



From **A** to **Z**oning

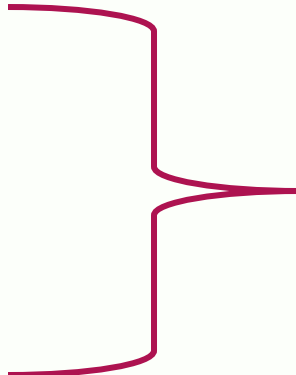
The Big Picture of Residential Regulatory Reform



AGENDA

1. Zoning Reform
2. Bigger Picture of Regulatory Reform

State Policy Levers of Zoning Reform

1. Persuasion and Planning
 2. Incentives
 3. Mandates
 4. Bypass Local Zoning & Direct Changes to State Framework
- 
- To change local zoning.

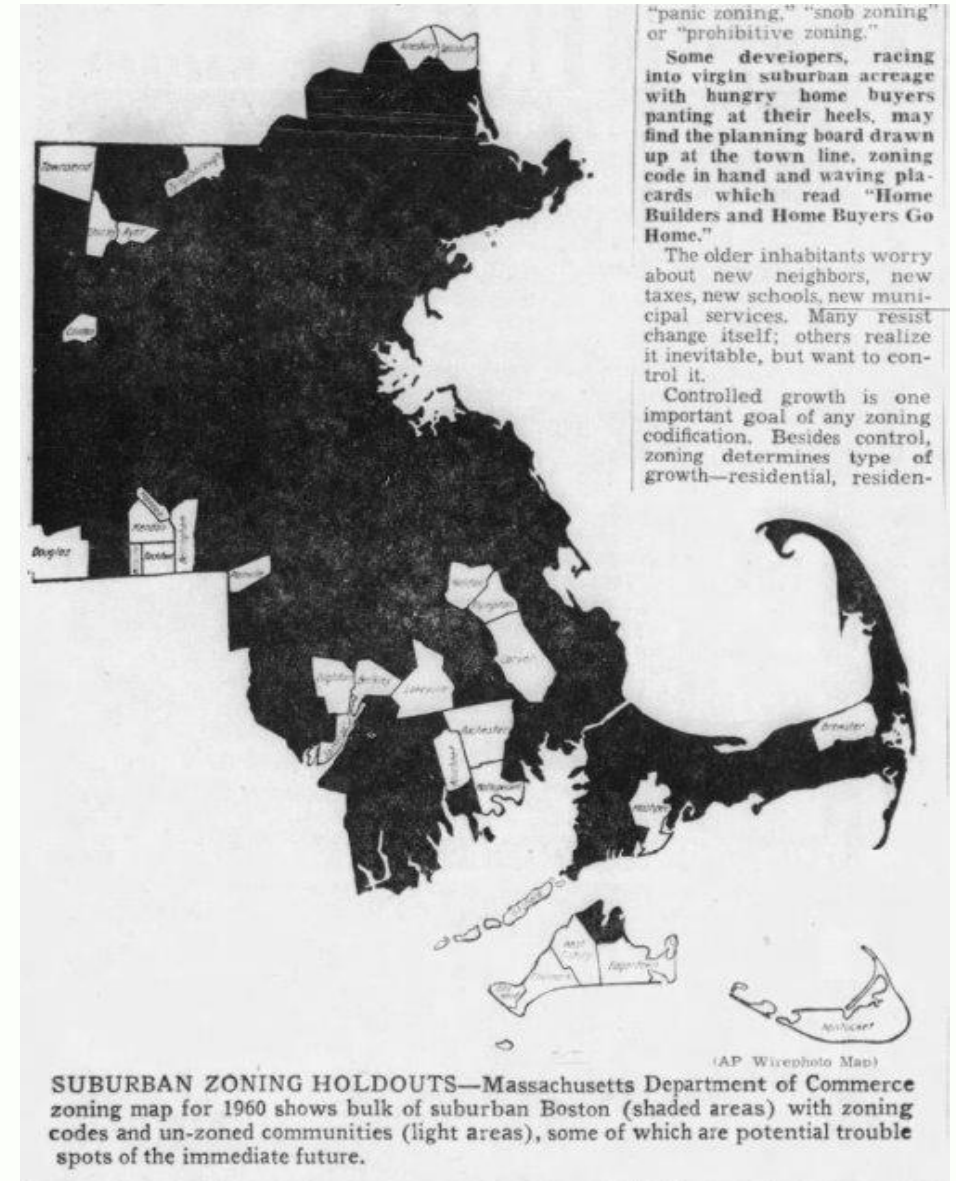


Outcomes to evaluate

- Production levels
- Diversity of housing types produced
- Affordable production (deed-restricted)
- Location (relative to transit, walkability, etc.)
- Fair share distribution
- Permitting efficiency
- Other

