

SENATE No. 1191

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Keenan

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to transit-oriented development.

PETITION OF:

NAME:

John F. Keenan

DISTRICT/ADDRESS:

Norfolk and Plymouth

SENATE No. 1191

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1191) of John F. Keenan for legislation relative to transit-oriented development . Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to transit-oriented development.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Chapter 40A of the General Laws, as appearing in the 2016 Official
2 Edition, is hereby amended by inserting after section 3 the following section:-

3 Section 3A. (a) Zoning ordinances and by-laws shall provide for the development of
4 multi-family housing as of right, which may include business, commercial or mixed uses, in a
5 district or districts of reasonable size within a quarter of a mile of a commuter rail station or
6 public transportation ferry terminal. For the purposes of this paragraph, multi-family housing
7 shall: (i) be without age restrictions and be suitable for families with children; (ii) have a
8 minimum gross density of 14 units per acre, subject to any further limitations imposed by section
9 40 of chapter 131 and title 5 of the state environmental code established by section 13 of chapter
10 21A; and (iii) align, to the extent possible, with existing or planned water, sewer and
11 transportation infrastructure.

12 A city or town may satisfy this subsection by obtaining a determination from the
13 department, acting directly or through a regional planning agency as its designee, that the multi-
14 family provisions of its zoning ordinance or by-law are consistent with the department's
15 regulations established under subsection (b). If a city or town obtains such a determination from
16 the department or regional planning agency, the city or town may use the determination as
17 verification of compliance when applying for discretionary funding by state agency programs
18 that have included a preference or priority for multi-family zoning.

19 The department may waive or reduce the requirements of this subsection in a manner
20 consistent with the purpose of promoting sufficient additional multi-family housing to satisfy
21 regional housing needs.

22 (b) The department shall promulgate regulations necessary to implement the provisions
23 of this section, including but not limited to, establishing guidelines for what qualifies as multi-
24 family housing and the reasonable size of multi-family districts, and enforcement of this section.