

Home Economics: Reimagining How the Home Can Support Single-Mother Families

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Abstract

A core tenet of the American Planning Association is to engage citizens in planning issues to help shape communities in an equitable way as they grow and change; zoning regulations are one of the most powerful tools available to planners, and should be put to this service. In 2016, approximately 27% of Massachusetts families was headed by single mothers, while an estimated 35.5% of those families lived in poverty. Using a comparative case study design, this thesis explores the extent to which zoning regulations for home occupations support single mothers as they make use of their residences to generate necessary family income. Since little research currently exists on how and how well planning efforts support non-traditional family life, three moderately-sized “best case” Massachusetts cities – those with several other family friendly indicators – were chosen as a starting place, to document the range of approaches to regulating home occupational use, and to identify strategies that might promote this kind of “family friendliness.” These initial findings suggest that a number of relatively modest fixes, such as flexibility in what the zoning ordinance allows and lack of barriers to access, could bring municipalities some distance in this direction. On the other hand, it does not appear that any of the three cities’ home occupation regulations were written with families in general, or low-income single families in specifics, in mind. These codes should be updated to reflect the changing needs of the community.

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“Onward!”

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Chapter I.

Introduction

Me: I bet you I can eat more tacos than you this time!

Sister: No way! I always beat you. Mom, I want six tacos!

Me: Mom, I want eight tacos!

At a going rate of two tacos for \$1, my mother was able to feed us dinner for under \$10 at the Jack in the Box just a few blocks away from my grandmother's house. She would pick my sister and me up after work. The hour and a half commute home was some of the best time we spent together, fitting snugly on the bench seat of my mother's truck. I liked the way the wiry stuffing felt when I stuck my finger through the cigarette burn on the seat cushion. Happy times on the road were spent shouting out the words to country songs. Not so happy times were spent in silence, trying to find something to focus our eyes on as our mom held back tears to see the pearl like chain of tail lights that seemed to go on forever. It could have been a number of things: my dad, concerns over her job, family tensions.

During morning rides to school my mother would tell us we had to start our day laughing to get it going on the right foot. I would usually protest, but somehow would find myself fully belly laughing even if it seemed against my own will. Some mornings I would get frustrated when my mom hit the brakes too abruptly, and made me mess up my cursive worksheet, knowing the teacher would take off points for neatness. I also got frustrated with all the traffic that

made me late for school. I can still feel my forehead rhythmically tapping on the cold car window imagining the scolding I would get from my fifth grade teacher, *if I can make it here on time all the way from Santa Cruz, then you can make it a couple blocks*. I think I knew intuitively not to tell her that we didn't actually live in the neighborhood. We were registered at my grandparents' address, who lived in an upper-middle to middle class neighborhood. I wonder how she would respond if I told her it took an hour and a half sometimes to get there and required sophisticated negotiation skills to get my younger sister to get her socks on and out the door.

Along with getting to school there were often other things to navigate, like school uniforms and hot lunches. I was acutely aware of how tight money was. I would get upset when my sister asked for \$.75 on Ice Cream Day at school. My mother would rummage through her purse for loose coins, a nickel here, some dimes under the dashboard. A secret I still harbor is when I used my week's lunch money to buy a book at the school book fair.

I was also hyper-aware of what made me different from the other students in my classes, as I'm sure most elementary school aged students are. I worked hard to adjust when I learned new things that differentiated me from the majority, or at least what I perceived it to be. Class bonding activities such as "Star of the Week" often highlighted these differences. For example, on my poster, I struggled to draw a picture and succinctly explain under the subheading Where Do You Live? The other students' answers were generally pretty straightforward: I live with my mother, my father, younger sister and two dogs, in a house. My answers

raised eyebrows. My fumbled attempts to answer commanded long-winded explanations, such as, “Well, on these nights I go here, on those nights I stay with my dad.” My round eyes on my petite freckled face would widen as I tried to clarify, “...sometimes we stay over there, but if my mom’s not getting along with so-and-so, then we go here...” I soon figured out that giving an abbreviated truth was usually satisfactory: I live with my mother.

How was it that we struggled so much in some ways, but were very fortunate and well cared for in others? And, how did my mother, a single parent of three, manage it all?

Through all of this intense pressure on my mother to provide for us, we often found support through family and friends. It is these family and social networks that create some incongruities with my narrative of growing up with a young single mother. For instance, when I was seven I got to go on a month-long trip to Hawaii with my grandparents. We went to Disneyland, and I also remember having some great birthday parties. These examples are meant merely to highlight how complicated it is to understand what support systems exist for families that are struggling. Yes, my mother depended on social networks, but the support was often intermittently available or came with strings attached.

It is with this orientation that I entered the field of urban planning, which has given me a vocabulary and a framework for articulating how both the built environment and urban policies informed the decisions my mother made. Through this field, I am able to connect rising housing costs to the long commute we had to school. The nightmarish logistics of managing this distance was ameliorated by

having access to a family member's home address for school enrollment. Being near family meant my mother often had free childcare (by way of my grandmother) and was near us during her workday. Embedded in this small example are urban issues related to housing, economic development, transportation and education; all of which are deeply intertwined with one another.

These topics that live under the umbrella of urban planning today, have largely grown out of a concern for protecting public health and property value. Today, however, the American Planning Association's mission is to provide "leadership in the development of vital communities by advocating excellence in planning, promoting education and citizen empowerment, and providing our members with the tools and support necessary to meet the challenges of growth and change" (American Planning Association, 2018 www.planning.org/apaatagance/history.htm). Underpinning this mission is a long history of how planning principles and practices have evolved, including the level of sophistication in how planners analyze and understand urban issues.

While advocating and strategizing are both critical components to bringing about change, they are not enough on their own. As the APA's mission acknowledges, tools for implementation are essential, and planners have a range of tools available to them. One of the most powerful tools is the regulation of land through zoning. Most simply, zoning regulates structures on, and uses of, parcels of land. The framers of zoning ordinances wield an incredible amount of power. It is for them to decide what shape structures may take and what activities (uses)

may occur in any one area. It is important to consider the impact these policies have and consider any unintended consequences they may have.

As such, it is through the lens of the home that I aim to undertake this project. In the orchestra of family life, the home plays the role of conductor, setting the rhythm of the flow of daily activities. Home is where chores are delegated, bills are paid and where family values are instilled; it is where backpacks are stored, lunches packed and where forts are constructed out of sheets and cardboard boxes. The role of the home and its relationship to the surrounding city should be examined in response to policies and urban planning issues that increasingly require single mothers to spend more time in the workforce and place constraints on through zoning regulations.

This thesis seeks to examine how this powerful tool available to planners can better support families headed by single-mother families. It is grounded in three primary questions:

1. How do municipalities in Massachusetts regulate residential uses, specifically home occupations?
2. In what ways are the city residential zoning ordinances or policies of three medium-sized Massachusetts cities “family friendly,” particularly for single-mother families?
3. What factors might account for the differences in family friendliness among the cities?

Answering these questions requires an analysis of the demands of single-mother families as well as an analysis of residential zoning regulations that constrain the uses, for economic benefit, to which homes can be put. Using a case study methodology, this thesis takes one step toward understanding the extent to

which zoning is family friendly, by aggregating and categorizing zoning ordinances that regulate residential uses, specifically as they relate to home occupation.

It is not just single-mother families that struggle, by any means. In an increasingly competitive world, resources are scarce and conditions could certainly be improved for all families. Single-mother families, however, disproportionately live in poverty compared to their two-parent counterparts. For instance, in Massachusetts, 3.8% of married-couple families with related children under 18 lived below the poverty line in 2016, as compared to 35.2% of Female householder families (U.S.Census Bureau).

The largest public solution, at the federal level, aimed at addressing family poverty is the cash assistance program, Temporary Assistance for Needy Families (TANF). The program imposes eligibility criteria and stringent work requirements that families need to meet in order to qualify for and receive assistance (Crawford, 2006). Especially important for the framing of my thesis is the TANF requirement for single mothers to work a specified number of hours in order to qualify for assistance. This, of course, places constraints on a mother's life and further multiplies the many obstacles she already faces in negotiating limited resources, especially that of time. Single-mother headed households must navigate multiple roles and essentially meet the demands of sole parent and bread winner (Lleras, 2008).

The following chapter includes a literature review on the economic circumstances of single-mother households and a basic introduction to zoning

regulations. The next chapter describes this study's methodology; it introduces the notion of "family friendly" cities, offers the rationale for using a "best case" case study design, describes the city selection process, and outlines the approach to data collection and analysis. The fourth chapter presents the major findings that have emerged; these results are reported first by city, and then as a cross-case comparison across cities. Chapter Five discusses these findings, and Chapter Six offers conclusions and recommendations.

Studying the impact zoning has on single-mother families is difficult due to the limited academic research that focuses specifically on this relationship. While there are many studies on the characteristics and economic consequences of single motherhood, as well as on urban planning and design to increase the "friendliness" of neighborhoods and cities, few knit these two disparate but pertinent literatures together. I hope this thesis makes a modest contribution in this understudied territory of urban planning.

Chapter II.

Literature Review

This literature review first examines the characteristics and circumstances of single-mother headed households. It then provides a brief summary of the history and purposes of zoning regulations, in the United States, and more particularly in Massachusetts. Finally, it draws attention to the tensions that emerge as single mothers attempt to keep their families financially secure, often with home-based work activity, while not running afoul of zoning regulations that often preclude those home uses.

Characteristics and Circumstances of Single-mother Headed Households

In 1960 a mere 9% of families were headed by a single parent, increasing to an estimated 26% in 2015; a majority of these families are led by single mothers. In 1960 only 4% of single mothers had never been married, compared to 44% in 2011 (Wang, Parker, & Taylor, 2013). In Massachusetts in 2016, approximately 27% of families were headed by single mothers, while an estimated 35.2% of these families lived in poverty (U.S. Census Bureau).

As these few statistics suggest, single-mother headed households have been increasing over the past several decades, as has the percentage of mothers who have never married. These statistics have important implications for how we plan and think about our cities.

History and Implications of Federal Cash Assistance Programs

The support that exists at the federal and state levels do not adequately help move families out of poverty (Keegan Eamon & Wu, 2011). A study done in 2010 found that 41% of single-mother families have difficulty meeting all their basic needs, and 33% have insufficient food, while 25% have inadequate housing conditions (Keegan Eamon & Wu, 2011). Aid to Families with Dependent Children (AFCD) was an entitlement program that provided cash assistance to families to try and address the gap families faced in meeting their needs (Ahn, 2015; Gunnar Bentele & Thiebaud Nicoli, 2012). In 1996, however, this entitlement program was replaced with the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA); this program represented the end of federal entitlements. The federal government developed a basic framework for states to implement and shifted funding by way of grants to states; states then could decide the best way to distribute funds (Ahn, 2015).

This financial support program, entitled Temporary Assistance for Needy Families (TANF), seeks to “end welfare dependency” by providing aid to families during emergencies and to provide them the supports needed to secure their own economic stability (Ahn, 2015; Shu-Huah Wang, 2015). In general, TANF imposes stricter working requirements (Gunnar Bentele & Thiebaud Nicoli, 2012). There is wide debate on the impact these stringent requirements have on moving families out of poverty.

A Congressional report from 2013 found that since this current welfare reform, the “share of poor children in single female-headed families receiving

cash aid is well below historical levels” (Gabe, 2015, p. 9). In 1995, about 65% of poor children living in single-mother headed households received cash aid. By 2012, this number fell to 24%, and in 2013, to 21.9% (Gabe, 2015). Many proponents of welfare reform have argued that these statistics demonstrate the effectiveness of TANF. Bentele and Nicoli (2012) argue, however, that these data are not indicators that poverty itself is declining. Rather, they claim that it is the implementation of strict barriers to accessing cash assistance that is lowering “take-up” rates. Their study mirrors the Congressional report regarding the decreasing number of cash aid recipients but finds that this number did not equate to fewer single-mother headed families living in poverty (Bentele & Nicoli, 2012).

The Massachusetts version of the federal program, called Transitional Aid to Families with Dependent Children (TAFDC), limits recipients to 24 months of aid in a 60-month period; extensions may be granted for up to 6 months under special circumstances to allow a recipient to complete an education program. TAFDC also has a lifetime limit, regardless of additional children (Executive Office of Health and Human Services, <https://www.mass.gov/service-details/check-tafdc-eligibility-and-how-to-apply>, 2013). The grant of any extension is heavily based on how well the recipient has followed all the regulations of the program, and grant of any extension is at the discretion of the commissioner (Executive Office of Health and Human Services, 2013). The main focus of the program is the requirement of a prescribed number of hours to be worked in order to receive cash assistance. Requisite hours for qualification are

determined by the age of the child -- 20 hours if the youngest child is younger than school age and 30 hours if the youngest child is of school age. Community service hours may be substituted for those recipients who do not work or who participate in an eligible education program (Executive Office of Health and Human Services, 2013).

Underlying these reforms is the premise that work incentive policies will lead to a reduction in the number of welfare recipients, and will work toward ending welfare dependency (Shu-Huah Wang, 2015). The data show that there are fewer recipients of government support, while actual poverty rates have not gone down. While TANF has been found to increase overall income levels, it creates what researchers call the “cliff effect” (Ahn, 2015). The cliff effect refers to the costs associated with childcare offsetting earnings; Ahn’s study found the cliff effect responsible for negating any real increase in disposable income among single mothers of the lowest economic stratum. In an effort to push single mothers to self-sufficiency, welfare reform requires women to go to work and take low paying jobs without addressing the childcare gap created and loss in income to pay for childcare expenses (Ahn, 2015). If they do not meet the criteria set forth in the TAFCD program, they will lose their support. Stressors then, essentially, come from the very solutions that, at least rhetorically, seek to alleviate the dire circumstances in which these families live.

This strategy assumes that these women are not working, do not want to be members of the paid workforce. In fact, 76.2% of single mothers with children between the ages of 6-17 are employed; the percentage is lower for mothers with

children under the age of 6, at 66.8% (Bureau of Labor Statistics, 2016). These figures do not include informal labor or time spent taking care of family members. The following section explores this work-life balance concept in greater depth.

Work-Life Balance

The nature of being a single parent often demands some level of flexibility at work, to attend to parental responsibilities such as childcare, school pick-up and drop-off. Women with lower incomes have been found to drop their child off less often in person than do women with higher incomes (Sirui , Murray Tuite, & Schweitzer, 2012). This difference in these school-related trends, by family structure and economic differences, is attributed to the inflexibility of low wage jobs and the inability to alter work hours to coincide with school schedules (Sirui , Murray Tuite, & Schweitzer, 2012). While all mothers continually face trade-offs, weighing and comparing the costs and benefits of one decision to another, single-mother families both have less disposable income available to them to buy them the better choice, and rigid work schedules; therefore, they are more limited in their options (Yang & Stockard, 2013).

Katharine B. Silbaugh succinctly summarizes the work-life balance tension as “scarcity of time, flexibility, and money” (2007, p. 1811). A major problem confronted by single mothers is the concern about finding jobs that have opportunities for growth and pay decent wages (Sidel, 2006). Available jobs are generally low-wage and offer little opportunity to grow (Rogalsky, 2013). The median annual income for single mothers is just one third that of a family headed by two parents; single-mother households have a poverty rate that is three times

higher than the general population (Sidel, 2006). These circumstances have real implications for the type and quality of housing available to single-mother families and the quality of the neighborhood.

