

# Multi-family Zoning Districts Under Section 3A of the Zoning Act

It's all about housing.



Maren Toohill, AICP

Town Planner

September 12, 2022  
Select Board Meeting

# What brought us here? Multi-Family Zoning Requirements for MBTA Communities

**LEGISLATION** enacted as part of the economic development bill in January 2021, new **Section 3A** of MGL Chapter 40A (the Zoning Act) requires that an MBTA community have at least one zoning district of reasonable size in which multi-family housing is permitted as of right....and a portion of that zoning district is within one half mile of a transit station.

**It's the law, and it's all about housing.**

**DRAFT DHCD GUIDELINES:** issued December 15, 2021

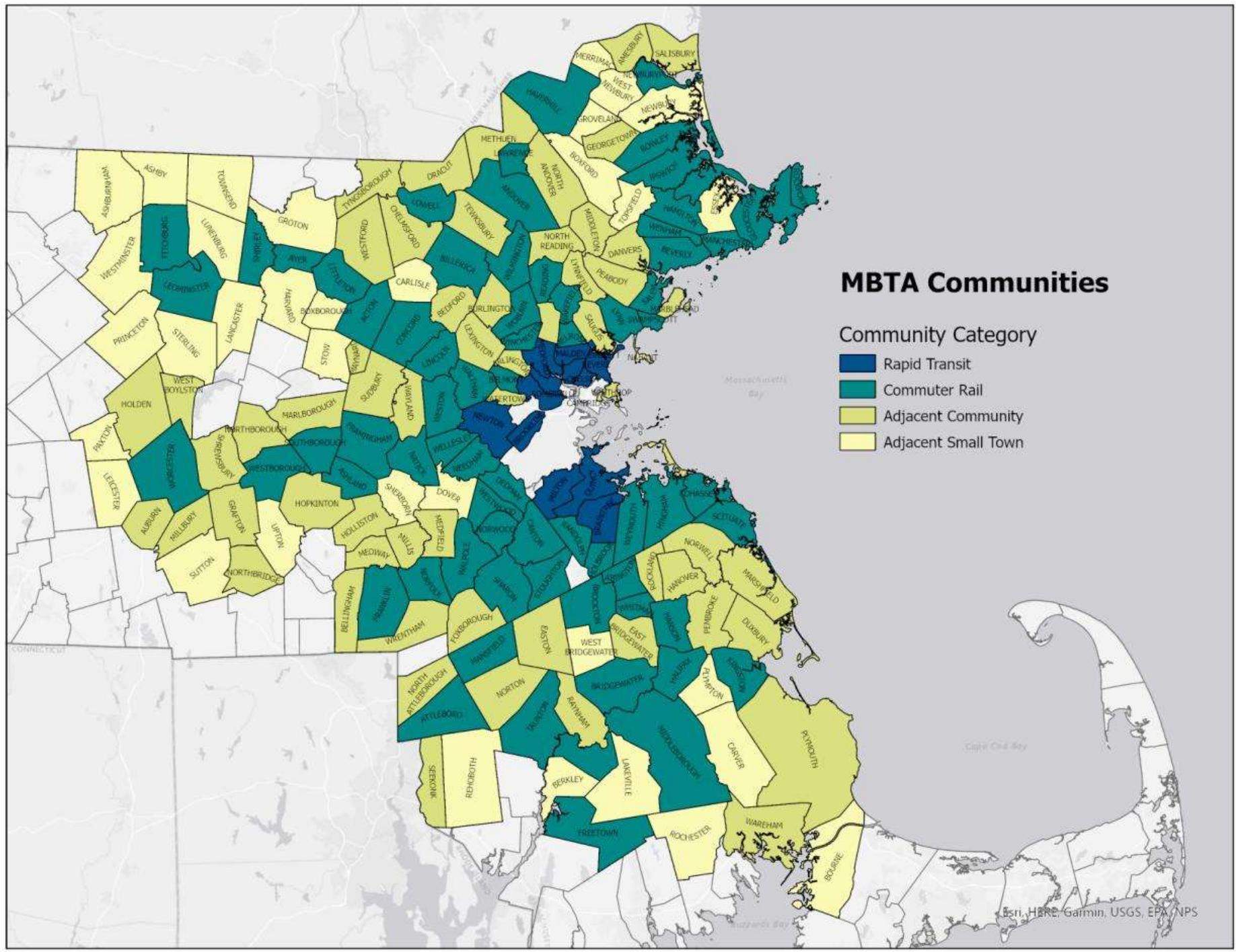
**FINAL DHCD GUIDELINES:** issued August 10, 2022

# Wait, what is zoning?

- ▶ Zoning is the set of regulations adopted by Town Meeting that outlines how development can happen.
- ▶ Zoning is the Town's way of "setting the table" for our future.
- ▶ It's part of our Town Code.
- ▶ The new law requires us to zone for multi-family housing.

