

Introduction

Massachusetts has become one of the most expensive states to live in, largely because we've failed to build enough housing. We rank near the bottom nationally in housing permits per capita,¹ and in Greater Boston the shortage is driving prices beyond what young workers, families, and even middle-income professionals can afford.

To address the problem, our comprehensive housing strategy includes eight reforms. We call for clarifying site plan review as a predictable, by-right process; ending frivolous legal appeals that delay projects; and lowering supermajority thresholds for local zoning votes. We advocate for allowing housing by right in commercial and industrial zones, especially where demand for retail and warehouse space is relatively weak. We urge the elimination of costly parking mandates, providing more flexible zoning in residential areas with existing sewer and water infrastructure, and ensuring that only truly affordable units count toward the state's subsidized housing inventory.

Without bold state action—and a willingness to model the reforms we ask of municipalities—we will fall further behind. These housing reforms are essential not only for affordability but also for unlocking the workforce and economic growth our future depends on.

Housing Production & Affordability

Make Site Plan Review a Technical, Administrative Process

Across Massachusetts, municipalities inconsistently apply “site plan review” when deciding whether to issue housing permits. In some communities, the process functions as intended—a non-discretionary, technical check on compliance with criteria around factors such as drainage and traffic circulation. But in others, it is used as a de facto special permit process, granting local boards broad veto power and adding uncertainty and delays. This ambiguity discourages housing development and increases costs.²

Recommendation: *Advocate for a statutory definition of site plan review as a limited, technical review to confirm compliance with objective standards. This would restore predictability for developers, reduce litigation risk, and help accelerate housing approvals in communities across the state.*

Speed Up Legal Review of Housing Appeals

Massachusetts law allows any “aggrieved” party to appeal a local housing approval, with nearby residents presumed to have standing by default. These lawsuits can delay or kill housing proposals regardless of merit. Developers often settle or abandon projects due to high costs and uncertain timelines—even when opponents have little chance of succeeding in court.³ The lengthy timeline and lack of land use expertise in superior courts also make it uneconomical for most developers to appeal project denials. The following reforms would prevent frivolous lawsuits and provide certainty to municipalities and builders, while preserving the public's right to challenge unlawful decisions.

Recommendation: *Advance legislation that reforms legal standing requirements for housing appeals and expedites judicial review.*

- *Those appealing a local body's approval of a development should be required to post a bond by default and allege a specific harm that is verifiable by a technical expert.*
- *Specialty venues, such as land court and the Housing Appeals Committee, should be given more resources to hear appeals of local development denials.*

Lower Supermajority Thresholds for Housing Permits & Zoning

While the 2021 Housing Choice Act reduced the vote threshold for certain zoning changes and special permit decisions from a two-thirds supermajority to a simple majority, it applied only to a narrow set of reforms, such as approving multifamily housing near transit. Many crucial decisions, including most special permits that allow for housing development without a commercial component or nearby transit station, still require two-thirds approval by local boards.

These supermajority thresholds give small minorities the power to block or delay housing creation, especially in high-opportunity suburbs and small towns. Projects with broad support often fail due to a handful of dissenting votes. This structural barrier continues to stall housing growth, raise prices, and limit access for working families. Expanding simple-majority voting to a broader set of zoning and permitting decisions would reduce bottlenecks and increase housing options.⁴

Recommendations

- *Expand the 2021 Housing Choice Act to apply simple majority voting to all zoning amendments and special permits that allow for the creation of net new housing units. This would ensure that the reforms apply to all types of housing: multifamily and single-family, infill and greenfield, mixed-use and single-use, etc.*
- *The state should also provide technical guidance and oversight to municipalities to prevent improper application of supermajority requirements post-reform.*

Expand Homeowners' Rights to Build ADUs

Accessory dwelling units (ADUs) are small, self-contained homes—like in-law suites or backyard cottages—built on the same lot as a single-family house. They offer affordable, sustainable housing options, support multigenerational living, and contribute to environmental goals by using existing infrastructure.

