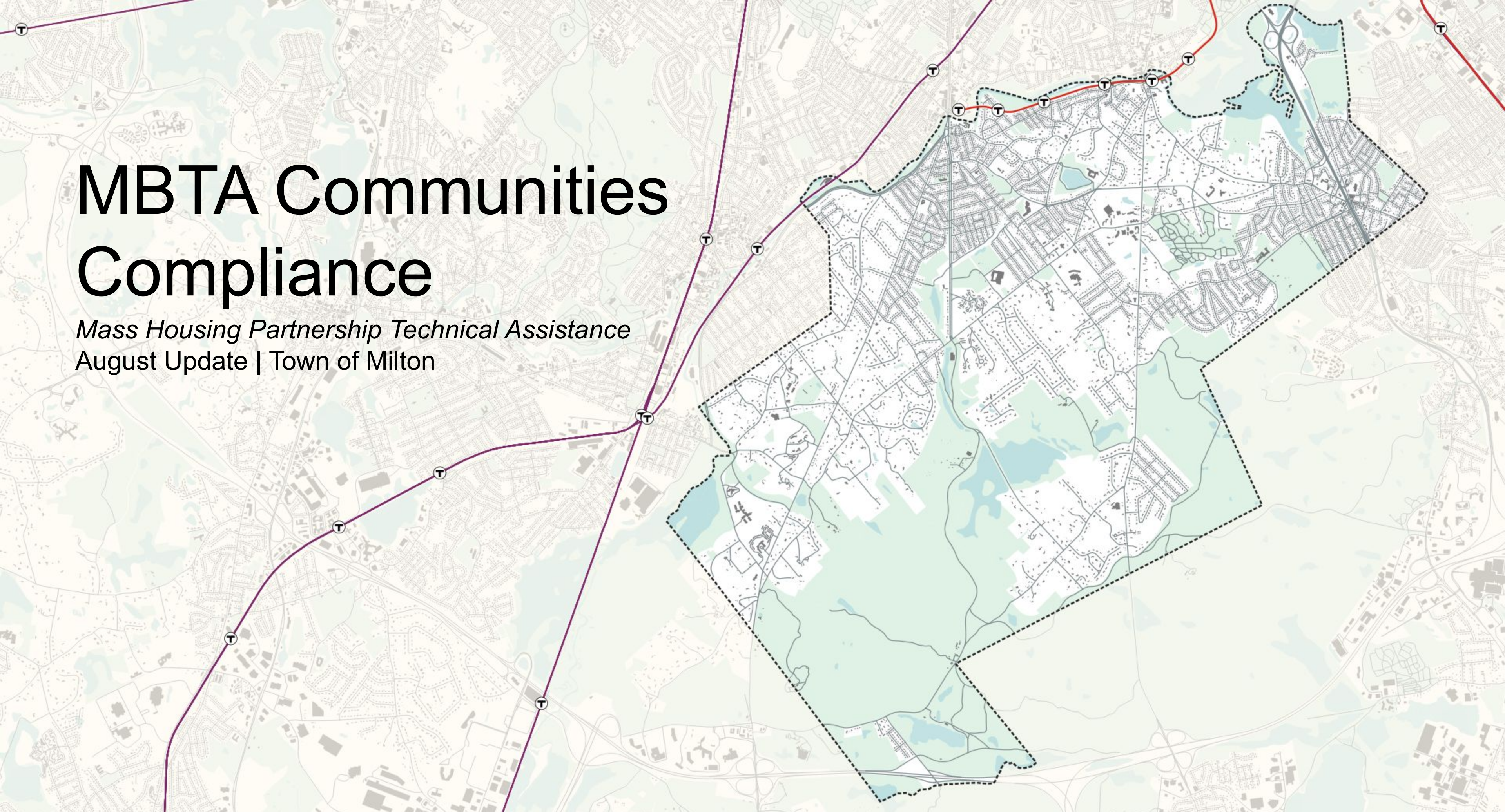


MBTA Communities Compliance

Mass Housing Partnership Technical Assistance
August Update | Town of Milton



Agenda

1. Background

- a. What is the MBTA Communities Act?
- b. Milton Criteria for Compliance

2. Subdistricts Considered

- a. Townwide Summary
- b. Individual Subdistricts Aerial Zoom-Ins

3. Pathways to Compliance

- a. Option 1: Compliance with East Milton Square
- b. Option 2: Compliance without East Milton Square

4. Appendix

- a. Transit Area Triplex Minimum Parcel Size Threshold Tests
- b. Transit Area Evolution

Background

What is the MBTA Communities Act?
Milton Criteria for Compliance

What is the MBTA Communities Act?

High-Level Overview

- Also known as “Section 3A” (*Mass. General Laws c.40A §3A*)
- Requires communities with MBTA rail access (or adjacent to MBTA rail access) to have at least one zoning district which permits **multi-family** development **as of right**

↓
3+ units

↓
“development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval”

- **No required ground floor commercial**
- **No restrictions on**
 - **Age**
 - **Number or size of bedrooms**
 - **Number of occupants**

What is the MBTA Communities Act?

The Role of Site Plan Review

Site Plan Review and Approval is allowed, within reason.

For an as-of-right project that complies with applicable dimensional regulations:

Site Plan Review can regulate:

- Vehicular access and circulation on a site,
- Architectural design of a building, and
- Screening of adjacent properties.

Site Plan Review cannot:

- **Unreasonably delay a project**
- **Impose conditions that make it infeasible or impractical to proceed with a project**

Source: <https://www.mass.gov/info-details/section-3a-guidelines>

Town Obligations Under State Law

Attorney General's Advisory and Loss of Funds

“Compliance with the MBTA Communities Zoning Law is not only mandatory, it is an essential tool for the Commonwealth to address its housing crisis along with our climate and transportation goals,” said AG Campbell.

Failure to comply with the Housing Choice Law may result in:

- Civil enforcement action or liability under Federal and State fair housing laws, as well as State antidiscrimination law
- Loss of funds from the following programs:
 - Housing Choice Initiative
 - Local Capital Project Fund
 - MassWorks Infrastructure Program
 - 13 discretionary grant programs which will consider Section 3A compliance when making grant award recommendations

Discretionary grant programs impacted:

- Community Planning Grants, EOHLC
- Massachusetts Downtown Initiative, EOED
- Urban Agenda, EOED
- Rural and Small Town Development Fund, EOED
- Brownfields Redevelopment Fund, MassDevelopment
- Site Readiness Program, MassDevelopment
- Underutilized Properties Program, MassDevelopment
- Collaborative Workspace Program, MassDevelopment
- Real Estate Services Technical Assistance, MassDevelopment
- Commonwealth Places Programs, MassDevelopment
- Land Use Planning Grants, EOEEA
- Local Acquisitions for Natural Diversity (LAND) Grants, EOEEA
- Municipal Vulnerability Preparedness (MVP) Planning and Project Grants, EOEEA

What does this mean for Milton?

District Size & Location

≥ 50 acres (can be split across multiple subdistricts)

At least 50% of district area must be:

