from Rose Bleus and Norman Drayton to Fleet Real Estate Funding Corp. in the original principal amount of $129,119.00, dated January 13, 1995 recorded in Middlesex County Registry of Deeds, Book 25127, Page 134.

Said premises will be sold subject to any and all unpaid taxes, assessments, betterments and municipal liens, if any there be.

Terms: Five Thousand and 00/100 ($5,000.00) Dollars in cash or certified check at the time and place of the sale, balance to be paid at the office of SMITH, LEVENSON, SMITH & CULLEN, P.C. Attorneys for Homeowner's Rehab, Inc. 160 FEDERAL STREET, 21st FLOOR, BOSTON, MASSACHUSETTS 02110-1795, within thirty days of the sale. Other terms, if any to be announced at the sale.

Homeowner's Rehab, Inc.
Present holder of said mortgage
By its Attorneys
SMITH, LEVENSON, SMITH
& CULLEN, P.C.
THE LANDMARK BUILDING
160 FEDERAL STREET, 21ST FLOOR
BOSTON, MASSACHUSETTS
02110-1795

AUCTIONEER: Daniel P. McLaughlin & Co., Inc., Mass. Lic. No. 2107

AD #803043
Cambridge Chronicle, 3/25, 4/1, 4/8/99

Cambridge Financial Group

LEGAL NOTICE
CAMBRIDGE FINANCIAL GROUP, INC.
1374 MASSACHUSETTS AVENUE
CAMBRIDGE, MASSACHUSETTS
02138

A meeting of the Corporation of Cambridge Financial Group, Inc. will be held at Cambridge Savings Bank, 1374 Massachusetts Avenue, Cambridge, Massachusetts, on Wednesday, April 14, 1999 at 9:00 a.m.

Francis W.K. Smith
Clerk

AD#817980
Cambridge Chronicle, 4/8/99

DENIS SUMMONS

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 99D0583AN
SUMMONS BY PUBLICATION

Deborah Whitley Denis, Plaintiff(s) v. Serge Maurice Denis, Defendant(s)
To the above named Defendant(s):

A Complaint has been presented to this Court by the Plaintiff(s), Deborah Whitley Denis, seeking an Annulment

You are required to serve upon Deborah Whitley Denis - plaintiff(s) - for plaintiff(s) - whose address is 23 Market St. #5 Cambridge 02139 your answer on or before June 1, 1999. if you fail to do so, the court will proceed to the hearing and adjudication of this action. You are also required to file a copy of your answer in the office of the Register of this Court at Cambridge.

Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, this 25th day of February, 1999.

Marie A. Gardin
Acting Register of Probate Court

AD #803712
Cambridge Chronicle, 3/25, 4/1, 4/8/99

F. Putschar Estate

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 86P0151E
NOTICE OF
FIDUCIARY'S ACCOUNT

To all persons interested in the estate of FLORENCE A. PUTSCHAR late of CAMBRIDGE MIDDLESEX.

You are hereby notified pursuant to Mass. Civ. P. Rule 72 that the 1ST and final account(s) of Tobias J. Brown and Walter G.J. Putschar, Trustees as rendered by Tobias J. Brown as Trustee-(the fiduciary) under the will of said deceased has been presented to Said Court for allowance.

If you desire to preserve your right to file an objection to said account(s), you or your attorney must file a written appearance in said Court at Cambridge on or before the 21st day of April, 1999. the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain with cost a copy of said account(s). If you desire to object to any item of said account(s), you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R. Civ. P. Rule 5.

WITNESS, Sheila E. McGovern, Esquire, First Justice of Said Court at Cambridge this 19th day of MARCH, 1999.

Marie A. Gardin
Register of Probate

AD#817985
Cambridge Chronicle, 4/8/99

F. Putschar Estate

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 86P0151T
NOTICE OF
FIDUCIARY'S ACCOUNT

To all persons interested in the estate of FLORENCE A. PUTSCHAR late of CAMBRIDGE MIDDLESEX.

You are hereby notified pursuant to Mass. Civ. P. Rule 72 that the 1ST, 2ND and FINAL account(s) of Tobias J. Brown and Haskell Cohn, Trustees as rendered by Tobias J. Brown as Trustee-(the fiduciary) under the will of said deceased has been presented to Said Court for allowance.

If you desire to preserve your right to file an objection to said account(s), you or your attorney must file a written appearance in said Court at Cambridge on or before the 21st day of April, 1999. the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain with cost a copy of said account(s). if you desire to object to any item of said account(s), you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R. Civ. P. Rule 5.

WITNESS, Sheila E. McGovern, Esquire, First Justice of Said Court at Cambridge this 19th day of MARCH, 1999.

Marie A. Gardin
Register of Probate

AD#819332
Cambridge Chronicle, 4/8/99

F. Putschar Estate

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 86P0151
NOTICE OF
FIDUCIARY'S ACCOUNT

To all persons interested in the estate of FLORENCE A. PUTSCHAR late of CAMBRIDGE MIDDLESEX.

You are hereby notified pursuant to Mass. Civ. P. Rule 72 that the 1st, 2nd and Final account(s) of Tobias J. Brown and Paul D. Bishop, Trustee as Trustee-(the fiduciary) under the will of said deceased has been presented to Said Court for allowance.

If you desire to preserve your right to file an objection to said account(s), you or your attorney must file a written appearance in said Court at Cambridge on or before the 21st day of April, 1999. the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain with cost a copy of said account(s). If you desire to object to any item of said account(s), you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R. Civ. P. Rule 5.

WITNESS, Sheila E. McGovern, Esquire, First Justice of Said Court at Cambridge this 19th day of MARCH, 1999.

Marie A. Gardin
Register of Probate

AD#819333
Cambridge Chronicle, 4/8/99

LASER POINTERS

LEGAL NOTICE
FIRST PUBLICATION #2832
CITY OF CAMBRIDGE
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY NINE
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:

AN ORDINANCE REGARDING
THE SALE,
POSSESSION AND USE OF
LASER POINTERS

Be it ordained by the City Council of Cambridge, in accordance with the provisions of Massachusetts General Laws, Chapter 43B, Section 13, and any other applicable law as follows:

WHEREAS, laser pointers are being used by individuals especially minors in such a manner as to harass, annoy and potentially cause bodily harm to those receiving contact with the laser beam; and

WHEREAS, laser beam pointers are capable of causing temporary flash blindness, headaches and afterimages from contact with the eye.

NOW, THEREFORE, BE IT ORDAINED that the City of Cambridge recognizes the inherent risk of injury of laser pointers when used inappropriately and established this regulation to protect the health and safety of its citizens.

Section 1. Definitions:

For purposes of this Ordinance, the following definitions shall apply:

(A) "Laser pointer" means by devise that emits light amplified by the stimulated emission of radiation that is visible to the human eye.

(B) "Person" means any natural person, corporation, partnership, firm, organization or other legal entity.

(C) "Public space" means a place to which the public has a right to access, and includes, but is not limited to any street, highway, parking lot, plaza, transportation facility, place of amusement, park, or playground.

(D) "School premises" means the buildings, grounds, or facilities, or any portion thereof, owned, occupied, or under the custody or control of public or private institutions for the primary purpose of providing educational and recreational instruction to students.

Section 2: Sales to Minors Prohibited

It shall be unlawful for any person to give, sell or offer for sale or cause any person to give, sell or offer to sell a laser pointer to any individual eighteen years of age and younger.

Section 3: Sales Restricted

(a) No person shall sell or offer for sale laser pointers by means of a self service display unless such display is located within 10 feet of the checkout counter and is in plain view of the cashier or person on duty and in charge of the establishment.

(b) No person shall display laser pointers in any manner or post a sign advertising the availability of laser pointers unless a notice has been posted to it indicating that the sale or giving of laser pointers to persons eighteen years of age or younger is a violation of this ordinance.

Section 4: Possession Restricted

(a) No person twenty years of age and younger shall possess a laser pointer on school premises; and

(b) No person eighteen years of age and younger shall possess a laser pointer while in a public space; provided, however, that nothing in this section shall preclude:

(1) the possession on school premises of a laser pointer by a person twenty years of age or younger for a valid instructional, school-related or employment purpose, where such laser pointer is used under the supervision of a school staff person, other authorized instructor, or parent; or

(2) the possession in a public space of a laser pointer by a person eighteen years of age and younger, during such person's hours of employment, for a valid employment purpose where such laser pointer is used under the supervision of the employer or its agent.

Section 5: Harassment by Laser Beams Prohibited

No person shall focus, point or shine a laser beam directly or indirectly on another person or moving vehicle in such a manner as is intended to harass or annoy said person or any person operating a moving vehicle.

Section 6: Penalty

Any person found to be in violation of this ordinance shall be fined $300.00 per offense. Enforcement of this ordinance shall be by non-criminal disposition as provided by in M.G.L. Chapter 40, Section 21D or by filing a criminal complaint at the appropriate venue.

Section 7: Effective Date

This ordinance shall take effect upon its passage.

Passed to a second reading at the City Council meeting on April 5, 1999 and on or after April 19, 1999 the question comes on passing to be ordained

ATTEST:
D. Margaret Drury
City Clerk

#819315
Cambridge Chronicle, 4/8/99

Martin Estate

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
PROBATE OF WILL AND
CODICIL(S) WITH/WITHOUT SURETIES
MIDDLESEX, SS DIVISION
DOCKET NO. 99P1374EP
ESTATE OF Gloria M. Martin
also known as Gloria Mary Martin
LATE OF Cambridge
IN THE COUNTY OF MIDDLESEX
NOTICE

A petition has been presented in the above captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Joseph Martin of Cambridge in the County of Middlesex be appointed executor without giving surety on his bond.

If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 a.m. in the forenoon on April 27, 1999.

In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16.

WITNESS, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twenty third day of March in the year of our Lord one thousand nine hundred ninety nine.