There is also a spatial component to explore to better understand the circumstances and characteristics of single-mother families and the work-life balance. Silbaugh (2007) seeks to understand how income level, job flexibility, housing quality location and relative proximity to other services all interact with one another. She argues that density and sprawl (characteristics of single-use zoning as opposed to mixed-use zoning that allows multiple uses to coexist) are the two main factors that create greater challenges for single-mother families. Silbaugh finds “that a worker is physically separated from her dependents during the day plays a significant role in exacerbating role tension between family life and work life” (2007, p. 1799).

Silbaugh’s work seeks to identify the legal frameworks that have helped shape, not only the actual physical environment but also the hierarchy of uses and relationships imposed. For example, she argues that single-family housing policies and separate-use zoning have played key roles in promoting the “ideal” composition of American neighborhoods (2007, p. 1849). Silbaugh challenges this notion by calling out Euclidian zoning¹ and its separation of uses as contributing to sprawl and the dependence on automobiles for transportation. She essentially takes issue with how zoning requires the home to be in one place, with work, school and shopping often elsewhere, all separate from one another. The

¹ Euclidean zoning is a form of zoning that designates which (usually single-use) may be permitted in delineated sections of a community.

logistics of managing such an arrangement become complicated when there is only one person attending to all of the family's needs.

Yang and Stockard (2013) study the impact on housing location in relation to its connectivity to work places, schools, grocery stores, and other community amenities. Their research examines to what extent "smart growth development," also known as mixed-used development, is beneficial to single-mother families. While Silbaugh is highly critical of single-use zoning as exacerbating circumstances for single mothers, Yang and Stockard find that these families report higher levels of satisfaction in single-family residential neighborhoods (Silbaugh, 2007; Yang & Stockard, 2013). While this seems inconsistent, their study merely highlights the fact that not all mixed-use development is alike.

Yang and Stockard (2013) found that there are specific mixed-use characteristics associated with higher levels of satisfaction among all families, such as access to public transportation and green open spaces. Planners who are considering mixed-use development strategies to improve the circumstances for families should carefully consider how to integrate residential uses into denser clusters; strategies should include green space and ensure that the strategies priorities improving accessibility to public transportation to access various services (Yang & Stockard, 2013). Essentially, for Yang and Stockard, it is an issue of economics and a lack of adequate supply of quality affordable housing options in neighborhoods with the right balance of density, amenities and access to a diverse range of goods and services.

Below I examine in greater depth exactly what zoning is and then place it within an historical, national context. I then narrow in on Massachusetts and the particular state laws that give power to local governments to regulate land. The goal here is to better understand how zoning has been used as a tool to shape our communities.

Zoning Regulation

Zoning as a concept is simple: It is the set of standards that defines how densely land can be developed, the shape buildings can take, and the uses to which the space inside the structures may be put (Whittemore, 2012; Levy, 2016; Fischel, 2004). It is meant to categorize areas of land in order to restrict incompatible uses within geographically bounded areas (Garne, 2001; Levy, 2016; Fischel, 2004).

The Proliferation of Zoning

Zoning gained legitimacy as an urban planning tool after the U.S. Supreme Court ruled in 1926 that the zoning ordinance of the Village of Euclid, Ohio, did not constitute a regulatory taking² under the Fifth Amendment of the Constitution. The Euclid case established that zoning was a legitimate way to regulate land within the government's police power to protect health, safety, and welfare (Village of Euclid v. Ambler Realty Co., 1926; Garne, 2001).

² A regulatory taking is created by a circumstance in which a government regulation is so restrictive that it prevents a property owner from having any "economically viable use of his land" (Agins v. City of Tiburon, 447 U.S. 255, 1980, p. 261).

The power of zoning as a tool to regulate land is far-reaching and complex. It has been described as “the most important tool communities have at their disposal to control the form and character of new development” (Einsweiler, 2018, p. 2). Because of the power zoning wields, it is important then to consider one of the largest entities that had arguably the most influence on the shape zoning today: The U.S. Federal Housing Administration (FHA). The FHA, principally through its policies created during the 1930s, forged a legacy of zoning ordinances that strongly support *single-family* suburban development. Whittemore provides an important historical perspective on the impact the FHA had in shaping how American neighborhoods are organized (Whittemore, 2012).

The FHA provided the financial mechanism via federally backed loans to promote the development of low-density suburban neighborhoods. In so doing, the FHA program provided a great resource to middle class American families, as the federal backed mortgage created a path towards middle class homeownership (Hoffman, 2000). The program also provided many ancillary benefits, such as providing a development boost in the economy by providing construction jobs (Checkoway, 1980). That said, however, it is important to critique some of the negative consequences of such rapid spread of sprawling suburban developments.

It is well established that FHA practices were biased towards single family homes and were only available to white families (Whittemore, 2012; Kenneth, 1985; Rothstein, 2017). Whittemore (2012) and Kenneth (1985) argue that federal policies that provided loans to developers influenced the proliferation of the single-family home and instilled the suburban model as the most desirable use for

land. The program, in effect, signaled to municipalities that they should shape their zoning policies to reflect the priorities of the FHA, as it offered an opportunity to legally exclude undesired uses in underdeveloped lots, thereby creating stability and predictability (Whittemore, 2012, p. 625). From the developer's point of view, this unprecedented access to financing as well as the shortage of housing created an environment that promulgated large scale and assembly line type development (Checkoway, 1980). What was omitted from this equation was the conversation about what makes healthy, thriving, and safe neighborhoods for *families*.

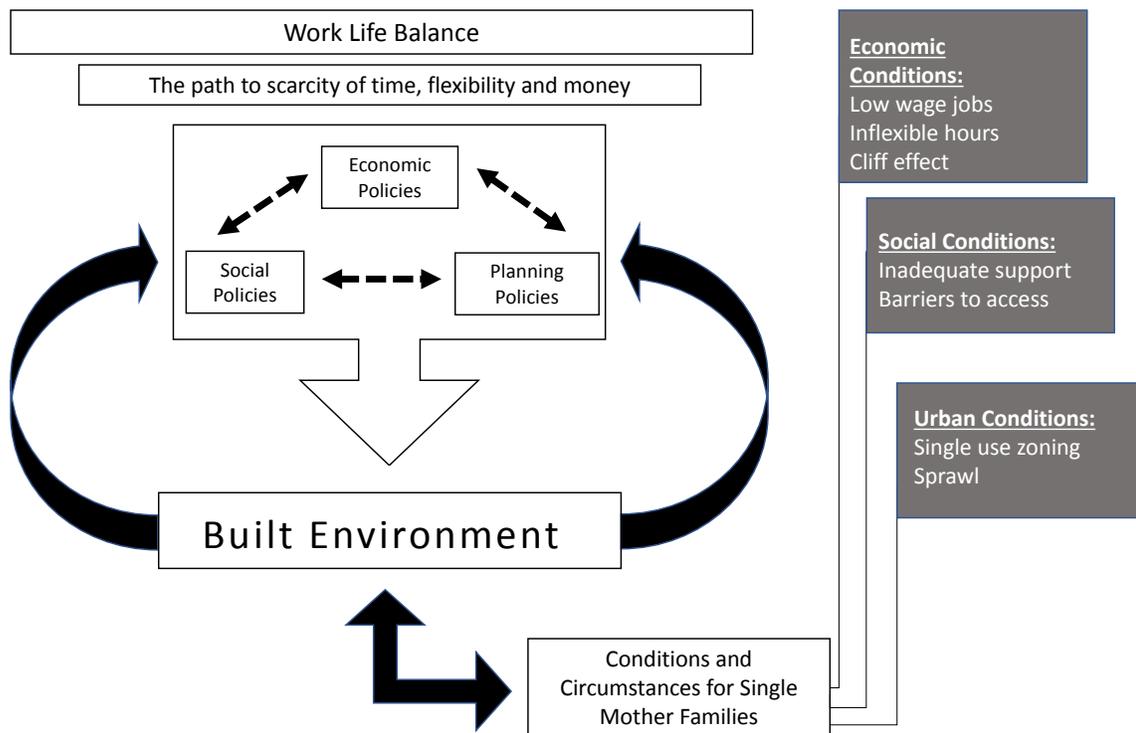
These zoning practices were lauded for the safeguards they created in protecting noxious uses from mixing with residential neighborhoods (Whittemore, 2012), and arguably, this protection is good for children. These zoning practices have, however, also been the source of a myriad of problems. The problems stem largely from the suburban dependency on automobiles. This dependency has led to pollution, social segregation, and exclusivity (Whittemore, 2012). Whittemore identifies four key player sectors that contributed to the current status quo in suburbanization: the federal government, developers, planners, and homeowners. He strongly advocates for a more contemporary approach in how we shape our zoning policies (Whittemore, 2012).

It is helpful at this juncture to summarize what has been discussed. There are three main themes within the literature that intersect with one another: social policies (eg., PRWORA), planning policies (eg., FHA, zoning), and economic

realities (eg., low wage jobs with inflexible hours) which have both influenced and are influenced by the built environment (see Figure 1).

We know that single-mother headed families disproportionately live in poverty compared to their two-parent family counterparts. Additionally, federal public support programs require women to meet a requisite number of hours to receive help. These programs create barriers to accessing needed support, not to mention the cliff effect as Ahn describes it, if affordable childcare is not available (2015). For my purposes, the most salient point here is that single mothers who must leave their homes to go to work (whether receiving cash assistance or not) are probably traveling, daily, far from their homes, and very likely from their children's schools, and the activities in which children regularly engage. In some ways, these arrangements remove them from the lives of their children.

Figure 1. Work-Life Balance



Based on Silbaugh's concept of the path to "scarcity of time, flexibility and money" (Silbaugh, 2007).

It is the confluence of social and economic forces, coupled with urban conditions (more specifically, how zoning has been designed to separate uses), that makes it difficult for women to centrally locate their lives. Silbaugh discusses this concept at great length (2007). She argues that, “by encumbering the ability of women to integrate work and family, single-use zoning frustrates women’s effective participation in public life” (2007, p. 1825). By public lives, she means the ability to manage all day-to-day activities, such as commuting to work, retrieving children from school and finishing up the grocery shopping. Silbaugh captures this tension by presenting how something as seemingly simple as a teacher parent conference may overtax an already precariously organized routine (2007). Essentially, this situation frustrates a woman’s ability to fulfill work and family responsibilities within the domain of their private lives, due to a delicate balance of work-family responsibilities within the confines of the built environment.

Being able to integrate the spheres that make up work and home is something that would reduce the tensions women experience as they attempt to navigate work and family responsibilities. One zoning-related instrument that might be applied is increasing mixed-use zoning – an arrangement in which different uses may locate near to each other, unlike Euclidean zoning previously discussed. Generally, mixed-use zoning refers to actual buildings dedicated to uses other than solely residential. For example, multifamily apartment buildings with ground floor retail spaces outfitted with coffee shops, package stores and pharmacies are typical examples of mixed-use projects. But this is not the only

way we can think about mixed-use zoning. As previously discussed, there is no one version of what mixed-use development looks like; it can have a range of qualities.

Another important component to the single-family residential zoning strategy, less discussed, is that it also often places strict regulations on what an individual can use their own home for, such as operating a home business. Using Massachusetts as the state context, in the following section I explore how zoning regulations constrain home use, often referred to as “home occupations.” I then focus on how zoning is implemented at the local level.

Zoning Mechanisms and Policies in Massachusetts

Thus far, I have discussed generally what zoning is, what the role the federal government was in influencing how zoning at the local level shaped suburbs throughout the country, and what is at stake as municipalities begin to reorder zoning regulations. Next follows a review of zoning regulations at the state level. Massachusetts General Law chapter 40A “The Zoning Act,” is the state law that sets the standards for all zoning ordinances for all municipalities in the state (The Zoning Act of 1975).

The current version of the Zoning Act was adopted in 1975, replacing two earlier versions (Department of Housing and Community Development, 2016). It is essentially the manual the state provides to municipalities for how zoning regulations should be implemented and executed. That Massachusetts is a Home

Rule state³ is reflected in this document; within its parameters, it allows local governments to meet their own local building and developmental needs in drafting their own zoning ordinances. Chapter 40A also provides safeguards for protected uses, such as education and religion (see Appendix 1, Section 3).

The charge given to local governments within the state chapter is to create discrete zoning districts that are delineated on a map showing the boundaries of these districts (Appendix 1, Section 4). Municipalities must also provide dimensional requirements for what shape and size structures can be in any of the respective zoning districts. As previously discussed, ordinances also articulate what uses, or activities, may take place in any of the zoning districts. It is the combination of zoning districts, dimensional requirements, and uses allowed that make up the bulk of the zoning ordinance. If a proposal meets the requirements as the ordinance allows, then its proponent may proceed with an as-of-right⁴ building permit (see Appendix 1, Section 7).

Under the state chapter, local zoning ordinances may provide exceptions to proposals that do not meet the as-of-right requirements, by way of zoning relief through a special permit and/or variance. Attaining this relief requires a public process. This process can add a substantial amount of time to moving a project forward, and has more costs associated with it (eg., application fees, providing several copies of plans). It is also not a guarantee that the relief will be granted. If

³ A Home Rule State is one in which municipalities are generally allowed to regulate and create their own laws, as long as they do not preempt or conflict with state laws.

⁴ As-of-right or sometimes called “by-right” projects are ones that meet all required zoning regulations and do not require any zoning relief. There is a 30-day appeals period after the issuance of a building permit; however, there is no formal public hearing process for as-of-right projects and no waiting period for work to begin.

municipalities allow a project by a special permit, the threshold is much lower than if a variance is required. On the other hand, the legal requirements for the grant of relief under M.G.L. c. 40A Sec 10 are near impossible to establish; these conditions relate to elements such as a hardship created by the unique shape of a lot, or due to soil conditions.

A project will generally take one of three trajectories: (1) as-of-right, which requires no extra review; (2) allowed by special permit, a public process; or (3) seek use variance relief, which has very high barriers for approval. Some municipalities require site plan review for projects with certain parameters for approval, though it is not something clearly delineated within M.G.L. c. 40A (The Zoning Act of 1975). Each trajectory has its own set of regulations that determine how long review will take, the costs associated with it, and the chances of receiving relief or being denied.

As an applicant, there is a clear advantage to pursuing a project that is as-of-right. The costs and risks associated with a project increase with the more relief a project requires. These costs include additional materials municipalities require to review projects that seek zoning relief, such as several sets of all plans, presentations to boards by professionals, and supplementary certifications and studies.

Additionally, when a project receives zoning relief, it opens up the risk that an abutter will challenge the project in court. This can add substantial cost and resources, even if the abutter's claims of detriment are completely unfounded.

It is at the local level that these processes are established, and it is also at this local level that they may be changed.

Municipalities have the authority from the state to make changes to their zoning regulations. M.G.L. c. 40A Section 5 provides instructions on how municipalities may undergo a zoning change. There are many challenges associated with zoning changes. To begin, Section 5 requires passage by a 2/3 vote by the respective legislative body of the municipality seeking a zoning change. It can be a tedious and time-consuming process, and further requires “technical and political acumen” (Wickersham, Wiggin, & Garber, 2007). First, as far as technical knowledge, someone needs to understand the existing ordinances and how to integrate or amend them to effectively create the intended changes. Secondly, the political capacity is also necessary to make any changes and needs an extensive public process with stakeholders.

