

HOUSE No. 1768

The Commonwealth of Massachusetts

PRESENTED BY:

Michelle L. Ciccolo

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to municipal form based codes.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/18/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/28/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/29/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/30/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/31/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/1/2019</i>

HOUSE No. 1768

By Mrs. Ciccolo of Lexington, a petition (accompanied by bill, House, No. 1768) of Michelle L. Ciccolo and others for legislation to authorize the use of form-based zoning in cities and towns. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to municipal form based codes.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 1A of chapter 40A of the General Laws, as so appearing, is hereby amended by
2 inserting the following definition:

3 “Form-based zoning”, means text and graphics in a zoning ordinance or by-law that
4 specify the built form of the community, general intensity of use, and the relationship between
5 buildings and the outdoor public spaces they shape.

6 Section 6 of chapter 40A, as so appearing, is hereby amended by adding a new last
7 paragraph:

8 Notwithstanding any provision of any general or special law, form-based zoning may
9 regulate building type, exterior building materials, minimum and maximum building heights,
10 frontage type, build-to lines, street type, street and streetscape design, public open spaces, and
11 any other parameter of the built or natural environment which gives form to the exterior of
12 buildings and the spaces between them. Form-based zoning may combine in a single document

13 standards for new subdivision streets, existing and new public streets and sidewalks, and use and
14 dimensional standards. Such combined standards may be in the form of a “regulating plan” that
15 integrates building, dimensional, use, street, sidewalk, and parking requirements. Form-based
16 zoning may also specify lot-by-lot in a detailed regulating plan, building forms and allowed use
17 mixes, even if such specification is not uniform throughout a zoning district, provided that it is
18 based upon a plan for the area subject to the code. Form-based zoning may specify prescribed
19 future lot division lines which will be allowed as of right in any future division of land.