



What is Planned Unit Development?

A municipality can adopt Planned Unit Development zoning to create greater flexibility in permitting the development of large tracts of land suitable for development in a unified manner.

Massachusetts General Law defines a Planned Unit Development as “a mixed use development on a plot of land containing a minimum of the lesser of sixty thousand square feet or five times the minimum lot size of the zoning district, but of such larger size as an ordinance or by-law may specify, in which a mixture of residential, open space, commercial, industrial or other uses and a variety of building types are determined to be sufficiently advantageous to render it appropriate to grant special permission to depart from the normal requirements of the district to the extent authorized by the ordinance or by-law. Such open space, if any, may be situated to promote and protect maximum solar access within the development.”

The special permit granting authority obtains the ability to incorporate design elements such as lot sizes, density, and parking requirements as a whole under Planned Unit Development requirements rather than lot by lot based on the underlying zoning.

Municipalities conduct a planning process to identify the location of large-scale development that would address community needs and adopt bylaws or ordinances that promote development on those specific tracts of land through Planned Unit Development. Developers of Planned Unit Developments should demonstrate that the project benefits the public.

Municipalities with Planned Unit Development zoning have greater opportunities for developers to create a symbiotic mix of land uses, including housing, commercial, and recreational uses clustered together.

The process can create a pedestrian-friendly neighborhood where residents can live, work, shop, and recreate in close proximity, which limits motor vehicle trips. However, a Planned Unit Development does not need to contain all types of uses.

Benefits:

Economical
Infrastructure
Maintenance

Protection of
Natural
Resources

Greater
Flexibility in
Design
Standards

BRPC PROGRAM

Community Planning Program
berkshireplanning.org/programs

Planned Unit Zoning:

A Planned Unit Development zoning overlay establishes specific areas in a municipality where large, mixed-use projects are advantageous. A municipality can adopt bylaws or ordinances that require a developer to apply for a special permit to proceed.

A municipality creates a bylaw that aligns with the community's strategic plan and includes minimum thresholds such as lot sizes and setbacks. A community's legislative body, either Town Meeting or City Council, must adopt the zoning bylaw by a two-third majority vote.

The Special Permit Granting Authority has discretion over issuing a special permit and can set appropriate densities, heights, land uses, parking and pedestrian access, architectural design requirements, and assurances that the developer protects open space and recreation areas.

By the time permitting begins, proponents of planned developments have already invested significantly into the project by hiring engineers and architects to plan the development. A community should communicate its intentions and requirements clearly early in the process to assure that the project fits the needs of residents, the community, and the developer and smooth the permitting process.

Benefits:

Planned United Development bylaws provide municipal officials and developers with great flexibility in permitting mixed-use projects and provides towns an opportunity to preserve open space. The result is campus-like communities that share recreational and access to natural resources. In some cases, a community will receive increased tax revenue without adding a cost burden to maintenance because developers will be responsible for sidewalks and the access and egress roads.

Early studies showed that homes created as part of a Planned Unit Development maintain property values greater than homes constructed under historic zoning principles.

Considerations:

If Planned Unit Development bylaws are not well constructed, communities might end up with projects that do not achieve the desired goals. Many communities moved away from Planned Unit Development overlay districts, opting instead to utilize Smart Growth Overlay Districts, which provides flexibility in permitting mixed-use developments and allows municipalities access to state tools. Some Massachusetts municipalities rescinded Planned Unit Development bylaws.

A new Planned Unit Development bylaw may be right for some communities, but cities and towns should explore other regulatory tools as well to find the best fit.