

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Mark J. Cusack

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 accessory dwelling units.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>1/15/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act relative to 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 said chapter 40A, as so appearing in the 2024 Official Edition,
2 is hereby amended by striking the eleventh paragraph and inserting in place thereof the following
3 paragraph:-

4 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special
5 permit or other discretionary zoning approval for the use of land or structures for a single
6 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;
7 provided, that the use of land or structures for such accessory dwelling unit under this paragraph
8 may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq.,
9 if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and
10 height of structures and may be subject to restrictions and prohibitions on short-term rental, as
11 defined in section 1 of chapter 64G. Any city or town may, by local option, require owner
12 occupancy of either the accessory dwelling unit or the principal dwelling unit under this
13 paragraph; provided, that not more than 1 additional parking space shall be required for an

14 accessory dwelling unit; and provided further, that no additional parking space shall be required
15 for an accessory dwelling located not more than 0.5 miles from a commuter rail station, subway
16 station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental thereof,
17 in a single-family residential zoning district there shall be a special permit for the use of land or
18 structures for an accessory dwelling unit. The executive office of housing and livable
19 communities may issue guidelines or promulgate regulations to administer this paragraph