

MBTA Community Multifamily Zoning Requirements

M.G.L. c. 40A, Section 3A



Housing Production

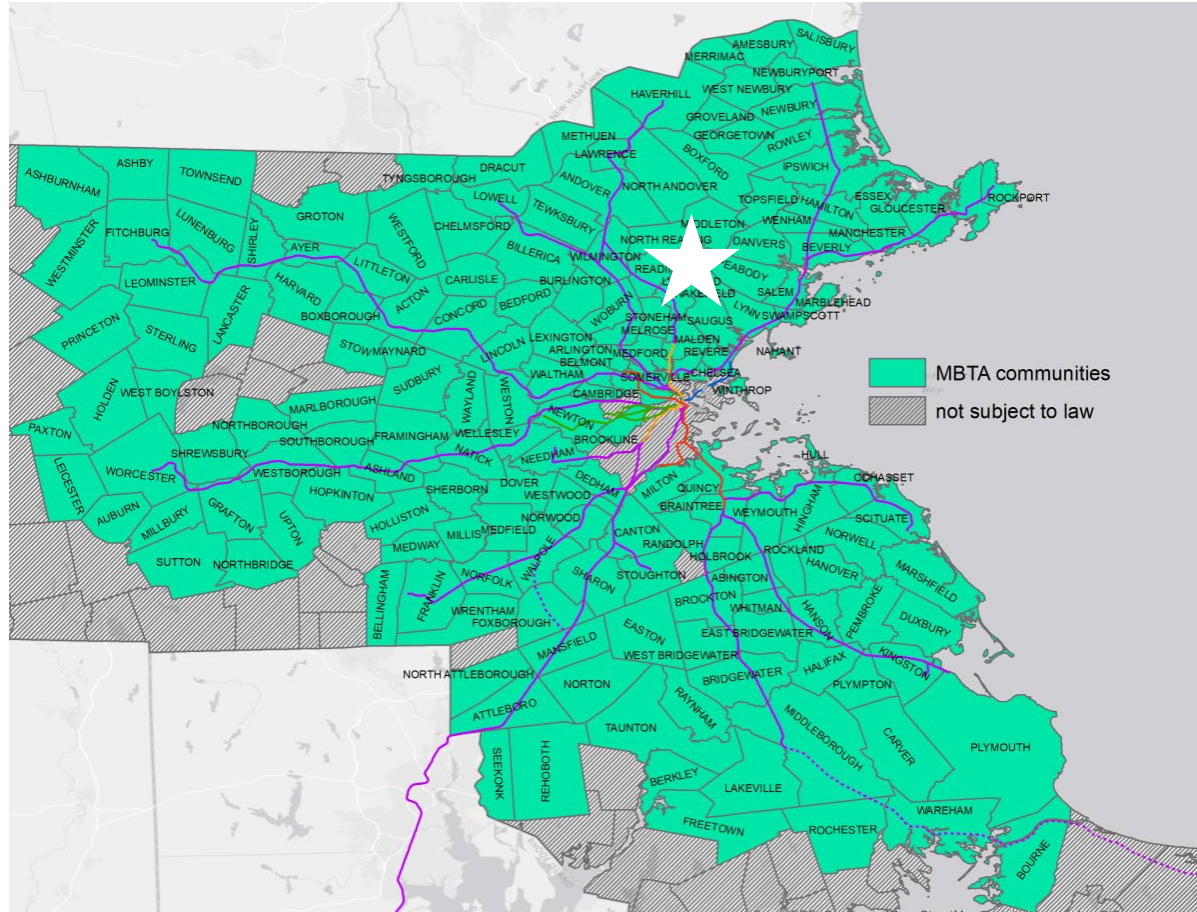
- The state has an estimated shortage of up to 200,000 housing units
- Massachusetts has among the highest and fastest growing home prices and rents of any state in the nation.
- According to the EOHED, multifamily housing near transit creates walkable neighborhoods with climate and transportation benefits
 - Better access to work/services.
 - Increased utilization of public transit.
 - Reduced reliance on single occupancy vehicles.

Source: Massachusetts Economic Office of Housing and Economic Development presentation, February 2022

MGL Chapter 40A Section 3A

- A new multifamily zoning requirement specific to MBTA Communities was passed in 2021 as part of a \$262 million economic bond bill.
- This zoning requirement applies to the 175 MBTA communities

Wakefield is an MBTA Community



For purposes of the Legislation Wakefield has been designated as a “Bus Community”

Zoning Requirement for MBTA Communities

An MBTA community shall have at least one zoning district of reasonable size in which multi-family housing* is permitted **as of right**.

