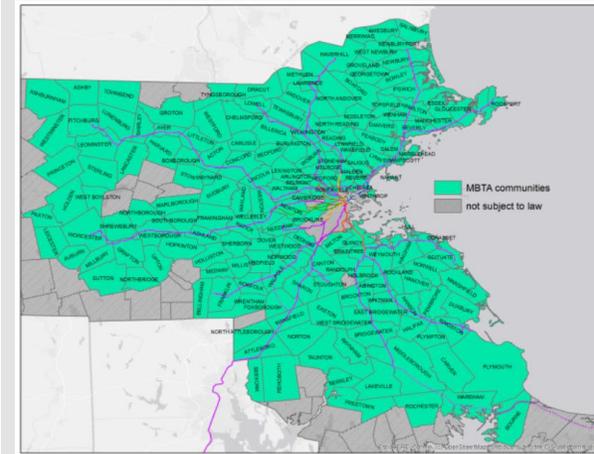


MBTA Communities Multi-Family Zoning Requirements

Select Board Briefing

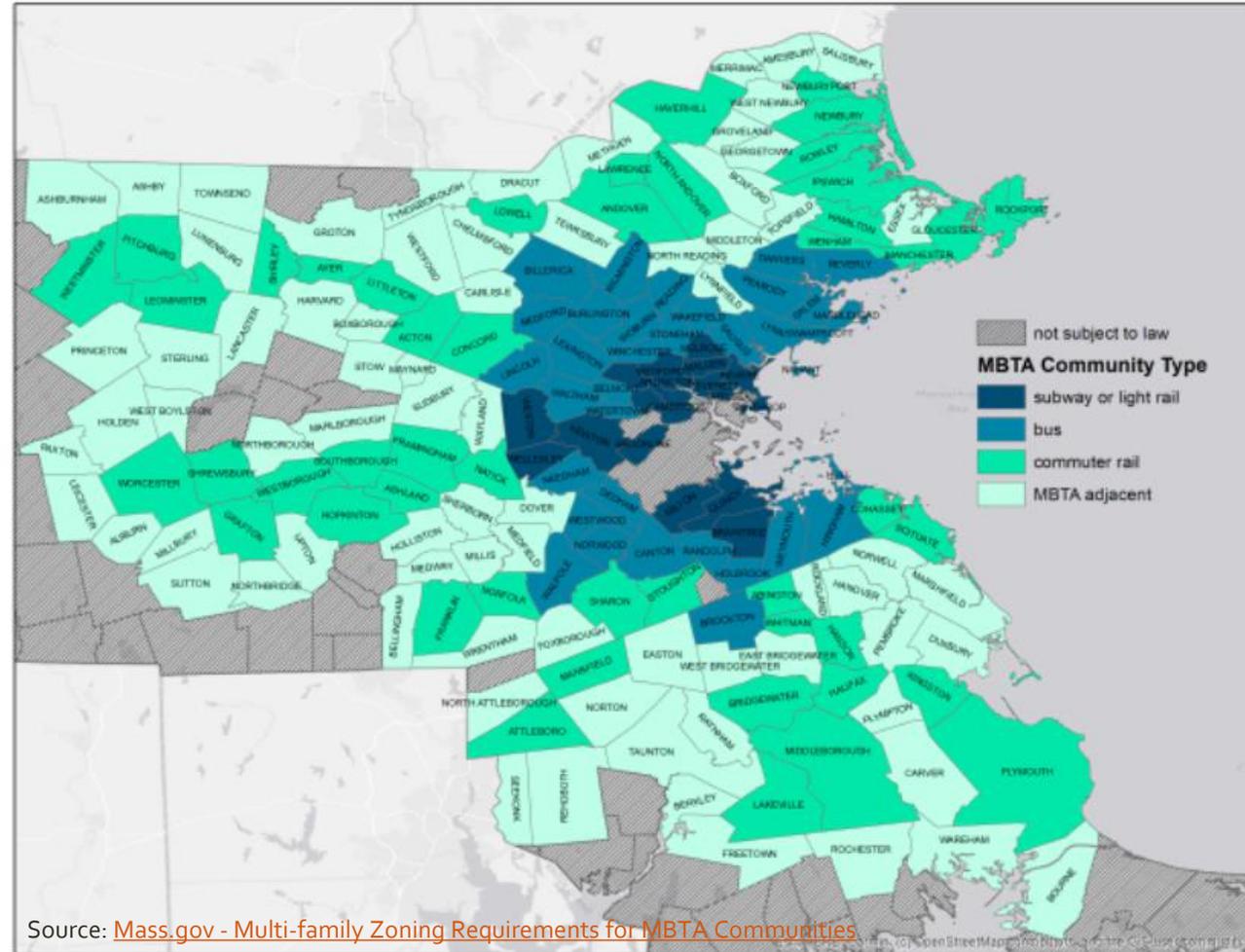
April 26, 2022



What is an MBTA Community?

Defined by reference to MGL c. 161A, s. 1

MBTA Communities by Category of Service



Multi-Family Zoning Requirements

MGL Chapter 40A, Section 3A

Enacted as part of the economic development bill in January 2021, new Section 3A of M.G.L. c. 40A (the Zoning Act) requires that an MBTA community shall have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute, including:

- Minimum gross density of 15 units per acre;
- Not more than ½ miles from a commuter rail station, subway station, ferry terminal, or bus station, if applicable;
- No age restrictions; and
- Suitable for families with children.

MGL Chapter 40A, Section 5

The procedures for certain zoning amendments, as amended by Chapter 358 of the Acts of 2020, now require a simple majority [rather than 2/3rds] of all members of town meeting for the following:

(1) an amendment to a zoning ordinance or by-law to allow any of the following as of right:

- (a) **multifamily housing** or mixed-use **development in an eligible location**;
- (b) **accessory dwelling units, whether within the principal dwelling or a detached structure on the same lot; or**
- (c) **open-space residential development.**

District Location and Size

Determining District Location and Reasonable Size

“Eligible locations”, areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed-use smart growth zoning districts or starter home zoning districts, including without limitation:

