

HOUSE No. 1224

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to 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 appearing in the 2006
2 Official Edition, is hereby amended by inserting after the definition “Technical review team” the
3 following new definition:--

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 Exceeds the allowable unit density by a minimum of 10 percent greater than the density
8 allowed prior to designation as a priority zone;

9 Includes a minimum of 40% of its units as affordable to those earning 80% or less of area
10 median income;

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

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

15 SECTION 2. Chapter 43D of the General Laws, as so appearing, is hereby amended by
16 inserting after section 16 by inserting the following new section:-

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

21 SECTION 3. The provisions of this Act shall expire five years following the date of its
22 passage unless otherwise terminated, modified or extended.