



American Planning Association
Massachusetts Chapter

Making Great Communities Happen



Massachusetts Association of Planning Directors

2019 ZONING REFORM BILLS

H. 1802: An Act Regarding Mandatory Land Use Board Training

Sponsors: Representative Kevin Honan and James O'Day

This bill would amend Section 3 of chapter 23B of the General Laws to establish an annual program of education and training for Planning Board and Zoning Board of Appeals.

- Training and educational modules can be sponsored, developed, and presented by the Massachusetts Association of Planning Directors, Massachusetts Association of Regional Planning Agencies, and/or the American Planning Organization – Massachusetts Chapter.
- All Board members would be required to complete their training within 60 days of becoming a board member and then every 2 years thereafter.
- To facilitate remote participation and reduce implementation costs, the existing “conflict of interest” framework in place can be utilized.

H. 1764: An Act Relative to Voting Thresholds

Sponsor: Representative Daniel Cahill

This bill would amend Section 5 of Chapter 40A to allow communities to reduce the voting threshold for the adoption of all zoning by-laws/ordinances and amendments thereto from 2/3 to a simple majority.

- Provides statutory authority for municipalities to “opt in” to a lower voting threshold for **all zoning amendments**, not just for one “type” of zoning amendment.
- Municipalities *opt in* to a simple majority voting threshold via a 2/3 vote of their legislative body—Town Meeting or City Council. Municipalities can opt to keep the existing voting threshold at 2/3. No mandate to change.
- Provides clear statutory guidance for municipalities as it would be applied to all zoning amendments.

H. 1289: An Act Facilitating Site Plan Review

Sponsor: Representative Kevin G. Honan

This bill would amend Section 7 of Chapter 40A to allow for site plan review.

- There is currently no statutory reference of site plan review, which is a common planning practice for bylaw uses.
- Can be applied to both by-right and discretionary permitting at based on community preference.
- Would serve to ensure that a proposed use of land or structures in in compliance with sound site utilization principles relative to traffic circulation and safety, pedestrian safety and access, off-street parking and loading, emergency vehicle access, storm water drainage, screening, signage and exterior lighting, visual impact of parking, storage or other outdoor service areas, and consistency with character and scale of surrounding buildings.
- Provides statutory framework for appeal of a site plan which currently does not exist in the statute.

Planning Organizations Contact Information

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