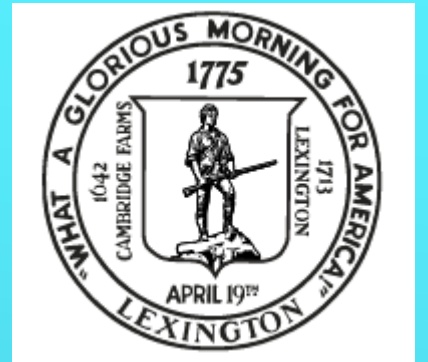


# MBTA MULTI-FAMILY ZONING REQUIREMENT

Select Board Presentation, March 9, 2022



# MBTA MULTI-FAMILY ZONING REQUIREMENT

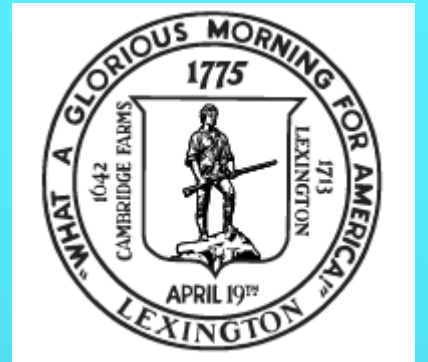


January 2021 changes to MGL 40A regarding zoning.

New section 3A requires communities with MBTA service to allow multi-family housing as of right.

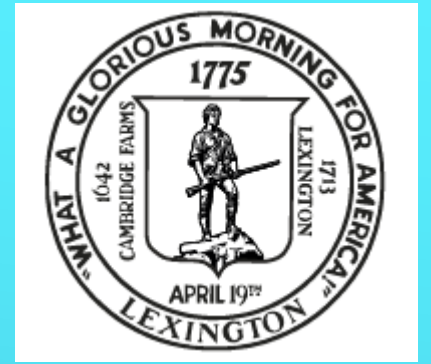
# MULTI-FAMILY DEFINITION

A building with 3 or more residential units, or 2 or more buildings, same lot, more than 1 dwelling unit in each building.



Three Family Home Plan rendering

# DRAFT GUIDELINES



- December 2021 draft guidelines released
- Comment period closes March 31, 2022
- By May 2, 2022 presentation to Select Board; complete online form.



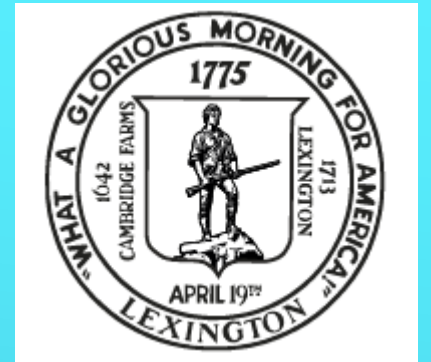
# INTERIM COMPLIANCE



To remain in compliance while the guidelines are in draft form, MBTA communities must “include a presentation of the Draft Guidelines in a meeting of the Select Board...”

# PRESENTATION OVERVIEW

- Rationale
- Locating the district
- Unit capacity for Lexington's zoning
- Density per acre
- Timeline for compliance after 2022
- Failing to comply
- Steps for considering where to locate the district
- Questions, comments