Draft guidelines, Section 3A of M.G.L. c. 40A
Multifamily is defined as at least 3 units.

Zoning Requirement for MBTA Communities

The multifamily district shall:

- Support a minimum gross density of 15 units per acre.
- Be not more than a half mile from a commuter rail station, subway station, ferry terminal or bus station.
- Have no age restrictions.
- Be suitable for families with children.



Zoning Requirement for MBTA Communities

The guidelines do **not**:

- Include a production mandate or a requirement to build new units
 - This new law requires multi-family by-right zoning
- Refer explicitly to 40B projects, which allow developers to bypass local zoning in communities where there is not enough affordable housing

Actual production will depend on developer interest, infrastructure (e.g. water/sewer), market dynamics, etc.

“Capacity,” Not Necessarily “Production”

- The multi-family unit capacity is based on a percentage of total housing units within the community.
 - This represents the number of multifamily housing units that **can** be developed **as of right** within the multi-family district.

Unit-capacity percentage varies by access to transit.

Subway/light rail community: 25%

MBTA bus community: 20%

Commuter rail community: 15%

Adjacent community: 10%

How Will This Impact Wakefield?

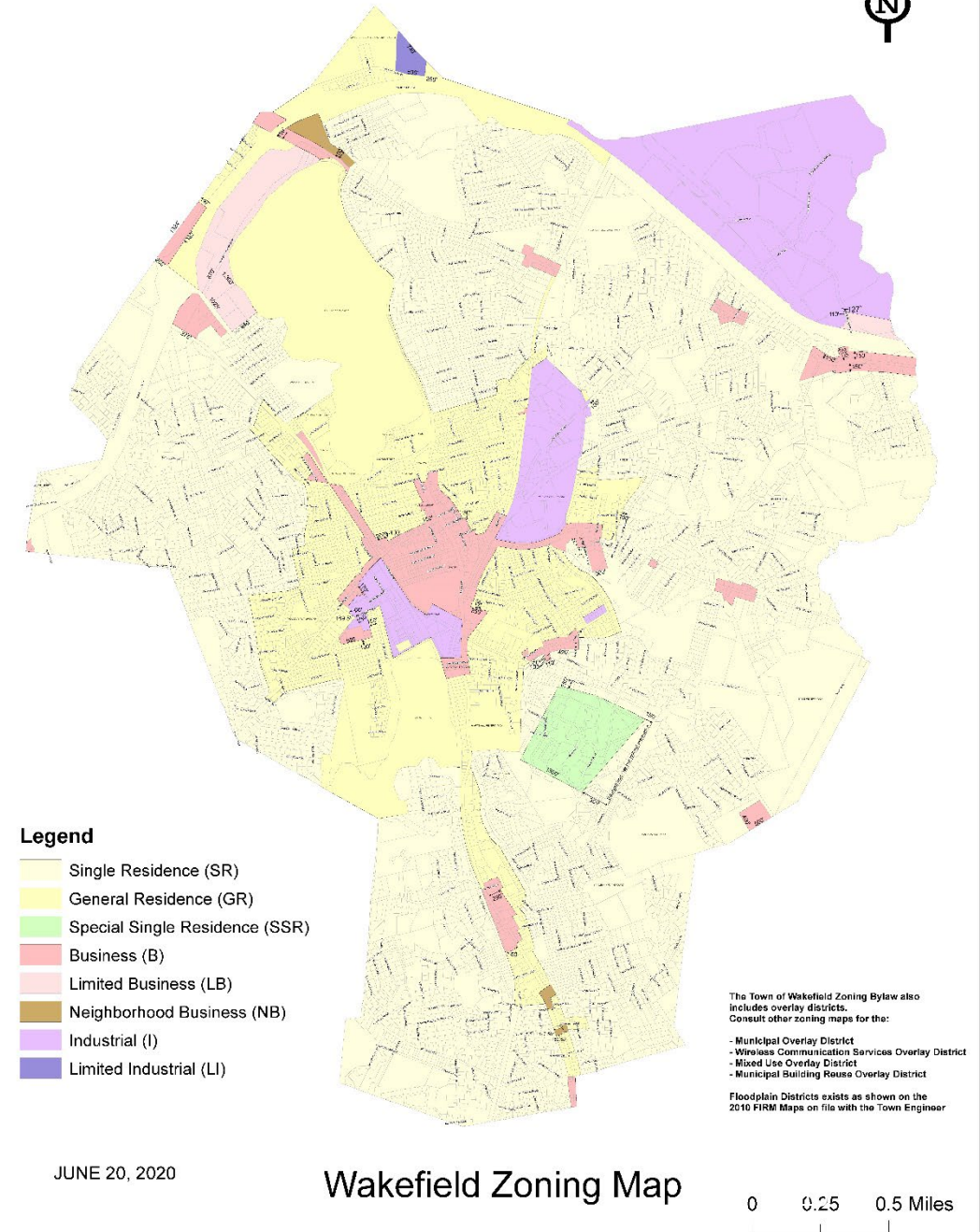
Based on the 2020 census, the minimum multi-family new unit capacity for Wakefield is 2,261 units.