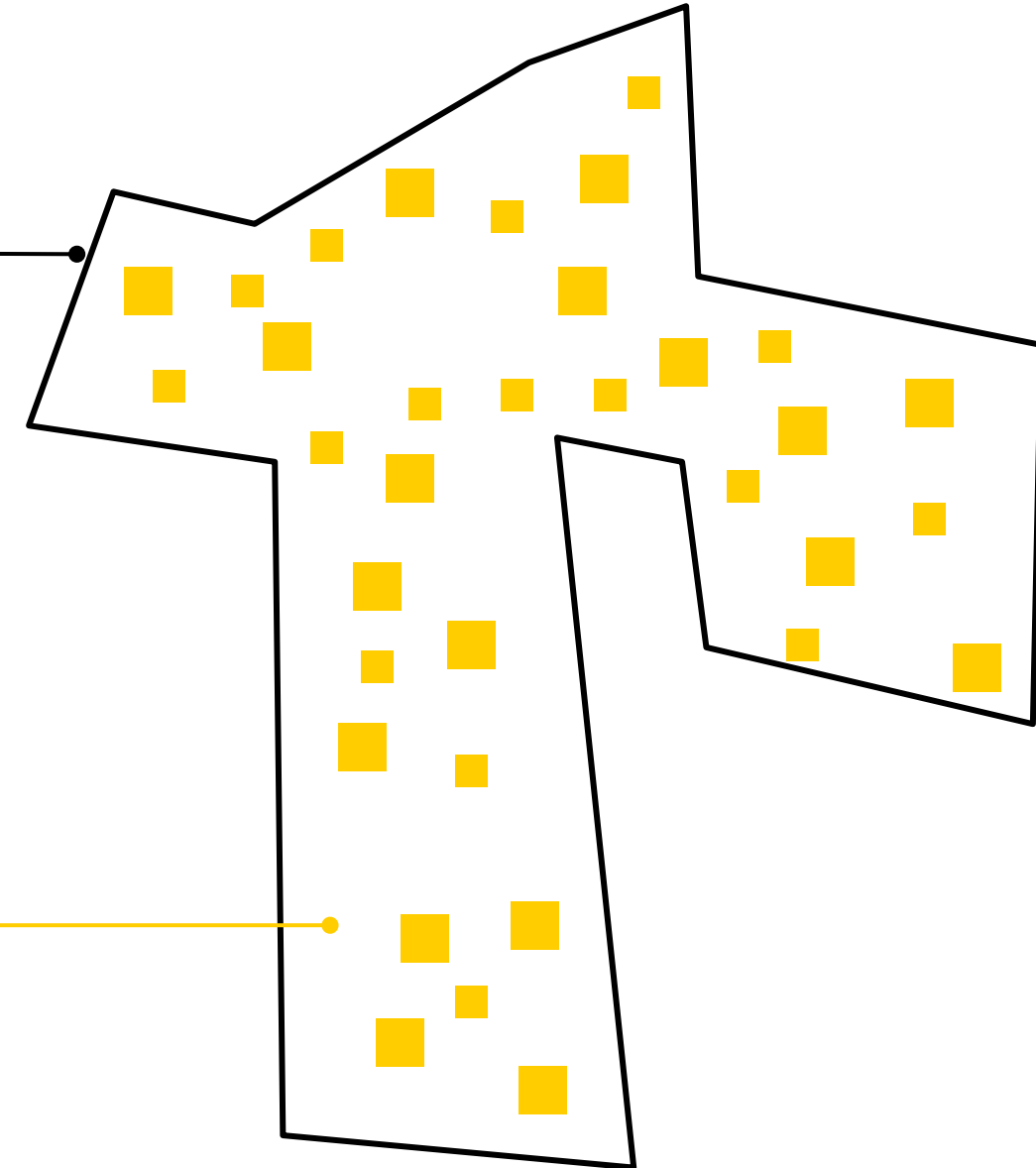
- in one contiguous area
- within ½ mile of rapid transit stations

District Density & Unit Capacity

≥ 15 units per acre (average across all subdistricts)

At least 50% of modeled unit capacity must be:

- within ½ mile of rapid transit stations



For more information on Section 3A requirements, including key definitions, see:

- <https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>
- <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>
- <https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>

Milton Criteria for Compliance

1A. District Size, Location & Density

- Contiguity standards: one contiguous subdistrict area must contain **≥ 50%** of total district land area
- Transit-oriented standards: **≥ 50%** of the land area and modeled multifamily unit capacity included must be within a half-mile of rapid transit stations
- Minimum total district(s) area: **50 acres**
- Gross density requirement: **15 units/acre**
Some individual subdistricts may be less dense than 15 units/acre as long as all subdistricts calculated together are at least 15 units/acre.

1B. Zoning Standards

Allowable zoning parameters include (for example):

- Setbacks
- Stories & height limits
- Parking requirements
- Units per parcel
- Units per acre
- Minimum/Maximum lot size
- Required mixed-use ([with limitations](#))

2. Multi-Family Unit Capacity

2,461 units

NOTE: this is a theoretical zoned capacity using the State calculation method. This is not a requirement to build a certain number of units, and has no relationship to existing units.

For more information on Section 3A requirements, including key definitions, see:

- <https://www.mass.gov/doc/compliance-guidelines-for-multi-family-zoning-districts-under-section-3a-of-the-zoning-act/download>
- <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>
- <https://www.mass.gov/doc/advisory-concerning-enforcement-of-the-mbta-communities-zoning-law/download>

Modeling Unit Capacity

“The Model” was designed to provide a standardized way to ensure accountability for all communities in the Commonwealth that are required to comply with this law. It is not intended to be a prediction - it is intended to be a reasonable estimate.

- How does the model calculate unit capacity?
 - Various zoning parameters (metrics) are added to a spreadsheet, which applies those metrics to each parcel included in the subdistrict to which those metrics apply.
 - The model uses 1,000sf per unit as a proxy to estimate unit count based on square footage to allow for a diversity of unit types.
- What metrics most directly control modeled unit capacity?
 - Minimum/maximum lot size
 - Building height (stories)
 - Units/acre or units/lot
 - Open space and lot coverage requirements
(note: the model already has a default open space set-aside of 20% to approximate setbacks)
- What metrics have negligible impact on modeled unit capacity?
 - Setbacks

Subdistricts Studied

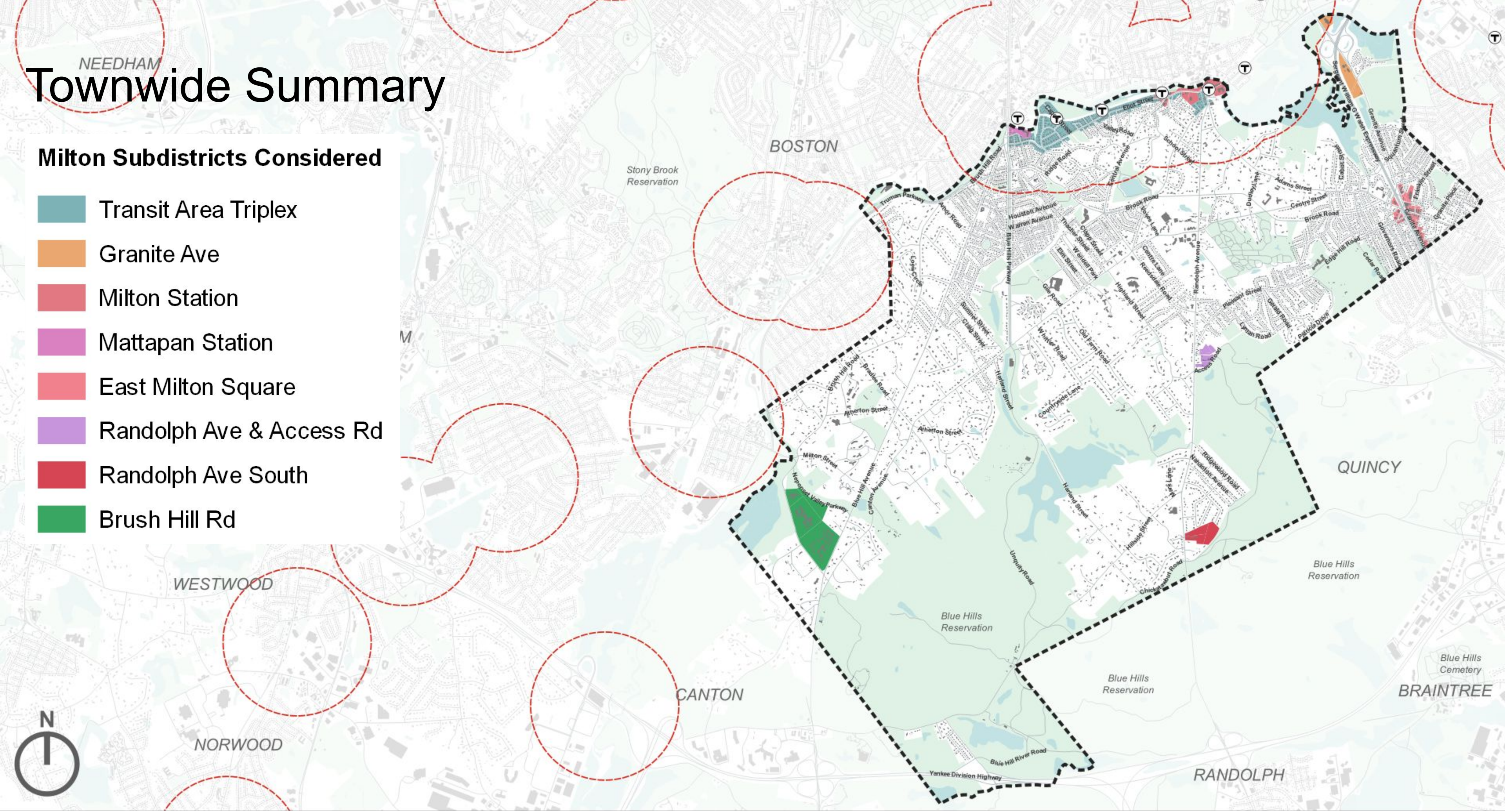
Townwide Summary

Individual Subdistricts Aerial Zoom-Ins

Townwide Summary

Milton Subdistricts Considered

- Transit Area Triplex
- Granite Ave
- Milton Station
- Mattapan Station
- East Milton Square
- Randolph Ave & Access Rd
- Randolph Ave South
- Brush Hill Rd



