Massachusetts Institute of Technology

Zoning Approaches for Housing Production
January 8, 2025

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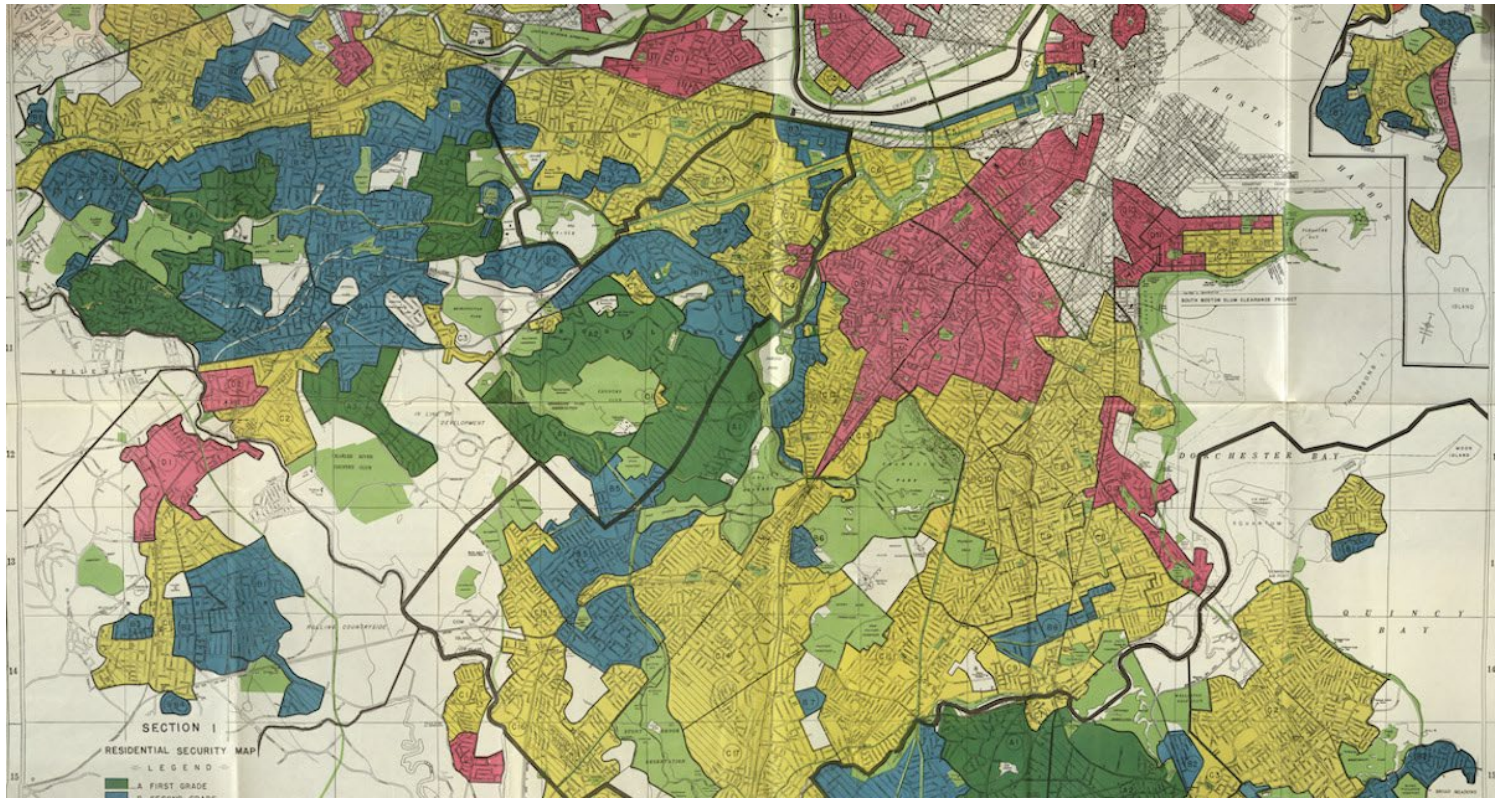
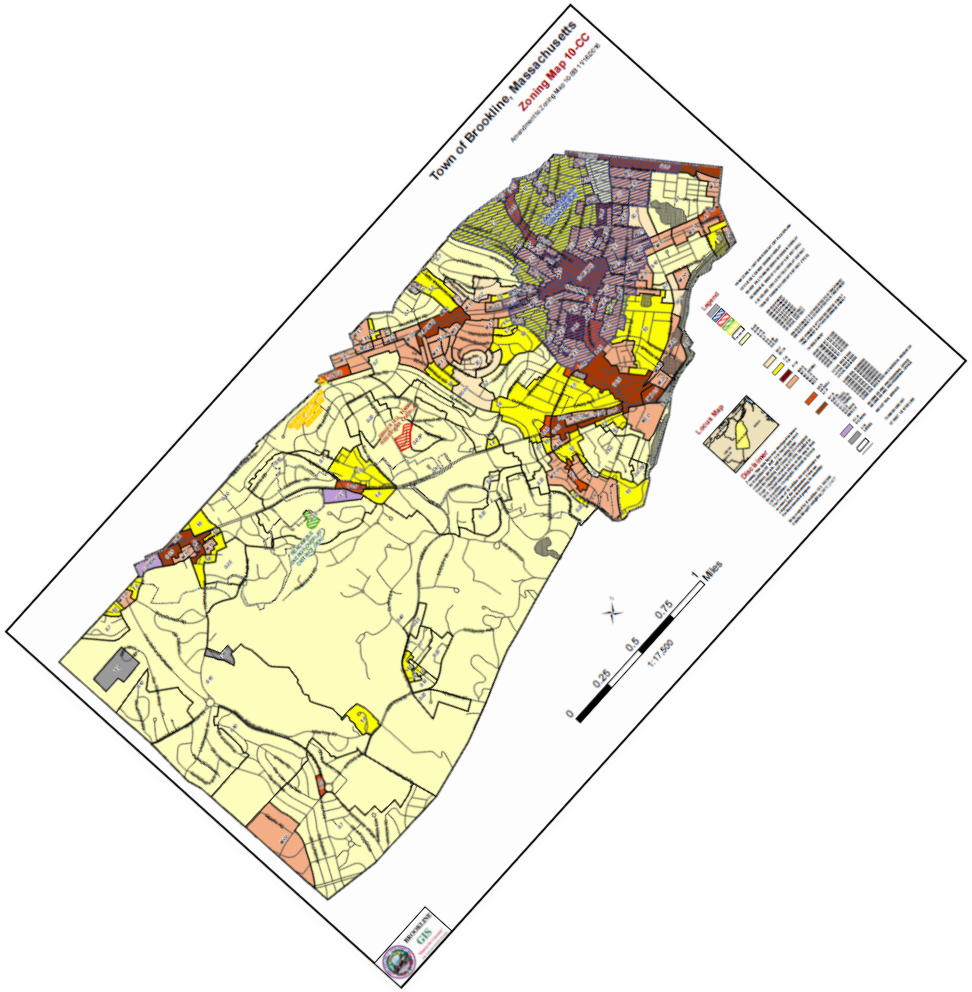
Redlining and Regulatory Redlining

