

MBTA Communities Zoning Requirements

Public Forum
May 18, 2023



Milton Department of Planning and Community Development

Meeting Recording

Please note that tonight's meeting will be recorded and posted on the Milton Access Television and Town websites.



Meeting Agenda

- 1) Introduction
- 2) Recap of MBTA Communities zoning requirements
- 3) Discussion of design exercise
- 4) Presentation on compliance efforts and challenges
- 5) Question and Comment period
- 6) Next steps



Resources



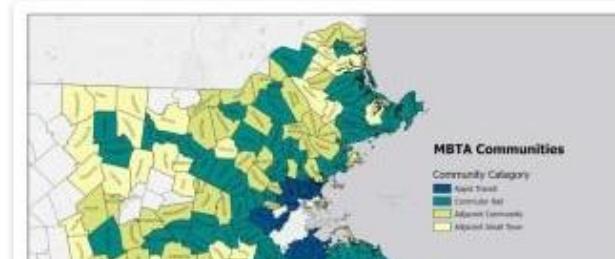
The screenshot shows the official website of the Town of Milton, Massachusetts. The top navigation bar includes links for "ABOUT", "DEPARTMENTS", "BOARDS & COMMITTEES", "REPORT A PROBLEM", and a "Select Language" dropdown. A search bar and a "Powered by Translate" link are also present. A yellow box on the right contains the text "Where do I go for?" and a list of categories. The left sidebar lists several resources: "MBTA Communities Multi-Family Zoning Requirement", "Master Plan Implementation Committee", "Milton Zoning Map", "Planning Board", "Plans and Studies", "Sign Review Documents", and "Transportation Studies & Resources". The main content area displays the "MBTA Communities Multi-Family Zoning Requirement" page, which discusses the adoption of the Economic Development Bond Bill (H.5250) and its impact on zoning. It includes a map of Milton showing zoning categories and a legend for "MBTA Communities".

MBTA Communities Multi-Family Zoning Requirement

Home » Departments » Planning and Community Development

MBTA Communities Multi-Family Zoning Requirement

In January 2021, the Massachusetts Legislature adopted an Economic Development Bond Bill (H.5250) that made changes to the state's Zoning Act. The "Housing Choice" sections of the bill made it easier for municipalities like ours to adopt pro-housing zoning changes and required each municipality in the



What is the MBTA Communities law?

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 (three or more units) is permitted as of right and meets other criteria set forth in the statute:

- Minimum gross density of 15 units per acre
- Not more than $\frac{1}{2}$ miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.
- No age restrictions
- Suitable for families with children.

Towns that do not comply with the new requirements will be ineligible for **MassWorks, Housing Choice, and Local Capital Projects** funds.



Options for Compliance

The DHCD guidelines for compliance give towns flexibility in where zoning districts can go, how large they are, and what their dimensional requirements are.



Options for Compliance

Location

- The location and of districts within a ½ mile of transit is determined by how much Developable Area exists in that area. Milton’s Developable Area is reduced by the fact that the Mattapan Trolley hugs the Neponset River and the border with Boston; a significant fraction of the ½ mile radius is either on state property or not in Milton.
 - The DHCD guidelines allow Milton to locate as much as 50 percent of our compliant zoning districts outside of the ½ mile transit radius

Subdistricts

- The Town can create multiple subdistricts in different areas, with the following restrictions
 - At least half of the district needs to be contiguous
 - Subdistricts need to be a minimum of five acres



Options for Compliance

Dimensional Requirements

- Dimensional requirements like height, setbacks, and density do not need to be uniform across subdistricts, as long as the average of all the subdistricts meet the law's minimum requirements for density, reasonable size, and by-right permitting.
 - Example: One subdistrict comprising half the total district can have a density of five units per acre, and another district comprising the second half of the total district can have a density of twenty-five units per acre.

The flexibility in DHCD's guidelines can help the Town craft districts that minimize change to the physical character of residential neighborhoods.



Design Exercise

Multifamily buildings range from as small as 3-unit houses to large complexes of elevator buildings. There are many options in terms of height, form, and architectural style.



