

## ZONING

### *435 Attachment 3*

#### **City of Framingham**

##### **Appendix 1 - Laws and Regulations Governing Land Use**

Land use in the City of Framingham is subject to regulation under various state and local laws, ordinances, and bylaws. In addition to this chapter (and its statutory authority, the Zoning Act, Chapter 40A of the Massachusetts General Laws), these laws, ordinances, and bylaws include the following:

1. Subdivision of land is regulated under MGL c. 41, §§ 81K - 81GG (the Subdivision Control Law), and Chapter 530, Subdivision of Land, adopted pursuant to Ch. 41. The "Rules and Regulations" set forth standards for the construction of streets and municipal services and ensuring sanitary conditions in subdivisions.
2. Development in wetlands is regulated under Chapter 427, Wetlands Protection, of the City Code and the State Wetlands Protection Act, MGL c. 131, § 40, administered by the Framingham Conservation Commission and the Massachusetts Department of Environmental Protection. Chapter 427, Wetlands Protection, and the Wetlands Protection Act provide for public review of proposed projects which involve construction or other alterations of land in or near wetlands or other land which is subject to periodic flooding.
3. "Nuisances," or specific conditions constituting a hazard or blight, may be regulated under Chapter 336, Nuisances, of the City Code, adopted pursuant to the general powers granted to cities and towns by Article 89 of the Amendments to the Massachusetts Constitution and the specific powers granted by MGL c. 139, §§ 1 to 3A. Under this chapter, the Building Commissioner shall investigate reported nuisances, and where present, shall give notice to the owner and occupant to cease the nuisance. The Building Commissioner shall enforce this chapter via a court complaint, a fine, or other action as is necessary to enforce the provisions of Chapter 336.
4. Signs are regulated under Chapter 373, Signs, of the City Code, adopted pursuant to MGL c. 93 and c. 43B. Chapter 373 is enforced by the Building Commissioner.
5. Off-street parking is regulated by the Zoning Ordinance (§§ 435-23 and 435-24) and Chapter 343, Parking, Article II, Accessible Parking, of the City Code. Both sets of regulations set forth similar standards with respect to handicapped parking; the principal difference is that whereas the Building Commissioner is responsible for enforcement of Chapter 435, Zoning, the Police Department is responsible for enforcement of Chapter 343, Article II. Handicapped parking in the City of Framingham is also governed by the standards of the Americans with Disabilities Act and the Massachusetts Architectural Access Board.
6. Preservation of historic or architecturally significant buildings is governed by Chapter 284, Historic Preservation, Article II, Demolition Delay, of the City Code.
7. Permits for Access to Public Ways are regulated under Chapter 395, Streets, Sidewalks and Public Ways, Article II, Public Way Access Permits, of the City Code.

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8. Scenic roads are regulated under Chapter 395, Streets, Sidewalks and Public Ways, Article III, Scenic Roads, of the City Code and the Scenic Road Act, MGL c. 40, § 15C, administered by the Framingham Planning Board. These regulations provide for public review of proposed projects which involve the cutting or removal of trees, or the tearing down or destruction of stone walls within the boundaries of roads designated as scenic road by the City.

In addition to the above laws, ordinances, and regulations, other regulations and standards such as historic district controls, utility permit requirements, and the City of Framingham Department of Public Works's "Construction Standards" may apply to specific cases.