# So, what is multi-family housing?

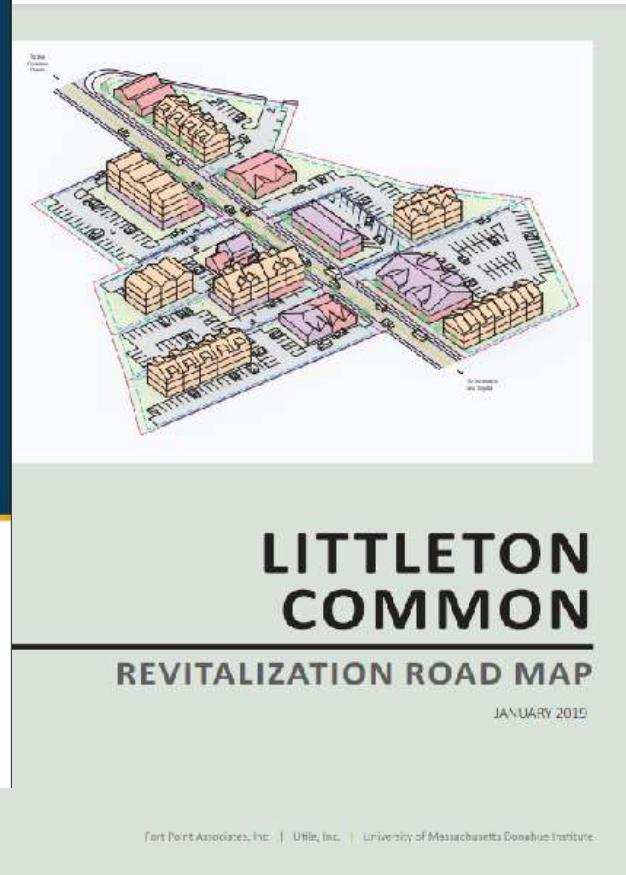
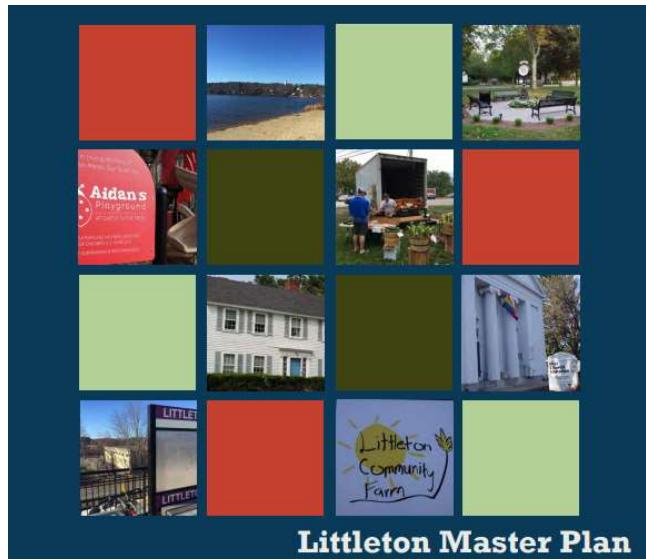
- ▶ "Multi-family housing" means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.
- ▶ Zoning for multi-family housing "sets the table" for future development of multi-family housing.
- ▶ It allows our zoning to become more equitable.