Three units



Design Exercise



Four units



Design Exercise



12 to 14 units



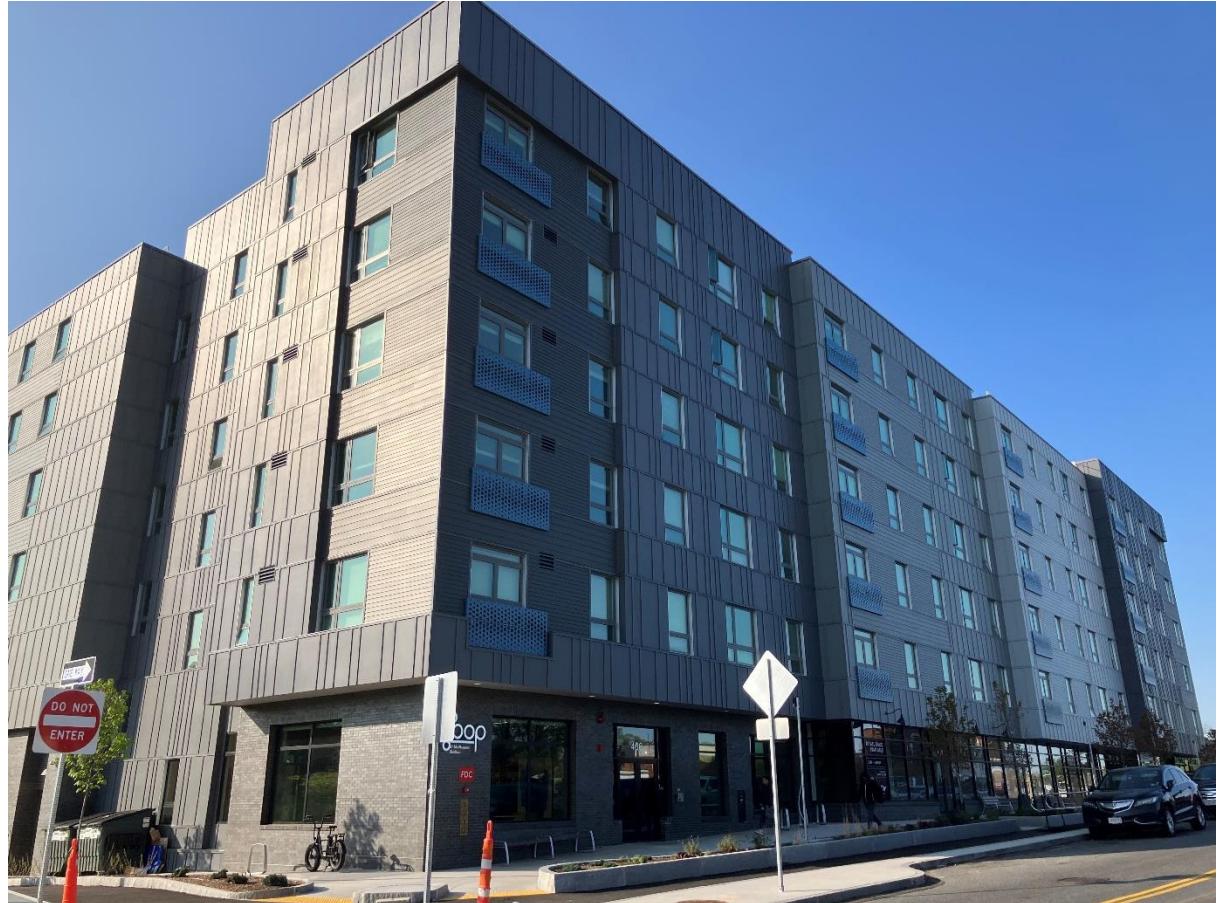
Design Exercise



30 to 45 units



Design Exercise



80 to 135 units



DHCD's Compliance Model

From DHCD's MBTA Communities website:

“The compliance model is the primary tool for measuring a zoning district for compliance with Section 3A of M.G.L. Chapter 40A. There are several zoning requirements in Section 3A related to district size and location, multi-family unit capacity, gross density, and other benchmarks. The compliance model ensures a standard way of evaluating and estimating multi-family zoning districts on these metrics across all MBTA communities.”



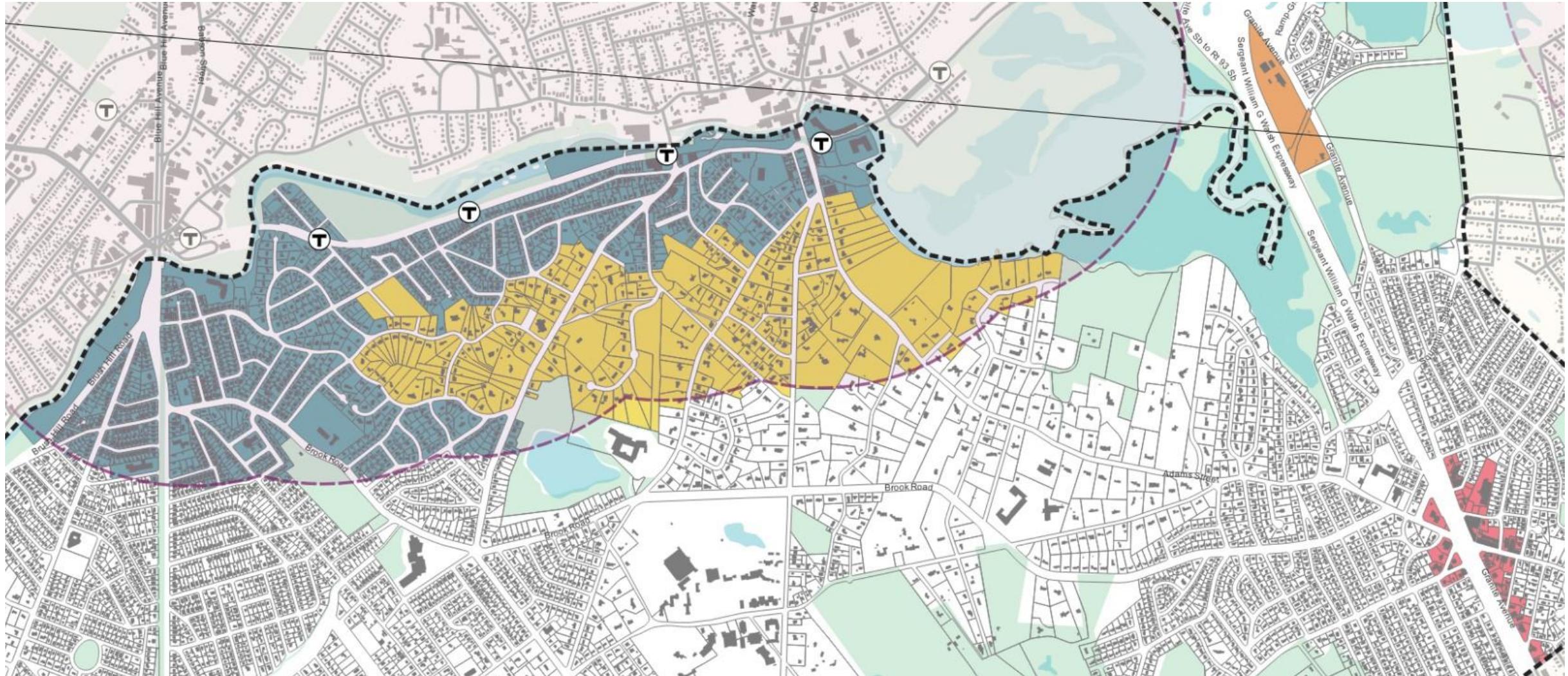
DHCD's Compliance Model

With technical assistance from Utile, a planning and design firm, we have performed initial tests on four subdistricts:

- Transit Area Subdistrict 1: all Residence C parcels in the $\frac{1}{2}$ mile transit area
- Transit Area Subdistrict 2: all Residence A and B parcels in the $\frac{1}{2}$ mile transit area
- East Milton: all parcels in the East Milton Business district
- Granite Avenue: the State DPW/Park and Ride and the American Legion Hall parcels



DHCD's Compliance Model



DHCD's Compliance Model

Zoning Standards Input into Compliance Model

	Min. Lot Size	Setbacks	Max. Units per Lot	Max. Building Height	Min. Parking Spaces per Dwelling Unit
Transit Area Subdistrict 1	5,000 sq ft	Front: 15' Sides: 10' Rear: 30'	3	2.5 stories	1
Transit Area Subdistrict 2	10,000 sq ft	Front: 20' Sides: 10' Rear: 30'	4	2.5 stories	1

	Min. Lot Size	Setbacks	Max. Units per Lot	Max. Building Height	Min. Parking Spaces per Dwelling Unit
Granite Ave	None	Front: 20' Sides: 10' Rear: 30'	None	6 stories	1
East Milton	None	Front: 10' Sides: 10' Rear: 10'	None	4 stories	1



DHCD's Compliance Model

Why did we test these subdistricts and dimensional requirements?

