



Commonwealth of Massachusetts
EXECUTIVE OFFICE OF HOUSING &
LIVABLE COMMUNITIES

Maura T. Healey, Governor ♦ Kimberley Driscoll, Lieutenant Governor ♦ Juana B. Matias., Secretary

PUBLIC NOTICE

EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES (EOHLC)

Under the provisions of M.G.L. c. 30A, section 3, notice is hereby given of the proposed amendment of regulation 760 CMR 71.00 – Protected Use Accessory Dwelling Units. EOHLC’s regulatory authority for this action is provided under M.G.L. c. 40A, section 3, para. 11 and St. 2024, c. 150, section 8. In accordance with M.G.L. c. 30A, section 5, the proposed regulation has a minimal or non-existent Small Business Impact. The purpose of the amendment is to clarify when local governments must issue permits for protected use accessory dwelling units and what regulatory powers local governments may exercise in permitting those units.

Pursuant to M.G.L. c. 30A, section 3, written comments on the proposed regulation may be submitted from September 11, 2026 through 11:59 pm on October 9, 2026, by: (1) sending the same electronically to EOHLCRegulationComments@mass.gov, including “Comments on 760 CMR 71” in the subject line; or (2) through an online form that is available at: <https://www.mass.gov/ADUPublicComment>.

A copy of the proposed regulation will be posted on EOHLC’s website at <https://www.mass.gov/info-details/eohlc-regulations-current-regulations-and-proposed-amendments>.