

# The Southeast New England Program Network: The Bylaw Review Tool

## BUILDING COMMUNITY RESILIENCE THROUGH LOCAL REGULATIONS

### HOW DOES THE BYLAW TOOL HELP BUILD COMMUNITY RESILIENCE?

Local decisions on land use can help build resilience and reduce climate impacts like flooding, droughts, and heat waves. Climate Change, including rising temperatures, sea level rise, stronger storms, more intense freeze-thaw cycles, and increased frequency of drought are creating immeasurable challenges for communities throughout Massachusetts. These impacts are exacerbated by conventional, unsustainable land use patterns. Development in Massachusetts has disrupted natural water cycles. Continued unchecked growth will further exacerbate this issue. Expansion of impervious surfaces (i.e. pavement) combined with stormwater runoff and warming water temperatures is increasing water pollution.

At the local level, municipalities have significant power to avoid these impacts by implementing land use policies and development designs. Municipalities can be proactive by adopting rules that support **nature-based solutions** to combat climate change. However, it can be difficult to know where to start. **A regulatory review using existing tools, such as Mass Audubon's Bylaw Review Tool, is a necessary early step.**

### WHAT DOES THE BYLAW REVIEW TOOL DO?

The Bylaw Review Tool allows users to evaluate local Zoning, Site Plan Review, Subdivision Rules and Regulations, Stormwater or LID bylaw, and Cluster or Open Space Residential Design bylaw. While the focus is primarily on residential development, the concepts are also applicable to other forms of development and redevelopment.

Image of the Bylaw Review Tool (OSRD Tab)

	A	B	C	D	E
	<b>MA Open Space Residential Design</b>	<b>Conventional</b>	<b>Better</b>	<b>Best Practice</b>	<b>Community's OSRD</b>
1	<b>Best Practices Factors</b>				
2	<b>Permit Type</b>	Special Permit	By Right	Mandatory	
3	<b>Land area to which the zoning is applicable</b>	Only a small amount of developable land	Land of particular environmental sensitivity	All developable land zoned residential	
4	<b>Minimum Open Space</b>	50-65%	65-75%	≥ 75%	
5	<b>Yield Calculation</b>	Full plan with full percolation tests	Sketch plan with selected percolation test(s)	By formula	
6	<b>Minimum parcel size</b>	≥ 10 acres	5-10 acres	None	
7	<b>Review Process</b>	No detailed analysis of site characteristics in relation to design	Cluster layout	Flexible "OSRD" 4 Step	

### HIGHLIGHTS

PARTNER TOOL:

Mass Audubon

CONTACT:

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**SNEP NETWORK  
BYLAW REVIEW  
WEBPAGE**



### WHAT ARE NATURE BASED SOLUTIONS?

Nature Based Solutions “protect, restore, and/or manage an existing ecological system or mimic natural processes, to protect public health and clean water, increase natural hazard resilience, and/or sequester carbon.” Green Infrastructure & Low Impact Development (LID) are two major categories of nature based solutions.

# HOW DOES BYLAW REVIEW TOOL WORK?

The excel-based Bylaw Review tool allows you to quickly add your community's regulations into a chart for comparison with **conventional**, **better** and **best practices**. Color coding helps create an intuitive, color-coded matrix. The Bylaw Review Tool helps you evaluate local land use regulations for **Open Space Residential Design (OSRD)** and **Zoning, Subdivision, Site Plan Review, and Stormwater Overview**.

The Bylaw Review Tool has 10 tabs that guide you in completing your town's bylaw review that are broken down into three major components:

- **The Overview:** The Overview component of the Bylaw Tool provides the user with a high-level description of the types of bylaws, and what to look for in each. During this component, we take a deeper dive into reviewing the local bylaws for Open Space Residential Design and Zoning, Subdivision, Site Plan Review, and Stormwater overview. (Tabs 1-4)
- **The Analysis:** The Analysis component of the Bylaw Tool guides the user in examining their existing bylaws and regulations, and looking for opportunities to further promote nature based solutions and other best practices. (Tabs 5-6)
- **The Resources:** The Resources component includes a list of model bylaws/regulations, common acronyms, acknowledgements, and contact information (Tabs 7-10)

## Using the Bylaw Review Tool

	Conv	Better	Best Practice	Community's OSRD
Permit Type	Special Permit		Mandatory	Special permit
Land area to which the zoning is applicable	Only a small amount of developable land	same or particular environmental sensitivity	All developable land zoned residential	Any creation of lot (5) or more lots, whether a subdivision or not, from a parcel or set of contiguous parcels held in common ownership and located entirely within the Residence district
Minimum Open Space	50-65%	65-75%	≥ 75%	Minimum 20% contiguous open space excluding required yards and buffer areas. Open space may be separated by road(s) constructed within the Conservation Subdivision. Not more than 25% of open space shall be wetlands. 10% of open space may be paved or built on for structures accessory to dedicated use.
Yield Calculation	Full plan with full percolation tests	Sketch plan with selected percolation test(s)	By formula	
Minimum parcel size	≥ 10 acres	5-10 acres	None	

Compare the provisions within your community's bylaw to the 'Conventional', 'Better', and 'Best Practice' example language in the columns to the left. Determine which example your community's bylaw is most in line with, and color code the cell with the corresponding color.

To see a Step-by-Step Process for using the Bylaw Review Tool, check out the [SNEP Network's Bylaw Review Storymap](#).

## ABOUT THE NETWORK

The SNEP Network provides free training and assistance to municipalities, organizations, and tribes in Rhode Island and Massachusetts to achieve healthy watersheds, sustainable financing, and climate resilience. The SNEP Network is a project of the New England Environmental Finance Center and is funded by the U.S. Environmental Protection Agency's Southeast New England Program. To learn more about or request network services, SNEP communities can visit [www.snepnetwork.org](http://www.snepnetwork.org)



## ADDITIONAL RESOURCES:

- ["Building Community Resilience Through Local Regulations" Bylaw Review Curriculum](#)
- [SNEP Network Webinar "Is Your Community Climate Resilient? – Bylaws and Best Practices" Recording](#)
- [Mass Audubon: LID cost--additional resources on cost-effective LID including printable fact sheets](#)
- [Massachusetts Smart Growth Model Open Space Design/Natural Resource Protection Zoning](#)
- [MA-APA Neighborhood Road Design Guidebook](#)
- [MassDEP's Stormwater Program and MS4 compliance resources](#)