

MBTA COMMUNITIES

Zoning Requirements, Timelines, Eligibility
Under Revised DHCD Guidelines



Arlington, MA

Presented to the Arlington Redevelopment Board: 9/12/22
By Town of Arlington Department of Planning and Community Development

MBTA COMMUNITIES

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Legislation

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DHCD
Guidelines

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Climate Law
Pilot Program

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Timeline

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Discussion and
questions



To be eligible for funding from MassWorks,
Local Capital Projects Fund, or Housing Choice
Initiative, an MBTA Community shall have...

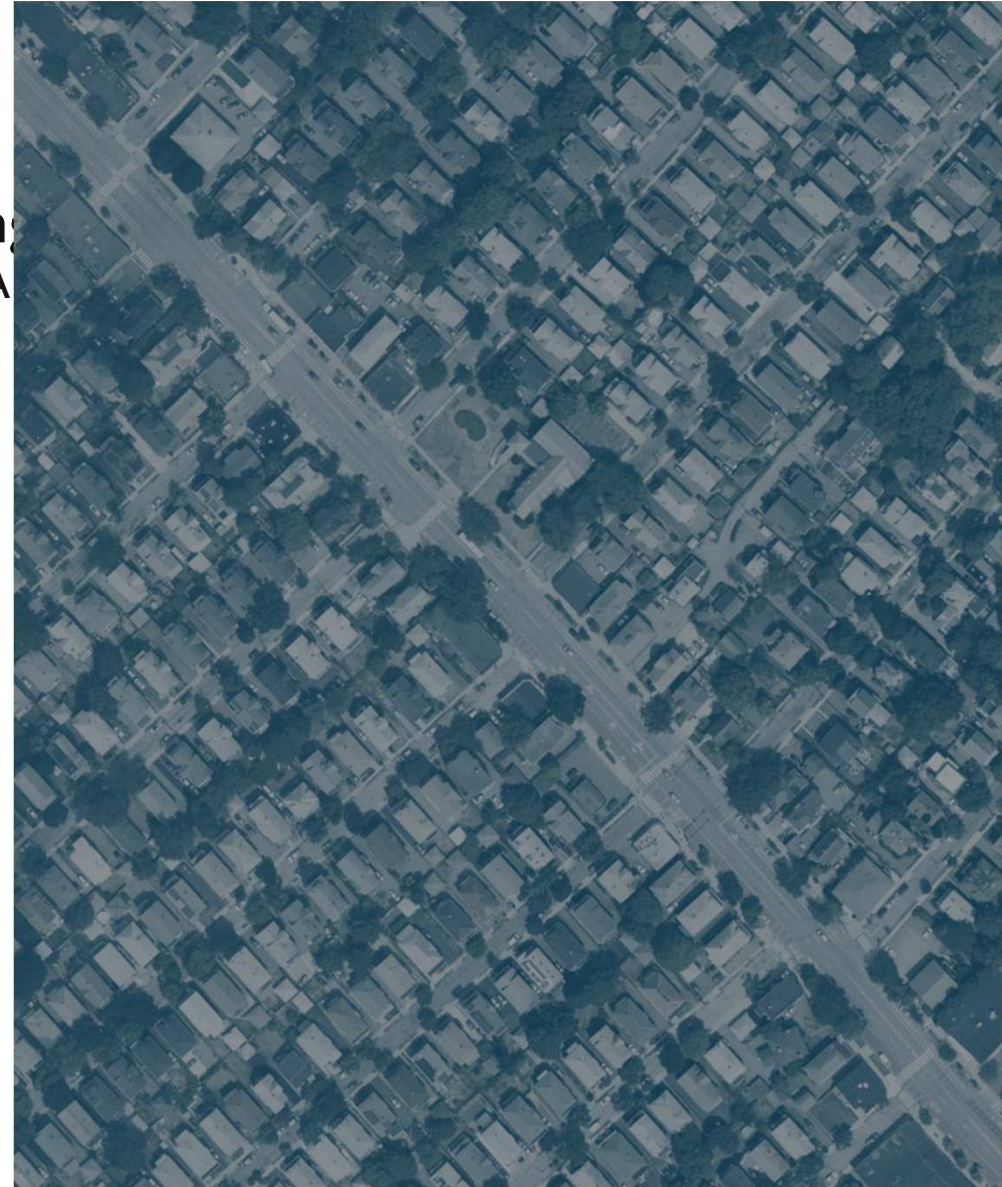
“at least one zoning district of reasonable size
in which multi-family housing is permitted
as of right.”