- (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or
- (ii) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns and existing rural village districts.

Determining Reasonable Size

Draft Guidelines require the district to consist of at least **50 acres of land**, which is related to the 0.5 mile area around a transit station (approx. 10%).

Multiple districts are allowed, provided:

- At least one district consists of a minimum of 25 acres
- No portion that counts toward the minimum 50 acres may be less than 5 acres in size

Minimum Multi-Family Unit Capacity

Reasonable Number of Units

Draft Guidelines require the district to zone for a reasonable number of multi-family housing units. Unit capacity is related to the total number of housing units within the community and the type of transit service.

Category	Minimum units as % of total housing
Rapid transit community	25%
Bus service community	20%
Community rail community	15%
Adjacent community	10%

Capacity Calculations

Show entries

Search:

Municipality	MBTA Community Type	2020 Housing Units (Census PL-94)	Minimum multifamily district unit capacity requirement
Hingham	bus	9,930	1,986

Showing 1 to 1 of 1 entries (filtered from 175 total entries)

Previous **1** Next

Impact of Noncompliance

MGL Ch. 40A, s. 3A

(b) An MBTA community that fails to comply with this section shall not be eligible for funds from:

- (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017;
- (ii) the Local Capital Projects Fund established in section 2EEEE of chapter 29; or
- (iii) the MassWorks infrastructure program established in section 63 of chapter 23A.