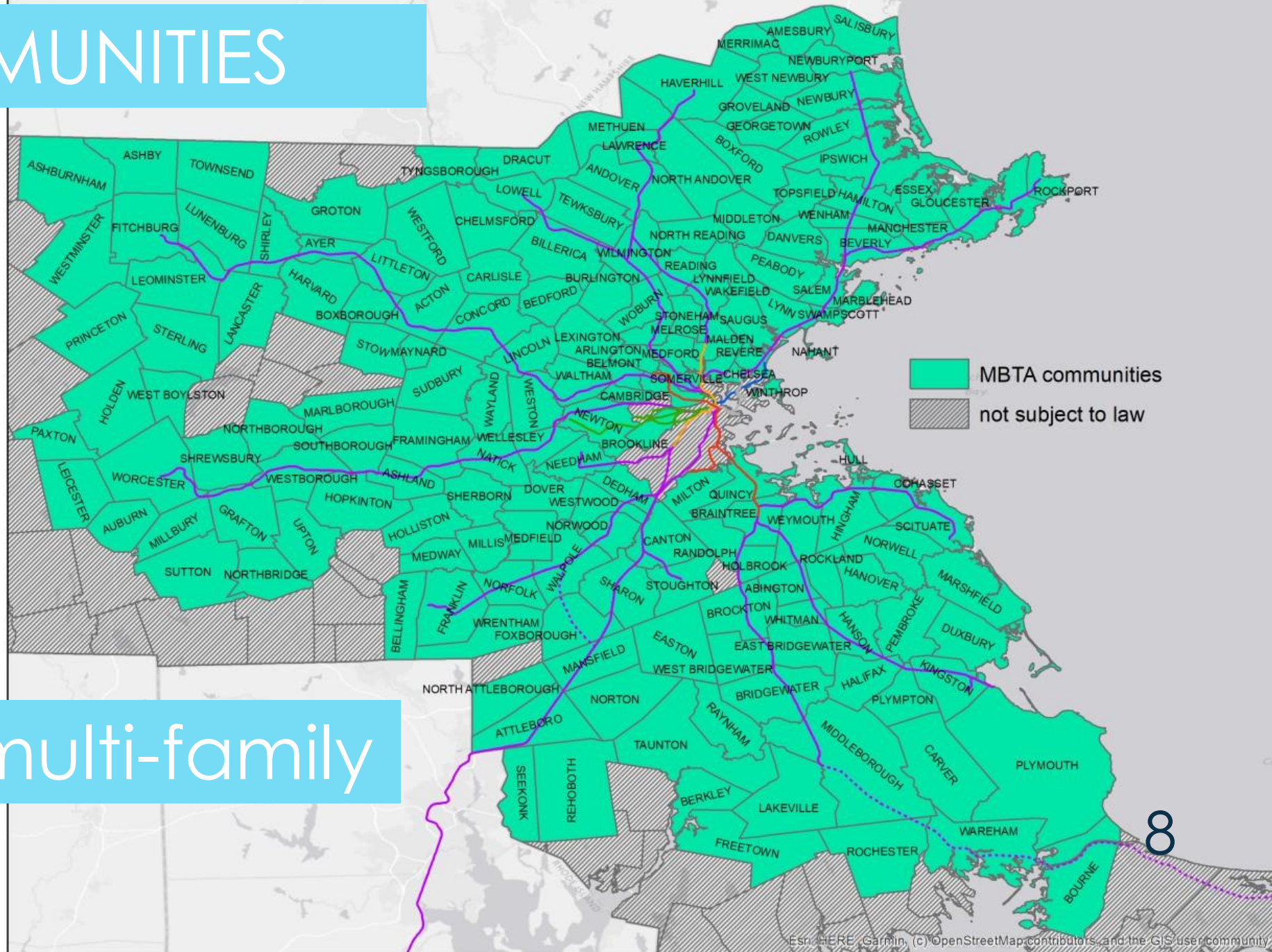
# RATIONALE



MBTA services are an asset to communities

Multi-family housing near MBTA service a step in solving MA housing crisis.

# MBTA COMMUNITIES

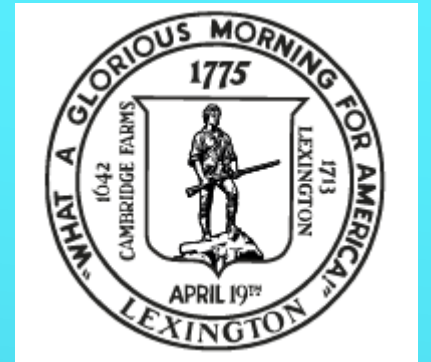


Few allow multi-family



# PRINCIPLES OF COMPLIANCE

- All MBTA communities should contribute to the production of new housing stock.
- MBTA communities with or near transit benefit and should allow multi-family housing development around these assets.
- At a scale, density and character that are consistent with a community's long-term planning goals.



# LOCATING THE DISTRICT



Reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes

Near an existing village center, near a bus stop or line, or in a location that can be redeveloped into new multi-family housing.

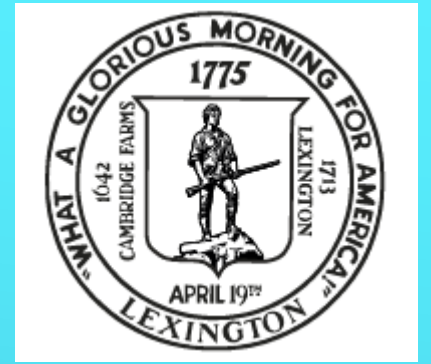
# SIZE, UNIT CAPACITY, DENSITY



District size of **50 acres minimum**. At least 25 contiguous acres; and no portion of the district < 5 acres can count toward the minimum.

Unit capacity of **2,462** units (20% of the total number of units 12,310)

# SIZE, UNIT CAPACITY, DENSITY



Minimum “gross density” of **15 units per acre** is required, subject to Title V Septic System requirements and Massachusetts Wetlands Protection Act.

