

Massachusetts House of Representatives Bill Summary

Bill #: H.4581 / S.2617

Title: An Act granting the city of Worcester the authority to require the adoption of institutional master plans

Sponsor: Rep. James O'Day, Sen. Michael Moore

Committee: Municipalities and Regional Government

Hearing Date: October 14 – October 21, 2025 written testimony hearing

Similar bills: S.2617 is identical. H.4923 (Somerville) and H.4152 (Medford) are similar.

Current Law: MGL Chapter 40A Section 3 outlines the subjects that zoning may not regulate. It provides details for exemptions, public hearing processes, and temporary manufactured home residences. The law provides exemptions for specific uses and structures.

The law states, in part, “no zoning ordinance or by-law shall regulate or restrict the interior area of a single-family residential building nor shall any such ordinance or by-law prohibit, regulate, or restrict the use of land or structures for religious purposes or for educational purposes on land owned or leased by the Commonwealth or any of its agencies, subdivisions, or bodies politic or by a religious sect or denomination, or by a non-profit educational corporation; provided, however, that, such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, and parking and building coverage requirements.”

Currently, the city of Boston requires institutional master plans to be submitted by hospitals, colleges, and universities having more than 150,000 square feet of property.

Summary: Section 1 of the bill authorizes the city of Worcester, through the adoption of general or zoning ordinances, to require the adoption of an Institutional Master Plan for large-scale institutional facilities within the city, as provided for in Section 2. The legislation defines an Institutional Master Plan as a land-use and development plan for land owned or used by institutions within a community that identifies current and future growth and development of the institution. Such a plan would be subject to public review and adoption by the city.

Section 2 authorizes the city of Worcester, notwithstanding the state zoning act or any other general or special law to the contrary, to adopt a local ordinance that imposes Institutional Master Plan review to regulate the use of land or structures for land owned, leased, or otherwise occupied by

hospitals, health care institutions, colleges, universities, and non-profit educational corporations.

This section includes a provision which states that if the city authorizes special permits for the use of land by such institutions, the city may have such permits expire and be renewed after 10 years (by the planning board). Any institution in existence at the time of the adoption of such zoning ordinances would be required to apply for a special permit within 120 days of the adoption of that zoning ordinance.

Section 3 states that this act shall take effect upon passage.

Notes:

This bill was approved by the Worcester City Council on September 9, 2025 by a vote of 10 in favor and 0 opposed.

Note: Typo in line 9 of both bills: "VA" should read "40A"

According to excerpts from a letter that was submitted by the city solicitor along with the city's local approval, "the proposed legislation would enable the municipality to adopt a local zoning ordinance regulating large-scale institutions by requiring a master plan identifying future development plans and addressing factors such as proposed building expansions, parking plans, site improvements, traffic management strategies, and community engagement initiatives ...

"The Dover Amendment prohibits the municipality from restricting or regulating land used for education or religious purposes (i.e. large college institutions) including prohibiting institutions to comply with special permit requirements.

"Notwithstanding the Dover Amendment, the legislation would authorize the municipality to require large-scale institutions to submit, and receive approval of, an Institutional Master Plan to the Planning Board."