Granite Ave



Milton Station



Mattapan Station



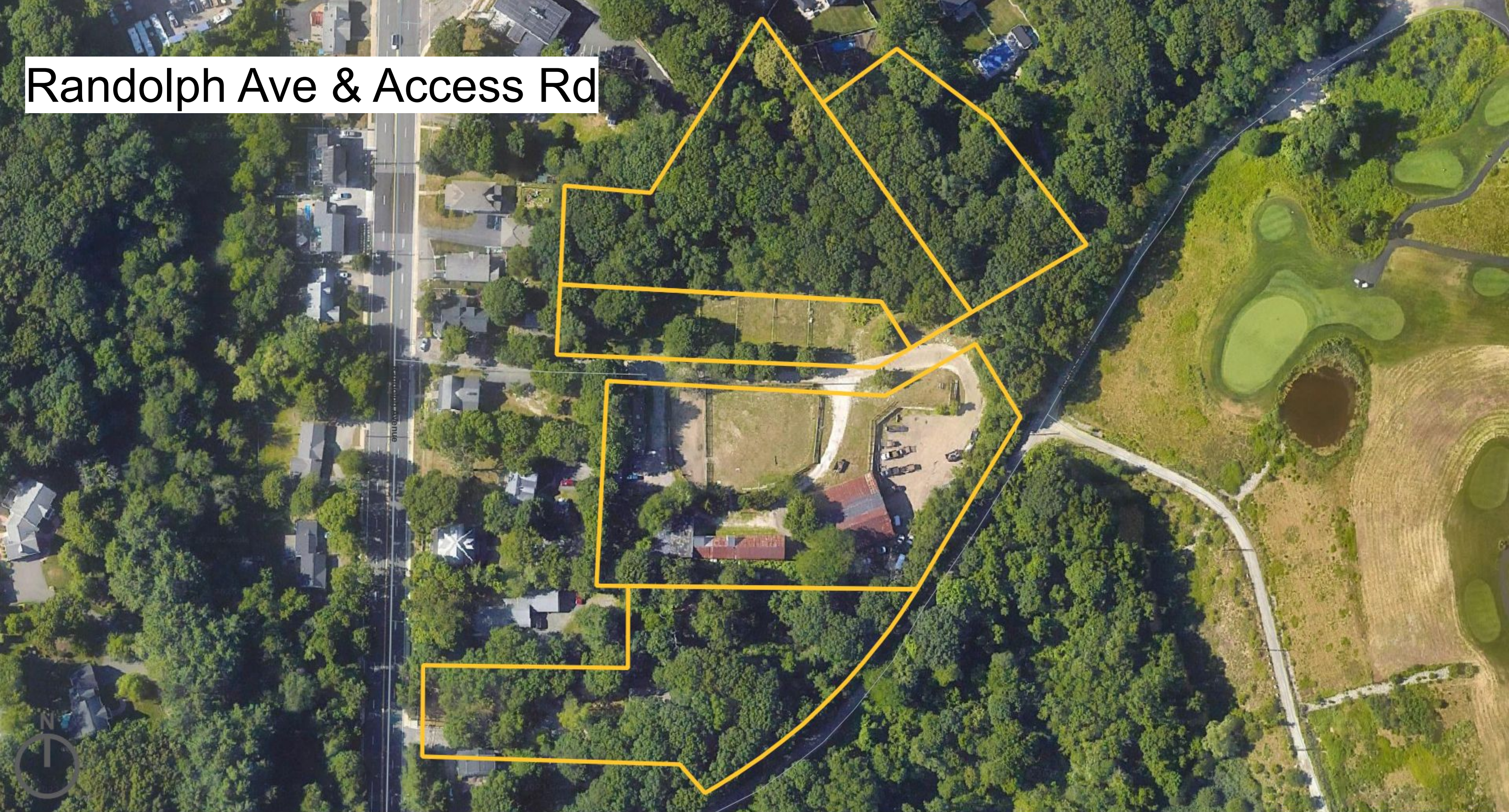
Transit Area Triplex



East Milton Square



Randolph Ave & Access Rd



Randolph Ave South



Pathways to Compliance

Option 1: Compliance with East Milton Square

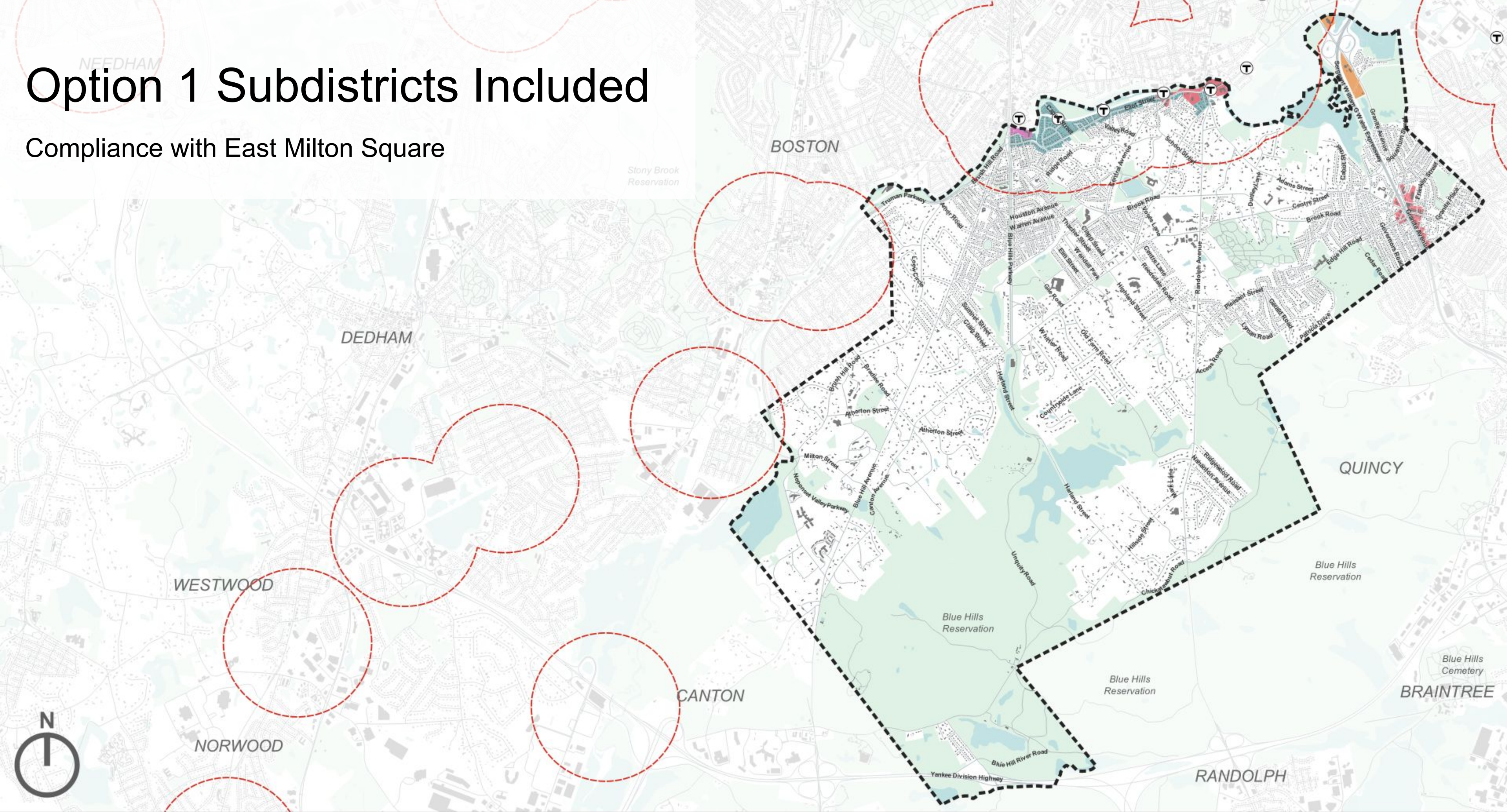
Option 2: Compliance without East Milton Square

Option 1

Compliance with East Milton Square

Option 1 Subdistricts Included

Compliance with East Milton Square



Option 1 Compliance Model Summary

Compliance with East Milton Square

NOTE: Red text indicates a parameter we are fine-tuning to reach a more ideal balance of density and design outcomes while retaining overall compliance.

