

**PLANNING REPORT & RECOMMENDATION**

**To:** Malden Planning Board  
**From:** Malden City Planner  
**Date:** April 11, 2018  
**Subject:** Amendments of Sections 300.3.6.2, 300.9 and 500.2.13, Chapter 12, Rev. Ord. of 1991 (“MZO”) C.C.P. #123/2018

**PROCEDURAL:** The petition is by the City Council (§800.5, MZO), sponsored by Ward 4 City Councilor Ryan O’Malley (CCP 123/2018).

**PROPOSED AMENDMENTS:**

**1. Use Regulations for Offsite Parking Facilities.**

The proposal is to amend use regulations for offsite parking facilities (§300.3.6.2) as follows (amendments italicized):

Parking Facilities, Offsite	<i>Zoning District</i>								
	A	B	C	RO	BN	CB	BH	I1	I2
	SP	SP	SP	<i>Yes SP</i>	SP	<i>Yes SP</i>	<i>Yes SP</i>	<i>Yes SP</i>	<i>Yes SP</i>

Under the proposal, offsite parking facilities will no longer be allowed “by right” in the Residential Office, Central Business, Highway Business and Industrial zoning districts, and will be allowed by special permit in all zoning districts.

The proposal also includes the following amendments:

- a) Amend the use regulations to reflect the amendments (§300.9, MZO)
- b) Add requirements for landscaping (proposed new §300.9.2.5) (For detailed language, see CCP 123/2018).
- c) Add requirements and bicycle parking (proposed new §300.9.2.6). (For detailed language see CCP 123/2018).

The proposal does not change the special permit granting authority or the current dimensional controls.

**2. General Offstreet Parking Requirements, Landscaping Requirements for Parking Areas (§500.2.13, MZO).**

The proposed amendments revise the requirements for landscaping of parking areas as follows:

- a) Reduce minimum threshold size for applicability of landscaping requirement to offstreet parking areas from 50 spaces to 20 spaces.
- b) Change approving authority as to tree species and location from Planning Board to Tree Warden (currently the DPW Director per Section 11.55, City Code).
- c) Revise formula used to determine number of trees required to require one tree for every ten (10) spaces, increased from every fifteen (15) spaces.

**APPLICATION/EXEMPTIONS:** The amendments will apply to new construction and new use/occupancy of existing buildings, unless exempt (“grandfathered in”) by M.G.L. c. 40A, §6; §700.1.1, MZO; the State Permit Extension Act (2012); or the express language of the amendment.

**EFFECTIVE DATE:** The effective date of the amendment is the date of the City Council’s vote to ordain the amendment (§800.5.7, MZO). The Council must act on the amendments within ninety (90) days after the hearing closes, otherwise, a new duly advertised public hearing must be held (§800.5.5, MZO); accordingly, if the public hearing closes on April 11, 2018, the final date for action is July 18, 2018.

**STANDARD of REVIEW:** The Planning Board’s review and recommendation of the proposed zoning changes should be directed by *substantive planning objectives, community need and general welfare.*

**PLANNING RECOMMENDATION** (*Prepared prior to the public hearing*): That the Planning Board recommends to the City Council adoption of the amendments as proposed.