As previously discussed, Silbaugh (2007) articulates how constraints by the separation of a woman’s family and work spheres through single-use zoning frustrates women’s access to participate in public life. That is to say, for single mothers, their political capacity and access to resources (e.g., time) are greatly hindered by their already demanding responsibilities. In order to amend the zoning code to support what their interests may be, it would require mobilizing the community to support any amendments by a super majority vote, an undertaking that is time- and resource-intensive. In addition, changes to zoning can be met resistance no matter how small in scale or how reasonable. Much of this resistance can be the result of overly technical language and a lack of the

legislative body having a strong grasp of the consequences of any proposed changes.

As Einsweiler (2018) writes, it is often difficult for citizens to relinquish control out of fear for what the changes may mean for their community, as well as implications for changes in property value. Change is often antithetical to the way we believe our world should be constructed and organized. When this seemingly precarious structure is threatened, people understandably become protective. How land is regulated is of particular interest. It is common that homeownership is either directly or indirectly part of a long-term financial plan for generational stability, and is where the majority of Americans' wealth is stored (Mayer, 2014). Changes to how the surrounding streets and neighborhoods are regulated raise reasonable concerns regarding traffic congestion, the loss of open space, and preservation of neighborhood character (Dear, 1992). Zoning is used as a tool that seeks to stabilize these changes and shape development in a predictable and positive way. The larger question is: Whose interests are and should be served?

Work-Life Balance and Zoning

I argue here that there is a gap between the way the built environment has been shaped, and social policies that would create a supportive environment for single-mother families. On the one hand, welfare policies require work hours in order to receive aid and thereby create a cliff effect and exacerbate an already inflexible work-life balance. Concurrently, zoning regulations have historically been designed to promote suburban sprawling neighborhoods that separate uses to

the detriment of time efficiency and accessibility for mothers. In its origins zoning was created to protect health, safety and welfare (Einsweiler, 2018); Silbaugh's work and that of other critics question how well zoning achieves this end, given the current profile of American families.

Chapter III.

Methods

The focus of this thesis is on local zoning regulations and the possible influences they have on the choices single mothers make in order to fulfill their parenting obligations. Specifically, I ask: “How do cities regulate residential uses, and can those regulations be improved to be more supportive of single-mother families?” To that end, I used a “best case” study approach to analyze and compare three family friendly cities’ zoning ordinances. Below I describe this research approach, and then detail the processes of city site selection, data collection and data analysis.

Case Study Rationale

Case study research is a common approach employed by social scientists to investigate questions that seek to understand real-world phenomena. It allows a researcher to examine, in-depth, dynamics within a specific context (Eisenhardt, 2002), and can be used to describe conditions, or generate theory observed within and across cases. Its flexibility allows researchers to identify the most pertinent criteria to examine the unique circumstances before them (Eisenhardt, 2002).

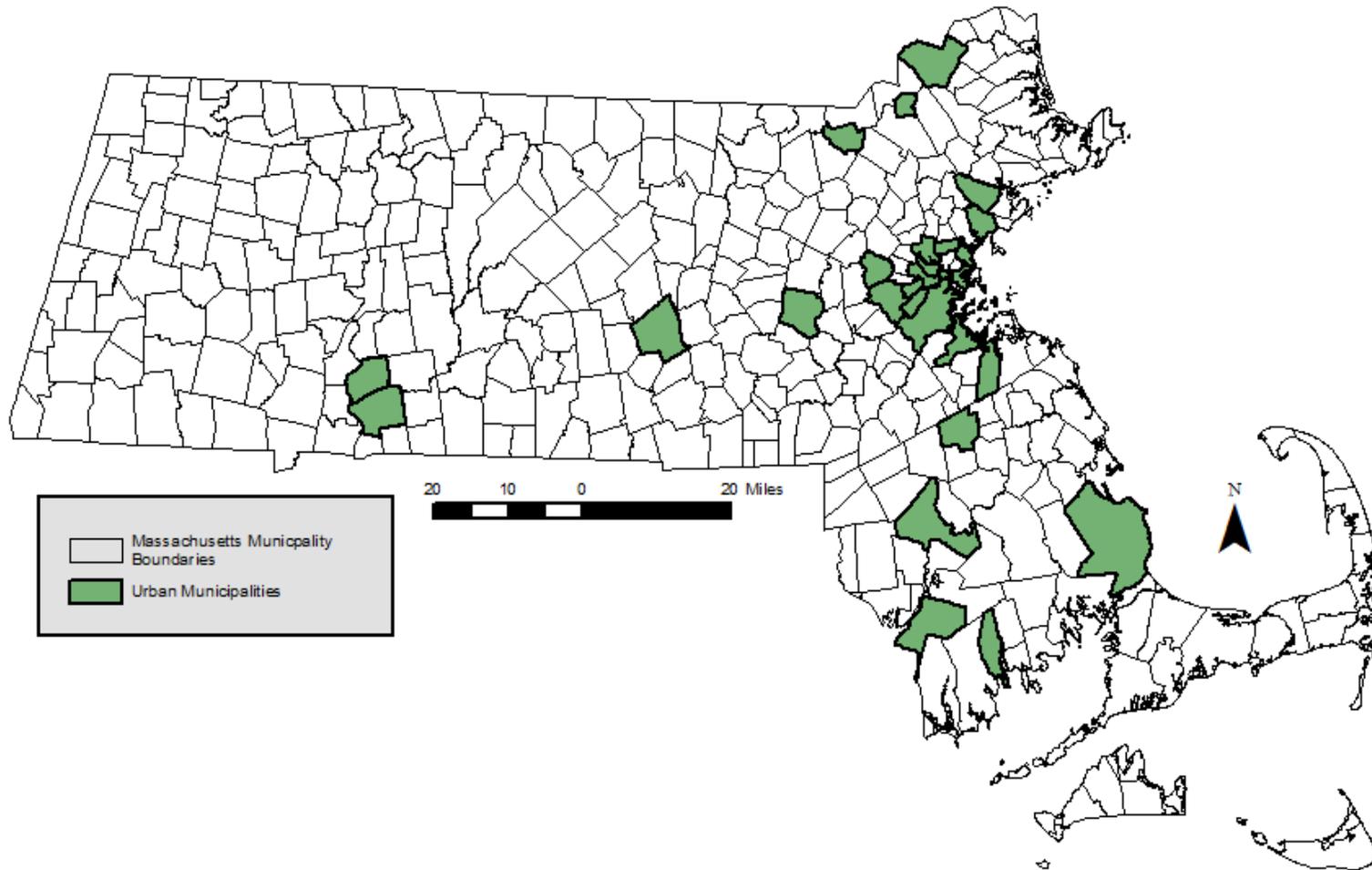
This research is interested in generating ideas about how local zoning policies might help single mothers fulfill their multiple responsibilities. Since there is not much research on this topic, my thesis is exploratory – meant to

identify some of the basic categories of actions, and combinations of regulations, that cities use, and suggest how these regulations might enable or challenge single mothers when they pursue home businesses. For this purpose, I have used a purposive (non-representative) sampling approach, seeking to identify cities that contain particularly relevant characteristics. That is, they already appear, in other regards, to be somewhat family friendly. Data were collected to paint a picture of each city's zoning regulations as they pertain to residential uses. Analysis was conducted both on an individual city level (within-case analysis) as well as across each city.

City Sample Selection

Each state has its own way of regulating cities and towns in regard to zoning; narrowing in on Massachusetts allowed an examination of municipalities that are all generally operating within the same framework established at the state level. Massachusetts has over 300 towns and cities that vary vastly in size from one another. In order to have any meaningful comparison, it was useful to look at similarly sized municipalities. Eisenhardt (2002) notes that consideration of population is essential in order to control for extraneous variation among selected cities. To this end, I focused solely on urban areas, as defined by the U.S. census as having at least 50,000 people. (See Figure 2 for a map of the urban municipalities in Massachusetts.)

Figure 2: Urban Municipalities in Massachusetts



Massachusetts Municipalities with a Population 50,000 or Greater

Family Friendly and Affordability Factors

After I narrowed my possible case study city list by size, I focused on identifying which cities had positive family friendly indicators. While there is no standard approach to designating cities as “family friendly,” the American Planning Association states that, “family friendly communities are communities where families enjoy housing that is affordable, child care, parks to play in, quality schools, and safe neighborhoods” (American Planning Association, 2018). More popular media outlets, such as Forbes and Boston Magazine, also publish, periodically, lists of cities that seem most attractive to families, using their own criteria. The criteria used by Forbes and Boston Magazine, include cities with: a substantial population of children, a low crime rate, highly-rated schools, low cost of childcare, and average commuting delays. (See Appendix 2 for full list of Forbes’ criteria; Sharf, 2016). Not all of these data were reliably available for my analyses. Thus, I chose to sort cities, initially, by the following three indicators:

- violent crime rates per 1,000 residents;
- percentage of population under 18; and
- public schools rating.

Table 1 presents these indicators for the Massachusetts cities that fit the urban population criterion. School grades were converted to a score with 1 being the lowest at 5 being the highest for the table.

Table 1: Family Friendly Criteria.

Municipality	Violent Crime rate per 100,000 population	Percentage of Pop Under 18	School Grade
BOSTON	706.8	0.21	3
BROCKTON	991.1	0.17	4
BROOKLINE	275.5	0.27	5
CAMBRIDGE	295.6	0.26	5
CHICOPEE	482.8	0.20	4
FALL RIVER	1140.8	0.15	3
FRAMINGHAM	NOT AVAILABLE	0.22	5
HAVERTHILL	542.2	0.21	3
LAWRENCE	878.6	0.11	2
LOWELL	434.9	0.18	4
LYNN	776.6	0.19	3
MALDEN	387.2	0.21	5
MEDFORD	185.3	0.23	4
NEW BEDFORD	NOT AVAILABLE	0.29	1
NEWTON	83.1	0.17	5
PEABODY	296.3	0.22	3
PLYMOUTH	211.2	0.25	3
QUINCY	401.4	0.22	5
REVERE	533.1	0.2	4
SOMERVILLE	242.1	0.22	4
SPRINGFIELD	1073.4	0.12	2
TAUNTON	364.9	0.21	3
WALTHAM	174.6	0.23	4
WEYMOUTH	315.3	0.24	3
WORCESTER	887.2	0.17	4
MASS	390.9	0.22	NOT AVAILABLE

Source: 2015 MAPC; U.S. Census 2010; <https://www.niche.com/k12/search/best-school-districts/s/massachusetts/>

The next step to my sample city selection was to utilize GIS software to map my family friendly criteria to have a general idea of a range of relative family friendliness. To achieve this, I evenly weighted the three family friendly variables, giving each city a score from 1-5 (1= least family friendly; 5= most family friendly) for each criterion. (See Appendix 3 for all family friendly city scores.) A higher score represents a more family friendly city according to the three variables. The scores for the urban municipalities ranged from 7 as the lowest and 13 as the highest. Using a Jenks classification system, I created a category for low, medium, and high family friendly scoring municipalities. Family friendly scores with a range from 7-8 were scored low, 8-10 scored medium, and 10-13 scored high.

This process allowed me to identify relatively family friendly cities as well as select for geographic diversity. Although not looking for representativeness, I wanted as much geographical diversity as was possible within this limited sample. Having some variation in where the cities are located within the state may provide more breadth in how cities regulate home occupations. Geographic diversity also offers variation in population density and potentially diversity in terms of ethnic composition. (See Figure 3 for a map indicating where the cities are geographically and their family friendly range.) Since I am interested in exploring the different ways cities regulate zoning, these potential differences may reveal some interesting variation across cities.

Thus far in the city selection process, I have geographically mapped urban municipalities in Massachusetts and indicated whether they have a high, medium, or low family friendly score. These ranges were based on family friendly criteria identified: violent crime rates, population under 18 and school quality. This list of cities thus far did not consider affordability, which is a characteristic that is important to the families that I am interested.

To this end, I then compared each of the cities against the following “affordability” indicators:

- the percentage of single-mother families,
- the percentage of those mothers receiving public support (Food Stamps/SNAP; see Table 2), and
- median family income (see Table 3).

This allowed me to focus on cities that were both family friendly and relatively affordable places to live. Ultimately, this meant excluding the more affluent communities in Massachusetts, such as Brookline and Newton, with high median incomes and high costs of living. Based on the described criteria – family friendliness, geographic location within the state, and affordability - these three cities emerged: Chicopee, Quincy, and Waltham. Each city is highlighted in grey in Tables 2, and 3; brief profiles of each follow. These cities were chosen based on their family friendliness, relative affordability and geographic location. Most importantly, this combination of criteria seeks to identify cities where policies impacting family friendliness may be particularly pertinent.

Table 2: Percentage of Female-Family Headed Households, 2016.

Municipality	% of Households that are Female Headed <i>not</i> receiving Food Stamps/SNAP with children under 18 years	% of Households that are Female-Headed receiving Food Stamps/SNAP with children under 18 years	Total % of all families w/Female Head
Lawrence	7.3	15.56	22.86
Springfield	6.64	14	20.64
Lynn	7.1	9	16.1
New Bedford	5.79	8.69	14.48
Fall River	5.59	8.13	13.72
Lowell	5.83	6.83	12.66
Worcester	5.12	6.69	11.81
Chicopee	4.36	6.12	10.48
Boston	4.92	6.09	11.01
Haverhill	5.98	5.24	11.22
Taunton	4.51	4.72	9.23
Revere	4.38	4.33	8.71
Massachusetts	4.4	3.51	7.91
Malden	5.34	3.24	8.58
Framingham	4.72	2.99	7.71
Weymouth	4.83	2.71	7.54
Plymouth	4.36	2.44	6.8
Peabody	3.9	2.17	6.07
Quincy	3.32	2.14	5.46
Somerville	2.85	2.09	4.94
Waltham	3.3	1.94	5.24
Newton	4.04	1.23	5.27
Cambridge	3.19	1.19	4.38
Brookfield	1.75	0.8	2.55
Brookline	3.61	0.46	4.07

Source: U.S. Census Bureau, 2016; MAPC

Table 3: Median Family Income, 2011-2015.

Municipality	Median Family Income, in dollars
Newton	161,101
Brookline	137,120
Massachusetts	75,313
Cambridge	104,454
Plymouth	94,402
Medford	91,532
Waltham	91,329
Somerville	79,263
Weymouth	92,221
Framingham	87,075
Quincy	79,585
Haverhill	73,343
Peabody	82,298
Boston	62,775
Malden	64,684
Taunton	69,318
Revere	58,515
Lowell	57,695
Chicopee	59,218
Brockton	56,679
Lynn	58,415
Worcester	56,221
New Bedford	46,114
Fall River	44,023
Lawrence	36,600
Springfield	38,847

Source: American Community Survey 2011-2015

Sample City Summaries

The following section provides specific city descriptions for each of the sample cities. Beforehand, however, Table 4 provides racial/ethnic demographic data from the 2000 and 2010 U.S. Decennial Census for each (see Appendices 4, 5 and 6 for the 2000 and 2010 U.S. Census data).

Chicopee is about 90 miles west of Boston, with a population of 56,100 (U.S. Census Bureau, 2016). It has a long history of mills and factories dating back to the early 1800s, including industrial cotton mills and the Boston Manufacturing Company (Chicopee Archives, 2018). In 2010 Chicopee had a population density of 2,422 people per square mile (U.S. Census Bureau). It was selected both because of its geographical location towards western Massachusetts, distant from Boston, as well as how it fared on the indicators used to identify affordable family friendly cities.