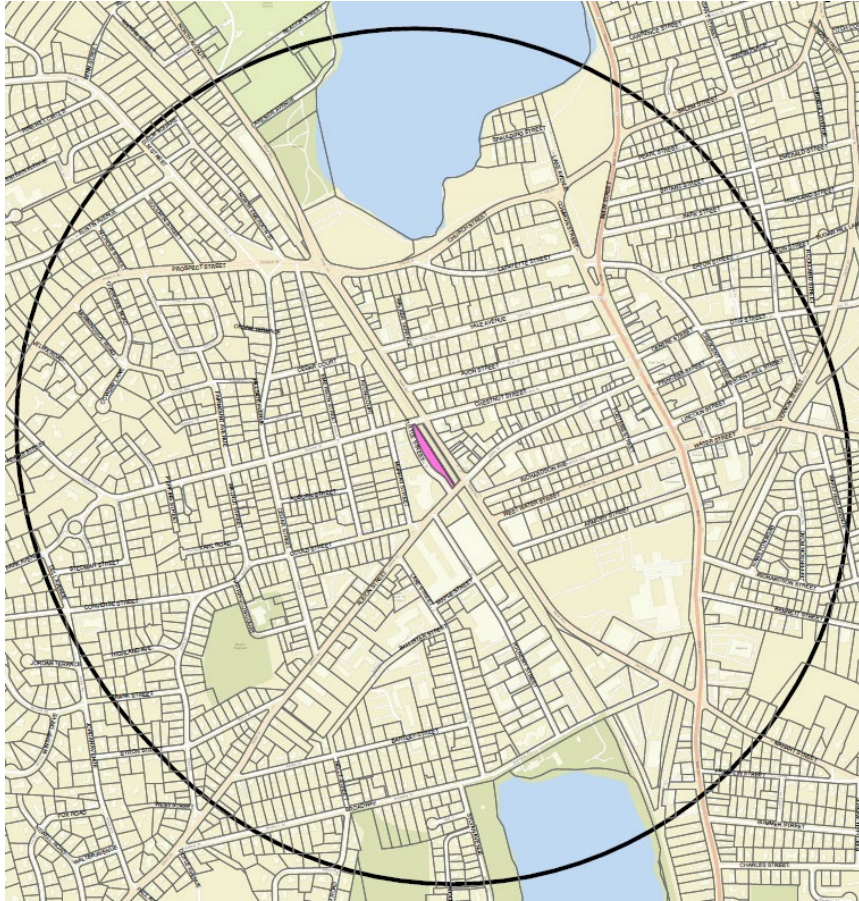
For this calculation, Wakefield is considered an MBTA bus community.

