

COMPREHENSIVE ZONING OVERHAUL



ANR development in the Valley

What are the objectives of a comprehensive zoning overhaul?

To encourage and support reform at the local level of outdated and inefficient zoning regulations that promote sprawl to more efficient growth patterns.

Why do we need comprehensive zoning overhaul?

Antiquated local zoning laws that prescribe sprawl as the preferred development pattern should be updated to promote more efficient growth patterns. While the responsibility for land use planning and regulation rests with each of Massachusetts' 351 cities and towns, the

authority to do so effectively is often undermined by the state's out-dated and unduly limiting Zoning Act.

What steps can communities take to complete a comprehensive zoning overhaul and update?

One tool that communities can use to ensure that their zoning regulations are consistent with current state law and to encourage or require Smart Growth strategies is called a Comprehensive Zoning Overhaul and Update. A Comprehensive Zoning Overhaul and Update is a critical review of a community's existing land use regulations relative to internal consistency, consistency with state law, and Smart Growth. Such reviews provide recommendations to help the community achieve three important objectives with its zoning bylaw/ordinance:

1. Bring the zoning bylaw/ordinance into compliance with current state law, Chapter 40A of the Massachusetts General Laws.
2. Identify and correct errors, omissions and unclear language in the zoning bylaw/ordinance.
3. Develop and refine regulations that allow for locally-appropriate development within the community while preventing adverse impacts to natural areas, neighborhoods and to citizen safety.

DID YOU KNOW...

New development in the Pioneer Valley is primarily residential, despite the fact that the population has remained stable over the past 30 years. Between 1971 and 1999, over 30,000 acres were converted to residential development, mostly in the form of "ANRs" or Approval Not Required development.

EXAMPLES FROM THE PIONEER VALLEY

Smart Growth Technical Assistance Grant Program

The Commonwealth of Massachusetts provided the Pioneer Valley Planning Commission with grant funds to review the zoning bylaws and zoning ordinances for several communities in Hampshire and Hampden Counties. Land Use staff at PVPC used their expertise in deciphering land use regulations and applied it to the review of these zoning documents with the intent of finding any inconsistencies within the documents, reformatting tables of use regulations to promote sustainable land use, and flagging those sections that were not consistent with Massachusetts General Law 40A, also known as the Zoning Act. This process involved drafting a brief history of a given community's zoning efforts, identifying areas of concern in either the table of uses or the zoning regulations, recommending policies for improving a given community's zoning regulations, and flagging any portions of a given community's zoning regulations that might be inconsistent with the Zoning Act.

The staff at PVPC endeavored to make sure that common concerns, such as floodplain regulations and water supply district protection areas, were addressed adequately within a community's zoning regulations. Staff also took the opportunity to include recommendations on how to promote smart growth within Hampshire and Hampden Counties. Many of these recommendations resulted in communities allowing open space residential developments by right, adopting mixed-use district regulations, adopting infill development guidelines, and decreasing lot sizes in appropriate areas.