- Our general approach is to test broad geographies and exceed the compliance requirements to give the Town the flexibility to change the size, location, and dimensional requirements of districts
 - The law obligates us to include the $\frac{1}{2}$ mile radius of the transit area in at least half of our zoning district
 - Granite Avenue and the East Milton business district are non-residential districts with large parcels where larger multifamily buildings may be possible



DHCD's Compliance Model

Why did we test these subdistricts and dimensional requirements? (continued)

- DHCD's compliance model only responds to parcels as they exist today, which drives decision-making on dimensional requirements.
 - Much of the Residence C zone in the transit area consists of undersized (~5,000-7,000 sf) parcels. Only so much density can fit on these parcels
- Maintaining the physical character of the Town is a clear priority.
 - Although the larger parcels in the Residence A and B zones in the transit area could potentially support additional density, that would also put them at risk for tear-down. Our goal has been to suggest dimensional requirements that give houses in the transit area the best chance at being redeveloped through additions and renovations rather than demolition.



DHCD's Compliance Model

Compliance Model Outputs

	Modeled Multifamily Unit Capacity	District Size	District Density Denominator*	Modeled District Density**
Transit Area Subdistrict 1	2,331 units	311 acres	303 acres	7.7 Units/Acre = <i>2331 units / 303 acres</i>
Transit Area Subdistrict 2	880 units	230 acres	220 acres	3.3 Units/Acre = <i>880 units / 220 acres</i>

	Modeled Multifamily Unit Capacity	District Size	District Density Denominator*	Modeled District Density**
Granite Ave	391 units	12 acres	12 acres	34.5 Units/Acre = <i>391 units / 12 acres</i>
East Milton	1,059 units	23 acres	23 acres	46.4 Units/Acre = <i>1,059 units / 23 acres</i>



DHCD's Compliance Model

Checking Key Compliance Criteria

	Modeled Multifamily Unit Capacity	District Size	District Density Denominator*	Modeled District Density
Transit Area Subdistrict 1	2,331 units	311 acres	303 acres	7.7 Units/Acre = $2331 \text{ units} / 303 \text{ acres}$
Transit Area Subdistrict 2	880 units	230 acres	220 acres	3.3 Units/Acre = $880 \text{ units} / 220 \text{ acres}$
Granite Ave	391 units	12 acres	12 acres	34.5 Units/Acre = $391 \text{ units} / 12 \text{ acres}$
East Milton	1,059 units	23 acres	23 acres	46.4 Units/Acre = $1,059 \text{ units} / 23 \text{ acres}$
TOTAL	4,661 units	576 acres	558 acres	8.3 Units/Acre = $4,661 \text{ units} / 558 \text{ acres}$
Compliant?	Yes. Minimum 2,461 units required.	Yes. Minimum 50 acres required.	<i>N/A</i>	No. Minimum 15 Units/Acre required.



Lessons Learned

- Remember: The zoning district we create must satisfy three variables:
 - At least 50 acres
 - Zoned capacity of at least 2,461 units
 - Average density of 15 units per acre
- It will not be difficult to satisfy the first two variables
 - The transit area itself is almost 550 acres. Zoning for the lowest or nearly lowest compliant level of density in the transit area far exceeds the minimum zoned capacity.
 - We could significantly reduce the amount of land zoned in the transit area, especially if other subdistricts are considered.
- However, we are far off from our average density requirement of 15 units per acre



Lessons Learned

Checking Key Compliance Criteria

	Modeled Multifamily Unit Capacity	District Size	District Density Denominator*	Modeled District Density
Transit Area Subdistrict 1	2,331 units	311 acres	303 acres	$7.7 \text{ Units/Acre} = 2331 \text{ units} / 303 \text{ acres}$
Transit Area Subdistrict 2	880 units	230 acres	220 acres	$3.3 \text{ Units/Acre} = 880 \text{ units} / 220 \text{ acres}$
Granite Ave	391 units	12 acres	12 acres	$34.5 \text{ Units/Acre} = 391 \text{ units} / 12 \text{ acres}$
East Milton	1,059 units	23 acres	23 acres	$46.4 \text{ Units/Acre} = 1,059 \text{ units} / 23 \text{ acres}$
TOTAL	4,661 units	576 acres	558 acres	$8.3 \text{ Units/Acre} = 4,661 \text{ units} / 558 \text{ acres}$
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Lessons Learned