# What are the requirements?

- ▶ Zone for multifamily housing within ½ mile of the Foster Street commuter rail station and/or other commercial activity node.
- ▶ Minimum zoning district size: 50 acres
- ▶ At least 20% the district must be within ½ mile of the Foster Street station
- ▶ Minimum number of new housing units: 750 units at *average gross density* of 15 units per acre
- ▶ Zoning must be “as of right” (no Special Permit required)
- ▶ Site must be able to be serviced by infrastructure: water, electricity, sewer, roadways
- ▶ “Compliance Model” tool developed by the state

# Build on our foundational planning work for next steps



## LITTLETON STATION VILLAGE VISION PLAN



### Excluding Appendix



JANUARY 2020



DODSON & FLINKER  
Landscape Architecture and Planning



This project was funded by Metroparks and the Town of Littleton

# Planning and infrastructure at Littleton Common



# Planning at Foster Street



*These design standards are meant to support and encourage development proposals that follow the framework described in the Littleton Station Vision Plan.*

## LITTLETON STATION VILLAGE Survey Snapshot

Through a series of three surveys administered from May-June 2019, participants shared their thoughts about developing Littleton Station and surrounding areas.

The visual preference portion of the survey included 32 images of a variety of building types, including:

- Residential or mixed use buildings (2-3 stories)
- Larger residential or mixed use buildings
- Cluster housing
- Villages or centers

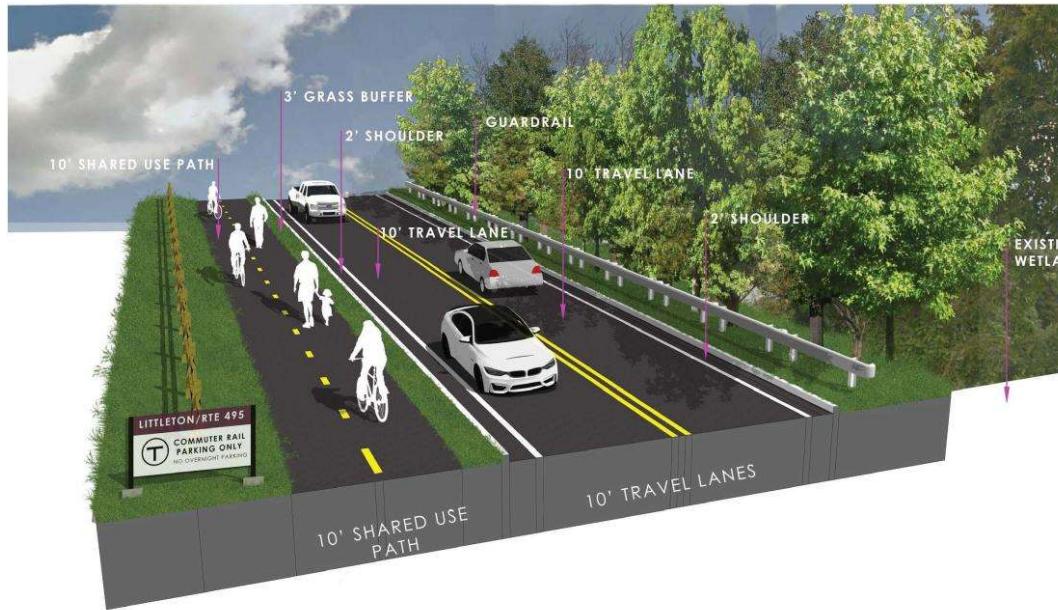
Participants were asked to check off any images that contained building styles they felt may be suitable for Littleton. These images were selected by **at least 50% of the respondents**. (Note: none of the images of larger residential or mixed-use buildings were selected by at least 50% of survey participants.)

RESIDENTIAL OR MIXED USE BUILDINGS, 2-3 STORIES

CLUSTER HOUSING

VILLAGE OR CENTER

# Foster Street Infrastructure

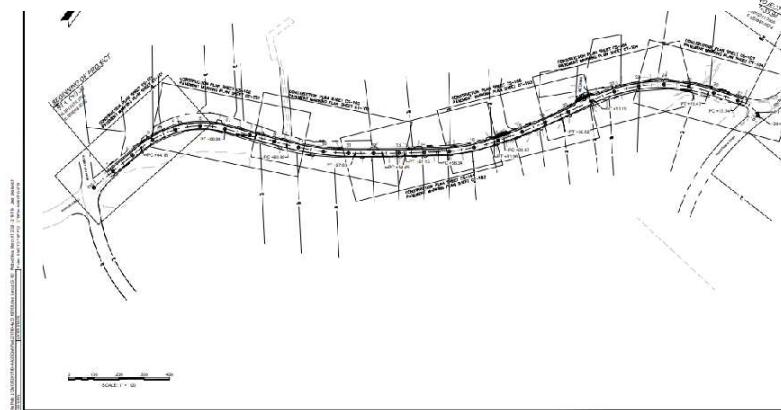


*Establishing direct vehicular and pedestrian connections to the train station will ease traffic on Foster Street and encourage walking, while supporting a strong sense of place for the new Village.*