	Model Inputs					Model Outputs					
Subdistrict	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Unit Capacity	Acreage	Modeled Density	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	40	n/a	n/a	1	5	545	13.7	44	23%	contributing	
Mattapan Station	40	n/a	n/a	1	3.5	169	4.9	40.8	100%	contributing	
Milton Station*	40	n/a	n/a	1	3.5	543	18.9	31.8	100%	contributing	contributing
East Milton Square	30	n/a	n/a	1	4	423	22.8	18.6	0%		
Transit Area Triplex	n/a	3	5,500 sf	1	3	669	74.3	9	100%	contributing	
TOTAL						2,508	134.5 acres	19.2 units/acre	76%	64%	17%
COMPLIANCE TARGET						2,461	50 acres	15 units/acre	50%	50%	25% (max)

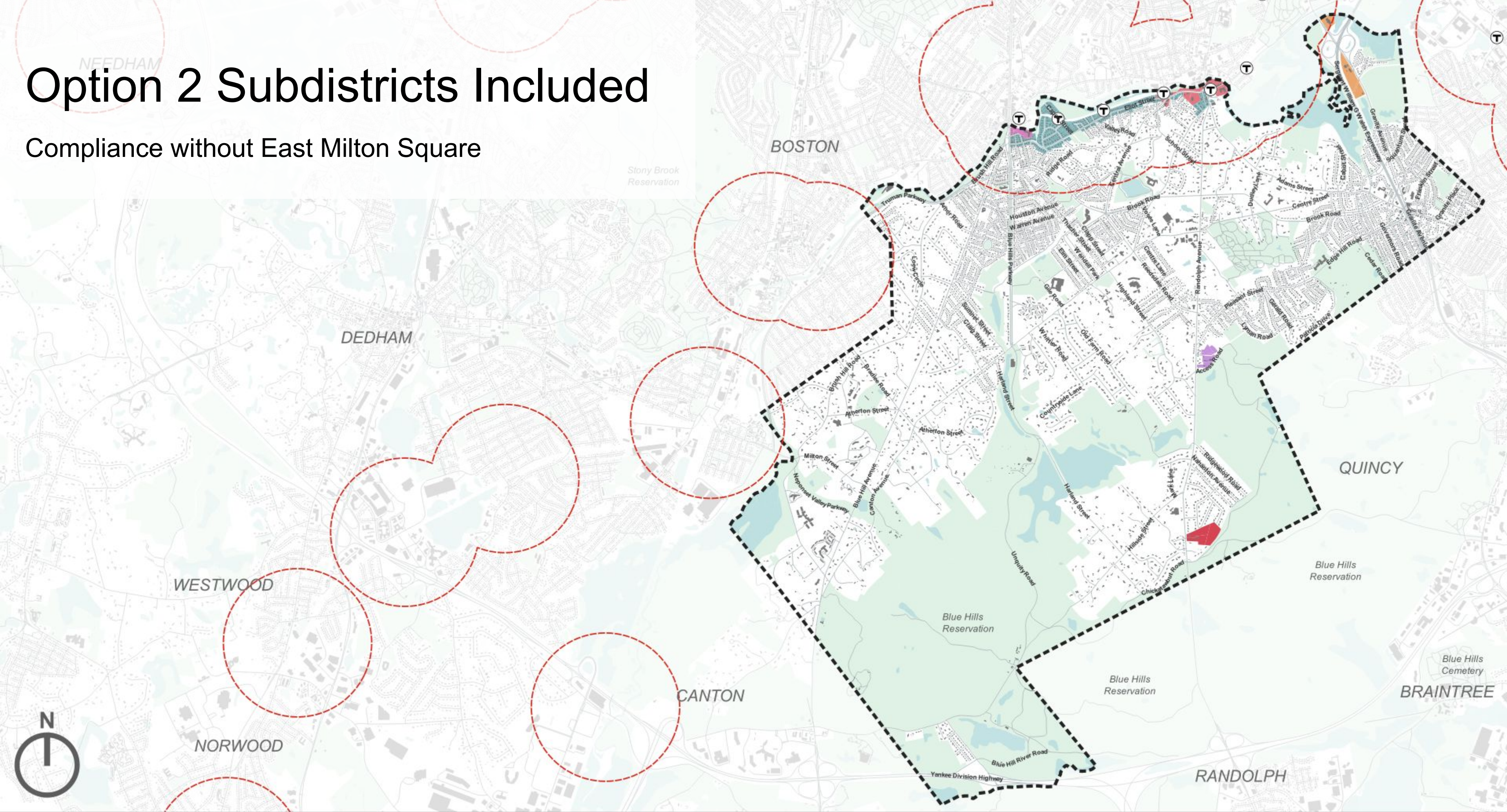
* In this option, we are assuming the **Milton Station Subdistrict** will make use of the new mixed-use provision as described in [the most recent guidance from the State, issued on 8/17/2023](#).

Option 2

Compliance without East Milton Square

Option 2 Subdistricts Included

Compliance without East Milton Square



Option 2 Compliance Model Summary

Compliance without East Milton Square

NOTE: Red text indicates a parameter we are fine-tuning to reach a more ideal balance of density and design outcomes while retaining overall compliance.

	Model Inputs					Model Outputs					
Subdistrict	Max. units/acre	Max. unit/lot	Min. Lot Size	Min. Parking Spaces per Unit	Max. Bldg Height (stories)	Unit Capacity	Acreage	Modeled Density (units/ac)	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Granite Ave	35	n/a	n/a	1	5	545	13.7	44	23%	contributing	n/a
Mattapan Station	35	n/a	n/a	1	3.5	169	4.9	40.8	100%	contributing	n/a
Milton Station	35	n/a	n/a	1	3.5	543	18.9	31.8	100%	contributing	n/a
Randolph Ave & Access Rd	27	n/a	n/a	1	3.5	193	7.5	27.5	0%		n/a
Randolph Ave South	25	n/a	n/a	1	3.5	349	13.9	26.5	0%		n/a
Transit Area Triplex	n/a	3	5,500 sf	1	3	669	74.3	9	100%	contributing	n/a
TOTAL						2,468	133 acres	19.3 units/acre	77%	61%	n/a
COMPLIANCE TARGET						2,461	50 acres	15 units/acre	50%	50%	25% (max)

Compliance Model Output Comparison

Compliance with and without East Milton Square

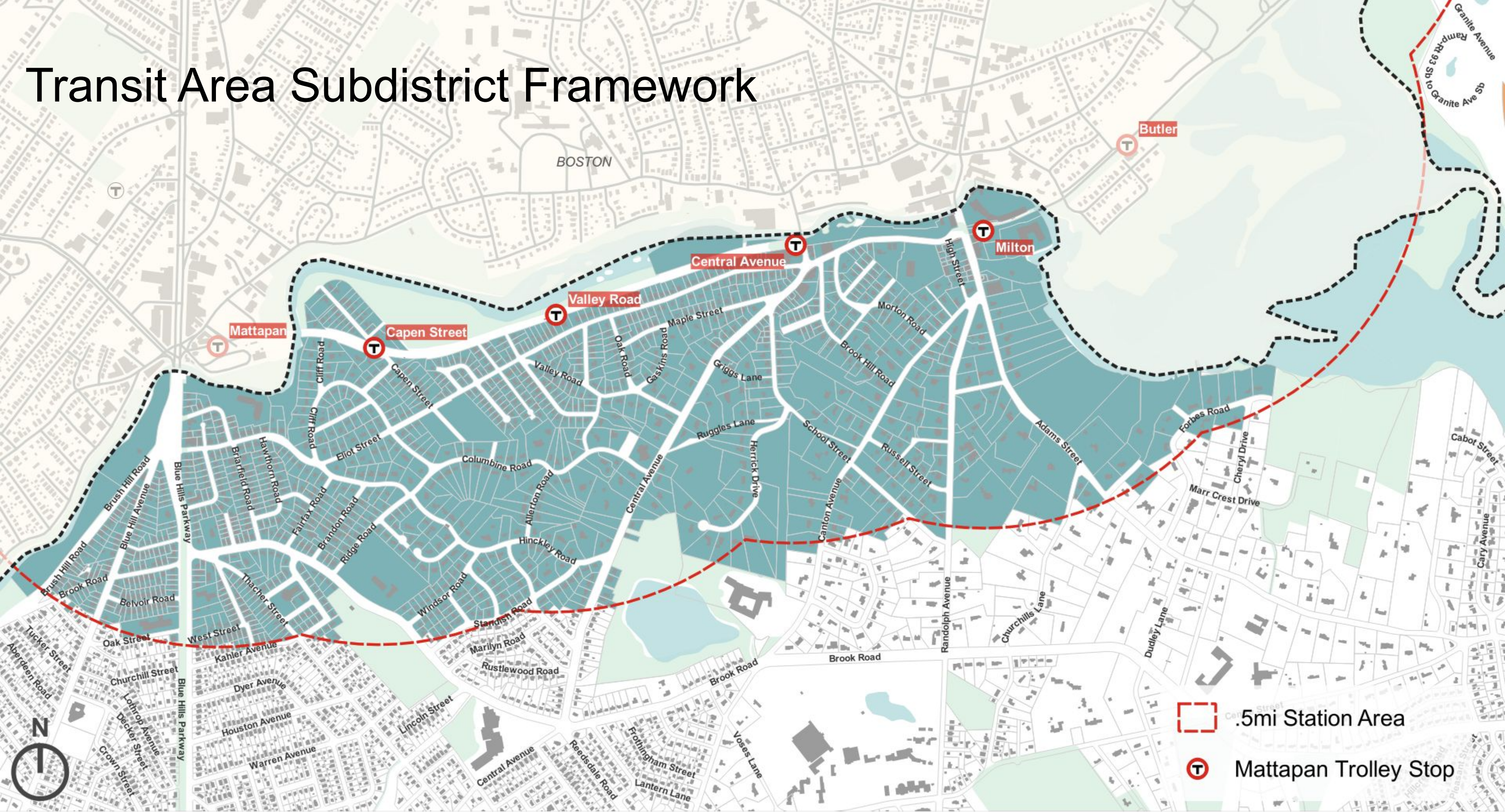
	Model Outputs					
Option	Unit Capacity	Acreage	Modeled Density	% Land in Transit Area	% Units in Transit Area	% Units in Mixed Use Subdistrict
Option 1 <i>(With East Milton Square)</i> <ul style="list-style-type: none">Granite AveMattapan StationMilton Station*East Milton SquareTransit Area Triplex	2,508	134.5 acres	19.2 units/acre	76%	64%	17%
Option 2 <i>(Without East Milton Square)</i> <ul style="list-style-type: none">Granite AveMattapan StationMilton StationRandolph Ave & Access RdRandolph Ave SouthTransit Area Triplex	2,468	133 acres	19.3 units/acre	77%	61%	n/a
COMPLIANCE TARGET	2,461	50 acres	15 units/acre	50%	50%	25% (max)