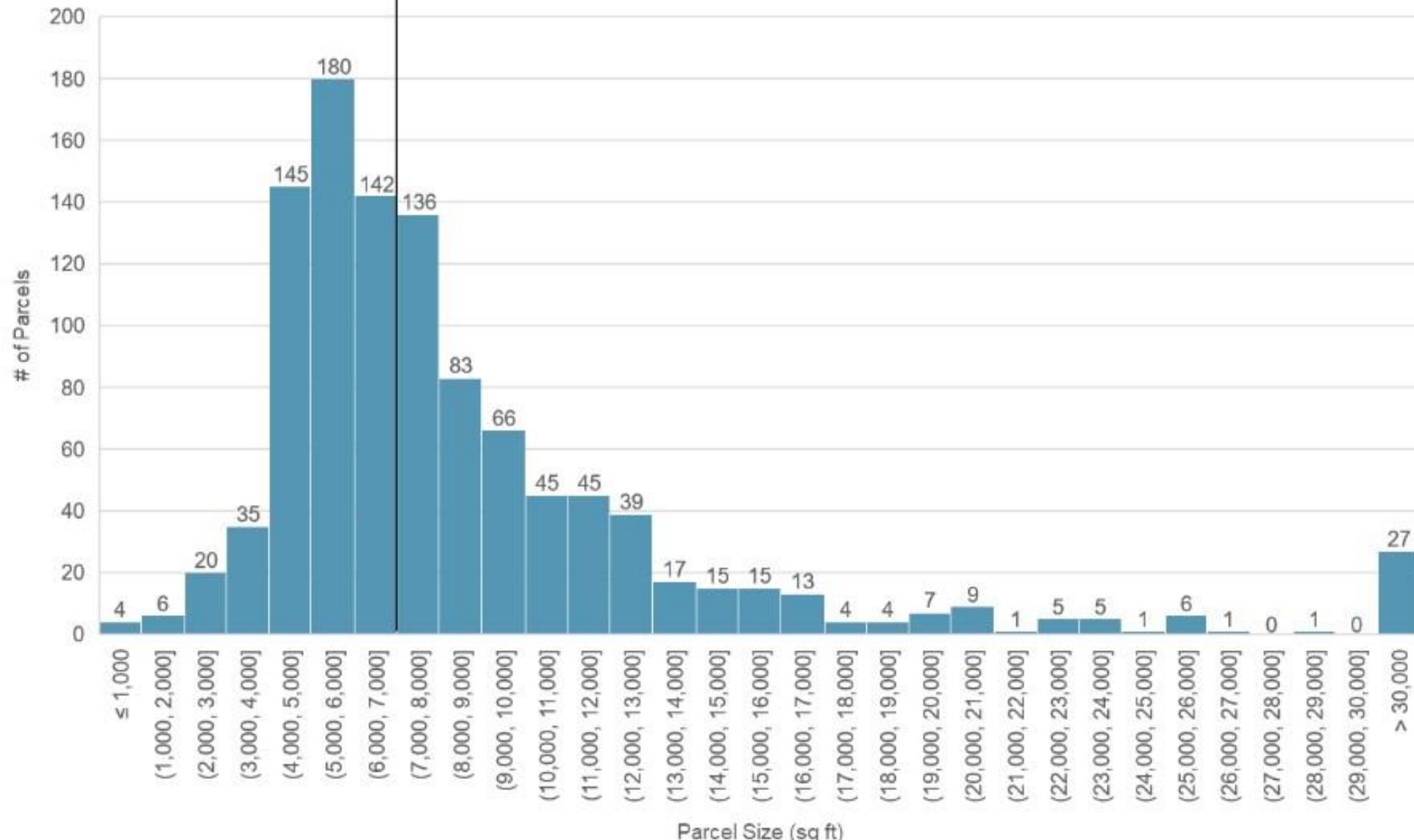
What is driving these numbers?

- Remember that the compliance model only responds to the existing parcelization in a district.
 - This means that it doesn't assume parcel consolidation (to create a compliant parcel out of multiple undersized parcels) or lot subdivision (to create multiple compliant parcels out of one oversized parcel)