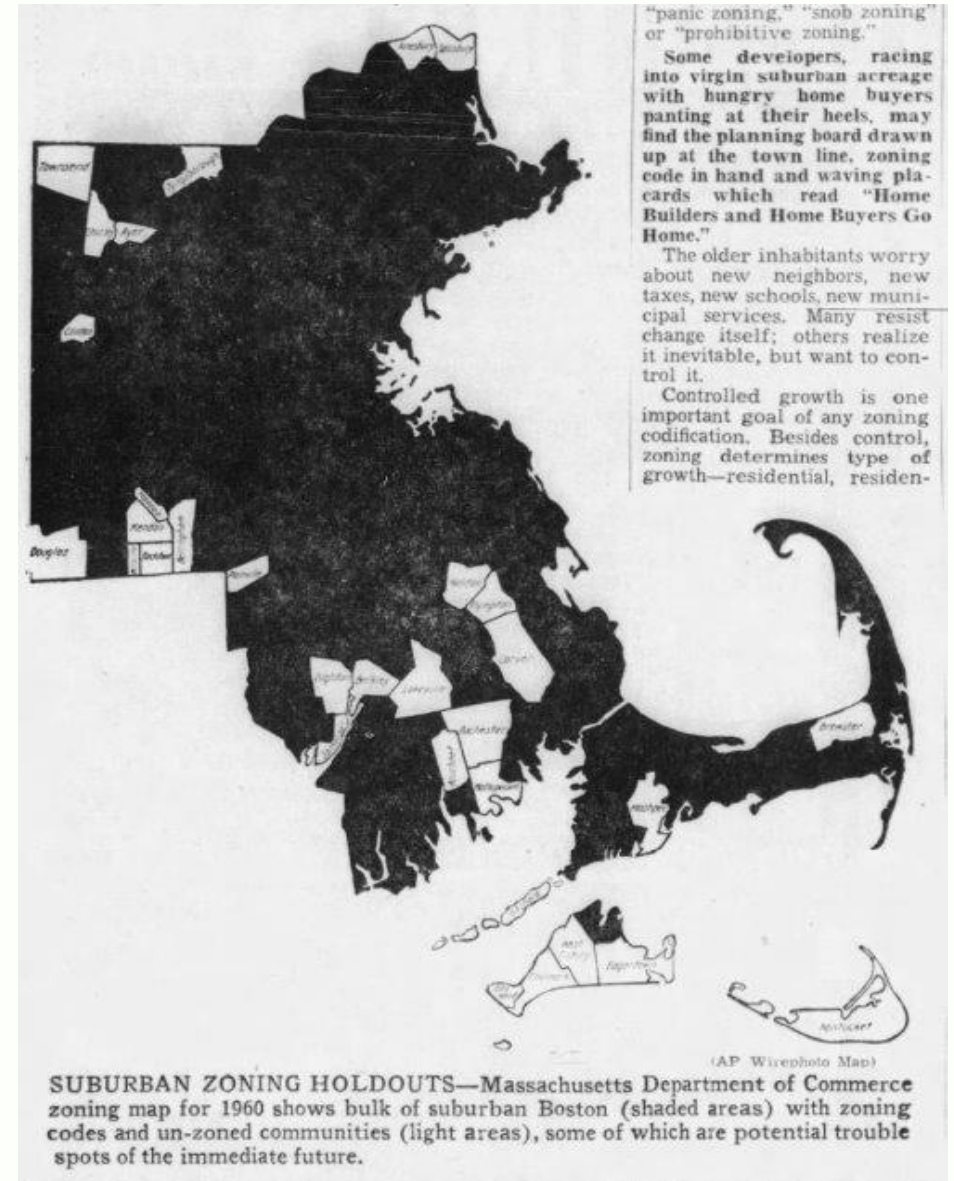
Boston Globe 1960

Map of communities that had adopted zoning



Outcomes to evaluate

- Production levels
- Diversity of housing types produced
- Affordable production (deed-restricted)
- Location (relative to transit, walkability, etc.)
- Fair share distribution
- Permitting efficiency
- Other



1. Persuasion and Planning

WOBURN VISION 2020

COMMUNITY DEVELOPMENT PLAN

2005

Funded under Executive Order 418 by the Massachusetts Department of Housing and Community Development, Massachusetts Department of Economic Development, Executive Office of Transportation, and Executive Office of Environmental Affairs. Supplemental Funding provided by the City of Woburn.



