



CITY OF CAMBRIDGE

Community Development Department

To: Planning Board
From: Community Development Department (CDD) Staff
Date: September 17, 2019
Re: **Shared Mobility Zoning Petition**

IRAM FAROOQ
*Assistant City Manager for
Community Development*

SANDRA CLARKE
*Deputy Director
Chief of Administration*

KHALIL MOGASSABI
*Deputy Director
Chief of Planning*

Overview

This zoning petition, submitted by the City Council, proposes to amend Articles 2.000 and 4.000 of the Zoning Ordinance to establish definitions and regulations regarding “shared mobility.” The proposal seeks to add two definitions to Article 2.000, one that would create a definition for Shared Mobility Device and one that would create a definition for Shared Mobility Platform. It also seeks to add Shared Mobility Platform as a new use in the Table of Use Regulations, Section 4.32: Transportation, Communication & Utility Uses. This memo provides background information on the concept of shared mobility and how it has been treated in Cambridge’s zoning thus far, along with commentary on the proposed zoning changes and issues the Board might consider in its deliberation.

Planning for Shared Mobility

Broadly speaking, the concept of shared mobility, also called “new mobility” and “emerging mobility,” refers to “transportation services and resources that are shared among users, either concurrently or one after another.”¹ Shared mobility can include a variety of transportation modes, such as public transit, carsharing, ridesharing (e.g., carpooling), ride-hailing or ridesourcing (e.g. taxis, Uber, Lyft), ride-splitting (e.g., pooled services through Uber, Lyft), bikesharing, and scooter sharing. It can include “dockless” and “docked” systems, automated vehicles, sidewalk robots, and delivery drones. A key aspect of shared mobility is how technology is used not just to create new types of transportation vehicles but to enable new models of ownership and deployment of those vehicles to transport both people and goods in novel ways. Given current trends, future technologies are expected to incorporate automation, electrification, and sharing to an increasing extent.

Thus far, two types of shared mobility have been addressed in the Cambridge Zoning Ordinance: public bicycle-sharing and carsharing. In addition, the City is undertaking efforts to study other types of emerging shared mobility systems.

344 Broadway
Cambridge, MA 02139
Voice: 617 349-4600
Fax: 617 349-4669
TTY: 617 349-4621
www.cambridgema.gov

¹ Shared-Use Mobility Center, “What is Shared Mobility?” accessed September 16, 2019, <https://sharousedmobilitycenter.org/what-is-shared-mobility/>.

Public Bicycle-Sharing

In 2011, the City Council amended the Zoning Ordinance to create definitions for Public Bicycle-Sharing Service and Public Bicycle-Sharing Station. Public Bicycle-Sharing Station is listed as an approved use in all zoning districts. This 2011 zoning amendment accompanied efforts by the City, in collaboration with surrounding cities and the Metropolitan Area Planning Council (MAPC), to establish the public bicycle-sharing system originally called “Hubway” and now called “Bluebikes.” This system is owned by the respective municipalities in which it operates (Cambridge, Boston, Somerville, and Brookline) and operated through separate contractual arrangements with a private vendor. It is a true public transportation system, in contrast to other bicycle-sharing services that have emerged as private ventures and are licensed to operate in other communities. Cambridge’s contract with the Bluebikes operator prohibits other bicycle-sharing services from operating in the City.

Although many Bluebikes stations are located on public streets, some stations are located on private lots, and therefore would be regulated by zoning. The intent of the 2011 zoning amendment was to authorize Public Bicycle-Sharing Stations anywhere in the city without needing zoning relief. However, this zoning authorization only applies to systems operated under the auspices of a public program either run by or approved by the City; it does not permit services or facilities that may be provided by other private bicycle-sharing services.

Carsharing

Organized carsharing programs emerged in 2000 with the founding of Zipcar in Cambridge. Carsharing programs – not to be confused with “ridesharing,” which means carpooling, or “ride-hailing,” which refers to services such as Uber and Lyft – offer members access to a fleet of automobiles that can be reserved for short periods of time using an online or app-based system. These programs offer an alternative to car ownership for people who only need to use them occasionally. Carsharing programs are typically operated as private ventures, unlike public services such as Bluebikes.