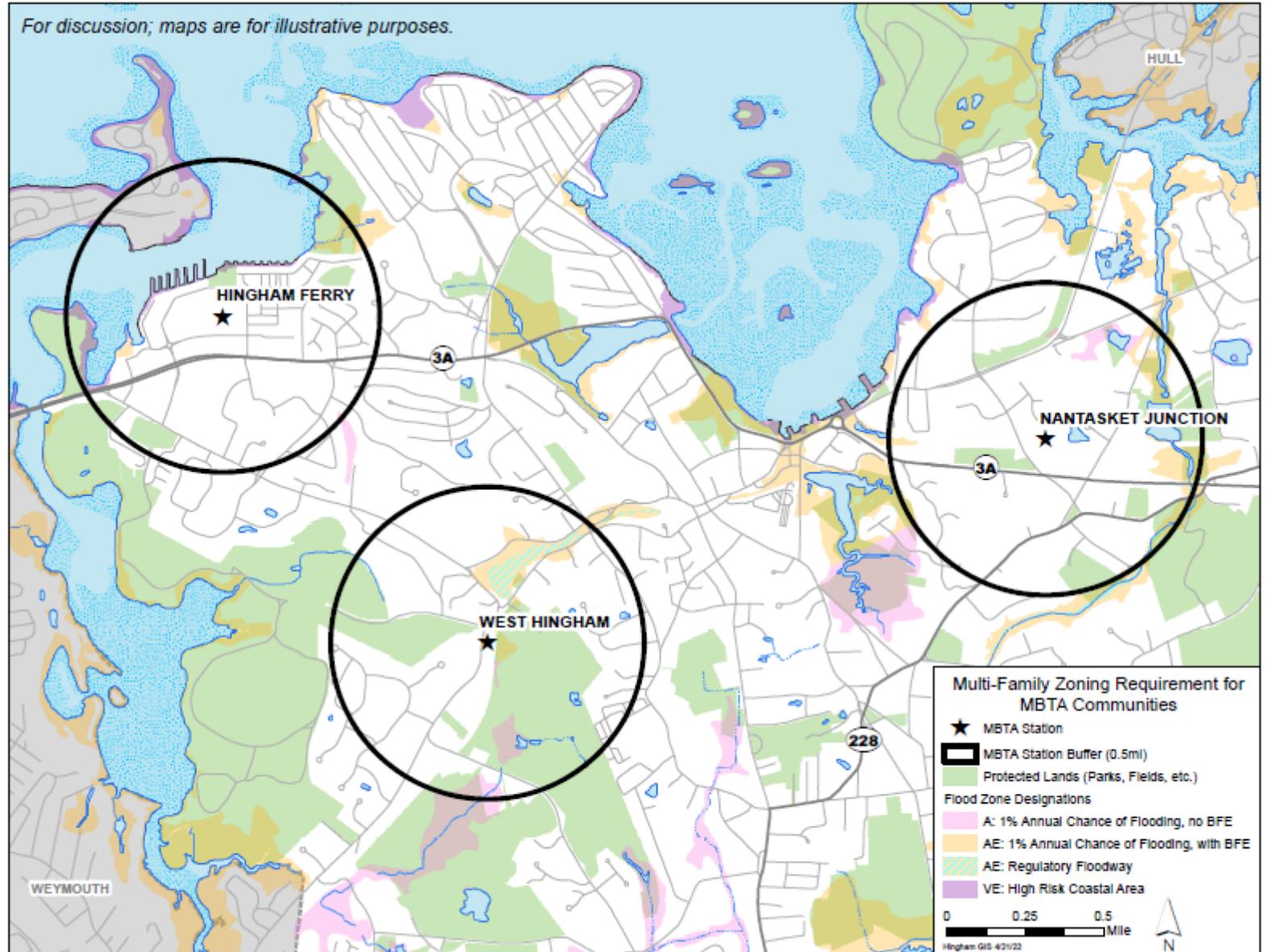
Draft Guidelines

DHCD may, in its discretion, take non-compliance into consideration when making other discretionary grant awards.