* In this option, we are assuming the **Milton Station Subdistrict** will make use of the new mixed-use provision as described in [the most recent guidance from the State, issued on 8/17/2023](#).

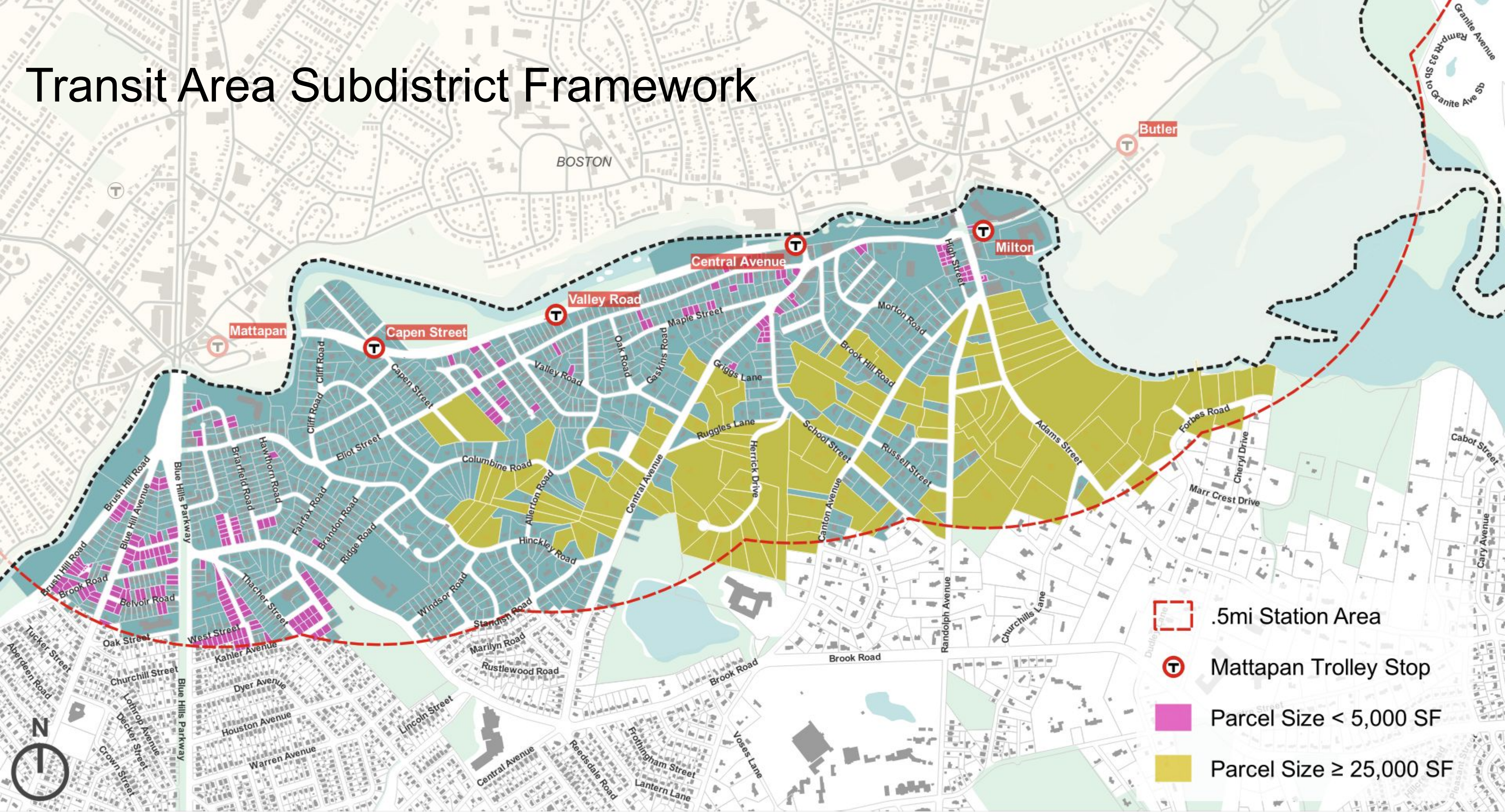
Transit Area Evolution

Mapping Principles

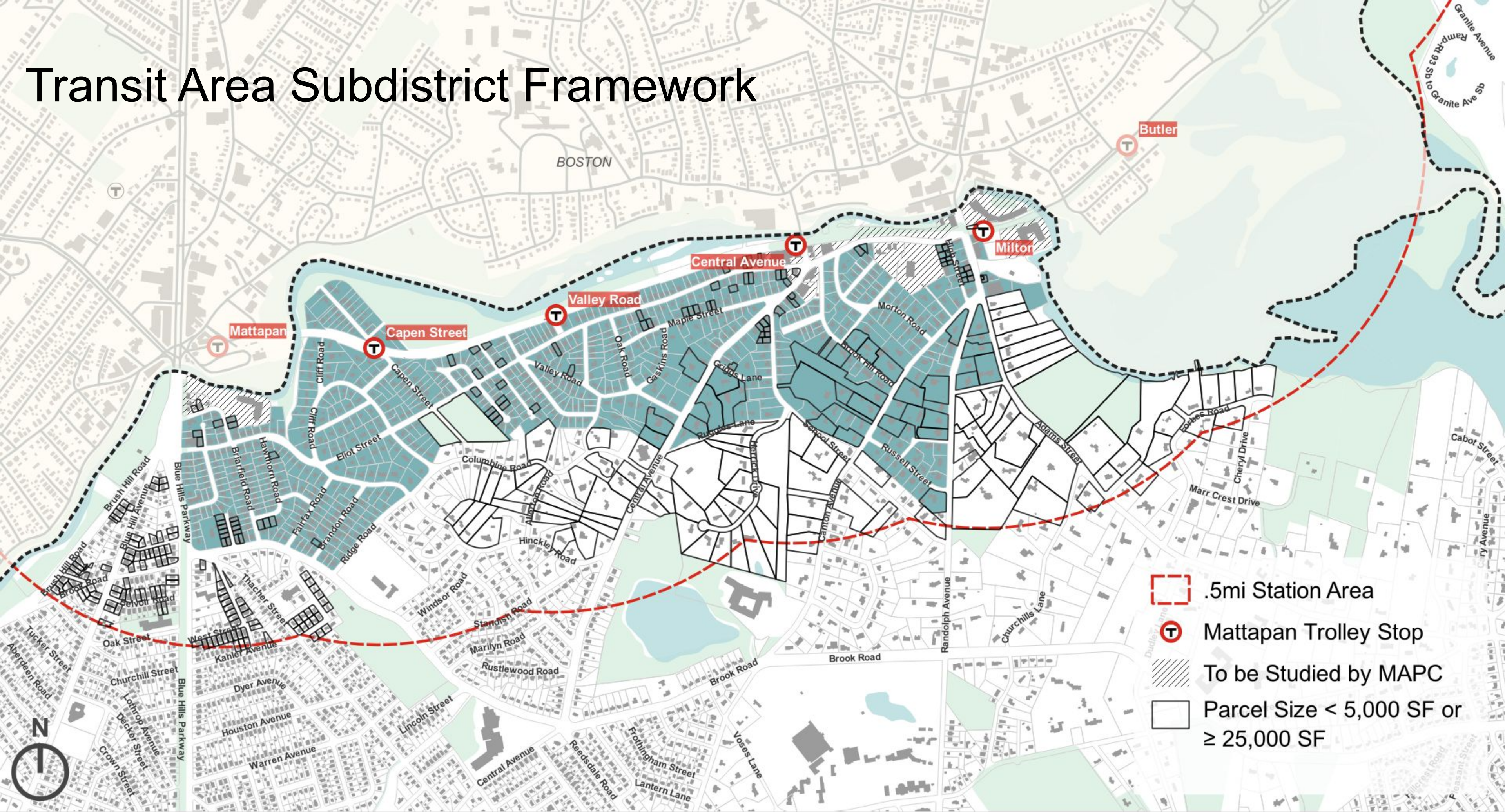
