



# Exclusionary by Design

Investigation into Zoning's Purposes,  
1920s to Today

Amy Dain, Dain Research  
A Project of Boston Indicators,  
The Boston Foundation

# Residential Land-Use Regulation in Eastern Massachusetts

A Study of 187 Communities

*Amy Dain*

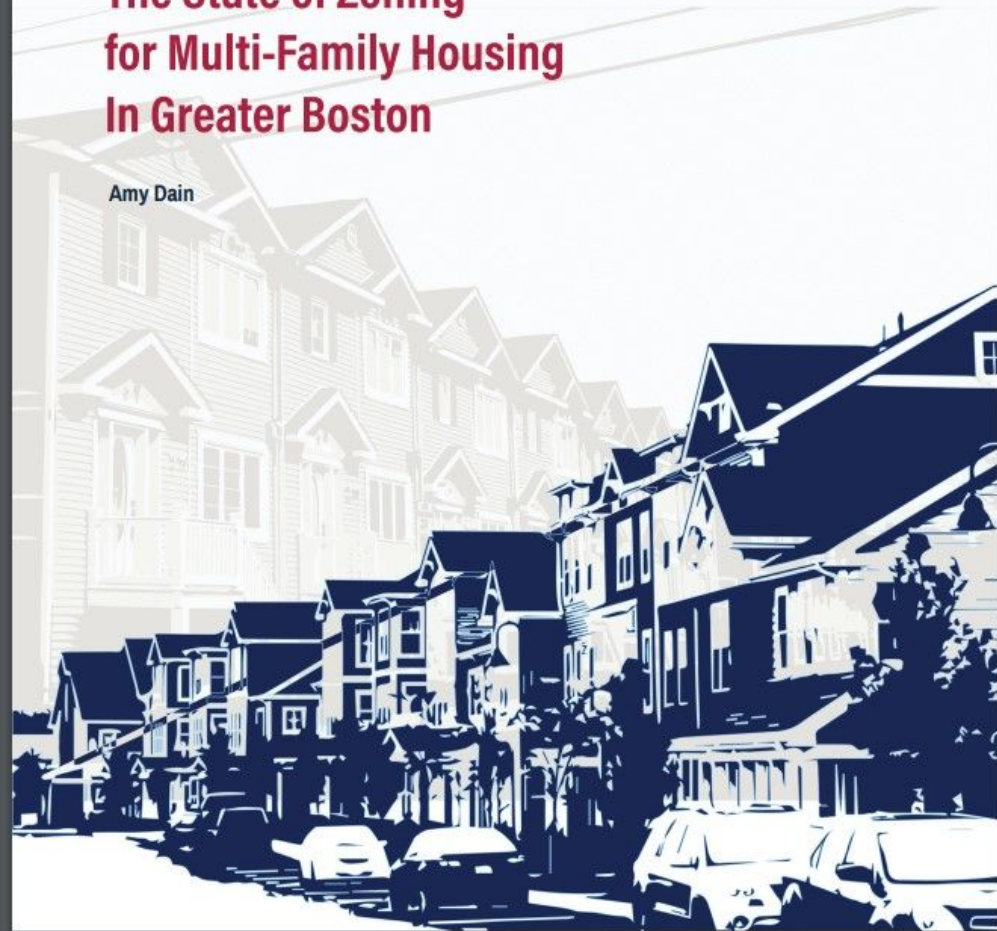
December 2005