Potential Effect on Hingham

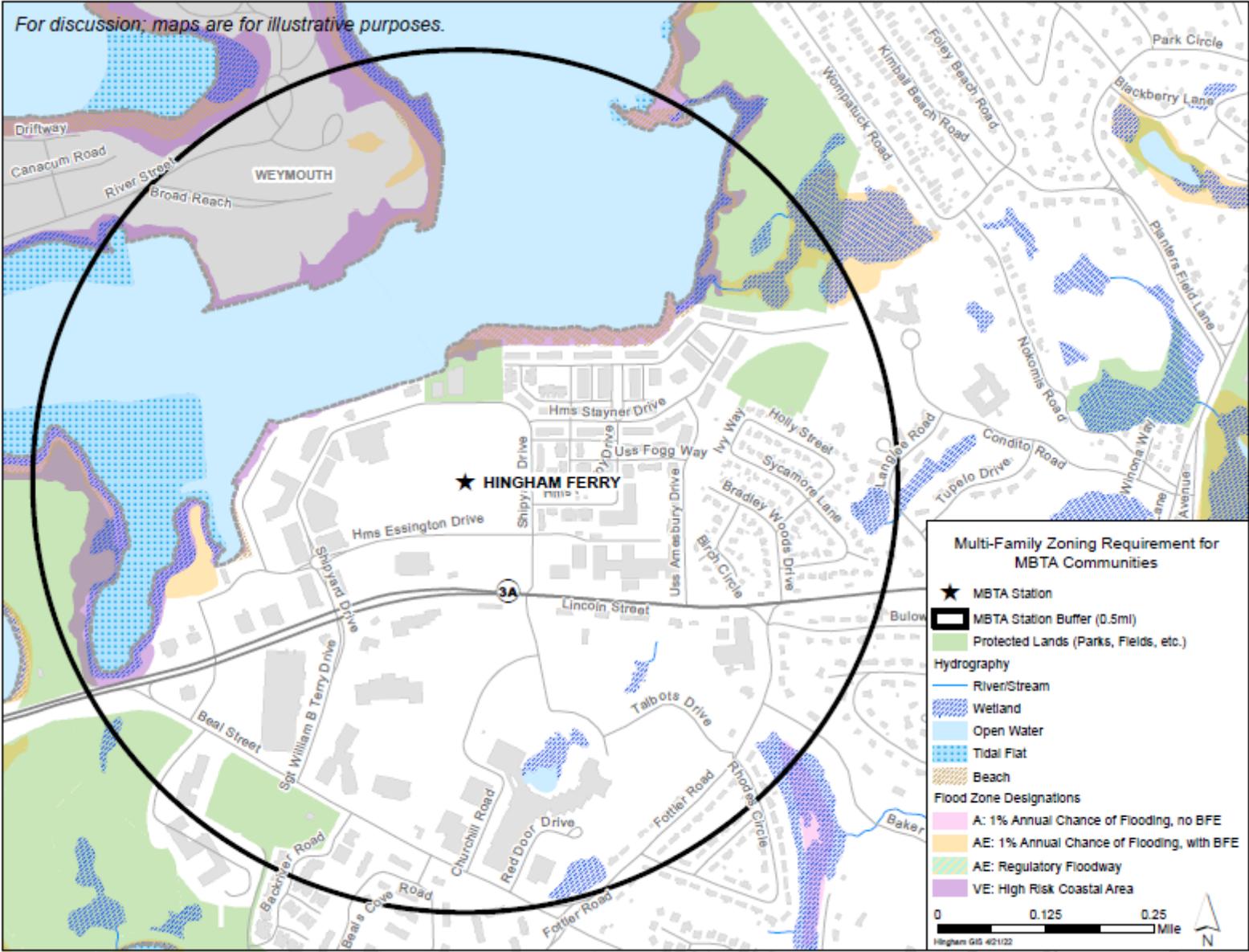
- 2020 Housing Choice Capital Grant
- 2021 Rapid Recovery Planning Grant
- No MassWorks funding in past 5 years