Transit Area Subdistrict Framework



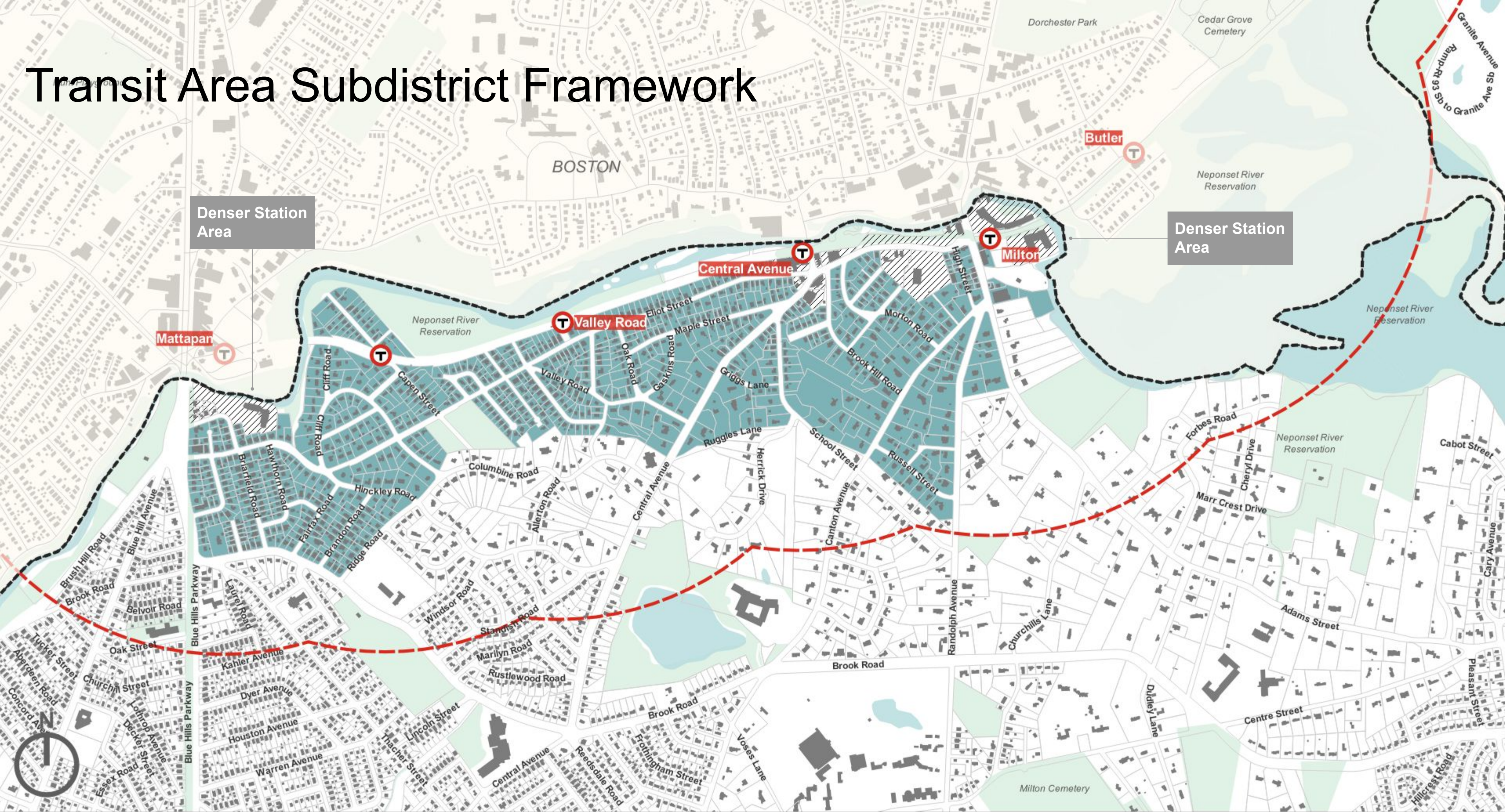
Transit Area Subdistrict Framework



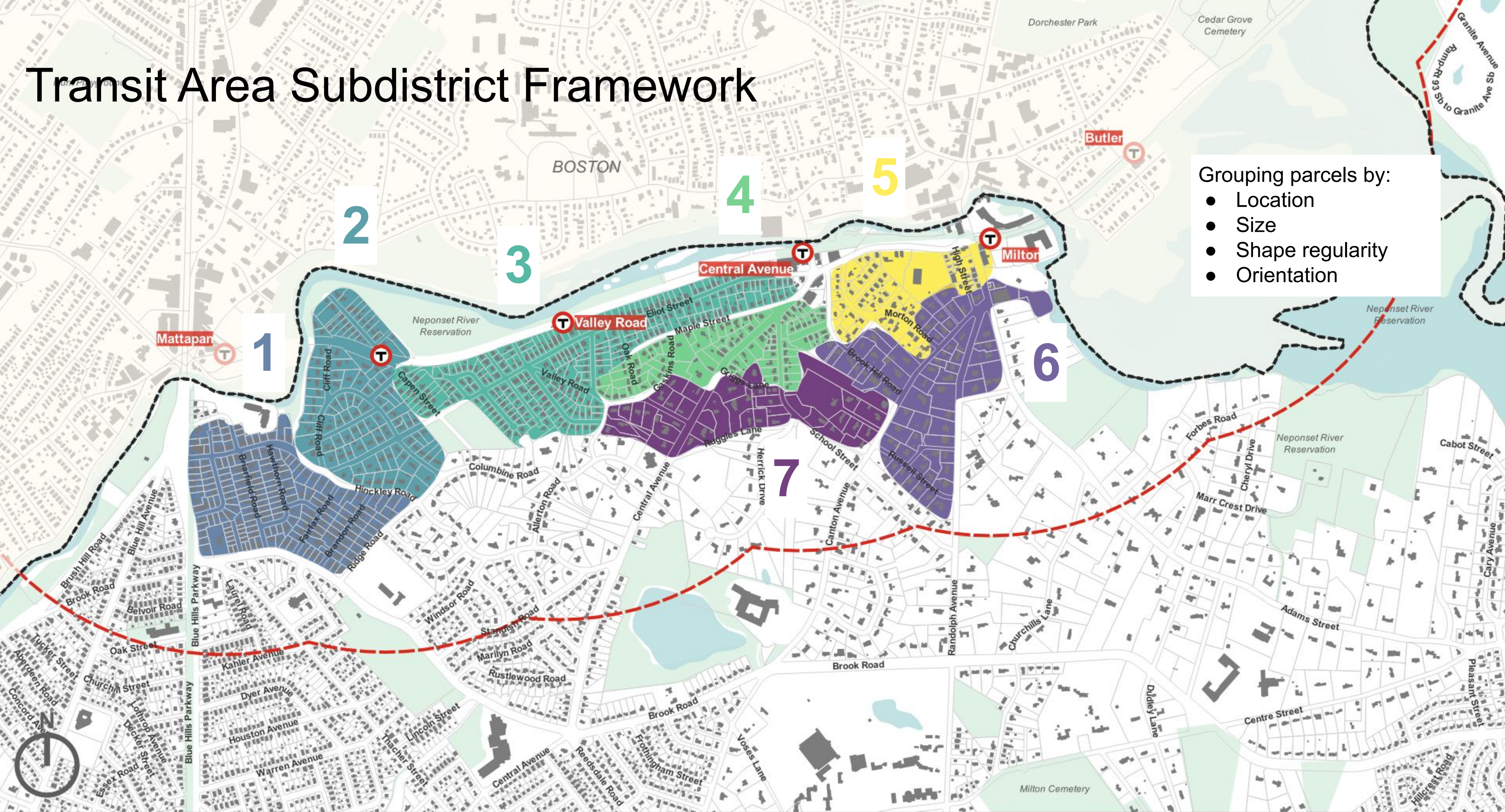
Transit Area Subdistrict Framework



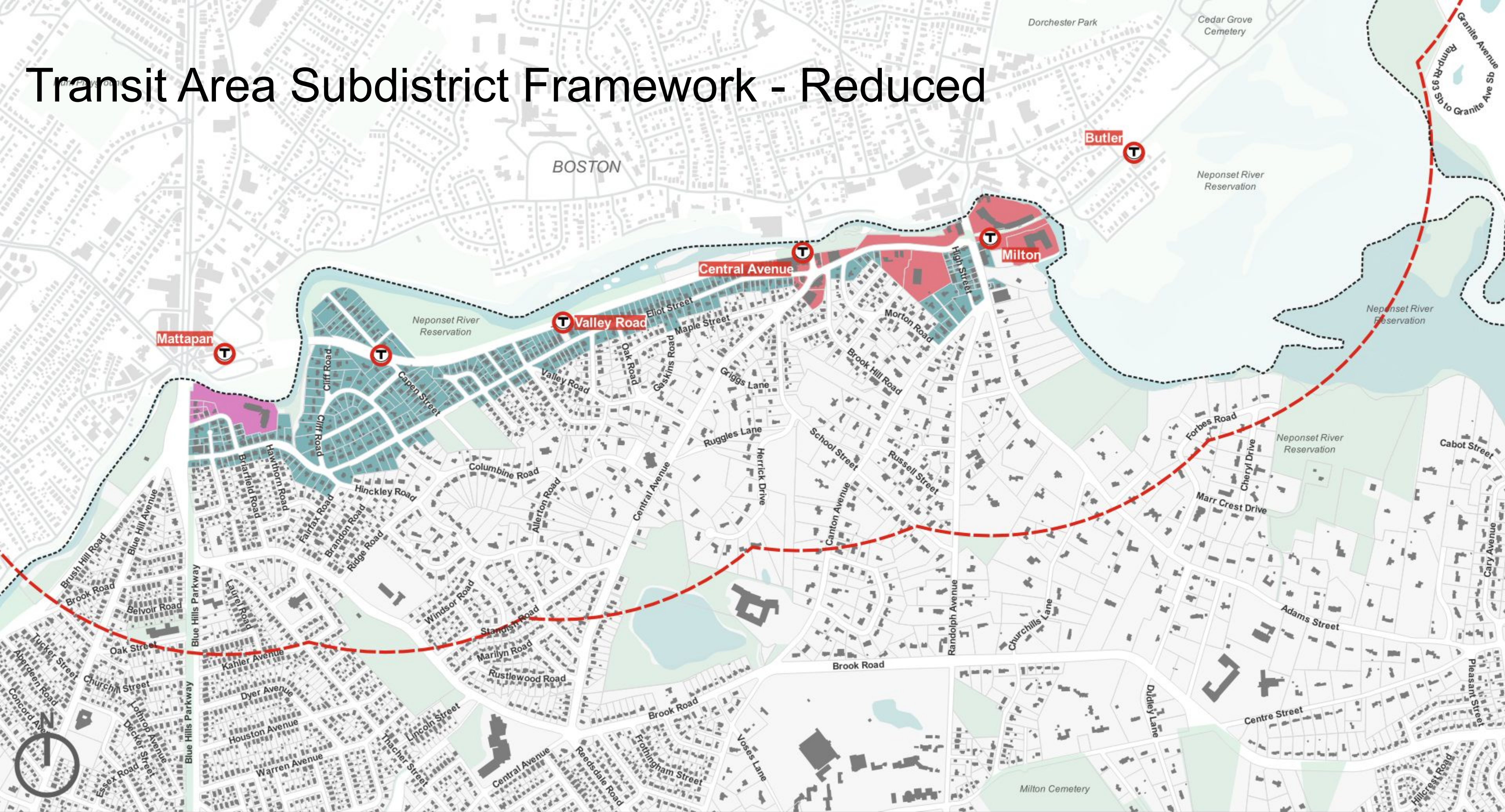
Transit Area Subdistrict Framework



Transit Area Subdistrict Framework



