

## CITY OF CAMBRIDGE, MASSACHUSETTS

## PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date:	May 6, 2014
Subject:	PUD Procedural Zoning Amendments
Recommendation:	The Planning Board recommends ADOPTION, with a suggested addition.

To the Honorable, the City Council,

The PUD Procedural Zoning Amendments petition addresses several issues that have been noted by the Planning Board over many years concerning the review, approval and ongoing administration of Planned Unit Development special permits. The proposed changes are limited in scope, but will improve the Board's ability to manage such projects in a way that protects the public interest while minimizing unnecessary burdens.

The first set of changes is meant to provide more tools and guidance to the Planning Board when reviewing amendments to PUD special permits. PUD special permits are effective for a very long time and the types of amendments that might be sought are varied in nature, so it is very difficult to predict the full range of changes that might occur. Therefore, the Board needs the ability to deal with such requests in a sensible way depending on the specific proposal. On many occasions in recent years, the Board has found that a proposed amendment is too significant to be resolved with a written determination but not significant enough to warrant a special permit process with two public hearings. The proposed zoning change allows for an in-between option. It would remain the case, as it is under current zoning, that any proposed amendment would need to come before the Planning Board, and the Board would determine how a proposed amendment is classified and approved.

The proposal to extend the time for action on an approved PUD special permit from one year to two years is meant to standardize the duration for all special permits, and to reflect the complicated nature of many PUD projects and the difficulty of commencing construction within 12 months of receiving the special permit in many cases.

The proposed new text regarding collective and distributed rights and obligations is meant to codify practices that are currently employed when administering PUD special permits that are sold to multiple successors over time. It is the Board's hope that this added text will help guide PUD applicants and the Planning Board to consider how future separation of ownership will be addressed at the time the Final Development Plans are permitted, and to incorporate clarifying provisions into the special permits as needed.

After consideration of testimony given at the public hearing, the Board recommends adoption but suggests including text to clarify that changes to design standards, which may have been established when a Final Development Plan was approved, could qualify as Major Amendments to the PUD special permit if the Planning Board determines that they are such. The following underlined insertion could have that effect:

(a) Major amendments represent changes to the approved characteristics of individual elements within the Final Development Plan, such as the exact use, floor area or height of individual buildings, the location and size of parking and loading facilities, the location, size and configuration of open spaces, the location and design of roadways, <u>standards of design or architectural character that may have been established in the Final Development Plan,</u> or the exact phasing of the project, but do not represent substantial deviations from the PUD concept approved by the Planning Board as a whole.

Respectfully submitted for the Planning Board,

Hugh Russell, Chair.

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