

1655 expended without further appropriation. Any balance in the fund at the close of a fiscal year shall
1656 be available for expenditure in subsequent fiscal years and shall not be transferred to any other
1657 fund or revert to the General Fund; provided, that the comptroller shall report the amount
1658 remaining in the fund at the end of each fiscal year to the house and senate committees on ways
1659 and means.

1660 (b) The fund shall be administered by the office of fair housing established in section 31
1661 of chapter 23B and funds shall be expended for the purpose of eliminating housing
1662 discrimination. Activities eligible for assistance from the fund shall include, but shall not be
1663 limited to: (i) private enforcement initiatives; (ii) education and outreach initiatives; (iii) fair
1664 housing testing; (iv) lending discrimination; (v) affirmatively furthering fair housing; and (vi)
1665 special projects.

1666 (c) Grantees eligible for assistance shall include, but shall not be limited to, fair housing
1667 assistance programs and fair housing initiative programs, as defined by the United States
1668 Department of Housing and Urban Development, any private, non-profit agency or any state-
1669 funded public housing authority.

1670 **SECTION 7.** Section 1A of chapter 40A of the General Laws, as appearing in the 2022
1671 Official Edition, is hereby amended by striking out the definition “Accessory dwelling unit” and
1672 inserting in place thereof the following definition:-

1673 “Accessory dwelling unit”, a self-contained housing unit, inclusive of sleeping, cooking
1674 and sanitary facilities on the same lot as a principal dwelling, subject to otherwise applicable
1675 dimensional and parking requirements, that: (i) maintains a separate entrance, either directly
1676 from the outside or through an entry hall or corridor shared with the principal dwelling sufficient

1677 to meet the requirements of the state building code for safe egress; (ii) is not larger in gross floor
1678 area than 1/2 the gross floor area of the principal dwelling or 900 square feet, whichever is
1679 smaller; and (iii) is subject to such additional restrictions as may be imposed by a municipality,
1680 including, but not limited to, additional size restrictions and restrictions or prohibitions on short-
1681 term rental, as defined in section 1 of chapter 64G; provided, however, that no municipality shall
1682 unreasonably restrict the creation or rental of an accessory dwelling unit that is not a short-term
1683 rental.

1684 **SECTION 8.** Section 3 of said chapter 40A, as so appearing, is hereby amended by
1685 adding the following paragraph:-

1686 No zoning ordinance or by-law shall prohibit, unreasonably restrict or require a special
1687 permit or other discretionary zoning approval for the use of land or structures for a single
1688 accessory dwelling unit, or the rental thereof, in a single-family residential zoning district;
1689 provided, that the use of land or structures for such accessory dwelling unit under this paragraph
1690 may be subject to reasonable regulations, including, but not limited to, 310 CMR 15.000 et seq.,
1691 if applicable, site plan review, regulations concerning dimensional setbacks and the bulk and
1692 height of structures and may be subject to restrictions and prohibitions on short-term rental, as
1693 defined in section 1 of chapter 64G. The use of land or structures for an accessory dwelling unit
1694 under this paragraph shall not require owner occupancy of either the accessory dwelling unit or
1695 the principal dwelling; provided, that not more than 1 additional parking space shall be required
1696 for an accessory dwelling unit; and provided further, that no additional parking space shall be
1697 required for an accessory dwelling located not more than 0.5 miles from a commuter rail station,
1698 subway station, ferry terminal or bus station. For more than 1 accessory dwelling unit, or rental
1699 thereof, in a single-family residential zoning district there shall be a special permit for the use of

1700 land or structures for an accessory dwelling unit. The executive office of housing and livable
1701 communities may issue guidelines or promulgate regulations to administer this paragraph.

1702 SECTION 9. Section 3A of said chapter 40A is hereby amended by striking out the
1703 words “section 27”, as appearing in section 152 of chapter 7 of the acts of 2023, and inserting in
1704 place thereof the following words:- section 27½.

1705 SECTION 10. Section 6 of said chapter 40A, as appearing in the 2022 Official Edition, is
1706 hereby amended by inserting after the fourth paragraph the following paragraph:-

1707 Adjacent lots under common ownership shall not be treated as a single lot for local
1708 zoning purposes if, at the time of recording or endorsement, the lots: (i) conformed to then
1709 existing requirements of area, frontage, width, yard or depth, where each such lot has not less
1710 than 10,000 square feet of area and 75 feet of frontage; and (ii) are located in a zoning district
1711 that allows for single-family residential use. Any single-family residential structure constructed
1712 on said lot shall not exceed 1,850 square feet of heated living area, shall contain not less than 3
1713 bedrooms and shall not be used as a seasonal home or short-term rental.

1714 SECTION 11. The first paragraph of section 17 of said chapter 40A, as so appearing, is
1715 hereby amended by inserting after the fourth sentence the following sentence:- If the complaint is
1716 filed by someone other than the original applicant, appellant or petitioner, then each plaintiff,
1717 whether or not previously constituting parties in interest for notice purposes, shall also
1718 sufficiently allege and must plausibly demonstrate that measurable injury, which is special and
1719 different to such plaintiff, to a private legal interest that will likely flow from the decision
1720 through credible evidence.