—ECONOMIC DEVELOPMENT BOND BILL (PARTNERSHIPS FOR GROWTH), JANUARY 2021

Multi-Family Zoning

codified in Section 3A

- At least one district *of reasonable size*
- Multifamily housing permitted as of right
- No age restrictions; suitable for families with children
- Minimum gross density of 15 units/acre
- Not more than ½ miles from a subway station or bus station



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DHCD FINAL GUIDELINES

What's new, what's different, and what it means for Arlington

WHAT HAS CHANGED?



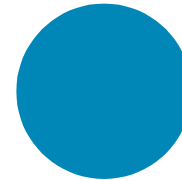
Revised
community
categories



Capacity



"Reasonable
size" criteria



District
location
requirements



Incentives*

*Not a component of
DHCD guidelines

WHAT HAS CHANGED?

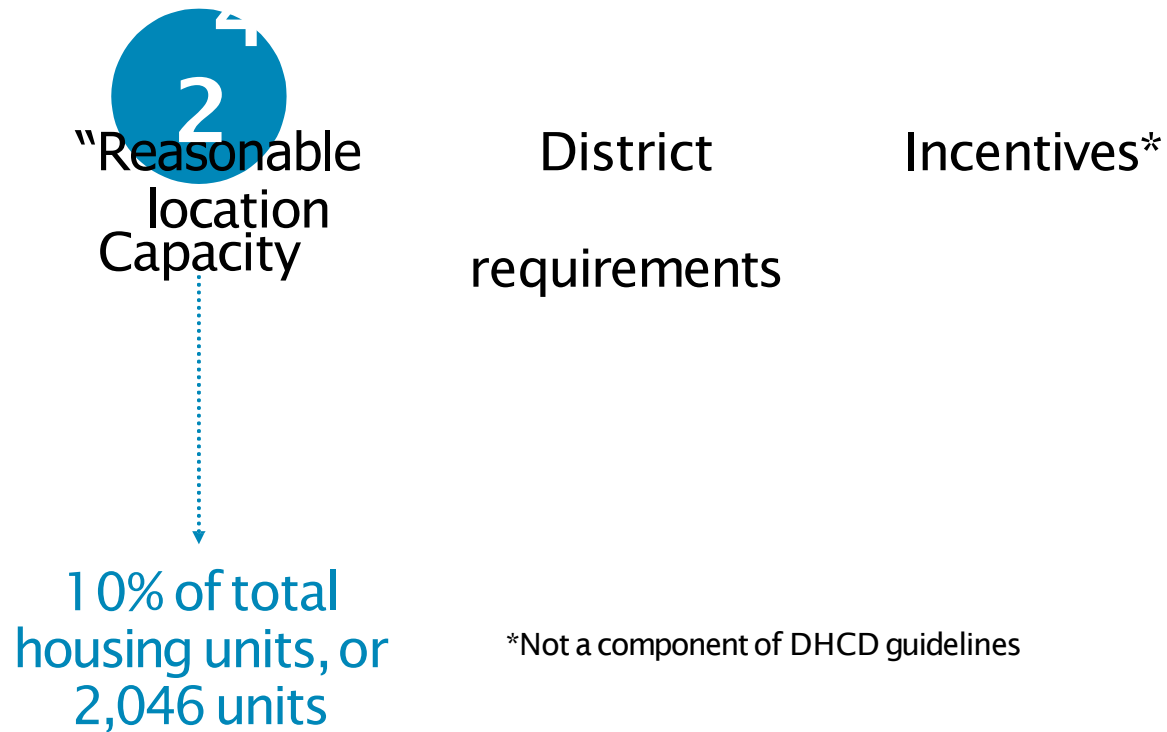


Revised
community
categories

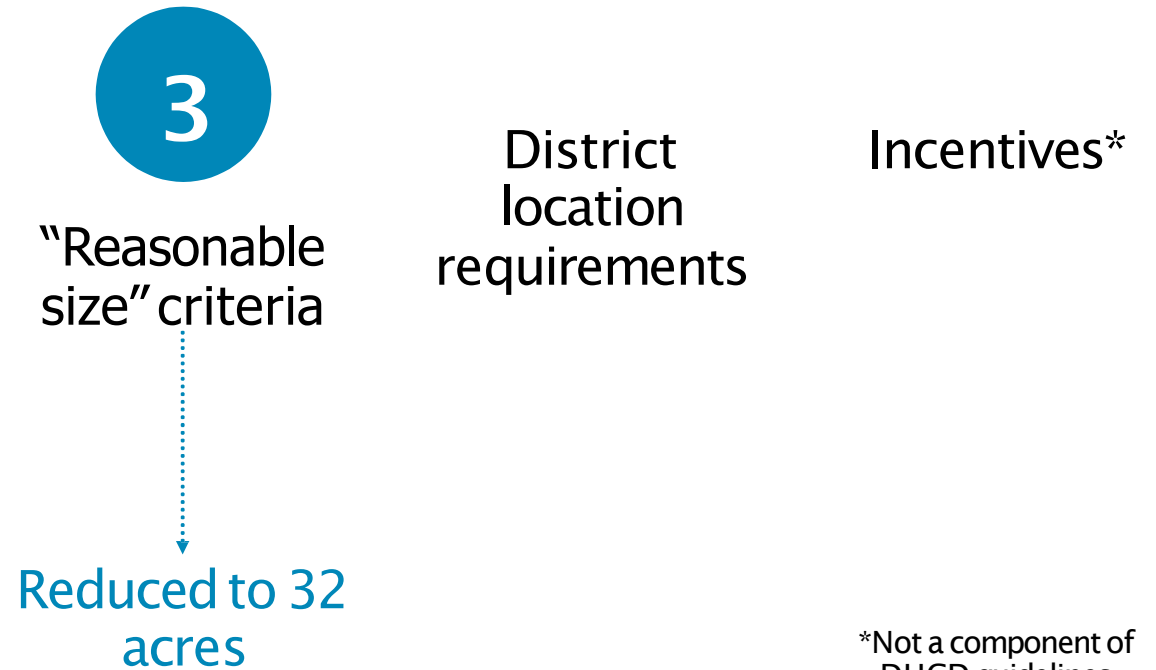


Arlington is now
an “adjacent”
community

WHAT HAS CHANGED?



WHAT HAS CHANGED?



WHAT HAS CHANGED?



District
location
requirements



0% required to be
within ½ mile of
Alewife

Incentives*

*Not a component of
DHCD guidelines

WHAT HAS CHANGED?



Incentives*



Participation in
Fossil Fuel Ban
pilot program

*Not a component of
DHCD guidelines

MGL C. 40A SECTION 3A

- At least one district *of reasonable size*
- Multifamily housing permitted as of right
- No age restrictions; suitable for families with children
- Minimum gross density of 15 units/acre
- Not more than ½ miles from a subway station or bus station

GUIDELINES

- Minimum 32 acres
- Building with 3+ residential dwelling units
- No age restrictions or bedroom limits in zoning
- Capacity for 2,046 units
- District(s) must be at least 5 contiguous acres; recommended location along transit corridors and commercial centers

OTHER NOTABLE UPDATES

Site Plan Review

- Can require site plan review for as-of-right multifamily uses
- Should not impose unreasonable requirements or undue delay on proposed projects

Affordability

- Up to 10% at 80% AMI or