Multifamily Zoning Today

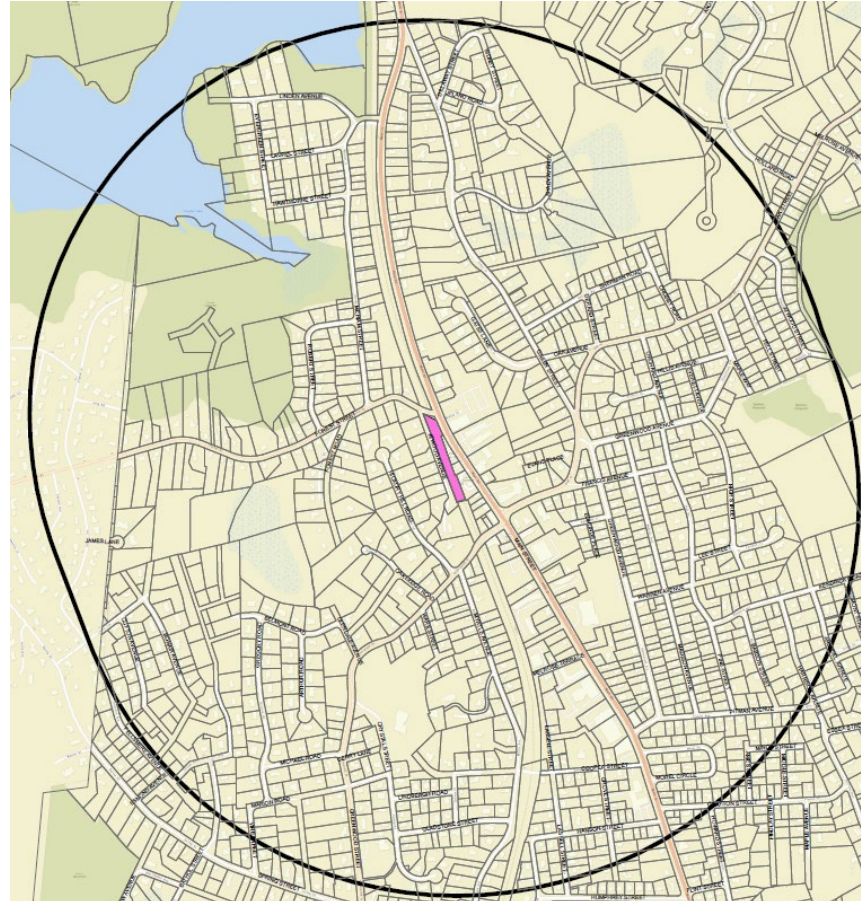
- Wakefield currently has no zoning district where “multi-family” homes as defined by the statute are allowed as a matter of right!
- Two- Family homes are allowed in the General Residence, Mixed Use, Neighborhood Business and Business Districts.



Siting Possible Zoning Areas (0.5 miles from station)



