

June 22, 2009

To the Honorable, the City Council:

Re: *Vehicle-sharing Parking Facilities Petition*

**Recommendation.** The Planning Board recommends adoption of the Petition with modest changes to the text related to the siting of such facilities in low density residential zoning districts. An amended version of the Petition containing the Board's suggested changes is attached.

**Discussion.** This Petition would formally establish a commercial use category in the Zoning Ordinance to permit the operation of businesses that make motor vehicles available for shared use at convenient locations throughout the city, in both commercial and residential neighborhoods. Such businesses currently operate in the city and this Petition would clarify their status in the Zoning Ordinance.

The City of Cambridge was an early supporter of this business concept as one of many promising strategies to advance its environmental goal of reducing single occupancy vehicle trips in the city. This Petition will advance that effort and the Planning Board is fully supportive of that policy objective and the technical details of the Petition.

One issue that is of concern to the Board, and one that was articulated by many residents at the public hearing held on the Petition, is the question of the proper scale of activity for this business use on individual house lots in residential neighborhoods. If the City's objective of reducing overall car ownership and the parking facilities necessary to accommodate those cars is to be advanced through a vehicle-sharing operation, the shared-use vehicles must be convenient to those who wish to use them. On the other hand, a car-sharing vehicle may generate use patterns that are somewhat more intrusive for neighbors than would be expected for a typical private car parked on an individual's own house lot. If such a car-sharing business model proves to be successful, would the expansion of parking sites throughout neighborhoods prove to be disruptive?

For the Planning Board it is not clear that that question can be answered with confidence now, although experience over time should provide us with useful information. Therefore, for the moment, the Board would suggest that in low density residential

districts any vehicle-sharing parking space be allowed only in larger parking facilities (five or more spaces) and that the space be required to be set back from all building walls containing windows (whether on the same lot as the space or any adjacent lot) by at least ten feet.

Respectfully submitted for the Planning Board,

William Tibbs, Chair

**Proposed Amendments Recommended by the Planning Board**  
(Indicated in red text underlined and in **bold type**)

**VEHICLE-SHARING PARKING FACILITIES**

**1. In Article 2.000 Insert the Appropriate Definitions**

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**Amend Article 2.000 by inserting a new definition *Parking facility, Vehicle-sharing and Vehicle-Sharing Service* in the appropriate alphabetical location, to read as follows:**

***Parking Facility, Vehicle-Sharing.*** A portion of a building or lot that contains one or more off-street motor vehicle self-service parking spaces and access thereto including driveways or other publicly accessible ways, that serves as the location of the actively in-service vehicles used by a Vehicle-Sharing Service. The Vehicle-Sharing Parking Facility may be a garage, an area of a lot or all or a portion of a parking lot. A Vehicle-Sharing Parking Facility may be a part of an accessory or a principal use Parking Facility serving other uses. The Vehicle Use Parking Facility may be a principal use exclusively. Such a facility shall not accommodate or include any administrative offices, repair facilities, vehicle storage or any other management, administrative, or maintenance aspect of a Vehicle-Sharing Service. Such a facility shall be subject to the dimensional and other requirements of accessory and principal use parking facilities as set forth in Article 6.000 unless otherwise provided in Section 11.20 of this Ordinance.

***Vehicle-Sharing Service.*** A Vehicle-Sharing Service shall mean a membership based company, organization or enterprise that provides hourly, daily or similar short-term rental of private passenger motor vehicles intended for use by paying members, by reservation. A Vehicle-Sharing Service shall provide insurance for its members when using the vehicles and shall assume responsibility for maintenance of the vehicles and the Vehicle-Sharing Parking Facility.

***Vehicle-Sharing Service Vehicle.*** A private passenger motor vehicle, small truck routinely used for private passenger transportation (2.5 tons or less), and passenger van (2.5 tons or less). It shall not include cargo vans, large trucks customarily used for

commercial purposes, taxis, passenger vehicles used to transport passengers for a fee, or detachable trailers.