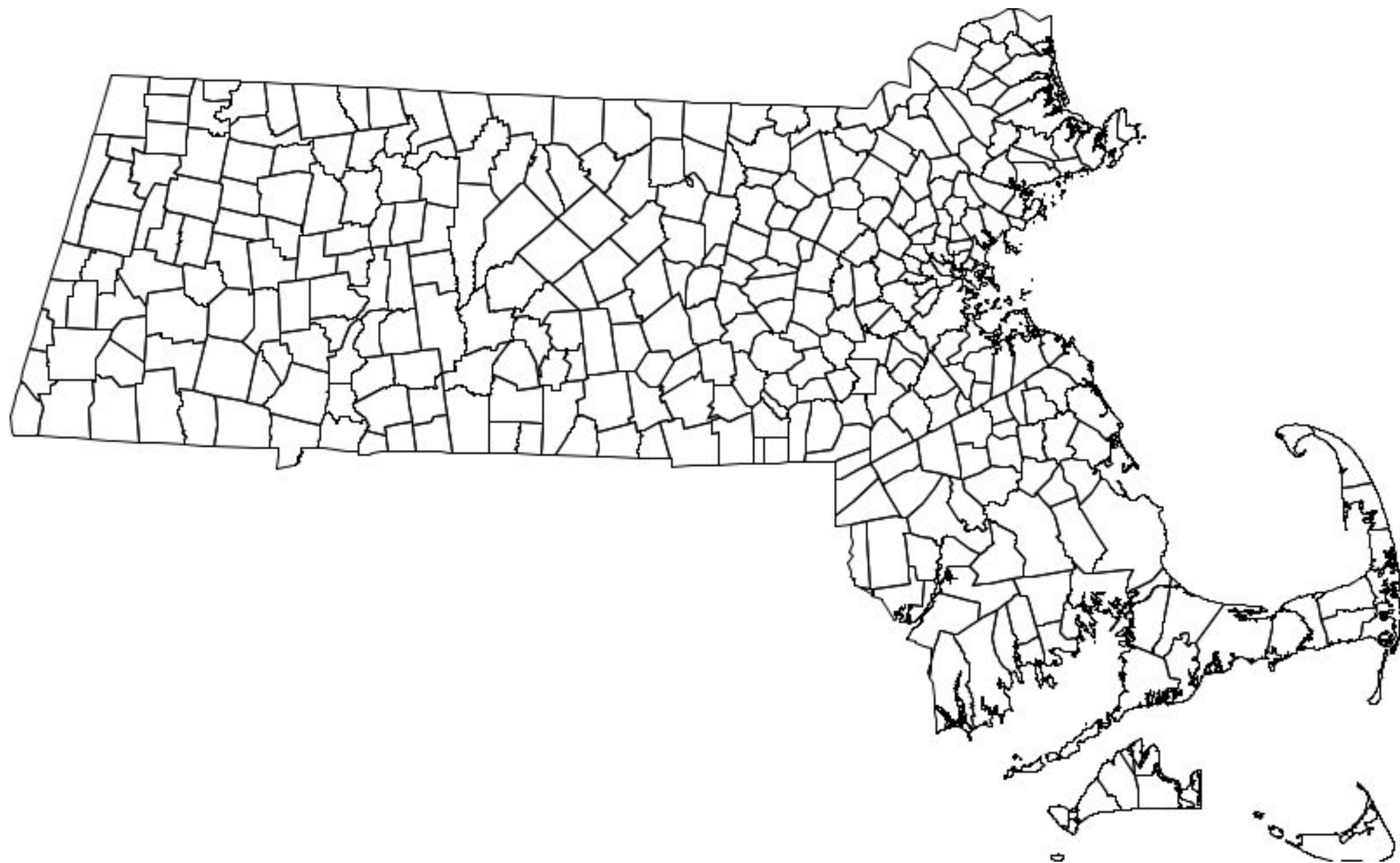


JUNE 2019

# The State of Zoning for Multi-Family Housing In Greater Boston

Amy Dain





Local zoning laws  
significantly ban or restrict  
lower-cost types of housing  
across many jurisdictions

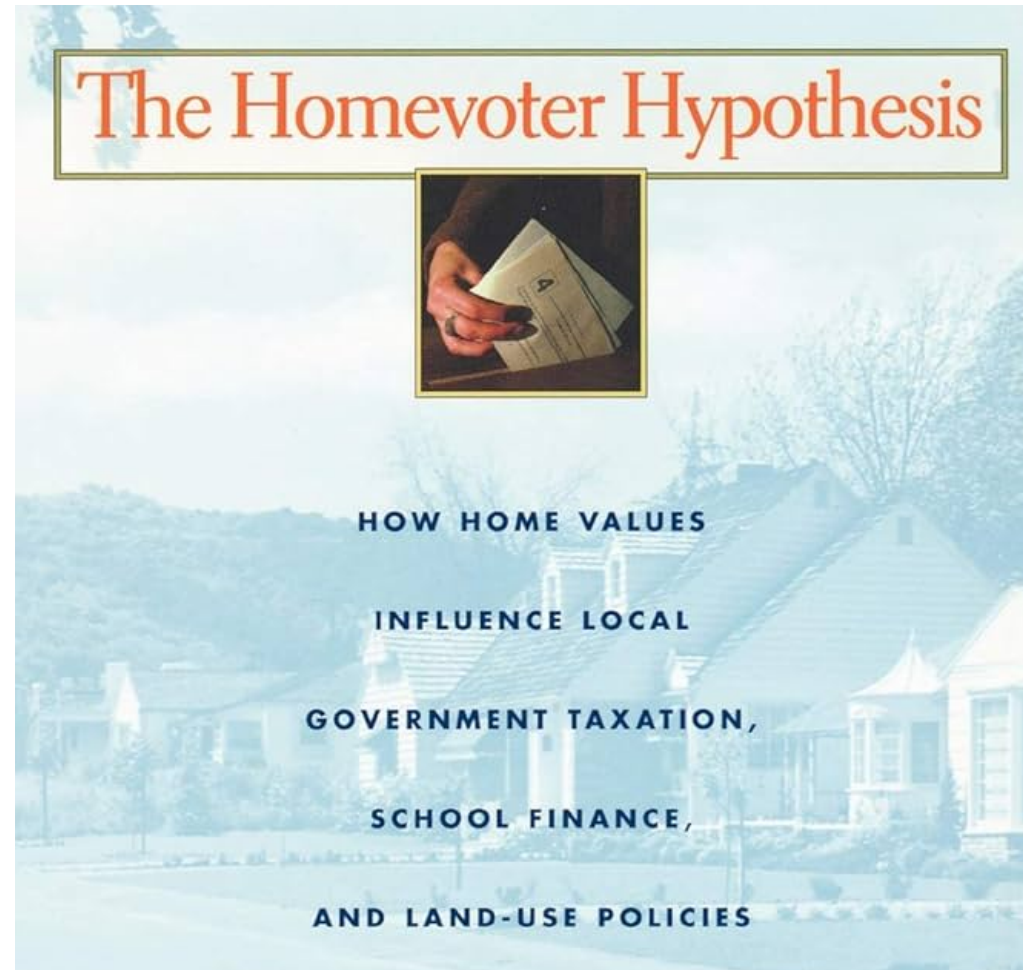
“Amy, why do municipalities adopt exclusionary zoning?”