Chicopee scored high in terms of the family friendly score range and had a lower than average median family income. In terms of demographic composition, in 2000 almost 87% of Chicopee's population was white, down to 80% in 2010. Another interesting demographic to note was an increase in the Hispanic/Latino population that increased approximately 71% from 2000 to 2010, accounting for almost 9% of the total population in 2000 up to almost 15% in 2010.

Table 4: Racial/Ethnic Composition of Sample Cities, 2000 and 2010

	Tot Pop	% of total	% total change*	Under 18	Under 18%	Under 18% change*
Chicopee						
All Race/Ethnicity	55298	100%	1.20%	11465	21.00%	-7.30%
Asian	722	1.30%	52.60%	182	0.30%	54.20%
Black or African American	1525	2.80%	41.50%	311	0.60%	-7.70%
Hispanic or Latino	8196	14.80%	71.10%	3271	5.90%	46.60%
White	43938	79.50%	-7.50%	7345	13.30%	-21.40%
Other	917	1.7%	10.0%	356	0.64%	5.33%
Quincy						
All Race/Ethnicity	92271	100.0%	4.80%	15303	16.6%	-0.50%
Asian	22124	24.0%	63.70%	4526	4.9%	43.80%
Black or African American	3998	4.3%	15.90%	914	1.0%	100.40%
Hispanic or Latino	3089	3.3%	67.90%	813	0.9%	62.60%
White	60448	65.5%	-12.40%	8172	8.9%	-23.90%
Other	2612	2.8%	41.57%	878	1.0%	64.42%
Waltham						
All Race/Ethnicity	60632	100%	2.40%	8847	14.60%	-3.60%
Asian	5834	9.60%	35.70%	795	1.30%	15.10%
Black or African American	3459	5.70%	39.30%	762	1.30%	21.90%
Hispanic or Latino	8280	13.70%	64.60%	2076	3.40%	44.70%
White	41678	68.70%	-10.20%	4806	7.90%	-22.10%
Other	1381	2.28%	38.65%	408	0.67%	59.38%

*Represents the percentage change from the 2000 U.S. Census and 2010 U.S. Census

Quincy is located about 10 miles south of Boston. Quincy has a population of 93,349 (U.S. Census Bureau, 2016) and a population density as of 2010 of 5,568 people per square mile, or over 200% denser than is Chicopee's.

While Quincy has a lower percentage of single-mother families than the other cities, its rankings on other indicators -- in the medium range on affordability, and also regarding crime, and in the high range for school quality make it a good sample city. Similar to Chicopee, Quincy's white population decreased by more than 12% for the total population and by 23% for the population under 18 from 2000 to 2010. Quincy's total Asian population increased by 63.7%, and population under 18 by 43.8%. The Hispanic/Latino population increased by more than 67%, and 62.6% for the population under 18. Like Chicopee, Quincy's total population under 18 decreased, however, only by a half a percent.

Waltham is about 10 miles north west of Boston, with a population of 62,699 (U.S. Census Bureau, 2016). Waltham's population density in 2010 was 4,763.3 people per square mile, also much denser than is Chicopee's -- by about 196%.

Although Waltham has a relatively low percentage of single-mother families, it also boasts relative low crime rates, a good school ranking, and a substantial percentage of the population under 18 years. Waltham has a diverse population; particularly, it has a significant Hispanic population at 13.7%, both newly arrived and Waltham-based for generations (Granberry & Kabir, 2015). The Hispanic/Latino percentage of the population increased by almost 65%.

Each of these three cities meet an initial threshold for having an urban population as defined by the U.S. Census as at least 50,000 people. They also have a certain level of relative family friendliness compared to all urban municipalities and have been screened to consider affordability in terms of median household income and percentage of the population being single-mother headed families. Although two of the cities are located in Eastern Massachusetts, Chicopee is 90 miles west of Boston, past the center of the state.

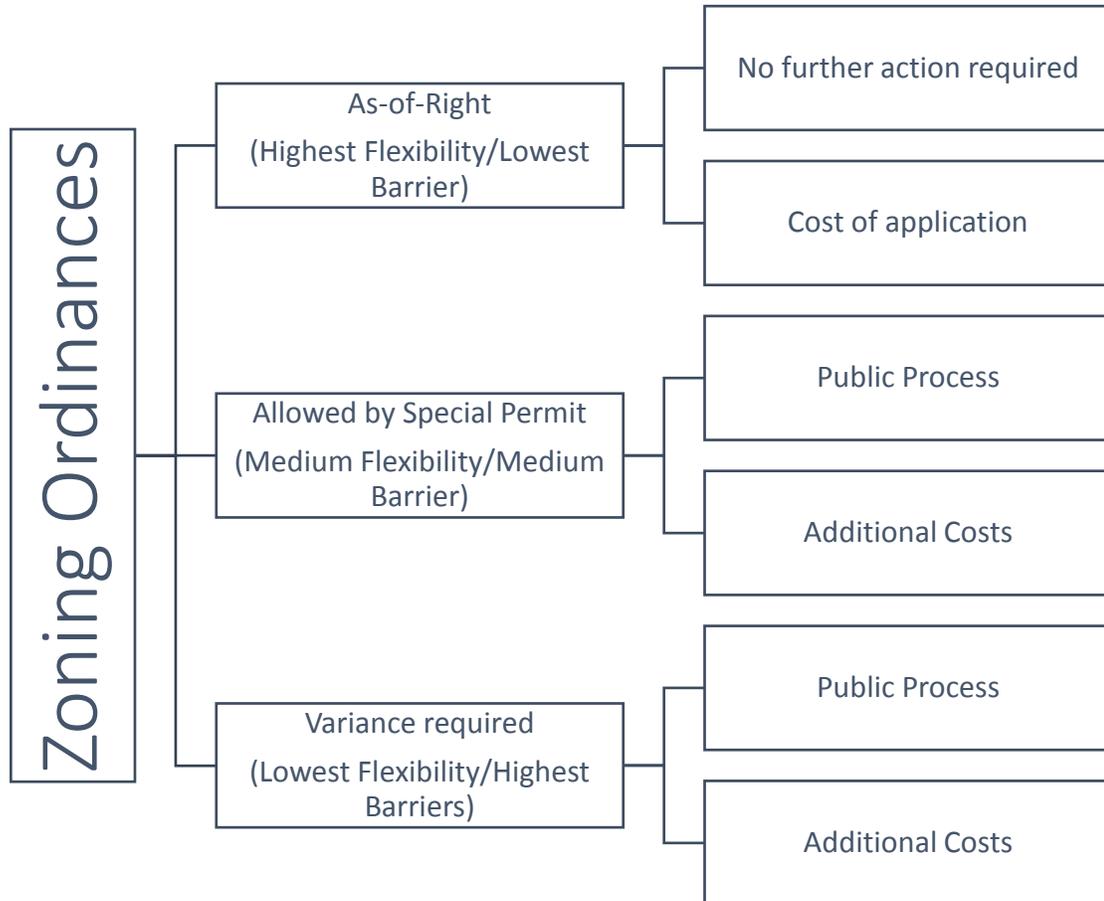
Data Collection and Management: Zoning Ordinances

This section describes the zoning ordinance data that were collected, and then their categorization or “coding.”

Zoning Process Barriers and Relative Flexibility

Figure 4 demonstrates the three trajectories discussed in the zoning mechanisms and policies portion of the literature review. Each of the three options has a different level of flexibility and barrier associated with it: as-of-right having the lowest barrier, highest flexibility, and variance required as the lowest flexibility and highest barriers to approval. The most distinguishing characteristic between the as-of-right and special permit/variance routes is the requirement for a public hearing. Additionally, there are more costs associated with projects that require public review, such as application fees and materials. This figure facilitated analysis of the extent to which lack of flexibility and specific process barriers are in place to have a home occupation; its core elements were used in both the individual city descriptions and cross-city comparisons.

Figure 4: Zoning Process Relative Flexibility and Specific Barriers.



Zoning By-law Categories

Once I had an understanding of the relative degree of flexibility and the specific barriers associated with the various zoning trajectories in Figure 4, I reviewed the specific zoning ordinances for Chicopee, Quincy and Waltham. Sections within each city's voluminous ordinances regulating home occupations were dispersed throughout these documents. I reviewed them in topical areas of interest – the regulation of home occupation – extracting the relevant portions that directly related to home occupation policies. To manage the data and consolidate the information, I created tables for each city based on the categories italicized in the following outline:

- *Zoning Ordinance Adoption/Amendments Dates:*
 - When the zoning by-law was adopted or
 - Subsequently amended
- *Home Occupation Definition:* How the municipality defines what a home occupation is.
- *Permitting Requirements:*
 - *By-right:* If a project meets certain requirements it may move forward without a public review process
 - *Special Permit/Zoning relief:* A public review process is required, and the request may be denied
- *Renewal Requirements:* The specified amount of time the home occupation is allowed.
- *Site Requirements:*
 - Exterior alterations: Whether the exterior of a home may be modified to support the business
 - Signage: Whether or not exterior signs are permitted

- Dedicated interior gross floor area for business use: restrictions on how much of the home may be used for business related activities
- Exterior storage: To what extent can the exterior of the home be used to support the business
- Occupancy Restrictions: home ownership requirements, or non-owner requirements
- Use Restrictions:
 - Educational requirements: The educational requirements needed to operate a home business
 - pupil limits: limitations on the number of students at any one time
 - hours of operation: the restrictions set on when a home business may operate
 - number of employees allowed: requirements set on employees working in the home
 - number of parking spaces: requirements regulated whether and how much parking needs to be provided to operate business
 - maximum space allowed: restrictions on how much space can to be dedicated to business (similar to maximum space allowed under site requirements).
- Enforcement and Revocation: Who has the authority to enforce home occupation uses.

Through this zoning review, it became clear that each of these categories could be understood in terms of either substantive information or processes embedded within the ordinances. The substance of the zoning has to do with what uses are allowed and under what circumstances or limitations. For the following analyses, this is referred to in terms of how flexible the zoning ordinance is. By processes, I am referring to both the application procedures as well as the review process to obtain necessary approvals for what the substance the zoning code allows. The combination of the substance of the zoning ordinance and the process one must undergo make up the bulk of analysis.

Taken together, these categories provided a useful way to organize the dense material within the zoning ordinances regulating home businesses. It should be noted that local interpretation and application of the sections may vary, which could lead to varying levels of difficulty in whether or not someone is allowed to move forward with their home occupation business. The complete set of tables categorizing home use ordinances can be found in appendices 3,4, and 5.

Data Analysis

Data analysis proceeded at two levels. First, a within-case analysis was undertaken, looking for differences and similarities across the categories of zoning regulations; this examination produced a single narrative for each city. Composing these individual profiles compelled me to segment the data, further categorize them, and identify patterns and themes (Eisenhardt, 2002) that had not been obvious from the outset. This was an important step helping, as Eisenhardt observes, “cope with this deluge of data” (Eisenhardt, 2002, p. 17). These within-

case analyses established the categories that then facilitated the second level of analysis, the cross-case comparison, based on the zoning categories described above. Two main themes emerged within the within-case analysis: flexibility in terms of what the zoning ordinances allow and barriers to accessing the needed approvals. These findings informed the subsequent cross-case analyses.

The cross-case analysis among the selected cities was a necessary step because it allowed the further processing of information in a systematic way to avoid arriving at conclusions based on limited data (Eisenhardt, 2002). Additionally, Miles et al. (2014) find that identifying a set of variables is an effective way to extend a within case explanation to identify “generalizable constructs and theory” (Miles, Huberman, & Saldaña, 2014, p. 247). The cross-case analysis built on understandings that emerged within individual cases, but also provided an opportunity to consolidate, revise and refine my thinking. This analysis on family friendly zoning was then combined background demographic data on each of the three cities to further deepen my analysis.

Chapter IV: Findings:

Tales of Three Cities

This chapter presents the individual, within-case results. It begins with descriptive background information on each of the three cities; it then details each city's zoning approach regarding residential uses.

City Specific Background Demographics

Table 5 provides background information for each of the sample cities, compared to that of the state of Massachusetts as a whole. These indicators were chosen because they may provide for some explanation to the variations found in the zoning ordinances in the cities. Of most importance in Table 5 are the density and percent of the population living below the poverty line. Quincy is the most densely populated city, with a population density of 5,557.9 people per square mile. Waltham is similarly dense, with a density of 4,763.3 people per square mile. Chicopee on the other hand, is quite rural compared to Quincy and Waltham, with a population density of only 2,422.1, or about half of the other two cities. Quincy is also the largest city in terms of total population, with 93,349 people. Waltham and Chicopee are similar in size with a population of 62,699 and 56,100, respectively.

Table 5: City Background Information, 2010

	Chicopee	Quincy	Waltham	Mass
County	Hampden	Norfolk	Middlesex	N/A
Population	55,298	92,271	60,632	6,547,629
Population Per Square Mile	2,422.1	5,557.9	4,763.3	839.4
Percent of Population Living below the Poverty Line	14.5%	10.3%	10.0%	11.4%

Source: (U.S. Census Bureau 2010)

Also important to consider for overall context is the fact that the percent of the population living below the poverty line in Chicopee is much higher than that of the other two cities. At 14.5%. Quincy and Waltham's poverty level are both at approximately 10%, both below the state's average of approximately 11%.

As previously discussed (see Table 5), each of these cities have unique demographic trends. Chicopee is relatively the least diverse, with the highest percentage of the population being white at almost 80%, with the Hispanic/Latino population accounting for almost 15% of the population in Chicopee. Waltham and Quincy both have approximately 68.7% and 65.5% of their population is white. Quincy has a high percentage Asian population at 24%.

Most important for the following analysis is the percentage of the population in each city under 18 (see Table 6). While all three cities saw a decrease in the total population under 18, Chicopee had the highest decrease by 7%. Waltham saw a decrease in this population by 3.6%, and Quincy a very small decrease of 0.5%. Interesting to note is that Chicopee saw an increase by 46.6% of the Hispanic/Latino population under 18, similar to Waltham with an increase by 44.7%. Quincy's Hispanic/Latino population under 18 increased the most, by 62.6%. These changing demographics provide interesting opportunities for the cities if they are interested in making their cities more family friendly.

Table 6: Population Under 18 City Demographic Data, 2000 and 2010

	Population count under 18	Percentage population under 18	Change in percentage of population under 18, from 2000 to 2010
Chicopee			
All Race/Ethnicity	11,465	21.00%	-7.30%
Asian	182	0.30%	54.20%
Black or African American	311	0.60%	-7.70%
Hispanic or Latino	3,271	5.90%	46.60%
White	7,345	13.30%	-21.40%
Other	356	0.64%	5.33%
Quincy			
All Race/Ethnicity	15,303	16.6%	-0.50%
Asian	4526	4.9%	43.80%
Black or African American	914	1.0%	100.40%
Hispanic or Latino	813	0.9%	62.60%
White	8,172	8.9%	-23.90%
Other	878	1.0%	64.42%
Waltham			
All Race/Ethnicity	8,847	14.60%	-3.60%
Asian	795	1.30%	15.10%
Black or African American	762	1.30%	21.90%
Hispanic or Latino	2,076	3.40%	44.70%
White	4,806	7.90%	-22.10%
Other	408	0.67%	59.38%

Source: U.S. Census Bureau 2000 and 2010

City Specific Zoning Ordinance Data

The following section details, and then discusses, each city's home occupations zoning components. I include the flexibility and barriers classifications each city received, based on the system described earlier.