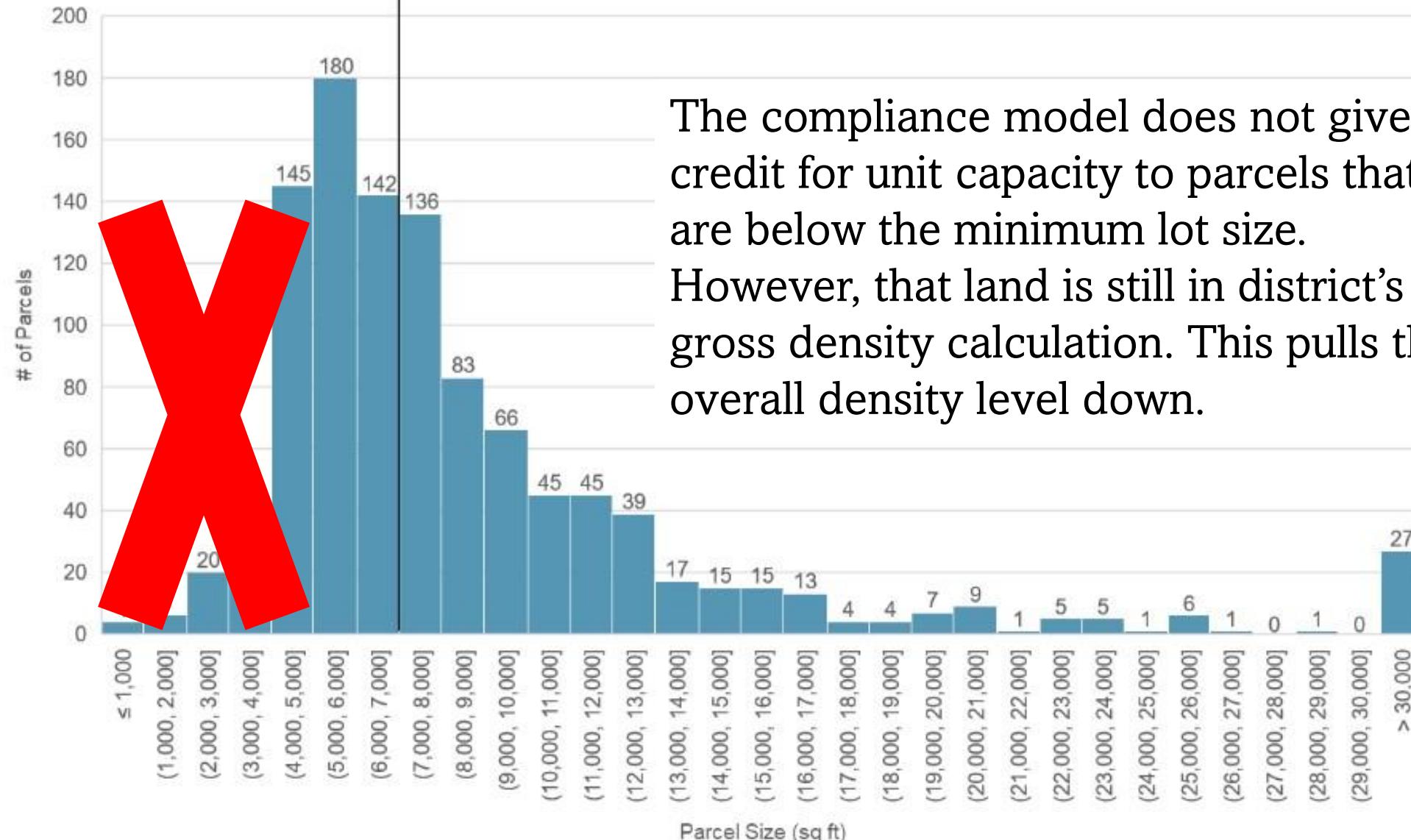
Median: 7000 sqft

Transit Area Subdistrict 1 Parcel Sizes



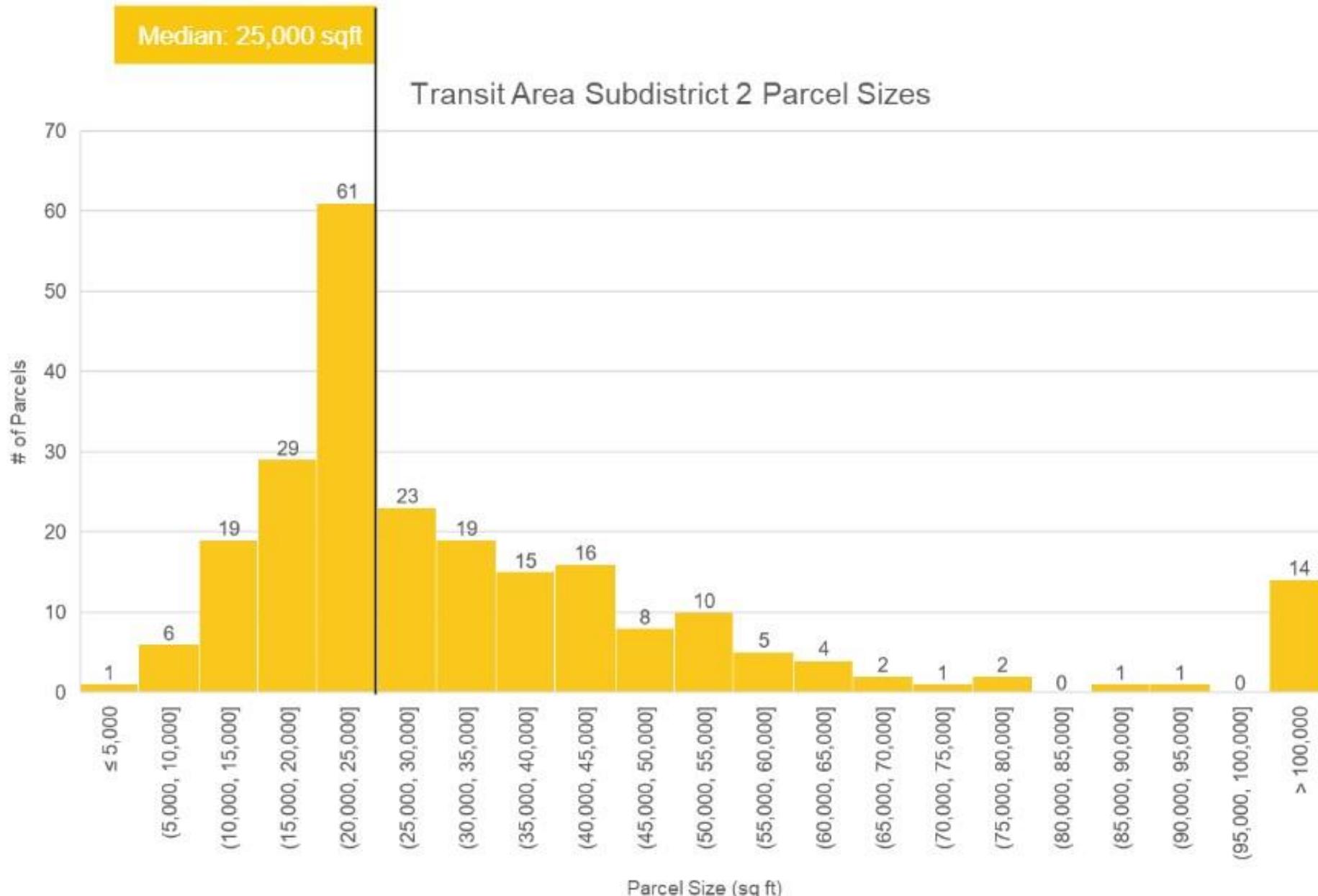
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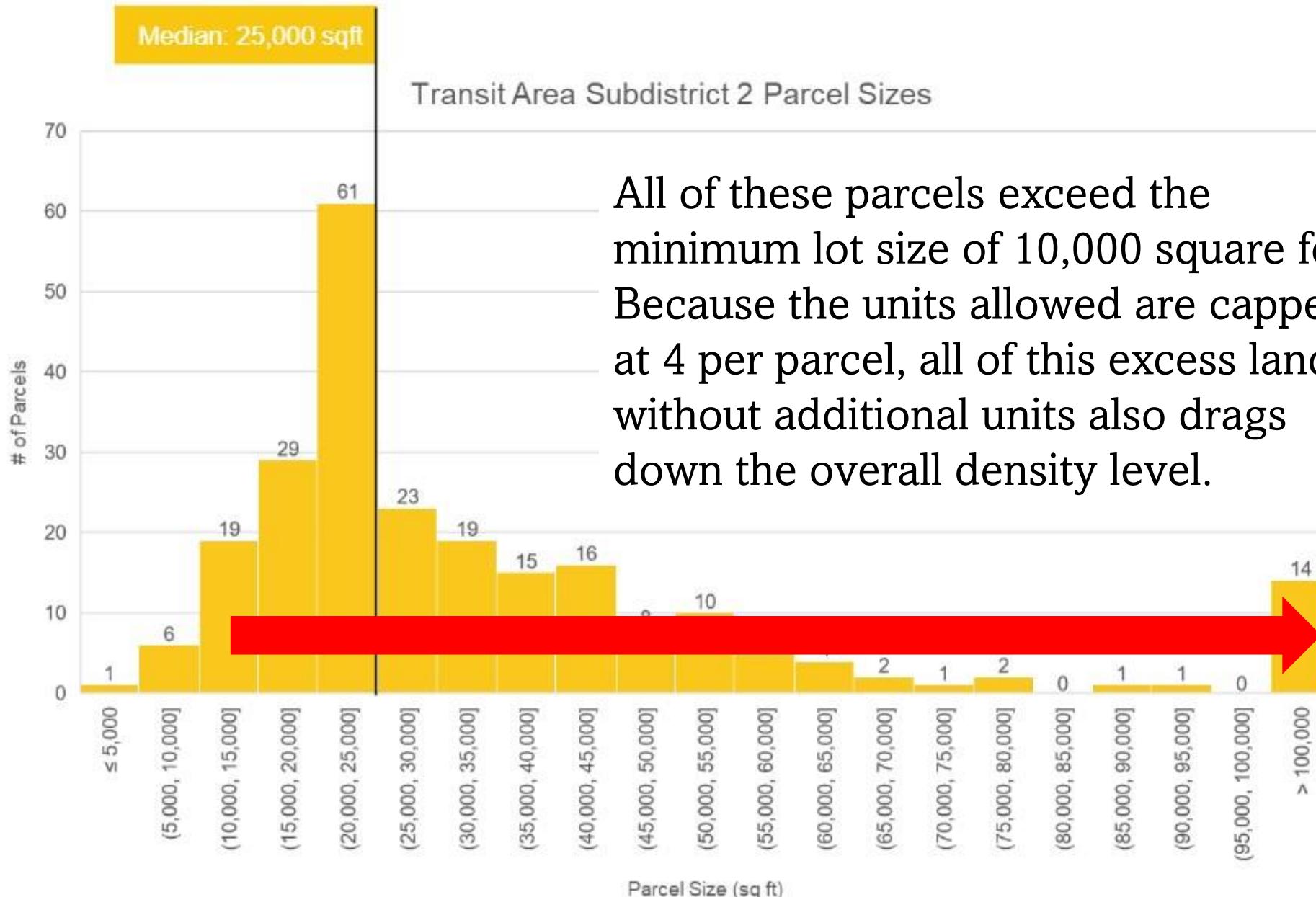
Transit Area Subdistrict 1 Parcel Sizes