Transit Area Subdistrict Framework - Reduced



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 5,000$ sf \rightarrow 87% of parcels are eligible



Transit Area Triplex Subdistrict

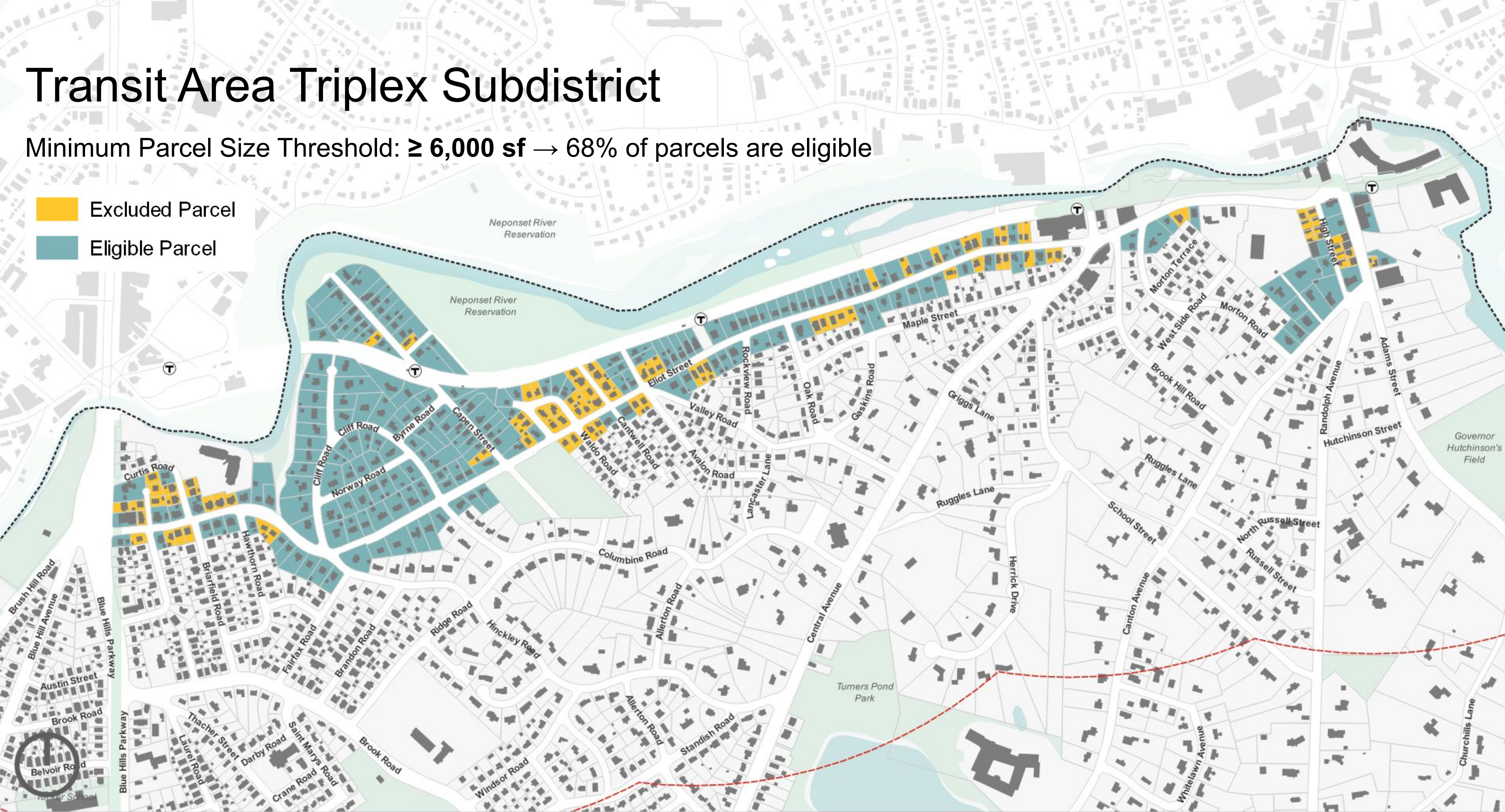
Minimum Parcel Size Threshold: $\geq 5,500$ sf \rightarrow 76% of parcels are eligible