City of Chicopee

Table 7 displays information on Chicopee's zoning ordinance. *Important for this current analysis is Chicopee's ban on any as-of-right home occupation.*

Chicopee has created a hybrid version of a special permit/as-of-right process whereby applicants are required to go through a formal public approval process. This special license process follows a similar trajectory enumerated in M.G.L. c. 40A for special permits. A special license requires approval ultimately from the City Council after the Zoning Committee has issued a recommendation. (See Appendix 7 for the table of Chicopee's home occupation zoning regulations.)

The duration for which a special license is valid is not clear from the zoning ordinance. According to two sections of the ordinance, these special licenses must be renewed yearly and another section states that the City Council may require renewal after a "designated period of time." It is unclear whether the City Council may be more restrictive or less than the previously required year.

Table 7: Relevant Aspects of Chicopee's Zoning Code.

Category	Zoning Ordinance
Zoning Ordinance Adoption/Amendments to Home Occupation	Amendments: 1989, 1999, 2009
Home occupation definition	<ul style="list-style-type: none"> • Conducted entirely within the dwelling • Does not change the character • No article is sold or offered for sale, except such as may be produced on the premises by members of the immediate family. • No exterior indication other than an identification sign • No impact to the neighborhood as a result of the home occupation
As-of-Right	No home occupation is allowed as-of-right.
Special Permit	Yes, by a special license approved by the City Council.
Renewal	There are three renewal sections. Sections 275-41. A.1 and 275-41. A.2.f requires yearly renewal; Section 275-41. C.4 states that the City Council may place a requirement that the permit be renewed after a "designated period of time."
Site Requirements	No exterior modifications, one name plate permitted.
Occupancy Requirements	If nonowner, submit permission in writing to operate home occupation.
Use restrictions	The City Council may impose restrictions on screening, number of vehicles on the premises, hours of operation, renewal.
Enforcement and Revocation	The City Building Inspector has the authority to issue a cease and desist and impose a \$25 per day fine for Home Occupations illegally in existence or in violation of conditions imposed by the City Council (effective 6/15/1989).

Source: (City of Chicopee)

Chicopee's zoning ordinance does not allow for any exterior changes to the home, with the exception of a name plate. The code also limits the amount of space within the home that can be dedicated to the home business to one half of the total livable area of the home. Additionally, the City Council must find that the proposed home occupation will not "create noise, dust, vibration, odor, smoke, glare, electrical interference, health hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential dwelling" (City of Chicopee, p. 275:54). In addition to these potential disturbances, the zoning code also has provisions for the requirement of screening from abutters to protect against visual disturbances. It is important to also note that the same section prohibits the exterior storage of materials related to any home occupations. Also, if the applicant is not the homeowner, the code requires them to submit written permission from the homeowner.

To summarize, the Chicopee zoning code:

- Requires public review requirements for all home occupation businesses to include at least two separate hearings for approval, for which it is unclear how long a home occupation will have until it must renew and go through the process again;
- Sets standards for which the occupations under review must meet, such as no noise disturbances; and
- Has provisions prohibiting certain uses, traffic, and exterior alterations.

- Finally, the City Council may set any conditions on the operation to protect the neighborhood from nuisance and other disturbances, such as limiting traffic.

Some may understand these ordinances, especially when placed within the context of the provisions that may impose screening requirements while simultaneously banning exterior storage of materials, as very thorough and putting the highest priority on maintaining the residential character of the neighborhood. To others, they may be interpreted as a signal that home occupations are not welcome uses by the prohibition of any as-of-right operations, redundancies (such as screening and no exterior storage) and a relatively overbearing public process (such as two separate public meetings), with no assurance of how long approval may be valid for (contradictory statements within zoning code).

Chicopee's zoning ordinance is generally internally consistent. It has both high barriers and very little flexibility in terms of what may be allowed as a home occupation. One would expect a thorough public review process as as-of-right proposals are banned, no matter how innocuous. Further, Chicopee requires yearly renewal of any business that was proposed. Thus, the long list of conditions the City Council may impose is not surprising. However, Chicopee has a relatively high percentage of single-mother families and a relatively low median income. So to the extent that those mothers might want or need to work from home, these strict provisions, likely reduce their opportunities to do so. Flexibility and lower barriers would be more beneficial to them. Further, updating

the code, with a City Council form of government, should be a relatively straightforward process.

City of Quincy

Table 8 displays information on Quincy's zoning ordinance, which was re-codified in 2011. *Important for the following analysis is that Quincy allows for home occupation uses both as-of-right as well as through special permit; the resident must also register with the clerk as operating a home business.* If a proposal meets seven standards that are enumerated within the zoning code, it may proceed without special zoning relief. The standards largely have to do with ensuring that the home occupations do not create any disturbances, is incidental to the residential use, and does not have any pupils or customers coming to the home (City of Quincy). Additionally, for an as-of-right home occupation business, there can be no exterior alterations that include the installation of exterior signage (see Appendix 8 for the table of Quincy's home occupation zoning regulations).

Quincy also uses a special permit options for home occupations that wish to exceed the standards set for as-of-right businesses via special permit relief. As previously discussed, this special permit process is regulated under M.G.L. c. 40A. In Quincy, the Zoning Board of Appeals (ZBA) is the permit granting authority who may allow zoning relief. Through this public process, the city can determine whether or not the introduction of elements such as employees from outside the home or the installation of exterior signage is appropriate.

Table 8: Relevant Aspects of Quincy's Zoning Code.

Category	Zoning Ordinance
Zoning Ordinance Adoption/Amendments to Home Occupation	Entire zoning ordinance updated in 2011, unclear what sections were amended from the original
Home occupation definition	<ul style="list-style-type: none"> • Carried on entirely within a dwelling • No retail sale of merchandise on the premises. • Does not include barber shops, commercial stables or kennels, motor vehicle repair or service, contractor's or landscaper's yards, • No teaching of more than three pupils simultaneously • If musical instruction, more than one pupil at a time
As-of-Right	Yes, if need a certain threshold
Special Permit	Yes, by a special license approved by the Zoning Board of Appeals
Renewal	Up to three years, time extensions allowed by special permit
Site Requirements	No exterior modifications, no neighborhood disturbances, no exterior storage, no variation from residential appearance,
Occupancy Requirements	Not discussed
Use Restrictions	The ZBA may impose conditions that regulate hours of operation, number of employees,
Enforcement and Revocation	The Building Commissioner

Source: (City of Quincy)

The zoning code also enumerates a set of conditions that may be imposed by the ZBA, such as hours of operation and maximum floor area that can be dedicated to the home occupation.

One interesting element to note about Quincy's zoning code is a potential discrepancy between the definition of home occupation and what the zoning code allows for both by-rights and by special permit. The definition states that a home occupation includes the "teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time" (Quincy Zoning code 97). Under the requirements for an as-of-right home occupation, the code states that the proposed home occupation may not have students come to the residence. That is to say, music teachers, tutors etc. cannot have clients as part of their business or tutors have students in the home. The section of the code for a home occupation by special permit states that the home occupation complies with the "pertinent provisions" of the section regulating by-right home occupations. The language is not clear as to whether the number of pupils would be considered pertinent or if it is something that may be allowed, given public review and vetting of the proposal.

The Quincy zoning code has provisions for some home occupations to be allowed by-right if they meet certain criteria, such as causing no detriment to the neighborhood. Additionally, Quincy allows home occupations by special permit for a business that would like to go beyond those allowed as-of-right, but through a public hearing process. Quincy's zoning code has a set of standards embedded within it that must be met in order to operate a home occupation to mitigate

residential disturbances. The ZBA may impose safeguards to protect the neighborhood's residential characteristic, such as hours of operation and vehicle trips to the business. Through Quincy's approach, by allowing some uses by special permit, there are at least two functions protecting the neighborhood from negative impacts, both contained within the zoning code and imposed by the ZBA on a case-by-case basis.

Generally, Quincy's zoning ordinance is internally consistent as it allows proposals for some uses, found to have no detrimental impacts on the neighborhood, to move forward as-of-right. Generally, the ordinance is flexible and has an average number of barriers to obtaining the needed proposals. The language embedded within is generally easily to understand and a list of needed steps is helpful to have an overview of the process.

To summarize, the Quincy zoning code:

- Allows some home occupations as-of-right and some public review requirements for all home occupation businesses, for which it is unclear how long a home occupation will have until it must renew and go through the process again;
- Sets standards for which the occupations under review must meet, such as no noise disturbances; and
- Has provisions prohibiting certain uses, traffic, and exterior alterations.

- Finally, the Zoning Board of Appeals may set any conditions on the operation to protect the neighborhood from nuisance and other disturbances, such as limiting traffic.

City of Waltham

Table 9 displays information on Waltham's zoning ordinance. Waltham's zoning code uses the definition section to both define what a home occupation is as well as to set site and use regulations. Having this information located in one section makes it straightforward to know what is allowed and to what extent. (See Appendix 9 for fuller detail on Waltham's home occupation zoning regulations.) There are essentially three levels of home occupation outlined within the definition. The first are uses that are allowed as-of-right. For example, allowed uses include architects and lawyers, artists and musicians. However, these uses may not include studio spaces for student instruction, such as music pupils or students receiving tutoring. The second level of regulation presents the uses that may be allowed by special permit. These include hairdressers and beauty salons. Finally, the third level identifies uses that are not considered home occupation uses, and therefore are either not allowed or regulated elsewhere in the zoning code. This includes day cares and tourist homes. In addition to these three clearly delineated levels, there is an option available for those home occupation uses that do not fall within the examples provided.

Table 9: Relevant Aspects of Waltham's Zoning Code.

Category	Zoning Ordinance
Zoning Ordinance Adoption/Amendments to Home Occupation	Adopted by the City Council of the City of Waltham 1952; amended in its entirety in 1988
Home occupation definition	<ul style="list-style-type: none"> • Home occupations are: office of architects, engineers, lawyers, accountants, tutors or like professional • Artists, musicians and dancing teachers shall be restricted to giving private lessons only and shall not be permitted to maintain studios for class instruction. • Typing and computer services, dressmaking and millinery • Other business activities allowed if Inspector of Buildings finds that said use is not more intensive than the uses mentioned above. • Not more than one-fourth (1/4) of the dwelling unit or apartment shall be so used • Not more than three persons shall be regularly so engaged, including the professional person and/or occupant of the dwelling unit. • Tourist homes and day nurseries shall not be deemed to be such customary home occupation uses. • Hair dressing and beauty parlors shall only be allowed when a special permit • No visible exterior changes to the residence in question
As-of-Right	Yes, if meet a certain threshold
Special Permit	Yes, by a special permit approved by the Zoning Board of Appeals
Renewal	Up to three years, time extensions allowed by special permit
Site Requirements	No exterior modifications, no neighborhood disturbances, no exterior storage, no variation from residential appearance,
Occupancy Requirements	Not discussed
Use restrictions	The ZBA may impose conditions that regulate hours of operation, number of employees,
Enforcement and Revocation	The Building Commissioner has the authority to enforce the zoning ordinance and any conditions placed on a property by the Zoning Board of Appeals

Source: (City of Waltham)

The use definition gives authority to the Inspector of Buildings to use discretion to make a determination whether a proposed use is “not more intensive than the uses mentioned above” (City of Waltham, p. 18). Additionally, the Waltham zoning code restricts the use to only taking up one-quarter of the dwelling and does not allow for any exterior modification or signage.

While in many ways Waltham seems internally consistent in terms of high flexibility and low barriers to access, the definition is very specific. It states, “Office of architects, engineers, lawyers, accountants, tutors or like professional persons shall be considered customary home occupations” (City of Waltham, p. Z:18). The ordinance also enumerates occupations that may only be allowed if the Inspector of Buildings determines they will not be more intensive than the allowed uses, such as computer services or dress making.

To summarize, the Waltham zoning code:

- Allows some home occupations as-of-right and some public review requirements for all home occupation businesses, for which it very specific as to what is considered a home occupation;
- Sets standards for which the occupations under review must meet, such as no noise disturbances; and
- Has provisions prohibiting certain uses, traffic, and exterior alterations.
- Finally, the Zoning Board of Appeals may set any conditions on the operation to protect the neighborhood from nuisance and other disturbances, such as limiting traffic.

Summary of Within-Case Analysis

The within-case analysis for each city showed that internally, within elements of the zoning codes, there is general consistency. That is, where there are low barriers to approval, there also tend to be high levels of flexibility, and vice versa. Surprisingly, this review demonstrates an inverse relationship between the percentage of single-mother families and median income and relative barriers and flexibility. Chicopee for example, has the highest percentage of single-mother families and lowest median income while having the most barriers and least flexibility for home occupations. Quincy, and Waltham, on the other hand, have lower percentage of single-mother families and higher median incomes.

In the next chapter, I compare the three cities' approaches, looking for similarities and differences across them.

Chapter V: Cross-Case Findings

Analyses presented in the previous chapter created a foundation for understanding both the substance of zoning codes related residential uses, and the regulatory processes at work in each of the three case cities. Within-case analyses produced largely internally-consistent city profiles.

This chapter uses a cross-site comparative approach to highlight the commonalities and differences, in substance and process, of these individual zoning codes. Further, given my assumption that greater flexibility and clarity in both arenas would represent an expression of zoning-related family-friendliness, I consider the regulations, characterize each code component and assign a value from 1 – 3 (1= least family friendly and 3= most family friendly) that reflects the relative flexibility embedded in it. The second portion of this analysis examines these factors within the context of additional background demographic data, as well as revisiting the family friendly criteria used to select the cities.

Variations among Definitions

Table 10 below compares key aspects of the definition of home occupation for each of the three cities. Through reviewing these definitions, some interesting differences across the cities emerged.

Table 10: Home Occupation Definition Comparison

Chicopee	Quincy	Waltham
<ul style="list-style-type: none"> • Conducted entirely within the dwelling • Does not change the character • No article is sold or offered for sale, except such as may be produced on the premises by members of the immediate family. • No exterior indication other than an identification sign • No impact to the neighborhood as a result of the home occupation 	<ul style="list-style-type: none"> • Carried on entirely within a dwelling • No retail sale of merchandise on the premises. • Does not include barber shops, commercial stables or kennels, motor vehicle repair or service, contractor's or landscaper's yards, • No teaching of more than three pupils simultaneously • If musical instruction, more than one pupil at a time 	<ul style="list-style-type: none"> • Home occupations are: office of architects, engineers, lawyers, accountants, tutors or like professional • Artists, musicians and dancing teachers shall be restricted to giving private lessons only and shall not be permitted to maintain studios for class instruction. • Typing and computer services, dressmaking and millinery and other business activities allowed if Inspector of Buildings finds that said use is not more intensive than the uses mentioned above. • Not more than one-fourth (1/4) of the dwelling unit or apartment shall be so used • Not more than three persons shall be regularly so engaged, including the professional person and/or occupant of the dwelling unit. • Tourist homes and day nurseries shall not be deemed to be such customary home occupation uses. • Hair dressing and beauty parlors shall only be allowed when a special permit • No visible exterior changes to the residence in question.

Chicopee and Quincy's definitions are similar in that they provide a general definition of home occupation and list some uses that are *not* considered home occupations. In contrast, the Waltham zoning code provides specific professions that are allowed, includes all site and use requirements, as well as a list of uses that are not considered appropriate under the home occupation use. Additionally, Waltham's definition is different in that it gives the Inspector of Buildings the discretion to determine if a use not specifically contained within the definition is more or less detrimental than the uses allowed.