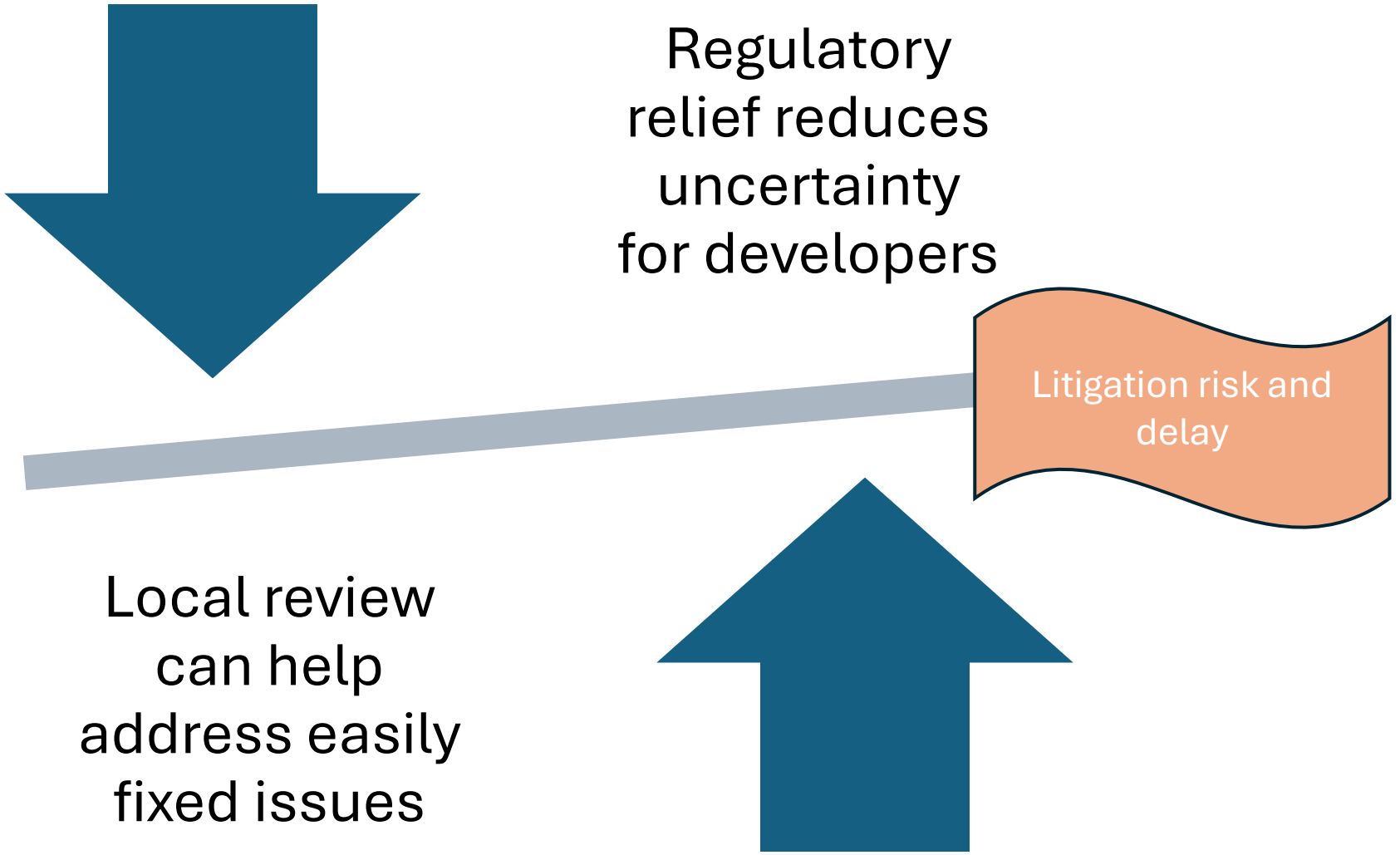




Zoning Changes and Housing

- By themselves may not move the needle on housing production decisively
- Unlike other options, this one is essentially free
- By reducing land cost per unit & allowing cost-effective construction it can have an impact
- Don’t expect results immediately

Discretionary (or even Nondiscretionary) Review is Complicated



Density vs. Dimensions

Limits on Interior Use

- Strong Exclusionary Tendencies
- Minor (if any) benefits for sense of place

Some interrelationship

Limits on Form of Buildings

- Some Exclusionary Tendencies
- Benefits for sense of place

Approaches to Affordability

Increase supply overall

- Can reduce costs and balance supply with demand
- Assumes elastic demand (not a huge reserve of people moving) or benefit may be limited

Subsidize Restricted Affordable Units

- Provides economic competitiveness to affordable units
- Can create uncertainty to affordable developers, reducing that competitiveness

Provide zoning “leg up”

- Allows for economic competitiveness without certain subsidy
- Can discourage production of naturally occurring affordable and market rate housing

