



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

Date: June 7, 2017

Subject: Zoning Petition Regarding Vacant or Abandoned Buildings

The Planning Board has no recommendation at this time.

To the Honorable, the City Council,

On April 25, 2017, the Planning Board held a public hearing on this City Council zoning petition, which would create a new Section 11.900 of the Zoning Ordinance entitled: "Maintenance and Security of Vacant or Abandoned Buildings," establishing definitions for vacant or abandoned properties and requirements for the registration, maintenance, security, fees, and inspections of such properties. No public testimony was given at the hearing, although the Board received a letter from the Cambridge Residents Alliance in support of the intent of the petition.

Given that the Ordinance Committee had already referred the petition to staff for further review, the Board makes no recommendation regarding this petition, the apparent intent of which is to protect neighborhoods from deterioration, crime, and vandalism potentially associated with vacant and abandoned buildings and to limit the land-banking of properties that are purchased and held as investments without any use being made of them.

While the Board recognizes the seriousness of the issues the petition seeks to address, the Board has many concerns about the specific zoning proposal, and suggests that it be revised after consultation with, and input from, other City departments, particularly the Law Department. An exploration of how other communities have addressed these problems may also be beneficial.

The Board's initial concern is whether the proposed requirements appropriately fit within the Zoning Ordinance, which typically controls the allowed uses of land, rather than mandating how a particular property must be used and maintained. The Board also believes that the proposed fee structure needs to be reconsidered, especially in consultation with the Law Department as to the legality of certain of its provisions.

Additional concerns of the Board are whether "vacant" and "abandoned" properties should be treated in different ways, given differing circumstances such as a property being in probate or a homeowner who needs to vacate (but not abandon) a property for some period of time. The Board also encourages further discussion of whether the main objective of the petition is to ensure the safety and appearance of a neighborhood, or the appearance and use of a particular property, or to encourage more timely occupancy of a property – all of which may have different implications and may require different strategies.

Respectfully submitted for the Planning Board,

A handwritten signature in black ink, appearing to read "H. Theodore Cohen". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

H Theodore Cohen, Chair.