The definitions provide some insight to what the zoning ordinance is trying to protect within each city. Chicopee and Waltham, for example, emphasize that home occupations shall not result in any exterior modification to the home. Quincy and Waltham are particularly concerned about students coming to the home. Quincy provides some parameters around how many students can be in the home at any given time, and Waltham does not allow for any students.

Zoning Analysis for Family Friendliness

Table 11 presents the key zoning findings of home occupations from each of the within-case analyses, along with the form of government for each city. Each of the zoning elements from the within-case analysis is given a score from 1-3. The higher the total rating for a city, the more family friendly its home occupations regulations appear to be. While the scoring system is crude, it does demonstrate some variation across individual categories, and across the three cities, in family friendliness in terms of zoning.

Chicopee scored the lowest with a total score of 11; Quincy has a score of 18 and Waltham a score of 17. These scores are generally consistent with the within-case findings. Chicopee had the highest barriers and lowest flexibility, so it makes sense then that it also ended up with the lowest score. However, what this table does highlight is the variation that can be found even within “flexible” cities such as Waltham and Quincy. Waltham for example is flexible on many levels, however, looking at the definition, it becomes clear that while there is flexibility, it comes only under specific circumstances. For example, if you are an architect or highly skilled profession the flexibility is available to you. Other uses require higher scrutiny from the municipality, such as teachers of music, art or dance.

In terms of flexibility, all three cities have a mayor and city council and thus potentially are not precluded from amending the zoning ordinance. This is an important factor to consider because, while zoning amendments still require a 2/3 vote, city councils may review zoning amendments from petitioners throughout the year. In comparison, a town meeting form of government holds a town meeting once or twice a year where zoning article submission may be submitted.

Table 11: Family Friendly Zoning Analysis

	Form of Government	Zoning Ord. As-of-right allowed	Zoning as-of-right process	Zoning special permit allowed	Zoning Ord. Process Flexibility Special permit	Occupation Requirements	Use Definition
Chicopee <i>Total score of 11.</i>	Mayoral Medium flexibility 2	No High barrier 1	Does not exist No flexibility 1	Yes Medium barrier 2	Yearly renewal application fee, abutters lists, certificate of occupancy Low flexibility 1	Written permission from homeowner required High barrier 1	Medium Flexibility 2
Quincy <i>Total score of 18</i>	Mayoral Medium flexibility 2	Yes Low barrier 3	Must register with clerk High flexibility 3	Yes Medium barrier 2	Three-year renewal, \$110 application, plus advertising (\$150), abutters list, 2 separate hearings, certificate of occupancy Medium flexibility 2	Written permission from homeowner not required No barrier 3	High Flexibility 3
Waltham <i>Total score of 17</i>	Mayoral Medium flexibility 2	Yes Low barrier 3	\$40 Occupancy permit High flexibility 3	Yes Medium barrier 2	4-year renewal \$50, \$200 application fee, plus adverts and abutters notices, 20 copies of application, business certification certificate of occupancy High flexibility 3	Written permission from homeowner not required No barrier 3	Low Flexibility 1

Chicopee in this matter still has high barriers and little flexibility, even though it has a form of government that does not necessarily preclude it from being flexible. Even though Waltham and Quincy do not actively promote home occupation options, the structure of their zoning ordinances do not make it exceptionally difficult to achieve, and these codes still maintain a level of review to protect the character of residential neighborhoods.

Waltham has high flexibility and low barriers in its zoning for home occupations, and differs from both Quincy and Chicopee in that it locates all the information regarding how home occupation is regulated within the definition. That gains it high marks in terms of clarity and accessibility, since it is helpful to have all of the requirements and information located in one section. For these reasons, Waltham seems to give families more of an opportunity to take advantage of their home to serve their economic needs, should it be appropriate.

Another way these cities' zoning family friendliness varies is in terms of how long any approval for home occupations is valid. Chicopee requires home occupations to be renewed yearly; this means undergoing the entire process including fees, time, permission from homeowner, etc., each year. Such renewal activities are both costly and burdensome. For these reasons, the process is considered to have low flexibility. Quincy requires renewal every three years; however, the permit granting authority could require a shorter time through the imposition of a condition during the application for relief. Waltham is considered under this standard to have the highest level of flexibility, based on a four-year renewal allowance.

With regard to the substance of what the zoning ordinances allow, both Waltham and Quincy offer high flexibility in terms of as-of-right permits for home occupations. The zoning code allows applicants to move forward without special public review, provided the proposal meets a certain threshold. For example, with an as-of-right home occupation, a proposal cannot include any exterior signage, make any exterior alterations to the home or allow for employees to operate inside the residence. In Waltham, hairdressing and beauty parlors must receive a special permit to operate. Chicopee does not offer any as-of-right home occupation uses, making it entirely inflexible in this regard. Further, Chicopee was the only city that required written permission from the homeowner if the applicant was a non-owner.

All three cities are internally consistent within their respective zoning codes. If there is low flexibility, you can expect high barriers, as in the case of Chicopee. Waltham and Quincy both generally have higher levels of flexibility and lower barriers to access approvals.

Analysis considering Background Information

In this final cross-city analysis section, I present the total score for family friendliness for each city, as detailed above, and then compare the cities across key, relevant demographic data for each city: affordability, diversity and density. Table 12 is meant to provide the information to help generate “hunches” about why the cities differ in their approaches to home occupations.

Table 12: Family Friendly Zoning Analysis with Background, 2010.

City	Family Friendly Zoning Score	Median Family Household Income	Single-Mother Headed Households	% Living Below Poverty Line	Racial/Ethnic Composition Diversity	Pop Per Square Mile
Chicopee	11	59,218	10.48%	14%	White: 79.5% Nonwhite: 20.5%	2,422.1
Quincy	18	79,585	5.46%	10.3%	White: 65.5% Nonwhite: 34.5%	5,557.9
Waltham	17	91,329	5.24%	10%	White: 68.7% Nonwhite: 31.3%	4,763.3

Source: 2010 U.S. Census

While these communities were selected to be more or less similar to one another, when compared this way, some differences related to zoning, demographics and geography begin to emerge. Chicopee for example, has the highest zoning restrictions, highest percentage of single-mother families and the highest percentage of the population living below the poverty line at 14%. In comparison, Waltham and Quincy have less restrictive zoning and lower percentages of single-mother families and percentage of the population living below the poverty line. In other words, the degree of flexibility in zoning regulations do not appear related to the relative presence of single-mother and low income families.

Another way these cities differ is in terms of population density. Chicopee is the least dense, most rural city of the three, and it is also the least racially and ethnically diverse. This association is to be expected, but it is interesting to consider whether and how this might influence its home occupations regulations.

Chapter VI:

Discussion, Conclusions, and Recommendations

This chapter first reviews and discusses key findings from the previous analyses, moving in turn to consider what family friendly zoning might look like. It then highlights a number of limitations to the study, and provides with suggestions for future research.

Regulation of Home Occupations

My first research question sought to understand how municipalities in Massachusetts regulate home occupations within their zoning ordinances. The state provides municipalities a myriad of ways to shape zoning ordinances to regulate land-use in their communities. These include the ability to ban certain activities entirely, as-of-right permits and zoning relief trajectories discussed throughout this thesis.

A common theme throughout the zoning ordinances is what appears to be a tension between individual interests and a concern for protecting the larger community. This is demonstrated through as-of-right options where a resident does not need to go through a public process. These types of proposals have standards associated with them to ensure there is no public detriment. Zoning relief for projects that exceed the as-of-right standards is another strategy some cities adopt. Under state law, zoning relief requires a public review process,

whereby a special authority can impose conditions for a given project, again, to project the interests of the wider community.

Zoning Ordinances for Chicopee, Quincy and Waltham

The second research question explored the ways Chicopee, Quincy and Waltham regulated home occupations – and examined the ways in which the cities are “family friendly,” particularly for single-mother families.

Home Occupation Zoning Mechanisms

Through a “macro” lens, all three cities establish restrictions within the regulations that are meant to ensure that there will be no detriment to the neighborhood due to using a home for a use other than typical of a residential dwelling. The supporting language in the zoning codes cites concerns for protecting the residential character of the neighborhood. Each city has developed strategies for addressing home occupations within their local context.

Interestingly, though, the same zoning ordinances that disallow certain uses for economic purposes, do not preclude similar uses for recreational purposes. For example, in all three cities, many of the provisions regulate the ways the home can be modified to accommodate the home occupation. This includes provisions that disallow the exterior storage of materials and regulate how much space within the home may be dedicated to the home occupation use. Yet it is not uncommon for people to use their backyards for storage or sheds that hold gardening tools and materials for other hobbies. These provisions then, may be interpreted by some as not seeking to mitigate negative impacts, but to protect the reinforce the ideal standard of single-use residential zoning.

Another pattern within the cities is preferential treatment for some types of home occupations by allowing them to move forward as of right and requiring other types to seek further review. This different treatment may be due to a perception that different types of home occupation uses may have more or less impact to the neighborhood. For example, Waltham and Quincy allow some home occupations as-of-right and some by special permit. The as-of-right proposals have strict safeguard provisions embedded within them that largely seek to maintain the residential character of the neighborhood such as prohibiting any exterior modification, and any exterior storage as a result of the home business. There is no flexibility in this last standard. That is to say, even storage of materials that fit into a standard shed common in backyards would not be allowed. These standards seem overly burdensome, not to mention nearly impossible to reasonably enforce.

Chicopee, for example, requires two separate public hearings and yearly renewal for all home occupation applications, though a portion of the zoning code contradicts this and suggests that a longer period in between renewals may be allowed. The zoning codes in Waltham and Quincy both seem to suggest three years as the appropriate time period, though reserve the authority to require an applicant to return after a shorter time frame. An important question to ask is, “how much review is necessary?” Further, at what point does the required review and embedded barriers only succeed at creating an overly burdensome process?

Family Friendly Zoning Implications

Throughout the literature review there was a strong emphasis on the scarcity families face in terms of time, resource and money. The literature also focused on the spatiality between the location of the home in relationship to work, school and other services; suburban sprawl, promoted through single-use zoning regulations, exacerbate those conditions. It is within that context that the following section seeks to understand to what degree zoning in the sample cities is “family friendly.”

It is important to note that these zoning ordinances undoubtedly were not crafted with single-mother families, some on cash assistance, in mind. In fact, zoning in these instances does not appear to consider altogether how to be supportive of families. Nonetheless, there are elements of the zoning ordinances reviewed that are relatively more friendly towards families, and lessons that can be drawn to help imagine what a zoning code may look like if it were designed with families in mind.

The family friendly zoning score suggests that elements of the code, likely not included for those purposes, can inadvertently provide economic opportunities for families. The dynamic at play within these scores largely has to do with the flexibility and barriers discussed; low barrier zoning clearly intersects with the idea of higher levels of flexibility, and these are both important elements for families wanting to earn money from the home. The relationships I have described suggest that these categories are likely highly correlated -- that is, where there is low flexibility there are high barriers.

By being more open to various types of home occupations within the code, it provides more options to families. Barriers then were considered more inviting if there were fewer of them. Families' time and resources are already limited and thus having less obstacles to go through, the more accessible, and therefore provide examples of ways zoning can be more family friendly.

Chicopee, along these rudimentary family friendly zoning criteria, scored the lowest, largely because it does not offer any as-of-right home occupations and requires two public hearings. Waltham and Quincy allowed some uses as-of-right, however, Quincy appeared slightly more family friendly in terms of its zoning score because Waltham's definition of home occupation is relatively more restrictive. There are many possible explanations for why these differences exist.

One may have to do with when the zoning ordinances were drafted and adopted. This notion of time of adoption is important when considering the overall family friendliness of zoning codes. As zoning tends to reflect the values of the community, or at least the values of those who wield the power to create zoning regulations, they may well, over time, become obsolete and outdated. By applying a time-relevance lens to the zoning codes reviewed, some insights emerge. Waltham's last available amendment date was in 1988, which could help explain why the definition is so specific, whereas Quincy takes a broader approach to regulation (see Table 10 for zoning adoption and subsequent amendments). Quincy undertook a complete zoning recodification in 2011. By being more general within the language, it may avoid a potential conflict overtime as technology and economic markets change.

Factors Contributing to Family Friendly Differences

Each of these cities -- Chicopee, Quincy, and Waltham -- were selected through a series of filters to identify similarly-sized “family friendly” cities. As interesting variation arose, the following section seeks to offer possible explanations for those differences.

Chicopee is an interesting case to consider. It scored the lowest in terms of family friendly zoning and it scored either higher than or on par with both Quincy and Waltham in terms of the family friendly variables. There are several factors that may be contributing to these differences. One factor may be population density. Chicopee is more rural and less accommodating to families. It could be that because of this lack of density, people do not pay any attention to zoning regulations and just use their homes however they need, and therefore have little impetus to go through the arduous process of amending zoning codes. It is also possible that Chicopee’s economic history of heavy industry created an understandable intention to separate work-life from residential life, seeking protect residents from dangerous and potential impactful industrial uses.

Another interesting difference between Chicopee, and Quincy and Waltham pertains to diversity. Chicopee has the lowest percent of the population identifying as nonwhite, at 20.5%, and is also the least accommodating to families. Quincy and Waltham, on the other hand, both have a nonwhite population of 34.5% and 31.3%, respectively; they are also more tolerant in their zoning for home occupations. The literature review discussed legitimate concerns people have with changing the way land is regulated out of fear of protecting

home values and the character of their neighborhood. This sentiment may help explain why in a community like Chicopee with strict zoning regulations for home occupation may be resistant to change and want to protect the single-use residential nature of their neighborhoods. This is in direct contrast to Quincy and Waltham's relative greater diversity and greater tolerance within the zoning of accommodating for "non-residential" uses in homes.

Quincy and Waltham are similar along many of the family friendly and demographic indices. They are comparable in terms of density and score close to each other on the family friendly zoning score, with Quincy ahead by one point. Quincy and Waltham are also similar in terms of the percentage of the population living below the poverty line and population density. Quincy scored slightly higher due to the flexibility embedded within its definition of home occupation.

One factor that may account for this difference may be population size. Quincy is the largest of the three cities and is the most accommodating to families in terms of the metrics used in this analysis. This difference in population size may have required a more general definition as an exhaustive list accounting for all the potential home occupation pursuits would be daunting to generate and inefficient to maintain current. Waltham, on the other hand, is much smaller in terms of population and so it is potentially conceivable that a very specific group of highly educated residents advocated for how the home occupation should be defined and ensured it included their professions, which mostly required high level degrees (e.g. architects and lawyers). On the other side of that line of reasoning is where those with less potential capacity fit in. Families that are eking

out a living are less likely to have the resources and capacity to advocate for how zoning amendments could be shaped to be more supportive.

It is important to note that in all three cities, from 2000 to 2010 racial/ethnic diversity increased, yet in this one small area of zoning occupational use remained relatively stable within each community. I did not expect these two factors to be related for several reasons: First I could not find evidence that increasing diversity would produce diverse occupational use intentions, though that may be true. Also, although the APA advocates that planners use their professions to foster access and justice, it is unclear that these particular elements of zoning codes have ever been used to do so. Nonetheless, new and different demands may be surfacing in these cities, and the city councils might find that adapting occupational use standards might help address them.