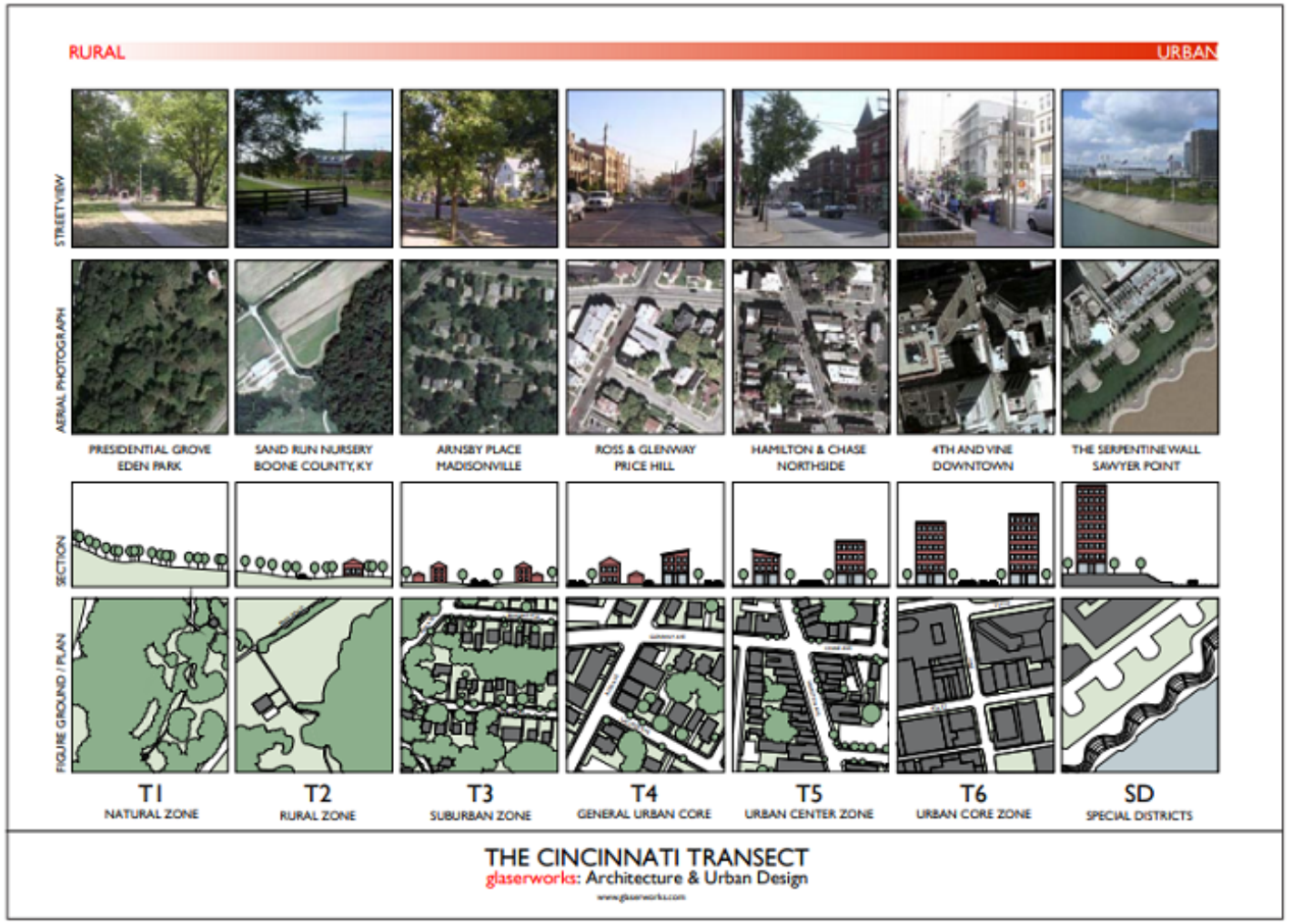
Zoning Changes can be Changed Again

It’s only fair to developers who may plan based on new zoning, and residents who make decisions based on it, to keep zoning consistent

One or two “bad” projects may result in a public effort to amend zoning again and result in regulatory whiplash

Sometimes it’s better to move incrementally.

