



SMART GROWTH AND REGIONAL COLLABORATION

FACT SHEET: AN ACT PROMOTING HOUSING AND SUSTAINABLE DEVELOPMENT; AN ACT BUILDING FOR THE FUTURE OF THE COMMONWEALTH

Senator Harriette Chandler (S.81), Representative Stephen Kulik and Representative Sarah Peake (H.2420)

PURPOSE OF THESE BILLS

Massachusetts land use laws are antiquated and local permitting can be unpredictable and contentious. This has led to a lack of workforce housing, longer commutes, and the loss of natural resources. High transportation and housing costs inhibit our economic competitiveness and eat up an increasing share of family budgets. In order to maintain and develop new jobs and homes for our workforce, to preserve our historic villages and town centers, and to protect our natural resources, we need an efficient permitting process.

These bills provide benefits to all municipalities through statewide reforms and offer enhanced incentives and tools to communities that choose to “opt in” by changing select local regulations to meet economic development, housing, and natural resource protection goals. These reforms will equip cities and towns with the tools they need to shape their futures, while providing more certainty to landowners and developers.

WHAT THESE PROPOSALS DO

- Provide cities and towns with the explicit authority to implement new zoning methods and permitting processes;
- Provide cities and towns the option to adopt regulations for minor subdivisions currently with little to no regulation which produced sprawling development patterns;
- Allow all local decision-making boards to be provided common information at the beginning of the project review process to increase efficiency in the decision-making process;
- Establish a clear and predictable process for assessing impact fees to a developer to cover eligible impacts of a project such as traffic, stormwater, and water supply;
- Provide reasonable and standardized zoning protections for planned or completed projects when zoning is changed by “grandfathering” these projects into the new zoning regulations;
- Provide cities and towns with the explicit authority to require the creation of affordable housing projects;
- Provide more flexibility to property owners by expanding the usefulness of variances to address a wider array of zoning situations;

- Allow Planning Boards the option to set aside up to 5% of a subdivision as a park or playground for the development;
- Allow master plans to be more tailored to local circumstances and updating the elements of a master plan; and
- Grant additional tools and incentives to communities that choose to “opt-in” by making four specific zoning changes consistent with the state’s Sustainable Development Principles. These benefits include:
 1. Broader use of impact fees;
 2. Natural resource protection zoning at very low densities;
 3. Shorter vesting periods;
 4. The ability to regulate the rate of development; and
 5. Priority for state infrastructure funding.

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