Practice Implications

Several implications for zoning policy arose from this study. As discussed in the literature review, the prevalence of single-mother families in the United States has grown substantially since the 1960s, and while most mothers do not necessarily plan on becoming single mothers, it is a reality that they comprise a significant percentage of all families. Further, improving conditions for these families offers potential to improve conditions for all families. This has important implications for how we think about regulating land, and more particularly how uses are limited or to what extent they are restricted. That is not to say, of course, that there should not be safeguards in place to ensure communities provide a quality of life conducive and supportive of all families and community members.

In sum, the zoning ordinances reviewed on home occupations by and large reflect how, in the 1980s, people thought about keeping dangerous uses out of residential areas. The zoning ordinances may well have served that purpose; however, they have not been updated to reflect the change in demographic or family composition – as well as the changing dynamics of all families. Indeed, it is no longer the norm to have a single-earner, two-parent family. So these ordinances may well affect how well single-mother families, and really all families, can support their family.

Zoning codes with high flexibility and lower barriers to access will generally be more accessible to single-mother families and more supportive of creative enterprises. On the other hand, zoning codes with high barriers for approvals can further constrain single-mother households, as Silbaugh and others discuss in the tension of time, flexibility and money. Additionally, codes with little flexibility may stifle creative innovation and can quickly become outdated.

Recommendations

Home occupation zoning is used as an example for how cities may begin shaping a policy framework for how they think about family friendly planning. Family friendly planning will first take a deep examination of the demographics and composition of the community, and the needs within. The actual drafting of the ordinances will take input from those often not engaged in local government and will thus need to be executed in creative ways. Once those priorities are established the tools available to planners can be put to work to execute those

goals. Zoning policy is only as good as its fit with the needs, demands, and desires of the residents it serves.

Family friendly zoning will have high levels of flexibility for people to make the best economic use of their homes while also maintaining the health and vitality of communities. It is the balance between regulation to protect communities and providing avenues for families to thrive. Additionally, family friendly zoning will have low barriers to accessing the needed approvals and the process will be easily navigable. As an even further step, the rights within the zoning code afforded to residents in a community will be disseminated throughout and become part of the common knowledge among residents

Given what we know through the literature about the circumstances and conditions of single-mother headed families and the spatiality of navigating the work-life balance, I make the following specific recommendations:

1. Make information on existing regulations for zoning in home occupations easily accessible and easy to navigate. Zoning ordinances and the process for approval should be clear in what is allowed, what restrictions may be imposed, and expectations should be clear as to time lines and costs associated with pursuing the appropriate approvals.
2. Take stock of the existing codes. Pay special attention to contradictions embedded within the code that may be a result of years of piecemeal amendments.
3. Consider making some home occupations as-of-right and assess what provisions should be in place to ensure the wider community's interests are protected.
4. Research economic development needs in your community. Through community engagement, to understand how the zoning ordinances can better support a diverse range of needs.

Limitations

The goal of this thesis investigation was to identify best case cities and review zoning ordinances to see if cities that already seemed to be good places for families to live reflected that posture in the home occupations section of their zoning regulations. One major limitation of this study was that, since I relied wholly on information available online, I cannot be certain that the information I had was the most current; pending amendments, for example, would have created a different picture.

Further, zoning regulations are exceedingly local in their adoption, application and interpretation. Interviews with planners and other staff within the towns would have provided helpful context to help explain some of the how's and why's of regulations within the ordinances. And to the extent that interpretation of zoning ordinances is subject to the discretion of the ministerial actor designed to administer the zoning ordinance, knowing each city's planning department, and the recent decisions made on occupational use by these actors would have been useful.

Much of this research also assumes that zoning regulations play some role in the decisions single mothers makes about their financial lives. There is very little research or data available on how single-mother headed households make entrepreneurial decisions, and the role, if any, zoning plays in whether or not to start a home business.

Areas for Further Research

This thesis topic explores an area of family friendliness in cities that is understudied. It uses the concept of home occupation as an avenue to suggest the beginnings of a framework in how planners can explore their zoning policies through new vantage points. As such, additional research examining, on a deeper level, exactly which factors and characteristics of a city are supportive of a diverse range of families would contribute greatly to the field.

Additionally, a deeper analysis on the history of the zoning amendments on how homes are regulated would provide better insight into the intentions and motivations for why residential neighborhoods still prefer Euclidean zoning. This thesis was limited to information available online. Further research on registered and unregistered home occupations in cities and what those occupations are, along with any real or perceived detrimental or positive impacts on the surrounding neighborhood, would be insightful and could be beneficial to informing future policy discussions.

Concluding Thoughts

The focus of this thesis is on local zoning regulations and the influences they might have on the choices single mothers make in order to fulfill their parenting obligations. These obligations include attempting to achieve financial security for their families on the one hand, and providing the supervision, guidance, and enjoyable family time children need, on the other. The thesis suggests revisions to zoning regulations that could enhance the economic and personal well-being of these families and their family members.

Examining how cities regulate home occupations in residential dwellings through the lens of family friendliness opens up an opportunity to understand zoning and its impacts in a unique and fresh way. It also considered to what extent the existing regulations currently achieve necessary neighborhood protection.

Zoning regulations are powerful tools that, when used intentionally, can be incredibly beneficial to supporting a community's needs and interests. While it is clear that for each of the case study cities, there is some thought given to providing some flexibility in how the home may be used for economic benefit, there is much room for a more proactive planning approach.

The American Planning Association's mission asserts that planning should not just "happen," with the community reacting, but rather planners need to engage the community through education and empowerment "to meet the challenges of growth and change." Family friendly cities is not a new concept for planners; in fact, a 2008 survey of planning professions underscored that point, noting that planners feel they have played a role in helping communities become more family friendly (Warner & Rukus, 2013). In addition to the recommendations I outlined earlier, municipal planning departments must find ways to include families with young children, particularly those with single-parents or low-income parents, in the planning process.

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Appendix 1.

The Zoning Act Overview

Section 1	Citation	“The Zoning Act”
Section 1A	Definitions	Defines terms throughout the chapter
Section 2	Repealed	Omitted
Section 3	Exemptions	Enumerates what zoning may not regulate such as educational and religious uses, handicap accessibility ramps, solar access etc.
Section 4	Zoning Districts; Zoning Maps	Requires zoning ordinances to have uniform districts as well as a map delineating each district.
Section 5	Adoptions and Amendment of Zoning By-Laws and Ordinances	Sets the protocol for the adoption and amendment of zoning ordinances, including public notification and voting requirements.
Section 6	Preexisting non-conforming Uses, Structures and Lots; Exemptions for Definitive, Approval Not Required Plans, Single and Common Lots	Describes how municipalities must address structures that do not conforming to the zoning ordinance, as well as subdivisions that require endorsement.
Section 7	Enforcement of Zoning Regulations	Outlines who may enforce zoning regulations, fines that may be imposed, statute of limitations on violations, and states that the superior court or land court has jurisdiction to enforce this chapter or any ordinances adopted under it.
Section 8	Basis for Appeals to Permit Granting Authority	States that anyone aggrieved by a zoning ordinance or decision of an administrative officer may appeal to the permit granting authority, an administrative appeal.
Section 9	Special Permits; Procedural Requirements; Bonus Zoning; PUD; Cluster Development; Shared Elderly Housing; Hazardous Waste	This section outlines zoning relief that may be granted for uses that are in harmony with the general person of the ordinance. It offers tools that may be adopted by municipalities such as density bonuses to encourage development that serves the goals of the municipality. Additionally, it provides application instructions and required time limits.

Section 9A	Special Permits for Adult Bookstores and Motion Picture Theatres	Defines adult uses and sets forward special regulations for the issuance of zoning relief for adult book stores, theatres etc.
Section 9B	Solar Access Protections; Special Permits; Procedure	Provides standards for special permit relief for solar access.
Section 9C	Child Care Facilities	Sets special standards for including square footage dedicated to child care facilities.
Section 10	Variances	Sets the standards for the conditions which must be met in order to grant variance zoning relief.
Section 11	Notice for Public Hearings; Notice of Decision	Sets forth the standards for public notification for public hearings including notice of hearing and notice of decision.
Section 12	Zoning Board of Appeals	Allows municipalities to appoint ZBA members and describes their organization and operation.
Section 13	Zoning Administrator	Allows the ZBA to delegate some of its authority to a zoning administrator.
Section 14	Powers of Zoning Board of Appeals	Enumerates the powers of the ZBA.
Section 15	Appeal Procedure to Permit Granting Authority	Describes the administrative appeals process.
Section 16	Repetitive Petitions to Permit and Special Permit Granting Authority	Set the standards for withdrawal of applications and when the ZBA votes unfavorably.
Section 17	Judicial review	Appeal to Superior, District and Housing Court of the County of Hampden

Appendix 2.

Forbes List of Family Friendly Criteria

Appendix B: Forbes list of family friendly criteria (Sharf, America's Best Cities for Raising a Family, 2016).

Forbes national list seek to identify the top family friendly cities in the United States.

Variables used by Forbes include:

- median household income,
- percentage of owner-occupied households,
- percent of the population under the age of 18,
- average commuting delays from the Texas Transportation Institute,
- violent crime rates per 100,000 from the FBI,
- local school quality using data available from greatschools.org and finally
- cost of childcare by the percentage of income an average two parent family spends on child care for two school age kids from an organization called Childcare Aware.
- <https://www.forbes.com/sites/samanthasharf/2016/08/30/americas-best-cities-for-raising-a-family/#78aa61d622ca>

Appendix 3.

Family Friendly Score

TOWN	School Grade	Violent Crime	Pop under 18	Total Score
NEWTON	5	5	3	13
BROOKLINE	5	5	2	12
CHICOPEE	4	4	3	11
LOWELL	4	4	3	11
MALDEN	5	4	2	11
MEDFORD	4	5	2	11
PLYMOUTH	3	5	3	11
QUINCY	5	4	2	11
BROCKTON	4	1	5	10
CAMBRIDGE	5	4	1	10
SOMERVILLE	4	5	1	10
REVERE	4	3	3	10
TAUNTON	3	4	3	10
WALTHAM	4	5	1	10
WEYMOUTH	3	4	3	10
HAVERHILL	3	3	3	9
LYNN	3	2	4	9
LAWRENCE	2	2	5	9
PEABODY	3	4	2	9
WORCESTER	4	2	3	9
BOSTON	3	3	2	8
SPRINGFIELD	2	1	5	8
FALL RIVER	3	1	3	7

Appendix 4:

Chicopee Demographic Change

Chicopee	Total Pop	% of total	% total change 2000-2010	Under 18	Under 18%	Under 18% change
2000						
All	54653	100%		12369	22.60%	
Asian	473	0.90%		118	0.20%	
Black or African American	1078	2.00%		337	0.60%	
Hispanic or Latino	4790	8.80%		2232	4.10%	
White	47478	86.90%		9344	17.10%	
Other	834	1.5%		338	0.62%	
2010						
All Race/Ethnicity	55298	100%	1.20%	11465	21.00%	-7.30%
Asian	722	1.30%	52.60%	182	0.30%	54.20%
Black or African American	1525	2.80%	41.50%	311	0.60%	-7.70%
Hispanic or Latino	8196	14.80%	71.10%	3271	5.90%	46.60%
White	43938	79.50%	-7.50%	7345	13.30%	-21.40%
Other	917	1.7%	10.0%	356	0.64%	5.33%

**Reflects change from 2000 U.S. Census to 2010 U.S. Census*

Appendix 5:

Quincy Demographic Changes

Quincy	Total Pop	% of total	% total change*	Under 18	Under 18%	Under 18% change*
2000						
All Race/Ethnicity	88025	100.0%		15381	17.5%	
Asian	13519	15.4%		3148	3.6%	
Black or African American	1846	2.1%		456	0.5%	
Hispanic or Latino	1835	2.1%		500	0.6%	
White	68980	78.4%		10743	12.2%	
Other	1845	2.1%		534	0.6%	
2010						
All Race/Ethnicity	92271		4.80%	15303	16.6%	-0.50%
Asian	22124	24.0%	63.70%	4526	4.9%	43.80%
Black or African American	3998	4.3%	15.90%	914	1.0%	100.40%
Hispanic or Latino	3089	3.3%	67.90%	813	0.9%	62.60%
White	60448	65.5%	-12.40%	8172	8.9%	-23.90%
Other	2612	2.8%	41.57%	878	1.0%	64.42%

**Reflects change from 2000 U.S. Census to 2010 U.S. Census*

Appendix 6:

Waltham	Total Pop	% of total	% total change*	Under 18	Under 18%	Under 18% change*
2000						
All Race/Ethnicity	59226	100%		9173	15.50%	
Asian	4299	7.30%		691	1.20%	
Black or African American	2484	4.20%		625	1.10%	
Hispanic or Latino	5031	8.50%		1435	2.40%	
White	46416	78.40%		6166	10.40%	
Other	996	1.68%		256	0.43%	
2010						
All Race/Ethnicity	60632	100%	2.40%	8847	14.60%	-3.60%
Asian	5834	9.60%	35.70%	795	1.30%	15.10%
Black or African American	3459	5.70%	39.30%	762	1.30%	21.90%
Hispanic or Latino	8280	13.70%	64.60%	2076	3.40%	44.70%
White	41678	68.70%	-10.20%	4806	7.90%	-22.10%
Other	1381	2.28%	38.65%	408	0.67%	59.38%

Waltham Demographic Change

**Reflects change from 2000 U.S. Census to 2010 U.S. Census*

Appendix 7.