*--Multiple reporters*

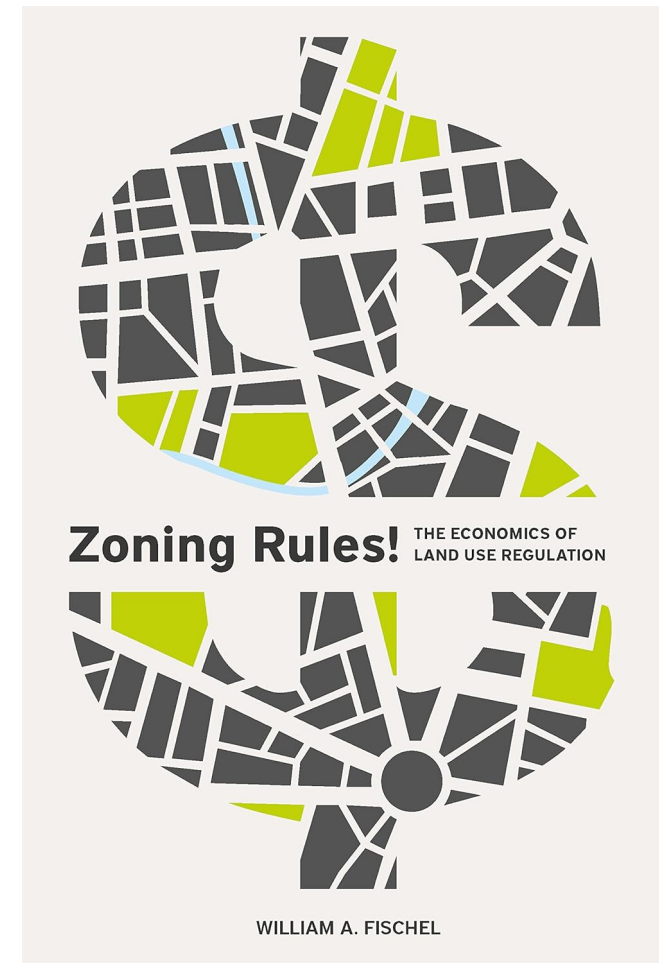


William  
Fischel

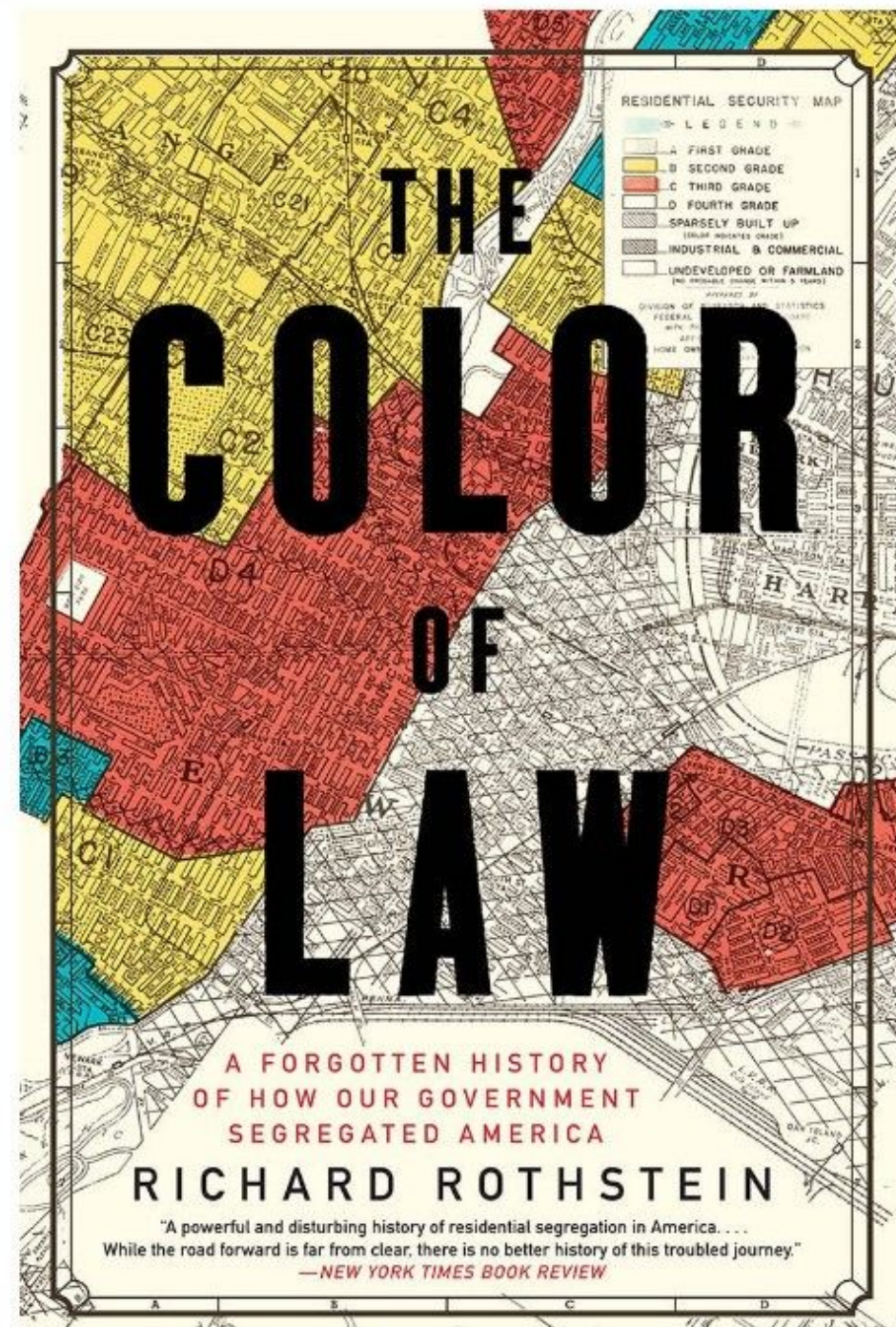
2001



2015



Richard  
Rothstein,  
2017



*traffic ...*

*... parking ...*

*aesthetics ...*

*... flooding ... privacy*

*... ..*

*water quality ... infrastructure capacity*

*shadows ...*



**Why do municipalities adopt zoning that is exclusionary – and causes segregation?**

- A)** Exclusion is side effect, not intent, of zoning?
- B)** Social class elitism (mostly)?
- C)** Social class elitism and racism (mostly)?

