

SENATE No. 618

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 streamlining housing permitting.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Bruce E. Tarr

First Essex and Middlesex

Robert L. Hedlund

Plymouth and Norfolk

SENATE No. 618

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 618) of Bruce E. Tarr and Robert L. Hedlund for legislation to streamline housing permitting. Housing.

The Commonwealth of Massachusetts

An act streamlining housing permitting.

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 2 of chapter 43D of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting after the word “selectmen.”, in line 5, the
3 following words:-

4 “Housing Priority Zone”, a privately or publicly owned property, a zoning district or a
5 zoning overlay district zoned and designated for the development or redevelopment of housing
6 which:

7 1. Exceeds the allowable unit density by a minimum of 50 percent greater than the
8 density allowed prior to designation as a priority zone, and shall in no case have a lot size greater
9 than ½ acre;

10 2. Includes a minimum of 40% of its units as affordable housing, as defined in Section 2
11 of Chapter 40R;

12 3. May incorporate the use of zoning methods known as cluster development, as defined
13 in Section 9 of Chapter 40A of the General Laws, or open space residential design; and

14 4. Is designated a priority development site by the board, in consultation with the
15 Department of Housing and Community Development.

16 SECTION 2. Chapter 43D, as so appearing, is hereby further amended by inserting after
17 section 16 the following sections:-

18 Section 17. For the purposes of determining consistency with the definition of
19 “consistent with local needs” contained in Section 20 of Chapter 40b of the General Laws, a
20 housing unit developed in a housing priority zone shall be credited at the rate of 1.75 units upon
21 the issuance of a building permit.

22 Section 18. Any individual or family residing in affordable housing within a housing
23 priority zone shall report to the local administrative office responsible for housing development
24 and administration not less than once every three years to certify that the property has not been
25 sold or otherwise transferred to an individual or family who exceeds the income limits of the
26 affordable housing program. If said property is sold or otherwise transferred to an individual or
27 family who do not exceed the income limits, then the reporting responsibility shall devolve to the
28 new owner or owners of the property.

29 Section 19. Notwithstanding any general or special law to the contrary, the real estate tax
30 assessed to a property designated as a priority development site shall be on a pro rata basis to the
31 days remaining in the fiscal year from the date of the issue of the temporary or permanent
32 occupancy permit to the end of the fiscal year.