The compliance model does not give credit for unit capacity to parcels that are below the minimum lot size. However, that land is still in district's gross density calculation. This pulls the overall density level down.







All of these parcels exceed the minimum lot size of 10,000 square feet. Because the units allowed are capped at 4 per parcel, all of this excess land without additional units also drags down the overall density level.



Priorities and Tradeoffs

What are the Town's priorities for density, design, and location of potential new housing?

- Is preserving the current physical character of the transit area as much as possible important?
- Is locating new housing in different locations throughout Town important?
- How much parking is needed in new multifamily housing?
- Are community benefits like affordable housing, open space, commercial space, and public realm improvements important?

The answers to these questions can have significant effects on the type of districts we draw up and the requirements inside those districts.



Priorities and Tradeoffs

Is preserving the current physical character of the transit area as much as possible important?

- If yes, we will need to find density gains in subdistricts elsewhere in Town in order to hit our compliance numbers
- If no, then the bulk of our requirements can be met in the transit area



Priorities and Tradeoffs

Is locating new housing in different locations throughout Town important?

- If yes, then there are multiple options for locating multifamily housing in several different neighborhoods.
- If no, then the impacts on the transit area will be significant



Priorities and Tradeoffs

How much parking is needed in new multifamily housing?

- Parking is a major factor in determining the size, shape, and impact of new developments. Requiring multiple parking spaces per unit means paving over more of a site (necessitating site disturbance and tree removal), reducing the amount of potential space for housing and open space, and increasing the price of housing. Excessive parking requirements also increase the number of cars on the road, exacerbating the already significant traffic congestion problem in Town



Priorities and Tradeoffs

Are community benefits like affordable housing, open space, commercial space, and public realm improvements important?

- We can require a 10 percent affordability requirement in our new zoning districts.
- Mixed-use or commercial space can be allowed in our new districts, but not required.
- Other benefits like streetscape improvements or open space cannot be required under as-of-right zoning.
- However, we can require these things via special under a density or height bonus scheme, as long as the district allows multifamily residential to be built as-of-right.
 - Example: the as-of-right zoning allows for 10 units and a height of 35 feet. A special permit in the same district could allow for 15 units at a height of 45 feet, in exchange for more affordable housing or provision of open space or ground floor commercial space



What's Next?

Two key assumptions:

- Small parcels in the Residence C zone can handle only so much density
- We want to preserve the physical character of the district where possible by avoiding teardowns and encouraging renovations and additions.

