

40R—The Smart Growth Zoning and Housing Act

What is 40R?

- A new tool in increasing affordable housing in Massachusetts
- A housing program that provides communities with financial incentives to encourage adoption of special overlay districts

What are the Financial Incentives?

- Incentive payments to a participating town that can range from \$10,000 to \$600,000 based on project size.
- Communities also receive \$3,000 for each unit that receives a building permit

What if a Town who has already received the incentive payment from the State does not build?

- If no construction begins within three years the Town must reimburse the State—Which is an Incentive to build, and build soon.

How do Towns become involved in the 40R Housing program?

- A Town must file a comprehensive plan with the State that outlines the housing they plan to build.

What are the requirements for developments under 40R?

- 20% of residential units in these projects must be affordable
- Must build in an area which “maximizes existing infrastructure”

What does the State of Massachusetts hope to succeed with 40R?

- Increase the affordable housing stock in Massachusetts
- Increase areas where Seniors can live affordably, close to transportation, retail areas, and community centers

How does this 40R compare to 40B?

- Not flexible zoning rules, by right zoning on smaller more affordable lots