



LOCAL IMPLEMENTATION



Implemented on Cape Cod

OVERVIEW

Inclusionary housing policies require developers to provide a portion of housing units as affordable. Depending on the bylaw or regulation, the inclusionary requirements may allow for the affordable units to be provided off-site or through a payment in lieu of construction. An inclusionary housing policy may be implemented within the zoning code or as a general bylaw. Affordable units are typically required to be affordable to a household earning up to 80% of the area median income (AMI), but sometimes the eligible household incomes range from 60% to as high as 200% AMI. Inclusionary housing policies can also include density bonuses, which allow developers to build more units than otherwise allowed in exchange for building affordable housing. The thresholds at which an inclusionary zoning or housing provision applies may be a certain number of housing units or lots created during a subdivision. A requirement for 10% of housing units or lots to be affordable in a project creating 10 or more new housing units or lots is a commonly used threshold; however, several towns are lowering the threshold to include projects as small as two new housing units.

CHALLENGES ADDRESSED

-  Not Allowed to Build Multi-family Housing
-  Too Expensive to Build New Housing
-  Too Expensive to Secure or Maintain Housing
-  Hard to Find Year-round Housing

POTENTIAL BENEFITS & CONSIDERATIONS

- If affordable units are required on-site, it creates integrated, economically diverse communities and provides access to housing options in locations that might otherwise be unavailable to lower-income households
- Towns must understand and consider their local context and housing market when determining an appropriate and effective percentage for the affordable unit set aside, which can be challenging
- Inclusionary policies require a strong housing market to be effective in producing affordable units
- Affordable units will need to be monitored regularly for compliance and to ensure they remain accessible to eligible households, which will require time and resources

RESOURCES & EXAMPLES

Understanding Inclusionary Zoning - The Pioneer Valley Planning Commission (PVPC), a regional planning body in the Pioneer Valley region, created this short guide, with case studies, on inclusionary zoning bylaws.

Town of Eastham Inclusionary Zoning Bylaw - Eastham's inclusionary zoning is meant to encourage development of new housing that is affordable to persons of various age and income levels in accordance with Massachusetts General Law, and is applicable to any project resulting in a net increase of 5 or more dwelling units.

CASE STUDY: PROVINCETOWN INCLUSIONARY AND INCENTIVE ZONING BYLAW (2017)

Provincetown's current inclusionary zoning bylaw was adopted in 2017 and aims to encourage housing opportunities for all incomes, support a year-round community and local workforce, and create dwelling units eligible for inclusion on the Town's Subsidized Housing Inventory (SHI). It includes specific requirements for developments of 2-5 dwelling units and those with 6 or more dwelling units. Payment in Lieu and Land Donation in Lieu of providing affordable units are also options and it includes a density bonus, building height bonus, and fee reduction bonus to support the creation of affordable housing units.

The zoning is available [here](#).