City of Chicopee Home Occupation Regulations

City of Chicopee Home Occupation Regulations	
ZONING SECTION: § 275-41. Home occupation. [Amended 6-19-1984; 12-20-1988]	
Definition	Any use customarily conducted entirely within the dwelling and carried on by the inhabitant thereof, which is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof, and provided that no article is sold or offered for sale except such as may be produced on the premises by members of the immediate family. Home occupations do not include telephone and office use where the principal business is not conducted on the property. At no time shall there be any exterior indication of the home occupation other than an identification sign, and there shall be no outdoor manifestations, such as traffic generation, noise, fumes or noxious odors which are different or greater than those usually experienced in the residential neighborhood.
As-of-right	No.
Special License/Permit Requirements	A. Special license required. [Amended 6-6-1989] (1) A special license from the City Council is required for a home occupation. Special license requests require immediate abutter notification, legal advertisement, a public hearing, a fee as set by the City Council and yearly renewal.
City Clerk	Applications may be obtained and led in the City Clerk's office. [Amended 9-1-2009]
Procedure for obtaining a home occupation special license	(2) The procedure for obtaining a home occupation special license is as follows: [Added 3-16-1999 by Ord. No. 99-1] (a) Obtain an application from the City Clerk's office. (b) Submit the completed application together with the required fee and a copy of the Assessor's Map to the City Clerk's office. (c) A hearing will be held by the Zoning Committee of the City Council on the application for the special license in accordance with this chapter. [Amended 9-1-2009] (d) The City Council will thereafter upon approval of the Zoning Committee's action vote to issue the special license. [Amended 9-1-2009] (e) Once this special license is granted, a certificate of occupancy must be obtained from the Building Inspection Department and a copy forwarded to the Board of Assessors. (f) All home occupation special licenses shall expire on April 30th of each

	<p>year, unless revoked. Any applications for renewal of the home occupation special license may be made in the month of April and shall take effect on May 1 next ensuing.</p> <p>(g) If a nonowner of the property is the applicant, permission must be obtained, in writing, and submitted with the application.</p> <p>(h) The City Council may in its discretion grant a waiver to allow one employee who is not a member of the family if there is a specific finding by the City Council that the waiver will not cause any undue hardship to the neighborhood nor disrupt the residential nature of the residence. [Amended 9-1-2009]</p>
	<p>(3) The Building Commissioner shall be responsible for maintaining records of home occupations. If a special license for a home occupation has expired and the holder of such license has not received a renewal of the license from the City Council, the Building Commissioner shall forthwith notify the license holder that the license has expired, and the operation of the home occupation must cease within five days, and the holder must renew his license through the License Committee of the City Council. [Amended 9-1-2009]</p>
Special conditions / Performance standards	A special license for home occupation may be granted only if all of the following performance standards are met: [Amended 6-6-1989]
No exterior alterations allowed	(1) No alteration of the principal building shall be made which changes the character as a dwelling. In no way shall the appearance of the structure be altered or the occupation within the residence be conducted in a manner which would cause the premises to differ from its residential character, either by the use of colors, materials, construction, lighting, signs or the emission of sounds, noises or vibrations.
No disturbances	(2) No use shall create noise, dust, vibration, odor, smoke, glare, electrical interference, health hazard or any other hazard or nuisance to any greater or more frequent extent than that usually experienced in an average residential dwelling.
Signage requirements	(3) Only one nameplate shall be allowed. It may display the name of the occupant and/or the name of the home occupation. It shall not exceed two square feet in area, shall be non-illuminated and attached at to the main structure, visible through a window or posted in front of the building with a maximum height of four feet. The limitation to one nameplate is intended to apply to all lots, including corner lots.
No traffic generated	(4) No traffic shall be generated in greater volume than would normally be expected in a residential neighborhood. The activity involved shall not assume a commercial or public character or constitute a health or safety hazard to the neighborhood.
Must be an accessory use	(5) The use shall be clearly incidental and secondary to the dwelling and dwelling purposes and shall not change the character of use as a dwelling. [Added 3-16-1999 by Ord. No. 99-215]
No exterior storage	(6) There shall be no exterior storage on the premises of material or equipment used as a part of the home occupation. [Added 3-16-1999 by

	Ord. No. 99-2]
Only portion of home can be dedicated to home occupation	(7) The total area used for the home occupation shall not exceed 1/2 the floor area of the user's living unit. [Added 3-16-1999 by Ord. No. 99-2]
Vehicle Requirements/Traffic/Visitors to residence	(8) A home occupation, including studios or rooms for instruction, shall provide off street parking area adequate to accommodate needs created by the home occupation. [Added 3-16-1999 by Ord. No. 99-2]
Catch all clause	(9) Any other conditions which the Council shall impose relating to the health, safety and welfare of abutting property owners. [Added 3-16-1999 by Ord. No. 99-2; amended 9-1-2009]
C. Special conditions.	The City Council may impose special conditions upon a home occupation to ensure that the business is conducted in a manner which is compatible with the surrounding neighborhood. Such conditions may include but shall not be limited to the following: [Amended 9-1-2009]
Screening	(1) A requirement for fencing and/or screening of the subject property from neighboring residences.
Vehicle limits/traffic	(2) A limitation on the number of vehicles related to the occupation which may be stored on the premises or parked on an adjacent right-of-way.
Hour restrictions	(3) A restriction on the hours of operation for the home occupation.
Required Renewal	(4) A requirement that the permit be renewed after a designated period of time.
Catch all clause	(5) Any other conditions which the City Council shall impose relating to the health, safety and welfare of abutting property owners.
Specifically determined not home uses	
Last Amendment to Home Occupation	2009

Appendix 8.

City of Quincy Home Occupation Regulations

CITY OF QUINCY HOME OCCUPATION REGULATIONS	
ZONING SECTION: 3.3 HOME OCCUPATIONS	
Definition	An accessory use which by custom has been carried on entirely within a dwelling unit, and is incidental and subordinate to the dwelling use. In connection with such use, there shall be no retail sale of merchandise on the premises. Home occupations shall not include barber shops, commercial stables or kennels, motor vehicle repair or service, contractor's or landscaper's yards, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.
As-of-right	3.3.1 Home Occupation - As of Right: Home occupation may be allowed on any premises as of right, provided that the home occupation:
Resident Employees only	1. is conducted solely within a dwelling and solely by the person(s) occupying the dwelling as a primary residence;
Must be an accessory use	2. is clearly incidental and secondary to the use of the premises for residential purposes;
No disturbances	3. does not produce offensive noise, vibration, smoke, dust, odors, heat, lighting, electrical interference, radioactive emission or environmental pollution;
No exterior alterations allowed	4. does not utilize exterior storage of material or equipment (including the parking of commercial vehicles);
Signage requirements	5. does not exhibit any exterior indication of its presence or any variation from residential appearance;
No traffic generated	6. does not produce any customer, pupil, or client trips to the occupation site and has no nonresident employees;
City Clerk	Must be a registered as a business with the City Clerk.
Special Permit	3.3.2 Home Occupation - By Special Permit. One (1) home occupation may be allowed on any premises by special permit issued by the Board of Appeals, provided that:
Complies with as-of-right section	1. the home occupation complies with the pertinent provisions of Section 3.3.1, above;
Additional non-resident employees allowed by special permit	2. is conducted within a dwelling solely by the person(s) occupying the dwelling as a primary residence and, in addition to the residents of the premises, by not more than three additional employees;

An exterior sign allowed by special permit	3. does not exhibit any exterior indication of its presence, or any variation from residential appearance, except for a sign or name plate in compliance with Section 5.3;
Procedure for obtaining as-of-right building permit	
Business Certificate	
Procedure for obtaining a home occupation special permit	<p>1) All material submitted for each case must be submitted to the Zoning Clerk at least 21 calendar days before the hearing. The Board will not consider any materials submitted at the hearing or within that 21-day period.</p> <p>2) All applications shall be accompanied by a check payable to the “City of Quincy” in the amount of \$110.00 for 1 & 2 family and \$210.00 for all others. The Applicant shall also submit a check in the amount of \$150.00 payable to the Quincy Sun for the cost of the legal advertisement.</p> <p>3) A copy of the 11’ x 17’ Assessors Plan for the subject property.</p> <p>4) Certified Plot Plan should show all information pertinent to the relief requested. For example, if the Applicant is seeking a variance and claims a hardship relative to the shape, soil and topography of the lot, the certified plot plan submitted must show the topography.</p> <p>5) Building Plans should be ¼” = 1’ scale and should show the following: location and use of rooms, existing conditions and proposed conditions, elevation of proposed building and relation to existing buildings. Photos may also be provided.</p> <p>6) Every application must include a brief summary of the case explaining the relief sought by the Applicant and the reasons why they seek relief and cite any applicable case law. This summary should also address the following issues:</p> <ul style="list-style-type: none"> a) The particular use proposed for the land or building b) The conditions especially effecting the property for which a variance is sought. c) Facts which make up the hardship d) Facts relied upon to support a finding that the relief sought may be given without nullifying or substantially derogating from the intent or purpose or the zoning ordinance. *Original plus 14 copies of each of the above is required. The information MUST be compiled into fourteen (14) packages each containing the required documentation plus the original package. <p>7) In the event that the hearing is continued and additional plans or other documentation are requested by the Board, the additional plans or other documentation must be submitted to the Clerk of the Zoning Board of Appeals no later than 10 business days prior to the continued hearing dated as agreed upon by the Board and the Applicant</p> <p>8) Applicant must meet (by appointment) with the Building Inspector assigned to that area or the Inspectional Services Director and the Zoning</p>

	<p>Board Clerk prior to submission of application.</p> <p>9) Applicant is responsible for coordinating review of plans by pertinent city departments. Applicant is responsible for insuring that applicable comments from city departments are delivered to the ZBA in a timely fashion for review by the ZBA.</p> <p>10) Applicant is responsible for obtaining ONE CERTIFIED list of abutters within 300 feet of property from the City of Quincy Assessors Department that must be submitted to the Zoning Board of Appeal clerk at least 21 days prior to the date of the hearing. The abutters list must be in label form (2 copies) at a cost of \$0.50 per label.</p>
No exterior storage	
Catch all clause	
Special conditions / Performance standards	4. a special permit for such use is granted by the Board of Appeals, subject to conditions including, but not limited to:
Screening	
Vehicle Requirements/Traffic/ Visitors to residence	Off- street parking; maximum number of daily customer vehicle trips. Teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.
Hour restrictions	Restriction of hours of operation
Required Renewal	Such special permit shall be limited to three years, or the transfer of the property, whichever first occurs, and may be renewed by the Board of Appeals.
Only portion of home can be dedicated to home occupation	Maximum floor area
Specifically determined not home uses	No retail sale of merchandise on the premises, barber shops, commercial stables or kennels, motor vehicle repair or service, contractor's or landscaper's yards
Last Amendment	2011

Appendix 9.

City of Waltham Home Occupation Regulations

CITY OF WALTHAM HOME OCCUPATION REGULATIONS	
ZONING SECTION: 3.21 Customary home occupations	
Definition	Office of architects, engineers, lawyers, accountants, tutors or like professional persons shall be considered customary home occupations. Artists, musicians and dancing teachers shall be restricted to giving private lessons only and shall not be permitted to maintain studios for class instruction. Typing and computer services, dressmaking and millinery and other business activities deemed similar to any of the above mentioned may be permitted if the Inspector of Buildings finds that said use is not more intensive than the uses mentioned above. The uses noted in this definition shall be allowed when situated in the same dwelling or apartment used as a private residence by the person carrying on the occupation, provided that not more than one-fourth (1/4) of the dwelling unit or apartment shall be so used and not more than three persons shall be regularly so engaged, including the professional person and/or occupant of the dwelling unit. Tourist homes and day nurseries shall not be deemed to be such customary home occupation uses. Hair dressing and beauty parlors shall only be allowed when a special permit has been granted by the Board of Appeals, which shall consider the effects upon the neighborhood and the City at large of said special permit. In no instance shall any customary home occupation create any visible exterior changes to the residence in question.
As-of-right	Yes
Procedure for obtaining as-of-right building permit	Inspector of Buildings must find that the proposed home occupation is the office of architects, engineers, lawyers, accountants, tutors or like professional persons shall be considered customary home occupations OR that may be permitted if the Inspector of Buildings finds that said use is not more intensive than the uses mentioned above. \$40 occupancy permit
Business Certificate	Yes – lasts 4 years \$50 fee
Special License/Permit Requirements	Hair dressing and beauty parlors shall only be allowed when a special permit has been granted by the Board of Appeals, which shall consider the effects upon the neighborhood and the City at large of said special permit. \$200 application fee, plus advertising, abutters notices
City Clerk	Business certificate filing

Procedure for obtaining a home occupation special permit	Standard 40A process, materials for Board, filing fee
Special conditions / Performance standards	<p>Hair dressing and beauty parlors shall only be allowed when a special permit has been granted by the Board of Appeals, which shall consider the effects upon the neighborhood and the City at large of said special permit.</p> <p>3.51 Procedures</p> <p>Each application shall be accompanied by one original development prospectus, fully prepared, together with 20 copies of said development prospectus.</p> <p>It shall show all properties within 300 feet of the locus with names and addresses of owners and all abutting properties and properties adjoining land of abutters.</p> <p>The names of owners of such properties shall be included. In addition, it shall set forth existing and proposed topography, service areas, other open use areas, required open space and buffer areas, all facilities for sewerage, refuse and other waste disposal, surface drainage and all landscape features (such as fences, walls, planting and walks).</p> <p>The plot plan described above shall be prepared by a registered land surveyor or registered civil engineer.</p> <p>Special permits for use:</p> <p>(a) As used in this section, a special permit for use, as opposed to a special permit for an increase in the intensity of use, shall mean a special permit where the applicant is requesting permission to build or operate a specific use not allowed by right in the zoning district; provided, however, that special permits for use may be granted only after it has been determined that the proposed use will be in compliance with the provisions of Sections 3.531, 3.533, 3.534, 3.535 and 3.538 of the zoning ordinance and that the allowance of the proposed use will not adversely impact upon the health and safety of the surrounding neighborhoods.</p> <p>(b) In making its determination on whether or not to grant a special permit for a specific type of use or for a combination of certain uses specified elsewhere in this section</p>
No exterior alterations allowed	In no instance shall any customary home occupation create any visible exterior changes to the residence in question.
Only portion of home can be dedicated to home occupation	Not more than one-fourth (1/4) of the dwelling unit or apartment shall be so used
Vehicle Requirements/Traffic /Visitors to residence	Artists, musicians and dancing teachers shall be restricted to giving private lessons only and shall not be permitted to maintain studios for class instruction.

Catch all clause	The Board of Appeals in issuing a special permit must consider the effects upon the neighborhood and the City at large of said special permit. The special permit granting authority may impose general or specific conditions which shall be set forth therein and said conditions may include but shall not be limited to safeguards and limitations as to time or use.
C. Special conditions.	Yes
Vehicle limits/traffic	
Hour restrictions	Conditions may include but shall not be limited to safeguards and limitations as to time or use.
Required Renewal	
Specifically determined not home uses	Tourist homes and day nurseries shall not be deemed to be such customary home occupation uses, body art establishments
Last Amendment	Definition of uses last amendment listed 2008.

Appendix 10:

Home Occupation Definition

	Chicopee	Quincy	Waltham
Definition of Home Occupation	<p>Any use customarily conducted entirely within the dwelling and carried on by the inhabitant thereof, which is clearly incidental and secondary to the use of the dwelling purposes and does not change the character thereof, and provided that no article is sold or offered for sale except such as may be produced on the premises by members of the immediate family. Home occupations do not include telephone and office use where the principal business is not conducted on the property. At no time shall there be any exterior indication of the home occupation other than an identification sign, and there shall be no outdoor manifestations, such as traffic generation, noise, fumes or noxious odors which are different or greater than those usually experienced in the residential neighborhood.</p>	<p>An accessory use which by custom has been carried on entirely within a dwelling unit and is incidental and subordinate to the dwelling use. In connection with such use, there shall be no retail sale of merchandise on the premises. Home occupations shall not include barber shops, commercial stables or kennels, motor vehicle repair or service, contractor's or landscaper's yards, teaching of more than three pupils simultaneously, and in the case of musical instruction, more than one pupil at a time.</p>	<p>Office of architects, engineers, lawyers, accountants, tutors or like professional persons shall be considered customary home occupations. Artists, musicians and dancing teachers shall be restricted to giving private lessons only and shall not be permitted to maintain studios for class instruction. Typing and computer services, dressmaking and millinery and other business activities deemed similar to any of the above mentioned may be permitted if the Inspector of Buildings finds that said use is not more intensive than the uses mentioned above. The uses noted in this definition shall be allowed when situated in the same dwelling or apartment used as a private residence by the person carrying on the occupation, provided that not more than one-fourth (1/4) of the dwelling unit or apartment shall be so used and not more than three persons shall be regularly so engaged, including the professional person and/or occupant of the dwelling unit. Tourist homes and day nurseries shall not be deemed to be such customary home occupation uses. Hair dressing and beauty parlors shall only be allowed when a special permit has been granted by the Board of Appeals, which shall consider the effects upon the neighborhood and the City at large of said special permit. In no instance shall any customary home occupation create any visible exterior changes to the residence in question.</p>