

# HOUSE . . . . . No. 1262

By Mr. Jones of North Reading, petition of Bradley H. Jones, Jr., and others for legislation to further regulate certain restrictions on development or building permits under zoning ordinances in cities and towns. Housing.

## The Commonwealth of Massachusetts

### PETITION OF:

Bradley H. Jones, Jr.	Elizabeth A. Poirier
Mary S. Rogeness	Robert S. Hargraves
George N. Peterson, Jr.	Karyn E. Polito
John A. Lepper	Susan Williams Gifford
Viriato Manuel deMacedo	Richard J. Ross
Paul K. Frost	Donald F. Humason, Jr.

In the Year Two Thousand and Seven.

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 3 Chapter 40A of the General Laws, as appearing in the  
2 2002 Official Edition, is hereby amended by adding at the end  
3 thereof the following:—  
4 No zoning ordinance or by-law adopted after January 1, 2005  
5 shall regulate or restrict the rate of development or number of  
6 building permits or special permits or other forms of zoning or sub-  
7 division approval that may be issued by a municipality within a  
8 defined time period, unless the limitations placed on development  
9 are, in both their nature and extent, a reasonable response to specific  
10 tangible concerns identified in the zoning ordinance or by-law, and  
11 the zoning ordinance or by-law establishes a reasonable deadline for  
12 completing and implementing a strategic plan to address the specific  
13 identified concerns. No such rate of growth regulation or restriction  
14 or extension thereof shall be in place for longer than one year unless  
15 extended by a vote of a town meeting or a city council following  
16 receipt of a report and recommendation by the planning board based

17 upon evidence substantiating the need for an extension of the tempo-  
18 rary ordinance or by-law for one additional year.