Marie A. Gardin
ACTING REGISTER OF PROBATE
COURT

AD#817798
Cambridge Chronicle, 4/8/99

Moving Bids

LEGAL NOTICE
INVITATION FOR BIDS

The Cambridge Housing Authority invites sealed bids to perform moving services for eviction cases for a period of one year. Services will include moving and storage of personal items belonging to public housing tenants who are being evicted. The term of this contract will be for one year, beginning May 1, 1999 and ending April 30, 2000.

Specifications and bidding documents will be available until the date and time set for bid opening. There is no charge for the documents which will be mailed on request or may be picked up at the Cambridge Housing Authority, Legal Department, 675 Massachusetts Avenue, Cambridge, MA 02139, (617)520-6242.

Bids will be subject to approval and award by the Cambridge Housing Authority Board of Commissioners. Bids will be irrevocable for a period of 30 days from the date of Bid opening.

The Cambridge Housing Authority reserves the right to reject any or all bids, and to waive informalities.

Bids must be received by at the offices of the Cambridge housing Authority, 675 Massachusetts Avenue, Cambridge, MA 02139 no later than 11:00 a.m. on April 30, 1999. At that time, all bids will be publicly opened and read aloud.

Ad#817796
Cambridge Chronicle, 4/8 & 4/15/99

Non-Residential Parking Spaces

LEGAL NOTICE
CITY OF CAMBRIDGE
ORDINANCE #1220
FINAL PUBLICATION NUMBER 2833
FIRST PUBLICATION IN THE
CHRONICLE ON MARCH 18, 1999
IN THE YEAR ONE THOUSAND, NINE
HUNDRED NINETY NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:
That the text of Article 11.502 of the Zoning Ordinance of the City of Cambridge be amended by adding after the words "The provisions of the Section 11.500 apply to all new construction of 50,000 square feet or more gross floor area" the words "or new construction of a parking facility which will cause such facility to have a new increase of more than 150 in the number of non-residential parking spaces."

In City Council April 5, 1999
Passed to be Ordained as Amended by a yea and nay vote: -
Yeas 6; Nays 3; Absent 0

ATTEST:
D. Margaret Drury
City Clerk

Ad#819285
Cambridge Chronicle, 4/8/99

ORDINANCE #1220

LEGAL NOTICE
CITY OF CAMBRIDGE
FINAL PUBLICATION #2833
FIRST PUBLICATION IN THE
CHRONICLE ON MARCH 18, 1999
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY NINE
AN ORDINANCE

In amendment to the "Zoning Ordinance of the City of Cambridge"

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

That the **text of Article 11.502** of the Zoning Ordinance of the City of Cambridge be amended by adding after the words "The provisions of the section 11.500 apply to all new construction of 50,000 square feet or more gross floor area" the words "or new construction of a parking facility which will cause such facility to have net increase of more than 150 in the number of non-residential parking spaces"

In City Council April 5, 1999. Passed to be Ordained, as Amended by a yea and nay vote: Yeas 6; Nays 3; Absent 0.

ATTEST: D. Margaret Drury
City Clerk

AD#818938
Cambridge Chronicle 4/8/99

Planning Overlay Special Permit

LEGAL NOTICE
ORDINANCE #1221
FINAL PUBLICATION NUMBER 2834
FIRST PUBLICATION IN THE
CHRONICLE
ON MARCH 18, 1999
CITY OF CAMBRIDGE
IN THE YEAR ONE THOUSAND NINE
HUNDRED NINETY NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

Amend the text of the Zoning Ordinance of the City of Cambridge by striking Section 11.511 in its entirety and replacing it with the following Section 11.511 as follows:

A Planning Overlay Special Permit shall be required from the Planning Board for all projects subject to Section 11.502. The Planning Board may request reports from the Community Development Department, Conservation Commission, Historical Commission or other pertinent boards or commissions regarding compliance with Growth Policies 13, 27, 39 and 66 as set forth in Section 11.512. Before a building permit for a project to which Paragraph 11.502 applies can be issued, the project must receive a "Planning Overlay Special Permit". The application for the Planning Overlay Special Permit may be simultaneous with the application to the Planning Board for other special permits. No application for this permit will be accepted unless it is accompanied, at a minimum, by the following documents:

(a) the information required by the Large Project Submittal Requirements as described in Paragraph 1.45 of this Ordinance.

(b0 a traffic study certified as being done in a complete and reliable manner by the Traffic, Parking and Transportation Department. The required traffic study shall include information on Parking Transportation Demand Management measures which may mitigate projected traffic impacts. Such certifications must be issued, or denied within ten (10) days of its request and must only certify the methodology used and not necessarily the accuracy of the data.

Any applicant who has been granted a special permit prior to the effective date of this amendment must apply for a "Planning Overlay Special Permit" by no later than sixty days (60) after the issuance of the original special permit.

In City Council April 5, 1999
Passed to be Ordained as Amended by a yea and nay vote: -
Yeas 9; Nays 0; Absent 0
ATTEST:
D. Margaret Drury
City Clerk

Ad#819286
Cambridge Chronicle, 4/8/99

PURCHASING BID

LEGAL NOTICE
CITY OF CAMBRIDGE
PURCHASING DEPARTMENT

Sealed bids will be received at the Office of the Purchasing Agent, Room 303, City Hall, Cambridge, Mass. 02139-3219, until 11:00 A.M. **APRIL 22, 1999** at which time and place they will be publicly opened and read for furnishing the following to the City of Cambridge:

WATER DEPARTMENT CHEMICALS
GLOVES (FIRE DEPARTMENT)
CARPET REPLACEMENT AT O'NEIL
GOLF COURSE CLUBHOUSE FILE NO.
3369A (2)

The City of Cambridge reserves the right to waive any minor informalities or to reject any or all bids if it is in the City's best interest to do so. Specifications may be obtained at the Office of the Purchasing Agent. Each bid must be in a sealed envelope marked "Bid for (Commodity/Service)" and addressed to Andrea J. Spears, Acting Purchasing Agent.

Andrea J. Spears
Acting Purchasing Agent

#819311
Cambridge Chronicle, 4/8/99

Putschar Estate

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 86P0151E
NOTICE OF
FIDUCIARY'S ACCOUNT

To all persons interested in the estate of FLORENCE A. PUTSCHAR late of CAMBRIDGE MIDDLESEX.

You are hereby notified pursuant to Mass. Civ. P. Rule 72 that the 1ST and Final account(s) of Walter G J Putschar, Executor as rendered by Tobias J. Brown, surviving Executor (the fiduciary) of said estate under the will of said deceased has been presented to said Court for allowance.

If you desire to preserve your right to file an objection to said account(s), you or your attorney must file a written appearance in said Court at Cambridge on or before the 21st day of April, 1999. the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to the attorney for the fiduciary, obtain with cost a copy of said account(s). If you desire to object to any item of said account(s), you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R. Civ. P. Rule 5.

WITNESS, Sheila E. McGovern, Esquire, First Justice of Said Court at Cambridge this 19th day of MARCH, 1999.

Marie A. Gardin
Register of Probate

AD#817983
Cambridge Chronicle, 4/8/99

REGULATION 99-09

LEGAL NOTICE
REGULATION NO. 99-09

By force of the power vested in me by Special Act of the Legislature of 1961 (Chapter 455), I hereby amend the Traffic Regulations of the City of Cambridge by adding the following regulation.

Regulation No. 66-1 Schedule 10 Title "PARKING TIME LIMITED ON CERTAIN SIDES OF CERTAIN STREETS" is hereby amended by adding the following:

Plympton Street, East Side, from Memorial Drive to Mill Street, 8:00 A.M. to 6:00 P.M., for 2 Hours

This regulation shall take effect 20 April 1999.

PROMULGATED
DATE
29 March 1999

Susan E. Clippinger
Director

#819331
Cambridge Chronicle, 4/8, 4/15, 4/22/99

To place your legal notice call
1-800-624-7355 or fax to
781-453-6650.

and will be deemed to be included in the contract as if written out in full.

The successful bidder will be required to furnish a Performance Bond and Payment Bond as set forth in the Specifications, each in the full amount of the contract.

The Awarding Authority reserves the right to reject any and all bids and to waive any informalities in the bidding if it is in the public interest to do so. The Cambridge Housing Authority also reserves the right to reject the bids if less than three bids are received.

The Cambridge Housing Authority is a tax-exempt organization. Bids shall not include sales tax on any and all building materials and supplies required for the work of the project. The exemption number assigned to the Authority will be given to the General Contractor at the Preconstruction Conference.

No interpretations of the meaning of the plans, specifications, and other pre-bid documents shall be made to any bidder orally. Every request for such interpretation must be in writing to the Architect:

Schreiber Associates
370 Washington Street
Brookline, Massachusetts, 02445
ATTN: Kathy Schreiber
Fax #617-566-0845

ALL BIDDERS PLEASE NOTE:

Equal Employment Opportunity guidelines regarding minorities and females shall be strictly enforced on this project. Please refer to Labor Regulations of the general requirements.

AD #801487
Cambridge Chronicle, 3/18/99

LODGING HOUSE LICENSE

LEGAL NOTICE
CITY OF CAMBRIDGE
BOARD OF
LICENSE COMMISSIONERS

Notice is hereby given that the License Commission will hold a policy hearing on whether to amend the rules and regulations of the Lodging House/Innholder category as passed on January 27, 1997 and under M.G.L. c.140, s. 22-32 and Special Acts of 1922, Chapter 95, to require a permit for possession of kegs and beer on the premises.

