

**HOUSE . . . . . No. 1788**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sean Garballey***

*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 creating a multi-family housing incentive pilot program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/17/2019</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/25/2019</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>	<i>1/28/2019</i>
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	<i>1/28/2019</i>
<i>Stephan Hay</i>	<i>3rd Worcester</i>	<i>1/29/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>1/29/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>1/30/2019</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>1/30/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/31/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/31/2019</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/31/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/1/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/1/2019</i>

**HOUSE . . . . . No. 1788**

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 1788) of Sean Garballey and others for legislation to establish in the Executive Office of Housing and Economic Development a housing development pilot program to offer incentives to cities and towns to zone for substantial multifamily housing and/or mixed use development in transit-oriented locations. Municipalities and Regional Government.

**The Commonwealth of Massachusetts**

In the One Hundred and Ninety-First General Court  
(2019-2020)

An Act creating a multi-family housing incentive pilot program.

*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 23A is hereby amended by adding the following section:-

2 Section 68. There shall be in the executive office of housing and economic  
3 development a housing development pilot program to offer incentives to cities and towns to zone  
4 for substantial multifamily housing and/or mixed use development in transit-oriented locations  
5 by funding transportation infrastructure investments in or near those zoning districts.

6 (a) For the purposes of this section, unless the context clearly requires otherwise,  
7 the following words shall have the following meanings:

8 “Multi-family housing”, a building with 3 or more residential dwelling units or 2 or  
9 more buildings on the same lot with more than 1 residential dwelling unit in each building. For

10 purposes of this section, multi-family housing must not be age-restricted and must include at  
11 least some units suitable for families.

12 “Transit-oriented housing development”, a development that (1) produces multi-family  
13 housing and/or a mix of uses that includes multi-family housing, and (2) is located within ½ mile  
14 of an existing rail or rapid transit station, a public transportation ferry terminal, or within a  
15 corridor with a fixed route bus service or would be so located if the city or town’s proposal under  
16 this section were implemented.

17 “Transit investments,” new public transit infrastructure, or improvements of existing  
18 public transit infrastructure, including but not limited to rail or rapid transit stations, ferry  
19 terminals, bus stations or corridor stops, dedicated lanes and signaling for bus rapid transit, rail  
20 or rapid transit vehicles, buses, and pedestrian and bike infrastructure to improve access to  
21 transit.

22 (b) To demonstrate local interest and feasibility of a transit-oriented housing  
23 development program as set forth in this section, the secretary of housing and economic  
24 development, in consultation with the secretary of transportation, shall design a competition open  
25 to cities and towns to propose zoning changes to produce transit-oriented housing development  
26 in return for transit infrastructure investments in or near the proposed zoning district(s). The  
27 secretary of housing and economic development shall issue a request for proposals within one  
28 year of enactment of this section. The competition may be structured to provide opportunities  
29 for cities and towns of different sizes and in different regions to be selected, and may allow  
30 municipalities to submit joint proposals. The request for proposals shall allow cities and towns

31 to propose transit investments already under consideration by the Massachusetts Department of  
32 Transportation and its agencies or to propose new investments.

33 (c) The secretary of housing and economic development and the secretary of  
34 transportation shall jointly make their selection within 120 days of receiving proposals from  
35 cities and towns. If the secretaries jointly find that no proposal is appropriate for selection, the  
36 secretary of housing and economic development may either re-issue the request for proposal with  
37 changes as needed, or the secretaries may jointly terminate the pilot. The secretaries shall use  
38 their discretion in making the selection, but shall consider at least the following criteria:

39 1. The number of new multi-family housing that would be produced. Including the  
40 number that would be deed-restricted units available for affordable and workforce housing and  
41 the number suitable for families;

42 2. The connectivity between the new multi-family housing units and proposed transit  
43 investment, particularly the ability of residents to walk and bike between the two;

44 3. Consistency of the proposed multi-family housing with the Commonwealth's  
45 sustainable development principles;

46 4. Alignment of the proposed transit investment with existing plans of the  
47 Massachusetts Department of Transportation, particularly if the Department's evaluation of the  
48 proposed investment would be favorably affected by the likelihood of greater ridership or outside  
49 financial contributions;

50 5. The feasibility of the proposed transit investment; and

51           6.       Extent to which the proposal includes commitments of municipal or private funds  
52 that would contribute to the investment's feasibility.

53           (d) With their selection, the secretaries shall outline an implementation plan that may  
54 include advancing a transportation investment with funding that has already been appropriated  
55 and/or may set forth an intent to seek funding from the legislature for the proposed investment.  
56 The implementation plan shall specify the steps the selected municipality or municipalities must  
57 take to zone for and permit the contemplated transit-oriented housing development, and/or to  
58 contribute to funding the transit investment

59           (e) The secretary of housing and economic development, in consultation with the  
60 secretary of transportation, shall report annually to the clerks of the house of representatives and  
61 the senate, who shall forward the report to the house of representatives and the senate, the chairs  
62 of the joint committee on housing, the chairs of the joint committee on transportation, and the  
63 chairs of the senate and house committees on ways and means, on the activities and status of the  
64 pilot program, including whether the program should be established on a continuing basis or  
65 terminated after the pilot is completed. The reports shall include the request for proposals issued,  
66 a list and description of all local proposals responsive to the request for proposal, identification  
67 of the selected proposal or proposals and the accompanying implementation plan, updates on  
68 implementation as appropriate, and any outcomes obtained through this pilot program. When the  
69 secretaries jointly find that the pilot program is complete, secretary of housing and economic  
70 development shall issue a final report to the clerks.