At the minimum 15 units/acre, Lexington would need 165 acres (~1% of Town)



# Lexington: 15 units per acre

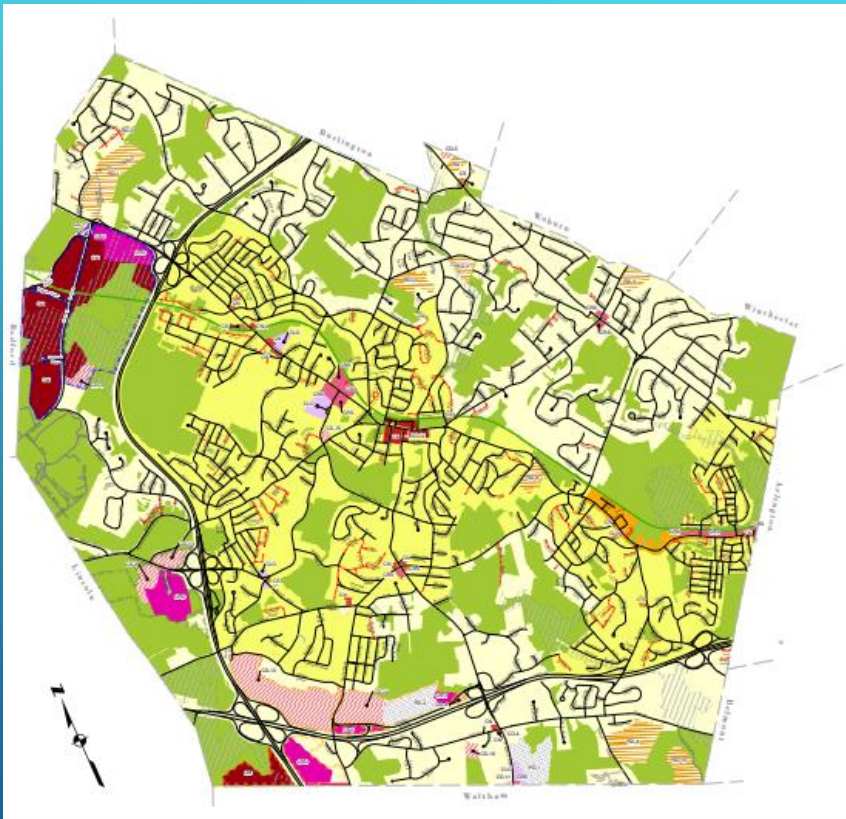
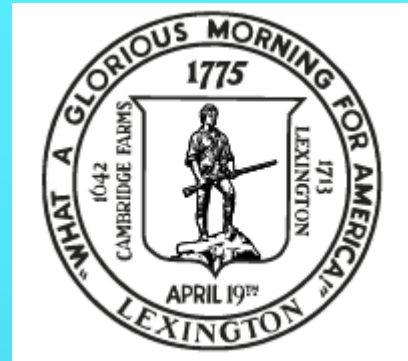


Emerson Gardens



Lexington Place

# ALLOW BY RIGHT



Can use Site Plan Review; not Special Permit

No housing production mandate; not related to 40B.

Can't be age-restricted, and it must be suitable for families with children.

# TIMELINE FOR COMPLIANCE

By December 31, 2022: Notify DHCD that there is no existing multi-family district that fully complies, and submit a proposed action plan.

By December 2023: submit action plan, including public outreach plan, hold public hearings on the proposed zoning amendment and adopt it at Town Meeting.

Within 90 days, the Town then submits an application for a determination of compliance.



# NONCOMPLIANCE

Not eligible for Housing Choice Initiative; the Local Capital Projects Fund; or the MassWorks Infrastructure Program.

No “opt out”. Can no longer forbid multi-family by right.





# MASSWORKS LEXINGTON

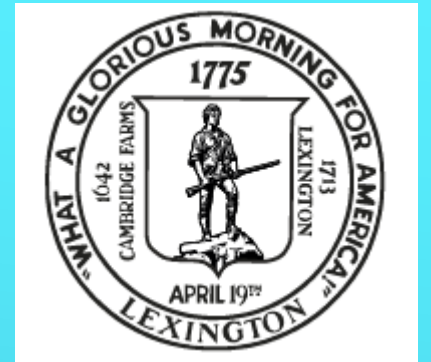


- Spring Street sidewalk,
- Hayden at Spring signals,
- Hayden sidewalk
- Concord Ave sidewalk



# SUGGESTED STEPS

- Submit comments by March 31
- Complete online form by May 2
- FY23 Community One-Stop grant application
- Technical Assistance, Mass Housing Partnership
- GIS analysis
- Public forums



# QUESTIONS



[mass.gov/mbtacommunities](https://mass.gov/mbtacommunities)

<https://www.housingtoolbox.org/complete-neighborhoods-initiative/mbta-zoning-technical-assistance>