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 6,000$ sf \rightarrow 68% of parcels are eligible

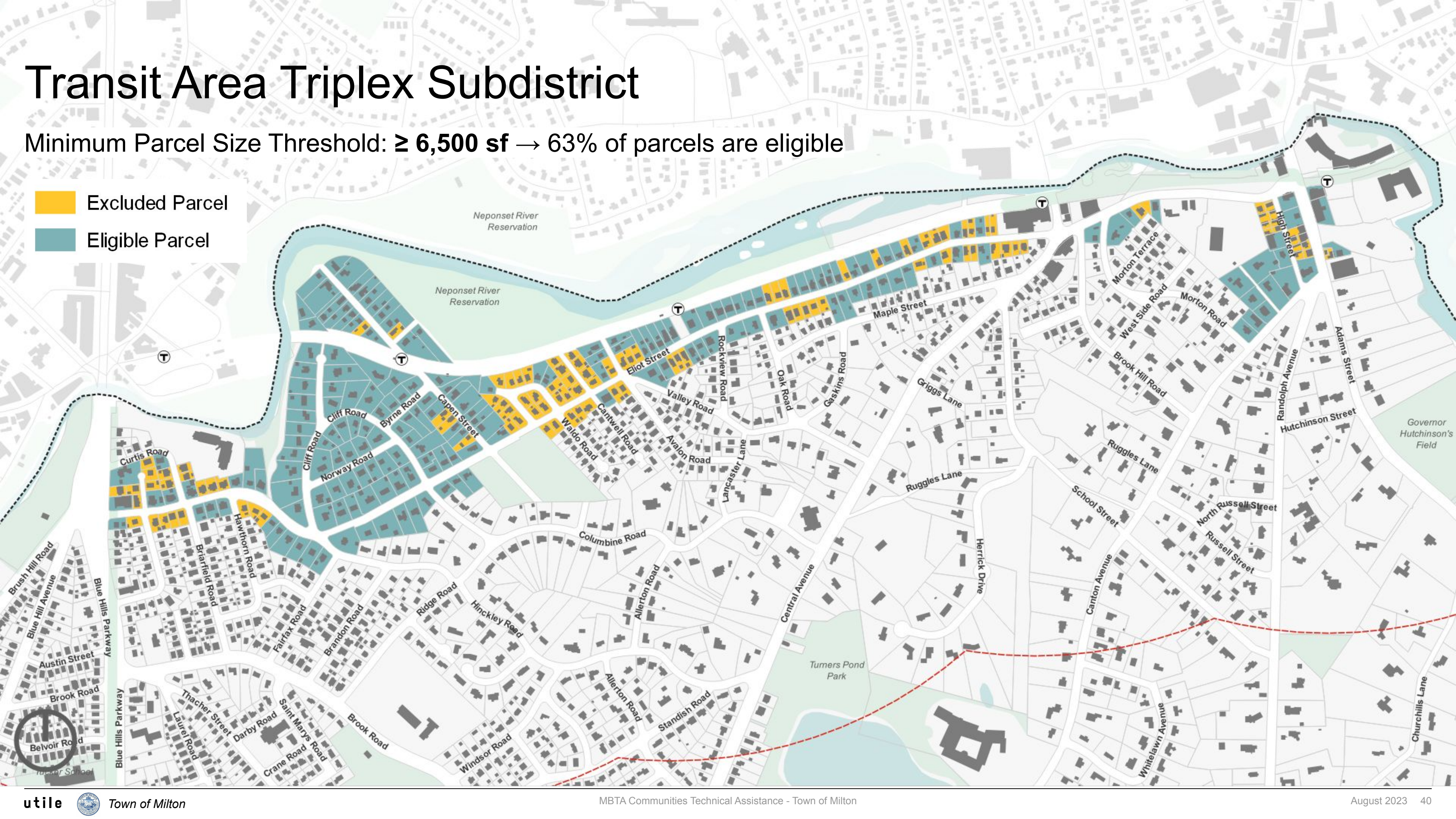
- Excluded Parcel
- Eligible Parcel



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 6,500$ sf \rightarrow 63% of parcels are eligible

- Excluded Parcel
- Eligible Parcel

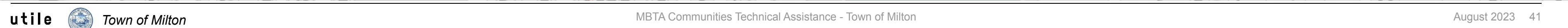


Transit Area Triplex

Minimum Parcel Size Threshold Testing

Minimum Parcel Size Threshold: $\geq 7,000$ sf \rightarrow 57% of parcels are eligible

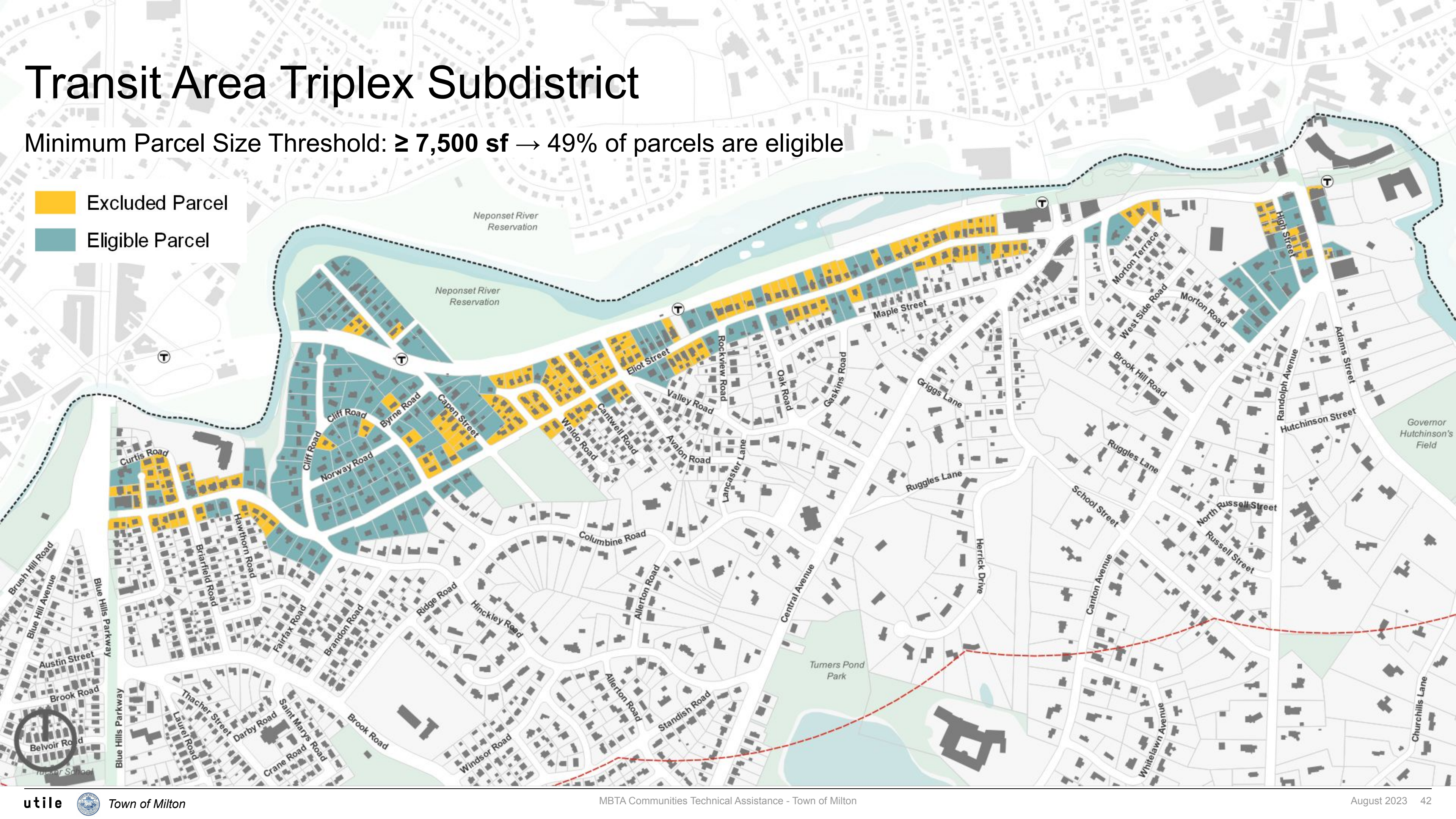
Minimum Parcel Size Threshold: $\geq 7,000$ sf \rightarrow 57% of parcels are eligible



Transit Area Triplex Subdistrict

Minimum Parcel Size Threshold: $\geq 7,500$ sf \rightarrow 49% of parcels are eligible

- Excluded Parcel
- Eligible Parcel



Thank You!