Downtown

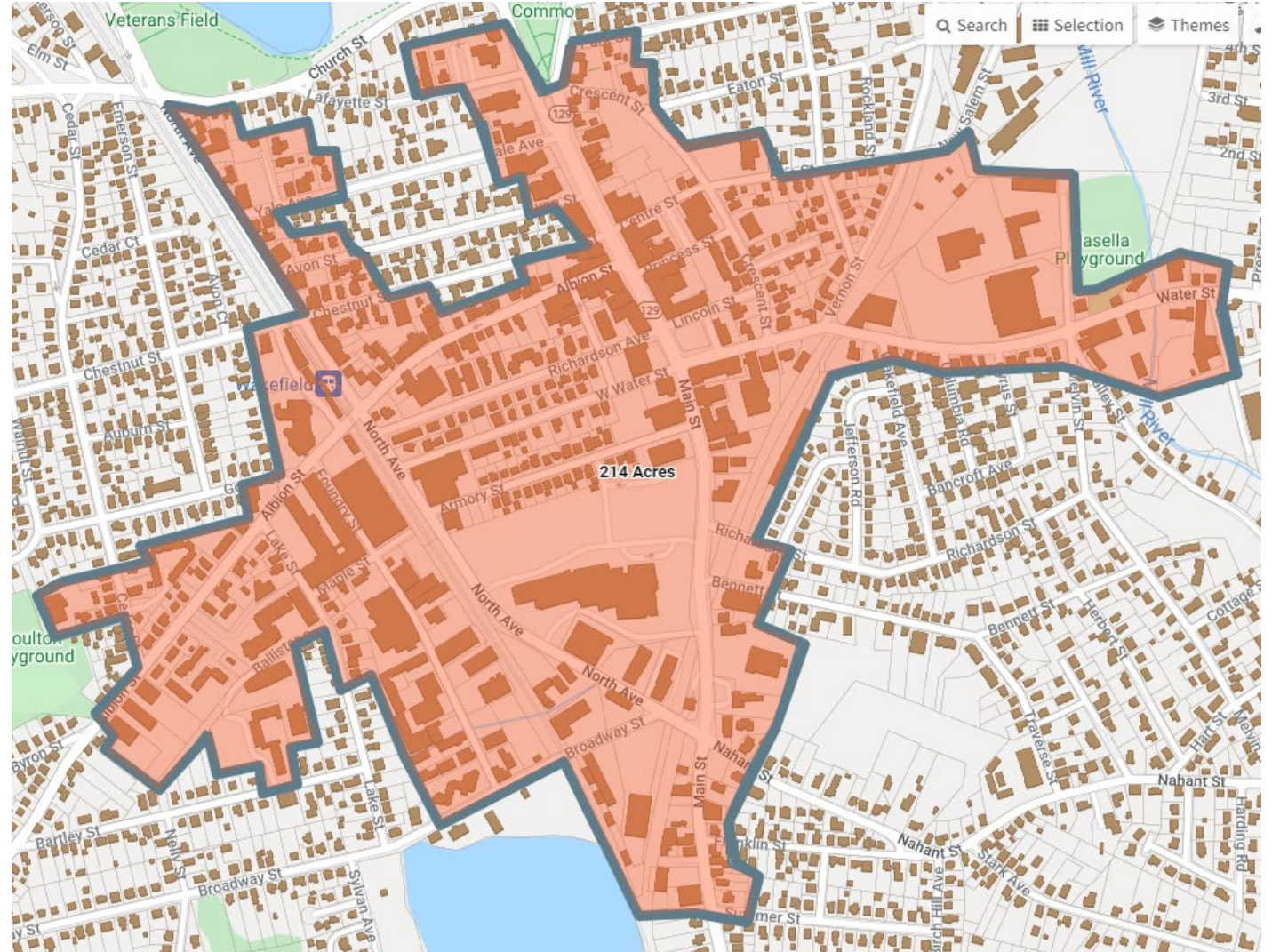


Greenwood

Example Zoning Areas

“Requirements” from Draft Guidelines

- Minimum Gross Density - 15 units/acre*
exclusive of zoning limitations (i.e. lot coverage, height limitations, parking requirements, setbacks, etc.)
- Can include ROW areas and municipal parcels without deed restrictions (conservation, bylaw, etc.)
- Minimum Total Land Area = 50 Acres
(10% of area within 0.5 sq mile of station)
- Wakefield required to have **2,261 Multi-Family Units**
Existing and Proposed Units:
 - @ 15 Units/acre density = 150 acres of district
- If Overlay District used:
 - Minimum 25 acre contiguous area
 - No smaller than 5 acres per section

