Massachusetts Zoning Quick Facts:

1. Our zoning is old— Ch.40A “The Zoning Act” was enacted in 1975 and has remained virtually unchanged for 43 years.

2. We are a “Home Rule” State— this means 351 independent zoning jurisdictions, with a median population of 11,000.

3. It is really hard to change — 2/3 majority vote for approval. it cannot be reconsidered for 2 years if fails.

4. Zoning bylaw considered your Master Plan

Key Contents in a Zoning By-Law:

- Zoning Map
- Definitions
- Establishment of Districts
- Use Regulations
- Intensity (Dimensional) Regulations
- Special Regulations
- Administration and Enforcement

A Definition for Zoning (According to Judi Barret, Barrett Planning Group, LLC):

Zoning is the divisions of a community into districts, with the goal of regulating what uses are permitted; the size of individual lots, the number and type of structures, the placement of structures on a lot, and the size, mass and bulk of individual structures.
How to Amend a Zoning Bylaw or Ordinance:

Initiation → Planning Board Hearing → Planning Board Report → Town Meeting or City Council Vote → Attorney General Approval

[2/3 Majority Needed]

1. Big “A” affordability—eligible for SHI
   - Fair Marketing
   - Income Eligible Residents
   - Deed Restricted
   - Ongoing Compliance & Monitoring
   - Subsidy or local action

Why would Affordable Housing Advocates Want to Change a Zoning Bylaw?

2. Little “a” affordability—less expensive housing
   - Smaller lots
   - Variety of housing types
   - Variety of tenure
   - Reduced parking requirements
   - Mixed use

3. A combination of both

Zoning That Creates Affordable Units:

- Mandatory Inclusionary Zoning
- Incentive Based Inclusionary Zoning (typically via special permit)

For More information on Zoning in Massachusetts visit
www.Housingtoolbox.org

HOUSING TOOLBOX
for Massachusetts Communities