TOWN OF BROOKLINE Housing Production Plan

Planning for Affordability and Fair Housing in Brookline, Massachusetts

Brookline Housing Production Plan Working Group

Kara Brewton, Director, Department of Planning and Community Development
Joseph Viola, (Former) Assistant Director for Community Planning
Virginia Bullock, (Former) Senior Housing Planner
Emily DeHoog, Senior Housing Planner
David Guzman, (Former) Housing Planner
Roger Blood, Chair, Housing Advisory Board
Jennifer Raitt, (Former) Housing Advisory Board
Steven Heikin, Planning Board
Carlos Ridruejo, Advisory Committee

With assistance from:

Barrett Planning Group LLC
Community Circle
Dodson & Flinker, Inc.

February 2024

with clarifications added on November 12, 2024 to pages 44, 45, 67, 71, and 74
as part of state review and approval process

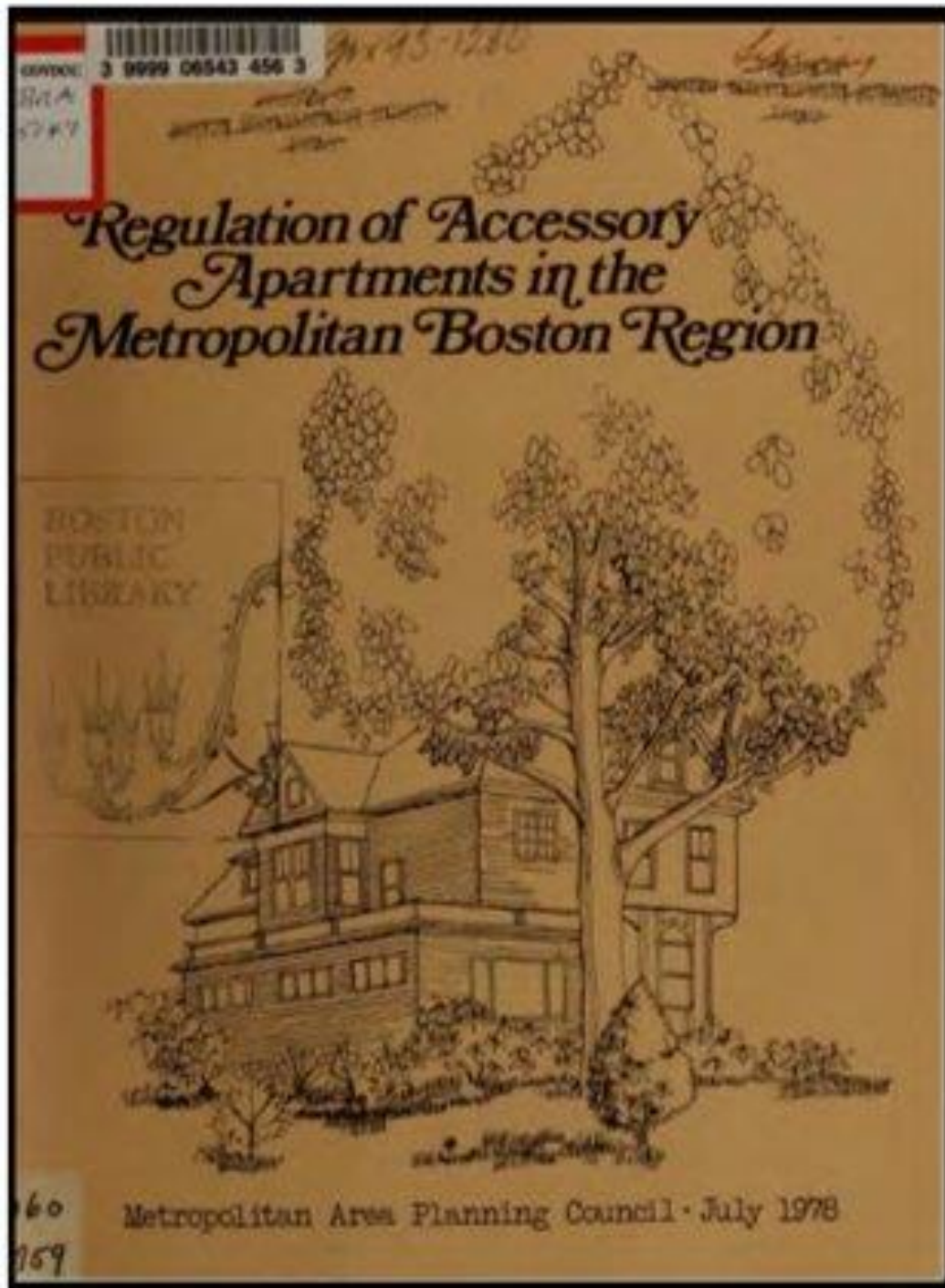
1. Persuasion and Planning

Decade: 2008 – 2017

- 47 of 100 municipalities created plans recommending ADU reform

Strategy 2.5: Consider Adopting an Accessory Dwelling Unit ordinance

- At least 22 reformed zoning for ADUs



1978 Report

BOSTON INDICATORS

2. Incentives

2.

Incentives



Chapter 40R, adopted 2004

7,808 homes
built or under construction.

2.

Incentives

Housing Choice Grant Program Awards

Below are all past Housing Choice Grant Program awards since FY19.

5 entries per page

Search:

Grantee	Fiscal Year	Amount	Grant Detail
Acton	FY19	\$165,000.00	This award will fund design and construction of improvements for 45 units of affordable housing owned by the Acton Housing Authority. Sidewalks, roads, and parking area are 30 years old and in need of replacement, extension of sidewalk areas and ADA/MAAB compliant features such as ramps and tactile landings.