- Up to 20% under 40R district or if local affordability requirements predate enactment of Section 3A (DHCD approval required)

Local Requirements

- Cannot require multifamily housing to meet higher energy efficiency standards than other uses
- Cannot require multifamily housing to be combined with commercial or other uses as part of a single project

By complying with MBTA

**Communities legislation,
Arlington would remain
eligible for funding from...**

And can participate in

**\$ MassWorks Infrastructure
Program**

\$ Housing Choice Initiative

\$ Local Capital Projects Fund

**MA Clean Energy Law Pilot
Program**

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MA CLEAN ENERGY LAW

MBTA Communities and the Fossil Fuel Ban Pilot Program

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Arlington's participation in pilot program

STM 2020

Article 5, "Fossil Fuel Ban", approved by 92% of TMMs (225-18)

Home Rule Legislation to allow Town to restrict new fossil fuel infrastructure

Impacts new buildings and major renovation

New Climate Law

In August, Gov. Baker signed "Act Driving Clean Energy and Offshore Wind" bill into law.

Allows Arlington to participate in pilot program *IF* Town meets a stated inclusionary housing policy by January, 2024

Requirements

Inclusionary housing policy must be met:

- 10% of total housing units are on SHI
- Compliance with MBTA Communities

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TIMELINE

to remain in compliance as a MBTA Community

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Timeline

September, 2023

DHCD releasing Compliance Model

DPCD applying for technical assistance for MBTA Communities planning, outreach, and engagement

January 31, 2023

Deadline for Action Plan submission to DHCD

December 31, 2024

Deadline for TM to approve MBTA Communities Zoning

Must be approved by January, 2024 to participate in fossil fuel ban pilot program

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