

**HOUSE . . . . . No. 00580**

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The Commonwealth of Massachusetts

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PRESENTED BY:

*Martin J. Walsh*

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*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 to authorize limited rate of growth controls and to promote housing production.

\_\_\_\_\_  
PETITION OF:

NAME:

*Martin J. Walsh*

DISTRICT/ADDRESS:

*13th Suffolk*

# HOUSE . . . . . No. 00580

By Mr. Martin J. Walsh of Boston, petition (accompanied by bill, House, No. 00580) of Martin J. Walsh for legislation to regulate building permits and zoning. Joint Committee on Municipalities and Regional Government.

## The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act to authorize 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, is hereby amended by adding the following paragraph:—

3 No zoning ordinance or by-law adopted after January 1, 2011 shall regulate or restrict the rate of  
4 development or number of building permits or special permits or other forms of zoning or  
5 subdivision approval that may be issued by a municipality within a defined time period, unless  
6 the limitations placed on development are, in both their nature and extent, a reasonable response  
7 to specific tangible concerns identified in the zoning ordinance or by-law, and the zoning  
8 ordinance or by-law establishes a reasonable deadline for completing and implementing a  
9 strategic plan to address the specific identified concerns. No such rate of growth regulation or  
10 restriction or extension thereof shall be in place for longer than one year unless extended by a  
11 vote of a town meeting or a city council following receipt of a report and recommendation by the

- 12 planning board based upon evidence substantiating the need for an extension of the temporary
- 13 ordinance or by-law for one additional year.