Acton	FY21	\$233,819.00	The Town of Acton will use funding toward a feasibility study and design services for the proposed project at 348-364 Main Street to examine and layout the extension of the sewer main line to the site of Acton Housing Authority senior, rental, affordable housing and construction of sewer and water connections for the proposed Residences at Kelley's Corner.

3. Mandate

3.

Mandate



MBTA Communities Zoning Law,
Adopted 2021

More than 9,000 homes in the
pipeline

(permitting, construction,
occupancy)



Townhouses in Bedford



Mixed-use in Melrose



Major complex in Braintree



4. **Bypass / Change State Rules**

4. Bypass / Change State Rules

- Chapter 40B, adopted 1969
- Vote threshold change
- Statewide legalization of ADUs
- 4 units per acre allowed on certain state-owned properties
- Variance standards reformed

4.

Bypass / Change State Rules



Statewide legalization of ADUs

- In first 18 months, 2,824 applications submitted
- 2,084 approved
- 48% detached

4.

Bypass / Change State Rules

4 units per acre
on certain
state-owned
properties



State Policy Levers of Zoning Reform

1. Persuasion and Planning

- Community Development Plans, Housing Production Plans
- State reports

2. Incentives

- Housing Choice Initiative
- Chapter 40R

3. Mandates

- MBTA Communities

4. Bypass Local Zoning and Direct Changes to Framework

- Chapter 40B
- Vote threshold change
- Statewide legalization of ADUs
- Change in variance standards



“

**You been tryin'
to throw your arms
around the world.**

U2, Achtung Baby, 1991

”



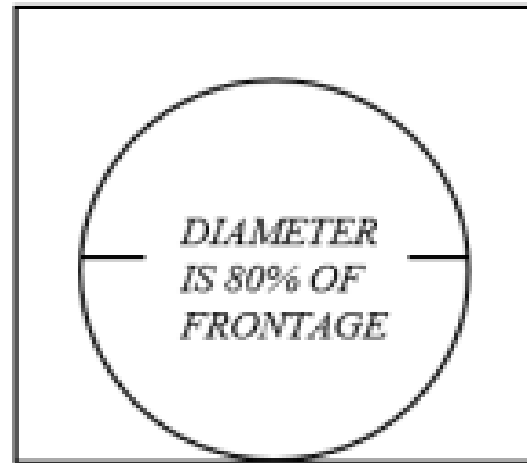
Regulatory Complexity:

THE CASE OF SHAPE RULES



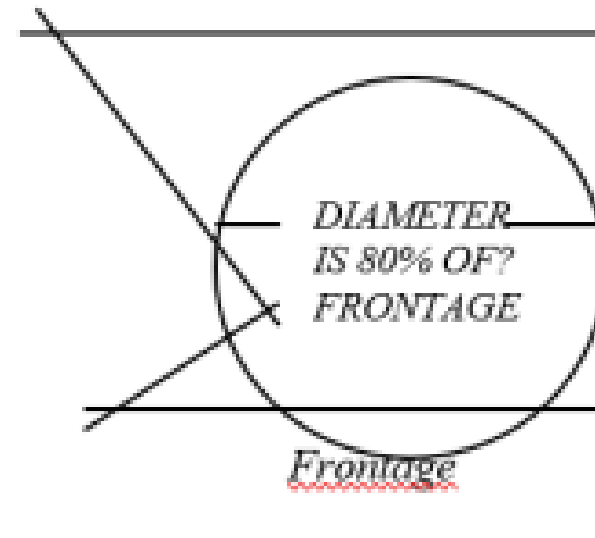
ZONING BY-LAWS OF THE TOWN OF BILLERICA

6. All buildable lots shall be able to encompass a circle that touches the frontage and has a diameter equal to 80% of the lot's frontage requirement within the interior of the lot.



Frontage

A BUILDABLE LOT



Frontage

NOT A BUILDABLE LOT
(Circle will not fit within lot lines)

Marlborough Zoning Bylaw

"Lot shape. The lot shall be large enough to contain a **rectangle** having one side equal in length to the required frontage and situated parallel to the mean direction of the front lot line and the other side equal to $\frac{3}{4}$ of the required frontage. Where the front lot line is curved, the mean direction of the front lot line shall be the line established by connecting the intersection points of the side property lines with the street line. Said rectangle shall touch the front lot line, but no part of said rectangle shall intersect any lot line."

Medfield Zoning Bylaws

PERFECT SQUARE

A square, the dimensions of which are set out in the Table of Area Regulations for each zoning district, which must fit entirely within a lot and one side of which must coincide with or be tangent to or touch on two points on the front lot line.

TOWN OF CARLISLE

ZONING BYLAWS



.1.3.3 The site of the dwelling shall be completely within an ellipse, which ellipse shall

- 1) be completely within the lot;
- 2) have an area of at least 1.12 acres;
- 3) have a minor diameter of at least one hundred fifty feet (150');

.1.3.4 This requirement shall not apply to lots of record on May 2, 1988, effective date of this section of the zoning bylaw.

The shape of all lots shall conform to the following requirement:

$$16A/P^2 > 0.4$$

Where

A= the lot area in square feet

P= the lot perimeter in feet

This is not about shape rules

**PERFECT
SQUARE**

$16A/P^2$

Rectangle

**Rat-tail
lots**

Circle

Elipse



Chart of complexity

	Zoning (Shape rules, etc.)	Septics	Wetlands	Stormwater	Building/ Fire	Energy	Tree
Abington							
Acton							
Acushnet							
Adams							
Agawam							
Alford							
Amesbury							

“

**Happy families are all alike;
every unhappy family is
unhappy in *its own way*.**

Leo Tolstoy, [Anna Karenina](#)

”

Massachusetts Cities and Towns (351)