# IF YOU WANT TO KNOW ABOUT ZONING ASK MELROSE HIGH SCHOOL PUPILS

Civics Freshmen Have Made a "Present Use" Map in Such Detail It Shows Every One of the  
600 Private Garages and 263 Henhouses



Mrs. Eva G. Osgood.



George A. McPheters, Instructor, Civics



Photo by  
KEYSTONE

1924

LAND USE REGULATION AND HOUSING

## Residential Land-Use Regulation in Eastern Massachusetts

A Study of 187 Communities

*Amy Dain*

December 2005



**Plan review: 1994 -- 2004**

JUNE 2019

## The State of Zoning for Multi-Family Housing In Greater Boston

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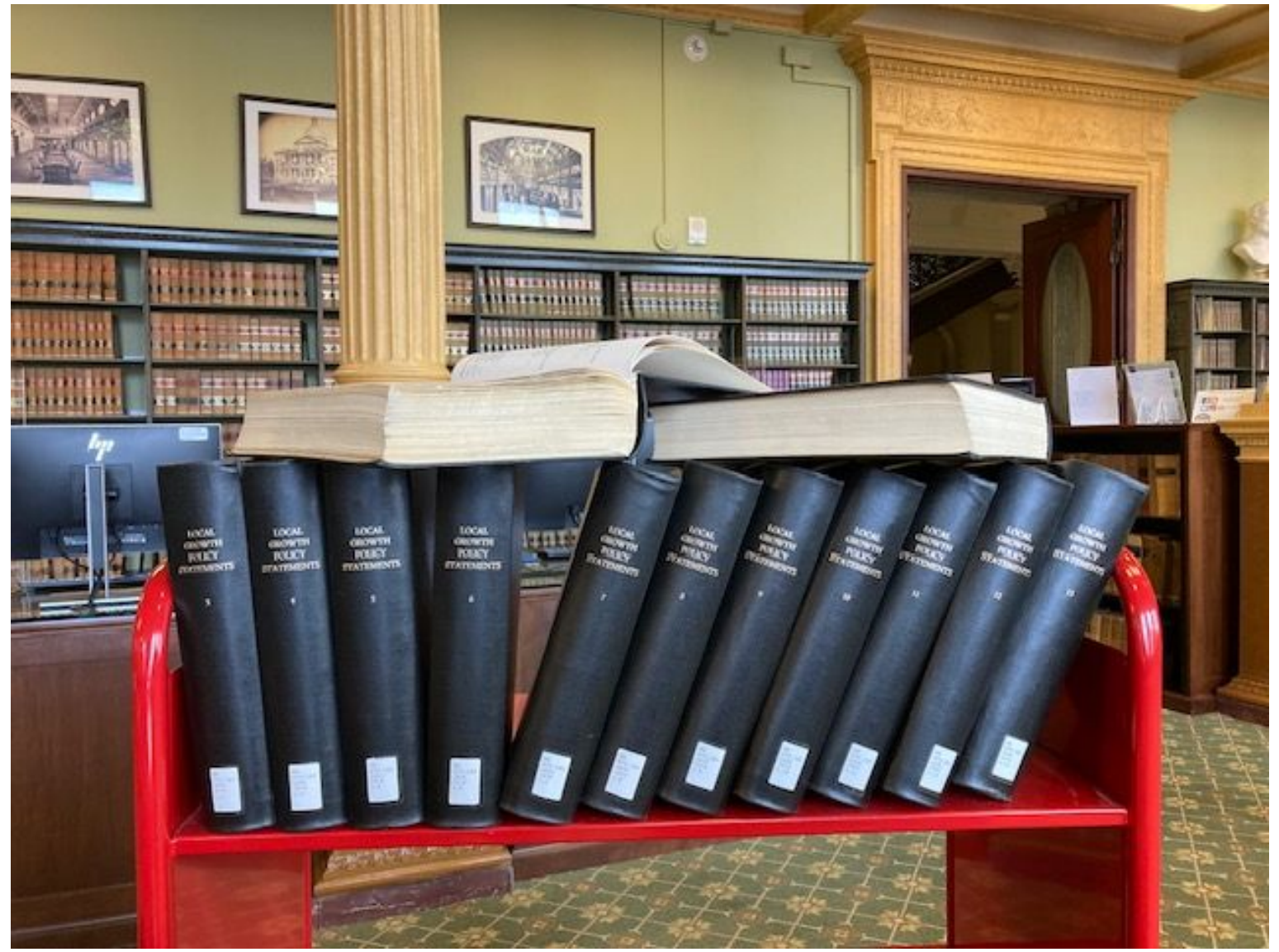
**Plan review: 2007 - 2017**