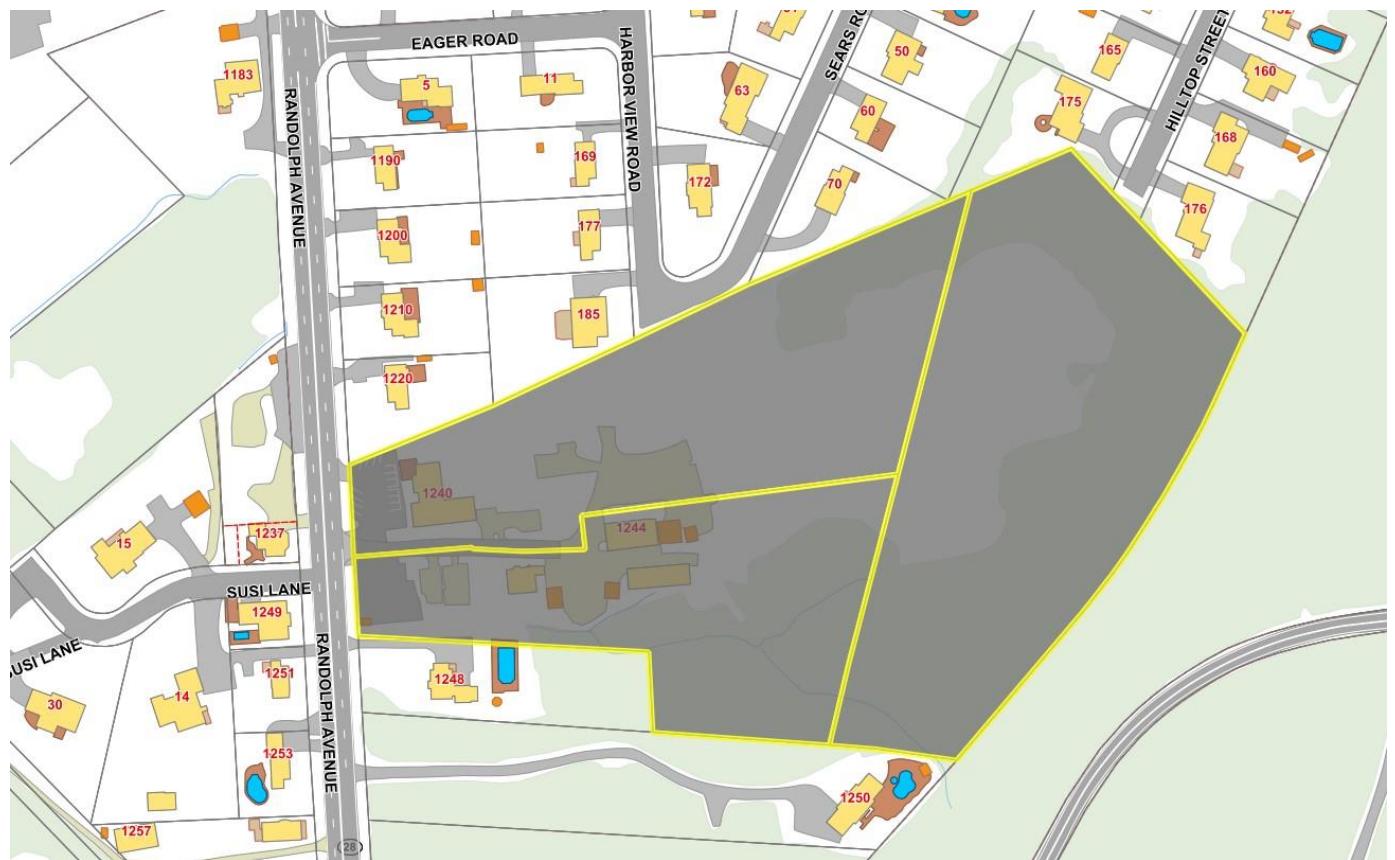
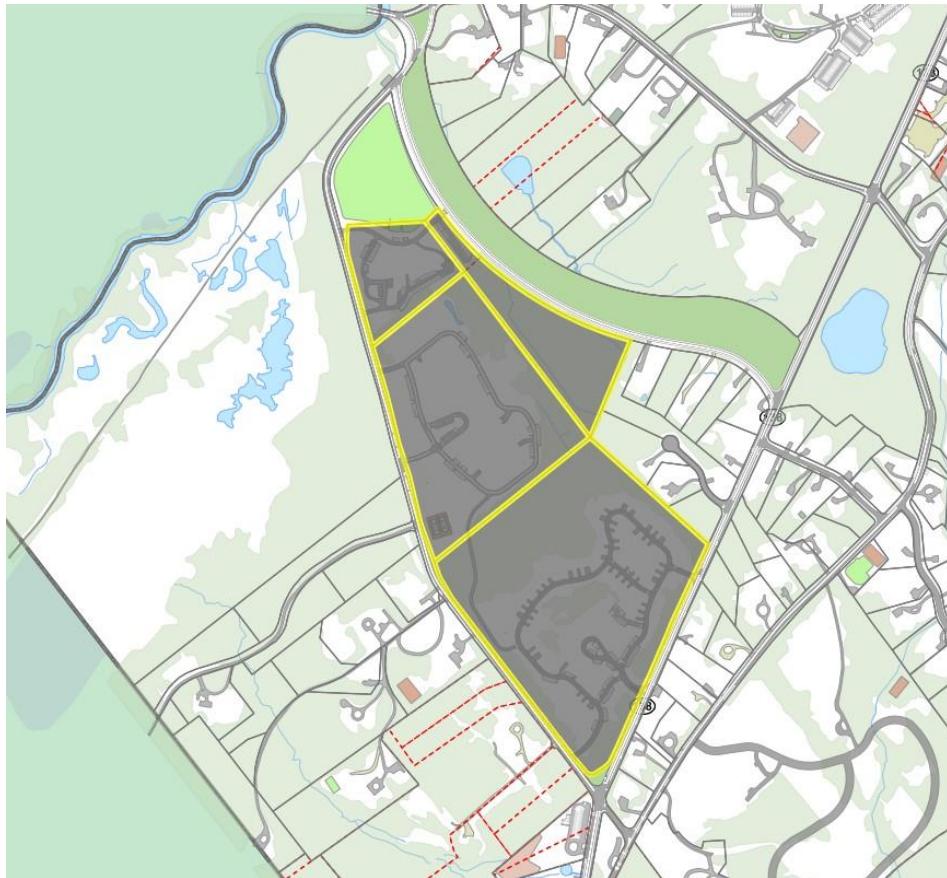
If these assumptions are accurate, then:

- We need to boost our overall density numbers by zoning for higher density elsewhere **OR**
- We need to remove areas of the transit area that are pulling down the overall density level **OR**
- We need to do both.



