

HOUSE No. 1080

The Commonwealth of Massachusetts

PRESENTED BY:

Christine P. Barber

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to address equal access to housing through local zoning.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/15/2015</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>1/28/2015</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>9/11/2019</i>

HOUSE No. 1080

By Ms. Barber of Somerville, a petition (accompanied by bill, House, No. 1080) of Christine P. Barber, David M. Rogers and James B. Eldridge for legislation to address equal access to housing through local zoning. Housing.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to address equal access to housing through local zoning.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 40A of the General Laws is hereby amended by adding the following section:

2 Section 3A: Within two years of the effective date of this section, all zoning ordinances
3 and bylaws shall include districts in which multifamily housing of two or more attached dwelling
4 units is a permitted use as of right, including housing that is not age-restricted and that is suitable
5 for families with children, and such districts shall accommodate a reasonable share of regional
6 needs for multifamily housing and be as proximate as reasonably possible to schools,
7 transportation and public services. Allowance of multifamily housing in suitably located
8 districts shall not preclude the establishment of zoning districts where only low-density
9 development is permitted in order to protect natural resources. A city or town may elect to
10 satisfy the foregoing requirement by obtaining a determination from the Department of Housing
11 and Community Development, acting directly or through a regional planning agency as its
12 designee, that the multifamily provisions of its zoning ordinance or bylaw are consistent with

13 published guidelines. In establishing such guidelines, the Department shall take into account
14 differences between regions of the Commonwealth and between sizes and types of communities
15 and shall promote reasonable opportunity for multifamily housing construction in each city and
16 town, taking into consideration the land area and suitability of districts zoned to allow
17 multifamily housing, the location of those districts, the types of multifamily housing allowed,
18 and anticipated market demand for multifamily housing.