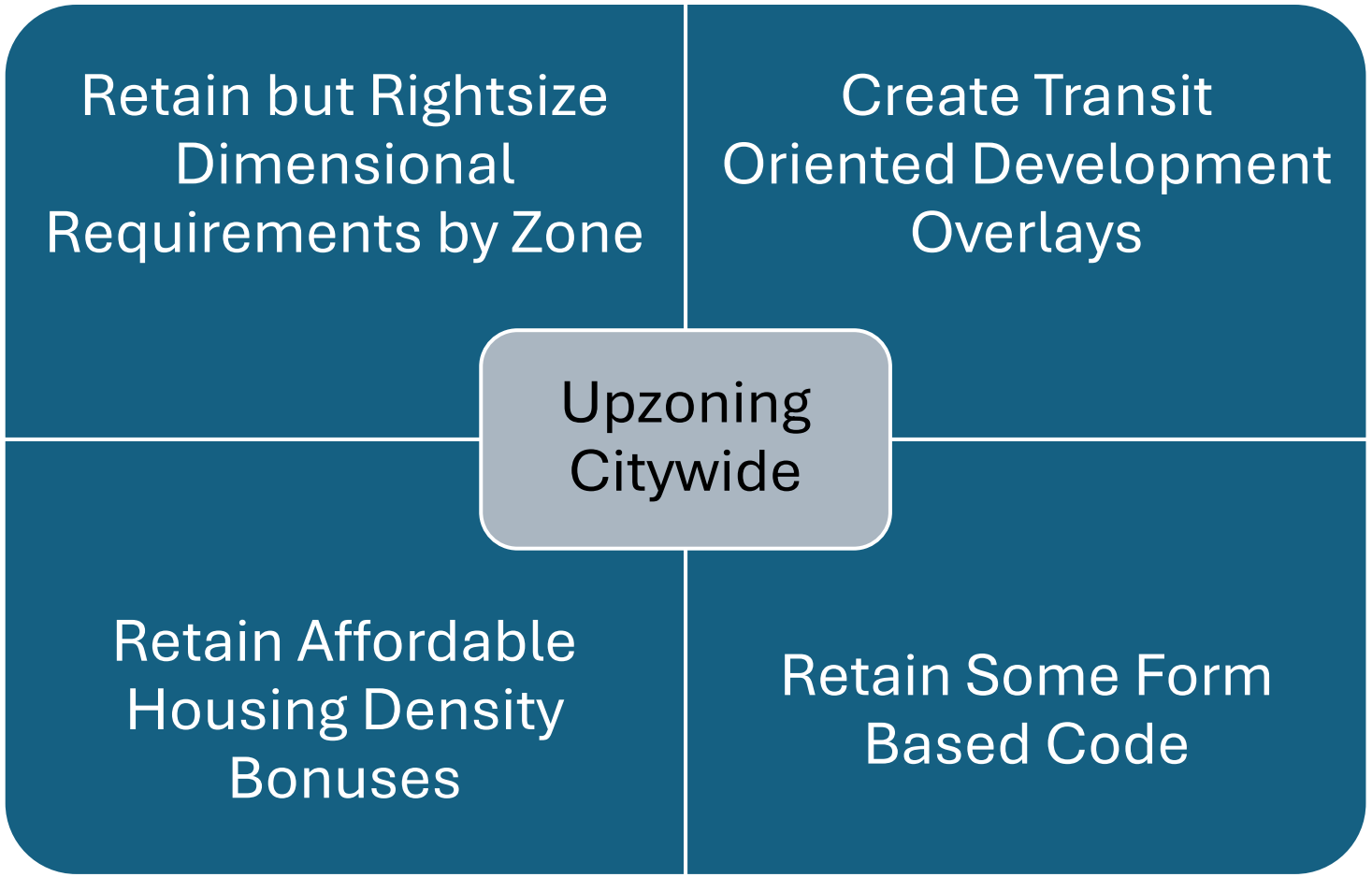
Form Based Code



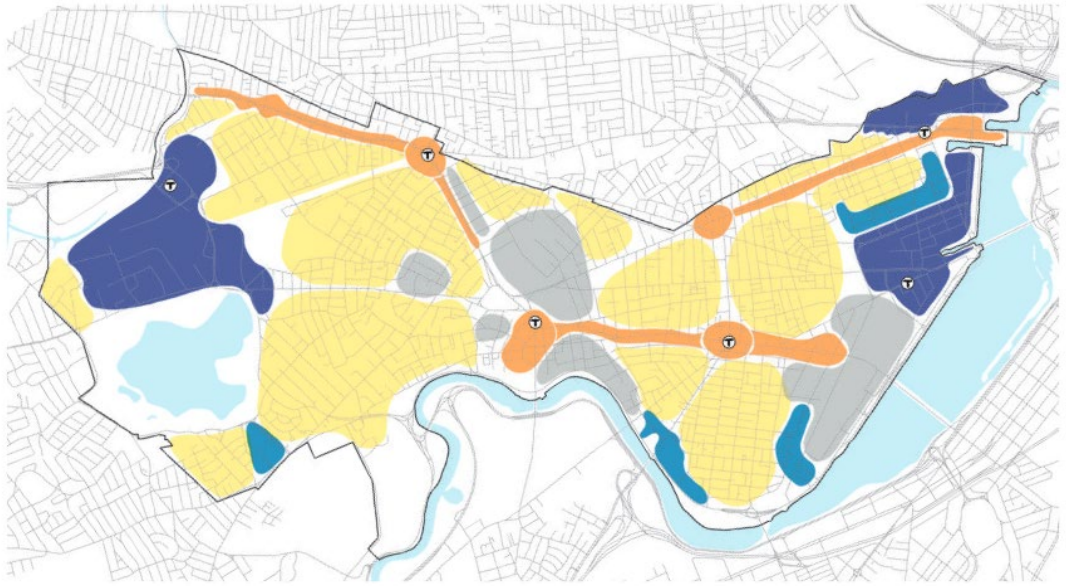
The Cincinnati Transect (Source: City of Cincinnati Form-based codes, 2013 via https://planningtank.com/blog/form-based-codes)