Hingham Transit Stations

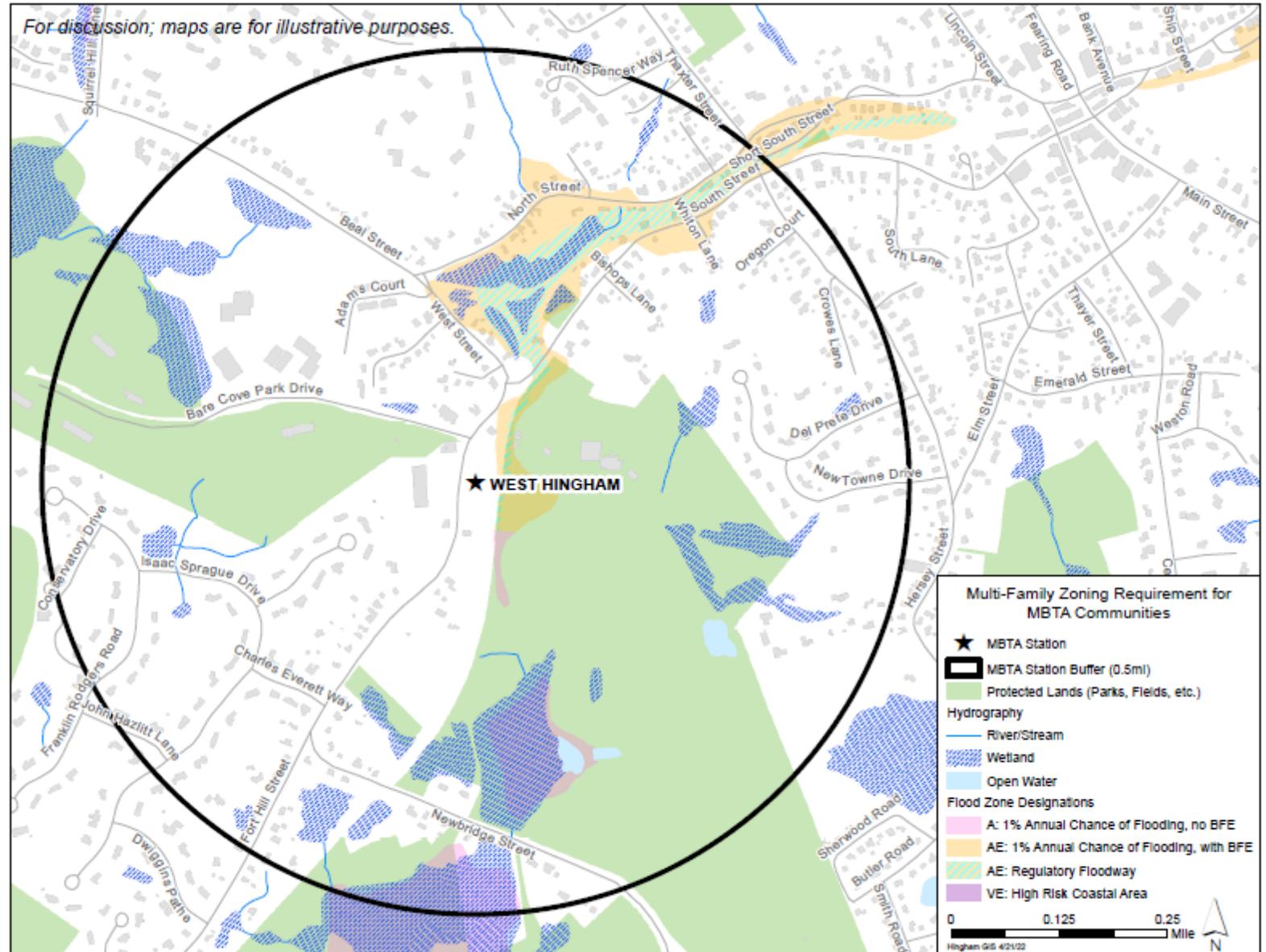


Hingham Commuter Ferry

