Natural Resource Protection Zoning

A Model for Massachusetts

(and elsewhere)
Conservation-Friendly Zoning Toolkit

- Natural Resource Protection Zoning (NRPZ)
- Transfer of Development Rights (TDR)
- Flexible Frontage
- Growth Areas
- Home Occupations
- Accessory Apartments
- The Working Landscape
Major Residential Development

- Larger subdivisions require a special permit
- Subdivision process suspended
- Special permit requires two plan submittals:
  - Conventional plan
  - Cluster plan
- Planning board picks preferred plan
- Subdivision process resumes for selected plan
- *Wall Street v. Westwood* says NOT SO FAST!
Natural Resource Protection Zoning (NRPZ)
NRPZ Pedigree

NRPZ

Cluster Zoning
(permanent conservation land)

Fixed-Area-Ratio Zoning
(area-based formula)

Large-Lot Zoning
(very low density)
Common Elements of NRPZ

- By Right (submit a subdivision plan)
- Deviations, including Conventional Development, by “Special Permit” Only
- Very Low Density (for MA)
- Development Rights Calculated by Formula
- Substantial Open Space Preserved (65-90%)
- Conservation Analysis/Findings Process
- Greater Design Flexibility in Developed Areas
- Diversity of Housing Types (e.g., multi-family)
- Shared Driveways
- Earned Density Bonus Options
- TDR Option
Basic NRPZ Formulas

Dwelling Units:
- Gross project area (acres)
- Subtract all or part of constrained lands (acres)
- Divide by selected divisor (acres/unit)
- Add any density bonuses and/or TDR (units)
- Equals: maximum number of dwelling units

Preserved Land:
- Gross project area (acres)
- Multiply by required percentage (.65 - .90)
- Add additional land from bonuses and/or TDR, if any (acres)
- Equals: minimum acreage of preserved land

Developable Land:
- Gross project area (acres)
- Subtract total acreage of preserved land (acres)
- Equals: maximum acreage of developable land
Project: ___________________________ Date __________________

**Shutesbury Open Space Design Worksheet**

### Dwelling Units

1. Determine acreage of the entire project.

2. Determine the combined acreages in the RR, TC, and/or LW zones.

3. Determine the acreage of constrained lands in the three zones: 1/2 of slopes >20%; and all freshwater wetlands, flood plain, lakes, ponds, or restricted areas.

4. Subtract, as indicated above, either one-half or all of the acreages in #3 from the total area of the RR, TC, and/or LW zone in #2.

5. Divide the remainder acreage in the RR, TC, and/or LW zones by three (3).

6. Determine the acreage in the FC zone.

7. Determine the acreage of constrained lands in the FC zone; 1/2 of slopes >20%; and all freshwater wetlands, flood plain, lakes, ponds, or restricted areas.

8. Subtract, as indicated above, either all or one-half of the acreages in #7 from the total area of the FC zone in #6.

9. Divide the remainder acreage in the FC zone by five (5).

10. Combine the results of #5 and #9 and round up or down (less than 0.5 = down, 0.5 or greater = up) to equal the **base number of dwelling units**.

11. Add in any dwelling units from density bonuses and/or TDR to arrive at the **maximum dwelling units** (may not exceed 1.25X the base number from #10).

### Open Space

12. Multiply the total RR, TC, and/or LW acreage (from #2) by 0.65.

13. Multiply the total FC acreage (from #6) by 0.8.

14. Add #12 and #13 to equal the **base acreage of open space**.

15. Add any additional open space from density bonuses, if any, to arrive at total **acreage of open space** to be preserved.

### Developable Land

16. Subtract #15 from #1 to arrive at the acreage remaining for development as streets and houselots.

### Design

The location and relationship between developed areas and open space, as well as neighborhood layout, roadway access, and trails, are addressed by the applicant and Planning Board through a process called “Conservation Analysis,” which is administered either through the subdivision regulations or through site plan review (if the project is not a subdivision).

Note: Estimates based on the zoning in effect on the date of analysis and the information then provided by the landowner. Actual results may vary with more accurate information, the design process, and the requirements of other local boards or state agencies.
Conservation Analysis
(By Applicant)

Conservation Findings
(By Planning Board)
TOWN OF BREWSTER
WATERSHED,
CONSERVATION,
AND
DRINKINGWATER
SUPPLY AREA
PLEASE
PROTECT IT!
Landowner Acceptance
(of low-density NRPZ)

- Prompt and predictable permitting (by right and by formula)
- Greater design flexibility (no lot area, frontage, or setback requirements)
- Housing diversity (all underlying types allowed)
- Attractive features (lower infrastructure costs, shared driveways, density bonuses, TDR)
- Owner may retain resource lands (up to 90% of total parcel area)
Flexible Frontage Option

- 3 Lots
- 3 Curb Cuts
- Much of site impacted

- 4 Lots
- 1 Curb Cut
- Impacts are limited
- Frontage/green corridor preserved

This parcel has 900' of road frontage and is 800' deep. It is forested with a mix of deciduous and coniferous trees.
Accessory Apartments
More Information on NRPZ

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