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Senate Ways & Means Releases Historic Bill to Reform the State's Land Use Laws

Boston – The Metropolitan Area Planning Council (MAPC), the Regional Planning Agency for Greater Boston, today applauds the release of Senate Bill 2144 to strengthen and modernize the state's planning, zoning and housing laws. The bill received a favorable report this morning from the Senate Committee on Ways and Means, and is scheduled for action on the floor of the Senate on June 9.

S. 2144, "An Act to Promote Housing and Sustainable Development in the Commonwealth," would modernize the system cities and towns use to review and issue permits for both commercial and residential development. It also contains provisions that will help to increase the production of housing for all age and income groups, along with provisions to preserve open space and critical habitats. A few of the bill's major provisions are listed below:

- **Encourages cluster development**, which concentrates development in a portion of a parcel, while protecting the rest as open space;
- Sets up specific rules for **inclusionary zoning**, which encourages the creation of affordable units in new housing developments;
- Updates the current **master plan** requirements and allows existing master plans to remain in effect for 10 years before they must be updated;
- Encourages housing production by requiring zoning ordinances or bylaws to provide at least one district of reasonable size where **multi-family housing is permitted by right**;
- **Discourages sprawl** by allowing municipalities to pass a minor subdivision ordinance as an alternative to the "approval not required" process;
- Creates a rational and predictable process to assess **impact fees** to offset the cost of infrastructure; and
- Allows property owners to create accessory dwelling units (sometime called for "in-law apartments") without a special permit.

"Our zoning and subdivision laws haven't really changed since the 1970's. They are out of date. This bill really bring us into the 21st century," said MAPC Executive Director Marc Draisen. "It will make it easier for municipalities to plan for their futures, and then to implement the plans they

adopt. It will help developers to get a 'yes' or a 'no' more quickly, and it will help us to build the housing we desperately need for young people, families with children, and seniors."

According to MAPC, Massachusetts will need 500,000 new housing units by 2040 to accommodate the existing population and projected growth. Without these new homes, the state won't be able to attract enough people to fill the jobs of 1.7 million Baby Boomers who are expected to retire by 2040.

"Building the housing we need isn't just good policy; it's an economic necessity," Draisen said.

"This bill strikes an effective balance among the needs of developers, cities and towns, and the environment," Draisen noted. "Municipalities currently lack the tools they need to create livable, walkable neighborhoods, but this important legislation would go a long way toward fixing that and helping us to retain and attract the workers we need for a 21st century economy."

For more information on zoning reform, visit <http://www.ma-smartgrowth.org>.

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