



COMMERCIAL REAL ESTATE INSIGHT & NEWS

The Bowditch & Dewey Real Estate Blog

Senate Passes Historic, Controversial Zoning Reform Bill – What’s Next?

BY JOSEPH RANSOM • JULY 6, 2016

On June 9, 2016, the Massachusetts Senate voted to approve what would be the first major reform of zoning in Massachusetts since the 1970s. S. 2311, a bill entitled “An Act to Promote Housing and Sustainable Development in the Commonwealth” has the stated goal of, among other things, making it easier for real estate developers to create less expensive housing by requiring communities to allow for higher density housing, cluster development and permitting accessory units within single family homes. The bill will also revise subdivision laws and attempt to make site plan review more consistent among municipalities.

As is usual with any kind of reform, the bill has been the subject of controversy and debate by developers, real estate organizations, municipal officials, environmentalists and many other stakeholders. Proponents of the bill say that it will make the permitting process more predictable and streamlined for developers, reduce expensive urban sprawl, make it easier for municipalities to adopt changes to their zoning bylaws and reduce the legal burden on those seeking variances. Those in opposition say that the bill will make housing and commercial development more expensive due to impact fees, increase development costs and create layers of unneeded bureaucracy. Other opponents have called the bill “watered down” saying that it does not go far enough to address affordable housing needs. The one thing all sides agree on, however, is that reform is definitely needed.

The bill will now go to the House where it will have to be debated and voted on it before it could go to Governor Baker to sign it into law. House Speaker Robert DeLeo and Governor Baker have publically remained noncommittal on the Senate’s bill, and Speaker DeLeo has not stated whether the bill will be debated in the House before the end of the legislative session in July.

For more information, Massachusetts Smart Growth Alliance has been maintaining a webpage devoted to the zoning reform efforts. Check it out on the Alliance’s website [HERE](#). Also, the Massachusetts Municipal Association statement on the bill can be found on its website [HERE](#). Finally, you can read the Home Builders and Remodelers Association statement opposing the bill [HERE](#).