A hearing on this application will be held on Tuesday evening, March 30, 1999 at six o'clock in the Michael J. Lombardi Municipal Building, 831 Massachusetts Avenue, Basement Conference Room, Cambridge, MA 02139. Anyone wishing to make comments should contact Richard V. Scali, Executive Officer, in writing or attend the hearing

Benjamin Barnes
Kevin Fitzgerald
Henry Breen
License Commission

AD #801333
Cambridge Chronicle, 3/18/99

MCDONALD SUMMONS

LEGAL NOTICE
COMMONWEALTH OF
MASSACHUSETTS
THE TRIAL COURT
THE PROBATE AND FAMILY
COURT DEPARTMENT
MIDDLESEX DIVISION
DOCKET NO. 99E-0012GC
SUMMONS

FAITH MCDONALD EXTRIX. UNDER THE WILL OF ELLEN ELLINOR PEDERSEN LATE OF CAMBRIDGE, DECEASED, Plaintiff v.
MARGIT BERTHELSEN, JENS THORMOD PEDERSEN, VILLY PEDERSEN, ARNE PEDERSEN, ASGER PEDERSEN, IVONILDA PEDERSEN, EDGARD PEDERSEN, AND FINN I. LUDER, Defendants
To the above-named Defendant:

You are hereby summoned and required to serve upon Kevin P. Crane, plaintiff's attorney, whose address is 104 Mount Auburn St., P.O. Box 381030, Cambridge, MA 02238 an answer to the complaint which is filed in said Court and Demands which appear in this summons within 20 days after APRIL 2, 1999. If you fail to do so, judgment by default will be taken against you. You are also required to file your answer to the complaint in the office of the Register of this Court at CAMBRIDGE either before service upon plaintiff's attorney or within a reasonable time thereafter.

Unless otherwise provided by Rule 13(a), Mass. R. Civ. P., your answer must state as a counterclaim any claim which you may have against the plaintiff which arises out of the transaction or occurrence that is the subject matter of plaintiff's claim or you will thereafter be barred from making such claim in any other action.

Witness, SHEILA E. McGOVERN, Esquire, First Justice of said Court at CAMBRIDGE

February 16, 1999

Marie A. Gardin
Acting Register of Probate

DEMANDS OF COMPLAINT:

Instructions as to the proper allocation of the settlement proceeds of a certain wrongful death action and their subsequent distribution.

AD #786415
Cambridge Chronicle, 3/4, 3/11, 3/18/99

ORDINANCE 2829

LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2829
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

That the text of Article 11.502 of the Zoning Ordinance of the City of Cambridge be amended by adding after the words "The provisions of this section 11.500 apply to all new construction of 50,000 square feet or more gross floor area" the words "or of more than 150 spaces in a parking facility."

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801682
Cambridge Chronicle, 3/18/99

ORDINANCE 2830

LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2830
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

Amend the text of the Zoning Ordinance of the City of Cambridge by striking Section 11.511 and replacing it with the following Section 11.511 as follows:

11.511 Before a building permit or a special permit for a project to which paragraph 11.502 applies can be issued, the project must receive a special permit called "planning overlay special permit." The application for the planning overlay special permit may be simultaneous with the application to the Planning Board for other special permits. No application for this permit will be accepted unless it is accompanied, at a minimum, by the following documents:

(a) the information required by the Large Project Submittal Requirements as described in paragraph 11.45 of this Ordinance.

(b) a traffic study certified as being done in a complete and reliable manner by the Traffic and Parking Department. Such certification must be issued or denied within ten (ten) days of its request and must only certify the methodology used, not necessarily the accuracy of the data.

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801683
Cambridge Chronicle, 3/18/99

ORDINANCE 2831

LEGAL NOTICE
CITY OF CAMBRIDGE
FIRST PUBLICATION #2831
IN THE YEAR ONE THOUSAND,
NINE HUNDRED NINETY-NINE
AN ORDINANCE

In Amendment to the "Zoning Ordinance of the City of Cambridge"

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

1) Change provisions of PUD-3 district to increase requirement for open space and provide for publicly beneficial active recreational use.
A) Insert a new 13.45: - The minimum ratio of open space to the total area of the development parcel as defined at Article 2.000 and Section 5.22 shall be 50 percent.
B) Eliminate existing 13.45.1 and substitute existing 13.45.2. Open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, and active recreational uses.
C) 13.45.2 Limitation on Construction Below Existing Grade. No portion of a building or structure, including parking structures, shall be located below the existing mean grade of the ground adjacent to the proposed building or structure prior to construction except as may be required to reasonably accommodate necessary utility systems and building foundations (e.g. elevator shafts, foundation pilings, etc.)
D. 13.43.1 For maximum ratio of floor area to total area of development substitute 2 for 3.

2) Change requirements for open space in the Office 3A district
A) In Table 5.2 Column (7) minimum ratio of usable open space to lot areas substitute 50% for existing 10% requirement.
B) Add footnote e. to Office 3A, Limitation on Construction Below Existing Grade. No portion of a building or structure, including parking structures, shall be located below the existing mean grade of the ground adjacent to the proposed building or structure prior to construction except as may be required to reasonably accommodate necessary utility systems and building foundations (e.g. elevator shafts, foundation pilings, etc.)
C) Add footnote F. to Office 3A Open space shall include parks, plazas, landscaped areas open to the sky, playgrounds, and active recreational uses.
D) Column 1 Maximum ratio of Floor Area to Lot Area: Substitute 2 for 3

3. Change existing 1B-1 district bounded the centerlines of Binney Street, Third Street, Doc Linksey Way and Second Street to Office 3-A.

Passed to a second reading at the City Council meeting held on March 15, 1999 and on or after March 29, 1999 the question comes on passing to be ordained.

ATTEST:-
D. Margaret Drury
City Clerk

AD #801684
Cambridge Chronicle, 3/18/99

Bailey competes 'n U.S. swim meet

Thomas Bailey, Cambridge resident and member of the Mass Bay Marlins swim team, recently competed in the New England U.S. Swimming Championships for the 11-12 age group held at Salem State College.

Bailey, who recently turned 12, shaved 17 seconds off his 500-yard freestyle, finishing with a time of 5:31.26 and placing fifth. This was an outstanding showing given that three of the boys placing ahead of him had already turned 13 but were allowed to compete in the meet because pool scheduling conflicts had resulted in the 13-14 New England championships being held prior to the 11-12 championships.

A powerful distance swimmer, Bailey performed well in the 200-yard freestyle, placing seventh in a time of 2:07.12, eighth in the 200 individual medley in 2:24.53 and eighth in the 100-yard butterfly in 1:08.14. He swam in nine events over the three-day meet and qualified in the finals or consolation finals in all nine events with personal best times.

Based on his strong performance, he has been selected to represent New England and compete in the Northeast Zone Competition to be held April 1-4 in Philadelphia. There he will be joined by two other Cambridge residents — his brother James Bailey and Christopher Barnes also of the Mass Bay Marlins who have been selected as New England U.S. swim representatives in the 13-14 age group.

Soccer teams storm past foes

The Cambridge Tsunami under-16 boys team defeated the Woburn Tanners 7-2 Sunday.

Cambridge goalkeeper Collie Wendel made some outstanding saves, while Junior Desrosiers led the Cambridge offense with three goals.

Ian Chester, Nikias Stefanakis, Micah Pierce and Jake Hannon kept on the offensive pressure, while Nick Petschek, Ian Milligan-Pate, and Noah Sussman protected and controlled Cambridge's passing game in the midfield and defensive half. The Tsunami are now 3-0 this season.

In other indoor action, the Cambridge Samba, a men's open team featuring high school players and junior varsity team alumni from Cambridge Rindge and Latin School, defeated Avid Technologies Sunday at Acton Indoor Sports with a double-digit margin.

Josh Sussman, Felipe Vega, Alvaro Santalices, David Villalobos, Peter Mlaguzi, Javi Mejia-Blau, Anderson Dos Santos, Geraldo Moreira, Ian Milligan-Pate, Justin Colannino and Collie Wendel filled out the roster for the game, with goals contributed by Moreira, Santalices, Vega, Dos Santos and Mlaguzi.

Wendel went on to tend the goal for an undermanned team playing next, leading his team to a hard-fought 5-4 victory. The Samba are now 3-1, losing only to Harvard's

Call for Falcons info

Information about Cambridge Rindge and Latin School spring sports teams is available through the Department of Athletics.

The department's phone numbers are 349-6690, 349-6696 and 349-6020. The CRLS sports hotline number is 349-6019.

The director of Health, Physical Education and Athletics is William E. Bates. The athletic administrative staff includes: Michael Weaver, teacher in charge; Charles Killilea, faculty manager; Kara Welch-Brown, sports medicine/trainer; Annie Powers, secretary.

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290

2 of 3

Parking and Transportation Demand Management (PTDM) Ordinance
November 16, 1998

11/16/98

Parking and Transportation Demand Management (PTDM) Ordinance

Passed to be ordained as amended 9-0-0.

C. C. 106

3.

City of Cambridge

The Ordinance Committee held a public meeting on September 16, 1998, beginning at 5:30 p.m. in the Sullivan chamber for the purpose of continuing discussion of a proposed amendment to the Municipal Code entitled the "Parking and Transportation Demand Management (PTDM) Ordinance.

Present at the hearing were Councillor Henrietta Davis, Chair of the Committee, Councillor Kathleen Leahy Born, and City Clerk D. Margaret Drury. Also present were Beth Rubenstein, Acting Assistant City Manager for Community Development, Donald Drisdell, Deputy City Solicitor.

Councillor Davis convened the hearing and explained the purpose. She invited Beth Rubenstein to describe interim progress on resolving the outstanding issues described at the last Ordinance Committee meeting on this subject.

Ms. Rubenstein submitted a revised draft of the proposed ordinance (attached) and outlined the changes the Community Development Department staff has made in the proposal:

- Added a time to cure noncompliance before penalties kick in. (page18)
- Clarified the appeal process. (page 13)
- Clarified the relation of this ordinance to the zoning ordinance. Changes to the number of parking spaces may be part of a Parking Transportation Demand Management plan, but there will be no attempt to coerce or require such changes. (page 14)
- Added more time for compliance when there is a new owner due to death, etc. (page 14)
- Clarified the effect of minor changes in use of parking spaces. (page 13)
- On page two added, a new "whereas" for further clarification.
- On page twelve, changed the proposal to include basis for percent reduction requirements.

Ms. Rubenstein stated that since the first introduction of this ordinance over a year ago, there has been a lot of very good input from concerned residents and members of the business community.

Councillor Davis then invited public testimony.

Michael Halle, 2 Westacott Court, member of the Bicycle Committee, stated that there are many people who care a lot about vehicle trip reduction. The ordinance is technical, so there not necessarily a lot of those people here to testify, but they support the purpose of the ordinance and the effect it will have.

