



Chapter 40A

Massachusetts Zoning Law

Massachusetts Zoning Quick Facts:

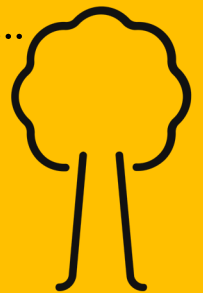
1. Our zoning is old— Ch.40A “The Zoning Act” was enacted in **1975** and has remained virtually unchanged for **43 years**.

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



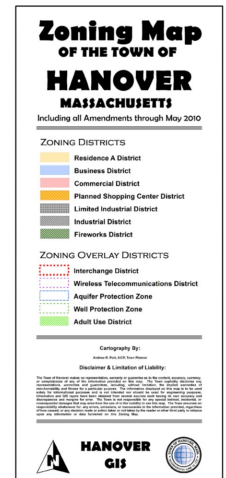
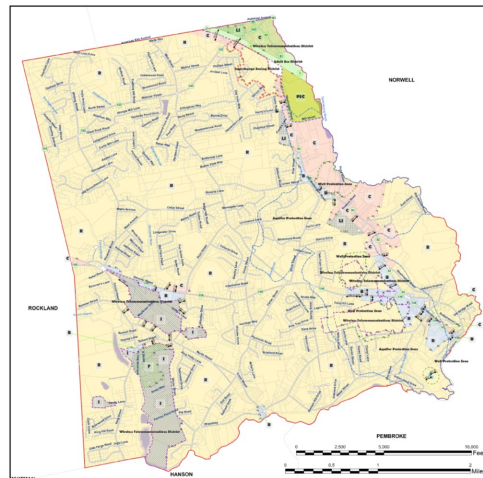
3. It is really hard to change — **2/3** majority vote for approval. it cannot be reconsidered for **2** years if fails.

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

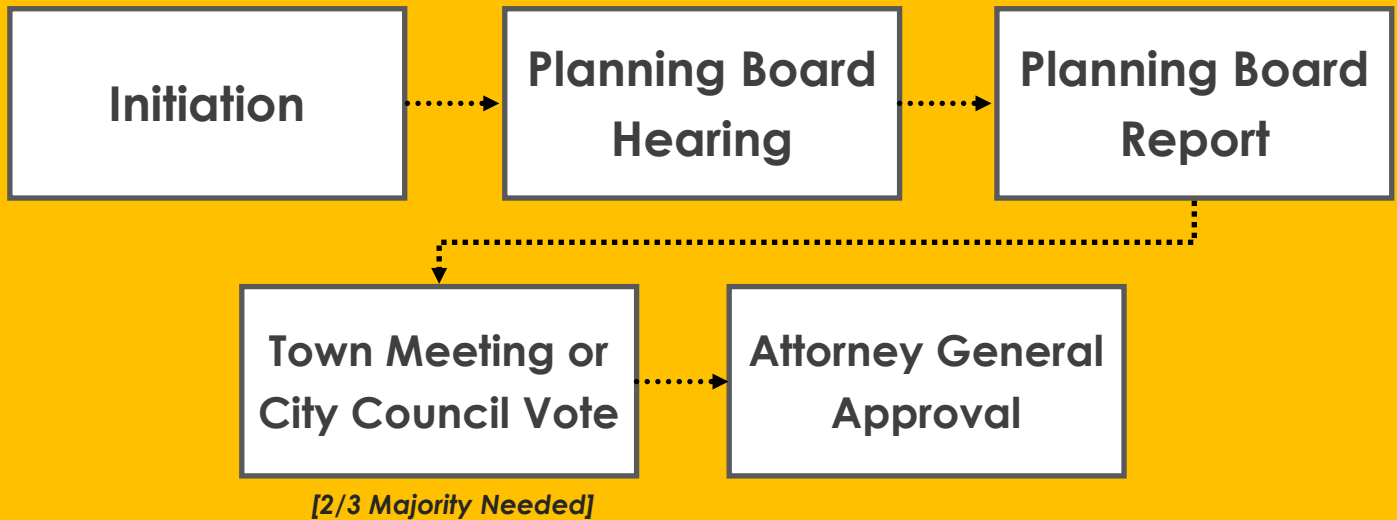


A **Definition** for Zoning (According to Judi Barret, Barrett Planning Group, LLC):

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:



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](http://www.Housingtoolbox.org)

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