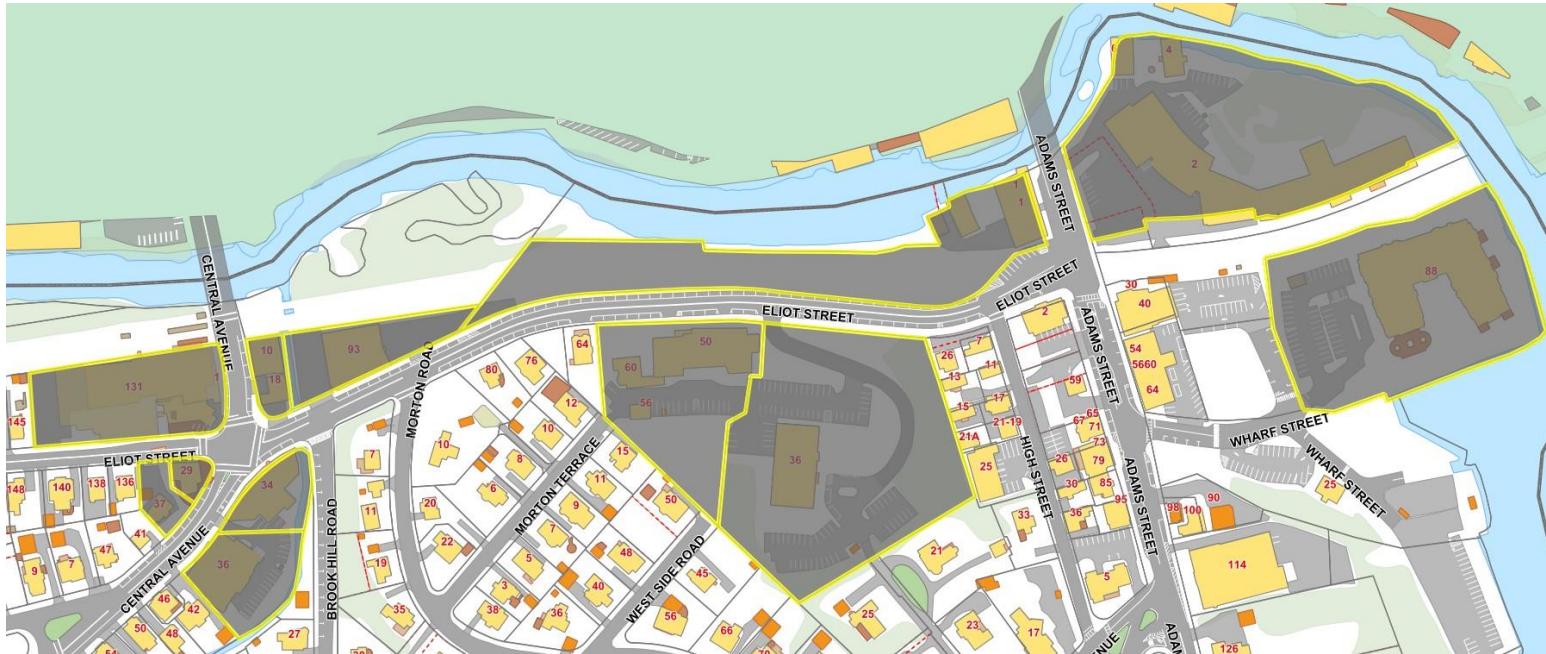
What's Next?

We are testing additional subdistricts where denser multifamily may be feasible. We are also removing East Milton, which has its own zoning process, from consideration.



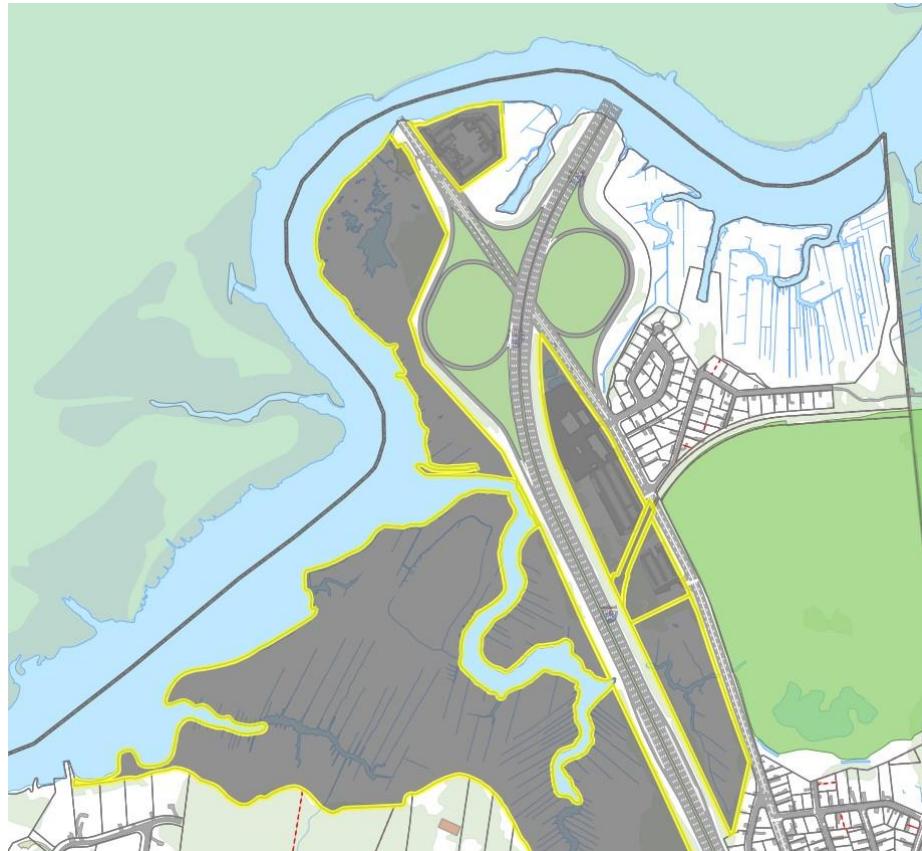
What's Next?

With technical assistance from the Metropolitan Area Planning Council, we are testing additional subdistricts where denser multifamily may be feasible.



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What's Next?

The Department of Planning and Community Development will be hosting monthly public forums like this one, in addition to smaller targeted engagement efforts and continued discussion at Planning Board meetings.

Our next public forum will be Thursday, June 15. Please monitor the Planning Department's MBTA Communities page for more information



The screenshot shows the official website of the Town of Milton, Massachusetts. The header features the town's name in a large, stylized font with a seal, and a "MASSACHUSETTS" banner. The top navigation bar includes links for "ABOUT", "DEPARTMENTS", "BOARDS & COMMITTEES", and "REPORT A PROBLEM". A search bar and language selection are also present. A sidebar on the right is titled "Planning & Community Development Calendar" and shows a "February" calendar with the 15th highlighted. The main content area is titled "Planning & Community Development" and contains text about the department's responsibilities and mission. The sidebar menu, which is the focus of the red circle, includes links for "Local Rapid Recovery Plan", "MBTA Communities Multi-Family Zoning Requirement", "Master Plan Implementation Committee", "Milton Affordable Housing Lottery", "Milton Zoning Map", "Planning Board", "Plans and Studies", "Resources for Affordable Housing", "Sign Review Documents", "Transportation Studies & Resources", and "Wireless Telecommunications Design Review".



A black and white aerial photograph of a residential neighborhood. The area is densely packed with houses, mostly single-family homes with lawns. There are several streets and a few larger buildings, possibly schools or community centers. The terrain is relatively flat with some minor hills or ridges visible in the background.

Thank you!