

STRONG COMMUNITIES DEPEND ON HEALTHY COMMUNITY DESIGN

Help Pass “An Act Promoting the Planning and Development of Sustainable Communities” *Senate Bill 122, sponsored by Sen. Daniel Wolf and Rep. Stephen Kulik*

Local zoning codes are the DNA of communities. However, in Massachusetts, many of these codes have not been updated in generations. Old zoning codes have too often promoted sprawl, pollution, social isolation, and stunted economic development, while at times limiting healthy land uses such as grocery stores.

Smarter zoning codes can help change this by promoting community features like:

- Mixed commercial-residential districts that can encourage walking and biking and increase community safety;
- Preservation of open space that promotes active recreation, conservation, and agriculture;
- Improved access to healthy food choices; and
- Reduced exposure to pollution.

These are features that help make our communities healthy, inclusive, and prosperous. These changes will benefit everyone, but will have the greatest impact on vulnerable populations, including kids, seniors, and people with disabilities.

In order to move toward local zoning codes that promote long-term health benefits, we must reform our state’s out-of-date zoning laws.

HOW SENATE BILL 122 WILL IMPROVE PUBLIC HEALTH

- 1. Updates and streamlines the Commonwealth’s master planning statutes to address sustainable development and public health (section 27).** The current master planning law lacks focus, too often resulting in overly-complicated and costly plans that don’t sufficiently focus on action planning and implementation. The current law is streamlined and updated to reflect the state’s Sustainable Development Principles, including public health considerations. Public health objectives are woven into master planning elements and a new optional public health element is established.
- 2. Encourages dialogue between local public health officials and planning and development officials (sections 24 & 25).** Local boards of health do not generally receive notice of projects seeking zoning approvals projects seeking zoning approvals.

The law is updated so that boards of health will receive notice and be able to comment on the public health impact of land use decisions such as variances, site plan reviews, special permits, and other approvals. This simple step will provide greater opportunity for dialogue and collaboration between local planning officials and health officials.

- 3. Increases oversight of new subdivisions in order to limit sprawl, promote smart growth, and advance public health (sections 28-38).** Because of limitations in current law, it is not possible to effectively plan for or regulate roadside subdivisions. The resulting unregulated development is a principal driver of “dumb growth” in the Commonwealth which undermines public health goals and is costly to municipalities. The law is updated to provide greater local oversight of these subdivisions and opportunities for growth that incorporates public health principles. In addition, new provisions are added which allow municipalities to require parks and playgrounds and limit roadway width in new subdivisions.
- 4. Creates an opt-in program to incentivize smart growth (section 26).** A new “Planning Ahead for Growth Act” provides strong incentives for smart growth planning, with public health explicitly stated as a goal. In exchange for adopting measures that embrace these goals, communities are given enhanced planning tools and preferential consideration for infrastructure funding and other state funds and grants.
- 5. Formalizes guidelines for development impact fees (section 20).** Development impact fees are charges that developers pay to cities and towns that can support public infrastructure, including public transit, sidewalks, bike paths, and open space, parks, and recreational facilities. Rational impact fees are predictable for developers and can reduce local opposition to projects, because there is confidence that projects will bear their fair share of impacts on public facilities. The bill would explicitly authorize such fees.
- 6. Encourages affordable housing, an essential social determinant of health (sections 21 & 26).** The law is updated to explicitly authorize “inclusionary zoning” which allows municipalities to require the creation of affordable housing in development projects. Further, opt-in provisions of the law provide incentives for municipalities that plan for housing growth in appropriate locations.



The Act FRESH Campaign is a project of the Massachusetts Public Health Association (MPHA) and is led by a diverse group of MPHA member organizations - grassroots organizations and statewide associations from every region of the Commonwealth.

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