

**HOUSE . . . . . No. 1226**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act relative to zoning density..

*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 9 of chapter 40A of the General Laws, as appearing in the 2006  
2 Official Edition, is hereby amended by adding after the second paragraph the following new  
3 paragraph:—

4 Notwithstanding any provision of this section to the contrary, a zoning ordinance or by-  
5 law may allow, without a special permit, increases in the permissible density or intensity of  
6 residential use in a proposed development to the maximum extent stated in the ordinance or by-  
7 law, pursuant to provisions that authorize such increases for the purpose of promoting the  
8 creation of additional units of affordable housing in mixed income housing developments or  
9 mixed-use developments, or for the purpose of promoting other public purposes specifically  
10 stated in the zoning ordinance or by-law.