## **2. Insert a New *Vehicle-Sharing Parking Facility* Use in Table of Use Regulations**

**Amend Article 4.000, Section 4.32 – Transportation, Communication and Utility Uses, by inserting a new line “i” with a companion footnote “56” to read as follows:**

### **4.32 Transportation, Communication & Utility Uses**

- a. Bus or railroad passenger station
- b. Automobile parking lot or parking garage for private passenger cars
- c. Railroad freight terminal, railroad yard and shops
- d. Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks
- e. Radio and Television transmission station, including towers
- f. Radio and television studio
- g. Utilities
  1. Telephone exchange (including switching, relay and transmission facilities serving mobile communications systems) and any towers or antennas accessory thereto
  2. Transformer station, substation, gas regulator station, or pumping station
  3. Power Plant for the non-nuclear production, generation, and distribution of electricity or steam.
- h. Helipad or Airport

56

### **i. Vehicle-Sharing Parking Facility**

**Yes (for all zoning district columns except the Open Space column where it is No)**

### **3. Insert a new Footnote 56**

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**Amend Article 4.000, Section 4.40 – Footnotes to the Table of Use Regulations, by inserting a new Footnote 56 to read as follows:**

56. Subject to the provisions of Section 11.20

### **4. Create a new Section 11.20 – Vehicle Sharing Service Parking Facilities**

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**Amend Article 11.000 – Special Regulations by inserting a new Section 11.20 to read as follows:**

#### **11.20 Vehicle-Sharing Parking Facility**

11.21 *Statement of Purpose.* This Section 11.20 is intended to facilitate the provision of motor vehicles conveniently located throughout the city that are shared by multiple individuals through a membership based Vehicle-Sharing Service (VSS) available to the general public for hourly or similar short term rental. It is anticipated that by providing such vehicles to residents, visitors, and employees of businesses in the city the City can advance its environmental goals by (a) reducing the need for individuals and businesses to own, park and store privately owned vehicles, (b) encouraging people to commute less by single-occupancy motor vehicles in the city, and (c) by reducing the need for families to have more than one motor vehicle, or perhaps any motor vehicle at all.

11.22 *Applicability.* A Vehicle-Sharing Parking Facility shall be permitted in all zoning districts and shall be regulated as set forth below.

#### **11.23 Permitted Vehicle-Sharing Parking Facilities**

11.23.1 *Permitted As-of-right.* A Vehicle-Sharing Parking Facility meeting the following conditions and limitations shall be permitted as-of-right. Where a limitation on the total

number of parking spaces in a Vehicle-Sharing Parking Facility is established by these regulations, that limitation shall be the combined total number of spaces located on the lot by all Vehicle-Sharing Services operating thereon.

1. The Facility (including any individual parking space) is lawfully established and conforming to the dimensional and other requirements of Article 6.000 and any other applicable regulations unless otherwise provided in this Section 11.20. or, if not, is lawfully non-conforming.

2. Parking spaces constituting the Vehicle-Sharing Parking Facility shall be subject to the following limitations unless otherwise permitted in Section 11.23.2 below:

a. In residential zoning districts, the number of VSS parking spaces on a lot shall not exceed 10% (rounded up to the next whole number), of the authorized accessory parking spaces on the lot, or one space, whichever is greater. The VSS spaces may be in addition to spaces serving other uses or may replace those spaces [Example: A lot having 1 to 10 existing parking spaces may have one VSS parking space; a lot having 11 to 20 existing spaces may have two VSS parking spaces, etc.]. **In Residence A-1, A-2, B, C, C-1, C-1A, C-2, and C-2B Districts the following further limitations shall apply.**

**(1) The VSS spaces must be located in a legally established accessory parking facility containing at least five (5) parking spaces;**

**(2) The VSS parking space must be located at least ten (10) feet from any building wall containing windows, whether on the lot of the parking facility or on any abutting lot; and**

**(3) The VSS space must be conforming to the dimensional requirements of Article 6.000.**

b. In any zoning district, the number of VSS parking spaces shall not be limited in commercial parking facilities (i.e. a facility registered with the Department of Traffic, Parking and Transportation as a Commercial Facility per the provisions of Chapter 10.16 of the Cambridge Municipal Code) or principal use parking facilities established under the provisions of Section 4.32 (b) [Automobile Parking Lot for Private Passenger Cars] of the Zoning Ordinance.

c. For Accessory Parking Facilities in non-residential districts no more than 10% of the required accessory parking spaces may be replaced with VSS spaces.

d. For purposes of conformance to the accessory parking requirements of Article 6.000, any replaced parking space(s) shall continue to be considered accessory to the use to which it is tied.