One weakness is that it can codify existing spatial injustices

A Case Study: Recode Portland

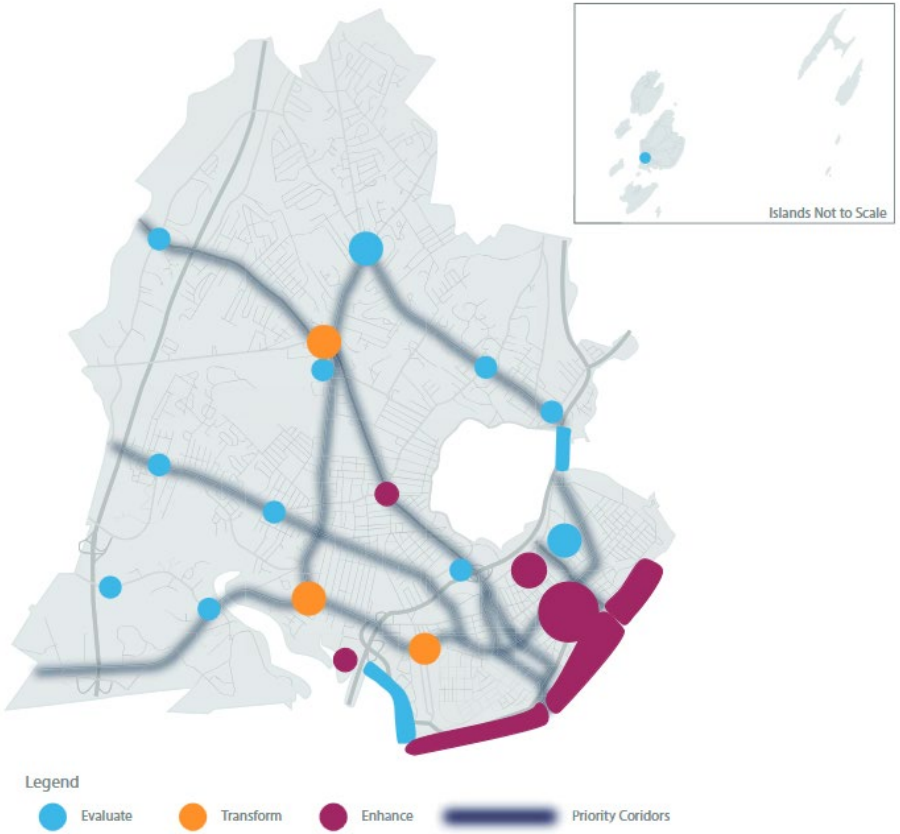


PORTLAND'S PLAN 2030



FUTURE LAND USE

Priority Nodes & Corridors



Two Phases

- Phase 1: Fix the Format and Usability of the Document; make some key changes such as allowing Accessory Dwelling Units and removing most parking requirements
- Phase 2: Major overhaul

PHASE II PROCESS

PHASE I PUBLIC INPUT

PORTLAND'S PLAN

BEST PRACTICE

EVALUATE CODE

LAND USE CODE RECOMMENDATIONS

DRAFT & REVIEW AMENDMENTS

REVISED LAND USE CODE

		RN-1	RN-2	RN-3	RN-4
Residential	Single-family dwellings	●	●	●	●
	Two-family dwellings	●	●	●	●
	Three-family dwellings	●	●	●	●
	Four-family dwellings	●	●	●	●
	Multi-family dwellings	◐	●	◐	●
	Townhouse dwellings		●		●
	Group homes	◐	◐	◐	◐
	Lodging houses			◐	◐

TABLE 18-C: BONUSES FOR ELIGIBLE PROJECTS

% Low-income or Workforce Units	Density Permitted[1]	Additional Height Permitted[2]	Setback Reductions[3]
10-19%	1.1 x base	N/A	N/A
20-29%	1.2 x base	10 ft.	N/A
30-49%	1.3 x base	10 ft.	5 ft.
50-74%	2.5 x base	15 ft.	5 ft.
> 75%	2.5 x base	25 ft.	10 ft.