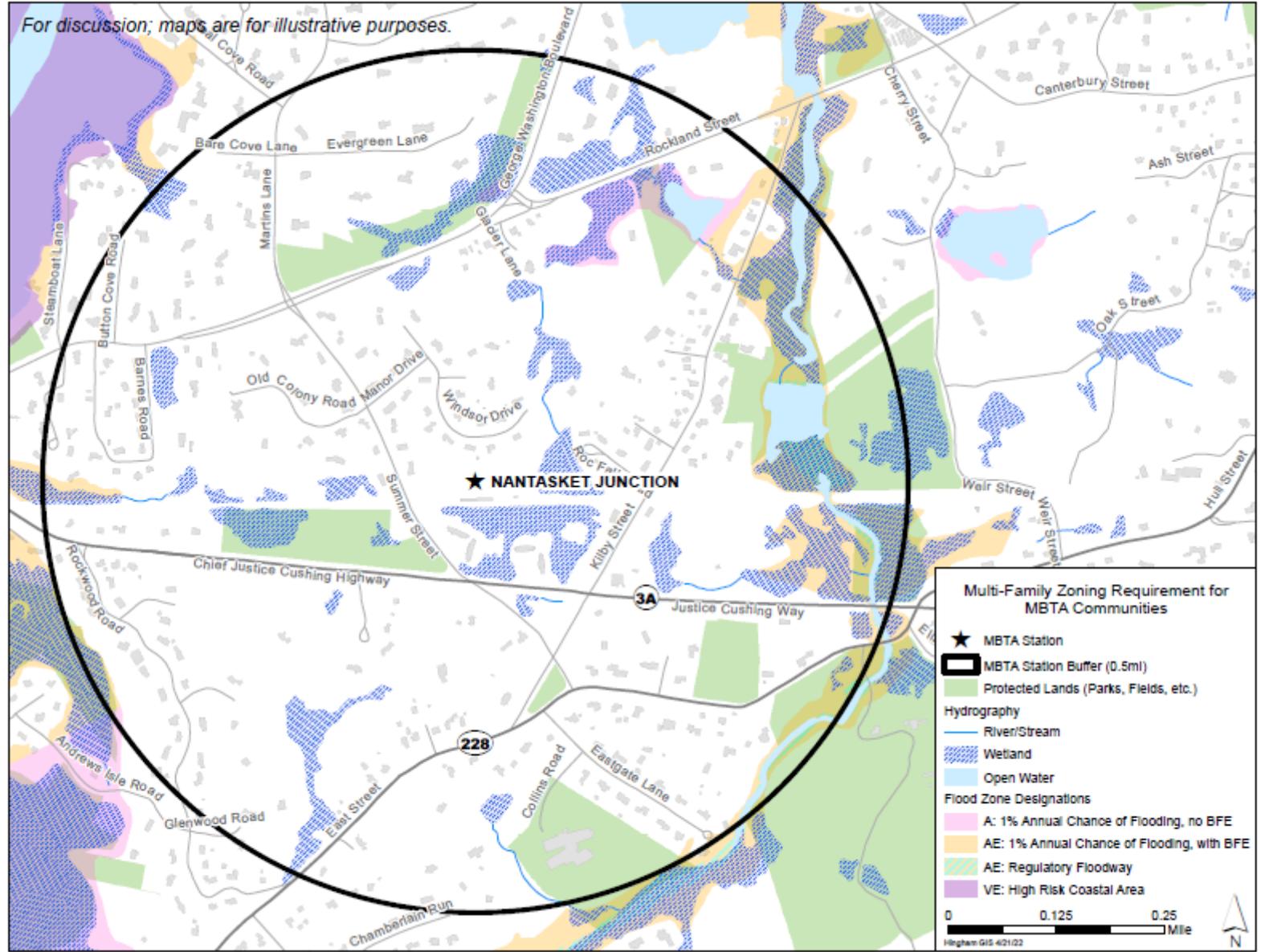
For discussion; maps are for illustrative purposes.



