

SENATE NO. 779

AN ACT STREAMLINING PERMITTING FOR HOUSING

*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 amended by section 11 of chapter 2005
2 of the acts of 2005, is hereby amended by inserting after the word “Technical review team” the
3 following word:-
4 “Housing Priority Zone”, a privately or publicly owned property, a zoning district or a zoning overlay
5 district zoned and designated for the development or redevelopment of housing which:
- 6 1. Exceeds the allowable unit density by a minimum of 10 percent greater than the density
7 allowed prior to designation as a priority zone;
 - 8 2. Includes a minimum of 40% of its units as affordable to those earning 80% or less of area
9 median income;
 - 10 3. May incorporate the use of zoning methods known as cluster development, as defined in
11 Section 9 of Chapter 40A of the General Laws, or open space residential design; and
 - 12 4. Is designated a priority development site by the board, in consultation with the Department of
13 Housing and Community Development.

14 Section 2. Chapter 43D of the General Laws, as amended by section 11 of chapter 2005 of the acts of
15 2005, is hereby amended by inserting after section 17 by inserting the following new section:-

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

19 Section 3. The provisions of this Act shall expire five years following the date of its passage unless
20 otherwise terminated, modified or extended.