Elie Yarden, 143 Pleasant Street, spoke in favor of forwarding the proposed ordinance to the City Council at this time. He stated that all of the consequences of this ordinance cannot be foreseen. He has begun to worry about the problem of this ordinance making room on the roads for more cars. During a recent trip to Los Angeles, he saw that people were perfectly willing to wait in traffic for a hour to go 5 miles as long as the car was equipped with air conditioning a cellular phone and a CD player. Mr. Yarden also said that there should be no minimum number of parking spaces in zoning law.

Ted Hollman, Holworthy Street, stated that for the ordinance to become successful, good coordination and cooperation with the private sector is necessary. If the business community sees the benefits, the ordinance has a good chance of succeeding.

Councillor Born asked why it is taking so long to finalize this proposal, and what is the present status of the parking freeze.

Ms. Rubenstein said that part of the reason for the time is because the business community had several concerns and Community Development Department has worked to try to clarify language and respond to these concerns.

With regard to the parking freeze, the City has been working with the state Department of Environmental Protection, and has entered into an agreement to end the commercial parking freeze. The agreement was entered into last December. There is one more step required; the federal Environmental Protection Agency must approve the agreement.

Attorney Drisdell stated that the parking freeze technically only applied to commercial parking, which means off-street parking spaces available to the general public for a fee, not employee parking. In exchange for removing the commercial parking freeze, the city agreed that for any increase in commercial parking, there will be an offset by other reductions in single vehicle occupancy trips.

Councillor Born asked whether a developer is free to build a 1000 parking garage for its employees if the developer had the necessary zoning approvals, etc. Mr. Drisdell answered in the affirmative.

Councillor Born asked whether changes in the zoning, such as reducing lessening the required parking or the density would constitute a demonstration of offset.

Mr. Drisdell stated that the argument is often made that reducing required parking does not reduce the number of cars; it just results in additional cars parked on the streets.

Ms. Rubenstein said that while the city is interested in looking at the relation between density and traffic, there is not necessarily a one-to-one reduction; it is a complex issue.

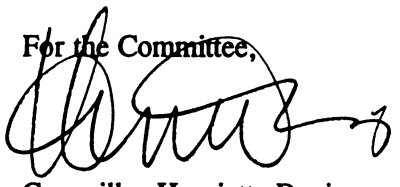
Stash Horowitz, 12 Florence Street, co-chair of Cambridgeport Neighborhood Initiative (CNI), stated that many positive meetings among citizens, Community Development Department staff, traffic experts and developers have taken place in connection with the issue. Community Development staff looked carefully at Spaulding & Slye's proposed Parking Transportation Demand Management plan and improved it. CNI applauds this work. Mr. Horowitz stated that there was also positive cooperative work that led to a change in the signal times on Memorial Drive. He stated that Cambridge is moving in the right direction, although he personally believes this proposed ordinance is too weak. To vote down this meager step in the right direction would be to send the wrong message.

Attorney Drisdell stated that there was never any link between the Parking Transportation Demand Management ordinance and the City's negotiations with respect to the Charles River Crossing.

Councillor Born moved that the proposed ordinance be a referred to the full City Council with a favorable recommendation. The motion passed without objection on a voice vote.

Councillor Davis thanked all those present for their attendance. The meeting was adjourned at 6:17 p.m.

For the Committee,



Councillor Henrietta Davis,
Chair

DRAFT

Cambridge Law Department
September 16, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, it is the intent of this Ordinance to manage the parking and transportation demand through encouragement of alternative transportation options and reduction of Single Occupancy Vehicle trips in the City; and,

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken

consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements

10.__070 Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating

license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group ~~of~~ of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly

authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this chapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-

commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following facts, projections ~~factors~~ and commitments:

(i) Facts and Projections~~Factors~~:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;

- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a detailed description of the measures ~~programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge. The percent reduction will be based on PTDM practices successfully implemented in reasonably comparable environments and as identified in professional and academic literature and based on analysis of existing trip reduction measures in Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan [~~and the proposed requested number of parking spaces for each category of use~~] based on the above-listed facts, projections, ~~factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within 90 ~~60~~ days of receipt of the proposed PTDM Plan. The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan. [~~If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed.~~] If the project proponent elects to make a request pursuant to 10.__.060, the decision of the Planning Officer shall be expanded to ~~also~~ include a recommendation about whether offsite parking should be

allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, or his designee, ~~the Director~~ and two ~~one~~ other City staff members ~~person~~ designated by the City Manager none of whom may have participated ~~and who did not participate~~ in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.

(g) Approvals issued by the Planning Officer shall ~~not~~ be automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan~~, provided that the proposed new owner ~~or operator~~ (the "Transferee") shall continue to operate under the existing PTDM Plan and shall ~~either~~ submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect~~, or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan. In the event the Transferee elects to submit a~~ The certification~~, it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility; (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer within thirty (30) days of title transfer regarding appropriate revisions to the existing plan~~, then~~ Bbased on such consultation, the Planning Officer may require information from the Transferee ~~proposed new owner and/or operator~~ concerning ~~(i) likely~~ proposed changes in use of the parking facility and associated buildings and~~; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes~~, and commitment of the proposed new owner and/or operator to~~

~~implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval of the revised plan ~~for the transfer of the existing PTDM Plan~~ and obligations to the Transferee, ~~proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the Transferee ~~proposed new owner and/or operator~~ for review, condition, approval and/or denial. Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including annual ~~periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Upon the written request of the project proponent, Bbased on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer may ~~shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) ~~At its option, a~~ A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Upon the written request of the project proponent, Bbased on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer may ~~shall~~ make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of

measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall provide a first written notice of violation to ~~notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director ~~Such order~~ may order ~~require~~ shutdown of the parking facility. Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice. A determination and order of the Director may be

appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

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C. C. 106

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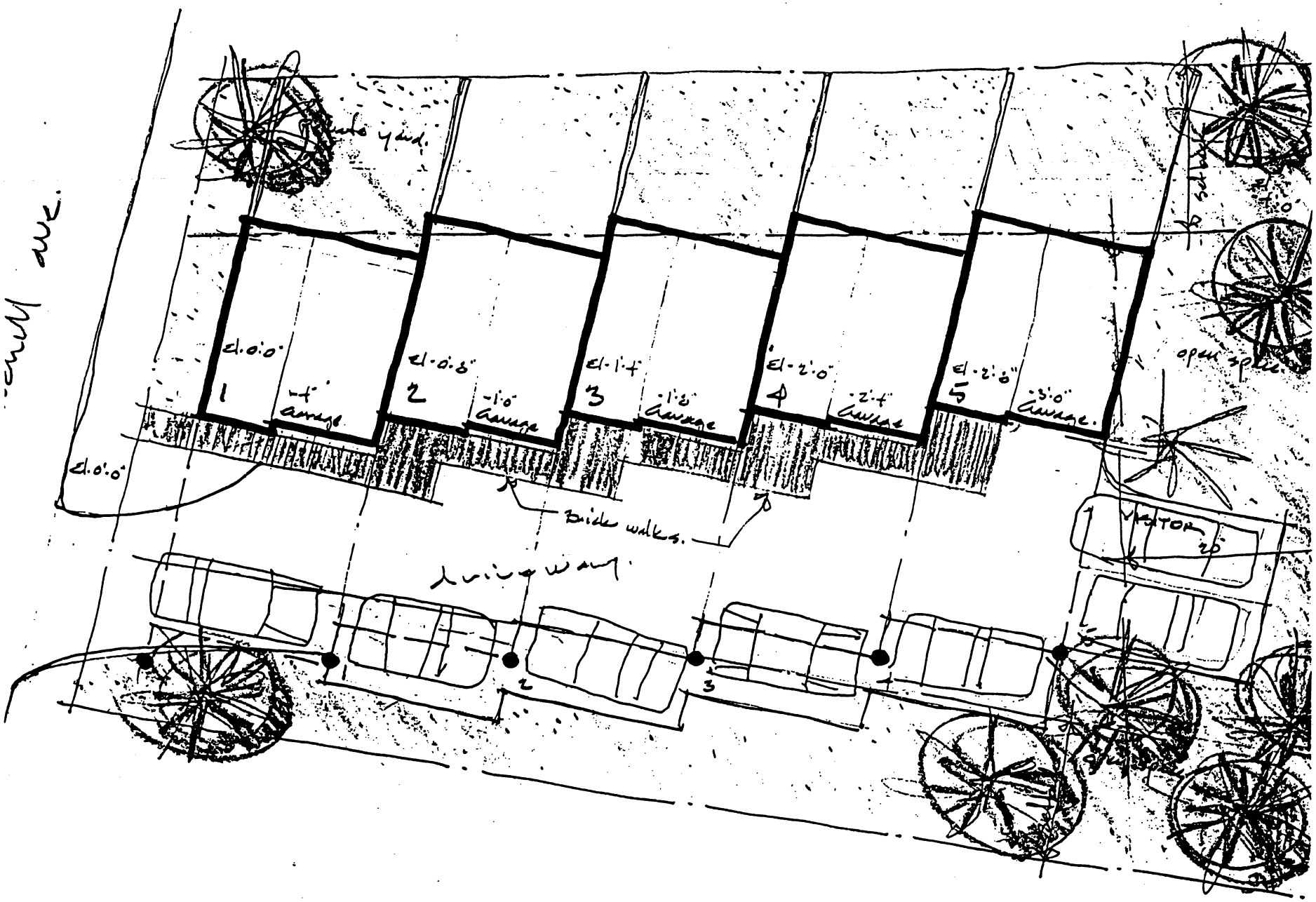
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COMMUNITY DEVELOPMENT DEPARTMENT