Abington	Carlisle	Freetown	Leverett	Newbury	Russell	Walpole
Acton	Carver	Gardner	Lexington	Newburyport	Rutland	Waltham
Acushnet	Charlemont	Georgetown	Leyden	Newton	Salem	Ware
Adams	Charlton	Gill	Lincoln	Norfolk	Salisbury	Wareham
Agawam	Chatham	Gloucester	Littleton	North Adams	Sandisfield	Warren
Alford	Chelmsford	Goshen	Longmeadow	North Andover	Sandwich	Warwick
Amesbury	Chelsea	Gosnold	Lowell	North Attleborough	Saugus	Washington
Amherst	Cheshire	Grafton	Ludlow	North Brookfield	Savoy	Watertown
Andover	Chester	Granby	Lunenburg	North Reading	Scituate	Wayland
Aquinnah	Chesterfield	Granville	Lynn	Northampton	Seekonk	Webster
Arlington	Chicopee	Great Barrington	Lynnfield	Northborough	Sharon	Wellesley
Ashburnham	Chilmark	Greenfield	Malden	Northbridge	Sheffield	Wellfleet
Ashby	Clarkeburg	Groton	Manchester-by-the-Sea	Northfield	Shelburne	Wendell
Ashfield	Clinton	Groveland	Mansfield	Norton	Sherborn	Wenham
Ashland	Cohasset	Hadley	Marblehead	Norwell	Shirley	West Boylston
Athol	Colrain	Halifax	Marion	Norwood	Shrewsbury	West Bridgewater
Attleboro	Concord	Hamilton	Marlborough	Oak Bluffs	Shutesbury	West Brookfield
Auburn	Conway	Hampden	Marshfield	Oakham	Somerset	West Newbury
Avon	Cumington	Hancock	Mashpee	Orange	Somerville	West Springfield
Ayer	Dalton	Hanover	Mattapoisett	Orleans	South Hadley	West Stockbridge
Barnstable	Danvers	Hanson	Maynard	Otis	Southampton	West Tisbury
Barn	Dartmouth	Hardwick	Medfield	Oxford	Southborough	Westborough
Becket	Dedham	Harvard	Medford	Palmer	Southbridge	Westfield
Bedford	Deerfield	Harwich	Medway	Paxton	Southwick	Westford
Belchertown	Dennis	Hatfield	Melrose	Peabody	Spencer	Westhampton
Bellingham	Dighton	Haverhill	Mendon	Pelham	Springfield	Westminster
Belmont	Douglas	Hawley	Merrimac	Pembroke	Sterling	Weston
Berkley	Dover	Heath	Methuen	Pepperell	Stoddbridge	Westport
Berlin	Dracut	Hingham	Middleborough	Peru	Stoneham	Westwood
Bernardston	Dudley	Hinsdale	Middlefield	Petersham	Stoughton	Weymouth
Beverly	Dunstable	Holbrook	Middleton	Phillipston	Stow	Whately
Billerica	Duxbury	Holden	Milford	Fittsfield	Sturbridge	Whitman
Blackstone	East Bridgewater	Holland	Milbury	Plainfield	Sudbury	Wilbraham
Blandford	East Brookfield	Holliston	Mills	Plainville	Sunderland	Williamsburg
Bolton	East Longmeadow	Holyoke	Milville	Plymouth	Sutton	Williamstown
Boston	Eastham	Hopedale	Milton	Plympton	Swampscott	Wilmington
Bourne	Easthampton	Hopkinton	Monroe	Princeton	Swansea	Winchendon
Boxborough	Easton	Hubbardston	Monson	Provincetown	Taunton	Winchester
Boxford	Edgartown	Hudson	Montague	Quincy	Templeton	Windsor
Boylston	Egremont	Hull	Monterey	Randolph	Tewksbury	Winthrop
Braintree	Erving	Huntington	Montgomery	Raynham	Tisbury	Woburn
Brewster	Essex	Ipswich	Mount Washington	Reading	Tolland	Worcester
Bridgewater	Everett	Kingston	Nahant	Rehoboth	Topsfield	Worthington
Brimfield	Fairhaven	Lakeville	Nantucket	Revere	Townsend	Wrentham
Brockton	Fall River	Lancaster	Natick	Richmond	Truro	Yarmouth
Brookfield	Falmouth	Lanesborough	Needham	Rochester	Tyngsborough	
Brookline	Fitchburg	Lawrence	New Ashford	Rockland	Tyringham	
Buckland	Florida	Lee	New Bedford	Rockport	Upton	
Burlington	Foxborough	Leicester	New Braintree	Rowe	Uxbridge	
Cambridge	Framingham	Lenox	New Marlborough	Rowley	Wakefield	
Canton	Franklin	Leominster	New Salem	Royalston	Wales	

