

HOUSE No.

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Viriato Manuel deMacedo	1st Plymouth
Bradley H. Jones, Jr.	20th Middlesex
George N. Peterson, Jr.	9th Worcester
Elizabeth Poirier	14th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1262 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT RELATIVE 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 2006 Official Edition,
2 is hereby amended by adding at the end thereof the following:--

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

11 unless extended by a vote of a town meeting or a city council following receipt of a report and
12 recommendation by the planning board based upon evidence substantiating the need for an
13 extension of the temporary ordinance or by-law for one additional year.

14