	TOD-1	TOD-2
Lot area (min.)	--	--
Street frontage (min.)	--	--
Build-to zone	0-10 ft.	0-5 ft.
Build-to percentage (min.)	100%	100%
Building length as a percentage of street frontage (min.)	Lots up to 50 ft. in frontage: 80% Lots greater than 50 ft. in frontage: 60%	80%
Blank wall area (max.)	20 ft.	20 ft.
Rear setback (min.)	None, except 20 ft. if abutting a lot in a residential zone	None, except 20 ft. if abutting a lot in a residential zone
Side setback, interior (min.)	None, except 10 ft. if abutting a lot in a residential zone	None, except 10 ft. if abutting a lot in a residential zone
Structure height (min./max.) (Unless otherwise governed by the City of Portland Height Map)	Min.: 35 ft. Max. 85 ft., except 50 ft. within 30 ft. of an RN-1, RN-2, RN-3, or RN-4 zone	Min. 35 ft. Max. 125 ft., except 50 ft. within 30 ft. of an RN-1, RN-2, RN-3, or RN-4 zone

	RN-1	RN-2	RN-3
Structure height (max.) (Unless otherwise governed by the City of Portland Height Map or the Fort Sumner Park Height Overlay)	35 ft.	35 ft.	35 ft.

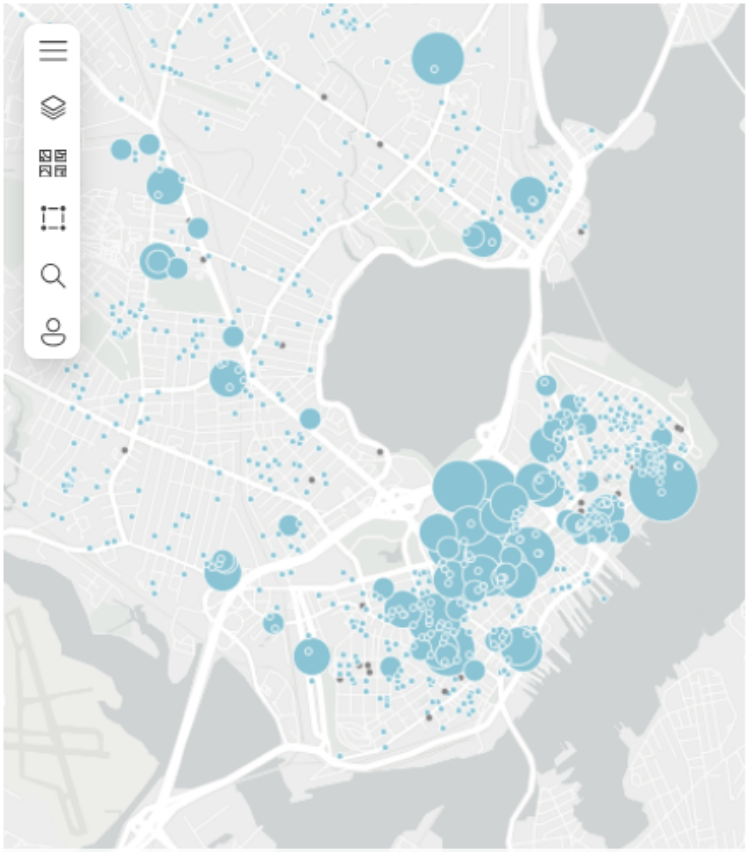
	B-1	B-2/B-2b
Lot area (min.)	--	--
Street frontage (min.)	20 ft.	--
Gross floor area (max.) (Nonresidential uses on the ground floor only, unless otherwise permitted or restricted)	5,000 SF	--
Build-to zone	0–5 ft.	0–10 ft.
Build-to percentage (min.)	100%	100%
Building length as a percentage of street frontage (min.)	--	B-2: None B-2b: Lots up to 50 ft. in frontage: 80% Lots greater than 50 ft. in frontage: 60%
Blank wall area (max.)	20 ft.	20 ft.
Rear setback (min.)	None, except 10 ft. if abutting a lot in a residential zone	None, except 10 ft. if abutting a lot in a residential zone
Side setback, interior (min.)	None, except 5 ft. if abutting a lot in a residential zone	None, except 5 ft. if abutting a lot in a residential zone
Structure height (max.)	55 ft., except 35 ft. within 20 ft. of an RN-1, RN-2, RN-3, OS-R, or OS-P zone[2]	75 ft., or as shown on the City of Portland Height Map, except 50 ft. within 15 ft. of an RN-1, RN-2, RN-3, RN-4, OS-R, or OS-P zone

Measuring Success (as Cambridge is doing in Envision Cambridge)

Affordability

Click on the graphs to the right and the map below to see additional information about approved & completed projects.

