

Massachusetts House of Representatives
Bill Summary

Bill #: H.2308

Title: An Act relative to multi-family housing in MBTA communities

Sponsor: Rep. Marc Lombardo

Committee: Municipalities and Regional Government

Hearing Date: July 29, 2025

Current Law: Section 3A of Chapter 40A of the Mass. General Laws was signed into law as Chapter 358 of the Acts of 2020, an economic development bill.

The language codified in Section 3A states that an MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable. Failure to comply with the law may result in the city or town losing eligibility for certain state grants and other funding programs.

Subsection (b) states that an MBTA community that fails to comply with this section shall not be eligible for funds from: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; (iii) the MassWorks infrastructure program established in section 63 of chapter 23A, or (iv) the HousingWorks infrastructure program established in section 271/2 of chapter 23B.

There are 177 MBTA communities in Massachusetts.

Summary: This legislation adds a new subsection (d) to the MBTA Communities Act stating that if an MBTA community has reached the 10 percent affordable housing threshold as provided for in Section 20 of Chapter 40B, then the community will be deemed to be in compliance with the law and therefore not subject to its provisions.