Oral Testimony by André Leroux, Executive Director of Massachusetts Smart Growth Alliance at Housing Committee Hearing on House Bill 4075 “Housing Choice”

*Tuesday, January 30, 2018*

* I would like to come here and simply say that this is a good bill, because it is. We do suggest a number of technical language recommendations that we explain in our written testimony. However, the testimony we’ve heard from many esteemed speakers requires me to respond to a couple of assumptions:
	+ 1, that this bill alone will significantly address our housing crisis and need for zoning reform; and
	+ 2, that because there is broad support for this bill, we can’t do anything else.
* Those assumptions are not correct. This small bill is a first step, not a solution for our development challenges.
* Let me explain what this bill does not do:
	+ Our state’s zoning laws have not been significantly updated since 1975. This bill does not modernize them. We don’t expect a complete rewrite of our statutes, but we need more than this.
	+ This bill does not make it easier to permit projects in any way. For example, most housing and mixed-use projects are approved by special permit. Even if a community changes its zoning, it still requires a two-thirds vote to approve the project by special permit. That’s the real barrier.
	+ This bill does not help small towns deal with the sprawl that threatens their municipal finances.
	+ This bill does not make it easier and cheaper for municipalities to create master plans or improve board training.
	+ This bill does not reduce expensive and time-consuming court battles because of frivolous appeals and clunky processes.
	+ This bill does not create more clear and consistent rules for important permitting tools like site plan review, cluster development, and variances.
	+ This bill does not offer families protection from discrimination, which is making our state one of the most segregated in the country. I’m not talking only about race, but age restrictions, bedroom restrictions, source of income restrictions.
* So we can’t just declare victory with this bill and call it a day.
* We are not asking this Committee to hold the Housing Choice bill and we are not asking you to add anything to it. We would like to see it reported out favorably and promptly and be incorporated into a more comprehensive and balanced piece of legislation before it makes its way to the House floor.
* Chairman Honan’s housing production bill (H.3845), which is currently in House Ways and Means, includes a number of good ideas that should also be considered. Representatives Kulik and Peake, and Acting Senate President Chandler, have proposed Great Neighborhoods bills (H.2420/S.81) in their respective chambers that offer many important zoning reforms. Eighty different legislators have co-sponsored one or both of those Great Neighborhoods bills.
* There is already a working group on this issue in the House, as well as one in the Senate. We simply ask the Legislature to complete its work and assemble a coherent package out of the various bills. The Governor and his Administration have done an admirable job with the Housing Choice program on the agency side with grants, technical assistance, and priority funding, and now we expect that the Legislature will do what it does very well, which is hear all stakeholders, come to compromise, and pass laws for the benefit of all residents of the Commonwealth.
* Through the Great Neighborhoods campaign, nearly 140 organizations, including local officials and business groups, have expressed support for state legislation that creates more homes, encourages healthy and walkable communities, modernizes our state’s outdated zoning laws, and establishes better permitting. There are many areas of consensus and further progress is within reach. We can get this done.
* Thank you for your attention and we look forward to working with all of you over the next few months to pass a strong zoning and housing bill this session.