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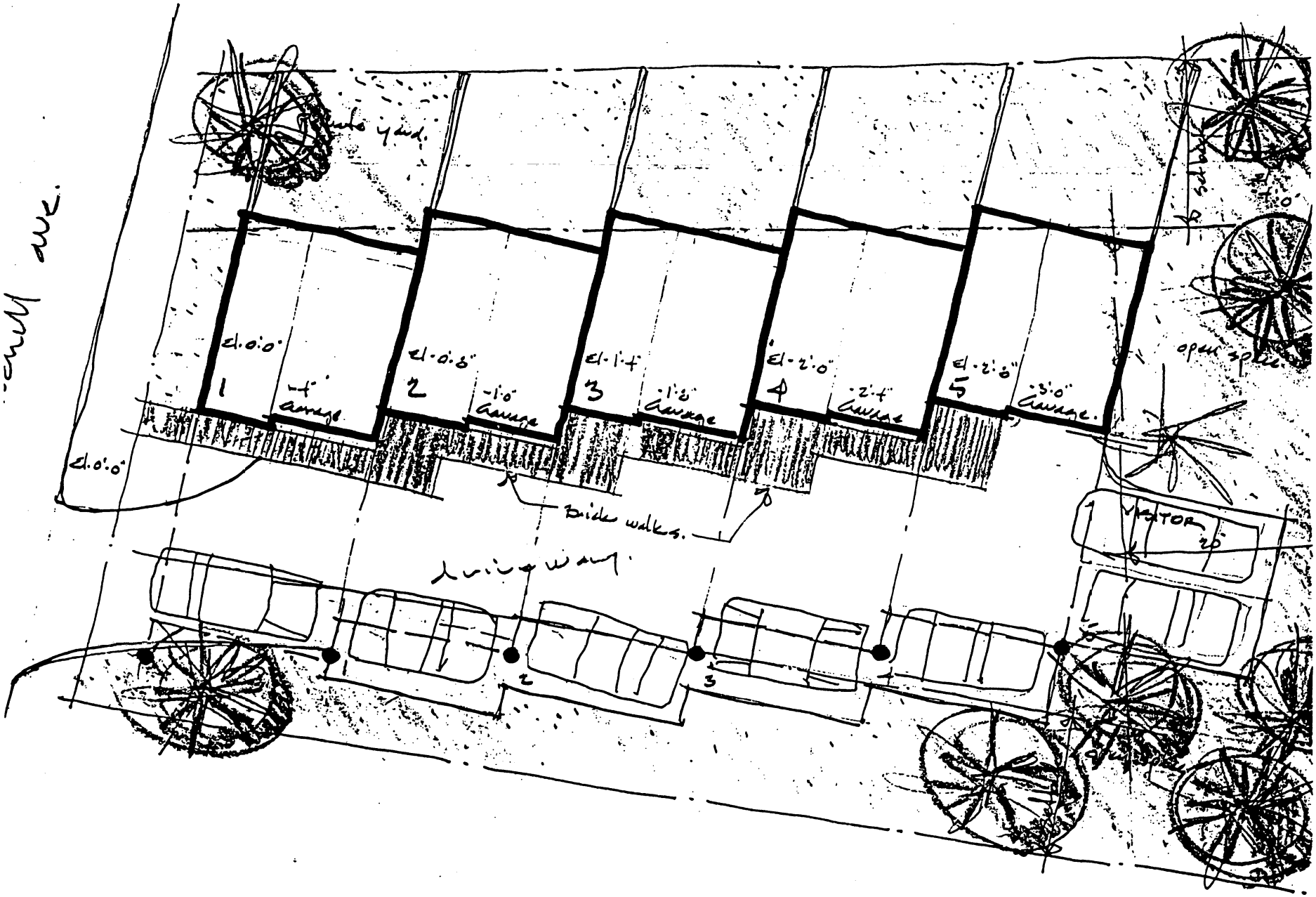
el. 0'-0"
1
4" curve
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2
1'-0" curve
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3
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4
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5
3'-0" curve
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side walks.
VISITOR
2
1
2
3

C. C. 106

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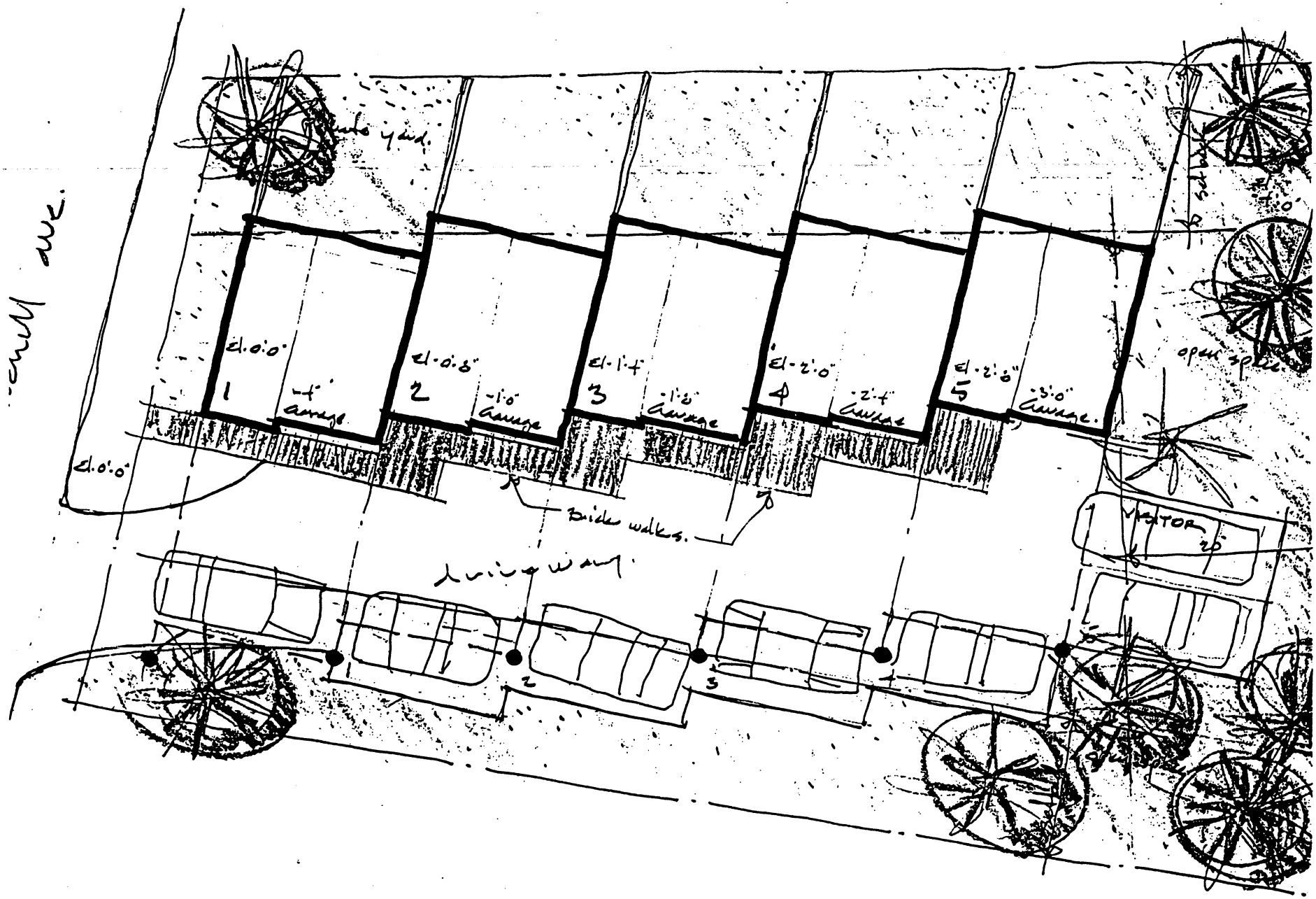
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Councillor Born moved that the petition be referred to the full City Council without recommendation. The motion passed without objection. Councillor Davis thanked all those present for their attendance and the hearing was adjourned at 7:15 p.m.

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Councillor Henrietta Davis,

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1.00 Said area includes all or parts of the following parcels of land:

1.01 Premises shown on Assessor's Plat #184.

Lots # 7, 8, 9, 10, 11, and 12;

Inclusive of addresses 8-22 Churchill Avenue, 9-21 Clarendon Avenue, 2519-2525 Massachusetts Avenue..

C-3
Churchill
Clarendon
Massachusetts
A-2

CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT

SUSAN B. SCHLESINGER
Assistant City Manager for Community Development

BETH RUBENSTEIN
Deputy Director for Community Development

Churchill Avenue Petition

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AT B: 2.49 units

16 Churchill Avenue: 1995 square feet

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City Hall Annex
57 Inman Street
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Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621

submitted 9/16/98 at hearing

CAMBRIDGE HOUSING AUTHORITY

675 MASSACHUSETTS AVENUE., CAMBRIDGE, MA 02139

(617) 864-3020

September 16, 1998

The Honorable Henrietta Davis
Chair, Committee on Ordinances
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

RE: Downzoning Petition for parcels located between Clarendon Avenue and Churchill Avenues

Dear Councilor Davis:

The Cambridge Housing Authority is an abutter to the parcels to be effected by the proposed downzoning petition referenced above, which are located next to the Daniel F. Burns Apartments at Clarendon and Churchill Avenues.

CHA has reviewed the proposed change with respect to its potential impact on the Daniel F. Burns Apartments. CHA staff also attended the September 1, 1998 public hearing on the petition. I am writing at this time to indicate that the CHA has no objections to this proposal.

