

COMMERCIAL REAL ESTATE INSIGHT & NEWS

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Baker Looks to Zoning Changes to Address Affordable Housing Crisis

APRIL 18, 2019

It's no secret that Massachusetts has a long way to go when it comes to addressing the issue of affordable housing. Governor Baker has set a goal to create 135,000 new homes by 2025. One aspect of his plan to implement this goal is to revive a previously presented bill that makes it easier for cities and towns across the Commonwealth to make changes to their local zoning bylaws to promote smart housing growth.

Currently, state law prohibits cities and towns from making changes to zoning laws unless the municipality secures a two-thirds "supermajority" vote of its legislative body. The proposed legislation submitted by Governor Baker this legislative session is expected to largely mirror a bill filed by the governor in the last legislative session, House Bill 4290, "An Act to Promote Housing Choices." House Bill 4290 would allow a municipality to change its zoning regulations to foster the creation of more housing by a simple majority. However, the proposed legislation would not create any obligation on cities and towns throughout the Commonwealth to change its zoning if they do not wish to do so.

The proposed legislation also includes a provision that reduces the voting threshold for a special permit to a simple majority vote for certain multifamily or mixed-use projects with at least 10 percent affordable units for locations near transit or centers of commercial activity within a municipality.

Governor Baker is hoping that lawmakers make this anticipated bill a priority. Last session, the Legislature did not bring House Bill 4290 to a vote in either the House or the Senate, although Governor Baker noted that he was not aware of any opponents. This bill, described as "bold in its impact, modest in its means" seeks to preserve local decision-making while providing a clearer path to affordable housing development, and remains one to watch this legislative session.

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