

SECTION-BY-SECTION SUMMARY

An Act relative to housing production

[HD.3945](#) & [SD.2313](#)

Sponsors: Reps. Andy Vargas and Kevin Honan & Sen. Brendan Crighton

SECTION 1: ADDING INCLUSIONARY ZONING TO HOUSING CHOICE

SECTION 2: AFFORDABLE HOUSING PRODUCTION GOALS

SECTION 3: AFFORDABLE MULTI-FAMILY ZONING REQUIREMENTS

SECTION 4: BY-RIGHT ZONING FOR ACCESSORY DWELLING UNITS

SECTION 5: REDEVELOPMENT OF GREYFIELDS

SECTION 6: PRIORITIZING STATE LAND FOR AFFORDABLE HOUSING

SECTION 7: CONVERTING VACANT COMMERCIAL PROPERTY TO AFFORDABLE HOUSING

SECTION 1: ADDING INCLUSIONARY ZONING TO HOUSING CHOICE

Allows inclusionary zoning bylaws to be passed by a simple majority vote of a municipality's legislative body.

SECTION 2: AFFORDABLE HOUSING PRODUCTION GOALS

Sets a statewide goal of building 427,000 new homes by 2040. This shall include the following sub-goals:

- 85,400 new homes affordable to those at 80% of the Area Median Income (AMI); and
- 8,500 new homes affordable to those at 30% AMI

Requires the Secretary of Housing and Economic Development to report annually on progress made towards meeting these goals.

The report shall include the number of:

- Market rate homes created;
- Accessible or adaptable homes created for persons with disabilities;
- Homes created for persons aged 55+; and
- Deed restricted affordable homes available to households earning less than:
 - 80% AMI;
 - 60% AMI; and
 - 30% AMI.

The report shall also include information on the economic activity of short-term rentals in Massachusetts.

The report shall also include the number of homes, broken down by the municipality, on the Subsidized Housing Inventory that are income restricted to households earning less than 80% AMI.

SECTION 3: AFFORDABLE MULTI-FAMILY ZONING REQUIREMENTS

Requires municipalities to allow multi-family zoning of 15 units per acre with no minimum parking requirements by-right within a half mile of a commuter rail, subway station, ferry terminal, or bus station.

Requires municipalities to allow multi-family zoning of 15 units per acre with no minimum parking requirements by-right within a quarter mile of an eligible location.¹

Requires any development in the zoning districts described above to have:

- 15% of homes affordable to households at or below 80% AMI; or
- 10% of homes affordable to households at or below 10% AMI.

Gives municipalities until January 1, 2025, to comply with these affordable multi-family zoning requirements.

Prohibits municipalities from imposing standards that would unreasonably discourage the building of homes in these affordable multi-family zones.

SECTION 4: BY-RIGHT ZONING FOR ACCESSORY DWELLING UNITS

Allows by-right zoning for accessory dwelling units in every municipality in single family residential zoning districts on lots with at least 5,000 square feet.

SECTION 5: REDEVELOPMENT OF GREYFIELDS

Commissions a report on the redevelopment or reuse of greyfields sites – defined as outdated, underutilized, failing or vacant, including commercial residential, and industrial properties. The redevelopment or reuse of the greyfields could be for housing, public use, mixed-use development, natural restoration or open space.

¹ “Eligible locations” defined as areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed use smart growth zoning districts or starter home zoning districts, including without limitation: (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or (ii) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns and existing rural village districts.

SECTION 6: PRIORITIZING STATE LAND FOR AFFORDABLE HOUSING

Directs the Commissioner of Capital Asset Management and Maintenance to determine whether state-owned land shall be made available for affordable housing before disposing of the land.

SECTION 7: CONVERTING VACANT COMMERCIAL PROPERTY TO AFFORDABLE HOUSING

Allows commercial property that has been vacant for at least 2 years to be converted to mixed-use development. At least 20% of homes in any mixed-use development created at that property shall be affordable to those earning at or below 80% AMI.