

SENATE No. 1433

The Commonwealth of Massachusetts

PRESENTED BY:

Julian Cyr

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 zoning for housing production.

PETITION OF:

NAME:

Julian Cyr

DISTRICT/ADDRESS:

Cape and Islands

SENATE No. 1433

By Mr. Cyr, a petition (accompanied by bill, Senate, No. 1433) of Julian Cyr for legislation relative to zoning for multi-family housing production. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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

An Act relative to zoning for housing production.

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 inserting after section 3B the
2 following 2 sections:-

3 "Section 3C. (a) All municipalities within the commonwealth having a population of
4 greater than 2,000 shall have a zoning ordinance or by-law that provides for no less than 1
5 district of reasonable size in which multi-family housing is permitted as of right; provided,
6 however, that such multi-family housing shall be without age restrictions and shall be suitable
7 for families with children. For the purposes of this section, a district of reasonable size shall have
8 a minimum gross density of 15 units per acre, subject to any further limitations imposed by
9 section 40 of chapter 131 and title 5 of the state environmental code established pursuant to
10 section 13 of chapter 21A.

11 (b) The executive office of housing and livable communities shall promulgate regulations
12 to assess municipalities' compliance with this section.

13 (c) Municipalities may apply to the executive office for a waiver from the requirements
14 of this section. In deciding whether to grant the municipal's request for a waiver, the executive
15 office shall base its decision on whether the municipality's subsidized housing inventory eligible
16 housing units exceed 10 per cent of its total housing units pursuant to section 20 of chapter 40B
17 of the General Laws and 760 CMR 56.00.

18 (d) A municipality that fails to comply with this section shall not be eligible for funds
19 from: (i) the Housing Choice Initiative as described by the governor in a message to the general
20 court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section
21 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of
22 chapter 23A, or (iv) the HousingWorks infrastructure program established in section 27 of
23 chapter 23B.

24 Section 3D. Each municipality in the commonwealth shall enact zoning ordinances and
25 by-laws, subject to the procedure established under section 5 of this chapter, that set forth a
26 minimum lot size for real property classified as Class One, residential of no greater than 1 acre,
27 except when required to maintain compliance with 310 CMR 15.000 of the State Environmental
28 Code.