

HOUSE No. 02121

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act authorizing limited rate of growth controls and to promote housing production.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Donald Wong</i>	<i>9th Essex</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Steven L. Levy</i>	<i>4th Middlesex</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 02121

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2121) of Frost and others for legislation to further regulate certain restrictions on housing development or building permits under zoning ordinances in cities and towns Joint Committee on Housing.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 1227 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act authorizing limited rate of growth controls and to promote housing production.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Section 3 chapter 40A of the General Laws, as appearing in the 2008 Official
- 2 Edition, most recently amended by chapter 240 of the Acts of 2010, is hereby amended by
- 3 adding at the end thereof the following:--

- 4 No zoning ordinance or by-law adopted after January 1, 2012 shall regulate or restrict the rate of
- 5 development or number of building permits or special permits or other forms of zoning or
- 6 subdivision approval that may be issued by a municipality within a defined time period, unless
- 7 the limitations placed on development are, in both their nature and extent, a reasonable response
- 8 to specific tangible concerns identified in the zoning ordinance or by-law, and the zoning
- 9 ordinance or by-law establishes a reasonable deadline for completing and implementing a

10 strategic plan to address the specific identified concerns. No such rate of growth regulation or
11 restriction or extension thereof shall be in place for longer than one year unless extended by a
12 vote of a town meeting or a city council following receipt of a report and recommendation by the
13 planning board based upon evidence substantiating the need for an extension of the temporary
14 ordinance or by-law for one additional year.