Foster Street Improvement Area- Concept 2 - Shared Use Path



LITTLETON, MASSACHUSETTS  
DECEMBER 26, 2018



# What and when?

WHEN?	WHAT?	STATUS
Dec. 15, 2021	DHCD draft guidance issued	Completed
Jan. 12, 2022	Initial training	Completed
Jan. 24, 2022	Select Board briefing	Completed
Apr. 21, 2022	MBTA Community Information form filed with DHCD	Completed
Jun. 30, 2022	Obtain grant funding for planning consultant	Completed
Aug. 10, 2022	DHCD final guidance issued	Completed
Sept. 8, 2022	Detailed training	Scheduled
Sept. 2022	Hire planning consultant	In Progress
Sept. 2022 through Fall 2023	Draft bylaw and public outreach	*
Jan. 31, 2023	Develop and submit action plan to DHCD (interim compliance)	*
Fall 2023 TM	Town Meeting vote on Multifamily Zoning for MBTA Communities	*
May 2024 TM	Ditto, if necessary	*
Fall 2024 TM	Ditto, if necessary	*
After TM Vote	Request determination of district compliance from DHCD	*
By Dec. 31, 2024	Receive determination of district compliance from DHCD	*

# Detail on what and when...

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# How?

- The State is offering technical assistance and funding for technical assistance. Littleton will use a \$50,000 EEA Planning Assistance Grant to hire a consultant to work with us through the process.
- Compliance Model uses GIS data, an excel spreadsheet, and key inputs from the proposed Multi-family Zoning District to assist Towns with meeting the requirements.

## The Compliance Modeling Process at a Glance:

- Step One**  
Download the compliance model (an Excel workbook), instructions, and Land Database GIS file from DHCD's mass.gov website
- Step Two**  
Each municipality will answer questions in a "Checklist" format answering questions and using information from the proposed zoning district (such as height, lot coverage, and other dimensional metrics).
- Step Three**  
Using a GIS map provided by DHCD, the community will draw zoning district boundaries so that individual lot level data can be exported into the workbook.
- Step Four**  
The compliance model's formulas then generate an estimate of: unit capacity on each lot in the district(s); unit capacity for the district(s) as a whole; total land area for the district(s) and resulting gross density. Municipalities then review the resulting lot data for accuracy.
- Step Five**  
Finally, the workbook results are compared to the requirements for the applying municipality as part of the district compliance determination process. The municipality submits the completed workbook as part of its application to DHCD when the results show a district and zoning is compliant with the requirements in Appendix 1.



# Sept. 8, 2022 Training

- ▶ First training session on the Section 3A Guidelines is a webinar at 1 p.m. on Thursday, Sept. 8, 2022.

## Contract with Planning Consultant

- ▶ Quotes in hand Wed. 9/7
- ▶ Request Select Board authorization to sign contract for this work
- ▶ Funding is from a recent \$50,000 Planning Assistance Grant from the Executive Office of Energy and Environmental Affairs

# January 31, 2023 or sooner “Action Plan” to DHCD

- ▶ The Town’s next deadline is January 31, 2023 - for filing our Action Plan with the state.
- ▶ The Action Plan is an online form that outlines the steps and a timeline that show how Littleton will meet the new law.
- ▶ We are developing our Action Plan, and with the help of our consultant, will file our Action Plan by mid-January.
- ▶ Action Plan is based on the timeline presented above.

- To remain eligible for the calendar year 2023 round of MassWorks and Housing Choice grants, as well as the Local Capital Projects Fund, an MBTA community must submit an Action Plan no later than January 31, 2023.

# Sources, Resources

- ▶ Mass.GOV website: Multi-Family Zoning Requirements for MBTA Communities

<https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>

- ▶ Missing Middle Housing website:

<https://missingmiddlehousing.com/>

- ▶ Citizen's Housing And Planning Association:

<https://www.chapa.org/housing-news/baker-administration-releases-final-guidelines-for-mbta-communities>



**Missing Middle Housing** is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood.



# Questions?

- ▶ Maren Toohill, AICP  
Town Planner  
[Mtoohill@littletonma.org](mailto:Mtoohill@littletonma.org)  
978/540-2425
- ▶ Thank you!!