Sincerely yours,

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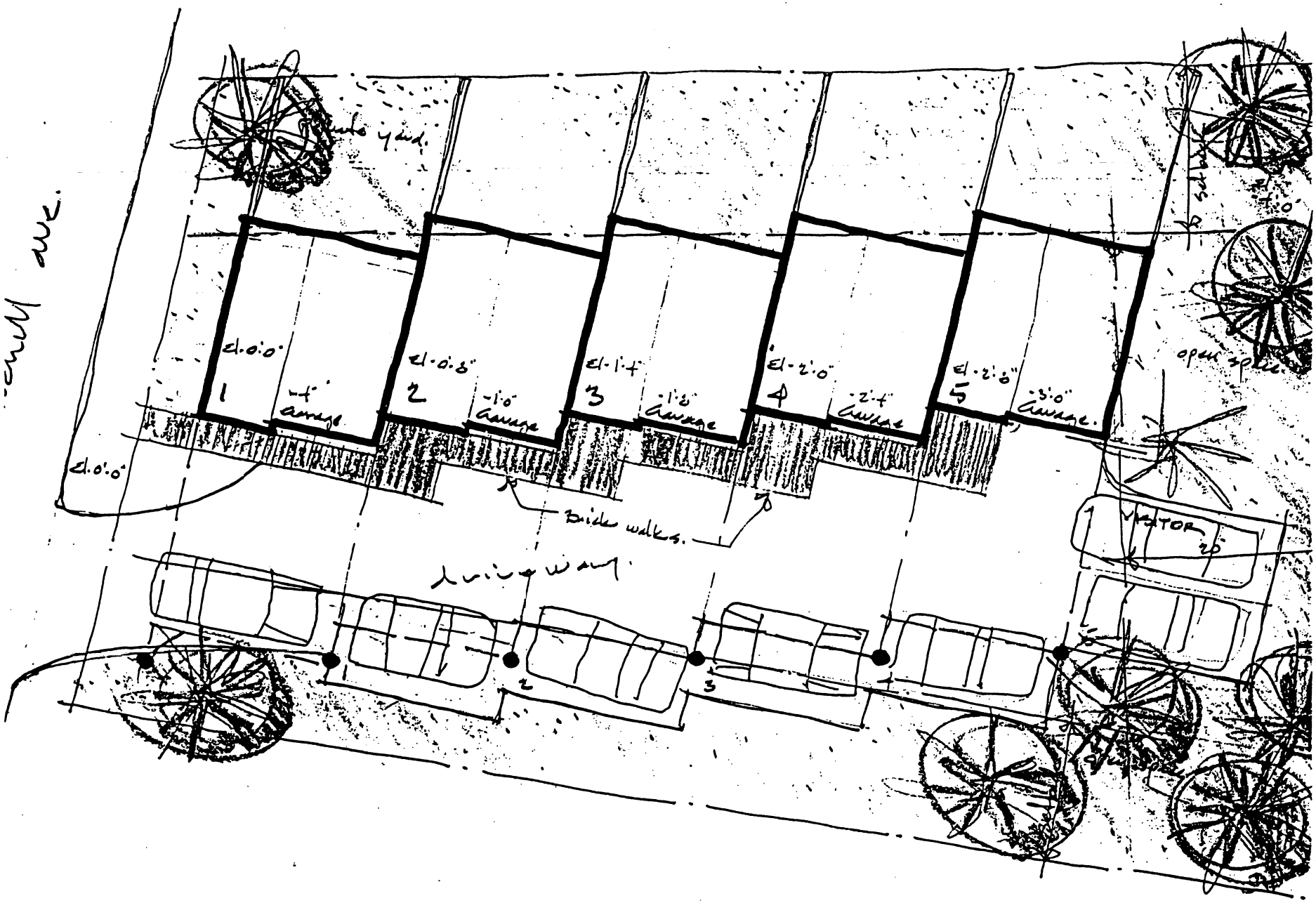
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1
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el. 0'-8"
2
1'-0" away
el. 1'-4"
3
1'-8" away
el. 2'-0"
4
2'-4" away
el. 2'-8"
5
3'-0" away
el. 0'-0"
Side walks.
open space
VISITOR
20'

C. C. 106

4.

City of Cambridge

The Ordinance Committee held a public hearing on September 16, 1998, beginning at 6:32 p.m. in the Sullivan Chamber for the purpose of considering a proposed zoning petition submitted by the Planning Board affecting several lots on Churchill and Clarendon Avenues.

Present at the hearing were Councillor Henrietta Davis, Chair of the Committee, Councillor Kathleen Leahy Born, and City Clerk D. Margaret Drury. Also present were Les Barber, Director of Land Use and Zoning Community Development Department, and Don Drisdell, Deputy City Solicitor.

Councillor Davis convened the hearing and explained the purpose. She invited Mr. Barber to explain the petition.

Mr. Barber stated that this petition is one element of a larger project in response to a City Council request that the Planning Board look at zoning to find and propose rezoning for "anomalous" zoning areas. This particular piece was advanced because there has been an application for a demolition permit, and neighbors have expressed concerns about the potential development as the area is currently zoned. The current zoning is C-3, and would allow 120 feet in height and an FAR of 3.0 The change would reduce the height to 35 feet and the FAR to .5.

The Planning Board had its hearing a few weeks ago. At that time the Planning Board heard from a developer who is proposing a five-unit development. The Planning Board may consider modifications to this proposal which would allow that type of development.

Councillor Born asked about the surrounding zoning. Mr. Barber stated that Churchill and Clarendon Streets are zoned Residence B. The Massachusetts Avenue area is zoned Business A-2, which allows a residential density of residence C-2 zoning, which is half that of Residence C-3. It would permit eleven units in the area of the proposed development.

Councillor Davis then invited testimony in support of the petition.

Paul Amato, 7 Muller Avenue, spoke in support of the petition. He has been a resident there for forty-one years. He was involved in the rezoning to allow the Burns Apartments, senior housing. At that time the neighborhood believed that only part of Churchill Avenue was being rezoned. Except for Burns Apartments, the residences are all two-unit houses.

The Churchill Avenue area is very congested and busy. Over 6,000 cars come up Churchill Avenue each day. Matignon students use this area. The corner is very dangerous. Only one sidewalk is used on Churchill Avenue. The other sidewalk, nobody uses. The property at 20-22 Churchill has been sold. Any new development should be at Residence B density.

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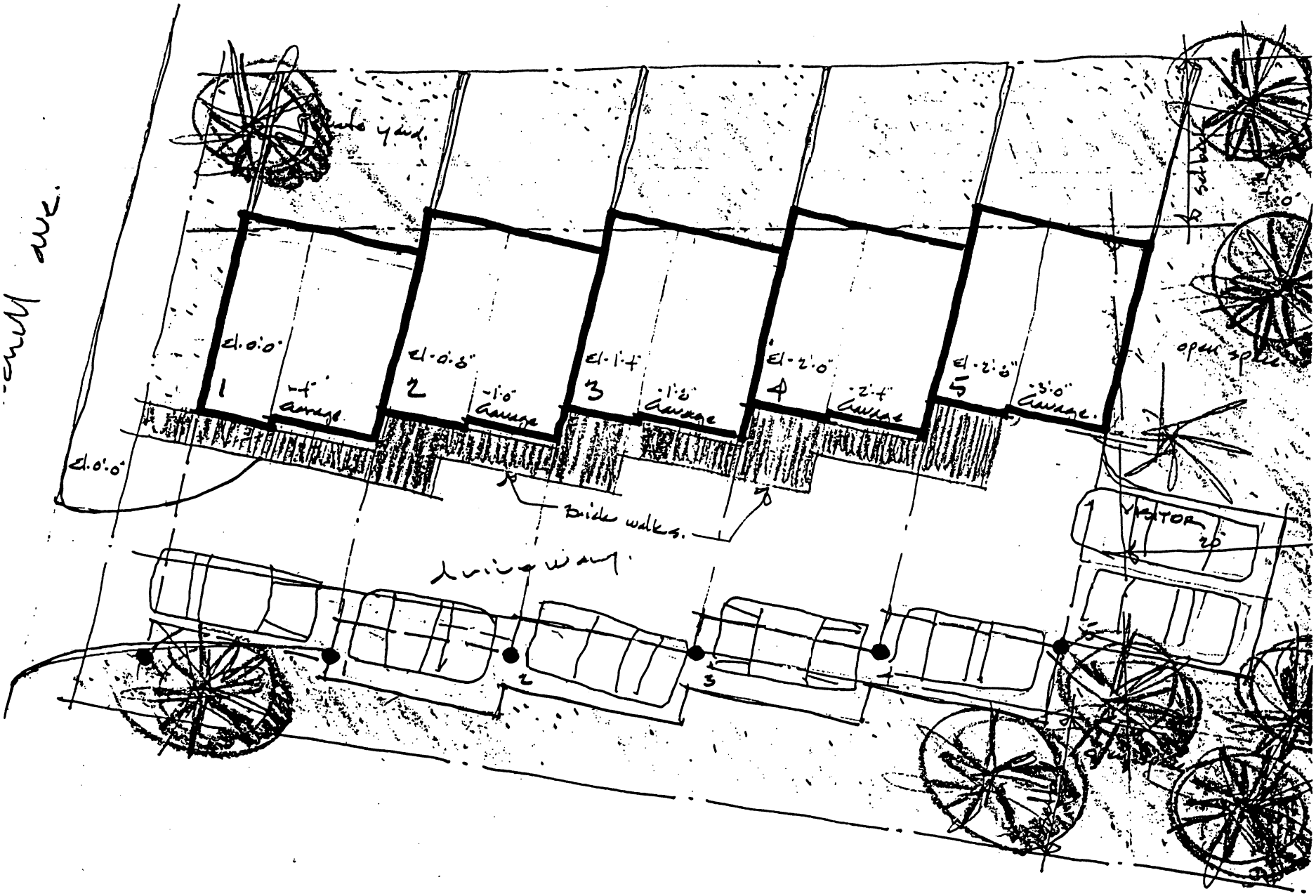
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2:4" change
el. 2:8"
5
3:0" change
el. 0:0"
Side walks.
VISITOR
2p
1
2
3

DRAFT

Cambridge Law Department
September 16, 1998

City of Cambridge

In the Year One Thousand Nine Hundred Ninety Eight.