California's liberal ADU laws sparked massive growth, from fewer than 1,000 ADU permits in 2014 to more than 30,000 in 2024. ADUs now comprise more than 25 percent of new housing statewide. In contrast, Massachusetts trails far behind. Despite the 2024 state law allowing ADUs by right statewide, local regulations and financing difficulties continue to suppress ADU growth—including in communities with excellent access to transit and job centers. Unlocking this potential would relieve a tight housing market, expand affordability, and help elderly homeowners age in place.⁵

Recommendation: *Make ADUs easier to finance and expand the number of properties eligible for them by enacting several reforms:*

- *Allow ADUs to be sold separately from the principal dwelling on site, increasing homeownership opportunities and helping ensure that the ADU continues to be used as housing once the property is sold.*
- *Create a baseline allowance for a prototypical 900-square-foot ADU with de minimis dimensional requirements.*
- *Support efforts to train appraisers on how to properly value an ADU. Evidence from other states suggests that appraisers tend to undervalue ADUs. More accurate appraisals could enable a significant expansion of ADU financing.*
- *Prevent localities from enforcing wastewater standards for ADUs that exceed those of Title 5, the state environmental code's section on septic systems.*

Allow Multifamily Housing in Commercial and Industrial Zones

Zoning codes in many cities and towns prohibit residential uses in commercial and industrial areas, even when demand for housing far exceeds demand for retail or warehouse space. These outdated restrictions limit the potential for adaptive reuse, mixed-use development, and urban revitalization.⁶

Recommendation: *Promote legislation that allows multifamily housing by right in commercial and industrial zones, with dimensional and density requirements no stricter for residential than for commercial uses. This policy would unlock land for housing in areas with existing infrastructure without disturbing the natural environment or displacing existing residents.*

Eliminate Minimum Parking Requirements for New Housing

Mandatory parking minimums inflate the cost of housing and discourage denser, more walkable development—especially near transit. Across Greater Boston, developers are often required to build two or more parking spaces per unit, regardless of local demand, even within walking distance of MBTA stations.⁷ But even far away from transit and commercial areas, developers and lenders already have strong financial incentives to provide sufficient parking in their projects.

Recommendation: *Support legislation that eliminates minimum parking requirements statewide. Such a policy would lower housing costs, reduce impervious surface area, and improve land use efficiency.*

Tie Residential Zoning Reforms to Sewer & Water Capacity

Massachusetts faces a serious housing shortage, yet some communities claim that limited sewer or water infrastructure prevents them from complying with zoning reforms, including the MBTA Communities Act. However, research shows that most metropolitan cities and towns already have access to centralized systems, and that in practice developers bear most of the financial burden of expanding infrastructure to suit their projects.⁸

Recommendation: *Tie zoning reform incentives and compliance requirements to the presence of centralized sewer and water services. In areas already served by such infrastructure, 2-4 unit buildings should be allowed on all existing residential lots and minimum lot sizes for single-family homes should be reduced or eliminated. This will leverage existing MWRA and local systems to encourage infill housing in areas that can accommodate it without costly infrastructure expansion.*

Exclude Market-Rate Units from the Subsidized Housing Inventory

Under current policy, Massachusetts allows market-rate units in mixed-income developments—such as those built under Chapter 40B—to count towards the state's subsidized housing inventory (SHI). This allows communities to reach "safe harbor" under Chapter 40B without building many homes that are accessible for low- or moderate-income families. The result is that there is often limited potential for additional multi-family housing development in the places where market-rate development is most viable and greater affordability most needed.⁹

Recommendation: *Support legislation to phase out the inclusion of market-rate units in the SHI, counting only units with income or rent restrictions—ideally for at least 30 years. This reform would encourage housing production under Chapters 40B and 40A among communities that are currently overly reliant on market-rate SHI units to meet state affordability targets. It would also improve the integrity of the SHI and thus aid future research efforts on income-restricted housing.*