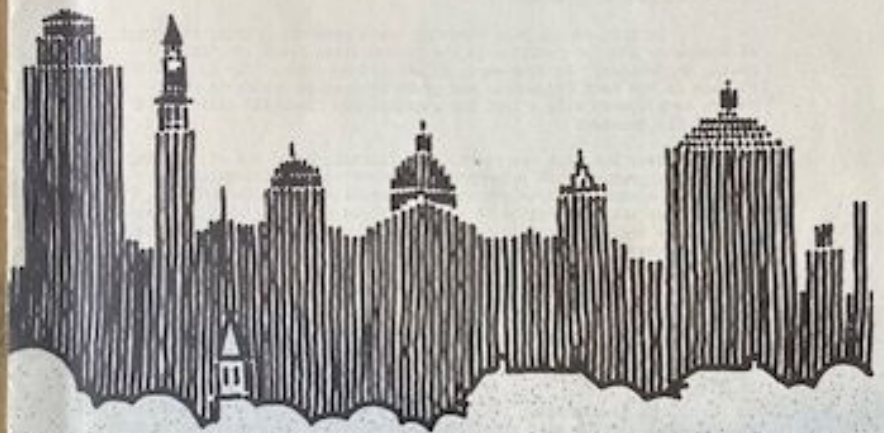


13 volumes of  
Local Growth  
Policy  
Statements,  
1976



Pen  
352.7M31:2  
N37: P69c

THE CITY  
COMES TO



NEEDHAM

STATE LIBRARY  
OF  
MASSACHUSETTS

NEEDHAM<sup>MASS.</sup> PLANNING BOARD · 1955 ·



Metcalf and Eddy, engineers

IPSWICH COMPREHENSIVE PLAN

IPSWICH, MASSACHUSETTS

June 1964

PREPARED FOR  
IPSWICH PLANNING BOARD  
AND  
MASSACHUSETTS DEPARTMENT OF COMM

## STURBRIDGE, MASS.



### LEGEND

- ..... SEWER STUDY RATE
- - - 1945-1955 GROWTH RATE - OPTIMISTIC (46.3%)
- . - . 1955-1965 GROWTH RATE - PESSIMISTIC (20.8%)
- COMPREHENSIVE PLAN PROJECTION

# Four Eras of Zoning History in Greater Boston

- Early adoption
- Post-war era
- The Big Downzone
- Current Era



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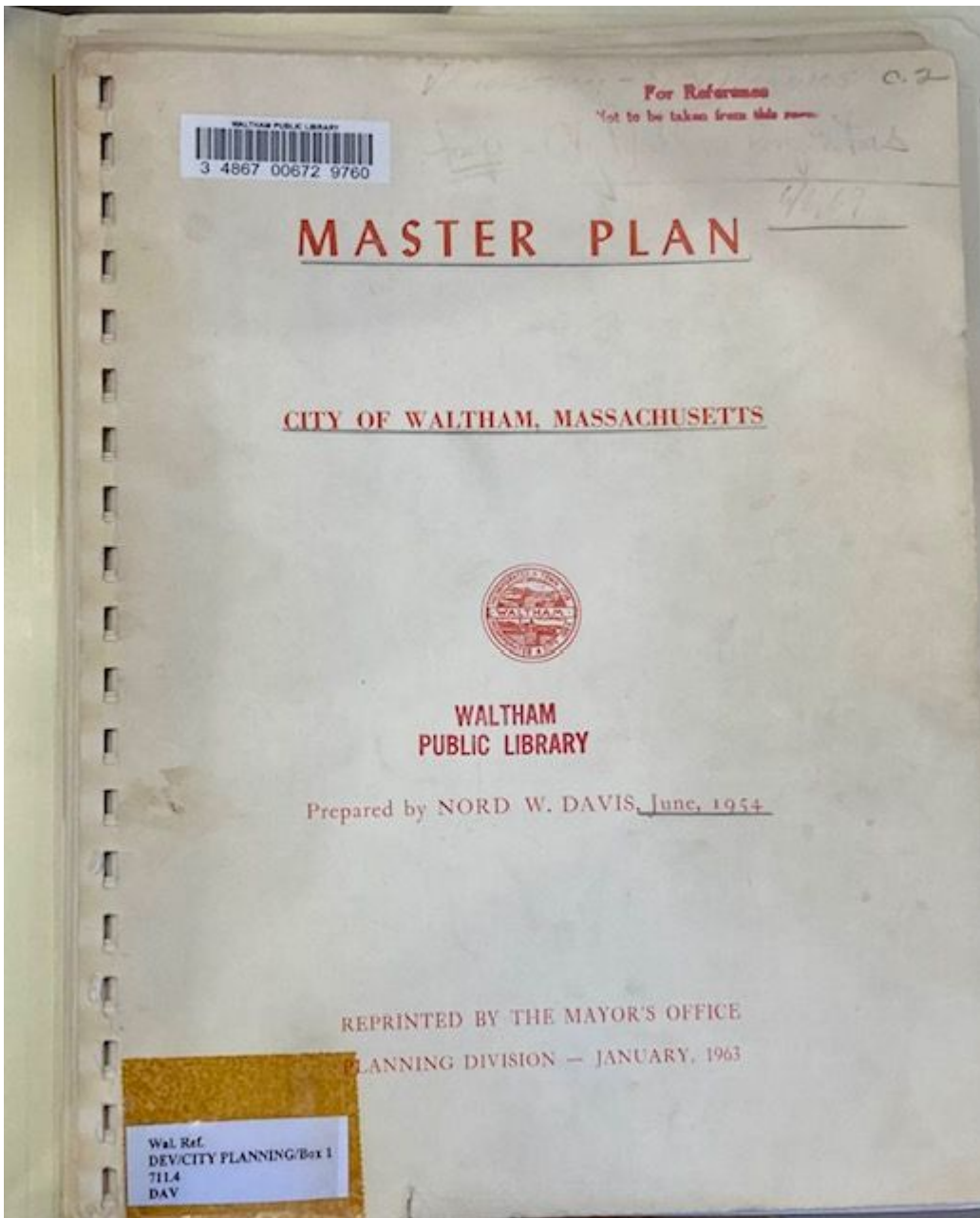
# Class Zoning g

# Planning for Wayland, Massachusetts

Wayland Planning Board

October 1962

“As population pressure has heightened, the Planning Board and the Town Meeting have reappraised Wayland’s **position** within the western section of the metropolitan area and have increased the lot area and frontage requirements for residential districts and maintained the single family residence requirement.”



