

HOUSE No. 2061

The Commonwealth of Massachusetts

PRESENTED BY:

Carlos González

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 relative to the permitting and construction of accessory dwelling units.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carlos González</i>	<i>10th Hampden</i>	<i>1/18/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/20/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/31/2023</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/16/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>2/22/2023</i>
<i>Samantha Montaña</i>	<i>15th Suffolk</i>	<i>2/22/2023</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/23/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>2/23/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/23/2023</i>
<i>Aaron L. Saunders</i>	<i>7th Hampden</i>	<i>2/27/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/16/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>4/3/2023</i>

HOUSE No. 2061

By Representative González of Springfield, a petition (accompanied by bill, House, No. 2061) of Carlos González and others relative to the permitting and construction of accessory dwelling units. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Third General Court
(2023-2024)

An Act relative to the permitting and construction of accessory dwelling units.

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

1 SECTION 1. Section 3 of chapter 40A of the General Laws, is hereby amended by
2 adding the following paragraph:-

3 No charter provision, zoning ordinance, by-law or any rule or regulation, in any city or
4 town shall prohibit, or require a special permit for, permitting or construction by attaching to,
5 constructing within, or constructing upon a single family residence, parcel or lot, that is occupied
6 by the owner, an accessory dwelling unit as defined in section 1A.

7 SECTION 2. The fifth paragraph of section 5 of said chapter 40A, is hereby amended by
8 striking out clauses (1) and (2) and inserting in place thereof the following 2 clauses:-

9 (1) an amendment to a zoning ordinance or by-law to allow any of the following as of
10 right: (a) multifamily housing or mixed-use development in an eligible location; or (b) open-
11 space residential development;

12 (2) an amendment to a zoning ordinance or by-law to allow by special permit: (a) multi-
13 family housing or mixed-use development in an eligible location; (b) an increase in the
14 permissible density of population or intensity of a particular use in a proposed multi-family or
15 mixed use development pursuant to section 9; or (c) a diminution in the amount of parking
16 required for residential or mixed-use development pursuant to section 9;.