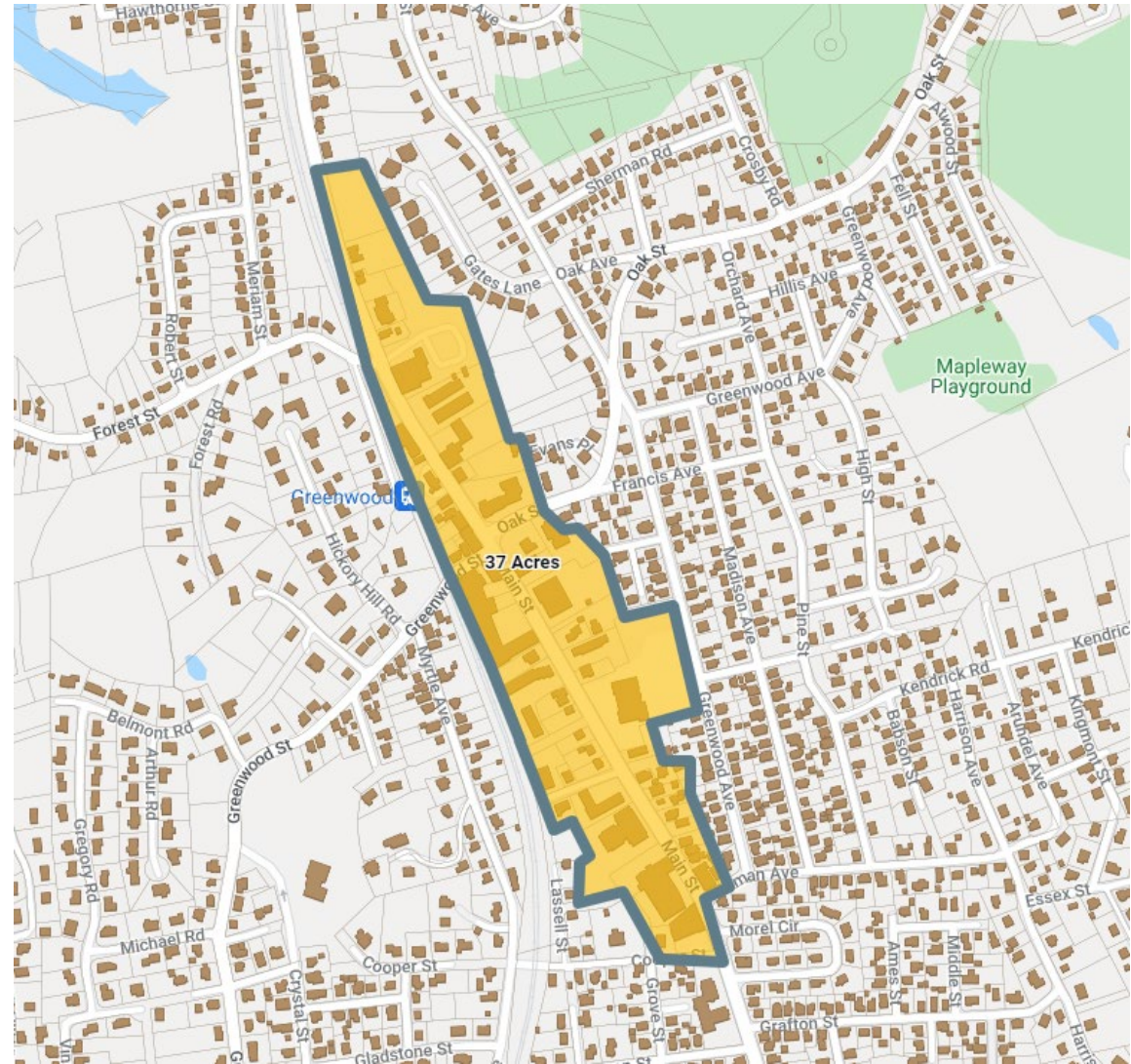


Possible Wakefield Station Zoning Area

Example Zoning Areas

“Requirements” from Draft Guidelines

- Minimum Gross Density - 15 units/acre*
exclusive of zoning limitations (i.e. lot coverage, height limitations, parking requirements, setbacks, etc.)
- Can include ROW areas and municipal parcels without deed restrictions (conservation, bylaw, etc.)
- Minimum Total Land Area = 50 Acres
(10% of area within 0.5 sq mile of station)
- Wakefield required to have **2,261 Multi-Family Units**
Existing and Proposed Units:
 - @ 15 Units/acre density = 150 acres of district
- If Overlay District used:
 - Minimum 25 acre contiguous area
 - No smaller than 5 acres per section