AN ORDINANCE

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

WHEREAS, it is the policy of the City of Cambridge to reduce air pollution and traffic congestion by facilitating and encouraging non-automobile trips (such as public transit, private shuttle services, bicycle use and pedestrian mobility); reducing single-occupant vehicle (SOV) trips and vehicle miles traveled (VMT) in the City; and promoting the use of clean fuels; and

WHEREAS, the City already has in place a number of vehicle trip reduction programs, including programs: to reduce vehicle trips made by municipal employees; to provide services to assist private employers with the development of employee and customer vehicle trip reduction programs; to fund and expand local employment opportunities so that more residents of the City work within the City, thereby reducing their need for cars and reducing their employment-related VMT; to create and maintain the infrastructure necessary to support enhanced bicycling and pedestrian mobility within the City, including bicycle lanes, bicycle lockup facilities, widened sidewalks, and safer pedestrian crossings; to study and promote the use of clean fueled vehicle fleets by City departments and private owners of vehicle fleets in

the City; and to restrict the use of previously unregulated on-street parking spaces to discourage or eliminate their use for commuter purposes; and

WHEREAS, the City's programs have succeeded in reducing vehicle trips and vehicle miles traveled; and

WHEREAS, the City plans to continue to implement programs to reduce vehicle trips; and

WHEREAS, it is also the policy of the City to facilitate employment of Cambridge residents by attracting employment opportunities to the City, retaining employers, and encouraging private employers to hire Cambridge residents; and

WHEREAS, it is the intent of this Ordinance to manage the parking and transportation demand through encouragement of alternative transportation options and reduction of Single Occupancy Vehicle trips in the City; and,

WHEREAS, the City recognizes that some development projects depending on their nature, location, and population of employees, customers and visitors may require parking spaces; and

WHEREAS, the minimum parking space and maximum distance requirements set forth in the City's Zoning Ordinance may be inconsistent with efforts to reduce air pollution where an appropriate parking and transportation demand management plan exists for a project; and

WHEREAS, parking and transportation demand management planning can help ensure that proposed development projects and expansion of the parking supply are undertaken

consistently with the City's policies and without undermining the City's efforts to reduce air pollution, vehicle trips and traffic congestion; and

WHEREAS, to facilitate City planning, the number, use, and location of off-street parking spaces will be tracked by the City; and

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

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

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

Chapter 10.__

PARKING AND TRANSPORTATION DEMAND MANAGEMENT PLANNING; PARKING SPACE REGISTRATION

Sections:

10.__.010	Purpose
10.__.020	Definitions
10.__.030	PTDM Planning Officer
10.__.040	Registration of All Parking Spaces
10.__.050	Parking and Transportation Demand Management Plans
10.__.060	Reduction in Minimum Parking and Maximum Distance Requirements

10.__070 Requirements Applicable to Small Projects

10.__.080 Enforcement

10.__.010 Purpose

(a) It is the purpose of this Chapter to regulate and control atmospheric pollution from motor vehicles by formalizing parking and transportation demand management planning, programs, and coordination which have been ongoing for a number of years. This Chapter will reduce vehicle trips and traffic congestion within the City, thereby promoting public health, safety, and welfare and protecting the environment. This Chapter requires parking and transportation demand management (PTDM) plans for commercial parking facilities and other types of non-residential parking facilities over a specified size as set forth in 10.___.050 and 10.____.070. This Chapter also establishes a process whereby City officials will be able to track the number, use and location of off-street parking spaces in the City.

(b) A Parking and Transportation Demand Management Planning Officer will be designated by the City Manager with the responsibility for reviewing, conditioning, approving and/or denying PTDM plans. Any project subject to the requirements of this Chapter shall not be qualified to receive a permit from the Planning Board, a commercial parking permit from the Commercial Parking Control Committee, a special permit or variance from the Board of Zoning Appeal, a building permit from the Commissioner of Inspectional Services, a certificate of occupancy from the Commissioner of Inspectional Services, or an operating

license from the License Commission absent written approval of its PTDM plan from the PTDM Planning Officer or evidence of registration of its parking spaces with the Department of Traffic, Parking, and Transportation.

10.__.020 Definitions

"Commercial Parking Space" means a parking space available for use by the general public at any time for a fee. The term shall not include (i) parking spaces which are owned or operated by a commercial entity whose primary business is other than the operation of parking facilities, for the exclusive use of its lessees, employees, patrons, customers, clients, patients, guests or residents but which are not available for use by the general public; (ii) parking spaces restricted for the use of the residents of a specific residential building or group ~~of~~ of buildings; (iii) spaces located on public streets; or (iv) spaces located at a park-and-ride facility operated in conjunction with the Massachusetts Bay Transportation Authority.

"Commercial Parking Facility" means a parking facility owned or operated by a commercial entity whose primary business is the operation of a parking facility and at which there are at least five (5) Commercial Parking Spaces.

"Commercial Parking Permit" means a (i) permit issued under Chapter 10.16 of the Cambridge Municipal Code, authorizing the use of a designated number of parking spaces at a specified location as Commercial Parking Spaces; (ii) a permit or approval issued prior to the effective date of this Chapter pursuant to the Procedures, Criteria, and Memorandum of Agreement dated November 15, 1984; (iii) a Controlled Parking Facility Permit that expressly

authorizes use of the parking facility for Commercial Parking Spaces; or (iv) a letter from the Director confirming the number of spaces at a specified location that were in existence and being used as Commercial Parking Spaces as of October 15, 1973.

"Controlled Parking Facility Permit" (CPFP) means a permit issued by the Director prior to the effective date of this Chapter, which authorized the construction or operation of a parking space or the construction, operation, or modification of a parking facility.

"Determination of Exclusion" means a determination made by the Director ~~prior to the effective date of this Chapter~~ that a parking facility or a parking space did not require a controlled parking facility permit.

"Director" means Director of the Cambridge Department of Traffic, Parking, and Transportation.

"Effective Date" means the date of final adoption of this ~~c~~hapter of the Cambridge Municipal Code.

"Existing Parking Facility" shall mean a parking facility for which~~, on or before the effective date of this Chapter,~~ (i) a certificate of occupancy was issued by the Commissioner of Inspectional Services; (ii) an operating license was issued by the License Commission; or (iii) the Director issued a letter confirming the number of spaces at that location which spaces were in existence and being used as commercial parking spaces as of October 15, 1973 (a "Director's Letter").

"New Project" means a project to construct or operate parking spaces within a new facility or an existing parking facility which will cause such facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter.

"Parking Facility" means any lot, garage, building or structure or combination or portion thereof, on or in which motor vehicles are parked and in the case of university or college campuses, the stock of parking spaces maintained within the City by the university or college which supports university or college activities within the City.

"Person" means and includes a corporation, firm, partnership, association, executor, administrator, guardian, trustee, agent, organization, any state, regional or political subdivision, agency, department, authority or board, and any other group acting as a unit, as well as a natural person.

"Planning Officer" means the City official responsible for PTDM plan reviews.

"PTDM" means Parking and Transportation Demand Management.

"Small Project" means a project to construct or operate five (5) to nineteen (19) non-commercial, non-residential parking spaces within a new facility or an existing parking facility which will cause such Facility to have a net increase in the number of spaces for which a certificate of occupancy, operating license, or Director's Letter has not been issued as of the effective date of this Chapter. To qualify as a Small Project, the total number of non-

commercial, non-residential parking spaces at the parking facility must remain at or below nineteen (19).

10.__.030 PTDM Planning Officer

Within thirty (30) days of the effective date of this Chapter, the City Manager shall designate a Parking and Transportation Demand Management Planning Officer who shall have responsibility for reviewing, conditioning, approving, and/or denying PTDM plans and who shall report to the Assistant City Manager for Community Development. Prior to rendering his/her determination(s), the Planning Officer shall consult with the PTDM plan applicant the Director and the Assistant City Manager for Community Development.

10.__.040 Registration of All Parking Spaces

(a) No person shall build, expand, or reconfigure a parking facility for non-residential parking spaces resulting in a net increase in the number of parking spaces or a change in the use of such spaces based on the categories of use listed below at paragraphs b(v) and (vi), without first submitting a parking registration form to, and obtaining acceptance from, the Director.

(b) The registration form shall be prepared by the Director and shall be available at 57 Inman Street. The form will require the following information:

(i) name and address of parking facility owner;

(ii) name and address of parking facility operator;

(iii) address of parking facility;

(iv) total number of existing parking spaces;

(v) number of existing parking spaces in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vi) number of parking spaces proposed to be added to the parking facility in each of the following categories:

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

(vii) identification of any existing parking permits for the parking facility; and

(viii) explanation of any enforcement actions against the parking facility.

(c) The Director shall accept ~~approve, reject~~ or return a registration form to the registrant with a request for additional information within thirty (30) days after the form was filed.

(d) The License Commission shall not issue a license and the Commissioner of Inspectional Services shall not issue a building permit or certificate of occupancy for a parking facility subject to this section without evidence either (i) that the registration form has been accepted by the Director; or (ii) that the facility has a PTDM Plan approved by the Planning Officer.

10.__.050 Parking and Transportation Demand Management Plans

(a) No person shall build, expand, or operate a parking facility subject to the Parking and Transportation Demand Management (PTDM) Plan requirements of this Chapter absent a PTDM Plan approved by the Planning Officer.

(b) The PTDM requirements of this Chapter shall apply to each of the following:

(i) any commercial parking facility for which a certificate of occupancy or operating license was not obtained prior to the effective date of this chapter;

(ii) an existing commercial parking facility at which the number of parking spaces is increased after the effective date of this chapter;

(iii) any parking facility at which the use of existing or permitted parking spaces is changed to commercial use after the effective date of this chapter;

(iv) any new project to build or operate twenty or more non-residential parking spaces; and

(v) any new project to expand an existing parking facility resulting in a total number of non-residential parking spaces of twenty (20) or more.

(c) The PTDM Plan shall be designed to minimize the amount of parking demand associated with the project and reduce single-occupant vehicle trips in and around Cambridge. The PTDM Plan shall be based on the following facts, projections ~~factors~~ and commitments:

(i) Facts and Projections~~Factors~~:

- nature of development and property use;
- proximity of project to public transit;
- availability of and accessibility to offsite parking spaces which could serve the project;
- number of employees and their likely place of origin; and
- type and number of patrons/users of proposed parking supply and their likely place of origin.
- number of vehicle trips expected to be generated by the project and description of measures to reduce associated traffic impacts on Cambridge streets; and
- other factors published by the Planning Officer.