Waltham's 1954 Master Plan explained that constituents would like to plan...

"for an improved **position** as a desirable residential community in metropolitan Boston, one which will not become too densely populated."





DEDHAM  
PUBLIC  
LIBRARY  
DEC. 1840 - 1841

DEDHAM PUBLIC LIBRARY  
DEDHAM, MASS. 020

Prepared by

Arthur A. Shurcliff and Sidney N. Shurcliff

*Town Planners*

Boston, Massachusetts

for

The Dedham Planning Board

Carl F. W. Wagner, *Chairman*

Earl W. Pilling, *Secretary*

Herbert E. Fuller • John H. Rooney • H. Sumner W

1947

Dedham's 1947 Master Plan:

“A 40,000 square foot minimum lot size was recommended in this area as a means of keeping up property values and attracting well-to-do newcomers.”

**Why do municipalities adopt zoning that is exclusionary – and causes segregation?**

**A)** ~~A side effect, not intent, of zoning~~

**B)** Social class elitism (mostly)?

**C)** Social class elitism and racism (mostly)?



# Fiscal Zoning





**Goal of class zoning:**

high position on the social hierarchy of municipalities.

**Goal of fiscal zoning:**

high tax revenues relative to municipal expenditures.

# Fiscal Zoning

- 1950s, Canton saw small-lot subdivisions in Cedarcrest Highland
- Town collected approx. \$300 in taxes per home
- Cost of educating a child approx. \$423
- Rezoned for one-acre minimum lot sizes

**Plot twist!**



# Mid-Century Apartment Debate

*Zone for apartments?*

## **PRO:**

- Need the housing
- Fiscal benefits

## **CON:**

- Socio-economic position/  
ranking in class hierarchy

“It’s a small town, and you can’t say let’s lump everything here. It’s ultimately going to take the town down a notch.”

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The Boston Globe  
12 Oct 1960, Wed · Page 31

Some town planners want to establish an "executive belt" of estate zoning.



Mid-century apartments,  
Framingham





# **The Big Downzone**

**Why?**

Why did the whole region downzone all at once?



# Why?

**A.** Environment, traffic, growth pains...

**B.** Class elitism?

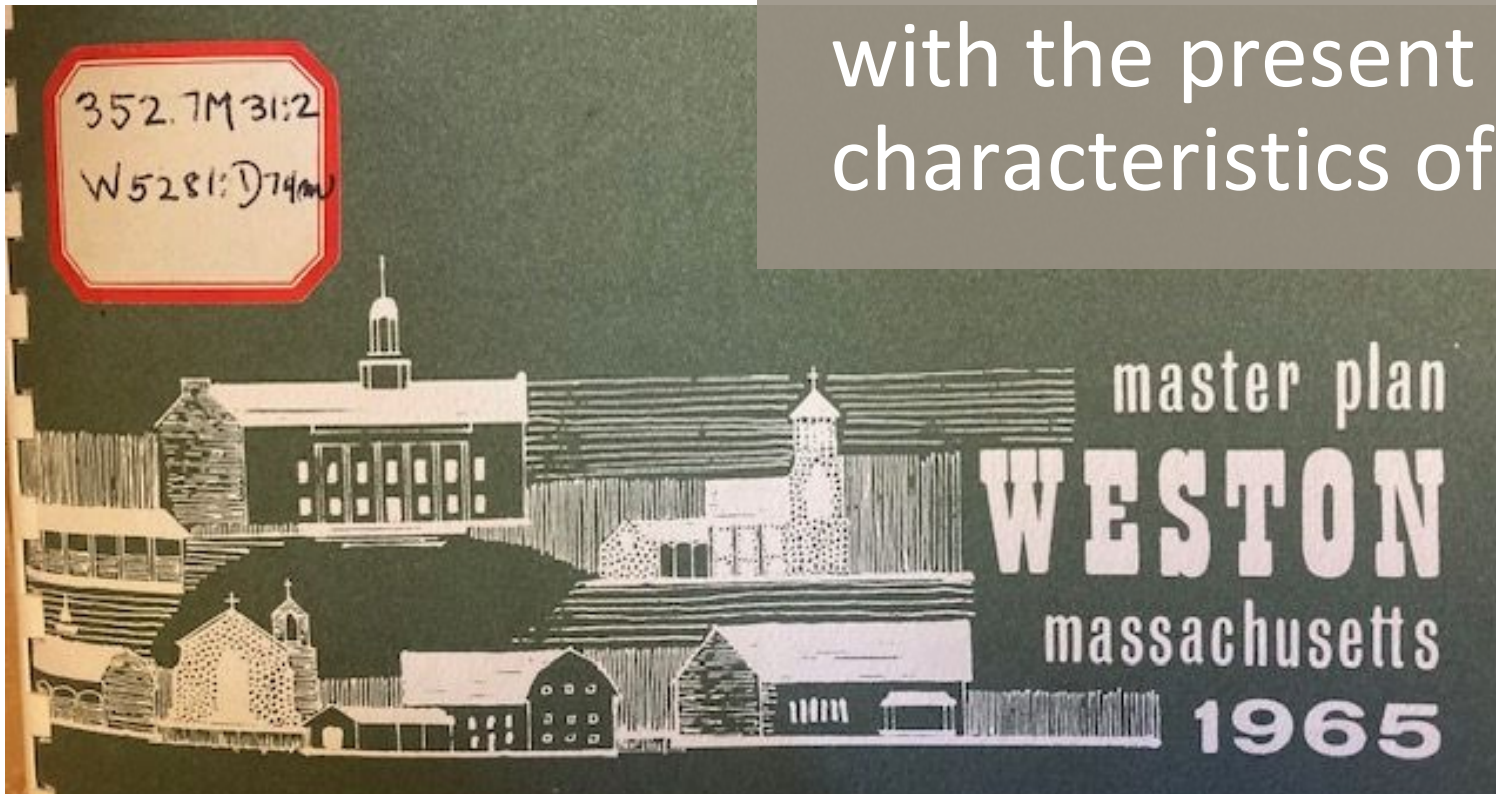
**C.** Racism?