3. No sales or vehicle servicing [such as oil changes] or administrative or similar functions or personnel shall be located at the site unless otherwise permitted by the use regulations in the applicable zoning district. Minor, unobtrusive, routine maintenance shall be permitted.

4. Vehicles using the Vehicle-Sharing Parking Facility shall be accessed directly by the customer (member) without any assistance or supervision by company personnel.

5. *Permitted Signs.* The following signs only shall be permitted in residential zoning districts and in non-residential districts in addition to those signs otherwise permitted..

a. Identification of Vehicle-Sharing Parking Facility spaces shall be limited to one non-illuminated wall, projecting or freestanding sign per space carrying the name of the company and other necessary information (e.g. contact and emergency phone numbers, etc). No sign may exceed one and one half (1.5) square foot in area (notwithstanding any other limitation or restriction in Article 7.000 of the Zoning Ordinance),

b. Up to three signs may be displayed on each vehicle, identifying the name and/or logo and contact information of the company. No sign may exceed two (2) square foot in area.

8. The vehicles shall be in active use by customers (members) of the VSS and shall not be stored for other purposes or for use at other locations. All vehicles shall be currently registered with the Massachusetts Department of Motor Vehicles, principally garaged in the City of Cambridge, and displaying a valid Cambridge Resident Parking Permit.

9. All owners of that portion of a lot accommodating a Vehicle-Sharing Parking Facility, or their legally authorized representative (including the condominium association), shall be required to grant permission for the operation of such a facility on their property.

11.23.2 *Permitted By Special Permit.* A Vehicle-Sharing Parking Facility not otherwise permitted in Section 11.23.1 above shall be permitted by special permit from the Planning Board. The Board may specifically (a) allow more principal use VSS parking spaces on a lot than are allowed in Section 11.23.1 or (b) may allow additional required accessory parking spaces for non-residential uses (including hotels and motels) to be replaced by VSS parking spaces in a Vehicle-Sharing Parking Facility or (c) may allow a principal use Vehicle-Sharing Parking Facility on a lot.

In granting a special permit the Planning Board shall consider the following:

1. The extent to which the Facility, in its design, quantity of vehicles, distribution of vehicles on the lot, extent of pavement on the lot, the extent of landscaping and Open Space on the lot, and other features, is consistent with the residential pattern of development around it when such a facility is in a residential zoning district and consistent with the pattern of motor vehicle use and storage in the surrounding neighborhood.
2. The traffic generated by the Facility is appropriate to its location and the surrounding uses impacted by it, similar to the traffic that would be generated by accessory parking facilities, and does not result in activity on the lot that would significantly negatively impact uses surrounding it in ways that customary accessory parking would not do.
3. Where it is proposed to substitute Facility parking spaces for existing required accessory parking spaces, a demonstration, through on-street utilization surveys among other techniques where appropriate, that previous on-site parking demand will not be shifted to parking spaces on adjacent public streets to the detriment of the neighborhood as a whole.

**4. Where it is proposed to locate VSS spaces in a Residence A-1, A-2, B, C, C-1, C-1A, C-2, and C-2B District not meeting the limitations set forth in Section 11.23.1 (2) (a) above, the applicant shall demonstrate to the satisfaction of the Planning Board that a waiver of the limitations in Section 11.23.1 (2) (a) will not result in the creation of an unreasonable nuisance to inhabitants of the lot upon which the VSS space is located and to inhabitants of abutting lots. The Board shall find that the proposed parking space will not result in activity that is unduly disruptive to abutters.**

The Planning Board may impose appropriate conditions in issuing a special permit to ensure that the operation of a Facility, particularly in residential neighborhood, does not create a nuisance or derogate from the intent of the zoning regulations to ensure a peaceful and quiet residential environment in a neighborhood.