HOUSE DOCKET, NO. 843 FILED ON: 1/19/2011

HOUSE . . . . . No. 580

The Commonwealth of Massachusetts

PRESENTED BY:

Martin J. Walsh

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:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martin J. Walsh	*13th Suffolk*

HOUSE DOCKET, NO. 843 FILED ON: 1/19/2011

HOUSE . . . . . No. 580

By Mr. Walsh of Boston, a petition (accompanied by bill, House, No. 580) of Martin J. Walsh for legislation to regulate building permits and zoning. Municipalities and Regional Government.

The Commonwealth of Massachusetts

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:

SECTION 1. Section 3 chapter 40A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding the following paragraph:—

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