Units Approved from 2010-Present

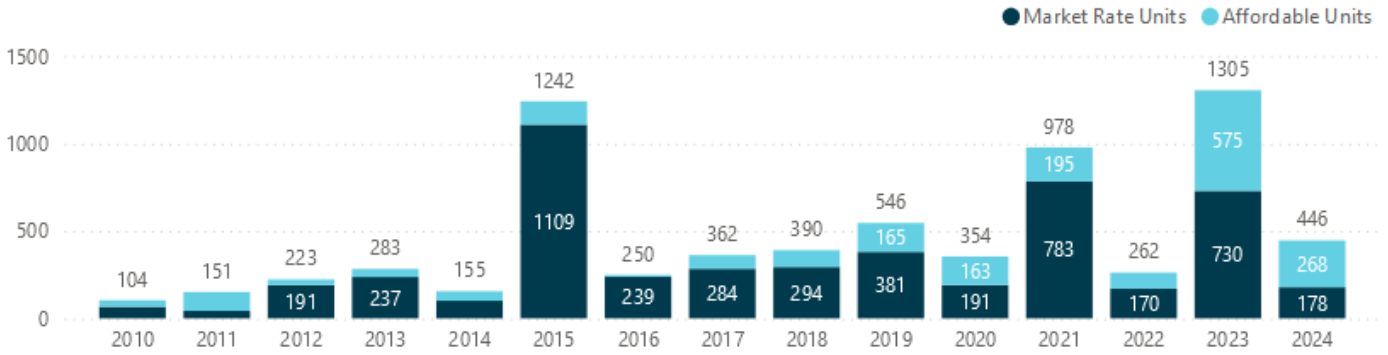


Landing Page | Approved & Completed | Ownership & Rental

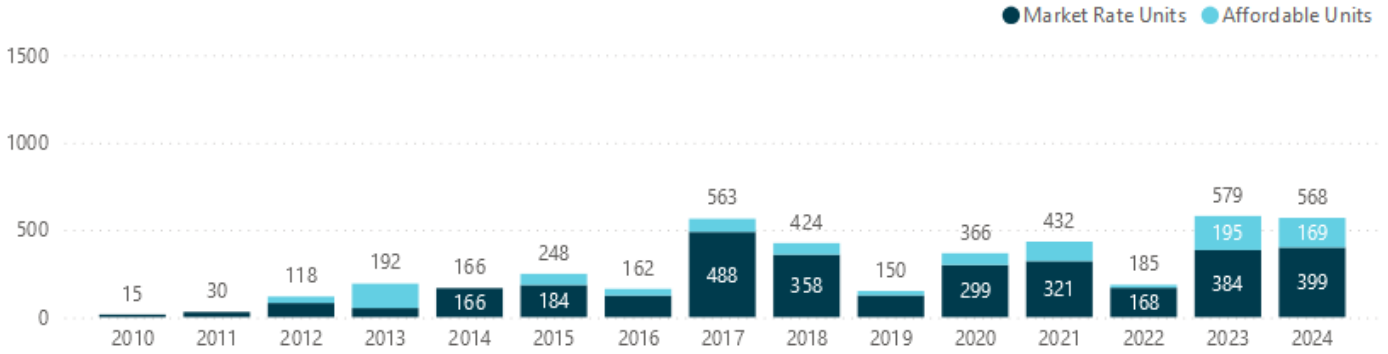
Data as of November 13, 2024

Filter by: City Council District: All | Current Zoning District: All | Current Historic District: All

Units Approved by Affordability by Year

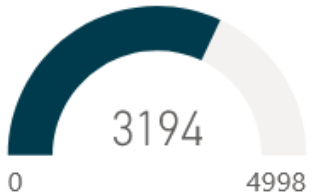


Units Completed by Affordability by Year

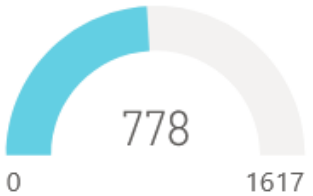


Units Approved & Completed by Affordability

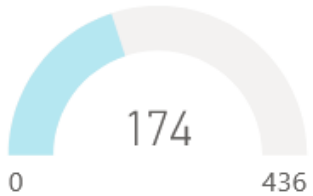
Market Rate Units



Units at 0-80% AMI



Units at 80-120% AMI



Site Plan Review

- Not a discretionary process; a technical local review process
- Hard to deny a project
- Still some litigation risk
- Proposed “Planning Board Advisory Consultation” process is somewhat similar

Planning Board Review:
Larger developments

Staff Review:
Small developments

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