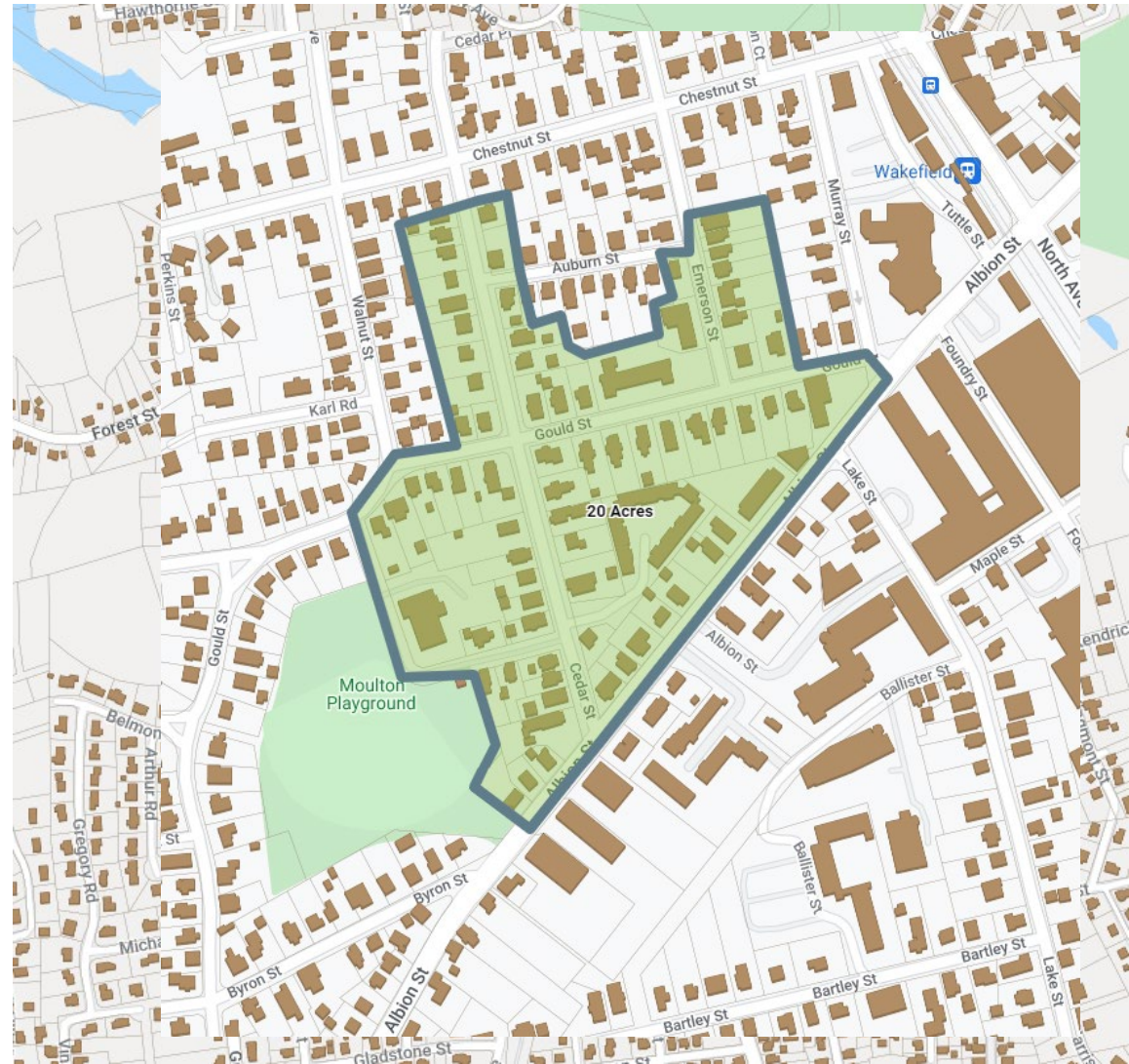


Possible Greenwood Station Zoning Area

Example Zoning Areas

“Requirements” from Draft Guidelines

- Minimum Gross Density - 15 units/acre* exclusive of zoning limitations (i.e. lot coverage, height limitations, parking requirements, setbacks, etc.)
- Can include ROW areas and municipal parcels without deed restrictions (conservation, bylaw, etc.)
- Minimum Total Land Area = 50 Acres (10% of area within 0.5 sq mile of station)
- Wakefield required to have **2,261 Multi-Family Units**
Existing and Proposed Units:
 - @ 15 Units/acre density = 150 acres of district
- If Overlay District used:
 - Minimum 25 acre contiguous area
 - No smaller than 5 acres per section



Possible Neighborhood Re-Zoning/Transformation

What if We Don't Comply?

An MBTA community that does not comply with Section 3A **is not eligible for funding** from:

- The Housing Choice Initiative
- The Local Capital Projects Fund
- The MassWorks Infrastructure Program.
- Other Discretionary grants*



What non-compliance may mean in Funding

- Mass Works (North Ave Improvements) \$2 Million
- Albion Street \$1 Million
- Complete Streets \$400,000
- Shared Streets \$250,000
- Travel and Tourism (Shop Local) \$45,000

Issues

- Guidelines are overreach from the actual statute but are in draft form.
 - Reasonable size of District
 - Community Designation
 - Credit for local initiatives
 - Affordability Component
 - Matter of Right verses Site Plan/Special Permit review
 - Extension of “non-compliance” penalties
 - Regulations still not final

Timeline

- May 2, 2022
 - Present draft guidelines to Town Council
 - Submit MBTA Community Form to DHCD
- May - December 2022
 - Complete zoning analysis
 - Hold public meetings on zoning changes
 - Determine amendments needed for compliance
- December 2022
 - Submit compliance action plan



Timeline

- Wakefield would need to formally adopt the guidelines by December 31, 2023



QUESTIONS AND COMMENTS