Median Sized Municipalities, by population

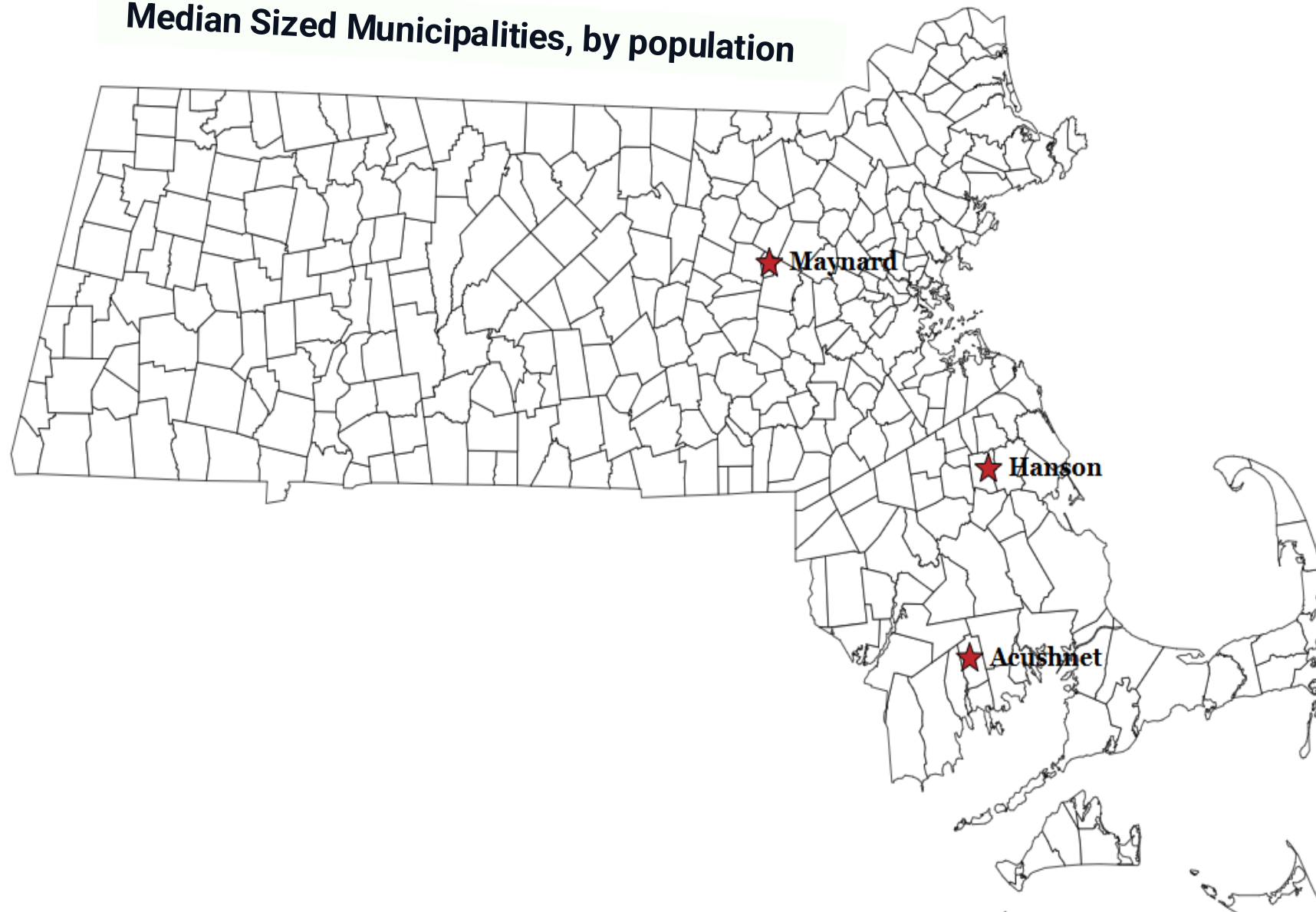


Chart of complexity

	Zoning	Septics	Wetlands	Stormwater	Building/ Fire	Energy	Tree
Abington							
Acton							
Acushnet							
Adams							
Agawam							
Alford							
Amesbury							

To fill out the chart, within each cell:



Local Rules

Local unique promulgated rules, beyond state requirements or within state frameworks



Local Logistics

Forms, schedules, staffing, boards, commissions, addresses



Local Policies/Practices

Unpromulgated policies, the stuff you learn from practice

	Zoning	Septics	Wetlands	Stormwater	Building/ Fire	Energy	Tree
Abington							

GOALS OF REGULATORY REFORM

- Standardization: "Happy regulations are all alike."
- Review and revision
- Regionalization
- Cross departmental coordination