(ii) Commitments:

- commitment to work with the Cambridge Office of Work Force Development;

- commitment to implement vehicle trip reduction measures ~~programs~~ including some or all of the following: subsidized MBTA ~~T~~-passes and other incentives; shuttle services; ride-sharing services; bicycle and pedestrian facilities; flexible working hours; preferential parking for LEV/ZEV/bicycles/carpools/vanpools (Note: this list is not meant to preclude implementation of other types of vehicle trip reduction measures ~~programs~~). This commitment must be accompanied by a detailed description of the measures ~~programs~~ proposed to be implemented; and

- commitment to establish and make ~~all~~ reasonable efforts to achieve a specified, numeric reduction (or percent reduction) in single-occupant vehicle trips in and around Cambridge. The percent reduction will be based on PTDM practices successfully implemented in reasonably comparable environments and as identified in professional and academic literature and based on analysis of existing trip reduction measures in Cambridge.

Each PTDM Plan shall identify the total number of existing and proposed parking spaces at the facility and specify how many existing and proposed spaces fall within each of the following categories (explain how many spaces are used for multiple purposes):

- residential
- commercial
- non-commercial
  - customer
  - employee
  - patient
  - student
  - client
  - guest

Where the parking facility includes or proposes a combination of commercial and non-commercial parking spaces, the Plan shall specify how the parking facility will prevent commercial use of the non-commercial parking spaces.

Each PTDM Plan shall contain the following certification from a responsible corporate officer:

> "I hereby certify that a commercial parking permit has been obtained for each space being used for commercial parking. None of the other existing or proposed parking spaces at this parking facility have been or will be available as commercial parking spaces until a commercial parking permit therefor has been obtained."

(d) The Planning Officer shall review, condition, approve and/or deny the PTDM Plan [~~and the proposed requested number of parking spaces for each category of use~~] based on the above-listed facts, projections, ~~factors~~ and commitments. The Planning Officer shall issue his/her decision in writing within 90 ~~60~~ days of receipt of the proposed PTDM Plan. The required time limit for action by the Planning Officer may be extended by written agreement between the proponent and the Planning Officer. Failure by the Planning Officer to take final action within said ninety (90) days or extended time, if applicable, shall be deemed to be approval of the proposed PTDM plan. [~~If the Planning Officer approves the Plan, then the decision shall describe any conditions and shall specify the maximum number of parking spaces for commercial and non-commercial uses which should be allowed.~~] If the project proponent elects to make a request pursuant to 10.__.060, the decision of the Planning Officer shall be expanded to ~~also~~ include a recommendation about whether offsite parking should be

(g) Approvals issued by the Planning Officer shall ~~not~~ be automatically transferrable by and among private parties. ~~At least thirty (30) days prior to any change in ownership, use or operation of a parking facility that is subject to an approved PTDM Plan~~, provided that the proposed new owner ~~or operator~~ (the "Transferee") shall continue to operate under the existing PTDM Plan and shall ~~either~~ submit to the Planning Officer within thirty (30) days of the title transfer a certification that the existing PTDM plan will remain in effect~~; or else consult with the Planning Officer about appropriate revisions to the existing PTDM plan. In the event the Transferee elects to submit a~~ The certification~~, it~~ shall be submitted on a form issued by the Planning Officer and shall certify that such Transferee ~~(i) is familiar with the existing, approved PTDM plan for the facility, (ii) does not plan to change the nature, type or extent of the current use of the parking facility; (iii)~~ commits to implement the existing PTDM plan, as approved; and ~~(iv)~~ acknowledges that failure to implement the plan is subject to the enforcement provisions of this Chapter. Where such certification is submitted, the approved plan shall remain in effect as to the Transferee. ~~In the event that the~~ The Transferee may elect instead to and consult with the Planning Officer within thirty (30) days of title transfer regarding appropriate revisions to the existing plan~~, then~~ Bbased on such consultation, the Planning Officer may require information from the Transferee ~~proposed new owner and/or operator~~ concerning ~~(i) likely~~ proposed changes in use of the parking facility and associated buildings and~~; and (ii) the ability~~ the relevant facts and projections regarding the proposed changes. ~~and commitment of the proposed new owner and/or operator to~~

allowed at distances greater than those allowed in the Zoning Ordinance and/or whether fewer parking spaces than the minimum required in the Zoning Ordinance should be allowed. Decisions of the Planning Officer may be appealed by the project proponent to a review committee composed of the ~~Assistant~~ City Manager ~~for Community Development~~, or his designee, ~~the Director~~ and two ~~one~~ other City staff members ~~person~~ designated by the City Manager none of whom may have participated ~~and who did not participate~~ in the initial review of the Plan.

(e) The Planning Officer shall also make available standardized PTDM plans which a project proponent may adopt, upon approval by the Planning Officer.

(f) No permit, commercial parking permit, special permit, variance, building permit, certificate of occupancy, or operating license shall be issued for any project subject to 10.__.050 by the Planning Board, Commercial Parking Control Committee, Board of Zoning Appeal, Commissioner of Inspectional Services, or License Commission absent a written decision indicating approval from the Planning Officer of the project proponent's PTDM Plan. Any such permit or license shall be consistent with, and may incorporate as a condition, the decision of the Planning Officer and shall include written notice of the requirements of 10.___.050(g) and (h), below. Nothing in this ordinance shall be construed to limit the power of the Planning Board or Board of Zoning Appeal to grant variances from or special permits under the provisions of the Zoning Ordinance. No project proponent shall be required by the Planning Officer to seek such relief under the Cambridge Zoning Ordinance.

~~implement an appropriate PTDM Plan.~~ Within thirty (30) days of receipt of such information, the Planning Officer may ~~either~~ issue a written approval of the revised plan ~~for the transfer of the existing PTDM Plan~~ and obligations to the Transferee, ~~proposed new owner and/or operator~~ or the Planning Officer may require submittal of a new ~~or revised~~ PTDM Plan from the Transferee ~~proposed new owner and/or operator~~ for review, condition, approval and/or denial. Until such time as a new or revised plan has been approved, the existing PTDM plan shall remain in effect.

(h) Each PTDM Plan approval issued by the Planning Officer shall contain, at a minimum, the following conditions:

(i) The parking facility owner and operator each commit to implement all elements of the PTDM Plan, as approved, including ~~annual periodic~~ reporting requirements, and to maintain records describing implementation of the Plan;

(ii) The City shall have the right to inspect the parking facility and audit PTDM implementation records; and

(iii) The parking facility owner and operator each commit to notify and consult with the Planning Officer thirty (30) days prior to any change in ownership, use or operation of the facility.

10.__.060 Reduction in Minimum Parking and Maximum Distance Requirements

(a) ~~At its option, a~~A project proponent ~~may~~ elect to request that the Planning Officer include as an element of its PTDM Plan a plan for fewer parking spaces than the minimum set forth in the Zoning Ordinance. Upon the written request of the project proponent, ~~B~~based on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may~~ ~~shall~~ make a written recommendation about the maximum number of parking spaces for the project. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

(b) ~~At its option, a~~A project proponent may elect to request that the Planning Officer include as an element of its PTDM Plan a plan for utilizing off-site parking spaces that are farther from the project site than the maximum distance requirements set forth in the Zoning Ordinance. Upon the written request of the project proponent, ~~B~~based on an evaluation of the facts, projections, ~~factors~~ and commitments listed at 10.__.050(c), the Planning Officer ~~may~~ ~~shall~~ make a written recommendation about how many parking spaces serving the project may be appropriately located at an off-site location and at what distance from the project site. This recommendation shall remain subject to review and approval by the Planning Board or Board of Zoning Appeal as appropriate.

10.__.070 Requirements for Small Projects

The owner or operator of each Small Project shall implement at least three (3) PTDM measures and maintain records of such implementation. A list of acceptable types of

measures may be obtained from the Traffic Department, the Inspectional Services Department, the Community Development Department, or the License Commission. The Planning Officer shall create and periodically update this list, which shall include: T-pass subsidies; bicycle parking; changing facilities; carpools/vanpools; financial incentives not to drive alone; or other similar measures.

10.__.080 Enforcement

(a) The Director shall enforce the provisions of this Chapter. If the Director has reason to believe that any provision of this Chapter is being violated, the Director shall investigate the possible violation. If after investigation the Director determines that any provision of this Chapter is being violated, s/he shall provide a first written notice of violation to ~~notify~~ the person charged with the violation, or the duly authorized representative thereof, ~~in writing~~ of the determination of violation and shall order that the violation cease within thirty (30) days of the issuance of the first written notice. If the violation is not cured within the thirty (30) days after issuance of the determination of violation, the Director may proceed to assess the fines established in this chapter as well as any other remedies available to the city. In addition to all other remedies, if the violation has not ceased within thirty (30) days after the first written notice, then the Director ~~Such order~~ may order ~~require~~ shutdown of the parking facility. Second or subsequent written notices to a facility for the same violation shall be immediately effective and shall not provide the thirty (30) day opportunity to cure contained in the first written notice. A determination and order of the Director may be

appealed to the City Manager by the person charged with the violation within thirty (30) days of issuance of the Director's determination and order.

(b) In addition to other remedies available to the City, any person who builds or modifies a parking facility without complying with the provisions of this Chapter shall be subject to a fine of up to $10.00 per day per parking space for every day that such parking space was operated without a registration accepted by the Director or without a PTDM Plan approval issued by the Planning Officer or in non-compliance with an approved PTDM Plan. On a determination, after investigation, by the Director that this Chapter is being violated, and the exhaustion of any appeal to the City Manager in accordance with (a) above, the Director shall take steps to enforce this chapter by causing complaint to be made before the district court and/or by applying for an injunction in the superior court.

(c) In addition to other remedies available to the City, a determination that a facility is operating in violation of the provisions of this Chapter shall be ground for revocation by the Director of the facility's parking permit or other form of approval.

(d) The Planning Officer shall have independent authority to inspect a parking facility and audit its records to determine whether it is in compliance with its PTDM Plan. The Planning Officer shall issue a finding of non-compliance in writing and provide copies to the parking facility owner and operator and to the Director.

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Parking and Transportation Demand Management (PTDM) Ordinance

November 16, 1998