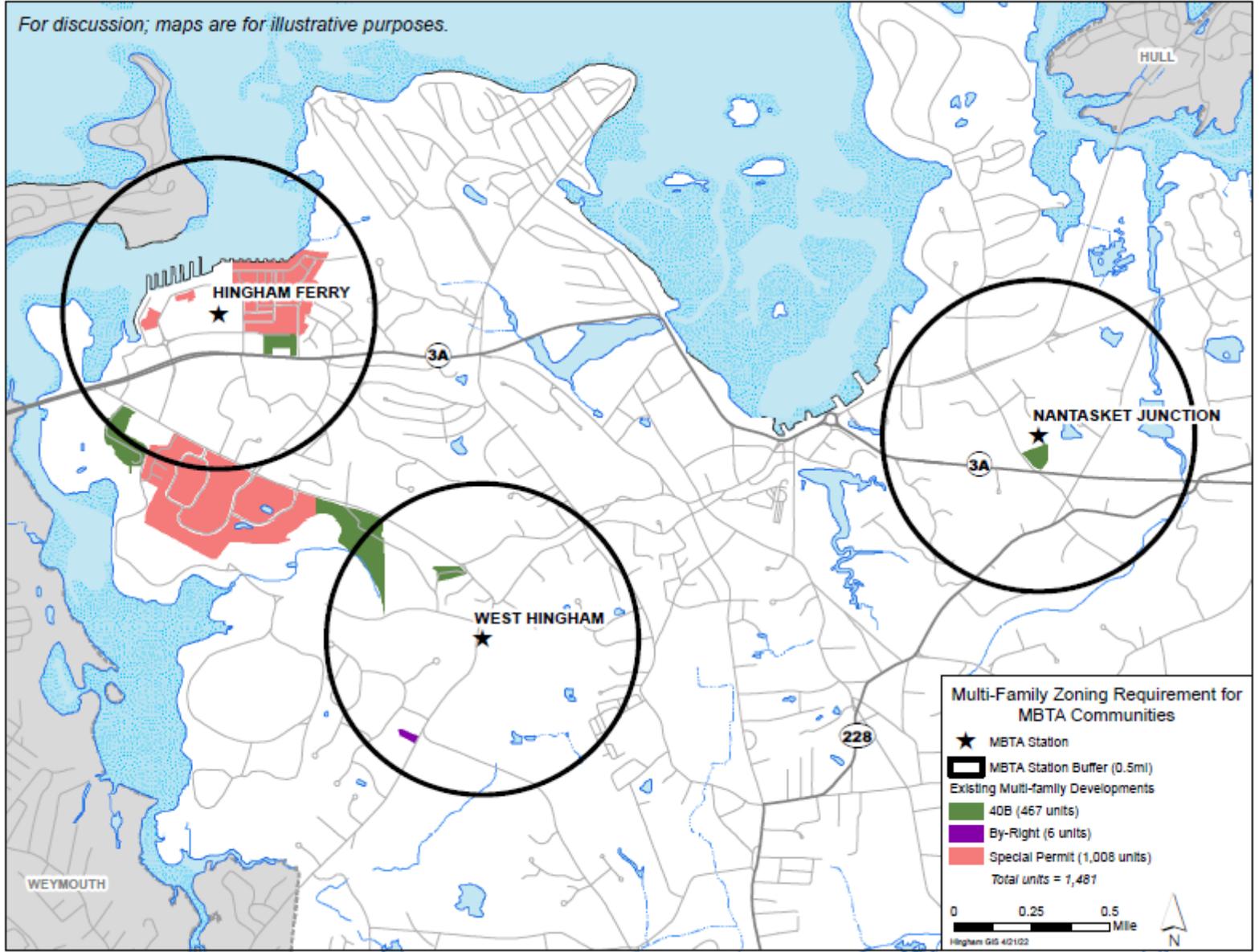
West Hingham Commuter Rail



Nantasket Junction Commuter Rail



Existing Multi-Family Development



Compliance Calendar

May 2, 2022

- Hold Briefing with Select Board
- Submit MBTA Community Information Form to DHCD to maintain interim compliance
- Submit updated parcel data to MassGIS

December 31, 2022

- Analyze current zoning for compliance with Final Guidelines
- Develop action plan for zoning amendments or request compliance determination for DHCD review

December 31, 2023 (Subway/Bus Community)

- Initiate zoning amendments
- Hold public hearing/s
- Town Meeting action

December 31, 2024 (Commuter Rail/Adjacent Community)

- Initiate zoning amendments
- Hold public hearing/s
- Town Meeting action