✓ **A.** Environment, traffic, growth pains...

? **B.** Class elitism

? **C.** Racism

“Social Goal: Accommodate further moderate population growth in a manner consistent with the present characteristics of Weston.”





2. Regional Goal

Assist Weston to become properly integrated into its region; cooperate with other cities and towns, state agencies, public authorities and private groups to the extent advisable to achieve the town's other goals; and resist any regional trends and influences substantially adverse to the town's efforts to achieve its other goals.

3. Social Goal

Accommodate further moderate population growth in a manner consistent with present characteristics of Weston.

4. Physical Goal

Reach realistic decisions about the future use of land, recognizing it as a scarce resource to be conserved rather than exploited; create and maintain a balance of land use activities compatible with and complementary to a predominantly residential community; provide a residential environment having the qualities of comfort, safety, convenience and aesthetic satisfaction; preserve and enhance the visual character and features of the natural and man-made physical environment and reduce or remove unsightly features from the community; and provide for orderly growth of the community while preserving and extending a measure of diversity among its neighborhoods.

“...segregation of the North is a new form of slavery.” –MLK, 1965



1965.]

HOUSE — No. 4155.

9

In a real sense segregation, whether it is de jure segregation of certain sections of the South or de facto segregation of the North, is a new form of slavery covered up with certain niceties of complexities.





# City of Newton's 1968 Housing Report



“Inherent in the controversy, but not often openly articulated, is the notion that to open a community's low-income housing developments to other than local residents signals a major influx of black families fleeing the oppressive conditions of the core city ghettos.”



Federal Fair  
Housing Act  
of 1968



E

Boston Sunday Globe, March 22, 1970

B-53

Big question of the 70's:

# Will suburbs see light, rezone for apartments?

By Anthony J. Yudis, Globe Staff

## A Guide to Executive Order No. 215



GOVERNMENT DOCUMENT  
COLLECTION

LEB 04 1988

University of Massachusetts  
Depository Copy





WBUR



### It Was Like A War Zone': Busing In Boston | WBUR News

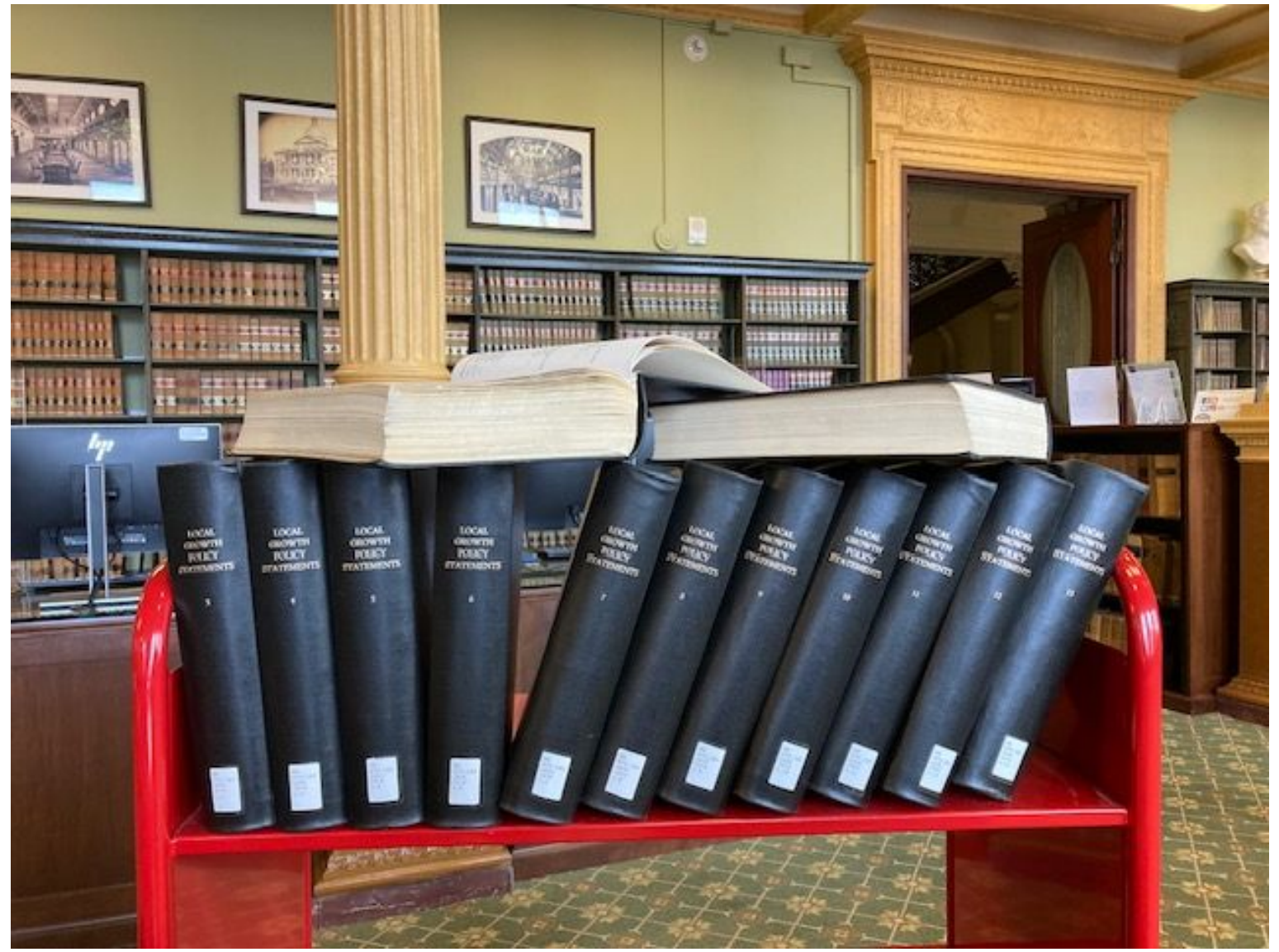
Creator: J. Walter Green

[Visit >](#)





13 volumes of  
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Policy  
Statements,  
1976



Local Growth Policy  
Statements:  
**“No Growth”**



“At this time, and in the foreseeable future, there is little or no advantage in believing our mission is growth.”  
-- Natick



Liabilities:

1. Some slummy housing.

2. At least our share of poor people.



**A)** Environment, traffic, growth pains...



**B)** Class elitism



**C)** Racism

# Holliston's Local Growth Policy Statement, 1976

“Town should continue to maintain  
**socio-economic status** as at present.”

## LOCAL GROWTH POLICY QUESTIONNAIRE

1:40

Problems and Opportunities Presented by Past Growth  
the major problems and opportunities posed by the  
last ten to fifteen years, as far as your community

### Problems

1. Too many apartments

1.

# Quincy's Local Growth Policy Statement, 1976

“In the recent past, Quincy attracted many new residents, especially from the South Boston and Dorchester areas due to their perception of the City [of Quincy] as being less metropolitan and more residential in character. The most direct impact of this condition upon the City has been the development of a strong sentiment on the part of old and new residents to limit the growth of the community thereby maintaining this residential quality.”



Melrose's  
Local Growth  
Policy  
Statement,  
1976

“The city [of Melrose] will gradually become more urbanized. The social structure is becoming more urbanized with faster turnover in houses and increasing numbers of persons moving out from Boston. [...]

Basically, Melrose needs maintenance, not growth.”

# Milton's Local Growth Policy Statement, 1976

Under the heading “major growth-related issues,”

“The pronounced changes in the areas contiguous to Milton”

[...and...] “Crime and the apparent breakdown of our society.”



# Dedham's Local Growth Policy Statement, 1976

- Dedham is variously beset by the myriad regional problems common to all towns similarly contiguous to the City of Boston, subject to "echoes" of every new (or old) happening or development within the city.



# Belmont's Local Growth Policy Statement, 1976

2:27 In what respects and for what reasons, is this "desired future" preferable?

To maintain the present status of Belmont as a desirable place to live. Being only 9 miles from downtown Boston it exists as an almost unique community with its tendency to resist apartment, commercial and industrial development.

# Belmont's Local Growth Policy Statement, 1976

“The continuing protective attitude and desires of the residents, with their attendant political power, will tend to protect the status quo, [...] and prevent change in the town from its single family-two-family character. [...]

This town will remain a relatively expensive place to live and so will attract only those families so economically situated.”

# Needham's Local Growth Policy Statement, 1976

“Needham's goals may be defined as preventing major changes to the physical character of the community as a whole.”



# Needham's Local Growth Policy Statement, 1976

- “Appendix A represents the efforts of certain members of the Congregational Church of Needham and **does not represent the consensus** opinion of the committee nor is said appendix endorsed by the Growth Policy Committee.”

- **Appendix A:**

“The moral and human costs of segregation are intolerable. Opening up our town and others like ours is in the interest of all citizens. [...]”

“We picture Needham offering a broad spectrum of housing, from multiple-family dwellings to single-family homes of various sizes and values so that it may have a more heterogeneous population.”

# Newton's Local Growth Policy Statement, 1976

## Goals:

“the development of varied densities of housing for all income and age groups; [...]

the commitment of the City to achieve the development of a sufficient number of housing units to meet the projected demand for housing[....]”

# Scituate's Local Growth Policy Statement, 1976

“In addition changes in attitudes of many townspeople would be necessary before the ‘desired future’ could be achieved. As an example, many townspeople have in the past voted against most proposals to permit apartments...”

Increase in all those problems shared by urban areas

**Why do municipalities adopt zoning that is exclusionary – and causes segregation?**

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# In the Face of a Growing Housing Shortage

793/214

Commonwealth of Massachusetts  
Executive Office of Communities and Development

1979

The Boston Globe  
10 Apr 1999, Sat · Page 77

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**'We're facing a  
daunting problem  
because there hasn't  
been enough housing  
built.'**

ROBERT BOWYER, Lexington planning  
director

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1999

# Eras of Zoning History in Greater Boston

- Early adoption
- Post-war era
- The Big Downzone
- Current era
  
- ...A new era?





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