

LEGISLATION TO INCREASE HOUSING PRODUCTION AND REFORM ZONING AND LAND USE REGULATION IN MASSACHUSETTS

Bills under consideration by the Massachusetts Legislature as of February 28, 2018

JOINT COMMITTEE ON HOUSING BILL (H. 3845)

Status: Pending before the House Ways and Means Committee

Requires that every city and town zone allow multifamily housing in appropriate locations near transit and neighborhood or village centers. Allows accessory dwelling units on every single family lot if basic dimensional requirements are met. Allows open space residential development in every city and town (i.e., homes clustered on smaller lots adjacent to open space). Reduces the local margin of vote required to adopt multifamily zoning or to create Chapter 40R smart growth zoning districts from two-thirds to a simple majority. Reimburses cities and towns for any net increases in public education costs resulting from multifamily development if at least 20 percent of the units are affordable. Allows adjacent communities to adopt regional development agreements and/or to regionalize land use regulation at local option without state legislative approval.

[Detailed summary here](#)

GOVERNOR'S HOUSING CHOICE BILL (H. 4075)

Status: Pending before the House Ways and Means Committee

Reduces the required local margin of vote (i.e., by a town meeting or a city or town council) to approve certain housing-related best practices from two-thirds to a simple majority. Applies to adoption of zoning that allows multifamily housing in smart locations, accessory dwelling units, open space residential (cluster) development, mixed-use development, transfer of development rights, natural resource protection zoning, reduced lot sizes or other reduced dimension requirements, and reduced parking requirements. Also reduces the required margin of vote from two-thirds to a simple majority for a special permit to develop multifamily housing near transit stations. Allows adjacent communities to adopt regional development agreements at local option without state legislative approval.

[Detailed summary here](#)

SMART GROWTH ALLIANCE BILLS (S. 81 and H. 2420)

Status: Pending before the Joint Committee on Municipalities and Regional Government

Also known as the Great Neighborhoods bill. Comprehensive rewrite of the state's planning and zoning laws. Includes requirements for multifamily housing zoning, accessory dwelling units and open space residential (cluster) development in every city and town. Also authorizes development impact fees, shortens the period that existing zoning is grandfathered after zoning changes, and allows local review of small subdivisions that must now be allowed by towns as-of-right.

[Detailed summary here](#)