Provisions to regulate carsharing in the Zoning Ordinance were adopted in 2016. Because carsharing services generally operate by using available parking spaces to store vehicles, the provisions for carsharing are contained in Article 6.000 (Section 6.24), which regulates off-street parking. These provisions allow carsharing within accessory or principal use parking facilities (e.g., surface lots, structured garages), with requirements and limitations. In general, these parking facilities can only be used to park Carsharing Vehicles; they cannot be used for associated activities such as administration or on-site servicing, which differs from a rental car lot that might contain offices and other facilities. Parking facilities used for carsharing must be registered with the Traffic, Parking, and Transportation Department, and notification must be sent to dwellings within 100 feet of the facility. There are additional limitations on the extent to which accessory residential parking can be used for carsharing.

Current Efforts: Motorized Scooters

Beginning in the fall of 2018, MAPC has convened a regular meeting of a group of municipalities including Cambridge, Boston, Somerville, Brookline, and, more recently, Watertown to develop a

coordinated, regional pilot program for the sharing of electric-motored scooters. The group is preparing a memorandum of understanding that all participating municipalities would sign, which would establish a uniform vendor selection process and set high standards for operating a shared scooter service that would benefit the public. The group is also drafting model program guidelines that would be adopted by each community to align neighboring city scooter pilots and ensure seamless operations and a unified user experience across municipal boundaries.

In parallel to the regional scooter-share pilot, staff from various City departments have been reviewing the local requirements to be applied to such a pilot program. These discussions have included staff from the Community Development Department, Law Department, Traffic, Parking and Transportation Department, Department of Public Works, and Commission on Persons with Disabilities. At a minimum, any operator providing a service to the public would be required to obtain a permit from the City, which would include stipulations on local requirements.

In addition, the state regulatory environment for motorized scooters is uncertain. Currently, there are several bills pending in the Massachusetts state legislature that would address the regulation of motorized scooters, but none have been reported out of their respective committees.

Current Efforts: New Mobility

The City of Cambridge recently began a planning process called the New Mobility Blueprint, which is focused on developing recommendations to implement new mobility options that align with existing goals and policies, including those in Envision Cambridge. The City Manager appointed a technical advisory group that had its first meeting in July 2019 and is scheduled to meet several more times between now and February 2020. The New Mobility Blueprint study process includes completing a transportation trend analysis to understand existing conditions, performing projections of future mobility trends, identifying strategies and actions for the City to implement, and developing key policies as part of an overall regulatory strategy. The process also includes implementing a pilot to provide electric vehicle charging options for residents who own electric vehicles, but do not have a private garage or driveway in which to charge their vehicle.

Zoning Considerations

It will be important to address zoning provisions as part of any larger effort to establish the City's policies and regulations for shared mobility services. Given the past experiences and current planning efforts discussed above, there are a few key issues raised by the current petition:

- *Limits of Land Use Regulation.* Shared mobility programs, like other forms of transportation, will primarily affect the use of public streets, which are not regulated by zoning. Any zoning provisions for shared mobility services as they pertain to off-street lots will have a limited effect if there is no larger policy and regulatory framework for how those services will operate, both at the local and state levels. Past zoning efforts related to public bicycle-sharing and carsharing began with an overall policy framework, and zoning provisions were established to fit within that framework. Past zoning efforts have also sought to clarify that elements of a larger shared

mobility system would only be allowed if they are properly licensed and in compliance with applicable requirements outside of zoning.

- *Breadth of Scope.* The petition would establish “Shared Mobility Platform” as a permitted land use. Compared to other types of land uses (e.g., multifamily dwelling, automobile parking lot), it is not clear exactly what a Shared Mobility Platform would look like or entail if it is established on a private lot. There is the potential for unanticipated outcomes if unintended uses seek to be permitted as Shared Mobility Platforms. For example, the definition might suggest that the offices or laboratories of a company that develops shared mobility technologies would be permitted in a residential district, even if that is not the intent.
- *Potential for Conflict.* By creating a broad definition of Shared Mobility Platform that could be seen to encompass the definition of Public Bicycle-Sharing Service and/or Carsharing Organization (although Carsharing Vehicles are specified as being separate from Shared Mobility Devices), there is the potential for conflict or ambiguity within the Zoning Ordinance if the requirements for the former are different than the requirements for one of the latter. Moreover, because shared mobility systems are subject to other rules and regulations – including requirements for obtaining permits for operation – there is a real potential for conflict if the zoning provisions seem to authorize a use that is not authorized by other applicable rules. For example, a private bicycle-sharing service may appear to be allowed as a Shared Mobility Platform, but as noted further above, there are other legal requirements that prohibit private bicycle-sharing services.